Memo

City of Kelowna

Date: August 1, 2011

To: City Manager

From: Land Use Management, Community Sustainability (GS)

Application: A11-0006 **Owner:** Oracle Investments Inc.

Address: 5055 Stewart Road East
4820 Stewart Road West **Applicant:** Wally Leong

Subject: Exclusion of land from the Agricultural Land Reserve

Existing OCP Designation: Future Urban Reserve
Park - Major Park and Open Space
Multiple Unit Residential Cluster Housing
Single/Two Unit Residential

Existing Zone: A1 - Agriculture 1

1.0 Recommendation

THAT Agricultural Land Reserve (ALR) Appeal No. A11-0006 for the South East ¼ of Section 29 Township 29 Similkameen Division Yale District Except Plan KAP52409 and KAP52450 located at 4820 Stewart Road West; and North East ¼ of Section 20 Township 29 Similkameen Division Yale District located at 5055 Stewart Road East, Kelowna, B.C. which seeks an exclusion of land from an Agricultural Land Reserve (ALR), pursuant to Section 30(1) of the Agricultural Land Commission Act, be supported by Municipal Council;

AND THAT Municipal Council directs staff to forward the application to the Agricultural Land Commission (ALC).

2.0 Purpose

The applicant is requesting permission from the Agricultural Land Commission to have their land excluded from the Agricultural Land Reserve.

3.0 Land Use Management

The applicant has requested that two large pieces of land in excess of 90 hectares and located in the North Mission/Crawford sector of the City, be excluded from the ALR.

Applications with respect to exclusion from the Land Reserve are typically met with non-support. A significant number of policy documents and policies seek to protect agriculture and therefore discourage exclusion.

This application does however represent an exception to general non-support for exclusion. Examples of exceptions include where a significant community amenity or objective is being

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achieved, or where past planning exercises have attributed land uses to land in the ALR other than agricultural use.

The subject properties are examples where the general policies meant to preserve and protect agricultural land are inconsistent with more specific land use planning exercises. The North Mission/Crawford Sector Plan was endorsed in 1997. Sector and Area Structure Plans are produced in an effort to plan more comprehensively for general land uses and the associated needs at a mid-scale. Such plans take direction from the Official Community Plan (OCP) in terms of establishing land uses and areas for future growth needs projected in the OCP. The North Mission/Crawford Sector Plan "identif[ies] the southeast and northeast quarters [the subject properties], located south and east of Crawford Estates and Bellevue Creek, as Urban Reserve and have future (beyond 2013) potential for residential subject to a number of conditions" with a significant park component associated with the Bellevue Creek ravine also identified.

The development of this land for residential purposes is expected to be many years away as the OCP and Servicing Plan do not envision the City needing this land to accommodate residential development within the 20 year timeframe to 2030. Proposed residential development will trigger the need to rezone to park and residential land uses.

South Perimeter Way Extension

In terms of infrastructure, the City's 20 year Servicing Plan and Financing Strategy identify the extension of South Perimeter Way over Bellevue Creek and connecting with Stewart Rd West (see Section 3.3 below for approximate alignment). However, it is currently anticipated that this extension would not be warranted until the 4th Quarter of the Plan and Strategy (i.e. 2026 - 2030). The road extension is a precursor to development of these lands and as a result, rezoning is unlikely to be supported prior. The Servicing Plan has set a threshold of 3,400 occupancy permits for construction of dwelling units in all of the Okanagan Mission Sector Plan area as the threshold to construct this roadway. As of April 2011, 2,133 occupancy permits have been issued, leaving greater than 1,250 occupancy permits to be issued before this DCC road would be constructed.

AAC Recommendation and Comments

The City's Agricultural Advisory Committee was not prepared to support the application in its current form. The AAC seeks to preserve and protect the agricultural viability of land where it exists. The proposal does not put forth any benefits to agriculture. The AAC felt that the road alignment should be reconsidered so as to protect the most viable agricultural land. The AAC felt that the proposed development could also incorporate agricultural aspects into the development (e.g. clustered housing with agricultural pockets) and that the exclusion application is the appropriate time to ensure this.

Concluding Remarks

While staff do agree that opportunities may exist to incorporate agriculture into the future development it is recommended that the ALC consider how this could be achieved through exclusion conditions, should they choose to approve the requested exclusion now or in the future. The Sector Plan calls for "Clustering of developments in order to minimize visual impact from lands beyond, and the retention of large areas of natural and open space at overall site densities generally 4.5 units per gross ha". In addition to minimizing visual impacts, clustering development can achieve a concurrent goal of allowing for pockets of agriculture in areas of natural and open space.

Staff recommend supporting the proposed ALR exclusion at this time as doing so will not alter the land use and will permit the applicant's stated goal of estate planning to be achieved. While

exclusion is supported, rezoning and development should not be expected until the need for low density residential development in this area has been satisfied. At this time it is expected that this need will not occur until sometime after 2030.

4.0 Proposal

4.1 Background

In 2003 the subject area burned in its entirety as part of the Okanagan Mountain Firestorm. The northern parcel is adjacent a rural residential subdivision (Crawford Estates).

According to the current owner, the site has been used for gravel and bedrock extraction purposes and has also been used for concrete and asphalt recycling. The aggregate extraction dates back to the late 1950's.

4.2 Project Description

The applicant has stated that it is his intention that the land remains as is for the foreseeable future and that redevelopment is not of imminent interest. Rather, the request for exclusion at this time largely reflects a desire by the applicant (Mr. Leong) to undertake estate planning. The applicant has further noted that the desire/need to exclude the properties at this time reflects Mr. Leong's desire to undertake a restoration plan of the gravel pit and to begin planning for future residential development.

The proponent further suggests that the need for the arterial road linking Gordon Drive and Stewart Road West (South Perimeter Way) necessitates this application at this time. The applicant suggests that Neighbourhood 3 - The Ponds, including the commercial village centre and school district site which is expected to be constructed, will create a demand for this road extension and connection and will help facilitate traffic to and from these developments. As noted above in Section 3, City staff do not foresee the construction of this portion of South Perimeter Way prior to 2026 and depending on the occupancy permit threshold having been met.

4.3 Site Context

Parcel Summary:

4820 Stewart Rd W
Parcel Size: 37.38 ha (92.36 ac)
Elevation: 517 - 596 masl

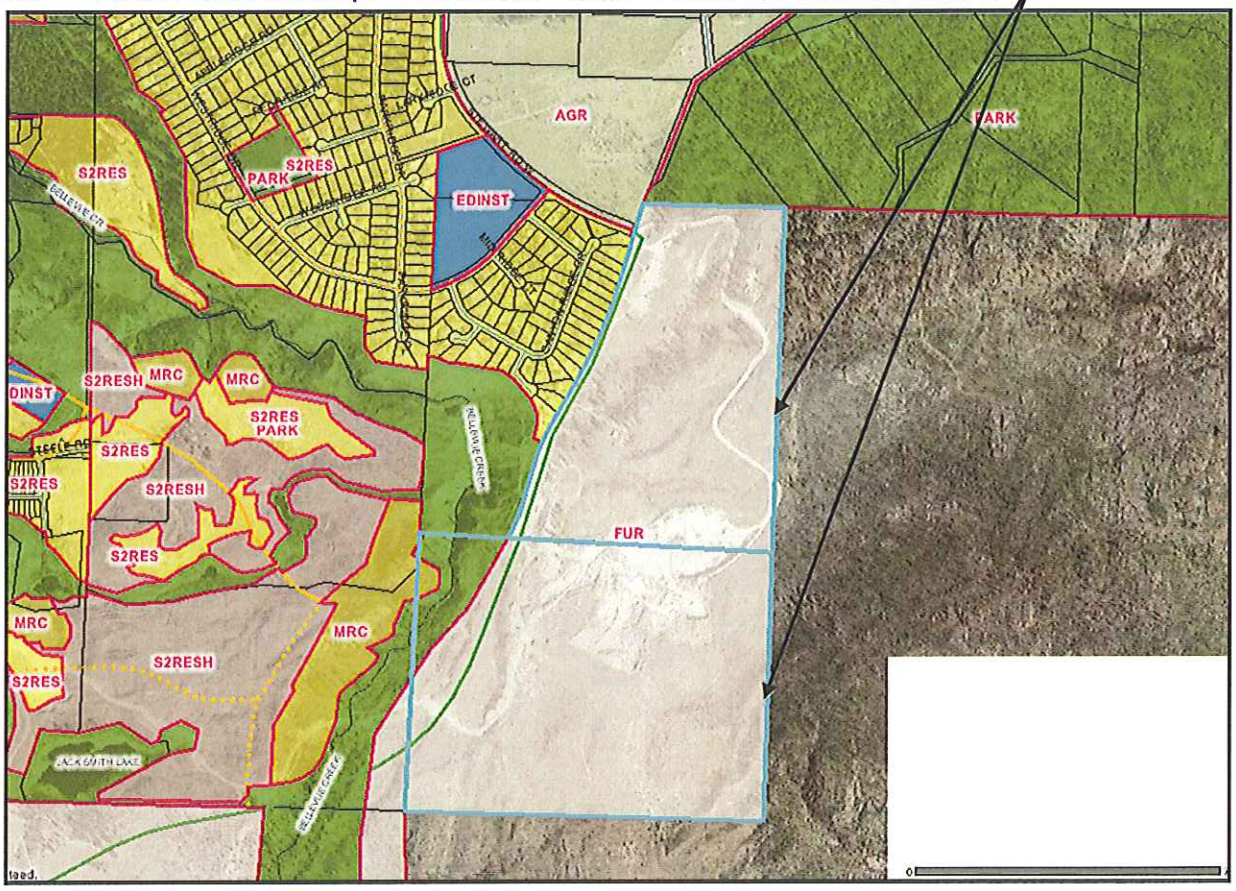
5055 Stewart Rd E
Parcel Size: 53.25 ha (131.57 ac)
Elevation: 510 - 698 masl

The subject property is located south of Crawford Estates and Stewart Road West. The surrounding properties are zoned as follows:

Direction	*Zoning Designation*	*Land Use*
North	A1 - Agriculture 1	Rural
East	None	Crown land
South	None	Crown land
West	RR3 - Rural Residential P3 - Parks & Open Space A1 - Agriculture 1	Residential Open space Rural

4.4 Subject Property Map: 4820 Stewart Road W and 5055 Stewart Road E

4.5 Future Land Use Map: 4820 Stewart Road W and 5055 Stewart Road E



5.0 Current Development Policies

5.1 2030 Official Community Plan: Greening Our Future

Objective 5.33 Protect and enhance local agriculture[1].

Policy .1 Protect Agricultural Land. Retain the agricultural land base by supporting the ALR and by protecting agricultural lands from development by supporting a "no net loss" approach, except as otherwise noted in the City of Kelowna Agricultural Plan. Ensure that the primary use of agricultural land is agriculture, regardless of parcel size.

Policy .2 ALR Exclusions. The City of Kelowna will not forward ALR exclusion applications to the ALC except in extraordinary circumstances where such exclusion is otherwise consistent with the goals, objectives and other policies of this OCP. Soil capability alone should not be used as justification for exclusion.

5.2 City of Kelowna Strategic Plan

Objective[2]: Sensitively integrate new development with heritage resources and existing urban, agricultural and rural areas.

Action towards this objective[3]: Evaluate the effectiveness of City policies and bylaws in preserving agricultural lands.

5.3 City of Kelowna Agriculture Plan

ALR Application Criteria[4]

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.

5.4 North Mission/Crawford Sector Plan

Housing Policies[5]

Identify the southeast and northeast quarters, located south and east of Crawford Estates and Bellevue Creek, as Urban Reserve and have future (beyond 2013) potential for residential subject to:

- Provision of full urban services (e.g., water, sewer, roads) by the developer;
- Dedication of the Bellevue Creek corridor and south perimeter road corridor as identified in the OCP;
- Submission of an Area Structure Plan and the meeting of those Terms of Reference as specified by the City; and
- Clustering of developments in order to minimize visual impact from lands beyond, and the retention of large areas of natural and open space at overall site densities generally 4.5 units per gross ha.

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[1] City of Kelowna 2030 Official Community Plan: Greening Our Future (2011); p. 5.33.
[2] City of Kelowna Strategic Plan (2004); p. 7.
[3] City of Kelowna Strategic Plan (2004); p. 29.
[4] City of Kelowna Agriculture Plan (1998); p. 130.
[5] North Mission/Crawford Sector Plan (1997); p. 27.

6.0 Technical Comments

6.1 Policy & Planning Department

The OCP designates much of the land in each of the subject properties as FUR (Future Urban Reserve). FUR is defined as having some development potential, but is not projected for development within the 20-year time horizon. The OCP FUR designation implies support for the exclusion but also suggests that the subject properties may be developed beyond 2030. The potential non-farm use or exclusion of this land is also supported by the Agriculture Plan.

It is important to note that the FUR designation does not support development within the next 20 years. While ALR exclusion is considered acceptable given that the land use would not change, the Policy & Planning Department would not be in a position to support an OCP amendment or rezoning for the subject properties, likely within the timeframe of the current OCP (i.e. 2030).

6.2 Development Engineering Department

This application does not trigger any Development Engineering Services at this point in time; however, a comprehensive report will be provided at the time of development application if and when the Agricultural Land Commission agrees to the proposed exclusion.

7.0 Application Chronology

Date of Application Received: May 9, 2011

Agricultural Advisory Committee June 9, 2011

The above noted application was reviewed by the Agricultural Advisory Committee at the meeting on June 9, 2011 and the following recommendations were passed:

THAT the Agricultural Advisory Committee NOT support Application No. A11-0006 for 5055 Stewart Road E and 4820 Stewart Road W, by W. Leong (Oracle Investments Inc.), to obtain approval from the Agricultural Land Commission (ALC) to have their land excluded from an Agricultural Land Reserve (ALR) under Section 30(1) of the Agricultural Land Commission Act.

AAC Comment:

The AAC did not support the Application due to no net benefit to agriculture. The AAC felt that there may be an opportunity to provide for the anticipated residential development while concurrently preserving some agricultural values on the subject properties. The application presented to the AAC does not consider any agricultural viability or benefit to agriculture and therefore cannot be supported in its present form.

Report prepared by:

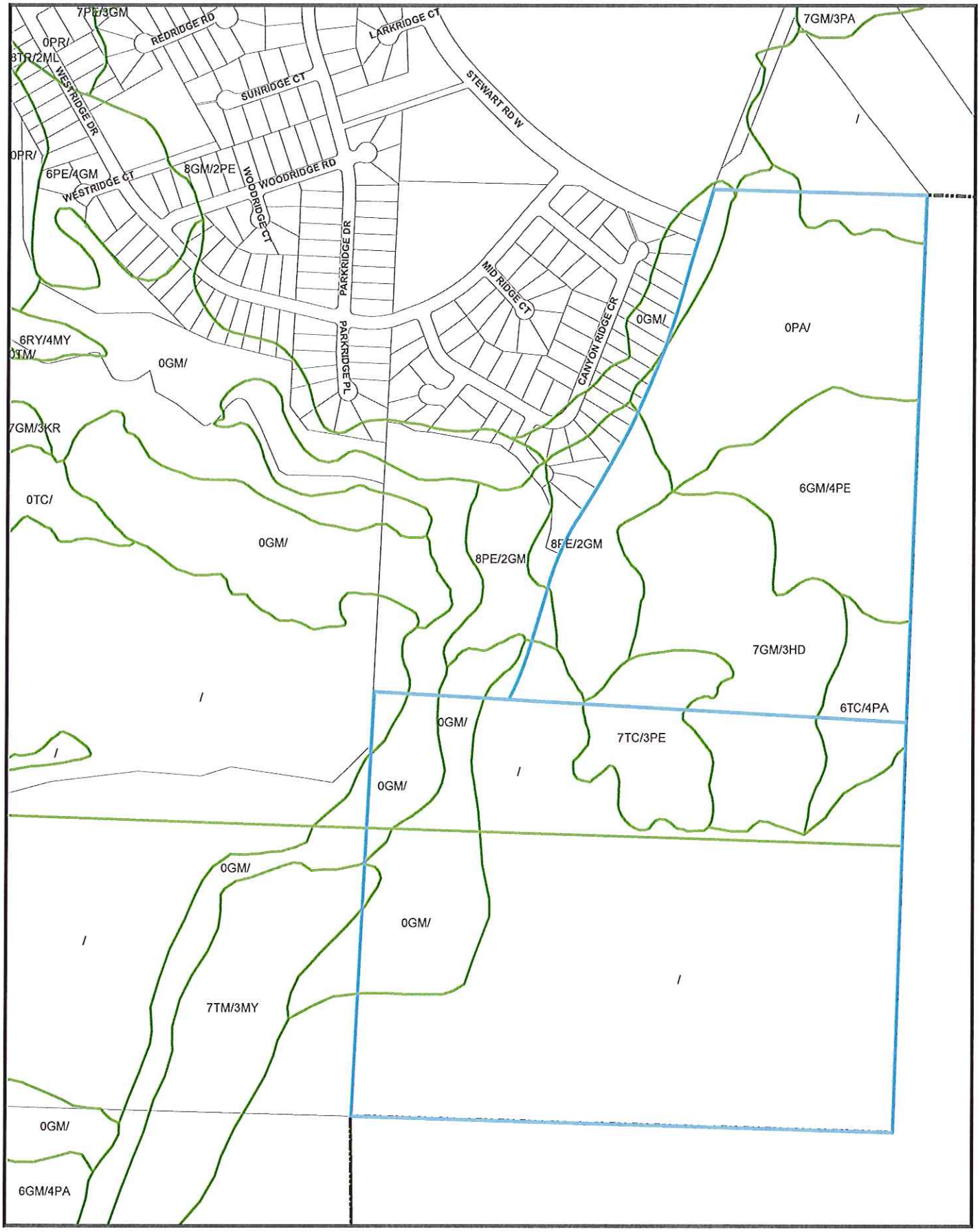
Greg Sauer, Environment & Land Use Planner

Reviewed by: Todd Cashin Manager, Environmental Land Use Management

Approved for Inclusion: Shelley Gambacort, Director, Land Use Management

Attachments:
Soil Classification Map
Soil Classification Descriptions
BCLI Land Capability Map
BCLI Land Capability Description
Subject Property/ALR Map
Sector Plan Map
Landowner Application Package

Land Capability = Brown/ Soil Class = Green



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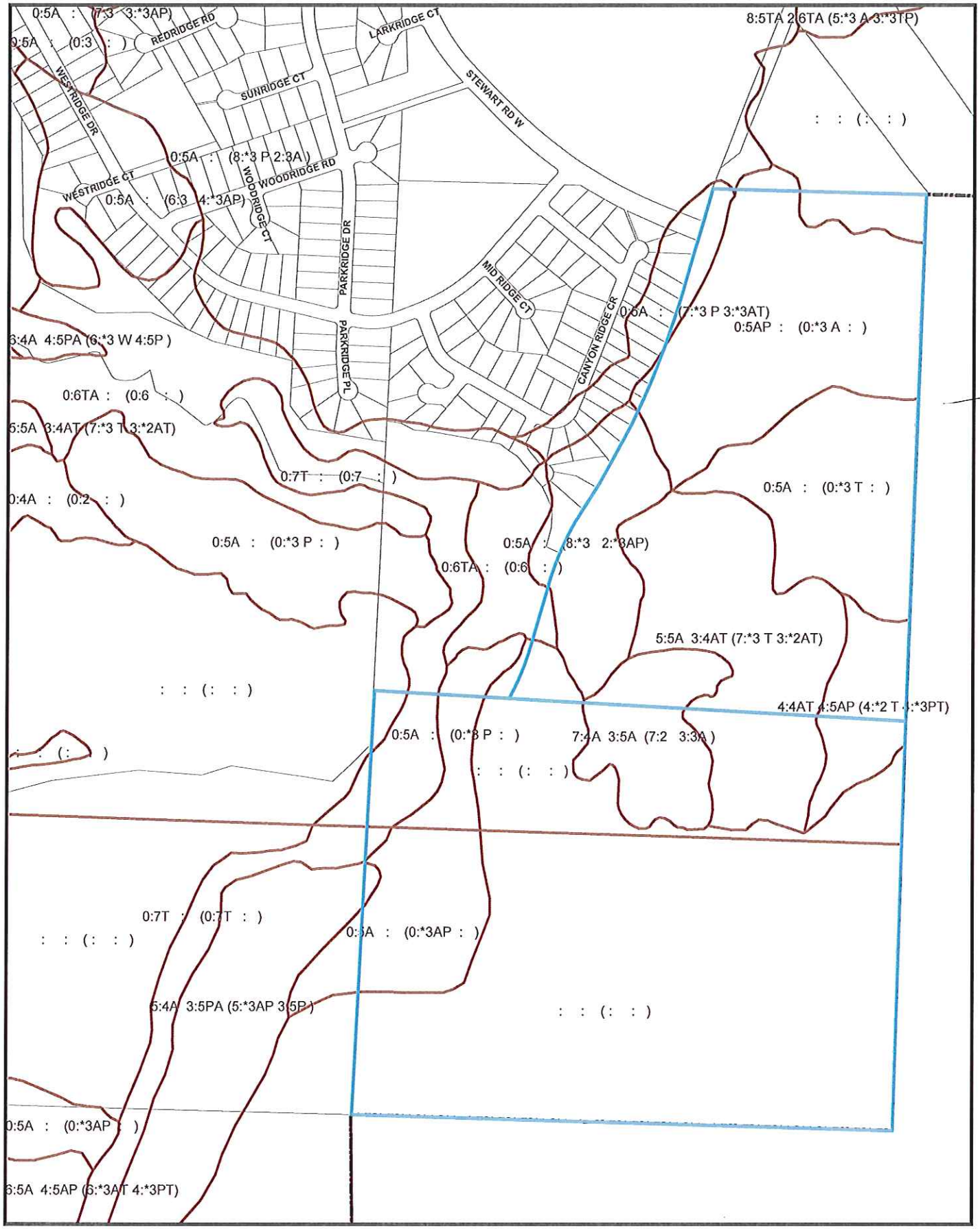
Soil Classification

The soil classification for the subject property is broken into two sections with soil types as defined below.

Portion of Site / %	Soil Type	Description
32.2 ha / 36%	No Information.	
11.9 ha / 13% 100%	PA - Peachland	Land: hummocky, pitted fluvioglacial deposits (kame) often over gently to very steeply sloping glacial till. Texture: 100cm or more of gravelly silt loam, gravelly sandy loam or gravelly loamy sand. Drainage: well. Classification: Eluviated Eutric Brunisol.
10.9 ha / 12% 70%	GM - Gammil	Land: very gently to extremely sloping fluvioglacial deposits. Texture: 10 to 25 cm of sandy loam or loamy sand over very gravelly loamy sand or very gravelly sand. Drainage: rapid. Classification: Eluviated Eutric Brunisol.
30%	HD - Harrland	Land: Eolian veneer over gently to very steeply sloping glacial till. Texture: 10 to 30 cm of sandy loam or loamy sand over gravelly sandy loam or gravelly loamy sand. Drainage: well. Classification: Eluviated Eutric Bruniso.
7.7 ha / 9 % 60%	GM - Gammil	Land: very gently to extremely sloping fluvioglacial deposits. Texture: 10 to 25 cm of sandy loam or loamy sand over very gravelly loamy sand or very gravelly sand. Drainage: rapid. Classification: Eluviated Eutric Brunisol.
40%	PE - Paradise	Land: nearly level to very steeply sloping fluvioglacial deposits. Texture: 25 to 60cm of sandy loam or loamy sand over gravelly loamy sand or very gravelly sand. Drainage: rapid. Classification: Eluviated Eutric Brunisol.
6.6 ha / 8 % 100%	GM - Gammil	Land: very gently to extremely sloping fluvioglacial deposits. Texture: 10 to 25 cm of sandy loam or loamy sand over very gravelly loamy sand or very gravelly sand. Drainage: rapid. Classification: Eluviated Eutric Brunisol.
6.4 ha / 7%	No Information.	

4.4 ha / 5 % 70%	TC - Trout Creek	Land: nearly level to extremely sloping fluvioglacial deposits. Texture: 60 to 100 cm of sandy loam or loamy sand over gravelly loamy sand. Drainage: well to rapid. Classification: Eluviated Eutric Brunisol.
30%	PE - Paradise	Land: nearly level to very steeply sloping fluvioglacial deposits. Texture: 25 to 60cm of sandy loam or loamy sand over gravelly loamy sand or very gravelly sand. Drainage: rapid. Classification: Eluviated Eutric Brunisol.
4 ha / 4 % 80%	PE - Paradise	Land: nearly level to very steeply sloping fluvioglacial deposits. Texture: 25 to 60cm of sandy loam or loamy sand over gravelly loamy sand or very gravelly sand. Drainage: rapid. Classification: Eluviated Eutric Brunisol.
20%	GM - Gammil	Land: very gently to extremely sloping fluvioglacial deposits. Texture: 10 to 25 cm of sandy loam or loamy sand over very gravelly loamy sand or very gravelly sand. Drainage: rapid. Classification: Eluviated Eutric Brunisol.
3.2 ha / 4 % 60%	TC - Trout Creek	Land: nearly level to extremely sloping fluvioglacial deposits. Texture: 60 to 100 cm of sandy loam or loamy sand over gravelly loamy sand. Drainage: well to rapid. Classification: Eluviated Eutric Brunisol.
40%	PA - Peachland	Land: hummocky, pitted fluvioglacial deposits (kame) often over gently to very steeply sloping glacial till. Texture: 100cm or more of gravelly silt loam, gravelly sandy loam or gravelly loamy sand. Drainage: well. Classification: Eluviated Eutric Brunisol.

Land Capability = Brown/ Soil Class = Green



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BCLI Land Capability

Portion of Site	Land Capability Rating, Unimproved	Land Capability Rating, With Improvements
32.2 ha / 36%	No Information.	
11.9 ha / 13%	**100% Class 5.** Land in this Class has limitations which restricts its capability to producing perennial forage crops or other specially adapted crops. Land in Class 5 is generally limited to the production of perennial forage crops or other specially adapted crops. Productivity of these suited crops may be high. Class 5 lands can be cultivated and some may be used for cultivated field crops provided unusually intensive management is employed and/or the crop is particularly adapted to the conditions peculiar to these lands. Cultivated filed crops may be grown on some Class 5 land where adverse climate is the main limitation, but crop failure can be expected under average conditions. Crops are adversely affected by droughtiness caused low soil water holding capacity or insufficient precipitation. Soils are limited by the presence of coarse fragments which significantly hinder tillage, planting and/or harvesting.	**100% Class 3.** Land in this Class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both. The limitations are more severe than for Class 2 land and management practices are more difficult to apply and maintain. The limitations may restrict the choice of suitable crops or affect one or more of the following practices: timing and ease of tillage, planting and harvesting, and methods of soil conservation. Crops are adversely affected by droughtiness caused low soil water holding capacity or insufficient precipitation.

Portion of Site	Land Capability Rating, Unimproved	Land Capability Rating, With Improvements
10.9 ha / 12%	**50% Class 5.** Land in this Class has limitations which restricts its capability to producing perennial forage crops or other specially adapted crops. Land in Class 5 is generally limited to the production of perennial forage crops or other specially adapted crops. Productivity of these suited crops may be high. Class 5 lands can be cultivated and some may be used for cultivated field crops provided unusually intensive management is employed and/or the crop is particularly adapted to the conditions peculiar to these lands. Cultivated filed crops may be grown on some Class 5 land where adverse climate is the main limitation, but crop failure can be expected under average conditions. Crops are adversely affected by droughtiness caused low soil water holding capacity or insufficient precipitation.	**60% Class 5.** Land in this Class has limitations which restricts its capability to producing perennial forage crops or other specially adapted crops. Land in Class 5 is generally limited to the production of perennial forage crops or other specially adapted crops. Productivity of these suited crops may be high. Class 5 lands can be cultivated and some may be used for cultivated field crops provided unusually intensive management is employed and/or the crop is particularly adapted to the conditions peculiar to these lands. Cultivated filed crops may be grown on some Class 5 land where adverse climate is the main limitation, but crop failure can be expected under average conditions. Soils are limited by steepness or pattern of slopes which hinders the use of farm machinery, decreases uniformity of growth and maturity or crops, and/or increases the potential for water erosion.
	30% Class 3. Land in this Class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both. The limitations are more severe than for Class 2 land and management practices are more difficult to apply and maintain. The limitations may restrict the choice of suitable crops or affect one or more of the following practices: timing and ease of tillage, planting and harvesting, and methods of soil conservation. Crops are adversely affected by droughtiness caused low soil water holding capacity or insufficient precipitation. Soils are limited by steepness or pattern of slopes which hinders the use of farm machinery, decreases uniformity of growth and maturity or crops, and/or increases the potential for water erosion.	**30% Class 2.** Land in this Class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both. Land in Class 2 has limitations which constitute a continuous minor management problem or may cause lower crop yields compared to Class 1 land but which do not pose a threat of crop loss under good management. The soils in Class 2 are deep, hold moisture well and can be managed and cropped with little difficulty. Crops are adversely affected by droughtiness caused low soil water holding capacity or insufficient precipitation. Soils are limited by steepness or pattern of slopes which hinders the use of farm machinery, decreases uniformity of growth and maturity or crops, and/or increases the potential for water erosion.

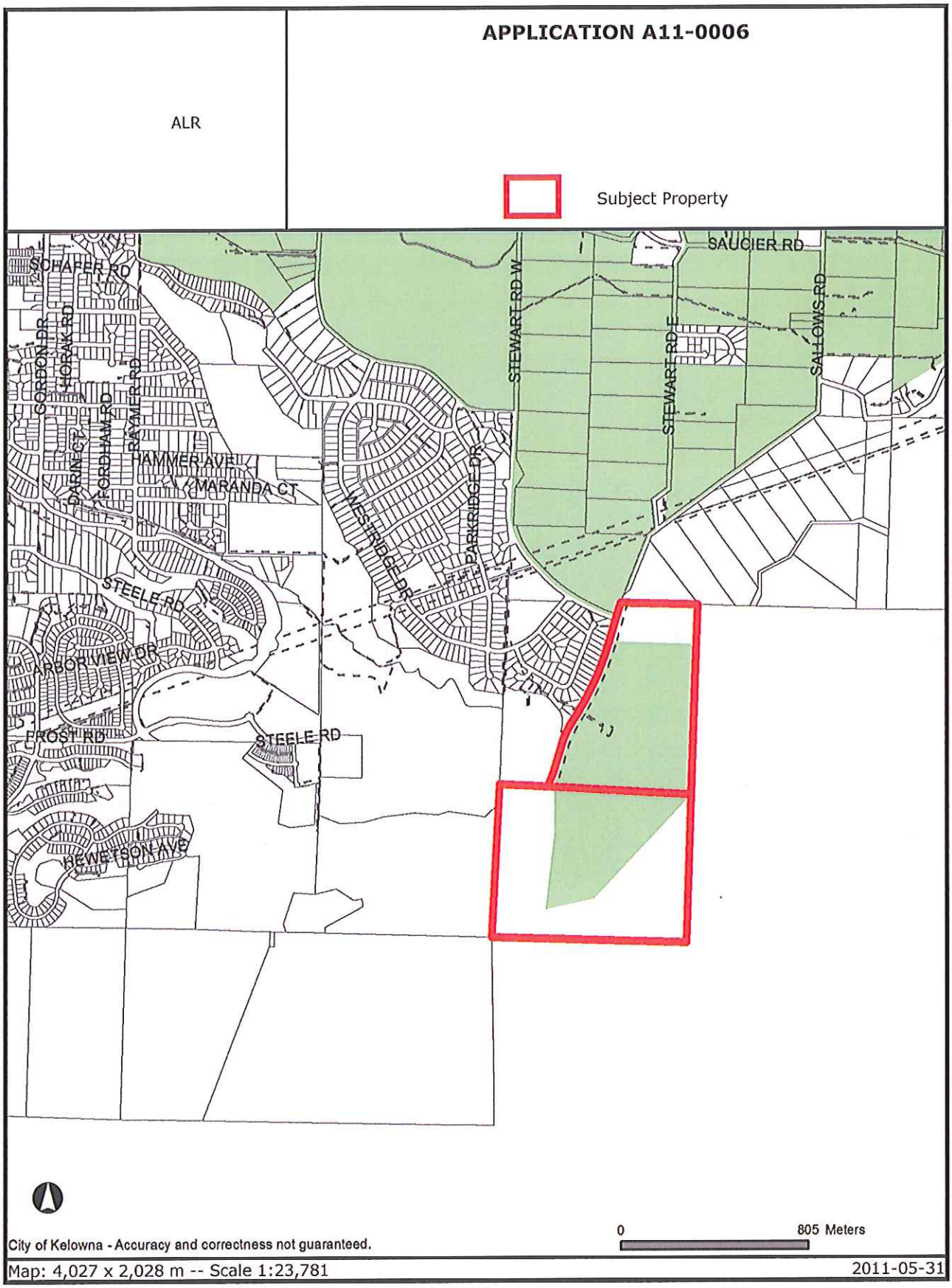
Portion of Site	Land Capability Rating, Unimproved	Land Capability Rating, With Improvements
7.7 ha / 9%	**100% Class 5.** Land in this Class has limitations which restricts its capability to producing perennial forage crops or other specially adapted crops. Land in Class 5 is generally limited to the production of perennial forage crops or other specially adapted crops. Productivity of these suited crops may be high. Class 5 lands can be cultivated and some may be used for cultivated field crops provided unusually intensive management is employed and/or the crop is particularly adapted to the conditions peculiar to these lands. Cultivated filed crops may be grown on some Class 5 land where adverse climate is the main limitation, but crop failure can be expected under average conditions. Crops are adversely affected by droughtiness caused low soil water holding capacity or insufficient precipitation.	**100% Class 3.** Land in this Class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both. The limitations are more severe than for Class 2 land and management practices are more difficult to apply and maintain. The limitations may restrict the choice of suitable crops or affect one or more of the following practices: timing and ease of tillage, planting and harvesting, and methods of soil conservation. Soils are limited by steepness or pattern of slopes which hinders the use of farm machinery, decreases uniformity of growth and maturity or crops, and/or increases the potential for water erosion.
6.4 ha / 7%	**No Information.**	

Portion of Site	Land Capability Rating, Unimproved	Land Capability Rating, With Improvements
4.4 ha / 5%	**70% Class 4.** Land in this Class has limitations that require special management practices or severely restrict the range of crops, or both. Land in Class 4 has limitations which make it suitable for only a few crops, or the yield for a wide range of crops is low, or the risk of crop failure is high, or soil conditions are such that special development and management practices are required. The limitations may seriously affect one or more of the following practices: timing and ease of tillage, planting and harvesting, and methods of soil conservation. Crops are adversely affected by droughtiness caused low soil water holding capacity or insufficient precipitation. **30% Class 5.** Land in this Class has limitations which restricts its capability to producing perennial forage crops or other specially adapted crops. Land in Class 5 is generally limited to the production of perennial forage crops or other specially adapted crops. Productivity of these suited crops may be high. Class 5 lands can be cultivated and some may be used for cultivated field crops provided unusually intensive management is employed and/or the crop is particularly adapted to the conditions peculiar to these lands. Cultivated filed crops may be grown on some Class 5 land where adverse climate is the main limitation, but crop failure can be expected under average conditions. Crops are adversely affected by droughtiness caused low soil water holding capacity or insufficient precipitation.	**70% Class 2.** Land in this Class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both. Land in Class 2 has limitations which constitute a continuous minor management problem or may cause lower crop yields compared to Class 1 land but which do not pose a threat of crop loss under good management. The soils in Class 2 are deep, hold moisture well and can be managed and cropped with little difficulty. **30% Class 3.** Land in this Class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both. The limitations are more severe than for Class 2 land and management practices are more difficult to apply and maintain. The limitations may restrict the choice of suitable crops or affect one or more of the following practices: timing and ease of tillage, planting and harvesting, and methods of soil conservation. Crops are adversely affected by droughtiness caused low soil water holding capacity or insufficient precipitation.
4.3 ha / 5%	**100% Class 5.** Land in this Class has limitations which restricts its capability to producing perennial forage crops or other specially adapted crops. Land in Class 5 is generally limited to the production of perennial forage crops or other specially adapted crops. Productivity of these suited crops may be high. Class 5 lands can be cultivated and some may be used for cultivated field crops provided unusually intensive management is employed and/or the crop is particularly adapted to the conditions peculiar to these lands. Cultivated filed crops may be grown on some Class 5 land where adverse climate is the main limitation, but	**30% Class 3.** Land in this Class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both. The limitations are more severe than for Class 2 land and management practices are more difficult to apply and maintain. The limitations may restrict the choice of suitable crops or affect one or more of the following practices: timing and ease of tillage, planting and harvesting, and methods of soil conservation. Crops are adversely affected by droughtiness caused low soil water holding capacity or insufficient precipitation.

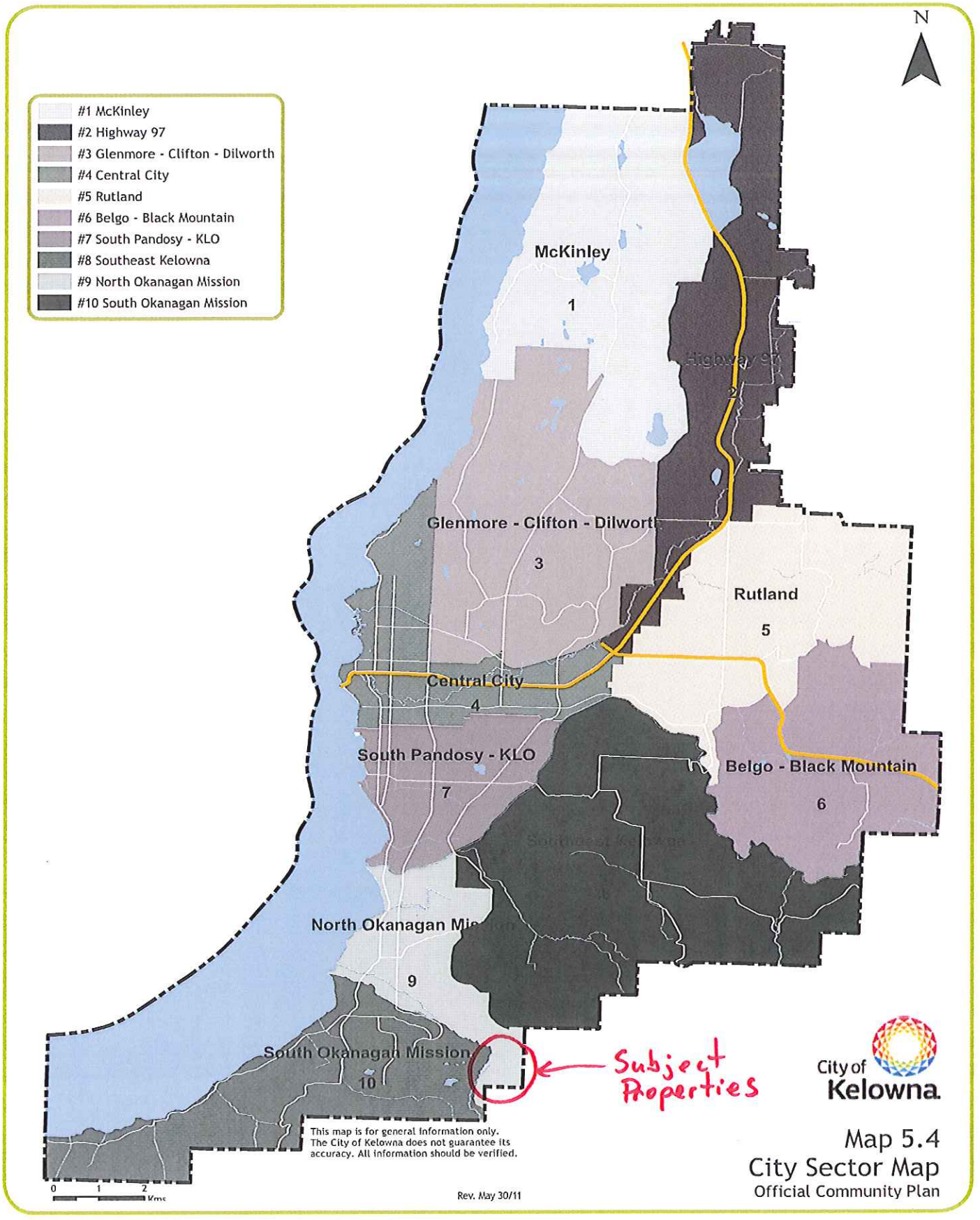
Portion of Site	Land Capability Rating, Unimproved	Land Capability Rating, With Improvements
	crop failure can be expected under average conditions. Crops are adversely affected by droughtiness caused low soil water holding capacity or insufficient precipitation.	Soils are limited by the presence of coarse fragments which significantly hinder tillage, planting and/or harvesting.
4.0 ha / 4%	**100% Class 5.** Land in this Class has limitations which restricts its capability to producing perennial forage crops or other specially adapted crops. Land in Class 5 is generally limited to the production of perennial forage crops or other specially adapted crops. Productivity of these suited crops may be high. Class 5 lands can be cultivated and some may be used for cultivated field crops provided unusually intensive management is employed and/or the crop is particularly adapted to the conditions peculiar to these lands. Cultivated filed crops may be grown on some Class 5 land where adverse climate is the main limitation, but crop failure can be expected under average conditions. Crops are adversely affected by droughtiness caused low soil water holding capacity or insufficient precipitation.	**80% Class 3.** Land in this Class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both. The limitations are more severe than for Class 2 land and management practices are more difficult to apply and maintain. The limitations may restrict the choice of suitable crops or affect one or more of the following practices: timing and ease of tillage, planting and harvesting, and methods of soil conservation. **20% Class 3** and crops are adversely affected by droughtiness caused low soil water holding capacity or insufficient precipitation. Soils are limited by the presence of coarse fragments which significantly hinder tillage, planting and/or harvesting.

Portion of Site	Land Capability Rating, Unimproved	Land Capability Rating, With Improvements
3.2 ha / 4%	**40% Class 4.** Land in this Class has limitations that require special management practices or severely restrict the range of crops, or both. Land in Class 4 has limitations which make it suitable for only a few crops, or the yield for a wide range of crops is low, or the risk of crop failure is high, or soil conditions are such that special development and management practices are required. The limitations may seriously affect one or more of the following practices: timing and ease of tillage, planting and harvesting, and methods of soil conservation. Crops are adversely affected by droughtiness caused low soil water holding capacity or insufficient precipitation. Soils are limited by steepness or pattern of slopes which hinders the use of farm machinery, decreases uniformity of growth and maturity or crops, and/or increases the potential for water erosion.	**40% Class 2.** Land in this Class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both. Land in Class 2 has limitations which constitute a continuous minor management problem or may cause lower crop yields compared to Class 1 land but which do not pose a threat of crop loss under good management. The soils in Class 2 are deep, hold moisture well and can be managed and cropped with little difficulty. Soils are limited by steepness or pattern of slopes which hinders the use of farm machinery, decreases uniformity of growth and maturity or crops, and/or increases the potential for water erosion.
	40% Class 5. Land in this Class has limitations which restricts its capability to producing perennial forage crops or other specially adapted crops. Land in Class 5 is generally limited to the production of perennial forage crops or other specially adapted crops. Productivity of these suited crops may be high. Class 5 lands can be cultivated and some may be used for cultivated field crops provided unusually intensive management is employed and/or the crop is particularly adapted to the conditions peculiar to these lands. Cultivated filed crops may be grown on some Class 5 land where adverse climate is the main limitation, but crop failure can be expected under average conditions. Crops are adversely affected by droughtiness caused low soil water holding capacity or insufficient precipitation. Soils are limited by the presence of coarse fragments which significantly hinder tillage, planting and/or harvesting.	**30% Class 3.** Land in this Class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both. The limitations are more severe than for Class 2 land and management practices are more difficult to apply and maintain. The limitations may restrict the choice of suitable crops or affect one or more of the following practices: timing and ease of tillage, planting and harvesting, and methods of soil conservation. Soils are limited by the presence of coarse fragments which significantly hinder tillage, planting and/or harvesting. Soils are limited by steepness or pattern of slopes which hinders the use of farm machinery, decreases uniformity of growth and maturity or crops, and/or increases the potential for water erosion.

Portion of Site	Land Capability Rating, Unimproved	Land Capability Rating, With Improvements
1.7 ha / 2%	**100% Class 7.** Land in this Class has no capability for arable agriculture or sustained natural grazing. All classified areas not included in Classes 1 to 6 inclusive are placed in this class. Class 7 land may have limitations equivalent to Class 6 land but does not provide natural sustained grazing for domestic livestock due to unsuited natural vegetation. Also included are rock land, other non-soil areas, and small water bodies not shown on the maps. Some unimproved Class 7 land can be improved by draining, diking, irrigation, and/or levelling.	**100% Class 7.** Land in this Class has no capability for arable agriculture or sustained natural grazing. All classified areas not included in Classes 1 to 6 inclusive are placed in this class. Class 7 land may have limitations equivalent to Class 6 land but does not provide natural sustained grazing for domestic livestock due to unsuited natural vegetation. Also included are rock land, other non-soil areas, and small water bodies not shown on the maps. Some unimproved Class 7 land can be improved by draining, diking, irrigation, and/or levelling.
1.4 ha / 1%	**100% Class 5.** Land in this Class has limitations which restricts its capability to producing perennial forage crops or other specially adapted crops. Land in Class 5 is generally limited to the production of perennial forage crops or other specially adapted crops. Productivity of these suited crops may be high. Class 5 lands can be cultivated and some may be used for cultivated field crops provided unusually intensive management is employed and/or the crop is particularly adapted to the conditions peculiar to these lands. Cultivated filed crops may be grown on some Class 5 land where adverse climate is the main limitation, but crop failure can be expected under average conditions. Crops are adversely affected by droughtiness caused low soil water holding capacity or insufficient precipitation.	**30% Class 3.** Land in this Class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both. The limitations are more severe than for Class 2 land and management practices are more difficult to apply and maintain. The limitations may restrict the choice of suitable crops or affect one or more of the following practices: timing and ease of tillage, planting and harvesting, and methods of soil conservation. Soils are limited by the presence of coarse fragments which significantly hinder tillage, planting and/or harvesting.



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.



Map 5.4
City Sector Map
Official Community Plan

MEMO

Wally Leong
Box 29053 – OK Mission, Kelowna, B.C.
Canada V1W 4A7
Telephone: (250) 764-2825 Fax: (250) 764-7528
e-mail: wsleong@shaw.ca

May 4, 2011

AGRICULTURAL LAND COMMISSION

Dear Sirs:

Since the early 1970s the properties have been managed for Oracle and a prior Owner by the writer who was instrumental in the planning, design and development of the adjacent Crawford Estates. Prior to my final retirement and with my extensive background of the area, Oracle requested me to prepare a reclamation plan for the gravel/bedrock pit along with a future residential development plan. In order to do so, an ALR exclusion is required.

There are a number of points that support the consideration for exclusion of the properties from the ALR:

1. The 1997 North Mission/Crawford (NMC) Sector Plan identifies the area as Urban Reserve for future development – APPENDIX 'A', page 1 & 2.

2. In the near future the 30 meter wide South Perimeter Arterial Road is to traverse both parcels as shown on the plan from the NMC Sector Plan – APPENDIX 'B'.

3. Comparison of the 1996 ALR Map from the NMC Sector Plan and the 1998 ALR Map from the current Official Community Plan indicate a number of ALR exclusions in the Southwest Mission Sector. These exclusions are located at lower or similar elevations as the subject properties – APPENDIX 'C', pages 1 to 3.

4. The Southwest Mission Sector Plan recommends;

   "ALR lands above the 480 metre contour should be considered for exclusion from the Reserve"

   APPENDIX 'D'. The contour elevations of the subject properties are from 530 to 680 metres.

Thank you for your consideration on our application.

Yours truly,

W.S.(Wally) Leong, P.Eng.

July 18, 2011

City of Kelowna
1435 Water Street
Kelowna, B.C. V1Y 1J4

Attention: Mr. Greg Sauer

Re: ***ALR Exclusion Request, Part of Crawford Estates NE ¼ Section 20 Township 29, SDYD – PID 001-585-676, South Mission***

This letter is to provide support for the exclusion of Part of Crawford Estates, NE ¼ Section 20 Township 29, from the agricultural land reserve. The purpose of this request is to allow for dedication and completion of the City's proposed South Perimeter Road in preparation for the connection of the Gordon Drive extension to Stewart Road West.

Support for and the benefits to the City of Kelowna as a whole include:

Connection to the Elementary / Middle School in The Ponds Development

School District 23 has requested a school site in Neighbourhood 3, The Ponds, which would accommodate either an Elementary or Middle School. This has been accounted for in the Neighbourhood 3 Area Structure Plan. Due to the need for a Middle School in the Mission and the central location of The Ponds, the development of a middle school is not only a strong possibility, the priority of a middle school would necessitate development of this facility within the next few years. As a result, School District 23 and residents of the Mission would strongly benefit from the development of the South Perimeter Road connecting Crawford and SE Kelowna to the school site in The Ponds. This would reduce travel distances and time considerably from a current route that would require students to travel down Dehart Road and up Gordon Road. Without the Perimeter Road, walking/biking to school would be virtually impossible.

Connection to The Ponds Village Centre

Plans are underway to develop the Village Centre in The Ponds with the initial phase proposed to be available to residents in 2013. This Centre will not only supply retail, service and employment opportunities to the Upper Mission residents, it would also conveniently serve the residents of Crawford and SE Kelowna (population 7,980 in 2006 census). These residents currently have to access services from either the Pandosy Town Centre or the malls along Highway 97, which accounts for considerable congestion on Gordon Drive, Lakeshore Road and Benvoulin Road. The timely development of the South Perimeter Road would not only reduce current traffic on these key roads, it would reduce travel distances and travel time to Crawford and SE Kelowna residents. Even biking to these amenities would be feasible.

It is also worthy to note that viability of The Ponds Village Centre is significantly increased and the Village is likely to develop in a more timely manner with the development of South Perimeter Road.

Support within the City of Kelowna OCP

With these benefits to the City in mind, the current OCP already indicates (through the Road Network Plan and the Future Generalized Land Use Plan), that South Perimeter Road be developed through the site to connect area neighbourhoods. The future land use on the property is designated as Future Urban Reserve on the Plan.

In addition to this, a recommendation in the OCP suggests that lands above the 480 elevation contour be excluded from the Agricultural Land Reserve. The Crawford site in question is entirely above this contour.

Support in Sector Plans

Resulting from more detailed studies and feasibility, the current South East Mission Sector Plan recommends the development of South Perimeter Road and future urban development of the site.

In support of the OCP, the Sector Plan also suggests that land above the 480 meter contour elevation be excluded from the ALR.

Previous ALC Support

It is worthy to note that, as a specific endorsement of the Official Community Plan, that the Agricultural Land Commission has approved the future land use of the site and in particular the development of South Perimeter Road. Documentation of this support is available.

Previous AAC Support

On February 8, 1995 the Agricultural Advisory Committee approved the South Perimeter Road through the subject property. Documentation of this support is available

Agricultural Viability of the Site

The land in question consists of rocky slopes that are not conducive to agricultural uses. The agricultural use and viability of the site is questionable, especially when considering the highest and best use of the land from the overall perspective of the City of Kelowna.

In assessing the points raised above, it is our clear opinion that removal of the site referenced above from Agricultural Land Reserve status would result in significant benefits to area residents and the City of Kelowna in general. We hope the City of Kelowna recognizes and agrees with this conclusion as well.

Sincerely,

Wally Leong

Greg Sauer

From: wally [wsleong@shaw.ca]
Sent: Tuesday, August 02, 2011 1:47 PM
To: Greg Sauer
Subject: ALR EXCLUSION

RE - Application: A11-0006

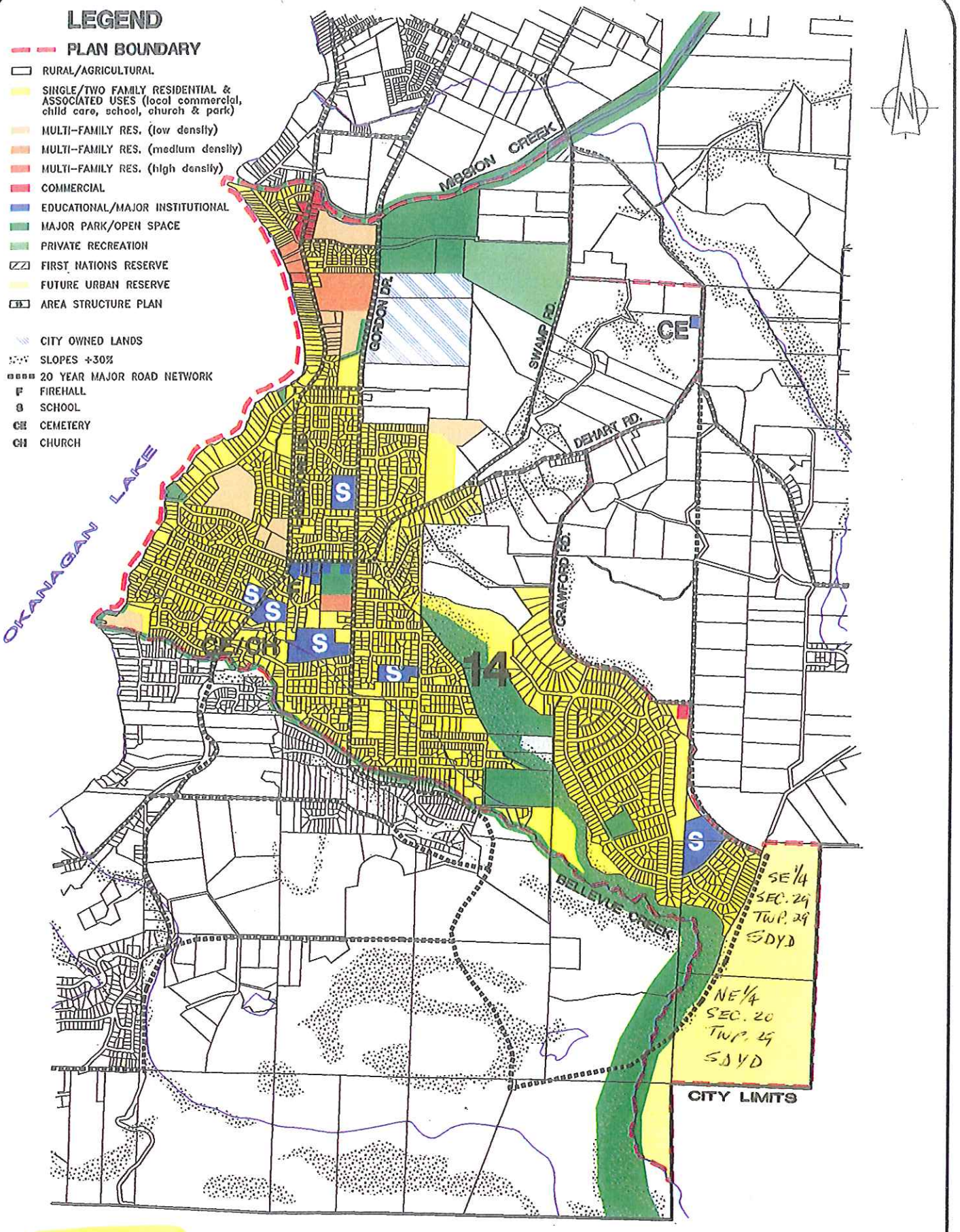
Please be advised that the owners have no intentions to apply for rezoning of the subject properties until Neighbourhoods 1, 2, & 3 of the Southwest Mission Sector has been substantially completed.

To complete my responsibilities to the owners, it is necessary for me to assist not only for the preparation of a pit reclamation plan but also to assist in establishing the final location of the Perimeter Road through the properties - both requires ALR exclusion. With the commencement of the design for the Pond's village centre and the District's Middle School, it would be advisable to also begin design of the Perimeter Road.

Hope these points will assist you.

Sincerely

Wally



REV. APRIL 30/97

0 200m 600m

FUTURE LAND USE

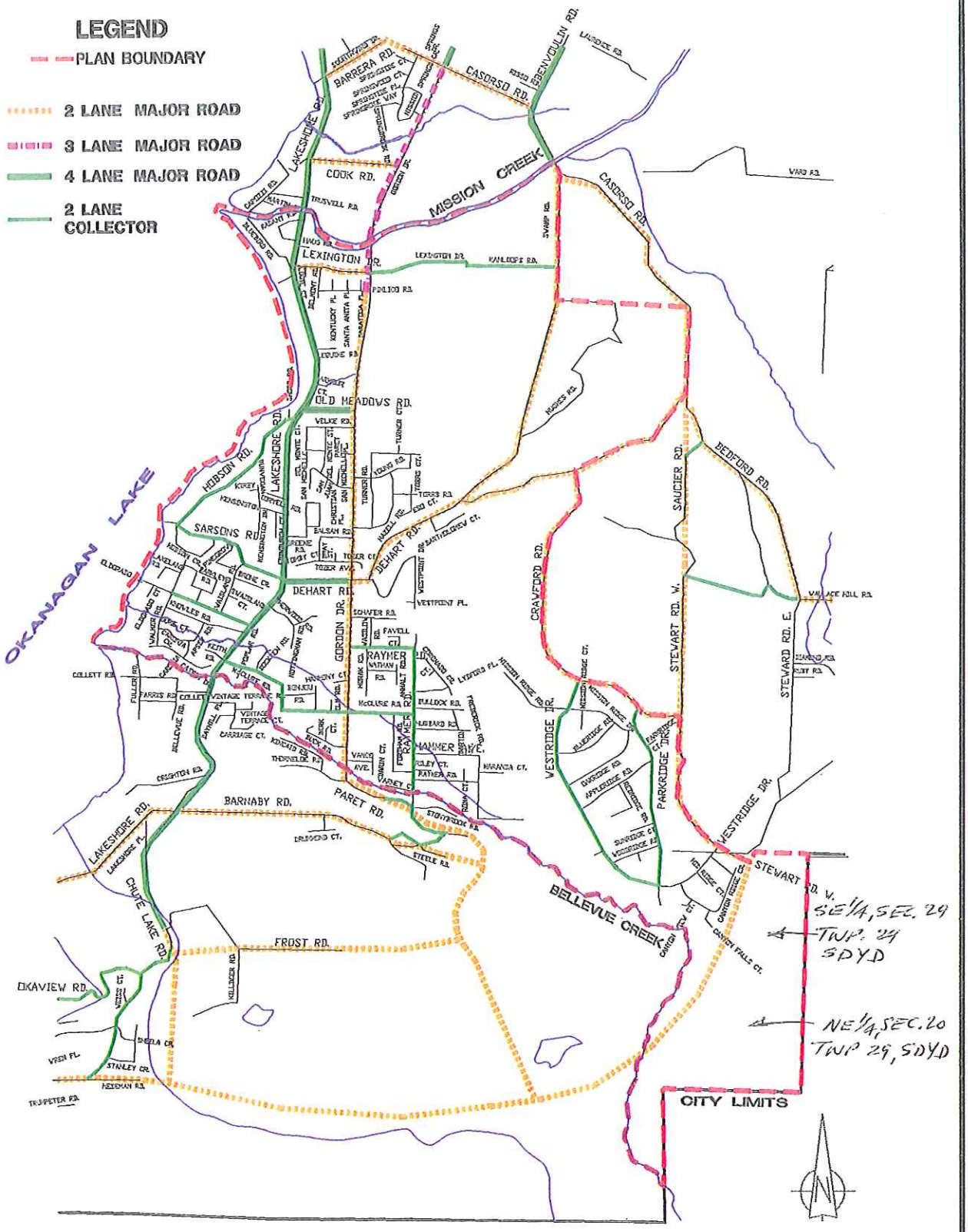
NORTH MISSION/CRAWFORD SECTOR PLAN

APPENDIX 'A' page 2 of 2

- Limiting access onto Stewart Road West;
- Establishing a form and character consistent with the adjacent homes on Parkridge Drive;
- Maintaining and establishing landscape buffers and open areas which integrate the development into the existing neighbourhood; and
- Providing community water and on-site sewage disposal systems approved by the City of Kelowna and by the Public Health Officer;

7. Require that an Area Structure Plan be prepared prior to development along the top of the Mission Ridge escarpment (see Future Land Use map), and west of the existing Crawford Estates subdivision in order to review the development potential of those lands, and subject to:
   - Maintaining the same overall density as the A-4 zone;
   - Ensuring all potential developable parcels are planned as a single entity to coordinate such aspects as servicing and access;
   - Providing community water and on-site sewage or community disposal systems;
   - Geotechnical analysis to ensure stability of the slope;
   - Direct development away from slopes greater than 30%; and
   - Visual impact assessment from both views below and above the escarpment;
8. Identify the southeast and northeast quarters, located south and east of Crawford Estates and Bellevue Creek, as Urban Reserve and have future (beyond 2013) potential for residential subject to:
   - Provision of full urban services (e.g., water, sewer, roads) by the developer;
   - Dedication of the Bellevue Creek corridor and south perimeter road corridor as identified in the OCP;
   - Submission of an Area Structure Plan and the meeting of those Terms of Reference as specified by the City; and
   - Clustering of developments in order to minimize visual impact from lands beyond, and the retention of large areas of natural and open space at overall site densities generally 4.5 units per gross ha;
9. Ensure the Development Options provided in this section will be incorporated as part of this plan to provide direction for future development applications.

APPENDIX 'B'



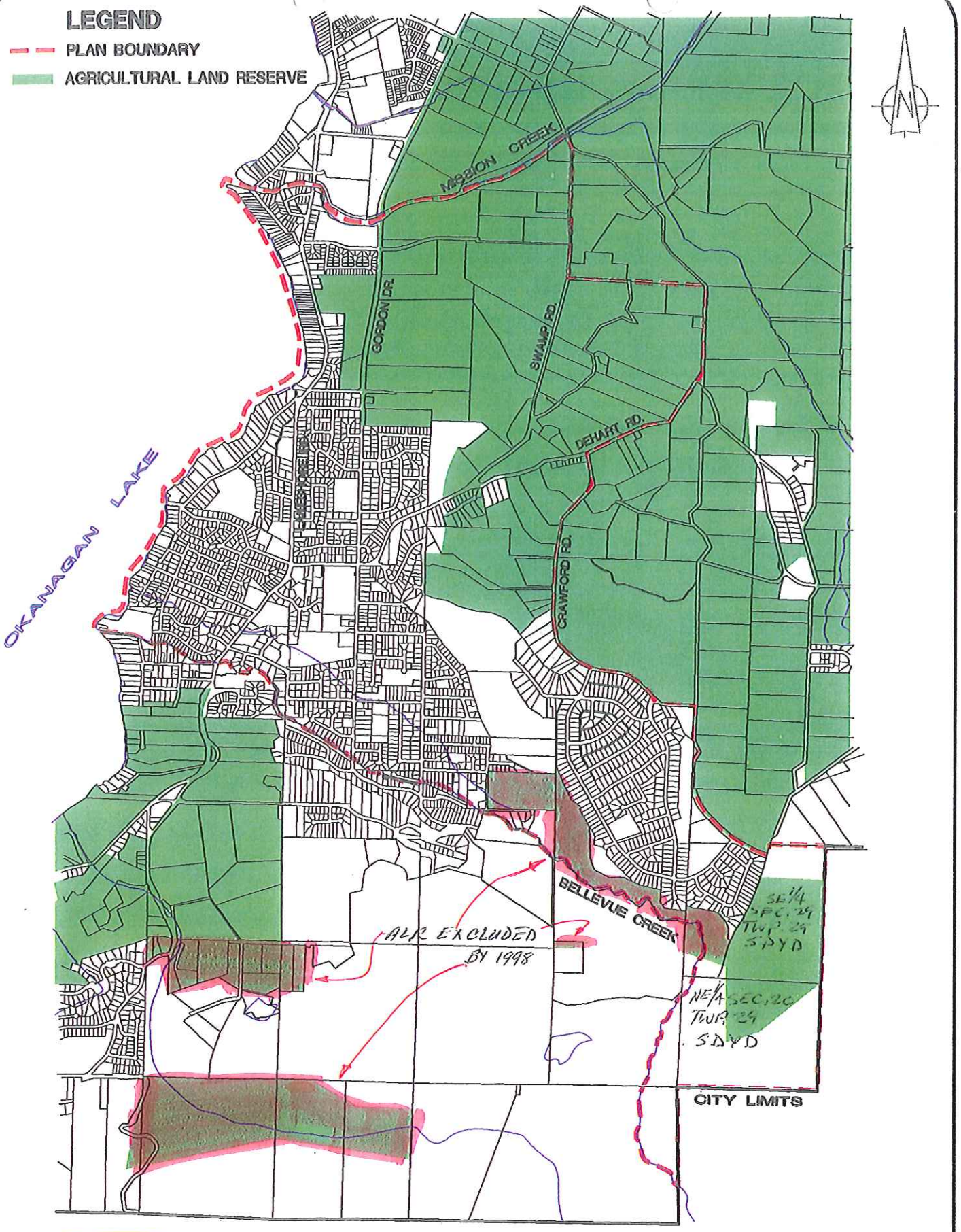
DATE: 1996.08.08

FILE: NMSRDNW.DWG

FUTURE ROAD NETWORK

N.T.S.

NORTH MISSION/ CRAWFORD SECTOR PLAN

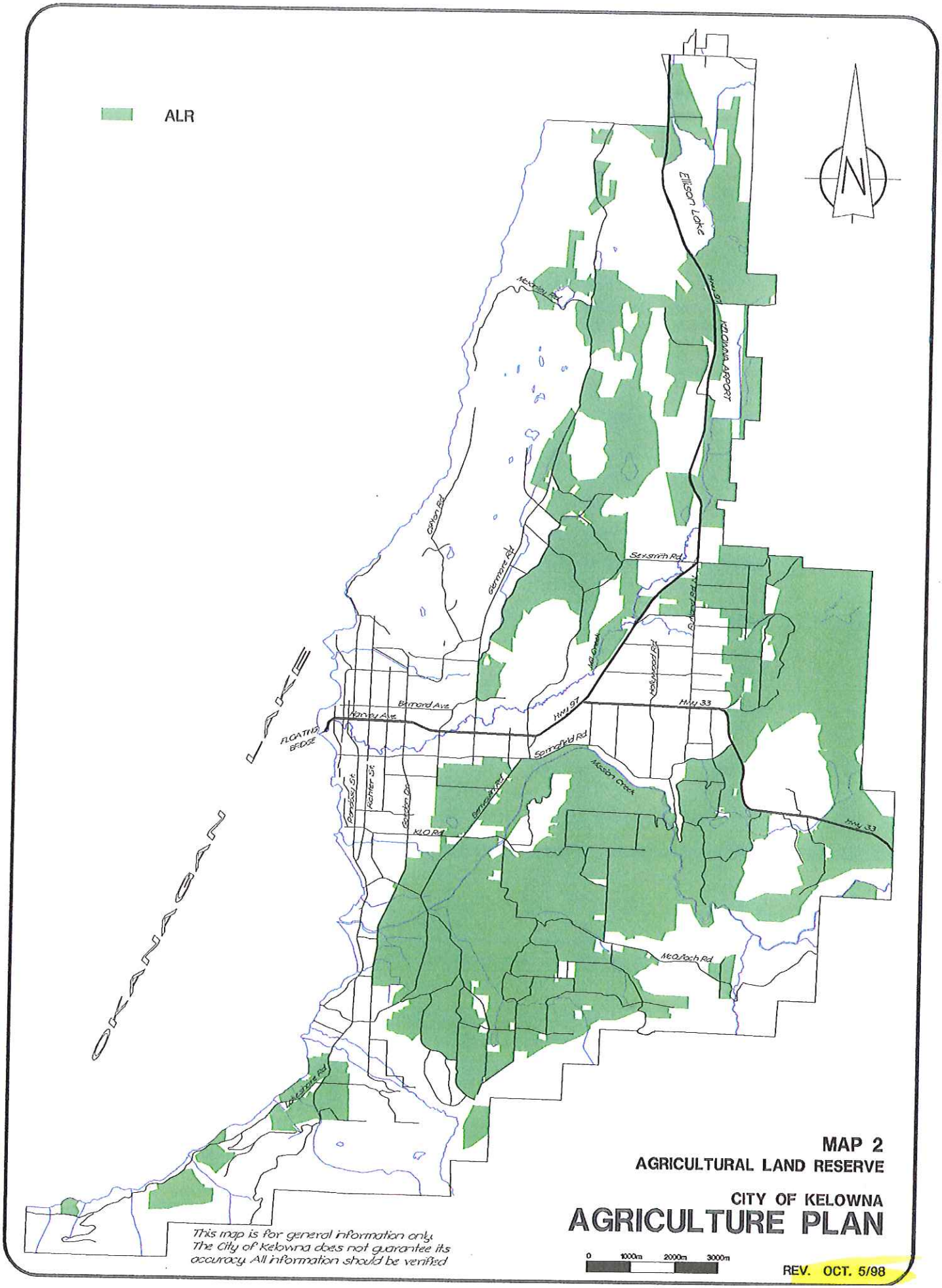


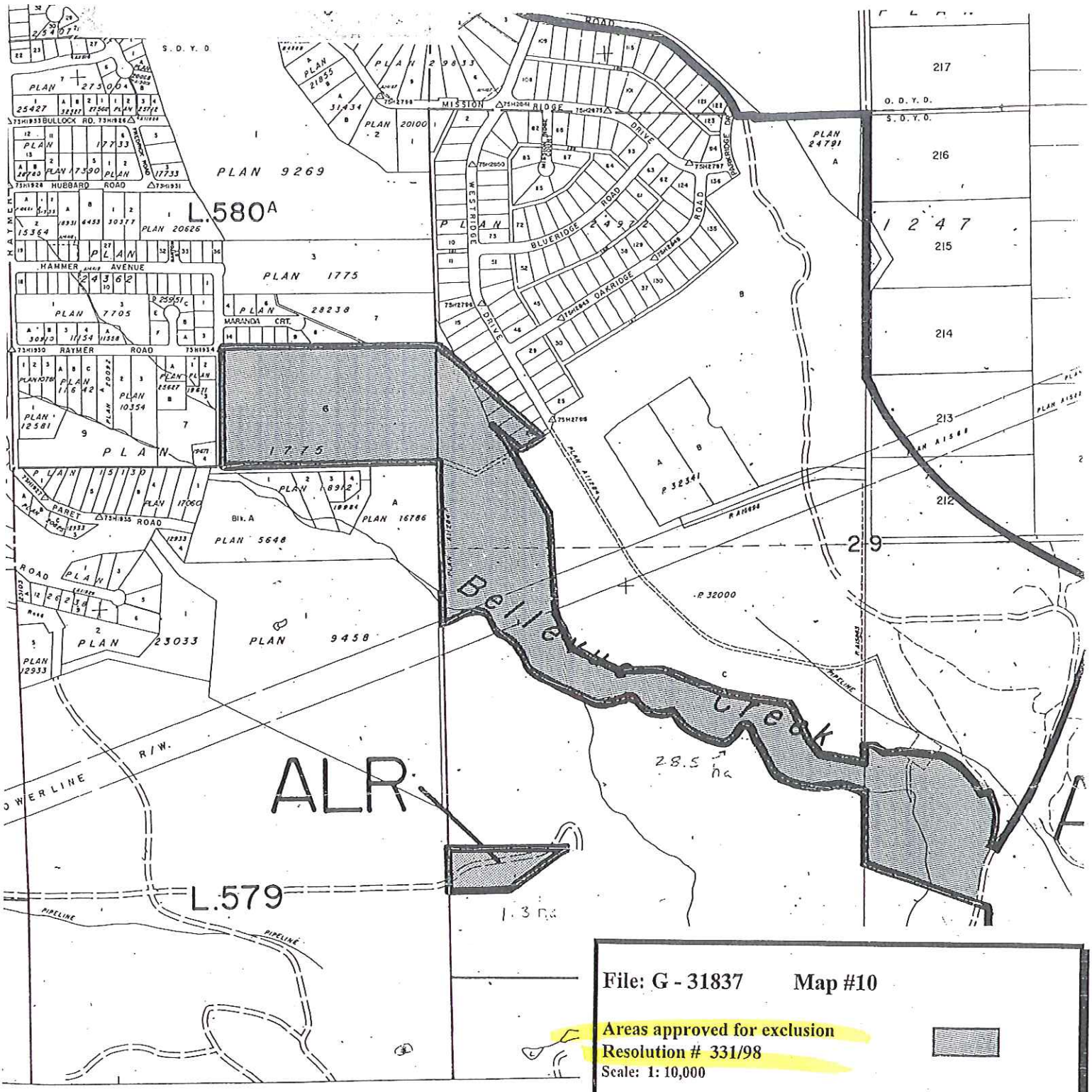
REV. JULY 18/88

0 200m 600m

AGRICULTURAL LAND RESERVE

NORTH MISSION/CRAWFORD SECTOR PLAN


ALR
N
Ellison Lake
KELOWNA AIRPORT
Hwy 97
McKinley Rd
Glenn Rd
Germond Rd
Saucier Rd
Sexsmith Rd
Rutland Rd N
McCurdy
Holmwood Rd
Hwy 33
Barnard Ave
Harvey Ave
FLOATING BRIDGE
Springfield Rd
Mission Creek
Burtch Rd
Pandosy St
Richter St
Gordon Dr
K.L.O. Rd
McDonald Rd
Lakeshore Rd
OKANAGAN LAKE
MAP 2
AGRICULTURAL LAND RESERVE
CITY OF KELOWNA
AGRICULTURE PLAN
This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified
0 1000m 2000m 3000m
REV. OCT. 5/98



File: G - 31837 **Map #10**

Areas approved for exclusion
Resolution # 331/98
Scale: 1: 10,000

THIS IS PAGE 33 OF 36 OF SCHEDULE A1 TO
CERTIFICATE OF ORDER # 331/98 OF THE
PROVINCIAL AGRICULTURAL LAND COMMISSION

PER: GENERAL MANAGER
PROVINCIAL AGRICULTURAL LAND COMMISSION

JUNE 30/98
DATE

25

ALR

SCALE 1:10000

APPENDIX 'D'

4.7.2 Objectives and Policies

The objectives established for the Agricultural Land Reserve within the Study Area are as follows:

- To maintain viable agricultural lands in the ALR.
- To allow for development on those lands in the ALR that are not agriculturally viable.
- To establish well defined boundaries between the agricultural and urban uses in order to avoid conflicts between the two uses.
- ALR lands above the 480 metre contour should be considered for exclusion from the Reserve.
- ALR lands below the 480 metre contour should be reserved for agricultural use. The extent and location of land proposed for rural and agricultural development is shown on the Future Land Use Plan.

4.8 Natural Areas

4.8.1 Issues

The Southwest Okanagan Mission contains a large number of natural features which are valued by all residents of the Study Area and the City. Major creeks and ravines have value as recreational space, wildlife habitat, and for maintenance of aquatic habitat and water quality. The smaller streams also have value as habitat and for the maintenance of water quality. These features have previously been identified.

4.8.2 Objectives and Policies

The following objectives have been established for the protection of environmentally sensitive areas and natural features within the Study Area.

- To exclude from development, the natural features identified in the "Kelowna Natural Features Summary Report";