



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

December 5, 2008

Reply to the attention of Terra Kaethler  
ALC File: C-38509

Joanne & Robert Green  
117 View Royal Avenue  
Victoria, BC V9B1A6

Dear Sir/Madam:

**Re: Application to Subdivide land in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution # 770/2008 outlining the Commission's decision as it relates to the above noted application.

Please send two (2) paper prints of the final survey plans to this office. When the Commission confirms that all conditions have been met, it will authorize the Registrar of Land Titles to accept registration of the plan.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Erik Karlsen, Chair

Enclosure: Minutes/Sketch Plan

cc: Capital Regional District (ALR-01-08)

TK/  
i/38509d1.doc



# MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on November 04, 2008 in Shawnigan Lake, B.C.

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

### For Consideration

Application:	# C- 38509
Applicant:	Joanne & Robert Green
Proposal:	To subdivide an 85 ha parcel into 14 lots - 5 of which are within the ALR.
Legal:	PID: 009-390-472 Section 85, Sooke District, EXCEPT Parcel A (DD 762671)
Location:	451 Becher Bay Rd.

### Site Inspection

A site inspection was conducted on November 4, 2008. Those in attendance were:

- Lorne Seitz                      Chair, Island Panel
- David Craven                    Commissioner
- Jennifer Dyson                 Commissioner
- Terra Kaethler                 Staff
- Joanne Green                  Applicant
- Catherine Orban                Agrologist

The Commission met with the applicant and agrologist and walked the ALR portion of the property between Becher Bay Road and East Sooke Road. It was noted that the majority of the property was forested, and there were two small cleared areas of approximately 0.4 ha each. There were several areas that were steeply sloped and had rocky outcroppings, particularly along the creek bed adjacent to East Sooke Road, and along the shoreline. The Commission also viewed the portion of ALR land to the north of East Sooke Road, and noted it was mostly marsh.

### 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**

The Agricultural Capability Assessment report, prepared by Catherine Orban, P.Ag., that was submitted with the application, identified that 80% of the property was improvable to Class 5 to Class 7 with limitations of shallow soil/rock outcroppings and topography. The remaining 20% was improvable to Class 3 with a limitation of excess water.

The Commission reviewed the agrologist report and was satisfied with the findings presented. The Commission considered that although there were pockets of land that could be improvable to Class 3, the overall agricultural capability of the property was low.

### **Assessment of Impact on Agriculture**

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The ALR portion of the property is an isolated section of ALR land. Further, the proposed subdivision would be consistent with the size of ALR parcels to the south of the property. As such, due to the low capability and isolated location of the ALR portion of the property, the Commission believed that the land had minimal suitability for agricultural use and did not believe the proposal would negatively impact existing or potential agricultural use of the subject property or surrounding lands.

## **Conclusions**

1. That the land under application has limited agricultural capability.
2. That the proposal will not negatively impact agriculture.

## **IT WAS**

**MOVED BY:** Commissioner Seitz  
**SECONDED BY:** Commissioner Craven

THAT the application be approved;

AND THAT the approval is subject to the following conditions:

- the subdivision be in substantial compliance with the plan submitted with the application
- the subdivision must be completed within three (3) years 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 # 770/2008**

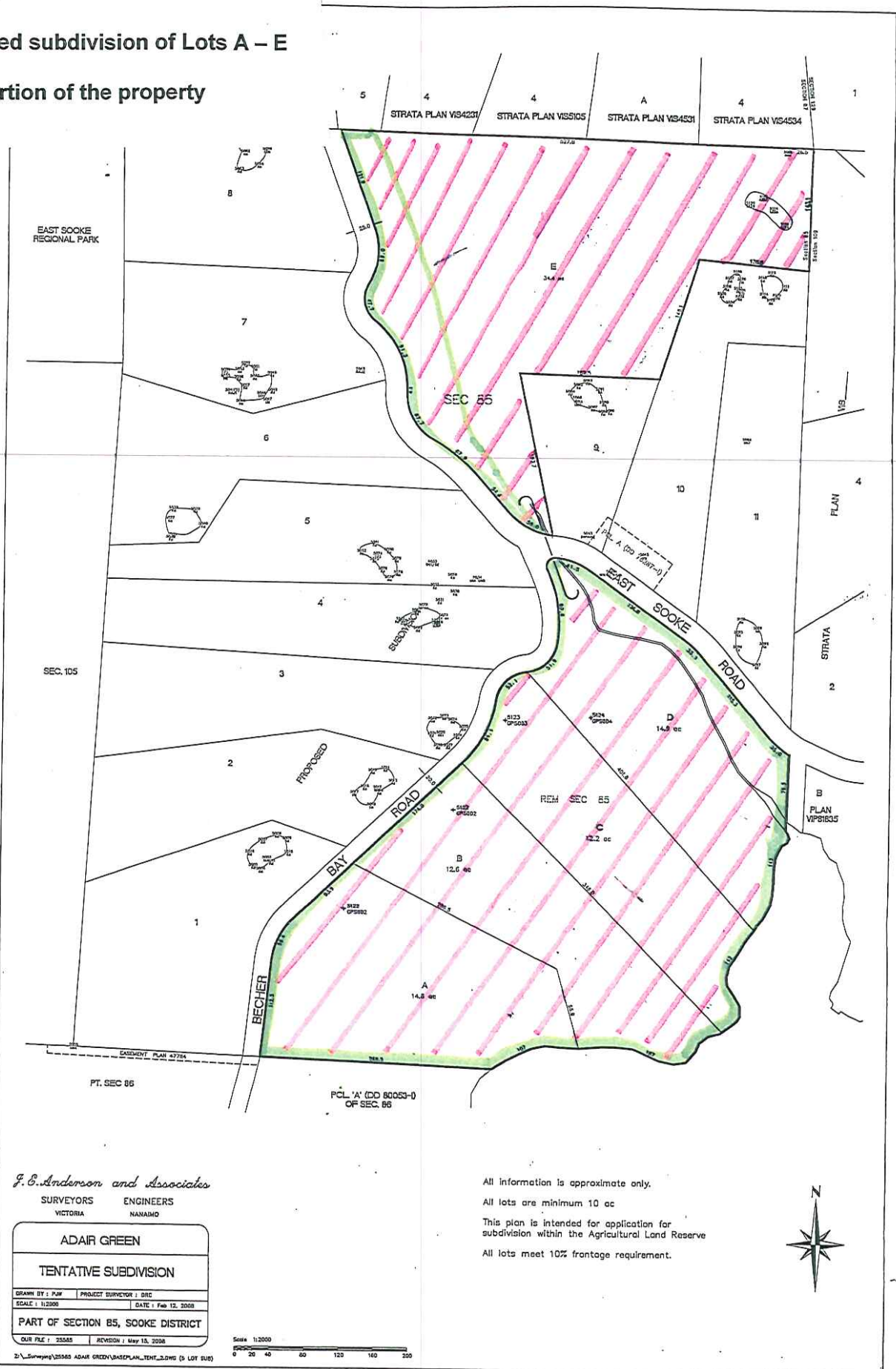
# Provincial Agricultural Land Commission

Application # 38509

Resolution #770/2008

 Approved subdivision of Lots A – E

 ALR portion of the property



*F. C. Anderson and Associates*  
 SURVEYORS ENGINEERS  
 VICTORIA NANAIMO

ADAIR GREEN	
TENTATIVE SUBDIVISION	
DRAWN BY: PJM	PROJECT SURVEYOR: DRC
SCALE: 1:2000	DATE: Feb 12, 2008
PART OF SECTION 85, SOOKE DISTRICT	
OUR FILE: 20045	REVISION: May 15, 2008



All information is approximate only.  
 All lots are minimum 10 ac  
 This plan is intended for application for  
 subdivision within the Agricultural Land Reserve  
 All lots meet 10% frontage requirement.

