



# Provincial Agricultural Land Commission - Staff Report

## Application: 52452

**Applicant:** City of Kelowna  
**Local Government:** City of Kelowna

**Proposal:** The City of Kelowna is requesting permission for a block exclusion of land from the ALR in order to develop a Community Recreation Park. The proposed park area is based on the subdivision of 4 lots (219, 229, 253-259 and 279 Valley Road, and full acquisition of 1 lot (289 Valley road). The result is a consolidated park parcel of approximately 10.5 ha.

If the site were excluded, the City would be required to undertake subdivision/lot consolidation and rezoning (to P3 Parks and Institutional) to create the new park parcel and establish the appropriate zoning.

The City has developed a Preliminary Concept Plan to illustrate how the land will be developed. Key program elements of the park design include:

- Baseball fields
- Play fields, playgrounds
- Perimeter walking trail
- Brandt Creek restoration, wetland construction and overall drainage improvements
- Site circulation and parking
- Minor buildings such as washrooms and field houses
- Community garden
- Agricultural design themes for the park

## BACKGROUND INFORMATION

Glenmore Recreational Park has long been envisioned as a significant community amenity to serve both residents in the local Glenmore area and the larger community. At present the Glenmore area is home to approximately 23,000 residents with approximately 11,000 additional residents projected to locate in the Glenmore area with additional growth taking place in the adjacent areas. A 2010 Sports Fields Needs Assessment (conducted by the City) concluded that compared to a number of mid-sized BC municipalities, Kelowna ranks in the bottom third of soccer and baseball/softball field-to-population ratio.

The proposed park location reflects a move toward an equitable distribution of Recreation Parks throughout Kelowna; and the proposed site represents an area currently underserved for such a park (i.e. the City's selection of the site is a function of the site's ability to meet a range of planning criteria as determined in the Location Analysis.

The City shares the ALC's interest in minimizing impacts on agricultural land. With the help of a professional agrologist and in consultation with the ALC, the City selected a site with a low "Climate Capability Rating for Agriculture" and limited growing conditions due to poorly drained, heavy clay soils and saline conditions at the lower elevations.

A Public Hearing of the Municipal Council of the City of Kelowna was held on August 9, 2011. A copy of the minutes from this meeting is attached.

The City's proposed exclusion was considered by the City's Agricultural Advisory Committee (AAC) on two occasions. The first AAC meeting resulted in a recommendation of "non-support" as the meeting minutes indicate. City staff and Council felt it appropriate to work with the AAC to arrive at a proposed exclusion plan that it could support. To this end a workshop was held on August 3, 2011 involving six of the seven AAC members, four City of Kelowna staff and a consultant (P.Ag.). This resulted in the AAC recommending support for the proposed exclusion subject to a number of conditions being met by the City of Kelowna (see AAC comments and recommendations).

## PROPERTY INFORMATION

<b>PID:</b>	012-019-810
<b>Legal Description:</b>	Lot: 12 Block 9 Section 4, Township 23, and of Section 33, Township 26 ODYD (Osoyoos Div of Yale ) Plan 896
<b>Property Area:</b>	6.1 ha
<b>ALR Area:</b>	6.1 ha
<b>Purchase Date:</b>	November 12, 2009
<b>Location:</b>	219 Valley Road
<b>Owners:</b>	Hendrikus Roelofs, Mary Carr
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<b>PID:</b>	003-243-303
<b>Legal Description:</b>	Lot 11 Block 9 Sections 32 & 33 Township 26 Osoyoos Division Yale District Plan 896
<b>Property Area:</b>	5.6 ha
<b>ALR Area:</b>	5.6 ha
<b>Purchase Date:</b>	December 22, 1997
<b>Location:</b>	229 Valley Road
<b>Owner:</b>	Cornelia Issler
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<b>PID:</b>	012-019-801
<b>Legal Description:</b>	Lot 9 Block 9 Section 33 Township 26 Osoyoos Division Yale District Plan 896 Except Plan 30721
<b>Property Area:</b>	4.9 ha
<b>ALR Area:</b>	4.9 ha
<b>Purchase Date:</b>	February 29, 1980
<b>Location:</b>	279 Valley Road
<b>Owner:</b>	Adolf & Olga Kaplun
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<b>PID:</b>	007-705-301
<b>Legal Description:</b>	Lot 10 Block 9 Section 4 Township 23 and of Section 33 Township 26 Osoyoos Division Yale District Plan 896
<b>Property Area:</b>	5.7 ha
<b>ALR Area:</b>	5.7 ha
<b>Purchase Date:</b>	November 17, 1989
<b>Location:</b>	253 & 259 Valley Road
<b>Owners:</b>	Barbara Kwiatkowski, Dieter Tripke
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<b>PID:</b>	002-089-777
<b>Legal Description:</b>	Lot A Section 33 Township 26 Osoyoos Division Yale District Plan 30721
<b>Property Area:</b>	0.4 ha
<b>ALR Area:</b>	0.4 ha
<b>Purchase Date:</b>	January 15, 2008
<b>Location:</b>	289 Valley Road
<b>Owner:</b>	
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<b>Total Land Area:</b>	22.7 ha
<b>Total ALR Area:</b>	22.7 ha

## LAND USE

### **Current Land Use:**

The subject properties and proposed Recreation Park site are located in the Glenmore/CliftonDilworth Sector of the City of Kelowna. The site is situated at the southeast corner of Longhill and Valley Road.

With the exception of a temporary storage container, one single family residence (home site severance) with detached garage, there are no existing buildings on the lands under application. The existing land use is a combination of uncultivated fields (fallow) with imported fill, hay and riparian area associated with a secondary tributary of Brandt's Creek.

### **Surrounding Land Uses:**

North: Agricultural  
East: Agricultural  
South: Agricultural  
West: Residential, Religious Assembly, Multi-family Residential

## PROPOSAL DETAILS

**Exclusion Area:** 10.5 ha

### **Agricultural Capability:**

The majority of the area under application is rated as: Mixed Prime and Secondary

**Source:** BCLI

**Mapsheet:** 82E.093

## RELEVANT APPLICATIONS

**Application ID:** 52111

**Applicant:** Okanagan College

**Proposal:** To use the 5.8 ha parcel for a community track and field facility and field house. Currently ~1.5 ha of the parcel is used for College parking.

**Decision:**

Resolution #	Decision Date	Decision Description
86/2011	March 17, 2011	Refuse as proposed due to good agricultural capability

**Note:** To be reconsidered based on a regional analysis of recreation infrastructure which provides support for a recreation facility in the subject location based on accessibility, topography and strong community support.

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**Application ID:** 43812

**Legacy #:** 37252

**Applicant:** Kamloops

**Proposal:** The City of Kamloops proposes the following development and subdivision on the 117 ha former prison site in the ALR, comprised of three large and two small properties:

- 1) Softball (10 diamonds ) and rugby (3 pitches) sports facilities (including parking and infrastructure) on a 38 ha property
- 2) To subdivide an 8 ha rivershore area and transfer the parcel to the Kamloops Indian Band for seasonal campground uses.
- 3) To relocate the KXA exhibition site on approximately 14 ha of the site.
- 4) To develop a public trail along the North Thompson River foreshore for the entire site.
- 5) City is also proposing to return 14 ha immediately to farm uses and to eventually remediate the contaminated soils on portions of the remaining ~40 ha (with the intent to return these lands to agricultural production).

**Decision:**

Resolution #	Decision Date	Decision Description
430/2007	August 23, 2007	Allowed the development of softball fields subject to the submission of an inclusion application of 30 ha at the airport and remediation of 14 ha as proposed. Other uses subject to more information.

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**Application ID:** 41450

**Legacy #:** 35569

**Applicant:** Penticton

**Proposal:** To use 12.2 ha (comprising three 4 ha parcels) for community recreation purposes (both passive and active). The City of Penticton considers this application as a community need for increased parkland infrastructure, supported by the City of Penticton Official Community Plan and Parks, Recreation and Culture 10 year Master Plan.

**Decision:**

Resolution #	Decision Date	Decision Description
524/2004	November 24, 2004	The Commission refused the use of the 12.2 ha area for playing field purposes on the grounds parts of the area had capability for agriculture and the non farm use would negatively affect surrounding agricultural operations.

## LOCAL GOVERNMENT INFORMATION

### Official Community Plan:

**Bylaw Name:** Kelowna 2030 OCP Bylaw 10500  
**Designation:** Major Park  
**OCP Compliance:** Yes

### Zoning:

**Zoning Bylaw Name:** Zoning Bylaw 8000  
**Zoning Designation:** Agriculture 1  
**Minimum Lot Size:** 2.0 ha  
**Zoning Compliance:** Yes

### Comments and Recommendations:

#### **Agricultural Advisory Committee**

The AAC recommends support for the proposal but is provisional upon the following conditions being met by the City of Kelowna:

- Disposition of City-owned lands which are current road right-of-way and which represent approximately 4 ha of land, and consolidation with adjacent parcels;
- decommissioning of existing Glenmore sportfields at 500 Valley Road North and representing approximately 2.91 ha of land and returning to agricultural production.
- Decommissioning of existing Glenmore Firehall at 550 - 552 Valley Road North and representing approximately 0.67 ha of land and return to agricultural production. Decommissioning of existing firehall will be conducted upon relocation at a new location.
- Creation of an "agricultural Mitigation and compensation Strategy" that will identify an approach, including compensation values, to be used by the City where agricultural land is impacted by future City infrastructure.
- A strategy to identify opportunities and constraints with the implementation of a pressurized irrigation system to replacethe Benvoulin Water Community's existing infrastucture; and
- A covenant be placed on the property that it only be used as park space or returned to ALR status.

#### **Board/Council**

That the proposed application be supported by Municipal Council and that the Municipal Council directs staff to forward the application to the ALC with the understanding that further detailed mitigation and compensation options are pending Council approval.

#### **Planning Staff**

That the proposal be supported by Municipal Council and the application be forwarded to the Public Hearing on August 9, 2011 for public input and further that Municipal Council directs staff to forward the application to the ALC following the Public Hearing.

## ALC STAFF COMMENTS

Staff comments:

- The Commission considered a draft of the City of Kelowna's OCP in a meeting on March 17, 2011 for three proposed Urban Growth Boundary expansion areas. For the Glenmore area the Commission expressed concern about the proposed "Park and Open Space" designation east of Valley Road, south of Longhill Road (i.e. the subject site). Of significant concern is the negative agricultural impact of reducing the average size of the hillside remnant parcels to ~2 ha. The result being the likelihood of the upland/hillside remnants being converted to non productive rural residential estates if the lowland portions of the designated parcels were subdivided and developed for a park use.
- The Commission advised (in its review of the draft OCP) that it will not object to the "Major Park and Open Space" designation of a reduced ~10 ha area lying east of Valley road, south of Longhill Road, provided the City amend the OCP and commit to providing agricultural benefits such as:

- \* acquiring the hillside parcels and consolidating the remainders into one or two suitable sized agricultural parcels;
- \* closing existing playing fields and returning them to agricultural uses, either through sale and/or addition to adjoining farm parcels.

- The City has provided a compensation and mitigation strategy that has been developed together with the City's Agricultural Advisory Committee that include, but are not limited to the following:
  - Returning existing non-farm uses in the Glenmore Sportsfields 2.9 ha and Glenmore Firehall 1.1 ha at Scenic and Valley Roads which are currently in the ALR to productive agricultural land.
  - Disposition of 3.8 ha of road right-of-way in Glenmore as direct compensation. A portion of this road right-of-way, approximately 1.1 ha is currently not in the ALR and is proposed for inclusion.
  - The creation of an "Agricultural Mitigation and Compensation Strategy". The strategy would identify an approach to be used by the City in cases where agricultural land is impacted by future City infrastructure.
  - A strategy to identify opportunities and constraints with the implementation of a pressurized irrigation system to replace the Benvoulin Water Community's existing infrastructure.
  - A covenant be placed on the property that it only be used as park space or returned to ALR status.

## ATTACHMENTS

52452\_ContextMap50k.pdf  
52452\_AgCapabilityMap.pdf  
52452\_AirphotoMap10k.pdf  
52452\_ContextMap10k.pdf  
38787-Planing.pdf  
52452public hearing.pdf  
52452govreport.pdf  
52452AACmeetings.pdf  
52452Project Report.pdf

## END OF REPORT

Prepared by: Ron Wallace, Land Use Planner