

Planning Application Information Sheet

Application Type: Agricultural Land Reserve

File Number: 3015-20/A20210011 ALR Application Type: Inclusion 17(3)

Electoral Area: A

Date of Referral: March 23, 2021

Date of Application: February 18, 2021

Property Owner's Name(s): DEBORAH L MERCOSKY

SECTION 1: Property Summary

Legal Description(s): Lot 3, District Lot 12508, Cariboo District, Plan PGP40082

Property Size(s): 2.05 ha (5.06 ac.)

Area of Application: 2.05 ha (5.06 ac.)

Location: 4542 Quesnel-Hydraulic Road

Current Designation: Min. Lot Size Permitted:

N/A N/A

Current Zoning: Min. Lot Size Permitted:

Rural 2 (RR 2) 2 ha (4.94 ac.)

Proposal: To protect the subject property from being developed into anything other than

agriculture.

Existing Buildings:

Cabin - 20.44 sq. m (220 sq. ft.) Shed - 11.89 sq. m (128 sq. ft.)

Proposed Buildings: No proposed buildings.

Road Name: Quesnel-Hydraulic Road

Road Type: Paved

Services Available: Currently Available - Hydro and Well.

Within the confines of the Agricultural Land Reserve: No

Required to comply with the Shoreland Management Policy: N/A

Name of Lake/Contributing River: N/A

Within Development Permit Area: No

Adjoining Properties: (Source: B.C.A.A.)

| | Land Use: | Lot Sizes: |
|-----------|--|---------------------|
| (a) North | 060 2 Acres Or More (Single Family Dwelling, Duplex) | 12.22 ha (30.2 ac.) |
| (b) South | 061 2 Acres Or More (Vacant) | 2.06 ha (5.09 ac.) |
| | 060 2 Acres Or More (Single Family Dwelling, Duplex) | 2.02 ha (4.99 ac.) |
| (c) East | 060 2 Acres Or More (Single Family Dwelling, Duplex) | 2.09 ha (5.16 ac.) |
| (d) West | 060 2 Acres Or More (Single Family Dwelling, Duplex) | 2.07 ha (5.11 ac.) |

Agricultural Capability Classification:

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

| % of parcel | Unimproved rating | Improved rating |
|---|---|--------------------------------------|
| 50% | % 60 Class 5 – Topography, Stoniness | % 60 Class 4 – Stoniness, Topography |
| | % 20 Class 6 – Stoniness, Moisture | No Improved Rating |
| | % 20 Class 6 – Inundation, Excess Water | No Improved Rating |
| 50% % 80 Class 5 – Topography, Undesirable Soil Structure | | % 50 Class 4 – Stoniness, Topography |
| | | % 30 Class 5 – Stoniness, Topography |
| | % 20 Class 6 – Moisture, Stoniness | No Improved Rating |

The agricultural capability classification of the property is Class 5 and Class 6. The limiting factor is noted as Topography, Stoniness, Moisture, Inundation, Excess Water, and Undesirable Soil Structure. Class 5 soils are capable of producing perennial forage crops or other specialty crops. Soil and/or climate severely limit capability. Class 6 soils are nonarable but can produce native or uncultivated perennial forage crops.

The improved rating is from Class 5 to Class 4 and 5. The limiting factors are stoniness and topography. Class 4 soils have limitations that require special management practices or severely restrict the range of crops.

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.

PLANNING COMMENTS

Background:

This application is for the inclusion of 2.05 ha (5.06 ac.) of land into the Agricultural Land Reserve to protect the subject property, Lot 3, District Lot 12508, Cariboo District, Plan PGP40082, from being developed as anything other than agriculture. The property is used for produce cultivation including strawberries and asparagus. Further plantings of raspberry, blueberry, saskatoon, and rosehip bushes are also planned. A proposed layout of the gardens are shown in Appendix D.

The subject property is 2.05 ha (5.06 ac.) and is zoned Rural 2 (RR 2) in the North Cariboo Area Rural Land Use Bylaw, 3505, 1999.

Location and Surrounding:

The subject property is located on the east side of Quesnel-Hydraulic Road, to the south of Hallis Lake. Brightway Road branches off Quesnel-Hydraulic north of the property and similarly sized parcels back on to the Quesnel-Hydraulic properties. This is shown in Appendix C.

The lands immediately across Quesnel-Hydraulic Road are a part of the Agricultural Land Reserve, ensuring that the proposal will not be an isolated fragment. The property is surrounded by rural residential land uses, most of which are approximately the same size as the subject property. The exception is a 12.22 ha (30.2 ac.) parcel immediately across the road, which is located within the Agricultural Land Reserve.

Application History:

The area included in this inclusion application was previously part of the Agricultural Land Reserve. In 1984 an exclusion application was made for an area of 84 hectares of District Lot 12508, Except Plans 22591 and 28421. This application was ultimately refused on the grounds that portions of the property lying north of Quesnel-Hydraulic Road had agricultural viability. The Land Commission did exclude the 57-hectare portion lying south of Quesnel-Hydraulic Road (ALC Resolutions #1206/84 and #13/85). This portion would later be subdivided into the lots averaging 2 hectares along Brightway and Quesnel-Hydraulic roads.

Past Relevant Applications:

An application in 1977 of District Lot 9126, roughly 1.5 kilometers south of the subject property, allowed for the creation of Lot 1, District Lot 9126, Plan 23320 and Lot 2, District Lot 9126, Plan 23320 (ALC Resolution 5313/76). These however remained in the Agricultural Land Reserve. Following this, in 1978, the remainder of the property was applied for exclusion. Much like the application pertaining to the District Lot 12508, the project was rejected but the portion backing up to Dragon Mountain was excluded.

CRD Regulations and Policies:

North Cariboo Area Rural Land Use Bylaw No. 3505, 1999

8.12 **RURAL 2 (RR 2) ZONE**

8.12.1 USES PERMITTED

- (b) NON-RESIDENTIAL USES:
 - 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;
 - xiv) agricultural operations ancillary to a permitted residential use, including horticulture, silviculture, livestock, beekeeping, and aquaculture;

3.5 AGRICULTURAL LANDS

(e) To support a review of lands in the Agricultural Land Reserve where it has been established that the land has no agricultural potential, and where needed to accommodate growth in and around the existing settlement areas, so as not to conflict with agricultural uses.

4.0 GENERAL POLICIES

- b) To support the Agricultural Land Commission in its mandate of protecting agricultural lands and agricultural opportunities.
- f) To protect agricultural lands, a minimum lot size of 4.0 hectares (9.88 acres) will be required property being rezoned to facilitate a subdivision next to land associated with active agricultural operations or for subdivision that are adjoining the Agricultural Land Reserve's boundary. Larger parcels are encouraged for subdivision in the ALR, such as the 32 ha (79.07 ac) minimum lot size requirement referenced in Official Community Plans Agricultural Designation or as approved by the Agricultural Land Commission.

Rationale for Recommendations:

Planning staff have no objection to the proposed ALR inclusion application being submitted to the Agricultural Land Commission. The property is zoned Rural 2 (RR 2) in the North Cariboo Area Rural Land Use Bylaw. Farm activities including agricultural operations and farm retail sales are permitted uses on the property. It should be emphasized that the parcel is located adjacent to a large area of ALR across Quesnel-Hydraulic Road and would form part of a larger contiguous area.

It is noted that the Cariboo Regional District Agricultural Policy, 2016, determines that agricultural lands should have a minimum lot size of 4.0 hectares (9.88 acres). However, the Cariboo Regional District also wants to protect and encourage agricultural operations and improve food security in the region. The type of agriculture being proposed, centered around market gardens and berry production, can be scaled to the small size of the lot easier than many other types of agriculture.

The Ministry of Agriculture, Food and Fisheries has returned comments and list no objections, noting that the Quesnel-Hydraulic Road has clusters of parcels located along the ALR/non-ALR border and that this proposal would fit into that same structure. Notably Lot 2, District Lot, 9126, Plan 23320 is a similarly sized lot that had surrounding properties excluded from the Agricultural Land Reserve. While created through different means, this property does act as a precedent for the form of the Land Reserve boundary along the Quesnel-Hydraulic corridor.

It is noted that agricultural activities often cause farm disturbances. Per B.C.'s *Farm Practices Protection Act*, under certain conditions, farm practices in the ALR are protected from nuisance complaints. It is also noted that the neighbourhood may already be accustomed to nearby farming and agricultural activities due to the ALR presence across Quesnel-Hydraulic Road.

As can be seen from the previous applications, the Agricultural Land Commission has historically not seen viability in the land to the south of Quesnel-Hydraulic Road, backing along Dragon Mountain. Planning staff do note however, that the soil classifications of the site do have improvement ratings that may make it agriculturally viable for some types of crops, particularly at a small scale.

Staff note that the Electoral Area 'A' Advisory Planning Commission (APC) has recommended approval of application.

Recommendation:

That the Provincial Agricultural Land Commission application for inclusion, pertaining to Lot 3, District Lot 12508, Cariboo District, Plan PGP40082 be authorized for submission to the Provincial Agricultural Land Commission.

REFERRAL COMMENTS

Advisory Planning Commission: April 14, 2021

See attached.

Ministry of Agriculture, Food and Fisheries: April 19, 2021

See attached.

ATTACHMENTS

Appendix A: Application

Appendix B: Local Government Report

Appendix C: General Map

Appendix D: Specific Map

Appendix E: Orthographic Map

Advisory Planning Commission Comments

Ministry of Agriculture, Food and Fisheries Comments



Provincial Agricultural Land Commission - Applicant Submission

Application ID: 62403

Application Status: Under LG Review

Applicant: Deborah Mercosky

Local Government: Cariboo Regional District **Local Government Date of Receipt:** 03/04/2021

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

Proposal Type: Inclusion

Proposal: To protect the land from being developed into anything other than agriculture. ie.. landfill site.

Mailing Address:



Parcel Information

Parcel(s) Under Application

1. **Ownership Type:** Fee Simple **Parcel Identifier:** 023-446-242

Legal Description: Lot 3 District Lot 12508 Cariboo District Plan PGP40082

Parcel Area: 24 ha

Civic Address: 4542 Quesnel-Hydraulic Road, Quesnel, BC.

Date of Purchase: 11/17/2015 **Farm Classification:** No

Owners

1. Name: Deborah Mercosky

Address:



Current Use of Parcels Under Application

1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s). *Approximately 1 acre or more of Strawberries and Asparagus already producing and in the spring*

Applicant: Deborah Mercosky

Raspberry and Blueberry bushes will be planted along with a variety of vegetables. I also have plans for bedding plants and mushroom production. Rosehips and Saskatoons will also be harvested.

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

3 acres of land was cleared and a portion developed into garden areas. Some was seeded to grass. A 2500 square foot pond was dug (round, measured from sides to bottom) An existing shallow well of 12' deep was upgraded with proper concrete casing. A drainage ditch was in place before I bought it. Power was installed on property.

3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s). None

Adjacent Land Uses

North

Land Use Type: Agricultural/Farm Specify Activity: Residential

East

Land Use Type: Agricultural/Farm Specify Activity: Residential

South

Land Use Type: Agricultural/Farm Specify Activity: Residential

West

Land Use Type: Agricultural/Farm Specify Activity: Residential

Proposal

1. How many hectares are you proposing to include?

2 ha

2. What is the purpose of the proposal?

To protect the land from being developed into anything other than agriculture. ie.. landfill site.

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

I believe it supports agriculture in the long term as the soil is very fertile and the Strawberry plants will produce for 10 years or more, Asparagus, blueberries and rasperries 20 years. Also, it is zoned RR2 right now which allows for many other developments such as a landfill site. This will stop this type of development.

4. Describe any improvements that have been made to, or are planned for the parcel proposed for inclusion.

A greenhouse addition to the existing cabin/processing room is planned. More fencing around the perimeter of the garden areas. Mushroom production. Raspberries and Blueberries will be planted. About a half acre of Strawberries are producing this year and a half acre of garden is designated to the future rasperries and vegetable for sales at local farmers market and farm gate sales.

Applicant: Deborah Mercosky

Applicant Attachments

- Proposal Sketch-62403Certificate of Title-023-446-242

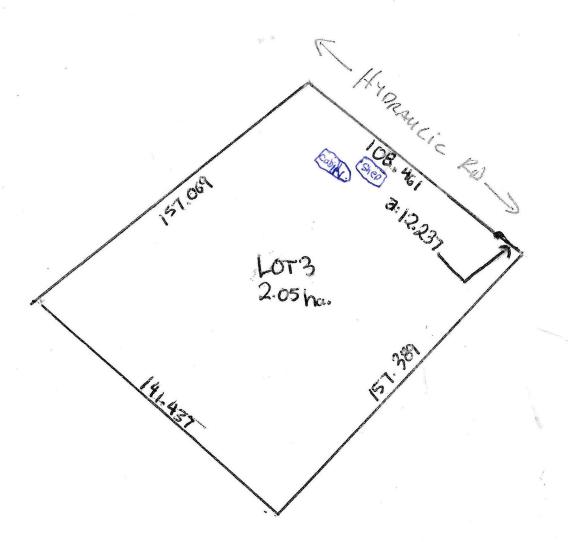
ALC Attachments

None.

Decisions

None.

4542 Quesnel Hydraulic Rd lam wanting to include the full 2.05 ha. into the ALR.



The Sted set back is 45' from property line. The Cabin is 56' from property line

St

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

Information supplied by:

R.D./Mun. File No. 3015-20/A202210011

Fee Receipt No. N/A
Fee Amount \$0.00

ALR Base Map No. 93B.099
ALR Constituent Map No.

Air Photo No.

| Cariboo Regional District | | |
|---|-----------------|-------------------------------------|
| Local Government | | |
| In respect of the application of: | | |
| <u>Deborah Mercosky</u> Name of Applicant | | |
| PLANS and BYLAWS (Attach relevant sections of bylaws) | | |
| Zoning Bylaw name and designation: North Cariboo Area I | Rural Land Use | Bylaw No. 3505, 1999 |
| Rural 2 (RR 2) | | |
| Minimum Lot Size: 2 ha (4.94 ac) | | |
| Uses permitted: Please refer to the attached Section 8.12 (3505, 1999. | of the North Ca | ariboo Area Rural Land Use Bylaw No |
| Are amendments to Plans or Bylaws required for the propo | osal to proceed | ! ? |
| Plan Yes No Bylaw | Yes | ⊠ No |
| Is authorization under Sec. 25 (3) or 30 (4) of the Agricultu Yes (If yes, please attach resolution or documentation) | | nission Act required? |
| 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 |

8.12 **RURAL 2 (RR 2) ZONE**

8.12.1 <u>USES PERMITTED</u>

No person shall, within any RR 2 zone, use any lot or erect, alter or use any building or structure for any purpose except one or more of the following RR 2 uses, namely:

B/L 4993

(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) 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
- 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) 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;
- xiii) a horse boarding centre, on land that is classified as a farm under the *Assessment Act*, 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;
- xiv) agricultural operations ancillary to a permitted residential use, including horticulture, silviculture, livestock, beekeeping and aquaculture;
- 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

B/L 4184

B/L 4184

B/L 4184

B/L 4181

B/L 4184

B/L 4184

personal consumption by the owner, provided the activity is in conformance with applicable provincial and federal legislation; growing, tending and harvesting of trees produced on the property; B/L 4184 xvi) portable sawmill, providing such activities are located no closer than 30 xvii) B/L 4241 metres (98.4 feet) from an existing residential use on an adjacent or nearby property; extraction of raw materials from the land, including crushing and screening xviii) activities, but excluding any further processing activities; temporary construction, exploration or logging camp operated by or on xix)

- 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;
- trapping and guide camps, except main lodges; xx)
- ancillary buildings. xxi)

8.12.2 **ZONE PROVISIONS**

No person shall, within any RR 2 zone, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

(a) = 2 hectares (4.94 acres)LOT AREA (minimum):

(b) REQUIRED YARDS (minimum):

- Front Yard Setback i) = 7.6 metres (24.9 feet)
- ii) Exterior Side Yard - Setback = 7.6 metres (24.9 feet) 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)
- Rear Yard Setback = 7.6 metres (24.9 feet)iv) Notwithstanding the above, if rear property line abuts a lake or watercourse, the Lake/Watercourse Setback Provisions shall apply.
- Notwithstanding the above, on lots where a kennel, boarding facility, animal hospital or veterinary clinic is located the required setbacks shall be as follows:

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

- (c) LOT COVERAGE (maximum): = 20%
- DWELLINGS PER LOT (maximum): (d)

Notwithstanding the provisions of section 8.10.1(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.

B/L 4184

B/L 4184

B/L 4184

B/L 4241

B/L 4241

- (e) HEIGHT OF BUILDINGS (maximum): = 10.67 metres (35 feet)
- (f) WATER FRONTAGE (minimum): = 30.0 metres (98.4 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.

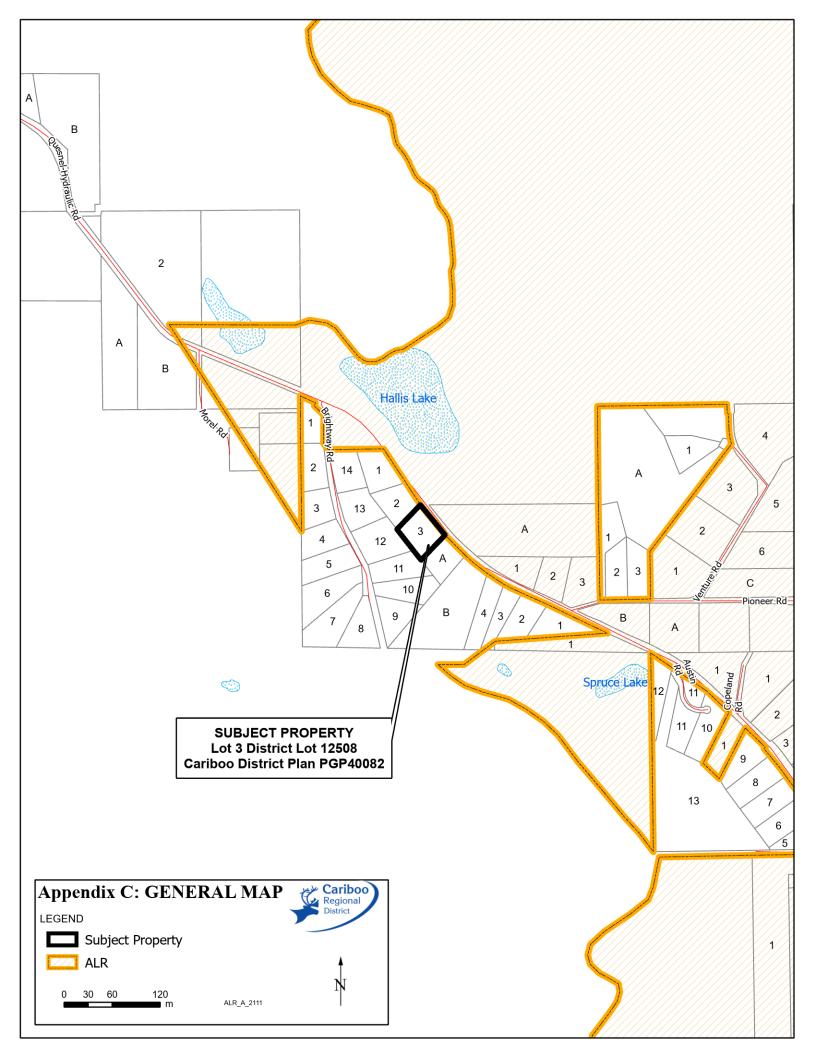
(h) ANCILLARY USES, PARKING, LOADING, ETC.: In accordance with the provisions of Section 7.0 hereof.

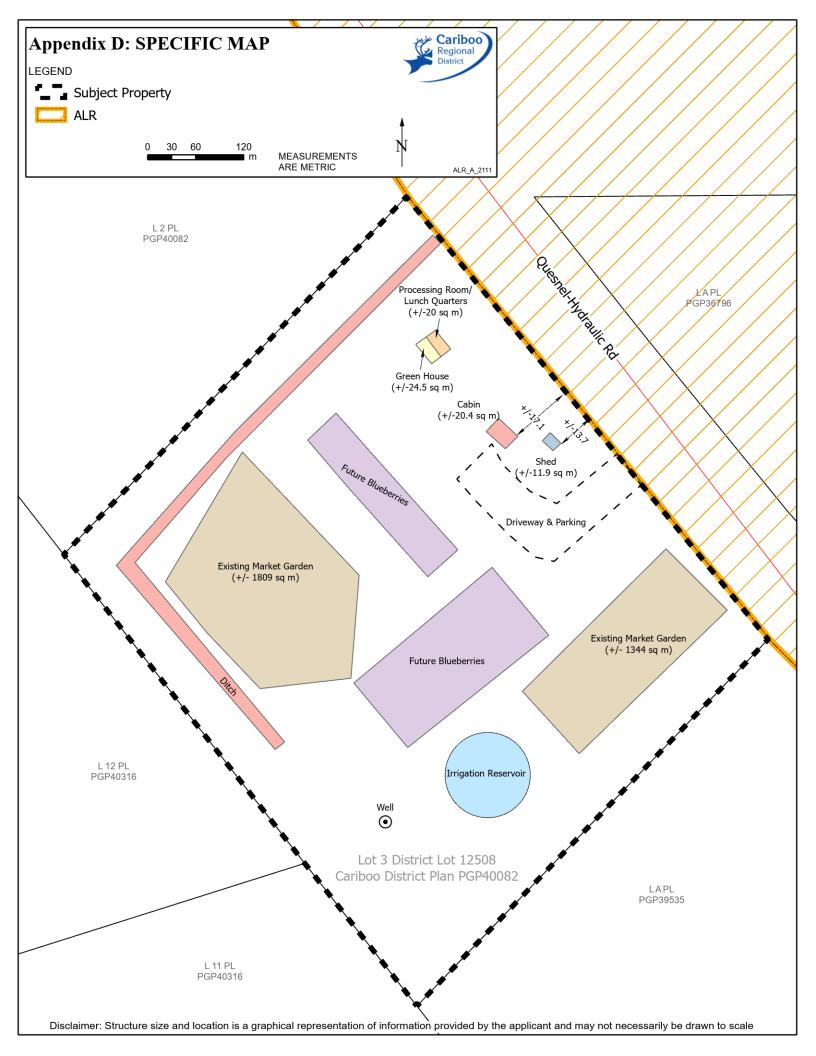
8.12.3 SPECIAL RR 2 ZONES

8.12.3.1 Special Exception RR 2-1 Zone

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

i) Two, detached, single-family dwellings shall be permitted. All other provisions of the RR 2 zone shall apply.







File No: 3015-20/A20210011

ADVISORY PLANNING COMMISSION RESPONSE FORM

| Minutes of the meeting of the Electoral Area 'A' advisory planning commission held on April 14/21 in the , located at , BC, commencing | | | | | |
|--|--|--|--|--|--|
| at // tele-conference. | | | | | |
| PRESENT: Chair Chair Berling wetter | | | | | |
| Members / Members / Members | | | | | |
| Members Dave Mofatt Many Loles | | | | | |
| Recording Secretary Doug SERVICE | | | | | |
| Owners/Agent, or | | | | | |
| ☐ Contacted but declined to attend | | | | | |
| ABSENT: | | | | | |
| | | | | | |
| ALSO PRESENT: Electoral Area Director Staff support (if present) Staff support (if present) | | | | | |
| | | | | | |
| Agenda Items APPLICATION UNDER THE LAND COMMISSION ACT – 3015-20/A20210011 (Lot 3, District Lot 12508, | | | | | |
| Cariboo District, Plan PGP40082) | | | | | |
| / : "THAT the application for submission to the ALC at 4542 QUESNEL- HYDRAULIC ROAD be supported /rejected=for the following reasons: | | | | | |
| The second secon | | | | | |
| ii) Noved Ted aunstrong iii) Second Rog Jesephy | | | | | |
| For: Against: | | | | | |
| CARRIED/DEFEATED | | | | | |
| <u>Termination</u> / : That the meeting terminate. | | | | | |
| CARRIED | | | | | |
| Time: | | | | | |
| | | | | | |
| Recording Secretary Chair | | | | | |



April 19, 2021

File: 3015-20/A20210011

Shivani Sajwan Planning Officer Cariboo Regional District

VIA EMAIL: Ssajwan@cariboord.ca

Re: ALC Inclusion referral – 4542 Quesnel-Hydraulic Road

Dear Shivani Sajwan,

Thank you for providing the B.C. Ministry of Agriculture, Food and Fisheries (Ministry) with the opportunity to comment on the above noted Agricultural Land Commission (ALC) application to include the subject parcel into the Agricultural Land Reserve (ALR). Ministry staff have reviewed the provided information and offer the following comments:

- The ALR is a provincial zone in which agriculture is recognized as the priority use. Farming is encouraged and non-agricultural uses are restricted.
- Ministry staff note that the application appears to demonstrate an intention to undertake agricultural activity on this parcel now and into the future.
- Ministry staff note that the subject parcel is located adjacent to a large area of the ALR, and if included in the ALR, it would not be an isolated parcel but part of a larger contiguous area. There are several nearby parcels south of Quesnel-Hydraulic Road that are also in the ALR, and if approved, the subject parcel would become another of a cluster of parcels located along the ALR/non-ALR border.
- Farm activities can cause farm disturbances, and while the neighbourhood may already be accustomed to nearby farming, agricultural activities undertaken on this parcel could increase in farm practice concerns given its proximity to adjacent residential uses. Per B.C.'s Farm Practices Protection Act, under certain conditions farm practices in the ALR are protected from neighbour nuisance complaints and local government nuisance bylaws.
- Should the applicant wish to seek production and/or business resources information regarding their market garden, please visit the Ministry's AgriServiceBC site at https://www2.gov.bc.ca/gov/content/industry/agriservice-bc or contact the Ministry's Regional Agrologist for this region, Nicole Pressey at (236) 713-2223.

.../2

Web Address: http://www.al.gov.bc.ca

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, Food and

Fisheries

Phone: 778 974-3836

Email: <u>Gregory.Bartle@gov.bc.ca</u>

Nicole Pressey, P.Ag., Regional Agrologist B.C. Ministry of Agriculture, Food and Fisheries – Cariboo Central Coast

Office: 236 713-2223

Email: Nicole.Pressey@gov.bc.ca

Email copy: ALC Land Use Planner (Interior), <u>ALC.Interior@gov.bc.ca</u>