



Planning Application Information Sheet

Application Type: Development Variance Permit

File Number: 3090-20/20230057

Electoral Area: L

Date of Referral: November 22, 2023

Date of Application: November 08, 2023

Property Owner's Name(s): DONALD A GALLANT
EDEN L GALLANT

Applicant's Name: Nigel Hemingway,
Cariboo Geographic Systems

SECTION 1: Property Summary

Legal Description(s): District Lot 1922, Lillooet District, Except Plans 18881 and 26801

Property Size(s): 45.80 ha (113.17 ac.)

Area of Application: 45.80 ha (113.17 ac.)

Location: 7442 Highway 24

Current Designation:
Agricultural

Min. Lot Size Permitted:
32 ha (79.07 ac.)

Current Zoning:
Resource /Agricultural (RA 1)

Min. Lot Size Permitted:
32 ha (79.07 ac.)

Variance Requested: The applicants have requested a variance to 4.26 (c) (iii) of the South Cariboo Area Zoning Bylaw No. 3501, 1999 as follows:

To increase the permitted maximum total floor area of a secondary dwelling from 130 sq. m (1400 sq. ft.) to 193 sq. m (2077.43 sq. ft.) to allow the existing dwelling to be considered a secondary dwelling when a new dwelling is built.

Proposal: To construct a new single family dwelling.

Existing Buildings: House 192.6 sq. m (2073.1 sq. ft.)

Shed 3.2 sq. m (34.4 sq. ft.)

Greenhouse 40.6 sq. m (437 sq. ft.)

Screened Deck 18.3 sq. m (196.9 sq. ft.)

Gazebo 9.5 sq. m (102.2 sq. ft.)

Shop 63.3 sq. m (681.4 sq. ft.)

Lean-to 30.9 sq. m (332.6 sq. ft.)

Woodshed 15.6 sq. m (167.9 sq. ft.)

Storage Shed 16.4 sq. m (176.5 sq. ft.)

Equipment Shed 108.3 sq. m (1165.7 sq. ft.)

Unused Cabin on Skids 48 sq. m (516.7 sq. ft.)

Boat House 13.2 sq. m (142.1 sq. ft.)

Deck 26.0 sq. m (279.9 sq. ft.)

Shed 2.0 sq. m (21.5 sq. ft.)

Proposed Buildings: New single-family dwelling

Services Available: Hydro, telephone, Sewage disposal system, and well.

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

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

Name of Lake/Contributing River: Sheridan Lake and unnamed creek

Lake Classification: High

Within Development Permit Area: Yes

Development Permit Area Name: Aquatic Habitat development Permit Area

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

	Land Use:	Lot Sizes:
(a) North	Crown Land	7.34 ha (18.1 ac.)
(b) South	2 Acres Or More (Single Family Dwelling, Duplex)	8.07 ha (19.93 ac.)
(c) East	n/a	n/a
(d) West	2 Acres Or More (Single Family Dwelling, Duplex)	0.8 ha (2.02 ac) - 2.29 ha (5.67 ac.)

PLANNING COMMENTS

Background:

The applicants have requested a variance to increase the permitted total floor area of a secondary dwelling to allow for the construction of a new principal dwelling. The requested variance from 130 sq. m (1400 sq. ft.) to 193 sq. m (2077.43 sq. ft.) is a relaxation of section 4.26 (c) (iii) (1) of the South Cariboo Area Zoning Bylaw No. 3501, 1999.

The subject property is 45.80 ha (113.17 ac.) and is zoned Resource/ Agricultural (RA 1) in the South Cariboo Area Zoning Bylaw No. 3501, 1999. It is designated Agricultural in the Interlakes Area Official Community Plan Bylaw No. 3906, 2004. The property contains two residential dwellings; the one that is used by the applicants is 193 sq. m (2077.43 sq. ft.), the other dwelling is an unused cabin which is 48 sq. m (516 sq. ft.). The owner intends to construct a residential dwelling larger than the 193 sq. m (2077.43) dwelling but smaller than the 500 sq. m (5381.95 sq. ft.) permitted within the Agricultural Land Reserve. The unused cabin must be decommissioned prior to the construction of a new principal dwelling. There are also 13 ancillary structures located on the property ranging in size from 2 sq. m (21.5 sq. ft.) to 108 sq. m (1165.7 sq. ft.).

Location and Surroundings:

The subject property is located at 7442 Highway 24 as shown in Appendix A, on the north side of Sheridan Lake. The property contains a hayfield, trees and is landscaped around the current home.

CRD Regulations and Policies:

3501- South Cariboo Area Zoning Bylaw, 1999

4.26 SECONDARY SUITES AND DETACHED ACCESSORY DWELLING UNITS

4.26 c) iii)

1. maximum total floor area of 130 sq. m (1,400 sq. ft.);

Rationale for Recommendations:

Staff have no objections to this proposal as it is unlikely an increase in the size of a secondary dwelling will have an impact on a property of this size. The requested increase in the permitted total floor area of the secondary dwelling will align with the size that is currently permitted by the Agricultural Land Commission.

The Ministry of Transportation and Infrastructure (MOTI) has no objection to increasing the total floor area permitted for the secondary dwelling.

The Interior Health Authority has not commented on this application.

The Area 'L' Advisory Planning Commission (APC) has responded with comments in support that the farmland should be improved to allow for a larger family run operation, the applicant intends to utilize environmentally positive programs, the existing home has local history so there is a desire to maintain it, and the difference between the size of the existing dwelling and the total floor area for a secondary dwelling permitted in the zoning bylaw is thought to be small.

At the time of drafting, one public comment was received. The concerns in the letter are centred around the impact of farming operations on the surrounding residential lots.

In summary, planning staff are supportive of the proposed Development Variance Permit application. The proposed increase to the permitted total floor area of a secondary dwelling is not likely to negatively impact the neighbouring properties or the property itself. The unused cabin must be decommissioned prior to the construction of the new single-family dwelling.

Recommendation:

That the application for a Development Variance Permit pertaining to District Lot 1922, Lillooet District, Except Plans 18881 and 26801 be approved. Further, that a Development Variance Permit be issued to vary Section 4.26 (c) (iii) (1) of the South Cariboo Area Bylaw No. 3501, 1999 as follows:

That the maximum total floor area of a secondary dwelling be increased from 130 square metres (1400 square feet) to 193 square metres (2077.43 square feet) to permit the construction of a new principal dwelling.

REFERRAL COMMENTS

Health Authority:

No Response

Ministry of Transportation and Infrastructure: November 27, 2023

EDAS # 2023-05544

The Ministry of Transportation and Infrastructure has no objection for the development permit to increase the max total floor area of the secondary dwelling from 130 sq. m to 192.6 sq.m.

Advisory Planning Commission: December 4, 2023

See attached

Ministry of Environment and Climate Change Strategy: Terrestrial, Aquatic Habitat and Wildlife:

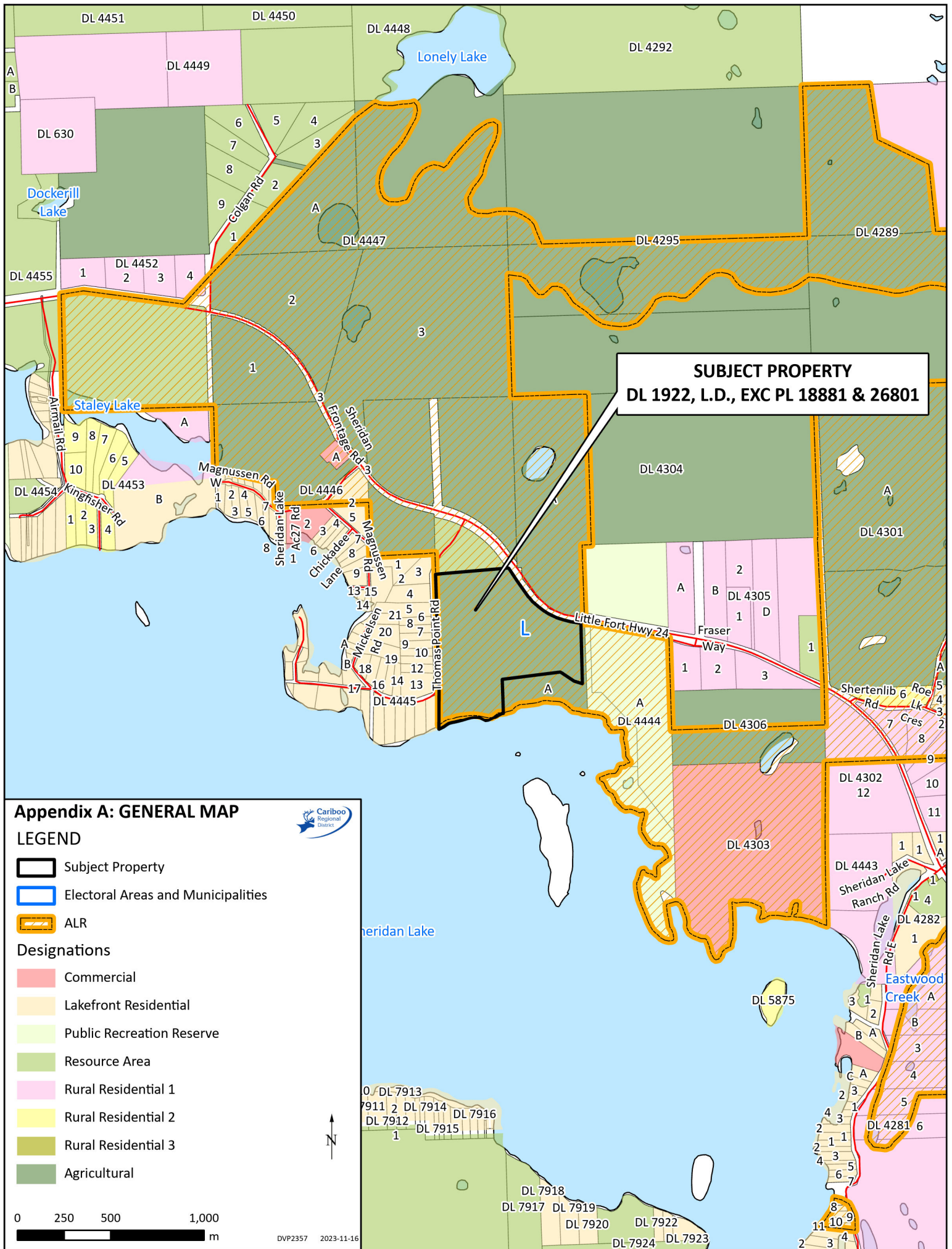
No response

Adjacent Property Owners Comments:

See attached

ATTACHMENTS

Appendix A: General Map
Appendix B: Specific Map
Appendix C: Orthographic Map
Other: Applicant's Supporting Documentation
Advisory Planning Comments
Adjacent Property Owner Comments



SUBJECT PROPERTY
DL 1922, L.D., EXC PL 18881 & 26801

Appendix A: GENERAL MAP



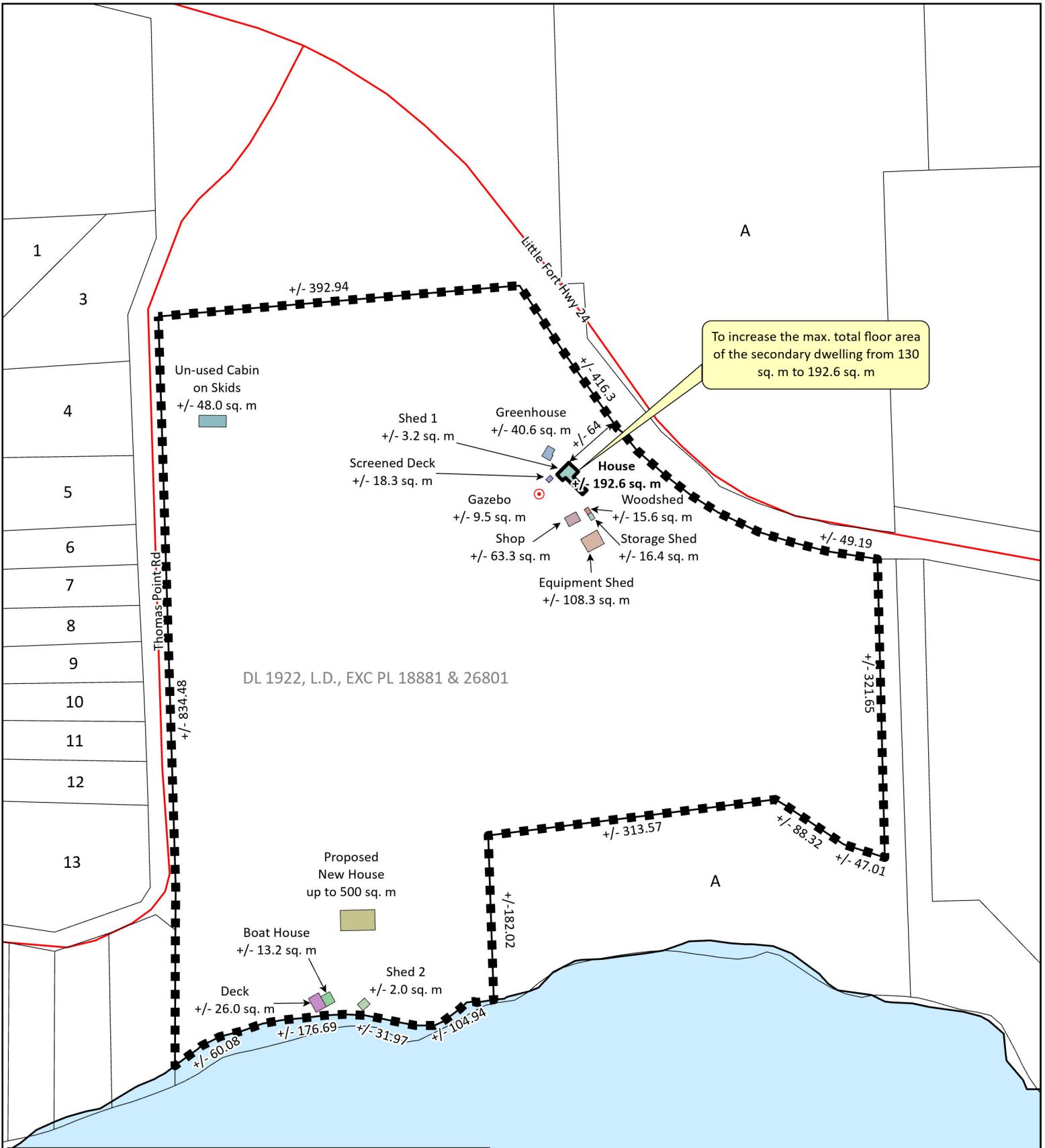
LEGEND

- Subject Property
- Electoral Areas and Municipalities
- ALR

Designations

- Commercial
- Lakefront Residential
- Public Recreation Reserve
- Resource Area
- Rural Residential 1
- Rural Residential 2
- Rural Residential 3
- Agricultural



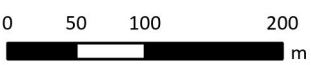


Appendix B: SPECIFIC MAP



LEGEND

- Subject Property
- Subject Property

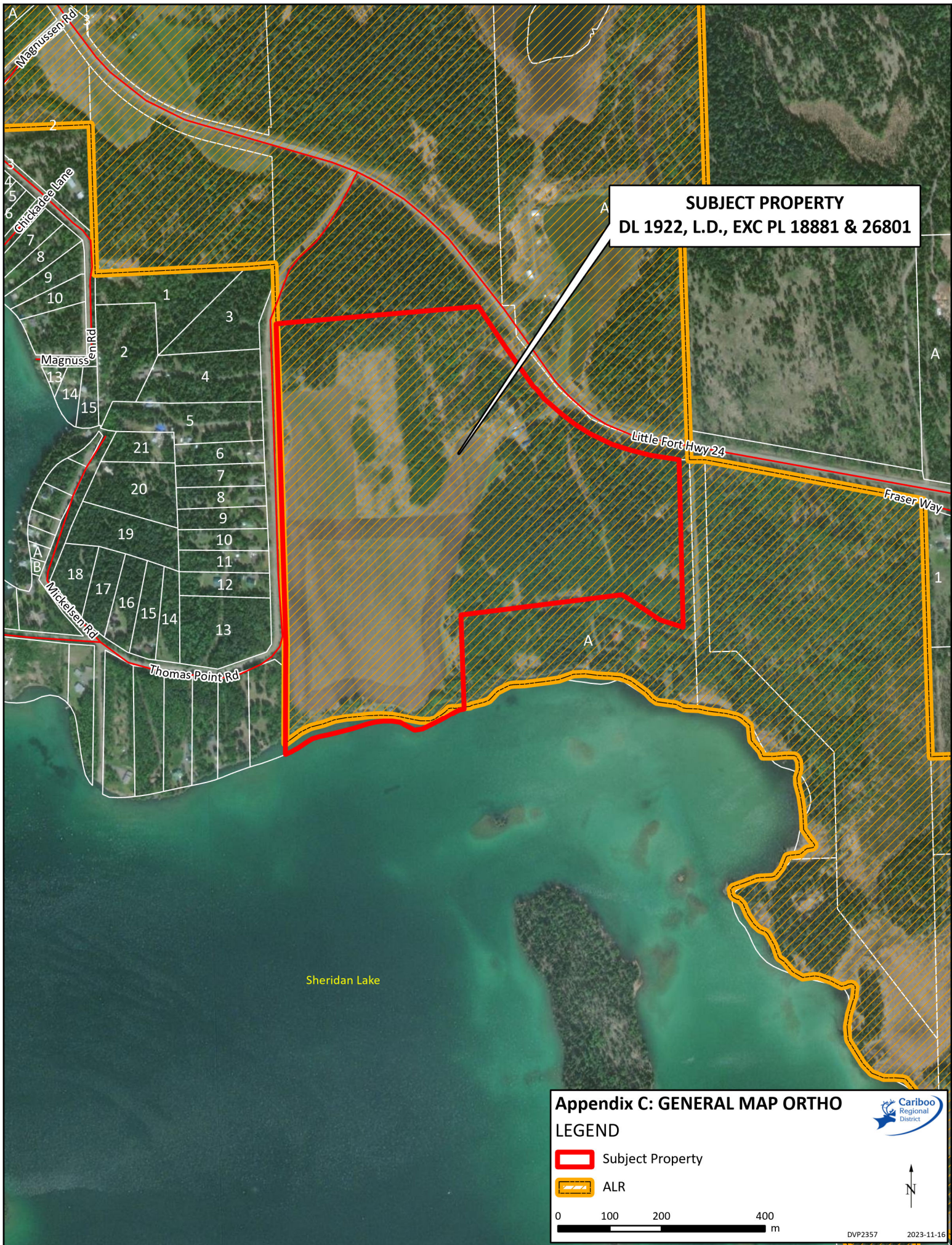


MEASUREMENTS ARE METRIC DVP2357 2023-11-20



Disclaimer: Structure size and location is a graphical representation of information provided by the applicant and may not necessarily be drawn to scale.

Sheridan Lake

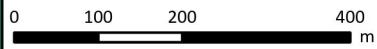


SUBJECT PROPERTY
DL 1922, L.D., EXC PL 18881 & 26801

Appendix C: GENERAL MAP ORTHO

LEGEND

- Subject Property
- ALR



Reasons of Support

This application is requesting that a development variance permit be issued for District Lot 1922, Lillooet District, except plans 18881 and 26801. The property is located at 7442 Highway 24, is approximately 46 hectares in size, is in the Agricultural Land Reserve and has farm status. It is zoned Resource Agricultural (RA1) in the South Cariboo Area Zoning Bylaw, 1999.

The application is requesting that section 4.26(c)(iii) of the bylaw be varied from 130 square metres to 193 square metres for a secondary dwelling. The variance is for the existing home on the property allowing for a new principal residence to be constructed.

The Agricultural Land Reserve Use Regulation, for properties this size allows for a principal residence of 500 square metres or less and a secondary residence of 186 square metres or less. The total floor area for the secondary residence as per Commission Resolution No. 106N/2023 is calculated by measuring to the inner surface of exterior walls. The existing residence has a perimeter of 70.67 metres and a wall thickness of 15.24 centimetres. There is no basement, just a crawlspace with a dirt floor. The total floor area is calculated at 181.8 square metres for the existing home as per the Commission's criteria. The CRD zoning bylaw defines floor area as meaning "the maximum area contained within the outside dimensions of the exterior walls of a building". The variance requested is conforming to the zoning bylaw definition while still meeting the Agricultural Land Reserve Use Regulation definition.

The current owners purchased the property in May 2022 with the intention of improving the agricultural use of the land and moving full time to it when they sell their company in Kamloops. They will build a new principal residence and the secondary residence will be used by their son who will assist in the farm's operation. The new principal residence will be at the southerly end of the land in the area of future planned agricultural improvements.

In working towards this goal, they have surveyed all unfenced boundaries this year and have retained a local fencer to install electrified agricultural fencing along those boundaries. An area (as shown on the sketch) will be fenced allowing for rotational grazing over a presently unused area of the property. The existing hayfields are capable of one crop a year. They have plans to install a pivot irrigation system which should allow a second cut and the existing hayfield will be increased by approximately 4 hectares to accommodate the infrastructure.

The owners have made the initial enquiries for enrollment in the Environmental Farm Plan program. When the plan is implemented, it will include fencing along the riparian areas, a collection pond for drainage management of runoff from the fields and new driveway along with establishing regenerative agricultural practices. Their dream is to improve the agricultural capabilities of the property using current environmental farming practices to create a viable operation for them and their son who will one day take over the farm.

This application is the first step in their plans. The variance is required before a building permit can be applied for allowing the construction of the new principal residence. When the building plans are prepared, and the permit application is ready they will be able to determine if an application will be necessary to the Agricultural Land Commission under Section 20.3(c) - Soil and Fill Notice of Intent.

The properties land use is governed by the requirements of the Cariboo Regional Districts zoning bylaw and the allowable uses and requirements of the Agricultural Land Commission. The application is being made because of a difference between what the two levels of government allow. If the variance is approved, it will bring both into conformance and allow the owners to move forward with their plans.



Planning Application Advisory Planning Commission Comment Form

Date of Meeting: December 4, 2023 7 pm
Location of Meeting: Steve Brown's House, Interlakes
File Number: 3090-20/20230057
Application Type: Development Variance Permit
Electoral Area: L
Legal Description: District Lot 1922, Lillooet District, Except Plans 18881 and 26801
Property Location: 7442 Highway 24

ATTENDANCE

Present:
Chair: Sharon Woloshyn
Members: Barb Matfin, Dori Dennison, Greg Atherton
Steve Brown, Glen Clark, Manuela Betschart,
Gordon Ross

Recording Secretary: Sharon Woloshyn
Owners/Agent: Nigel Hemmingway, Don Gallant, Cove Gallant
 Contacted but declined to attend

Absent: Ursula Hart

Also Present:
Electoral Area Director: n/avail
Staff Support: _____

RESOLUTION

Steve Brown motions and Glen seconded

THAT application with File Number 3090-20/20230057 be SUPPORTED / REJECTED for the following reasons:

- 1) The productivity of the farmland should be improved with the plans of a larger family-run operation... good for the community by supplying additional feed and bringing a younger generation to the area.
- 2) The Applicant intends to use all the environmentally positive programs available to him.
- 3) The existing 60-70 year home has a lot of local history and the Applicant plans to retain its existing size and nostalgic value.
- 4) The difference between the size of the proposed second dwelling and the allowable size in the CRD Bylaw was thought to be "small" by some APC members.

For: 6 Against: 2

CARRIED / DEFEATED

Termination:

That the meeting terminate.

Moved: Sharron

Seconded: Glen

CARRIED

Time: 7:30 pm.

[Redacted Signature]

Recording Secretary

[Redacted Signature]

Chair

NOV. 30, 2023

DEAR CONNOR IKOMA (PLANNING OFFICER)

RE: DEVELOPMENT VARIANCE PERMIT APPLICATION,
DL1922, LILLOET DISTRICT - PID: 03-314-734
CIVIC ADDRESS: 7442 HIGHWAY 24, B.C.

WE, JOANNE AND SANDRO TUCCIARONE, OF,
CIVIC ADDRESS: 7542 THOMAS POINT ROAD, SHERIDAN LAKE
ARE WRITING TO VOICE OUR CONCERNS OVER THE USE
OF WATER ON PROPOSED LAND DEVELOPMENT.

- THE LAY OF THE LAND SHOWS THAT ALL WATER DRAINS TO LOWER CENTRE FIELD AND TO LAKE.
- IF WELLS ARE DUG TO SUPPLY WATER TO FIELD AND CATTLE, ESPECIALLY DURING THE HOT AND DRY PERIODS OF THE YEAR, THE WATER TABLE WILL NOT SUPPORT THE NEEDS OF THE EXISTING HOMES.
- HOW WILL DRAINAGE BE ADDRESSED?
- WILL FERTILIZER BE USED?
- WHERE ARE CATTLE BE HOUSED?
- IS THE PROPERTY BEING SUBDIVIDED?
- WHAT GUARANTEE, IS THERE TO THE HOME OWNERS, THAT OUR WATER SUPPLY WON'T BE AFFECTED?
- LIFE CHANGING TO USE THIS RESO

A RESPONSE WOULD BE APPRECIATED, THANKS
JOANNE & SANDRO TUCCIARONE