



ATTACHMENT A

This forms part of application
A19-0022

Planner Initials **HR**

City of **Kelowna**
DEVELOPMENT PLANNING

Provincial Agricultural Land Commission - Applicant Submission

Application ID: 59984

Application Status: Under LG Review

Applicant: Brian Fehr , Sharie Fehr

Agent: Kynoch Builders Inc.

Local Government: City of Kelowna

Local Government Date of Receipt: 12/06/2019

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

Proposal Type: Non-Adhering Residential Use - Non-Adhering Accommodation

Proposal: See attached.

Agent Information

Agent: Kynoch Builders Inc.

Mailing Address:

561 Curlew Dr

Kelowna, BC

V1W 4M2

Canada

Primary Phone: (250) 808-9524

Email: steve@kynochbuilders.com

Parcel Information

Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

Parcel Identifier: 011-703-598

Legal Description: LOT 161 SECTION 4 TOWNSHIP 26 AND SECTIONS 32 AND 33 TOWNSHIP 29 OSOYOOSDIVISION YALE DISTRICT PLAN 1247

Parcel Area: 5.4 ha

Civic Address: 4060 Todd Rd V1W 4B3

Date of Purchase: 05/17/2006

Farm Classification: No

Owners

1. **Name:** Brian Fehr

Address:

4060 Todd Rd

Kelowna, BC

V1W 4B3

Canada

Phone: (250) 808-3469

Email: dunwell@telus.net

2. **Name:** Sharie Fehr

Address:

4060 Todd Rd

Applicant: Brian Fehr , Sharie Fehr

Kelowna, BC
V1W 4B3
Canada
Phone: (250) 860-0260
Email: thefehrrs@telus.net

Current Use of Parcels Under Application

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

See attached.

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

See attached.

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

See attached.

Adjacent Land Uses

North

Land Use Type: Residential

Specify Activity: Single-family dwelling + hay

East

Land Use Type: Residential

Specify Activity: Single-family dwelling + apples

South

Land Use Type: Residential

Specify Activity: Single-family dwelling

West

Land Use Type: Residential

Specify Activity: Single-family dwelling + apples, grapes, pears

Proposal

1. What is the purpose of the proposal?

See attached.

2. Describe any agri-tourism that is currently taking place on the property.

See attached.

3. What is the total floor area of the proposed accommodation in square metres?

497 m²

4. How many "sleeping units" in total are proposed?

Applicant: Brian Fehr , Sharie Fehr

5. Describe the rationale for the proposed location of the accommodation.

See attached.

6. Describe the size, type and number, as well as occupancy of all residential structures currently located on the property.

See attached.

7. Describe any agri-tourism accommodation or tourist accommodation currently located on the property.

See attached.

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

See attached.

9. What is the total area of infrastructure necessary to support the proposed accommodation?

See attached.

10. Do you need to import any fill be required to construct the accommodation?

No

Applicant Attachments

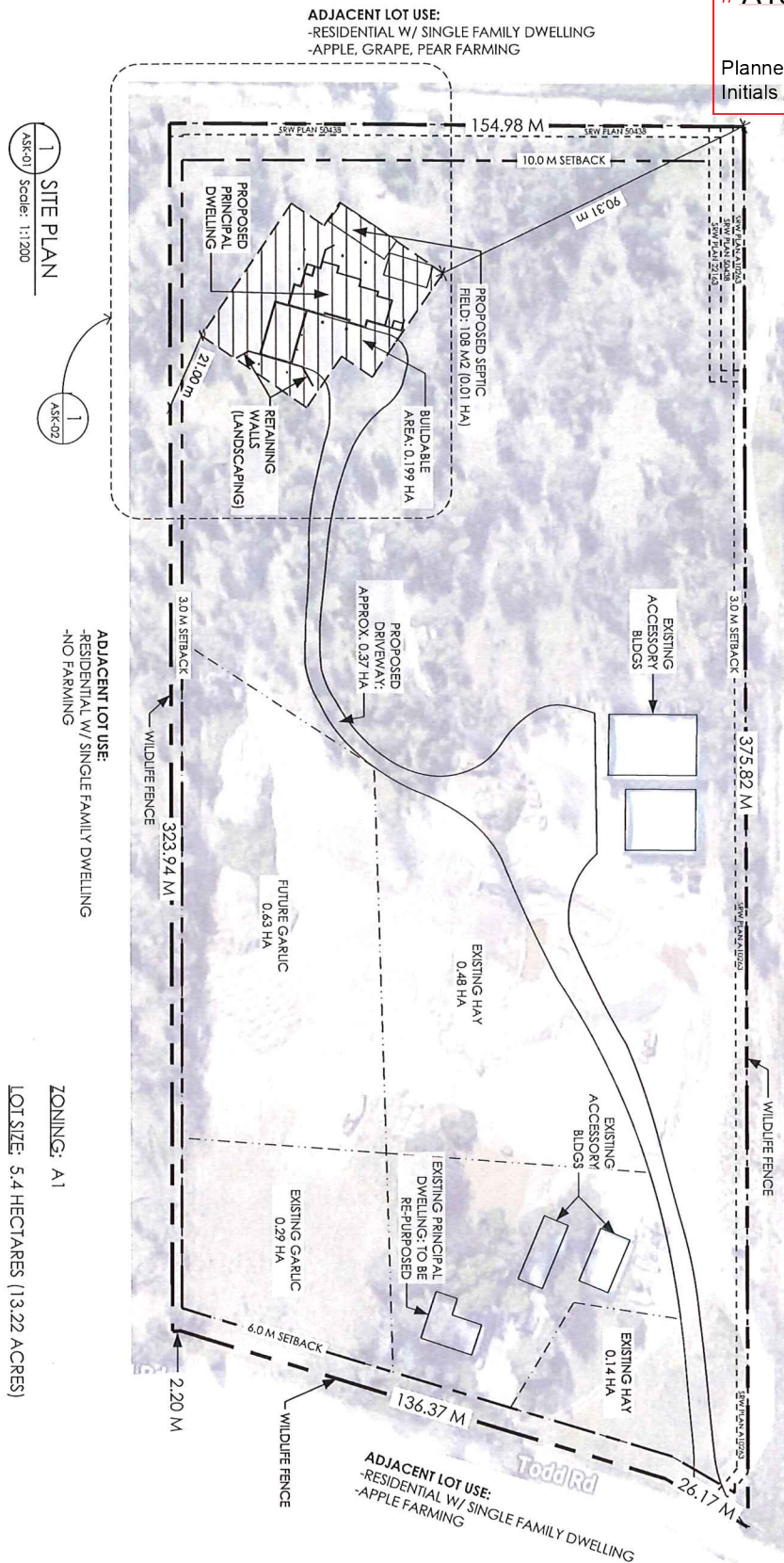
- Agent Agreement - Kynoch Builders Inc.
- Proposal Sketch - 59984
- Other correspondence or file information - ALC Application
- Other correspondence or file information - Plan EPP95031
- Certificate of Title - 011-703-598

ALC Attachments

None.

Decisions

None.



1 SITE PLAN
ASK-01 Scale: 1:1200

ZONING: A1
LOT SIZE: 5.4 HECTARES (13.22 ACRES)

ADJACENT LOT USE:
-RESIDENTIAL W/ SINGLE FAMILY DWELLING
-NO FARMING

ADJACENT LOT USE:
-RESIDENTIAL W/ SINGLE FAMILY DWELLING
-HAY FARMING

ASK-01

FEHR RESIDENCE
4060 TODD RD, KELOWNA BC
PID 011-703-598, KID 255479, LOT 161, PLAN 1247

SITE STUDY

ISSUED FOR:	YY-MM-DD
REVIEW	19-08-22
REVIEW	19-11-22
REVIEW	19-11-29
REVIEW	19-12-04





APPLICATION FOR NON-ADHERING USE WITHIN THE ALR

Application ID: 59984

Date Created: 10/30/2019

Owners:

Brian Fehr &
Sharie Fehr

Address:

4060 Todd Rd
Kelowna, BC V1W 4B3

1. Application Type

- Conduct a Non-Adhering Residential Use within the ALR
- Non-Adhering Accommodation

2. Primary Contact

Agent: Steve Bank
Organization: Kynoch Builders Inc.

Address: 561 Curlew Dr
Kelowna, BC V1W 4M2

Phone: (250) 808-9524
Email: steve@kynochbuilders.com

3. Identity of Parcel Under Application

Parcel ID and Legal Description

Ownership: Fee Simple
PID: 011-703-598

Legal: LOT 161 SECTION 4 TOWNSHIP 26 AND SECTIONS 32 AND 33 TOWNSHIP
29 OSOYOOS DIVISION YALE DISTRICT PLAN 1247

Civic: 4060 Todd Rd
Kelowna, BC V1W 4B3

Area

5.4 hectares

Purchase Date

May 17th, 2006

Farm Classification

No farm classification.

Owner Info

Name: Brian Kenneth Fehr
Address: 4060 Todd Rd
Kelowna, BC V1W 4B3
Phone: (250) 808-3469
Email: dunwell@telus.net

Name: Sharie Marlene Fehr
Address: 4060 Todd Rd
Kelowna, BC V1W 4B3
Phone: (250) 860-0260
Email: thefehrrs@telus.net

4. Land Use

The land under application is currently being used for agriculture, storing of farm equipment, home-based business, and residential use.

Land Use of Parcel under Application

I. Current Agriculture

There are currently 1.54 hectares of land prepared and in preparation of farming. There are 0.62 hectares of hay, and 0.29 hectares of garlic being grown. Additionally, there are plans for 0.63 hectares of garlic to be planted in 2020.

There are also approximately 0.1 hectares of land used for the storage and maintenance of farm equipment, and other farm supporting requirements.

II. Agricultural Improvements

Land clearing, levelling, and land preparation on the east side of the property has continued to increase the farmable area since purchasing the land. In 2010-2011 approximately 20,000 cubic meters of gravel were extracted from an embankment that ran north-south down the centre of the property (approximately). The embankment was too steep to farm and was creating frost pockets on adjacent level land to the east. In 2019 the land in the south east corner was prepped and irrigated for growing garlic, and the land in the north east corner was planted with hay and irrigated. A wildlife deterring fence has also been erected along the north, east, and south borders of the property.

III. Non-Agricultural Uses

There is currently an 89.2 square meter home with adjoining shop existing on the land. The home is occupied by the owners as their principle and only residence.

The owners also own and operate a business from their home, and store equipment on the land from time to time as required to operate the business.

Land Use of Adjacent Parcels

I. Land Uses Surrounding the Parcel Under Application

North

Residential with single family dwelling and farming of hay.

East

Residential with single family dwelling and farming of apples.

South

Residential with single family dwelling and no farming.

West

Residential with single family dwelling and farming of apples, grapes, and pears.

5. Other Parcels of Interest

The owners do not own or lease any other lands within the community.

6. Local Government

City of Kelowna

7. Proposal

Purpose of the Proposal

The purpose of this proposal is to ask for permission construct a new single family dwelling on the property while the owners continue to live in the existing single family dwelling during construction. It is proposed that upon completion of the new single family dwelling, and prior to occupancy and/or issuance of the occupancy permit, the existing dwelling will be decommissioned and repurposed into office spaces for the operation of the farm and home-based business. This stipulation to be enforced by a covenant registered on the property with the Land Titles Office.

Allowing the owners to continue to live in the existing dwelling during construction will ensure farming will continue uninterrupted and encourage future farming. It will also achieve security of the current farm operations, home-based business, new dwelling in construction, and the land itself. Conversely, if the owners were required to vacate the land and decommission the existing dwelling during construction it would result in an unreasonable burden on their financial resources which could otherwise be allocated to the farm and future farming efforts.

Agri-Tourism

There are no Agri-tourism activities currently taking place on the property.

Proposed Accommodation Total Floor Area

	497 m ²	Total
	107 m ²	<i>Basement above grade</i>
+	296 m ²	<i>Main Level living</i>
+	128 m ²	<i>Main Garage</i>
	=====	
=	539 m ²	<i>Total</i>
-	42 m ²	<i>Garage allowance</i>
	=====	
=	497 m ²	

Proposed Number of “Sleeping Units”

4 bedroom new single family dwelling

The existing sleeping units within the existing single family dwelling will be repurposed into office spaces once the new single family dwelling has been completed, and prior to issuance of the occupancy permit.

Proposed Accommodation Location (New Residence)

The proposed location, as indicated on the proposed Farm Residential Footprint covenant plan, is the best location for a residence on the property because it takes the most advantage of the farmable land and is the least disruptive to the land in terms of access to the property and utilities installation and maintenance.

The Farm Residential Footprint is located on the west side of the property. It is on a hillside which is currently not being farmed, and due to the contours of the land and existing natural trees, would be difficult to farm. It would be more favourable in terms of agricultural potential to locate the residence on the west side of the property and reserve the east side for farming and related activities. The east side of the property is relatively flat due to recent improvements to the land and is currently being farmed for hay. It also has more area planned to be farmed for hay and garlic in the future.

Disruption to the land during construction and later for access will be lessened by locating the house in the proposed Farm Residential Footprint. The proposed location is strategically located to take advantage of the existing un-named road running along the west border of the property. This road provides pedestrian and vehicle access to the property, as well as convenient access to utilities: water, gas, and power which run along the road.

Current Residential Structures

There is currently one, 89.2 m², single family dwelling located on the property and occupied by the Fehr family.

Current Agri-Tourism or Tourism Accommodations

There are currently no Agri-Tourism or Tourism accommodations located on the property.

Agriculture Support

This proposal supports agriculture both short and long term. In the short term it will facilitate continuous, uninterrupted operations of the farm. In the long term it will save on financial resources required to invest in and maintain more farmable area.

Supporting Infrastructure for Proposed Accommodation

Supporting infrastructure includes a new septic field and driveway which total approximately 3794 m² total land area. The septic field will require approximately 108m², and the driveway will require approximately 3686 m².

Additional Fill Required?

No fill is required to be imported to construct the proposed accommodation.

8. Upload Attachments

- Agent Authorization Letter
- Certificate of Title
- Covenant survey
- Proposal Sketch

9. Review and Submit