



## Agricultural Land Commission Staff Report

**DATE:** June 2, 2010  
**TO:** Vice Chair and Commissioners - Okanagan Panel  
**FROM:** Brandy Ridout

**RE:** Application # 51741

**PROPOSAL:** To construct new landfill entrance facilities and a rural 2 lane arterial road up to the new landfill entrance. The new south entrance is proposed to alleviate problems at the existing Glenmore Road landfill entrance with access and congestion and to provide better access to future fill area.

### PROPOSAL INFORMATION

**Background:** Under application #G-36739 (43178), the Commission indicated that it does not object to the City of Kelowna amending its Official Community Plan to schematically show a road through the subject properties, subject to specific language also being inserted into the OCP that commits the City to on-going discussions with the Commission about providing a significant agricultural benefit when a revised application is submitted for the road alignment and the re-subdivision of the subject properties.

**Received Date:** May 17, 2010  
**Applicant:** City of Kelowna  
**Agent:** N/A  
**Local Government:** City of Kelowna

### DESCRIPTION OF LAND

**PID:** 027-265-927  
**Legal Description:** Lot A Sections 9, 10, 15, 16 Township 23 Osoyoos Division Yale District Plan KAP85071  
**Civic Address:** Highway 97  
**Area:** 42.2 ha  
**ALR Area:** 42.2 ha  
**Purchase Date:** October 22, 2007  
**Owner:** City of Kelowna

**PID:** 011-842-504  
**Legal Description:** Lot 5, Block 10, Section 9 & 16, Township 23, Osoyoos Division of Yale District, Plan 1068  
**Civic Address:** Northeast Kelowna, Glenmore, Roberts Lake  
**Area:** 4 ha  
**ALR Area:** 4 ha  
**Purchase Date:** September 29, 2006

**Owner:** City of Kelowna

**PID:** 011-842-512

**Legal Description:** Lot 6, Block 10, Section 9 & 16, Township 23, Osoyoos Division of Yale District, Plan 1068

**Civic Address:** Northeast Kelowna, Glenmore, Roberts Lake

**Area:** 4.1 ha

**ALR Area:** 4.1 ha

**Purchase Date:** September 29, 2006

**Owner:** City of Kelowna

**PID:** 011-842-521

**Legal Description:** Lot 7, Block 10, Section 9 & 16, Township 23, Osoyoos Division of Yale District, Plan 1068

**Civic Address:** Northeast Kelowna, Glenmore, Roberts Lake

**Area:** 5.3 ha

**ALR Area:** 5.3 ha

**Purchase Date:** September 29, 2006

**Owner:**

**Total Land Area:** 55.6 ha

**Total ALR Area:** 55.6 ha

**Current Land Use:** Surrounding area is the former Tutt farm now City of Kelowna owned land that is leased for fodder crops (irrigated).

## PROPOSAL DETAILS

### Non Farm Use

| Area | Agricultural Capability | Agricultural Capability Source |
|------|-------------------------|--------------------------------|
| 3.6  | Prime                   | BCLI                           |
| 8.0  | Prime                   | BCLI                           |

### Surrounding Land Uses:

|       |                        |
|-------|------------------------|
| North | Landfill               |
| East  | Tutt Ranch lands       |
| South | Non-ALR                |
| West  | Non-ALR, Glenmore Road |

### Official Community Plan

**Bylaw Name:** Kelowna 2020 Bylaw No. 7600

**Designation:** Agriculture

**OCP Compliance:** Yes

**Zoning**

**Zoning Bylaw Name:** No. 8000

**Zoning Designation:** A! Agriculture

**Minimum Lot Size:** 2.0 ha

**Zoning Compliance:** Yes

**PREVIOUS APPLICATIONS**

**Application #:** 43667

**Applicant:** Kelowna

**Proposal:** To use a 10 ha area for yardwaste composting.

**Decisions:**

**Resolution**

**Number**

25

**Decision Date**

February 14, 2007

**Decision Description**

The Commission allowed the proposed non farm use, subject to the consolidation of the 10 smaller properties affected by the composting and buffer area.

**Application #:** 43178

**Applicant:** 0741926 BC Ltd

**Proposal:** To reconfigure the boundaries between 35 existing lots, the majority of which range in size from 3 - 6 ha (apart from two larger lots 10 ha+ in the east), to create a single 55 ha lot (to be owned by the City of Kelowna), a 10 ha lot, and 33 lots ranging in size from 2.5 ha to 5.5 ha.

The City of Kelowna's interest in the project is to (a) facilitate a road connection between Glenmore Road and University of BC Okanagan (UBCO), and (b) to purchase one of the reconfigured parcels to allow for a possible future expansion and buffer to the existing landfill. The Mission Group states that the realignment of the 35 existing lots will enhance the site for agricultural purposes over the existing configuration.

**Decisions:**

**Resolution**

**Number**

389

**Decision Date**

August 1, 2006

**Decision Description**

That the application to construct a road through the subject properties be deferred for a three year period. If a detailed proposed is not received prior to December, 2009 the application will be considered closed.

However, the Commission does not object to the City of Kelowna amending its Official Community Plan to schematically show a road through the subject properties, subject to specific language also being inserted into the OCP that commits the City to on-going discussions with the Commission about

providing a significant agricultural benefit when a revised application is submitted for the road alignment and the re-subdivision of the subject properties.

### Committee Recommendations

| Type          | Recommendation | Description                       |
|---------------|----------------|-----------------------------------|
| Board/Council | Approve        | City of Kelowna is the applicant. |

### STAFF COMMENTS

- Under application #G-36739, the Commission refused the reconfiguration of the properties underlying the former Tutt Ranch but allowed the City of Kelowna to amend its OCP to schematically show a road through the subject properties, subject to specific language being inserted that commits the City to ongoing discussions with the Commission about providing a significant agricultural benefit when a revised application is submitted for the road alignment and the re-subdivision of the properties.
- This application does not propose a benefit to agriculture. However, it is only for the first section of the east-west road.
- The location of the new administration buildings creates a ' barrier' between lands to the east and west, effectively dividing the ranch into two distinct areas.
- The road is designed to eventually be 30 metres wide and will also create a division between ranch lands to the north and south. However, the Commission has agreed, in principle, to this alignment.
- Under application #G-37125, the Commission allowed the use of a 10 ha area as a compost facility subject to the consolidation of 19 parcels of the former Tutt Ranch be consolidated into a single parcel. While only 10 lots were consolidated to create Lot A, Plan KAP85071, the City is aware that the Commission will consider the area to be one parcel in future deliberations over the future use of the lands.
- The future Glenmore East -West Connector will consist of a 30 metre statutory right-of-way.

### ATTACHMENTS

- 51741\_ContextMap20k.pdf
- 51741\_AirphotoMap20k.pdf
- 51741 history sketch.pdf
- 51741 proposal sketch.pdf

### END OF REPORT

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Signature

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Date