



## REPORT

Report Date: January 5, 2021  
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Meeting Date: January 19, 2021  
[Submit comments to Council](#)

TO: Vancouver City Council  
FROM: General Manager of Planning, Urban Design and Sustainability  
SUBJECT: 7520 Balaclava Street - Proposed Agricultural Land Reserve Subdivision

### **RECOMMENDATION**

THAT Council not support the proposed subdivision application at 7520 Balaclava Street [PID 013-004-468, Lot 5 (Explanatory Plan 11261) Block B District Lot 194 Group 1 New Westminster District] and will not forward the application to the Provincial Agricultural Land Commission because of the various issues referenced in this report, including that the proposed lots do not comply with the minimum site area of the Southlands RA-1 (Limited Agricultural) District.

### **REPORT SUMMARY**

This report evaluates an application to subdivide the site at 7520 Balaclava Street located within the Agricultural Land Reserve (ALR). The application is for 18 residential lots ranging from 720 sq. m (7,750 sq. ft.) to 992 sq. m (10,678 sq. ft.) in area. The proposal includes dedication of public green space adjacent the Celtic Shipyard Workshop, a historic building currently located on the site. A riverfront walk, public road and remnant lands would be dedicated to the City. Public access would be granted to a leased marina.

The owner submitted a proposed subdivision application to the Agricultural Land Commission (ALC), the provincial agency that oversees development within the ALR. The ALC's process requires input from Local Government Council for subdivision within the ALR. In addition to the ALC's approval of the subdivision, a Council-approved rezoning application would be necessary to allow the lot sizes contemplated in the proposed subdivision. Staff have undertaken a preliminary assessment of the proposed subdivision and do not support it, primarily because the proposed lot sizes do not meet the minimum size requirements in the RA-1 District Schedule. Additionally, there is no enabling rezoning policy in place to support the proposal.

The site's location within the Fraser River floodplain creates complexities for the environmental impact of any new development, as flood management in this area is challenged by the geotechnical nature of the site as well as its fisheries and riparian values, potential soil contamination issues, in addition to its cultural and historic values. These cultural and environmental complexities merit further planning in conjunction with the Musqueam First Nations, government agencies and other stakeholders.

Staff recommend that Council not support the proposed subdivision application and not forward the application to the Provincial Agricultural Land Commission. Any future consideration for subdivision would be conditional upon resolution of all applicable issues after a comprehensive review process, including but not limited to those outlined in this report.

### ***COUNCIL AUTHORITY/PREVIOUS DECISIONS***

Relevant Council Policies for this site include:

- Regional Context Statement Official Development Plan (2013)
- Southlands Plan (1988)
- Southlands RA-1 Guidelines (1992)
- RA-1 District Schedule (2020)
- Heritage Policies (2020)

### ***REPORT***

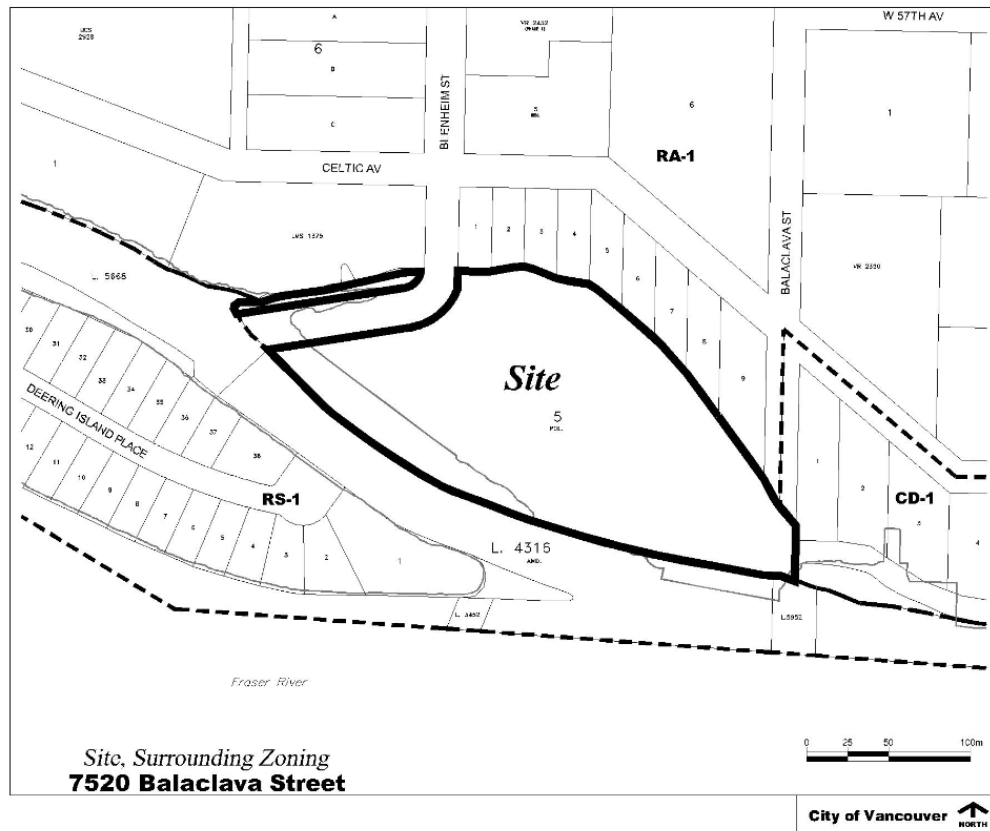
#### ***Background/Context***

##### **1. Site Context**

The 3.24 hectare (8 acre) former industrial shipyard site is zoned RA-1 (Limited Agricultural) and is located in the Southlands neighbourhood. The site is in the ALR at the far south end of Balaclava Street on the banks of the Fraser River, and stretches west to Blenheim Street (Figure 1). The site is also designated as Agricultural in the Regional Context Statement and is located outside the urban containment boundary. The site is a former cannery and currently houses a residence, shipyards workshop, unused horse yards, three warehouses housing local businesses and artists, and a marina. The site is historically significant for the Musqueam First Nations and Japanese-Canadians, and may contain archaeologically significant resources.

Directly north of the site are nine City-owned lots at 3208-3288 Celtic Avenue. These small lots, which were created prior to 1912, do not conform to the RA-1 site area provisions. They are generally not developable due to the riparian nature of the land and watercourse setback requirements. Adjacent developments include Deering Island to the west, which consists of 37 single-detached residential lots, subdivided in the early 1990s and zoned RS-1. To the east are 12 lots at 2908-3188 Celtic Avenue developed with single-detached houses. These lots were rezoned in 2005 from RA-1 to CD-1 (488) to enable development on lots that do not meet the RA-1 minimum size.

Figure 1 – Location Map



## 2. Policy Context

**Regional Context Statement Official Development Plan (RCS ODP)** – The City’s Regional Context Statement is a zoning tool that links municipal policies and plans to Metro Vancouver’s Regional Growth Strategy. Key strategies of the RCS ODP respond to the regional challenge to accommodate growth in ways which advance sustainability and liveability. The RCS ODP sets an urban containment boundary which defines areas for urban development and reinforces the protection of agricultural, conservation and rural areas. RCS ODP agricultural designated areas are intended primarily for agricultural uses and to support the Agricultural Land Reserve. This application does not conform with the goals of RCS OCP as the land is designated Agricultural and located outside of the urban containment boundary.

**Agricultural Land Reserve (ALR)** – Subdivision of land within the ALR is regulated by the Agricultural Land Commission (ALC). This type of application for subdivision may only proceed to the ALC if authorized by a resolution of the local government. Rezoning, by-laws, permits and other approvals may be considered by the City once approval from the ALC is obtained.

### ***Agricultural Land Reserve Approval Process***

The site is located within the ALR and is subject to the *Agricultural Land Commission Act* and its regulations. In the past, a General Order of the ALC allowed the City to approve subdivisions and issue permits for uses that were compliant with RA-1 zoning without seeking ALC approval. The Order permitted owners to apply directly to the City with requests for a development permit,

and directly to the Approving Officer for a subdivision or strata title proposal. On June 10, 2019, the ALC officially rescinded this General Order, so approval from the ALC is now required for subdivision, exclusion, non-adhering residential uses and non-farm uses on all lands in the ALR, including those in Southlands.

The City has the discretion to forward or not forward applications to the ALC pursuant to s. 25(3) and s. 30(4) of the *Agricultural Land Commission Act*. If the Council exercises its authority and does not authorize the application, the application proceeds no further and will not be considered by the ALC.

**Southlands Plan (1988)** – The Southlands Plan sets a series of policies for the semi-rural area of the city. Policy states that the existing ALR designation should be retained. In the plan, the subject site is in the “Celtic Island Area”, so named as the slough to the north at one time created an island. This area on the river bank has long been recognized as possessing many recreational opportunities. A 1986 resolution of Council adopted the objectives to create a significant public waterfront access through the Celtic Island Area, to protect and enhance the semi-rural and equestrian character of the area, to exploit rare opportunities to secure unique a park environment, and to preserve and enhance fish and wildlife habitat.

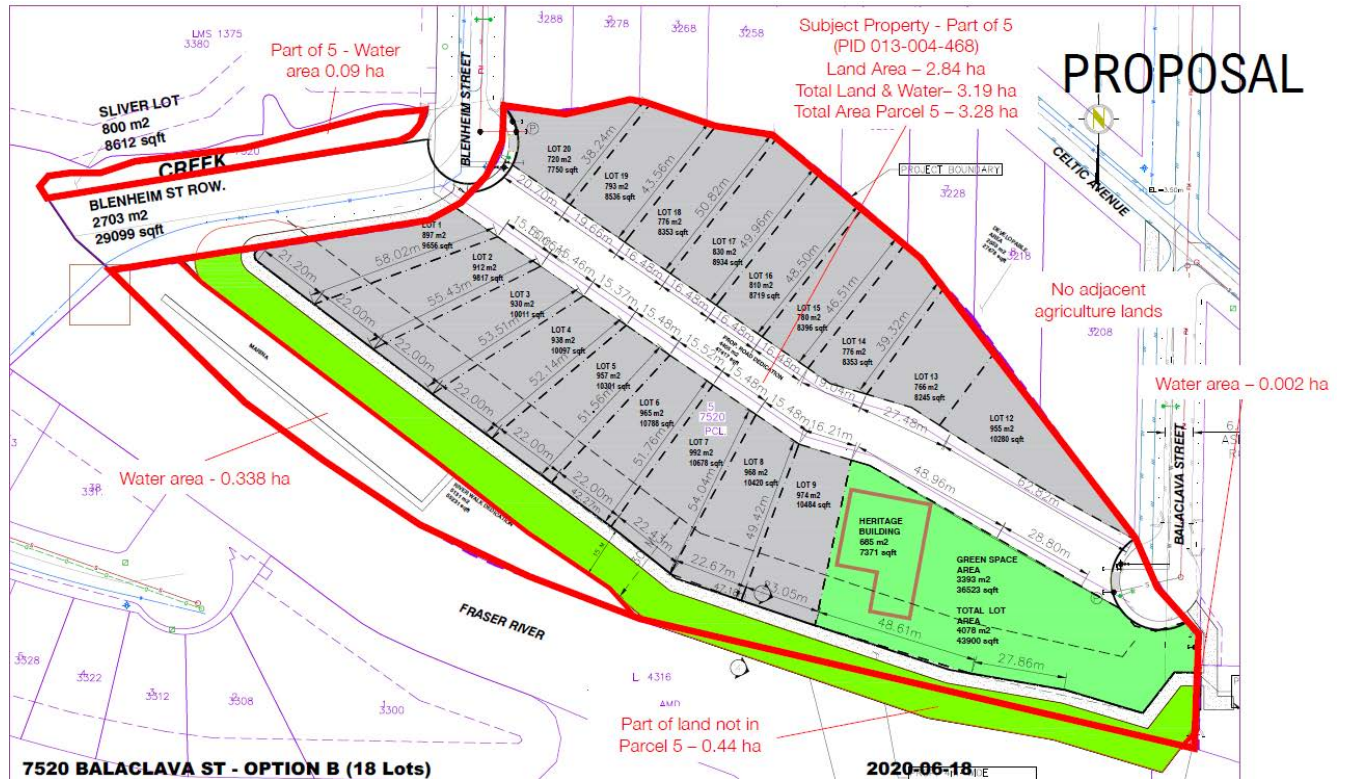
**RA-1 District Schedule** – The intent of the RA-1 zone is to maintain and encourage the semi-rural, equestrian and limited agricultural nature of the district and to permit one single-detached dwelling per lot and, in specific circumstances, infill one-family dwellings. The minimum site area in this district is 9,100 sq. m (97,952 sq. ft.). The proposed lot sizes do not comply with the RA-1 District Schedule.

## ***Strategic Analysis***

### **1. Proposal**

The application proposes a subdivision to create 18 residential lots ranging from 720 sq. m (7,750 sq. ft.) to 992 sq. m (10,678 sq. ft.) in area (Figure 2). The proposal includes land dedication of 1.0 hectare (2.4 acres) that includes a 4 m (13 ft.) wide public waterfront pathway and environmentally sensitive areas. Additionally, the proposal includes dedicated green space surrounding the historic shipyard building and the building itself.

Figure 2 – Proposed Subdivision Plan



## 2. Land Use and Density

The site is currently zoned RA-1 (Limited Agriculture) which allows for one single-detached dwelling or, in specific circumstances, additional infill one-family dwellings on lots that are a minimum 9,100 sq. m (97,952 sq. ft.) in size. The lot sizes in the proposed subdivision range from 720 sq. m (7,750 sq. ft.) to 992 sq. m (10,678 sq. ft.), well below the minimum lot size of RA-1. A subdivision that would meet the minimum lot sizes outlined in the RA-1 District Schedule, resulting in three lots, could be permitted and would not require rezoning of the lands.

To permit the site to be subdivided into smaller lots, the site would need to be rezoned from RA-1. Currently, there is no rezoning policy that would support the proposal for development on 18 subdivided lots and therefore no formal, overarching Council-approved direction for development on these lands as proposed. The Southlands Plan has not been comprehensively reviewed and updated since it was adopted in 1988.

## 3. Heritage

### *Archaeological Significance*

The site is culturally and historically significant for the Musqueam First Nation as well as Japanese Canadians. The site may contain significant archaeological artefacts to the Musqueam First Nations and the site is the location of the first cannery on the north arm of the Fraser River. The area surrounding the cannery was home to many Japanese Canadians who established their homes in the Southlands area.

Given the rich history of the site, staff considers it likely to have archaeological significance. Properties nearby include the Marpole Midden, a national historic site. The development of archaeological sites is complex and requires additional investigations and permits. Staff strongly encourage further investigation on the part of the applicant, in collaboration with the Musqueam First Nations, prior to any development.

### ***Celtic Shipyard Workshop***

The applicant is proposing to dedicate the Celtic Shipyard Workshop situated on the site to the City as a community benefit if the subdivision is endorsed and a rezoning proceeds. Though not on Vancouver's Heritage Register, the workshop is the last remaining historic ship repair building in Vancouver. Staff consider this building to be a candidate for inclusion on the register and possible heritage designation.

The proposed dedication of the Workshop to the City would require further discussion as it relates to the restoration and rehabilitation of the structure and associated costs. Understanding the proposed use and programming of the building needs to be further explored. Finally, a heritage assessment of all buildings located on the site is recommended prior to proceeding with a development.

## **4. Land Dedication and Open Space**

The proposal includes dedication of open space surrounding the shipyard building as well as land along the waterfront to facilitate a pedestrian connection along the shores of the Fraser River, representing 1.0 hectare (2.4 acres) of land dedication.

Though the vision for this area of the Southlands Plan does call for a waterfront pedestrian connection, further conversations with City and Parks Board staff would be required to fully understand the long-term implications of the land dedication.

## **5. Environmental Impact**

The site is located within the Fraser River floodplain, the largest and most at-risk floodplain in the City of Vancouver, creates complexities for the environmental impact of the development. From a flood management perspective, redevelopment of the site requires a minimum flood protection level of 4.6 m (15 ft.) and a minimum of a 30 m (100 ft.) flood-proofing setback from the natural boundary along the Fraser River as per the Vancouver Building By-law. Flood management in this area is complex given the geotechnical nature of the site as well as its fisheries and riparian values, potential soil contamination issues in addition to its cultural and historic values.

Further consultation would need to take place with the Provincial Ministry of Forest, Lands and Natural Resource Operations, the agency responsible for project reviews for developments in and around fish habitat in this portion of the Fraser River. Finally, because the site formerly housed industrial uses, there may be potential soil contamination issues requiring a site profile to be submitted in order to confirm the site's status.

**Implications/Related Issues/Risk****Financial**

While the currently proposed subdivision is not supported, should a supportable proposal come forward, further information would be required to understand its financial implications. Any future consideration for subdivision will be conditional upon adequate/appropriate resolution of all applicable issues, including but not limited to those outlined in this report.

**Legal**

Approval of the report recommendation provides the necessary response from the City, as required in accordance with the *Agricultural Land Commission Act* and its regulations. The ALC cannot proceed with the subdivision if Council does not support it.

**CONCLUSION**

Staff have reviewed the notice of intent to subdivide 7520 Balaclava Street, submitted to the ALC. The proposal includes the subdivision of the land into 18 residential lots and dedication of environmentally sensitive land, open space including the Celtic Shipyard Workshop currently located on the site, as well as dedication of the Fraser River frontage to the City to facilitate a pathway connection.

In order to facilitate the proposal a rezoning application would need to be approved by City Council and would be conditional upon adequate/appropriate resolution of all applicable issues, including but not limited to those outlined in this report. There is not current rezoning policy that would support the proposed development. Given this, staff recommend the Council not support the proposed subdivision application and not forward the application to the Provincial Agricultural Land Commission because of the various issues referenced above, including that the proposed lots do not comply with the minimum site area of the Southlands RA-1 (Limited Agricultural) District.

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