



ADVISORY PLANNING COMMISSION REFERRAL FORM

July 21, 2022

Non-Adhering Residential Use Application: ALR 1246

Your APC is requested to review the attached application. The Area A APC Meeting will be on August 2, 2022 at 7:00 pm via Zoom. The Planning Department will contact the applicant.

Purpose of the Application

The applicants are requesting Agricultural Land Commission (ALC) approval for a Non-Adhering Residential Use to allow an Additional Dwelling with a total floor area of 196 m² (1, 212 ft²) on the subject property. This requested total floor area is 21 m² (226 ft²) larger than permitted in the ALC regulations.

General Location

14201 Quick West Road, approximately 8.5 km southeast of the Village of Telkwa

Applicant

Anne Gattiker and Peter Gattiker

Attachment

Referral Report

Referral Sent to

- | | |
|--|---|
| <input type="checkbox"/> Northern Health. | <input checked="" type="checkbox"/> Agriculture |
| <input type="checkbox"/> Transportation and Infrastructure | <input type="checkbox"/> Forests, Lands and Natural Resource Operations |
| <input type="checkbox"/> Environment | <input type="checkbox"/> Energy and Mines |
| <input type="checkbox"/> Community, Sport and Cultural Development | <input type="checkbox"/> Agricultural Land Commission |
| <input type="checkbox"/> BC Parks | <input checked="" type="checkbox"/> Advisory Planning Commission |
| <input type="checkbox"/> Municipality | <input checked="" type="checkbox"/> RDBN Agriculture Coordinator (West) |

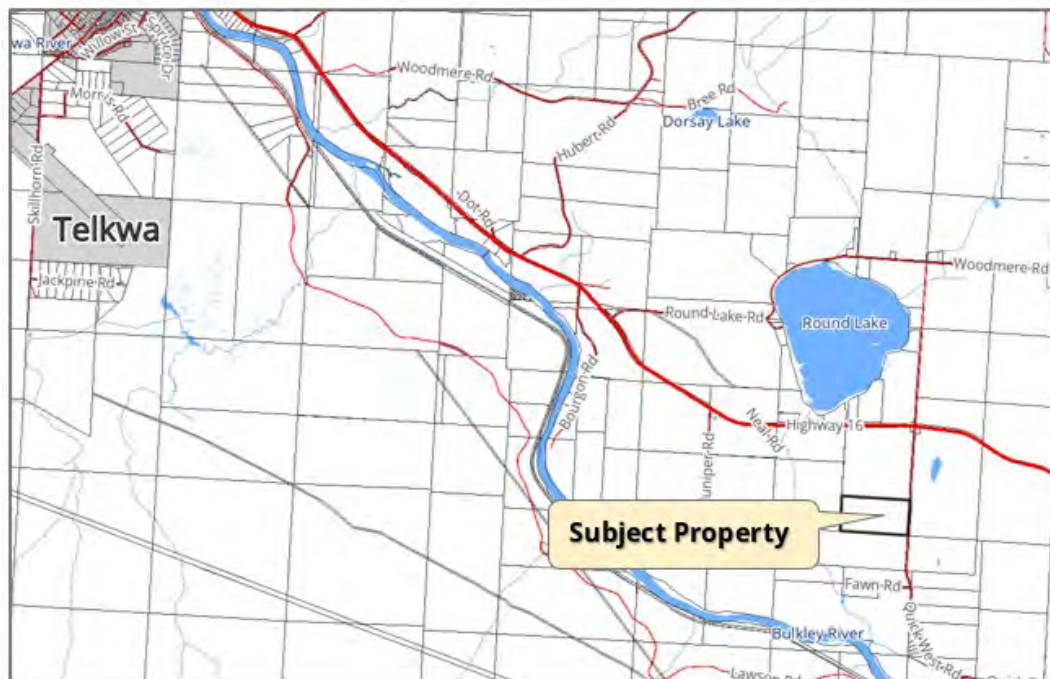
Regional District of Bulkley-Nechako
37 3rd Ave, PO Box 820
Burns Lake, BC V0J 1E0
250-692-3195



REGIONAL DISTRICT OF BULKLEY-NECHAKO
PLANNING DEPARTMENT REFERRAL REPORT
FILE NO. ALR 1246

APPLICATION SUMMARY

Name of Agent/Owner: Anne Gattiker and Peter Gattiker
Electoral Area: A (Smithers/Telkwa Rural)
Subject Properties: District Lot 777, Range 5, Coast District, Except Plan 9464 (PID 015-007-171)
Property Size: 32.83 ha (32.83 ac)
OCP Designation: Agriculture (AG) in "Regional District of Bulkley-Nechako Smithers Telkwa Rural OCP Bylaw No. 1704, 2014"
Zoning: Agricultural (Ag1) Zone in the "Regional District of Bulkley-Nechako Zoning Bylaw No. 1800, 2020" (the Zoning Bylaw)
Existing Land Uses: Agricultural / Residential
Location: 14201 Quick West Road, approximately 8.5 km southeast of the Village of Telkwa (see subject property map)



PROPOSAL

The applicants are requesting Agricultural Land Commission (ALC) approval for a Non-Adhering Residential Use to allow an Additional Dwelling with a total floor area of 196 m² (1, 212 ft²) on the subject property. This requested total floor area is 21 m² (226 ft²) larger than permitted in the ALC regulations. ALC regulations allow for the subject property to have up to two dwellings (order of build does not matter):

1. A Principal Dwelling with an area of up to 500 m² (5,381 ft²), and
2. An Additional Dwelling with an area of up to 90 m² (968 ft²).

The applicants have a 173 ha (427 ac) farm operation, including the subject property, with hay fields, oats, and pasturelands for cattle grazing. Tenants live in an older 196 m² (2,112 ft²) dwelling on the subject property for reduced rent as they also act as property caretakers.

The applicants would like to build a second dwelling on the subject property for their adult child live in when they work on the applicants' farmland. They are proposing a dwelling footprint of about 111 m² (1,200 ft²), and an estimated total floor area between 167 m² – 178 m² (1,798 ft² – 1,916 ft²).

The applicants state that the existing 111 m² (1,200 ft²) dwelling is a 1973 manufactured home with additions and cannot be altered in an affordable or practical way to reduce the total floor area by 10 m² to meet ALC regulations. Further, the applicants state they believe it would not be reasonable to remove the Additional Dwelling, as it would remove an affordable rental dwelling from their lands when there is a housing shortage in the Rural Smithers area.

DISCUSSION

Official Community Plan (OCP)

The subject properties are designated Agriculture (AG) under the OCP. OCP Policy 3.1.2(6) states applications for Non-Adhering Residential Use within the ALR may only be considered in the following circumstances:

- “(a) There is limited agricultural potential within the proposed area.*
- (b) Soil conditions are not suitable for agriculture.*
- (c) Neighbouring uses will not be compromised.*
- (d) Adequate provisions for fencing are provided, where a proposed development is adjacent to an existing agricultural use.*
- (e) The application is in the best interest of the community.*
- (f) The proposed development considers and addresses potential impacts and potential improvements to recreational features and the environment, including wildlife habitat.*

(g) And, traffic management issues will be considered and addressed appropriately.”

Zoning

The single family dwelling density regulation in the Agricultural (Ag1) Zone states “[n]ot more than one Single Family Dwelling shall be located on a Parcel unless additional dwellings are permitted pursuant to the Agricultural Land Commission Act”. As the subject property is in the Agricultural Land Reserve, dwelling size and densities are based on whatever has been approved by the Agricultural Land Commission (ALC).

The Agricultural (Ag1) Zone in the Zoning bylaw does not regulate the total floor area for single family dwellings.

Planning Department Comments

The subject property is accessible from Quick West Road. The subject property is in the building inspection area but not in a rural fire protection area.

The entire property has Class 3 soils, which is the prime soil class in the RDBN (see Appendix A for additional details).

There have been no previous ALR applications for the subject property.

Referral

This application has been referred to the Ministry of Agriculture, Food, and Fisheries; the RDBN Agriculture Coordinator (West); and the Electoral Area A (Smithers/Telkwa) Advisory Planning Commission.

ATTACHMENTS

1. Appendix A – Agriculture Capability
2. Appendix B – Surrounding ALR Applications
3. Submitted ALR Application

APPENDIX A

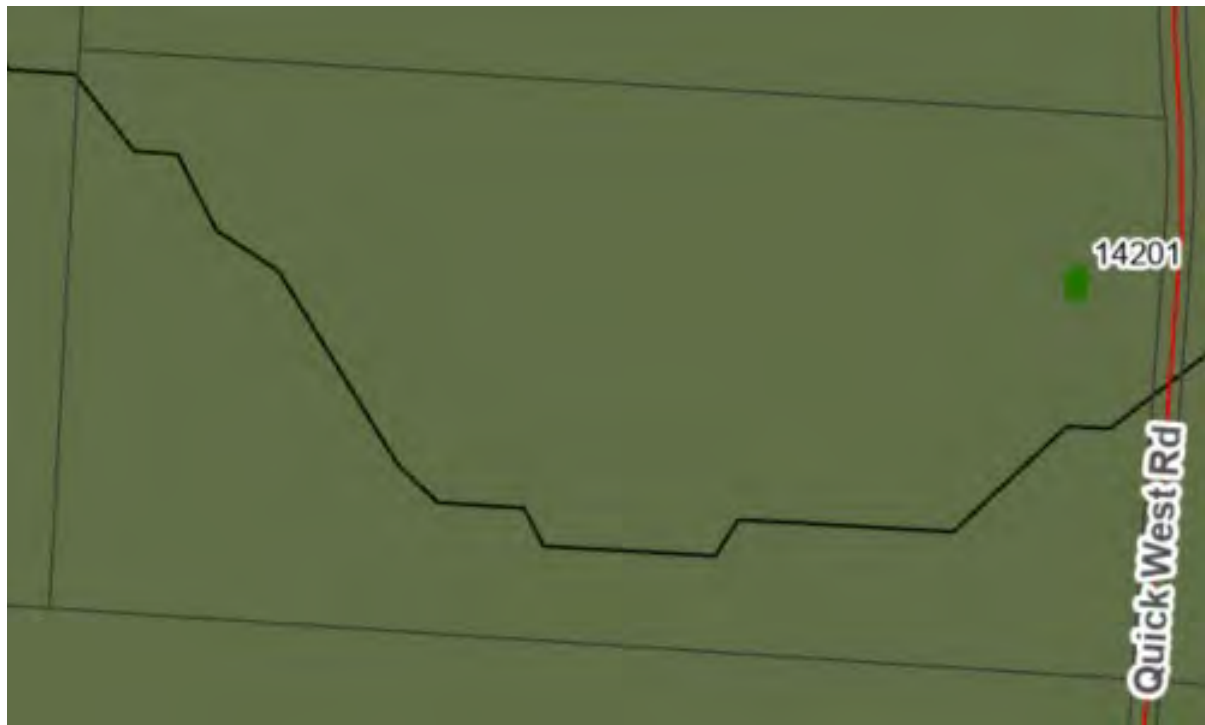
Agricultural Capability based on Canada Land Inventory Mapping

63% of the subject lands are **Class 3X** (cumulative and minor adverse conditions).

37% of the subject lands are **Class 3D** (undesirable soil structure).

Class 3 Land in this class has limitations that require moderately intensive management practises or moderately restrict the range of crops, or both.

Agricultural Capability Map

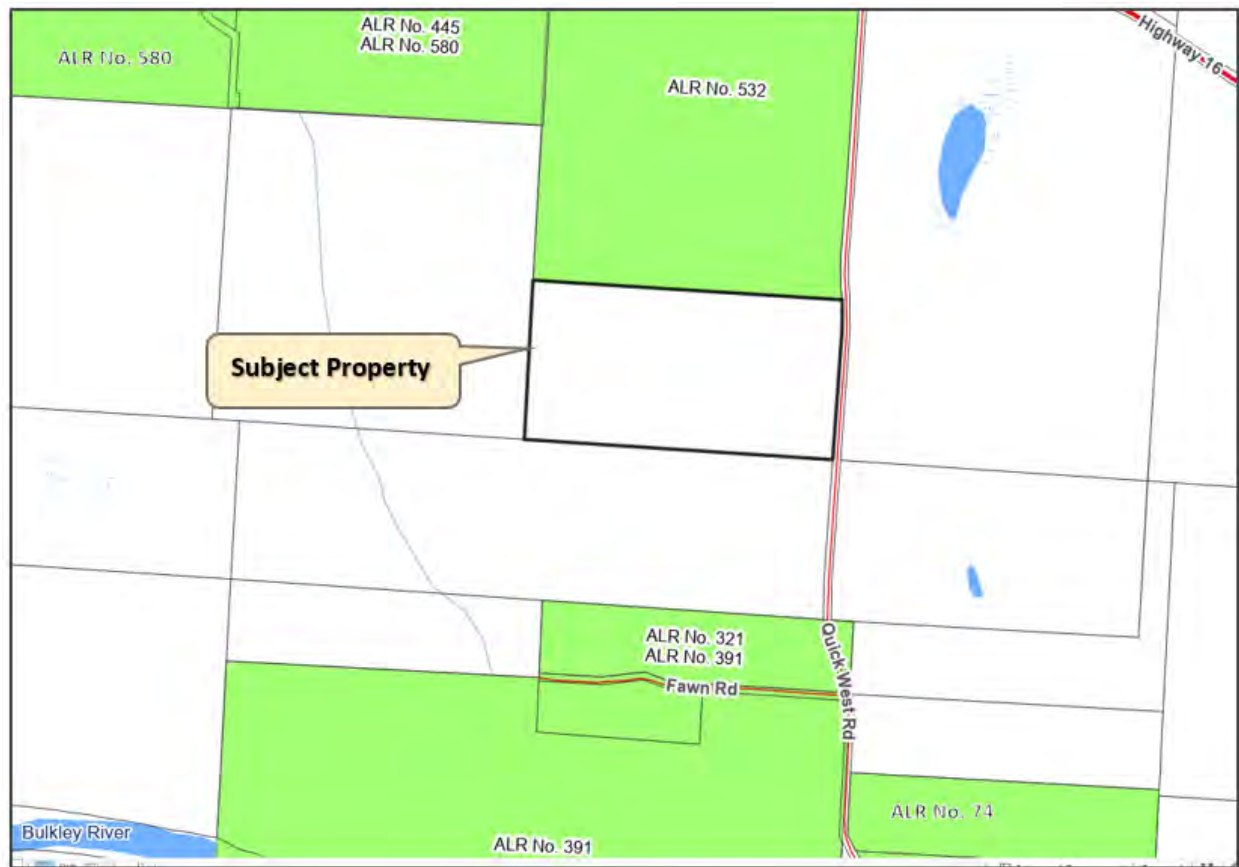


APPENDIX B:

Surrounding Applications

ALR Application	Legal Description	Summary	Recommendation
74	South 1/2, North 1/2 SW 1/4, Section 2, Township 6, Range 5, C.D., and South 1/2, SW 1/4, Section 2, Township 6, Range 5, except Plan 6185, C.D.	Application to subdivide SW 1/4, Section 2, Township 6, Range 5, Coast District except N1/2 of N1/2 and plan 6185. The Applicant wishes to subdivide out the S 1/2 of N1/2 of SW 1/4 (30±Acres) for sale purposes and development of the remainder as a tree nursery.	Denied
			Denied
			Denied
321	Fractional NE 1/4 Section 3, Township 6, Coast Range 5 District	Application to subdivide, subject property	Approved
			Approved
			Denied
391	(1) Frac. NE 1/4 Section 3, Township 6, Coast Range 5 and (2) Portion of the S1/2 of Section 3, lying to the North of the Bulkley River, Township 6, Coast Range 5 except Plan 9464.	Application to subdivide one parcel of 6.796 ha.	Approved
			N/A
			Approved (Conditionally)
445	Lot 1, Plan 4481, District Lot 771, Range 5, Coast District	Request to place a mobile home on the 2.78 ha parcel	Approved
			Approved
			Approved
532	District Lot 755, Range 5, Coast District except Plan 1639, 4188 & 9464.	Application to subdivide one parcel of 3-4 ha from the north end of the 109.7 ha parcel.	Approved
			Approved
			Approved
580	District Lot 771, Range 5, Coast District	Application to subdivide one parcel of 6.0 ha from 51.85 ha.	Approved
			Approved
			Approved

Surrounding Applications Map





Provincial Agricultural Land Commission - Applicant Submission

Application ID: 65499

Application Status: Under LG Review

Applicant: Anne Gattiker , Peter Gattiker

Agent: Anne Gattiker

Local Government: Bulkley-Nechako Regional District

Local Government Date of Receipt: 05/20/2022

ALC Date of Receipt: This application has not been submitted to ALC yet.

Proposal Type: Non-Adhering Residential Use - Additional Residence for Farm Use

Proposal: We would like to build a second residence of 3,000 sq ft (basement 1,200 sq ft, main floor 1,200 sq ft and loft 600 sq ft) on the property in question for our daughter who will be farming the property for us. We are asking that the old basic 1-storey house of 1,248 sq ft. (marked "Z") which was built in 1973 be considered as the smaller of both residences and that we can build the new residence as the larger house. The old house is a mobile with two rooms attached to it which makes it larger than the allowed 968 sq ft requirement of the smaller dwelling. Since we bought the property in September 2020, we have had a young couple living there for minimal rent and acting as caretakers since this parcel of land has a different access road (Quick Rd W) than the rest of our farm (Bourgon Rd). With them living there, they could keep an eye on any farm equipment parked there as well as ensuring that no one accessed the property for any reason, ie. hunting, partying, 4-wheeling, etc.

Agent Information

Agent: Anne Gattiker

Mailing Address:

[REDACTED]

Primary Phone: [REDACTED]

Email: [REDACTED]

Parcel Information

Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

Parcel Identifier: 015-007-171

Legal Description: DISTRICT LOT 777 RANGE 5 COAST DISTRICT EXCEPT PLAN 9464

Parcel Area: 32.8 ha

Civic Address: 14201 Quick Rd W

Date of Purchase: 09/17/2020

Farm Classification: Yes

Owners

1. **Name:** Anne Gattiker

Address:

[REDACTED]

Applicant: Anne Gattiker , Peter Gattiker



Phone: [Redacted]

Email: [Redacted]

2. **Name:** Peter Gattiker

Address:



Phone: [Redacted]

Email: [Redacted]

Ownership or Interest in Other Lands Within This Community

1. **Ownership Type:** Fee Simple

Parcel Identifier: 012-469-581

Owner with Parcel Interest: Peter Gattiker

Parcel Area: 18.9 ha

Land Use Type: Agricultural/Farm

Interest Type: Partial Ownership

2. **Ownership Type:** Fee Simple

Parcel Identifier: 012-469-726

Owner with Parcel Interest: Peter Gattiker

Parcel Area: 26.7 ha

Land Use Type: Agricultural/Farm

Interest Type: Partial Ownership

3. **Ownership Type:** Fee Simple

Parcel Identifier: 012-469-734

Owner with Parcel Interest: Peter Gattiker

Parcel Area: 5.7 ha

Land Use Type: Agricultural/Farm

Interest Type: Partial Ownership

4. **Ownership Type:** Fee Simple

Parcel Identifier: 012-469-785

Owner with Parcel Interest: Peter Gattiker

Parcel Area: 64.4 ha

Land Use Type: Agricultural/Farm

Interest Type: Partial Ownership

5. **Ownership Type:** Fee Simple

Parcel Identifier: 008-727-384

Owner with Parcel Interest: Peter Gattiker

Parcel Area: 62.8 ha

Land Use Type: Agricultural/Farm

Interest Type: Partial Ownership

6. **Ownership Type:** Fee Simple

Parcel Identifier: 012-469-629

Applicant: Anne Gattiker , Peter Gattiker

Owner with Parcel Interest: Peter Gattiker
Parcel Area: 32.2 ha
Land Use Type: Agricultural/Farm
Interest Type: Partial Ownership

7. **Ownership Type:** Fee Simple
Parcel Identifier: 012-469-491
Owner with Parcel Interest: Peter Gattiker
Parcel Area: 31.9 ha
Land Use Type: Agricultural/Farm
Interest Type: Partial Ownership

8. **Ownership Type:** Fee Simple
Parcel Identifier: 012-469-556
Owner with Parcel Interest: Peter Gattiker
Parcel Area: 50.6 ha
Land Use Type: Agricultural/Farm
Interest Type: Partial Ownership

9. **Ownership Type:** Fee Simple
Parcel Identifier: 012-469-467
Owner with Parcel Interest: Peter Gattiker
Parcel Area: 25.2 ha
Land Use Type: Agricultural/Farm
Interest Type: Partial Ownership

Current Use of Parcels Under Application

1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).

When we bought the property in 2020 it had existing pastures and old hayfields but did not have farm status. The hayfields are old and haven't been reworked in a long time. We are currently only haying 42 acres on this property. These fields are quite old and need working up and reseeding. Another 25 acres are cross fenced for pasture and have dugouts. Pasture # 1 (10 acres) will be reworked for future hay production this spring.

2. Quantify and describe in detail all agricultural improvements made to the parcel(s).

We filed for farm status in Oct. 2020 to include it in our existing farm (see other parcels) which has been approved. In 2021 we plowed, disced and reseeded 15 acres of the current hayfields (Hay # 1) to improve future hay crops. We planted oats as a cover crop and seeded back to grass right away. Due to the extremely hot summer we had, it is yet to be seen if the reseeding was successful or if the 15 acres will need to be reseeded again to get a better catch. 10 acres of land that had been designated as pasture (Pasture #1) are being plowed this spring (May 2022), and will be seeded to oats. Perimeter fencing and cross fences have been fixed and maintained. A lot of damage is done every year due to large elk herds in the area. A culvert has been replaced in one of the dug outs to ensure proper water flow.

3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).

There is no non-agricultural activity.

Adjacent Land Uses

North

Land Use Type: Agricultural/Farm

Specify Activity: hay+beef farm

East

Land Use Type: Agricultural/Farm

Specify Activity: hay+beef farm

South

Land Use Type: Agricultural/Farm

Specify Activity: hay farm

West

Land Use Type: Agricultural/Farm

Specify Activity: hay+beef

Proposal

1. What is the purpose of the proposal?

We would like to build a second residence of 3,000 sq ft (basement 1,200 sq ft, main floor 1,200 sq ft and loft 600 sq ft) on the property in question for our daughter who will be farming the property for us. We are asking that the old basic 1-storey house of 1,248 sq ft. (marked "Z") which was built in 1973 be considered as the smaller of both residences and that we can build the new residence as the larger house. The old house is a mobile with two rooms attached to it which makes it larger than the allowed 968 sq ft requirement of the smaller dwelling. Since we bought the property in September 2020, we have had a young couple living there for minimal rent and acting as caretakers since this parcel of land has a different access road (Quick Rd W) than the rest of our farm (Bourgon Rd). With them living there, they could keep an eye on any farm equipment parked there as well as ensuring that no one accessed the property for any reason, ie. hunting, partying, 4-wheeling, etc.

2. Describe the necessity for an additional residence for farm use and how it will support agriculture in the short or long term.

Since buying this additional parcel to our farm, we have realized that it is not as convenient as we thought it would be as it involves a lot of travel back and forth for working the fields, maintaining fences, haying, etc. which means highway travel with our equipment and is also time consuming. We do want to keep it as an existing farm so as our daughter, Katherine Gattiker (age 27) has returned to the Bulkley Valley to settle down and is keen on taking up farming life which she grew up with, this would be an ideal solution. Aside from haying and working the fields, she could also have livestock there, since she would be there to feed and take care of them. This would make use of the existing pastures which are not suitable for hayfields. Instead of throwing out our caretaker couple who have put quite some hours into making the old dwelling livable, we would like to put up a second dwelling for our daughter. With the old house being 1,248 sq ft and over the max. size of the smaller house allowed, this would mean that the new house would have to be less than 968 sq ft which does not make much sense for the new build. The old dwelling is already 49 years old and will maybe have another 10 years to it, if that, but it would be a shame to tear it down now with the current housing shortage, and put our young caretaker couple out on the street. This is why we ask for non-adherence to the regulations so that the old dwelling be considered as the smaller house even though it is 280 sq ft above the max. and that the new house for our daughter be considered the larger dwelling, so she can live there and farm the property for us. The additional long term benefit is that she can take over this parcel from us when we retire and continue farming it.

3. Describe the size, type and number, as well as occupancy of all residential structures currently located on the property.

Applicant: Anne Gattiker , Peter Gattiker

There is one old house on the property (marked "Z"). It was built in 1973, 1 storey trailer with two rooms added on, total 1,248 sq ft. There is a basement, not livable, with wood stove under the house. A young married couple, both employed and saving up for their own place, are living there as caretakers. There is of course, the option of tearing down this old house and rebuilding right there but there is a fair amount of traffic (dust and noise) which will only get worse as old Quick Bridge will be replaced this Spring with an Acrow Bridge which will allow heavier vehicles to cross it. We would prefer to build a little further into the barnyard, away from the Quick West Rd. Therefore, tearing down the old house just because its size is a little over the allowed 968 sq ft (smaller dwelling) really does not make sense as we would not want to build a new house there. It would be wasteful to tear down a house that is still usable and put our caretaker couple in search of a new home during an already existing housing shortage.

4. What is the total floor area of the proposed additional residence in square metres?

167 m²

5. Describe the rationale for the proposed location of the additional residence.

The proposed building site is in the barn yard where there is a newer barn with corrals and an old barn which is in terrible shape (see photos). The old barn is marked with an "X". 2 photos show the old barn which is where the house is proposed (4 stakes with pink ribbon). The old barn will be torn down and the new building is planned there. The 30'x40' building site is bigger than the left over part of the old barn, but originally the old barn was about the same size as it had a hayshed built on to it which was torn down around 10 years ago. This area is not part of pasture or hayfield and cannot be converted to usable land. It is a logical place to put a second building, close to existing power and existing driveway. The area is level.

6. What is the total area of infrastructure necessary to support the additional residence?

The driveway is there and parking is already existent at the barnyard. There is room for a septic field (buried septic tank and field would be 8'x100' -marked with "Y") in the area included in the barnyard. No landscaping is necessary, no further infrastructure. Power will come underground from customer pole at old house.

7. Do you need to import any fill to construct the additional residence or infrastructure?

No

Applicant Attachments

- Agent Agreement-Anne Gattiker
- Proposal Sketch-65499
- Other correspondence or file information-google map of property
- Site Photo-old barn /building site, view from west
- Other correspondence or file information-Certificate of Title p. 2
- Site Photo-View of old barn from barnyard
- Certificate of Title-015-007-171

ALC Attachments

None.

Decisions

None.

N
E + W
S

HAY
#2

HAY #1

P #3

P #4

X

Y

Z

HAY #3

PASTURE
#1

P #2

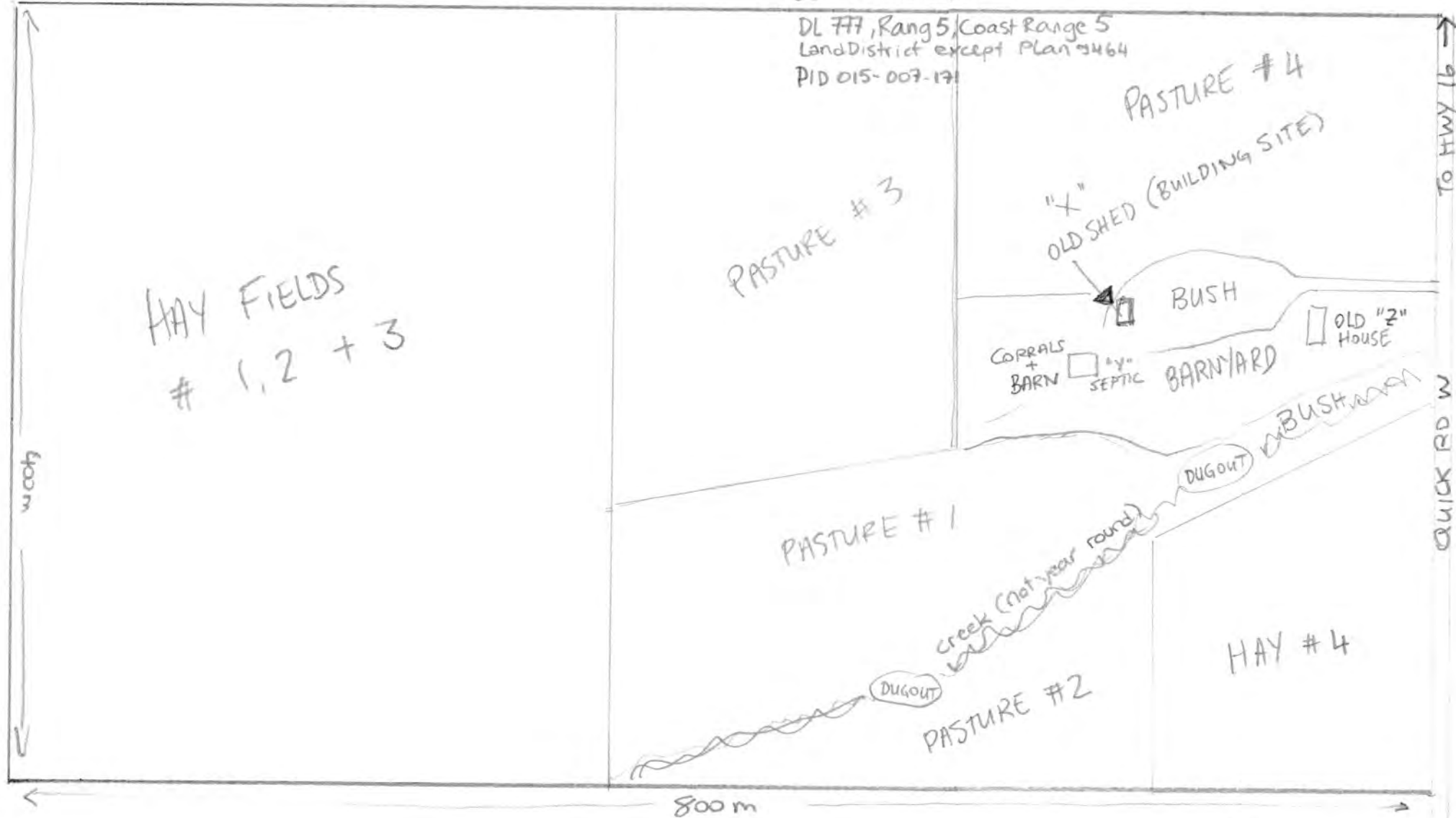
HAY #4

Quick Rd W

Quick Rd W

14201 QUICK RD W.
25-754-012565.000

DL 777, Rang 5, Coast Range 5
Land District except Plan 3464
PID 015-007-171



TO HWY 16

QUICK RD W

