
CITY OF KELOWNA
MEMORANDUM

DATE: June 26, 2007

FILE NO.: A07-0013

TO: City Manager

FROM: Planning & Development Services Department

PURPOSE: THE APPLICANT IS REQUESTING APPROVAL FROM THE AGRICULTURAL LAND COMMISSION TO ALLOW A NON-FARM USE FOR A SECONDARY SUITE UNDER SECTION 20(3) OF THE *Agricultural Land Commission Act*.

OWNER: 0720888 B.C. Ltd. **APPLICANT:** 0720888 B.C. Ltd.

AT: 840 Old Vernon Road

EXISTING ZONE: A1 - AGRICULTURE 1

PROPOSED ZONE: A1s – AGRUCULTURE WITH SECONDARY SUITE

REPORT PREPARED BY: Alec Warrender

1.0 RECOMMENDATION

THAT Agricultural Land Reserve Application No. A07-0013 for Lot 5 Sec. 1 Twp. 23 ODYD, Plan 546, Except Plan B5647 located at 840 Old Vernon Road, Kelowna B.C. requesting permission to allow a non-farm use to permit the conversion of the existing single family dwelling to a secondary suite in an accessory building pursuant to Section 20(3) of the *Agricultural Land Commission Act* be supported by Council;

AND THAT Municipal Council forward the subject application to the Agricultural Land Commission.

2.0 SUMMARY

The applicant is requesting approval from the Agricultural Land Commission to allow a non-farm use for a secondary suite. Should the Agricultural Land Commission allow this proposed non-farm use, the applicant would then be requesting permission to rezone the subject property from the A1 - Agriculture Zone to the A1s - Agriculture 1 with Secondary Suite to permit the construction of a new 185.9 m² single family dwelling and conversion of the existing 81.8 m² single family dwelling to a secondary suite in an accessory building. It has been proposed that the existing single family dwelling, which is included in the City's Heritage Register, be relocated on the property and placed on a new foundation.

3.0 AGRICULTURAL ADVISORY COMMITTEE

THAT the Agricultural Advisory Committee support Application No. A07-0013 for 840 Old Vernon Road by 0720888 BC Ltd. (D. Forster) to obtain approval from the Agricultural Land Commission to allow a non-farm use for a secondary suite under Section 20(30) of the *Agricultural Land Commission Act*.

The Committee strongly recommended that the applicant keep all building sites close to Old Vernon Road in order to maximize the agricultural use of the property.

4.0 HISTORY

The following information is associated with the applicant's previous request for approval from the Agricultural Land Commission for a non-farm use in the Agricultural Land Reserve. The applicant proposed to re-develop the property into a full service RV Park with 130 spaces (A05-0008).

July 12, 2005 – The Community Heritage Commission supported application #A05-0008. However, the Commission resolved that development of the subject property should respect the heritage integrity of the property. It was resolved that the existing heritage building remain on its original foundation in its original location and complete with the existing landscaping.

August 11, 2005 – The Agricultural Advisory Committee (AAC) did not support application #A05-0008. The committee was concerned that such a development would set a precedent and that more farmland would become eroded. The Committee thought the subject property was not suited for an RV park and the lands agricultural potential was more important.

September 12, 2005 – Kelowna City Council did not support application #A05-0008.

December 23, 2005 – The Agricultural Land Commission did not support application #A05-0008. The application was refused on the grounds that the land has predominately prime agricultural ratings and that RV Park would essentially remove the possibility of agricultural production.

The following information is associated with pre-application meetings between the applicant and City of Kelowna staff.

June 2006 – The applicant was encouraged to pursue another use that would be complementary to an agricultural setting. The applicant was informed that rezoning the property from A1 - A1s, where a variance to allow the heritage house to become the secondary dwelling in exchange for its restoration could be considered. During these discussions the applicant informed staff that an agri-tourist accommodation may be proposed as a secondary use. Staff has requested to see a site plan for the potential agri-tourist accommodation as this has the potential to affect the outcome of this application.

3.0 SITE CONTEXT

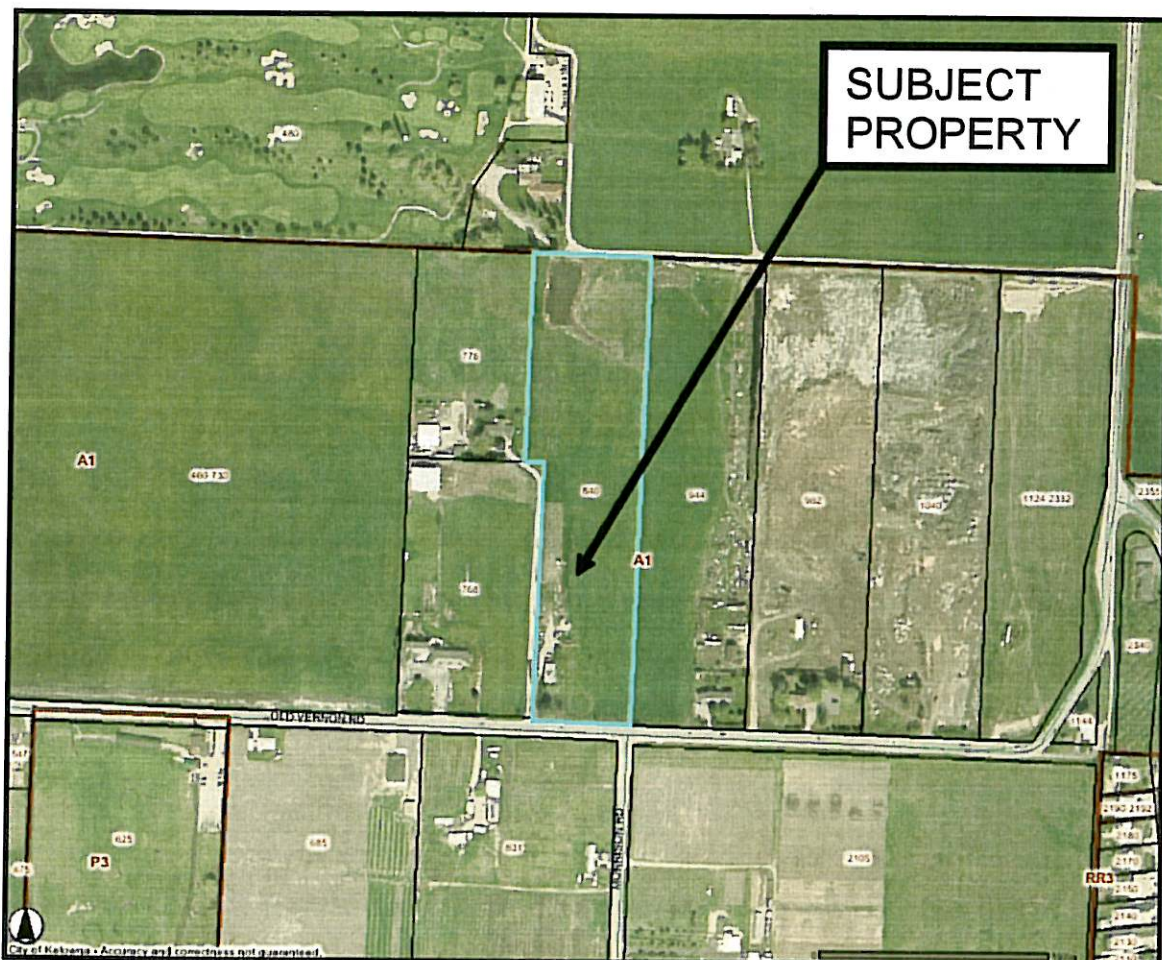
The subject 3.7 hectare property is located in the Highway 97 / Ellison neighbourhood area of the City, on the northern side of Old Vernon Road. The property is bound on the east, south, and west by properties having ALR status. The subject property has a heritage dwelling situated on it as well as four sheds and a root cellar. One of the sheds will be demolished in order to make space for the proposed single family dwelling. Outside of the established yard area, the land is primarily used as a hobby farm and hay field. There is a wetland in the northern portion of the property.

Parcel Size: 3.7 ha (9.1 ac)
Elevation: 422 m South Side – 412 m North Side

Adjacent zones and uses are:

North - Central Okanagan Regional District - Golf Course
East - A1 – Agriculture 1 - Hayfield & Former Russo Saw Mill
South - A1 – Agriculture 1 - Hobby Farm
West - A1 – Agriculture 1 – Hay Field

4.0 SITE MAP: Subject Property: 840 Old Vernon Road



BCLI Land Capability for Agriculture

The subject property falls in two different soil classifications breaking the property into a northern and southern portion.

Northern Portion (~40% of total lot)

Unimproved (8:4AD 2:6WN):

The unimproved land classification for the northern portion of the subject area falls primarily into Class 4 ($\pm 80\%$), with some Class 6 ($\pm 20\%$). The predominant limiting factors for unimproved land are "soil moisture deficiency" and "undesirable soil structure and/or low perviousness" for the Class 4 soils, whereas the Class 6 soils are limited due to "excess water" and "undesirable soil structure and/or low perviousness"

Improved (8:3D 2:4WD):

With improvements, primarily through irrigation, the land capability rating increases mostly to Class 3 (80%) and Class 4 (20%) - see attached Land Capability Map copied from map 82E.094

Southern Portion (~60% of total lot)

Unimproved (0:3AD):

80% 3AD: "Land in this class has limitations that require moderately intensive management practices that moderately restrict the range of crops, or both". The predominant limiting factors for the unimproved land are "soil moisture deficiency" and "undesirable soil structure and/or low perviousness".

*Improved (7:3D 3:*3D):*

With improvements, primarily through irrigation, the land capability rating stays within the same class but the land overcomes its soil moisture deficiency.

Soil Classification

The subject property is identified on the BC Soil Capability for Agriculture Map as having the following soil classifications: see attached Land Capability Map copied from map 82E.094

Northern Portion (~40% of total lot)		
%	Soil Type	Description
80%	WK - Westbank	<u>Land</u> : Nearly level to strongly sloping stratified glaciolacustrine sediments. <u>Texture</u> : 100cm or more of clay, clay loam, or silty clay. <u>Drainage</u> : moderately well.
20%	SR - Summerland	<u>Land</u> : Nearly level to strongly sloping fluvial veneer over glaciolacustrine sediments <u>Texture</u> : 10 to 100cm of silty clay loam grading to clay loam <u>Drainage</u> : Dominantly poor, ranging to imperfect; fluctuating ground water table or seepage, subject to flooding.

Southern Portion (~60% of total lot)		
%	Soil Type	Description
100%	GL - Glenmore	<u>Land</u> : nearly level to moderately sloping stratified glaciolacustrine sediments. <u>Texture</u> : 100 cm or more of silt loam, silty clay loam or clay loam. <u>Drainage</u> : well to moderately well.

4.0 POLICY AND REGULATION

4.1 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 (Goal #2, Objective #3). Further, Objective #7 directs the community to "sensitively integrate new development with heritage resources and existing urban, agricultural and rural areas".

4.2 Kelowna 2020 – Official Community Plan

"Section 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."

Under Uses to be Encouraged Section 8.1.45 Secondary Suites states, "Encourage, under the conditions stipulated in the Zoning Bylaw, the creation of secondary suites" contrasts with Section 8.1.53 "Housing in Agricultural Areas. Discourage residential development (both expansions and new developments) in areas isolated within the agricultural environments (both ALR and non ALR)".

4.3 City of Kelowna Agriculture Plan

The Plan states:

- "There are a number of positive impacts of allowing secondary suites in rural areas. There would be equitable treatment for all existing residences throughout the City. A secondary suite may provide some income or mortgage assistance for farmers." (p. 73)
- "It is suggested that support for the general principle of secondary suites in rural/agricultural areas would be reasonable, subject to permitting one suite per parcel, either in the existing or new principal single family dwelling as per Land Commission Policy #770/98 [currently Policy #8]. The location of a suite in an accessory building or enlarging the footprint of an existing residence to accommodate a suite would require the approval of the Land Commission." (p. 74)
- "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." (p. 79).

5.0 PLANNING AND DEVELOPMENT SERVICES COMMENTS

Staff has no concerns with the principle of this ALR non-farm use application, which is to allow for a more intensive residential use of the property. It should be noted that, pursuant to ALC Policy #8, secondary suite development that results in a net loss to arable land through the creation of a new building site, additional driveway area, etc. should be discouraged. The applicant proposes to construct the new dwelling on a portion of the property that is not currently in agricultural production.



R. G. Shaughnessy
Subdivision Approving Officer

Approved for Inclusion

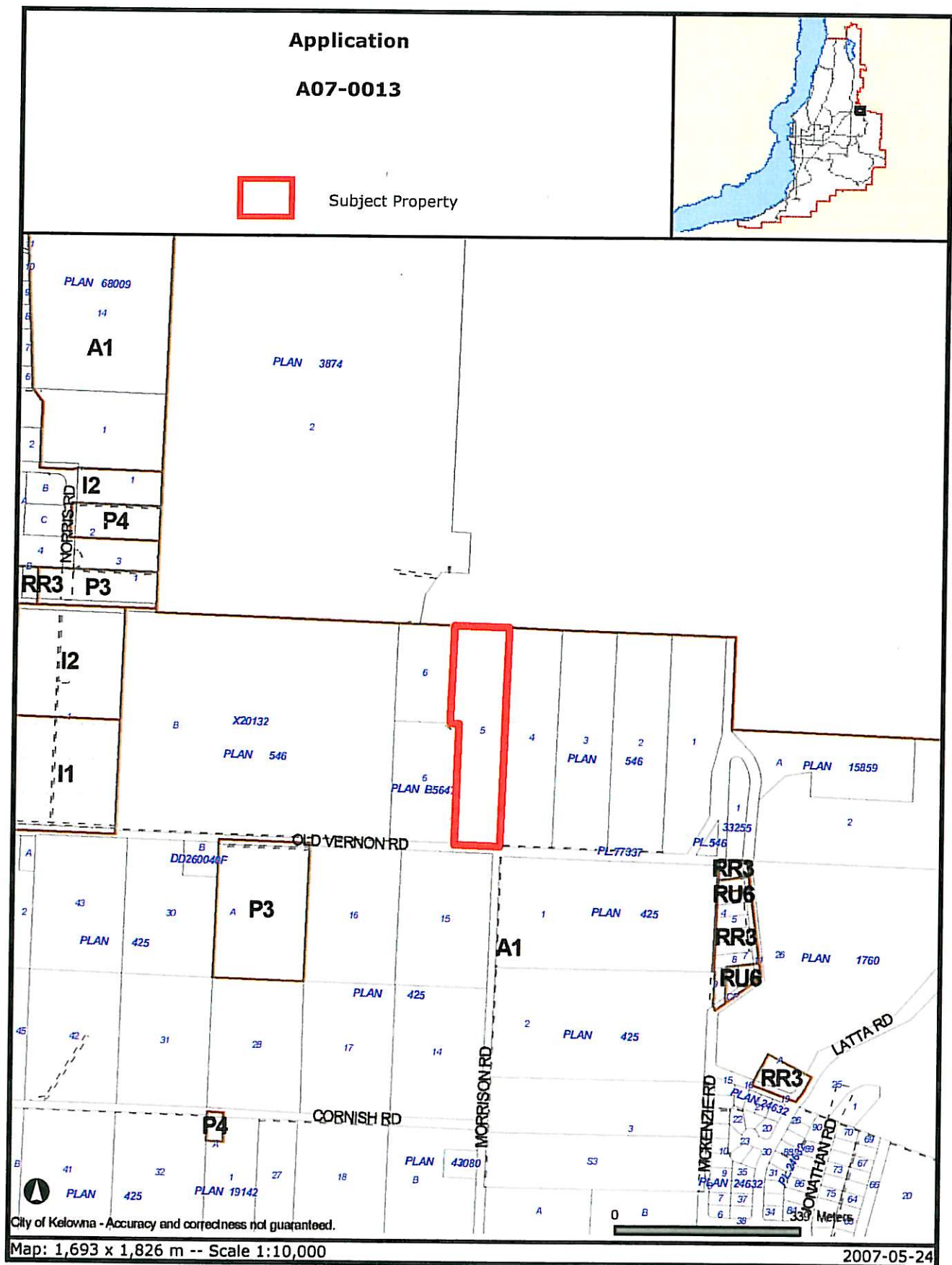
MB

For
Ron Dickinson
Inspection Services Manager

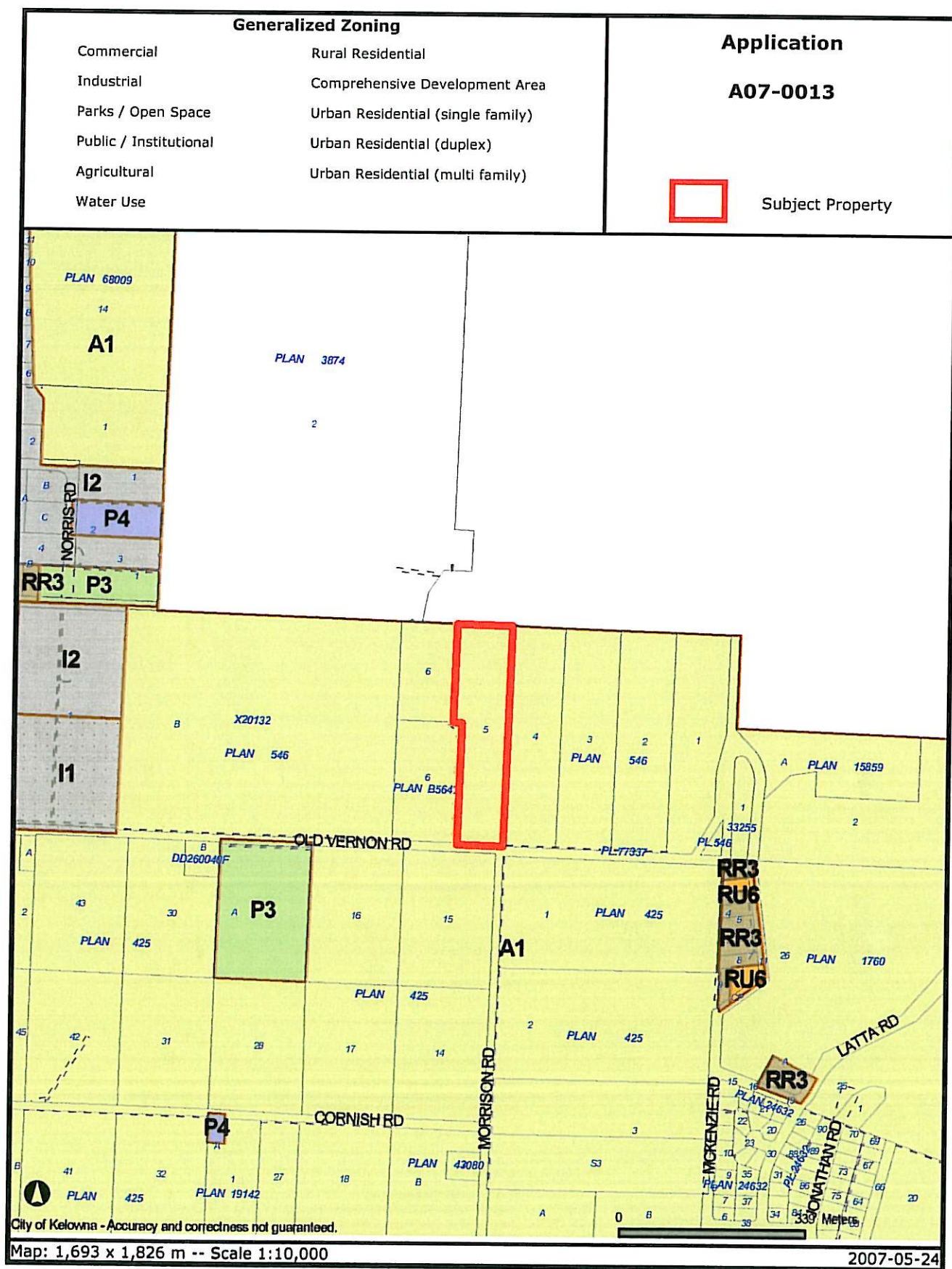
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ATTACHMENTS

Location Map
Generalized Zoning Map
Photographs of the existing heritage structure
ALC Application by Land Owner (2 pages)
Site Plan (2 pages)
Heritage Register Information (2 pages)
ALR Map
Contour Map (5 m Contours)
Slope Map
Land Capability Map
Soil Classification Map
Photograph indicating adjacent uses



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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840 Old Vernon Road – Existing Heritage Home

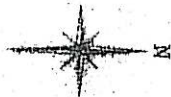


PL 55647

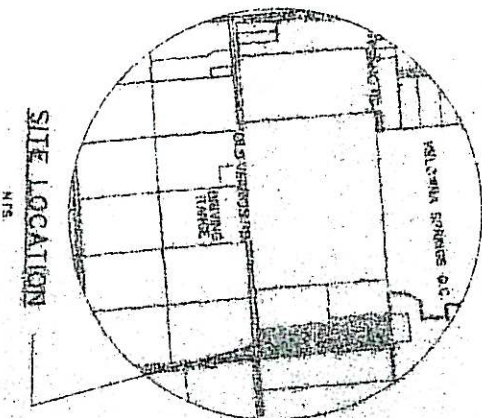
OLD VERNON ROAD

PL 546
LOT 5

PL 546
LOT 4



LEGAL DESCRIPTION
LOT 5, SECTION 1, TOWNSHIP 28 S., R. 10 W., PL. 546,
EXCEPT PLAN 55647



200	1. 100	2. 100	3. 100	4. 100	5. 100	6. 100	7. 100	8. 100	9. 100	10. 100	11. 100	12. 100	13. 100	14. 100	15. 100	16. 100	17. 100	18. 100	19. 100	20. 100	21. 100	22. 100	23. 100	24. 100	25. 100	26. 100	27. 100	28. 100	29. 100	30. 100	31. 100	32. 100	33. 100	34. 100	35. 100	36. 100	37. 100	38. 100	39. 100	40. 100	41. 100	42. 100	43. 100	44. 100	45. 100	46. 100	47. 100	48. 100	49. 100	50. 100	51. 100	52. 100	53. 100	54. 100	55. 100	56. 100	57. 100	58. 100	59. 100	60. 100	61. 100	62. 100	63. 100	64. 100	65. 100	66. 100	67. 100	68. 100	69. 100	70. 100	71. 100	72. 100	73. 100	74. 100	75. 100	76. 100	77. 100	78. 100	79. 100	80. 100	81. 100	82. 100	83. 100	84. 100	85. 100	86. 100	87. 100	88. 100	89. 100	90. 100	91. 100	92. 100	93. 100	94. 100	95. 100	96. 100	97. 100	98. 100	99. 100	100. 100
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PAGE 1

THE CITY OF KELLOWNA

HISTORIC ELLISON RANCH R.V. PARK

PRELIMINARY LAYOUT

DATE: 2017-08-10

SCALE: 1:500

PROJECT NO: 1811-04

DATE: 2017-08-10

BY: [Signature]

CHECKED: [Signature]

APPROVED: [Signature]

AREA TO BE
RETURNED TO
AGRICULTURAL

EX
SHED

EX
FOUNDATIONS

APPROX. AREA OF
EXISTING FARM YARD

PROPOSED NEW
2 STORY HOME
MAIN FLOOR AREA: 2000 SQ. FT.
PLUS 3 CAR GARAGE

EX
SHED

EX
SHED

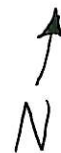
EX
SHED

EX
HOD
CELLAR

EXISTING MIKE ELLISON
HERITAGE HOME

EX
HOUSE

PROPOSED NEW SITE OF
HERITAGE HOME



OLD VERNON ROAD

HOME Search

Heritage Building

Heritage Building Information



Kid: 236024 **Plan:** 546 **Lot:** 5 **Block:**
Civic Address: 840 Old Vernon Rd
Neighbourhood: Hwy 97 / Ellison
Building Name: Ellison Ranch House
Conservation Area: no
Date Built: 1900

Historical Significance:

Part of the ranch of Price Ellison, based just south of Vernon, who was one of the largest-scale ranchers in the Okanagan. He was the MLA for Yale East (which included Kelowna) from 1898-1916, Minister of Finance from 1910-16. The area is named after him.

History:

Price Ellison (1852-1932) bought George W. Simpson's ranch (originally acquired in 1872) in 1892 for about \$11,000 and built this house. The ranch was managed for him by John J. Carney. George Monford succeeded Carney as manager. In 1916 Ellison sold an interest to Michael Hereron, who lost it during the depression. House probably occupied by ranch-manager.

Architectural Significance:

Very good early and intact pioneer cottage, although stuccoed and somewhat altered.

Style / Character:

Pioneer Cottage; square with steep hipped roof and bellcast eaves.

Design Features:

Squarish in plan and cube-like mass the house is modest and unassuming. The front entrance has a shed roof. There is latticework under the either side of the windows and a brick chimney to the right.

Architect:

unknown

Builder:

unknown

Building

wood frame

Construction:
Foundation

concrete

Construction:
Stories:

1

Roof Type:

steep hipped roof with bellcast eaves

Window types:

DH 1/1 wood sash

Exterior Wall

stucco

Material:
Original Wall

presumed wood siding

Material:

Exterior Wall Color: white w. grey trim

Landscape Features: Large farm yard with mature gardens and trees.

Associated

Milk house, barn , shed, kids playhouse.

Buildings:
Alterations

none

Documented:
Alterations

porch on the west side has been filled in; stucco and shutters.

Observed:
Site Context:

Among other farms, which are similar in scale and use. The house is much older than most others in the area. Close to Hwy 97 strip.

Source:

STREET FILES; KHRI; KHRI FORMS; Kenneth V. Ellison, Price Ellison: A Short History of an Okanagan Valley Pioneer (Oyama: the author, 1988); Mrs. D. Tutt, comp. the History of the Ellison District, 1858-1958 (Kelowna: Ellison Centennial

Committee, 1959), pp. 6-7, 11-12, 30-31.

Additional Notes and Comments:

The property is associated with a number of notable themes and at least one individual - Price Ellison - who had a role in provincial history. The themes include ranching and early townsite settlement (see additional notes and comments). Ellison neighbourhood and farm mostly beyond Kelowna city limits.

Updates:

History Recorder Name:

David Dendy

Date Recorded:

1997-09-03

Field Recorder Name:

Leigh-Ann Carter

Date Recorded:

1997-08-13

Photographer:

Leigh-Ann Carter

Date Photographed:

1997-08-13

Photo Reference:

CD3.53-55

Main Photo File:

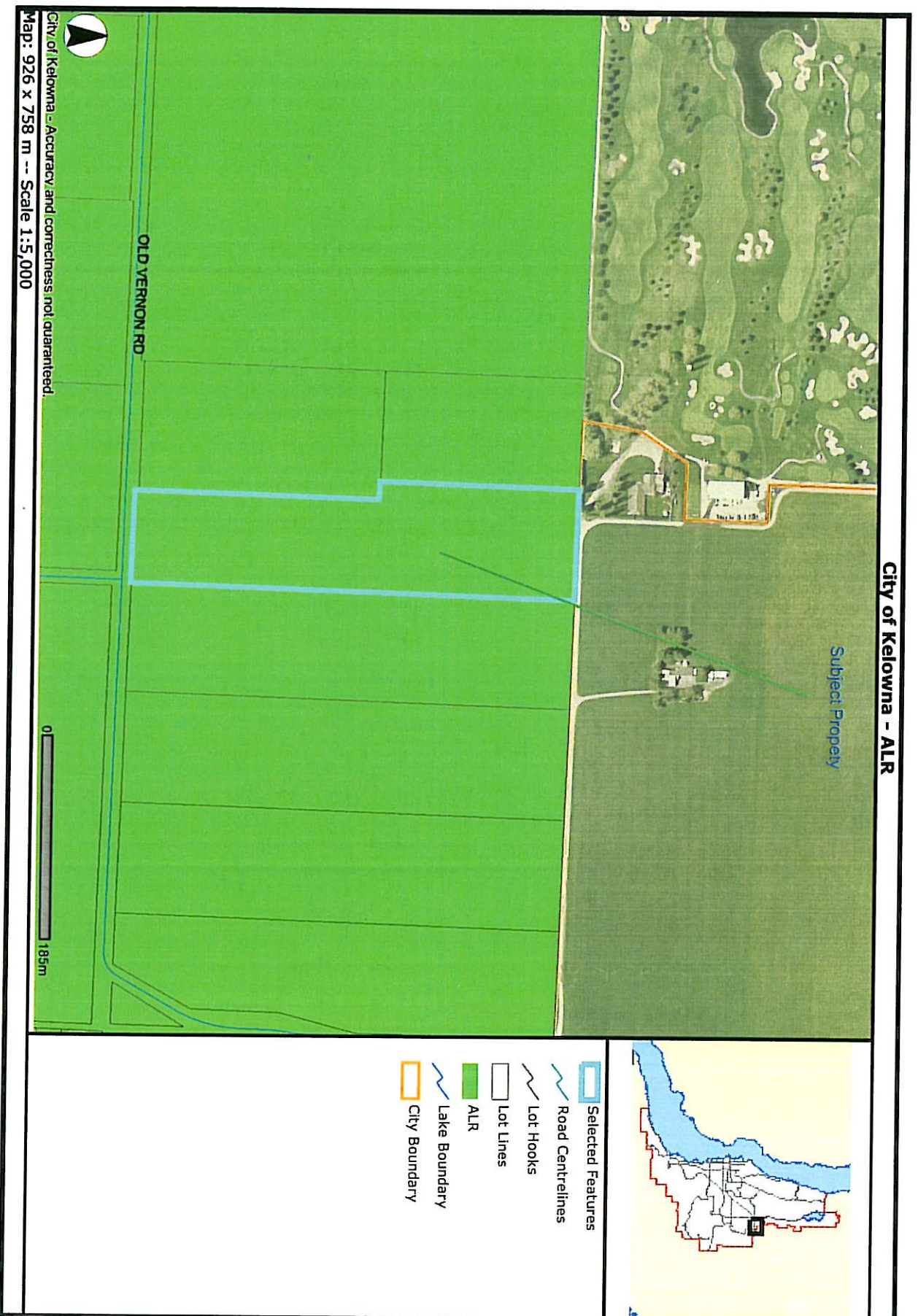
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Orientation:

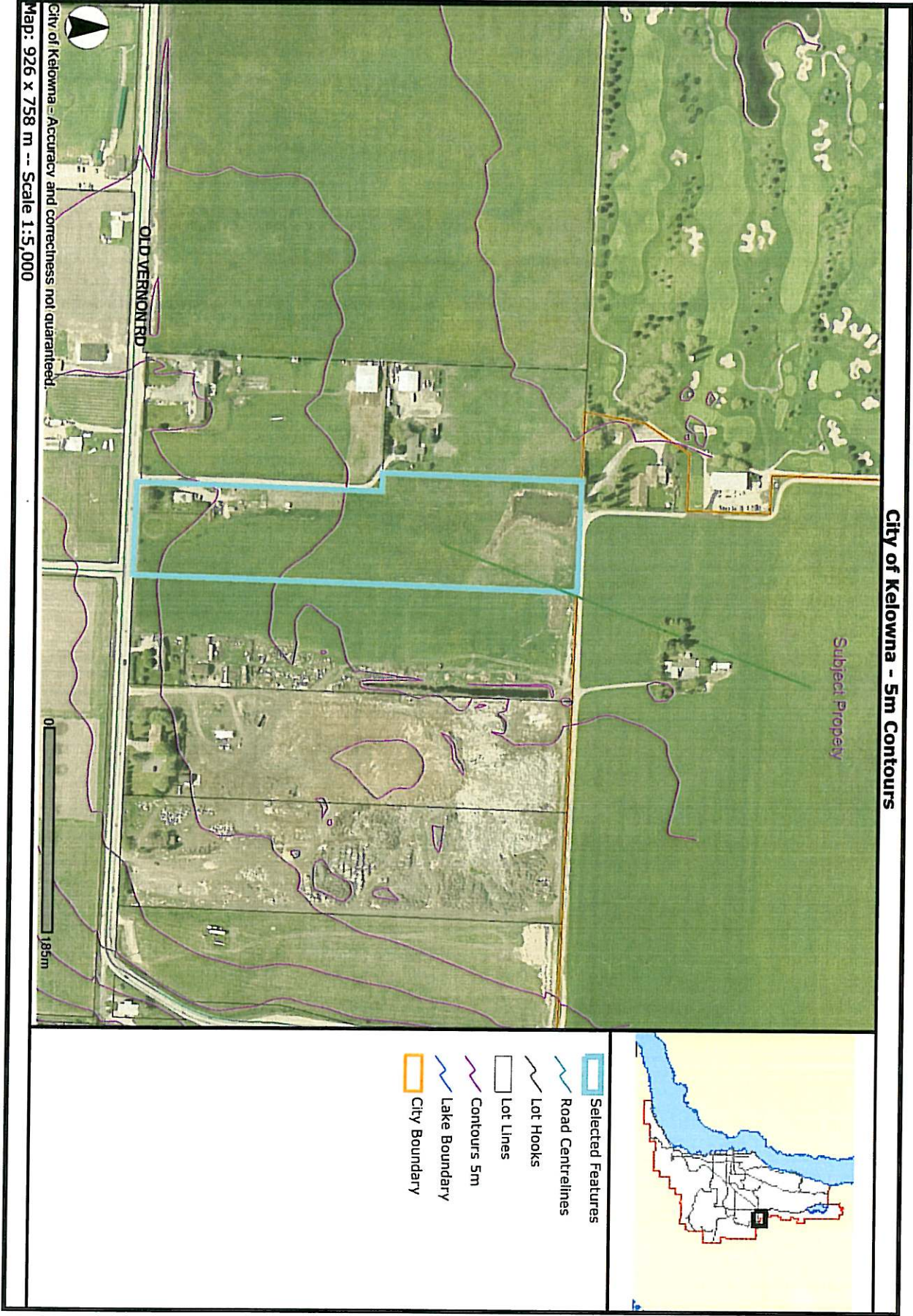
Landscape

Additional Photos:

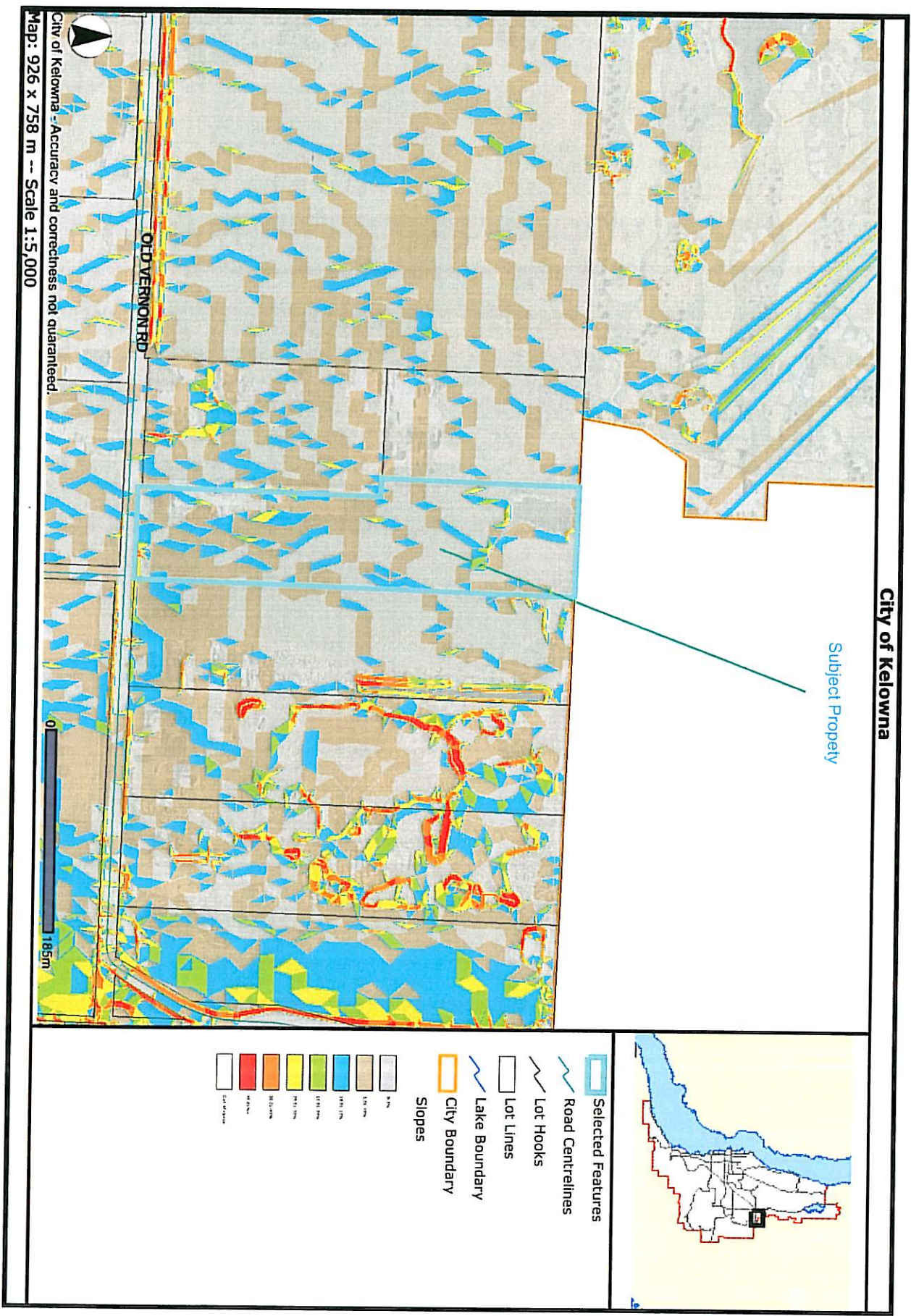




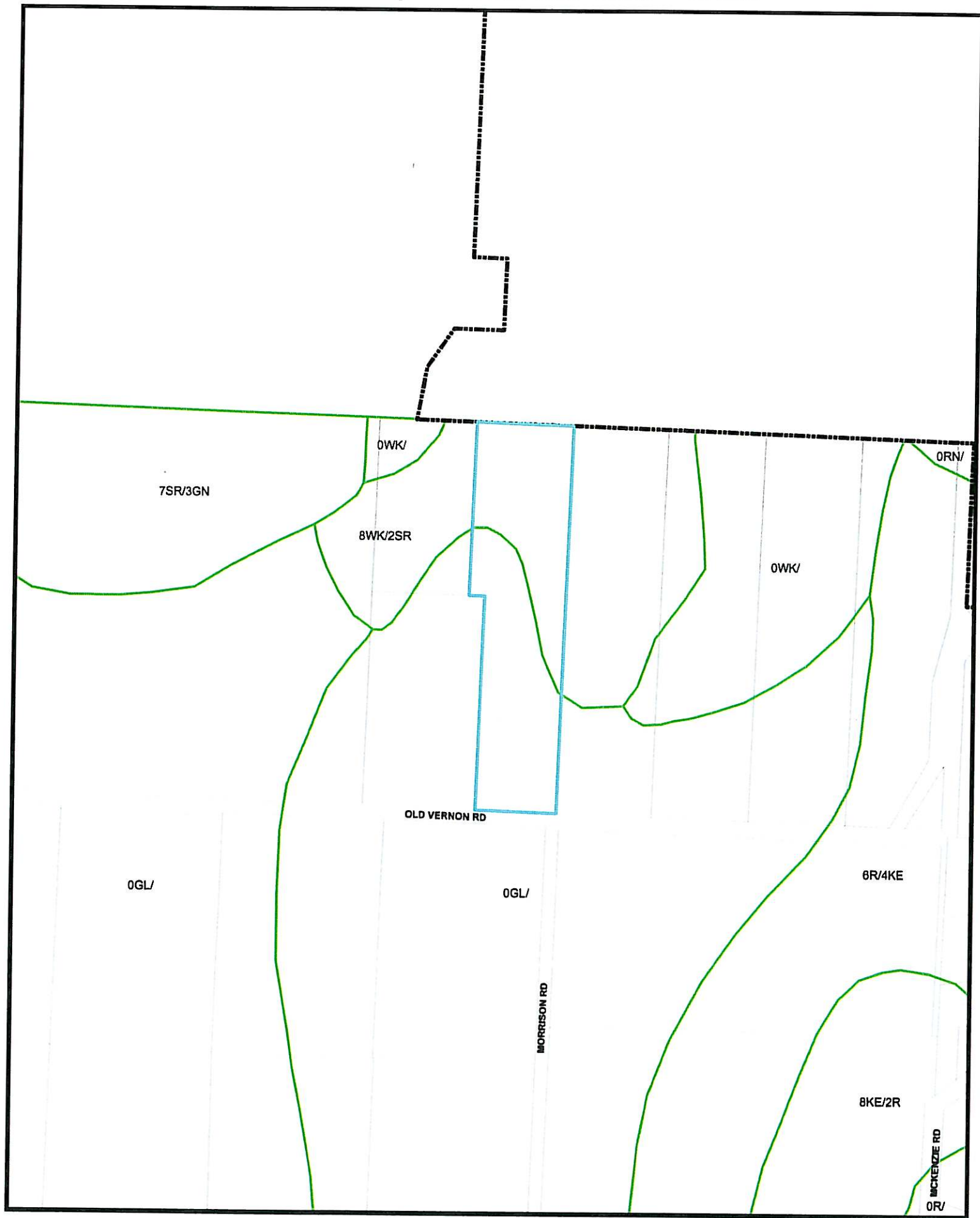
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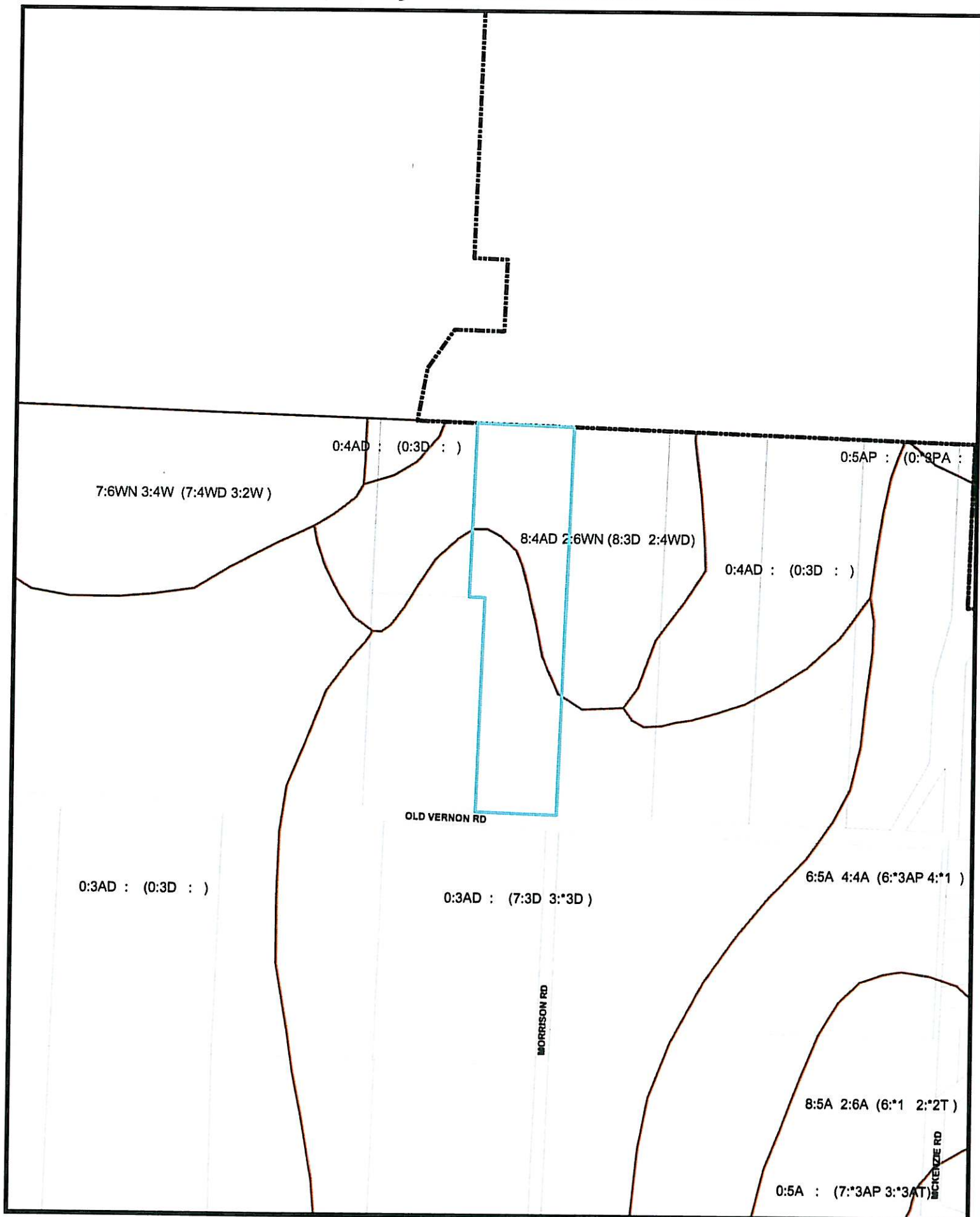


Land Capability = Brown/ Soil Class = Green



1:5,000

Land Capability = Brown/ Soil Class = Green



1:5,000

Kelowna Springs Golf Course

Proposed New House

Industrial Property

OLD VERNON RD

MORRISON RD

Russo
Saw Mill

MCKENZIE RD



City of Kelowna - Accuracy and correctness not guaranteed.

Driving Range

840 Old Vernon Road

0



234m