

ATTACHMENT		A
This forms part of application		
# A21-0003		
Planner Initials	AK	 City of Kelowna DEVELOPMENT PLANNING

Provincial Agricultural Land Commission - Applicant Submission

Application ID: 62060

Application Status: Under LG Review

Applicant: Gurmail Dhillon

Agent: Gurmail Dhillon

Local Government: City of Kelowna

Local Government Date of Receipt: 01/23/2021

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

Proposal Type: Non-Farm Use

Proposal: Currently, there is a fruit stand that was built in 2020 and has been open for one season with farm retail sales that originate on the property. During the peak months between April to November, the products originating from the farm exceed the 50% threshold of farm retail sales, however, this existing building stands empty in the winter months where the fruit becomes scarce. The purpose of this proposal is to apply for the year-round use of this existing fruit stand where the non-farm products may exceed the 50% threshold solely in the winter months. We are confident we can maintain fruit during the winter months due to our cold storage of fruit harvest in Sept-October, but we understand it would be below the threshold of 50%. We are wanting to keep the fruit stand open during the winter months to continue selling our home grown Okanagan fruit, especially our local non-soft fruit. This provides as an opportunity to support the community with a local fruit stand operating in the winter months providing a portion of locally produced fruit and non-farm retail supplies exceeding the 50% threshold.

Agent Information

Agent: Gurmail Dhillon

Mailing Address:

3652 East Kelowna Rd

Kelowna, BC

V1W 4H1

Canada

Primary Phone: (250) 870-8893

Email: gsdhillon269@hotmail.com

Parcel Information

Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

Parcel Identifier: 018-412-645

Legal Description: THE E 1/2 OF L 12 (PL B900) SEC 15 TP 26 OSOYOOS DIVISION YALE DISTRICT PL 187

Parcel Area: 5.3 ha

Civic Address: 3652 EAST KELOWNA RD, KELOWNA

Date of Purchase: 02/25/2011

Farm Classification: Yes

Owners

1. **Name:** Gurmail Dhillon

Applicant: Gurmail Dhillon

Address:
3652 East Kelowna Rd
Kelowna, BC
V1W 4H1
Canada
Phone: (250) 870-8893
Email: gsdhillon269@hotmail.com

Current Use of Parcels Under Application

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

*60% cherry
15% soft fruit - peaches, nectarines, apricots, plums and berries
15% apples
10% vegetables*

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

Since the purchase of this parcel, the agricultural improvements include removal of all the previously planted apple varieties. This followed by new tree planting including thousands of cherry trees and thousands of apple trees. Furthermore, this followed with planting of soft fruit trees and vegetables. An automatic irrigation system was installed to sufficiently sustain these improvements. The full property has been fenced, as well as the complete construction of a fruit stand exists on this property to support agri-tourism.

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

Currently there are no non-agricultural uses that take place on this parcel

Adjacent Land Uses

North

Land Use Type: Unused
Specify Activity: Creek

East

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

South

Land Use Type: Agricultural/Farm
Specify Activity: Orchard - unknown specificity at current time

West

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

Proposal

Applicant: Gurmail Dhillon

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

0.1 ha

2. What is the purpose of the proposal?

Currently, there is a fruit stand that was built in 2020 and has been open for one season with farm retail sales that originate on the property. During the peak months between April to November, the products originating from the farm exceed the 50% threshold of farm retail sales, however, this existing building stands empty in the winter months where the fruit becomes scarce. The purpose of this proposal is to apply for the year-round use of this existing fruit stand where the non-farm products may exceed the 50% threshold solely in the winter months. We are confident we can maintain fruit during the winter months due to our cold storage of fruit harvest in Sept-October, but we understand it would be below the threshold of 50%. We are wanting to keep the fruit stand open during the winter months to continue selling our home grown Okanagan fruit, especially our local non-soft fruit. This provides as an opportunity to support the community with a local fruit stand operating in the winter months providing a portion of locally produced fruit and non-farm retail supplies exceeding the 50% threshold.

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.

The fruit stand will operate as farm retail sales throughout the peak season from April to November; however, the proposal stands for the building to continue to operate in the winter months. As this proposal relies on the use of an existing, on-site structure, it cannot be accommodated elsewhere.

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

The proposal supports agriculture in both long term and short term aspects as the fruit stand will operate for a longer duration of time with a particular focus on locally grown non-soft fruit during the winter months. This is a particular time period where other outlets for locally grown fruit may not be available to the community.

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

No

Applicant Attachments

- Agent Agreement-Gurmail Dhillon
- Proposal Sketch-62060
- Certificate of Title-018-412-645

ALC Attachments

None.

Decisions

None.

BUILDING DATA

BUILDING CLASSIFICATION
COMBUSTIONABLE
UNSPRINKLERED
FACING ONE STREET

PARKING
1 HANDICAPPED STALL
5 REGULAR STALLS

BUILDING USE: RETAIL
GROUP
OCCUPANT LOAD 10

EXITS 3.4
AS PER SECTION 3.4.2.1.1 TWO EXITS ARE REQUIRED AND THE
MAX. TRAVEL DISTANCE CAN NOT EXCEED 40 M
BOTH EMERGENCY EXIT MEETS THIS CRITERIA

HEALTH REQUIREMENTS 3.7
AS PER TABLE 3.7. ONE WATER CLOSET REQUIRED
WASHROOM TO BE HANDICAPPED ACCESSIBLE
DETAILS REFER TO A 4

Concrete Foundations:

ALL CAST IN PLACE CONCRETE TO HAVE A MIN. COMPRESSIVE STRENGTH OF 2900 PSI 20 Mpa AT 28 DAYS
 CONCRETE FOOTINGS MUST BE PLACED ON UNDISTURBED SOIL OR COMPACTED SOIL TO AN ELEVATION BELOW FROST LEVEL
 FOOTINGS SHOULD BE DESIGNED FOR SOIL BEARING CAPABILITY BY THE CONTRACTOR OR OWNER. TO BE DETERMINED ON SITE.
 FOUNDATION WALLS SHALL NOT BE BACKFILLED UNTIL CONCRETE OR MASONRY GROUT HAS REACHED THE 28 DAY STRENGTH AND STRUCTURAL FLOOR FRAMING REQUIRED TO STABILIZE WALLS COMPLETELY & FILLED NAILED AND ANCHORED.
 ALL CONCRETE AND MASONRY FOUNDATION WALLS REQUIRED TO EXCEED THE LIMITS STATED IN THE N.B.C. ARE REQUIRED TO BE DESIGNED BY AN ENGINEER.
 ALL FOUNDATION WALLS 24" / 610 or HIGHER: TO HAVE ONE 10mm REBAR 3" FROM TOP OF WALL. CENTRE REINFORCING TO BE LAPPED A MIN. OF ALL FOOTINGS SHALL HAVE A MIN. TWO REBAR 10mm
 THESE REBAR ARE TO BE LOCATED A CLEAR 3" SIDE AND BOTTOM GRADE LEVELS SHOWN IN THIS SET OF DRAWINGS ARE ESTIMATES ONLY ADJUSTMENTS AS REQUIRED ARE TO BE MADE ON SITE.
 RETAINING WALLS OUTSIDE OF FOUNDATION WALLS ARE BEYOND THE SCOPE OF THESE DRAWINGS, UNLESS NOTED OTHERWISE.

Depth of Foundations:

DEPTHS OF ALL FOUNDATION WALLS ARE TO BE AS N.B.C. STANDARDS AND IN CONJUNCTION WITH THE LOCAL BUILDING AUTHORITY.

Masonry above Grade:

ALL ABOVE GRADE MASONRY IS TO CONFORM TO THE STANDARDS OF N.B.C. AND IN CONJUNCTION WITH THE LOCAL BUILDING AUTHORITY.
 BRICK VENEER IS INSTALLED CONTERLASHINGS SHALL BE INSTALLED TO A MIN. 8" / 200 UP FROM BUILDING FEELS & BELOW THE BOTTOM COURSE WITH VERTICAL JOINTS RACKED CLEAN, WEEPHOLES AT MIN. 24" / 610 o.c.

Carpentry:

ALL FRAMING AND METHODS SHALL CONFORM TO THE REQUIREMENTS OF THE N.B.C. & THE B.C. BUILDING CODE.
 FRAMING LUMBER SHALL BE No. 2 SPF or BETTER U.O. SPECIFIED FOR OTHER COMMON SPECIES REFER TO SPAN TABLES OF THE CURRENT EDITION OF THE B.C. BUILDING CODE.
 ALL BEAMS AND LINTEL SIZES ARE BASED ON No. 2 SPF. ARE TO BE 2x12 BUILT UP U.N.O.
 JOISTS ARE TO BE DOUBLED UP UNDER INTERIOR PARTITION WALLS JOIST SHALL BE PLACED TO MIN. INTERFERENCE WITH PLUMBING & HEATING. ALL HEADERS AND TRIMMERS ARE TO COMPLY WITH CURRENT N.B.C. AND THE B.C. BUILDING CODE.
 THE BUILDER OR OWNER ARE TO OBTAIN NECESSARY CERTIFICATES FROM FLOOR JOIST, ROOF TRUSS AND LV. GULLAN MANUFACTURERS FOR STRUCTURAL COMPLIANCE FLOOR AND ROOF JOIST SPAN OF MORE THAN 7'-0" / 2.135 SHALL BE BRIDGED AT MID SPAN or AT 7'-0" / 2.135 o.c. MAX. UNLESS SHEATHED OR STRIPED ON BOTH SIDES WITH WOOD BRIDGING. SHALL BE 2x2 DIAG. TYPE WHENEVER POSSIBLE.
 WHENEVER POSSIBLE IN CONTACT WITH CONCRETE SHALL BE DAMPROOFED WITH HSP FELT OR CLOSED CELL GASKET MATERIAL OR PRESSURE TREATED WOOD USING A WATER BASE PRESERVATIVE or OTHER APPROVED METHOD.
 INTERIOR FRAMING TO BE 4" / 100 CLEAR. BACK AND SIDES OF ANY FIREBOX AND 2" / 50 CLEAR OF BRICK CHIMNEYS. FRAME INTERIOR WALLS 1" / 25 CLEAR FROM EXTERIOR FIREPLACES.
 SILL PLATES TO BE ANCHORED TO CONCRETE WITH 5/8" / 8 ANCHOR BOLTS @ MIN. 8'-0" / 2.400 or OTHER APPROVED METHOD.
 FLUSH FRAMED WOOD MEMBERS SHALL BE ANCHORED WITH RATED JOIST HANGERS U.N.O.
 DIMENSIONS ARE FROM EXTERIOR FACE OF STUD IN EXTERIOR WALLS AND CENTRE OF INTERIOR WALLS.

Framing Notes:

FRAMER TO CONFIRM ALL PLUMBING, FIXTURES AND FIREPLACE ROUGH OPENINGS
 FRAMER TO PROVIDE PROPER BACKING FOR ALL FIXTURES AND SHELVING
 FLOOR JOIST LAYOUT AS PER ENGINEER'S JOIST DRAWINGS, DETAILS & SPECIFICATIONS
 ROOF TRUSS LAYOUT AS PER ENGINEER'S JOIST DRAWINGS, DETAILS & SPECIFICATIONS
 JOIST HANGERS MUST BE SECURED PROPERLY
 - ALL HOLES MUST BE NAILED & BOTTOM HOLE SCREENED AS PER TRUSS JOIST SPECIFICATIONS
 ALL EXPOSED TRUSS HEELS MIN. 7.5" CHIMNEY INSULATION BOX 14" HIGH c/w 2" CLEARANCE FOR CHIMNEY

Insulation - Ventilation:

MINIMUM INSULATION REQUIREMENTS ARE AS FOLLOWS
 ROOF: CEILING: R-50 / RSI 7.5
 WALLS: 2x4 R-14 / RSI 2.5
 2x6 R-24 / RSI 4.0

R-30 BLANKET INSULATION IN VAULTED CEILING, ALLOW 1/2" MINIMUM AIRSPACE BETWEEN SHEATHING AND INSULATION, FACE FOIL DOWN TO WARM SIDE.

INSTALL SIDE WALL AND CEILING INSULATION IN CONT. BLANKETS WITHOUT HOLES FOR ELECTRICAL BOXES, LIGHT FIXTURES OR HEATING DUCTWORK. CAULK ALL OPENINGS IN EXTERIOR WALL CONSTRUCTION.

INSTALL 6 MIL POLY VAPOUR BARRIER AGAINST INSIDE OF ALL INSULATION. LAP JOINTS 18" MIN.
 FLOORS OVER UNHEATED SPACES SHALL BE INSULATED WITH R-8 INSULATION.

PROVIDE INSULATION Baffles AT EAVE VENTS BETWEEN AND TRUSSES.
 CEILING INSULATION MAY BE BATT TYPE OR LOOSE FILL WALL & FLOOR INSULATION MUST BE BATT TYPE WALLS & CEILING BETWEEN RESIDENCE & ATTACHED GARAGE SHALL BE INSULATED.

INSULATION REQUIREMENTS MAY VARY WITH HEATING SYSTEMS & LOCAL CONDITIONS.
 ALL ROOF SPACES SHALL BE VENTED WITH SOFFIT, ROOF or GABLE VENTS. OR A COMBINATION. VENTING SHALL BE EQUALLY DISTRIBUTED BETWEEN TOP OF ROOF SPACES & SOFFITS.
 ALL VENTILATION OF CRAWL SPACES SHALL CONFORM TO STANDARDS OF THE N.B.C. & B.C. BUILDING CODE.

Stucco Projections:

STUCCO PROJECTIONS AND STUCCO CORRELLING TO BE CONSTRUCTED FROM 2x4 LUMBER ON FLAT w/ 3/4" PLYWOOD OVER CORNER BEAD w/ WIRE MESH or STUCCO WIRE FINISH OVER ALL EXPOSED HORIZ. PROJECTIONS TO BE SLOPED A MIN. OF 1% DEGREES TO EXTERIOR FOR DRAINAGE.

GENERAL NOTES:

ALL WORK TO BE DONE IN COMPLIANCE WITH THE CURRENT RESIDENTIAL STANDARDS OF THE LOCAL BUILDING CODE, CURRENT ELECTRICAL AND PLUMBING CODES, AS WELL AS ALL APPLICABLE LOCAL CODES AND BYLAWS.

ALL WORK SHALL BE PERFORMED IN ALL RESPECTS TO GOOD BUILDING PRACTICES.

THE CONTRACTOR SHALL MAKE HIMSELF FAMILIAR WITH THE SITE CONDITIONS; ALL MEASUREMENTS, GRADES AND LEVELS TO BE VERIFIED BEFORE COMMENCING WITH CONSTRUCTION.

ANY DISCREPANCIES, OMISSIONS AND ERRORS SHALL BE REPORTED TO THE OWNER AND THE DESIGNER FOR CORRECTION.

WRITTEN DIMENSIONS TO BE FOLLOWED. "DO NOT SCALE THESE DRAWINGS."

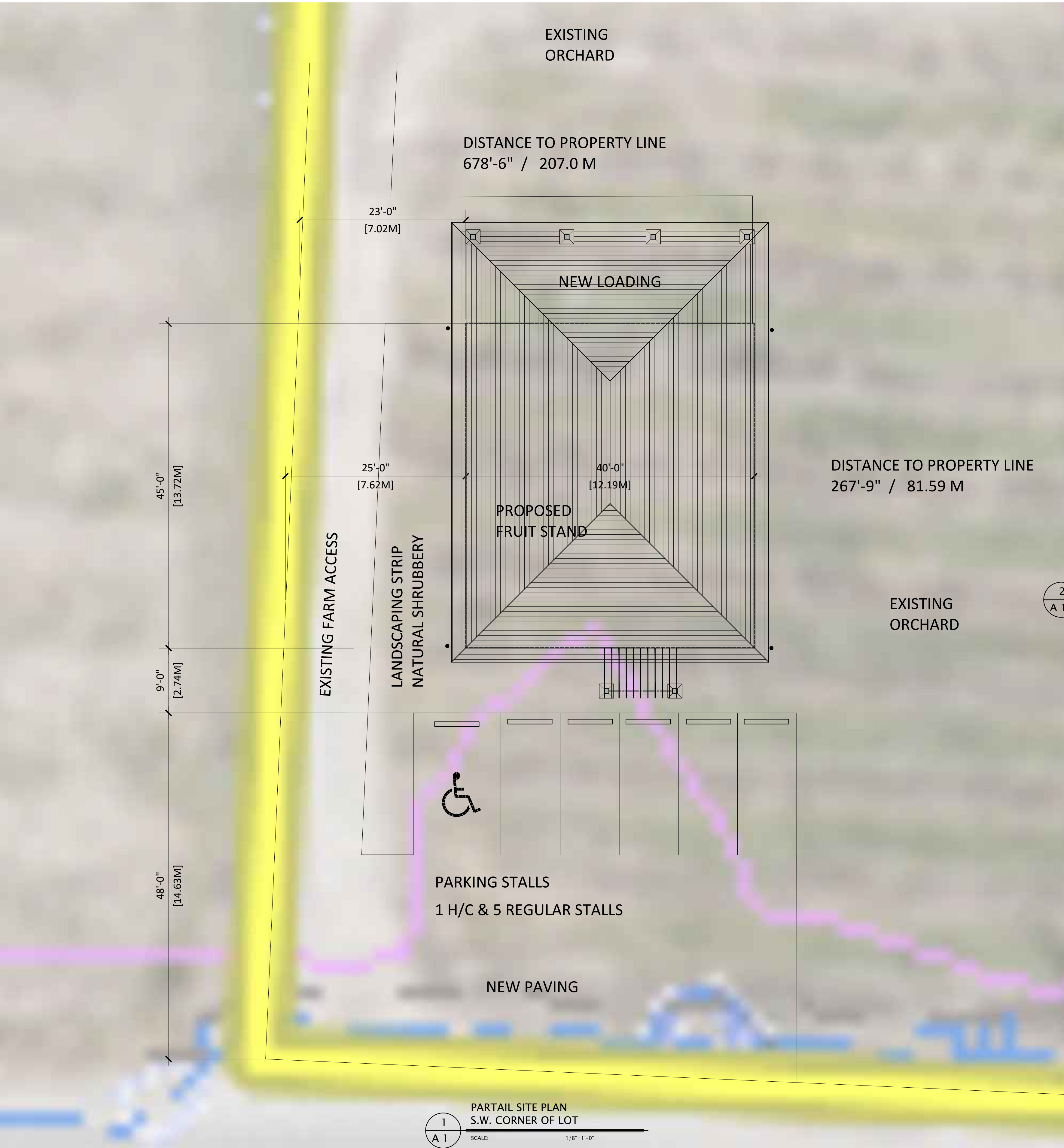
ENGINEERED FLOOR AND ROOF SYSTEMS (JOISTS AND TRUSSES) ARE TO BE SEALED BY AN ENGINEER REGISTERED IN THE LOCAL AREA.

SUBMIT ALL SHOP DRAWINGS TO THE AUTHORITY HAVING JURISDICTION FOR STRUCTURAL COMPONENTS BEFORE COMMENCING CONSTRUCTION.

THE DESIGNER SHALL NOT BE RESPONSIBLE FOR ANY VARIANCES FROM THE STRUCTURAL DRAWINGS AND SPECIFICATIONS, OR ADJUSTMENTS REQUIRED RESULTING FROM CONDITIONS ENCOUNTERED AT THE SITE, AND IS THE SOLE RESPONSIBILITY OF THE OWNER, AND CONTRACTOR.

THE DESIGNER MAKES EVERY EFFORT TO PROVIDE COMPLETE AND ACCURATE CONSTRUCTION DRAWINGS. HOWEVER WE ASSUME NO LIABILITY FOR ERRORS OR OMISSIONS WHICH MAY AFFECT CONSTRUCTION. IT IS THE RESPONSIBILITY OF ALL TRADES AND SUB-TRADES TO CHECK AND VERIFY ALL DIMENSIONS AND DETAILS BEFORE COMMENCING WITH THEIR PORTION OF THE CONSTRUCTION. SHOULD ANY DISCREPANCIES BE FOUND ON THESE PLANS, PLEASE ADVISE OUR OFFICE SO WE CAN MAKE THE NECESSARY CORRECTIONS.

ATTACHMENT B
 This forms part of application # A21-0003
 Planner Initials ak
 City of Kelowna DEVELOPMENT PLANNING



2 OVERALL SITE PLAN
 SCALE: 1/64"=1'-0"

DATE	NO.	BY	REVISION
10/25/2019	1	RAH	BUILDING PERMIT APPLICATION

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HOLDEN'S DRAUGHTING & DESIGN
 832 SAUCER AVENUE
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 Phone: 250.868.0962
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 H.D.D.

PROJECT
 FRUIT STAND
 3652 EAST KELOWNA ROAD
 KELOWNA, B.C.

SHEET TITLE
 SITE PLAN & NOTATION

DRAWN	RAH	SHEET NO.	A 1
CHECKED	G. DHILLON	SCALE	
DATE	12/10/2019	DATE	
		Rev. 1	



March 10, 2021

File: A21-0003

City of Kelowna
1435 Water Street
Kelowna BC V1Y 1J4
E-mail: planninginfo@kelowna.ca

To the City of Kelowna,

Re: City of Kelowna Referral A21-0003 – 3652 East Kelowna Road (PID: 018-412-645)

Thank you for providing B.C. Ministry of Agriculture, Food and Fisheries staff the opportunity to comment on the proposed Agricultural Land Commission (ALC) non-farm use application for the property at 3652 East Kelowna Road. We offer the following comments on the application:

- The subject parcel is only 5.3 ha in size, and it is unclear from the application materials if there are other parcels as part of this farm unit, or if this parcel is the only one that makes up the farm unit.
- The parcel is mainly planted to soft fruit and only 15% of the parcel is planted to apples, and 10% to vegetables. If this parcel is the only one in the farm unit, it seems likely that only a very small amount of produce from this parcel will be available in the winter months.
- The application materials did not mention the types of off-farm products that are proposed for sale. There is a full-service grocery store located in close proximity to the subject property, and it is unclear from the application materials if the applicants intend to try to compete with local grocery stores or if they will be offering differentiated products.
- Given the fact that the subject parcel is very small and the amount of farm product being sold in the winter will likely be very small, ministry staff have concerns that the fruit stand could become a primary use of the property, rather than a use that is supportive of the farm operation.

If you have any questions, please contact us at the numbers or email addresses below.

Sincerely,



Alison Fox, P.Ag.
Land Use Agrologist
BC Ministry of Agriculture
Alison.Fox@gov.bc.ca
(778) 666-0566



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Regional Agrologist
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