
CITY OF KELOWNA
MEMORANDUM

Date: August 29, 2007
File No.: A07-0016
To: City Manager
From: Planning & Development Services Department
Purpose: To obtain approval from the Agricultural Land Commission to allow a non-farm use to accommodate outdoor storage of building materials on a 1,800 m (0.45 ac.) portion of the subject property under Section 20(3) of the *Agricultural Land Commission Act*.

OWNERS/APPLICANTS: Gladys Crossley & Glen Auch
AT: 2788 Highway 97
EXISTING ZONE: A1 Agriculture 1 Zone
REPORT PREPARED BY: Corine (Cory) Gain, MCIP, CPT

1.0 RECOMMENDATION

THAT Agricultural Land Reserve Application No. A07-0016 for property located at 2788 Highway 97 and legally described as: Lot B District Lot 124 Osoyoos Division Yale District Plan KAP83361 See Plan as to Limited Access requesting approval of a non-farm use on a portion of the subject property pursuant to Section 20(3) of the *Agricultural Land Commission Act* NOT BE SUPPORTED by Municipal Council;

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

2.0 SUMMARY

The Applicant is requesting permission for a non-farm use to legitimize the existing outdoor storage of building materials on the subject property. This would involve an application to rezone the subject property from the A1 Agriculture Zone to the I2 General Industrial Zone should the application for a non-farm use receive approval from the Agricultural Land Commission.

3.0 AGRICULTURAL ADVISORY COMMITTEE

THAT the Agricultural Advisory Committee NOT support Application No. A07-0016 for 2788 Highway 97 N., by Crossley to obtain approval from the Agricultural Land Commission under Section 20(3) of the *Agricultural Land Commission Act* to allow a non farm use and rezoning to accommodate outdoor storage of building materials on a 1800 m portion of the subject property.

4.0 SITE CONTEXT

The subject 6.3 ha hectare property is located on the northwest corner of Highway 97 and of the future extension of McCurdy Road.

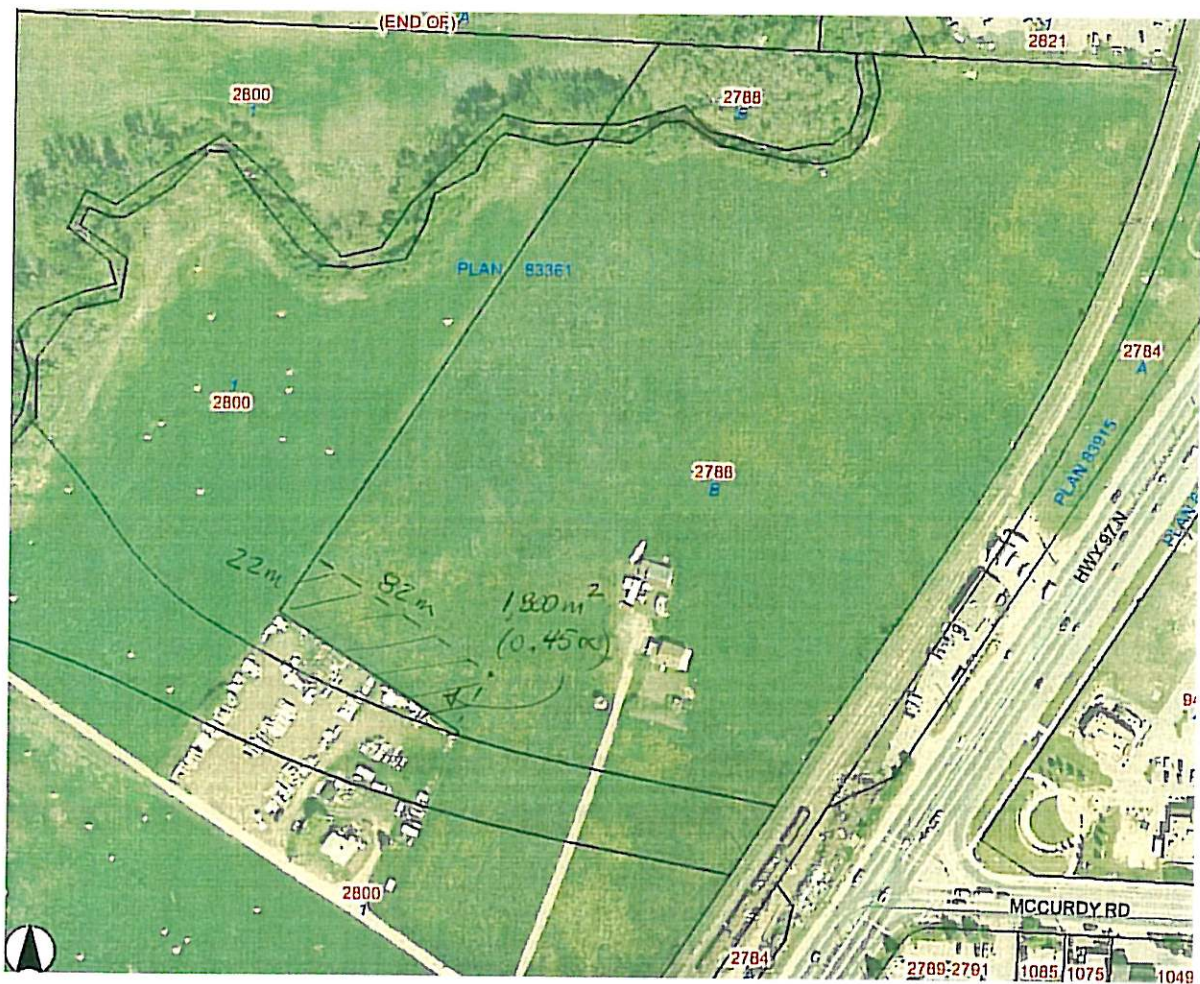
The applicant advises that the property is occupied by a single family dwelling and is currently planted in hay. The subject storage area is located directly adjacent to land that had previously been used for storage of the subject building materials now part of the McCurdy Road right-of-way. When construction of McCurdy Road began the building materials were moved onto a 22 m x 82 m (1800 m²) portion of the subject property until another location for the materials could be found. In response to Bylaw Enforcement action, the applicant has made this application for a non-farm use within the ALR.

Zoning of Adjacent Property

North	A1 – Agriculture 1
East	I2 – General Industrial and Highway 97
South	I2 – General Industrial
West	A1 – Agriculture 1

5.0 SITE MAP:

Subject Property: 2788 Highway 97



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

The subject parcel is identified on the BC Land Capability for Agriculture Map as having an unimproved rating of 8:6PA 2:4A and an improved rating of 8:6PA 2:3A) indicating the following:

Unimproved:

80% 6PA: *"Land in this class is non-arable but is capable of producing native and/or uncultivated perennial forage crops", "Stoniness - Soils are limited by the presence of coarse fragments which significantly hinder tillage, planting and/or harvesting and "Soil Moisture Deficiency – Crops are adversely affected by droughtiness caused by low soil water holding capacity or insufficient precipitation".*

20% 4A: *"Land in this class has limitations that require special management practices or severely restrict the range of crops, or both" and "Soil Moisture Deficiency – Crops are adversely affected by droughtiness caused by low soil water holding capacity or insufficient precipitation".*

Improved:

80% 6PA: *"Land in this class is non-arable but is capable of producing native and/or uncultivated perennial forage crops", "Stoniness - Soils are limited by the presence of coarse fragments which significantly hinder tillage, planting and/or harvesting and "Soil Moisture Deficiency – Crops are adversely affected by droughtiness caused by low soil water holding capacity or insufficient precipitation".*

20% 3A *"Land in this class has limitations that require moderately intensive management practices for moderately restrict the range of crops, or both" and "Soil Moisture Deficiency – Crops are adversely affected by droughtiness caused by low soil water holding capacity or insufficient precipitation".*

Soil Classification (1: 20,000)

The subject property is identified on the BC Soil Capability for Agriculture Map as having a rating of 8PY and 2CN indicating the following:

80% PY: *"Pandozy: Land: Nearly level and very gently sloping fluvial fan deposits; Texture: 100 cm or more of very gravely loamy sand or very gravely sand; Drainage: dominantly imperfect, ranging to moderately well; fluctuating groundwater table; and Classification: Gleyed Regosol".*

20% CN: *"Cameron Lake: Land: nearly level and very gently sloping fluvial fan deposits; Texture: 10 to 100 cm or more of sandy loam or loamy sand over gravely sand; Drainage: dominantly imperfect, ranging to moderately well; fluctuating water table; Classification: Gleyed Regosol".*

6.0 POLICY AND REGULATION

6.1 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".

6.2 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."

6.3 City of Kelowna Agriculture Plan

The Plan states:

"Highway 97 Corridor – Rutland Flats Area:

The ALR generally bound by old Vernon Road on the north, the toe of the Rutland benches on the east, Fitzpatrick Road on the south and including the lands between Highway 97 and Mill Creek southward to Cary Road are not classified for tree fruits on the CSMTF. This area is generally considered as not suited to tree fruits due to the frequency of early low winter temperatures and risk of spring frost."

"This does not preclude the suitability for a wide range of other crops, however. These lands have a long production history for various vegetables, turf, strawberries, raspberries, nursery crops, as well as greenhouses that produce tomatoes, cucumbers, potted plants and bedding plants. These lands are also suited to the production of ginseng and other medicinal crops, greenhouses, mushrooms, nursery crops, Christmas trees, forages and various types of livestock enterprises." (p. 50)

7.0 WORKS AND UTILITIES COMMENTS

The storage of building materials on the subject property does no compromise Works and Utilities servicing requirements.

8.0 PLANNING AND DEVELOPMENT SERVICES COMMENTS

The applicant seeks permission to legitimize the existing outdoor storage of building materials on the subject property. If this non-farm use is approved by the Agricultural Land Commission, an application to rezone the subject property from A1 Agriculture Zone to the I2 General Industrial Zone would be required. Staff cannot support this ALR application or any future request for rezoning because it is contrary to the objectives of the Official Community Plan and Agricultural Plan.



R. G. Shaughnessy
Subdivision Approving Officer

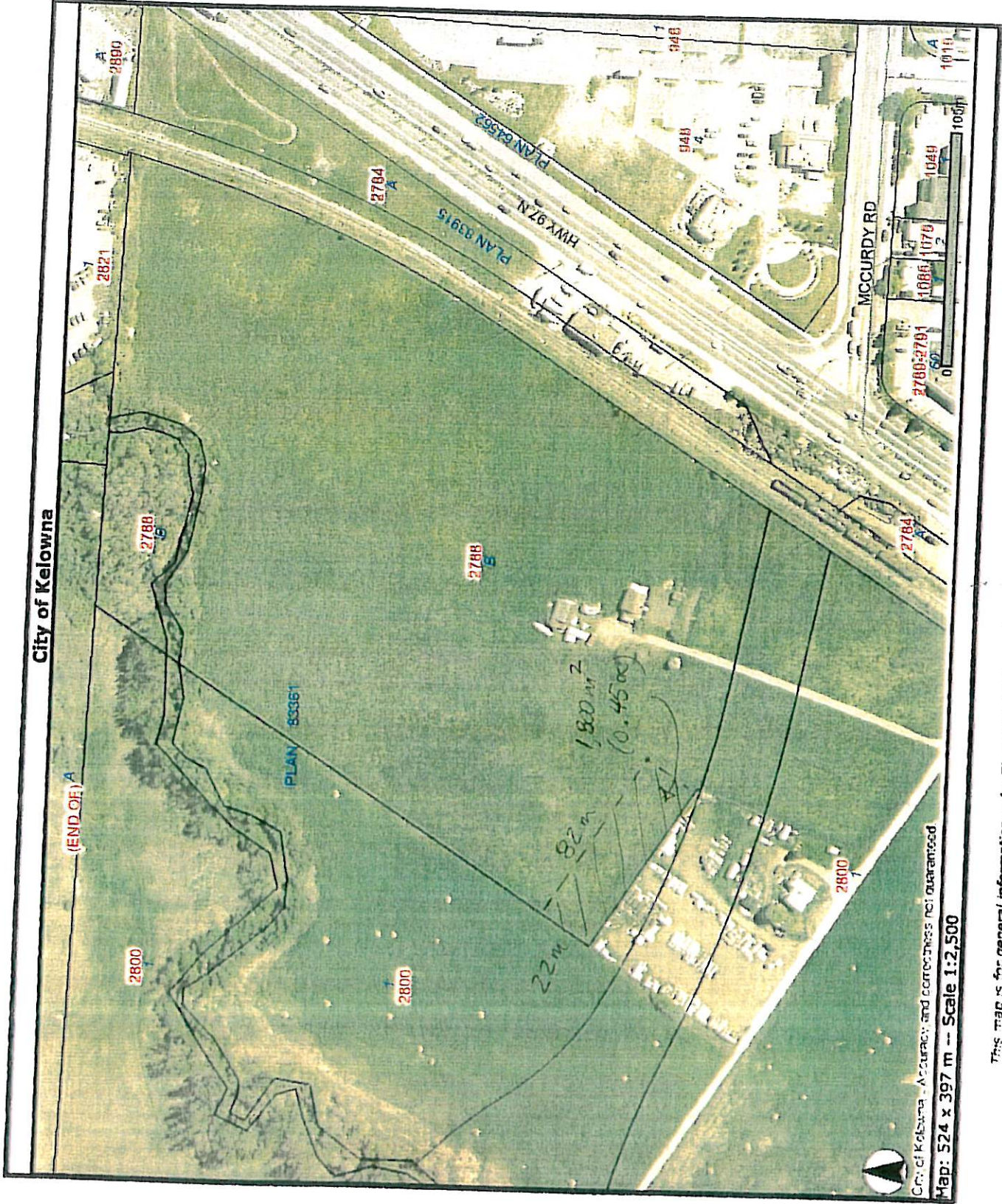
Approved for Inclusion


David L. Shipclark
Acting Director of Planning & Development Services

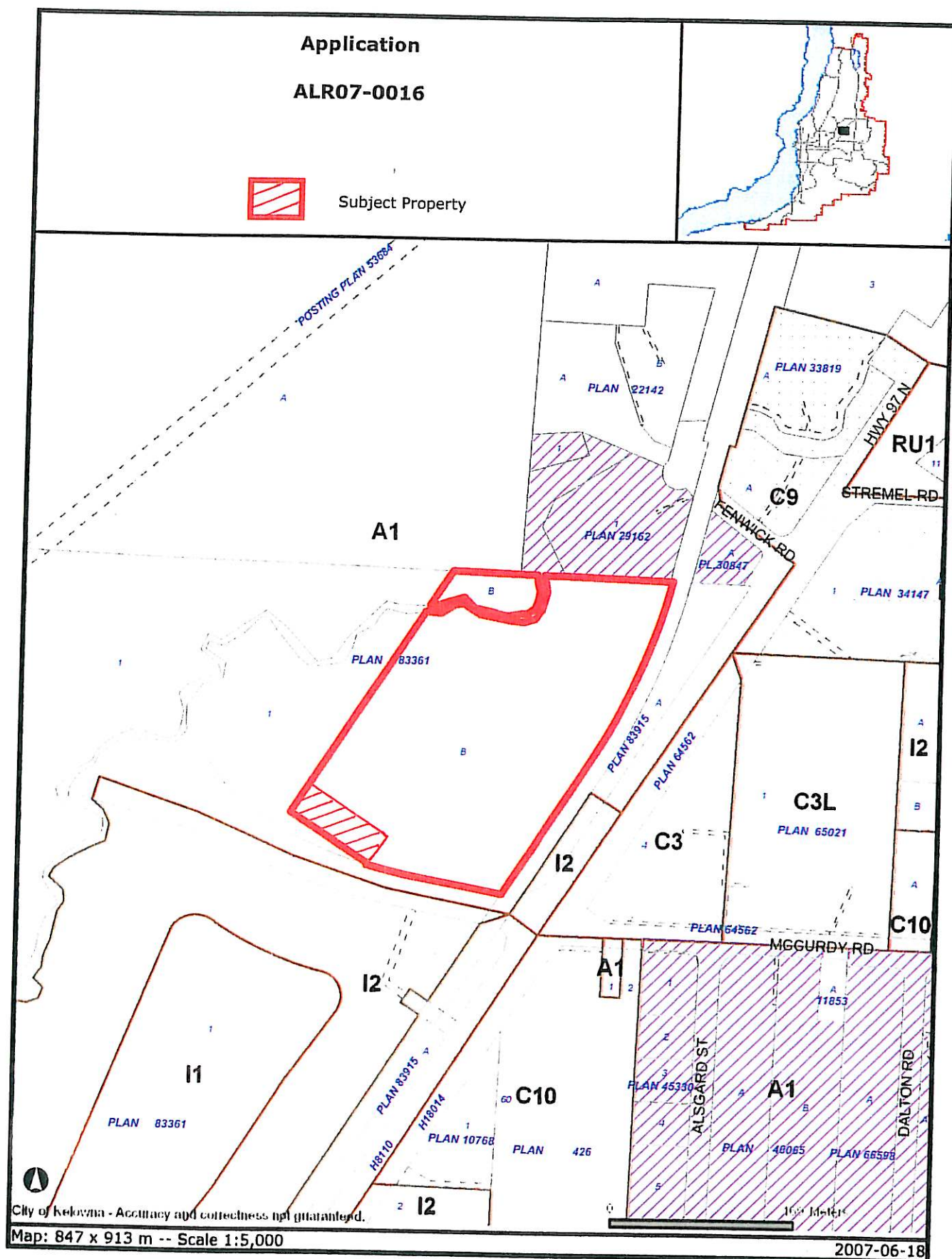
RGS/cg

ATTACHMENTS

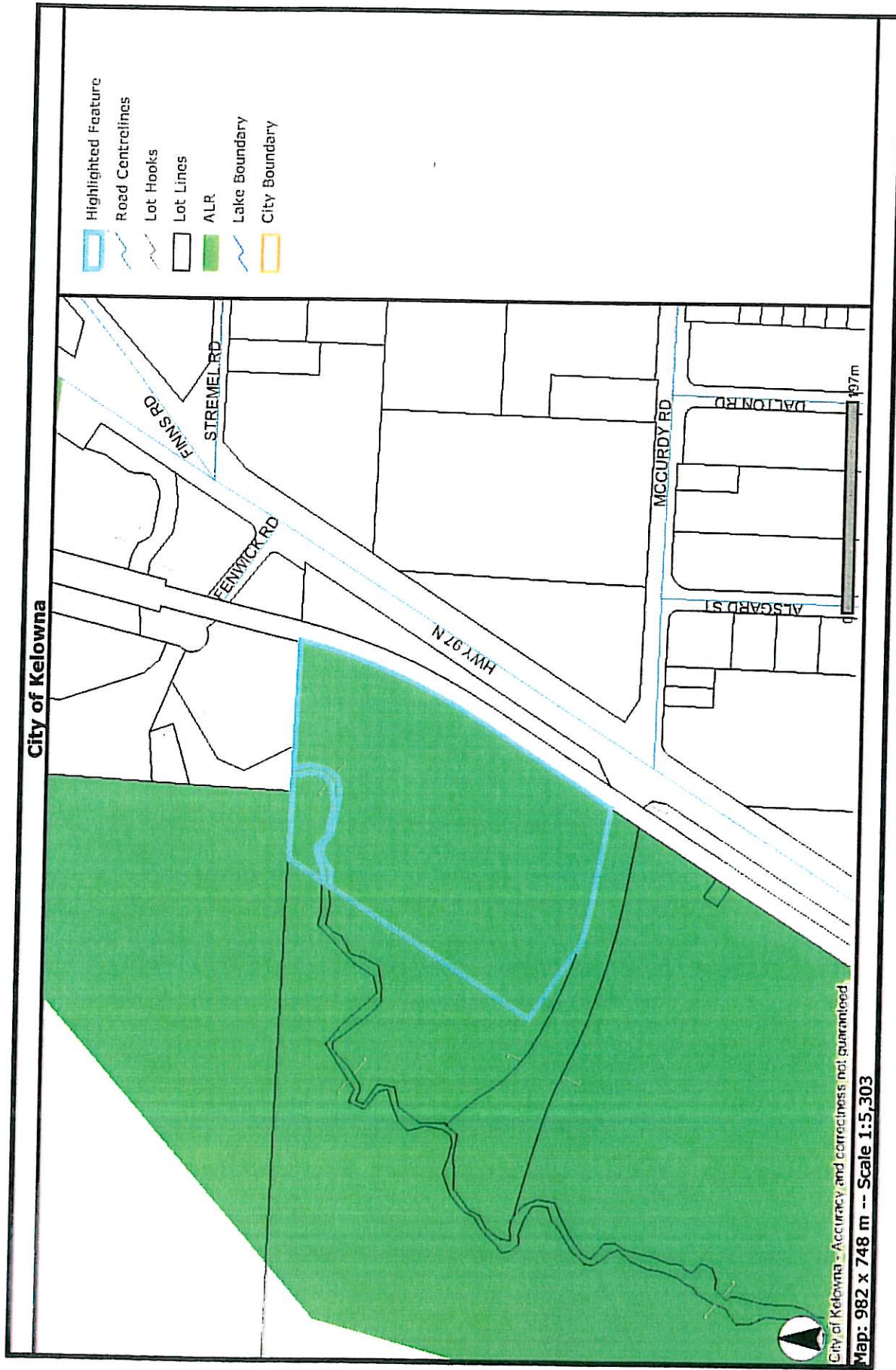
- A - ALC Application by Land Owner (3 pages)
- B - Location Map
- C - ALR Map
- D - Future Land Use Map
- E - Generalized Zoning Map
- F - Orthophoto (1: 2,743) with 1 m Contours
- G - Slope Map
- H - Land Capability Map
- I - Soil Classification Map



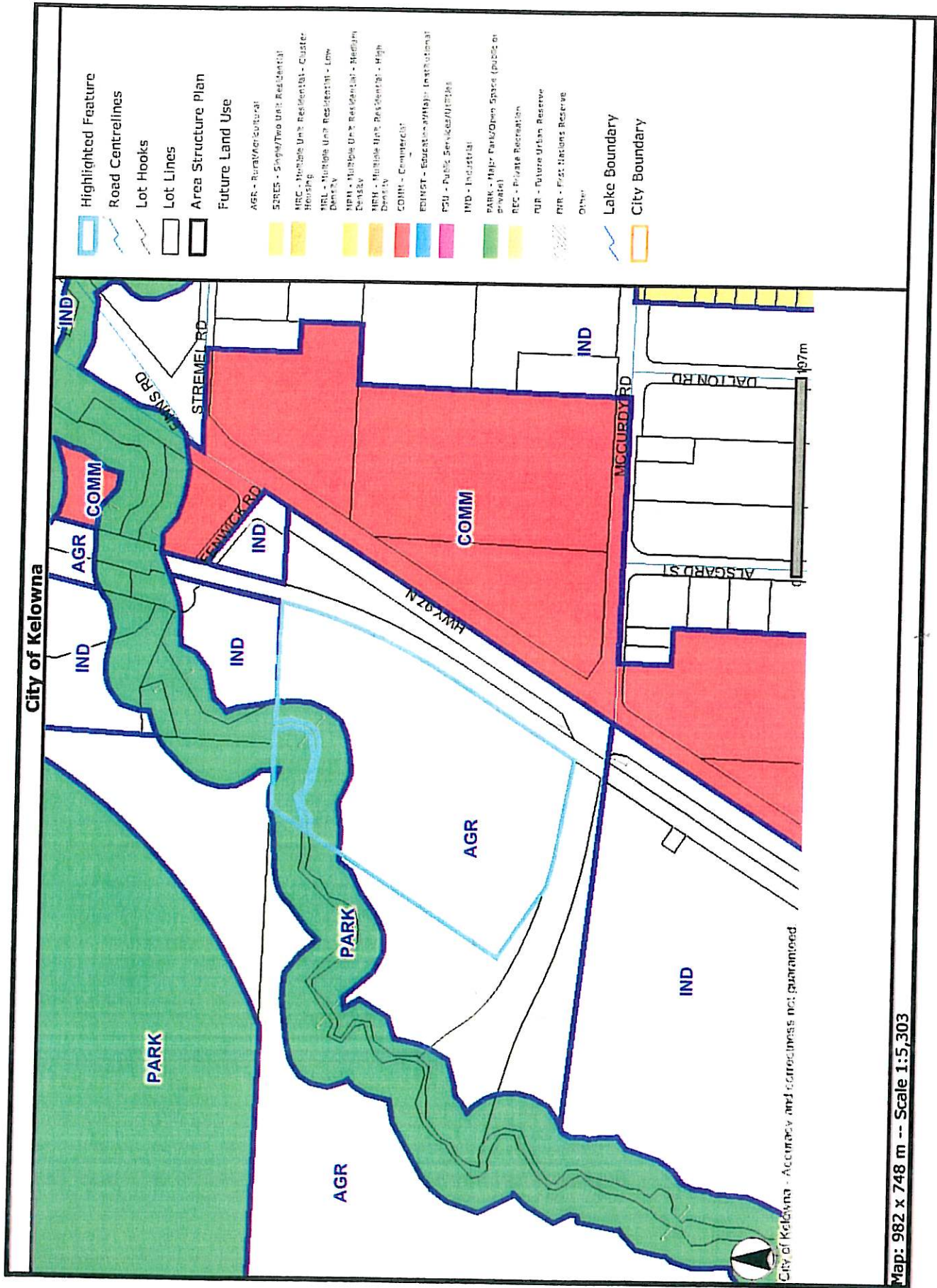
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Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.
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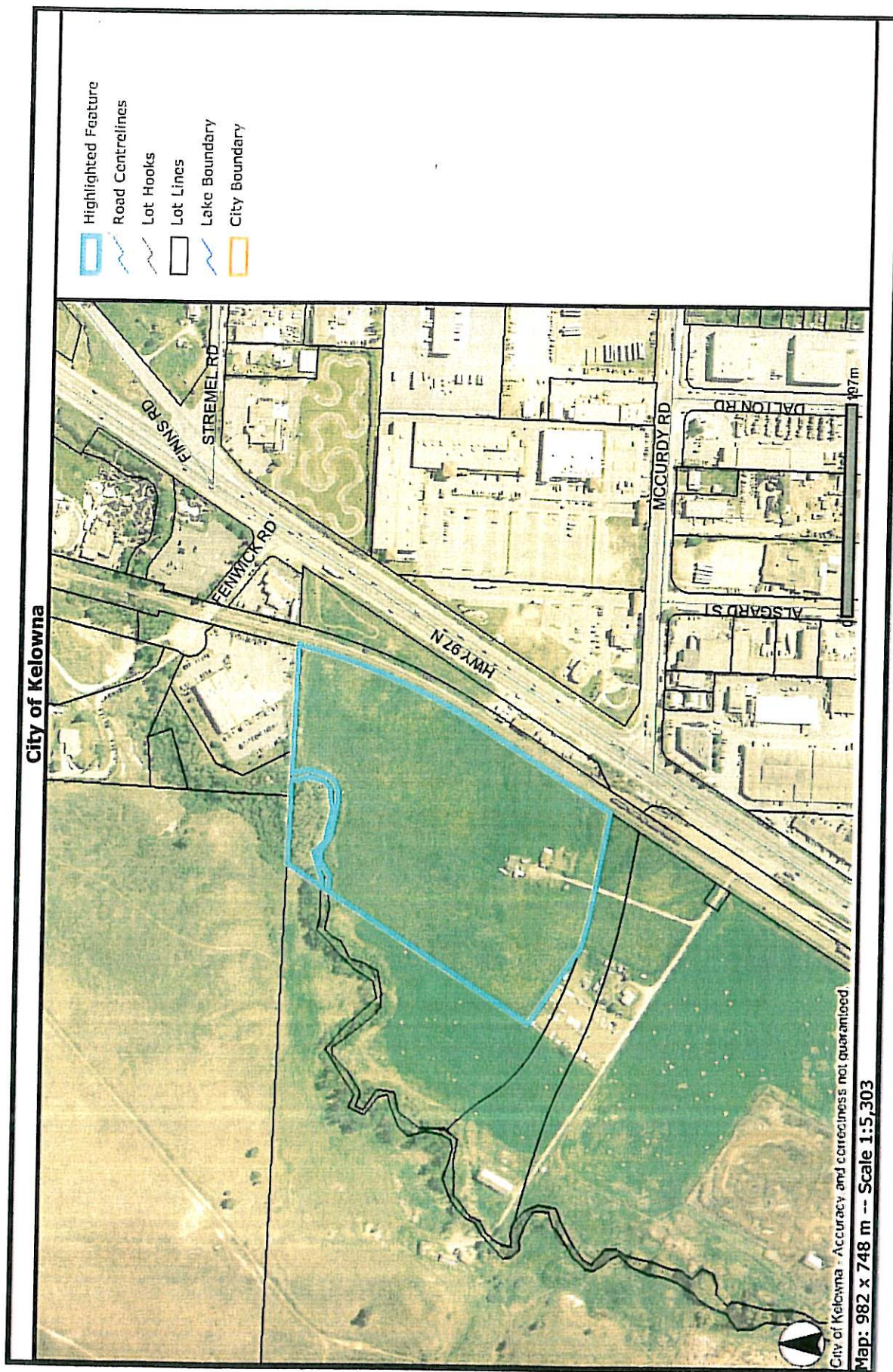


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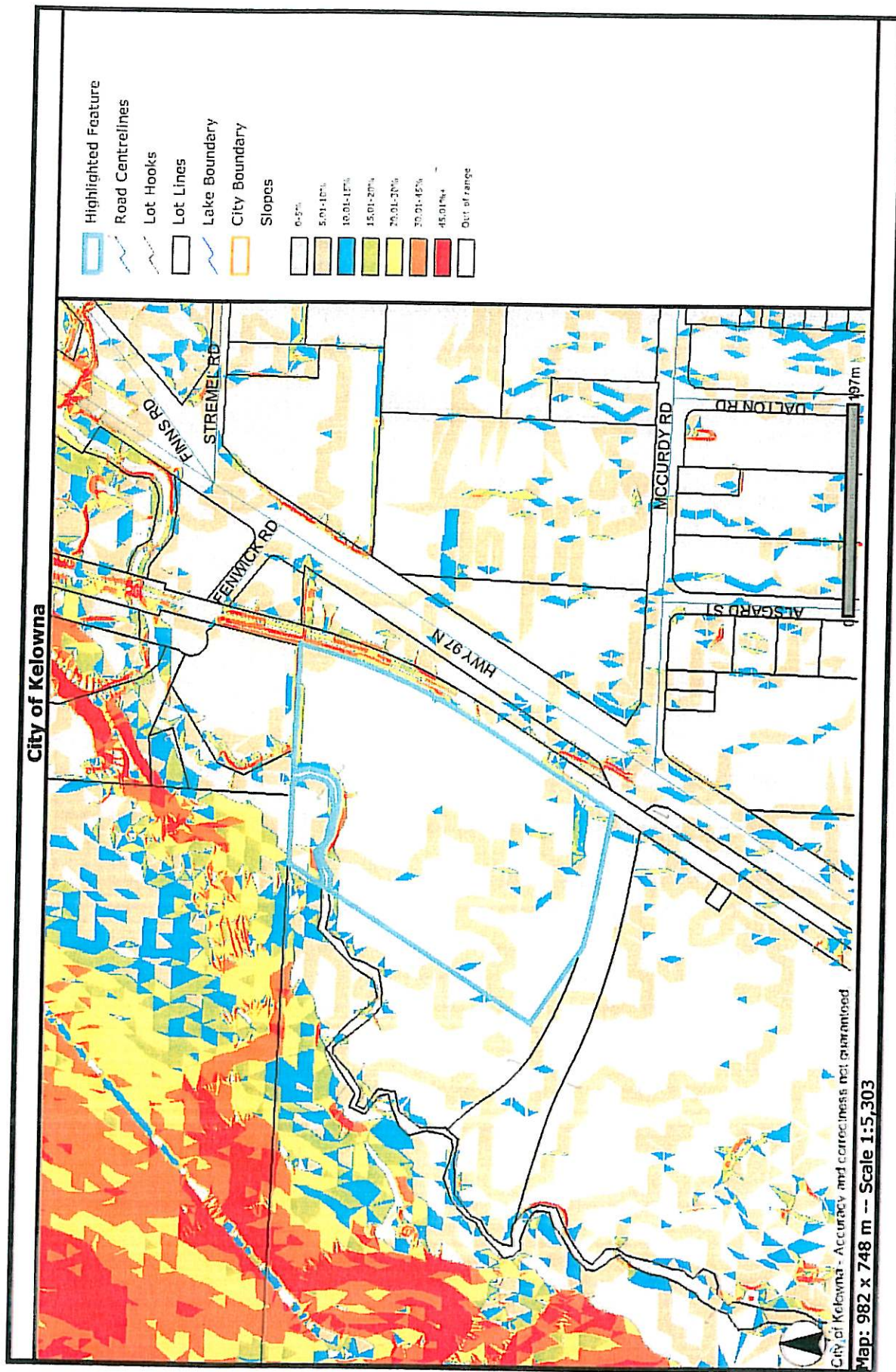


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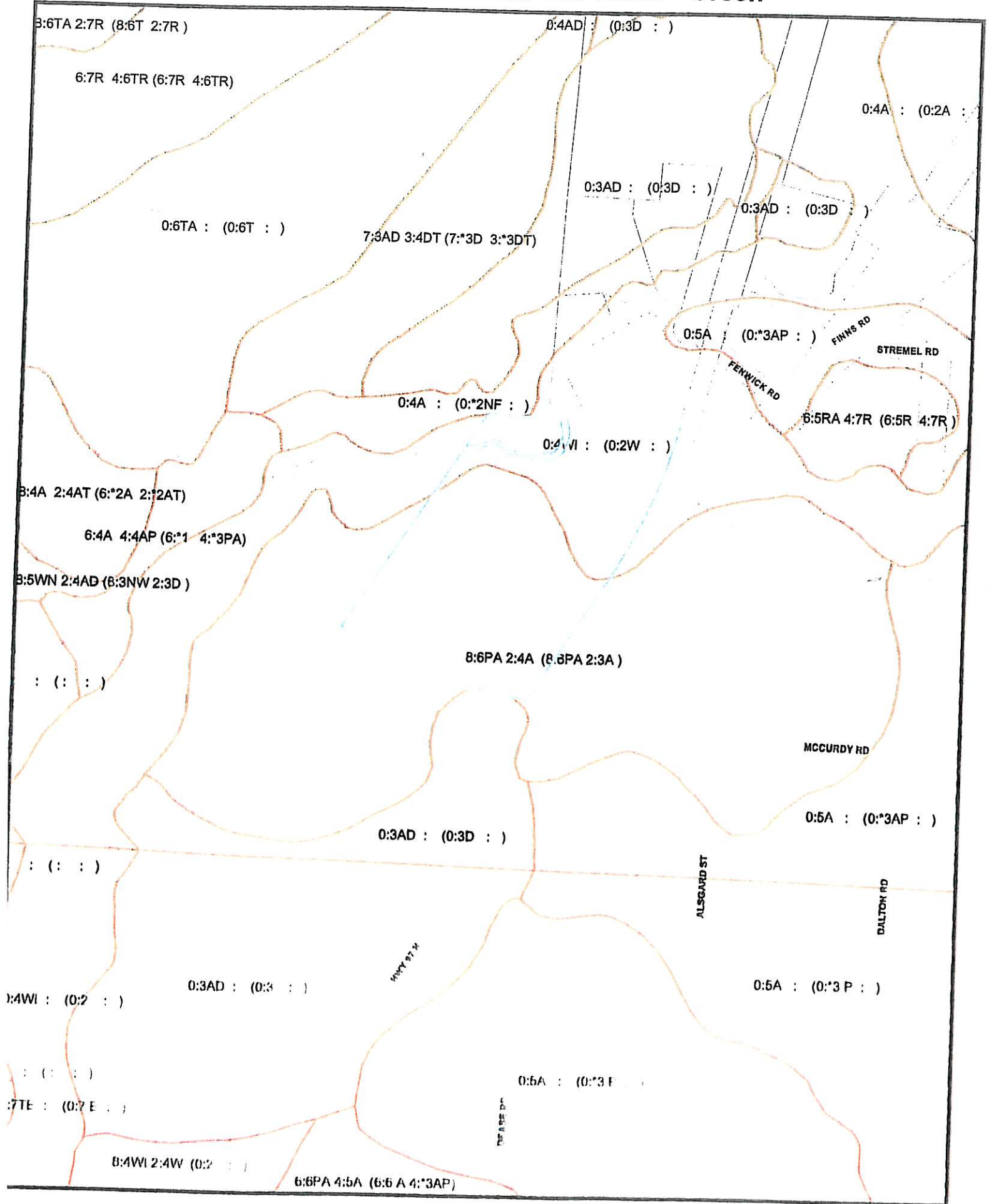
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Land Capability = Brown/ Soil Class = Green

ATTACHMENT H



Land Capability = Brown/ Soil Class = Green

ATTACHMENT I

