

Township of
Langley



Est. 1873

REPORT TO MAYOR AND COUNCIL

PRESENTED:	APRIL 15, 2019 – REGULAR AFTERNOON MEETING	REPORT:	19-60
FROM:	COMMUNITY DEVELOPMENT DIVISION	FILE:	11-10-0082
SUBJECT:	AGRICULTURAL LAND COMMISSION APPLICATION NO. 100369 (1151912 BC LTD. / OTG DEVELOPMENT CONCEPTS / 24381 – 56 AVENUE)		

PROPOSAL:

Subdivision within the Agricultural Land Reserve (ALR) of a 7.21 ha (17.79 ac) parcel located at 24381 – 56 Avenue into six (6) suburban residential 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:

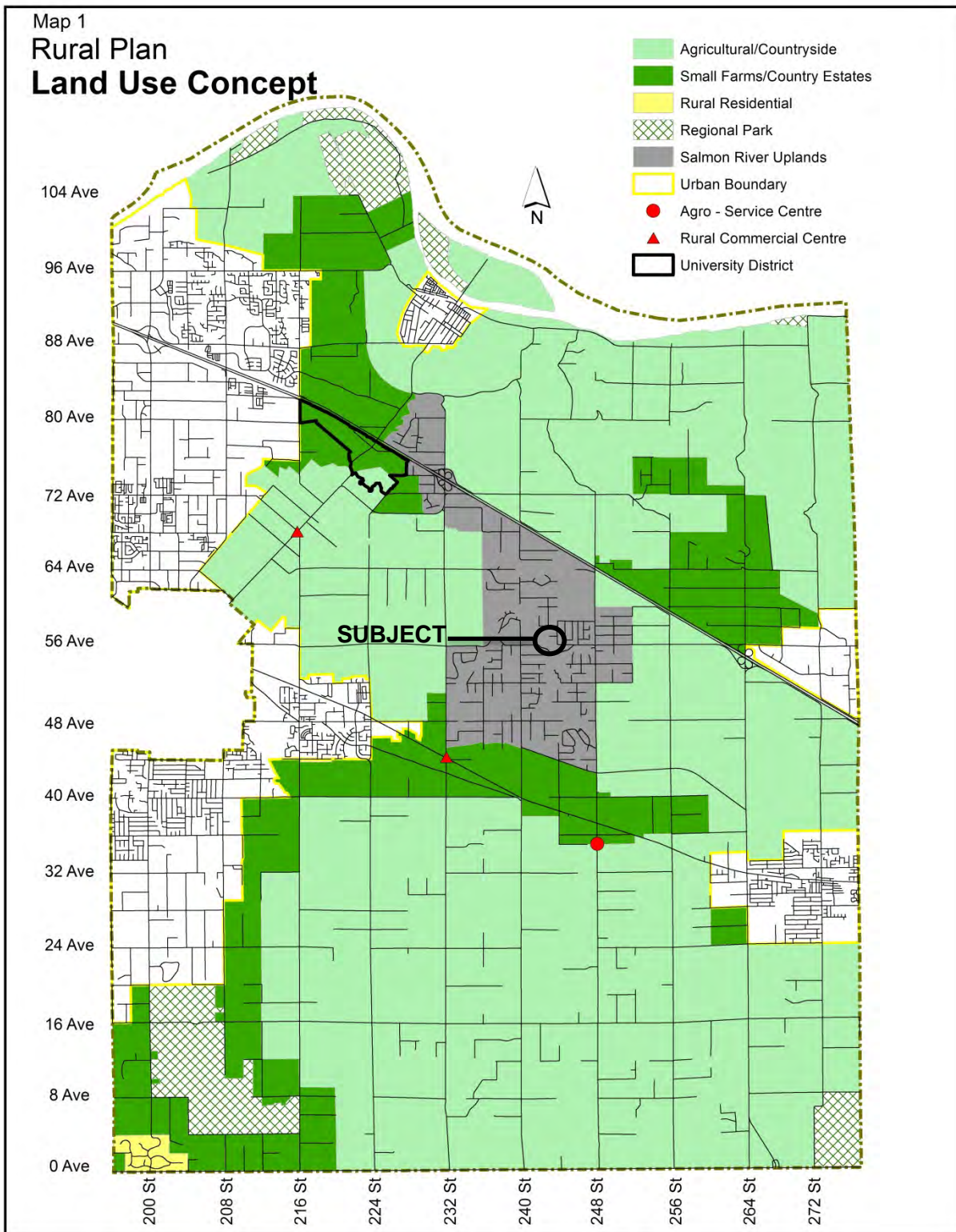
That Council advise the Agricultural Land Commission that the subdivision application submitted by OTG Development Concepts on behalf of the owners of property located at 24381 – 56 Avenue within the Agricultural Land Reserve complies with the minimum parcel size provisions of the Suburban Residential SR-1 Zone 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 7.21 ha (17.79 ac) property into six (6) suburban residential lots. Council, at its November 21, 2016 Regular Afternoon Meeting resolved to forward a previous similar six (6) lot subdivision application to the ALC for consideration, which was subsequently refused March 20, 2017 (ALC resolution #67/2017). Staff recommend that Council forward the current application to the ALC, as the proposal complies with the minimum lot size requirements of the Township's Zoning Bylaw.

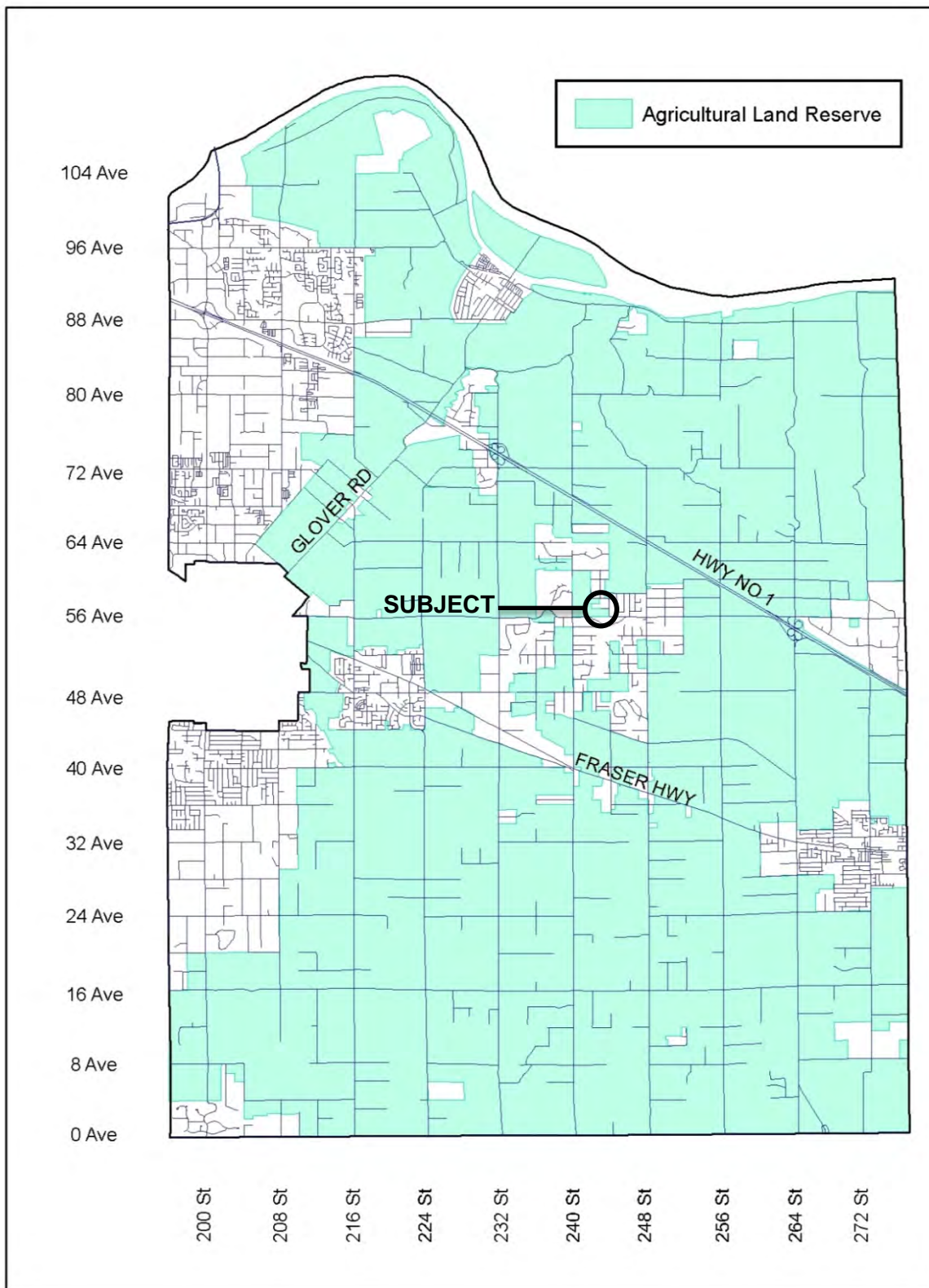
PURPOSE:

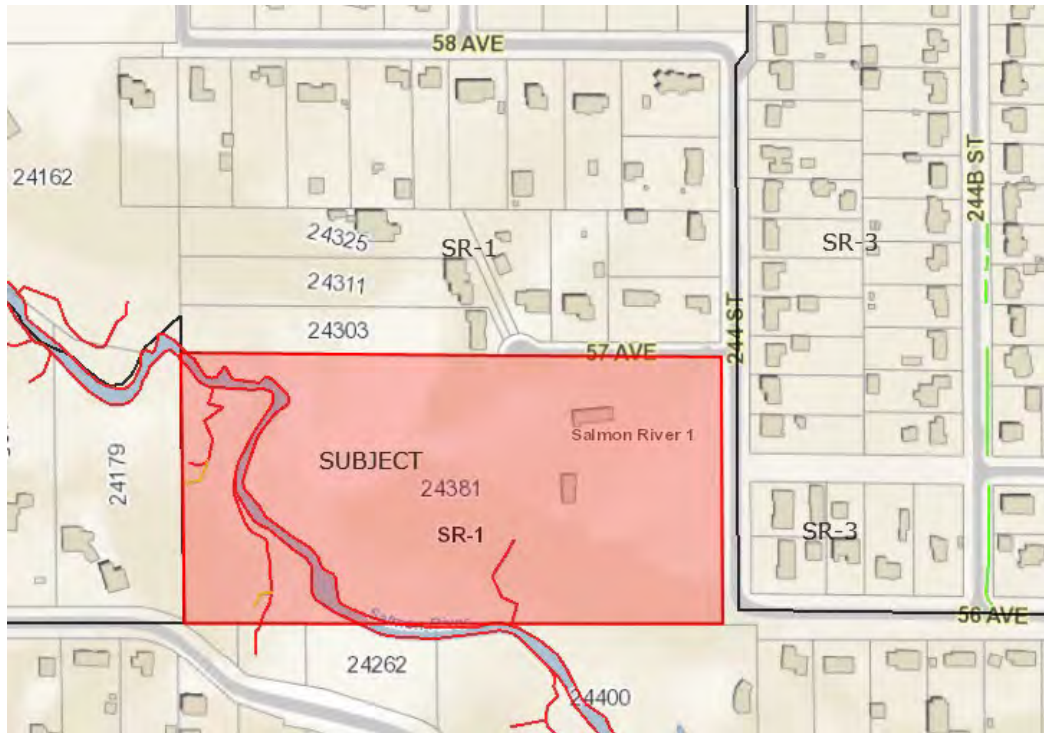
This report is to provide Council with information and a recommendation with respect to an ALR subdivision application submitted under Section 21(2) of the ALC Act by OTG Development Concepts.



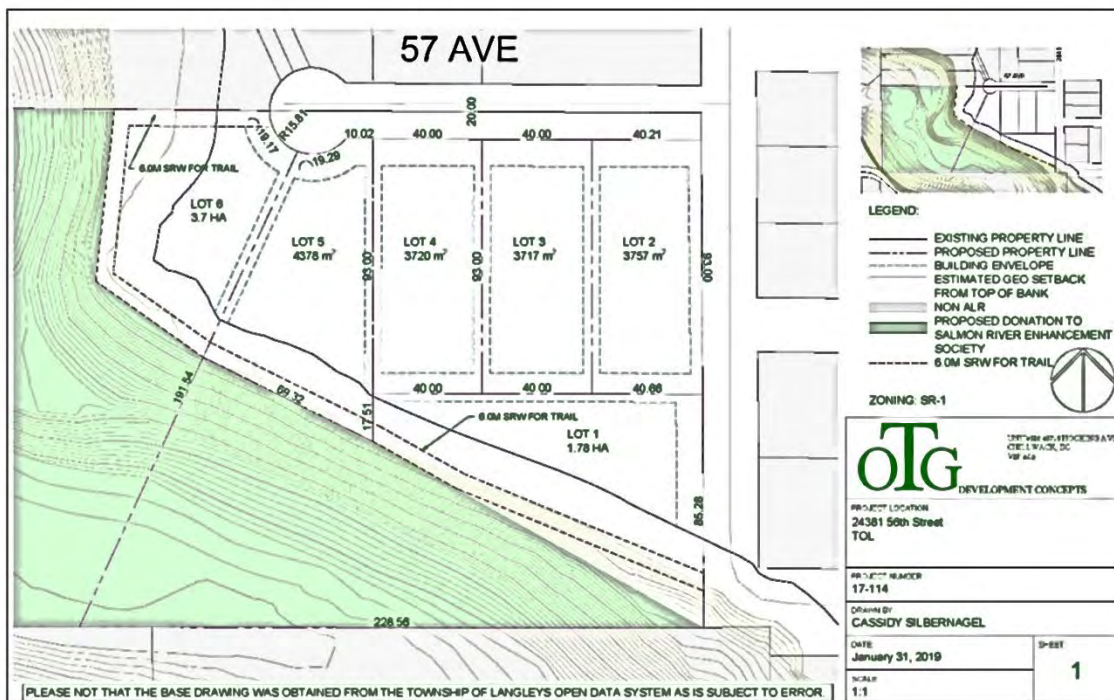
Amendment Bylaw No. 5103 - September 29, 2014

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ZONING BYLAW NO. 2500



PRELIMINARY SITE PLAN – SUBMITTED BY APPLICANT

REFERENCE:

Agent	OTG Development Concepts 520 – 45715 Hocking Avenue Chilliwack, BC V2P 6Z6
Owner :	1151912 BC Ltd. 170 Jarvis Bay Drive Sylvan Lake, AB T4S 1R8
Legal Description:	Lot 1 Section 10 Township 11 New Westminster District Plan 9017
Location:	24381 – 56 Avenue
Area:	7.21 ha (17.79 ac)
Existing Zoning:	Suburban Residential Zone SR-1
Minimum Lot Size:	3,716 m ² (39,998 ft ²)
Rural Plan:	Salmon River Uplands
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 and Township Zoning Bylaw.

The subject property is located at 24381 – 56 Avenue, within the ALR and designated Salmon River Uplands in the Rural Plan (adopted in 1993). The property is zoned Suburban Residential (SR-1) with a minimum lot size of 3,716 m² / 39,998 ft².

DISCUSSION/ANALYSIS:

An application has been submitted pursuant to Section 21(2) of the ALC Act to subdivide a 7.21 ha (17.79 ac) property into a total of six (6) suburban residential lots. Five (5) lots are proposed to front onto an existing half road (57 Avenue) with one (1) lot fronting onto 244 Street. The proposed lots range in size from 3,717 to 37,000 m² (40,009 to 398,265 ft²), consistent with the requirements of the Zoning Bylaw. The Salmon River crosses the southwestern portion of the site within a steep ravine. The environmental area below the top of bank is proposed to be included in Lots 1 and 6 and protected through a non-disturbance covenant. A public trail along the east side of the Salmon River is proposed within a right-of-way adjacent to the top of bank on the lots. The south half of 57 Avenue will be constructed in order to complete the existing half road, as a requirement at the time of subdivision (should the application be approved by the ALC).

Staff note that on November 21, 2016 at its regular afternoon meeting, Council resolved to forward a similar application (by a previous owner) to the ALC for consideration which was subsequently refused March 20, 2017 by ALC resolution #67/2017. The applicant indicates the previous application focused primarily on soil conditions as rationale for subdivision whereas the subject application requests ALC consideration based on the history of subdivision and ALR exclusion in the surrounding area as noted by the applicant below:

The [previous application] rationale for subdivision was predominantly based on the soil properties of the Subject Property, whereas the key planning history in the area, whereby significant subdivision and exclusion has occurred, was not addressed.

Other applications were refused on the basis that exclusion or subdivision of a given parcel could lead to the negative impacts on other agricultural lands. As no such agricultural lands exist surrounding the Subject Property, this apprehension is invalid. The Subject Property should not be treated as a parcel abutting agricultural lands. We suggest that the subdivision of the Subject Property from the ALR is appropriate and that agriculture will not be negatively impacted.

Description of Property:

The subject 7.21 ha (17.79 ac) property is flat in its northeastern portion with significant topographical relief in its southwestern portion, accommodating the Salmon River (a red coded watercourse). The site currently contains a single family home and accessory building.

Adjacent Uses and Property Sizes:

North: 57 Avenue, beyond which are seven (7) suburban residential properties zoned Suburban Residential (SR-1), not within the ALR and designated Salmon River Uplands in the Rural Plan;

East: 244 Street, beyond which are six (6) suburban residential lots zoned Suburban Residential (SR-3), not within the ALR and designated Salmon River Uplands in the Rural Plan;

South: Four (4) suburban residential properties bisected by the Salmon River and steep ravine (all zoned Suburban Residential SR-1, not within the ALR and designated Salmon River Uplands in the Rural Plan);

West: A 1.7 ha (4.2 ac) property traversed in its northern portion by the Salmon River; this property is within the ALR and designated Salmon River Uplands in the Rural Plan; the portion south of the Salmon River is zoned Rural (RU-1), with the area to the north of the river zoned Suburban Residential (SR-1).

Community Connections Trail:

The Community Connections Municipal Trail Network Plan adopted by Council on September 26, 1994 anticipates community trails along the Salmon River. In consultation with the Parks Administration, Design and Development department, staff recommend a trail on the east side of the Salmon River.

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 the Salmon River Trail, a public access 6.0 m Statutory Right-of-Way (SRW) is proposed along the top of bank (across proposed lots 1, 5 and 6 with connections to 56 and 57 Avenues) and will be provided in compliance with relevant senior government streamside protection requirements. This SRW will allow for design and construction of a 3.0 m wide gravel surfaced public trail in accordance with the Township Subdivision and Development Servicing Bylaw 2011 No. 4861. Construction details of the trail will be determined at subdivision stage should the application be approved by the ALC.

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 designates the subject property Suburban - Level 3. Should the application proceed to the subdivision stage, the applicant will be required to dedicate and construct the south half of 57 Avenue (currently built to a half road standard) along the northern property line. The applicant will also be required to dedicate and construct the south half of a 15.5 m radius cul-de-sac at the west terminus of 57 Avenue. Each proposed lot must be serviced with municipal water in accordance with the Subdivision and Development Servicing Bylaw 2011 No. 4861. Each lot must also provide an onsite septic disposal system (including nitrate removal) 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.

POLICY CONSIDERATIONS:

The subject site is located within the ALR and designated Salmon River Uplands in the Rural Plan. The proposed subdivision complies with the minimum lot size requirements of the Suburban Residential Zone (SR-1). 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
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.