



Staff Report to Council

Community Development

FILE: 6635-20-2018-09

DATE: July 22, 2019

Date of Meeting – July 30, 2019

TO: Mayor and Council

FROM: Lisa Grant, Director of Community Services

SUBJECT: **Agricultural Land Commission Non-Farm Use Application for 18423 Green Road**

RECOMMENDATION(S): THAT Council:

- A. Forward to the Agricultural Land Commission the non-farm use application to allow a guard dog training facility at 18423 Green Road with a recommendation of support; OR
- B. Other.

CHIEF ADMINISTRATIVE OFFICER COMMENT/RECOMMENDATION:

PURPOSE

For Council to consider an Agricultural Land Commission non-farm use application to allow a guard dog training facility in an existing horse training arena that is sitting vacant at 18423 Green Road.

Information Report

Direction Report

Decision Report

DISCUSSION

Background:

The City has received a non-farm use application for 18423 Green Road, which is located in the Agricultural Land Reserve (ALR) and is zoned A-1 (General Agriculture) (see Attachment B). The application is to allow a commercial guard dog training operation to use approximately 7150 square metres of (0.715 ha) indoor and outdoor space (see Attachment D and E).

At the regular Council meeting held on April 16, 2019, Council directed staff to canvass the neighbourhood to gauge if there were any concerns from surrounding residences. On Wednesday June 19, 2019 Stefanie Ekeli, Development Services Technician and Debi Hooks, Bylaw Officer visited all properties within a 488 metre radius of the subject property. A summary of the canvassing is outlined below.

Application Background

Applicant: Kris Johnsen
Owner: Johnsen Tree Farms Ltd.
Civic Address: 18423 Green Road
Legal Description: Parcel C, Block 6 Section 1E Land District 36 New Westminster District Plan 6108
Parcel Area: 10.16 Ha. (25.11 acres)
OCP: Agricultural—20 ha Minimum Parcel
Zoning: General Agriculture A-1

The property is 10.16 hectares in size where 9.5 hectares of the property is currently being used for agricultural purposes. There is an existing tree farm on the property and on adjacent properties. The applicant is seeking approval to use the existing horse arena and the surrounding outdoor gravel area, which are currently not in use, for guard dog training purposes (see Attachment D). In addition, the owner identifies that the space proposed for the guard dog training business cannot be used for farm planting unless the buildings and gravel area are cleared and remediated.

The applicant has identified that there is a horse training business next door. To avoid competition, the owners do not want to rent the existing space to another horse trainer. The applicant is seeking approval to use both the indoor arena and outdoor gravel area for guard dog training purposes; however, the owner of the guard dog training business has talked to the residents along Green Road and has agreed to do the guard dog training inside the arena as to keep the noise level down.

Relevant Policy, Bylaw or Legislation:

This issue is regulated by the *Agricultural Land Reserve Use Regulation; Official Community Plan Bylaw No. 2352, 2007; and, Zoning Bylaw No. 2505, 2011.*

Analysis:

Agricultural Land Commission Process

A non-farm use application will proceed to the Agricultural Land Commission (ALC) for review if it receives support from the local government in the form of an authorizing resolution. Council has the option of:

- Forwarding the application to the ALC with a recommendation of support; OR
- Forwarding the application to the ALC with no comment; OR
- Forwarding the application to the ALC with recommendation of no support; OR
- Not forwarding the application to the ALC.

If an application is forwarded to the ALC, the ALC will consider the local government's input but ultimately the decision on whether to permit a non-farm use is made by the ALC. Conversely, if Council does not resolve to forward an application to the ALC, then the application does not proceed any further. There is no appeal process to the ALC that an applicant can make in that case.

Agricultural Land Commission Regulations

The *Agricultural Land Reserve Use Regulation* (s. 23) permits the breeding or boarding of pets. The proposed activity (i.e. dog training business) is outside the scope of the breeding or boarding of pets; therefore, a non-farm use application is required to gain ALC approval for this use.

Official Community Plan

The Official Community Plan outlines policies that aim to balance protection of agricultural land from non-farm uses with enabling value-added agricultural business initiatives that help diversify the agricultural economy. In general, non-agricultural use of farmland is discouraged; however, uses that are approved by the ALC are also permitted under the OCP policies.

Zoning Bylaw No.2505

The property's A-1 (General Agricultural) zoning includes kennels as permitted uses. Kennels are defined in the bylaw as "the use of land, buildings, or structures to keep board, or breed domestic animals," which does not include the training of animals.

Animal training is, however, included in the definition of "Veterinary Service" and "Commercial School," which are permitted uses in the C-1 (Highway Commercial) and C-2 (Neighbourhood Commercial) zones. If ALC approves this non-farm use application, the applicant will need to apply for a Temporary Use Permit (TUP) to bring the business into compliance with the Zoning Bylaw.

Agricultural Advisory Committee

This application was considered by the City's Agricultural Advisory Committee (AAC) at their meeting held on March 28th, 2019. The Committee commented that while the use is not related to agriculture, they agreed that the commercial use would be better than allowing an existing structure to remain empty. They also acknowledged that the applicant has a long history of farming.

The AAC voted to support the application and are in support of issuing a Temporary Commercial Use Permit for a commercial guard dog training facility subject to the following conditions:

- a) No retail operations are undertaken;
- b) No expansion of the business be allowed; and,
- c) The business is limited to dog training only.

Staff Comments

The Planning Department suggests that this use would be more appropriate in a C-1 or C-2 zone where veterinary services and commercial schools (including dog training business) are permitted uses.

applicant argues that the space proposed for the dog training facility is not suitable for farming and that the remainder of the property is currently being used for tree planting.

If this non-farm use application is forwarded to the ALC and receives approval, Staff recommends requiring a TUP to bring the proposed use into compliance with the City’s Bylaws. A TUP would require a posted notice onsite and a mail out. Issuing a TUP would allow the City to trial new land uses in agricultural lands and would allow the City to enforce conditions upon the TUP holder. A TUP is valid for up to 2 years and may be extended once for an additional 2 years.

Options

- 1. Forward to the Agricultural Land Commission the non-farm use application to allow a guard dog training facility with support; OR
- 2. Forward to the Agricultural Land Commission the non-farm use application to allow a guard dog training facility with no comment; OR
- 3. Forward to the Agricultural Land Commission the non-farm use application to allow a guard dog training facility with a recommendation of no support; OR
- 4. Decline to forward to the Agricultural Land Commission the non-farm use application to allow a guard dog training facility; OR
- 5. Other.

Staff recommend Option 1 because although a dog training facility falls outside the scope of a kennel, breeding of pets, and a boarding facility, the proposal is not seeking to alter existing structures or add any buildings on the property. The proposed area for the dog training facility is contained within an existing horse arena and will not impact the farming operation on the subject property. Additionally, a TUP is recommended to bring the use into compliance with the Zoning Bylaw. A TUP will allow the City to monitor the use and address issues that may arise.

COUNCIL STRATEGIC PLAN ALIGNMENT

- Corporate Excellence Economic Prosperity Community Livability
- Transportation & Infrastructure Not Applicable

Consider business interests in policy development.

FINANCIAL IMPLICATIONS

- None Budget Previously Approved
- Other Referral to Business Planning

There are no financial implications associated with this report.

PUBLIC PARTICIPATION

Inform Consult Involve Collaborate Empower

Comment(s):

As per Council direction, City Staff canvassed the neighbourhood within a 488 metre radius. Staff decided to use the 488 metre radius because the subject property is located in the agricultural area. Staff was able to reach some of the property owners. The majority of the property owners had no concerns; however, one property owner brought up relevant concerns. Previous complaints about persistent dog barking were made by a property owner in the vicinity of the subject property. The issue was dealt with at the time and City Staff have been informed that this property has no issues with a dog training facility but does not want there to be a dog boarding facility on the subject property.

The property owners who City Staff were unable to contact were left a letter and the contact details of Stefanie Ekeli, Development Services Technician should they have any comments or concerns.

At the writing of this report, no further comments were received from the public other than the one listed above.

KATZIE FIRST NATION CONSIDERATIONS

Referral Yes No

No impacts to the Katzie First Nation were identified.

SIGN-OFFS

Written by: Stefanie Ekeli

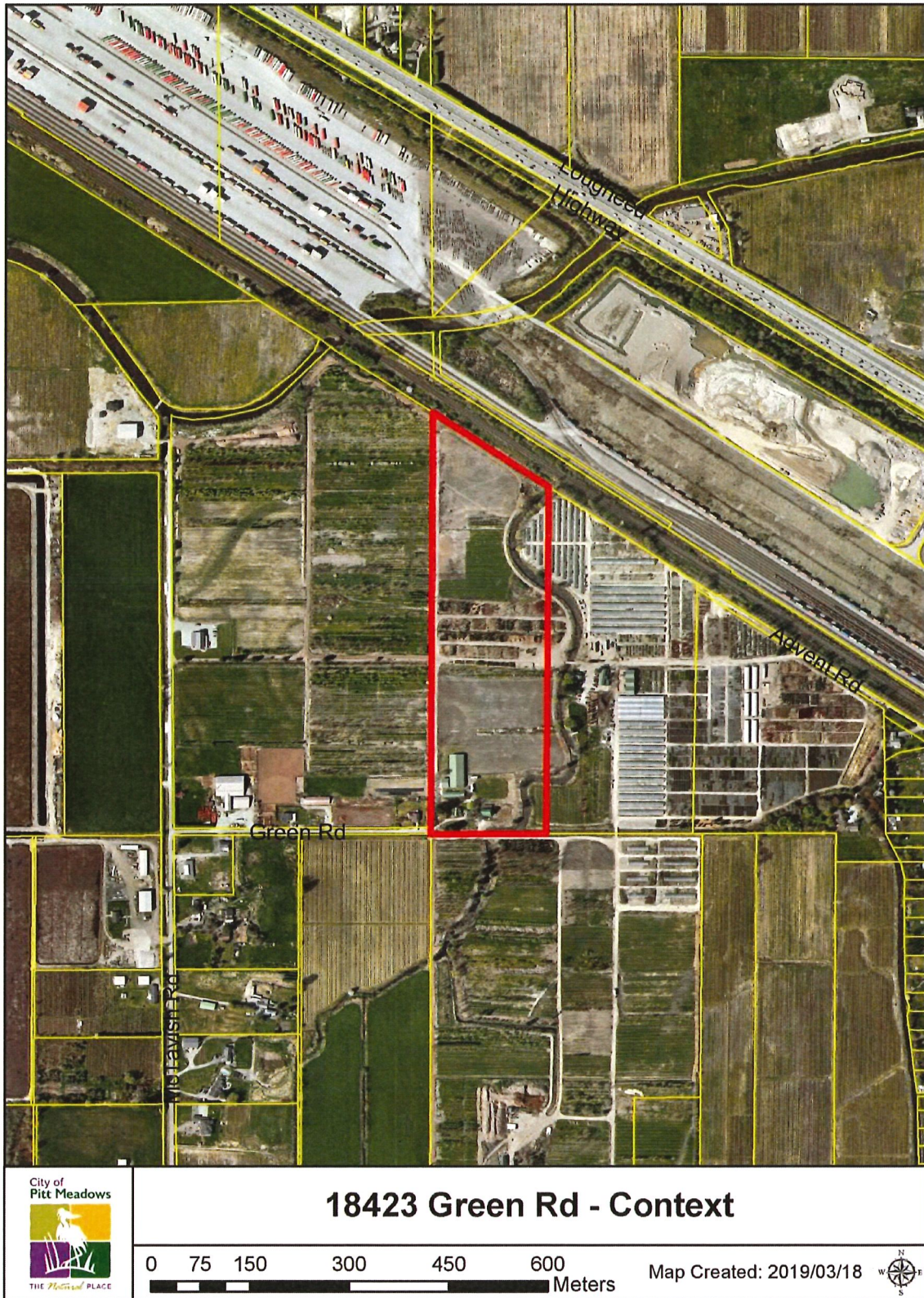
Reviewed by: Alex Wallace

Development Services Technician

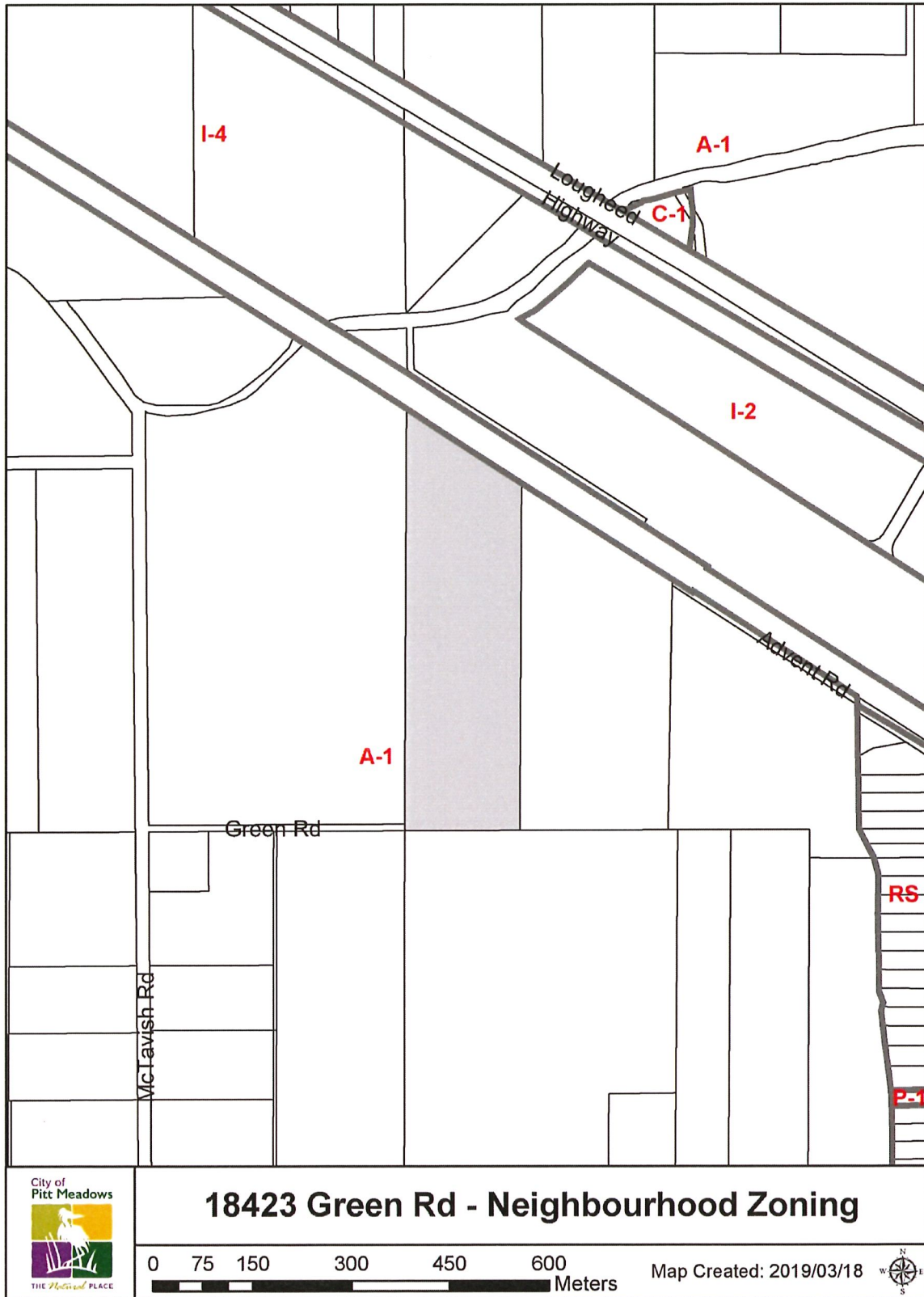
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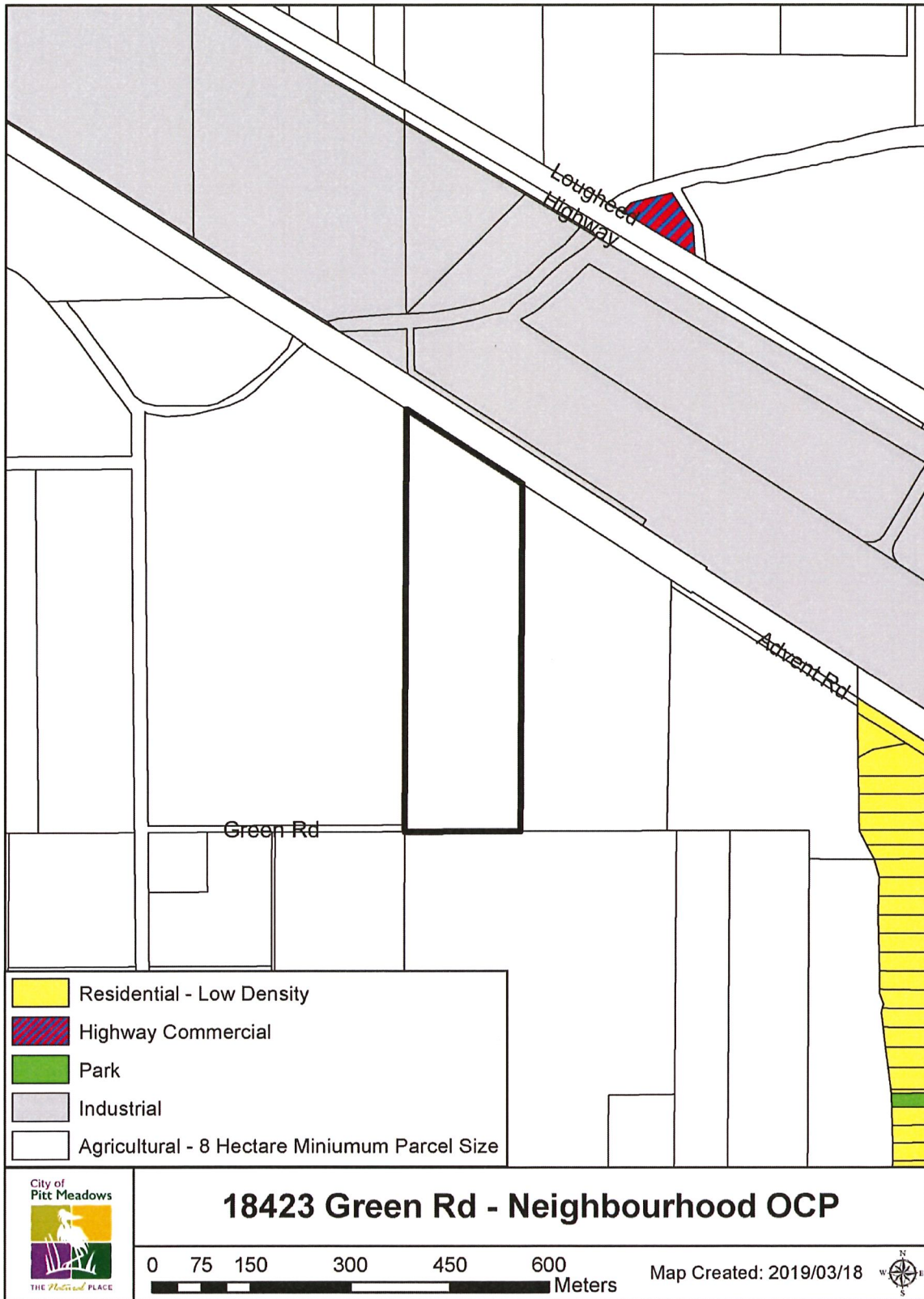
ATTACHMENT(S):

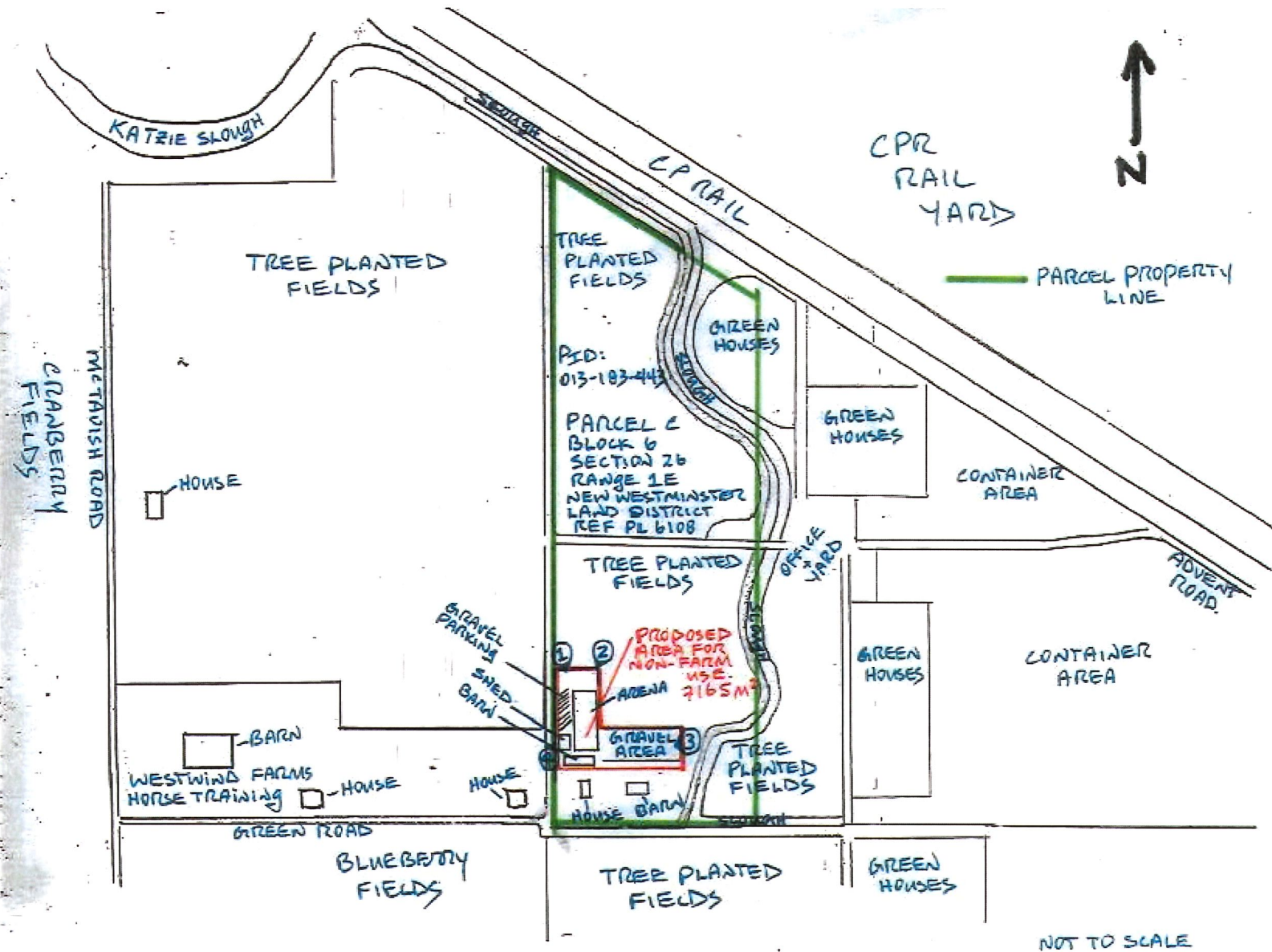
- A: Subject Property Map
- B: Neighbourhood Zoning Map
- C: Official Community Plan Map
- D: Sketch of Proposed Facility
- E: Photos of Horse Arena
- F: Letter of Intent



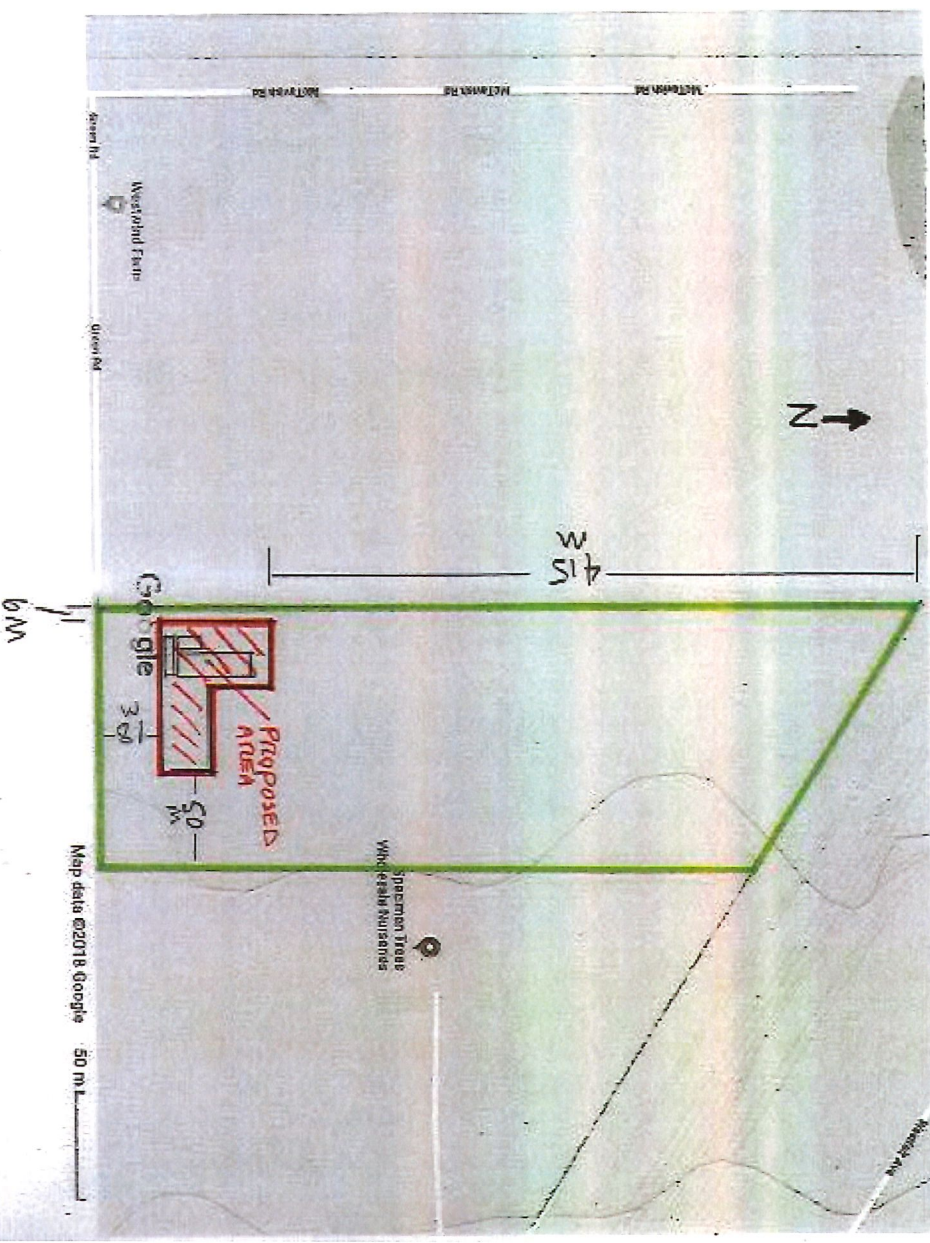
ATTACHMENT B: Neighbourhood Zoning Map







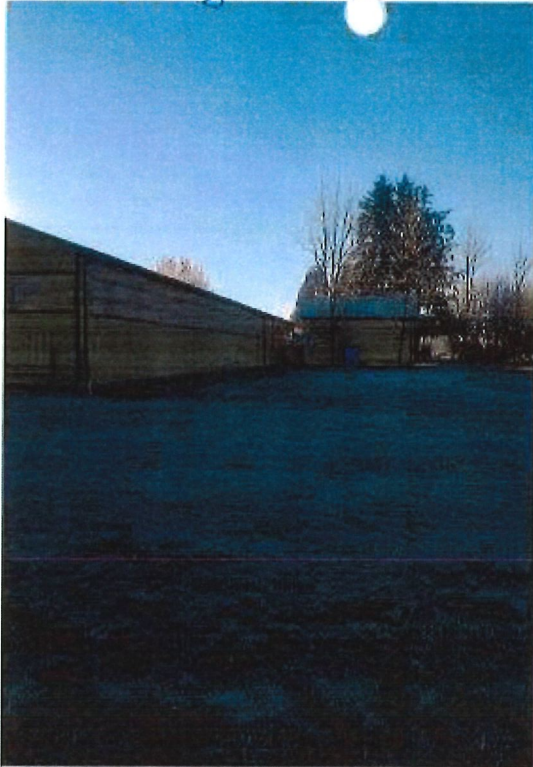
ATTACHMENT D: Sketch of Proposed Facility



— PARCEL PROPERTY LINE

ATTACHMENT E: Photos of Horse Arena

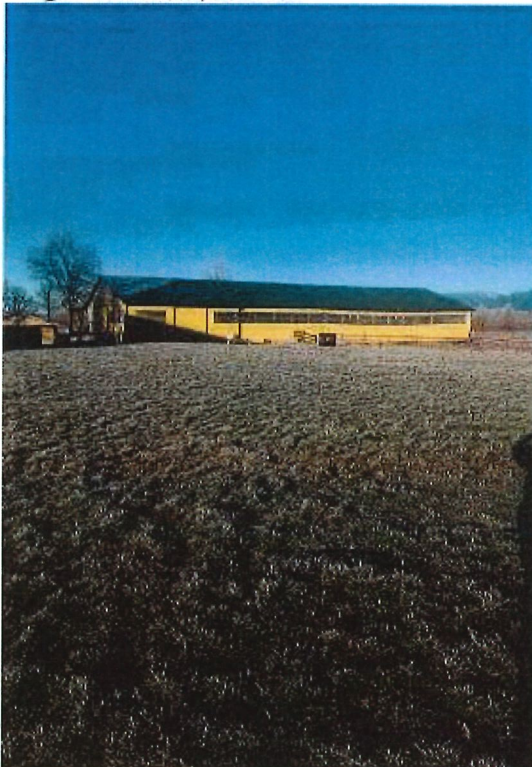
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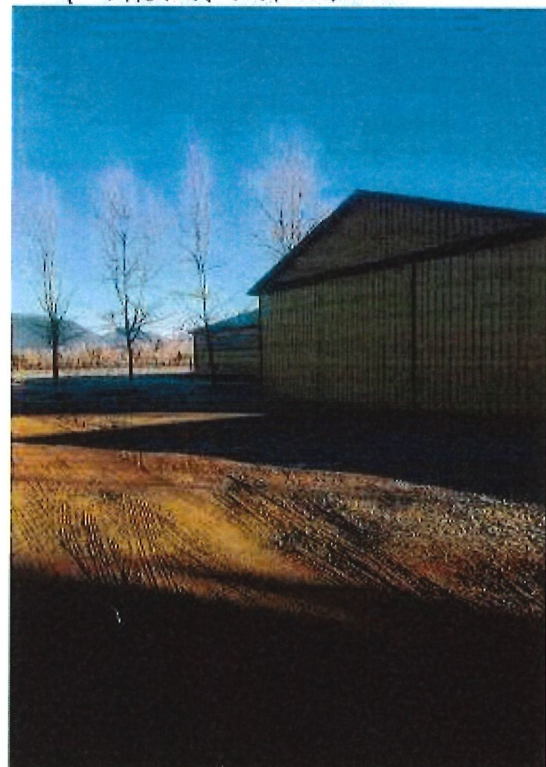
#2 FACING SOUTHWEST



#3 FACING WEST



#4 FACING NORTHWEST



City of Pitt Meadows

Development Services

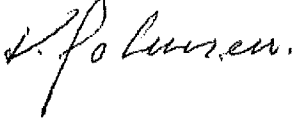
Attention: Colin O'Bryne

Letter of Intent

Proposal to have approximately 7150 square meters zoned for Non-Farm Use on Parcel C, Block 6, Section 26, Range 1E, New Westminster Land District, Ref PL 6108. PID: 013-183-443.

We propose to use approximately 7150 square meters of land and existing buildings to rent to a guard-dog training facility. The proposed area is at the south/west corner of the parcel. This area is next to a house on the property at 18423 Green Road. We have an existing horse arena and outside gravel riding area that is not being used for horses any more. We propose to have the dog training company use the arena and the outside rectangle gravel area on the east side for training, there is room on the west side of the arena for parking for their clients. The guard dog training facility will not be boarding any dogs at this time. The owner of the dog training company has already talked to the neighbors along Green Road and has agreed to do the training inside the arena and on the east side of the buildings to keep the noise of barking down to a satisfactory level. The land in the proposed area is now not being used for anything, it cannot be used for farm planting unless extensive removal of buildings and gravel are to be done.

Kris Johnsen



Johnsen Tree Farms Ltd.
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