



**Agricultural Land Commission**  
133–4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604 660-7000  
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www.alc.gov.bc.ca

January 31, 2017

ALC File: 56062  
Your File: West Shore Parkway  
Road Completion Project

City of Langford  
2<sup>nd</sup> Floor- 877 Goldstream Avenue  
Langford, BC V9B 2X8

Attention: Michelle Mahovich

**Re: Application for Transportation, Utility, or Recreational Trail Uses within the Agricultural Land Reserve (ALR)**

Please find attached the Reasons for Decision of the Agricultural Land Commission (Resolution #24/2017) as it relates to the above noted application. As agent, it is your responsibility to notify the applicant accordingly. A sketch plan depicting the decision is also attached.

Further correspondence with respect to this application is to be directed to Sara Huber at (Sara.Huber@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in black ink, appearing to be 'S. Huber', written in a cursive style.

Sara Huber, Land Use Planner

Enclosures: Reasons for Decision (Resolution #24/2017)  
Sketch plan

cc: City of Langford (File: West Shore Parkway Road Completion Project)

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## **AGRICULTURAL LAND COMMISSION FILE 56062**

### **REASONS FOR DECISION OF THE CHIEF EXECUTIVE OFFICER**

**Application submitted pursuant to s. 6 of BC Regulation 171/2002 (ALR Use, Subdivision and Procedure Regulation)**

**Applicant:** Oakcrest Park Estates, Ltd.,  
Inc., No, BC0258606  
(the "Applicant")

**Agent:** Michelle Mahovlich, on  
behalf of the City of  
Langford  
(the "Agent")

**Application before the Chief Executive Officer:** Kim Grout  
(the "CEO")

**THE APPLICATION**

- [1] The legal description of the property involved in the application is:
- Parcel Identifier: 001-703-587  
Lot 1, Block 2, Sections 89 and 100, Metchosin District, Plan 1817, Except Part  
in Plan VIP54785  
(the “Property”)
- [2] The Property is 1.3 ha in area.
- [3] The Property has the civic address 2949 Sooke Road, Langford BC.
- [4] Pursuant to s. 6 of BC Regulation 171/2002 (*Agricultural Land Reserve Use, Subdivision and Procedure Regulation*) (the “Regulation”), on behalf of the Applicant, the City of Langford is applying to utilize 0.02 ha for a road right-of-way for storm water control at the intersection of West Shore Parkway and Sooke Road Highway No. 14 (the “Proposal”). The Proposal along with supporting documents is collectively the “Application”.

**RELEVANT STATUTORY PROVISIONS**

- [5] The Application was made pursuant to s. 6 of the Regulation:
- 6 Unless permitted under sections 2 and 3, a person must file an application under section 34 (6) of the Act directly with the office of the commission and in a form acceptable to the commission for any of the following uses:
- (a) widening of an existing road right of way;
  - (b) construction of a road within an existing right of way;
  - (c) dedication of a right of way or construction of any of the following:
    - (i) a new or existing road or railway;
    - (ii) a new or existing recreational trail;
    - (iii) a utility corridor use;
    - (iv) a sewer or water line other than for ancillary utility connections;

- (v) a forest service road under the *Forest Act*;
- (d) the new use of an existing right of way for a recreational trail.

[6] Pursuant to s. 27 of the *Agricultural Land Commission Act* (the “ALCA”) the CEO may approve some applications:

- 27 (1) The commission, by resolution, may establish criteria under which the following may be approved by the chief executive officer:
  - (a) specified types of applications for exclusion, subdivision or non-farm use;
  - (b) applications with respect to specified regions of British Columbia.
- (2) The commission must put the criteria established under subsection (1) in writing and make them available for inspection during ordinary business hours.
- (3) An application that meets the criteria established under subsection (1) may be approved by the chief executive officer on the terms that the chief executive officer may impose.
- (4) If the chief executive officer considers that the application does not meet the criteria specified under subsection (1) or for any other reason does not wish to approve the application under subsection (3), the application must be referred to the commission for a decision.
- (5) An approval of an application by the chief executive officer under subsection (3) is decision of the commission for the purposes of this Act.
- (6) The chief executive officer may not exercise a power that has been delegated to a local government, a first nation government or an authority by an agreement entered into under section 26.

[7] On June 27, 2011, the Agricultural Land Commission (the “Commission”) delegated decision-making to the CEO by Resolution #016N-2011 (File: 140-60/ALC/CEO/APPL). In accordance with section 27 of the *ALCA* the Commission has specified that the following applications may be decided by the CEO.

Criterion 4

Non-farm use applications made pursuant to section 6 of BC Regulation #171/2002 (ALR Use, Subdivision and Procedure Regulation);

**BACKGROUND**

[8] In July 2015, the City of Langford received funding through the New Building Canada Small Communities Fund to complete 3.5 kilometres of the West Shore Parkway connecting it from its current intersection with the Trans-Canada Highway south to Sooke Road at Awsworth Road.

[9] As part of the West Shore Parkway Road Completion Project, the City of Langford requires 0.02 ha for a road right-of-way for storm water control at the intersection of West Shore Parkway and Sooke Road Highway No. 14.

**DECISION**

[10] After reviewing the Application, I am satisfied that the Proposal is consistent with Criterion #4 of Resolution #016N/2011 and approve the Proposal, subject to the following conditions:

- a. the survey plan to be in substantial compliance with the plan attached to Resolution #24/2017;
- b. submission of two (2) paper copies or one (1) electronic copy of the final survey plan to the Commission;

[11] 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.

[12] Decision recorded as Resolution #24/2017.

A decision of the CEO is a decision of the Commission pursuant to s. 27(5) of the ALCA.

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**CERTIFICATION OF DECISION**

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

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Kim Grout, Chief Executive Officer

**January 31, 2017**  
**Date Released**

ALC Application 56062 (Oakcrest Park Estates)  
Conditionally Approved Transportation, Utility, Recreation Corridor  
Resolution # 24/2017



Legend:

 Property Boundary

 Conditionally Approved Transportation, Utility, Recreation Corridor