

# Provincial Agricultural Land Commission - Applicant Submission

**Application ID:** 61080

**Application Status:** Under LG Review

**Applicant:** Johnson Vandakathil Varghese , Lucy Varghese

**Agent:** Lynn Welder Consulting

**Local Government:** City of Kelowna

**Local Government Date of Receipt:** 03/23/2021

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

**Proposal Type:** Non-Adhering Residential Use - Additional Residence for Farm Use

**Proposal:** To allow a new, secondary house on the property for the land owners to live in. The existing house will then be used for Temporary Farm Help.

## Agent Information

**Agent:** Lynn Welder Consulting

**Mailing Address:**

1826 Edgehill Ave.

Kelowna, BC

V1V 1R7

Canada

**Primary Phone:** (250) 317-6983

**Email:** lynn\_welder@telus.net

## Parcel Information

### Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

**Parcel Identifier:** 028-369-262

**Legal Description:** Lot 1, Plan KAP91486, Sec. 31 & 36, Twp. 26 & 27, ODYD

**Parcel Area:** 4.5 ha

**Civic Address:** 1466 Latta Road, Kelowna, B.C.

**Date of Purchase:** 04/22/2015

**Farm Classification:** Yes

**Owners**

1. **Name:** Johnson Vandakathil Varghese

**Address:**

13471 Waterford Place

Surrey, BC

V3W 6V2

Canada

**Phone:** (778) 836-2079

**Email:** lvarghese06@gmail.com

2. **Name:** Lucy Varghese

**Address:**

13471 Waterford Place

**Applicant:** Johnson Vandakathil Varghese , Lucy Varghese

Surrey, BC  
V3W 6V2  
Canada  
**Phone:** (778) 836-2079  
**Email:** lvarghese06@gmail.com

**ATTACHMENT** A

This forms part of application  
# A21-0007

Planner Initials **TC**

City of **Kelowna**  
DEVELOPMENT PLANNING



## Current Use of Parcels Under Application

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

*1.82 ha are currently in grapes (primarily table grapes)*

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

*1.62 ha being prepped for future grapes*

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

*No non-agricultural activity*

## Adjacent Land Uses

### North

**Land Use Type:** Agricultural/Farm

**Specify Activity:** Apple Orchards

### East

**Land Use Type:** Agricultural/Farm

**Specify Activity:** Apple Orchards

### South

**Land Use Type:** Agricultural/Farm

**Specify Activity:** Cherry Orchards

### West

**Land Use Type:** Agricultural/Farm

**Specify Activity:** Fallow Land (Farm)

## Proposal

### 1. What is the purpose of the proposal?

*To allow a new, secondary house on the property for the land owners to live in. The existing house will then be used for Temporary Farm Help.*

### 2. Describe the necessity for an additional residence for farm use and how it will support agriculture in the short or long term.

*The owners wish to move to Kelowna and build a house for them to live in. With the additional grapes*

**Applicant:** Johnson Vandakathil Varghese , Lucy Varghese

being planted, they will require housing for temporary Farm Help and the existing house lends itself very well to this purpose. The owners will apply for Farm Workers Housing (TFWH) program within the City of Kelowna. This will further enhance and support the agricultural capability of the property.

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

*There is one house currently existing on the property. The house is approx. 230 square metres (one and a half stories in height). There are 3 people living in the house at the moment.*

**4. What is the total floor area of the proposed additional residence in square metres?**

260 m<sup>2</sup>

**5. Describe the rationale for the proposed location of the additional residence.**

*On behalf of the owners, I have met with the City of Kelowna and discussed the location for this additional house on the property. It was the City's suggestion that this was the best location for the house. As per the City, the existing home must within the allowable size (500m<sup>2</sup>) and then they will do a Farm Residential Footprint Covenant. This will be 2000m<sup>2</sup> and all residential uses will need to be in this area.*

**6. What is the total area of infrastructure necessary to support the additional residence?**

*The additional infrastructure would be the septic, minimal landscaping, and a small extension of the driveway. The total area would be approx. 350 square metres maximum, most likely less - however this is purely an estimate.*

**7. Do you need to import any fill to construct the additional residence or infrastructure?**

No

**Applicant Attachments**

- Agent Agreement-Lynn Welder Consulting
- Site Photo-Variou photos of property
- Site Photo-Aerial Photograph
- Proposal Sketch-61080
- Other correspondence or file information-BC Assessment
- Certificate of Title-028-369-262

**ALC Attachments**

None.

**Decisions**

None.





**ATTACHMENT B**

This forms part of application # A21-0007

Planner Initials **TC**





**PHOTO #1**



Looking East up the driveway. At the top of the photo on the left is the existing house which is proposed for Farm Help, and on the empty land on the right (across from the existing house) will be the location of the proposed New House.

**PHOTO #2**



Looking toward the Northern portion of the property. Existing rows of grapes.



**PHOTO #3**



South side of existing house which is proposed for Farm Help & faces the proposed New House location

**PHOTO #4**



Looking East where the proposed New House is to be located.

**PHOTO #5**



Southwest portion of the property. The area for future grapes is in the foreground and the existing grapes in the background.

**PHOTO #6**



The shed/grapes sales building. Located near the entry to the property.



CITY OF KELOWNA

**MEMORANDUM**

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**Date:** April 13, 2021  
**File No.:** A21-0007  
**To:** Land Use Planning Manager (AK)  
**From:** Development Engineering Manager (TC)  
**Subject:** 1466 Latta Rd Additional Residence

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The Development Engineering Branch has the following comments with regard to this application to allow a new, secondary house on the property for the land owners to live in. The Development Technician for this file will be Sarah Kelly.

**1. General**

- a) The following requirements are valid for two (2) years from the reference date of this memo, or until the application/PLR has been closed, whichever occurs first. The City of Kelowna reserves the rights to update/change some or all items in this memo once these time limits have been reached.

**2. Domestic water and fire protection.**

- a) The subject lot is within the Black Mountain Irrigation District (BMID) water service area. The developer is required to make satisfactory arrangements with BMID for all water and fire protection-related issues. All charges for service connection and upgrading costs, as well as any costs to decommission existing services, shall be the responsibility of the developer.
- b) Provide an adequately sized domestic water and fire protection system complete with an individual lot connection. The water system must be capable of supplying domestic and fire flow demands of the project in accordance with the Subdivision, Development & Servicing Bylaw No. 7900.

**3. Sanitary Sewer Service**

- a) This subject parcel is currently not within the City service area. Sanitary sewage is presently handled by an on-site sewage disposal system. The existing on-site system is not shown on the submitted sketch plan.
- b) The applicant's consulting engineer will determine the requirements of the on-site disposal system that will support the proposed use. The disposal system shall be reviewed by the Interior Health Authority and Building & Permitting.

**4. Storm Drainage**

- a) Direct roof leaders onto splash pads.



**5. Electric Power and Telecommunication Services**

- a) It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant's cost

<b>ATTACHMENT</b>		<b>D</b>
This forms part of application		
# <b>A21-0007</b>		
Planner Initials	<b>TC</b>	 <b>City of Kelowna</b> <small>DEVELOPMENT PLANNING</small>

*James Kay*  
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James Kay, P.Eng.  
Development Engineering Manager

SK



April 21, 2021

File No: 0280-30

Local Government File No: A21-0007

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

Dear City of Kelowna planning staff:

**Re: Non-adhering residential use application for 1466 Latta Road (PID: 028-369-262)**

Thank you for providing the B.C. Ministry of Agriculture, Food and Fisheries (Ministry) staff the opportunity to comment on the proposed non-adhering residential use application in the Agricultural Land Reserve (ALR) for an additional residence. We note that the property is a 4.54 ha (8.15 acre) farm with 1.82 ha currently planted to grapes with a further 1.62 ha planned to be also planted to grapes. There is an existing 230 m<sup>2</sup> principal residence that is planned to be converted to a dwelling for farm help, and the applicants are requesting a 260 m<sup>2</sup> second dwelling for their own use.

Although additional dwellings in the ALR can result in an increase in farm practice complaints and increase speculative pressure on farmland by non-farmers, in this case, the second dwelling may not have as much of a detrimental impact for the following reasons:

- The existing residential floor area of the principal dwelling is relatively modest and the same is true for the proposed dwelling.
- The amount of residential floor area and scale of the housing requested appears to be commensurate with the size, intensity, and the type of operation.
- The proposed second residence will be located on a residential footprint contiguous with the principal residence, which reduces the potential for future subdivision requests.

Ministry staff have the following concerns regarding the proposal:

- Both residences would be on permanent foundations, which means that one will be less likely to be removed if no longer required.
- If one of the residences is used as a rental unit in the future, it will likely increase the potential for farm practice complaints in the area.

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

Sincerely,



Alison Fox, P.Ag.  
Land Use Agrologist  
BC Ministry of Agriculture, Food and  
Fisheries  
[Alison.Fox@gov.bc.ca](mailto:Alison.Fox@gov.bc.ca)  
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<b>ATTACHMENT</b>		<b>E</b>
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