

COMMITTEE REPORT



Date: July 12, 2018

RIM No. 1210-21

To: Agricultural Advisory Committee (AAC)

From: Community Planning Department (KB)

Application: A18-0005 **Owner:** James Martin Walker

Address: 1989 & 2087 Ward Road **Applicant:** Urban Options Planning & Permits

Subject: Application to the ALC for a "Subdivision of Agricultural Land Reserve" (a lot line adjustment)

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. The subdivision is more specifically a "lot line adjustment" request.

2.0 Proposal

2.1 Background

The application includes two subject properties, 1989 Ward Road and 2087 Ward Road. The properties have been owned by the same family for over 100 years. Initially they were used for cattle farming and grazing. In the 1970's the use changed to grapes and most recently to apple and cherry production. The applicant has indicated it is the intention that the agriculture currently occurring on the properties will continue to remain.

1989 Ward Road is 23.3 acres in size and is in cherry and apple production (50 % cherries, 50 % apples). Approximately 1.0 acre is unplanted and is used at harvest time for the storage of harvest boxes and vehicle movements for loading. The applicant has indicated this unplanted area also contains bee hives, which were recently added to the site. The existing single family dwelling on the east side of the property was constructed in the 1950's. It is currently accessed through 2087 Ward Road. There is also a pump building and a worker/packing box shelter near the centre of the property.

The other property, 2087 Ward Road, is 1.0 acre in size and is approximately 66 % in apple orchard production. There is a farm implement storage building located on site. There are no dwellings currently located on 2087 Ward Road. The services (water and electrical) for the dwelling located on 1989 Ward Road run through 2087 Ward Road, and the dwelling can be accessed through this property.

3.0 Community Planning

Community Planning Staff are requesting the Agricultural Advisory Committee provide a recommendation for Council (of either support or non-support) for the application to the ALC for a “Subdivision of Agricultural Land Reserve” (a lot line adjustment).

The smaller subject property, 2087 Ward Road, is considered to be legally non-conforming in terms of size. The table below compares the current and proposed lot area to the current and proposed regulations.

Status	Minimum Lot Area Regulation	2087 Ward Road
Current	2.0 ha	0.4 ha
Proposed	4.0 ha (A1 text amendments)	0.64 ha

While it meets the minimum lot width of 40.0 metres for an A1 – Agriculture 1 zoned property, it does not meet the current minimum lot area of 2.0 hectares for properties located within the Agricultural Land Reserve. The proposed lot line adjustment would result in a slightly increased lot size to 0.64 ha, but the lot would still not meet the current or proposed bylaw requirement for minimum lot area. Text amendments to implement the City of Kelowna Agriculture Plan (2017) propose updating the Zoning Bylaw subdivision regulations to increase the minimum lot size in the ALR from 2.0 hectares to 4.0 hectares to create a consistent minimum lot size for all of the A1 – Agriculture 1 zone.

Should the lot line adjustment be supported, a standard Farm Residential Footprint would be applied to 1989 Ward Road, to ensure any future development occurs within the established footprint. Additionally, a Farm Protection Development Permit, in conjunction with a subdivision application would be required. Additional considerations, including buffering and other requirements, could be included at this time.

3.1 Site Context

The subject properties are located in the City’s Southeast Kelowna Sector. The Future Land Use is REP – Resource Protection and it is within the Agricultural Land Reserve. It is located outside of the Permanent Growth Boundary.

Parcel Summary – 1989 Ward Road:

Parcel Size: 9.4 ha (23.3 acres)
Elevation: 379.0 to 410.0 metres above sea level (approx.)

Parcel Summary – 2087 Ward Road:

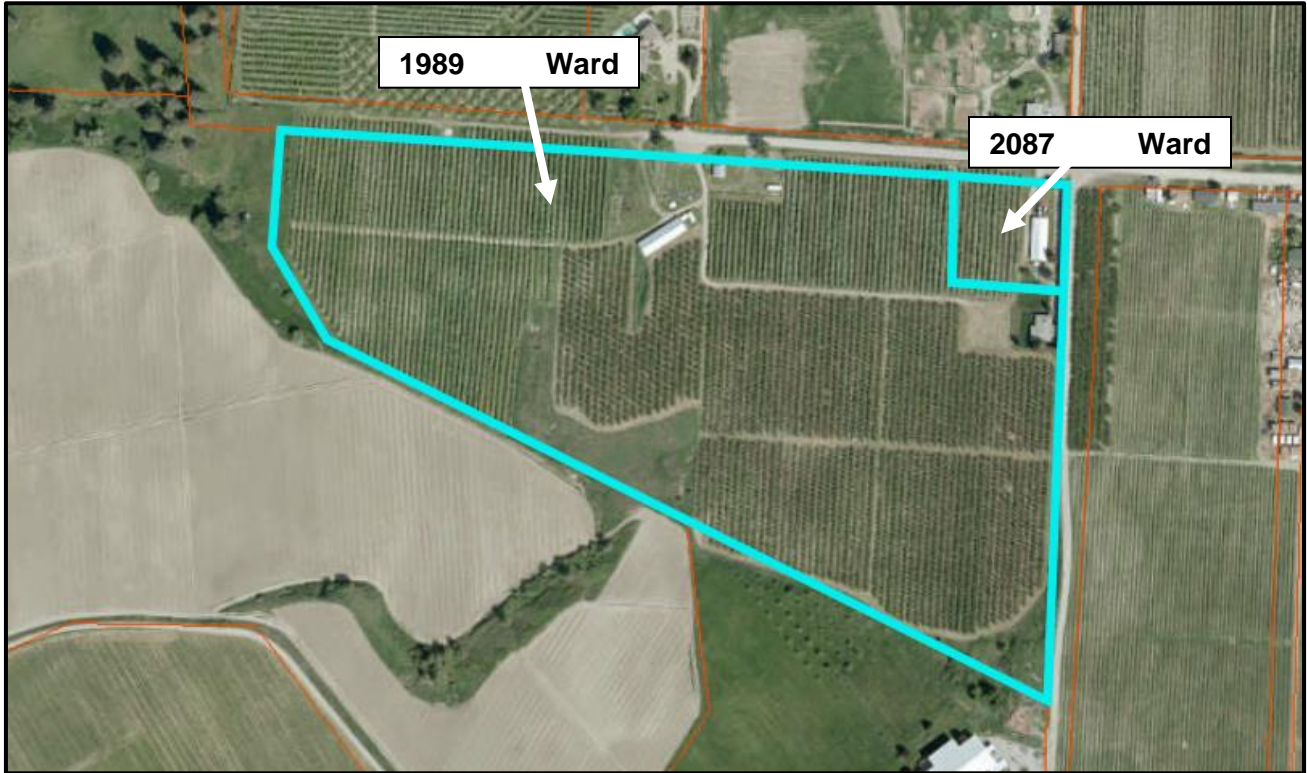
Parcel Size: 0.4 ha (1.0 acres)
Elevation: 404.0 to 409.0 metres above sea level (approx.)

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

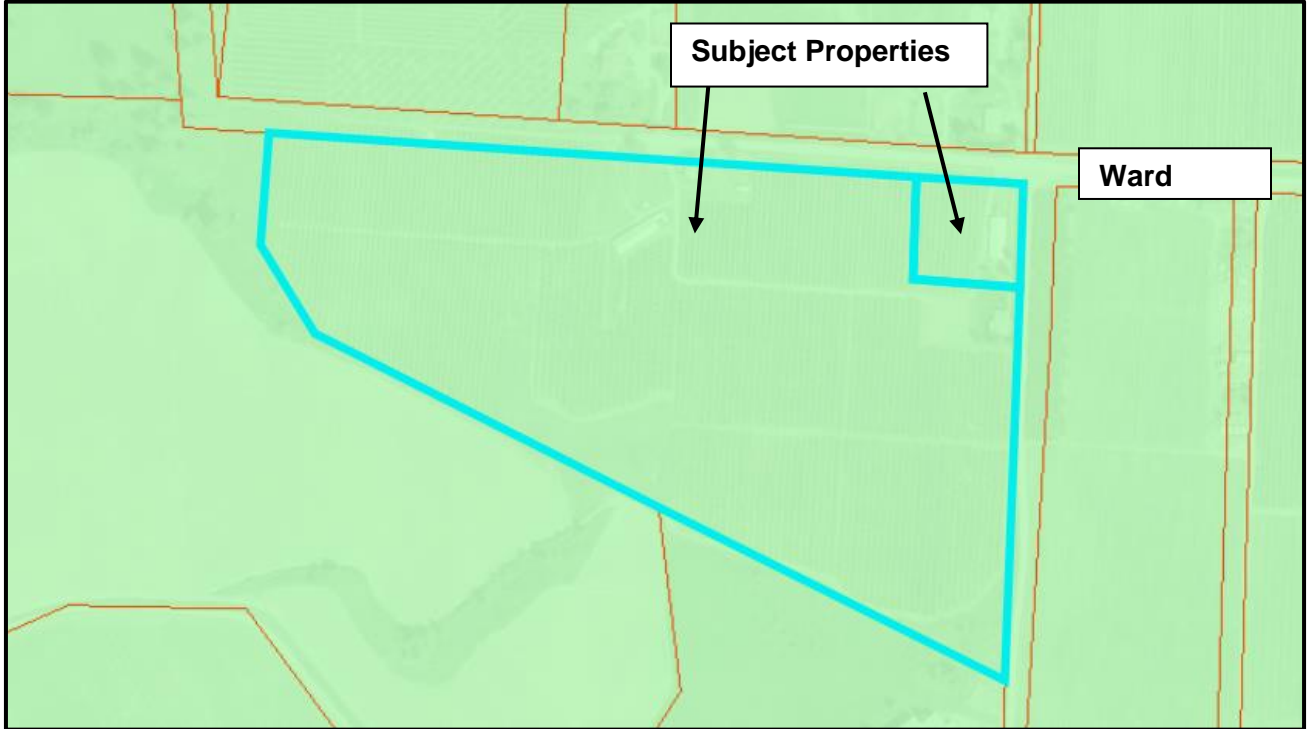
Table 1: Zoning and Land Use of Adjacent Property

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

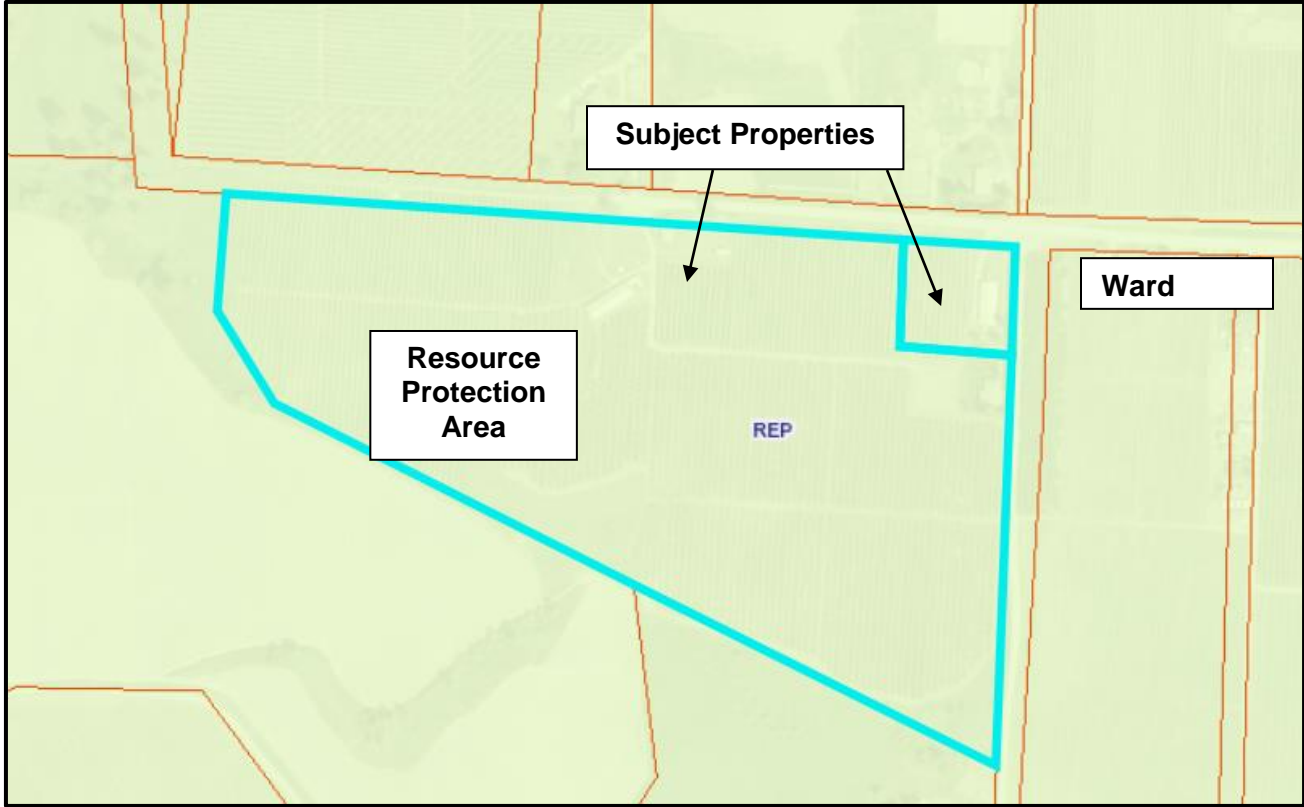
Map 1 – Subject Properties



Map 2 – Agricultural Land Reserve



Map 3 – Future Land Use



3.2 Application Details

The applicant is requesting a lot line adjustment of the south and west property lines. This would increase the parcel size of 2087 Ward Road by 0.24 hectares (0.5 acres) and would include the dwelling that is currently located on 1989 Ward Road, as shown below.

Existing Lot Line around 2087 Ward Road

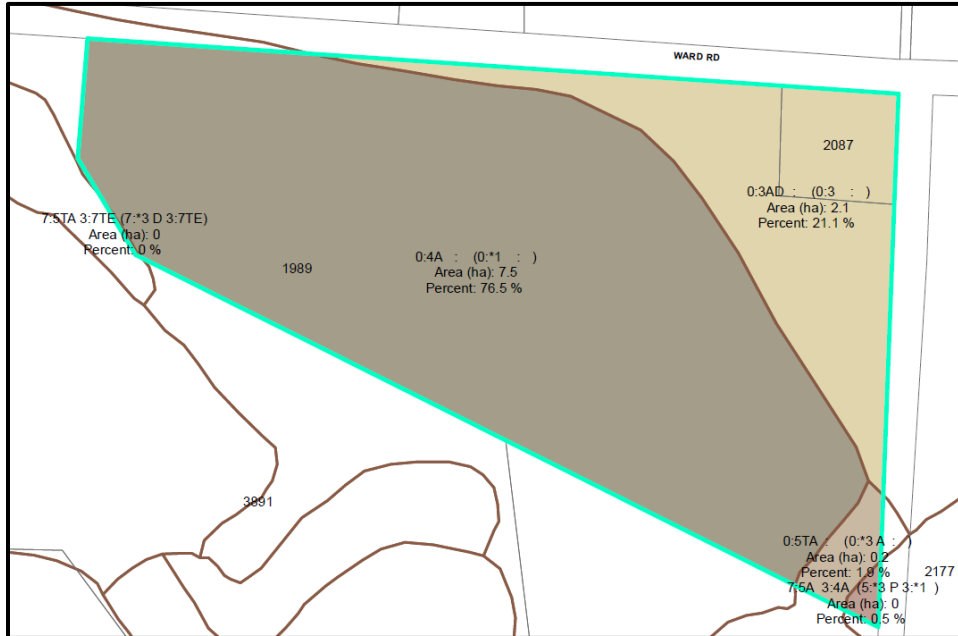


Proposed Lot Line around 2087 Ward Road



3.3 Agricultural Land Capability

Approximately 76% of the subject properties contains agricultural capability of Class 4, with identified soil moisture deficiency, which can be improved through irrigation to a Class 1. A further 21 % of the subject properties contains agricultural capability of Class 3, with soil moisture deficiency and undesirable soil structure and/or low perviousness. Improvements could be made to improve the agricultural capability to Class 3, without deficiencies.



3.4 Soil Capability

The Soil Capability of the subject property is 76.5 % Knox Mountain Soils and 21.1 % Glenmore Soils. Knox Mountain soils are well suited for most agricultural crops. Glenmore soils are moderately well suited for most agricultural crops, as they have good water holding capacity, are stone-free and relatively fertile.



4.0 Technical Comments

Development Engineering Department

This application has no impact on existing City of Kelowna infrastructure. Dedicate a corner rounding of 6m radius at the property corner.

Additional Comments are still to be received.

Report prepared by: Kimberly Brunet, Planner

Reviewed by: Laura Bentley, Community Planning Supervisor

Attachments:

Schedule A – Policies

Schedule B – Proposed Lot Line Adjustment