
CITY OF KELOWNA
MEMORANDUM

Date: April 4, 2007
File No.: A06-0015
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 for the development of a golf course.

OWNER: The Benvoulin Golf Training Centre Ltd. **APPLICANT:** Kim McKechnie
AT: 1950 Munson Road

EXISTING ZONE: A1 Agriculture 1
P3 – Parks and Open Space
PROPOSED ZONE: P3 – Parks and Open Space

REPORT PREPARED BY: Nelson Wight

1.0 RECOMMENDATION

THAT Agricultural Land Reserve Appeal No. A06-0015 for Lot 14, District Lot 130 O.D.Y.D. Plan 415, Except Plan KAP64154, located on Munson Road, Kelowna, B.C. for non-farm use within the Agricultural Land Reserve pursuant to Section 20(3) of the Agricultural Land Commission Act, NOT be supported by Municipal Council.

2.0 SUMMARY

The Applicant is requesting approval of a non-farm use under Section 20(3) of the Agricultural Land Commission Act, in order to pursue a golf course development.

Please refer to the Applicant's cover letter, dated June 16, 2006, which further explains the rationale for this application.

3.0 AGRICULTURAL ADVISORY COMMITTEE

At a meeting held on August 3, 2006, the Agricultural Advisory Committee made the following recommendation:

THAT the Agricultural Advisory Committee NOT SUPPORT Application A06-0015 which seeks to obtain approval from the Agricultural Land Commission for a non-farm use within the Agricultural Land Reserve under Section 20(3) of the Agricultural Land Commission Act to allow development of a 9-hole executive golf course and training facility on property located at 1950 Munson Road and legally described as Lot 14 Sec. 17, Twp. 26 O.D.Y.D. Plan 415, Except Plan KAP64154, because this represents the erosion of good farmland.

4.0 **SITE CONTEXT**

The subject property is located northwest of the intersection of Munson Road and Benvoulin Road. Kelowna Christian Middle/High School and FortisBC operations lie to the south, across Munson Road, and Art Knapp Nursery is to the north. The property is flat, with very little change in elevation.

Although the surrounding area is predominantly in the Agricultural Land Reserve (ALR) and used for agricultural purposes, there are other non-farm uses (see above), as well as single family subdivisions created prior to the ALR coming into effect. In particular there is the Fisher Road subdivision south and east, across Benvoulin Road, as well as the Beetlestone Road subdivision north and east across Benvoulin.

The ± 2.8 ha (± 7 ac) portion of the property zoned P3 – Parks and Open Space accommodates a driving range operation. There are two buildings onsite: one is strictly for the Golf Centre (operations for driving range) and the second is a pro-shop (retail, club repair, etc.).

The remaining ± 5.1 ha (± 13 ac) portion of the property is used for forage production, where possible. Some low lying portions of the property are limited due to excessive wetness, and consequently remain unfarmed.

Parcel Size: 7.9 ha (20 ac) *

Elevation: 351 m – 356 m

BCLI Land Capability

The unimproved land classification for the subject area falls primarily into Class 5 ($\pm 75\%$), with some Class 4 ($\pm 25\%$) as well. The predominant limiting factor for unimproved land is “excess water”. With improvements, primarily through better drainage, the land capability rating increases mostly to Class 3 (75%) and Class 2 (25%), although “fertility” is identified as a limiting factor (see attached Land Capability Map copied from map 82E.083).

Soil Classification

The soil classification for the subject property includes the following (information summarized from Soils Map 82E.083):

%	Soil Type	Description
75%	GN – Guisachan	<u>Land</u> : nearly level and very gently sloping fluvial fan deposits. <u>Texture</u> : 10 to 100 cm of silt loam, loam or sandy loam over loamy sand or very gravely loamy sand <u>Drainage</u> : poor, fluctuating groundwater table.
25%	TA - Tanaka	<u>Land</u> : nearly level and very gently sloping fluvial fan deposits. <u>Texture</u> : 20 to 100 cm of sandy loam, silt loam or silty clay loam over sandy loam or minor gravely sandy loam. <u>Drainage</u> : poor to very poor, high water table, subject to flooding.

Zoning and Uses of Adjacent Property

North	A1 – Agriculture 1
East	A1 – Agriculture 1
South	A1 – Agriculture 1
West	A1 – Agriculture 1

* The Applicant indicates on the application that the property is 12.84 ha in size. Staff arrived at the smaller 7.9 ha area based on the City of Kelowna mapping information, as well as that information from B.C. Assessment Authority.

5.0 POLICY AND REGULATION

5.1.1 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.

5.1.2 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;
- 11.1.14 Transition Uses. Consider complementary agricultural uses as a transition between existing urban development and farm operations. Consideration of such uses should not be construed as support for subdivision to smaller parcels;
- 11.1.20 Buffering. Require that new developments adjacent to or abutting agricultural areas provide sufficient setbacks, on-site fencing and vegetative buffering to mitigate potential conflicts. (please refer to Zoning Bylaw and appropriate provincial ministry or agency specifications for information on minimum landscape buffers);

6.0 TECHNICAL COMMENTS

6.1 Works and Utilities Department

Works and Utilities has provided initial comments with regard to this application (see report dated April 7, 2006), however, a comprehensive report will be provided at the time of rezoning application if and when the Agricultural Land Commission agrees to the proposed development.

7.0 PLANNING AND DEVELOPMENT SERVICES COMMENTS

The Agriculture Plan identifies this area as moderately suited to tree fruits, but also suited to production of vegetable, forage / hay, berry and nursery crops as well as livestock. Both the OCP and the Agriculture Plan express support for the ALR and the preservation of farmland in a productive capacity.

A previous decision from the ALC granted approval of the driving range back in 1984. Of particular interest to this application, is the following statement within the decision letter:

The structures are to be limited to use as a driving range, pro shop and concessions area only with no expansion to either a par 3, 9 hole or full scale golf course.

Staff does not support this application for the following reasons:


- the previous decision from the ALC makes specific reference to the potential golf course expansion, and prohibits that expansion;
- there is no support for the application with existing OCP policies (e.g.: 11.1.12);
- this non-farm use would contribute to the increasing non-farm activity in the area (i.e.: FortisBC site, Kelowna Christian School, high volume urban traffic on both Benvoulin and K.L.O. Roads, existing residential development, etc.), which presents potential conflict with any bona fide agricultural operation in the area;

- approval of this non-farm use could set a precedent, weakening the ability to constrain urban development to urban areas;
- there is land in the near vicinity that is designated as: ALR LANDS PROPOSED FOR NON-FARM USE, which could be used for this purpose, thereby providing a transition between existing urban development and farm operations.

Should the Applicant succeed in this application with the ALC, the property would require a rezoning application in order to allow the golf course use. Also, the Applicant should consider redesigning the site to address vehicle access. In response to an inquiry from the Golf Centre earlier this year, the Works and Utilities Department prepared some estimates of frontage improvements and general comments relating to the proposed development. In that report, dated April 7, 2006, it was identified that the main access should be provided from Munson Road. In the interim, the Benvoulin Road driveway access will be restricted to a right-in and right-out only.

8.0 ALTERNATE RECOMMENDATION

THAT Agricultural Land Reserve Appeal No. A06-0015 for Lot 14, District Lot 130 O.D.Y.D. Plan 415, Except Plan KAP64154, located on Munson 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.


R. G. Shaughnessy
Subdivision Approving Officer

Approved for inclusion

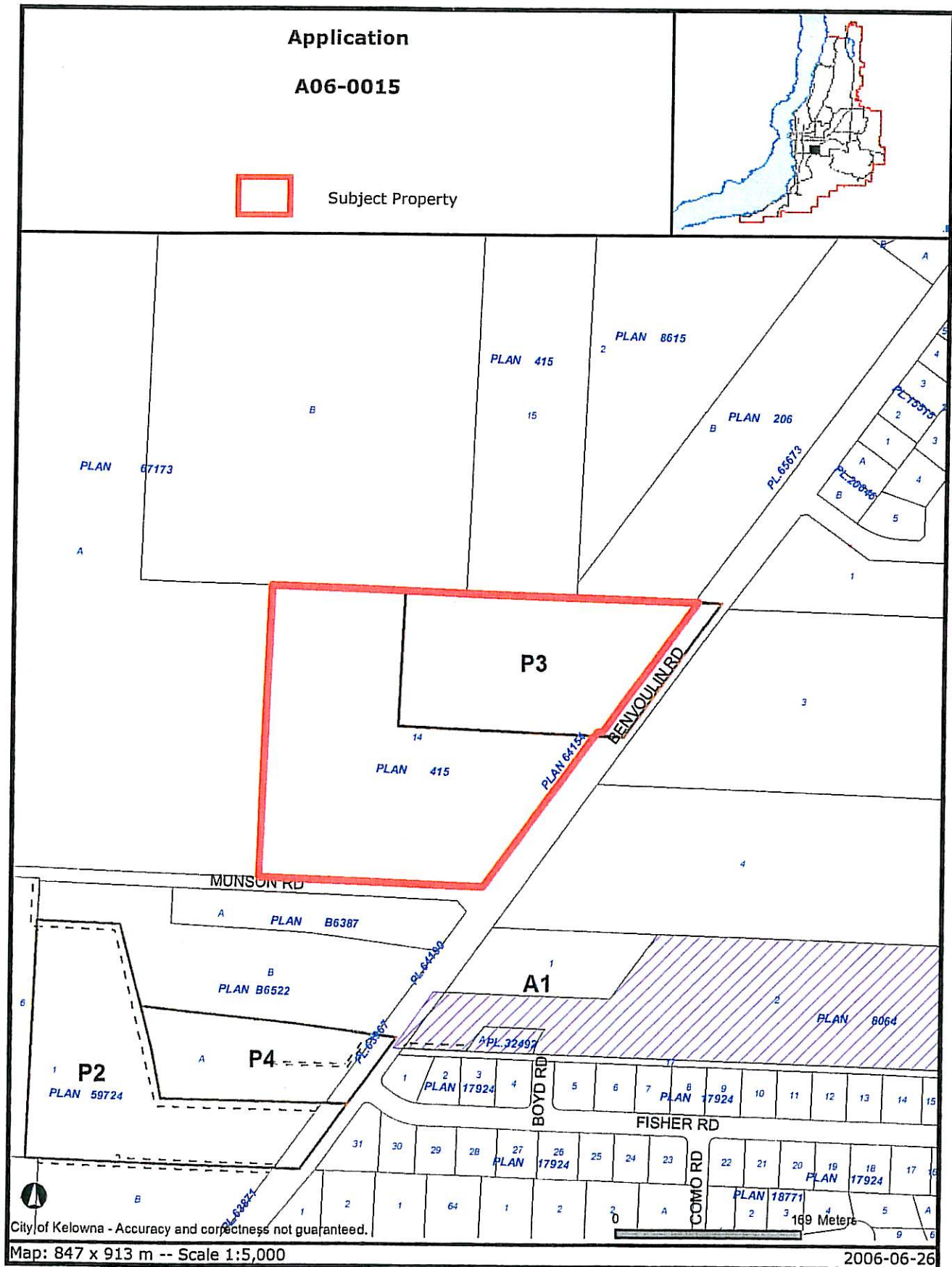


Mary Pynenburg, MRAIC MCIP
Director of Planning & Development Services

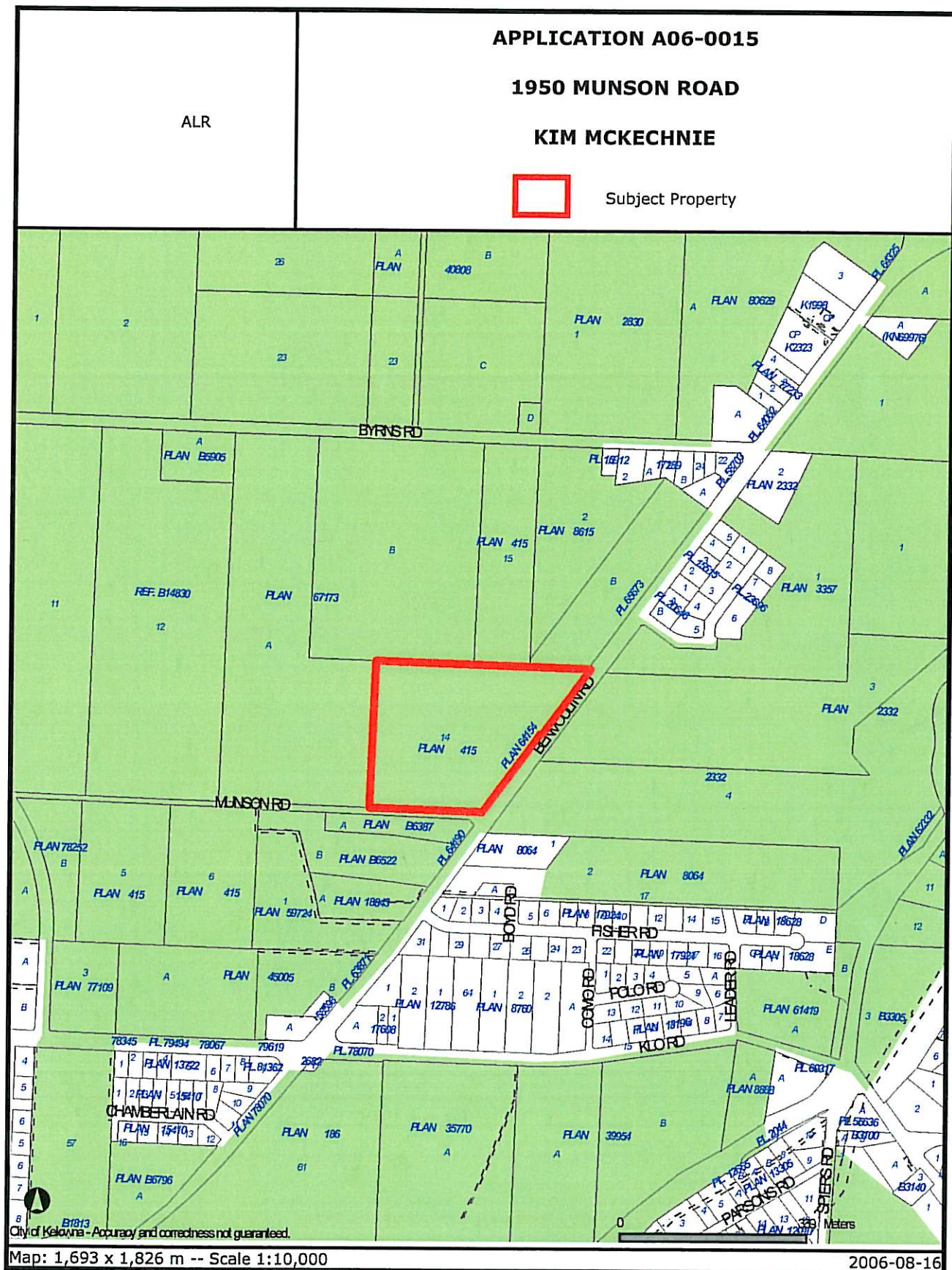
NW/nw

Attachments:

- Location of subject property
- ALR Map
- Application by Landowner (2 pages)
- Cover Letter, dated June 16, 2006 (2 pages)
- Sketch Plan of Proposed Golf Course
- Works and Utilities Report, dated April 7, 2006 (2 pages)
- Previous Decision Letter from BC Agricultural Land Commission, dated May 28, 1984
- Land Capability Map
- Soils Map



Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.
The City of Kelowna does not guarantee its accuracy. All information should be verified.



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June 16, 2006

City of Kelowna
1435 Water Street
Kelowna, B.C.
V1Y 1J4

Attention: Planning Department

Dear Sir/Madam:

Re: The Benvoulin Golf Centre

Please accept this as our application for a non-farm use within the Agricultural Land Reserve. The Golf Centre at 2650 Benvoulin Road respectfully requests your support to obtain approval to develop a 9 hole executive golf course and training facility on their 33 acres of land.

Our team is very excited at the prospect of this development. The current owner partnership took over The Golf Centre in 2004 and spent the last two years developing their teaching facility and improving the driving range to a level of satisfaction of both the ownership and their valued customers. In the time they have been working to improve the land where the driving range is situated, they have received much feedback on the possibility of a small 9 hole golf course to enrich our customer's experience and to give the area an affordable, fun experience in golf, a market which has been lacking since the closure of both Fairview Par 3 and Central Park.

The lesson facility would be much enriched if they were able to offer their students a "hands-on" opportunity on a golf course. They are currently teaching lessons for Parkinson Recreation and have had a very full schedule. Their relationship with the City has been a prosperous one and they look forward to many more years servicing Parkinson Recreation and the City of Kelowna to their maximum ability.

In keeping with the tradition of the Agricultural Land Reserve caveat, The Golf Centre intends to use the newest and most advanced systems of greens keeping and irrigation preservation and do look forward to turning our land into a beautiful addition to the surrounding area. My clients believe this development will add to the City something that is not currently in the area. They are a full service Driving Range and with the addition of the golf course, would be a full service teaching facility. Research has shown that there are very few golf courses left in the area with driving range facilities and they look forward to offering both a full Driving Range and a challenging round of golf as well.

Please note that we will provide you with a title as soon as the new name is registered in the Land Title Office. Currently the property is registered to Adkins Holdings, however, the actual legal name is The Benvoulin Golf Training Centre Ltd., I enclose a copy of the Form 17 recently filed in the Land Title Office.

We look forward to moving our application forward and are available at your convenience should you have further questions or comments toward our application.

Yours sincerely:

A handwritten signature in black ink, appearing to read "Kim McKechnie". The signature is fluid and cursive, with a large initial "K" and "M".

Kim McKechnie

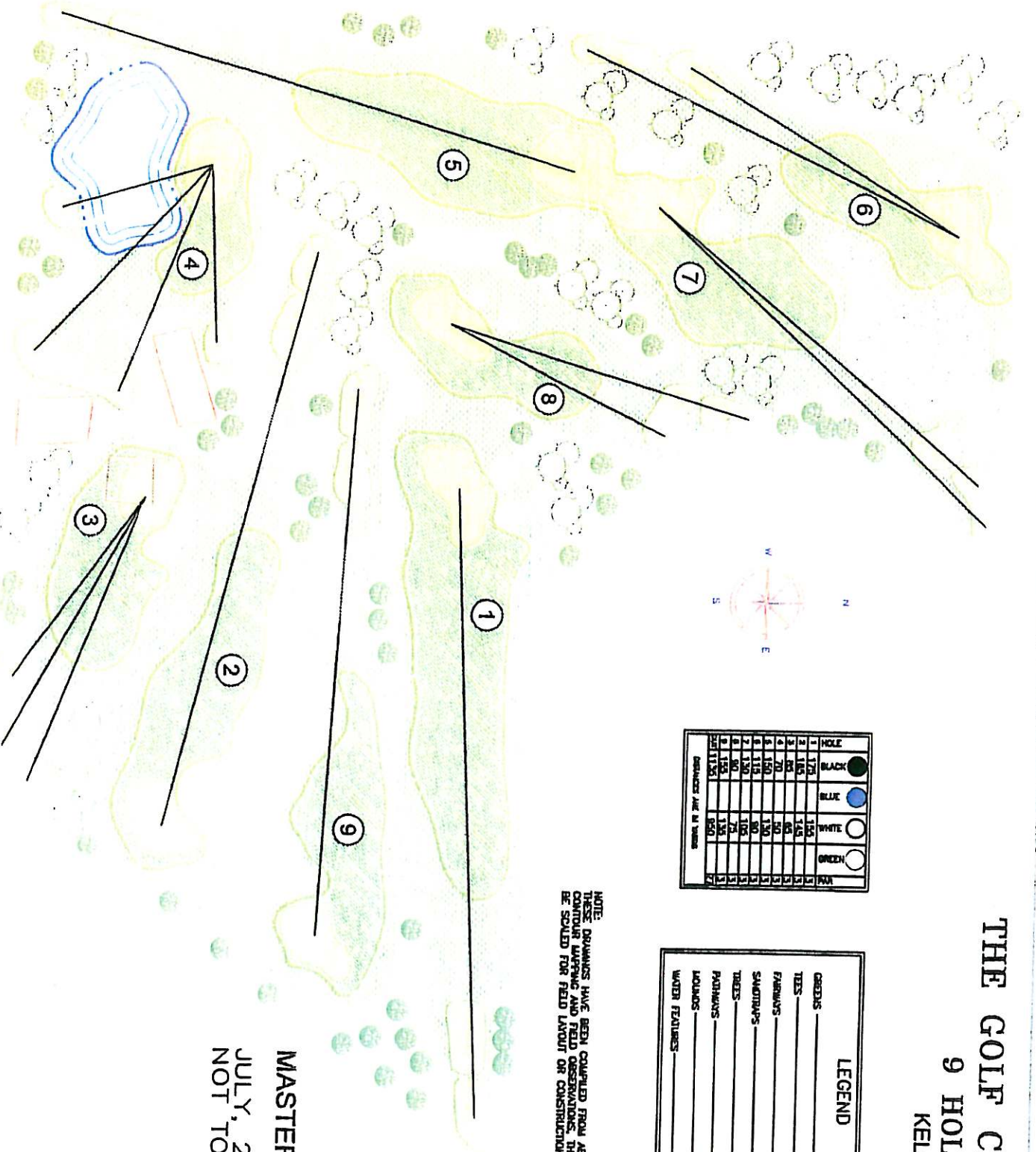
THE GOLF CENTRE 9 HOLE PAR3 KELOWNA, B.C.

HOLE	1	2	3	4	5	6	7	8	9
BLACK	175	185	205	215	225	235	245	255	265
BLUE	175	185	205	215	225	235	245	255	265
WHITE	175	185	205	215	225	235	245	255	265
GREEN	175	185	205	215	225	235	245	255	265
RED	175	185	205	215	225	235	245	255	265

LEGEND	
GREENS	_____
TEES	_____
FARMS	_____
SANDWAYS	_____
TREES	_____
PATHWAYS	_____
ROADS	_____
WATER FEATURES	_____

NOTE: THESE DRAWINGS HAVE BEEN COMPILED FROM AERIAL PHOTOGRAPHS, CONTOUR MAPPING AND FIELD OBSERVATIONS. THEREFORE, THEY MAY NOT BE SUITED FOR FIELD LAYOUT OR CONSTRUCTION PURPOSES.

MASTER PLAN
JULY, 2004
NOT TO SCALE



CITY OF KELOWNA

MEMORANDUM

Date: April 7, 2006
File No.: Enquiry - Benvoulin Rd 1950 Plan 415 Lot 14
To:
From: Development Engineering Manager
Subject: Estimate - Frontage Improvements

The Works & Utilities Department has the following information associated with this development enquiry.

.1 Services

- a) The property is located outside the City of Kelowna water service area. The property appears to be outside of any Community water system. ALR lands were not included as part of the Sector Plan for supply and allocation of system capacity.
- b) The property is located outside the City of Kelowna sanitary service area

.2 Roads

- a) Provide an additional highway allowance widening along the Benvoulin Road frontage. The dedication consists of approximately 4.0m width for 146.76m (driving range frontage).
- b) Benvoulin road is designated Arterial Class 1 Parkway (SS-R9). Extend the curb & gutter to the Munson Rd intersection, add side-inlet grates to the existing catch-basins and construct a concrete sidewalk along the road frontage.
- c) Provide by dedication, a corner rounding of 6.00m
- d) Munson Road is designated Rural Class 1 Collector (SS-R5). Dedicate and construct the road widening from Benvoulin Road, to the westerly property boundary line. By constructing additional asphalt width (1.5m) to the carriageway, a hard surface pedestrian link would also be provided.
- e) Re-locate existing poles and utilities, where necessary.

.3 Power and Telecommunication Services and Street Lights

- a) Overhead wiring is permitted for this subdivision.
- b) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.

.4 Design and Construction

Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.

.5 Other Engineering Comments

a) Access and Manoeuvrability

- i) The site plan should illustrate the ability of an SU-9 standard size vehicle to manoeuvre onto and off the site without requiring a reverse movement onto public roadways. If the development plan intends to accommodate larger vehicles, the site plan should be modified and illustrated accordingly.
- ii) The main access to the site will be provided from Munson Road. In the interim, the Benvoulin Road driveway access will be restricted to a right in and right out only.
- iii) Revised site access and egress designs onto the fronting roads must be submitted for approval by the City Works & Utilities Department. This is required to guarantee that the requirements and the limitations of access and egress required by the City have been addressed to the City's satisfaction.

b) Construction Cost Estimates

These costs are estimates only and should not be construed as final costs.

Munson Road - frontage improvements

Pavement widening, gravel shoulder, drainage ditch	\$22,300.00
Pedestrian link (asphalt)	\$10,000.00

Benvoulin Road frontage improvements

Removal of existing driveway letdown, curb replacement.	\$ 3,700.00
Curb & gutter extension, boulevard landscaping	
Concrete sidewalk	\$45,000.00

Total **\$81,000.00**

Steve Muenz, P. Eng.
Development Engineering Manager
JF/jf

British Columbia
Agricultural
Land Commission

Roy L. Would
1950 Manson Road
KELOWNA, B.C.
V1W 2G7

Dear Mr. Would:

Re: Application # 25-G-84-17723

This is to advise that the Provincial Agricultural Land Commission has considered your application regarding land described as Lot 14, D.L. 130, O.D.Y.D. Plan 415.

Pursuant to B.C. Regulations 8/81, Section 44(o), the Commission, by Resolution #625/84 allowed your application to use 3 ha of the subject property as a golf driving range. This approval is subject to the structures being designed so as to facilitate eventual removal from the site without debilitation. There are to be no permanent structures on concrete slabs or foundations. The structures are to be limited to use as a driving range, pro shop and concessions area only with no expansion to either a par 3, 9 hole or full scale golf course. Also, the parking area is not to be gravelled or paved.

This approval is granted provided that your proposed development is in substantial compliance with the sketch plan attached hereto and outlined in red.

The land referred to in the application will continue to be subject to the provisions of the Agricultural Land Commission Act and regulations except as provided by this approval.

This approval in no way relieves the owner or occupier of the responsibility of adhering to all other legislation, including zoning, subdivision and other land use bylaws of a municipality or regional district and decisions of responsible authorities which may apply to the land.

Before your development can proceed, other approvals such as public road requirements, highway access permits, sewage disposal permits, etc. may be required and we urge you to check with the responsible authorities.

Please quote Application #25-G-84-17723 in any future correspondence.

Yours truly

PROVINCIAL AGRICULTURAL LAND COMMISSION

per: M. F. Clarke, Chairman
KA/tr (Encl.)

cc: Regional District - Central Okanagan
City of Kelowna
B.C. Assessment Authority, Kelowna
Ken F. Feist, 1280 Mountain Avenue, Kelowna, V1Y 7H2

Telephone: (604) 294-5211

PLANNING DEPT.
CIRCULATE TO

Room 133, 4940 Canada Way, Burnaby, B.C. V5G 4K6

OFFICE OF THE
CITY CLERK
JUN 4 1984
CITY OF
KELOWNA

RECEIVED
JUN 28th, 1984
CITY OF KELOWNA
PLANNING DEPT.

REPLY TO THE ATTENTION OF:
Kabel, Atwater

ADVISE ATWALL
THAT MR. L.S.
WILL BE
MOVED DUE TO
HIS EMERGENCY
SERVICE

file

THIS IS CONFIRMING TO VERNAN INFO
RECEIVED FROM MA KABEL ATWALL, JR.
CIVIC
COMMISSION
STAFF

PROCESSED TO	✓
D & P'S	
Blag - GM	
DATE	7/2/85

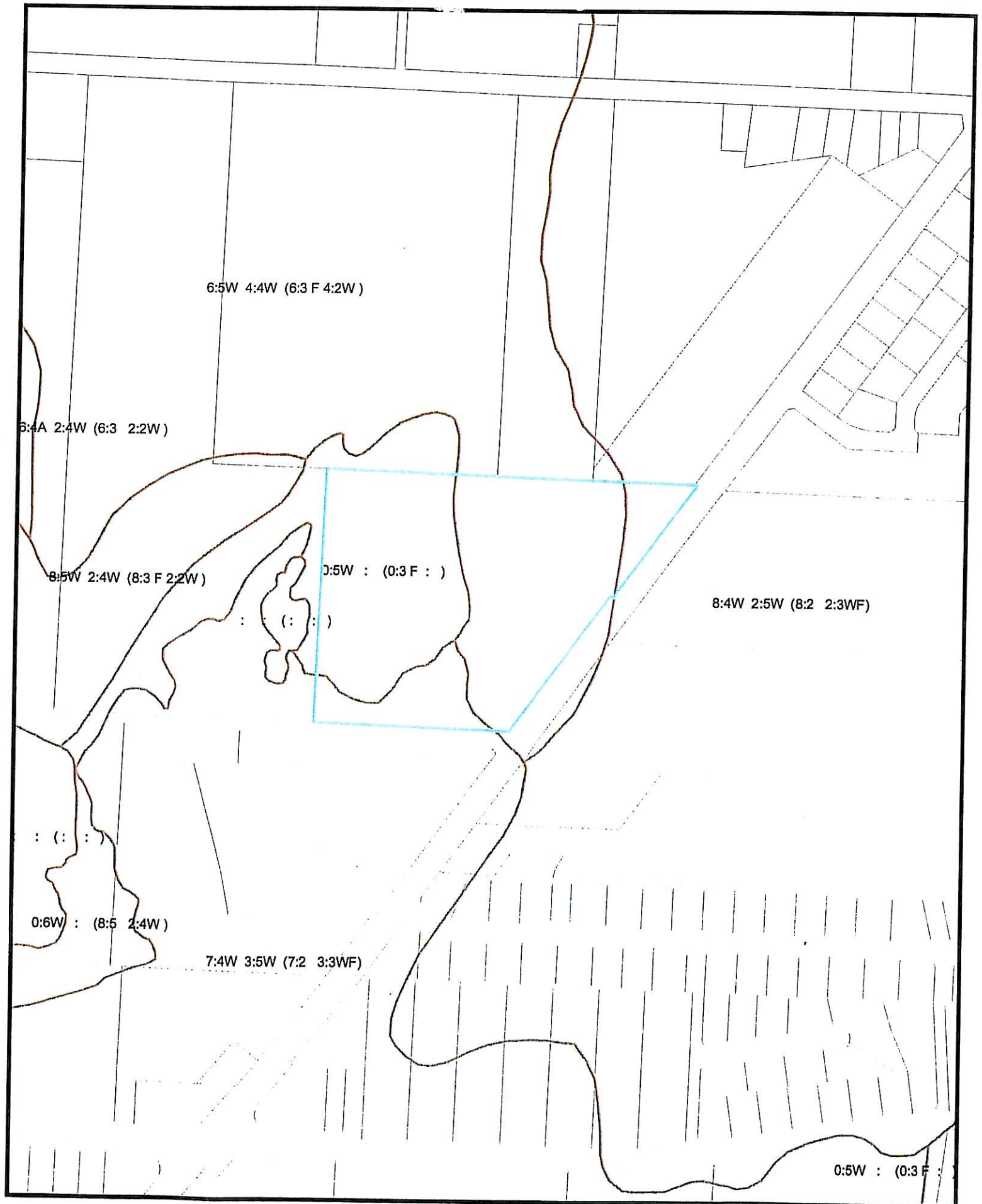
SEE MAP: - 100-111-010

Soil Class



1:5,000

Land Capability



1:5,000