
CITY OF KELOWNA
MEMORANDUM

Date: June 14, 2004
File No.: A04-0006
To: City Manager
From: Planning & Corporate Services Department
Purpose: To obtain approval from the Land Reserve Commission to exclude the subject property from the ALR.

Owners: Michael Luigi Dapavo	Applicant/Contact Person: Protech Consultants Ltd. / Grant Maddock
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At: 644 Mugford 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. A04-0006, Lot 5, Sec. 25, Twp. 26, ODYD, Plan 439, located on Mugford Road, Kelowna, B.C. for exclusion from the Agricultural Land Reserve pursuant to Section 30(1) of the Agricultural Land Commission Act, be supported by Municipal Council.

2.0 SUMMARY

The applicant is requesting permission from the Agricultural Land Reserve Commission to exclude the subject property from the Agricultural Land Reserve. The subject property covers a total area of 2.32ha (5.74ac), is not being used for agricultural purposes and is currently vacant. Furthermore, the applicant has submitted the attached correspondence in support of their exclusion application.

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:

MOVED by John Vielvoye / SECONDED by Hong-Hee Chuah

THAT the Agricultural Advisory Committee not support Application No. A04-0006 by Protech Consultants Ltd. to obtain approval from the Land Reserve

Commission to exclude the subject property from the ALR, due to the suitability of the subject property for a wide range of agricultural crops.

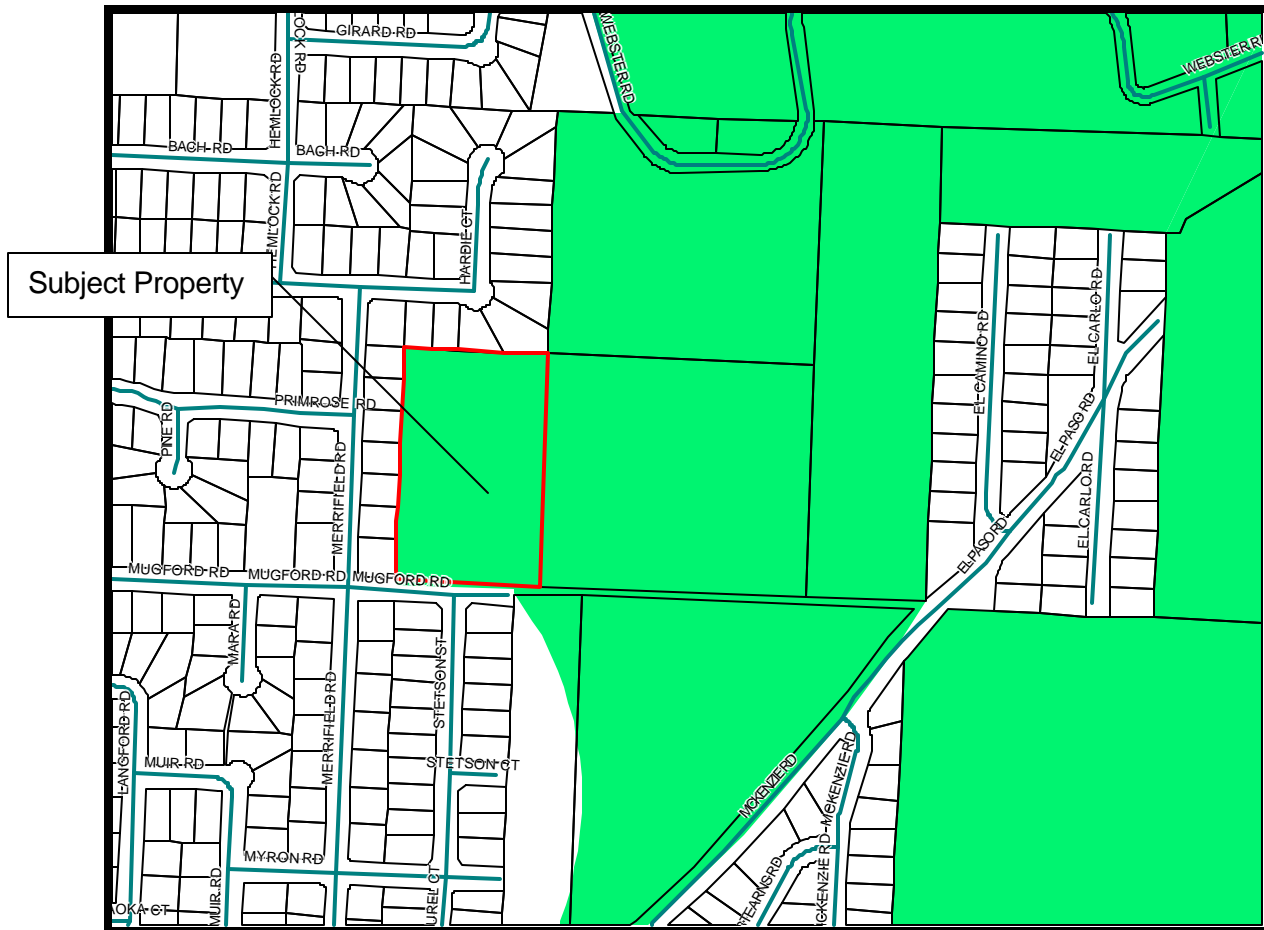
CARRIED

4.0 SITE CONTEXT

The subject property is located within the Rutland Sector Plan area of the City, situated on Mugford Road, east of Merrifield Road, close to the McKenzie Road and Highway 33 intersection. The parcel is legally identified as Lot 5, Sec. 25, Twp. 26, ODYD, Plan 439, with an elevation range of between 418m at the eastern property line and 411m at the western boundary.

Total Parcel Size: 2.32ha (5.74ac)
Elevation: 418m-411m

The subject property is located on the map below.



BCLI Land Capability

The land classification for the subject area falls mostly into Class 4, with some areas of the subject property being Class 6. However, the improved or irrigated rating for the majority of the property increases significantly to Class 2, with small portions of the property having an improved or irrigated rating of Class 6.

Soil Classification

The primary soil classification that is contained within the subject property is the Oyama soil. The Oyama soil is typically characterized by very gently to extremely sloping fluvio-glacial deposits.

ZONING AND USES OF ADJACENT PROPERTY:

- North - RU1-Large Lot Housing / Single Family Residential
- East - A1-Agriculture 1 / Agricultural (ALR)
- South - RU1-Large Lot Housing / Single Family Residential
- West - RU1-Large Lot Housing / Single Family Residential

5.0 CURRENT DEVELOPMENT POLICY

5.1 City of Kelowna Strategic Plan (1992)

A primary goal of the City of Kelowna Strategic Plan is to establish buffer areas between agricultural and urban uses.

5.2 Kelowna Official Community Plan (1994 – 2014)

The Official Community Plan identifies the future land use designation for the subject property as single/two unit residential and parks/open space.

5.3 Rutland Sector Plan (1997)

The Rutland Sector Plan identifies the future land use designation for the subject property as single/two unit residential.

5.4 City of Kelowna Agriculture Plan

The Agriculture Plan identifies the subject property as suitable for a future non-farm use.

6.0 PLANNING COMMENTS

The relevant planning documents, including the City of Kelowna Strategic Plan, the City of Kelowna Official Community Plan, the Rutland Sector Plan, and the City of Kelowna Agriculture Plan support excluding the subject property from the ALR.

R. G. Shaughnessy
Subdivision Approving Officer

Attachment

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.: | A04-0006 |
| 2. APPLICATION TYPE: | ALR Exclusion |
| 3. APPLICANT: | Protech Consults Ltd./Grant Maddock |
| · ADDRESS | 200-1449 St. Paul Street |
| · CITY | Kelowna, BC |
| · POSTAL CODE | V1Y 2E4 |
| · TELEPHONE | 250-860-1771 |
| OWNER: | Michael Luigi Dapavo |
| · ADDRESS | 1077 Webster Road |
| · CITY | Kelowna, BC |
| · POSTAL CODE | V1P 1C2 |
| 5. APPLICATION PROGRESS: | |
| Date of Application: | May 28, 2004 |
| Date Application Complete: | May 28, 2004 |
| Staff Report to AAC: | June 2, 2004 |
| Staff Report to Council: | June 14, 2004 |
| 6. LEGAL DESCRIPTION: | Lot 5, Sec. 25, Twp. 26, ODYD, Plan 439 |
| 7. SITE LOCATION: | On Mugford Road, East of Merrifield Road |
| 8. CIVIC ADDRESS: | 644 Mugford Road |
| 9. AREA OF SUBJECT PROPERTY: | 2.32ha (5.74ac) |
| 10. EXISTING ZONE CATEGORY: | A1 – Agriculture 1 |
| 11. PURPOSE OF THE APPLICATION: | To obtain approval from the Land Reserve Commission to exclude the subject property from the ALR. |
| 12. DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS | N/A |