

## ALR Information Package

**File Number:** 3015-20/20180039

**Subdivision 21(2)**    **Non-Farm Use 20(3)**    **Exclusion 30(1)**

**Electoral Area:** L

**Date of Referral:**

**Date of Application:** June 20, 2018

**Property Owner's Name(s):** Philip Strain, Tanya Strain, Devon Wold, Melissa Strain

**Applicant's Name:** Nigel Hemingway, Cariboo Geographic Systems

### SECTION 1: Property Summary

**Legal Description(s):** Lot 7, District Lot 4254 & 4255, Lillooet District, Plan KAP65761

**Area of Application:** 15.6 ha (38.54 ac)

**Location:** Foothill Road

**Current Designation:**

Agricultural

**Current Zoning:**

Rural 1 (RR 1)

**Current Land Use:** *BC Assessment - 061 – 2 Acres or More (Vacant)*

**Agricultural Capability Classification:**

*Canada Land Inventory: Class 1 = Best, Class 7 = Worst*

<b>% of parcel</b>	<b>Unimproved rating</b>	<b>Improved rating</b>
%100	% 100 Class 5 – Adverse Climate	No improved rating

The agricultural capability classification of the property is Class 5. The limiting factor is noted as adverse climate. Class 5 soils are capable of producing cultivated perennial forage crops and specially adapted crops. Soil and climate conditions severely limit capability

\*\*\*note: the information above is an interpretation of Agricultural Capability from the Canada Land Inventory mapsheet #92P/11 (scale 1:50,000). An on-site visit of the property has not been conducted.\*\*\*

**Proposed Use:** To subdivide the property into three residential lots for family members.

## SECTION 2: Planning Report

### Background:

The application is to subdivide 15.6 ha (38.54 ac) property under Agricultural Land Reserve into three equal sized lots of 5.2 ha (12.85 ac). The applicant has requested this subdivision to create three residential lots for family members.

The subject property is zoned Rural 1 (RR 1) in the South Cariboo Area Zoning Bylaw No. 3501, 1999, and designated Agricultural in the South Cariboo Official Community Plan Bylaw No. 3100.

### Location and Soil Information:

The agricultural capability classification of the property is uniformly Class 5. The limiting factor is noted as adverse climate. Class 5 soils are capable of producing cultivated perennial forage crops and specially adapted crops. These lands cannot be cultivated due to severe soil and climate limitations.

The land capability classification gives two ratings: unimproved and improved. The “improved” rating indicates the land’s potential once the appropriate management practice identified by the limiting factors has been implemented. The soil map indicates the improved ratings remain unchanged.

Currently, the subject property is a vacant land with no agricultural activity on it. There are residential dwellings surrounding the subject property with agricultural land to the north, crown land and CN Rail road to the west of the property.

### CRD Regulations and Policies:

*South Cariboo Area Zoning Bylaw No. 3501, 1999*

#### **5.18 RURAL 1 (RR 1) ZONE**

##### **5.18.2 ZONE PROVISIONS**

- (a) LOT AREA (minimum): = 4 hectares (9.88 acres)

### Rationale for Recommendations:

The subject property was not originally within the Agricultural Land Reserve (ALR) boundary but was included later because of a protocol agreement with Crown Lands and not because of its true agricultural potential.

Based on Canada Land Inventory’s poor soil rating for agricultural capability and permitted land uses in existing zoning that serve the community needs of infill development, the application for ALR subdivision be authorized for submission to the Provincial Agricultural Land Commission.

**SECTION 3: Referral Comments**

**Advisory Planning Commission:** October 15, 2018

See attached.

**SECTION 4: Board Action**

Date of Meeting:

**ATTACHMENTS**

Appendix A: Application

Appendix B: Local Government Report

Appendix C: General Map

Appendix D: Specific Map

Appendix E: Orthographic Map

Other: APC Comments



# Provincial Agricultural Land Commission - Applicant Submission

**Application ID:** 57815

**Application Status:** Under LG Review

**Applicant:** Philip Strain , Tanya Strain , Devon Wold , Melissa Strain

**Agent:** Cariboo Geographic Systems

**Local Government:** Cariboo Regional District

**Local Government Date of Receipt:** 06/20/2018

**ALC Date of Receipt:** This application has not been submitted to ALC yet.

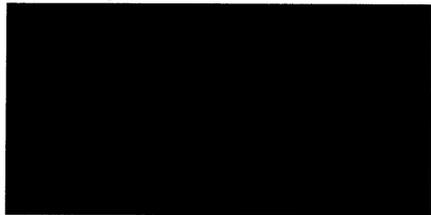
**Proposal Type:** Subdivision

**Proposal:** To subdivide the property into three lots to be used by family members for residential purposes.

## Agent Information

**Agent:** Cariboo Geographic Systems

**Mailing Address:**



## Parcel Information

### Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

**Parcel Identifier:** 024-652-491

**Legal Description:** L 7 DLS 4254 & 4255 LILLOOET PL KAP65761

**Parcel Area:** 15.6 ha

**Civic Address:** Foothill Road

**Date of Purchase:** 10/06/2017

**Farm Classification:** No

**Owners**

1. **Name:** Philip Strain

**Address:**



2. **Name:** Tanya Strain

**Address:**



- 
3. **Name:** Devon Wold  
**Address:**

- 
4. **Name:** Melissa Strain  
**Address:**
- 
- 

### **Current Use of Parcels Under Application**

- 1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).**  
*The land is presently vacant and no agricultural uses occur on it.*
- 2. Quantify and describe in detail all agricultural improvements made to the parcel(s).**  
*None existing, property is forested land.*
- 3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).**  
*The property is vacant.*

### **Adjacent Land Uses**

#### **North**

**Land Use Type:** Agricultural/Farm  
**Specify Activity:** Equestrian Centre & residential properties

#### **East**

**Land Use Type:** Residential  
**Specify Activity:** Foothills Road & residential properties

#### **South**

**Land Use Type:** Residential  
**Specify Activity:** residential properties

#### **West**

**Land Use Type:** Transportation/Utilities  
**Specify Activity:** CN Rail Road & Crown Land

## Proposal

**1. Enter the total number of lots proposed for your property.**

5.2 ha

5.2 ha

5.2 ha

**2. What is the purpose of the proposal?**

*To subdivide the property into three lots to be used by family members for residential purposes.*

**3. Why do you believe this parcel is suitable for subdivision?**

*The property is in a residential neighbourhood with very poor agricultural potential.*

**4. Does the proposal support agriculture in the short or long term? Please explain.**

*The proposed lots are large enough to be used for hobby farm purposes as allowed by the existing zoning.*

*The owners have horses.*

**5. Are you applying for subdivision pursuant to the ALC Homesite Severance Policy? If yes, please submit proof of property ownership prior to December 21, 1972 and proof of continued occupancy in the "Upload Attachments" section.**

*No*

**6. Describe any economic values you believe are applicable to the application as it applies to s.4.3 of the ALC Act.**

*The development of residential homes and infrastructure creates economic growth within the region.*

**7. Describe any cultural values you believe are applicable to the application as it applies to s.4.3 of the ALC Act.**

*None known.*

**8. Describe any social values you believe are applicable to the application as it applies to s.4.3 of the ALC Act.**

*None known.*

**9. Describe any regional and community planning objectives you believe are applicable to the application as it applies to s.4.3 of the ALC Act.**

*Property is currently zoned for the proposal that is presented.*

## Applicant Attachments

- Agent Agreement - Cariboo Geographic Systems
- Proposal Sketch - 57815
- Other correspondence or file information - Reason of Support
- Certificate of Title - 024-652-491

## ALC Attachments

None.

## Decisions

None.

To Whom It May Concern:

The undersigned, as the registered owners of Lot 7, District Lot 4254, Lillooet District, Plan KAP65761, hereby retain and authorize Nigel Hemingway, B.C. Land Surveyor of Cariboo Geographic Systems to act on our behalf in all matters pertaining to a Land Commission Application with the Agricultural Land Commission with regard to the afore-mentioned property.

  
\_\_\_\_\_  
Philip Strain

17/04/18  
Date

  
\_\_\_\_\_  
Tanya Strain

17/04/18  
Date

  
\_\_\_\_\_  
Devon Wold

17/04/18  
Date

  
\_\_\_\_\_  
Melissa Strain

17/04/18  
Date



## Proposal

This application is requesting that Lot 7, District Lot 4254, Lillooet District, Plan KAP65761, within the Foothills Road subdivision be divided within the Agricultural Land Reserve. Lot 7, was created in 1999 and the subdivision is in the Horse Lake Road Area of the South Cariboo. The original subdivision was approved within the Land Reserve by the Agricultural Land Commission under Application # D-31785, Resolution # 357/98. We are applying to subdivide this property within the Land Reserve so that it can be divided into three lots conforming to the existing zoning.

The Foothills subdivision divided Block A, District Lot 4254 and Block A, District Lot 4255; a total of about 172 hectares of land. These properties were not originally within the Land Reserve but were included into the Reserve because of a protocol agreement with Crown Lands. The original report prepared for the Crown concluded that the economic cost of clearing the land would never be returned from the limited production capability of it.

A Soils Report was prepared by Mr. Brian French, P.Ag. for the original application. Mr. French concurred with the Crown's Assessment and further concluded the following.

- 1) Only 13 hectares or 8.8% of the total property had a Class 4 rating for agricultural capability with a further 46 hectares or 27.1 % at a Class 5 rating.
- 2) 109 hectares or 64.1 % of the land was unsuitable for agricultural development due to stoniness, rockiness, topography and climate limitations at a Class 5 or more severe rating.
- 3) The land was included into the Land Reserve because of policy and not because of its true agricultural potential.
- 4) There is significant rural residential development adjacent to, or near the subject properties.
- 5) That the absence of agricultural development around or near the lands meant there was a negligible impact on the agricultural community by the development of the properties.

In addition to Mr. French's report, two long-time area ranchers commented on the original application. Mr. John Wells (Hungry Valley Ranch) supported the development of the Foothills subdivision. Mr. Wells was retained by the original purchaser from the Crown to clear and cultivate about 25% of the land. Mr. Wells indicated that this work was difficult, the cost per acre was quite expensive and it was not justifiable farmland in his opinion. He found that the topsoil was thin, and the removal of rocks was difficult. There was very little organic material in the soil, compaction was a problem, the area was not sub-irrigated, exposure is northern and quite windy. Mr. Bill Hadden (Haddenville Farms) who has lived and farmed close to the land for many years also supported a rural residential development. He felt that some of the property should be set aside as greenbelt with snowmobile

and ATV access provided. Mr. Hadden believed that a higher density development should be considered at the northern end of the land.

Based on the professional opinion of Mr. French and the fact that the original proposal would be an infilling of existing rural residential development, the Cariboo Regional District's Planning Department supported the original proposal. The Land Commission allowed the subdivision of the land within the Reserve and suggested a redesign of the proposal to allow different densities at the northern end of the land as suggested by Mr. Hadden. The original developer elected not to consider this suggestion and proceeded with a 13 lot proposal with some extra road dedication which supplied the snowmobile and ATV corridors.

In 2008 the Agricultural Land Commission under file # D-38312, resolution #584/2008 agreed to remove two properties 370 metres up the road from the land under application from the Land Reserve. This resolution removed Lot 12 and Lot 13, Plan KAP65761, District Lot 4254 a total of 30.2 hectares from the reserve. In their decision letter the Commission noted that the properties had limited agricultural capability, that the area is surrounded by small lots, is separated from properties that are actively used for farming and that the subdivision in this area would not impact existing or potential agricultural use of surrounding lands. The Commission with that application believed that the original decision allowing plan KAP 65761 to be created was still valid including the endorsement for increased density.

In 2016 the Agricultural Land Commission under File # 55178, Resolution # 402/2016 allowed Lot 3, Plan KAP65761 to be subdivided within the Agricultural Land Reserve. That property is two lots north of the land under application. In its Decision letter the Commission Panel noted that the CLI ratings would be suitable for range land, but the property was not large enough to be suitable for that purpose. The land under application has the same rating and is a similar size. The panel also believed the area has been substantially parcelized and as such in this particular case some further parcelization such as that proposed would not have an adverse impact on agriculture. This application is for a similar proposal. Finally, the panel noted the potential benefit of allowing densification in this area and the creation of the three residential lots would take pressure off of other more agriculturally suitable and productive lands.

The property under application is zoned Rural 1. This zone is a rural residential zone which allows agricultural operations on properties that have a minimum area of 4.0 hectares. Lot 7 is 15.6 hectares (38.5 ac) in size. The lot is subdividable into 3 lots under the current zone with Land Commission approval. The property has an Agricultural designation with a 32 hectare minimum parcel size requirement within the Official Community Plan because of the Land Reserve status. The agricultural policy of the plan allows for a reduction in this minimum size to allow for an infilling subdivision consistent with rural residential parcel sizes. The existing zone and proposed development meets this policy.

The proposed development of this lot is an infilling development within an existing rural residential area. To the east of the Foothills subdivision are 30 lots along Horse Lake Road and Perry Road. All but three of these are around 2 hectares in size. East and southeast of this are the large residential neighbourhoods of Katchmar Road, McMillan Road, Marlboro Road, Fallsway Road and the Lone Butte–Horse Lake Cut-off Road. There are 14 more rural residential properties to the northwest in the Valhalla subdivision and 60 lots in the Toomey Road / Norman Road subdivision to the north. All of these residential neighbourhoods are within a mile of the original 13 lot Foothills subdivision. This part of the South Cariboo, on the south side of Horse Lake is a rural residential community.

An infilling subdivision of this lot will help reduce pressure on, and preserve agricultural land and operations in other locations by allowing increased density in an existing neighbourhood. The proposed lots are only 10 kilometres from 100 Mile House with access directly onto the only collector road for the area. The daily traffic volume of Horse Lake Road is more than that on Highway 24.

The adjacent property to the north is used as a horse boarding and training facility. This is the Foothills Equestrian Center and it has operated for many years on Lot 6, Plan KAP65761, which is 11.9 hectares in size. This facility offers lessons, boarding and occasionally clinics for local riders. The owners purchase all hay needed for the facility because they cannot produce their own and most of the operation is well back from the road and barely visible. The proposed subdivision of Lot 7 will not impact the center because they don't graze animals on the land, the horses are kept in paddocks and hay-fed.

The property under application was logged several years ago, prior to the original subdivision being done. It is now wooded in small pine, aspen and spruce. The land rises up with a generally rolling terrain. At the northerly end this is a fairly steep rise close to the road and near the southerly end the rise is less and farther back from the road. The west boundary is along the Railroad which is fenced on both sides. There is Crown Land on the other side of the railroad. The division of Lot 7 into three rural residential properties can not impact any agricultural operation because none are near the land including Crown Range.

We have applied to subdivide this land within the Agricultural Land Reserve for the following reasons. It is an infilling proposal located in an existing neighbourhood and settlement area. An agrologist's report, two long-time area ranchers and previous decisions of the Land Commission acknowledge that the land has limited or no agricultural potential. It is not within an area of agricultural land use and the proposal is for a rural residential purpose which does allow for agricultural uses on the proposed lots.

The proposed properties will be very nice rural residential lots in close proximity to 100 Mile House. With the current development pressures being experienced

throughout the South Cariboo, the small increase in density proposed within a residential area seems appropriate. There has been a lot of material previously submitted supporting the land's limited potential for agriculture and the further division for residential uses that do allow an agricultural use seems to be a much better land use of Lot 7 and the overall area.

**Local Government Report  
under the Agricultural Land Reserve  
Use, Subdivision and Procedure Regulation**

R.D./Mun. File No. 3015-20/20180039
Fee Receipt No.
Fee Amount \$900
ALR Base Map No.
ALR Constituent Map No.
Air Photo No.

Information supplied by:

Cariboo Regional District

Local Government

In respect of the application of:

Philip Strain, Tanya Strain, Devon Wold, Melissa Strain c/o Cariboo Geographic Systems

Name of Applicant

PLANS and BYLAWS *(Attach relevant sections of bylaws)*

Zoning Bylaw name and designation: South Cariboo Area Zoning Bylaw No. 3501, 1999

Rural 1 (RR 1) zone

Minimum Lot Size: 4 ha (9.88 ac)

Uses permitted: Please refer to Sections 5.21.1 of the South Cariboo Area Zoning Bylaw No. 3501, 1999

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Official Community Plan Bylaw and current designation: South Cariboo Area Official Community Plan Bylaw No. 3100, 1995

Agricultural designation

Minimum Lot Size: 32 ha (79.07 ac)

Conformance: Please refer to Section 1 of the South Cariboo Area Official Community Plan Bylaw No. 3100, 1995

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Are amendments to Plans or Bylaws required for the proposal to proceed?

Plan  Yes  No Bylaw  Yes  No

Is authorization under Sec. 25 (3) or 30 (4) of the Agricultural Land Commission Act required?

Yes *(If yes, please attach resolution or documentation)*  No

**COMMENTS AND RECOMMENDATIONS** *(Include copies of resolution)*

Board or Council:

Advisory Planning Commission:

Agriculture Advisory Committee:

Planning staff:

Others:

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*Signature of Responsible Local Government Officer*

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*Date*

# 1. AGRICULTURAL

## Objectives

- 1.1 *To support the Agricultural Land Commission in protecting agricultural land and agricultural opportunities in the plan area.*
- 1.2 *To prevent rural residential and other non-farm development from adversely affecting agricultural activities.*
- 1.3 *To protect agricultural land by maintaining larger parcels which can economically sustain agricultural production.*

## Policies

The backbone of the economy of the Cariboo is, and will most certainly continue to be, the resource-based industries, with the forestry and agricultural sectors being predominant. A large number of jobs in the area are directly or indirectly related to these industries; therefore, the protection of the land resource is a major objective of the plan. The major source of farm income is obtained from two agricultural activities - ranching and forage crops. Protection of these farming operations is needed in order to safeguard the livelihood of those residents dependent on the agricultural industry.

The official community plan area similar to the rest of British Columbia is not well favoured in terms of agricultural land resource. Very rarely do soil, climate, slope and drainage occur in a combination which is ideal for agriculture. Therefore, it is very important to safeguard those lands having a proven potential to pursue agricultural activities.

The expansion of residential settlements contributes to the removal of land from agricultural use. Further, conflict between agricultural and residential uses such as harassment of livestock, destruction of cattle fencing, and spread of noxious weeds, are major problems experienced by the cattle industry. Keeping buffers between these activities is one way of addressing this land use conflict issue.

The management of resources is more of a provincial responsibility than a regional district responsibility, due to enabling legislation. The policies of the plan will lend support to the provincial legislature in protecting the resources.

1.4 Schedule B designates as:

- AGRICULTURAL - (Ag)

land located within the Agricultural Land Reserve and other small parcels located outside the Agricultural Land Reserve but enclosed by the Agricultural Land Reserve,

except:

- (i) those parcels located in a RESIDENTIAL designation as per section 7.7 of this bylaw; and,
- (ii) those parcels located in an INDUSTRIAL designation.

BL3750

- 1.5 Land designated AGRICULTURAL shall have a minimum parcel size of 32 hectares. The minimum parcel size may be reduced by amending the zoning bylaw to allow an infill subdivision consistent with RURAL RESIDENTIAL parcel sizes. Further, the Cariboo Regional District will support property consolidation to address defensible environmental rationale such as to improve a sewage disposal system. This consolidation will not require a plan amendment and is not for purposes of creating additional lots.

BL3837

Notwithstanding the minimum parcel size required under the present bylaw, where the Provincial Agricultural Land Commission has approved the creation of a parcel under its Homesite Severance Policy, or approved a subdivision of land within the Agricultural Land Reserve as divided by a major road (greater than 20 m right-of-way width) no amendment to the plan will be required for the subdivision of the parcel, provided each parcel of land is a minimum of 4 hectare.

Albeit the Agricultural Land Commission may have indicated approval of or no objection to this plan, the Commission is obliged to consider individual applications for subdivision within the Agricultural Land Reserve, exclusion or exemption, on their own merit under the mandate of the *Agricultural Land Commission Act* and is not obliged to approve applications that comply with or, alternatively, to refuse applications that do not comply with the minimum lot size or density of this land use designation. Further, as per section 25.1 of the *Agricultural Land Commission Act*, the regional district has the authority to veto an application for subdivision to the Commission.

Implementation: Amendment to the zoning bylaw.

- 1.6 Land uses permitted in areas designated as AGRICULTURAL shall be in accordance with the *Agricultural Land Commission Act*, regulations pursuant to the Act and general orders of the Commission.

Implementation: Liaison with the Agricultural Land Commission.

- 1.7 The minimum parcel size created as a homesite severance shall be 1 hectare.

Implementation: Liaison with the Agricultural Land Commission.

- 1.8 The regional district will support applications for the exclusion from the Agricultural Land Reserve of the parcels as listed and shown in Appendix III. The agricultural potential of these parcels has been hindered or precluded by residential and other forms of development.

Implementation: At the opportune moment, the Cariboo Regional District may apply for block exclusions with the Agricultural Land Commission.

- 1.9 The regional board may support an application for exclusion or subdivision of land within the Agricultural Land Reserve, provided that there are no negative impacts on agriculture, where it is demonstrated that the land is physically and economically incapable of supporting agriculture and it is recognized that the land's agricultural potential is restrained by a combination of factors such as the proximity of residential development and the size of the parcel.

Notwithstanding the conditions cited above, applications for subdivision of land within the Agricultural Land Reserve for the purpose of creating a homesite severance in keeping with the Commission's guidelines will be received by the regional board and referred to the Land Commission.

Implementation: Discussion with proponents;  
Liaison with the Agricultural Land Commission.

- 1.10 Land within the Agricultural Land Reserve recommended for exclusion shall continue to be subject to the *Agricultural Land Commission Act*, regulations thereto and orders of the Commission until it is excluded from the Agricultural Land Reserve.

After exclusion, the land will be subject to the regional district land use regulations and this plan.

Implementation: Liaison with the Agricultural Land Commission;  
Discussion with members of the public affected by the exclusion.

- 1.11 In addition to the protection afforded by the *Farm Practices Protection (Right to Farm) Act*, the regional district shall endeavour to ensure that development adjacent to the Agricultural Land Reserve does not negatively impact on agricultural land, future residential dwellings and all ancillary buildings located on a parcel within a RESIDENTIAL designation shall be located at a minimum distance of 30 metres from any Agricultural Land Reserve boundary.

In addition, where considered necessary by the Agricultural Land Commission to protect the integrity of agricultural land, appropriate devices, including building setbacks, drainage protection, retention of vegetation, provision of vegetation screens and fences, the creation of larger or longer parcels and/or whatever other measures deemed

necessary, to provide for the buffering or separation of development from farming on adjoining or reasonably adjacent land shall be required. In particular, where possible, it may be a requirement that fencing be provided and maintained.

Implementation: Amendment to the zoning bylaw to accommodate new setback; Possible amendment to the plan to designate development permit areas for specific areas, in liaison with the Agricultural Land Commission, where conflicts are likely to occur.

- 1.12 Wherever feasible, future major roads, utility or communication corridors should be directed away from and around land within the Agricultural Land Reserve.

Implementation: Liaison with the appropriate provincial ministries.

- 1.13 Livestock holding areas located on land assessed as “farm” by the British Columbia Assessment Authority, manure storage structures and other farm activities shall comply with the “Environmental Guidelines for Beef Cattle Producers in British Columbia”, the “Agricultural Waste Control Regulation” and the “Code of Agricultural Practice for Waste Management”, to prevent nuisance, pollution and to help reduce conflicts between neighbours where adjacent land uses are residential.

Implementation: Liaison with landowners;  
Liaison with the Ministry of Agriculture, Fisheries and Food.

- 1.14 Guest ranches, which conform with the current zoning bylaw regulations respecting guest ranches, shall be allowed within the AGRICULTURAL designated areas without requiring an amendment to the plan.

Implementation: Amendment to the zoning bylaw.

- (f) ANCILLARY USES, PARKING, LOADING, ETC.:  
In accordance with the provisions of Section 4.0 hereof.

5.17.3 SPECIAL RL 2 ZONES

5.17.3.1 Special Exception RL 2-1 Zone (4600-20-2809)

Notwithstanding any other provisions of this bylaw to the contrary, on lands zoned RL 2-1:

- i. Lot Area (minimum): = 1.2 hectares (2.97 acres)

All other provisions of the RL 2 zone shall apply.”

**5.18 RURAL 1 (RR 1) ZONE**

**5.18.1 USES PERMITTED**

No person shall, within any RR 1 zone, use any lot or erect, alter or use any building or structure for any purpose except one or more of the following RR 1 uses, namely:

B/L 4989

- (a) RESIDENTIAL USES:
  - i) a single-family residential dwelling; or
  - ii) a two-family residential dwelling unit / duplex; or
  - iii) One (1) secondary suite and must be subordinate to a single-family residential dwelling, or
  - iv) One (1) carriage house and must be subordinate to a single-family residential dwelling, or
  - v) One (1) secondary dwelling and must be subordinate to a single-family residential dwelling, or
  - vi) a temporary dwelling unit in conjunction with a single-family residential dwelling.

- (b) NON-RESIDENTIAL USES:
  - i) a community facility, including a community hall, fire hall, library, school, church, medical clinic or first aid station, and buildings associated with the operation and maintenance of an airplane landing strip or helicopter pad;
  - ii) airplane landing strip or helicopter pad;
  - iii) a public use, including public utility buildings and structures;
  - iv) parks, playgrounds and outdoor recreation facilities of a non-commercial nature;
  - v) a home occupation or a home industry ancillary to a permitted residential use;
  - vi) bed and breakfast accommodations or rooming and boarding accommodations ancillary to a permitted residential use;
  - vii) museum, historic site, or cemetery;
  - viii) refuse disposal site;
  - ix) kennel or animal hospital;
  - x) Animal incineration; provided the activity is in conformance with applicable provincial and federal legislation, ancillary to a permitted veterinary clinic or animal hospital;
  - xi) Farm Retail Sales;
  - xii) the processing of farm products may take place on the farm property provided that at least 50% of the farm product is produced on that farm;
  - xiii) agri-tourism activities, other than accommodation, on land that is classified as a farm under the *Assessment Act*, if the use is temporary and seasonal, and promotes or markets farm products grown, raised or processed on the farm;

B/L 4180

B/L 4180

B/L 4180

B/L 4180

- xiv) agricultural operations, including horticulture, silviculture, livestock, intensive livestock operation, stockyard, beekeeping and aquaculture;
- B/L 4180 xv) slaughtering and butchering ancillary to a permitted residential use or agricultural operation, providing such slaughtering and butchering is limited to only those animals produced on the property, or conducted for personal consumption by the owner, provided the activity is in conformance with applicable provincial and federal legislation;
- B/L 4180 xvi) growing, tending and harvesting of trees produced on the property;
- B/L 4237 xvii) portable sawmill, providing such activities are located no closer than 30 metres (98.4 feet) from an existing residential use on an adjacent or nearby property;
- B/L 4237 xviii) small sawmill, providing such activities, including storage areas, are located no closer than 300 metres (984 ft) from an existing residential use on an adjacent or nearby property, or if the sawmill is located in a sound proof building, may be sited so that no noise is detectable at the property boundary above ambient.
- xix) extraction of raw materials from the land, including crushing and screening activities, but excluding any further processing activities;
- xx) temporary construction, exploration or logging camp operated by or on behalf of a government agency or department, or by a registered company, for the temporary living accommodation of its employees, provided the method by which sewage is to be disposed of is satisfactory to the Medical Health Officer. On completion of the project concerned, the camp shall be removed and the site restored to a satisfactory condition;
- xxi) trapping and guide camps, except main lodges;
- xxii) ancillary buildings.

### 5.18.2 ZONE PROVISIONS

No person shall, within any RR 1 zone, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- (a) LOT AREA (minimum): = 4 hectares (9.88 acres)
- (b) REQUIRED YARDS (minimum):
  - i) Front Yard - Setback = 7.6 metres (24.9 feet)
  - ii) Exterior Side Yard - Setback = 7.6 metres (24.9 feet)
  - B/L 4180 Notwithstanding the above, where abutting a lake access road the exterior side yard – setback may be reduced to 4.57 metres (15 feet).
  - iii) Interior Side Yard - Setback = 7.6 metres (24.9 feet)
  - iv) Rear Yard - Setback = 7.6 metres (24.9 feet)
  - B/L 4180 Notwithstanding the above, if rear or side lot line abuts a lake or watercourse, the Lake/Watercourse Setback Provisions shall apply.
  - B/L 4180 (v) Notwithstanding the above, on lots where a kennel, boarding facility, animal hospital or veterinary clinic is located the required setbacks shall be

B/L 4237  
B/L 4237

as follows:

- i) Front Yard – Setback = 30 metres (98.4 feet)
- ii) Exterior Side Yard – Setback = 30 metres (98.4 feet)
- iii) Interior Side Yard – Setback = 30 metres (98.4 feet)
- iv) Rear Yard – Setback = 30 metres (98.4 feet)

- (c) LOT COVERAGE (maximum): = 15%
- (d) DWELLINGS PER LOT (maximum):  
Notwithstanding the provisions of section 5.17.1(a) above, additional dwellings in conjunction with bona fide agricultural operations may be located on a lot provided the lot contains a minimum of 4 hectares (9.88 acres) for each additional dwelling.
- (e) WATERFRONTAGE (minimum): = 45.5 metres (149.3 feet)
- (f) HEIGHT OF BUILDINGS (maximum): = 10.67 metres (35 feet)
- (g) GUEST ACCOMMODATION (maximum)  
Guests or visitors may be accommodated in a maximum of two recreational vehicles in conjunction with a residential use during any six month period of a calendar year, wherein the recreational vehicles shall not be rented to the guests by the owner or occupier of the lot.
- (h) ANCILLARY USES, PARKING, LOADING, ETC.:  
In accordance with the provisions of Section 4.0 hereof.

### 5.18.3 SPECIAL RR 1 ZONES

- 5.18.3.1 Special Exception RR 1-1 Zone  
Notwithstanding any other provisions of this bylaw to the contrary, on lands zoned RR 1-1:
  - i) two, detached, single-family dwellings shall be permitted.All other provisions of the RR 1 zone shall apply.
- 5.18.3.2 Special Exception RR 1-2 Zone (4600-20-1831)  
Notwithstanding any other provisions of this bylaw to the contrary, on lands zoned RR 1-2:
  - i) the permitted non-residential uses shall include an abattoir in addition to the other permitted uses for the RR 1 zone.All other provisions for the RR 1 zone shall apply.
- 5.18.3.3 Special Exception RR 1-3 Zone (4600-20-2390)(4600-20-2537)  
Notwithstanding any other provisions of this bylaw to the contrary, on lands

zoned RR 1-3:

- i) Lot Area (minimum) = 16 hectares (39.535 acres).
- All other provisions of the RR 1 zone shall apply.

5.18.3.4 Special Exception RR 1-4 Zone (4600-20-2439)

Notwithstanding any other provisions of this bylaw to the contrary, on lands zoned RR 1-4:

- i. Lot Area (minimum) = 13 hectares (32.12 acres).

All other provisions of the RR 1 zone shall apply.

5.18.3.5 Special Exception RR 1-5 Zone (4600-20-2478)

Notwithstanding any other provisions of this bylaw to the contrary, on lands zoned RR 1-5:

- i.) Lot Area (minimum) = 8 hectares (19.76 acres).

All other provisions of the RR 1 zone shall apply.

5.18.3.6 Special Exception RR 1-6 zone (4600-20-2751)

Notwithstanding any other provisions of this bylaw to the contrary, on lands zoned RR 1-6:

- i) lot area (minimum) = 25 ha (61.8 ac)

All other provisions of the Rural 1 (RR 1) zone shall apply.

5.18.3.7 Special Exception RR 1-7 Zone (4600-20-2799)

Notwithstanding any other provisions of this bylaw to the contrary, on lands zoned Rural 1 (RR 1), the permitted uses shall include:

- (d) NON-RESIDENTIAL USES:
  - xvi) A horse boarding centre;

- (e) ZONE PROVISIONS:

- (i) LOT AREA (minimum) = 11.5 ha (28.42 ac)
- (ii) HEIGHT OF HORSE BOARDING CENTRE (maximum):  
= 9.75 metres (32 feet)
- (iii) HORSE BOARDING CENTRE FLOOR AREA  
(maximum):= 1,200 square metres (12,916.69 square feet)
- (iv) On lots where a horse boarding facility is located the required setbacks shall be as follows:
  - i) Front Yard – Setback = 30 metres (98.4 feet)
  - ii) Exterior Side Yard – Setback = 30 metres (98.4 feet)
  - iii) Interior Side Yard – Setback = 30 metres (98.4 feet)
  - iv) Rear Yard – Setback = 30 metres (98.4 feet)

All other provisions of the RR 1 zone shall apply.

B/L 3866

5.18.3.8

Special Exception RR 1-8 zone (4600-20-2452)

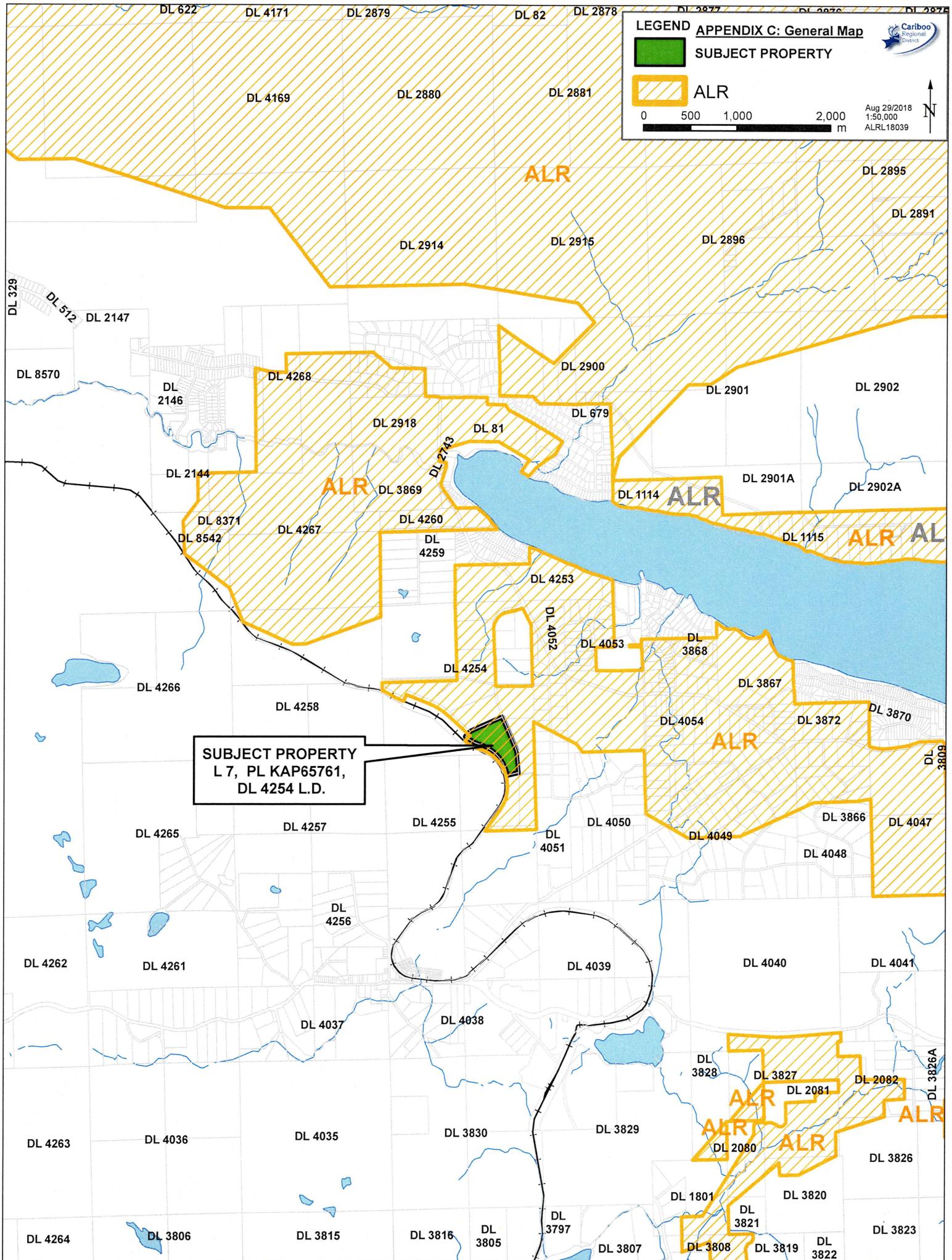
Notwithstanding any other provisions of this bylaw to the contrary, on lands zoned RR 1-8:

- a) permitted residential uses shall be limited to:
  - i) a single-family dwelling; or
  - ii) a temporary dwelling unit in conjunction with a single-family residential dwelling.
  
- b) permitted non-residential uses shall be limited to:
  - i) a home occupation or home industry ancillary to a permitted residential use;
  - ii) bed and breakfast accommodation or rooming and boarding accommodations ancillary to a permitted residential use;
  - iii) agricultural operations including horticulture, silviculture, livestock and beekeeping; and
  - iv) ancillary buildings.

The following provisions shall also apply:

- c) Lot area (minimum) = 8.0 hectares (19.77 acres)
- d) Required yards (minimum):
  - i) Front Yard - Setback = 15 metres (49.22 feet)
  - ii) Exterior Side Yard - Setback = 15 metres (49.22 feet)
  - iii) Interior Side Yard – Setback = 10 metres (32.81 feet)
  - iv) Rear Yard – Setback = 25 metres (82.02 feet)
- e) Lot Coverage (maximum) = 10%
- f) Water Frontage (minimum) = 200 metres (656.17 feet).

All other provisions of the RR 1 zone shall apply.



LEGEND APPENDIX C: General Map

 SUBJECT PROPERTY

 ALR

0 500 1,000 2,000 m

Aug 29/2018  
1:50,000  
ALRL18039



**SUBJECT PROPERTY**  
L 7, PL KAP65761,  
DL 4254 L.D.

L 6  
PL KAP65761

L 11  
PL KAP65761

DL 4254

L 10  
PL KAP65761

PROPOSED  
LOT A  
+/- 5.2 ha

PROPOSED  
LOT B  
+/- 5.2 ha

Foothills Rd

RAILWAY R/W

Lot 7

PL KAP65761

REM DL 4254

PROPOSED  
LOT C  
+/- 5.2 ha

REM NE1/4

DL 4255

L 9  
PL KAP65761

L 8  
PL KAP65761

LEGEND

APPENDIX D: Specific Map



SUBJECT PROPERTY



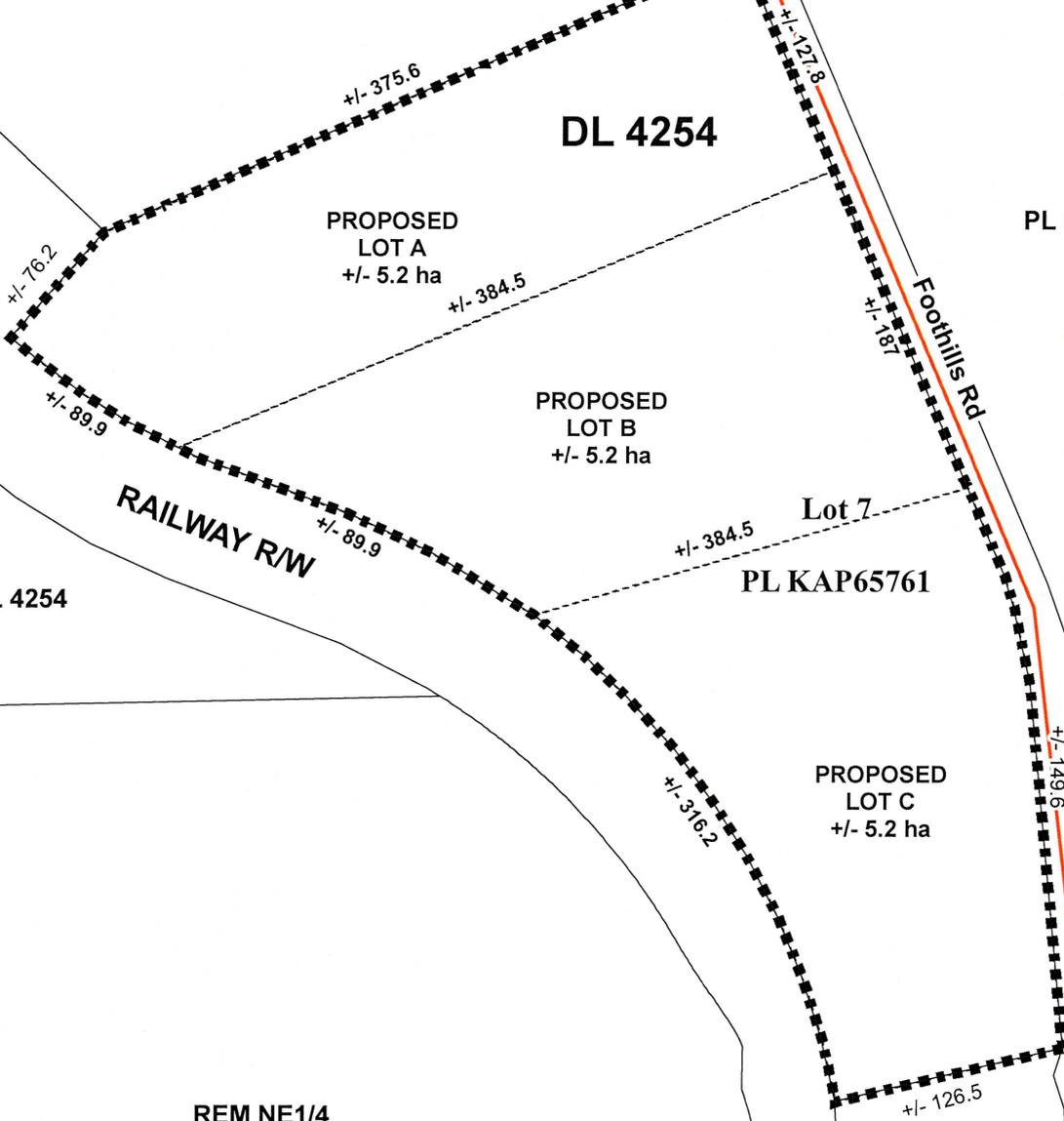
PROPOSED LOTS

Date: Aug 29/2018

MEASUREMENTS  
ARE METRIC



ALR L 18039

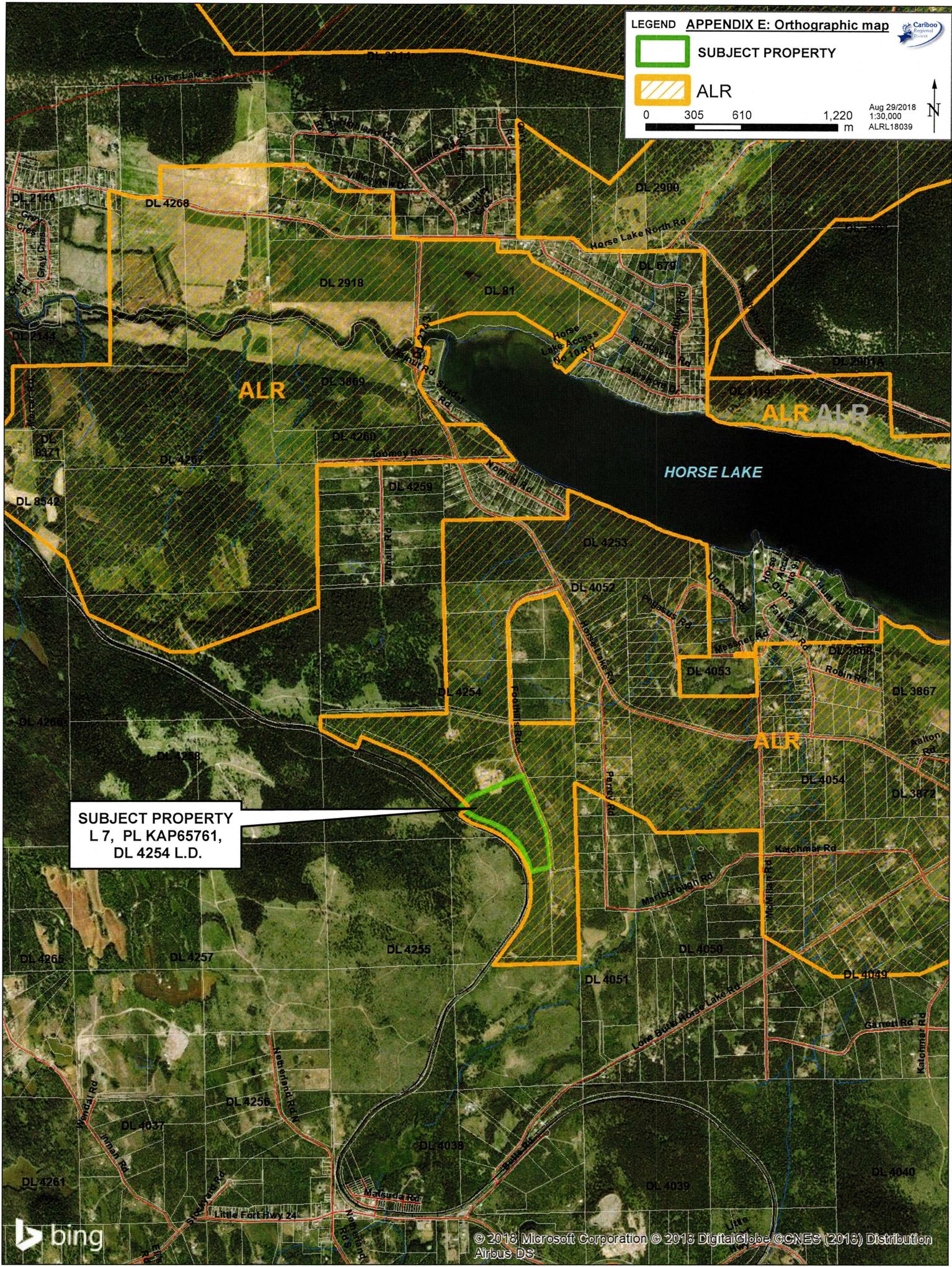




- SUBJECT PROPERTY
- ALR

0 305 610 1,220 m

Aug 29/2018  
1:30,000  
ALRL18039



**SUBJECT PROPERTY**  
L 7, PL KAP65761,  
DL 4254 L.D.

OCT 15 2018

File No: 3015-20/L20180039

ADVISORY PLANNING COMMISSION RESPONSE FORM

Referred To .....

Minutes of the meeting of the Electoral Area 'L' advisory planning commission held on **OCTOBER 9 2018** in the **ROE LAKE HALL**, located at **SHERIDAN LK., BC**, commencing at **7:45 PM**

**PRESENT:**

Chair **RAY CARLSON**

Members **JUSTIN GUIMOND, ALAN BOYD,**

**PETER CRAWSHAY, RAY CARLSON, HAROLD MOBBS  
STEVE BROWN, PETER BONTER.**

Recording Secretary **RAY CARLSON**

Owners/Agent, or **NIGEL HEMINGWAY**

Contacted but declined to attend

Cariboo Regional District

File No. ....

OCT 10 2018

Referred to .....

**ABSENT: ART GUIMOND, DAVE LEVICK**

**ALSO PRESENT:**

Electoral Area Director

**BRIAN COAKLEY**

Staff support (if present)

Agenda Items

**APPLICATION UNDER THE LAND COMMISSION ACT - 3015-20/L20180039 (Lot 7, District Lot 4254 & 4255, Lillooet District, Plan KAP65761)**

/ : "THAT the application for submission to the ALC at Foothill Road be supported / rejected for the following reasons:

- i) **MOVED BY ALAN BOYD  
SECONDED BY PETER CRAWSHAY**
- ii) **DESIRE FOR INFILL IN HORSE LAKE AREA**

For:

**7**

Against:

**0**

**CARRIED/DEFEATED**

Termination

/ : That the meeting terminate.

**CARRIED**

Time:

**8:15 PM**

R. Carlson

Recording Secretary

R. Carlson

Chair