



**Agricultural Land Commission**  
133-4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
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November 14, 2011

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

Ascot Jockey Club Ltd.  
William A. Randall  
6137 Collingwood Place  
Vancouver, BC  
V6N 1V2

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. Blum', is written over a light blue horizontal line. The signature is fluid and cursive.

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 26<sup>th</sup>, 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

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### 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*)

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### 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.

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**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 1927191I) 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

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**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).

- 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).

- 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

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

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.

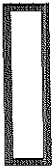
AND THAT the application #52455 be approved.

**CARRIED**  
**Resolution # 357/2011**  
**Resolution #383/2011**



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

# Proposal Overview

 Subject properties

 5.0 ha to be excluded

 5.0 ha to be included

 Area to be consolidated

