

# ALC Referral Application A-22-06 & A-22-07

Regional District of Central Okanagan Board Meeting

December 1, 2022

---

1450 K.L.O. Road  
Kelowna, BC, V1W 3Z4  
rdco.com









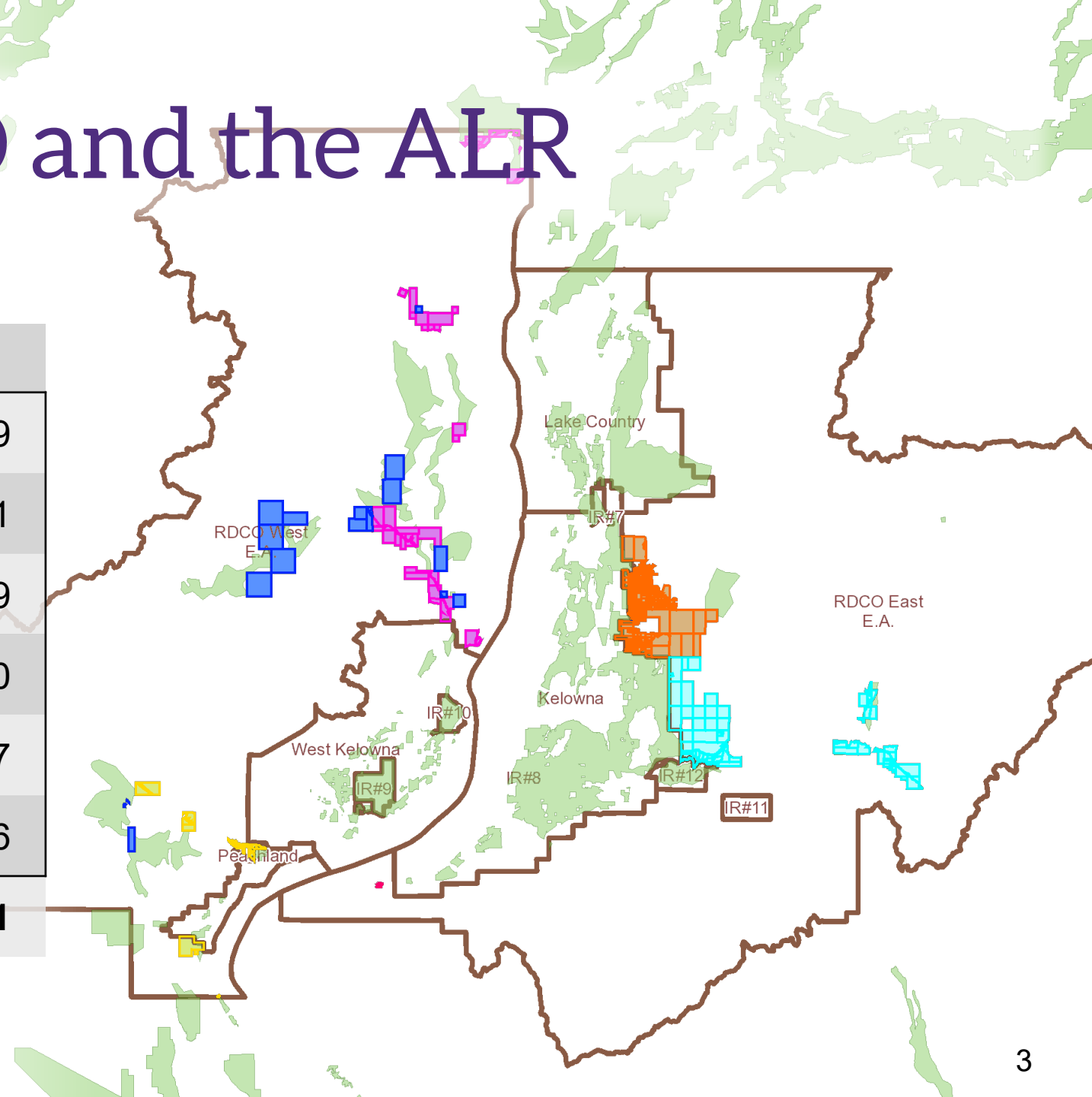
# Purpose

## Fill placement to;

- Remediate previous disturbance
- Restore original grade to the property
- Cultivate sweet cherries
  - ~8 acres at 5760 Anderson Rd
  - ~3 acres at 5630 Anderson Rd

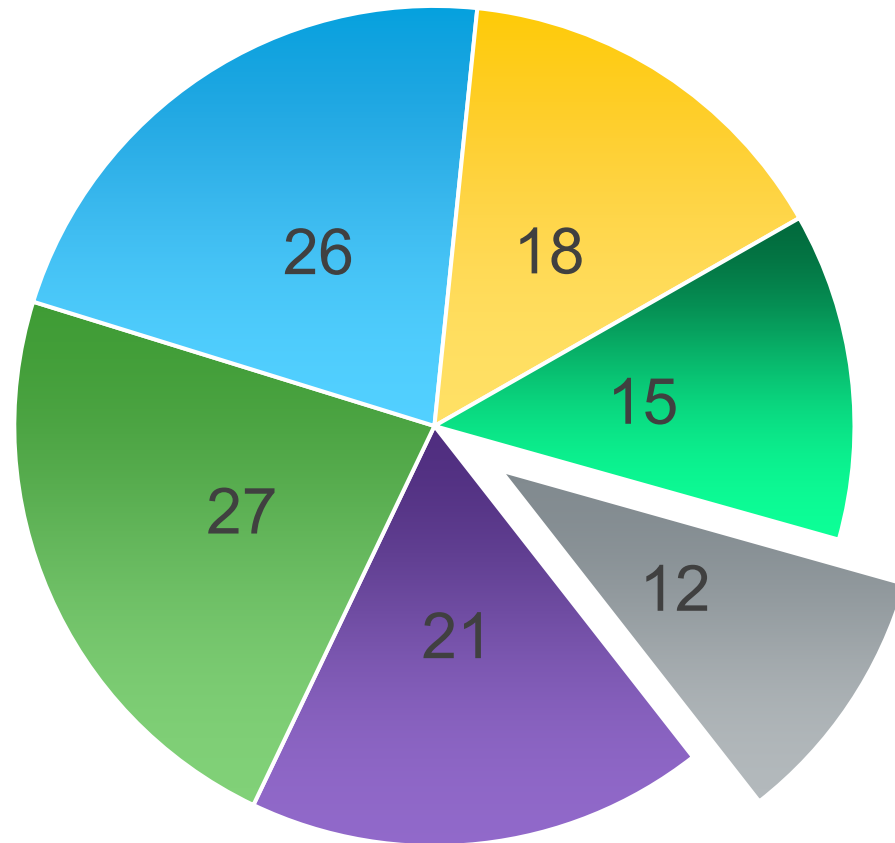
# Overview – RDCO and the ALR

	OCP	Parcels	Acres
	Brent Rd and Trepanier	21	1,119
	Ellison	282	6,081
	Joe Rich RLUB	69	6,319
	Rural Westside	37	4,240
	South Slopes	2	17
	Outside OCP area	23	5,076
<b>TOTAL</b>		<b>434</b>	<b>22,851</b>



# Overview – ALR Application Types

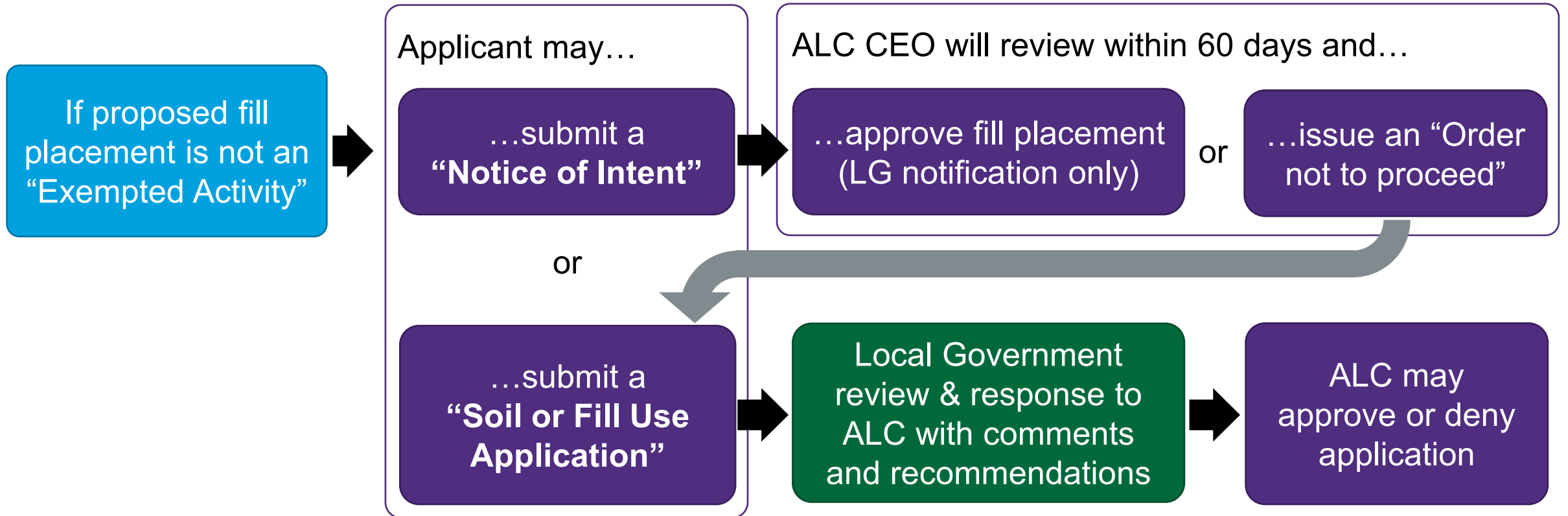
RDCO Including Member Municipalities since 2015



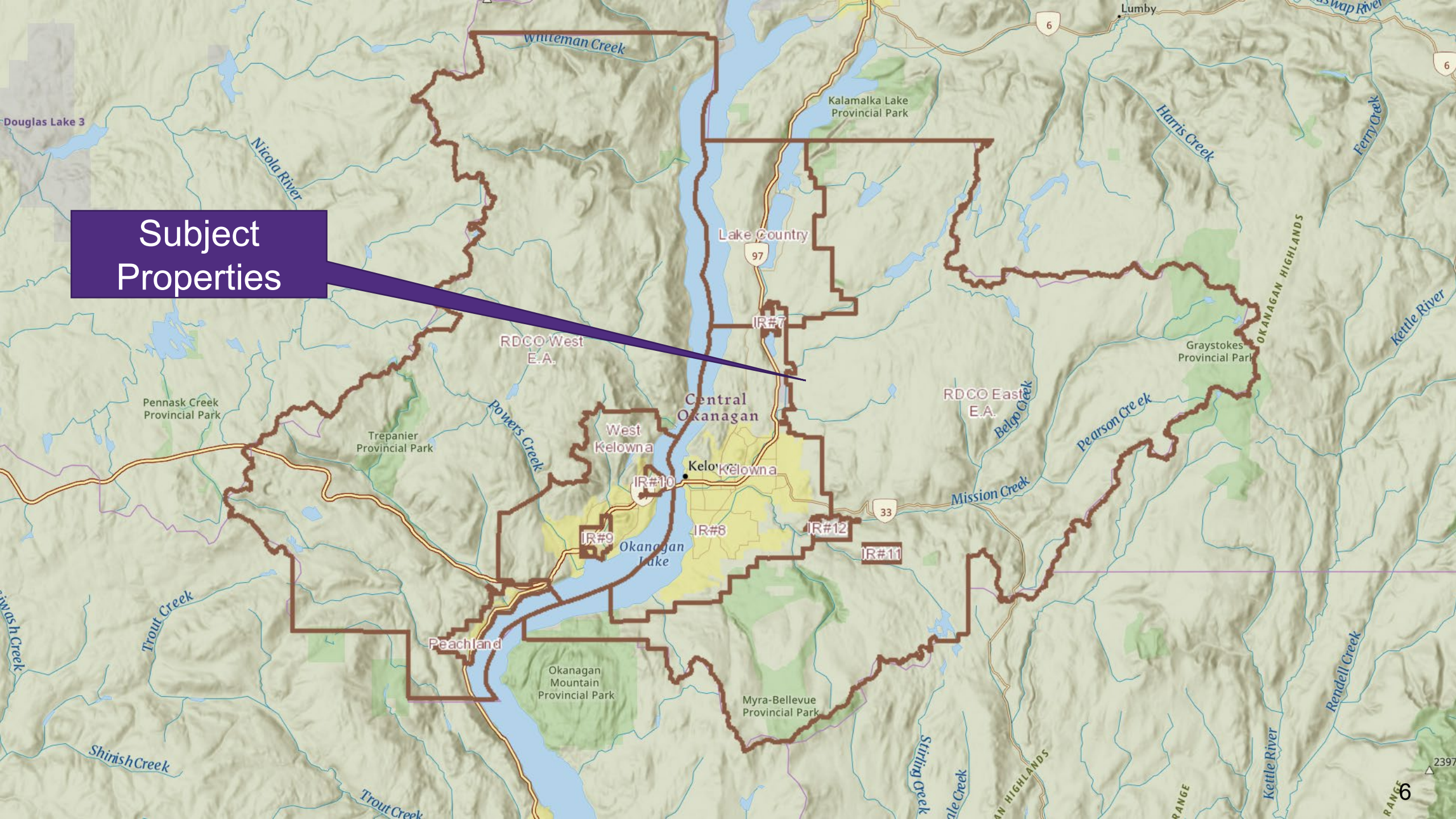
- ALR Exclusion / Inclusion
- Non-Adhering Residential Use
- Non-Farm Use
- Subdivision
- Transportation / Utility / Trail
- **Fill Placement / Removal**



# Overview – Notice of Intent vs. Soil or Fill Use Application



# Subject Properties



Subject Properties



Old Vernon Rd  
Spencer Rd

Postill Lake Rd

Fathers Pl

Postill Dr

Sierra Dr

Teather Rd

Rittich Rd

Teather Cr

Whelan Rd

Lindley Rd

Anderson Rd

Whitetail Dr

Whitetail Rd

Rockface Rd

Deadpine Dr

Upper Booth Rd N

Batta Forest S










Farmers Dr

Phan Rd


Lapointe Dr

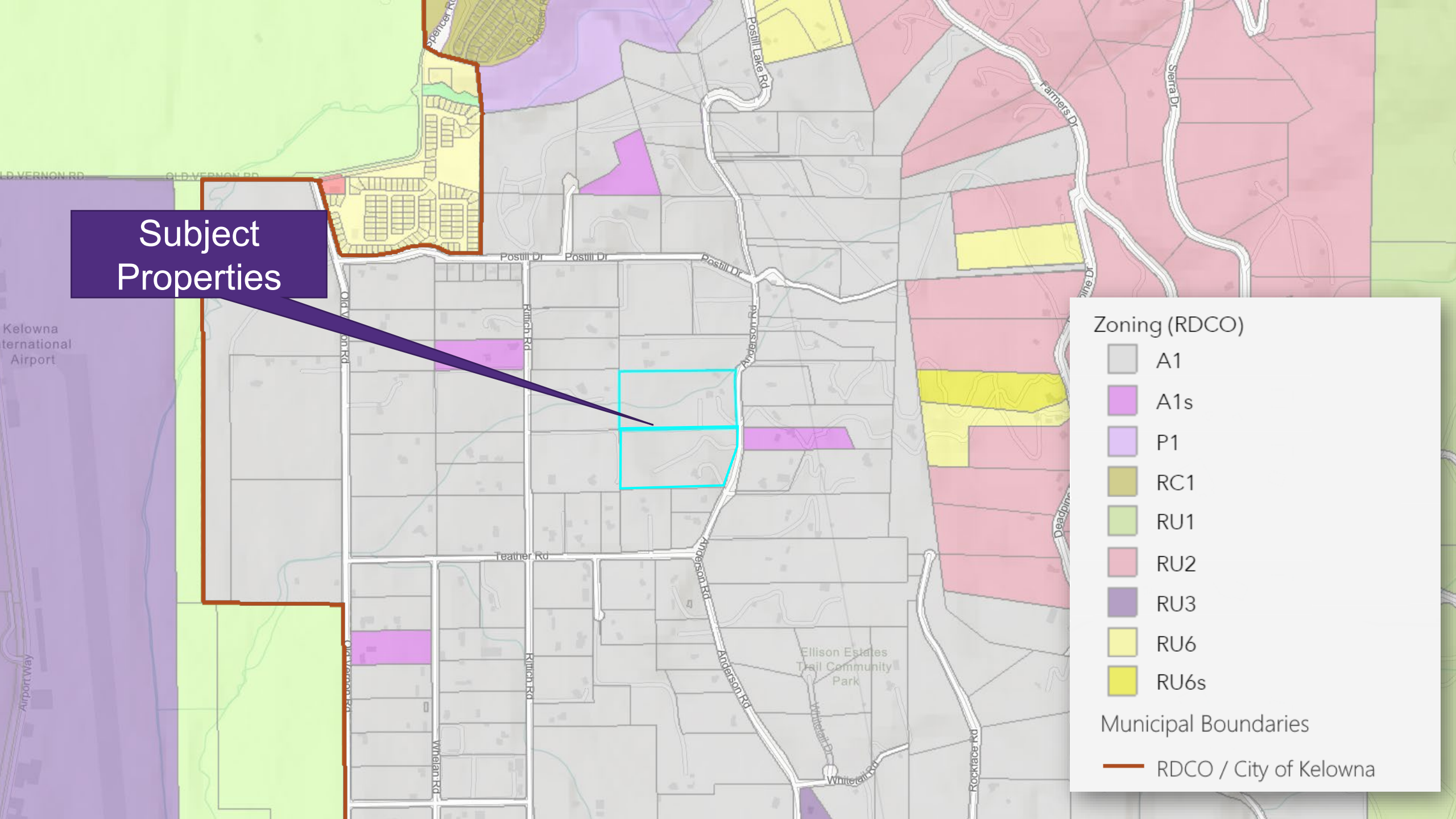
Subject Properties

Zoning (RDCO)

	A1
	A1s
	P1
	RC1
	RU1
	RU2
	RU3
	RU6
	RU6s

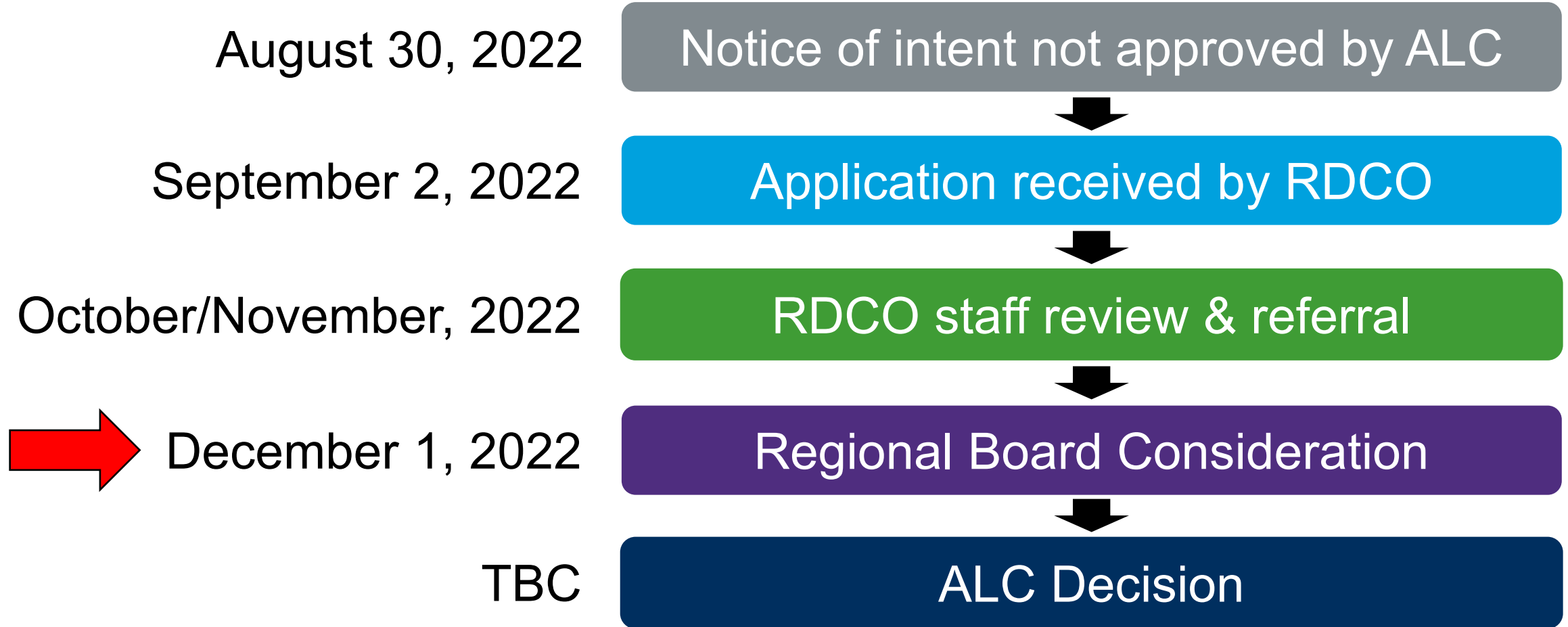
Municipal Boundaries

 RDCO / City of Kelowna





# Process Overview

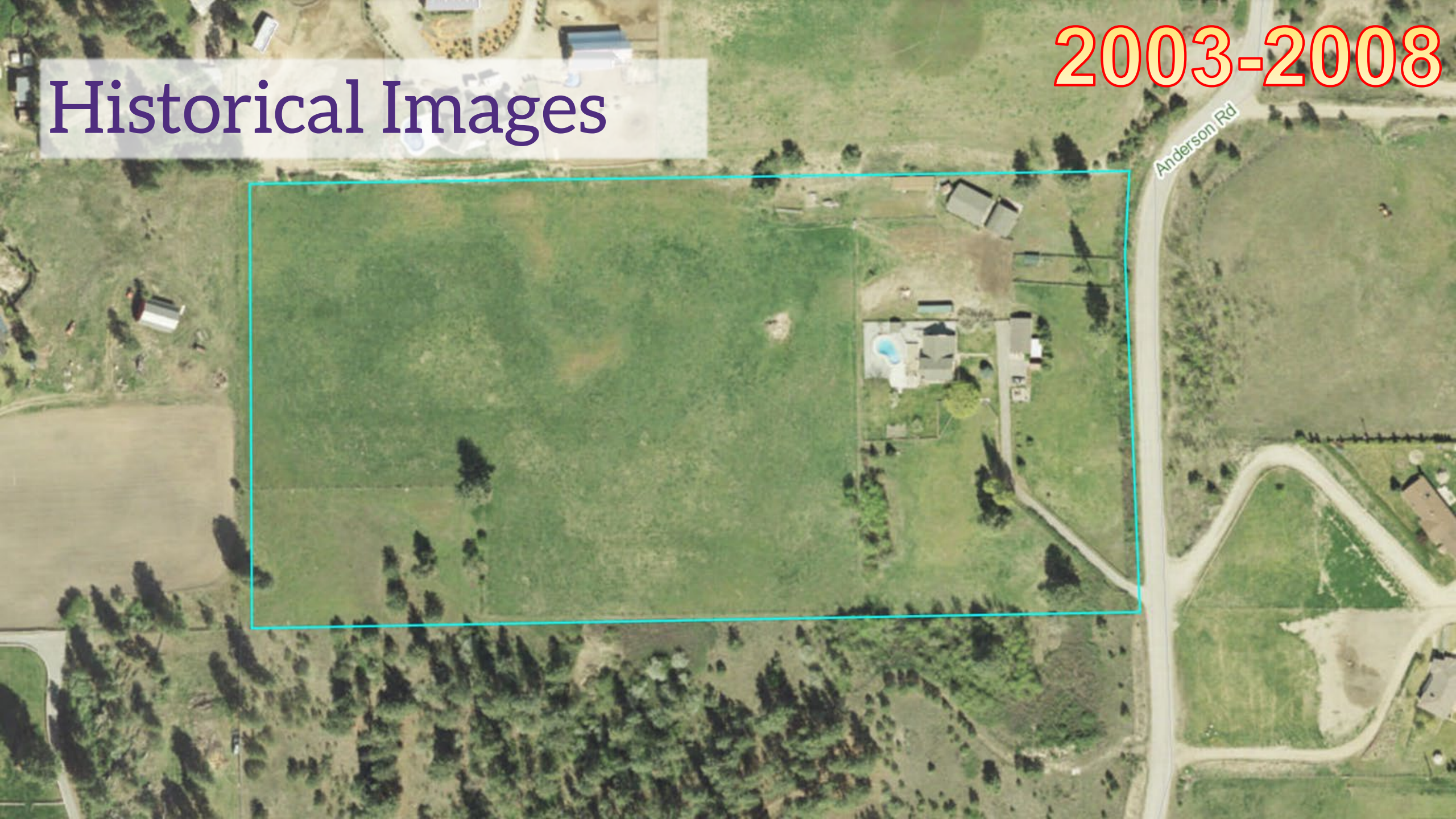


# Background

	5760 Anderson Rd	5630 Anderson Rd
<b>Developed with</b>	<ul style="list-style-type: none"><li>▪ Single family home and accessory buildings</li></ul>	<ul style="list-style-type: none"><li>▪ Single family home and accessory buildings</li></ul>
<b>Uses / Agricultural activities</b>	<ul style="list-style-type: none"><li>▪ Previous gravel extraction</li><li>▪ No agricultural improvements or farming activities</li></ul>	<ul style="list-style-type: none"><li>▪ No agricultural improvements or farming activities</li></ul>

# Historical Images

2003-2008



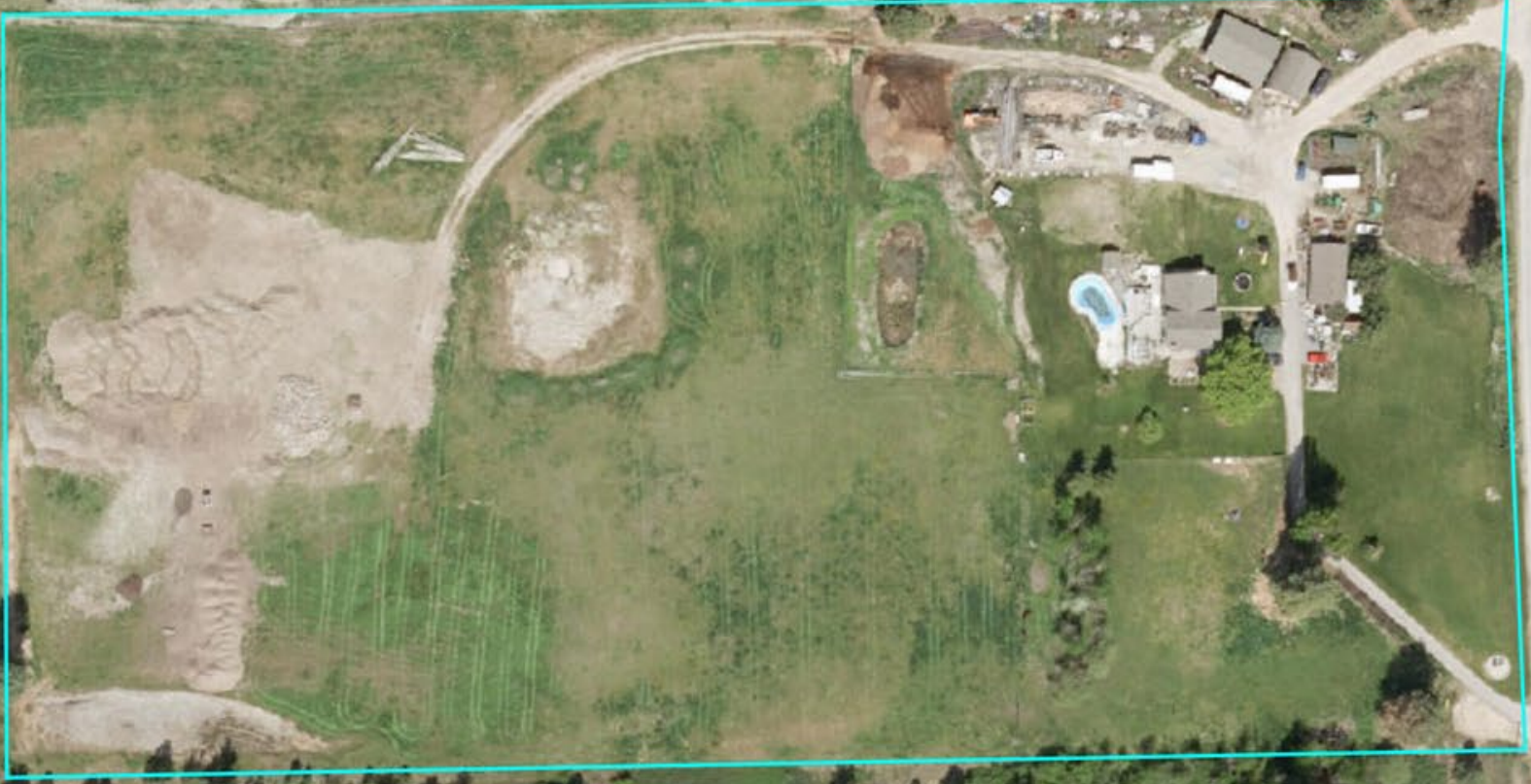
2009

Anderson Rd



2015

Anderson Rd



2018

Anderson Rd



2021

Anderson Rd



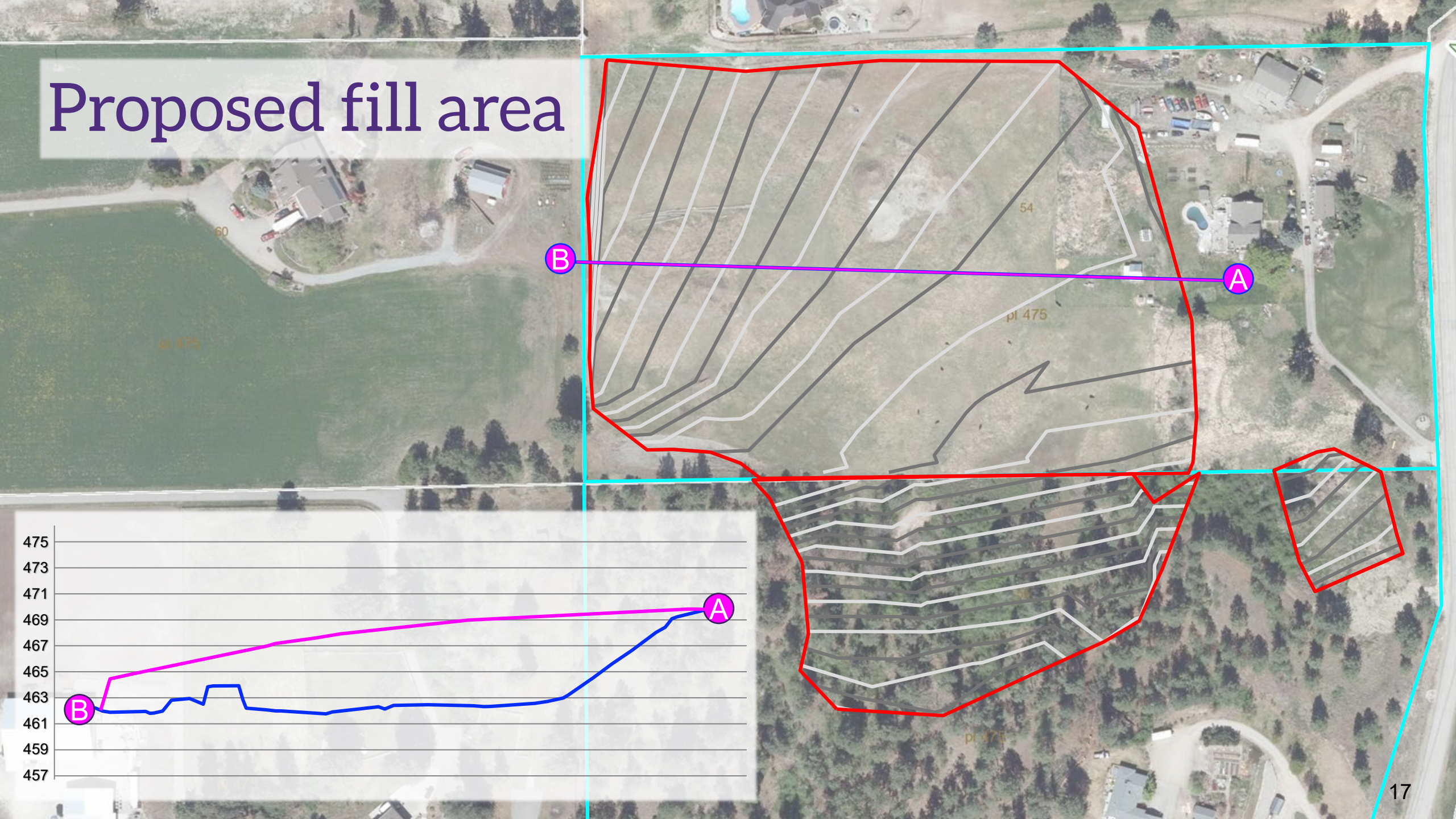
# Proposal

Remediate previous disturbance and restore original grade to the property

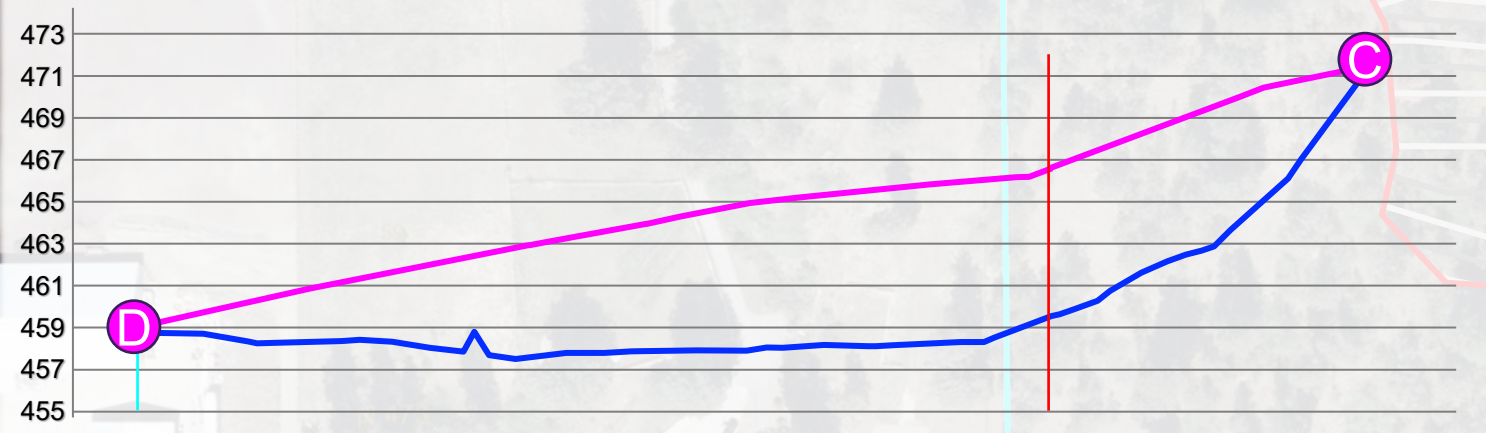
	5760 Anderson Rd	5630 Anderson Rd	
<b>Fill placement area</b>	3.4 ha	1.27 ha	<b>4.67 ha</b>
<b>Average fill depth</b>	4 m		
<b>Maximum fill depth</b>	10 m	11 m	<b>11 m</b>
<b>Volume of fill</b>	140,100 m <sup>3</sup>	61,000 m <sup>3</sup>	<b>201,100 m<sup>3</sup></b>



# Proposed fill area



# Proposed fill area



# Agrologist Report and Rationale

Soil classification improvement for most of the site;

- **From: Class 5** – significant limitations that restrict the land capability
- **To: Class 1** – land with virtually no limitations of crop usage

Fill placement and re-grading will;

- Help reduce frost pockets
- Facilitate irrigation system design and better drainage

Impacts of works can be appropriately mitigated.

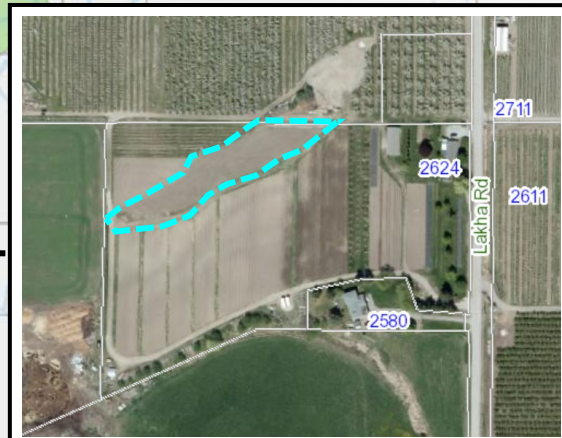
# Fill permits within the Ellison OCP area



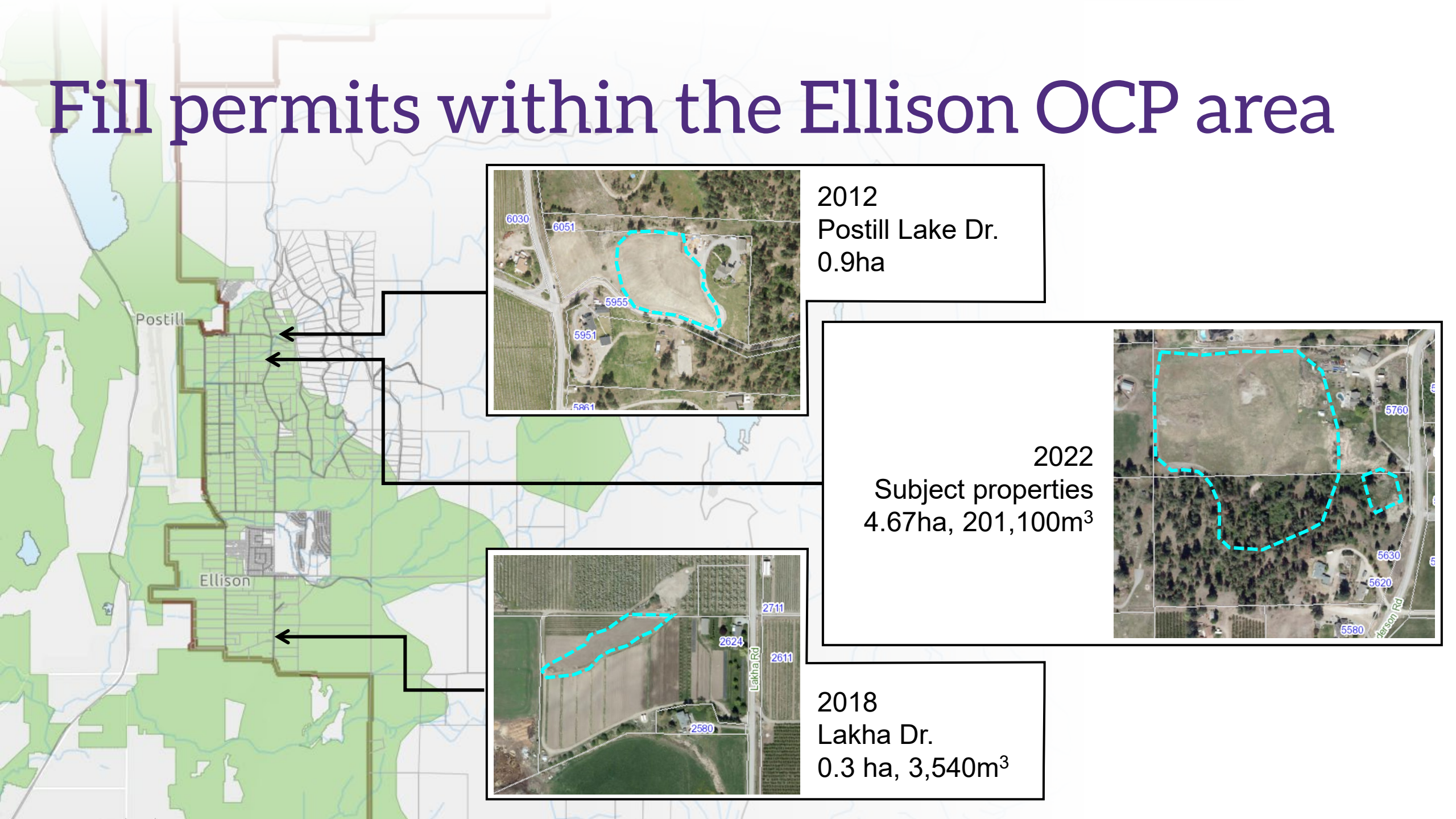
2012  
Postill Lake Dr.  
0.9ha



2022  
Subject properties  
4.67ha, 201,100m<sup>3</sup>



2018  
Lakha Dr.  
0.3 ha, 3,540m<sup>3</sup>



# Servicing



Glenmore Ellison Irrigation District



Onsite wastewater disposal



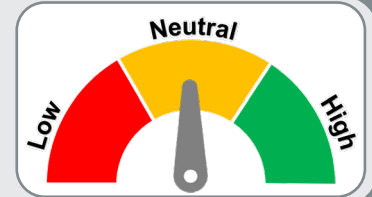
Ellison Fire Protection Area

# RDCO Regulations

No RDCO operational bylaws apply

- Eg:
- Zoning
  - Building Regulation
  - Enforcement
  - Development Application Procedures

RDCO  
Bylaws



Regional  
Growth  
Strategy

Official  
Community  
Plan

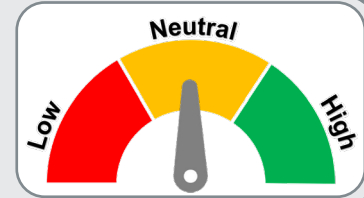
Agricultural  
Plan

# Regional Growth Strategy

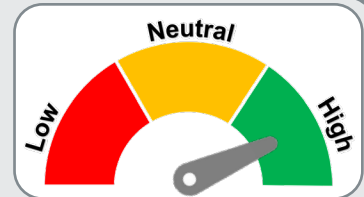
## Our Land

- Preserve and support sustainable agricultural activities...
- ...promote agricultural viability

RDCO  
Bylaws



Regional  
Growth  
Strategy



Official  
Community  
Plan

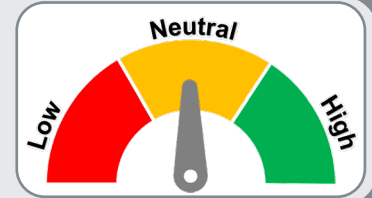
Agricultural  
Plan

# Ellison OCP

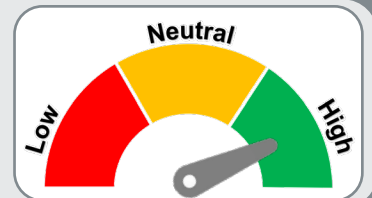
Support the development, improvement, and expansion of agricultural activities.

## Alignment with key policies

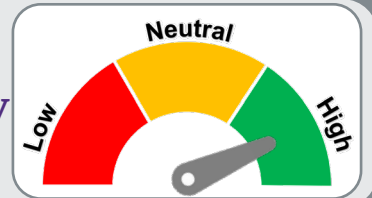
RDCO  
Bylaws



Regional  
Growth  
Strategy



Official  
Community  
Plan



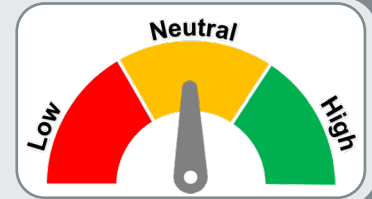
Agricultural  
Plan



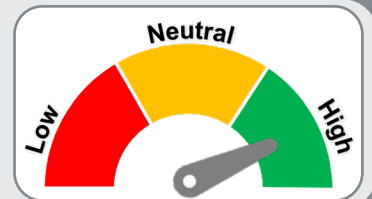
# RDCO Agricultural Plan (2005)

Ensure continued and/or improved productivity during changes in land ownership or agricultural production.

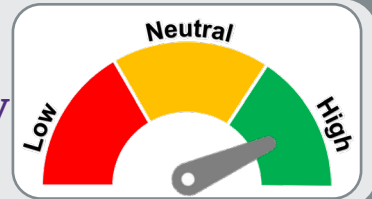
RDCO  
Bylaws



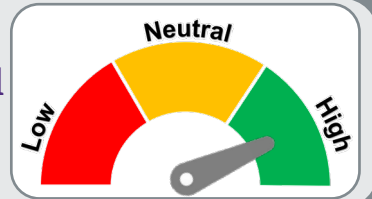
Regional  
Growth  
Strategy



Official  
Community  
Plan



Agricultural  
Plan



# Referral responses

## Ministry of Agriculture and Food

- Understands the topographical limitations and rationale for integrating the landscape of the adjoining properties
- Supports the applications proceeding to the ALC
  
- No comments or concerns received from other referrals
- Public notification not required under local or provincial regulations.

# Summary

- Significant fill spanning a large portion of two properties
- Considerable improvement to agricultural capability
- Proposal supported by RDCO policies
- Comprehensive best management practices and mitigation measures proposed
- No comments or concerns raised from referrals

# Recommendations

**THAT** the Regional Board receives the report from the Director of Community Services, dated December 1, 2022, with respect to RDCO File: A-22-06 (ALC application #66504) for the property located at 5760 Anderson Road and legally described as Lot 54, District Lot 1, ODYD, Plan KAP475, Except Plan H13691 (“the Subject Property”);

**AND THAT** the Regional Board conditionally supports application A-22-06, to allow fill placement upon the Subject Property as outlined in the report dated December 1, 2022;

# Recommendations

**AND FURTHER THAT** staff be directed to forward application A-22-06 to the Agricultural Land Commission with the following comments and recommendations;

The Regional District of Central Okanagan supports ALC application #66504 subject to the following conditions;

- Adherence to all best management practices and mitigation measures recommended in the agrologist report prepared by Ecoscape Environmental Consultants Ltd.
- A Transportation Route Plan reviewed and approved by the Ministry of Transportation and Infrastructure that outlines:
  - routes plans;
  - number of trips; and
  - measures to minimize impacts to roads, road users and residents on routes.

# Recommendations

**AND FURTHER THAT** the Regional Board directs staff to review regulatory options for the management of soil and fill placement, and to report back to the Regional Board with recommendations.



