



Agricultural Land Commission Staff Report

DATE: August 27, 2009
TO: Vice Chair and Commissioners - Okanagan Panel
FROM: Brandy Ridout

RE: Application # 50352
PROPOSAL: To subdivide a 0.25 ha lot from the 3.2 ha subject property under the Homesite Severance Policy.

PROPOSAL INFORMATION

Background: The property was created in 1992 by way of a lot line adjustment.
Received Date: August 4, 2009
Applicant: Elizabeth Borrett
Agent: Aaron Dow
Local Government: City of Kelowna

DESCRIPTION OF LAND

PID: 003-638-308
Legal Description: Lot A Section 10 Township 26 Osoyoos Division Yale District Plan 31613
Civic Address: 3681 Hart Road, Kelowna
Area: 3.2 ha
ALR Area: 3.2 ha
Purchase Date: August 6, 1967
Owner: Elizabeth Borrett

Total Land Area: 3.2 ha
Total ALR Area: 3.2 ha
Current Land Use: Orchard and residence

PROPOSAL DETAILS

Subdivision

Area	Agricultural Capability	Agricultural Capability Source
3.2	Prime	BCLI

Number of Lots	Lot Size (ha)
1	0.3
1	2.9

Surrounding Land Uses:

North ALR, orchard & residence
East ALR, orchard & residence
South ALR, orchard & residence
West ALR, Hart Road, orchard and beyond the orchard, the Harvest Golf Club

Official Community Plan

Bylaw Name: Kelowna 2020
Designation: Rural/Agricultural
OCP Compliance: Yes

Zoning

Zoning Bylaw Name: No. 8000
Zoning Designation: A1-Agriculture 1 Zone
Minimum Lot Size: 2.0 ha
Zoning Compliance: Yes

Committee Recommendations

Type	Recommendation	Description
Planning Staff	Refuse	Recommend that the application NOT be supported by Council.
Board/Council	Approve	Support subject to: 1. Consolidation of the ‘ remainder’ of the subject property with the adjacent parcel Lot 2, Section 10, Township 26, ODYD, Plan KAP48949 owed by Roger H. Borrett, the intended purchaser. 2. Limitation of the size of the homesite severance to 0.4 ha to include the existing home, a maximum 10 metre wide access along the south property line, and the existing sewage disposal system.
Agricultural Advisory Committee	Approve	Support but have concerns with the size and future density on the properties.

STAFF COMMENTS

- The current size and configuration of the subject property is the result of a lot line adjustment executed in 1992 and a previous 0.3 ha homesite severance that was granted to the applicant’ s father in-law in 1980. The applicants have provided an illustrated history of the property, which is attached.
- Although the subject property did not exist in 1972 – the applicant lives on a portion of land that she has owned since 1967.
- The applicant would like to sell the remainder of the property to her son, Roger Borrett Jr. who presently owns and lives on the adjacent property to the east (Lot 2, Plan KAP48949).

ATTACHMENTS

- 50352_ContextMap20k.pdf
- 50352_AirphotoMap.pdf
- 50352 property history.pdf

END OF REPORT

Signature

Date
