



Provincial Agricultural Land Commission - Staff Report

Application: 52302

Applicant:

Agent: Rob Howat

Local Government: District of Sooke

Proposal: EXCLUSION: To exclude 4 properties ranging from 2.22 to 3.3 ha in size.

BACKGROUND INFORMATION

There have been multiple previous applications to the Commission for exclusion of the subject properties in recent history, all of which have been refused by the Commission. See previous application history for more information.

PROPERTY INFORMATION

PID:	007-817-088
Legal Description:	Lot 4, Section 3, Sooke District, Plan 1185
Property Area:	2.6 ha
ALR Area:	2.4 ha
Purchase Date:	December 14, 1993
Location:	7031 and 7051 Grant Road
Owner:	Lance & Debra Lajeunesse
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PID:	003-956-318
Legal Description:	Lot 2, Section 3, Sooke District, Plan 17999, Except that part in Plan 20377
Property Area:	2.4 ha
ALR Area:	2.3 ha
Purchase Date:	September 23, 2003
Location:	7031 and 7051 Grant Road
Owners:	David and Darcy McClimon, Lance & Debra Lajeunesse
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PID:	007-816-791
Legal Description:	That Part of Lot 1, Section 3, Sooke District, Plan 1185, Lying to the North East of the North Easterly Boundary of Plan 118 RW
Property Area:	2.8 ha
ALR Area:	2.5 ha
Purchase Date:	March 31, 2003
Location:	7073 Grant Road, West Sooke
Owner:	J.C.B. Holdings Ltd
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PID:	007-817-070
Legal Description:	Parcel A (DD 102803I) of Lot 2, Section 3, Sooke District, Plan 1185
Property Area:	1.6 ha
ALR Area:	1.6 ha
Purchase Date:	February 7, 2003
Location:	7031 Grant Road West
Owner:	Darryl & Cheryl Randolph
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PID:	007-816-677
Legal Description:	That Part of Lot 1, Section 3, Sooke District, Plan 1185, Shown Coloured Red on Plan 118 RW
Property Area:	0.3 ha
ALR Area:	0.3 ha
Purchase Date:	March 31, 2003
Location:	Grant Road, Sooke
Owner:	J.C.B. Holdings Ltd
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Total Land Area:	9.7 ha
Total ALR Area:	9.1 ha

LAND USE

Current Land Use:

Rural residential use.

Surrounding Land Uses:

North: Non-ALR; small-lot residential.

East: Non-ALR; manufactured-home park

South: ALR properties, not currently being used for agriculture, watercourse

West: Non-ALR; mixed use: community facility with daycare and multi-family housing unit, rural residential property, watercourse

PROPOSAL DETAILS

Exclusion Area: 9.1 ha

Agricultural Capability:

The majority of the area under application is rated as: Prime

Source: BCLI

Mapsheet: 92B/5

PREVIOUS APPLICATIONS

Application ID: 44520

Legacy #: 37759

Applicant: Lance & Debra Lajeunesse

Proposal: To exclude the two subject properties which total 4.8 ha for the purpose of future development.

Decision:

Resolution #	Decision Date	Decision Description
4/2008	January 17, 2008	Refused as proposed, due to agricultural capability and suitability for small scale agriculture. However, the Commission may be prepared to reconsider this application in light of the District of Sooke OCP review that is in process.

Application ID: 43255

Legacy #: 36779

Applicant: Dianne Marshall

Proposal: Remove remaining ALR land (1.05ha) to coincide with the top +/- 35M of property which is already zoned R1.

Decision:

Resolution #	Decision Date	Decision Description
467/2006	September 6, 2006	Approved with no-build covenant for strip along boundary of subdivision.

Application ID: 42218

Legacy #: 36171

Applicant: Lance & Debra Lajeunesse

Proposal: To exclude 2.6 ha from the ALR near Sooke: See application 36170 for further details.

Decision:

Resolution #	Decision Date	Decision Description
449/2005	August 18, 2005	Refuse exclusion on the grounds that the subject property has good agricultural capability.

Application ID: 42217

Legacy #: 36170

Applicant: Lance & Debra Lajeunesse

Proposal: To exclude 2.2 ha of land from the ALR near Sooke

Decision:

Resolution #	Decision Date	Decision Description
448/2005	August 18, 2005	Refuse exclusion on the grounds that the subject property has good agricultural capability.

RELEVANT APPLICATIONS

Application ID: 28982

Legacy #: 07825

Applicant: Sooke Park Holdings Ltd

Application ID: 4945

Legacy #: 09021

Applicant: LRC/Capital RD- Sooke Area

Proposal: Block Application - Fine tuning review for Sooke and surrounding area. Proposal is to include 90.7 ha and exclude 269.5 ha from the ALR.

Decision:

Resolution #	Decision Date	Decision Description
2454/1981	January 15, 1981	Exclusion allowed by Cabinet (269.5 ha). This resolution number is used to enter statistical information relating to the area under application and subsequent decision by Cabinet.

LOCAL GOVERNMENT INFORMATION

Official Community Plan:

Bylaw Name: Sooke OCP 2010
Designation: Agricultural (ALR) and Technical Industrial (TI)
OCP Compliance: Yes

Zoning:

Zoning Bylaw Name: Bylaw No. 270
Zoning Designation: RU-3 Agricultural Zone
Minimum Lot Size: 4.0 ha
Zoning Compliance: Yes

Comments and Recommendations:

Board/Council

Recommend approval as per the District of Sooke OCP (2010). Carried Unanimously.

Planning Staff

Recommend approval for exclusion as proposed, subject to the inclusion of an equal area of suitable agricultural land into the ALR in keeping with the "no net loss" policy of the District of Sooke OCP.

ALC STAFF COMMENTS

It is recommended that the Commission consider the following:

- 1) The improved ratings of the agricultural capability of the properties are identified as prime dominant (Class 2) with limitations of a combination of factors on the BCLI map 92B.032
- 2) Two agrologist reports by Catherine Orban, P.Ag, have been provided, one dated 12/07/10 for 7055 and 7073 Grant Road, and the other dated 4/4/11 for 7031 and 7051 Grant Road. The report for 7055 and 7073 Grant Road found that 44% of the subject properties had unimprovable soil capability of 5A and 5W-7W. 36% of the land was found to be improvable to Class 2PW and Class 3AP. 20% was identified as unclassified due to dwellings or other site infrastructure. The report for 7031 and 7051 identified a range of agricultural capabilities from Class 2, 3, 5 and 7. It also identified a portion of the subject lands that had been extensively disturbed by recreational vehicle trails. Both reports argue that the agricultural suitability of the subject properties is limited by agricultural capability, small parcel size, and proximity to urban uses with no buffers in place. The reports are attached for more information.
- 3) The OCP review was adopted in 2010 and has designated the subject area as a Technical Industrial Centre in the OCP. ALC comments on the OCP designation of the subject properties indicated that the Commission did not support the proposed non-farm use of the subject properties. The ALC required that the references to the Technical/Industrial OCP General Classification be removed; however, they remain in place.
- 4) No report or analysis indicating the need for more industrial land or tech-business use in Sooke has been presented to justify the conversion of agricultural lands for this purpose.
- 5) The OCP identified the development of an Agricultural Plan as a priority. The Agricultural Plan will provide a detailed review of the agricultural potential of lands, both within and outside of the ALR, throughout the District of Sooke. As this plan is under development, staff recommends that a decision on this application be deferred until the Plan is complete.
- 6) Two letters of opposition were received. Key concerns are: increased urban development on agricultural lands, protection of food-producing lands and protection of green space, and the Sooke Agricultural Plan underway.
- 7) A site visit is scheduled to help improve understanding of the proposal.

ATTACHMENTS

52302_ContextMap20k.pdf
52302_ContextMap5k.pdf
52302_AgCapabilityMap.pdf
52302_AirphotoMap20k.pdf
52302_AirphotoMap5k.pdf
52302AgReport.pdf
52302AgReport2.pdf
52302land use maps.pdf
52302LGReports.pdf
52302ltrs.pdf
52302proposal.pdf
52302OCPreview.pdf

END OF REPORT

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