

# Agricultural Advisory Committee

## AGENDA



Thursday, May 9, 2024

4:00 pm

Meeting Rooms 1 & 2 (Reception Floor)

1435 Water Street

Pages

### 1. Call to Order

THE CHAIR WILL CALL THE MEETING TO ORDER:

- (a) The purpose of this Meeting is to consider certain Development Applications as noted on this meeting Agenda.
- (b) The Reports to Committee concerning the subject development applications are available on the City's website at [www.kelowna.ca](http://www.kelowna.ca).
- (c) All representations to the Agricultural Advisory Committee form part of the public record.
- (d) As an Advisory Committee of Council, the Agricultural Advisory Committee will make a recommendation of support or non-support for each application as part of the public process. City Council will consider the application at a future date and, depending on the nature of the file, will make a decision or a recommendation to the Agricultural Land Commission.

### 2. Minutes

Approve Minutes of the Meeting of April 11, 2024.

### 3. Applications for Consideration

#### 3.1 Morrison Rd 2062, A24-0001 - Jasvarinder and Gurdeep Dhanoa

3 - 23

To consider a Non-Farm Use application to the Agricultural Land Commission (ALC) to operate an existing seasonal agri-tourism RV park year-round.

#### 3.2 KLO Rd 2786, A24-0008 - McSorley Enterprises Ltd

24 - 49

To consider a Non-Farm Use application to the Agricultural Land Commission (ALC) to develop a gas bar.

- 3.3 Galiano Rd 2160 - A23-0004 - Gurjit Judge and Gurpreet Judge** 50 - 72
- To consider an application to the Agricultural Land Commission (ALC) for a Non-Adhering Residential Use Permit to maintain 90 m<sup>2</sup> of the existing dwelling as living space and to live in the existing dwelling, while a new residence is being constructed.
- 4. Agricultural Water Supply - Kelowna Water Utility** 73 - 101
- To provide input on the impacts of drought on Kelowna's agricultural community and any additional measures that can be taken to balance water conservation with agricultural and environmental needs.
- 5. Memo - Climate Resilient Kelowna Strategy - Update & Engagement Opportunities** 102 - 104
- To provide the Agricultural Advisory Committee (AAC) with an update on the Climate Resilient Kelowna Strategy (CRKS) and to inform on upcoming engagement opportunities.
- 6. ALC Decisions - Update**
- 7. Next Meeting**
- June 13, 2024
- 8. Termination of Meeting**

# COMMITTEE REPORT



**Date:** May 9, 2024  
**To:** Agricultural Advisory Committee (AAC)  
**From:** Development Planning Department  
**Address:** 2062 Morrison Road  
**File No.:** A24-0001  
**Zone:** A1 - Agriculture

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## 1.0 Purpose

To consider a Non-Farm Use application to the Agricultural Land Commission (ALC) to operate an existing seasonal agri-tourism RV park year-round.

## 2.0 Development Planning

The subject property is a 10.0 acres (4.0 ha) parcel in the Rutland area off Morrison Rd. The property currently has an existing single family dwelling, various accessory buildings and an 8 stall agri-tourism RV Park operating under an active Business License (Farm Country RV). Approximately 5.35 acres of the property is in productive apple orchard. The owners purchased the property in December 2023.

A Non-Farm Use application is required to extend the RV to year-round use as it is within the Agricultural Land Reserve (ALR) and only permitted to be seasonal.

To protect and enhance local agriculture the policy of the Official Community Plan provides support for non-farm use applications only where the proposed use meets the following criteria:

- Are consistent with the Zoning Bylaw and the 2040 OCP;
- Provides significant benefits to local agriculture;
- Do not require the extension of municipal services;
- Will not utilize the productive agricultural lands;
- Will not preclude future use of lands for agriculture; and
- Will not harm adjacent farm operations.

The primary objective of the Agriculture Advisory Committee is to advise Council on sustainable agricultural land use from a multiple bottom line (i.e. cultural, economic, environmental, and social perspective). Staff are asking the AAC to consider this application and provide a recommendation to Council.

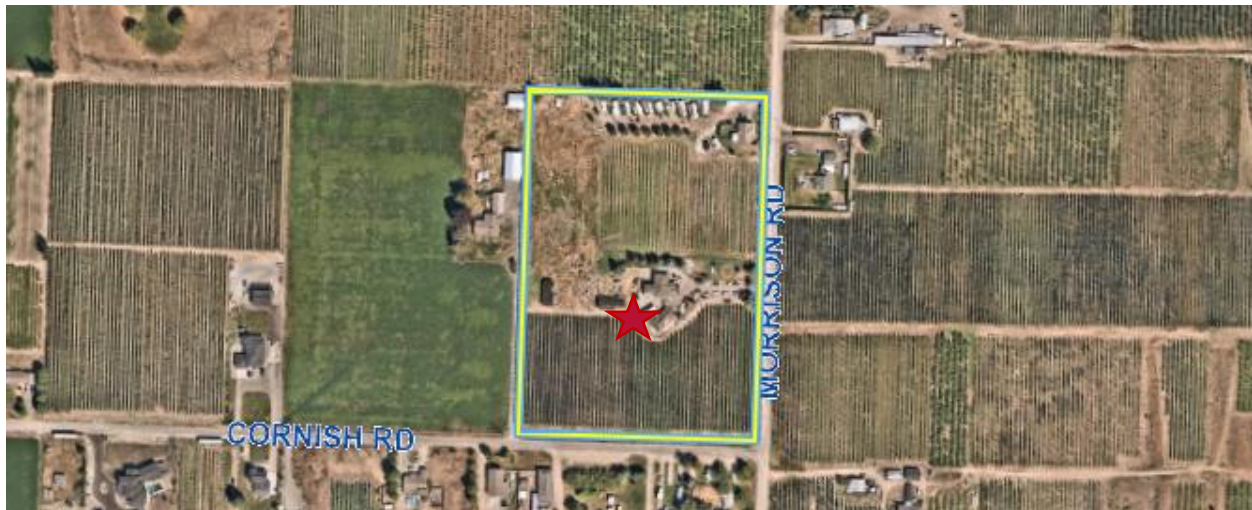
### 3.0 Subject Property & Background

#### 3.1 Site Context

The site is located in the Rutland area and surrounded by predominately agricultural uses. The zoning and land uses adjacent are as follows:

Orientation	Zoning	ALR	Land Use
North	A1 – Agriculture 1	Yes	Agriculture
South	A1 – Agriculture 1	Yes	Rural Residential
East	A1 – Agriculture 1	Yes	Agriculture / Rural Residential
West	A1 – Agriculture 1	Yes	Agriculture / Rural Residential

#### Subject Property Map



#### ALR Map



### 3.2 Background

The RV park was established in 2016, at that time the use was permitted by the City of Kelowna through the subzone A1t and by the ALR Regulations provided that specific provisions were met including operating on a seasonal basis. Subsequently, both the City of Kelowna Zoning Bylaw and ALC legislation for tourist accommodations have been modified and changed. In 2018, the City of Kelowna Zoning Bylaw was amended to no longer include RV accommodations as a permitted use on agricultural properties and the subzone A1t was removed. Therefore, the operation on 2062 Morrison Rd is considered to be non-conforming. It is only permitted to operate under the same conditions in which they were originally approved.

Further, If the proposal was to proceed, year-round occupancy of the RV's would be considered as dwellings. This conflicts with BC Building Code as any recreational vehicles and specifically CSA-Z241 Series Park model trailers are not recognized as dwelling units as per BCBC.

### 4.0 **Current Development Policies**

#### 4.1 Kelowna Official Community Plan (OCP)

<b>Objective 8.1. Protect and preserve agricultural land and its capability.</b>	
Policy 8.1.1.1. Protect Agricultural Land.	<p>Retain the agricultural land base by supporting the ALR and by protecting agricultural lands from development. Ensure that the primary use of agricultural land is agriculture, regardless of parcel size.</p> <p><i>Approximately half of the parcel is used for agricultural purposes and active apple production.</i></p>
Policy 8.1.5. Agri-tourism, Alcohol Production Facilities, Farm Retail Sales.	<p>Support agri-tourism uses that are directly associated with and supportive of established farm operations as a primary use. Permit alcohol production facilities and farm retail sales on ALR lands where consistent with ALC policies and regulations.</p> <p><i>RV Park agritourism is no longer permitted in the City of Kelowna, however the business is considered non-conforming.</i></p>
Policy 8.1.6. Non-farm Uses.	<p>Restrict non-farm uses that do not directly benefit agriculture except where such non-farm uses are otherwise consistent with the goals, objectives and other policies of this OCP. Support non-farm use applications only where approved by the ALC and where the proposed uses:</p> <ul style="list-style-type: none"> <li>• Are consistent with the Zoning Bylaw and the 2040 OCP;</li> <li>• Provide significant benefits to local agriculture;</li> <li>• Do not require the extension of municipal services;</li> <li>• Will not utilize productive agricultural lands;</li> <li>• Will not preclude future use of the lands for agriculture; and</li> <li>• Will not harm adjacent farm operations.</li> </ul> <p><i>The proposal to extend the RV Park to year-round use is not considered consistent with the OCP or a number of the criteria listed.</i></p>

**Report prepared by:** Wesley Miles, Planner Specialist  
**Reviewed by:** Dean Strachan, Community Planning and Development Manager  
**Approved for Inclusion:** Nola Kilmartin, Development Planning Department Manager

**Attachments:**

Attachment A – ALC Application File No: 69789

Attachment B – Ministry of Agriculture Memo



# Provincial Agricultural Land Commission - Applicant Submission

**Application ID:** 69789

**Application Status:** Under LG Review

**Applicant:**

**Agent:** Mike Bhangu

**Local Government:** City of Kelowna

**Local Government Date of Receipt:** 12/07/2023

**ALC Date of Receipt:** This application has not been submitted to ALC yet.

**Proposal Type:** Non-Farm Use

**Proposal:** Currently, the property is permitted to operate a Seasonal RV Park, and we wish to extend the use of the RV Park to Year-Round. The property is 7 acres and the RV Park is located on 0.5 acres. The size of the RV Park is relatively small and hosts 8 stalls.

By extending the RV Park to Year-Round, we can contribute to the housing market by providing affordable options.

As is, the folks who use the RV Park must leave once the deadline arrives, and they typically have a difficult go at finding a place to host their RVs. Since the deadline nears the winter season, their troubles only increase.

## Agent Information

**Agent :** Mike Bhangu

**Mailing Address :**

1710 Bann St

Merritt, BC

V1K 1E9

Canada

**Primary Phone :** (604) 537-6657

**Email :** mikebhangu@gmail.com

## Parcel Information

### Parcel(s) Under Application

1. **Ownership Type :** Fee Simple

**Parcel Identifier :** 012-394-360

**Legal Description :** LOT 14 SECTION 36 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN 425

**Parcel Area :** 4 ha

**Civic Address :** 2062 Morrison Road, Kelowna

**Applicant:**

**Date of Purchase :** 12/07/2023

**Farm Classification :** Yes

**Owners**

1. **Name :**

**Address :**

2062 Morrison Rd

Kelowna, BC

V1X 4W5

Canada

**Phone :**

**Email :**

2. **Name :**

**Address :**

2062 Morrison Rd

Kelowna, BC

v1x 4w5

Canada

**Phone :**

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**Current Use of Parcels Under Application**

**1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).**

*Currently, the majority of the land is used to grow apples.*

**2. Quantify and describe in detail all agricultural improvements made to the parcel(s).**

*Two buildings, which previously housed horses, were removed to make room to grow apples.*

**3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).**

*A small portion of the land is used as an RV Park. The RV Park itself is relatively small with 8 stalls.*

**Adjacent Land Uses**

**North**

**Land Use Type:** Other

**Specify Activity :** Agricultural and other (e.g. RV Park): Quails View Farm RV Park

**East**

**Land Use Type:** Agricultural/Farm

**Specify Activity :** Agricultural

**South**

**Land Use Type:** Other

**Specify Activity :** Agricultural and other (e.g. RV Park): Acres RV Park

**West**

**Applicant:**



**Land Use Type:** Agricultural/Farm  
**Specify Activity :** Agricultural

## **Proposal**

### **1. How many hectares are proposed for non-farm use?**

*0.20234 ha*

### **2. What is the purpose of the proposal?**

*Currently, the property is permitted to operate a Seasonal RV Park, and we wish to extend the use of the RV Park to Year-Round. The property is 7 acres and the RV Park is located on 0.5 acres. The size of the RV Park is relatively small and hosts 8 stalls.*

*By extending the RV Park to Year-Round, we can contribute to the housing market by providing affordable options.*

*As is, the folks who use the RV Park must leave once the deadline arrives, and they typically have a difficult go at finding a place to host their RVs. Since the deadline nears the winter season, their troubles only increase.*

### **3. Could this proposal be accommodated on lands outside of the ALR? Please justify why the proposal cannot be carried out on lands outside the ALR.**

*The RV Park currently exists on the property in question, and the cost to extend the RV to Year-Round is practical, and something the owner can afford. The owner cannot afford to purchase more land and to build a new RV Park.*

### **4. Does the proposal support agriculture in the short or long term? Please explain.**

*With the extension to year-round occupancy, the potential for a worker to live in the RV Park and work the land becomes a possibility. This will increase the lands productivity.*

### **5. Do you need to import any fill to construct or conduct the proposed Non-farm use?**

*No*

## **Applicant Attachments**

- Agent Agreement - Mike Bhangu
- Proposal Sketch - 69789
- Certificate of Title - 012-394-360

## **ALC Attachments**

None.

## **Decisions**

None.

**Applicant:**

Morriscn Rd

Morrison Rd

FARM COUNTRY RV PARK





**ATTACHMENT** B

This forms part of application  
# A24-0001

Planner Initials WM

City of Kelowna  
DEVELOPMENT PLANNING



January 23, 2024

File No: 0280-30

Local Government File No: A24-0001

City of Kelowna

1435 Water Street

Kelowna, BC V1Y 1J4

Via E-mail: [planninginfo@kelowna.ca](mailto:planninginfo@kelowna.ca)

Dear City of Kelowna:

**Re: Non- Farm Use Application for 2062 Morrison Road (PID: 012-394-360; ALC Application ID: 69789)**

Thank you for providing B.C. Ministry of Agriculture and Food staff the opportunity to comment on the proposed Non-Farm Use application to convert seasonal RV sites to year-round use. Ministry staff offer the following comments:

- Although the parcel is purported to be in apple production, the current RV sites do not appear to have any agritourism connection to the apple orchard.
- The proposal is to provide long-term housing options for people in need and does not appear to be related to an agricultural need.
- While affordable housing is in short supply, extra density in the ALR was allowed through amendments to the ALR Use Regulation in December 2021. The current Bill 44 - Housing Statutes (Residential Amendments) Act, 2023 is proposing that local governments allow only an additional dwelling in the form of a secondary suite or additional detached dwelling. It is not proposing to allow year-round RV parks in the ALR for affordable housing.
- The proposal does not appear to have a benefit to agriculture on this parcel.

If you have any questions regarding our comments, please feel free to contact me via phone or email.

Sincerely,

A handwritten signature in black ink that reads "Alison Fox". The signature is written in a cursive style with a large, stylized 'A' and 'F'.

Alison Fox, P.Ag.  
Land Use Agrologist  
BC Ministry of Agriculture  
Alison.Fox@gov.bc.ca  
(778) 666-0566

Email copy: Claire Buchanan, Regional Planner, ALC [ALC.Referrals@gov.bc.ca](mailto:ALC.Referrals@gov.bc.ca)



City of  
Kelowna

A24-0001

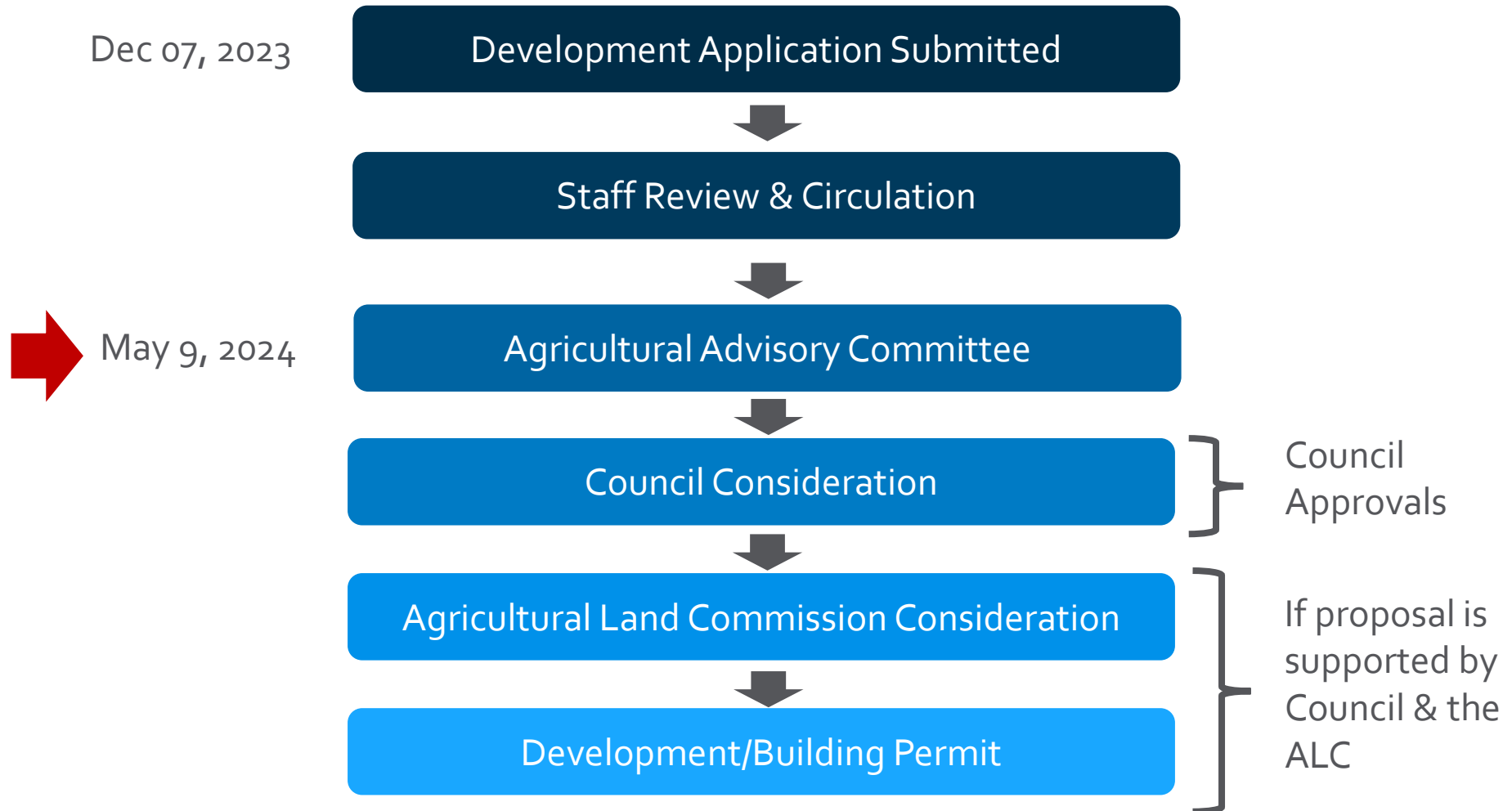
2062 Morrison Road

ALR Application for a Non-Farm Use

# Proposal

- ▶ To consider a Non-Farm Use application to the Agricultural Land Commission (ALC) to operate an existing seasonal agri-tourism RV park year-round.

# Development Process



# Context Map





# OCP Future Land Use / Zoning



# Agricultural Land Reserve



# Aerial View



# Project Details

- ▶ The applicant is seeking approvals to run a year-round RV Park
  - ▶ The RV Park currently non-conforming and approved for 8 sites.
- ▶ A Non-Farm Use Application is required since the use is not permitted in the ALR.

# Development Planning

- ▶ Staff consider non-farm use application when they meet the following criteria:
  - Are consistent with the Zoning Bylaw and the 2040 OCP;
  - Provide significant benefits to local agriculture;
  - Do not require the extension of municipal services;
  - Will not utilize the productive agricultural lands;
  - Will not preclude future use of lands for agriculture; and
  - Will not harm adjacent farm operations.
  
- ▶ CSA-Z241 Series Park model trailers are not recognized as a dwelling units as per BCBC.
  
- ▶ Agri-tourism RV Parks no longer permitted in City

# AAC Recommendation

- ▶ Request for AAC to provide a recommendation for Council of either support or non-support.
- ▶ Application will be forwarded to ALC should Council support it.



## *Conclusion of Staff Remarks*

# COMMITTEE REPORT



**Date:** May 9, 2024  
**To:** Agricultural Advisory Committee  
**From:** Development Planning Department  
**Address:** 2786 KLO Road  
**File No.:** A24-0008  
**Zone:** C1 – Local & Neighborhood Commercial

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## 1.0 Purpose

To consider a Non-Farm Use application to the Agricultural Land Commission (ALC) to develop a gas bar.

## 2.0 Development Planning

The subject property is a 0.38 acres (0.15 ha) site located at the intersection of KLO Road, East Kelowna Road and McCulloch Roads. The small property is currently and has historically been used as a post office since the 1940's with no active agriculture. The owners purchased the property in 2020.

A Non-Farm Use application is required to construct a gas bar on the property since it is within the Agricultural Land Reserve (ALR) and not exempt under the legislation. The current use is not permitted within the ALR however has been operating as such from prior to establishment of the ALR. The proposed new gas bar would include a two-pump island and canopy located between the existing store and KLO Road.

To protect and enhance local agriculture the policy of the Official Community Plan provides support for non-farm use applications only where the proposed use meets the following criteria:

- Are consistent with the Zoning Bylaw and the 2040 OCP;
- Provides significant benefits to local agriculture;
- Do not require the extension of municipal services;
- Will not utilize the productive agricultural lands;
- Will not preclude future use of lands for agriculture; and
- Will not harm adjacent farm operations.

The primary objective of the Agriculture Advisory Committee is to advise Council on sustainable agricultural land use from a multiple bottom line (i.e. cultural, economic, environmental, and social perspective). Staff are asking the AAC to consider this application and provide a recommendation to Council.



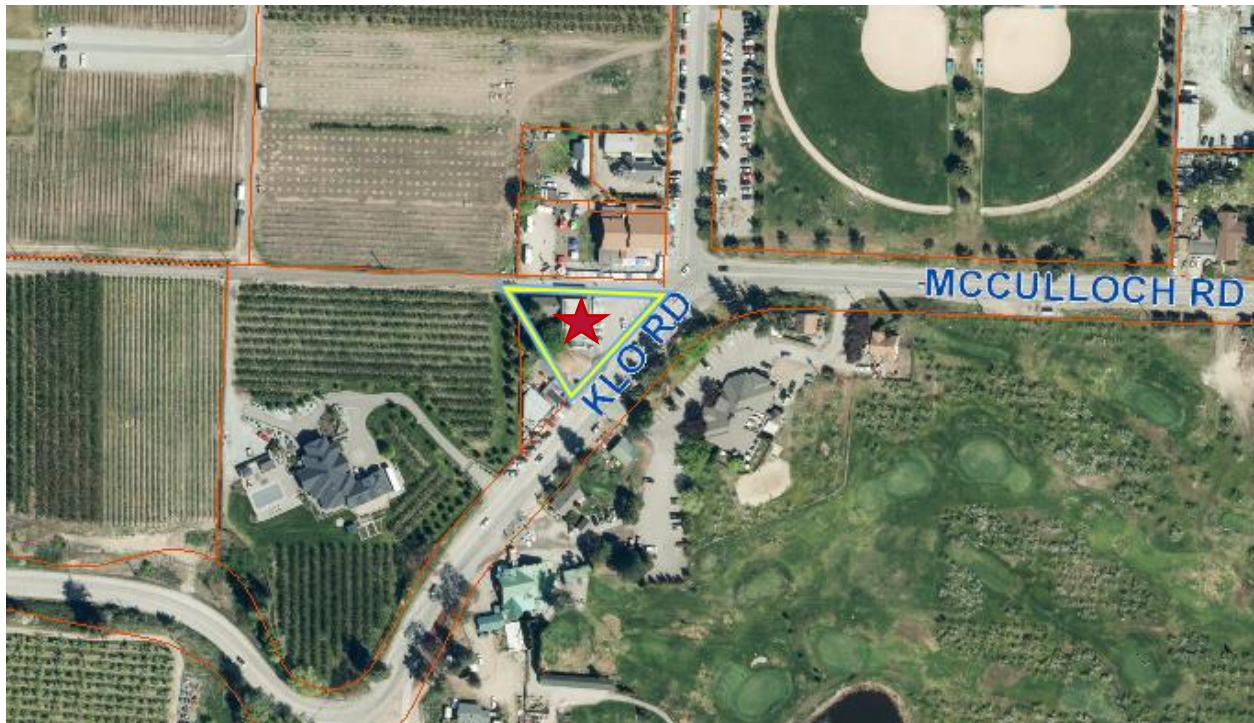
### 3.0 Subject Property & Background

#### 3.1 Site Context

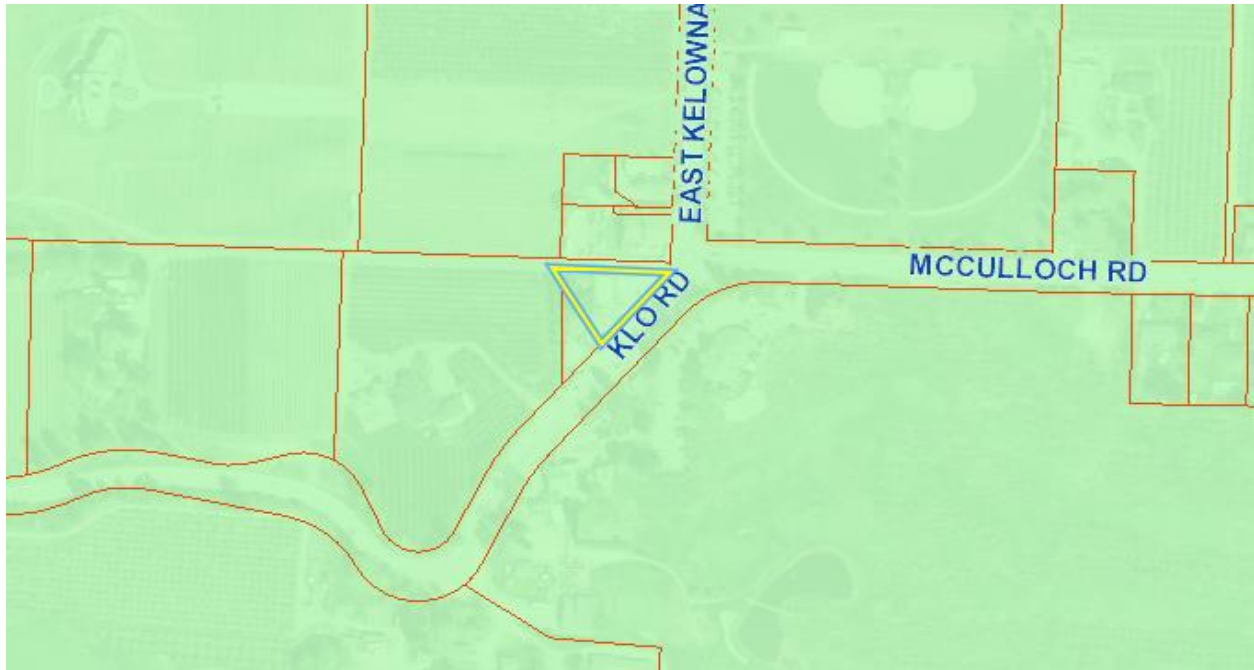
The site is located in the South East Kelowna in a predominately agricultural area with some historic commercial uses around the road intersection. Zoning and land uses adjacent are as follows:

Orientation	Zoning	ALR	Land Use
North	P2 – Educational and Minor Institutional	Yes	Institutional (East Kelowna Community Hall)
South	C1 – Local & Neighbourhood Commercial	Yes	Automotive Mechanics (Hillcrest Garage)
East	C1 – Local & Neighbourhood Commercial	Yes	Commercial (McCulloch Station Pub, Orchard Greens Golf)
West	A1 – Agriculture 1	Yes	Agriculture

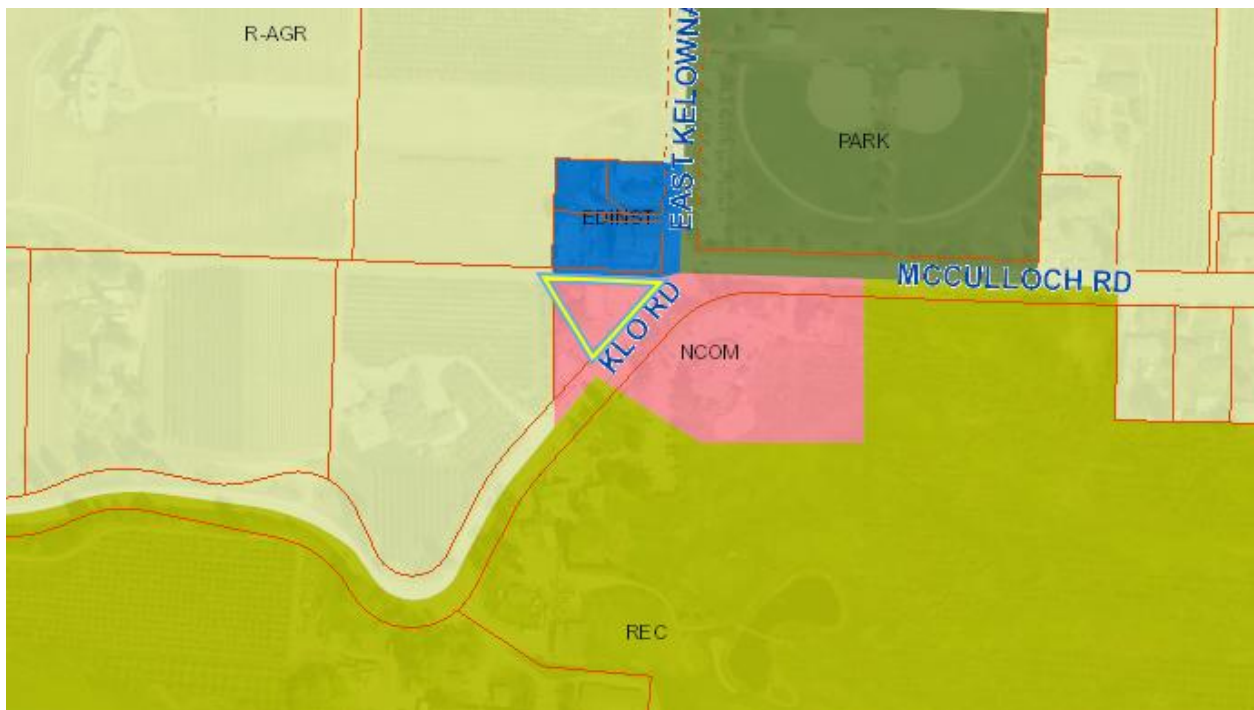
Subject Property Map



ALR Map



Future Land Use Map



## 4.0 Current Development Policies

### 4.1 Kelowna Official Community Plan (OCP)

<b>Objective 8.1. Protect and preserve agricultural land and its capability.</b>	
Policy 8.1.6. Non-farm Uses.	<p>Restrict non-farm uses that do not directly benefit agriculture except where such non-farm uses are otherwise consistent with the goals, objectives and other policies of this OCP. Support non-farm use applications only where approved by the ALC and where the proposed uses:</p> <ul style="list-style-type: none"> <li>• Are consistent with the Zoning Bylaw and the 2040 OCP;</li> <li>• Provide significant benefits to local agriculture;</li> <li>• Do not require the extension of municipal services;</li> <li>• Will not utilize productive agricultural lands;</li> <li>• Will not preclude future use of the lands for agriculture; and</li> <li>• Will not harm adjacent farm operations.</li> </ul> <p><i>The application is not considered to directly benefit agriculture or provide consistency with OCP policies.</i></p>
Policy 8.1.4. Urban Uses.	<p>Direct urban uses to lands within the Permanent Growth Boundary, to minimize development and speculative pressure on agricultural lands.</p> <p><i>The property is located outside of the PGB.</i></p>
Policy 8.4.1. Intensification of Rural Lands.	<p>Do not support urban uses on lands outside the Permanent Growth Boundary except for as permitted by the 2040 OCP Future Land Use Designations in place as of initial adoption of the 2040 OCP Bylaw.</p> <p><i>The existing NCU designation recognizes the historic land use on the subject property however expansion of additional uses is generally not supported due to the overall location and specific site constraints.</i></p>

**Report prepared by:** Wesley Miles, Planner Specialist  
**Reviewed by:** Dean Strachan, Community Planning and Development Manager  
**Approved for Inclusion:** Nola Kilmartin, Development Planning Department Manager

#### **Attachments:**

Attachment A – ALC Application File No: 69392 (A24-0008)  
 Attachment B – Site Plan  
 Attachment C – Applicant Rationale  
 Attachment D – Ministry of Agriculture Memo



# Provincial Agricultural Land Commission - Applicant Submission

**Application ID:** 69392

**Application Status:** Under LG Review

**Applicant:**

**Agent:** Urban Options Planning Corp.

**Local Government:** City of Kelowna

**Local Government Date of Receipt:** 09/21/2023

**ALC Date of Receipt:** This application has not been submitted to ALC yet.

**Proposal Type:** Non-Farm Use

**Proposal:** The purpose of this application is to add a gas bar to the front of existing store and post office. The parking lot is also being reconfigured to provide a total of 12 parking stalls which include 2 EV charging stations.

The subject property has been occupied by a commercial grocery store and post office since the 1940's, when the East Kelowna Community Hall was built on the NW corner of KLO Road and McCulloch Road. In 1976, the existing store building was moved on the property and converted to a warehouse use. At that time a new 2 storey addition was constructed in front of the relocated building.

The current owners purchased the limited company that owns the store in December 2020.

## Agent Information

**Agent :** Urban Options Planning Corp.

**Mailing Address :**

#202 - 1470 St Paul Street

Kelowna, BC

V1Y 2E6

Canada

**Primary Phone :** (250) 575-6707

**Email :** birte@urbanoptions.ca

## Parcel Information

### Parcel(s) Under Application

1. **Ownership Type :** Fee Simple

**Parcel Identifier :** 005-554-667

**Legal Description :** LOT 1 SECTION 9 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT  
PLAN 25252

**Parcel Area :** 0.2 ha

**Civic Address :** 2785 KOL Rd. Kelowna BC

**Date of Purchase :** 12/17/2020

**Farm Classification :** No

**Owners**

**Applicant:**

1. **Name :**  
**Address :**

**Phone :**  
**Email :**

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### **Current Use of Parcels Under Application**

**1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).**

*No agricultural activity*

**2. Quantify and describe in detail all agricultural improvements made to the parcel(s).**

*No agricultural improvements*

**3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).**

*The subject property has been operated as a commercial store and post office in this general location since the 1940's. There is no active agriculture occurring on the subject property. We have been able to find copies of newspaper advertisements dating back to the 1950's and 1960's to demonstrate that the use of the store has been ongoing for many years.*

### **Adjacent Land Uses**

#### **North**

**Land Use Type:** Civic/Institutional

**Specify Activity :** Community Hall and parking lot, no agriculture

#### **East**

**Land Use Type:** Commercial / Retail

**Specify Activity :** Neighbourhood Pub and Liquor Store, no agriculture

#### **South**

**Land Use Type:** Commercial / Retail

**Specify Activity :** Automotive Repair Garage, no agriculture

#### **West**

**Land Use Type:** Agricultural/Farm

**Specify Activity :** Fruit Trees

### **Proposal**

**Applicant:**

**1. How many hectares are proposed for non-farm use?**

0.2 ha

**2. What is the purpose of the proposal?**

*The purpose of this application is to add a gas bar to the front of existing store and post office. The parking lot is also being reconfigured to provide a total of 12 parking stalls which include 2 EV charging stations. The subject property has been occupied by a commercial grocery store and post office since the 1940's, when the East Kelowna Community Hall was built on the NW corner of KLO Road and McCulloch Road. In 1976, the existing store building was moved on the property and converted to a warehouse use. At that time a new 2 storey addition was constructed in front of the relocated building. The current owners purchased the limited company that owns the store in December 2020.*

**3. Could this proposal be accommodated on lands outside of the ALR? Please justify why the proposal cannot be carried out on lands outside the ALR.**

*The subject property has been a non-farm use since the 1940's. This area is located entirely within the ALR, so there is no other near-by sites available that are not located within the ALR.*

**4. Does the proposal support agriculture in the short or long term? Please explain.**

*The existing store and post office provide service to the neighbourhood residents who are located within the ALR. The addition of a gas-bar will allow these residents the opportunity to purchase fuel for their vehicles and equipment without having to drive additional distance into urban centres.*

**5. Do you need to import any fill to construct or conduct the proposed Non-farm use?**

No

**Applicant Attachments**

- Agent Agreement - Urban Options Planning Corp.
- Proposal Sketch - 69392
- Other correspondence or file information - Rationale letter
- Other correspondence or file information - History of area
- Other correspondence or file information - Historic advertisements
- Other correspondence or file information - Existing site plan
- Site Photo - Site photos
- Other correspondence or file information - Zone analysis table
- Certificate of Title - 005-554-667

**ALC Attachments**

None.

**Decisions**

None.

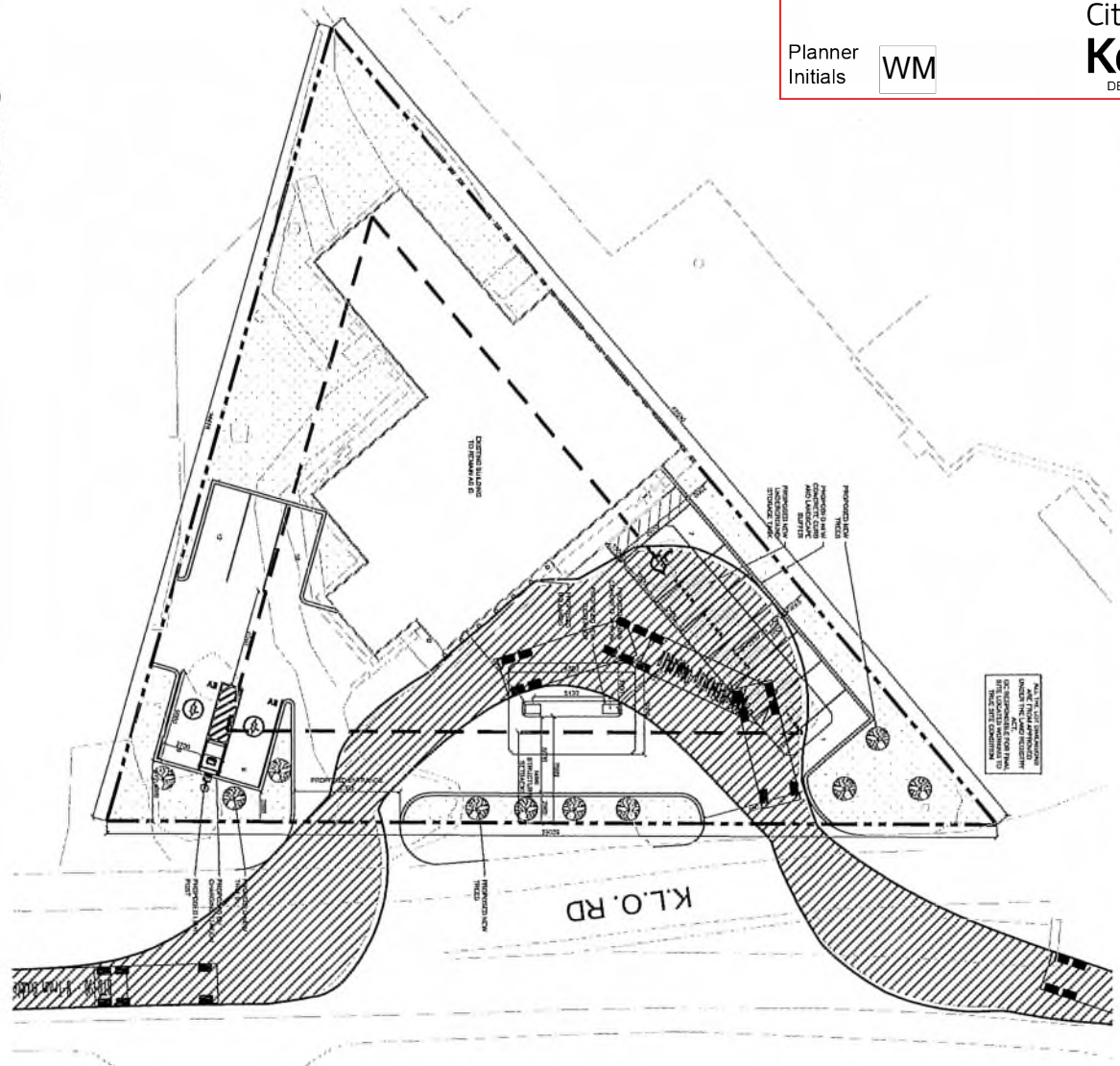
This forms part of application

# A24-0008

Planner Initials **WM**

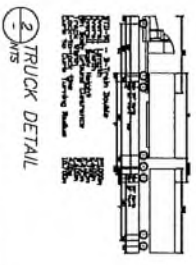


1 SITE PLAN  
1:150



THE CITY OF KELOWNA HAS REVIEWED THE INFORMATION PROVIDED AND HAS FOUND THAT THE INFORMATION IS SUFFICIENT TO PROCEED WITH THE APPLICATION.

NO.	DATE	DESCRIPTION	BY	CHKD BY	APPROVED BY
1	2024-03-15	ISSUED FOR REVIEW	WM	WM	WM



**KEY PLAN**

**GENERAL NOTES:**

- ALL SITE PLANS MUST BE TO SCALE AND MUST BE PRINTED ON A3 PAPER.
- ALL DIMENSIONS MUST BE IN METERS AND MUST BE TO TWO DECIMAL PLACES.
- ALL DIMENSIONS MUST BE TO THE CENTERLINE OF THE ROAD UNLESS OTHERWISE SPECIFIED.
- ALL DIMENSIONS MUST BE TO THE EXTERIOR FACE OF THE CURB UNLESS OTHERWISE SPECIFIED.
- ALL DIMENSIONS MUST BE TO THE EXTERIOR FACE OF THE SIDEWALK UNLESS OTHERWISE SPECIFIED.
- ALL DIMENSIONS MUST BE TO THE EXTERIOR FACE OF THE DRIVE UNLESS OTHERWISE SPECIFIED.
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REV	Date	Description	APPROVED
1	23.08.13	ISSUED FOR REVIEW	WM

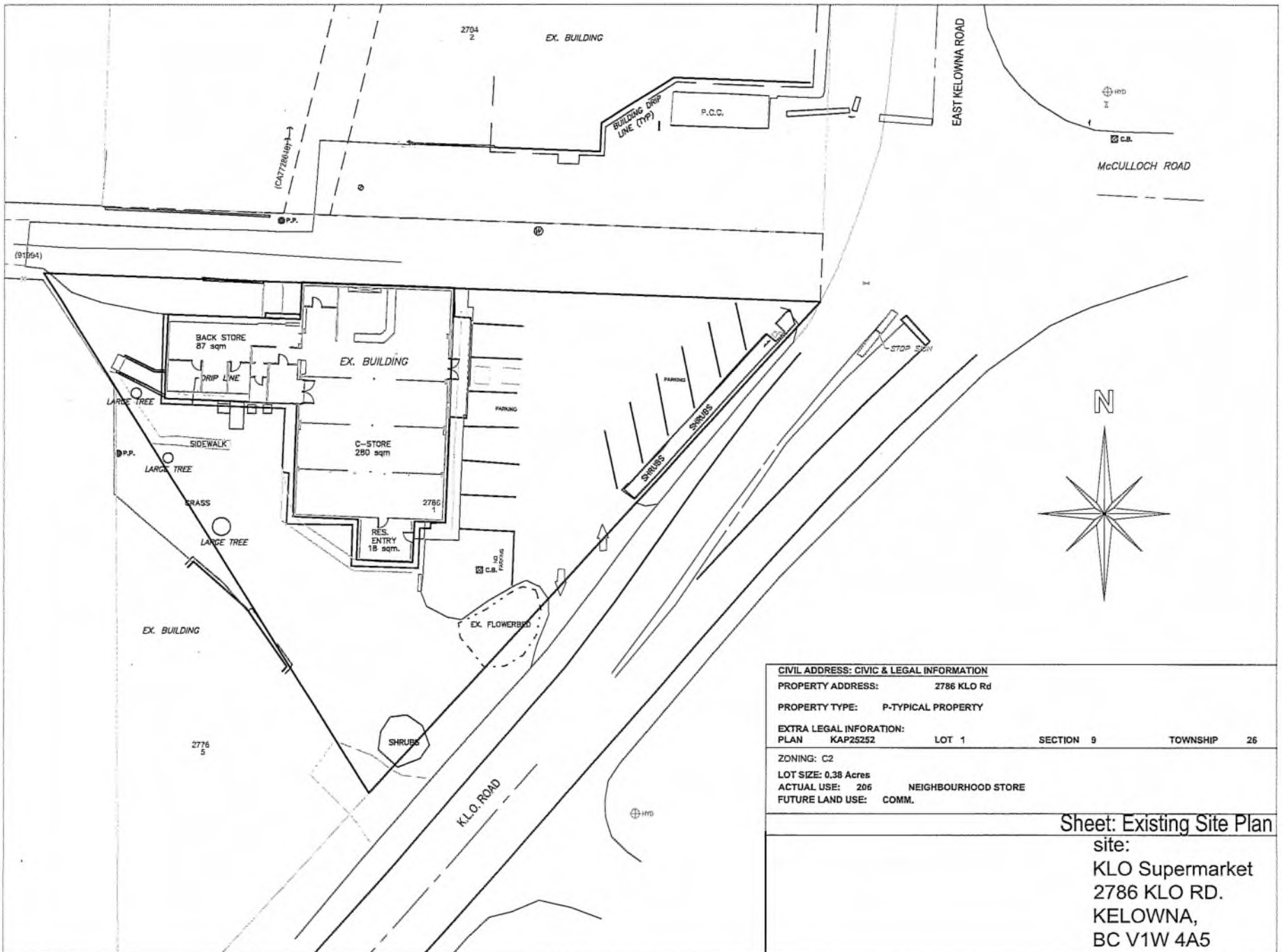
SITE PLAN OP-1  
2786 K. L. O. RD,  
KELOWNA, BC V1W 4A5

blueprint2build



Drawn By: JH	Date: 2023-02-04
Reviewed By: SP-001	Date: 2023-02-08
DWG No: #3-D-001	
File No:	

SP01



<b>CIVIL ADDRESS: CIVIC &amp; LEGAL INFORMATION</b>				
PROPERTY ADDRESS:		2786 KLO Rd		
PROPERTY TYPE:		P-TYPICAL PROPERTY		
<b>EXTRA LEGAL INFORMATION:</b>				
PLAN	KAP25252	LOT 1	SECTION 9	TOWNSHIP 25
ZONING: C2				
LOT SIZE: 0.38 Acres				
ACTUAL USE:		NEIGHBOURHOOD STORE		
FUTURE LAND USE:		COMM.		

Sheet: Existing Site Plan  
 site:  
 KLO Supermarket  
 2786 KLO RD.  
 KELOWNA,  
 BC V1W 4A5





**ATTACHMENT** C

This forms part of application  
# A24-0008

Planner Initials WM

City of **Kelowna**  
DEVELOPMENT PLANNING



September 21, 2023

Agriculture Land Commission  
#201 – 4940 Canada Way  
Burnaby, BC  
V5G 4K6

**RE: Non-Farm Use Application to add a Gas Bar at 2786 K.L.O. Road**

Dear Agricultural Land Commission,

The purpose of this application is to seek approval of a “Non-Farm Use” to add a “gas bar” to the existing convenience store and post office on the subject property, located within the Agricultural Land Reserve. The lot was originally created by plan of subdivision dated August 1974, after the ALR came into existence on April 18, 1973. Therefore, the property does not qualify for exemption from ALC regulation, despite the lot size of less than 2.0ac. For that reason, we are applying for a Non-Farm Use to the Agricultural Land Commission for the existing store and the proposed new gas bar.

**History**

Historically, the existing convenience store and post office has been sited in this general location since the 1940's. In 1976, the existing store building was moved to the rear of the property and converted to a storage function. At that time, a new 2-storey concrete block structure was constructed that provided space for a new store and post office, in addition to a residence on the second level for the operator.

A convenience store and post office has been operating in this neighbourhood since 1928, after the original store and post office burned down in 1926. At that time, the store and post office was operating in a different location on East Kelowna Road. The replacement store was originally constructed on the north side of the lane adjacent to the north-west corner of East Kelowna Road and McCulloch Road. In approximately 1938, the operator of the Store and Post Office, Mr. Harry R.F. Dodd, donated the land to the East Kelowna Community Hall, and the store was moved across the lane to be located on the south-west corner of K.L.O. Road and McCulloch Road, in the general location where the store is currently located. The new community hall opened in 1940.

In 1974, the two small lots located at the south-west corner of K.L.O. Road and McCulloch Road were consolidated into one lot, which became the site of the 1976 two storey building addition. There was vehicle access to the property from K.L.O. Road and from the access Right of Way to

the north. This portion of the access Right of Way has also served the East Kelowna Community Hall site, as this lane also provides access to the parking lot located behind the hall building.

During the course of our research on the subject property, we were provided with a copy of various documents that indicated contractual agreements for the following:

- Operators of the store to provide Post Office mail delivery for the area.
- A chronology document which outlines the various mail service operators and the time for which they were contracted to provide this service.

Additionally, we were successful in understanding the history on nearby services that were connected to the post office and store, and the associated location of an ongoing operating store and post office on the subject property. Copies of advertisements in local newspaper archives are provided to illustrate a commercial retail store operating at this location prior to the creation of the ALR.

A chronology of subdivision plans that illustrates the sequence of subdivisions and lot consolidations has been assembled. This collection of plans shows how the current lot plan came to be, with associated dates and configurations.

This historic review shows that there has been no agricultural activity occurring on the subject property.

With the construction of the Community Hall, St. Mary's Church, the subject store and post office, and the nearby Hillcrest Garage, this area became known as "Downtown East Kelowna." This title was reinforced with the addition of the McCulloch Station Pub and Liquor Store located on the South-East side of K.L.O. Road in the 1990's.

### **Development Proposal Details**

The proposed new gas bar is designed as a two-pump island without a canopy, located in front of the existing store adjacent to the K.L.O. Road frontage. The proposed pump island is oriented parallel to the road frontage to provide efficient vehicle movement. The existing off-street parking located on site is being reconfigured to provide 7 parking stalls along the north property line, as well as 5 parking stalls in the southwest corner of the lot. Two of the parking stalls in this location are to become EV charging stalls to comply with updated Zoning regulation of the City of Kelowna. The access to the property is to be reconfigured to create two clearly identified driveways from K.L.O. road to allow for tanker truck delivery of fuel and easy client access. The existing non-defined access across the north property line will be blocked off with new landscaped plantings within an area defined by new concrete curbing. This will remove the existing situation where access here involves crossing private property. In 2021, the owners of the subject property had entered into discussions with neighbour to authorize legal access over their land, but their discussions were not successful.

The proposed site plan shows truck movements over the parking stalls located adjacent to the north property line. It is anticipated that that fuel deliveries will be scheduled for the nighttime when the store is closed in order to eliminate conflicts between the fuel delivery truck and parked vehicles.

## Conclusion

We feel that the addition of a gas bar to the existing convenience store will have minimal impact on the neighbourhood. Furthermore, the addition of a gas bar to this existing store and post office operation will be a good fit for the area and will provide a local opportunity for neighbourhood residents to purchase fuel. This will limit the need for local residents to drive additional distances to other established gas bars in commercial centres.

Given that the site has been part of the local farming community as a commercial hub since the 1940's, has not been utilized for agricultural purposes, and is only 0.38ac in size, we feel that there is no net loss to agriculture. Approval of this Non-Farm Use application will increase the services offered to the parcel and the community that it serves.

Regards,



Birte Decloux, RPP MCIP  
Urban Options Planning Corp.



**ATTACHMENT** D

This forms part of application  
# A24-0008

Planner Initials WM

City of Kelowna  
DEVELOPMENT PLANNING



September 3, 2021

File No: 0280-30  
Local Government File No: A21-0013

City of Kelowna  
1435 Water Street  
Kelowna, BC V1Y 1J4  
Via E-mail: [planninginfo@kelowna.ca](mailto:planninginfo@kelowna.ca)

Dear City of Kelowna planning staff:

**Re: Non-Farm Use, 2786 K.L.O. Road, Parcel Identifier: 005-554-667**

Thank you for providing the Ministry of Agriculture, Food and Fisheries staff the opportunity to comment on the proposed non-farm use application. From an agricultural perspective, we offer the following comments on the materials provided:

- The applicant wishes to construct a gas bar on the existing paved surface parking lot at the site of an existing convenience store.
- The property is within the Agricultural Land Reserve (ALR).
- Ministry staff acknowledge that the property appears to have operated as a store since the 1940s and is located adjacent to several other non-farm uses.
- The proposal does not appear to constitute a net benefit to agriculture.
- Given the nature of the long-standing non-farm use on the property, the proposal is unlikely to constitute a detriment to agriculture.

If you have any questions, please contact us directly by email or phone.

Sincerely,



Alison Fox, P.Ag.  
Land Use Agrologist  
Ministry of Agriculture, Food and Fisheries  
Alison.Fox@gov.bc.ca  
(778) 666-0566



Chris Zabek, P.Ag.  
Regional Agrologist  
Ministry of Agriculture, Food and Fisheries  
Chris.Zabek@gov.bc.ca  
(250) 861-7680

Cc: Sara Huber, Regional Planner, ALC



City of  
Kelowna

A24-0008

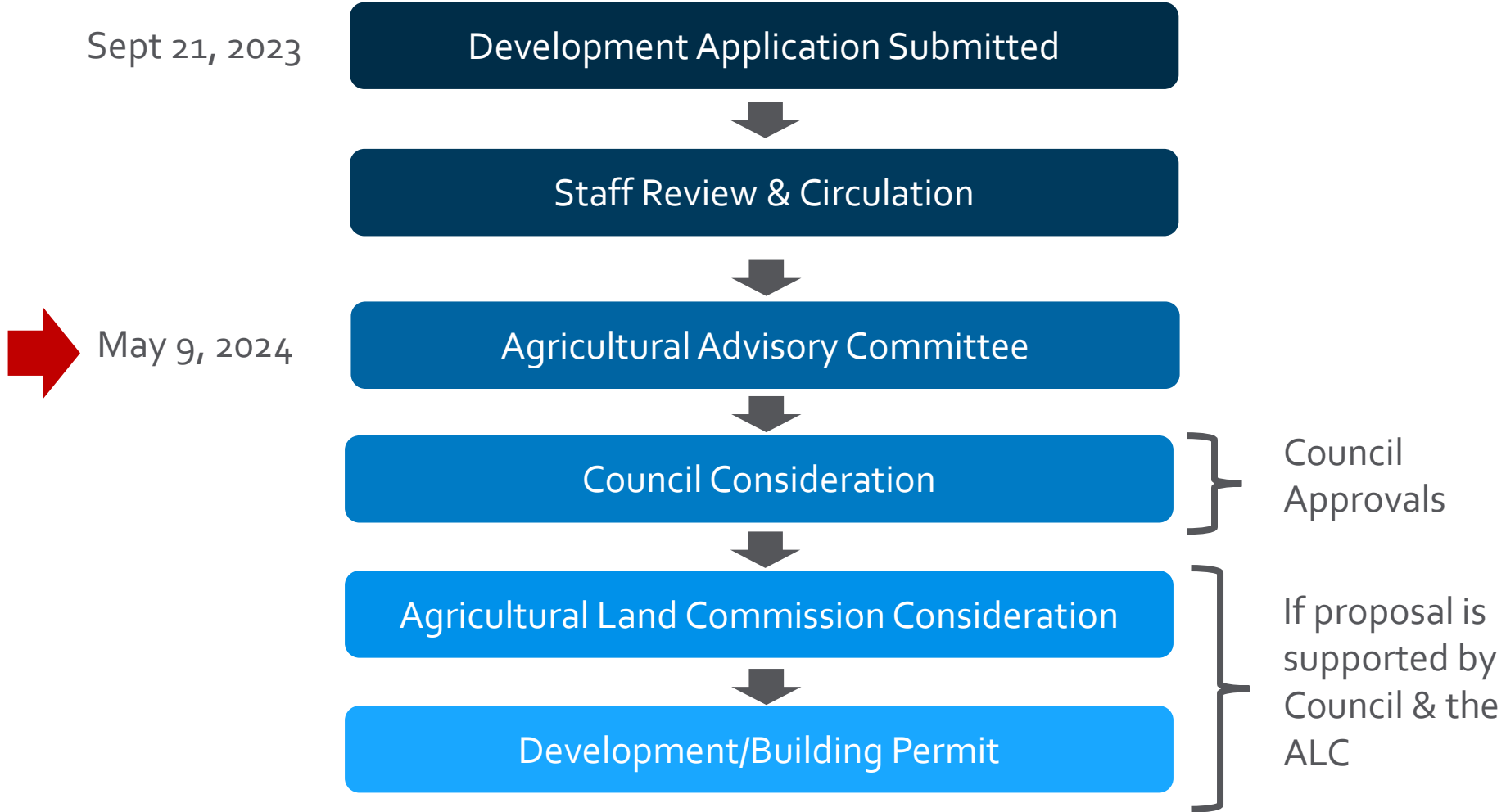
2786 KLO Road

ALR Application for a Non-Farm Use

# Proposal

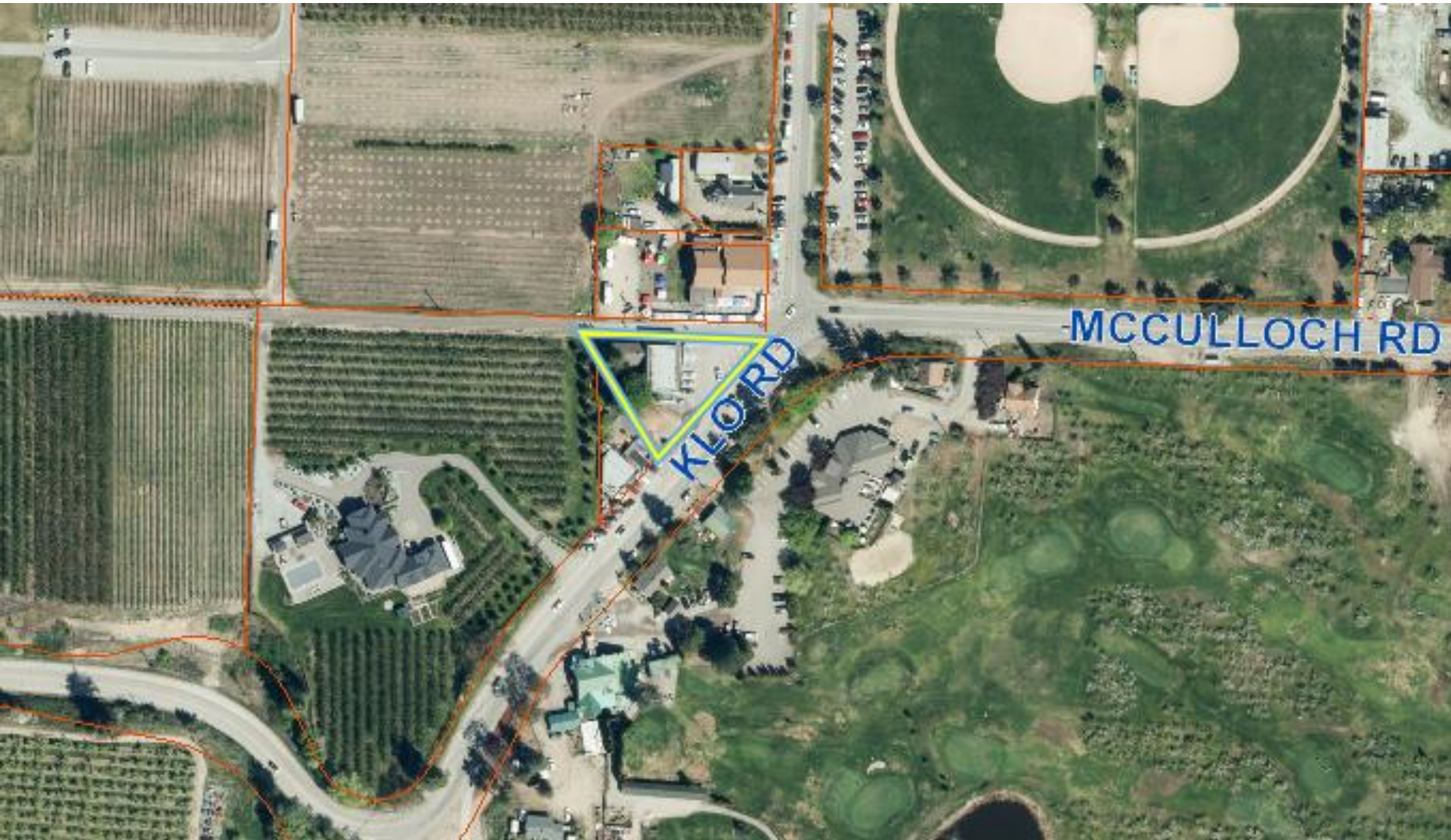
- ▶ To consider an application to the Agricultural Land Commission (ALC) to allow for the construction of gas bar on the subject property.

# Development Process

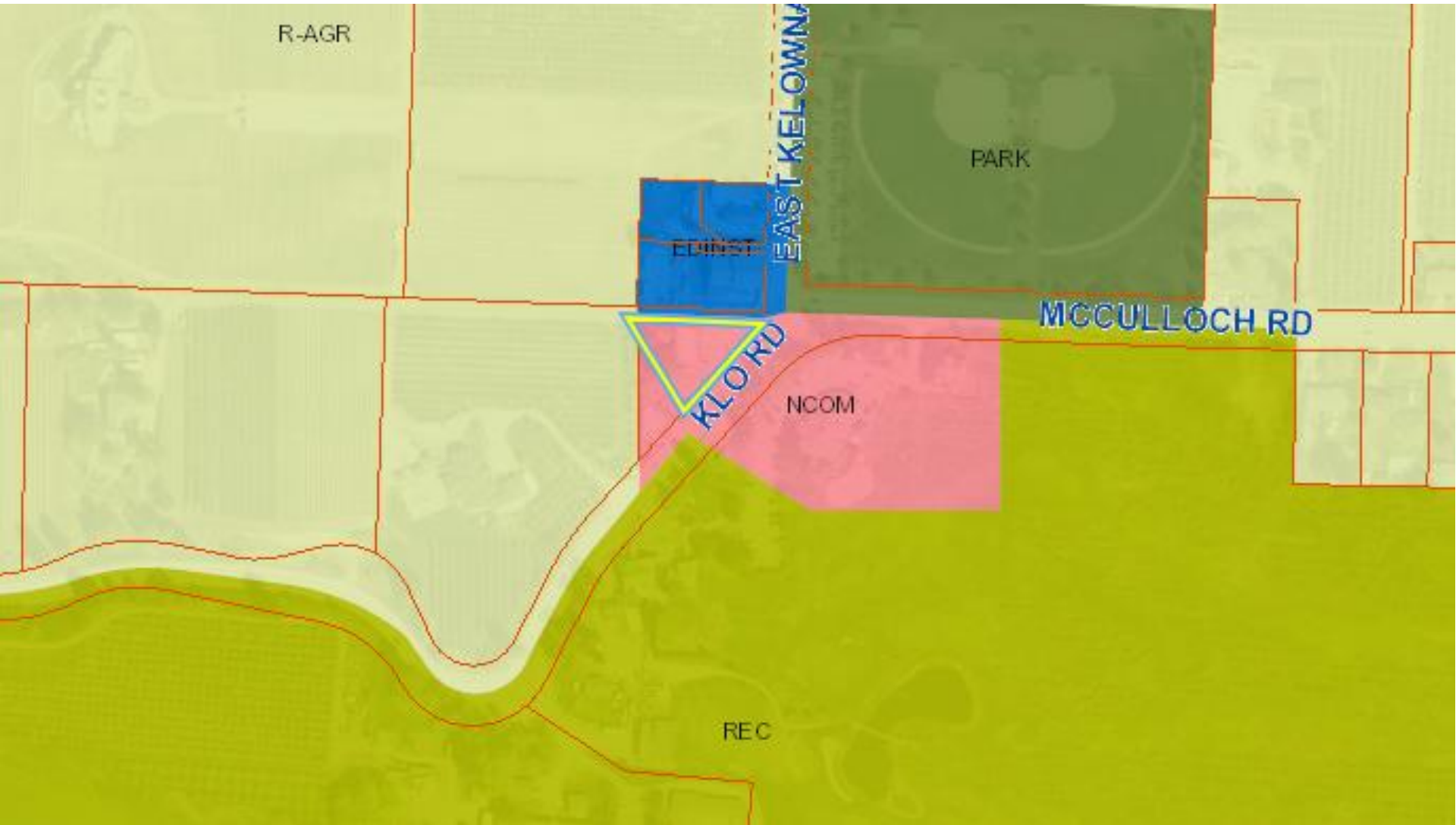




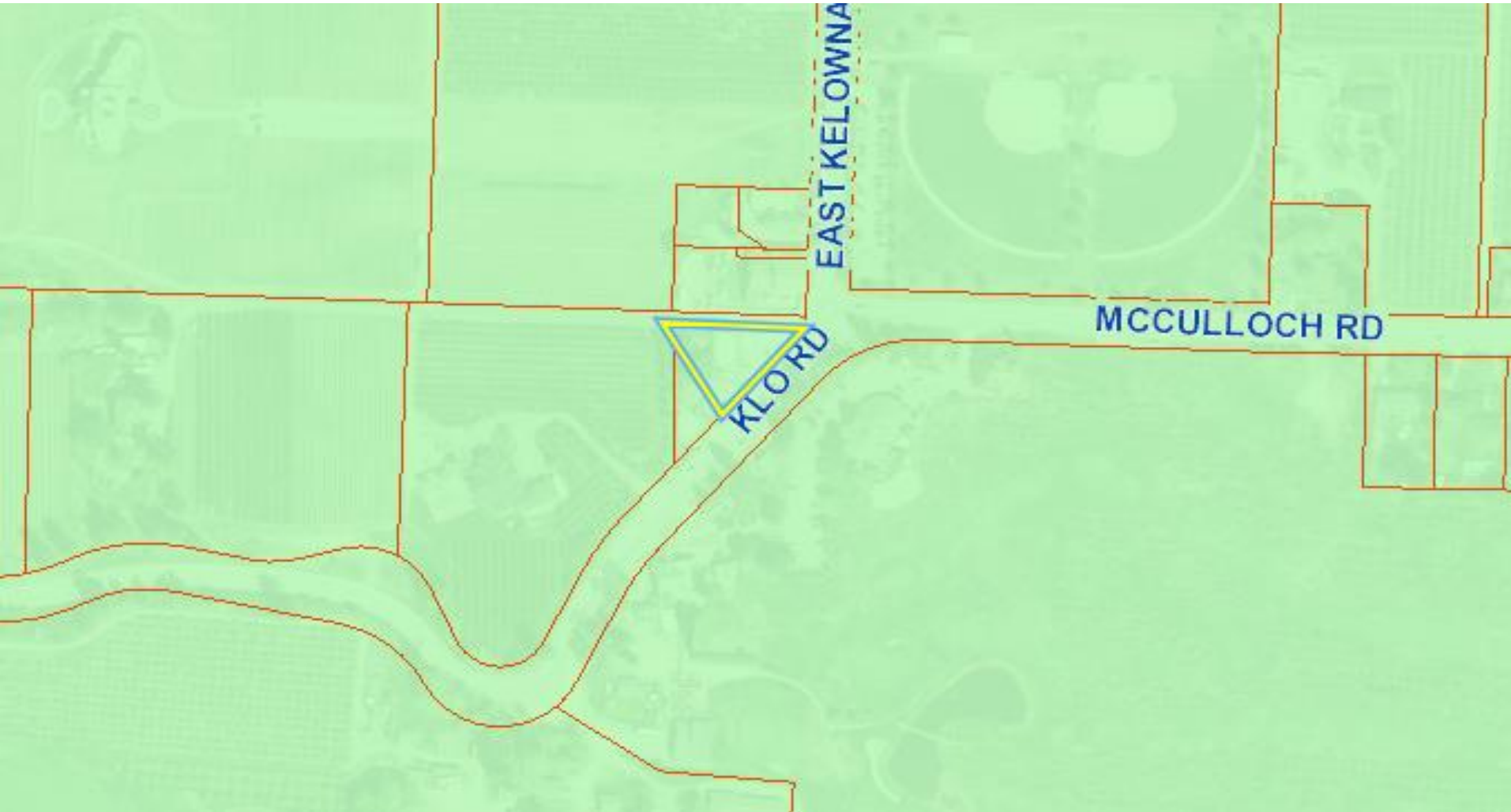
# Context Map



# OCP Future Land Use / Zoning



# Agricultural Land Reserve



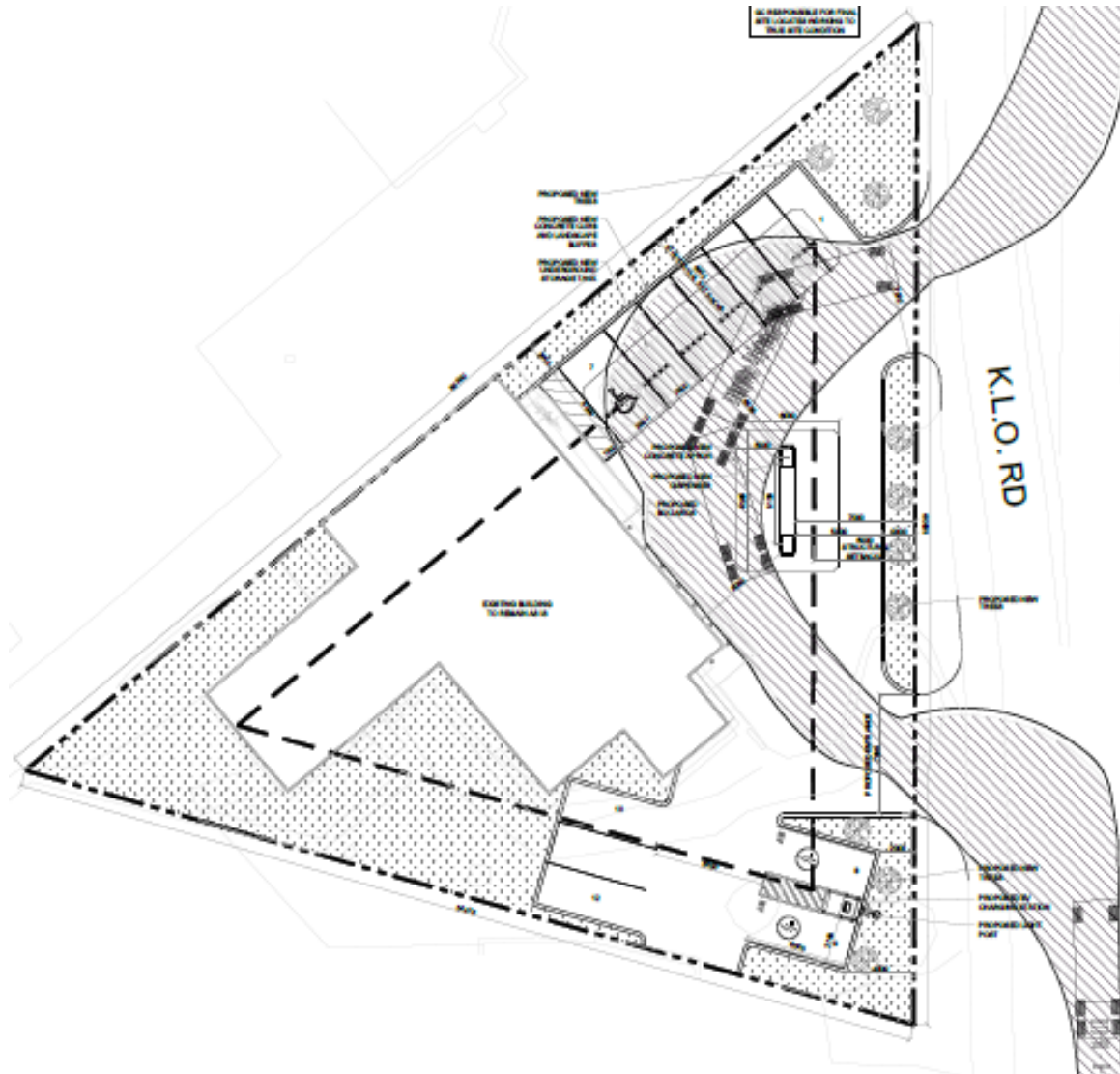
# Aerial View



# Project Details

- ▶ The applicant is seeking approvals to construct a gas bar at the location
  - ▶ The proposal would provide 7 parking stalls and 2 EV chargers
- ▶ A Non-Farm Use Application is required since the use is not permitted in the ALR.

# Site Plan



# Development Planning

- ▶ Staff consider non-farm use application when they meet the following criteria:
  - Are consistent with the Zoning Bylaw and the 2040 OCP;
  - Provide significant benefits to local agriculture;
  - Do not require the extension of municipal services;
  - Will not utilize the productive agricultural lands;
  - Will not preclude future use of lands for agriculture; and
  - Will not harm adjacent farm operations.

# AAC Recommendation

- ▶ Request for AAC to provide a recommendation for Council of either support or non-support.
- ▶ Application will be forwarded to ALC should Council support it.





## *Conclusion of Staff Remarks*

# COMMITTEE REPORT



**Date:** May 9<sup>th</sup>, 2024  
**To:** Agricultural Advisory Committee  
**From:** Development Planning Department  
**Address:** 2160 Galiano Road  
**File No.:** A23-0004  
**Zone:** A1 – Agriculture

---

## 1.0 Purpose

To consider an application to the Agricultural Land Commission (ALC) for a Non-Adhering Residential Use Permit to maintain 90 m<sup>2</sup> of the existing dwelling as living space and to live in the existing dwelling, while a new residence is being constructed.

## 2.0 Development Planning

The subject property is 8.48 acres (3.43 ha) in size and is located on the corner of Galiano Road and Glenmore Rd N. The applicant is seeking permission to allow the existing dwelling to be occupied while a new dwelling is being constructed. In addition, the existing dwelling will be decommissioned to meet the permitted 90 m<sup>2</sup> total floor area for a second residence, which will have to occur prior to final occupancy of the new dwelling.

The existing dwelling was built in 1977 and is 230 m<sup>2</sup> in size. The owners have indicated that the existing dwelling is not large enough to accommodate the six family members, and the delayed decommissioning will allow them to remain on the property while a new dwelling is being constructed. The existing dwelling will have the entire basement decommissioned, and the main floor will be split between living space and agricultural storage to meet the allowable 90 m<sup>2</sup> total floor area for a secondary residence.

The property has active agriculture, as there are approximately 2,300 cherry trees planted on the subject property. A new irrigation system was installed throughout the property to allow for a more productive farming operation. There is one existing farm building, which is a barn at the centre of the site, and it is currently leased to a third-party for cannabis production.

If the proposal is approved by Council and the Agricultural Land Commission, a Farm Residential Footprint covenant is required to be registered on Title prior to the issuance of a new Building Permit. The covenant area would Homeplate the residential uses including both dwellings, and all residential accessory buildings. Prior to final Building Permit occupancy of the new principal dwelling, a Decommissioning Building Permit will be required to be completed. This will ensure that the dwelling is converted to 90 m<sup>2</sup> total floor area prior to final occupancy, and the property will eventually conform with ALC guidelines. The maximum size for a principal dwelling is 500 m<sup>2</sup> total floor area.

### 3.0 Subject Property & Background

#### 3.1 Site Context

The subject property lies within the North Glenmore neighbourhood, and the surrounding area is primarily agricultural lands within the ALR.

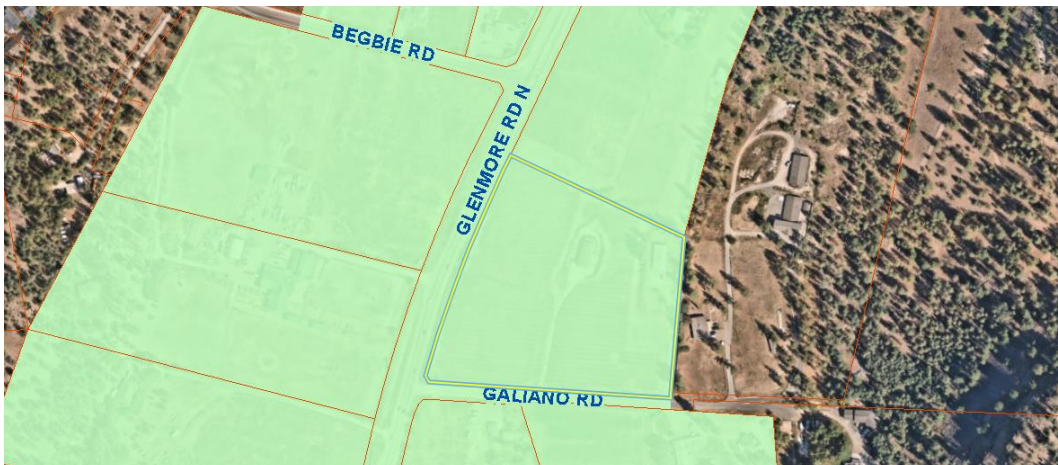
Zoning and land use adjacent to the property are as follows:

Orientation	Zoning	ALR	Land Use
North	A1 – Agriculture 1	Yes	Agriculture
South	A1 – Agriculture 1	Yes	Agriculture / Rural Residential
East	A2 – Agriculture / Rural Residential	No	Rural Residential
West	A1 – Agriculture 1	Yes	Agriculture

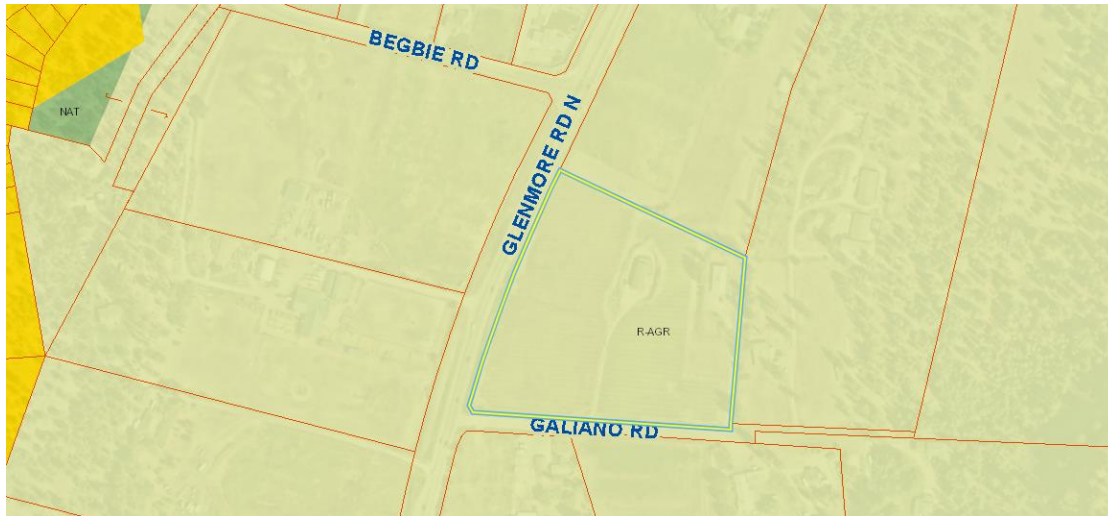
#### Subject Property Map



#### ALR Map



Future Land Use Map



3.2 **Current Development Policies**

4.1 Kelowna Official Community Plan (OCP)

<b>Objective 8.1. Protect and preserve agricultural land and its capability.</b>	
Policy 8.1.10. Homeplating.	<p>Locate buildings and structures, including farm help housing and farm retail sales areas and structures, on agricultural parcels in close proximity to one another and where appropriate, near the existing road frontage.</p> <p><i>The proposed location of the new dwelling will be in close proximity to the existing dwelling. These are closed to the road frontage but are accessed via a driveway that runs parallel with the east property line away from the active agriculture.</i></p>
<b>Objective 8.4. Stop urban sprawl into Rural Lands</b>	
Policy 8.4.3. Housing in Agricultural Areas.	<p>Discourage additional residential development (both expansions and new developments) in areas surrounded by ALR and non-ALR agricultural lands. Secondary suites may be permitted in a permitted primary dwelling. Carriage houses may be considered on Rural Residential lands where the property is 1.0 hectares or greater and where proposal is consistent with the Farm Protection Guidelines outlined in Chapter 22: Farm Protection Development Permit Area.</p> <p><i>The subject property is over 1.0ha, and if approved, the secondary residence would meet the same allowable total floor area of a carriage house at 90 m<sup>2</sup>.</i></p>

**Report prepared by:** Tyler Caswell, Planner II  
**Reviewed by:** Dean Strachan, Community Planning and Development Manager  
**Approved for Inclusion:** Nola Kilmartin, Development Planning Department Manager

**Attachments:**

- Attachment A – ALC Application File No: 66626
- Attachment B – Site Plan
- Attachment C – Floor Plan



City of  
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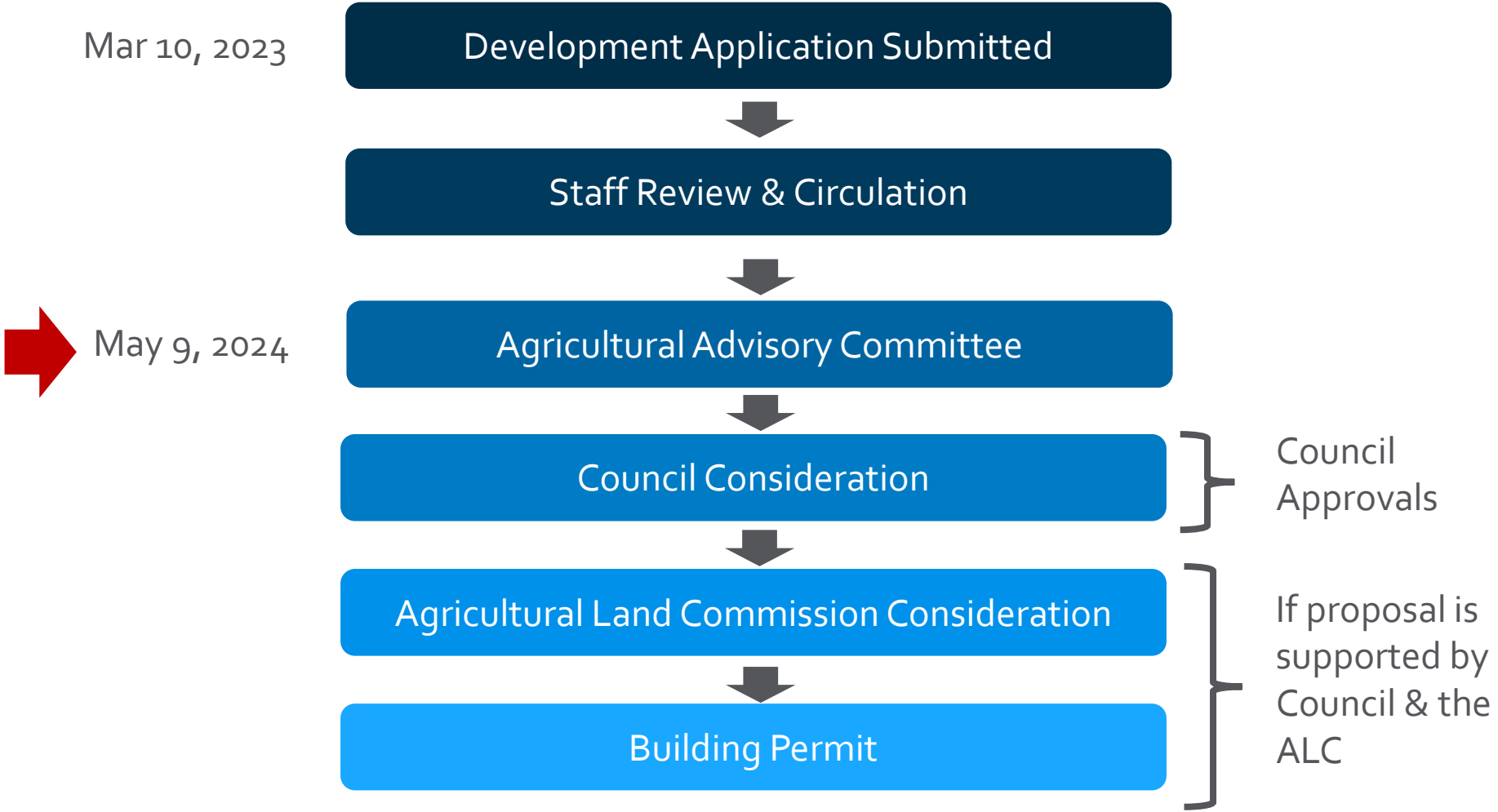
# A23-0004 2160 Galiano Rd

ALR Application for a Non-Adhering Residential Use

# Proposal

- ▶ To consider an application to the Agricultural Land Commission (ALC) for a Non-Adhering Residential Use Permit to maintain 90 m<sup>2</sup> of the existing dwelling as living space and to live in the existing dwelling, while a new residence is being constructed.

# Development Process

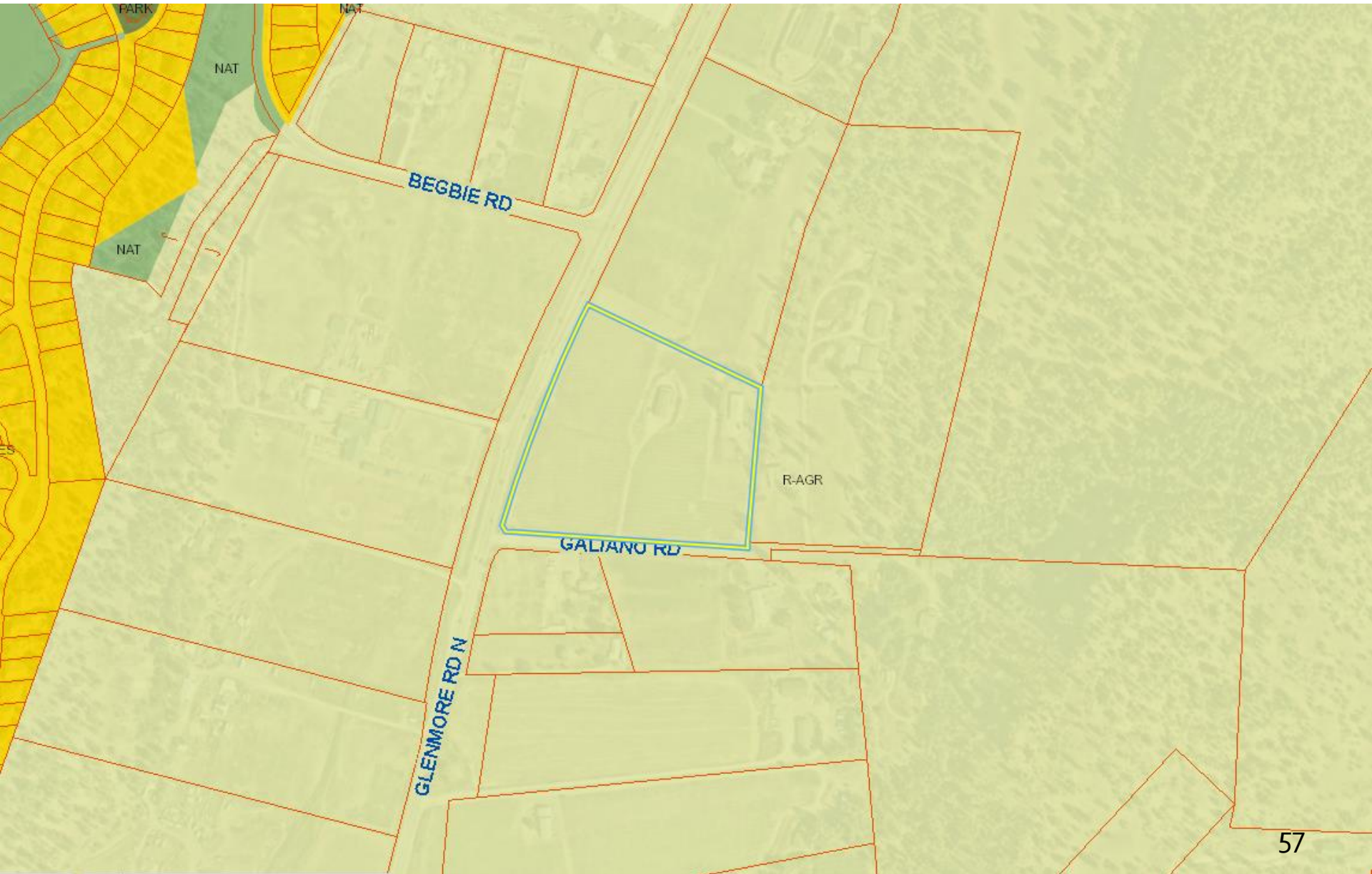


# Context Map

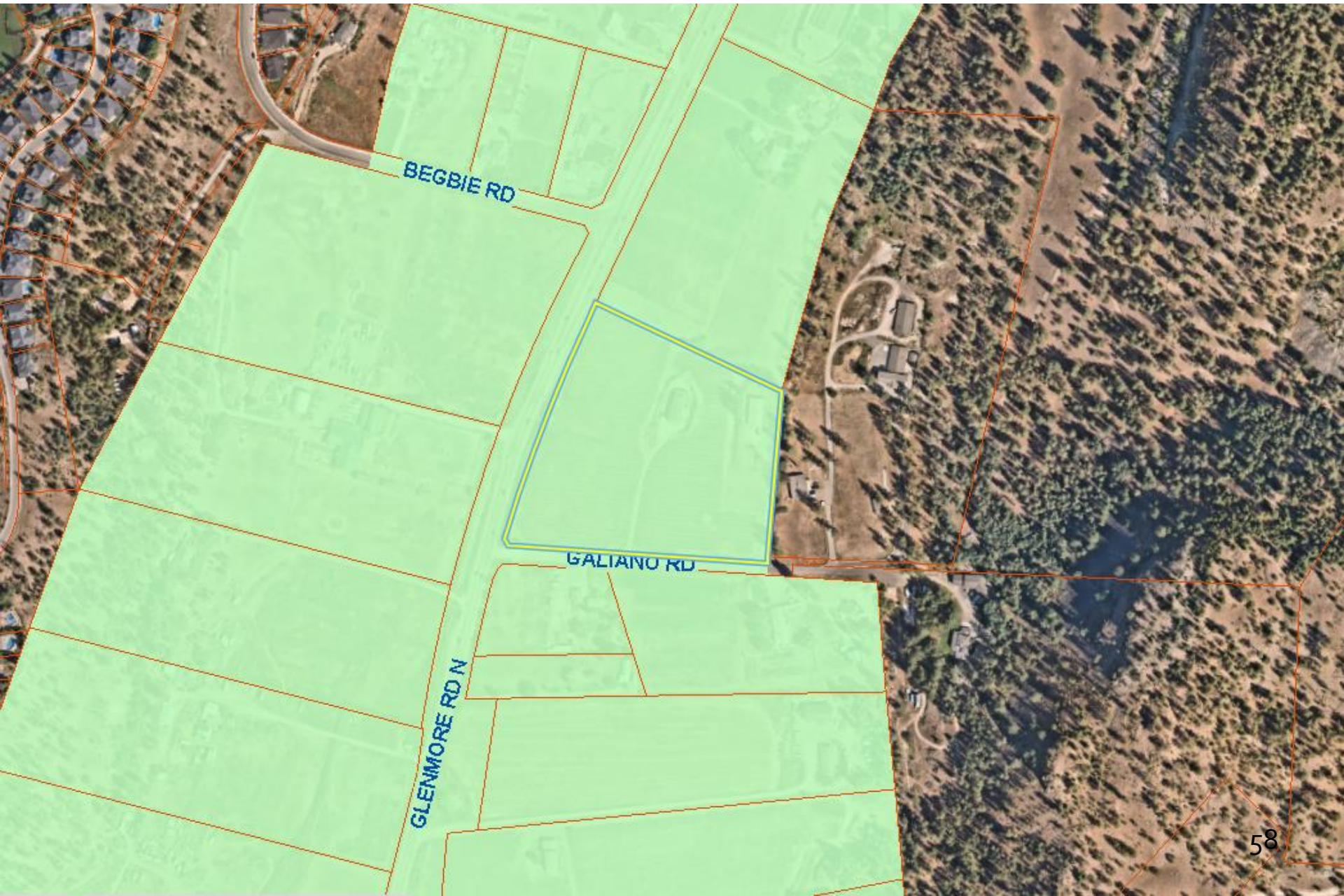




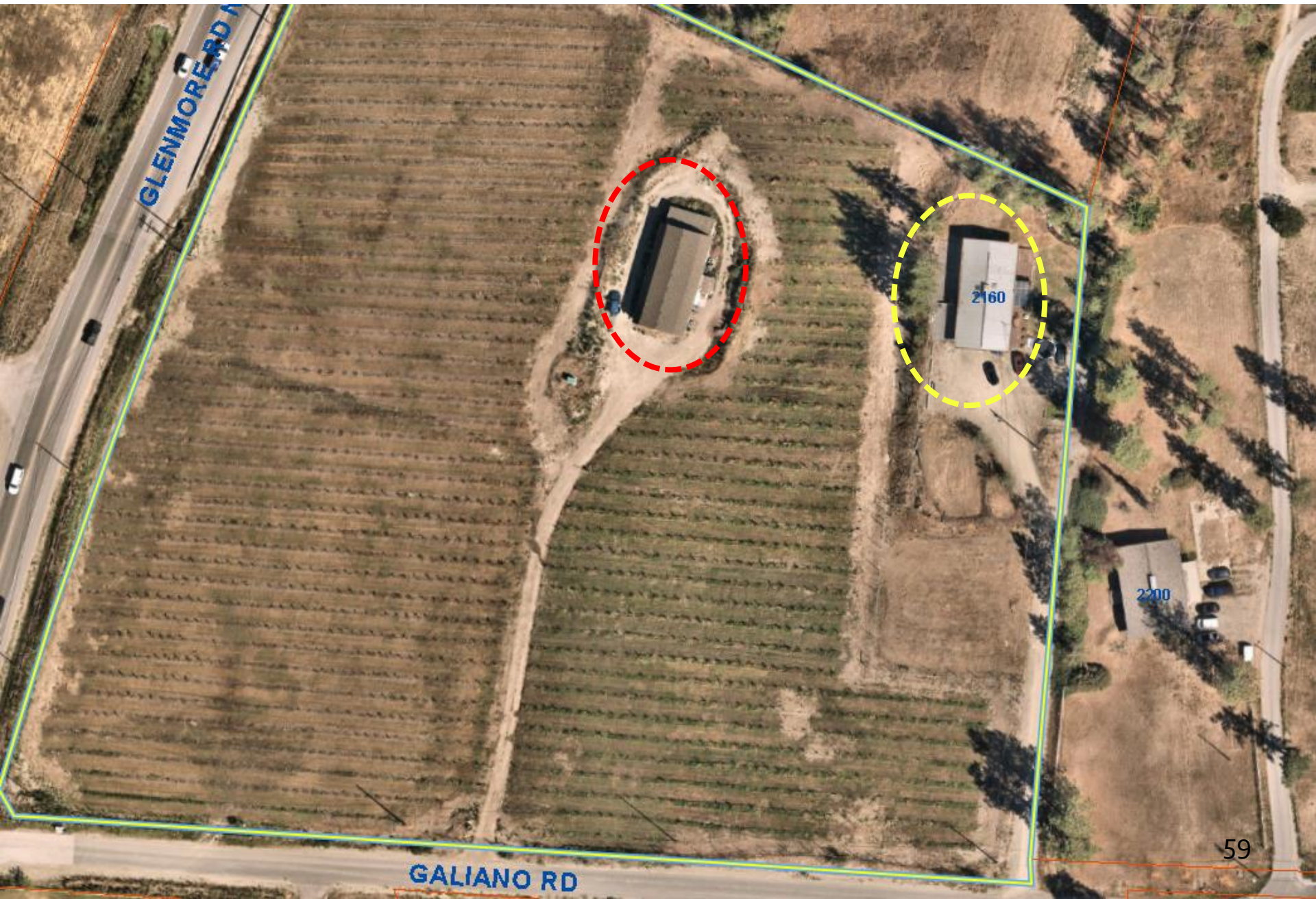
# OCP Future Land Use / Zoning



# Agricultural Land Reserve



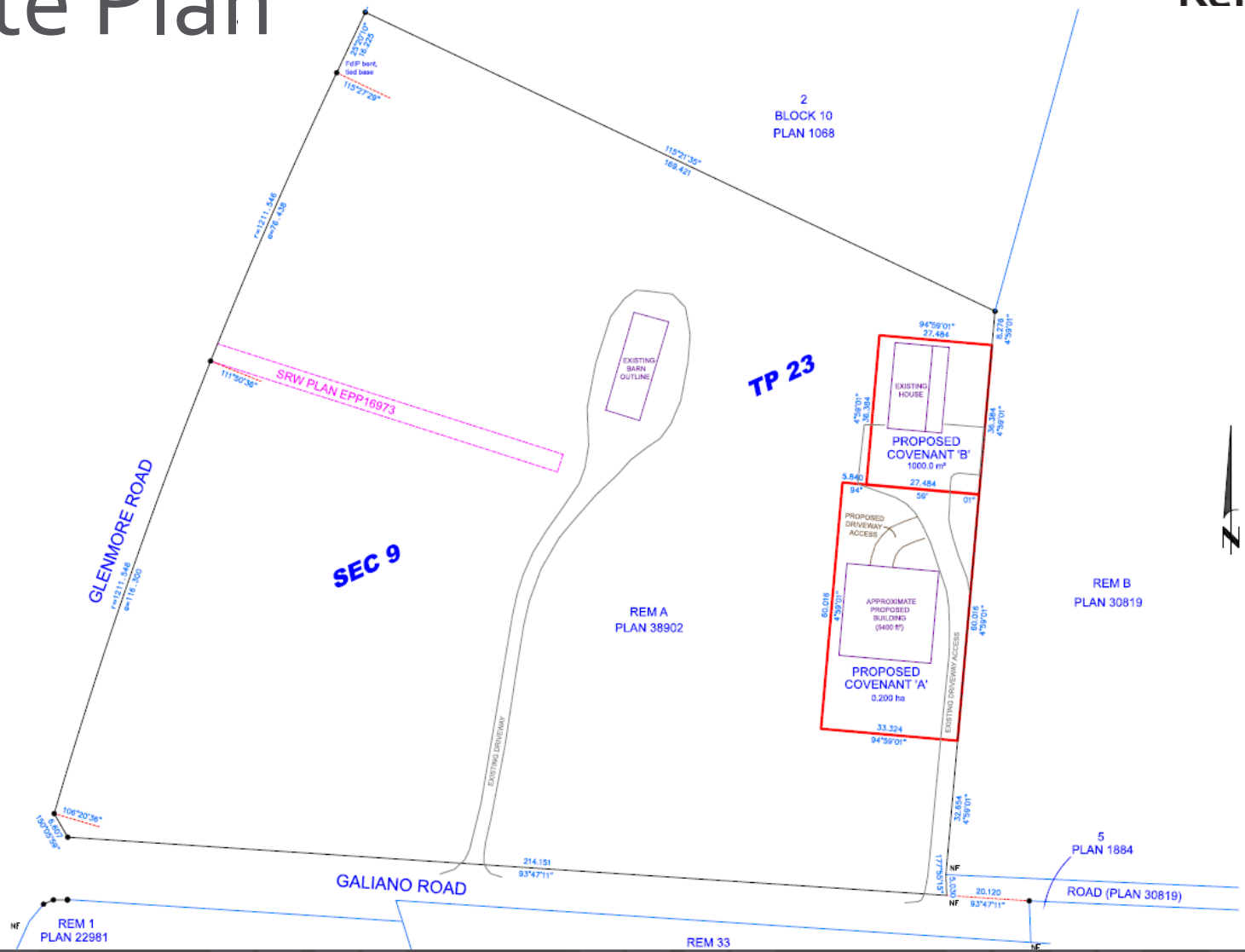
# Aerial View



# Project Details

- ▶ The applicant is seeking approvals to allow for the construction of a new dwelling, while remaining in the existing dwelling during construction.
  - ▶ The proposed new dwelling would be permitted up to 500 m<sup>2</sup> in size.
  - ▶ Final occupancy of the new building would not be permitted without a decommissioning or demolition of existing dwelling.
- ▶ The existing dwelling will be decommissioned prior to final occupancy to meet the maximum allowable size of 90 m<sup>2</sup>.
- ▶ A Farm Residential Footprint covenant is required to be registered on Title prior to the issuance of any new Building Permit.

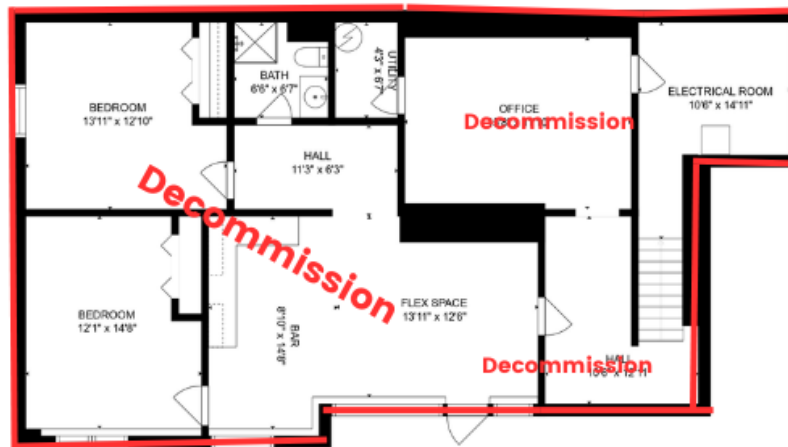
# Site Plan



# Floor Plan



FLOOR 2



# Development Planning

- ▶ Staff consider Non-Adhering Residential Use Permit Applications if they meet the policies the OCP;
  - ▶ Homeplating;
  - ▶ Housing in Agricultural Areas (90 m<sup>2</sup> and property over 1.0ha)
- ▶ A Farm Residential Footprint covenant to be registered prior to issuance of Building Permit

# AAC Recommendation

- ▶ Request for AAC to provide a recommendation for Council of either support or non-support.
- ▶ Application will be forwarded to ALC should Council support it.





## *Conclusion of Staff Remarks*



**ATTACHMENT** A

This forms part of application  
# A23-0004

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**City of Kelowna**  
DEVELOPMENT PLANNING

## Provincial Agricultural Land Commission - Applicant Submission

**Application ID:** 66626

**Application Type:** Non-Adhering Residential Use within the ALR

**Status:** Submitted to L/FNG

**Applicant:** Judge

**Local/First Nation Government:** City of Kelowna

### 1. Parcel(s) Under Application

#### Parcel #1

**Parcel Type** Fee Simple

**Legal Description** LOT A SECTION 9 TOWNSHIP 23 OSOYOOS DIVISION YALE DISTRICT PLAN 38902 EXCEPT PLAN KAP85942

**Approx. Map Area** 3.4 ha

**PID** 008-952-710

**Purchase Date** May 8, 2020

**Farm Classification** Yes

**Civic Address** 2160 GALIANO RD, Kelowna

**Certificate Of Title** 2160 Galiano Rd - Title .pdf

Land Owner(s)	Organization	Phone	Email	Corporate Summary
Gurpreet Judge	No Data	2508993101	guri.judge@icloud.com	Not Applicable

### 2. Other Owned Parcels

Do any of the land owners added previously own or lease other parcels that might inform this application process? No

**ATTACHMENT** A

This forms part of application # A23-0004

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### 3. Primary Contact

Will one of the landowners or government contacts added previously be the primary contact? Yes

Type Land Owner

First Name Gurpreet

Last Name Judge

Organization (If Applicable) No Data

Phone 2508993101

Email guri.judge@icloud.com

### 4. Government

Local or First Nation Government: City of Kelowna

### 5. Land Use

#### Land Use of Parcel(s) under Application

Describe all agriculture that currently takes place on the parcel(s). 2300 (approx.) Cherry trees planted on the land

Describe all agricultural improvements made to the parcel(s). New irrigation system installed through out the Farm land  
Fencing on entire land

Describe all other uses that Home and Barn

currently take place on the parcel(s).

**ATTACHMENT** A

This forms part of application  
# A23-0004

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**Choose and describe neighbouring land uses**

	<b>Main Land Use Type</b>	<b>Specific Activity</b>
<b>North</b>	Residential	Home and Stable
<b>East</b>	Residential	No agriculture
<b>South</b>	Residential	Dog Eye Hospital, Home and Barn
<b>West</b>	Residential	Home and no agriculture

**6. Proposal**

**Selected Subtype:** Principal Residence More Than 500m<sup>2</sup>

**What is the purpose of the proposal?** The main purpose of the proposal is to get approval from ALC in order to build a new principal home of 500 Sq. Meters (size allowed by the ALC) on the upper Eastern portion of the property which is not usable for agricultural purposes. Currently, there is a 1977 Built home on the property and we are proposing to reduce the size of our existing home to 90 Sq. meters and we will decommission the basement and bring it down to 90 M2 ( floor plan submitted to City of Kelowna) as per the requirement of the act upon completion of the principal home. Currently, the existing home is our principal home and we would like to continue to live in this existing home until the completion of our new principal home. We are 6 family members , 4 adults and 2 kids, therefore, we need the whole house until we build the new home. We are proposing to make the new principal home's occupancy permit conditional to decommissioning of the existing home to 90 sq. meters.

**What is the total floor area (m<sup>2</sup>) of the proposed principal residence?** 500

**Describe how the proposal for a principal residence more than 500m<sup>2</sup> will support agriculture in the short or long term.** We are only proposing a principal residence of a maximum of 500 Sq Meters.

**Describe the rationale for the proposed location of the principal residence.** The proposed location is close to the existing driveway road to the property which is not usable for agriculture. This location does not require another driveway to the new building.

**Provide the total area (m<sup>2</sup>) and a description of infrastructure necessary to support the principal residence.** 21780 Sq feet (.50 acres) to build 500 Sq meter principal residence, driveway is already there, gas line is already installed, water line is also in front of the location of the proposed structure as well as power.

**Describe the total floor area (m<sup>2</sup>), type, number, and occupancy of all residential structures currently located on the property.** Existing residential structure  
230 Sq Meter  
used a principal residence

**Proposal Map / Site Plan** 20221211161420\_001.pdf

**Do you need to import any fill to construct or conduct the proposed non-adhering residential use?** Yes

**Soil and Fill Components**

**Describe the type and amount of fill proposed to be placed.** To be determined , We are not sure at this stage.

**Briefly describe the origin and quality of fill.** TBD

**Placement of Fill Project Duration** TBD

**Volume** **Fill to be Placed** 0 m<sup>3</sup>  
**Area** 0 ha

**ATTACHMENT**      **A**

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**Maximum Depth** 0 m

**Average Depth** 0 m

### 7. Optional Documents

Type	Description	File Name
Photo of the Application Site	Site's Current image	IMG_2179.HEIC
Photo of the Application Site	Site's Current image	IMG_2186.HEIC
Photo of the Application Site	Site's Current image	IMG_2185.HEIC
Photo of the Application Site	Site's Current image	IMG_2184.HEIC
Photo of the Application Site	Site's Current image	IMG_2183.HEIC
Photo of the Application Site	Site's Current image	IMG_2181.HEIC

**ATTACHMENT** A

This forms part of application  
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SITE PLAN OF LOT A, SEC 9, TP 23,  
 ODYD, PLAN 38902, EXCEPT PLAN  
 KAP85942.



The intended plot size of this plan is 560mm in width by 432mm in height (C-size) when plotted at a scale of 1:600 METRIC.

PID: 008-952-710  
 CIVIC ADDRESS: 2160 GALIANO ROAD  
 CLIENT: JUDGE

LEGEND

- Denotes Standard Iron Post Found
- NF Denotes iron post searched and Not Found

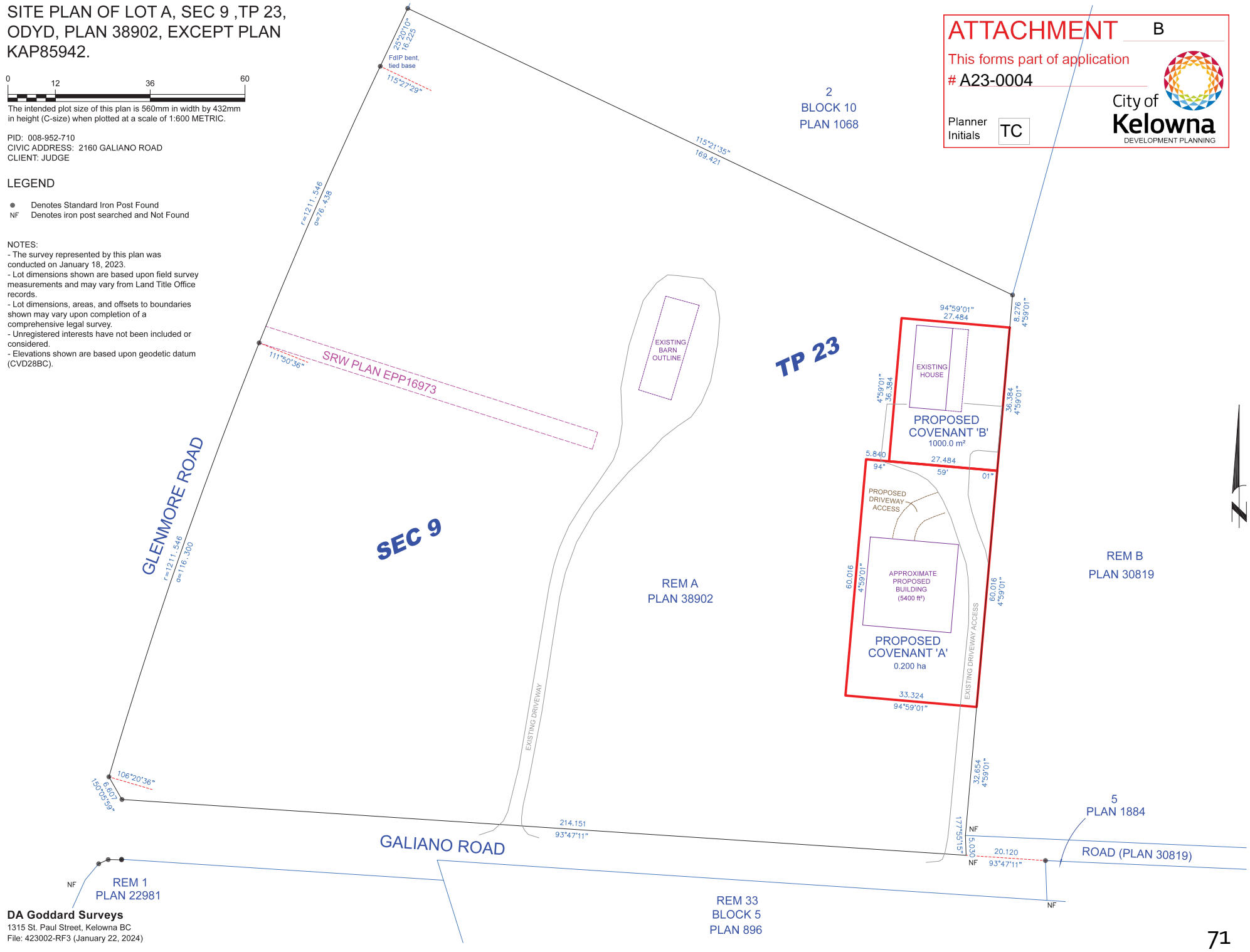
NOTES:

- The survey represented by this plan was conducted on January 18, 2023.
- Lot dimensions shown are based upon field survey measurements and may vary from Land Title Office records.
- Lot dimensions, areas, and offsets to boundaries shown may vary upon completion of a comprehensive legal survey.
- Unregistered interests have not been included or considered.
- Elevations shown are based upon geodetic datum (CVD28BC).

**ATTACHMENT B**

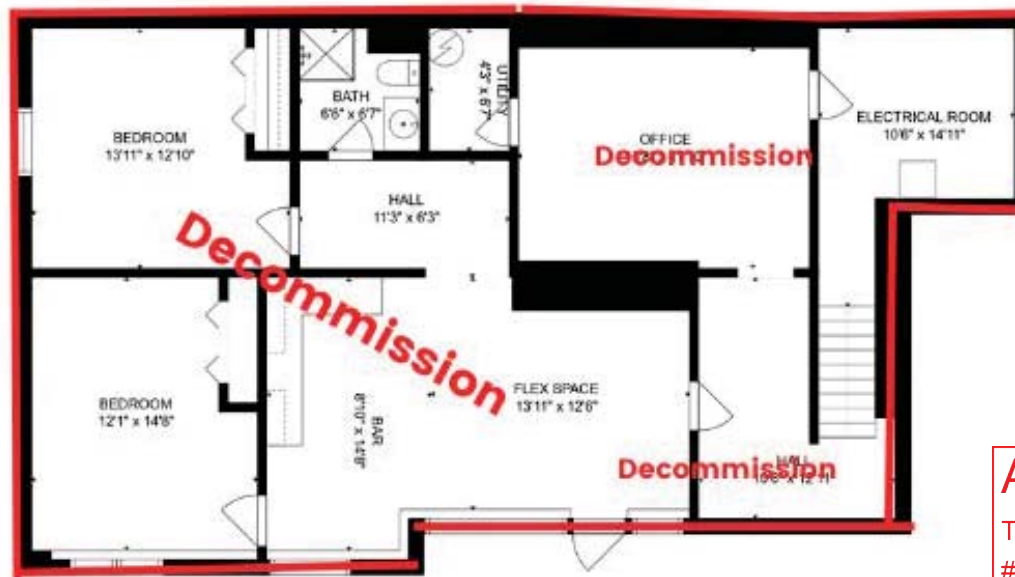
This forms part of application  
 # A23-0004

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FLOOR 2



FLOOR 1

**ATTACHMENT C**

This forms part of application # A23-0004

Planner Initials **TC**



GROSS INTERNAL AREA  
 FLOOR 1: 1325 sq. ft, FLOOR 2: 1380 sq. ft  
 EXCLUDED AREAS: , GARAGE: 507 sq. ft  
 TOTAL: 2705 sq. ft

MEASUREMENTS ARE CALCULATED BY CUBICASA TECHNOLOGY. DEEMED HIGHLY RELIABLE BUT NOT GUARANTEED.



# COMMITTEE REPORT



**Date:** May 9, 2024  
**To:** Agricultural Advisory Committee  
**From:** Utility Services  
**Subject:** Referral – Agricultural Water Supply

---

**Recommendation:**

THAT the Agricultural Advisory Committee receives, for information, the report from Utility Services dated May 9, 2024, with respect to the status of anticipated non-potable water supplies for 2024;

AND THAT the Agricultural Advisory Committee provides the following input on balancing water conservation with agricultural and environmental needs;

AND FURTHER THAT the Agricultural Advisory Committee provides Council the following input on the impacts of current drought conditions on Kelowna’s agricultural community.

**Purpose:**

To provide input on the impacts of drought on Kelowna’s agricultural community and any additional measures that can be taken to balance water conservation with agricultural and environmental needs.

**Background:**

On Monday, April 22<sup>nd</sup>, 2024, Utility Services provided a report to Council (See attachment) outlining staff’s concerns of potential water supply concerns in the City, particularly potential shortages in the Non-Potable supply from lack of runoff this spring to McCulloch Reservoir from the uplands watershed. Council passed the following resolutions:

*THAT due to drought conditions leading to an anticipated shortage in supply of water in the Non-Potable water system, Council declare Stage 1 Water Use Restrictions be in effect for all water customers of the Kelowna Water Utility;*

*AND FURTHER THAT Council declare that Agricultural Customers of the Kelowna Water Utility cannot exceed their annual Allotment in 2024; and that the City may shut off water services in the event that Customers exceed their Allotment;*

*AND FURTHER THAT Council direct staff to request the Council Agricultural Advisory Committee to provide input on the impacts of current drought conditions on Kelowna’s agricultural community and any additional measures that can be taken to balance water conservation with agricultural and environmental needs.*

The McCulloch Watershed is the only supply of water for agricultural irrigation and use in southeast Kelowna, and provides fire protection year-round. Precipitation levels over the winter have been below normal, whether snow or rainfall. Snowpack measurements in 3 snow pillows at elevations below 1,550 metres are now at zero. This early decline has resulted in reduced capacity for supplementing our supply at the Hydraulic Creek Intake, leading to earlier use of storage. This conservative outlook assumes that significant spring rainfalls do not materialize, and that drier conditions prevail. On a positive note, current weather patterns remain cool with some rain and snow.

As of May 1, 2024, McCulloch Reservoir is rising as runoff accumulates and sits at 10,500 ML. This again is positive, although water supply concerns remain until it reaches full pool. At this time, we continue to predict it will not fill, but this will be re-evaluated in the future. Table 1 provides the latest relevant local data for snow and upland storage levels.

**Table 1. Select lake level, creek flow and climate measurements (to May 1, 2024)**

	Readings			Comment
	May 1/24	April 1/24	Normal (May 1)	
McCulloch Reservoir	10,500 ML	8,530 ML	9,300 ML	Maximum = 16,650 ML
<u>Snow Pillows</u>				(Snow-Water Equivalent)
Mission Creek (1780 m)	440	391 mm	530 mm	82% of normal
Greyback (1550 m)	0	151 mm	159 mm	Complete.
Oyama Lake (1360 m)	0	100 mm	0 mm	Complete.
Brenda Mines (1460 m)	0	172 mm	127 mm	Complete

- Notes: m = metres; mm = millimetres; m<sup>3</sup>/s = cubic metres per second; ML = 1 million litres or 1 megalitre; ML/yr = megalitres per year.

### **Environmental Flow Needs (EFN) and Critical Flow Needs**

The City is required to release a minimum flow of 31 litres per second daily at the Hydraulic Creek Intake. This flow is the City’s obligation to the Mission Creek Water Use Plan in use since 2010, which assures minimum flows and releases in Mission Creek for fish passage and spawning. The Black Mountain Irrigation District also delivers water from their storage according to this Water Use Plan.

From an operational perspective, City staff monitor runoff levels from the lower watershed below McCulloch Reservoir. As lower watershed flows subside, staff then modulate releases from McCulloch to assure the minimum EFN at the intake. In 2023, the City met its EFN obligations to Mission Creek during a challenging Level 5 drought on Mission Creek.

### **Discussion:**

In 2023, there were 406 farms and approximately 200 small non-farm services receiving non-potable water from the Utility for irrigation, stock watering and landscape use. 69 of these farm services (17% of

customers) exceeded their allotment of 685mm on their property. This is double what we normally see. The City has allowed allotment exceedances since the City took over operation of SEKID.

With allotments capped at 685mm for 2024, the City anticipates a savings of 5.6 percent of total storage from 2023. This will help ensure that all water users can reliably access their water allotment in 2024.

### **City Actions**

To draw attention to the drought conditions and direct users to the importance of conservation to the City, the following actions have been taken:

1. Invoked clause 8.3.2. (b) of the water regulation bylaw by having Council declare that customers cannot exceed their Allotment and giving staff the power to shut off irrigation services if customers exceed their Allotment.
2. Declared Stage 1 water restrictions for all City of Kelowna water utility customers. This includes all users of both the potable and non-potable water systems.
3. Offered by letter to 34 agricultural service property owners that significantly exceed their allotment in 2023 to provide free irrigation assessments and a report to these properties to help them identify and plan for any improvements that may help reduce water consumption or improve irrigation efficiency. This service will be made available for any of the 70 properties that exceeded their 2023 allotment. As of May 1, only one property has signed up for this valuable service.
4. Reached out to City Parks staff requesting, as part of Stage 1 water restrictions, a goal of reducing irrigation consumption by 10 percent.

### **Conclusion:**

For the non-potable supply, staff are anticipating a challenging year in 2024. As of May 1, 2024, staff are prepared for McCulloch reservoir not filling based on available measurement and detailed climate projections. Council have been advised, for now, that staff are not confident that there is enough water to supply normal agricultural and environmental practices expected by our customers for 2024.

It is Council's expectation that the agricultural community is better served by understanding these limitations early in the growing season and allowing for any private adjustments to be accommodated. Council is interested in hearing input on the impact of drought on agricultural irrigation and what other opportunities might be available to balance conservation, agricultural and environmental flow needs.

**Report prepared by:** Rod MacLean, Utility Planning Manager

**Reviewed by:** Kevin Van Vliet, Utility Services Manager

Dean Strachan, Community Planning and Development Manager

**Approved for Inclusion:** Nola Kilmartin, Development Planning Department Manager

### **Attachments:**

Report to Council from Utility Services dated April 22, 2024: Potable and Non-Potable Water System - Supply Status Update

# Non-Potable Water Supply - Status

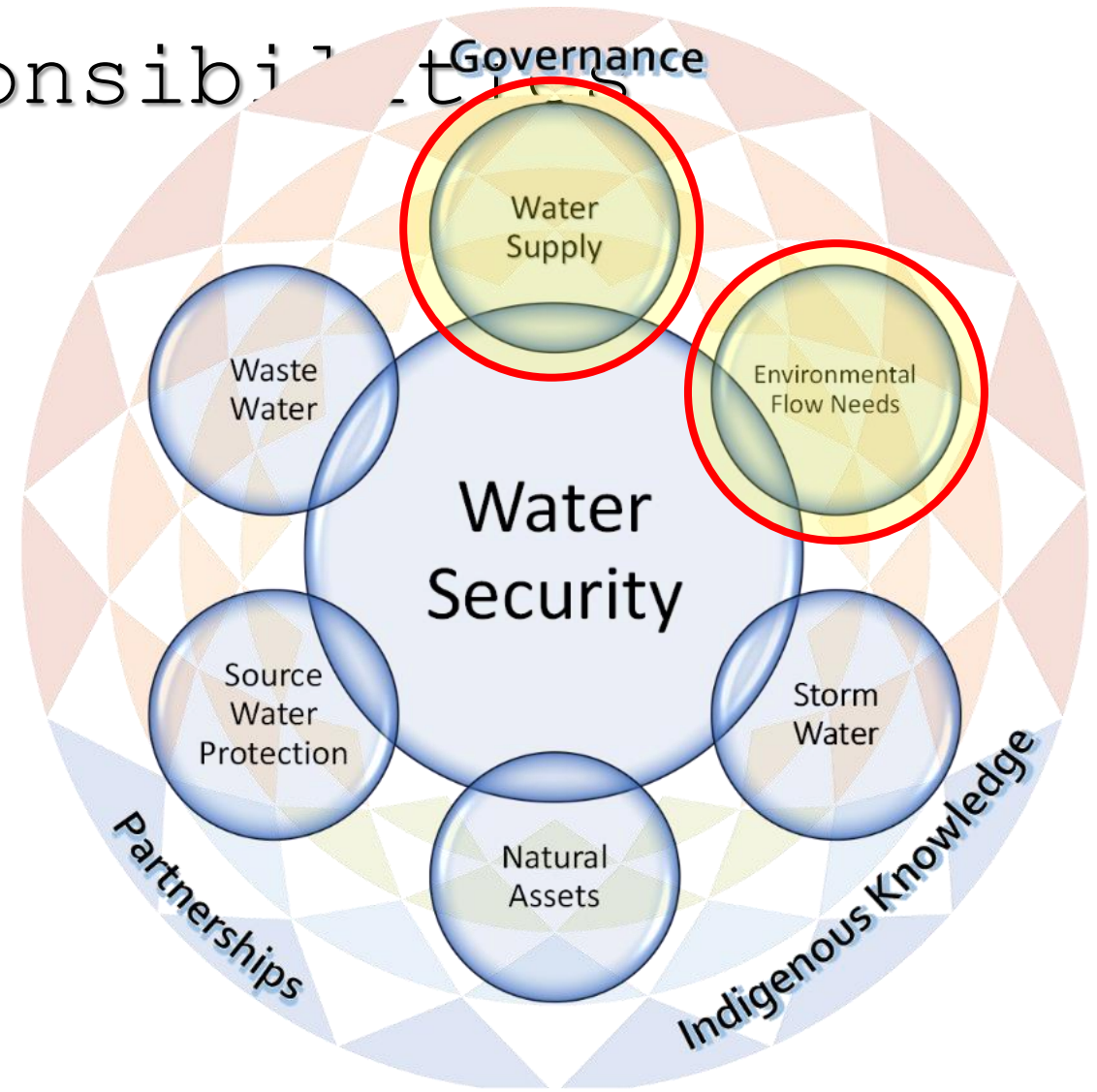
Presentation to AAC – May 9, 2024

# Outline

- Water Security/Responsibilities
- Drought update
- Discussion

# Water Security/Responsibility Principles

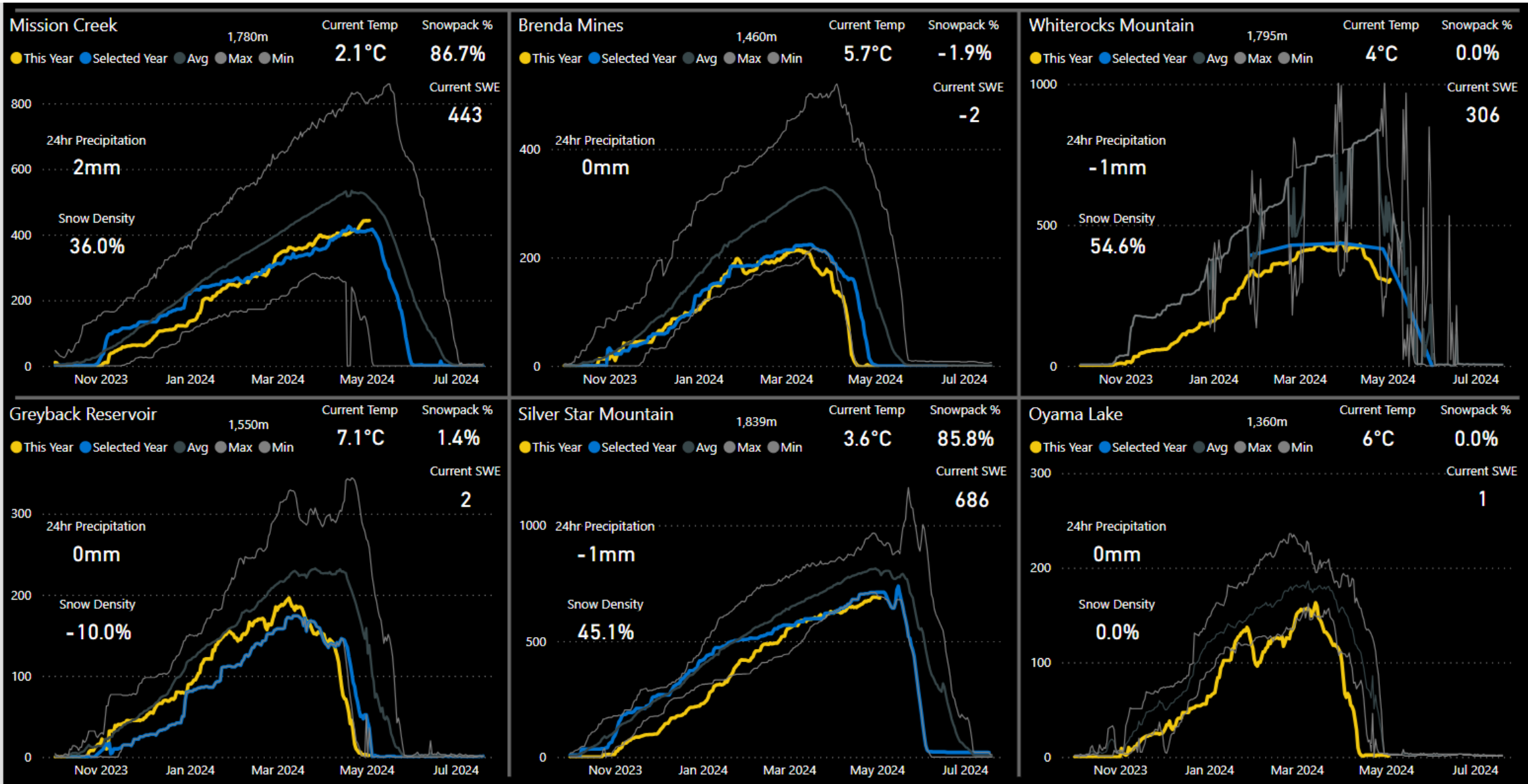
**Principle 1:** "All residents and water users in the City have a safe, affordable, resilient and sustainable supply of high-quality drinking water and a reliable supply of water for agriculture.  
**Principle 7:** "Assure that the quality and quantity of water is available to support a healthy aquatic ecosystem."

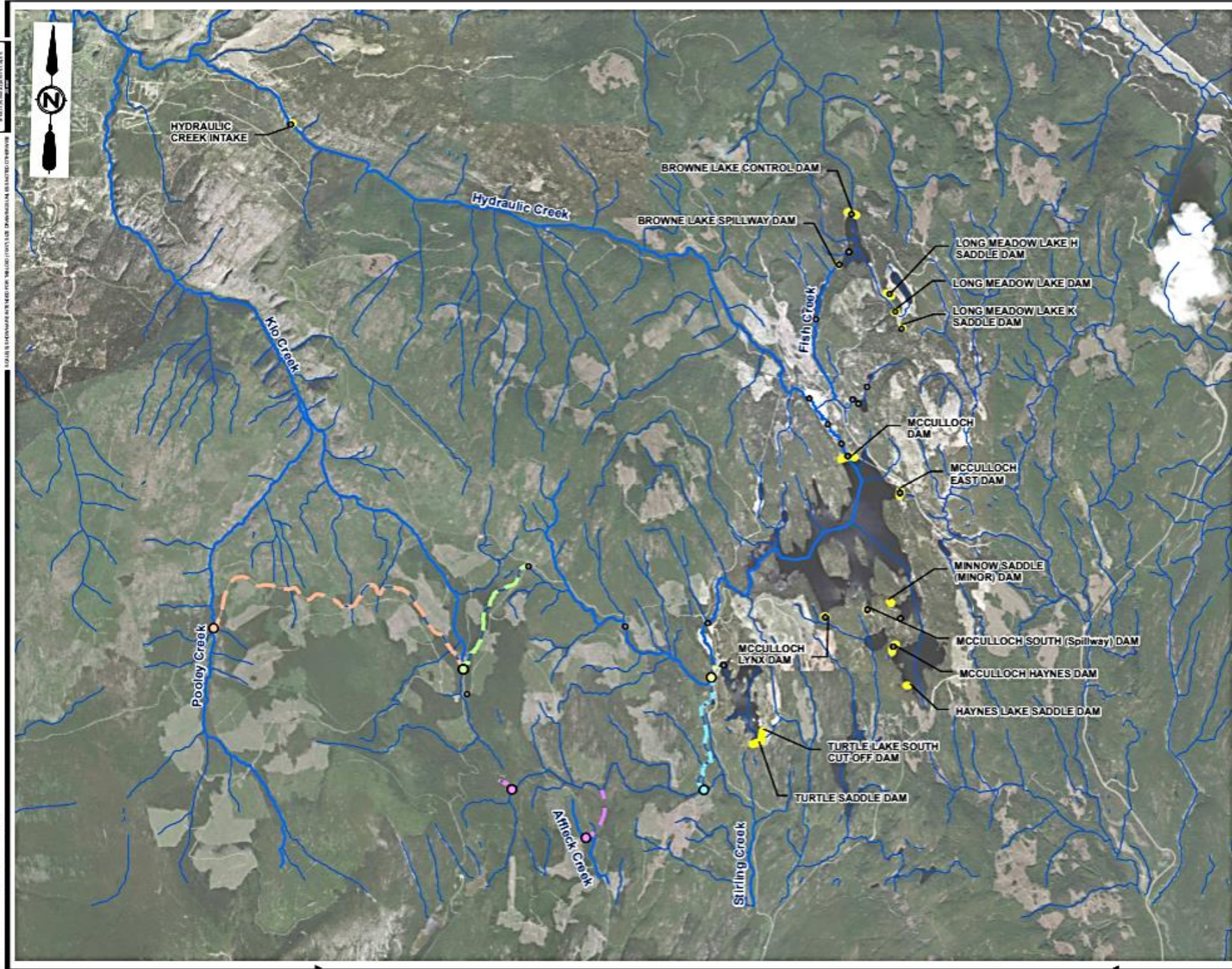


*The six water sectors outlined in the City's Water Security Planning Process*

# Snowpacks

2024  
2019





**LEGEND:**

- Dams
- Stream Network
- Water License Points of Diversion
  - Affleck Creek Diversion
  - KLO (Myra) Creek Diversion
  - Poolley Creek Diversion
  - Lower Stirling Creek Diversion
  - Upper Stirling Creek Diversion
  - Turtle Lake Diversion
  - Other Water Licenses
- Diversion Ditch
  - - - Affleck Creek Diversion Ditch
  - - - KLO (Myra) Diversion Ditch
  - - - Lower Stirling Diversion Ditch
  - - - Poolley Diversion Ditch
  - - - Turtle Diversion Ditch
  - - - Upper Stirling Diversion Ditch

**FIGURE 1-1**

SOUTHEAST KELOWNA IRRIGATION MASTER PLAN

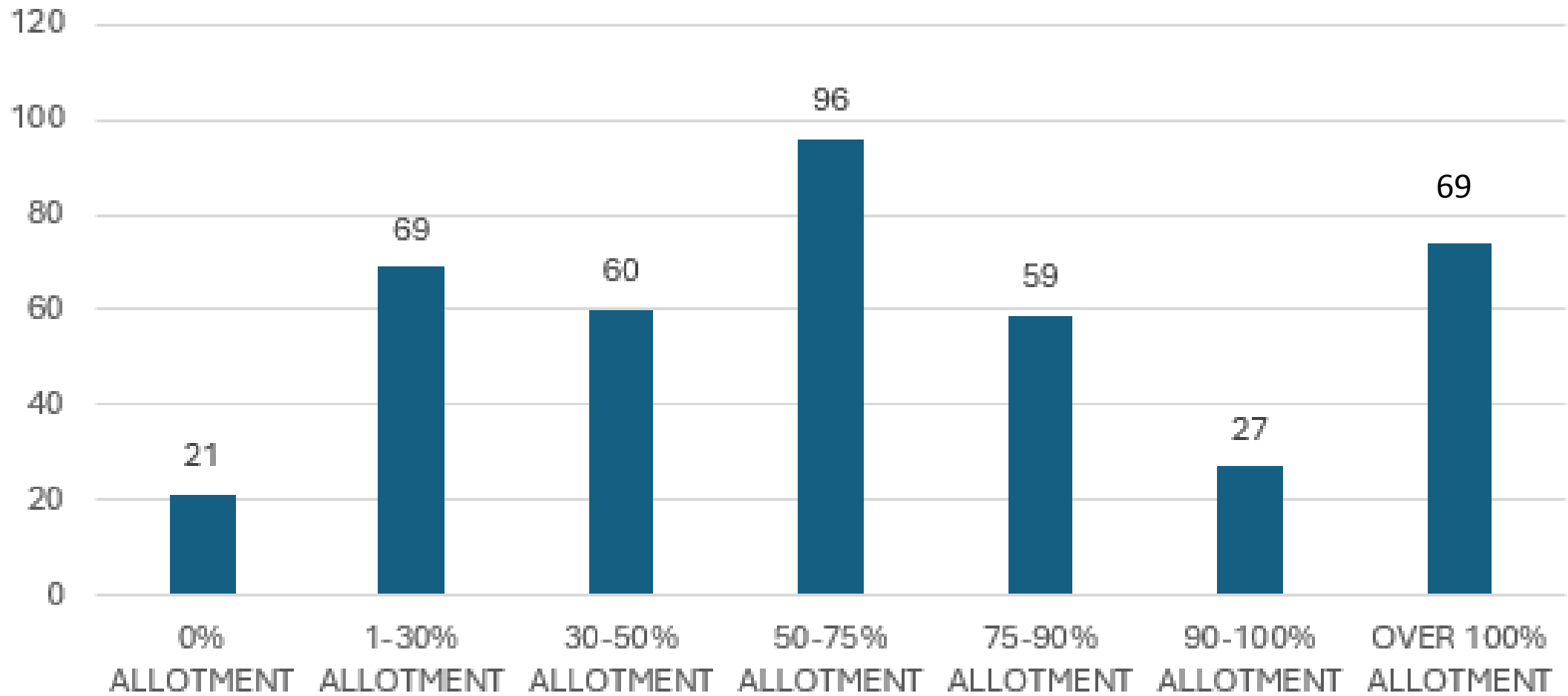
UPPER WATERSHED OVERVIEW

AE PROJECT No. 2023-3687-00  
 SCALE 1:64,000  
 DATE 2023DEC07  
 PROJECTION NAD 1983 UTM ZONE 11N  
 DRAWN BY DK  
 CHECKED BY KR  
 DESCRIPTION ISSUED FOR DRAFT





## Allotment Usage



# Discussion

1. AAC provides the following input on balancing water conservation with agricultural and environmental needs:

- Bylaw 10480 provides 2 options if there is anticipated to be a shortage of water"
  - 1) strictly limiting agricultural users to their 685 mm allotment. (Selected)
  - 2) Reducing the allotment to below 685 mm.

Is this the right priority?

- The City has at least 2 options on when to declare allotment changes under Bylaw 10480:
  - 1) Early in the season, based on best information? (Selected)
  - 2) Later in Season when water runs out?

What is the best approach?

- If deeper cuts are required, how does the City reach and inform irrigators?
- Is there anything else the City can do?

# Discussion

2. AAC provides the following input on the impacts of current drought conditions on Kelowna's agricultural community:

- 
- 
-



Thank you!

# Report to Council



**Date:** April 22, 2024  
**To:** Council  
**From:** City Manager  
**Subject:** Potable and Non-Potable Water Systems – Supply Status Update  
**Department:** Utility Services

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**Recommendation:**

THAT Council receives, for information, the report from Utility Services dated April 22, 2024, with respect to the status of anticipated water supplies for 2024;

AND THAT due to drought conditions leading to an anticipated shortage in supply of water in the Non-Potable water system, Council declare Stage 1 Water Use Restrictions be in effect for all water customers of the Kelowna Water Utility;

AND FURTHER THAT Council declare that Agricultural Customers of the Kelowna Water Utility cannot exceed their annual Allotment in 2024; and that the City may shut off water services in the event that Customers exceed their Allotment.

**Purpose:**

To receive an update on water supply and storage levels and take action required to prepare for potential drought condition.

**Council Priority Alignment:**

**Agriculture**

**Background:**

The City of Kelowna analyzes snowpack levels, groundwater levels, creek flows, and climate data as part of an elaborate data monitoring process that helps inform and manage our water supplies and resources. The sustainability of our water supply depends on managing demand on the system year-over-year and giving our water sources time to recover and replenish. After multiple dry summers and an exceptionally low snowpack winter, current and projected conditions indicate the City must act to assure that water is available to all customers through to the end of 2024.

**Discussion:**

As of April 8, 2024, the Province reports that provincial snowpack levels are 63% of average; the lowest recorded snowpack since 1970. The Okanagan Region, which encompasses the Okanagan Valley from

the Thompson to the US border, averages 73%. From a City of Kelowna perspective, the relevant local measurements for snow, lake and upland storage levels are noted in Table 1.

**Table 1. Select lake level, creek flow and climate measurements for the Kelowna region\***

	Readings		Comment
	Apr 1/24	Normal (Apr 1)	
Okanagan Lake water level	341.65 m	341.44 m	Above normal – Expecting lower freshet volumes
Okanagan Lake Outflow (Penticton)	5.53 m <sup>3</sup> /s	16.6 m <sup>3</sup> /s	Well below normal – in anticipation of lower freshet volumes
McCulloch Reservoir	8,530 ML	8,800 ML	Maximum storage = (16,650 ML)
<u>Snow Pillows (elevation)</u>			(Snow-Water Equivalents)
Mission Creek (1780 m)	391 mm	491 mm	78% of normal
Greyback (1550 m)	151 mm	226 mm	Dropping - 67% of normal.
Oyama Lake (1360 m)	100 mm	158 mm	Dropping - 63% of normal
Brenda Mines (1460 m)	172 mm	324 mm	Dropping - 53% of normal
<u>Snowcourses</u>			(mm of snow)
Postill (GEID - 1370 m)	164 mm	197 mm	83% of normal

\* Notes: m = metres; mm = millimetres; m<sup>3</sup>/s = cubic metres per second; ML = 1 million litres or 1 megalitre; ML/yr = megalitres per year; snow pillows are monitoring stations

**Non-Potable Water:** The McCulloch (Hydraulic Creek) Watershed captures diverted water from upper licensed catchments and is the only supply of water for agricultural irrigation and fire protection year-round in southeast Kelowna. Snowpack measurements below 1,550 m, reflective of this watershed, are well below normal and started to melt early. This will result in an earlier reliance on water reservoir storage to supply customers.

Our local snowcourses indicate that there remains some snow frozen in the upper watershed, however these depths are also lower than normal. Temperatures continue to be above normal. We optimistically see snow on top of Little White mountain, which is often considered a reason to expect further snowmelt later in the spring or early summer, however the data indicates the coming snowmelt will be significantly below levels necessary to recharge our reservoir.

City operations staff have adjusted practices for what is forecast to be a low flow snowmelt year. The diversions in the upper watershed were set up all winter to maximize storage in the reservoir.

**Potable Water Supply from Okanagan Lake:**

The City Water Utility sources all its drinking water supply from Okanagan Lake, with some wells as backup. As of today, the water level of Okanagan Lake is near normal for this time of year. Snowpack across the valley is below normal, and well below normal north of Penticton. The Province recognizes the low snowpack levels and has been managing flow releases at Penticton at very low flows to meet the

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minimum regulatory needs downstream. Under average rainfall and current snowpack conditions, we are predicting that Okanagan Lake will not meet full pool. We do not anticipate significant supply issues from Okanagan Lake for the City's Water Utility customers.

**Water Restrictions:**

Water use restrictions may be necessary to sufficiently reduce water demand to allow for sustainable supply for all customers and to meet environmental requirements. On the Non-Potable system, we also manage water license requirements for Critical Flow and Environmental Flow Needs for fish in Hydraulic Creek and Mission Creek downstream of the confluence. The City will continue to release at least the Critical Flow Need requirements at the intake as per the Mission Creek Water Use Plan developed in 2010.

As a result of these requirements, upland reservoirs that supply irrigation water to the Southeast Kelowna (SEK) agricultural community are at risk of not filling. Climatic factors that may alter this assessment are increased spring precipitation and lower temperatures (i.e. evaporation loss), thereby increasing storage and reducing demand from current expectations. Staff have reviewed immediate prudent actions that can be taken under the Bylaw to prepare for drought conditions, including:

- Implementing Stage 1 water restrictions for users of both potable and non-potable water services. Water restrictions outlined in the Water Regulation Bylaw are staged with the ability to move to more progressive restrictions. Stage 1 is intended to raise awareness of drought conditions and prepare the community for the possibility of moving to more impactful watering restrictions.
- Using the provision provided under Section 8.3.2. (b) of the Water Regulation Bylaw to firmly cap Water Allotments to all agricultural properties. These provisions allow staff to shut off water to properties that exceed their Allotment.

These recommendations are in line with 2018 survey results from agricultural customers stating that consumption should be limited to allotment volumes. In 2023 over 80% of agriculture customers operated within their allotment volume. Additional customer support and engagement will occur with the smaller segment of agriculture customers that historically have not stayed within their allotment.

Staff will continue to educate customers on irrigation management and efficiency during this difficult period. For example, free water audits for the top 32 overuse agriculture accounts are being offered during May 2024. The Eye on Water Application continues to be promoted as well, which allows individual customers to monitor near real time consumption on their mobile phones or home computers. Staff will monitor and communicate directly with customers should water consumption levels approach their allotment limit.

Staff will continue to monitor weather conditions, runoff capture and storage levels throughout the season and advise Council and the public if modifications are required to address local situations.

**Conclusion:**

Through all available data on current and projected conditions, it is clear the City needs to take prudent and targeted actions for the sustainability of our 2024 water supply, particularly the non-potable water supply. Staff are working closely with agriculture customers to help them stay within their allotments. Staff will also re-evaluate storage estimates later in the season, reassess water availability at that time, and continue to adopt efficiencies in the delivery system.

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By taking actions available to us under the Bylaw now and advising our agricultural users of the situation, customers will be able to make timely decisions about how to manage their business and lands appropriately through the upcoming season considering current and projected conditions.

**Internal Circulation:**

Communications

**Considerations applicable to this report:**

***Legal/Statutory Authority:***

Section 8.3.2 (b) of Water Regulation Bylaw 10480 states that if there is anticipated to be a shortage of supply Council may declare that Customers cannot exceed their Allotment and may Shut Off water services in the event that Customers exceed their Allotment.

***Communications Comments:***

Utility Services is communicating directly with all affected agricultural customers of the importance of complying with their irrigation allotment. Additionally, direct offers of irrigation audit assistance is being made to 34 properties that significantly exceeded their allotment in 2023.

**Considerations not applicable to this report:**

***Legal/Statutory Procedural Requirements:***

***Existing Policy:***

***Financial/Budgetary Considerations:***

***Consultation and Engagement:***

**Submitted by:** R. MacLean, Utility Planning Manager

**Reviewed by:** K. Van Vliet, Utility Services Manager

**Approved for inclusion:** M. Logan, General Manager of Infrastructure

**Attachment(s):**

Potable & Non-Potable Water Supply Status

cc: Divisional Director, Corporate Strategic Services



# Potable & Non-Potable Water Supply Status

Presentation to Council – April 22, 2024

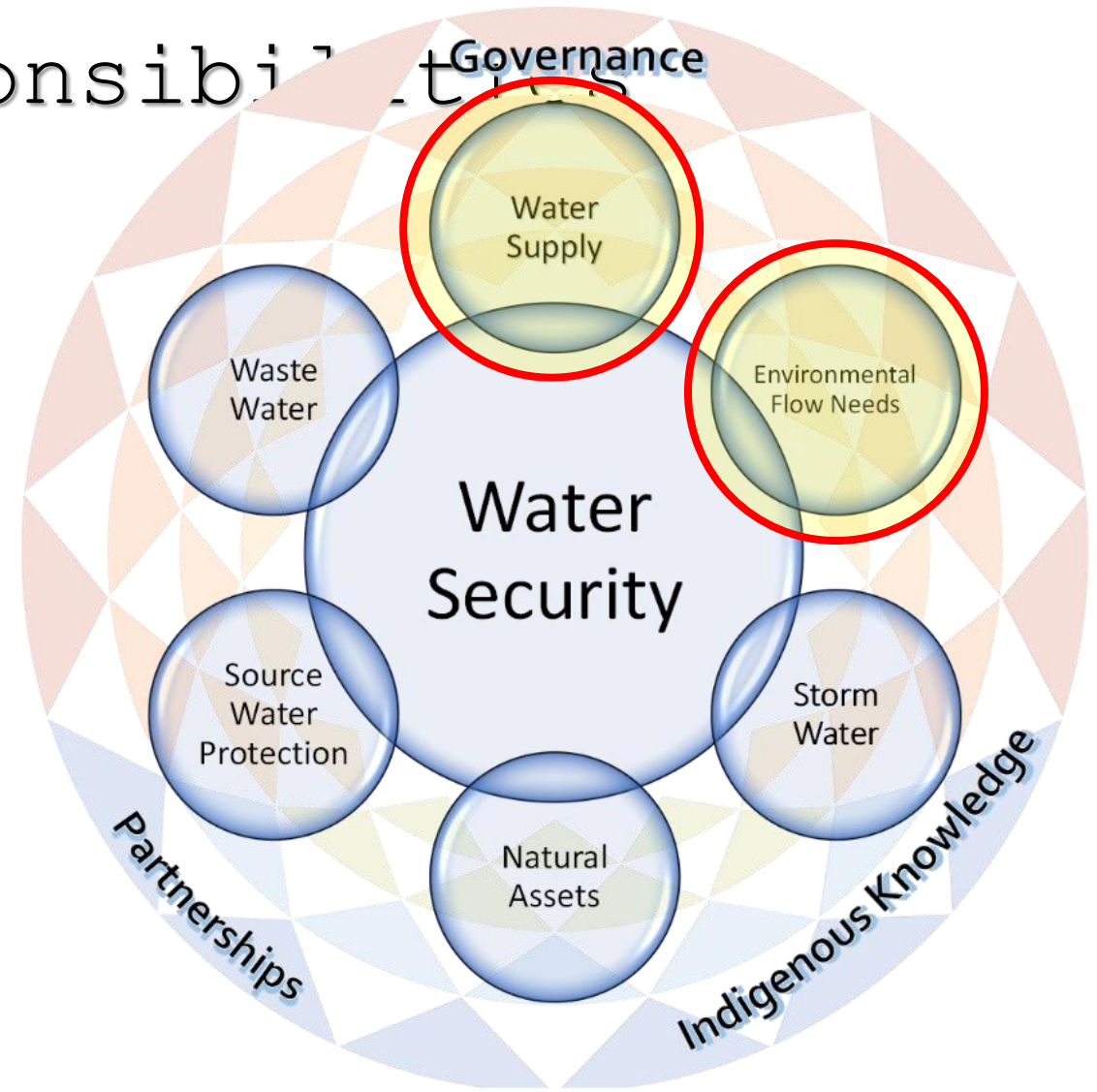
April 22, 2024

# Outline

- Linkage to Water Security Plan
- Drought Information update
- Snowpacks
- Updates on lake and reservoir impacts
- Conclusion and Recommendation

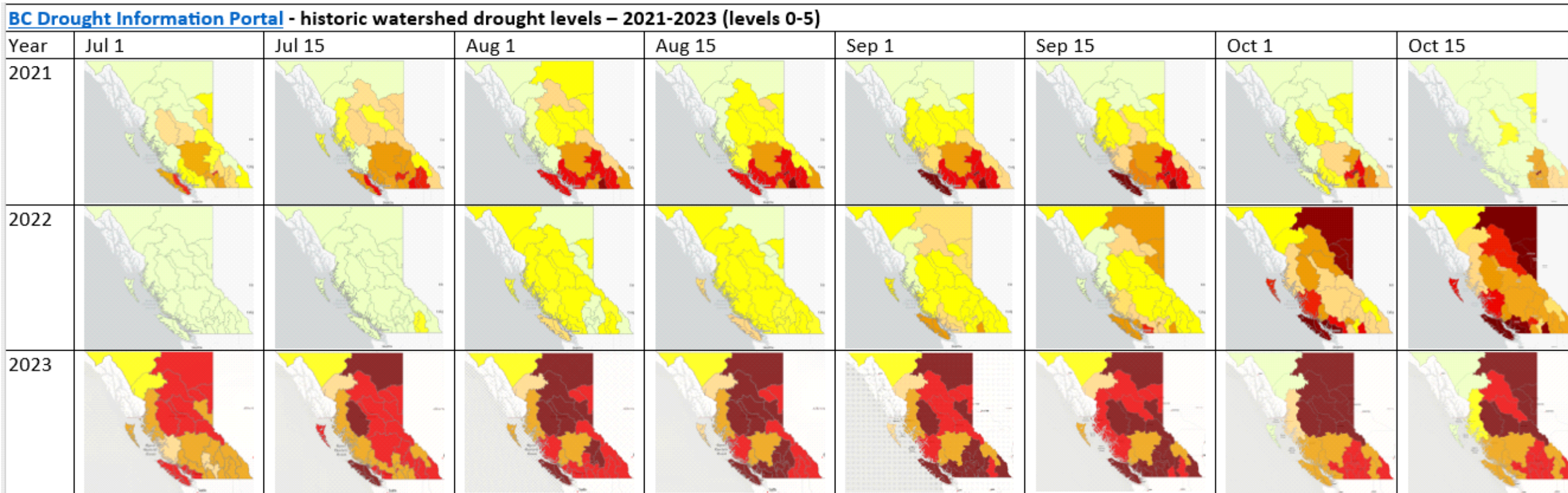
# Water Security/Responsibility Principles

**Principle 1:** "All residents and water users in the City have a safe, affordable, resilient and sustainable supply of high-quality drinking water and a reliable supply of water for agriculture.  
**Principle 7:** "Assure that the quality and quantity of water is available to support a healthy aquatic ecosystem."



*The six water sectors outlined in the City's Water Security Planning Process*

# Provincial Watershed Drought Levels



0 - No Adverse Impacts

1 - Adverse Impacts Rare

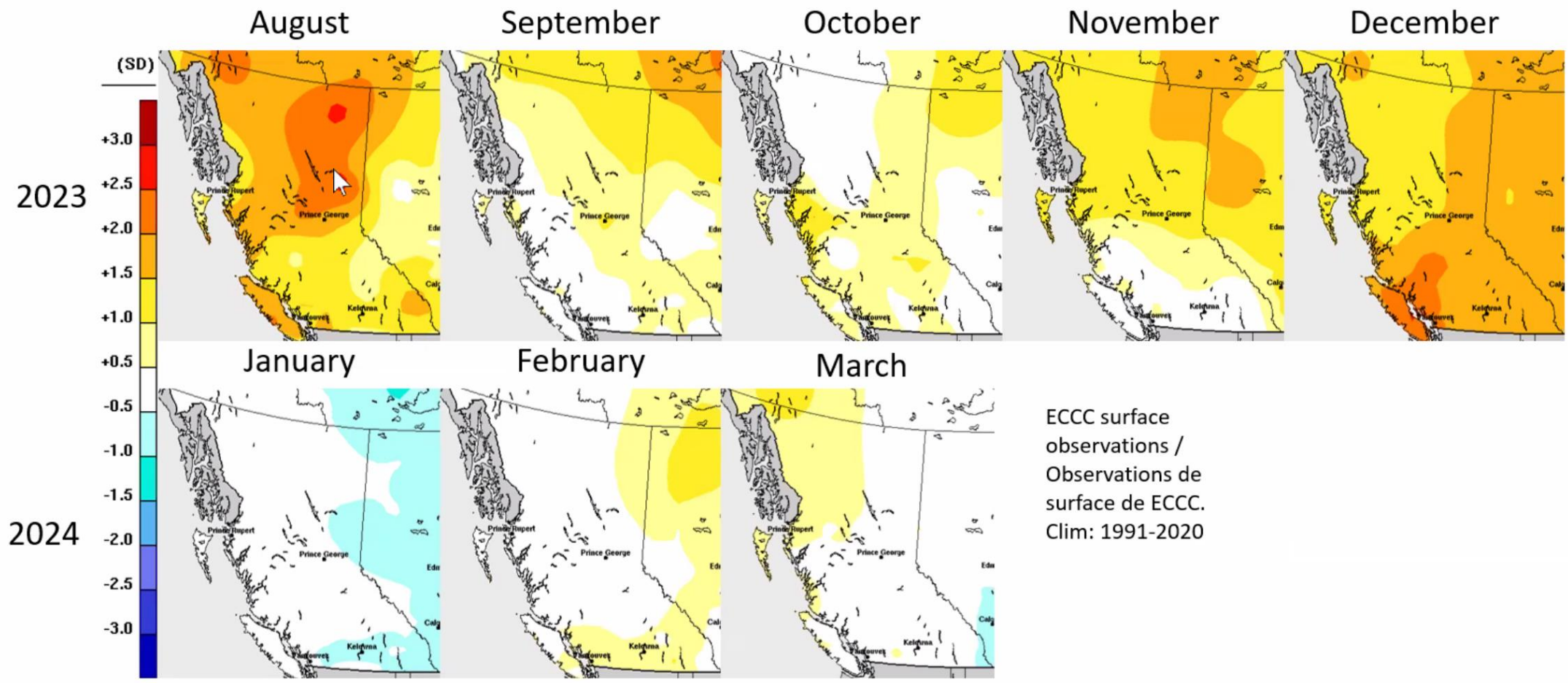
2 - Adverse Impacts Unlikely

4 - Adverse Impacts Likely

5 - Adverse Impacts Almost Certain

# Past Temperature Standardized Anomalies

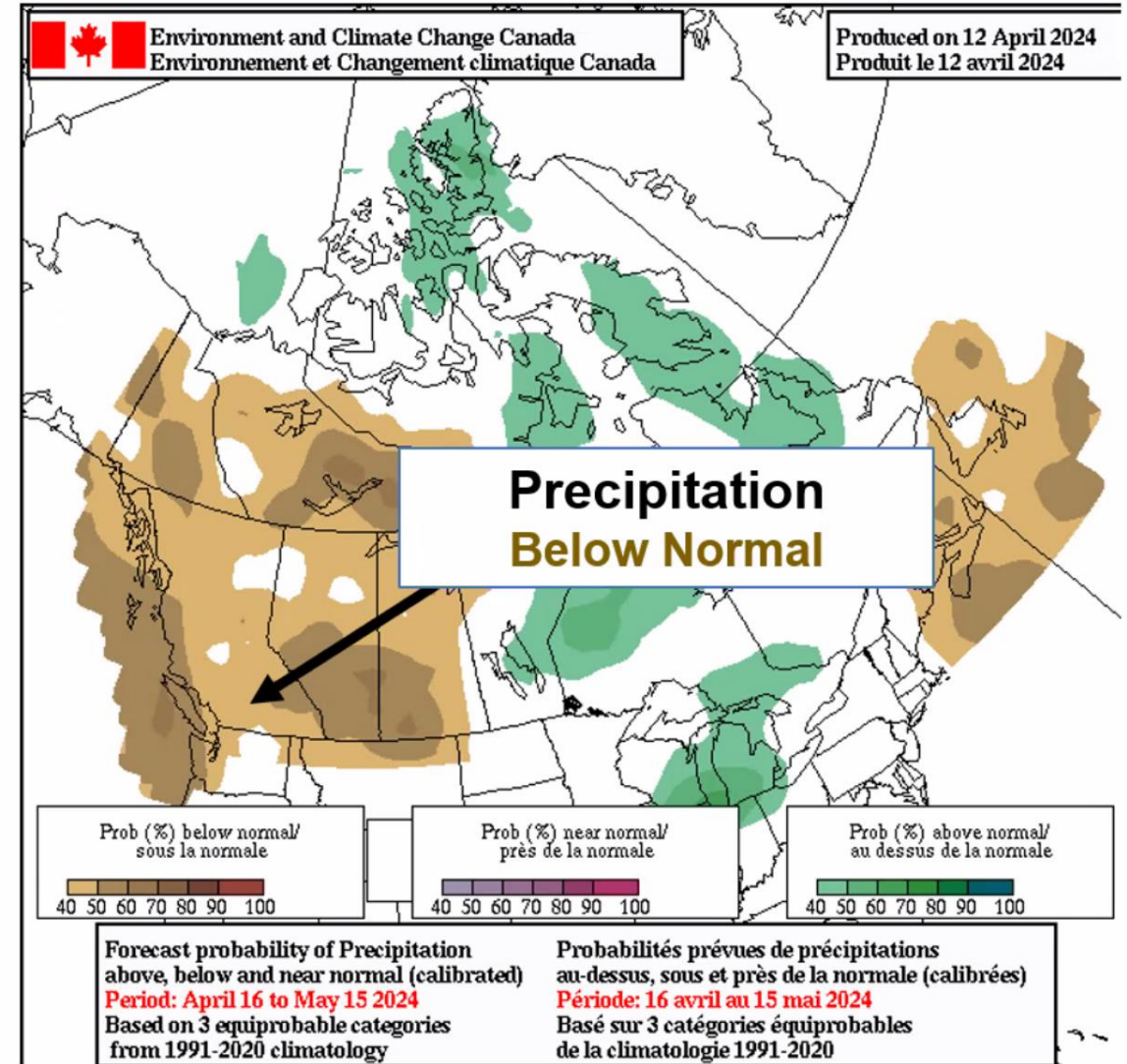
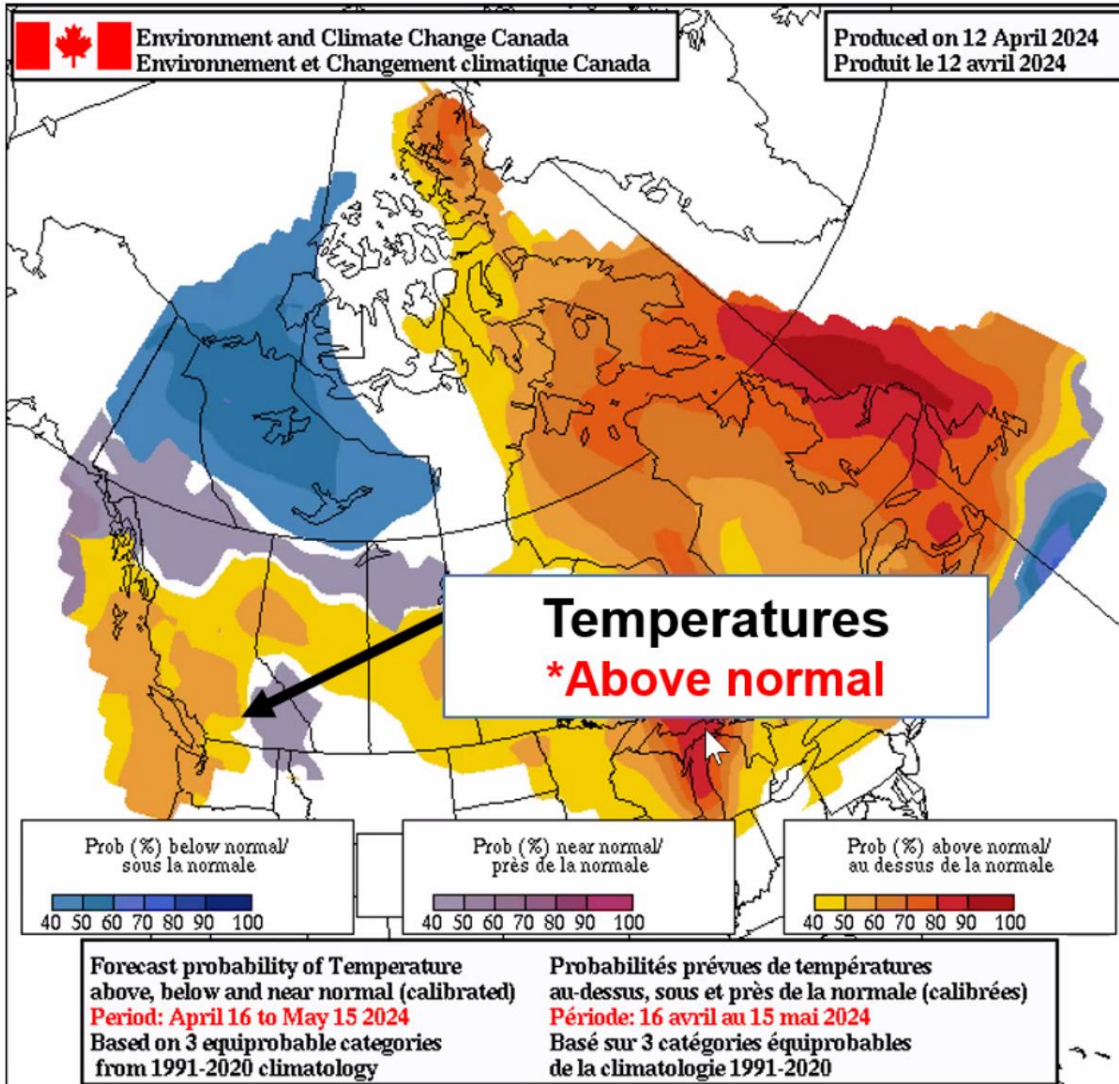
Talking: Arnel Castellan WPM...



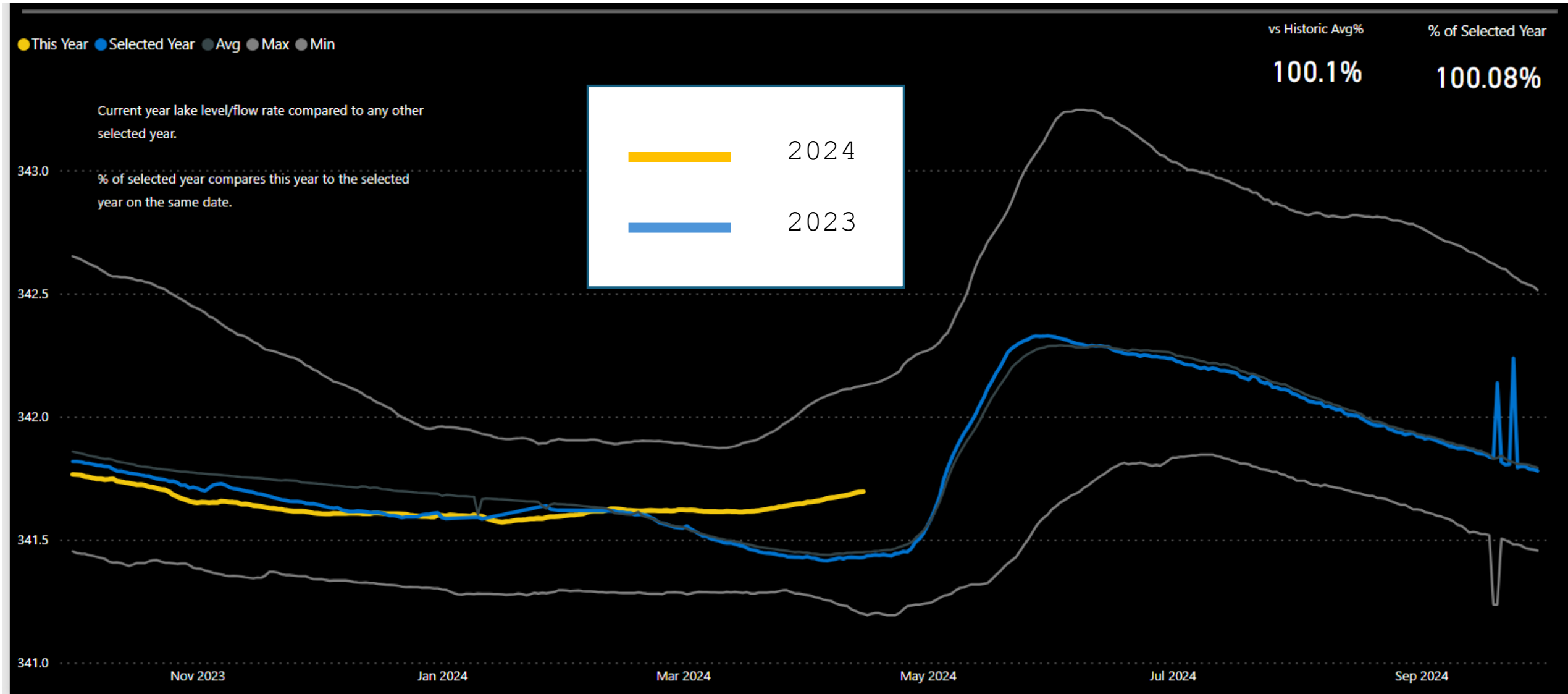
ECCC surface observations / Observations de surface de ECCC. Clim: 1991-2020

# Outlook for April 16 – May 15, 2024 – Updated Forecast

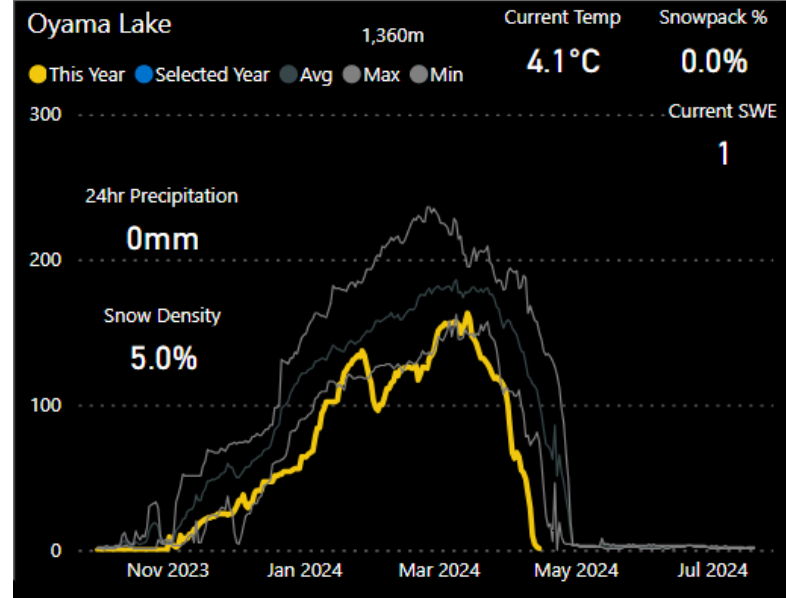
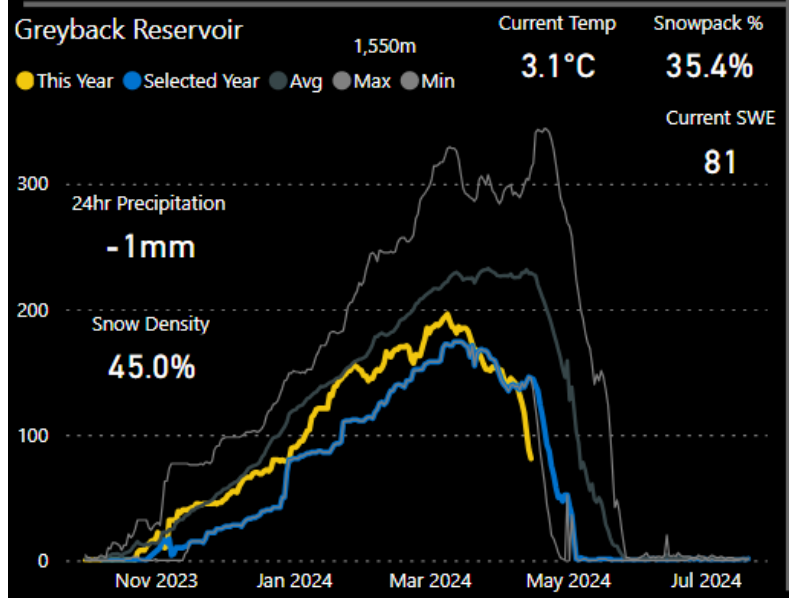
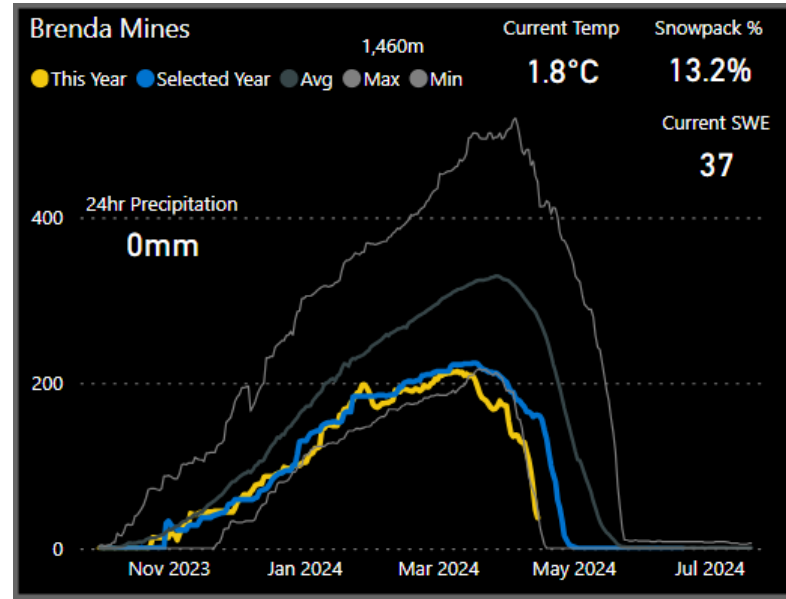
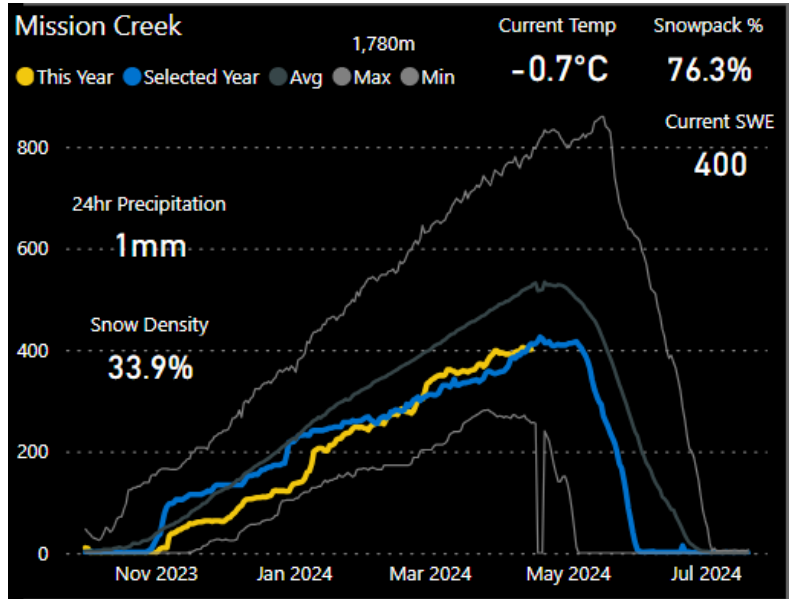
Talking: Armel Castellan WPM...



# Okanagan Lake Levels - Today and 2023



# Snowpack – Today and 2019



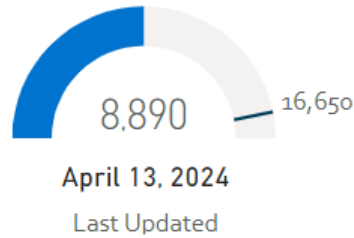
— 2024  
— 2019



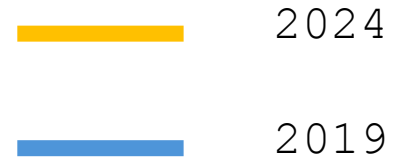
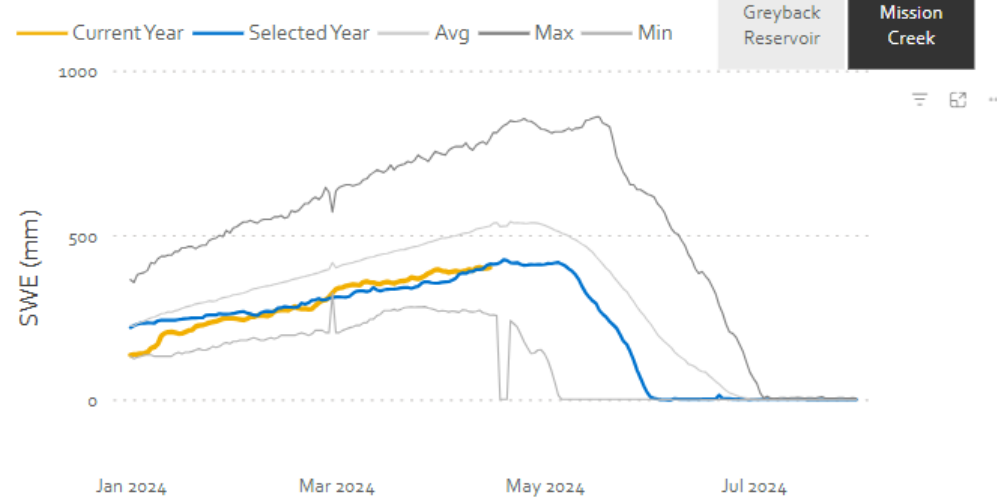
# McCulloch Lake - Dashboard - Spring



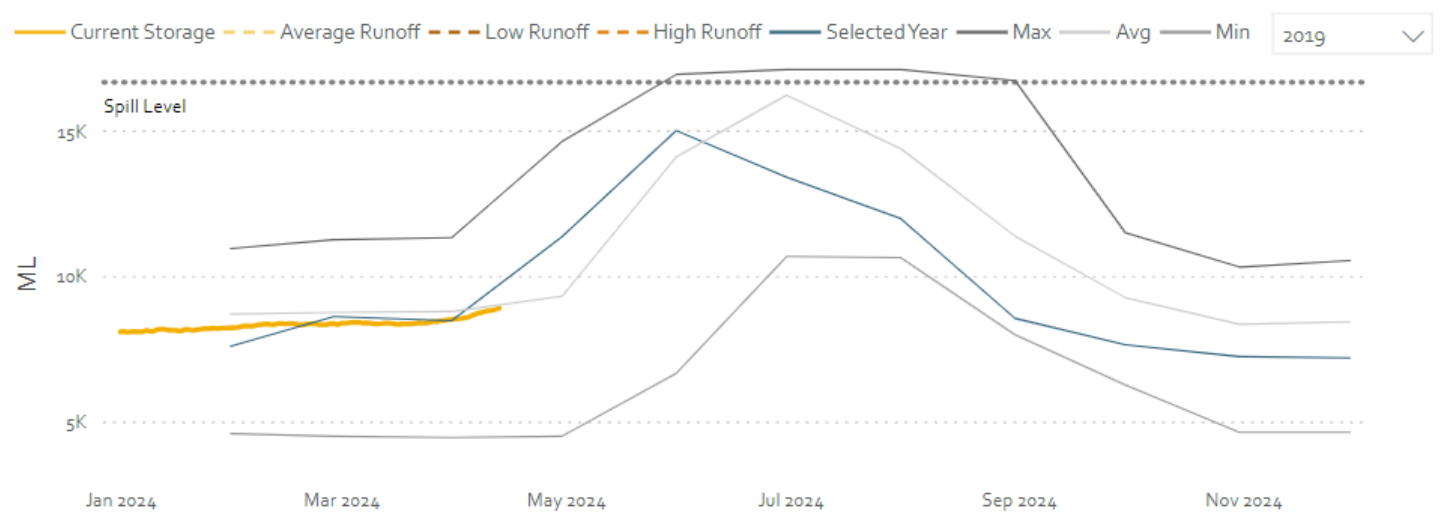
Current Storage (ML)



Snowpack - Snow Water Equivalent



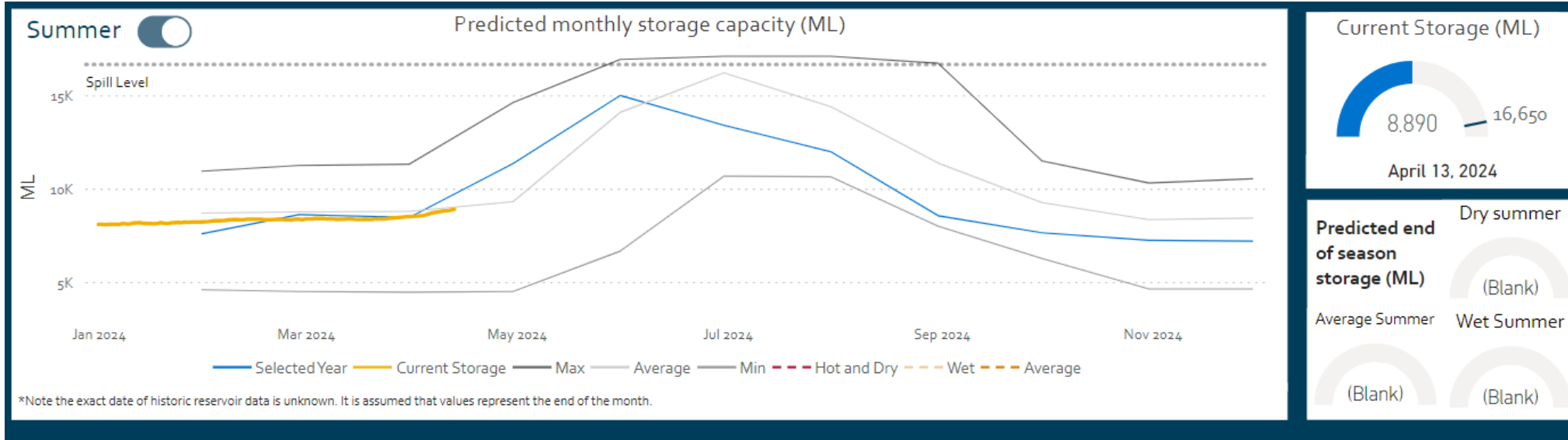
Monthly storage capacity (ML)



\*Note the exact date of historic reservoir data is unknown. It is assumed that values represent the end of the month.

# McCulloch Reservoir tool - Future Summer

## Prediction



### Remaining (ML)

(Not including current month)

#### Demand

Wet

6307

Average

9068

Dry and Hot

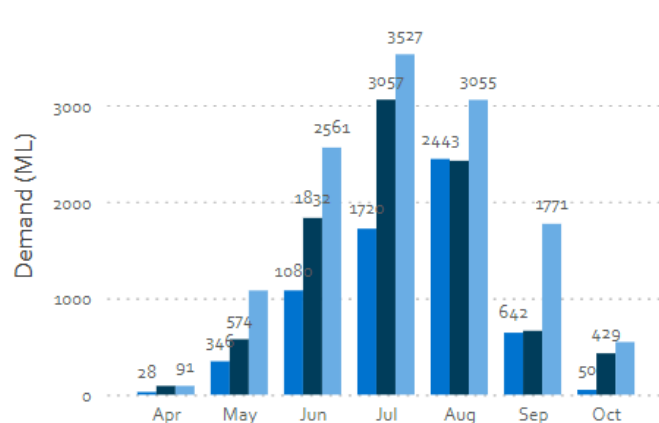
12629

Losses

1160

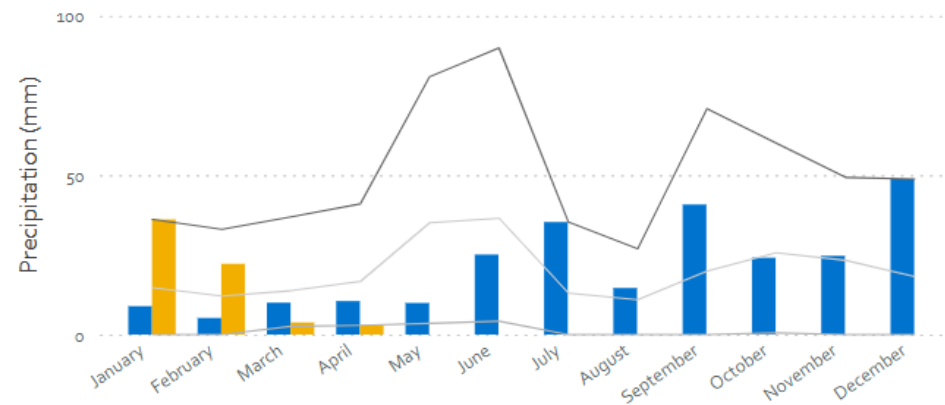
### Water demand (ML) per month

Wet Average Dry and Hot



### Total Precip (mm) per month

Selected Year Current Year Average Max Min



# Conclusion

- Okanagan Drought – into 4<sup>th</sup> Year.
- Potable System
  - Okanagan Lake water levels likely not reaching full pool.
  - High risk of future Provincial Drought Level declarations.
- Non-Potable System
  - Snowpack is well below normal.
  - McCulloch not expected to spill.
    - Storage anticipated to be much lower than normal.
    - Need to prepare for restricted consumption .

# Recommendations

- Updates be provided Council in late May.
- Citizens & Customers need to be efficient with water in 2024.
- Implement Stage 1 Water Restrictions
  - Increased awareness of drought Conditions.
- Non-Potable System Users restricted to allotment (685 mm)
  - No exceedances.
  - City will support farmers to monitor their allotments.



Thank you!

# Memo



**Date:** May 1, 2024  
**To:** Agricultural Advisory Committee  
**From:** Climate & Environment Manager  
**Subject:** Climate Resilient Kelowna Strategy – Update & Engagement Opportunities

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**Purpose:**

To provide the Agricultural Advisory Committee (AAC) with an update on the Climate Resilient Kelowna Strategy (CRKS) and to inform on upcoming engagement opportunities.

**Climate Resilient Kelowna Strategy Update:**

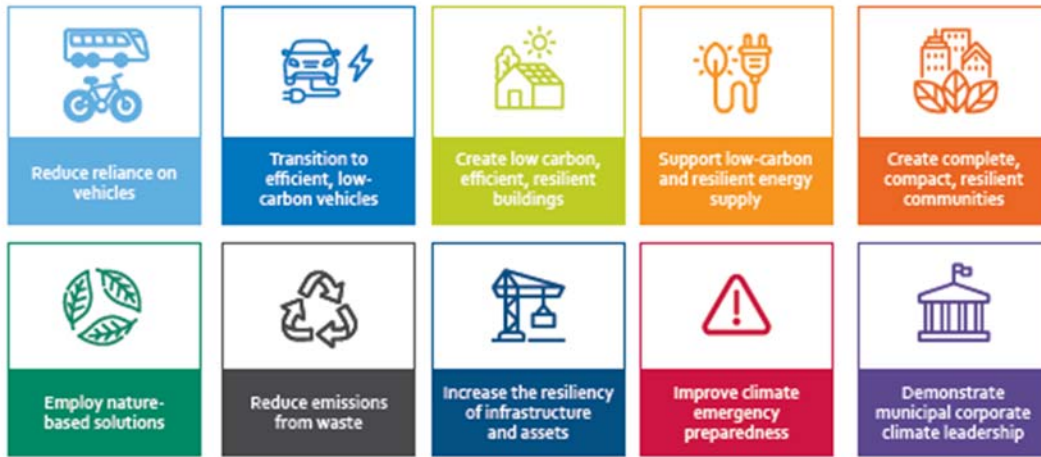
At the September 8, 2022 meeting, staff introduced the AAC to the CRKS that was under development to replace the 2018-2023 Community Climate Action Plan. At that meeting, staff sought input from the AAC on the agricultural sector’s vulnerability and risks due to climate change and to identify opportunities for agriculture to become more resilient to a changing climate.

Since that time, staff completed a Climate Vulnerability and Risk Assessment, worked with a consultant on additional analysis, and engaged with staff across the organization, the community, interested and affected parties, and a youth working group. All of this informed the development of the draft CRKS.

The climate landscape has changed significantly in recent years, requiring aggressive greenhouse gas (GHG) emissions reduction in combination with a stronger focus on resilience. The draft CRKS provides direction to help reduce GHG emissions while preparing for the impacts of climate change. This low-carbon resilience approach is essential for addressing the challenges posed by a changing climate and ensuring the long-term sustainability of ecosystems, economies, and society, while maximizing the efficiencies and other co-benefits of action.

To make the biggest impact on climate in our community, the draft CRKS focuses on action in 10 key drivers (see graphic below and *Attachment A: 10 Key Drivers to Address Climate Change in Kelowna*). These drivers of change will help put the community on the path to reducing GHG emissions 40 per cent below 2007 levels by 2030; and net zero emissions by 2050, while helping us become more resilient to climate change impacts. The drivers are broken into 28 strategies, and further into actions the City can take to help create a low carbon resilient community.

Figure 1: 10 Key Drivers for climate action



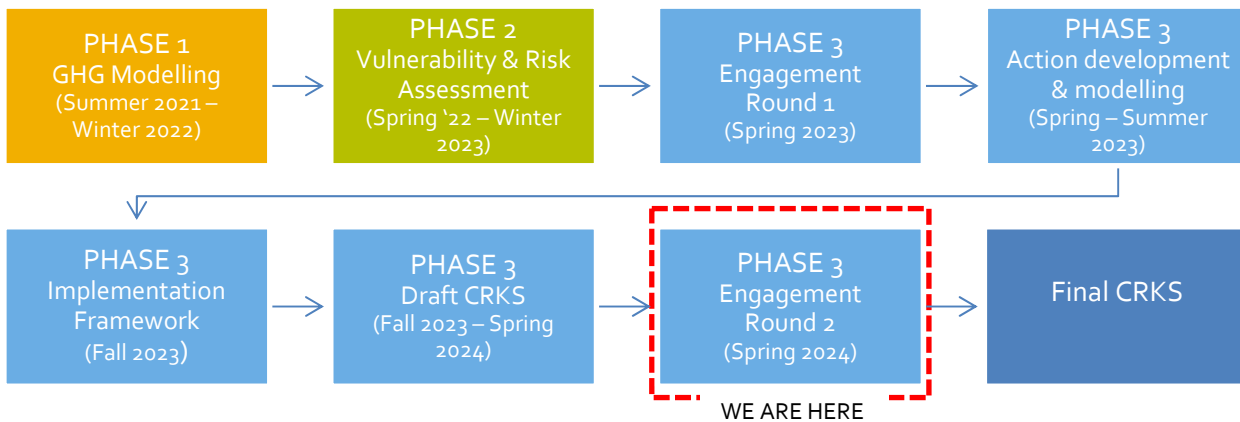
There is no driver specific to agriculture; however, three of the drivers have a relationship to agriculture:

- Increase the resiliency of infrastructure
- Employ nature-based solutions
- Improve climate emergency preparedness

**Engagement Opportunities:**

Engagement for the draft CRKS will launch May 15, 2024 on [getinvolved.kelowna.ca/climatestrategy](http://getinvolved.kelowna.ca/climatestrategy). The site will include a draft of the Strategy and provide opportunities for the members of the public to provide feedback either through the online survey and/or participating in one of the planned open houses (see [getinvolved.kelowna.ca/climatestrategy](http://getinvolved.kelowna.ca/climatestrategy) for dates). Members of the AAC are encouraged to participate and share this engagement opportunity with their networks. Input will be accepted until June 9, 2024.

The CRKS will be revised following this last round of engagement and will be presented to Council for their consideration in early summer.



**Prepared by:** T. Guidi, Planner Specialist  
**Reviewed by:** C. Ray, Climate & Environment Manager



# Attachment A: 10 Key Drivers to Address Climate Change in Kelowna

1



## Reduce reliance on vehicles

- Create fast and reliable transit
- Create safe, comfortable walking and bicycling routes
- Expand shared mobility options
- Reduce distance driven by vehicles

2



## Transition to efficient, low-carbon vehicles

- Increase access to EV charging on private property
- Expand the public EV charging network
- Support the transition to efficient and zero-emission commercial vehicles and goods movement
- Support more fuel-efficient, lower carbon driving

3



## Create low carbon, efficient, resilient buildings

- Support retrofits to create more efficient, low carbon, resilient residential buildings
- Support retrofits to create more efficient, low carbon, resilient non-residential buildings
- Accelerate adoption of low carbon, efficient new buildings
- Increase the resilience of new construction to local climate hazards

4



## Support low-carbon and resilient energy

- Support the transition to a low-carbon energy supply
- Advocate for increased resilience of the local energy supply

5



## Create complete, compact, resilient communities

- Target growth in climate resilient Urban Centres and Core Areas
- Integrate GHG emissions reduction and resilience in land-use planning regulation and development policies
- Apply a climate lens to development

6



## Employ nature-based solutions

- Protect and restore natural systems providing ecosystem services to reduce climate hazard risk
- Utilize green infrastructure to improve climate resilience
- Inventory, assess and monitor ecosystems and green infrastructure

7



## Reduce emissions from waste

- Reduce waste generation and increase waste diversion

8



## Increase the resilience of infrastructure and assets

- Infrastructure is upgraded or adapted to withstand the impacts of a changing climate

9



## Improve climate emergency preparedness

- Enhance climate emergency response planning
- Empower the community to be prepared for climate emergencies

10



## Demonstrate municipal corporate climate leadership

- Incorporate a climate lens into municipal governance and operations
- Decarbonize City assets and operations
- Empower the community to take climate action
- Incorporate Indigenous Knowledge in climate action initiatives