



Agricultural Land Commission Staff Report

DATE: March 2, 2010
TO: Vice Chair and Commissioners - Interior Panel
FROM: Simone Rivers

RE: Application # 51169
PROPOSAL: To remove 1 million cubic metres of horticultural peat moss from 24 ha of the 63.7 ha property.

PROPOSAL INFORMATION

Background: Although the property is partially in and partially out of the ALR, the area proposed for extraction is entirely within the ALR.
Extraction is proposed to a depth of 3 m.

Received Date: December 10, 2009
Applicant: Teri Sumners
Agent: N/A
Local Government: Thompson-Nicola Regional District

DESCRIPTION OF LAND

PID: 013-637-631
Legal Description: The Northwest 1/4 of Section 24 Township 22 Range 13 West of the 6th Meridian Kamloops Division Yale District Except Plan KAP69134
Civic Address: Loakin Bear Creek Road, Loakin Bear Creek
Area: 63.7 ha
ALR Area: 34 ha
Purchase Date: September 5, 2001
Owner: Teri Sumners

Total Land Area: 63.7 ha
Total ALR Area: 34 ha
Current Land Use: Shack - no activity

PROPOSAL DETAILS

Non Farm Use

| Area | Agricultural Capability | Agricultural Capability Source |
|------|-------------------------|--------------------------------|
| 24.0 | Secondary | CLI |

Soil Change

Area **Agricultural Capability** **Agricultural Capability Source**

0.0

| Activity | Volume (m3) | Depth (m) | Material Description |
|-----------------|--------------------|------------------|-----------------------------|
| Remove Fill | 1,000,000.0 | 3.0 | Peat |

On- site processing: No

Description of Equipment to be used: Rototillers, harrows, tractor vacuum harvesters, machinery specifically designed for peat extraction

Reclamation plan prepared by Professional Agrologist: No

Reclamation Measures: Ensuing years will facilitate the harvesting phase - a gradual abandonment & restoration upon depletion will occur in accordance with Government Regulations

Project End Date: December 14, 2034

Surrounding Land Uses:

| | |
|-------|--------------|
| North | Private home |
| East | Bison farm |
| South | Crown Land |
| West | Private home |

Official Community Plan

Bylaw Name:

Designation:

OCP Compliance:

Zoning

Zoning Bylaw Name: Bylaw No. 940

Zoning Designation: AF-1 (Agricultural/Forestry) Zone

Minimum Lot Size: 8.0 ha

Zoning Compliance: Yes

PREVIOUS APPLICATIONS

Application #: 4469

Applicant: Robert Robillard

Proposal: To extract peat from a 24 ha area of the property to create a man-made lake. SEE FILE 02-ZZ-95-30260

Decisions:

Resolution Number

Decision Date
June 26, 1996

Decision Description

The Commission refused the proposal as it felt the peat extraction as proposed would debilitate the land for agricultural purposes. The Commission did allow a

smaller area for peat extraction as recommended by
Graham Strachan D.A. from the Ministry of Agriculture.

Note: Legacy application # ZZ-30261

Application #: 4468

Applicant: Robert Robillard

Proposal: exclude the 32 ha area from the A.L.R. and extract peat as a business. The applicant also has an S.C.A. application in-stream for peat extraction (95-30261)

Decisions:

**Resolution
Number**

Decision Date

Decision Description

641

June 26, 1996

Refused as submitted on the grounds that the Commission does not support the premise that these lands would not benefit agriculturally from proper drainage. The Commission would be willing to permit the partial exclusion of those lands located south and east of the road (9.9 ha) subject to the submission of an inclusion application for that portion of the property located to the west of the road which is presently located outside the ALR.

Note: Legacy application # ZZ-30260

The exclusion was never finalized as the inclusion application was not submitted.

RELEVANT APPLICATIONS

Application #: 44653

Applicant: Urban Holdings Ltd

Proposal: Subdivision for a Relative: To subdivide the 64.5 ha parcel into three lots, two 8.7 ha parcels and a 47.1 ha remainder.

Decisions:

**Resolution
Number**

Decision Date

Decision Description

199

April 30, 2008

Allowed as proposed on the grounds that the majority of the new lots to be created are located outside of the ALR.

Note: Legacy Application # ZZ-37861

Application #: 37307

Applicant: Rainbow Creek Ranch Co Ltd

Proposal: To use approximately 35 ha of the 62.4 ha property for a guest ranch including a lodge. 23 ha of the property is in the ALR.

Decisions:

**Resolution
Number**

Decision Date

Decision Description

Note: Legacy Application # ZZ-21351

Decision Date: August 25, 1987
Decision: Refused.

Application #: 36745

Applicant: Rainbow Creek Ranch Co Ltd

Proposal: To exclude 15 ha of the 62.3 ha property from the ALR in order to establish a resort with campground, cabins and associated recreational facilities.

Decisions:
**Resolution
Number**

Decision Date

Decision Description

Note:

Legacy Application # ZZ-19062

Decision Date: October 15, 1985

Decision: Refused on the grounds that the Commission is opposed to the ad hoc exclusion of lands in this area of the Agricultural Land Reserve. However, the Commission would have no objection to the proposed campground and guest cabins pursuant to Section 20(1) of the act.

Application #: 30861

Applicant: N.E. Scott

Proposal: To subdivide four (4) 4 ha parcels from the subject property.

Decisions:
**Resolution
Number**

Decision Date

Decision Description

Note:

Legacy Application # ZZ-7030

Decision Date: September 13, 1978

Decision: Refused on the grounds that the property is located within an important grazing area and subdivision would preclude any commercial agricultural development on the property.

Application #: 6450

Applicant: Monty Aldoff

Proposal: To extract 59,000 cubic metres of peat to a depth of 2.5 metres from the property. Area to be used as a reservoir and for recreational use.

Decisions:
**Resolution
Number**

Decision Date

Decision Description

765

June 26, 1989

The Commission allowed the proposal subject to standard operating conditions and that the extraction area be limited to 2.0 hectares.

Note:

Legacy Application # ZZ-23239

Committee Recommendations

Type

Recommendation

Description

Board/Council

No Comment

Thompson-Nicola Regional District Board: the Regional Board forwarded the application under standing resolution as is their policy. No specific

comments were made.

STAFF COMMENTS

A previous owner of the property applied to extract peat from the property in 1995. The Commission did not approve extraction from the entire property because it "felt that peat extraction as proposed would result in debilitation of the land for agricultural purposes." The Commission went on to say that it "found some merit in a limited extraction of peat which may provide improved drainage for the property". The Commission allowed limited extraction of peat from the property subject to terms and conditions. The project was never completed. The new owners are again requesting permission to extract peat from 24 ha of the property. They state that the equipment used to extract peat has changed. They explain that a vacuum harvest method used to extract the peat lowers the landscape by several inches each year and does not result in a dramatic change in scenery as would be the case when extraction is done by digging.

ATTACHMENTS

51169 ag cap.pdf
51169 airphoto.pdf
51169 previous decision ZZ-30261.pdf
51169 proposal description.pdf
51169 proposal sketch.pdf
51169_ContextMap50k.pdf

END OF REPORT

Signature

Date