



Agricultural Land Commission
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April 11, 2006

Reply to the attention of Gordon Bednard

Leon & Judith Brown
7991 - 232nd Street
Langley, BC V1M 3R9

Dear Sir/Madam:

Re: Application #O-36345
PID: 003-926-559
Lot 11, District Lot 319, New Westminster District Group 2, Plan 1658

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to subdivide the subject 2.4 ha property into four lots of 0.6 ha each, within the ALR. Two of the lots would be sold to family members. The application was submitted pursuant to section 20(3) of the *Agricultural Land Commission Act*.

The Commission wishes to thank you for taking the time to meet with its representatives on December 7, 2005 at the property. The Commission found the meeting and site visit informative.

Based on the site inspection and information available in the application file, the Commission considered that the property had good capability to be used for agriculture, which would be severely restricted if it were to be subdivided. As well, this and other similar properties in the area act as a buffer between residential properties to the north (on poorer capability lands) and the developed farmlands to the south and east. Increased residential use, facilitated by subdivision of this land, may increase the likelihood of rural/urban conflicts in this area to the detriment of future farm use and agricultural development.

For these reasons, the Commission refused your application.

The decision noted above is recorded as Resolution # **145/2006**.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Township of Langley Attn: Bill Ulrich file # AL100097

GB/eg
I/36345d1

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the “Commission”) on March 16, 2006 at Aldergrove, B.C.

PRESENT: Peter Dhillon Chair
 Carol Paulson Commissioner
 Walter Dyck Commissioner

STAFF: Gordon Bednard, Regional Research Officer

For Consideration

Gordon Bednard presented his staff report dated November 25, 2005 regarding application #O- 36345.

Site Inspection

A site inspection was conducted on December 7, 2005. Those in attendance were:

- Commissioners Dhillon, & Dyck
- Agricultural Land Commission Staff: Gordon Bednard, Regional Research Officer and Tony Pellett, Planner
- Leon Brown

The Commission walked the property with the applicant and discussed the application with him.

Commissioner Eligible to Vote

Commissioner Paulson was not present at the site inspection and confirms that she is eligible to vote on the application as she was given a summary of the site inspection.

Commission Discussion

Based on the site inspection and information available in the application file, the Commission considered that the property had good capability to be used for agriculture, which would be severely restricted if it were to be subdivided. As well, this and other similar properties in the area act as a buffer between smaller residential properties to the north (on poorer capability lands) and the developed farmlands to the south and east. Increased residential use, facilitated by subdivision of this land, may increase the likelihood of rural/urban conflicts in this area to the detriment of farm use and agricultural development.

IT WAS

MOVED BY: Commissioner Carol Paulson

SECONDED BY: Commissioner Walter Dyck

THAT the staff report be received and the application be refused for the above reasons.

CARRIED



Staff Report
Application # O – 36345
Applicant: Leon & Judith Brown

DATE PREPARED: November 25, 2005

TO: Chair and Commissioners – South Coast Panel

FROM: Gordon Bednard, Regional Research Officer

PROPOSAL: To subdivide the subject 2.4 ha property into four lots of 0.6 ha each, within the ALR. Two of the lots would be sold to family members.

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

BACKGROUND INFORMATION:

The Commission approved a similar application to the north of the present subject property, on land that was considered poor agriculturally, following an onsite inspection.

Local Government:

The Corporation of the Township of Langley

Legal Description of Property:

PID: 003-926-559

Lot 11, District Lot 319, New Westminster District Group 2, Plan 1658

Purchase Date (m/d/y):

03/01/1989

Location of Property:

7991 - 232 street, Township of Langley

Size of Property:

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

Present use of the Property:

one double and one single wide mobile, garages and sheds.

Surrounding Land Uses:

WEST: Rural residential lots in ALR with non-ALR suburban residential beyond
SOUTH: Rural residential parcels in AL:R
EAST: Larger cleared hobby farm/residential lot in ALR
NORTH: 4-one acre lots within the ALR

Agricultural Capability:

Data Source: Agricultural Capability Map # 92G/2h
The majority of the property is identified as having Prime Dominant ratings of class 2 and 3.

Official Community Plan and Designation:

Salmon River Uplands

Zoning Bylaw and Designation:

Suburban Residential Zone SR-1
0.4 ha MLS

PREVIOUS APPLICATIONS:

Application #26684-0

Applicant: BROWN, LEON
Decision Date: May 26, 1992
Proposal: deposit 7500 m³ of clean fill up to a maximum depth of 2 m
Decision: allowed with conditions

Application #23716-0

Applicant: Rampone, P
Decision Date: October 1989
Proposal: Exclusion of land
Decision: Refused based on good agricultural capability

Application #00374-0

Applicant: Fuoss, Chris
Decision Date: July 1976
Proposal: Subdivide into 4 lots
Decision: Refused based on good agricultural capability and its location within a largely ALR area.

RELEVANT APPLICATIONS:

Application #34996-0

Applicant: Love, Dwayne
Decision Date: September 03, 2003
Proposal: Proposed to subdivide a 1.5 ha parcel into four (4) equal lots.
Decision: Allowed as proposed.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Based on consistency with current zoning and OCP, Council forwarded the application and advised that it endorses the application.

STAFF COMMENTS:

PLANNING

- In the *Langley Rural Plan*, this property is part of the Salmon River Uplands, which is designated as a special study area – with the study still not complete. Until the study is completed, the Salmon River Uplands area will not be considered for Edge Planning.
- Most of the Salmon River Uplands area is within the Hopington Aquifer, where in 1995 Council imposed a moratorium precluding subdivision which would increase residential density. The subject property, along with all other ALR lands west of 232 Street and north of the freeway, is within that part of the Salmon River Uplands outside the Hopington Aquifer.
- Township zoning (which substantially precedes the ALR) shows almost the entire Salmon River Upland (including the block of ALR land west of 232 Street and north of the freeway) as SR-1. Council's position is to follow its zoning in deciding whether to authorize applications to be forwarded to the Commission.
- Langley is working on a new *Rural Plan* and new zoning provisions, which are intended to provide more agriculture-friendly provisions.
- Langley has asked for a meeting with the Commission at the end of January for further discussion of eventual delegation of decision-making authority for subdivision and non-farm use. Langley is very clear that it will have to follow the intent of the *Agricultural Land Commission Act* in making its decisions under any delegated authority. It therefore hopes to imbed that intent in its new *Rural Plan* and to ensure that its new zoning also reflects that intent.
- The Commission's decision on this application may later be reflected in the Township's decision on how to designate the block of ALR west of 232 Street, between the freeway and 80 Avenue.

RESEARCH

This is already a small property on the edge of larger ALR lands and acts therefore as an effective buffer between the urban residential lands to the west and the farmlands to the east. Allowance of subdivision would simply move the interface between high density residential and ALR further to the east, which may have significant negative effects on the future ability to farm those ALR lands.

In addition, subject to onsite verification, it appears that the subject lands may have good agricultural capability and be more conducive to agricultural use than those to the north which were allowed subdivision previously.

Staff recommends refusal of the application at this time for the above reasons.

END OF REPORT

Signature

Date