



ASSESSING THE DEVELOPMENT POTENTIAL OF ALR EXCEPTED PARCELS

This guide has been developed to assist in individually assessing the potential for rezoning ALR-excepted properties in Chilliwack (parcels within the ALR that were less than 2 acres by separate certificate of title on or before December 21, 1972).

1.0 INTRODUCTION

The City of Chilliwack, through the Agricultural Area Plan (AAP) and Official Community Plan (OCP), has established goals to protect farmland, to facilitate farm operation, and to reduce the impact of urban development on agriculture by pursuing a compact community vision based on a well-defined urban growth boundary.

While most farmland in Chilliwack is located within the provincial Agricultural Land Reserve (ALR) and governed by the Agricultural Land Reserve Use Regulation, a select number of parcels within the ALR (those less than 2 acres by separate certificate of title on or before December 21, 1972) are excepted from regulations related to non-adhering residential use, non-farm use and soil and fill use. The exception does not apply to the Agricultural Land Commission's (ALC) restriction on subdivision of land in the ALR, and as such, all subdivision applications in the ALR must be reviewed by the ALC.

2.0 APPROACH

Each excepted parcel is unique in terms of its configuration, location, and proximity to farm operations and the decision as to whether a particular site should be redeveloped is discretionary, with the ultimate decision resting with City Council. This document cannot foresee every possibility, but provides guidelines to assist in the evaluation of each proposal based on its own merit, considering the established goals and objectives of the City.

3.0 GOALS

The OCP establishes the following inter-related goals to guide decision making with respect to development:

- **Support Agriculture:** Protect viable high quality, productive agricultural land for long term agricultural use.

- **Manage the Rural Interface:** Reduce or minimize conflict between farmers and others where active farms interface with other land uses.
- **Effectively Manage Growth:** Promote effective and efficient community building within the Chilliwack Proper-Sardis-Vedder urban corridor and limit growth in rural areas.
- **Develop a Healthy Community:** Provide for an appropriate mix of land uses to support the economic, social, physical, and environmental well-being in the community.

4.0 GUIDELINES

In recognition that each ALR excepted parcel is unique, and that development of some parcels may be supportive of the aforementioned goals, the following guidelines should be considered when contemplating the potential for rezoning and developing an ALR excepted parcel.

4.1 Where servicing is available, consider a level of development that is appropriate based on the site's proximity to community amenities.

Rationale:

Urban level development brings expectations for urban amenities such as sidewalks, bus services, parks, and recreation. Smaller urban lots are intended for urban areas, where these amenities are readily available. The potential for increased conflict between agricultural and urban land uses will increase as residential densities immediately adjacent to farming operations increase. In some cases, where ALR excepted parcels are not adjoining large farm parcels, the impact to farming in the area may be limited.

Considerations:

- Consider urban development within the urban growth boundary in accordance with established neighbourhood plans;
- For areas adjacent to existing neighbourhoods, where community amenities (e.g. parks, schools, recreation, shopping, pedestrian and cycling facilities) are readily available, consider the following:
 - Large residential lot subdivision (2,000m²) on sites that border large farm parcels or intensive farm operations;
 - Smaller lot residential development where potential conflicts may be effectively mitigated through existing buffers between the site and larger farm parcels or intensive farm operations (e.g. watercourse, vegetation, farmhouses or other farm buildings or smaller lot hobby farm); or
 - Smaller lot residential development, where sites are buffered from larger farm parcels and intensive farm operations by existing residential clusters.

4.2 Where servicing is available, and the property is not adjacent to an existing urban area, consider a level of development that is appropriate based on the site's proximity to farming.

Rationale:

Larger lot subdivision may be more acceptable in a rural area, providing an opportunity for development of a property that is not suitable for farming. Chilliwack's Zoning Bylaw has long provided for an "Agricultural Small Lot" Zone that suggests a 2,000m² parcel is appropriate for home site parcels in an agricultural area.

Considerations:

- Consider agricultural small lot zoning to facilitate a 2 or 3 lot subdivision for properties that are not adjacent to an existing urban area, where:
 - not immediately adjacent to large farm parcels or operations; or
 - adequately buffered from large farm parcels or operations by natural or built features (e.g. watercourse, vegetation, farmhouses or other farm buildings or smaller lot hobby farm); and
 - appropriate servicing is available.

4.3 Where an appropriate level of servicing is available, and there is a demonstrated community need for a particular land use (to support economic, social, environmental well-being), consider uses that are expected to have a minimal impact on farming and the surrounding rural community.

Rationale:

There is limited land available in the community that is available for commercial, industrial, and institutional development. Development of a potential use that is not expected to generate an unreasonable amount of traffic, or other nuisance, to an otherwise rural area may be supportable.

Considerations:

- Consider low impact development that meets a community need that cannot be met elsewhere (e.g. civic, commercial, or institutional use) and does not generate activity that will result in an increased conflict with agriculture.

4.4 Reduce the impact of new development on active farm operations using established best practices.

Rationale:

The use of vegetative buffering is recommended in the AAP to limit the impact of development on active farm operations or the impact of farm operations on other citizens. The requirement for buffering along the rural-urban edge has now become a standard requirement for boundary adjustments that result in smaller parcels.

Considerations:

- Consider the provision of vegetative buffering consistent with the provincial Ministry of Agriculture and Food and ALC guidelines.
- Register a restrictive covenant on the title of all newly created titles adjacent to agricultural properties notifying purchasers that the use of their property may be impacted by normal farming practices.

5.0 DEVELOPMENT PROCESS

- **All applicants will be required to provide proof of a parcel's excepted status.** This can be undertaken by way of a title search through the Land Title and Service Authority (LTSA) office in New Westminster, or through a real estate agent (e.g. realtor, notary public, land surveyor or lawyer). As per the Agricultural Land Commission Act, the title must show that the property was less than 2 acres on a separate title from other properties, on December 21, 1972. If the land was listed with other parcels on the same Certificate of Title as of December 21, 1972, the land is not excepted from the provisions of the Act regardless of whether or not the total area of all lands listed on the Certificate of Title is less than 2 acres. A copy of the title and the legal plan for the property is required to be submitted to the ALC for confirmation. The ALC will provide a letter to confirm whether or not the property is excepted.
- **All applicants are requested to review these guidelines and consider a pre-application meeting** with planning staff to discuss their proposal.
- **Development applications for excepted parcels must be accompanied by a letter from the ALC confirming the parcel's exception, and must provide a clear description of the proposal,** including the proposed zoning amendment.
- **The Review Process:** the application will be reviewed by City staff and forwarded to City Council for consideration. Should the proposal be inconsistent with the guidelines, referral through the City's Agricultural and Rural Advisory Committee for their review and recommendation to Council will be required prior to Council consideration. City Council will ultimately make the decision to support, not support, provide no comment or not forward the application to the ALC for their consideration. If approved by the ALC, additional applications to the City will likely be required to support the proposed development.

For more information, please contact:

City of Chilliwack Planning Department
8550 Young Road, Chilliwack, BC
Telephone: 604-793-2906
Email: planning@chilliwack.com