

COMMITTEE REPORT



Date: June 14, 2018

RIM No. 1210-21

To: Agricultural Advisory Committee (AAC)

From: Community Planning Department (LB)

Application: A18-0004 **Owner:** Albert and Elinor Van Beest

Address: 1251 McKenzie Road **Applicant:** City of Kelowna

Subject: Application to the ALC for Subdivision in the Agricultural Land Reserve

1.0 Purpose

The applicant is requesting permission from the Agricultural Land Commission for a subdivision of Agricultural Land Reserve under Section 21(2) of the *Agricultural Land Commission Act*.

2.0 Proposal

2.1 Background

The application is to subdivide the property into three lots measuring 2.8 ha (6.9 ac), 8.3 ha (20.6 ac) and 11.9 ha (29.4 ac). Inclusion of the entirety of the smallest lot, outlined in green on the plan, into the Agricultural Land Reserve (ALR) would add approximately 2 ha (5 ac) into the ALR. This lot and the existing house on it would be retained by the current owners. The lot containing the gully and wetlands, outlined in blue, would be transferred to the City as a natural area under the federal government's Ecological Gifts Program to protect the environmentally sensitive features. A life estate would be provided to the current owners, with the existing house and associated structures on that lot to be removed once the owners pass away. No other residential uses would be permitted on the lot. The largest lot, outlined in red, contains the most arable land and is intended to be sold to a local farmer to be put back into active agricultural production.

Should the application be supported and approved by the Agricultural Land Commission (ALC), further City approvals would be required through subdivision and Farm Protection Development Permit applications, among others. Consideration would be given to conditions such as farm residential footprints.

2.2 Site Context

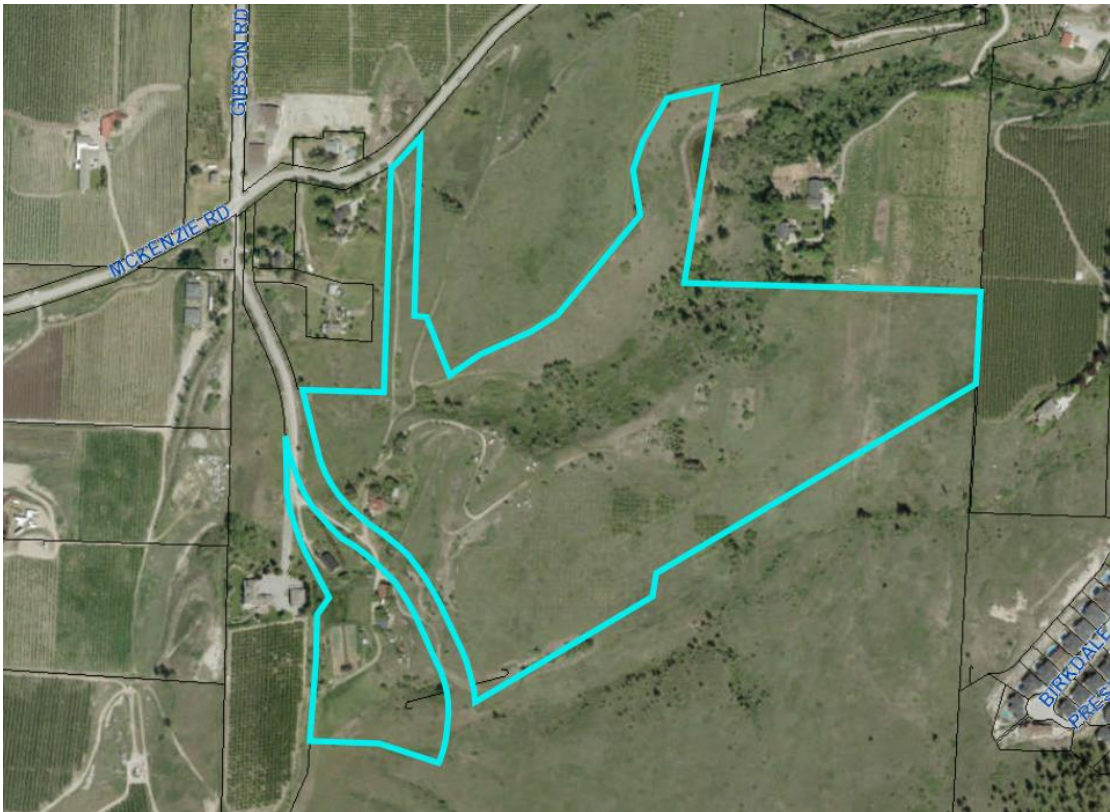
The subject property is zoned A1 – Agriculture 1, is approximately 23 ha (57 ac) in area and is mostly within the ALR. Approximately 2 ha (5 ac) in the southwest corner is currently outside of the ALR and is designated for future single family residential development. The property is hooked across a road reserve on an adjacent property, and two single detached homes are on either side of the road reserve.

Approximately one quarter of the property (5.7 ha or 14 ac) contains significant ecological wetlands and a large gully feature that has not historically been farmed. Current agriculture on the property includes about 70 cherry trees, eight apricot trees, and five walnut trees, all of which are at the end of their useful life. Previously approximately 30 acres were used as orchard, and today there are less than two acres. Chickens, turkeys and horses are also raised on the property, and there are four small chicken coops, a horse shelter and corral, and three farm implement sheds.

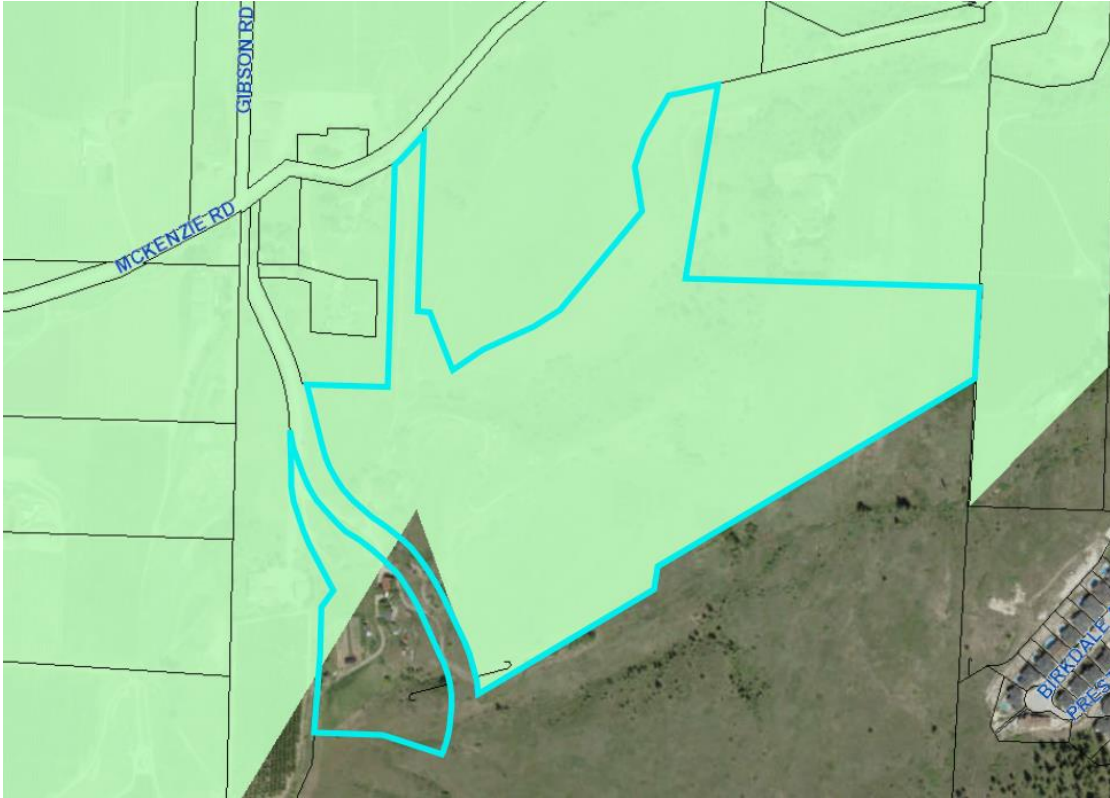
Parcel Summary – 1251 McKenzie Road:

Parcel Size:	23 hectares (57 acres)
Elevation (entire property):	513 to 598 metres above sea level (approx.)
Elevation (gully):	535 to 582 metres above sea level (approx.)

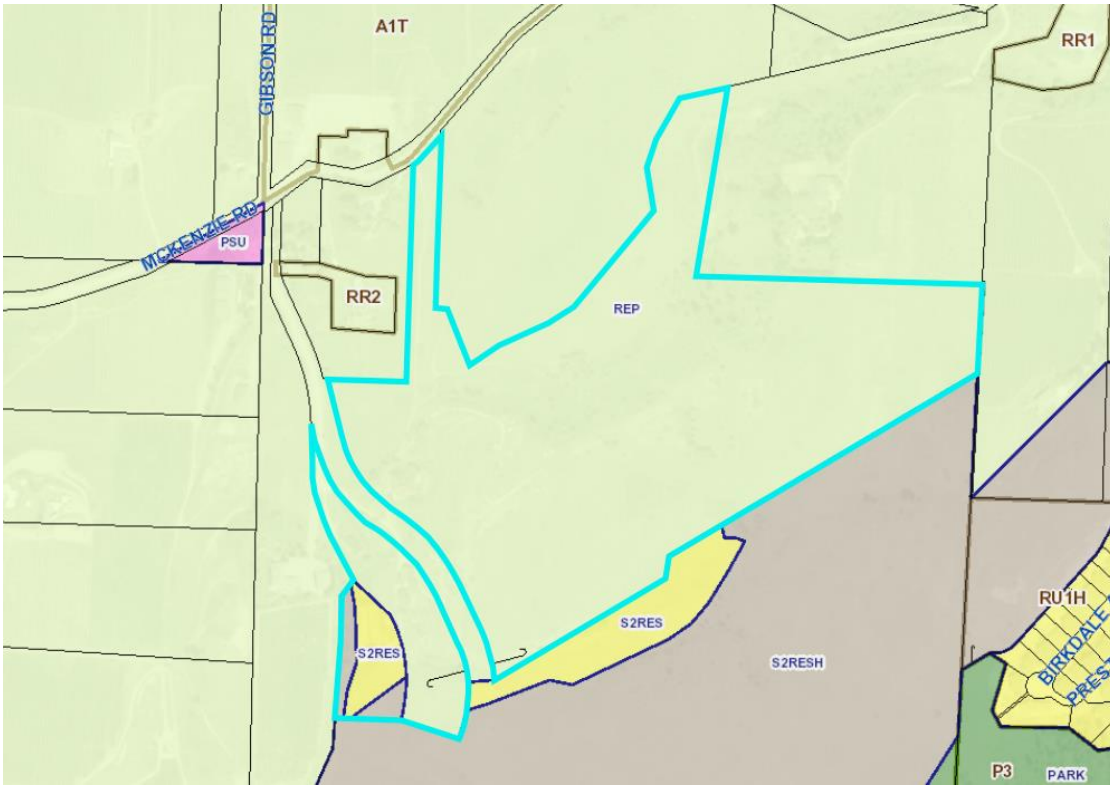
Map 1 – Subject Property



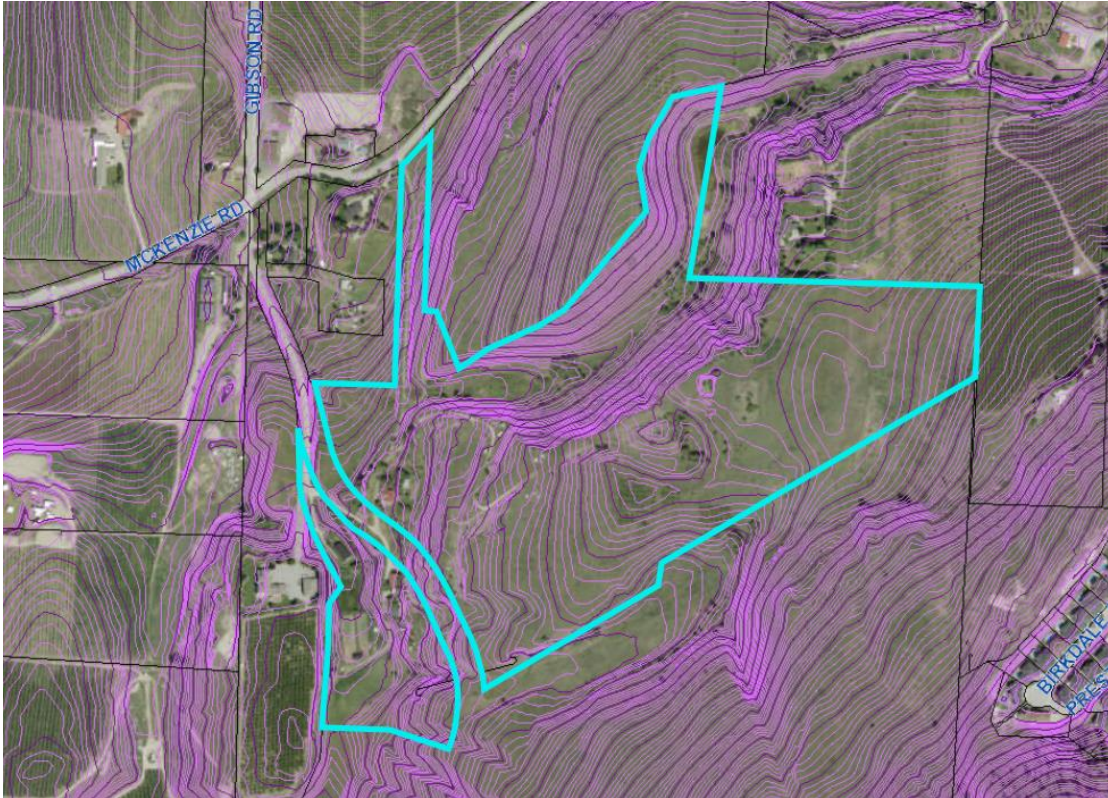
Map 2 – Agricultural Land Reserve



Map 3 – Future Land Use



Map 4 – Site Topography



2.3 Neighbourhood Context

The subject property lies within the Belgo-Black Mountain City Sector and is mostly in the ALR. It is outside of the Permanent Growth Boundary. Land to the west, north and east is in the ALR and has a Future Land Use designation of Resource Protection Area, while land to the south is outside of the ALR and is designated for future single family residential development.

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

Table 1: Zoning and Land Use of Adjacent Property

Direction	Zoning	ALR	Land Use
North	A1 – Agriculture 1	Yes	Agriculture / Open Field
East	A1 – Agriculture 1	Yes	Agriculture / Natural Area / Residences
South	A1 – Agriculture 1	No	Agriculture / Open Field
West	A1 – Agriculture 1	Yes	Agriculture / Residence

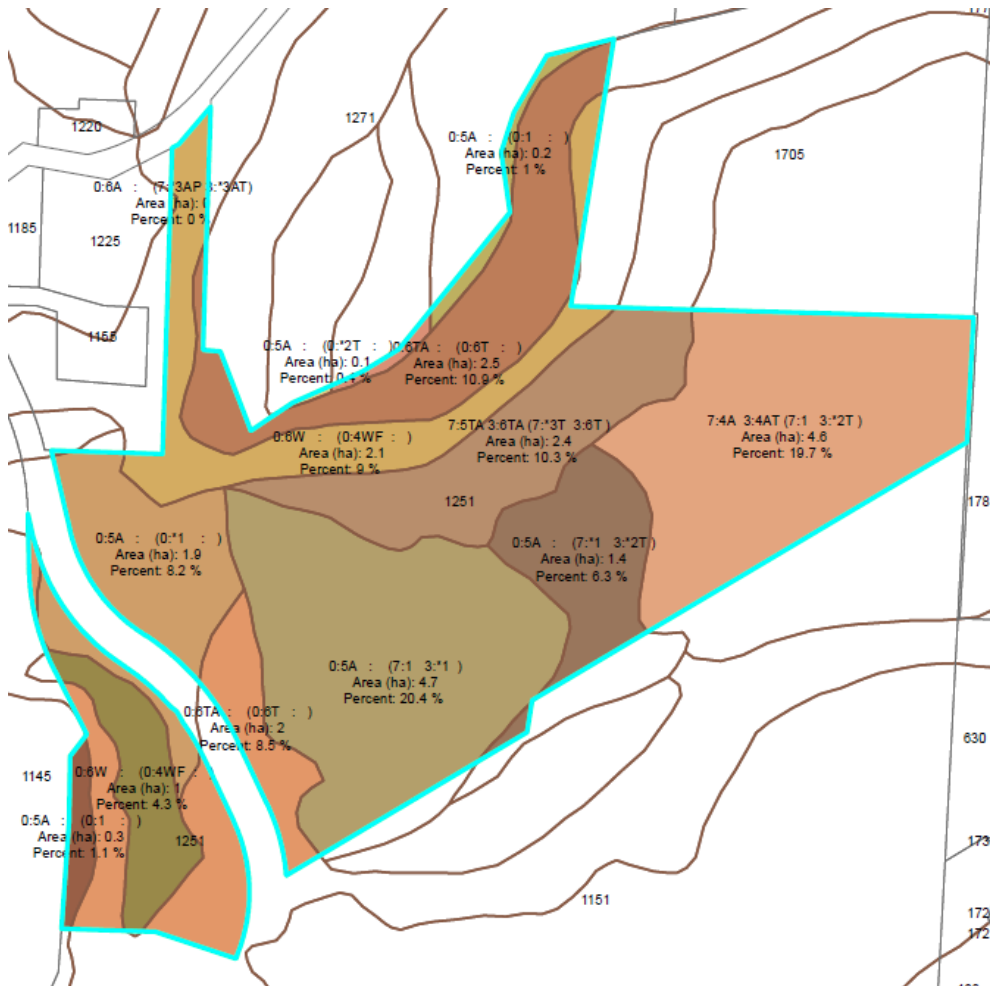
2.4 Agricultural Farming Availability

The Agricultural Land Use Inventory identifies the majority of the property as being available and having potential for farming, with the exception of the steep slopes and existing structures.

Land Capability

Approximately 67% of the subject property has a Class 4 or 5 agricultural land capability, most of which can be improved to Class 1 or 2 with irrigation. The majority of this land is in the southeast portion of the property within the proposed large lot intended to be sold to a farmer and put into production. The remaining 33% of the land is Class 6. The bottom of the gully and part of the southwest portion of the property have excess water deficiencies. With drainage improvements they could be Class 4 with excess water and fertility deficiencies. Other Class 6 land in the north portion have soil moisture and topography deficiencies and has limited opportunity for improvement.

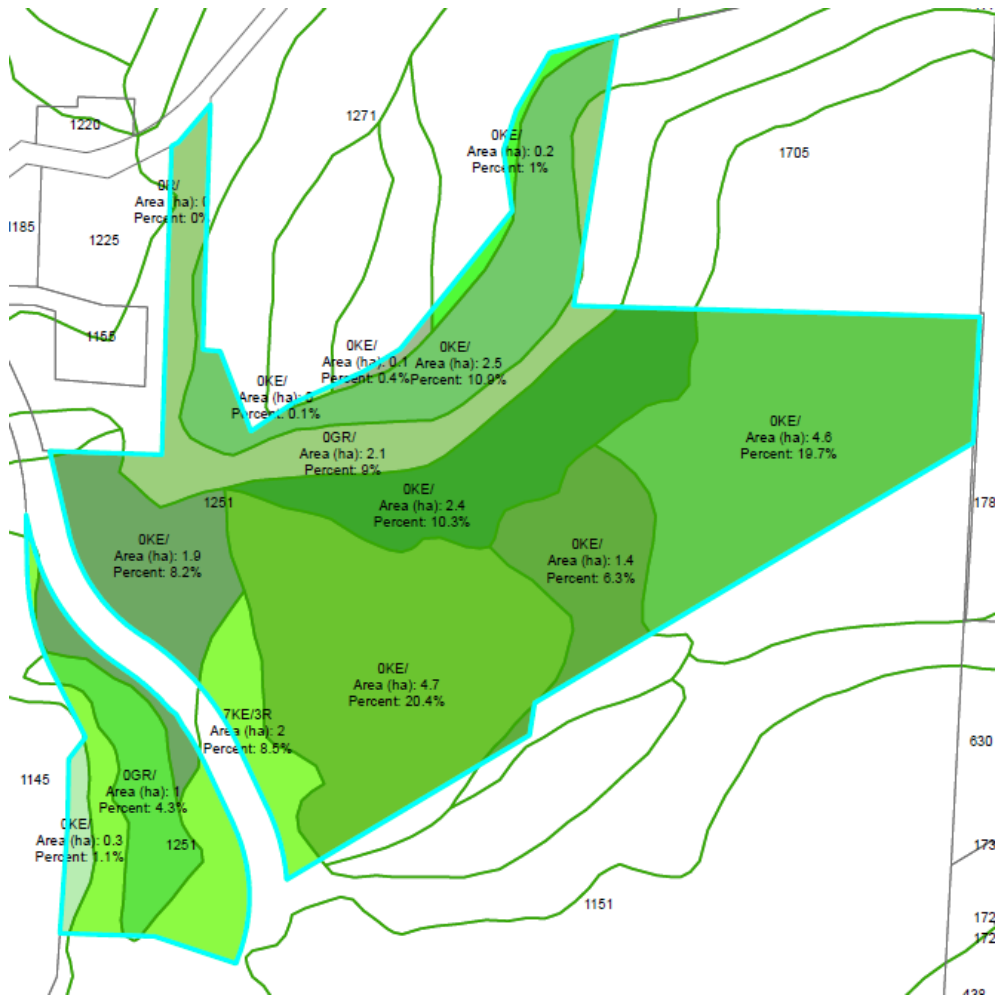
Map 5 – Land Capability



Soil Classification

The vast majority of the property (87%) is comprised of Kelowna (KE) soils, which are generally well-suited to all climatically adapted crops and can produce maximum economic yields under ideal conditions. The remainder of the land, in the bottom of the gully and part of the southwest portion, consists of Grandview (GR) soils. These are low in organic matter, but are suitable for a range of field, vegetable, grape, berry and tree fruit crops.

Map 6 – Soil Classification



3.0 Community Planning

Both the City’s Agriculture Plan and the OCP recommend not supporting subdivision in the ALR unless it provides a significant positive benefit to agriculture. The OCP also promotes protection of environmentally sensitive areas and plant and wildlife habitat, and the ALR Regulation allows for biodiversity conservation, passive recreation, wildlife and scenery viewing as a permitted use in the ALR, and the use of a municipal park for the same purposes.

Report prepared by: Laura Bentley, Community Planning Supervisor

Reviewed by: Ryan Smith, Community Planning Department Manager

Attachments:

- Schedule A: Policies
- Schedule B: Technical Comments
- Schedule C: Proposed Subdivision Plan