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

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**Date:** October 21, 2007  
**File No.:** A07-0017  
**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** Joan Kitaura **APPLICANT:** Jackie Yates  
**AT:** 1390 & 1496 Geen Road  
**EXISTING ZONE:** A1 – Agriculture 1  
**REPORT PREPARED BY:** Nelson Wight

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**1.0 RECOMMENDATION**

THAT Agricultural Land Reserve Appeal No. A07-0017 for Lot 4 and Lot 7, Block 19, Section 14, Township 26, O.D.Y.D., Plan 1380, located on Geen Road, Kelowna, B.C. for a homesite severance 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 applicant is requesting permission from the Agricultural Land Commission (ALC) to allow a homesite severance subdivision, using land from two adjacent parcels. The proposed homesite severance parcel is 0.7 ha (1.7 ac) in size, leaving a 3.48 ha (8.60 ac.) remainder parcel and a 3.75 ha (9.26 ac.) parcel (see attached Sketch Plan).

**3.0 AGRICULTURAL ADVISORY COMMITTEE**

At a meeting held on October 11, 2007, the Agricultural Advisory Committee made the following recommendation:

THAT the Agricultural Advisory Committee support Application No. A07--0017 for Lot 4 and Lot 7, Block 19, Section 14, Township 26, O.D.Y.D., Plan 1380, located on Geen Road, Kelowna, B.C. for a homesite severance subdivision within the Agricultural Land Reserve pursuant to Section 21(2) of the Agricultural Land Commission Act.

**4.0 SITE CONTEXT**

The subject properties are located on Geen Road, which is in the Belgo area. The existing farmyard occupies the 0.7 ha area that is being requested for the homesite severance parcel. The remaining land accommodates an existing orchard. Although the land is in two separate titles, it functions together as one farm unit, with the homesite straddling the property boundary between the two lots.

The farm yard includes one single-family dwelling, barn, detached garage, and a second residence, described as a "picker's cabin".

Parcel Size (Lot 7): 4.1 ha (10 ac)  
Parcel Size (Lot 4): 3.8 ha (9.5 ac)

Elevation: 470 m – 500 m

### BCLI Land Capability

The majority of the subject property has an unimproved land capability rating of Class 4 (75%), with some areas rated as Class 6 (15%) and Class 3 (10%). "Soil moisture deficiency" is identified as the primary limiting factor, and "adverse topography" is also noted as a limiting factor, particularly on the lower rated areas. Consequently, through irrigation, the land rating on the majority of the land base improves to Class 2 ( $\pm$  75%). Those Class 6 and Class 3 areas ( $\pm$  25% combined) do not have an improved rating, given the limiting factor relates to adverse topography (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                                                                                                                                                                                                 |
|-----|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 66% | OY - Oyama     | <u>Land</u> : very gently to extremely sloping fluvioglacial deposits; <u>Texture</u> : 100 cm or more of sandy loam or loamy sand grading to sand; <u>Drainage</u> : rapid.                                |
| 16% | DH - Dartmouth | <u>Land</u> : nearly level to very steeply sloping fluvioglacial deposits; <u>Texture</u> : 25 to 60 cm of sandy loam or loam over gravely sandy loam or gravely loamy sand <u>Drainage</u> : well to rapid |
| 15% | R - Rutland    | <u>Land</u> : very gently to strongly sloping fluvioglacial deposits. <u>Texture</u> : 10 to 25 cm of sandy loam or loamy sand over gravely loamy sand or very gravely sand. <u>Drainage</u> : rapid.       |
| 3%  | KE - Kelowna   | <u>Land</u> : moderately and strongly sloping glacial till. <u>Texture</u> : 10 to 30 cm of loam or sandy loam veneer over gravely sandy loam or gravely loam. <u>Drainage</u> : well.                      |

### Zoning of Adjacent Property

|       |                    |
|-------|--------------------|
| North | A1 – Agriculture 1 |
| East  | A1 – Agriculture 1 |
| 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.

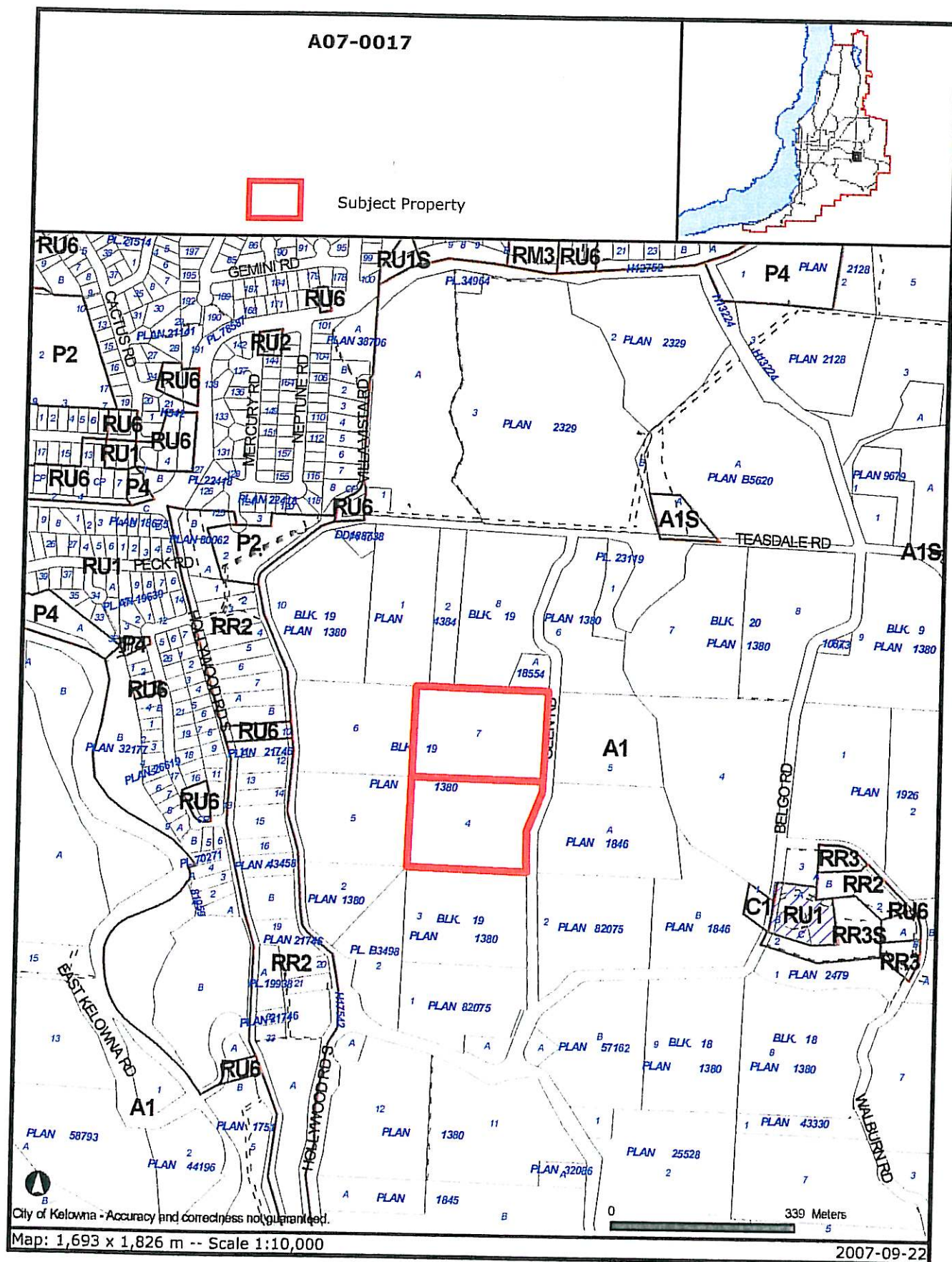
Staff has no concerns with this application, given that the owner has owned this property prior to 1972. The proposed property boundaries also appear reasonable, given that they encompass the homesite, including the septic field, and accessory buildings.

  
Shelley Gambacort  
Current Planning Supervisor

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**ATTACHMENTS (10 pages)**

Subject Property Map  
ALR Map  
Proposed Subdivision  
Application by Land Owner (2 pages)  
Letter of Rationale from Applicant  
Air Photo  
Land Capability Map  
Soil Classification 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.



**SKETCH PLAN SHOWING PROPOSED HOME SITE SEVERANCE  
AND LOT LINE ADJUSTMENT UPON**

**LOTS 4 & 7, BLOCK 19, SECTION 14, TOWNSHIP 26,  
PLAN 1380, OSOYOOS DIVISION, YALE DISTRICT,  
BRITISH COLUMBIA  
P.I.D. 011-611-685**

**CIVIC ADDRESS**

#1396 GEEN ROAD  
KELOWNA, B.C.

orchards

Orchards

Resident

LOT 1

LOT 2

REM LOT 8

PLAN 1380

LOT A

PLAN 18554

PLAN 4384

245.24

LOT 6

LOT 7

4.091 ha.

LOT A

3.746 ha.

Orchards

242.83

115.00

septic  
field

garage / gas tank

LOT B

0.701 ha.

house

veg  
garden

picker  
b.com.

60.98

BLOCK 19  
PLAN 1380

31.03 GEEN ROAD 167.76

Agricultural

LOT 5

LOT C

3.482 ha.

LOT 4

3.838 ha.

167.64

60.59

62.91

16.98

221.41

LOT 2

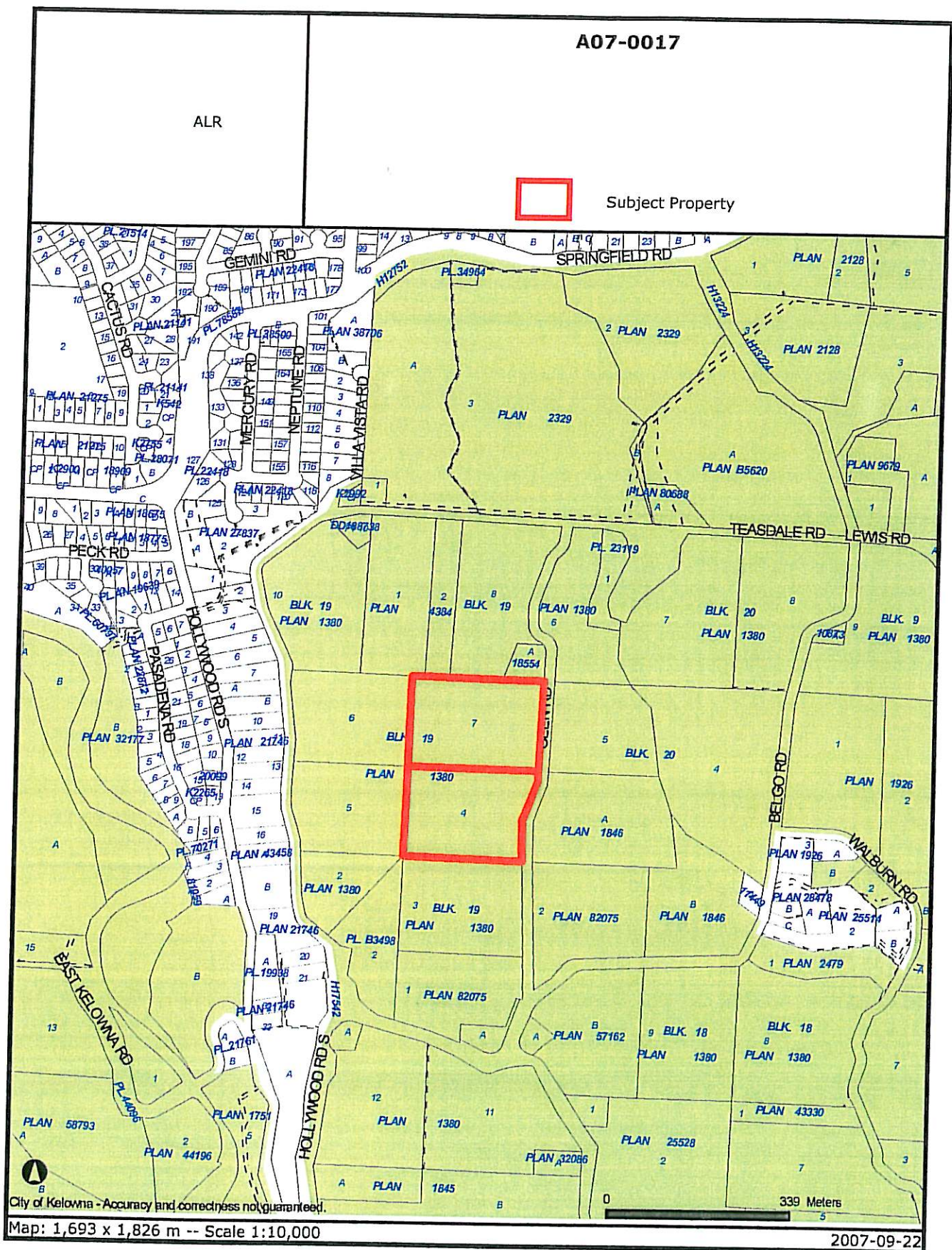
LOT 3

0 40 80 120

SCALE 1:2000 DISTANCES METRIC

Ponderoka Consulting  
4661 Stewart Road East  
Kelowna, B.C. V1W 4C1  
Ph. & Fx. 764-2656 File

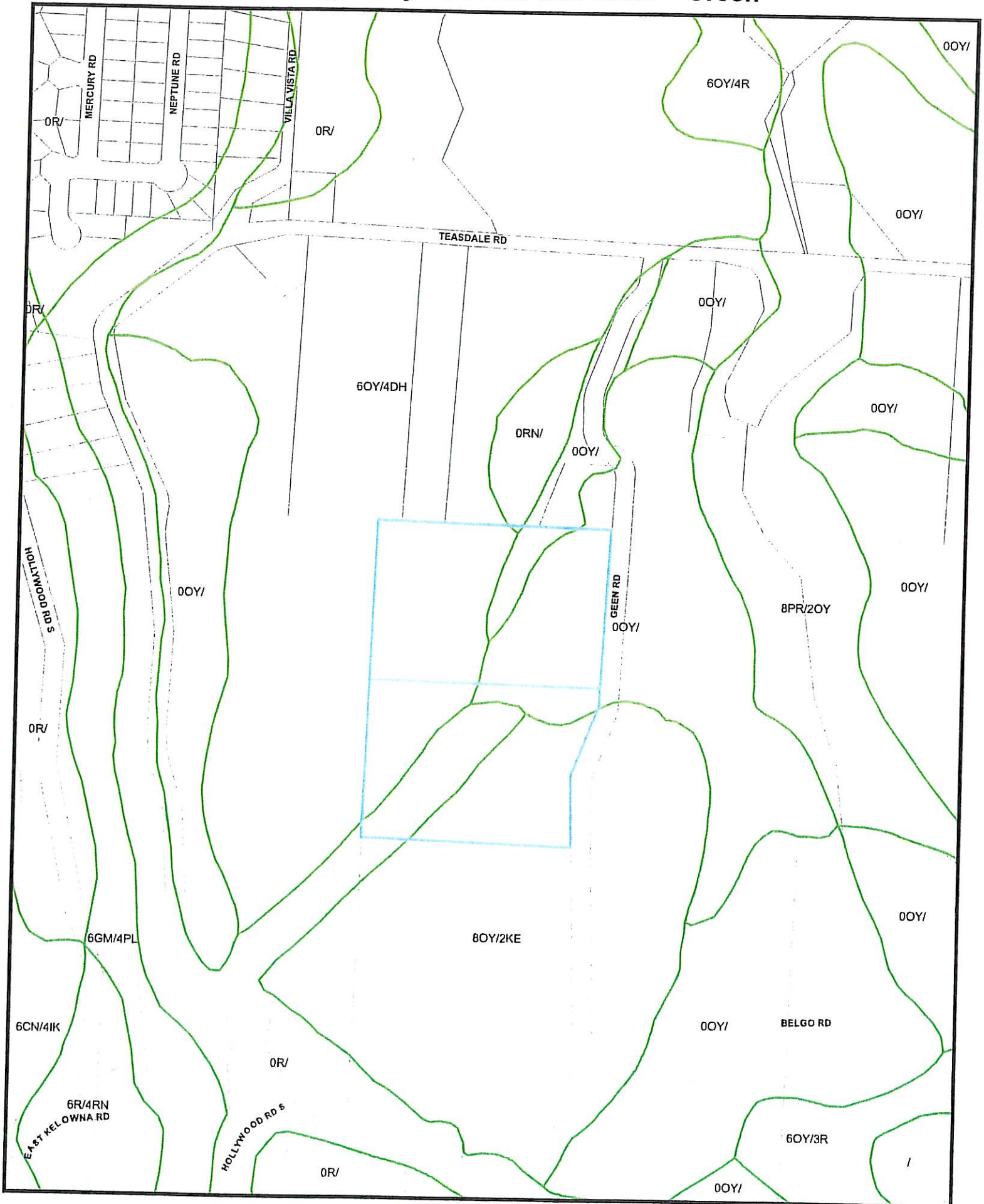




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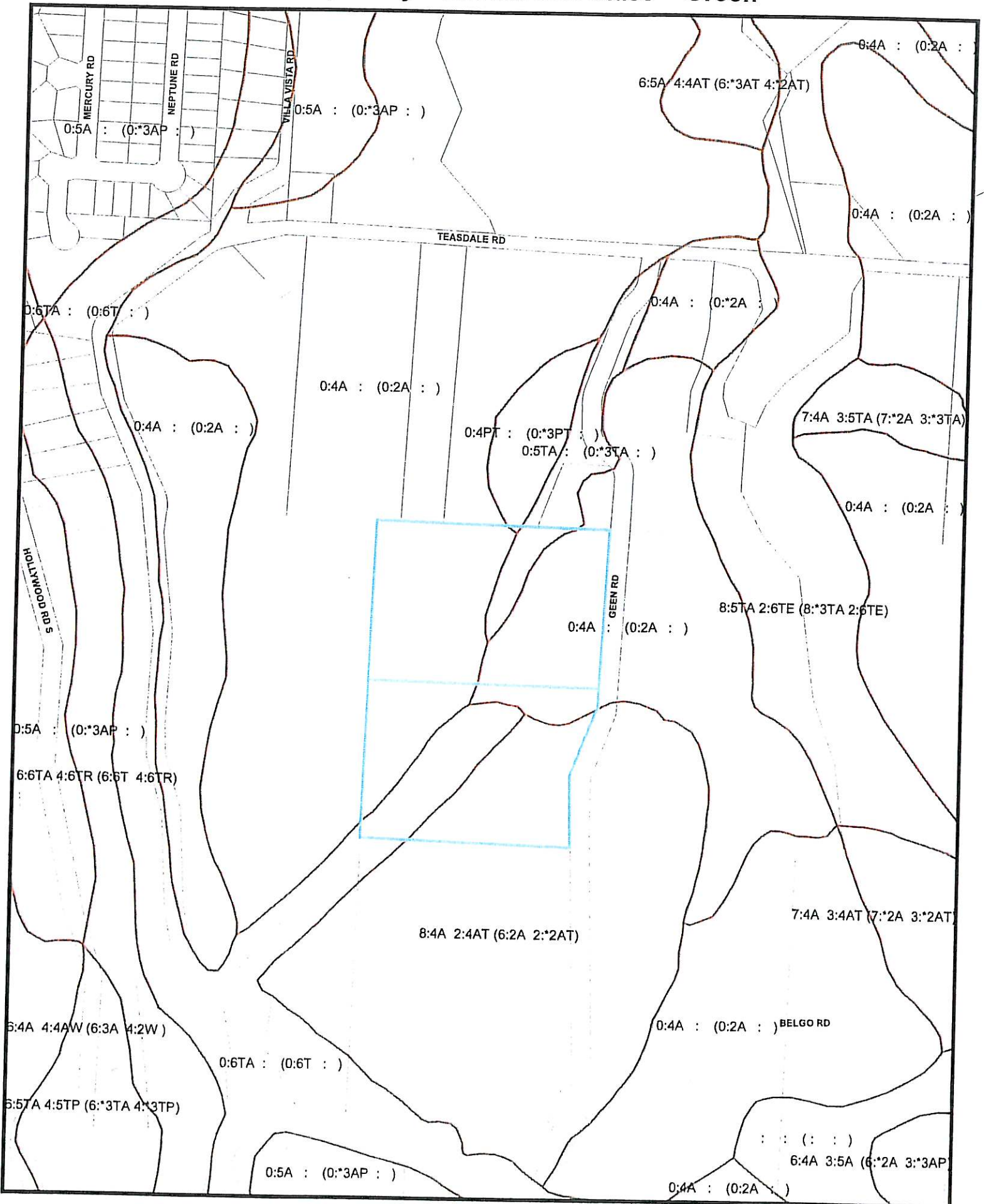


Land Capability = Brown/ Soil Class = Green



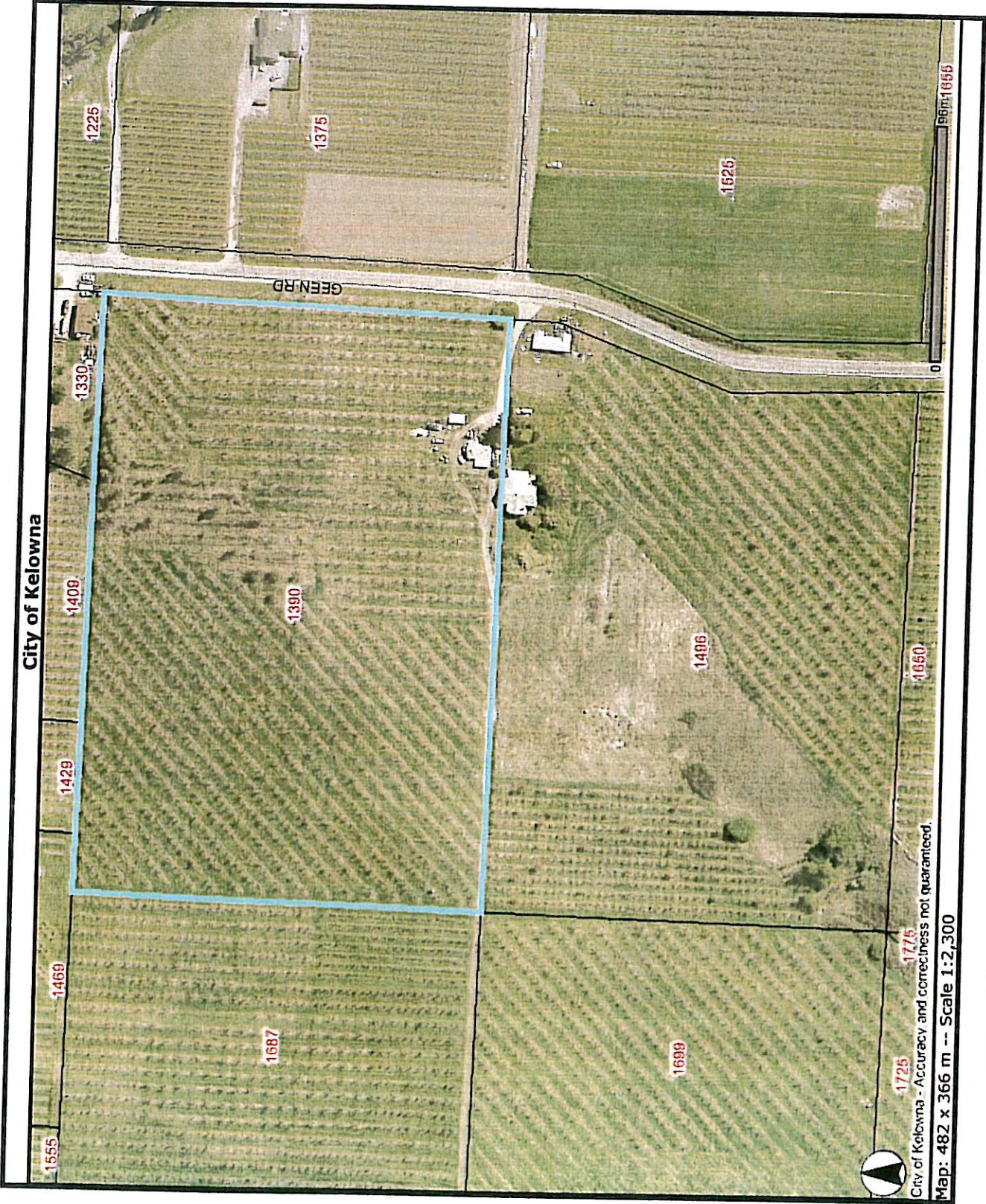
1:5,000

# Land Capability = Brown/ Soil Class = Green



1:5,000





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Letter of Intent

June 11, 2007

To: The Agricultural Land Commission

RE: 1390 & 1496 Geen road, Kelowna B.C. Home site severance

The two lots have been farmed by the Kitaura Family since the purchase of it in 1965. The State of the Title Certificates shows the registered owners in fee simple: James Jinichiro Kitaura and Joan Hideko Kitaura as joint tenants. James Kitaura has since passed on and his wife Joan is now the sole owner.

Joan would like a home site severance straddling the 2 lots which operate as one agricultural unit. See map attached.

The current property line separating lots 7 & 4 is situated very close to the family home. The family home, personal vegetable garden and barn are separated by the current property line from the garage, gas tank, and home septic field. See sketch plan showing proposed home site severance and lot line adjustment upon lots 4 & 7.

Joan wishes to continue to enjoy living in her family home which she has resided in for 42 years. Joan will be selling the remainder of lot 7 to a prospective purchaser and will be selling the remainder of lot 4 to her children.

Thank you for your consideration.

Most Sincerely,



Jackie Yates  
Agent / Daughter

