



CITY OF WEST KELOWNA
MINUTES OF THE AGRICULTURAL ADVISORY COMMITTEE MEETING

Wednesday, April 7, 2021
COUNCIL CHAMBERS
2760 CAMERON ROAD, WEST KELOWNA, BC

MEMBERS PRESENT: Jan Bath, Chair
Philip Gyug
Geoffrey Oliver
Anton Schori
Nikko Shankman

MEMBER ABSENT: Serina Penner, Vice Chair

Staff Present: Chris Oliver, Senior Planner
Natasha Patricelli, Recording Secretary
Jayden Riley, Planner II

Others Present: Christina Forbes, Beef & Livestock Industry Specialist, Ministry of Agriculture, food and Fisheries

1. CALL THE AGRICULTURAL ADVISORY COMMITTEE MEETING TO ORDER

The meeting was called to order at 5:02 p.m.

In accordance with the most recent Provincial Health Officer Order regarding gatherings and events, the public was not permitted to attend the Agricultural Advisory Committee meeting in-person. As an open meeting, it was webcast live and archived on the City's website.

2. INTRODUCTION OF LATE ITEMS

3. ADOPTION OF AGENDA

It was moved and seconded

THAT the agenda be adopted as presented.

CARRIED UNANIMOUSLY

4. **ADOPTION OF MINUTES**

4.1 **Minutes of the Agricultural Advisory Committee meeting held February 11, 2021 in the City of West Kelowna Council Chambers**

It was moved and seconded

THAT the minutes of the Agricultural Advisory Committee meeting held February 11, 2021 in the City of West Kelowna Council Chambers be adopted.

CARRIED UNANIMOUSLY

5. **PRESENTATIONS**

5.1 **Christina Forbes, Beef & Livestock Industry Specialist, Ministry of Agriculture, Food and Fisheries**

Highlights of the presentation include:

- Most farming is concentrated in the Okanagan and Fraser Valley;
- 101 farm practice complaints in the South and Central Okanagan region;
- Majority of complaints in City of West Kelowna are winery complaints regarding noise (propane cannons, night time spraying, equipment and helicopters);
- The Ministry's Strengthening Farming Program initiated to draw agriculture into local government land use planning, address conflicts in farming areas and encourage policies and bylaws supportive of farming;
- Role of Ministry's Regional Agrologist is facilitation and conflict resolution, assist Ministry land use planners, provide information and education to farmers and neighbours about farm practices;
- *Farm Practices Protection Act (FPPA)*:
 - Protects farmers from nuisance lawsuits, nuisance bylaws and prohibitive injunctions when they are using 'normal farm practices';
 - B.C. Farm Industry Review Board is the body to deal with formal complaints about farm practices - investigate and resolve disputes, and has the ability to order a farmer to improve or stop poor farming practices;

- *Local Government Act* and *Land Title Act* integrate agriculture into local government land use planning and subdivision processes;
- Tools to promote farming: Official Community Plan, Regional Growth Strategies, Ag Area Plans, Development Permit Areas;
- Restrictive Covenants are a disclosure statement saying the land is close to an agriculture area where acceptable farm practices may result in noise, dust, odour and or other impacts during certain times of the year;
- Edge planning is for the urban and agricultural areas along the ALR boundary. Non-farm residents who live within 300 meters can be significantly impacted by farming activities;
- Potential Challenges along the 'Edge': land use pressures, urban-rural conflict, lower agricultural activity, dispute resolution resources;
- Potential benefits of 'Edge' planning: greater urban-rural compatibility, land uses optimized, shared responsibility;
- Edge planning design examples: Avoid road stubs and half roads, direct urban traffic away from farms, use buffer setbacks along the ALR edge;
- Issues with Implementation: many local governments haven't implemented edge planning, buffers may have been watered down to a level where they are not effective, developers don't want to give up land, farmers may not want trees shading crops, noise from helicopters and wind machines;
- Farm bylaws allow the City to put more restrictions on farms however requires approval from the Minister of Agriculture. Currently only 4 regulated communities in the province: Langley, Abbotsford, Delta and Kelowna.

Question on the presentation:

- Edge planning works well with new developments but what about existing communities? It is challenging for established communities however the Ministry of Agriculture can provide guidance for rezoning.

6. DELEGATIONS

7. UNFINISHED BUSINESS

8. REFERRALS

8.1 A 21-03; Non-Farm Use Application; 3992 Pritchard Drive North

Highlights of the presentation include:

Property Details:

- Located in South Boucherie Neighbourhood;
- Adjacent to Barona Beach Resort;
- Surrounding Land uses:
 - North: Agriculture (A1);
 - East: Single Detached Residential (R1);
 - South: Tourist Commercial (C6);
 - West: Country Residential (RU1). Agriculture (A1);
- 36,300 sq. m. parcel area;
- 3,000 sq. m. of parcel proposed for non-farm use - "Row F";
- Zoning: Agriculture (A1);
- OCP: Agriculture;
- Located within Agricultural Land Reserve;

Proposal:

- Non-farm use application to use "Row F" for outdoor vehicle parking, refuse storage, accommodate Barona Beach Resort visitors and community garden;
- No fill or permanent improvements;
- Existing dog park proposed to remain;
- Unclear how community garden would be managed;

Background:

- "Row F" historically used for motorhome and RV camping;
- Recently has been used as parking and smoking area;
- ALC Exclusion application for Lot B in 2004;
- Non Farm Use Application to permit parking on "Row F" in 2019;
- ALC refused proposal to construct parking lot in 2020;

Legislative Requirements:

- Agricultural Land Commission Act Section 20 and Section 25 (3);
- Official Community Plan Bylaw Section 2.5.1 and Section 3.3.8;
- Zoning Bylaw: A1 zone does not permit refuse storage and outdoor vehicle parking that is not accessory to a permitted principal use; ALR regulations are more restrictive;
- Agricultural Plan: Limiting the amount of land used by residences and buildings to ensure land is for agricultural purposes; commitment to the protection and enhancement of land within the ALR and land zoned A1;

Referrals:

- Application referred to multiple external agencies and internal departments;
- No comments have been received at this time. Referral period ends April 28, 2021;

Key Considerations:

- Proposal includes a community garden consistent with A1 Zone and ALR land uses however the inclusion of parking and refuse does not - therefore non-farm use application is required;
- Similar application presented to AAC in 2019 to permit outdoor vehicle parking. The AAC did not support the application as proposed;
- "Row F" is currently under lease to ensure a buffer is maintained between agricultural lands and resort development, which was a condition of the ALC's approval of the ALR exclusion application for Barona Beach Resort lands;
- ALC rejected the previous non-farm use application that proposed parking in the same area, "Row F".

Questions on the presentation:

- Property is currently in non-compliance? Yes;
- If the previous application was rejected why is there still non-compliance? There is a history of enforcement on the property;
- Application proposed for community garden with benefit for the resort, why do they need parking? It would be for the greater community and they feel a need for more parking for residents and guests;

- Has interest been expressed from the community for a community garden? Unclear if there was interest expressed - application was put forward by the Barona Beach Strata Council;
- Where is the next closest community garden? City of West Kelowna has several community gardens - Town Centre Community Garden, and Shannon Woods Community Garden;
- Concern that nothing will change if this application does not go through? City bylaw enforcement is triggered on a complaint basis. There is also a ALC Compliance Officer who could provide enforcement on agricultural lands;
- Not allowed to pave on ALR land? ALR restricts the amount of coverage on parcels, subject property has a current base of gravel;
- Non-farm use permit have a term length or based on conditions? Terms established by the ALC, non farm use could be approved indefinitely and based on the conditions established by the Council and ALC on the application;
- Clarification on the parcel as a parking lot and want to bring it back into production would there be a soil assessment? Those should occur early in the ALC process.

Highlights of the discussion include:

- Difficult to imagine raised beds in a parking lot full of cars;
- Agricultural Plan strategy states to maximize land available for agricultural production. Application states 567 sq. ft. is 1.7% of 3 hectares of gardens. Agricultural land use nominal in comparison to the total land area;
- Parking along ALR land limits the amount of farm use;
- Land use has not been satisfied for a community garden;
- Application mirrors previously rejected proposal;
- A community garden would limit the amount of parking used on the remaining portion of the property;
- Space shown for parking is not enough space to turn a car;
- Inaccuracies in submission regarding current uses;
- Community gardens to protect the agricultural land it should be at least 50% of the property;

- Insufficient detail on dimensions. Suggestion is to include specific drawings and dimensions for garden plots, green space and parking area and routes;
- Showing non-compliance for existing regulations;
- Are residents interested in the community garden?;
- Lack of community garden management plan;
- Possible opportunity for Okanagan Xeriscape Association to be involved;
- Lot does not currently uphold existing use.

It was moved and seconded

THAT the AAC not support file A 21-03, Non-Farm Use Application, 3992 Pritchard Drive North due to a lack of farm use versus non farm use in the proposal.

CARRIED UNANIMOUSLY

9. CORRESPONDENCE AND INFORMATION ITEMS

10. OTHER BUSINESS

10.1 Agricultural Advisory Committee Revised Meeting Schedule 2021

It was moved and seconded

THAT the AAC adopt the revised 2021 AAC Meeting Schedule.

CARRIED UNANIMOUSLY

11. ADJOURNMENT OF THE MEETING

The meeting adjourned at 6:15 p.m.

CHAIR

RECORDING SECRETARY