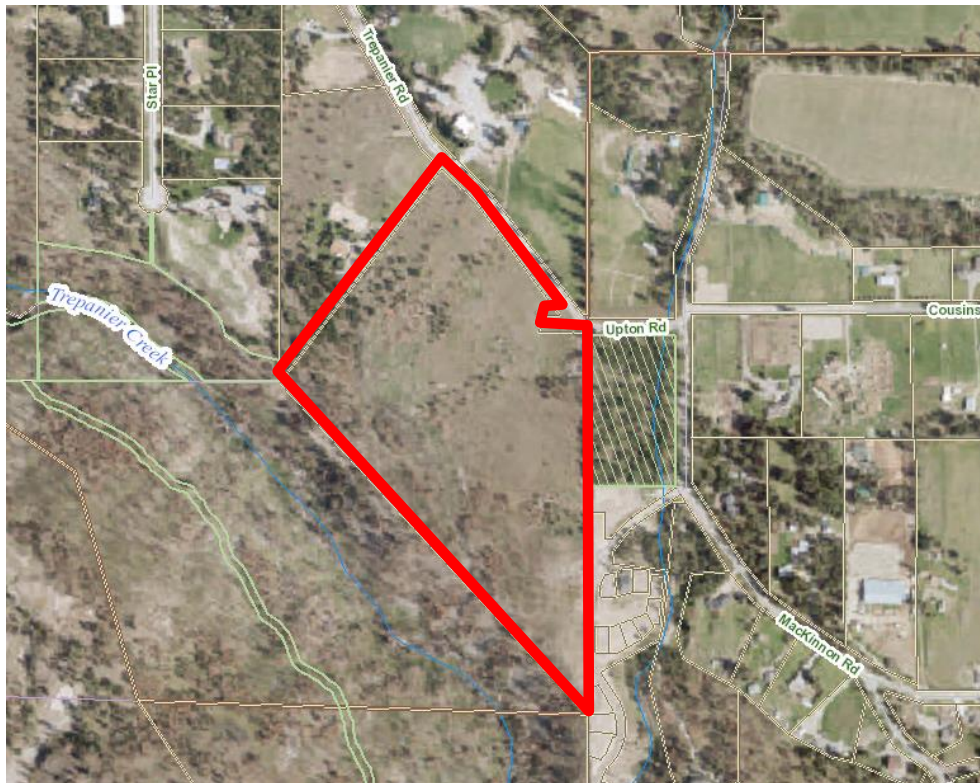


Application for Non-Farm Use

4980 Trepanier Rd

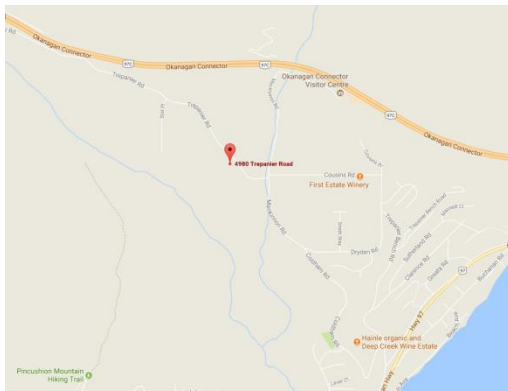
Introduction

This application is intended to address the ALC letter dated Dec 10th, 2019 regarding unauthorized fill that was placed on the property without ALC or RDCO approval. Within the ALC letter, the owner was presented with possible options to remediate the situation. Of the options presented, the owner opted to choose Option 1, which was to make a non-farm use application by Feb 20, 2020.

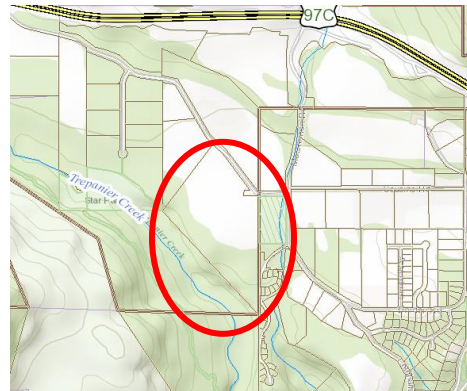


Site Context and Land Use

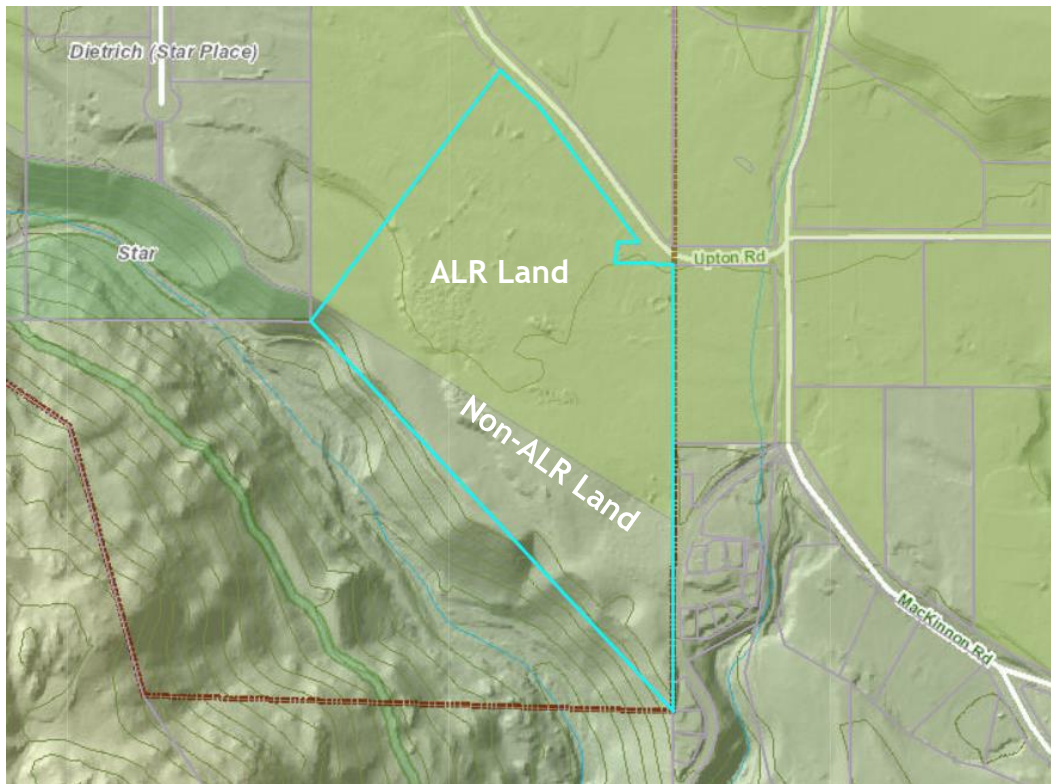
The subject site consists of an estimated 12.8ha, with the northern portion of the site lying within the ALR.



Site Location
Source: Google Map

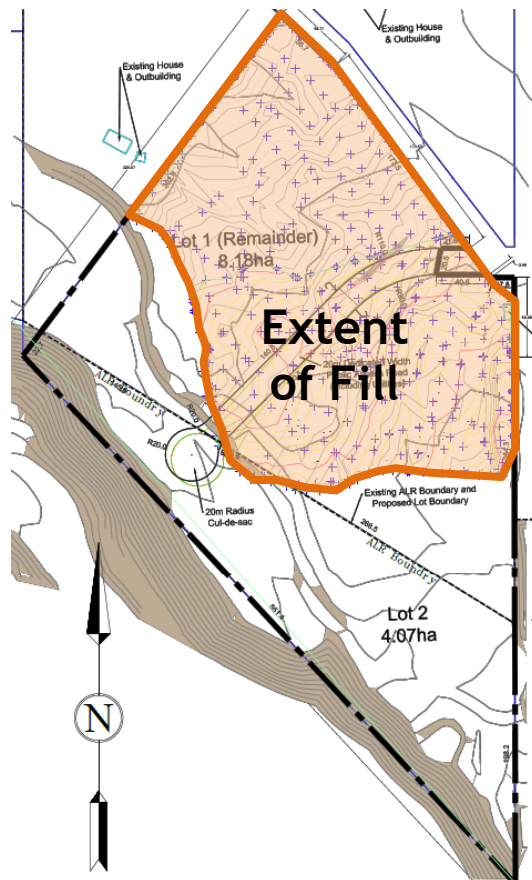


Site Context
Source: RDCO



Fill Placement and Cherry Production Goals

In 2019, roughly 8500m³ of fill was placed on the site within the ALR portion. The fill is of good quality, coming from various sources within West Kelowna and Peachland. The soil is expected to hold water much better than the pre-existing rocky and uneven soils. The owner plans to plant cherry trees within this area, which dictated the need for additional fill and topsoil. Unfortunately, the proper permitting process for the placement of fill on ALR land was not followed during this process.



Preexisting Agricultural Capability

In Oct of 2013, the owner hired James Calissi, B.Sc, M.Sc., P.Ag. to conduct an Agricultural Classification Assessment Report to better understand the agricultural potential for the land. Mr. Calissi found that the agricultural capability of the land varies from Class 4 to Class 5, which he defines as:

"Class 4 lands have limitations which make it suitable only for a few crops or the yield for a wide range of crops is low, or the risk of crop failure is high, or the soil conditions are such that special development and management practices are required. Land in this class has limitations that require special management practices or severely restrict the range of crops, or both."

"Class 5 lands have limitations that restrict its capability of producing perennial forage or other specially adapted crops. Class 5 lands can be used for cultivated field crops provided unusually intensive management is employed and/or the crop is particularly adapted to the conditions. Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops. "

The report also outlines that:

"The land is difficult to work due to the large amount of stone content. Previous owners have removed large amounts of stone from the land, but more stone needs to be removed to make the farm more workable. The soils are sandy by nature, with low cation exchange capacity and low soil fertility."

Given this feedback, the owner desires to improve the soil profile and agricultural capability of the land prior to planting cherries. The additional fill contains less rock, more organic content, and helps level the site. This will greatly improve the agricultural productivity and potential cherry yields.

Conclusion

The owner kindly requests support from both the RDCO and the ALC to accept the fill that has been placed on the site. Even though this is a "non-farm use" application, the fill was always intended to support and enhance the agricultural capability of the site. The owner would also like to take this opportunity to apologize for their misunderstanding of the Farm Practices Protection (Right to Farm) Act, and their failure to comply with the necessary permitting and approval process to place the fill.