

AGENDA ITEM NO: _____

MEETING DATE: April 4, 2023

STAFF REPORT – COVER SHEET

SUBJECT: Nathan Timmermans
Development Variance Permit / 3410
Boundary Road DATE: March 23, 2023


DEPARTMENT: Planning
DVP01342 PREPARED BY: Joty Rai / sw

1. SUMMARY OF ISSUE:

The applicant is seeking to increase the maximum rear lot line farm home plate setback within the AL (Agricultural Lowland) Zone from 50m to 100m to facilitate the construction of a new single detached dwelling.

2. RECOMMENDATION:

Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01342 with respect to property located at 3410 Boundary Road, subject to the recommendations as stipulated within the draft Development Variance Permit.



Gillian Villeneuve
Director of Planning

**3. CHIEF ADMINISTRATIVE OFFICER'S
RECOMMENDATION/COMMENTS:**

Supports recommendation.



Chris Crosman
Chief Administrative Officer

STAFF REPORT ON DEVELOPMENT VARIANCE PERMIT DVP01342

PREPARED BY: Joty Rai DATE: March 23, 2023
POSITION: Planner I DEPARTMENT: Planning Department

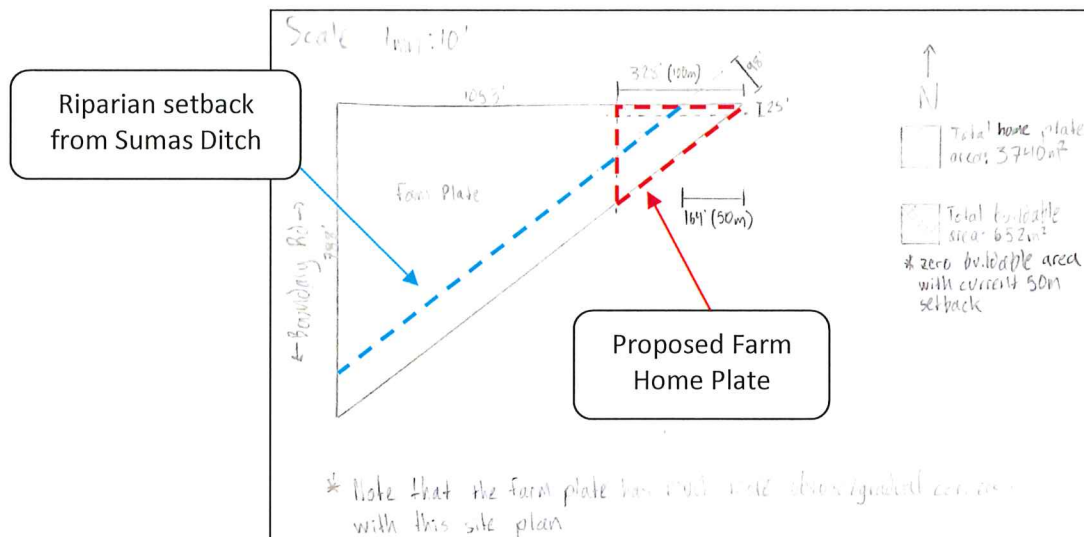
1. DEFINITION OF ISSUE:

The applicant is seeking to increase the maximum rear lot line farm home plate setback within the AL (Agricultural Lowland) Zone from 50m to 100m to facilitate the construction of a new single detached dwelling.

2. PROPOSAL:

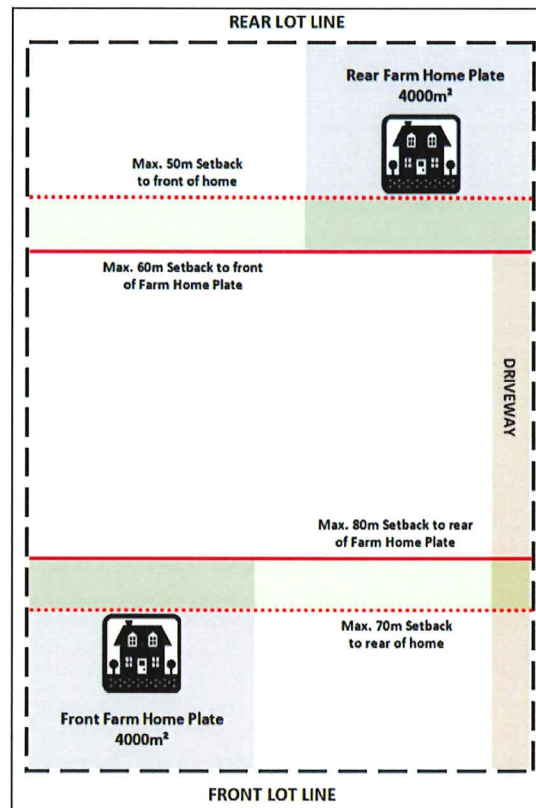
The proposal is to increase the maximum rear lot line (RLL) farm home plate setback by 50m to facilitate the construction of a new single detached dwelling on the subject property. As the alternative siting provisions within Development Permit Area No. 9 (Farm Home Plate) guidelines do not apply, a variance to the farm home plate siting standards within the AL Zone is required.

Within the AL Zone, no portion of a single detached dwelling is permitted to be located farther than 50m from the rear lot line and no portion of the farm home plate can be located farther than 60m from the rear lot line. Additionally, the maximum lot coverage for a farm home plate is 4,000m². The applicant is proposing a farm home plate of approximately 3,740m², to be sited 100m from the rear lot line. An increase of 50m is requested due to a restricted building envelope resulting from the narrow triangle-shape of the rear of the subject property as well as riparian setbacks related to Sumas Ditch, which runs along the south lot line as shown on the site plan below.



In support of the proposal, the applicant has indicated that they wish to site the dwelling at the rear (as opposed to the front) of the property as it is at a slightly higher elevation, which will reduce the amount of fill required to meet floodplain requirements for the proposed dwelling. Most importantly, the proposed alternate siting will preserve the existing tree farming operation on the wider, more accessible frontage of subject property. The applicant has specified that the irregular shape and acute corner angle of the rear portion of the property is not efficiently maneuvered by agricultural machinery, therefore, the rear is more suitable for residential use.

For information, a diagram of the Farm Home Plate standards is provided below.



3. FACTORS:

3.1 2040 Official Community Plan (OCP) / Land Use

Current Zoning:	AL (Agricultural Lowland) Zone.
OCP Designation:	"Agriculture" as designated within the Yarrow Neighbourhood Plan.
Existing Land Use:	Tree Farm.

3.2 Neighbourhood Character

The subject property is located within an agricultural area in Yarrow, at the south-west municipal boundary. Neighbouring parcels are also zoned AL and predominantly contain mid to large sized agricultural operations. The properties within the immediate vicinity are all located in the Agricultural Land Reserve (ALR). There is a rural neighbourhood to the east on Majuba Hill Road which includes properties within the RR (Rural Residential) Zone which are not within the ALR.

3.3 Technical Issues

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

Watercourses: *Sumas Ditch* runs along the south property line. This is a “Class A” watercourse with an associated 30m riparian setback. Should development occur within 30m of the riparian area setback, a Development Permit Area 3 (Riparian) shall be required, including the submission of a Riparian Areas Protection Regulation Assessment Report completed by a Qualified Environmental Professional.

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 Class 4 soils (with excess water, soil moisture deficiency and fertility issues), having the potential to be Class 3 soils (with excess water and soil moisture deficiency issues).

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

- 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.

3.4 Conditions of Issuance

Staff support the requested variance as proposed by the applicant and recommend approval of the draft Development Variance Permit subject to the following condition being met:

- That the development be in accordance with the plans found in Schedule “A”.

4. AGRICULTURAL AND RURAL ADVISORY COMMITTEE:

The Agricultural and Rural Advisory Committee (ARAC) reviewed this proposal on March 8, 2023, and made the following recommendation:

That the Agricultural and Rural Advisory Committee supports the proposed variance to increase the maximum farm home plate setback from 50m to 100m for construction of a new dwelling for property located at 3410 Boundary Road and recommends Council approve the application, subject to public input.

As part of the Committee's rationale, it was noted the variance to position the farm home plate at a setback of 100m was appropriate given the irregular lot shape and the restrictions for use associated with the 30m riparian setback for Sumas Ditch. In addition, as it will be challenging for farm equipment to access the triangular portion at the rear of the property, the Committee supports the location of the proposed farm home plate as it retains the accessible areas of the lot for active agricultural production.

5. RECOMMENDATION & SUBSTANTIATION:**Recommendation:**

Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01342 with respect to property located at 3410 Boundary Road, subject to the recommendations as stipulated within the draft Development Variance Permit.

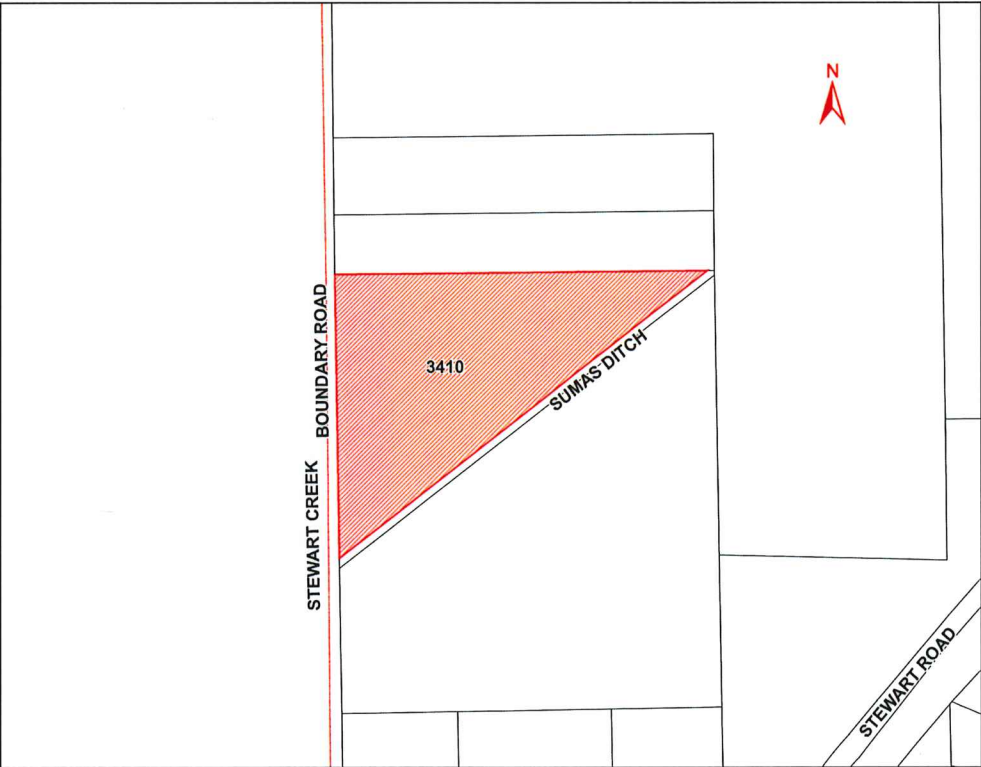
Substantiation:

The proposal is supported by ARAC and is not anticipated to impact the existing farming operation on the property or the overall agricultural inventory within the community.

6. SOURCES OF INFORMATION:

- Development Permit Application – October 31, 2023
- DVP Application (DVP01265) – February 3, 2023

Location Map



Orthophoto



Site Photo

