



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

February 3, 2009

Reply to the attention of Terra Kaethler
ALC File: # C-38600

Nicol Young
8650 West Coast Road
Sooke, BC V9Z1H2

Dear Sir:

Re: Application to Exclude land from the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 5/2009 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.

By way of a copy of this letter, the Commission is advising the Registrar of Land Titles of its order and confirming that the ALR notation is to be removed from Certificate of Title

H20320.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Erik Karlsen, Chair

Enclosure: Minutes/Sketch Plan

cc: Capital Regional District (ALR-02-08)
BC Land Title & Survey
BC Assessment

TK/
i/38600d1.doc



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on January 13, 2009, in Ladysmith, B.C.

PRESENT:

Lorne Seitz	Chair, Island Panel
David Craven	Commissioner
Jennifer Dyson	Commissioner
Terra Kaethler	Staff
Roger Cheetham	Staff

For Consideration

Application: # C- 38600
Agent: Nicol Young
Proposal: To exclude the 0.4 ha property from the ALR.
Legal: PID: 003-160-149
Lot 1, Section 7, Otter District, Plan 22721
Location: 8650 West Coast Road, Sooke

Site Inspection

A site inspection was conducted on January 13, 2009. Those in attendance were:

- Lorne Seitz Chair, Island Panel
- David Craven Commissioner
- Jennifer Dyson Commissioner
- Terra Kaethler Staff
- Nic Young Agent

The Commission met with the applicant and walked the property. It was noted that the property was 0.4 ha in size and was utilized by five small houses with separate owners. The houses were built in the 1960's and pre-dated the ALR. It was discussed that the exclusion of the property would permit the retention of five dwellings on the property, either through subdivision or rezoning.

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

The Commission assessed the impact of the proposal against the long term goal of preserving agricultural land. Given the small size of the property, and the long-standing existence of five dwellings on the property, the Commission was of the view that the land was unsuitable for agricultural use.

As such, the Commission did not believe that exclusion of the subject property would negatively impact the existing or potential agricultural use of the property or surrounding lands.

Conclusions

1. That the land under application is not suitable for agricultural use.
2. That the proposal will not negatively impact agriculture.

IT WAS

MOVED BY: Commissioner Seitz

SECONDED BY: Commissioner Dyson

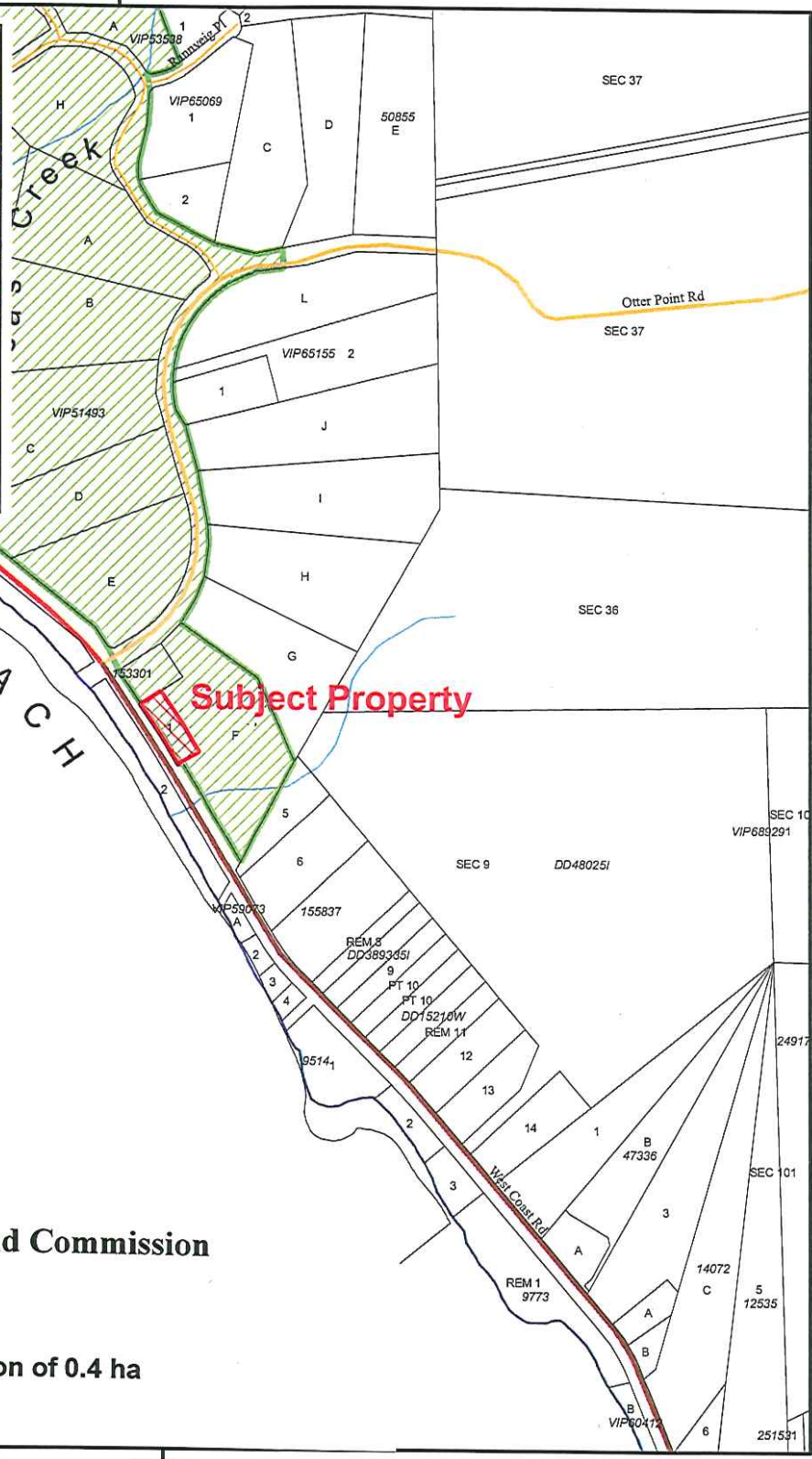
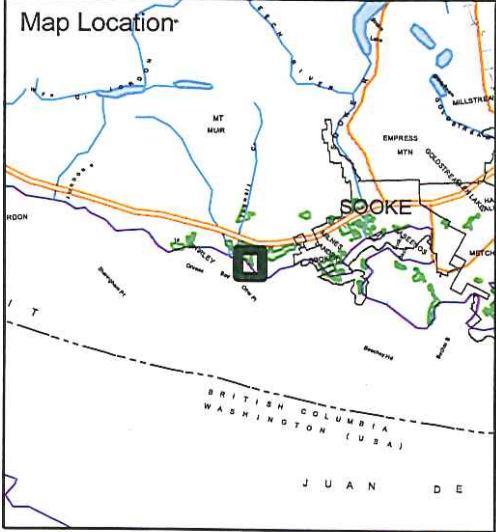
THAT the application be approved;

AND THAT the exclusion must be completed within three (3) years from the date of this decision.

CARRIED

Resolution # 5/2009

123°50'0"W



48°22'0"N

Provincial Agricultural Land Commission
Application # 38600
Resolution #5/2009

 **Approved exclusion of 0.4 ha**

123°50'0"W



Context Map
 Map Scale: 1:10,000



ALC File #:	02-08-38600
Mapsheet #:	92B.031
Map Produced:	Nov 14, 2008
Regional District:	Capital