



BOARD REPORT

TO:

Chair and Directors

File No: 5340 01

SUBJECT:

Agent for Agricultural Land Reserve (ALR) Land Exclusion Application – Balmoral Lands

DESCRIPTION:

Report from Darcy Mooney, Manager of Operations Management, dated November 1, 2018. Update on ALR Exclusion Application Shuswap Lake Estates at Balmoral Road.

RECOMMENDATION #1:

THAT: the report containing the decision of the Agricultural Land Commission Executive Committee in regards to the ALR Exclusion Application – Shuswap Lake Estates (Balmoral Road) to develop 35.5 ha into the Balmoral Village Centre and to utilize 13.5 ha for a lagoon for wastewater storage effluent facility (the "wastewaterfacility") for the Columbia Shuswap Regional District (CSR) spray irrigation program, be received for information this 15th day of November, 2018.

SHORT SUMMARY:

The Agricultural Land Commission (ALC) Executive Committee refused an application for exclusion from the Agricultural Land Reserve (ALR) for a 49 hectare parcel of land (Balmoral Lands) located at the corner of the Trans-Canada Highway and Balmoral Road in Blind Bay. The CSR acted as agent for the exclusion application on behalf of the property owner/applicant (Applicant), Shuswap Lake Estates Ltd and Shuswap West Property Developments. The CSR intended to purchase and utilize 13.6 hectares of the Balmoral Lands to develop a waste water treatment storage pond, while the remaining property would be retained by the Applicant to develop a town centre.

VOTING:

Unweighted
Corporate



LGA Part 14
(Unweighted)



Weighted
Corporate



Stakeholder
(Weighted)



BACKGROUND:

CSR staff has been involved in researching options for community sewerage for the Blind Bay/Sorrento area for approximately 20 years. A high degree of staff time and financial resources have been used to develop a Liquid Waste Management Plans (LWMP) and companion engineering and feasibility studies for the types of treatment, distribution and disposition of effluent options available in the area. In 2016, Gentech Engineering Inc. compiled the various reports and studies into one summary report.

The last remaining viable option available to the CSR to advance community sewerage in the area was the acquisition of 13.6 hectares of land located at the corner of Balmoral Road and the Trans-Canada Highway. An existing natural depression at the site, along with the proximity to an existing private sewer treatment facility made for an ideal location for a storage lagoon. The location also provided proximity to local farmland interested in using the effluent as spray irrigation nutrients for crops.

The CSR worked with the Applicant and its consultants to apply for an ALR exclusion of the entire property to facilitate a waste water lagoon, with the remainder to be utilized by the Applicant for development purposes.

On October 22, 2018, the CSRD received notification from the ALC that the exclusion application was refused. The ALC determined that even though 12.5 hectares of the property is non-arable (the natural depression), there are no agricultural arguments to justify exclusion of the entire property, or a portion thereof from the ALR.

The Chair of the ALC has 60 days from the date of the decision (October 22, 2018) to overturn the decision of the ALC Executive Committee. The Applicant does wish to appeal the decision of the ALC and will be working to identify the conditions and the process for appeal, and will be working with the CSRD to make the necessary appeal submissions.

POLICY:

The Area C LWMP identifies options for consideration for sewer treatment and disposition to land or water. The CSRD has now exhausted its efforts to research land disposal options of effluent in accordance with the LWMP. All viable options have been researched and determined to be not feasible or not acceptable for a variety of reasons. Lake discharge may be a scientifically viable option and available to local governments according to the LWMP, but is deemed socially unacceptable.

KEY ISSUES/CONCEPTS:

Providing information to the Board regarding community sewer investigative works in Electoral Area C and the outcome of the Balmoral Lands Exclusion ALR application.

BOARD'S OPTIONS:

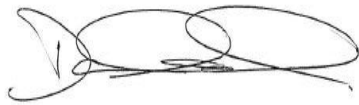
1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:

Report Approval Details

Document Title:	ALC Exclusion Application Decision - Balmoral Lands.docx
Attachments:	- ALC Decision - Balmoral Lands 22Oct2018.pdf
Final Approval Date:	Nov 5, 2018

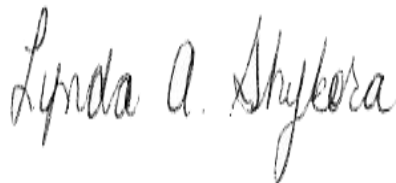
This report and all of its attachments were approved and signed as outlined below:



Darcy Mooney - Nov 2, 2018 - 3:25 PM



Gerald Christie - Nov 2, 2018 - 4:46 PM



Lynda Shykora - Nov 5, 2018 - 11:12 AM



Charles Hamilton - Nov 5, 2018 - 11:35 AM