



Agricultural Land Commission Staff Report

DATE: August 27, 2009
TO: Vice Chair and Commissioners - Island Panel
FROM: Gordon Bednard

RE: Application # 46005
PROPOSAL: Exclusion of the 0.73 ha property from the ALR.
Property address 3577 Happy Valley Road

PROPOSAL INFORMATION

Background: This is one of 4 properties in the area owned by HV Developments Ltd - all of which are under application
Received Date: May 25, 2009
Applicant: H.V. Developments Ltd.
Agent: N/A
Local Government: City of Langford

DESCRIPTION OF LAND

PID: 025-466-569
Legal Description: Lot 1, District Lot 79, Reference Plan VIP74070, Metchosin District
Civic Address: 3577 Happy Valley Road
Area: 0 ha
ALR Area: .7 ha
Purchase Date: July 1, 2006
Owner: H.V. Developments Ltd.

Total Land Area: 0 ha
Total ALR Area: .7 ha
Current Land Use: Mostly cleared with two single family dwellings and a mobile home. Also a large equestrian riding ring on site.

PROPOSAL DETAILS

Exclusion

Area	Agricultural Capability	Agricultural Capability Source
0.7	Prime	CLI

Surrounding Land Uses:

North Small lot residential and hobby farming in ALR
East Small lot residential and hobby farming in ALR
South Small lot residential and hobby farming in ALR
West Small lot residential and hobby farming in ALR

Official Community Plan

Bylaw Name: South langford Neighbourhood Plan

Designation: Rural

OCP Compliance: No

Zoning

Zoning Bylaw Name:

Zoning Designation: Agriculture 1 zone

Minimum Lot Size: 4.0 ha

Zoning Compliance: No

Local Government Services

Type

Water

Road

PREVIOUS APPLICATIONS

Application #: 16731

Applicant: Randy & Cathy Josephson

Proposal: The Joserhsons are requesting a subdivision of this 3.7 ha lot into two lots of approximately equal size. The property has been in the family for 17 years prior to their ownership and the subdivision is being requested under section 946 of the Local Govt

Decisions:

Resolution

Number

Decision Date

Decision Description

228

April 11, 2001

Refuse subdivision as proposed.

Application #: 1082

Applicant: DONALDS & JUNE MACDONALD

Proposal: To subdivide the 4 ha property into two lots of 1.2 ha and 2.8 ha.

Decisions:

Resolution

Number

Decision Date

Decision Description

409

March 12, 1993

The Commission refused the request for subdivision on the grounds of reduced agricultural capability and precedent.

Committee Recommendations

Type	Recommendation	Description
Planning Staff	No Comment	Provided options to council and AAC
Board/Council	Partial	Supports approval of exclusion of 0.32 ha in the southwest portion of the property. Conditional on future redevelopment to be guided by the "Edge Planning" and/or "Agricultural Urbanism " principles to obtain a net benefit for agriculture.
Agricultural Advisory Committee	Partial	Supports exclusion of 0.32 ha of the southwest portion of the property.

STAFF COMMENTS

This small property is likely exempted from the Commission's jurisdiction. There is a potential conflict of professional reports between a report by Brian French which recommends retention of the land in the ALR and the Madrone report which indicates the land has significant limitations for agriculture. As well, the presence of 3 dwellings may restrict the land's utility for agriculture.

ATTACHMENTS

39023_AirphotoMap.pdf
39023_ContextMap10k.pdf

END OF REPORT

Signature

Date