



Provincial Agricultural Land Commission - Applicant Submission

Application ID: 68971

Application Status: Under LG Review

Applicant: Edmund Bonn

Agent: Lorraine Susan Bonn

Local Government: City of Kelowna

Local Government Date of Receipt: 08/01/2023

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

Proposal Type: Subdivision

Proposal: ALC Home site severance - to create a site for the home site, minimum in size to accommodate the residence and outbuildings, in compliance with the City of Kelowna setback requirements and regulations of the ALC

Agent Information

Agent : Lorraine Susan Bonn

Mailing Address :

#3 - 127 Valley Road

Kelowna, BC

V1V 2E7

Canada

Primary Phone : (250) 878-5563

Mobile Phone : (250) 762-4316

Email : hairraizers@shaw.ca

Parcel Information

Parcel(s) Under Application

1. **Ownership Type :** Fee Simple

Parcel Identifier : 011-844-558

Legal Description : LOT 6 BLOCK 17 SECTION 4 TOWNSHIP 23 OSOYOOS DIVISION YALE DISTRICT PLAN 1068

Parcel Area : 5.7 ha

Civic Address : 127 Valley Road

Date of Purchase : 05/01/1967

Farm Classification : Yes

Owners

1. **Name :** Edmund Bonn

Address :

Applicant: Edmund Bonn

Phone :
Email :

Ownership or Interest in Other Lands Within This Community

- Ownership Type :** Fee Simple
Parcel Identifier : 011-844-574
Owner with Parcel Interest : Edmund Bonn
Parcel Area : 3.4 ha
Land Use Type : Agricultural/Farm
Interest Type : Full Ownership
-

Current Use of Parcels Under Application

- 1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).**
With exception of areas for buildings (approximately) 2 acres, and excluding the slough along the west of the property along Valley Road, (approximately .75 acres), the balance of the property, is planted with high density apple fruit trees
- 2. Quantify and describe in detail all agricultural improvements made to the parcel(s).**
*The apple orchard is irrigated by automated irrigation system
Mid point of the property, there is a drainage channel running north/south*
- 3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).**
*House and detached garage
Small detached residence at the north west corner of the property
Newer single family residence and business (salon) and outbuildings (sheds) located in the south west corner of the property (the subject lands of this application)*

Adjacent Land Uses

North

Land Use Type: Agricultural/Farm
Specify Activity : residential and agricultural

East

Land Use Type: Agricultural/Farm
Specify Activity : agriculture

South

Land Use Type: Agricultural/Farm

Applicant: Edmund Bonn

Specify Activity : residential and agriculture

West

Land Use Type: Civic/Institutional

Specify Activity : residential and public use Dr Knox Middle School

Proposal

1. Enter the total number of lots proposed for your property.

0.36 ha

5.34 ha

2. What is the purpose of the proposal?

ALC Home site severance - to create a site for the home site, minimum in size to accommodate the residence and outbuildings, in compliance with the City of Kelowna setback requirements and regulations of the ALC

3. Why do you believe this parcel is suitable for subdivision?

The existing house and outbuildings were built in 1998 and 2008 and are not suitable for housing farm workers. The proposed purchaser is desirous of purchasing the orchard property, with the exception of the proposed home site, and would prefer this proposed site be severed from the property.

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

The balance, majority of the lands is currently operated as an apple orchard, and the proposed purchaser, the current lessee, intends to continue operation of the lands as such. Any viable areas of the lands which are not currently planted with fruit trees, when purchased, will be planted to increase income from the lands

5. Are you applying for subdivision pursuant to the ALC Homesite Severance Policy? If yes, please submit proof of property ownership prior to December 21, 1972 and proof of continued occupancy in the "Upload Attachments" section.

Yes

Applicant Attachments

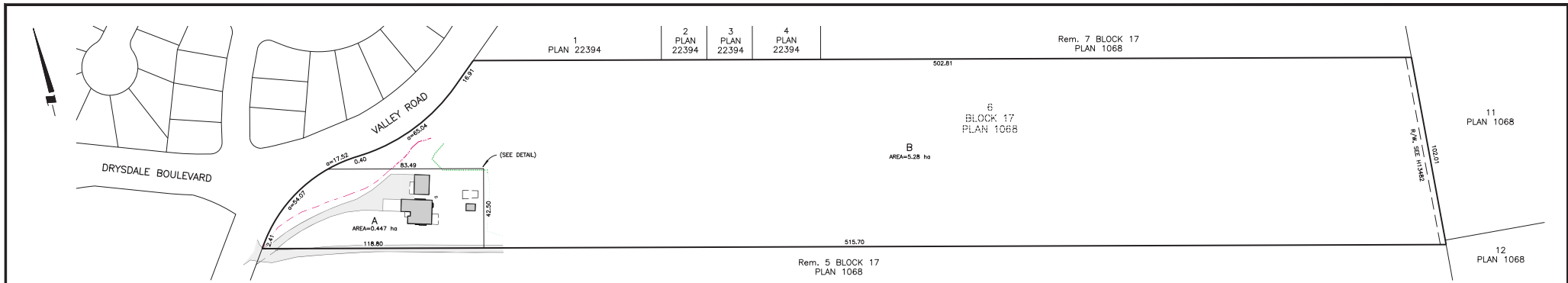
- Agent Agreement - Lorraine Susan Bonn
- Proposal Sketch - 68971
- Other correspondence or file information - Bonn Home Site Option 2
- Homesite Severance Qualification - 68971
- Site Photo - Photograph of Area
- Other correspondence or file information - Contract to Purchase
- Certificate of Title - 011-844-558

ALC Attachments

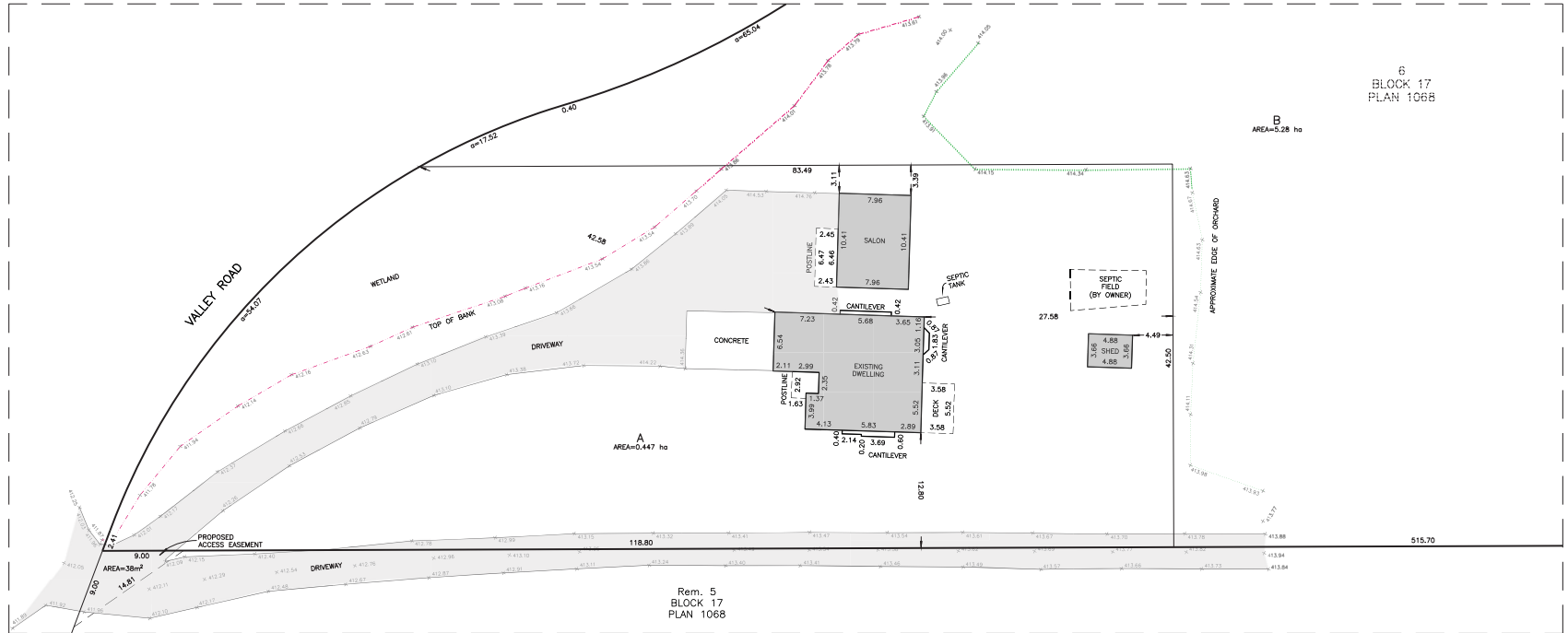
None.

Decisions

Applicant: Edmund Bonn



DETAIL (SCALE 1:250)



ATTACHMENT B
 This forms part of application
 # A23-0009
 Planner Initials **TC**
 City of Kelowna
 DEVELOPMENT PLANNING

 B.C. LAND SURVEYORS CANADA LANDS SURVEYORS - Subdivision Design Surveys Legal, Topographic & GPS Surveys 404-1830 Pandosy St., Kelowna, B.C. V1Y 1P7 Telephone (250)763-3115 Fax (250)763-0361	LEGAL DESCRIPTION	CLIENT	LEGEND	NOTES	JOB NO.: 23432	
	LOT 6 BLOCK 17 SECTION 4 TOWNSHIP 23 ODYD PLAN 1068	SUSAN BONN	x SPOT HEIGHT --- TOP OF BANK - - - - - APPROXIMATE EDGE OF FARM	THIS LOT IS SUBJECT TO FOLLOWING NON-FINANCIAL CHARGES: RIGHT OF WAY (H13482), STATUTORY RIGHT OF WAY (H16924), STATUTORY RIGHT OF WAY (L8139155). THIS PLAN SHOWS REGISTERED CHARGES ON TITLE THAT ARE DEFINED BY SURVEY PLAN OR DESCRIPTION. UNREGISTERED INTERESTS HAVE NOT BEEN INCLUDED OR CONSIDERED.	ELEVATIONS ARE GEODETIC AND ARE DERIVED FROM RTK GNSS OBSERVATIONS, REFERENCED TO CGD2011. LOT DIMENSIONS ARE DERIVED FROM LAND TITLE RECORDS. PROPERTY LINES ARE APPROXIMATE AND ARE SUBJECT TO A FULL LEGAL SURVEY. THIS PLAN IS FOR THE SOLE USE OF THE CLIENT FOR DESIGN PURPOSES ONLY AND IS NOT TO BE USED FOR RE-ESTABLISHMENTS OF PROPERTY LINES.	SURVEY DATE: SEPTEMBER 21, 2023 SCALE: 1:1000 METRES DRAWN BY: PG / CHECKED BY: CH FIELD CREW: JF/SM
	DRAWING TYPE	CIVIC ADDRESS	REVISION NO.	DESCRIPTION	BY	DATE
	PROPOSED SUBDIVISION PLAN	127 VALLEY ROAD, KELOWNA	0	PLAN ISSUED	PG	OCTOBER 13, 2023

SUBMITTED (AUG 10, 2025) FOR FILE# 2340132421, 23421-01 09/02/2343-10/09/23

**Submission to the City of Kelowna
in support of Application for Home Site Severance**

Subject Property:

Folio: 03267.000
Civic Address: 127 Valley Road, Kelowna, British Columbia
PID: 011-844-558
Legal Description: Lot 6, Block 17, Section 4, Township 23,
Osoyoos Division Yale District, Plan 1068
(hereinafter Lot 6)
Area of Property: 5.7 hectares
Existing Zone Category: A-1 Agriculture



As registered owner of Lot 6, since May 1, 1967, I am seeking permission to subdivide Lot 6 into two lots, under section 21(2) of the Agricultural Land Commission Act, to facilitate the creation of a home site severance. The remainder of Lot 6, after severance of the home site, will be a viable agricultural parcel and will not in any way reduce the current productive agriculture on the lands.

The existing buildings located on Lot 6 are:

- a. Small residential residence, relocated from the north end on Gordon Drive, Kelowna, B.C. to Lot 6 in about 1969;
- b. Two bay garage / tractor shed;
- c. Single family residence located approximately mid point of Lot 6 along the northerly boundary; and
- d. Single family residence and detached accessory building, used as a hair salon, located in the southwest corner of Lot 6 (the subject area for the home site severance).

I note as well that at the west part of Lot 6, along Valley Road, there is a creek and the area immediately adjacent to the creek cannot be utilized for orchard or any other purpose. This area, creek and marsh, approximately .23 hectares is inhabited by mostly wild birds, along with other small creature wildlife.

On April 19, 1967 an offer was made by myself and my wife, Helen, to John Francis Douglas and Helen Douglas to purchase Lot 6, together with Lot 7, Block 17, Section 4, Township 23, Osoyoos Division Yale District, Plan 1068, one of the terms being that the existing Farm Credit Corporation Mortgage 115231E be assumed, and the Douglas interest in the Right to Purchase, registered with Kamloops Land Title Office on March 31, 1965 under filing number 115966E (referred to inadvertently in the offer as the second Mortgage) in favour of Sam Pearson (Samuel Pearson and Margaret Helen Pearson). Attached is a copy of the Offer to Purchase dated April 19, 1967.

By virtue of Transfer of an Estate in Fee-Simple dated April 10, 1980, accepted for registration by the Kamloops Land Title Office on April 11, 1980, assigned filing number R18419F, Samuel Pearson and Margaret Helen Pearson transferred the fee simple interest in Lot 6 and Lot 7 to myself, Edmund Bonn and my wife, Helen Bonn, as joint tenants.

Notwithstanding that the sale/purchase from Douglas to Bonn, closed on May 1, 1967 as contemplated by the Offer to Purchase, and that title was not transferred by Pearson to Bonn until April 11, 1980, myself, my wife, with our children had possession of Lots 6 and 7, lived on Lot 6, we operated the apple and cherry orchard as our family business. Periodic seasonal payments were made to Pearson to satisfy the indebtedness secured by Right to Purchase 115966E, and it was not until 1980 that the debt had been repaid, when title was then transferred to myself and my wife, as joint tenants. Attached is a copy of the registered transfer document together with April 22, 1980 letter from BM Baker, Notary Public confirming the transfer of title.

In or about 1984 the orchard portion of Lot 6 was leased out to various individuals from season to season, then having been leased to S. Sundher Orchards Ltd. (Dave Sundher) for the past some 22 years.

The winter of approximately 1992 (I am not certain of the year) froze out a large number of fruit trees in the west half of Lot 6, and we removed the trees and seeded that land area (approximately 1.2

hectares) in hay. The balance of Lot 6 to the east was then leased out and continued to be operated as an apple orchard. Until the freeze in 1992, the whole of Lot 6, with the exception of living structures, was operated as apple orchard.

In late summer 1998 a building permit was obtained from the City of Kelowna and in September, 1998 construction of the residence in the south west corner of Lot 6, accessed via Valley Road, commenced.

In about 2000 the whole of Lot 7 and lands on Lot 6, east of the family residence, were leased to S. Sundher Orchards Ltd. (Dave Sundher) for two years. The hay field was excluded from the lands leased, and maintained by my family until that time.

In 2002 the most easterly 1.2 hectares was planted by our family with high density apple fruit trees, and drip irrigation installed.

In 2005 we entered into a Lease agreement with S. Sundher Orchards Ltd. (Dave Sundher) for the whole of Lot 6 and Lot 7, with the exception of areas forming part of the residences and yards. Mr. Sundher removed what was left of the old fruit trees, including area in the west which had been hay field, and replanted high density trees, and installed an irrigation system. Mr. Sundher's lease expires on December 31, 2024.

My wife, Helen Bonn, passed away in June 5, 2006 and her interest in the properties were transferred to me as surviving joint tenant. I remain the registered owner of Lots 6 and 7.

In 2007 a building permit was obtained from the City of Kelowna and an accessory building to the north of the proposed home site residence in the south west corner of Lot 6 was constructed, which was and is being used to date as a hair salon, operated by a family member.

The residence constructed in 1998, the salon building and outbuildings immediately adjacent to the residence are the subject of my request for a home site severance.

If the home site severance were approved the remainder of Lot 6 would be viable for agricultural purposes, and not have a negative impact on the adjacent parcels (properties to the east of Valley Road I note at this time are also leased by Mr. Sundher).

The use of properties adjacent to Lot 6 are:

To the north – agricultural

To the south – agricultural

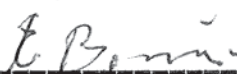
To the east – agricultural

To the west – residential, and public use (Dr. Knox Middle School)

There are no specific area measurements for the home site parcel at this time. Ultimately we, and Mr. Sundher the prospective purchaser, are desirous of limiting the lot area of the home site to a minimum, and to comply with City of Kelowna setback requirements. The intention is to keep as much land in the remainder of Lot 6 to enable the maximum area to be utilized as orchard.


Thank you in advance for your consideration to my application for home site severance.

If you require any further information or wish to discuss this matter please telephone my daughter, Ruby Costigan at (250) 860-5589. I am hard of hearing at my 93 years of age, and furthermore she has been assisting me and is hands on with my financial and personal matters since my wife passed away in 2006.



Edmund Bonn

August ____, 2023

ATTACHMENT	C
This forms part of application # A23-0009	
Planner Initials	TC
 City of Kelowna DEVELOPMENT PLANNING	