

AGENDA ITEM NO: 7.14

MEETING DATE: November 7, 2023

STAFF REPORT – COVER SHEET

SUBJECT: OTG Developments Ltd
Agricultural Land Reserve
43660 Adams Road DATE: October 17, 2023


DEPARTMENT: Planning Department
ALR00415 PREPARED BY:  Krista Desormeaux / mb

1. SUMMARY OF ISSUE:

The applicant is seeking approval for a proposed subdivision of the subject property within the Agricultural Land Reserve (ALR) to create two lots of approximately 0.4ha in size.

2. RECOMMENDATION:


Recommendation that application ALR00415 for a subdivision within the Agricultural Land Reserve (ALR), with respect to property located at 43660 Adams Road, be forwarded to the Agricultural Land Commission "with support".



Gillian Villeneuve
Director of Planning

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.



Chris Crosman
Chief Administrative Officer

STAFF REPORT ON AGRICULTURAL LAND RESERVE APPLICATION ALR00415

PREPARED BY: Krista Desormeaux DATE: October 17, 2023
POSITION: Planner I DEPARTMENT: Planning Department

1. SUMMARY OF ISSUE:

The applicant is seeking approval for a proposed subdivision of the subject property within the Agricultural Land Reserve (ALR) to create two lots of approximately 0.4ha in size.

2. BACKGROUND/PROPOSAL:

As demonstrated by the attached conceptual plan, the proposal is to subdivide the subject property, which is approximately 0.8ha and located within the ALR, into two parcels of approximately 0.4ha each. The property is less than 2 acres by separate certificate of title as of December 21, 1972 and is therefore, excepted from restrictions on the use of agricultural land, as confirmed by the Agricultural Land Commission (ALC).

In March 2022, an application to rezone the subject property from an AL (Agricultural Lowland) Zone to an AS (Agricultural Small Lot) Zone to facilitate a 2-lot subdivision was reviewed and approved by Council. In April 2022, the ALC amended *Policy P-02 – Potential Exceptions from Restrictions of Use in the ALCA: Parcels Less than 2 Acres* to affirm that properties within the ALR cannot be subdivided without application to and approval from the ALC, regardless of whether they are excepted from restrictions on the use of agricultural land. As such, the applicant is applying to the ALC to permit the proposed 2-lot subdivision. Should the applicant wish to further subdivide the property in the future (as the AS Zone permits a minimum lot area of 2000m²) a separate subdivision application to the ALC will be required.

The proposal includes a 3m vegetative buffer along the east and south property lines with retention of existing hedging along the east property line. The applicant also intends on retaining the existing single detached dwelling and shop.

The proposed subdivision is consistent with best practices for development outside the City's Urban Growth Boundary, featuring a lot area of 0.4ha, a 3m vegetative buffer adjacent to neighbouring agricultural parcels, and access to City water service upon completion of a municipal water main extension from Lickman Road at time of subdivision.

3. FACTORS:

3.1 Zoning/2040 OCP Designation/Land Use

Current Zone: AS (Agricultural Small Lot) Zone.

OCP Designation: "Agriculture".

Existing Land Uses: Single detached dwelling, shop, and field for grain and forage.

3.2 Technical Issues:

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

Watercourses: The property is subject to a Class “B” watercourse (*Adams Road Ditch*), which runs along the north property line, requiring a 15m setback. Should the future new building footprint be proposed to be sited within the standard riparian area setback established for this watercourse, a Development Permit 3 (Riparian Area) will be required to address environmental concerns.

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 affected portion of the property is composed of a variety of soils, including areas with:

- 60% Class 4 soils (with excess water and soil moisture deficiencies) and 40% Class 2 soils (with soil moisture deficiencies) with the potential to be 60% Class 2 soils (with soil moisture deficiencies and topographic issues) and 40% Class 1 soils.

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

- Class 1 lands are capable of producing the very widest range of crops, resulting in easy management.
- Class 2 lands have minor limitations that require ongoing management practices or slightly restrict the range of crops, or both.
- Class 4 lands require special management practices or severely restricted crop selection.

3.3 Neighbourhood Character

The subject property is located within an agricultural area outside the City’s Urban Growth Boundary. To the north, east, and south, the property adjoins parcels of varying size within the AL Zone, most of which are actively farmed with associated rural residential uses. To the west, the property neighbours a parcel that was rezoned from the AL Zone to the AS Zone to facilitate a proposed 3-lot subdivision.

Although the proposed subdivision will create smaller lots than those in the surrounding neighbourhood, the proposal is considered to be consistent with the City’s *Guidelines for Assessing*

the Development Potential for ALR Exempt Parcels ('Guidelines'). These Guidelines are intended to assist with decision-making regarding the rezoning and development of parcels exempt from ALR restrictions.

The Guidelines indicate that for properties with access to appropriate servicing, lots of at least 2,000m², with vegetative buffering adjacent to farm operations are considered appropriate. As per the attached conceptual plan, the proposal is to subdivide the subject property into two lots of 4,000m², with a 3m vegetative buffer located along the east and south property lines, pending connection to City water. As such, the proposed subdivision is considered to be consistent with City Guidelines regarding the development of ALR except parcels.

4. RECOMMENDATION AND SUBSTANTIATION:

Recommendation

Recommendation that application ALR00415 for a subdivision within the Agricultural Land Reserve (ALR), with respect to property located at 43660 Adams Road, be forwarded to the Agricultural Land Commission "with support".

Substantiation

As the proposed subdivision is consistent with the City's OCP, AS Zone, and *Guidelines for Assessing the Development Potential for ALR Exempt Parcels*, it is recommended that the application be forwarded to the ALC "with support" for consideration of the proposed subdivision.

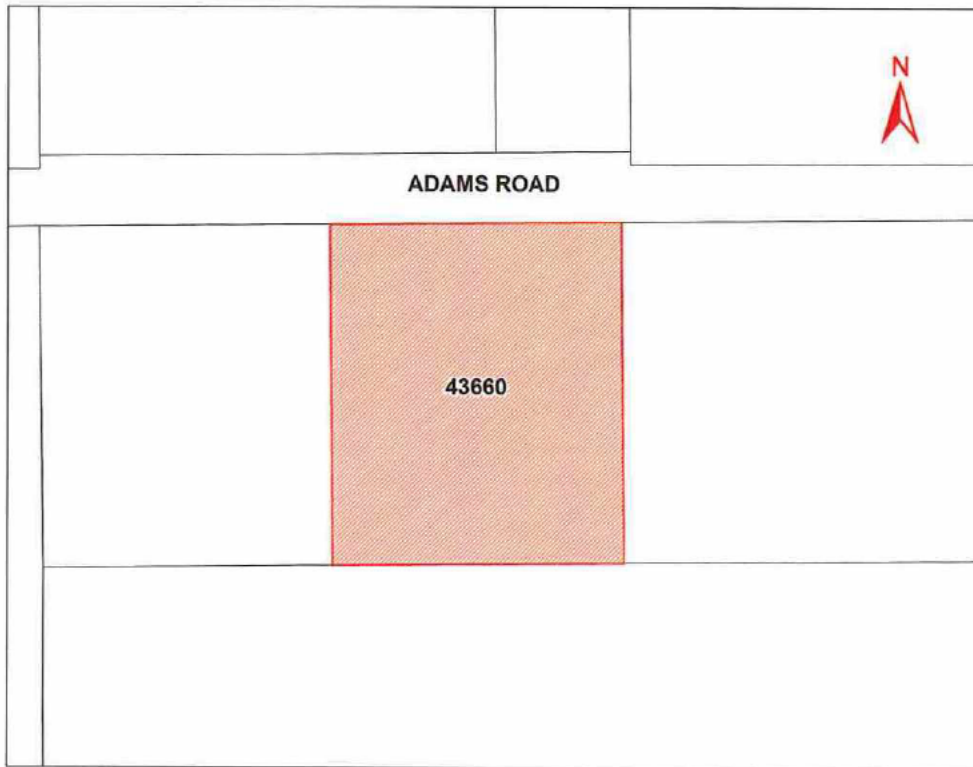
5. SOURCES OF INFORMATION:

- Rezoning Application (RZ001564) – August 17, 2021
- Development Application Review Team (DART) Minutes (RZ001564) – November 4, 2021
- ALC Applicant Submission (ID68755) – June 27, 2023
- Development Application Review Team (DART) Minutes (ALR00415) – August 10, 2023

Attachment

- ALC Applicant Submission (ID68755) – June 27, 2023

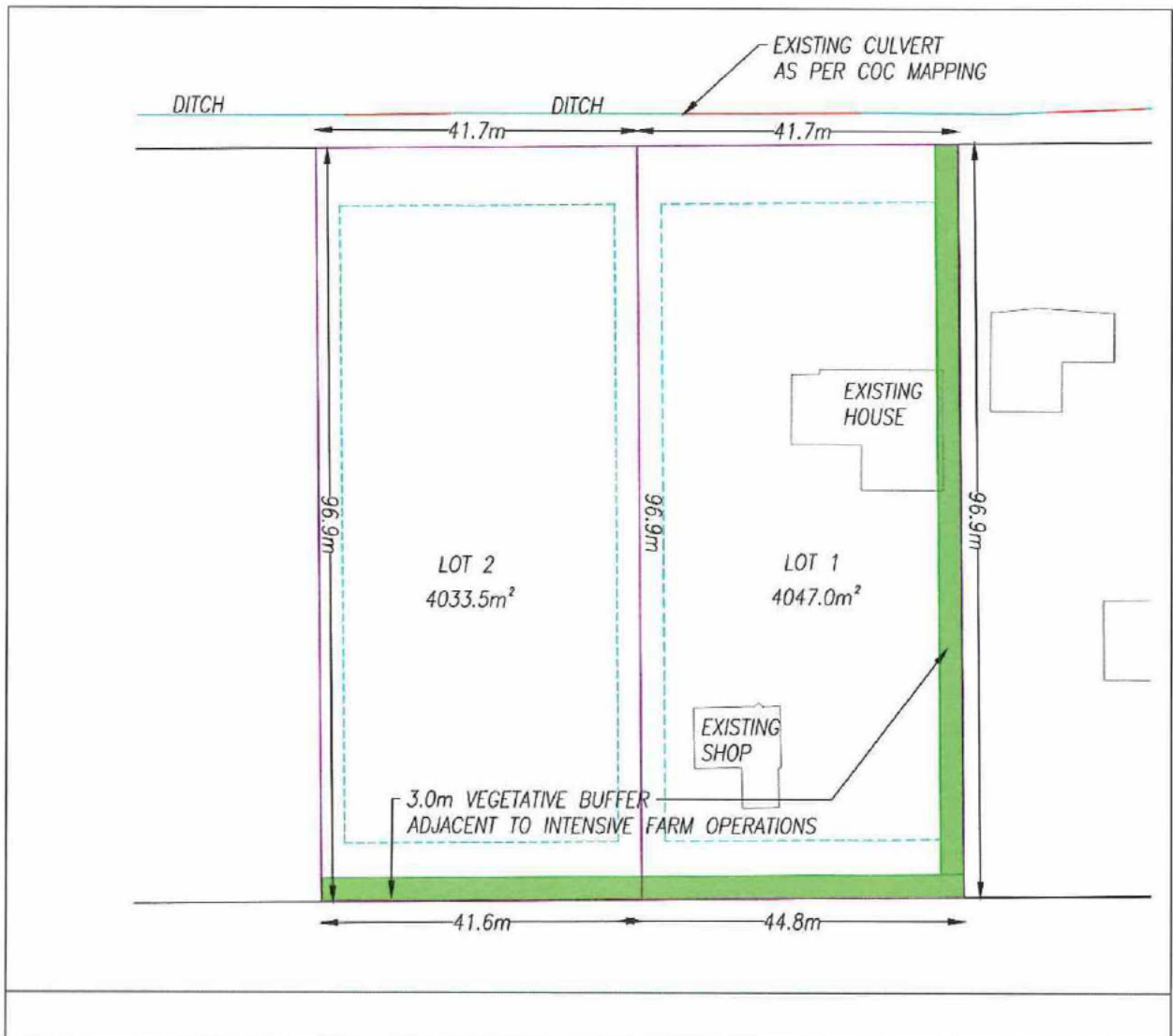
Location Map



Ortho Map



Proposed Site Plan (as submitted by the applicant)



Schedule "A"

**ALC Applicant Submission (ID68755)
June 27, 2023**



Provincial Agricultural Land Commission - Applicant Submission

Application ID: 68755

Application Status: Under LG Review

Applicant:

Agent: OTG Developments Ltd.

Local Government: City of Chilliwack

Local Government Date of Receipt: 06/27/2023

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

Proposal Type: Subdivision

Proposal: The purpose of the subdivision is to allow for two lots under the existing Agricultural Small Lot Zone. A successful rezoning to the Agricultural Small Lot Zone with the City of Chilliwack was completed in March of 2022.

Agent Information

Agent : OTG Developments Ltd.

Mailing Address :

201 - 45269 Keith Wilson Road

Chilliwack, BC

V2R 5S1

Canada

Primary Phone :

Email :

Parcel Information

Parcel(s) Under Application

1. **Ownership Type :** Fee Simple

Parcel Identifier : 007-003-820

Legal Description : LOT 9 SECTION 15 TOWNSHIP 23 NEW WESTMINSTER DISTRICT

Parcel Area : 0.81 ha

Civic Address : 43660 Adams Road

Date of Purchase : 09/30/2019

Farm Classification : No

Owners

1. **Name :**

Address :

43730 Adams Road

Chilliwack, BC

V2R 4L1

Canada

Phone :
Email :
2. **Name :**
Address :
43730 Adams Road
Chilliwack, BC
V2R 4L1
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).

The western side of the property is grassed which the neighbour maintains as best he can as getting the machinery to bale this area is difficult.

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

There have been no improvements made to the subject property since purchase

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

The non-agricultural activity taking place is the single-family house located on the eastern portion of the property.

Adjacent Land Uses

North

Land Use Type: Agricultural/Farm

Specify Activity : Residential and field crop

East

Land Use Type: Agricultural/Farm

Specify Activity : Chicken Farm

South

Land Use Type: Agricultural/Farm

Specify Activity : Dairy Farm

West

Land Use Type: Residential

Specify Activity : Small lot Agricultural lots - Exempt status

Proposal

1. Enter the total number of lots proposed for your property.

0.4 ha

0.41 ha

2. What is the purpose of the proposal?

The purpose of the subdivision is to allow for two lots under the existing Agricultural Small Lot Zone. A successful rezoning to the Agricultural Small Lot Zone with the City of Chilliwack was completed in March of 2022

3. Why do you believe this parcel is suitable for subdivision?

The subject site is exempt and less than 2.0 acres in size. Confirmed in a letter from the ALC dated July 16, 2021. As such, the parcel is not suitable for viable agricultural activities.

4. Does the proposal support agriculture in the short or long term? Please explain.

The proposal does not support agriculture in the long term

5. Are you applying for subdivision pursuant to the ALC Homesite Severance Policy? If yes, please submit proof of property ownership prior to December 21, 1972 and proof of continued occupancy in the "Upload Attachments" section.

No

Applicant Attachments

- Agent Agreement - OTG Developments Ltd.
- Proposal Sketch - 68755
- Other correspondence or file information - ALC Exemption Letter
- Other correspondence or file information - COC agency
- Professional Report - Cover letter
- Other correspondence or file information - Appendix 2
- Certificate of Title - 007-003-820

ALC Attachments

None.

Decisions

None.