



June 3<sup>rd</sup>, 2021

City of Kelowna Agriculture Committee

Application to convert an existing two storey farm building from a farm building with two levels to a farm building with a residence on the upper level (for immediate family working on the farm) and the lower level to remain for farm use exclusively.

The farm operation has altered since Covid and transitioned to online rather than an on-site agri-tourism operation. Although Covid accelerated this change in the business, it was a planned modification to the business operations as the farm has been adversely impacted by recent fires several times, and in 2018 had begun preparing for the transition to an e-commerce operation – initially planned to occur in 2022.

Currently two families are living in the main residence. The McFaddens are now in their 60's and their daughter and her husband help with the farm operation. There are 3 options available to make this transition and allow this family to continue farming land that has been in their family since the 1950's.

1. Renovate the existing home to accommodate two families.
2. Convert the existing farm building to have a residence on the upper level and continue operations on the lower level.
3. Build a modular home on the property.

Option 2 is the preferred option as it does not require any land to be removed from production and is the least costly of the 3 options. It is on one level and can allow the McFaddens to 'Age-in-Place' in their senior years. It is also a solution that can easily be returned to its original purpose if the farm was sold and another operator wanted to reinstate on-site farm sales.

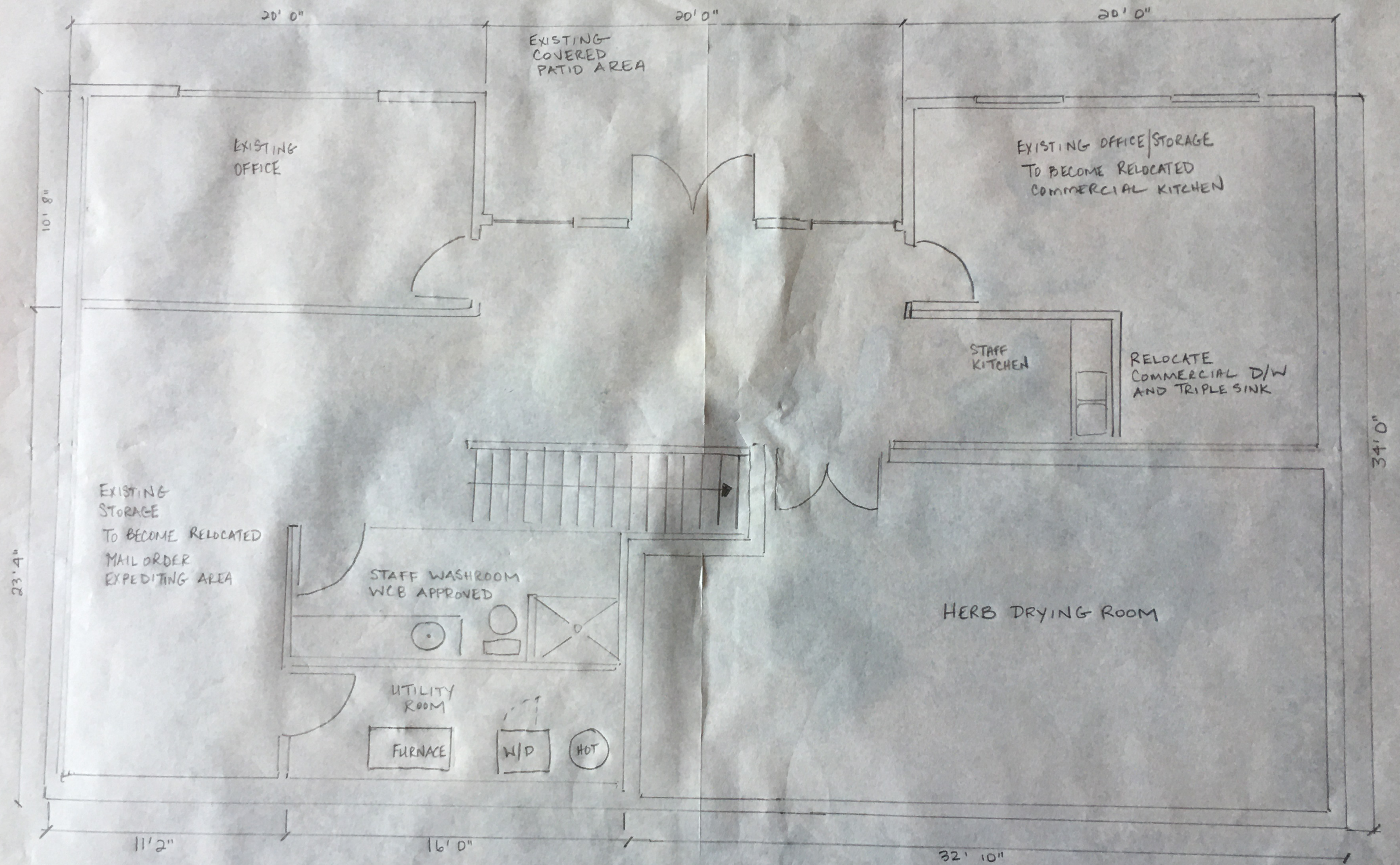
The application submitted via the ALC portal supplies the information requested by the ALC, in our opinion, this request adheres to the guidelines and requirements of the ALC for family members working on the farm to be permitted a second residence.

I am supplying drawings of the conversion here for the City of Kelowna Agriculture Committee to review.

**Please Note:** there is an error on the dimensions of the building on the ALC portal (they have been contacted to allow this to be corrected). This existing building size is 60' x 34' - 2040 square feet (on each level) or 189.5 square metres (not 622 square metres as on the ALC portal)

Respectfully submitted,

Andrea & David McFadden



GROUND LEVEL OF  
EXISTING FARM BUILDING

$$60' \times 34' = 2040 \text{ ft}^2$$

19'6"

21'0"

19'6"

10'0"

14'11"

16'8"

--- NEW WALLS  
### WALLS TO BE REMOVED

UPPER (MAIN) LEVEL  
OF EXISTING FARM  
BUILDING 60' x 34'  
2040ft<sup>2</sup>

EXISTING  
COVERED DECK

ADD GAS  
FIREPLACE

FRIDGE

EXISTING  
RETAIL

CONVERT TO  
LIVING ROOM, DINING ROOM + ENTRY

REMOVE  
WALL

CONVERT TO  
RESIDENTIAL  
KITCHEN

CONVERT TO  
WALK IN CLOSET

EXISTING  
COMMERCIAL  
KITCHEN

CONVERT TO  
MASTER BEDROOM

EXISTING  
COVERED  
PATIO  
CONVERT  
TO SUNROOM

DW X X X

POCKET DOOR

HAND  
SINK  
EXISTING

CONVERT  
TO 1/2  
BATHROOM

ADD  
WID

ADD

CONVERT  
TO LAUNDRY  
AREA

24'0"

EXISTING  
STORAGE ROOM

CONVERT TO  
2ND BEDROOM/DEN

ADD CLOSET

EXISTING  
HAND  
SINK

EXISTING  
CUSTOMER  
WASHROOM

CONVERT TO  
ENTRY/STORAGE

POCKET DOOR

CONVERT  
TO  
RESIDENTIAL  
WASHROOM

gas  
fireplace

EXISTING  
COVERED ENTRANCE

26'0"

34'0"

60' x 34' =  
2040ft<sup>2</sup>

# Provincial Agricultural Land Commission - Applicant Submission

**Application ID:** 62670

**Application Status:** Under LG Review

**Applicant:** Lark Farms Inc.

**Agent:** Lark Farms Inc.

**Local Government:** City of Kelowna

**Local Government Date of Receipt:** 03/22/2021

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

**Proposal Type:** Non-Adhering Residential Use - Additional Residence for Farm Use

**Proposal:** The purpose of the proposal is to allow for our farm to continue to operate into the next generation by converting the upper level of an existing farm building into living space for immediate family who work on the farm. The continued operation of the farm business will occur in the lower level of the existing farm building.

The farm building has two levels; currently the upper level contains a commercial kitchen, storage and retail space. The lower level contains a drying room, staff kitchen, office and storage.

Before Covid, our vertically integrated farm operated an on-site retail store, tours and workshops from May-December, and an on-line store year-round.

We have permanently changed to an E-commerce operation. The E-commerce operation does not require the same physical space as an on-site store and the lower level of the building is easily adapted to allow for the business to continue without interruption, while the upper level is converted into a single floor residence for family.

## Agent Information

**Agent:** Lark Farms Inc.

**Mailing Address:**

4380 Takla Road

Kelowna, BC

V1W 3C4

Canada

**Primary Phone:** (250) 764-7795

## Parcel Information

### Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

**Parcel Identifier:** 025-842-366

**Legal Description:** L 1 SEC 32 TP 29 OSOYOOS DIVISION YALE DISTRICT PL KAP74909

**Parcel Area:** 3.3 ha

**Civic Address:** 4380 Takla Road, Kelowna, BC V1W 3C4

**Applicant:** Lark Farms Inc.

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## Current Use of Parcels Under Application

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

*We grow culinary herbs, medicinal and aromatic plants including the following: lavender, roses, mint, melissa, linden, red cedar, echinacea, calendula, chamomile, oregano, savory, thyme, iris, chamomile, lemon verbena, lemon grass, rose geranium, viola, sage. Approximately 80% of our land is planted out. We raise and keep chickens.*

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

*The property has peripheral cage wire fencing and some cross fencing.*

*Overhead irrigation system over entire property.*

*The farm specializes in the cultivation of herbs and aromatic plants, including linden and red cedar trees situated throughout the entire 3.347 hectare property.*

*There is a purpose built facility with a herb drying room, a commercial kitchen to craft value added products, retail sales space for selling, office and storage space.*

*Two greenhouses for plant propagation and one cold storage building for winter plant storage.*

*On site composting which supplies the needs of the farm.*

*The farm rotates annual plantings through fallow areas and follows principles of regenerative agriculture.*

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

*Family home is the only non-agricultural activity on the farm.*

## Adjacent Land Uses

### North

**Land Use Type:** Agricultural/Farm

**Specify Activity:** fallow land, apples

### East

**Land Use Type:** Residential

**Specify Activity:** single family dwelling subdivision

### South

**Land Use Type:** Agricultural/Farm

**Specify Activity:** fallow land, horse pasture

**West**

**Land Use Type:** Agricultural/Farm

**Specify Activity:** vineyard

## **Proposal**

### **1. What is the purpose of the proposal?**

*The purpose of the proposal is to allow for our farm to continue to operate into the next generation by converting the upper level of an existing farm building into living space for immediate family who work on the farm. The continued operation of the farm business will occur in the lower level of the existing farm building.*

*The farm building has two levels; currently the upper level contains a commercial kitchen, storage and retail space. The lower level contains a drying room, staff kitchen, office and storage.*

*Before Covid, our vertically integrated farm operated an on-site retail store, tours and workshops from May-December, and an on-line store year-round.*

*We have permanently changed to an E-commerce operation. The E-commerce operation does not require the same physical space as an on-site store and the lower level of the building is easily adapted to allow for the business to continue without interruption, while the upper level is converted into a single floor residence for family.*

### **2. Describe the necessity for an additional residence for farm use and how it will support agriculture in the short or long term.**

*Currently the owners live in the family home with their daughters family. The two families work together to operate the farm. With the arrival of grandchildren, this has become a challenging living arrangement, and additional living space is necessary for both families to remain on the property.*

*As the owners age and the physical demands of the farm become increasingly difficult, it is not possible for the daily maintenance and operation of the farm to continue without the younger family members working and living onsite.*

*This farm has been continually operated by the family since the 1950s. Initially as part of a larger holding that cultivated apples. When the McFaddens built their family home in 1991, the parcel was 7.78 acres and the apples were in decline.*

*Considerable research was done on alternative crops for small holdings. The Ministry of Agriculture was encouraging farmers to look at value added options to help farms remain economically viable. A ministry workshop on growing Herbs and Medicinal Plants presented a good choice for the property's size, location and soils.*

*Test blocks of lavender were planted in 1994. In 1998, ½ acre of lavender and 6 acres of vinifera grapes were planted. In 1999 an existing pickers cabin on farm was converted into a small commercial kitchen and retail space.*

*In 2004 a piece of property severed by Takla Road from the parcel across the road was purchased and realigned to the existing farm, increasing the parcel size to 8.27 acres.*

*The winter of 2008 decimated the vineyard, and a replant was done in 2010; the farm moved completely into the cultivation of herbs and aromatic plants. An accessory building was constructed to house the operation. The lower level has a staff kitchen, herb drying room, storage and office space. The upper floor has a commercial kitchen, storage space and retail space.*

*The McFadden family is committed to preserving and restoring this property's natural environment as well as operating the farm business to its greatest potential. This is evidenced by the award-winning lavender essential oils grown and distilled onsite and the many accolades the farm has received over the years; from the 2017 Canadian Garden Tourism Destination of the Year Award to a Top 5 Finalist for Social Responsibility in the 2019 Canada Post E-Commerce Innovation Awards. The family has also experienced considerable success improving the farm's biodiversity and reintroducing wildlife habitat, illustrated by the return of the Great Basin Spadefoot Toad to the pond on the property.*

*The rippling and ongoing impact of Covid-19 has now forced the family to pivot the farm's business model*

**Applicant:** Lark Farms Inc.

*from an agri-tourism operation to one of e-commerce, reducing the need of onsite space for visitors. However, the day-to-day physical operation of the farm itself has not changed. To preserve the family farm and transfer it to the next generation, it has become necessary for the two families to live and work together and converting part of the existing farm building into living space will allow this arrangement to continue.*

*The McFaddens are transferring invaluable knowledge and traditional know-how to their children while their children are engaged in the heavy physical labour and the modernization of the e-commerce side of the business.*

**3. Describe the size, type and number, as well as occupancy of all residential structures currently located on the property.**

*One single family residential home.*

*Occupants: family*

*Total floor area: 956 square metres*

**4. What is the total floor area of the proposed additional residence in square metres?**

*622 m<sup>2</sup>*

**5. Describe the rationale for the proposed location of the additional residence.**

*Locating an additional residence in an existing farm building will permit Andrea & David McFadden to remain active and engaged in the farm operation. It will allow for the continuation of a family farm, originally purchased by Andreas grandfather and in existence for 70 years. It also provides the opportunity for young people to actively farm the property. This concurs with the City of Kelownas goal of encouraging a younger demographic to undertake farming as a career choice.*

*It will neither impact nor increase the current building footprints on the farm. It will ensure the integrity of the land base is preserved and allow the continuation of a Canadian family farm into the 4th generation.*

*This location is aligned with the City of Kelowna's OCP Farm Protection Guidelines which "directs the design of the structures on farmland to occur within a contiguous 'Farm Residential Footprint' ", and is preferred over the mobile home option currently available to farms.*

**6. What is the total area of infrastructure necessary to support the additional residence?**

*This proposal preserves the existing land base. The conversion does not remove any land from production, requires no exterior additions, does not alter the operation of the business and does not require a septic field.*

**7. Do you need to import any fill to construct the additional residence or infrastructure?**

*No*

**Applicant Attachments**

- Agent Agreement-Lark Farms Inc.
- Proposal Sketch-62670
- Site Photo-Property Realignment\_2004
- Certificate of Title-025-842-366

**ALC Attachments**

None.

**Decisions**

**Applicant:** Lark Farms Inc.

# ATTACHMENT B

This forms part of application

# A21-0006



City of  
**Kelowna**  
COMMUNITY PLANNING

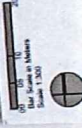
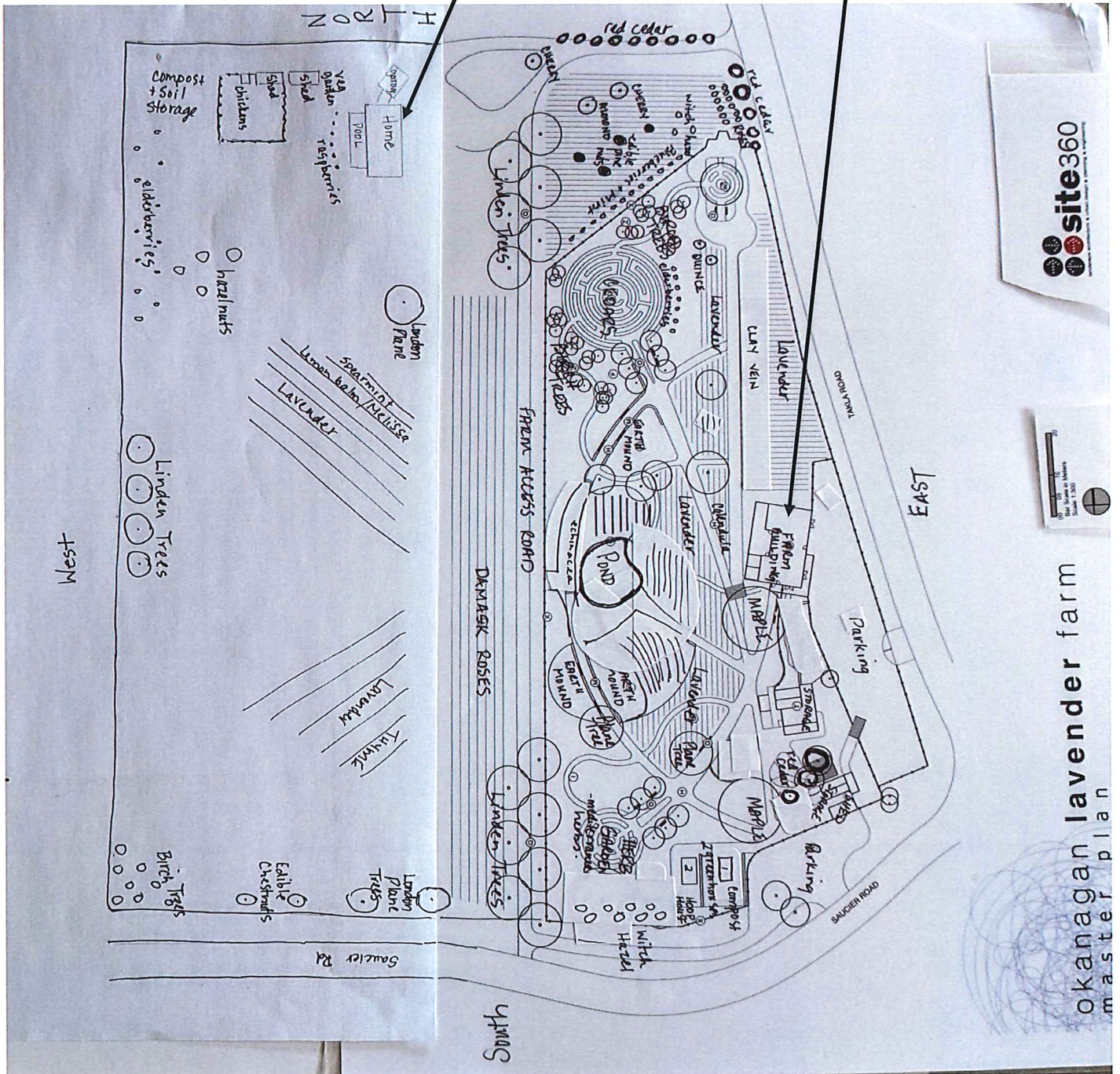
Planner  
Initials

WM

McFadden Farm Map  
4380 Takla Road, Kelowna, BC

Existing family home

Existing farm building for proposed  
additional residence conversion.



okanagan lavender farm  
master plan





CITY OF KELOWNA

**MEMORANDUM**

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**Date:** May 3, 2021  
**File No.:** A21-0006  
**To:** Land Use Planning Manager (AK)  
**From:** Development Engineering Manager (JK)  
**Subject:** 4380 `Takla Rd Plan KAP74909 Lot 1 Non-Adhering Residential Use

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Development Engineering has the following comments at this point in time with regard to this Application for the proposed Additional Residence for Farm Use.

**Potential requirements are provided for information only and are subject to the policies in effect at the time when a formal application is made by the owners.**

The requirements for setback and Building Code related issues must be considered. Development Engineering will defer comment on those and other issues to Building & Permitting.

Domestic water and fire protection.

The subject property is within the former service area of South East Kelowna. On-site servicing including the utilisation of existing or proposed services as well as fire protection requirements will be reviewed by Building & Permitting.

Sanitary Sewer.

This subject property is currently not within the City service area. Sanitary sewage is handled by on-site wastewater disposal system(s). The existing on-site system(s) are not shown on the submitted Site Plan. The application will be reviewed by a Licenced Wastewater Practitioner and Building & Permitting.

Access and Parking

Adequate on-site parking shall be provided with an area that will allow vehicles to turn-around and exit the property in a forward direction. The current access driveway at the intersection of Saucier Rd and Takla Rd is contrary to Bylaw 7900 and therefore must be removed.

A handwritten signature in blue ink that reads "Ryan O'Sullivan".

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Ryan O'Sullivan  
Development Engineering Manager  
JF



April 16, 2021

File No: 0280-30

Local Government File No: A21-0006

City of Kelowna

1435 Water St

Kelowna BC V1Y 1J4

Via E-mail: [planninginfo@kelowna.ca](mailto:planninginfo@kelowna.ca)

Dear City of Kelowna:

**Re: Non-adhering residential use application for 4380 Takla Road (PID: 025-842-366)**

Thank you for providing B.C. Ministry of Agriculture, Food and Fisheries (ministry) staff the opportunity to comment on the proposed non-adhering residential use application in the Agricultural Land Reserve (ALR) for an additional residence. We note that the property is a 3.3 ha (8.15 acre) herb and lavender farm with an existing 956 m<sup>2</sup> principal residence, and that the applicants are requesting a 622 m<sup>2</sup> second dwelling that will be located within an existing farm building that is no longer necessary for farm use due to the business shifting to online sales.

Although the proposed new dwelling would be in an existing building and will not remove land from production, ministry staff have the following concerns about the proposal:

- The existing residential floor area of the principal dwelling is nearly double that currently allowed by the *Agricultural Land Commission Act (ALCA)*, which is 500m<sup>2</sup>. The proposed dwelling will result in more than triple the amount of residential floor area currently allowed by the ALCA.
- The amount of residential floor area and scale of the housing requested does not appear to be commensurate with the size, intensity, and type of operation. Herb and lavender farms typically do not require someone to be on site at all times, particularly if the operation will be moving away from farm gate sales and agritourism to online sales. This shift in operations will also likely reduce, rather than increase, the amount of labour required for the farm.

- The proposed second residence will not be located on a residential footprint contiguous with the principal residence, which could increase the potential for future subdivision requests.
- The proposed second residence will be on a permanent foundation, which means it will be less likely to be removed if no longer required. If this residence is used as a rental unit in the future, it could increase the potential for farm practice complaints in the area.
- Although the applicant states that succession planning is the reason for the additional housing request, there was no information provided in the application materials about the farm succession plan and how many years the transition is likely to require. Good succession planning does not typically involve placing more additional housing on agricultural land than will likely be sustained by the size of the operation into the future.
- Allowing a large amount of permanent residential floor area to accommodate what is could be a relatively short-term need would be unlikely to be to the benefit of agriculture in the long term. Having two large residences on the property could preclude a farmer from purchasing the farm in the future should the applicants' children decide not to continue with the farm operation.

If you have any questions, please contact us directly by email or phone.

Sincerely,



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



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