



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 28, 2010

Reply to the attention of Gordon Bednard
ALC File: #51210

Brent Arden
2067 Harbourview Road
Sooke, BC V9A 2Z1

Dear Sir:

Re: Application to Subdivide land in the Agricultural Land Reserve

Please find attached the Minutes of Resolution # 2423/2010 outlining the Commission's decision as it relates to the above noted application.

Please send two (2) paper prints of the final survey/strata 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.

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

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

A handwritten signature in black ink, appearing to read 'Erik Karlsen', is written over a horizontal line.

Erik Karlsen, Chair

Enclosure: Minutes/Sketch Plan

cc: City of Sooke (PLN00750)
BC Assessment, Victoria
Mike Claxton, BCLS, #80A - 4223 Commerce Circle, Victoria V8Z 6N6

GB/lv
/51210d1



MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on March 15, 2010.

PRESENT:	Erik Karlsen	Chair
	Niels Holbek	Commissioner
	Jennifer Dyson	Commissioner
	Gordon Bednard	Staff

For Consideration

Application: # 51210
 Applicant: Brent Arden
 Agent: Mike Claxton BCLS
 Proposal: Strata subdivision of 0.6 ha into two lots
 Legal: Pcl "A" (DD 159009I) of Lot 1, Block 15, Section 65, Sooke District, Plan 2434, Except that part in plan 28785 PID 000-092-592
 Location: 2067 Harbourview Road, Sooke

Site Inspection

A site inspection was conducted on March 15, 2010. Those in attendance were:

- Erik Karlsen Chair, Island Panel
- Niels Holbek Commissioner
- Jennifer Dyson Commissioner
- Gordon Bednard Staff
- Brent Arden Applicant

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

D undesirable soil structure

Assessment of Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. This is a small property where a substantial portion of the land will be allocated to residential structures and infrastructure, leaving very little for potential agricultural use. The Commission does not believe the proposal would impact existing or potential agricultural use of surrounding lands, as there is no agricultural development in the area which is given to residential use only, on small lots..

Conclusions

1. That the proposal will not impact agriculture.

IT WAS

MOVED BY: Commissioner Niels Holbek

SECONDED BY: Commissioner Jennifer Dyson

THAT the application be allowed as presented.

AND THAT the approval is subject to the following conditions:

- the subdivision/strata be in substantial compliance with the plan submitted with the application
- The subdivision/strata registration must be completed within three (3) years from the date of this decision.

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.

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.

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CARRIED
Resolution # 2423/2010