

STAFF REPORT ON AGRICULTURAL LAND RESERVE APPLICATION ALR00388

PREPARED BY: Adam Roberts DATE: June 13, 2022

POSITION: Planner I DEPARTMENT: Planning & Strategic Initiatives

1. SUMMARY OF ISSUE:

The applicant is seeking approval for a “Non-Adhering Residential Use” application, for property located within the Agricultural Land Reserve (ALR), to facilitate the construction of a new single detached dwelling on the subject property and retain the existing dwelling for farm worker accommodation.

2. PROPOSAL:

The proposal is to approve a “Non-Adhering Residential Use” application within the ALR to facilitate the construction of a new dwelling on the subject property and retain the existing dwelling for farm workers. The proposal includes construction of a new 488m² dwelling that will be accessed from the existing driveway on Lickman Road. The existing dwelling was built in 1979 with appropriate permits and has a floor area of 137m².

The ALR Use Regulation permits an additional residence of 90m² and specific pre-existing structures within the ALR. The applicant is proposing to retain a pre-existing structure of 137m², which does not meet the ALC’s criteria to retain. As such, a “Non-Adhering Residential Use” application is required to retain the existing dwelling.

The current proposal is to utilize a 48m² portion of the existing building as an office and lunch room, leaving the remaining 89m² as a residence for farm workers. The applicant has confirmed that the office/lunch room will not contain a stove, oven or sink and will include its own access with no connection to the residential portion. In support of the proposal, the applicant has indicated that the new dwelling will provide much needed space for their growing family. In addition, the applicant intends to convert the existing hay production on the property to a blueberry farm.

3. FACTORS:

3.1 Zoning / 2040 OCP Designation / Land Use

Current Zoning: The property is within the AL (Agricultural Lowland) Zone.

OCP Designation: The property is designated “Agriculture”.

Existing Land Use: Single detached dwelling and multiple agricultural/ancillary buildings.

3.2 Technical Issues

- Floodplain:** The property is located within the protected floodplain and is subject to the Floodplain Regulation Bylaw.
- Watercourses:** “Jackson Hydro Ditch” a “Class A” watercourse, runs along the north property line, an unnamed “Class A” watercourse runs along the south property line and “Lickman Ditch” a “Class E” watercourse runs along the eastern property line. The existing dwelling is not affected by these watercourses and the proposed dwelling will be required to be sited in accordance with Development Permit Area 3 (Riparian Area) setbacks.
- Geotechnical Issues:** The property is not subject to any known geotechnical hazards or earthquake related risks.
- Soil Classification:** According to the ALC’s soil capability mapping, the property is composed of a variety of soils including:
- Class 2 soils (with excess water, soil moisture deficiency and topographical issues), having the potential to be Class 2 soils (with topographical issues);
 - Class 3 soils (with excess water and topographical issues), having the potential to be Class 2 soils (with excess water and topographical issues);
 - Class 3 soils (with excess water), having the potential to be Class 2 soils (with excess water).
 - Class 4 soils (with excess water), having the potential to be Class 3 soils (with excess water).

For reference, the ALC’s Soil Classes are outlined below:

- Class 1 lands have either no or only very slight limitations that restrict its use for the production of common agricultural crops.
- Class 2 lands have minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.
- Class 3 lands have limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.
- Class 4 lands have limitations that require special management practices or severely restrict crop selection, or both.

3.3 Neighbourhood Character

The subject property is located within an agricultural area situated to the west of the Urban Growth Boundary (UGB). The property is immediately surrounded by parcels similarly zoned AL (Agricultural Lowland) which are occupied predominantly by mid to large sized farming operations, with the

exception of a few smaller properties in the area which remain within the AL Zone. All properties within the immediate vicinity are located within the ALR.

4. DISCUSSION:

The placement of buildings on agricultural land may impact the future use of the land for agricultural purposes. As such, the City has developed regulations to limit residential activities on agricultural land to a specified Farm Home Plate. The Farm Home Plate is a portion of a property where all residential and related buildings, structures and activities are clustered, leaving the balance of the property for agricultural use. The goal is to minimize the impact of residences, related buildings and activities on agricultural land.

In the current proposal, both the existing and proposed dwellings are to be sited within the permitted Farm Home Plate, and will make use of the existing driveway. In addition, the location of the proposed dwelling does not appear to significantly impact currently farmed land. Considering these factors, the proposal is not anticipated to negatively affect future agricultural activity on the property.

The *ALR Use Regulation* permits an additional residence on properties within the ALR. As such, two residences are permitted on ALR properties; one of up to 500m² and one of up to 90m². Section 25.1.1 of the ALC Act states that, when considering NARU applications, the ALC must not grant permission for an additional residence unless the additional residence is necessary for a farm use. Considering this, the applicant has confirmed that the intention is for farm workers to live in the existing 137m² dwelling. In addition, the residential portion of the existing dwelling will be reduced to 89m² to create a 48m² office and lunch room space for farm workers. As a result of this, the residential portion of the dwelling would be less than the 90m² permitted by the ALC; however, approval of the conversion is still required.

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 supports the proposed non-adhering residential use application within the Agricultural Land Reserve for property located at 6033 Lickman Road and recommends Council forward the application to the Agricultural Land Commission "with support".

As part of the Committee's rationale, it was noted the proposed home and farm worker accommodation would be compliant with current ALR Use Regulations; however, the conversion of a portion of the original home for an office/lunch room requires ALC approval. In addition, the Committee noted the property owner has made investment in blueberry plants and the future blueberry farm would create a viable farming opportunity on a parcel that has seen limited agricultural activity.

6. RECOMMENDATION AND SUBSTANTIATION:**Recommendation**

Recommendation that application ALR00388 for a “Non-Adhering Residential Use” within the Agricultural Land Reserve (ALR), with respect to property located at 6033 Lickman Road, be forwarded to the Agricultural Land Commission “with support”.

Substantiation

The locations of the proposed and existing dwellings are sited within the Farm Home Plate and retention of the existing dwelling will provide accommodation for people working on the farm. Considering these factors, the proposal is not anticipated to negatively affect future agricultural activity on the property.

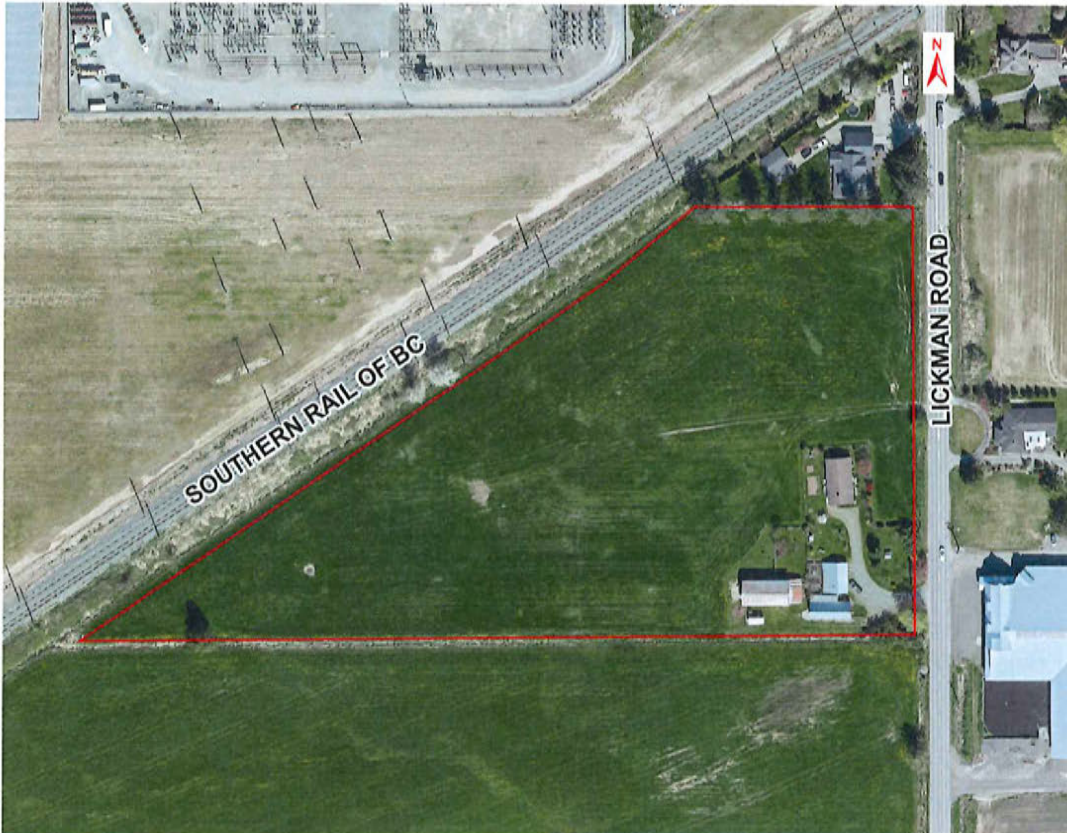
7. SOURCES OF INFORMATION:

- ALC Applicant Submission (ID63952) – November 3, 2021
- ALR Application (ALR00388) – November 3, 2021
- Development Application Review Team (DART) Minutes – January 13, 2022

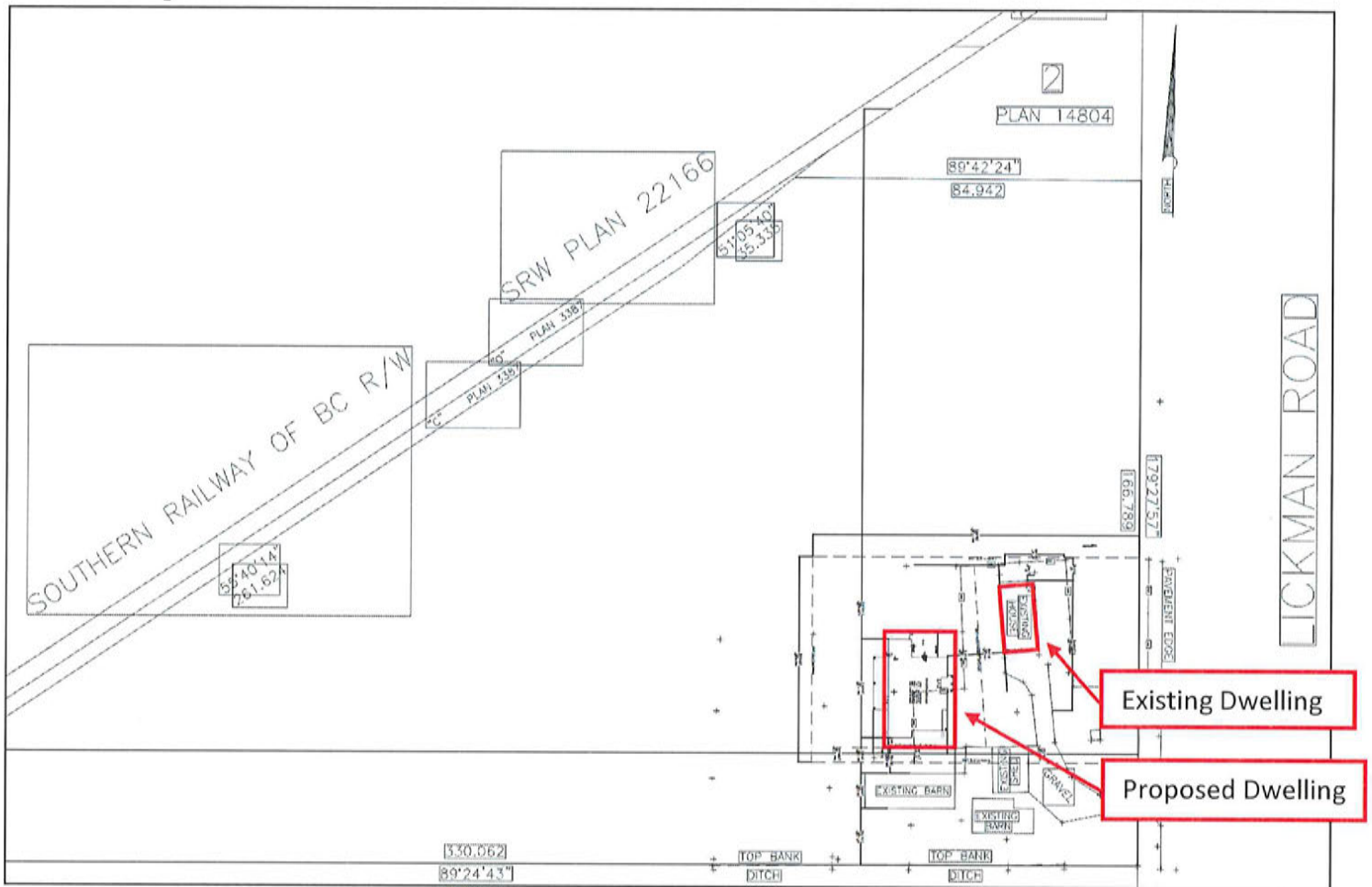
Location Map



Ortho Map

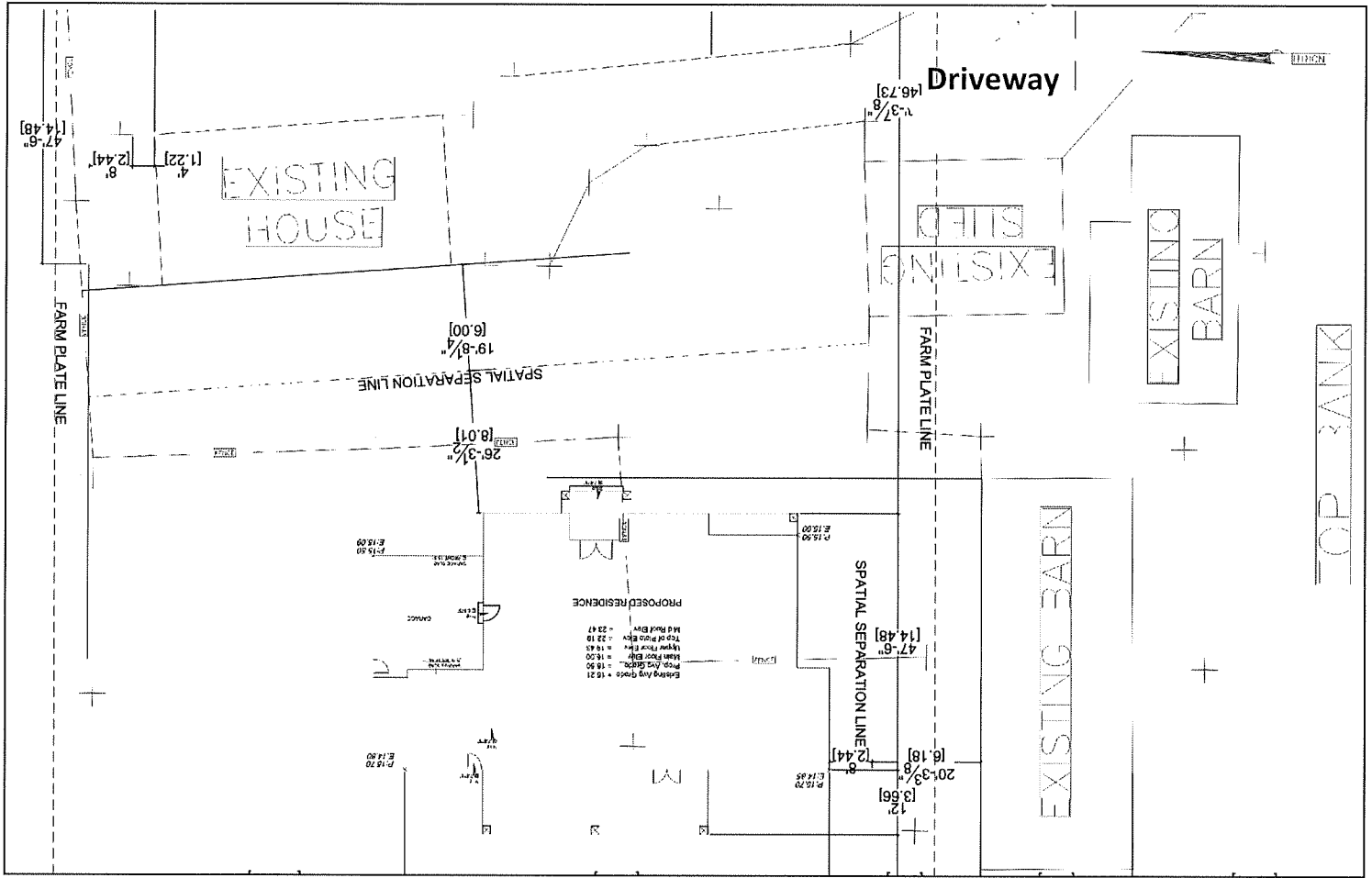


Proposed Site Plan – Full Property (as submitted by the applicant)



Proposed Site Plan - Zoomed (as submitted by the applicant)

Lickman Road



TOP BANK

Provincial Agricultural Land Commission - Applicant Submission

Application ID: 63952

Application Status: Under LG Review

Applicant: Rajveer Gill , Jagwinder Gill

Agent: Rajveer Gill

Local Government: City of Chilliwack

Local Government Date of Receipt: 11/03/2021

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: We would like to build an additional home as the current 1400 sq ft home is too small for our family needs. We would like to keep the 1400 sq ft home for family and farm help as my daughters will be attending school

Agent Information

Agent: Rajveer Gill

Mailing Address:

6033 LICKMAN RD

Chilliwack , BC

v2r 4a9

Canada

Primary Phone:

Email:

Parcel Information

Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

Parcel Identifier: 010-024-981

Legal Description: Lot 3 Plan NWP14804 Part1 E Section 10 Township 23 Land District 36

Parcel Area: 3.4 ha

Civic Address: 6033 Lickman rd Chilliwack

Date of Purchase: 08/16/2021

Farm Classification: Yes

Owners

1. **Name:** Rajveer Gill

Address:

6033 LICKMAN RD

Chilliwack, BC

V2r 4a9

Canada

Phone:

Email:

2. **Name:** Jagwinder Gill

Address:

Applicant: Rajveer Gill , Jagwinder Gill

6033 LICKMAN RD
Chilliwack , BC
v2r 4a9
Canada
Phone:
Email:

Current Use of Parcels Under Application

1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).
around 80% hay(Future use of farm will be planted in blueberries)

2. Quantify and describe in detail all agricultural improvements made to the parcel(s).
Land will have future significant improvements for farming such as drip irrigation, blueberry plants, cultivated land, and more

3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).
house and 1800 square metre storage

Adjacent Land Uses

North

Land Use Type: Agricultural/Farm
Specify Activity: hay

East

Land Use Type: Agricultural/Farm
Specify Activity: hay

South

Land Use Type: Agricultural/Farm
Specify Activity: hay

West

Land Use Type: Agricultural/Farm
Specify Activity: hay

Proposal

1. What is the purpose of the proposal?

We would like to build an additional home as the current 1400 sq ft home is too small for our family needs. We would like to keep the 1400 sq ft home for family and farm help as my daughters will be attending school

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

Applicant: Rajveer Gill , Jagwinder Gill

We plan to have this farm as a generational family farm; there are 4 primary members of our family as well as our extended family which includes grand parents and other siblings. We sold our prior blueberry farm 4095 eckert street due to our family outgrowing the existing 2000 sq ft character home we renovated. 4095 eckert st was previously 10 acres of un farmed land with buildings in derelict conditions that my family renovated and improved the land with a producing blueberry farm. Both my daughters and my husband as well as additional family members helped on the farm but we outgrew the house. Now one my daughters is off to her first year of University and my other daughter is a few years away and is busy in her schooling. Therefore the current small home on the property will be used for extended family or farm help. The new home we are building will be for my current family with grandparents as well as my daughters future families

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

currently 6 ppl are residing in a 1400 sq ft rancher

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

500 m²

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

we are placing near the front of property for maximum efficiency of blueberry plant

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

less than 5000 sq ft approx

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

No

Applicant Attachments

- Agent Agreement-Rajveer Gill
- Proposal Sketch-63952
- Other correspondence or file information-Sketch
- Certificate of Title-010-024-981

ALC Attachments

None.

Decisions

None.