

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: September 7, 2023
RE: Zoning Bylaw Amendment – Electoral Area “E” (E2023.008-ZONE)

Administrative Recommendation:

THAT Bylaw No. 2800.24, 2023, being a bylaw to amend the Okanagan Valley Zoning Bylaw to allow for an organics treatment and processing facility at 1313 Greyback Mountain Road, be read a first and second time and proceed to public hearing; and,
THAT the holding of the public hearing be delegated to Director Fedrigo; and,
THAT notice of the public hearing comply with the requirements of the *Local Government Act*.

Folio: E-06828.000

Legal: Sublot 8, District Lot 2711, SDYD, Plan KAP1190

OCP: Resource Area (RA)

Zone: Resource Area (RA)

Proposed Development:

To amend the zoning of 1313 Greyback Mountain Road from Resource Area (RA) to Resource Area Site Specific (RAS) with the site specific regulation to permit “composting operation” as a principal use and “public maintenance and works yard” as an accessory use.

Site Context:

The property is 31.8 ha in area and is bisected by a non-dedicated portion of Greyback Mountain Road. The property abuts the boundaries of the City of Penticton along its southern and western parcel boundaries.

The surrounding pattern of development is generally characterised by the Campbell Mountain Landfill to the west, largely undeveloped lands to the east and south, and the rural-residential community of Falconridge to the north.

Background:

The property was created in 1912, while available Regional District records indicate that a building permit has been issued for the placement of a modular home (2009), and a farm building exemption was approved for a calving barn (2017).

The property is designated Resource Area (RA), and is the subject to a Watercourse Development Permit (WDP) and Environmentally Sensitive Development Permit (ESDP) Area designation.

The property is currently zoned Resource Area (RA).

A “composting operation” is defined under the Zoning Bylaw to mean “the entire area, buildings, and equipment used for the biological decomposition of organic materials, substances or objects under controlled circumstances in composting storage facilities and composting storage sites”.

The property is partially within the Agricultural Land Reserve (ALR) and has been classified as “Residential” (Class 01) by BC Assessment.

An application was made to the Agricultural Land Commission (ALC) in 2020 requesting the exclusion (or non-farm use) of the property from the ALR in order to construct an organics composting facility. By way of Resolution #512/2021, the ALC refused the application.

Referrals:

Approval from the Ministry of Transportation and Infrastructure (MoTI) is not required prior to adoption as the proposed amendments involve lands beyond 800 metres of a controlled access highway (i.e. Highway 97 & 3).

Public Process:

On August 9, 2023, a Public Information Meeting (PIM) was held electronically via Webex and was attended by nine members of the public.

At its meeting of August 14, 2023, the Electoral Area “E” Advisory Planning Commission (APC) recommended to the RDOS Board that the development application be approved.

All comments received to date in relation to this application are included as a separate item on the Board Agenda.

Analysis:

The Regional District considers the subject property to be the preferred location for the development of an organics treatment facility that is in close proximity to the existing sanitary landfill operation at Campbell Mountain.

This composting operation would serve the City of Penticton, the Village of Keremeos, Electoral Areas “B”, “D”, “E”, “F”, “G”, and “I” and construction is proposed to be undertaken in two phases. These phases will consist of an aerated bunker treatment and processing facility for composting food, agriculture and yard waste (Phase 1). Treatment of biosolids could occur as Phase 2 if allowed by the ALC as a non-farm use.

The Campbell Mountain landfill is currently subject to space constraints and there are limited opportunities to use closed space for future organics collection and transfer operations at the site. This has direct implications on the amount of space available for composting operations, as it will affect the space required for additional recycling/transfer or composting operations at the landfill.

This will be further exacerbated as the region moves towards implementing source-separated organics (SSO), as this will require the development of additional space to facilitate a new organics processing facility.

The construction of the proposed organics treatment and processing facility is regionally significant in that it would provide the benefit of expanded waste management services across the region. The

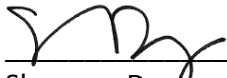
diversion of organic material from the Campbell Mountain Landfill are anticipated to extend the lifecycle of the landfill by approximately 11 years.

Concerns were previously raised by surrounding property owners during the public consultation period associated with the 2020 ALC exclusion application. However, it would be very difficult and expensive to site the composting operation elsewhere within the region and there are benefits of co-locating any new organics operation in close proximity to the Campbell Mountain landfill.

Alternatives:

1. THAT the Okanagan Valley Zoning Amendment Bylaw No. 2800.24, 2023 be read a first and second time and proceed to public hearing;
AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of October 5, 2023;
AND THAT staff give notice of the public hearing in accordance with the requirements of the Local Government Act.
2. THAT the Okanagan Valley Zoning Amendment Bylaw No. 2800.24, 2023, be denied.

Respectfully submitted:



Shannon Duong, Planner II

Endorsed By:



C. Garrish, Senior Manager of Planning

Attachments: No. 1 – Site Plan

Attachment No. 1 – Site Plan

