



Agricultural Land Commission Staff Report

DATE: September 2, 2009
TO: Vice Chair and Commissioners - Interior Panel
FROM: Simone Rivers

RE: Application # 50360

PROPOSAL: To exclude the 8.7 ha of the 244 ha subject property that is within the ALR. The TNRD proposes to purchase the parcel from Tolko Industries Ltd to construct a new solid waste and recycling transfer station

PROPOSAL INFORMATION

Background: Exclusion is a condition of sale.
Received Date: August 6, 2009
Applicant: Tolko Industries Ltd
Agent: Thompson-Nicola Regional District
Local Government: Thompson-Nicola Regional District

DESCRIPTION OF LAND

PID: 013-114-701
Legal Description: District Lot 1320 Kamloops Division Yale District Except Plans H15154 and KAP80834
Civic Address: Agate Bay Road
Area: 244 ha
ALR Area: 8.7 ha
Purchase Date:
Owner: Tolko Industries Ltd

Total Land Area: 244 ha
Total ALR Area: 8.7 ha
Current Land Use: Vacant, former log storage area; no buildings or structures are present

PROPOSAL DETAILS

Exclusion

Area	Agricultural Capability	Agricultural Capability Source
8.7	Secondary	CLI

Surrounding Land Uses:

North	Rural residential/agricultural north of Agate Bay Road
East	Former woodwaste landfill (within DL1320)
South	Undeveloped with some rural residential to the southeast
West	Former sawmill site, currently redeveloped as an industrial park; Yellowhead Highway

Official Community Plan

Bylaw Name: Barriere OCP
Designation: Rural Resource/Agriculture
OCP Compliance: Yes

Zoning

Zoning Bylaw Name: Bylaw No. 940
Zoning Designation: RL-1 (Rural) Zone
Minimum Lot Size: 4.0 ha
Zoning Compliance: Yes

Committee Recommendations

Type	Recommendation	Description
Board/Council	Approve	Thompson-Nicola Regional District : The Board passed a resolution authorizing staff to submit and application to the ALC to exclude the 9 ha of ALR and to authorize the use of the site as a transfer station.

STAFF COMMENTS

Staff from the TNRD approached the Commission about this application in early 2009. ALC Staff suggested that if the proposal was for a permanent non-farm use, that a request to exclude the portion of the property proposed for the non-farm use would be appropriate rather than making a non-farm use application. This leaves the Commission with the ability to decide to exclude the lands or to allow a non-farm use within the ALR or to refuse both exclusion and non-farm use.

Only 9 ha of the 244 ha property is in the ALR. This 9 ha represents the flattest portion of the property. This area has been used in conjunction with the former Tolko mill that is mostly located on an adjacent non-ALR property. There are no previous applications for non-farm use for the property. The industrial use of the property likely predated the ALR.

The proposed eco-depot/transfer station would be approximately 7.2 ha in area with 3.7 ha of this area in the ALR and 3.5 ha located outside the ALR. The area proposed for the use generally consists of the flat area that has been used for log storage when the mill was operational.

The Commission received 8 letters of opposition and a copy of a petition signed by over 200 local residents who oppose the proposal. People are concerned about odour as well as run-off and pollution. They do not believe that this is a good location for such a facility and believe that it is better located elsewhere. Many have questioned why the dump in Barriere (which is slated to be closed) cannot be used for the transfer station. The properties immediately adjacent to the subject property are rural residential properties and are not located in the ALR.

The proposed exclusion area is located between a former industrial site (Tolko Mill) and a steep hill and represents an isolated piece of ALR that has a history of industrial use. However, the area is currently

being used for grazing and photos submitted by neighbouring land owners showing cattle on the lands and hillside were submitted. Some of the local residents suggested that the ALR portion of the site could be planted in hay and used for agriculture. It appears that the property is currently being leased and is being used for grazing. No information about the arrangement between the current landowner (Tolko) and the lessee was submitted with the application. The application states that the TNRD proposes to turn the remainder of the property into a Regional Park. Staff notes that as these lands are not in the ALR they are not within the Commission' s jurisdiction, agricultural uses notwithstanding.

ATTACHMENTS

- 50360 proposal sketch.pdf
- 50360proposal description.pdf
- 50360submissions.pdf
- 50360_AirphotoMap.pdf
- 50360_Contextmap20k.pdf

END OF REPORT

Signature

Date