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

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**Date:** February 20, 2006  
**File No.:** A06-0027  
**To:** City Manager  
**From:** Planning & Development Services Department  
**Purpose:** To obtain approval from the Agricultural Land Commission under Section 21(2) of the *Agricultural Land Commission Act* to complete a homesite severance subdivision.  
**OWNER** Wilf and Rose (Odile) Hoffman      **APPLICANTS:** Wilf and Rose (Odile) Hoffman  
**AT:** 1032 Webster Road  
**EXISTING ZONE:** A1 – Agriculture 1  
**REPORT PREPARED BY:** Nelson Wight

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**1.0 RECOMMENDATION**

THAT Agricultural Land Reserve Appeal No. A06-0027 for That Part Block 35 Shown on Plan B4779, Sections 25 and 26, and Township 26, O.D.Y.D., Plan 264, located on Webster Road, Kelowna, B.C. for a subdivision within the Agricultural Land Reserve pursuant to Section 21(2) of the Agricultural Land Commission Act, be supported by Municipal Council.

**2.0 SUMMARY**

The Applicants are requesting permission from the Agricultural Land Commission to complete a homesite severance subdivision. The proposed homesite severance parcel is 0.486 ha (1.2 ac) in size, leaving a 1.11 ha (2.7 ac) lot remainder.

**3.0 AGRICULTURAL ADVISORY COMMISSION**

At a meeting held on December 14, 2006, the Agricultural Advisory Committee made the following recommendation:

THAT the Agricultural Advisory Committee supports Application # A06-0027, which seeks to obtain permission from the Agricultural Land Commission to subdivide within the Agricultural Land Reserve to accommodate a homesite severance.

**4.0 SITE CONTEXT**

The 1.6 ha (4 ac) parent parcel is located in the East Rutland Benches area, west of the intersection of Gibson Road and Webster Road. This parcel slopes moderately upwards from west to east. The existing farmyard occupies the south third of the parcel, and an existing orchard is located on the northern third. The land supports a range of crops including: blueberries, raspberries, blackberries, grapes, apples, peaches, apricots, cherries, plums, and various nut trees.

Existing development on this parcel is shown on the attached site plan. There is one house, a barn and a second accessory building. The septic field is shown extending north of the existing dwelling.

Parcel Size: 1.6 ha (4 ac)  
Elevation: 462 m – 482 m

### BCLI Land Capability

The entire land area is has an unimproved rating of Class 6, with “soil moisture deficiency” identified as the only limiting factor. Consequently, through irrigation, the land rating improved entirely to Class 3 (see attached Land Capability Map copied from map 82E.084).

### Soil Classification

The soil classification for the subject property includes the following:

%	Soil Type	Description
100%	R - Rutland	<u>Land</u> : very gently to strongly sloping fluvioglacial deposits. <u>Texture</u> : 10-25 cm of sandy loam or loamy sand over gravely loamy sand or very gravely sand. <u>Drainage</u> : rapid.

### Zoning of Adjacent Property

North	A1 – Agriculture 1
East	A1 – Agriculture 1 RR3 – Rural Residential 3
South	A1 – Agriculture 1
West	A1 – Agriculture 1

## 5.0 POLICY AND REGULATION

### 5.1.1 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.

### 5.1.2 Kelowna 2020 – Official Community Plan

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

### 5.1.3 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.

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

**Homesite Severance** – Continue to support the concept of homesite severance, consistent with Agricultural Land Commission Policy #11

## 6.0 PLANNING AND DEVELOPMENT SERVICES COMMENTS

The Agricultural Plan recommends that the City should continue to support the concept of home site severances, consistent with the ALC policy #11, which allows farmers to retire or sell the property while retaining the homesite. This limited subdivision opportunity makes the balance of the property available for others to expand or enter the farm business.

The ALC Homesite Severance policy requires that the land be owned prior to 1972. Although the state of title shows a registration date of August 1986, the landowners have supplied additional evidence that they have owned the land since 1964.

Although the parent parcel size is small (1.6 ha / 4.0 ac), Staff has no concerns with this application, given that it complies with the guiding ALC policy regarding homesite severances. Consequently, Staff recommends that it be supported.

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R. G. Shaughnessy  
Subdivision Approving Officer

Approved for inclusion

Mary Pynenburg, MRAIC MCIP  
Director of Planning & Development Services

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### **ATTACHMENTS (10 pages)**

Subject Property Map  
ALR Map  
Site Plan  
Air Photo  
Application by Land Owner (2 pages)  
Land Capability Map  
Soil Classification Map  
Letter in Support by Family Members (2 pages)