
CITY OF KELOWNA
MEMORANDUM

Date: April 14, 2003
File No.: A03-0003
To: City Manager
From: Planning & Development Services Department
Purpose: To obtain permission from the Land Reserve Commission to subdivide within the Agricultural Land Reserve to create an additional lot.

Owners: Michael Eichhorst	Applicant/Contact Person: Axel Hilmer Planning Consultant / Axel Hilmer
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At: 1341 Latta 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. A03-0003, Lot 28, Plan 1760, Sec. 36, Twp. 26, ODYD, Kelowna, B.C. for subdivision within the Agricultural Land Reserve, pursuant to Section 21(2) of the Agricultural Land Commission Act not be supported by the Municipal Council.

2.0 SUMMARY

The applicant is requesting permission from the Land Reserve Commission to subdivide property within the Agricultural Land Reserve, in order to create an additional lot. The proposed subdivision will create a total of two lots, with one containing the principal residence, and the other being the remainder of the existing farm. The current owners are getting older, and no longer wish to farm the land. Their intentions are to remain in their home, while selling the remainder of the farm. The lot containing the existing residence is proposed to be 0.3 ha (0.7 ac), while the remainder of the existing farm is proposed to be 6.7 ha (16.5

ac) in size. The applicant does not qualify for a homesite severance subdivision, as he has only owned the property since 1981.

3.0 AGRICULTURAL ADVISORY COMMITTEE

The Agricultural Advisory Committee, at their meeting of April 10, 2003, reviewed the above noted application, and the following recommendation was passed:

THAT the AAC support Application No. A03-0003 to obtain approval from the Land Reserve Commission to subdivide within the Agricultural Land Reserve to create an additional lot, because the remaining portion is large enough to accommodate another home.

Voting showed 4 opposed, 2 in favour

Motion DEFEATED

4.0 SITE CONTEXT

The subject property is fronted both to the west and east by Latta Road, as Latta Road bends around in the Rutland Sector of the City. The site is 7.0 ha (17.2 ac) in area. The property has a high point of 527m in the centre of the lot, and slopes to 500m in the west, and 517m on the eastern edge of the property.

Parcel Size: 7.0 ha (17.2 ac)
Elevation: 500m – 527m – 517m

BCLI Land Capability

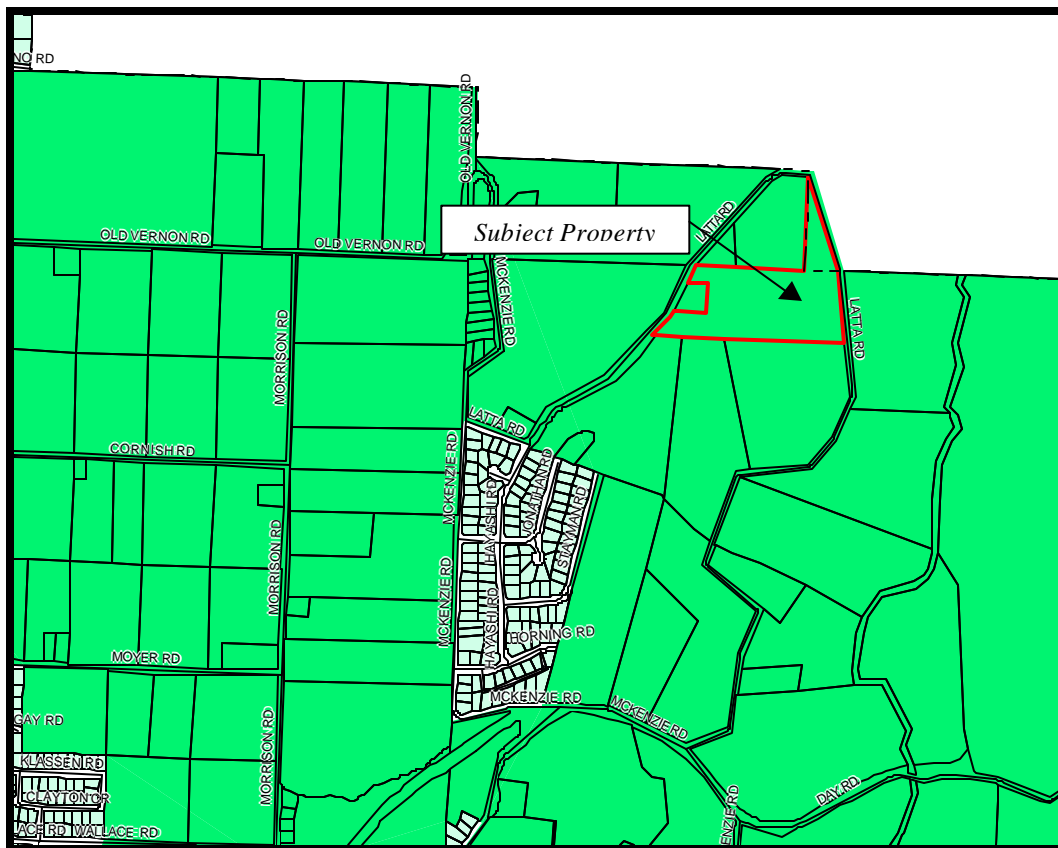
The land capability for the subject area falls primarily into Class 4 and 5, but the improved or irrigated rating increases to Class 2 and 3.

The soils on the subject property are limited by a soil moisture deficiency, caused by low soil water holding capacity or insufficient precipitation.

Soil Classification

The soil classification for the subject property is Kelowna and Rutland. The Kelowna soil is characterized by moderately and strong sloping glacial till, while the Rutland soil is characterized by very gently to strongly sloping fluvioglacial deposits.

The subject property is located on the map below



ZONING AND USES OF ADJACENT PROPERTY:

North - A1 – Agriculture 1 / Orchard
East - A1 – Agriculture 1 / Orchard
South - A1 – Agriculture 1 / Orchard
West - A1 – Agriculture 1 / Orchard and Hayfield

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 subject property 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. Furthermore, the Official Community Plan recognizes the importance of agricultural uses.

5.3 Rutland Sector Plan

The Rutland Sector Plan has designated the subject property as Rural / Agriculture. The plan supports the retention of lands that have been designated as Rural / Agricultural in their existing lot size and status.

5.4 City of Kelowna Agriculture Plan

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

6.0 PLANNING COMMENTS

The Official Community Plan and the Agricultural Plan does not support further subdivision of the property, unless it was a homesite severance within the Agricultural Land Reserve. The relevant Land Reserve Commission policy (#025/78) indicates that the subject property must be continuously owned and occupied by the applicant as his or her principal place of residence since December 21, 1972. The applicant in this case purchased the property in 1981.

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.: | A03-0003 |
| 2. APPLICATION TYPE: | Subdivision within the ALR |
| 3. OWNER: | Michael Eichhorst |
| · ADDRESS | 1341 Latta Road |
| · CITY | Kelowna, B.C. |
| · POSTAL CODE | |
| 4. APPLICANT/CONTACT PERSON: | Axel Hilmer |
| · ADDRESS | 204-1823 Harvey Avenue |
| · CITY | Kelowna, B.C. |
| · POSTAL CODE | V1Y 6G4 |
| · TELEPHONE/FAX NO.: | 860-7526 |
| 5. APPLICATION PROGRESS: | |
| Date of Application: | March 04, 2003 |
| Date Application Complete: | March 24, 2003 |
| Staff Report to AAC: | March 27, 2003 |
| Staff Report to Council: | April 14, 2003 |
| 6. LEGAL DESCRIPTION: | Lot 28, Plan 1760, Sec. 36, Twp. 26, ODYD |
| 7. SITE LOCATION: | East of Latta Road and West of Latta Road |
| 8. CIVIC ADDRESS: | 1341 Latta Road |
| 9. AREA OF SUBJECT PROPERTY: | 7.0 ha (17.2 ac) |
| 10. EXISTING ZONE CATEGORY: | A1- Agriculture 1 |
| 11. PURPOSE OF THE APPLICATION: | To obtain permission from the Land Reserve Commission to subdivide within the Agricultural Land Reserve to create an additional lot. |
| 12. DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS | N/A |