



Agricultural Land Commission
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January 31, 2007

Reply to the attention of Terra Kaethler
ALC File: # O-36941

John Roberts
3425 - 232 Street
Langley, BC V2Z 2H5

Dear Sir:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 665/2006 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

cc: Township of Langley (#AL100123)
Donald and Tegwin Lee, #3563 - 232 St, Langley, BC V2Z 2H5




Enclosure: Minutes/Sketch Plan

TK/lv/36941d1.

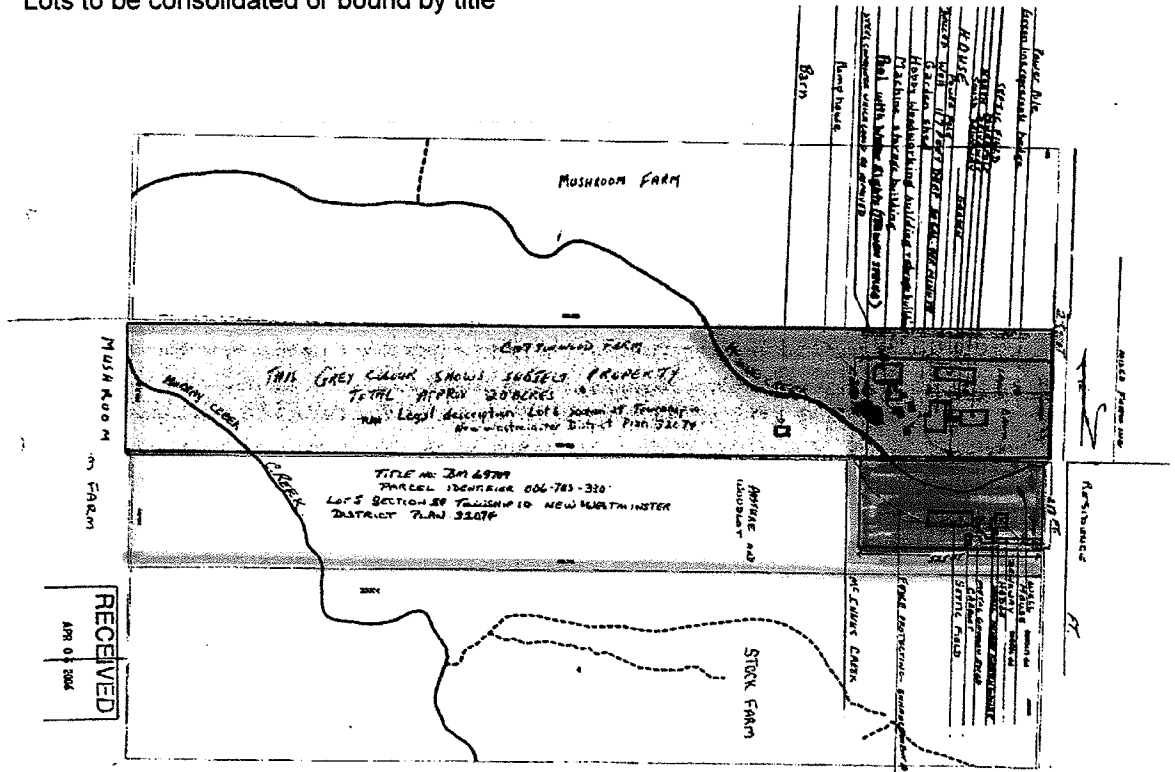
PROVINCIAL AGRICULTURAL LAND COMMISSION

Application #O-36940, #O-36941
 Resolution # 665/2006 and #681/2006

Subject to consolidation of the balance of the two properties:

-  Approved subdivision for #O-36940 (Lee)
-  Approved subdivision for #O-36941 (Roberts)
-  Lots to be consolidated or bound by title

ATTACHMENT B



Site Plan - SUBMITTED BY APPLICANT

RECEIVED
 PROV. AGRICULTURAL
 LAND COMMISSION
 SEP 1 2006



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on December 20, 2006 at the offices of the Commission located 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 - 36941
Applicant: John Roberts
Proposal: To subdivide a 1.2 ha homesite lot from the 8.1 ha subject property under the *Homesite Severance Policy*.
Legal: PID: 006-703-330
Lot 5, Section 29, Township 10, New Westminster District, Plan 23074
Location: 3425 - 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 Commission assessed the agricultural capability and the potential impact the proposal would have on the agricultural use of the property. The property was identified as having prime agricultural capability. Further the Commission considered the proposal would impact existing or potential agricultural use of the property and surrounding lands.

The Commission considered that the applicant has lived and worked on the property since 1943, however he was not on the title of the property until 1974. Therefore he does not qualify for a subdivision under the *Homesite Severance Policy*.

A concurrent application, #36940 (Lee), involves the property next door that is owned by the applicant's sister. In her case, having owned the property since 1970, she does qualify for a subdivision of a homesite lot under the *Homesite Severance Policy*.

Since the applicant does not qualify for the subdivision pursuant to the Homesite Severance Policy, the Commission was not prepared to approve the application.

However, if the applicant and his sister can come to some agreement, the Commission is prepared to allow the creation of a small lot encompassing the house provided the balance of the property is consolidated by survey with the balance of the sister's property. In this eventuality, the Commission is also prepared to allow the sister'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 refused as proposed, but that the Commission would consider a subdivision subject to the consolidation of the balance of the property with the balance of the adjacent property.

CARRIED

Resolution # 665/2006



Staff Report
Application # O – 36941
Applicant: John Roberts

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:

The applicant's father bought the property in 1943 and the applicant worked and lived on the property since his birth. His father was the only one on title until his death in 1974. At that time, the applicant and his mother inherited the property as joint tenants. The applicant became the sole owner in 1998 when his mother passed away.

Local Government:

The Corporation of the Township of Langley

Legal Description of Property:

PID: 006-703-330

Lot 5, Section 29, Township 10, New Westminster District, Plan 23074

Purchase Date:

August 1974 (inheritance)

Location of Property:

3425 - 232 Street, Township of Langley

Size of Property:

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

Present use of the Property:

Residence and pasture

BACKGROUND INFORMATION (continued):

Surrounding Land Uses:

WEST: Mushroom Farm
SOUTH: Stock farm and residence
EAST: Residence
NORTH: Residence and cottonwood tree 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)
Designation: Agricultural/ Countryside

Zoning Bylaw and Designation:

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

RELEVANT APPLICATIONS:

Application #14602-0

Applicant: Clarence & Ann Margaret Reynolds
Decision Date: June 10, 1982
Proposal: To subdivide the 13.6 ha property into 2 approximately equal lots.
Decision: Refused on the grounds that the Commission wants to maintain the maximum level of agricultural opportunities for the property.

Application #24415-0

Applicant: E. Sinser
Decision Date: July 24, 1990
Proposal: To subdivide the 11.6 ha subject property into two lots of 5.8 ha.
Decision: Refused on the grounds that the property has a good potential for agricultural purposes in the long term. Subdivision would reduce this potential and impact the surrounding ALR area in a detrimental manner.

Application #36940-0

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*.
Decision: Currently under consideration

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

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

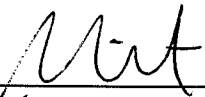
STAFF COMMENTS:

- Although the applicant has lived on the property since December 21, 1972, he was not on title until August 1974.

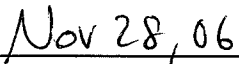
ATTACHMENTS:

- ALR Base Map #92/G2
- ALR Constituent Map #37
- Site plan (submitted by applicant)
- Page 6-9 of Local Government report to Mayor and Council
- ALC Context Map

END OF REPORT



Signature



Date