



**Staff Report**  
**Reconsideration of Application # G – 36895**  
**Applicant: Eileen Teather**  
**Agent: Travis Kuchma**

**DATE RECEIVED:** May 01, 2008

**DATE PREPARED:** May 27, 2008

**TO:** Chair and Commissioners – Okanagan Panel

**FROM:** Brandy Ridout, Land Use Planner

**PROPOSAL:** To amend the boundary between a 0.44 ha Homesite Severance parcel and the 3.6 ha farm remnant. The current access panhandle is proposed to be returned to the farm remnant, and a new 0.16 ha panhandle to be added to the homesite parcel. The purpose of the boundary adjustment is to ensure that driveway access to the home on the farm remnant has the smallest impact on arable agricultural land as possible.

This reconsideration is made pursuant to section 33 of the *Agricultural Land Commission Act*.

**BACKGROUND INFORMATION:**

The Commission allowed a Homesite Severance of 0.4 ha in 2007 subject to fencing and buffering. The homesite subdivision has been completed.

**Local Government:**

City of Kelowna

**Legal Description of Property:**

PID: 006-181-406  
Lot 2, Section 36, Township 26, Osoyoos Division of Yale District, Plan 23935, EXCEPT Plan KAP53090

**Location of Property:**

1485 McKenzie Road, Kelowna

**Size of Property:**

3.6 ha and 0.4 ha (Both properties are entirely within the ALR).

**Present use of the Property:**

Residence, apple orchard, grapes, cherries, farm buildings

**Surrounding Land Uses:**

**WEST:** Apple orchard (ALR)  
**SOUTH:** McKenzie Road (ALR)  
**EAST:** Overgrown open field (ALR)  
**NORTH:** Overgrown open field (ALR)

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 82E.094  
The majority of the property is identified as having prime dominant ratings.

**Official Community Plan and Designation:**

City of Kelowna Official Community Plan Bylaw No. 7600 designates the property as Agriculture

**Zoning Bylaw and Designation:**

City of Kelowna Zoning Bylaw No. 8000 designated the property as A1 - Agriculture Zone  
Minimum Lot Size: 4.0 ha except the minimum lot area is 2.0 ha when located within the  
Agricultural Land Reserve

**PREVIOUS APPLICATIONS:**

**Application #36895-0**

**Applicant:** Teather, Eileen  
**Decision** November 15, 2006  
**Date:**  
**Proposal:** To subdivide under homesite severance approximately 0.4 ha.  
**Decision:** Allow homesite severance not larger than 0.4 ha, subject to fencing and buffering.

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**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

No comment has been solicited from the City of Kelowna

**STAFF COMMENTS:**

Staff recommends that the Commission consider the following:

- The proposal would result in the elimination of a small cultivated area (~ 0.15 ha)
- No information has been provided as to the alternate location of the access driveway, or whether there are alternate locations for the home on the subject property (that are less intrusive from an agricultural perspective).
- A site visit will provide useful insight into the potential agricultural benefits of the proposal.

**ATTACHMENTS:**

- Applicant's sketch plan
- Copy of existing subdivision
- Orthophoto

**END OF REPORT**

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**Signature**

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**Date**