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**CITY OF KELOWNA**  
**MEMORANDUM**

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**Date:** September 20, 2002  
**File No.:** A02-0108

**To:** City Manager

**From:** Planning & Development Services Department

**Subject:** APPLICATION NO. A02-0108

OWNER: George and Marjorie Hopkins

APPLICANT: Gehue & Van Gorp

AT: 2030 Treetop Road

PURPOSE: To obtain permission from the Land Reserve Commission to exclude the easterly portion of subject property from the Agricultural Land Reserve as per Section 15 (1) of the Agricultural Land Reserve Act.

EXISTING ZONES: A1 – Agriculture 1

REPORT PREPARED BY: Josephine Duquette

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**SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS**

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**1.0 RECOMMENDATION**

THAT Agricultural Land Reserve Appeal No. A02-0108; Lot 3, Section 19, Township 27, ODYD, Plan 33849, located on Treetop Road, 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 permission from the Land Reserve Commission to exclude the easterly portion of the subject property from the Agricultural land Reserve as per Section 15 (1) of the Agricultural Land reserve Act. The westerly portion of the subject property is not located within the Agricultural Land Reserve. The applicant would like to exclude a portion of the subject property to allow for a future rezoning and subdivision of the subject property into two 1 ha rural residential parcels.

The applicant has provided an agrologist's report to support their contention that the portion of the subject property situated within the Agricultural Land Reserve has limited agricultural potential.

### 3.0 AGRICULTURAL ADVISORY COMMITTEE

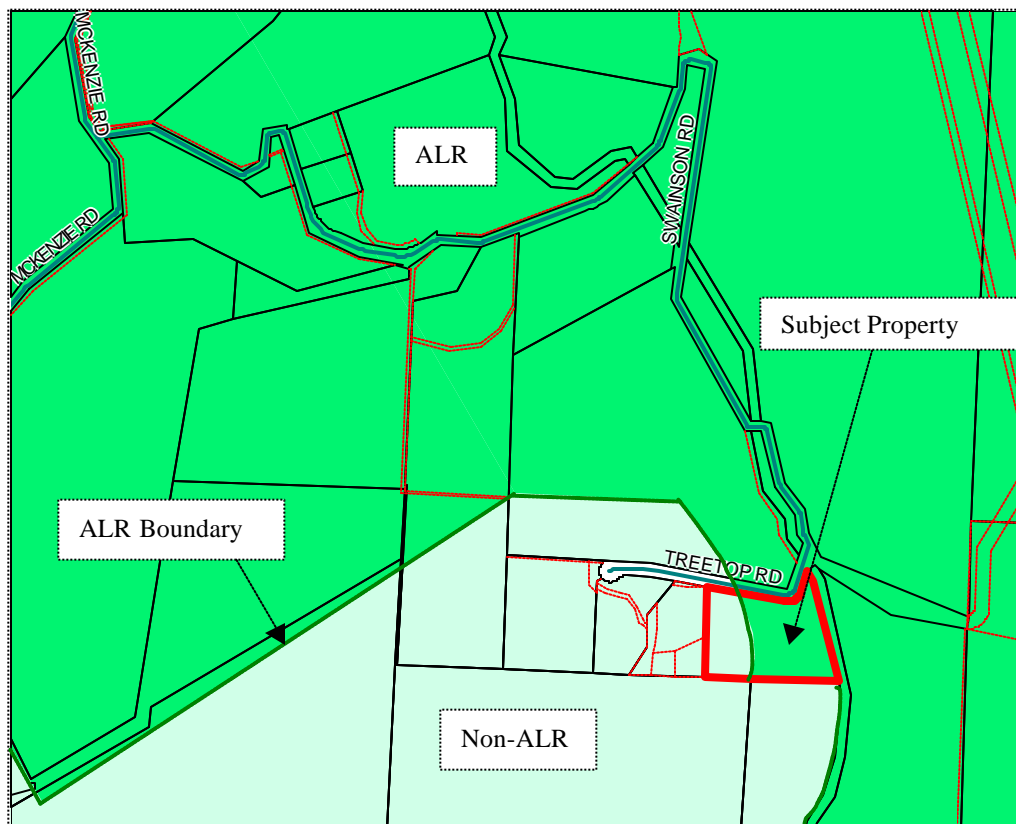
The Agricultural Advisory Committee, at their meeting of September 19, 2002, reviewed the above noted application, and the following recommendation was passed:

THAT the Agricultural Advisory Committee supports application No A02-0108 by Gehue & Van Gorp to obtain approval from the Land Reserve Commission to exclude the subject property from the Agricultural Land Reserve.

### 4.0 SITE CONTEXT

The property is located in the Belgo / Black Mountain Sector area of the City and on the south side of Treetop Road. The subject property comprises steeply sloping areas with a 34 m rise in elevation over the entire property. The subject property rises in elevation from 622 m in the north east corner of the property to 656 m in the south west corner. The eastern portion of the subject property and the properties to the north and east are situated within the Agricultural Land Reserve. The subject properties to the south are identified in the Official Community Plan as Area Structure Plan No. 11.

The subject property is located on the map below.



**CLI Land Capability: 7:4A 3:4AT (7:1 3\*2T), 5TA (8\*3T 2\*3TP)**

The improved Land Capability rating for the lower portion is primarily Class 1 with capability subclass of topography over portions.

The improved land Capability rating for the upper portion is Class 3 with capability subclasses of topography and stoniness.

**Soil Classification: KE:35, 8KE:6S12 2PA:6S12**

The soil classification is primarily Kelowna soil that is well draining orthic dark brown with 10 to 30 cm of loam or sandy loam veneer over gravelly sandy loam or gravelly loam texture. The land characteristics associated with Kelowna soil is moderately and strongly sloping glacial till.

ZONING AND USES OF ADJACENT PROPERTY:

North - A1 – Agriculture 1; Pasture, orchard and rural residential dwelling  
East - A1 – Agriculture 1; Pasture  
South - A1 – Agriculture 1; Pasture  
West - RR1 – Rural Residential 1; Rural residential dwelling

**5.0 CURRENT DEVELOPMENT POLICY**

**5.1 City of Kelowna Strategic Plan (1992)**

A Primary Goal of the Strategic Plan is to preserve viable agricultural holdings as an integral part of our community.

**5.2 Kelowna Official Community Plan (1994 – 2014)**

The Official Community Plan designation of the subject property Single / Two Unit residential. The plan states that Council may support applications for exclusion from the Agricultural Land Reserve when the application is deemed to be in the public interest. For example, in cases where lands are isolated by surrounding urban development and minimize urban - rural conflict; or where clear municipal growth needs warrant such support. The property is identified as Agricultural Land Reserve lands proposed for non-farm uses.

**5.3 Black Mountain Sector Plan**

The future land use designation for the subject property is split between Rural Agricultural and Single Family Residential. The future land use designation boundary is aligned with the Agricultural Land Reserve boundary. An objective of the plan is to avoid the development of urban uses within the Agricultural Land Reserve.

**5.4 City of Kelowna Agriculture Plan (1998)**

The subject property is identified on Map 14 of the Agriculture Plan as lands proposed for non-farm uses. The lands identified as proposed for non-farm use on Map 14 would not necessarily be excluded from the Agricultural Land Reserve. Establishing an urban –rural/agricultural boundary that uses existing

roads, topographic features or water courses would be appropriate. Urban uses should be directed to land within the urban defined area.

## 6.0 PLANNING COMMENTS

The proposed exclusion application is consistent with the Official Community Plan and the Agriculture Plan. The proposed two rural residential lots would create a transition between the existing farming to the north and the proposed urban residential to the south. Also, the proposed lots sizes are consistent with the newly created lots to the west.

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R. G. Shaughnessy  
Subdivision Approving Officer

Approved for inclusion

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

RGS/JD/jd  
Attachments

**Attachments that are missing from the Electronic Version**

Subject Property Map

ALR Map

Proposed Subdivision Layout

Detailed On – Site Inspection performed by a Horticultural Agrologist