



Est. 1873

## REPORT TO MAYOR AND COUNCIL

**PRESENTED:** JUNE 28, 2021 – REGULAR MEETING  
**FROM:** COMMUNITY DEVELOPMENT DIVISION  
**SUBJECT:** AGRICULTURAL LAND COMMISSION APPLICATION  
 NO. 100383 (SPARKS / 20883 LOUIE CRESCENT)

**REPORT:** 21-87  
**FILE:** 09-12-0011

### PROPOSAL:

Subdivision within the Agricultural Land Reserve (ALR) of a 0.88 hectare (ha) / 2.17 acre (ac) parcel located at 20883 Louie Crescent into two (2) rural lots.

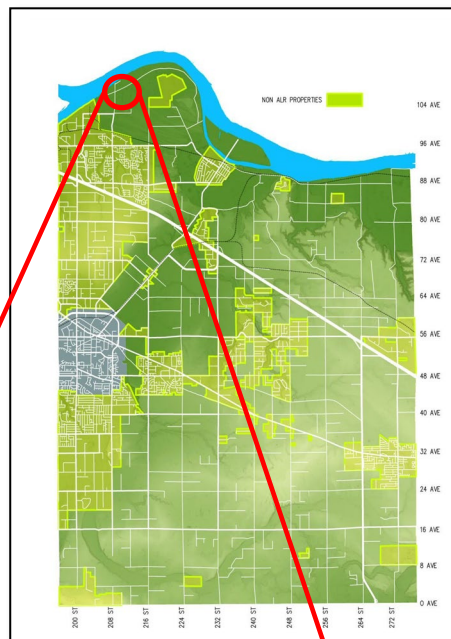
### RECOMMENDATION SUMMARY:

That Council consider the application for subdivision and select one of the following options:

- Refer the application to the Agricultural Land Commission for consideration based on agricultural merits noting Council IS supportive of the proposal;
- Refer the application to the Agricultural Land Commission for consideration based on agricultural merits noting Council is NOT supportive of the proposal; or
- Refer the application to the Agricultural Land Commission for consideration based on agricultural merits with NO comment.

### RATIONALE:

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



**RECOMMENDATION:**

**That** Council consider the subdivision application submitted by Marlyn Sparks for the property located at 20883 Louie Crescent within the Agricultural Land Reserve and select one of the following options:

- a) Refer the application to the Agricultural Land Commission for consideration based on agricultural merits noting Council IS supportive of the proposal;
- b) Refer the application to the Agricultural Land Commission for consideration based on agricultural merits noting Council is NOT supportive of the proposal; or
- c) Refer the application to the Agricultural Land Commission for consideration based on agricultural merits with NO comment.

**EXECUTIVE SUMMARY:**

The applicant, pursuant to Section 21(2) of the *Agricultural Land Commission Act* (ALC Act), has applied to subdivide a 0.88 ha (2.17 ac) property into two (2) lots.

The subject property located at 20883 Louie Crescent is within the Agricultural Land Reserve (ALR) and designated Agricultural/Countryside in the Rural Plan (adopted in 1993). The property is zoned Residential Float Home Zone FH-1, which has no required minimum lot size; although the Agricultural/Countryside designation of the Rural Plan anticipates a minimum parcel size of 8.0 ha (19.8 ac).

The subject property is one (1) of four (4) properties located on the banks of the Fraser River that were rezoned to Residential Float Home Zone FH-1 in 1999. The subject property currently is 'hooked' across Louie Crescent and accommodates a single family dwelling on the northerly portion and servicing infrastructure for the float homes and marina on the portion south of Louie Crescent.

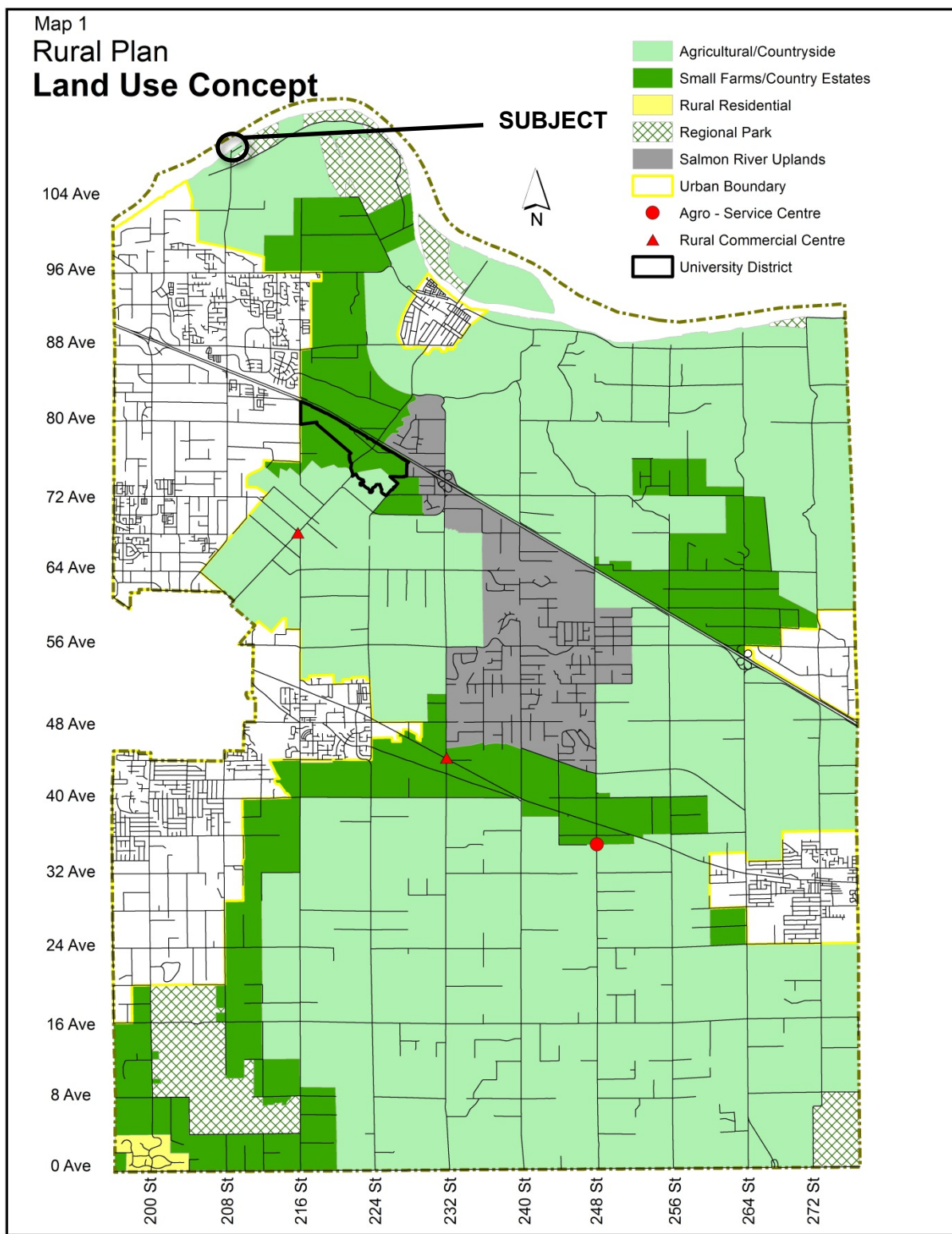
The applicant indicates they wish to sell the southerly portion of the lot with the marina / float house facilities and retain ownership / occupancy of the single family residence located on the northerly portion of the lot. ALC approval is required in order for the Approving Officer to further consider the proposed subdivision application, which intends to 'unhook' the subject property and create one (1) lot north and one (1) lot south of Louie Crescent.

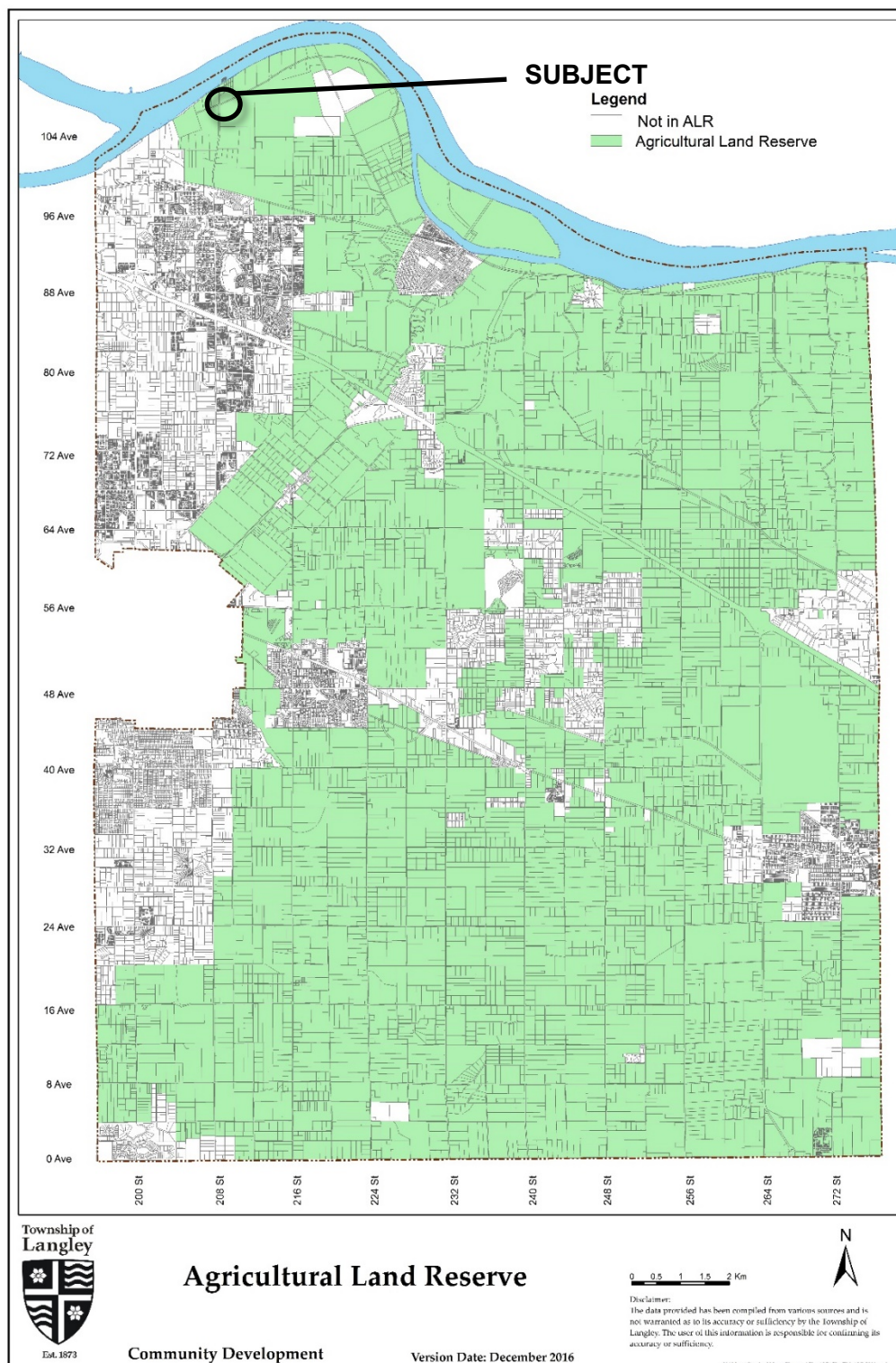
Section 25(3) of the ALC Act provides Council the opportunity to comment on the application, but requires that the application be referred to the ALC for consideration as the subject lands existing zoning (FH-1) does not accommodate farm uses, despite the land being located in the ALR. Accordingly, staff recommend that Council consider the recommendation options in referring the application to the ALC. As staff understand, the application may be considered by the ALC pursuant to s. 25(1) of the ALC Act with or without a referral by the Township.

Details of the proposed subdivision will be addressed at a potentially subsequent stage, should the application be approved by the ALC, all 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.

**PURPOSE:**

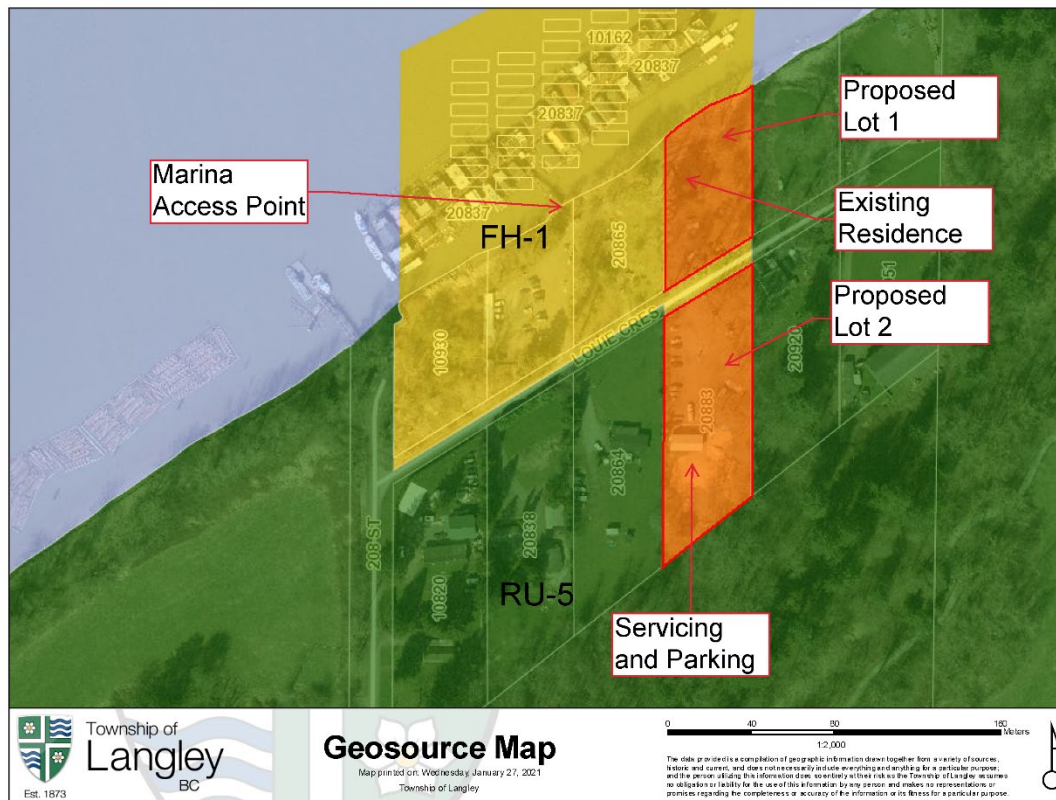
This report provides Council with information and a recommendation with respect to an ALR subdivision application submitted under Section 21(2) of the *ALC Act* by Marlyn Sparks.



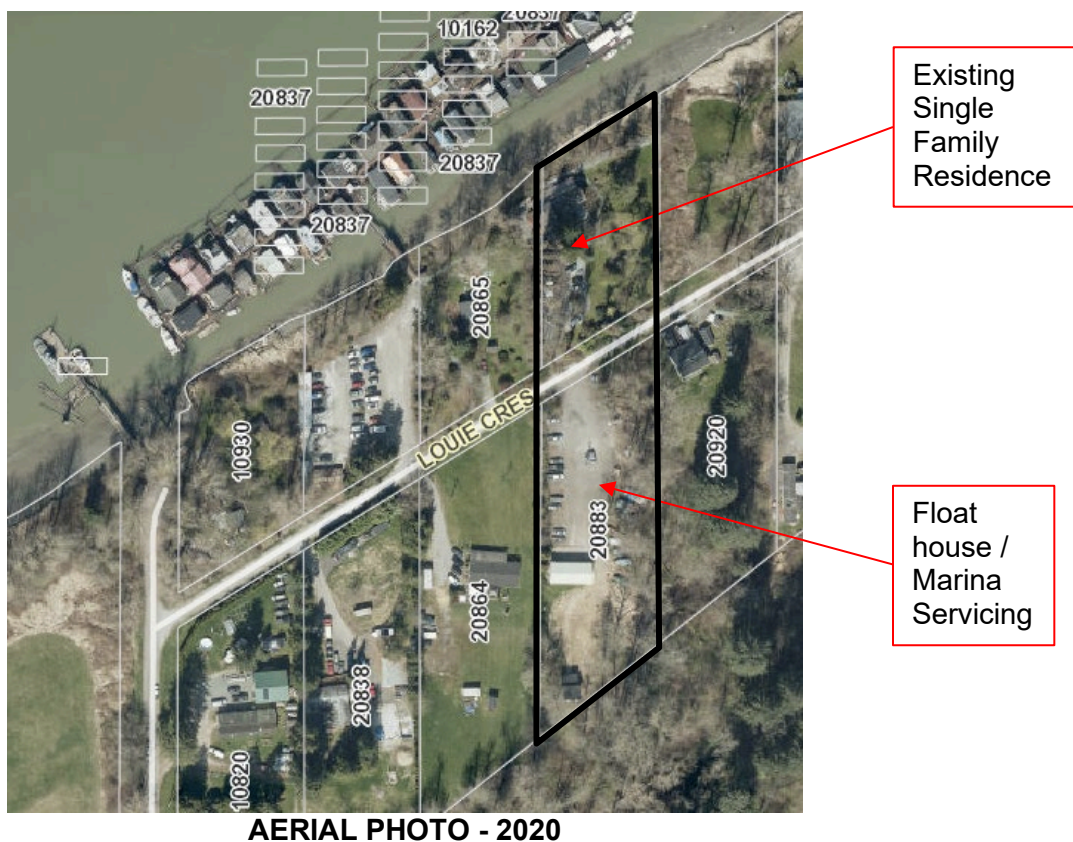




**ZONING BYLAW NO. 2500**



### PRELIMINARY SUBDIVISION LAYOUT



**REFERENCE:**

|                                   |  |
|-----------------------------------|--|
| <b>Owner/Applicant:</b>           | Marlyn Sparks<br>20883 Louie Crescent<br>Langley, BC V1M 4B2                 |
| <b>Legal Description:</b>         | Parcel A (EPP 29336) Lots 3 and 4 District Lot<br>53 Group 2 T NWD Plan 4283 |
| <b>Location:</b>                  | 20883 Louie Crescent   |
| <b>Area:</b>                      | 0.88 ha (2.17 ac)  |
| <b>Existing Zoning:</b>           | Residential Float Home Zone FH-1   |
| <b>Minimum Lot Size:</b>          | No Required Minimum Lot Size   |
| <b>Rural Plan:</b>                | Agricultural/Countryside   |
| <b>Agricultural Land Reserve:</b> | In the Agricultural Land Reserve   |

**BACKGROUND / HISTORY:**

The subject property is located at 20883 Louie Crescent within the ALR and designated Agricultural/Countryside in the Rural Plan (adopted in 1993). The subject property is one (1) of four (4) properties along Louie Crescent zoned Residential Float Home FH-1 Zone (by Bylaw 1999 No. 3812) accommodating an existing float home marina (Grant's Landing) on Fraser River.

The subject property (and Louie Crescent) was created by subdivision on November 24, 1927. The six (6) original lots were all 'hooked' across Louie Crescent, though the three (3) western lots have since subdivided (unhooked). In 1966, the western lot line of the subject property was moved west by approximately 19.5 m (64 ft) which increased the lot size of the subject site from 0.77 ha (1.91 ac) to 0.88 ha (2.17 ac). Therefore, the site is subject to the Commission determined subdivision application and approvals process.

According to Township records, the property began accommodating float homes in 1978 shortly after being purchased by Mr. Grant in 1977. In 1982, the Fraser River Harbour Commission and the Township of Langley initiated a compliance process for the float home marina. The first of a series of Reports to Council was advanced to Council November 7, 1983 seeking Council endorsement of the proposed waterfront lease from the Fraser River Harbour Commission to accommodate the marina facility. On January 14, 1985 a second Report to Council was forwarded where staff recommended that the rezoning process should be initiated given the existence of the float home development and tentative water lease approval. The applicant subsequently applied to rezone the site January 31, 1985.

After unsuccessful initial attempts to rezone the property, due largely to challenges entering into a satisfactory development servicing agreement, Council granted final reading to Rezoning Bylaw No. 3812 in 1999 rezoning the lands to Residential Float Home Zone FH-1.

The applicant is currently seeking approval to subdivide ('unhook') the property in order to sell the marina facility and retain ownership / occupancy of the northern portion of the foreshore property. As the subject site is located in the Agricultural Land Reserve (ALR), approval from the Agricultural Land Commission (ALC) is required. According to an August 24, 1998 Report to Council, the ALC stated that they had no objection to the rezoning proposal at that time.

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

#### **DISCUSSION / ANALYSIS:**

An application has been submitted pursuant to Section 21(2) of the ALC Act to subdivide the subject property into two (2) rural lots. The subject property is 'hooked' across Louie Crescent and the owner wishes to separate the property into two (2) separate parcels in order to retain ownership / occupancy of the existing single family dwelling located on the northern portion of the property. The southern portion of the property accommodates the parking, water, and sewer infrastructure that services the marina lots secured by easement and restrictive covenant registered on title. The application form indicates that the owner intends to sell the marina together with the proposed southern lot and retain residency on the proposed northern lot.

The subject property is designated Agricultural/Countryside in the Rural Plan which identifies an 8.0 ha (19.8 ac) minimum lot size. The proposed subdivision is able to be considered as the Township of Langley Zoning Bylaw (Section 110 – Subdivision Requirements) does not currently specify minimum requirements for lot area, lot depth, or lot frontage for the site's current FH-1 zoning.

The proposed lots are 0.40 ha (1.0 ac) and 0.47 (1.17 ac) in size with frontages along Louie Crescent as shown on the proposed subdivision layout included in this report.

#### **Description of Property:**

The applicant indicates the subject property currently accommodates a single family dwelling on the northerly portion and an accessory building on the southerly portion with parking, water and sewer infrastructure for the float homes and marina secured by easement and restrictive covenant registered on title.

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

- North:** The Fraser River zoned Residential Float Home FH-1 Zone accommodating approximately 35 residential float homes, beyond that is Maple Ridge, BC.
- South:** A 5.5 ha (13.5 ac) rural property (accommodating the Trans Canada Trail) zoned Rural Floodplain Zone RU-5, located within the ALR and designated Agricultural/Countryside in the Rural Plan;
- East:** A 0.77 ha (1.9 ac) rural property zoned Rural Floodplain Zone RU-5, located within the ALR and designated Agricultural/Countryside in the Rural Plan;
- West:** Two (2) rural properties: one (1) is 0.20 ha (0.5 ac) in size and zoned Residential Float Home FH-1 Zone, the other is 0.50 ha (1.3 ac) in size and zoned Rural Floodplain Zone RU-5; both are 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 2019 No. 5382 designates the subject property Service Level 4 - Rural. The minimum servicing requirement for each proposed lot is individual well and onsite septic disposal system (including nitrate removal). Should the subdivision advance, a restrictive covenant will be required for the location (including both primary and reserve fields), design and maintenance of the septic fields as well as dedication and construction of Louie Crescent along the property frontage in accordance with the Subdivision and Development Servicing Bylaw.

The proposed southerly lot currently accommodates water and septic services for the float home facility on the Fraser River. Staff note that the subject site and adjacent lots zoned FH-1 are subject to easements and restrictive covenants pertaining to the float home use that should subdivision approval be granted, both proposed lots will remain subject to. Additional servicing details and requirements are to be addressed at time of subdivision, should the application be approved by the ALC.

**Environmental Considerations:**

The subject property abuts the Fraser River (a red coded watercourse), any site improvements are required to comply with Provincial Riparian Areas Protection Regulation.

**Policy Considerations:**

The subject site is located within the ALR and designated Agricultural/Countryside in the Rural Plan. The subject site's current Residential Float Home Zone FH-1 does not accommodate a farm use. Section 25(3) of the ALC Act provides Council the opportunity to comment on the application but requires that the application be referred to the ALC for consideration as the subject lands are not zoned to accommodate a farm use. Staff recommend that Council forward the application to the ALC in consideration of the options presented. Should the ALC approve the application, 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.

Respectfully submitted,

Daniel Graham  
DEVELOPMENT PLANNER  
for  
COMMUNITY DEVELOPMENT DIVISION