

REPORT TO COUNCIL

ALR APPLICATION



Date: May 6th, 2024
To: Council
From: City Manager
Address: 1200 Belgo Road
File No.: A24-0005
Zone: P4 – Utilities

1.0 Recommendation

THAT Agricultural Land Reserve Application No. A24-0005 for Lot A Sections 23 and 24 Township 26 ODYD Plan EPP23792, located at 1200 Belgo Road, Kelowna, BC for a non-farm use application in the Agricultural Land Reserve pursuant to Section 20(2) of the Agricultural Land Commission Act, be supported by Council; AND THAT the Council directs Staff to forward the subject application to the Agricultural Land Commission for consideration.

2.0 Purpose

To support an application to the Agricultural Land Commission to allow for the development of an office building on the subject property.

3.0 Development Planning

Staff support the non-farm use application to allow the construction of an office building as it complies with the City's Official Community Plan (OCP) for non-farm uses on agricultural land. The OCP Policy supports non-farm use application only where the proposed use meets the following criteria:

- Are consistent with the Zoning Bylaw and the 2040 OCP;
- Provide significant benefits to local agriculture;
- Do not require the extension of municipal services;
- Will not utilize the productive agricultural lands;
- Will not preclude future use of lands for agriculture; and
- Will not harm adjacent farm operations.

The proposed non-farm use application meets the above criteria as listed in the OCP and will not negatively affect agricultural land (See Section 7.0). Should the application be supported by Council and the Agricultural Land Commission, a Building Permit would be required to be issued before construction can commence.

4.0 Subject Property & Background

4.1 Subject Property Map



The subject property has the Future Land Use Designation of PSU – Public Services / Utilities, is zoned P₄ – Utilities and is in the Agricultural Land Reserve (ALR). The surrounding area is a mix of agricultural (south of Springfield Road) and single-detached dwellings (north of Springfield Road).

5.0 Background

Prior to the purchase of the subject property by BMID, it was owned by the provincial government and was used to extract sand and gravel for provincial needs. After the sand and gravel supply diminished, it was listed for sale and ultimately granted to BMID in 1968. Following this date, the property was fenced, landscaped, and planted as it was unsightly and dangerous due to the previous on-site excavation. The property remains a BMID works yard and has largely remained unchanged.

6.0 Project Description

The subject property is 7.57-acre (3.06 ha) in size and is located on the corner of Springfield Road and Belgo Road. A non-farm use permit application is required to construct a new office building for Black Mountain Irrigation District (BMID) since the property is in the Agricultural Land Reserve (ALR). The current use as a works yard and shop is not permitted in the ALR, however, the property has been owned and operated by BMID since 1968, which is four years before the ALR was established. The new office is proposed to be 540 m² (5,812 ft²) in size and will allow for all departments to function in one centralized location. The proposed building meets all development regulations, and no variances are anticipated.

7.0 Current Development Policies

Objective 8.1. Protect and preserve agricultural land and its capability.	
Non-Farm Use Application Criteria as per OCP Policy 8.1.6	
Consistent with the Zoning Bylaw and 2040 OCP	<ul style="list-style-type: none"> The property is designated PSU – Public Services / Utilities Zoned P₄ – Utilities
Provide significant benefits to local agriculture	<ul style="list-style-type: none"> BMID supplies irrigation to approximately 6,000 acres of agricultural land in the City of Kelowna and Regional District of Central Okanagan.
Do not require extension of municipal services	<ul style="list-style-type: none"> The property is on City sewer
Will not utilize productive agricultural lands	<ul style="list-style-type: none"> Subject property is not productive agricultural land. Has been operating as a works yard since 1968 and prior to that, it was a sand and gravel extraction site.
Will not preclude future use of lands for agriculture	<ul style="list-style-type: none"> Already has low future potential for agriculture due to previous utility and extraction activities.
Will not harm adjacent farm operations	<ul style="list-style-type: none"> Construction of an office building will not harm adjacent farm operations and will allow a more centralized location to help advance productivity of the irrigation district.

8.0 Application Chronology

Application Accepted: February 20th, 2024
 Neighbour Notification Received: N/A

9.0 Agricultural Advisory Committee

Agricultural Advisory Committee April 11th, 2024

THAT the Committee recommends that Council support the application for 1200 Belgo Road to consider an application to the Agricultural Land Commission (ALC) to allow for the construction of an office building on the subject property.

The above noted application was reviewed by the Agricultural Advisory Committee at the meeting held on April 11th, 2024, and the following recommendations were passed:

Anecdotal comments include that the Committee understands that the area being considered is clearly not productive agricultural land and the application needs to consider the importance of Black Mountain Irrigation District operations to agriculture in the area.

Report prepared by: Tyler Caswell, Planner II
Reviewed by: Dean Strachan, Community & Development Planning Manager
Reviewed by: Nola Kilmartin, Development Planning Department Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning, Climate Action & Development Services

Attachments:

Attachment A – ALC Application File No: 70193
Attachment B – Site Plan

For additional information, please visit our Current Developments online at www.kelowna.ca/currentdevelopments.