



**Agricultural Land Commission**  
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August 25, 2006

Reply to the attention of Roger Cheetham

Edward & Marion Shaw  
7096 West Coast Road  
Sooke, BC V0S 1N0

Dear Sir/Madam:

**RE: Application #C-36744**  
PID: 025-103-725  
Lot A, Section 3, Sooke District, Plan VIP72644

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to exclude the property from the Agricultural Land Reserve. The application was submitted pursuant to section 30(1) of the *Agricultural Land Commission Act*.

The Commission wishes to thank your agent for taking the time to meet with its representatives on 3<sup>rd</sup> August 2006. The Commission found the meeting and site visit informative. In particular the Commission noted that the property is within and at the southern edge of an ALR block of properties that have soils with prime agricultural capability ratings and good agricultural potential. The Commission was of the view that notwithstanding the relatively small size of the property, given the good soil conditions, it was capable of being used for small scale hobby farming.

Accordingly, in the absence of any community need considerations it considered that no good reason had been advanced to justify the exclusion of the property from the reserve.

For these reasons, the Commission refused your application as proposed.

The decision noted above is recorded as Resolution # 410/2006.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

per:

Erik Karlsen, Chair

pc: District of Sooke (#ALREX2006-063)  
Ross Blackwell, Focus Corporation, 57 Cadillac Avenue, Victoria V8Z 1T3

RC/lv  
36744d1.

**MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION**

Minutes of a meeting held by the Provincial Agricultural Land Commission (the "Commission") on 3<sup>rd</sup> August, 2006 at the offices of the District of Central Saanich located at 1903 Mount Newton Cross Road, Saanichton, BC

**PRESENT:** Lorne Seitz Chair  
David Craven Commissioner  
Donald Rugg Commissioner

**STAFF:** Roger Cheetham, Regional Planner

**For Consideration**

Roger Cheetham presented the staff report of Simone Rivers dated 7<sup>th</sup> June 2006 regarding application # C - 36744.

**Site Inspection**

A site inspection was conducted on 3<sup>rd</sup> August 2006. Those in attendance were:

- Commissioners Seitz, Craven & Rugg
- Agricultural Land Commission Staff: Roger Cheetham, Regional Planner
- Ross Blackwell, Agent
- Roger Lam, Senior Planner, District of Sooke

The Commission noted that the property is within and at the southern edge of an ALR block of properties that have prime soil capability ratings and good agricultural potential.

The site inspection lasted from approximately 10:30 a.m. to 10:45 a.m.

**Commission Discussion**

The Commission was of the view that notwithstanding the relatively small size of the property it had soils with prime agricultural capability ratings and was capable of being used for small scale hobby farming. In the absence of any community need considerations it considered that no good reason had been advanced to justify the exclusion of the property.

**IT WAS**

**MOVED BY:** Commissioner D. Rugg

**SECONDED BY:** Commissioner D. Craven

THAT the staff report be received and the application be refused.

CARRIED



**Staff Report**  
**Application # C – 36744**  
**Applicant: Edward & Marion Shaw**  
**Agent: The Focus Corporation**

**DATE RECEIVED:** June 7, 2006

**DATE PREPARED:** July 19, 2006

**TO:** Chair and Commissioners – Island Panel

**FROM:** Simone Rivers, Regional Research Officer

**PROPOSAL:** To exclude the property from the ALR in order to subdivide the property for residential purposes.

This application is made pursuant to section 30(1) of the *Agricultural Land Commission Act*.

**BACKGROUND INFORMATION:**

**Local Government:**

The District of Sooke

**Legal Description of Property:**

PID: 025-103-725  
Lot A, Section 3, Sooke District, Plan VIP72644

**Purchase Date:**

1975

**Location of Property:**

7096 West Coast Road, Sooke

**Size of Property:**

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

**Present use of the Property:**

Single family residential

**Surrounding Land Uses:**

**WEST:** Undeveloped ALR/non-ALR residential beyond  
**SOUTH:** Non- ALR urban scale single family residential/mobile home park /I.R.#2  
**EAST:** ALR - large undeveloped parcel/non-ALR urban scale single family residential  
**NORTH:** ALR - church facility, rural residential use

**Agricultural Capability:**

Data Source: Agricultural Capability Map # 92B/5  
The majority of the property is identified as having Prime Dominant ratings.

**Official Community Plan and Designation:**

OCP Bylaw No. 2001  
Designation: ALR

**Zoning Bylaw and Designation:**

Zoning Bylaw No. 2040  
Designation: Agricultural  
Minimum Lot Size: 4 ha

**PREVIOUS APPLICATIONS:**

**Application #75-1132**

**Applicant:** Shaw, T  
**Decision Date:** April 4, 1978  
**Proposal:** To subdivide a lot from the parcel that includes the existing dwellings.  
**Decision:** Allowed subject to the lot being no larger than 0.8 ha in size.  
**Note:** This application created the subject property.

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**Application #22049-0**

**Applicant:** Shaw, T & E  
**Proposal:** To exclude 2 lots that total 30 ha.  
**Decision:** Refused as proposed. The Commission allowed the subdivision into 7 lots, none of which could be less than 7 ha. This subdivision has not been completed.

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**RELEVANT APPLICATIONS:**

**Application #03539-0**

**Applicant:** Pacukiewiz, JM  
**Proposal:** To exclude the 18 ha property  
**Decision:** Refused as proposed. Allowed the subdivision into two lots.

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**LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:**

**District of Sooke Council:** Council forwarded the application without a recommendation.

**Local Government Planning Staff:** Recommended that Council not forward this application to the Commission. Staff believe that the parcel is of sufficient size and configuration to carry on agricultural activities.

**ATTACHEMENTS:**

- District of Sooke Memorandum dated May 1, 2006.
- 7096 West Coast Road - ALR Exclusion Application, Pages 1-12
- Resolution # 505/94 – Minutes for application #28608 – a previous adjacent application.
- Reconsideration – Resolution # 8427/78 – Minutes for application # 75-1132
- ALR Context Map - BCGS 92B.072 1:20,000

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END OF REPORT

Signature

Date

*July 19/06*