

Agricultural Advisory Committee

Minutes

Date: Thursday, May 9, 2019
Time: 6:00 pm
Location: Council Chamber
City Hall, 1435 Water Street

Committee Members Present: Keith Duhaime, Yvonne Herbison, John Janmaat, Jeff Ricketts and Aura Rose*

Committee Members Absent: Avi Gill, Domenic Rampone, Derek Brown, Pete Spencer (Alternate) and Jill Worboys (Interior Health)

Staff Present: Planner Specialist, Alex Kondor; Legislative Coordinator (Confidential), Clint McKenzie

(*denotes partial attendance)

1. Call to Order

Staff:

- Called the meeting to order at 6:03 p.m.
- Outlined the requirement of the Committee to select a Chair.

John Janmaat agreed to let his name stand to be nominated for the Chair of the Committee.

Moved By Yvonne Herbison/Seconded by Jeff Ricketts

THAT Committee member John Janmaat be nominated as Chair of the Agricultural Advisory Committee.

Carried

The Chair outlined the terms the Committee needs to consider when making recommendations on applications back to Council.

2. Applications for Consideration

2.1 Hartman Rd 839, A19-0006 - Bill and Sukhi Sander

Committee member Aura Rose declared a conflict of interest as the applicant owns the neighbouring farm property and left the meeting at 6:11 p.m.

Staff:

- Displayed a PowerPoint presentation summarizing the application before the Committee.
- Responded to questions from the Committee.
- Confirmed that the applicants already exceed the number of workers they are allowed to accommodate on the site. No matter the number of workers being applied for an application would therefore be required.

Prab Sander, Son of the Applicant:

- A lot of trees are still growing and coming into production over next 3 years requiring more workers.
- This property is central to all of their farm properties – allows efficiencies in getting workers to all of our sites.
- They want ensure workers have a nice facility.
- Responded to questions from the Committee.
- Confirmed over 30 properties owned in the Kelowna area.

Suki Sander, Applicant:

- Confirmed 450 seasonal workers required. Require most of the workers in the Kelowna area and the main packing plant is also close to the subject property.

Staff:

- Responded to questions from committee.
- Confirmed discussions have not taken place with the applicant regarding alternative properties in other City sectors.
- Reviewed the 10 City sectors with the committee highlighting the Rutland City sector.
- There is a minimum lot size for temporary farm worker housing of 3.8 hectares in the context of the farm unit. Housing can potentially be put on a smaller property as long as an applicant has 3.8 hectares of property or more in total.

Moved By Keith Duhaime/Seconded By Yvonne Herbison:

THAT the Agricultural Advisory Committee recommends that Council support Agricultural Land Reserve Application No. A19-0006 for the property located at 830 Hartman Road to allow a non-adhering residential use permit application for Temporary Farm Worker Housing to accommodate up to 60 workers on the property.

Defeated

Opposed – Keith Duhaime, Yvonne Herbison, John Janmaat, Jeff Ricketts

ANEDOTAL COMMENTS

- The Agricultural Advisory Committee recommends that Council direct staff to work with the applicants on all housing options including existing dwellings on properties they own or manage including properties they own outside of the Rutland City Sector.
- The Committee understands there are at times exceptional causes that require making decisions that are not consistent with City policy. The Committee does not see justification in this application being an exceptional case at this time.
- The applicant should also be expected to do their due diligence to rationalize the need for the application.

Committee member Aura Rose returned to the meeting.

2.2 Leader Rd 3019, A19-0003 - Trine & Ryan Markewich

Staff:

- Displayed a PowerPoint presentation summarizing the application before the Committee.
- Confirmed how much of the property is being used for the landscaping business.

Ryan Anderson, OTG Developments, Applicant's consultant:

- Landscaping business is helping make the farm viable. Other applications in other jurisdictions for non-farm use they have made have been successful:
- Examples of Temporary Use Permits they have been granted in other municipalities: Corporation of Delta - Horse bedding recycling facility; City of Chilliwack - soil mixing, mulch landscaping materials.

- There is a plan to move the landscaping business off the site and this application would allow for that transition period.
- Clarified that a minor amount of landscape materials being stored on the site
- Building is being primarily used for agricultural activities.
- In the winter there are 6 pieces of equipment and 8 vehicles being stored.

Ryan Markewich, Land Owner:

- Spoke to the history of farming on the property and the complications of growing some of the crops.
- The current vegetable production is leased out on a remaining two year lease.
- Mushroom and worm casting production have been considered on the site given the quality of the soil.
- Confirmed that for nine months of the year there are 4 pieces of equipment stored on the property.
- Responded to questions from the Committee.

Staff:

- Responded to questions from Committee.
- Confirmed a Temporary Use Permit can be issued up to 3 years. The applicant is asking for a maximum 3-year term with the ability to be eligible for renewal for another 2 years.
- Confirmed the motion is to support a Non-Farm Use permit.

Moved By Aura Rose/Seconded By Jeff Ricketts

THAT the Agricultural Advisory Committee recommends that Council support Agricultural Land Reserve Application No. A19-0003 for the property located at 3019 Leader Road for a Non-Farm Use Permit to allow a commercial landscaping business to operate on the subject property for up to a maximum of five (5) years.

Defeated

Opposed – Keith Duhaime, Yvonne Herbison, John Janmaat, Jeff Ricketts and Aura Rose

Moved By Yvonne Herbison/Seconded By Keith Duhaime

THAT the Agricultural Advisory Committee recommends that Council support a Temporary Use Permit for the property located at 3019 Leader Road for a maximum of (3) years.

Carried

Opposed – Jeff Ricketts

Moved By Aura Rose/Seconded By Keith Duhaime

THAT the Agricultural Advisory Committee recommends that Council support Agricultural Land Reserve Application No. A19-0003 for the property located at 3019 Leader Road for a Non-Farm Use Permit to allow a commercial landscaping business to operate on the subject property for up to a maximum of three (3) years.

Carried

Opposed – Jeff Ricketts

ANEDOTAL COMMENTS

The Agricultural Advisory Committee strongly believes the maximum time period for the transition of the Non-Farm Use for a landscaping business should be to have it removed in less than 3 years.

The meeting recessed at 7:51 p.m.

The meeting reconvened at 8:00 p.m.

2.3 Rifle Road, 575-579, A18-0009 - Marlys Wolfe

Staff:

Displayed a PowerPoint presentation summarizing the application before the Committee.

AAC/Staff Discussion:

- Staff confirmed they have visited the site and reviewed the existing buildings. Only three dwellings on the property that staff are aware of. There is a secondary suite in the house.
- Staff Confirmed there is no building permit on record for the cabin.

Marilys Wolfe, Applicant:

- Confirmed uses in the non-dwelling buildings on the site.
- Confirmed the agricultural products being processed on site.
- Confirmed size of cabin is 12 feet by 30 feet.
- Responded to questions from the Committee.
- Confirmed BC Assessment lists all the dwellings and GEID assesses as well.
- Resent having to apply for non-farm use- believe use should be grandfathered.

Staff responded to questions from Committee:

Discussion ensued amongst the Committee regarding how to ensure the review of grandfathering the use with the ALC.

Moved By Jeff Ricketts/Seconded by Yvonne Herbison:

THAT the Agricultural Advisory Committee recommends that Council support Agricultural Land Reserve Application No. A18-0009 for the property located at 575-579 Rifle Road for a second existing dwelling to be used for a farm manager and a third existing dwelling to be used to house immediate family.

Carried

ANEDOTAL COMMENTS

The Agricultural Advisory Committee supports the application and is of the position that the application should have been evaluated as a grandfathered use as it may be consistent with the ALC regulations regarding grandfathering.

3. ALC Decisions - Update

There are no updates at this time.

4. New Business

No new business at this time.

5. Next Meeting

The next Committee meeting is scheduled for June 13, 2019.

6. Termination of Meeting

The Chair declared the meeting terminated at 8:54 p.m.

/cm

John Janmaat, Chair