



# Provincial Agricultural Land Commission - Staff Report

## Application: 51765

**Applicant:** Slavko Obrovac  
**Agent:** Fominoff, Ross and Company  
**Local Government:** Township of Langley

**Proposal:** To exclude a 20.23 ha property from the ALR for urban development and the future growth of Aldergrove.

## BACKGROUND INFORMATION

A Block exclusion from the Township of Langley was made in 1996 to accommodate future growth in Aldergrove. It was refused by the Commission.

## PROPERTY INFORMATION

**PID:** 013-115-529  
**Legal Description:** All that Portion of the South West Quarter Section 20 Township 13 Lying to the South of Part Subdivided by Plan 4399 Except: South 12.50 Chains, New Westminster District  
**Property Area:** 20.1 ha  
**ALR Area:** 20.1 ha  
**Purchase Date:** January 16, 1989  
**Location:** 2620 - 272 Street, Township of Langley  
**Owner:** Slavko Obrovac

## LAND USE

### Current Land Use:

A house and two barns occupy the northwest corner of the site. Bertrand creek divides the property into two sections. The western portion has been cleared and used for hay production. The eastern portion is treed.

### Surrounding Land Uses:

North: Non ALR - Residential subdivision. East of Bertrand is undeveloped.  
East: City of Abbotsford. ALR property - gravel extraction. Exclusion application in progress  
South: ALR - farmland - blueberry crop  
West: 272nd St. Non ALR - Residential subdivision and the Aldergrove United Church

## PROPOSAL DETAILS

**Exclusion Area:** 20.0 ha

### Agricultural Capability:

The majority of the area under application is rated as: Prime Dominant

**Source:** BCLI

**Mapsheet:** 92G.008

## PREVIOUS APPLICATIONS

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**Application ID:** 42771

**Legacy #:** 36500

**Applicant:** Slavko Obrovac

**Proposal:** To exclude the 20 ha property for development into 12 residential lots with a remainder.

**Decision:**

Resolution #	Decision Date	Decision Description
218/2006	April 26, 2006	Refuse as proposed - property has good capability and is of a size which would lend it to numerous agricultural options

**Application ID:** 17442

**Legacy #:** 34024

**Applicant:** Slavko Obrovac

**Proposal:** Propose to exclude 20.24 ha of land for the purpose of residential development. Two accompanying applications (O-34022 and O-34023) offer to include 8.0 ha of land each into the ALR in exchange for the proposed exclusion.

**Decision:**

Resolution #	Decision Date	Decision Description
66/2002	February 21, 2002	Refused as proposed on the grounds of high agricultural capability.

**Application ID:** 15512

**Legacy #:** 02535

**Applicant:** Township of Langley

**Proposal:** Block Application - To exclude 509.7 ha of land within the Township for urban development.

**Decision:**

Resolution #	Decision Date	Decision Description
853/1974	October 31, 1974	Although the Commission recommended refusal of the majority of the block proposal, Cabinet approved portions and excluded lands adjacent to the built area of Aldergrove and in other areas of the District. Partial exclusion of 175.7 ha allowed. This resolution is used to enter statistical information relating to the area under application and subsequent decision by Cabinet.

**Application ID:** 4393

**Legacy #:** 30232

**Applicant:** Township of Langley

**Proposal:** Block Application - The Township of Langley is seeking permission to exclude 25 properties, totalling 194 ha (480 ac), situated adjacent to the community of Aldergrove.

**Decision:**

Resolution #	Decision Date	Decision Description
245/1996	March 13, 1996	That the application be refused.

**Application ID:** 4169

**Legacy #:** 07286

**Applicant:** STANLEY KAETLER

**Proposal:** To exclude the subject property on the grounds that the land is not fit for agricultural use.

**Decision:**

Resolution #	Decision Date	Decision Description
11312/1979	May 23, 1979	That the application be refused on the grounds that the land is capable of agricultural use and that the proposed development would have a detrimental impact on the adjacent agricultural lands lying to the south.

## PREVIOUS APPLICATIONS

**Application ID:** 4168

**Legacy #:** 22713

**Applicant:** SLAVKO OBROVAC

**Proposal:** To exclude the subject property for the purpose of subdividing into residential lots.

**Decision:**

Resolution #	Decision Date	Decision Description
111/1989	February 2, 1989	To refuse the application on the grounds that the majority of the property has a good potential to be developed for a range of agricultural purposes such as forage, vegetable and berry production.

**Application ID:** 3495

**Legacy #:** 29876

**Applicant:** Slavko Obrovac

**Proposal:** The applicant is seeking permission to subdivide the 20.02 ha subject property into six parcels, each 3.3 ha in size.

**Decision:**

Resolution #	Decision Date	Decision Description
781/1995	September 14, 1995	That the application be refused on the grounds that the proposed subdivision would reduce the agricultural potential of the property and heighten the expectations of neighbouring and surrounding property owners of ALR land outside of the Aldergrove urban area.

## LOCAL GOVERNMENT INFORMATION

### Official Community Plan:

**Bylaw Name:** Rural Plan  
**Designation:** Urban Growth  
**OCP Compliance:** No

### Zoning:

**Zoning Bylaw Name:** Zoning Bylaw  
**Zoning Designation:** Suburban Residential Zone SR-1  
**Minimum Lot Size:** 0.4 ha  
**Zoning Compliance:** Yes

### Comments and Recommendations:

#### **Board/Council**

The Langley Township Council supports the application for exclusion as "the proposal allows for the expansion of the Aldergrove Community Plan area in accordance with the Township's Official Community Plan and overall Township growth management objectives.

#### **Planning Staff**

Recommends that Council support the application.

## ALC STAFF COMMENTS

It is recommended that the Commission consider the following:

- The improved ratings of the agricultural capability of the property are identified as prime dominant (Class 2 and Class 3) with limitations of excess water, soil moisture deficiency, topography and undesirable soil structure.
- The applicants have owned the property since January 1989.
- There have been a total of seven previous applications involving the subject property, 6 of them requests for exclusion. Two were block exclusions for several properties put forward by the Township of Langley (1996 and 1975). Four requests (3 exclusions and one subdivision application) have been received from the current applicant, the most recent in 2006. The Commission has refused every application made concerning the subject property.

## ALC STAFF COMMENTS

- While the subject property does border residential development outside of the ALR to the north and west, it is bordered by ALR properties to the east and south and appears to be suitable for agriculture purposes.

Approval of exclusion on the subject property would increase expectation to also exclude the properties to the east, and potentially put pressure on the lands to the south as well.

- There is a concurrent exclusion application for a nearby property to the east, (ALC file # 51764) that should be considered jointly for the potential implications on the surrounding area.

The eastern portion of the property is divided from the remainder by a creek. There is no access to the eastern side of the property. If the adjacent property (File #51764) is approved for exclusion, partial exclusion of the eastern portion of the subject property may be warranted.

- The material submitted with the application indicates the intent to submit an inclusion application involving lands in Abbotsford to result in no net loss of farm land. However, the applicant has switched agents and it is unclear if the inclusion proposal is still a part of this application. An application for inclusion has not been received

- Two petitions were received containing approximately 140 signatures opposing the application. Three additional letters of opposition were received. The first page of the petition and the letters are attached. (The full petition is in the file and will be available to the Commission at the time of the review.)

The Commission and the Township of Langley are in ongoing discussions regarding planning issues in the Aldergrove area.

- Commissioners may direct staff to arrange a site visit to improve their understanding of this application.

## ATTACHMENTS

51765\_ContextMap20k.pdf  
51765\_AgCapabilityMap.pdf  
51765\_AirphotoMap10k.pdf  
51765proposal.pdf  
51765 LG Report.pdf  
51765correspondence.pdf

## END OF REPORT

**Prepared by:** Terra Kaethler