



September 21, 2023

Agriculture Land Commission
#201 – 4940 Canada Way
Burnaby, BC
V5G 4K6

RE: Non-Farm Use Application to add a Gas Bar at 2786 K.L.O. Road

Dear Agricultural Land Commission,

The purpose of this application is to seek approval of a “Non-Farm Use” to add a “gas bar” to the existing convenience store and post office on the subject property, located within the Agricultural Land Reserve. The lot was originally created by plan of subdivision dated August 1974, after the ALR came into existence on April 18, 1973. Therefore, the property does not qualify for exemption from ALC regulation, despite the lot size of less than 2.0ac. For that reason, we are applying for a Non-Farm Use to the Agricultural Land Commission for the existing store and the proposed new gas bar.

History

Historically, the existing convenience store and post office has been sited in this general location since the 1940's. In 1976, the existing store building was moved to the rear of the property and converted to a storage function. At that time, a new 2-storey concrete block structure was constructed that provided space for a new store and post office, in addition to a residence on the second level for the operator.

A convenience store and post office has been operating in this neighbourhood since 1928, after the original store and post office burned down in 1926. At that time, the store and post office was operating in a different location on East Kelowna Road. The replacement store was originally constructed on the north side of the lane adjacent to the north-west corner of East Kelowna Road and McCulloch Road. In approximately 1938, the operator of the Store and Post Office, Mr. Harry R.F. Dodd, donated the land to the East Kelowna Community Hall, and the store was moved across the lane to be located on the south-west corner of K.L.O. Road and McCulloch Road, in the general location where the store is currently located. The new community hall opened in 1940.

In 1974, the two small lots located at the south-west corner of K.L.O. Road and McCulloch Road were consolidated into one lot, which became the site of the 1976 two storey building addition. There was vehicle access to the property from K.L.O. Road and from the access Right of Way to

the north. This portion of the access Right of Way has also served the East Kelowna Community Hall site, as this lane also provides access to the parking lot located behind the hall building.

During the course of our research on the subject property, we were provided with a copy of various documents that indicated contractual agreements for the following:

- Operators of the store to provide Post Office mail delivery for the area.
- A chronology document which outlines the various mail service operators and the time for which they were contracted to provide this service.

Additionally, we were successful in understanding the history on nearby services that were connected to the post office and store, and the associated location of an ongoing operating store and post office on the subject property. Copies of advertisements in local newspaper archives are provided to illustrate a commercial retail store operating at this location prior to the creation of the ALR.

A chronology of subdivision plans that illustrates the sequence of subdivisions and lot consolidations has been assembled. This collection of plans shows how the current lot plan came to be, with associated dates and configurations.

This historic review shows that there has been no agricultural activity occurring on the subject property.

With the construction of the Community Hall, St. Mary's Church, the subject store and post office, and the nearby Hillcrest Garage, this area became known as "Downtown East Kelowna." This title was reinforced with the addition of the McCulloch Station Pub and Liquor Store located on the South-East side of K.L.O. Road in the 1990's.

Development Proposal Details

The proposed new gas bar is designed as a two-pump island without a canopy, located in front of the existing store adjacent to the K.L.O. Road frontage. The proposed pump island is oriented parallel to the road frontage to provide efficient vehicle movement. The existing off-street parking located on site is being reconfigured to provide 7 parking stalls along the north property line, as well as 5 parking stalls in the southwest corner of the lot. Two of the parking stalls in this location are to become EV charging stalls to comply with updated Zoning regulation of the City of Kelowna. The access to the property is to be reconfigured to create two clearly identified driveways from K.L.O. road to allow for tanker truck delivery of fuel and easy client access. The existing non-defined access across the north property line will be blocked off with new landscaped plantings within an area defined by new concrete curbing. This will remove the existing situation where access here involves crossing private property. In 2021, the owners of the subject property had entered into discussions with neighbour to authorize legal access over their land, but their discussions were not successful.

The proposed site plan shows truck movements over the parking stalls located adjacent to the north property line. It is anticipated that that fuel deliveries will be scheduled for the nighttime when the store is closed in order to eliminate conflicts between the fuel delivery truck and parked vehicles.

Conclusion

We feel that the addition of a gas bar to the existing convenience store will have minimal impact on the neighbourhood. Furthermore, the addition of a gas bar to this existing store and post office operation will be a good fit for the area and will provide a local opportunity for neighbourhood residents to purchase fuel. This will limit the need for local residents to drive additional distances to other established gas bars in commercial centres.

Given that the site has been part of the local farming community as a commercial hub since the 1940's, has not been utilized for agricultural purposes, and is only 0.38ac in size, we feel that there is no net loss to agriculture. Approval of this Non-Farm Use application will increase the services offered to the parcel and the community that it serves.

Regards,

A handwritten signature in blue ink, appearing to read 'B. Decloux'.

Birte Decloux, RPP MCIP
Urban Options Planning Corp.