



Agricultural Land Commission Staff Report

DATE: October 7, 2009

TO: Vice Chair and Commissioners - South Coast Panel

FROM: Ron Wallace

RE: Application # 50260

PROPOSAL: To subdivide the subject 9.45 ha property into two lots of equal size as shown on the attached plan. The applicants plan to sell proposed Lot A to a person who plans to develop the property as a hobby farm. Proposed Lot B would be retained by the owner for rural residential use.

PROPOSAL INFORMATION

Background: The subject property is a remnant of a 36 ha parcel on the east side of the former Squamish Highway (Government Road), stretching across the BC Rail right of way to the east side of the valley, with the lowland portion having had an “unimproved” agricultural capability rating of 2W. Later diking of the Squamish River gave the property an “improved” rating of (1). Subsequently the property

Received Date:

Applicant:

Agent:

Local Government: was further divided physically by the Sea to Sky Highway 99. When the ALR was designated in May 1974, the railway, Highway 99 and the relatively narrow strip of land between them were omitted from the ALR, thus the property contained two ALR blocks (± 12 ha on the west and ± 12 ha on the east) physically isolated from each other.

A slightly larger, adjoining parcel to the north was owned in common with the subject property but that property was omitted from the initial ALR designation, probably because portion west of the railway was already being subdivided into mostly residential parcels. It was clearly intended that the subdivision would extend onto at least the northern end of the subject property by extension of Meadow Avenue and Kingswood Road. Seven weeks before ALR designation, an “in stream” subdivision was approved extending Meadow Avenue and removing ± 2 ha from the subject property. Seven lots are entirely in the ALR and two others straddle the ALR boundary.

In 1994, the Commission allowed the exclusion of the eastern ALR block on the grounds that the suitability of the land for agriculture was limited by the land’s isolation from other farmland and by surrounding residential areas and transportation facilities. A subdivision to separate the subject parcel across the Highway 99 required dedication of two creeks and of Government Road, reducing the total area of the parcel by ± 1.5 ha and leaving it divided into five areas:

- 2.1 ha almost entirely in the ALR adjoining Government Road (west of the Meadow Avenue subdivision and west of Dryden Creek),
- 4.5 ha entirely in the ALR adjoining the Easter Seal Camp to the south (east of Dryden Creek and south of Hop Ranch Creek),
- 1.6 ha almost entirely in the ALR, accessible from Kingswood Road (north of Hop Ranch Creek),
- 0.8 ha not in the ALR (east of the railway, south of Hop Ranch Creek) and
- 0.4 ha not in the ALR (east of the railway, north of Hop Ranch Creek).

Of the original ± 12 ha western ALR block, ± 8 ha remains within the subject

property, adjoining other Class (1) ALR parcels to the south. In places the subject parcel extends north of the ALR.

When the Sea to Sky Highway upgrading project was announced, the Commission was offered an opportunity to participate in the Environmental Assessment working group. The Commission declined to participate except in relation to any decision which might result in a major street east of the highway being extended westward across the subject property to connect with Government Road as had been proposed (without Commission agreement) in some earlier road planning. The Ministry of Transportation advised that such a connection was no longer planned, but following completion of the environmental assessment, the owner of the subject property submitted an application (#YY-35501) to build a 25 m connecting street, cutting the subject property in two (i.e. cutting the 2.1 ha area in two and cutting the 4.5 ha area in two), leaving a ± 36 m strip of land south of the road. By Resolution #390/2004 the Commission refused the application because of its impact on actively farmed land with excellent agricultural capability.

In July 2009, Squamish Council gave first reading to a new Official Community Plan and is currently holding public information meetings. The major road network plan is shown as UNDER REVIEW but the “proposed major route” across the subject property still appears on the plan. The proposed subdivision line is ± 85 m north of the proposed route.

July 17, 2009

W Dowad Ltd

N/A

District of Squamish

DESCRIPTION OF LAND

PID: 026-805-138

Legal Description: Lot 23 Section 14 Township 50 New Westminster District Plan BCP25251

Civic Address: Located off Government Road and Meadow Avenue, Brackendale

Area: 9.4 ha

ALR Area: 8.2 ha

Purchase Date:

Owner: W Dowad Ltd

Total Land Area: 9.4 ha

Total ALR Area: 8.2 ha

Current Land Use: The property is currently used as a hobby farm.

PROPOSAL DETAILS

Surrounding Land Uses:

North Residential use, outside of the ALR
East Highway 99, non-ALR
South ALR land
West Non-ALR land

Official Community Plan

Bylaw Name: Bylaw 1536, 1998

Designation: Rural Residential 2

OCP Compliance: No

Zoning

Zoning Bylaw Name: Zoning Bylaw 1342

Zoning Designation: Rural Residential 2

Minimum Lot Size: 4.0 ha

Zoning Compliance: Yes

Committee Recommendations

Type	Recommendation	Description
Board/Council	See Report	That Council forward to the ALC the application from W. Dowad Ltd. to subdivide the following lands in the ALR: "Lot 23 Section 14 Township 50 NWD Plan BCP25251

STAFF COMMENTS

The subject site is located on the northern tip of a narrow strip of ALR land with a rail corridor running through the eastern half of the property. The proposed subdivision would divide the most arable portion of the property (large field) into two properties.

ATTACHMENTS

- 50260 - ContextMap50k.pdf
- 50260 - AirPhotoMap10k.pdf
- 50260 - AgCapMap50k.pdf

END OF REPORT

Signature

Date