

From: Corporate Officer
Subject: FW: ALC Referral Applications A-22-06/A-22-07

From: Michael B [REDACTED]
Sent: January 16, 2023 2:22 PM
To: [REDACTED]; ALC.Soil@gov.bc.ca; Dave.Birchmore@gov.bc.ca; ALCBurnaby@victoria1.gov.bc.ca; Todd Cashin <todd.cashin@rdco.com>; Michael Ircandia <Michael.Ircandia@rdco.com>; RDCO Planning Services <planning@rdco.com>; Shaun ODea <Shaun.ODea@rdco.com>; ALR Land Use Concern ALC:EX <ALRLandUseConcern@gov.bc.ca>; Kevin Kraft [REDACTED]
Subject: ALC Referral Applications A-22-06/A-22-07

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Dear Members of the RDCO Board,

We are writing to you in regards to your ALC Referral Applications A-22-06/A-22-07. In this letter, any mention of Application of Fill, will be referencing both together, as both works will be completed simultaneously, and are seen as one.

We are located at [REDACTED] Anderson Road, Kelowna. My family and I strongly urge you to read this letter thoroughly and take everything into consideration when making a decision. There are an overwhelming number of issues regarding this application, we wanted to make the RDCO and ALC aware of before any sort of decision was made. Your result will not only impact the applicant(s), but direct neighbours, and community as a whole permanently.

Our family has been farming in England for generations, with over 2000 acres currently in operation. This includes various types of animals and grain types. We have a familiar background in soils.

The previous owners of 5760 Anderson Rd, before H Bahniwal Holdings Ltd Inc., approached us to purchase the property and marketed it as a giant revenue opportunity over years, taking in fill. To be paid per delivered truck, over our chosen period of time, making it a profitable venture into the future. There was no regard or thought in the conversation of agriculture reasons what so ever. That owner said to us blatantly, if you don't someone else will.

In a separate conversation, the same previous owner made a point of saying to us, there is a lot of fertile soil on the land, and a natural aquatic spring coming up each year, with rights to, to irrigate the property, bypassing GEID. A land owner somewhere above them had already done something in the same regard.

This has led to a large number of questions and concerns for us personally, with the current applicant and what they are ultimately going to do, stated or otherwise.

I. Flat Land

The 140,000 cubic metres of fill the applicant is looking to place on an already flat piece of land, flatter than most orchards in Kelowna, is horrendous and completely unnecessary. Please see cover photo below of the Agricultural Assessment completed by Ecoscape Environmental Consultants Ltd, June 2022, for a precise view.

This is not the definition of “returning the land to its original state”. This number does not include the additional 60,000 cubic metres going in to the neighbouring property next to this side, which would be completed simultaneously.

From the very visible natural terrain, top soil was scrapped to one side (creating mounds on site), for the operation of non-permitted quarry years ago. The land was never rectified. The applicant states wanting to amend this, however, not requiring an amount of fill even close to what is being proposed. Top soil only needs to be re-distributed on the entire area to start planting. How is the fill going to be managed on the property lines, so it is not placed beyond those lines? Is this going to create gullies where water will pool / flow and cause erosion and heavy deterioration?

II. Adverse Impacts

We are asking for mandatory environmental study be conducted on the effects that amount of weight being placed on the land, and what it will do to adjacent properties, when altering such a large area. It clearly states Ecoscape Environmental Consultants Ltd did not conduct one while completing their Agrologist Report, citing only that “with due diligence and the appropriate mitigation measures in place, the risks for adverse impacts from fill placement to the environment and surrounding area can be appropriately mitigated, Section 7 - Potential Environmental Impacts Of Fill Placement”. The section goes on to cite that “Potential for the release of deleterious substances (e.g., fuel, oil, concrete, hydraulic fluid) to the environment during the proposed works or as a result of improper storage, equipment re-fueling, and/or poorly maintained equipment.” Already stating potential complications to be aware of? Placing trust in the company completing the works, is irresponsible.

III. Soil Drainage / Contamination

What will the seasonal natural spring running directly underneath do, and the drainage/contamination potential it will inflict on directly adjacent properties. Underground water always takes the path of least resistance. In figure 5, page 43 Soil Drainage of any water shows that it will go directly under our house foundation.



What would the damages be, if water would/will take that route? In the event of this, who would be held accountable for any possible litigation for any damages?

The Agrologist Report states rules and regulations pertaining to contents of the fill and testing, and if it is contaminated and not tested completely/consistently? Placing on agricultural land would completely destroy existing eco systems in places, from an environmental stand point and contaminate soil and water, in and around the area forever. We currently raise cattle, and are deeply concerned that the ground water, over many years of watering trees and the natural spring, would cause the contaminated water to seep into our acreage, poisoning our animals and causing numerous health issues. If the elevation of the applicants' land is raised to that extreme, water drainage into our property could result in parts of it becoming un-farmable in the location where we have cattle.

IV. Community Effects

Other than the direct impacts on properties, there are concerns to the roads and community of Ellison as a whole. The school bus route runs all the way around, Anderson Road, Postill Lake Road, and Teather Road. Please reference google for exact map. These roads are frequented daily by horse riders, biking / walking enthusiasts, that live in Ellison. We have personally experienced truck drivers hauling to other sites having absolutely no regard for anyone or anything on these rural roads, which can be narrower, and have very blind bends. We have heard from many neighbours, of near misses with pedestrians and trucks along their driving routes. Furthermore, these same roads in Ellison have been repaved as of 2022, which we are so grateful for, but what will become of them with the constant traffic of big heavily loaded trucks?

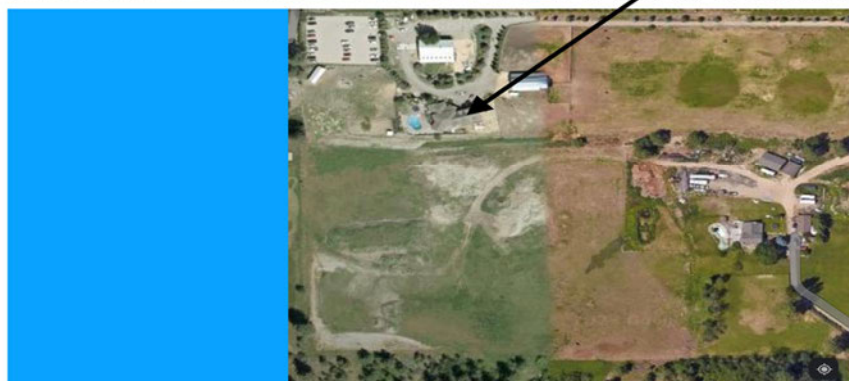
V. A Personal Note

This operation has the anticipated Spring 2023 completion date. If prolonged, it will completely throw our personal business and income plan out the window for 2023. We would be unable to rent out our newly renovated space, attached to the house, or our home-based business on property with the constant noise and dust in the air. What is the applicant doing to do about the impacts on the neighbours and community with regards to limiting the effects? We need solid time frames of when works will start and stop on said property and steps to minimize repercussions of noise/dust.

Most importantly however, any parent will relate, we have a one year old who would be impacted the most. Please reference Photo 14, page 37 of the Agrologist Report.



- Agrology Report, June 2022



-Google View, 2018

This shows the direct proximity of us as the neighbouring property, and how close this proposed works would affect us.

He would be unable to sleep at any hour of the day, as works would be conducted between 7am-7pm. Achieving the applicants' timeframe, would require over 300 trucks per day, seven days a week, 12 hours a day (200,000 cubic meters). This is operationally and physically impossible. The relentless noise of moving trucks, dumping of fill, and the beeping when reversing etc. resulting in irrecoverable mental and behavioural changes during this age. This also would have a negative effect on us as parents and our other eight-year-old son.

The ramifications of the airborne dust alone are a major health concern for us. One of the family members suffers from asthma, and we raise cattle on the property. The adjacent neighbours would be impacted, as well as, damage to actual property. Volumes of this nature would be highly detrimental if inhaled for lengthy periods of time. It cannot just be easily washed off of personal property either. Who would be held accountable for any possible litigation of such scenarios emerge?

Lastly, referencing the RDCO Council Meeting, Section 6.2 Soil of Fill Use Application A-22-06 link (<https://pub-rdco.escribemeetings.com/Meeting.aspxId=2e9abe86-9173-437bb72f-9989d97273f8&Agenda=Agenda&lang=English&Item=31&Tab=attachments>) The applicant stated he spoke directly to neighbours about his application for bringing fill onto 5760 Anderson Road, and they were in agreeance. This is false. We were not consulted at any time. There has been no communication between any parties involved with the current application of fill. This alone, has created large concerns with the entire application, and put doubt the honesty of anything

being done to truth. The time frame has also started to change from 3 months to one year or possibly two. What measures are in place for this to not turn into a long term, industrial for-profit fill site? This is a direct disregard to the neighbours, community, and ALC.

We are not trying to stop progress on agricultural land, to put an orchard in place, as that is what it is for. However, we want to make sure the orchard is being put into place by a deadline, and the property is not being turned into a for profit industrial dump site, for years to come. Who would be held accountable for any possible litigation of any damages in the short and long-term.

As mentioned before, my family and I strongly urge you to consider all sides, reasons and concerns thoroughly before making a decision. Your result will directly impact more than just one or two applicants, adjacent homeowners and a community and a whole.

Kind regards,

Michael Eakins

Denise Eakins

Geoffrey Homewood

Letter 2

Randy and Catherine Whittingstall
Farmers Dr, Kelowna

RDCO Board Members/BC ALC

It has come to our attention that the RDCO has received applications for fill to be dumped on properties 5760/5630 Anderson Road in Ellison. The RDCO applications are: #A-22-06 and #A-22-07. The ALC applications are: #66504, #66506.

Over the last few years, the properties in Ellison have seen more and more “garbage” fill being dumped in our area legally and illegally. Through our research of the City of Kelowna and RDCO bylaws as well as through discussion with the RDCO, we have learned that the RDCO is one of the last areas in the Okanagan to have a soil placement bylaw.

Due to the lack of this bylaw our area is becoming more and more attractive to developers as it provides an easy dumping area, close to their projects which of course is a great cost savings to them. It is also attractive to some of our neighbours as they are being paid for this fill while having to do nothing to make the money.

We feel that the owners of 5630 & 5760 Anderson Road are planning to take advantage of this money grab under the guise of planting an orchard. Both applications could see profits of more than \$1,000,000, to the direct detriment of neighbors and the Ellison community as a whole. We have seen thousands of fruit trees planted in Ellison over the last few years; not one of these properties required fill to be brought in. Bringing in fill from a construction site doesn't seem like it would be nutrient rich for a successful orchard. In fact, it would probably be contaminated. Is the RDCO going to require the owners of these properties to test the soil frequently (maybe even daily) to be sure the soil is not contaminated. And how will the RDCO monitor this and confirm that the results are accurate. 5760 Anderson Rd is mostly a flat lot as it sits currently and is flatter than most operating orchards. The amount of fill that is being proposed to be brought in, is ludicrous, and completely unnecessary. Desjardins Contracting is known for going door to door in Ellison (for years), pursuing property owners to receive fill from Kelowna with financial incentives. To dump unknown and quite possibly contaminated fill on their properties, while neighbours take the brunt of the effects. The company approached the previous owners of 5760 Anderson Rd years before as well. It is also rumored that Desjardins Contracting previously took this proposed dumping location to the ALC for approval which was denied.

The proposal states nearly 200,000 cubic meters of fill would be going onto these two sites. If calculated, that works out to be 300 trucks per day, seven days a week, to fulfil the three-month deadline. Even working 10 hours a day, it would not be feasible. Firstly, the Kelowna construction industry does not operate seven days a week, and secondly, it does not currently have the stated amount accessible for movement to the stated owner's site. This does not consider the detrimental effect on neighbouring properties. Is the RDCO prepared and equipped to monitor this schedule? We know there are 2 bylaw officers for the entire RDCO. Seems it might be difficult for the RDCO to assign one of those officers to be sure this project is being done above board. An Agrologist Report should also be completed on the two directly adjacent properties to assess the impacts on them in regard to soil erosion and contamination, to mention a few. Adjoining properties surrounding the proposed fill site, are currently

being used for agricultural purposes. They will be directly impacted with drainage issues, as the water will be creating a new path of least resistance with the amount of weight being placed on its current path. This will have an unpredictable effect on neighborhood.

In addition to this 5760 Anderson Rd has an aquatic ecosystem running directly under the property (RDCO Development Permit Area Map attached). This has resulted in many different species of animals being present on this and neighbouring properties. How are these and the natural recurring spring, which local residents have experienced since the 1970's, going to be affected and redirected to? Several waterways that feed Mill Creek/Scotty Creek and ultimately the City of Kelowna water system are not visible year-round, but that does not mean they do not exist nor that they are unnecessary to maintain the water course and flow. The water system flowing through 5760 Anderson Road is mapped across the entire property and discounting this would be irresponsible. Soil erosion would become a major issue for neighbouring properties, undermining property and buildings. Please see Figure 5, in the Agrologist Report attached, and the neighbouring property.

Earlier this year, the residents of Ellison finally provided the RDCO enough evidence to shut down the mess that was made at Lot 4 Farmers Drive. The owner of this property brought in thousands of loads of fill; nothing was monitored by the RDCO. Several concerns were raised with the RDCO with the same response that nothing could be done. Residents of Ellison were required to search the RDCO website regarding contraventions to the aquatic ecosystem bylaws and hillside development bylaws that the RDCO does have in place and finally the RDCO shut down the mess that was made. Over a hundred dump trucks a day with pups were coming up and down Old Vernon Road, Anderson, and Farmers Drive. Often these drivers had little regard for the families living in this area. Most of us felt unsafe to ride our bikes, ride our horses, walk our dogs and even drive up and down with the trucks impacting traffic flows. As mentioned above to achieve the timeline proposed, over 300 dump trucks would have to be brought in daily. How will this not impact the school bus route that these properties are located along and everyone's daily lives. What rules will be in place for the said project to have to adhere to mitigate the effects on direct neighbours and the community. There have already been a large number of close calls with trucks and it is only a matter of time, as the bus route runs parallel, that something devastating will happen. These properties are also located beside a very sharp, blind corner and at 300 trucks per day there is no way that there will not be congestion along this area of Anderson Road raising even more safety concerns.

The residents of Ellison are not against development and understand that The City of Kelowna has quite an aggressive plan. Making Ellison into a dumping ground is not the answer. If this proposal is approved, others will follow destroying the environment of our area, impacting water flows, contaminating water that services the Ellison area and the City of Kelowna, wildlife, and our overall way of life.

The RDCO and the City of Kelowna have other options open to them. The Kelowna Urban Development Institute has already proposed a soil treatment facility that would be beneficial to developers as well as the RDCO/City as our area continues to grow. Developers should also be in favour of this as they would no longer have to go door to door, offering money to residents to find somewhere to dump. This would also support sustainability initiatives for the RDCO and City of Kelowna as well as prevent future problems when we want to continue our growth outside the city limits.

It would be appreciated if the RDCO and specifically the board members who are part of The City of Kelowna review these applications for what they really are. The RDCO will be opening a can of worms that will certainly assist with City of Kelowna development projects, but the future of the RDCO will be at risk. Excessive dumping and contaminated soil come with short-term challenges, but also long-term impacts to our agricultural sustainability, clean water supply and the environment as a whole.

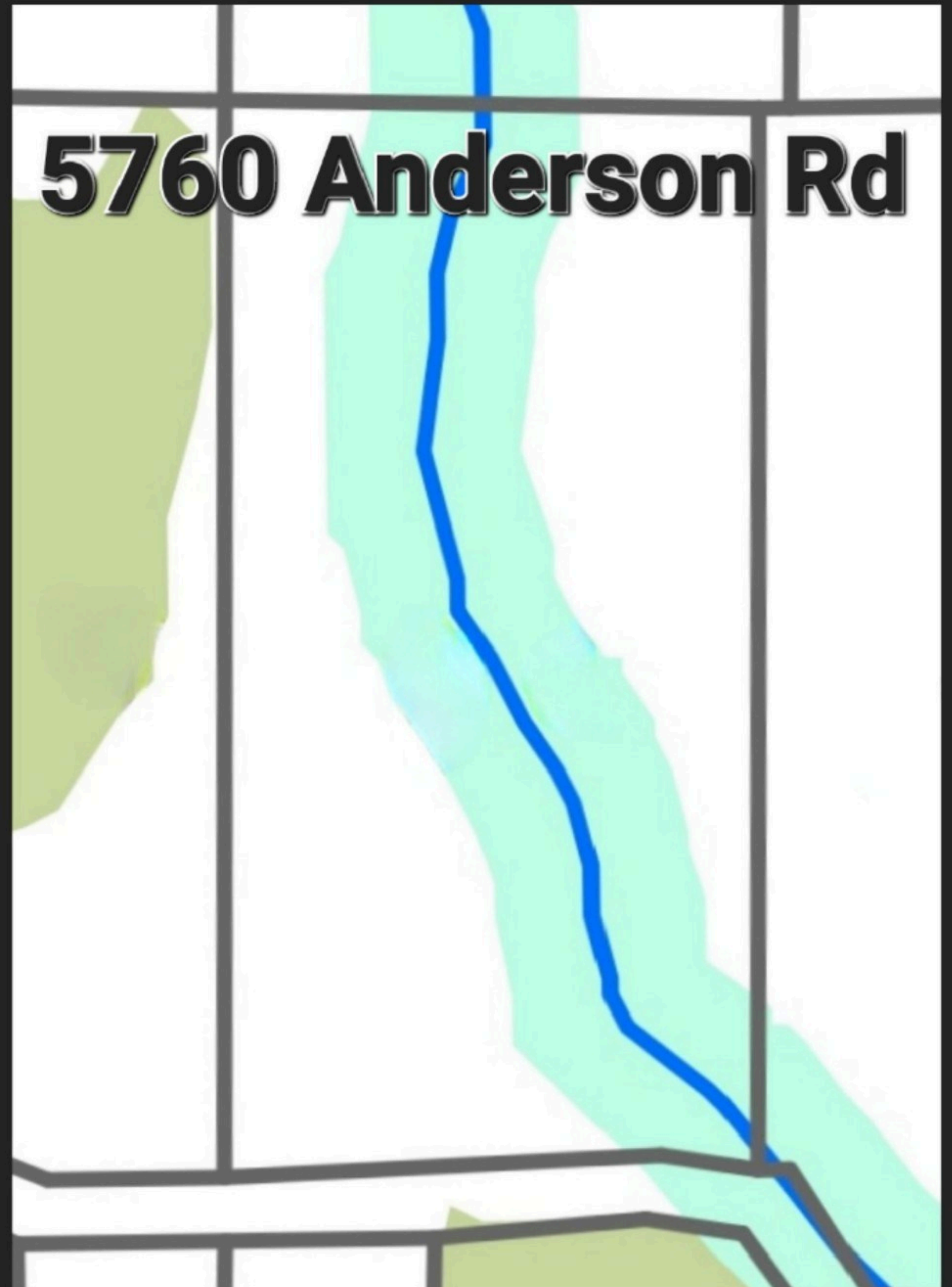
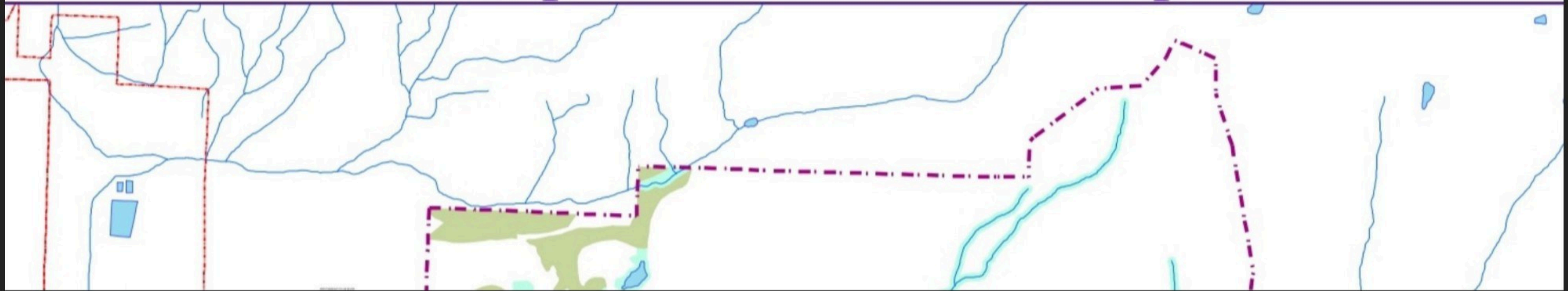
Should the RDCO still approve these locations for dumping of fill, please consider some serious requirements regarding volume of dirt, contamination testing, reinforcement of the area. It would also be suggested that a bond be put in place to guarantee that this project does not drag on over years and that the “orchard” does get planted and is sustainable and produces fruit.

I think we have shown that the applicant for this fill site has not been 100% transparent with this proposal. We have shown that this volume of dirt is not necessary to create an orchard nor was this volume of dirt removed previously, contaminated dirt will not support an orchard, and the timelines proposed cannot possibly be met. In fact, very little fill would be required to restore the small area of land that was previously operating an illegal quarry.

The RDCO does not have a soil placement bylaw but does have several other bylaws that would prevent the placement of fill of these volumes on these properties. Specifically, bylaws regarding maintenance of aquatic ecosystems. Approval of this application is in direct contravention of bylaws created by the RDCO to protect our area.

We request that you review this application with due diligence.

Aquatic Ecosystems and Sensitive Terrestrial Ecosystems Development Permit Areas Map



To: RDCO Board Members/BC ALC

It has come to our attention that the RDCO has received applications for fill to be dumped on properties 5760/5630 Anderson Road in Ellison. The RDCO applications are: #A-22-06 and #A-22-07. The ALC applications are: #66504, #66506.

We are adding our voice to the other Ellison community members who have taken the time to reach out to you in order to express our strong opposition to the applications listed above. While the concerns are outlined in greater detail below, of note is that we have lived on Sierra Drive for 11 years and have experienced firsthand the dumping of garbage fill on properties in the area. As noted below, if you were to view the properties, you would see there is no need for that fill – it is a money grab. The only individuals who benefit from this dump of fill are the contractors and property owners.

We ask that these applications be denied. To set such a precedent is unthinkable. The potential of 300 trucks per day is outrageous and the question should be asked: Would you like to have these trucks go up and down your roadway for a dump of fill that is not required?

Over the last few years, the properties in Ellison have seen more and more “garbage” fill being dumped in our area legally and illegally. Through our research of the City of Kelowna and RDCO bylaws as well as through discussion with the RDCO, we have learned that the RDCO is one of the last areas in the Okanagan to have a soil placement bylaw.

Due to the lack of this bylaw our area is becoming more and more attractive to developers as it provides an easy dumping area, close to their projects which of course is a great cost savings to them. It is also attractive to some of our neighbours as they are being paid for this fill while having to do nothing to make the money.

We feel that the owners of 5630 & 5760 Anderson Road are planning to take advantage of this money grab under the guise of planting an orchard. Both applications could see profits of more than \$1,000,000, to the direct detriment of neighbors and the Ellison community as a whole. We have seen thousands of fruit trees planted in Ellison over the last few years; not one of these properties required fill to be brought in. Bringing in fill from a construction site doesn't seem like it would be nutrient rich for a successful orchard. In fact, it would probably be contaminated. Is the RDCO going to require the owners of these properties to test the soil frequently (maybe even daily) to be sure the soil is not contaminated. And how will the RDCO monitor this and confirm that the results are accurate. 5760 Anderson Rd is mostly a flat lot as it sits currently and is flatter than most operating orchards. The amount of fill that is being proposed to be brought in, is ludicrous, and completely unnecessary. Desjardins Contracting is known for going door to door in Ellison (for years), pursuing property owners to receive fill from Kelowna with financial incentives. To dump unknown and quite possibly contaminated

fill on their properties, while neighbours take the brunt of the effects. The company approached the previous owners of 5760 Anderson Rd years before as well. It is also rumored that Desjardins Contracting previously took this proposed dumping location to the ALC for approval which was denied.

The proposal states nearly 200,000 cubic meters of fill would be going onto these two sites. If calculated, that works out to be 300 trucks per day, seven days a week, to fulfil the three-month deadline. Even working 10 hours a day, it would not be feasible. Firstly, the Kelowna construction industry does not operate seven days a week, and secondly, it does not currently have the stated amount accessible for movement to the stated owner's site. This does not consider the detrimental effect on neighbouring properties. Is the RDCO prepared and equipped to monitor this schedule? We know there are 2 bylaw officers for the entire RDCO. Seems it might be difficult for the RDCO to assign one of those officers to be sure this project is being done above board. An Agrologist Report should also be completed on the two directly adjacent properties to assess the impacts on them in regard to soil erosion and contamination, to mention a few. Adjoining properties surrounding the proposed fill site, are currently being used for agricultural purposes. They will be directly impacted with drainage issues, as the water will be creating a new path of least resistance with the amount of weight being placed on its current path. This will have an unpredictable effect on neighborhood.

In addition to this 5760 Anderson Rd has an aquatic ecosystem running directly under the property (please reference the RDCO Development Permit Area Map). This has resulted in many different species of animals being present on this and neighbouring properties. How are these and the natural recurring spring, which local residents have experienced since the 1970's, going to be affected and redirected to? Several waterways that feed Mill Creek/Scotty Creek and ultimately the City of Kelowna water system are not visible year-round, but that does not mean they do not exist nor that they are unnecessary to maintain the water course and flow. The water system flowing through 5760 Anderson Road is mapped across the entire property and discounting this would be irresponsible. Soil erosion would become a major issue for neighbouring properties, undermining property and buildings.

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Should the RDCO still approve these locations for dumping of fill, please consider some serious requirements regarding volume of dirt, contamination testing, reinforcement of the area. It would also be suggested that a bond be put in place to guarantee that this project does not drag on over years and that the "orchard" does get planted and is sustainable and produces fruit.

We believe that we have shown that the applicant for this fill site has not been 100% transparent with this proposal. We have shown that this volume of dirt is not necessary to create an orchard nor was this volume of dirt removed previously, contaminated dirt will not support an orchard, and the timelines proposed cannot possibly be met. In fact, very little fill would be required to restore the small area of land that was previously operating an illegal quarry.

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We request that you review this application with due diligence with a view to the concerns expressed above.

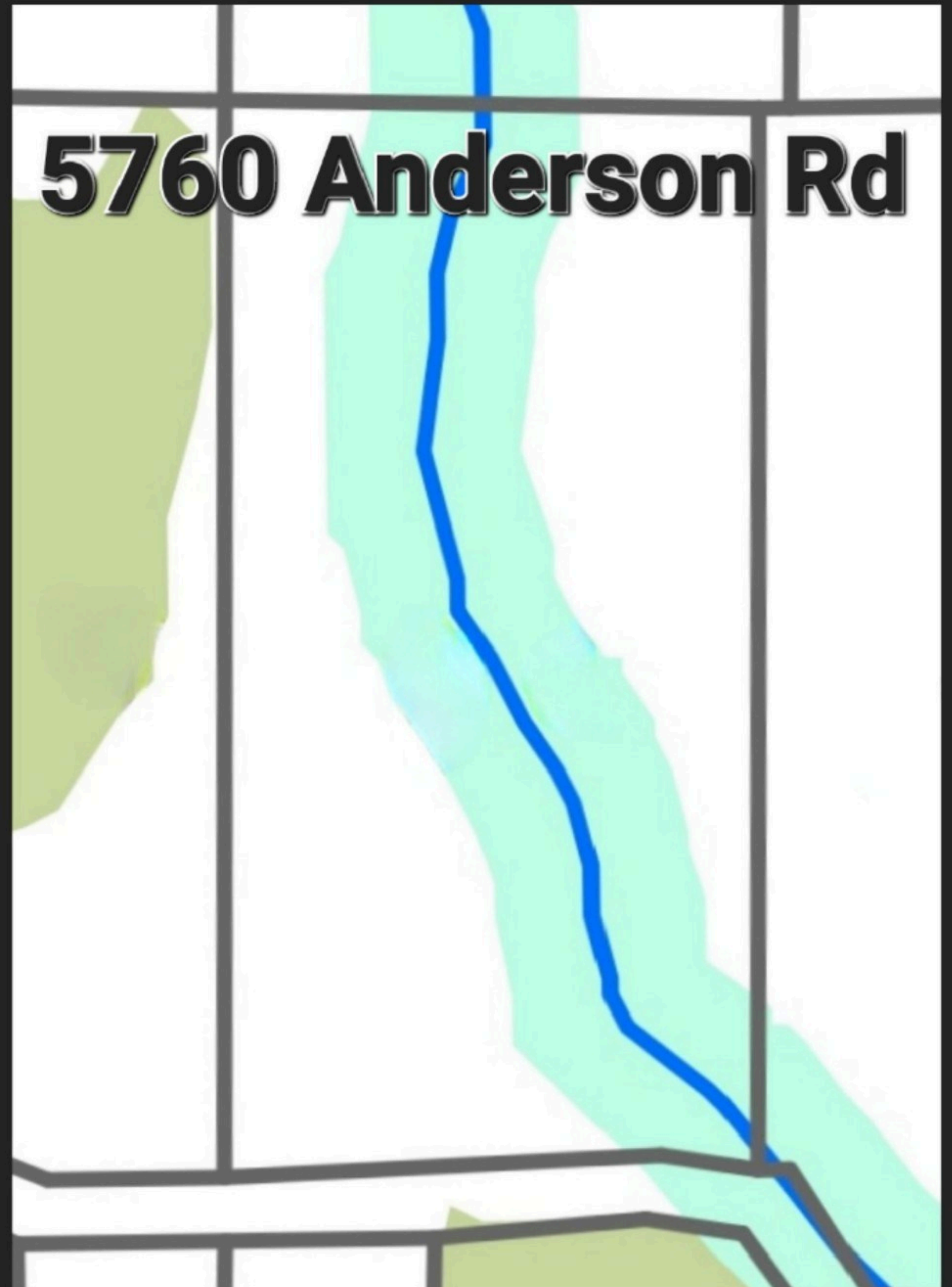
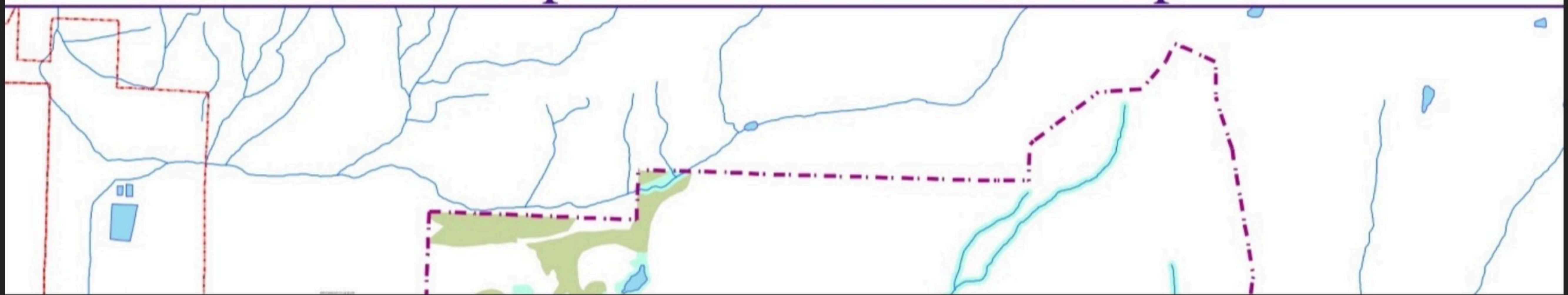
Sincerely,

Terry Steil and Helga Wendt

T: [REDACTED]

E: [REDACTED]

Aquatic Ecosystems and Sensitive Terrestrial Ecosystems Development Permit Areas Map



Letter 4

From: [Shaun ODea](#)
To: [Corporate Officer](#); [Sandra Ballan-Brown](#)
Cc: [Todd Cashin](#); [Michael Ircandia](#); [RDCO Planning Services](#)
Subject: FW: ALC Referral Applications- Anderson Rd. RDCO #A-22-06, #A-22-07, ALC #66504,#66506
Date: January 17, 2023 12:27:03 PM
Attachments: [Applications A-22-06 A-22-07 concerns.docx](#)

Hello,

Please see the attached correspondence for circulation to the RDCO Board.

Shaun O'Dea
Planner | Community Services

From: Sharon O'Brien [REDACTED]
Sent: January 17, 2023 12:22 PM
To: Sharon O'Brien [REDACTED]
Subject: ALC Referral Applications- Anderson Rd. RDCO #A-22-06, #A-22-07, ALC #66504,#66506

You don't often get email from [REDACTED] [Learn why this is important](#)

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Dear Regional District and ALC,

We are writing to provide our input on the proposed Anderson Road A-22-06/A-22-07#66504 & 66506 application submitted for referral to the ALC. This project has the potential to have a significant impact on our community and we believe it is important that due diligence be taken before any approval is granted.

Sincerely,

William and Sharon O'Brien

RDCO Board Members/BC ALC

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We feel that the owners of 5630 & 5760 Anderson Road are planning to take advantage of this money grab under the guise of planting an orchard. Both applications could see profits of more than \$1,000,000, to the direct detriment of neighbors and the Ellison community as a whole. We have seen thousands of fruit trees planted in Ellison over the last few years; not one of these properties required fill to be brought in. Bringing in fill from a construction site doesn't seem like it would be nutrient rich for a successful orchard. In fact, it would probably be contaminated. Is the RDCO going to require the owners of these properties to test the soil frequently (maybe even daily) to be sure the soil is not contaminated. And how will the RDCO monitor this and confirm that the results are accurate. 5760 Anderson Rd is mostly a flat lot as it sits currently and is flatter than most operating orchards. The amount of fill that is being proposed to be brought in, is ludicrous, and completely unnecessary. Desjardins Contracting is known for going door to door in Ellison (for years), pursuing property owners to receive fill from Kelowna with financial incentives. To dump unknown and quite possibly contaminated fill on their properties, while neighbours take the brunt of the effects. The company approached the previous owners of 5760 Anderson Rd years before as well. It is also rumored that Desjardins Contracting previously took this proposed dumping location to the ALC for approval which was denied.

The proposal states nearly 200,000 cubic meters of fill would be going onto these two sites. If calculated, that works out to be 300 trucks per day, seven days a week, to fulfil the three-month deadline. Even working 10 hours a day, it would not be feasible. Firstly, the Kelowna construction industry does not operate seven days a week, and secondly, it does not currently have the stated amount accessible for movement to the stated owner's site. This does not consider the detrimental effect on neighbouring properties. Is the RDCO prepared and equipped to monitor this schedule? We know there are 2 bylaw officers for the entire RDCO. Seems it might be difficult for the RDCO to assign one of those officers to be sure this project is being done above board. An Agrologist Report should also be completed on the two directly adjacent properties to assess the impacts on them in regard to soil erosion and contamination, to mention a few. Adjoining properties surrounding the proposed fill site, are currently being used for agricultural purposes. They will be directly impacted with drainage issues, as the water will be creating a new path of least resistance with the amount of weight being placed on its current path. This will have an unpredictable effect on neighborhood.

In addition to this 5760 Anderson Rd has an aquatic ecosystem running directly under the property (RDCO Development Permit Area Map attached). This has resulted in many different species of animals being present on this and neighbouring properties. How are these and the natural recurring spring, which local residents have experienced since the 1970's, going to be affected and redirected to? Several waterways that feed Mill Creek/Scotty Creek and ultimately the City of Kelowna water system are not visible year-round, but that does not mean they do not exist nor that they are unnecessary to maintain the water course and flow. The water system flowing through 5760 Anderson Road is mapped across the entire property and discounting this would be irresponsible. Soil erosion would become a major issue for neighbouring properties, undermining property and buildings. Please see Figure 5, in the Agrologist Report attached, and the neighbouring property.

Earlier this year, the residents of Ellison finally provided the RDCO enough evidence to shut down the mess that was made at Lot 4 Farmers Drive. The owner of this property brought in thousands of loads of fill; nothing was monitored by the RDCO. Several concerns were raised with the RDCO with the same response that nothing could be done. Residents of Ellison were required to search the RDCO website regarding contraventions to the aquatic ecosystem bylaws and hillside development bylaws that the RDCO does have in place and finally the RDCO shut down the mess that was made. Over a hundred dump trucks a day with pups were coming up and down Old Vernon Road, Anderson, and Farmers Drive. Often these drivers had little regard for the families living in this area. Most of us felt unsafe to ride our bikes, ride our horses, walk our dogs and even drive up and down with the trucks impacting traffic flows. As mentioned above to achieve the timeline proposed, over 300 dump trucks would have to be brought in daily. How will this not impact the school bus route that these properties are located along and everyone's daily lives. What rules will be in place for the said project to have to adhere to mitigate the effects on direct neighbours and the community. There have already been a large number of close calls with trucks and it is only a matter of time, as the bus route runs parallel, that something devastating will happen. These properties are also located beside a very sharp, blind corner and at 300 trucks per day there is no way that there will not be congestion along this area of Anderson Road raising even more safety concerns.

The residents of Ellison are not against development and understand that The City of Kelowna has quite an aggressive plan. Making Ellison into a dumping ground is not the answer. If this proposal is approved, others will follow destroying the environment of our area, impacting water flows, contaminating water that services the Ellison area and the City of Kelowna, wildlife, and our overall way of life.

The RDCO and the City of Kelowna have other options open to them. The Kelowna Urban Development Institute has already proposed a soil treatment facility that would be beneficial to developers as well as the RDCO/City as our area continues to grow. Developers should also be in favour of this as they would no longer have to go door to door, offering money to residents to find somewhere to dump. This would also support sustainability initiatives for the RDCO and City of Kelowna as well as prevent future problems when we want to continue our growth outside the city limits.

It would be appreciated if the RDCO and specifically the board members who are part of The City of Kelowna review these applications for what they really are. The RDCO will be opening a can of worms that will certainly assist with City of Kelowna development projects, but the future of the RDCO will be

at risk. Excessive dumping and contaminated soil come with short-term challenges, but also long-term impacts to our agricultural sustainability, clean water supply and the environment as a whole.

Should the RDCO still approve these locations for dumping of fill, please consider some serious requirements regarding volume of dirt, contamination testing, reinforcement of the area. It would also be suggested that a bond be put in place to guarantee that this project does not drag on over years and that the “orchard” does get planted and is sustainable and produces fruit.

I think we have shown that the applicant for this fill site has not been 100% transparent with this proposal. We have shown that this volume of dirt is not necessary to create an orchard nor was this volume of dirt removed previously, contaminated dirt will not support an orchard, and the timelines proposed cannot possibly be met. In fact, very little fill would be required to restore the small area of land that was previously operating an illegal quarry.

The RDCO does not have a soil placement bylaw but does have several other bylaws that would prevent the placement of fill of these volumes on these properties. Specifically, bylaws regarding maintenance of aquatic ecosystems. Approval of this application is in direct contravention of bylaws created by the RDCO to protect our area.

We request that you review this application with due diligence.

Aquatic Ecosystems and Sensitive Terrestrial Ecosystems Development Permit Areas Map

