



Provincial Agricultural Land Commission - Staff Report

Application: 52184

Applicant: Lorne Major
Agent: Dave McDonald
Local Government: Township of Spallumcheen

Proposal: Non-farm Use - Proposal to construct a treated effluent disposal field of approximately 780 m² and a back up disposal field of similar area on the ALR portion of the property.

BACKGROUND INFORMATION

The proposed disposal field would be built to accommodate a proposed 26 lot R1 subdivision on adjacent non-ALR land on the property. The disposal field may still be utilized for grazing.

PROPERTY INFORMATION

PID: 008-967-539
Legal Description: The Easterly 1/2 of the Southerly 160 Rods of District Lot 990 Kamloops Division Yale District
Property Area: 33.5 ha
ALR Area: 12.8 ha
Purchase Date: November 17, 1987
Location: 1403 McLeod Road
Owner:

LAND USE

Current Land Use:
Agricultural (horses), residential, retail

Surrounding Land Uses:
North: ALR - 64 ha Agricultural
East: Non-ALR - 64 ha+Large holdings
South: Crown Land - 64 ha +
West: ALR - 20 ha Single family residential
Non-ALR - 10 ha Single family residential

PROPOSAL DETAILS

Non- Farm Use Area: 12.8 ha
Non- Farm Use Type: Transportation/Utilities: Sewage Treatment Facilities

Agricultural Capability:
The majority of the area under application is rated as: Prime
Source: CLI
Mapsheet: 82L/06

PREVIOUS APPLICATIONS

PREVIOUS APPLICATIONS

Application ID: 51991

Applicant: Lorne Major

Proposal: To utilize the northern border of the subject property as a 'Transportation, Utility Corridor Use - Road Dedication/Designation' under a Non-farm Use application as required by Spallumcheen for a potential future road.

Decision:

Resolution #	Decision Date	Decision Description
2835/2010	November 23, 2010	Allowed

Application ID: 43390

Legacy #: 36892

Applicant: Spallumcheen

Proposal: The application is for fourteen (14) non-farm uses within the ALR In the Township of Spallumcheen. This is the second "batch" of applications for home based businesses.

Decision:

Resolution #	Decision Date	Decision Description
645/2006	December 12, 2006	The Commission allowed fifteen non farm businesses on twelve properties in Spallumcheen subject to the registration of a covenant against the titles of each property specifying the existing non farm footprint and bylaw amendments reflecting the same.

RELEVANT APPLICATIONS

Application ID: 51889

Applicant: 0849979 BC Ltd

Proposal: To exclude 4.75 ha from the ALR for low density residential development.

Decision:

Resolution #	Decision Date	Decision Description
2653/2010	September 14, 2010	Refuse as proposed.

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: Township of Spallumcheen OCP Bylaw No. 1570, 2004

Designation: Agricultural

OCP Compliance: Yes

Zoning:

Zoning Bylaw Name: Twp. of Spallumcheen Zoning Bylaw No. 1700, 2008

Zoning Designation: A2 - Agricultural

Minimum Lot Size: 30.5 ha

Zoning Compliance: Yes

Comments and Recommendations:

Board/Council

The Township of Spallumcheen Council authorize the application for non-farm use to be submitted to the ALC on the condition that the treatment plant be located on the non-ALR portion of the property and the proposed effluent disposal field areas can be used for agricultural purposes.

Ministry of Agriculture and Lands

The Ministry of Agriculture and Lands does not support the application to use a portion of the ALR designated land within the subject property for the proposed disposal field.

The Ministry also stated that a proposed rural subdivision adjacent to agricultural land would need to include a buffer to avoid future conflicts between farmers and those in rural subdivisions.

LOCAL GOVERNMENT INFORMATION

Comments and Recommendations:

Planning Staff

the Township of Spallumcheen Development Services authorize the application for non-farm use to be submitted to the ALC on the condition that the treatment plant be located on the non-ALR portion of the property and the proposed effluent disposal field areas can be used for agricultural purposes.

ALC STAFF COMMENTS

It is recommended that the Commission consider the following:

- 1) The CLI rating of the subject property is 3TM (improvable to 2T) and is currently used for grazing, residential, and retail.
- 2) The treatment plant is currently proposed to be located on the ALR portion of the property.
- 3) In order for the subject property to be rezoned the Spallumcheen Council requires that the Township receive notification from the ALC that the proposed sewage disposal field may proceed. The proposed rezoning from Agricultural (A2) is intended to allow for the creation of 22 Residential Single Family (R1) lots, and four Country Residential lots on the non-ALR portion.
- 4) A report by Kala Groundwater Consulting Ltd. (April 1, 2009) states that the area currently deemed most favorable for drainfields is within the ALR lands and that the drainfields can be used for agricultural capacity as has been successfully completed at other BC Interior locations.
- 5) In future, the applicant proposes to apply for subdivision of the ALR portion from the non-ALR portion, to create a 13.2 ha lot under Section 946 of the Local Government Act.
- 6) The Laird Water District advised that they do not have an agreement to supply water to the proposed development (potable or fire protection), nor would they even entertain discussion on the issue. The Water District noted that they do not have well capacity, reservoir capacity, or distribution infrastructure to handle any more water users on their system. The Water District is also concerned about another well having negative impacts on the aquifer. An adequate potable water supply must be available prior to proceeding.

ATTACHMENTS

52184_ContextMap20k.pdf
52184_AirphotoMap10k.pdf
52185_AgCapabilityMap.pdf
52184_SubdivisionProposal.pdf

END OF REPORT

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