Pushing the Boundaries:
Examining the Role of Advisory Committees in Fringe Planning
A Kelowna Case Study

A Master’s Report
Mark Janzen

A report submitted in partial fulfillment of the requirements for the degree of Masters of Urban and Regional Planning

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Acknowledgements

Thank you to my supervisor John Meligrana for his helpful comments, support, encouragement and dry sense of humour on this report.

Thank you to my parents for their continued support throughout my long and expensive academic career.

Thank you to my classmates, especially to my office mates for putting up with my messy office and to Andrew Nakazawa for putting me in his acknowledgements, though vaguely, and for always keeping me entertained.
**Executive Summary**

The City of Kelowna has seen steady growth over the last number of years. The amount of prime agriculture land, the surrounding mountains and lake has reduced the amount of available land and has resulted in significant conflict at the urban and rural interface. Provincial and municipal policies have attempted to mitigate this conflict, which include the use of local Agricultural Advisory Committees (AAC).

This report examines the fringe management practices of Kelowna, focusing on the use of a local AAC to city council. The minutes of the AAC meetings regarding development applications were subjected to content analysis in order to look for patterns and anomalies. The major themes developed from the analysis resulted in commentary on how:

1. Fringe conflict was characterized
2. Applicants and members of the AAC rationalized their arguments
3. The role of the AAC was viewed by city council and the provincial Agricultural Land Commission (ALC)

These findings, along with current policies in Kelowna, such as those within the Official Community Plan (OCP), the Agricultural Plan (AP) and provincial policies, the context of Kelowna and current theories regarding the fringe, were used in the final analysis, including:

4. A review of the role of the AAC
5. A review of how the fringe is defined
6. The obstacles Kelowna faces in fringe planning

Thirty four development applications were reviewed that have gone before the AAC from 2008-2010 and were followed through the application process to city council and to the ALC. The results of the
applications and whether they were supported at the various stages of the application process are seen below.

<table>
<thead>
<tr>
<th>Application Type</th>
<th>Policy Support</th>
<th>AAC Support</th>
<th>Council Support</th>
<th>ALC Approved</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes</td>
<td>No</td>
<td>Total</td>
<td>Yes</td>
</tr>
<tr>
<td>Homesite Severance</td>
<td>5</td>
<td>-</td>
<td>5</td>
<td>6</td>
</tr>
<tr>
<td>Subdivision</td>
<td>2</td>
<td>8</td>
<td>10</td>
<td>4</td>
</tr>
<tr>
<td>Exclusion</td>
<td>2</td>
<td>4</td>
<td>6</td>
<td>1</td>
</tr>
<tr>
<td>Non-farm use</td>
<td>0</td>
<td>5</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>9</td>
<td>17</td>
<td>26</td>
<td>14</td>
</tr>
<tr>
<td><strong>Percentage</strong></td>
<td>35%</td>
<td>65%</td>
<td>100%</td>
<td>42%</td>
</tr>
</tbody>
</table>
The second most common conflict was speculative pressure due to urban encroachment into farmland. Conflict related to farming was much more frequent than conflict affecting urban land uses. Frequently the discussion revolved around the potential for conflict between land uses and not necessarily about the parameters of the current application.

2. Applicant and AAC Rationale

<table>
<thead>
<tr>
<th>Applicant Rationale by Application Type</th>
<th>Agricultural</th>
<th>Urban Expansion</th>
<th>None</th>
<th>Total</th>
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</thead>
<tbody>
<tr>
<td>Homesite Severance</td>
<td>4</td>
<td>0</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>Subdivision</td>
<td>6</td>
<td>2</td>
<td>2</td>
<td>10</td>
</tr>
<tr>
<td>Exclusion</td>
<td>3</td>
<td>2</td>
<td>2</td>
<td>7</td>
</tr>
<tr>
<td>Non-farm use</td>
<td>7</td>
<td>0</td>
<td>3</td>
<td>10</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>20</strong></td>
<td><strong>4</strong></td>
<td><strong>10</strong></td>
<td><strong>34</strong></td>
</tr>
<tr>
<td>Percentage</td>
<td>59%</td>
<td>12%</td>
<td>29%</td>
<td>100%</td>
</tr>
</tbody>
</table>

Source: Mark Janzen

Applicants focused primarily on agricultural rationales for applications, such as the lack of viable farmland or that farming would continue uninterrupted. These arguments based solely on the viability of agriculture do not meet all the criteria within the city’s AP for applications attempting to subdivide or exclude their land from the ALR.

It was argued that Applicants may be focusing on the agricultural aspects due to the AAC being swayed by such arguments. Only applications that had an agricultural rationale focus were supported by the AAC.

It is clearly stated by various provincial and municipal policies that the AAC is to provide advice on issues related to applications, but there were a few examples of applications where the AAC failed to fulfill their role as advisors by disregarding policies on their responsibilities. It was argued that the AAC may be confused in their role in the application process.
3. City Council and the ALC’s Perception of the AAC

The previous finding related to the AAC’s rationale was alarming due to evidence suggesting that the AAC is highly regarded by the ALC and holds great influence on ALC application decisions. The AAC was often mentioned in ALC decisions while the city council was not. The findings were inconclusive regarding how much city council valued the AAC, but this may be inconsequential based on other findings and that the ALC has the final say regarding applications.

4. Reviewing the Role of the AAC

This report recommends that the AAC be given a more pro-active and expanded role to promote agriculture and ensure that policies are being followed correctly. However, they should remain in the current advising role in regards to applications. The advisory role needs to be firmly followed by the AAC before an expanded role should be considered. More research is also recommended on how AACs interact with city councils and the ALC to further examine their impact and influence within the application processes.

5. Reviewing Definitions of the Fringe

This report also reviews how Kelowna defines its fringe areas. Presently, the city primarily uses the boundaries of the ALR. However, current provincial policy has mandated for specific edge planning areas (EPAs) to be in place on both sides of the ALR in order to consider the needs of both urban and rural land uses. Even though it was found that planning staff may already be considering an expanded fringe and not simply using the ALR, the lack of urban conflict consideration indicates a need for a formal policy to be enacted. For this to be achieved, an update to the AP will be required as the main fringe planning document.

6. Obstacles to Proper Fringe Planning

Besides outdated planning resources, Kelowna faces other challenges that are common problems for fringe management. These include the size and amount of fringe areas within the city plus the
continuous growth and scattered development that has occurred. Kelowna will likely need a change in how it develops to fully mitigate the issues along the fringe. However, changes to current policy and an effective Agricultural Advisory Committee will aid the process.
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<td>1-12</td>
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<td>1-12</td>
</tr>
<tr>
<td>4</td>
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<td>1-13</td>
</tr>
<tr>
<td>5</td>
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<td>1-13</td>
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</table>
1 Introduction

The mitigation of land use conflicts has been a foundation of planning since the beginning of the profession and remains an important part of a planner’s role in land use planning. Continued expansion of urban areas into farmland has resulted in cities losing that which allowed them to grow, a symbiotic relationship with their surrounding farmland (Bryant, Russwurm & McLellan, 1982). People are progressively moving further from the urban areas and into fringe areas around the city. This urban encroachment into farmland is due to people seeking a quiet place to raise their family, find cheaper land or to fulfill a desire for the quaint country life. This expansion has had tremendous impact on cities’ built form and can create conflict for both residents of these areas and farmers still trying to cultivate land.

The problems associated with rapid expansion into the fringe have had a great impact on the City of Kelowna in British Columbia. The orchards that surrounded the core of the city are now gone and have been replaced by gated community townhouses, single detached housing and shopping malls. The remaining farmland is increasingly being infringed upon and affected by developmental pressures of leap frog communities in the foothills of the mountains that border the municipality.

This report examines the Agricultural Advisory Committee (AAC), which is one tool municipalities can use to manage conflict between urban and rural land uses competiting for space. The AAC is one of the first stages in the process of fringe planning and their influence and advice carries throughout the application process. The AAC primarily reviews development applications along the fringe and related to the ALR lands that surround the city. They provide advice on the impact the applications may have on neighbouring properties and how favorable a given application is in relation to current city policy. They then forward comments and recommendations to council and to the Agricultural Land Commission.
(ALC) at the provincial level. Therefore, there is a great importance in examining how the AAC proceeds in providing their input and how this input is used by the city.

The City of Kelowna has many factors that make it a prime case study in examining how the AAC functions such as:

- A history of rapid expansion into fringe areas resulting in loss of farmland
- Leap frog development
- A large interface of urban and rural uses interspersed throughout the city
- A defined ‘urban/rural agricultural boundary’

The City of Kelowna has made the AAC a key component of managing the urban rural interfacing conflicts and is thus the focal point of analysis. The analysis will be accomplished through a method of content analysis of the AAC minutes. This analysis will help create themes on the decision making process, role and the influence of the AAC in relation to the policies within the Official Community Plan (OCP) and the Agricultural Plan (AP) and in the context of the spatial patterns of Kelowna. Various theories regarding fringe planning will then be used to reflect on the major themes found within the AAC, and what implications this has for Kelowna’s fringe management and the issues or obstacles that Kelowna has in dealing with fringe conflict. A review of its role and its contribution to the efforts of fringe management will follow and conclude with recommendations on how the City of Kelowna can better utilize the AAC and mitigate conflict at the fringe.

1.1 Theoretical Framework

The fringe has been a key point of contention in planning and has been called a land use battleground (Hayden, 2003) and “planning’s last Frontier” by others (Griffiths, 1994, p. 14). The framework involves defining the fringe, conflict within the fringe, the management of the fringe and issues managing the
fringe. This framework provides a foundation of theory that will guide the analysis of Kelowna’s fringe management issues.

1.1.1 Defining the Fringe
Simply defining what the fringe is, what it represents and its place in the urban hierarchy of cities has been a challenge in the literature and can have a large impact on the management of the fringe. Despite debate, the “consensus is that fringes are pressured landscapes, occupying a precarious position between town and country” (Gallent, Andersson & Bianconi, 2006, p. 461). Many definitions include similar spatial qualities that make up the fringe, such as land that consists of low-density development, which is punctuated by undeveloped open space, farmland and various essential infrastructure on the outskirts of cities. However, where the debate has occurred in the literature is how to categorize the fringe, specifically whether it is within the urban or rural area of a city.

The fringe generally falls into two categories: rural-urban or urban-rural definitions of the fringe depending on which is the more prominent (Audirac, 1999). Both are viewed as transition models, meaning that rural is becoming more urban or urban areas becoming more rural. The rural-urban theories tend to focus on the aspects of agriculture, farming and change to the rural landscape. Urban encroachment is continually transforming rural areas into urban areas and the fringe is a constant zone of transition for urban expansion (Bryant et al., 1982). Urban uses are penetrating the open space of the fringe and have adapted by lowering density, large parking lots and increased access to arterial roads. The urban-rural theories focus on the expansion and change of the urban pattern, structure and function. The fringe offers cheap land for urban uses that want to relocate from the expensive and cramped central business districts. Rural uses have molded to low density urban areas through fragmented farming due to new roads and smaller lots. These views present the fringe as a dichotomous landscape and therefore highlight the conflict of the interfacing rural and urban land uses.
In contrast to this dichotomous view, Gallent et al. (2006) offer the fringe as a unique and functional landscape and not “merely corrupted countryside or low-density urban space” (p.461). It is more important to view the fringe as its own entity as opposed to one that fades from urban to rural in a gradient fashion. The urban uses that have moved to the fringe are often unique to these areas. These land uses include: infrastructure and other services to the city, such as water treatment plants and garbage dumps, retail establishments, like shopping malls and boxstores and large institutions, such as universities and prisons. These land uses require large parcels of land not available in the core of the city and are usually less desirable neighbours. Therefore, the authors argue that fringe areas should be considered separately from any urban/rural connotation. Fringe areas are too complex with too many processes occurring for such simple labeling. Furthermore, quantifying the degree to which rural or urban factors have overwhelmed the other is difficult, making a designation favoring the other irrelevant.

The views of Gallent et al. (2006) are motivated to properly develop policy and to manage the fringe fairly than to differentiate the spatial qualities that form cities. Whereas the more dichotomous definitions described by Audirac (1999) have used concentric zones or other uniform illustrations to differentiate the fringe from the city, Gallent offers a view that presents the fringe as a fluid environment that demands careful consideration. The fringe is rarely a “uniform girdle” (p.461) that encloses a city, but varies in size, density, content and form depending on numerous factors that are hard to encapsulate within a model. Therefore, defining the specific fringe of a city can be difficult and is an ever changing process. Planners “cannot simply draw lines on plans and say: ‘this is the fringe’” (Gallent, 2006, p. 386). Instead, defining the fringe can only be accomplished with reference and consideration to its context, attributes and character.
In this report, the terminology used must express the interfacing urban and rural areas and attempt to limit connotation of favouring urban or rural areas. Therefore, ‘the fringe’ is used commonly as it fulfills the requirement of a neutral term and describes the spatial organization of land based on the above discussion. However, sometimes terms will be referred to as they are used by governments and government agencies, such as the Provincial Edge Planning initiatives.

1.1.2 Conflict at the Fringe

Urban and rural conflict often occurs at a point where “urbanization pressures reach a threshold beyond which agricultural progress is thwarted” (Bryant et al., 1982, p. 95). The potential impacts of these various conflicts have been divided into direct and indirect. Direct impacts refer to the actual physical removal of land from its agricultural use, such as through development. Indirect impacts refer to the interfacing between urban developments that reduce farm production, such as vandalism and increased taxes. Furthermore, indirect impacts can often lead to premature direct impacts than required for the regular growth of a city. Rapid expansion and conflict that occurs with urban areas in close proximity to farmland can lead to the anticipation of urban development, which can lead to farmers being hesitant to invest money into their farms. These idle or even abandoned farms are often more frequently converted to other uses, thus becoming a self fulfilling prophecy for potential development. These direct and indirect impacts of conflict also contribute to issues related to the management of the fringe.

1.1.3 Managing the Fringe

Land use strategies, such as growth boundaries and greenbelts have been common in the management of the fringe. There have also been incentive strategies, such as preferential taxation of farmland or the transferring of developmental rights. These have all been attempts to preserve land around metropolitan areas and thus contain growth (Bryant et al., 1982; Daniels, 1999). Some theorists have claimed that the attempts to simply contain growth have not succeeded and other ways to manage the
fringe need to be examined (Gallent et al., 2006). Planning needs to be implemented with flexibility and discretion and the recognition of the interaction between different land uses and causes for conflict.

One method proposed is to expand planning into the fringe by having formalized community groups being involved with the planning and management of the fringe. (Gallent, et al, 2006). This community group would include monitoring of how a community will use sites in the future. Within the literature, very little is written about such advisory committees and research has been mostly focused on land use methods.

1.1.4 Issues in Managing the Fringe

Finding a balance between growth and preservation can be a difficult task for a city. This is due in part to the confusion between their role as a “land-use regulator and development promoter” (Daniels, 1999, p. 48). As cities attempt to manage both urban growth and fringe conflicts, there are six common obstacles, adapted from Daniels (1999), which can prevent proper management from occurring. Each is briefly reviewed below.

1. Fragmented and overlapping governments
2. The size of fringe areas
3. Rapid population growth
4. Scattered new development
5. Limited planning resources
6. Outdated planning and zoning

1. Fragmented and overlapping governments can have a large impact on the fringe as various levels of government may have different goals in terms of growth and management of the fringe areas. A lack of coordination between the levels of government and different agencies can contribute to issues that occur within the fringe.
2. **The size of fringe areas** can sometimes overwhelm municipalities when they are responsible for growth management. In addition, a lack of strong regional planning can put further pressure on municipalities.

3. **Rapid population growth** can exceed what was originally projected and infrastructure may not be able to keep up. The once idyllic setting of people’s homes on the fringe is being suburbanized as more follow. The recent changes to household formation resulting in more individual households can exacerbate the issues from increased population. This puts tremendous pressure on infrastructure, such as roads and sewers.

4. **Scattered new development** can stem from fast growth, developers looking for cheap land and bypassing growth management efforts. This can cause leapfrog developments, discontinuous from the rest of the city, which causes the fragmented spatial pattern common in the fringe.

5. **Limited planning resources** can limit long range planning as planners are consumed with the present planning tasks of development and zoning proposals.

6. **Outdated planning and zoning** documents are often times not adequate for the rapid changes of the fringe due to development. As a result, the city’s efforts at growth management may be ineffective as the context the planning documents were written for may not be relevant to the present.

The interrelated nature of the obstacles noted above can cause a compounding escalation of problems within the fringe. As population grows, the size of the fringe will grow thus creating more scattered and fragmented low density development that can put a strain on infrastructure, governments, agencies and planning resources. A review of a city’s growth, form and planning policies will aid in revealing the fringe management problems and available means to mitigate these issues, as will be discussed in the next sections.
1.2 Context
This section provides an overview of the history of fringe planning issues in Kelowna and the policies and techniques currently being utilized by the province of British Columbia and the municipality of Kelowna to mitigate them. Despite Kelowna having its own policies, it is also bound by provincial policy, such as the Agricultural Land Reserve, which has large impacts on local fringe management.

1.2.1 Provincial Context
While the focus of this report is on a municipality’s management of the fringe, provincial ministry and agencies’ role and influence need to be considered and taken into account. The Province of British Columbia’s Ministry of Agriculture is a key participant in the planning process by enabling agriculture to grow and achieve economic, social and environmental sustainability (Ministry of Agriculture Service Plan, 2011). The Ministry of Agriculture has recently focused on the fringe through edge planning initiatives that emphasize a ‘shared responsibility’ between the urban and rural areas in developing solutions. (Ministry of Agriculture, Edge Planning, 2010).

The Ministry of Agriculture’s ‘Guide to Edge Planning’ (2009) defines edge planning as “establishing a framework of land use policies, regulations and programs that enhances optimum land use and compatibility along both sides of the urban/Agricultural Land Reserve boundary” (p. 4). The Ministry of Agriculture believes every community should develop policies to mitigate conflict at the urban and rural interface. This can be seen clearly from some of their objectives listed below.

- Defining similarly sized edge planning areas\(^1\) on both sides of the ALR boundary for the application of edge planning techniques
- Developing communication tools such as edge planning public information brochures, agricultural awareness signage along the ALR boundary, farm notification restrictive covenants on new land titles, and local government websites to enhance public awareness of edge planning objectives

\(^{1}\) The report notes a requirement for a minimum 300 metre zone on either side of the ALR boundary.
Amending and adopting bylaws that encourage more intensive land use with a strengthened land management regime along the edge planning area. (Ministry of Agriculture, 2009).

The Ministry of Agriculture works closely with the Agricultural Land Commission (ALC), an independent administrative tribunal of the province that makes decisions regarding ALR lands. The ALC’s main purpose is to preserve agricultural land as well as to “encourage local governments... and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies” (ALC, About the Commission, 2008). Therefore, while the primary task is to preserve farmland, the ALC is also concerned with proper edge management that will accommodate agriculture.

The emphasis on proper edge management is due to British Columbia being characterized by a distinct mountain and valley geography. This has resulted in urbanization and agriculture competing for limited space in valleys (Ministry of Agriculture, Edge Planning, 2010). For example, the Okanagan Valley (Figure 1) and the Greater Vancouver Regional District contains less than 3% of the land in the province and yet contains 80% of the provincial population as well as 80% of the annual farm revenue. This disparity has created many instances of rural and urban interfacing land uses. This land use pattern combined with rapid population growth has

Figure 1 The Okanagan Valley with Kelowna’s municipal political boundary include.
increased the potential for conflict between urban and rural land uses and has caused a need to focus attention on Kelowna’s fringe.

1.2.2 Municipal Context
The majority of Kelowna resides in a valley containing prime agricultural land and is surrounded by mountains to the south and east and Okanagan Lake to the west (Appendix A-1). The City of Kelowna (Appendix A-2) is currently 21,656 hectares in size of which 8,751 hectares are within the ALR as of 2007 (Ministry of Agriculture, 2008). This means that roughly 40% of the current land is preserved and must be taken out of the ALR before it is developed. Between when the ALR was begun in 1973 and 2006 there have been 1,303 hectares removed from Kelowna’s agricultural land for development as well as many other denied attempts (Appendix A-3). This indicates that strong development pressure and conflict along the fringe has been a common occurrence. This section will examine the context that has created development pressure and conflict along the fringe and the measures taken by the city to mitigate them.

A precedent of low density development will be hard to overcome, despite limited land available for residential areas. Even though land was available close to the core of the city, large sections were removed from the ALR and other leapfrog developments began in the east as well. Even though there was awareness regarding the issues of sprawl in OCPs going back to 1975, little was done to actively change these spatial land use patterns (Momer, 1998).

In recent years, Kelowna’s population has continued to grow steadily, as shown in table 1.1 below, and it is the third most expensive housing market in British Columbia, being only behind Vancouver and Victoria (Teixeira, 2009). From 2001 to 2006 Kelowna was the fifth fastest growing Census Metropolitan Area (CMA) in Canada and the fastest growing one in British Columbia (Statistics Canada 97-550-XIE, 2007). Statistics Canada’s population growth estimates show Kelowna continuing to grow from 2006 to
2010 at a rate of between 6.5 and 9% (91-214, 2011). Despite continued growth and limited space, Kelowna still has a low density at 55 people per square kilometre, ranking 28th among other CMAs according to the 2006 census. Furthermore, Kelowna also has a low level of people per household at 2.38, ranking 25th among CMAs (Statistics Canada). This growth and low density has fuelled the expansion of the urban environment into the fringe areas of Kelowna, resulting in labels of sprawl being applied to the city.

Table 1.1

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<td>111,846</td>
<td>136,541</td>
<td>147,739</td>
<td>162,276</td>
</tr>
<tr>
<td>Growth %</td>
<td>N/A</td>
<td>22.1</td>
<td>8.2</td>
<td>9.8</td>
</tr>
<tr>
<td>Households</td>
<td>N/A</td>
<td>53,610</td>
<td>62,675</td>
<td>66,925</td>
</tr>
<tr>
<td>Growth %</td>
<td>N/A</td>
<td>N/A</td>
<td>16.9</td>
<td>6.80</td>
</tr>
<tr>
<td>Persons Per Household</td>
<td>N/A</td>
<td>2.54</td>
<td>2.35</td>
<td>2.38</td>
</tr>
</tbody>
</table>


Recent and proposed development has also focused on Kelowna’s fringe as the majority of new housing starts have been in neighbourhoods such as the Mission to the south, Black Mountain to the east and South East Kelowna (CMHC, 2011). These neighbourhoods are mostly leapfrog developments consisting of single detached housing in the foothills of the mountains that border the city and attempt to bypass preserved farmland. The continued development of these areas is likely as shown in the proposed ‘New Housing Distribution’ for the forthcoming OCP, found in Appendix A-4. Many existing neighbourhoods are likely to spread into ALR lands and new neighbourhoods, such as Tower Ranch (on the eastern side of Kelowna) are proposed to be built on land that was once entirely ALR land.
These factors, land being removed from the ALR, rapid growth and low density, have created scattered development that has caused spatial patterns that have two common features: farmland trapped within urban areas and urban areas trapped in farmland. As seen in figure 2, development that leapfrogs farmland can abut or eventually encircle farmland. Secondly, as land is removed from the ALR, or non-ALR farmland is developed discontinuous from the city, urbanized areas can become trapped within farmland, as seen in figure 3.

Kelowna does contain elements common to theories of the fringe that were discussed earlier, such as water treatment plants, shopping malls and boxstores. Though these elements exist, they often appear closer to the center of the city than the traditional theory of the fringe would predict. This is due to the rapid growth Kelowna has seen over the last number of years causing former fringe elements to become enveloped by urban land uses.
One example of this is an electrical transformer station that is now in one of the prime development areas along the lake by Gyro Beach (Figure 4 and 5). Another example is a residential area and Kelowna Secondary School located beside a water treatment plant. These patterns are not typical of the traditional model of the fringe as being a transition zone (Bryant et al., 1982), but that of a unique urban fabric as proposed by Gallent.

These spatial qualities have also dramatically increased the instances of urban and rural interfacing and have “created a patchwork of various land uses scattered around the city, creating a headache for planners” (Momer, 1998, pp. 72). The City of Kelowna is roughly 14 kilometres wide and 26 kilometres long and yet the city has an ALR perimeter of over 260 kilometres (ALC, 1998) and continues to grow as the city expands and leapfrog development occurs. The long interface of rural and urban land uses has caused numerous conflicts, both on the farming side and urban side as the competition for space escalates. Speculative pressure will continue to threaten farmland as low density single detached housing fills the fringe. Not only is the loss of productive farmland a concern, but the high cost of servicing these scattered developments with new infrastructure is a burden to the city.
Overall, this high rate of interaction between land uses has lead to significant planning challenges for the city. Furthermore, the future growth plans for the city in the draft of the new OCP indicate that these issues will continue and the policies and procedures currently regarding the fringe must be reviewed.

1.2.2.1 Municipal Tools for Fringe Management

Policy documents and an advisory committee are two of the main features of Kelowna’s fringe management. Two main documents are used in Kelowna’s fringe planning, the Official Community Plan (OCP) and the Agricultural Plan (AP), which is considered a local area plan and strongly recommended by both the Ministry of Agricultural and the ALC. Many of the stated policies by both documents directly attempt to curb the sprawl created as Kelowna has grown. The Agricultural Advisory Committee (AAC) provides comments and a recommendation to council on development applications related to agriculture and ALR lands.

**Official Community Plan**

The OCP contains the goals that define the future growth and develop of a city. Stressed within Kelowna’s OCP is preservation of agriculture and a compact built form that utilizes existing infrastructure. Some key policies are listed below:

**Growth Management** - The OCP sets forward goals to create a growth boundary that will focus development to the established urban areas:

"Minimize Impact on Agricultural Lands. Support the Agricultural Land Reserve and establish a defined urban-rural/agricultural boundary, as indicated on Map 11.2 - Urban - Rural/Agricultural Boundary, utilizing existing roads, topographic features, or watercourses wherever possible. The City will direct urban uses to land within the urban portion of the defined urban-rural/agricultural boundary, in the interest of reducing development and speculative pressure, toward the preservation of agricultural lands. The City will discourage further extension of existing urban areas into agricultural lands" (City of Kelowna, Official Community Plan, 5-2).

The above goal is intended to establish a growth boundary defined strictly by the perimeter of the various areas of ALR land that surrounds the city. The results of this policy can also be seen on the Kelowna context map, indicated by a red line around ALR land indicating the perimeter (Appendix A-2).
Housing - The Official Community Plan also attempts to discourage the common spatial patterns discussed earlier:

Housing in Agricultural Areas. Discourage residential development (both expansions and new developments) in areas isolated within agricultural environments (both ALR and non-ALR). (City of Kelowna Official Community Plan, 8-8).

Agricultural Plan

Kelowna’s AP, written in 1998, also contains policies regarding urban growth management and the preservation of agriculture. The AP expresses agricultural policy in finer detail than the OCP, so that issues, such as land use compatibility and conflict, can be properly addressed (Agricultural Land Commission, 1998).

While the OCP lays out the parameters of the ‘urban - rural/agricultural boundary’, the AP details the policies related to the maintaining of a growth boundary around ALR farmland. Therefore, the AP generally does not support the exclusion, subdivision or non-farm use of ALR lands. This is in order to protect the current farmland from urban expansion, retain large parcels of land and to reduce speculation that has negative impacts on active farms (City of Kelowna, 1998).

Despite this policy stance, any land owner has the right to bring forward an application for exclusion, subdivision or a non-farm use of land that is currently within the ALR. For these cases the city has developed specific criteria in the Agricultural Plan to be considered for applications related to the ALR, as seen below:

- Potential limitations to farming
- Location / use context in terms of impact on adjacent agricultural properties with respect to conflict of uses and speculation/land value
- Necessity for urban growth needs or as logical infill
- Availability of sufficient services, particularly road access and sanitary sewer, and the impact of expansion of these services on adjacent agricultural properties
- Benefits or sensitivity to agriculture in the form of buffering or complementary / transition uses (City of Kelowna, 1998).
These criteria were developed for the city’s planning staff and council when making their recommendations and decisions respectively. However, before an application goes before city council, it must go through the Agricultural Advisory Committee.

**Agricultural Advisory Committee**

An AAC is “appointed to provide clear, timely and well thought out advice on agriculture and related topics to their council or regional board. It must be clearly understood that the AAC is an advisory committee of their local government” (ALC, 2005, p.1). The City of Kelowna’s AAC is to provide advice to council on agricultural issues related to various applications, changes to zoning and city policy (City of Kelowna, 1998). The AAC is comprised of seven local members of the farming community who are appointed by council for a three year term. According to the terms of reference produced by the city, the AAC is responsible for:

- “Review and provide recommendations to Council on Agricultural Land Commission (ALC) applications, which are to be considered by Council.
- Review and provide recommendations to Council on Official Community Plan and Zoning Bylaw Amendments where the subject property is within the Land Reserve or within 100 meters of the Land Reserve Boundary.
- Review comprehensive planning documents such as Official Community Plans, Zoning Bylaws, Sector and Neighbourhood Plans and make recommendations to Council with respect to impact on agri-business.
- Work with Council, at Council’s request, on submissions related to agricultural issues to other levels of government.” (City of Kelowna, 2009).

For applications related to the ALR, overseen by the ALC, the AAC serves as the preliminary stage in the process. Planning staff provide their input based on the context and policy, while applicants make their case to the AAC who make a recommendation on the application. Their decision then goes to council where they will also make a decision on the application. The council’s decision, supporting documents and previous comments of staff and the AAC, is then forwarded to the provincial ALC where a final decision will be made on the application.
In reviewing these applications, the committee shall consider:

- “The effect of the proposal on the agricultural potential of the subject property,
- The effect of the proposal on adjacent Land Reserve properties and surrounding agricultural production,
- A rating of the priority of the application for the maintenance of the Land Reserve lands,
- Possible acceptable alternatives to the proposal, where deemed appropriate
- The identification of issues relating to the protection of Land Reserve lands specific to the application.” (City of Kelowna, 2009)

1.3 Summary

This chapter first outlined the main causes of fringe planning issues and how the City of Kelowna shares many of these common traits. Residential expansion into agricultural areas has resulted in increased interaction between conflicting land uses. Defining the fringe that was created has become an academic debate with one side describing a transition zone of urban to rural and the other claiming the benefits of considering the fringe on its own within the urban hierarchy. Both sides can agree on the conflict occurring within the fringe and the resulting issues in managing the fringe by local governments. The common problems causing fringe issues are fragmented governments, the size of fringe areas, rapid population growth, scattered new development and limited or outdated planning resources.

Secondly, this chapter examined the key spatial patterns that have caused fringe planning to be an important issue for the City of Kelowna. The policies that have been created, at a provincial and municipal level, reflect the knowledge of these issues and the need to mitigate the issues that have resulted from close proximity of urban and rural land uses. However, the spatial patterns have progressed despite these policies. The failure to limit sprawl, scattered developments and conflict indicates a need to review the current policies and the measures taken to solve these issues, such as the Agricultural Advisory Committee.
2 Methods

This chapter outlines and describes the process used to analyze and evaluate the City of Kelowna’s fringe planning and the utilization of local advisory committees. The Agricultural Advisory Committee (AAC) meeting minutes provide insight into how Kelowna applies its fringe planning policy, specifically the city’s Agricultural Plan (AP) and the Official Community Plan (OCP), which are the basis for fringe management in the city.

The decision making process, role and the influence of the AAC will be examined in relation to the policies within the OCP and the AP as the main source of goals and values for the City of Kelowna. This will be accomplished through an exploration into the patterns and themes related to fringe planning as expressed in the AAC minutes and how current policies are being applied in development applications.

2.1 Approach

This report reviewed current fringe planning policies selected appropriate applications reviewed by the AAC. These applications were then subjected to content analysis procedures to review how advisory committees are utilized with regard to fringe planning. Each relevant application was coded and the data was organized in spreadsheets containing various categories that were determined by the structure of meetings, as well as the literature reviewed earlier. Furthermore, while only the AAC deliberations and decisions were coded, the decisions on each case was followed to their completion as they moved from the AAC to city council and then finally to the Agricultural Land Commission (ALC). The analysis that was completed focused more on qualitative rather than quantitative, though some rudimentary descriptive statistics on decisions were completed. A detailed explanation of the data used, the selection criteria for applications, and the process of coding and analysis is described in the following sections.
2.1.1 Policy
Evaluating the municipal fringe planning policies began with a review of the OCP and the AP. This examination revealed the city’s values through its policies and goals for fringe planning and growth management. This preliminary review of the current policies also helped inform what to examine in the AAC minutes during content analysis. The two documents are used frequently by the AAC to support their decisions, so a clear understanding of them is crucial. Though not specifically coded for or analyzed, the current city’s policy will be used frequently in the analysis of the AAC minutes.

2.1.2 Agricultural Advisory Committee Meeting Minutes
AAC meetings are held approximately monthly, unless no applications have been made or other issues arise that require a meeting. Each meeting has various sections depending on current applications and issues that require their input. This report focuses on a specific set of application proposals that are related to ALR land and are the target of analysis. Three years of AAC minutes\(^2\) have been selected to be analyzed. The chosen time period was selected for the following reasons:

- In order to maintain a reasonable number of applications
- Allows the applications to progress through to completion at the provincial level.
- Applications are still relatively current in order to portray the city’s recent fringe management practices.

The total number of applications related to the ALR that have gone to the committee in these three years is 40 (13 for 2010, 14 for 2009, and 13 for 2008).

2.1.3 Selection criteria
As discussed earlier in the context section, Kelowna is a prime case study to examine since it has a large interface of urban and rural land uses which are interspersed throughout the city. Furthermore, Kelowna has defined their ‘urban-rural/agricultural boundary’ (Agricultural Plan, 1998) by the existing

\(^2\) An example of the minutes taken from an AAC meeting can be found in Appendix B-1.
Agricultural Land Reserve (ALR) boundary. Therefore, since the AAC deals with any development within 100 metres of the ALR, any application that goes through the AAC is considered a fringe planning issue. Furthermore, the applications chosen were scheduled to before the ALC and thus had ALR ramifications, assuring that it had fringe planning relevance for the City of Kelowna. Therefore, by choosing these applications it was not necessary to remove irrelevant development applications from the AAC minutes prior to a preliminary review and the full population for three years was used as a sample.

A selection process of applications based on a general proximity measure from the central business district or a more definite ‘edge’ measure was not used since the spatial land use patterns of the city do not correspond to a specific and clear agricultural perimeter at a set distance from the core of the city. This would make a method based on a spatial quality unwieldy and impractical.

2.1.4 Data Matrix
Matrixes (Appendixes C.1-C.3) were created in order to organize and display the data collected from the three years of AAC minutes examined. The categories chosen both reflect the AAC meeting procedures as well as literature on the fringe and fringe management. Each development application within the minutes is presented in a similar manner. First, planning staff describes the type of application, its basic parameters and concerns or considerations that are important to the AAC. Next, the applicant provides their reasoning for the application and any other comments they feel is pertinent for the committee to hear. The AAC members then have a discussion with the applicant and provide their reasoning for their eventual recommendation. Occasionally, the AAC will also make a statement after their decision to clarify the point that was most crucial for their decision. For the matrix, each stage of the application has been split into specific categories based on the procedure listed above. Within each category, subcategories have been created for important elements of the application within each category. Within these categories, codes were developed to define and differentiate the types of applications, types of conflict, rationale for the AAC supporting the proposal or not, etc. The specific categories and
subcategories will be defined and explained in the following section, while the coding, the contents of the data matrix, and the analysis of the minutes will be discussed later.

<table>
<thead>
<tr>
<th>Application</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Date</td>
<td>Application Number</td>
</tr>
</tbody>
</table>

**Date and Application number** is the date the development application was brought before the AAC and the reference number given by the city for organizational purposes. The application number is the number given to the proposal by the city, for example, A09-0014 means an application in the year 2009 and it is the 14th such application within that year. Additional information may be attached to this designation within the matrix as needed, such as ‘deferred’ and ‘withdrawn’. These designations in the matrix are present so that the reason for a repetition of application numbers, or the lack of data provided, is clear. A designation of ‘deferred’ means that an application has been delayed to a subsequent AAC meeting. The designation of ‘withdrawn’ is for an application that will not be considered, such as an applicant stopping the application process. When information was unavailable, due to an applicant stopping the application process or some other reason an ‘N/A’ was inserted.

Following this information is the ‘Applicant’ category. It consists of the subcategories: Owner/Representative, Type of Application and Rationale.

<table>
<thead>
<tr>
<th>Applicant</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Owner / Rep</td>
<td>Type of App.</td>
</tr>
</tbody>
</table>

**Owner / Representative** differentiates if the application is being made by the owner of a property or if they have contracted a consulting firm.
**Type of Application** refers to what the applicant wishes to do with their property, such as subdivide, a homesite severance or an exclusion from the ALR. It also indicates which sections of the Agricultural Land Commission Act are relevant for the specific type of application.

**Rationale** is the applicant’s reasons and justifications for the application, such as it will not disrupt surrounding farmland or there may be a benefit to farmland, etc.

The next section is the ‘staff’ section where city planners summarize their opinions on the application based on various city or provincial policy. This section consists of: Typology of Conflict, Policy Invoked and Rationale / Recommendations.

<table>
<thead>
<tr>
<th>Staff</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Typology of Conflict</td>
<td>Policy Invoked</td>
<td>Rationale / Recommendations</td>
<td></td>
</tr>
</tbody>
</table>

**Typology of Conflict** indicates which concerns the planning department had about the application’s affect on fringe planning or fringe boundaries. This could consist of a general concern of conflict or more specific concerns.

**Policy Invoked** indicates which municipal or provincial policies the planning staff uses to either express concern or support for the application.

**Rationale / Recommendations** includes any advice or reasoning for the staff’s comments, such as requiring buffering or having an assessment of soil performed.

After the applicants have made their arguments and staff has presented their information, the AAC makes a decision to support or reject the application and provide the rationale for their decision.
**Supported Application** is the decision made by the AAC to favour the proposal or not based on the evidence that has been provided.

**Rationale** is the AAC’s reasoning for the decision. This is based on the concerns by the staff, city policy and the applicant’s arguments and rationale.

The application then proceeds to city council for their decision, whether the AAC accepts the application or not. Even though this category is outside what is contained within the AAC minutes, it is important to show if council generally agrees or disagrees with the AAC.

**Supported Application** indicates whether council agrees with the application or not as it is presented to them by staff, relevant documents and the previous decision by the AAC.

**Against AAC** simply indicates if the council decision was counter to the AAC decision.

Usually during the council meeting, part of the recommendation is to forward the application to the ALC. It is also common for this to be included even if council decides not to support the application.
Approved Application by the ALC indicates that the proposal has been successful by the applicant.

2.1.5 Coding and Analysis

Now that the data matrix categories have been defined, the process of coding and analysis procedure can be explained.

This report followed Coffey and Atkinson’s basic content analysis procedure of: “1) noticing relevant phenomena, 2) collecting examples of those phenomena and 3) analyzing those phenomena in order to find commonalities, differences, patterns and structures” (1996, p.29). This section will examine how these principles of content analysis have been followed and applied to this report.

1. Noticing Relevant Phenomena

After a preliminary review of the AAC minutes was completed, the categories used in the data matrix were developed to collect the data found within the minutes. Various elements of the AAC minutes were focused on. This was based on the previous review of the city’s policies and theory related to the fringe, such as types of conflict reported, specific mentions of the boundary and growth management of the city and the types of applications and patterns of approvals or denials. Therefore, this was a more refined and informed first step in the coding process rather than using open coding methods.

2. Collecting Examples of Phenomena

Secondly, a more focused review was conducted in order to complete the data matrix related to the findings within the minutes of the AAC, council meetings and ALC hearings. Coding was completed based on the predefined categories developed by the creation of the data matrix. Due to the nature of the AAC minutes a manifest coding approach was chosen over a latent one. The reasoning of the various parties
is clearly stated and thus a latent approach is not necessary. Therefore, the elements of the data that were coded are present and countable, as opposed to looking for a deeper, hidden meaning behind the apparent meaning (Berg, 2009).

Consistent coding was used as much as possible, which required data to be condensed to the core impetus of the various parties' conclusions. This was required for any of the ‘Rationale’ type categories and sometimes for the typology of conflict when no specific conflict was stated. While this did result in a loss of data, it was required in order for the data to be manageable. This approach was not needed in the more categorical portions of the matrix, such as ‘Owner / Rep’ or ‘Type of App.’ or for binary categories requiring ‘yes’ or ‘no’, such as in the ‘Supported Application’ category.

3. Analyze Phenomena for Commonalities, Differences, Patterns and Structures

After the three data matrixes were completed for each year, data was re-organized by application type to aid in seeing patterns emerge (Appendix C.4). In this chart the duplicate applications from deferred cases or other situations were removed, which left 34 applications that contained data for analysis. Once applications had been organized together, common occurrences, patterns and anomalies of the staff and AAC were examined. These were used to develop the major themes that were the basis for analysis. In order to provide evidence for a theme, tables were used to display the relevant data from the larger data set. These usually consisted of contingency tables displaying the frequency of a certain code within a variable. For example, a table could show the frequency of different conflicts per application type.

Where applicable, a concrete example of an application was also used instead of simple looking at the disaggregate data. This helped to illustrate the theme and to provide a deeper context. This entailed not only looking at the summarization of the staff reports found in the AAC minutes, but looking up the memorandum prepared by the city about the application, which includes relevant policy, opinions from
various city departments, aerial photos, zoning maps, etc. An example of a city memorandum can be seen in appendix D-1.

Combining the findings of the content analysis and Kelowna’s current fringe management policies with the theories presented in the theoretical framework were used to offer a critique on the current practices of Kelowna’s fringe management. Recommendations based on these critiques were developed in order to improve the use of advisory committees and fringe management.

2.2 Data Collection
The majority of documents required were available on the City of Kelowna’s website. The City of Kelowna provides copies of the OCP and the AP to the general public. The City of Kelowna also publishes the AAC agenda and minutes in PDF file formats that are easily accessible to the public. Since traveling to Kelowna was not often feasible, the chosen method allows for analysis without requiring travel.

Each application that the AAC comments on has an identification number attached to it as previously described. This allows for a search to be performed on the city of Kelowna’s website for any documents pertaining to that case. This will be important for cases that have gone before council and the case decisions have to be found in the city council minutes. However, in certain cases, Kelowna’s website did not find any matches to the application numbers in council minutes. Due to limitations of resources, it was not discovered if this was a matter of a flawed search engine by the city or that the cases were not continued by the applicant. At the provincial level of the ALC, the application decisions were searched for by the name of the applicant, which is provided in the AAC minutes.

2.3 Scope and limitations
The issues of fringe planning for Kelowna are not strictly within the controls of the city. The Agricultural Land Reserve (ALR) provincial policy plays a role in Kelowna’s fringe management. Even though Kelowna has chosen to use the ALR as a basis for their fringe planning, this report is not about the merits of the
provincial policy, but how Kelowna as a municipality has managed their fringe. Therefore, any discussion on the ALR will consist of how it affects Kelowna, and not on the efficiency of their policies. Provincial policies on edge management will also be considered since they also apply to Kelowna as a municipality within the province.

The minutes of the AAC also provide some limitations to the research. The information that is recorded within the AAC minutes is not all that is said at an AAC meeting. It is assumed for the research that the most important data was recorded accurately. Time did not allow an in depth investigation of all applications except for those used in the final data sample of 34 applications and those that were used as specific examples within the analysis. For this report, breadth of data and a case study of the city were valued over depth and an application case study.

2.4 Reliability, Validity, Generalization and Bias
Since there is only one researcher available, multiple people coding and looking for themes to ensure reliability is not feasible. However, most of the problems that arise in content analysis seem to be from having multiple coders (Gaber & Gaber, 2007). Since multiple cases were analyzed using the same technique repeatedly these issues may still apply. Therefore, there were attempts made to mitigate these potential issues by using a more manifest content analysis than a more subjective latent content analysis. The method is also based on established content analysis procedures, as noted earlier, as well as previous reports that used a similar method, but a different topic (Gibson, 2009). This will help maintain a protocol and coding that is consistent throughout the process.

Issues concerning internal validity for content analysis need to be considered. Any given sample must be representative of the research and that sample must represent the population (Gaber & Gaber, 2007). As mentioned earlier, the minutes are directly related to fringe planning in the City of Kelowna and any record of the minutes of an AAC meeting is just like any other of the population of minutes available,
which addresses these concerns. To further increase validity, “converging lines of inquiry”, or “triangulation”, of data sources will be used (Yin, 2009). The use of multiple sources of data, the AAC minutes, provincial and municipal policy and fringe planning literature was an attempt to corroborate my conclusions and not rely solely on one source of data.

On the surface, external validity may be an issue as the research is very focused on the city of Kelowna and its context within a set time frame. The individual AAC decisions may not be generalized to other cities, but the problems of fringe planning and dealing with the ALR policy is common and many municipalities in British Columbia have similar advisory committees. Therefore, the nature of the methods of this report may be useful in examining other municipalities’ management of fringe areas and the systemic issues that municipalities may have in common. Furthermore, the minutes used for this report are an example of a common planning process, citizens proposing development or change to their property, planning staff making recommendations and a committee or council making a ruling.

Bias may be a large issue for my research. I grew up in Kelowna and the research was chosen since it has interested me from an early age. I had preconceived ideas, expectations of findings, and it was hard not to make conclusions before beginning the research. I needed to be aware of this and try to prevent it from adversely affecting my research.

2.5 Preliminary Research
Despite limits to travel, preliminary research did start in August, 2010 while in Kelowna. Photos were taken of examples of the close spatial patterns between urban and rural land uses as well as other fringe planning issues. While these pictures will not be used extensively or analyzed, they allow for a portrayal of fringe planning in Kelowna.

Newspaper articles related to fringe planning were also found and photocopied at the campus of University of British Columbia Okanagan. Again, while these will not be subjected to content analysis,
they offer a history of urban and rural conflict and background to the subject area that has been an issue for decades.

2.6 Summary
This chapter outlined the use of content analysis to examine the minutes of the AAC in Kelowna. The minutes show how Kelowna applies its fringe planning policies and how the AAC plays a role in fringe planning management. This was done by noticing, collecting and analyzing the relevant phenomena found within the minutes of the AAC. The method chosen was designed to mitigate potential issues related to reliability and validity based on the prescribed limitations of the study including the location and a sole researcher.
3 Findings and Analysis

This chapter highlights the major findings and themes found within the sample of 34 individual Agricultural Advisory Committee (AAC) applications that are pertinent to the analysis of Kelowna’s fringe management. These themes will then be used along with the current fringe area policies, theory and the context of Kelowna, which has already been discussed, in order to examine concerns about the current practices of fringe management and the potential obstacles that the city faces. These findings will be used to provide recommendations and suggestions primarily to the City of Kelowna that would result in a better management of the fringe and alleviate the pressures and conflict faced along the fringe.

3.1 Content Analysis

The entire results of the content analysis completed can be seen in Appendix C.4. This final table is organized by development application in order to clearly show patterns. First, the results of the applications at the various stages of the application process will be examined. Secondly, a deeper exploration into the patterns that were found during the content analysis will follow.

3.1.1 Application Results

Table 3.1

<table>
<thead>
<tr>
<th>Application Type</th>
<th>Policy Support</th>
<th>AAC Support</th>
<th>Council Support</th>
<th>ALC Approved</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes</td>
<td>No</td>
<td>Total</td>
<td>Yes</td>
</tr>
<tr>
<td>Homesite Severance</td>
<td>5</td>
<td>-</td>
<td>5</td>
<td>6</td>
</tr>
<tr>
<td>Subdivision</td>
<td>2</td>
<td>8</td>
<td>10</td>
<td>2</td>
</tr>
<tr>
<td>Exclusion</td>
<td>2</td>
<td>4</td>
<td>6</td>
<td>1</td>
</tr>
<tr>
<td>Non-farm use</td>
<td>0</td>
<td>5</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>9</strong></td>
<td><strong>17</strong></td>
<td><strong>26</strong></td>
<td><strong>14</strong></td>
</tr>
<tr>
<td><strong>Percentage</strong></td>
<td>35%</td>
<td>65%</td>
<td>100%</td>
<td>42%</td>
</tr>
</tbody>
</table>

Source: Mark Janzen

The above table is composed of four contingency tables that show the results of each application type during the various phases of the application process. The table omits applications that did not proceed
throughout the process and thus only shows applications where a decision was made by the various parties involved. ‘Policy Support’ represents the planning staff comments on whether current policy would support a given application.

From this table a few things can be noted regarding the approval of applications. Overall, Kelowna’s city council was much more likely to favor applications than either the AAC or policy. Of the cases where council made a decision, they supported 79% (15/19) while the AAC supported 42% (14/33) and city policy was least favorable at 35% (9/26). The ALC at the provincial level finally approved 38% (6/16) applications.

Even though the general results of the applications are important, the deeper meaning behind these decisions is found within the context of the applications and why the various parties made their decisions. The next few sections will examine these as the major themes found within the minutes of the AAC.

### 3.1.2 Typology of Conflict
Planning staff presented three categories of conflict that were found within applications. The conflicts include general, speculative pressure and none and will be described below.

General conflict was exemplified by a certain type of statement made by planning staff. One instance is found in application A09-0001 where it is stated that “both the City of Kelowna Official Community Plan and Agricultural Plan express concern that the permitted expansion of urban uses into what is otherwise an agricultural landscape will serve to diminish the viability of agricultural practice”. Although statements did vary from application to application, they always shared a few common features that were the main reason for prescribing a ‘general conflict’ to these applications. These common features included a statement of concern related to allowing the application, a vague result if the application was granted and no specific examples of what conflict would occur, only that the result would be negative.
The only specific expression of conflict by planning staff was ‘speculative pressure’. The statements made by planning staff mainly consisted of: “Increased speculative pressure on land and conflict between land uses should be avoided, particularly in agricultural areas under development pressure” (A09-0017). When speculative pressure is a concern it is often viewed as both a cause and a result of urban and rural conflict.

The absence of conflict was also common as represented by the category ‘None’. This indicates that planning staff did not have any concerns about an application related to an impact on the property in question or the surrounding area, but it does not necessarily mean that policy was thus in favour of an application.

The table below depicts the frequency of conflicts discussed by planning staff for each type of application.

Table 3.2

<table>
<thead>
<tr>
<th>Typology of Conflict by Application Type</th>
<th>General</th>
<th>Speculative Pressure</th>
<th>None</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Homesite Severance</td>
<td>-</td>
<td>-</td>
<td>7</td>
<td>7</td>
</tr>
<tr>
<td>Subdivision</td>
<td>7</td>
<td>1</td>
<td>2</td>
<td>10</td>
</tr>
<tr>
<td>Exclusion</td>
<td>3</td>
<td>2</td>
<td>2</td>
<td>7</td>
</tr>
<tr>
<td>Non-farm use</td>
<td>3</td>
<td>3</td>
<td>4</td>
<td>10</td>
</tr>
<tr>
<td>Total</td>
<td>13</td>
<td>6</td>
<td>15</td>
<td>34</td>
</tr>
<tr>
<td>Percentage</td>
<td>38%</td>
<td>18%</td>
<td>44%</td>
<td>100%</td>
</tr>
</tbody>
</table>

Source: Mark Janzen

The most common occurrence within the AAC was actually the absence of conflict found in 44% (15/34) of the applications. A general typology of conflict was the second most frequent occurrence at 38% (13/34). When conflict was an issue, speculative pressure was the only real deviation from general
conflict found in the reports to the AAC by planning staff and was the least frequently cited at 18% (6/34).

Despite well documented conflict between urban and rural land uses in Kelowna, there were few specific examples of conflict found within the AAC minutes. The results of conflict were still vague and limited even when the conflict did not fall within the general category. The six examples of speculative pressure conflict only noted an impact on the farming capabilities of the property and not the impact on urban areas. This was a common trend as there was a lack of urban side conflict discussion throughout the applications. Even though there was a lack of discussion of urban and farm side conflict, planning staff would often refer to the land in question being within the ALR or not. Since Kelowna uses the ALR as its fringe boundary, this is an indirect reference to rural and urban side conflicts. This consideration is indication that planning staff are taking into account both sides of the fringe boundary, even if they are not discussing the specific conflicts that may arise.

Also evident within the minutes was planning staff’s consideration for the potential for conflict with other nearby properties and less about the current conflict of the property in question. For example, in A10-0004 planning staff state that “the proximity of the proposed substation adjacent to agricultural land has the potential for land use conflict to arise”. This consideration also indicates that planning staff are looking beyond the property in question and thus following the criteria required by the Agricultural Plan (AP), as discussed in Section 1.2.2.1.

### 3.1.3 Applicant Rationale

The applicant also expresses concerns about potential conflicts and why their application should be approved. The table below indicates the frequencies of the various rationales provided by the applicant.
Table 3.3

<table>
<thead>
<tr>
<th>Applicant Rationale by Application Type</th>
<th>Agricultural</th>
<th>Urban Expansion</th>
<th>None</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Homesite Severance</td>
<td>4</td>
<td>0</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>Subdivision</td>
<td>6</td>
<td>2</td>
<td>2</td>
<td>10</td>
</tr>
<tr>
<td>Exclusion</td>
<td>3</td>
<td>2</td>
<td>2</td>
<td>7</td>
</tr>
<tr>
<td>Non-farm use</td>
<td>7</td>
<td>0</td>
<td>3</td>
<td>10</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>20</strong></td>
<td><strong>4</strong></td>
<td><strong>10</strong></td>
<td><strong>34</strong></td>
</tr>
<tr>
<td>Percentage</td>
<td>59%</td>
<td>12%</td>
<td>29%</td>
<td>100%</td>
</tr>
</tbody>
</table>

Source: Mark Janzen

It was evident from the content analysis that applicants mainly used a singular argument as opposed to including various facets to their arguments that would meet the multiple criteria points in the AP. The argument that was most common seemed to follow one of two strategies: claiming that farming will continue as is despite the results of their application OR that their land was not suitable for farming to begin with, whether it is from a lack of good soil, size of lot, etc. This tactic was seen across the different types of development applications and was used in 59% (20/34) of the total sample of applications. However, when only looking at the sample of when an argument was made by an applicant the rate rises to 83% (20/24). Overall, ‘None’ was the second most frequent response by applicants at 29% (10/34). It must be noted that in half of these applications the applicant was not even present during the AAC meeting. Only in four out of the thirty four cases (12%) does the applicant’s rationale mainly focus on conflict due to urban expansion into farmland. These applications focused on vandalism, theft and other common farm side issues when near urban uses.
The above table depicts which applications were favourable to the AAC when using the two types of rationales. Overall, an applicant had a better chance at success if they used an agricultural rationale. The only two subdivision application that proved favourable to the AAC claimed that the land had a low agricultural ability. For non-farm uses, low agricultural ability or productivity certainly was a key factor as three out of four applications that the AAC found favourable used such rationale. Using urban expansion as a rationale was limited and no applications that used such rationale were supported by the AAC. From the minutes it seemed like applicants could have expanded on certain conflict and not use one main agricultural argument. The table does seem to justify their decision though and may explain the lack of ‘urban expansion’ type rationales. In order to explore these results further, an examination of the AAC’s rationale in their decision is needed.
3.1.4 Agriculture Advisory Committee Rationale

The way in which applicants made their arguments may be a reflection of how they perceived the rationale of the AAC regarding development applications. Impressing the AAC is a difficult task as only 14 out of the 34 (41%) applications within the sample were favoured by the committee. The results from the content analysis of the AAC rationale were not conducive to a table due to the variety and number of attributes within the variable. However, almost all the rationales of the AAC contained agricultural aspects to them, such as the result of an application would be damaging to the existing agricultural land base or that the results of the application would have a negative impact on farmland. This is understandable considering their role and follows city policies regarding the expansion of housing into agricultural areas and the loss of viable farmland, which was usually in agreement with planning staff reports. However, as seen in the table below, sometimes opinions between planning staff and the AAC would conflict. Reviewing these instances can reveal some potential issues regarding the AAC’s view on applications.

Table 3.5

<table>
<thead>
<tr>
<th>Policy Support</th>
<th>AAC Support</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>Yes</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>No</td>
<td>4</td>
</tr>
<tr>
<td>No</td>
<td>Yes</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>No</td>
<td>15</td>
</tr>
<tr>
<td>Total</td>
<td>Yes</td>
<td>7</td>
</tr>
<tr>
<td></td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Percentage</td>
<td>27%</td>
<td>73%</td>
</tr>
</tbody>
</table>

Source: Mark Janzen
In the majority of applications there was agreement by planning staff and the AAC. This occurred in 20 out of the 26 (77%) of the sample. There were instances where planning staff claimed applications did fulfill the policy criteria created by the city, but the AAC did not support them. This disagreement by planning staff and the AAC occurred in 15% (4/26) of the sample applications. Instances of policy not supporting an application, but was still favoured by the AAC occurred half as often with only 2 of the 26 cases (8%).

Even though four cases did seem to fulfill the criteria as expressed by planning staff, the reaction to these applications by the AAC may be a source of concern, such as found in an exclusion application (A08-0012) to develop residential units on ALR land. Planning staff stated that the AP made specific mention of the poor agricultural qualities of the area, which was a prime location for infill development due to being surrounded by urban development and now within the core of the city. Maps provided in the memorandum clearly show farmland along Summit Road surrounded by urban development, and small sector plans also note the future land use as residential. Current farming had ceased due to vandalism and other farm side conflicts. Despite the advice from staff and current policy, the AAC “considers this large parcel ideal for farming given its large size, suitable soil conditions, and accessibility to consumers, which would facilitate farm retail sales”. In this case, the AAC was apparently only looking at the specific attributes of the property, and not the surrounding context of other properties. Instead of seeing proximity to urban encroachment as an issue, they saw it as an opportunity, even though farming activities were non-existent.

Another example of this type of application was found within the minutes and may be even more concerning. The application (A08-0002) pertained to a subdivision of land that, according to the city memorandum, was surrounded by residential areas. Planning staff supported the application by stating that the current OCP has the area delineated for residential use. The AAC only had a single comment in
their opposition to the application, stating that “residential subdivisions in ALR lands are simply not appropriate”. It appeared that very little consideration was given to the broader context or impact on the surrounding land relative to parameters of the application.

These statements may have large ramifications. As an advisory committee, they are certainly permitted to offer a counter opinion to planning staff, but if they flatly reject a proposal, they do not offer any rationale for why they oppose an application and therefore do not fulfill their main duty as an advisory committee.

However, in one exclusion application, (A09-0012) the AAC makes a firm declaration regarding their rationale for why they generally oppose applications. The AAC stated that “it is the committee’s mandate to keep land in the ALR and couldn’t possibly support this application”. This is actually counter to their mandate as described by the terms of reference provided by the city. As stated earlier in Section 1.2.2.1, the AAC shall “review and provide recommendations to Council on Agricultural Land Commission (ALC) applications, which are to be considered by Council” (City of Kelowna, 2009). Also discussed were the requirements for the AAC to consider the effect on the agricultural potential of the subject property and to consider the effect on surrounding lands, to provide possible alternatives to the proposal, and to identify issues relating to the protection of the ALR lands specific to that application.

Despite this policy, only the effect on the subject property was provided in the first application discussed earlier, and no advice was actually provided for the second or third application.

While it is difficult to claim that this is occurring in all applications, the AAC is likely not following all that is required of them as an advisory committee to council. This revelation may also help explain why applicants who focused on their properties’ agricultural ability had the best chance of their application being approved for exclusions or subdivisions. A certain level of precedent has been set that the AAC is focusing too much on the property of the application and not considering the context and impact of
surrounding properties. This possibility must be considered as it has the potential to have a large impact on the application process.

3.1.5 Perceptions of the Agricultural Advisory Committee as Part of the Process

Since the AAC is the first step in the process, their influence and advice carries throughout the application process. Therefore, there is a great importance in how they proceed in providing their input and how this input is perceived by those following in the stages of the application, namely Kelowna’s Council and the provincial ALC.

According to the application results discussed in Section 3.1.1, city council was much more likely to support an application than was the AAC. While reviewing city council minutes it was discovered that very few comments were made regarding the applications and they seemed more inclined to simply forward applications to the provincial ALC. From the limited data of the council minutes, it is hard to determine how the AAC is viewed by council. The AAC and planning staff’s comments are included in the memorandum compiled by the city for council meeting and this seems to be the extent of their interaction in regard to applications. In the council minutes reviewed, the AAC is rarely mentioned during debate of applications.
As seen in the above chart, in the nineteen applications examined where council made a ruling, five were counter to the opinion of the AAC. In each case the AAC did not support the application and council did. In three of the five, planning staff also sided with the AAC in stating that the relevant city policy also did not support the application. Therefore, it is difficult to argue that council may be more likely to follow planning staff over the AAC, even though planning staff occasionally disagreed with the AAC, and seemed more likely to support applications overall. While how the AAC is perceived by council remains inconclusive, a more interesting result was found while reviewing the ALC’s final decisions on applications.

While reviewing ALC decisions it was noted that the ALC seemed to deem the AAC as a very valuable source of information in making their final decisions on applications. Even though the ALC makes the final decisions, reliance on local entities entrusted to make fringe management judgments seems evident. The reports made available to the public contain local planning staff recommendations, the local AAC recommendation, and council’s decisions. However, within the actual ALC decision it was common for ALC members to specifically comment on the AAC finding, but not refer to staff or even
council. In one instance, A10-0003 (ALC Resolution #2842), which exemplified the weight given the AAC, an ALC member stated that they “wished to be registered as opposed to the resolution on the grounds that there was a lack of support for the proposal from the City of Kelowna AAC”. This is an intriguing result and counters the logical expectation that relevance is given as an application progresses through planning staff, the AAC, council and finally to the ALC where a final decision is made.

Further evidence of the ALC’s regard for the Kelowna AAC was found within the September 9, 2010 AAC minutes. The minutes reported on a visit to the city by Richard Bullock, the chair and CEO of the ALC. Bullock “praised the AAC and commented that the Committee’s comments are held in high regard and that the Committee’s anecdotal comments are important when the ALC makes their decisions” (p.6). Within the very same document, the AAC actually states that they attempt to protect the ALR and that the ALC is “undermining our mandate and credibility”. This comment was due to the ALC not following the AAC’s decisions on applications even though their role being advisory.

The various discussions regarding the rationale expressed by the applicants and the AAC, as well as the ALC’s view of the AAC, are important to consider. If the AAC is seen in such high regard, it is imperative to ensure that they are following procedure correctly and that they understand their role in the process.

3.1.6 Re-evaluating of the Role of Local Advisory Committees
The analysis thus far has reviewed some of the issues regarding how the AAC currently provides its advice on applications. Now the analysis will turn to examine the actual role of the AAC in comparison to how it functions and how it may be improved based on current policy and literature provided by the provincial ministry and agencies. This is not to further judge their actions, but to look at ways to enhance their current role. Since Kelowna’s AAC seems to want an expanded role in fringe management, perhaps it should be considered. This situation has been expressed as a possibility in a few of policy documents by the ALC and even within Kelowna’s own AP.
Part of the reason for Kelowna’s AAC potential bias is understandable as the committee is formed of solely farming community stakeholders. Due to the nature of Kelowna’s spatial qualities and conflict along the fringe, it may be wise to attempt a balancing of the perspectives on the committee in order to provide advice that covers a range of interests, as well as the full requirements of the terms of reference. This is an idea put forth by the ALC’s document ‘Some Ideas’ (2005), which states, “If the agricultural area includes other major land uses, such as rural residential, forestry or recreation, consider including other representatives on the committee from these interests” (p.1).

Secondly, the claims made by the AAC show that they feel a more proactive approach may be warranted from advisory committees. This would allow the AAC members to be more involved and hands-on within a community and perhaps even intervene into applications they feel strongly about. This concept has been considered by the ALC’s ‘Planning for Agriculture’, which states that in some cases a proactive role should be granted to an advisory committee (1998). However, the proactive role should be contained to raising agricultural concerns and promoting local agriculture, while a reactive role should remain for applications and plan reviews.

Furthermore, Kelowna’s own AP (1998) also contains suggestions for an expanded role of the AAC in the future. Along with a stated need for the ongoing insurance of the implementation of policy within the AP, suggestions include having council representation, enhancing of the agriculture industry, and a broader membership including other stakeholders, marketing agencies and grower/producer organizations (p. 141). Again, it is clear that a proactive role is not geared towards the application and review processes.

While these suggestions discussed may be useful in improving how the AAC is used to manage the fringe, the potential leeway provided by provincial and even municipal documents still relegates the AAC’s role to that of an advisory committee. This should not be considered a dismissal of the importance
the AAC has within the process of fringe management, but instead a reassurance that their current role needs to remain as is in order for fringe management to function properly. As discussed earlier in the theoretical framework, discretion is important when managing the fringe and should not be taken away from the AAC, but flexibility is also required, which means considering the context of the area along with the application in order to make the correct decision.

3.1.7 Re-evaluating the Fringe
Despite few instances of direct conflict within the minutes of the AAC, the potential of conflict and consideration of both urban and rural sides of the fringe were certainly recurring themes brought forward by planning staff. These themes are important in examining how Kelowna defines its fringe. Much like the section regarding re-evaluating the role of the AAC, this is not intended to chastise, but to consider potential improvements based on the current context, policy and theory.

As discussed in Section 1.2.2.1, the AP currently sets out the parameters for an ‘urban – rural/agricultural boundary’ that was based around the current ALR, even though the map in Appendix A.2 shows some deviation. This has created a dichotomy of land between land within the ALR, and thus within the boundary, and land that is not in the ALR. This concept has been discussed briefly in the theoretical framework and was also found within the AAC meetings, as mentioned in section 3.1.2.

The recent document produced by the Ministry of Agriculture titled ‘Guide to Edge Planning’ (2009), as stated in the context, describes the process of developing edge planning areas (EPAs). These are special policy zones where edge planning techniques can be applied on both sides of the ALR so that urban and rural areas will have a “shared responsibility” in working towards mitigation of fringe conflict. This is intended to “soften the hard ALR edge with buffering, sensitive subdivision design, and management of certain farm practices” (p. 6). The Ministry of Agriculture feels the ALR should be the initial focus as it is “fixed” and thus a relatively stable boundary. There may be considerations for areas outside the ALR.
that require attention as well. The size of the EPA should be a minimum of 600 metres that crosses the ALR and at least 300 metres on either side of each interface (p.8). It is understood that the size should vary depending on the location along the ALR and that the implementation of an EPA should be customized to the specific city context.

Even though Kelowna defines the city’s fringe simply by a boundary line along the ALR, planning staff during the AAC meetings often review applications with a large area of consideration through examining the potential conflicts that could arise with surrounding properties, as discussed previously. Furthermore, Kelowna also considers applications that are within 100 metres of the current ALR as relevant to the AAC, which also indicates a leaning towards an Edge Planning Area like process. However, the lack of discussed conflict on the urban side of the interface may also indicate a lack of ‘shared responsibility’ and therefore a possible bias towards agricultural interests. Despite the proactive nature of planning staff, defining the fringe by the ALR may still be a concern.

One definite concern is Kelowna’s spatial properties and that the fringe is not solely made up of agricultural areas. The precedent of ALR land being removed and developed, which has resulted in Kelowna’s current morphology does not correspond to a confidence that the ALR is a fixed entity and thus a good growth boundary. As was seen in the future growth plans for Kelowna, existing and new neighbourhoods are being planned inside the ALR and thus inside the urban-rural/agricultural boundary. Furthermore, a fringe is not one element, such as agricultural, but is a conglomeration of rural residential, industry, infrastructure and other fringe elements, as discussed in the theoretical framework in Section 1.1.1. The suggestion to have a larger contingent of stakeholders on the AAC by the province, discussed in the previous section, also suggests that the fringe is larger than what can be contained by the ALR and the immediate surrounding areas.
Even in their ‘Planning for Agriculture’, the ALC states that “together, the ALR AND clearly defined urban growth boundaries will assure the integrity of the urban / agricultural ‘edge’, and provide a context for applying land use policy and design principles which lessen land use conflict”³ (chapter 8). If the ALR boundary is used, urban areas will expand to meet the boundary, creating the possibility for increased conflict. Furthermore, since the ALR was created in the 1970s for agricultural protection it may not be the correct growth boundary for Kelowna today. Growth boundaries that are too lenient will likely result in low densities, while growth boundaries that are too strict will likely promote leap frog development.

As discussed in the theoretical framework, the current theories regarding the fringe warn about drawing a line on a map and stating it represents the fringe (Gallent, et al., 2006), but the provincial EPAs may at least be a step in the right direction despite still using the ALR as a basis. While defining the edge by the ALR does create a dichotomous divide and not a unique landscape, the provincial EPAs do account for a non-uniform fringe. The expanse of the EPA on both sides of the ALR can then also contain a landscape of various size, density and content, which will include more of the fringe and not solely agricultural land.

Therefore, although the provincial EPAs are not to the extreme of Gallent’s more progressive definitions of the fringe, it is arguably better than the current ALR definition used by Kelowna. As discussed, planning staff may already be incorporating some elements of the EPA into their work, but a more formal adoption of this policy will be needed to benefit fully.

### 3.2 Obstacles to Kelowna’s Fringe Planning

Despite the potential for improvement to the role and responsibilities of the AAC and how the fringe is defined, there are many obstacles that still need to be overcome in order to achieve these improvements. Some will need to be resolved before improvements occur and others are likely to

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³ Emphasis added.
continue in perpetuity based on historical precedence. Earlier in the theoretical framework, Daniels’ obstacles of fringe management (1999) were examined in a broad sense. Briefly, these will be re-examined in the context of Kelowna and based on all the analysis thus far.

### 3.2.1 Fragmented and overlapping governments

While Kelowna’s AAC may wish to take on a larger role than policy dictates, the overall organization and structure of applications destined for the ALC is quite logical and does not seem to be a large contributor to the issues regarding Kelowna’s fringe. Furthermore, the communication between the AAC and the ALC seems to be present and, while there can always be better coordination, this does not seem like the cause of the issues concerning the AAC. Everyone simply needs to be aware of their role in the process and to do the job assigned to them.

### 3.2.2 The Size of Fringe Areas

Kelowna has a long ALR border and the spatial qualities of the fringe create a large fringe management area. The upcoming new growth proposed for the city will further increase the size of the fringe as more urban areas press up to current agricultural land, likely resulting in more speculative pressure and less active farms. It seems that the size of the fringe will be an increasing problem, as the history of Kelowna has shown, unless something is done to move growth away from expansion and more towards higher density development and using space more efficiently.

### 3.2.3 Rapid Population Growth and Scattered New Development

Despite a recent downturn in the economy, Kelowna continues to grow at a steady pace that will put a strain on staff and infrastructure in an attempt to plan for such rapid development. The issues of sprawl have been with the city since the 1970s and the recent explosion of population had continued to contribute to the challenge. Leap frog development is also an ongoing issue. Developments like Tower Ranch are being planned entirely in the ALR and to the east of other developments, separated from the rest of the city. It is difficult to promote the preservation of agriculture while openly planning for its
destruction. These proposed expansions of development in the fringe by the future growth plans directly conflict with sections of the OCP and the AP.

3.2.4 Limited planning resources
While the critique of the fringe above suggests the failure to follow municipal and provincial policy and a theoretical basis in support of a more stringent defining of fringe areas, it may have been a result of limited planning resources. There may not have been time and money to adequately gauge and delineate a fringe that better reflects the real context of Kelowna’s spatial qualities. Defining the fringe by the ALR may have been the best available option at the time. However, the planning resources have been in place to limit most of the issues occurring.

3.2.5 Outdated planning and zoning
The other obvious problem for Kelowna is that the AP that defines the fringe and determines much of their future growth areas and policy is from 1998. The recent provincial documents and increased interest in the fringe has only occurred in the last few years. With Kelowna’s rapid growth, the lack of up to date plans, and little revision to growth boundaries will have a detrimental effect on fringe management.

3.3 Summary
This chapter analyzed the results of the content analysis that was examined in the context of Kelowna and fringe theory. Conflict along the fringe was limited to general pressures caused by the urban and rural land use interface. Farm side conflict was much more prominent than urban side conflict. Applicants often used only agricultural conditions of their property to convince the AAC, and so did the AAC in making their decisions. Based on certain applications, it was suggested that the AAC may be confused in their role or that they have a bias to pro-agricultural ideals. Therefore, a review of their role was examined, but it was determined that the advice that they are required to provide is still their
primary function and must be done correctly for the fringe management process to be successful. This is imperative as the ALC highly regards the advice from local advisory committees. While Kelowna’s plans and policy are outdated, they should be currently adequate to deal with the problems facing Kelowna and any revisions to be consistent with provincial policy would simply improve the process already in place.
4 Conclusions and Recommendations

The challenges facing Kelowna are related more to their spatial qualities than to a systemic issue or a lack of policy. The current developmental patterns are not sustainable or conducive to proper fringe management. The spatial form of the city creates a difficult job for planning staff and those charged with attempting to alleviate the historical trend of conflict at the fringe. The historical precedent set may prevent a dramatic shift, but small changes made to the role of the Agricultural Advisory Committee (AAC) and fringe policy can result in a mitigation of conflict and a much improved fringe.

The recommendations that will be discussed are:

4.1. Further research on the role of the AAC and the interaction between local AACs, council and the ALC at the provincial level.
4.2. Kelowna needs to reassess the role of the AAC and possibly expand its role.
4.3. Update the Agricultural Plan to better reflect current provincial edge management practices.

4.1 Further Research

This report focuses on the local advisory committee, and thus the council and the Agricultural Land Commission’s (ALC) relationship with the AAC was only briefly explored. There needs to be a further examining of this interaction and the impact it can have on the development process. Secondly, a continued look at the supportive role of the AAC in fringe management compared to the relative weight given to their recommendations must be considered. Due to their supportive function, the policy and terms of reference related to their role may not be as strictly enforced as other governing bodies, despite the influence it may have on the decision making process.

4.2 Reassessment of the Role of the AAC

The AAC should be allowed to take a more proactive role, but also must follow current policies regarding how it reviews applications destined to the ALC. The Agricultural Plan’s (AP) suggestion that the AAC aid
in ensuring current policy is insightful, as this seems to be an issue in Kelowna. The AP also suggested an expanded committee involving more stakeholders. This could result in further tension and arguments within the committee, as opposed to providing better advice and representation to the farming community. Changing the number of stakeholders within the AAC may be not be required if they follow current policies.

4.3 Updating of Planning Documents
Currently the Official Community Plan (OCP) in Kelowna is being updated. However, the early drafts indicate similar policies that have existed in previous OCPs, which have failed to live up to their goals and objectives. The OCP also focuses on broad policies that may not be narrow enough to adequately resolve issues related to the fringe. Therefore the AP, with policies more directly related to the management of the fringe, should be the focus of a revision in the near future. Even though current policies within the AP are most likely adequate for the majority of the AAC’s current role, an updated AP reflecting the provincial edge planning policies, such as Edge Planning Areas that contain land on both sides of the ALR, will have a much greater impact on the fringe issues of Kelowna. This will help ensure that both farm side and urban side concerns are considered during the application process. Although planning resources may be strained, this should be a priority.

The use of Edge Planning Areas will also allow for an expanded role for the AAC as they will be responsible for more land that is relevant to their role in review of applications. These two tools, Edge Planning Areas and a fully efficient AAC that follows its mandate will help ensure proper fringe management and a mitigation of fringe conflict.
References


City of Kelowna, AAC Terms of Reference


Momer, B. (1998). The small town that grew and grew and ... A look at rapid urban growth and social issues in Kelowna, British Columbia, Canada. *Themes and Issues of Canadian Geography II*


List of Appendixes

Appendix A

1. Topographic Map of Kelowna
2. City of Kelowna Municipal Boundaries
3. Agricultural Land Reserve Exclusions and Application Refusals
4. Future Housing Distributions for Kelowna

Appendix B

1. Example of Agricultural Advisory Minutes

Appendix C

1. Agricultural Advisory Committee Matrix

Appendix D

1. Example of a City Memorandum on Development Applications
Appendix A

1. Topographic Map of Kelowna
2. City of Kelowna Municipal Boundaries
3. Agricultural Land Reserve Exclusions and Application Refusals
4. Future Housing Distributions for Kelowna
1. Example of Agricultural Advisory Minutes

**AGRICULTURAL ADVISORY COMMITTEE**

Minutes of the Open Meeting

**Data:** Thursday, June 12, 2008  
**Time:** 7:00 p.m.  
**Location:** Council Chambers, City Hall, Kelowna

**In attendance:**  
Ed Henkel (Chair), Domenic Rampone, Graeme James, Lorne Antle, Pierre Calissi

**Absent:**  
Leo Gebert

**Staff:**  
Planner, Cory Gain

**Recording Secretary:**  
Sandi Horning

(*Denotes partial attendance*)

**I. CALL TO ORDER**

The Chair called the meeting to order at 7:02 p.m.

Opening Remarks were read by Planning Staff regarding Conduct of the Meeting.

**II. DEVELOPMENT APPLICATIONS**

**ITEM 1. Location/Legal:** 3751 McCulloch Road  
**Application No:** A08-0002  
**Applicant/Owner:** Hans & Sharon Affeld  
**Purpose:** To obtain approval from the Agricultural Land Commission to subdivide the subject 4.47 ha (11.02 ac) parent parcel, under Section 21(2) of the Agricultural Land Commission Act, creating a 3.20 ha (7.9 ac) and 1.27 ha (3.1 ac) lot.

**Staff:**
- The designation of this property, and other properties on the south side of McCulloch Road, was established by adoption of the 1995 Official Community Plan and was heavily influenced by sector plans such as the Southeast Kelowna Sector Plan (1994) with no objections from the Agricultural Land Commission.
- The current Official Community Plan delineates the northern portion of the subject property for residential development.
- The Agricultural Plan also identifies a portion of the subject property adjacent to McCulloch Road as potential ALR lands for non-farm use.
- The Agriculture Plan and OCP would require buffers from any adjoining agricultural parcels with the buffer created on the urban side of the interface.

Applicant:
- The Applicant was not present.

AAC/Staff Discussion:
- Staff confirmed that the property in question is entirely within the Agricultural Land Reserve.
- A discussion took place regarding the Agricultural Advisory Committee’s and Agricultural Land Commission’s decisions with respect to the adjoining property (to the west) of the subject property.
- A Member made an inquiry with respect to what has happened to the idea of having roads as buffers and was concerned that this application may set a precedent in other areas if the Committee approves it.
- Staff confirmed that the current property owners have owned the property since 1974.

RECOMMENDATION

Moved by Dominic Rampone/Seconded by Graeme James

THAT the Agricultural Advisory Committee NOT support Application No. A08-0002 for 3761 McCulloch Road, by Hans & Sharon Affeld to obtain approval from the Agricultural Land Commission to subdivide the subject 4.47 ha (11.02 ac) parent parcel, under Section 21(2) of the Agricultural Land Commission Act, to create a 3.20 ha (7.9 ac) and a 1.27 ha (3.1 ac) lot.

CARRIED

AAC Comments:
- The Agricultural Advisory Committee feels that this application is not an appropriate subdivision with the Agricultural Land Reserve. Residential subdivisions in ALR lands are simply not appropriate.

III. MINUTES

Moved by Pierre Calissi/Seconded by Graeme James

THAT the Agricultural Advisory Committee approves the Minutes of the Meeting for the Agricultural Advisory Committee Meeting of May 8, 2008.

CARRIED

IV. CORRESPONDENCE

1. Correspondence from the Ministry of Agriculture and Lands.

Staff advised Members to forward their comments to Carlie Ferguson in the Planning Department (cferguson@kelowna.ca).
Staff further advised that this item is for “information only” at this time and that additional feedback will be sought when a text amendment to the A1 Agriculture Zone of the City of Kelowna Zoning Bylaw 8000 is brought forward by staff later this summer.

V. OLD BUSINESS

1. City of Kelowna Agricultural Advisory Committee response to the request from the Manager of the Strengthening Farming Program of the Ministry of Agriculture and Lands to comment on potential topics for discussion at the 2009 AAC workshop and the format of future workshops.

Dominic Rampone advised that he did not receive a copy of the package as he was not present at the last Agricultural Advisory Committee meeting.

A brief discussion took place regarding potential topics for discussion at the 2009 ACC workshop and the format of future workshops. Staff made notes of the discussion and will provide a draft letter for the Committee’s review in due course.

2. Copy of the correspondence sent to the Agricultural Land Commission on behalf of the AAC as directed at the May 8, 2008 meeting requesting a meeting with both the Okanagan Panel and the Patrol Officer(s) responsible for the Okanagan region when they are in close proximity to Kelowna.

Staff advised that a letter has been sent to the Agricultural Land Commission requesting a meeting with both the Okanagan Panel and the Patrol Officer(s) responsible for the Okanagan Region; however a response has not yet been forthcoming. As soon as staff have received a response, they will let the Committee know.

The Chair advised that he has spoken with Gerry Zimmerman and Mr. Zimmerman is anxious to meet with the Committee; however due to his schedule, he is tied up for the next three (3) weeks and would welcome a meeting any time thereafter.

3. Copy of the correspondence sent to the Mayor’s Office requesting a meeting of the AAC with Council prior to the next election.

Staff advised that an e-mail was forwarded to the Mayor’s Office requesting a meeting with Council prior to the next election. Staff have now been advised, via telephone, that the Mayor and/or City Manager would be happy to meet with the Committee during their July 10th meeting. One of the Members commented that he would really like to meeting with some of the Councillors as well as the Mayor and City Manager and suggested that an “informal” luncheon meeting would be more appropriate rather than just having the Mayor and/or City Manager attend a formal meeting of the Committee.

Staff suggested that a general invitation to the Mayor, City Manager and all Councillors be done requesting that they attend the next meeting.
Staff will attend to the necessary invitations and report back to the Committee via e-mail.

4. Progress report from the Transportation Division on the status of Swamp Road as it impacts agriculture.

Staff provided an update regarding the status of Swamp Road as it impacts agriculture. The Members commented on the response from the Transportation Division and advised that they felt the response did not address all of the Committee’s concerns. A suggestion was made that Transportation Division staff be invited to attend the July AAC meeting in order to better address the Committee’s concerns.

A Member also expressed a concern regarding the closure of Benvoulin Road at the roundabout and questioned whether or not the property owners and farmers were notified in advance of the closure. The Member felt that there was an absolute disregard for the farmers in this area when closing this road at this time of year (hay time).

The Chair inquired how the current OCP review process will affect agriculture and staff advised that the Planner Specialist assigned to the OCP review process has confirmed that he will be addressing the Committee in due course.

V. **REFERRALS**

Z08-0045 & S08-0047 – 1305 Highway 33

Staff provided the proposed subdivision design to the Members for comment and noted that the Committee did not support a previous subdivision application for the property as the Members felt that the property could be used for agriculture and that the previous application did not satisfy the conditions necessary for support since there is no perceived benefit to agriculture through such a subdivision.

Staff further advised that the Agricultural Land Commission did not support the previous subdivision application either; however, they did suggest a form of subdivision that they may support. Accordingly, the subdivision plan provided for comment is exactly what the Agricultural Land Commission said would be acceptable.

Staff confirmed that the Ministry of Transportation received a copy of this subdivision referral for comment at the same time as the Agricultural Advisory Committee as this subdivision may get caught up in the Highway 33 widening process that the Ministry of Transportation is currently conducting.

Staff confirmed that the Committee’s comments will be provided to the Subdivision Approving Officer only and not forwarded to the Agricultural Land Commission as with other applications.
The Members do not feel that this is an appropriate subdivision within the Agricultural Land Reserve as there is no benefit to agriculture; therefore, the Committee is strongly opposed to this subdivision.

VI. TERMINATION OF MEETING

Prior to terminating the meeting, it was noted that Cory Gain is leaving the Planning Department to take on a new role with the City in the City Clerk’s Division. Accordingly, the Committee Member thanked Cory Gain for her dedication to the Committee and wished her the best in her new endeavors.

The Chair declared the meeting terminated at 7:57 pm.

__________________________________________
Ed Henkel, Chair

/sh
### Appendix C

#### 1. Agricultural Advisory Committee Matrix 2008

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<td>Owner</td>
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<td>Did not comply with OCP policies</td>
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<td>有条件 of continued agricultural activity</td>
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**Acronyms and Definitions**

* Section 21(2) of ALC Act  
** Section 30(1) of ALC Act  
*** Section 20(3) of ALC Act  
OCP - Official Community Plan  
AP - Agricultural Plan  
ALC - Agricultural Land Commission  
Deferred - App. deferred to a subsequent meeting  
Rered - App. revisited in a subsequent meeting  
Withdrawn - App. will not be considered
## 2. Agricultural Advisory Committee Matrix 2009

<table>
<thead>
<tr>
<th>Date</th>
<th>App. Num.</th>
<th>Owner / Rep</th>
<th>Type of App.</th>
<th>Rationale</th>
<th>Typology of Conflict</th>
<th>Policy Invoked</th>
<th>Rationale / Recommendations</th>
<th>Supported Application</th>
<th>Against AAC</th>
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<td>AP and OCP - Not in support</td>
<td>Express concern of urban expansion into agri. Areas x No benefit to agriculture; pressure on urban/rural boundary</td>
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<tr>
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<td>New Farm use***</td>
<td>Limited agricultural capability of land</td>
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<td>AP and OCP - Not in support</td>
<td>Non-farm use can degrade available land base for agri. x contradictions in the L.C. due to golf courses in area</td>
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<td>Limited agricultural capability of land</td>
<td>General - Urban/rural interface</td>
<td>AP and OCP - Not in support</td>
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<td>Subdivide*</td>
<td>Limited agricultural capability of land</td>
<td>General - Urban/rural interface</td>
<td>AP and OCP - Not in support</td>
<td>Subdivision can degrade available land base for agri. x Degrade available farmland due to smaller lots</td>
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<td>General - Urban/rural interface</td>
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<td>N/A / N/A</td>
<td>N/A / N/A</td>
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<td>None</td>
<td>General - Urban/rural interface</td>
<td>AP and OCP - Not in support</td>
<td>Express concern of urban expansion into agri. Areas x Removes land from agricultural land base, concern over no buffer</td>
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<td>N/A / N/A</td>
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<tr>
<td>08/10/2009</td>
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<td>New Farm use***</td>
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<td>AP and OCP - Not in support</td>
<td>Express concern of urban expansion into agri. Areas x Removes land from agricultural land base</td>
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<td>N/A / N/A</td>
<td>N/A / N/A</td>
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<td>Subdivide*</td>
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</table>

**Acronyms and Definitions**
- AAP - Agricultural Advisory Committee
- ALC - Agricultural Land Commission
- OCP - Official Community Plan
- AP - Agricultural Plan

* Section 21(2) of ALC Act
** Section 30(1) of ALC Act
*** Section 20(3) of ALC Act

OCP - Official Community Plan
AP - Agricultural Plan
ALC - Agricultural Land Commission

Deferred - App. deferred to a subsequent meeting
Withdrawn - App. not considered

Appendix - 64
### Appendix C: Agricultural Advisory Committee Matrix 2010

<table>
<thead>
<tr>
<th>Application</th>
<th>Applicant</th>
<th>Staff</th>
<th>Council</th>
<th>ALC</th>
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</thead>
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<td>Subdivide*</td>
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<td>Non-farm use***</td>
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</table>

**Acronyms and Definitions**

- *Section 21(2) of ALC Act*
- **Section 30(1) of ALC Act**
- ***Section 20(3) of ALC Act**
- OCP - Official Community Plan
- AP - Agricultural Plan
- ALC - Agricultural Land Commission
- Def - Application deferred to a subsequent meeting
- Redis - Application revised in a subsequent meeting
- Withdrawn - Application will not be considered
- Withdrawn - Application will not be considered
<table>
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<tr>
<th>Application</th>
<th>Applicant</th>
<th>Owner / Rep.</th>
<th>Type of App.</th>
<th>Rationale</th>
<th>Typology of Conflict</th>
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<td>None</td>
<td>AP and ALC - in support</td>
<td>AP supports homesite severance</td>
<td>X</td>
<td>X X</td>
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<td>Owner</td>
<td>Homesite severance</td>
<td>None</td>
<td>None</td>
<td>AP and ALC - in support</td>
<td>AP supports homesite severance</td>
<td>X</td>
<td>None provided</td>
<td>X Withdrawn</td>
</tr>
<tr>
<td>12/09/2008</td>
<td>A09-0015</td>
<td>Owner</td>
<td>Subdivide</td>
<td>None - Applicant not present</td>
<td>General - urban/rural interface</td>
<td>AP and OCP - Not in support</td>
<td>Limit to open space or crop diversity</td>
<td>X Subdivide within ALC not appropriate</td>
<td>X X X</td>
<td></td>
</tr>
<tr>
<td>08/10/2008</td>
<td>A09-0016</td>
<td>Owner</td>
<td>Subdivide</td>
<td>Limited agricultural capability of land</td>
<td>General - urban/rural interface</td>
<td>AP and OCP - Not in support</td>
<td>Fringe benefits of urban expansion</td>
<td>X With the condition that similar added to ALC</td>
<td>X X</td>
<td></td>
</tr>
<tr>
<td>16/11/2009</td>
<td>A09-0017</td>
<td>Consultant</td>
<td>Subdivide</td>
<td>Current farming will not be interrupted</td>
<td>General - urban/rural interface</td>
<td>AP and OCP - Not in support</td>
<td>Fringe benefits of urban expansion are inapplicable</td>
<td>X Constant creates net benefit to agriculture</td>
<td>X</td>
<td>N/A</td>
</tr>
<tr>
<td>11/08/2009</td>
<td>A09-0018</td>
<td>Owner</td>
<td>Subdivide</td>
<td>Limited agricultural capability of land</td>
<td>General - urban/rural interface</td>
<td>AP and OCP - Not in support</td>
<td>Fringe benefits of urban expansion are inapplicable</td>
<td>X Degrade available farmland due to smaller lots</td>
<td>X X X</td>
<td>N/A</td>
</tr>
<tr>
<td>12/11/2009</td>
<td>A09-0019</td>
<td>Consultant</td>
<td>Subdivide</td>
<td>Excessive pressure due to urban expansion</td>
<td>Special benefits</td>
<td>AP and OCP - Not in support</td>
<td>Fringe benefits of urban expansion are inapplicable</td>
<td>X Constant of agr. land would create problem</td>
<td>X</td>
<td>N/A</td>
</tr>
<tr>
<td>11/21/2010</td>
<td>A09-0020</td>
<td>Owner</td>
<td>Subdivide</td>
<td>None - Applicant not present</td>
<td>General - urban/rural interface</td>
<td>AP and OCP - Not in support</td>
<td>Fringe benefits of urban expansion are inapplicable</td>
<td>X Degrade available farmland due to smaller lots</td>
<td>X X</td>
<td></td>
</tr>
<tr>
<td>11/25/2010</td>
<td>A09-0021</td>
<td>Owner</td>
<td>Subdivide</td>
<td>Land currently not used for farming</td>
<td>General - urban/rural interface</td>
<td>AP and OCP - Not in support</td>
<td>Fringe benefits of urban expansion are inapplicable</td>
<td>X Degrade available farmland due to smaller lots</td>
<td>X</td>
<td>N/A</td>
</tr>
<tr>
<td>11/29/2010</td>
<td>A09-0022</td>
<td>Owner</td>
<td>Subdivide</td>
<td>Current farming will not be interrupted</td>
<td>General - urban/rural interface</td>
<td>AP and OCP - Not in support</td>
<td>Fringe benefits of urban expansion are inapplicable</td>
<td>X Degrade available farmland due to smaller lots</td>
<td>X</td>
<td>N/A</td>
</tr>
<tr>
<td>13/10/2010</td>
<td>A09-0023</td>
<td>Owner</td>
<td>Subdivide</td>
<td>Excessive pressure due to urban expansion</td>
<td>General - urban/rural interface</td>
<td>AP and OCP - Not in support</td>
<td>Fringe benefits of urban expansion are inapplicable</td>
<td>X Visible farmland</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>14/10/2010</td>
<td>A09-0024</td>
<td>Consultant</td>
<td>Subdivide</td>
<td>Limited impact on surrounding farmland</td>
<td>General - urban/rural interface</td>
<td>AP and OCP - Not in support</td>
<td>Fringe benefits of urban expansion are inapplicable</td>
<td>X No benefit to agriculture</td>
<td>Defined</td>
<td>N/A</td>
</tr>
<tr>
<td>12/09/2010</td>
<td>A09-0025</td>
<td>Owner</td>
<td>Subdivide</td>
<td>None - Applicant not present</td>
<td>General - urban/rural interface</td>
<td>AP and OCP - Not in support</td>
<td>Fringe benefits of urban expansion are inapplicable</td>
<td>X Condition of continued agricultural activity</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>11/11/2010</td>
<td>A09-0026</td>
<td>Developer</td>
<td>Exclusion / Recluse</td>
<td>None - Applicant not present</td>
<td>General - urban/rural interface</td>
<td>Special benefits</td>
<td>Fringe benefits of urban expansion are inapplicable</td>
<td>X No benefit to agriculture, pressure on urban/rural boundary</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>05/03/2009</td>
<td>A09-0027</td>
<td>Consultant</td>
<td>Exclusion</td>
<td>Limited agricultural capability of land</td>
<td>General - urban/rural interface</td>
<td>AP and OCP - Not in support</td>
<td>Fringe benefits of urban expansion are inapplicable</td>
<td>X More productive farming will result</td>
<td>X</td>
<td>N/A</td>
</tr>
<tr>
<td>13/08/2009</td>
<td>A09-0028</td>
<td>Consultant</td>
<td>Exclusion</td>
<td>Limited agricultural capability of land</td>
<td>General - urban/rural interface</td>
<td>AP and OCP - Not in support</td>
<td>Fringe benefits of urban expansion are inapplicable</td>
<td>X</td>
<td>N/A</td>
<td>X</td>
</tr>
<tr>
<td>11/08/2009</td>
<td>A09-0029</td>
<td>Owner</td>
<td>Exclusion</td>
<td>Excessive pressure due to urban expansion</td>
<td>General - urban/rural interface</td>
<td>AP and OCP - Not in support</td>
<td>Fringe benefits of urban expansion are inapplicable</td>
<td>X Limited agricultural capability of land base for ag</td>
<td>X</td>
<td>N/A</td>
</tr>
<tr>
<td>08/20/2009</td>
<td>A09-0030</td>
<td>Owner</td>
<td>Exclusion</td>
<td>None</td>
<td>General - urban/rural interface</td>
<td>AP and OCP - Not in support</td>
<td>Fringe benefits of urban expansion are inapplicable</td>
<td>X Land would be farmland</td>
<td>X X</td>
<td>N/A</td>
</tr>
<tr>
<td>08/29/2010</td>
<td>A09-0031</td>
<td>Consultant</td>
<td>Exclusion</td>
<td>Limited agricultural capability of land</td>
<td>None</td>
<td>None</td>
<td>AP and OCP - Not in support</td>
<td>Fringe benefits of urban expansion are inapplicable</td>
<td>X</td>
<td>N/A</td>
</tr>
<tr>
<td>09/10/2009</td>
<td>A09-0032</td>
<td>Owner</td>
<td>New farm use</td>
<td>None</td>
<td>General - urban/rural interface</td>
<td>AP and OCP - Not in support</td>
<td>Fringe benefits of urban expansion are inapplicable</td>
<td>X Guaranteed no to council ALC</td>
<td>N/A</td>
<td>X</td>
</tr>
<tr>
<td>05/11/2009</td>
<td>A09-0033</td>
<td>Consultant</td>
<td>New farm use</td>
<td>Land currently not used for farming</td>
<td>General - urban/rural interface</td>
<td>AP and OCP - Not in support</td>
<td>Fringe benefits of urban expansion are inapplicable</td>
<td>X Limited impact on surrounding farmland</td>
<td>X</td>
<td>X X</td>
</tr>
<tr>
<td>11/08/2009</td>
<td>A09-0034</td>
<td>Owner</td>
<td>New farm use</td>
<td>Limited agricultural capability of land</td>
<td>General - urban/rural interface</td>
<td>AP and OCP - Not in support</td>
<td>Fringe benefits of urban expansion are inapplicable</td>
<td>X Limited impact on surrounding farmland</td>
<td>X X</td>
<td>N/A</td>
</tr>
<tr>
<td>08/20/2009</td>
<td>A09-0035</td>
<td>Owner</td>
<td>New farm use</td>
<td>None</td>
<td>General - urban/rural interface</td>
<td>AP and OCP - Not in support</td>
<td>Fringe benefits of urban expansion are inapplicable</td>
<td>X Limited impact on agricultural</td>
<td>X X</td>
<td>N/A</td>
</tr>
<tr>
<td>08/20/2009</td>
<td>A09-0036</td>
<td>Owner</td>
<td>New farm use</td>
<td>None - Applicant not present</td>
<td>General - urban/rural interface</td>
<td>AP and OCP - Not in support</td>
<td>Fringe benefits of urban expansion are inapplicable</td>
<td>X Limited impact on agricultural</td>
<td>X X</td>
<td>N/A</td>
</tr>
<tr>
<td>12/11/2009</td>
<td>A09-0037</td>
<td>Consultant</td>
<td>New farm use</td>
<td>Limited agricultural capability of land</td>
<td>None</td>
<td>None</td>
<td>AP and OCP - Not in support</td>
<td>Fringe benefits of urban expansion are inapplicable</td>
<td>X</td>
<td>N/A</td>
</tr>
<tr>
<td>08/01/2010</td>
<td>A09-0038</td>
<td>Owner</td>
<td>New farm use</td>
<td>Current farming will not be interrupted</td>
<td>General - urban/rural interface</td>
<td>AP and OCP - Not in support</td>
<td>Fringe benefits of urban expansion are inapplicable</td>
<td>X Limited impact on agricultural</td>
<td>X X</td>
<td>N/A</td>
</tr>
<tr>
<td>08/01/2010</td>
<td>A09-0039</td>
<td>Owner</td>
<td>New farm use</td>
<td>Limited agricultural capability of land</td>
<td>General - urban/rural interface</td>
<td>AP and OCP - Not in support</td>
<td>Fringe benefits of urban expansion are inapplicable</td>
<td>X Limited impact on agricultural</td>
<td>X X</td>
<td>N/A</td>
</tr>
<tr>
<td>16/10/2010</td>
<td>A09-0040</td>
<td>Consultant</td>
<td>New farm use</td>
<td>Low impact on surrounding farmland</td>
<td>General - urban/rural interface</td>
<td>AP and OCP - Not in support</td>
<td>Fringe benefits of urban expansion are inapplicable</td>
<td>X Limited impact on agricultural</td>
<td>X X</td>
<td>N/A</td>
</tr>
</tbody>
</table>

4. Agricultural Advisory Committee Matrix by Application Type
1. Example of a City Memorandum on Development Applications

CITY OF KELOWNA
MEMORANDUM

DATE: March 13, 2009
TO: City Manager
FROM: Community Sustainability Division

APPLICATION NO. A08-0012
APPLICANT: Al Stober Construction Ltd.
(Gerry Tonn)

AT: 2045 Summit Drive
OWNERS: Al Stober Construction Ltd.
Ermar Estates Ltd.,
E & I Developments Ltd.,
Jabs Development Ltd.

PURPOSE: TO OBTAIN APPROVAL FROM THE AGRICULTURAL LAND
COMMISSION UNDER SECTION 30(1) OF THE AGRICULTURAL
LAND COMMISSION ACT TO EXCLUDE THE SUBJECT PROPERTY
FROM THE AGRICULTURAL LAND RESERVE FOR FUTURE SINGLE
FAMILY AND MULTI-FAMILY RESIDENTIAL DEVELOPMENT.

EXISTING ZONE: A1 – Agriculture 1
REPORT PREPARED BY: BIRTE DeclouX

1.0 RECOMMENDATION

THAT Agricultural Land Reserve Appeal No. A08-0012 for Lot C, Section 28, Township 26,
O.D.Y.D., KAP 62568, located on Summit Road, Kelowna, B.C. for a subdivision within the
Agricultural Land Reserve, pursuant to Section 30(1) of the Agricultural Land Commission Act,
be supported by Municipal Council;

AND THAT Municipal Council forward the subject application to the Agricultural Land
Commission.

2.0 SUMMARY

The applicant is requesting permission from the Agricultural Land Commission (ALC) to allow
the subject property to be excluded from the Agricultural Land Reserve. The irregularly shaped
property was created by the connection of Summit Drive to the Dilworth Mountain subdivision
(see attached Sketch Plan). The applicant is requesting exclusion in order to pursue single
family and multi-family residential development on the subject property. There are two (2)
RM3 (Low Density Multiple Housing) parcels and 55 RU1 (Large Lot Housing) residential lots
proposed.
3.0 AGRICULTURAL ADVISORY COMMITTEE

At a meeting held on November 13, 2008, the Agricultural Advisory Committee passed the following recommendation:

THAT the Agricultural Advisory Committee NOT support Application No. A08-0012 for 2045 Summit Drive, Lot C, Plan 62558 by Al Stober Construction to obtain approval from the Agricultural Land Commission under Section 30(1) of the Agricultural Land Commission Act to exclude from the Agricultural Land Reserve.

AAC Comment:
The Agricultural Advisory Committee does not see this application as a benefit to agriculture and raised concern with the amount of good farmland being taken out of the ALR. The AAC considers this large parcel ideal for farming given its large size, suitable soil conditions, and accessibility to consumers, which could facilitate on-site farm retail sales.

4.0 BACKGROUND

There is a fairly extensive history pertaining to this site with the creation of Summit Drive. The arterial road was required as part of the Land Use Contract on Dilworth Mountain to provide a second access to the subdivision. The City and the Agricultural Land Commission had lengthy negotiations over the final alignment of the road. Notably, the developer wanted the road as far north as possible to maximize the anticipated amount of land excluded from the ALR to complete the Golfview Estates subdivision. However, the City’s Transportation Department had concerns about the engineering standards of the road. As a result, the final alignment of the road was a compromise. The southern portion remained of sufficient size and quality to be retained within the ALR as per the ALC’s requirements.

Previously in 2002, an application was made to exclude the subject property along with two parcels north of Summit Drive from the ALR. Staff did not support the application as it did not conform to the agreement made during the Summit Drive negotiations. The Agricultural Advisory Committee also did not support the application given high soil and productivity capabilities and policy guidelines. A year later the applicant withdrew their application.

5.0 SITE CONTEXT

The subject property is located in the Glenmore area of Kelowna and is on the south side of Summit Drive. Summit Drive follows the contour of the subject property forming the northern and eastern boundaries of the parcel. Valley Road is on the eastern boundary. The property is within the Agriculture Land Reserve (ALR) and is surrounded to the north by properties within the ALR and by a single family residential area to the south.

The property was historically used as an orchard and there are no existing structures on the site.

Parcel Size: 9.361 ha (22.33 ac)
Elevation: 380 m – 435 m
### 5.1 Zoning of Adjacent Property

<table>
<thead>
<tr>
<th>Region</th>
<th>Zoning Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>A1 – Agriculture 1</td>
</tr>
<tr>
<td></td>
<td>RU1(h)– Large Lot Housing</td>
</tr>
<tr>
<td>East</td>
<td>RU1(h)– Large Lot Housing (hillside)</td>
</tr>
<tr>
<td></td>
<td>A1 - Agriculture 1 (residential with Dillworth Mountain Land Use Contract)</td>
</tr>
<tr>
<td>South</td>
<td>RU1 – Large Lot Housing</td>
</tr>
<tr>
<td></td>
<td>RU1(s) – Large Lot Housing with Secondary Suite</td>
</tr>
<tr>
<td>West</td>
<td>P3 – Parks and Open Space</td>
</tr>
<tr>
<td></td>
<td>CD3 – Comprehensive Development Zone 3</td>
</tr>
<tr>
<td></td>
<td>A1– Agriculture 1</td>
</tr>
</tbody>
</table>

### 5.2 BCLI Land Capability

The subject property has a mix of ratings regarding Land Capability with two notable sections. (see attached Land Capability Map copied from map 82E.093 & 82E.083).

The western portion of the property has a Land Capability of Class 4 (100%) with “soil moisture deficiency” identified as a limiting factor. Consequently, through improvements such as irrigation, the land rating improves to Class 1 (100%) with no limitations. For the eastern portion of the site the Land Capability is Class 5 (100%) with soil moisture deficiencies. Through improvements, this portion of the site can be improved to Class 3 (± 60%) with soil moisture deficiency and “steniness” limitations.

### 5.3 Soil Classification

The soil classification for the subject property includes the following: (see information summarized from soils map 82E.093 & 82E.083).

<table>
<thead>
<tr>
<th>Western 1/3 Portion of the Property</th>
<th>Soil Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>%</td>
<td>GY - Gellaty</td>
<td>Land: thin fluvial veneer over very gently to strongly sloping stratified glaciallacustrine sediments. <strong>Texture:</strong> 10 to 50 cm of loam or sand loam over silt loam or silty clay loam. <strong>Drainage:</strong> well.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Eastern 2/3 Portion of the Property</th>
<th>Soil Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>%</td>
<td>GM – Gammil</td>
<td>Land: very gently to extremely sloping fluvioglacial deposits. <strong>Texture:</strong> 10 to 25 cm of sandy loam or loamy sand over very gravelly loamy sand or very gravelly sand. <strong>Drainage:</strong> rapid.</td>
</tr>
<tr>
<td>20%</td>
<td>PE – Paradise</td>
<td>Land: nearly level to very steeply sloping fluvioglacial deposits. <strong>Texture:</strong> 25 to 60 cm of sandy loam or</td>
</tr>
</tbody>
</table>
6.0 CURRENT DEVELOPMENT POLICY

6.1 City of Kelowna Strategic Plan

To co-exist with the physical environment and minimize negative impacts to air, land and water resources, including Okanagan Lake and the surrounding natural and agricultural areas.

The objective is to sensitively integrate new development with heritage resources and existing urban, agricultural and rural areas.

6.2 Kelowna 2020 – Official Community Plan

11.1.12 Sustained Agriculture. Encourage the retention of diverse agricultural uses through limits on urban development and non-farm use on lands of sustainable production capability.
11.1.14 **Transition Uses.** Consider complementary agricultural uses as a transition between existing urban development and farm operations. Consideration of such uses should not be construed as support for subdivision to smaller parcels.

11.1.17 **Subdivision.** Discourage the subdivision of agricultural land into smaller parcels, except where positive benefits to agriculture can be demonstrated.

6.3 **Glenmore/Clifton/Dilworth Sector Plan (1998)**

The future land use designation for the subject property is identified as Single/Two Unit Residential in the Glenmore/Clifton/Dilworth Sector Plan that was completed in 1998. The plan notes that, should the Land Reserve Commission decide to release the subject property from the Agricultural Land Reserve, the property could be used for single detached dwellings.

6.4 **City of Kelowna Agriculture Plan**

The Agriculture Plan (December 1998) page 116 clearly supports this application as follows:

“Land to the south of the proposed extension of Summit Drive from Valley Road to Dilworth Mountain has been previously identified as future development land for the logical extension of the Golfview subdivision, with the new road forming the urban-rural boundary. Land Commission support for this ideal with a road location as far south as possible. Subsequently, a more northerly road location was agreed upon, however, the Land Commission approval of the road location required that land south of the road be consolidated and remain in the ALR. Previous City consideration of this idea was originally part of the exercise in negotiating the purchase of the road right-of-way and it is felt that the City position should not change as an indication of good faith in this matter, but the OCP should be amended to reflect the retention of this land in the ALR at this time.”

**Defined Urban - Rural/Agricultural Boundary.** Confirm support for the Agricultural Land Reserve and establish a defined urban - rural/agricultural boundary, as indicated on Map 14 - Urban - Rural/Agricultural Boundary, utilizing existing roads, topographic features, or watercourses wherever possible.

**Farmland Preservation.** Direct urban uses to land within the urban portion of the defined urban – rural / agricultural boundary, in the interest of reducing development and speculative pressure, toward the preservation of agricultural lands and discourage further extension of existing urban areas into agricultural lands.

Notwithstanding this general policy direction in the Agriculture Plan there is also specific policy wording added by Council in this section as follows (page 127):
Summit Drive. Continue to support the future urban use of land south of the extension of Summit Drive from Valley Road to Dilworth Mountain at this time, pending on-going discussions with the Land Commission.

7.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS

This application seeks to expand the residential development that presently exists to the south of the subject property by creating 55 single family lots and 2 multi-family developments. Exclusion of this property would facilitate this proposed subdivision and trigger the requirement for an Official Community Plan amendment to permit the multi-family development.

The applicant is asking the City to honour a past commitment as explained in the 1998 Agriculture Plan to support the exclusion of these lands when the negotiation of the Summit Drive right of way was agreed upon in 1998. The road location of Summit Drive was negotiated with the ALC, but given the more northerly final location of Summit Drive, their approval required the remaining land south of the new alignment to be of sufficient size and productivity to be retained in the ALR.

In 2002, the applicant made an application to exclude the subject property along with two parcels north of Summit Drive from the ALR. Staff did not to support the application as it did not conform to the agreement made during the Summit Drive negotiations. At the time, the AAC did not support the application given high soil and productivity capabilities, and policy guidelines. This current application has been modified to propose exclusion for the southern parcel only and not include the other two parcels north of Summit Drive.

The Agricultural Advisory Committee debated the benefits to agriculture and raised concern with the amount of viable farmland being taken out of the ALR.

At the time of the Agricultural Advisory Committee consideration, three letters of opposition from neighbouring landowners were received in addition to continuing numerous phone calls of concern which highlight the need to preserve the land to provide local food production, as well as to express fear of increased traffic in an area which already experiences high volumes. However, as noted in the policy section and given previous Council direction on this Summit Drive agreement, it is recommended that the ALR application for exclusion be supported.

Approved for Inclusion

Shelley Gambacort
Director of Land Use Management

DN/SG/bcd
ATTACHMENTS

Subject Property – Map ‘A’
ALR Map – Map ‘B’
Land Capability Map – Map ‘D’
Soil Classification Map – Map ‘E’
Application by Land Owner (2 pages)
CITY OF KELOWNA
1435 WATER STREET
KELOWNA, BC
V1Y 1J4

Attention: Ms. Shelley Gambacort
Director of Land Use Management

Dear Shelley;

RE: APPLICATION FOR ALR EXCLUSION ~ LOT C, SECTION 28 & 29, TWP 26, ODYD,
PLAN KAP 62558 - 2045 SUMMIT DRIVE, KELOWNA, BC

Please find enclosed our application for the exclusion of the land described above from the ALR. As you may be aware, this parcel of land was created as a condition of the Provincial Agricultural Land Commission’s approval of the City’s application for authorization to construct Summit Drive through the ALR in 1998. We believe this parcel should be supported by Council for exclusion based on the following considerations:

1. PAST COMMITMENTS OF THE CITY

   • The landowners of Lot C agreed to the sale of the Summit Drive right of way to the City in 1998 on the understanding that the City would support the exclusion of the lands south of the right of way (present Lot C). This support was requested as the construction of a major arterial through the lands greatly compromised the ability to carry on an agricultural use on Lot C.

Suite 410 - 1632 Dickson Avenue, Kelowna, British Columbia V1Y 7T2
Phone: 250-763-2305 Fax: 250-763-4244 Email: info@alstober.com
• Consistent with this understanding, the Council designated Lot C for “Single and Two Family” residential use in its 1986 OCP as well as in the revised OCP in 1995. The parcel was also designated for an urban residential use in the Glenmore Sector Plan in 1989 and the Glenmore/Clifton/Dilworth Sector Plan in 1996.

• The City of Kelowna acted as the agent for the owners in making an application to the Provincial Agricultural Land Commission for the exclusion of Lot C in 1994. The following considerations were identified in the staff report that supported the application:

  ➢ “The re-alignment of Palmer Road (now Summit Drive) is both desired and needed to fulfill Land Use Contract obligations. Palmer Road will provide an integral link to the mountain development as well as diverting traffic away from the already congested Highway #97 corridor. The exclusion of these lands would provide for expedient transfer of the lands for the construction of Palmer Road.

  ➢ The lands have been included in past block appeals by the City of the Agricultural Land Commission. This application is consistent with the City’s long range future plans for this area.

  ➢ The proposed use of the remainder of the land (i.e. present Lot C) is a logical extension of the existing subdivision to the south. It would provide land for residential development that is close to existing services and amenities for the City. Any development in such areas reduces the pressures of development on lands in the outer fringe of the City that are not easily serviced. This also reduces possible conflict between development interests and productive ALR land.”

• The application for ALR exclusion made in 1994 by the City was not approved by the Provincial Agricultural Land Commission.

• Lot C was re-designated from “Single and Two Family Residential Use” to Rural Agriculture in the OCP revision adopted in 2000. This reflected the Provincial Agricultural Land Commission’s requirement that all lands in the ALR be designated for agricultural use before it was prepared to approve the By-law adopting the OCP.
• The Agricultural Plan of the City of Kelowna, adopted in 1998 and still in force, supports a future urban use of land south of the extension of Summit Drive from Valley Road to Dilworth Mountain pending ongoing discussions with the Provincial Agricultural Land Commission.

2. CONSISTENCY WITH PREVAILING CITY PLANS AND POLICIES

Even though Lot C is presently designated as Rural Agriculture in the OCP, other policies of the OCP as well as other adopted plans of the City support a change in the OCP’s present boundary between urban uses and rural/agricultural uses. Summit Drive provides a reasonable and defensible boundary between agricultural lands to the north and urban uses to the south. This is consistent with Policy 5.1.7 in the OCP that supports the definition of urban-rural boundaries by the use of existing roads, topographic features, water courses, ditching, fencing or small lot rural transition areas as buffers to preserve larger farm units and areas. The use of Summit Drive as a defensible boundary between urban and rural/agricultural has long been acknowledged in various previous sector plans, the City’s own agricultural plan as well as in previous OCPs.

The support of the City for the exclusion of Lot C from the ALR reflects is requested to reflect our understanding with the City of Kelowna at the time of the agreement to extend Summit Drive. It is also a reasonable request based on the City’s own prevailing policies as set out in the OCP, the City’s Agricultural Plan, the Glenmore Sector Plan and the Glenmore/Clifton/Dilworth Sector Plan.

Yours truly,

[Signature]

Mark Stoher
Al Stoher Construction Ltd.

MS/AC
Enclosure(s)
Land Capability = Brown/ Soil Class = Green

1:5,000

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