



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
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www.alc.gov.bc.ca

January 2, 2014

ALC File: #53066

Carlos & Rebecca Furtado  
120 Durrance Road  
Victoria, BC V9E 2G6

Dear Mr. and Mrs. Furtado:

**Re: Application to Remove Soil and Place Fill on Land in the ALR**

Please find attached the Minutes of Resolution #328/2013 as it relates to the above noted application. The Commission has also attached a sketch plan depicting the decision.

Further correspondence with respect to this application is to be directed to Liz Sutton.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Brian Underhill, Executive Director

Enclosures: Minutes of Resolution #328/2013  
Sketch Plan

cc: District of Saanich (File #FIL00156)

Ministry of Agriculture  
808 Douglas Street, Victoria, BC V8W 2B6  
Attention: Mr. Rob Kline, Regional Agrologist

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## MINUTES OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on October 2, 2013 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C. as it relates to Application #53066.

### COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Sylvia Pranger	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner

### COMMISSION STAFF PRESENT:

Liz Sutton	Land Use Planner
Brian Underhill	Executive Director

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**PROPOSAL:** (Submitted pursuant to section 20(3) of the *Agricultural Land Commission Act*)

To prepare an area to grow nursery stock which includes the removal of 450 m<sup>3</sup> soil, placement of 300 m<sup>3</sup> to fill the existing irrigation pond to create more nursery stock area, placement of 250 m<sup>3</sup> of crushed rock and 200 m<sup>3</sup> of road base to create an area for bedding plants where the soil was removed.

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### PROPERTY INFORMATION:

**Owner:** Carlos Furtado and Rebecca Furtado

**Legal:** PID: 018-039-341  
Lot 1, Sections 122 and 123, Lake District, Plan VIP55632

**Location:** Saanich

**Size:** 2 ha

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### LEGISLATIVE CONTEXT FOR COMMISSION CONSIDERATION

Section 6 (Purposes of the commission) of the *Agricultural Land Commission Act* states:

- 6 The following are the purposes of the commission:
  - (a) to preserve agricultural land;
  - (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
  - (c) 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.

**COMMISSION CONSIDERATION**

After considering the file information the Commission concluded as follows:

1. Prior to submitting the application 450 m<sup>3</sup> of soil was removed from the subject property and 250 m<sup>3</sup> of crushed rock was placed on the subject property.

**Conclusion:**

The applicant did not seek approval to extraction of soil or placement of fill pursuant to the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*, or through a non-farm use application.

2. In order to prepare an area for cultivation of potted plant nursery stock, the applicant requires an additional 200 m<sup>3</sup> of road base to be placed on top of the area of crushed rock. In addition, the application wishes to place 300 m<sup>3</sup> to fill a pond in order to create further production area for the nursery.

**Conclusion:**

No further extraction or placement of fill is permitted other than what is described above. If the applicant requires any further works to take place on the subject property, they should gain approval from the District of Saanich and the Agricultural Land Commission.

**IT WAS**

**MOVED BY:** Commissioner Miles  
**SECONDED BY:** Commissioner Pranger

THAT the Commission retroactively approves the removal of 450 m<sup>3</sup> of soil and the placement of 250 m<sup>3</sup> of crushed rock.

AND THAT the request to place 200 m<sup>3</sup> of road base and 300 m<sup>3</sup> of clean fill to fill a pond for the purpose of facilitating a nursery be approved.

AND FINALLY THAT this decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

**CARRIED**

**Resolution #328/2013**

ALC #53066 (Furtado)  
 Resolution #328/2013  
 Approved 0.2 ha placement of fill

SECTION 120(1)(b) LAND 7  
 Scale: 1:1000  
 Distances are in Metres, unless otherwise indicated  
 Grid Bearings are derived from Integrated Survey Area #20,  
 Corporation of the District of Spanish  
 Control Monuments 80 H 4052, 80 H 4043, 30 H 4072  
 This Plan Shows Ground Level Measured Distances  
 Prior to Computation of U.T.M. Co-ordinates  
 Multiply by Combined Factor 0.99999100033  
 Legend  
 (Symbol) Control Monument found  
 (Symbol) Standard Iron Post (Type 2) found

