



Staff Report
Application # MM – 38612
Applicant: Dennis Allan & Marlene May Moore

DATE RECEIVED: November 4, 2008

DATE PREPARED: January 15, 2009

TO: Chair and Commissioners – South Coast Panel

FROM: Ron Wallace, Land Use Planner

PROPOSAL: To subdivide the 16 ha property into two 8 ha lots in order to give the applicant's daughter and her family title to half of the property. The daughter currently resides on the property.

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

Local Government:

City of Chilliwack

Legal Description of Property:

PID: 013-523-112

The West ½ of the South ½ of the South West ¼ of Section 23, Township 26, New Westminster District

Purchase Date:

February 1994

Location of Property:

48925 McGuire Road, Chilliwack

Size of Property:

16.8 ha (The entire property is in the ALR).

Present use of the Property:

Organic blueberries, two residences.

Surrounding Land Uses:

WEST: Agriculture and residential
SOUTH: Agriculture and residential
EAST: Agriculture and residential
NORTH: Agriculture and residential

Agricultural Capability:

Data Source: Agricultural Capability Map # 92H/04
The majority of the property is identified as having Mixed Prime and Secondary ratings.

Official Community Plan and Designation:

City of Chilliwack Official Community Plan 1998 designates the property as AG - Agricultural

Zoning Bylaw and Designation:

City of Chilliwack Zoning Bylaw No. 2800 (2001) designates the property as AL (Agricultural Lowland)
Minimum Parcel Size: 7.5 ha

PREVIOUS APPLICATIONS:

Application #34574-0

Applicant: Moore, Dennis Allan & Marlene May

Decision December 17, 2002

Date:

Proposal: To subdivide the 16.88 ha property into two lots - 1.2 ha to contain a homesite and a 15.68 ha remainder. The applicants intend to give one of the lots to their daughter and son-in-law to build a house and greenhouses.

Decision: The application was refused on the grounds that subdivision would result in parcelization of high capability farm land in an agricultural community. The Commission did note that the property had originally been held by the applicant's father who continues to reside across the road and is eligible for consideration under the *Homesite Severance Policy* to subdivide a homesite lot for himself. While recognizing that the applicant's are not eligible for a Homesite Severance the Commission would be willing to permit a single subdivision for the family in lieu of any future consideration of a Homesite Severance for the father.

Note: *The father has since sold his land without pursuing the option of obtaining a Homesite Severance, therefore this option is no longer available to the applicants.*

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

City of Chilliwack Council: The City Council forwarded the application without comment.

STAFF COMMENTS:

- The applicants have built a second dwelling on the property for their daughter since the 2002 application was made.
- The applicants believe that subdivision of the property will allow it to be better utilized for agriculture than as a single unit as it will enable both parties to obtain the necessary financing to expand their agricultural operation.
- The majority of the property is classed as organic classed soil that requires moderate or special management practices or restricted

ATTACHMENTS:

- Sketch of proposed subdivision (submitted by the applicants)
- Letter with description of proposal (submitted by the applicants)
- Local Government Staff Report (3 pages)
- Sketch showing proposed subdivision (submitted by the City of Chilliwack)
- ALC Context Map – 1:20,000 – 92H.011

END OF REPORT

Signature

Date