
CITY OF KELOWNA

MEMORANDUM

Date: March 26, 2003

File No.: A02-0115

To: City Manager

From: Planning & Development Services Department

Purpose: To obtain permission from the Land Reserve Commission to subdivide the subject property within the Agricultural Land Reserve, in order to into create two new lots.

Owner: John and Marie Murphy	Applicant/Contact Person: Tom Smithwick/Porter Ramsay
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At: 1460 Gibson Road

Existing Zone: A1 – Agriculture 1

Report Prepared by: Mark Koch

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Agricultural Land Reserve Appeal No. A02-0115, Lot 18 Section 36 Township 26 ODYD Plan 1760 Except Plans B3117, 21987 and KAP56450 located on Gibson Road, Kelowna, B.C. to subdivide within the Agricultural Land Reserve, pursuant to Section 22 (1) of the Agricultural Land Commission Act be supported by the Municipal Council.

2.0 SUMMARY

The applicant is requesting permission from the Land Reserve Commission to subdivide within the Agricultural Land Reserve. The proposal is to create two new lots. The subject property is presently bisected by a McCurdy Road E. dedication. It's construction will be triggered by the commencement of the Tower Ranch Golf Resort development. The property was previously used as an orchard, and is surrounded by properties that are similarly zoned A1. Neighbouring land uses include parcels of single detached housing to the north and south, and agricultural orchard lands lying to the east and west.

3.0 AGRICULTURAL ADVISORY COMMITTEE

The Agricultural Advisory Committee, at their meeting of March 13, 2003, reviewed the above noted application, and the following recommendation was passed:

THAT the Agricultural Advisory Commission supports Agriculture Application No. A02-0115, 1460 Gibson Road, Lot 18, Plan 1760, Sec. 36, ODYD, by Porter Ramsay (Tom Smithwick) to obtain approval from the Land Reserve Commission to subdivide the subject property within the Agricultural Land Reserve.

4.0 SITE CONTEXT

The property is located in the Rutland Sector area of the City, and lies towards the west side of Gibson Road. A McCurdy Road E. dedication bisects the subject property, which is approximately 1.8 ha (4.5 ac) in area, with Bauer Creek running near the northern property line. The parcel's elevation change is between approximately 475m in the west to 489m in the east.

CLI Land Capability

In the land capability classification, mineral and organic soils are grouped into seven classes, according to their potential and limitations for agricultural use. The intensity of limitations becomes progressively greater from Class 1 to Class 7. The Land Capability classification for the subject area falls primarily into Class 4, with some areas having an improved rating of Class 2.

The soils in this area are limited by a soil moisture deficiency, caused by low soil water holding capacity or insufficient precipitation. Furthermore, soils are limited by steepness or pattern of slopes, which hinders the use of farm machinery, decreases the uniformity of growth and maturity of crops, and/or increases the potential for water erosion.

Soil Classification

There are a variety of different soil types that are present on the subject property. The three primary soil classifications are Oyama, Kelowna, and Miscellaneous. Covering the majority of the property, the Oyama soil is rapid draining, orthic dark brown, with a soil texture of 100 cm or more of sandy loam or loamy sand grading to sand. The less present Kelowna soil is well draining, orthic dark brown, with a soil texture of 10 to 30 cm of loam, or sandy loam veneer, over gravely sandy loam texture. Occuring over a small segment of the property, the Miscellaneous soil type is mostly exposed bedrock or rock areas, covered by less than 10 cm of mineral soil.

The subject property is located on the map below:



ZONING AND USES OF ADJACENT PROPERTY:

- North - A1 – Agriculture 1 (Single Detached Housing)
- East - A1 – Agriculture 1 (Agricultural)
- South - A1 – Agriculture 1 (Single Detached Housing)
- West - A1 – Agriculture 1 (Agricultural)

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 future land use designation for the subject property is identified as Rural/Agricultural in the Official Community Plan. The plan encourages the preservation of land designated Rural/Agricultural on the land use map for agricultural purposes.

5.3 Rutland Sector Plan

The future land use designation for the subject property is identified as Rural/Agricultural in the Rutland Sector Plan. The plan encourages the preservation of land designated as Rural/Agricultural on the land use map for agricultural purposes.

5.4 City of Kelowna Agriculture Plan

The Agriculture Plan identifies the subject property as ALR lands, and as being suitable for retention within the ALR. Furthermore, the Agricultural Plan does not support the extension of existing rural subdivisions.

6.0 PLANNING COMMENTS

This Agricultural Land Reserve appeal application was initially for an exclusion from the ALR. As the relevant current planning policy documents do not support the proposed exclusion from the ALR, staff and the Agricultural Advisory Committee could not recommend that Council favourably consider this application. However, the applicant has since revised it to a subdivision within the ALR. As the subject property, which is only 1.8ha in size, is physically bisected by a McCurdy Road E. dedication which makes it difficult to farm as one viable agricultural unit, staff and the Agricultural Advisory Committee are recommending that Council favourably consider a subdivision within the ALR.

R. G. Shaughnessy
Subdivision Approving Officer

Approved for inclusion ☐

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

RGS/MK/mk
Attachment

FACT SHEET

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| 1. APPLICATION NO.: | A02-0115 |
| 2. APPLICATION TYPE: | Exclusion from the ALR |
| 3. OWNER: | John and Marie Murphy |
| . ADDRESS | 1666 Rutland Road |
| . CITY | Kelowna, BC |
| . POSTAL CODE | V1X 4Z6 |
| 4. APPLICANT/CONTACT PERSON: | Porter Ramsay/Tom Smithwick, QC |
| . ADDRESS | 200-1465 Ellis Street |
| . CITY | Kelowna, BC |
| . POSTAL CODE | V1Y 2A3 |
| . TELEPHONE/FAX NO.: | 250-763-7646 |
| 5. APPLICATION PROGRESS: | |
| Date of Application: | December 16, 2002 |
| Date Application Complete: | December 16, 2002 |
| Staff Report to AAC: | February 10, 2003 |
| Staff Report to Council: | March 26, 2003 |
| 6. LEGAL DESCRIPTION: | |
| 7. SITE LOCATION: | South of McKenzie Road, and west of Hillcrest Road |
| 8. CIVIC ADDRESS: | 1460 Gibson Road |
| 9. AREA OF SUBJECT PROPERTY: | 1.8 ha (4.5 ac) |
| 10. EXISTING ZONE CATEGORY: | A1 – Agricultural 1 |
| 11. PURPOSE OF THE APPLICATION: | To obtain permission from the Land Reserve Commission to exclude the subject property from the Agricultural Land Reserve. |
| 12. DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS | Not applicable |