



Provincial Agricultural Land Commission - Applicant Submission

Application ID: 59612

Application Status: Under LG Review

Applicant: Maria Kitsch , Trent Kitsch

Agent: Kitsch Wines

Local Government: City of Kelowna

Local Government Date of Receipt: 08/15/2019

ALC Date of Receipt: This application has not been submitted to ALC yet.

Proposal Type: Non-Farm Use

Proposal: The proposal has two related parts.

1: To build a purpose-built winery on a farm that is currently converting to vineyard.

2: Remove or amend legacy ALR covenant

1. We are requesting 3-year relief from the requirement that our property be harvesting 25% of the PFP on the basis that we are already an operating winery and own a parcel 100m away but the current location is not sufficient for the following reasons: no drainage, insufficient power, insufficient water, insufficient heating and cooling, no public restrooms and not owned directly by Trent and Ria Kitsch (it is Kitsch family-owned and Kitsch Wines has a lease on the farm and rental of the garage with winery license). When we purchased the proposed property in November the language of the harvest requirement was "farm" and could include the neighbouring farms that we own and lease to be part of the 25% PFP, now the terminology is "property" and although we have cleared 8.7 acres of cherries and are increasing the planted area to 11.42 acres of Pinot Noir this spring, we will not be able to attribute the 12.7 acres we already farm and own/lease on the bench on Neid Rd (listed in properties of interest) as part of our total farmed PFP. Those farmed properties of interest currently make up over 80% of our PFP. Importantly, the area where we are proposing to build is not able to be farmed as it is a geothermal field that heats the primary residence and future winery. Attached will be vineyard plan, first order for vines, a long term forecast and current business plan, as well as a document showing that we had an offer to purchase the property in Feb of 2018 so that we could remove trees and work on a vineyard and building plan however. Although we didn't feel 100% confident that we would have the funds to close in October as we were waiting on another business to sell to finance the purchase of the property but this shows intent. Our agricultural proximity, investment and intent as well as the stage of our business (not just start-up or idea) should all be considered towards exempting the property harvest requirement for a period of 3 years.

2. For this proposal we are also asking that a legacy covenant be amended or removed - it is a remnant of Hall Rd/O'Rielly Rd subdivision below us and it doesn't allow us to do anything in an area where we would be interested in potentially planting, creating a natural cellar, and or placing a farm equipment building. The Area is perfect for a cellar for the winery (barrel and case storage) as it has a void which in future could be subterranean providing natural insulation to get the cellar at 12 degrees. Area above cellar could then go into production of vines. Also shade created by the current tall pine trees intervenes with sun and breeze exposure and negatively affects the vineyard (moisture, frost, ripening). The needles also significantly raise the PH of the soil and the roots and fruit at our vineyard at 3370 Neid Road that are near pine trees are all the weakest performers and have yet to generate strong fruit sets. The current perimeter fence is in need of repair in many areas due to the animals which border the vineyard and penetrate the protection making us concerned about losing new plantings and harvests. Overall, removing or amending the covenant would allow for increased plantings, improved yields, utility corridor and equipment areas. On the recommendation of ALC Land Planner, we have begun discussion with the City of Kelowna in regards to the covenant to understand their position at this time compared to when it was originally adopted.

Applicant: Maria Kitsch , Trent Kitsch

Agent Information

Agent: Kitsch Wines

Mailing Address:

2830 East Kelowna Rd

Kelowna, BC

V1W 4H5

Canada

Primary Phone: (778) 821-1955

Email: ria@kitschwines.ca

Parcel Information

Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

Parcel Identifier: 003-268-993

Legal Description: L A SEC 16 TP 26 OSOYOOS DIVISION YALE DISTRICT PL 32982 EXC
PL KAP71228

Parcel Area: 8.1 ha

Civic Address: 2830 East Kelowna Rd

Date of Purchase: 11/05/2018

Farm Classification: Yes

Owners

1. **Name:** Maria Kitsch

Address:

2830 East Kelowna Rd

Kelowna, BC

V1W 4H5

Canada

Phone: (778) 821-1955

Email: ria@kitschwines.ca

2. **Name:** Trent Kitsch

Address:

2830 East Kelowna Rd

Kelowna, BC

V1W 4H5

Canada

Phone: (250) 317-5140

Email: trent@kitschwines.ca

Ownership or Interest in Other Lands Within This Community

1. **Ownership Type:** Fee Simple

Parcel Identifier: 012-149-217

Owner with Parcel Interest: Trent Kitsch

Parcel Area: 1.3 ha

Land Use Type: Agricultural/Farm

Interest Type: Full Ownership

Applicant: Maria Kitsch , Trent Kitsch

2. Ownership Type: Fee Simple
Parcel Identifier: 005-266-980
Owner with Parcel Interest: Maria Kitsch
Parcel Area: 7.6 ha
Land Use Type: Agricultural/Farm
Interest Type: Unregistered Lease

Current Use of Parcels Under Application

1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).

This summer 8.15 acres of cherries were harvested and then removed. Soil turnover and land prep clean up is currently taking place for 11.42 acres of Pinot Noir grapes to be planted in spring of 2020. 3.15 acres of land is 100% ready.

2. Quantify and describe in detail all agricultural improvements made to the parcel(s).

Increasing crop coverage by 3.27 acres. Invested in improvements to perimeter fence (there were many needed). 100% completed prep for 3.15 acres of grapes.

3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).

Our family of 4 lives in the main residence.

Adjacent Land Uses

North

Land Use Type: Agricultural/Farm
Specify Activity: Wine grape vineyards

East

Land Use Type: Agricultural/Farm
Specify Activity: Cherry orchard

South

Land Use Type: Agricultural/Farm
Specify Activity: Apple Orchard

West

Land Use Type: Unused
Specify Activity: Vacant RR1 large forested lot

Proposal

1. How many hectares are proposed for non-farm use?

0.1 ha

2. What is the purpose of the proposal?

The proposal has two related parts.

1: To build a purpose-built winery on a farm that is currently converting to vineyard.

2: Remove or amend legacy ALR covenant

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3. Could this proposal be accommodated on lands outside of the ALR? Please justify why the proposal cannot be carried out on lands outside the ALR.

Having a land-based winery license is required to be on ALR land. We cannot build on property of interest 1 (3370 Neid Rd) because it does not have enough planted for ALR requirements nor enough land to build the building without removing vines. We cannot build on property of interest 2 (3330 Neid Road) as we do not own it and it houses a family that does not wish to have a purpose-built winery building on their property.

4. Does the proposal support agriculture in the short or long term? Please explain.

Yes. The new vineyards are being held to organic levels (steel posts, low intervention, natural spray and weed management program). Our participation in agriculture via the winery has demonstrated land improvements and successful agri-tourism and agricultural product sales. The vines we plant are meant to last generations and the proximity to the lands we currently own and farm make it more economical and environmentally friendly as they are only 2 parcels from one another. We are also increasing the jobs in agriculture.

The removal or amendment of the covenant would improve size and quality of plantable area.

5. Do you need to import any fill to construct or conduct the proposed Non-farm use?

No

Applicant Attachments

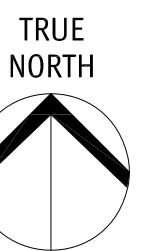
- Agent Agreement - Kitsch Wines
- Proposal Sketch - 59612
- Other correspondence or file information - Initial Vine order
- Other correspondence or file information - Vineyard Plan
- Other correspondence or file information - Original purchase agreement
- Other correspondence or file information - Proposed Winery building location and design
- Other correspondence or file information - Proposed Winery Floorplan
- Other correspondence or file information - Long Term Financial Forecast & Plan
- Other correspondence or file information - 2019 Business Plan
- Certificate of Title - 003-268-993

ALC Attachments

None.

Decisions

None.



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No.	Date	Revision
01	2019.03.29	Issued for development permit

Project Title
KITSCH WINES

KELOWNA BC
 Drawing Number

A0.00

DRAWINGS ARE NOT TO BE SCALED.
 ALL DIMENSIONS SHALL BE VERIFIED ON JOB

Drawing Title
PROPOSED SITE PLAN

1/64" = 1'-0"

Date	
Job No.	m+m 18-....
Scale	AS SHOWN
Drawn	
Checked	CC

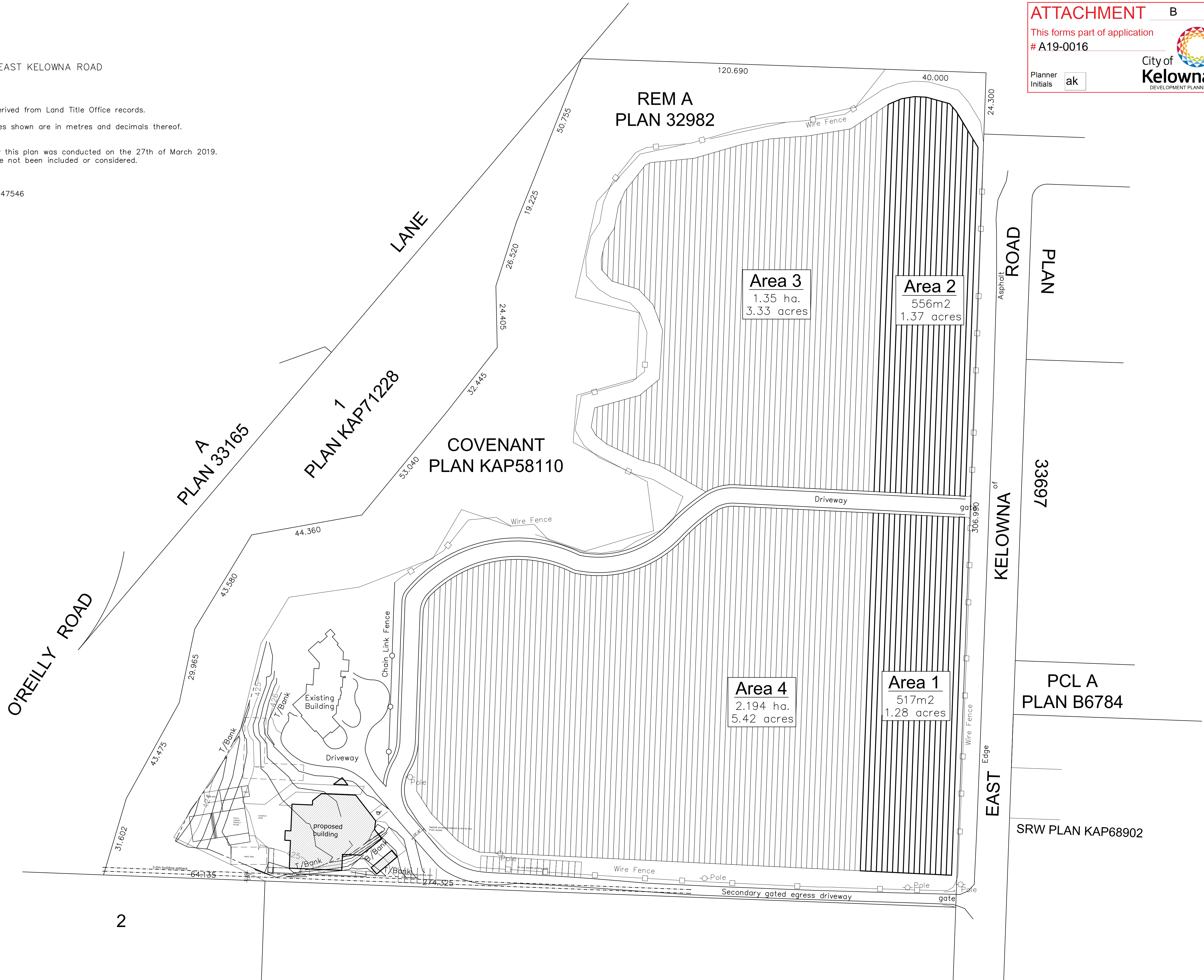
ATTACHMENT B
 This forms part of application # A19-0016
 Planner Initials **ak**
 City of Kelowna DEVELOPMENT PLANNING

CIVIC ADDRESS: 2830 EAST KELOWNA ROAD

Lot dimensions shown are derived from Land Title Office records.
 Scale 1:1000 Metric. Distances shown are in metres and decimals thereof.

Notes:
 - The survey represented by this plan was conducted on the 27th of March 2019.
 - Unregistered interests have not been included or considered.

Charges on Title:
 - Covenant KK102845
 - Statutory Right of Way KL47546

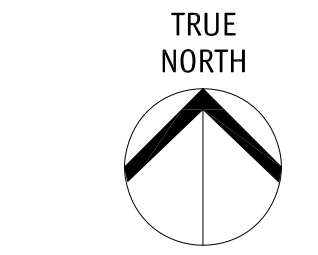
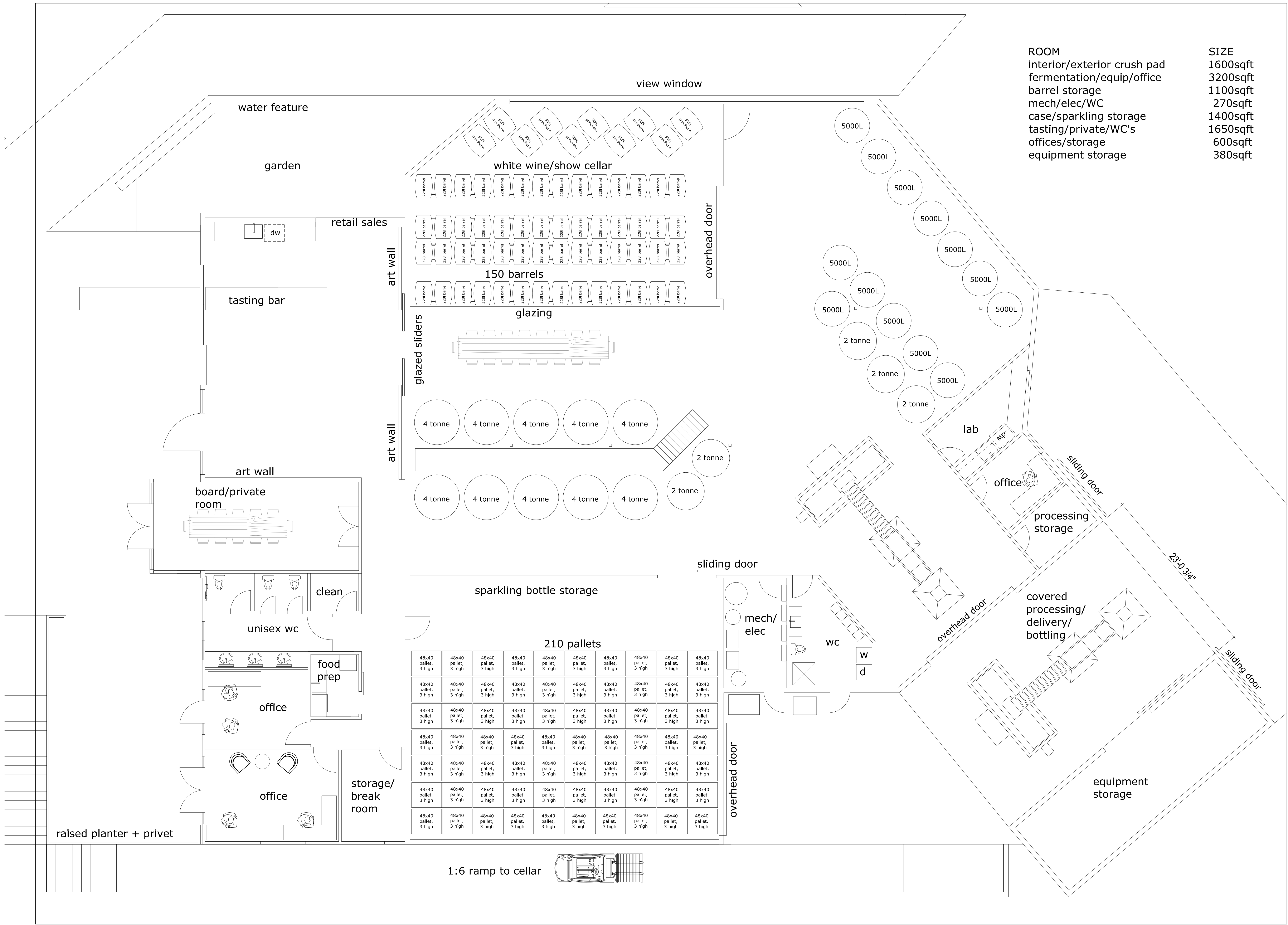


PARKING
 tasting(retail liquor)
 production(general industrial)

REQ'S
 3.0 per 100sqm/215sqm
 2.0 per 100sqm/672sqm

TOTAL
 6.45
 13.44
 20

ROOM	SIZE
interior/exterior crush pad	1600sqft
fermentation/equip/office	3200sqft
barrel storage	1100sqft
mech/elec/WC	270sqft
case/sparkling storage	1400sqft
tasting/private/WC's	1650sqft
offices/storage	600sqft
equipment storage	380sqft



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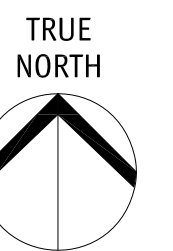
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Drawing Title
UPPER LEVEL FLOOR PLAN

3/16" = 1'-0"

Date	
Job No.	m+m 18-....
Scale	AS SHOWN
Drawn	
Checked	CC



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Project Title
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KELOWNA BC

Drawing Number

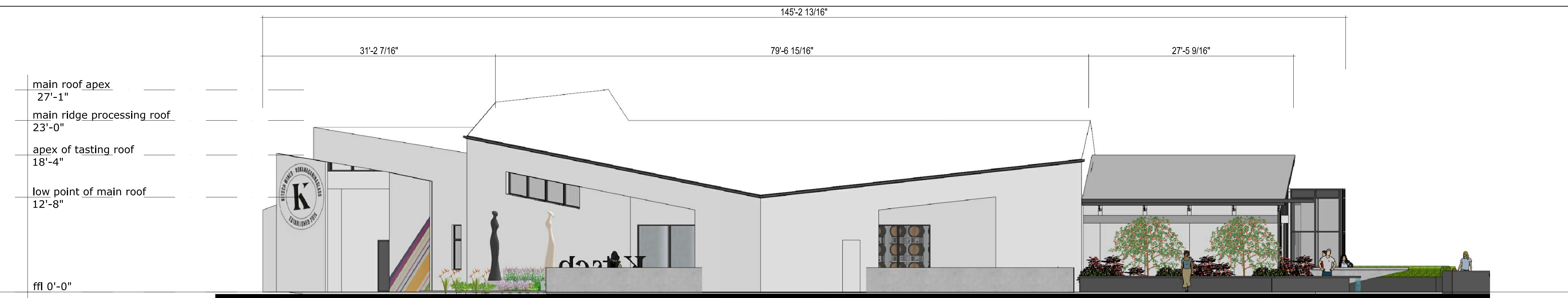
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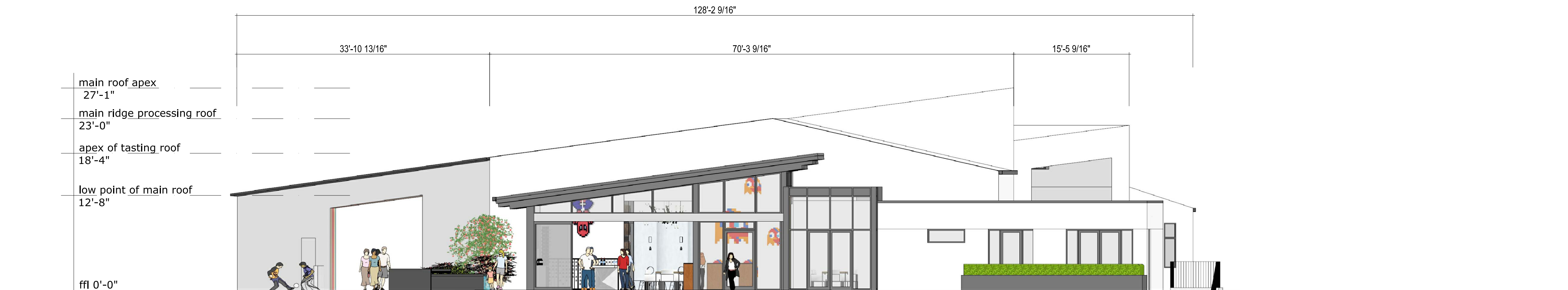
Drawing Title
**CELLAR
 FLOOR PLAN**

3/16" = 1'-0"

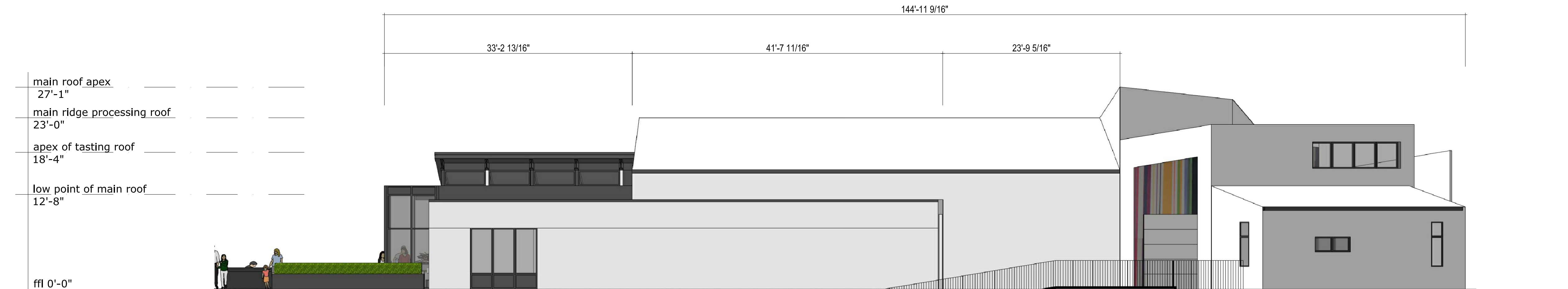
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Job No.	m+m 18-....
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Drawn	
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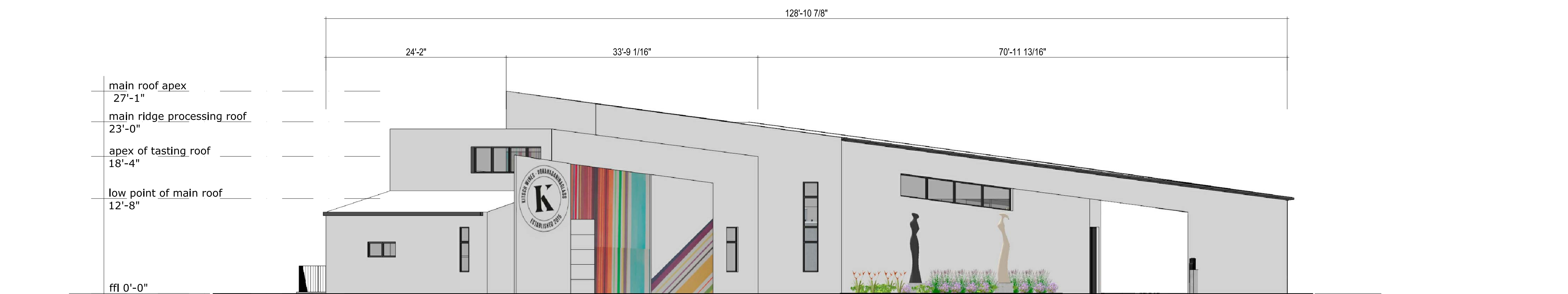
NORTH ELEVATION



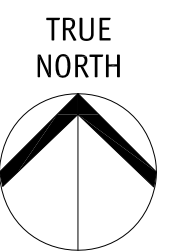
WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION



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Project Title
KITSCH WINES

KELOWNA BC

Drawing Number

A0.03

DRAWINGS ARE NOT TO BE SCALED.
 ALL DIMENSIONS SHALL BE VERIFIED ON JOB

Drawing Title
PROPOSED ELEVATIONS

3/32" = 1'-0"

Date	
Job No.	m+m 18-....
Scale	AS SHOWN
Drawn	
Checked	CC



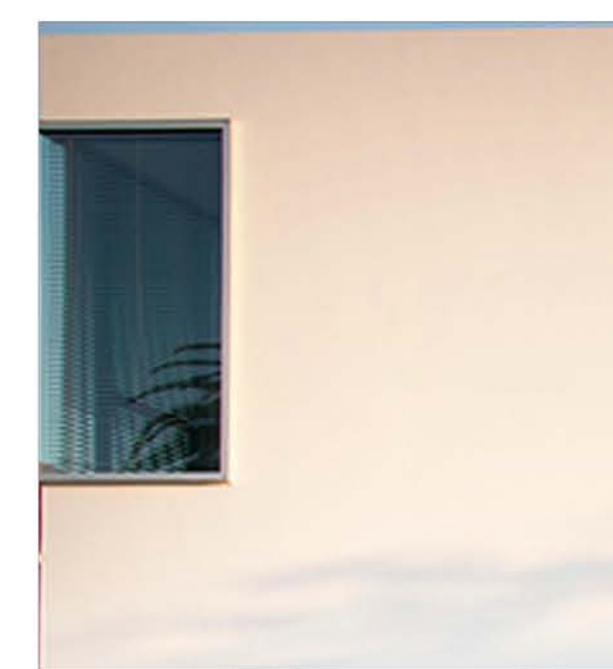
smooth white insulated
 aluminum panels



dark gray
 steel beams



curtain wall
 glazing



fine finish stucco



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Project Title
KITSCH WINES

KELOWNA BC
 Drawing Number

A0.05

DRAWINGS ARE NOT TO BE SCALED.
 ALL DIMENSIONS SHALL BE VERIFIED ON JOB

Drawing Title
PROPOSED MATERIALS

NTS

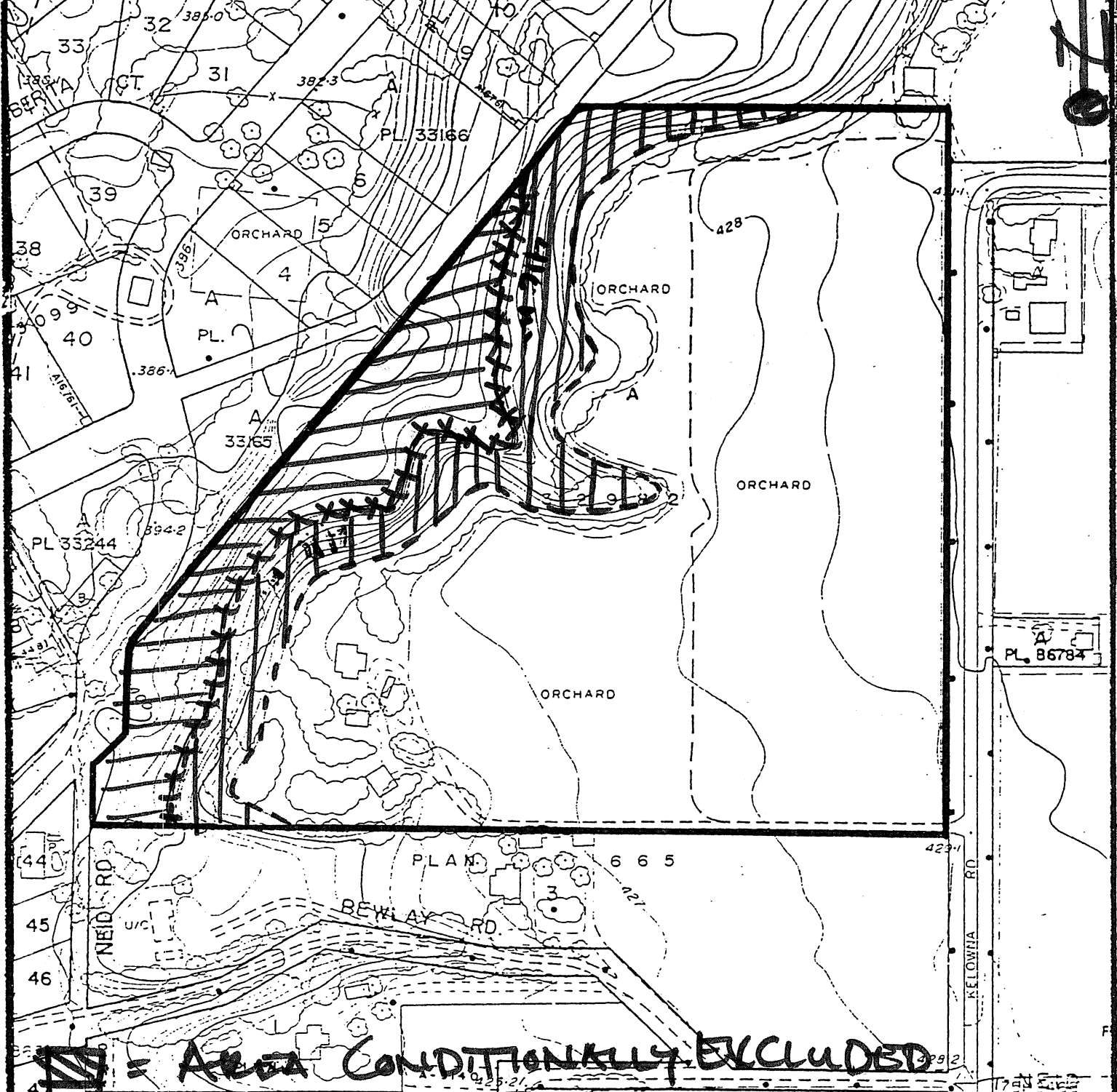
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Checked	CC

SKETCH PLAN (CONDITIONAL)
DISCUSSION APPROVAL
#02-Ct Kelo-93-28303

ATTACHMENT

This forms part of application
A19-0016

Planner
Initials ak



= AREA CONDITIONALLY EXCLUDED

= SCHEDULE D.6 FENCE

= NATURAL VEGETATIVE BUFFER @ COVENANT.

APPLICATION:
A93-108
SCALE: 1:2500

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