

To: Fraser Valley Regional District Board

Date: 2018-03-27

From: Dawn Smith, Planner II

File No: 3015-20-2018-01

Subject: ALC Application for a Subdivision (boundary adjustment) at 11180 Popkum Road North, Electoral Area "D"

RECOMMENDATION

THAT the Fraser Valley Regional District Board forward the application for subdivision (boundary adjustment) application 3015-20 2018-01 to the Agricultural Land Commission with support as outlined in the corporate report dated March 27, 2018.

STRATEGIC AREA(S) OF FOCUS

Support Environmental Stewardship
Foster a Strong & Diverse Economy
Provide Responsive & Effective Public Services

PRIORITIES

Priority #4 Tourism
Priority #5 Outdoor Recreation

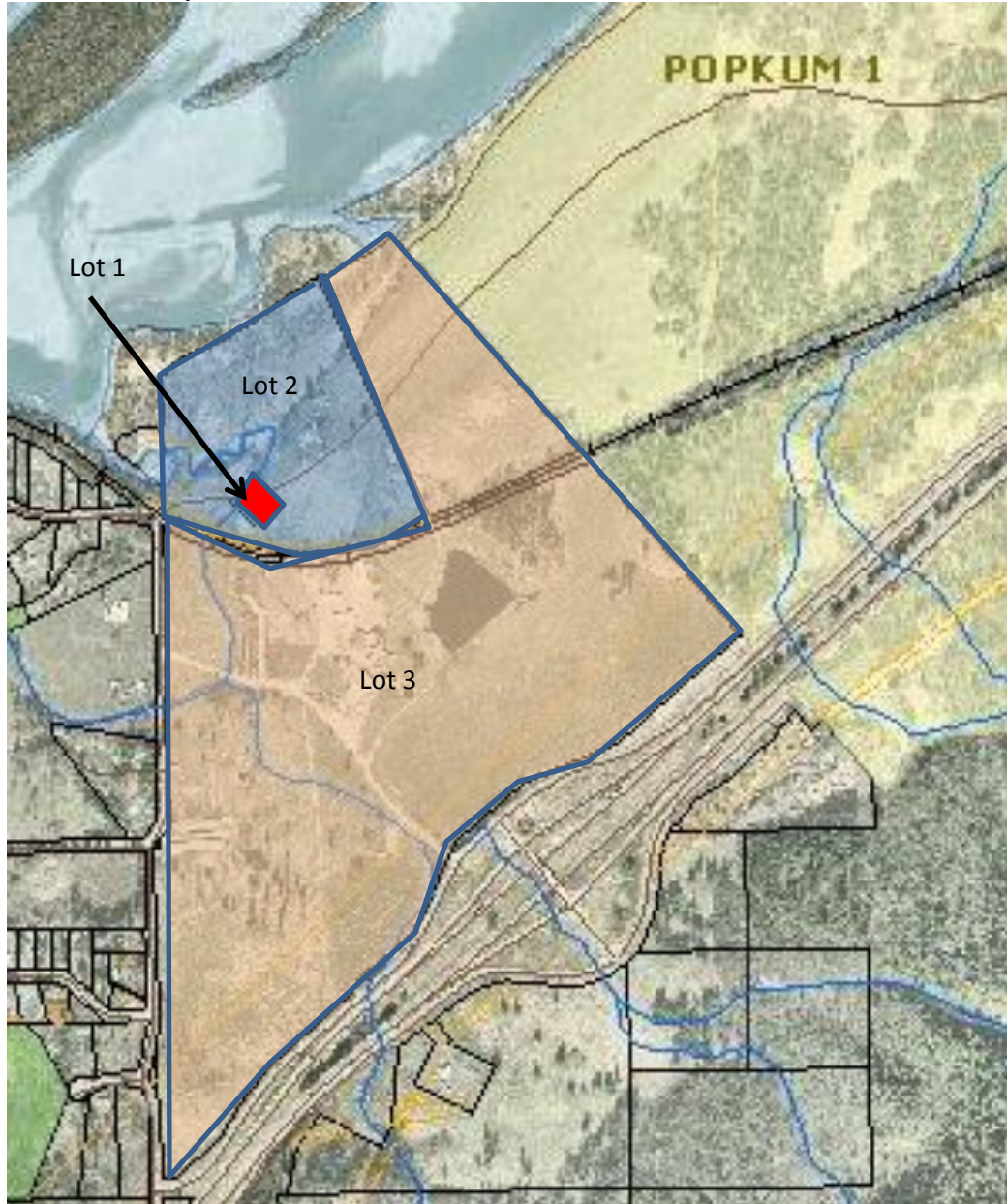
BACKGROUND

Proposal Description

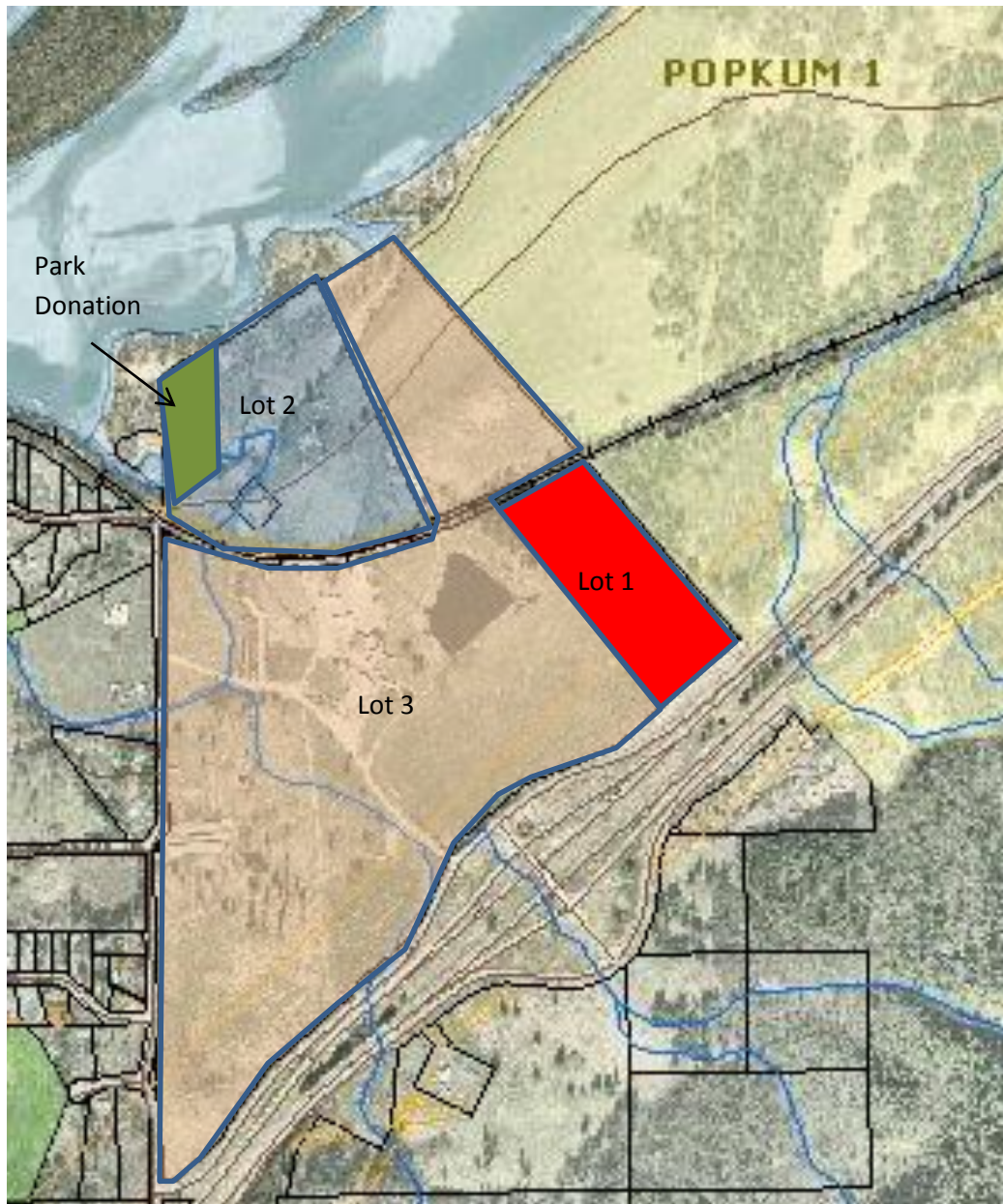
The Fraser Valley Regional District (FVRD) has received an application for a three (3) lot subdivision (boundary adjustment) in the Agricultural Land Reserve (ALR) for the property at 11180 Popkum Road North and 54101 Yale Road East.

LOT	CURRENT	PROPOSED
Lot 1	0.4 hectares (1.01 acres)	4.047 hectares (10 acres)
Lot 2	13.8 hectares (34.1 acres)	14.18 hectares (35.1 acres) before park donation 12.6 hectares (31.1 acres) after park donation
Lot 3	84.8 hectares (209.54 acres)	80.76 hectares (200 acres)
Park donation (outside ALR)	---	1.62 hectares (4 acres)

Current Lot Layout



Reconfigured Lot Layout



According to the applicant, the purpose of the boundary adjustment is to:

1. Remove barn encroachment to enhance agricultural use in favour of Lot 2.
2. Remove inefficient and land locked farm parcel to usable location for farming purposes.
3. Net result will favour agricultural use of all three parcels.

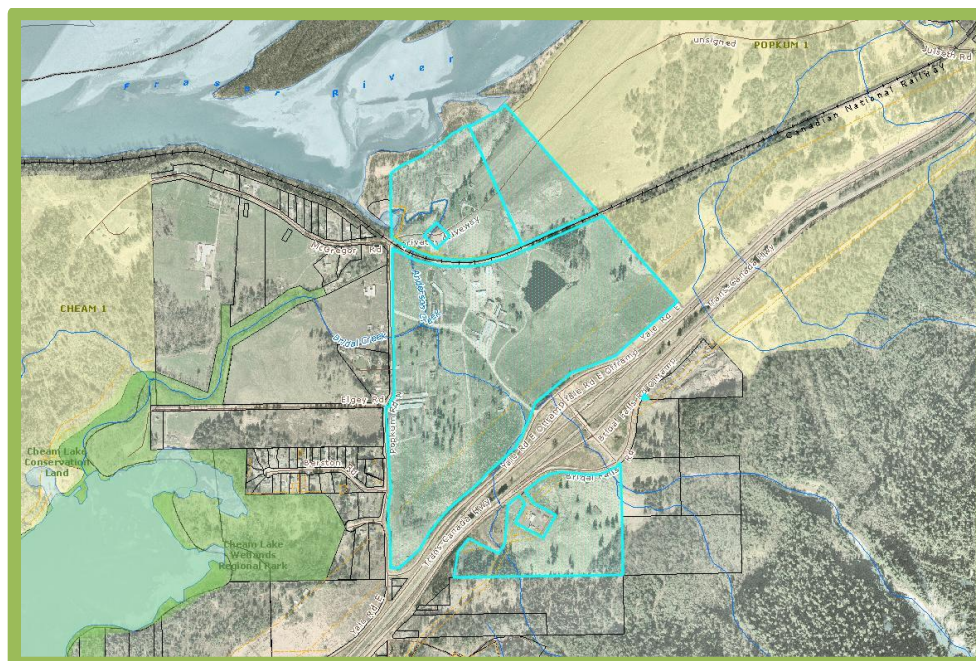
DETAILS

Electoral Area	D (East Popkum)		
Address	11180 Popkum Road N	54101 Yale Rd East	No civic (landlocked parcel)
PID	030-039-371	030-039-363	024-762-091
Folio	733-06473.200	733.06473.100	733.01144.002
Lot Size	13.8 ha (34.1 acres)	84.8 ha (209.57 acres)	0.4 ha (1.012 acres)
Owner	Adriaan and Niesje Klyn	Corners Pride Farms	
Current Zoning	P-2 and R-Ag		
Current OCP	Agricultural Large Holding (AG-L)		
Current Use	Residential	Agricultural – cattle and foraging	
Development Permit Areas	6-D (RAR)		
Agricultural Land Reserve	YES		

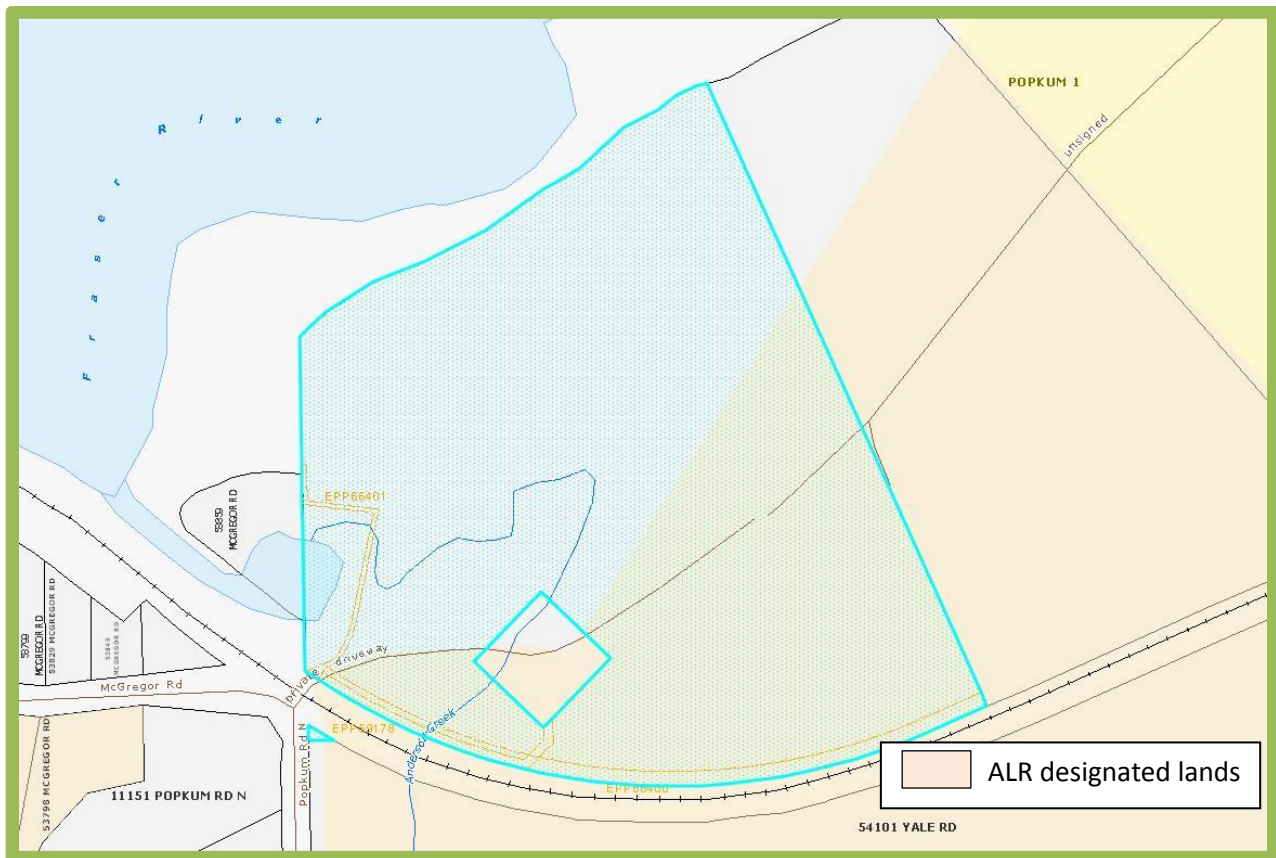
ADJACENT ZONING & LAND USES

North	^	Fraser River
East	>	Popkum IR
West	<	Country Residential
South	v	Crown land

PROPERTY MAP



Agricultural Land Reserve Map



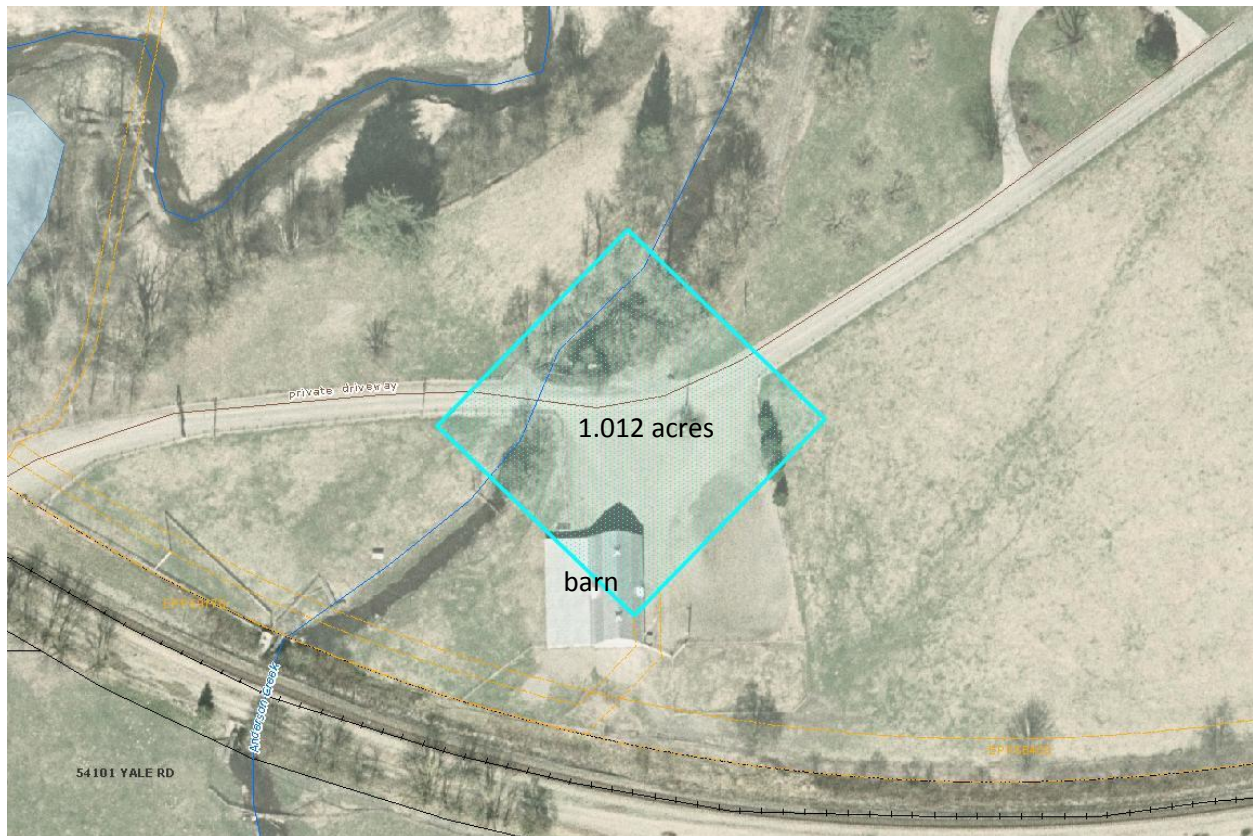
DISCUSSION

The proposed boundary adjustment is to resolve a landlocked 1.012 acre parcel that is owned by Corners Pride Farms. The landlocked parcel was discovered during a survey several years ago by Corners Pride Farm. Previous to the survey, the parcel was assumed to form a part of the surrounding parcel, which is now owned by a different property owner (Klyn). The survey also revealed that the existing barn (predated building permit requirement) was in trespass and impeded the driveway for the neighbouring residential parcel.

The proposed boundary adjustment will ensure:

- lots of sufficient size for agricultural operations that meet creek/watercourse, water source, and property line setbacks;
- direct road access for each lot;
- existing barn building would no longer be in trespass.

Landlocked Parcel – 1.012 acres



Zoning

The subject properties are split zoned Park Reserve (P-2) and Rural-Agricultural (R-Ag) as per Zoning Bylaw No. 75 for Electoral Area "D", 1976 of the Regional District of Fraser-Cheam. The proposed boundary adjustment qualifies for re-subdivision policies in Section 305.2 of the zoning bylaw, which support the proposal and therefore does not require a zoning amendment application.

2. RESUBDIVISION

Notwithstanding the minimum parcel size requirements of this bylaw, existing parcels which are smaller than permitted in these regulations may be consolidated and resubdivided into new parcels, provided that:

- a. all parts of all new parcels are contiguous; and*
- b. as many new parcels as the subdivision Approving Officer considers practicable shall meet the area requirements of this bylaw; and*
- c. the degree of compliance with the area requirements of this bylaw is not lessened on any new parcel; and*
- d. where a parcel is not served by an approved community sanitary sewer system, the Medical Health Officer states in writing that all on-site sewage disposal requirements pursuant to the Health Act are met.*

Official Community Plan

While the OCP policies do not specifically contemplate boundary adjustment scenarios for parcels designated Agricultural, the OCP does support the proposed lot sizes, as follows:

4.2.14 Where land is in AGRICULTURAL LARGE HOLDING (AG-L) AREAS and in the Agricultural Land Reserve, the minimum parcel size of 8 hectares (20 acres) in the floodplain and 4 hectares (10 acres) outside the floodplain shall only apply where the land is:

- *excluded from the Agricultural Land Reserve,*
- *approved for subdivision within the Agricultural Land Reserve pursuant to the Agricultural Land Commission Act, Regulations thereto, or Orders of the Commission, or*
- *exempted by the Agricultural Land Commission Act, Regulations thereto, or Orders of the Commission.*

Furthermore, OCP policies support the proposal by encouraging uses which:

- preserve and enhance existing agricultural operations in AGRICULTURAL designated areas, (Policy 4.2.1), and
- reduce potential conflicts between intensive agricultural operations and other land uses (Policy 4.2.3).

Subdivision (Boundary Adjustment) Process

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 the FVRD to ensure that the proposal meets the FVRD's policies and regulations, including all necessary servicing requirements. The FVRD will provide comment back to MOTI regarding items such as geohazards, servicing requirements and frontage. No significant barriers to the subdivision approval are anticipated.

Park Donation

A 4 acre parcel of Fraser River front land has been offered to the FVRD by the owner of Lot 2 (Klyn) for regional park purposes. The land will ultimately form part of Cheam Wetlands Regional Park, connecting the Fraser River to the wetlands with pedestrian access only. The park land and narrow access lies entirely outside the Agricultural Land Reserve (ALR).

COST

The \$1,500 application fee for the subdivision application has been received from the applicant. A remittance of \$1,200 will be forwarded to the Agricultural Land Commission.

CONCLUSION

Subject to the MOTI subdivision process, the proposed subdivision may be approvable. It is recommended that the applications for subdivision be forwarded to the Agricultural Land Commission with support for consideration.

Additional options for the Board's consideration include:

- Option 1 THAT the Fraser Valley Regional District Board refuse the application for subdivision (boundary adjustment) in the ALR and not forward the application to the Agricultural Land Commission.
- Option 2 THAT the Fraser Valley Regional District forward the application for subdivision (boundary adjustment) in the ALR to the Agricultural Land Commission for consideration.

COMMENT BY:

Graham Daneluz, Deputy Director of Planning & Development

Reviewed and Supported

COMMENT BY:

Margaret Thornton, Director of Planning & Development

Not available for comment.

COMMENT BY:

Mike Veenbaas, Director of Financial Services

No further financial comment.

COMMENT BY:

Paul Gipps, Chief Administrative Officer

Reviewed and supported