

# COMMITTEE REPORT



**Date:** August 14, 2020

**RIM No.** 1210-21

**To:** Agricultural Advisory Committee (AAC)

**From:** Development Services

**Application:** A20-0003

**Owner:** Stephen Cipes

**Address:** 4870 Chute Lake Road

**Applicant:** CTQ Consultants Ltd., Ed  
Grifone

**Subject:** Application to the ALC for "Non-Farm Use"

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## 1.0 Purpose

The applicant is requesting permission from the Agricultural Land Commission for a "Non-Farm Use" under Section 20(2) of the Agricultural Land Commission Act.

## 2.0 Proposal

### 2.1 Background

The subject property has been owned and operated as Summerhill Pyramid Winery since 1995 when the original winery building was constructed. The site currently has the main building, tasting room, offices, restaurant, outdoor events area and the pyramid wine cellar. It is accessed from Chute Lake road and has a variety of surface parking to service the winery and agricultural operation. The current owner also owns a number of directly adjacent parcels which make up the farm unit and have a mix of agricultural and residential uses. Approximately 48.6 acres are utilized for active vineyard production.

### 2.2 Site Context

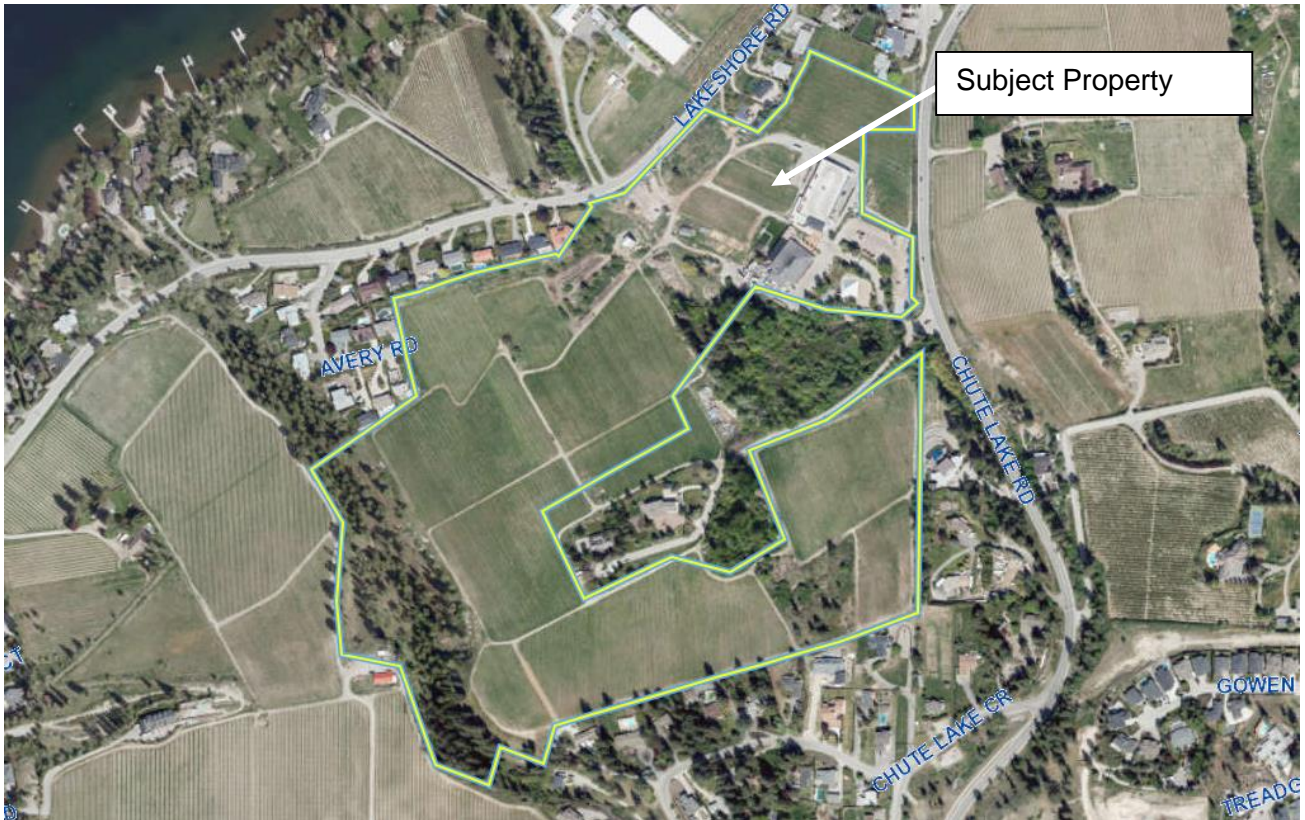
The subject property is located in the City's South Okanagan Mission Sector. The Future Land Use is REP – Resource Protection is zoned A1 – Agriculture and it is within the Agricultural Land Reserve. It is located outside of the Permanent Growth Boundary (PGB) however has available City services (sanitary and water) and is a small agricultural block surrounded by the PGB. The property is approximately 62.3 acres in size with its primary access being Chute Lake Road. It has a variety of agricultural and agri-tourism uses including a winery, restaurant & ballroom, agricultural storage and existing parking

Parcel Summary – 4870 Chute Lake Road:

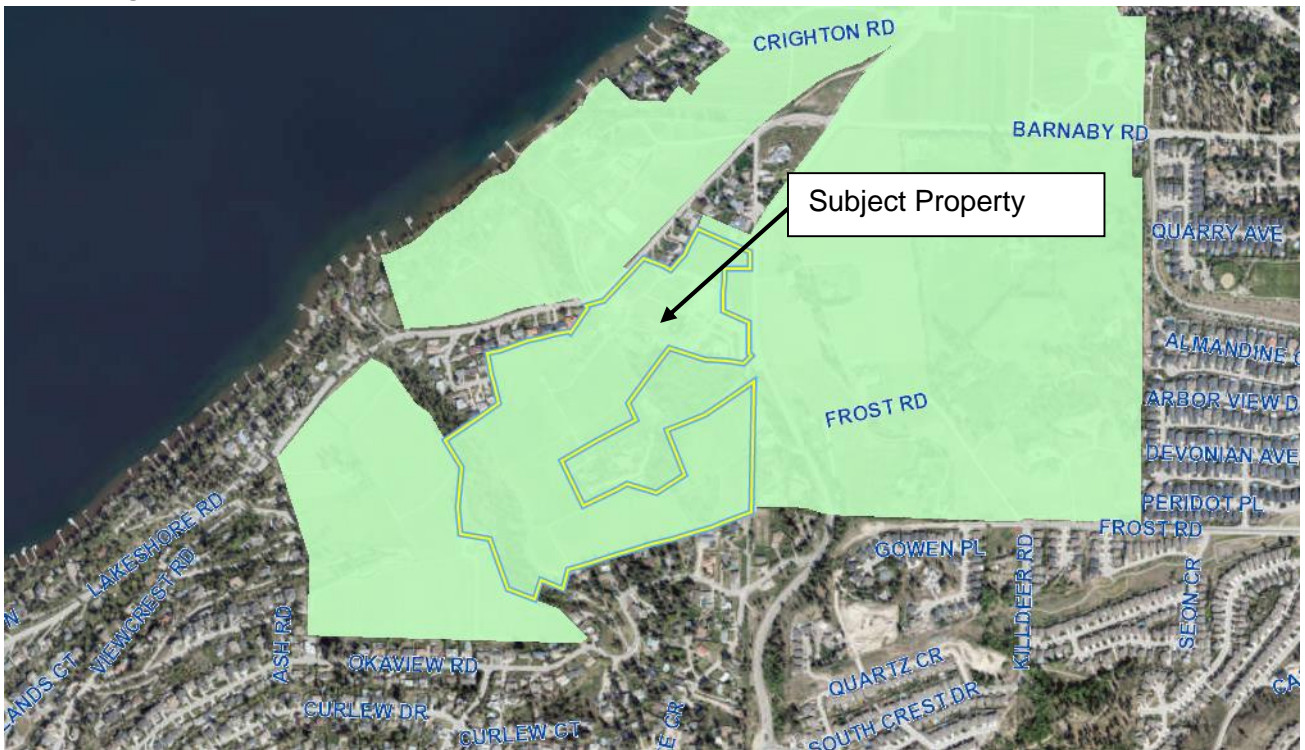
Parcel Size: 25.2 ha (62.3 acres)

Elevation: 352.0 to 350.25 metres above sea level (masl) (approx.)

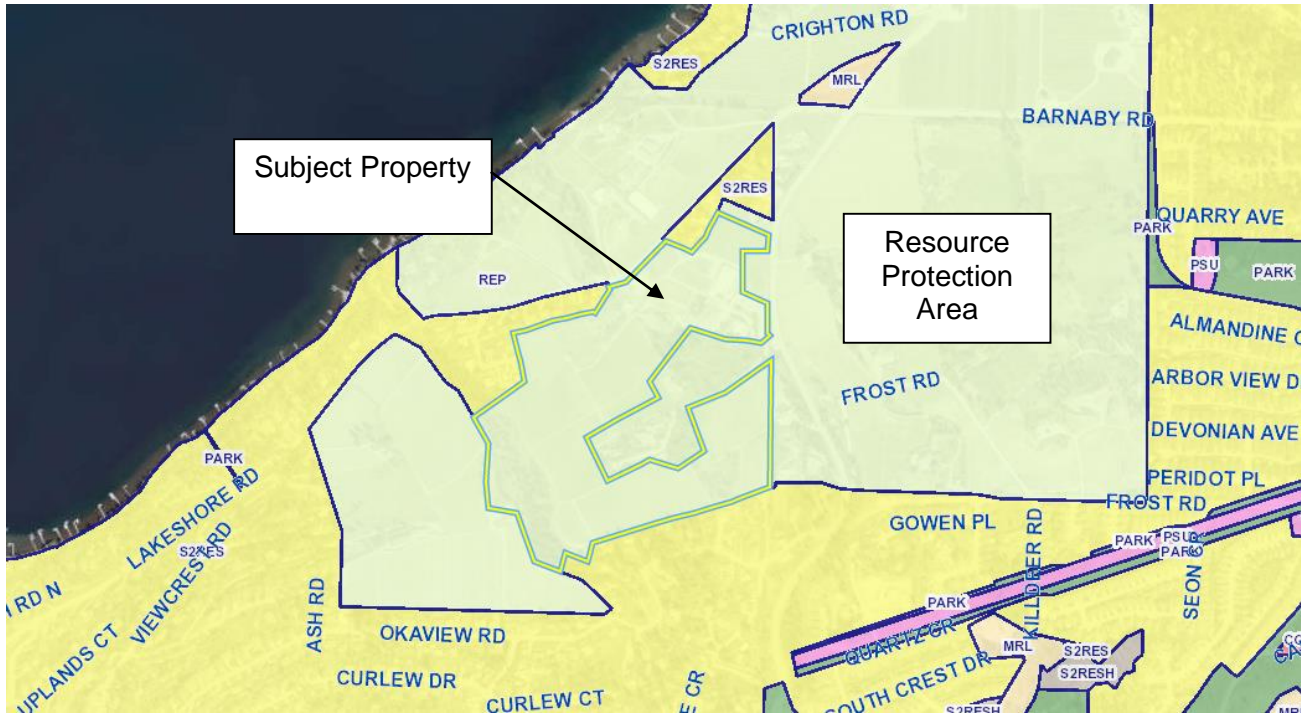
Map 1 - Neighbourhood



Map 2 - Agricultural Land Reserve



Map 3 – Future Land Use



Zoning and land uses adjacent to the property are as follows:

**Table 1: Zoning and Land Use of Adjacent Property**

Orientation	Zoning	Land Use
North	RR2 – Rural Residential 2	Residential
East	A1 – Agriculture 1 & RR1 – Rural Residential 1	Agriculture/Residential
South	RR2 – Rural Residential 2	Residential
West	A1 - Agriculture	Agriculture/Residential

2.3 Project Description

The proposed development is for a culinary education facility at the existing Summerhill Pyramid Winery location. The “Culinary College for Humanity” at Summerhill consists of several stated uses including culinary facility, educational stays, wine tasting, food producing gardens, and parking. These uses would be accommodated in a six-storey structure designed specifically for the unique nature of the proposal.

*Proposed Structure & Non-Farm Use*

The siting of the proposed structure is located in the north west corner of the property next to the Summerhill Pyramid Winery. It would utilize the same access and be primarily within already disturbed land that is not currently being used for crop production.

The proposed six storey structure is to be constructed on top of the existing wine production and warehousing building. The existing buildings footprint is approximately 20,000 ft<sup>2</sup> with a proposed 14,000 ft<sup>2</sup> addition to support the remaining floors. The at grade and parkade level would consist of a wine production and 130-150 stall parkade. The culinary school facilities including large kitchen and classrooms are located on the main floor along with the administrative offices and wine tasting rooms. In addition, a



large atrium and First Nations cultural space in the centre of the building would extend three floors and provide a seating capacity of approximately 200-300 people. A total of 150 rooms ranging from 220-350ft<sup>2</sup> in size for accommodation of students and faculty are located in various configurations on floors 2, 3, 4 and 5. The rooms would be restricted to registered students and faculty only and used for accommodation based on the program curriculum. In addition, rooftop gardens aimed at producing biodiverse food are incorporated to every level of the proposed structure.

### *Soil Capability*

The soils on the property are 4A (CLI) as per latest BC Agricultural Capability Map (Updated July 2018). The property is currently being utilized for grape production and would potentially support a number of agricultural crops.

## **3.0 Community Planning**

### *Policy Considerations*

The proposed development is reviewed primarily against the OCP's Agricultural Policies and recommendations of the City's Agricultural Plan (2017), and secondly against overall city-wide policies and objectives. The overall scope and scale of the proposal is considered unique with few local comparables in the province or nationally. In analysis of the policy framework the project is not considered to meet a number of objectives in preserving agricultural lands, however, is considered to meet some overall policies and objectives which are considered in more detail later in the report.

The primary use of the property is being retained as agriculture through the 48 acres of vineyard and winery which a permitted farm use or directly associated with agriculture. Vineyards and wineries are a permitted farm uses that can be restricted but not prohibited by local government under the ALC Act and Regulations. The proposed culinary facility is considered an urban scale project and therefore would not meet policy objectives given its scope and scale. Policy aimed at urban scale uses directs this form of development away from agricultural lands to better suited properties within the Permanent Growth Boundary. Eventhough the existing vineyard and winery would be maintained the proposal could shift the primary use of the property to the facility itself.

In review of all Non-Farm Use applications the most directly applicable OCP policy is 5.33.6 which lists several criteria to help evaluate the proposal. A general analysis using the criteria is listed below:

**Is it consistent with the Zoning and OCP?** The zoning and land use of the subject property does not currently support the use or type of structure proposed in this application. A rezoning text amendment would be required subsequently to approval of the Non-Farm Use application if Council and the ALC chose to do so.

**Does it provide significant benefits to local agriculture?** Regarding use of land directly for food production, either through livestock or crops, the proposal is not considered to provide direct benefit to local agriculture or food security. However it could be considered to help promote local agriculture through research and education purposes including local foods and agricultural products.

**Can it be accommodated using existing municipal infrastructure?** Connection to City services would be required for a proposal of this scale. Water and Sewer mains are available on Chute Lake Road however

further confirmation of capacity and upgrades would be required to be proven out by the applicant's consultants.

**Does it minimize impacts on productive agricultural lands?** The proposed structure is to be constructed primarily on the footprint of the existing winery storage building and its surrounding area not currently used for agricultural production. Some expansion of the building footprint is proposed however no additional vineyard is to be removed at this time. In this regard the proposal does minimize the impact on productive agricultural lands. Indirect impacts such as increased speculative pressures and interface conflicts could result from development of this type of facility.

**Will it preclude future use of the lands for agriculture?** Given the nature of the proposal it would likely preclude a number of potential agricultural uses for the property. Traditional types of agriculture would likely not be viable or desirable adjacent to the proposal. Given the sites current use as a vineyard, the proposal would not likely preclude any use of the existing agricultural operation.

**Will it harm adjacent farm operations?** The proposed building is in the north portion of the subject property. The properties directly adjacent to the north are residential and the east and west sides of the property is buffered by Chute Lake Road and Lakeshore Road. To the east and across Chute Lake Road there is a large apple orchard currently in production. Potential impacts to the adjacent agricultural operation could result from increased traffic and result in further agricultural interface conflicts.

**Report prepared by:** Wesley Miles, Planner Specialist  
**Reviewed by:** Dean Strachan, Community Planning & Development Manager  
**Approved for Inclusion:** Terry Barton, Development Planning Department Manager

**Attachments:**

Schedule A – Policies  
Schedule B -Technical Comments  
Applicant Package