



City of  
Kelowna

A24-0012

1629 KLO Road

ALC Soil and Fill Use Application to Place Fill on the Property

# Proposal

- ▶ The applicant is requesting retroactive approval from the ALC for a Soil and Fill Use application for placement of 745 cubic meters of gravel fill for a retail nursery parking lot and a nursery container production area.

# Development Process

Sept. 12, 2024

Development Application Submitted



Sept. 26, 2024

Staff Review & Circulation



Oct. 10, 2024

Agricultural Advisory Committee



Council Consideration

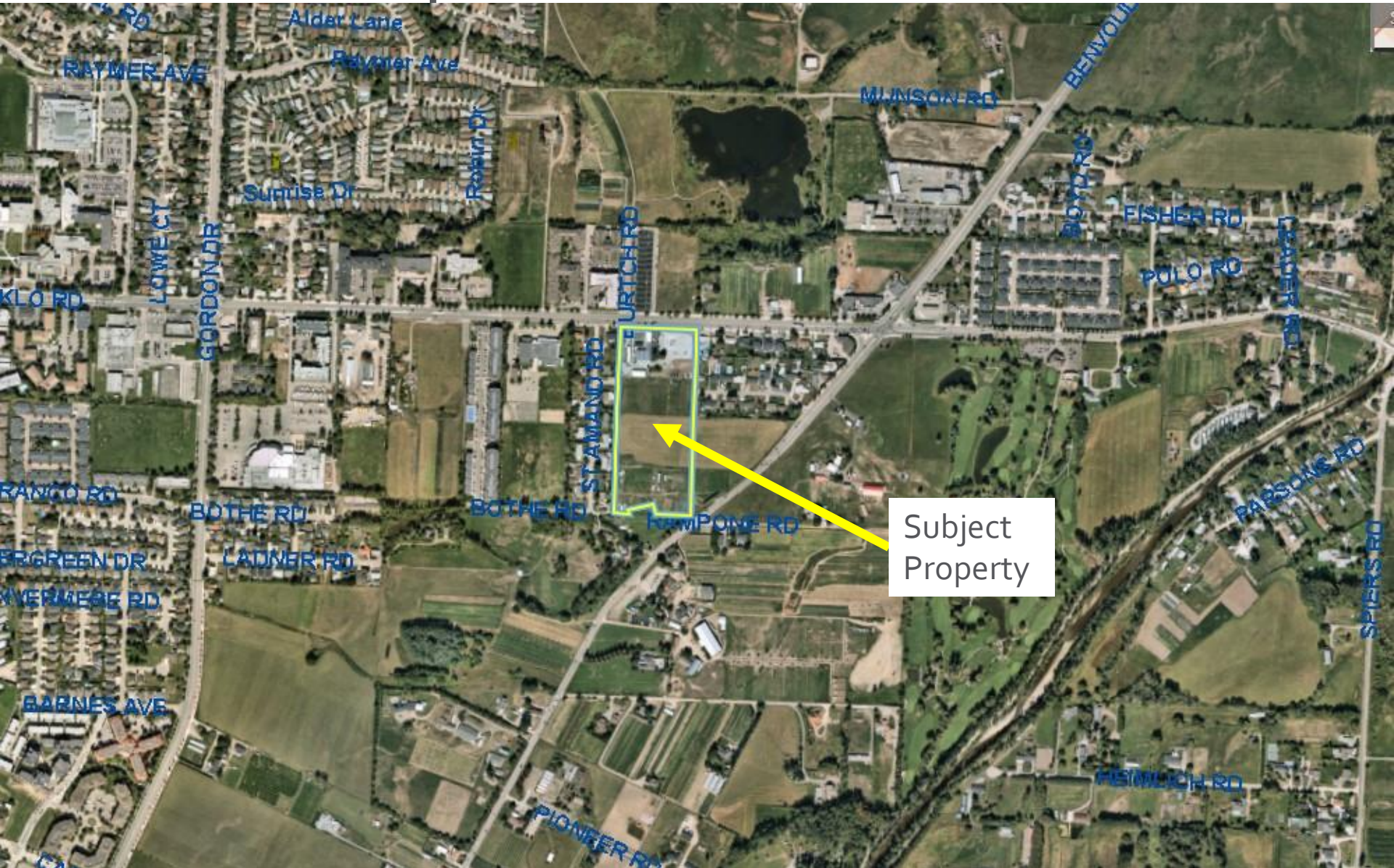


Agricultural Land Commission



Soil Placement Permit (City of Kelowna)

# Context Map



Subject Property

# Subject Property Map



City of Kelowna

# Agricultural Land Reserve



City of Kelowna

# Background

- ▶ The property has been owned by Bylands Nursery, since August 2023
- ▶ Prior to Bylands, the property was used as a garden center for over 10 years under the business Better Earth and Garden
- ▶ Between Oct. 2023 and March 2024 Bylands imported gravel to the site to enhance the container nursery production area and provide parking for the retail nursery business.
- ▶ On May 5, 2024, ALC Enforcement issued an order to Bylands to apply for a Soil and Fill Use application or remove the unauthorized fill.

# Agricultural Land and Soil Capability

- ▶ The site is able to support a wide range of crops based on the Class 2 and 3 capability ratings.
- ▶ General crops suited to conditions on the site include alfalfa, annual vegetable crops, cereals, corn, forage crops, nursery and Christmas trees, pears, raspberries and strawberries. Apples can be suitable if subsurface drainage is installed.



# Project/technical details

- ▶ Bylands added 745 cubic metres of fill (30 cm deep) to allow for a clean, functional and free draining area for retail nursery parking, nursery/greenhouse production and pedestrian traffic.
- ▶ The majority of the site (3.7 ha) is used for soil-based agriculture (alfalfa and cut flowers).
- ▶ The northern portion of the site (1.4 ha) has historically been used for nursery and greenhouse production, retail sales and bulk sales of soil and other products.

# Site Plan – Unauthorized Fill Area



Unauthorized  
Fill Area

# OCP Policy

- ▶ Support for Non-Farm Uses only where:
  - ▶ consistent with Zoning Bylaw and OCP;
  - ▶ provide significant benefits to agriculture;
  - ▶ accommodated using existing infrastructure;
  - ▶ minimize impacts on agricultural lands;
  - ▶ will not preclude future use for agriculture; and
  - ▶ will not harm adjacent farm operations.

# AAC Recommendation

- ▶ Request for AAC to provide a recommendation for Council of either support or non-support.
- ▶ Following the meeting the application will be forwarded to Council



*Conclusion of Staff Remarks*