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**CITY OF KELOWNA**  
**MEMORANDUM**

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**DATE:** October 5, 2006  
**FILE NO.:** A06-0018  
**TO:** City Manager  
**FROM:** Planning & Development Services Department  
**PURPOSE:** To obtain approval from the Agricultural Land Commission for a non-farm use within the Agricultural Land Reserve to allow the property to be rezoned from the A1-Agriculture 1 zone to the A1s –Agriculture 1 with Secondary Suite zone.  
**OWNER:** Gellini Holdings Inc.    **APPLICANT:** Lynn Welder Lalonde Consulting  
**AT:** 4290 Goodison Rd.  
**EXISTING ZONE:** A1 Agriculture 1  
**REPORT PREPARED BY:** Danielle Noble

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**1.0    RECOMMENDATION**

THAT Agricultural Land Reserve Appeal No. A06-0018 for Lot 1 Plan 28161, Sec. 34, Twp. 29, ODYD, located on Goodison Road, Kelowna, B.C. for non-farm use within the Agricultural Land Reserve pursuant to Section 20(3) of the *Agricultural Land Commission Act*, be supported by Municipal Council.

**2.0    SUMMARY**

The Applicant is requesting approval for a non-farm use under Section 20(3) of the *Agricultural Land Commission Act*, in order to pursue rezoning of the 3.5 ha (8.55 ac) subject property from A1 – Agriculture 1 zone to A1s – Agriculture 1 with Secondary Suite zone. The Applicant is seeking approval to construct an accessory structure on site with the provision of a secondary suite.

Please see “Letter of Intent” for the Applicant’s explanation of the rationale for this application.

**3.0    AGRICULTURAL ADVISORY COMMITTEE**

At a meeting held on September 28, 2006, the Agricultural Advisory Committee made the following recommendation:

THAT the Agricultural Advisory Committee NOT SUPPORT application A06-0018 submitted by Lynn Welder Lalonde Consulting Ltd. on behalf of Gellini Holdings Inc. to obtain approval from the Agricultural Land Commission for a non farm use under Section 20(3) of the *Agricultural land Commission Act* to allow construction of an accessory structure with a secondary suite on property located at 4290 Goodison Road and legally described as: Lot 1, Plan 28161, Sec. 34, Twp. 29, ODYD on the basis that this represents densification of residential uses and is not in the spirit of the applicable section of the ALC Act for farm related purposes.

#### 4.0 SITE CONTEXT

The subject property is located on Goodison Road, in the South East Kelowna neighborhood.

The surrounding area to the north, east and west are predominantly in the Agricultural Land Reserve (ALR) and used for agricultural related activities. Lands situated to the south are exempt from the ALR boundary, with possible soil and topographical limitations warranting them excluded.

Existing development on the subject property consists of a single family residence centered on the northern section of the parcel. The proposed secondary dwelling is slated for the south-western portion of the parcel, accessed by a separate driveway.

Outside of the established and newly proposed yard areas, the land is primarily treed. There are no noted significant environmental areas that are present in the immediate neighbourhood. Given the distance from the existing dwelling, an additional septic field will be required to service the secondary suite. The existing septic field is located northeast of the principal house.

Water service for this lot is supplied by the South East Kelowna Irrigation District (SEKID).

Parcel Size: 3.46 ha (8.54 ac)

Elevation: 550 m – 565 m

#### **BCLI Land Capability**

The unimproved land classification for the subject area falls principally into Class 5. The predominant limiting factor for unimproved land is “soil moisture deficiency”. With land management practice improvements, primarily through irrigation, the land capability rating increases to Class 3, noting topography limitations relating to steepness or pattern of slopes which hinder the use of farm machinery and may decrease the uniformity of growth and maturity of crops.

#### **Soil Classification**

The property soil classification is largely dominated by one classification, with the exception of the southern property perimeter classified separately. The soil classification for the subject property includes the following (information summarized from Soils Map 82E.093):

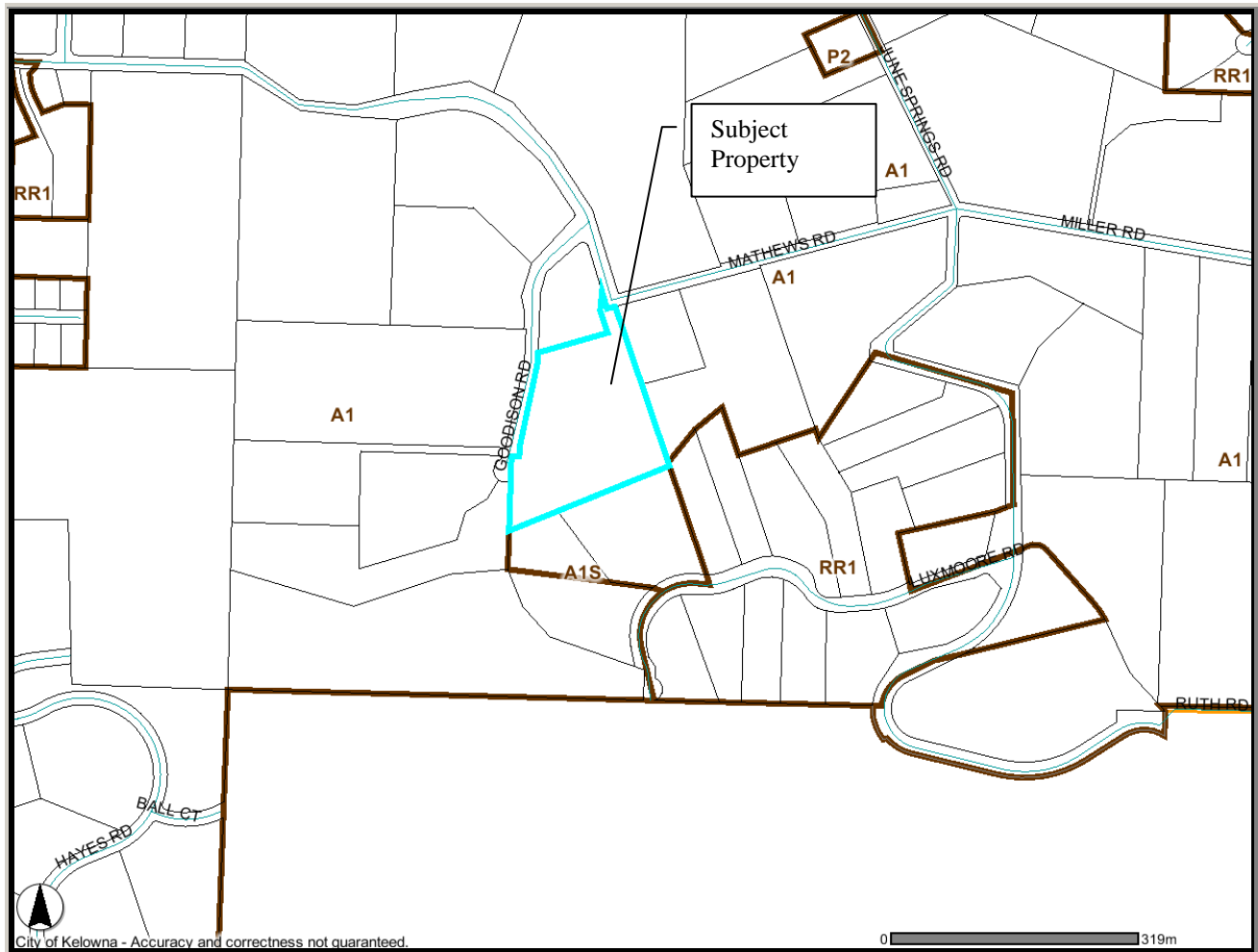
%	Soil Type	Description
100% (northern portion)	GM - Gammil	<u>Land</u> : very gently to extremely sloping fluvioglacial deposits. <u>Texture</u> : 10 to 25 cm of sandy loam or loamy sand over very gravelly loamy sand or very gravelly sand <u>Drainage</u> : rapid.
60% (southern perimeter)	GR - Gartrell	<u>Land</u> : nearly level and very gently sloping fluvioglacial deposits in depressions. <u>Texture</u> : 60 to 100 cm of loam or sandy loam over gravelly sandy loam or gravelly loamy sand. <u>Drainage</u> : dominantly poor, ranging to imperfect; fluctuating groundwater table and seepage.
40% (southern perimeter)	GM - Gammil	<u>Land</u> : very gently to extremely sloping fluvioglacial deposits. <u>Texture</u> : 10 to 25 cm of sandy loam or loamy sand over very gravelly loamy sand or very gravelly sand <u>Drainage</u> : rapid.

## Zoning and Uses of Adjacent Property

North	A1 – Agriculture 1
East	A1 – Agriculture 1 & RR1 – Rural Residential 1
South	A1s – Agriculture 1 with Secondary Suite & RR1 – Rural Residential 1
West	A1 – Agriculture 1

## 5.0 SITE MAP

Subject Property: 4290 Goodison Rd.



## 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.

Agricultural Policies:

- 11.1.12 Sustained Agriculture. Encourage the retention of diverse agricultural uses through limits on urban development and non-farm use on lands of sustainable production capability.

6.1.3 City of Kelowna Agriculture Plan

**Secondary Suites.** Support the provision of secondary suites in agricultural areas as per Land Commission Policy # 770/98, which allows one suite per parcel, substantially within the footprint of an existing or proposed single family dwelling provided it is clearly secondary to the single family dwelling. Suites in accessory buildings or enlarging the footprint of an existing residence for a suite would require an ALC application.

7.0 PLANNING AND DEVELOPMENT SERVICES COMMENTS

Staff has no concerns with the intent of this application, which is to allow for a more intensive residential use of the property through the addition of a secondary suite development (see the rationale on pages 73 and 74 of the Agriculture Plan). Notably, the unimproved land classification of the subject property is Class 5, is considered as having limitations that restrict its capability to producing perennial forage crops or other specialty adapted crops. This capability rating denotes limitations to the property, and justifies that the addition of a modest sized accessory building will not jeopardize prime agricultural land.

The proposed building design of the secondary suite is situated above a 2 bay garage, and the total habitable area is proposed at 81.5 m<sup>2</sup> (877 ft<sup>2</sup>). This is a modest secondary suite allocation with respect to the RU6 (Two Family Residential) provisions permitting secondary suites to have a maximum floor area that shall not exceed the lesser of 90 m<sup>2</sup> or 75% of the total floor area of the principal building. Should favourable consideration be granted from the ALC, the application will then proceed to a formal re-zoning amendment to pursue A1s (Agriculture 1 with Secondary Suite) designation.

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R. G. Shaughnessy  
Subdivision Approving Officer

Approved for inclusion ☐  
Mary Pynenburg, MRAIC, MCIP  
Director of Planning & Corporate Services

RGS/DN

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Attachments:

- Location & ALR Mapping of subject property
- Application by Landowner
- Letter of Intent
- Site Plan Showing Existing and Proposed Buildings
- Elevations of Proposed Accessory Building
- Excerpt from Agriculture Plan (2 pages)
- Land Capability Map
- Soils Map
- Air Photo