



## Agricultural Land Commission Staff Report

**DATE:** September 30, 2009  
**TO:** Vice Chair and Commissioners - South Coast Panel  
**FROM:** Ron Wallace

**RE:** Application # 45848

**PROPOSAL:** To exclude the subject 1.53 ha (3.79 acre) property in order to create 11 new residential lots and finish the road with a cul-de-sac and create a small hobby farm parcel that could be farmed and act as a buffer to the adjacent farm property.

### PROPOSAL INFORMATION

**Background:** There have been two recent applications involving the subject property. See  
**Received Date:** attached documents.  
**Applicant:** March 16, 2009  
**Agent:** Friesland Developments Ltd  
**Local Government:** H.G. Sanborn & Associates Inc.  
District of Kent

### DESCRIPTION OF LAND

**PID:** 004-399-811  
**Legal Description:** Parcel "T" (Reference Plan 811), District Lot 19, Group 1 Yale Division of Yale District, EXCEPT Part Subdivided by Plan BCP14667  
**Civic Address:** End of McCaffrey Road  
**Area:** 1.5 ha  
**ALR Area:** 1.5 ha  
**Purchase Date:**  
**Owner:** Friesland Developments Ltd

**Total Land Area:** 1.5 ha  
**Total ALR Area:** 1.5 ha  
**Current Land Use:** Existing older home and yard with balance in existing trees and grass.

### PROPOSAL DETAILS

#### Exclusion

Area	Agricultural Capability	Agricultural Capability Source
1.5	Prime	CLI

### Surrounding Land Uses:

North UBC and Canadian Research Centre barns  
East Farm - nut trees  
South Existing Residential subdivision  
West UBC and Canadian Research Centre, Barns and operation uncluding a buffer strip

### Official Community Plan

**Bylaw Name:** OCP Bylaw 1207  
**Designation:** Residential - Single Family  
**OCP Compliance:** No

### Zoning

**Zoning Bylaw Name:** Single Dwelling Residential 1  
**Zoning Designation:** RS-1  
**Minimum Lot Size:** 1.0 ha  
**Zoning Compliance:** Yes

## PREVIOUS APPLICATIONS

**Application #:** 42472

**Applicant:** Friesland Developments Ltd

**Proposal:** To subdivide a 0.2 ha lot from the 1.6 ha property to surround an existing house and complete a "street of dreams" in the District of Kent.

#### Decisions:

Resolution Number	Decision Date	Decision Description
653	December 7, 2005	Refuse - no additional lots along this road.

**Note:** A previous application to subdivide the property within the ALR to retain a buffer area. The Commission refused the application as it felt the present property size is appropriate and would act as a buffer between the residential subdivision and the adjacent farmland.

**Application #:** 39748

**Applicant:** Friesland Farms Ltd.

**Proposal:** The proposal is to exclude 1.68 ha of the 2.99 ha property for subdivision into about 11 residential lots, with 1 hobby farm lot of 1.31 ha to remain in the ALR.

#### Decisions:

Resolution Number	Decision Date	Decision Description
309	June 24, 2003	Allowed the exclusion of proposed lots 1 through 11, with lot 12 to remain within the ALR, subject to: 1) the construction of a berm and treed buffer being located on the western property boundary and 2) as indicated in the District of Kent Council's March 26, 2003 Resolution #2003/08/15, the registration of an information covenant - to be registered against the titles of each lot to be created, in favour of the District of Kent, stating:

"The owner acknowledges that lots are adjacent to active farms, where some or all of the following agricultural practices may occur:  
 d) noise from farm operations at various times of the day, including propane cannons and other devices used to deter wildlife;  
 e) farm smells and chemical spray;  
 f) aesthetic appearance of fields (unkempt fields, storage of materials, etc.);  
 g) light from greenhouse."

**Note:** To exclude 1.68 ha of the 2.9 ha property for residential development. Allow subject to conditions outlined in the attached letter.

**Committee Recommendations**

Type	Recommendation	Description
Planning Staff	Refuse	See attached report.
Board/Council	Refuse	Council declines the application for exclusion of the subject property from the ALR for the reasons outlined in the staff report dated February 3, 2009.
Agricultural Advisory Committee	Refuse	The Kent AAC not approve the application for exclusion from the ALR for the reasons outlined in the staff report.

**STAFF COMMENTS**

The area proposed for exclusion is surrounded on three sides with agricultural development and the subject site is comprised of prime agricultural soils according to the Agricultural Capability Map (CLI rating).

**ATTACHMENTS**

- 38891\_AgCapabilityMap.pdf
- 38891.pdf
- 38891\_AirphotoMap.pdf
- 38891\_ContextMap20k.pdf

**END OF REPORT**

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 Signature

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 Date