



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000
Fax: 604 660-7033
www.alc.gov.bc.ca

Reply to the attention of Terra Kaethler
ALC File: C-38408

April 7, 2009

Darren Noble
2110 Skylark Lane
Sidney, BC V8L1Y4

Dear Sir/Madam:

Re: Application for Non-Farm Use in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 92/2009 outlining the Commission's decision as it relates to the above noted application. As agent, it is your responsibility to notify your client(s) accordingly.

Please note that an Irrevocable Letter of Credit (LOC) in the amount of \$10,000 is to be posted with the Commission to ensure the removal of fill in the unlikely event that the property is not developed in accordance with the revised proposal. The LOC is to be provided prior to placement of fill onto the property.

Please advise the Commission when the proposal has been completed to a level that can be used for agricultural production, within the required time limit of 12 months of the date of this letter. The Commission will schedule a site visit to inspect the project and should it meet its approval, the Commission will release the LOC.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Erik Karlsen, Chair

Enclosure: Minutes/Sketch Plan

cc: District of North Saanich

TK/
i/38408d2.doc



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on March 26, 2009 in Powell River, B.C.

PRESENT:	Lorne Seitz	Chair, Island Panel
	David Craven	Commissioner
	Jennifer Dyson	Commissioner
	Roger Cheetham	Staff

For Consideration

Application: # C- 38408
Applicant: Hali Strandlund
Agent: Darren Noble
Proposal: To request that the Commission reduce the amount of the Letter of Credit required to \$5,000-10,000, based on a revised proposal for less fill and a completion date of one year.
Legal: PID: 011-289-147
Lot 4, Section 19, Range 1 West, North Saanich District, Plan 46824
Location: 1590 Wain Road

Site Inspection

No site inspection was conducted.

Reconsideration request

The Commission determined that reconsideration was warranted under Section 33(1) of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration based on the submission of information which was not available at the time of original consideration by the Commission.

Discussion

The Commission reviewed the letter of request for reconsideration and revised plan received March 13, 2009. Based on the revised plan for a reduced amount of fill in a restricted area on the property (Orchard #3), as well as the commitment to complete the project within one year of the date of this letter, the Commission had no objection to the reduction of the required Letter of Credit (LOC) to \$10,000.

IT WAS

MOVED BY: Commissioner Seitz
SECONDED BY: Commissioner Dyson

THAT the reconsideration request be approved;

AND THAT the approval is subject to the following conditions:

- That the amount of fill brought on to the property be limited to a maximum of 2500 cubic meters and limited to the area described as Orchard #3 on the sketch provided with the application.
- That no fill brought on to the property include structural fill or impermeable clay material
- That any topsoil removed for the proposal be salvaged and replaced to enhance the productive agricultural capability of the property
- That an Irrevocable Letter of Credit (LOC) be posted with the Commission in the amount of \$10,000 to ensure the property is developed in accordance with the proposal to enhance agricultural use on the property. The LOC is to be returned upon the completion of the project to the satisfaction of the Commission.
- The proposal must be completed within one (1) year from the date of this decision.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

CARRIED
Resolution # 92/2009

Provincial Agricultural Land Commission

Application # 38408

Resolution #92/2009

 Subject Property

 Approved area for maximum of 2500 cubic meters of fill

Brad Cunin Land Surveying

B. C. Land Surveyor's Certificate

LOT 4, SECTION 19, RANGE 1 EAST,

Parcel Identifier: 011-289-147

In the Municipality of North Saanich.

Prepared exclusively for: Strandlund Investment Ltd.

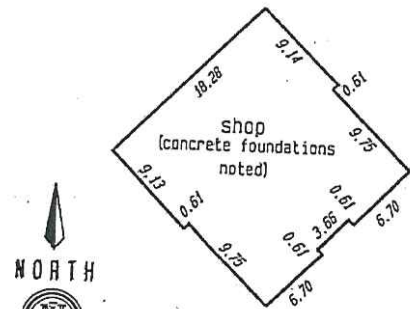
I have inspected the residential premises under construction shown and hereby certify that the said structure is situate with respect to nearby boundaries as shown on this sketch. This document is prepared for the use of the stated party and their interests, and is for inspection purposes only. This document does not represent any form of boundary or lot redefinition, and should not be used in a manner which would assume so. The property is subject to charges, legal notations, and interests shown on the title as of the survey date. There are no encroachments by the said improvements shown.

*Strandlund / Noble
residence
1590 Wain Road*

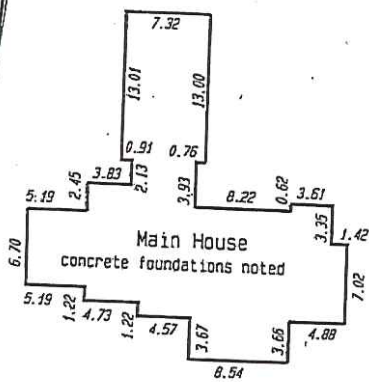
SCALE = 1 : 2000

All distances are in METRES and decimals thereof.

CLAYTON ROAD

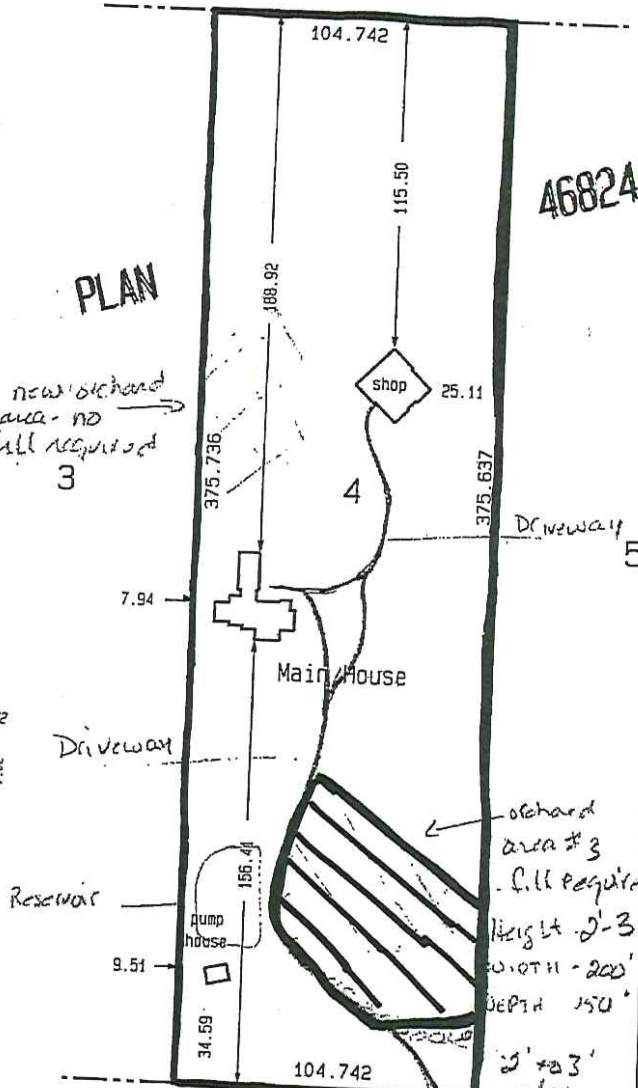


DETAILS:
(NOT TO SCALE)



PLAN

*new orchard area - no fill required
3*



46824

Bradley W Cunin, BCLS
Field Survey - 26 February, 2009.
Dated this 2nd day of March, 2009.

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WAIN ROAD