
CITY OF KELOWNA

MEMORANDUM

Date: August 22, 2001
File No.: A01-104

To: City Manager

From: Planning & Development Services Department

Subject: APPLICATION NO. A01-104

OWNER: George Hall and Roy Lazic

APPLICANT: Gryphus Land Use Planning Corp., Kim Rosner

AT: 5225 Highway 97

PURPOSE: To obtain permission from the Land Reserve Commission to exclude the subject property from the Agricultural Land Reserve.

EXISTING ZONES: A1 – Agriculture 1

REPORT PREPARED BY: Josephine Duquette

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Agricultural Land Reserve Appeal No. A01-104; Lot 1, Sec. 11, Twp. 23, ODYD, Plan KAP67316, located on Highway 97, Kelowna, B.C., for exclusion from the Agricultural Land Reserve pursuant to Section 15(1) of the Agricultural Land Reserve Act be supported by the Municipal Council;

AND THAT Municipal Council forward the subject application to the Land Reserve Commission.

2.0 SUMMARY

The applicant is requesting approval from the Land Reserve Commission to exclude the subject property from the Agricultural Land Reserve. The applicant has submitted an Argrologist's report, copy attached. The report concludes that the subject property has limited to no agricultural capability.

Staff support for exclusion from the Agricultural Land Reserve does not include consideration of future use of or access to the subject property.

3.0 AGRICULTURAL ADVISORY COMMITTEE

The Agricultural Advisory Committee, at their meeting of June 21, 2001, reviewed the above noted application, and the following recommendation was passed:

That the Agricultural Advisory Committee supports application No. A01-104 by Gryphus Land Use Planning Corp. to obtain approval from the Land Reserve Commission to exclude the subject property from the Agricultural Land Reserve.

The Agricultural Advisory Committee expressed concerns regarding the surrounding properties and the future land use of the property. The committee also took into consideration the recent decision by the Land Reserve Commission to approve the exclusion application for the site located immediately to the south of the subject property.

4.0 SITE CONTEXT

The subject property is located on the east side of Highway 97, south of the Kelowna Airport, east of the Okanagan University College north campus and west of the Shadow Ridge Golf Course. The western portion of the property is relatively flat at an elevation of 418 m. A steep bank occupies the middle section of the property and slopes down to the eastern portion of the property, which is relatively flat ranging from 412 m to 410 m at the western property line. The size of the property is 1.2 ha (2.9 ac) in area.

The subject property is located in the Highway 97 Sector area of the city and identified on the map below.



CLI Land Capability: 704W 305W (702W 303LW)

The improved Land Capability rating for the site is Class 2 and 3 with capability subclass of Excess Water and Degree of Decomposition – Permeability.

Soil Classification: 7RH:2 3KD:2

The soil classification is primarily Rumohr Soil which is Rego Gleysol: peaty and calcareous phases with very poor, high ground-water table, subject to flooding with 20 to 60 cm of partially decomposed (mesic) organic material and up to 50 cm of silt loam (marl) over loamy sand or fine sand texture. The land characteristics associated with Rumohr Soil is organic veneer and marl over nearly level depressional fluvial fan deposits.

ZONING AND USES OF ADJACENT PROPERTY:

North	-	A1 – Agriculture 1; vacant land
East	-	A1 – Agriculture 1; Shadow Ridge Golf Course
South	-	A1 – Agriculture 1; vacant land
West	-	P4 - Utilities; Gravel extraction operation

5.0 CURRENT DEVELOPMENT POLICY

5.1 City of Kelowna Strategic Plan (1992)

A policy of the Strategic Plan is for the protection of productive agricultural land.

5.2 Kelowna Official Community Plan (1994 – 2014)

The site is designated as Rural / Agricultural on the future land use map and is located within the area to be retained in the Agricultural Land Reserve in the current Official Community Plan.

5.3 City of Kelowna Agriculture Plan (1998)

Applicants requesting exclusion from the Agricultural Land Reserve are required to substantiate the marginal nature of farming (for a full range of cropping options) based on soil capability, climate, topography (slope), elevation, and / or drainage / wetland conditions.

6.0 PLANNING COMMENTS

The Planning & Development Services Department has a concern regarding the exclusion of this property from the Agricultural Land due the variation between the Land Capability rating and the Agrologist's May 14, 2001 report.

The improved Land Capability rating for the site, as per the information provided by the Ministry of Environment, is 70 % Class 2 and 30 % Class 3 with a subclass of excess water and degree of decomposition – permeability. A majority of the site has been altered to construct a building and a hardsurface parking area and

the alterations to the site have impacted the agricultural capability of the land, according to the Argrologist's May 14, 2001 report.

R. G. Shaughnessy
Subdivision Approving Officer

Approved for inclusion

R.L. (Ron) Mattiussi, ACP, MCIP
Director of Planning & Development Services

RGS/JD/jd
Attachments

FACT SHEET

- | | | |
|-----|---|---|
| 1. | APPLICATION NO.: | A01-104 |
| 2. | APPLICATION TYPE: | Exclusion |
| 3. | OWNER: | George Hall / Roy Lazic |
| | . ADDRESS | 3646 Highway 97 N |
| | . CITY | Kelowna, BC |
| | . POSTAL CODE | V1X 5C2 |
| 4. | APPLICANT/CONTACT PERSON: | Gryphus Land Use Planning Corp. / Kim Rosner |
| | . ADDRESS | C/o 2307 Campbell Road |
| | . CITY | Kelowna, BC |
| | . POSTAL CODE | V1Z 1S9 |
| | . TELEPHONE/FAX NO.: | 769 – 0611 / 769 - 0689 |
| 5. | APPLICATION PROGRESS: | |
| | Date of Application: | May 24, 2001 |
| | Date Application Complete: | May 24, 2001 |
| | Staff Report to AAC: | June 21, 2001 |
| | Staff Report to Council: | |
| 6. | LEGAL DESCRIPTION: | Lot 1, Sec. 11, twp. 23, ODYD, Plan KAP67316 |
| 7. | SITE LOCATION: | East side of Highway 97 |
| 8. | CIVIC ADDRESS: | 5225 Highway 97 |
| 9. | AREA OF SUBJECT PROPERTY: | 1.2 ha |
| 10. | EXISTING ZONE CATEGORY: | A1 – Agriculture 1 |
| 11. | PURPOSE OF THE APPLICATION: | To obtain approval from the Land Reserve Commission to exclude the subject property from the Agricultural Land Reserve. |
| 12. | DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS | Not Applicable |

Attachments that are missing from the Electronic Version

H. A. Luttmerding, P. Ag. – Argrologist Report
Subject Property Map
ALR Map