

ATTACHMENT A

This forms part of application
A21-0009

Planner Initials **TC**

City of 
Kelowna
DEVELOPMENT PLANNING

Provincial Agricultural Land Commission - Applicant Submission

Application ID: 63027

Application Status: Under LG Review

Applicant: Edithe Ross

Agent: Theresa Ross

Local Government: City of Kelowna

Local Government Date of Receipt: 04/26/2021

ALC Date of Receipt: This application has not been submitted to ALC yet.

Proposal Type: Non-Farm Use

Proposal: site proposal, to use one acre for year round apple and peach bin storage and seasonal fruit receiving station. We will be working with Consolidated Fruit Packers (CFP), based in Osoyoos. They are the packing house we ship our fruit to. We are in need of a receiving station for us and 15 other farmers who also ship their fruit to CFP. The site will be in use from September to November for receiving fruit to be hauled via B-train highway trucks to Osoyoos packing plant. we will need to have 4 to 6 inches of soil taken away and crush put down to facilitate loading the trucks. The Bin Storage will be used year round. We will also need an atco trailer for an office so that bin tags can be printed to track the fruit.

Agent Information

Agent: Theresa Ross

Mailing Address:

2960, McCulloch Road

Kelowna, BC

V1W 4A5

Canada

Primary Phone: (778) 363-3610

Email: kelcider@telus.net

Parcel Information

Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

Parcel Identifier: 001-249-627

Legal Description: lot 2, section 15, township 26, osoyoss division of yale, plan 736

Parcel Area: 4 ha

Civic Address: 2981 East Kelowna Rd

Date of Purchase: 03/24/1943

Farm Classification: Yes

Owners

1. **Name:**

Address:

Applicant: Edithe Ross



Current Use of Parcels Under Application

1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).

currently farming Apples: gala, spartan, golden delicious, ambrosia, Macintosh, red delicious. Peaches: harrow diamond, canadian harmony, suncrest.

2. Quantify and describe in detail all agricultural improvements made to the parcel(s).

In 2003 irrigation was upgraded from aluminum pipe to poly urethane pipe with sprinklers and computerized time clock.

3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).

1 main house, 1 secondary house, pickers accommodation, detached garage/workshop, storage building and tractor shed.

Adjacent Land Uses

North

Land Use Type: Agricultural/Farm

Specify Activity: peach farming, hay farming, apple farming

East

Land Use Type: Agricultural/Farm

Specify Activity: Cherry farming

South

Land Use Type: Agricultural/Farm

Specify Activity: apple and peach farming

West

Land Use Type: Agricultural/Farm

Specify Activity: apple and grape farming

Proposal

1. How many hectares are proposed for non-farm use?

0.4 ha

We will also need an atco trailer for an office so that bin tags can be printed to track the fruit.

3. Could this proposal be accommodated on lands outside of the ALR? Please justify why the proposal cannot be carried out on lands outside the ALR.

our property is centrally located, which makes a shorter round trip for farmers hauling fruit to be shipped to the packing plant. This means less bruising and damaged to fruit. Gives growers better returns and is more efficient.

4. Does the proposal support agriculture in the short or long term? Please explain.

This proposal will allow us and other farmers working with CFP to ship our fruit to the packing house with greater success. A centralized location allows farmers a faster turn around to get fruit to the market in the best condition for a top quality product.

5. Do you need to import any fill to construct or conduct the proposed Non-farm use?

Yes

Proposal dimensions

Total fill placement area (0.01 ha is 100 m²) *0.1 ha*
Maximum depth of material to be placed as fill *0.1 m*
Volume of material to be placed as fill *616 m³*
Estimated duration of the project. *10 Years*

Describe the type and amount of fill proposed to be placed.

crush 30 to 40 truck loads

Briefly describe the origin and quality of fill.

clean crush haul by Apex Sand and Gravel

Applicant Attachments

- Agent Agreement-Theresa Ross
- Proposal Sketch-63027
- Site Photo-surrounding area
- Certificate of Title-001-249-627

ALC Attachments

None.

Decisions

None.

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| ATTACHMENT A | |
| This forms part of application # A21-0009 | |
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|  City of Kelowna DEVELOPMENT PLANNING | |

Applicant: Edithe Ross

Map 26/116



Google earth

feet
meters

1000

400



Google earth

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2981 East Kelowna Fc

ATTACHMENT A

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A21-0009

Planner Initials TC



APP 3

Block # 9 Reds

10 Peaches

11 Gala

12 Ambrosia

13 Goldens

14 Gala

15

Medium Spartan

18 toilet

16

Ambrosia

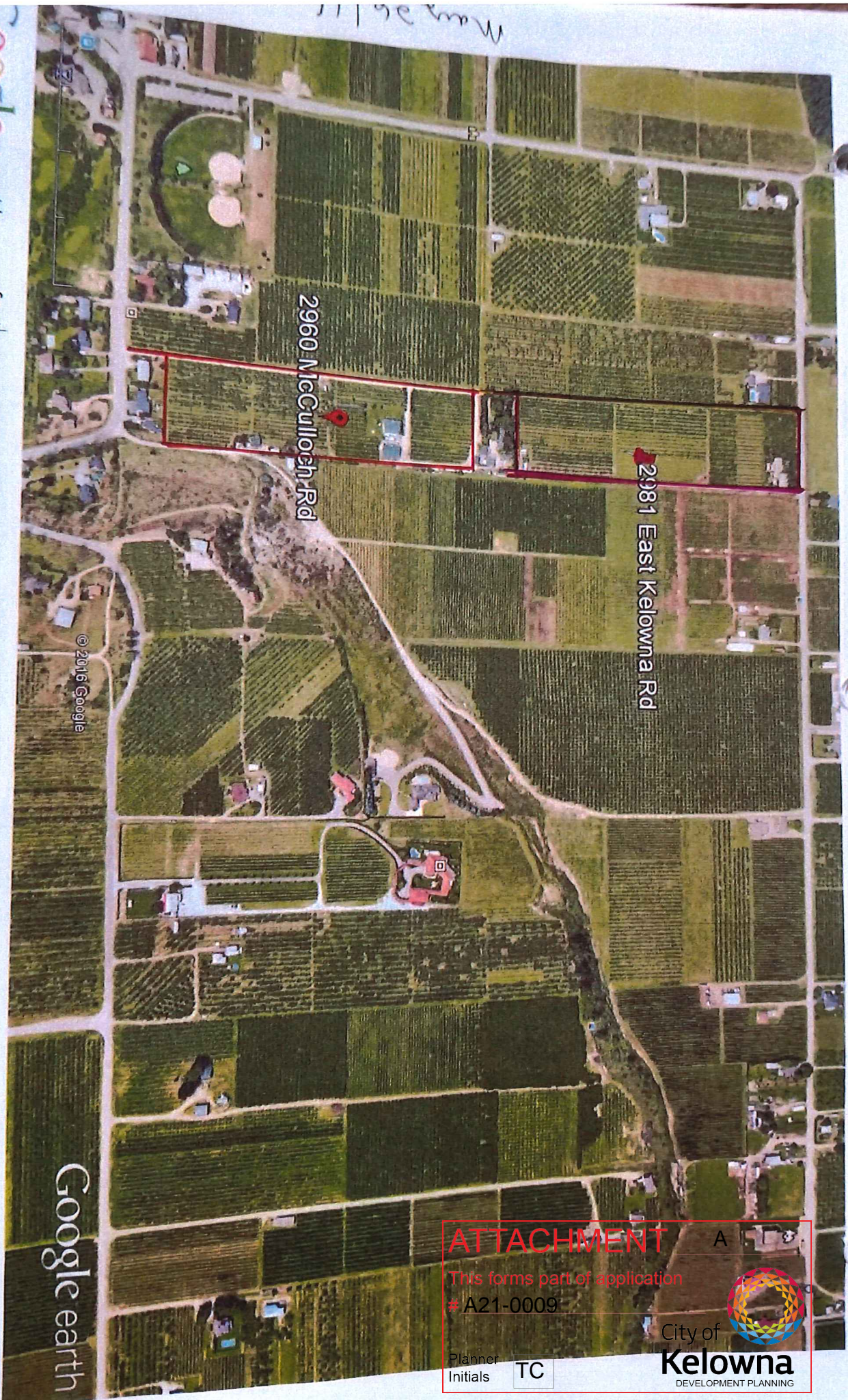
17

Big Spartan

Google earth
app 4

feet
meters
2000
800

- 2960 McCulloch Rd 8.95 acres
- 2981 East Kelowna Rd 10 acres



ATTACHMENT A

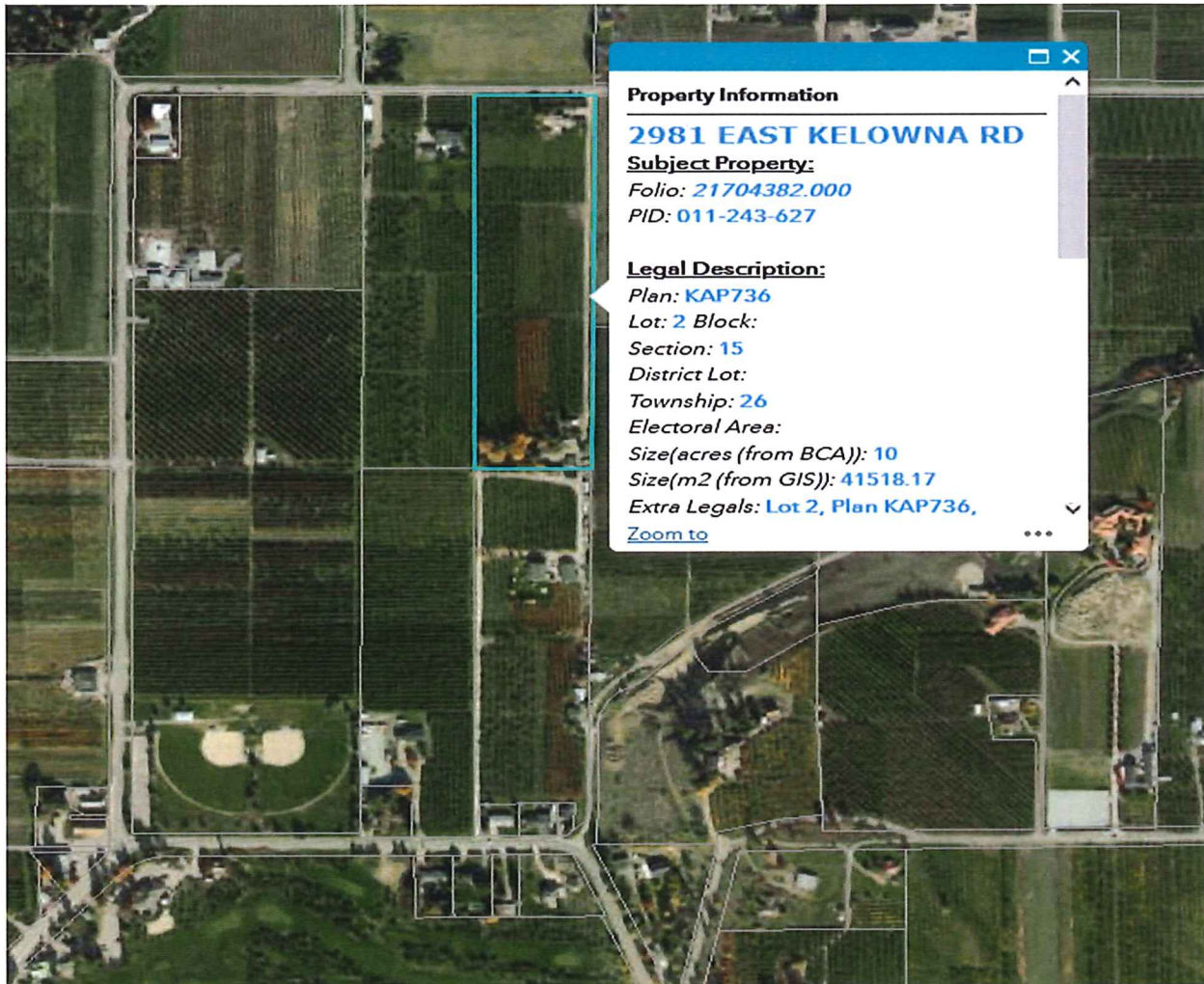
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City of **Kelowna**
DEVELOPMENT PLANNING

A Report to Support Non-Farm Use: bin drop.
Dave and Therressa Ross
2960 McCullough Rd and 2981 East Kelowna Road Kelowna, BC

June 7, 2021



Report Prepared by Carl Withler P.Ag.

DBA "Green Spark Consulting"

Kelowna B.C.

ATTACHMENT B

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This report has been prepared by a Professional Agrologist at the request of Dave and Therressa Ross in support of their Non-farm use application to the ALC (#63027). Specifically, this request is to remove trees and top soil from approximately .75 acre of current orchard land and place gravel and a small, removable, scale shack on the cleared area to pool loaded bins in a central location prior to loading onto a semi for shipment to the fruit grading and packing facility of Consolidated Fruit Packers (CFP) located in Osoyoos B.C. This proposal creates significant efficiency as it allows one large commercial vehicle to transport fruit rather than multiple smaller owner run trucks on a four hour round trip delivery. Efficiencies are gained through reduced emissions of multiple vehicles making multiple trips and keeps owners on their lands harvesting crops rather than delivering small batches of fruit.

Report outline:

1. Statement of Qualifications.
2. Impact on agricultural lands.
3. Recommendations
4. General Commentary

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| ATTACHMENT | | B |
| This forms part of application # A21-0009 | | |
| Planner Initials | TC |  City of Kelowna DEVELOPMENT PLANNING |

Statement of Qualifications: as required by the Professional Governance Act of British Columbia, I confirm the following to be a true statement of my qualifications with respect to the information in this report.

The author of this report is a Professional Agrologist (#695) registered and in good standing in the province of British Columbia and has been so for over 30 years. Because of this registration he is bound by a code of ethics, guided by standard and normal practices and uses scientific and field information to come to logical and rational recommendations and decisions.

Specific to this report Mr. Withler has spent 40 years in production agriculture working in every commodity from animal husbandry to tree fruit horticulture in Canada and abroad. During his working career Mr. Withler worked very closely with the Agricultural Land Commission (ALC), Ministry of Agriculture Strengthening Farming program staff and Local Government planners to create and review bylaws related to agricultural production. As well, Mr. Withler is relied on by Farm Industry Review board hearings as a "Knowledgeable Person" and allowed to offer opinion regarding normalized farming practices. Recently, the author retired from the provincial civil service as the Industry Specialist for the Tree fruit and Grape industries and is working as an Environmental Farm planner and replant inspector for the Treefruit Replant program. Mr. Withler is now the lead Agrologist for Green Spark Consulting

Impact on Agricultural Lands: in order to determine the potential impact on agricultural lands a site review in the company of the owner was carried out on May 27, 2021 to review works to date, confirm existing land practices and review basic documentation.

From this review it was confirmed that the area in question is approximately .75 acre in size, allows for easy access to and from the site in large and small vehicles, is secure and flat for easy movement of forklifts, bins and other farm equipment. It is also central to the approximately 15 growers that will pool their bins here for mass shipment to the grading and packing facility.

At the time of review, the site was cleared of topsoil, which remains on site currently and waiting for approval prior to hard surface (crush) fill placement and final grading. No evidence of topsoil removal was noted at time of inspection.

Although this is a “loss” of productive agricultural land, the “loss” is time bound, can be rehabilitated cheaply and easily and most importantly, provides a significant net benefit by marshalling fruit outside the City of Kelowna core, on safe, level ground and within reasonable trucking distance of a grading and packing facility. Any “loss” of productive land is surpassed by the gross benefit to agricultural producers in the South East Kelowna area.



Photo 1: Google Earth image of 2981 East Kelowna road location with application area outlined in yellow.

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A21-0009



City of Kelowna
DEVELOPMENT PLANNING

Planner Initials TC

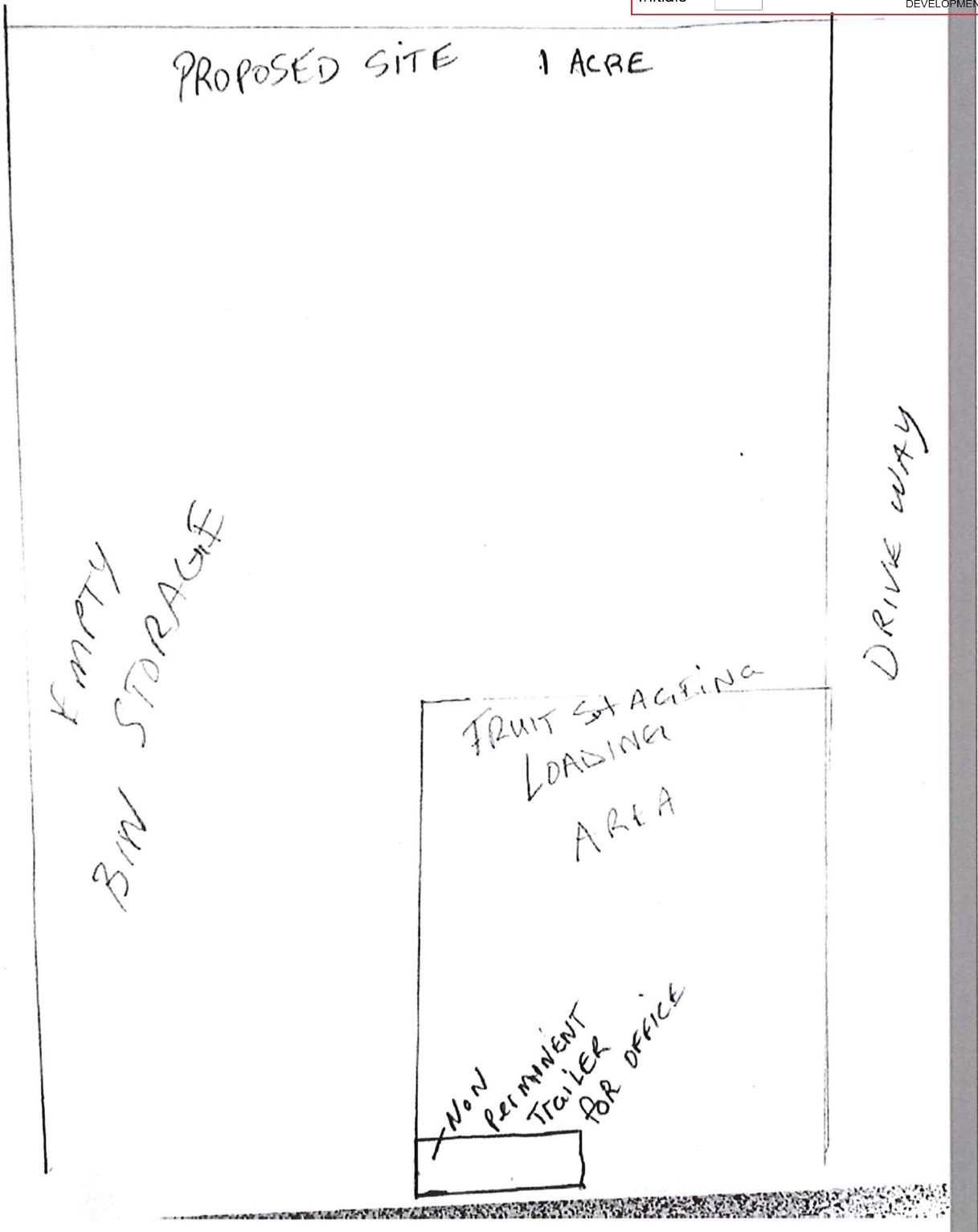


Figure 1; Site map produced by project proponent showing specific layout of scale shack, loading area and bin storage.



Photo 2: area in question looking North; note topsoil surrounding area remains in place. The scale shack will sit approximately where the Cat is now.

Recommendations; In preparing this report, I interviewed the land owners and staff from CFP as well as reviewed lease agreements in place between the two parties. In doing so, I am confident that there is a long term intent by both parties to efficiently and effectively pool and transport fruit for the benefit of approximately 15 growers in the South East Kelowna quadrant. Added, there are provisions in place for breach of lease by either party and specifically, rehabilitation requirements if, and when the lease terminates. The lease is evergreen and it is the intention of both parties for this to continue as part of the farming legacy of the Ross family.

The Ross family are long time orchardists in the Kelowna area having been in the farming community from the early 1900's onwards. They intend to keep farming into the foreseeable future with children, now of succession age and skills, to take over.

Because of this document review, interview process and my specific knowledge of the business model of CFP I would recommend that this application be supported by the City of Kelowna, the

ALC and only generalized conditions (i.e. simple bonding) regarding bonding for site rehabilitation be placed at time of approval. As the intention of this agreement is to be everlasting, the proponent should be allowed to remove the stock piled topsoil currently on site and replace it, if and when, needed.

General Commentary: CFP has made great gains in the last 10 year period in Kelowna and around the world in marketing high quality fruit and produce. With it's business roots in Kelowna, it has built a reputation of treating it's growers fairly and treating them, and their land fairly in exchange for high quality fruit delivered for processing. This agreement between the Ross family and CFP confirms both parties commitment to continued fruit production in the Central Okanagan.

The author of this report remains committed to finalizing a decision regarding this application and should any party require further information he may be reached at 250 870 2137.

Respectfully submitted,



Carl Withler P.Ag. (#695)

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ATTACHMENT C

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Planner Initials **TC**

City of **Kelowna**
DEVELOPMENT PLANNING

June 23, 2021

File No: 0280-30

Local Government File No: A21-0009

Planning Staff
City of Kelowna
Via E-mail: planninginfo@kelowna.ca

Dear City of Kelowna planning staff:

Re: Non-Farm Use, 2981 East Kelowna Road, Parcel Identifier: 001-249-627

Thank you for providing B.C. Ministry of Agriculture, Food and Fisheries staff the opportunity to comment on the subject application. From an agricultural perspective, we offer the following comments on the materials provided:

- The project would utilize approximately one acre of farmland to provide bin storage and a seasonal fruit receiving station.
- No permanent structures are proposed as part of the project.
- Approximately 15 other fruit growers would benefit from the project through efficiencies gained in using the location to pool bins and ship fruit.
- As outlined in the Agrologist's Report future site rehabilitation, if needed, would be relatively simple.
- This use would be beneficial for agriculture and Ministry staff have no objections.

If you have any questions, please contact us directly by email or phone.

Sincerely,

Alison Fox, P.Ag.
Land Use Agrologist
B.C. Ministry of Agriculture,
Food and Fisheries
Alison.Fox@gov.bc.ca
778 666-0566

Chris Zabek, P.Ag.
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ATTACHMENT **C**

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cc. Sara Huber, Regional Planner, ALC, Sara.Huber@gov.bc.ca