



Staff Report
Reconsideration of Application # G – 36641
Applicant: Christopher Turton
Agent: Lyn Welder Consulting

DATE RECEIVED: February 20, 2008

DATE PREPARED: March 10, 2008

TO: Chair and Commissioners – Okanagan Panel

FROM: Brandy Ridout, Land Use Planner

PROPOSAL: To subdivide a 0.42 ha lot under Homesite Severance Policy from the 8.4 ha subject property. The applicant appears to qualify for consideration under the provisions on the Policy (having lived on and owned the property size prior to 1972).

This application is being reconsidered pursuant to section 33 of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

The Commission originally refused the subdivision of the 8.4 ha property into two lots of roughly equal size. However, it noted that the applicant appeared to qualify for consideration under Homesite Severance Policy, and indicated that it was prepared to reconsider the application on the basis of a homesite severance proposal.

Local Government:

City of Kelowna

Legal Description of Property:

PID: 024-609-781

Lot A, Section 4, Township 26, Osoyoos Division of Yale District, Plan KAP65455

Purchase Date:

1968-09-06

Location of Property:

Saucier Road, East Kelowna

Size of Property:

8.4 ha (The entire property is in the ALR).

Present use of the Property:

Residential dwelling, redundant apple orchard

Surrounding Land Uses:

WEST: Apple orchard, in the ALR
SOUTH: Small rural residential parcel, and larger 4 ha orchards and developing vineyard
EAST: Rural residential and apple orchards in the ALR
NORTH: Vacant apple orchard (6 ha) in the ALR

Agricultural Capability:

Data Source: Agricultural Capability Map # 82E.083
The majority of the property is identified as having prime dominant ratings.

Official Community Plan and Designation:

Kelowna's 2020 OCP designates the future land use of the parcel to be Rural/Agricultural

Zoning Bylaw and Designation:

Zoning bylaw #8000 zones the property as A1 Agriculture, which permits a minimum lot size of 2 ha.

PREVIOUS APPLICATIONS:

G-36641	Christopher Turton
Decision Date	June 28 th , 2008
Proposal	To subdivide the 8.4 ha property into two lots of roughly equal size
Decision	Refuse as proposed – but indicated it would consider a revised Homesite Severance proposal

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

The City has not commented on the proposed Homesite Severance.

STAFF COMMENTS:

Staff recommends that the Commission consider the following:

- The proposal is similar to those approved in the region.
- The 0.42 ha lot is a size and location that makes it unlikely for any future residents to be in conflict with the farm remainder.
- The Commission encouraged this application as part of its decision to refuse the original subdivision proposal.
- Staff recommends that the typical conditions of Homesite Severance apply, including fencing and buffering.

ATTACHMENTS:

- **Applicant's sketch plan**
- **1:20,000 scale ALR map**
- **1:10,000 scale orthophoto**

END OF REPORT

Signature

Date