

ALR Information Package

File Number: 3015-20/20180041

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

Electoral Area: L

Date of Referral:

Date of Application: August 22, 2018

Property Owner's Name(s): John Christian and Janice Christian

Applicant's Name: Nigel Hemingway, Cariboo Geographic Systems

SECTION 1: Property Summary

Legal Description(s): Lot 10, District Lots 4254 and 4255, Lillooet District, Plan KAP65761

Area of Application: 12.2 ha (30.14 ac)

Location: Foothills Rd

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

% of parcel	Unimproved rating	Improved rating
%65	% 100 Class 5 – Adverse Climate (excluding precipitation)	No improved rating
%10	% 100 Class 4 - Adverse Climate (excluding precipitation)	No improved rating
%25	% 70 Class 5 - Adverse Climate (excluding precipitation)	No improved rating
	% 30 Class 5 – Excess water (ground water)	No improved rating

The agricultural capability classification of the property ranges from Classes 4 to 5. The limiting factors are noted as Adverse Climate (excluding precipitation) and excess water (ground water). Class 4 soils are capable of a restricted range of crops. Soil and climate conditions require special management considerations. Class 5 soils are capable of producing cultivated perennial forage crops and specially adapted crops. Soil and climate conditions severely limit capability.

There is no improved rating

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

Proposed Use: To create 3 residential lots

SECTION 2: Planning Report

Background:

The application is to subdivide 12.2 ha (30.14 ac) property under Agricultural Land Reserve into three residential lots i.e. one 4.09 ha (10.11 ac) lot and two 4.05 ha (10.01 ac) lots. The applicant has requested this subdivision to create three rural residential properties as per the existing zoning of the land.

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 ranges from Classes 4 to 5. The limiting factors are noted as adverse climate (excluding precipitation) and excess water (ground water). Class 4 soils are capable of a restricted range of crops. Soil and climate conditions require special management considerations. 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 mostly residential properties surrounding the subject property with 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 proposed development complies with the CRD Agricultural Policy and South Cariboo Area Zoning Bylaw by maintaining the minimum lot size requirement.

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.

Agriculture Land 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

ALR Comments



Provincial Agricultural Land Commission - Applicant Submission

Application ID: 58025

Application Status: Under LG Review

Applicant: John Allan Christian , Janice Elaine Christian

Agent: Cariboo Geographic Systems

Local Government: Cariboo Regional District

Local Government Date of Receipt: 08/22/2018

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

Proposal Type: Subdivision

Proposal: To subdivide the property into three rural residential properties as per the existing zoning of the land.

Agent Information

Agent: Cariboo Geographic Systems

Mailing Address:

PO Box 1270

100 Mile House, BC

V0K 2E0

Canada

Primary Phone: [REDACTED]

Email: [REDACTED]

Parcel Information

Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

Parcel Identifier: 024-652-504

Legal Description: L 10 DLS 4254 & 4255 LILLOOET PL KAP65761

Parcel Area: 12.2 ha

Civic Address: N/A

Date of Purchase: 11/09/2017

Farm Classification: No

Owners

1. **Name:** John Allan Christian

Address:

[REDACTED]

Canada

Phone: [REDACTED]

Email: [REDACTED]

2. **Name:** Janice Elaine Christian

Address:

[REDACTED]

Applicant: John Allan Christian , Janice Elaine Christian



Current Use of Parcels Under Application

1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).

No agricultural activities take place on the land.

2. Quantify and describe in detail all agricultural improvements made to the parcel(s).

None

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: Residential

Specify Activity: Residential properties

East

Land Use Type: Residential

Specify Activity: Residential properties

South

Land Use Type: Residential

Specify Activity: Road & residential property

West

Land Use Type: Residential

Specify Activity: Road, residential properties, equestrian center and railroad

Proposal

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

4 ha

4.1 ha

4.1 ha

2. What is the purpose of the proposal?

To subdivide the property into three rural residential properties as per the existing zoning of the land.

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

The Canada Land Inventory Rating and previous ALC decisions indicate the land is only suitable for grazing purposes and this property is not large enough for this use. It is also in a residential

Applicant: John Allan Christian , Janice Elaine Christian

neighbourhood.

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

An infilling development in this location will reduce pressure for residential growth in other areas with agricultural operations or higher agricultural capabilities.

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 this land will create direct jobs for local contractors.

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.

Increased density within an existing residential residence will increase community spirit, improve safety for all residents and the tax base to support the infrastructure people desire.

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.

The land is currently zoned for the proposal being submitted. The OCP designation is a result of the Agricultural Land Reserve but contains provisions for infilling proposals as such as this.

Applicant Attachments

- Agent Agreement - Cariboo Geographic Systems
- Proposal Sketch - 58025
- Other correspondence or file information - Reasons of Support
- Certificate of Title - 024-652-504

ALC Attachments

None.

Decisions

None.

To Whom It May Concern:

The undersigned, as registered owners of Lot 10, District Lot 4254 and District Lot 4255, 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.



John Allan Christian

MAY 19/18
Date



Janice Elaine Christian

18 MAY 18.
Date

Civil and Building 2009 Fall Exam - Sub-6, Mile Lat 7 - Earthfile Roadway/C09-1018.dwg 21/04/2018 8:10:51 PM Adobe PDF

Proposal

This application is requesting that Lot 10, District Lots 4254 and 4255, Lillooet District, Plan KAP65761, within the Foothills Road subdivision be divided within the Agricultural Land Reserve. Lot 10, 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. These properties are approximately 340 metres north of the land under application and are on the same side of Foothills Road.

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 on the opposite side of Foothills Road and about the same distance north of the land under application as the previous decision mentioned. 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 10 is 12.73 hectares (31.45 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 land under application are 29 lots along Perry Road and Horse Lake Road. All but three of these are around 2 hectares in size and there are five of these two hectare lots sharing a common boundary with the land under application. 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 with only a few properties being used for agricultural purposes and none adjacent to this land.

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.

A property across the road and to the northwest 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 10 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 property has a generally rolling terrain and an area subject to seasonal wetness near the east boundary because of a small natural drainage flow to it. The water from the ditches on Foothills Road is directed to this drainage channels by the culverts under the road. (some wetland, runoff, drainage)

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 under the existing zone.

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 an established 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 for Lot 10 and the overall area.

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

R.D./Mun. File No. 3015-20/20180041

Fee Receipt No. 0003008572

Fee Amount \$900

ALR Base Map No. 92P/11B

ALR Constituent Map No.

Air Photo No.

Information supplied by:

Cariboo Regional District

Local Government

In respect of the application of:

John and Janice Christian c/o Nigel Hemingway

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 5.18.1 of the South Cariboo Area Zoning Bylaw No. 3501, 1999

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

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:

Signature of Responsible Local Government Officer

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.

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

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|----------|--------|--|
| | 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.

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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:

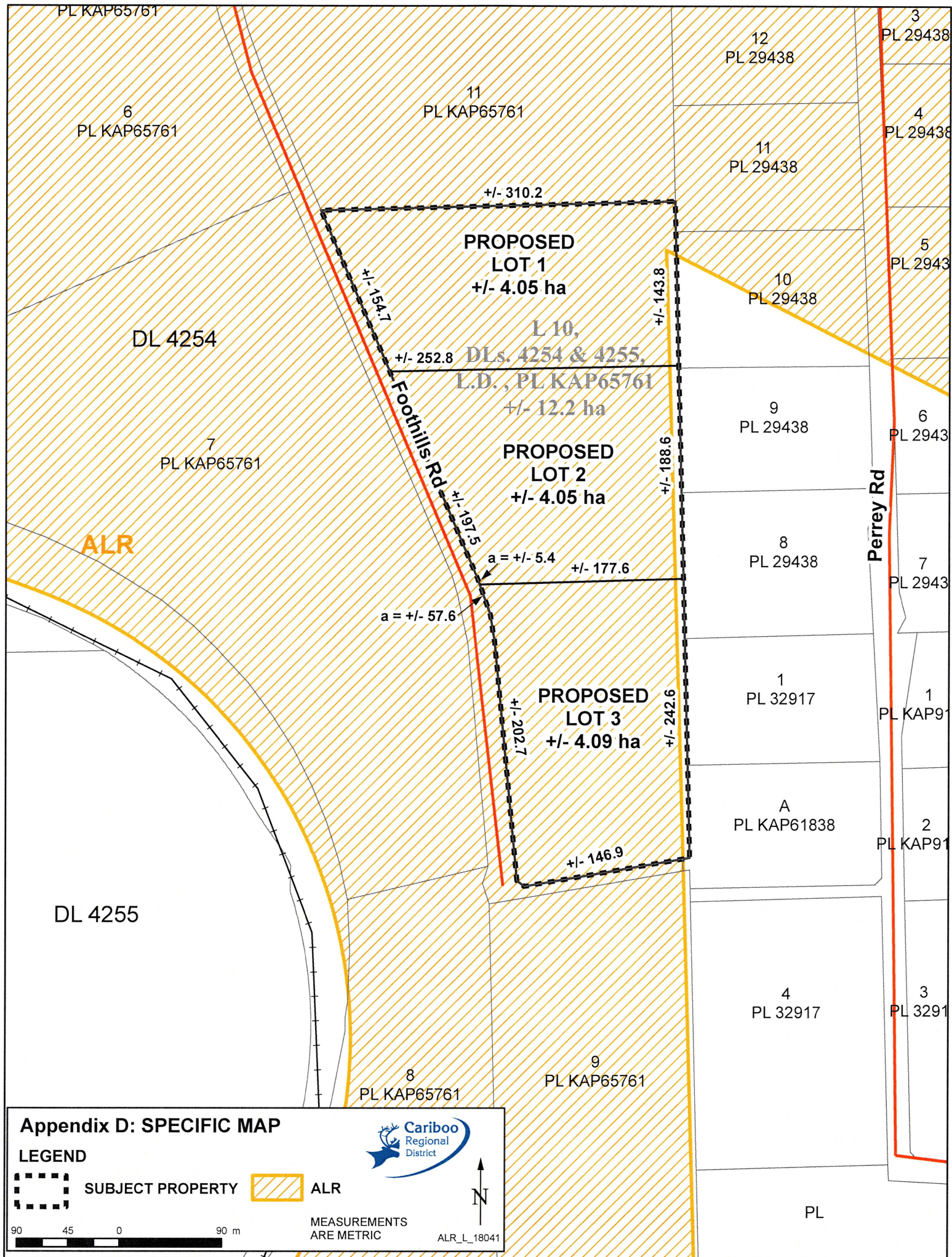
- a) permitted residential uses shall be limited to:
 - i) a single-family dwelling; or
 - ii) a temporary dwelling unit in conjunction with a single-family residential dwelling.
- b) permitted non-residential uses shall be limited to:
 - i) a home occupation or home industry ancillary to a permitted 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.

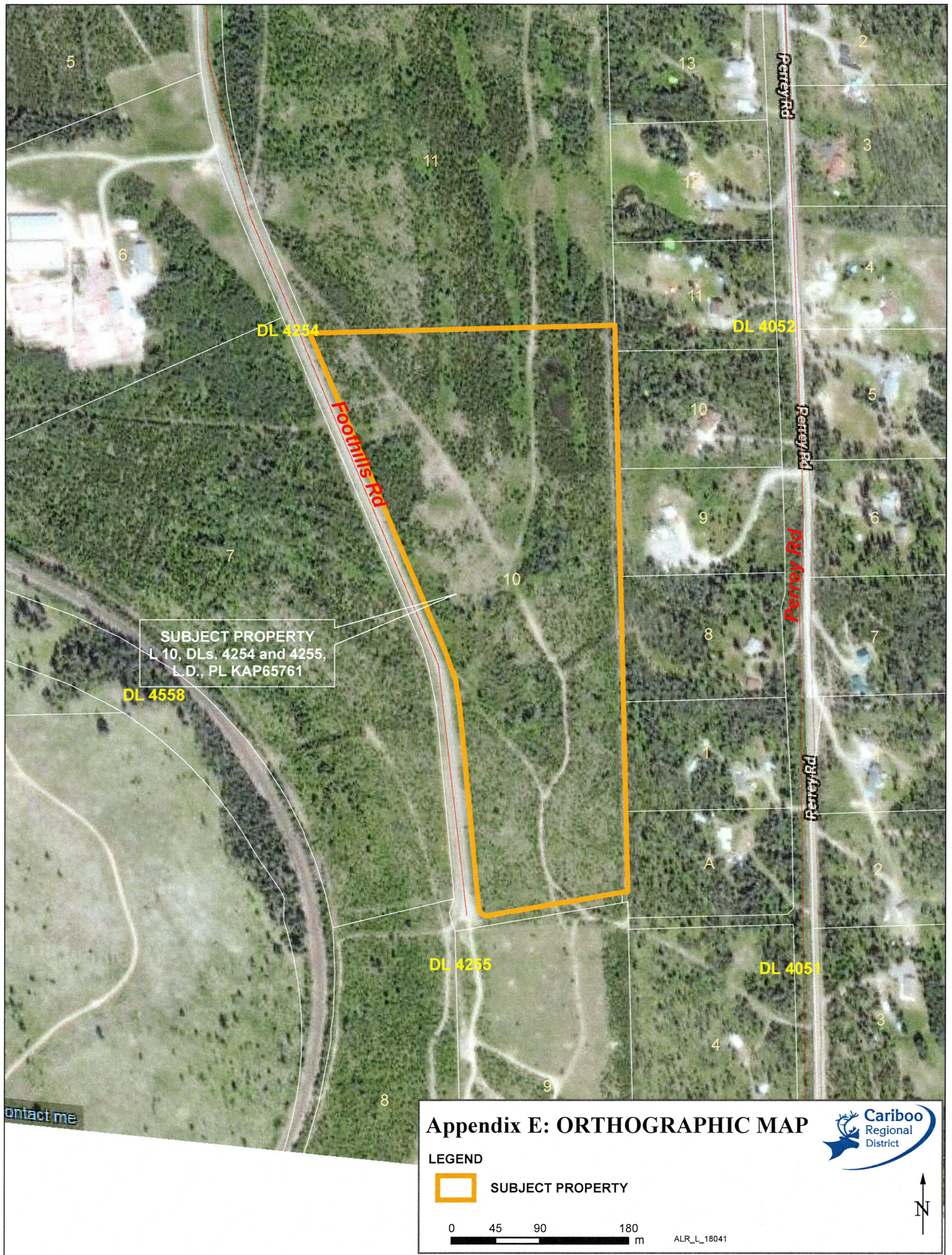
The following provisions shall also apply:

- 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.

ALR





ADVISORY PLANNING COMMISSION RESPONSE FORM

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 W**, BC, commencing at **7:40 PM**

PRESENT: Chair **RAY CARLSON**

Members **JUSTIN GUIMOND, PETER CRAWSHAY, ALAN BOYD, RAY CARLSON, STEVE BROWN, HAROLD MOBBES, PETER BONTER.**

Recording Secretary **RAY CARLSON**

Owners/Agent, or **NIGEL HEMINGWAY** Cariboo Regional District
☐ Contacted but declined to attend File No.

ABSENT: ART GUIMOND, DAVE LEVICK

ALSO PRESENT: Electoral Area Director
Staff support (if present)

Agenda Items

APPLICATION UNDER THE LAND COMMISSION ACT – 3015-20/L20180041 (Lot 10, District Lots 4254 and 4255, Lillooet District, Plan KAP65761)

/ : "THAT the application for submission to the ALC at **FOOTHILLS RD** be supported / rejected for the following reasons:

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

For: **7** Against: **0**

CARRIED/DEFEATED

Termination

/ : That the meeting terminate.

CARRIED

Time: **8:00 PM**

R. Carlson
Recording Secretary

R. Carlson
Chair



File:

Nyree Alexander
Development Services Clerk
Cariboo Regional District
Suite D, 180 North 3rd Avenue
Williams Lake, BC V2G 2A4

Via email: nalexander@cariboord.ca

Date: October 15, 2018

Dear: Nyree Alexander, Development Services Clerk

Re: ALC Subdivision Application ALR1841 – Christian Referral

Thank you for providing the BC Ministry of Agriculture the opportunity to comment on the above noted ALC Subdivision Application referral. The Ministry has not conducted an on-site visit of the property, and would like to provide the following comments:

Ministry staff have concerns with this subdivision proposal. The proposal is to subdivide 12.2 ha of land on the provincial Agricultural Land Reserve (ALR) into three parcels of 4.0, 4.1, and 4.1 hectare sections, respectively. The ALR is a provincial zone in which agriculture is recognized as the priority use. Farming is encouraged and non-agricultural uses are restricted. For your consideration, the Ministry's Guide for Bylaw Development in Farming Areas recommends that local governments identify a single agricultural zone for all ALR land in order to provide consistency for industry and to reflect an understanding that agriculture is the priority use for these parcels.

The referral package referenced the Agricultural Land Commission Agreement held between the Agricultural Land Commission and the BC Crown Land Division (Chapter 3.3, Section 3.3.1, Section 8.0 Applications to the Commission by the Ministry for Inclusion of Land into an Agricultural Land Reserve), found here: <https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/natural-resource-use/land-water-use/crown-land/alc.pdf>. It appears the intent of the agreement is to ensure Crown land leased or granted for agricultural use remains available for agricultural purposes. The agreement reads,

"Where an application for Crown lands is approved by the Ministry for agricultural purposes and the land is not located in an ALR, the Regional Lands Manager shall make application to the Commission through the appropriate local authority for the inclusion of the land into an ALR. The application shall include all required forms and documents, and other information relating to the suitability of the land for agricultural purposes."

It is suggested that the Cariboo Regional District request the applicant of the proposed subdivision to provide them with, or ask directly for, any relevant ALC information regarding this

property from the ALC or Ministry of Forests, Lands, Natural Resource Operations & Rural Development.

Subdivision and the creation of smaller lots can erode long term agricultural and economic potential of these parcels, potentially increase land cost per acre (which limits farm business opportunities), and in some cases have been shown to increase conflict between adjacent land uses. While the subdivision of farmland also has a potential to increase the operational function of a parcel - if no additional infrastructure or development occurs which might inhibit agriculture - this application proposes additional residential development. Further, the application states that the land is only suitable for grazing purposes and at 12.2 hectares and is too small to graze. Noting the existence of a horse centre that cannot grow its own hay, and in an area surrounded by housing developments, this illustrates the fact that the Cariboo region is a hay deficit region. There is a hay producer on the northwest shore of Horse Lake, in Class 5 (IC4) soil.

In addition, as noted also in the application, the soil is Class 4 and 5. We have little Class 4 soil in the Cariboo and some is found around Horse Lake. The application refers to past ALC decisions in this area. A land swap of 12.2 ha of class 4 and 5, or higher, with land elsewhere in the CRD into the ALR, would ensure that land is secured for the purpose of food production.. To meet Objective 1.3 of the OCP, perhaps a minimum 12.2 ha parcel adjacent to existing ALR land could also be beneficial.

I note that the property was purchased a year ago and started the subdivision application process less than a year into ownership.

If you have any questions about these comments, please feel free to contact me.

Sincerely,

Nicole Pressey, P. Ag.
Regional Agrologist
Cariboo Chilcotin Coast

pc: ALC Land Use Planner, ALC.Interior@gov.bc.ca
[Monica Larden, Crown Lands, Monica.Larden@gov.bc.ca](mailto:Monica.Larden@gov.bc.ca)