

# STAFF REPORT TO COUNCIL

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**DATE:** May 27, 2024

**TO:** MAYOR AND COUNCIL

**NAME AND TITLE:** Deanna Wasnik, Director of Planning and Development

**SUBJECT:** Agricultural Land Reserve Application No. AR100038

**APPLICANT:** Gregory Maund & Anna Brkic  
**LOCATION:** 8333 Castle Road

**ATTACHMENT(S):** Location and Zoning Map  
Appendix "A" to AR100038  
ALC Application

## RECOMMENDATION(S):

That Council:

1. SUPPORTS the proposed Non-Adhering Residential Use within the Agricultural Land Reserve as described in the report dated May 27, 2024 from the Director of Planning and Development, titled "Agricultural Land Reserve Application No. AR100038"; and
2. DIRECTS Administration to forward the resolution of support from Council to the Agricultural Land Commission (ALC).

## PURPOSE:

The applicant would like to build an additional house at 8333 Castle Road (subject property). Once the additional house is built the applicant intends to demolish the existing house, as shown on Appendix "A" to AR100038. Due to the size of the parcel and the proposed size of the additional house, a Non-Adhering Residential Use Application to the Agricultural Land Reserve (ALR) and a referral to the Local government is required.

## Background

The subject property falls within the Agricultural Land Reserve (ALR), the Agricultural Land Commission (ALC) requires a response from the City of Prince George indicating Council's opinion on the Non-Adhering Residential Use request. The ALC will then consider Council's response as part of their deliberations and ultimately approve or deny the ALR application. Should the ALC support the requested Non-Adhering Residential Use, the applicant may proceed with a Building Permit application to the City of Prince George.

### Site Characteristics

Location	8333 Castle Road
Legal Description	Lot A, District Lot 750, Cariboo District, Plan 16850
Current Use	Single Family, Residential; Agricultural Use (Hay Field)
Site Area	1.56 ha (3.86 acres)
Zoning	AF: Agriculture & Forestry

### Official Community Plan Bylaw No. 8383, 2011

Future Land Use	Rural Resource
Growth Management	Rural Resource

### Surrounding Land Use Table

North	General Agriculture; Manufactured Home Park; Castle Road
South	General Agriculture; Forested Area
East	Municipal Boundary; Forested Area
West	General Agriculture

### **STRATEGIC PRIORITIES:**

This application is consistent with Council's strategic priority for economic diversity and growth by facilitating redevelopment of an existing site to maximize the quality of life.

### **POLICY / REGULATORY ANALYSIS:**

#### **Canada Land Inventory**

The province's soil capability index mapping rates the agricultural capacity of soils with a range of classes from 1 (no significant limitations) to 7 (no capability for arable culture or permanent pasture). Each class may also include subclass notations regarding topography and climatic conditions based on the type and extent of limitations to agricultural uses.

The subject property is located within two soil classifications. The subject property has an agricultural capability rating of 70% Class 4D and 30% 4T, where D is the potential for undesirable soil structure and/or low permeability and T is the potential for topographical limitations. Please see below for a breakdown of the soil classifications on the subject property.

Class 4D soils are characterized as having severe limitations that restrict the range of crops or require special conservation practices. The D subclass consists of soils where crops are adversely affected by undesirable soil structure and/or low permeability.

Class 4T soils are characterized as having severe limitations that restrict the range of crops or require special conservation practices. The T subclass is made up of soils where topography is a limitation.

#### **Official Community Plan Bylaw**

The subject property is designated as 'Rural Resource' on *Schedule B-6: Future Land Use* of the OCP. The intent of the Rural Resource designation is for areas used for agriculture, forestry and resource extraction that are important in the long-term health of the regional economy. The Rural Resource designation states that the City should permit single-family residential use, and limit the density to one unit per 15.0 ha (Policy 8.3.115).

The subject property is approximately 1.56 ha in size and therefore the OCP does not support an additional dwelling unit. Given that the applicant intends to demolish the existing dwelling as soon as the new dwelling is built, administration is supportive of the application.

### **Zoning Bylaw**

The subject property is zoned AF: Agriculture and Forestry. The purpose of the AF: Agriculture and Forestry zone is to conserve and manage agricultural and forestry land by providing for a compatible range of uses with regulations that maintain parcels of at least 15.0 ha in size. The AF zone also provides for a residential dwelling on large parcels and complementary residential related uses that are compatible with the secondary residential role of an agriculture and forestry area.

The subject property currently has a principal dwelling that is approximately 185 m<sup>2</sup> in gross floor area, as well as multiple small storage buildings. The proposed additional dwelling is approximately 124.49 m<sup>2</sup> in gross floor area. While a secondary dwelling is permitted on the subject property, administration understands that the proposed dwelling is not intended to be a secondary dwelling as is instead planned to replace the existing dwelling.

In this scenario the applicant intends to remove the existing principal dwelling once the proposed dwelling is constructed. Section 4.7.1 of the Zoning Bylaw indicates that the City may require a security deposit to facilitate the removal of a building within a specified time limit. Therefore, Administration would permit the additional dwelling on the site, but may require a security deposit to ensure that the existing dwelling is removed within a reasonable agreed upon timeframe. Administration will review the results of the application to the Agricultural Land Commission to determine if a security deposit is required.

Administration supports this application, as the proposal is consistent with the OCP and Zoning Bylaw and will have a minimal impact on agricultural land.

### **OTHER CONSIDERATIONS:**

#### **Referrals**

This application was referred to internal City divisions and external agencies for comments. The following comments were received during the referral process.

#### Property Title

A review of the legal title of the subject property indicated no encumbrances or restrictions that would affect this application.

#### Ministry of Agriculture and Food

The BC Ministry of Agriculture and Food provided a letter with comments for consideration, which indicates the following items:

- Based on aerial photography the parcel appears actively farmed with the application package stating that approximately 1.0 ha of the property produces Timothy hay.
- The maximum setback from the front lot line to the rear of the proposed principal residence is approximately 20.44 m, consistent with the Ministry's Guide for Bylaw Development in Farming Areas Siting and Size of Residential Uses.
- The application is unclear regarding the proposed timing for demolition of the current residence. However, the application may meet the requirements for ALC CEO delegated approval.

#### Northern Health Authority

The Northern Health Authority advised the applicant to consult a Registered Onsite Wastewater Practitioner (ROWP) to confirm that the current sewage disposal system is acceptable for their new proposed building. This will be confirmed at building permit stage.

#### **ALTERNATIVES:**

1. Approve the resolution
2. Approve the resolution as amended
3. Refuse the resolution
4. Defer or otherwise deal with the resolution

Administration recommends that Council approve the resolution as written in the recommendation section of this report.

#### **SUMMARY AND CONCLUSION:**

The applicant has applied to the Agricultural Land Commission to permit an additional house within the Agricultural Land Reserve to allow for the applicant to live in the existing house while the new house is constructed. Administration recommends Council send a resolution of support for the application for the reasons outlined in this report.

#### **RESPECTFULLY SUBMITTED:**

Deanna Wasnik, Director of Planning and Development

**PREPARED BY:** Bryce Deveau, Planner 1

#### **APPROVED:**

Walter Babicz, City Manager

Meeting Date: 2024/06/24