



## Agricultural Land Commission Staff Report

**DATE:** June 24, 2010  
**TO:** Vice Chair and Commissioners - South Coast Panel  
**FROM:** Ron Wallace

**RE:** Application # 51687

**PROPOSAL:** The proposal is to subdivide three parcels totalling 7.34 ha into a total of sixteen (16) lots varying in size from 0.3716 ha (0.92 acre) to 0.5716 ha (1.42 acres). The proposal complies with the minimum lot size requirements of the SR-1 zone of the Township's Zoning Bylaw.

### PROPOSAL INFORMATION

**Background:** The site is located over the Hopington Aquifer and is in the Salmon River Uplands area of the Township's Rural Plan. The application was originally submitted as an "exclusion", but was subsequently amended to a "subdivision" application only, as recommended by the Township. There are no previous applications for subdivision involving the subject properties. The report to Mayor and Council noted that Langley Council and its Public Works Committee (in 1968 and 1969) dealt with items related to sand and gravel removal from the site. Pottinger Gaherty Environmental Consultants Ltd (PGL) was retained by the applicants to assess the soils and agricultural capability of the subject site in a report entitled Agricultural Capability Assessment dated February 2010. A copy of this report and a copy of an amendment are attached.

**Received Date:** April 15, 2010  
**Applicant:** Simon Omelianec, Sharon Russell, Jody & Charles Shaw  
**Agent:** Sanderson Planning Ltd  
**Local Government:** Township of Langley

### DESCRIPTION OF LAND

**PID:** 001-262-815  
**Legal Description:** Lot "A" Except: Part on Bylaw Plan 56923; Section 9 Township 11 New Westminster District Plan 11842  
**Civic Address:** 23712 - 56th Avenue  
**Area:** 3.3 ha  
**ALR Area:** 3.3 ha  
**Purchase Date:** December 15, 1992  
**Owner:** Simon Omelianec

**PID:** 011-213-591  
**Legal Description:** Parcel "A" (Explanatory Plan 12850) Lot 1 Except: South 181.2 Feet, Section 4

Township 11 New Westminster District Plan 7640  
**Civic Address:** 5585-238th Street  
**Area:** 1.8 ha  
**ALR Area:** 1.8 ha  
**Purchase Date:** March 25, 2010  
**Owner:** Sharon Russell

**PID:** 011-213-574  
**Legal Description:** South 181.2 Feet Parcel "A" (Explanatory Plan 12850) Lot 1 Section 4 Township 11 New Westminster District Plan 7640  
**Civic Address:** 5559-238th Street  
**Area:** 2.1 ha  
**ALR Area:** 2.1 ha  
**Purchase Date:** January 30, 2009  
**Owner:**

**Total Land Area:** 7.2 ha  
**Total ALR Area:** 7.2 ha  
**Current Land Use:** The application consists of three properties. The northernmost parcel (23712 – 56 Avenue) is the largest of the three at 3.32 ha and has frontage along 56 Avenue and 238 Street with a single family dwelling located on it. The smallest of the three properties (5585 – 238 Street) has frontage along 238 Street with a single family dwelling and accessory building located on it. The southernmost property (5559 – 238 Street) is 2.18 ha and has frontage along 55A Avenue and 238 Street and also has a single family dwelling plus a barn located on it.

## PROPOSAL DETAILS

### Subdivision

Area	Agricultural Capability	Agricultural Capability Source
7.2	Mixed Prime and Secondary	BCLI

### Number of Lots    Lot Size (ha)

12	0.4
4	0.6

### Surrounding Land Uses:

North	56 Ave and Suburban Residential lots - all lands outside the ALR. Northwest diagonally opposite - Tall Timbers Golf Course - in ALR
East	238 St and Suburban Residential lots - outside the ALR
South	53A Avenue and Suburban Residential lots - outside the ALR
West	One part-ALR non-arable lot on an escarpment; non-ALR Suburban Residential lots below escarpment

**Official Community Plan**

**Bylaw Name:**

**Designation:** Salmon River Uplands

**OCP Compliance:** Yes

**Zoning**

**Zoning Bylaw Name:** Suburban Residential Zone

**Zoning Designation:** SR-1

**Minimum Lot Size:** 0.4 ha

**Zoning Compliance:** Yes

**RELEVANT APPLICATIONS**

**Application #:** 19786

**Applicant:** Township of Langley

**Proposal:** Block Application - Exclusion

**Decisions:**

**Resolution Number**

**Decision Date**

**Decision Description**

7861

March 10, 1977

Exclusion allowed by Cabinet. This resolution number is used to enter statistical information relating to the area under application and subsequent decision by Cabinet.

**Note:** In 1976, on the Commission's recommendation, Cabinet allowed Langley's block application to exclude ~ 300 ha of land adjoining the subject lands on the east together with lands to the south of one parcel to the south of the subject lands.

**Application #:** 19525

**Applicant:** Keemen Developments Ltd.

**Proposal:**

**Decisions:**

**Resolution Number**

**Decision Date**

**Decision Description**

828

August 21, 1985

Application for exclusion refused, but alternate subdivision application approved.

**Note:** In 1985 the Commission refused an application to exclude 62.0 ha from the ALR on the grounds that much of the property is well suited to agriculture, however the Commission allowed subdivision of that part of the 62.0 area lying directly across 56 Avenue from the subject properties.  
In 1986 ELUC allowed exclusion of the entire 62.0 ha on appeal of the Commission's decision.

**Application #:** 19409

**Applicant:** K. & D. Hick

**Proposal:**

**Decisions:**

**Resolution Number**

**Decision Date**

**Decision Description**

1940

October 28, 1981

Application allowed.

**Note:** In 1981 the Commission, against Langley's recommendation excluded the parcel immediately to the south of the subject parcels, on the grounds that it had limited suitability for agriculture.

### **Committee Recommendations**

<b>Type</b>	<b>Recommendation</b>	<b>Description</b>
Board/Council	Approve	That Council advise the ALC that the subdivision application complies with the minimum lot size requirements of the Suburban Residential 1 (SR-1) zone of the Township's Zoning Bylaw, subject to compliance with the requirements of the ALC, and at time of subdivision, the Township of Langley's Subdivision and Development control Bylaw; and further the applicant be advised that should the ALC approve the application, that Hopington Aquifer water quality and quantity issues will need to be addressed prior to final subdivision approval.

### **STAFF COMMENTS**

The subject site is zoned suburban residential and is effectively isolated in an area of non-ALR suburban and rural residential development.

An agricultural capability assessment of the three parcels was done by Pottinger Gaherty Environmental Consultants Ltd dated February 2010. The report indicated, "Inherent limitations to soil bound agriculture on these soils include limited agricultural capabilities due to low moisture-holding capacity, nutrient deficiencies, and topography." This information is consistent with the Commission's findings in 1976 and 1981 (see relevant applications).

Because the subject lands are above the Hopington Aquifer, it is appropriate to address how the lots will obtain water and how they will dispose of sewerage. The Township has not yet decided on the route for a major water main, one potential route for which could conceivably pass by the subject lands. Because more intensive use of Hopington Aquifer water could reduce the quantity of water available to agriculture and because some forms of sewage disposal could reduce the quality of water available to agriculture, the Commission may wish to consider agreeing in principle to the proposed subdivision subject to resolution of those two issues to its satisfaction.

### **ATTACHMENTS**

51687\_ContextMap20k.pdf  
51687\_AirphotoMap20k.pdf  
51687\_AgCapabilityMap.pdf  
51687\_letters.pdf  
10035 staff agrologist report.pdf  
51687 Ag Cap Assessment.pdf

### **END OF REPORT**

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Signature

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Date