
CITY OF KELOWNA

MEMORANDUM

Date: June 13, 2004
File No.: A04-0007

To: City Manager

From: Planning & Corporate Services Department

Purpose: To obtain approval from the Land Reserve Commission to subdivide the subject property for the purpose of a homesite severance.

| | |
|-------------------------------|---|
| Owners: Emma Waters | Applicant/Contact Person: Velma Feeny |
|-------------------------------|---|

At: 3797 Feeny 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. A04-0007, Lot 2, Sec. 11, Twp. 29, Plan 5787, Except Plan 23919, ODYD, located on Feeny 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 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 a 1.61ha (3.98ac) property into two parcels, approximately 1.20ha (2.97ac) and 0.41ha (1.01ac) in size. The purpose of the proposed subdivision is to allow for a homesite severance, which is in accordance with Section 22(1) of the Agricultural Land Commission Act. The property owner intends on selling the remainder of the property, while subsequently then building a new house on the proposed homesite severance lot. The proposed homesite severance lot is located closer to Feeny Road, in order to lessen the impact on the future agricultural potential of the remaining parcel.

3.0 AGRICULTURAL ADVISORY COMMITTEE

The Agricultural Advisory Committee did not have a quorum at their July 8, 2004 meeting and as such this application has been forwarded directly to Municipal Council.

4.0 SITE CONTEXT

The subject property is located within the Southeast Kelowna Sector of the City, north of Water Road and situated south of Reekie Road. The parcel size is 1.61ha (3.98ac), and the elevation ranges from 535m to the south and 520m to the north of the property.

Parcel Size: 1.61ha (3.98ac)
Elevation: 520m – 535m

BCLI Land Capability

The land classification for the subject area falls into Class 5, but the improved or irrigated rating for a portion of the property increases to Class 3. The soils on the subject property are predominantly limited by a soil moisture deficiency, where crops are adversely affected by droughtiness, caused by low soil water holding capacity or insufficient precipitation.

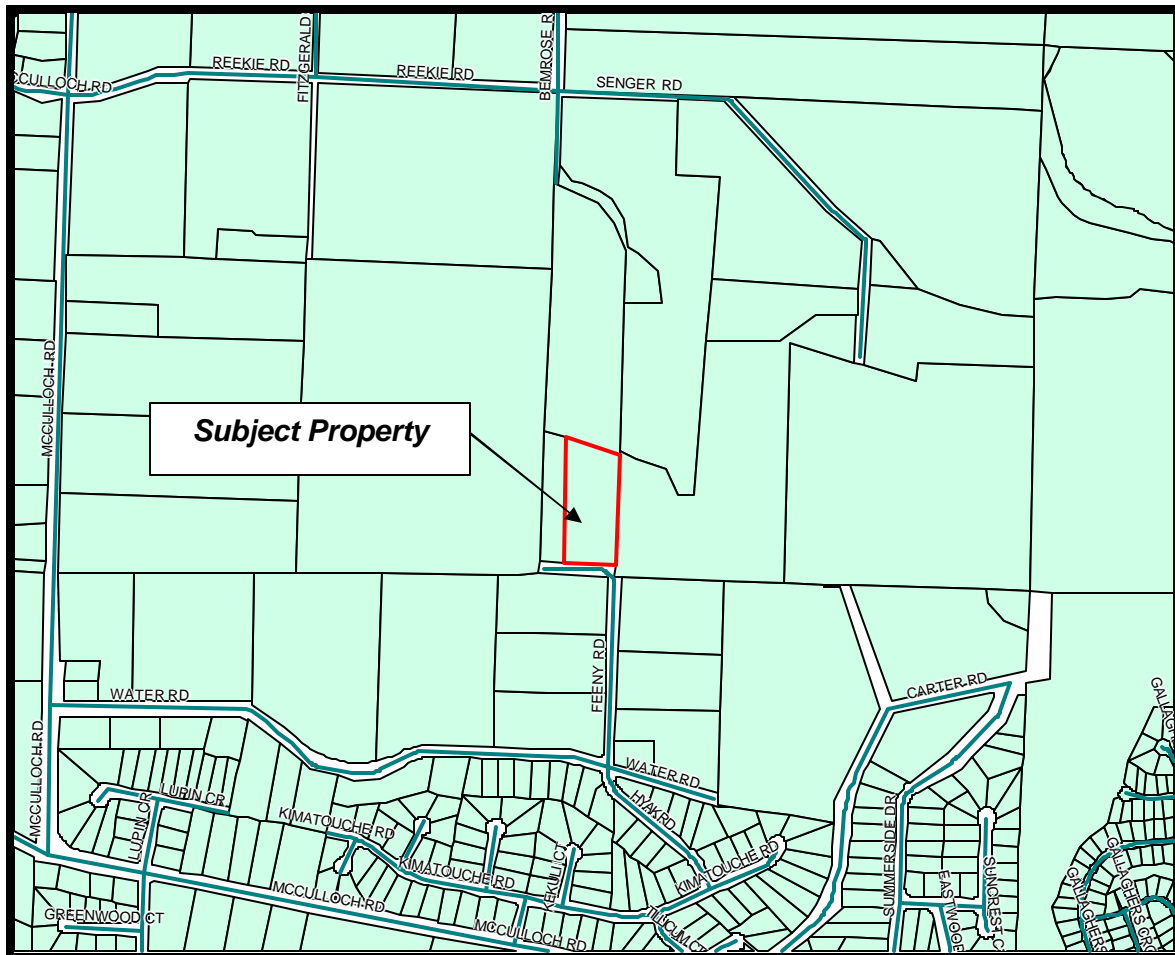
Soil Classification

The two soil classifications for the property are the Gammil and Parkill soils. The Gammil soil is characterized by very gently to extremely sloping fluvioglacial deposits. While the Parkill soil is characterized by very gently to strongly sloping fluvioglacial deposits.

ZONING AND USES OF ADJACENT PROPERTY:

North - A1 – Agriculture 1 / Agricultural (ALR)
East - A1 – Agriculture 1 / Agricultural (ALR)
South - RR1 – Rural Residential / Rural Residential (ALR)
West - A1 – Agriculture 1 / Rural Residential (ALR)

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 relevant planning documents support the creation of a homesite severance application when consistent with the Land Reserve policy. However, the Planning and Corporate Services Department is particularly concerned that the proposed parcel remainder is only 1.20ha (2.97ac) in area, and does not constitute a viable agricultural holding.

7.0 ALTERNATE RECOMMENDATION

THAT Agricultural Land Reserve Appeal No. A04-0007, Lot 2, Sec. 11, Twp. 29, Plan 5787, Except Plan 23919, ODYD, located on Feeny 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.

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.:** A04-0007
2. **APPLICATION TYPE:** Homesite Severance
3. **OWNER:** Emma Waters
· **ADDRESS** 3937 Feeny Road
· **CITY** Kelowna, B.C.
· **POSTAL CODE** V1Y 7J9
4. **APPLICANT/CONTACT PERSON:** Velma Feeny
· **ADDRESS** 797 Birch Road
· **CITY** Kelowna, B.C.
· **POSTAL CODE** V1Y 5H3
· **TELEPHONE/FAX NO.:** 250-763-8584
5. **APPLICATION PROGRESS:**
Date of Application: June 16, 2004
Date Application Complete: June 16, 2004
Staff Report to AAC: June 30, 2004
Staff Report to Council: July 13, 2004
6. **LEGAL DESCRIPTION:** Lot 2, Sec. 11, Twp. 29, Plan 5787,
Except Plan 23919, ODYD
7. **SITE LOCATION:** North of Water Road, and south of
Feeny Road
8. **CIVIC ADDRESS:** 3797 Feeny Road
9. **AREA OF SUBJECT PROPERTY:** 1.61ha (3.98ac)
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**