

COMMITTEE REPORT



Date: October 10, 2024
To: Agricultural Advisory Committee
From: Development Planning
Address: 426 Fitzpatrick Rd
File No.: A24-0009
Zone: A1 – Agriculture

1.0 Purpose

To consider an application to the Agricultural Land Commission (ALC) for a subdivision of Agricultural Land Reserve under Section 21(2) of the *Agricultural Land Commission Act*.

2.0 Development Planning

The subject property is zoned A1 – Agriculture, is approximately 0.22 acres (890 m²) in size and is located on Fitzpatrick Rd. The property is in the Agricultural Land Reserve (ALR) and is outside of the Permanent Growth Boundary (PGB). The applicant is seeking a two-lot subdivision, which would result in the existing dwelling being removed. The subject property does not have any active agriculture. The property is connected to City sanitary services and water services through Black Mountain Irrigation District (BMID).

If the application is endorsed by Council and approved by the Agricultural Land Commission (ALC), a Rezoning Application from the A1 – Agriculture zone to the RU2 – Medium Lot Housing zone and an OCP Amendment from R-RES – Rural Residential to the S-RES – Suburban Residential would be required. In addition, if the Rezoning and OCP Amendment applications are successful, a Subdivision – PLR Application and a Farm Development Permit to establish a landscape buffer, would be required to complete the subdivision.

3.0 Subject Property & Background

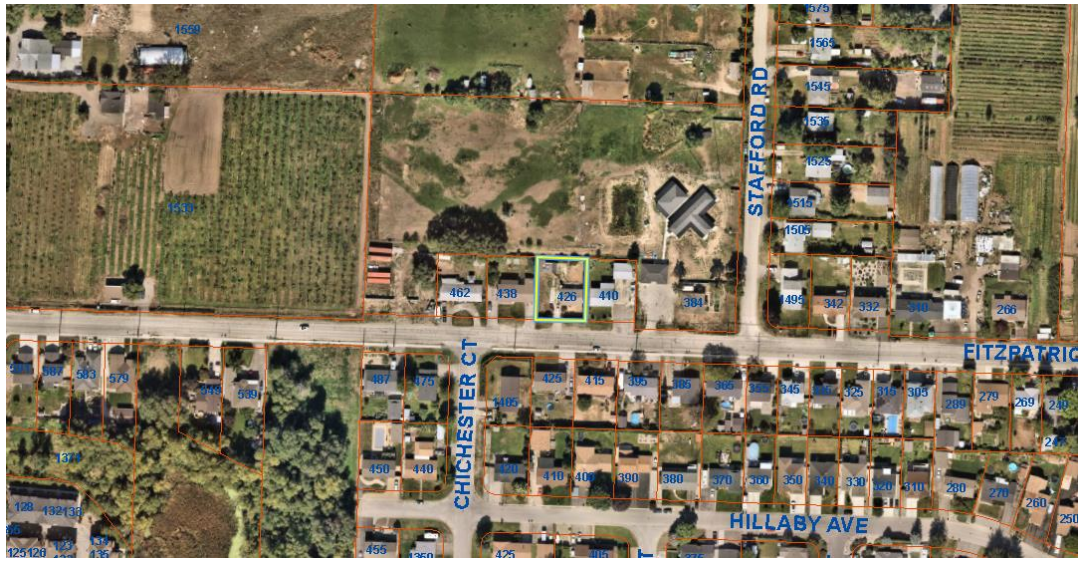
3.1 Site Context

The subject property is located on Fitzpatrick Rd near the intersection with Chichester Ct. The surrounding area is a mix of agriculture, low-density residential and park land.

Zoning and land use adjacent to the property are as follows:

Orientation	Zoning	ALR	Land Use
North	A1 – Agriculture	Yes	Kennel
East	A1 – Agriculture	Yes	Single-Detached Dwelling
South	RU1 – Large Lot Housing	No	Single-Detached Dwelling(s)
West	A1 – Agriculture	Yes	Single-Detached Dwelling

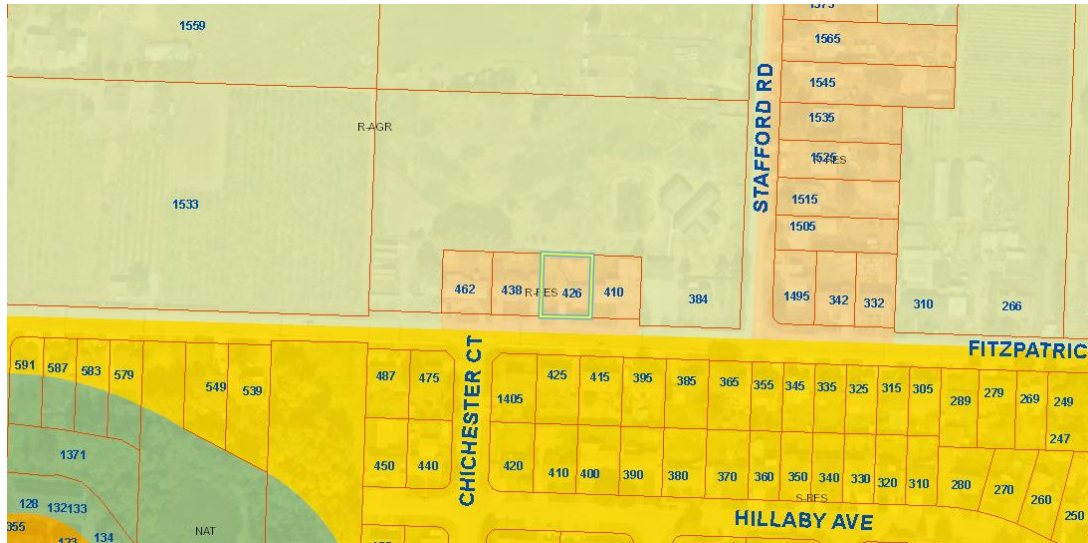
Subject Property Map



ALR Map



Future Land Use Map



4.0 Current Development Policies

4.1 Kelowna Official Community Plan (OCP)

Objective 8.4. Stop urban sprawl into Rural Lands	
Policy 8.4.1. Intensification of Rural Lands	Do not support urban uses on lands outside of the Permanent Growth Boundary except for a permitted by the 2040 OCP Future Land Use Designations in place as of initial adoption of the 2040 OCP Bylaw. <i>The subject property is outside of the Permanent Growth Boundary (PGB) and the proposed zone does not align with the Future Land Use Designation.</i>
Policy 8.4.2. Discourage Subdivision	Discourage further subdivision of properties outside of the Permanent Growth Boundary (PGB) <i>The subject property is located outside of the PGB.</i>
Policy 8.4.3. Housing in Agricultural Areas	Discourage additional residential development (both expansions and new developments) in areas surrounded by ALR and non-ALR agricultural lands. Secondary suites may be permitted in a permitted primary dwelling. Carriage houses may be considered on Rural Residential lands where the property is 1.0 hectares or greater and where proposal is consistent with the Farm Protection Guidelines outlined in Chapter 22: Farm Protection Development Permit Area. <i>The subject property is located within the ALR, and it abuts active agriculture uses.</i>

Report prepared by: Tyler Caswell, Planner II
Reviewed by: Dean Strachan, Community Planning and Development Manager
Approved for Inclusion: Nola Kilmartin, Development Planning Department Manager

Attachments:

Attachment A – ALC Application File No: 100998
 Attachment B – Site Plan
 Attachment C – Development Engineering Memo
 Attachment D – Ministry of Agriculture Memo