



**Agricultural Land Commission**  
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February 7, 2008

Reply to the attention of Terra Kaethler  
ALC File: # C-37758

Rowils Estates Ltd  
4144 Shelbourne Street  
Victoria, BC V8N3E7

Dear Sir/Madam:

Re: Application to Exclude land from the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 3/2008 outlining the Commission's decision as it relates to the above noted application.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Erik Karlsen, Chair

cc: The District of Sooke (ALREX2007-0432)

Enclosure: Minutes

TKi/37758d1.doc



## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

**A meeting was held by the Provincial Agricultural Land Commission on January 17, 2008 in Langford, B.C.**

<b>PRESENT:</b>	Lorne Seitz	Chair, Island Panel
	David Craven	Commissioner
	Donald Rugg	Commissioner
	Terra Kaethler	Staff

### For Consideration

Application: # C- 37758  
 Applicant: Rowils Estates Ltd.  
 Proposal: To exclude the 2.7 ha subject property for future development.  
 Legal: PID: 006-391-877  
 Location: Lot E, Section 45, Sooke District, Plan 2136  
 Location: Kirby Road, Sooke

### Site Inspection

A site inspection was conducted on January 17, 2008. Those in attendance were:

- Lorne Seitz Chair, Island Panel
- David Craven Commissioner
- Donald Rugg Commissioner
- Terra Kaethler Staff
- Gerry and Willy Chan Applicants

The Commission met with the applicants and walked the periphery of the property. The Commission noted that the property was surrounded by a mobile home park, an industrial area, and residential homes. It was further noted that the property was forested and undeveloped, and that the soils appeared to have excess water.

### Context

The proposal was weighed against the purposes of the Commission as stipulated in section 6 of the *Agricultural Land Commission Act* (the "Act"). They are:

1. to preserve agricultural land
2. to encourage farming on agricultural land in collaboration with other communities of interest, and
3. to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

### Discussion

#### **Assessment of Agricultural Capability**

In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. The ratings are interpreted using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system, or the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system.

The agricultural capability of the soil of the subject property is identified as improvable to Class 4 with a limitation of stoniness. Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

Upon the site visit, the Commission noted that the subject property was swampy and appeared to have limitations of undesirable soil structure and excess water. It further noted that these limitations are identified on the agricultural capability mapping (1:50,000 scale) to the north of the subject property and appear to be indicative of the subject property as well.

Although the Commission recognized that the agricultural capability of the property has limitations, it believed that the property has sufficient capability to warrant its retention in the ALR.

### **Assessment of Agricultural Suitability**

The Commission assessed whether the external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission recognized that the subject property was surrounded on three sides by non-ALR land and non-agricultural uses, however the Commission did not believe that these external factors rendered the property unsuitable for agricultural use.

### **Assessment of Other Factors**

Although the Commission did not believe that exclusion of the subject property from the ALR was warranted, it noted that the District of Sooke is in the process of an OCP review and may be revising its current boundaries for urban development. The Commission expects to be involved in this process, and may be prepared to reconsider this application, based on the results of a revised OCP.

### **Conclusions**

1. That the land under application has agricultural capability.
2. That the land under application is suitable for agricultural use.
3. That the Commission may be prepared to reconsider this application based on the results of the District of Sooke OCP review.

### **IT WAS**

**MOVED BY:** Commissioner Craven

**SECONDED BY:** Commissioner Rugg

THAT the application be refused as proposed.

### **CARRIED**

**Resolution # 3/2008**