
CITY OF KELOWNA

MEMORANDUM

Date: May 10, 2004
File No.: A04-0004

To: City Manager

From: Planning & Corporate Services Department

Purpose: To obtain approval from the Agricultural Land Reserve Commission to exclude a part of the subject property from the ALR in order to facilitate a six lot subdivision, and to subdivide a part of the subject property within the ALR in order to facilitate a further two lot subdivision.

Owners: Mike & Jacqueline Schleppe / Rashwa & Sarita Gopal	Applicant/Contact Person: New Town Planning Services Inc / Keith Funk
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At: 4215 Wallace Hill 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. A04-0004, Lot 2, D.L. 360, ODYD, Plan 1734, located on Wallace Hill Road, Kelowna, B.C. for partial exclusion from the Agricultural Land Reserve pursuant to Section 30(1) of the Agricultural Land Commission Act, and for partial subdivision within the Agricultural Land Reserve pursuant to Section 21(2) of the Agricultural Land Commission Act, NOT be supported by Municipal Council.

2.0 SUMMARY

The applicant is requesting permission from the Agricultural Land Reserve Commission to exclude part of the subject property from the Agricultural Land Reserve to allow for a six lot subdivision and to also allow a partial subdivision within the Agricultural Land Reserve to allow for a further two lot subdivision. The subject property covers an area of approximately 12ha (30ac), is situated within a Water Feature Development Permit area and the site is mostly wooded.

3.0 AGRICULTURAL ADVISORY COMMITTEE

The Agricultural Advisory Committee at their meeting of May 6, 2004 reviewed the above noted application, and the following recommendation was passed:

THAT the Agricultural Advisory Committee not support Application No. A04-0004 by New Town Planning Services Inc. to obtain approval from the Land Reserve Commission in order to exclude a portion of the subject property from the ALR so as to facilitate a 6 lot subdivision, and to subdivide a portion of the subject property to facilitate a 2 lot subdivision within the ALR for the following reasons:

- The application fails to comply with the primary goal of the ALR to preserve agricultural land as defined by the current legislative authority.
- The proposed development would change the character of the rural area.
- The potential negative impact on the water and wetland environment is unacceptable.

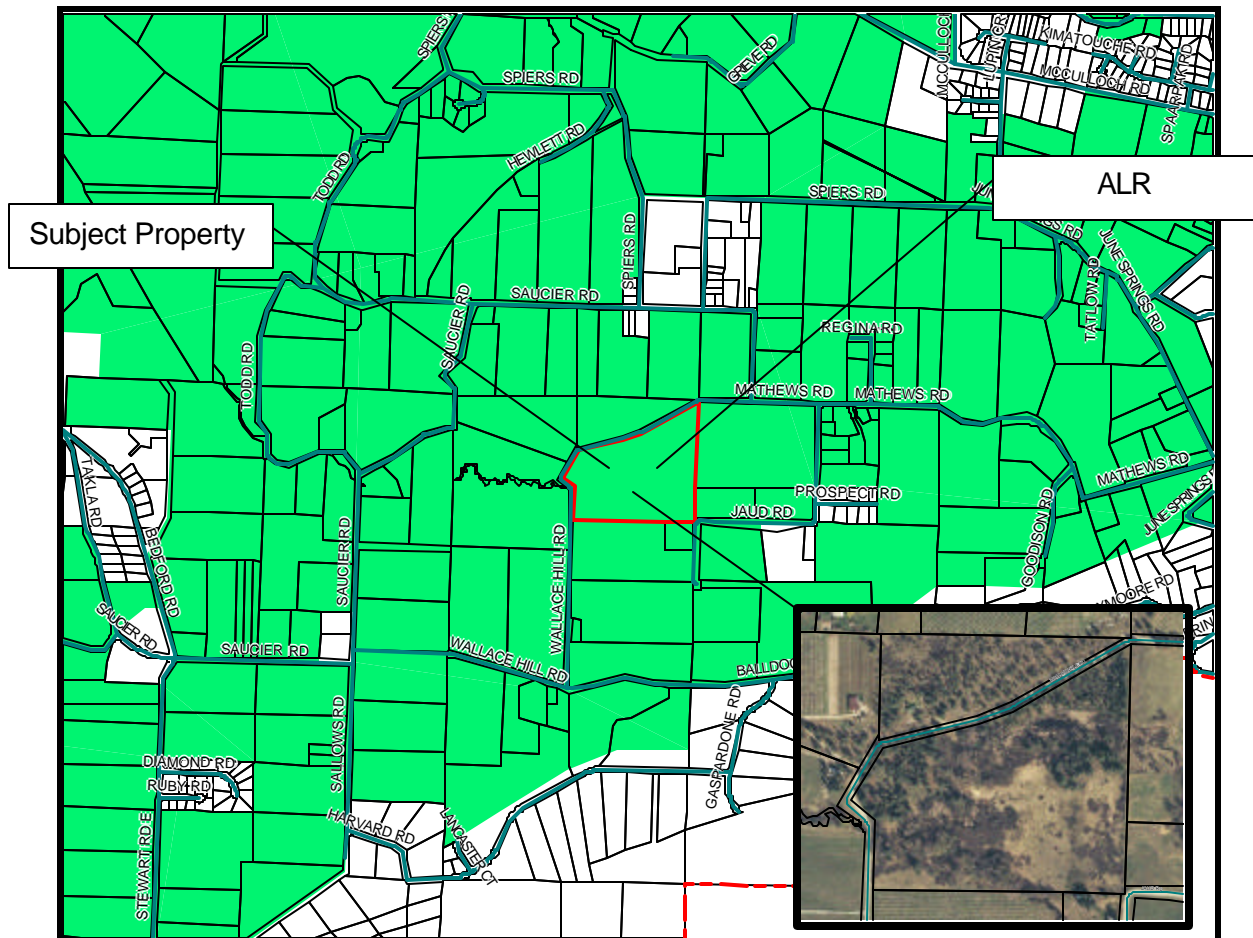
CARRIED

4.0 SITE CONTEXT

The subject property is situated on Wallace Hill Road and lies west of Jaud Road, within the Southeast Kelowna Sector area of the City. The legal description of the subject property is Lot 2, D.L. 360, ODYD, Plan 1734. The elevation on the property ranges from approximately 501m in the western corner to 516m in the northeastern corner.

Total Parcel Size: 12ha (30ac)
Elevation: 501m-516m

The subject property is located on the map below.



BCLI Land Capability

The land classification for the subject area falls mostly into Class 3, with the improved or irrigated rating for the property increasing to mostly Class 2. The unimproved land on the subject property is limited by soil moisture deficiency where crops are adversely affected by droughtiness, caused by low soil water holding capacity or insufficient precipitation. A portion of the land on the subject property is also limited by excess water.

Soil Classification

The soil classification for the vast majority of the subject property is Roy Creek soil, with some presence of the Paradise and Gammil soils. The Roy Creek soil is characterized by nearly level to moderately sloping fluvial fan deposits.

ZONING AND USES OF ADJACENT PROPERTY:

North - A1 – Agriculture 1 / Agriculture (ALR)
East - A1 – Agriculture 1 / Agriculture (ALR)
South - A1 – Agriculture 1 / Agriculture (ALR)
West - A1 – Agriculture 1 / Agriculture (ALR)

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, which are identified as an integral part of our community.

5.2 Kelowna Official Community Plan (1994 – 2014)

The future land use designation for the subject properties 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. Furthermore, the plan recognizes the importance of agricultural uses and promotes the retention of land that is capable of agricultural production.

5.3 Southeast Kelowna Sector Plan

The Southeast Kelowna Sector Plan clearly identifies that the Southeast Kelowna area is considered one of the prime orcharding areas in the Okanagan Valley.

5.4 City of Kelowna Agriculture Plan

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

6.0 PLANNING COMMENTS

The relevant planning documents, including the City of Kelowna Strategic Plan, the City of Kelowna Official Community Plan, the Southeast Kelowna Sector Plan, and the City of Kelowna Agriculture Plan do NOT support the proposed exclusion from the ALR, nor the proposed two lot subdivision within the ALR.

7.0 ALTERNATE RECOMMENDATION

THAT Agricultural Land Reserve Appeal No. A04-0004, Lot 2, D.L. 360, ODYD, Plan 1734, located on Wallace Hill Road, Kelowna, B.C. for partial exclusion from the Agricultural Land Reserve pursuant to Section 30(1) of the Agricultural Land Commission Act, and for partial subdivision within the Agricultural Land Reserve pursuant to Section 21(2) of the Agricultural Land Commission Act, be supported by Municipal Council.

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.: | A04-0004 |
| 2. APPLICATION TYPE: | ALR Exclusion |
| 3. OWNER: | Mike & Jacqueline Schleppe, &
Rashwa & Sarita Gopal |
| . ADDRESS | 4050 Miller Road |
| . CITY | Kelowna, BC |
| . POSTAL CODE | V1W 4B6 |
| 5. APPLICATION PROGRESS: | |
| Date of Application: | March 22, 2004 |
| Date Application Complete: | March 22, 2004 |
| Staff Report to AAC: | March 29, 2004 |
| Staff Report to Council: | May 10, 2004 |
| 6. LEGAL DESCRIPTION: | Lot 2, D.L. 360, ODYD, Plan 1734 |
| 7. SITE LOCATION: | Located on Wallace Hill Road, west of
Jaud Road and south of Saucier Road |
| 8. CIVIC ADDRESS: | 4215 Wallace Hill Road |
| 9. AREA OF SUBJECT PROPERTY: | 12ha (30ac) |
| 10. EXISTING ZONE CATEGORY: | A1 – Agriculture 1 |
| 11. PURPOSE OF THE APPLICATION: | To obtain approval from the
Agricultural Land Reserve
Commission to exclude a part of the
subject property from the ALR in order
to facilitate a six lot subdivision, and
to subdivide a part of the subject
property within the ALR in order to
facilitate a further two lot subdivision. |
| 12. DEVELOPMENT PERMIT MAP 13.2
IMPLICATIONS | N/A |