
CITY OF KELOWNA

MEMORANDUM

Date: January 21, 2005
File No.: A04-0011

To: City Manager

From: Planning & Corporate Services Department

Purpose: To obtain approval from the Agricultural Land Commission to partially exclude a portion of the subject property from the ALR, to partially include a portion of the subject property into the ALR, and to partially use a portion of the subject property for a non-farm use within the ALR

Owners: 622664 BC Ltd.	Applicant/Contact Person: Grant Gaucher
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At: 2010 McKinley Road
(End of) Slater Road
1595 Glenmore Road N

Existing Zone: A1 – Agriculture 1

Report Prepared by: Mark P. Koch

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Agricultural Land Reserve Appeal No. A04-0011, N.W. ¼ of Sec. 21, Twp. 23, ODYD, Except Plans DD 24364 & 18402; The S.W. ¼ of Sec. 28, Twp 23, ODYD; and the W ½ of the S.E. ¼ Sec 28, Twp 23, ODYD, Except part shown as road on plan 20134, located on McKinley Road, Kelowna, B.C. for partial exclusion, partial inclusion and partial non-farm use from/within the Agricultural Land Reserve pursuant to Sections 30(1), 17(3), and 25(1) of the Agricultural Land Commission Act, NOT be supported by Municipal Council.

AND THAT Municipal Council forward the subject application to the Agricultural Land Reserve Commission for their consideration.

2.0 SUMMARY

In September, 2004 the applicant initially submitted an application to the City of Kelowna requesting permission from the Agricultural Land Commission to exclude an approximate area of 67.7ha (167.3ac) from the Agricultural Land Reserve. The three subject parcels cover a total area of 154.4ha (381.5ac) and are zoned A1-Agriculture 1. The present land use includes single family dwellings and a farm building, with the subject properties being used primarily as rangeland. A request to prepare an Area Structure Plan was approved by Council in 2004, in order for the applicant to develop a resort hotel and conference centre, a wellness village, a golf course, a vineyard/cottage winery, and an educational retreat centre.

The applicant has since amended his application to now be a partial exclusion from the ALR, a partial inclusion into the ALR, and a partial non-farm use within the ALR.

Therefore, the application has been formally amended and is to now exclude an area of 22.1ha (54.6ac) from the ALR. The applicant proposes to include an area of 22.1ha (54.6ac) into the ALR, of which 14.0ha (34.6ac) located to the north of the site is proposed to be used for agricultural uses, and 8.1ha (20.0ac) to the south of the site is proposed to be used as part of the golf course as a non-farm use. Of the total proposed 67.7ha (167.3ac) area to remain in the ALR, an approximate area of 53.7ha (132.7ac) is also planned to be used for a non-farm use as the golf course. Furthermore, the applicant has submitted the attached correspondence in support of their proposed exclusion, inclusion, and non-farm use (for the proposed golf course) application.

3.0 AGRICULTURAL ADVISORY COMMITTEE

The Agricultural Advisory Committee at their meeting of October 22, 2004 reviewed the above noted application, and the following recommendation was passed:

THAT we accept the application based on the amendment for a partial inclusion and partial exclusion, and with the understanding that the applicant, Mr. Gaucher is amending the application and proposal in this way with appropriate documents being presented to City Council for their perusal.

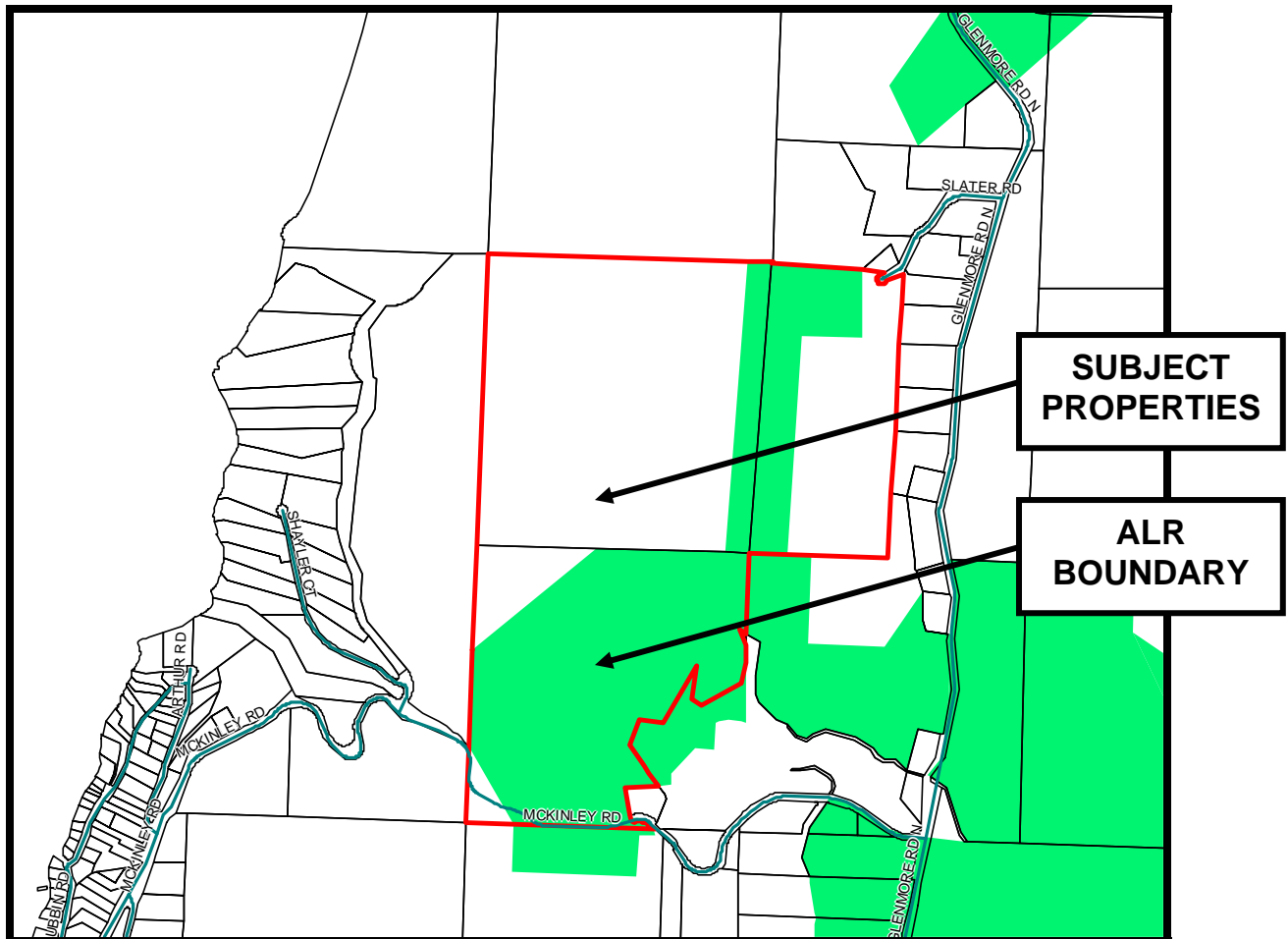
Carried (With one opposed)

4.0 SITE CONTEXT

The subject property is located in the McKinley Sector Plan area of the City on McKinley Road, and west of Glenmore Road. The subject parcels are legally identified as the N.W. ¼ of Sec. 21, Twp. 23, ODYD, Except Plans DD 24364 & 18402; The S.W. ¼ of Sec. 28, Twp. 23, ODYD; and the W ½ of the S.E. ¼ Sec 28, Twp 23, ODYD, Except part shown as road on plan 20134. The elevation range on the subject site is substantial, with the highpoint being 665m along the western property line, and the lowest point being 486m in the southeast corner.

Total Parcel Size:	154.4ha (381.5ac)
Elevation:	486m-665m

The subject property is located on the map below.



BCLI Land Capability

The land classification for the subject properties fall primarily into Class 4, 5, and 6, with the Class 4 unimproved rating being predominant. However, the improved or irrigated rating for the subject properties increase dramatically to Class 2 and 3, with the Class 3 rating being predominant. The unimproved land on the subject properties are primarily limited by a soil moisture deficiency, where the crops are adversely affected by droughtiness, caused by low soil water holding capacity or insufficient precipitation. Furthermore, the unimproved land is limited by depth of solid bedrock and/or rockiness, where the soils are limited by bedrock near the surface and/or rock outcrops restricting rooting depth and cultivation. Lastly, the unimproved soils are limited by topography, where soils are limited by steepness or pattern of slopes which hinders the use of farm machinery, decreases the uniformity of growth and maturity of crops, and/or increases the potential for water erosion.

Soil Classification

The principal soil classifications contained within the subject properties are the Harrland, Parkill, and Postill soils. The Harrland soil is characterized by an eolian veneer over gently sloping glacial till; the Parkill soil is characterized by very gently to strongly fluvioglacial deposits; and the Postill soil is characterized by colluvial veneer over moderately to extremely sloping bedrock.

ZONING AND USES OF ADJACENT PROPERTY:

North - A1 – Agriculture 1 / Agriculture
East - A1 – Agriculture 1 / Agriculture
P4 – Utilities / Reservoir
South - A1 – Agriculture 1 / Parkland
West - A1 – Agriculture 1 / Agriculture

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 future land use designation for the subject properties is identified as Future Urban Reserve, which is defined as land that may possibly have some development potential, but is not projected for development within the Official Community Plan 20-year time horizon. The plan also encourages the preservation of agricultural land for agricultural purposes. Furthermore, the plan recognizes the importance of agricultural uses, and also promotes the retention of land capable of agricultural production.

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 Planning and Corporate Services Department recognizes that the applicant has submitted an application to Council to prepare an Area Structure Plan for the proposed development. Pending the outcome of this process, the relevant planning policy may be amended, however existing planning documents, including the City of Kelowna Strategic Plan, the City of Kelowna Official Community Plan, and the City of Kelowna Agriculture Plan do not support the proposed exclusion from the ALR nor the proposed non-farm use. An agrologist report was submitted by the applicant to support their appeal, with the key summary pages included in this report. However, a copy of the entire report is available for viewing in the Planning and Corporate Services Department. Furthermore, the Planning and Corporate Services Department is in receipt of public correspondence objecting to the proposed exclusion – which was received prior to the applicant amending their application from solely an exclusion from the ALR, to a partial exclusion, partial inclusion, and a partial non-farm use application.

Should the applicant receive favourable consideration for the Area Structure Plan currently under preparation, this ALR application would need to be approved to allow the golf course component to be pursued. Staff recognizes the favourable agrologist report in support of the subject application, and also that it is unlikely that the proposed uses would proceed without the approval of the balance of the uses proposed through the Area Structure Plan. Therefore, should Council decide to approve the subject application, staff have provided the following alternate recommendation.

7.0 ALTERNATE RECOMMENDATION

THAT Agricultural Land Reserve Appeal No. A04-0011, N.W. ¼ of Sec. 21, Twp. 23, ODYD, Except Plans DD 24364 & 18402; The S.W. ¼ of Sec. 28, Twp 23, ODYD; and the W ½ of the S.E. ¼ Sec 28, Twp 23, ODYD, Except part shown as road on plan 20134, located on McKinley Road, Kelowna, B.C. for partial exclusion, partial inclusion and partial non-farm use from/within the Agricultural Land Reserve pursuant to Sections 30(1), 17(3), and 25(1) of the Agricultural Land Commission Act, be supported by Municipal Council.

Andrew Bruce
Development Services Manager

Approved for inclusion ☐

R.L. (Ron) Mattiussi, ACP, MCIP
Director of Planning & Development Services

RGS/MK/mk

Attachment