



Staff Report
Application # MM – 38676
Applicant: Brian and Nancy Wager
Agent: Lindell Beach Holiday Resort

DATE RECEIVED: November 26, 2008

DATE PREPARED: January 16, 2009

TO: Chair and Commissioners – South Coast Panel

FROM: Jennifer Carson, Land Use Planner

PROPOSAL: For a 0.5 ha easement or a subdivision in order to achieve road access across the subject property to Lindell Beach Holiday Resort. This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act* or Part 4 Section 6 of BC Regulation 171/2002 (*Agricultural Land Reserve Use, Subdivision and Procedure Regulation*).

BACKGROUND INFORMATION:

The applicants wish to dedicate a strip of land, by way of easement, along the western boundary of the subject property. The easement is for vehicle access from Frost Road for staff and visitors to Lindell Beach Holiday Resort to the immediate north of the subject property. Alternately, the applicant has explained that if the ALC prefers, the land could be subdivided and the strip of land proposed for the access would become part of the Lindell Beach Holiday Resort property by way of boundary adjustment.

Local Government:

Fraser Valley Regional District

Legal Description of Property:

PID: 013-494-287
L.S. 10, Section 10, Township 22, New Westminster District

Purchase Date:

Pre 1980s

Location of Property:

1282 Frost Road, North, Lindell Beach

Size of Property:

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

Present use of the Property:

Farm- pasture land, one barn and two single family residences.

Surrounding Land Uses:

NORTH: Lindell Beach Holiday Resort (not in ALR)
WEST: Vineyard
SOUTH: pasture land
EAST: Watt-Stilwood Camp and Conference Centre

Agricultural Capability:

Data Source: Agricultural Capability Map # 92G/01
The majority of the property is identified as having Secondary ratings.

Official Community Plan and Designation:

Official Settlement Plan for Columbia Valley, Lindell Beach, Chilliwack River Valley Electoral Area "E", Regional District of Fraser-Cheam Bylaw No. 400, 1982
Designation: Agricultural (AG)

Zoning Bylaw and Designation:

Zoning Bylaw for Electoral Area "E", 1976 of the Regional District of Fraser-Cheam
Designation: Rural Agricultural (R-Ag)
Minimum lot size: 4.0 ha

PREVIOUS APPLICATIONS:

Application #09829-0

Applicant: Tunbridge and Tunbridge
Decision January 23, 1980
Date:
Proposal: To subdivide 15.4 ha into two parcels of 4.8 and 10.5 ha. The proposed boundary would be Frost Road
Decision: Refused on the grounds that Frost Road is not an obstacle to agricultural use of both sides of the property

RELEVANT APPLICATIONS:

Northeast adjacent property

Application #05810-0

Applicant: Whitlam, RJ
Decision February 1, 1978
Date:
Proposal: To locate 113 recreational vehicles onsite.
Decision: Allowed as the applicant had commenced preparatory work prior to 1972.

adjacent north

Application #14117-0

Applicant: ALC
Decision July 21, 1982
Date:
Proposal: To exclude 204.7ha from Electoral Area "E"
Decision: Partial Approval. Cabinet approved exclusion of 189.5 ha and refused 15.2 ha.

Application #35027-0

Applicant: The BC Conference of Mennonite Brethren Church

Decision Date: November 19, 2003

Proposal: Propose to exclude two (2) properties totaling 16.18 ha in area from the ALR to provide for the expansion of the Stillwood Camp and Conference Centre operations.

Decision: Refused the exclusion of the 16.18 ha area as proposed. Would allow the exclusion 8 ha closest to the existing Stillwood Camp facilities subject to the installation of a fence and vegetative buffer along the new ALR boundary and inclusion of approximately 4 ha of prime capability land located on the upper bench, above the existing camp facilities, into the ALR.

Application #35027-1

Applicant: The BC Conference of Mennonite Brethren Church

Decision Date: March 23, 2004

Proposal: The original proposal was to exclude two (2) properties totaling 16.18 ha in area from the ALR to provide for the expansion of the Stillwood Camp and Conference Centre operations. The application was refused as submitted on the grounds that the proposal was not felt to be supportive of agriculture or agricultural development in the community. The Commission did note that it would be willing to allow the exclusion of a portion of the area applied for (approximately 8 ha), located closest to the existing camp, on the following conditions:

- the installation of a fence and vegetative buffer along the new ALR boundary and inclusion into the ALR of the prime capability land within land owned in common with the Stillwood Camp and Conference Centre, located on the upper bench above the existing camp facilities. It would be the Commission's intention to allow the continuation of activities now being carried out annually on the upper bench to continue in their present form after inclusion. The request for reconsideration is for the exclusion of a total of 14.2 ha with the remaining 2 ha left in their natural wooded state to act as a buffer area.

Decision: Refused proposal to exclude the two properties totaling 16.18 ha in area as requested, but will allow the proposed expansion of the Stillwood Camp and Conference Center within the ALR subject to the retention of the natural vegetation located along the West and South perimeter of the properties. A condition of this approval is the review and approval of the final site plan for the development.

Application #38292-0

Applicant: Sawatzky, Ronald

Decision Date: September 29, 2008

Proposal: To subdivide the subject property into three lots of 16.9 ha, 39.5 ha, and 4.8 ha. Each of the proposed lots is divided by Frost Road which crosses the property over two locations as shown on the attached map.

Decision: Refused as proposed due to impact on agriculture.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Board:

Forwarded to the ALC for a decision in terms of agricultural land use.

AAC:

Support application.

Electoral Area Service Committee:

Supports the proposed road in principle as it will provide safer access to Phase 2 lands, but to defer decision to the ALC for a decision in terms of agricultural land use.

Staff:

That the application be forwarded to the ALC for consideration in terms of agricultural land use.

STAFF COMMENTS:

It is recommended that the Commissioners consider the following:

- The applicants have owned the property since before 1980.
- The property to the north has been excluded in a block application undertaken by the Commission.
- The agricultural capability of the subject property is improvable to Class 5 with limitations of moisture deficiency and stoniness.
- A site visit will help to determine whether or not this proposal as an easement or as a boundary adjustment will have an impact on agriculture.

ATTACHMENTS:

1. ALC Context Maps (2 pages)
2. Aerial Photograph
3. Agricultural Capability Map
4. Sketch of proposal
5. Letter of intent (2 pages)
6. Local Government Staff Report (7 pages)

END OF REPORT

Signature

Date