

# COMMITTEE REPORT



**Date:** February 13, 2020

**RIM No.** 1210-21

**To:** Agricultural Advisory Committee (AAC)

**From:** Development Planning Department (MS)

**Application:** A19-0021      **Owner:** Beatrice Elizabeth Van Den Eerenbeemt

**Address:** 620-622 Hartman Road      **Applicant:** Brad Elenko; McElhenney Ltd.

**Subject:** Application to the ALC for a Homesite Severance

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## 1.0 Purpose

The applicant is requesting permission from the Agricultural Land Commission (ALC) for subdivision of land in the Agricultural Land Reserve (ALR) under Section 21(2) of the Agricultural Land Commission Act. The subdivision is a homesite severance request as per Policy L-11 – Homesite Severance on ALR Lands. The owner of the lot has owned and resided on the property since 1970, and is therefore eligible for a homesite severance.

## 2.0 Proposal

The applicant seeks a two lot subdivision for the purpose of a homesite severance. The proposal is to subdivide the subject property, which is a total of 1.8 ha (4.45 acres) in size, to create a new homesite at the southeast corner of the lot abutting Hartman Rd. The applicant is seeking a 0.18 ha (0.45 acres) subdivision for the homesite. The remaining parcel would be 1.62 ha (4.0 acres) in size.

The lot contains two single family homes, a garage, and a butcher shop. The western-most single family home and butcher shop are both serviced by sanitary sewer, while the eastern-most home is serviced by a septic system with the septic field to the north of the home and east of the garage. These buildings are all clustered tightly at the southeast corner of the lot.

The remainder of the lot is being leased to raise livestock and poultry and also board horses, and contains three small farm buildings along the eastern edge near the centre of the lot. The farm buildings are being used for animal shelter and also storage of farm supplies.

The proposed subdivision would keep the eastern-most home and garage on the homesite lot. The western-most home and butcher shop would be kept with the remnant lot. In order to separate the buildings this way between the two lots a variance would be required on both lots to vary the minimum side yard setback. These variances are meant to minimize the size of the homesite lot and maximize the size of the remaining lot with farm.

A reciprocal access agreement would be required between the two properties to share the existing driveway. This would nullify any loss of farmland that would be caused by allowing the eastern-most home on the remnant lot to gain a new access to the west of the existing driveway. Should the homesite lot ever need a sanitary sewer service, the sewer main on Hartman Road would have to be extended to the new property line.

Map 1 – Property



Map 2 – Proposed Subdivision



2.1 Neighbourhood Context

The subject property is located in the Rutland Sector of the city. Farmland sits to the west, while more urban uses surround the property to the north, west and south. Specifically, a single family subdivision sits to the north, a row housing development sits to the west, Rutland Elementary School sits to the south, and sports fields sit to the southwest.

Zoning and land uses adjacent to the property are as follows:

**Table 1: Zoning and Land Use of Adjacent Property**

Direction	Zoning	ALR	Land Use
North	RR <sub>3</sub> – Rural Residential 3	No	Single Family Homes
South	P <sub>2</sub> – Education and Minor Institutional	Yes	Rutland Elementary School
East	A <sub>1</sub> – Agriculture 1	Yes	Agriculture / Rural Residential
West	RM <sub>3</sub> – Agriculture 1	No	Row Housing

The lot has a future land use designation of S<sub>2</sub>RES – Single / Two Unit Dwelling, and is within the City’s Permanent Growth Boundary (PGB). This would suggest the City views this ALR lot as having development potential. However, since the existing Official Community Plan (OCP) was published, the City has published an Agriculture Plan which contains policy that even more firmly supports the preservation of Agricultural Land. Based on this policy, staff would not support any application to exclude the land from the ALR, nor any rezoning away from A<sub>1</sub> – Agriculture 1. It is expected that the future land use designation of this lot, and the boundary of the PGB will change with the upcoming OCP to reflect this strengthening in policy.

3.0 Development Planning

The City’s Agriculture Plan recommends continued support for homesite severance applications consistent with ALC Policy L-11, which allows farmers owning ALR land since at least December 21, 1972 to dispose of the farm while retaining a homesite on the land. ALC policies state that consideration of any homesite severance should be reviewed in the context of the overall agricultural integrity of the parcel. Specifically, policy states that the homesite parcel should be minimized in size, and located such that it does not hamper the operation of the remaining farm. In this case, the proposed subdivision meets both of these criteria. This being the case, Development Planning supports the proposed homesite severance subdivision.

**Report prepared by:** Aaron Thibeault, Planner II

**Approved for Inclusion:** Alex Kondor, Planner Specialist

**Attachments:**

Schedule A – ALR Application with Supplementary Information

Schedule B – Proposed Homesite Severance Subdivision

Schedule C – Agricultural Land Commission Policy L-11 – Homesite Severance on ALR Lands