



Provincial Agricultural Land Commission - Staff Report

Application: 52004

Applicants: Edward & Mildred Vaughan, Brenda Wagner
Local Government: Township of Langley

Proposal: Non-farm Use for 2nd dwelling. Proposal to continue to use an existing pole barn as a second residence, instead of the permitted mobile home for immediate family members as allowed in the Regulations.

BACKGROUND INFORMATION

The Vaughan's have owned the property for 30 years and lived on it for 20 years. Their daughter was put on title in 2009. There is a mobile home on site but it will be moved off. The daughter has lived on the property for seven years and is caregiving for her elderly parents, as well as helping on the property/farm.

PROPERTY INFORMATION

PID: 011-414-685
Legal Description: West 420.4 Feet Lot 3 Except: Part Subdivided by Plan 34434: Section 29 Township 10 New Westminster District Plan 9625
Property Area: 5.0 ha
ALR Area: 5.0 ha
Purchase Date: May 28, 2009
Location: 22828 - 38 Avenue
Owners: Brenda Wagner, Edward & Mildred Vaughan

LAND USE

Current Land Use:

Garden - flowers, vegetables & fruit for sale. Raise beef, pigs, lambs and chicken for meat and eggs, Also raise horses

Surrounding Land Uses:

North: Residence
 East: Blueberry Farm
 South: Bare Land
 West: Hay & Airstrip / Rose Farm / Residence

PREVIOUS APPLICATIONS

Application ID: 34854 **Legacy #:** 07911
Applicant: Gilbraith/Vaughan
Note: Application for subdivision of property into two 2.5 ha lots by current owner. Refused due to extensive agricultural area.
 Resolution #10864/1979

Application ID: 715 **Legacy #:** 26876
Applicant: EDWARD M. VAUGHAN
Proposal: Spread soil which is already stockpiled on the property over the various low spots to level the land
Decision:

Resolution #	Decision Date	Decision Description
620/1992	June 18, 1992	Allow fill to be deposited in low lying areas subject to those areas being capped with a good quality topsoil

RELEVANT APPLICATIONS

Application ID: 44150

Legacy #: 37513

Applicant: Do Holdings Ltd

Proposal: To subdivide the 24.33 ha subject property into two (2) parcels, one (1) at 8.09 ha and one (1) at 16.24 ha in size.

Decision:

Resolution #	Decision Date	Decision Description
504/2007	September 25, 2007	Refused due to adverse impact on agriculture.

Note: Property adjacent to South

Application ID: 40753

Legacy #: 35085

Applicant: Wilfred & Lina Schulz

Proposal: Propose to locate a double wide mobile home, as the third dwelling, on the 22.35 ha property.

Decision:

Resolution #	Decision Date	Decision Description
540/2003	November 25, 2003	Allowed as felt to be required for farm purposes.

Note: Property to northeast corner

Application ID: 21088

Legacy #: 34633

Applicant: Merrilyn Farquhar

Proposal: Propose to subdivide a 2 ha homesite lot from the 6 ha property.

Decision:

Resolution #	Decision Date	Decision Description
684/2002	December 16, 2002	Allow subdivision of a 2 ha lot as proposed under the Homesite Severance Policy.

Note: Property adjacent to West

Application ID: 13393

Legacy #: 14602

Applicant: Clarence & Ann Margaret Reynolds

Proposal: Propose to subdivide the 13.6 ha property into 2 approximately equal lots.

Decision:

Resolution #	Decision Date	Decision Description
1374/1982	June 10, 1982	Refused on the grounds that the Commission wants to maintain the maximum level of agricultural opportunities for the property.

Note: Property adjacent to East

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

OCP Compliance: Yes

Zoning:

Zoning Bylaw Name: RU-3

Minimum Lot Size: 8.0 ha

Zoning Compliance: Yes

Comments and Recommendations:

Board/Council

Forwarding Resolution for "rural, non-farm second dwelling applications"

ALC STAFF COMMENTS

It is recommended that the Commission consider the following:

Re: Application 52004

ALC STAFF COMMENTS

- The agricultural capability ratings of the property are identified as prime dominant (Class 2 and Class 3) with limitations of excess water, soil moisture deficiency, topography and undesirable soil structure.
- The applicants have owned the property since 1977. They are elderly and require personal care, as well as assistance on the property. Their daughter assists them and has resided on the property for several years. It is her non-conforming dwelling that is the subject of this application. The daughter would like to retain her dwelling (a restored pole-barn) in lieu of a mobile home.
- An existing mobile home occupied by another family member will be removed.
- It is unclear from the materials submitted where the dwelling in question is located on the property, but it appears to be in a treed area in the southern area of the property. This may be problematic, as it is located farther away from the main dwelling and existing structures, and could lead to a subdivision application in the future. This increases the total footprint on the property more than the current location of the mobile home, which is clustered together with the other development.
- Staff recommend that the existing dwelling could be approved, provided that the existing mobile home is removed from the property, a covenant and/or bond is placed on the property that will ensure that the polebarn structure is removed or made uninhabitable once the owners of the property are no longer occupying the principal residence. (and the daughter's caregiving/farmhelp is therefore no longer needed)
- A site visit is recommended.

ATTACHMENTS

52004_ContextMap20k.pdf
52004_AgCapabilityMap.pdf
52004_AirphotoMap10k.pdf
52004photo.pdf
52004proposal.pdf
52004sketch.pdf

END OF REPORT

Prepared by: Terra Kaethler