

Agricultural Land Commission

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www.alc.gov.bc.ca

April 21, 2010

Reply to the attention of Gordon Bednard ALC File: 39025 (46007)

Dennis Dyck 3660 Happy Valley Road Victoria, BC V9C 3X1

Dear Sir:

Application to Exclude land from the Agricultural Land Reserve Re:

Please find attached the Minutes of Resolution # 2385/2010 outlining the Commission's decision as it relates to the above noted application.

Other approvals may be necessary. Prior to proceeding, the Commission suggests you contact your Local Government.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Erik Karlsen, Chair

Enclosure: Minutes/Sketch Plan

cc: Cityof Langford (ALR 06-03)

BC Land Title & Survey, Victoria

BC Assessment, Victoria

GB/lv /39025d1



A meeting was held by the Provincial Agricultural Land Commission on March 30, 2010.

PRESENT:

Erik Karlsen

Chair

Niels Holbek Jennifer Dyson Commissioner Commissioner

Gordon Bednard

Staff

For Consideration

Application: Applicant:

39025 (46007) Dennis Dyck

Agent:

Proposal:

Exclusion of 1.2 ha

Legal:

Lot 1, Sections 80 and 81, Metchosin District, Plan 6887

Location: 3660 Happy Valley Road, Langford

Site Inspection and Exclusion Meeting

A site inspection / exclusion meeting was conducted at the property on September 15, 2009. Those in attendance were:

Lorne Seitz

Chair, Island Panel

Niels Holbek

Commissioner

Jennifer Dyson

Commissioner

Gordon Bednard

Staff

Dennis Dyck

The Commission walked the property and discussed the application with Mr. Dyck.

The Commission (Karlsen/Holbek/Dyson) also viewed the property on March 15, 2010.

Commissioner Eligible to Vote

Commissioner Erik Karlsen was not present at the initial site inspection. It was confirmed that a summary of that site inspection was provided thus establishing the Commissioner's eligibility to vote on the application.

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

In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. The ratings are interpreted using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system, or the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system.

The agricultural capability of the soil of the subject property is

Class 2 – Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.

Subclasses

M soil moisture deficiency

The Commission also reviewed a site-specific report on agricultural capability that had been prepared for the property by Madrone Consultants and provided by the applicant.

The Commission observed during the onsite inspection that a considerable area of the property had large rock outcroppings and the balance appeared subject to flooding during severe weather events. As well, it was apparent from observation and information supplied by area residents that a large amount of soil had been removed from the property (and adjacent lands) in the past.

Conclusions

1. That the land under application has limited agricultural capability and is not appropriately designated as ALR.

IT WAS

MOVED BY: SECONDED BY: Commissioner Niels Holbek

Commissioner Jennifer Dyson

THAT the application be allowed as presented.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities that have jurisdiction under an enactment.

CARRIED Resolution # 2385/2010