



May 23, 2024

Local Government File: ALR00177

Jason Tran  
Planner  
District of Lake Country  
Via E-mail: [jtran@lakecountry.bc.ca](mailto:jtran@lakecountry.bc.ca)

Dear Jason Tran:

**Re: ALR00177 – Non-Adhering Residential Use (NARU) Application at 12125 Pow Road – (PID: 002-539-993) – The Subject Property**

Thank you for providing Ministry of Agriculture and Food (Ministry) staff the opportunity to comment on the above noted Agricultural Land Reserve (ALR) application to construct a new principal residence of 209.03 m<sup>2</sup> and demolish the existing residence of 171.87 m<sup>2</sup> after construction of the new principal residence on the 2.95 ha Subject Property. Ministry staff have reviewed the provided information and offer the following comments:

- Ministry staff note that the Subject Property and surrounding properties are zoned A1 – Agriculture 1 and that the neighbouring property along the eastern boundary contains a cherry orchard that is adjacent to the residential footprint of the Subject Property.
- Ministry staff note that there are two existing residences on the Subject Property; a principal residence and a farm worker dwelling. There is also an accessory building used for agricultural purposes.
- The residential footprint area appears to be within the Ministry's standard of 3000 m<sup>2</sup> for the combined footprint for a principal residence (2000 m<sup>2</sup>) and an additional farm residence (1000 m<sup>2</sup>) as per section 2.5.6.5.2 of the Ministry's [Guide for Bylaw Development in Farming Areas](#) (the Guide).
- Ministry staff note that the rear of the residential footprint area is not within the 60 m setback from the road as recommended in the Guide, which is generally recommended to limit the impact of the residential footprint on productive farmland and to help mitigate farm practice complaints. However, the proposed location is on a contiguous residential footprint that also contains the existing farm

worker dwelling. Given the existing contiguous footprint Ministry staff acknowledge that locating the new principal residence in the proposed location is likely to have the least impact on the productive area of the existing orchard.

- Ministry staff note that section 6 of the Agricultural Land Commission's (ALC) Policy L-26 outlines the ALC's preference "that the original principal residence be removed prior to the construction of a new principal residence, so that the new principal residence can be constructed in the same location as the original residence, thus minimizing the impact on the land base" (page 5). In this application, Ministry staff note that there is no explanation provided as to why the Subject Property owners must reside in the current house until the new residence is built.
- Ultimately, Ministry staff acknowledge that the proposed location for the new residence is situated on the contiguous residential footprint and will not impact the productive area of the existing orchard but recommend that the applicant reconsider whether it is necessary for them to live in the existing residence while constructing the new principal residence.

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

Sincerely,



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