

Planning Application Information Sheet

Application Type: Agricultural Land Reserve

File Number: 3015-20/F20230002

ALR Application Type: Non-Farm Use 20(2)

Electoral Area: F

Date of Referral: January 31, 2023 **Date of Application:** January 06, 2023

Property Owner's Name(s): DARYL'S CONTRACTING LTD

Applicant's Name: Darko Ognjanov - Exton and Dodge Land

Surveying Inc.

SECTION 1: Property Summary

Legal Description(s): Lot 1, District Lot 11, Cariboo District, Plan 29070 Except Plan PGP35608

Property Size(s): 3.34 ha (8.25 ac)

Area of Application: 3.34 ha (8.25 ac)

Location: 3082 150 Mile Frontage Rd

Current Designation: Min. Lot Size Permitted:

Rural Residential 1, Commercial, and Industrial 4 ha (9.88 ac)

Current Zoning: Min. Lot Size Permitted:

Rural 1 (RR 1) 4 ha (9.88 ac)

Special Exception General Industrial (M 2-1) 4000 sq. m (43055.64 sq. ft.)

Special Exception Highway Commercial (C 3- 2) 4000 sq. m (43055.64 sq. ft.)

Special Exception Service Commercial (C 4-6) 4000 sq. m (43055.64 sq. ft.)

Proposal: To permit ongoing non-agricultural use of the property. The proposed non-agricultural uses are a commercial business, truck shop and parking, and a wood shaving stockpile. The remaining 7.7 ha of the lot will be sold to the neighbour for farm use.

This file is associated with ALR subdivision application 3015-20/F20230003.

The rezoning application associated with this file is 4600-20/2729 and was adopted Aug 21, 2015.

There were three previous ALR applications made for the property.

The first application in 1983, 4035-20/F116, was to exclude 11.5 ha and was rejected.

A second application in 1985, 4035-20/F128, proposed the exclusion of 3.3 ha and was approved.

The third application, 4035-20/F234, from 2006 proposed the exclusion of 11.12 ha and was approved. The approved ALC applications expired because the condition to subdivide was not met.

Existing Buildings: Truck shop - 790 sq. m (8503 sq. ft.)

Proposed Buildings: none

Road Name: 150 Mile Frontage Rd

Road Type: Paved

Within the influence of a Controlled Access Highway: Cariboo HWY 97 S

Services Available: Hydro, telephone

Within the confines of the Agricultural Land Reserve: Yes - partially within

Required to comply with the Shoreland Management Policy: Yes - Riparian and Septic

Name of Lake/Contributing River: Doctors Lake, unnamed creek.

Lake Classification: High

Within Development Permit Area: Yes

Development Permit Area Name: Aquatic Habitat Development Permit Area

Highway 97 Development Permit Area

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

	Land Use:	Lot Sizes:
(a) North	150, Beef	81.78 ha (202.07 ac)
(b) South	060, 2 Acres Or More (Single Family Dwelling, Duplex)	3.01 ha (7.44 ac)
(c) East	001, Vacant Residential Less Than 2 Acres,	0.11 ha (0.28 ac),
	038, Manufactured Home (Not In Manufactured Home Park),	0.15 ha (0.36 ac),
	202, Store(S) And Living Quarters	0.41 ha (1.02 ac)
(d) West	061, 2 Acres Or More (Vacant)	64.75 ha (160 ac)

Agricultural Capability Classification:

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

% of parcel 65%	Unimproved rating 60% Class 6- Topography/ Stoniness 20% Class 5- Stoniness/ Topography 20% Class 4- Excess Water	Improved rating 60% Class 6- Topography/ Stoniness 20% Class 4- Excess water 20% Class 3- Cumulative minor adverse characteristics
35%	100% Class 4- Excess water	Class 3- Cumulative minor adverse characteristics

The agricultural capability classifications of the property are Class 4, Class 5, and Class 6. The limiting factors are noted as topography, excess water and Stoniness.

Land in Class 4 has limitations which make it suitable for only a few crops, or the yield for a wide range of crops is low, or the risk of crop failure is high, or soil conditions are such that special development and management practises are required. The limitations may seriously affect one or more of the following practises: timing and ease of tillage, planting and harvesting, and methods of soil conservation.

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.

Land in Class 6 provides sustained natural grazing for domestic livestock and is not arable in its present condition. Land is placed in this class because of severe climate, or the terrain is unsuitable for cultivation or use of farm machinery, or the soils do not respond to intensive improvement practises. Some unimproved Class 6 lands can be improved by draining and/or diking.

The improved ratings for the property are Class 3, Class 4, and Class 6. The limiting factors are noted as stoniness/topography, excess water, and Cumulative minor adverse characteristics. The limitations are more severe than for Class 2 land and management practices are more difficult to apply and maintain. The limitations 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.

note: the information above is an interpretation of the British Columbia Soil Information Finder Tool – B.C. Agricultural Capability Map. An on-site visit of the property has not been conducted.

PLANNING COMMENTS

Background:

The applicant has applied for an Agricultural Land Commission (ALC) application for Non-Farm Use. The application is to legalize the ongoing non-agricultural use of the property. Majority within the Agricultural Land Reserve (ALR), the property is currently used for industrial and commercial purposes. There has been no agricultural activity taken place since rezoning to industrial and commercial was approved in 2015 (File #4660-20/2729). The 11.13 ha (27.5 ac.) subject property is split zoned as Rural 1 (RR 1), Special Exception General Industrial (M 2-1), Special Exception Highway Commercial (C 3-2) and Special Exception Service Commercial (C 4-6) in the Williams Lake Fringe and 150 Mile House Area Zoning Bylaw No. 3502, 1999, and is split designated as Rural Residential 1, Commercial and Industrial in the 150 Mile House Area Official Community Plan Bylaw No. 4660, 2012.

This ALR non-farm use application is simultaneously associated with an ALR Subdivision application (File #3015-20/F20230003) to complete the previously intended subdivision proposal. There is currently a 790 sq. m (8,503 sq. ft.) truck shop serving commercial business

with a wood shaving stockpile and parking area existing on the General Industrial and Highway Commercial zoned portion of the subject property. The proposed non-farm use area, as shown in Appendix C, would allow the industrial and commercial activities on-site.

Application History:

The first application in 1983 (File #4035-20/F116) was to exclude 11.5 ha (28.42 ac.) and was rejected. A second application in 1985 (File #4035-20/F128) proposed the exclusion of 3.3 ha (8.16 ac.) and was approved. The third application (File #4035-20/F234) from 2006 proposed the exclusion of 11.12 ha (27.48 ac.) and was approved. These previously approved ALC applications expired because the condition to subdivide was not met. Due to the recent changes in the ALC Regulations, ALR Exclusions are no longer available to private property owners. As such, planning staff advised that the property remain in the ALR, and to re-apply for two separate non-farm use and subdivision applications with the ALC. Staff will earmark the property for future consideration of exclusion in accordance with the CRD's ALC Exclusion Application Policy #2021-10B-11.

Location and Surrounding:

The subject property is located at 3082 150 Mile Frontage Road along Cariboo Highway 97 S in the 150 Mile House area with Doctor's Lake Reservoir on-site as shown in Appendix B. Due to the presence of an unnamed stream and lake on site, the property is within the Aquatic Habitat Development Permit Area that extends 15 m (49.2 ft.) from the natural boundary of the watercourse. The property is also within the Highway 97 Development Permit Area. There are mostly commercial businesses with a few single-family dwellings surrounding the property to the south and east, large vacant resource/agricultural lot to the west and farmland to the north of the subject property.

CRD Regulations and Policies:

150 Mile House Area Official Community Plan Bylaw No. 4660, 2012

1.3 <u>Community Vision</u>

Goal 2: To support local commercial and industrial activities within the plan area where activities are compatible with the scale and rural character of the community and can be safely serviced to a rural standard.

Site 4 – Doctor Lake ALR

Site 4 is a privately owned parcel located in the community core on Highway 97. A portion of these lands have been approved for non-agricultural use (commercial/industrial) and the remainder continues to be regulated for agricultural use in the ALR. The District anticipates that there will be continued pressure for non-agricultural uses on the remaining land as development

pressures and highway traffic continue to rise. The site has potential to accommodate agritourism activity given the proximity to: highway (traffic), ranching activity, and highway commercial land uses. Future development proposals will need to evaluate the impacts on agriculture and environmental matters and are subject to ALC consideration.

Rationale for Recommendations:

Planning staff are supportive of the proposed ALR application for non-farm use to legalize the ongoing non-agricultural use of the subject property. Currently, no agricultural activity is taking place on the property. The applicant indicates that there is an agreement in place for a portion of the land to be sold to the neighbour directly north. This will allow the neighbouring rancher to further develop their agricultural operations, specifically construction of a corral and water storage system. It is indicated that these resources will enhance the neighbour's ability to irrigate their hayfields and sustain their agricultural operations over time.

With the proposed area being already rezoned to allow the on-going commercial and industrial activities on the subject property and the fencing along the north, west and south boundaries already in place to keep livestock out, the proposal is anticipated to have minimal impact on the neighbouring properties. As such, planning staff recommends approval of the application being forwarded to the ALC for consideration of non-farm use.

The Electoral Area 'F' Advisory Planning Commission (APC) has reviewed the application and expressed their support as it satisfies both the CRD policy and the ALC regulation. The APC understands that the property is situated on Highway 97 corridor, along with several commercial and industrial businesses, and is identified under the 150 Mile House OCP as a potential development area site. Further, the proposal includes the sale of 7.7 ha (19.03 ac.) of land to a neighbouring rancher that will enhance the agricultural use of the property.

Given the ALC application history, the Ministry of Agriculture and Food (MAF) believes that the proposal is unlikely to have a negative impact on agriculture in the greater 150 Mile House region. Moreover, the intended sale of a portion of the land appears to be beneficial for agriculture. Therefore, the Ministry has expressed their support of the proposed application, provided adequate fencing is installed and maintained between agricultural and non-agricultural use on the property.

Recommendation:

That the Provincial Agricultural Land Commission application for non-farm use, pertaining to Lot 1, District Lot 11, Cariboo District, Plan 29070 Except Plan PGP35608 be authorized for submission to the Provincial Agricultural Land Commission with a recommendation for approval.

REFERRAL COMMENTS

Advisory Planning Commission: March 3, 2023

See attached.

Ministry of Agriculture and Food: February 28, 2023

See attached.

ATTACHMENTS

Appendix A: Application
Appendix B: General Map
Appendix C: Specific Map
Appendix D: Orthographic Map

Other: Advisory Planning Commission Comments

Ministry of Agriculture and Food Comments



Provincial Agricultural Land Commission - Applicant Submission

Application ID: 67166

Application Status: Under LG Review

Applicant: DARYL'S CONTRACTING LTD. INC. NO. 650075

Agent: Exton & Dodge Land Surveying Inc.
Local Government: Cariboo Regional District
Local Government Date of Receipt: 01/06/2023

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

Proposal Type: Non-Farm Use

Proposal: The property had an ALR exclusion application preliminary approved in 1985 and again in 2008, but it was never finalized because the client was unaware he still needed subdivision approval from the Ministry of Transportation. As a result, the ALR exclusion expired. The client now has to reapply to the ALC in order to complete the subdivision; however, due to policy changes, ALC exclusions are no longer available to private property owners. Through discussions with the CRD planning staff, it was agreed that the best course of action would be for the property to remain in the ALR, and to re-apply with two applications - ALC subdivision and non-farm use.

The previous exclusion application was approved for an area of 4.3 ha and our current proposal is for a smaller area of 3.3 ha.

This proposal aims to support agricultural activities and to acknowledge and support the importance of industry as a vital component of the local economy.

The land that will remain as farm use will be subdivided and sold to the neighboring lot to enhance the neighbor's ability to sustain their agricultural operations over time.

The land that is proposed for a non-farm use is for Proposed Lot A and Proposed Lot B, while the Rem 1 lot will remain with farm designation.

Agent Information

Agent: Exton & Dodge Land Surveying Inc.

Mailing Address: 133 Borland Street Williams Lake, BC V2G 1R1 Canada

Primary Phone: (250) 392-7111 Email: darko@exdodge.com

Parcel Information

Parcel(s) Under Application

Applicant: DARYL'S CONTRACTING LTD. INC. NO. 650075

1. Ownership Type: Fee Simple Parcel Identifier: 005-807-310

Legal Description: LOT 1 DISTRICT LOT 11 CARIBOO DISTRICT PLAN 29070 EXCEPT PLAN

PGP35608

Parcel Area: 11.5 ha

Civic Address: 3082 Cariboo Highway 97 S

Date of Purchase: 01/12/2004 **Farm Classification:** Yes

Owners

1. Name: DARYL'S CONTRACTING LTD. INC. NO. 650075

Address:

Phone:

Ownership or Interest in Other Lands Within This Community

1. Ownership Type: Fee Simple Parcel Identifier: 014-987-996

Owner with Parcel Interest: DARYL'S CONTRACTING LTD. INC. NO. 650075

Parcel Area: 44.5 ha

Land Use Type: Agricultural/Farm Interest Type: Full Ownership

2. Ownership Type: Fee Simple Parcel Identifier: 012-682-870

Owner with Parcel Interest: DARYL'S CONTRACTING LTD, INC. NO. 650075

Parcel Area: 0.1 ha

Land Use Type: Residential Interest Type: Full Ownership

3. Ownership Type: Fee Simple Parcel Identifier: 005-607-418

Owner with Parcel Interest: DARYL'S CONTRACTING LTD. INC. NO. 650075

Parcel Area: 1.4 ha

Land Use Type: Agricultural/Farm Interest Type: Full Ownership

4. Ownership Type: Fee Simple Parcel Identifier: 005-607-434

Owner with Parcel Interest: DARYL'S CONTRACTING LTD. INC. NO. 650075

Parcel Area: 1.6 ha

Land Use Type: Agricultural/Farm Interest Type: Full Ownership

Current Use of Parcels Under Application

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

No agricultural activity has taken place since rezoning to general industrial and commercial was completed in 2010.

- 2. Quantify and describe in detail all agricultural improvements made to the parcel(s). Partial fencing.
- 3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s). Commercial business, truck shop and parking, wood shaving stock pile.

Adjacent Land Uses

North

Land Use Type: Agricultural/Farm Specify Activity: Hay fields

East

Land Use Type: Transportation/Utilities Specify Activity: Cariboo Highway

South

Land Use Type: Residential

Specify Activity: Single family dwelling

West

Land Use Type: Agricultural/Farm Specify Activity: Grazing space

Proposal

1. How many hectares are proposed for non-farm use? 3.3 ha

2. What is the purpose of the proposal?

The property had an ALR exclusion application preliminary approved in 1985 and again in 2008, but it was never finalized because the client was unaware he still needed subdivision approval from the Ministry of Transportation. As a result, the ALR exclusion expired. The client now has to reapply to the ALC in order to complete the subdivision; however, due to policy changes, ALC exclusions are no longer available to private property owners. Through discussions with the CRD planning staff, it was agreed that the best course of action would be for the property to remain in the ALR, and to re-apply with two applications - ALC subdivision and non-farm use.

The previous exclusion application was approved for an area of 4.3 ha and our current proposal is for a smaller area of 3.3 ha.

This proposal aims to support agricultural activities and to acknowledge and support the importance of

Applicant: DARYL'S CONTRACTING LTD. INC. NO. 650075

industry as a vital component of the local economy.

The land that will remain as farm use will be subdivided and sold to the neighboring lot to enhance the neighbor's ability to sustain their agricultural operations over time.

The land that is proposed for a non-farm use is for Proposed Lot A and Proposed Lot B, while the Rem 1 lot will remain with farm designation.

3. Could this proposal be accommodated on lands outside of the ALR? Please justify why the proposal cannot be carried out on lands outside the ALR.

The property had an ALR exclusion application preliminary approved on two occasions, 1985 and 2008, but it was never finalized because the client was unaware he still needed subdivision approval. Agricultural activity has not taken place on the property since the ALR exclusion preliminary approval. The client has used that land for his commercial business as per the allowable zoning.

This parcel was identified within the 150 Mile House Official Community Plan as a Potential Development Area site. The parcel is located within a corridor of Highway 97 that have several commercial and industrial businesses. This application would sever the eastern portion of the property zoned for commercial/industrial development while allowing the western portion to remain agricultural.

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

Currently, agricultural activity does not take place on the property. If the subdivision is successful, the proposed remainder parcel will be sold to the neighbor. This will allow the rancher to further develop their operations, specifically, the construction of a corral and water storage system. These resources will enhance the neighbor's ability to irrigate their hayfields and sustain their agricultural operations over time. A fence exists along the north, west, and south boundaries to keep cattle out.

5. Do you need to import any fill to construct or conduct the proposed Non-farm use? No

Applicant Attachments

- Agent Agreement Exton & Dodge Land Surveying Inc.
- Proposal Sketch 67166
- Site Photo Neighbor letter
- Certificate of Title 005-807-310

ALC Attachments

None.

Decisions

None.

AGENT AUTHORIZATION LETTER

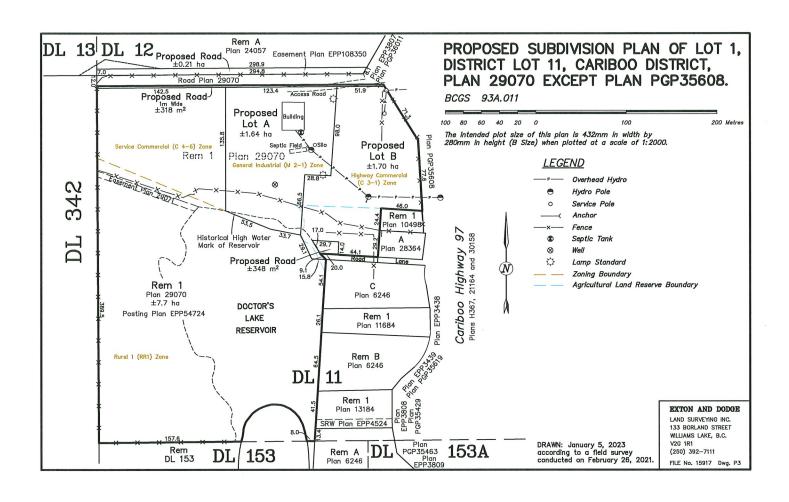
I (we) Dany Williamson	Printed/typed name(s) of landowner(s)	
hereby appoint Darko Ognjan		to
	Printed/typed name of agent	
make application to the Agricultural Land	Commission as agent on my/our beha	If with respect to
the following parcel (s): Insert legal of	lescription for each parcel under applicatio	n below
LOT 1 DISTRICT LOT 11 CARIBOO PGP35608	DISTRICT PLAN 29070 EXCEPT P	PLAN
Darko Ognjanov	und	lerstand that as
Printed/typed name		
agent, I am required to ensure that all lar	ndowners are provided with information	n being
submitted to and received from the Agric	ultural Land Commission.	
Signature(s) of landowner(s):		
	Dary Williamson	<u> </u>
Signature	Printed Name	√ Date
Signature	Printed Name	Date

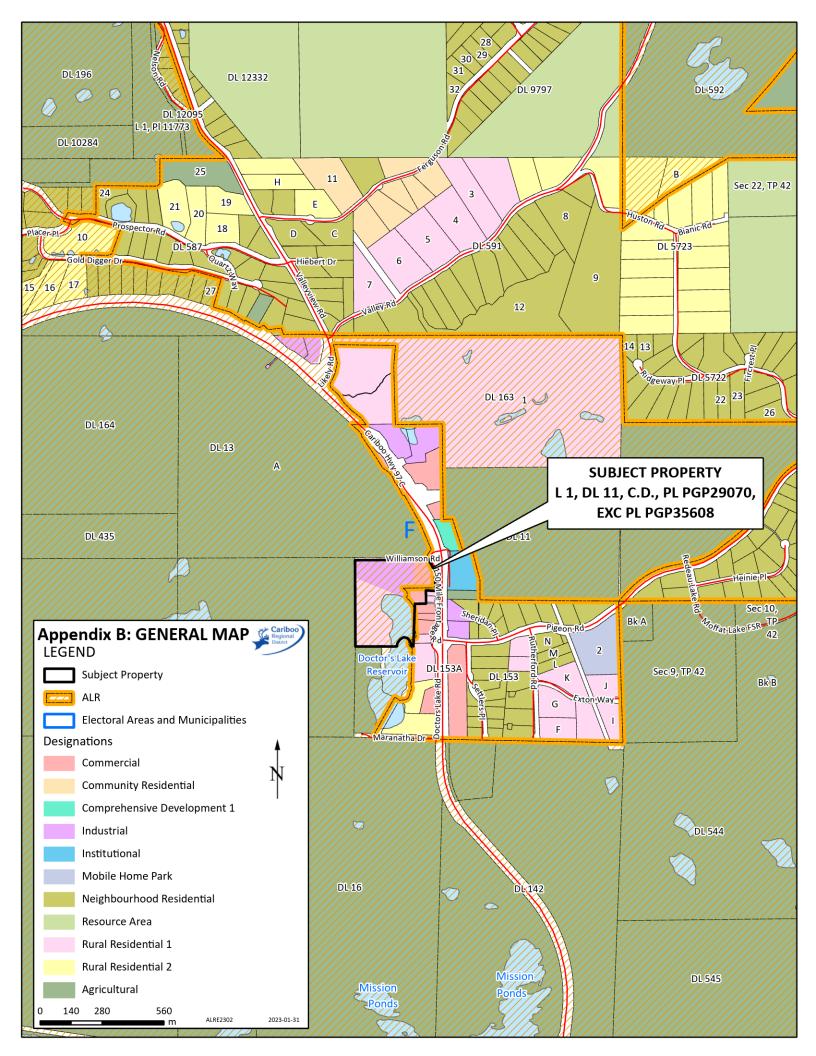
130 MILE RANCH

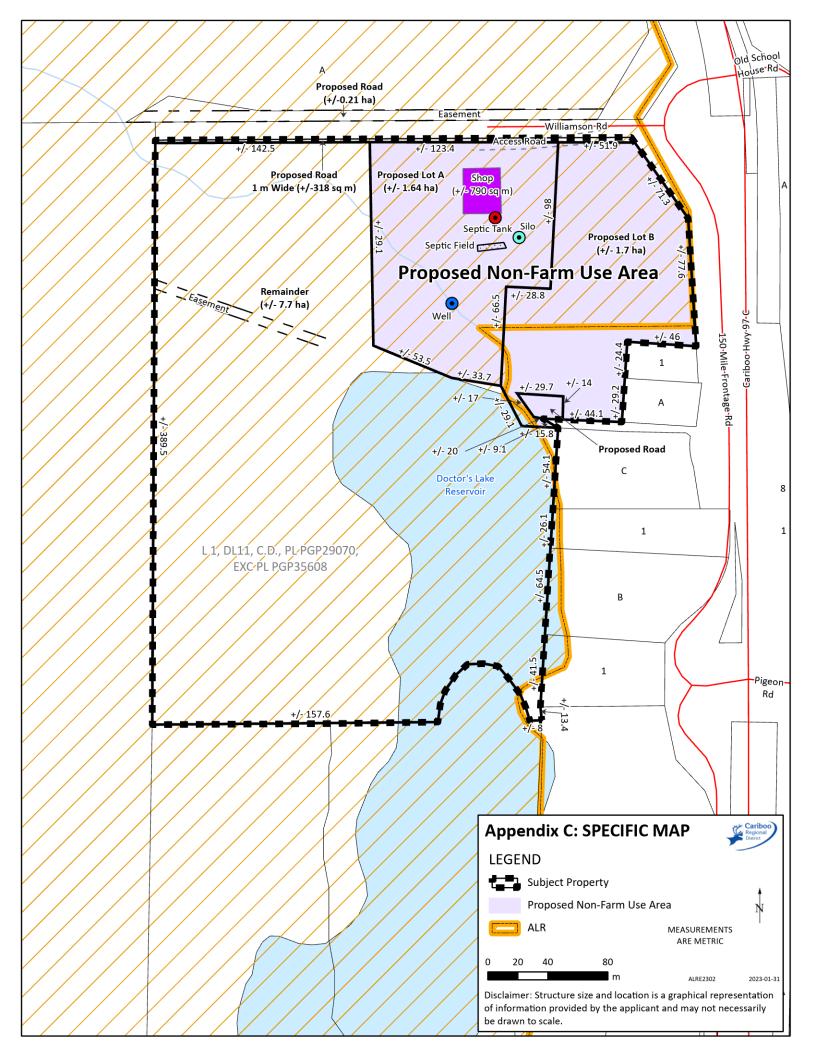
10: WHOM IT MAY CONCERN;

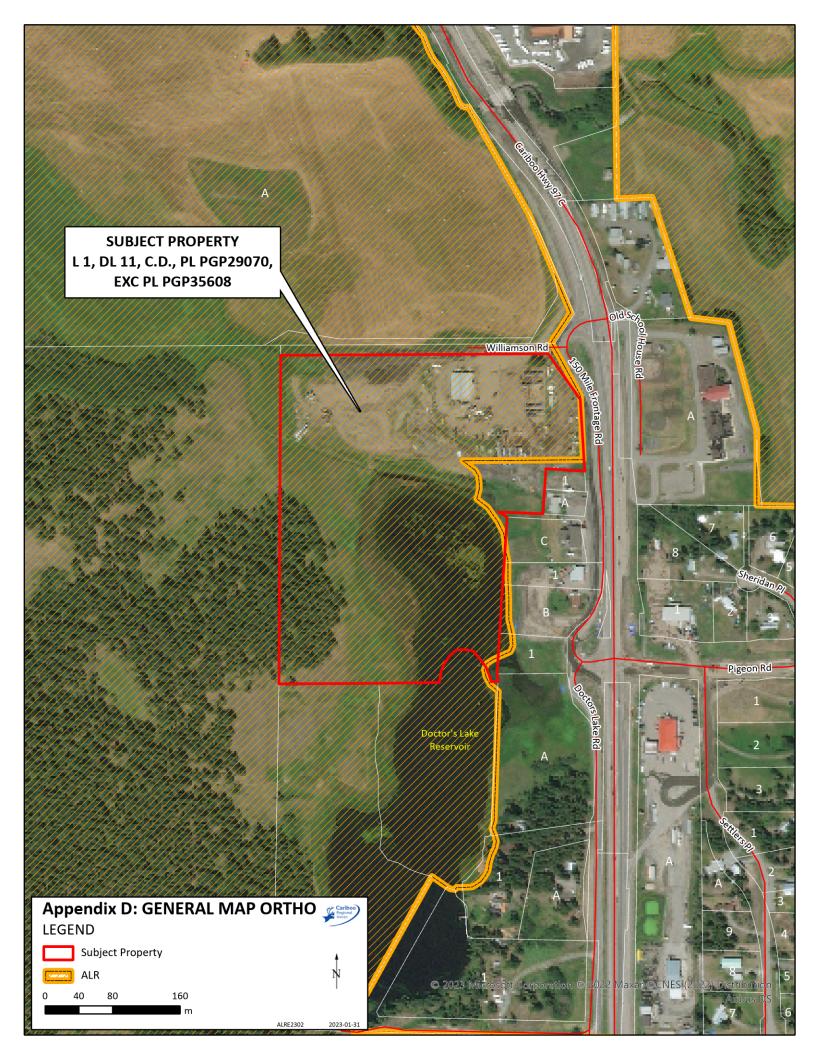
THIS LETICK IS TO IMFORM YOU THAT WE HAVE A TENTATIVE DEAL TO BUY TWO TITLES HAVE ADDRESSED OUR FROM DARRIL. THESE TITLES ARE ADDRESSED OUR LIGHTEN STOPPED UNDER STOPPED WHICH WOULD ENHANCE OUR IRRIBATION ON OUR HAYFIELDS. WE MISO HAVE AN IRRIBATION ON OUR HAYFIELDS. WE MISO HAVE AN IRRIBATION ON OUR HAYFIELDS. WE MISO HAVE AN IRRIBATION ON OUR THAT RUNS THRU THE PROPERTY. THE OTHER TO OTHER TITLE WOULD BE GREAT PLACE TO PUT OUR CORPAL SYSTEM FOR HANDLING EATLES. I REMIND YOU THESE TITLES ARE ADJOINTNE HAVE HAD TENTATIVE DEAL FOR APPROVAL.











File No: 3015-20/F20230002

ADVISORY PLANNING COMMISSION RESPONSE FORM

Minutes of the meeting of the Electoral Area 'F' advisory planning commission held on March 3, 2023 in the CRD Committee Room, located at Williams Lake, BC, commencing at 3:06 PM

PRESENT:	Chair		Doug Watt		
	Members	Carla Krogan, Ross McCoubrey Hooker	, John Hoyrup, Jack Darney, Bee		
	Recording Secretary		Doug Watt		
Owners/Agent, or	Daryl Williamson/Darko Ognjanov & Veronica M		Meister - Exton and Dodge Land Surveying Inc.		
	☐ Contacted but declined to attend				
ABSENT:			Dianna MacQueen		
ALSO PRESENT: Electors	al Area Director Staff support (if	present)	Maureen LeBourdais Nigel Whitehead		
APPLICATION UNDER THE LAND COMMISSION ACT – 3015-20/F20230002 (LOT 1, DISTRICT LOT 11, CARIBOO DISTRICT, PLAN 29070, EXCEPT PLAN PGP35608) Moved Doug Watt / Bee Hooker, Second: "THAT the application for submission to the ALC for Non-Farm Use, at 3082 150 MILE FRONTAGE ROAD be supported/rejected for the following reasons: i) THIS PROPOSAL WAS PREVIOUSLY APPROVED IN 1985 AND 2008 APPLICATIONS BUT EXPIRED AS THE SUBDIVISION DID NOT OCCUR WITHIN THE REQUIRED CONDITIONS AND TIME PERIOD. ii) The property is situated on Hwy 97 corridor, along with a number of commercial and industrial businesses, is identified under the 150 Mile House OCP as a potential development area site. iii) The proposal includes the sale of 7.7 ha of land to a neighbouring ranch that will enhance the agricultural use of the ranchers existing property.					
For: 5 Agains	st: 0 Abstain	: 1	CARRIED/DEFEATED		
<u>Termination</u> Moved Doug Watt / Car	rla Krogan, Secor	nd: That the meeting terminate.			
Time: 3:45 PM			<u>CARRIED</u>		
D. Wart					
Recording Secretary		Chair			



February 28, 2023

Local government files: 3015-20/F20230002 and 3015-20/F20230003

ALC IDs: 67166 and 67225

Genny Hilliard Development Services Clerk Cariboo Regional District

VIA EMAIL: planning@cariboord.ca

Re: Agricultural Land Commission Non-farm Use and Subdivision Applications at 3082 150 Mile Frontage Road (PID: 005-807-310) - The Subject Property

Dear Genny,

Thank you for providing Ministry of Agriculture and Food (Ministry) staff with the opportunity to comment on two Agricultural Land Commission (ALC) applications for nonfarm use (NFU) and subdivision of the Subject Property. From an agricultural planning perspective, Ministry staff offer the following comments:

- Approximately 10.8 ha of the 11.1 ha Subject Property is located in the Agricultural Land Reserve (ALR) and borders land in the ALR to the north, south and west and a mixed use commercial, industrial and residential area to the east/southeast that is not located in the ALR.
- The applicant proposes to subdivide the Subject Property into three lots of 1.7 ha, 1.6 ha and a 7.7 ha remainder.
- The proposed 1.7 ha and 1.6 ha lots are currently used for industrial and commercial activity and the NFU application proposes to continue these uses. The 7.7 ha remainder lot is proposed to be sold to the adjacent landowner to the west who operates a cattle ranch.
- The Subject Property has a long history of ALC applications including two approved exclusion applications in 1985 and 2006. Both approvals, however, ultimately expired because the condition to subdivide the Subject Property was not completed.
- Given the ALC application history, the current use of the 1.7 and 1.6 ha lots and the proximity to the adjacent non-ALR land to the east/southeast, the proposed

- subdivision and NFU applications are unlikely to have a negative impact on agriculture in the greater 150 Mile House region. Further, the sale of the 7.7 ha remainder lot to the adjacent cattle rancher appears to be a benefit for agriculture.
- If the applications are approved, Ministry staff recommend that a condition of approval is that adequate fencing is installed along the boundary of the 1.6 ha lot and the 7.7 ha remainder lot.

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

Sincerely,

Reed Bailey, Land Use Planner Ministry of Agriculture and Food

Phone: (778) 698-3455

Email: Reed.Bailey@gov.bc.ca

Email copy: <u>ALC.Referrals@gov.bc.ca</u>

Nicole Pressey, Regional Agrologist Ministry of Agriculture and Food

Phone: (236) 713-2223

Email: Nicole.Pressey@gov.bc.ca