

Staff Report to Council

Planning and Development

FILE: 3090-20-2022-05

REPORT DATE: May 31, 2022 **MEETING DATE:** June 07, 2022
TO: Mayor and Council
FROM: Colin O'Byrne, Acting Director of Planning and Development
SUBJECT: Development Variance Permit Application for 14351 and 14221 McKechnie Road

CHIEF ADMINISTRATIVE OFFICER REVIEW/APPROVAL:



RECOMMENDATION(S):

THAT Council:

- A. Grant issuance of Development Variance Permit No. 2022-006 to permit creation of a lot through a boundary adjustment that has an area less than that of the smallest of the lots being subdivided; OR
- B. Other.

PURPOSE

To present to Council an application for a development variance permit for 14351 and 14221 McKechnie Road, to permit a lot line adjustment subdivision.

☐ Information Report ☒ Decision Report ☐ Direction Report

DISCUSSION

Background:

The subject properties are located in the Agricultural Land Reserve, and any subdivision applications, including a lot line adjustment (i.e., no new lots created), require approval from the Agricultural Land Commission (ALC) in order to proceed. An application to the ALC was submitted for this purpose in 2021.

At the May 18, 2021 Meeting, Council considered the ALC application and passed the following motion:

“Direct Staff to forward to the Agricultural Land Commission, with a recommendation of support, the subdivision application to adjust the lot line boundary between 14351 and 14221 McKechnie Road.”

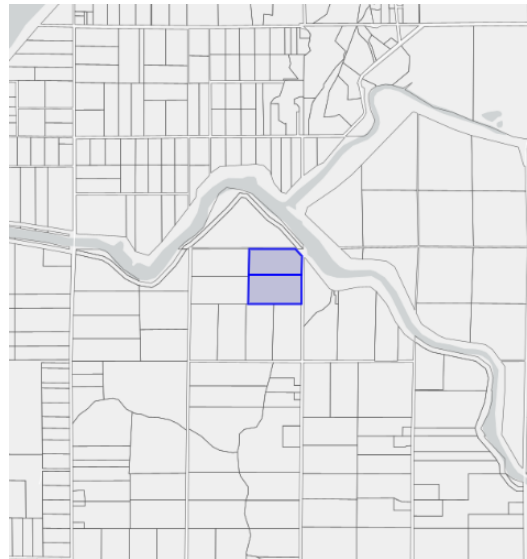
On November 29, 2021, the ALC granted approval of the lot line adjustment subdivision application (see Attachment E).

Parcel 1

Owner: Ebenezer Dairy Farms Ltd.
Civic Address: 14351 McKechnie Rd
Property Size: 6.958 ha/17.19 acres
OCP Designation: Agricultural – 20 acre minimum
Zoning: A-1 General Agricultural

Parcel 2

Owner: Norval & Irene Peterson
Civic Address: 14221 McKechnie Rd
Property Size: 8.09 ha/20 acres
OCP Designation: Agricultural – 20 acre minimum
Zoning: A-1 General Agricultural



The parcel at 14351 McKechnie Rd currently contains all the buildings in the farm operation including: a single family dwelling; mobile home for full-time farm worker; and 3 barns. It also has two small pastures and one field used for forage. Ebenezer Dairy Farms currently milks 50 cows and raises replacement heifers for the milking herd; it also farms 2 other parcels in Pitt Meadows for a total of 45 acres.

The parcel at 14221 McKechnie Rd contains a single family dwelling and barn. It was used for forage for a dairy farm by the property owners (Peterson and Podschadly families) since 1989. In 2019, the Podschadly dairy farm relocated to Armstrong, BC and the portion of 14221 McKechnie Rd proposed to be added to 14351 McKechnie Rd has since been used for forage by Ebenezer Dairy Farms.

Relevant Policy, Bylaw or Legislation:

The parcels are zoned as A-1 (General Agriculture), which requires a minimum parcel size of 8 ha (20 acres). However, numerous lots in Pitt Meadows were created by subdivision prior to the existence of the Agricultural Land Reserve and City Zoning bylaws, and many of these lots are smaller than the minimum 8 ha and are considered legally non-conforming.

Section 4.17 of the Zoning Bylaw contains provisions for lot line boundary changes for these smaller lots, provided the following conditions are met:

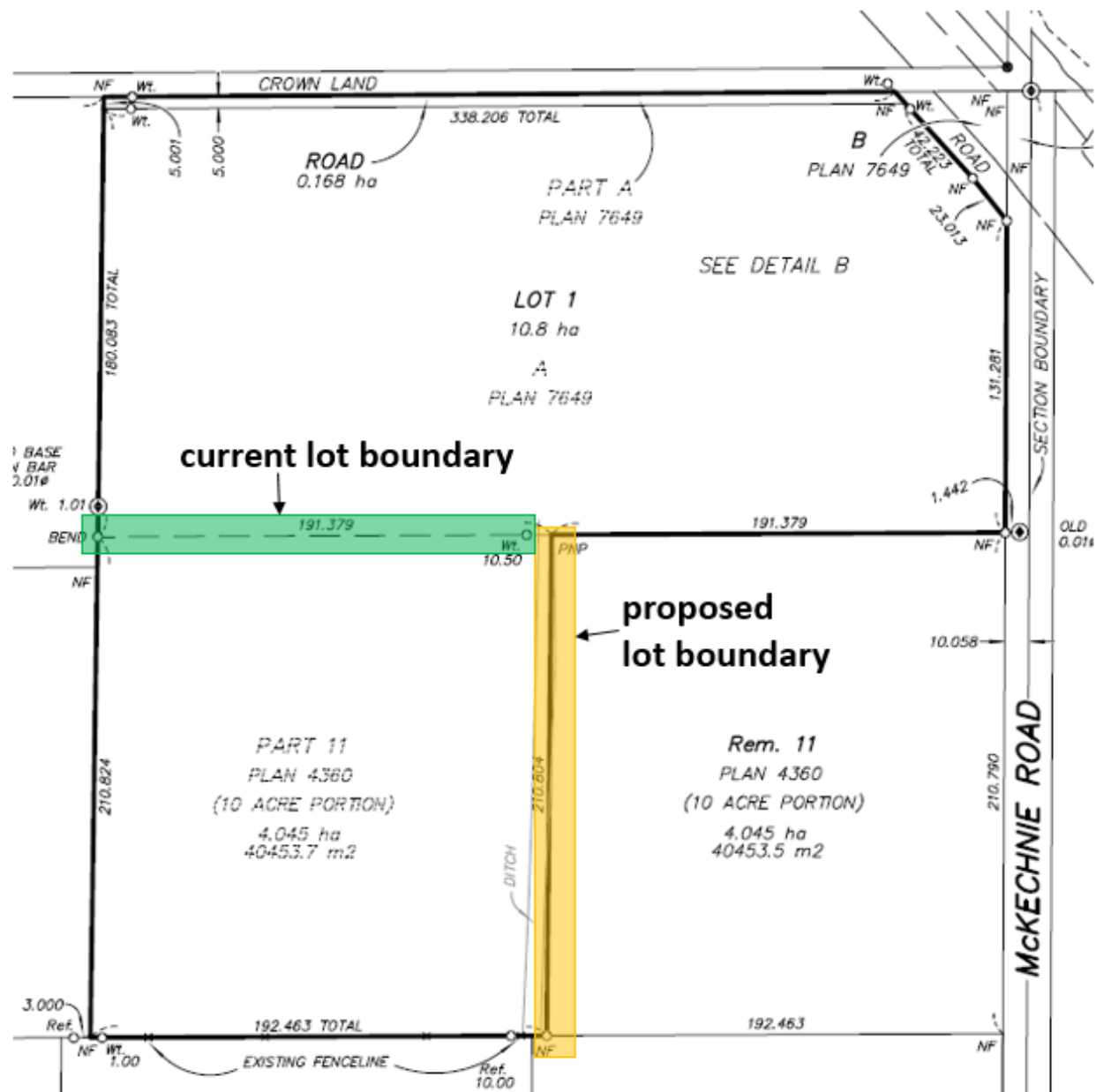
- a) None of the lots proposed to be created has an area less than that of the smallest of the lots being subdivided.
- b) The number of lots being created is not greater than the number of lots being subdivided.
- c) Such subdivision does not render any existing use or building non-conforming.
- d) The lots being created comply with all other applicable provisions of this bylaw.
- e) No greater number of lots that do not comply with the minimum lot area requirements of this bylaw is created.

In this case, all of the above conditions are met with the exception of a), and therefore this development variance permit has been applied for.

Analysis:

The proposal involves moving the current property boundary between 14351 and 14221 McKechnie Rd by adding about 10 acres to 14351 McKechnie Rd, as follows:

	Current	Proposed
Parcel 1	6.958 ha 17.19 ac	10.8 ha 26.7 ac
Parcel 2	8.09 ha 20 ac	4.045 ha 10 ac



Agricultural Advisory Committee

The precursor ALC application was referred to the City’s Agricultural Advisory Committee (AAC) at their meeting on April 8, 2021. The AAC passed the following motion:

"It was **MOVED** and **SECONDED** THAT the Agricultural Advisory Committee supports the subdivision application to adjust the lot line boundary between 14351 and 14221 McKechnie Road."

Comments from the AAC noted that this application will continue to support farming on both parcels and is a way for both farms to remain viable into the future.

Public Notification

Residents of both properties within 50 m were notified about this application (see Figure 2) and provided an opportunity to comment. To date, no comments have been received.

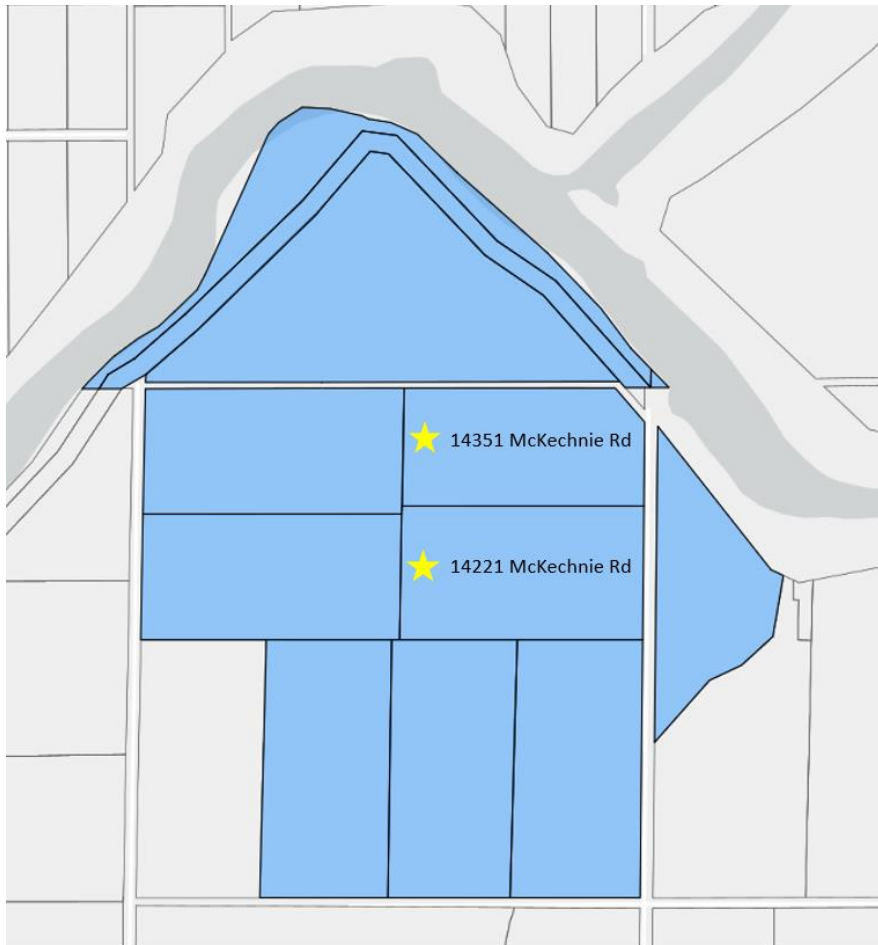


Figure 2: Parcels notified

Staff Comments

The City's planning policies are generally not supportive of subdivisions within the ALR unless there is a clear and obvious long-term benefit to farming.

In this case, the proposed new boundary does follow an existing drainage ditch (see Attachment C) that runs north-south on 14221 McKechnie Rd, providing a natural and logical division and does not appear to negatively impact any existing farming operations.

The applicants advise that this proposal will enhance farming by providing Ebenezer Dairy Farms with a larger land base. The resulting sale of the approximately 10 acres will enable the property owners of 14221 McKechnie Rd to invest in improvements (such as enhanced drainage and raising low points) to the remaining land to make it more usable for farming into the future.

Given that Ebenezer Dairy Farms is already farming the portion of 14221 McKechnie Rd proposed to be added to 14351 McKechnie Rd, the result of this subdivision in actuality is only a paperwork exercise. Each parcel already contains a residential dwelling and no additional residential dwellings are permitted on either parcel.

While subdivisions in the ALR are generally not supported, this application will not produce any additional lots and will enhance farming opportunities on both parcels. It was supported by the AAC and approved by the ALC, and therefore staff have no objections to the proposal.

If this development variance permit is not approved, then the applicant can apply to rezone the property to permit the subdivision. A rezoning application is lengthier, involving several bylaw readings and public hearing. If a rezoning was also not approved, then this boundary adjustment subdivision will not be approved.

COUNCIL STRATEGIC PLAN ALIGNMENT

- ☐ Principled Governance ☒ Balanced Economic Prosperity ☐ Corporate Excellence
☐ Community Spirit & Wellbeing ☐ Transportation & Infrastructure Initiatives
☐ Not Applicable

Agriculture. Support and advocate for the continued viability of our agricultural industry.

FINANCIAL IMPLICATIONS

- ☒ None ☐ Budget Previously Approved ☐ Referral to Business Planning
☐ Other
-

PUBLIC PARTICIPATION

- ☒ Inform ☒ Consult ☐ Involve ☐ Collaborate ☐ Empower

Comment(s):

Property owners and residents within 50 m (164 ft) of the subject property were notified. To date, no comments have been received

KATZIE FIRST NATION CONSIDERATIONS

Referral ☐ Yes ☒ No

SIGN-OFFS**Written by:**

Allison Dominelli,
Development Services Technician

Reviewed by:

Colin O'Byrne,
Acting Director of Planning and Development

ATTACHMENT(S):

- A. Neighbourhood OCP Map
- B. Neighbourhood Zoning Map
- C. Aerial Photo Map
- D. Proposed Subdivision Plan
- E. ALC Approval
- F. Development Variance Permit No. 2022-006

