
CITY OF KELOWNA

MEMORANDUM

Date: February 17, 2004
File No.: A04-0002
To: City Manager
From: Planning & Development Services Department
Purpose: To obtain approval from the Land Reserve Commission to subdivide the subject property for the purpose of a homesite severance.

Owners: Alfred & Anne Steppuhn	Applicant/Contact Person: Melanie Steppuhn
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At: 2785 Dunster 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. A04-0002, Lot 1, Sec. 15, Twp. 26, ODYD, Plan 3855, located at 2785 Dunster Road, Kelowna, B.C. for subdivision within the Agricultural Land Reserve, in order to accommodate a homesite severance, pursuant to Section 21(2) of the Agricultural Land Reserve Act 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 a 20.2ac (8.2ha) subject parcel into two parcels, approximately 0.32ha (0.81ac) and 6.72ha (17.07ac) in size. The purpose of the proposed subdivision is to allow for a homesite severance, which is in accordance with Section 21(2) of the Agricultural Land Commission Act. The proposed homesite severance lot is proposed to be located in the northwest corner of the subject property. The location of the existing home, and the fact that Dunster Road ends at the property line of the subject property, creates some difficulty in providing legal access to the proposed lot remainder. The applicant has since proposed a land-swap with the Regional District of the Central Okanagan (RDCO), whereby the RDCO provides a dedicated road Right-of-Way to the applicant in exchange for the gifting of a 1.07ha (2.73ac) parcel of steep bench-land located on the applicant's property. Vehicular access to the parcel remainder will be provided through the proposed homesite severance lot via a private access agreement.

3.0 AGRICULTURAL ADVISORY COMMITTEE

The Agricultural Advisory Committee, at their meeting of February 12, 2004 reviewed the above noted application, and the following recommendation was passed:

THAT the Agricultural Advisory Committee supports application A04-0002 by Melanie Steppuhn/Alfred & Anne Steppuhn to obtain approval from the Land Reserve Commission to subdivide the subject property for the purpose of a homesite severance as there is no negative impact on agriculture and the application meets all the requirements of the ALR.

(1 abstention) **Motion CARRIED**

4.0 SITE CONTEXT

The subject property is located in the Southeast Kelowna Sector of the City, on Dunster Road and is located north of East Kelowna Road. The parcel size is 20.2ac (8.2ha), and the property elevation ranges from 390m in the northeast end of the property to 448m in the southeast corner of the subject property. The property is currently used as an apple orchard, along with additional farm structures.

Parcel Size: 20.2ac (8.2ha)
Elevation: 390m-448m

BCLI Land Capability

The land classification for the subject area falls primarily into Classes 4 and 5 but the improved or irrigated rating for a portion of the property increases to Class 3.

The soils on the subject property are limited by a soil moisture deficiency, where crops are adversely affected by droughtiness, caused by low soil water holding capacity or insufficient precipitation. Furthermore, the soils are limited by stoniness with the presence of coarse fragments which significantly hinder tillage.

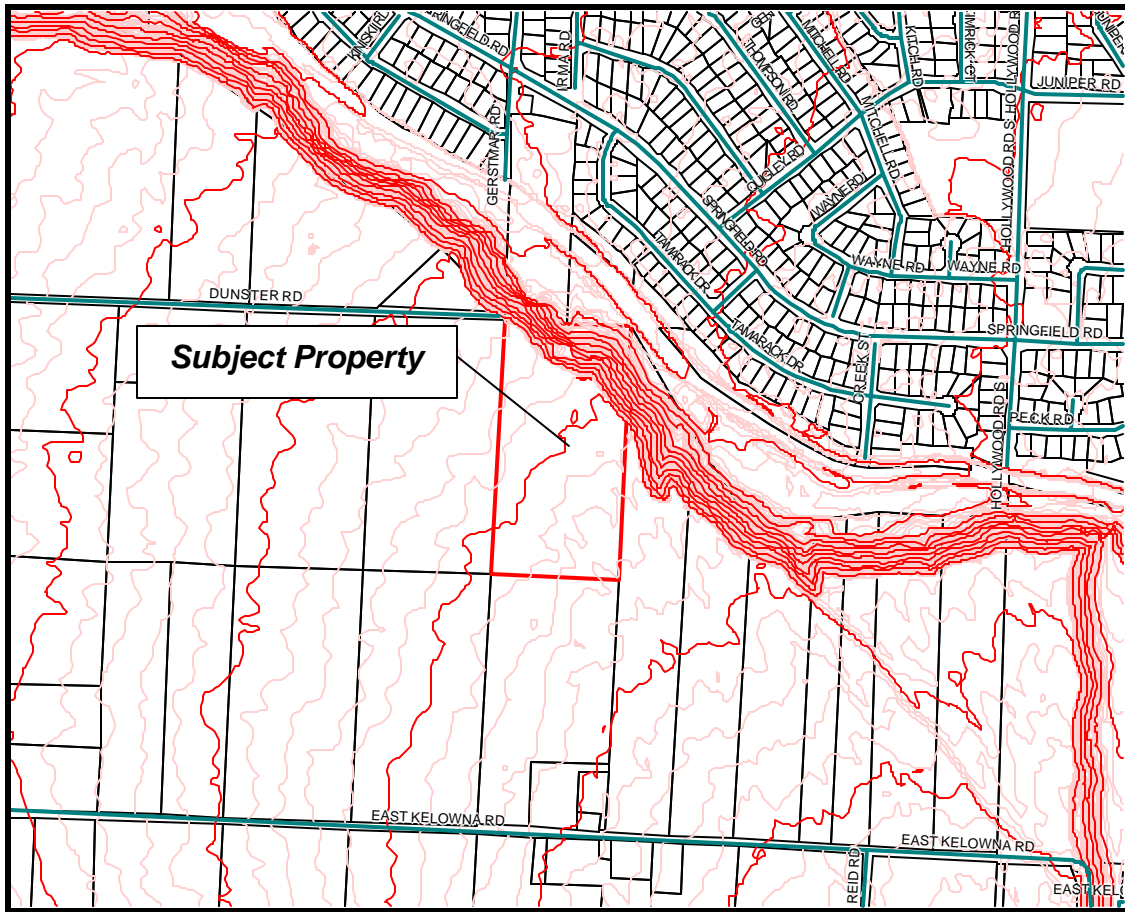
Soil Classification

The soil classification for the subject property is mostly Rutland. The Rutland soil is characterized by very gently to strongly sloping fluvioglacial deposits.

ZONING AND USES OF ADJACENT PROPERTY:

North - A1 – Agriculture 1 / Mission Creek Regional Park
East - A1 – Agriculture 1 / Mission Creek Regional Park
South - A1 – Agriculture 1 / Orchard
West - A1 – Agriculture 1 / Orchard

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. However, the OCP recognizes support for a homesite severance application where the applicant has met the conditions of the Land Reserve Commission.

5.3 Southeast Kelowna Sector Plan

The Sector Plan future land use designation of the subject properties are Agricultural Land Reserve. The plan supports retention of the subject properties within the Agricultural Land Reserve.

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 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.

6.0 PLANNING COMMENTS

The subject property owners have owned their land since January 15, 1973, with the provincial Agricultural Land Commission Act establishing eligibility to apply for a homesite severance upon ownership since before December 21, 1972. The Agricultural Land Commission has indicated that the Commission has in the past considered ownership dates that are similarly close to the cut off as being eligible for the homesite severance provision. Furthermore, the applicant has provided a copy of the original offer to purchase the property, which is dated May 15, 1972.

The Planning and Corporate Services Department has therefore decided to move this application forward under the homesite severance provisions, whereby the relevant planning and development documents support the creation of a homesite severance when consistent with Provincial Agricultural Land Reserve Commission policy, including the Strategic Plan, Official Community Plan, Southeast Kelowna Sector Plan, and the Agriculture Plan.

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.: | A04-0002 |
| 2. APPLICATION TYPE: | Homesite Severance |
| 3. OWNER: | Alfred & Anne Steppuhn |
| . ADDRESS | 2785 Dunster Road |
| . CITY | Kelowna, B.C. |
| . POSTAL CODE | V1W 4H4 |
| 4. APPLICANT/CONTACT PERSON: | Melanie Steppuhn |
| . ADDRESS | 2785 Dunster Road |
| . CITY | Kelowna, B.C. |
| . POSTAL CODE | V1W 4H4 |
| . TELEPHONE/FAX NO.: | 250-860-2512 |
| 5. APPLICATION PROGRESS: | |
| Date of Application: | February 2, 2004 |
| Date Application Complete: | February 2, 2004 |
| Staff Report to AAC: | February 4, 2004 |
| Staff Report to Council: | February 17, 2004 |
| 6. LEGAL DESCRIPTION: | Lot 1, Sec. 15, Twp. 26, ODYD, Plan 3855 |
| 7. SITE LOCATION: | On Dunster Road located to the north of East Kelowna Road |
| 8. CIVIC ADDRESS: | 2785 Dunster Road |
| 9. AREA OF SUBJECT PROPERTY: | 20.2ac (8.2ha) |
| 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 for the purpose of a homesite severance. |
| 12. DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS | |