
CITY OF KELOWNA

MEMORANDUM

Date: November 19, 2003
File No.: A03-0011

To: City Manager

From: Planning and Corporate Services Department

Purpose: To obtain approval from the Land Reserve Commission to subdivide the subject property into two parcels

Owner: Kathy Feth	Applicant/Contact Person: Kathy Feth
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At: 1601 Morrison 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. A03-0011, South 1/2, Lot 5, Plan 425, Sec. 36, Twp. 26, O.D.Y.D., located at 1601 Morrison Road, Kelowna, B.C. for subdivision within the Agricultural Land Reserve NOT be supported by Municipal Council;

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

2.0 SUMMARY

The applicant is requesting permission to subdivide the 4.0ha (10.0ac) subject property into two parcels, with the one proposed parcel being approximately 1ha (2.5ac) in area and the other proposed parcel being approximately 3ha (7.5ac) in area. The purpose of this subdivision within the ALR is to allow the applicant to build a rural residential home on the proposed 1ha (2.5ac) parcel and to sell the larger proposed parcel.

3.0 AGRICULTURAL ADVISORY COMMITTEE

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

THAT the Agricultural Advisory Committee supports Application No. A03-0011 by Kathy Feth to obtain approval from the Agricultural Land Reserve Commission to

allow for a two lot single family residential subdivision, for the following reasons: the property has been owned by one of Kelowna's original pioneer farming families for over 40 years; due to the illness of Ms. Feth's father, he was unable to apply for a homesite severance; Ms. Feth is bound by regulations to subdivide a one hectare parcel, despite her preference for a smaller lot.

4.0 SITE CONTEXT

The subject property is located within the Rutland Sector area of the City, between Morrison Road and McKenzie Road. The existing subject property is 4.0ha (10.0ac) in size, with the site having a range in elevation from 435m-487m.

Parcel Size:	4.0ha (10.0ac)
Elevation:	435m-487m

BCLI Land Capability

The land classification for the subject area falls largely into Class 5, with the improved or irrigated rating for the property increasing to mostly Class 2. The unimproved soils on the subject property are primarily limited by soil moisture deficiency, where crops are adversely affected by droughtiness, which is caused by low soil water holding capacity or insufficient precipitation.

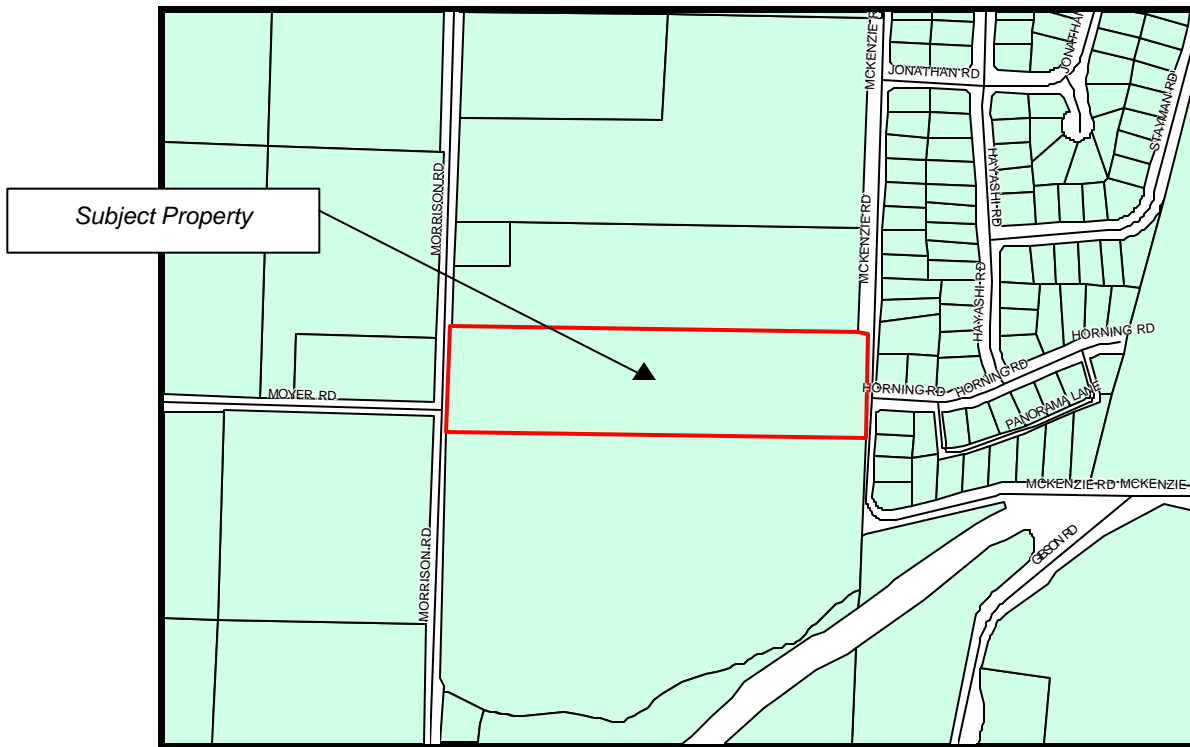
Soil Classification

The primary soil classification for the subject property is mostly Kelowna, Rutland, and Glenmore soils. The Kelowna soil is characterized by moderately and strongly sloping glacial till; the Rutland soil is characterized by very gently to sloping fluvoglacial deposits; and the Glenmore soil is characterized by nearly level to moderately sloping stratified glaciolacustrine sediments.

ZONING AND USES OF ADJACENT PROPERTY:

North – A1 – Agriculture 1 / Orchard
East – A1 – Agriculture 1 / Residential
South – A1 – Agriculture 1 / Orchard
West – A1 – Agriculture 1 / Small Holdings

The subject property is located on the map below.



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 current Official Community Plan has designated the subject property as Rural / Agricultural. The plan recognizes the importance of agricultural uses, and it does not support further subdivision of ALR lands.

5.3 Rutland Sector Plan

The Rutland Sector Plan has designated the subject property as Rural / Agricultural. 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 Agriculture Plan identifies the subject property as being suitable for retention within the Agricultural Land Reserve. The Agriculture Plan discourages the subdivision of agricultural land into smaller parcels, except where positive benefits to agriculture can be demonstrated. In addition, smaller parcels typically have correspondingly higher prices and attract non-farm residents to the area. The combination of higher land prices and smaller parcels makes the assembly of economic orchard units difficult and increases speculation, which further exacerbates the problem.

6.0 PLANNING COMMENTS

The relevant planning documents do not support the creation of additional lots within the Agricultural Land Reserve except as a homesite severance application that is consistent with the Land Reserve policy. The applicant is applying for a subdivision within the Agricultural Land Reserve in lieu of a homesite severance subdivision (see attached letter). Should the Land Reserve Commission consider granting the applicant a subdivision in lieu of a homesite severance, based on the unique circumstances the applicant has experienced, the Subdivision Approving Officer would consider approving a subdivision creating a smaller parcel for the applicant to build her rural residential home on. Without homesite severance approval, the minimum allowable parcel size utilizing a septic system is 1ha (2.5ac), explaining why the applicant has submitted the current lot configuration. The applicant has noted that if a subdivision in lieu of a homesite severance is granted by the Land Reserve Commission, she would consider applying to subdivide off a smaller parcel, which would allow for a larger lot remainder to be used as orchard.

7.0 ALTERNATE RECOMMENDATION

THAT Agricultural Land Reserve Appeal No. A03-0011, South 1/2, Lot 5, Plan 425, Sec. 36, Twp. 26, O.D.Y.D., located at 1601 Morrison Road, Kelowna, B.C. for subdivision within the Agricultural Land Reserve be supported by Municipal Council;

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

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

1. **APPLICATION NO.:** A03-0011
2. **APPLICATION TYPE:** Subdivision within the ALR
3. **OWNER:** Kathy Feth
 . **ADDRESS** 410 Husch Road
 . **CITY** Kelowna, B.C.
 . **POSTAL CODE** V1X 1N1
4. **APPLICANT/CONTACT PERSON:** Kathy Feth
 . **ADDRESS** 410 Husch Road
 . **CITY** Kelowna, B.C.
 . **POSTAL CODE** V1X 1N1
 . **TELEPHONE/FAX NO.:** 250-765-7100
5. **APPLICATION PROGRESS:**
 Date of Application: October 2, 2003
 Date Application Complete: October 2, 2003
 Staff Report to AAC: October 24, 2003
 Staff Report to Council: November 19, 2003
6. **LEGAL DESCRIPTION:** South ½ Lot 5, Plan 425, Sec. 36,
 Twp. 26, ODYD
7. **SITE LOCATION:** Between Morrison Road and
 McKenzie Road
8. **CIVIC ADDRESS:** 1601 Morrison Road
9. **AREA OF SUBJECT PROPERTY:** 4.0ha (10.0ac)
10. **EXISTING ZONE CATEGORY:** A1 – Agriculture 1
11. **PURPOSE OF THE APPLICATION:** To obtain approval from the Land
 Reserve Commission to subdivide the
 subject property into two parcels
12. **DEVELOPMENT PERMIT MAP 13.2
 IMPLICATIONS**

ATTACHMENTS

(not attached to the electronic version of the report)

- Location of subject property
- Proposed plan of subdivision
- Letter from applicant
- State of title