



## REPORT TO MAYOR AND COUNCIL

<b>PRESENTED:</b>	JUNE 15, 2026 - REGULAR MEETING	<b>REPORT:</b>	26-66
<b>FROM:</b>	COMMUNITY DEVELOPMENT DIVISION	<b>FILE:</b>	11-19-0041
<b>SUBJECT:</b>	AGRICULTURAL LAND COMMISSION APPLICATION NO. 100478 (WALL / 22311 NO. 10 HIGHWAY)		

### PROPOSAL:

Non-farm use application to the Agricultural Land Commission (ALC) to permit a private family mausoleum at 22311 No. 10 Highway within the Agricultural Land Reserve (ALR).

### RECOMMENDATION SUMMARY:

That Council refer the application to the ALC for consideration based on agricultural merits.

### RATIONALE:

Subject to ALC approval, the proposed private family mausoleum requires a site-specific zoning bylaw amendment to permit the use. The proposed mausoleum is on a limited footprint for private family use.

### RECOMMENDATION:

**That** Council consider the non-farm use application and refer the non-farm use application to permit a private family mausoleum at 22311 No. 10 Highway to the Agricultural Land Commission for consideration based on agricultural merits.

### EXECUTIVE SUMMARY:

The applicant has applied for non-farm use approval to permit a private family mausoleum on an approximately 0.2 ha (0.5 ac) portion of the 31.9 ha (78.82 ac) property located at 22311 No. 10 Highway within the Agricultural Land Reserve (ALR). The proposal consists of a private family interment structure (maximum of four crypts), which according to the applicant, is located entirely within the existing residential yard area of the farm, adjacent to accessory buildings and maintained lawn.

The applicant has described the proposal as a limited private family use, with no commercial activity, public access, or planned expansion.

Under the *Cremation, Interment and Funeral Services Act*, a private mausoleum or burial site on a property is permitted only if the property is formally designated as a cemetery. Because the subject property is located within the ALR, the proposed use is classified as a non-farm use and therefore requires approval from the ALC.

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Should Council elect to advance the application and the ALC approve the proposed non-farm use, a site-specific zoning bylaw amendment would be required as a private family mausoleum (cemetery) is not listed as a permitted use under the Rural Zone RU-3. This amendment is one of the conditions that must be met prior to obtaining a Certificate of Public Interest from Consumer Protection BC. All other applicable municipal, provincial and federal approvals would also be required before the proposed use could proceed.

**PURPOSE:**

To provide Council with information and recommendation options with respect to an ALR non-farm use application submitted under Section 20(2) of the *Agricultural Land Commission Act*.

**REFERENCE:**

<b>Owner:</b>	Peter Wall 22311 No. 10 Highway Langley, BC V2Y 2K6
<b>Agent:</b>	City Centre Planning 6975 Odlum Court West Vancouver, BC V7W 3B6
<b>Legal Description:</b>	Lot A District Lot 21 Group 2 New Westminster District Plan BCP51202
<b>Location:</b>	22311 No. 10 Highway
<b>Area:</b>	31.9 ha (78.82 ac)
<b>Existing Zoning:</b>	Rural Zone RU-3
<b>Rural Plan:</b>	Agricultural / Countryside A.C.T Stock Farm
<b>Agricultural Land Reserve:</b>	In the Agricultural Land Reserve

**BACKGROUND/HISTORY:**

- The subject property, located at 22311 No. 10 Highway, is designated Agriculture in the Metro Vancouver Regional Growth Strategy (RGS) and Official Community Plan (OCP), Agricultural / Countryside and A.C.T Stock Farm in the Rural Plan, zoned Rural Zone RU-3 and situated within the Agricultural Land Reserve.
- The subject property is currently used as an equine livestock operation and contains one dwelling and agricultural outbuildings.
- The Township has received an application under Section 20(2) of the ALC Act for a non-farm use to permit a private family mausoleum on an approximately 0.2 ha (0.5 ac) portion of the 31.9 ha (78.82 ac) property.
- The *Cremation, Interment and Funeral Services Act* sets the rules in British Columbia for how human remains are handled and how burial places are established and operated. Under this Act, a Certificate of Public Interest is required before land can be used as a place of interment where burial rights may be granted.
- As part of the Certificate of Public Interest application, the proponent must provide evidence that the proposed site has been approved by the local government or other authority with jurisdiction over zoning, confirming that the use is permitted under applicable bylaws.
- Under the Township of Langley Zoning Bylaw, a cemetery is defined as “land that is set apart or used as a place of burial of human remains or cremated remains and includes any incidental or ancillary buildings on the land.” A private family mausoleum is considered a cemetery use and is not permitted in the Rural Zone RU-3.

- As the subject site is located within the ALR and a private family mausoleum is not identified as a permitted use under the ALR Use Regulation, the proposal is considered a non-farm use and requires approval from the ALC.
- Should Council elect to advance the application and the ALC approve the proposed non-farm use, a site-specific zoning bylaw amendment would be required as a private family mausoleum (cemetery) is not listed as a permitted use under the Rural Zone RU-3. This amendment is one of the conditions that must be met prior to obtaining a Certificate of Public Interest from Consumer Protection BC. All other applicable municipal, provincial and federal approvals would also be required before the proposed use could proceed.
- The ALC Act allows Council the opportunity to provide recommendations on non-farm use applications made to the ALC. Information available to Council to consider making recommendations are policies contained in the Township's OCP, Rural Plan and Zoning Bylaw; as well as other site-specific information.

#### DISCUSSION/ANALYSIS:

- The applicant has applied for a non-farm use to permit a private family mausoleum intended for a maximum of four family crypts.
- The subject property is designated Agricultural / Countryside and A.C.T Stock Farm in the Rural Plan. Section 2.1 of the Rural Plan states:
 

*“The primary goal of the Rural Plan is to enhance agricultural viability through recognition and protection of the diverse agricultural lands, preservation of larger lot sizes, creation of policies that reinforce designation of much of the land as ALR and encouragement of the agricultural industry within Langley...”*
- Section 5.3.1- of the Rural Plan notes:
 

*“Council may recommend approval of development applications in the ALR to the Agricultural Land Commission where such developments conform to the policies of this plan and would not adversely impact existing or adjacent agricultural operations.”*
- Relevant Rural Plan policies include:
 

*“a) In areas designated Agriculture/Countryside, agricultural uses and considerations shall have priority over non-agricultural uses, where such uses would have an adverse impact on agriculture. Non-agricultural uses that do not comply with provisions of this plan are not permitted.*

*b) Non-agricultural uses that comply with other provisions of this Plan shall provide buffers adjacent to agricultural land and the siting of buildings and access shall minimize negative impacts on agricultural uses.”*
- As noted by the applicant, the proposed mausoleum is located within the existing residential area of the farm and would not impact on current agricultural operations:
 

*“The proposed non-farm use area is located entirely within the existing residential yard area of the farm, adjacent to existing accessory buildings and maintained lawn. The mausoleum occupies a very small footprint and does not involve the removal of productive agricultural land or interfere with ongoing farm operations. No expansion of the residential footprint is required.”*

- A cemetery is generally considered an institutional use and is not contemplated within the Agricultural / Countryside designation. Policy 5.15 of the Rural Plan directs institutional uses to locate within Agro-Service Centres or Rural Commercial Centres. In this case, the applicant has provided rationale to distinguish the proposal as a limited private family use rather than a broader institutional cemetery. The applicant further notes that:

*“We respectfully submit this application for Non-Farm Use approval to recognize a small, limited private family mausoleum as a place of interment accessory to the existing farm residence.”*

*“The mausoleum is intended strictly for private family use only, with a maximum of four (4) crypts for family members. No commercial activity is proposed, no public access will be permitted, and no expansion of the mausoleum or interment area is planned.”*

- As outlined, the proposal is limited in scale, with a lack of public access and an absence of institutional characteristics.
- The Township’s Cemetery Bylaw regulates public cemeteries and does not currently address private family interment sites.
- Should Council advance the application and the ALC approve the proposed non-farm use, additional municipal, provincial and federal approvals would be required prior to establishment of the use.

#### Adjacent Uses:

	Existing Use	Rural Plan Designation	Existing Zoning	ALR
<b>North:</b>	A property with a dwelling, agricultural buildings and a farm traversed by the Salmon River along its northern portion.	Agriculture / Countryside and University District	Rural Zone RU-3 and Comprehensive Development CD-88	In ALR
<b>South:</b>	Highway 10, beyond which are properties with dwellings, agricultural buildings and farms	Agriculture / Countryside	Rural Zone RU-3	In ALR
<b>East:</b>	72 Avenue, beyond which are properties with dwellings, agricultural buildings and farms	Small Farms / Country Estates	Rural Zone RU-1	In ALR
<b>West:</b>	Glover Road, beyond which are properties with farms	Agriculture / Countryside	Rural Zone RU-3	In ALR

#### Policy Considerations:

Under the *Cremation, Interment and Funeral Services Act*, a private mausoleum or burial site is only permitted where the land is formally designated as a cemetery.

Pursuant to Section 20 of the ALC Act, the proposal is considered a non-farm use within the ALR and requires approval from the ALC. Council’s consideration of the application is required before it can be forwarded to the ALC for review.

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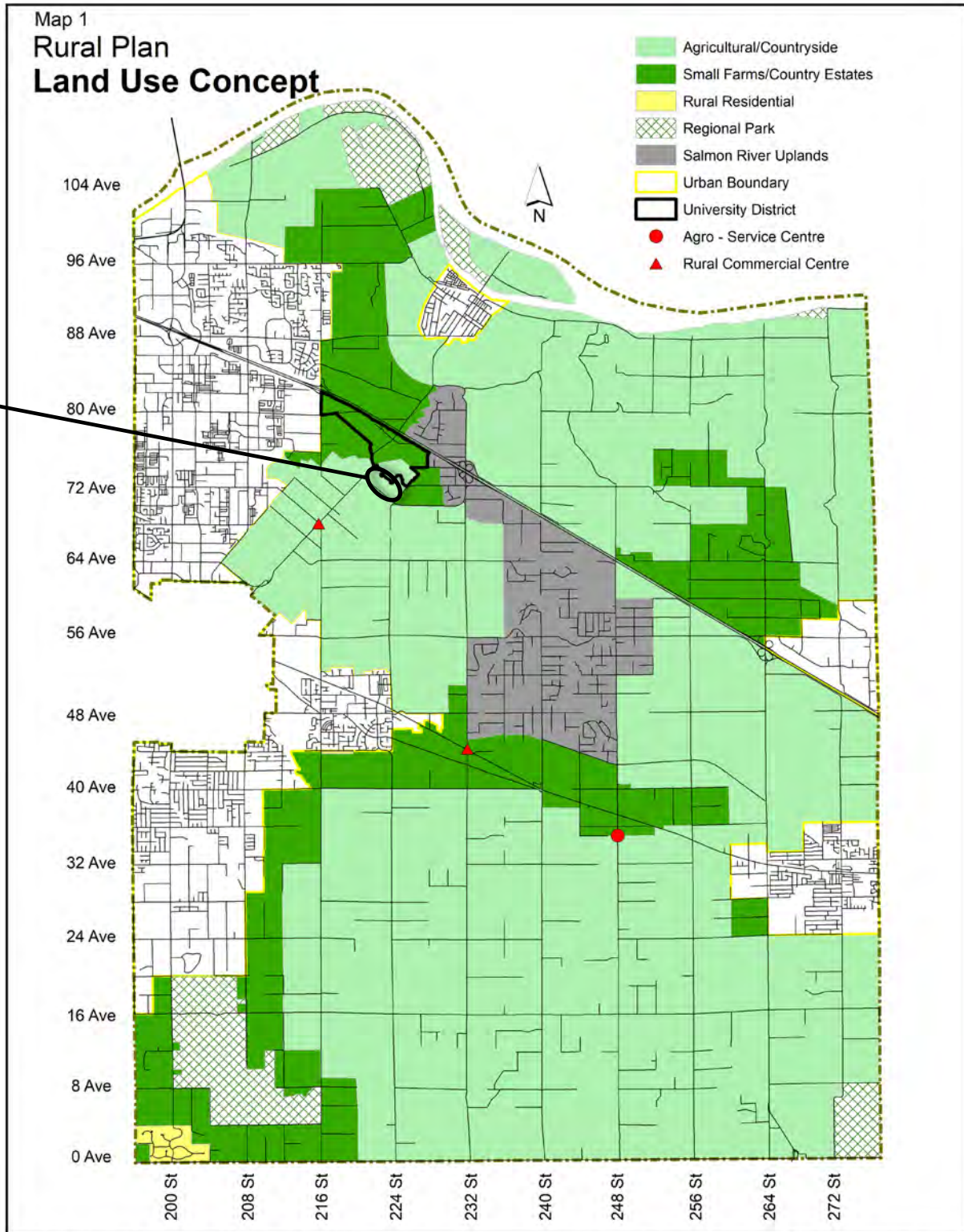
As a cemetery is not listed as a permitted use under the Rural Zone RU-3, a site-specific zoning bylaw amendment would be required should Council advance the application and the Agricultural Land Commission approve the proposed non-farm use. Council consideration of a site-specific zoning bylaw amendment, should the ALC approve the proposal, is pursuant to Section 479 of the *Local Government Act* which grants Council explicit discretionary power to enact zoning bylaws to regulate the use of land. This bylaw amendment would be required prior to obtaining a Certificate of Public Interest from Consumer Protection BC, along with all other applicable municipal, provincial and federal approvals before the use could commence.

Respectfully submitted,

Mohammad Nemati  
DEVELOPMENT PLANNER  
for  
COMMUNITY DEVELOPMENT DIVISION

ATTACHMENT A      Maps and Graphics

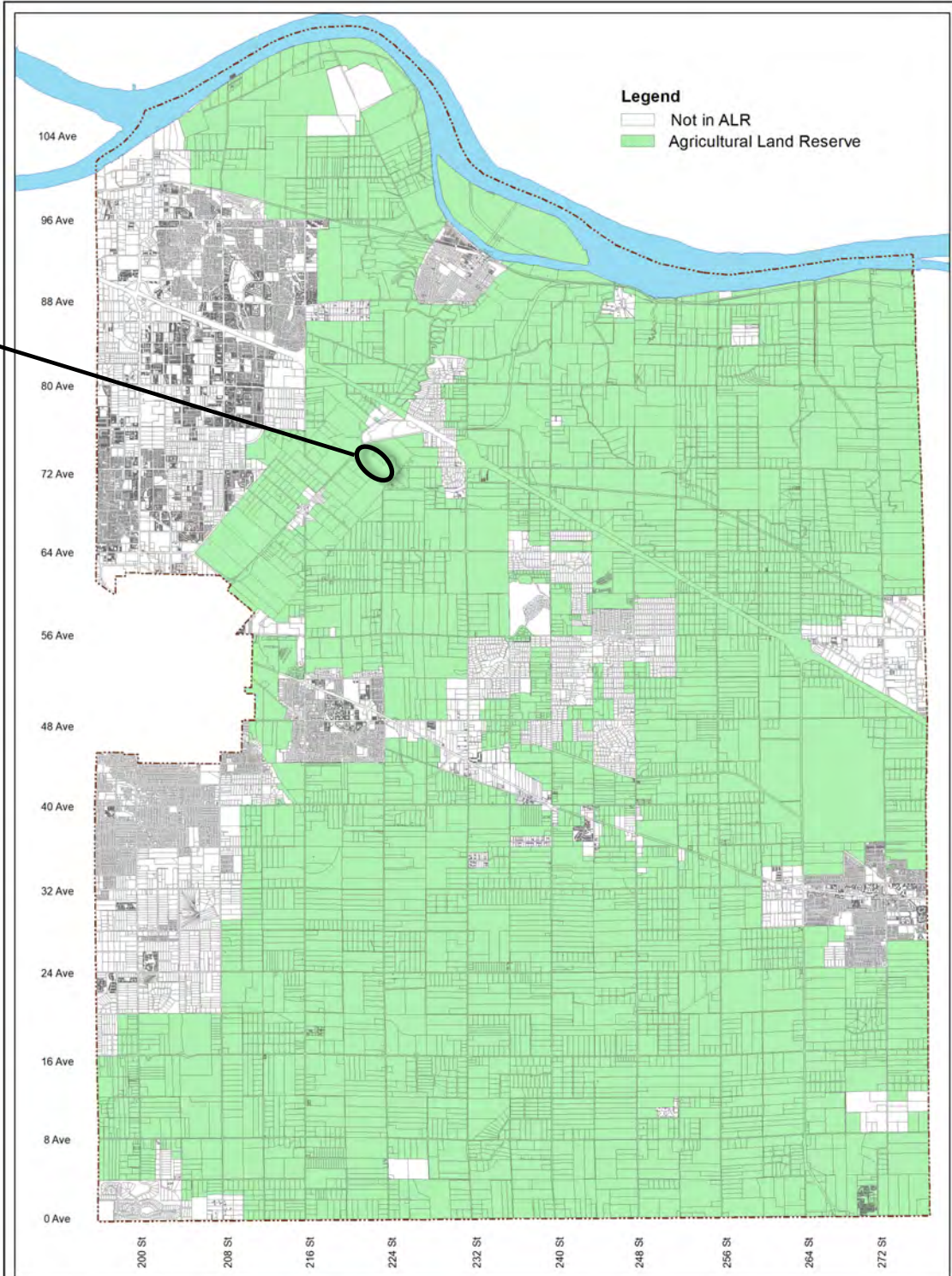




Amendment Bylaw No. 5409 - April 27, 2026

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SUBJECT



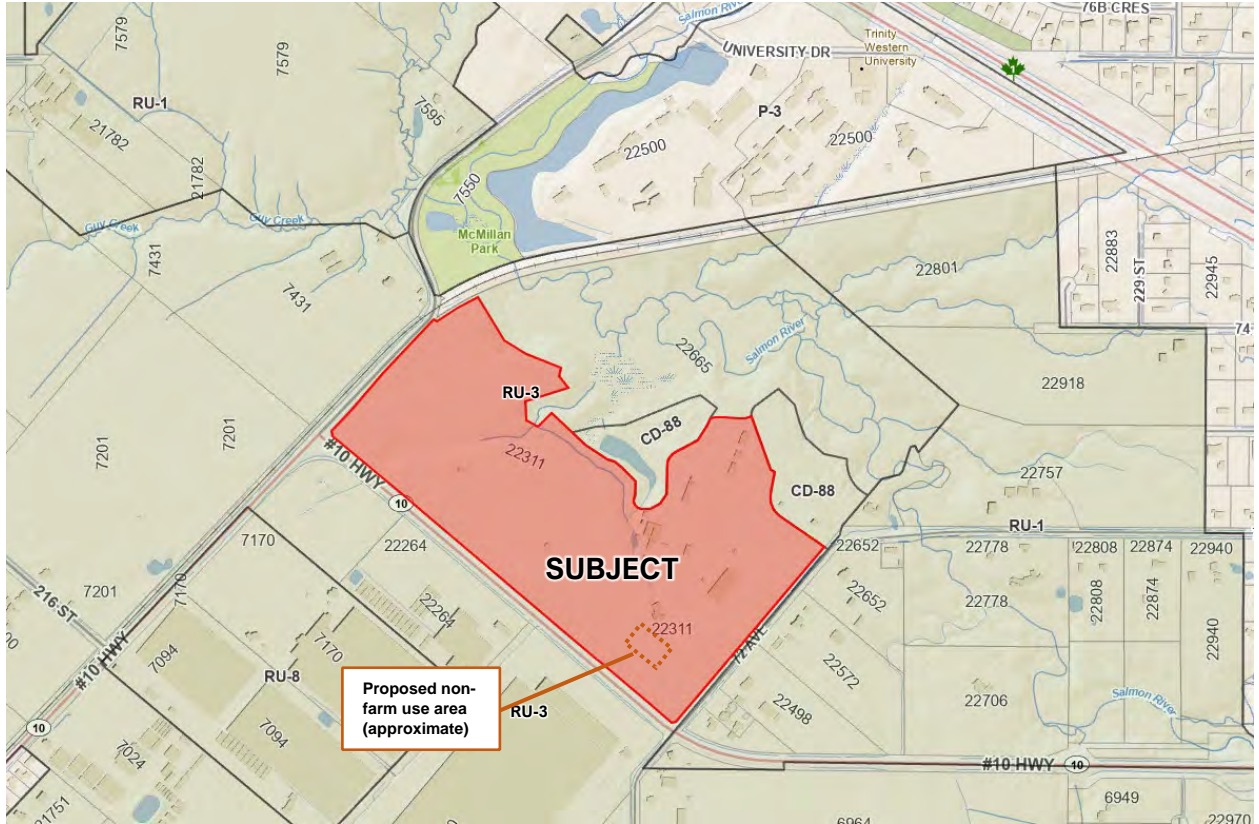
### Agricultural Land Reserve

Community Development

Version Date: May 2025



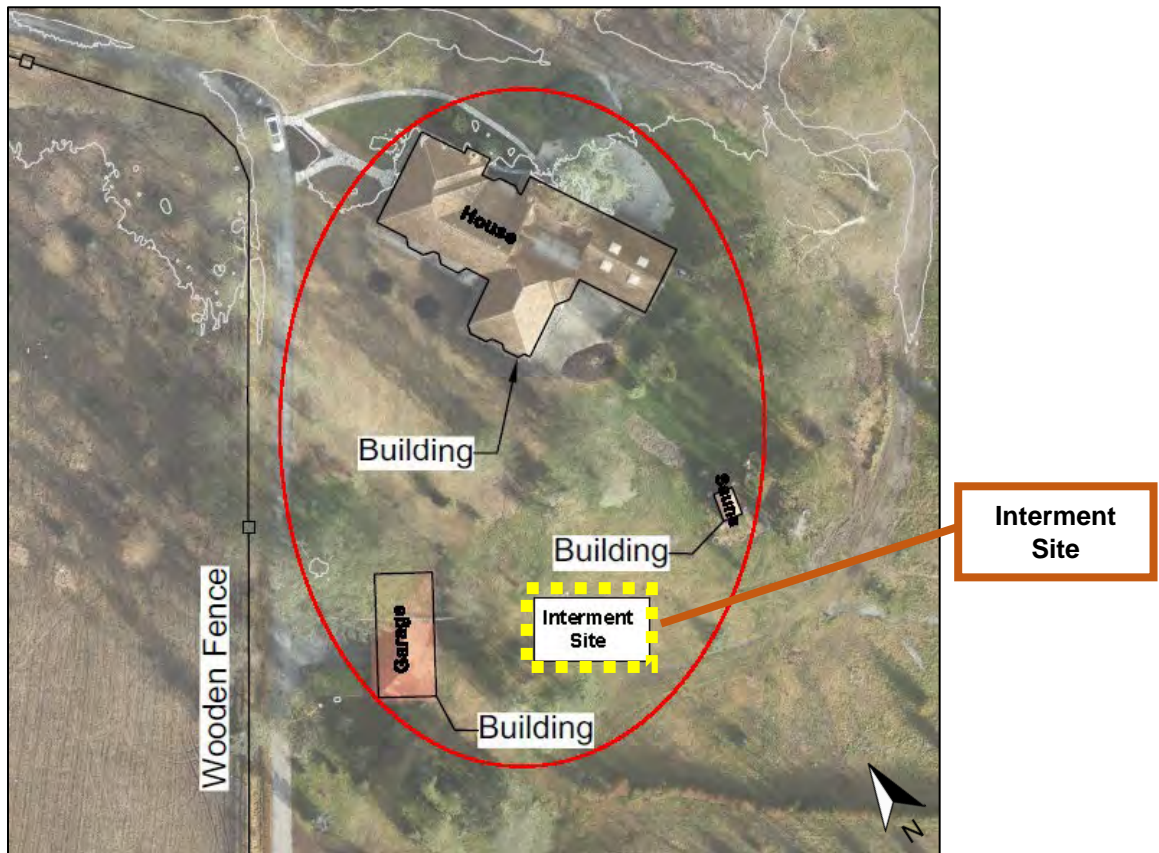
Disclaimer:  
The data provided has been compiled from various sources and is not warranted as to its accuracy or sufficiency by the Township of Langley. The user of this information is responsible for confirming its accuracy or sufficiency.



**ZONING BYLAW NO. 2500**



**SITE PLAN – SUBMITTED BY APPLICANT**



**SITE PLANS (DETAILED) – SUBMITTED BY APPLICANT**

- Annotation and north arrow added by staff