



Agricultural Land Commission
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January 30, 2007

Reply to the attention of Terra Kaethler
ALC File: # O-36940

Donald and Tegwin Lee
3563 - 232 Street
Langley, BC V2Z 2H5

Dear Sir/Madam:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 681/2006 outlining the Commission's decision as it relates to the above noted application

Please send two (2) paper prints of the final survey plans to this office. When the Commission confirms that all conditions have been met, it will authorize the Registrar of Land Titles to accept registration of the plan.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

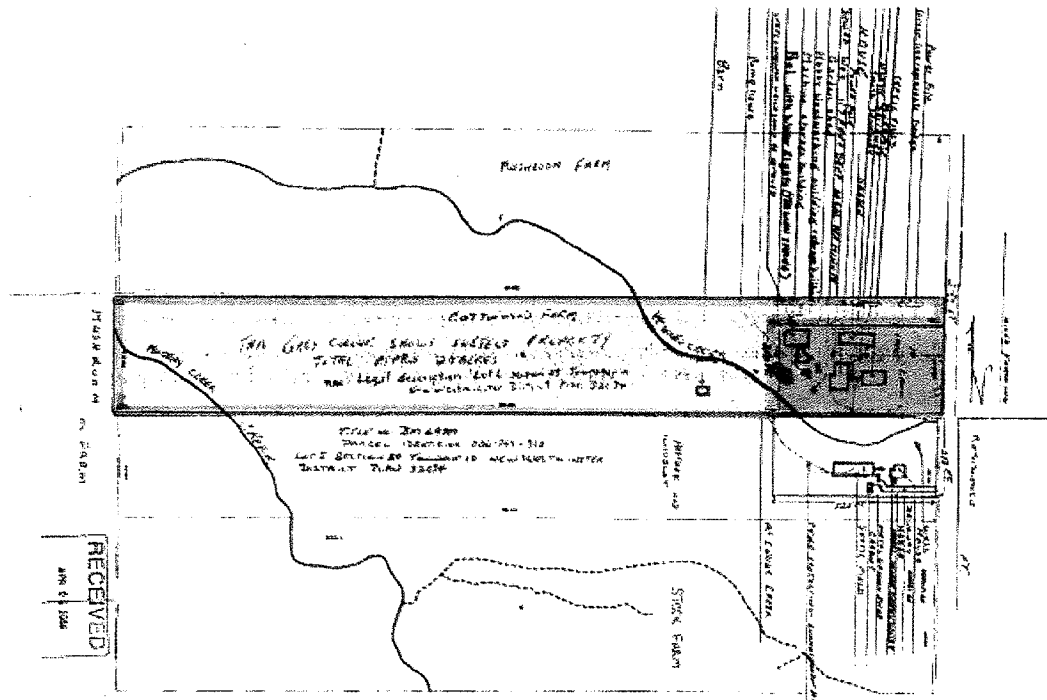
Erik Karsen, Chair

cc: Township of Langley (#AL100123)

Enclosure: Minutes/Sketch Plan

TK/lv/36940d1.

ATTACHMENT B



Site Plan - SUBMITTED BY APPLICANT

PROVINCIAL AGRICULTURAL LAND COMMISSION

Application #O-36940 (Lee)
 Resolution #681/2006



Location of lot approved pursuant to the *Homesite Severance Policy*



Remainder of subject property

RECEIVED
 PROVINCIAL AGRICULTURAL LAND COMMISSION
 2006-11-14



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on December 20, 2006 in Langley, B.C.

Present:	Erik Karlsen	Chair
	Sylvia Pranger	Vice Chair
	Lorne Seitz	Commissioner
	John Tomlinson	Commissioner
	Mike Bose	Commissioner
	Tony Pellett	Staff
	Terra Kaethler	Staff

For Consideration

Application: # O- 36940
Applicant: Donald and Tegwen Lee
Proposal: To subdivide a 1.2 ha homesite lot from the 8.1 ha subject property under the *Homesite Severance Policy*.
Legal: PID: 006-703-364
Lot 6, Section 29, Township 10, New Westminster District, Plan 32074
Location: 3563 - 232 Street

Site Inspection

A site inspection was conducted on December 20, 2006. Those in attendance were:

- John Roberts - Applicant
- Erik Karlsen, Sylvia Pranger, Lorne Seitz, John Tomlinson, Mike Bose - ALC members
- Tony Pellett and Terra Kaethler - ALC Staff

Context

The proposal was weighed against the purposes of the Commission as stipulated in section 6 of the *Agricultural Land Commission Act* (the "Act"). They are:

1. to preserve agricultural land
2. to encourage farming on agricultural land in collaboration with other communities of interest, and
3. to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

Discussion

The applicants have owned the property since 1970, and therefore qualify for the subdivision of a homesite lot under the *Homesite Severance Policy*. While the Commission typically permits homesite lots smaller than 0.4 ha and severs only one building, given the topographical considerations of the property and the location of the outbuildings, the Commission had no objection to the 1.2 ha subdivision.

A concurrent application, #36941 (Roberts), involves the property next door and is owned by the applicant's brother. In his case, he has not been on title since before 1972, and therefore does not qualify for a subdivision of a homesite lot under the *Homesite Severance Policy*.

However, if the applicant and her brother can come to some agreement, the Commission is prepared to allow the creation of a small lot encompassing the house on the brother's property, provided the balance of the property is consolidated by survey with the balance of the applicant's property. In this eventuality, the Commission is also prepared to allow the applicant's lot to be increased in size so that McInnis Creek forms the western boundary of the property.

IT WAS

MOVED BY: Commissioner Tomlinson

SECONDED BY: Commissioner Bose

THAT the application be approved.

AND THAT approval is subject to the following conditions:

- the construction of a fence and installation of a vegetative buffer around the new homesite lot for the purpose of limiting its impact on the remaining farm unit. Fencing and buffering plans should be submitted to the Commission for approval.
- Compliance with the *Homesite Severance Policy*.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

CARRIED

Resolution # 681/2006



Staff Report
Application # O – 36940
Applicant: Donald and Tegwen Lee

DATE RECEIVED: September 11, 2006

DATE PREPARED: November 28, 2006

TO: Chair and Commissioners – South Coast Panel

FROM: Brandy Ridout, Land Use Planner

PROPOSAL: To subdivide a 1.2 ha homesite lot from the 8.1 ha subject property under the *Homesite Severance Policy*.

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

Both Murray and McInnes Creeks flow across the property to the west. The applicants have worked on a fish enhancement program on McInnes Creek with Mrs. Lee's brother (see application #36941). The applicants state that the agricultural potential of the property is limited by the creeks and adjacent ravine.

Local Government:

The Corporation of the Township of Langley

Legal Description of Property:

PID: 006-703-364
Lot 6, Section 29, Township 10, New Westminster District, Plan 32074

Purchase Date:

October 19, 1970

Location of Property:

3563 - 232 Street

Size of Property:

8.1 ha (The entire property is in the ALR).

Present use of the Property:

Residence, hobby gardens, cottonweed tree farm, one other residence, hobby woodworking building, storage building, machine storage building, garden shed, pumphouse, barn.

Surrounding Land Uses:

WEST: Mushroom Farm
SOUTH: Residence, pasture
EAST: Residence, mixed animal farm
NORTH: Mushroom Farm

Agricultural Capability:

Data Source: Agricultural Capability Map # 92G/2a
The majority of the property is identified as having prime ratings.

Official Community Plan and Designation:

Rural Plan (1993)
Designated: Agricultural/Countryside Rural Plan

Zoning Bylaw and Designation:

Zoning: Bylaw No. 2500 (1987)
Designated: Rural Zone RU-3
Minimum Lot Size: 8.0 ha

RELEVANT APPLICATIONS:

Application #36940-0

Applicant: John Roberts
Proposal: To subdivide a 1.2 ha homesite lot from the 8.1 ha subject property under the *Homesite Severance Policy*.
Decision: Currently under consideration.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Township of Langley Council: Endorse subject to compliance with the requirements of the Agricultural Land Commission.


STAFF COMMENTS:

- The applicants qualify under the *Homesite Severance Policy* as they have owned, lived on, and farmed the property since October 1970.
- The 1.2 ha proposed homesite lot is larger than typically preferred by the Commission, but may be justified given the location of the buildings. The diagram provided is unclear. The application states that the homesite severance lot would accommodate the house and storage building, while the remainder would contain the barn.

ATTACHMENTS:

- ALR Base Map #92/G2
- ALR Constituent Map #37
- Site plan (submitted by applicant)
- ALC Context Map

END OF REPORT


Signature


Date