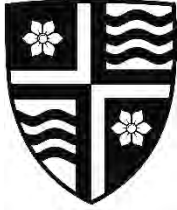


Township of
Langley



Est. 1873

REPORT TO MAYOR AND COUNCIL

PRESENTED: SEPTEMBER 17, 2018 - REGULAR AFTERNOON MEETING
FROM: COMMUNITY DEVELOPMENT DIVISION
SUBJECT: AGRICULTURAL LAND COMMISSION APPLICATION
NO. 100359 (WERNICKE / 24365 – 72 AVENUE)

REPORT: 18-130
FILE: 11-29-0045

PROPOSAL:

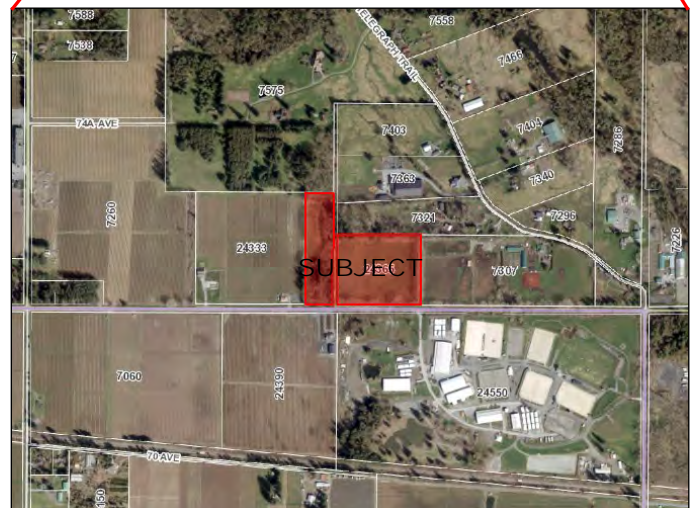
Subdivision within the Agricultural Land Reserve (ALR) of a 6 ha (15 ac) parcel located at 24365 – 72 Avenue into two (2) lots.

RECOMMENDATION SUMMARY:

That Council not authorize referral of the subdivision application by Imke Wernicke for a 6 ha (15 ac) property located at 24365 – 72 Avenue Street to the Agricultural Land Commission.

RATIONALE:

The application does not comply with the minimum lot size provisions of the Township of Langley's Zoning Bylaw.



RECOMMENDATION:

That Council not authorize referral of the subdivision application submitted by Imke Wernicke for a 6 ha (15 ac) property located at 24365 – 72 Avenue, within the Agricultural Land Reserve to the Agricultural Land Commission, as it does not comply with the minimum parcel size provisions of the Township's Rural RU-3 zoning or the Agricultural / Countryside designation of the Rural Plan.

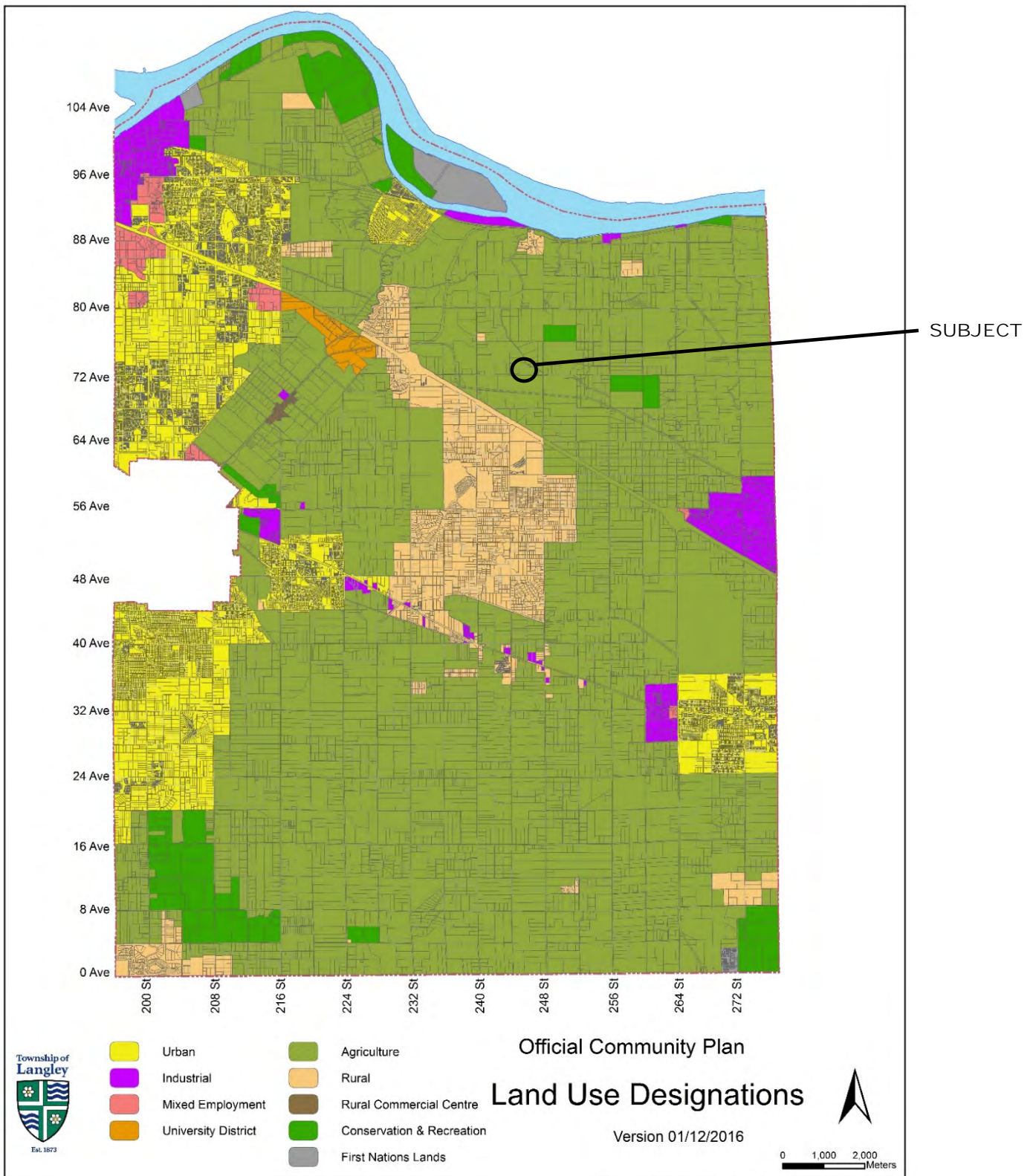
EXECUTIVE SUMMARY:

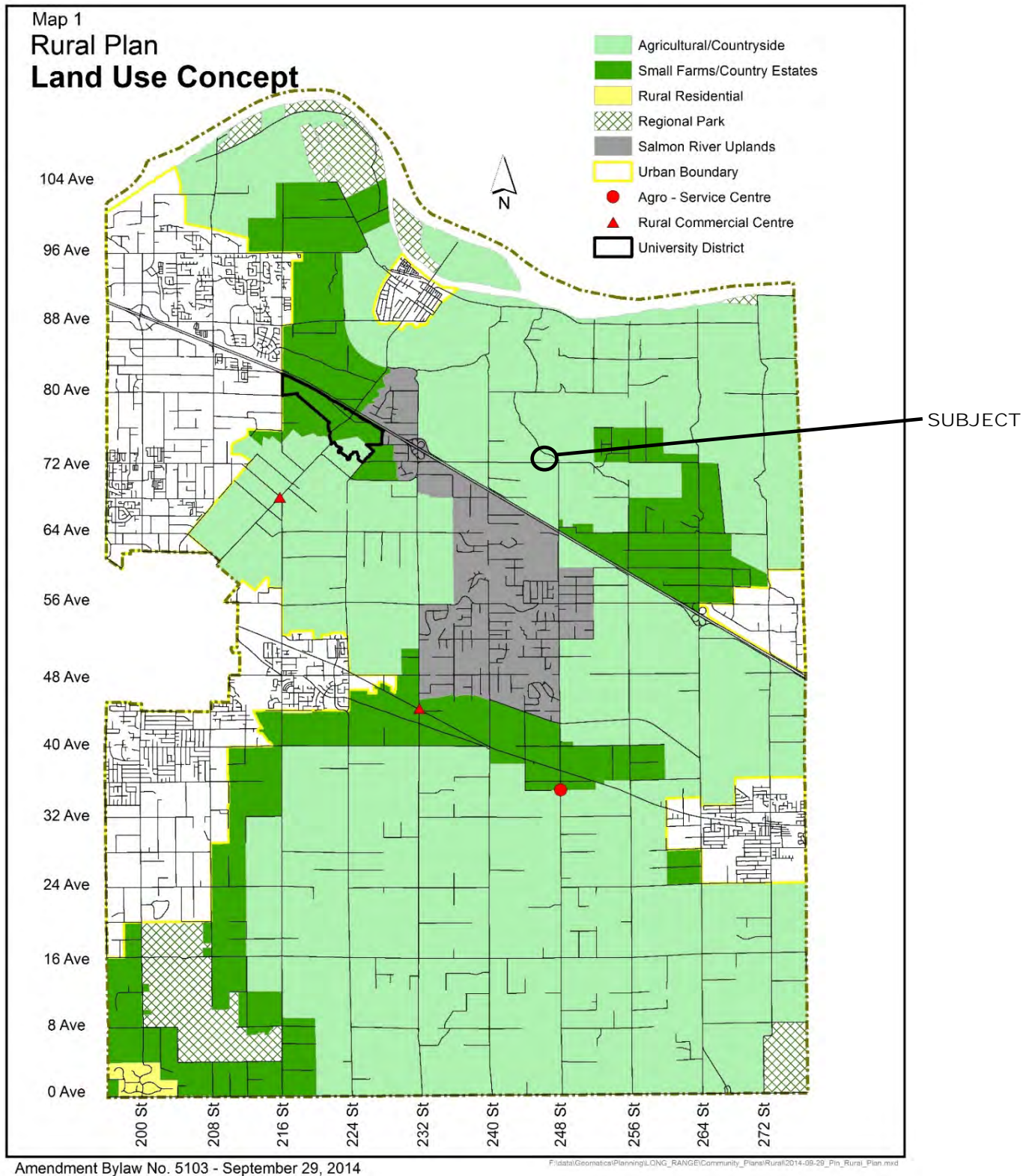
The applicant, pursuant to Section 21(2) of the Local Government Act, has applied to subdivide a 6 ha (15 ac) property located at 24365 – 72 Avenue into two (2) rural lots ranging in size from approximately 2 ha (5 ac) and 4 ha (10 ac) in size. The subject property is zoned Rural Zone RU-3 and designated Agricultural / Countryside in the Rural Plan.

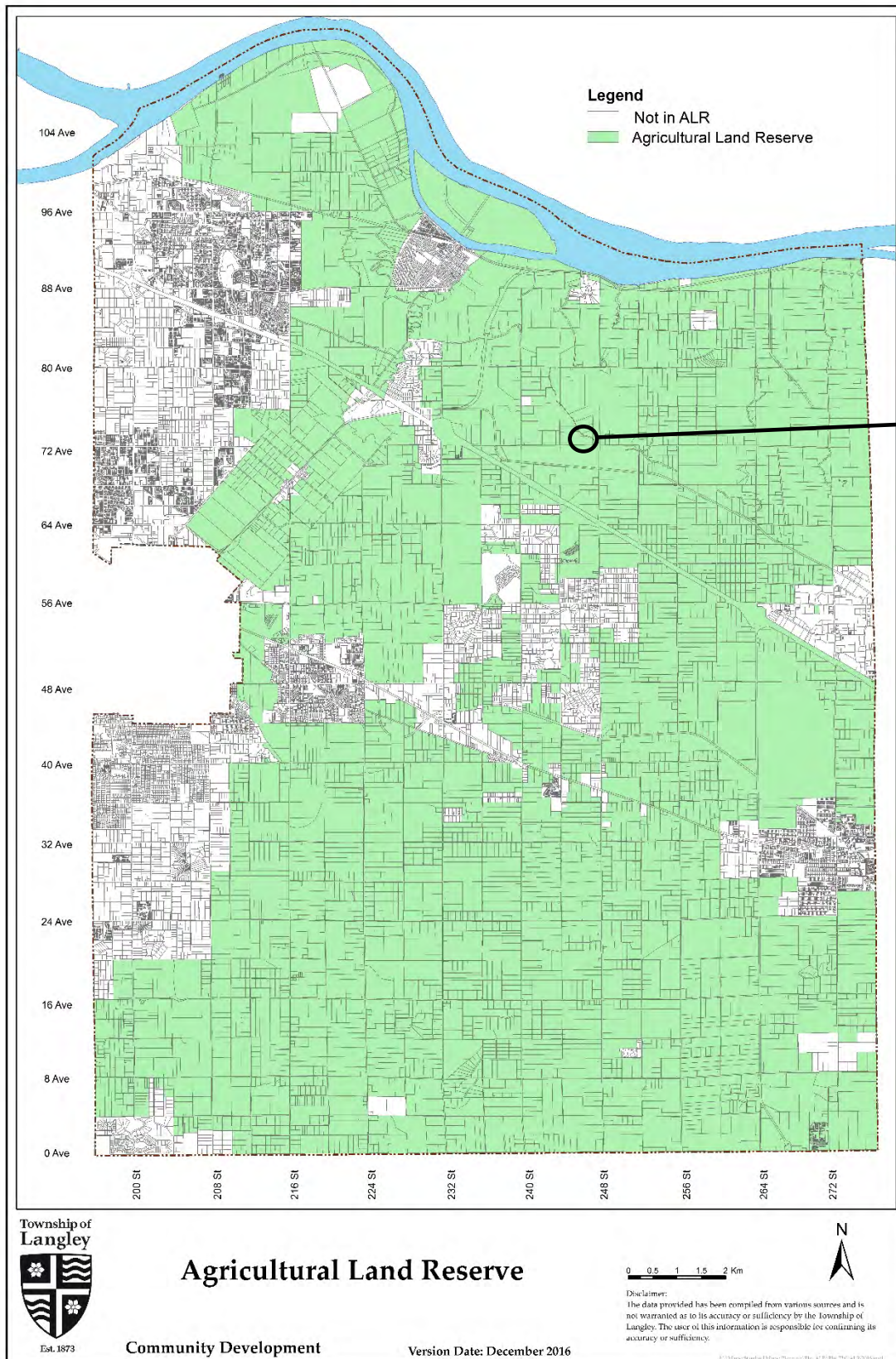
Neither of the proposed lots meet the minimum lot size provisions (8 ha / 19.8 ac minimum) of the Township of Langley Zoning Bylaw No. 2500 for the Rural Zone RU-3. The proposal is also inconsistent with the provisions of the Rural Plan.

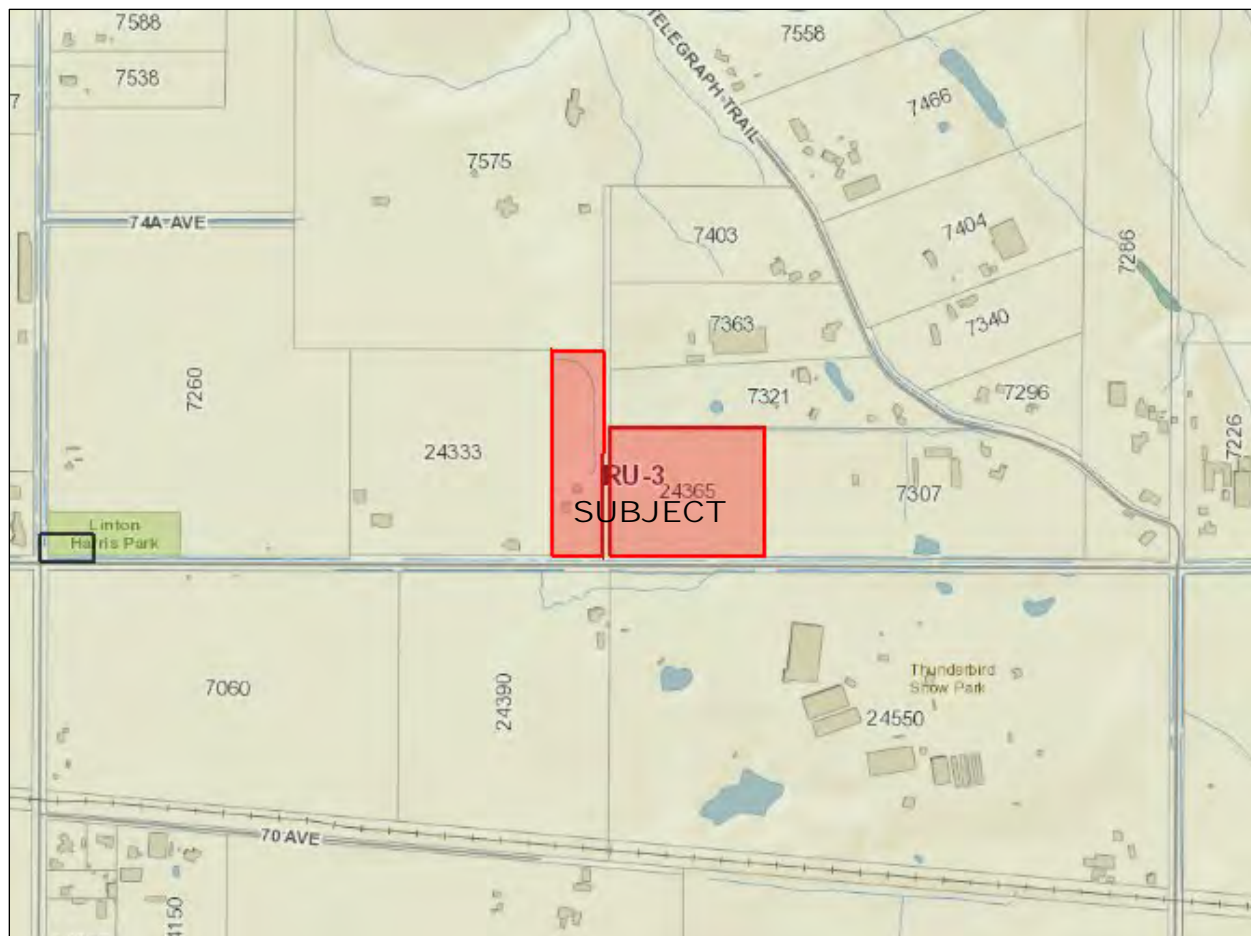
PURPOSE:

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 Local Government Act by Imke Wernicke.









ZONING BYLAW NO. 2500



SITE PLAN – SUBMITTED BY APPLICANT

REFERENCE:

Owner:	Harm & Ingelore Wernicke 24365 – 72 Avenue Langley BC V1M 3W8
Agent:	Imke Wernicke 24365 – 72 Avenue Langley BC V1M 3W8
Legal Description:	Lot 2 Section 22 Township 11 NWD Plan LMP4633
Civic Address:	24365 – 72 Avenue
Area:	6 ha (15 ac)
Existing Zoning:	Rural Zone RU-3
Minimum Lot Size:	(8 ha / 19.8 ac minimum lot size)
Rural Plan:	Agricultural / Countryside
Agricultural Land Reserve:	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, Official Community Plan and Metro Vancouver Regional Growth Strategy.

The application involves a 6 ha (15 ac) parcel located at 24365 – 72 Avenue. The lands are designated Agricultural / Countryside in the Rural Plan (adopted in 1993). The minimum lot size permitted for subdivision is 8.0 ha (19.8 ac) in the RU-3 Zone which is consistent with the site's Agricultural / Countryside designation in the Rural Plan.

The application proposes to subdivide the site into two (2) rural lots 2 ha (5 ac) and 4 ha (10 ac) in size. An unopened north/south road dedication currently traverses the site between the two (2) proposed parcels.

DISCUSSION / ANALYSIS:

An application has been submitted pursuant to Section 21(2) of the ALC Act to subdivide a 6 ha (15 ac) property into two (2) rural lots. Proposed Lot A is 2 ha (5 ac) in size consisting of the west portion of the property currently accommodating a single family residence and accessory buildings, with frontage along 72 Avenue. Proposed Lot B is 4 ha (10 ac) in size, vacant and comprised of the east portion of the subject property with frontage along 72 Avenue.

Description of Property:

The subject property is 6 ha (15 ac) in size and contains a single family dwelling and accessory buildings on the west portion of the site. The east portion of the site is vacant and used for hay production. An unopened north/south road dedication currently traverses the site between the two (2) proposed parcels. The property is relatively flat and has a yellow coded watercourse on the north and central portion of the property.

Adjacent Uses:

- North: Rural properties designated Agricultural / Countryside in the Rural Plan, zoned Rural Zone RU-3 and located in the ALR;
- South: 72 Avenue, beyond which is a large equestrian complex (“Thunderbird Showpark”) and rural properties designated Agricultural / Countryside in the Rural Plan, zoned Rural Zone RU-3 and located in the ALR;
- East: A rural property designated Agricultural / Countryside in the Rural Plan, zoned Rural Zone RU-3 and located in the ALR; and
- West: A rural property designated Agricultural / Countryside in the Rural Plan, zoned Rural Zone RU-3 and located in the ALR.

Regional Growth Strategy:

In addition to Township policies and plans, when considering an application for subdivision of land, consideration is provided to the provisions of applicable regional plans, such as Metro Vancouver’s Regional Growth Strategy (RGS). The OCP references a Regional Context Statement that describes how the OCP is consistent with the policy objectives of the RGS. The RGS designates the subject property as Agriculture, a designation primarily intended for agricultural uses, facilities and services, and states:

Section 2.3.6(b) of the RGS states that the OCP policies shall support agricultural viability including:

- ii) Discourage subdivision of agricultural land leading to farm fragmentation*
- iv) Manage the agricultural-urban interface to protect the integrity and viability of agricultural operations (e.g. buffers between agricultural and urban areas or edge planning)*
- vi) Encourage the use of agricultural land, with an emphasis on food production*

Official Community Plan:

The subject lands are designated Agriculture by the Official Community Plan (OCP), which contains the following policies:

- 2.2.1. Areas designated as Agriculture shall be used primarily for agricultural uses and supporting services to protect the agricultural land base and support food production. Food production and other forms of agriculture are encouraged within this area.*
- 2.2.3. Limit the subdivision of agricultural land, as set out in the Rural Plan, subject to the approval of the Agricultural Land Commission for land within the ALR. Commercial, industrial, and institutional uses are not encouraged in this designation, except in conformity with the Rural Plan and subject to the approval of the Agricultural Land Commission.*

The policy guidance in the OCP aims to preserve Agriculture designated areas for food production, conservation and other supportive uses.

Rural Plan:

The property is designated “Agricultural / Countryside” in the Township’s Rural Plan. Section 5.5.3 of the Rural Plan states:

“The minimum lot size in the Agricultural / Countryside area shall be 8.0 ha (19.8 acres), subject to the approval of the Agricultural Land Commission...”

Section 5.3.2 of the Rural Plan states:

“Where applications under the Agricultural Land Commission Act do not conform to the policies of this plan, Township Council may refuse to authorize them. In these cases, land owners may not apply to the Commission.”

Agricultural Advisory 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. The minimum servicing requirement for each proposed lot is with well water and an onsite septic disposal system (including nitrate removal) and registration of 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 forwarded and approved by the ALC.

Environmental Considerations:

The subject lands are traversed by a yellow coded watercourse. As the property is located in the ALR, the applicant would be responsible to meet senior government requirements for streamside protection at time of subdivision, should the application be forwarded and approved by the ALC.

POLICY CONSIDERATIONS:

The subject site is located within the ALR and designated Agriculture / Countryside in the Rural Plan. The subdivision proposal is inconsistent with the minimum parcel size requirements of the Rural Zone RU-3 zoning and the provisions of the Rural Plan. 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. Should the ALC consider this application favourably, the proponent would need to apply for land use amendments in consideration of the Zoning Bylaw (subject to approval of the Minister of Agriculture) and the Rural Plan.

Respectfully submitted,

Joel Nagtegaal
 DEVELOPMENT PLANNER
 for
 COMMUNITY DEVELOPMENT DIVISION

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