
CITY OF KELOWNA

MEMORANDUM

Date: March 27, 2002
File No.: A02-101

To: City Manager

From: Planning & Development Services Department

Subject: APPLICATION NO. A02-101

OWNER/ APPLICANT: George and Shirley Staley

AT: 3995/4039 June Springs Road

PURPOSE: To obtain permission from the Land Reserve Commission to subdivide within 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. A02-101, Lot B, Section 3, Township 26, ODYD, Plan KAP61317, located on June Springs Road, Kelowna, B.C., for subdivision within the Agricultural Land Reserve pursuant to Section 22(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 applicants are requesting permission from the Land Reserve Commission to subdivide within the Agricultural Land Reserve in lieu of a Homesite Severance Application. The applicant is proposing to create two lots. The proposed easterly lot which would be 1.5 ha (3.9 ac) in area would contain their existing residence outbuildings and one acre of table grapes. The proposed westerly lot which would be 3.0 ha (7.4 ac) in area would contain an existing secondary residence, accessory buildings, fenced corral, pasture, raspberry plants and fallow land.

The applicants believe that the proposed subdivision would maintain the agricultural potential of the property and result in a useable agricultural configuration for both parcels. The applicants believe that separating the rear half of the proposed easterly lot and attaching it to the proposed westerly lot would not result in a better agricultural configuration for both parcels. The applicant resides in the existing house on the proposed easterly lot and wish to remain on the property. The proposed subdivision will allow the septic system, the outbuildings and the one acre of table grapes. The grapes are irrigated with a fixed irrigation system and a proposed lot line through the table grapes would not be logical, in their opinion.

THAT the Agricultural Advisory Committee supports the application No. A02-101 by George and Shirley Staley to obtain approval from the Land Reserve Commission to subdivide the subject property within the Agricultural Land Reserve.

The subject property is located in the South East Kelowna Sector area of the city at the intersection of June Springs Road and Spiers Road. The elevation ranges from 502 m at the north west corner to 520 m at the south east corner.

North	- A1 – Agriculture 1; Residence and personal use garden/agriculture plot
East	- A1 – Agriculture 1; Residence and horse pasture
South	- A1 – Agriculture 1, RR1 – Rural Residential 1; Rural residences
West	- A1 – Agriculture 1; Rural residence

CLI Land Capability: 5A (6:3A 2*3A 2*3AP)

The improved Land Capability rating for the subject property is Class 3 with a capability subclass of soil moisture deficiency with limited stoniness.

Soil Classification: 4PE:34 4PR:34 2GM:34

The subject property has a combination of three different soil classifications, Paradise, Parkill and Gammil soils. The soil classification for these soils are eluviated eutric brunisol with rapid drainage and varying depths of loamy sand or sand over gravelly loamy sand or very gravelly sand texture. The land characteristics associated with these soils are nearly level or gently sloping to very steeply sloping or strongly sloping fluvioglacial deposits.

5.0 CURRENT DEVELOPMENT POLICY

5.1 City of Kelowna Strategic Plan (1992)

The Strategic Plan supports the protection of productive agricultural land.

5.2 Kelowna Official Community Plan (1994 – 2014)

The Official Community Plan designation of the subject property is rural/agricultural. The OCP states that generally land areas within this designation will not be supported for more intensive development than that allowed under current zoning regulations.

5.3 Southeast Kelowna Sector Plan

The Sector Plan designates the future land use of the subject property as Agricultural Land Reserve. The Southeast Kelowna area is considered to be one of the prime orcharding areas in the Okanagan Valley. An objective of the plan is to formulate an urban-rural land use balance which will provide for the mutual harmony of both, thereby promoting the retention and enhancement of the desirable character of the area.

5.4 City of Kelowna Agriculture Plan (1998)

The City of Kelowna Agriculture Plan identifies the subject property as being suitable for retention within the Agricultural Land Reserve.

The Agriculture Plan discourages subdivision of agricultural land into smaller parcels except where a positive benefit to agriculture can be demonstrated. Small agricultural lot sizes are discouraged because they tend to limit agricultural cropping options, generate insufficient production to support a family, require off-site income to support the operation, add to the speculative value of surrounding agricultural lands, and decreases the ability to assemble an economic agricultural unit.

The Agriculture Plan states that the City of Kelowna will continue to support the concept of Homesite Severance applications when consistent with the Land Reserve Commission Policy No. 025/78 attached. Persons making use of this policy should understand clearly that: no one has an automatic right to a

“homesite severance”; the Commission shall be the final arbiter as to whether a particular “homesite severance” meets good land use criteria; and a prime concern of the Commission will always be to ensure that the “remainder” will constitute a suitable agricultural parcel.

6.0 PLANNING COMMENTS

There does not appear to be any benefit to farming in allowing a subdivision to create an additional parcel. The cropping options may be limited on the parent parcel due to the proposed reduction in the lot size.

However, the Official Community Plan and the Agriculture Plan do support the concept of a homesite severance for retiring farmers. The proposed subdivision does not comply with the Land Reserve Commission regulations for a homesite severance due to the proposed size of the homesite severance lot. The applicant has indicated that a reduced lot size is not logical on the property due to the location of septic fields, irrigation areas and developed agricultural uses. As a result the applicant has requested a subdivision application in lieu of a homesite severance application and the Planning and Development Services Department believes it is a reasonable request.

R. G. Shaughnessy
Subdivision Approving Officer

Approved for inclusion ☐

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

RGS/JD/jd
Attachment

Attachments that are missing from the Electronic Version

Subject Property Map

ALR Map

Proposed Subdivision Layout

Homesite Severance Policy #025/78, Land Reserve Commission