



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

March 23, 2006

Reply to the attention of Roger Cheetham

Paul & Doreen Zannet
274 Goward Road
Victoria, BC V9E 2J6

Dear Sir/Madam:

RE: **Application #C-36475**
PID: 014-902-281
Lot 1, Section 13, Lake District, Plan 49228

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to deposit 5000 cubic metres of gravel fill material to create a roadbed for access to the rear (western) portion of the property. The application was submitted pursuant to section 20(3) of the *Agricultural Land Commission Act* (the "ALCA").

The Commission wishes to thank you for taking the time to meet with its representatives on 6th March 2006. The Commission found the meeting and site visit informative. In particular, the Commission noted that it is your intention to confine the fill to the steep bank and that the fill is to enable access to be gained to the lower lying area at the bottom of the bank in order that it can be used for agriculture.

The Commission writes to advise that it approved your application subject to:

- the fill being limited to the steeper areas to the east of the low lying area as shown on the attached drawing.
- compliance 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. The Commission suggests you contact the District of Saanich at your earliest convenience.

The decision noted above is recorded as Resolution #0064/2006.

Please quote your application number in any future correspondence.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

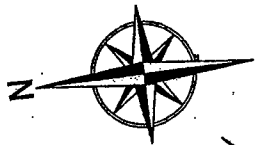
Per:

Erik Karlsen, Chair

pc: District of Saanich

RC/lv/Encl./36475d1

Site Plan Showing:
Lot 1, Section 13,
Lake District, Plan 49228.



Hastings Street
62.79

Dated this 16th day of November, 2005.

B.C.L.S. ©

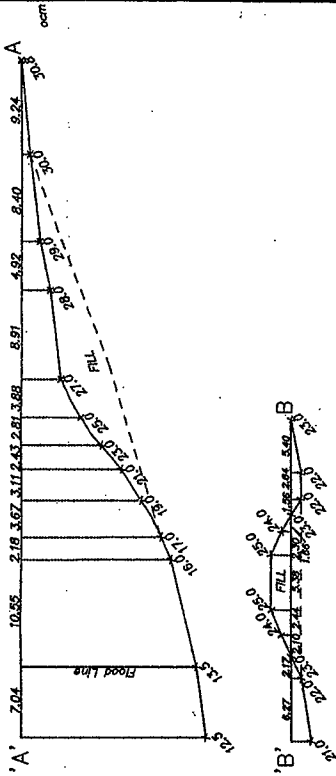
Elevations are based upon geodetic datum.

Distances & elevations shown are in metres.

Scale = 1:1000

Cross Sections

Scale 1:500



Lot 3

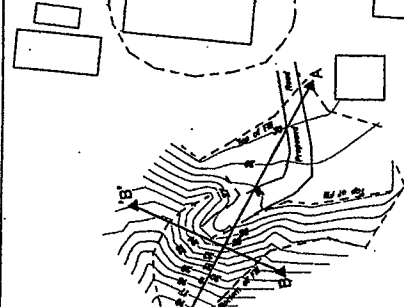
Plan 14207

Lot 2

303.51

Lot 1

Plan 49228



Driveway

108.83

Lot 7

Plan 32082

136.12

75.32

Right of Way 67857

Lot 3 Block E Plan 361

Granville Street
43.27

RICHARD J. WEY & ASSOCIATES
 Land Surveying Inc.

#4-2227 James White Boulevard
 Toronto, Ontario M2H 3S5
 Fax: 514-222-0101 (ext. 5000)

*Limit of area to be used for fill
 i.t.o. Resn. # 0064/2006.*

MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on 6th March 2006 in Victoria, B.C.

PRESENT: Lorne Seitz Chair
David Craven Commissioner
Donald Rugg Commissioner

STAFF: Roger Cheetham, Planning Officer

For Consideration

Roger Cheetham presented the staff report of Gordon Bednard dated 24th February 2006 regarding application #C-36475-0.

Site Inspection

A site inspection was conducted on 6th March 2006. Those in attendance were:

- Commissioners Seitz, Craven & Rugg
- Agricultural Land Commission Staff: Roger Cheetham, Planning Officer
- Paul Zannet, Applicant

The Commission noted that the fill was to be confined to the steep bank and was required to enable access to be gained to an area at the bottom of the bank that has agricultural potential.

The site inspection lasted from approximately 9:50 a.m. to 10:10 a.m.

Commission Discussion: The Commission considered that, provided the fill for the access driveway was kept off the areas with agricultural potential at the bottom of the bank, the application would be of benefit to agriculture in that it would enable use to be made of the areas with agricultural potential.

IT WAS

MOVED BY: Commissioner L Seitz
SECONDED BY: Commissioner D. Craven

THAT the staff report be received and the application be approved subject to the fill being limited to the steeper areas to the east of the low lying area as shown on the attached drawing.

This approval is subject to compliance with any other enactment, legislation or decision of any agency having jurisdiction.

CARRIED



Staff Report
Application # C – 36475-0
Applicant: Paul & Doreen Zannet

DATE PREPARED: February 24, 2006

TO: Chair and Commissioners – Island Panel

FROM: Gordon Bednard, Regional Research Officer

PROPOSAL: To deposit 5000 cubic metres of gravel fill material to create a roadbed for access to the rear (western) portion of the property.

This application is made pursuant to section 20(3) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

The applicant appears not to live on the property (mailing address different from property address).

The volume calculations provided by the applicant for the amount of fill required for this project (5000 cubic metres) appear excessive. Staff estimates that only a fraction of the requested amount would be necessary for the proposed use. As well, the applicant appears to be creating a worse situation than presently exists by the filling of the slope, in going from an existing 20% to a 60% slope.

No plan for the agricultural development of the western portion of the property has been presented.

Local Government:

The Corporation of the District of Saanich

Legal Description of Property:

PID: 014-902-281
Lot 1, Section 13, Lake District, Plan 49228

Location of Property:

4070 Granville Avenue, Saanich

Size of Property:

3 ha (The entire property is in the ALR).

ALR Area under application:

0.1 ha

Present use of the Property:

Residence, various outbuildings, hayfields

Surrounding Land Uses:

- WEST:** Rural residences and hobby farms, some in and some out of ALR
- SOUTH:** Rural residence in ALR
- EAST:** Granville Avenue, rural residences and hobby farms in ALR
- NORTH:** Rural residences and hobby farms in ALR

Agricultural Capability:

Data Source: Agricultural Capability Map # CRD-Study
The majority of the property is identified as having Prime Dominant ratings. (Class 2)

PREVIOUS APPLICATIONS:

Application # 79-8214
 Applicant Zullich
 Date 1980
 Proposal Subdivide a 0.4 ha lot from the parent parcel
 Decision Refused

Application # 20738
 Applicant Giglio
 Date 1986
 Proposal Subdivide a 0.4 ha lot from the parent parcel
 Decision Refused but on reconsideration – allow 0.3 ha lot for mother who helps on farm (registered but does not appear on any mapping from CSAAN or BC cadastral)

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

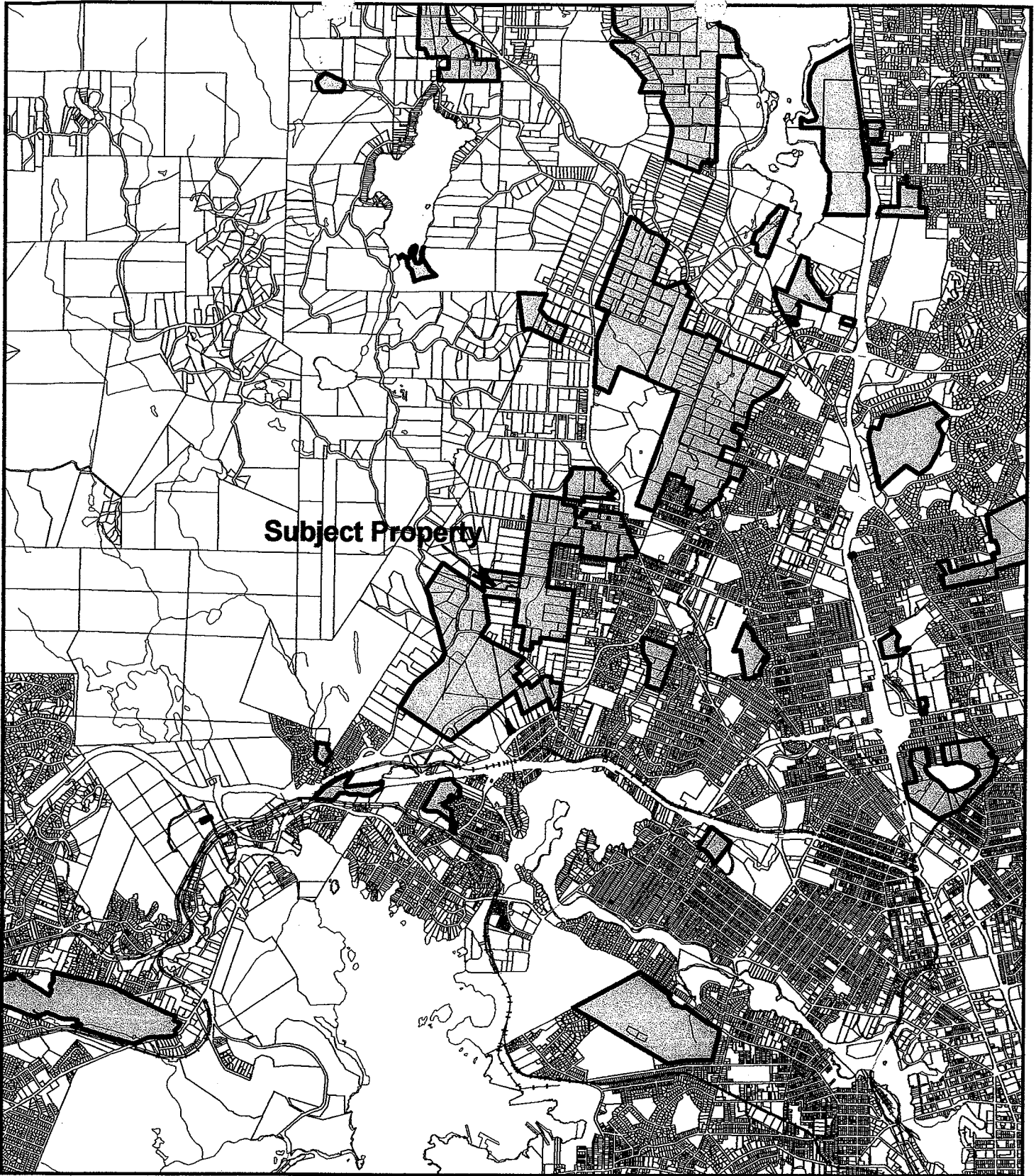
Forwarded without recommendation

STAFF COMMENTS:

There appears to be no agricultural reason to allow this application. The project as proposed would increase the difficulty of accessing the lower portion of the property. Instead of placing fill, the applicant should be considering making a cut through the sloping area to lessen the steepness, and this he could do without the addition of fill material from off the property. Even if there is some reason to allow some fill on the property for a roadbed, the amount requested is far in excess of a reasonable amount to allow for driveway construction. Staff recommends refusal of the application as there appears no agricultural benefit would be derived from the proposal.

END OF REPORT

Signature Date _____



Subject Property



ALC CONTEXT MAP
Application # 36475

Map Scale: 1: 50000

ALC File #: 35-06-36475

NTS Map Sheet #: 92B/6

Regional District: Capital