

Minister, AGRI AGRI:EX

From: Leisa DFI <lyeedfi@telus.net>
Sent: Tuesday, November 14, 2017 8:26 PM
To: Minister, AGRI AGRI:EX
Cc: David Ryall
Subject: DFI - letter for Mr. Leonard, ALC Chair
Attachments: ALC F Leonard meeting 15Nov 2017 final.pdf

Dear Honorable Minister Popham,

Enclosed is a letter we have addressed to the ALC Chair, Mr. Frank Leonard. We look forward to further discussions with the Ministry of Agriculture on this important matter.

Sincerely,

Leisa Yee | Administration

Delta Farmers Institute | PO Box 18565 Delta, BC V4K 4V7

Tel/Fax: 604-940-2024 | Toll Free: 1-888-940-2024 | Cell: 604-880-9936 | Email: lyeedfi@telus.net





November 15, 2017

Mr. Frank Leonard, Chair
Agricultural Land Commission (ALC)
4940 Canada Way, Burnaby

Dear Mr. Leonard,

Thank you for the opportunity to discuss the ALC governance and role in supporting BC's agriculture industry. The provincial policies and approaches supporting farming production are vital to the success and future of agriculture. We recognize that the purpose of the ALC as outlined in Section 6 of the Act is to preserve agricultural land. The DFI also believe that the preservation of the agricultural land should be the priority.

The rate in which farmers must adapt to be competitive is increasing. Farmers have been and continue to compete with urban growth, with the onus on farmers to justify their farming operations and impacts. In Delta and municipalities close to urban centers there is intense competition for land use with incentives for non-farming development that our industry cannot meet. The ALC along with the Ministry of Agriculture can ensure that decisions result in a no net loss to agriculture in BC.

The Delta farming community contributes significantly to BC's agricultural output for export and local consumption. This was recognized with the support of the ALC via an agricultural impact assessment and farmer consultation for the exclusion of 238 acres for South Fraser Perimeter Road (SFPR) project. The result was mitigation dollars to build an enhanced irrigation system that provided better quality crops and increased production.

With the support of the ALC we would like to see an agricultural impact assessment and a consultation process with farmers be required for any exclusion. An independent assessment would identify and quantify the impact to farming operations and regional agriculture, facilitating mitigation and a no net loss to the farming community and the province. Once the value of the impact is established the ALC would have the authority to direct the entity receiving the funds to how it is spent and be accountable for the expenditures.

We would like to discuss this further with the Ministry of Agriculture, the ALC and industry stakeholders.

Sincerely,

David Ryall
President

cc: Honorable Lana Popham, BC Minister of Agriculture
cc: Ian Paton, MLA, Delta South
cc: Kim Grout, CEO, ALC
cc: Bill Zylmans, South Coast Panel Chair, ALC
cc: Dieter Geesing, Regional Argologist, BC Ministry of Agriculture
cc: Reg Ens, Executive Director, BC Agriculture Council

P.O. Box 18565 | Delta, British Columbia, Canada V4K 4V7 | tel / fax 604 940 2024 | toll free 1 888 940 2024 | email lyeedfi@telus.net

The Delta Farmers' Institute (DFI) has been established since 1898 and currently represents over 100 members of the farming community in Delta BC. Farming is a vital socio-economic asset in Metro Vancouver, generating 25% of BC's food production on 1.5% of the province's agricultural land. Delta produces over \$300 million in farm receipts. Over 90% of farms are family owned and operated by multi-generational families on large parcels of farmland with some of the best soils and climate for agriculture in Canada.

Minister, AGRI AGRI:EX

From: Godfrey, Samuel <Samuel.Godfrey@leg.bc.ca>
Sent: Wednesday, August 23, 2017 12:28 PM
To: Minister, AGRI AGRI:EX
Subject: FILE WITH OTHER EMAILS ON THIS: FW: ALC Application 54666 (Fatt)

Hi,

Regarding my email of Aug 21, subject: "FW: 6187 Hunt Road - ALR Application Reconsideration."

I also contacted the ALC and they responded (see below) so you can disregard my request for assistance on this matter.

Best, S.

Samuel Godfrey
Constituency Assistant to Hon. Lana Popham
Member of the B.C. Legislative Assembly for Saanich South and Minister of Agriculture for the B.C. Government
P: 250.479.4154 | C: 250.813.3233 | F: 250.479.4176 | 4085-B Quadra Victoria BC V8X 1K5
samuel.godfrey@leg.bc.ca | [facebook](#) | [saanichsouth.ca](#)

From: Huber, Sara ALC:EX [<mailto:Sara.Huber@gov.bc.ca>]
Sent: August 23, 2017 12:02 PM
To: Godfrey, Samuel <Samuel.Godfrey@leg.bc.ca>
Subject: FW: ALC Application 54666 (Fatt)

Hi Samuel,

In response to your August 22, 2017 email, the Commission has now followed up with the agent for ALC Application 54666 (Fatt) (shown below).

Sincerely,

Sara Huber | Planner | Agricultural Land Commission
133 - 4940 Canada Way, Burnaby, BC, V5G 4K6 | T 604.660.7046 | F 604.660.7033
sara.huber@gov.bc.ca | www.alc.gov.bc.ca

From: Huber, Sara ALC:EX
Sent: Wednesday, August 23, 2017 11:59 AM
To: 'Deane Strongitharm'
Subject: ALC Application 54666 (Fatt)

Hi Deane,

We have received correspondence from MLA Popham's office with regard to ALC Application 54666 (Fatt). We understand that you have addressed some concerns with the ALC's reconsideration process.

To rectify the situation, the Commission is willing to re-review the information that was provided in the previous reconsideration requests at the upcoming Executive Committee meeting, scheduled for Thursday, September 28, 2017. This would include the information submitted on April 24, 2017 and June 15, 2017.

As well, following the Executive Committee's review and determination on the reconsideration, an explanation of the reasons for whether the application will be reconsidered or not, may be provided to you.

Please let me know whether you would like to move forward with this, and if this would address the concerns you have identified.

Sincerely,

Sara Huber | Planner | Agricultural Land Commission

133 - 4940 Canada Way, Burnaby, BC, V5G 4K6 | T 604.660.7046 | F 604.660.7033

sara.huber@gov.bc.ca | www.alc.gov.bc.ca

Minister, AGRI AGRI:EX

From: Popham.MLA, Lana <Lana.Popham.MLA@leg.bc.ca>
Sent: Tuesday, November 7, 2017 10:00 AM
To: Minister, AGRI AGRI:EX
Subject: FW: 3250 264 St., Langley, BC (ALR application #5333)

-----Original Message-----

From: s.22
Sent: November 7, 2017 7:44 AM
To: Mark, Kamelli ALC:EX <Kamelli.Mark@gov.bc.ca>
Cc: Popham.MLA, Lana <Lana.Popham.MLA@leg.bc.ca>
Subject: 3250 264 St., Langley, BC (ALR application #5333)

Dear Sir/Madam

The above property is currently being considered for exclusion from the ALR.

I live in the area and own an orchard not far from it.

I and many people in the neighbourhood are opposed to this exclusion in principle and in particular.

For the first part, there is tremendous pressure from developers to convert local farmland into zoning more conducive for land speculation, which is harmful to our community, to food security and to the environment generally. For the second part, the parcel in question contains wetlands and sensitive habitat for bird and other species. It needs preserving.

Please help us stop the accelerating and rapid destruction of farmlands in the Lower Mainland and elsewhere in the province. Please act now, before it's too late.

Best regards,
s.22

Sent from my iPhone

Minister, AGRI AGRI:EX

From: Godfrey, Samuel <Samuel.Godfrey@leg.bc.ca>
Sent: Wednesday, August 23, 2017 12:28 PM
To: Minister, AGRI AGRI:EX
Subject: FILE WITH OTHER EMAILS ON THIS: FW: ALC Application 54666 (Fatt)

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Best, S.

Samuel Godfrey
Constituency Assistant to Hon. Lana Popham
Member of the B.C. Legislative Assembly for Saanich South and Minister of Agriculture for the B.C. Government
P: 250.479.4154 | C: 250.813.3233 | F: 250.479.4176 | 4085-B Quadra Victoria BC V8X 1K5
samuel.godfrey@leg.bc.ca | [facebook](#) | [saanichsouth.ca](#)

From: Huber, Sara ALC:EX [<mailto:Sara.Huber@gov.bc.ca>]
Sent: August 23, 2017 12:02 PM
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Subject: FW: ALC Application 54666 (Fatt)

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sara.huber@gov.bc.ca | www.alc.gov.bc.ca

From: Huber, Sara ALC:EX
Sent: Wednesday, August 23, 2017 11:59 AM
To: 'Deane Strongitharm'
Subject: ALC Application 54666 (Fatt)

Hi Deane,

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To rectify the situation, the Commission is willing to re-review the information that was provided in the previous reconsideration requests at the upcoming Executive Committee meeting, scheduled for Thursday, September 28, 2017. This would include the information submitted on April 24, 2017 and June 15, 2017.

As well, following the Executive Committee's review and determination on the reconsideration, an explanation of the reasons for whether the application will be reconsidered or not, may be provided to you.

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Sincerely,

Sara Huber | Planner | Agricultural Land Commission
133 - 4940 Canada Way, Burnaby, BC, V5G 4K6 | T 604.660.7046 | F 604.660.7033
sara.huber@gov.bc.ca | www.alc.gov.bc.ca

Minister, AGRI AGRI:EX

From: Leisa DFI <lyeedfi@telus.net>
Sent: Wednesday, September 13, 2017 3:04 PM
To: ALC Burnaby ALC:EX
Cc: Popham.MLA, Lana LASS:EX; Minister, AGRI AGRI:EX; Geesing, Dieter AGRI:EX; Mark, Kamelli ALC:EX; Russell, Kelsey-Rae ALC:EX; Grout, Kim ALC:EX; wafarms@shaw.ca; David Ryall
Subject: INFO/FILE: DFI - ALC request for meeting
Attachments: ALC F Leonard meeting request 11Sept 2017 final.pdf

Dear Mr. Leonard,

Please accept the enclosed letter of request from the Delta Farmers' Institute. We appreciate and look forward to your reply.

Sincerely,

Leisa

Leisa Yee | Administration

Delta Farmers Institute | PO Box 18565 Delta, BC V4K 4V7

Tel/Fax: 604-940-2024 | Toll Free: 1-888-940-2024 | Cell: 604-880-9936 | Email: lyeedfi@telus.net





September 11, 2017

Via email: alcburnaby@victoria1.gov.bc.ca

Frank Leonard, Chair
Agricultural Land Commission (ALC)
4940 Canada Way, Burnaby

Dear Mr. Leonard,

Re: DFI meeting with the ALC

As a governing body for agriculture in BC we respectfully request a meeting to discuss the decision-making process of the Agricultural Land Commission (ALC) and the implications to the Delta farming community.

It is our understanding the MK Delta Lands Group application (file #55916) was approved but is now under review. On September 6, 2016, we requested a meeting with yourself and ALC commissioners regarding this application.

We have submitted and received correspondence from your staff on multiple ALC (exclusion/inclusion) applications in the past 2 years. Our directors also met with Kim Grout on May 3, 2016 to address the concerns with a few of these projects (letter dated May 3, 2016). We appreciate the time and efforts of the ALC staff, however we still have requests that have not been addressed.

I may be reached at (604) 817-0481, or alternatively please call Leisa Yee at (604) 940-2024 to schedule a date and time convenient for you.

I look forward to hearing from you soon.

Sincerely,

David Ryall
President

Encl. DFI letter dated May 3, 2016

cc: Honorable Lana Popham, BC Minister of Agriculture
cc: Dieter Geesing, Ministry of Agriculture, Regional Argologist
cc: Kamelli Mark, ALC Land Use Planner
cc: Kelsey-Rae Russell, ALC Land Use Planner
cc: Kim Grout, ALC, CEO
cc: Bill Zylmans, ALC South Coast Panel Chair

P.O. Box 18565 | Delta, British Columbia, Canada V4K 4V7 | tel / fax 604 940 2024 | toll free 1 888 940 2024 | email lyeedfi@telus.net

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May 3, 2016

Kim Grout, Chief Executive Director
Agricultural Land Commission
4940 Canada Way, Burnaby

Re: Delta Farmers' Institute meeting May 3, 2016

Dear Kim,

Thank you for taking the time to meet with the Delta Farmers' Institute (DFI). We look forward to discussing how agriculture can continue to play an integral role in our community and the provincial economy.

The community of Delta is unique in BC because no other community in the province is faced with so many important strategic provincial and national interests such as port, rail, highway and airport developments and the Tsawwassen First Nation treaty. In the last decade, over 1,000 acres of Delta farmland have been taken out of production from these improvements. Another 1,500 acres of prime farmland is earmarked for possible future port-related development.

Land use conversions of farmland to non-agricultural uses diminish the economic viability of not only those directly affected farmers but also negatively impacts the long-term sustainability of the entire farm community. The shrinking critical land mass has serious implications in terms of economic viability of primary producers as well as the necessary support of agri-industries such as fertilizer, equipment and feed suppliers and the food processing sectors.

We would like to have a discussion with you on the implications to farming from future project development. The following projects are expected to impact farmland and / or farming:

1. George Massey Tunnel Replacement Project
2. Port Metro Vancouver projects - Roberts Bank Terminal 2
(Truck staging at Highway 17A, Delta Port expansion)
3. MK Delta Lands industrial park (155 acres in the ALR - 7969 Highway 91)
4. Corporation of Delta land ownership to Burns Bog Conservancy (390 acres in the ALR)
5. FortisBC LNG Tilbury expansion (expropriation)
6. Current Delta ALR exclusion applications

We look forward to working with the ALC to preserve farmland and farming in the interests of a prosperous future. Thank you again for your time and consideration.

Sincerely,

David Ryall
President

P.O. Box 18565 | Delta, British Columbia, Canada V4K 4V7 | tel / fax 604 940 2024 | toll free 1 888 940 2024 | email lyeedfi@telus.net

The Delta Farmers' Institute (DFI) has been established since 1898 and currently represents over 100 members of the farming community in Delta BC. Farming is a vital socio-economic asset in Metro Vancouver, generating 25% of BC's food production on 1.5% of the province's agricultural land. Delta produces over \$300 million in farm receipts. Over 90% of farms are family owned and operated by multi-generational families on large parcels of farmland with some of the best soils and climate for agriculture in Canada.

Wendland, Justine AGRI:EX

From: Popham, Lana AGRI:EX
Sent: Wednesday, December 20, 2017 3:06 PM
To: Wendland, Justine AGRI:EX
Subject: FW: ALC Application 54428 (Creating Homefulness)
Attachments: 54428d1 (Creating Homefulness Society).pdf; ATT00001.htm

From: Shoemaker, Wes AGRI:EX
Sent: Thursday, November 9, 2017 12:44 PM
To: Popham, Lana AGRI:EX; Beale, William AGRI:EX; Smith, Jessica C AGRI:EX; McRae, Meghan GCPE:EX
Cc: Mack, James AGRI:EX
Subject: FW: ALC Application 54428 (Creating Homefulness)

Minister,

See the attached decision related to the Creating Homefulness^{s.22} application.

Wes

From: Frank Leonard s.22
Sent: November 9, 2017 9:44 AM
To: Shoemaker, Wes AGRI:EX <Wes.Shoemaker@gov.bc.ca>
Subject: Fwd: ALC Application 54428 (Creating Homefulness)

Wes

This decision is now complete and being issued

There may be some media as a result so I thought I should share it with you

Frank

Sent from my iPad

Begin forwarded message:

From: "Huber, Sara ALC:EX" <Sara.Huber@gov.bc.ca>
Date: November 9, 2017 at 9:40:17 AM PST
To: "XT:Leonard, Frank GCPE:IN" s.22
Subject: ALC Application 54428 (Creating Homefulness)

Hi Frank,

I just wanted to give you a heads up that the Executive Committee has now confirmed the decision for **ALC Application 54428 (Creating Homefulness)** and the decision will be released to the Agent shortly. A copy is attached.

Sincerely,

Sara Huber | Planner | Agricultural Land Commission

133 - 4940 Canada Way, Burnaby, BC, V5G 4K6 | T 604.660.7034 | F 604.660.7033

sara.huber@gov.bc.ca | www.alc.gov.bc.ca

Wendland, Justine AGRI:EX

From: Popham, Lana AGRI:EX
Sent: Wednesday, December 20, 2017 3:06 PM
To: Wendland, Justine AGRI:EX
Subject: FW: Submission Received for ALC Application 53333 (Hays-Butler)

From: Huber, Sara ALC:EX
Sent: Tuesday, November 14, 2017 12:51 PM
To: s.22
Cc: Mark, Kamelli ALC:EX; Popham, Lana AGRI:EX
Subject: Submission Received for ALC Application 53333 (Hays-Butler)

s.22
Dear

The Commission is in receipt of your November 7, 2017 submission which relates to ALC Application 53333 (Hays-Butler). Please be advised that all submissions and correspondence forwarded to the ALC for the Commission's consideration forms part of the public file record and will be provided to the applicant and local government.

If you do not wish for your submission to form part of the public file record and provided to the applicant and local government, please advise by November 21, 2017.

Sincerely,

Sara Huber | Planner | Agricultural Land Commission
133 - 4940 Canada Way, Burnaby, BC, V5G 4K6 | T 604.660.7034 | F 604.660.7033
sara.huber@gov.bc.ca | www.alc.gov.bc.ca

Minister, AGRI AGRI:EX

From: Oloyede, Lola ALC:EX
Sent: Thursday, November 23, 2017 3:12 PM
To: Minister, AGRI AGRI:EX
Subject: FW: Letter to Minister of Agriculture dated November 6, 2017
Attachments: Response to s.22

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon,

Please find attached a response to s.22 re: letter to Minister dated November 6, 2017

Best regards,
Lola Oloyede

Agricultural Land Commission

From: Oloyede, Lola ALC:EX **On Behalf Of** ALC Burnaby ALC:EX
Sent: Thursday, November 23, 2017 3:10 PM
To: s.22
Subject: Letter to Minister of Agriculture dated November 6, 2017

Good afternoon,

Please find attached a response to your letter dated November 6, 2017.

Sincerely,

Agricultural Land Commission



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

November 22, 2017

s.22

Dear s.22

This correspondence is further to your November 6, 2017 letter to the Honorable Minister Lana Popham, Minister of Agriculture; the Agricultural Land Commission (the "ALC") and the Squamish Lillooet Regional District. As the matter referred to in your correspondence falls within the jurisdiction of the ALC, Minister Popham considered it best that this office respond. As an independent administrative tribunal the decisions of the Commission must remain free from government influence.

You have indicated in your correspondence that the Ministry of Forest Lands and Natural Resource Operations is developing a 70 unit campsite in the Agricultural Land Reserve on PID 015-920-062. You indicate you have filed a petition with the BC Supreme Court to review the project. You believe that since the campsite lies within the Agricultural Land Reserve that the Agricultural Land Commission must approve the campsite use.

Please note the highlighted portion of Section 3(4)(a) of BC Regulation # 171/2002.

(4) The following non-farm uses are permitted in an agricultural land reserve and must not be prohibited by a local government bylaw or, for lands located in an agricultural land reserve that are treaty settlement lands, by a law of the applicable treaty first nation government:

(a) any

(i) ecological reserve established under the Ecological Reserve Act or by the Protected Areas of British Columbia Act,

(ii) park established under the Park Act or by the Protected Areas of British Columbia Act,

(iii) protected area established under the Environment and Land Use Act,

(iv) wildlife management area established under the Wildlife Act,

(v) reserve established under section 15 of the Land Act for recreational use, or

(vi) recreation site established under section 56 of the Forest and Range Practices Act;

As such recreation sites established in the ALR under section 56 of the Forest and Range Practices Act are a permitted non-farm use and no application, or approval from the ALC is required.

Please contact the Martin Collins at martin.collins@gov.bc.ca if you have any further questions.

Yours Truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in cursive script that reads "Martin Collins".

Martin Collins, Director of Policy and Planning

cc: Honourable Lana Popham, Minister of Agriculture
Kim Grout, Chief Executive Officer

Minister, AGRI AGRI:EX

From: Oloyede, Lola ALC:EX
Sent: Thursday, November 23, 2017 4:35 PM
To: Minister, AGRI AGRI:EX; OfficeofthePremier, Office PREM:EX
Subject: Letter from s.22 to Premier and Minister of Agriculture dated November 9, 2017
Attachments: FaxArchive_20171110_1450 - 187328.pdf; Response to s.22 .pdf

Good afternoon,

I have attached a copy of the response sent to s.22 here for your information.
Please note that the response was sent via fax .

Best regards,
Lola Oloyede

Lola Oloyede
Office Manager
Agricultural Land Commission
133 – 4940 Canada Way, Burnaby, BC V5G 4K6
☎: (604) 660-7031 | 📠: (604) 660-7033 | ✉: Lola.Oloyede@gov.bc.ca
www.alc.gov.bc.ca

FAX:

ALC 604 660 7033

John Horgan. 250 387 0087
250 391 2804

Minister of Agriculture Lana Popham. 250 387 1522

Adam Olsen. 250 655 7398

s.22

North Saanich
Nov. 9th, 2017

Dear Honourable members of the Province of BC and members of the Agricultural Land Commission of BC

Please, allow me to share with you our concerns:

The Sandown property in the District of North Saanich that is subject to an ALC exclusion/inclusion application and a 12 acre commercial development is located within the TSEYCUM First Nation territory.

At the November 6th, 2017 District of North Saanich Council meeting I myself addressed Council during the public participation period regarding the need for the District to sit down with our people and discuss the Sandown land. The webcast link to this Council meeting has been provided below for your references.

I have also learned that the current Chief Tanya Jimmy (Jones) of the TSEYCUM First Nations signed the petition addressed to the District of North Saanich opposing this proposed shopping centre on this land.

It seems that in the 6 years that this application has been with the ALC and the District of North Saanich nobody has consulted with our people, despite "the Province being legal obligated to consult and accommodate First Nations, where required, on land and resource decisions that could impact their indigenous interests."

s.22

s.22

s.22

We believe that meaningful consultation must take place with First Nations prior to the ALC or the District of North Saanich proceeding with this Sandown land use application.

<https://www.northsaanich.ca/web-casting>

Thanks you for your time

s.22



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

November 22, 2017

s.22

Dear s.22

We are writing in response to your letter dated November 9, 2017. Thank you for your letter.

For your information, the Agricultural Land Commission (the "Commission" or "ALC") has previously issued several resolutions in respect of the "ALC exclusion/inclusion application[s]" that you refer to in your letter. In this regard:

- The exclusion application (ALC file 52454) and inclusion application (ALC file 52455) were the subject of Resolutions 357/2011 and 383/2011 in 2011.
- A request for reconsideration of Resolution 357/2011 was decided in 2016, via Resolution 366/2016.

Though these documents are also publicly available on the ALC website, for ease of reference we enclose a copy of the Commission's correspondence dated November 14, 2011 and November 4, 2016 enclosing the resolutions noted above.

Resolution 366/2016 provided for a deadline of November 14, 2017 for compliance with certain conditions. The Commission advised by letter dated November 9, 2017 that the conditions had been met.

There is therefore nothing presently before the Commission for consideration in relation to the Sandown property.

With respect to matters regarding consultation, we note that the Commission's mandate is conferred by the *Agricultural Land Commission Act*. The statute and accompanying Agricultural Land Use, Subdivision and Procedure Regulation contain specific provisions regarding matters such as notice, the authorization of applications and how input may be received. We are not aware of any suggestion that those provisions have not been complied with. With respect to broader issues you may have, the other recipients of your letter or the District of North Saanich may be able to respond.

Sincerely,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in dark ink, appearing to read "Kim Grout", is written over the printed name and title of the Chief Executive Officer.

Kim Grout, Chief Executive Officer
Encl.

cc. Honourable John Horgan, Premier
Honourable Lana Popham, Minister of Agriculture



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

November 4, 2016

ALC Files: 52454

Ascot Jockey Club Ltd.
William A. Randall
s.22

Dear Mr. Randall:

Re: Reconsideration of original application to Exclude land out of and Include land into the Agricultural Land Reserve (ALR)

Please find attached the Reasons for Decision of the Agricultural Land Commission (Resolution #366/2016) as it relates to the above noted application.

Reconsideration of a Decision by an Affected Person

We draw your attention to s. 33(1) of the *Agricultural Land Commission Act* which provides a person affected the opportunity to submit a request for reconsideration.

- 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.

For further clarity, s. 33.1 and s. 33(1) are separate and independent sections of the *Agricultural Land Commission Act*.

Further correspondence with respect to this application is to be directed to Christopher Wilcott at (christopher.wilcott@gov.bc.ca).

Page 2 of 2

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in black ink, appearing to read 'C. Wilcott', with a stylized flourish at the end.

Christopher Wilcott RPP, MCIP Land Use Planner

Enclosure: Reasons for Decision (Resolution #366/2016)

cc: Robill Holdings Ltd, Suite 1180 – 505 Burrard Street, Vancouver, BC
District of North Saanich (DNS File: 3360-20)

52454d2



AGRICULTURAL LAND COMMISSION FILES 52454

REQUEST FOR RECONSIDERATION REASONS FOR DECISION OF THE EXECUTIVE COMMITTEE

Application 52454 was submitted pursuant to s. 30(1) of the *Agricultural Land Commission Act*.

Request for Reconsideration submitted pursuant to s. 33 of the *Agricultural Land Commission Act*

Applicant:	Ascot Jockey Club
Interested Parties:	District of North Saanich
Application before the Executive Committee:	Frank Leonard, Chair William Zylmans, South Coast Panel Jennifer Dyson, Island Panel Dave Merz, North Panel Gerald Zimmermann, Okanagan Panel



THE APPLICATION

[1] The legal description of the Properties involved in the application are:

Property 1

Parcel Identifier: 005-880-289

Lot 2, Section 14, Range 2 East, North Saanich District, Plan 6103

Area: 7.8 ha

Property 2

Parcel Identifier: 005-880-386

Lot 3, Section 14, Range 2 East, North Saanich District, Plan 6103

Area: 7.0 ha

Property 3

Parcel Identifier: 005-880-548

Lot 8, Section 14, Range 2 East, North Saanich District, Plan 6103

Area: 1.7 ha

Property 4

Parcel Identifier: 005-880-751

Amended Lot 7 (DD 1927171), Section 14, Range 2 East, North Saanich District,
Plan 6103

Area: 2.9 ha

Property 5

Parcel Identifier: 005-880-670

Amended Lot 6 (DD 19271911), Section 14, Range 2 East, North Saanich District,
Plan 6103, Except Part in Plan 1187RW

Area: 0.7 ha



Property 6

Parcel Identifier: 005-880-505

Lot 5, Section 14, Range 2 East, North Saanich District, Plan 6103

Area: 7.9 ha

Property 7

Parcel Identifier: 003-692-248

Lot 4, Section 14, Range 2 East, North Saanich District, Plan 6103

Area: 7.9 ha

Property 8

Parcel Identifier: 009-422-021

Section 14, Range 2 East, North Saanich District, Except Part in Plan 6103

Area: 2.2 ha

(collectively the "Properties")

- [2] The Properties are generally located on Glamorgan Road, North Saanich.
- [3] The Properties are 37.5 ha in area.
- [4] The Properties are located completely within a designated agricultural land reserve ("ALR") as defined in section 1 of the *Agricultural Land Commission Act* (the "ALCA").
- [5] The Properties is located within Zone 1 as defined in subsection 4.2 of the ALCA.
- [6] Pursuant to s. 30(1) of the ALCA, the Applicant applied to exclude approximately 5.0 ha for commercial uses, comprised of portions of four small (0.8 ha to 2 ha) parcels (Properties 3, 4, 5, and 8). The entire Sandown Racetrack facility is 38.1 ha under eight (8) titles. The Applicant proposed to consolidate the remaining 4 parcels (Properties 1, 2, 6, and 7) into a single agricultural parcel, and include approximately 5.0 ha of adjacent District of North Saanich (the "District") land into the ALR (Application 52455) (the "Proposal"). The Proposal along with supporting documentation is collectively the "Application".



[7] By Resolution #357/2011 (52454), dated November 14, 2011, the Agricultural Land Commission (the "Commission") approved the Proposal (the "Original Decision"). In reaching its decision, the Commission concluded:

1. *That the land under application has agricultural capability.*
2. *That the land under application #52454 for exclusion is suitable for agricultural use and that the proposed remainder parcel could be made even more suitable by reclaiming the former racetrack lands and consolidation of parcels into a larger parcel.*
3. *That the land under application #52455 for inclusion has agricultural potential.*
4. *That the overall agricultural benefits of the proposal outweigh the drawbacks stemming from the loss of agricultural land resulting from the proposed exclusion.*

AND THAT the approval is subject to the following conditions:

1. *The inclusion of approximately 5.0 ha of land as proposed (Application #52455).*
2. *A memorandum of understanding being developed and entered into with the Agricultural Land Commission to ensure that the future development of the site is in substantial accordance with the intent of the proposal and in accordance with the reclamation plan required under point 3. The memorandum of understanding is to provide for the engagement of a professional agrologist or otherwise qualified professional to oversee the implementation of the reclamation and drainage plan for the subject lands and ensure that all soils used to rehabilitate or improve the land are of appropriate quality. The memorandum of understanding is also to provide for the engagement of the Agricultural Advisory Commission to review the agrologist report and site development plans to ensure the benefits to the agricultural community area realized.*
3. *The approval by the Commission of a reclamation and drainage plan prepared by a professional agrologist or otherwise suitably qualified professional for the consolidated parcel and the parcel proposed for inclusion to return the lands to a state suitable for agricultural purposes. The plan would include removal of the abandoned racetrack buildings and structures, stockpiling and utilization of the*

topsoil from the land to be excluded to assist in the reclamation of the proposed consolidated parcel and the land to be included, and ensuring of proper drainage on and from the property. The plan would also include estimated timelines and, if appropriate, a phased approach to reclamation.

- 4. That the source of any soil being added to the subject properties be inspected to ensure it is not contaminated and meets standards for agricultural use.*
- 5. The construction of a fence and the planting of vegetation for the purpose of buffering the excluded lands from the remainder parcel in accordance with the Commission's Landscape Buffer Specifications and the Ministry of Agriculture's Edge Planning Guidelines.*
- 6. The preparation of a subdivision plan to delineate the area to be excluded in accordance with the drawing submitted with the application.*
- 7. The registration of a covenant on title of the proposed consolidated parcel for the purpose of restricting use to agricultural and accessory uses and prohibiting park development on the site.*
- 8. The zoning of the consolidated lot that remains in the ALR being changed from Exhibition to an appropriate Rural Agricultural zone that is consistent with the Agricultural Land Commission Act and BC Regulation 171/2002 and only permits agricultural uses.*
- 9. The exclusion and inclusion must be completed within five (5) years from the date of this decision.*

[8] On August 10, 2016, the Commission received the Applicant's *Request for Reconsideration* of Resolution #357/2011. More specifically, the Applicant requested reconsideration of Condition 9 in order to allow an extension of 1 year to complete all of the conditions of Resolution #357/2011.

RELEVANT STATUTORY PROVISIONS

[9] The reconsideration request was submitted pursuant to s. 33 of the *ALCA* which states:

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.

[10] The purposes of the commission set out in s. 6 of the *ALCA* are as follows:

- 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.

DELEGATION TO EXECUTIVE COMMITTEE

[11] On October 29, 2014, the Agricultural Land Commission met and by Resolution #029N/2014 decided to delegate certain reconsideration requests to the Executive Committee. The following is an excerpt from the resolution:

- A. The Agricultural Land Commission (the Commission) may, pursuant to s. 10(3) of the *Agricultural Land Commission Act*, S.B.C. 2002, c. 36, as amended (*ALCA*), delegate any of the Commission's functions to the Executive Committee.
- B. The Executive Committee is a standing committee of the Commission established under s. 10(1) of the *ALCA*, consisting of the Commission Chair and Vice Chairs.
- C. The Commission considers that it is necessary, cost effective and desirable to delegate to the Executive Committee the Commission's power to decide under s. 33 whether to reconsider an application decision made by a regional panel (following which, if the



decision is to reconsider, the Commission Chair must under s. 11.1(3) of the *ALCA* refer the matter to the regional panel who made the decision).

D. The Commission considers that it is necessary, cost effective and desirable to delegate to the Executive Committee the Commission's power to:

(a) decide under s. 33 whether to reconsider a decision made prior to September 5, 2014 (transitional application); and

(b) if the decision is to reconsider, decide under s. 33 to confirm, reverse or vary a decision with respect to a transitional application, on the grounds that such reconsiderations are not subject to referral to a regional panel under s. 11.1(3) of the *ALCA*.

[12] A meeting of the Executive Committee (the "Executive Committee") of the Commission was held on September 30, 2016 as it relates to the *Request for Reconsideration of Application #52454*. All members of the Executive Committee were in attendance except Lucille Dempsey.

[13] As per paragraph 11(D)(a) above, the Executive Committee considered the *Request for Reconsideration* pursuant to s. 33(1) of the *ALCA* and determined that the submission contains evidence that was not available at the time of Resolution #357/2011, and the information would have been germane to the review of the Application by the Commission.

[14] The Executive Committee concluded that the *Request for Reconsideration* meets the requirements for reconsideration pursuant to s. 33(1) of the *ALCA* and the request is therefore granted.

[15] Pursuant to s. 33(2) of the *ALCA*, the Executive Committee did not consider that there were any persons affected by the reconsideration.



- [16] As per paragraph 11(D)(b) above, the Executive Committee proceeded to reconsider Resolution #357/2011 on the grounds that such reconsiderations are not subject to referral to a regional panel under s. 11.1(3) of the ALCA.

EVIDENTIARY RECORD BEFORE THE EXECUTIVE COMMITTEE

- [17] The Executive Committee considered the following evidence:
1. All the documents contained in the Application file from September 6, 2011, being the date the Application was received by the Commission, to the date of Resolution #357/2011;
 2. The Commission's decision recorded as Resolution #357/2011 and dated November 14, 2011; and
 3. The Applicant's request for reconsideration dated August 10, 2016, received by the Commission on August 10, 2016.

All documentation noted herein has been disclosed to the applicant in advance of this decision.

FINDINGS

- [18] The Executive Committee noted that the Applicant is progressing with the conditions of approval imposed by the Commission in Resolution #357/2011.
- [19] The Executive Committee considered the *Request for Reconsideration* to extend the timeframe associated with Resolution #357/2011 to be reasonable given the progress made in fulfilling the required conditions to date.
- [20] The Executive Committee noted that if the conditions required in Resolution #357/2011's approval are not met within the extended timeframe, a new application may be required.



DECISION

- [21] For the reasons given above, the Executive Committee approves the Proposal to extend the timeframe of Resolution #357/2011 by a period of one (1) year to allow for sufficient time to successfully complete the conditions of Resolution #357/2011. The revised date to complete the exclusion decisions is now November 14, 2017.
- [22] 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.
- [23] These are the unanimous reasons of the Executive Committee of the Agricultural Land Commission.
- [24] A decision of the Executive Committee is a decision of the Commission pursuant to s. 10(3) of the *Agricultural Land Commission Act*.
- [25] This decision is recorded as Resolution #366/2016 and is released on November 4, 2016.

CERTIFICATION OF DECISION

A handwritten signature in cursive script that reads 'Frank Leonard' followed by a period.

Frank Leonard, Chair, on behalf of the Executive Committee

END OF DOCUMENT



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

November 14, 2011

Reply to the attention of Jennifer Carson
ALC File: #52454/ #52455

Ascot Jockey Club Ltd.
William A. Randall
S.22

Dear Mr. Randall:

Re: Applications to Exclude land out of and Include land into the Agricultural Land Reserve

Please find attached the Minutes of Resolutions #357/2011 and #383/2011 outlining the Commission's decisions as they relate to the above noted applications.

Once the conditions have been fulfilled with respect to Resolution 357/2011, File 52454 please send two (2) paper prints of the final survey 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 and will confirm that the land has been excluded. Please note that a 5 year time limit has been placed on the completion of conditions.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

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

Brian Underhill, Executive Director

Enclosure: Minutes/Sketch Plan

cc: Robill Holdings Ltd, Suite 1180 -505 Burrard Street, Vancouver, BC,
District of North Saanich (DNS File 3360-20)

TK/
52454d1/52455d1



PROVINCIAL AGRICULTURAL LAND COMMISSION

A meeting was held by the Provincial Agricultural Land Commission on Wednesday October 26th, 2011 at the offices of the Commission located at #133 – 4940 Canada Way, Burnaby, B.C.

COMMISSION MEMBERS PRESENT:

Richard Bullock	Chair
Jennifer Dyson	Vice-Chair
Gordon Gillette	Vice-Chair
Bert Miles	Commissioner
Jim Johnson	Commissioner
Jerry Thibeault	Commissioner
Lucille Dempsey	Commissioner
Denise Dowswell	Commissioner
Jim Collins	Commissioner

COMMISSION STAFF PRESENT:

Roger Cheetham	Regional Planner
Jennifer Carson	Land Use Planner
Terra Kaethler	Land Use Planner
Brian Underhill	Executive Director
Colin Fry	Executive Director

APPLICATION ID: #52454

PROPOSAL: To exclude approximately 5.0 ha for commercial uses, comprised of portions of four small (0.8 ha to 2 ha) parcels. The entire Sandown Racetrack facility is 38.1 ha under eight (8) titles. The applicant proposes to consolidate the remaining titles (4 parcels) into a single agricultural parcel, and include approximately 5.0 ha of adjacent District land into the ALR (Application #52455). (Application submitted pursuant to section 30(1) of the *Agricultural Land Commission Act*)

APPLICATION ID: #52455

PROPOSAL: To include approximately 5.0 ha District land into the ALR. The parcel is adjacent to the land proposed for exclusion under application #52454, (Application submitted pursuant to section 17(3) of the *Agricultural Land Commission Act*)

PROPERTY INFORMATION:

APPLICATION ID: #52454

Owner: Ascot Jockey Club

Dates of Acquisition: 1980, 1983, 2010. The family has owned the properties and racetrack for decades.

Properties: 8 separate parcels totalling 38.1 ha. All within the ALR.

PROPERTY INFORMATION (continued):

PROPERTY 1

Parcel ID: 005-880-289
Legal Description: Lot 2, Section 14, Range 2 East, North Saanich District Plan 6103
Civic Address: Glamorgan Road, North Saanich
Size: 7.8 ha

PROPERTY 2

Parcel ID: 005-880-386
Legal Description: Lot 3 Section 14 Range 2 East, North Saanich District, Plan 6103
Civic Address: Glamorgan Road, North Saanich
Size: 7.0 ha

PROPERTY 3

Parcel ID: 005-880-548
Legal Description: Lot 8, Section 14, Range 2 East, North Saanich District, Plan 6103
Civic Address: Glamorgan Road, North Saanich
Size: 1.7 ha

PROPERTY 4

Parcel ID: 005-880-751
Legal Description: Amended Lot 7 (DD 192717I) Section 14, Range 2 East, North Saanich District, Plan 6103
Civic Address: Glamorgan Road, North Saanich
Size: 2.9 ha

PROPERTY 5

Parcel ID: 005-880-670
Legal Description: Amended Lot 6 (DD 192719I) Section 14, Range 2 East, North Saanich District, Plan 6103, Except Part in Plan 1187RW
Civic Address: Glamorgan Road, North Saanich
Size: 0.7 ha

PROPERTY 6

Parcel ID: 005-880-505
Legal Description: Lot 5, Section 14, Range 2 East, North Saanich District, Plan 6103
Civic Address: Glamorgan Road, North Saanich
Size: 7.9 ha

PROPERTY 7

Parcel ID: 003-692-248
Legal Description: Lot 4, Section 14, Range 2 East, North Saanich District, Plan 6103
Civic Address: Glamorgan Road, North Saanich
Size: 7.9 ha

PROPERTY 8

Parcel ID: 009-422-021
Legal Description: Section 14, Range 2 East, North Saanich District, Except Part in Plan 6103
Civic Address: Glamorgan Road, North Saanich
Size: 2.2 ha

ALC Application #52454/ #52455
Resolution #357/2011; Resolution #383/2011

PROPERTY INFORMATION (continued):
--

APPLICATION ID: #52455
Owner: District of North Saanich
Dates of Acquisition: 2002

Parcel ID: 005-463-386
Legal Description: Lot 2, Sections 13 and 14, Range 1 East, North Saanich District, Plan 8126
Civic Address: 1620 Mills Road, North Saanich
Size: 5.0 ha

SITE INSPECTION MEETING:

A site inspection meeting was conducted on September 22, 2011, following which a report was prepared. The site inspection meeting report was approved by the agent and by Commissioner Dyson on October 14, 2011.

Section 14(2) of the *Agricultural Land Commission Act* provides that a member of the Commission who was not present at a meeting to determine an application or other matter may vote on the application or matter only if a summary of the meeting is given to the member before the vote. The site inspection meeting report constitutes a written record of the site inspection meeting and has been provided to all Commission members recorded above.

EXCLUSION MEETING:

For applications pursuant to section 30(1) of the *Agricultural Land Commission Act*.

The exclusion meeting was held on October 25, 2011 at the offices of the Commission. Those in attendance were:

Applicants: William Randall and Bill Randall
Agent: Rob Buchan
All Commission members and staff as previously listed, as well as Commissioner Sylvia Pranger.

The applicants explained the history of the property and their family's involvement with thorough-bred racing since the 1950's. Racing on the property ended in 2008, with off-track betting ending in 2011. The applicants approached the District of North Saanich with a proposal to establish 2.0 ha lots of the property. The District was not supportive of that proposal, but has been working with the applicants to develop a plan for the property that would benefit the agricultural community. The agent explained North Saanich's proposal in detail, highlighting the following:

- The proposal will result in the consolidation of 8 existing parcels into two, comprising a 33.5 ha. agricultural parcel and a 5.0 ha commercial parcel that may subsequently be further subdivided.
- A covenant is to be registered restricting the 33.5 ha. to agriculture and accessory uses.
- 5.0 ha. of municipal land is to be included into the ALR and improved for agriculture (as per Application #52454).

ALC Application #52454/ #52455
Resolution #357/2011; Resolution #383/2011

- It is planned that the land to be retained in the ALR and the area to be included into the ALR will be made available for agriculture purposes. This may include leases to existing farmers, allotments for new farmers, community gardens, farmer markets and educational initiatives, including university agricultural programs.
- It is intended that soil improvements will be made through the District's green waste program using top soil taken from the commercial parcel and possibly from other sources.
- The District is willing to enter into a MOU with the ALC and make a policy commitment to fund agricultural improvements using 50% of the incremental increase in tax revenues for at least 5 years

It was pointed out that if the proposal does not proceed it is likely that the existing subdivisions would be sold and developed for rural residential purposes.

COMMISSION CONSIDERATION:

Context

Section 6 of the *Agricultural Land Commission Act* identifies the purposes of the Commission as: (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.

Agricultural Capability

Based on the information contained in Map 92B.063 (Scale 1:20,000) of the BC Land Inventory (BCLI), 'Land Capability Classification for Agriculture in B.C.' system, the agricultural capability ratings for the area proposed for exclusion are identified as being:

Unimproved Rating: 4AW Improved Rating: (6:2DW 4:3DW)

Class and Subclass Descriptions:

- 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 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.
- Class 4 – Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

A	soil moisture deficiency
D	undesirable soil structure
W	excess water

- The soil capability ratings of the area proposed for exclusion are improvable to prime (2D) with limitations of unfavourable soil structure. Much of the cleared land is used for pasture, track and infield, and parking (on grass).

ALC Application #52454/ #52455
Resolution #357/2011; Resolution #383/2011

- The District also proposes to include an adjacent parcel of ~5.0 ha of previously disturbed land into the ALR. The property was used as a sandpit since the 1970's and was mined out. It is now being used as a municipal green waste facility and is in the process of being reclaimed. The soil capability of the lands proposed for inclusion are identified as predominantly Class 5 unimprovable, however, the District is working to improve the soils of this parcel.

The Commission considered that the land proposed for exclusion was of prime agricultural capability. Further, it noted that the land proposed for inclusion was of secondary capability for agriculture.

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 properties have prime agricultural capability and are in an agricultural area. Kept in one unit, the Commission does not believe there are external factors that render the land unsuitable for agricultural use.

However, the land is currently divided into eight separate parcels. Further, there is minimal agricultural activity due in part to the abandoned racetrack as well as the associated vacant barns and structures. The subject lands are at risk of being sold separately and further alienated. The subject property is, with the exception of one parcel located at the eastern extremity of the property, located in a special zone that in addition to farm uses also permits facilities related to the race track including horse stables, grandstand with or without clubhouse facilities and an agricultural exhibition facility. A caretakers unit is permitted as a secondary use. The one other property is zoned as Rural Agricultural within which farm uses, nurseries and a single family residential building are permitted. The Commission noted that the District proposes to rezone the property that is to remain in the ALR to restrict usage to agriculture.

Assessment of Potential Impact on Agriculture

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission recognized that the proposed consolidation and the covenanting of the land that is to remain in the ALR for agricultural use would result in significant benefits for agriculture and would remove the possibility of the area being developed as rural estates. Further, the Commission noted that the District intends to demolish the existing structures, rehabilitate the land, consult with the wider agricultural community to facilitate agricultural development on the property, and fund agricultural improvement initiatives; such as drainage works. It also intends to hire an Agrologist to manage the site. The Commission recognized that these measures will result in significant benefits for agriculture if they are undertaken by the District. The Commission noted that the District is willing to enter into a memorandum of understanding with the Commission and make a policy commitment to fund these projects. However, as pointed out by the applicant at the exclusion meeting, it is not possible to bind successive councils and there is a possibility that future councils might not be as willing as the present council to proceed with these improvements.

The Commission also considered that a 5.0 ha area of land was proposed for inclusion. While not of the same capability as the area to be excluded, the Commission appreciated the District's efforts to reclaim the land for agricultural use. It noted that the topsoil from the proposed exclusion area could be used to help rehabilitate the areas currently compromised by the race

ALC Application #52454/ #52455
Resolution #357/2011; Resolution #383/2011

track and associated facilities as well as the area proposed for inclusion. The Commission noted that it is important that the quality of the soils used for rehabilitation be monitored by a soils Agrologist, both with respect to the consolidated site and also the property to be included into the ALR.

Overall the Commission was of the view that the agricultural benefits arising from the proposal outweigh the negative impacts of excluding 5.0 ha of agricultural land. The Commission believed that with the District of North Saanich's leadership and management of this site, the community of North Saanich will be gaining a significant asset of a large agricultural parcel to be utilized in support of agricultural initiatives that will benefit to the whole community. The Commission viewed the proposal as a creative approach to rehabilitate and invest in the subject lands to improve the potential for agricultural use. The Commission recognized that it was not possible to guarantee that successive councils will pursue the project with the enthusiasm of the present council. However, the Commission noted that successive councils in North Saanich have consistently supported agriculture. Moreover the district has established an Agricultural Advisory Commission, has adopted an agricultural strategy and is at present embarking upon a study of agriculture, all of which encouraged the Commission to believe that future councils will wish to pursue the present initiatives.

CONCLUSIONS:

1. That the land under application has agricultural capability.
2. That the land under application #52454 for exclusion is suitable for agricultural use and that the proposed remainder parcel could be made even more suitable by reclaiming the former racetrack lands and consolidation of parcels into a larger parcel.
3. That the land under application #52455 for inclusion has agricultural potential.
4. That the overall agricultural benefits of the proposal outweigh the drawbacks stemming from the loss of agricultural land resulting from the proposed exclusion.

IT WAS

MOVED BY: Commissioner B. Miles
SECONDED BY: Commissioner G. Gillette

THAT the application #52454 be approved;

AND THAT the approval is subject to the following conditions:

1. The inclusion of approximately 5.0 ha of land as proposed (Application #52455).
2. A memorandum of understanding being developed and entered into with the Agricultural Land Commission to ensure that the future development of the site is in substantial accordance with the intent of the proposal and in accordance with the reclamation plan required under point 3. The memorandum of understanding is to provide for the engagement of a professional agrologist or otherwise qualified professional to oversee the implementation of the reclamation and drainage plan for the subject lands and ensure that all soils used to rehabilitate or improve the land are of appropriate quality. The memorandum of understanding is also to provide for the engagement of the Agricultural Advisory Commission to review the agrologist report and site development plans to ensure the benefits to the agricultural community are realized.
3. The approval by the Commission of a reclamation and drainage plan prepared by a professional Agrologist or otherwise suitably qualified professional for the consolidated

ALC Application #52454/ #52455
Resolution #357/2011; Resolution #383/2011





parcel and the parcel proposed for inclusion to return the lands to a state suitable for agricultural purposes. The plan would include removal of the abandoned racetrack buildings and structures, stockpiling and utilization of the topsoil from the land to be excluded to assist in the reclamation of the proposed consolidated parcel and the land to be included, and ensuring of proper drainage on and from the property. The plan would also include estimated timelines and, if appropriate, a phased approach to reclamation.

4. That the source of any soil being added to the subject properties be inspected to ensure it is not contaminated and meets standards for agricultural use.
5. The construction of a fence and the planting of vegetation for the purpose of buffering the excluded lands from the remainder parcel in accordance with the Commission's Landscape Buffer Specifications and the Ministry of Agriculture's Edge Planning Guidelines
6. The preparation of a subdivision plan to delineate the area to be excluded in accordance with the drawing submitted with the application
7. The registration of a covenant on title of the proposed consolidated parcel for the purpose of restricting use to agricultural and accessory uses and prohibiting park development on the site
8. The zoning of the consolidated lot that remains in the ALR being changed from Exhibition to an appropriate Rural Agricultural zone that is consistent with the Agricultural Land Commission Act and BC Regulation 171/2002 and only permits agricultural uses.
9. The exclusion and inclusion must be completed within five (5) years from the date of this decision.

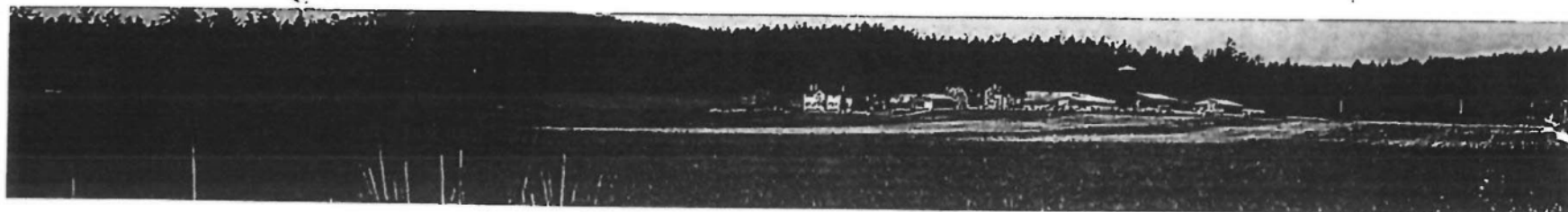
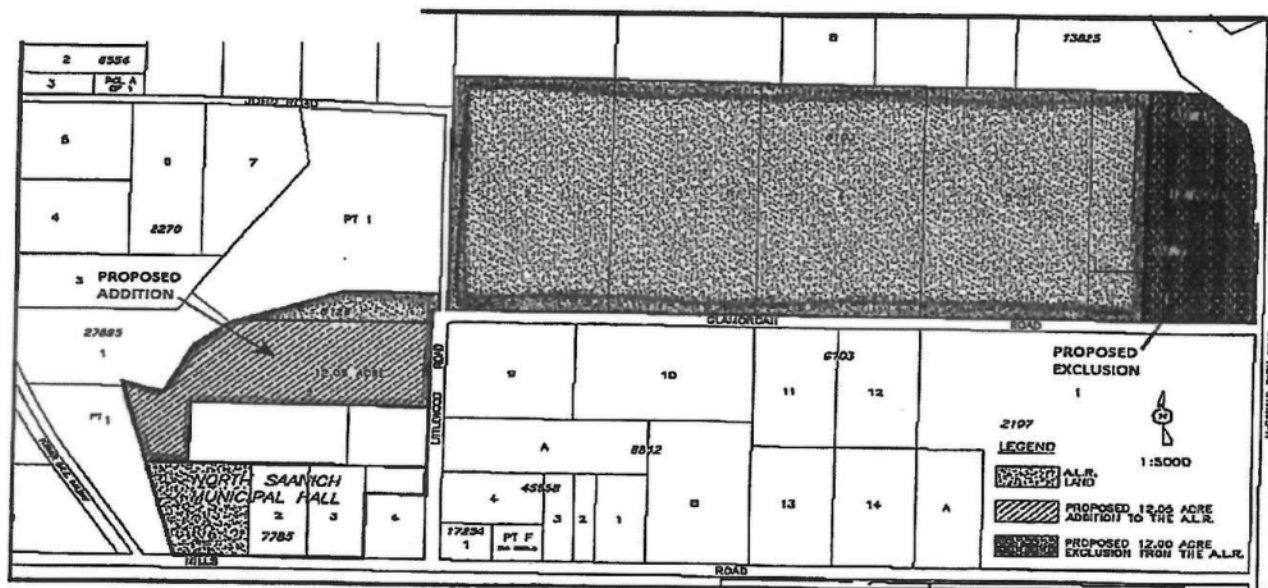
AND THAT the application #52455 be approved.

CARRIED
Resolution # 357/2011
Resolution #383/2011

Provincial Agricultural Land Commission
Application #52454 and #52455
Resolution #357/2011 and #383/2011

-  Subject properties
-  5.0 ha to be excluded
-  5.0 ha to be included
-  Area to be consolidated

Proposal Overview



Wendland, Justine AGRI:EX

From: Johnson, Lisa E AGRI:EX
Sent: Tuesday, December 19, 2017 2:03 PM
To: Wendland, Justine AGRI:EX
Subject: FW: FYI for DM and Minister's staff

Follow Up Flag: Follow up
Flag Status: Flagged

-----Original Message-----

From: Fair, Susan P AGRI:EX
Sent: Thursday, August 24, 2017 9:47 AM
To: Shoemaker, Wes AGRI:EX
Cc: McLaren, Kenn AGRI:EX; Wendland, Justine AGRI:EX; Johnson, Lisa E AGRI:EX
Subject: FYI for DM and Minister's staff

Please see incoming email from Frank Leonard.

Susan

-----Original Message-----

From: Frank Leonard S.22
Sent: Thursday, August 24, 2017 9:40 AM
To: Fair, Susan P AGRI:EX
Cc: Grout, Kim ALC:EX
Subject: FYI for DM and Minister's staff

Hi Susan

Usually when I make some decisions that might attract public attention, I like to ensure that the Deputy Minister and the Minister's Office is aware of that decision

Today I decided that the large exclusion request from Abbotsford is of 'provincial significance' - therefore it will be considered by the Commission Executive (myself and six Vice-Chairs from around BC) rather than the Regional Panel for the South Coast

This also means it will be subject to a 180 working day timeline rather than the 60/90 working day timeline

This will allow plenty of time for site visits and staff analysis

The notification to the applicant will go out tomorrow or Monday

Please advise if you can pass this information along or provide the contacts so I may do so directly

Thanks

Frank Leonard

Sent from my iPad

Wendland, Justine AGRI:EX

From: Johnson, Lisa E AGRI:EX
Sent: Tuesday, December 19, 2017 2:03 PM
To: Wendland, Justine AGRI:EX
Subject: FW: FYI for DM and Minister's staff

Follow Up Flag: Follow up
Flag Status: Flagged

-----Original Message-----

From: McLaren, Kenn AGRI:EX
Sent: Thursday, August 24, 2017 10:42 AM
To: Fair, Susan P AGRI:EX
Cc: Shoemaker, Wes AGRI:EX; Wendland, Justine AGRI:EX; Johnson, Lisa E AGRI:EX
Subject: Re: FYI for DM and Minister's staff

Thanks Susan,
Kenn

Sent from my iPhone

> On Aug 24, 2017, at 9:46 AM, Fair, Susan P AGRI:EX <Susan.Fair@gov.bc.ca> wrote:

>

> Please see incoming email from Frank Leonard.

>

>

> Susan

>

> -----Original Message-----

> From: Frank Leonard s.22

> Sent: Thursday, August 24, 2017 9:40 AM

> To: Fair, Susan P AGRI:EX

> Cc: Grout, Kim ALC:EX

> Subject: FYI for DM and Minister's staff

>

> Hi Susan

>

> Usually when I make some decisions that might attract public attention, I like to ensure that the Deputy Minister and the Minister's Office is aware of that decision

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> Please advise if you can pass this information along or provide the contacts so I may do so directly
>
> Thanks
>
> Frank Leonard
>
>
>
> Sent from my iPad

Hansen, Erin AGRI:EX

From: Godfrey, Samuel <Samuel.Godfrey@leg.bc.ca>
Sent: Wednesday, August 23, 2017 12:28 PM
To: Minister, AGRI AGRI:EX
Subject: FILE WITH OTHER EMAILS ON THIS: FW: ALC Application 54666 (Fatt)

Hi,

Regarding my email of Aug 21, subject: "FW: 6187 Hunt Road - ALR Application Reconsideration."

I also contacted the ALC and they responded (see below) so you can disregard my request for assistance on this matter.

Best, S.

Samuel Godfrey

Constituency Assistant to Hon. Lana Popham

Member of the B.C. Legislative Assembly for Saanich South and Minister of Agriculture for the B.C. Government

P: 250.479.4154 | C: 250.813.3233 | F: 250.479.4176 | 4085-B Quadra Victoria BC V8X 1K5

samuel.godfrey@leg.bc.ca | [facebook](#) | [saanichsouth.ca](#)

From: Huber, Sara ALC:EX [<mailto:Sara.Huber@gov.bc.ca>]

Sent: August 23, 2017 12:02 PM

To: Godfrey, Samuel

Subject: FW: ALC Application 54666 (Fatt)

Hi Samuel,

In response to your August 22, 2017 email, the Commission has now followed up with the agent for ALC Application 54666 (Fatt) (shown below).

Sincerely,

Sara Huber | Planner | Agricultural Land Commission

133 - 4940 Canada Way, Burnaby, BC, V5G 4K6 | T 604.660.7046 | F 604.660.7033

sara.huber@gov.bc.ca | www.alc.gov.bc.ca

From: Huber, Sara ALC:EX

Sent: Wednesday, August 23, 2017 11:59 AM

To: 'Deane Strongitharm'

Subject: ALC Application 54666 (Fatt)

Hi Deane,

We have received correspondence from MLA Popham's office with regard to ALC Application 54666 (Fatt). We understand that you have addressed some concerns with the ALC's reconsideration process.

To rectify the situation, the Commission is willing to re-review the information that was provided in the previous reconsideration requests at the upcoming Executive Committee meeting, scheduled for Thursday, September 28, 2017. This would include the information submitted on April 24, 2017 and June 15, 2017.

As well, following the Executive Committee's review and determination on the reconsideration, an explanation of the reasons for whether the application will be reconsidered or not, may be provided to you.

Please let me know whether you would like to move forward with this, and if this would address the concerns you have identified.

Sincerely,

Sara Huber | Planner | Agricultural Land Commission
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sara.huber@gov.bc.ca | www.alc.gov.bc.ca