



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

April 21, 2010

Reply to the attention of Gordon Bednard
ALC File: 39026 (46008)

Keycorp Financial Ltd
101 - 891 Attree
Langford, BC V9B 0A6

Dear Sir/Madam:

Re: Application to Exclude land from the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 2395/2010 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.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per: 

Erik Karlsen, Chair

Enclosure: Minutes

cc: City of Langford (ALR 06-04)

GB/lv
/39026d1

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 a mixture of:

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

Class 6 – Land in this class is non-arable but is capable of producing native and or uncultivated perennial forage crops.

Class 7 – Land in this class has no capability for arable or sustained natural grazing

Subclasses

M soil moisture deficiency
T topography

R shallow soil / bedrock outcroppings

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.

Although there has been some unauthorized modification to the soils on the property (filling and non-farm building construction), the Commission feels that the property could be successfully reclaimed for agricultural use.

Assessment of Agricultural Suitability

The Commission assessed whether external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission does not believe there are external factors that render the land unsuitable for agricultural use. The property is located adjacent to other agricultural lands, adjacent commercial activity is well confined to limit impact, and adjacent residential use is of a rural character.

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission believes the proposal would impact existing or potential agricultural use of the subject lands and surrounding lands, by the introduction of non-agricultural activities in this area.

Conclusions

1. That the land under application has agricultural capability and is appropriately designated as ALR.
2. That the land under application is suitable for agricultural use.
3. That the proposal will impact agriculture.
4. That the proposal is inconsistent with the objective of the *Agricultural Land Commission Act* to preserve agricultural land.

IT WAS

MOVED BY: Commissioner Niels Holbek
SECONDED BY: Commissioner Jennifer Dyson

THAT the application be refused for the above reasons.

As well, the Commission noted that past non-farm activities (filling, soil movement, road building and non-farm related building construction and use) have debilitated the land to some extent. The Commission expects that rehabilitation measures will be initiated by the owners to improve the property for agriculture in the short term.

AND THAT the applicant be advised of the provisions of Section 33 of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration.

- S.33 (1) *On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that*
- (a) evidence not available at the time of the original decision has become available,*
 - (b) all or part of the original decision was based on evidence that was in error or was false.*
- (2) *The commission must give notice of its intention to reconsider a decision under subsection (1) to any person that the commission considers is affected by the reconsideration.*

AND THAT the applicant be advised that a revised proposal does not constitute new information and will not be considered as a basis for reconsideration and the time limit for submitting a request for reconsideration is one (1) year from the date of the decision letter.

CARRIED

Resolution # 2395/2010