



Staff Report
Application # ZZ – 37447
Applicant: Christian Ranch Ltd.
Agent: James Lambert

DATE RECEIVED: May 25, 2007

DATE PREPARED: August 2, 2007

TO: Chair and Commissioners – Interior Panel

FROM: Simone Rivers, Land Use Planner

PROPOSAL: To subdivide the 60 ha subject property as divided by the Trans Canada highway creating a ±10 ha parcel and a 50 ha parcel. 4 ha of the property is currently leased to a mushroom compost production facility.

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

The applicant is a part owner and operator of Pacific Substrate Ltd. who produces mushroom compost for mushroom growers throughout B.C. The Commission allowed the non-farm use of a portion of the property in 2004 for the development of a mushroom compost facility (application # 35253). The applicant states that he wishes to live close to the site.

Local Government:

Thompson-Nicola Regional District

Legal Description of Property:

PID: 003-396-762
District Lot 8, Group 2 Kamloops Division of Yale District, EXCEPT Plan KAP76150

Location of Property:

Cache Creek

Size of Property:

60 ha (The entire property is in the ALR).

Present use of the Property:

Mushroom Compost Facility on 4 ha. There are currently no dwellings on the subject property.

Surrounding Land Uses:

WEST: Hay Field
SOUTH: Compost Plant
EAST: Vacant
NORTH: Vacant

Agricultural Capability:

Data Source: Agricultural Capability Map # 921/14
The majority of the property is identified as having secondary ratings.

Official Community Plan and Designation:

OCP: N/A
Designation: N/A

Zoning Bylaw and Designation:

Zoning: Bylaw No. 940
Designation: RL-1(Rural)
Minimum Lot Size: 4 ha

PREVIOUS APPLICATIONS:

Application #35253-0

Applicant: Christian, Charlie & Monica

Decision Date: March 10, 2004

Proposal: To build and operate a mushroom composting facility on a small area of the 66 ha property. It is anticipated that the area proposed for the facility and access would be no larger than 2 ha, and would likely be leased on a long term basis. There is no mention in the proposal about subdivision. The facility would consist of a concrete slab 70 meters/70 meters, two structures, a loading pit and scales, and a perimeter fence.

The area proposed for the facility has limited agricultural capability due to swampiness .

Decision: The Commission allowed the use of 2 - 3 ha for a mushroom composting facility subject to the registration of a 20 year lease delineating the area proposed for the non farm use.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Thompson-Nicola Regional District Board: No comments or recommendations as per policy.

Local Government Planning Staff: Planning staff commented as follows:

the need for a separate title for the compost facility is questionable in light of the following:

1) One dwelling is already a permitted use on the property in accordance with the existing RL-1 zoning without subdivision and

2) Creation of a new title adjacent to the compost facility which could be sold may in turn result in potential for future nuisance issues.

STAFF COMMENTS:

Staff note the following:

- The area to be subdivided is divided from the remainder of the property by the Trans Canada Highway
- There do not appear to currently be any residences on the property
- There is a covenant on the portion of the property under lease to Pacific Substrate Ltd., registered in favour of the Thompson-Nicola Regional District which states that "*The Lands shall not be used for any purpose than a mushroom composting facility...*" and that "*Any residential use of the Lands shall require consent of the Regional district and shall require compliance with the proof of water requirements of the TNRD Subdivision Control Bylaw No. 799*"
- Staff recommend a site visit to evaluate the application and discuss the reasons for the proposal with the applicant.

ATTACHMENTS:

- Description of proposal (submitted by the applicants)
- Minutes of Resolution # 95/2004
- Sketch showing proposed lot.
- Lease Plan showing existing mushroom composting facility.
- ALC Context Map - 92I.075 - 1:50,000 (created by ALC Staff)
- Airphoto (2000) - 1:10,000
- Agricultural Capability Map - 92I/14

END OF REPORT

Simone Rivers
Signature

Aug 2, 2007
Date