
CITY OF KELOWNA
MEMORANDUM

Date: August 19, 2008
File No.: A08-0007
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 Harold and Grace Hartfield **APPLICANT:** Harold and Grace Hartfield
AT: 1335 Gibson Rd
EXISTING ZONE: A1 – Agriculture 1
REPORT PREPARED BY: Carlie Ferguson

1.0 RECOMMENDATION

THAT Agricultural Land Reserve Appeal No. A08-0007 for Lot 2, Section 36, Township 26, O.D.Y.D., Plan 4060, located on Gibson 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;

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

2.0 SUMMARY

The applicant is requesting permission from the Agricultural Land Commission (ALC) to allow a homesite severance subdivision. The proposed homesite severance parcel is 0.4 ha (1 ac) in size, leaving a 3.5 ha (8.7 ac) remainder parcel (see attached Homesite Severance Proposal – Map 'C').

3.0 AGRICULTURAL ADVISORY COMMITTEE

At a meeting held on August 14th, 2008, the Agricultural Advisory Committee passed the following recommendation:

THAT the Agricultural Advisory Committee **support** Application No. A08-0007, as presented by the Applicants, for 1335 Gibson Road, by Harold and Grace Hartfield to obtain approval from the Agricultural Land Commission under Section 21(2) of the *Agricultural Land Commission Act* to complete a homesite severance subdivision.



4.0 SITE CONTEXT

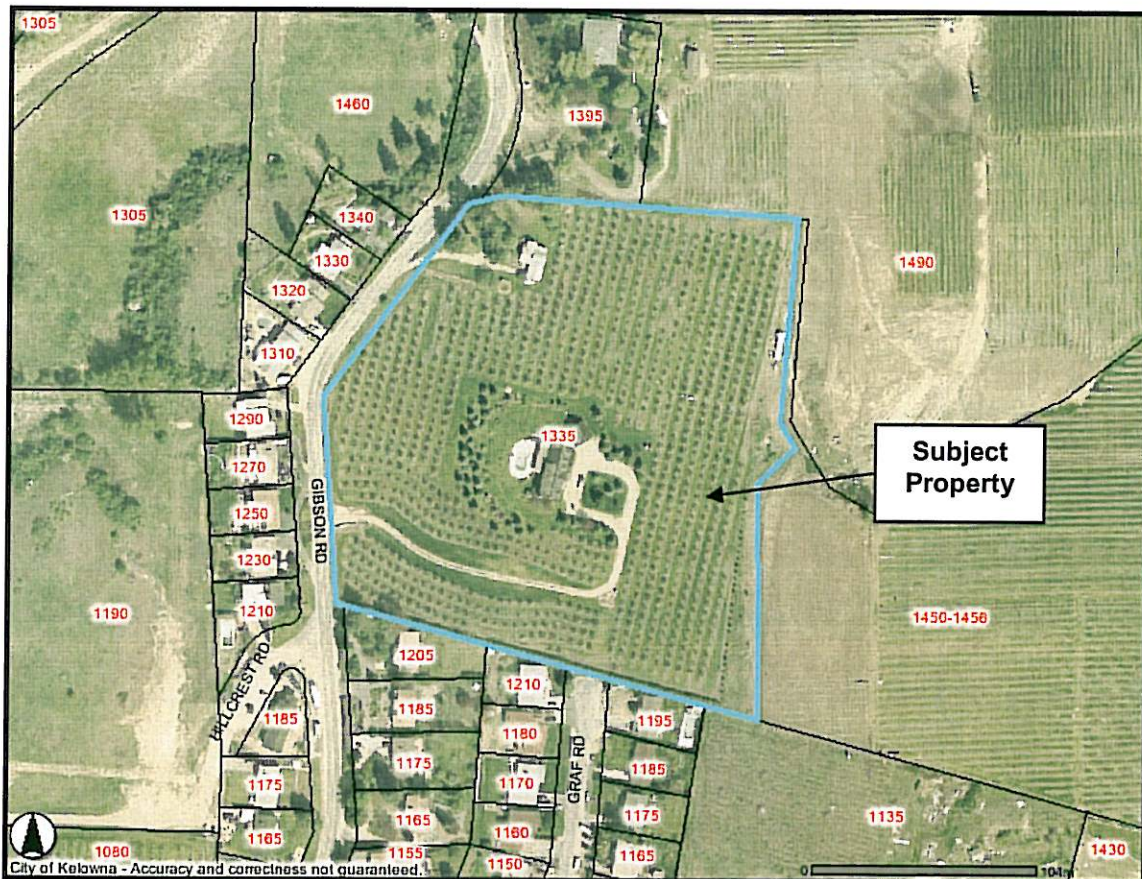
The subject property is located on the east side of Gibson Road, south of McCurdy Road E, in the Rutland sector of the City. The property is within the Agriculture Land Reserve (ALR) and is surrounded by properties within the ALR on the northern and eastern boundary. Properties located to the west and south have been developed as rural residential. There are two separate residences located on the subject property; one located within the 0.4 ha area that is being requested for the homesite severance parcel and the other is located in the center of the subject property (see Site Location Map below). The remainder of the property is currently used for an active cherry orchard. The applicant will continue to live on the portion of the property proposed to be severed while the remainder will be sold as evident by a Multiple Listing Contract that has been provided as documentation.

Parcel Size: 3.9 ha (9.7 ac)
Elevation: 490 m – 515 m

Zoning of Adjacent Property

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

Site Location Map 1335 Gibson Rd



BCLI Land Capability

The subject property has a mix of ratings regarding Land Capability with two notable areas (see attached Land Capability Map – Map 'D' copied from map 82E.094).

The northern half of the property has a Land Capability of Class 5 (100%) with "soil moisture deficiency" identified as a limiting factor. Consequently, through improvements such as irrigation, the land rating improves mostly to Class 2 (70%) with 'soil moisture deficiency' and "stoniness" as limiting factors and Class 3 (30%) with "soil moisture deficiency" as well as a "topography" as limiting factors.

The southern half of the property has a Land Capability of Class 4 (60%) with a "soil moisture deficiency" limiting factor, Class 4 (20%) with "soil moisture deficiency" and "topography" identified as limiting factors and Class 5 (20%) with a "soil moisture deficiency" limiting factor. Through improvements such as irrigation, the land rating improves to Class 1 (60%) with no limiting factors, Class 2 (20%) with a "topography" limiting factor and Class 3 (20%) with both "soil moisture deficiency" and "stoniness" limiting factors.

Soil Classification

The soil classification for the subject property is noted in the following table (see attached Soil Classification Map – Map 'E' copied from map 82E.094).

%	Soil Type	Description
100%	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.

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 applicants have owned the subject property since June 1971 and have provided documentation showing their intent to sell the remaining parcel making them eligible for a homesite severance.

Notably, ALC policies state that consideration of any homesite severance be reviewed in the context of the overall agricultural integrity of the parcel, where the size and configuration will, in the Commission's opinion, constitute a viable agricultural remainder.

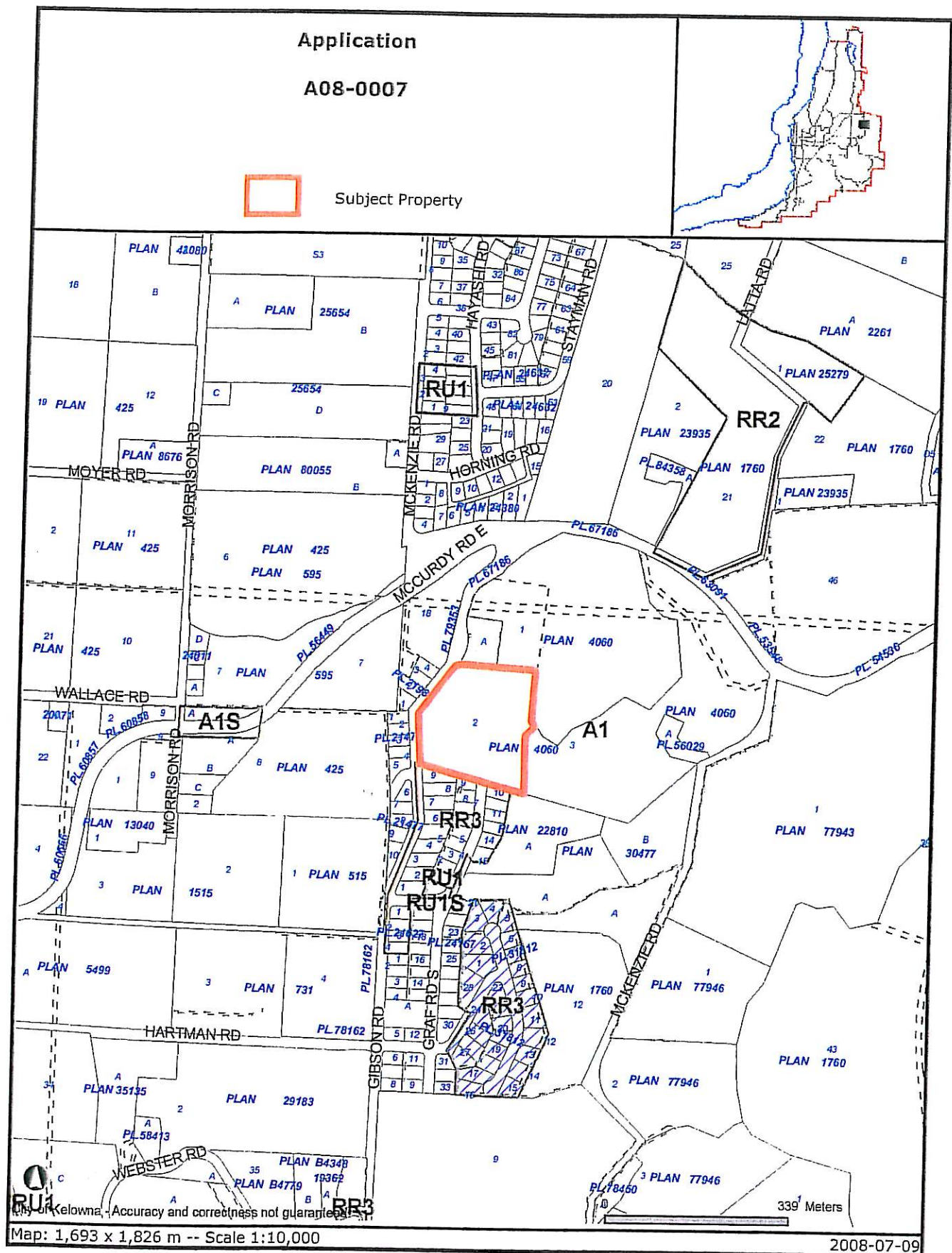


Danielle Noble
Current Planning Supervisor

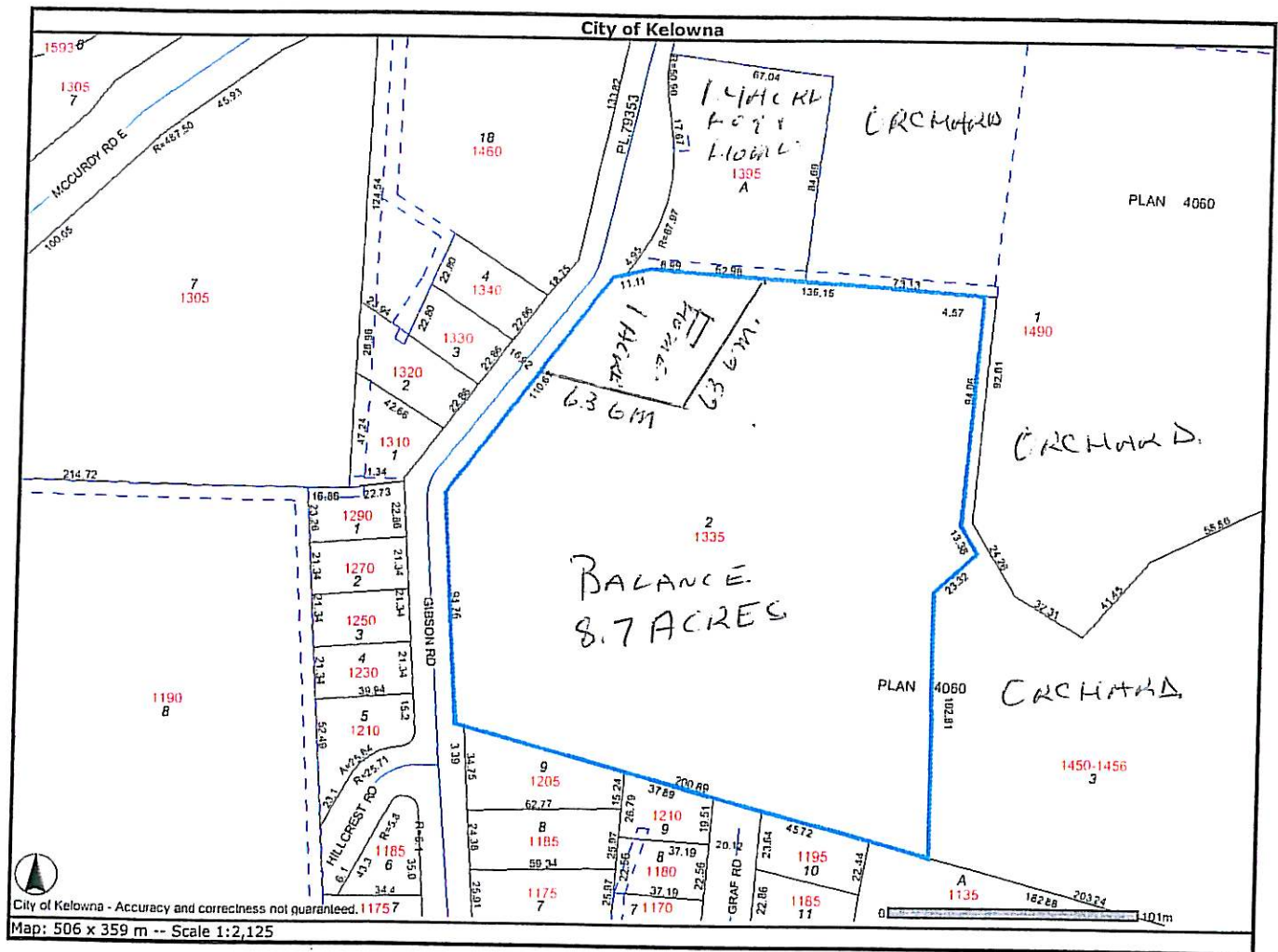
ATTACHMENTS

Subject Property – Map 'A'
ALR Map – Map 'B'
Homesite Severance Proposal - Map 'C'
Land Capability Map – Map 'D'
Soil Classification Map – Map 'E'
Application by Land Owner (2 pages)



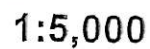






This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.

$$\begin{array}{rcl} \text{H.S.} & = & 0.4 \text{ ha} \\ \text{remainder} & = & 3.5 \text{ ha} \\ \hline \text{Total} & = & 3.9 \text{ ha} \end{array}$$



Map 'E'

