

REPORT TO COUNCIL

Non-Farm Use



Date: July 10, 2023
To: Council
From: City Manager
Address: 4275 Goodison Rd
File No.: A23-0005

	Existing	Proposed
OCP Future Land Use:	R-AGR – Rural Agriculture & Resource	R-AGR – Rural Agriculture & Resource
Zone:	A1 – Agriculture	A1 - Agriculture

1.0 Recommendation

THAT Agricultural Land Reserve Application No. A23-0005 for Lot B, Section 34, Township 29, ODYD, PLAN 43324, located at 4275 Goodison Rd, Kelowna, BC for a Non-Farm Use of agricultural land in the Agricultural Land Reserve pursuant to Section 20 (2) of the *Agricultural Land Commission Act*, be supported by Council; AND THAT the Council directs Staff to forward the subject application to the Agricultural Land Commission for consideration.

2.0 Purpose

To support an application to the Agricultural Land Commission for a Non-Farm Use to allow for a distillery, wedding ceremonies, and antique farm machinery display on the subject property.

3.0 Development Planning

Staff recommend forwarding the proposed Non-Farm Use (NFU) application to the Agricultural Land Commission (ALC) to consider the proposed uses on the subject property. The NFU activities that are being considered in this application is a craft distillery with a tasting room, holding wedding ceremonies and display of antique farm machinery. This application proposes to continue the existing uses on the subject property as originally approved by the ALC on April 20, 2016 and amended May 24, 2016 (See Attachment A – Applicant’s Proposal and Attachment B – ALC Resolution #116/2016).

4.0 Site Context & Background

The subject property is located on Goodison Rd in Southeast Kelowna and is within the Agricultural Land Reserve (ALR). The property is zoned A1 – Agriculture and has a Future Land Use Designation of R-AGR – Rural Agriculture & Resource. The surrounding properties are also within the ALR, and are consistent with A1 zoning and R-AGR future land use. The property is 6 acres (2.5 ha) and the existing NFU occupies approximately 0.05 acres (2,500 sq ft). The property is currently developed with one single detached dwelling and garage; 108 sq ft distillery that includes processing area, retail sales, and tasting room; antique farm machinery display; 50 chicken-coop; and 2 acres of pasture.

Subject Property Map: 4275 Goodison Rd



4.1 Background

In 2016, the ALC approved the Non-Farm Use application subject to conditions (Attachment B – ALC Resolution #116/2016). The previous ALC approval included:

- Wedding ceremonies to be held once per week or four times per month with restrictions on area size, food service and parking location;
- Area and size limitation for the alcohol production, tasting and retail sales of the distiller product;
- No additional structures or expansion of existing structures be constructed for the display of antique farm machinery.

At that time, the application was granted a 6 years time-limit to permit the NFU activity; it also restricted the NFU approval to the sole benefit of the current landowners and was non-transferable.

This application proposes to continue operating the craft distillery, holding wedding ceremonies and displaying antique farm machinery as described in the ALC Resolution #116/2016 in perpetuity and with no restrictions on land ownership.

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 8.1 Protect and preserve agricultural land and its capability.	
Policy 8.1.5 Agri-tourism, Alcohol	Support agri-tourism uses that are directly associated with and supportive of established farm operations as a primary use. Permit alcohol production facilities

<p>Production Facilities, Farm Retail Sales</p>	<p>and farm retail sales on ALR lands where consistent with ALC policies and regulations.</p> <p><i>The proposal is for the existing craft distillery operating out of a tasting room, that is approximately 60.0 m². The applicant has one Liquor Distribution Branch (LDB) licensing endorsement for the distillery/tasting room, which includes on-site sales.</i></p>
<p>Policy 8.1.6 Non-Farm Uses</p>	<p>Restrict non-farm uses that do not directly benefit agriculture except where such non-farm uses are otherwise consistent with the goals, objectives and other policies of this OCP. Support non-farm use applications only where approved by the ALC and where the proposed uses:</p> <ul style="list-style-type: none"> • Are consistent with the Zoning Bylaw and the 2040 OCP; • Provide significant benefits to local agriculture; • Do not require the extension of municipal services; • Will not utilize productive agricultural lands; • Will not preclude future use of the lands for agriculture; and • Will not harm adjacent farm operations. <p><i>The proposal seeks to continue the existing NFU which had been previously approved by the ALC. The use is consistent with the Zoning Bylaw and the 2040 OCP. The NFU supports the on-site farming activities through revenue. The proposal utilizes the existing building and does not preclude future use of the lands for agriculture nor impact adjacent farm operations.</i></p>

6.0 Application Chronology

Application Accepted: April 5th, 2023
 Public Information Session: N/A
 Neighbourhood Notification Summary Received: N/A

Report prepared by: Sara Skabowski, Planner I
Reviewed by: Dean Strachan, Community Planning & Development Manager
Reviewed by: Terry Barton, Development Planning Department Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:
 Attachment A: Applicant’s Proposal
 Attachment B: ALC Resolution #116/2016

For additional information, please visit our Current Developments online at www.kelowna.ca/currentdevelopments.