
CITY OF KELOWNA

MEMORANDUM

Date: November 23, 2005
File No.: A05-0017
To: City Manager
From: Planning & Corporate Services Department
Purpose: To obtain approval from the Agricultural Land Commission to exclude a 6.21 ha. portion of the subject property from the ALR, in order to facilitate a future residential subdivision.

OWNERS: Al's Construction Ltd. **APPLICANT:** D.E. Pilling & Assoc. Ltd.

At: 1095 Crawford Road
Existing Zone: A1 Agriculture 1 Zone
Report Prepared By: Corine (Cory) Gain, MCIP CPT

1.0 RECOMMENDATION

THAT Agricultural Land Reserve Appeal No. A05-0017 for property located at 1095 Crawford Road and legally described as: Lot 1 Section 31 Township 29 Osoyoos Division Yale District Plan KAP77146 requesting exclusion of a portion of the subject property from the Agricultural Land Reserve, pursuant to Section 30(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.

2.0 SUMMARY

The Applicant is requesting permission to exclude a 6.21 ha. portion of the subject property from the Agricultural Land Reserve to allow subdivision of the property into two lots. The applicant has entered into an agreement with a local winery to regrade the easterly portion of the subject property to remove frost pockets, then plant an organic vineyard. As regrading and planting a vineyard with an irrigation system will be expensive, the owner proposes to develop the remaining westerly half of the property to residential, including the provision of suitable buffering and fencing. The applicant advises that currently the property produces approximately \$5,000 per year in hay. The applicant further states that the proposed development will produce approximately \$56,000 per year in grapes; a ten-fold increase in agricultural return. The applicant intends to undertake amendments of the Official Community Plan and Zoning Bylaws to facilitate the subdivision of the excluded portion of the property into approximately 63 urban-sized residential lots.

3.0 AGRICULTURAL ADVISORY COMMITTEE

The Agricultural Advisory Committee, at their meeting of October 13, 2005 and the following recommendation was passed:

Moved by D. Hamilton/Seconded by D. Rampone.

THAT the Agricultural Advisory Committee does NOT support Application # A05-0017, on the grounds that viable agricultural land should not be removed from the Agricultural Land Reserve.

CARRIED

4.0 SITE CONTEXT

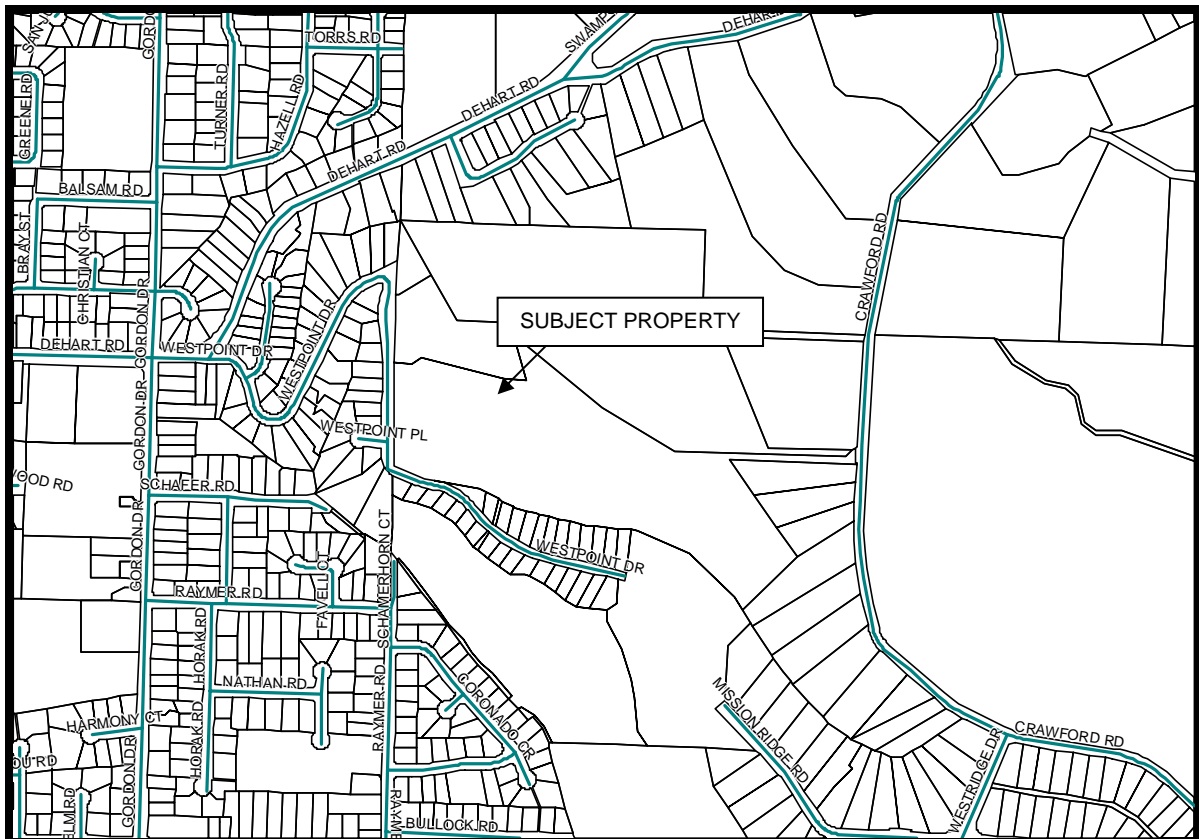
The subject property is located in Southeast Kelowna at the westernmost boundary of the Southeast Kelowna Irrigation District Area. The property currently lies outside of any identified sewer specified area. The property is accessed from Crawford Road by means of a panhandle driveway. The western boundary of the lot at Westpoint Drive is at an approximate elevation of 421 m GSC. Urban-sized lots fronting on Westpoint Drive are located along the southern boundary of the property. There is an overall change in elevation of approximately 20 m (65.5 feet) from the western boundary to the eastern boundary of that portion of property proposed for exclusion, over a distance of approximately 400 m. The property is generally sloping down to the southeast.

There is an existing a single family dwelling and an accessory building on that portion of the property to be maintained within the ALR.

Parcel Size: 12.57 ha. (31.060 ac.)
Elevation: 421m to ~448 m GSC

5.0 SITE MAP:

Subject Property: 1095 Crawford Road



Zoning of Adjacent Property

North	A1 – Agriculture 1
East	RR2 - Rural Residential 2 & A1 – Agriculture 1
South	RU1 - Large Lot Housing & P3 - Parks and Open Space
West	RU1 – Large Lot Housing

BCLI Land Capability for Agriculture (1: 20,000)

The central portion of the parcel is identified on the BC Land Capability for Agriculture Map as having an unimproved rating of Class 5A (“Limitations that restrict its capability to producing perennial forage crops or other specifically adapted crops” and “Soil Moisture Deficiency – Crops are adversely affected by droughtiness caused by low soil water holding capacity or insufficient precipitation”). The improved rating is Class 3A (“Limitations that require moderately intensive management practices or moderately restrict the range of crops, or both”). The steep slopes along the north and south boundaries of the property appear to have an unimproved rating of Class 6TA (Non-arable but is capable of producing native and/or uncultivated perennial forage crops), limited by moisture deficiency and topography. The improved rating is stated as Class 6T.

Soil Classification (1: 20,000)

The soil classification for the central portion of the subject property is PE:3 “Paradise”. Paradise soils are characterized by land that is nearly level to very steeply sloping fluvio-glacial deposits. The texture of the soil is described as “25 to 60 cm of sandy loam or loamy sand over gravelly loamy sand or very gravelly sand”. The soils are also characterized by rapid drainage.

The slope class is 2 to 5 % (1 to 3 degrees) - very gentle slopes. The slope at the northern edge of the property is described as: GM:8 (“Gammil” with extreme slopes of 45+ to 70% or 17 to 24 degrees). The southern edge of the property is described as: PE:56 (“Paradise” with moderate to strong slopes of 9 to 30 % or 5 to 17 degrees).

6.0 POLICY AND REGULATION

6.1 City of Kelowna Strategic Plan

Objective: Sensitively integrate new development with heritage resources and existing urban, agricultural and rural areas.

Action towards this objective: – Evaluate the effectiveness of City policies and bylaws in preserving agricultural lands.

6.2 Kelowna 2020 – Official Community Plan

Subdivision – Discourage the subdivision of agricultural land into smaller parcels, except where positive benefits to agriculture can be demonstrated.

6.3 City of Kelowna Agriculture Plan

Exclusion, subdivision, or non-farm use of ALR lands will generally not be supported. General non-support for ALR applications is in the interest of protecting farmland through retention of larger parcels, protection of the land base from impacts of urban

encroachment, reducing land speculation and the cost of entering the farm business, and encouraging increased farm capitalization.

Farmland Preservation – Direct urban uses to land within the urban portion of the defined urban – rural/agricultural boundary, in the interest of reducing development and speculative pressure, toward the preservation of agricultural lands and discourage further extension of existing urban areas into agricultural lands.

Parcel Size (Agricultural Land) – Discourage the subdivision of agricultural land into smaller parcels, except where positive benefits to agriculture can be demonstrated.

Isolated Development – In general, not support extensions to existing development or new development isolated within agricultural areas, regardless of ALR status.

7.0 PLANNING AND DEVELOPMENT SERVICES COMMENTS

Applications to the ALC for exclusion of the subject property have been submitted on three previous occasions (1983, 1991 and 1994). This application seeks to expand the residential area of development that presently exists to the west and south of the subject property. Exclusion of this portion of the property would facilitate that proposed future subdivision. A letter of support from Summerhill Pyramid Winery was provided with the application.

As noted in the policy section above, the OCP and Agricultural plan do not support applications for exclusion of land from the ALR. Also, there are specific policies within the Agricultural Plan that discourage the expansion of residential areas onto agricultural land. An exclusion of the property would necessitate both OCP and Zoning Bylaw amendments.

8.0 ALTERNATE RECOMMENDATION

THAT Agricultural Land Reserve Appeal No. A05-0017 for property located at 1095 Crawford Road and legally described as: Lot 1 Section 31 Township 29 Osoyoos Division Yale District Plan KAP77146 requesting exclusion of a portion of the subject property from the Agricultural Land Reserve, pursuant to Section 30(1) of the *Agricultural Land Commission 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
RGS/cg

Approved for inclusion

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

AB/cg

Attach.

ATTACHMENTS

(Not attached to the electronic version of the report)

- Location/Zoning Map
- ALR Map
- Plan of Property Subdivision
- Application by Land Owner (2 pages)
- Land Capability Map
- Soil Classification Map
- Orthophoto
- Letters in Support (1)