



# AGRICULTURAL ADVISORY COMMITTEE REPORT

To: Agricultural Advisory Committee Members

Date: May 5, 2021

From: Hailey Rilkoff, Planner II

File No: A 21-04

Subject: **A 21-04; ALR Non-Farm Use Application; 1221 Hudson Road**

## BACKGROUND

This application is proposing a non-farm use on a portion of the subject property (1221 Hudson Road) in the form of an Early Learning Program Facility. Only a portion of the property is within the Agricultural Land Reserve (ALR), however almost the entire ALR portion of the property is being used for Hudson Road Elementary School and its ancillary uses (ie. parking, sports fields). The area proposed for the non-farm use is located at the north-western corner of the property, adjacent to Hudson Road and Alhambra Drive.

### PROPERTY DETAILS

<b>Address</b>	1221 Hudson Road		
<b>PID</b>	010-346-961		
<b>Folio</b>	36412732.000		
<b>Lot Size</b>	19.51 acres (78,954.2 m <sup>2</sup> )		
<b>Owner</b>	The Board of School Trustees of School District No. 23 (Central Okanagan)	<b>Agent</b>	Shannon Tartaglia
<b>Current Zoning</b>	P2 – Institutional and Assembly Zone	<b>Proposed Zoning</b>	-
<b>Current OCP</b>	INST - Institutional	<b>Proposed OCP</b>	-
<b>Current Use</b>	Elementary School	<b>Proposed Use</b>	Child Care
<b>Development Permit Areas</b>	Hillside, Sensitive Terrestrial Ecosystem, Wildfire Interface		
<b>Hazards</b>	N/A		
<b>Agricultural Land Reserve</b>	Yes		

### ADJACENT ZONING & LAND USES

<b>North</b>	^	C3 – Gasoline Service Station Commercial Zone
<b>East</b>	>	R1 – Single Detached Residential Zone
<b>West</b>	<	P2 – Institutional and Assembly Zone;

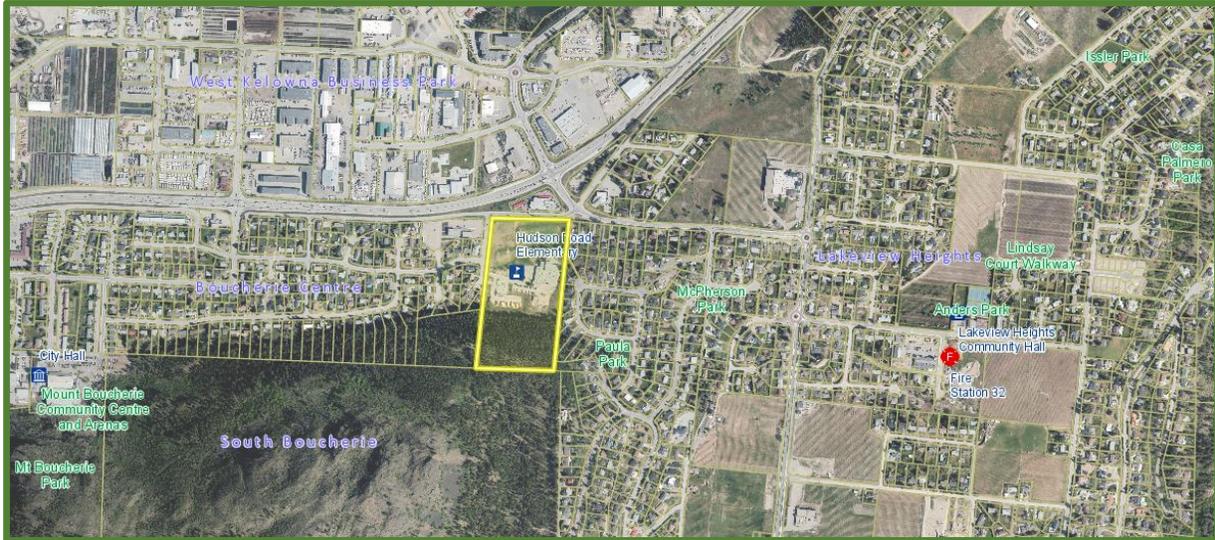
R1 – Single Detached Residential Zone

South

v

P1 – Parks and Open Space (Mt Boucherie Park)

### NEIGHBOURHOOD MAP



### PROPERTY MAP



## DISCUSSION

### Subject Property

The Subject Property (1221 Hudson Road) is located within the Boucherie Centre Neighbourhood and is currently used for an elementary school. Hudson Road Elementary is within School District #23 and has been located on this property for over 40 years and construction of the school took place between 1974 and 1976, shortly after the Agricultural Land Commission (ALC) and Agricultural Land Reserve (ALR) was established. While only a portion of the property is within the ALR, the entirety of the school buildings and ancillary uses such as parking and sports fields are located on the portion of the property within the ALR.

## Background

In 2018, an Exclusion Application was submitted for three ALR properties in West Kelowna owned by School District #23, two operating as elementary schools (Hudson Road Elementary at 1221 Hudson Road and Shannon Lake Elementary at 3044 Sandstone Drive) and one operating as a community centre (Webber Road Community Centre at 2829 Inverness Road). In November of 2018, Council supported the application be forwarded to the ALC for consideration of exclusion of 14.4 ha of land from the ALR.

Ultimately, the ALC did not approve the exclusion application to remove 14.4 ha on the three school district sites from the ALR, however they did support a Non-Farm Use request for the addition of portables to accommodate student growth and also approved that a school could be constructed on the Webber Road site.

## Proposal

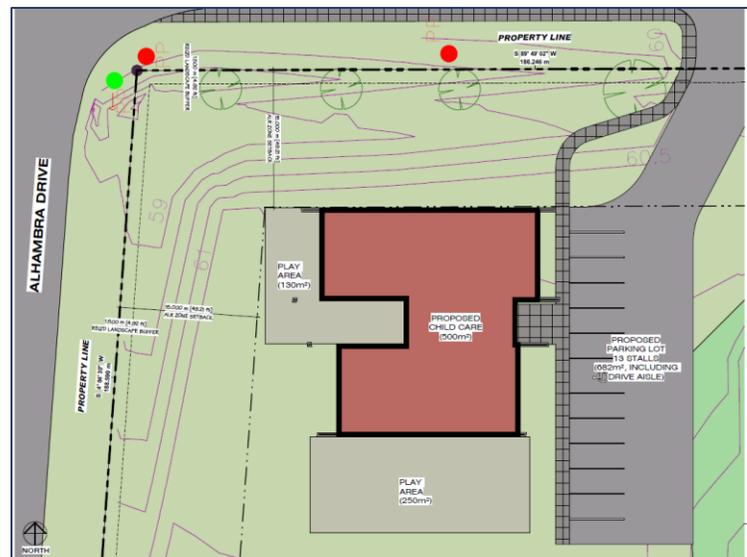
The current proposal is a Non-Farm Use application to construct an Early Learning Program Facility on the Hudson Road Elementary school property (1221 Hudson Road). The facility will be ~500 m<sup>2</sup> and create 92 new child care spaces for the community. There are currently 30 existing before/after school child care spaces provided out of Hudson Road Elementary.

The child care facility will be operated by the Okanagan Boys and Girls Club and will provide the following types of category spaces:

- Group Child Care (Under 36 Months) – 8 spaces
- Group Child Care (30 Months to School Age) – 16 spaces
- Preschool - 20 spaces
- Group Child Care (School Age) - 48 spaces
- **Total Spaces – 92 new child care spaces**

The proposed child care facility has an approximate development footprint of 1,562 m<sup>2</sup> including the building, play areas, parking lot and access which is *Figure 1 - Site Plan of proposed Facility* approximately 2% of the subject property (*Figure 1*). It is proposed that approximately 1,600 m<sup>2</sup> of imported fill material may be required for the development.

School District #23 has applied for provincial funding for the creation of new child care facilities at six schools in the Central Okanagan, including the subject property. Funding decisions should be announced this Spring, and if successful the School District would anticipate construction to begin in 2022.



## Policy & Bylaw Review

### *Official Community Plan Bylaw No. 0100*

The subject property has a future Land Use Designation of *Institutional*. The intent of the *Institutional* Land Use Designation is to provide for institutional uses that support governance, health, culture and learning<sup>1</sup>. Schools, community centres, fire halls, health centres and other associated uses are envisioned for lands with the Institutional designation. The OCP's Institutional objective is to support institutional uses which are accessible to the broader community and complement neighbouring uses<sup>2</sup>. The OCP also speaks to healthy child development being one of the determinants of community health<sup>3</sup>.

### *Agricultural Plan*

The purpose of the City's Agricultural Plan is to define the City's role with respect to agriculture and identify actions to support the viability of farming. The Plan does not speak to ALR lands with existing school operations on them and the three strategies within the plan relate to Education & Promotion, Diversity & Expansion and Conservation & Environmental Sensitivity. Recommendation 11 speaks to the protection of Agricultural Land, however primarily addresses the impacts on agriculturally zoned parcels.

### *Zoning Bylaw No. 0154*

The subject property maintains a non-agricultural zoning designation of *Institutional and Assembly Zone (P2)*. The purpose of this zone is to accommodate institutional, administrative and associated uses and permits Care Facility, Major and Education Facility as permitted principal uses.

The proposed Early Learning Education Facility would meet the City's Zoning Bylaw regulations for development within the P2 Zone, including maximum parcel coverage, building height and required siting regulations.

Uses within the P2 Zone with floor areas greater than 100m<sup>2</sup> require 2.5 parking spaces per 100m<sup>2</sup>. Based on the proposed floor area of the Facility, 13 parking stalls are required. The proposal meets the required off-street parking regulations.

### *Agricultural Land Commission (ALC) Act*

Under Section 20 of the ALC Act, an owner may apply to the ALC for permission under Section 25 for a non-farm use. An application for non-farm use must not proceed to the ALC for consideration unless authorized by a resolution of the local government.

### *Child Care Planning & Needs Assessment*

The City of West Kelowna has recently participated in a co-operative regional Child Care Planning & Needs Assessment for the Central Okanagan with the City of Kelowna, District of Peachland and District of Lake Country. This report provided excellent data on the current state of child care within the region and also provided a detailed needs assessment which identified that a multi-dimensional, community approach is required to improve child care in the region. West Kelowna's annual space creation target over the

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<sup>1</sup> OCP Section 3.3, Table 4 Land Use Designation Summary

<sup>2</sup> OCP Section 3.3.6, Institutional Objective 1.

<sup>3</sup> OCP Section 3.8.5 Public Health and Safety

next 10 years is 306 spaces (23 spaces for ages 0-5 and 283 spaces for ages 6-12), based on population projections and the City's current child care inventory.

### REFERRAL COMMENTS

No referral comments have been received at the time of writing this report. This application has been referred to both internal and external agencies and the comment deadline is Monday May 20, 2021.

### **KEY CONSIDERATIONS**

In providing recommendations to City staff and Council, the AAC may wish to consider the following:

- The subject property has been used as a school by the School District for over 40 years;
- The property has an Institutional designation within the City's Official Community Plan and is zoned for Institutional land uses;
- The ALC has previously approved non-farm uses to expand education related uses on the subject property (ie. Portable classrooms);
- The proposed child care facility would supply needed spaces to meet the identified space creation targets from the Child Care Planning & Needs Assessment.

Specific comments would be appreciated should the AAC have any concerns with the proposed Non-Farm Use Application, so that they may be further investigated or considered prior to staff providing a recommendation to Council as part of consideration of the application.

Respectfully submitted,

Hailey Rilkoﬀ, Planner II

Powerpoint: Yes  No

Attachments:

1. Site Plan
2. Proposal Summary