



**Staff Report
Application # O – 38516
Applicant: John Probert
Geramar Farms Ltd.
Agent: Gordon Smith**

DATE RECEIVED: September 26, 2008

DATE PREPARED: November 5, 2008

TO: Chair and Commissioners – South Coast Panel

FROM: Ron Wallace, Land Use Planner

PROPOSAL: The proposal is for a boundary line adjustment between two lots, one 0.77 ha (1.92 acres), the other 30.78 ha (76.06 acres). The proposed subdivision will create one lot of 11.32 ha (27.98 acres) and another lot of 20.23 ha (50.0 acres). The smaller northerly lot will contain an existing single family dwelling and storage building while the larger, southerly parcel will contain no buildings. Both new lots will be used for agricultural purposes.

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

BACKGROUND INFORMATION:

The 0.77 ha lot adjacent to 84th Avenue was previously used as a gravel pit and was owned by the Township until its sale to Geramar Farms Ltd. in December 2006.

The applicant applied previously for subdivision of the subject property as noted below.

The applicant has indicated there are several neighboring farms who have expressed an interest in buying the proposed 20.2 ha (50 acre) portion to add to their holdings, including dairy farmers and vegetable and berry operations.

The applicant claims that the two proposed parcels are significantly different in their agricultural capabilities. The southern proposed lot consists of highly productive class 2 soil; the northern proposed lot is mainly rocky with uneven elevation with more limiting soil capability.

Local Government:

The Corporation of the Township of Langley

Legal Description of Property:

1. PID: 011-653-906

Parcel A (Plan with fee deposited 23152E), E 1/2 of the SW 1/4, Section 29, Township 14, New Westminster District, EXCEPT part dedicated road on Plan BCP28753

2. PID: 013-338-471

E 1/2 of the SW 1/4, Section 29, Township 14, New Westminster District, EXCEPT firstly part on Plan with fee deposited 23152E, secondly part dedicated road on Plan BCP28753

Purchase Date:

2007-03-02

Location of Property:

27450 - 84th Avenue, Langley

Size of Property:

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

Present use of the Property:

The larger property is used as a farm producing organic hay for dairy cows. The smaller property was purchased by the owner, which was previously used as a gravel pit, from the Township of Langley. The applicant now wishes to incorporate the former gravel pit site into a farm operation and to adjust property lines with their existing 30.78 ha lot to create two larger agricultural properties.

Surrounding Land Uses:

WEST: Agricultural uses including sheep, horses, beef and hay
SOUTH: Rural residential use, dairy farm
EAST: Township of Langley boundary, hobby farms
NORTH: Pasture land, hay fields and corn fields

Agricultural Capability:

Data Source: Agricultural Capability Map #

The majority of the property is identified as having Mixed Prime and Secondary ratings.

Official Community Plan and Designation:

The properties are designated Agriculture/Countryside in the Rural plan (adopted in 1993).

Zoning Bylaw and Designation:

Rural Zone RU-3 (both lots), 8.0 ha minimum lot size

PREVIOUS APPLICATIONS:

Application #24984-0

Applicant: Geramar Farms Ltd

Decision Date: April 19, 1991

Proposal:

To subdivide the property into 2 lots of 15.4 and 16.2 ha. The applicant wishes to sell the proposed 15.4 a parcel and a parcel lying north of 84th Avenue occupied by Geramar Farm's dairy operation as a unit, and retain the proposed 15.4 ha parcel for future non-soil bound agriculture and family residence. The lands to be sold are deemed by the applicant to be suitable for soil bound agriculture and are rented out at present for dairy purposes and forage production. The applicant is

Decision: also interested in acquiring (and consolidating) an adjacent 0.8 ha parcel owned by the Township of Langley.
Refused on the grounds that the land has good potential for agricultural purposes. However, the Commission would be prepared to consider subdivision if the southerly proposed lot was consolidated with an adjacent property.

Application #36454-0
Applicant: Probert, John
Decision Date: June 20, 2006
Proposal: To place up to 3600 cubic meters of excavation material topped with topsoil over a 0.8 ha (2 acre) area of this 31 ha property.
Decision: Refuse as proposed - sufficient supply of soil material on the property which could be used to level or slope the area of excavation.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Local Council

Local Council voted to support and forward the application the ALC as it complies with the minimum parcel size requirements of the Zoning Bylaw.

Local Government Staff

Typically lot line adjustment applications are forwarded to the ALC for its consideration. If the lot line adjustment is approved by the ALC, the Township's Approving Officer would be in a position to approve a plan of subdivision, subject to the requirements of the Subdivision and Development Control Bylaw and Policy.

STAFF COMMENTS:

The applicant made a similar application in 1991 with the proposal to create 2 lots of 15.5 and 16.2 ha from the larger subject property. At the time the Commission refused the application but suggested it would be prepared to reconsider the application if an alternate proposal involving consolidation of the southerly proposed lot was put forth.

While the proposed application does not create any additional parcels, it is questionable whether the proposed boundary line adjustment provides a benefit to agriculture. A site inspection will help determine the merit of this application.

ATTACHMENTS:

1. ALC Context Map
2. Agricultural Capability Map
3. Sketch of proposed lot line adjustment
4. November 6, 2006 letter from William Ulrich, Development Planner
5. Additional Information from Applicant
6. Letter and Minutes from previous application #24984

END OF REPORT


Signature

November 7/08
Date