

# **Planning Application Information Sheet**

**Application Type:** Rezoning **File Number:** 3360-20/20240030

Bylaw(s): Quesnel Fringe Area Amendment Bylaw No. 5488, 2024

**Electoral Area:** A

Date of Referral: July 29, 2024

Date of Application: July 11, 2024

Property Owner's Name(s): Boat Lake Ventures Ltd

**Applicant's Name:** Ultrawest Restoration

**SECTION 1: Property Summary** 

Legal Description(s): Block A (Plan B5167), District Lot 3139, Cariboo District

**Property Size(s):** 3.64 ha (9.0 ac.)

**Area of Application:** 3.64 ha (9.0 ac.)

**Location:** 1387 Maple Dr.

**Current Designation:** Min. Lot Size Permitted:

Rural Residential 2 2 ha. (4.94 ac.)

**Current Zoning:** Min. Lot Size Permitted:

Rural 3 (RR 3) 0.8 ha (1.98 ac.)

Proposed Zoning: Min. Lot Size Permitted:

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

**Proposal:** The applicant proposes continuing the use of a portion of the property as a veterinary clinic and allowing for the future expansion of the veterinary clinic. The remainder of the lot will continue to be used as a hayfield.

ALR application 3015-20/A20230064 for a Non-Farm Use was approved by the ALC and permits the expansion of the veterinary building and parking area.

No. and size of Proposed Lots: no new proposed lots.

No. and size of Proposed Lots: no new proposed lots.

Existing Buildings: Veterinary Clinic - 252.70 sq. m (2720 sq. ft.)

Barn - 69.98 sq. m (750 sq. ft.) Shed - 40.69 sq. m (438 sq. ft.)

Proposed Buildings: Addition to Veterinary Clinic - 360 sq. m (3875 sq. ft.)

Road Name: Maple Drive

**Road Type:** Paved

Within the influence of a Controlled Access Highway: N/A

**Services Available:** Hydro, telephone, septic, 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: n/a

Lake Classification: N/A

Within Development Permit Area: No

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

Land Use: Lot Sizes:

(a) North 2 Acres Or More (Single Family Dwelling, 1.1 ha - 1.72 ha (2.71 ac. - 4.26 ac.)

Duplex)

(b) South Grain & Forage 41.43 ha (102.38 ac.)

(c) East Schools & Universities, College Or 5.26 ha (13.0 ac.)

**Technical Schools** 

(d) West Grain & Forage 41.43 ha (102.38 ac.)

#### PLANNING COMMENTS

# Background:

It is proposed to rezone the 3.64 ha (9.0 ac.) subject property to allow for the construction of an addition to the animal hospital and to align the current use with the zoning bylaw. The subject property is currently zoned as Rural 3 (RR 3) in the Quesnel Fringe Area Zoning Bylaw No. 3504, 1999 and is designated as Rural Residential 2 in the Quesnel Fringe Area Official Community Plan Bylaw No. 4844, 2013 as shown in Appendix B.

The applicant states that the expansion is essential to the business to support the growing demand of farmers and their large food producing animals. The expansion that is planned is approximately 360 sq. m (3875 sq. ft.).

As per the applicant, the business in its current location was established in the early 1970's, prior to the establishment of the Agricultural Land Reserve. The property was originally zoned Rural in Community Planning Area No. 9. The previous owner made an application in 1972 to rezone the property however, an interpretation by the planning department at the time determined that hospitals were permitted in the Rural zone, and a veterinary clinic could be considered an animal hospital. Due to the date of the original application it is possible that the business was lawfully non-conforming within the ALR. The adoption of Quesnel Fringe Area Zoning Bylaw 3504, 1999 changed the zone to Rural 3 (RR 3) which did not allow for animal hospitals.

A previous ALR non-farm use application has been approved by the ALC under resolution #353/2024 that permits the use of a portion of the lot for a veterinary clinic.

The original building permit for the animal hospital is dated to 1974. In 2016 a building permit for a carport and addition was issued, the permit has since expired.

#### Location and Surrounding:

The 3.64 ha (9.0 ac.) subject property is located at 1387 Maple Drive southwest of an elementary school on Maple Drive as shown in Appendix B. To the north and south of the property is an active farm.

#### CRD Regulations and Policies:

Quesnel Fringe and Area Official Community Plan Bylaw 4660, 2013.

### 7.2 Objectives

7.2.1) Provide sufficient opportunities for commercial development to allow for local responses to the needs of area residents.

#### Rationale for Recommendations:

Planning staff are supportive of the proposed rezoning application. The proposal is in compliance with the objectives of the Quesnel Fringe Area Official Community Plan (OCP) Bylaw by providing sufficient opportunities for commercial development to allow for local responses to the needs of area residents (section 7.2.1).

The Ministry of Transportation and Infrastructure (MOTI) has no concerns regarding the proposed rezoning. They state that the applicant should contact the ministry in order to update the access permit.

The Northern Health Authority (NHA) has not provided a comment on this application.

The CRD Chief Building Official (CBO) has no concerns and states that the proposed addition must comply with BC Building Code.

The Ministry of Agriculture and Food (MAF) provided comments stating that the location of the proposed building will have less of an impact than if the building were located further from the road. The comments explain that while the veterinary clinic will likely provide support for the regional agriculture sector the rationale provided by the applicant demonstrates that the work could be done outside of the ALR. The Ministry also notes that the proposed building would remove a portion of rare Class 1 and Class 2 agricultural lands that are currently productive.

The Agricultural Land Commission have no comment on the proposed rezoning application. They state that the expansion of the facility must be done in accordance with the decision and conditions of ALC Resolution #353/2024. Any further expansion or change would require a new application to the commission.

The Electoral Area 'A' Advisory Planning Commission (APC) has voted in favor of the application but did not provide comments. The APC did not have quorum at the meeting.

The Protective Services Department does not inspect commercial properties at this time. It is the responsibility of the owner/occupier to comply with BC Fire Code requirements with respect to public buildings and structures on site.

In summary, planning staff are supportive of the proposed rezoning application. The proposed zone will align with the existing OCP designation and allow for an animal hospital.

#### Recommendation:

That Quesnel Fringe Area Zoning Amendment Bylaw No. 5488, 2024 be read a first and second time this 26<sup>th</sup> day of September 2024.

#### REFERRAL COMMENTS

**Health Authority**: No Response

Ministry of Transportation and Infrastructure: July 31, 2024

The Ministry has no concerns regarding the bylaw Amendment No. 5486, 2024, accepting the following conditions: The applicant should contact the Ministry of Transportation and Infrastructure to renew/update the Access Permit: Commercial, 2020-05637 to reflect the new land ownership, Boat Lake Ventures Ltd.

Advisory Planning Commission: August 13, 2024

See attached

Agricultural Land Commission: July 30, 2024

I understand in June 2024, the ALC released on ALC Application 70025 (ALC Resolution #353/2024) to expand the existing veterinary clinic on the property (1387 Maple Drive; PID: 015-159-663), subject to conditions. I understand the proposed rezoning of the Property is to accommodate and allow the expansion of the veterinary clinic to occur, as per the ALC approval. As such, ALC staff have no comment about the proposed rezoning; however, I do note that the expansion of the facility must be done in accordance with the decision and conditions of ALC Resolution #353/2024. Any further expansion or change of use would require a new application to the Commission.

<u>Ministry of Environment and Climate Change Strategy</u>: <u>Terrestrial, Aquatic Habitat and Wildlife</u>: <u>Parks</u>: No Response

Ministry of Agriculture and Food: August 29, 2024

See attached

CRD Chief Building Official: No Response

# <u>CRD – Protective Services Dept</u>: July 30, 2024

The Protective Services department does not inspect commercial properties at this time. However, it is the responsibility of the owner/occupier to comply with BC Fire Code requirements with respect to public buildings and structures on site. Questions relating to BC Fire Code compliance or inspections can be forwarded to the BC Office of the Fire Commissioner at: ofc@gov.bc.ca or 1-888-988-9488

<u>CRD – Environmental Services Dept:</u> No Response

#### **ATTACHMENTS**

Appendix A: Bylaw 5488
Appendix B: General Map
Appendix C: Specific Map
Appendix D: Orthographic Map

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Other: Applicant's Supporting Documentation

Advisory Planning Commission Comments Ministry of Agriculture and Food Comments



# **CARIBOO REGIONAL DISTRICT**

#### **BYLAW NO. 5488**

A bylaw of the Cariboo Regional District, in the Province of British Columbia, to amend Bylaw No. 3504, being the "Quesnel Fringe Area Zoning Bylaw No. 3504, 1999".

WHEREAS the *Local Government Act* authorizes the Regional Board to amend a Zoning bylaw after a public hearing and upon the affirmative vote of the Directors.

WHEREAS an application has been received to rezone property.

NOW, THEREFORE, the Board of Directors of the Cariboo Regional District, duly assembled, hereby enacts as follows:

# 1. CITATION

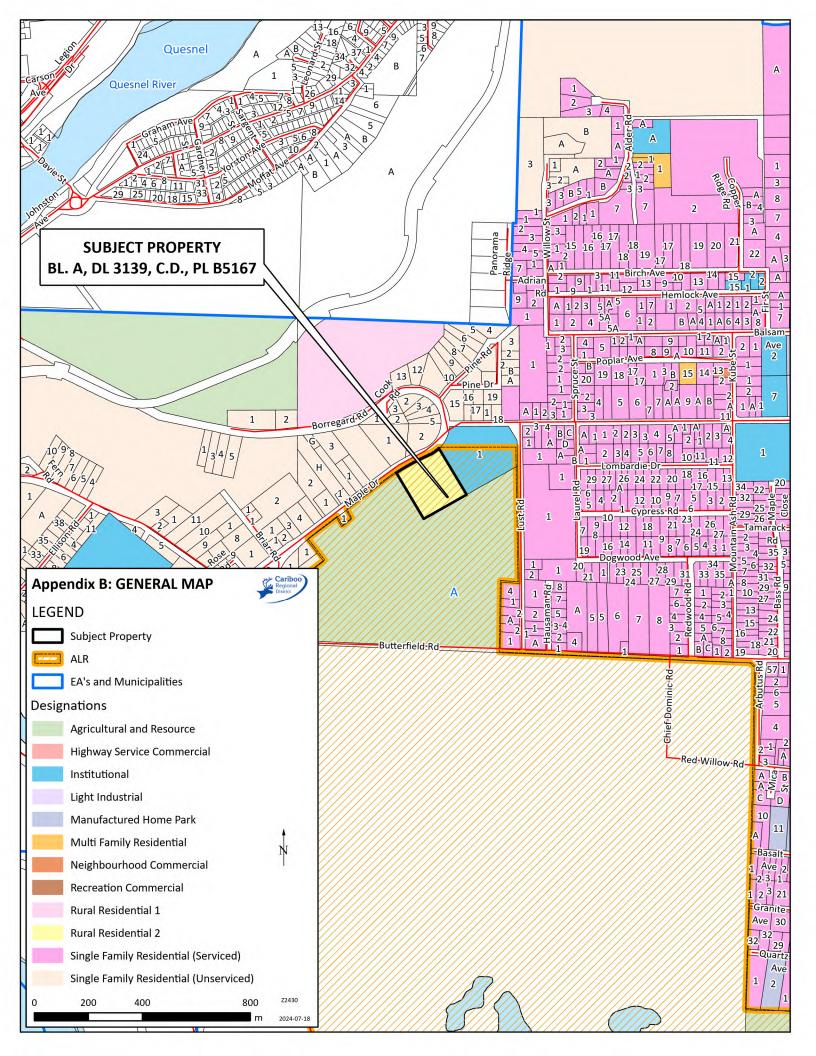
This bylaw may be cited for all purposes as the "Quesnel Fringe Area Zoning Amendment Bylaw No. 5488, 2024".

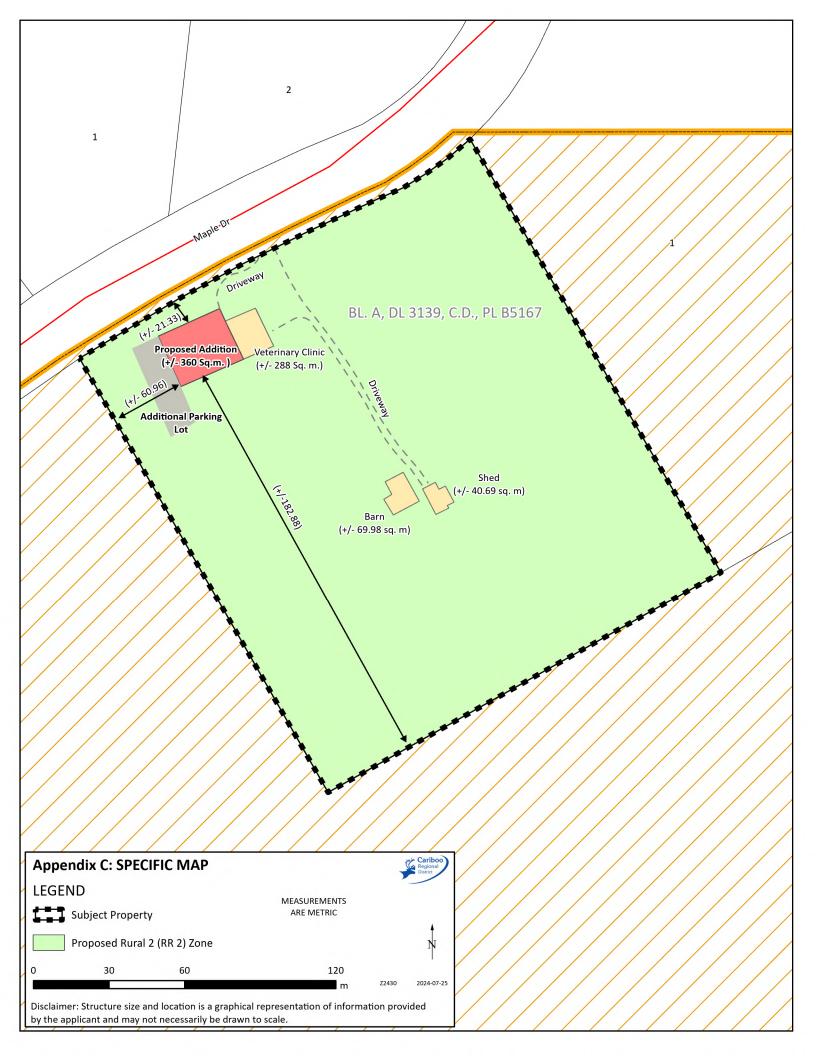
#### 2. AMENDMENT

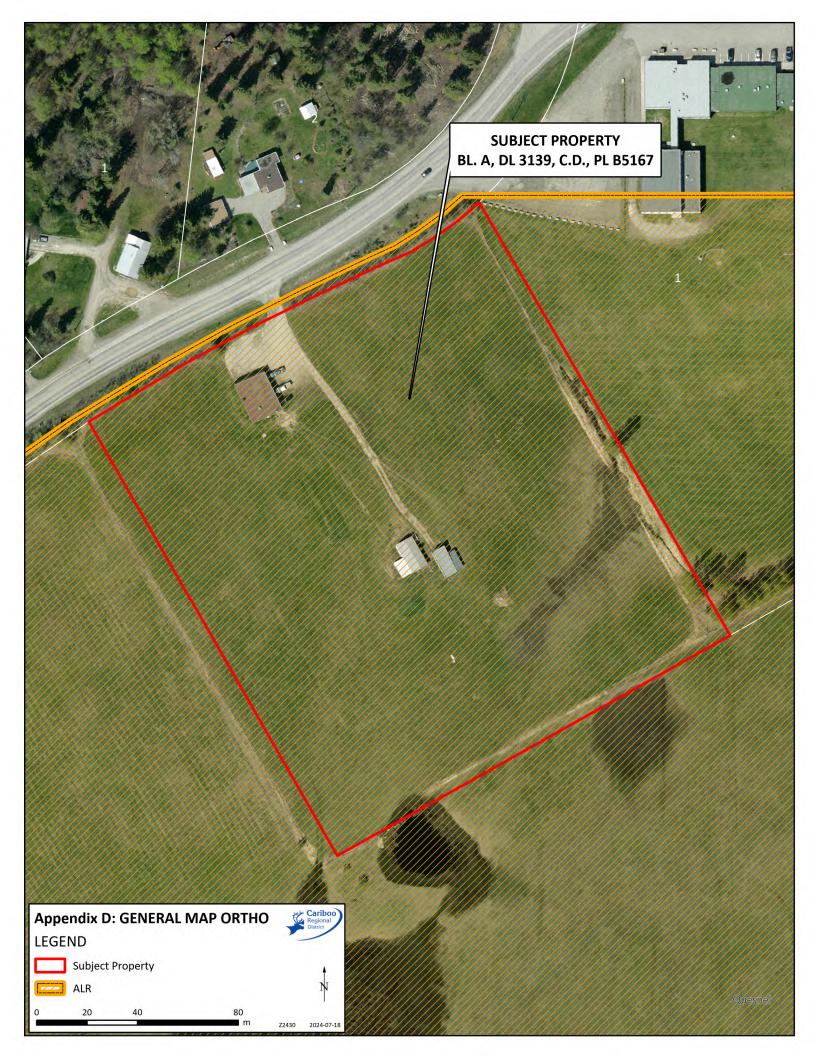
Bylaw No. 3504 of the Cariboo Regional District is amended by:

- i) rezoning Block A (Plan B5167), District Lot 3139, Cariboo District from Rural 3 (RR 3) zone to Rural 2 (RR 2) zone; and
- ii) amending Schedule "C" accordingly.

READ A FIRST TIME THIS DAY OF, 202	24
READ A SECOND TIME THIS DAY OF, 2	2024
A PUBLIC HEARING WAS HELD ON THE DAY OF	. 2024
READ A THIRD TIME THIS DAY OF	, 2024
ADOPTED THIS DAY OF	, 2024
	Chair
	Manager of Corporate Services
I hereby certify the foregoing to be a tr	up and correct conviof Pulaw
No. 5488 cited as the "Quesnel Fring	e Area Zoning Amendment
Bylaw No. 5488, 2024", as adopted by Board on the day of	
Managar of Commontati	a Comitace
Manager of Corporat	e services







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2 Shop o	ut in the yeild used a	Storage.					
Describe the pro	oposed use of the subject property an	d all buildings: the pr	oposed use				
would	ge to expand onto t	he existing Ve	terinarian				
Clinic							
Describe the rea	asons in support for the application:	to support ise	rvia large				
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to supp	of the farmers \$7	heir large produ	jeing animals				
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T: 604-660-7000

E: ALCBurnaby@Victoria1.gov.bc.ca

201 - 4940 Canada Way, Burnaby

B.C., Canada V5G 4K6

June 5, 2024

ALC File: 70025

Lindsay Cutrell
Ultrawest Restoration
DELIVERED ELECTRONICALLY

Dear Linsday Cutrell:

Re: Reasons for Decision - ALC Application 70025

Please find attached the Reasons for Decision of the Interior Panel for the above noted application (Resolution #353/2024). As the agent, it is your responsibility to notify the applicant accordingly.

Please note that the submission of a \$150 administrative fee may be required for the administration, processing, preparation, review, execution, filing or registration of documents required as a condition of the attached Decision in accordance with section 11(2)(b) of the ALR General Regulation.

Under section 33.1 of the *Agricultural Land Commission Act* ("ALCA"), the Chair of the Agricultural Land Commission (the "Commission") has 60 days to review this decision and determine if it should be reconsidered by the Executive Committee in accordance with the ALCA. You will be notified in writing if the Chair directs the reconsideration of this decision. The Commission therefore advises that you consider this 60 day review period prior to acting upon this decision.

Under section 33 of the ALCA, a person affected by a decision (e.g. the applicant) may submit a request for reconsideration. A request to reconsider must now meet the following criteria:

- No previous request by an affected person has been made, and
- The request provides either:
  - Evidence that was not available at the time of the original decision that has become available, and that could not have been available at

- the time of the original decision had the applicant exercised due diligence, or
- Evidence that all or part of the original decision was based on evidence that was in error or was false.

The time limit for requesting reconsideration of a decision is one year from the date of the decision's release, as per <u>ALC Policy P-08</u>: Request for Reconsideration.

Please refer to the ALC's <u>Information Bulletin 08 – Request for Reconsideration</u> for more information.

Please direct further correspondence with respect to this application to ALC.Interior@gov.bc.ca.

Yours truly,



Jennifer Walton, Land Use Planner

Enclosures: Reasons for Decision (Resolution #353/2024)

Schedule A: Decision Map

cc: Cariboo Regional District (File: 3015- 20/A20230064). Attention: Connor Ikoma

70025d1



# AGRICULTURAL LAND COMMISSION FILE 70025 REASONS FOR DECISION OF THE INTERIOR PANEL

Non-Farm Use Application Submitted Under s.20(2) of the Agricultural Land Commission Act

Applicant:	Boat Lake Ventures Ltd., Inc. No. BC130185
Agent:	Lindsay Cutrell, Ultrawest Restoration
Property:	Parcel Identifier: 015-159-663
	Legal Description: Block A (Plan B5167)
	District Lot 3139 Cariboo District
	Civic: 1387 Maple Drive, Quesnel, BC
	Area: 3.5 ha (entirely within the ALR)
Panel:	Richard Mumford, Interior Panel Chair
	Robert Haywood-Farmer



# **OVERVIEW**

- [1] The Property is located within the Agricultural Land Reserve (ALR) as defined in s. 1 of the *Agricultural Land Commission Act* (ALCA).
- [2] The Applicant is applying to the Agricultural Land Commission (the "Commission" or "ALC") under s. 20(2) of the ALCA to construct a ~360 m<sup>2</sup> addition to the existing ~228 m<sup>2</sup> Quesnel Veterinary Clinic. The total area proposed for non-farm use is ~0.31 ha (the "Proposal").
- [3] The Application indicates that the Proposal will require the placement of ~335 m³ of fill over an area of ~1,115 m² at an average depth of 0.8 m for the proposed addition to the veterinary clinic and an expansion of the parking area.
- [4] The Proposal was considered in the context of the purposes and priorities of the Commission set out in section 6 of the ALCA:
  - 6 (1) The following are the purposes of the commission:
    - (a) to preserve the agricultural land reserve;
    - (b) to encourage farming of land within the agricultural land reserve in collaboration with other communities of interest; and,
    - (c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of land within the



agricultural land reserve and uses compatible with agriculture in their plans, bylaws and policies.

- (2) The commission, to fulfill its purposes under subsection (1), must give priority to protecting and enhancing all of the following in exercising its powers and performing its duties under this Act:
  - (a) the size, integrity and continuity of the land base of the agricultural land reserve;
  - (b) the use of the agricultural land reserve for farm use.

# **EVIDENTIARY RECORD**

[5] The Proposal, along with related documentation from the Applicant, Agent, local government, and Commission is collectively referred to as the "Application". All documentation in the Application was disclosed to the Agent in advance of this decision.

# **BACKGROUND**

[6] The Cariboo Regional District (the "CRD") Planning Application Information Sheet states that Property has a zoning designation of Rural 3 (RR 3) and that a rezoning application would be required prior to the construction of the proposed addition to the veterinary clinic.



[7] At its meeting of March 1, 2024, the Cariboo Regional District Board resolved to forward the Application to the Commission with a recommendation of approval, subject to rezoning.

#### ANALYSIS AND FINDINGS

- [8] The Property contains Quesnel Veterinary Clinic, an existing ~228 m<sup>2</sup> veterinary clinic for small and large animals that was constructed during the early 1970s.
- [9] The Application states that Applicant purchased the clinic and the Property in 2021 with the intention to continue providing veterinary services to Quesnel and the surrounding areas. The Application material explains that there are a lack of veterinary clinics in Quesnel that service large animals such as livestock and that with growing demand, the Applicant has found the need to add a large animal facility for cattle, small ruminants, and horses.
- agricultural sector by providing dedicated livestock care and services to local farmers and will enable the veterinary clinic to treat large animals sooner since the veterinarians will not have to travel from farm to farm. In addition, the proposed addition will create a safe working environment for the veterinarians and help to encourage them to continue working at a large animal practice in the long term.



- [11] The Panel considered the Applicant's rationale for the expansion of the veterinary clinic and recognized the need for more large animal veterinary services and veterinarians in the region. The Panel reviewed the plans for the proposed addition to the veterinary clinic and notes that the ~360 m² addition will include horse stalls, calving pens, exam rooms, and a reception and waiting area. The Panel finds that the proposed expansion of the veterinary clinic will facilitate an increase in large animal veterinary services for the local agricultural community and ultimately that the Proposal represents a benefit to agriculture.
- [12] The Application material indicates that the existing clinic is located at the front of the Property and that the proposed ~360 m² addition will be built onto the existing clinic. The Application material states that the existing parking area for the clinic will be extended by approximately ~15 m and that overall, there will be a minimal increase in the footprint of the veterinary clinic. The Panel considered the siting of the Proposal and finds that the increase in the footprint of the clinic from the Proposal would have a limited impact on the current agricultural use of the Property.



# **DECISION**

- [13] For the reasons given above, the Panel approves the Proposal to expand the non-farm use on the Property by constructing a ~360 m² addition to the existing ~228 m² veterinary clinic subject to the following conditions:
  - (a) Siting of the non-farm use in accordance with Schedule A;
  - (b) Fill placement activities are restricted to an area of ~1,115 m² for the addition to the clinic and the expansion of the parking area; and
  - (c) Approval for non-farm use is granted for the sole benefit of the Applicant and is non-transferable.
- [14] Should the above conditions of approval not be completed to the satisfaction of the ALC, a new application may be required.
- [15] This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.
- [16] These are the unanimous reasons of the Panel.
- [17] A decision of the Panel is a decision of the Commission pursuant to s. 11.1(3) of the ALCA.



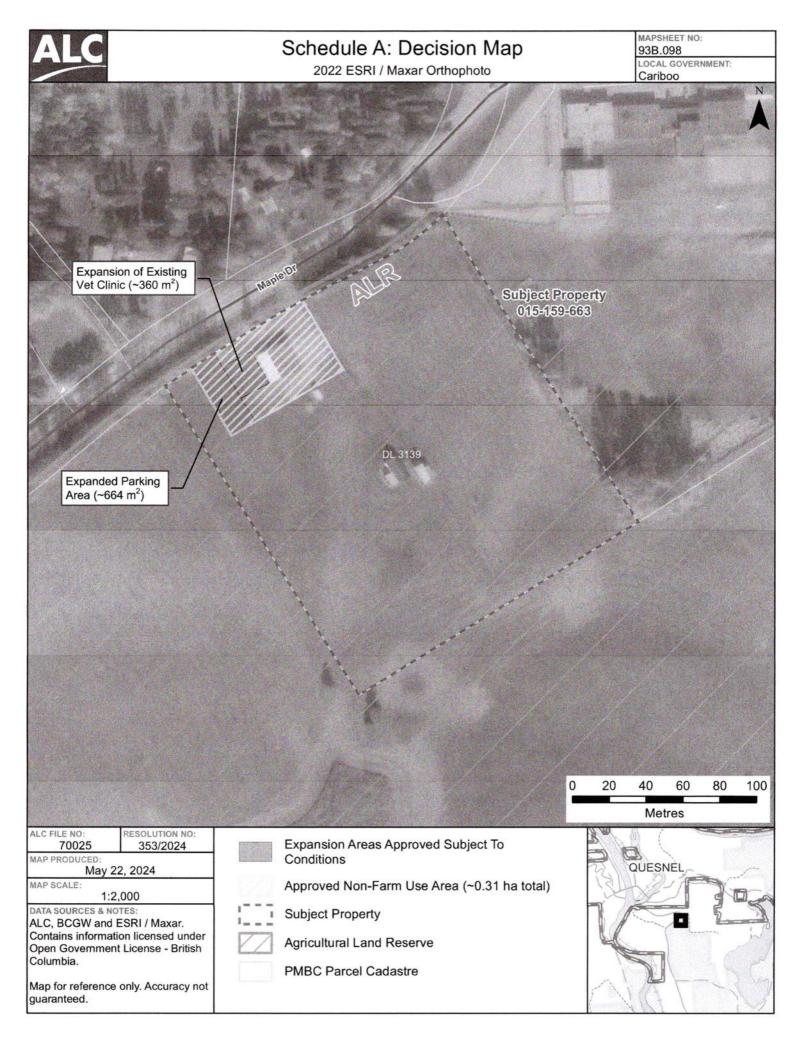
[18] Resolution #353/2024

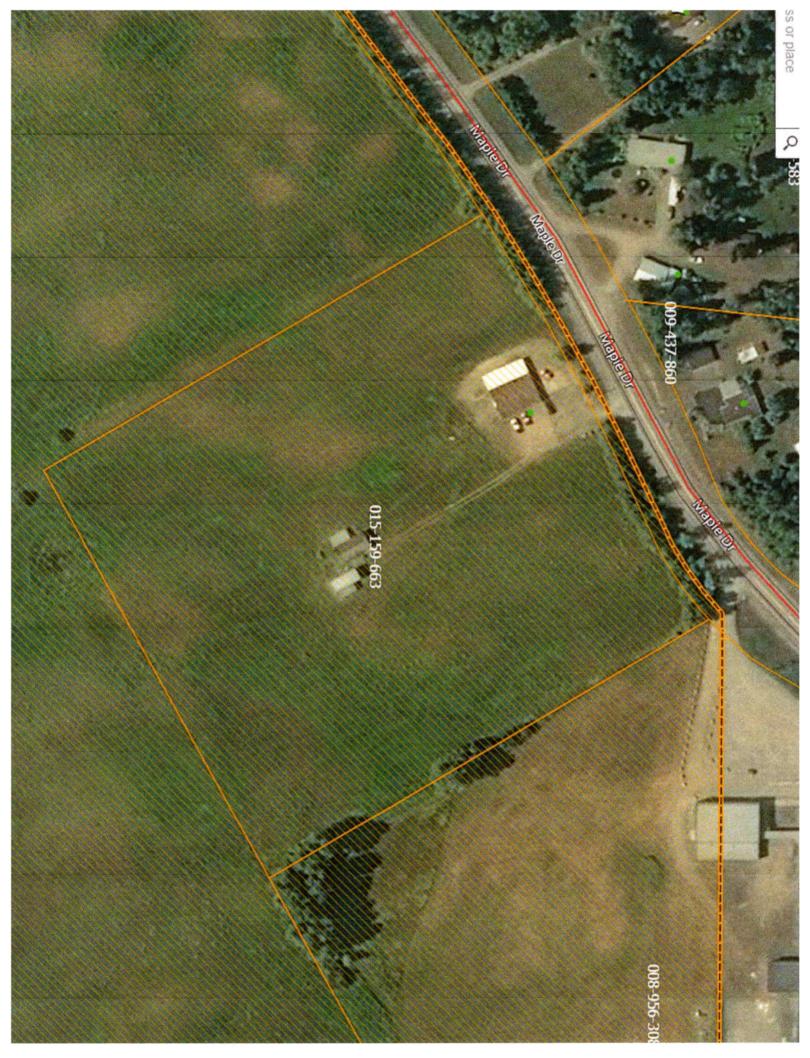
Released on June 5, 2024



Richard Mumford, Panel Chair

On behalf of the Interior Panel







# Planning Application Advisory Planning Commission Comment Form

Date of Meeting: Location of Meeting:	3				
File Number: Application Type: Electoral Area: Legal Description: Property Location:	3360-20/20240030 Rezoning Amendment A Block A (Plan B5167), District Lot 3139, Cariboo District 1387 Maple Dr.				
	ATTENDANCE				
Present: Chair: Members:	Doug Smice Dave noffat SmanT-mei Doug Senice				
Recording Secretary: Owners/Agent: ☑Contacted but 소소 ~ declined to attend	Entransest (Per wilson)				
Absent:	hayorie Soues Ted Anstrong vince Berlingielle Roy Josephy				
Also Present: Electoral Area Director: Staff Support:	May Sjostrom				

DEC	01	1 17	CIO	
RES	υı	U	IU	IN

THAT application with File Number 3360 - 20/2020000 be SUPPORTED / REJECTED for the following reasons:

1)

2)

For: 3

Against:

CARRIED DEFEATED

# Termination:

That the meeting terminate.

Moved: Dave mollate Seconded: Sure mollate

Time: 10.16

Recording Secretary

CARRIED



August 29, 2024

Local Government File: 3360-20/20240030

ALC ID: 70025

Leasa Williamson Development Services Clerk V Cariboo Regional District

VIA EMAIL: <a href="mailto:lwilliamson@cariboord.ca">lwilliamson@cariboord.ca</a>

Re: Rezoning Z230 (Bylaw 5488) referral – 1387 Maple Drive – Vet Clinic

Dear Leasa Williamson,

Thank you for providing the Ministry of Agriculture and Food (Ministry) with the opportunity to comment on the application to rezone a property from Rural 3 (RR 3) to Rural 2 (RR 2) to permit a veterinary clinic within the Agricultural Land Reserve (ALR).

Ministry staff have reviewed the provided information and offer the following comments:

 Previous comments from Ministry staff regarding this proposal were provided to the Regional District in a letter dated February 5, 2023, and attached for your convenience. Comments provided in this previous letter remain applicable, so far as they are relevant to this proposal. Ministry staff recognize that the ALC has approved the proposal with conditions.

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

Sincerely,

Chelsey Andrews Land Use Planner Ministry of Agriculture and Food

Phone: (250) 850-1854

Email: Chelsey.Andrews@gov.bc.ca

Nicole Pressey, P.Ag.

Regional Agrologist – Cariboo Central Coast

Ministry of Agriculture and Food

Phone: (236) 713-2223

Email: Nicole.Pressey@gov.bc.ca

Attachment- Ministry letter dated February 5, 2023, re: ALC NFU Application 70025

Email copy: Agricultural Land Commission – <u>ALC.Referrrals@gov.bc.ca</u>



February 5, 2023

Local government file: 3015-20/A20230064

ALC ID: 70025

Leasa Williamson
Development Services Clerk V
Cariboo Regional District
VIA EMAIL: planning@cariboord.ca

Re: ALC Non-Farm Use Application – 1387 Maple Drive Vet Clinic (PID: 015-159-663)

Dear Leasa Williamson,

Thank you for providing Ministry of Agriculture and Food (Ministry) staff with the opportunity to comment on this Agricultural Land Commission (ALC) application to allow for the continued use and expansion of an existing veterinary clinic located on the 3.64-hectare subject property within the Agricultural Land Reserve (ALR).

Ministry staff offer the following comments:

- The subject parcel is located outside of the City of Quesnel near its south-western border, with smaller subdivided non-ALR lots to the north, and larger rural ALR parcels to the south. Large areas of non-ALR lands are interspersed with large areas of ALR lands throughout the region. Hay is produced on the subject parcel with other forms of agricultural production taking place in the area.
- Based on the <u>BC Soil Information Finder Tool</u> (SIFT) mapping system, the parcel has an agricultural capability rating of 50% Class 1 and 50% Class 2D, and a soil classification of 100% sandy loam, well drained soil. Class 1 and 2 lands in the Cariboo is rare; there are five polygons in the regional district according to the BC Soil Information Finder Tool. Much of the polygon in which the proposal sits is covered by subdivisions of single family dwellings. Additionally, the flat terrain and proximity to Highway 97 makes this a highly valuable agricultural parcel.

- Ministry staff note that the proposed siting of the 340m2 (3875sq.ft) building expansion will be next to the existing building and located no more than ~43meters into the property from Maple Drive. This siting will make less of an impact on the agricultural potential of the parcel than if it was situated in the middle or near the back of the property. It appears that a significant portion of this expansion will nevertheless remove hay production taking place on the existing field.
- In addition, while the veterinary clinic will likely provide support for the regional
  agriculture sector, its rationale to remain on the subject parcel because of its
  established history, rather than non-ALR land, demonstrates that the work could be
  done elsewhere. It is unclear from the provided information the status and history
  of the clinic, and the Regional District may want to confirm with the ALC and the
  applicant to clarify this, if not done so already, as part of its decision-making
  process.
- Although it is not explicitly referenced in the referral, it appears that if the ALC provides non-farm use approval of the proposal, a rezoning and possible OCP designation amendment of the parcel will also likely be required. The Regional District may want to confirm this as well as part of the application process.
- Given the nature of the proposal, as a veterinary clinic, it appears the proposed expansion will potentially support the agricultural sector in the region, however, it will remove a portion of rare Class 1 and 2 agricultural lands, contributing to the sector in the surrounding area.

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

Sincerely,

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

Phone: (778) 974-3836

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

Email copy: ALC.Referrals@gov.bc.ca

Nicole Pressey, Regional Agrologist Ministry of Agriculture and Food

Phone: (236) 713-2223

Email: Nicole.Pressey@gov.bc.ca