Staff Report
Application # O – 37511
Applicant: George and Dianne Tidball

Agent: Bell & Giuriato

DATE RECEIVED: June 22, 2007

DATE PREPARED: June 6, 2008

TO: Chair and Commissioners – South Coast Panel

FROM: Ron Wallace, Land Use Planner

PROPOSAL: The agent, Glenn Bell of Bell & Giuriato, submitted a new proposal based on an on-site meeting with the Commission noted below.

The amended proposal is to subdivide the 10.69 ha subject property as follows:

- One (1) 2.67 ha lot to contain the original farmhouse and accessory buildings.
- One (1) 2.74 ha lot to contain a small new house for the owners to live.
- The remaining 5.14 ha to create three (3) strata lots ranging in size from 0.26 to 0.35 ha and a large common area of 4.26 ha.

On September 24, 2007 the Commissioners met with the applicant to discuss their original proposal as follows:

To subdivide the subject property into five (5) parcels; three (3) at 1.7 ha and one (1) at 2.7 ha and the remaining parcel at 2.9 ha.

While onsite the Commission discussed an earlier application by an adjacent property owner to do the same and how it was altered to ensure the best use of the agriculturally viable portions of the property by clustering the houses on marginal land and maintaining the viable land as one property in order to allow it to be more easily farmed. Upon the agreement of the applicant, the Commission has deferred this application until new plans are submitted.

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

BACKGROUND INFORMATION:

The subject property and the similar-size parcel immediately to the north are each shown in Langley's Rural Plan as "Small Farms / Country Estates" to which the Commission has agreed. In fact, the Commission has not yet consented to that designation. In 1998 the Commission refused

Mr. Tidball's application to subdivide the northerly parcel (which he has since sold) and in 2002 the Commission refused Mr. Tidball's application to subdivide the parcel currently under application.

Local Government:

The Corporation of the Township of Langley

Legal Description of Property:

PID: 024-598-623
Lot 2, District Lot 301, New Westminster District Group 2, Plan LMP43448

Purchase Date:

1978-12-01

Location of Property:

22757 - 72nd Avenue, Langley

Size of Property:

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

Present use of the Property:

There is a home, workshop and stables on the property. There are several watercourses exist on the property.

Surrounding Land Uses:

WEST: Trinity Western University Endowment Lands
SOUTH: Lots that are in 5 acres and 1 acre out of the Agricultural Land Reserve
EAST: Developed one acre lots out of the Agricultural Land Reserve
NORTH: Undeveloped, Trans Canada Highway

Agricultural Capability:

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

Official Community Plan and Designation:

Designation: Small Farm/Country Estates

Zoning Bylaw and Designation:

Designation: Rural Zone RU-1
Minimum Lot Size: 1.7 ha

PREVIOUS APPLICATIONS:

Application #32057-0
Applicant: Tidball, George & Eva Dianne
Decision Date: September 22, 1998
Proposal: To subdivide a 20.2 ha property into seven parcels ranging in size from 1.7 ha to

2.9 ha.

Decision: Refused as proposed on the grounds of agricultural potential.

Application #02845-0
Applicant: Tidball, George & Eva Dianne
Decision Date: January 05, 1977
Proposal: To subdivide the 18.4 ha property into thirty nine 0.4 ha lots and one 2.8 ha lot.
Decision: Refused on the grounds the land had moderate capability for agriculture.

Application #34550-0
Applicant: Tidball, George & Eva Dianne
Decision Date: November 14, 2002
Proposal: Propose to subdivide the 10.08 ha property into two lots of 4 ha and a 6.08 ha remainder.
Decision: Refused on the grounds of parcelization of agricultural land which should be retained in the largest possible parcel sizes to retain the widest range of agricultural options.

RELEVANT APPLICATIONS:

Application #31405-0
Applicant: 427180 BC Ltd
Decision Date: September 23, 1997
Proposal: The applicants are seeking permission to subdivide the 6.7 ha property into two parcels, one of 1.7 ha and one of 5.0 ha.
Decision: That the application be refused on the grounds that the proposed subdivision would reduce the existing agricultural potential of the property, heighten the expectations of surrounding property owners and lead to the potential for urban/agricultural conflicts in the future.

Application #34288-0
Applicant: BC Lions Society for Children with Disabilities
Decision Date: May 29, 2002
Proposal: To continue to provide the existing 'hippotherapy' riding facility for disabled children and add a number of new facilities including an Easter Seal Camp and the Zajac Foundation Bereavement Centre and provide intergenerational programs.

There is currently an existing stable and arena which will be relocated on site. The existing farm house will remain intact. The new developments will require the construction of the following buildings for a total of 39,400 sq. ft:
*Dining Hall with Kitchen, washrooms and break out space.
*Three Dormitory buildings with 160 beds (60, 60 and 40)
*Indoor Swimming Pool
*Indoor Recreation Arts and Crafts room
*Bereavement Centre
*Six small cabins for 2 to 6 people each

Decision: Allow as proposed subject to fencing and buffering along the northern property line.

Application #34489-0
Applicant: Wall, Peter
Decision Date: October 07, 2002
Proposal: To locate an equestrian community to be associated with an ongoing farm business on the 63.13 ha (156 acre) property. To include approximately 12 ha of conservation area adjacent to the Salmon River for improved fish habitat, 12 ha to

be developed for residential purposes (approximately 30 lots) and 40 ha of farm land to be improved to Class 2 or better.

Decision: Refused on the grounds that the development would:

1) have a direct, negative impact the agricultural use of the property's high capability agricultural lands,
2) raise expectations for similar developments on other properties which have areas of limited capability, and
3) provide no benefit to the agricultural community.

Application #37352-0
Applicant: Wright, Willie
Decision Date: July 09, 2007
Proposal: Subdivide 4 parcels (16.14ha) into 33 lots ranging in size from 0.4ha to 1.0ha
Decision: Refused due to impact on agriculture.

Application #34489-1
Applicant: Wall, Peter
Decision Date: July 09, 2007
Proposal: To locate a residential development on lower-capability lands currently forming an unused part of a longstanding equestrian-oriented parcel, with the equestrian uses confined to high-capability lands.
Decision: Allowed with conditions.

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Local Council:

The Council endorsed the application.

STAFF COMMENTS:

It is recommended that the Commissioners consider the following:

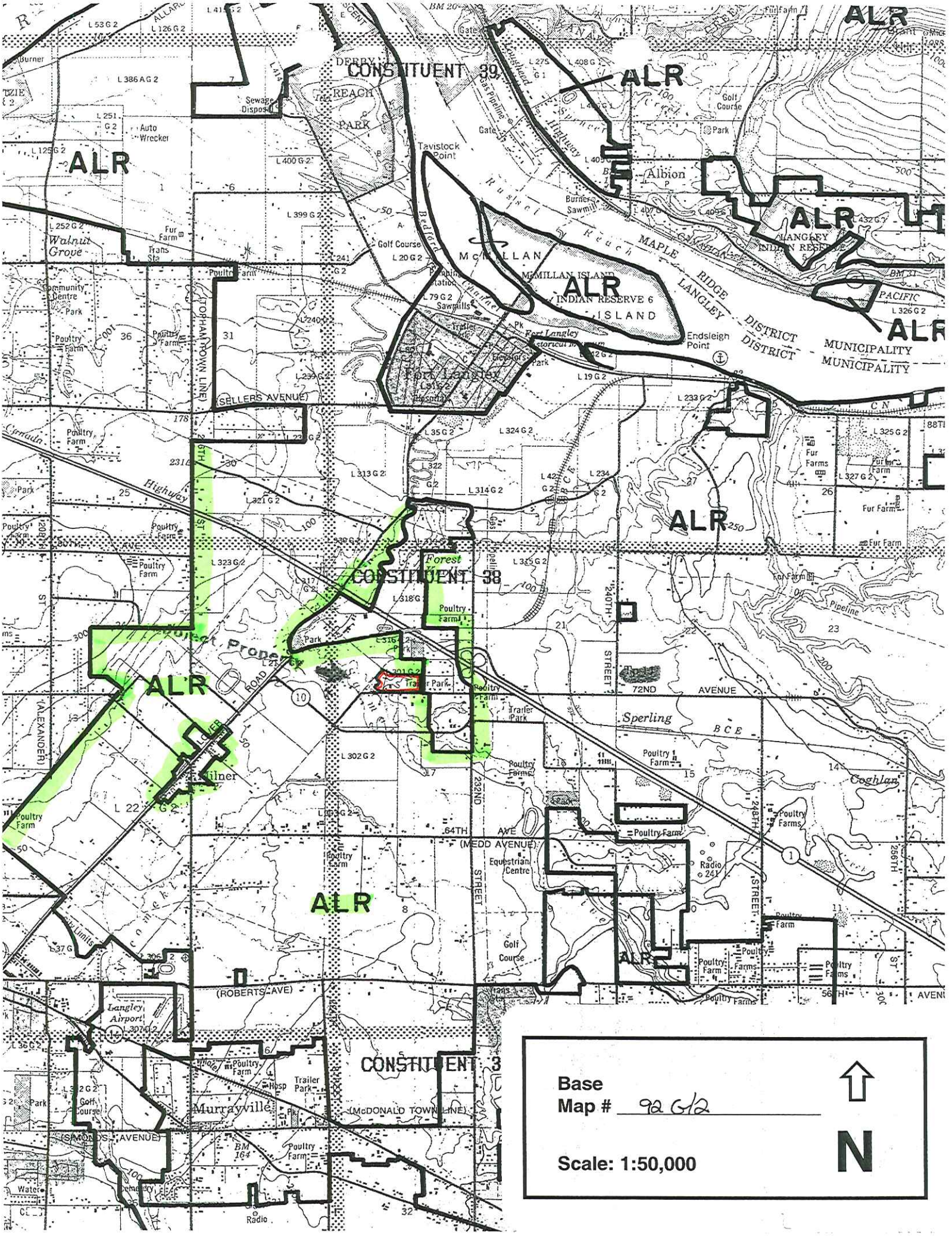
- The amended subdivision is a result of the comments received from the Commission during the review of the original proposed subdivision. The new proposed subdivision creates three strata lots and a 4.26 ha common area proposed for equestrian use.
- A new site inspection is suggested to review the merits of this application.

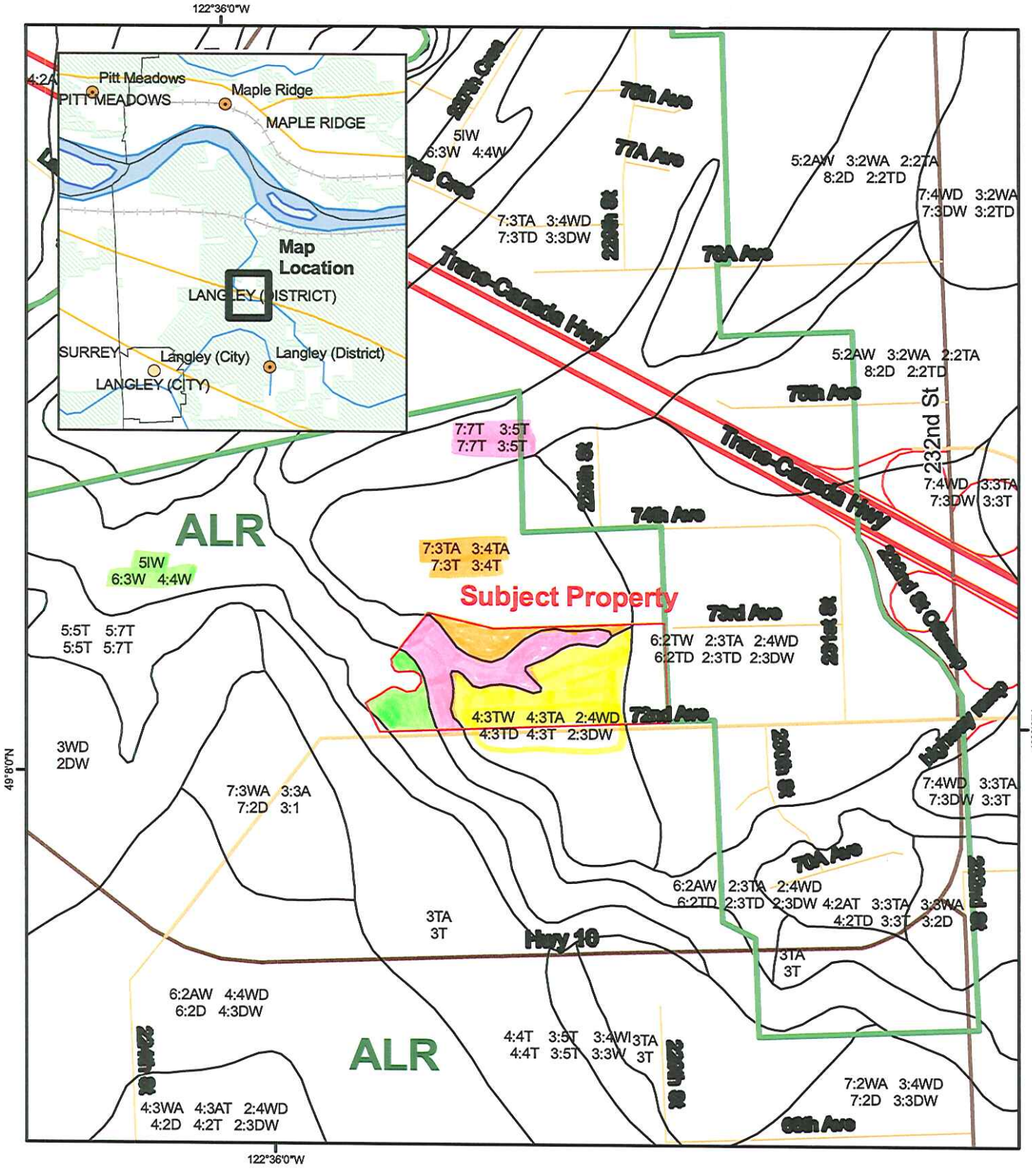
ATTACHMENTS:

1. ALC Context Map
2. Agricultural Capability Map
3. Aerial Photograph
4. Amended Proposal form Agent dated March 1, 2008
5. Plan of Proposed Subdivision

END OF REPORT

Signature **Date** June 10/08.


CONSTITUENT 39
CONSTITUENT 38
CONSTITUENT 3
ALR
Base
Map # 92 G/2
Scale: 1:50,000
N



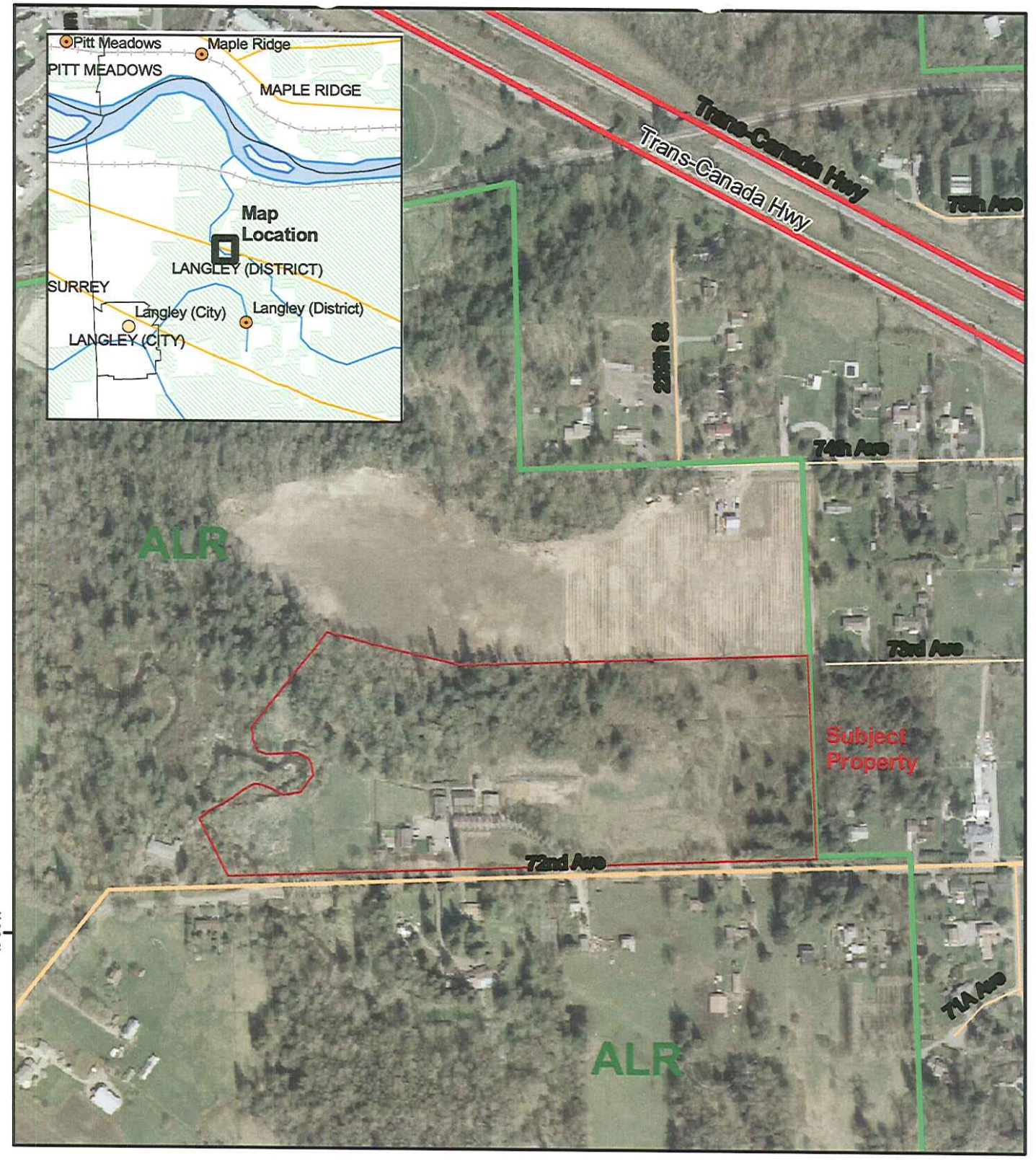
ALC

Agricultural Capability Map

Map Scale: 1:10,000

0 60 120 240 360 480 600 Meters

ALC File #:	21-07-37511
Mapsheet #:	92G.018
Map Produced:	Jul 18, 2007
Regional District:	Greater Vancouver



ALC

Airphoto Map

Map Scale: 1:5,000

0 30 60 120 180 240 300 Meters

ALC File #:	21-07-37511
Mapsheet #:	92G.018
Map Produced:	Jul 18, 2007
Regional District:	Greater Vancouver

BELL & GIURIATO
SURVEYORS ENGINEERS PLANNERS

Telephone (604)533-2121
Fax (604)533-2182

#101 - 21616 - 52nd Avenue,
Langley, B.C., Canada V2Y 1L7

March 1, 2008.

PROVINCIAL AGRICULTURAL LAND COMMISSION
#133 - 4940 Canada Way
Burnaby, B.C. V5G 4K6

Attention: Erik Karlsen, Chariman, Agricultural Land Commission

Dear Sir:

RE: "Tidball" Subdivision application ALC File: O-37511

Further to our onsite meeting with the commission regarding the above referenced application, we are pleased to submit the attached amendment to our application, as suggested by the commission and staff.

At the meeting, it was suggested by commission member John Tomlinson and agreed by the other commissioners, that the Tidballs should consider amending their subdivision proposal to cluster the building lots in one area, leaving a large common area for equestrian related activities. As mentioned by George Tidball, their intention is to create a family trust whereby the grandchildren may build houses on the strata lots and continue their equestrian endeavors within the common area, which is currently used for training and pasturing horses.

The Tidballs hope to sell the original farmhouse and accessory buildings on a 2.67 hectare lot and build a smaller home on the small isolated area to the north of the existing house, shown as "Lot 2" on the attached plan. Although Lot 2 is 2.74 hectares in size, it is severely limited in it's usage as it greatly encumbered by a creek which separated it from the rest of the property. There is currently a crossing to this area that has been in existence for over 30 years.

The proposal for the remaining 5.14 hectares is to create three strata lots ranging in size from 2659 to 3501 square metres and a large common area of 4.26 hectares. The three strata lots will allow for three ranch homes, each with there own small barn, backing onto the common area, which may be used for training, turnout, pasture and riding.

The Tidballs have a long history in Canada's equestrian community and wish to create something that their grandchildren, now all in their late 20's and 30's can continue to foster and enjoy.

Please review the attached and re-consider this application based on this new information and amended plans, as discussed at our on-site meeting.

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If there is any further information that you require or if you would like to meet to further discuss this application, kindly contact the undersigned at your earliest convenience.

Thank you very much in advance for your kind consideration of this matter. I would be pleased to meet with you to discuss this at your convenience.

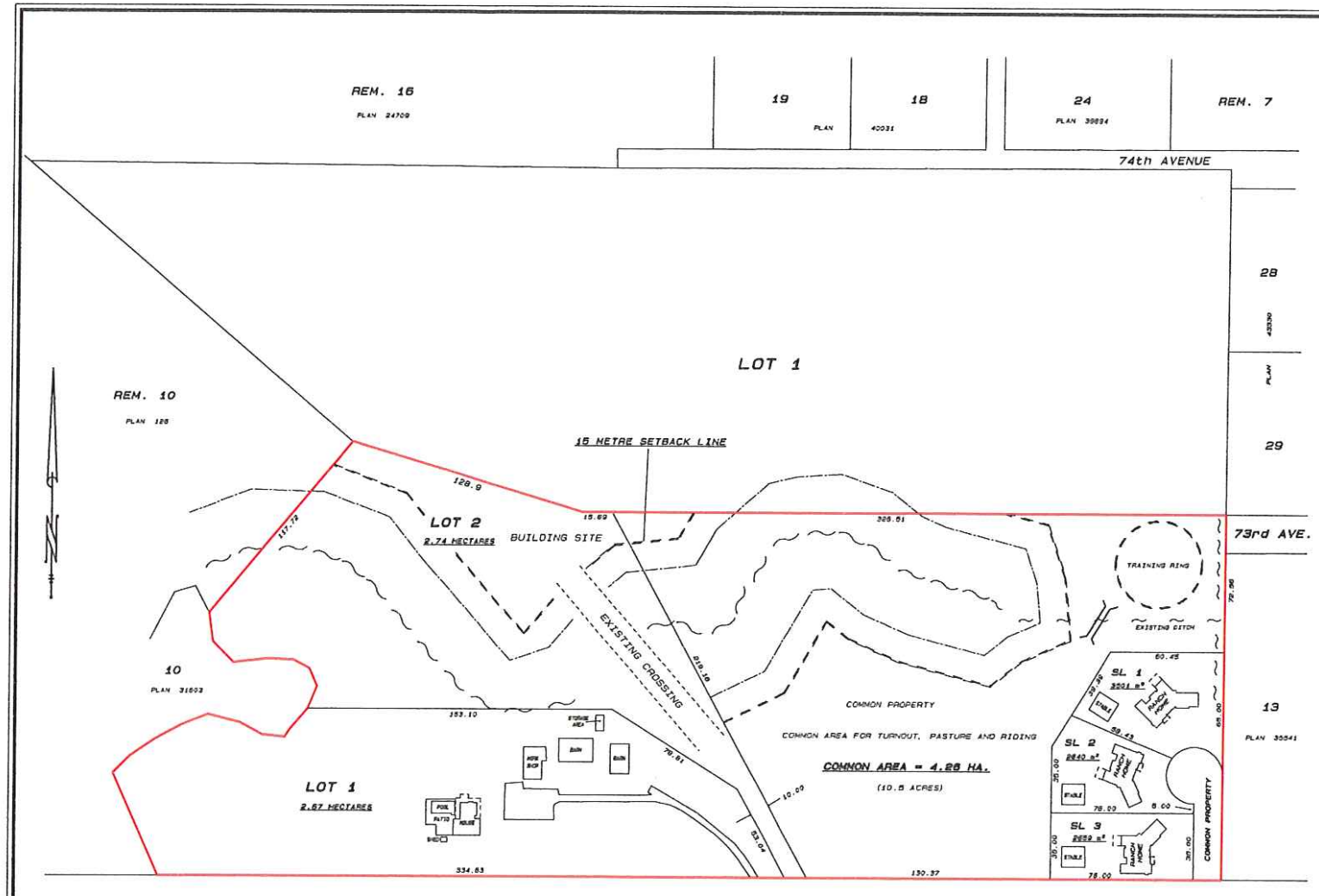
Sincerely,

BELL & GIURIATO



PER: Glenn S. Bell, B.C.L.S.

cc. Ron Wallace, Planner, with attachments



GENERAL NOTES:

THIS LAND IS WITHIN THE LAND RESERVE

THIS PROPOSAL IS TO CREATE TWO FEE SIMPLE LOTS AND THREE BARE LAND STRATA LOTS, WITH COMMON PROPERTY FOR EQUESTRIAN PURPOSES.
EACH BARE LAND STRATA LOT WILL HAVE AREA FOR RANCH HOME AND ACCESSORY STABLE/BARN FOR HORSES.

PROJECT:

PLAN SHOWING POSSIBLE SUBDIVISION OF LOT 2 OF D.L. 301, GP. 2, PLAN LMP 43448, N.W.D.

GEORGE & DIANNE TIDBALL

BELL & GIURIATO
BELL & GIURIATO SURVEYING & ENGINEERING LTD.
* Professional Engineers
* Professional Land Surveyors
* Urban and Regional Planners
* Land Development Managers/Consultants
20462 Fraser Highway, Langley, B.C. V3A 4B8 (604-533-9121)

SCALE = 1:1000

REVISIONS
Date: Description:

DWG. NO.: \LEG\8338-2

OUR FILE: 8348/8338