

AGENDA ITEM NO: 7.15

MEETING DATE: June 21, 2022

STAFF REPORT – COVER SHEET

SUBJECT: OTG Developments Ltd.
Agricultural Land Reserve
8110 Upper Prairie Road DATE: June 7, 2022

DEPARTMENT: Planning & Strategic Initiatives
ALR00378 PREPARED BY: Gavin Luymes / kk

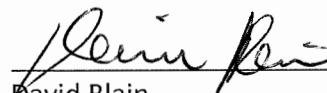
1. SUMMARY OF ISSUE:

The applicant is seeking to approve a “Non-Adhering Residential Use” within the Agricultural Land Reserve (ALR) for the following:

- to facilitate the construction of a new principal residence with a total floor area of 601m² (559m² of residential space with 42m² garage allowance), exceeding the permitted total floor area of 542m² (500m² residential space with 42m² garage allowance); and,
- to retain the existing principal residence within the subject property for occupancy during construction of the new principal residence, after which it will be decommissioned to agricultural office, lunch room, and storage.

2. RECOMMENDATION:

Recommendation that application ALR00378 for a “Non-Adhering Residential Use” within the Agricultural Land Reserve (ALR), with respect to property located at 8110 Upper Prairie Road, be forwarded to the Agricultural Land Commission “without comment”.



David Blain
Director of Planning & Engineering

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.



Peter Monteith
Chief Administrative Officer

STAFF REPORT ON AGRICULTURAL LAND RESERVE APPLICATION ALR00378

PREPARED BY: Gavin Luymes DATE: June 7, 2022

POSITION: Planner I DEPARTMENT: Planning & Strategic Initiatives

1. SUMMARY OF ISSUE:

The applicant is seeking to approve a “Non-Adhering Residential Use” within the Agricultural Land Reserve (ALR) for the following:

- to facilitate the construction of a new principal residence with a total floor area of 601m² (559m² of residential space with 42m² garage allowance), exceeding the permitted total floor area of 542m² (500m² residential space with 42m² garage allowance); and,
- to retain the existing principal residence within the subject property for occupancy during construction of the new principal residence, after which it will be decommissioned to agricultural office, lunch room, and storage.

2. PROPOSAL:

The proposal is to construct a new principal residence of 601m² (559m² of residential space with 42m² garage allowance) and retain the existing dwelling within the property for occupancy during construction of the principal residence, after which it will be decommissioned to agricultural office, lunch room, and storage use. The proposed principal residence conforms to the Farm Home Plate requirements of the AL (Agricultural Lowland) Zone, as per the attached site plan. The proposed residence is sited near the front of the property at the location of two existing greenhouses, which are to be removed to facilitate the development.

The subject property is approximately 4ha and contains a mushroom farm that produces approximately 300,000 pounds annually and includes 50 laying hens and 10 goats. The property contains 11 agricultural buildings, a mobile home of approximately 90m², which is to be removed, and an existing residence of approximately 307m², which is to be decommissioned after occupancy of the proposed principal residence. The property is assessed as “Farm” under the *Assessment Act*.

According to the applicant, the requested 59m² of additional residential space is necessary to construct a dwelling in which multiple generations of the property owners and their family can reside. The applicant submits that the proposed residence will allow the property owners to transition to retirement and remain on the farm with their children and grandchildren. The decommissioned existing residence would provide an office, storage space, and lunch room for employees of the agricultural operation.

Copies of the proposed site plan, building elevations, and “Non-Adhering Residential Use” application are attached for information, providing further rationale and detail for the request. Should the “Non-Adhering Residential Use” application be approved, a City of Chilliwack Building Permit and Temporary Use Permit with security deposit would be required to ensure the decommissioning of the existing residence after occupancy of the proposed principal residence.

3. FACTORS:

3.1 Zoning/2040 OCP Designation/Land Use

Current Zone: AL (Agricultural Lowland) Zone

OCP Designation: “Agriculture”

Existing Land Uses: The property contains a mushroom farm that produces approximately 300,000 pounds annually and includes 50 laying hens and 10 goats. The residential uses within the property are a mobile home of approximately 90m², which is to be removed, and an existing residence of approximately 307m², which is to be decommissioned after occupancy of the proposed principal residence.

3.2 Neighbourhood Character

The property is located within an agricultural area beyond the City’s Urban Growth Boundary. In all directions, the property adjoins relatively large agricultural properties within the ALR and AL Zone.

3.3 Technical Issues

Floodplain: The subject property is within the protected floodplain and subject to the Floodplain Regulation Bylaw.

Watercourses: The proposed development is within 30m of a Class “A” watercourse known as “Big Ditch,” which requires a riparian setback of 30m. As the proposed development is within the 30m riparian setback, a riparian assessment report and City of Chilliwack Development Permit under Development Permit Area (DPA) 3 (Riparian Area) of the OCP are required to authorize the proposed siting of the development. If the proposed siting of the development is not supported per the riparian assessment report or DPA 3, the development must be relocated to a site that can be approved in accordance with the riparian assessment report and DPA 3.

Geotechnical Issues: The property is not subject to any known geotechnical hazards or earthquake-related risks.

Soil Classification: According to Agricultural Land Commission (ALC) soil capability mapping, the affected portion of the property is composed of Class 4 soils subject to

excess water and low degree of decomposition, having the potential to be Class 3 soils with excess water and low degree of decomposition with significant improvement.

For reference, the relevant ALC soil classes are outlined below:

- Class 3 lands require moderately intensive management practices or restrictions in the range of crops; and
- Class 4 lands require special management practices or severely restricted crop selection.

4. **DISCUSSION:**

The siting of residential buildings on agricultural land may negatively impact the use of the land for agricultural purposes. In this case, the size and siting of the proposed principal residence is not anticipated to negatively impact the agricultural potential of the subject property, as the residence conforms to the Farm Home Plate size and siting requirements of the AL Zone. According to the applicant, the proposal benefits agriculture by permitting the multi-generational household of the farm owners to reside on the property and converting the existing residence to storage, office, and amenity space for employees of the farm operation.

5. **AGRICULTURAL AND RURAL ADVISORY COMMITTEE:**

The Agricultural and Rural Advisory Committee (ARAC) reviewed this proposal on June 6, 2022 and made the following recommendation:

That the Agricultural and Rural Advisory Committee has no comment with respect to the proposed non-adhering residential use application within the Agricultural Land Reserve for property located at 8110 Upper Prairie Road and recommends Council forward the application to the Agricultural Land Commission “without comment”.

As part of the Committee’s rationale, it was noted that without clear guidelines as to the ALC’s decision making process concerning increased house size proposals over 500m² and resulting benefits to agriculture, the Committee is unable to provide a recommendation at this time.

6. **RECOMMENDATION AND SUBSTANTIATION:**

Recommendation

Recommendation that application ALR00378 for a “Non-Adhering Residential Use” within the Agricultural Land Reserve (ALR), with respect to property located at 8110 Upper Prairie Road, be forwarded to the Agricultural Land Commission “without comment”.

Substantiation

As the proposed residence of 601m² (559m² of residential space with 42m² garage allowance) conforms to the Farm Home Plate requirements of the AL Zone and is not anticipated to negatively impact the agricultural potential of the subject property, the application may be forwarded to the ALC. However, clear guidelines from the ALC concerning proposals to increase the total floor area of a principal residence over the permitted 500m², and resulting benefits to agriculture through increased housing size, are recommended and considered necessary prior to ARAC or Council consideration and recommendations concerning such proposals.

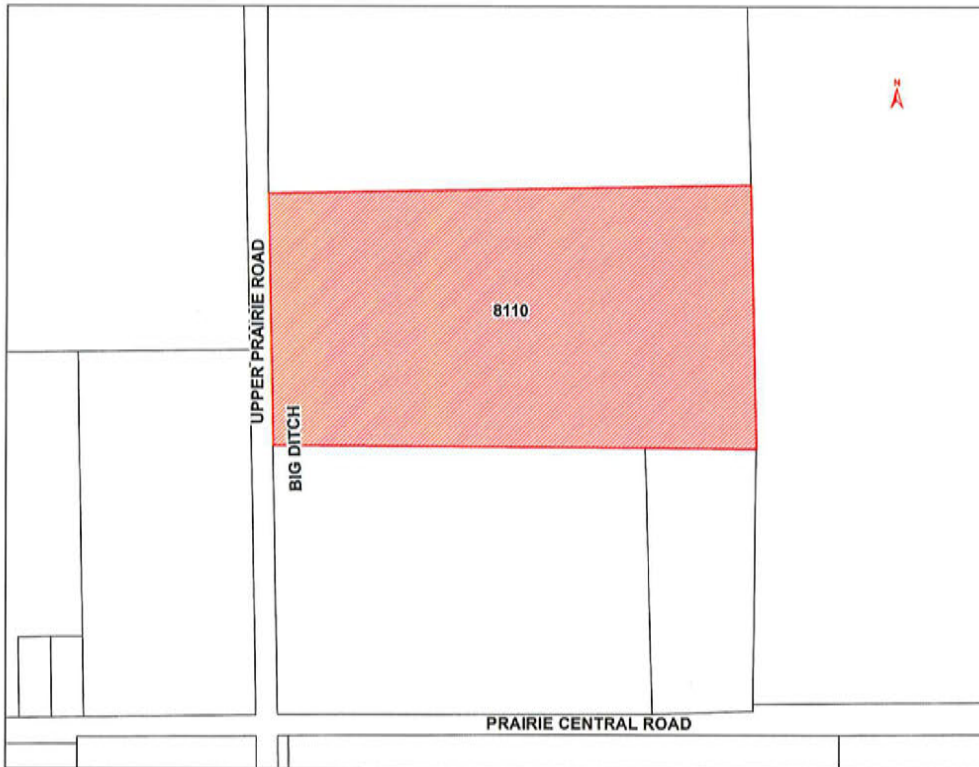
7. SOURCES OF INFORMATION:

- ALR Application (ALR00378) – March 9, 2021
- ALC Applicant Submission (ID64771) – February 22, 2022
- Development Application Review Team (DART) Minutes – April 7, 2022
- ARAC Minutes – June 6, 2022

Attachment

- ALC Applicant Submission (ID64771) – February 22, 2022

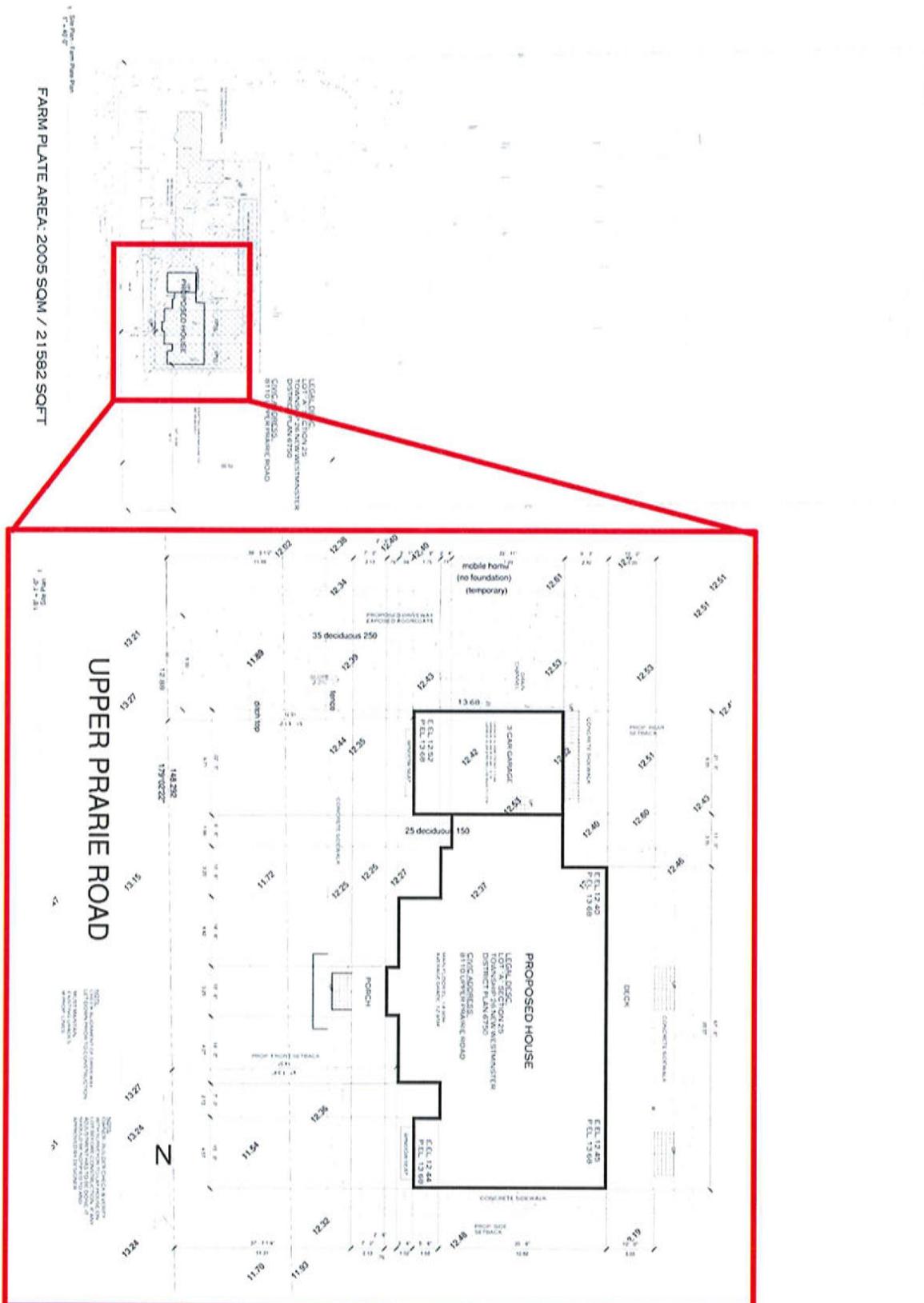
Location Map



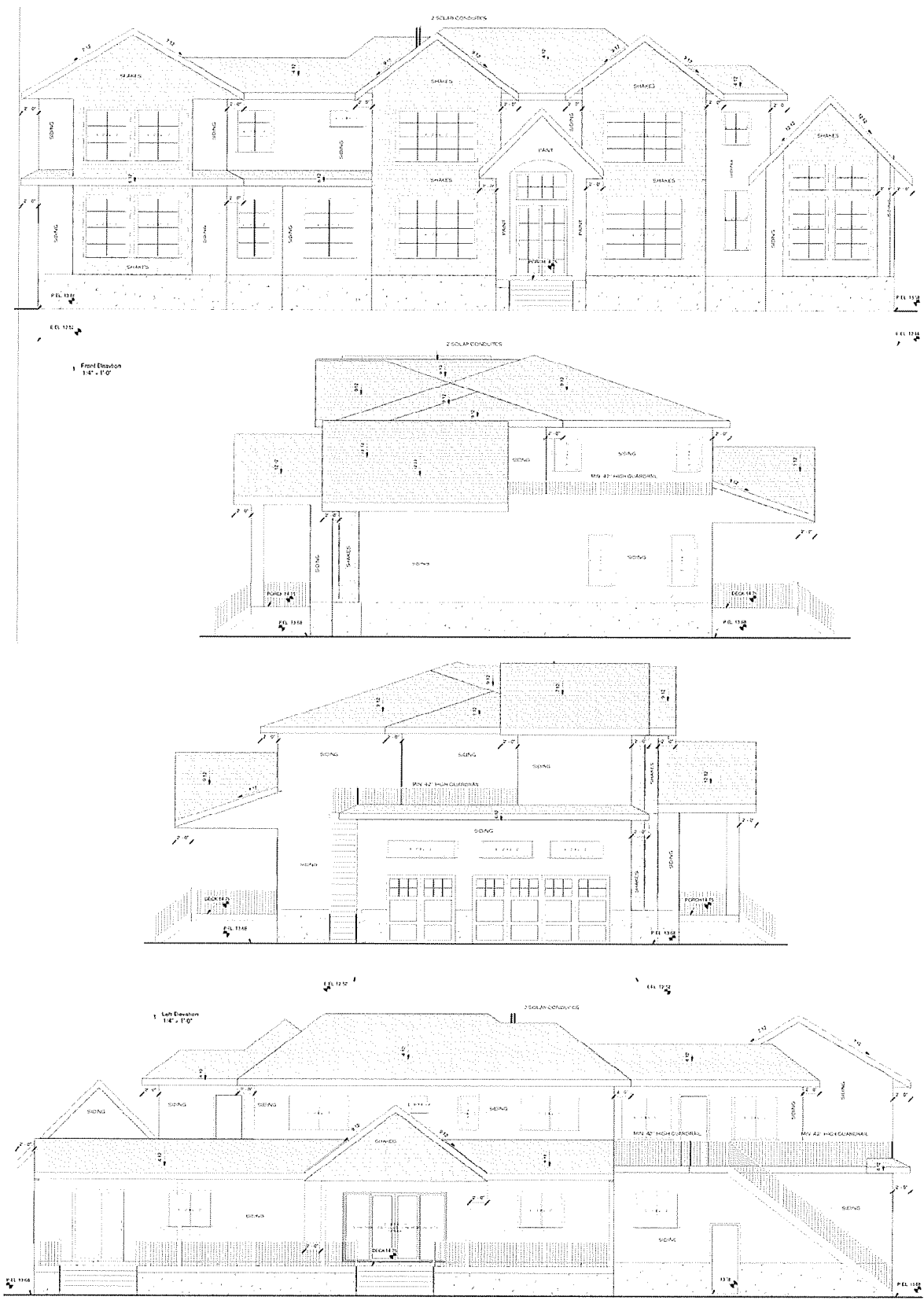
Ortho Map



Proposed Site Plan (as submitted by the applicant)



Proposed Elevations



Provincial Agricultural Land Commission - Applicant Submission

Application ID: 62594

Application Status: Under LG Review

Applicant: Wen Gang Du

Agent: Jetender SEKHON

Local Government: City of Chilliwack

Local Government Date of Receipt: 03/08/2021

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: To build residence and keep the existing house for the farmer workers use

Agent Information

Agent: Jetender SEKHON

Mailing Address:

6917 - 150B STREET

Surrey, BC

V3s 0W9

Canada

Primary Phone:

Mobile Phone:

Email:

Parcel Information

Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

Parcel Identifier: 005-113-261

Legal Description: lot a plan nwp6750 sec 25 twp 26 1d36

Parcel Area: 10 ha

Civic Address: 8110 upper prairie rd chilliwack v2p6h3

Date of Purchase: 08/05/2005

Farm Classification: Yes

Owners

1. **Name:** Wen Gang Du

Address:

8110 Upper Praire Rd

Chilliwack, BC

V2P 6H3

Canada

Phone:

Current Use of Parcels Under Application

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

Mushroom Farm land

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

Mushroom Farm

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

N/A

Adjacent Land Uses

North

Land Use Type: Agricultural/Farm

Specify Activity: Mushroom Farm

East

Land Use Type: Agricultural/Farm

Specify Activity: Mushroom Farm

South

Land Use Type: Agricultural/Farm

Specify Activity: Mushroom Farm

West

Land Use Type: Agricultural/Farm

Specify Activity: Mushroom Farm

Proposal

1. What is the purpose of the proposal?

To build residence and keep the exciting house for the farmer workers use

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

The house is only 500 square meter

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

The current house is 3,310 Square feet, 307 square meter

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

475 m²

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

as the workers need to works 24 hours a day, currently they have not place to rest and relax at the farm. we like to build a house to stay ourselves at the farm in the new house and have the workers use the existing house.

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

475 square meter

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

No

Applicant Attachments

- Agent Agreement-Jetender SEKHON
- Proposal Sketch-62594
- Certificate of Title-005-113-261

ALC Attachments

None.

Decisions

None.