ALR Information Package

File Number: 3015-20/H20200021					
Subdivision 21(2) Non-Farm Use 20(2) Exclusion 30(1) Inclusion 17(3) Non-Adhering Residential Use 20.1(2) Soil or Fill Use 20.3(5) Electoral Area: H					
	ntombor 20, 2020				
Date of Referral: Se	•				
Date of Application	•				
•	lame(s): Astrid Winkler				
Applicant's Name:	Greg Schellenberg				
SECTION 1: Property	y Summary				
Legal Description(s)	: Lot 1, District Lot 2047, Lillooet D	istrict, Plan 25381			
Area of Application	: 56.56 ha (139.76 ac)				
Location: 3987 Mah	ood Lake Road				
Current Designation	1:				
Not in OCP area	•				
Current Zoning:					
Resource/Agricultural	(DA 1)				
Nesource/Agricultural	(NA 1)				
Proposed Use: To subdivide property into 2 lots.					
Current Land Use:	BC Assessment - 060 – 2 Acres Or	More (Single Family Dwelling, Duplex)			
Agricultural Capabil	ity Classification:				
•	y: Class 1 = Best, Class 7 = Worst				
Cullulu Lullu IIIVelitoi	y. Class 1 – Best, Class 7 – Worst				
% of parcel	Unimproved rating	Improved rating			
100%	80% Class 5 – Topography	No Improved Rating			
	20% Class 7 – Topography				
The agricultural capability classification of the property is Class 5 and 7. The limiting factors are noted					
as Tonography. Class 5 lands can be cultivated, and some may be used for cultivated field crops.					

The agricultural capability classification of the property is Class 5 and 7. The limiting factors are noted as Topography. Class 5 lands can be cultivated, and some may be used for cultivated field crops provided unusually intensive management is employed and/or the crop is particularly adapted to the conditions peculiar to these lands. Cultivated field crops may be grown on some Class 5 land where adverse climate is the main limitation, but crop failure can be expected under average conditions.

All classified areas not included in Classes 1 to 6 inclusive are placed in this class. Class 7 land may have limitations equivalent to Class 6 land, but they do not provide natural sustained grazing by domestic livestock due to climate and resulting unsuitable natural vegetation.

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

SECTION 2: Planning Report

Background:

The application is to subdivide 56.56 ha (139.76 ac.) agricultural property under Agricultural Land Reserve into two lots of 40.37 ha (99.76 ac.) and 16.19 ha (40 ac.) sizes. The applicant has requested this subdivision to be able to sell the proposed 16.19 ha (40 ac.) lot to a family friend for building their separate family cabin, while the land use on the proposed Lot 1 will remain the same. The proposal is shown in Appendix D.

The subject property is zoned Resource/Agricultural (RA 1) in the South Cariboo Area Zoning Bylaw No. 3501, 1999. It has an existing 272.8 sq. m (2936.39 sq. ft.) residential dwelling with 160.8 sq. m (1730.84 sq. ft.) garage, and a 113.6 sq. m (1222.78 sq. ft.) storage structure currently present on the property as shown in Appendix D.

Location and Surrounding:

The subject property is located at 3987 Mahood Lake Road with Canim Lake to the far north of the property as shown in Appendix C. There are mostly agricultural farmlands and rural residential lots surrounding the property to the north, south, east and a vacant crown land to the west of the subject property.

CRD Regulations and Policies:

South Cariboo Area Zoning Bylaw No. 3501, 1999

5.21 RESOURCE/AGRICULTURAL (RA 1) ZONE

5.21.2 ZONE PROVISIONS

(a) LOT AREA (minimum): = 32 hectares (79.07 acres)

Rationale for Recommendations:

Planning staff are supportive of the proposed ALR subdivision application. The proposed line of subdivision aligns well with the neighboring parcels, and services like hydro will be readily available without disturbing the accessibility of neighboring parcels. Clearing the densely treed proposed Lot 2 to accommodate new cabin will reduce the potential fire hazard in the area.

The Ministry of Agriculture has identified concerns regarding the proposed subdivision, and that it may not be in the best interest of the long-term agricultural viability of the land. However, the soil classification for the subject property is designated as 80% Class 5 and 20% Class 7 which are considered

poor soil ratings for agricultural capability. This limits the agricultural activities being held on the property.

Being surrounded by large agricultural, rural residential parcels and crown land, it is anticipated to have minimal impact on the neighboring properties. Therefore, the planning staff supports this proposal and recommend the application be forwarded to the ALC for consideration of subdivision within the ALR.

Should the ALC approve the proposed subdivision, a rezoning application will be required for proposed Lot 2 as the requested lot size of 16.19 ha (40 ac.) does not comply with the permitted lot size provisions under the current zoning of RA 1.

Recommendation:

1. That the Provincial Agricultural Land Commission application for subdivision, pertaining to Lot 1, District Lot 2047, Lillooet District, Plan 25381, be authorized for submission to the Provincial Agricultural Land Commission.

SECTION 3: Referral Comments

Advisory Planning Commission:

See attached

Ministry of Agriculture:

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: Advisory Planning Commission Comments

Ministry of Agriculture Comments

Provincial Agricultural Land Commission - Applicant Submission

Application ID: 60921

Application Status: Under LG Review

Applicant: Astrid Winkler Agent: Greg Schellenberg

Local Government: Cariboo Regional District Local Government Date of Receipt: 06/10/2020

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

Proposal Type: Subdivision

Proposal: This proposal is to subdivide parcel 005-520-398 into two separate lots. The recently widowed owner would then have the ability to sell Lot 2 to a family friend, who in turn could build a family cabin. The land use of Lot 1 will remain the same.

Agent Information

Agent: Greg Schellenberg

Mailing Address:



Parcel Information

Parcel(s) Under Application

1. Ownership Type: Fee Simple Parcel Identifier: 005-520-398

Legal Description: L 1 DL 2047 LILLOOET PL 25381

Parcel Area: 57 ha

Civic Address: 3987 Mahood Lake RD

Date of Purchase: 06/06/2020 Farm Classification: No

Owners

1. Name: Astrid Winkler

Address:



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). 43,401 square meters of grazing.
- 3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s). House and 140 square meter storage garage.

Adjacent Land Uses

North

Land Use Type: Agricultural/Farm

Specify Activity: 060 2 Acres or more single family dwelling, duplex

East

Land Use Type: Residential

Specify Activity: 061 2 acres or more (vacant)

South

Land Use Type: Residential

Specify Activity: 060 2 acres or more (single family dwelling, Duplex)

West

Land Use Type: Unused Specify Activity: crown land

Proposal

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

40.8 ha 16.2 ha

2. What is the purpose of the proposal?

This proposal is to subdivide parcel 005-520-398 into two separate lots. The recently widowed owner would then have the ability to sell Lot 2 to a family friend, who in turn could build a family cabin. The land use of Lot 1 will remain the same.

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

The proposed Lot 2 line of subdivision works well as it borders three other parcels in similar size. There are no structures currently on Lot 2 other then the original overgrown driveway. The driveway starts 35 m north from the easement road and runs diagonally NE across the property. Hydro is readily available from the easement road or from the main road. There is no impact to the accessibility of neighboring parcels. Lot 2 is heavily covered in trees with a lot of thick dead fall on the ground. In clearing lot 2 to make room for a cabin, it will reduce the potential fire hazard in the area for neighboring property owners.

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

The land on Lot 2 is not currently being used for agricultural purposes. It is comprised of a number of natural gulches created by water runoff, making it not ideal for working. Lot 1 will be agriculturally unaffected by this subdivision.

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 Greg Schellenberg
- Proposal Sketch 60921
- Other correspondence or file information Survey
- Certificate of Title 005-520-398

ALC Attachments

None.

Decisions

None.

TITLE SEARCH PRINT

2020-06-15, 15:27:13

File Reference: Requestor: Greg Schellenberg

Declared Value \$277000

CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN

Land Title District

KAMLOOPS

Land Title Office

KAMLOOPS

Title Number

CA7685924

From Title Number

KB9153

Application Received

2019-08-15

Application Entered

2019-08-21

Registered Owner in Fee Simple

Registered Owner/Mailing Address:

ASTRID KARIN WINKLER, RETIRED

·

Taxation Authority

Cariboo Assessment Area

Description of Land

Parcel Identifier:

005-520-398

Legal Description:

LOT 1 DISTRICT LOT 2047 LILLOOET DISTRICT PLAN 25381

Legal Notations

NONE

Charges, Liens and Interests

Nature:

EASEMENT

Registration Number:

E1136

Registration Date and Time:

1970-01-16 14:45

Remarks:

INTER ALIA

PART FORMERLY NW 1/4 OF DL 2047 LILLOOET

DISTRICT,

APPURTENANT TO S 1/2 OF SE 1/4 OF DL 2038

LILLOOET DISTRICT

Duplicate Indefeasible Title

NONE OUTSTANDING

Transfers

NONE

TITLE SEARCH PRINT

File Reference: Declared Value \$277000 2020-06-15, 15:27:13 Requestor: Greg Schellenberg

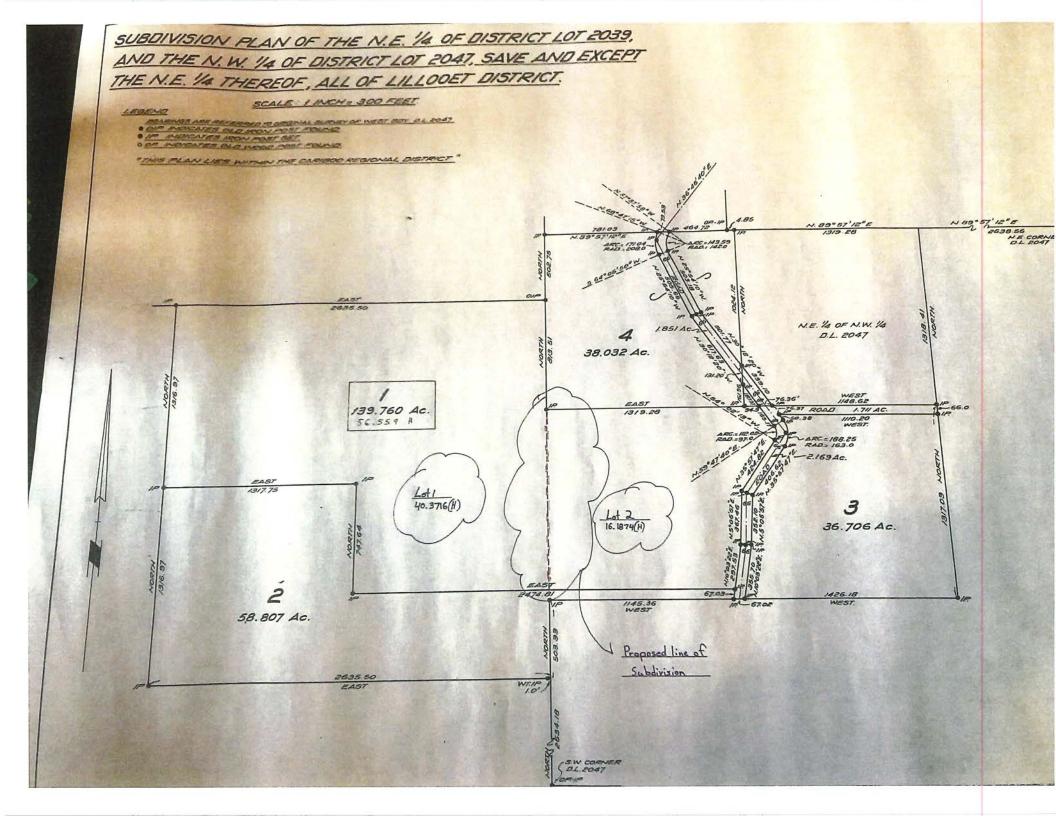
Pending Applications

NONE

AGENT AUTHORIZATION LETTER

Astrid Winkler I (we)		
T(WE)	Printed/typed name(s) of landowner(s)	
Greg Schellenberg	A CONTRACTOR	
hereby appoint	Printed/typed name of agent	to
make application to the Agricultural La	nd Commission as agent on my/ou	r behalf with respect to
the following parcel (s): Insert legs	al description for each parcel under ap	plication
Parcel Identifier: 005-502-398 Lot 1, Plan KAP25381, District Lot 2047, Lillooet Land District, Portion	& DL 2039	
Greg Schellenberg		understand that as
Printed/typed na.	me of agent	
agent, I am required to ensure that all	landowners are provided with info	rmation being
submitted to and received from the Ag	gricultural Land Commission.	
Signature(s) of landowner(s):		
Mrs. Us brief Wirkler- Signature	Astrid Winkler	
Signature	Printed Name	Date
Signature	Printed Name	Date

SUBDIVISION PLAN OF THE N.E. 1/4 OF DISTRICT LOT 2039, PLAN____ AND THE N.W. 1/4 OF DISTRICT LOT 2047, SAVE AND EXCEPT THE N.E. 1/4 THEREOF, ALL OF LILLOOET DISTRICT. SCALE: I INCH = 300 FEET. BEARINGS ARE REFERRED TO ORIGINAL SURVEY OF WEST BUY, O.L.EOST • OIP INDICATES OLD WEST FOUND, • IF INDICATES ROOF FOST SET, THIS PLAN LIES WITHIN THE CARIBOO REGIONAL DISTRICT." N.E. 14 OF N.W. 14 D.L. 2047 38.032 Ac. 139.760 Ac. 3 36.706 Ac. 58.807 Ac. APPROVING OFFICER.



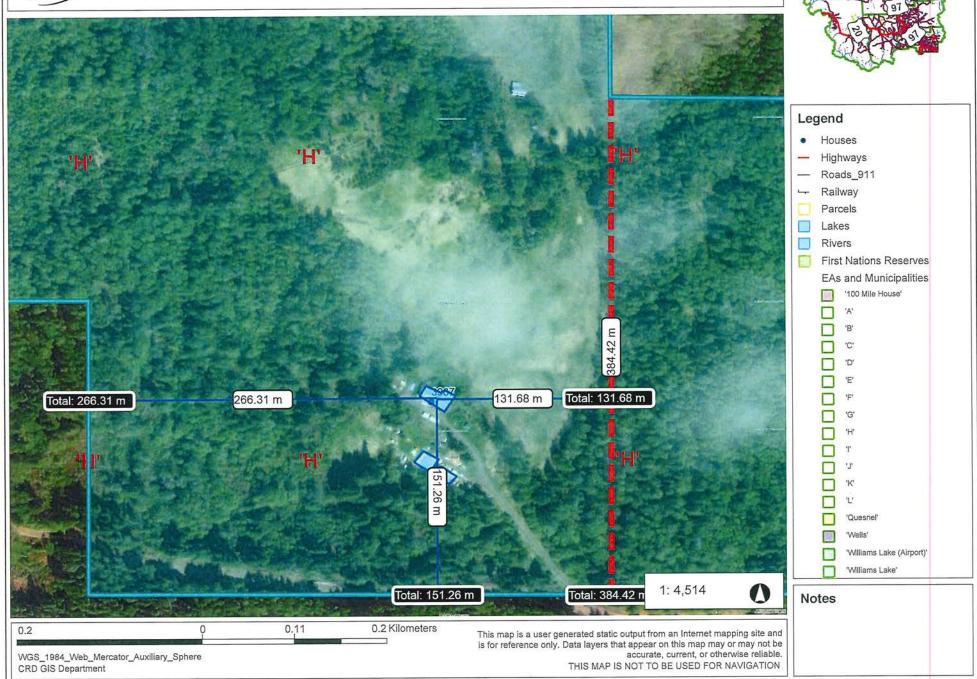


Cariboo Regional District



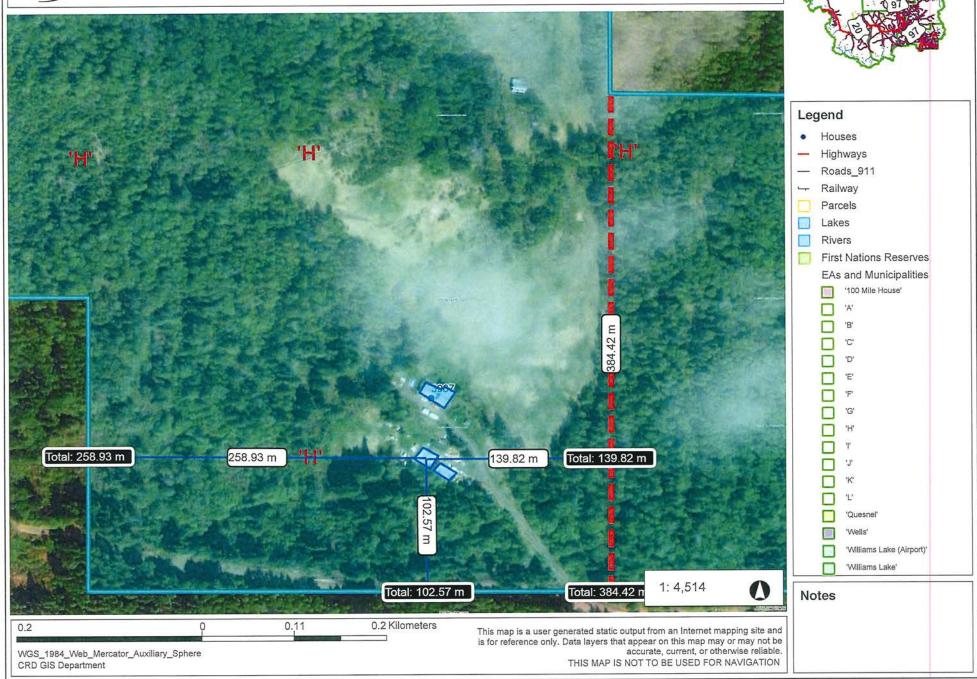


Cariboo Regional District - Building 1 | Distance



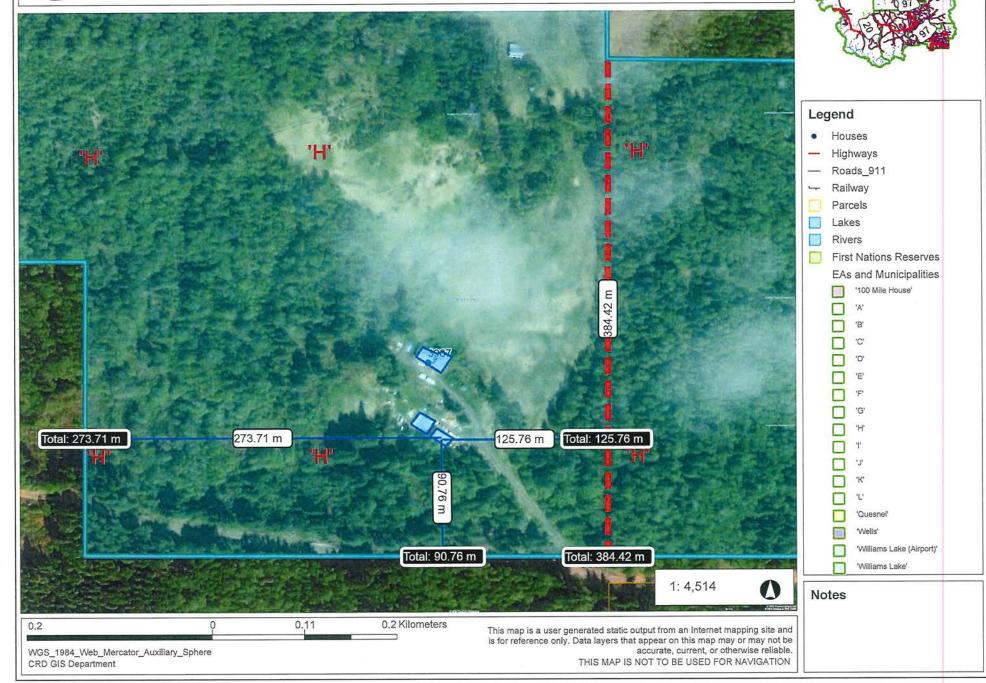


Cariboo Regional District - Building 2 | Distance





Cariboo Regional District - Building 3 | Distance



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

Information supplied by:

R.D./Mun. File No. 3015-20/H20200021 Fee Receipt No. B:2020091101

Fee Amount \$1500

ALR Base Map No. 092P087

ALR Constituent Map No.

Air Photo No.

	*						
Caribo	oo Regional Dist	trict					
		Local	Government				
In res	In respect of the application of:						
	Astrid Winkler (Agent: Greg Schellenberg) Name of Applicant						
PLAN	PLANS and BYLAWS (Attach relevant sections of bylaws)						
Zonin 1)	g Bylaw name a	and designation: S	South Cariboo Are	a Zoning Byla	w, 3501, 1999; Resource/Agricultura	I (RA	
Minin	num Lot Size: 3	2 ha (79.07 ac)					
Uses	permitted: Plea	se see attached S	ection 5.21 Resou	rce Agricultur	ral (RA 1) zone.		
Minin Confo	num Lot Size: N ormance: N/A	I/A			al Community Plan Area		
Are a	mendments to I	Plans or Bylaws re No	quired for the pro Bylaw	oposal to prod X	ceed?		
ls aut	horization unde	<u></u>	(4) of the Agricu	Land Co	ommission Act required?		
сом	MENTS AND RE	COMMENDATION	IS (Include copies	of resolution,)		
Board	d or Council:						
Advis	ory Planning Co	mmission:					
Agric	ulture Advisory	Committee:					
Plann	ing staff:						
Other	rs:						
	Sianature of Res	ponsible Local Go	vernment Officer		Date		

5.21 RESOURCE / AGRICULTURAL (RA 1) ZONE

5.21.1 USES PERMITTED

No person shall, within any RA 1 zone, use any lot or erect, alter or use any building or structure for any purpose except one or more of the following RA 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:
- B/L 4180 x) Farm Retail Sales;
 - xi) 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;
 - xii) 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;
 - xii) agricultural operations, including horticulture, silviculture, livestock, intensive livestock operation, stockyard, beekeeping and aquaculture;
 - xiv) slaughtering and butchering ancillary to a permitted residential use or agricultural operation, providing such slaughtering and butchering is

B/L 4180

B/L 4180

B/L 4180

B/L 4180	xv)	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; a horse boarding centre, on land that is classified as a farm under the <i>Assessment Act</i> , provided that the stables do not have more than 40 stalls and the facility does not contain a racetrack licensed by the British Columbia Racing Commission;
B/L 4180	xvi)	Livestock incineration, provided the activity is in conformance with applicable provincial and federal legislation;
B/L 4180	xvii)	growing, tending and harvesting of trees produced on the property;
B/L 4180	xviii)	log sort yard, providing such activities are located no closer than 300 m (984 ft) from an existing residential use on an adjacent or nearby property.
B/L 4237	xix)	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	xx)	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.
	xxi)	extraction of raw materials from the land, including crushing and screening activities, but excluding any further processing activities;
	xxii)	temporary construction, exploration or logging camp operated by or on behalf of a government agency or department, or by a registered company,

- xxiii) trapping and guide camps, except main lodges;
- xxiv) ancillary buildings.

5.21.2 ZONE PROVISIONS

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

removed and the site restored to a satisfactory condition;

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

(a)	LOT	AREA (minimum):	= 32 hectares (79.07 acres)			
(b)	REQUIII) ii) iii) iv) (v)		= 7.6 metres (24.9 feet) = 7.6 metres (24.9 feet) = 7.6 metres (24.9 feet) = 7.6 metres (24.9 feet) s where a kennel, boarding facility,			
		animal hospital or veterinary clinic is located the required setbacks shall be				

B/L 4180

as follows:

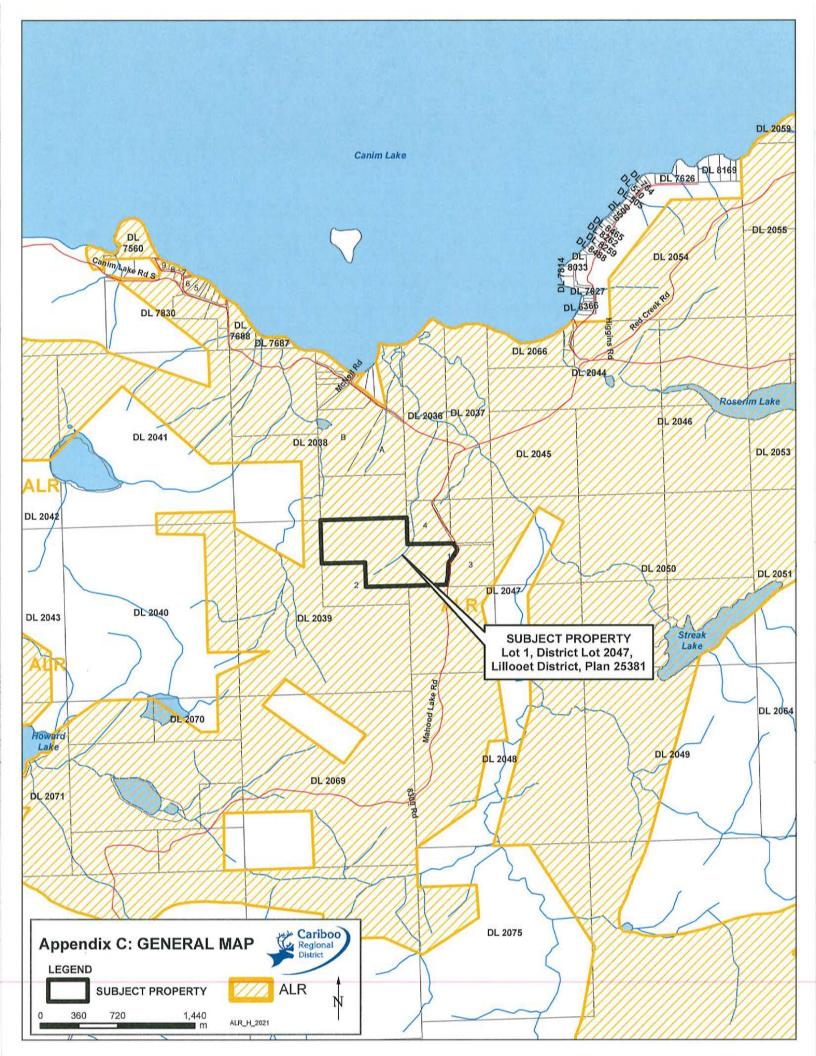
i) Front Yard – Setback = 30 metres (98.4 feet) ii) Exterior Side Yard – Setback = 30 metres (98.4 feet) iii) Interior Side Yard – Setback = 30 metres (98.4 feet) iv) Rear Yard – Setback = 30 metres (98.4 feet)

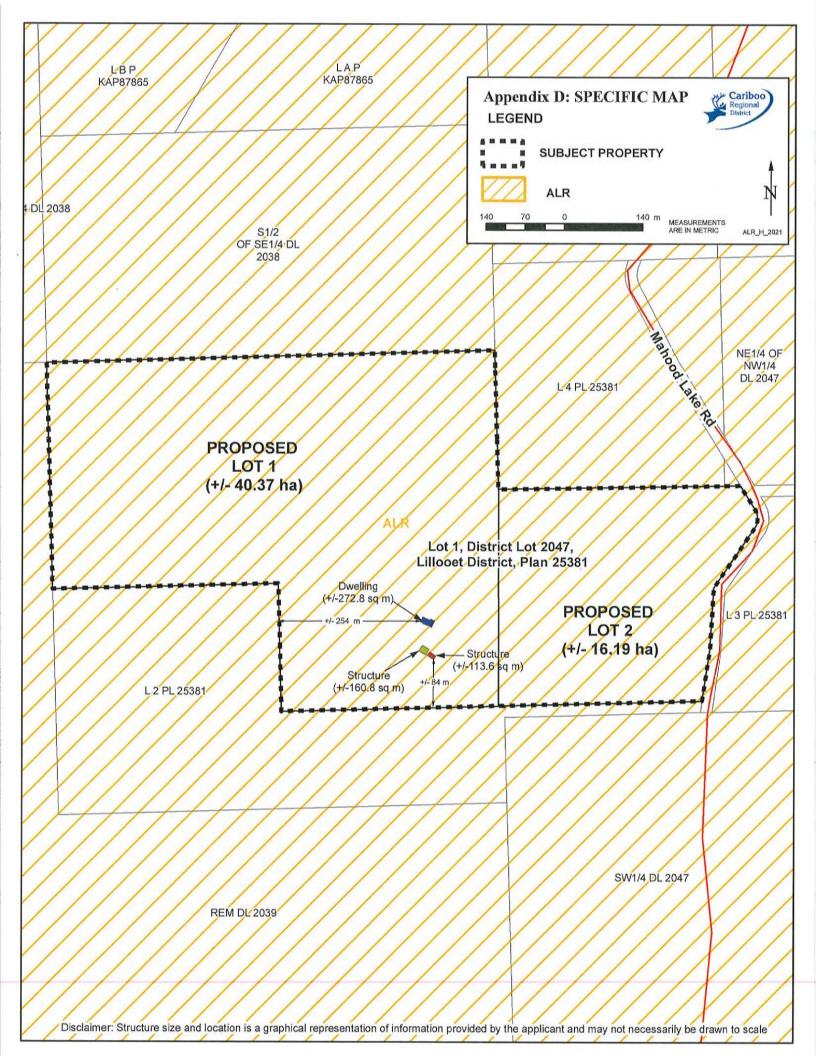
B/L 4237 B/L 4237

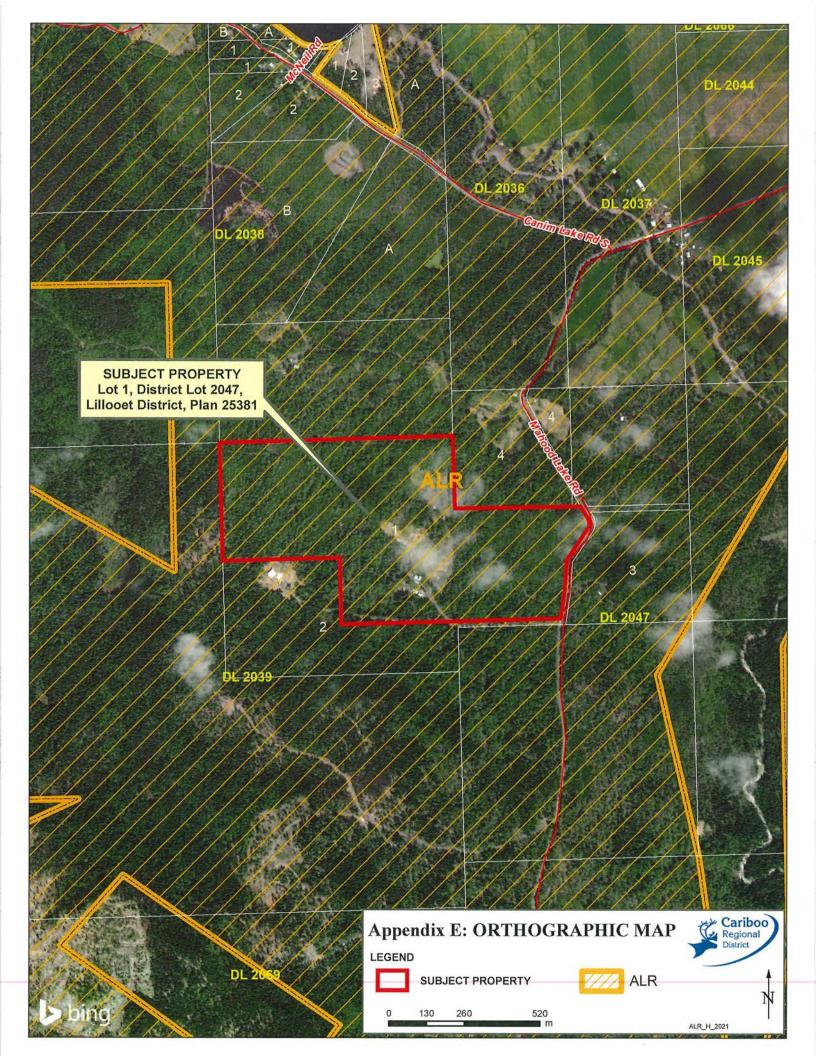
- (c) LOT COVERAGE (maximum): = 10%
- (d) DWELLINGS PER LOT (maximum):

 Notwithstanding the provisions of section 5.20.1(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.

5.21.3 SPECIAL RA 1 ZONES







File No: 3015-20/H20200021

ADVISORY PLANNING COMMISSION RESPONSE FORM

	Minutes of the meeting of the Electoral Area 'H' advisory planning commission held on in the , located at , BC, commencing at								
	PRESENT:	Chair Members			Peter Lori Fran W.11 VanOs		ders		
		Recording Se	ecretary	Shelly M	octon				
		Owners/Age Contacte		ned to attend					
	ABSENT: Louis	Zudson	, To	m Price					
	ALSO PRESENT: Elector	ral Area Direct Staff suppor	tor t (if present) Mordi	wagner				
2	Agenda Items APPLICATION UNDER THE LAND COMMISION ACT — 3015-20/H20200021 (Lot 1, District Lot 2047, Lillooet District, Plan 25381) Clisa Maracch / Loci Frame: "THAT the application for submission to the ALC at 3987 MAHOOD LAKE ROAD be supported rejected for the following reasons: i) ii)								
	For: 6 Agains	st: O				CARRIED	DEFEATED		
	Termination Ken Bourne /	carillan0s	ch : Th	nat the meeting	; terminate.		CARRIED		
	Time:			Chair	De Janes	lez .			
	Recording Secretary			Citali	-		-		



November 2, 2020

File: 3015-20/H20200021

Genny Hilliard
Development Services Clerk V
ghilliard@cariboord.ca

Re: ALC subdivision referral - 3987 Mahood Lake Road

Dear Genny Hilliard:

Thank you for providing the British Columbia Ministry of Agriculture with the opportunity to comment on the proposed Agricultural Land Commission application to subdivide a parcel to build a cabin for a family friend. Ministry staff have reviewed the provided information and offer the following comments:

- Ministry staff have concerns that subdividing this parcel for the stated purpose of building a new residence for a family friend may not be in the best interest of the longterm agricultural viability of the land.
- The parcel is located in the Agricultural Land Reserve (ALR) and is bordered by three
 parcels of a similar size as the subdivided lot being proposed. However, the size of
 neighbouring parcels is not considered justification, in and of itself, for the subdivision of
 a parcel in the ALR.
- The creation of smaller lots through subdivision can often lessen the long-term agricultural and associated economic potential of a parcel.
- Subdivision may result in an increase in land cost per hectare, which can reduce future farm business opportunities.
- Subdivision may also raise the potential for future conflict between adjacent land use activities, for example, after a parcel is sold to others.
- Ministry staff note that the parcel includes agricultural land capability class 7:4T~3:3C, an uncommon class 3 soil, while other proximal areas are primarily class 7.
- The parcel is also close to water bodies, notably Canim Lake, which could be a source for irrigation and improve the agricultural land capability classification of the parcel.
- Mapping information indicates 60 frost free days in this area, which can make
 agricultural production more difficult, however it is common in this part of the region and
 does not negate possible agricultural opportunities. For example, a nearby nursery and
 others along Hwy 24 can grow produce, but typically do so in greenhouses.
- Ministry staff are encouraged that grazing takes place on the parcel and are available to discuss further potential agricultural activities.

Ministry staff note that access to land for farming is a barrier to new entrants in the South Cariboo, as people move to the area from other parts of the province. The owner may wish to consider pursuing alternative land access and tenure options, other than subdivision, such as the further leasing of additional portions of the property as part of a coordinated succession plan.

If you have any questions or concerns about our comments, please do not hesitate to contact us.

Sincerely,

Gregory Bartle, Land Use Planner B.C. Ministry of Agriculture

Phone: 778 974-3836

Email: gregory.bartle@gov.bc.ca

Nicole Pressey, P.Ag., Regional Agrologist B.C. Ministry of Agriculture – Cariboo

Office: 236 713-2223

Email: nicole.pressey@gov.bc.ca

Email copy: Agricultural Land Commission Land Use Planner (Interior),

ALC.Interior@gov.bc.ca