

Township of  
**Langley**



Est. 1873

## REPORT TO MAYOR AND COUNCIL

**PRESENTED:** SEPTEMBER 11, 2017 – REGULAR AFTERNOON MEETING  
**FROM:** COMMUNITY DEVELOPMENT DIVISION  
**SUBJECT:** AGRICULTURAL LAND COMMISSION APPLICATION NO. 100324  
 (DEOL / 1351 - 272 STREET)

**REPORT:** 17-88  
**FILE:** 13-07-0021

### PROPOSAL:

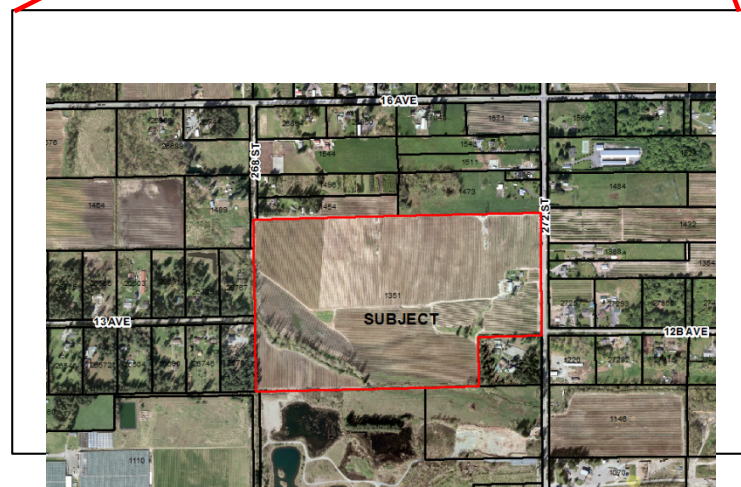
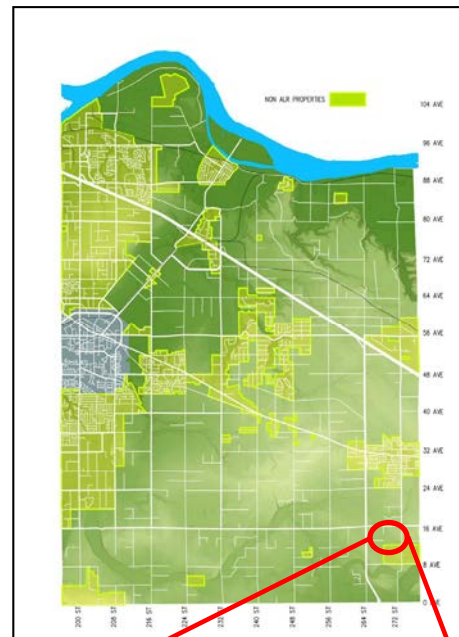
Subdivision within the Agricultural Land Reserve (ALR) of a 35.9 ha (88.8 ac) parcel located at 1351 – 272 Street into four (4) rural lots.

### RECOMMENDATION SUMMARY:

That Council advise the Agricultural Land Commission (ALC) that the proposed subdivision complies with the minimum lot size requirements of the Township's Zoning Bylaw and request consideration based on agricultural merits.

### RATIONALE:

The application complies with the provisions of the Township's Zoning Bylaw.



**RECOMMENDATION:**

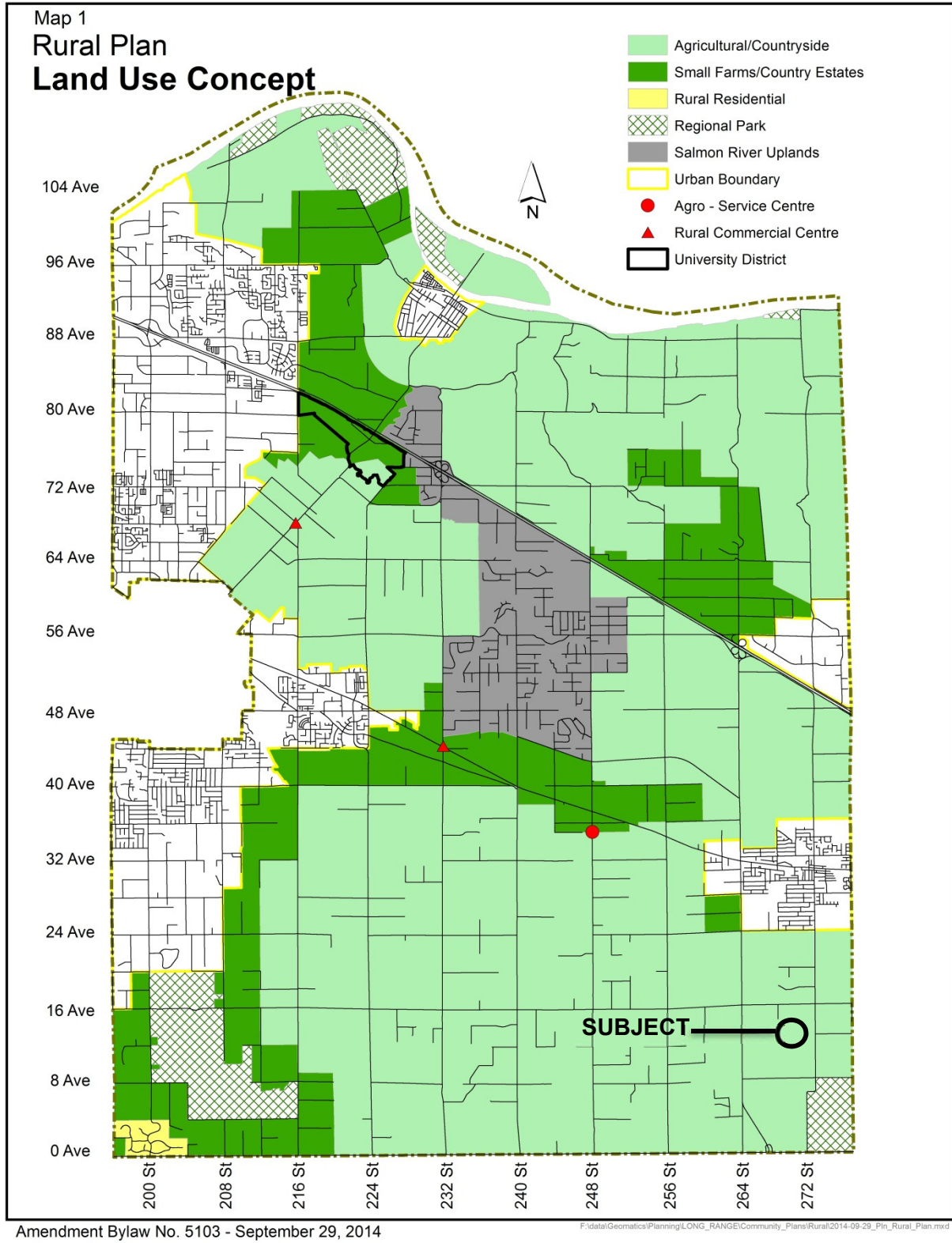
**That** Council advise the Agricultural Land Commission that the subdivision application submitted by Lee Mackenzie on behalf of the owners of property located at 1351 – 272 Street, within the Agricultural Land Reserve, complies with the minimum parcel size provisions of Rural Zone RU-2 of the Township's Zoning Bylaw, and request consideration based on agricultural merits.

**EXECUTIVE SUMMARY:**

The applicant, pursuant to Section 21(2) of the Agricultural Land Commission (ALC) Act, has applied to subdivide a 35.9 ha (88.8 ac) property into four (4) rural lots. Staff recommend that Council forward the application to the ALC, as the proposal complies with the minimum lot size requirements of the Township's Zoning Bylaw.

**PURPOSE:**

This report is to provide Council with information and a recommendation with respect to an ALR subdivision application submitted under Section 21(2) of the ALC Act by Lee Mackenzie.



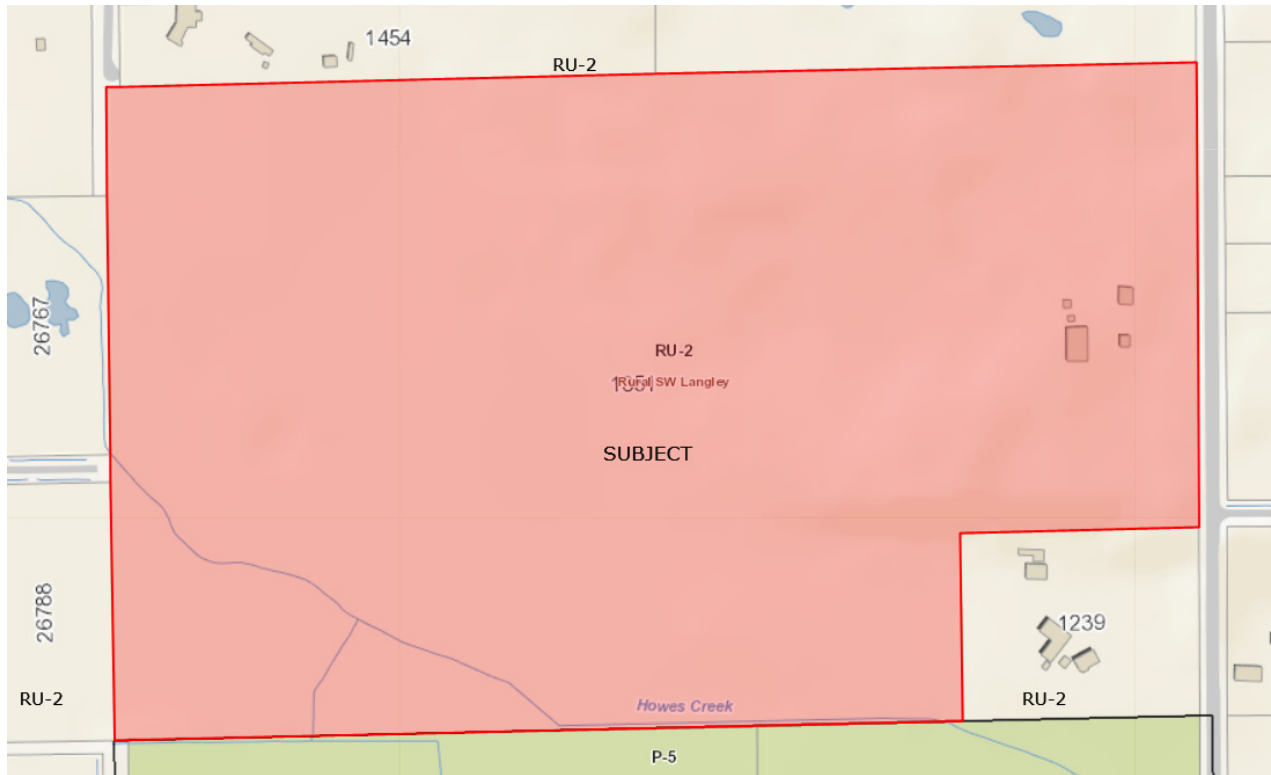




AGRICULTURAL LAND COMMISSION APPLICATION NO. 100324

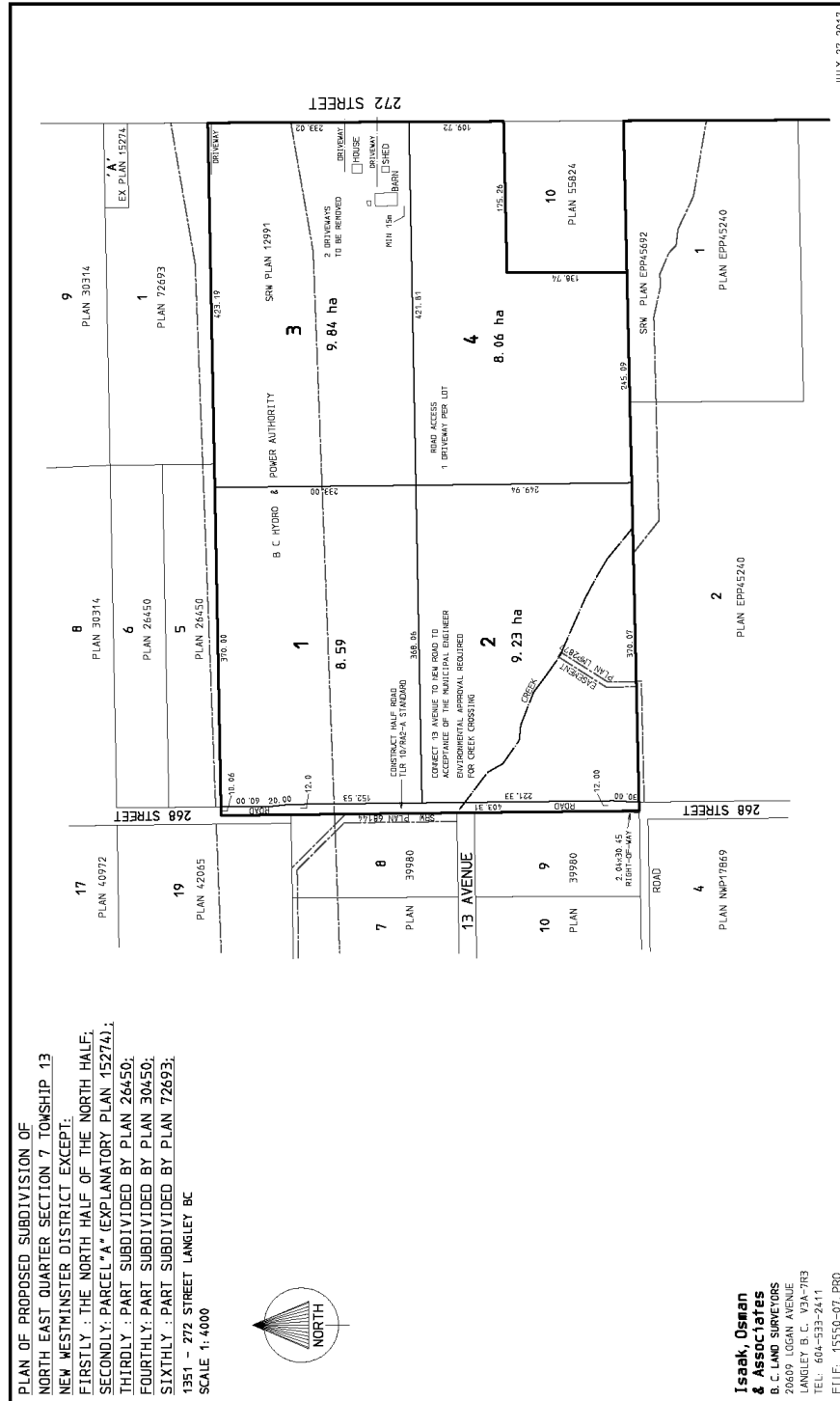
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**ZONING BYLAW NO. 2500**

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**PRELIMINARY SITE PLAN – SUBMITTED BY APPLICANT**

#### REFERENCE:

<b>Agent</b>	Greenline Management Ltd. Lee Mackenzie 11579 – 196B Street Pitt Meadows, BC V3Y 1P2
<b>Owner :</b>	Sukhraj Singh Deol Navreetjot Kaur Deol 31931 Huntingdon Road Abbotsford, BC V2T 6B9
<b>Legal Description:</b>	North East Quarter Section 7 Township 13 New Westminster District Except Firstly: The North Half Of The North Half; Secondly: Parcel 'A' (EPP 15274); Thirdly: Part Subdivided By Plan 26450; Fourthly: Part Subdivided By Plan 30450; Fifthly: Part Subdivided By Plan 55824; Sixthly: Part Subdivided By Plan 72693
<b>Location:</b>	1351 – 272 Street
<b>Area:</b>	35.9 ha (88.8 ac)
<b>Existing Zoning:</b>	Rural Zone RU-2
<b>Minimum Lot Size:</b>	8.0 ha (19.8 ac)
<b>Rural Plan:</b>	Agricultural / Countryside
<b>Agricultural Land Reserve:</b>	In the Agricultural Land Reserve

#### BACKGROUND/HISTORY:

The ALC Act allows Council the opportunity to provide recommendations on subdivision applications made to the ALC. Information available to Council to consider making recommendations are policies contained in the Rural Plan and Township Zoning Bylaw.

The subject property is located at 1351 – 272 Street, within the ALR and designated Agricultural / Countryside in the Rural Plan (adopted in 1993). The property is zoned Rural Zone (RU-2) with a minimum lot size of 8.0 ha (19.8 ac). Staff note that a previous application for subdivision of the subject property into two (2) lots was refused by the ALC on July 29, 1994 (resolution #625/1994).

#### DISCUSSION/ANALYSIS:

An application has been submitted pursuant to Section 21(2) of the ALC Act to subdivide a 35.9 ha (88.8 ac) property into a four (4) rural lots ranging in size from 8.06 ha (19.9 ac) to 9.84 ha (24.3 ac). Proposed Lot 1 and Lot 2 will have frontage along 268 Street and as a condition of subdivision, the applicant will be required to dedicate 268 Street along the full frontage of the subject property and to construct the eastern half of 268 Street with connection to 13 Avenue.

Howes Creek, a yellow coded watercourse traverses Proposed Lot 2. Protection of the watercourse consistent with senior government streamside protection requirements will be required at the time of subdivision (should the application be approved by the ALC). Proposed Lot 3 and Lot 4 will have frontage and access on 272 Street.

### **Description of Property:**

The applicant indicates the subject 35.9 ha (88.8 ac) property is currently being farmed for raspberries (see applicant rationale letter Attachment A). There are currently four (4) accessory buildings and a single family dwelling on the northeastern portion of the property. A BC Hydro Right-of-Way (Plan 12991) partially traverses the northern portion of the property. Howes Creek, a yellow coded watercourse, traverses the southwestern portion of the property.

### **Adjacent Uses and Property Sizes:**

North:	Two (2) rural properties (2.4 ha / 5.9 ac) and (4.6 ha / 11.4 ac) in size. Farm uses include a blueberry farm and hay field. Both are zoned Rural Zone (RU-2), within the ALR and designated Agricultural / Countryside in the Rural Plan;
East:	272 Street, beyond which are four (4) rural properties ranging in size from 1.8 ha (4.5 ac) to 7.8 ha (19.3 ac). Farm uses include blueberry farming and raspberry farming. All are zoned Rural Zone (RU-2), within the ALR and designated Agricultural / Countryside in the Rural Plan;
South:	A (22.6 ha / 55.8 ac) property and a (6.6 ha / 16.3 ac) property, both zoned Civic Institutional Zone (P-5), within the ALR and designated Agricultural / Countryside in the Rural Plan. This site was formerly the Jackman Landfill and has subsequently been reclaimed and converted to Jackman Wetlands Park;
West:	268 Street (unconstructed), beyond which are rural residential properties ranging from 1.8 ha (4.5 ac) to 3.7 ha (9.1 ac) in size, zoned Rural Zone (RU-2), traversed by Howes Creek, located within the ALR and designated Agricultural / Countryside in the Rural Plan;

### **Agricultural Advisory and Economic Enhancement Committee:**

In accordance with past practice, the application will be forwarded to the Agricultural Advisory and Economic Enhancement Committee (AAEEC) for information purposes.

### **Servicing:**

The Township's Subdivision and Development Servicing Bylaw 2011 No. 4861 designates the subject property Rural - Level 4. Should the application proceed to the subdivision stage, the applicant will be required to dedicate the east half of 268 Street along the western portion of the property. The applicant will be required to construct the eastern half of 268 Street along the property frontage with a connection to 13 Avenue in order to facilitate access. Each proposed lot is to be serviced with well water and also provide an onsite septic disposal system and register a covenant for its location (including both primary and reserve fields), design and maintenance. Additional servicing details and requirements will be addressed at time of subdivision, should the application be approved by the ALC.



**Trail Requirements:**

The Community Connections Municipal Trail Network Plan adopted by Council on September 26, 1994 anticipates a community trail along 272 Street. In consultation with the Parks Administration Design and Development department, staff also recommend a trail on the south side of Howes Creek, linking 13 Avenue (at 268 Street) to existing trails in Jackman Wetlands Park (to the south of the subject lands).

At the time of subdivision, the applicant will be required to protect all Streamside Protection and Enhancement Areas (SPEA) in accordance with the provincial *Riparian Areas Regulation* (RAR). To accommodate a trail along Howes Creek, a public access Statutory Right of Way (SRW) will be required on the south side of Howes Creek in compliance with relevant senior government streamside protection requirements. This SRW will be for the purpose of design and construction of a three (3) metre wide gravel surfaced public trail. In addition, a future trail along 272 Street to be implemented within the existing road allowance consistent with the Plan is required.

**POLICY CONSIDERATIONS:**

The subject site is located within the ALR and designated Agricultural / Countryside in the Rural Plan. The proposed subdivision complies with the minimum lot size requirements of the Rural Zone (RU-2). Details of the proposed subdivision will be addressed at the subdivision stage in accordance with the Township's Subdivision and Development Servicing Bylaw as well as any additional requirements imposed by the ALC as a condition of approval, should such be granted. As the Township of Langley does not have the required expertise to assess the application from an agricultural perspective, the application is being forwarded to the ALC for their consideration.

Respectfully submitted,

Daniel Graham  
PLANNING TECHNICIAN  
for  
COMMUNITY DEVELOPMENT DIVISION

ATTACHMENT A      Applicant rationale letter

This report constitutes the "Local Government Report" as required under Section 12 or 29 of the Agricultural Land Reserve Use, Subdivision and Procedure Regulation.

Greenline Management Ltd.  
Project Management

11579-196 B St.  
Pitt Meadows, B.C.  
V3Y-1P2  
Ph: 604-319-6638  
Greenlinemgmt@gmail.com

April 30, 2017

To: Agriculture Land Commission

And

Township of Langley

Re: 4 lot sub division for:

Location : 1351- 272 nd. st Langley, B.C.

Letter of Intent;

To Whom it May Concern:

The Owner of 1351-272 nd st. property has retained my services to apply to the TOL and the ALC for a 4 lot sub division of his property. The lot is 35.7 hectares in size and this sub division is for 4 lots of approx. 8 hectares.

The property is zoned Ru-2 which allows for 8 hectare sub division. Mr. Deol wants to sub divide his property into 4 lots so each of his children can own a 8 ha. lot to farm on their own. Mr. Deol recently had a major health issue where he has been advised to reduce his stress level significantly.

The entire farm is planted and has access roads to each proposed lot except one. There is one set of buildings on the 272 nd side of the lot.

Positive reasons to allow the 4 lot subdivision:

1- by allowing the sub division Mr. Deol will be able to have all his adult children own their own farm. It is very expensive for young people to purchase farmland and be able to afford to actually farm the land.

2- with the sub division each of his children will have a farm that is already in production so the costs to farm will be manageable.

3- this sub division allows for the younger generation to be able to get into farming without having to borrow significant amounts of money just to buy land (one of the main reasons younger people are not farming is the cost of the land)

4- the 8 hectare lot size is very manageable and the crops can be harvested in a shorter time period than farming 35 hectares.

5- there are already access roads to all proposed lots except one lot and that road will be right off of 272 and involve minimum land to gain access to the property.

Included in this application are the following details:

- 1- Letter of Intent
- 2- Agent letter
- 3- TOL application
- 4- ALC application
- 5- Survey drawing of the 4 lot sub division
- 6- Land titles
- 7- Covenants on property
- 8- Detailed Property Maps of the farm

Details:

- 1- Letter of intent ( inclusive and explains this application)
- 2- Agent Letter: - Owners have signed
- 3- TOL Application:
  - complete application is attached
- 4- ALC Application: - completed online and submitted
- 5- Survey drawing of the 4 lot sub division - included
- 6- Land Titles: - recent land title
- 7- Covenants on property- attached
  - B.C.Hydro has a covenant on the property to allow access to the power lines for maintenance etc.

- All the B. C. Hydro power line foundation pads have access to them on the property
- There is a covenant for the south creek

#### 8- Detailed Property Maps ( 1-7)

##### Map # 1 : site map

- details the site

##### Map # 2 : RU-2 Zoning

- RU-2 which allows for 8 hectare lot sizes

##### Map # 3 : Howes Creek on Property

##### Map # 4 : Access Road off of 268<sup>th</sup> to Lot One

##### Map # 5 : Existing Buildings Onsite ( 272<sup>nd</sup> side of property)

##### Map # 6 : Area Properties

- small hobby farms, wetlands ( to the south), mixed farming to the north

##### Map # 7: BC Hydro power lines on Property

- site is planted in Raspberries

Mr. Deol and his wife have farmed and developed 1351- 272 nd st. property for several years. In order to help his children to stay in farming, he needs to sub divide the property into 4 lots. As the farm is fully developed there are a lot of positive agricultural reasons to allow the sub division the property.

The sub division into 4 lots allows Mr. Deol to keep his children in farming and will help them afford a farm.

Thank You For Your Time  
Lee Mackenzie  
Project Manager