



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

February 8, 2006

Reply to the attention of Simone Rivers

D.S. Cunliffe
1975 Valleyview Drive
Kamloops, BC V2C 4C1

Dear Mr. Cunliffe:

Re: Application # ZZ-36431-0
PID: 012-978-183
District Lot 109, Kamloops Division of Yale District
PID: 012-961-345
District Lot 210, Kamloops Division of Yale District

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your client's application to use 1.2 ha of the above mentioned properties for a sewage disposal area. The application was submitted pursuant to section 20(3) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission writes to advise that it approved your application subject to:

- the use being restricted to the 1.2 ha area identified on the attached plan.
- compliance with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment. The Commission suggests you contact Thompson-Nicola Regional District at your earliest convenience.

The decision noted above is recorded as Resolution #31/2006.

Please quote your application number in any future correspondence.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

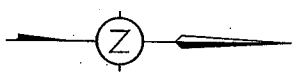
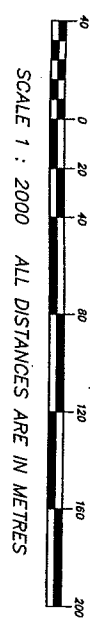
Erik Karlsen, Chair

cc: Thompson-Nicola Regional District (File ALR-M-55)

SBR/lv/Encl. (plan)
36431d1

**SITE PLAN OF SEPTIC AREA
PART OF D.L. 109 & 210
ALL IN KDYD**

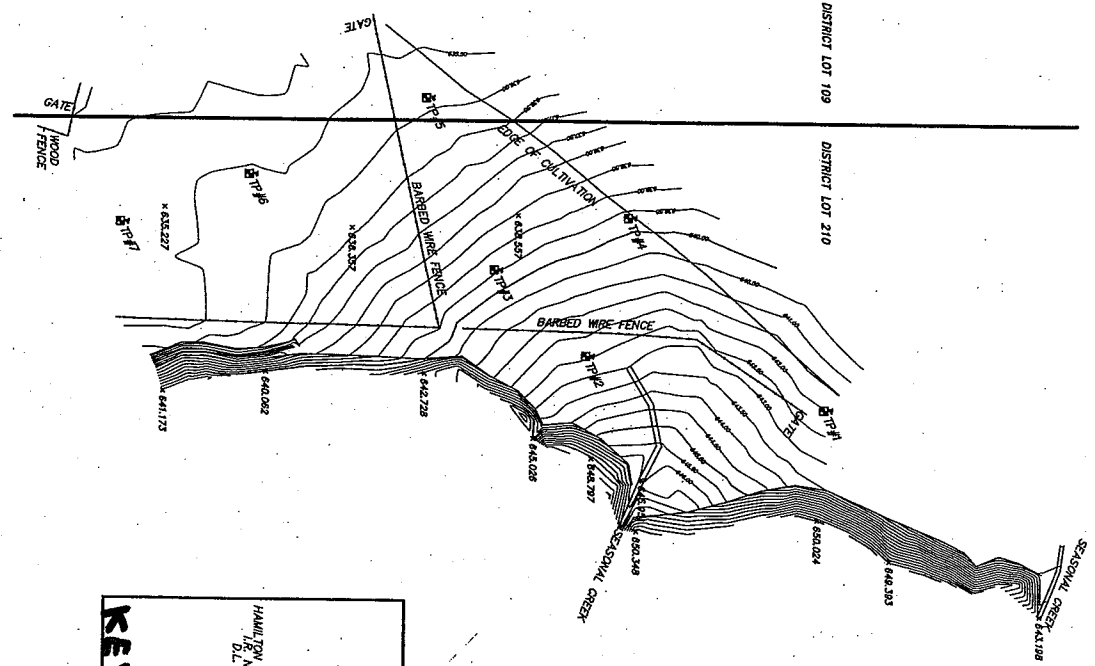
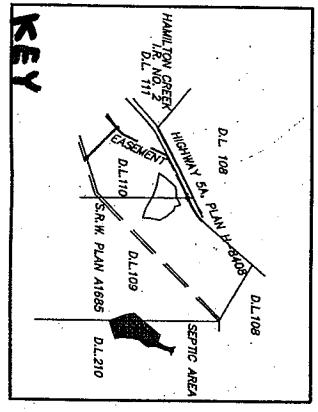
B.C.G.S. 92 / 018
PURSUANT TO SECTION 99 (1)(a) OF THE LAND TITLE ACT.



NOTE:
ELEVATIONS ARE FOR DESIGN PURPOSES ONLY AND SHOULD BE VERIFIED IN THE FIELD PRIOR TO CONSTRUCTION.
ELEVATIONS ARE TO GEODETIC DATUM CO-ORDINATE BASE USED MVD 83 SEA LEVEL.
FOR AN ACCURATE DETERMINATION OF PROPERTY BOUNDARIES A REFERENCE PLAN TO RE-ESTABLISH ALL LOT CORNERS WOULD BE NECESSARY.

DATED THIS 30 DAY OF SEPT, 2005
LEO COOSTER
B.C.L.S./C.L.S.

COOSTER AND SINGER
BC AND CANADA LAND SURVEYORS
#501-7, ST. PAUL STREET WEST,
KAMLOOFS, BC, V2C 1E9
TEL: 250-374-5531 FAX: 250-374-5332
DRAWN BY: JD
DRAWING NO: 02320SP
FILE NO: 02320
FB: 208 F: 145



Provincial Agricultural Land Commission
Application: Z-36431-0
Resolution #31/2006

Approved 1.2 ha area for use as a sewage disposal area.



Staff Report
Application # ZZ – 36431 –0
Applicant: Quilchena Cattle Co. Ltd
Agent: D.S. Cunliffe, P. Eng

DATE RECEIVED: December 23, 2005

DATE PREPARED: January 30, 2006

TO: Chair and Commissioners – Interior Panel

FROM: Simone Rivers, Regional Research Officer

PROPOSAL: To use a 1.2 ha portion of the 526.8 ha property for sewage disposal.

This application is made pursuant to section 20(3) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

This application is a component of the previous approval given under Application # ZZ-33275. However, it introduces an additional lot, District Lot 210 that was not part of the original application.

During development of the 44-lot waterfront subdivision, a domestic source of water was located on District Lot 110 in the vicinity of the existing hotel. As result of the approval and permitting process for this well, it became apparent that the total effluent discharge on DL 110 exceeded 5000 Imperial Gallons Per Day.

Consequently, septic fields previously permitted by Interior Health under the Health Act, now came under the Jurisdiction of the Municipal Sewage Regulations (MSR). The two sets of regulations have different requirements for setbacks from domestic water supply wells.

The Health Act has a minimum 30 m setback requirement. Conversely, the MSR requires a minimum 90 m setback for Class A effluent or a 300 m setback for Class B or lower. An extensive test pit program was carried out in the vicinity and no suitable soils were found within the 90 m to 300 m range.

Because of the change in status, Quilchena was forced to close the RV park for the 2005 Season in order to limit the effluent discharging in the vicinity of the drinking water well.

The Waste Manager who administers the MSR allowed the hotel, office and several residences to discharge through 2005 for several reasons

1. The subdivision was not expected to draw water prior to 2006.
2. Hotel discharges were down gradient of the new well.
3. Residential and office discharges were considered minimal.
4. The Quilchena Cattle Company committed, and commenced an investigative program to achieve registration under the MSR.

As part of the investigative program, the area under application was identified as the most suitable location for the new septic field for a number of reasons.

1. The area is large enough to handle not only the existing effluent discharge, but also the future development envisaged under approval ZZ-33275.
2. The area is physically separated from the domestic aquifer by a bedrock ridge, which effectively blocks well contamination.
3. The area is well beyond the minimum 300 m setback.
4. The area currently has no, and is not suitable for agricultural purposes.

Local Government:

Thompson-Nicola Regional District

Legal Description of Property:

1. PID: 012-978-183
District Lot 109, Kamloops Division of Yale District
2. PID: 012-961-345
District Lot 210, Kamloops Division of Yale District

Location of Property:

Quilchena Ranch, Merritt

Area of Property Proposed for Non-Farm Use:

1.2 ha

Present use of the Property:

Hay production and grazing

Surrounding Land Uses:

WEST: Hay production, feedlot (ALR)
SOUTH: Grazing (ALR)
EAST: Hay production (ALR)
NORTH: Hay production (ALR)

Agricultural Capability:

Data Source: Agricultural Capability Map # 92/1 and 92/12
The majority of the property is identified as having secondary ratings.

Zoning Bylaw and Designation:

Zoning Bylaw No. 940 designates the property as RL-1 (Rural)

PREVIOUS APPLICATIONS:

Application #33275-0

Applicant: Quilchena Cattle Co. Ltd.

Decision Date: December 14, 2000

Proposal: To expand the resort portion of the ranch operation to secure future viability of the ranch.

- 1) Extend to 9 to 36 hole Golf Course
- 2) Hotel expansion.
- 3) Additional capacity for RVs.
- 4) Housing.

Decision: Approved in principle subject to the following conditions:

- 1) That subdivision plans be forwarded to the Commission for final approval prior to depositing to the LTO
- 2) That the Ministry of Transportation approve the relocation of the highway and intersection
- 3) That there be no more than 100 RV sites
- 4) That the hotel and commercial expansion does not exceed 100 beds.
- 5) That the future golf course expansion be retained within the allotted golf course space and attain a maximum of 36 holes
- 6) The inclusion of 457 ha as per Application #33275

Application #33275-1

Applicant: Quilchena Cattle Co. Ltd

Decision Date: March 25, 2003

Proposal: The request for reconsideration is based on the applicant's request to amend the agreement which is in place to:

- 1) permit the non-farm use of D.L. 208 to accommodate the golf course expansion and
- 2) amend the approved 43 residential lots to accommodate the construction of a lodge with sleeping accommodations in addition to housing units. The applicant offers to eliminate a certain number of residential units to off set the construction of the lodge building. They propose to negotiate the actual number with the Thompson Nicola Regional District as part of the rezoning application that will be required for the lodge.

Decision: The Commission agreed with the concept presented, to permit the non-farm use in D.L. 208 to accommodate the previously approved golf course as well as the development of a lodge with sleeping accommodations to be associated with the golf course and a reduced number of strata lots and will defer its final decision on the proposal until such time as it has considered a more concrete development plan detailing the exact number of strata lots proposed as well as the size and location of the lodge.

Application #33275-2

Applicant: Quilchena Cattle Co. Ltd.

Decision Date: August 18, 2004

Proposal: To subdivide the lot, previously approved for a 36 hole golf course development into two separate lots of approximately 85 ha and 125 ha. The reason for this request is that now the applicant is dealing with two separate parties, each wishing to develop their own 18-hole golf course. Thirty-one strata lots will be developed on the 125 ha golf course, as well as 12 sleeping units in the Golf Course clubhouse.

Decision: Allow as proposed.

STAFF COMMENTS:

Staff has no objections to the proposal as it is necessary for completion of the development previously authorized by the Commission.

END OF REPORT

Imone Rivers
Signature

Feb 2, 2006
Date