

## ALR Information Package

**File Number:** 3015-20/20190030

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

**Electoral Area:** B

**Date of Referral:** July 3, 2019

**Date of Application:** May 25/19

**Property Owner's Name(s):** Donna Michelle McGowan and Vernon Floyd McGowan

**Applicant's Name:** Brad Wiles

### SECTION 1: Property Summary

**Legal Description(s):** Parcel A (80179M), Part NW ¼, District Lot 4507, Cariboo Land District

**Area of Application:** 16.1 ha (39.8 ac)

**Location:** 2256 Rawlings Road, 2928 & 2941 Tindale Road

**Current Designation:**

Agricultural and Resource – Quesnel Fringe Area Official Community Plan Bylaw 4844, 2014

**Current Zoning:**

Rural 1 (RR 1) – Quesnel Fringe Area Zoning Bylaw 3504, 1999

**Current Land Use:** *BC Assessment - 060 – 2 Acres or More (Single-Family Dwelling, Duplex)*

**Agricultural Capability Classification:**

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

% of parcel	Unimproved rating	Improved rating
25%	% 80 Class 4 – Topography & Undesirable Soil Structure and/or Low Perviousness	N/A
	% 20 Class 5 – Topography & Stoniness	N/A
25%	% 50 Class 3 – Cumulative Minor Adverse Conditions	N/A
	% 30 Class 4 – Topography & Undesirable Soil Structure and/or Low Perviousness	N/A
	% 20 Class 5 – Moisture & Stoniness	N/A
50%	% 50 Class 5 - Topography & Stoniness	N/A

% 30 Class 6 - Topography & Stoniness      N/A

% 20 Class 4 - Topography &      N/A  
Undesirable Soil Structure and/or Low  
Perviousness

The agricultural capability classification of the property ranges from Classes 3 to 6. The limiting factors are noted as Topography, Stoniness, Undesirable Soil Structure and/or Low Perviousness, Moisture, and Cumulative Minor Adverse Conditions.

Class 3 soils may restrict the choice of suitable crops or affect one or more of the following practices: timing and ease of tillage, planting and harvesting, and methods of soil conservation. Soil and/or climate limitations are cumulative minor adverse conditions.

Class 4 soils have severe limitations that restrict the range of crops, or require special conservation practices, or both. They are only suitable for a few crops, or the range and yield of crops is low, or the risk of crop failure is high. Soil and climate conditions are topography and undesirable soil structure and/or low perviousness.

Class 5 soils have such serious soil, climatic, or other limitations that they are not capable of use for sustained production of annual field crops. They are suitable for specialized crops requiring soil conditions unlike those needed by the common crops. Soil and climate conditions are topography, stoniness, and moisture.

Class 6 soils are not arable but may provide production for native species and provide natural grazing for domestic livestock. Soil and climate conditions are topography and stoniness.

\*\*\*note: the information above is an interpretation of Agricultural Capability from the Canada Land Inventory map sheet #93B/16 (scale 1:50,000). An on-site visit of the property has not been conducted.\*\*\*

**Proposed Use:** Subdivision to legalize existing homesteads

## **SECTION 2: Planning Report**

### Background:

The application is to subdivide 16.1 ha (39.8 ac) property under Agricultural Land Reserve into three separate residential lots of 4.81 ha (11.89 ac), 5.91 ha (14.60 ac) and 4.10 ha (10.13 ac) in sizes. The applicant has requested this subdivision to legalize two out of three of the non-conformance residential dwellings existing on the subject property.

The subject property is zoned Rural 1 (RR 1) in the Quesnel Fringe Area Zoning Bylaw No. 3504, 1999, and designated Agricultural and Resource in the Quesnel Fringe Area Official Community Plan Bylaw No. 4844, 2014.

### Soil Information, Location and Surroundings:

The agricultural capability classification of the property ranges from Classes 3 to 6. The limiting factors are noted as Topography, Stoniness, Undesirable Soil Structure and/or Low Perviousness, Moisture, and Cumulative Minor Adverse Conditions.

Class 3 soils may restrict the choice of suitable crops or affect one or more of the following practices: timing and ease of tillage, planting and harvesting, and methods of soil conservation. Soil and/or climate limitations are cumulative minor adverse conditions.

Class 4 soils have severe limitations that restrict the range of crops, or require special conservation practices, or both. They are only suitable for a few crops, or the range and yield of crops is low, or the risk of crop failure is high. Soil and climate conditions are topography and undesirable soil structure and/or low perviousness.

Class 5 soils have such serious soil, climatic, or other limitations that they are not capable of use for sustained production of annual field crops. They are suitable for specialized crops requiring soil conditions unlike those needed by the common crops. Soil and climate conditions are topography, stoniness, and moisture.

Class 6 soils are not arable but may provide production for native species and provide natural grazing for domestic livestock. Soil and climate conditions are topography and stoniness.

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.

The subject property is located on Rawlings Road with Tindale Road that passes through the property creating three different civic addresses as shown in Appendix C and D. Currently, there are three residential dwellings, five sheds and two hen houses existing on the property with no agricultural activity on it. The parcel also has two streams and a wetland present on site. There are mostly residential properties surrounding the subject property.

#### CRD Regulations and Policies:

*Quesnel Fringe Area Zoning Bylaw No. 3504, 1999*

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

#### **5.17.2 ZONE PROVISIONS**

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

#### Rationale for Recommendations:

The requested subdivision does comply with the CRD Agricultural Policy and Quesnel Fringe Area Zoning Bylaw by maintaining the minimum lot size requirement. Further, the undesirable topography with sloping terrain, wetlands and soil classification of the parcel limits any kind of agricultural activity on site. Therefore, planning staff supports this subdivision proposal.

However, Development Permits will be required for any future development on site as the subject property lies within the Aquatic Habitat and Geotechnical Hazard Development Permit areas due to the presence of streams and steep slopes respectively. A permit from Ministry of Environment may also be required for any future development due to the presence of wetland on the subject property.

Based on Canada Land Inventory's poor soil rating for agricultural capability, undesirable topography, and permitted lot sizes under the existing zoning of Rural 1 (RR 1), the application for ALR subdivision be authorized for submission to the Provincial Agricultural Land Commission.

### SECTION 3: Referral Comments

**Advisory Planning Commission:** July 22, 2019

Supported, see comments 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: Advisory Planning Commission Results Form and Comments



# Provincial Agricultural Land Commission - Applicant Submission

**Application ID:** 59054

**Application Status:** Under LG Review

**Applicant:** Donna Michelle McGowan , Vernon Floyd McGowan

**Agent:** Brad Wiles

**Local Government:** Cariboo Regional District

**Local Government Date of Receipt:** 05/22/2019

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

**Proposal Type:** Subdivision

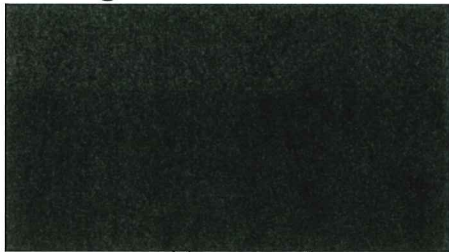
**Proposal:** To subdivide this parcel to provide separate titles for each civic address as requested by the local government, to meet zoning bylaws.

All proposed parcels will be retained to provide residence for family members.

## Agent Information

**Agent:** Brad Wiles

**Mailing Address:**



## Parcel Information

### Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

**Parcel Identifier:** 008-813-116

**Legal Description:** PCL A (80179M) OF THE NW 1/4 OF DL 4507 CARIBOO

**Parcel Area:** 17.2 ha

**Civic Address:** 2256 Rawlings Road, 2928 & 2941 Tindale Road.

**Date of Purchase:** 12/05/2002

**Farm Classification:** Yes

**Owners**

1. **Name:** Donna Michelle McGowan



**Applicant:** Donna Michelle McGowan , Vernon Floyd McGowan

  
2. **Name:** Vernon Floyd McGowan



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

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

*No agriculture*

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

*No Agricultural Improvements*

**3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).**

*No non-agricultural activity*

### **Adjacent Land Uses**

#### **North**

**Land Use Type:** Residential

**Specify Activity:** a single-family residential dwelling

#### **East**

**Land Use Type:** Residential

**Specify Activity:** a single-family residential dwelling

#### **South**

**Land Use Type:** Residential

**Specify Activity:** a single-family residential dwelling

#### **West**

**Land Use Type:** Residential

**Specify Activity:** a single-family residential dwelling

### **Proposal**

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

**Applicant:** Donna Michelle McGowan , Vernon Floyd McGowan

5 ha  
7 ha  
5.2 ha

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

*To subdivide this parcel to provide separate titles for each civic address as requested by the local government, to meet zoning bylaws.  
All proposed parcels will be retained to provide residence for family members.*

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

*The Land is not currently being used for agricultural use. The parcel of land has sloping terrain, wetlands and is stoniness in nature.  
The proposed lot configuration meet zoning bylaws minimum size for Rural 1 (4ha)*

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

*No due to nature of the terrain, wetlands and stoniness nature of the parcel it does not support agriculture in the short or long term without significant development.*

**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*

**Applicant Attachments**

- Agent Agreement - Brad Wiles
- Other correspondence or file information - CRD request letter
- Other correspondence or file information - CRD request letter
- Site Photo - Site photos
- Proposal Sketch - 59054
- Certificate of Title - 008-813-116

**ALC Attachments**

None.

**Decisions**

None.

## AGENT AUTHORIZATION LETTER

I (we) DONNA MICHELLE MCGOWAN & VERNON FLOYD MCGOWAN  
*Printed/typed name(s) of landowner(s)*

hereby appoint B.R. Wiles to  
*Printed/typed name of agent*

make application to the Agricultural Land Commission as agent on my/our behalf with respect to  
the following parcel (s): *Insert legal description for each parcel under application*

PARCEL A (80179M) OF THE NORTH WEST ¼ OF DISTRICT LOT 4507 CARIBOO DISTRICT.

I B.R. Wiles understand that as  
*Printed/typed name of agent*

agent, I am required to ensure that all landowners are provided with information being  
submitted to and received from the Agricultural Land Commission.

Signature(s) of landowner(s):

Donna Michelle McGowan DONNA MICHELLE MCGOWAN 14/05/2019  
Signature Printed Name Date

V. MC VERNON FLOYD MCGOWAN 14/05/2019  
Signature Printed Name Date

**TITLE SEARCH PRINT**

File Reference:

Declared Value \$24833

2018-02-28, 16:13:39

Requestor: Bradley Wiles

**\*\*CURRENT AND CANCELLED INFORMATION SHOWN\*\*****Land Title District**

Land Title Office

PRINCE GEORGE

PRINCE GEORGE

**Title Number**

From Title Number

BT440650

PG14546

**Application Received**

2002-12-02

**Application Entered**

2002-12-05

**Registered Owner in Fee Simple**

Registered Owner/Mailing Address:

DONNA MICHELLE MCGOWAN, HOMEMAKER



Registered Owner/Mailing Address:

VERNON FLOYD MCGOWAN, SKIDDER OPERATOR

**Taxation Authority**

Cariboo Assessment Area

**Description of Land**

Parcel Identifier:

008-813-116

Legal Description:

PARCEL A (80179M) OF THE NORTH WEST 1/4 OF DISTRICT LOT 4507 CARIBOO DISTRICT

**Legal Notations**

RE: ROAD SEE R7854 AND R20275

THIS CERTIFICATE OF TITLE MAY BE AFFECTED BY THE AGRICULTURAL LAND COMMISSION ACT, SEE AGRICULTURAL LAND RESERVE PLAN NO. 21608

**Charges, Liens and Interests**

NONE

**Duplicate Indefeasible Title**

NONE OUTSTANDING

**TITLE SEARCH PRINT**

File Reference:  
Declared Value \$24833

2018-02-28, 16:13:39  
Requestor: Bradley Wiles

<b>Transfers</b>	NONE
<b>Pending Applications</b>	NONE
<b>Corrections</b>	NONE

File:


3120-20-C4507

3220-20-C4507

May 25, 2015

Vernon McGowan  


Dear Mr. McGowan:

Re: Building permit No. 

Planning staff have reviewed your application for a Building Permit No. PR20150167 to construct a new garage on your property. We note that there are currently three dwellings located on this property. The property is zoned Rural Residential (RR 1) under the Quesnel Fringe Area Zoning Bylaw No. 3504, 1999. This zoning designation does not permit the placement of more than one, single family dwelling on the property unless the property has bona fide agricultural status and the owners can prove they require housing for farm help. Your property does not have bona fide agricultural status (farm status) with the BC Assessment Agency, and thus, does not qualify for this exemption.

Your application to construct a new garage does not exacerbate this non-conformance with the bylaw, and thus will be permitted to proceed; however, it is prudent that you are aware of the situation and understand that the issuance of a building permit for the garage in no way legitimizes the non-conforming use. Approval of this building permit does not prevent the Cariboo Regional District (CRD) from seeking legal action in the future should you not rectify the situation. We strongly recommend that you take immediate steps to resolve this issue. These are some of the options available to you:

1. Remove two dwellings so that there is only one remaining on the property;
2. Decommission two dwellings, which could then be used as outbuildings, as long as doing so would not cause the property to exceed its maximum permissible ancillary area of 300 m<sup>2</sup> (3,229 sq. ft.) (An ancillary structure is any structure other than the actual dwelling space, and includes detached or attached garages, carports, decks, or porches, in addition to any other outbuildings that may be located on the property); or

.../2

3. At roughly 15 hectares (37 acres) in size, it would be permissible under your existing zoning to subdivide the property, allocating individual lots of a minimum four hectares (9.88 acres) in size to each dwelling. Because your property is located within the Agricultural Land Reserve, a subdivision proposal such as this would first have to obtain permission from the Agricultural Land Commission.

If you have any questions or you wish to pursue one of these options, please feel free to contact the Planning Department at the Cariboo Regional District.

Respectfully,



Karen Moores, RPP, P.Ag  
Manager of Development Services

KM/jc

c: Donna McGowan



Location #1, civic 2256 . Photo taken North of dwelling.



Location #1, civic 2256. Photo taken South East of shed and hen house shown in the rear



Location #2, civic 2256. Photo taken North East shows tree vegetation



Location #3, civic 2256. Photo taken East shows tree vegetation



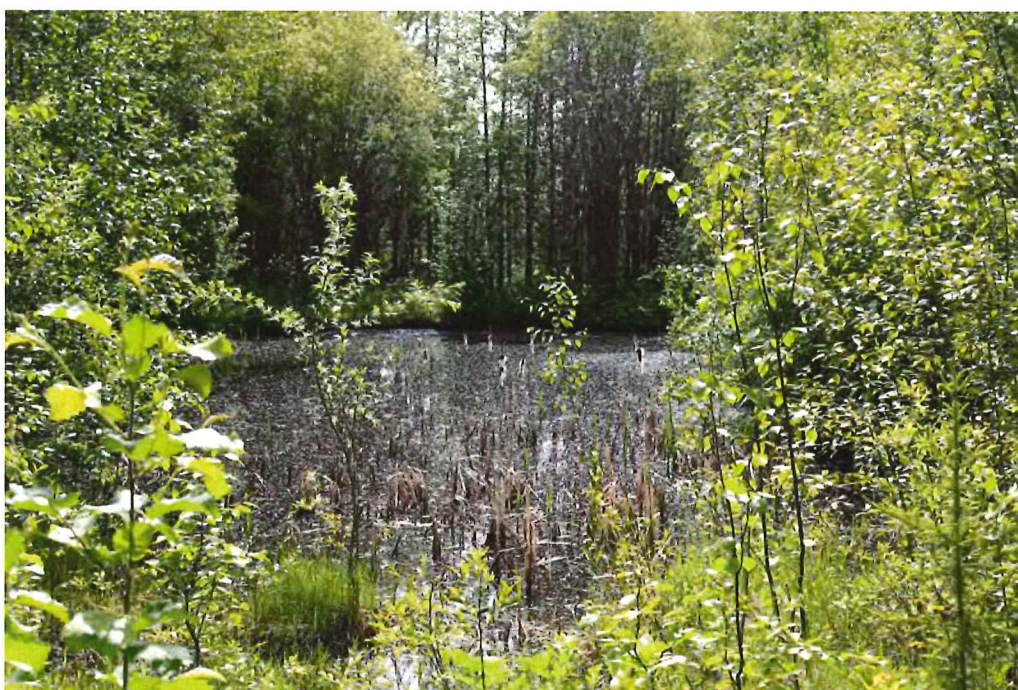
Location #4, civic 2256 . Photo taken West shows shale rock just below ground surface, material found through out slope area down to marsh.



Location #5 civic 2256, rocky ground found around the dwelling and top are of the slope.



Location #6 civic 2256, Photo taken North shows wetland marsh area.



Location #7 civic 2256, Photo taken East shows wetland and marsh area.



Location #8 civic 2941. Photo taken North shows dwelling and sheds.



Location #9 civic 2941, Photo taken North West shows field/pasture which consists 5% of the parent parcel proposed to be subdivided.



Location #9 civic 2941, Photo taken North shows field/pasture which consists 5% of the parent parcel proposed to be subdivided.



Location #10 civic 2941 . Photo taken East shows tree vegetation that covers most of the area around proposed Lot B except the field/pasture and shows 60cm Ø CMP well.



Location #11, Cvic 2941 . Photo taken shows rocky ground found at base of the slope and between the field/pasture and dwelling or road.



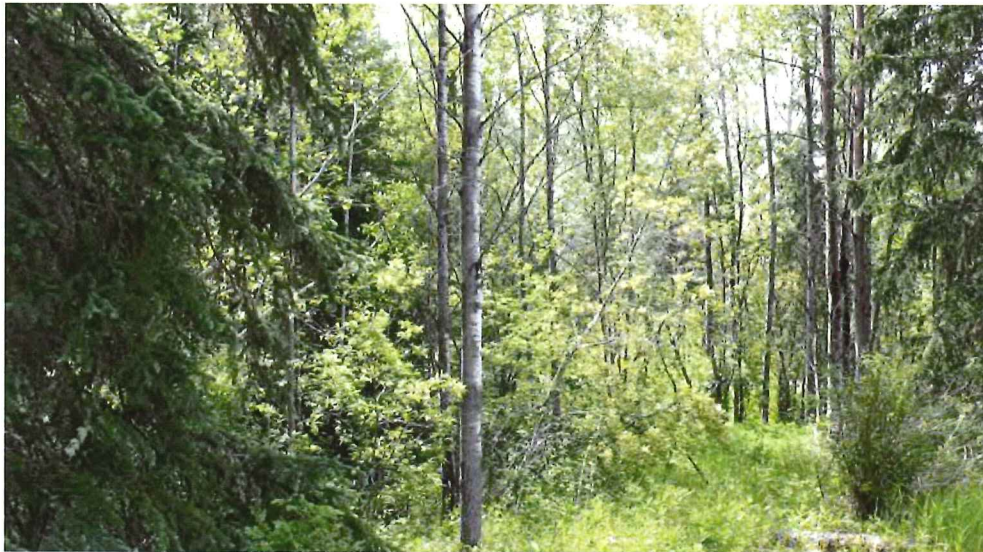
Location #12, Cvic 2941 . Photo taken shows rocky ground found at mid slope, between the field/pasture and dwelling or road.



Location #13 civic 2928 . Photo taken North shows dwelling shop and tree vegetation.



Location #13 civic 2928 . Photo taken North East shows hen house, shed and tree vegetation.



Location #14 civic 2928 . Photo taken Sout East shows tree vegetation which consists of 94% of proposed Lot A.










Location #14 civic 2928 . Photo taken North East shows tree vegetation which consists of 94% of proposed Lot A.

Arranged by owner: George McGowan  
tel: 250-249-5482  
Drawn for: George McGowan  
March 5, 2018  
Parcel Identifier: 008-813-116

Scale = 1:5000

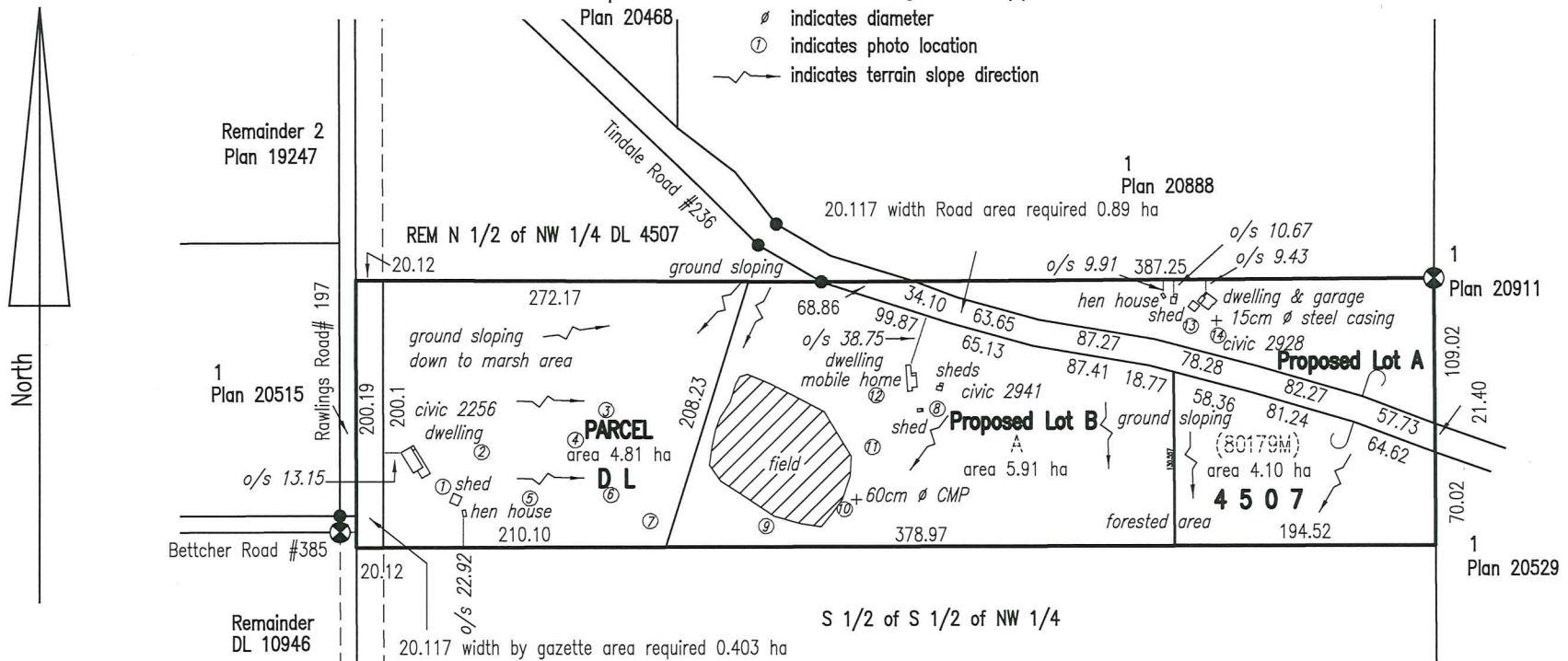


Legend:

-  indicates perimeter of subject property
-  indicates found capped post
-  indicates found iron post
-  indicates well location
- o/s* indicates offset to boundary
- CMP* indicates corrugated metal pipe
-  indicates diameter
-  indicates photo location
-  indicates terrain slope direction

Zoning Bylaw: 3504 Quesnel Fringe area, 1999

Zoned: RR1 Rural 1 min area 4.0 ha



This Plan lies within the Cariboo Regional District  
This Plan lies within the Agricultural Land Reserve

*Note: Area around civic 2256, proposed 4.81ha is 90% poplar and willow trees with the ground sloping down to a large marsh area. The ground from road down to marsh is mainly rocky shale and gravel materials (stoniness). Area around civic 2941, proposed 5.91 ha is 82% forested and only 14% and has been used for horse pasture, ground is stoniness. Area around civic 2928, proposed 4.1 ha is 94% forested, a mix of deciduous and coniferous.*

## Wiles Surveying

British Columbia Land Surveyor  
Civic - 2308 Blackwater Road,  
Mail - 2323 Claymine Road,  
Quesnel, BC V2J 7C5  
tel 778-465-0019  
cel 250-255-5163 file: 1669  
email brad@wilsurvey.com

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

R.D./Mun. File No. 3015-20/20190030

Fee Receipt No. 0002008611

Fee Amount \$1500

ALR Base Map No. 093G007

ALR Constituent Map No.

Air Photo No.

Information supplied by:

Cariboo Regional District

Local Government

In respect of the application of:

Donna McGowan, Vernon McGown

Name of Applicant

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

Official Community Plan name and designation: Quesnel Fringe Area Official Community Plan Bylaw 4844, 2014

Agriculture and Resource

Zoning Bylaw name and designation: Quesnel Fringe Area Zoning Bylaw, 3504 -1999

Rural 1 (RR 1)

Minimum Lot Size: 4 ha (9.88 ac)

Uses permitted: Please refer to Sections 5.17.1 of the Quesnel Fringe Area Zoning Bylaw, 3504 -1999

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*

# Appendix C: GENERAL MAP



## LEGEND



SUBJECT PROPERTY



ALR

0 500 1,000 2,000 m

ALR\_B\_19030



DL 899

SUBJECT PROPERTY

'B'

'C'

'B' 'Quesnel'

'A'

DL 3228

DL 3229

DL 3230

King Pit Rd

DL 3227

DL 3226

DL 3225

DL 1917

DL 3224

DL 8642

DL 4515

DL 4506A

ALR

DL 10950

DL 10949

DL 4506

DL 4505

DL 4503A

DL 8639

DL 10948

DL 4506

DL 4504

DL 4503

Bouchie Lake Rd

DL 10947

DL 4507

Tindale Rd

Blanchard Rd

Prestage Rd

DL 8639

SUBJECT PROPERTY

Pcl A (80179M), Part NW1/4,  
District Lot 4507, CARIBOO DISTRICT

DL 4948

DL 10946

DL 10945

DL 4508

DL 3364

DL 4501

DL 729

DL 9794

DL 4510

DL 4509

DL 4509

DL 4500

DL 4500

DL 11812

DL 9392

DL 4511

DL 4510

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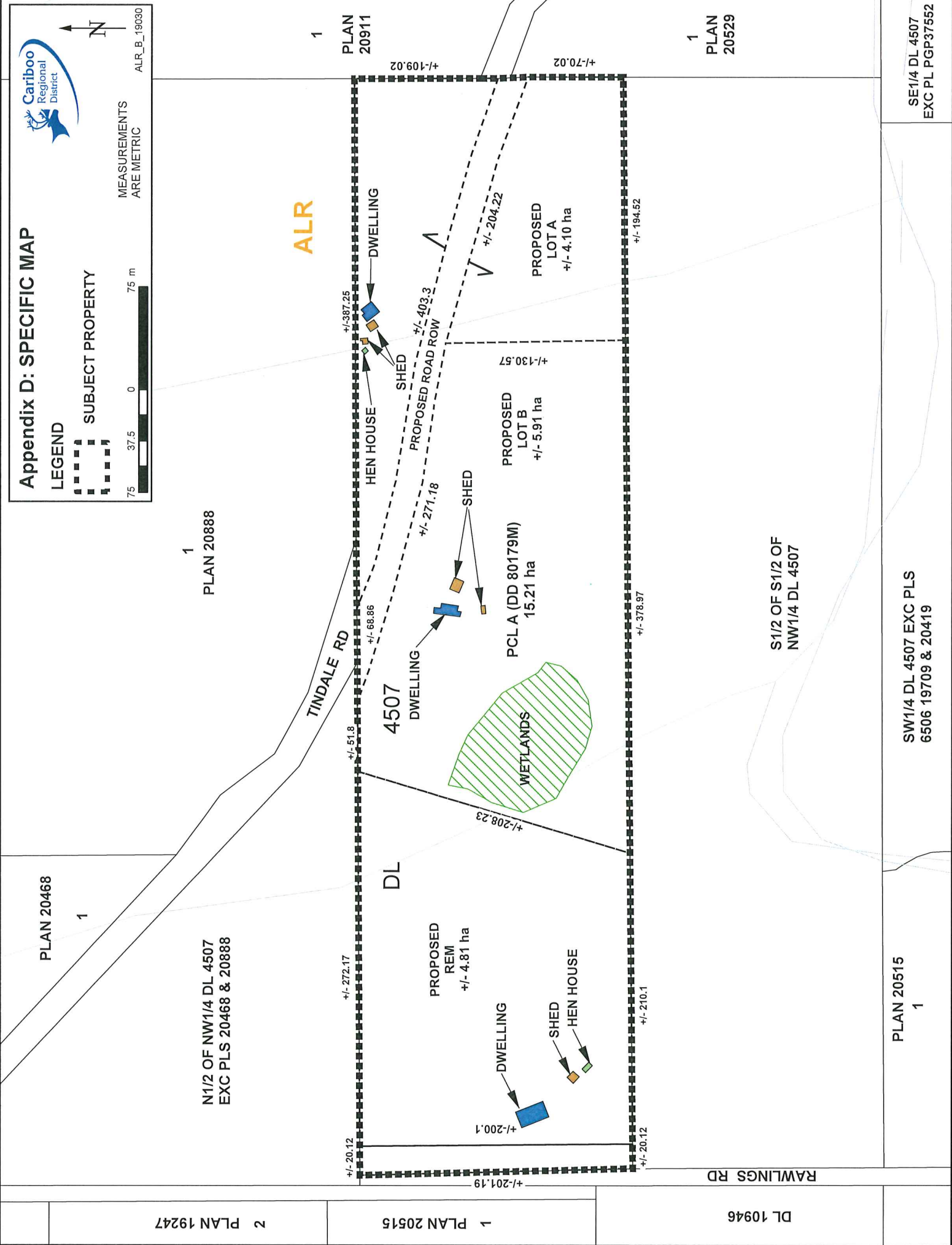
DL 4500

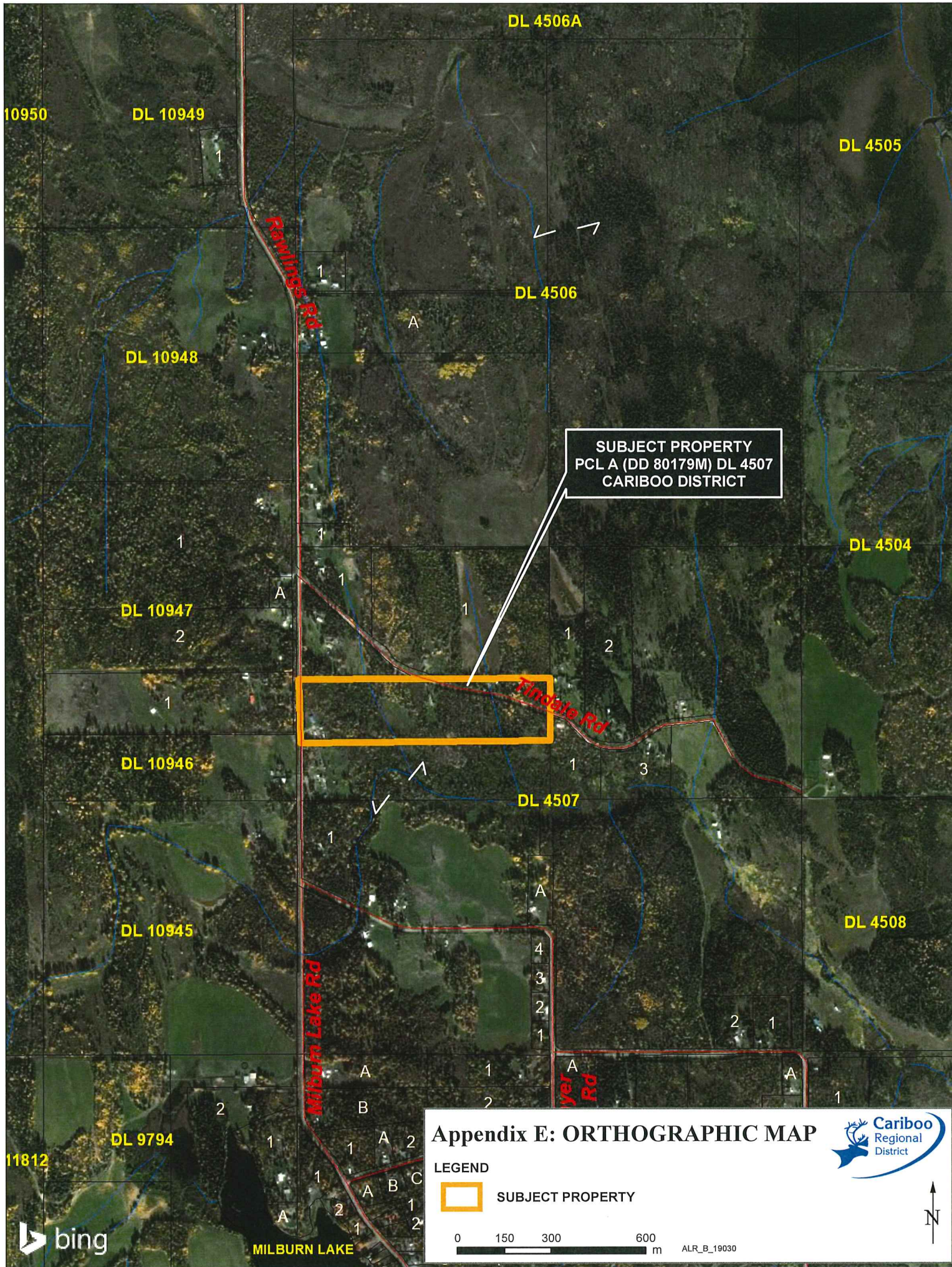
DL 4500

DL 9392

DL 9392

DL 4511





## Appendix E: ORTHOGRAPHIC MAP

### LEGEND

 SUBJECT PROPERTY

0 150 300 600 m ALR\_B\_19030



# Meeting Minutes for Electoral Area B July 22, 2019

**Location: Lower Foyer of the Quesnel Arts and Recreation Center**

Time: 7PM

Secretary: Sybille Muschik

## Members Present:

Stephanie Hanes 250. 878.4902 motioncam1@yahoo.com

Neil MacDougall 250.992.3220

Robert Ross 778,465,3325 broross1943@gmail.com

Magnus Vinje 250.992.9274 magnus@goldcity.net

## Absent:

Stan Hall 250.992.2037 stanandjudyhall@gmail.com

Tony McHale 250.639.4330 tmchalequinn@gmail.com

## Also Present:

Electoral Area Director Alternate: Elizabeth Montgomery

Adviser-Marissa Nightingale marisanightingale@gov.bc.ca agronomist

Applicant -George McGowan

Agent for Applicant Brad Wiles

## Agenda Items

**Rezoning Application File #3120-20-C4507,3220-20-C4507**

## Reasons:

1. File has been a long standing situation since the 1980's

2.The families (Donna McGowan and Vernon McGowan) are still using the land which is still RR1 in Agricultural Land Reserve.

3.The CRD has indicated that their two options are to be in compliance with current bylaw 4844 2014, 3504-1999

4.The alternative to subdivision is to decommission two current residencies.

APC votes in favour Carried

Meeting Adjourned:8:15PM

Recording Secretary



Cariboo Regional District

File No. ....

JUL 31 2019

Referred To .....

(Site 312920-20 507 322-20-04507)

1. There has been a long standing situation since the 1980's
2. The families (Donna McGowan + Vernon McGowan) are still using the land which is still RR #1 in the Agricultural Land Reserve.
3. The CRD has indicated that there are only two options to be in compliance with current bylaw. 4844, 2014  
3504-1999

4. The alternative to subdivision is to decommission 2 current residences

- APC votes in favour  
RR

M. N. NM

meeting adjourned  
8:05