

To: Electoral Area Services Committee

Date: 2020-09-09

From: Julie Mundy, Planner 1

File No: 3015-20 2020-04

**Subject: Agricultural Land Commission Application – Proposed Two (2) Lot Subdivision at 550 Blatchford Road, Area H**

## RECOMMENDATION

**THAT** the application for a two (2) lot subdivision within the Agricultural Land Reserve at 550 Blatchford Road, Electoral Area H be forwarded to the Agricultural Land Commission for consideration;

**AND THAT** the FVRD corporate report dated September 9, 2020 under file number 3015-20 2020-04, be forwarded to the Agricultural Land Commission

## STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

Foster a Strong & Diverse Economy

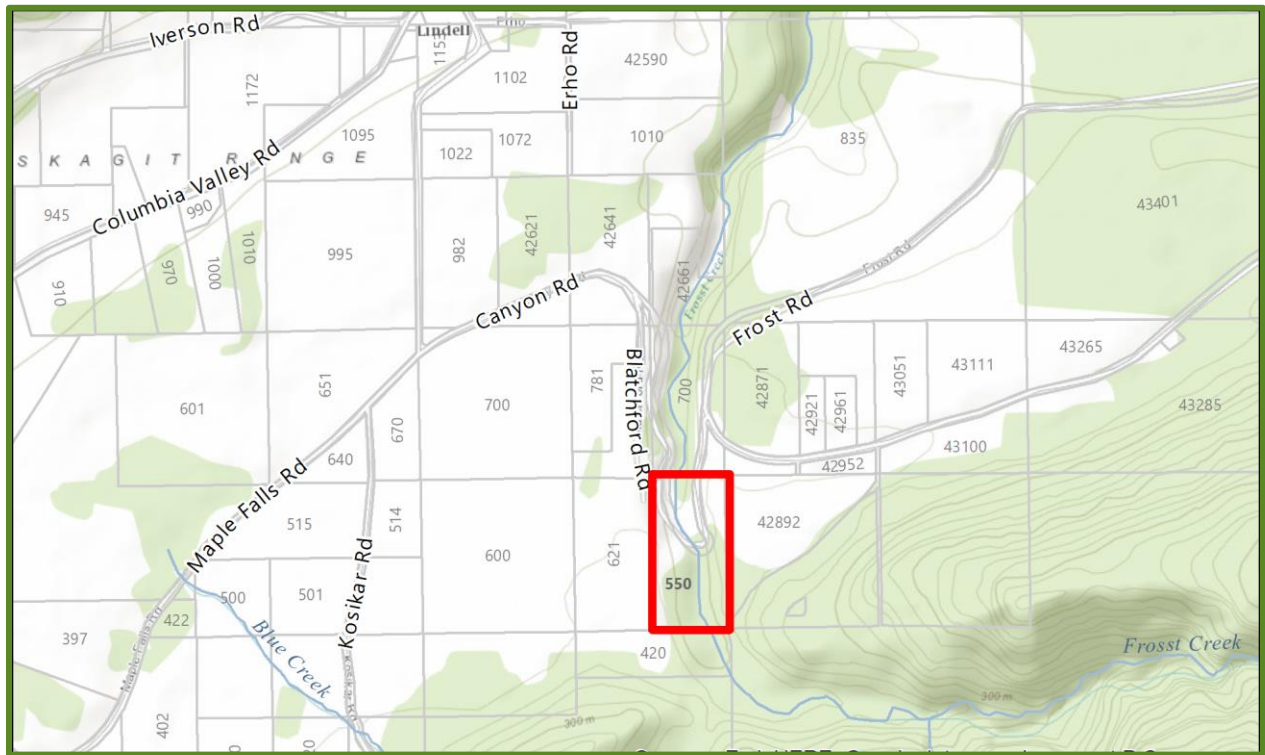
## BACKGROUND

The Fraser Valley Regional District has received an application for a two (2) lot subdivision in the Agricultural Land Reserve at 550 Blatchford Road, Area H. The applicant is proposing to subdivide an existing 20 acre (8 hectare) parcel into two lots of 10 acres (4 hectares).

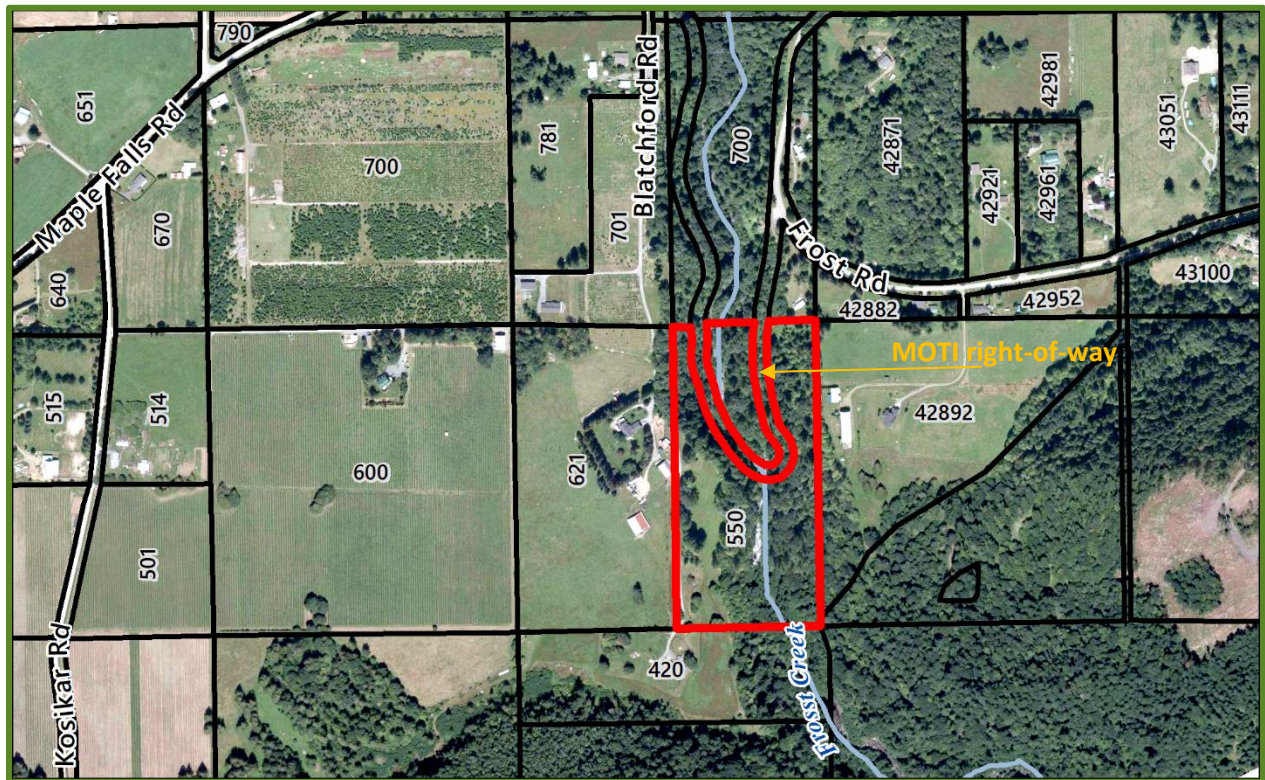
### PROPERTY DETAILS

<b>Electoral Area</b>	H		
<b>Address</b>	550 Blatchford Road		
<b>PID</b>	013-422-758		
<b>Folio</b>	733.02906.000		
<b>Lot Size</b>	20 Acres		
<b>Owner</b>	David and Patricia Huesken	<b>Agent</b>	OTG Developments
<b>Current Zoning</b>	Rural (R)	<b>Proposed Zoning</b>	No change
<b>Current OCP</b>	Agricultural (AG)	<b>Proposed OCP</b>	No change
<b>Current Use</b>	Agricultural / Residential	<b>Proposed Use</b>	No change
<b>Development Permit Areas</b>	5-E Riparian Areas		
<b>Agricultural Land Reserve</b>	Yes		

## NEIGHBOURHOOD MAP



## PROPERTY MAP



ADJACENT ZONING & LAND USES		
North	^	Rural-Agriculture (R-Ag); Agricultural/Farm
East	>	Rural-Agriculture (R-Ag); Agricultural/Farm
West	<	Rural-Agriculture (R-Ag); Agricultural/Farm
South	v	Limited Use (L-1); Agricultural/Farm

## DISCUSSION

### Property Description

The subject property is located at the end of Blatchford Road in Columbia Valley. The west side of the property is gently sloped and is currently used for farming. The east side of the property is steeply sloped and heavily treed. Frosst Creek, which is a permanent fish bearing watercourse, runs across the property in a generally north-south direction.

There is an old MOTI road right of way that loops through the northern portion of the property. This right of way is currently locked at both ends, is overgrown with vegetation, and is not accessible to vehicular traffic. Slope stability concerns may have been a factor when Ministry of Transportation and Infrastructure closed the road.

### Current Farm Activity

The property, classified as Grain & Forage Farm Use by BC Assessment, is part of a larger farm unit which produces hay and raises cattle. The property is used for growing hay and storing farm equipment. A steel Quonset which is used for agricultural purposes is the only building on the property.

### Property Owner Rational

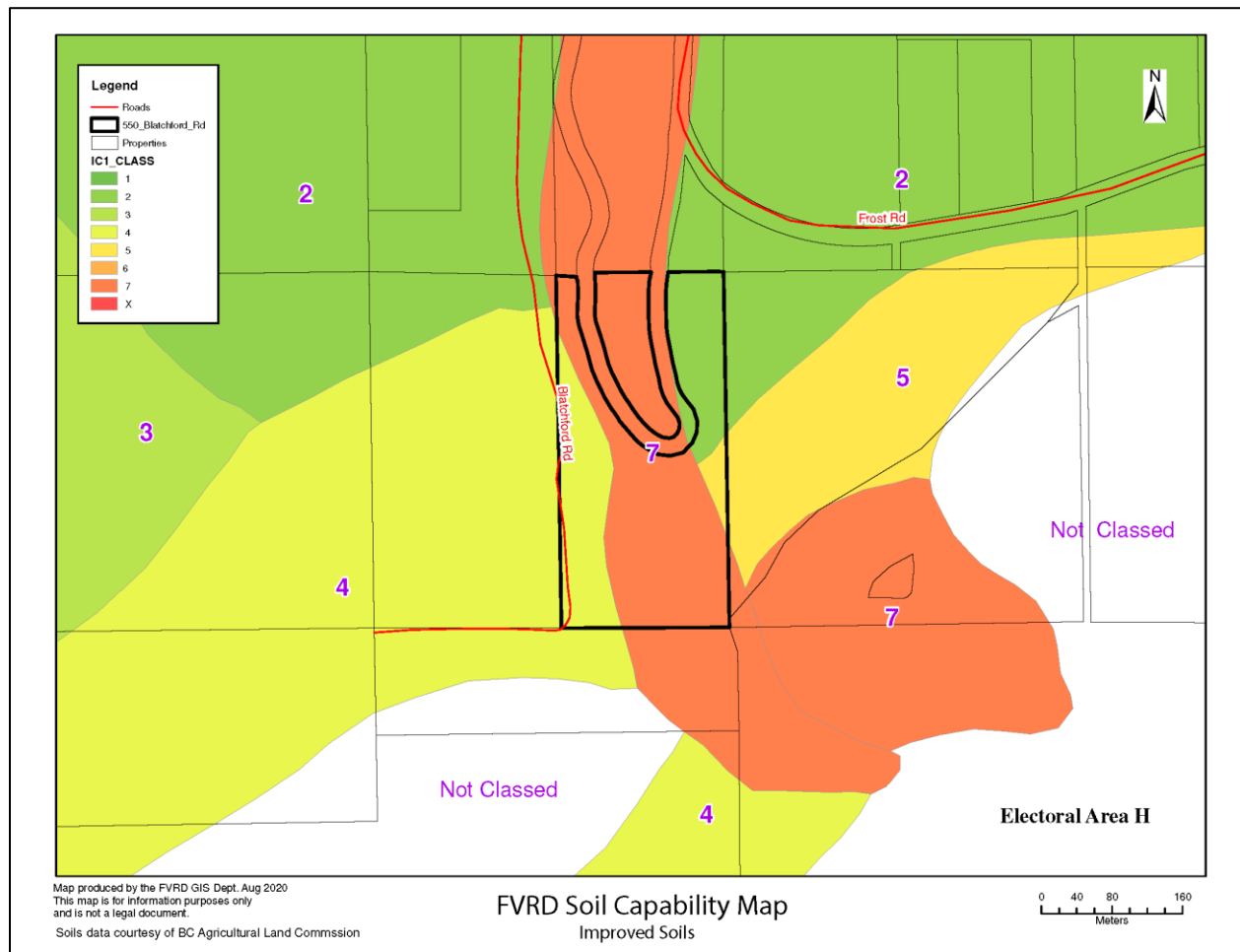
The property owner advises:

- The new parcel would provide a lot for a family member without impacting the farmable land;
- The steep slopes and Frosst Creek make farming virtually impossible on the eastern side of the property; additionally, there is no place large enough to construct a barn on the eastern side of the lot;
- The family has owned and farmed in the area since 1960, and have never farmed the eastern portion of the property;
- The western portion of the land will continue to be farmed.

### **Agricultural Capability Classification**

Lands within the Agricultural Land Reserve are classified according to their ability to produce a range of crops when considering climate and topography. Soils are classified on a scale of 1 through 7. Class 1 is applied to land where the climate and soil allow growth of the widest range of crops, and Class 7 is applied to land considered non-arable, with no potential for soil-bound agriculture. Capability classes

are designated as unimproved and improved. Unimproved ratings are based on soil characteristics without physical improvements whereas improved ratings are based on assumptions that improvements can be made.



The western portion of the subject property has an improved agricultural capability classification of 4. The eastern portion of the property is comprised of land with an improved class of 2, and land in class 7 with topography limitations.

- Class 4: Land in this class has limitations that require special management practices or severely restrict the range of crops, or both;
- Class 2: Land in this class has minor limitations that require food ongoing management practices or slightly restrict the range of crops or both;
- Class 7: Land in this class has no capability for arable or sustained natural grazing.

Agricultural capability mapping does not always align with ground conditions. The Agricultural Land Commission is the most appropriate agency to decide and comment on this matter.

## FVRD Policies and Regulations

### Official Community Plan

The subject property is designated Agricultural (AG) per *Fraser Valley Regional District Official Community Plan for Electoral Areas E and H Bylaw No. 1115, 2011*. The proposed subdivision appears to meet the minimum parcel size of 4 hectares (10 acres) for lands outside of a floodplain.

The proposal shows consistency with the goals of the Official Community Plan subdivision policies, specifically:

*Policy 5.1.20 New parcels created by subdivision with the AGRICULTURAL areas shall be configured to maximize agricultural sustainability and minimize potential conflicts between farm and non-farm uses.*

*Policy 5.1.22 Land in the AGRICULTURAL areas shall be subdivided only in accordance with the standards of the Responsible Authorities, except that the parcel size shall be:*  
*b. Not less than four (4) hectares for lands outside of a floodplain.*

### Zoning

The subject property is zoned Rural Agriculture (R-Ag) under *Zoning Bylaw for Electoral Area "E", 1976 of the Regional District of Fraser Cheam*. The minimum parcel size for new lots to be created by subdivision is 4 hectares (10 acres). The proposed subdivision appears to meet the minimum lot size requirements, and the proposed farm and residential uses are permitted in the zone.

### Subdivision Requirements

Should the applicant receive approval for the proposed subdivision from the Agricultural Land Commission, a subsequent subdivision application is required to the Ministry of Transportation and Infrastructure (MOTI). This application will be reviewed by FVRD to ensure it meets FVRD policies and regulations, including demonstrating safe building envelopes, appropriate access, environmental protections for Frosst Creek, and the necessary servicing requirements.

It is anticipated the applicant will have to work with MOTI on the feasibility of using the closed road right of way to access the eastern portion of the property.

Additionally, there are several easements on the property that would have to be addressed:

- CA4143156 & CA4143155: Mutual easement for building encroachment purposes between 550 and 621 Blatchford Road;
- CA2999006: Mutual easement for driveway and utility purposes between 550 and 420 Blatchford Road;
- BL128314: Mutual easements for driveway purposes.

## **COST**

The \$300 FVRD portion of the application fee has been paid. The applicant will pay the Agricultural Land Commission portion of the fee (\$1200) if this application is forwarded to the Agricultural Land Commission.

## **CONCLUSION**

Subject to the FVRD subdivision review and approval process, the proposed subdivision may be approvable. Staff recommend that the application be forwarded to the Agricultural Land Commission for consideration for the following reasons:

- The proposal meets minimum parcel size requirements in the Zoning Bylaw, and
- The Agricultural Land Commission is the agency best suited to decide on the agricultural impacts and agricultural merit of the proposal.

### **Option 1 – Forward to the ALC – (Staff Recommendation)**

MOTION: THAT the Fraser Valley Regional District Board forward the application for ALR subdivision to the Agricultural Land Commission.

AND THAT the FVRD corporate report dated September 9, 2020 be forwarded to the Agricultural Land Commission.

### **Option 2 – Refuse**

MOTION: THAT the Fraser Valley Regional District Board decline to forward the application for ALR subdivision to the Agricultural Land Commission

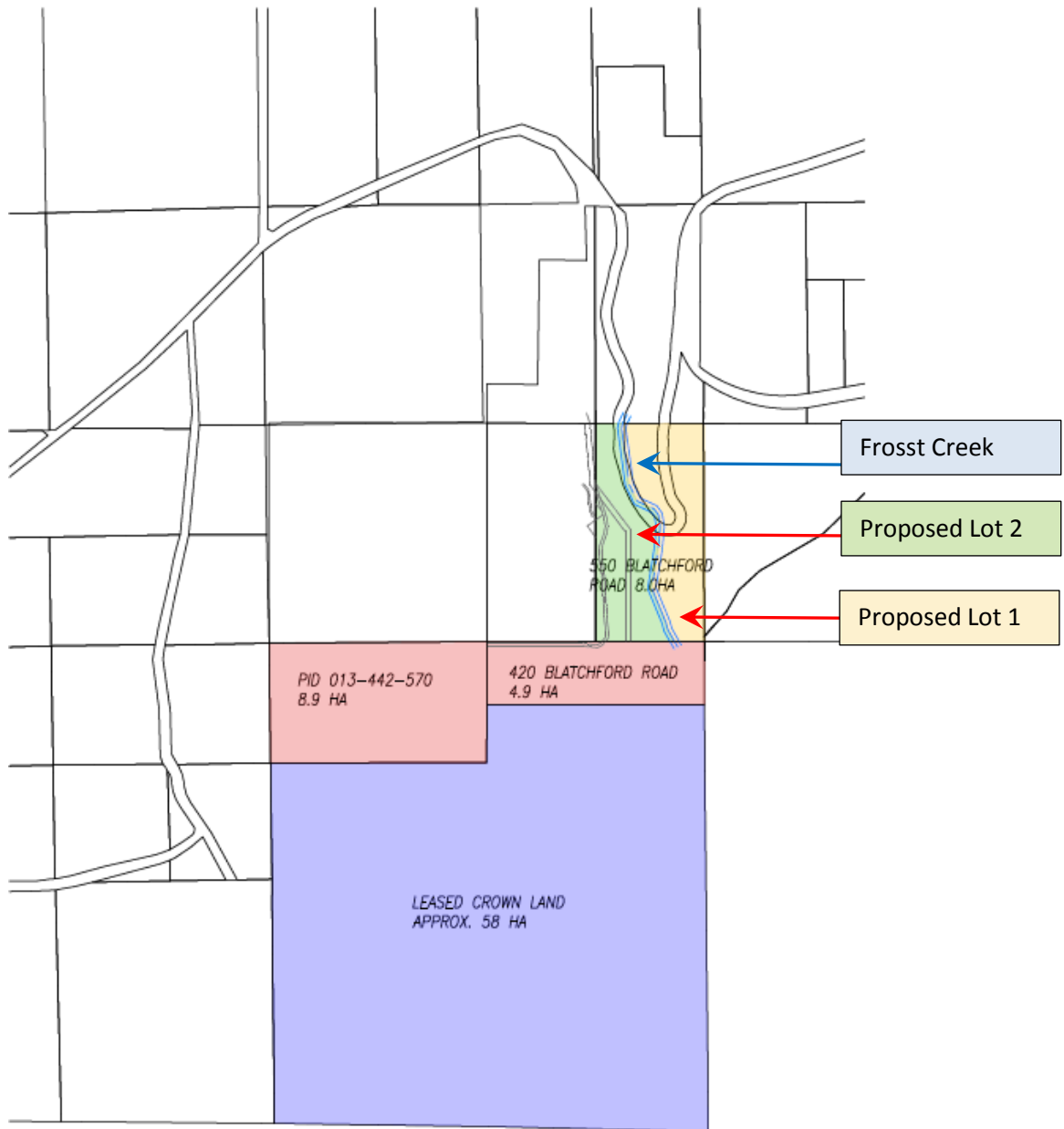
## **COMMENTS BY:**

**Graham Daneluz, Director of Planning & Development:** Reviewed and supported

**Kelly Lownsbrough, Chief Financial Officer/ Director of Financial Services:** Reviewed and supported

**Jennifer Kinneman, Chief Administrative Officer:** Reviewed and supported.

Appendix A  
Proposed Subdivision Layout – 550 Blatchford Road



## Appendix B Supplemental Report



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### Via Hand-Delivery

File No.: 20-023

June 3, 2020

Fraser Valley Regional District  
45950 Cheam Avenue  
Chilliwack, BC  
V2P 1N6

**Re: 550 Blatchford Road, Columbia Valley, BC – Subdivision in the ALR**

Mr. Daneluz,

Please accept this letter as a supplement to the above noted Subdivision Application in the Agricultural Land Reserve (ALR). The property is located at 550 Blatchford Road (the Subject Property) in the Fraser Valley Regional District. This application proposes a subdivision in the ALR to create two (2) approximately 10 acre (4 ha) properties.

### Proposal

The purpose of the subdivision in the ALR is to allow for the creation of two (2) 10 acre (4 ha) properties. The subject property is approximately 8.1 ha in size and is split in two by Frosst Creek that runs in a north south direction and has steep slopes.

There is a "road" that may have once allowed access from side to side, but it has not been maintained, the width is very small, and is now more of a walking trail. There is no way to have vehicular access to the east side from the west side without driving 9.2 km all the way around Frosst Creek. There is a locked gate at both ends of the "road" preventing vehicular and farm equipment access. There is no area suitable for any kind of farming on the east side of Frosst Creek.

The proposed subdivision would allow for the family to build a house on a property that has no agricultural use. The newly created parcel will allow the owner to provide a lot for his extended family to live, and not impact the useable farmable land on the west side.

### Description of the Subject Property

The Subject Property is located in the rural area of Columbia Valley. The subject property is separated by Frosst Creek as it runs in a general north south direction. Frosst Creek is classified as permanent fish bearing. The property has slopes that are significant. Based on the Fraser Valley Regional District (FVRD) mapping, the average slopes on the east

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"A plan without action is a dream,  
an action without a plan is a nightmare."





side are approximately 36%, and the west side is mainly around 20% with steeper slopes towards the north end.

The Subject Property has about 2.1 hectares of usable land on the west side of Frosst Creek. The rest of the land is heavily slopped, treed, and encumbered by Frosst Creek.

From reviewing the Agricultural Capability Classification in BC report the area we are proposing to subdivide off is Class 7, Subclass T & E.

- Class 7 - land in this class has no capability for arable or sustained natural grazing;
- Subclass E – Erosion
- Subclass T – Topography

The proposed 4 ha subdivision is entirely class 7, Subclass T & E it does not include any of the land that is being actively farmed. The proposal does not affect agriculture.

### Farm Operation

The subject property is part of a larger farming operation carried out on the surrounding land. The family raises cattle and harvest hay for feed and sales. This operation is carried out on 420 Blatchford Road, PID 013-422-570 and leased Crown Land to the South (see attached plan). The cattle are located on the leased crown land for grazing. 420 Blatchford Road and a portion of 550 Blatchford Road are used for hay and equipment storage. The owners have a grazing lease over the crownland to the south.

Mr. Huesken owns 21.8 hectares and has a grazing lease on 58 hectares of Crown Land. There are about 8-10 head of cattle that graze on the 58 hectares of leased land from May to September, and graze on 7.5 hectares of Mr. Hueskens property from March to December. The area used for hay field is about 3 hectares. In a typical year they get 600 bails and from 2 cuts depending on the summer rain. They sell a portion of the feed in the fall they don't use.

### History

The Huesken Family have owned and farmed this area since the late 1960's. The neighbor to the north-west (Mr. Huesken's brother) is a tree farmer. They have kept and continued to farm the land that his father originally bought back in the late 1960's.

There used to be a "road" that connected Blatchford Road to Frost Road however it has been decommissioned due to the instability of the slope.

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#### Rationale for Subdivision in the ALR

The Subject Property has never been farmed on the east side due to the slope issues and a major water course splitting the property in half. Mr. Huesken has completed improvements over the years on the west side to create more field area by removing trees and leveling out the land. It is not possible to create farmland on the east side of Frosst Creek.

#### Application Package

Please find the following documents submitted with this letter:

- Title of subject parcel
- Letter of authorization
- Site Photos
- Site Concept Plan

Thank you for your time and consideration. If you have any questions, please do not hesitate to contact the undersigned.

#### Closing

Thank you for your time and consideration. If there are any questions or concerns, please do not hesitate to contact the undersigned.

Regards,

*Cassidy Silbernagel*

Cassidy Silbernagel, Project Manager  
OTG Developments Ltd.