



Staff Report
Application # G – 37591
Applicant: Black Mountain Irrigation District
Agent: New Town Planning Services
Location: Kelowna

DATE RECEIVED: July 30, 2007

DATE PREPARED: October 24, 2007

TO: Chair and Commissioners – Okanagan Panel

FROM: Brandy Ridout, Land Use Planner

PROPOSAL: To secure a 2.8 ha statutory right of way for an electrical sub station.

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

No site plan is provided, but less than 30% of the right of way will be fenced and disturbed for the structures. The remainder will be retained in its natural state.

Local Government:

City of Kelowna

Legal Description of Property:

PID: 001-715-224

Lot 8, Section 18 and 19, Township 27, ODYD, Plan 1991, EXCEPT Plan KAP80286

Location of Property:

Highway 33 at Joe Riche Road (adjacent to 2450 Joe Riche Road)

Size of Property:

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

Present use of the Property:

Open Rangeland, Fortis BC transmission lines

Agricultural Capability:

Data Source: Agricultural Capability Map # 82E.084

The majority of the ~3 ha affected area has prime dominant ratings.

BACKGROUND INFORMATION (continued):

Surrounding Land Uses:

WEST: Range land in the ALR – proposed for a reservoir, then golf course and urban
SOUTH: Joe Riche Road, single family residence, open rangeland
EAST: Range land – mountainside outside the ALR
NORTH: Range land – in the ALR

Official Community Plan and Designation:

OCP: Kelowna 2020 Designation: Rural/Agricultural

Zoning Bylaw and Designation:

Zoning: Bylaw No. 8000 Designation: Zoned A1 - Agriculture 1 Minimum Lot Size: 2 ha

PREVIOUS APPLICATIONS:

Application #12420-0

Applicant: Wenngatz Construction
Decision Date: May 18, 1982
Proposal: To exclude the 292 ha ALR portion of four adjoining parcels (totaling 324 ha)
Decision: Refused on the grounds that the subject properties are useful for cattle grazing.

Application #34757-0

Applicant: Black Mountain Irrigation District
Decision Date: June 19, 2003
Proposal: To construct a low level water storage reservoir for agricultural and domestic uses. Approximately 35 ha will be required for the reservoir.
Decision: Allowed because a community and agricultural benefit. The present agricultural use of the property is dry grazing due to elevation and soil capability.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

City of Kelowna Council: Forwarded the application with a recommendation of support.
Kelowna's AAC supported the application.

STAFF COMMENTS:

- The land has limited capability for agriculture.
- The proposed facility represents a community benefit, and would be unobtrusively located in the extreme southerly portion of the property, nearby to Highway #33 and adjacent to existing transmission lines.

ATTACHMENTS:

- 1:20,000 ALR Airphoto
- 1:20,000 ALR map
- Applicant's sketch plan

END OF REPORT

Signature

Oct 29, 07

Date