

Appendix A: Site History and Aerial Photograph Chronology

Table 1: History of the Sawmill and the subject property located at 982 Old Vernon Road (Lot 3).

Date / Aerial photo reference	Historical Comment
Circa 1972 / Photo #2	<ul style="list-style-type: none"> ➤ At the creation of the ALR, and prior to amalgamation of the site into the City of Kelowna, the Sawmill footprint was approximately 1.0 ha (2.47 acres).
Circa 1976 / Photo #3	<ul style="list-style-type: none"> ➤ The Sawmill operation focused on the subject property. This was shortly after the establishment of the ALR.
Circa 1984 / Photo #4	<ul style="list-style-type: none"> ➤ The storage of logs and lumber had encroached onto the subject property and Lot 1.
1985 / Photo #5	<ul style="list-style-type: none"> ➤ The Sawmill operation had expanded beyond the subject property, over 1.7 ha in area. ➤ In response to complaints from a neighbour, the owner made an application to the ALC to expand the Sawmill operations to the subject property. ➤ Through Resolution # 993/85, authorization was granted, for a limited area of 1.7 ha, specifically for storage of logs, lumber and sawdust. Based on a complaint by the neighbouring Lot 4, this Resolution was subject to not placing gravel on the subject property, which was deemed to stunt the growth of fruit trees and alfalfa on Lot 4.
June 4, 1998	<ul style="list-style-type: none"> ➤ Due to neighbours complaints, the ALC conducted a site visit that revealed impacts on Lots 1, 2, 3 and 4, including a series of ditches and ponds to capture leachate from the operation. At the time, the ALC provided a letter in response to the expanded activities: <i>'the non-farm uses have expanded and diversified without the necessary ALC approvals.... From the Commission's perspective, the only authorized activity is the Sawmill activity as it existed six (6) months before December 21, 1972 as amended by Resolution #993/85'</i>¹. ➤ A subsequent site visit identified the owner had undertaken unauthorized non-farm uses (NFU) including storage and processing of waste material and pallet recycling on Lots 1 and 3. In June of 1999, the ALC issued an order to restore uses in accordance with 1985 Resolution, included restoring agriculture to all of Lot 1, and half of the subject property (Figure 1).
2000 / Photos 6 & 7	<ul style="list-style-type: none"> ➤ The focus on the Sawmill dropped, and the site had become a construction material waste operation. In addition, it had expanded beyond Lot 2 and the 1.7 ha of Lot 3 permitted in 1985, to Lot 1 to the east and part of Lot 4 to the west. A series of complaints had been lodged to the ALC. Upon review, concerns of the ALC included:² <ul style="list-style-type: none"> i. Activities were inconsistent with the ALC and Soil Conservation Act; ii. Demolition debris (e.g. drywall) did not make acceptable compost for a turf operation in the ALR; iii. Demolition debris could contain chemicals from glues and preservatives. ➤ Subsequently an application was made to the ALC in 2000 (Appendix A, air photos 6 & 7) to use all of Lots 2 and 3 as a Sawmill, wood waste and pallet compost operation, with the conditions that the impacted area of Lot 1 was returned to agriculture, and that the compost was used to support a turf farm operation on Lot 4. The proposal also included selling the compost from Lot 4.

¹ ALC, June 4, 1998. Letter to Russo's from C. Fry, Agricultural Land Commission.

² ALC, June 6, 2000. Resolution #437/2000.

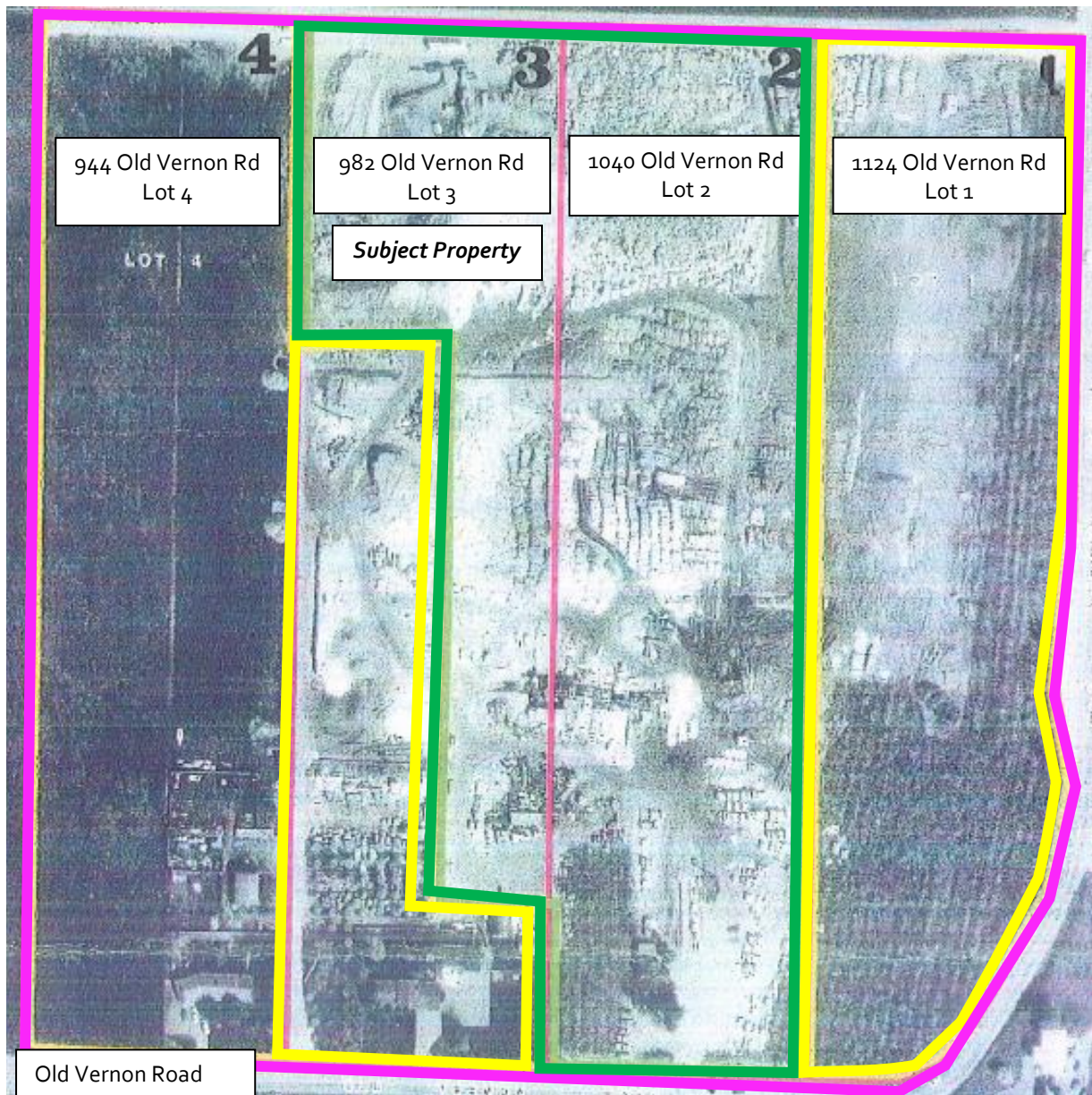
Date / Aerial photo reference	Historical Comment
June 2000	<ul style="list-style-type: none"> ➤ Through Resolution #437/2000, the ALC granted permission to use all of Lots 2 and 3 for sawmilling, wood waste recycling/composting and pallet recycling of “clean wood” only. This approval was subject to the conditions that Lot 1 would be reclaimed to agriculture, and that a fence be erected on the east, north and west property boundaries.
2005 / Photo 8	<ul style="list-style-type: none"> ➤ The subject property was purchased by the current owners with approximately 122,330 m³ (160,000 yard³) of wood waste stockpiled at the site ³.
2006	<ul style="list-style-type: none"> ➤ A controlled burner was set up for three months to help reduce and eliminate the wood waste. The property owners spent approximately \$100,000 for this method of wood waste reduction.
2007	<ul style="list-style-type: none"> ➤ Wood rows were established to initiate more rapid composting. This method resulted in numerous fires due to spontaneous combustion erupted with the introduction of oxygen into the lower levels. The largest one took 3 days to contain, costing the City of Kelowna \$80,000 in firefighting costs. ➤ The property owners employed full time private water tankers and excavators to control the fires, at an approximate cost of \$50,000.
2008 to 2012 / Photos 9 & 10	<ul style="list-style-type: none"> ➤ Property owners hired a contractor to haul wood waste to a cogeneration plant in Armstrong (Tolko) for an additional \$25,000. This effort was discontinued due to the low burning potential (BTU potential) of the old timber. ➤ Throughout this period, the property owners worked with several landscape companies to screen, mulch and compost the wood waste, mixing it with green yard waste to create compost for market at different scales, capacity and compost production levels. ➤ By 2012, approximately 100,000 m³ (130,000 yard³) of the original 122,330 m³ of wood waste had been processed and/or removed from the subject property, with an approximate 23,000 m³ (30,000 yard³) remained on the property ⁴.

^{3,4} Valhalla Environmental Consulting, Jan. 2013. Land Capability Assessment 982 Old Vernon Road, (Lot 3) Kelowna, BC

Date / Aerial photo reference	Historical Comment
2013 and 2014	<p>➤ An exclusion application was made to the ALC for the subject property (application file number A13-0004).</p> <ul style="list-style-type: none"> ▪ The Agricultural Advisory Committee (AAC) did not support the application for exclusion, however, encouraged the applicants to bring back another application if a net benefit to agriculture could be demonstrated. ▪ The AAC was concerned that putting an industrial use into the area would result in increased traffic and pressure for urban services in an otherwise rural area. ▪ While the AAC was unclear as to viable agriculture opportunities on the property, the Committed recommended that the applicants explore incorporating manure from a nearby feedlot and other organic materials (i.e. nitrogen sources) with the existing wood waste (i.e. carbon source) to create a compost product. ▪ Other recommended options included a greenhouse operation or other activities that does not involve soil-based agriculture. <p>➤ Through Resolution #92/2014, the exclusion application was not supported and refused by the ALC, with the following comments:</p> <p><i>'The Commission acknowledges the existing limitations of the subject property for soil-bound agriculture but believes that there are still options for reclamation of the site to an agricultural standard. Even if the property is not fully reclaimed there are other non-soil-based farm operations that would be possible on the subject property as was discussed by the local Agricultural Advisory Committee. Two possible examples for uses on the subject property are greenhouses and/or a pot nursery.</i></p> <p><u>Conclusion:</u> <i>Despite the history of the subject property, there is still the ability for reclamation or at least improvement of the agricultural capability of the soils on the subject property. However, even without full reclamation, the property owners have other non-soil-based agricultural options available to them'⁵.</i></p>

⁵ ALC, May 13, 2014. Resolution #92/2014

Figure 1 - ALC Order #368 and 369/99 (1999)



As per ALC Order #368 and 369/99 (1999):

Pink Area – Subject properties.

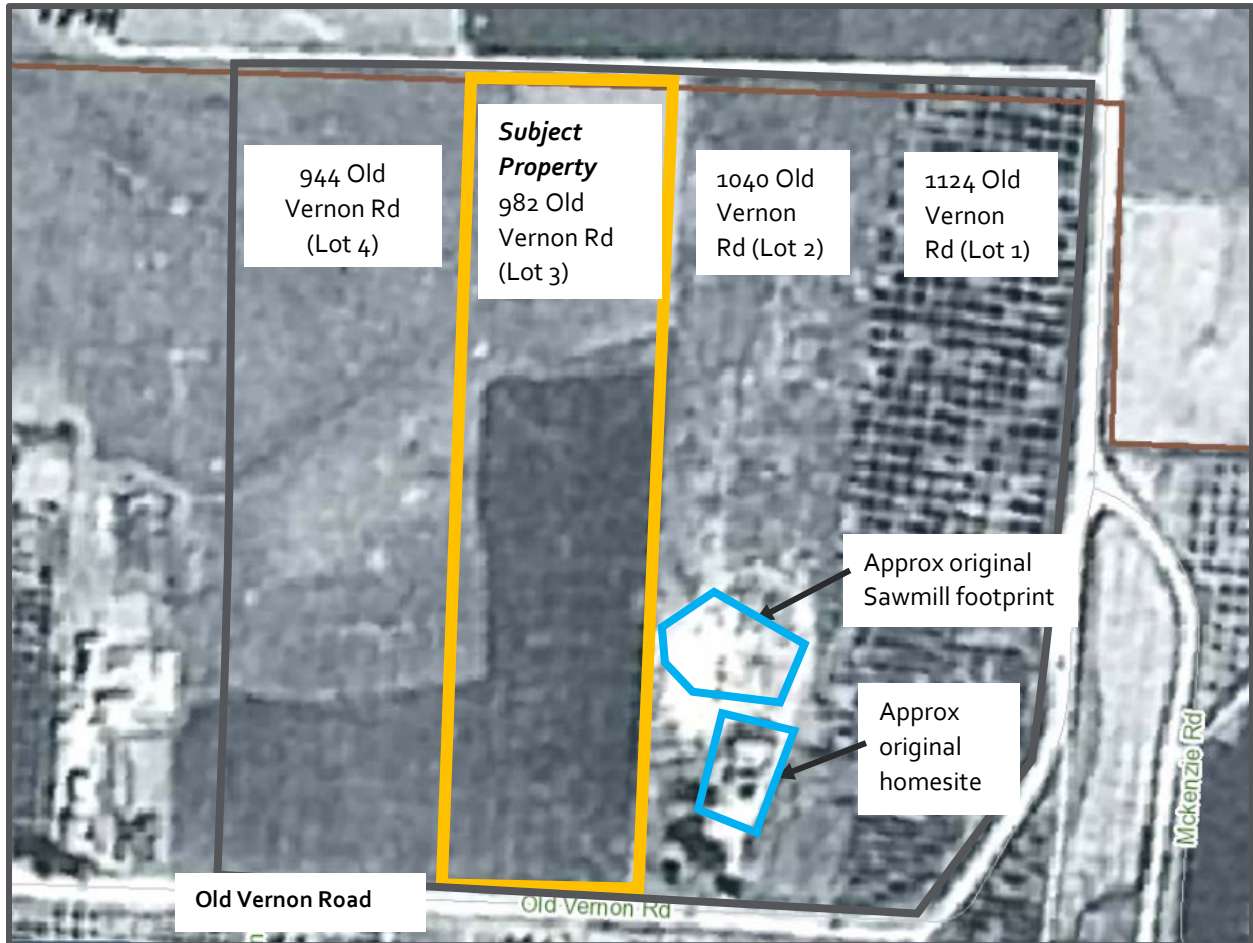
Green Area – Area Permitted to be used for Sawmill operation including the storage of logs, lumber and sawdust.

Yellow Area – Areas where no industrial activities have been permitted. All industrial activities to cease and the lands reclaimed to agricultural standards.

Aerial Photographs

A historical review through aerial photos of the subject property at 982 Old Vernon Road (Lot 3) and neighbouring lots at 944 Old Vernon Road (Lot 4), 1040 Old Vernon Road (Lot 2) and 1124 Old Vernon Road (Lot 1).

Air photo 1 – Air photo circa 1959 of subject property and neighbouring lots.



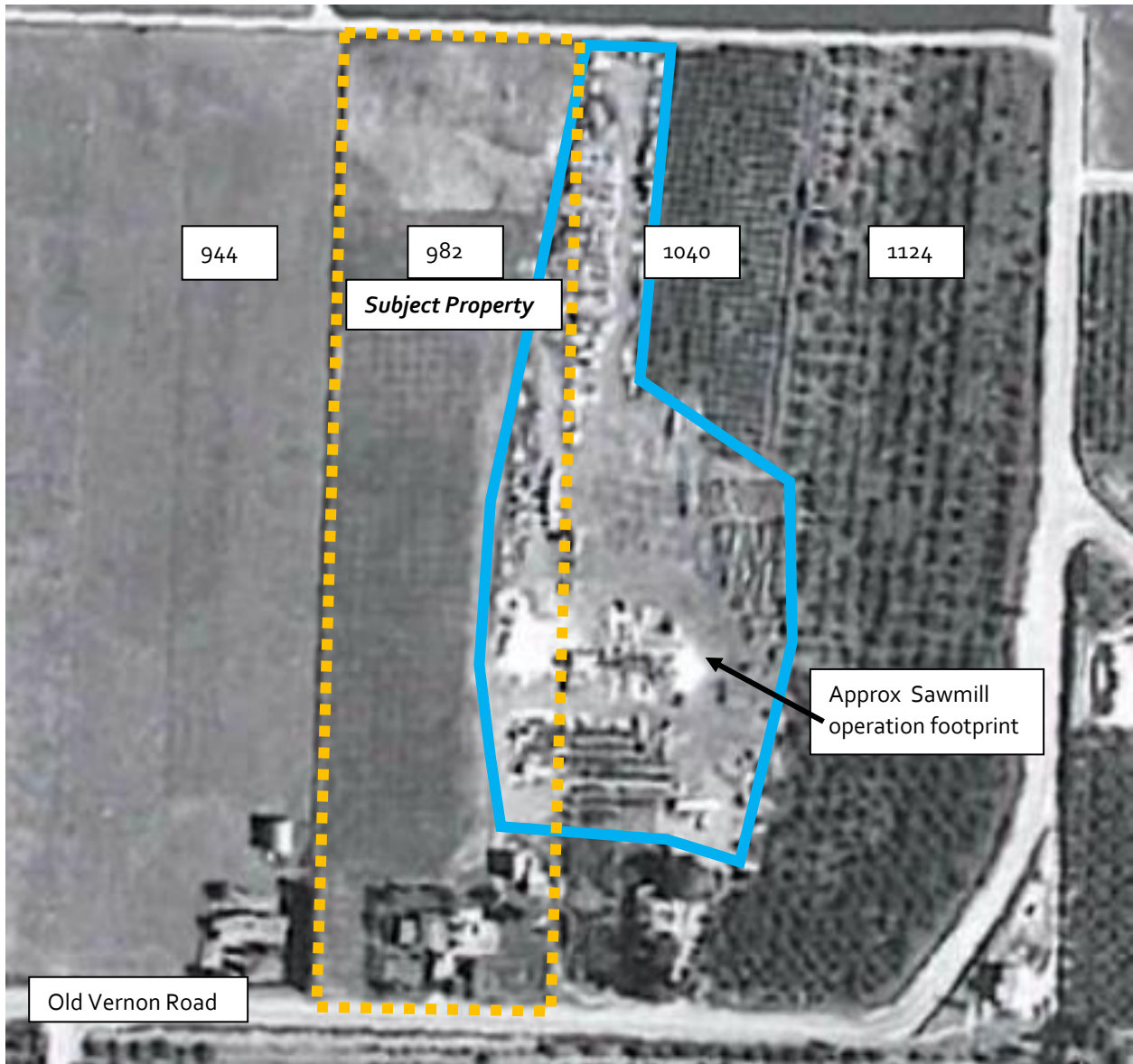
Air Photo 2 – Air photo circa 1970 of subject property and neighbouring lots.



Air Photo 3 – Air photo circa 1976 of subject property and neighbouring lots.



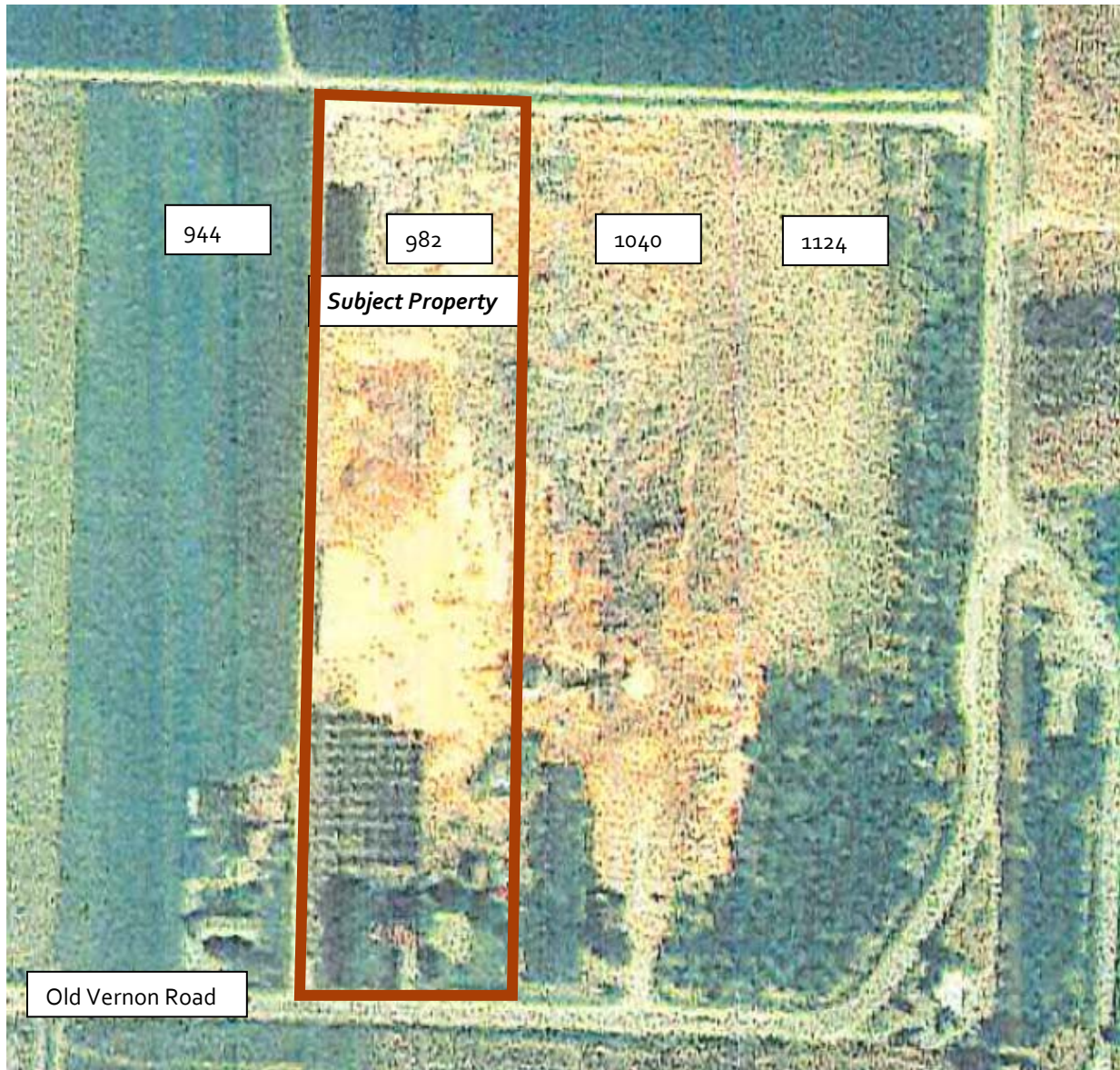
Air Photo 4 – Air photo circa 1984 of subject property and neighbouring lots.



Air Photo 5 – Air photo circa 1985 of subject property and neighbouring lots. Through ALC Resolution # 993/85, authorization was granted, for a limited area of 1.7 ha, specifically for storage of logs, lumber and sawdust.



Air Photo 6 – Air photo circa 1999 of subject property and neighbouring lots.



Air Photo 7 – Air photo 2000 of subject property and neighbouring lots.



Air Photo 8 – Air photo 2006 of subject property and neighbouring lots. The subject property was purchased by current owners in 2005.



Air Photo 9 – Air photo 2009 of subject property and neighbouring lots.



Air Photo 10 – Air photo 2012 of subject property and neighbouring lots. Land use seen in the 2012 air photo shows 1124 Old Vernon Rd (Lot 1) reclaimed for agriculture as required by the ALC Resolution #437/2000, permitting on-farm use of the subject property and 1040 Old Vernon Rd *“for sawmilling, wood waste recycling/composting and pallet recycling”*.



Air Photo 11 – Air photo 2017 of subject property and neighbouring lots.



Air Photo 12 – Air photo 2019 of subject property and neighbouring lots at current use.

