

City of Chilliwack
AGRICULTURAL AND RURAL ADVISORY COMMITTEE
MINUTES OF MEETING
MONDAY, JUNE 6, 2022 - 3:30 pm
HELD ELECTRONICALLY / DOGWOOD ROOM

Council Members: Councillor Chris Kloot, Chair
Councillor Harv Westeringh, Vice-Chair

ARAC Members: Walter Goerzen, Community Member
Walter Dyck, Industry Representative
Chris Les, Industry Representative
Sarah Sache, Community Member
Jacqueline Boer, Community Member

City Staff: Gillian Villeneuve, Manager of Development Planning
David Blain, Director of Planning and Engineering
Craig Wickham, Assistant Manager of Land Development/Deputy Approving Officer
Reuben Koole, Manager of Long Range Planning
Erin Leary, Senior Planner
Stella Xiao, Planner
Darcie Prokop, Recording Secretary

Regrets: Jeremy Wiebe, Industry Representative
Brett Payne, Industry Representative
Peter Vink, Industry Representative
Stan Vander Waal, Industry Representative
Steve Saccomano, Community Member
Glen White, Manager of Land Development/Approving Officer

1. CALL TO ORDER

Councillor Chris Kloot was Chair, called the meeting to order at 3:30 pm and provided territorial acknowledgement.

2. ADOPTION OF AGENDA

Moved /) That the Agenda for the Agricultural and Rural Advisory Committee meeting held
Seconded (Monday, June 6, 2022 be adopted as circulated.

Carried Unanimously

3. ADOPTION OF MINUTES

Moved /) That the Minutes for the Agricultural and Rural Advisory Committee meeting held
Seconded (Wednesday, April 13, 2022 be adopted as circulated.

Carried Unanimously

4. CURRENT ISSUES TO ADDRESS

5. NEW BUSINESS

Corne Quik, Applicant was present via Zoom.

a) SAL00138 – 11115 & 11255 McSween Road

The Assistant Manager of Land Development/Deputy Approving Officer provided a presentation regarding an application for a boundary adjustment within the subject property located at 11115 & 11255 McSween Road. The information provided included the location map/ortho photo, proposal/factors, and recommendations.

Both of the properties, 11115 McSween Road and 11255 McSween Road, are owned by Harry Quik of Quik’s Farm Ltd. The farm property at 11115 McSween Road is currently 9.32 ha (23.04 a) and has two homes, several greenhouses which are used for flower production, and a few agricultural ancillary buildings. 11255 McSween Road is currently 2.08 ha (5.14 a) and has one home on the property and a field which is used to grow field flowers for Quik’s Farm Ltd. Quik’s Farm Ltd intends to adjust the boundary between the two properties to increase area of 11115 McSween Road and reduce the area of 11255 McSween Road.

Corne Quik is the son of Harry Quik and the General Manager of Quik’s Farm Ltd. Corne currently rents the home on 11255 McSween Road from Quik’s Farm Ltd. Following the completion of the boundary adjustment, he intends to purchase the property. As the General Manager of the farming operation, Corne is required to live near the farm in order to fulfil the demands of the position. This boundary adjustment will benefit Corne and his family as they will be able to own their residence rather than rent, and they will be able to use the property for small-scale farming. The Quik’s Farm operation at 11115 McSween will also benefit as the land being acquired is already being utilized to grow field flowers for the farm.

It is proposed to realign the boundary such that the area of 11255 McSween Road will be reduced to 1 ha (2.47 a), which is the smallest homesite possible. This proposal is in accordance with Section 3 of Policy Directive No. G-31 which states that no resulting lot shall be less than 4 ha (10 a) in size, unless there is an opportunity to reduce one of the parcels to the smallest homesite possible (1 ha / 2.47 a), with the benefit of creating a larger remainder parcel. By adjusting the boundary to reduce the area of 11255 McSween Road to the smallest homesite possible, the resulting size of the farm at 11115 McSween Road will be increased and maximized to a size of 10.4 ha (25.70 a). Both Harry Quik and Corne Quik have provided supplementary letters which provide more details on how the boundary adjustment will enhance their farming practices.

Moved /) That the Agricultural and Rural Advisory Committee supports the proposed boundary
Seconded (adjustment for properties located at 11115 and 11255 McSween Road as there would
be no negative impact to agriculture as a result of the proposal.

Carried Unanimously

Corne Quik left the meeting at 3:34 pm.

5. NEW BUSINESS (continued)

Chair Kloot withdrew from the meeting at 3:35 pm declaring a potential conflict of interest as he represents the owners.

Due to a lack of quorum, the meeting adjourned at 3:35 pm.

Chair Kloot returned to the meeting at 3:38 pm and the meeting resumed.

Calvin Vanleeuwen and Dwayne Loewen were present.

b) ALR00394 – 11500 Jespersion Road

The Assistant Manager of Land Development/Deputy Approving Officer provided a presentation regarding an application for a non-farm use permit for placement of soil within the subject property located at 11500 Jespersion Road. The information provided included the location map/ortho photo, proposal/factors, and recommendations. The Provincial Agricultural Land Commission (ALC) Application Submission was provided.

River Dale Dairy Ltd. owns the subject property, which is the site of a former quarry operation. Based on historical aerial photographs, the parcel operated as a gravel quarry from approximately 1995 – 2006. After quarry operations finished, the lands were not reclaimed for agricultural use and the soils left in place at the time are considered of poor value due to their composition and the low elevation resulting in saturated soils.

Prior to application to the ALC for the deposit of soils, 1,400m³ of soil was deposited without authorization from the ALC or City of Chilliwack. The application to deposit 36,375 m³ includes a request for the 1,400m³ of previously deposited soil to remain as well.

Combined, the total volume of soil requested to be placed is 37,775m³. Placing the fill and raising the lands will result in roughly 2.6 hectares of improved farming area returned to the Agricultural Land Reserve.

As per the Agricultural Land Commission’s Information Bulletin: Soil or Fill Uses in the ALR, if a landowner intends to place fill or remove soil or aggregate for reasons other than an Exempted Activity under Part 5 of the ALR Use Regulation, the landowner must submit the Notice of Intent prior to initiating an activity. Due to the volume of material proposed to be placed and intent of the works, a Notice of Intent and application through the ALC Portal for the works is required with referral to the City for support prior to ALC approval.

Moved /) That the Agricultural and Rural Advisory Committee supports the proposed non-farm
Secinded (use (placement of soil) application within the Agricultural Land Reserve for property located at 11500 Jespersion Road and recommends Council forward the application to the Agricultural Land Commission “with support”.

As part of the Committee’s rationale, it was noted the proposal contributes to the addition of viable, agricultural land into production on a parcel that was previously used as a quarry.

Carried Unanimously

Calvin Vanleeuwen and Dwayne Loewen were present.

5. NEW BUSINESS (continued)

Cassidy Silbernagel, OTG Development Ltd. was present.

c) ALR00378 – 8110 Upper Prairie Road

The Manager of Development Planning provided a presentation regarding this application for a non-adhering residential use for a proposed residence in excess of ALC regulations and occupancy of the existing residence during construction of the proposed residence within the subject property located at 8110 Upper Prairie Road. The information provided included the location map/ortho photo, proposal/factors, and recommendations.

The proposal is to construct a new principal residence of 601m² (559m² of residential space with 42m² garage allowance) and retain the existing dwelling within the property for occupancy during construction of the principal residence, after which it will be decommissioned to agricultural office, lunch room, and storage use. The proposed principal residence conforms to the Farm Home Plate requirements of the AL (Agricultural Lowland) Zone. The proposed residence is sited near the front of the property at the location of two existing greenhouses, which are to be removed to facilitate the development.

The subject property is approximately 4ha and contains a mushroom farm that produces approximately 300,000 pounds annually and includes 50 laying hens and 10 goats. The property contains 11 agricultural buildings, a mobile home of approximately 90m², which is to be removed, and an existing residence of approximately 307m², which is to be decommissioned after occupancy of the proposed principal residence. The property is assessed as “Farm” under the *Assessment Act*.

According to the applicant, the requested 59m² of additional residential space is necessary to construct a dwelling in which multiple generations of the property owners and their family can reside. The applicant submits that the proposed residence will allow the property owners to transition to retirement and remain on the farm with their children and grandchildren. The decommissioned existing residence would provide an office, storage space, and lunch room for employees of the agricultural operation.

The Committee discussed the need for a TUP to ensure that the existing house will be decommissioned once the new principal residence has been constructed. The applicant ensured that the existing house would be used as an employee lunch room for their 10 to 12 employees and the basement would be used for packaging materials and storage.

Moved /) That the Agricultural and Rural Advisory Committee has no comment with respect to
Seconded (the proposed non-adhering residential use application within the Agricultural Land
Reserve for property located at 8110 Upper Prairie Road and recommends Council
forward the application to the Agricultural Land Commission “without comment”.

Carried Unanimously

As part of the Committee’s rationale, it was noted that without clear guidelines as to the ALC’s decision making process concerning increased house size proposals over 500m² and resulting benefits to agriculture, the Committee is unable to provide a recommendation at this time.

Cassidy Silbernagel, OTG Developments Ltd. Left the meeting at 3:51 pm.

5. NEW BUSINESS (continued)

Rajveer Gill, Applicant (and translator, Harjot Riarh) was present.

d) ALR00388 – 6033 Lickman Road

The Manager of Development Planning provided a presentation regarding this application for a non-adhering residential use for farm worker accommodation within the subject property located at 6033 Lickman Road. The information provided included the location map/ortho photo, proposal/factors, and recommendations.

The proposal is to approve a “Non-Adhering Residential Use” application within the ALR to facilitate the construction of a new dwelling on the subject property and retain the existing dwelling for farm workers. The proposal includes construction of a new 488m² dwelling that will be accessed from the existing driveway on Lickman Road. The existing dwelling was built in 1979 with appropriate permits and has a floor area of 137m².

The Agricultural Land Reserve Use Regulation permits an additional residence of 90m² and specific pre-existing structures within the ALR. The applicant is proposing to retain a pre-existing structure of 137m², which does not meet the proposed criteria to retain as provided by the ALC. As such, a “Non-Adhering Residential Use” application is required to retain the existing dwelling.

The current proposal is to utilize a 48m² portion of the existing building as an office and lunch room for farm workers, leaving the remaining 89m² as a residence for farm workers. The applicant has confirmed that the office/lunch room will not contain a stove, oven or sink and will include its own access with no connection to the residential portion. In support of the proposal, the applicant has indicated that the new dwelling will provide much needed space for their growing family. In addition, the applicant intends to convert the existing hay production on the property to a blueberry farm.

A discussion ensued and the committee agreed that this application must go through the full permitting process and the Agricultural Land Commission. It was recommended that when the applicant is seeking approval from the ALC that they provide information on their investment in blueberry plants and a clear plan of what the future holds for this land.

Moved /) That the Agricultural and Rural Advisory Committee supports the proposed non-adhering
Seconded (residential use application within the Agricultural Land Reserve for property located at 6033
Lickman Road and recommends Council forward the application to the Agricultural Land
Commission “with support”.

Carried Unanimously

As part of the Committee’s rationale, it was noted the proposed home and farm worker accommodation would be compliant with current ALR Use Regulations; however, the conversion of a portion of the original home for an office/lunch room requires ALC approval. In addition, the Committee noted the property owner has made investment in blueberry plants and the future blueberry farm would create a viable farming opportunity on a parcel that has seen limited agricultural activity.

Rajveer Gill, Applicant (and translator, Harjot Riarh) left the meeting at 4:00 pm.

5. NEW BUSINESS (continued)

Benjamin Meeres, Joe Meeres and Lynn Meeres, Owner and Applicant were present.

e) ALR00391 – 48200 Brideside Road

The Manager of Development Planning provided a presentation regarding this application for a non-adhering residential use for tourist accommodation within the subject property located at 48200 Brideside Road. The information provided included the location map/ortho photo, proposal/factors, and recommendations.

A Business Licence for *Choice Treehousing* was applied for and denied in 2020, as tourist accommodation in the form of a treehouse was not permitted use on the property. At the time of the application, City staff consulted with the Agricultural Land Commission (ALC) regarding whether or not a “non-adhering residential use” application was required to be submitted for the proposed use. At that time there was no agri-tourism activity occurring on the property and the applicant was advised that an application would be required.

Since that time, the applicant has constructed two treehouses, without the benefit of a Building Permit, and the City has received a bylaw complaint for the land use as well as construction without a Building Permit. The applicant has also added 4-10 beef cattle to the property. At the time the bylaw complaint regarding the land use was received, the ALC confirmed that an application for “non-adhering residential use” was still required though the applicant had started raising cattle as an “agri-tourism activity”.

The applicant requests to retain two existing cabins for tourist accommodation and to construct a third cabin in the future.

The property is approximately 3.9ha (9.6ac) and contains a principle dwelling (approx. 315m²), an agricultural storage building and two cabins (approx. 15m² & 27m²) with associated underground septic tanks/fields and water cistern, gravel driveway access and parking for each cabin and fire pit areas. The central cabin (“Cabin 2”) is currently unoccupied and is not in use. The southern cabin (“Cabin 1”) is currently occupied 85% of the time with short-term rental guests. The applicant indicates that approximately 85% of the land is used to raise and graze 4-10 beef cattle, mostly Scottish Highland.

The Agricultural Land Commission (ALC) permits Agri-Tourism Accommodation if the accommodation is in relation to an “agri-tourism activity”, as outlined in Section 12 of the ALR Use Regulation and Policy L-04 Activities Designated as Farm Use: Agri-Tourism Activities in the ALR, including such activities that promote or market livestock raised or kept on the agricultural land, including shows, cattle driving and petting zoos. As outlined in Information Bulletin 06-Accommodation for Tourists in the ALR, the accommodation must be secondary to, incidental to and compatible with the agricultural production activities. An application is required to be submitted to the ALC for “non-adhering residential use” as the cabins are not considered to be incidental to the “agri-tourism activity” occurring within the property.

The proposal is considered to meet the remaining ALC requirements to operate Agri-Tourism Accommodation: the property is classified as a farm under the *Assessment Act*, the total developed area for structures, landscaping and access for the accommodation is less than 5% of any parcel, the accommodation is limited to 10 sleeping units in total and the accommodation is provided on a seasonal or short-term basis only.

5. NEW BUSINESS (continued)

For information, the ALC also permits Tourism Accommodation (B&B), which is not required to be provided in association with an approved “agri-tourism activity”; though, it is required to be provided within the principle residence, among other requirements. As the accommodation is not provided within the principle dwelling and is not considered to meet the criteria of Agri-Tourism Accommodation, a “non-adhering residential use” application is required.

The ALC permits the local government to prohibit or limit agri-tourism accommodation within its jurisdiction. As the use is not permitted within the current AU (Agriculture Upland) Zone, the cabins would require City approval to legalize the use prior to any further use or expansion, should the ALC approve the “non-adhering residential use” application, which would be subject to public input and Council consideration.

In addition, a Building Permit application would be required for the buildings and a City of Chilliwack Business Licence would be required. Council recently adopted Short-Term Rental Bylaw 2021, No. 5141, which regulates short-term rentals operating as Accessory Home Occupation (AHO). Though the applicant intends to operate the cabins as short-term rentals, the scale of the current proposal exceeds what would be permitted as an (AHO) and does not meet the definition of *short-term rental*. Should the ALC approve the request, an application process will be necessary, using the short-term rental bylaw as a guide, that would be subject to public input and Council consideration (ie: Temporary Use Permit application).

Discussion ensued with respect to what qualifies Argi Tourism and if this use may set precedent for future applications. It was noted that the terrain is not conducive to farming and is currently used for several head of cattle. The applicant pointed out that an Engineer established that the watercourse is no longer active. The Committee agreed on supporting this application based on being a modern and innovative use on marginalized lands and that this type of accommodation compliments the City of Chilliwack.

Moved /) That the Agricultural and Rural Advisory Committee supports the proposed non-adhering
 Seconded (residential use application within the Agricultural Land Reserve for property located at 48200
 Brideside Road and recommends Council forward the application to the Agricultural Land
 Commission “with support”.

Carried Unanimously

As part of the Committee’s rationale, it was noted the proposal represents an innovative and modern use of marginalized agricultural land within the Ryder Lake neighbourhood.

Benjamin Meeres, Joe Meeres and Lynn Meeres, Owner and Applicant left the meeting at 4:16 pm.

Harvey Hahn, Applicant was present.

f) ALR00392 – 9674 Gillanders Road

The Manager of Development Planning provided a presentation regarding this application for a non-adhering residential use for a secondary residence in excess of ALC regulations within the subject property located at 9674 Gillanders Road. The information provided included the location map/ortho photo, proposal/factors, and recommendations.

5. NEW BUSINESS (continued)

The applicant is proposing to construct a 350m² additional residence for one of the dairy farm’s owners within the subject property, replacing an existing secondary residence constructed in the early 1900s. The proposed additional residence conforms to lot coverage and Farm Home Plate requirements of the Zoning Bylaw.

The subject property is approximately 32.8ha (81.06ac) and operates as a dairy farm owned and operated by two families concurrently residing in the existing residences. A mobile home was sited on the main property closed to the primary residence, however, has since been removed.

According to the applicant, the larger size is requested in order to house the family of one of the owners. The principal residence currently houses one of the owner-operator families, with the additional residence to house the other. As the existing additional residence has multiple deficiencies that are cost-prohibitive to resolve, retrofitting the residence is not feasible.

Discussion ensued and it was confirmed that the new residence would be replacing the existing house. The farming activity requires a significant number of employees which require housing.

Moved /) That the Agricultural and Rural Advisory Committee supports the proposed non-adhering
Seconded (residential use application within the Agricultural Land Reserve for property located at 9674
Gillanders Road and recommends Council forward the application to the Agricultural Land
Commission “with support”.

Carried Unanimously

As part of the Committee’s rationale, it was noted the agricultural use of the property as an active dairy farm with approximately 600 head of cattle justified the need for additional housing to support the farming operation.

Harvey Hahn, Applicant left the meeting at 4:24 pm.

Randy Regier, Preview Builders, Owner and Chuck Stam, Precision Building Design Ltd., Applicant, were present.

g) DVP0001265 – 41510 Yarrow Central Road

The Manager of Development Planning provided a presentation regarding this application to increase the maximum farm home plate setback from 80m to 168m for construction of a new dwelling within the subject property located at 41510 Yarrow Central Road. The information provided included the location map/ortho photo, proposal/factors, and recommendations.

The proposal is to increase the maximum farm home plate setback from 80m to 168m within the AL (Agricultural Lowland) Zone to facilitate the construction of a new single detached dwelling. As the alternative siting provisions within Development Permit Area No. 9 (Farm Home Plate) do not apply, a variance to the farm home plate siting standards within the AL Zone is required. As the property includes a 149.5m long panhandle driveway, the farm home plate would be sited 317.5m from Yarrow Central Road if approved.

In support of the proposal, the applicant has indicated that they wish to site the dwelling in an area that is at a higher elevation and that will provide increased sunlight exposure on the east, south and west sides of the proposed building. In addition, the applicant intends to preserve a group of cottonwood trees that are within the 80m setback and plant an orchard within the front portion of the property.

5. NEW BUSINESS (continued)

Despite this, the City’s ground elevation data shows the property is relatively flat and that the proposed building site is not demonstrably higher than the rest of the property.

The applicant advised the committee that the soil quality where the new home is to be sited is not conducive to farming. The applicant has cleared the blackberry trees and will be planting apple trees along with various berries and fruit. The rear of the property will remain for raising beef cattle and protecting a large eagle’s nest. It was noted that as the land has not been farmed in 40 years this is an opportunity to benefit agriculture. The Homeplate in the current proposal does not meet policy however there are opportunities to vary the Homeplate policy.

Moved /) That the Agricultural and Rural Advisory Committee supports the proposed variance to
Secinded (increase the maximum farm home plate setback from 80m to 168m for construction of a new dwelling for property located at 41510 Yarrow Central Road and recommends Council approve the application, subject to public input.

Carried Unanimously

As part of the Committee’s rationale, it was noted the variance to position the home at a setback of 168m was appropriate given the existing location of the parcel, soil conditions and property constraints (including riparian setbacks) as well as to support future agricultural opportunities on site. Retention of the forested area at the rear of the property would support the proposed cattle grazing. It was also noted the property has no known history of agricultural use and the proposed future farm use would create a viable farming operation on the property adding to the overall agricultural inventory within the community.

Randy Regier, Preview Builders, Owner and Chuck Stam, Precision Building Design Ltd. Left the meeting at 4:40 pm.

6. PRESENTATION / DELEGATION

7. INFORMATION / DISCUSSION

1. Small-Scale Meat Industry Report

A copy of the Small-Scale Meat Producers Association 2021 Small-Scale Meat Sector Survey was provided for information.

2. Vertical Farming – Memo

A memo was provided for information with respect to vertical farming within the Agricultural Land Reserve (ALR). Vertical farming is a form of “AgriTech” which involves crops grown in stacked layers within climate-controlled housing. Elsewhere in Canada, vertical farming setups have been established in industrial areas, and in some cases proposed as a tool of urban revitalization for run-down factories or buildings in urban cores. Vertical farming can occur in buildings such as warehouses, or in retrofitted metal storage containers. Staff provided the impacts to farming including the positive impacts and the drawbacks.

7. INFORMATION / DISCUSSION (continued)

The Agricultural and Rural Advisory Committee received information concerning the Agricultural Land Commission’s recent announcement that the Agricultural Land Reserve Use Regulation would be amended to permit “Controlled Environment Structures” (ie: vertical farming). Previous to the regulatory change, a non-farm use approval from the ALC would have been required to permit this type of operation on Agricultural Land Reserve (ALR) parcels. Local government controls can still apply to such developments, much like how the City enforces setbacks for agricultural buildings; however, these controls are limited. Within Chilliwack, the development of a vertical farm would need to meet the setback requirements of an “other agricultural building” as outlined in applicable agricultural zones but there are no other applicable development standards (ie: lot coverage maximums or height restrictions) for this type of farm use.

While local governments have limited tools to govern development of vertical farms, the Committee expressed a desire for staff to study the issue further and begin drafting development standards for vertical farming operations in keeping with the ALR Use Regulations. Committee members expressed concern regarding such issues as light pollution, exhaust fans, and water discharge impacts to neighboring properties associated with vertical farming operations. As such the following recommendation was made:

Moved /) That Council consider directing staff to review and prepare development standards
Seconded (for vertical farming operations to be incorporated within Zoning Bylaw 2020,
No. 5000.

8. NEXT MEETING

The next meeting of the Agricultural Advisory Committee will be held at the call of the Chair.

9. ADJOURNMENT

There being no further business the meeting adjourned at 4:46 pm.

Councillor Chris Kloot, Chair