



Provincial Agricultural Land Commission - Staff Report

Application: 52169

Applicant: Juergen Koessler
Local Government: Township of Langley

Proposal: Non-farm use, second dwelling - the applicant wishes to build a second dwelling on the southwest corner of the subject property to gain better access to the public bus stop for his disabled daughter.

BACKGROUND INFORMATION

The subject property has been involved in three previous applications, two of which were refused subdivision applications. The Commission did not endorse the Small Farm Country Estate designation of the subject property when the Commission partook in the Township of Langley Rural Plan review (file # 24610). The subject property currently has one permanent residence and a modular home located in the northeast corner. Many of the buildings and sheds are remaining from a horse breeding operation run by the previous owner. The applicant purchased the property in 2009, and requires help from family members who currently live on the subject property to run the farm due to his age.

PROPERTY INFORMATION

PID: 009-133-984
Legal Description: Lot 1 Except Firstly: Part Included Within Lot 4 Plan 39267 Secondly: Part Dedicated as Road on Plan 39267 Thirdly: Part Subdivided By Plan 57689 District Lot 239 Group 2 New Westminster District Plan 29837
Property Area: 32.2 ha
ALR Area: 32.2 ha
Purchase Date: August 26, 2009
Location: 8979 - 223A Street
Owner: Juergen Koessler

LAND USE

Current Land Use:

Hay production, hazelnut trees, old buildings and sheds from a horse breeding operation run by the previous owner.

Surrounding Land Uses:

North: Hay production and livestock grazing
East: Haying
South: 88th Avenue and beyond are small residential parcels
West: Redwood Golf Course

PROPOSAL DETAILS

Non- Farm Use Area: 0.5 ha
Non- Farm Use Type: Residential: Additional Dwelling(s)

Agricultural Capability:

The majority of the area under application is rated as: Mixed Prime and Secondary

Source: BCLI

Mapsheet: 92G/2h

PREVIOUS APPLICATIONS

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Application ID: 34956

Legacy #: 07456

Applicant: O Harris

Proposal: Subdivide a 4 ha parcels off of the 36 ha subject property to allow the sale of the 4 ha parcel with a house and the lease of the remainder to an adjacent farmer. The applicant is 80 years old and is hoping to move to a more manageable home in Vancouver.

Decision:

Resolution #	Decision Date	Decision Description
1036/1978	December 8, 1978	Full resolution # 10362/1978. Refused as proposed on the grounds that the predominant type of agricultural uses being carried out in this area require large parcel sizes.

Note: Subdivision application of the subject property by a previous owner.

Application ID: 34955

Legacy #: 02844

Applicant: O Harris

Proposal: Subdivide 26 ha off of the 36 ha subject property to create thirteen 2 ha lots.

Decision:

Resolution #	Decision Date	Decision Description
5333/1977	January 5, 1977	Refused on the grounds that the land has a good capability for agriculture.

Note: Subdivision application of the subject property by a previous owner.

Application ID: 21917

Legacy #: 24753

Applicant: Clearbrook Stock Farm

Proposal: Request to deposit soil on westerly part of property.

Decision:

Resolution #	Decision Date	Decision Description
196/1992	March 3, 1992	refused

Note: Request to deposit soil on western portion of the property, to fill a number of ravines and gullies.

RELEVANT APPLICATIONS

Application ID: 39893

Legacy #: 18826

Applicant: Philip & Jean Hope

Proposal: Subdivide a 1.7 ha lot from the 26.5 ha subject property as a retirement homesite. The applicants would then sell the farm on the remainder to their sons.

Decision:

Resolution #	Decision Date	Decision Description
387/1985	April 22, 1985	Refused on the grounds the Commission wishes to maintain maximum agricultural options for the property, including both soil and non-soil bound uses. The Commission feels the area asked for is excessive. However, the Commission is willing to consider allowing a smaller lot.

Note: The Commission refused this proposed subdivision located on the adjacent property to the north. The Commission stated that the subdivision would alienate the property from soil and non-soil bound agricultural options and prove detrimental to the entire agricultural community due to the excessive size of the proposed subdivision.

RELEVANT APPLICATIONS

Application ID: 14629

Legacy #: 32933

Applicant: Douglas Porterfield

Proposal: To subdivide an 1.8 ha lot containing the existing home from the 11.6 ha property. The applicant wants to build a smaller more manageable home on the remnant.

Decision:

Resolution #	Decision Date	Decision Description
784/1999	November 24, 1999	The Commission refused the request for subdivision because of concerns about reduced capability and precedent.

Note: Application to subdivide a property to the north of the subject property.

Application ID: 290

Legacy #: 26674

Applicant: DEEP CREEK FARMS

Proposal: To subdivide the 26.5 ha parcel into two approximately equal lots, so that the two sons can establish two separate broiler chicken operations.

Decision:

Resolution #	Decision Date	Decision Description
900/1992	September 11, 1992	Refused. The Commission concluded that current Marketing Board policy regarding corporate or multiple ownership of quota should not dictate land use decision making by the Commission. The Commission has consistently refused subdivision applications on the justification of a single ownership of poultry quota.

Note: Application to subdivide the adjacent property to the north. Although the application had some agricultural merit, the Commission refused the application because of limiting future agricultural potential.

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: Township of Langley Rural Plan

Designation: Small Farm Country Estate

OCP Compliance: Yes

Zoning:

Zoning Bylaw Name: Township of Langley No. 2500

Zoning Designation: Rural Area RU-1

Minimum Lot Size: 1.7 ha

Zoning Compliance: Yes

Comments and Recommendations:

Board/Council

January 2007 resolution: Council authorize staff to forward all 'Rural non-farm second dwelling applications' directly to the Commission without further consideration or review by Council.

ALC STAFF COMMENTS

It is recommended that the Commission consider the following:

- The Commission did not endorse the Township of Langley Rural Plan Small Farm Country Estate designation of the subject property.
- Although the reason for the second dwelling is very admirable, the applicant should have been aware of the challenges to public transportation access when the property was purchased in 2009.
- Should the Commission consider this application, it may be advisable to request that unused facilities on the subject property be removed and remediated to allow future agriculture.
- The Commission may also consider requiring the second dwelling be of a very modest footprint or be a manufactured home to allow for future removal.

ATTACHMENTS

52169_ContextMap20k.pdf
52169_AgCapabilityMap.pdf
52169_AirphotoMap10k.pdf
52169_proposal_sketch.pdf

END OF REPORT

Prepared by: Eamonn Watson, April 2011