



REGIONAL DISTRICT of Fraser-Fort George

Main Office: 155 George Street, Prince George, BC V2L 1P8
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Toll Free: 1-800-667-1959 / www.rdffg.ca

REPORT FOR CONSIDERATION

TO: Chair and Directors

File No.: ALR 2212/25077/26

FROM: Heather Meier RPP MCIP, Planning Leader

DATE: August 29, 2024

SUBJECT: Application for Non-Adhering Residential Use in the ALR - 101503

SUMMARY: Purpose: Consider Application

Location: 11770 Kingsway Road – Electoral Area A

Applicant: Robbin Simmons and Gisele Gamache

Attachments:

1. Backgrounder

2. ALC Application 101503

Previous Reports: None

RECOMMENDATION(S):

1. THAT the report dated August 29, 2024 regarding “Application for Non-Adhering Residential Use in the ALR – 101503” be received for information.
2. THAT Application 101503 for Non-Adhering Residential Use in the Agricultural Land Reserve on Lot 26 District Lot 2112 Cariboo District Plan 25077 be authorized to proceed to the Agricultural Land Commission.

ENTITLEMENT	HOW VOTE COUNTED
All 1 Director/1 vote	Majority
All 1 Director/1 vote	Majority

SUMMARY OF APPLICATION:

Location:	11770 Kingsway Road – Electoral Area A
Legal Description and PID:	Lot 26 District Lot 2112 Cariboo District Plan 25077 – 2.02 ha. (5 ac.) PID 007990421
Applicant:	Robbin Simmons and Gisele Gamache
Existing Uses:	A Residential-Single Family dwelling is under construction. The remainder of the property is mostly cleared with some treed areas.
Application Type:	Non-Adhering Residential Use (NARU) in the Agricultural Land Reserve (ALR)
Proposal:	The NARU application has been made to permit a primary residence with a floor area greater than 500m ² . The applicant wishes to modify the design of the residence under construction by converting the basement to a ground level storey to resolve drainage issues. The proposed new total floor area is 805m ² . The ALC application is attached to the report.

BOARD CONSIDERATION:

The Board is being asked to consider authorizing the application to proceed to the ALC

RELEVANT POLICIES:

Official Community Plan:	The residential use is consistent with Salmon River-Lakes Official Community Plan Bylaw No. 1587, 1996.
Zoning Bylaw:	The residential use is consistent with Zoning Bylaw No. 2892, 2014.
Agricultural Land Reserve Applications Policy No. RD-15-19:	Provides the framework for processing ALR applications. A notice requesting written submission was mailed to property owners within 200 metres of the subject lands and was posted to the Regional District website.
<i>Agricultural Land Commission Act</i> :	Sets the legislative framework for the establishment and administration of the Agricultural Land Commission and reserve.
Agricultural Land Reserve General Regulation and Agricultural Land Reserve Use Regulation:	Subsidiary legislation that details permitted uses and application processes within the ALR.

STRATEGIC ALIGNMENT:

- ☐ Climate Action
 ☐ Economic Health
 ☐ Indigenous Relations
 ☒ Strong Communities

☐ None – Statutory or Routine Business

SERVICE RELEVANCE:

Regional District Land Use Planning Services is a region wide service and fulfils the obligations of land use planning under Part 14 of the *Local Government Act*.

FINANCIAL CONSIDERATION(S):

N/A

OTHER CONSIDERATION(S):

Pursuant to the Regional District's Policy RD-15-19, an Agricultural Land Reserve application requires a written submission process to take place before the application is provided to the Board for consideration. Notice requesting written submissions was mailed to neighbouring property owners and posted to the Regional District's website. The deadline for submissions is 12:00 p.m. on September 9, 2024. Any submissions received will be forwarded to the Board as additional agenda items.

DECISION OPTIONS:

- Approve recommendations
 - the application will proceed to the ALC for a decision.

Other Options:

DIRECTION	ACTIONS THAT WILL BE TAKEN	MOTIONS REQUIRED
A. Authorize the application to proceed to the ALC with comments.	An additional resolution may be made to recommend that the Regional District supports approval of the application, and the resolution may include a rationale for the support.	THAT the Regional District Board supports approval of Application 101503 for Non-Adhering Residential Use in the Agricultural Land Reserve due to the reasons [insert reason].

B. Postpone consideration pending receipt of further information.	The application will return for Board consideration when the information is available.	THAT consideration of Application 101503 for Non-Adhering Residential Use in the Agricultural Land Reserve be postponed pending receipt of [insert requirement].
C. Deny authorization for the application to proceed to the ALC.	The application will not be forwarded to the ALC.	<p>The Regional District Board <u>defeats</u> the following:</p> <p>THAT Application 101503 for Non-Adhering Residential Use in the Agricultural Land Reserve on Lot 26 District Lot 2112 Cariboo District Plan 25077 be authorized to proceed to the Agricultural Land Commission.</p>

SUMMARY COMMENTS:

- A primary residence in the ALR is limited to a maximum total floor area of 500m². This total floor area, as calculated by the ALC, includes all floors, except a basement is exempt if it is at least 50% below the average finished grade.
- A building permit has been issued for the primary residence under construction on the property. The building permit is issued for a split-level home with one storey above a basement. The total floor area of this residence is less than 500m² because the basement level is more than 50% below grade.
- As detailed in the attached ALC application, the applicant is seeking approval to construct a two-storey home by raising the current basement to be level with the surrounding grade. This application for Non-Adhering Residential Use is required because the basement will no longer be exempt from the total floor area, bringing the total to 805m².
- There are no Regional District land use regulations that prohibit the proposal. The property is zoned to allow one primary residence and a secondary suite. The zoning bylaw does not set a maximum floor area for a residence.
- In addition to the notice requesting public comment, the application has been referred to external agencies with a deadline of September 9, 2024. Any referral or public comments received after the date of this report will be forwarded for Board consideration as additional agenda items.
- It may be reasonable for the Board to consider forwarding the application to the Agricultural Land Commission as the residence is permitted by the Regional District zoning bylaw and the building footprint will not increase. Should the Commission approve the application, the applicant may amend their building permit application and continue construction. An additional resolution may be considered to add the Regional District's rationale of support to the proposal.

Respectfully submitted,

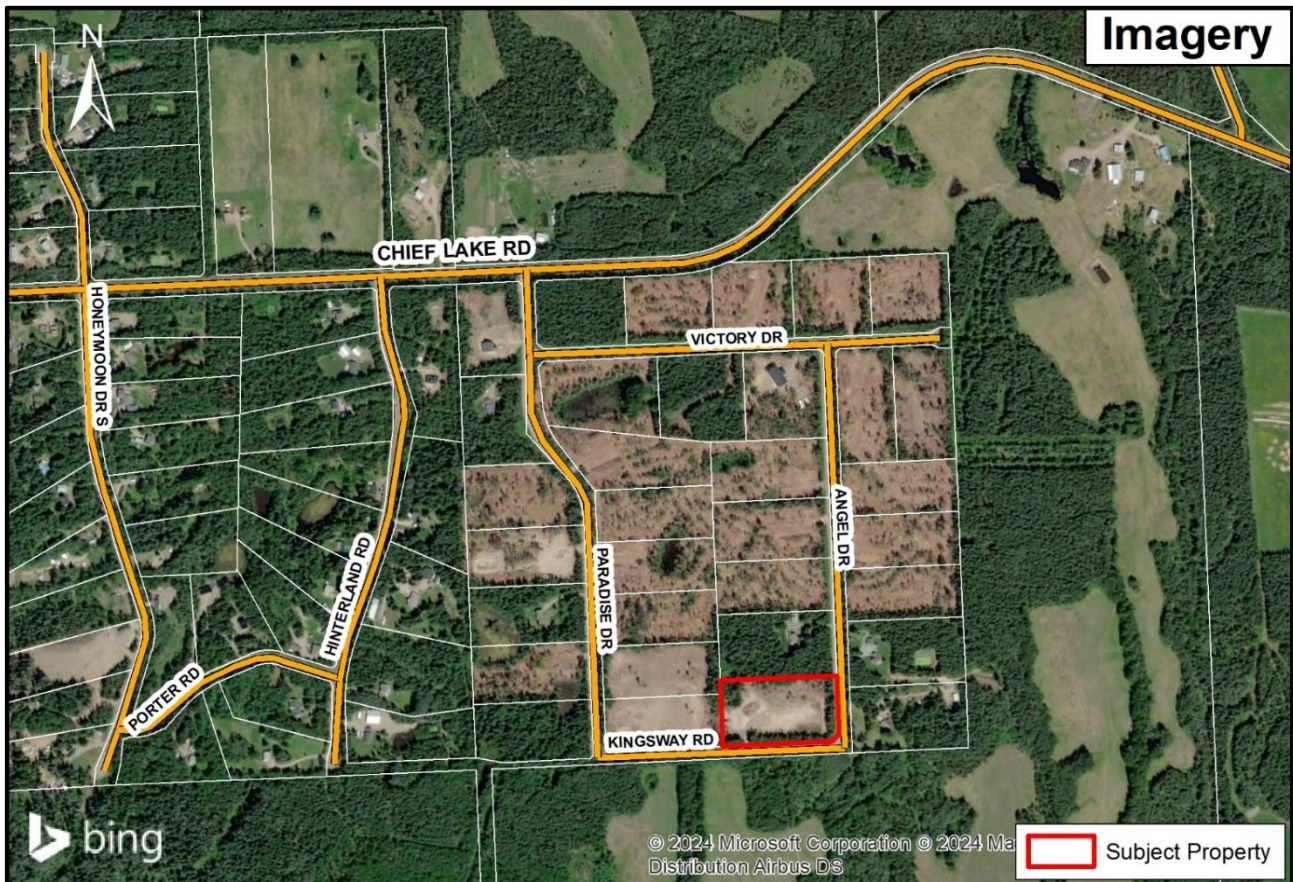
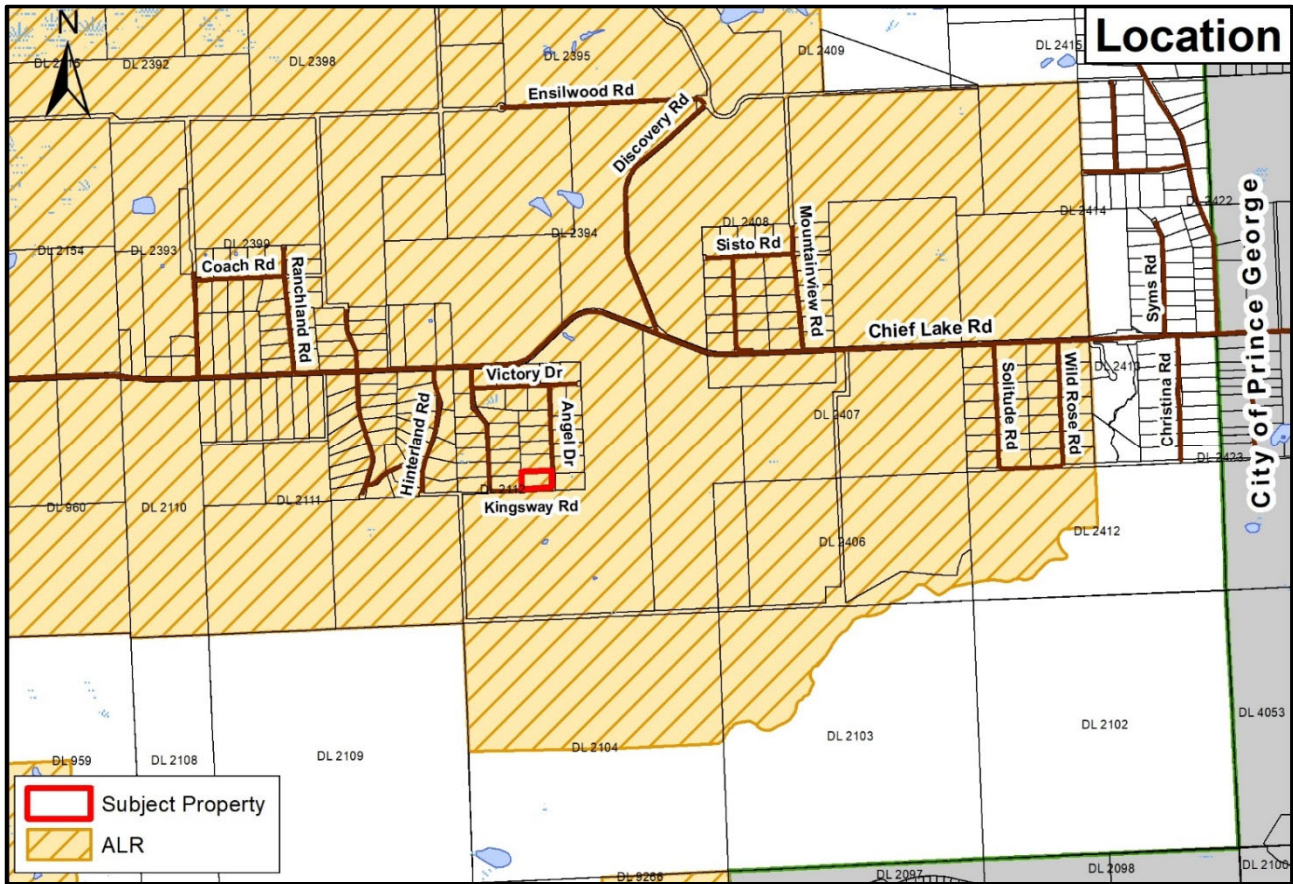
Heather Meier

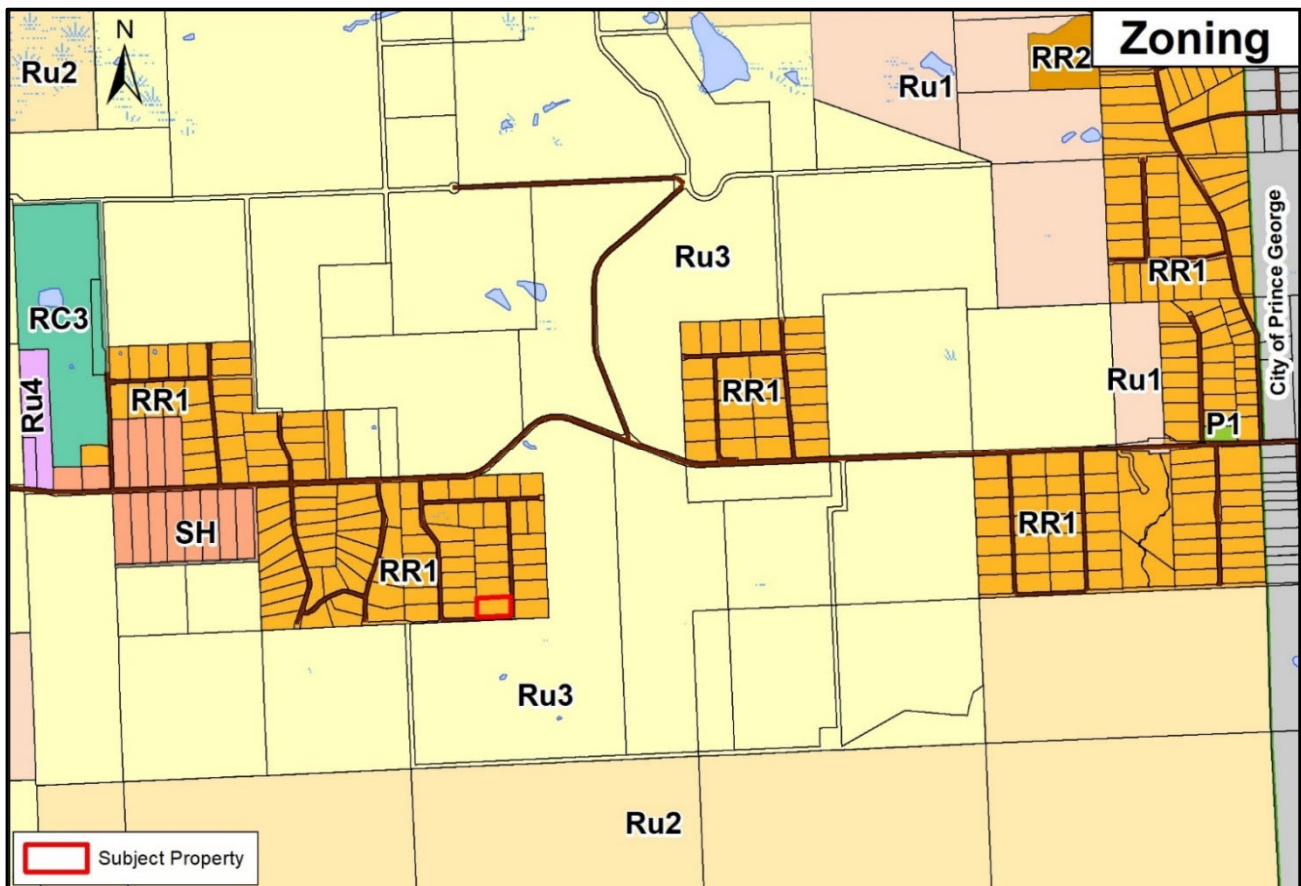
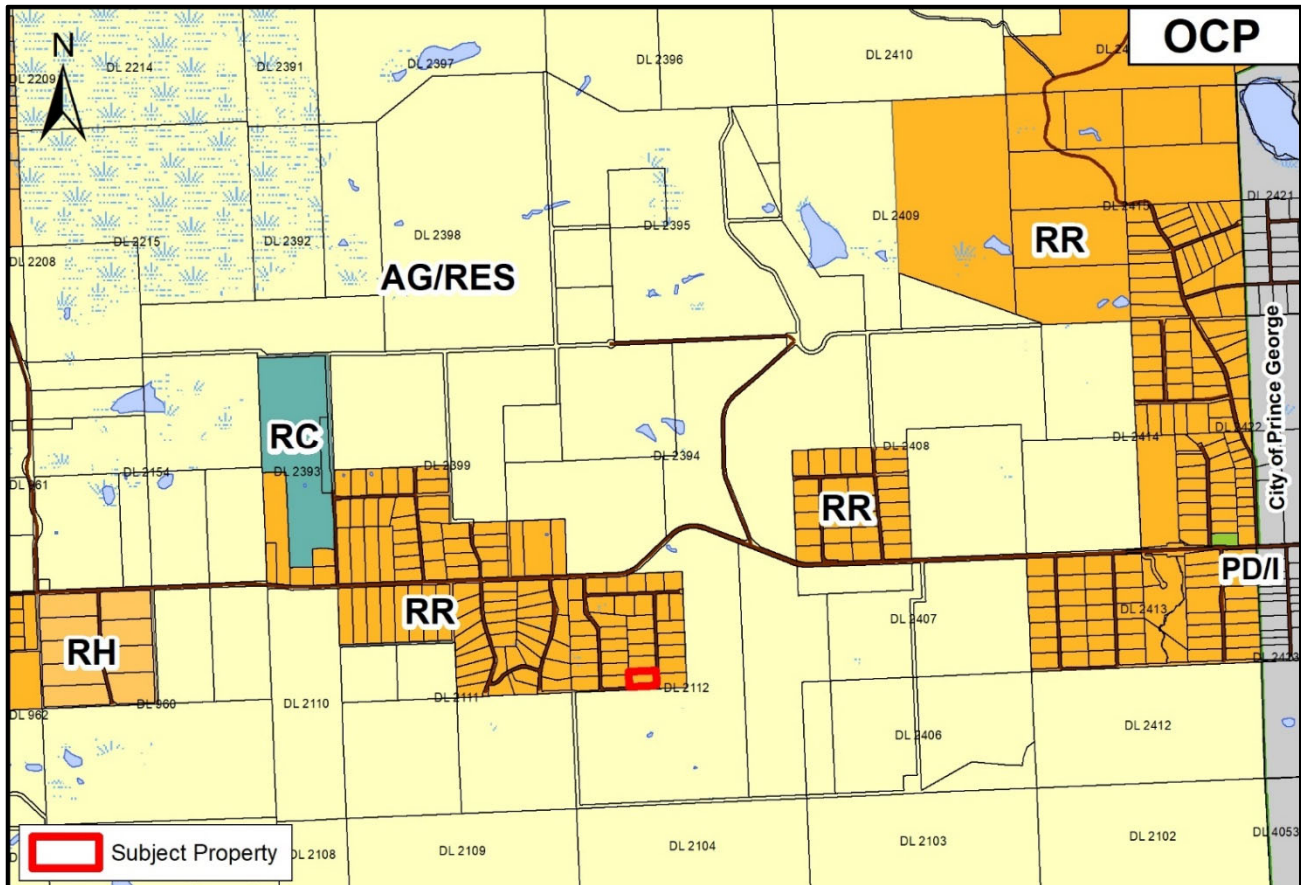
Heather Meier RPP MCIP
Planning Leader

HM:

BACKGROUNDER – APPLICATION FOR NON-ADHERING RESIDENTIAL USE IN THE ALR 101503

PARCEL MAPS





LAND USE PLANNING INFORMATION

ALR: The subject property is entirely within the Agricultural Land Reserve (ALR). This application is required because the area of the basement will no longer be exempt from the total floor area calculation if it is brought more than 50% above grade.

Pursuant to the *Agricultural Land Commission Act*, a Non-Adhering Residential Use means:

- (a) an additional residence;
- (b) a principal residence having a total floor area that is more than 500 m²;
- (c) a use of a residential structure that contravenes the regulations;

“total floor area of a principal residence” means, for purposes of the ALCA and ALR Use Regulation and pursuant to Commission Resolution No. 056N/2019, the total area of all floors measured to the outer surface of the exterior walls, including corridors, hallways, landings, foyers, staircases, stairwells, enclosed balconies, enclosed porches or verandas, and excluding:

- (a) attached garages and unenclosed carports to a cumulative maximum of 42 m²;
- (b) **basements and crawl spaces** (Commission Resolution No. 094N/2022); and
- (c) attics, with attic meaning the unfinished space between the roof and the ceiling of the top storey of a building or between a partial wall and a sloping roof. This exception only applies if this unfinished space is created by the use of roof trusses. The unfinished attic space created by the use of attic trusses or rafters in the construction of a residence is not excluded from the calculation of total floor area (Commission Resolution No. 095N/2022).

“basement” pursuant to Commission Resolution No. 056N/2019 means a single storey (Commission Resolution No. 112N/2024) below the first floor with a vertical height of more than 1.8 metres and having more than one-half its vertical height below the average finished grade at the perimeter of a building, (Commission Resolution No. 094N/2022) that does not extend beyond the outer surface of the exterior wall of the first floor.

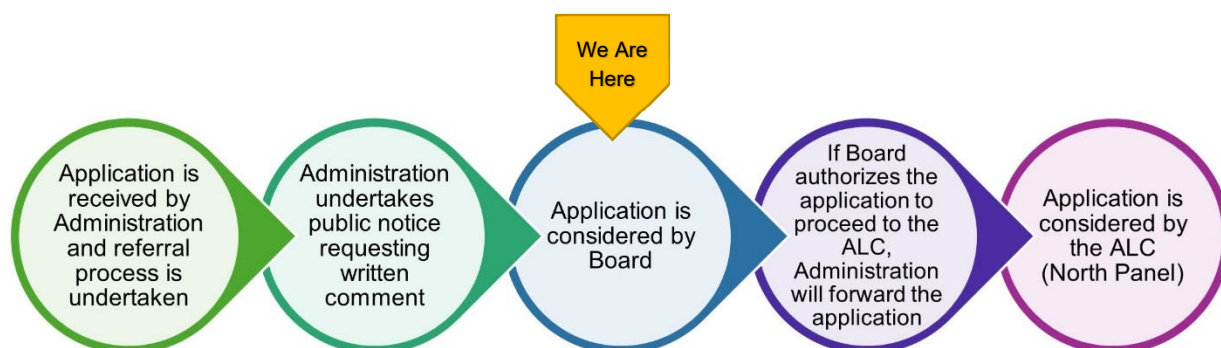
OCP: The subject property is designated Rural Residential (RR) by the Salmon River-Lake Official Community Plan Bylaw No. 1587, 1996. Residential uses are supported within this designation of the OCP. **An OCP amendment is not required.**

Zoning: The subject property is zoned Rural Residential 1 (RR1) by Zoning Bylaw No. 2892, 2014. The zone permits one Residential-Single Family dwelling and one Secondary Suite. Agriculture is also a permitted use in this zone. The zone does not set a maximum residence size and states that they must conform with the BC Building Code for the minimum floor area of a dwelling unit. **A zoning bylaw amendment is not required.**

Other: The subject area is in the following RDFFG service areas:

- Pilot Mountain Fire Hall

APPLICATION PROCESS INFORMATION



Application Process Overview	When considering the application, the Regional District Board can choose to either: a) prevent the application from proceeding to the ALC for a decision; or b) approve the application to proceed to the ALC for a decision (with or without comments).
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If the Board approves the application to proceed it will be forwarded to the ALC for a decision pursuant to the purposes of the Commission as set out in the *Agricultural Land Commission Act*:

6 (1) *The following are the purposes of the commission:*

- a. *to preserve agricultural land reserve;*
- b. *to encourage farming on agricultural land reserve in collaboration with other communities of interest;*
- c. *to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of 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 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.*

Future RDFFG Applications: If the application is approved by the ALC, no additional land use applications will be required. The applicant may continue with the building permit process for construction of the residence.

REFERRAL COMMENTS

RDFFG Building Inspection:

No concerns.

Dana Ferguson

Senior Building Inspector

Ministry of Transportation and Infrastructure:

Thank you for the opportunity to comment. MOTI has no concerns with this proposal.

Sol Chavez

Senior Development Officer

BC Hydro:

Thank you for your email. BC Hydro has no objection in principle to the proposed non-adhering residential use in the ALR for basement renovation/restoration development application 11770 Kingsway Road., Prince George. BC Hydro and TELUS will require a blanket for overhead SRW for existing deficiencies and Works.

BC Hydro wishes to ensure that building permits do not get issued that allow for encroachment of buildings into the safety clearance zones required around existing bare utility conductors.

The following comments are for the property owner's information:

1. It is the responsibility of the Architect and Electrical Engineer of Record (EEOR) to ensure compliance with the Canadian Electrical Code (CEC), Canadian Safety Association (CSA) and WorkSafe BC (WSBC). The CEC, CSA and WSBC stipulate minimum clearances of powerlines and equipment from buildings for safety and safe working clearances (Limits of Approach).
2. If the Developer or Property Owner wishes to relocate the existing powerline or equipment BC Hydro will work with the Developer or Property Owner to find a solution mutually satisfactory to all parties involved.
3. For potential utility conflicts and/or new construction power connections please contact the BC Hydro Electric Service Coordination Centre at 1-877-520-1355 and/or email expressconnect@bchydro.com The SRW request has been submitted to BC Hydro Distribution Acquisition Services (DAS) and a property coordinator will be in touch in due course. Kindly note DAS documentation lead time is 8-10 weeks.

Any questions or concerns, kindly let our office know.

Krysta Bender

Property Coordinator, Property Rights Services, Properties



Provincial Agricultural Land Commission - Applicant Submission

Application ID: 101503
Application Type: Non-Adhering Residential Use within the ALR
Status: Under Review by L/FNG
Applicant: Gamache et al.
Local/First Nation Government: Fraser Fort George Regional District

1. Parcel(s) Under Application

Parcel #1

Parcel Type Fee Simple
Legal Description LOT 26 DISTRICT LOT 2112 CARIBOO DISTRICT PLAN 25077
Approx. Map Area 2.02 ha
PID 007-990-421
Purchase Date Jun 10, 2022
Farm Classification No
Civic Address 11779 Kingsway road
Certificate Of Title STC.pdf

Land Owner(s)	Organization	Phone	Email	Corporate Summary
Gisele Gamache	Not Applicable			Not Applicable
Robbin Simmons	Not Applicable			Not Applicable

2. Other Owned Parcels

Do any of the land owners added previously own or lease other parcels that might inform this application process? No

3. Primary Contact

Type Land Owner
First Name Robbin
Last Name Simmons
Organization (If Applicable) No Data
Phone [REDACTED]
Email [REDACTED]

4. Government

Local or First Nation Government: Fraser Fort George Regional District

5. Land Use

Land Use of Parcel(s) under Application

Describe all agriculture that currently takes place on the parcel(s). No agricultural use at this time

Describe all agricultural improvements made to the parcel(s). 4 of 5 acres trees cleared
No agricultural improvement

Describe all other uses that currently take place on the parcel(s). -Residential
-557.4 m² house and attached garage footprint

Land Use of Adjacent Parcels

	Main Land Use Type	Specific Activity
North	Residential	Back yard
East	Residential	Side yard
South	Residential	Front yard
West	Residential	Parking and driveway

6. Proposal

Selected Subtype: Principal Residence More Than 500m²

What is the purpose of the proposal?

The purpose of this proposal is to ask for 335m² over the 500m² allowed . I need an additional 335m² added to the 470m² by putting the first floor on grade without changing footprint of foundation instead of 50% in ground In order to get my permit i had to put my first floor (m²) 50% below grade to be recognized as a basement and to not have the square footage counted as living space . This puts me at 470m² below the allowable square footage of 500m².

In 2022 and 2023 there was no sign of any water problems on the property after clearing the 5 acres . I put my foundation in fall of 2023 and there was no ground water present . In the spring of 2024 my foundation was full of water as well as the south east corner of my property was full of water. I pumped the water from foundation 9 days in a row without any rain and the water returned every night . The water has went down some its about 1 foot above my footing of the foundation. This will cause me problems if i build it with the basement. It will be very expensive in electricity to constantly have a sump pump running to hold water back from flooding basement and if there is power failures the thousands of dollars in water damages . The attached garage section of the home is on grade and the foundation of that section was backfilled and there wasn't any sign of water which proves to me if i put the house section on grade and have it backfilled it will control the water problems.

So i asked my self what changed from when i bought and cleared the land to the present day . The seller of the lots has cleared the trees from the entire neighborhood leaving no trees to absorb the water. I believe being

the lowest lot in the corner in the whole neighborhood the ground water levels has risen to the point where I am going to have these problems from now on .
Under these extenuating circumstances i wish to have my proposal considered so i can continue building my home without any problems

What is the total floor area (m²) of the proposed principal residence?	805
Describe how the proposal for a principal residence more than 500m² will support agriculture in the short or long term.	No agricultural at this time
Describe the rationale for the proposed location of the principal residence.	Center of property
Provide the total area (m²) and a description of infrastructure necessary to support the principal residence.	I need an additional 335m² added to the 470m² by putting the first floor on grade without changing footprint of foundation instead of 50% in ground
Describe the total floor area (m²), type, number, and occupancy of all residential structures currently located on the property.	Residential home for me ,my wife and daughter and an inlaw suite for my [REDACTED] father
Proposal Map / Site Plan	Screenshot_20240704_161125_Word.jpg
Do you need to import any fill to construct or conduct the proposed non-adhering residential use?	No

7. Optional Documents

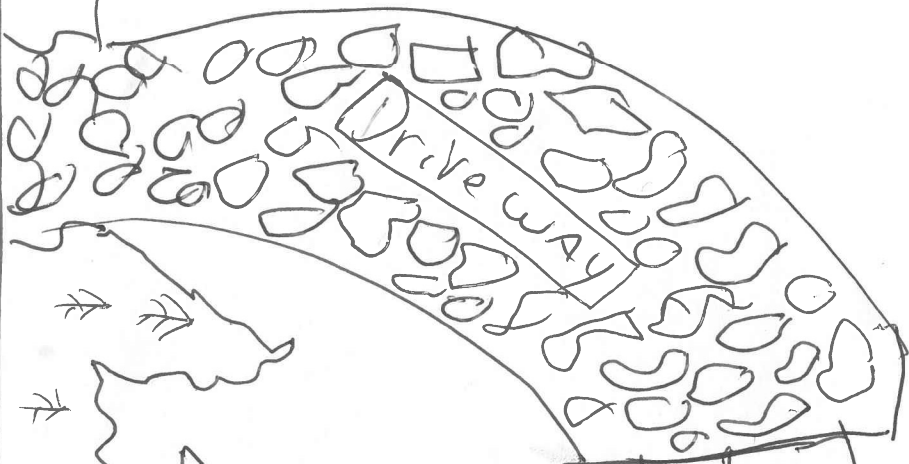
Type	Description	File Name
Photo of the Application Site	Neighborhood clear cutting	Screenshot_20240711_123405_Google Earth.jpg
Photo of the Application Site	Fully treed neighborhood	Screenshot_20240711_124218_Google Earth.jpg

e Earth.jpg

Site Plan

Kingsway Rd

Angel dr



Temp

Buried Power Line

Buried Water line from well

Power Pole

Septic line

Tank

Tank

60'

108'

SEPTIC Field

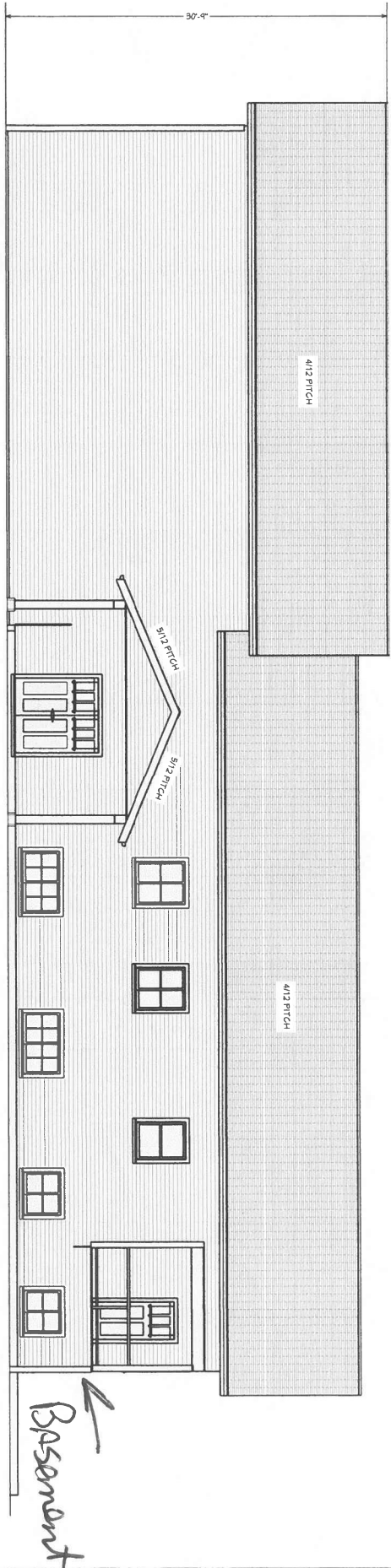
150' → 1

Driveway

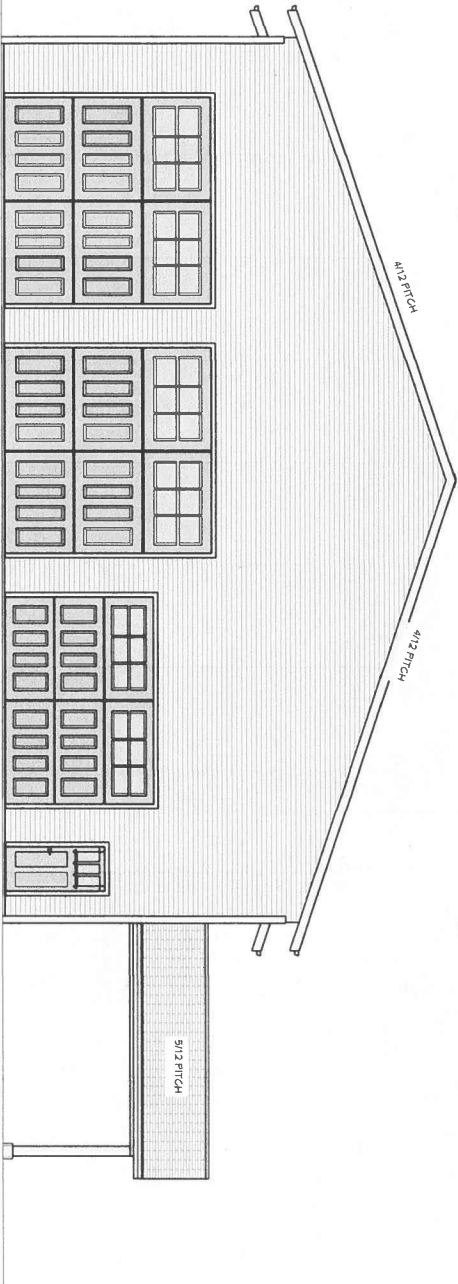
GARAGE

House

Permitted Split Level Build



FRONT ELEVATION



LEFT ELEVATION

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:
ELEVATIONS

PROJECT DESCRIPTION:
SIMMONS RESIDENCE
11770 KINGSWAY ROAD

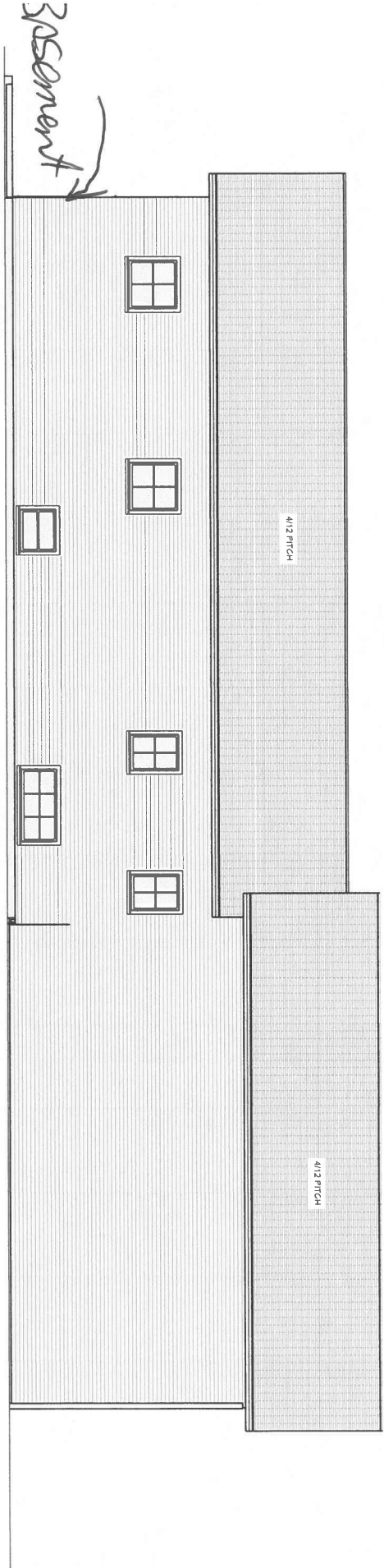
DRAWINGS PROVIDED BY:

DATE:
JAN 2023
SCALE:
1/4"=1'

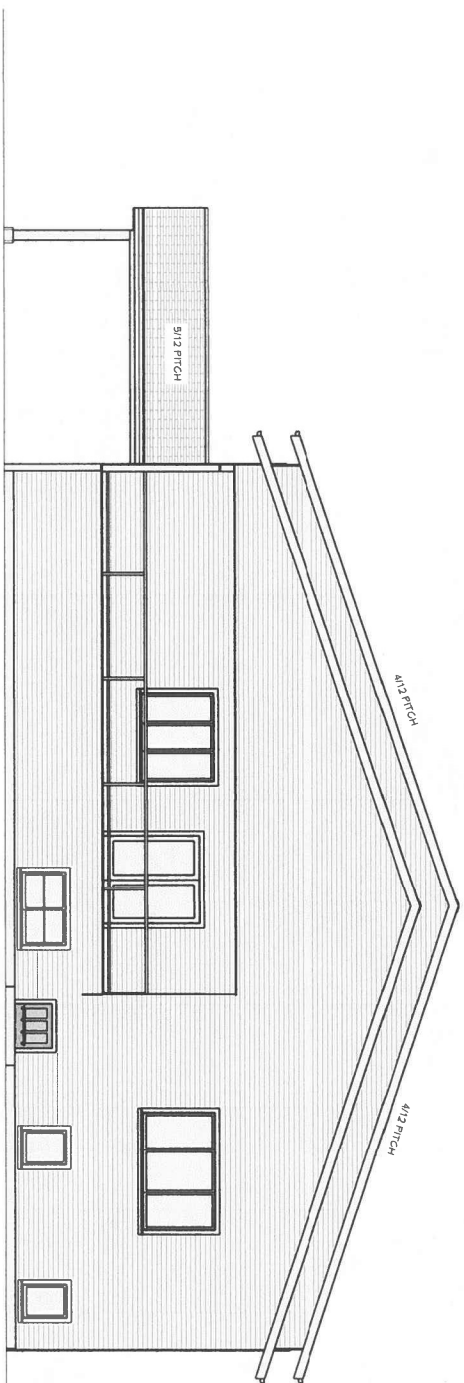
SHEET:

A-1

permitted Split Level Build



BACK ELEVATION



RIGHT ELEVATION

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:
ELEVATIONS

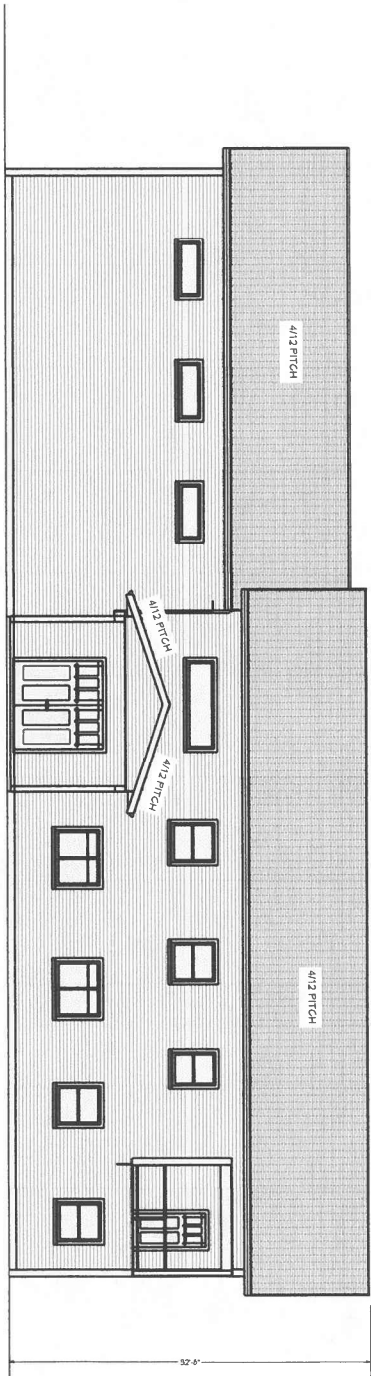
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SIMMONS RESIDENCE
11770 KINGSWAY ROAD

DRAWINGS PROVIDED BY:

DATE:
JAN 2023
SCALE:
1/4"=1'
SHEET:

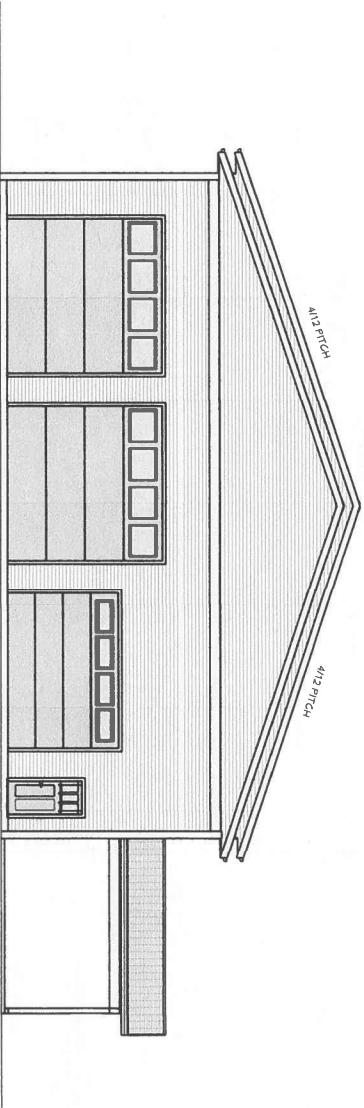
A-2

Proposed on grade build



No Basement

FRONT ELEVATION

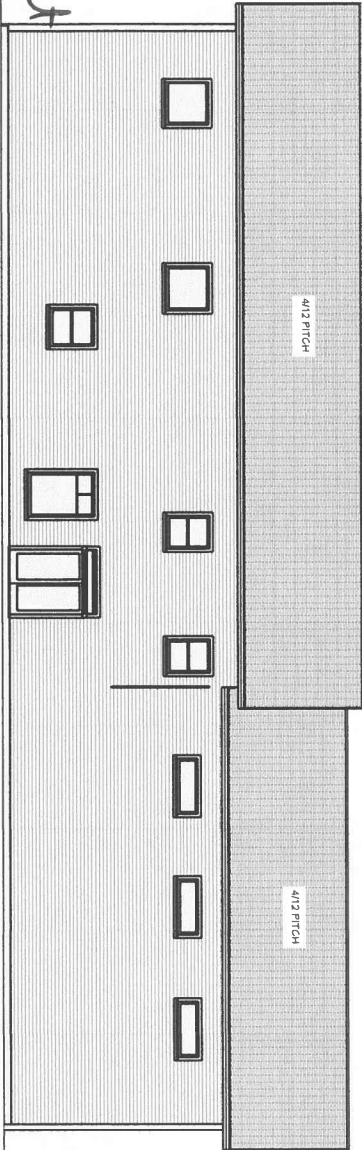


LEFT ELEVATION

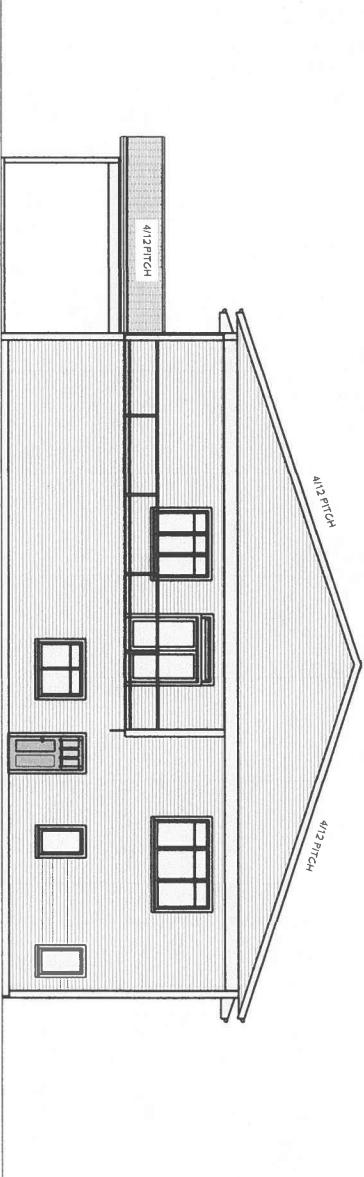
SHEET:	DATE:	DRAWINGS PROVIDED BY:	PROJECT DESCRIPTION: SIMMONS RESIDENCE 11770 KINGSWAY ROAD	SHEET TITLE: ELEVATIONS	NO.	DESCRIPTION	BY	DATE
A-2	DEC 2023							
	SCALE:							
	3/16"=1'							

Proposed on grade Build

No Basement



BACK ELEVATION



RIGHT ELEVATION

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NO.	DESCRIPTION	BY	DATE

SHEET TITLE:
ELEVATIONS

PROJECT DESCRIPTION:
SIMMONS RESIDENCE.
11770 KINGSWAY ROAD

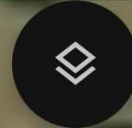
DRAWINGS PROVIDED BY:

DATE:
DEC 2023

SCALE:
3/16"=1'

SHEET:

A-3



2022



fully treed lots

my property



500 m

2022

3D



2024

cleared properties

my property

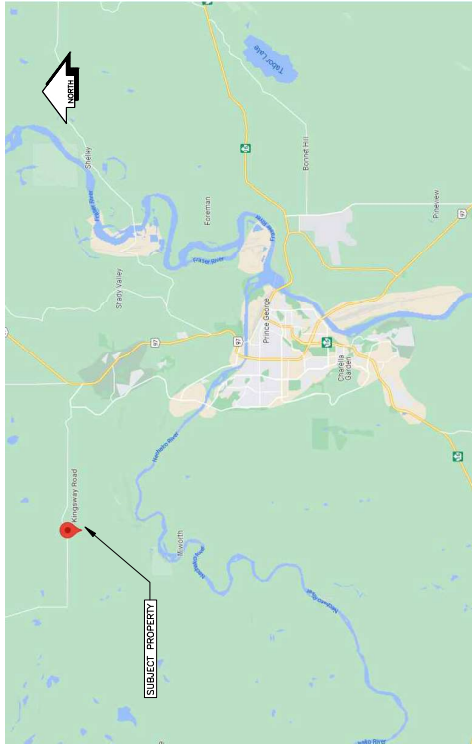


ROBIN SIMMONDS

LOT 26 DL 2112 CARIBOO DISTRICT PLAN 25077

LOT 26 KINGSWAY ROAD, PRINCE GEORGE, BC


ONSITE SEWAGE SITE ASSESSMENT & DESIGN



LOCATION MAP

DRAWING INDEX

Dwg No.	Rev.	Description
001	0	OVERALL SITE PLAN
002	0	DISCHARGE FIELD DETAILS
003	0	SEPTIC & PUMP TANK DETAILS
004	0	SANDMOUND DETAILS



1210 FOURTH AVENUE
PRINCE GEORGE, BC
V2R 3J4
TEL: (250) 962-1877
FAX: (250) 962-1877

ENGINEERING LIMITED

ENGINEERING LIMITED

PROJECT No.: 6443-01

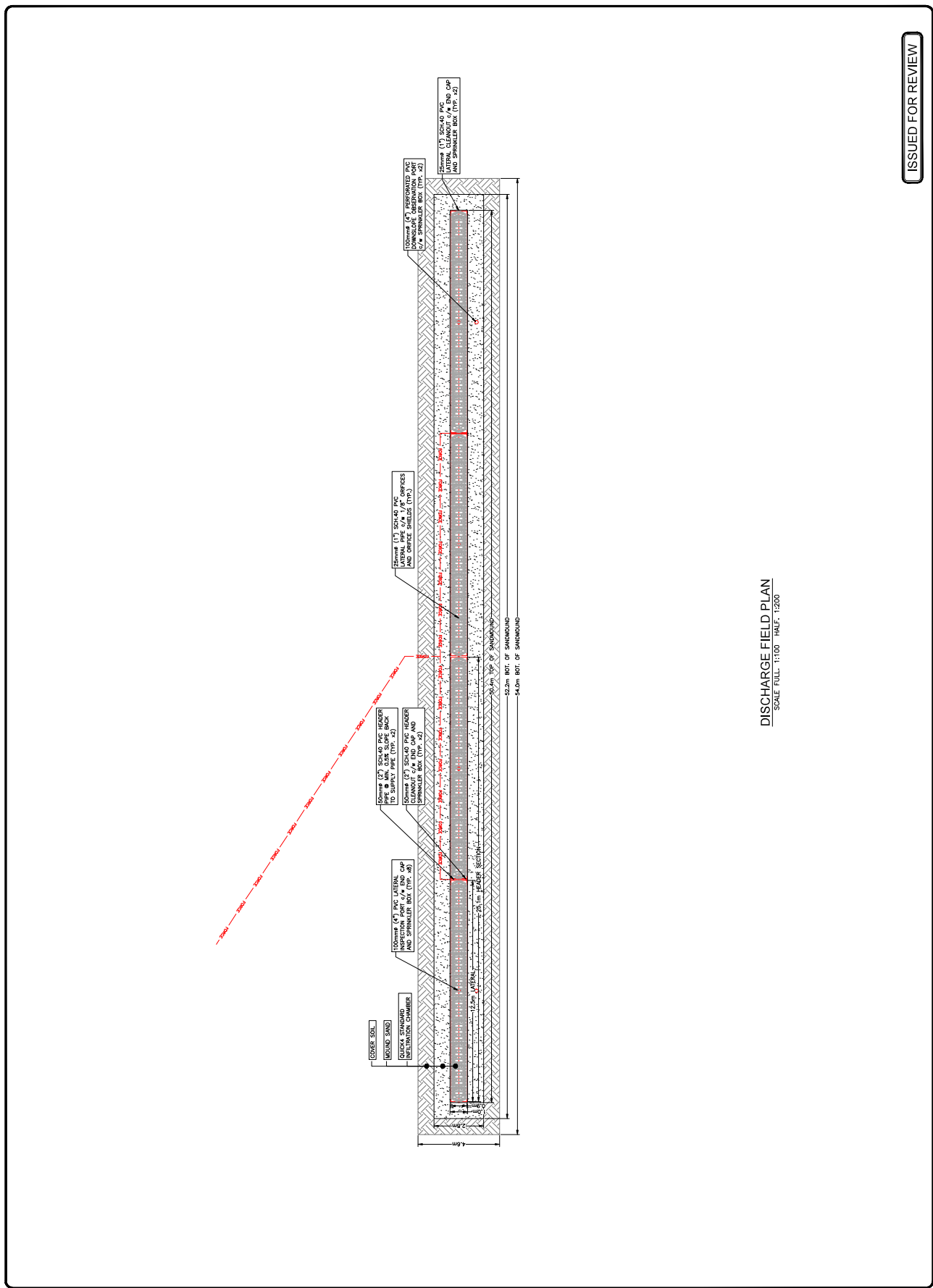
DATE: JUNE 2022

PROJECT MANAGER: JSS

DESIGNER: JSS

DRAFTSPERSON(S): AL

ISSUED FOR REVIEW



ISSUED FOR REVIEW

DRAWING No.

002

DISCHARGE FIELD PLAN
SCALE FULL: 1:100 HALF: 1:200

SCALE FULL: 1:100 HALF: 1:200

NOT FOR CONSTRUCTION



COMIC III TANTO DRA LEAT N.º 1 6443-01

CONSULTANT'S PROJECT NO.:	
DRAWN: AL	
CHECKED: JSS	
ENGINEER: JSS	
DATE: 24/06/2022	
SCALES: 1:100	
SCALES:	

ROBIN SIMMONDS
LOT 26 KINGSWAY ROAD
PRINCE GEORGE, BC
ONSITE SEWERAGE SYSTEM
DISCHARGE FIELD PLAN



003



September 5th 2024

I've recently read the decision on Mr. Joel Rushton's NARU application and see that he has been denied. I would like to say that my situation is different than his I've obtained a permit and I have poured my foundation 100' by 60' and all the ground conditions were ideal and dry. My full intention was to build it as per the drawings that were submitted to obtain the permit. I was to build it 50% in the ground to have a split level residence, but I am having water problems to the extent that I cannot start my build. I have all my lumber and roof Trusses sitting on the property ready to build since the end of April but cannot get the water settled below my footing. I cannot dig below footing to put plumbing in and my septic will be too deep and will be compromised by the water levels I'm experiencing I will also need sub pumps running 24/7 during spring to keep the water out of my basement which is my main floor. The cost will be too much to maintain the water and will not be energy efficient. By putting it on grade the plumbing and septic will be above the water level.

They recently clear cut the rest of the neighborhood and it has compromised the water saturation of the area and I now have water everywhere on my property where there was none before, they cut all the trees down. I have the lowest property on the block. I had no way of knowing. This is a unique and extenuating circumstance and I am asking for permission to increase the square footage not the footprint of my residence. I already have the permit to justify the footprint I am only asking to put the 1st floor on grade without increasing the footprint.

I am actually going to consider doing some farming in the future, but this situation is not about farming at this point it's about me being able to continue my build without water issues.

I have worked with the regional district and complied throughout the process of obtaining the permit. The permit was also to be approved by the ALC. I am only asking for additional square footage. I am afraid I will have to abandon my build if this application is denied. I have so much time and money invested, and I have nothing accomplished but a flooded foundation and property. It must be built on grade to work, no question or I would have had a roof on it by now.

There is nothing else I can do but ask for the mercy of whoever makes the final decision to please consider my proposal.

In section 3.0 in the ALC policy it says the Commission has discretion to permit larger principle residence even if it's not necessary for farm use. The Commission may also consider unique and extension rating circumstances that do not negatively impact the

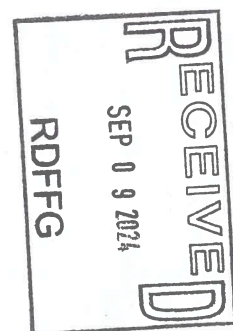
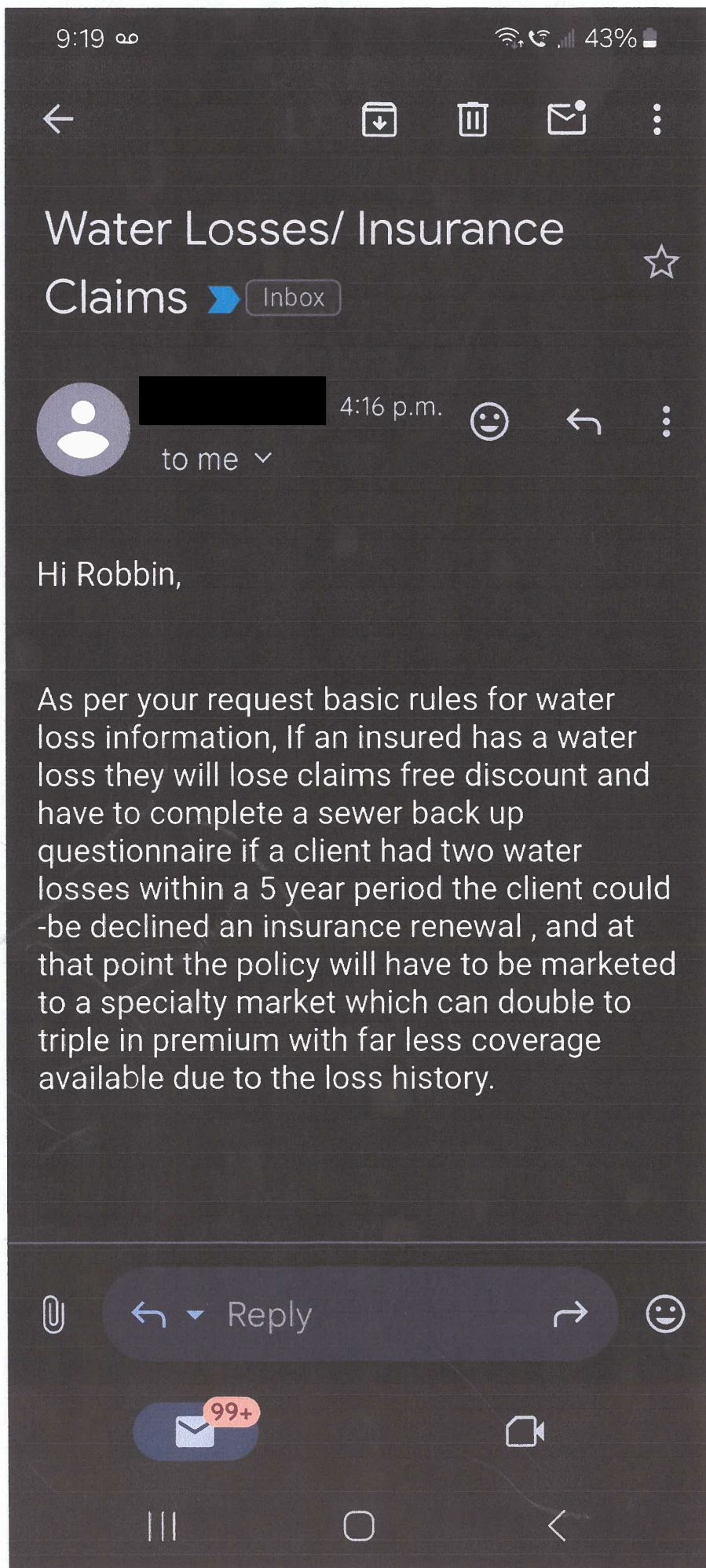
agriculture use of the property. Again, I am not asking for increase in footprint only square footage inside the residence.

I know I am all over the place and repeating myself a lot in this letter, but this is my only chance to plea for a positive outcome. Please consider my proposal. By obtaining my permit first I am asking permission not forgiveness.

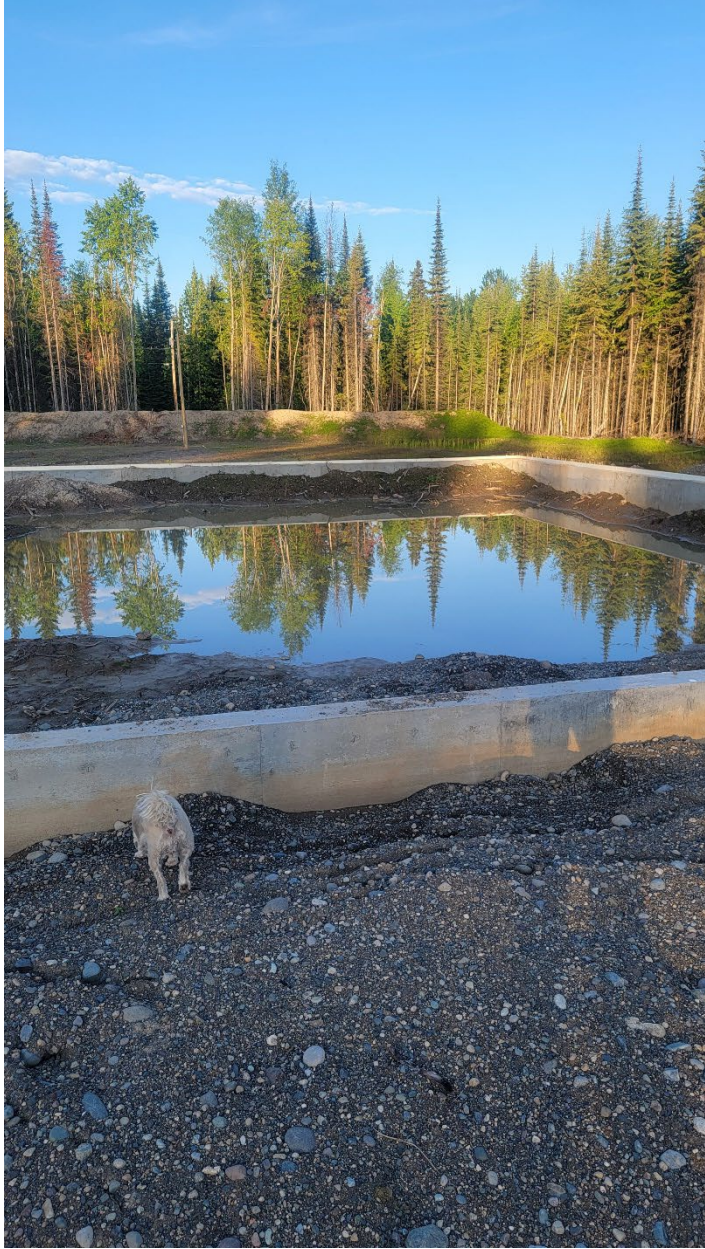
I am asking you to look at my situation differently for I have no control over my circumstances and I have complied and worked with the authorities the whole time throughout the process. I understand it is in your hands to decide. I need this house for my family and I have so much invested so far. I leave it to you to consider a positive outcome please and thank you



*
This is
an Email
from my
Insurance
Broker on
Water loses
and Flooding.
I Asked
what would
Happen if
I had a sub
pump or
Power
Failure
And my
house Flooded
And get
water damage?
The sub pump
would run all
the time to
keep water
from entering
home.









I have just received the comments from Chelsea Andrews the land use planner from the Ministry of Agriculture and food and I feel that her comments were irrelevant to my situation. I would like to rebuttal the points she has made:

- She states that there is no agriculture activity at this time

➤ Rebuttal

she is correct but shouldn't I be allowed to build a residence before showing signs of agriculture use.

- She goes on to say there is no indication of any farming in the future

➤ Rebuttal

I don't understand what needs to be visible to determine her decision of future land use. 4 out of the five acres were logged and cleared which should be an indication the land may be used for farming. This is an obvious step to take when prepping land for potential use of farming. How can she predict the future this is irrelevant.

- She states they are sympathetic to my water drainage issues however that 855m square is significantly larger than the 500 meters squared permitted and does not have any relevance on benefit to agriculture on this property.

➤ Rebuttal

This house is not changing size only the square footage on the inside. The footprint doesn't change at all. The actual footprint size is 557 meters square, 57 meters square over the allowable 500 meters square which was approved both by ALC and regional district.

Square footage is square footage.

The house size doesn't change. The basement is actually my first floor which will have the main kitchen, bathroom, living room, spare room, exercise room, an in law suite as shown in the plans. I am only asking to put it up on grade to avoid water issues that I am encountering. It has nothing to do with farming at this point. I feel the ministry staff is not sympathetic because it is more important to the ministry staff that I farm the land rather than have a house without water issues.

This does not make sense to me. I need to build my home without issues that are out of my control before moving on with any farming.

- She states that the ministry staff are generally concerned with the construction of such a large residence because of the potential impacts.

➤ Rebuttal

Again the house size doesn't change it will still be a large residence whether it is built with split level basement or on grade. The only change is the roofline on the House side will be higher than the shop roofline by 1.5 feet.

- Very large homes in the ALR increase the pressure on the price of land and make it more difficult for farmers to purchase land for farming.

- Rebuttal

The five acre properties in this neighborhood has decreased from \$160,000 to \$120,000 in the past couple of years due to the clear cutting of all the other properties around me. I paid the full \$160,000 and had the lot cleared myself.

It is irrelevant to say that a larger home can drive up the prices of land because I can build a 500 meter square home and make it worth \$3,000,000 by putting in golden toilets, marble floors from Italy, granite countertops from Africa, do you see my point? It is the assessment of the residence which determines the value not only the size. My house will be worth the same if it is split level or not the assessment will not change.

- Ministry staff states ALR properties that contain very large homes are more likely to solely be used for residential purposes by the homeowner who may not be interested in farming.

- Rebuttal

Again the house size is not changing the footprint is the same. No one from the ministry staff has reached out to ask what my interests are in the ALR property. To speculate that because I want to build a large home I will not use it for farming is irrelevant to I am asking permission to do.

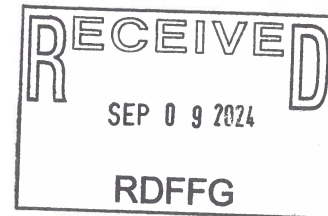
- They conclude that the construction of a residence larger than 500 meters square does not provide any long term benefit to agriculture.

- Rebuttal

Again the house size and footprint remain the same and I have a permit to build it approved by the ALC and regional district. Square footage is square footage whether it is a basement or on grade I still have the same square footage.

I am only asking to build it on grade to prevent water issues caused by the surrounding lots being clear cutted and the trees are not saturating the water like it used to. The water now sits on my property and in my foundation. I have no control over this situation. The foundation and property were dry before they logged the neighboring properties.

The long term benefit for agriculture is irrelevant to what I am asking permission to do .I have the permit to build and I took all the right steps and worked with regional district to get this far. I'm not asking for a bigger house, I am asking for the square footage to change inside the residence only.





Sept 4, 2024

Heather Meier
Planning Leader
Regional District of Fraser-Fort George

ALC File: 101503
Local Government File: ALR 2112/26/25077

Sent by email

Re: Non-Adhering Residential Use in the ALR, at 11770 Kingsway Road (PID: 007-990-421) – The Subject Property

Dear Heather Meier,

Thank you for providing the opportunity for Ministry of Agriculture and Food (Ministry) staff to comment on File ALR 2112/26/25077, that proposes to permit a primary residence with a floor area greater than the allowable 500m² in the Agricultural Land Reserve. From a land use planning perspective, Ministry staff offer the following comments:

- Ministry staff are aware that this request is being made to alter the plans for a residence that is already under construction to resolve what is described by the applicant as a drainage issue on the Subject Property. The applicant states that the footprint of the building will not change, but the increase in floor space will occur by raising the bottom floor above what would be considered a "basement".
- There is no agricultural activity taking place on the Subject Property, and there is no indication that the applicant will undertake any farming in the future.
- Ministry staff are sympathetic to the water/drainage issues encountered by the applicant. Despite this however, Ministry staff note that 855m² is significantly larger than the permitted 500m² and further, the increase does not have any relevance or benefit to agriculture on the Subject Property.

- Ministry staff are generally concerned with the construction of such a large residence because of the potential for the following impacts:
 - Very large homes in the ALR increase the speculative pressure on the price of land and make it more difficult for farmers to purchase land for farming.
 - ALR properties that contain very large homes are more likely to solely be used for residential purposes by homeowners who may not be interested in farming.
- In conclusion, the construction of a principal residence larger than the allowed 500m² of floor space does not provide any long-term benefit to agriculture on the Subject Property or the surrounding community.

Please contact Ministry staff if you have any questions regarding the above comments.

Sincerely,

A black rectangular box redacting the signature of Chelsey Andrews.

Chelsey Andrews, MCP
Land Use Planner
Strengthening Farming Program
Ministry of Agriculture and Food

chelsey.andrews@gov.bc.ca
Phone: 1 250-850-1854

CC: Agricultural Land Commission – ALC.Referrals@gov.bc.ca



Sept 4, 2024

Heather Meier
Planning Leader
Regional District of Fraser-Fort George

ALC File: 101503
Local Government File: ALR 2112/26/25077

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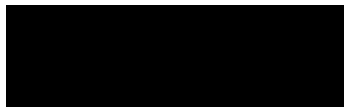
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Sincerely,



Chelsey Andrews, MCP

Land Use Planner
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Ministry of Agriculture and Food

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