

# **Sunset Ranch Steep Slope Covenant Discharge Application**

## **Preamble**

The purpose of this report is to support an application to have steep slope covenant discharged from two areas within the Sunset Ranch development.

## **Introduction**

The Sunset Ranch residential development is located to the north of the community of Ellison. It is bounded on the North, South and East sides by Agricultural Land Reserve and to the West by the Sunset Ranch golf course. The community is accessed from Upper Booth Road with secondary access from Scotty Creek road. The property is being developed into the residential community known as Sunset Ranch (Sunset). Land development at Sunset started in 2002 with the first homeowners moving in during the fall of 2003. Sunset consists of approximately 100 Acres of single family and duplex configured town homes. During 2021 the property reached the approximately 80% complete stage.

## **Background**

The Sunset Ranch property was subdivided into several parcels as part of the first subdivision application made in 2002. There were several conditions provided by the Ministry of Transportation and the Region District of Central Okanagan (RDCO). The Official Community Plan as it existed in 2001 recommended that areas steeper than a 30% slope be protected from development. The geotechnical stability of these areas continues to require special permits in most municipalities. One of these conditions was that areas too steep for development be identified, surveyed and protected from future development by the registration of a steep slope no build no disturb covenant. These areas were to be identified as part of the application process and became conditions of the Preliminary Layout Approval for the first subdivision application.

At the time of that application process there had not been a complete topographic survey and as a result topographic information on the property was gathered from remote sensing. Based on the topographic information available at that time, the developer, the civil engineering design company and RDCO staff did a on site review of the steepest areas of the property. The result was agreement on the areas to be protected with a covenant.

## **Steep Slope Area - Review**

In 2007 as development approached close to two of the protected areas it was observed that the areas were not actually steeper than 30%. While some pockets within the covenant areas were at or slightly steeper than 30% that the average of the areas were not. There geotechnical engineers were engaged to determine the suitability of these areas for development and it was concluded that these areas were typical of much of the hillside development completed to date. Similarly, the professional biologists were engaged to determine if there was any high value habitat or any other environment considerations to the development of these areas.

## **Conclusion**

The conclusion was that with typical regrading, ground water management and potentially some retaining walls that these covenant areas are developable. In retrospect the areas were always developable, and the steep slope covenant was not necessary.

Accordingly, the developer and landowner, Sunset Two Properties Ltd., is requesting that the covenant be discharged and consent to include the areas in a subdivision application.