
CITY OF KELOWNA
MEMORANDUM

Date: November 30, 2004
File No.: A04-0012
To: City Manager
From: Planning & Corporate Services Department
Purpose: To obtain approval from the Agricultural Land Commission to subdivide the subject property into four parcels.

OWNER: Russell Light **APPLICANT:** Tim Light
AT: 2910 Hwy 33
EXISTING ZONE: A1 Agriculture 1
REPORT PREPARED BY: Nelson Wight

1.0 RECOMMENDATION

THAT Agricultural Land Reserve Appeal No. A04-0012, Lot 2 Sec. 17 & 18 Twp. 27 O.D.Y.D. Plan 2736 except Plans H8433 and 19999, located on Hwy 33, Kelowna, B.C. for 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 to subdivide the 9.79 ha (24.19 ac) subject property into four parcels. Proposed lots 1, 2, and 3 are to be approximately 2 ha (5 ac) in size, and the parcel remainder 3.79 ha (9.36 ac) in size (see attached plan of subdivision). The rationale for this application is outlined in the Applicant's letter, which is attached to this report.

3.0 AGRICULTURAL ADVISORY COMMITTEE

At a meeting held on November 4, 2004, the Agricultural Advisory Committee made the following recommendation:

THAT the Agricultural Advisory Committee NOT support Agriculture Application No. A04-0012, Lots 1, 2 & 3, Plan 2736, except Plans H8433 and 19999, Secs. 17 & 18, Twp 27, ODYD by Russel Light, to obtain approval from the Land Reserve Commission to subdivide within the Agricultural Land Reserve to create 4 additional lots, as there were concerns with regard to the following:

- (a) Water sources have not been fully investigated;
- (b) Application goes against mandate to subdivide agricultural land
- (c) No guarantee that any subsequent owners will use land for hobby farm;
- (d) The subject property is a piece of land that could be farmed as a whole piece of property.

4.0 SITE CONTEXT

The subject property is located below Black Mountain on the north side of Hwy 33, near the eastern extent of the City limits. This triangular parcel is bound on the northeast by Joe Riche Road, and on the south by Hwy 33, with the remaining western property line abutting private property. The topography could be described as moderately sloping throughout, with a drop of 65 m (213 feet)

from the east corner to the southwest corner of the property, which is a distance of approximately 863 m ($\frac{1}{2}$ - mile).

Existing development consists of one double-wide mobile home and a modest chicken barn. Vegetation is limited to volunteer grasses, legumes, and shrubs. There is no agricultural activity taking place on the majority of the parcel. However, the owner does maintain a small flock of chickens for domestic use.

Parcel Size: 9.79 ha (24.19 ac)

Elevation: 606 m – 671 m

BCLI Land Capability

The unimproved land classification for the subject area falls primarily into Classes 4 and 5. The predominant limiting factor for unimproved land is soil moisture deficiency, with stoniness and adverse topography/steep slopes also contributing to the adverse conditions for growing crops. Consequently, through irrigation and other improvements, the improved land capability rating increases significantly to mostly Class 3, with some Class 2 (see attached Land Capability Map).

Soil Classification

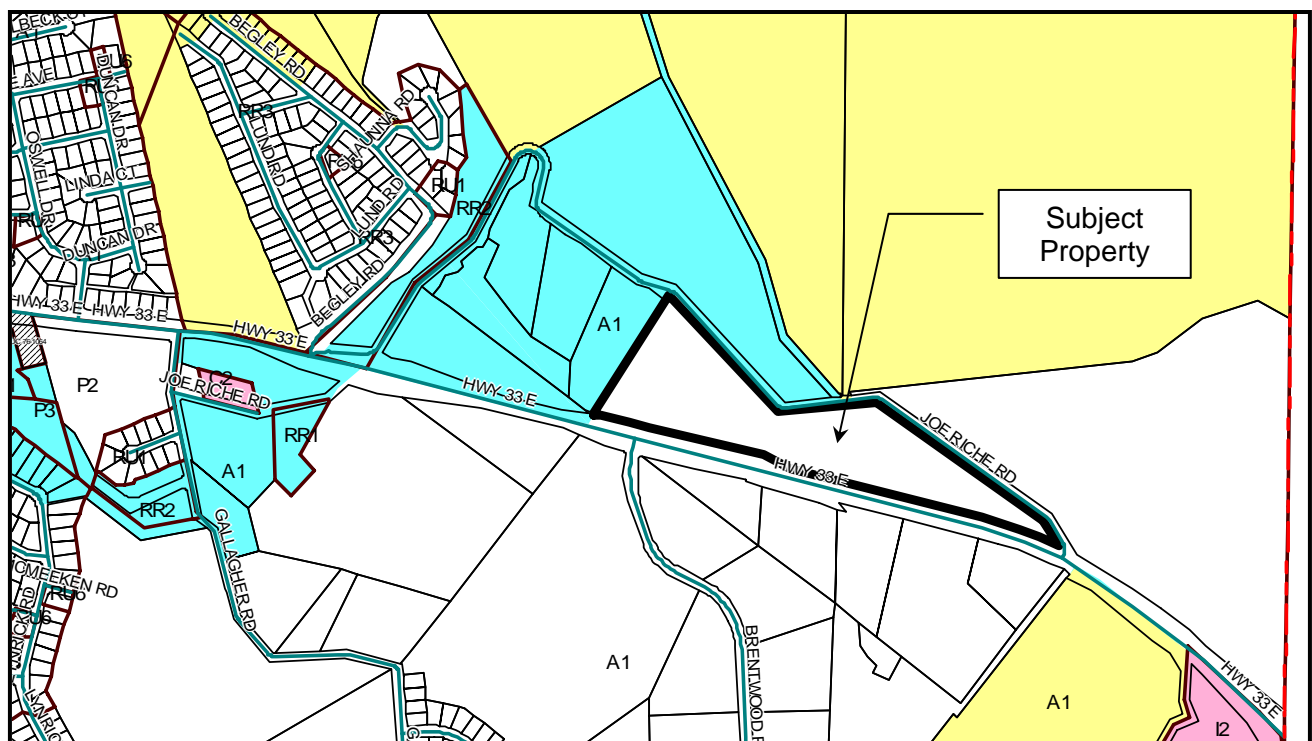
The soil classification for the subject property is almost entirely of the Rutland soil type, with some Oyama soils on portions of the lands. The Rutland and Oyama soils are both characterized by very gently to strongly sloping fluvioglacial deposits (see attached Soil Classification Map).

Zoning and Uses of Adjacent Property

North	A1 – Agriculture 1 / Pasture and Hay Land
East	A1 – Agriculture 1 / Pasture and Hay Land
South	A1 – Agriculture 1 / Hobby Farms and Hay Land
West	A1 – Agriculture 1 / Hobby Farms and Hay Land

5.0 SITE MAP

Subject Property: 2910 Hwy 33



6.0 POLICY AND REGULATION

6.1.1 City of Kelowna Strategic Plan

A Primary Goal of the Strategic Plan is to preserve viable agricultural holdings as an integral part of our community.

6.1.2 Kelowna 2020 – Official Community Plan

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.

6.1.3 City of Kelowna Agriculture Plan

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 in 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.

7.0 PLANNING AND DEVELOPMENT SERVICES COMMENTS

The relevant City development policies do not support the creation of additional lots within the Agricultural Land Reserve except as a home site severance application that is consistent with the Agricultural Land Reserve policy.

8.0 ALTERNATE RECOMMENDATION

THAT Agricultural Land Reserve Appeal No. A04-0012, Lot 2 Sec. 17 & 18 Twp. 27 O.D.Y.D. Plan 2736 except Plans H8433 and 19999, located on Hwy 33, Kelowna, B.C. for 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 & Corporate Services
RGS/NW/nw

Attachments

1. Location of subject property
2. State of Title
3. Proposed Subdivision
4. Applicant Letter of Rationale