
CITY OF KELOWNA
MEMORANDUM

Date: March 10, 2009
File No.: A09-0002
To: City Manager
From: Community Sustainability Division
Purpose: To obtain approval from the Agricultural Land Commission under Section 20(3) of the *Agricultural Land Commission Act* for a non-farm use within the Agricultural Land Reserve to allow a FortisBC substation on a portion of the property.

OWNERS Kenneth Casorso & Belva Casorso **APPLICANT** New Town Planning Services
AT: 3985 Casorso Road
EXISTING ZONE: A1 – Agriculture 1
REPORT PREPARED BY: Andrew Browne

1.0 **RECOMMENDATION**

THAT Agricultural Land Reserve Appeal No. A09-0002 for Lot C Section 5 Township 26 ODYD Plan KAP58972, located at 3985 Casorso Road, Kelowna, B.C. for a non-farm use within the Agricultural Land Reserve, pursuant to Section 20(3) 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 non-farm use within the Agricultural Land Reserve in order to construct a FortisBC electrical substation to service residential and commercial growth in the surrounding area.

3.0 **AGRICULTURAL ADVISORY COMMITTEE**

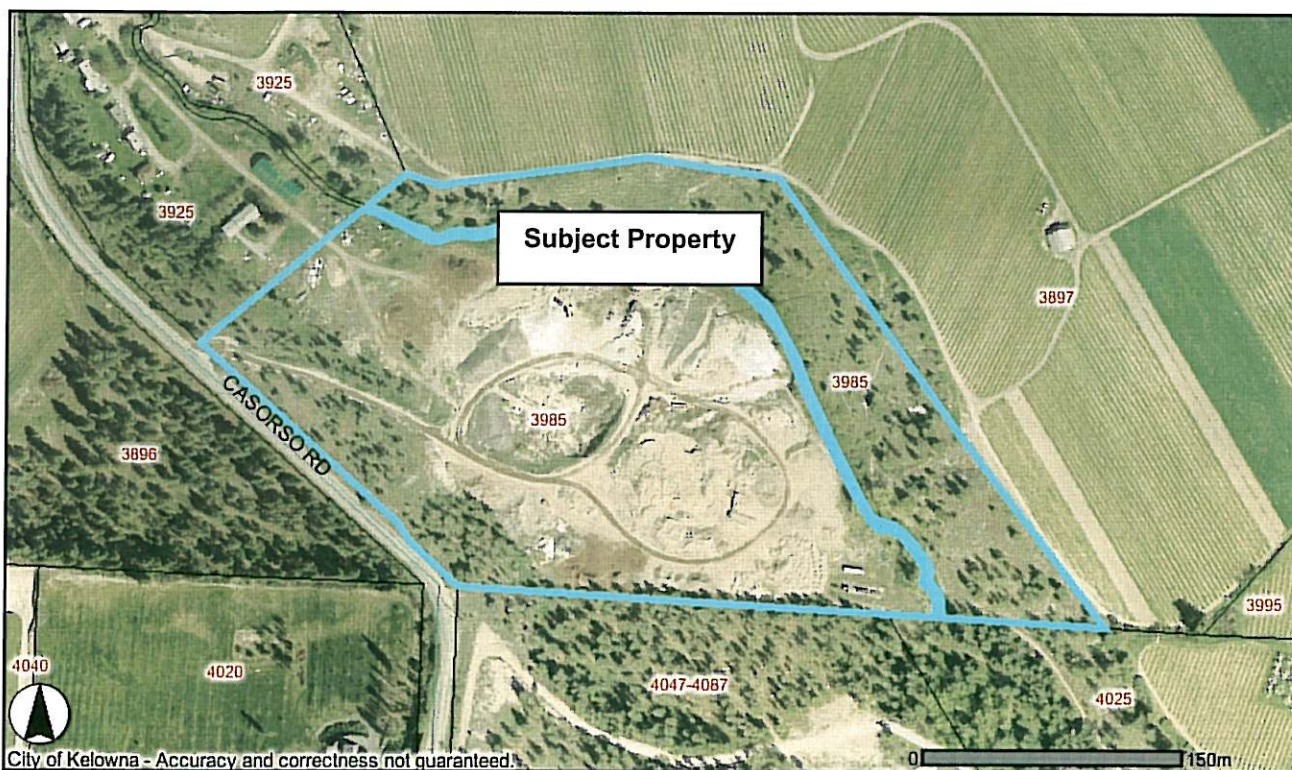
At a meeting held on March 5, 2009, the Agricultural Advisory Committee passed the following recommendation:

THAT the Agricultural Advisory Committee support Application No. A09-0002 for 3985 Casorso Road, Lot C, Plan 58972 New Town Planning (Keith Funk) to obtain approval from the Agricultural Land Commission under Section 20(3) of the *Agricultural Land Commission Act* for a non-farm use within the Agricultural Land Reserve to allow a FortisBC electrical substation on a portion of the property.

4.0 **SITE CONTEXT**

The subject property is located on the east side of Casorso Road, approximately one kilometre southeast from the Mission Creek Greenway. The parcel extends across Priest Creek and is

configured as a hooked lot where the creek crosses the parcel. Formerly, a gravel pit/quarry was in operation which is now utilized for asphalt and concrete recycling. Portions of the site are subject to Natural Environment, Hazardous Condition, and Wildland Fire Hazard Development Permit Areas. The site area is 8.88 hectares (21.9 acres) and the site elevation varies between 370-425 m.



4.1 Zoning of Adjacent Property

North	A1 – Agriculture 1, designated ALR
South	P3 – Parks and Open Space, designated ALR
East	A1 – Agriculture 1, designated ALR
West	A1 – Agriculture 1, designated ALR

4.2 BCLI Land Capability (Map 82E.083)

Portion of Site	Land Capability Rating, Unimproved	Land Capability Rating, with Improvements
1	100% Class 6 with topography limitations and soil moisture deficiency	100% Class 6 with topography limitations
2	80% Class 5 with soil moisture deficiency 20% Class 6 with excess water	80% Class 3 with stoniness and soil moisture deficiency 20% Class 4 with fertility limitations and excess water

3	70% Class 6 with topography limitations and soil moisture deficiency 30% Class 7 with topography limitations and erosion	70% Class 6 with topography limitations 30% Class 7 with topography limitations and erosion
4	100% Class 6 with topography limitations and soil moisture deficiency	100% Class 6 with topography limitations

4.3 Soil Classification (Map 82E.083)

Portion of Site	%	Soil Type	Description
1	100%	GM - Gammil	<u>Land</u> : Very gently to extremely sloping fluvioglacial deposits. <u>Texture</u> : 10 to 25 cm of sandy loam or loamy sand over very gravelly loamy sand or very gravelly sand. <u>Drainage</u> : Rapid.
2	80%	GM - Gammil	<u>Land</u> : Very gently to extremely sloping fluvioglacial deposits. <u>Texture</u> : 10 to 25 cm of sandy loam or loamy sand over very gravelly loamy sand or very gravelly sand. <u>Drainage</u> : Rapid.
	20%	GR - Gartrell	<u>Land</u> : Nearly level and very gently sloping fluvioglacial deposits in depressions. <u>Texture</u> : 60 to 100 cm of loam or sandy loam over gravelly sandy loam or gravelly loamy sand. <u>Drainage</u> : Dominantly poor, ranging to imperfect; fluctuating groundwater table and seepage.
3	70%	GM - Gammil	<u>Land</u> : Very gently to extremely sloping fluvioglacial deposits. <u>Texture</u> : 10 to 25 cm of sandy loam or loamy sand over very gravelly loamy sand or very gravelly sand. <u>Drainage</u> : Rapid.
	30%	GT – Greata	<u>Land</u> : Fluvioglacial veneer over gently to extremely sloping, stratified glaciolacustrine sediments. <u>Texture</u> : 30 to 100 cm of gravelly sandy loam or gravelly loam over silt loam or silty clay loam. <u>Drainage</u> : Well.
4	80%	KN – Knox Mountain	<u>Land</u> : Fluvioglacial veneer over gently to strongly sloping stratified glaciolacustrine sediments. <u>Texture</u> : 10 to 50 cm of sandy loam over banded silty clay loam, clay loam or loamy fine sand. <u>Drainage</u> : Well to rapid.
	20%	GM - Gammil	<u>Land</u> : Very gently to extremely sloping fluvioglacial deposits. <u>Texture</u> : 10 to 25 cm of sandy loam or loamy sand over very gravelly loamy sand or very gravelly sand. <u>Drainage</u> : Rapid.

5.0 **PROPOSAL**

The applicant proposes a FortisBC electrical substation to service residential and commercial growth in the surrounding area. It is anticipated that the Hollywood Road and Okanagan Mission substations will reach capacity by summer 2010 and a new substation is urgently required in order to ensure adequate supply and reliable delivery of electricity to customers in the south-end of the City.

FortisBC proposes to utilize a 2.02 hectare portion of the 8.88 hectare parcel. Of the 2.02 hectare lot, only 0.75 hectares are proposed for use as an electrical substation. An Official Community Plan amendment application and Zoning Bylaw amendment application are required to facilitate the utility land use and will proceed contingent on the approval of the non-farm use.

6.0 **POLICY AND REGULATION**

6.1 **Kelowna 2020 – Official Community Plan**

The subject property is designated as Rural / Agricultural for future land use.

Agriculture Policies:

Subdivision. Discourage the subdivision of agricultural land into smaller parcels, except where positive benefits to agriculture can be demonstrated.

Service Corridors. Minimize the impact of penetration of road and utility corridors through agricultural lands, utilizing only those lands necessary and to the maximum capacity prior to seeking new corridors.

Buffers. Provide for distinct boundaries that separate urban and rural uses by utilizing, where appropriate, roads, topographic features, watercourses, ditching, fencing, or small lot rural transition areas, as buffers to preserve larger farm units and areas.

Services and Utilities Policies:

Co-operative Efforts. Encourage co-operative planning efforts between the City and respective utility agencies.

Co-ordination of Facilities. Co-ordinate the delivery of electrical power, telephone, natural gas and cable television facilities to accommodate the needs of future growth.

7.0 **TECHNICAL COMMENTS**

7.1 **Policy & Planning**

No comments.

7.2 **Development Engineering**

Development Engineering Services has no comments at this point in time with regard to this application. It should be noted that road right of way is required along Casorso Road as part of the OCP Road Network. A comprehensive report will be provided at the time of Subdivision application if and when the Agricultural Land Commission agrees to the proposed development.

8.0 LAND USE MANAGEMENT DEPARTMENT

The subject property has a variety of land capabilities and soil classifications across the site. The applicant notes that significant environmental and geotechnical assessments have been completed for the site and that previous industrial activities have removed all original vegetation and supporting soil composition. No portion of the property is currently being used for agricultural purposes and given the site's condition such a use would be difficult to commence.

Seventeen potential substation sites were analyzed by FortisBC and ultimately the subject property was selected on the basis of detailed criteria outlined in the applicant's letter of rationale (attached). The Land Use Management department is not in a position to analyze the process or criteria that FortisBC utilized to select this site. However, the site selected would appear reasonable in that it does not impact agriculture on-site and minimizes visual impact by site planning with the existing topography.

The impact of the proposed electrical substation is mitigated by the sensitive site planning undertaken by the applicant in positioning the facility at the low point of the gravel pit. This location will help shield neighbours from the facility and serves to minimize any impact on the agricultural character of the area. While the electrical substation will be fenced, no additional fencing or screening landscaping is proposed. A Riparian Enhancement Area along Priest Creek is noted on the landscape plan.


Should the ALC approve this non-farm use application, an Official Community Plan amendment application and Zoning Bylaw amendment application would proceed to the Advisory Planning Commission and Council. During the rezoning process the riparian area of Priest Creek and the future trail corridor area need to be identified as P3 - Parks & Open Space in the applicant's proposed zoning plan.

Environmental mitigation, protection, and restoration requirements are being evaluated by the Land Use Management Department and are to be satisfied at the Zoning Bylaw amendment and Development Permit stage.



Danielle Noble
Urban Land Use Manager

Approved for inclusion:

 Shelley Gambacort
Director of Land Use Management



ATTACHMENTS

Location map of subject property
ALC Application by landowner (2 pages)
Letter of rationale (3 pages)
Site Legend, Land Capability, and Soil Classification maps (3 pages)
Proposed rezoning and subdivision plan
Proposed landscape plan