



# BOARD REPORT

**TO:** Chair and Directors

**File No:** LC2565C  
PL2019067

**SUBJECT:** Electoral Area C: Agricultural Land Commission (ALC) Application  
Section 20(3) – Non-Farm Use in the Agricultural Land Reserve (ALR)  
LC2565C (Anderson, et al)

**DESCRIPTION:** Report from Candice Benner, Planner II, dated July 26, 2019.  
3864 Pakka Road, White Lake

**RECOMMENDATION #1:** THAT: Application No. LC2565C, Section 20(3) Non-farm use in the ALR for Lot 1 Section 14 Township 22 Range 10 W6M KDYD Plan 41124 Except Plan KAP74008 be forwarded to the Provincial Agricultural Land Commission recommending approval, this 15<sup>th</sup> day of August, 2019.

### SHORT SUMMARY:

The subject property is located at 3864 Pakka Road in White Lake in Electoral Area C. The property currently has a new dwelling being constructed that will accommodate two families, a mobile home, and an original single family dwelling that the owners intend to use as an accessory agricultural building for food preparation, processing, and storage hub for their proposed permaculture operation. The ALC enforcement staff contacted the owners and indicated that the proposal requires an ALC non-farm use application and directed the owners to make an application.

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<b>VOTING:</b>	Unweighted Corporate	<input checked="" type="checkbox"/>	LGA Part 14 (Unweighted)	<input type="checkbox"/>	Weighted Corporate	<input type="checkbox"/>	Stakeholder (Weighted)	<input type="checkbox"/>
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### BACKGROUND:

**OWNERS:**  
Glenn Anderson  
Lorna Anderson  
Jordan McIsaac  
Emily McIsaac  
Darren Anderson  
Elizabeth Blakeway

**ELECTORAL AREA:**  
'C' (White Lake)

**LEGAL DESCRIPTION:**  
Lot 1 Section 14 Township 22 Range 10 W6M KDYD Plan 41124 Except Plan KAP74008

**PID:**  
013-826-085

CIVIC ADDRESS:  
3864 Pakka Road

PARCEL SIZE:  
1.27 ha

OCP:  
AG -Agriculture

ZONING:  
Upland: N/A  
Lakes Zoning Bylaw No. 900: FG-2 Foreshore General 2

AGRICULTURAL LAND RESERVE:  
100%

SOIL CAPABILITY:  
According to the Canada Land Inventory mapping, the subject property has 40% Class 4 soils with topography and undesirable soils/low permeability as limiting factors, 40% Class 5 soils with moisture and topography as limiting factors, and 20% Class 6 soils with topography and bedrock as limiting factors. The soils may have slight improvements within the existing classes.

HISTORY:  
#1002 (1975) allowed 2 lot subdivision of 2.42 ha and remainder  
#2041 (1988) allowed 2 lot subdivision of 5.3 ha and 12.7 ha parcels  
LC2126 (1992) allowed 2 lot subdivision of 1.1 ha and 6.9 ha with fencing  
LC2279 (2002) refused 3 lot subdivision, allowed 2 lot subdivision  
LC2329 (2006) allowed 2 lot subdivision split by road  
LC2428 (2010) exclusion refused, 2 lot subdivision allowed

SURROUNDING LAND USE PATTERN:  
NORTH: White Lake  
EAST: White Lake  
SOUTH: residential, agriculture  
WEST: residential

SITE COMMENTS:  
A site visit was not done for this application. Information provided in this report is based on orthophoto interpretation and information and photos provided by the applicant. The subject property is waterfront on White Lake; it is mostly flat open field with areas of dense treed areas located near the lake. There are a few accessory buildings on the property in addition to the dwellings.

**POLICY:**

**Electoral Area 'C' Official Community Plan Bylaw No. 725**

See the following OCP Policies in the attached "BL725\_Excerpts\_LC2565C.pdf".

- Section 3. Growing Gradually and Wisely
- Section 3.10 Agriculture (AG)
- Section 12.3 Lakes 100 m Development Permit Area

A Lakes 100 m DP was issued in February 2018 for the subject property for the construction of a new single family dwelling, pole barn, manufactured home, and Type 2 septic system. A hydrogeological assessment was submitted which indicated that the proposed development would not negatively impact White Lake.

All proposed development is located outside of the 30 m Riparian Assessment Area and therefore does not require a Riparian Areas Regulation DP.

**FINANCIAL:**

There are no financial implications to the CSRD as a result of this application.

**KEY ISSUES/CONCEPTS:**

The owners are currently constructing a new dwelling that can accommodate two families and are living in the original dwelling during construction. They also placed a mobile home in 2018 on the property that the family lives in.

CSRD staff were aware of the existing and proposed structures and uses for the subject property at the time of issuance of the Lakes 100 m DP. When the owners applied for the DP, they indicated they would decommission the original dwelling once the new dwelling was complete; the DP was issued based on the dwelling being decommissioned. During the DP process, CSRD staff directed the owners to contact the ALC to confirm their current and proposed uses would be permitted; they subsequently provided email correspondence from ALC staff confirming that so long as the proposed uses comply with ALC regulations then no application would be required.

Since the DP was issued, staff understand that the owners have reconsidered decommissioning the original dwelling as they would like to use it as an accessory agricultural building for their proposed permaculture operation. ALC enforcement staff informed the owners that they were required to submit a non-farm use application for the original dwelling because it may be considered to be a third dwelling on the property.

In the ALC application, the agent indicated that the owners' intention is to convert the original dwelling into a "site hub" (accessory agricultural building) for their proposed permaculture operation once they can move into the new dwelling; they would use the accessory agricultural building for processing and storing food grown onsite. They want to retain the kitchen in the building for a dedicated, sanitary site used for large batch food preparation: canning, freezing, blanching, and dehydrating. Keeping the bathroom in the building also allows for a dedicated sanitary station for safe food handling practices during food processing.

If the ALC approves the non-farm use application to convert the original single family dwelling into an accessory agricultural building, then the proposed use would be permitted. If the ALC denies the application, then the original dwelling will likely have to be decommissioned per the ALC regulation which includes removing the kitchen, i.e. permanent removal of the cooking facilities, including removing the stove and hood fan, the appliance receptacle and the wiring for electric appliances or

pipng for gas appliances. In either case, the proposed use would continue to comply with the CSRD Lakes 100 m DP that was issued.

The subject property is currently in an area without zoning regulation; the property is designated AG – Agriculture in the area OCP which supports agricultural operations including the use of buildings and structures associated with agricultural operations.

**SUMMARY:**

Development Services staff is recommending approval of application LC2565C for Non-Farm Use in the ALR for the following reasons:

- The proposed agricultural use of the accessory building complies with AG – Agriculture designation;
- The proposed use for the accessory agricultural building would not contravene the Lakes 100 m Development Permit issued; and,
- The ALC has the ability to apply conditions as part of its review/approval on the proposed use of the accessory building.

**IMPLEMENTATION:**

If the ALC approves this application, the property owners will be able to use the original dwelling as an accessory building for food processing and storage.

**COMMUNICATIONS:**

The recommendation of the Board will be forwarded to the ALC for consideration during its review of this application.

Electoral Area C Advisory Planning Commission were in favor of this application.

**DESIRED OUTCOMES:**

That the Board endorse the staff recommendation.

**BOARD'S OPTIONS:**

1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. South Shuswap Zoning Bylaw No. 701
2. Electoral Area C Official Community Plan Bylaw No. 725

**Report Approval Details**

Document Title:	2019-06-20_Board_DS_LC2565C_Anderson-et-al.docx
Attachments:	- BL725_Excerpts_LC2565C.pdf - Maps_Plans_Photos_LC2565C.pdf - APC_minutes_2019-07-22_LC2565C.pdf
Final Approval Date:	Jul 31, 2019

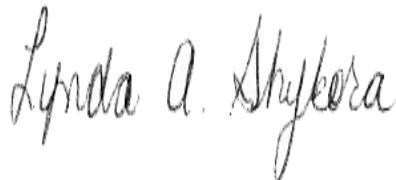
This report and all of its attachments were approved and signed as outlined below:

**No Signature - Task assigned to Corey Paiement was completed by workflow administrator IT Portal Admin**

**Corey Paiement - Jul 30, 2019 - 1:06 PM**



**Gerald Christie - Jul 30, 2019 - 4:04 PM**



**Lynda Shykora - Jul 31, 2019 - 11:06 AM**

**No Signature - Task assigned to Charles Hamilton was completed by assistant Lynda Shykora**

**Charles Hamilton - Jul 31, 2019 - 11:08 AM**