Agricultural Land Commission Act
Questions and Answers

Why are these changes being made?

Q1: Didn't we just do a review of ALC and change its legislation -- why are we doing this again?

A: The recent legislative changes were an important first step in modernizing the ALC.

Further reform is necessary to complete the modernization process and ensure the ALC achieves an appropriate balance between farmland protection, the stability of farm families and supporting jobs and investment in BC.

Q2: What is the problem the legislation is are trying to address?

A: The ALC does not meet government and citizen's expectations on transparency, accountability and service delivery.

ALC decisions do not reflect an appropriate balance between farmland protection, the stability of farm families and supporting jobs and investment in BC.

When the ALR was created, a lot of land with limited to poor farming value was included. The proposed amendments will allow some flexibility in ALC decision-making to approve non-agricultural economic development opportunities on some of those lands.

Q3: How does this align with our platform, the Core Review, and the BC Agri-Food Strategy

A: We have a strong, clear mandate from British Columbians to focus on creating jobs and growing the economy.

Bold reforms are necessary to ensure that the administration of the ALR by the ALC reflects this mandate, while continuing to protect BC's best farmland.

By maintaining protection of BC's best farmland in Zone 1 (where 85% of farm revenues are generated) while allowing for responsible economic development opportunities on less productive farmland (Zone 2), we will maximize the total economic benefits generated from BC's agricultural land reserve

Food processing and value-added agriculture makes up a large percentage of the agrifood industry's revenues. These proposals open up opportunities for value added activity, supporting our goal of reaching $14B in sector receipts by 2017.

Consultation and Stakeholder Views

Q4: The proposals are bold, and we have not consulted stakeholders or the public – are we opening ourselves to unnecessary criticism?

A: Extensive consultations on reform of both the ALC and the ALR were undertaken in 2010, and since becoming Minister I have heard from a large number of stakeholders about the need for further reform.

Further, broad based consultations are not being considered at this time.

Q5: The provincial government has a number of requirements to consult with local governments and/or UBCM under the Community Charter –has/will this occur?

A: Consultation has not occurred with local governments or UBCM on the proposed ALCA amendments and the amendment to the *Local Government Act* ..... (need to indicate whether consultation will or won't occur and why)

Q6: What is the opposition going to say?

A: It was an NDP government that created the ALR in 1973, and critics may portray the changes to the ALC's administration as weakening or dismantling of the ALR. But this criticism is unfounded. Given our mandate to grow the economy, and based on the balanced approach we are taking with these proposals, I am confident that British Columbians will support what we are doing regardless of any comments by the opposition.

One point to be clear about is we are maintaining protection of the provinces best farmland. The land base that generates 85% of agriculture's revenues will continue to be protected, as it is today.

Critics will also say we are politicizing the ALC and removing their independence. We will have to be clear that decisions on applications will continue to be made by ALC Panels and the Panels will continue to be independent of government, as they are now.

Q7: Which regions or local governments will support/oppose these proposals?

A: Many municipalities would like to engage earlier with the ALC in their land use planning processes, and will welcome the change to the *Local Government Act* requiring that this happen.

Q8: What is the farm industry going to say?

A: The agriculture industry broadly supports the ALR and will be in favour of maintaining protection for BC's best farmland.

The industry also recognizes that in order to compete on the world market they need to engage in more innovative and value-added agricultural activities in the ALR.

Some landowners are frustrated by the operation of the ALC, and will support modernizing the organization and its administration of the ALR.

Preliminary concerns expressed by the sector concern the perceived lack of consultation during the current ALC/ALR review process.

Q9: How is the ALC going to react?

A: The key concepts behind this package have been discussed with the ALC.

The ALC recognizes that it is with government's purview to amend the legislation governing their activities, and that the role of the ALC is to carry out its duties within the legislative mandate provided by government.

Q10: How will British Columbians react? Don't people love the ALR for providing food security to BC?

A: Many British Columbians have an emotional attachment to the ALR and some will view any changes as weakening it.

Most British Columbians do not interact with the ALC directly, so may be unaware of the frustrations experienced by some landowners and local governments in dealing with the organization.

Ensuring British Columbians are aware that we are maintaining protection for the provinces most productive farm land will be key.

Stakeholder (farmer, producer) support for the changes will be crucial in delivering that information to the public.
Individuals and critics may also express strong criticism about what they believe to be a lack or absence of public consultation on the changes.

The key to food security is to have a strong economy and open borders so that British Columbians can purchase the foods they want and need from around the world.

Local food is an important piece of this overall food basket, and British Columbians have a strong emotional attachment to the ALR for this reason.

Protecting BC's best farmland supports local food security.

Ensuring the stability of farm families by giving them a wider range of economic development opportunities also supports local food security.

That is why it is so important to balance farmland protection and economic development, which this package of proposals does.

Financial Impact

Q11: How much money will these changes save/cost?

A: There will be efficiencies and improvements in ALC operations and service levels and potentially some additional costs related to new reporting requirements.

These are expected to be managed within the existing ALC budget.

Modernize ALC Decision-Making

Q12: Why are we creating two zones?

A: BC is a large and diverse province, with different agricultural practices, different population and development pressures, and different social and cultural realities in the different regions. A 'one-size-fits-all' approach to regulating the use of farmland does not reflect this reality.

The proposed Zone 1(Island, South Coast, Okanagan) represents 10% of the ALR but produces 85% of total farm cash receipts (or revenues). Zone 2 (Kootenay, Interior, North), by contrast, represents 90% of the ALR and generates just 15% of total farm revenues.

As well, the development and population pressure in Zone 1 is significantly greater than in Zone 2.

For these reasons, it makes sense to consider Zone 1 as BC's most productive farmland and the farmland in need of the greatest protection. In Zone 2, which in terms of farm revenue generated should be considered less productive farmland, it makes sense to allow greater flexibility to allow farm families to realize other economic development activities.

Q13. Why are we changing the ALC's purpose?

A: The purpose of the ALC will not change. What is changing is that factors are being prescribed for ALC to consider during its decision-making.
This change is key to achieving our goal of balancing farmland protection with stability for farm families and capitalizing on economic opportunities within the agricultural land reserve.

Q14: How will these changes help farm families?

A: These changes ensure continued protection of BC's best farmland while allowing for responsible economic development opportunities on other farmland.

For example, by expanding opportunities for value-added farming activities like food processing or agri-tourism, as well as for some non-farm related business activities.

MLA Interests

Q15: Doesn't this create two ALR's – one in the north that's open for business and one in the south that's closed? How is this fair?

A: 85% of the BC agriculture industry's revenues are generated on just 10% of the ALR, in an area concentrated on the Okanagan, Fraser Valley and Vancouver Island. This area requires special protection.

The oil and gas sector are located in the north east, where extensive tracts of farmland are available for non-farm uses.

So we already have two ALRs; these proposals simply reflect that reality.

Q16: Where is the evidence supporting your critique of the ALC? How would the ALC respond to the criticisms in your examples?

A: We have heard these specific complaints directly from landowners and local governments and they are indicative or more widespread problems with the ALC's administration of the ALR.

The ALC would respond that they are acting within their mandate to protect farmland.

These proposals are intended to ensure that the ALC balances farmland protection with the need for job creation and economic growth.

FW: ALC - working sessions

Thursday, November 27, 2014
10:22 AM

Subject	**FW: ALC - working sessions**
From	Nickel, Ken AGRI:EX
To	Margerison, Elizabeth AGRI:EX
Sent	Friday, November 21, 2014 2:30 PM
Attachments	

Workplan ...

From: Coney, David AGRI:EX
Sent: September 10, 2013 3:13 PM
To: Rosseker, Alana AGRI:EX; Last, Gavin AGRI:EX; Bates, Linda A. AGRI:EX; van Dalfsen, Bert AGRI:EX; MacDonald, Leslie S AGRI:EX
Cc: Nickel, Ken AGRI:EX; Thompson, Grant AGRI:EX
Subject: ALC - working sessions

Hi everyone,

Here's a revised list of the issues we need to work through between now and Sept 23rd in order to prepare for an RFL, and potentially a Cab Sub/other detailed submission to govt.

I have lumped the issues into 5 groups, and will send invites momentarily for 5 working sessions. The sequence of the meetings will reflect the order in which the issues appear in the attached document.

These deliberations are to be internal to AGRI for now.

Ken and Grant, I will be including you in the invites, in case you are free and interested.

Many thanks,

David.

David Coney
Policy Manager
B.C. Ministry of Agriculture
Tel: 250 387 3232

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	Require l.g. and ALC to work together on planning OCP	**6d**	Amend Local Govt Act to require local govt to engage ALC prior to 1st reading of OCP	Early engagement is a prerequisite for ALC approval / endorsement of OCP. Requires l.g. to act, and ALC to have sufficient resources (planners and $) to repsond. Changes to LGA requrie consultation with UBCM (and MCSCD).	Will the solution frustrate the goal, by drowning the ALC in cnosultation rather than allowing them totriage based on risk

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s.12,s.13

		7b	Alter decision making criteria used by Panels (these are set as policy by ALC)	Less extreme; easier to change as priorities evolve; LGIC has authority to alter by Regulation under s. 58(3)(f). Note: will have to include differnet critria for different land classes and/or regions.	Can we do this and still be consistent with sect 6? What are our options? How do we reflect need to loosedn up in some areas (north east/marginal), and tighten up in others (prime/south)?

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FW: ALC Info?

Subject: **FW: ALC Info?**
From: Nickel, Ken AGRI:EX
To: van Dalfsen, Bert AGRI:EX
Sent: Tuesday, November 5, 2013 3:37 PM
Attachments:

Copy of Ar...

ALC Graphs

From: Standish, Alana AGRI:EX
Sent: Tuesday, November 5, 2013 2:09 PM
To: Matthews, Carmen AGRI:EX; Nickel, Ken AGRI:EX
Subject: ALC Info?
Importance: High

Hi Carmen & Ken,

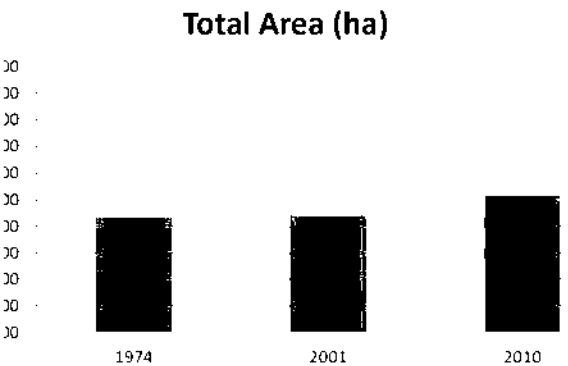
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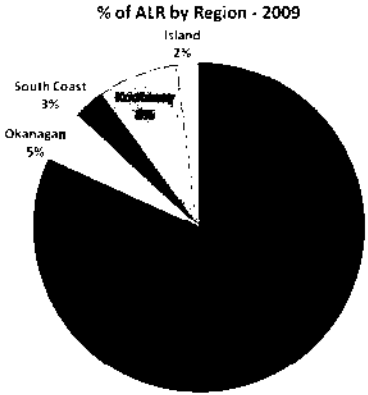
Thanks,

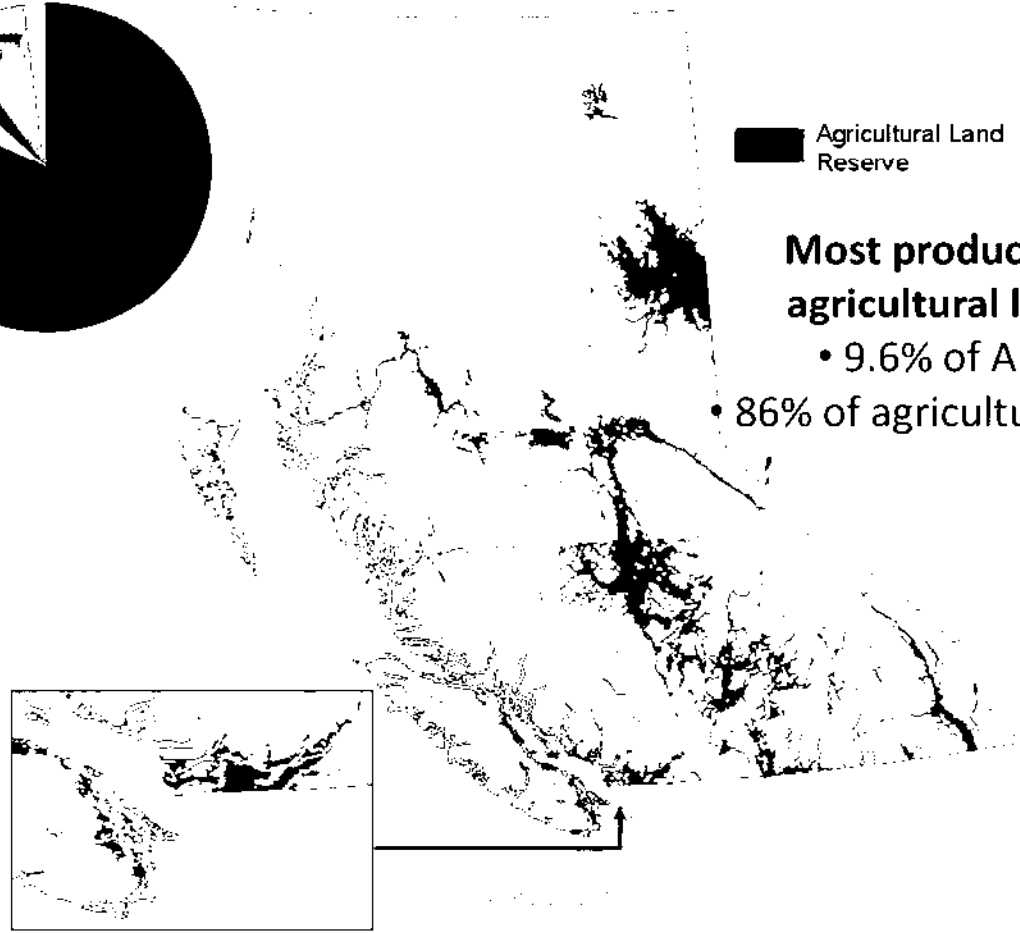
Alana Standish
Director, Agrifoods Policy & Legislation
Agriculture Science & Policy Division
Ministry of Agriculture
Province of British Columbia
250-514-3690

	Total Area (ha)	
1974	4,716,891	
2001	4,721,686	4,795
2010	4,759,829	38,143
		42,938

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Total Area (ha)
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2001
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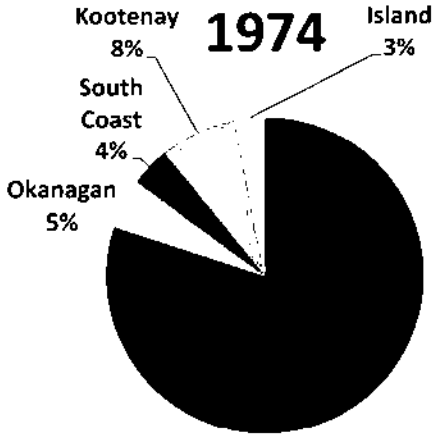


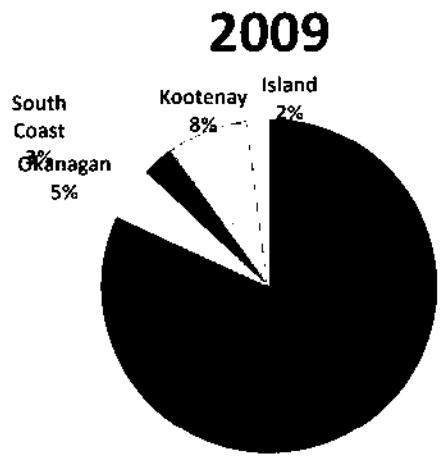


Most productive agricultural land

- 9.6% of ALR
- 86% of agriculture sales

% of ALR by Region



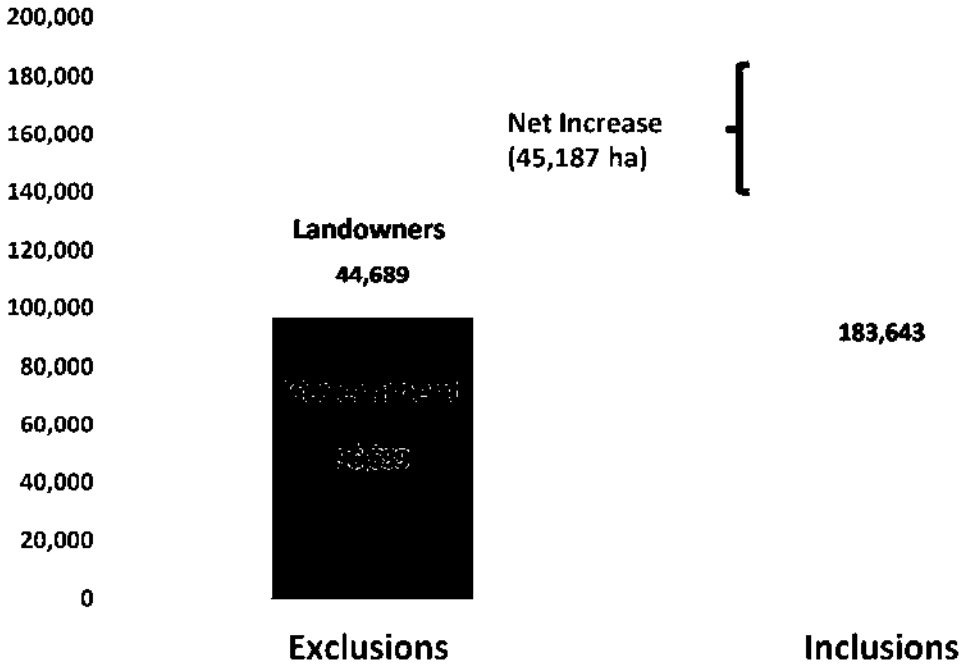


% Change in ALR 1974-2009,



Panel Region	1974 (ha)	2009 (ha)	Change (ha)
Island	130,163	112,927	-17,236
South Coast	177,043	161,908	-15,135
Okanagan	257,247	226,576	-30,671
Kootenay	399,110	382,755	-16,355
Interior	1,498,664	1,496,649	-2,015
North	2,253,292	2,379,891	126,599

Exclusions and Inclusions 1977- 2009 (ha)



RE: ALC Info?

Tuesday, November 5, 2013
4:17 PM

Subject	**RE: ALC Info?**
From	van Dalfsen, Bert AGRI:EX
To	Standish, Alana AGRI:EX
Cc	Nickel, Ken AGRI:EX; Thompson, Grant AGRI:EX; Matthews, Carmen AGRI:EX; Bartle, Gregory AGRI:EX
Sent	Tuesday, November 5, 2013 4:11 PM
Attachments	

2 triangles...

Hi,

The first reference to the two triangles is in the 1998 publication by the ALC written by Barry Smith called Planning for Agriculture. Barry mentions that there was :

79% population
78% farm gate receipts
In an area less than 3% of the province.

http://www.alc.gov.bc.ca/publications/planning/pfa_main.htm

Barry described the two areas as:

Okanagan/Interior – Osoyoos to Sicamous to Kamloops
Coastal – Hope to Parksville to Victoria

Our most recent triangle data is attached in a powerpoint.

I am also attaching the spreadsheet that Barry has endorsed for updating this information: In subsequent email

Gregory Bartle is updating it.

Regards,

Bert

PS I see that the ALC has provided area of ALR for the updated slides. I'm not sure if it compares to our 2 triangles but would agree that it makes sense.

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Sent: Tuesday, November 5, 2013 3:38 PM
To: van Dalfsen, Bert AGRI:EX
Subject: FW: ALC Info?
Importance: High

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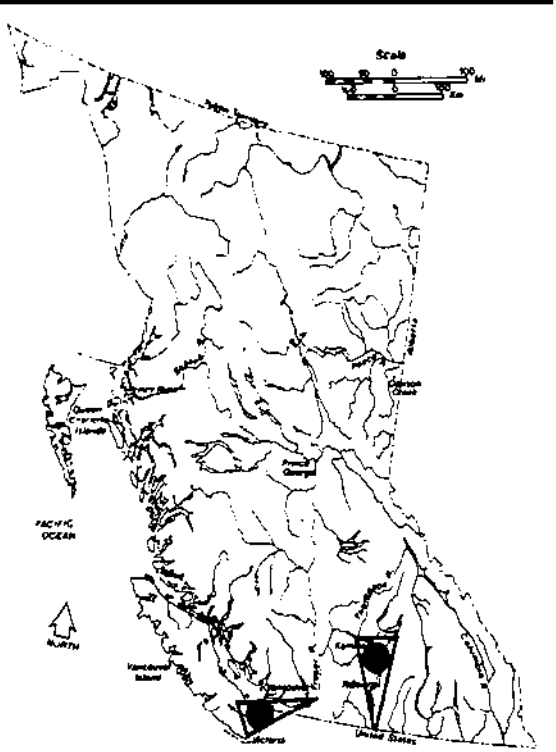
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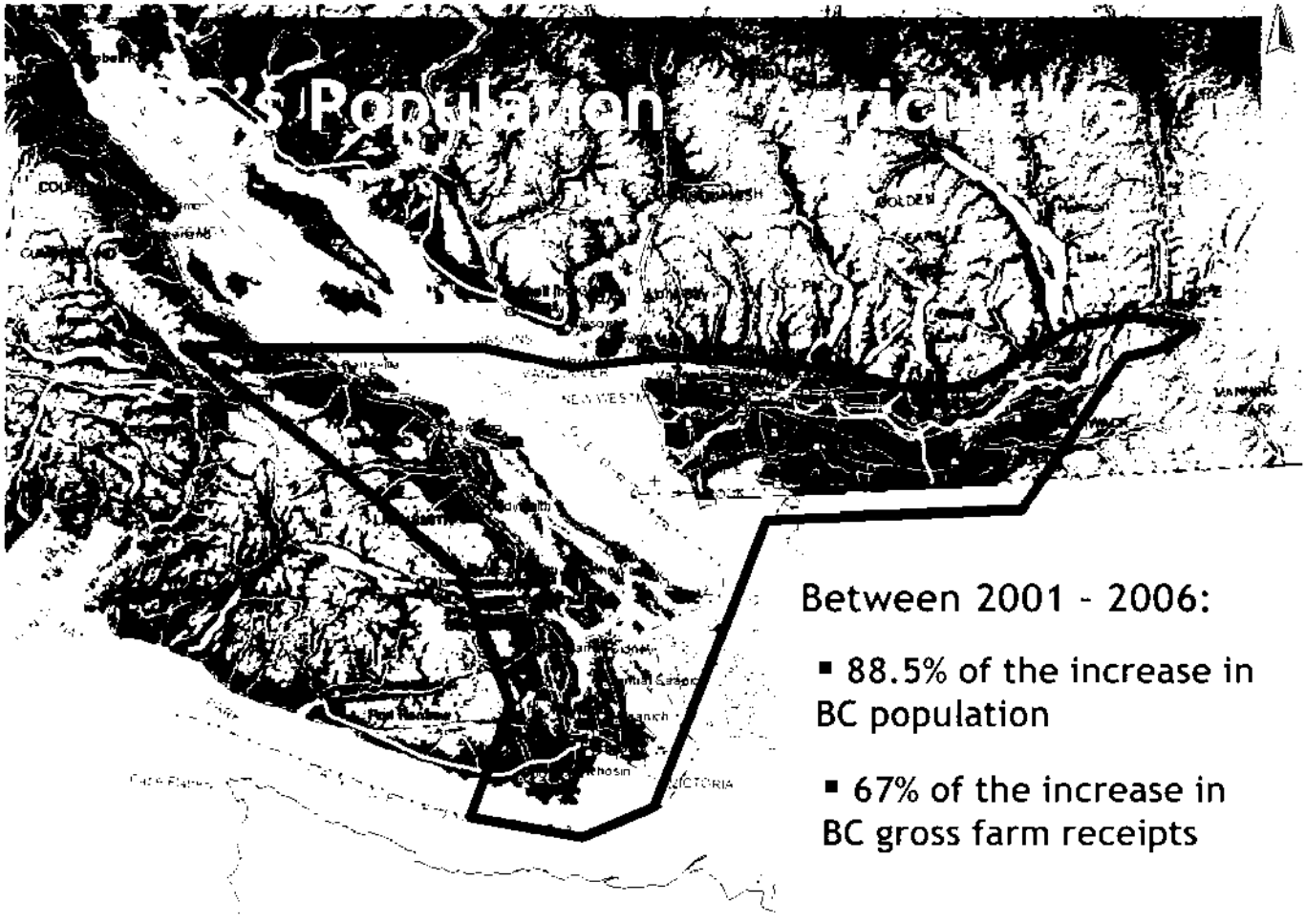
Alana Standish
Director, Agrifoods Policy & Legislation
Agriculture Science & Policy Division
Ministry of Agriculture
Province of British Columbia

BC's Population & Agriculture

Two Areas of BC contain:

- 2.7% of provincial land area
- 81% of BC's population (2006)
- 83% of annual gross farm receipts (2010)




Between 2001 - 2006:
88.5% of the increase in BC population
67% of the increase in BC gross farm receipts

RE: ALC Info?

Tuesday, November 5, 2013
4:23 PM

Subject	**RE: ALC Info?**
From	van Dalfsen, Bert AGRI:EX
To	van Dalfsen, Bert AGRI:EX; Standish, Alana AGRI:EX
Cc	Nickel, Ken AGRI:EX; Thompson, Grant AGRI:EX; Matthews, Carmen AGRI:EX; Bartle, Gregory AGRI:EX
Sent	Tuesday, November 5, 2013 4:18 PM
Attachments	

Two Trian...

Hi,

Here is Jim LeMaistre's spreadsheet (validated by Barry Smith)

The triangles summary tab shows the two triangles separately and then totaled based on land area and not ALR area.

Bert

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Our most recent triangle data is attached in a powerpoint.

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Importance: High

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Alana Standish
Director, Agrifoods Policy & Legislation
Agriculture Science & Policy Division
Ministry of Agriculture
Province of British Columbia
250-514-3690

SUMMARY of The Two "Triangles"

"Triangle 1" = Lower Mainland, South-East Vancouver Island

Population	2006	2001	Change	% change
"Triangle 1" Population	2,900,426	2,718,353	182,073	6.7%
B.C. Total Population	4,113,487	3,907,738	205,749	5.3%
"Triangle 1" as % of B.C.	**70.5%**	**69.6%**		

88.5% of the BC population growth was in this triangle

Gross Farm Receipts	2006	2001	Change	% change
"Triangle 1" Gross Farm Receipts	$1,770,276,022	$1,539,500,109	$230,775,913	15.0%
B.C. Total Gross Farm Receipts	$2,651,963,167	$2,307,697,089	$344,266,078	14.9%
"Triangle 1" as % of B.C.	**66.8%**	**66.7%**		

67.0% of the increase in BC gross farm receipts was in this triangle

Land Area	2006
"Triangle 1" Land Area km2	7,457
B.C. Total Land Area km2	924,815
"Triangle 1" as % of B.C.	**0.8%**

"Triangle 2" = Thompson-Okanagan

Population	2006	2001	Change	% change
"Triangle 2" Population	416,120	391,508	24,612	6.3%
B.C. Total Population	4,113,487	3,907,738	205,749	5.3%
"Triangle 2" as % of B.C.	**10.1%**	**10.0%**		

Gross Farm Receipts	2006	2001	Change	% change
"Triangle 2" Gross Farm Receipts	$356,950,569	$319,895,485	$37,055,084	11.6%
B.C. Total Gross Farm Receipts	$2,651,963,167	$2,307,697,089	$344,266,078	14.9%
"Triangle 2" as % of B.C.	**13.5%**	**13.9%**		

Land Area	2006
"Triangle 2" Land Area km2	17,515
B.C. Total Land Area km2	924,815
"Triangle 2" as % of B.C.	**1.9%**

Total of Both "Triangles"

Population	2006	2001	Change	% change
Two "Triangles" Population	3,316,545	3,109,861	206,685	6.6%
B.C. Total Population	4,113,487	3,907,738	205,749	5.3%
Two "Triangles" as % of B.C.	**80.6%**	**79.6%**		

Gross Farm Receipts	2006	2001	Change	% change
Two "Triangles" Gross Farm Receipts	$2,127,226,591	$1,859,395,594	$267,830,997	14.4%
B.C. Total Gross Farm Receipts	$2,651,963,167	$2,307,697,089	$344,266,078	14.9%
Two "Triangles" as % of B.C.	**80.2%**	**80.6%**		

Land Area	2006
Two "Triangles" Land Area km2	24,972
B.C. Total Land Area km2	924,815
Two "Triangles" as % of B.C.	**2.7%**

FW: ALC Info?

Thursday, November 27, 2014
9:3_ AM

Subject	**FW: ALC Info?**
From	van Dalfsen, Bert AGRI:EX
To	Thompson, Grant AGRI:EX
Sent	Wednesday, November 27, 2013 2:13 PM
Attachments	

Two Trian...

The attached spreadsheet shows what was included in the two triangle calculations. I have asked Corrine to develop a map showing these land areas. Where the whole electoral area of a Regional District are included that will be straightforward. There are 18 electoral areas where only part of the area is included (between 5-80%).

Regards,

Bert

From: van Dalfsen, Bert AGRI:EX
Sent: Tuesday, November 5, 2013 4:19 PM
To: van Dalfsen, Bert AGRI:EX; Standish, Alana AGRI:EX
Cc: Nickel, Ken AGRI:EX; Thompson, Grant AGRI:EX; Matthews, Carmen AGRI:EX; Bartle, Gregory AGRI:EX
Subject: RE: ALC Info?
Importance: High

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Alana Standish
Director, Agrifoods Policy & Legislation
Agriculture Science & Policy Division

RE: GIS services for map for ALCA

Thursday, November 27, 2014
9:38 AM

Subject	**RE: GIS services for map for ALCA**
From	van Dalfsen, Bert AGRI:EX
To	Cheesman, Sean AGRI:EX
Cc	Barnes, Jane E AGRI:EX; Thompson, Grant AGRI:EX; Lennox, Brenda AGRI:EX
Sent	Wednesday, November 27, 2013 3:14 PM
Attachments	

ALC Panel ...

Hi Sean,

I checked with Corrine and Sam and we do not have the polygons for the ALC Panel Areas. Of course, the ALC would have them.

Attached are two items that we have used:

1. Map
2. List of contacts for ALC Staff

http://www.agf.gov.bc.ca/resmgmt/sf/atcontacts/Agri-team_Provincial_Contacts_July2012.pdf

On page 4 of the attached staff contacts (link above from our website) you will see that four regional districts are split. For you map, you may want the SLRD and CSRD divisions. These should describe the lines where the Coast and Interior panels split SLRD and the Okanagan and Kootenay panels split CSRD. Note that Islands Trust is also split between the Island and South Coastal panels.

Hope this helps.

I have asked Corrine to prepare a better map of the "2 triangles" however, I don't think it will be easy to translate that map into something that follows local government boundaries.

Regards,

Bert

From: Thompson, Grant AGRI:EX
Sent: Wednesday, November 27, 2013 12:46 PM
To: van Dalfsen, Bert AGRI:EX; Cheesman, Sean AGRI:EX
Cc: Barnes, Jane E AGRI:EX

Subject: Fw: GIS services for map for ALCA

Bert/Sean:

I'll leave it up to the two of you to coordinate but as I understand it, the Minister is looking for more detailed maps of the land in the two triangles within the ALC.

There is a short turnaround time on this so please make this (or one of your staffs) a priority.

Thanks,

G.

From: Thompson, Grant AGRI:EX
Sent: Wednesday, November 27, 2013 11:06 AM Pacific Standard Time
To: Barnes, Jane E AGRI:EX; Bates, Linda A. AGRI:EX; Lennox, Brenda AGRI:EX
Subject: Re: GIS services for map for ALCA

Yes sean can help. This is a corporate priority.

G.

From: Barnes, Jane E AGRI:EX
Sent: Wednesday, November 27, 2013 11:04 AM Pacific Standard Time
To: Bates, Linda A. AGRI:EX; Lennox, Brenda AGRI:EX
Cc: Thompson, Grant AGRI:EX
Subject: RE: GIS services for map for ALCA

s.22

I have forwarded this to Brenda as Acting Director about whether or not Sean can assist you.

From: Bates, Linda A. AGRI:EX
Sent: Wednesday, November 27, 2013 10:57 AM
To: Barnes, Jane E AGRI:EX
Subject: FW: GIS services for map for ALCA
Importance: High

Hi Jane – is it possible for you to ask Grant this quick question? We are on a short time frame up here.... Grant will understand....

Linda Bates, BSc MBA PMP
Senior Manager, Legislation
Corporate Governance, Policy and Legislation Branch
Ministry of Agriculture
250-356-2357
Email: linda.bates@gov.bc.ca

From: Bates, Linda A. AGRI:EX
Sent: Wednesday, November 27, 2013 10:56 AM
To: Thompson, Grant AGRI:EX
Subject: FW: GIS services for map for ALCA
Importance: High

Hi – I think this is supposed to come to you.

FYI Charlie Twaddle has developed an initial attempt at the map I need which is not included in Alana's e mail. It needs some work.

Please advise if Sean C or someone else is the contact.

Much appreciated !!

Cheers
Linda

From: Standish, Alana AGRI:EX
Sent: Wednesday, November 27, 2013 10:48 AM
To: Bates, Linda A. AGRI:EX
Cc: Coney, David AGRI:EX
Subject: RE: GIS services for map for ALCA
Importance: High

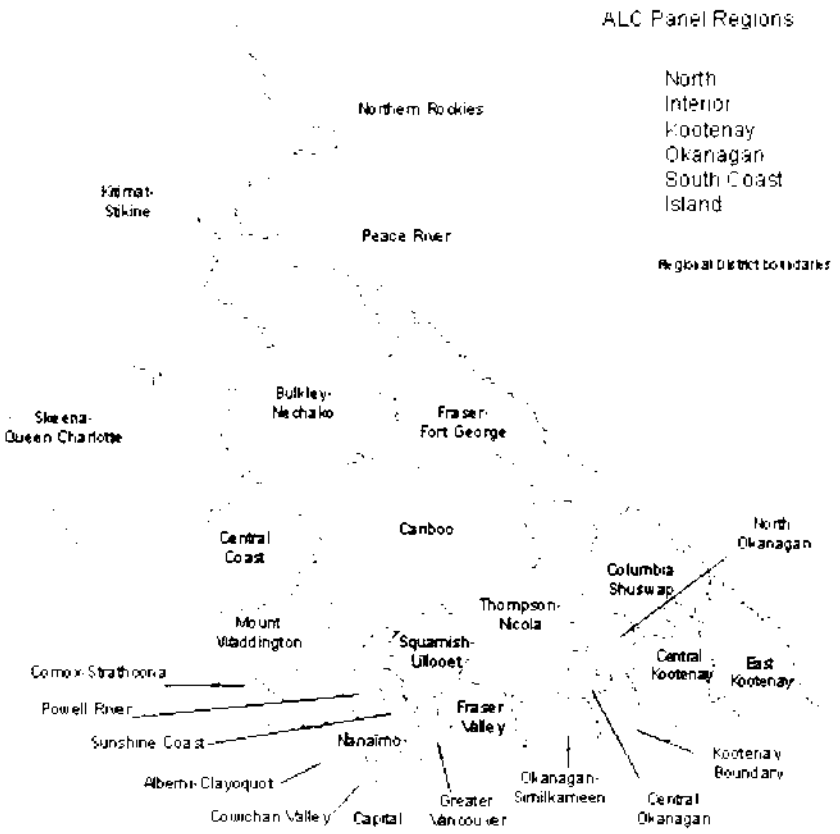
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Thanks for your help!

Alana Standish
Director, Corporate Governance, Policy & Legislation
Agriculture Science & Policy Division
Ministry of Agriculture
Province of British Columbia
250-514-3690


ALC Panel Regions
North
Interior
Kootenay
Okanagan
South Coast
Island
Regional District boundaries
Northern Rockies
Kitimat-Stikine
Peace River
Bulkley-Nechako
Fraser-Fort George
Skeena-Queen Charlotte
Central Coast
Cariboo
North Okanagan
Columbia Shuswap
Thompson-Nicola
Mount Waddington
Squamish-Lillooet
Central Kootenay
East Kootenay
Comox-Strathcona
Powell River
Fraser Valley
Sunshine Coast
Nanaimo
Kootenay Boundary
Alberni-Clayoquot
Okanagan-Similkameen
Central Okanagan
Cowichan Valley
Capital
Greater Vancouver

FW: GIS services for map for ALCA

Subject	**FW: GIS services for map for ALCA**
From	van Dalfsen, Bert AGRI:EX
To	Roesler, Corrine AGRI:EX
Sent	Wednesday, November 27, 2013 3:31 PM
Attachments	



maps

Please add two slides adjusting the triangles to be:

- Osoyoos/Sicamous/Kamloops
- Hope/Parksville/Victoria

Regards,

Bert
From: Standish, Alana AGRI:EX
Sent: Wednesday, November 27, 2013 3:19 PM
To: Lennox, Brenda AGRI:EX
Cc: Thompson, Grant AGRI:EX; van Dalfsen, Bert AGRI:EX; Cheesman, Sean AGRI:EX; Barnes, Jane E AGRI:EX; Bates, Linda A. AGRI:EX
Subject: RE: GIS services for map for ALCA

Alana Standish
Director, Corporate Governance, Policy & Legislation
Agriculture Science & Policy Division
Ministry of Agriculture
Province of British Columbia
250-514-3690

From: Lennox, Brenda AGRI:EX
Sent: Wednesday, November 27, 2013 3:18 PM
To: Standish, Alana AGRI:EX
Cc: Thompson, Grant AGRI:EX; van Dalfsen, Bert AGRI:EX; Cheesman, Sean AGRI:EX; Barnes, Jane E AGRI:EX; Bates, Linda A. AGRI:EX
Subject: RE: GIS services for map for ALCA
Importance: High

Thanks Alana for the clarification. Can you please forward the two maps as they didn't come through in your forwarded email.

Brenda

From: Standish, Alana AGRI:EX
Sent: Wednesday, November 27, 2013 3:17 PM
To: Lennox, Brenda AGRI:EX
Cc: Thompson, Grant AGRI:EX; van Dalfsen, Bert AGRI:EX; Cheesman, Sean AGRI:EX; Barnes, Jane E AGRI:EX; Bates, Linda A. AGRI:EX
Subject: RE: GIS services for map for ALCA
Importance: High

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Agriculture Science & Policy Division
Ministry of Agriculture
Province of British Columbia
250-514-3690

From: Lennox, Brenda AGRI:EX
Sent: Wednesday, November 27, 2013 3:07 PM

To: Standish, Alana AGRI:EX
Cc: Thompson, Grant AGRI:EX; van Dalfsen, Bert AGRI:EX; Cheesman, Sean AGRI:EX; Barnes, Jane E AGRI:EX; Bates, Linda A. AGRI:EX
Subject: FW: GIS services for map for ALCA
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Thanks
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Much appreciated !!

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Linda

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Sent: Wednesday, November 27, 2013 10:48 AM
To: Bates, Linda A. AGRI:EX
Cc: Coney, David AGRI:EX
Subject: RE: GIS services for map for ALCA
Importance: High

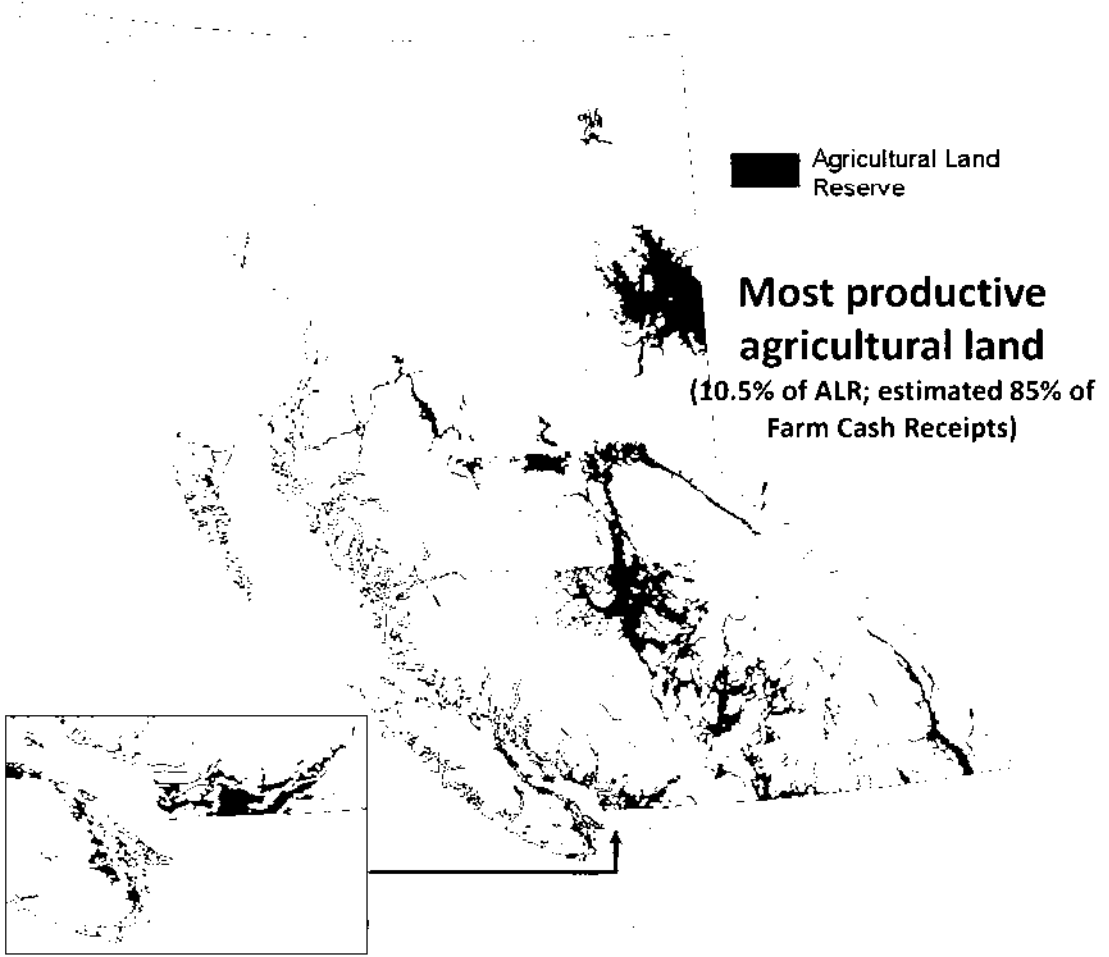
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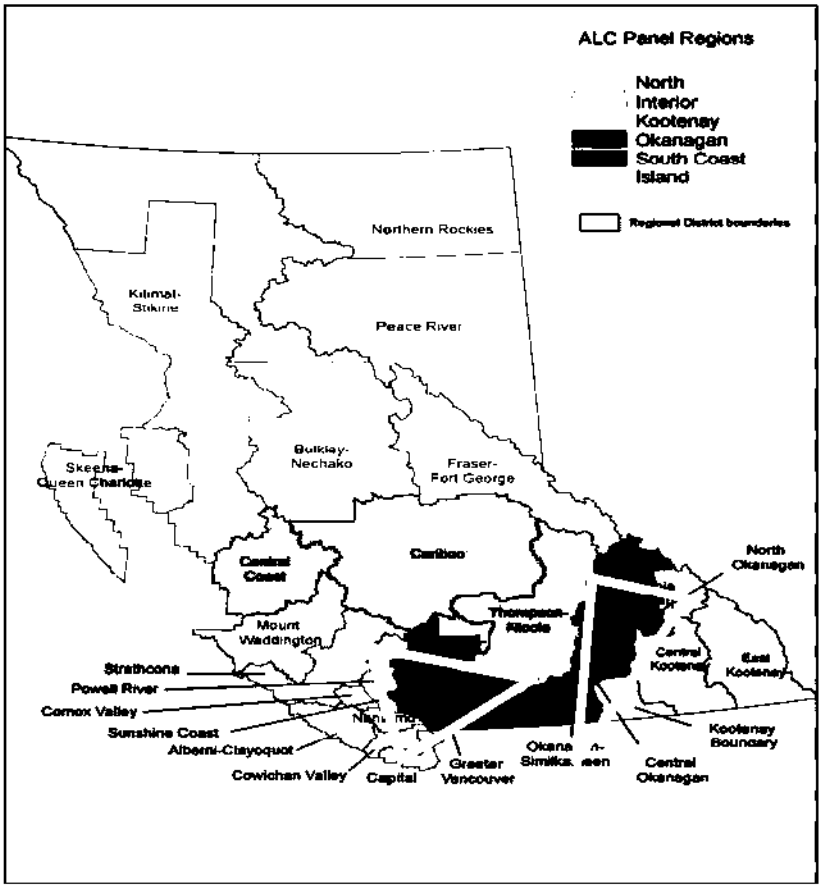
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Agricultural Land Reserve
Most productive agricultural land
(10.5% of ALR; estimated 85% of Farm Cash Receipts)


ALC Panel Regions
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Peace River
Bulkley-Nechako
Fraser-Fort George
Skeena-Queen Charlotte
Central Coast
Cariboo
North Okanagan
Thompson-Nicola
Mount Waddington
Central Kootenay
East Kootenay
Strathcona
Powell River
Comox Valley
Sunshine Coast
Alberni-Clayoquot
Cowichan Valley
Capital
Greater Vancouver
Okana
Similka
Central Okanagan
Kootenay Boundary

RE: GIS services for map for ALCA

Subject	**RE: GIS services for map for ALCA**
From	Lennox, Brenda AGRI:EX
To	Standish, Alana AGRI:EX
Cc	Thompson, Grant AGRI.EX, van Dalfsen, Bert AGRI:EX; Cheesman, Sean AGRI.EX, Barnes, Jane E AGRI:EX; Bates, Linda A. AGRI:EX
Sent	Wednesday, November 27, 2013 5:02 PM
Attachments	AGRI_Tria...

H A ana

Please find attached the revised maps which more accurately represent the areas within the proposed two triangles.

Brenda

From: Lennox, Brenda AGRI:EX
Sent: Wednesday, November 27, 2013 3:24 PM
To: Standish, Alana AGRI:EX
Cc: Thompson, Grant AGRI:EX; van Dalfsen, Bert AGRI:EX; Cheesman, Sean AGRI:EX; Barnes, Jane E AGRI:EX; Bates, Linda A. AGRI:EX
Subject: FW: GIS services for map for ALCA

H A ana

IAS will provide updated copies of the attached maps by the end of today. The maps Sean is working on will be to Linda by EOD Friday.

Brenda

From: Standish, Alana AGRI:EX
Sent: Wednesday, November 27, 2013 3:19 PM
To: Lennox, Brenda AGRI:EX
Cc: Thompson, Grant AGRI:EX; van Dalfsen, Bert AGRI:EX; Cheesman, Sean AGRI:EX; Barnes, Jane E AGRI:EX; Bates, Linda A. AGRI:EX
Subject: RE: GIS services for map for ALCA

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Agriculture Science & Policy Division
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Cc: Coney, David AGRI:EX
Subject: RE: GIS services for map for ALCA
Importance: High

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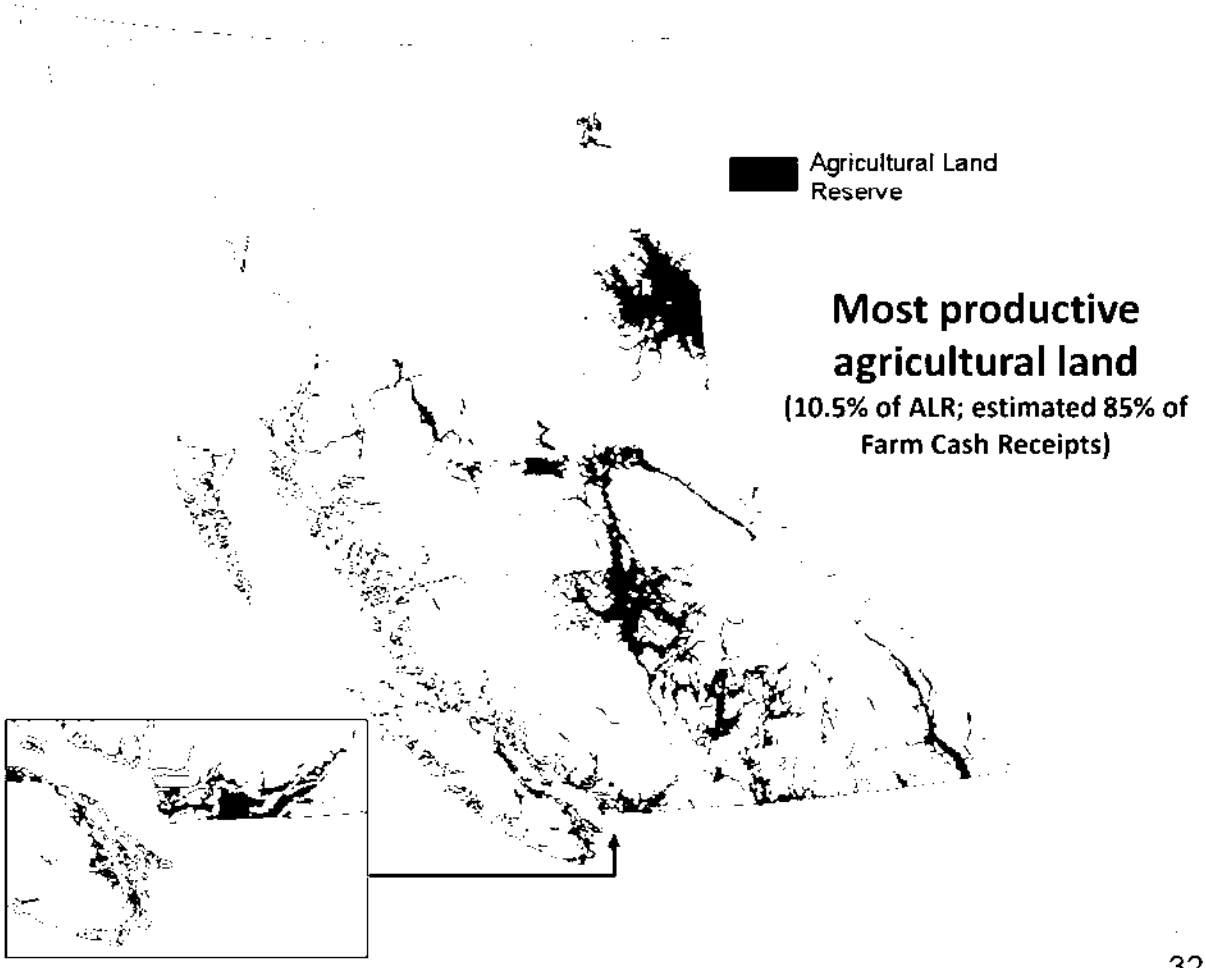
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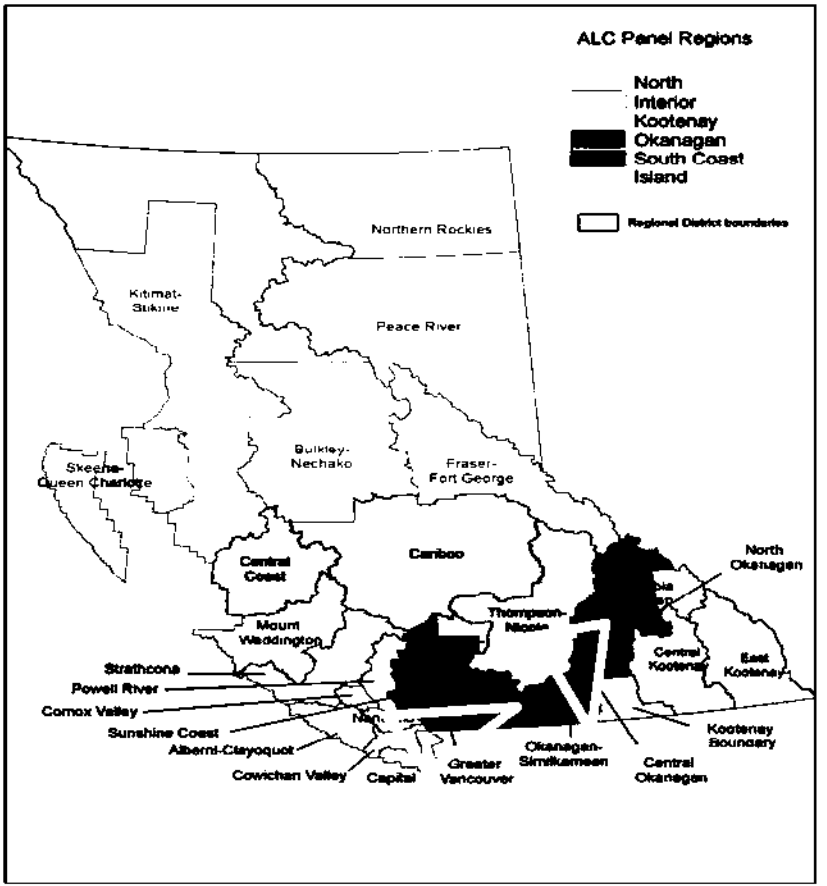
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Agriculture Science & Policy Division

Ministry of Agriculture
Province of British Columbia
250-514-3690




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Cowichan Valley
Capital
Greater Vancouver
Okanagan-Similkameen
Central Okanagan
Kootenay Boundary

RE: ALCA Regulation and Consultation Engagement Session - follow up

Tuesday, November 25, 2014
4:12 PM

Subject	**RE: ALCA Regulation and Consultation Engagement Session - follow up**
From	Thambirajah, Natasha AGRI:EX
To	Hatfield, Jill AGRI:EX
Sent	Monday, June 2, 2014 11:51 AM

Thanks for this, Jill. I'll let them know you sent us their way ☺

N

From: Hatfield, Jill AGRI:EX
Sent: Monday, June 2, 2014 11:45 AM
To: Thambirajah, Natasha AGRI:EX
Subject: RE: ALCA Regulation and Consultation Engagement Session - follow up

Hi Natasha: Here are some farm organization contacts that should be invited to participate from the North island Region.

Comox Valley Farmer's Institute – Mike Huxham, president - s.22
Comox Valley Organic Collective – Carmen Wakeling -s.22
Comox Valley Farmers Market Association - Email: marketmanager@comoxvalleyfarmersmarket.com
Hornby and Denman Growers and Producers Alliance - Reina LeBaron (Chair) s.22
http://islandagriculture.wordpress.com/
Coombs Errington Farmer's Institute - Colin Springford, President - springfordfarm@telus.net
250-468-7510
Qualicum Beach Farmers Market - http://www.qbfarmersmarket.com/
Island Milk Producers Association – Fred Doberstein, secretary -s.22
Port Alberni Farmers Market - Gwen Lowe s.22
Alberni Farmers Institute s.22
Powell River Farmers Institute - http://prfarmers.ca/contact-us

Jill Hatfield P.Ag.
Regional Agrologist
BC Ministry of Agriculture
2500 Cliffe Avenue,
Courtenay, BC V9N 5M6
Ph: 250 897-7518
Cell:s.17
www.smartfarmbc.ca

From: Thambirajah, Natasha AGRI:EX
Sent: Monday, June 2, 2014 9:33 AM
To: Awmack, Ken AGRI:EX; Barclay, Brent S. AGRI:EX; Borba, Brenda L AGRI:EX; Botkin, Clayton AGRI:EX; Campbell, Jim G AGRI:EX; Chalmers, Dennis AGRI:EX; Curtis, Jennifer AGRI:EX; Droppo, Tom AGRI:EX; Forbes, Jim AGRI:EX; Haddow, Wayne AGRI:EX; Halter, Shawn AGRI:EX; Hatfield, Jill AGRI:EX; Jasper, Geneve AGRI:EX; Kline, Rob AGRI:EX; Liggins, Lavona AGRI:EX; Low, Don AGRI:EX; MacDonald,

Leslie S AGRI:EX; Nickel, Ken AGRI:EX; Recksiedler, Blaine AGRI:EX; Robinson, Julie P AGRI:EX; Roth, Myron AGRI:EX; Schmidt, Orlando AGRI:EX; Schur, TJ AGRI:EX; Skinner, Anne E AGRI:EX; Smith, Darrell R AGRI:EX; Smith, Susan L AGRI:EX; Stevenson, John J AGRI:EX; Sutherland, Kim AGRI:EX; Sweeney, Mark AGRI:EX; Tegart, Greg AGRI:EX; Tonn, Patricia AGRI:EX; Trotter, David B AGRI:EX; Withler, Carl AGRI:EX; Woodske, David AGRI:EX; Zabek, Chris AGRI:EX; Zabek, Lisa AGRI:EX; Zimmerman, Kathleen AGRI:EX; van Dalfsen, Bert AGRI:EX; Hughes-Games, Geoff AGRI:EX; Fox, Alison AGRI:EX; Bartle, Gregory AGRI:EX; Sawyer, Bronwyn AGRI:EX; Murphy, Kevin J AGRI:EX; Sparanese, Wayne A AGRI:EX; Steward, Lonny AGRI:EX; Viney, Ursula E AGRI:EX; DeLong, Carol AGRI:EX; DeBoer, Pat AGRI:EX; Jonson, Byron AGRI:EX; Powell, Charlotte AGRI:EX; Last, Gavin AGRI:EX; Lennox, Brenda AGRI:EX; Matthews, Carmen AGRI:EX; Hughes, Kate AGRI:EX; Thambirajah, Natasha AGRI:EX; Prisiak, Tim AGRI:EX; Coney, David AGRI:EX; van Westendorp, Paul AGRI:EX; Cox, William AGRI:EX; Croteau, Phil AGRI:EX; Falk, Gary AGRI:EX; Mielke, Glen AGRI:EX; Rhodes, Jan AGRI:EX; Njenga, Francis AGRI:EX; Anderson, Heather L AGRI:EX; Twaddle, Charlie AGRI:EX; Bates, Linda A. AGRI:EX; Von Sacken, Angela AGRI:EX; Neilson, Larry AGRI:EX; Carswell, Barron AGRI:EX; Sooch, Baljeet K AGRI:EX
Cc: ALCA Feedback AGRI:EX
Subject: ALCA Regulation and Consultation Engagement Session - follow up

Thank you to each of you who participated in our Live Meeting from Abbotsford on Thursday regarding possible future amendments to the *Agricultural Land Commission Act* (ALCA) regulations and the consultation plan that we are developing to gather broad input on this topic.

Kate, Tim and I, as well as the rest of the project team, really appreciated your time, questions and contributions. It was incredibly useful to hear the different regional perspectives on the Agricultural Land Reserve (ALR) as well as your thoughts about how to support the purpose of the ALCA and the local needs in your communities. The questions we discussed are challenging ones and we appreciate the level of engagement and feedback that occurred right from the start.
Please send us the names of any groups, agencies or organizations that you recommend should participate in the consultation via email to **ALCA_feedback@gov.bc.ca**. **We will be finalizing this list tomorrow, Tuesday at noon.** We want the process to be as strong as possible, so we appreciate your recommendations. Thank you in advance.
Also, if you are interested to continue Thursdays' conversation and provide further thoughts on the questions we discussed, please contact us.
Again, thank you to those of you who participated in Thursday's meeting.
Best wishes,

Natasha Thambirajah
Senior Policy Analyst | Corporate Governance, Policy and Legislation Branch
Agriculture Science and Policy Division | Ministry of Agriculture | Province of British Columbia
T: (250) 356 1686
Please consider the environment before printing.

FW: FINAL ALC DECKS FOR MO BRIEFING TMR

Thursday, November 27, 2014
10:12 AM

Subject	**FW: FINAL ALC DECKS FOR MO BRIEFING TMR**
From	Nickel, Ken AGRI:EX
To	Margerison, Elizabeth AGRI:EX
Sent	Friday, November 21, 2014 2:39 PM
Attachments	 ALC Revie...  ALC Revie...

From: Coney, David AGRI:EX
Sent: July 3, 2013 4:26 PM
To: Nickel, Ken AGRI:EX; van Dalfsen, Bert AGRI:EX; MacDonald, Leslie S AGRI:EX; Robinson, Julie P AGRI:EX
Cc: Last, Gavin AGRI:EX; Thompson, Grant AGRI:EX
Subject: Fw: FINAL ALC DECKS FOR MO BRIEFING TMR

Multiple further iterations last 24hrs arising from a few separate sessions with Exec, but here it is, for delivery to MPP at 08.30 tmr.

A bit different than we had envisaged originally perhaps.

Confidential and not for further distribution.

Will debrief from tmr asap (conf call invite to follow).

Cheers,
David.

From: Coney, David AGRI:EX
Sent: Wednesday, July 03, 2013 03:39 PM Pacific Standard Time
To: Crozier, Bev AGRI:EX; White, Sunny AGRI:EX; Barnes, Jane E AGRI:EX; Warwick, Julene AGRI:EX
Cc: Stewart, Melanie AGRI:EX; Sturko, Derek AGRI:EX; Parnell, Grant AGRI:EX; Thompson, Grant AGRI:EX; Last, Gavin AGRI:EX
Subject: FINAL ALC DECKS FOR MO BRIEFING TMR

I will be in the office early tmr, so if there's any screaming last changes, let me know tonight and I can do in a.m.

David Coney
Policy Manager
B.C. Ministry of Agriculture
Tel: 250 387 3232

FW: FINAL ALC DECKS - CONFIDENTIAL - DO NOT FORWARD

Subject: **FW: FINAL ALC DECKS - CONFIDENTIAL - DO NOT FORWARD**
From: Nickel, Ken AGRI:EX
To: Margerison, Elizabeth AGRI:EX
Sent: Friday, November 21, 2014 2:39 PM
Attachments:



ALC Revie...



ALC Revie...

From: Parnell, Grant AGRI:EX
Sent: July 8, 2013 10:14 AM
To: Falk, Gary AGRI:EX; Nickel, Ken AGRI:EX; Russell, Jim AGRI:EX
Subject: FW: FINAL ALC DECKS - CONFIDENTIAL - DO NOT FORWARD
Importance: High

Please keep these close to the chest

ALC: Briefing # 1

ALC from 1973 - current date



Structure of Presentation

- Why do we have an ALR and ALC?
- What is the ALC's mandate?
- What is the level of support for the ALR?
- What has changed since the creation of the ALR in 1973?

ALR: Why do we have it?

- Only 5% of BC's land base is suitable for farming, and this is concentrated in the same valley bottoms, deltas and plateaus as population and industry.
- In order to protect this scarce stock of farmland from development, government in 1973 created the ALR, making farming the primary permitted land use within this agricultural zone.
- Population and economic growth since 1973 have increased the development pressure on farmland.

ALC: Why do we have it?

- Creation of the ALC put decisions on often contentious land use applications at arms length from the Minister and ministry. The ALC makes (and is seen to be making) decisions free from short term political considerations. The Minister and ministry are insulated from decisions on the use of land.

What is the ALC's mandate?

- The *Agricultural Land Commission Act* provides that the ALC's mandate is to:
  - Preserve agricultural land;
  - Encourage farming on agricultural land in collaboration with other communities of interest; and
  - Encourage local governments, First Nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with

How strong is support for the ALR?

- The 2010 ALC Review - mandated by this government - included consultations with 63 stakeholder groups in every corner of BC. Support for the ALR was overwhelming.
- Opinion polls consistently put public support

What has changed since 1973?

- Climate change, population growth and food security are global concerns. Global food price spikes have pushed farmland values internationally to record highs. The ALR contains some of North America's best farmland.
- Farmland values in BC have increased while trade liberalization has pushed farm commodity prices downwards. Farmers are land rich but cash poor, and farmland prices in BC significantly exceed their agricultural value.
- Societal expectations of farmers have increased.
- BC agriculture is changing (e.g. to value added, non-soil based, export oriented crops).
- Land use priorities have changed (e.g. increased urbanization, non-farm [illegible]

2010 ALC Review – why did it happen?

- In 2010, this government directed the Minister to review the mandate, structure and operation of the ALC to take account of the changes that have occurred since 1973.
- The Minister subsequently directed the ALC Chair to conduct a review and provide recommendations for change.

2010 ALC Review –Direction from Cabinet

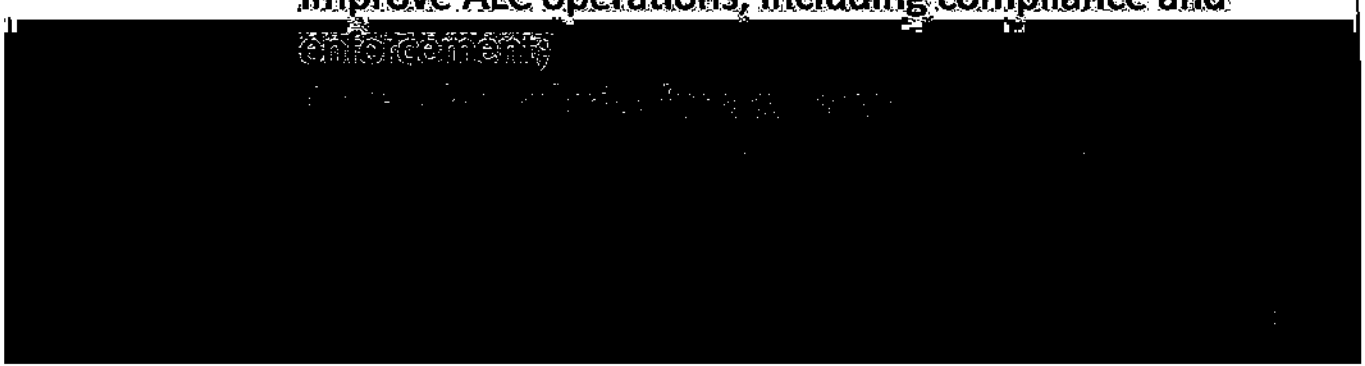
- Specific direction from Cabinet to the Minister of Agriculture on April 28, 2010:
  - Develop a proposal for revision of the:
    - *Agricultural Land Commission Act;*
    - Decision making processes of the ALC; and

ALC Chair's Report

- The ALC Chair submitted his report to the Minister in November 2010.
- Key recommendations from the Chair's report:
  - Reform the structure of the ALC to improve decision making;
  - Increase ALC capacity;
  - Review boundaries for accuracy.

Auditor General's Report

- In September 2010, the Auditor General released his own, independently initiated *Audit of the Agricultural Land Commission*.
- Key recommendations:
  - Improve ALC operations, including compliance and enforcement;



2010 ALC Review: what changed?

- Government considered the Chair and AG Reports and enacted legislative and budgetary changes to:
  - Strengthen farmland protection;
  - Improve ALC decision making on applications;
  - Increase the organizational capacity of the ALC to proactively engage with others in long term planning to encourage agriculture.

Subsequent Changes

- 2012 *Message from the Chair* provided notification of ALC's intent to 'triage' applications based on:
  - Criteria reflecting purpose of the Commission; and
  - ALC capacity (max 30% of ALC resources will be dedicated to applications).
- s.12,s.13

- Budget 2013 provided an additional $4 million over three years to the ALC.

Conclusion

- Farmland is valuable provincial asset, the importance of which is increasing over time. The ALR was established to protect BC's scarce stock of farmland from development. The ALC contains some of North America's best farmland. Development pressure on this land has significantly increased since 1973.
- Public and industry support for the ALR is very strong.
- Since 2010 there has been steady effort towards four largely agreed upon objectives:
  - Strengthen farmland protection;
  - Improve decision making on applications;

Ministry of **Agriculture**

ALC Review

Current Issues and Next Steps



Structure of Presentation

1) Minister's Mandate Letter.
2) Ensure delivery on commitments from Balanced Budget 2013.
3) Consideration of further improvements.
3) Next Steps.

[redacted]

Mandate for Change

1) Ensure the ALC is delivering on the improvements promised arising from the budget increase it received in *Balanced Budget 2013*.
2) Ensure the ALR is working for BC and propose any changes necessary. These changes must successfully balance our desire to protect valuable farmland while allowing for responsible economic development opportunities.
3) Bring forward ALR changes that will further encourage the stability of [redacted]

Outstanding Issues from 2010 ALC Reviews

- There are a number of outstanding issues from the 2010 Reviews:
  - The ALC's operational leadership and organizational performance are weak.
  - ALC decision making is perceived by some as slow, inconsistent and non-transparent
  - ALC's accountability to government is not well defined, reducing its responsiveness to government policy direction (notes).
  - The ALC's legislative mandate, policies and operational orientation are balanced primarily towards farmland preservation, then to the interests of farm families, and only then on allowing for broader provincial economic development opportunities.
- These issues will be partially addressed through improvements promised in the ALC's budget 2011 [illegible]

Ensure Delivery of Balanced Budget 2013 Commitments

- ALC received an additional $4M over three years to increase its organizational capacity, improve its decision making, and enable it to more fully meet its mandate to preserve farmland and work with others to encourage agriculture.
- TB, the ministry, and ALC have developed a set of clear [redacted]

Key Deliverables from Balanced Budget 2013 Commitments

- Improve organizational effectiveness
  - Work with ministry and BRDO to hire a CEO (notes).
  - Fill vacant planner positions to increase proactive engagement with local governments.
  - Hire a C&E Coordinator to increase C&E capacity, and explore further cooperative C&E arrangements with other provincial agencies and local governments (notes).

- Improve decision making:
  - Measure and track timeliness of application processing.
  - Improve efficiency by completing map digitization and on-line application tracking system.
  - Improve consistency by hiring a professional agrologist (soil specialist).
  - Explore opportunities to increase ALC oversight of delegation agreements.

[redacted]

Potential Future Actions

To Improve Organizational Effectiveness

- Clarify ALC-Ministry roles and responsibilities through legislative, organizational or other changes (notes).
- Clearly establish ministry as lead on policy decision making (notes).
- Review decision making criteria for approval by Minister (notes).
- Ensure adequate training and ongoing professional development for Commissioners.
- Implement ALC performance management and measurement systems.
- Ensure continued adequate funding of the ALC (notes).

To Improve Decision Making

- Review the ALC decision making process to identify efficiencies.
- In addition to providing an accurate baseline of data, complete ministry Land Use Inventories and land Class Assessments (notes).
- s.13

- Make decision making criteria and service standards more accessible and report publicly on outcomes.

[redacted]

To balance farmland protection, economic development and the interests of farm families:

- Amend legislation to provide greater flexibility in decision making for certain regions, land classes, or economic development opportunities; and to reduce flexibility in others.
- Review the definition of "permitted farm use" to increase economic opportunities for farm families (notes).
- Address the issue of inter-generational transfer (notes).
- Encourage the active use of fallow land.
- Encourage farm/non-farm agreements to promote farmland conservation

s.13

SUMMARY

- Building on the steps taken by the government since 2010, further legislative, organizational and operational changes can be made to improve:
  - ALC effectiveness; and
  - The balance in ALC decision making between farmland preservation, economic development and the interests of farm families

Next Steps

1. Ensure delivery on existing commitments; and report to TB.
2. Provide the minister with briefings on options to improve:
   a) Organizational effectiveness - August 1st
   b) Decision making – August 30th
   c) Balancing farmland preservation, economic development and the interests of farm families – September 27th
3. **Develop proposals for Cabinet consideration, as required – Spring 2014.**

[redacted]

FW: ALC deck

Thursday, November 27, 2014
10:16 AM

Subject	**FW: ALC deck**
From	Nickel, Ken AGRI:EX
To	Margerison, Elizabeth AGRI:EX
Sent	Friday, November 21, 2014 2:36 PM

-----Original Message-----
From: van Dalfsen, Bert AGRI:EX
Sent: July 12, 2013 10:44 AM
To: Coney, David AGRI:EX; MacDonald, Leslie S AGRI:EX; Anderson, Heather L AGRI:EX
Cc: Thompson, Grant AGRI:EX; Last, Gavin AGRI:EX; Nickel, Ken AGRI:EX
Subject: RE: ALC deck

Good morning David,

I think you have captured it nicely. I strongly believe that the first step is to identify the issues that the Minister wants examined. The next step is to take the time to fully investigate the issues, validate them, and to provide options to address them. Including options at this initial stage seems premature to me when the issues haven't been fully examined.

Regarding timelines - the summer is always a difficult time for two reasons, we are dealing with holidays and from a GIS perspective it is our busy season of collecting data in the field, which means our ability to carry out data analysis is limited. I think this applies most to the issue of 'Intergeneration transfer of farm and homesite severance' and potentially to 'expanding economic opportunities on farmland'. GIS data can provide us with examples of the levels of parcelization and potentially demonstrate how the trend of fewer people farming larger areas (multiple parcels) means that subdivision is not required to keep farm families living on farmland. On economic opportunities, one thing GIS can provide is an accurate estimate of the unutilized farmland in areas where we have LUI data. In many cases this has been grossly overestimated and on the other hand it is clear that governments do not force landowners in farming areas to farm.

Personally, I am also interested in the topic of 'working more effectively with local governments.

I might suggest that the two topics that could benefit from GIS analysis might be put to the last in the series. And I would suggest a timeline of end of September.

Regarding the tribunals perhaps a natural one to compare to is BCFIRB. The SFP has a lot of interaction here regarding FPPA and are relationship is going quite smoothly.

Thanks for the opportunity to comment.

Bert

-----Original Message-----
From: Coney, David AGRI:EX
Sent: Thursday, July 11, 2013 8:32 PM

To: van Dalfsen, Bert AGRI:EX; MacDonald, Leslie S AGRI:EX; Anderson, Heather L AGRI:EX
Cc: Thompson, Grant AGRI:EX; Last, Gavin AGRI:EX
Subject: ALC deck

Thanks for your time today. I was thinking about what you all said, and that maybe we're putting the cart before the horse with the briefings. Maybe we should just identify the issues for further briefings, and aim to get agreement on that. Make sure we've got the right priorities, nicely summerised for his use. I agree that going into the issues now may not be best. What do you think?

And I hear you on August Bert. Can you suggest a timeline for four detailed briefings Bert?

Heather is looking at Act and Regs to pull out accountability provisions, and doing a comparison with other Commissions and Tribunals, if you have ideas on good ones to look at.

The ALC Estimates Notes and TB Progress Rpts are in the share drive, if anyone wants a good summary of where ALC is on delivering TB commitments.

Cheers for now,
David.

FW: ALC Deck

Thursday, November 27, 2014
10:16 AM

Subject	**FW: ALC Deck**
From	Nickel, Ken AGRI:EX
To	Margerison, Elizabeth AGRI:EX
Sent	Friday, November 21, 2014 2:36 PM
Attachments	ALR – Opti...

From: Coney, David AGRI:EX
Sent: July 13, 2013 4:46 PM
To: Thompson, Grant AGRI:EX; Last, Gavin AGRI:EX; Anderson, Heather L AGRI:EX; MacDonald, Leslie S AGRI:EX
Cc: Nickel, Ken AGRI:EX
Subject: ALC Deck

As you know, Grant T and I met with Derek yesterday on ALC, and our timelines have tightened considerably.

Based on Derek's direction, I worked up a new deck overnight, with a view to making a presentation to the Core Review Cabinet Committee (or some such name) in August/Sept.

Grant T and I will be running this deck past Melanie and Derek early this coming week, so if you have any suggestions or comments in the meantime, I'd welcome the chance to incorporate them.

I am breaking my own protocol here and attaching the doc as well as the link, since I don't know if you will have access to link at home. I have not copied Bert as he is now on vacation, and I expect we will have been through a few more iterations by the time he gets back, but if you think he'd be interested in reading this while on vacation, please do forward on to him.

Cheers,
David.

I:\2013_ALC_Review\ALR – Options - July 13.ppt

David Coney
Policy Manager
B.C. Ministry of Agriculture
Tel: 250 387 3232

FW: ALC Deck

Subject: **FW: ALC Deck**
From: Nickel, Ken AGRI:EX
To: Margerison, Elizabeth AGRI:EX
Sent: Friday, November 21, 2014 2:33 PM
Attachments:

ALR – Opti...

From: MacDonald, Leslie S AGRI:EX
Sent: July 16, 2013 12:38 PM
To: Coney, David AGRI:EX
Cc: Thompson, Grant AGRI:EX; Last, Gavin AGRI:EX; Anderson, Heather L AGRI:EX; Nickel, Ken AGRI:EX
Subject: FW: ALC Deck

David, some comments are on slides 5, 11, 14 and 17. I think identifying the issues is a more solid approach. Nice work.

Leslie

From: Coney, David AGRI:EX
Sent: Saturday, July 13, 2013 4:46 PM
To: Thompson, Grant AGRI:EX; Last, Gavin AGRI:EX; Anderson, Heather L AGRI:EX; MacDonald, Leslie S AGRI:EX
Cc: Nickel, Ken AGRI:EX
Subject: ALC Deck

As you know, Grant T and I met with Derek yesterday on ALC, and our timelines have tightened considerably.

Based on Derek's direction, I worked up a new deck overnight, with a view to making a presentation to the Core Review Cabinet Committee (or some such name) in August/Sept.

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Cheers,
David.

I:\2013_ALC_Review\ALR – Options - July 13.ppt

David Coney
Policy Manager
B.C. Ministry of Agriculture
Tel: 250 387 3232

ALR – Options

Structure of Presentation

- ALR/ALC – what are they; why do we have them?
- Context: Global to Local
- Issues:
  - Organizational Effectiveness and Accountability
  - Responsible Economic Development
  - Stability of Farm Families
  - Stability of the Farming Industry
  - Balancing Farmland Protection with Regional Flexibility
- Summary

ALR – What is it?

- Only 5% of BC's land base is suitable for farming, and this is concentrated in the same valley bottoms, deltas and plateaus as population and industry.
- In order to protect this scarce stock of farmland from development, government in 1973 created the ALR, making farming the primary permitted land use within this agricultural zone.
- Population and economic growth since 1973 have increased the development pressure on farmland, reinforcing the need for the ALR.
- **Key Message**: absent the ALR, the future of farmland, farming and farm families in BC would be significantly threatened.

ALC - Why do we have it?

- Creation of the ALC put decisions on often contentious land use applications at arms length from the Minister and ministry. The ALC makes (and is seen to be making) decisions free from short term political considerations. The Minister and ministry are insulated from decisions on the use of ALR land.
- **Key Message:** Government deliberately structured the ALC as a statutorily independent decision making body.

Global to Local

- Climate change, population growth and food security are global concerns. Global food price spikes have pushed farmland values internationally to record highs. The ALR contains some of North America's best farmland.
- British Columbians have a very strong emotional attachment to the ALR.
- Development pressure on ALR has increased significantly since 1973.
- BC agriculture is changing (e.g. to value added, niche, export oriented).
- After 40 years of applications and boundary reviews, the ALR borders are clear. The primary issue now is what is permissible *within* the ALR.
- ALC Act and Regulations are permissive of farm-related development and flexible to accommodate regional needs.
- **Key Message:** the context within which the ALR was created has changed. Have the ALR and ALC evolved to reflect this?

Slide 5

Item1 Agriculture generally has a stabilizing impact on regional economies in BC and has less of the peaks and valleys of other resource sectors.
Farm Gate Values continue to increase each year.

Mandate for Change

1) Ensure the ALC is delivering on the improvements promised arising from the budget increase it received in *Balanced Budget 2013*.
2) Ensure the ALR is working for BC and propose any changes necessary. These changes must successfully balance our desire to protect valuable farmland while allowing for responsible economic development opportunities.
3) Bring forward ALR changes that will further encourage the stability of farm families and the farming industry in BC.

- **Key Message**: Complete current initiatives, and bring forward further changes that balance farmland protection, economic development and the interests of farm families.

Improve ALC Operational Effectiveness and Accountability

- Issue
  - The organizational capacity of the ALC is weak; and its accountability to the ministry is loose.
- Context
  - The ALC has operated for several years with limited funding, oversight and support. It's operational leadership is weak, its performance management is inadequate, and its decision making processes are opaque and poorly understood.

Improve Operational Effectiveness and Accountability

Goal	Options	Implications
Increase ALC capacity	Sustain annual appropriation at > $3M	s.12,s.13
	Support implementation of existing commitments	Progress Reports to TB
Improve operational effectiveness	Appoint a CEO separate from Chair	BRDO appointment
	s.13	
	Establish solid baseline data on ALR	AGRI resources
	s.13	
	Increase transparency of Panel decision making	Operational
	s.13	
Strengthen ALC accountability to AGRI	AGRI-ALC MOU and/or Letter of Expectation	Minister as signatory
	s.13	

Responsible Economic Development

- Issue
  - Desire to balance farmland protection with responsible economic development
- Context
  - Economic development is a priority.
  - BC is endowed with abundant energy and other natural resources, much of which is on or adjacent to farmland.
  - The short term extraction of non-renewable resources (50-100 years)can permanently damage the long term agricultural capability of BC's finite stock of farmland (seven generations and beyond).
  - BC's growing economy requires infrastructure (ports, roads, dams). Farmland tends to be flat and open and relatively inexpensive, making it attractive for infrastructure development.
  - Infrastructure development permanently removes farmland from agricultural production. ALC Act effectively compels ALC to reject major developments, which then get referred by LGIC as being in "provincial interest".

Responsible Economic Development

Goal	Options	Implications
Balance farmland protection and responsible economic development	s.13 Provide ALC with stronger oversight of OGC DA s.13	Possible legislative change

Stability of Farm Families

- Issue
  - Desire for effective succession of {to have multiple} new generations {living} on the farm while protecting the viability of productive farmland.
- Context
  - "Farm families need farm land."
  - Repeated subdivision of farmland for inheritance, intergenerational transfer, or home-site severance leads to smaller lot sizes that are not viable for agriculture, and which fall permanently out of production.
  - These parcels are purchased by non-farmers and often become a source of farm practice complaints.
  - ALR is not an estate planning tool for non-farmers, but legitimate inter-generational transfer does need to be accommodated (i.e. where person is "integral to an active farm operation").
  - Regional variation may be appropriate.
  - Recognize that there is a large proportion of farm-raised children who are not interested in assuming the farm business. Farm land is needed by other new entrants.

Stability of Farm Families

Goal	Options	Implications
Facilitate Legitimate* Intergenerational Transfer	s.13 Provide options to build additional homes on single parcel (i.e. avoid subdivision) for legitimate* intergenerational transfer. s.13	Legislative change

* Transfer of active farm or ranch operation to person who is integral to the farm operation.

Stability of Farm Families

Goal	Options	Implications
Facilitate Home Site Severance for *bona fide* Farmers	Provide options for retiring farmers to remain on property without subdivision (e.g. via covenants) s.13	Legislative change

Stability of the Farming Industry

- Issue
  - Desire to balance farmland protection with development of the farming industry.
- Context
  - "The farming industry needs farm land."
  - Most BC farmers face high land prices and production costs, but receive the world price for their commodities (they are land rich but cash poor). Farm viability increasingly depends on value-added activity (agri-tourism, direct farm marketing, on-farm processing, etc).
  - Use of prime farmland for value added activity that could be located off-farm erodes the ALR's productive capacity and creates an uneven playing field for appropriately zoned facilities.
  - "Permitted farm uses" are defined in regulation and set the parameters for value-added activity on farm (eg # of agri-tourism units; percentage of processing inputs that must be derived from farm; scale of non-farm home-based business). Other non-farm activities require a "non-farm use" application.

Stability of the Farming Industry

Goal	Options	Implications
Balance farmland protection with economic opportunities for the farming industry	Review the definition of "permitted farm use"	Regulatory change

Regional Flexibility

- Issue
  - Balance the provincial nature of the ALR with the flexibility to accommodate "community needs".
- Context
  - The ALR regions are different:
    - Okanagan, South Coast and Island contain 10% of ALR and 90% of population, yet generate 88% of Farm Cash Receipts (the "two triangles").
    - North contains 50% of ALR (BC 's last extensive tracts of productive farmland) in proximity to significant resource extraction industries and growing Asia-Pacific food markets.
  - All (or most) applications to ALC are reviewed by local govt prior to submission to ALC (l.g. may turn down application, or forward to ALC for decision). Local govt gets portion of application fee.
  - ALC Act allows delegation agreements with local governments (only 3 in place, since l.g. do not want to make these controversial decisions).
  - Local govt OCP and bylaws must be consistent with ALC Act.
  - Local govt, ALC and AGRI each have land use planning role. ALC resource constraints have limited it's engagement with local govt and AGRI.

Regional Flexibility

Issue	Options	Implications
Improve long term land use planning	Sustain ALC budget lift and refocus staff away from processing applications, towards working with local govts on long term planning for agriculture	TB review of fee proposal
Respond to Community Need	s.13	
Protect farmland	Provide for enhanced C&E cooperation between ALC & local govt	Legislative change
Balance farmland protection with regional flexibility	s.13	
	Apply different decision making criteria to different regions.	Policy change
	s.13	

Summary

FW: ALC DECK

Thursday, November 27, 2014
10:24 AM

Subject	**FW: ALC DECK**
From	Nickel, Ken AGRI:EX
To	Margerison, Elizabeth AGRI:EX
Sent	Friday, November 21, 2014 2:30 PM
Attachments	

ALC Core R...

From: Coney, David AGRI:EX
Sent: October 18, 2013 2:30 PM
To: Nickel, Ken AGRI:EX; van Dalfsen, Bert AGRI:EX
Subject: ALC DECK

David Coney
Policy Manager
B.C. Ministry of Agriculture
Tel: 250 387 3232

FW: ALC Core Review Deck - 2nd Presentation - Oct 23rd - FINAL.ppt

Subject: **FW: ALC Core Review Deck - 2nd Presentation - Oct 23rd - FINAL.ppt**
From: Nickel, Ken AGRI:EX
To: Margerison, Elizabeth AGRI:EX
Sent: Friday, November 21, 2014 2:29 PM
Attachments:

ALC Core R...

From: Coney, David AGRI:EX
Sent: October 23, 2013 2:25 PM
To: Nickel, Ken AGRI:EX; MacDonald, Leslie S AGRI:EX; van Dalfsen, Bert AGRI:EX
Subject: ALC Core Review Deck - 2nd Presentation - Oct 23rd - FINAL.ppt

This version sent to Cab Ops at lunch time today for presentation to CWGCR, by Minister Pimm, on October 30th.
Now we wait.
Cheers,
David.

Ministry of **Agriculture**

BC's Agricultural Land Reserve:

Preserving Farmland with Better Decision-Making

October 30th 2013



Overview

A. Additional Information Requested by CWGCR

B. Changes endorsed by CWGCR October 7th

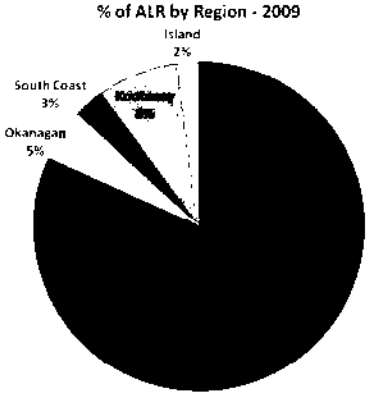
- Modernize ALC operations
- s.12,s.13

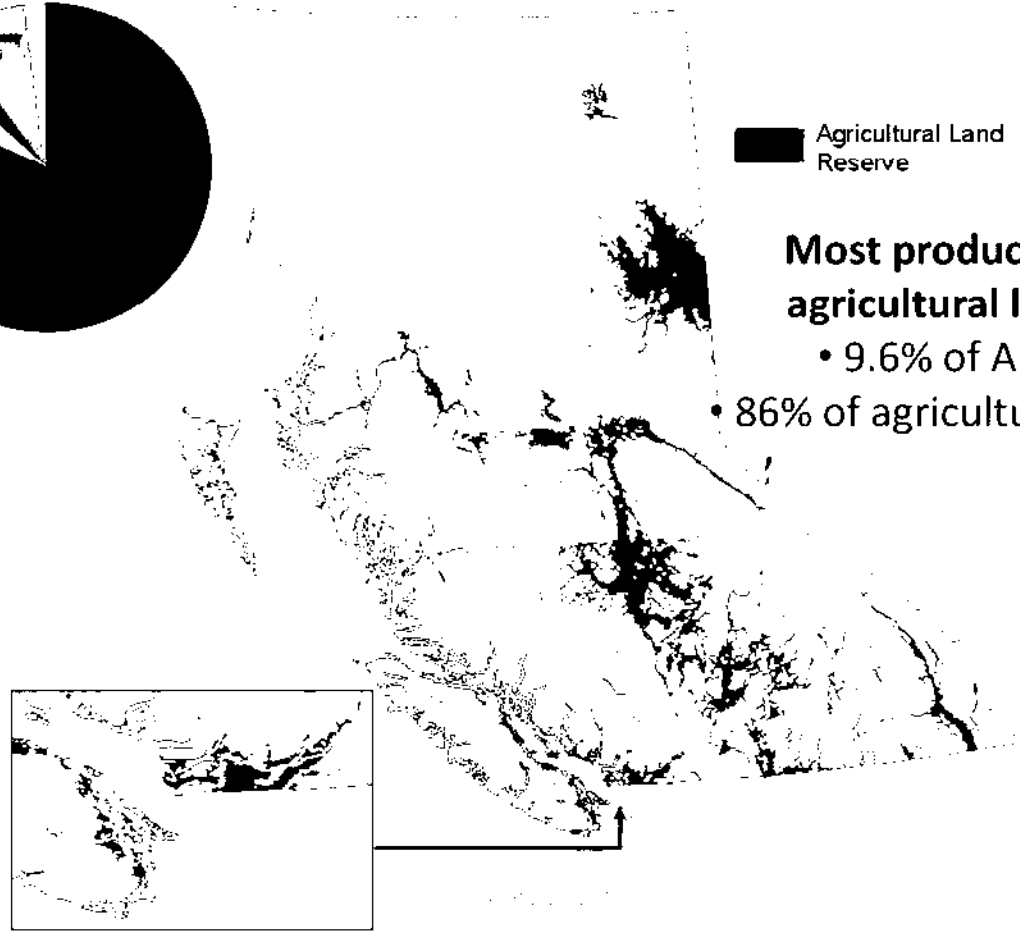
C. Recommendations

- s.13
- ALC's s.13 and decision making criteria
- s.13
- Farm families' use of farmland for non-farm activities
- s.13
- Regional Panels
- Establish and Define ALR zones

A. Additional Information Requested by CWGCR

- ALR Map
- Percentage of ALR land by region
- Total ALR land area change

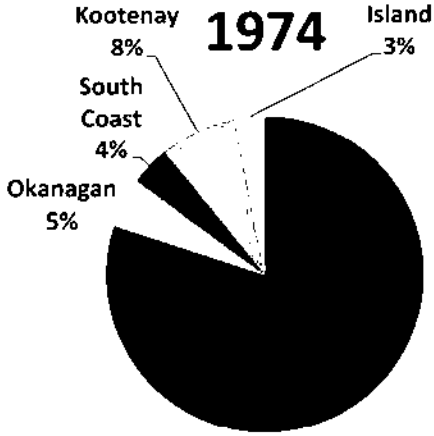


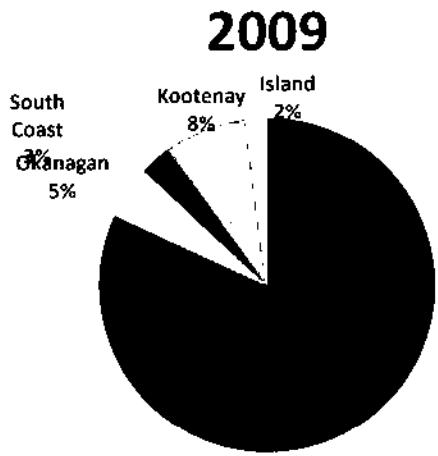


Most productive agricultural land

- 9.6% of ALR
- 86% of agriculture sales

% of ALR by Region



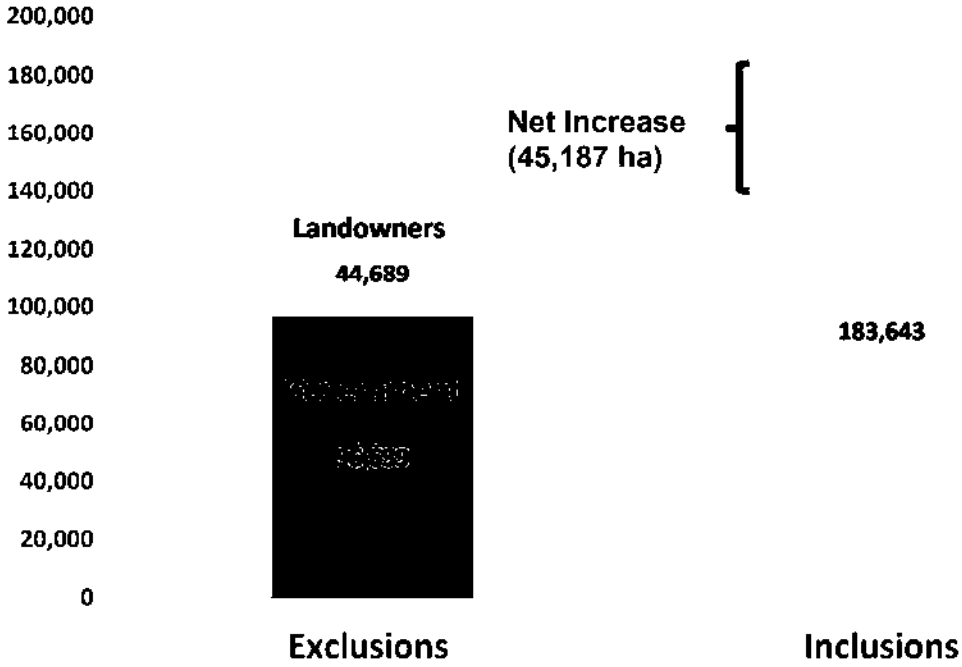


% Change in ALR 1974-2009,



Panel Region	1974 (ha)	2009 (ha)	Change (ha)
Island	130,163	112,927	-17,236
South Coast	177,043	161,908	-15,135
Okanagan	257,247	226,576	-30,671
Kootenay	399,110	382,755	-16,355
Interior	1,498,664	1,496,649	-2,015
North	2,253,292	2,379,891	126,599

Exclusions and Inclusions 1977- 2009 (ha)



B. Changes Endorsed by CWGCR October 7th

1. Immediate changes to improve governance, accountability and transparency

a) Appoint CEO, separate from Chair.

b) Fill vacancies on the 6 regional panels.

c) Issue Minister's Letters of Expectation/amend regulations:

i. Enable Minister to set service standards for ALC;

ii. Require ALC to report to the Ministry on performance;

s.13

2. Legislative change

s.12,s.13

C. Recommendations - Overview

1. **We will introduce** s.13 **recommended changes to the decision making framework governing the ALR.**

2. **We will discuss the concept of establishing two ALR 'zones'.**

3. **We will discuss the application of our** s.13 **recommended changes within the two zones.**

C. Recommendations

s.12,s.13

s.12,s.13

Recommendation 2:

s.12,s.13

Page 101 to/à Page 102

Withheld pursuant to/removed as

s.12,s.13

Recommendation 4:

s.12,s.13

s.12,s.13

s.12,s.13

Recommendations - Application

s.12,s.13

s.12, introduce the concept of establishing two ALR 'zones', s.12,s.13
s.12,s.13

s.12,s.13

s.12,s.13

Summary: changes endorsed by CWGCR October 7th

We intend to act on the operational changes discussed previously:

1. Appoint CEO, separate from Chair.
2. Fill vacancies on the 6 regional panels.
3. Issue Minister's Letters of Expectation/amend regulations:
    i. Enable Minister to set service standards for ALC;
    ii. Require ALC to report to the Ministry on performance;

s.12,s.13

Summary: Decision Points

Recommendation	All ALR	Zone 2 only	Reject
s.13			
Amend ALC s.13 'decision making criteria			
s.13			
Expand options for farm families: non-farm activities			
s.13			

Next Steps

- **Next Steps**
  - Present to Planning and Priorities
  - Present to Cabinet
- **Outstanding Issues**
  - Consultation
  - Legislative introduction (Spring/Fall 2014)

CITY OF GREENWOOD

PO Box 129
Greenwood, BC V0H 1J0

Phone:(250)445-6644 **Fax:**(250)445-6441 **Email:** admin.greenwoodcity@shaw.ca www.greenwoodcity.com

Proud winner of "Berkeley Springs International Water Tasting"
2012 Gold Medal Winner
Best Municipal Water in the World

March 10, 2014

Honourable Pat Pimm
Minister of Agriculture
P.O. Box 9043
STN Provincial Government
Victoria, B.C.
V8W 9E2

Re: Provincial Review of the Agricultural Land Commission and Agriculture Land Reserve

Dear Minister,

The City of Greenwood passed a resolution on February 24, 2014 to support the retention of the Agricultural Land Reserve (ALR) as one province-wide zone; Retention of the Agricultural Land Commission (ALC) as a province-wide, independent administrative-engagement body with judicial powers, and; Provision of an opportunity for local governments to discuss any proposed changes to the ALR with the Province and ALC.

Motion: That the City of Greenwood support the RDKB resolution regarding retention of the Agriculture Land Reserve and the Agriculture Land Commission and the commitment to consult with local governments.

Sincerely,

Nipper Kettle

Nipper Kettle, Mayor
City of Greenwood

cc: Premier Christy Clark
Honourable Bill Bennett
Donna Barnett

MINISTER OF AGRICULTURE
Referral # 179780
Refer to:
Received: MAR 19 2014
MIN Response ☐ Reply Direct ☐ Info/File ☐ N/A ☐
DM Response ☐ Briefing Note ☐ Speaking Notes ☐
Other local gov't (ALR)

Regional District of
Kootenay Boundary

MINISTER OF AGRICULTURE
Referral # 179565
Refer to:
Received: FEB 19 2014
MIN Response ☐ Reply Direct ☐ Info/File ☐ N/A ☐
DM Response ☐ Briefing Note ☐ Speaking Notes ☐
Other Local gov't batch

February 13, 2014

Honourable Pat Pimm, Minister
Ministry of Agriculture
Government of British Columbia
P.O. Box 9043, Stn Prov Govt
Victoria, BC V8W 9E1

Dear Minister Pimm,

Re: Future of the Agricultural Land Commission and the Agricultural Land Reserve

Recent reports in the media indicate that the British Columbia government, as part of its core review process, is considering some significant changes to the structure and mandate of the Agricultural Land Commission (ALC) and the Agricultural Land Reserve (ALR). The Board of Directors and residents of the Regional District of Kootenay Boundary have long recognized the important role that the ALC and the ALR play in protecting the long term food security for BC's future generations. With this in mind, the Board of Directors of the Regional District of Kootenay Boundary recently considered the future of the ALC and the ALR at its January 30th regular meeting. From that meeting, the Board has formally recommended the following for your government's consideration:

- Retention of the Agricultural Land Reserve as one province-wide zone;
- Retention of the Agricultural Land Commission as a province-wide, independent administrative body with judicial powers; and
- Provision of an opportunity for local governments to discuss any proposed changes to the ALR with the Provincial government and the Agricultural Land Commission.

We hope that your government similarly recognizes the important role that an undiminished ALR and ALC will play in British Columbia's future and we hope you will duly consider our recommendations on this important matter.

Sincerely,

Grace McGregor, Chair
Regional District of Kootenay Boundary

202 – 843 Rossland Ave Trail, British Columbia Canada V1R 4S8
toll-free: 1 800 355-7352 • tel: 250 368-9148 • fax: 250 368-3990
email: admin@rdkb.com • web: www.rdkb.com

Honourable Pat Pimm
Ministry of Agriculture
PO BOX 9043 STN PROV GOVT
VICTORIA BC V8W 9E2

November 14, 2013

RE: Dismantling of Agricultural Land Commission and Subsequent Changes to the Agricultural Land Reserve

Dear Minister Pimm,

I am one of the thousands of local food producers you have in this Province, and I am writing to you directly to request that you seriously reconsider any proposal that suggests you dismantle (or dissolve) the Agricultural Land Commission (ALC), and split the Agricultural Land Reserve (ALR).

I have read recent documents pertaining to the core review directed to Minister Bill Bennett and his department, specifically around "modernizing" the ALC. Most recent from the Globe and Mail, dated November 7th, 2013, which highlight(s) Minister Pat Pimm's **Cabinet Decision Summary Sheet,** outlining his suggestions to both move the ALC into the Ministry of Agriculture, and split the ALR into two "classes", one being "status quo" - Okanagan and Fraser Valley-Vancouver Island – and the other "anything goes", being the Interior, Kootenays and everything north of the Okanagan.

I understand this resource alone is not entirely reliable: I have read Mr. Pimm's and Mr. Bennett's Ministerial mandates. The former states he must:

2. Ensure the Agricultural Land Commission is delivering on the improvements promised arising from the budget increase it received in *Balanced Budget 2013*.

3. Ensure the Agricultural Land Reserve is working for British Columbia and propose any changes necessary. These changes must successfully balance our desire to protect valuable farmland while allowing for responsible economic development opportunities.

4. Bring forward ALR changes that will further encourage the stability of farm families and the farming industry in British Columbia.

But this mandate letter continues to state that Minister Pimm and his department must endeavour to achieve growth objectives set out in the *BC Jobs Plan*, which – much like the *Strong Economy, Secure Tomorrow* document – focus on only certain agricultural markets, namely wine, beef, berries, and 3-4 greenhouse products.

I have also read the BC Jobs Plan, and the General Considerations for the Dissolution of a Crown Agency, from the Crown Agencies Resource Office, requiring ALL Cabinet Ministers to agree on the dissolution of any Crown Agency.

This is why I appeal to you now, as Ministers of the Cabinet, who are tasked with the decision of whether or not to dismantle the ALC, delegate decision-making to the Ministry, and split the ALR. The following is why:

- Independent and specialized decision-making on the part of the ALC would be lost to the Ministry of Agriculture, whose mandate it is to "ensure the ALR is working for British Columbians" and "encourage stability of farm families and the farming industry" in BC, but also to follow and strive for objectives set out in the *BC Jobs Plan* and other related documents.
- This is concerning because the *BC Jobs Plan* clearly advocates for the harnessing and exporting of the resource sector, namely natural gas and oil, and the same for only a few aforementioned agricultural products. This is obvious from the proposed "classes" of the ALR into regions that either produce these specific products (Okanagan and Fraser Valley-Vancouver Island) or don't (Interior, Kootenays and everything north of the Okanagan).
- This means the future of agriculture in BC looks like this:
    - Wine production in the Okanagan Valley, mainly for export to other Canadian, North American, or international markets
    - Beef production for international markets, primarily East and South Asian
    - Fruit and berry production from the southern interior and coastal areas
    - Greenhouse production of crops like tomatoes and cucumbers, for export

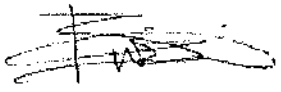
  They may operate on remaining ALR land, but they must also produce on a very large scale, if they are going to supply national or international markets. There is then no market opportunity for other crops, such as grains or vegetables, nor on a smaller scale for local production and consumption. Small-scale producers have a hard enough time making a living on ALR land. It would be impossible for them to operate a viable business paying property taxes on acres of land zoned residential, or otherwise. And what would happen to producers on already-designated ALR land slated for "reclassification"? If you observe ALR mapping, it is clear that most of the large expanses of ALR-designated land is in the Interior and Northern regions rather than the Okanagan and Southern Interior. If the ALR is split and these regions are easily lost to development, one has to estimate much less than 5% of total ALR land will remain.

We get it: your government's goal is "high-paying jobs" for all British Columbians. But maybe not all of us want high-paying jobs in the forestry, mining, natural gas, or oil industries. Maybe we're happy making next to minimum wage, or less, to do what we love for our communities, and beyond. Can any of the Ministers honestly say that out of all the restaurants you dine at, the only locally-produced items on the menu are beef, wine, and berries? No, you cannot. Because more often than not the locally produced items on those menus are produce. Produce is the most affordable menu item for restaurants to source, and the #1 purchaser for most BC small-scale growers. This does not include other local products, such as cheeses, grains, honeys, and other value-added products.

This is a market – the local food market - that has been steadily growing in BC, Canada, and North America, and a proposal to absorb the ALC and split the ALR will do nothing but stifle it. It is the opposite of progressive and will make this province look antiquated and ridiculous to anyone considering relocation or vacation to this part of the country.

I implore you to do the right thing, and preserve a legacy that was cut off from oil and gas extraction and ownership 40 years ago for a reason. Some things should just remain off-limits, and this is one of them.

Regards,



Brianna T. van de Wijngaard
Owner/Operator, Puddle Produce Urban Farms
253 5th Avenue North
Williams Lake, BC V2G 2E9
E: puddleproduce@gmail.com

Peninsula Agricultural Commission

c/o Saanich Municipal Hall
770 Vernon Avenue, Victoria, B.C. V8X 2W7
Telephone: (250) 475-1775 Facsimile: (250) 475-5440
Secretary: Isobel Hoffmann, Extension 3502 (hoffmanI@saanich.ca)
Chair: Flora Wood

November 15, 2013

To: Mayor and Councillors of the Member Municipalities:
Saanich, Central Saanich, North Saanich, Sidney, and Metchosin

RE: Proposed Core Review of ALC/ALR

On September 12, 2013, the Peninsula Agricultural Commission sent the attached letter to the member municipalities in response to a proposed core review of the Agricultural Land Commission and the Agricultural Land Reserve.

Since that time, new information has become available which heightens PAC's concerns about the future of the ALR and subsequently the future sustainability of farming on the Island and throughout the province. It was unfortunate that the window of opportunity to provide comment on this matter to the province was very limited. The potential impact of dismantling the Land Commission has far reaching consequences. For Council's information, we have attached an article published in the Globe and Mail on November 7, 2013.

PAC would respectfully recommend that Council ask for clarification on this matter from Ministers Bennett and Pimm, and further that Council submit a resolution to the UBCM to ensure there is no further weakening of ALR lands.

We would be pleased to offer further input or advice if required.

Respectfully,

Mike Bomaine, Vice Chair,
Peninsula Agricultural Commission

cc: Hon. Bill Bennett, Minister Responsible for Core Review
Hon. Pat Pimm, Minister of Agriculture
BC Food Systems Network
Rob Kline, Ministry of Agriculture

MINISTER OF AGRICULTURE
Referral # 178972
Refer to:
Received: NOV 2 2 2013
MIN Response ☐ Reply Direct ☐ Info/File ☐ N/A ☐
PM Response ☐ Briefing Note ☐ Speaking Notes ☐
Other

Member Municipalities:
Saanich, Central Saanich, North Saanich, Sidney, Metchosin

THE GLOBE AND MAIL

'Sacrosanct' Agricultural Land Commission eyed for breakup

MARK HUME
VANCOUVER — The Globe and Mail
Published Thursday, Nov. 07 2013, 8:00 AM EST
Last updated Thursday, Nov. 07 2013, 1:44 PM EST
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Page 123 to/à Page 124

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Quotes:

Pat Pimm, Minister of Agriculture –

"These improvements are aimed at continuing to protect B.C.'s rich farmland and helping farmers make a better living from it. The changes ensure the ALC is able to protect our fertile agricultural land for another 40 years, while ensuring future generations of farmers can continue to produce food for B.C. families."

Bill Bennett, Minister of Energy and Mines and Minister Responsible for Core Review –

"From time to time, we need to look at organizations like the ALC, to make sure as an organization, it is serving the people of B.C. the best it can. These improvements achieve our goals of supporting the ALC in its role as independent decision maker, protecting our high quality farmland and still supporting farmers to get ahead."

Rhonda Driediger, chair, BC Agriculture Council –

"Opportunities exist to improve the ALR and to protect farmland for future generations. Long-term positive change requires broad consultation with B.C. farmers. We look forward to openly engaging with the Province as new regulations are developed."

Fred Steele, president, BC Fruit Growers Association –

"The BCFGA understands changes must be made to the ALR in order to provide sustainable and profitability for the tree fruit industry. To ensure these changes benefit tree fruit growers and all farmers, we are prepared to engage in positive discussions with the Province to ensure regulations benefit the farm industry and protect farmland in British Columbia."

David Haywood-Farmer, president, BC Cattlemen's Association –

"BC Cattlemen's Association recognizes the complexity of the issues surrounding the ALR and those affected by it. We are encouraged that the Minister understands that the ALC must remain an independent decision making commission whose purpose is to protect agricultural lands and the stakeholders who make their living producing food from this land. Our goal is to see the improvement of the ALR for the present generation of ranching families who are responsible for the stewardship of these lands and for future generations who need to see that there is hope for a sustainable future on these lands."

Garnet Berge, committee chair, BC Grain Producers Association –

"We are pleased that our Agriculture Minister Pat Pimm has responded to the concerns of the Agriculture sector to modernize the BC Agricultural Land Commission. We support the proposed changes and are looking forward to working with our BC Government and Agricultural Minister to draft new regulations and the forming of administrative panels in our region."

Linda Delli Santi, executive director, BC Greenhouse Growers' Association –

"The BC Greenhouse Growers' Association supports the government's core review objective of

BRITISH COLUMBIA

NEWS RELEASE

For Immediate Release
2014AGRI0008-000381
March 27, 2014

Ministry of Agriculture
Ministry of Energy and Mines
and Minister Responsible for Core Review

Improvements to ALC protect farmland, support farmers

VICTORIA – Bill Bennett, Minister of Energy and Mines and Minister Responsible for Core Review and Steve Thomson, Minister of Forests, Lands and Natural Resource Operations, on behalf of Pat Pimm, Minister of Agriculture, today announced improvements to the Agricultural Land Commission (ALC) that will protect farmland in British Columbia and maintain the ALC's independence.

British Columbians expect government to ensure our programs and services are operating as efficiently and effectively as possible. The changes, resulting from government's Core Review of the Commission will help farmers and farm families get ahead by recognizing regional differences, strengthening regional decision making and enhancing the ALC's service to the public.

The ALC will remain a fully independent tribunal and decision-maker and continue to make final decisions on specific land uses within the Agricultural Land Reserve.

The improvements include the creation of two ALC administered zones to better recognize the province's regional differences. In Zone 1, where land is in greater demand and there are development and population pressures, ALC decisions will continue to be made on the basis of the original principle of preserving agricultural land. In Zone 2, where growing seasons are shorter and there are lower value crops, ALC decisions will now, in addition to the original principle, include additional considerations to provide farmers with more flexibility to support their farming operations.

Other improvements include formalizing the ALC's existing model of six regions and six regional panels into law to strengthen regional decision making as well as giving local governments the opportunity to engage with the ALC earlier in their land use planning processes to ensure better coordination and more timely decisions.

To improve services to farmers, the Commission's operations will be enhanced. This will include establishing governance and accountability frameworks and service standards, consistent with other government boards, agencies and commissions as well as filling staff vacancies and moving forward with the appointment of a CEO.

To help farmers generate increased incomes and better support food production, the Ministry of Agriculture will initiate discussions with the ALC, the agricultural sector and the Union of BC Municipalities on how to best support new opportunities for limited, value-added farming activities on farmland.

modernizing the Agricultural Land Commission and looks forward to the results of the consultations to create the details in regulations."

A backgrounder and factsheet follow.

Media Contact:
Government Communications and Public Engagement
Ministry of Agriculture
250 356-1674

Connect with the Province of B.C. at: www.gov.bc.ca/connect

BRITISH COLUMBIA

BACKGROUNDER

For Immediate Release
2014AGRI0008-000381
March 27, 2014

Ministry of Agriculture
Ministry of Energy and Mines
and Minister Responsible for Core Review

Changes resulting from government's Core Review of the Commission

Government has announced improvements to the Agricultural Land Commission (ALC) that will protect farmland in British Columbia and maintain the ALC's independence. The changes, resulting from government's Core Review of the Commission will include:

1. **Increase opportunities for farmers to earn a living and continue farming their land:**
   - In consultation with the ALC, B.C.'s agricultural industry and the Union of BC Municipalities, amendments will be considered to current regulations to allow new, limited, value-added farming activities, such as food processing, on farmland. This responds to concerns from farmers that regulations prevent them from growing their agricultural businesses.
   - The ALC will continue to make final decisions on specific land uses.
   - The creation of two zones will better protect in-demand land in Zone 1, which will remain status-quo, while offering the ALC more flexibility in its decision making in Zone 2. The ALC will continue to apply its discretion in making final decisions on specific land uses.
   - To better support farmers and farm families and ensure they can continue farming their land, in Zone 2 only, the ALC will be given broader flexibility to consider non-agricultural home-based businesses. Acceptable uses will be determined through regulation in consultation with the ALC, the agricultural sector and UBCM.
   - This flexibility responds to concerns from farmers in certain parts of the province, where growing seasons are shorter and farmers need year-round income to support their farming operations.
2. **Recognize B.C.'s regional differences to better support farming families:**
   - The ALC's existing model of six regions and six regional panels will be formalized, with regional panels making decisions for their specific regions.
   - Two ALC-administered zones will be established:
     - Zone 1 will include the Island, South Coast and Okanagan panel regions.
     - Zone 2 will include the Interior, Kootenay and North panel regions.
     - The ALC's role of protecting land in both regions does not change.
3. **Improve land use planning coordination with local government:**
   - Local governments will be required to engage the ALC earlier in land use planning processes, such as Official Community Plans.
   - Currently the ALC is engaged after first reading. Going forward, they will be engaged before the bylaw reaches first reading. It is anticipated that communities will achieve more timely and efficient decisions from better coordination.
4. **Modernize the Commission's operations:**

- The ALC will move forward with filling staff vacancies, including the appointment of a CEO through a merit-based hiring process.
- Governance and accountability frameworks will be established for the ALC, in line with other government agencies, boards and commissions.
- Service standards will be developed and implemented. For example, applicants will be provided with anticipated timelines for decisions and applicants will be provided with the opportunity to attend hearings where their applications are being determined and make a presentation.
- The Commission will be required to report out publicly on their service standard performance measures and all records of decision.

Media Contact:

Government Communications and Public
Engagement
Ministry of Agriculture
250 356-1674

Connect with the Province of B.C. at: www.gov.bc.ca/connect

BRITISH COLUMBIA

FACTSHEET

For Immediate Release
2014AGRI0008-000381
March 27, 2014

Ministry of Agriculture

Agriculture in B.C.

The Agricultural Land Commission and Reserve

The Agricultural Land Commission (ALC) is an independent, administrative tribunal. The ALC makes land use decisions within the Agriculture Land Reserve (ALR). The ALC looks at many factors when carrying out its mandate and each application has its own distinct set of circumstances and is considered on its own merits.

- About 5% of British Columbia's land base (4.7 million hectares) is in the ALR. The land in the ALR has increased by 38,000 hectares since 2001.
- Land in the ALR falls into one of seven soil classes, ranging from Class 1 (wide range of crops can be grown without difficulty) to Class 7 (unsuitable for soil-based agriculture or sustained grazing, suitable for barns, greenhouses and processing facilities)
- Currently, 10% of the land in the ALR produces 85% of B.C.'s farm cash receipts (FCR) and the three percent of the land in the South Coast region produces two-thirds of the province's FCR.
- By Agricultural Land Reserve region:
- Island region - 2% of ALR, 6% of FCR
- South Coast region - 3% of ALR, 65% of FCR
- Okanagan region - 5% of ALR, 14% of FCR
- Kootenay region - 8% of ALR, 2.5% of FCR
- Interior region - 31% of ALR, 4.5% of FCR
- North region - 50% of ALR, 8% of FCR

Support for the Agricultural Land Commission

- This year, the B.C. government is providing the ALC with about $3.5 million in annual operating funding, an increase of $600,000 from 2013/14.
- This is the second consecutive year the Commission's budget has increased, to support the ALC in providing increased oversight of the ALR.
- The Agricultural Land Commission's annual budget allocation:
    - 2012-13 - $1.9 million
    - 2013-14 - $2.9 million
    - 2014-15 - $3.5 million
- The budget increases, first announced in Budget 2013, enable the ALC to:
    - continue with the East Kootenay boundary review and undertake other targeted reviews (6 to 10 years to complete all reviews);
    - increase compliance and enforcement activities throughout the province and build

partnerships with local governments and provincial ministries;
    - pursue more proactive planning work with local governments;
    - work more closely with farmers, ranchers and agricultural organizations to preserve agricultural land and encourage farming; and
    - continue digital conversion and mapping projects started with transitional funding, to improve its ability to evaluate the collective impacts of decisions on applications.
- The new funding in is in addition to one-time funding of $1.6 million provided in 2011, as part of a package of measures to strengthen the ALC's capacity to focus on preserving farmland, increasing enforcement and evolving into a sustainable organization.
- In addition to the funding, legislation introduced in 2011 also allows the ALC to increase enforcement capacity by allowing qualified provincial and local government officials to conduct enforcement activities.

Farming demographics

- According to Statistics Canada, almost half (49%) of B.C. farms have annual sales less than $10,000 and three quarters (75%) have annual sales less than $50,000.
- In 2010, 52.6% of all British Columbia farm operators had an off-farm job or business.
- More than 25% of all B.C. farm operators report working off-the-farm for more than 40 hours a week.
- In 2011, the average age of a B.C. farm operator was 55.7 years old.
- In 2011, 61.6% of B.C. farms had operators aged 55 years or older, the highest proportion in the country. At the same time, 6.4% of B.C. farm operators were under 40, the lowest percentage in Canada.
- The proportion of B.C. farms with an operator aged 55+ has increased by more than 20% between 1991 and 2011.
- B.C.'s 19,750 farms account for approximately 9.6% of Canada's total farms.

Media Contact:

Government Communications and Public
Engagement
Ministry of Agriculture
250 356-1674

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Ministry of Agriculture

Bill 24 – *Agricultural Land Commission Act* Amendments

April 23, 2014

Objectives for the Day

1) Understand all elements of the Bill, and receive feedback on the Bill.
2) Minister is aware of your views.

Bill 24 - Themes

1. ALC Reporting and Accountability
2. Panel Regions and Panel Composition
3. Zones
4. Decision-Making Criteria in Zones
5. Local Government Act amendment

1) ALC Reporting and Accountability

Improve ALC operations and governance:

- ALCA Section 12(2) - Allow government, by regulation, to set service standards and reporting requirements for the ALC to the Minister.
- ALCA Section 12(2.1) – Minister can by order set performance standards.

2) ALC Regions and Panel Composition

Strengthen regional representation:

- ALCA Section 4.1 - Establish the 6 existing panel regions (defined geographically in the new Schedule to ALCA).
- ALCA Section 11(1) - Require that a panel be established for each of the 6 panel regions.
- ALCA Section 11(6) - Require that the Chair refer applications from a panel region to the panel for that panel region.
- ALCA Section 5(1) – Commission must consist of at least 13 individuals.
- ALCA Section 5(2) and ALCA Section 11 - Regional panels will have a minimum of 2 members, one of whom will be vice chair for the panel appointed by the LGIC.
- ALCA Section 5(2) and ALCA Section 11(3) – Vice chairs and members must be resident in the region of the panel to which they are appointed ('residency' to be defined by regulation).

3) Zones

Establish two zones to reflect regional differences in future use of the ALR:

- ALCA Section 4.2:
  - Zone 1 = Island, South Coast and Okanagan panel regions.
  - Zone 2 = the rest of BC (i.e. Interior, Kootenay, North panel regions, and other).

4) Decision-Making in Zones

- Zone 1 – no change to decision-making – ALC considers applications on case-by-case basis within the legislated purpose of the commission, which is unchanged.
- ALCA Section 4.3 - In rendering its decisions in Zone 2, the ALC must also now consider other factors:
  - economic, cultural and social values;
  - regional and community planning objectives; and
  - any other considerations prescribed by regulation.
- This does not require the ALC to make decisions that only reflect these new considerations. The ALC is still an independent body and will balance agricultural factors with these other considerations.
- The legislation provides for greater flexibility in ALC decision-making to allow farmers in Zone 2 to have more options for earning an income.

5) Local Government Act

Section 879 of the Local government Act will be amended so that Local Governments must consult with the ALC earlier on in development of, or amendments to an Official Community Plan (i.e. *prior* to first reading).

Summary of the day

Page 027 to/à Page 062

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Bill 24 – *Agricultural Land Commission Act* Amendments

April 23, 2014

DRAFT - FOR DISCUSSION ONLY

Objectives for the Day

1) Understand purpose of the Bill and receive feedback on the Bill.
2) Minister is aware of your views and able to discuss them with his colleagues.

Bill 24 - Themes

1. ALC Reporting and Accountability
2. Panel Regions and Panel Composition
3. Zones
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5. Local Government Act amendment

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Ministry of **Agriculture**

BC's Agricultural Land Reserve:

Preserving Farmland with Better Decision-Making

***November 19,* 2013**





History and Context

- Less than 5% of BC's land base is suitable for agriculture.
- The ALR was created in 1973 to protect this land for farming.
- British Columbians have a strong attachment to the ALR and its purpose.
- BC has changed significantly since 1973, but only minor changes made to ALC.
- Not all ALR land is good quality land.
- Government has a clear mandate to focus on economic development.
- Budget lifts provided to ALC since 2011 to reorient organization from reactive, application driven organization to proactive organization working with local governments to encourage the use of farmland for agriculture.

Page 073 to/à Page 076

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5. Create Two ALR Zones

Problem: The ALC's current decision making framework does not adequately recognize regional differences.

Solution: Create two ALR zones:

Zone 1: BC's most productive farmland: maintain the status quo.

Zone 2: The balance of the ALR: provide more flexibility.

Benefit: Decision making over the ALR that reflects regional realities.

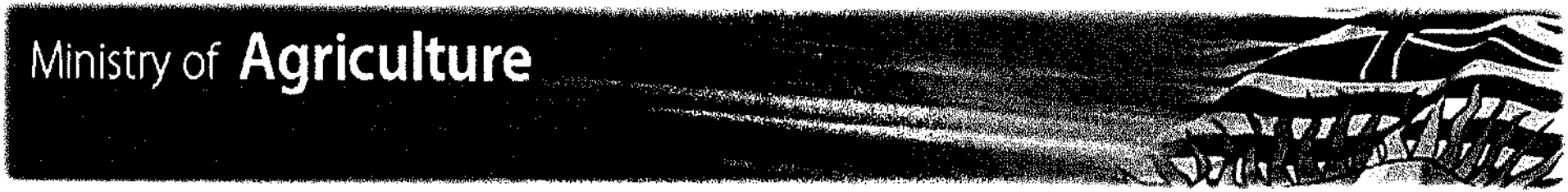
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	Option 2	Option 3
Zone 1	**Island South Coast Okanagan**	**Most productive soil and climate**
Zone 2	**Interior Kootenay North**	**Less productive soil and climate**

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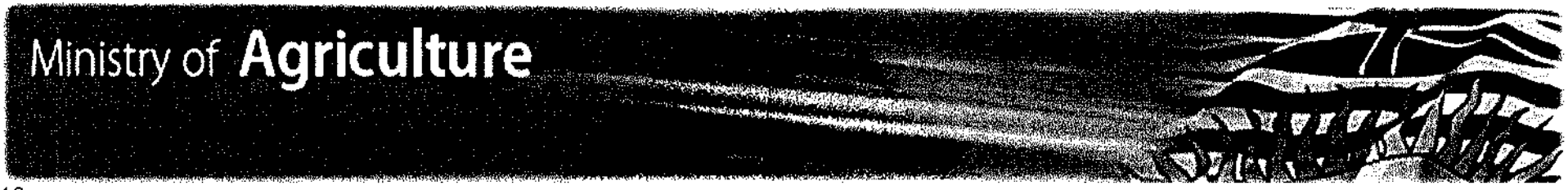
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Ministry of **Agriculture**

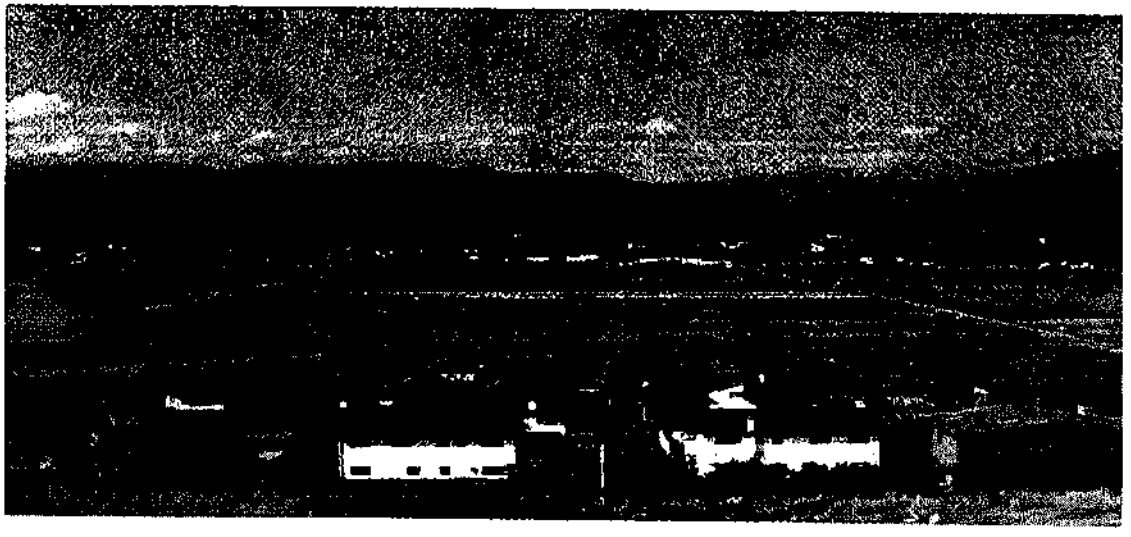
Summary: Decision Points

Recommendation	Approve	Reject
1 **Modernize ALC operations (regulation)**		
2 **Expand business opportunities for farm families (regulation)**		
3 **Improve land use planning coordination – change to Local Govt Act (legislation)**		
s.12,s.13		
s..2,s.13		
5 **Amend** s.12,s.13 **making criteria (legislation)**		
s.12,s.13		

Ministry of **Agriculture**

BC's Agricultural Land Reserve: Modernizing Decision-Making

October XX, 2013



DRAFT - FOR DISCUSSION PURPOSES ONLY

Overview

- **Part One:** Problem, Purpose & Link to Core Review
- **Part Two:** History & Context
- **Part Three:** Guiding Principles & Proposed Modernizations
- **Part Four:** Legislation & Regulation Changes
- **Part Five:** Summary & Results
- **Part Six:** Examples & Case Studies Based on Modernization

DRAFT - FOR DISCUSSION PURPOSES ONLY

Part One:

Problem, Purpose & Link to Core Review

I. Perceived Problems

II. Purpose & Link to Core Review Objectives

III. Direction Required

I. Perceived Problems

- **ALC impedes economic development, investment and jobs on land that is not suitable for farming (Example 1)**
- **ALC acts**[s.13] **with a scope that is much larger then their mandate to protect farmland (Example 2)**
- **ALC is not working cooperatively with local governments and regional differences are not sufficiently being accounted for (Example 3 , Example 4)**
- **ALC is not helping farm families stay on the land and use the land for farm purposes (Example 5)**
- **ALC has an outdated management model which is slow, inconsistent and unresponsive (Example 6, Example 7)**

II. Purpose & Link to Core Review Objectives

- Ensure that ALC is focused on achieving government's vision of a strong economy and secure tomorrow.
- Ensure that ALC is operating as efficiently and effectively as possible.
- Modernize ALC's service delivery and governance to achieve improved outcomes for the public.

- Note: efficiencies to be gained in process and structural improvements; there will not be direct cost savings.

DRAFT - FOR DISCUSSION
PURPOSES ONLY

III. Direction Required

- Endorsement of some or all of these options.
- Direction to come back to the Working Group at your next meeting, if and as necessary, to:
  - Resolve any outstanding policy issues;
  - Present a communications plan.
- Endorsement to engage in RFL process.

DRAFT - FOR DISCUSSION
PURPOSES ONLY

Part Two:

History & Context

I. History

II. Cross Jurisdiction Comparison

III. Current Context

IV. Current ALC Structure



I. ALR History

Created in 1973:

- Intent: protect the 5% of BC's land base best suited for agriculture.
- Result: provide long term food security; constrained private property rights.

Since 1973:

- Original boundaries not always accurate; some anomalies remain.
- Context has changed significantly:
  - Increased pressure on ALR from developers & landowners to relax land use restrictions;
  - Increasing world food demand & climate change make food security increasing priority.
- Minor changes to ALC:
  - Move from single provincial panel to six regional panels (2002);
  - Legislative changes and budget increase (2011-13).

DRAFT - FOR DISCUSSION
PURPOSES ONLY

II. Cross Jurisdiction Comparison

- Only two other provinces have zones where agriculture is priority:
  - **Quebec : Territoire Agricole**
    - Similar to BC, Quebec's best farmland is set aside for agriculture;
    - Land owners apply to Commission for permission to remove land, subdivide land, or to use land for a non-agricultural activity.
  - **Ontario Greenbelt :**
    - Provides protection for environmentally sensitive areas, agricultural land, wetlands, forests and other areas;
    - Development of agricultural areas constrained through conditions placed by the Province on Municipal Official Plans.

DRAFT - FOR DISCUSSION
PURPOSES ONLY

III. Current ALC Context

- The ALR and ALC were created 40 years ago; only minor changes since.
- ALR is the foundation of the BC agriculture industry, and essential to the goal of growing the industry to $14 Bn by 2017(Jobs Plan).
- Public has strong attachment to the ALR (food security).
- Not all ALR land is good quality land best suited to agricultural use.
- Government has a clear mandate from British Columbians to focus on economic development & job creation: Strong Economy, Secure Tomorrow.
- Budget lifts provided to ALC since 2011 to reorient organization from reactive, application driven organization to proactive organization working with local governments to encourage the use of farmland for agriculture.

DRAFT - FOR DISCUSSION PURPOSES ONLY

IV. Current ALC Structure

Structure

- ALC panels - statutorily independent decision makers, appointed by government.
- ALC staff – CEO appointed by Cabinet; staff hired by ALC.

Governance

- The ALC formally reports to government through the Minister of Agriculture.
- In effect, the ALC acts largely independently of government, and has loose accountability to the Ministry.

Decision Making

- Largely stand-alone.
- ALC can delegate certain decisions to local governments, First Nations governments or other authorities (e.g. Oil and Gas Commission), but rarely does so, and then only recently.

DRAFT - FOR DISCUSSION PURPOSES ONLY

Part Three:

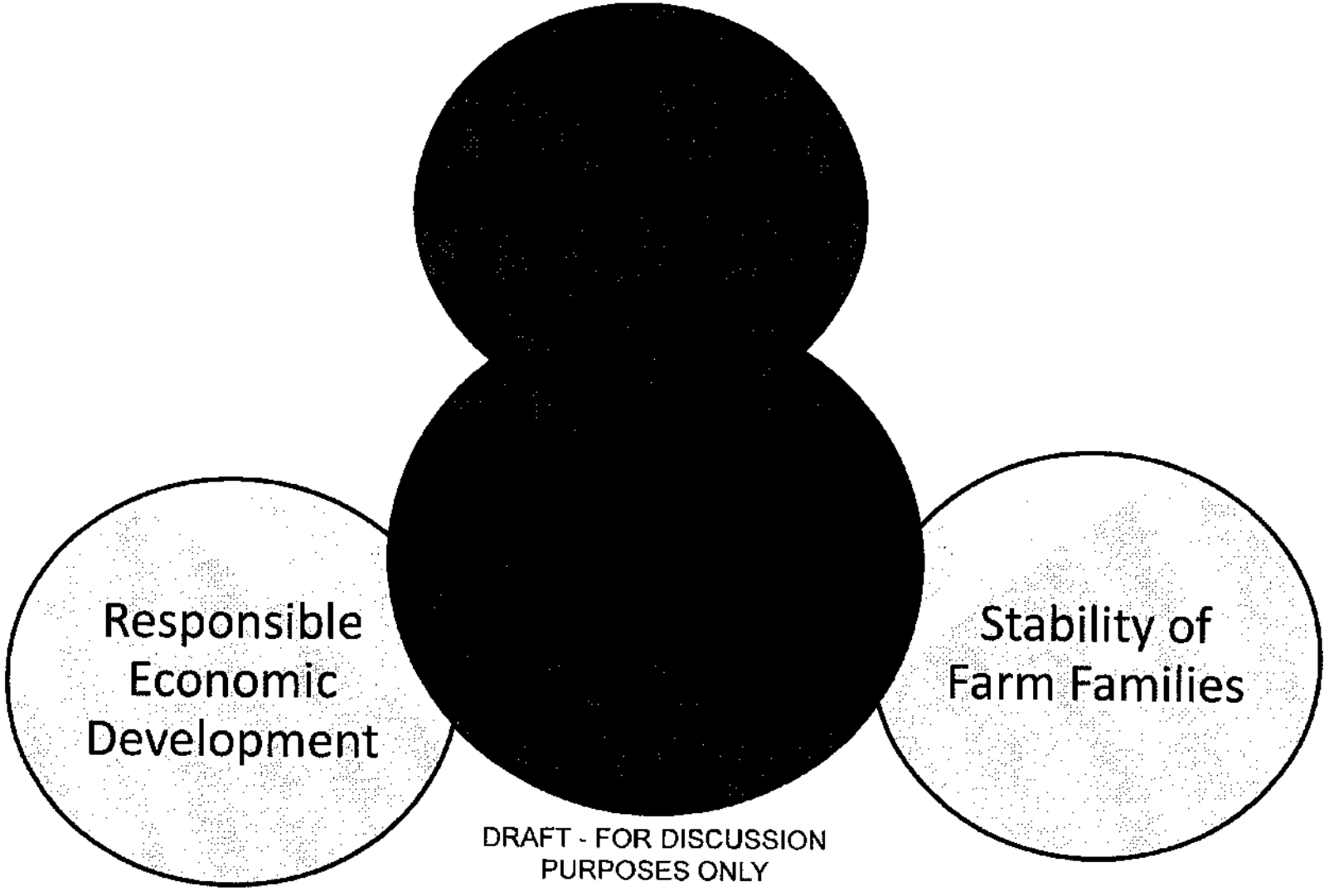
Guiding Principles & Proposed Modernization

I. Guiding Principles

II. Modernize Decision Making

III. Modernize Structure & Operations

I. Guiding Principles Framework



DRAFT - FOR DISCUSSION PURPOSES ONLY

Ministry of **Agriculture**

I. Guiding Principles

FROM	TO
Protect the ALR	Protect BC's most productive farmland
Only allow uses compatible with agriculture	Allow for responsible economic development
Province wide approach to the ALR	Recognize regional and community diversity
Encourage the use of farmland for agriculture	Encourage the use of farmland for agriculture, and maintain a sustainable farming sector that supports farm families
Govt transparency and accountability standards do not apply to ALC.	Enhance the accountability , efficiency and transparency of the ALC

s.13

s.13

Modernize Decision Making

Modernize ALC Structure

DRAFT - FOR DISCUSSION PURPOSES ONLY

II. Modernize Decision-Making

ALC operates in alignment with government priorities:

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– Issue a Minister's Letter of Expectation to clarify how new decision making criteria might be applied.

s.13

DRAFT - FOR DISCUSSION PURPOSES ONLY



s.13

II. Modernize Decision-Making

Protect BC's most productive farmland

- New decision making criteria would more fully and extensively protect prime agricultural land in key regions (while maintaining/increasing flexibility on other land).

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II. Modernize Decision-Making

s.13

- New decision making criteria would allow greater weight for reasonable and specific economic development opportunities.

II. Modernize Decision-Making

Recognize regional and community diversity

- New decision making criteria would allow greater weight for regional variation.

s.13

DRAFT - FOR DISCUSSION
PURPOSES ONLY

III. Modernize Structure & Operations

Support farm families and the farming industry

- Secure dedicated time and resources for ALC to fulfill mandate to encourage use of farmland for agriculture, and allow for programs and projects that:
  - Make better use of the best quality land;
  - Support farm families;
  - Encourage new entrants.

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III. Modernize Structure & Operations

Improve accountability and service levels

- Establish appropriate government authority over ALC operations:
  - Further reporting by ALC, to the Minister, could be required;
  - Increased management accountability via Minister's Letters of Expectation;
  - The Ministry could set service standards for the ALC;

s.13

- Digitize maps/records; create baseline data on ALR; boundary reviews.
- Clear and accountable service standards (e.g. application processing times).
- Easy public access to decision-making criteria, decisions and their rationale.

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- Separate operational leadership from decision making function (e.g. appoint CEO separate from Chair).



III. Modernize Structure & Operations

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Page 105

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Ministry of **Agriculture**

Legislation

Modernize ALC Operations
1) Establish authority for Minister to require reporting as often as required, and for topics other than financial/corporate.

s.13

Modernize Decision Making:
4) Require local governments and ALC to cooperate early in the OCP development process

s.13

s.13



Regulation

Modernize ALC Operations:

1) Establish requirements for service standards and transparency of decisions.

Modernize Decision Making:

2) Establish decision making criteria to be used by ALC panels in adjudicating applications

s.13

4) Amend the regulation defining "permitted farm use" to allow more value-added activity on larger or lesser quality parcels.

5) Expand options for home based businesses on larger parcels or on farmland of lesser quality.

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Page 108

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I. Perceived Problems & Proposed Solutions

s.12,s.13



I. Perceived Problems & Proposed Solutions

s.12,s.13

II. How Will This Help?

- Responsible economic development opportunities on ALR land are supported (infrastructure, energy, on-farm businesses);

s.13

- Service levels received by applicants improve;
- Public accessibility to ALC data, decision making and outcomes improves;
- Public confidence that BC's best farmland is protected is increased.



Part Six:

Examples & Case Studies Based on Modernization

Sand & gravel opportunity on Crown land in ALR:

A young entrepreneur took over his father's struggling business, found high quality gravel on Crown land and acquired a land tenure from FLNRO and a Mines Act permit. The Crown land was in the ALR, even though it was completely covered by rocks and trees. The ALC would not allow him to use the whole tenured area for his pit, as required by the Mines permitting office.

HOW WILL PROPOSAL HELP?

- Amending decision-making criteria used by ALC panels to s.13 accommodate regional variation, s.13 s.13

- A more transparent decision making process with established service standards will provide certainty and timeliness for applicants even if the decision is unfavourable



Commercial Land Development (subdivision)

Development company purchased for resale multiple large parcels (20-40 acre each) in a semi-arid rural area that is unable to grow crops other than hay. Local government was eager for the tax revenues. Small business was eager for customers. The owner applied to subdivide the parcels that are split by a provincial highway. There is no irrigation on the land and none available. There have been few sales in 10 years, in part because the parcels are too large and are divided by a busy highway. Sub-dividing these large parcels would enable their sale, benefits to the local economy, probably fencing, wells, a few horses and the care of individual owners.

HOW WILL PROPOSAL HELP?

- Amending decision-making criteria used by ALC panels to s.13 accommodate regional variation, as.13

s.13

- A more transparent decision making process with established service standards will provide certainty and timeliness for applicants even if the decision is unfavourable

s.13

Regional District (RD) Official Community Plan (OCP)

An RD completed a complex, publicly difficult OCP that directors believed would be acceptable to their constituents. The ALC refused to sign off because they opposed private land zoned for use as a campground. The RD was forced to adopt an OCP acceptable to the ALC, which will force the land owner to apply for a zoning change that the RD has already indicated it supports. The ALC did not consider the business potential in the area for campgrounds and is oblivious to the low quality of Ag land in the area.

HOW WILL PROPOSAL HELP?

s.13

•If no delegation agreement, amending decision-making criteria used by ALC panels to accommodate regional variation s.13

s.13

s.13

This would ensure greater consideration of economic benefit to farm family of non-farm use of ALR land.

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Community Growth

A community in the northeast is surrounded by prime (Class 1) ALR land, leaving it no room for growth. The local government and ALC have worked together to develop an OCP that allows for growth, and have agreed to allow residential development in an area of ALR land bordering the community to the south. The local government has changed its zoning bylaws accordingly. Despite ALC endorsement of the OCP and the subsequent rezoning, individual applications for development in this area must still be approved by the ALC.

HOW WILL PROPOSAL HELP?

s.13



Market garden home site severance

A couple in their 70s own a market garden in rural BC. After 30 years, they want to retire. Their daughter decides to return to the farm from the city with her young child and husband. The farm has one piece of arable land and a treed, rocky section for the daughter to build a home and make the business case work for her and her family. The ALC denied the application.

HOW WILL PROPOSAL HELP?

s.13

- Amending decision-making criteria used by ALC panels s.13
s.13 accommodate regional variation, s.13
s.13

- A more transparent decision making process with established service standards will provide certainty and timeliness for applicants even if the decision is unfavourable



Public Interest

In January 2006, The Province announced the Gateway Transportation Program in response to growing regional congestion and to improve the movement of people, goods and transit throughout Metro Vancouver. A proposal to use approximately 90 ha of land within the ALR for the construction of the South Fraser Perimeter Road was submitted to the ALC in July 2008. The project required an application for exclusion of 90 ha of productive farm land from ALR.

HOW WILL PROPOSAL HELP?

s.13



Gas Pipeline from North East to Kitimat

A consortium of natural gas development companies apply for non-farm use of land in the North East to build a large pipeline to the West Coast. The scale of the project is currently greater than the scope allowed under the current Delegation Agreement between the Oil and Gas Commission and the ALC. Local opposition to the project is focussed on remediation of the affected land after the pipeline is decommissioned.

HOW WILL PROPOSAL HELP?

s.13

Strictly Confidential

Overview of Bill to amend the *Agricultural Land Commission Act*

Principles and Considerations

- In taking on role as Minister of Agriculture, among the expectations I was tasked with (through mandate letter) was to:

  "ensure the [Agricultural Land] Commission is working for British Columbians, balancing farmland protection with responsible economic development opportunities and the stability of farm families and the farming industry."

  Across government we began a core review process looking at organizations, like the ALC, to make sure they are best serving the people of BC.

- Government was well aware of the long standing and important role of the ALR in BC, and of the significance that British Columbians place on it.

- Through our Core Review, there are some fundamental things that don't change:
  - The ALC remains an independent decision maker.
  - The purpose of the Commission remains unchanged (it remains as stated in section 6 of the *Act*.)

***Agricultural Land Commission Act* - Proposed Amendments**

Our changes can be summarized in four key points:

- First, we are modernizing the Commission's operations;
- Second, we're recognizing B.C.'s regional differences;
- Third, we are looking to work with the sector and with the ALC to find ways to help farmers to generate increased incomes and better support food production; and
- Finally, we are making improvements in the efficiency of community-based land use planning processes.

More specifically, here's what we are doing:

Modernizing Commission Operations

- To ensure we have an ALC that is looking out for BC agriculture interests, for the ***next*** 40 years, we need to modernize its operations.

- We are looking to create some consistency with other government agencies, boards and commissions:
  - We will be establishing matters which the Commission must report to the Minister (e.g.: review of operations, performance indicators, the number and disposition of applications etc.); and
  - Allow the Minister to set service standards on which the Commission must report progress.

- In addition -- as already established in the Act -- Government will move forward with appointing a CEO, separate from the Chair.
- However, just as important to underline here: the ALC retains its independence. Nothing changes.

ALC Regions, Panel Structure and Decision-Making Authority

- We will be establishing and formalizing the existing 6 ALR regions through legislation.
- In law, we'll also be establishing:
  - The existence of a panel for each region;
  - That each region must have a minimum of 2 members, one of whom is appointed as chair of the panel and a vice chair of the Commission;
  - That panel members must be a resident in the region; and
  - Timelines to ensure minimal panel membership is maintained.
- In law, we'll also:
  - Require that the Chair must allocate all applications from a region to the panel for that region (other than under specific circumstances, such as applications reviewed as part of a delegation agreement); and
  - Ensure each regional panel has the full authority of the Commission to make decisions in the region.

Establishment of Two Zones

- Our next change goes to the recognition that B.C. has regional differences.
- As you know, our stats show that 10% of all of B.C.'s ALR land – land on the South Coast, Okanagan and Island -- generates 85% of the revenues at the farm-gate.
- By contrast, 90% of the ALR – in the Kootenay, Interior and Northern regions -- generates just 15% of total farm revenues.
- Clearly, we have a real need to protect that land which is undoubtedly in greater demand, with development and population pressures.
- At the same time, we are confronted with the fact that -- for some farmers – perhaps where the growing season is shorter... or where lower value crops are grown... it is difficult to make a go of it...That they need extra income to actually support their farming operations.
- If we are serious about supporting farming, and making sure that we have a future generation of farmers around to feed B.C. families, we need to start to be realistic about the regional differences we have in B.C.
- We are proposing setting up two ALC-administered zones:
  - Zone 1 = Island, South Coast and Okanagan panel regions.
  - Zone 2 = the rest of BC (Interior, Kootenay, North and other).
- Creation of two zones will better protect in-demand land in zone 1, which will remain status-quo, while offering the ALC more flexibility in its decision making in zone 2.
- In zone two, only, the ALC will have broader flexibility in considering non-agricultural home-based businesses, so that those farmers can continue to make a living, supporting their families and keep farming their land.
- What, specifically, these potential permitted uses will be, will be determined through a regulation – and that is something will be talking to the ALC and the agricultural industry about in the coming months.

ALC Decision-Making Criteria

- The purpose of the commission will remain as per current legislation:
  - To preserve agricultural land;
  - To encourage farming on agricultural land in collaboration with other communities of interest; and
  - 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.
- In rendering its decisions in Zone 2, the ALC must consider the purposes of the commission, but *must* also now consider:
  - Economic, cultural and social values;
  - Regional and community planning objectives; and
  - Any other considerations prescribed in regulation.

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Regulation Making Authority

- We are also open to discussing with the ALC, agricultural sector and local governments whether to consider amendments (in both zones) to current regulations on "permitted use" to allow new, limited, value-added farming activities, such as food processing, on farmland.
- This responds to concerns from farmers that regulations prevent them from growing their agricultural businesses.
- The regulation making authority of the Lieutenant Governor in Council will be enhanced to facilitate those opportunities.
- Further, the regulation making authority of the LGIC will be expanded to support the other change that are being made (e.g.: additional criteria for consideration; definition of resident; timing, content, form and manner of ALC reporting; what information must be made public; etc.)

Local Government Act – Proposed Consequential Amendment

Section 879

We are also making an amendment to improve land use planning coordination with local governments – specifically:

- Require local governments to engage the ALC earlier in land use planning processes, such as Official Community Plans, before the bylaw reaches first reading.
- Currently the ALC is engaged after first reading. It is anticipated communities will get more timely and efficient decisions from better coordination.

In order to achieve this we will add a new subsection to s. 879 (of the Local Government Act) stipulating that notwithstanding the rest of s. 879, where an OCP bylaw would affect land in the ALR, the ALC must be consulted.

> *If the development of an OCP, or the repeal or amendment of an OCP, might affect agricultural land, the proposing local government must consult with the ALC, and the consultation must be early and ongoing.*

Note: Agricultural land in this context has the same meaning as in the ALC Act: land designated as agricultural land under this Act and includes agricultural land under a former Act.

Summary ~ Next Steps:

- Next week, we will move to introduce legislation. However, much work remains.
- We intend to work with the sector, the ALC and local governments on the appropriate regulations that help us to deliver on our three principles:
  - continued protection of fertile farmland;
  - support the continued growth of agriculture in B.C.;
  - and, ultimately, ensure the viability of farming families.
- We believe these modest changes support the ALC in its role as independent decision maker and farmland protector, while helping farmers get ahead and making farming a more viable career option for future generations.

ALC Modernization:
Why are we doing this, what will change and what will be the result?

Why are we doing this?

- The ALC and ALR are 40 years old.
- Globally, farmland is becoming an increasingly valuable asset, as climate change and population growth have put long term food security at the centre of the international agenda.
- The ALR is recognized by stakeholders as the most important component of ensuring long term food security, and British Columbians have developed a strong emotional attachment to the ALR.
- Any changes to the ALR or ALC that are perceived as weakening farmland protection will likely result in a significant negative reaction from both the public and the farming community.
- This government has a clear mandate from British Columbians to focus on economic development and job creation.
- Purpose of this initiative is to modernize the ALC and ALR to ensure that the ALC and ALR achieve an appropriate balance between farmland protection and economic development.

Guiding Principles:

1) Protect BC's best quality farmland;
2) Allow responsible economic development;
3) Support a sustainable farming sector that supports farm families;

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5) Deliver transparent and timely ALC decisions;
6) Recognize regional and community diversity; and
7) Increase the accountability of the ALC to government.

What will change?

The ALC will be modernized, moving from a slow moving, paper based organization operating independently of the Ministry and government, to a fully digitized operation that is nimble, responsive to its clients' needs, and fully accountable to the government. This will be achieved by:

1. Amending the *ALC Act* and Regulations s.13
   s.13
2. Providing the ALC with strong, effective and accountable operational leadership.
3. Using this enhanced accountability and leadership to ensure that the permanent budget lift recently provided to the ALC is used effectively and efficiently to improve ALC operations in a way that delivers measurably better results for its clients.

Balancing farmland protection with responsive economic development

The balance between farmland protection and economic development will be refined to better protect BC's best farmland, while allowing for responsible economic development in key areas of the province.

This could be achieved in key areas of the province by:
s.12,s.13

a. The ALC is discussing options to further expand Oil and Gas Commission authorities under the Delegation Agreement to include all applications for oil and gas related non-farm uses.
b. The ALC is proposing adoption of a 'home business use' policy specific to the North East that allows for oil and gas related support businesses (e.g. welding, pipe storage, etc) on ALR land.

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5. For the remaining areas of the province, and for ALR land that is not capable of, or suitable for agricultural production, the ALC Regulations, and the decision making criteria used by ALC Panels to adjudicate individual applications, could be changed to increase the range of economic opportunities available to farm families. This will include opportunities for succession, value-added farming, and limited exclusion of the poorest quality land.
    a. For example, ALC is currently considering reintroduction of the *Quarter Section General Order*, whereby subdivision applications down to a quarter section (160 acres), in the Peace River Regional District and Northern Rockies Regional District, would not require ALC approval but could be decided by local governments.
    b. As well, ALC has identified significant areas of marginal land in the East Kootenays likely to be excluded as a result of the current boundary review in that area.

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What will the result be?

The proposed changes could result in:

1. An ALC that meets the highest service delivery expectations of its clients, that is fully accountable to the government for its day-to-day operations, s.13
   s.13
2. Stronger protection for BC's best farmland, increased economic opportunities for farm families, s.13
   s.13

Page 128 to/à Page 135

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Page 136 to/à Page 152

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ALC – Core Review – Q&A

Why are we doing this?

1) Didn't we just do a review of ALC and change its legislation and funding: why are we doing this again?

- *The recent legislative changes and budget lift were an important first step in modernizing the ALC.*
- *Further reform is necessary to complete the modernization process and ensure the ALC achieves an appropriate balance between farmland protection, the stability of farm families and supporting jobs and investment in BC.*

2) What is the problem you are trying to address?

- *The ALC does not meet government and citizen's expectations on transparency, accountability and service delivery.*
- *ALC decisions do not reflect an appropriate balance between farmland protection, the stability of farm families and supporting jobs and investment in BC.*
- *When the ALR was created, a lot of land with limited to poor farming value was included. This will help refine the land in the ALR to truly represent productive farm land in the province.*

3) How does this align with our platform, the Core Review, and the BC Agri-Food Strategy?

- *We have a strong, clear mandate from British Columbians to focus on creating jobs and growing the economy.*
- *Bold reforms are necessary to ensure that the administration of the ALR by the ALC reflects this mandate, while continuing to protect BC's best farmland.*
- *By guaranteeing the preservation of BC's best farmland (where 90% of farm revenues are generated) while allowing for responsible economic development opportunities on less productive farmland, we will maximize the total economic benefits generated from BC's farmland.*
- *Food processing and value-added agriculture makes up a large percentage of the agrifood industry's revenues. These proposals open up opportunities for value added activity, supporting our goal of reaching $14B in sector receipts by 2017.*

Consultation and Stakeholders Views

4) Consultation: the proposals are bold, and we have not consulted stakeholders or the public – are we opening ourselves to unnecessary criticism?

- *Extensive consultations on reform of both the ALC and the ALR were undertaken in 2011, and since becoming Minister I have heard from a large number of stakeholders about the need for further reform.*
- *Further, broad based consultations are not being considered at this time.*

4b: The provincial government has a number of requirements to consult with local governments and/or UBCM under the Community Charter –has/will this occur?

- *Consultation with local governments and UBCM will take place, as necessary, when the proposed policy direction is confirmed.*

5) What is the opposition going to say?

- *It was an NDP government that created the ALR in 1973, and critics may portray the changes to the ALC's administration of the ALR as weakening or dismantling of the ALR. But this criticism is unfounded. Given our mandate to grow the economy, and based on the balanced approach we are taking with these proposals, I am confident that British Columbians will support what we are doing regardless of any comments by the opposition.*
- *One point to be clear about is we are increasing protection of the provinces best farmland. The landbase that generates 90% of agriculture's revenues will be far better protected than it is today.*
- *Critics will also say we are politicizing the ALC and removing their independence. We will have to be clear that decisions on applications will continue to be made by ALC Panels and the Panels will continue to be independent of government, as they are now*

6) Which regions or local governments will support/oppose these proposals?

- *Pro-growth municipalities and regional districts that want to take greater control over their own destinies will support these proposals, as will those in key agricultural regions that want to see stronger protection for our best farmland.*

7) What is the farm industry going to say?

- *The agriculture industry broadly supports the ALR and will be in favour of stronger protections for BC's best farmland.*

- *The industry also recognizes that in order to compete on the world market they need to move up the value added continuum, and will support our proposals to allow for more innovation and value added food production in the ALR.*
- *Some landowners are frustrated by the operation of the ALC, and will support modernizing the organization and its administration of the ALR.*

8) How is the ALC going to react?

- *The key concepts behind this package have been discussed with the ALC and they are generally supportive.*

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9) How will British Columbians react? Don't people love the ALR for providing food security to BC?

- *Many British Columbians have an emotional attachment to the ALR and some will view any changes as weakening it.*
- *Most British Columbians do not interact with the ALC directly, so may be unaware of the frustrations experienced by some landowners and local governments in dealing with the organization.*
- *Ensuring British Columbians are aware that we are actually increasing protection for the provinces most productive farm land will be key.*
- *Stakeholder (farmer, producer) support for the changes will be crucial in delivering that information to the public.*
- *Individuals and critics may also express strong criticism about what they believe to be a lack or absence of public consultation on the changes.*
  The key to food security is to have a strong economy and open borders so that British Columbians can purchase the foods they want and need from around the world.
- *Local food is an important piece of this overall food basket, and British Columbians have a strong emotional attachment to the ALR for this reason.*
- *Further protecting BC's best farmland supports local food security.*
- *Ensuring the stability of farm families by giving them a wider range of economic development opportunities also supports local food security.*
- *That is why it is so important to balance farmland protection and economic development, which this package of proposals does.*

Modernize ALC Operations

10) Why not eliminate the ALR altogether?

- *The ALR is the foundation of the agriculture industry in B.C.*
- *British Columbians have a strong emotional attachment to the ALR (polls routinely show 95% support).*
- *The root of landowners' and local governments' concerns is not the ALR, but the administration of the ALR by the ALC.*

11) Isn't the real problem at the ALC the staff and chair? Why not just change the leadership? Will the leadership be changed as a result of these proposals?

- *The ALC lacks effective operational leadership. This will be addressed by appointing a CEO, separate from the Chair,* s.13

s.13

12) How much money will these changes save/cost?

- *There will be efficiencies and improvements in ALC operations and service levels, but these proposals are not aimed at reducing the cost of running the ALC.*

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Modernize ALC Decision Making

16) How will these changes help farm families?

- ***By guaranteeing the preservation of BC's best farmland while allowing for responsible economic development opportunities on other farmland. For example, by expanding opportunities for value-added farming activities like food processing or agri-tourism,*** s.13

s.13

- ***Providing more options for succession planning will help farm families stay together and continue in the business of farming.***

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21) What is prime land?

- *Prime land will be defined by a combination of its Classification in the Canada Land Inventory and its "suitability" for producing high value crops like berries, grapes and cattle, that thrive on lower quality soils. (Class 4-6 land are suitable for production of crops that generate 80% of BC's total farm revenues).*
- *Regional differences will also be considered (90% of total BC farm revenue is generated from just 10% of the ALR).*

MLA Interests

22) Doesn't this create two ALR's – one in the north that's open for business and one in the south that's closed? How is this fair?

- *90% of the BC agriculture industry's revenues are generated on just 10% of the ALR, in an area concentrated on the Okanagan, Fraser Valley and Vancouver Island. This area requires special protection.*
- *The oil and gas sector are located in the north east, where extensive tracts of farmland are available for non-farm uses.*
- *So we already have two ALRs; these proposals simply reflect that reality.*

23) All the problems you raise are specific to the North East? How does this help my community?

- *The problems with ALC accountability and transparency affect the whole province, as does the ALC's myopic focus on farmland protection at the expense of any other considerations.*

- *Modernizing the Commission and rebalancing the priorities it considers in its decisions to include our mandate on economic growth and job creation will help all regions of the province.*

24) Where is the evidence supporting your critique of the ALC? How would the ALC respond to the criticisms in your examples?

- *We have heard these specific complaints directly from landowners and local governments and they are indicative or more widespread problems with the ALC's administration of the ALR.*
- *The ALC would respond that they are acting within their mandate to protect farmland.*
- *These proposals are intended to ensure that the ALC balances farmland protection with the need for job creation and economic growth.*

Example of Proposed Changes to ALC / ALR:
ALC Decision Making Criteria

Current Rules

Section 6 of the ALC Act provides that the purposes of the Commission are:

- To preserve agricultural land;
- To encourage farming on agricultural land in collaboration with other communities of interest; and
- 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.

When assessing individual applications, ALC Panels apply a set of decision making criteria to determine whether to approve the application, reject it, or allow some variation of the original proposal. These decision making criteria are not legislated, but are set by the ALC, in policy, based on the legislative mandate provided in Section 6. The full set of criteria currently used by the Panels is provided, below, but essentially they consider the following five factors:

- The agricultural potential of the parcel and the agricultural potential of surrounding lands;
- Related agricultural concerns such as whether there will be permanent damage to agricultural capability of the land or the need for new roads, and the impact on adjacent and surrounding agricultural parcels;
- The impact on the surrounding area, including consideration of the Official Community Plan, and whether non-ALR land could be utilized for the proposed project;
- Other factors, including the personal circumstances of the applicant; and
- The provincial interest.

Proposal

s.13

s.13

Section 58(3)(f) of the *ALC Act* provides the Province with the authority to make regulations "establishing the policies and procedures to be followed by the Commission in conducting its affairs, performing its duties and functions and exercising its powers."

What this suggests s.14 is that the Province has the authority, through regulation, to establish new decision making criteria for ALC Panels to use in adjudicating individual applications, as long as these criteria are still consistent with the intent of the *ALC Act*. This provides an opportunity s.13 to give greater weight to reasonable economic development opportunities and regional variations than may currently be the case. For example:

- Panels currently consider the "provincial interest" in making a decision on an application, which they assess by asking whether the proposal complies with the goals of the *ALC Act*. s.13

s.13

Expanding decision making criteria while remaining within the established mandate of the ALC Act would potentially increase opportunities for: succession planning, value added farming, limited exclusion of poorest quality farmland, s.13

s.13

Current ALC Panel Decision Making Criteria

The decision making criteria currently used by Panels are as follows:

1) The Commission considers the agricultural potential of the parcel and the agricultural potential of surrounding lands.
    - One measure of agricultural potential is the Canada Land Inventory Agricultural Capability rating system (Class1-7), which is based on the range of crops that can be grown. Other parameters of agricultural potential are suitability for specific crops, productivity, and homogeneity or integrity of the farming community, both present and future.
2) The Commission considers related agricultural concerns:
    - Will the proposal benefit agriculture?
    - Is the proposed use supportive of agriculture or in conflict with it?
    - Will the proposal permanently damage the physical capability of the land for agricultural use?
    - How do the existing and proposed parcel sizes relate to the type of agriculture in the area?
    - Are there physical restrictions that significantly interfere with farm use of the property?
        - What effect or impact would the proposal have on existing or potential agricultural use of surrounding lands?
        - Would the proposal create conflicts in terms of noise, dust, odours, trespass, etc.?
        - Would the proposal generate demand for urban-type services such as sewer and water?
        - Would the proposal necessitate construction of new roads or widening of existing roads?
    - Does the proposal include any measures to reduce potential impact on surrounding lands?
    - Can the proposal be modified or should conditions be imposed to reduce potential negative impacts?
3) The Commission considers the impact on the surrounding area:
    - How do surrounding uses and parcel sizes affect use of the property for farm purposes?
    - Does the proposal meet the regional and community planning objectives for the area? For example, will the proposal require a change to the present zoning or the Official Community Plan?
    - Given a documented need for the proposal, can it be accommodated outside the ALR?
    - Are there land use issues the Commission could address to encourage or improve the agricultural use of the land or area?
    - What are the recommendations of the local government, advisory committees and other stakeholders?
    - Has funding been provided to improve the agricultural infrastructure in the area?
4) The Commission considers other factors:
    - Present use
    - Existing parcel size
    - Local government zoning and land use bylaws

- Personal circumstances

5) The Commission considers the provincial Interest:
   - Does the proposal comply with the goals of the *Agricultural Land Commission Act*?

BRITISH COLUMBIA

Cabinet Submission – Request for Decision

Minister: Honourable Pat Pimm

Ministry: Agriculture

Date: 19/11/2013 Ministry Document #:

Title:

Issue:

The current mandate, decision making framework and operational structure of the Agricultural Land Commission reduce service levels for clients, s.12,s.13 s.12,s.13 limit the consideration of regional differences in Commission decisions. Legislative and regulatory changes are required to modernize Commission operations and decision making to improve service levels, and to ensure that the Commission achieves an appropriate balance between farmland protection, the stability of farm families and the farming industry, and responsible economic development opportunities.

Request:

Direct that the legislative, regulatory and operational changes proposed in this submission be carried through, with legislative amendments introduced in Spring 2014.

Implications and Considerations:

Commission governance and accountability structures are inadequate relative to other similar government entities in BC and require modernization. The Commission's mandate is focused primarily on farmland preservation. This government has a clear mandate to focus on economic growth and job creation. Changes to the Commission's s.12,s.13 making framework are required to improve governance, and to acheive an appropriate balance between farmland protection, the stability of farm families and the farming industry, and responsible economic development opportunities.

British Columbians have a strong emotional attachment to the Agricultural Land Reserve. Local governments and the farming industry also have a strong interest in the use and disposition of the Reserve. Any significant changes to the Reserve have the potential to be controversial with the public, local communities and farmers.

BRITISH COLUMBIA

Background / Context:

In June 2010, Cabinet directed the Minister of Agriculture to work with the Chair of the Commission to review Commission operations, policy and legislation. In November 2010, the Chair provided his report to the Minister of Agriculture with eight recommendations for change. In September 2010, the Auditor General also published a report on the Commission, with nine recommendations for change (Appendix A).

In July 2011 the Minister of Agriculture made a submission to Cabinet recommending s.12,s.13 and in Ocober 2011 the Minister made a request to Treasury Board for transitional funding for the Commission. Subsequent legislative and fiscal changes were made to provide the Commission with the authorities and resources required to better fulfil its mandate (Appendix A).

s.12,s.13

s.12,s.13 In *Budget 2013* the Commission was provided with a permanent lift to its budget (Appendix B).

In June 2013 the Premier wrote to the Minister outlining her expectations. These included that the Minister ensure the Commission delivers on improvements promised from the 2013 budget increase, and that he propose any changes necessary to ensure the Commission is working for British Columbians, balancing farmland protection with responsible economic development opportunities and the stability of farm families and the farming industry (Appendix C).

On November 7, 2013 and November 30, 2013 the Minister presented a number of proposals to the Cabinet Working Group on Core Review to modernize the Commission in line with the Premier's expectations. The proposals in this submission reflect the direction provided to the Minister by the Cabinet Working Group on Core Review.

BRITISH COLUMBIA

Options:

1) Modernize Commission operations by:
   a) Appointing a CEO, separate from the Chair;
   b) Filling vacancies on the six regional panels;
   c) Increasing Commission accountability through regulatory amendments that will:
      i. Set service standards for the Commission;
      ii. Require the Commission to report to the Ministry on its performance;
      iii. Require the Commission to publish service standards and decisions;
      iv. Enable applicants to attend hearings and make presentations;
   d) Ensuring the Minister has sufficient legislative authority to issue policy direction to the Chair, similar to other boards and commissions (e.g. through a LoE).

Pros: Improved and predictable service levels, consistent with other such Commissions; stronger operational accountability; continued independence for, but increased transparency of, Panel decision making.

Cons: Reduced operational independence; increased hearing costs for Commission.

s.12,s.13

3) Amend the *Local Government Act* (or issue policy guidelines under that Act) to require Commission and local governments to engage early in land use planning.

Pros: More efficient, predictable and consistent land use planning.

Cons: None.

4) Amend the *ALC Act* to create two ALR zones. Maintain the status quo in Zone 1; increase flexibility in Zone 2 by applying options 5 to 8 in Zone 2 only.
   - Zone 1: s.12,s.13
   s.12,s.13 , or by region (e.g. Island, South Coast and Okanagan);
   - Zone 2: Defined s.12,s.13
   s.12,s.13 or by region (e.g. Interior, Kootenay, North).

Pros: Most productive farmland protected; greater flexibility on less productive land.

Cons: Weakened farmland protection in Zone 2 (90% of the Reserve). Defining zones by region is conceptually and administratively simple, s.12,s.13 s.12,s.13 may not coincide with local government boundaries. s.12,s.13 s.12,s.13

5) Zone 2 only: Amend the *ALC Act* to s.12,s.13 or amend the decision making criteria used by Panels (in regulation), to consider a broader array of factors than just farmland preservation.

Pros: Greater flexibility on less productive farmland. Protection of most productive land.

Cons: Weakened protection in Zone 2 (90% of the Reserve). Potentially conflicting mandates for panels (e.g. farmland preservation and economic development).

6) Zone 2 only: Amend regulations under the *ALC Act* to increase economic opportunities for farm families in: value-added agri-food production; s.12,s.13 s.12,s.13

Pros: Increased competitiveness for farming industry and farm families.

Cons: Amount of farmland available for primary production is reduced, by allowing activities within the Reserve that would otherwise be located off-farm.

s.12,s.13

Treasury Board Secretariat are in agreement with this analysis of the fiscal impacts.

Policy:

There are no labour relations, legal or constitutional implications from these proposals. There will not be any implications for treaties or negotiations.

Legislation:

Legislative amendments to the *ALC Act* will be required and are included in the Ministry of Agriculture's three-year plan for Spring 2014 introduction.

Stakeholder and Citizens:

Treaty First Nations will require notification of proposed legislative amendments. Local governments, industry and the public were consulted extensively in 2010 on reform of the Commission, but have not been consulted on the specific changes now being proposed. The Commission was consulted on most of the notions raised in this submission but has not been consulted on the specific changes proposed.

[redacted]

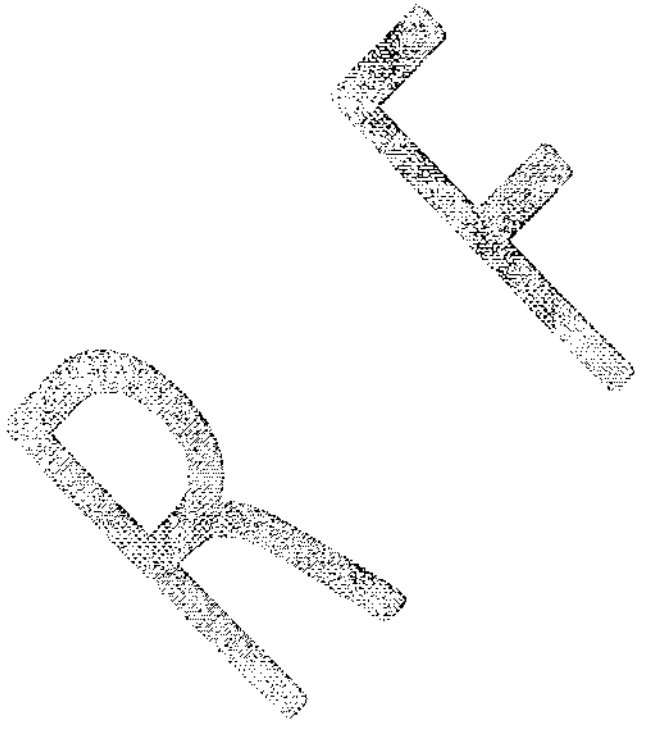
Contact: David Coney, Policy Manager.

BRITISH COLUMBIA

(250) 387-3232

Honourable Pat Pimm

Date Signed



Appendix A – Summary of Recommendations and Government Decisions

Issue	ALC Chair's Recommendation	Auditor General's Recommendation	Ministry Recommendation	Cabinet and Treasury Board direction
Boundary Reviews	Conduct BR based on capability and suitability.	Ensure boundaries are accurate based on capability and suitability.	Conduct BR based on capability and suitability.	Conduct BR in Kootenay, Interior and North. ***Budget lift provided.***
Restricting Applications	Restrict applications during and after boundary reviews based on criteria to be developed.	Seek government support to more effectively preserve agricultural land.	Restrict applications during and after boundary reviews based on criteria to be developed.	Enable CEO to dismiss repeat applications (i.e. that are substantively the same as one received in last 5 years. ***Legislation changed.***
Differentiating *bona fide* farmers from non-farmers.	Do not define bona fide farmers.	Seek government support to encourage farming through the application process.	Do not define bona fide farmers.	No change.
	Streamline non-farm use proposals for farmers.		Modernize regulation regarding farm use.	No change.
ALC Mandate to Encourage Farming.	Increase focus on this aspect of the mandate.	Increase collaboration with others to encourage farming.	Increase collaboration with others to encourage farming.	Increase collaboration with others.
Compliance and Enforcement (C&E)	Enhance legislative authorities.	Ensure robustness of C&E program.	Enhance legislative authorities.	Enhance legislative authorities ***Legislation changed.***
	Provide additional resources.		Identify additional resources within govt.	Enable use of non-ALC staff for C&E ***Budget lift provided.***
Information Technology and Mapping	Assess ability of other agencies to support completion of ongoing improvements within 1-2 years before providing additional resources.	Prioritize completion of ongoing projects.	Assess ability of other agencies to support completion of ongoing improvements within 1-2 years before providing additional resources.	Digitize maps and records, adopt an online application system, hire necessary staff. ***Budget lift provided.***
Commission Governance	Move from six regional panels to a single provincial panel with regional representation.	Not Applicable.	Move from six regional panels to a single provincial panel with regional representation.	Enable Chair to refer a Panel decision to Exec Committee if deemed inconsistent with intent of Act. ***Legislation changed.***
Commission Secretariat	Separate Chair and CEO.	Not Applicable.	Separate Chair and CEO.	Hire CEO, separate from Chair.
	Move CEO appointment from OIC to Commission.		Retain CEO appointment as OIC	Retain as OIC appointment.
Subdivision for Homesite.	Maintain current policy on Homesite Severance	Not Applicable.	Maintain current policy on Homesite Severance	No change
Subdivision for Inter-Generational Transfers.	Develop IGT solutions other than subdivision	Not Applicable.	Develop IGT solutions Other than subdivision	No change
Fee Generation	Not applicable	Not applicable	Allow ALC to increase fees and introduce new fees	Allow ALC to increase fees and introduce new fees. ***Legislation changed.***

Appendix B: ALC Budget: 2011- 2016 ($ millions)

Fiscal Year	2011/12	2012/13	2013/14	2014/15	2015/16
Base	1.97	1.97	2.905	3.516	3.391
Contingency	0.625	0.975			

Appendix C: Minister's Mandate for Change:

1) Ensure the ALC is delivering on the improvements promised arising from the budget increase it received in *Balanced Budget 2013*.
2) Ensure the ALR is working for BC and propose any changes necessary. These changes must successfully balance our desire to protect valuable farmland while allowing for responsible economic development opportunities.
3) Bring forward ALR changes that will further encourage the stability of farm families and the farming industry in BC.

ISSUE: AGRICULTURAL LAND COMMISSION (ALC)

RECOMMENDED RESPONSE:

- **The mandate for the Minister of Agriculture includes:**
  - **Ensure the ALC is delivering on the improvements promised arising from the budget increase it received in *Balanced Budget 2013*.**
  - **Ensure the ALR is working for BC and propose any changes necessary. These changes must successfully balance our desire to protect valuable farmland while allowing for responsible economic development opportunities.**
  - **Bring forward ALR changes that will further encourage the stability of farm families and the farming industry in BC.**
- **Budget 2013 provided an additional $4 million over 3 years to support the ALC to improve its administration and fulfill its mandate.**
- **On March 27, 2014, I introduced Bill 24 – Agricultural Land Commission Amendment Act, 2014, proposing that:**
  - **The ALC will remain a fully independent tribunal and decision-maker.**
  - **Two ALC zones will be created. In Zone 1, ALC decisions will continue to be made on the basis of the original principle of preserving agricultural land. In Zone 2, decisions will include additional considerations to provide farmers with more flexibility to support their farming operations.**
  - **The ALC's existing six regions and six regional panels will be formalized into law**
  - **Local governments will engage the ALC earlier in land use planning.**
  - **ALC's operations will be improved through enhanced governance and accountability frameworks and service standards.**

- **The Ministry will initiate discussions with the ALC, the agricultural sector and the Union of BC Municipalities on how to best support new opportunities for limited, value-added farming activities on farmland.**

Budget Note - Agricultural Land Commission

BACKGROUND:

- The Agricultural Land Commission (ALC) is an administrative tribunal established under the *Agricultural Land Commission Act*. The ALC is the provincial agency responsible for administering the Agricultural Land Reserve (ALR), a provincial land use zone in favour of agriculture and the resource base on which the business of agriculture takes place.
- The current annual operating budget is $2.905 million. The ALC receives 600 to 700 new applications and planning related referrals each year, with considerable variation in content and complexity.
- On November 14, 2011, following an extensive review of the ALC and ALR, the Ministry announced approval of up to $0.625 million in contingency funding for the ALC for 2011/12, and up to $0.975 million in contingency funding for 2012/13.
- The Ministry of Agriculture's 2013 Budget Letter provided an additional $4 million over three years for the ALC ($0.931 million in 2013/14, $1.542 million in 2014/15, and s.17 and directed the Ministry to provide Treasury Board (TB) with a Progress Report by August 1, 2013 on use of the funds by the ALC.
- s.13

- The expected outcomes with respect to the additional ALC funding were as follows:
  - Ensure ALR boundaries are accurate and include land that is capable of and suitable for agricultural use.
  - Engage in proactive long-term planning with local governments to encourage farming.
  - An ALC that moves away from being reactive and focussed on applications towards becoming a proactive planning organization.
  - Work with Fraser-Fort George Regional District to address ALC concerns regarding the delegated decision-making agreement with the district.
  - Work with the Oil and Gas Commission (OGC) to develop an action plan to implement the recommendations of the 2009 audit regarding delegated decision making.
  - Ensure the ALC has a sufficiently robust compliance and enforcement program.
  - Prioritize completion of the new database and finalize conversion of original paper ALR maps into a digitalized format.
  - Evaluate and report publicly on the collective impacts of ALC decisions on applications and its broader policy decisions.
- s.12

s.17

-
-
-

- **PROGRAM EXPENDITURE / REVENUE IMPLICATION (IF APPLICABLE):**

Budget ($ Millions)

2012/13	2013/14	2014/15	2015/16
1,974	2,905	3,516	s.17

Approved by:	Prepared by:	Alternate Contact:
ADM Name: Melanie Steward	Name: David Coney	Name: Gavin Last
Date approved by ADM: XXX	Branch: CGPL	Branch: CGPL
Phone:	Phone: 250 387-3232	Phone: 250 356-7640
Cell:	Cell: 778-678-4652	Cell: 250 889-2223

BACKGROUND:

- In 2010, the Chair of the ALC and the Auditor General of BC (AGBC) published separate reports making a number of recommendations to strengthen the Agricultural Land Reserve (ALR), and enhance the ALC's ability to encourage agriculture.
- Based on the AGBC's and ALC Chair's reports, legislative amendments were made that came into effect on November 24, 2011.
- On November 14, 2011, the Ministry announced approval of up to $0.625 million in 2011/12 and $0.975 million in 2012/13 of contingency funding for the ALC.
- The Ministry of Agriculture's 2013 Budget Letter provided an additional $4 million over three years for the ALC ($0.931 million in 2013/14, $1.542 million in 2014/15, and s.17 in 2015/16), to support the ALC to improve its administration and deal proactively with emerging issues. The ALC continues to work on implementing these improvements.
- On June 10, 2013, the Premier wrote to the Minister of Agriculture outlining her expectations. There were three items related to the ALC and ALR:
  1) Ensure the ALC is delivering on the improvements promised arising from the budget increase it received in *Balanced Budget 2013*.
  2) Ensure the ALR is working for BC and propose any changes necessary. These changes must successfully balance our desire to protect valuable farmland while allowing for responsible economic development opportunities.
  3) Bring forward ALR changes that will further encourage the stability of farm families and the farming industry in BC.
- The expected outcomes with respect to the additional ALC funding were as follows:
  1) Ensure ALR boundaries are accurate and include land that is capable of and suitable for agricultural use.
  2) Engage in proactive long-term planning with local governments to encourage farming.
  3) An ALC that moves away from being reactive and focussed on applications towards becoming a proactive planning organization.
  4) Work with Fraser-Fort George Regional District to address ALC concerns regarding the delegated decision-making agreement with the district.
  5) Work with the Oil and Gas Commission (OGC) to develop an action plan to implement the recommendations of the 2009 audit regarding delegated decision making.
  6) Ensure the ALC has a sufficiently robust compliance and enforcement program.
  7) Prioritize completion of the new database and finalize conversion of original paper ALR maps into a digitalized format.

Evaluate and report publicly on the collective impacts of ALC decisions on applications and its broader policy decisions.

Bill 24 – introduced on March 27, 2014, proposes a number of amendments to the ALC Act:

ALC Operations

- Appoint a CEO, separate from the Chair.

- Allow govt to set service standards and increase the reporting requirements for ALC to the Minister, consistent with other government agencies, boards and commissions.

ALC Panel Structure

- Establish the 6 ALR regions in law.
- Require that a panel be established for each region.
- Require that the Chair allocate all applications from a region to the panel for that region.
- Regional panels will have a minimum of 2 members, one of whom will be appointed as vice chair for the panel. Members must be resident in the region

Two Zones

- Establish two ALR zones:
  - Zone 1 = Island, South Coast and Okanagan panel regions.
  - Zone 2 = the rest of BC (Interior, Kootenay, North and other).

ALC decision making criteria

- The purpose of the commission will remain as per current legislation:
  - to preserve agricultural land;
  - to encourage farming on agricultural land in collaboration with other communities of interest; and
  - 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.

- In rendering its decisions in Zone 2, the ALC must consider the purposes of the commission, but must also now consider:
  - economic, cultural and social values,
  - regional and community planning objectives,
  - any other considerations prescribed in regulation.

CROSS JURISDICTIONAL COMPARISON:

- Three provinces in Canada have developed agriculture "districts" where agriculture is recognized as the priority use: BC in 1973; Quebec in 1979; and most recently, Ontario in 2005.
- The Ontario Greenbelt Plan is broader than BC's ALR, providing protection for agricultural and environmental values and a wide range of recreational and tourism uses.
- Quebec's Commission de Protection du Territoire Agricole is similar to the ALC, operating under the *Law on Protection of Agricultural Land and Agricultural Activities* to protect farmland for agriculture, and restrict its use for non-agricultural purposes. Quebec's agriculture zone encompasses 6.3 million hectares (ALR = 4.7 million hectares). The 2012-13 budget for the Commission was $9.096 million (ALC = $2.905 million).

PROGRAM EXPENDITURE / REVENUE IMPLICATION (IF APPLICABLE):

- The ALC's 2013-14 budget is $2.905 million.
- Budget 2013 provides an additional $0.931 million in 2013/14, $1.542 million in 2014/15, and s.17 in 2015/16 for the ALC.

Budget ($ Millions)

2012/13	2013/14	2014/15	2015/16
1,974	2,905	3,516	s.17

Approved by:	Prepared by:	Alternate Contact:
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Date approved by ADM: XXX	Branch: CGPL Branch	Branch: CGPL Branch
Phone: 250 356-1821	Phone: 250 387 3232	Phone: 250 356 7640
Cell:250-415-1762	Cell: 778 678 4652	Cell: 250 889 2223

ISSUE: CORE REVIEW of ALC and ALR

RECOMMENDED RESPONSE:

- **From time to time, we need to look at organizations like the ALC, to make sure as an organization it is serving the people of BC the best it can.**
- **Our Core Review is looking at how the ALC and ALR can:**
    - **Help grow BC's diverse agricultural sector ;**
    - **Continue to protect farm land; and**
    - **At the same time, better support farm families and responsible growth of BC's diverse agricultural sector.**
- **The Core Review is also looking at giving the Commission the modern tools it needs to continue making independent land decisions.**
- **The Core Review process will not impact the Commission's budget.**
- **On March 27, 2014, on behalf of Minister Pimm, I introduced Bill 24 – *Agricultural Land Commission Amendment Act*, 2014, proposing that:**
    - **The ALC will remain a fully independent tribunal and decision-maker.**
    - **Two ALC zones will be created. In Zone 1, ALC decisions will continue to be made on the basis of the original principle of preserving agricultural land. In Zone 2, decisions will include additional considerations to provide farmers with more flexibility to support their farming operations.**
    - **The ALC's existing six regions and six regional panels will be formalized into law.**
    - **Local governments will engage the ALC earlier in land use planning.**
    - **ALC's operations will be improved through enhanced governance and accountability frameworks and service standards.**

- **The Ministry will initiate discussions with the ALC, the agricultural sector and the Union of BC Municipalities on how to best support new opportunities for limited, value-added farming activities on farmland.**

BACKGROUND:

- Terms of Reference for the Core Review process were released on July 31, 2013.
- The Minister Responsible for Core Review confirmed the ALC and ALR would be reviewed as part of the Core Review on July 31, 2013.
- Letters were sent to Ministers on September 23, 2013, outlining how the Cabinet Working Group on Core Review will carry out its evaluation of all government programs and services.
- The review will include targeted industry and stakeholder consultations with recommendations expected before the end of fiscal year 2013/14 and completion of the process by December 31, 2014.
- The purpose of Core Review is to ensure the best possible use of government resources and respect for the interests of taxpayers, and to ensure that we are structured for success on our objectives.
- There are 4 phases to the Core Review Process:
    - Mandate Review (Oct – Dec 2013);
    - Refinement (winter 2013 – spring 2014);
    - Implementation; and,
    - Monitoring of Targets.

Bill 24 – introduced on March 27, 2014, proposes a number of amendments to the ALC Act:

ALC Operations
- Appoint a CEO, separate from the Chair.
- Allow government to set service standards and increase the reporting requirements for ALC to the Minister, consistent with other government agencies, boards and commissions.

ALC Panel Structure
- Establish the six ALR regions in law.
- Require that a panel be established for each region.
- Require that the Chair allocate all applications from a region to the panel for that region.
- Regional panels will have a minimum of two members, one of whom will be appointed as vice chair for the panel. Members must be resident in the region

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- Establish two ALR zones:
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ALC decision making criteria
- The purpose of the commission will remain as per current legislation:
    - to preserve agricultural land;
    - to encourage farming on agricultural land in collaboration with other communities of interest; and

- 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.

- In rendering its decisions in Zone 2, the ALC must consider the purposes of the commission, but must also now consider:
  - economic, cultural and social values,
  - regional and community planning objectives,
  - any other considerations prescribed in regulation.

CROSS JURISDICTIONAL COMPARISON:

N/A

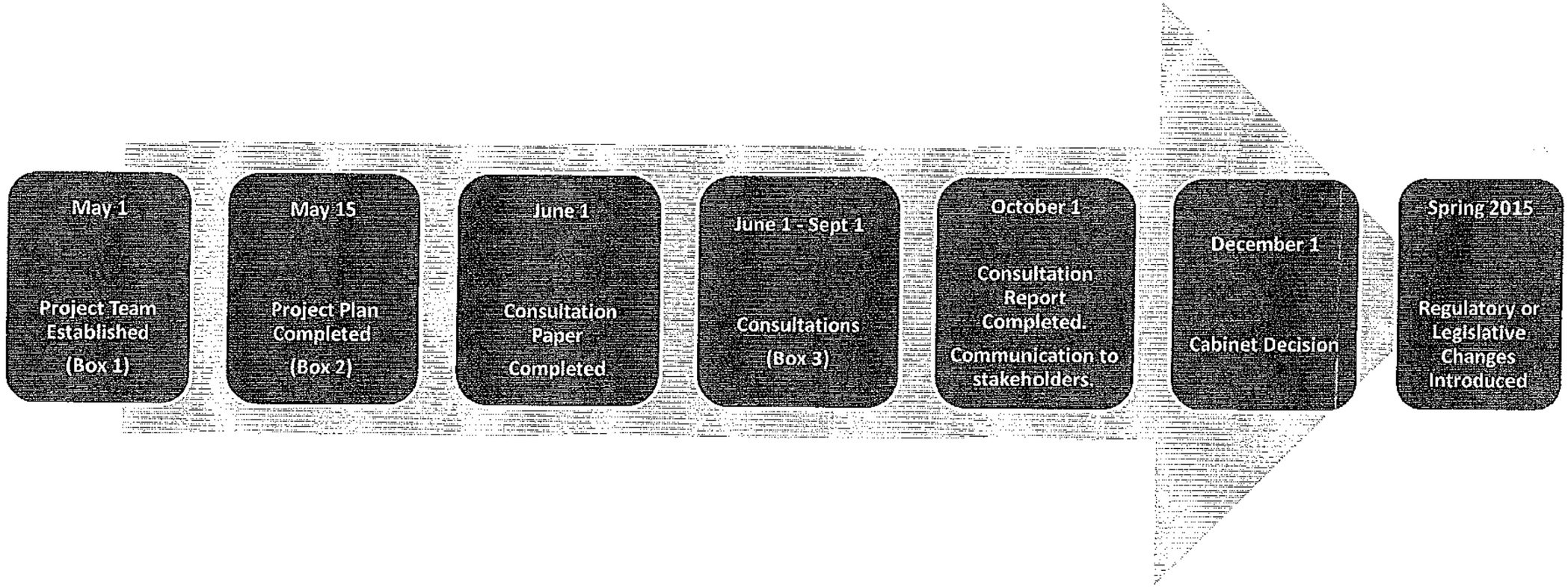
PROGRAM EXPENDITURE / REVENUE IMPLICATION:

- There are no cost implications for the Core Review, but in fact, it is expected that cost savings will be found.

- Core Review is seeking ways for government to be smarter with less money by looking for duplication and overlap between ministries and identifying programs that can be restructured to reduce costs and improve outcomes for the public.

Approved by:	Prepared by:	Alternate Contact:
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Date approved by DM: April 2, 2014	Branch: DMO	Branch: CGPL
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ALC Core Review – Regulation Development Plan



Box 1 – Project Team
• AGRI (cross-ministry group)
• ALC
• BC FIRB
• CSCD / BC Assessment

Box 2 – Project Plan
• Scope Statement
• Consultation Plan
• Communications Plan
• Budget

Box 3 - Consultation Groups	Form of Consultation
• Key industry groups	In person
• UBCM and key Local Govts	In person
• Minister's Advisory Committee	In person
• FN	In person
• Special Interest and Expert Groups	In person
• General Public	Web-based

Wong, Jane T AGRI:EX

From: Pimm.MLA, Pat <Pat.Pimm.MLA@leg.bc.ca>
Sent: Thursday, November 28, 2013 3:24 PM
To: Minister, AGRI AGRI:EX
Subject: FW: Fwd:
Attachments: Final Monday 25th.pdf

Celine Southwick
Constituency Assistant
Pat Pimm, M.L.A.
(Peace River North)
Fort St. John BC
(250) 263-0101

-----Original Message-----
From s.22
Sent: November 28, 2013 3:55 PM
To: Pimm.MLA, Pat
Subject: Fwd:

Sorry Mr. Minister, I had some problems in sending you a copy of my letter to the Premier, and since then recieved this adress.. s.22

----- Forwarded Message -----
From:s.22
To: "Chrisy Clark" <Premier@gov.bc.ca>
Cc: "Bill Bennett" <bill.bennett.mla@leg.bc.ca>, s.22 Commission, ALC. ALCBurnaby@Victoria1.bc.ca, s.22 "Lory Throness" <L.Throness@leg.bc.ca>, "John Van Laerhoven" <jvanlaerhoven@district.kent.bc.ca>, "W Mah" <wmah@district.kent.bc.ca>
Sent: Tuesday, November 26, 2013 1:15:43 PM
Subject: Fwd:

Dear Premier, I may not be a elegant letter writer, but I am concerned about the community I live in.

I may not see that all happen, in my live time, but the consequences what the next generation has to live with is tremendous.

I hope that you will stand up to the principals the ALR was created for .To protect Farmland not old

Buildings in that someone may have a start on to contribute to the local economy. Thats how this Country was build..

Sincerely s.22

Janaury 30, 2014

File: 0280-30
Ref: 179091

s.22

Dear s.22

Thank you for your recent letter, addressed to the Honourable Christy Clark, Premier and for sharing your thoughts on the Core Review of the Agricultural Land Commission (ALC) and the Agricultural Land Reserve (ALR). As the Minister of Agriculture, I am pleased to respond.

From time to time we need to look at organizations, like the ALC, to make sure it is serving the people of British Columbia the best it can. There has been a lot of attention paid to this Core Review process, which shows the enormous support all British Columbians have for good farmland in British Columbia, along with the ALR and its role in protecting it.

Be assured that even though the ALC is part of the Core Review process, there are some fundamental things that will not change; this includes the ALC retaining its independence and continuing to preserve land for future generations. The Core Review is not examing the ALC's budget, which government actually increased last year, providing an additional $4 million over three years to support boundary reviews, hiring of staff and other priority work.

Our Core Review is instead looking at how the ALC and ALR can grow B.C.'s diverse agricultural sector. This includes finding ways to address concerns from farmers who need help growing their businesses and earning a living; ways to support farming families in continuing to produce food on our fertile land; and ensuring the Commission has the modern tools necessary to continue making independent land decisions for the next forty years.

Thank you for writing and sharing your thoughts with me. I trust this information is helpful in clarifying the focus of our Core Review of the ALC.

Sincerely,

Original signed by

Pat Pimm
Minister

pc: Honourable Christy Clark
Premier

Wong, Jane T AGRI:EX

Subject: FW: ALR/ALC
Attachments: Farmland.doc

From: Barry s.22 Loucks s.22
Sent: Thursday, November 28, 2013 9:39 PM
To: Minister, AGRI AGRI:EX
Subject: ALR/ALC

Dear Minister Pimm

I have attached a copy of a letter which is to Premier Clark from the Blenkinsop Valley Community Association (BVCA) regarding the ALR and the ALC.

With thanks

Barry Loucks
for the BVCA directors

BLENKINSOP VALLEY COMMUNITY ASSOCIATION

info@bvcanews.com PO Box 30063, 3989 Quadra St., Victoria BC, V8X 5E1 www.bvcanews.com
250-477-8539

November 26, 2013

Premier Christie Clark
PO BOX 9041
STN PROV GOVT
VICTORIA, BC
V8W 9E1

Re Farmland Protection

Dear Premier Clark

The directors of the Blenkinsop Valley Community Association (BVCA) are feeling concern about possible changes to the governance of the Agricultural Land Reserve (ALR) and the Agricultural Land Commission (ALC) as described in recent media articles.

We would like to express our support for the ALR and encourage its protection. We also would like to see the ALC retain its autonomy and that it be adequately funded so that it can fulfill its mandate.

We are not in favour of dividing the ALR into two areas which have different levels of protection.

It is our feeling that agricultural space needs to be retained, not just arable land. Many farming activities can utilize nonarable land. Soil of borderline farming quality has the potential to be enhanced. Less desirable land does provide biodiversity and habitat for pollinators.

Yours truly

B.A. Loucks
For the BVCA directors

Cc Honourable Pat Pimm
Honourable Bill Bennett
Saanich Council

Wong, Jane T AGRI:EX

Subject: FW: ALR/ALC

From: Pimm.MLA, Pat [mailto:Pat.Pimm.MLA@leg.bc.ca]
Sent: Thursday, February 13, 2014 10:20 AM
To: Minister, AGRI AGRI:EX
Subject: FW: ALR/ALC

Hello Sarah and Don,

Over to you

Celine

From: s.22
Sent: February 12, 2014 6:44 PM
To: premier@gov.bc.ca; Pimm.MLA, Pat; Bennett.MLA, Bill; Simons.MLA, Nicholas; contact@farmlandprotection.ca
Subject: ALR/ALC

s.22

Premier Clark,
During the last provincial election campaign, the BC Liberal party did not campaign on plans to modify or scrap the Agricultural Land Commission or Agricultural Land Reserve. You have no mandate to make the changes that were detailed in cabinet documents released – not by your government but by the Globe and Mail – and I ask that you immediately withdraw them from consideration.
Specifically, I call on the provincial government to:
1. Retain the Agricultural Land Reserve as one zone for the whole province.
2. Retain the Agricultural Land Commission as a province-wide, independent administrative body with judicial powers, as it is now.
3. If changes beyond those from 2010 are to be considered, conduct a meaningful public consultation process with the ALC and those affected by its decisions: farmers, ranchers, and the citizens of BC.
Signed,
s.22

Premier Christy Clark –
Minister of Agriculture Hon. Pat Pimm –
Minister of Energy and Mines, and Minister Responsible for the Core Review Hon. Bill Bennett –
Opposition Critic for Agriculture Nicholas Simons –
The Farmland Protection Coalition:

Wong, Jane T AGRI:EX

Subject: FW: New submission from Feedback

From: OfficeofthePremier, Office PREM:EX
Sent: Wednesday, November 27, 2013 3:27 PM
To: s.22
Cc: Minister, AGRI AGRI:EX
Subject: RE: New submission from Feedback

Thank you for your email, s.22 . We appreciate your taking the time to share your concerns with us regarding the previously proposed changes to the Agricultural Land Reserve. As you may be aware, the Agricultural Land Commission (ALC) is an independent body and acts separately from the government. The Premier and the Honourable Pat Pimm, Minister of Agriculture, have been clear that government understands and respects the Agricultural Land Commission's independence. We can assure you that we are committed to ensuring the protection and preservation of agricultural land in British Columbia.

On your behalf, we have sent a copy of your correspondence to Minister Pimm and have been advised that a Ministry staff member will be contacting you at the earliest convenience to further discuss your concerns.

Thank you again for writing and we wish you all the best over the Holiday Season.

Cc: Honourable Pat Pimm

From: s.22
Sent: November 22, 2013 10:10 AM
To: Clark.MLA, Christy
Subject: New submission from Feedback

Name:
s.22

Email:
s.22

Phone:
s.22

Message:

Dear Ms Clark,

Im a farmer on Vancouver Island and I am gravely concerned about the proposed changes to the ALC. The integrity of the agricultural land reserve directly affects the viability of my farm. I am also worried about the impact this will have on the food supply of British Columbia. The agricultural sector is very important to British Columbians and we need resources put into maintaining our land base.

I would like the opportunity to meet with you or your staff at your earliest convenience.

s.22

Wong, Jane T AGRI:EX

Subject: FW: 179073 -- ALC - letter to Premier

From: Scott, Melissa AGRI:EX
Sent: Monday, February 3, 2014 11:05 AM
To: Wong, Jane T AGRI:EX
Subject: FW: 179073 -- ALC - letter to Premier

Call has been completed as requested.

Thank you,

Melissa Scott

Ministry of Agriculture, Executive
Agriculture, Science and Policy Division
5th Floor, 808 Douglas Street
Victoria, BC V8W 2Z7
Phone: 250-356-1821
BBs.17
Fax: 250-356-7279
email: melissa.scott@gov.bc.ca

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From: Warwick, Julene AGRI:EX
Sent: Wednesday, January 29, 2014 2:57 PM
To: Scott, Melissa AGRI:EX
Cc: Sooch, Baljeet K AGRI:EX
Subject: FW: 179073 -- ALC - letter to Premier

Here is David's synopsis of his meeting with s.22

Alana has seen this synopsis.

Julene Warwick
Office Manager
Corporate Governance, Policy & Legislation Branch
Ministry of Agriculture

250 356-2944

From: Coney, David AGRI:EX
Sent: Wednesday, January 29, 2014 8:57 AM
To: Warwick, Julene AGRI:EX
Subject: 179073 -- ALC - letter to Premier

Synopsis of discussion below, as requested.
Cheers
David

David Coney
Policy Manager
B.C. Ministry of Agriculture
Tel: 250 387 3232

From: s.22
Sent: Tuesday, January 28, 2014 7:52 PM
To: Coney, David AGRI:EX
Subject: RE: ALC - letter to Premier

Thanks David,

It was really good to re-connect with you too. I felt like you were really listening, and I appreciate it. Your summary is accurate. Thanks for passing this along.

Sincerely,

s.22

From: David.Coney@gov.bc.ca
To: s.22
Date: Tue, 28 Jan 2014 15:58:52 -0800
Subject: RE: ALC - letter to Premier

H s.22
It was nice to see you again today, thanks for your time, and thanks for sharing your concerns about the Core Review of the ALR.
Based on our conversation I would summarize your concerns as follows:

- It is important to continue to protect *all* of BC's scarce farmland, not just the "prime" land. This includes land in the North, where there is significant opportunity for new farmers.
- The ALR is provincial. Having a two-tiered system (North and South) is detrimental to the integrity of the ALR.
- There has been inadequate consultation with farmers and local governments on the Core Review of the ALR.
- You would like an opportunity to speak to the Minister directly about your concerns.

If this represents an accurate summary of your concerns, I will be pleased to pass this on to Minister Pimm.
Thanks again for your time s.22
Best wishes,
David.

David Coney
Policy Manager
B.C. Ministry of Agriculture
Tel: 250 387 3232

From: s.22
Sent: Thursday, January 23, 2014 10:07 AM
To: Coney, David AGRI:EX
Subject: Re: ALC - letter to Premier

Great David

Name a time and place and I can meet you.

s.22

Sent from my iPhone

On Jan 22, 2014, at 10:55 AM, "Coney, David AGRI:EX" <David.Coney@gov.bc.ca> wrote:

> Yes, the afternoon looks clear right now. Do you want to come to the office, or shall we go for coffee?
>
> David Coney
> Policy Manager
> B.C. Ministry of Agriculture
> Tel: 250 387 3232
>
> **From:** s.22
> **Sent:** Tuesday, January 21, 2014 9:27 PM
> **To:** Coney, David AGRI:EX
> **Subject:** RE: ALC - letter to Premier
>
> Hi David,
>
> s.22 I'd love a chance to talk in person about the proposed changes to the ALR.
> Next Tuesday Jan 28 is open for me. Could that work for you?
>
> s.22
>
> ---
>
> From: David.Coney@gov.bc.ca
> To: s.22
> Date: Fri, 10 Jan 2014 11:36:38 -0800
> Subject: ALC - letter to Premier
> Hi Robin,
>
> It's been a while since we met, so I'm not sure if you will remember me, but I currently lead the policy team at the Ministry of Agriculture, including with respect to the work being done on the ALC.

The letter you sent recently to Premier Clark regarding this work on the ALC has been forwarded to me from Minister Pimm, with a suggestion that we get together to talk trough any questions or concerns you might have.

This of course I am very happy to do, and wondered when might be a convenient time for us to talk by phone, or get together in person? If you can give me a few options over the next week or two, I will block out some time in my calendar.

Many thanks, and I look forward to talking to you soon,

David.

David Coney
Policy Manager
B.C. Ministry of Agriculture
Tel: 250 387 3232

Strictly Confidential

Overview of Bill to amend the *Agricultural Land Commission Act*

Principles and Considerations

- In taking on role as Minister of Agriculture, among the expectations I was tasked with (through mandate letter) was to:

  "ensure the [Agricultural Land] Commission is working for British Columbians, balancing farmland protection with responsible economic development opportunities and the stability of farm families and the farming industry."

  Across government we began a core review process looking at organizations, like the ALC, to make sure they are best serving the people of BC.

- Government was well aware of the long standing and important role of the ALR in BC, and of the significance that British Columbians place on it.

- Through our Core Review, there are some fundamental things that don't change:
  - The ALC remains an independent decision maker.
  - The purpose of the Commission remains unchanged (it remains as stated in section 6 of the *Act*.)

***Agricultural Land Commission Act* - Proposed Amendments**

Our changes can be summarized in four key points:

- First, we are modernizing the Commission's operations;
- Second, we're recognizing B.C.'s regional differences;
- Third, we are looking to work with the sector and with the ALC to find ways to help farmers to generate increased incomes and better support food production; and
- Finally, we are making improvements in the efficiency of community-based land use planning processes.

More specifically, here's what we are doing:

Modernizing Commission Operations

- To ensure we have an ALC that is looking out for BC agriculture interests, for the ***next*** 40 years, we need to modernize its operations.

- We are looking to create some consistency with other government agencies, boards and commissions:
  - We will be establishing matters which the Commission must report to the Minister (e.g.: review of operations, performance indicators, the number and disposition of applications etc.); and
  - Allow the Minister to set service standards on which the Commission must report progress.

- In addition -- as already established in the Act -- Government will move forward with appointing a CEO, separate from the Chair.
- However, just as important to underline here: the ALC retains its independence. Nothing changes.

ALC Regions, Panel Structure and Decision-Making Authority

- We will be establishing and formalizing the existing 6 ALR regions through legislation.
- In law, we'll also be establishing:
  - The existence of a panel for each region;
  - That each region must have a minimum of 2 members, one of whom is appointed as chair of the panel and a vice chair of the Commission;
  - That panel members must be a resident in the region; and
  - Timelines to ensure minimal panel membership is maintained.
- In law, we'll also:
  - Require that the Chair must allocate all applications from a region to the panel for that region (other than under specific circumstances, such as applications reviewed as part of a delegation agreement); and
  - Ensure each regional panel has the full authority of the Commission to make decisions in the region.

Establishment of Two Zones

- Our next change goes to the recognition that B.C. has regional differences.
- As you know, our stats show that 10% of all of B.C.'s ALR land – land on the South Coast, Okanagan and Island -- generates 85% of the revenues at the farm-gate.
- By contrast, 90% of the ALR – in the Kootenay, Interior and Northern regions -- generates just 15% of total farm revenues.
- Clearly, we have a real need to protect that land which is undoubtedly in greater demand, with development and population pressures.
- At the same time, we are confronted with the fact that -- for some farmers – perhaps where the growing season is shorter… or where lower value crops are grown… it is difficult to make a go of it…That they need extra income to actually support their farming operations.
- If we are serious about supporting farming, and making sure that we have a future generation of farmers around to feed B.C. families, we need to start to be realistic about the regional differences we have in B.C.
- We are proposing setting up two ALC-administered zones:
  - Zone 1 = Island, South Coast and Okanagan panel regions.
  - Zone 2 = the rest of BC (Interior, Kootenay, North and other).
- Creation of two zones will better protect in-demand land in zone 1, which will remain status-quo, while offering the ALC more flexibility in its decision making in zone 2.
- In zone two, only, the ALC will have broader flexibility in considering non-agricultural home-based businesses, so that those farmers can continue to make a living, supporting their families and keep farming their land.
- What, specifically, these potential permitted uses will be, will be determined through a regulation – and that is something will be talking to the ALC and the agricultural industry about in the coming months.

Confidential

ALC Decision-Making Criteria

- The purpose of the commission will remain as per current legislation:
  - To preserve agricultural land;
  - To encourage farming on agricultural land in collaboration with other communities of interest; and
  - 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.
- In rendering its decisions in Zone 2, the ALC must consider the purposes of the commission, but *must* also now consider:
  - Economic, cultural and social values;
  - Regional and community planning objectives; and
  - Any other considerations prescribed in regulation.

s.13

Regulation Making Authority

- We are also open to discussing with the ALC, agricultural sector and local governments whether to consider amendments (in both zones) to current regulations on "permitted use" to allow new, limited, value-added farming activities, such as food processing, on farmland.
- This responds to concerns from farmers that regulations prevent them from growing their agricultural businesses.
- The regulation making authority of the Lieutenant Governor in Council will be enhanced to facilitate those opportunities.
- Further, the regulation making authority of the LGIC will be expanded to support the other change that are being made (e.g.: additional criteria for consideration; definition of resident; timing, content, form and manner of ALC reporting; what information must be made public; etc.)

Local Government Act – Proposed Consequential Amendment

Section 879

We are also making an amendment to improve land use planning coordination with local governments – specifically:

- Require local governments to engage the ALC earlier in land use planning processes, such as Official Community Plans, before the bylaw reaches first reading.
- Currently the ALC is engaged after first reading. It is anticipated communities will get more timely and efficient decisions from better coordination.

In order to achieve this we will add a new subsection to s. 879 (of the Local Government Act) stipulating that notwithstanding the rest of s. 879, where an OCP bylaw would affect land in the ALR, the ALC must be consulted.

> *If the development of an OCP, or the repeal or amendment of an OCP, might affect agricultural land, the proposing local government must consult with the ALC, and the consultation must be early and ongoing.*

Note: Agricultural land in this context has the same meaning as in the ALC Act: land designated as agricultural land under this Act and includes agricultural land under a former Act.

Summary ~ Next Steps:

- Next week, we will move to introduce legislation. However, much work remains.
- We intend to work with the sector, the ALC and local governments on the appropriate regulations that help us to deliver on our three principles:
  - continued protection of fertile farmland;
  - support the continued growth of agriculture in B.C.;
  - and, ultimately, ensure the viability of farming families.
- We believe these modest changes support the ALC in its role as independent decision maker and farmland protector, while helping farmers get ahead and making farming a more viable career option for future generations.

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CITY OF GREENWOOD

PO Box 129
Greenwood, BC V0H 1J0

Phone:(250)445-6644 **Fax:**(250)445-6441 **Email:** admin.greenwoodcity@shaw.ca www.greenwoodcity.com

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March 10, 2014

Honourable Pat Pimm
Minister of Agriculture
P.O. Box 9043
STN Provincial Government
Victoria, B.C.
V8W 9E2

Re: Provincial Review of the Agricultural Land Commission and Agriculture Land Reserve

Dear Minister,

The City of Greenwood passed a resolution on February 24, 2014 to support the retention of the Agricultural Land Reserve (ALR) as one province-wide zone; Retention of the Agricultural Land Commission (ALC) as a province-wide, independent administrative-engagement body with judicial powers, and; Provision of an opportunity for local governments to discuss any proposed changes to the ALR with the Province and ALC.

Motion: That the City of Greenwood support the RDKB resolution regarding retention of the Agriculture Land Reserve and the Agriculture Land Commission and the commitment to consult with local governments.

Sincerely,

Nipper Kettle

Nipper Kettle, Mayor
City of Greenwood

cc: Premier Christy Clark
Honourable Bill Bennett
Donna Barnett

MINISTER OF AGRICULTURE
Referral # 179780
Refer to:
Received: MAR 19 2014
MIN Response ☐ Reply Direct ☐ Info/File ☐ N/A ☐
DM Response ☐ Briefing Note ☐ Speaking Notes ☐
Other Local gov't (ALR)

Regional District of Kootenay Boundary

MINISTER OF AGRICULTURE
Referral # 179565
Refer to:
Received: FEB 19 2014
MIN Response ☐ Reply Direct ☐ InfoFile ☐ N/A ☐
DM Response ☐ Briefing Note ☐ Speaking Notes ☐
Other Local govt batch

February 13, 2014

Honourable Pat Pimm, Minister
Ministry of Agriculture
Government of British Columbia
P.O. Box 9043, Stn Prov Govt
Victoria, BC V8W 9E1

Dear Minister Pimm,

Re: Future of the Agricultural Land Commission and the Agricultural Land Reserve

Recent reports in the media indicate that the British Columbia government, as part of its core review process, is considering some significant changes to the structure and mandate of the Agricultural Land Commission (ALC) and the Agricultural Land Reserve (ALR). The Board of Directors and residents of the Regional District of Kootenay Boundary have long recognized the important role that the ALC and the ALR play in protecting the long term food security for BC's future generations. With this in mind, the Board of Directors of the Regional District of Kootenay Boundary recently considered the future of the ALC and the ALR at its January 30th regular meeting. From that meeting, the Board has formally recommended the following for your government's consideration:

- Retention of the Agricultural Land Reserve as one province-wide zone;
- Retention of the Agricultural Land Commission as a province-wide, independent administrative body with judicial powers; and
- Provision of an opportunity for local governments to discuss any proposed changes to the ALR with the Provincial government and the Agricultural Land Commission.

We hope that your government similarly recognizes the important role that an undiminished ALR and ALC will play in British Columbia's future and we hope you will duly consider our recommendations on this important matter.

Sincerely,

Grace McGregor, Chair
Regional District of Kootenay Boundary

202 – 843 Rossland Ave Trail, British Columbia Canada V1R 4S8
toll-free: 1 800 355 7352 • tel: 250 368-9148 • fax 250 368-3990
email: admin@rdkb.com • web: www.rdkb.com

Honourable Pat Pimm
Ministry of Agriculture
PO BOX 9043 STN PROV GOVT
VICTORIA BC V8W 9E2

November 14, 2013

RE: Dismantling of Agricultural Land Commission and Subsequent Changes to the Agricultural Land Reserve

Dear Minister Pimm,

I am one of the thousands of local food producers you have in this Province, and I am writing to you directly to request that you seriously reconsider any proposal that suggests you dismantle (or dissolve) the Agricultural Land Commission (ALC), and split the Agricultural Land Reserve (ALR).

I have read recent documents pertaining to the core review directed to Minister Bill Bennett and his department, specifically around "modernizing" the ALC. Most recent from the Globe and Mail, dated November 7th, 2013, which highlight(s) Minister Pat Pimm's **Cabinet Decision Summary Sheet,** outlining his suggestions to both move the ALC into the Ministry of Agriculture, and split the ALR into two "classes", one being "status quo" - Okanagan and Fraser Valley-Vancouver Island – and the other "anything goes", being the Interior, Kootenays and everything north of the Okanagan.

I understand this resource alone is not entirely reliable: I have read Mr. Pimm's and Mr. Bennett's Ministerial mandates. The former states he must:

2. Ensure the Agricultural Land Commission is delivering on the improvements promised arising from the budget increase it received in *Balanced Budget 2013*.

3. Ensure the Agricultural Land Reserve is working for British Columbia and propose any changes necessary. These changes must successfully balance our desire to protect valuable farmland while allowing for responsible economic development opportunities.

4. Bring forward ALR changes that will further encourage the stability of farm families and the farming industry in British Columbia.

But this mandate letter continues to state that Minister Pimm and his department must endeavour to achieve growth objectives set out in the *BC Jobs Plan*, which – much like the *Strong Economy, Secure Tomorrow* document – focus on only certain agricultural markets, namely wine, beef, berries, and 3-4 greenhouse products.

I have also read the BC Jobs Plan, and the General Considerations for the Dissolution of a Crown Agency, from the Crown Agencies Resource Office, requiring ALL Cabinet Ministers to agree on the dissolution of any Crown Agency.

This is why I appeal to you now, as Ministers of the Cabinet, who are tasked with the decision of whether or not to dismantle the ALC, delegate decision-making to the Ministry, and split the ALR. The following is why:

- Independent and specialized decision-making on the part of the ALC would be lost to the Ministry of Agriculture, whose mandate it is to "ensure the ALR is working for British Columbians" and "encourage stability of farm families and the farming industry" in BC, but also to follow and strive for objectives set out in the *BC Jobs Plan* and other related documents.
- This is concerning because the *BC Jobs Plan* clearly advocates for the harnessing and exporting of the resource sector, namely natural gas and oil, and the same for only a few aforementioned agricultural products. This is obvious from the proposed "classes" of the ALR into regions that either produce these specific products (Okanagan and Fraser Valley-Vancouver Island) or don't (Interior, Kootenays and everything north of the Okanagan).
- This means the future of agriculture in BC looks like this:
    - Wine production in the Okanagan Valley, mainly for export to other Canadian, North American, or international markets
    - Beef production for international markets, primarily East and South Asian
    - Fruit and berry production from the southern interior and coastal areas
    - Greenhouse production of crops like tomatoes and cucumbers, for export

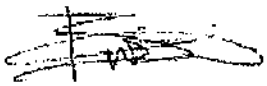
  They may operate on remaining ALR land, but they must also produce on a very large scale, if they are going to supply national or international markets. There is then no market opportunity for other crops, such as grains or vegetables, nor on a smaller scale for local production and consumption. Small-scale producers have a hard enough time making a living on ALR land. It would be impossible for them to operate a viable business paying property taxes on acres of land zoned residential, or otherwise. And what would happen to producers on already-designated ALR land slated for "reclassification"? If you observe ALR mapping, it is clear that most of the large expanses of ALR-designated land is in the Interior and Northern regions rather than the Okanagan and Southern Interior. If the ALR is split and these regions are easily lost to development, one has to estimate much less than 5% of total ALR land will remain.

We get it: your government's goal is "high-paying jobs" for all British Columbians. But maybe not all of us want high-paying jobs in the forestry, mining, natural gas, or oil industries. Maybe we're happy making next to minimum wage, or less, to do what we love for our communities, and beyond. Can any of the Ministers honestly say that out of all the restaurants you dine at, the only locally-produced items on the menu are beef, wine, and berries? No, you cannot. Because more often than not the locally produced items on those menus are produce. Produce is the most affordable menu item for restaurants to source, and the #1 purchaser for most BC small-scale growers. This does not include other local products, such as cheeses, grains, honeys, and other value-added products.

This is a market – the local food market - that has been steadily growing in BC, Canada, and North America, and a proposal to absorb the ALC and split the ALR will do nothing but stifle it. It is the opposite of progressive and will make this province look antiquated and ridiculous to anyone considering relocation or vacation to this part of the country.

I implore you to do the right thing, and preserve a legacy that was cut off from oil and gas extraction and ownership 40 years ago for a reason. Some things should just remain off-limits, and this is one of them.

Regards,



Brianna T. van de Wijngaard
Owner/Operator, Puddle Produce Urban Farms
253 5th Avenue North
Williams Lake, BC V2G 2E9
E: puddleproduce@gmail.com

Peninsula Agricultural Commission

c/o Saanich Municipal Hall
770 Vernon Avenue, Victoria, B.C. V8X 2W7
Telephone: (250) 475-1775 Facsimile: (250) 475-5440
Secretary: Isobel Hoffmann, Extension 3502 (hoffmanI@saanich.ca)
Chair: Flora Wood

November 15, 2013

To: Mayor and Councillors of the Member Municipalities:
Saanich, Central Saanich, North Saanich,Sidney, and Metchosin

RE: Proposed Core Review of ALC/ALR

On September 12, 2013, the Peninsula Agricultural Commission sent the attached letter to the member municipalities in response to a proposed core review of the Agricultural Land Commission and the Agricultural Land Reserve.

Since that time, new information has become available which heightens PAC's concerns about the future of the ALR and subsequently the future sustainability of farming on the Island and throughout the province. It was unfortunate that the window of opportunity to provide comment on this matter to the province was very limited. The potential impact of dismantling the Land Commission has far reaching consequences. For Council's information, we have attached an article published in the Globe and Mail on November 7, 2013.

PAC would respectfully recommend that Council ask for clarification on this matter from Ministers Bennett and Pimm, and further that Council submit a resolution to the UBCM to ensure there is no further weakening of ALR lands.

We would be pleased to offer further input or advice if required.

Respectfully,

Mike Bomaine, Vice Chair,
Peninsula Agricultural Commission

cc: Hon. Bill Bennett, Minister Responsible for Core Review
Hon. Pat Pimm, Minister of Agriculture
BC Food Systems Network
Rob Kline, Ministry of Agriculture

MINISTER OF AGRICULTURE
Referral # 178972
Refer to:
Received: NOV 2 2 2013
MIN Response ☐ Reply Direct ☐ Info/File ☐ N/A ☐
DM Response ☐ Briefing Note ☐ Speaking Notes ☐
Other

Member Municipalities:
Saanich, Central Saanich, North Saanich, Sidney, Metchosin

THE GLOBE AND MAIL

'Sacrosanct' Agricultural Land Commission eyed for breakup

MARK HUME
VANCOUVER — The Globe and Mail
Published Thursday, Nov. 07 2013, 8:00 AM EST
Last updated Thursday, Nov. 07 2013, 1:44 PM EST

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Page 262 to/à Page 263

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Quotes:

Pat Pimm, Minister of Agriculture –

"These improvements are aimed at continuing to protect B.C.'s rich farmland and helping farmers make a better living from it. The changes ensure the ALC is able to protect our fertile agricultural land for another 40 years, while ensuring future generations of farmers can continue to produce food for B.C. families."

Bill Bennett, Minister of Energy and Mines and Minister Responsible for Core Review –

"From time to time, we need to look at organizations like the ALC, to make sure as an organization, it is serving the people of B.C. the best it can. These improvements achieve our goals of supporting the ALC in its role as independent decision maker, protecting our high quality farmland and still supporting farmers to get ahead."

Rhonda Driediger, chair, BC Agriculture Council –

"Opportunities exist to improve the ALR and to protect farmland for future generations. Long-term positive change requires broad consultation with B.C. farmers. We look forward to openly engaging with the Province as new regulations are developed."

Fred Steele, president, BC Fruit Growers Association –

"The BCFGA understands changes must be made to the ALR in order to provide sustainable and profitability for the tree fruit industry. To ensure these changes benefit tree fruit growers and all farmers, we are prepared to engage in positive discussions with the Province to ensure regulations benefit the farm industry and protect farmland in British Columbia."

David Haywood-Farmer, president, BC Cattlemen's Association –

"BC Cattlemen's Association recognizes the complexity of the issues surrounding the ALR and those affected by it. We are encouraged that the Minister understands that the ALC must remain an independent decision making commission whose purpose is to protect agricultural lands and the stakeholders who make their living producing food from this land. Our goal is to see the improvement of the ALR for the present generation of ranching families who are responsible for the stewardship of these lands and for future generations who need to see that there is hope for a sustainable future on these lands."

Garnet Berge, committee chair, BC Grain Producers Association –

"We are pleased that our Agriculture Minister Pat Pimm has responded to the concerns of the Agriculture sector to modernize the BC Agricultural Land Commission. We support the proposed changes and are looking forward to working with our BC Government and Agricultural Minister to draft new regulations and the forming of administrative panels in our region."

Linda Delli Santi, executive director, BC Greenhouse Growers' Association –

"The BC Greenhouse Growers' Association supports the government's core review objective of

BRITISH COLUMBIA

NEWS RELEASE

For Immediate Release
2014AGRI0008-000381
March 27, 2014

Ministry of Agriculture
Ministry of Energy and Mines
and Minister Responsible for Core Review

Improvements to ALC protect farmland, support farmers

VICTORIA – Bill Bennett, Minister of Energy and Mines and Minister Responsible for Core Review and Steve Thomson, Minister of Forests, Lands and Natural Resource Operations, on behalf of Pat Pimm, Minister of Agriculture, today announced improvements to the Agricultural Land Commission (ALC) that will protect farmland in British Columbia and maintain the ALC's independence.

British Columbians expect government to ensure our programs and services are operating as efficiently and effectively as possible. The changes, resulting from government's Core Review of the Commission will help farmers and farm families get ahead by recognizing regional differences, strengthening regional decision making and enhancing the ALC's service to the public.

The ALC will remain a fully independent tribunal and decision-maker and continue to make final decisions on specific land uses within the Agricultural Land Reserve.

The improvements include the creation of two ALC administered zones to better recognize the province's regional differences. In Zone 1, where land is in greater demand and there are development and population pressures, ALC decisions will continue to be made on the basis of the original principle of preserving agricultural land. In Zone 2, where growing seasons are shorter and there are lower value crops, ALC decisions will now, in addition to the original principle, include additional considerations to provide farmers with more flexibility to support their farming operations.

Other improvements include formalizing the ALC's existing model of six regions and six regional panels into law to strengthen regional decision making as well as giving local governments the opportunity to engage with the ALC earlier in their land use planning processes to ensure better coordination and more timely decisions.

To improve services to farmers, the Commission's operations will be enhanced. This will include establishing governance and accountability frameworks and service standards, consistent with other government boards, agencies and commissions as well as filling staff vacancies and moving forward with the appointment of a CEO.

To help farmers generate increased incomes and better support food production, the Ministry of Agriculture will initiate discussions with the ALC, the agricultural sector and the Union of BC Municipalities on how to best support new opportunities for limited, value-added farming activities on farmland.

modernizing the Agricultural Land Commission and looks forward to the results of the consultations to create the details in regulations."

A backgrounder and factsheet follow.

Media Contact:
Government Communications and Public Engagement
Ministry of Agriculture
250 356 1674

Connect with the Province of B.C. at: www.gov.bc.ca/connect

BRITISH COLUMBIA

BACKGROUNDER

For Immediate Release
2014AGRI0008-000381
March 27, 2014

Ministry of Agriculture
Ministry of Energy and Mines
and Minister Responsible for Core Review

Changes resulting from government's Core Review of the Commission

Government has announced improvements to the Agricultural Land Commission (ALC) that will protect farmland in British Columbia and maintain the ALC's independence. The changes, resulting from government's Core Review of the Commission will include:

1. **Increase opportunities for farmers to earn a living and continue farming their land:**
   - In consultation with the ALC, B.C.'s agricultural industry and the Union of BC Municipalities, amendments will be considered to current regulations to allow new, limited, value-added farming activities, such as food processing, on farmland. This responds to concerns from farmers that regulations prevent them from growing their agricultural businesses.
   - The ALC will continue to make final decisions on specific land uses.
   - The creation of two zones will better protect in-demand land in Zone 1, which will remain status-quo, while offering the ALC more flexibility in its decision making in Zone 2. The ALC will continue to apply its discretion in making final decisions on specific land uses.
   - To better support farmers and farm families and ensure they can continue farming their land, in Zone 2 only, the ALC will be given broader flexibility to consider non-agricultural home-based businesses. Acceptable uses will be determined through regulation in consultation with the ALC, the agricultural sector and UBCM.
   - This flexibility responds to concerns from farmers in certain parts of the province, where growing seasons are shorter and farmers need year-round income to support their farming operations.
2. **Recognize B.C.'s regional differences to better support farming families:**
   - The ALC's existing model of six regions and six regional panels will be formalized, with regional panels making decisions for their specific regions.
   - Two ALC-administered zones will be established:
     - Zone 1 will include the Island, South Coast and Okanagan panel regions.
     - Zone 2 will include the Interior, Kootenay and North panel regions.
     - The ALC's role of protecting land in both regions does not change.
3. **Improve land use planning coordination with local government:**
   - Local governments will be required to engage the ALC earlier in land use planning processes, such as Official Community Plans.
   - Currently the ALC is engaged after first reading. Going forward, they will be engaged before the bylaw reaches first reading. It is anticipated that communities will achieve more timely and efficient decisions from better coordination.
4. **Modernize the Commission's operations:**

- The ALC will move forward with filling staff vacancies, including the appointment of a CEO through a merit-based hiring process.
- Governance and accountability frameworks will be established for the ALC, in line with other government agencies, boards and commissions.
- Service standards will be developed and implemented. For example, applicants will be provided with anticipated timelines for decisions and applicants will be provided with the opportunity to attend hearings where their applications are being determined and make a presentation.
- The Commission will be required to report out publicly on their service standard performance measures and all records of decision.

Media Contact:

Government Communications and Public
Engagement
Ministry of Agriculture
250 356-1674

BRITISH COLUMBIA

FACTSHEET

For Immediate Release
2014AGRI0008-000381
March 27, 2014

Ministry of Agriculture

Agriculture in B.C.

The Agricultural Land Commission and Reserve

The Agricultural Land Commission (ALC) is an independent, administrative tribunal. The ALC makes land use decisions within the Agriculture Land Reserve (ALR). The ALC looks at many factors when carrying out its mandate and each application has its own distinct set of circumstances and is considered on its own merits.

- About 5% of British Columbia's land base (4.7 million hectares) is in the ALR. The land in the ALR has increased by 38,000 hectares since 2001.
- Land in the ALR falls into one of seven soil classes, ranging from Class 1 (wide range of crops can be grown without difficulty) to Class 7 (unsuitable for soil-based agriculture or sustained grazing, suitable for barns, greenhouses and processing facilities)
- Currently, 10% of the land in the ALR produces 85% of B.C.'s farm cash receipts (FCR) and the three percent of the land in the South Coast region produces two-thirds of the province's FCR.
- By Agricultural Land Reserve region:
- Island region - 2% of ALR, 6% of FCR
- South Coast region - 3% of ALR, 65% of FCR
- Okanagan region - 5% of ALR, 14% of FCR
- Kootenay region - 8% of ALR, 2.5% of FCR
- Interior region - 31% of ALR, 4.5% of FCR
- North region - 50% of ALR, 8% of FCR

Support for the Agricultural Land Commission

- This year, the B.C. government is providing the ALC with about $3.5 million in annual operating funding, an increase of $600,000 from 2013/14.
- This is the second consecutive year the Commission's budget has increased, to support the ALC in providing increased oversight of the ALR.
- The Agricultural Land Commission's annual budget allocation:
    - 2012-13 - $1.9 million
    - 2013-14 - $2.9 million
    - 2014-15 - $3.5 million
- The budget increases, first announced in Budget 2013, enable the ALC to:
    - continue with the East Kootenay boundary review and undertake other targeted reviews (6 to 10 years to complete all reviews);
    - increase compliance and enforcement activities throughout the province and build

partnerships with local governments and provincial ministries;
- pursue more proactive planning work with local governments;
- work more closely with farmers, ranchers and agricultural organizations to preserve agricultural land and encourage farming; and
- continue digital conversion and mapping projects started with transitional funding, to improve its ability to evaluate the collective impacts of decisions on applications.

- The new funding in is in addition to one-time funding of $1.6 million provided in 2011, as part of a package of measures to strengthen the ALC's capacity to focus on preserving farmland, increasing enforcement and evolving into a sustainable organization.
- In addition to the funding, legislation introduced in 2011 also allows the ALC to increase enforcement capacity by allowing qualified provincial and local government officials to conduct enforcement activities.

Farming demographics

- According to Statistics Canada, almost half (49%) of B.C. farms have annual sales less than $10,000 and three quarters (75%) have annual sales less than $50,000.
- In 2010, 52.6% of all British Columbia farm operators had an off-farm job or business.
- More than 25% of all B.C. farm operators report working off-the-farm for more than 40 hours a week.
- In 2011, the average age of a B.C. farm operator was 55.7 years old.
- In 2011, 61.6% of B.C. farms had operators aged 55 years or older, the highest proportion in the country. At the same time, 6.4% of B.C. farm operators were under 40, the lowest percentage in Canada.
- The proportion of B.C. farms with an operator aged 55+ has increased by more than 20% between 1991 and 2011.
- B.C.'s 19,750 farms account for approximately 9.6% of Canada's total farms.

Media Contact:

Government Communications and Public
Engagement
Ministry of Agriculture
250 356-1674

Ministry of **Agriculture**

BC's Agricultural Land Reserve: Modernizing Decision-Making

DM's Committee on Core Review
September 9th, 2013



DRAFT - FOR DISCUSSION PURPOSES ONLY



ALR/ALC History

Created in 1973 to protect the 5% of BC's land base best suited for agriculture.

Since 1973:

- Original boundaries not always accurate.
- Context has changed significantly:
  - Increased pressure to relax land use restrictions;
  - Increasing world food demand & climate change make food security increasing priority.
- Only minor changes made to ALC:
  - Move from single provincial panel to six regional panels (2002);
  - Legislative changes and budget increase (2011-13).



Current Perceived Issues

1) ALR/ALC seen as frustrating economic development and job creation.
2) ALC decisions believed to limit the ability of farm families to thrive.

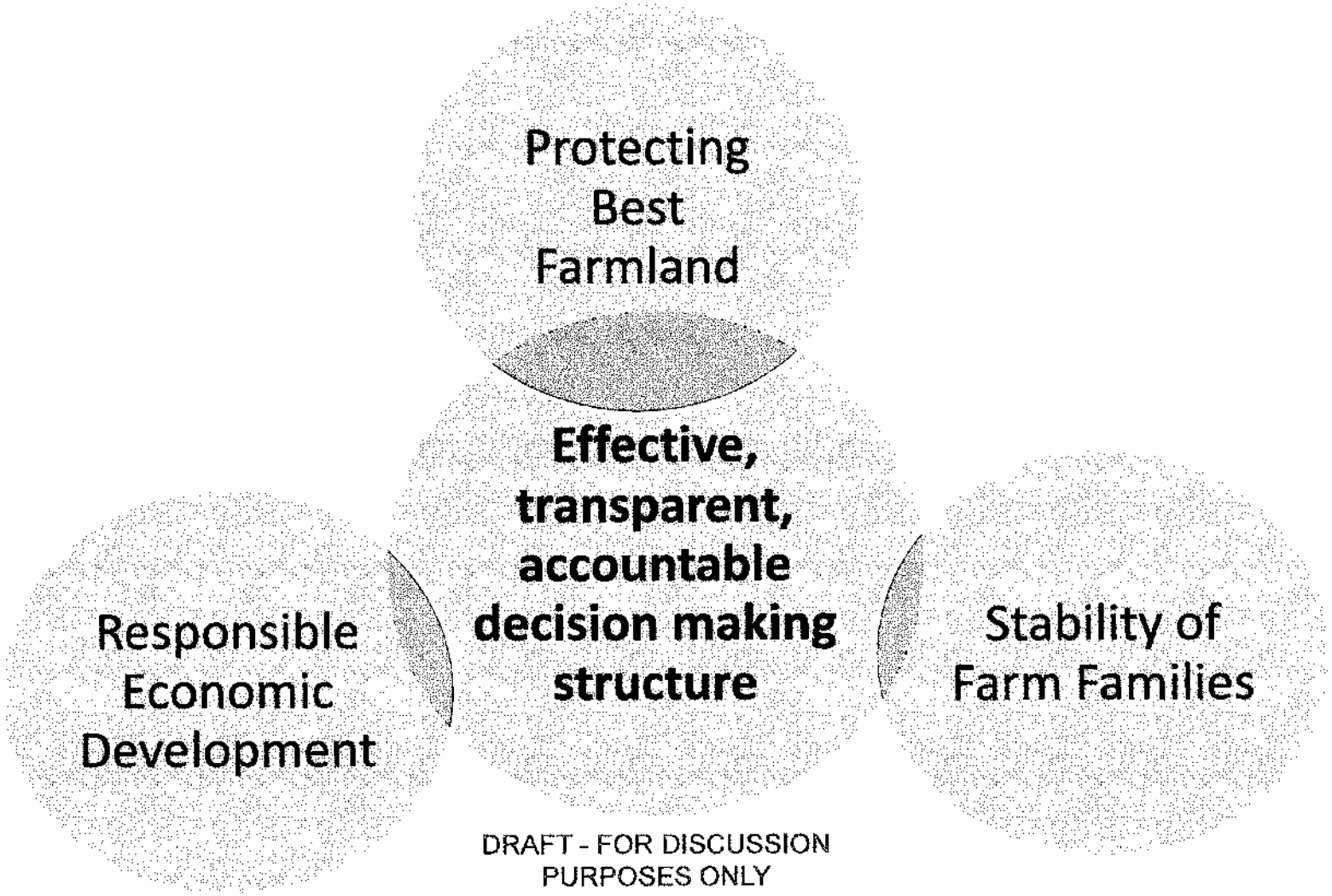
s.13



Minister's Mandate for Change

1) Ensure the ALC is delivering on the improvements promised arising from the budget increase it received in *Balanced Budget 2013*.
2) Ensure the ALR is working for BC and propose any changes necessary. These changes must successfully balance our desire to protect valuable farmland while allowing for responsible economic development opportunities.
3) Bring forward ALR changes that will further encourage the stability of farm families and the farming industry in BC.

Guiding Principles Framework



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Proposal

1. Modernize decision-making on the ALR:

s.13

c) Recognize regional diversity;
d) Further protect BC's best farmland;
e) Allow more value added activity on-farm;
f) Address succession issues for bona fide farmers.

2. Modernize operations of the ALC:

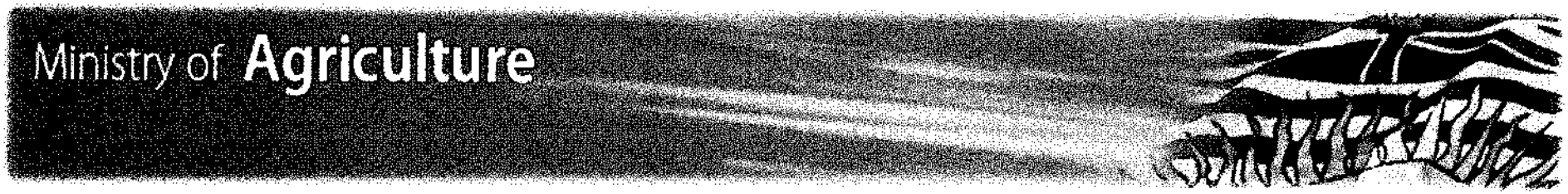
a) Improve accountability, service and transparency;

s.13

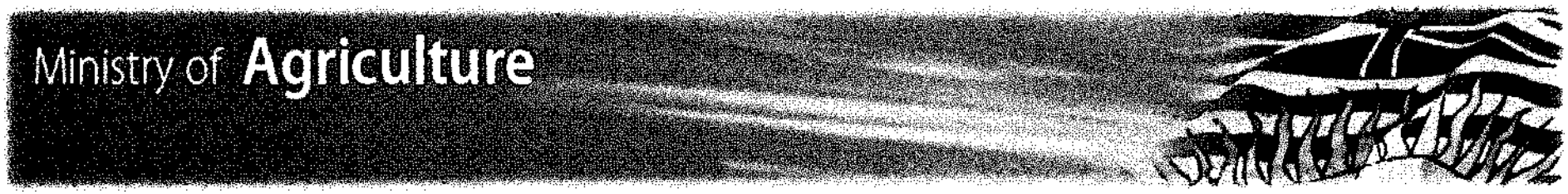


1) Modernize Decision-Making on the ALR

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s.13



c) Recognize regional diversity:

- New decision making criteria would allow greater weight for regional variation;

s.13



d) Further protect BC's most productive farmland:

- New decision making criteria would more fully protect prime agricultural land in key regions;

s.13



e) Allow more value-added activity on-farm:

- Amend the permitted farm use regulation to enable more value added activity and home-based businesses.

f) Address succession issues for bona fide farmers:

- Provide farm families with succession planning advice and options for active farm operations;

s.13



2) Modernize ALC Operations

a) Improve accountability, service and transparency:

- Establish appropriate government authority over ALC operations:
  - Continuum of options from increased reporting, to Minister's Letter of Expectations, to setting service standards, s.13
- Ensure public access to decision-making criteria, decisions and hearings;
- Separate operational leadership from decision making function (e.g. appoint CEO separate from Chair).

s.13

I. Summary of Changes

FROM	TO
Protect the ALR	Protect BC's most productive farmland
Only allow uses compatible with agriculture	Allow for responsible economic development
Province wide approach to the ALR	Recognize regional and community diversity
Encourage the use of farmland for agriculture	Encourage the use of farmland for agriculture, and maintain a sustainable farming sector that supports farm families
Govt transparency and accountability standards do not apply to ALC.	Enhance the accountability , efficiency and transparency of the ALC

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s.13

Modernize Decision Making

Modernize ALC Structure

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Appendix: Potential Legislation Changes

s.12,s.13



Appendix: Potential Regulation Changes

s.12,s.13

Sept 9/14

Ministry of **Agriculture**



Ministry of Agriculture Consultation on the Agricultural Land Reserve Regulation

Agenda

1. Brief overview of recent changes to *Agricultural Land Commission Act;*
2. Describe the consultation process and summarize feedback
3. Next Steps

Recent Changes to the ALCA

1. Regional Panels established in law
2. Two ALR Zones created
3. *Local Government Act* amendment (earlier consultation)
4. Improved ALC Reporting and Accountability
5. Additional Regulation-Making Powers

   – Consultation process focussed on regulations, specifically farm or permitted (non-farm) uses that would be allowed on the ALR without an application to the ALC

ALR Regulation Consultation Questions

- Central Theme: What **additional uses** of ALR land should be allowed **without an application** to the ALC?

- **12 questions** were created based on input from the Minister's *ALC Reference Group* (UBCM, the ALC, and the BCAC).

Consultation Process

- Two meetings with the Reference Group.
- Eight regional meetings, involving several hundred individuals from over 100 stakeholder groups.
- Public input:
  - An ALR Regulation Consultation website (813 submissions)
  - Email/Post (883 submissions)
    - 88 unique, individual submissions.
    - 573 'form' submissions expressing general support for the ALR but not answering the consultation questions;
    - 222 'form' submissions from the Dawson Creek area.

Observation

- When provided with specific examples, support for proposed ideas changed. Often support increased.
- This happened both at the regional sessions and with the reference group
- Other respondents (on-line, email, mail) did not have the benefit of those detailed explanations.
- May find more support when government proposes specific regulatory changes

Question 1: ***Should the parameters for allowable on-farm food storage, packing, processing and retail establishments be revised? (Background: 50% Rule)***

- Considerable majority overall do not support change to 50% rule.
- Proposals from zone 2 to eliminate % threshold in favour of maximum footprint or to reduce threshold to 10%

Question 2: ***Should breweries, distilleries and meaderies be allowed on ALR land on the same or similar terms as wineries and cideries are currently allowed? (Background: 50% rule)***

- Mixed views, slight majority overall support proposal. Strongest support came from LGs in Zone 1.

Question 3: ***Should the allowable footprint for consumption areas (or 'lounges') ancillary to wineries and cideries be increased? (Background: 125m + 125m)***

- Considerable majority overall do not support increasing area. Strongest support from template responses from Dawson Creek.

Question 4: ***To what extent should wineries and cideries be allowed to sell alcohol that was not produced on the farm?***

- Majority in all regions do not support proposal. Strongest opposition from the North and the Island.

Question 5: ***Should anaerobic digesters be permitted in the ALR if the inputs are generated from farming activities?***

- Considerable majority in the regional meetings, especially LGs, want to maintain application process.
- Majority of on-line and written responses support allowing without an application. Strongest support from non-farming ALR landowners.

Question 6: ***Should on-farm cogeneration facilities be permitted on farms where a portion of the energy created is used on-farm?***

- Considerable majority in regional meetings do not support allowing Co-Gen without an application to ALC.
- Small majority of on-line/ written responses do support it.

Question 7: ***Should the parameters be expanded for when non-agriculture related businesses are allowed to operate on ALR properties in Zone 2?***

- Considerable majority overall do not support expanding list
- Strongest support came from ALR landowners in Zone 2

Question 8: ***Should subdivision of ALR properties in Zone 2 to minimum parcel size of quarter section be allowed without application to ALC?***

- N.E region: majority support proposal. Other regions: considerable majority do not support the proposal. LGs were most strongly opposed.

Question 9: ***Should subdivision of ALR parcels in Zone 2 that are defined size, and are divided by major highway or waterway, be allowed without application to ALC?***

- N.E region: majority of mostly non-farming ALR landowners support proposal.
- Other regions: considerable majority do not support proposal but generally not a relevant issue in those areas.
- LGs were the most strongly opposed.

<u>Question 10:</u> ***Should greater clarity be provided on what constitutes an agri-tourism activity that is allowable in ALR without an application, and if so what parameters should be established?***

- Considerable majority overall support providing greater clarity. Especially strong support from LGs.
- Some suggestions for fewer restrictions

<u>Question 11:</u> ***Should temporary leases of portions of property in Zone 2 of the ALR be allowed without an application to the ALC for:***
(a) intergenerational transfer of an active farm or ranch operation;
(b) to encourage use of otherwise unfarmed land by existing or new farmers?

- (a) Life Estate Lease: Mixed views from regional meetings. Majority support from on-line respondents. Some Zone 2 groups proposed allowing subdivisions rather than Life Estate Leases.
- (b) Production Lease: Strong support overall for allowing these leases without application to ALC.

<u>Question 12:</u> ***Any other proposals for amendments to the ALR Regulation?***

- Allow subdivisions on ALR lands of low agricultural potential (Classes 5, 6 and 7).
- Put excluded ALR land back in ALR if not developed within prescribed time period.
- Allow dug-outs for water without an application to the ALC.
- Allow additional oil and gas ancillary services.

Next Steps

Ministry of **Agriculture**

BC's Agricultural Land Reserve: Modernizing Decision-Making

October 7, 2013



DRAFT - FOR DISCUSSION PURPOSES ONLY



Overview

- **Part One:** Problem, Purpose & Link to Core Review
- **Part Two:** History & Context
- **Part Three:** Guiding Principles & Proposed Modernizations
- **Part Four:** Legislation & Regulation Changes
- **Part Five:** Summary & Results
- **Part Six:** Examples & Case Studies Based on Modernization

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PURPOSES ONLY



Part One:

Problem, Purpose & Link to Core Review

I. Perceived Problems

II. Purpose & Link to Core Review Objectives

III. Direction Required



I. Perceived Problems

s.12,s.13



II. Purpose & Link to Core Review Objectives

- Ensure that ALC is focused on achieving government's vision of a strong economy and secure tomorrow.
- Ensure that ALC is operating as efficiently and effectively as possible.
- Modernize ALC's service delivery and governance to achieve improved outcomes for the public.

- Note: efficiencies to be gained in process and structural improvements; there will not be direct cost savings.



III. Direction Required

- Endorsement of some or all of these options.
- Direction to come back to the Working Group at your next meeting, if and as necessary, to:
  - Resolve any outstanding policy issues;
  - Present a communications plan.
- Endorsement to engage in RFL process.



Part Two:

History & Context

I. History

II. Cross Jurisdiction Comparison

III. Current Context

IV. Current ALC Structure

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PURPOSES ONLY



I. ALR History

Created in 1973:

- Intent: protect the 5% of BC's land base best suited for agriculture.
- Result: provide long term food security; constrained private property rights.

Since 1973:

- Original boundaries not always accurate; some anomalies remain.
- Context has changed significantly:
  - Increased pressure on ALR from developers & landowners to relax land use restrictions;
  - Increasing world food demand & climate change make food security increasing priority.
- Minor changes to ALC:
  - Move from single provincial panel to six regional panels (2002);
  - Legislative changes and budget increase (2011-13).



II. Cross Jurisdiction Comparison

- Only two other provinces have zones where agriculture is priority:
  - **Quebec : Territoire Agricole**
    - Similar to BC, Quebec's best farmland is set aside for agriculture;
    - Land owners apply to Commission for permission to remove land, subdivide land, or to use land for a non-agricultural activity.
  - **Ontario Greenbelt :**
    - Provides protection for environmentally sensitive areas, agricultural land, wetlands, forests and other areas;
    - Development of agricultural areas constrained through conditions placed by the Province on Municipal Official Plans.



III. Current ALC Context

- The ALR and ALC were created 40 years ago; only minor changes since.
- ALR is the foundation of the BC agriculture industry, and essential to the goal of growing the industry to $14 Bn by 2017(Jobs Plan).
- Public has strong attachment to the ALR (food security).
- Not all ALR land is good quality land best suited to agricultural use.
- Government has a clear mandate from British Columbians to focus on economic development & job creation: Strong Economy, Secure Tomorrow.
- Budget lifts provided to ALC since 2011 to reorient organization from reactive, application driven organization to proactive organization working with local governments to encourage the use of farmland for agriculture.

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IV. Current ALC Structure

Structure

- ALC panels - statutorily independent decision makers, appointed by government.
- ALC staff – CEO appointed by Cabinet; staff hired by ALC.

Governance

- The ALC formally reports to government through the Minister of Agriculture.
- In effect, the ALC acts largely independently of government, and has loose accountability to the Ministry.

Decision Making

- Largely stand-alone.
- ALC can delegate certain decisions to local governments, First Nations governments or other authorities (e.g. Oil and Gas Commission), but rarely does so, and then only recently.



Part Three:

Guiding Principles & Proposed Modernization

I. Guiding Principles

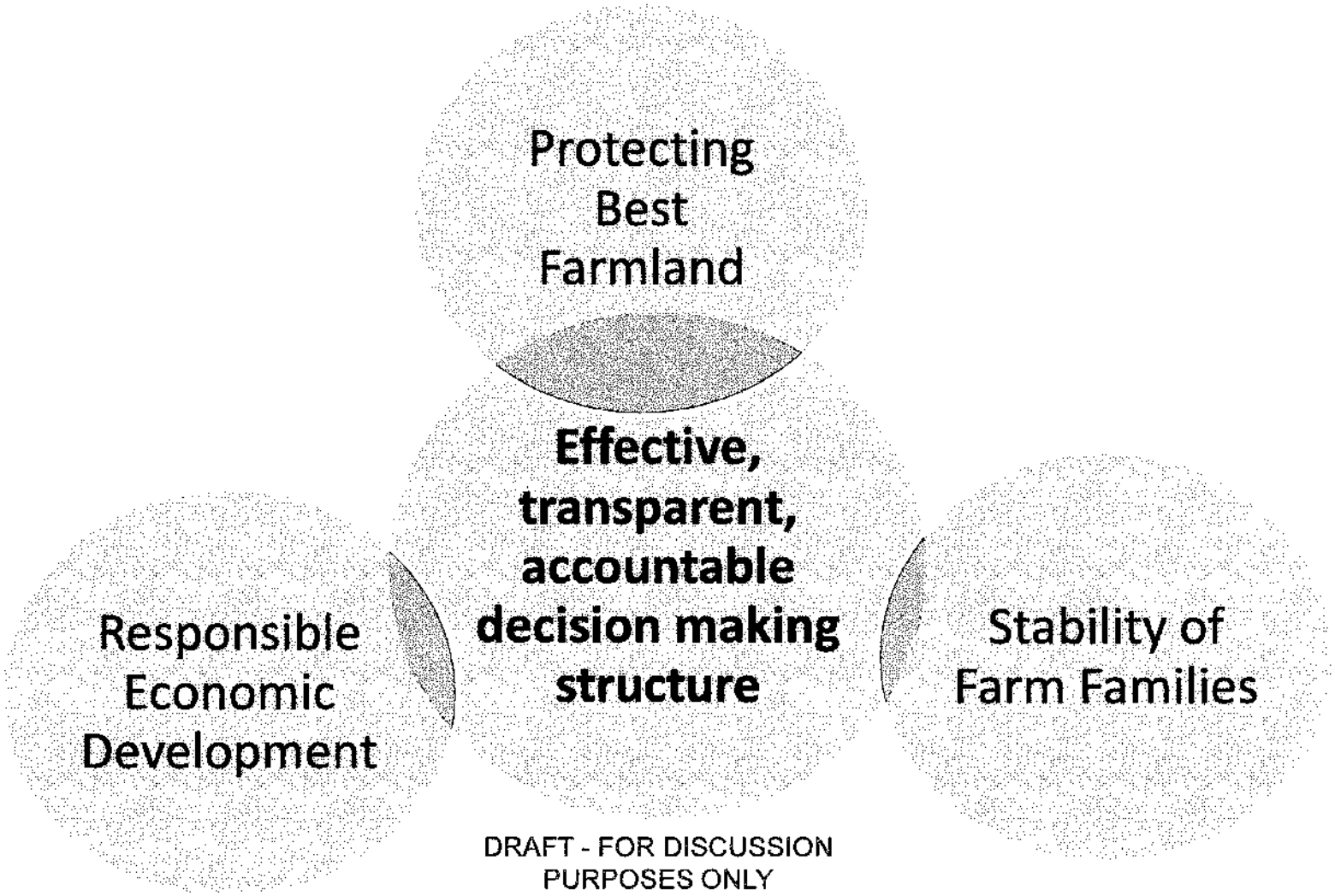
II. Decision Making Matrix

III. Modernize Decision Making

IV. Modernize Structure & Operations

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PURPOSES ONLY

I. Guiding Principles Framework



DRAFT - FOR DISCUSSION PURPOSES ONLY



I. Guiding Principles

FROM	TO
Protect the ALR s.13	Protect BC's most productive farmland
Only allow uses compatible with agriculture	Allow for responsible economic development
Province wide approach to the ALR s.13	Recognize regional and community diversity
Encourage the use of farmland for agriculture	Encourage the use of farmland for agriculture, and maintain a sustainable farming sector that supports farm families
Govt transparency and accountability standards do not apply to ALC.	Enhance the accountability , efficiency and transparency of the ALC

Modernize Decision Making

Modernize ALC Structure

DRAFT - FOR DISCUSSION PURPOSES ONLY



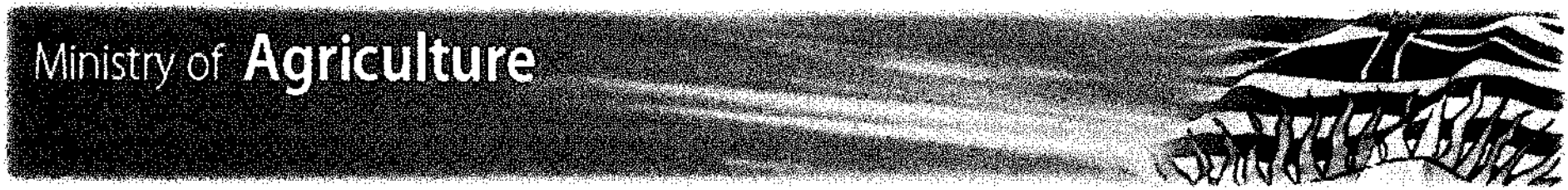
III. Modernize Decision-Making

ALC operates in alignment with government priorities:

- s.13

  - Issue a Minister's Letter of Expectation to clarify how new decision making criteria might be applied.

- s.13



s.13



III. Modernize Decision-Making

Protect BC's most productive farmland

- New decision making criteria would more fully and extensively protect prime agricultural land in key regions (while maintaining/increasing flexibility on other land).
- s.13
-
-



III. Modernize Decision-Making

s.13

- New decision making criteria would allow greater weight for reasonable and specific economic development opportunities.



III. Modernize Decision-Making

Recognize regional and community diversity

- New decision making criteria would allow greater weight for regional variation.
- s.13

-



III. Modernize Structure & Operations

Support farm families and the farming industry

- Secure dedicated time and resources for ALC to fulfill mandate to encourage use of farmland for agriculture, and allow for programs and projects that:
  - Make better use of the best quality land;
  - Support farm families;
  - Encourage new entrants.
- Allow amendments to the permitted farm use regulation:
  - Enable new economic opportunities for farm families and the farming industry in value added activity and home-based businesses.
- s.13



IV. Modernize Structure & Operations

Improve accountability and service levels

- Establish appropriate government authority over ALC operations:
  - Further reporting by ALC, to the Minister, could be required;
  - Increased management accountability via Minister's Letters of Expectation;
  - The Ministry could set service standards for the ALC;
  - s.13
- Digitize maps/records; create baseline data on ALR; boundary reviews.
- Clear and accountable service standards (e.g. application processing times).
- Easy public access to decision-making criteria, decisions and their rationale.
- s.13

- Separate operational leadership from decision making function (e.g. appoint CEO separate from Chair).



IV. Modernize Structure & Operations

s.13

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Potential Changes: Legislation

s.12,s.13

3. Require local governments and ALC to cooperate early in the OCP development process (change *Local Government Act*). s.12,s.13

s.12,s.13

4

5

6

7. Establish authority for Minister to require reporting as often as required, and for topics other than financial/corporate.



Potential Changes: Regulation

Regulation

1. Establish decision making criteria to be used by ALC panels in adjudicating applications s.12,s.13
   s.12,s.13
2.
3. Establish requirements for service standards and transparency of decisions.
4. Amend the regulation defining "permitted farm use" to allow more value-added activity on larger or lesser quality parcels.
5. Expand options for home based businesses on larger parcels or on farmland of lesser quality.
6. s.12,s.13
7.

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I. Perceived Problems & Proposed Solutions

s.12,s.13



I. Perceived Problems & Proposed Solutions

s.12,s.13



II. How Will This Help?

- Responsible economic development opportunities on ALR land are supported (infrastructure, energy, on-farm businesses);
- s.13
-
- Service levels received by applicants improve;
- Public accessibility to ALC data, decision making and outcomes improves;
- Public confidence that BC's best farmland is protected is increased.



Part Six:

Examples & Case Studies Based on Modernization

Example 1



Sand & gravel opportunity on Crown land in ALR:

A young entrepreneur took over his father's struggling business, found high quality gravel on Crown land and acquired a land tenure from FLNRO and a Mines Act permit. The Crown land was in the ALR, even though it was completely covered by rocks and trees. The ALC would not allow him to use the whole tenured area for his pit, as required by the Mines permitting office.

HOW WILL PROPOSAL HELP?

•Amending decision-making criteria used by ALC panels to s.13

s.13

•A more transparent decision making process with established service standards will provide certainty and timeliness for applicants even if the decision is unfavourable

Ministry of **Agriculture**

Example 2



Commercial Land Development (subdivision)

Development company purchased for resale multiple large parcels (20-40 acre each) in a semi-arid rural area that is unable to grow crops other than hay. Local government was eager for the tax revenues. Small business was eager for customers. The owner applied to subdivide the parcels that are split by a provincial highway. There is no irrigation on the land and none available. There have been few sales in 10 years, in part because the parcels are too large and are divided by a busy highway. Sub-dividing these large parcels would enable their sale, benefits to the local economy, probably fencing, wells, a few horses and the care of individual owners.

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Example 3



Regional District (RD) Official Community Plan (OCP)

An RD completed a complex, publicly difficult OCP that directors believed would be acceptable to their constituents. The ALC refused to sign off because they opposed private land zoned for use as a campground. The RD was forced to adopt an OCP acceptable to the ALC, which will force the land owner to apply for a zoning change that the RD has already indicated it supports. The ALC did not consider the business potential in the area for campgrounds and is oblivious to the low quality of Ag land in the area.

HOW WILL PROPOSAL HELP?

s.13

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s.13

s.13

This would ensure greater consideration of economic benefit to farm family of non-farm use of ALR land.

s.13

Example 4



Community Growth

A community in the northeast is surrounded by prime (Class 1) ALR land, leaving it no room for growth. The local government and ALC have worked together to develop an OCP that allows for growth, and have agreed to allow residential development in an area of ALR land bordering the community to the south. The local government has changed its zoning bylaws accordingly. Despite ALC endorsement of the OCP and the subsequent rezoning, individual applications for development in this area must still be approved by the ALC.

HOW WILL PROPOSAL HELP?

s.13

[redacted]

Example 5



Market garden home site severance

A couple in their 70s own a market garden in rural BC. After 30 years, they want to retire. Their daughter decides to return to the farm from the city with her young child and husband. The farm has one piece of arable land and a treed, rocky section for the daughter to build a home and make the business case work for her and her family. The ALC denied the application.

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s.13 accommodate regional variation, s.13
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Ministry of **Agriculture**

Example 6



Public Interest

In January 2006, The Province announced the Gateway Transportation Program in response to growing regional congestion and to improve the movement of people, goods and transit throughout Metro Vancouver. A proposal to use approximately 90 ha of land within the ALR for the construction of the South Fraser Perimeter Road was submitted to the ALC in July 2008. The project required an application for exclusion of 90 ha of productive farm land from ALR.

HOW WILL PROPOSAL HELP?

s.13

Example 7



Gas Pipeline from North East to Kitimat

A consortium of natural gas development companies apply for non-farm use of land in the North East to build a large pipeline to the West Coast. The scale of the project is currently greater than the scope allowed under the current Delegation Agreement between the Oil and Gas Commission and the ALC. Local opposition to the project is focussed on remediation of the affected land after the pipeline is decommissioned.

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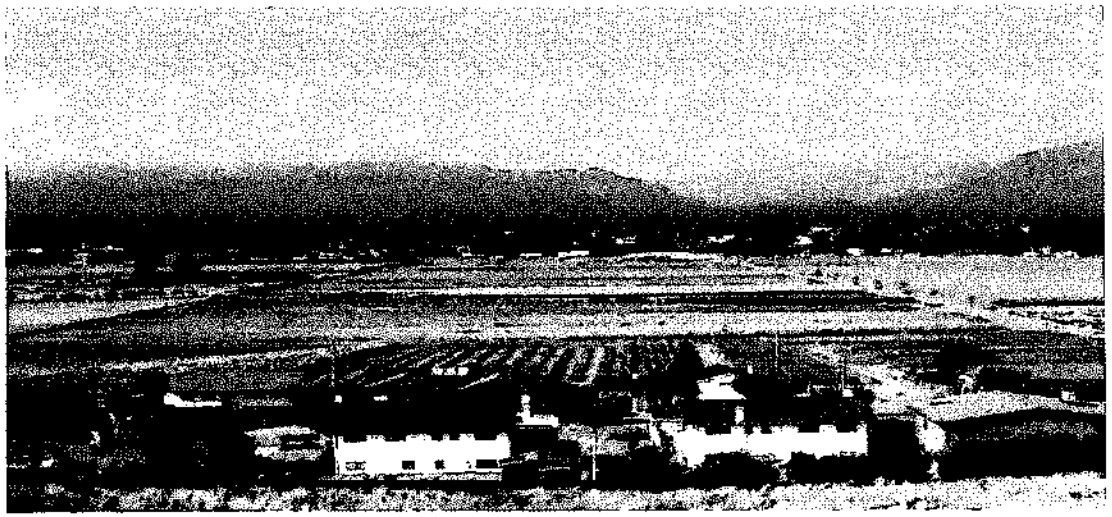
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Ministry of **Agriculture**

BC's Agricultural Land Reserve: Modernizing Decision-Making

*Short Version For Presentation Purposes

October 7th 2013





Overview

I. History

II. Cross Jurisdiction Comparison

III. Current Context

IV. Current ALC Structure

V. Problems & Proposed Solutions

VI. Examples & Case Studies to Justify Modernization

VII. Guiding Principles Framework

VIII. Decision Points

IX. Potential Legislation & Regulation Changes

X. How Will This Help?

XI. Next Steps



I. ALR/ALC History

- Less than 5% of BC's land base is suitable for agriculture.
- The ALR was created in 1973 to protect this scarce & valuable agriculture land base as a legacy for future generations
  - Providing long term food security; constrained private property rights
- British Columbians have a strong attachment to the ALR and its purpose

Since 1973:

- Original boundary has not been reviewed for accuracy
- Context has changed significantly:
  - Increased pressure to relax land use restrictions
  - World food demand & climate change make food security a high priority
- Only minor changes made to ALC:
  - Move from single provincial panel to six regional panels (2002)
  - Legislative changes and budget increase (2011-13)



II. Cross Jurisdiction Comparison

- Only two other provinces have zones where agriculture is priority:
  - **Quebec : Territoire Agricole**
    - Similar to BC, Quebec's most productive farmland is set aside for agriculture
    - Land owners apply to Commission for permission to remove land, subdivide land, or to use land for a non-agricultural activity
  - **Ontario Greenbelt :**
    - Provides protection for environmentally sensitive areas, agricultural land, wetlands, forests and other areas
    - Development of agricultural areas constrained through conditions placed by the Province on Municipal Official Plans



III. Current ALC Context

- The ALR and ALC were created 40 years ago; only minor changes since.
- ALR is the foundation of the BC agriculture industry, and essential to the goal of growing the industry to $14B by 2017 (Jobs Plan).
- Public has strong attachment to the ALR (food security).
- Not all ALR land is good quality land and could be better suited for economic opportunities or subdivisions.
- Government has a clear mandate from British Columbians to focus on economic development & job creation: Strong Economy, Secure Tomorrow.
- Budget lifts provided to ALC since 2011 to reorient organization from reactive, application driven organization to proactive organization working with local governments to encourage the use of farmland for agriculture.



IV. Current ALC Structure

Structure

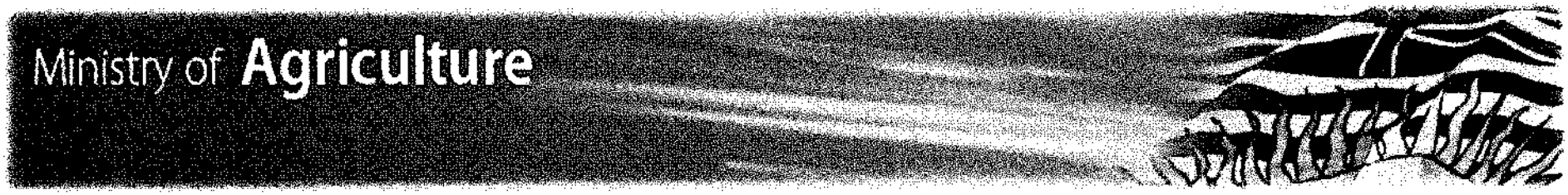
- Panels: statutorily independent decision makers, appointed by government
- Staff: CEO appointed by Cabinet, duties set by ALC (Chair currently holds CEO post); staff hired by ALC

Governance

- ALC formally reports to government through the Minister of Agriculture
- In effect, the ALC acts largely independently of government, and has loose accountability to the Ministry

Decision Making

- High degree of independence
- ALC can delegate certain decisions to local governments, First Nations (FN) governments or other authorities (e.g. Oil and Gas Commission), but rarely does so, and then only recently



V. Problems & Proposed Solutions

s.12,s.13



s.12,s.13



VI. Examples & Case Studies to Justify Modernization

1. Sand & gravel opportunity on Crown land in ALR:

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HOW WILL PROPOSAL HELP?

s.13



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HOW WILL PROPOSAL HELP?

s.13

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HOW WILL PROPOSAL HELP?

s.13



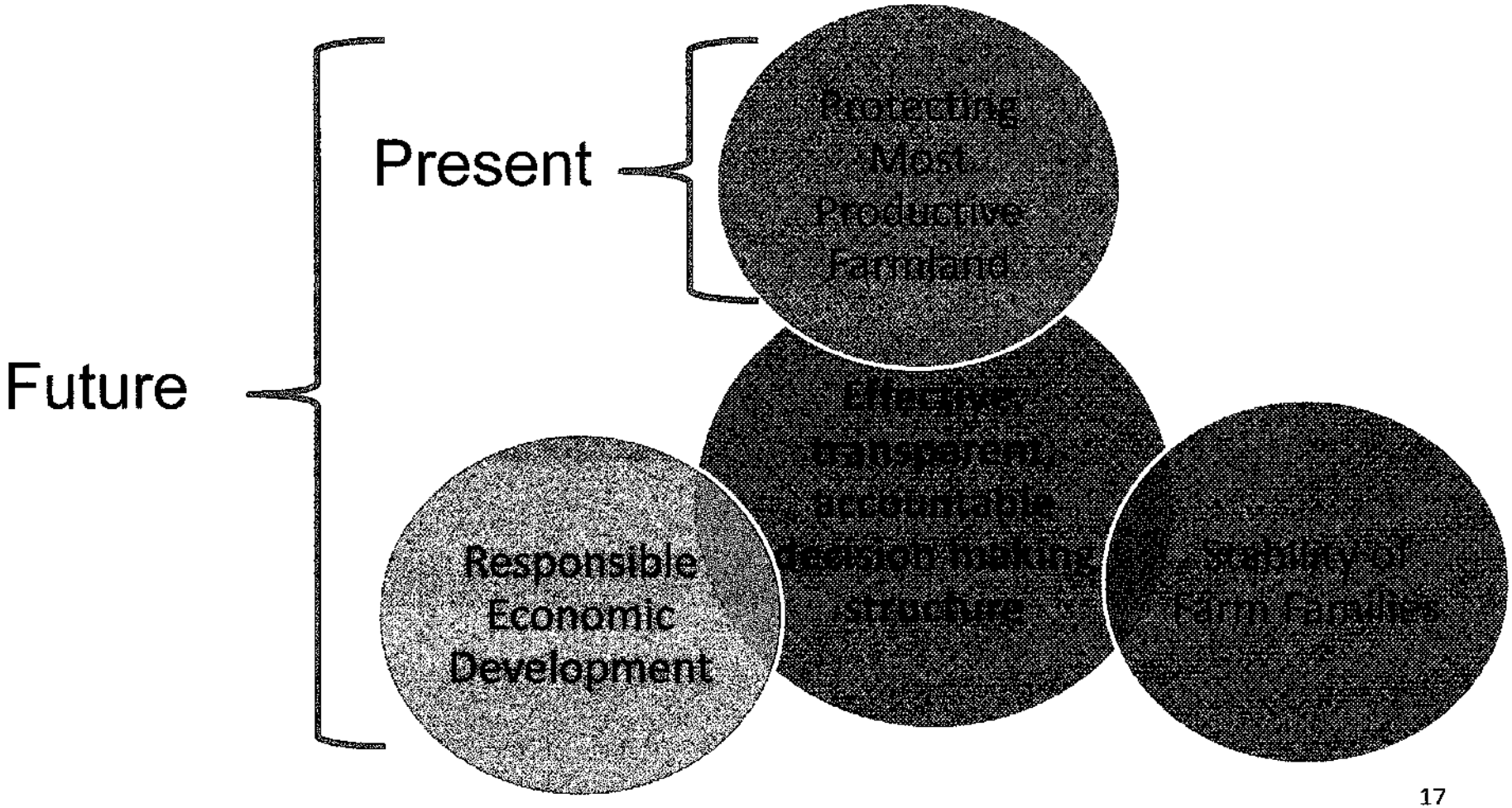
8. Sawmill Expansion

A Sawmill in the Sicamous area has been trying to remove approximately 10 acres of ALR land so they can do an expansion which would employ about 100 additional employees. They have been declined by the ALC.

HOW WILL PROPOSAL HELP?

s.13

VII. Guiding Principles Framework



17

Ministry of **Agriculture**



FROM	TO
Gov't transparency and accountability standards do not apply to ALC.	Enhance the accountability, efficiency and transparency of the ALC
Protect the ALR	Protect BC's most productive farmland
Only allow uses compatible with agriculture	Allow for responsible economic development
Province wide approach to the ALR	Recognize regional and community diversity
Encourage the use of farmland for agriculture	Encourage the use of farmland for agriculture, and maintain a sustainable farming sector that supports farm families

s.13

s.13

Modernize ALC Operations

Modernize Decision Making

VIII. Decision Points

Modernize Operations: Improve Service & Accountability

Least Accountable → Most Accountable

s.13

- Minister issues Letters of Expectation to Chair and CEO; appoint a CEO separate from Chair
- Minister requires ALC to provide reports on performance or other matters
- Minister may set ALC service standards & require digitization of maps and records

Modernize Operations: Improve Transparency

Least Transparent → Most Transparent

s.13

ALC publish decision making criteria; service standards; and reports

ALC publish Records of Decision

s.13



Modernize Decision Making

Increase economic development opportunities for farm families

- Permit more value added activity on farm.
- Allow more home based businesses on ALR.
- s.13

s.13



IX. Potential Regulation Changes

Modernize ALC Operations:

1) Establish requirements for service standards and transparency of decisions.

Modernize Decision Making:

s.12,s.13

4) Amend the regulation defining "permitted farm use" to allow more value-added activity on larger or lesser quality parcels.

5) Expand options for home based businesses on larger parcels or land of lesser quality.

s.12,s.13



IX. Potential Legislation Changes

Modernize ALC Operations

1) Establish authority for Minister to require reporting as often as required, and for topics other than financial/corporate.

s.12,s.13

Modernize Decision Making:

4) Require local governments and ALC to cooperate early in the OCP development process (change *Local Government Act*)

s.12,s.13

s.12,s.13

X. How Will This Help?

- Responsible economic development opportunities on ALR land will be supported (infrastructure, energy, on-farm businesses);
- s.13
-
- Service levels received by applicants improve;
- Public accessibility to ALC data, decision making and outcomes improves;
- Public confidence that BC's most productive farmland is protected.

XI. Next Steps

1. Return to Core Review
2. Review by other committees:

s.13

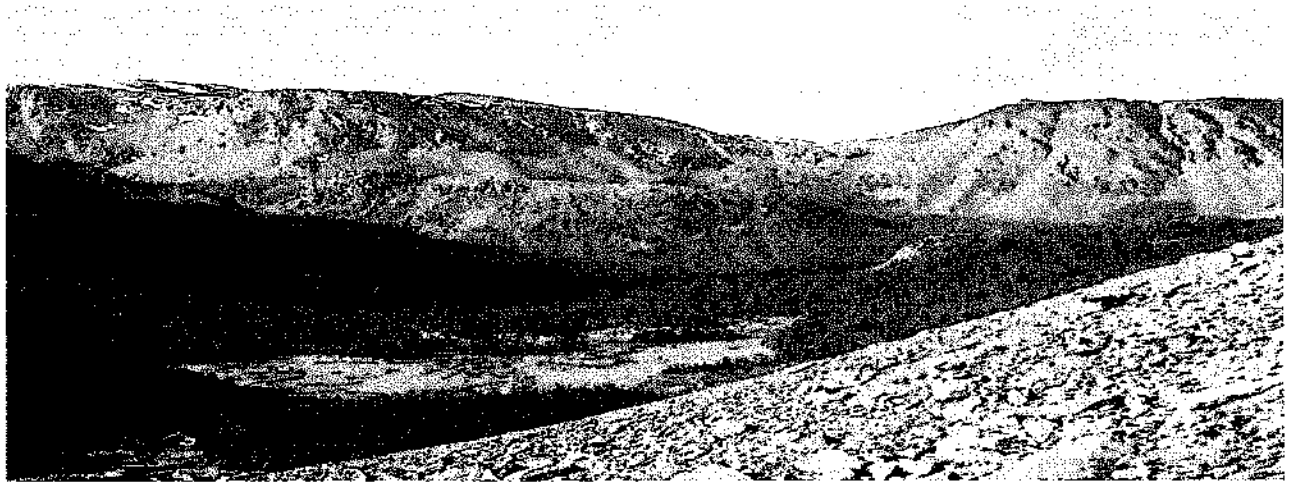
3. Consultation
   - Any additional?
4. Legislative Changes Targeted for Spring 2014

Ministry of **Agriculture**

BC's Agricultural Land Reserve:

Preserving Farmland with Better Decision-Making

***December 9,* 2013**





Minister's Mandate and Goals

- The government has a clear mandate to focus on economic growth and job creation: *Strong Economy, Secure Tomorrow.*
- The Minister of agriculture is mandated to balance protection of good farmland with the stability of farm families & farm industry, and responsible economic development.
- The Minister's mandate includes ensuring the ALC works for British Columbians.
- The ministry was asked by core review to assess whether ALC is protecting good quality farm land in a manner that is respectful of private land owners, farm families and community need for economic development. This did not include questioning the basic principle of the ALR that good farm land be protected.



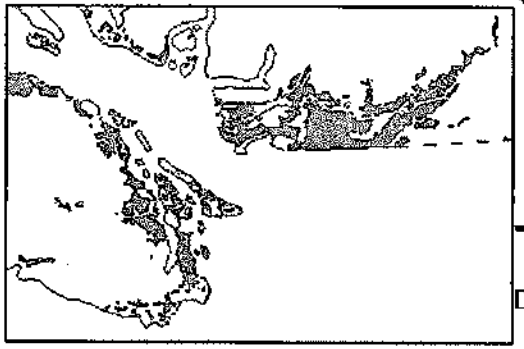
History

1973	Creation of Agricultural Land Commission
1974-76	Creation of the Agricultural Land Reserve
2002	Move from single provincial Panel to six regional Panels
2010	Extensive review of ALC and ALR
2011-13	Legislative and fiscal changes to improve ALC operations

2013:

June	Core Review announced
Aug 20	Ministry discusses concepts with ALC
Oct 7	Cabinet Working Group on Core Review
Oct 30	Cabinet Working Group on Core Review
Nov 19	Planning and Priorities Committee
Nov 20	Cabinet
Dec 9	Caucus

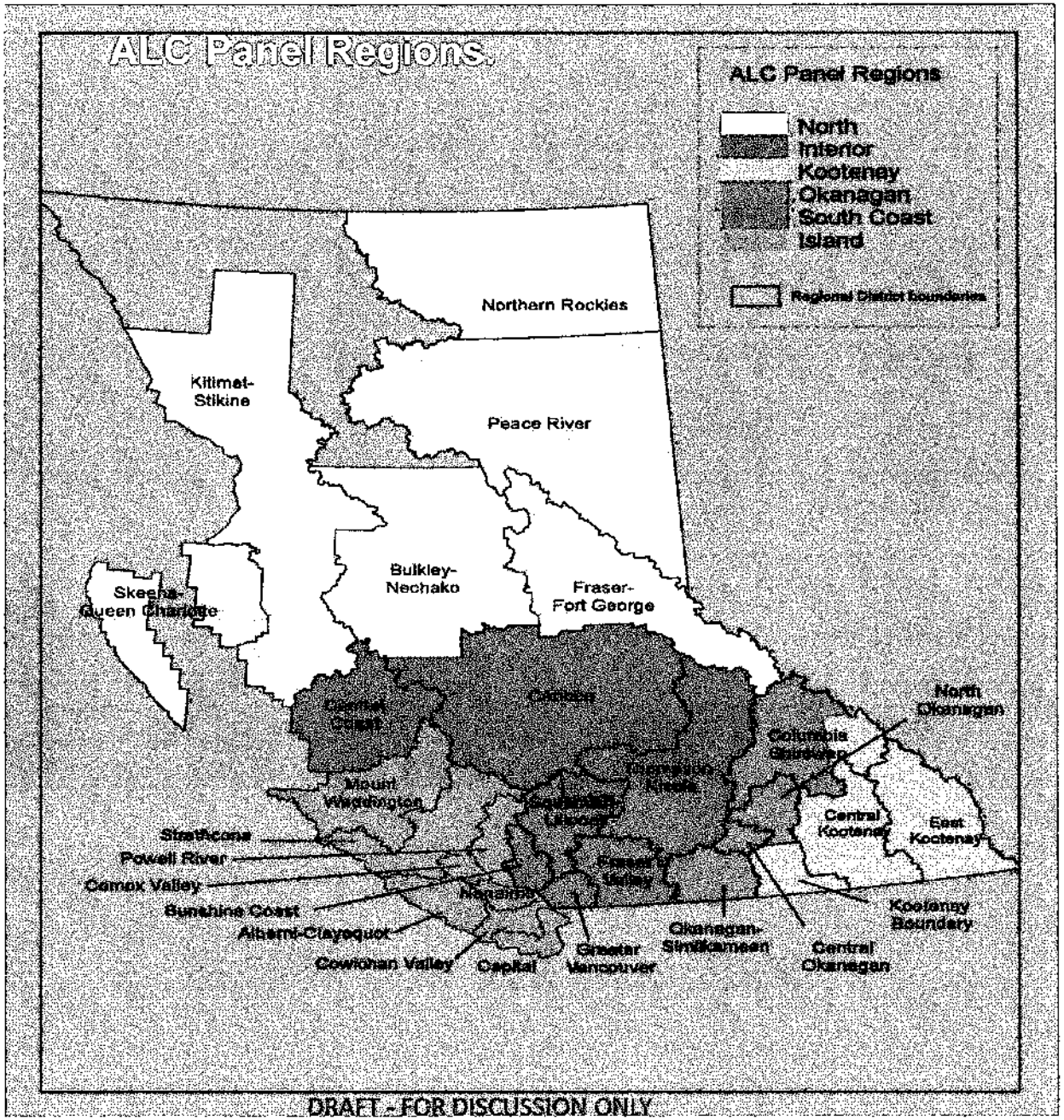
Region	% of ALR	% of FCR
Island	2.4	6
South Coast	3.4	65
Okanagan	4.8	14
Kootenay	8	2.5
Interior	31.4	4.5
North	50	8

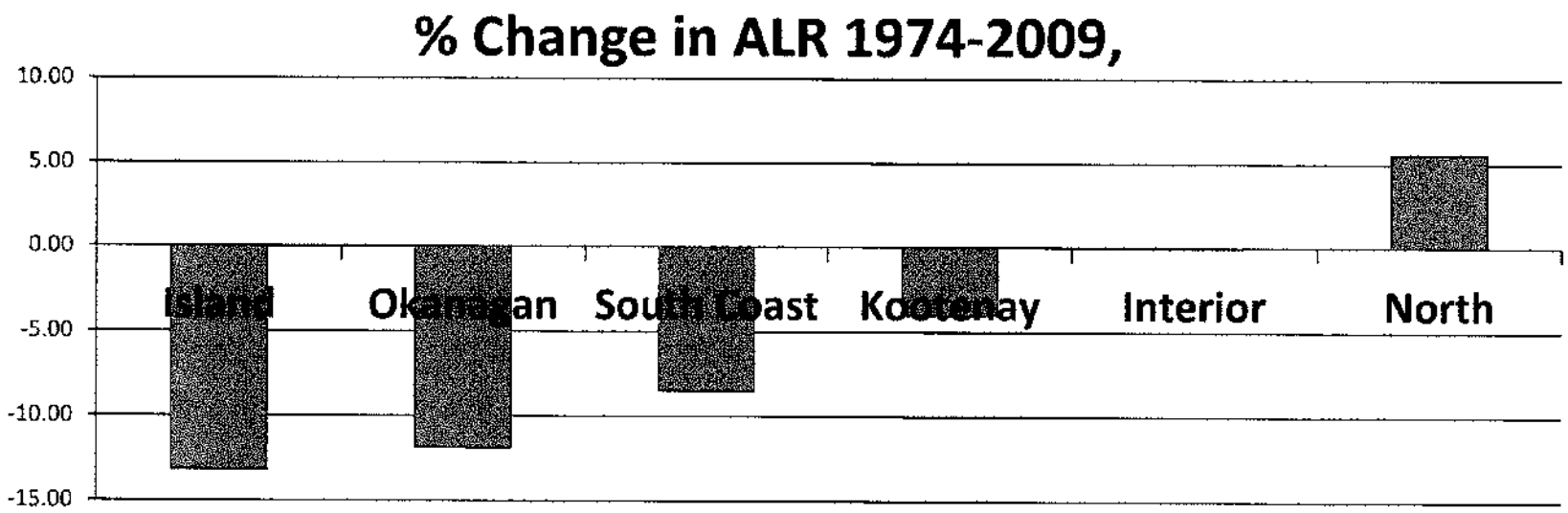


Agricultural Land Reserve

Most productive agricultural land

(10.5% of ALR; estimated 85% of Farm Cash Receipts)


ALC Panel Regions
ALC Panel Regions
North
Interior
Kootenay
Okanagan
South Coast
Island
Regional District boundaries
Northern Rockies
Kitimat-
Stikine
Peace River
Bulkley-
Nechako
Fraser-
Fort George
Skeena-
Queen Charlotte
Central
Coast
Comox
North
Okanagan
Columbia
Shuswap
Thompson
Nicola
Mount
Waddington
Squamish-
Lillooet
Central
Kootenay
East
Kootenay
Strathcona
Powell River
Comox Valley
Fraser
Valley
Nanaimo
Sunshine Coast
Alberni-Clayoquot
Kootenay
Boundary
Okanagan-
Similkameen
Cowichan Valley
Capital
Greater
Vancouver
Central
Okanagan
DRAFT - FOR DISCUSSION ONLY



Panel Region	1974 (ha)	2011 (ha)	Change (ha)
Island	130,163	112,927	-17,236
South Coast	177,043	161,908	-15,135
Okanagan	257,247	226,576	-30,671
Kootenay	399,110	382,755	-16,355
Interior	1,498,664	1,496,649	-2,015
North	2,253,292	2,379,891	+126,599



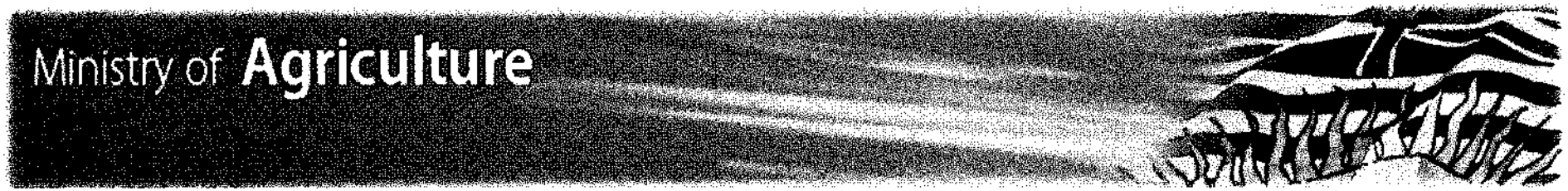
Recommendations

s.12,s.13



s.12,s.13

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s.12,s.13

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s.12,s.13



s.12,s.13



s.12,s.13



Summary of Recommendations

s.12,s.13

Next Steps

1. Consultation plan TBD based on direction (e.g. key industry stakeholders, UBCM, etc) – December 2013

s.13

3. LRC – January
4. Introduce legislation – Spring 2014
5. Introduce regulations – Summer or Fall 2014

Page 124 to/à Page 144

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s.12,s.14

Page 145 to/à Page 148

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s.12,s.13,s.14

BRITISH COLUMBIA

Cabinet Decision Summary Sheet

Ministry: Agriculture

Date: 17/12/2013

Title: Modernizing decision making on BC's Agricultural Land Reserve

Issue:

Analysis and recommendations related to the Agricultural Land Commission (ALC).

Recommendation/Request:

To confirm the recommendations made in this Cabinet Submission.

Proposed Minute:

Cabinet reviewed the Cabinet Submission "Modernizing decision making on BC's Agricultural Land Reserve" and directs the Minister of Agriculture to develop and introduce the necessary legislative and regulatory amendments to:

1. Modernize and improve ALC operations in line with best practices at other agencies, boards and commissions. Allow the Lieutenant Governor in Council to establish rules and requirements for the ALC, through regulation.
2. Amend the Local Government Act to require local governments and the ALC to consult early on local land use planning.
3. Recognize regional differences by:

(a) Establish in law 6 ALR regions, and 6 corresponding ALC regional panels, of at least 2 members each. Applications from a region will be heard by the panel for that region.

(b) Creating two Zones within the Agricultural Land Reserve:

i. Zone 1: Island, South Coast, Okanagan – status quo.

ii. Zone 2: Kootenay, Interior, North – increased flexibility.

(c) Expanding the range of criteria (e.g. economic, social, regional s.12,s.13) the ALC must consider in adjudicating applications in Zone 2. These will be optional in Zone 1.

4. Enhance opportunities for farm families by:

(a) Expanding options for farm families in value-added farming (Zones 1&2).

s.12,s.13

Contact: David Coney; Policy Manager
(250) 387-3232

Honourable Pat Pimm
December 10, 2013
Date Signed

BRITISH COLUMBIA

Cabinet Concept Paper

Ministry: Agriculture

Date: DD/MM/YYYY

Issue: Modernizing decision making on BC's Agricultural Land Reserve

Description:

British Columbians want: B.C.'s best quality farmland preserved, B.C farm families to succeed and continue farming, and the province to benefit from responsible economic development opportunities. The Agricultural Land Commission's (ALC) legislative mandate may not be broad enough to allow ALC panels to make decisions that align with these public priorities. The framework that ALC uses to interpret and implement it's mandate can sometimes result in outcomes that do not align with these priorities.

It is therefore proposed the 40-year-old decision making framework concerning the Agricultural Land Reserve (ALR) be modernized to ensure decisions concerning the ALR are made consistent with public priorities, by:

s.12,s.13

- Amending the decision making criteria used by ALC panels (through regulation) so that decisions s.12,s.13 including options for regional variation, s.12,s.13
- s.12,s.13

  and
- Amending regulations under the *Agricultural Land Commission Act* to increase economic opportunity for farm families in value-added agri-food production s.12,s.13 s.12,s.13

The ALC's current structure and governance model do not support delivery of efficient and effective services to the public. It is therefore proposed that the structure and operations of the ALC be modernized to support improved outcomes for the public, by:

- Increasing government's authority over the ALC and its operations (e.g. s.12,s.13 s.12,s.13 , Ministry sets service standards);
- Improving the operational leadership of the ALC (e.g. by appointing a CEO);
- Increasing transparency by requiring improved public access to ALC data, service standards, decision making criteria and the results of applications; s.12,s.13 s.12,s.13
- Increasing ALC effectiveness through digitization of maps, records and applications.

Benefits:

s.12,s.13 s.12,s.13 s.12,s.13 ALC decisions will be based on clear, transparent, predictable criteria and meet the needs of farm families and local communities. The province's best farmland will be further protected.

Execution Plan:

Seeking: (1) endorsement of some or all proposals in this Concept Paper; (2) direction to return to the next Working Group meeting, as necessary, to resolve any outstanding policy issues and present a communications plan and (3) endorsement to engage in the RFL process in order to bring forward legislative changes for introduction in Spring 2014.

BRITISH COLUMBIA

Contact: David Coney, Policy Manager.
(250) 387-3232

Honourable Pat Pimm

Staff Person(s) who came up with the idea
Derek Sturko, Deputy Minister.

Date Signed

ALC Budget and FTE

Budget ($ Millions)

2012/13	2013/14	2014/15	2015/16
1,974	2,905	3,516	3,391

FTE

Current Total FTE	Currently filled	Pending approval to hire	Future anticipated hires	Final Total FTE (2014-15)
22	16.5	9	4	29.5

DRAFT

BC's Agricultural Land Reserve:

Preserving Farmland with Better Decision-Making

***December 17,* 2013**





Request

1. Approve the legislative, regulatory and operational changes proposed in this Cabinet Submission.

2. Direct that we proceed with legislative drafting, for introduction of legislative changes in Spring 2014.



Recommendations

1. Modernize ALC operations.
2. Improve land use planning for communities.
3. Recognize regional differences:
   a) Establish in law 6 ALR regions and 6 corresponding ALC regional panels, of at least 2 members each; All applications from a region will be heard by the regional panel for that region.
   b) Create 2 ALR Zones; and
   c) Expand the array of factors ALC considers in making its decisions.
4. Enhance opportunities for farm families:
   a) Expand options for value added farm activities; and
   b) s.13

3(a). Recognize regional differences: Establish six regional panels

Problem: Under current legislation, ALR regions are not formally established, and the structure and operation of ALC Regional Panels is unpredictable and inconsistent.

Solution:

1. Amend the ALC Act to establish the current six ALR regions in legislation, and to establish six ALC Panels corresponding to these six ALR regions.
2. Each Panel will consist of at least 2 members (Panel Chair appointed by LGIC; at least 1 member appointed by Minister).
3. All applications from a region will be heard by the corresponding regional panel.

Benefit: Increased regional responsiveness in decision making, within a more predictable and consistent administrative framework.

Considerations: May reduce flexibility for the ALC in managing its workload.



Other Considerations

1. These proposals were discussed with the ALC Chair and Executive Directors on Thursday December 12th
2. These proposals were discussed with key industry stakeholders on Friday December 13th
3. Discussions with other stakeholders, including UBCM, will be held prior to the introduction of legislative changes in Spring 2014.

Page 006

Withheld pursuant to/removed as

s.12,s.13



Bill 24 – *Agricultural Land Commission Act* Amendments

April 23, 2014

Objectives for the Day

1) Understand all elements of the Bill, and receive feedback on the Bill.
2) Minister is aware of your views.

Bill 24 - Themes

1. ALC Reporting and Accountability
2. Panel Regions and Panel Composition
3. Zones
4. Decision-Making Criteria in Zones
5. Local Government Act amendment

1) ALC Reporting and Accountability

Improve ALC operations and governance:

- ALCA Section 12(2) - Allow government, by regulation, to set service standards and reporting requirements for the ALC to the Minister.
- ALCA Section 12(2.1) – Minister can by order set performance standards.

2) ALC Regions and Panel Composition

Strengthen regional representation:

- ALCA Section 4.1 - Establish the 6 existing panel regions (defined geographically in the new Schedule to ALCA).
- ALCA Section 11(1) - Require that a panel be established for each of the 6 panel regions.
- ALCA Section 11(6) - Require that the Chair refer applications from a panel region to the panel for that panel region.
- ALCA Section 5(1) – Commission must consist of at least 13 individuals.
- ALCA Section 5(2) and ALCA Section 11 - Regional panels will have a minimum of 2 members, one of whom will be vice chair for the panel appointed by the LGIC.
- ALCA Section 5(2) and ALCA Section 11(3) – Vice chairs and members must be resident in the region of the panel to which they are appointed ('residency' to be defined by regulation).

3) Zones

Establish two zones to reflect regional differences in future use of the ALR:

- ALCA Section 4.2:
  - Zone 1 = Island, South Coast and Okanagan panel regions.
  - Zone 2 = the rest of BC (i.e. Interior, Kootenay, North panel regions, and other).

4) Decision-Making in Zones

- Zone 1 – no change to decision-making – ALC considers applications on case-by-case basis within the legislated purpose of the commission, which is unchanged.
- ALCA Section 4.3 - In rendering its decisions in Zone 2, the ALC must also now consider other factors:
  - economic, cultural and social values;
  - regional and community planning objectives; and
  - any other considerations prescribed by regulation.
- This does not require the ALC to make decisions that only reflect these new considerations. The ALC is still an independent body and will balance agricultural factors with these other considerations.
- The legislation provides for greater flexibility in ALC decision-making to allow farmers in Zone 2 to have more options for earning an income.

5) Local Government Act

Section 879 of the Local government Act will be amended so that Local Governments must consult with the ALC earlier on in development of, or amendments to an Official Community Plan (i.e. *prior* to first reading).

Summary of the day

Page 016 to/à Page 051

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Ministry of Agriculture

Bill 24 – *Agricultural Land Commission Act* Amendments

April 23, 2014

Objectives for the Day

1) Understand purpose of the Bill and receive feedback on the Bill.
2) Minister is aware of your views and able to discuss them with his colleagues.

Bill 24 - Themes

1. ALC Reporting and Accountability
2. Panel Regions and Panel Composition
3. Zones
4. Decision-Making Criteria in Zones
5. Local Government Act amendment

1) ALC Reporting and Accountability

Improve ALC operations and governance:

- ALCA Section 12(2) - Allow government, by regulation, to set service standards and reporting requirements for the ALC to the Minister.
- ALCA Section 12(2.1) – Minister can by order set performance standards.

2) ALC Regions and Panel Composition

Strengthen regional representation:

- ALCA Section 4.1 - Establish the 6 existing panel regions (defined geographically in the new Schedule to ALCA).
- ALCA Section 11(1) - Require that a panel be established for each of the 6 panel regions.
- ALCA Section 11(6) - Require that the Chair refer applications from a panel region to the panel for that panel region.
- ALCA Section 5(1) – Commission must consist of at least 13 individuals.
- ALCA Section 5(2) and ALCA Section 11 - Regional panels will have a minimum of 2 members, one of whom will be vice chair for the panel appointed by the LGIC.
- ALCA Section 5(2) and ALCA Section 11(3) – Vice chairs and members must be resident in the region of the panel to which they are appointed ('residency' to be defined by regulation).

3) Zones

Establish two zones to reflect regional differences in future use of the ALR:

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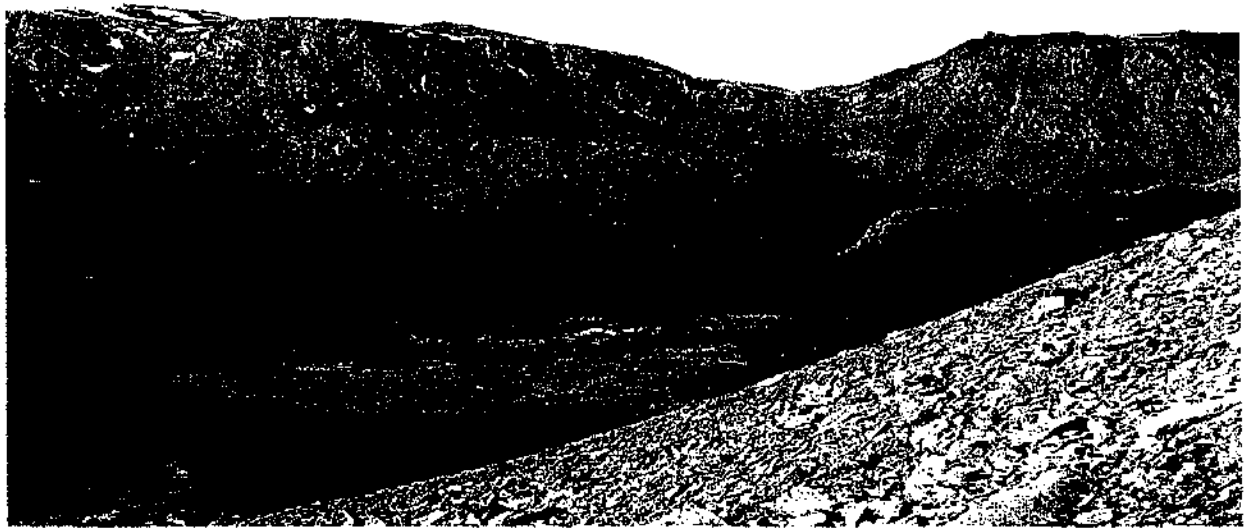
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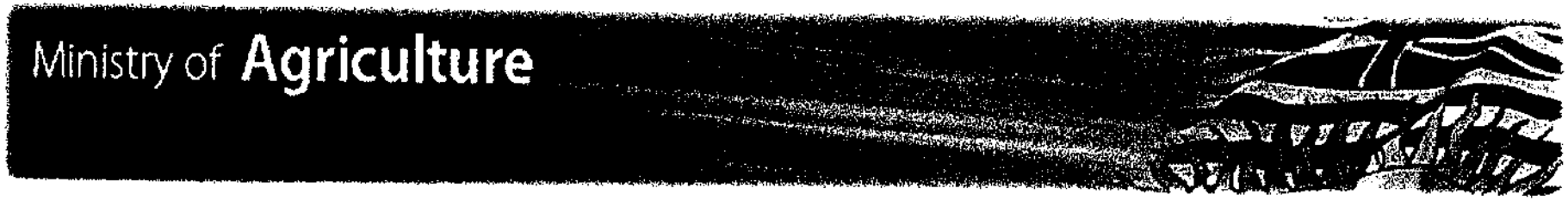
Ministry of **Agriculture**

BC's Agricultural Land Reserve:

Preserving Farmland with Better Decision-Making

***November 19*, 2013**





History and Context

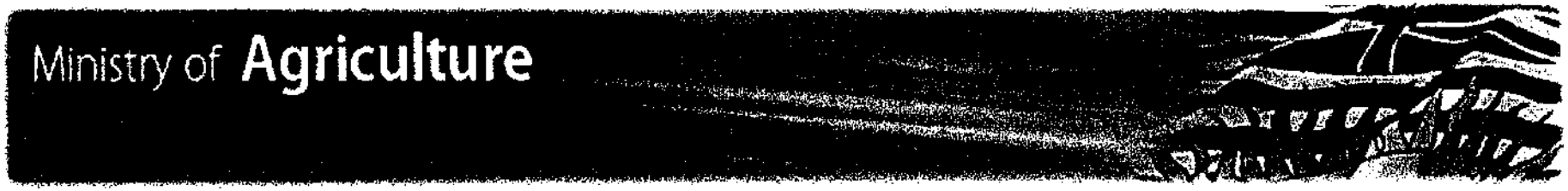
- Less than 5% of BC's land base is suitable for agriculture.
- The ALR was created in 1973 to protect this land for farming.
- British Columbians have a strong attachment to the ALR and its purpose.
- BC has changed significantly since 1973, but only minor changes made to ALC.
- Not all ALR land is good quality land.
- Government has a clear mandate to focus on economic development.
- Budget lifts provided to ALC since 2011 to reorient organization from reactive, application driven organization to proactive organization working with local governments to encourage the use of farmland for agriculture.

Page 062 to/à Page 065

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Ministry of **Agriculture**



4: Allow LGIC to Establish Regional Panels

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5. Create Two ALR Zones

Problem: The ALC's current decision making framework does not adequately recognize regional differences.

Solution: Create two ALR zones:

Zone 1: BC's most productive farmland: maintain the status quo.

Zone 2: The balance of the ALR: provide more flexibility.

Benefit: Decision making over the ALR that reflects regional realities.

[redacted] s.12,s.13	Option 2	Option 3
Zone 1	**Island South Coast Okanagan**	**Most productive soil and climate**
Zone 2	**Interior Kootenay North**	**Less productive soil and climate**

Page 068

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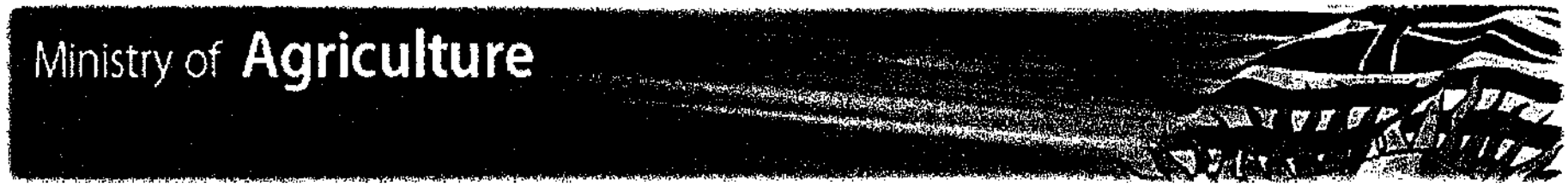
7. Expand Local Government Authorities

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8. Enhance Succession Options for Farm Families

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Summary: Decision Points

	Recommendation	Approve	Reject
1	**Modernize ALC operations (regulation)**		
2	**Expand business opportunities for farm families (regulation)**		
3	**Improve land use planning coordination – change to Local Govt Act (legislation)**		
4	s.12,s.13		
5	**Amend** s.12,s.13 **(legislation)**	**making criteria**	

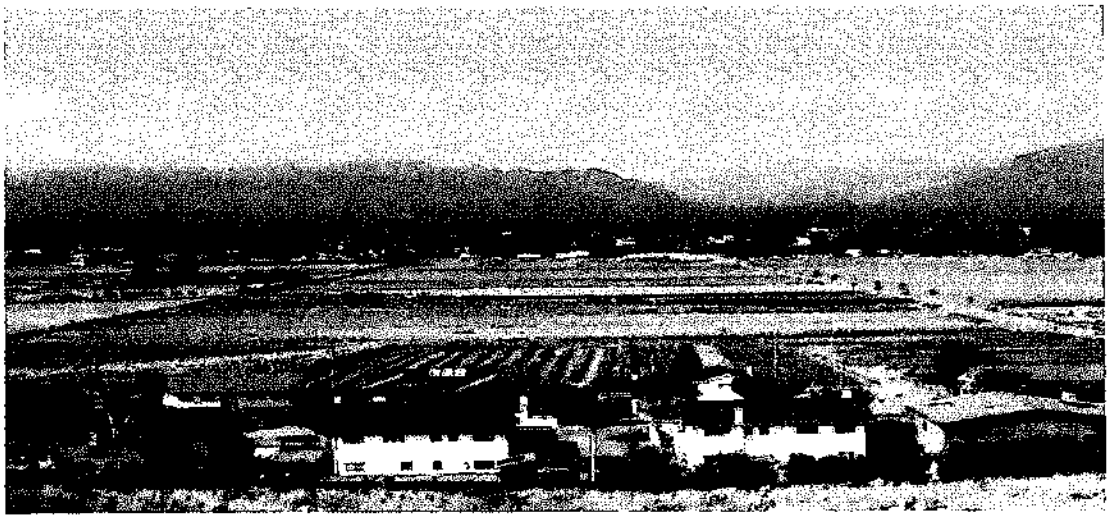
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Ministry of **Agriculture**

BC's Agricultural Land Reserve: Modernizing Decision-Making

October XX, 2013



DRAFT - FOR DISCUSSION
PURPOSES ONLY



Overview

- **Part One:** Problem, Purpose & Link to Core Review
- **Part Two:** History & Context
- **Part Three:** Guiding Principles & Proposed Modernizations
- **Part Four:** Legislation & Regulation Changes
- **Part Five:** Summary & Results
- **Part Six:** Examples & Case Studies Based on Modernization

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PURPOSES ONLY



Part One:

Problem, Purpose & Link to Core Review

I. Perceived Problems

II. Purpose & Link to Core Review Objectives

III. Direction Required

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I. Perceived Problems

- **ALC impedes economic development, investment and jobs on land that is not suitable for farming (Example 1)**
- **ALC acts** s.13 **with a scope that is much larger then their mandate to protect farmland (Example 2)**
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- **ALC is not helping farm families stay on the land and use the land for farm purposes (Example 5)**
- **ALC has an outdated management model which is slow, inconsistent and unresponsive (Example 6, Example 7)**



II. Purpose & Link to Core Review Objectives

- Ensure that ALC is focused on achieving government's vision of a strong economy and secure tomorrow.
- Ensure that ALC is operating as efficiently and effectively as possible.
- Modernize ALC's service delivery and governance to achieve improved outcomes for the public.

- Note: efficiencies to be gained in process and structural improvements; there will not be direct cost savings.



III. Direction Required

- Endorsement of some or all of these options.
- Direction to come back to the Working Group at your next meeting, if and as necessary, to:
  - Resolve any outstanding policy issues;
  - Present a communications plan.
- Endorsement to engage in RFL process.



Part Two:

History & Context

I. History

II. Cross Jurisdiction Comparison

III. Current Context

IV. Current ALC Structure

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I. ALR History

Created in 1973:

- Intent: protect the 5% of BC's land base best suited for agriculture.
- Result: provide long term food security; constrained private property rights.

Since 1973:

- Original boundaries not always accurate; some anomalies remain.
- Context has changed significantly:
  - Increased pressure on ALR from developers & landowners to relax land use restrictions;
  - Increasing world food demand & climate change make food security increasing priority.
- Minor changes to ALC:
  - Move from single provincial panel to six regional panels (2002);
  - Legislative changes and budget increase (2011-13).

II. Cross Jurisdiction Comparison

- Only two other provinces have zones where agriculture is priority:
  - **Quebec : Territoire Agricole**
    - Similar to BC, Quebec's best farmland is set aside for agriculture;
    - Land owners apply to Commission for permission to remove land, subdivide land, or to use land for a non-agricultural activity.
  - **Ontario Greenbelt :**
    - Provides protection for environmentally sensitive areas, agricultural land, wetlands, forests and other areas;
    - Development of agricultural areas constrained through conditions placed by the Province on Municipal Official Plans.

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PURPOSES ONLY



III. Current ALC Context

- The ALR and ALC were created 40 years ago; only minor changes since.
- ALR is the foundation of the BC agriculture industry, and essential to the goal of growing the industry to $14 Bn by 2017(Jobs Plan).
- Public has strong attachment to the ALR (food security).
- Not all ALR land is good quality land best suited to agricultural use.
- Government has a clear mandate from British Columbians to focus on economic development & job creation: Strong Economy, Secure Tomorrow.
- Budget lifts provided to ALC since 2011 to reorient organization from reactive, application driven organization to proactive organization working with local governments to encourage the use of farmland for agriculture.

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PURPOSES ONLY



IV. Current ALC Structure

Structure

- ALC panels - statutorily independent decision makers, appointed by government.
- ALC staff – CEO appointed by Cabinet; staff hired by ALC.

Governance

- The ALC formally reports to government through the Minister of Agriculture.
- In effect, the ALC acts largely independently of government, and has loose accountability to the Ministry.

Decision Making

- Largely stand-alone.
- ALC can delegate certain decisions to local governments, First Nations governments or other authorities (e.g. Oil and Gas Commission), but rarely does so, and then only recently.



Part Three:

Guiding Principles & Proposed Modernization

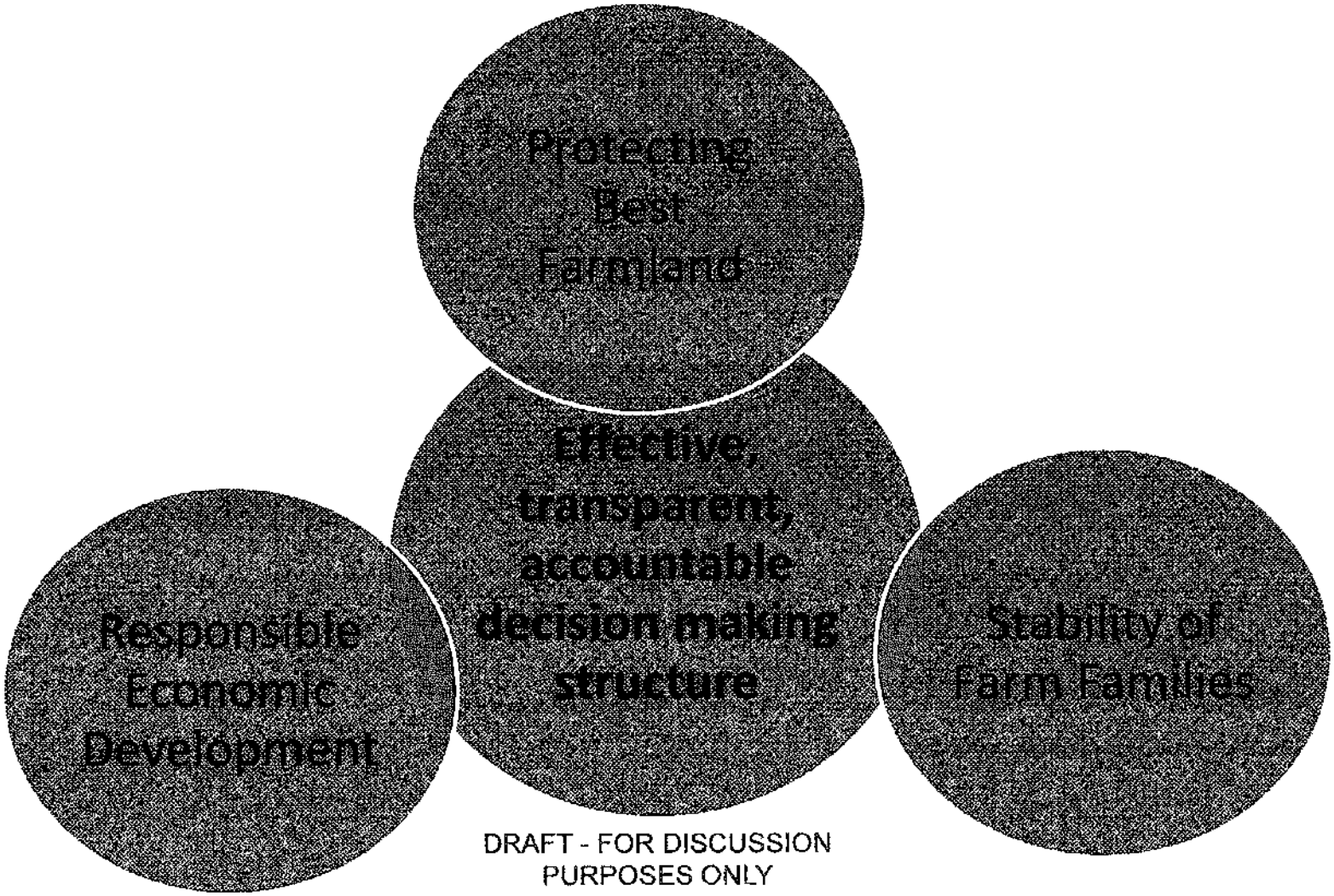
I. Guiding Principles

II. Decision Making Matrix

III. Modernize Decision Making

IV. Modernize Structure & Operations

I. Guiding Principles Framework



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I. Guiding Principles

FROM	TO
Protect the ALR	Protect BC's most productive farmland
Only allow uses compatible with agriculture	Allow for responsible economic development
Province wide approach to the ALR	Recognize regional and community diversity
Encourage the use of farmland for agriculture	Encourage the use of farmland for agriculture, and maintain a sustainable farming sector that supports farm families
Govt transparency and accountability standards do not apply to ALC.	Enhance the accountability , efficiency and transparency of the ALC

s.13

s.13

Modernize Decision Making

Modernize [illegible]

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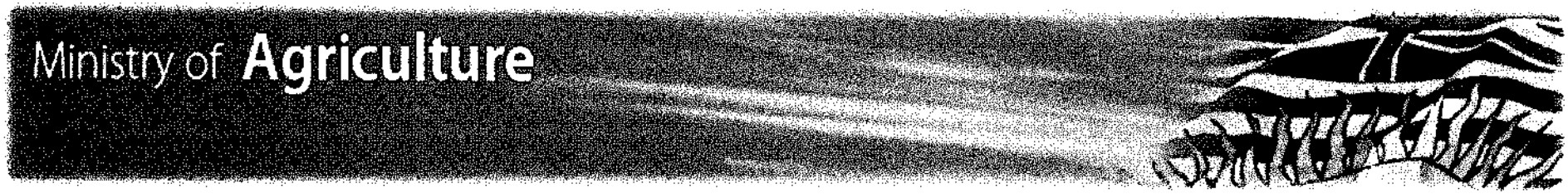
III. Modernize Decision-Making

ALC operates in alignment with government priorities:

- s.13

  - Issue a Minister's Letter of Expectation to clarify how new decision making criteria might be applied.

- s.13



s.13



III. Modernize Decision-Making

Protect BC's most productive farmland

- New decision making criteria would more fully and extensively protect prime agricultural land in key regions (while maintaining/increasing flexibility on other land).
- s.13
-
-



III. Modernize Decision-Making

s.13

- New decision making criteria would allow greater weight for reasonable and specific economic development opportunities.



III. Modernize Decision-Making

Recognize regional and community diversity

- New decision making criteria would allow greater weight for regional variation.
- s.12,s.13

-



III. Modernize Structure & Operations

Support farm families and the farming industry

- Secure dedicated time and resources for ALC to fulfill mandate to encourage use of farmland for agriculture, and allow for programs and projects that:
  - Make better use of the best quality land;
  - Support farm families;
  - Encourage new entrants.
- Allow amendments to the permitted farm use regulation:
  - Enable new economic opportunities for farm families and the farming industry in value added activity and home-based businesses.
- s.12,s.13



IV. Modernize Structure & Operations

Improve accountability and service levels

- Establish appropriate government authority over ALC operations:
  - Further reporting by ALC, to the Minister, could be required;
  - Increased management accountability via Minister's Letters of Expectation;
  - The Ministry could set service standards for the ALC;
  - s.13
- Digitize maps/records; create baseline data on ALR; boundary reviews.
- Clear and accountable service standards (e.g. application processing times).
- Easy public access to decision-making criteria, decisions and their rationale.
- s.13

- Separate operational leadership from decision making function (e.g. appoint CEO separate from Chair).



IV. Modernize Structure & Operations

s.13

Page 094

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Potential Changes: Legislation

1. s.12,s.13

2.

3. Require local governments and ALC to cooperate early in the OCP development process (change *Local Government Act*). s.13

s.12,s.13

7. Establish authority for Minister to require reporting as often as required, and for topics other than financial/corporate.



Potential Changes: Regulation

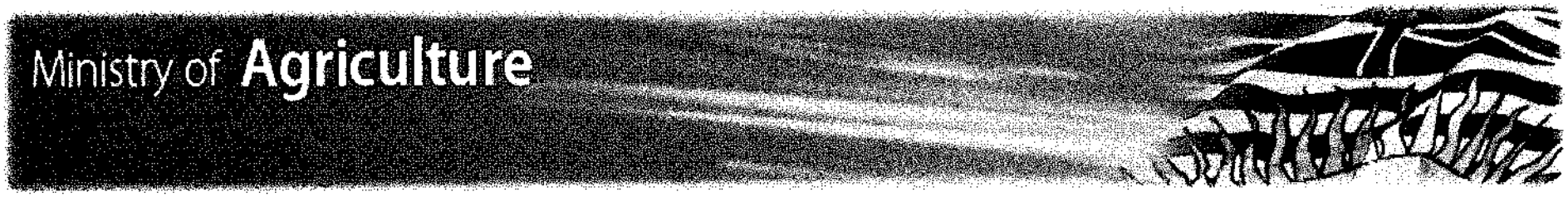
Regulation

1. Establish decision making criteria to be used by ALC panels in adjudicating applications s.12,s.13
   s.12,s.13
2.
3. Establish requirements for service standards and transparency of decisions.
4. Amend the regulation defining "permitted farm use" to allow more value-added activity on larger or lesser quality parcels.
5. Expand options for home based businesses on larger parcels or on farmland of lesser quality.
6. s.12,s.13
7.

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I. Perceived Problems & Proposed Solutions

s.12,s.13



I. Perceived Problems & Proposed Solutions

s.12,s.13

II. How Will This Help?

- Responsible economic development opportunities on ALR land are supported (infrastructure, energy, on-farm businesses);
- s.13
-
- Service levels received by applicants improve;
- Public accessibility to ALC data, decision making and outcomes improves;
- Public confidence that BC's best farmland is protected is increased.



Part Six:

Examples & Case Studies Based on Modernization

Example 1



Sand & gravel opportunity on Crown land in ALR:

A young entrepreneur took over his father's struggling business, found high quality gravel on Crown land and acquired a land tenure from FLNRO and a Mines Act permit. The Crown land was in the ALR, even though it was completely covered by rocks and trees. The ALC would not allow him to use the whole tenured area for his pit, as required by the Mines permitting office.

HOW WILL PROPOSAL HELP?

- Amending decision-making criteria used by ALC panels to s.13 accommodate regional variation, s.13 s.13

- A more transparent decision making process with established service standards will provide certainty and timeliness for applicants even if the decision is unfavourable

Ministry of **Agriculture**

Example 2



Commercial Land Development (subdivision)

Development company purchased for resale multiple large parcels (20-40 acre each) in a semi-arid rural area that is unable to grow crops other than hay. Local government was eager for the tax revenues. Small business was eager for customers. The owner applied to subdivide the parcels that are split by a provincial highway. There is no irrigation on the land and none available. There have been few sales in 10 years, in part because the parcels are too large and are divided by a busy highway. Sub-dividing these large parcels would enable their sale, benefits to the local economy, probably fencing, wells, a few horses and the care of individual owners.

HOW WILL PROPOSAL HELP?

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s.13

Example 3



Regional District (RD) Official Community Plan (OCP)

An RD completed a complex, publicly difficult OCP that directors believed would be acceptable to their constituents. The ALC refused to sign off because they opposed private land zoned for use as a campground. The RD was forced to adopt an OCP acceptable to the ALC, which will force the land owner to apply for a zoning change that the RD has already indicated it supports. The ALC did not consider the business potential in the area for campgrounds and is oblivious to the low quality of Ag land in the area.

HOW WILL PROPOSAL HELP?

s.13

- If no delegation agreement, amending decision-making criteria used by ALC panels to s.13 could accommodate regional variation, s.13 s.13

This would ensure greater consideration of economic benefit to farm family of non-farm use of ALR land.

s.13

Example 4



Community Growth

A community in the northeast is surrounded by prime (Class 1) ALR land, leaving it no room for growth. The local government and ALC have worked together to develop an OCP that allows for growth, and have agreed to allow residential development in an area of ALR land bordering the community to the south. The local government has changed its zoning bylaws accordingly. Despite ALC endorsement of the OCP and the subsequent rezoning, individual applications for development in this area must still be approved by the ALC.

HOW WILL PROPOSAL HELP?

s.13

Example 5



Market garden home site severance

A couple in their 70s own a market garden in rural BC. After 30 years, they want to retire. Their daughter decides to return to the farm from the city with her young child and husband. The farm has one piece of arable land and a treed, rocky section for the daughter to build a home and make the business case work for her and her family. The ALC denied the application.

HOW WILL PROPOSAL HELP?

s.13

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s.13 could accommodate regional variation, s.13
s.13

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Example 6



Public Interest

In January 2006, The Province announced the Gateway Transportation Program in response to growing regional congestion and to improve the movement of people, goods and transit throughout Metro Vancouver. A proposal to use approximately 90 ha of land within the ALR for the construction of the South Fraser Perimeter Road was submitted to the ALC in July 2008. The project required an application for exclusion of 90 ha of productive farm land from ALR.

HOW WILL PROPOSAL HELP?

s.13

Ministry of **Agriculture**

Example 7



Gas Pipeline from North East to Kitimat

A consortium of natural gas development companies apply for non-farm use of land in the North East to build a large pipeline to the West Coast. The scale of the project is currently greater than the scope allowed under the current Delegation Agreement between the Oil and Gas Commission and the ALC. Local opposition to the project is focussed on remediation of the affected land after the pipeline is decommissioned.

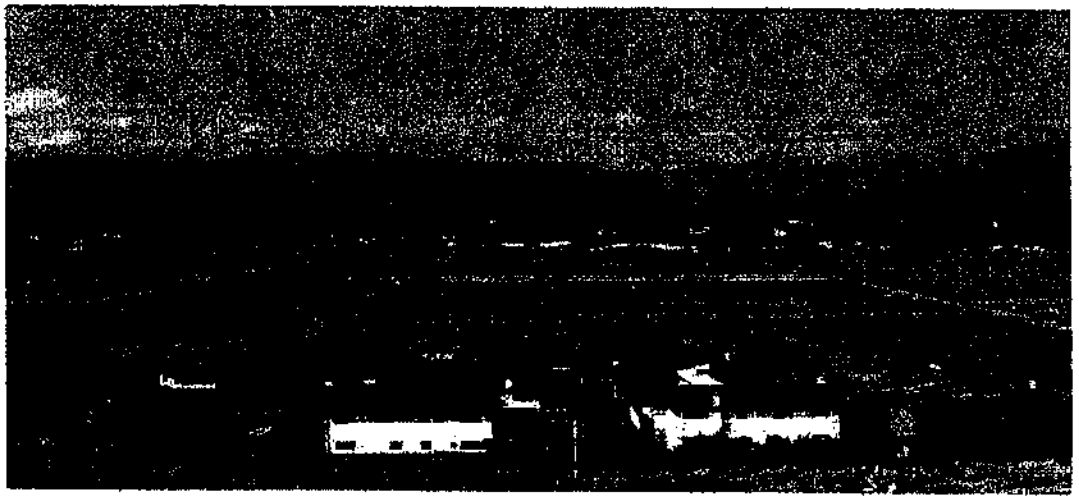
HOW WILL PROPOSAL HELP?

s.13

Ministry of Agriculture

BC's Agricultural Land Reserve: Modernizing Decision-Making

October XX, 2013



DRAFT - FOR DISCUSSION PURPOSES ONLY

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PURPOSES ONLY

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PURPOSES ONLY

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Part Three:

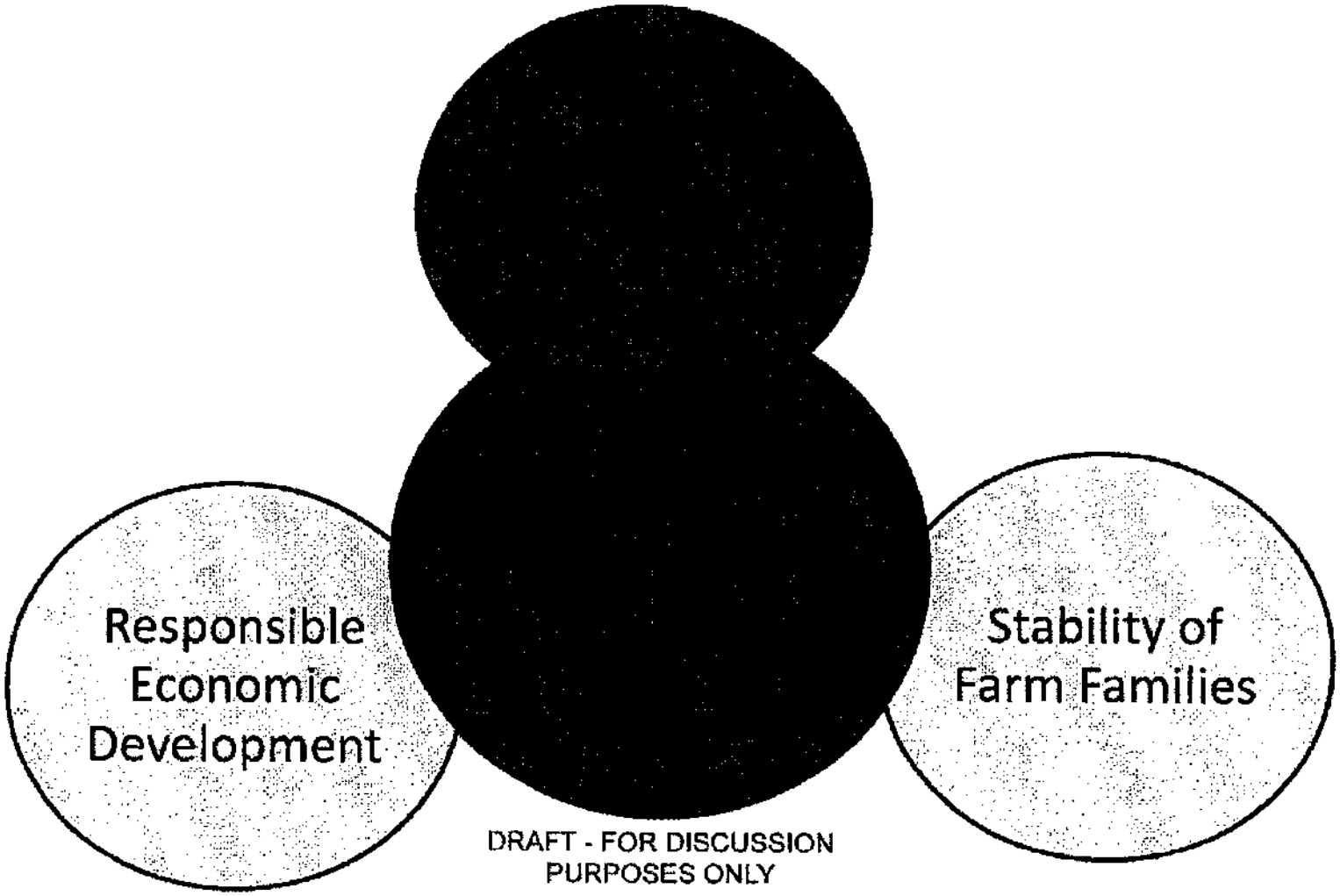
Guiding Principles & Proposed Modernization

I. Guiding Principles

II. Modernize Decision Making

III. Modernize Structure & Operations

I. Guiding Principles Framework



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I. Guiding Principles

FROM	TO
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s.13	
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Modernize Decision Making

Modernize ALC Structure

DRAFT - FOR DISCUSSION PURPOSES ONLY

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ALC operates in alignment with government priorities:

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- Issue a Minister's Letter of Expectation to clarify how new decision making criteria might be applied.

- s.13

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s.13

II. Modernize Decision-Making

Protect BC's most productive farmland

- New decision making criteria would more fully and extensively protect prime agricultural land in key regions (while maintaining/increasing flexibility on other land).
- s.13
-
-

II. Modernize Decision-Making

s.13

- New decision making criteria would allow greater weight for reasonable and specific economic development opportunities.

II. Modernize Decision-Making

Recognize regional and community diversity

- New decision making criteria would allow greater weight for regional variation.
- s.13

DRAFT - FOR DISCUSSION
PURPOSES ONLY

III. Modernize Structure & Operations

Support farm families and the farming industry

- Secure dedicated time and resources for ALC to fulfill mandate to encourage use of farmland for agriculture, and allow for programs and projects that:
  - Make better use of the best quality land;
  - Support farm families;
  - Encourage new entrants.
- Allow amendments to the permitted farm use regulation:
  - Enable new economic opportunities for farm families and the farming industry in value added activity and home-based businesses.
- s.13

III. Modernize Structure & Operations

Improve accountability and service levels

- Establish appropriate government authority over ALC operations:
  - Further reporting by ALC, to the Minister, could be required;
  - Increased management accountability via Minister's Letters of Expectation;
  - The Ministry could set service standards for the ALC;
  - s.13
- Digitize maps/records; create baseline data on ALR; boundary reviews.
- Clear and accountable service standards (e.g. application processing times).
- Easy public access to decision-making criteria, decisions and their rationale.
- s.13

- Separate operational leadership from decision making function (e.g. appoint CEO separate from Chair).



III. Modernize Structure & Operations

s.13

Page 023

Withheld pursuant to/removed as

s.12,s.13,s.14

Ministry of **Agriculture**

Legislation

Modernize ALC Operations

1) Establish authority for Minister to require reporting as often as required, and for topics other than financial/corporate;

s.12,s.13

Modernize Decision Making

4) Require local governments and ALC to cooperate early in the OCP development process;

s.12,s.13

Ministry of **Agriculture**

Regulation

Modernize ALC Operations:

1) Establish requirements for service standards and transparency of decisions.

Modernize Decision Making:

2) Establish decision making criteria to be used by ALC panel in adjudicating applications.

s.12,s.13

4) Amend the Regulation to limit the circumstances in which non-agricultural activity on farm or ranch land is permitted.

5) Expand permissions for agri-tourism activities and processing of farm products.

s.12,s.13

Page 026

Withheld pursuant to/removed as

s.12,s.13



I. Perceived Problems & Proposed Solutions

s.12,s.13

I. Perceived Problems & Proposed Solutions

s.12,s.13

II. How Will This Help?

- Responsible economic development opportunities on ALR land are supported (infrastructure, energy, on-farm businesses);
- s.13
-
- Service levels received by applicants improve;
- Public accessibility to ALC data, decision making and outcomes improves;
- Public confidence that BC's best farmland is protected is increased.

Part Six:

Examples & Case Studies Based on Modernization



Sand & gravel opportunity on Crown land in ALR:

A young entrepreneur took over his father's struggling business, found high quality gravel on Crown land and acquired a land tenure from FLNRO and a Mines Act permit. The Crown land was in the ALR, even though it was completely covered by rocks and trees. The ALC would not allow him to use the whole tenured area for his pit, as required by the Mines permitting office.

HOW WILL PROPOSAL HELP?

•Amending decision-making criteria used by ALC panels to s.13
s.13 could accommodate regional variation, s.13
s.13

•A more transparent decision making process with established service standards will provide certainty and timeliness for applicants even if the decision is unfavourable

Commercial Land Development (subdivision)

Development company purchased for resale multiple large parcels (20-40 acre each) in a semi-arid rural area that is unable to grow crops other than hay. Local government was eager for the tax revenues. Small business was eager for customers. The owner applied to subdivide the parcels that are split by a provincial highway. There is no irrigation on the land and none available. There have been few sales in 10 years, in part because the parcels are too large and are divided by a busy highway. Sub-dividing these large parcels would enable their sale, benefits to the local economy, probably fencing, wells, a few horses and the care of individual owners.

HOW WILL PROPOSAL HELP?

- Amending decision-making criteria used by ALC panels to s.13 accommodate regional variation s.13

s.13

- A more transparent decision making process with established service standards will provide certainty and timeliness for applicants even if the decision is unfavourable

s.13

Regional District (RD) Official Community Plan (OCP)

An RD completed a complex, publicly difficult OCP that directors believed would be acceptable to their constituents. The ALC refused to sign off because they opposed private land zoned for use as a campground. The RD was forced to adopt an OCP acceptable to the ALC, which will force the land owner to apply for a zoning change that the RD has already indicated it supports. The ALC did not consider the business potential in the area for campgrounds and is oblivious to the low quality of Ag land in the area.

HOW WILL PROPOSAL HELP?

s.13

•If no delegation agreement, amending decision-making criteria used by ALC panels to s.13 could accommodate regional variation, s.13 s.13 This would ensure greater consideration of economic benefit to farm family of non-farm use of ALR land.

•Expedited boundary review may remove unsuitable land from ALR.

Community Growth

A community in the northeast is surrounded by prime (Class 1) ALR land, leaving it no room for growth. The local government and ALC have worked together to develop an OCP that allows for growth, and have agreed to allow residential development in an area of ALR land bordering the community to the south. The local government has changed its zoning bylaws accordingly. Despite ALC endorsement of the OCP and the subsequent rezoning, individual applications for development in this area must still be approved by the ALC.

HOW WILL PROPOSAL HELP?

s.13



Market garden home site severance

A couple in their 70s own a market garden in rural BC. After 30 years, they want to retire. Their daughter decides to return to the farm from the city with her young child and husband. The farm has one piece of arable land and a treed, rocky section for the daughter to build a home and make the business case work for her and her family. The ALC denied the application.

HOW WILL PROPOSAL HELP?

s.13

- Amending decision-making criteria used by ALC panels to s.13
s.13 could accommodate regional variation s.13
s.13

- A more transparent decision making process with established service standards will provide certainty and timeliness for applicants even if the decision is unfavourable

Ministry of **Agriculture**

Public Interest

In January 2006, The Province announced the Gateway Transportation Program in response to growing regional congestion and to improve the movement of people, goods and transit throughout Metro Vancouver. A proposal to use approximately 90 ha of land within the ALR for the construction of the South Fraser Perimeter Road was submitted to the ALC in July 2008. The project required an application for exclusion of 90 ha of productive farm land from ALR.

HOW WILL PROPOSAL HELP?

s.13



Gas Pipeline from North East to Kitimat

A consortium of natural gas development companies apply for non-farm use of land in the North East to build a large pipeline to the West Coast. The scale of the project is currently greater than the scope allowed under the current Delegation Agreement between the Oil and Gas Commission and the ALC. Local opposition to the project is focussed on remediation of the affected land after the pipeline is decommissioned.

HOW WILL PROPOSAL HELP?

s.13

Strictly Confidential

Overview of Bill to amend the *Agricultural Land Commission Act*

Principles and Considerations

- In taking on role as Minister of Agriculture, among the expectations I was tasked with (through mandate letter) was to:

  "ensure the [Agricultural Land] Commission is working for British Columbians, balancing farmland protection with responsible economic development opportunities and the stability of farm families and the farming industry."

  Across government we began a core review process looking at organizations, like the ALC, to make sure they are best serving the people of BC.

- Government was well aware of the long standing and important role of the ALR in BC, and of the significance that British Columbians place on it.

- Through our Core Review, there are some fundamental things that don't change:
  - The ALC remains an independent decision maker.
  - The purpose of the Commission remains unchanged (it remains as stated in section 6 of the *Act*.)

***Agricultural Land Commission Act* - Proposed Amendments**

Our changes can be summarized in four key points:

- First, we are modernizing the Commission's operations;
- Second, we're recognizing B.C.'s regional differences;
- Third, we are looking to work with the sector and with the ALC to find ways to help farmers to generate increased incomes and better support food production; and
- Finally, we are making improvements in the efficiency of community-based land use planning processes.

More specifically, here's what we are doing:

Modernizing Commission Operations

- To ensure we have an ALC that is looking out for BC agriculture interests, for the ***next*** 40 years, we need to modernize its operations.

- We are looking to create some consistency with other government agencies, boards and commissions:
  - We will be establishing matters which the Commission must report to the Minister (e.g.: review of operations, performance indicators, the number and disposition of applications etc.); and
  - Allow the Minister to set service standards on which the Commission must report progress.

- In addition -- as already established in the Act -- Government will move forward with appointing a CEO, separate from the Chair.
- However, just as important to underline here: the ALC retains its independence. Nothing changes.

ALC Regions, Panel Structure and Decision-Making Authority

- We will be establishing and formalizing the existing 6 ALR regions through legislation.
- In law, we'll also be establishing:
  - The existence of a panel for each region;
  - That each region must have a minimum of 2 members, one of whom is appointed as chair of the panel and a vice chair of the Commission;
  - That panel members must be a resident in the region; and
  - Timelines to ensure minimal panel membership is maintained.
- In law, we'll also:
  - Require that the Chair must allocate all applications from a region to the panel for that region (other than under specific circumstances, such as applications reviewed as part of a delegation agreement); and
  - Ensure each regional panel has the full authority of the Commission to make decisions in the region.

Establishment of Two Zones

- Our next change goes to the recognition that B.C. has regional differences.
- As you know, our stats show that 10% of all of B.C.'s ALR land – land on the South Coast, Okanagan and Island -- generates 85% of the revenues at the farm-gate.
- By contrast, 90% of the ALR – in the Kootenay, Interior and Northern regions -- generates just 15% of total farm revenues.
- Clearly, we have a real need to protect that land which is undoubtedly in greater demand, with development and population pressures.
- At the same time, we are confronted with the fact that -- for some farmers – perhaps where the growing season is shorter… or where lower value crops are grown… it is difficult to make a go of it…That they need extra income to actually support their farming operations.
- If we are serious about supporting farming, and making sure that we have a future generation of farmers around to feed B.C. families, we need to start to be realistic about the regional differences we have in B.C.
- We are proposing setting up two ALC-administered zones:
  - Zone 1 = Island, South Coast and Okanagan panel regions.
  - Zone 2 = the rest of BC (Interior, Kootenay, North and other).
- Creation of two zones will better protect in-demand land in zone 1, which will remain status-quo, while offering the ALC more flexibility in its decision making in zone 2.
- In zone two, only, the ALC will have broader flexibility in considering non-agricultural home-based businesses, so that those farmers can continue to make a living, supporting their families and keep farming their land.
- What, specifically, these potential permitted uses will be, will be determined through a regulation – and that is something will be talking to the ALC and the agricultural industry about in the coming months.

ALC Decision-Making Criteria

- The purpose of the commission will remain as per current legislation:
  - To preserve agricultural land;
  - To encourage farming on agricultural land in collaboration with other communities of interest; and
  - 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.
- In rendering its decisions in Zone 2, the ALC must consider the purposes of the commission, but *must* also now consider:
  - Economic, cultural and social values;
  - Regional and community planning objectives; and
  - Any other considerations prescribed in regulation.

s.13

Regulation Making Authority

- We are also open to discussing with the ALC, agricultural sector and local governments whether to consider amendments (in both zones) to current regulations on "permitted use" to allow new, limited, value-added farming activities, such as food processing, on farmland.
- This responds to concerns from farmers that regulations prevent them from growing their agricultural businesses.
- The regulation making authority of the Lieutenant Governor in Council will be enhanced to facilitate those opportunities.
- Further, the regulation making authority of the LGIC will be expanded to support the other change that are being made (e.g.: additional criteria for consideration; definition of resident; timing, content, form and manner of ALC reporting; what information must be made public; etc.)

Local Government Act – Proposed Consequential Amendment

Section 879

We are also making an amendment to improve land use planning coordination with local governments – specifically:

- Require local governments to engage the ALC earlier in land use planning processes, such as Official Community Plans, before the bylaw reaches first reading.
- Currently the ALC is engaged after first reading. It is anticipated communities will get more timely and efficient decisions from better coordination.

In order to achieve this we will add a new subsection to s. 879 (of the Local Government Act) stipulating that notwithstanding the rest of s. 879, where an OCP bylaw would affect land in the ALR, the ALC must be consulted.

> *If the development of an OCP, or the repeal or amendment of an OCP, might affect agricultural land, the proposing local government must consult with the ALC, and the consultation must be early and ongoing.*

Note: Agricultural land in this context has the same meaning as in the ALC Act: land designated as agricultural land under this Act and includes agricultural land under a former Act.

Summary ~ Next Steps:

- Next week, we will move to introduce legislation. However, much work remains.
- We intend to work with the sector, the ALC and local governments on the appropriate regulations that help us to deliver on our three principles:
  - continued protection of fertile farmland;
  - support the continued growth of agriculture in B.C.;
  - and, ultimately, ensure the viability of farming families.
- We believe these modest changes support the ALC in its role as independent decision maker and farmland protector, while helping farmers get ahead and making farming a more viable career option for future generations.

ALC Modernization:
Why are we doing this, what will change and what will be the result?

Why are we doing this?

- The ALC and ALR are 40 years old.
- Globally, farmland is becoming an increasingly valuable asset, as climate change and population growth have put long term food security at the centre of the international agenda.
- The ALR is recognized by stakeholders as the most important component of ensuring long term food security, and British Columbians have developed a strong emotional attachment to the ALR.
- Any changes to the ALR or ALC that are perceived as weakening farmland protection will likely result in a significant negative reaction from both the public and the farming community.
- This government has a clear mandate from British Columbians to focus on economic development and job creation.
- Purpose of this initiative is to modernize the ALC and ALR to ensure that the ALC and ALR achieve an appropriate balance between farmland protection and economic development.

Guiding Principles:

1) Protect BC's best quality farmland;
2) Allow responsible economic development;
3) Support a sustainable farming sector that supports farm families;

s.13

5) Deliver transparent and timely ALC decisions;
6) Recognize regional and community diversity; and
7) Increase the accountability of the ALC to government.

What will change?

The ALC will be modernized, moving from a slow moving, paper based organization operating independently of the Ministry and government, to a fully digitized operation that is nimble, responsive to its clients' needs, and fully accountable to the government. This will be achieved by:

1. Amending the *ALC Act* and Regulations s.13
   s.13
2. Providing the ALC with strong, effective and accountable operational leadership.
3. Using this enhanced accountability and leadership to ensure that the permanent budget lift recently provided to the ALC is used effectively and efficiently to improve ALC operations in a way that delivers measurably better results for its clients.

Balancing farmland protection with responsive economic development

The balance between farmland protection and economic development will be refined to better protect BC's best farmland, while allowing for responsible economic development in key areas of the province.

This could be achieved in key areas of the province by:
s.13

a. The ALC is discussing options to further expand Oil and Gas Commission authorities under the Delegation Agreement to include all applications for oil and gas related non-farm uses.
b. The ALC is proposing adoption of a 'home business use' policy specific to the North East that allows for oil and gas related support businesses (e.g. welding, pipe storage, etc) on ALR land.

s.13

5. For the remaining areas of the province, and for ALR land that is not capable of, or suitable for agricultural production, the ALC Regulations, and the decision making criteria used by ALC Panels to adjudicate individual applications, could be changed to increase the range of economic opportunities available to farm families. This will include opportunities for succession, value-added farming, and limited exclusion of the poorest quality land.
    a. For example, ALC is currently considering reintroduction of the *Quarter Section General Order*, whereby subdivision applications down to a quarter section (160 acres), in the Peace River Regional District and Northern Rockies Regional District, would not require ALC approval but could be decided by local governments.
    b. As well, ALC has identified significant areas of marginal land in the East Kootenays likely to be excluded as a result of the current boundary review in that area.

s.13

s.13

What will the result be?

The proposed changes could result in:

1. An ALC that meets the highest service delivery expectations of its clients, that is fully accountable to the government for its day-to-day operations, s.13
   s.13
2. Stronger protection for BC's best farmland, increased economic opportunities for farm families s.13
   s.13

Page 046 to/à Page 070

Withheld pursuant to/removed as

s.12,s.14

ALC – Core Review – Q&A

Why are we doing this?

1) Didn't we just do a review of ALC and change its legislation and funding: why are we doing this again?

- *The recent legislative changes and budget lift were an important first step in modernizing the ALC.*
- *Further reform is necessary to complete the modernization process and ensure the ALC achieves an appropriate balance between farmland protection, the stability of farm families and supporting jobs and investment in BC.*

2) What is the problem you are trying to address?

- *The ALC does not meet government and citizen's expectations on transparency, accountability and service delivery.*
- *ALC decisions do not reflect an appropriate balance between farmland protection, the stability of farm families and supporting jobs and investment in BC.*
- *When the ALR was created, a lot of land with limited to poor farming value was included. This will help refine the land in the ALR to truly represent productive farm land in the province.*

3) How does this align with our platform, the Core Review, and the BC Agri-Food Strategy?

- *We have a strong, clear mandate from British Columbians to focus on creating jobs and growing the economy.*
- *Bold reforms are necessary to ensure that the administration of the ALR by the ALC reflects this mandate, while continuing to protect BC's best farmland.*
- *By guaranteeing the preservation of BC's best farmland (where 90% of farm revenues are generated) while allowing for responsible economic development opportunities on less productive farmland, we will maximize the total economic benefits generated from BC's farmland.*
- *Food processing and value-added agriculture makes up a large percentage of the agrifood industry's revenues. These proposals open up opportunities for value added activity, supporting our goal of reaching $14B in sector receipts by 2017.*

Consultation and Stakeholders Views

4) Consultation: the proposals are bold, and we have not consulted stakeholders or the public – are we opening ourselves to unnecessary criticism?

- *Extensive consultations on reform of both the ALC and the ALR were undertaken in 2011, and since becoming Minister I have heard from a large number of stakeholders about the need for further reform.*
- *Further, broad based consultations are not being considered at this time.*

4b: The provincial government has a number of requirements to consult with local governments and/or UBCM under the Community Charter –has/will this occur?

- *Consultation with local governments and UBCM will take place, as necessary, when the proposed policy direction is confirmed.*

5) What is the opposition going to say?

- *It was an NDP government that created the ALR in 1973, and critics may portray the changes to the ALC's administration of the ALR as weakening or dismantling of the ALR. But this criticism is unfounded. Given our mandate to grow the economy, and based on the balanced approach we are taking with these proposals, I am confident that British Columbians will support what we are doing regardless of any comments by the opposition.*
- *One point to be clear about is we are increasing protection of the provinces best farmland. The landbase that generates 90% of agriculture's revenues will be far better protected than it is today.*
- *Critics will also say we are politicizing the ALC and removing their independence. We will have to be clear that decisions on applications will continue to be made by ALC Panels and the Panels will continue to be independent of government, as they are now*

6) Which regions or local governments will support/oppose these proposals?

- *Pro-growth municipalities and regional districts that want to take greater control over their own destinies will support these proposals, as will those in key agricultural regions that want to see stronger protection for our best farmland.*

7) What is the farm industry going to say?

- *The agriculture industry broadly supports the ALR and will be in favour of stronger protections for BC's best farmland.*

- *The industry also recognizes that in order to compete on the world market they need to move up the value added continuum, and will support our proposals to allow for more innovation and value added food production in the ALR.*
- *Some landowners are frustrated by the operation of the ALC, and will support modernizing the organization and its administration of the ALR.*

8) How is the ALC going to react?

- *The key concepts behind this package have been discussed with the ALC and they are generally supportive.*
- s.13

- *The ALC will also likely not support the notion of allowing local governments to decide exclusion applications.*

9) How will British Columbians react? Don't people love the ALR for providing food security to BC?

- *Many British Columbians have an emotional attachment to the ALR and some will view any changes as weakening it.*
- *Most British Columbians do not interact with the ALC directly, so may be unaware of the frustrations experienced by some landowners and local governments in dealing with the organization.*
- *Ensuring British Columbians are aware that we are actually increasing protection for the provinces most productive farm land will be key.*
- *Stakeholder (farmer, producer) support for the changes will be crucial in delivering that information to the public.*
- *Individuals and critics may also express strong criticism about what they believe to be a lack or absence of public consultation on the changes.*
  The key to food security is to have a strong economy and open borders so that British Columbians can purchase the foods they want and need from around the world.
- *Local food is an important piece of this overall food basket, and British Columbians have a strong emotional attachment to the ALR for this reason.*
- *Further protecting BC's best farmland supports local food security.*
- *Ensuring the stability of farm families by giving them a wider range of economic development opportunities also supports local food security.*
- *That is why it is so important to balance farmland protection and economic development, which this package of proposals does.*

Modernize ALC Operations

10) Why not eliminate the ALR altogether?

- *The ALR is the foundation of the agriculture industry in B.C.*
- *British Columbians have a strong emotional attachment to the ALR (polls routinely show 95% support).*
- *The root of landowners' and local governments' concerns is not the ALR, but the administration of the ALR by the ALC.*

11) Isn't the real problem at the ALC the staff and chair? Why not just change the leadership? Will the leadership be changed as a result of these proposals?

- *The ALC lacks effective operational leadership. This will be addressed by appointing a CEO, separate from the Chair,* s.13

s.13

12) How much money will these changes save/cost?

- *There will be efficiencies and improvements in ALC operations and service levels, but these proposals are not aimed at reducing the cost of running the ALC.*
- s.13
-

s.13

s.13

Modernize ALC Decision Making

16) How will these changes help farm families?

- ***By guaranteeing the preservation of BC's best farmland while allowing for responsible economic development opportunities on other farmland. For example, by expanding opportunities for value-added farming activities like food processing or agri-tourism,*** s.13
  s.13
- ***Providing more options for succession planning will help farm families stay together and continue in the business of farming.***

s.13

s.13

21) What is prime land?

- *Prime land will be defined by a combination of its Classification in the Canada Land Inventory and its "suitability" for producing high value crops like berries, grapes and cattle, that thrive on lower quality soils. (Class 4-6 land are suitable for production of crops that generate 80% of BC's total farm revenues).*
- *Regional differences will also be considered (90% of total BC farm revenue is generated from just 10% of the ALR).*

MLA Interests

22) Doesn't this create two ALR's – one in the north that's open for business and one in the south that's closed? How is this fair?

- *90% of the BC agriculture industry's revenues are generated on just 10% of the ALR, in an area concentrated on the Okanagan, Fraser Valley and Vancouver Island. This area requires special protection.*
- *The oil and gas sector are located in the north east, where extensive tracts of farmland are available for non-farm uses.*
- *So we already have two ALRs; these proposals simply reflect that reality.*

23) All the problems you raise are specific to the North East? How does this help my community?

- *The problems with ALC accountability and transparency affect the whole province, as does the ALC's myopic focus on farmland protection at the expense of any other considerations.*

- *Modernizing the Commission and rebalancing the priorities it considers in its decisions to include our mandate on economic growth and job creation will help all regions of the province.*

24) Where is the evidence supporting your critique of the ALC? How would the ALC respond to the criticisms in your examples?

- *We have heard these specific complaints directly from landowners and local governments and they are indicative or more widespread problems with the ALC's administration of the ALR.*
- *The ALC would respond that they are acting within their mandate to protect farmland.*
- *These proposals are intended to ensure that the ALC balances farmland protection with the need for job creation and economic growth.*

Example of Proposed Changes to ALC / ALR:
ALC Decision Making Criteria

Current Rules

Section 6 of the ALC Act provides that the purposes of the Commission are:

- To preserve agricultural land;
- To encourage farming on agricultural land in collaboration with other communities of interest; and
- 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.

When assessing individual applications, ALC Panels apply a set of decision making criteria to determine whether to approve the application, reject it, or allow some variation of the original proposal. These decision making criteria are not legislated, but are set by the ALC, in policy, based on the legislative mandate provided in Section 6. The full set of criteria currently used by the Panels is provided, below, but essentially they consider the following five factors:

- The agricultural potential of the parcel and the agricultural potential of surrounding lands;
- Related agricultural concerns such as whether there will be permanent damage to agricultural capability of the land or the need for new roads, and the impact on adjacent and surrounding agricultural parcels;
- The impact on the surrounding area, including consideration of the Official Community Plan, and whether non-ALR land could be utilized for the proposed project;
- Other factors, including the personal circumstances of the applicant; and
- The provincial interest.

Proposal

s.13

For remaining areas of the Province and for ALR land that is not capable of or suitable for agricultural production, ALC regulations and decision making criteria used by ALC Panels will be changed to increase the range of economic opportunities available to farm families and businesses. This must be done in a way that is consistent with the existing legislative mandate, otherwise the mandate would have to be revised which could be highly controversial.

Section 58(3)(f) of the *ALC Act* provides the Province with the authority to make regulations "establishing the policies and procedures to be followed by the Commission in conducting its affairs, performing its duties and functions and exercising its powers."

What this suggests s.14 is that the Province has the authority, through regulation, to establish new decision making criteria for ALC Panels to use in adjudicating individual applications, as long as these criteria are still consistent with the intent of the *ALC Act*. This provides an opportunity s.13 to give greater weight to reasonable economic development opportunities and regional variations than may currently be the case. For example:

- Panels currently consider the "provincial interest" in making a decision on an application, which they assess by asking whether the proposal complies with the goals of the *ALC Act*. s.13
- s.13
-

Expanding decision making criteria while remaining within the established mandate of the ALC Act would potentially increase opportunities for: succession planning, value added farming, limited exclusion of poorest quality farmland, s.13
s.13

Current ALC Panel Decision Making Criteria

The decision making criteria currently used by Panels are as follows:

1) The Commission considers the agricultural potential of the parcel and the agricultural potential of surrounding lands.
    - One measure of agricultural potential is the Canada Land Inventory Agricultural Capability rating system (Class1-7), which is based on the range of crops that can be grown. Other parameters of agricultural potential are suitability for specific crops, productivity, and homogeneity or integrity of the farming community, both present and future.
2) The Commission considers related agricultural concerns:
    - Will the proposal benefit agriculture?
    - Is the proposed use supportive of agriculture or in conflict with it?
    - Will the proposal permanently damage the physical capability of the land for agricultural use?
    - How do the existing and proposed parcel sizes relate to the type of agriculture in the area?
    - Are there physical restrictions that significantly interfere with farm use of the property?
        - What effect or impact would the proposal have on existing or potential agricultural use of surrounding lands?
        - Would the proposal create conflicts in terms of noise, dust, odours, trespass, etc.?
        - Would the proposal generate demand for urban-type services such as sewer and water?
        - Would the proposal necessitate construction of new roads or widening of existing roads?
    - Does the proposal include any measures to reduce potential impact on surrounding lands?
    - Can the proposal be modified or should conditions be imposed to reduce potential negative impacts?
3) The Commission considers the impact on the surrounding area:
    - How do surrounding uses and parcel sizes affect use of the property for farm purposes?
    - Does the proposal meet the regional and community planning objectives for the area? For example, will the proposal require a change to the present zoning or the Official Community Plan?
    - Given a documented need for the proposal, can it be accommodated outside the ALR?
    - Are there land use issues the Commission could address to encourage or improve the agricultural use of the land or area?
    - What are the recommendations of the local government, advisory committees and other stakeholders?
    - Has funding been provided to improve the agricultural infrastructure in the area?
4) The Commission considers other factors:
    - Present use
    - Existing parcel size
    - Local government zoning and land use bylaws

- Personal circumstances

5) The Commission considers the provincial interest:
   - Does the proposal comply with the goals of the *Agricultural Land Commission Act*?

BRITISH COLUMBIA

Cabinet Submission – Request for Decision

Minister: Honourable Pat Pimm

Ministry: Agriculture

Date: 19/11/2013 Ministry Document #:

Title: [redacted]

Issue:

The current mandate, decision making framework and operational structure of the Agricultural Land Commission reduce service levels for clients, s.12,s.13 s.12,s.13 and limit the consideration of regional differences in Commission decisions. Legislative and regulatory changes are required to modernize Commission operations and decision making to improve service levels, and to ensure that the Commission achieves an appropriate balance between farmland protection, the stability of farm families and the farming industry, and responsible economic development opportunities.

Request:

Direct that the legislative, regulatory and operational changes proposed in this submission be carried through, with legislative amendments introduced in Spring 2014.

Implications and Considerations:

Commission governance and accountability structures are inadequate relative to other similar government entities in BC and require modernization. The Commission's mandate is focused primarily on farmland preservation. This government has a clear mandate to focus on economic growth and job creation. Changes to the Commission's s.12,s.13 making framework are required to improve governance, and to acheive an appropriate balance between farmland protection, the stability of farm families and the farming industry, and responsible economic development opportunities.

British Columbians have a strong emotional attachment to the Agricultural Land Reserve. Local governments and the farming industry also have a strong interest in the use and disposition of the Reserve. Any significant changes to the Reserve have the potential to be controversial with the public, local communities and farmers.

BRITISH COLUMBIA

Background / Context:

In June 2010, Cabinet directed the Minister of Agriculture to work with the Chair of the Commission to review Commission operations, policy and legislation. In November 2010, the Chair provided his report to the Minister of Agriculture with eight recommendations for change. In September 2010, the Auditor General also published a report on the Commission, with nine recommendations for change (Appendix A).

In July 2011 the Minister of Agriculture made a submission to Cabinet recommending s.12,s.13 and in Ocober 2011 the Minister made a request to Treasury Board for transitional funding for the Commission. Subsequent legislative and fiscal changes were made to provide the Commission with the authorities and resources required to better fulfil its mandate (Appendix A).

s.12,s.13

s.12,s.13 In *Budget 2013* the Commission was provided with a permanent lift to its budget (Appendix B).

In June 2013 the Premier wrote to the Minister outlining her expectations. These included that the Minister ensure the Commission delivers on improvements promised from the 2013 budget increase, and that he propose any changes necessary to ensure the Commission is working for British Columbians, balancing farmland protection with responsible economic development opportunities and the stability of farm families and the farming industry (Appendix C).

On November 7, 2013 and November 30, 2013 the Minister presented a number of proposals to the Cabinet Working Group on Core Review to modernize the Commission in line with the Premier's expectations. The proposals in this submission reflect the direction provided to the Minister by the Cabinet Working Group on Core Review.

BRITISH COLUMBIA

Options:

1) Modernize Commission operations by:
   a) Appointing a CEO, separate from the Chair;
   b) Filling vacancies on the six regional panels;
   c) Increasing Commission accountability through regulatory amendments that will:
      i. Set service standards for the Commission;
      ii. Require the Commission to report to the Ministry on its performance;
      iii. Require the Commission to publish service standards and decisions;
      iv. Enable applicants to attend hearings and make presentations;
   d) Ensuring the Minister has sufficient legislative authority to issue policy direction to the Chair, similar to other boards and commissions (e.g. through a LoE).

Pros: Improved and predictable service levels, consistent with other such Commissions; stronger operational accountability; continued independence for, but increased transparency of, Panel decision making.

Cons: Reduced operational independence; increased hearing costs for Commission.

s.12,s.13

3) Amend the *Local Government Act* (or issue policy guidelines under that Act) to require Commission and local governments to engage early in land use planning.

Pros: More efficient, predictable and consistent land use planning.

Cons: None.

4) Amend the *ALC Act* to create two ALR zones. Maintain the status quo in Zone 1; increase flexibility in Zone 2 by applying options 5 to 8 in Zone 2 only.
   - Zone 1:Defined s.12,s.13
   s.12,s.1 , or by region (e.g. Island, South Coast and Okanagan);
   - Zone 2: Defined s.12,s.13
   s.12,s.1 , or by region (e.g. Interior, Kootenay, North).

Pros: Most productive farmland protected; greater flexibility on less productive land.

Cons: Weakened farmland protection in Zone 2 (90% of the Reserve). Defining zones by region is conceptually and administratively simple, s.12,s.13 s.12,s.13 may not coincide with local government boundaries. s.12,s.13 s.12,s.13

5) Zone 2 only: Amend the *ALC Act* to s.12,s.13 or amend the decision making criteria used by Panels (in regulation), to consider a broader array of factors than just farmland preservation.

Pros: Greater flexibility on less productive farmland. Protection of most productive land.

Cons: Weakened protection in Zone 2 (90% of the Reserve). Potentially conflicting mandates for panels (e.g. farmland preservation and economic development).

6) Zone 2 only: Amend regulations under the *ALC Act* to increase economic opportunities for farm families in: value-added agri-food production; s.12,s.1 s.12,s.13

Pros: Increased competitiveness for farming industry and farm families.

Cons: Amount of farmland available for primary production is reduced, by allowing activities within the Reserve that would otherwise be located off-farm.

s.12,s.13

Treasury Board Secretariat are in agreement with this analysis of the fiscal impacts.

Policy:

There are no labour relations, legal or constitutional implications from these proposals. There will not be any implications for treaties or negotiations.

Legislation:

Legislative amendments to the *ALC Act* will be required and are included in the Ministry of Agriculture's three year plan for Spring 2014 introduction.

Stakeholders and Citizens:

Treaty First Nations will require notification of proposed legislative amendments. Local governments, industry and the public were consulted extensively in 2010 on reform of the Commission, but have not been consulted on the specific changes now being proposed. The Commission was consulted on most of the notions raised in this submission but has not been consulted on the specific changes proposed.

[redacted]

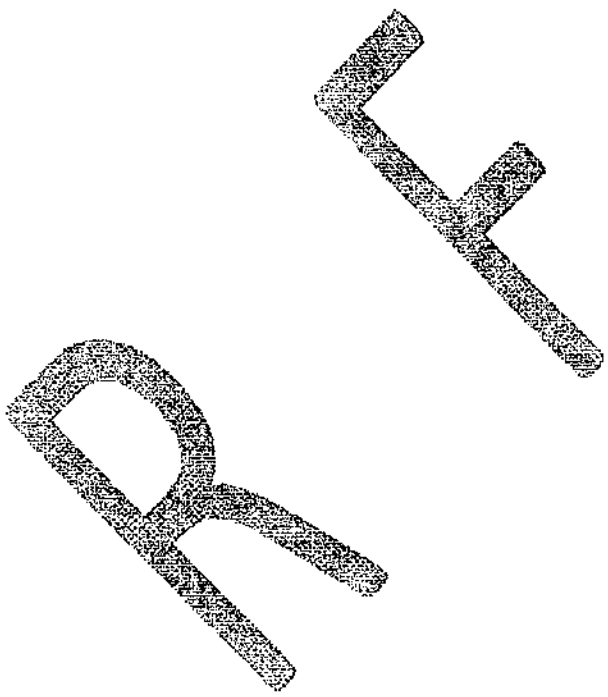
Contact: David Coney, Policy Manager.

BRITISH COLUMBIA

(250) 387-3232

Honourable Pat Pimm

Date Signed



Appendix A – Summary of Recommendations and Government Decisions

Issue	ALC Chair's Recommendation	Auditor General's Recommendation	Ministry Recommendation	Cabinet and Treasury Board direction
Boundary Reviews	Conduct BR based on capability and suitability.	Ensure boundaries are accurate based on capability and suitability.	Conduct BR based on capability and suitability.	Conduct BR in Kootenay, Interior and North. ***Budget lift provided.***
Restricting Applications	Restrict applications during and after boundary reviews based on criteria to be developed.	Seek government support to more effectively preserve agricultural land.	Restrict applications during and after boundary reviews based on criteria to be developed.	Enable CEO to dismiss repeat applications (i.e. that are substantively the same as one received in last 5 years. ***Legislation changed.***
Differentiating *bona fide* farmers from non-farmers.	Do not define bona fide farmers.	Seek government support to encourage farming through the application process.	Do not define bona fide farmers.	No change.
	Streamline non-farm use proposals for farmers.		Modernize regulation regarding farm use.	No change.
ALC Mandate to Encourage Farming.	Increase focus on this aspect of the mandate.	Increase collaboration with others to encourage farming.	Increase collaboration with others to encourage farming.	Increase collaboration with others.
Compliance and Enforcement (C&E)	Enhance legislative authorities.	Ensure robustness of C&E program.	Enhance legislative authorities.	Enhance legislative authorities ***Legislation changed.***
	Provide additional resources.		Identify additional resources within govt.	Enable use of non-ALC staff for C&E ***Budget lift provided.***
Information Technology and Mapping	Assess ability of other agencies to support completion of ongoing improvements within 1-2 years before providing additional resources.	Prioritize completion of ongoing projects.	Assess ability of other agencies to support completion of ongoing improvements within 1-2 years before providing additional resources.	Digitize maps and records, adopt an online application system, hire necessary staff. ***Budget lift provided.***
Commission Governance	Move from six regional panels to a single provincial panel with regional representation.	Not Applicable.	Move from six regional panels to a single provincial panel with regional representation.	Enable Chair to refer a Panel decision to Exec Committee if deemed inconsistent with intent of Act. ***Legislation changed.***
Commission Secretariat	Separate Chair and CEO.	Not Applicable.	Separate Chair and CEO.	Hire CEO, separate from Chair.
	Move CEO appointment from OIC to Commission.		Retain CEO appointment as OIC	Retain as OIC appointment.
Subdivision for Homesite.	Maintain current policy on Homesite Severance	Not Applicable.	Maintain current policy on Homesite Severance	No change
Subdivision for Inter-Generational Transfers.	Develop IGT solutions other than subdivision	Not Applicable.	Develop IGT solutions Other than subdivision	No change
Fee Generation	Not applicable	Not applicable	Allow ALC to increase fees and introduce new fees	Allow ALC to increase fees and introduce new fees. ***Legislation changed.***

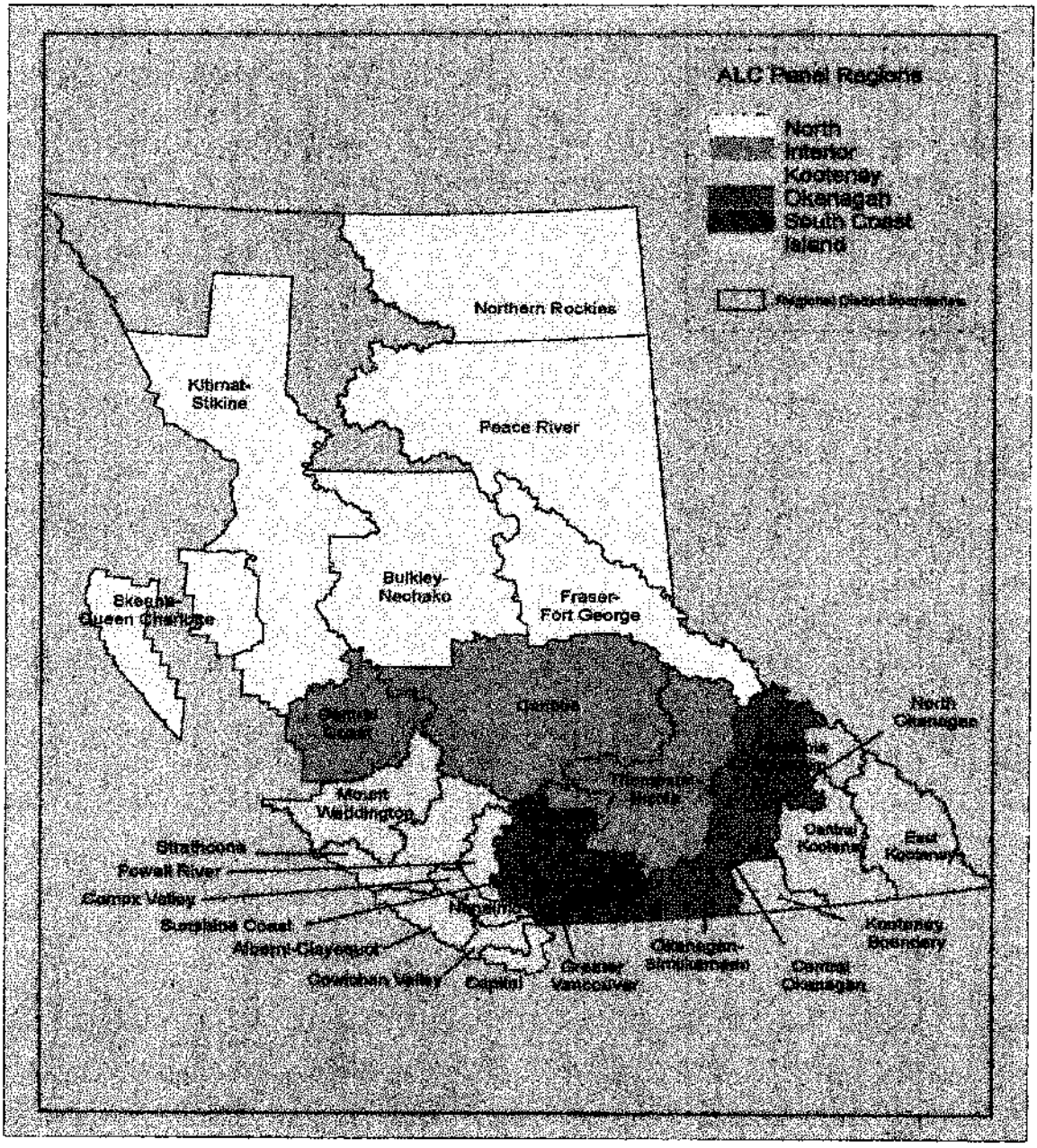
Appendix B: ALC Budget: 2011- 2016 ($ millions)

Fiscal Year	2011/12	2012/13	2013/14	2014/15	2015/16
Base	1.97	1.97	2.905	3.516	3.391
Contingency	0.625	0.975			

Appendix C: Minister's Mandate for Change:

1) Ensure the ALC is delivering on the improvements promised arising from the budget increase it received in *Balanced Budget 2013*.
2) Ensure the ALR is working for BC and propose any changes necessary. These changes must successfully balance our desire to protect valuable farmland while allowing for responsible economic development opportunities.
3) Bring forward ALR changes that will further encourage the stability of farm families and the farming industry in BC.

Appendix D: Current Agricultural Land Reserve Panel Regions



ISSUE: AGRICULTURAL LAND COMMISSION (ALC)

RECOMMENDED RESPONSE:

- **The mandate for the Minister of Agriculture includes:**
  - **Ensure the ALC is delivering on the improvements promised arising from the budget increase it received in *Balanced Budget 2013*.**
  - **Ensure the ALR is working for BC and propose any changes necessary. These changes must successfully balance our desire to protect valuable farmland while allowing for responsible economic development opportunities.**
  - **Bring forward ALR changes that will further encourage the stability of farm families and the farming industry in BC.**
- **Budget 2013 provided an additional $4 million over 3 years to support the ALC to improve its administration and fulfill its mandate.**
- **On March 27, 2014, I introduced Bill 24 – Agricultural Land Commission Amendment Act, 2014, proposing that:**
  - **The ALC will remain a fully independent tribunal and decision-maker.**
  - **Two ALC zones will be created. In Zone 1, ALC decisions will continue to be made on the basis of the original principle of preserving agricultural land. In Zone 2, decisions will include additional considerations to provide farmers with more flexibility to support their farming operations.**
  - **The ALC's existing six regions and six regional panels will be formailized into law**
  - **Local governments will engage the ALC earlier in land use planning.**
  - **ALC's operations will be improved through enhanced governance and accountability frameworks and service standards.**

- **The Ministry will initiate discussions with the ALC, the agricultural sector and the Union of BC Municipalities on how to best support new opportunities for limited, value-added farming activities on farmland.**

ISSUE: Agricultural Land Commission (ALC) – ALC Transitional Projects

BACKGROUND:

- In February 2013, government, in its Balanced Budget 2013, announced additional funding for the ALC of $4 million over the next 3 years, re-emphasizing the commitment to help the ALC become a stronger organization and transition to a more self supporting model.
- Since early 2012, the ALC has been carrying out several projects related to enhancing its capability to carry out proactive land use planning, conduct ALR boundary reviews and increase compliance and enforcement activities. The projects include digital mapping, data base capture and conversion and the development of website tools that will enable stakeholders, ALC Commissioners and staff greater access to information.

Transitional Project Status

- The ALC continues to work with a contractor on a web-based and interactive self-help portal to enable users to access to data, historical file information, ALR mapping and ALR application status details. The contractor is working on linking the database to the ALC's digital spatial information (ALR maps, agricultural capability maps, etc.).
- The ALC has completed a draft online ALC application form that has recently undergone user testing and is now being fine-tuned based on the testing feedback.
- The ALC is now working with a web design firm to develop a new and improved website that links to the online application form and portal.
- The new web design and portal are focused on electronic submission of applications and file management and provide for better access to information by applicants and the general public.
- ALC's Business Application and data base; the Online Application Tracking System (OATS) fixes and upgrades are ongoing.
- Scanning of historical ALR application maps containing the ALC's 40 year application history is complete.
- Retrieve paper based application files to verify digital mapping of properties, to enter application data into OATS and to scan relevant historical file documents – estimated 27,000 files. Work to date:
  - Approximately 6,500 files with data entered into OATS, file documents scanned and GIS mapping verified.
  - Approximately 24,000 files with file documents scanned (Data entry and GIS mapping verification ongoing)

CROSS JURISDICTIONAL COMPARISON:

- BC's approach to agricultural land preservation is unique and is not comparable to other jurisdictions – domestically or internationally.

PROGRAM EXPENDITURE / REVENUE IMPLICATION (IF APPLICABLE):

- The ALC will continue with its transitional projects with resource allocation from the additional $4 million over three years it received commencing in fiscal year 2013/14.

Approved by:	Prepared by:	Alternate Contact:
Brian Underhill, ALC Executive Director	Brian Underhill	Colin Fry, Executive Director
Date approved: February 6, 2014	ALC	ALC
Phone: (604) 660-7006	Phone: (604) 660-7028	Phone: (604) 660-7006
Cell: (604) 862-2337	Cell: (604) 250-9950	Cell: (604) 862-2337

Budget Note - Agricultural Land Commission

BACKGROUND:

- The Agricultural Land Commission (ALC) is an administrative tribunal established under the *Agricultural Land Commission Act*. The ALC is the provincial agency responsible for administering the Agricultural Land Reserve (ALR), a provincial land use zone in favour of agriculture and the resource base on which the business of agriculture takes place.
- The current annual operating budget is $2.905 million. The ALC receives 600 to 700 new applications and planning related referrals each year, with considerable variation in content and complexity.
- On November 14, 2011, following an extensive review of the ALC and ALR, the Ministry announced approval of up to $0.625 million in contingency funding for the ALC for 2011/12, and up to $0.975 million in contingency funding for 2012/13.
- The Ministry of Agriculture's 2013 Budget Letter provided an additional $4 million over three years for the ALC ($0.931 million in 2013/14, $1.542 million in 2014/15, and s.17 , and directed the Ministry to provide Treasury Board (TB) with a Progress Report by August 1, 2013 on use of the funds by the ALC.
- s.13

- The expected outcomes with respect to the additional ALC funding were as follows:
  - Ensure ALR boundaries are accurate and include land that is capable of and suitable for agricultural use.
  - Engage in proactive long-term planning with local governments to encourage farming.
  - An ALC that moves away from being reactive and focussed on applications towards becoming a proactive planning organization.
  - Work with Fraser-Fort George Regional District to address ALC concerns regarding the delegated decision-making agreement with the district.
  - Work with the Oil and Gas Commission (OGC) to develop an action plan to implement the recommendations of the 2009 audit regarding delegated decision making.
  - Ensure the ALC has a sufficiently robust compliance and enforcement program.
  - Prioritize completion of the new database and finalize conversion of original paper ALR maps into a digitalized format.
  - Evaluate and report publicly on the collective impacts of ALC decisions on applications and its broader policy decisions.
- s.13

s.17

- **PROGRAM EXPENDITURE / REVENUE IMPLICATION (IF APPLICABLE):**

Budget ($ Millions)

2012/13	2013/14	2014/15	2015/16
1,974	2,905	3,516	s.17

Approved by:	Prepared by:	Alternate Contact:
ADM Name: Melanie Steward	Name: David Coney	Name: Gavin Last
Date approved by ADM: XXX	Branch: CGPL	Branch: CGPL
Phone:	Phone: 250 387-3232	Phone: 250 356-7640
Cell:	Cell: 778-678-4652	Cell: 250 889-2223

BACKGROUND:

- In 2010, the Chair of the ALC and the Auditor General of BC (AGBC) published separate reports making a number of recommendations to strengthen the Agricultural Land Reserve (ALR), and enhance the ALC's ability to encourage agriculture.
- Based on the AGBC's and ALC Chair's reports, legislative amendments were made that came into effect on November 24, 2011.
- On November 14, 2011, the Ministry announced approval of up to $0.625 million in 2011/12 and $0.975 million in 2012/13 of contingency funding for the ALC.
- The Ministry of Agriculture's 2013 Budget Letter provided an additional $4 million over three years for the ALC ($0.931 million in 2013/14, $1.542 million in 2014/15, and s.17 to support the ALC to improve its administration and deal proactively with emerging issues. The ALC continues to work on implementing these improvements.
- On June 10, 2013, the Premier wrote to the Minister of Agriculture outlining her expectations. There were three items related to the ALC and ALR:
  1) Ensure the ALC is delivering on the improvements promised arising from the budget increase it received in *Balanced Budget 2013*.
  2) Ensure the ALR is working for BC and propose any changes necessary. These changes must successfully balance our desire to protect valuable farmland while allowing for responsible economic development opportunities.
  3) Bring forward ALR changes that will further encourage the stability of farm families and the farming industry in BC.
- The expected outcomes with respect to the additional ALC funding were as follows:
  1) Ensure ALR boundaries are accurate and include land that is capable of and suitable for agricultural use.
  2) Engage in proactive long-term planning with local governments to encourage farming.
  3) An ALC that moves away from being reactive and focussed on applications towards becoming a proactive planning organization.
  4) Work with Fraser-Fort George Regional District to address ALC concerns regarding the delegated decision-making agreement with the district.
  5) Work with the Oil and Gas Commission (OGC) to develop an action plan to implement the recommendations of the 2009 audit regarding delegated decision making.
  6) Ensure the ALC has a sufficiently robust compliance and enforcement program.
  7) Prioritize completion of the new database and finalize conversion of original paper ALR maps into a digitalized format.

Evaluate and report publicly on the collective impacts of ALC decisions on applications and its broader policy decisions.

Bill 24 – introduced on March 27, 2014, proposes a number of amendments to the ALC Act:

ALC Operations

- Appoint a CEO, separate from the Chair.

- Allow govt to set service standards and increase the reporting requirements for ALC to the Minister, consistent with other government agencies, boards and commissions.

ALC Panel Structure

- Establish the 6 ALR regions in law.
- Require that a panel be established for each region.
- Require that the Chair allocate all applications from a region to the panel for that region.
- Regional panels will have a minimum of 2 members, one of whom will be appointed as vice chair for the panel. Members must be resident in the region

Two Zones

- Establish two ALR zones:
  - Zone 1 = Island, South Coast and Okanagan panel regions.
  - Zone 2 = the rest of BC (Interior, Kootenay, North and other).

ALC decision making criteria

- The purpose of the commission will remain as per current legislation:
  - to preserve agricultural land;
  - to encourage farming on agricultural land in collaboration with other communities of interest; and
  - 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.

- In rendering its decisions in Zone 2, the ALC must consider the purposes of the commission, but must also now consider:
  - economic, cultural and social values,
  - regional and community planning objectives,
  - any other considerations prescribed in regulation.

CROSS JURISDICTIONAL COMPARISON:

- Three provinces in Canada have developed agriculture "districts" where agriculture is recognized as the priority use: BC in 1973; Quebec in 1979; and most recently, Ontario in 2005.
- The Ontario Greenbelt Plan is broader than BC's ALR, providing protection for agricultural and environmental values and a wide range of recreational and tourism uses.
- Quebec's Commission de Protection du Territoire Agricole is similar to the ALC, operating under the *Law on Protection of Agricultural Land and Agricultural Activities* to protect farmland for agriculture, and restrict its use for non-agricultural purposes. Quebec's agriculture zone encompasses 6.3 million hectares (ALR = 4.7 million hectares). The 2012-13 budget for the Commission was $9.096 million (ALC = $2.905 million).

PROGRAM EXPENDITURE / REVENUE IMPLICATION (IF APPLICABLE):

- The ALC's 2013-14 budget is $2.905 million.
- Budget 2013 provides an additional $0.931 million in 2013/14, $1.542 million in 2014/15, and s.17 in 2015/16 for the ALC.

Budget ($ Millions)

2012/13	2013/14	2014/15	2015/16
1,974	2,905	3,516	s.17

Approved by:	Prepared by:	Alternate Contact:
ADM Name: James Mack	Name: David Coney	Name: Gavin Last
Date approved by ADM: XXX	Branch: CGPL Branch	Branch: CGPL Branch
Phone: 250 356-1821	Phone: 250 387 3232	Phone: 250 356 7640
Cell:250-415-1762	Cell: 778 678 4652	Cell: 250 889 2223

ISSUE: CORE REVIEW of ALC and ALR

RECOMMENDED RESPONSE:

- From time to time, we need to look at organizations like the ALC, to make sure as an organization it is serving the people of BC the best it can.
- Our Core Review is looking at how the ALC and ALR can:
    - Help grow BC's diverse agricultural sector ;
    - Continue to protect farm land; and
    - At the same time, better support farm families and responsible growth of BC's diverse agricultural sector.
- The Core Review is also looking at giving the Commission the modern tools it needs to continue making independent land decisions.
- The Core Review process will not impact the Commission's budget.
- On March 27, 2014, on behalf of Minister Pimm, I introduced Bill 24 – *Agricultural Land Commission Amendment Act*, 2014, proposing that:
    - The ALC will remain a fully independent tribunal and decision-maker.
    - Two ALC zones will be created. In Zone 1, ALC decisions will continue to be made on the basis of the original principle of preserving agricultural land. In Zone 2, decisions will include additional considerations to provide farmers with more flexibility to support their farming operations.
    - The ALC's existing six regions and six regional panels will be formalized into law.
    - Local governments will engage the ALC earlier in land use planning.
    - ALC's operations will be improved through enhanced governance and accountability frameworks and service standards.

- **The Ministry will initiate discussions with the ALC, the agricultural sector and the Union of BC Municipalities on how to best support new opportunities for limited, value-added farming activities on farmland.**

BACKGROUND:

- Terms of Reference for the Core Review process were released on July 31, 2013.
- The Minister Responsible for Core Review confirmed the ALC and ALR would be reviewed as part of the Core Review on July 31, 2013.
- Letters were sent to Ministers on September 23, 2013, outlining how the Cabinet Working Group on Core Review will carry out its evaluation of all government programs and services.
- The review will include targeted industry and stakeholder consultations with recommendations expected before the end of fiscal year 2013/14 and completion of the process by December 31, 2014.
- The purpose of Core Review is to ensure the best possible use of government resources and respect for the interests of taxpayers, and to ensure that we are structured for success on our objectives.
- There are 4 phases to the Core Review Process:
    - Mandate Review (Oct – Dec 2013);
    - Refinement (winter 2013 – spring 2014);
    - Implementation; and,
    - Monitoring of Targets.

Bill 24 – introduced on March 27, 2014, proposes a number of amendments to the ALC Act:

ALC Operations

- Appoint a CEO, separate from the Chair.
- Allow government to set service standards and increase the reporting requirements for ALC to the Minister, consistent with other government agencies, boards and commissions.

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- Require that a panel be established for each region.
- Require that the Chair allocate all applications from a region to the panel for that region.
- Regional panels will have a minimum of two members, one of whom will be appointed as vice chair for the panel. Members must be resident in the region

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    - to encourage farming on agricultural land in collaboration with other communities of interest; and

  - 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.
- In rendering its decisions in Zone 2, the ALC must consider the purposes of the commission, but must also now consider:
  - economic, cultural and social values,
  - regional and community planning objectives,
  - any other considerations prescribed in regulation.

CROSS JURISDICTIONAL COMPARISON:

N/A

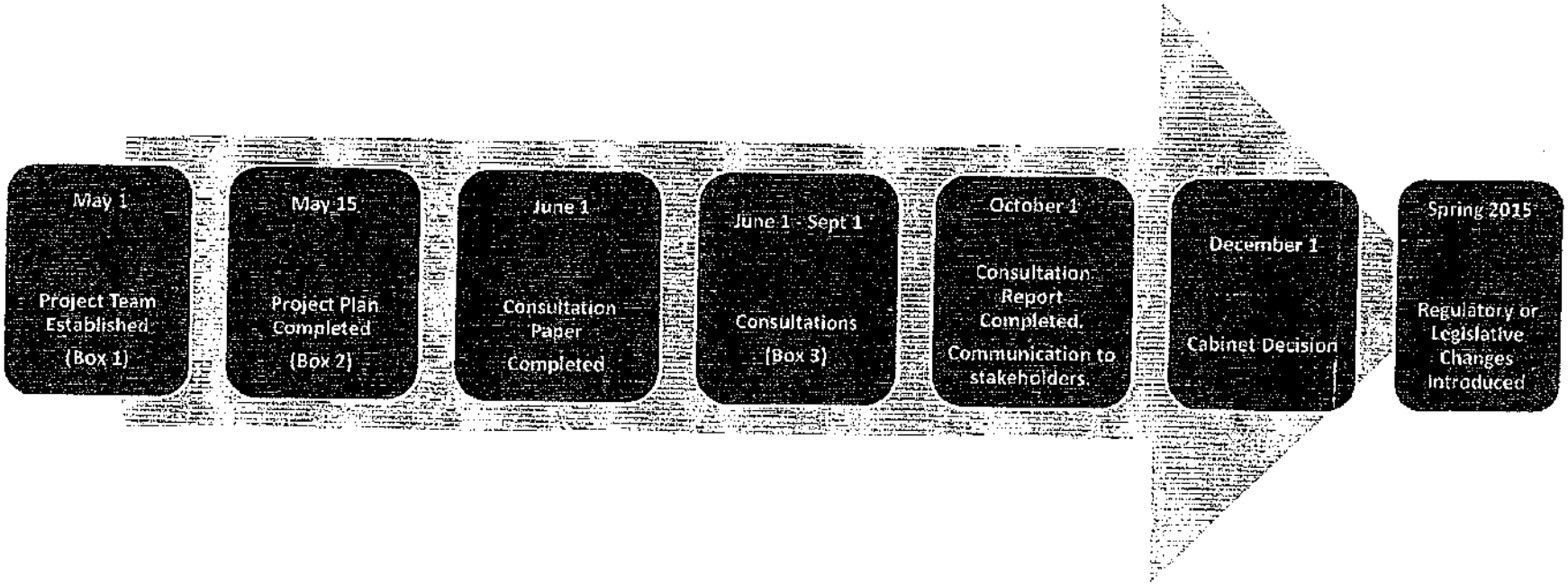
PROGRAM EXPENDITURE / REVENUE IMPLICATION:

- There are no cost implications for the Core Review, but in fact, it is expected that cost savings will be found.

- Core Review is seeking ways for government to be smarter with less money by looking for duplication and overlap between ministries and identifying programs that can be restructured to reduce costs and improve outcomes for the public.

Approved by:	Prepared by:	Alternate Contact:
DM: Derek Sturko	Name: Heather Langton	Name: David Coney
Date approved by DM: April 2, 2014	Branch: DMO	Branch: CGPL
Phone: 250-356-1800	Phone: 250-356-5126	Phone: 250-387-3232
Cell: 250-360-6592	Cell: 250-818-8523	Cell: 778-678-4652

ALC Core Review – Regulation Development Plan



Box 1 – Project Team
• AGRI (cross-ministry group)
• ALC
• BC FIRB
• CSCD / BC Assessment

Box 2 – Project Plan
• Scope Statement
• Consultation Plan
• Communications Plan
• Budget

Box 3 – Consultation Groups	Form of Consultation
• Key industry groups	In person
• UBCM and key Local Govts	In person
• Minister's Advisory Committee	In person
• FN	In person
• Special Interest and Expert Groups	In person
• General Public	Web-based

Wong, Jane T AGRI:EX

From: Pimm.MLA, Pat <Pat.Pimm.MLA@leg.bc.ca>
Sent: Thursday, November 28, 2013 3:24 PM
To: Minister, AGRI AGRI:EX
Subject: FW: Fwd:
Attachments: Final Monday 25th.pdf

Celine Southwick
Constituency Assistant
Pat Pimm, M.L.A.
(Peace River North)
Fort St. John BC
(250) 263-0101

-----Original Message-----
From: s.22
Sent: November 28, 2013 3:55 PM
To: Pimm.MLA, Pat
Subject: Fwd:

Sorry Mr. Minister, I had some problems in sending you a copy of my letter to the Premier, and since then recieved this adress.. s.22

----- Forwarded Message -----
From s.22
To: "Chrisy Clark" <Premier@gov.bc.ca>
Cc: "Bill Bennett" <bill.bennett.mla@leg.bc.ca>, s.22 Commission, ALC, ALCBurnaby@Victoria1.bc.ca, s.22 . "Lory Throness" <L.Throness@leg.bc.ca>, "John Van Laerhoven" <jvanlaerhoven@district.kent.bc.ca>, "W Mah" <wmah@district.kent.bc.ca>
Sent: Tuesday, November 26, 2013 1:15:43 PM
Subject: Fwd:

Dear Premier, I may not be a elegant letter writer, but I am concerned about the community I live in.

I may not see that all happen, in my live time, but the consequences what the next generation has to live with is tremendous.

I hope that you will stand up to the principals the ALR was created for .To protect Farmland not old

Buildings in that someone may have a start on to contribute to the local economy. Thats how this Country was build..

Sincerely s.22

Janaury 30, 2014

File: 0280-30
Ref: 179091

s.22

Dear s.22

Thank you for your recent letter, addressed to the Honourable Christy Clark, Premier and for sharing your thoughts on the Core Review of the Agricultural Land Commission (ALC) and the Agricultural Land Reserve (ALR). As the Minister of Agriculture, I am pleased to respond.

From time to time we need to look at organizations, like the ALC, to make sure it is serving the people of British Columbia the best it can. There has been a lot of attention paid to this Core Review process, which shows the enormous support all British Columbians have for good farmland in British Columbia, along with the ALR and its role in protecting it.

Be assured that even though the ALC is part of the Core Review process, there are some fundamental things that will not change; this includes the ALC retaining its independence and continuing to preserve land for future generations. The Core Review is not examing the ALC's budget, which government actually increased last year, providing an additional $4 million over three years to support boundary reviews, hiring of staff and other priority work.

Our Core Review is instead looking at how the ALC and ALR can grow B.C.'s diverse agricultural sector. This includes finding ways to address concerns from farmers who need help growing their businesses and earning a living; ways to support farming families in continuing to produce food on our fertile land; and ensuring the Commission has the modern tools necessary to continue making independent land decisions for the next forty years.

Thank you for writing and sharing your thoughts with me. I trust this information is helpful in clarifying the focus of our Core Review of the ALC.

Sincerely,

Original signed by

Pat Pimm
Minister

pc: Honourable Christy Clark
Premier

Wong, Jane T AGRI:EX

Subject: FW: ALR/ALC
Attachments: Farmland.doc

From: Barry s.22 Loucks [mailto: s.22
Sent: Thursday, November 28, 2013 9:39 PM
To: Minister, AGRI AGRI:EX
Subject: ALR/ALC

Dear Minister Pimm

I have attached a copy of a letter which is to Premier Clark from the Blenkinsop Valley Community Association (BVCA) regarding the ALR and the ALC.

With thanks

Barry Loucks
for the BVCA directors

BLENKINSOP VALLEY COMMUNITY ASSOCIATION
info@bvcanews.com PO Box 30063, 3989 Quadra St., Victoria BC, V8X 5E1 www.bvcanews.com
250-477-8539

November 26, 2013

Premier Christie Clark
PO BOX 9041
STN PROV GOVT
VICTORIA, BC
V8W 9E1

Re Farmland Protection

Dear Premier Clark

The directors of the Blenkinsop Valley Community Association (BVCA) are feeling concern about possible changes to the governance of the Agricultural Land Reserve (ALR) and the Agricultural Land Commission (ALC) as described in recent media articles.

We would like to express our support for the ALR and encourage its protection. We also would like to see the ALC retain its autonomy and that it be adequately funded so that it can fulfill its mandate.

We are not in favour of dividing the ALR into two areas which have different levels of protection.

It is our feeling that agricultural space needs to be retained, not just arable land. Many farming activities can utilize nonarable land. Soil of borderline farming quality has the potential to be enhanced. Less desirable land does provide biodiversity and habitat for pollinators.

Yours truly

B.A. Loucks
For the BVCA directors

Cc Honourable Pat Pimm
Honourable Bill Bennett
Saanich Council

Wong, Jane T AGRI:EX

Subject: FW: ALR/ALC

From: Pimm.MLA, Pat [mailto:Pat.Pimm.MLA@leg.bc.ca]
Sent: Thursday, February 13, 2014 10:20 AM
To: Minister, AGRI AGRI:EX
Subject: FW: ALR/ALC

Hello Sarah and Don,

Over to you

Celine

From: s.22
Sent: February 12, 2014 6:44 PM
To: premier@gov.bc.ca; Pimm.MLA, Pat; Bennett.MLA, Bill; Simons.MLA, Nicholas; contact@farmlandprotection.ca
Subject: ALR/ALC

s.22

Premier Clark,
During the last provincial election campaign, the BC Liberal party did not campaign on plans to modify or scrap the Agricultural Land Commission or Agricultural Land Reserve. You have no mandate to make the changes that were detailed in cabinet documents released – not by your government but by the Globe and Mail – and I ask that you immediately withdraw them from consideration.
Specifically, I call on the provincial government to:
1. Retain the Agricultural Land Reserve as one zone for the whole province.
2. Retain the Agricultural Land Commission as a province-wide, independent administrative body with judicial powers, as it is now.
3. If changes beyond those from 2010 are to be considered, conduct a meaningful public consultation process with the ALC and those affected by its decisions: farmers, ranchers, and the citizens of BC.
Signed,
s.22

Premier Christy Clark –
Minister of Agriculture Hon. Pat Pimm –
Minister of Energy and Mines, and Minister Responsible for the Core Review Hon. Bill Bennett –
Opposition Critic for Agriculture Nicholas Simons –
The Farmland Protection Coalition:

Wong, Jane T AGRI:EX

Subject: FW: New submission from Feedback

From: OfficeofthePremier, Office PREM:EX
Sent: Wednesday, November 27, 2013 3:27 PM
To: s.22
Cc: Minister, AGRI AGRI:EX
Subject: RE: New submission from Feedback

Thank you for your email, s.22 We appreciate your taking the time to share your concerns with us regarding the previously proposed changes to the Agricultural Land Reserve. As you may be aware, the Agricultural Land Commission (ALC) is an independent body and acts separately from the government. The Premier and the Honourable Pat Pimm, Minister of Agriculture, have been clear that government understands and respects the Agricultural Land Commission's independence. We can assure you that we are committed to ensuring the protection and preservation of agricultural land in British Columbia.

On your behalf, we have sent a copy of your correspondence to Minister Pimm and have been advised that a Ministry staff member will be contacting you at the earliest convenience to further discuss your concerns.

Thank you again for writing and we wish you all the best over the Holiday Season.

Cc: Honourable Pat Pimm

From: s.22
Sent: *November 22, 2013 10:10 AM*
To: Clark.MLA, Christy
Subject: New submission from Feedback

Name:

s.22

Email:

s.22

Phone:

s.22

Message:

Dear Ms Clark,

Im a farmer on Vancouver Island and I am gravely concerned about the proposed changes to the ALC. The integrity of the agricultural land reserve directly affects the viability of my farm. I am also worried about the impact this will have on the food supply of British Columbia. The agricultural sector is very important to British Columbians and we need resources put into maintaining our land base.

I would like the opportunity to meet with you or your staff at your earliest convenience.

s.22

Wong, Jane T AGRI:EX

Subject: FW: 179073 -- ALC - letter to Premier

From: Scott, Melissa AGRI:EX
Sent: Monday, February 3, 2014 11:05 AM
To: Wong, Jane T AGRI:EX
Subject: FW: 179073 -- ALC - letter to Premier

Call has been completed as requested.

Thank you,

Melissa Scott

Ministry of Agriculture, Executive
Agriculture, Science and Policy Division
5th Floor, 808 Douglas Street
Victoria, BC V8W 2Z7
Phone: 250-356-1821
BB: 778-679-1773
Fax: 250-356-7279
email: melissa.scott@gov.bc.ca

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From: Warwick, Julene AGRI:EX
Sent: Wednesday, January 29, 2014 2:57 PM
To: Scott, Melissa AGRI:EX
Cc: Sooch, Baljeet K AGRI:EX
Subject: FW: 179073 -- ALC - letter to Premier

Here is David's synopsis of his meeting with s.22 Alana has seen this synopsis.

Julene Warwick
Office Manager
Corporate Governance, Policy & Legislation Branch
Ministry of Agriculture

250 356-2944

From: Coney, David AGRI:EX
Sent: Wednesday, January 29, 2014 8:57 AM
To: Warwick, Julene AGRI:EX
Subject: 179073 -- ALC - letter to Premier

Synopsis of discussion below, as requested.
Cheers
David

David Coney
Policy Manager
B.C. Ministry of Agriculture
Tel: 250 387 3232

From: s.22
Sent: Tuesday, January 28, 2014 7:52 PM
To: Coney, David AGRI:EX
Subject: RE: ALC - letter to Premier

Thanks David,

It was really good to re-connect with you too. I felt like you were really listening, and I appreciate it. Your summary is accurate. Thanks for passing this along.

Sincerely,

s.22

From: David.Coney@gov.bc.ca
To: s.22
Date: Tue, 28 Jan 2014 15:58:52 -0800
Subject: RE: ALC - letter to Premier

Hi s.22
It was nice to see you again today, thanks for your time, and thanks for sharing your concerns about the Core Review of the ALR.
Based on our conversation I would summarize your concerns as follows:

- It is important to continue to protect *all* of BC's scarce farmland, not just the "prime" land. This includes land in the North, where there is significant opportunity for new farmers.
- The ALR is provincial. Having a two-tiered system (North and South) is detrimental to the integrity of the ALR.
- There has been inadequate consultation with farmers and local governments on the Core Review of the ALR.
- You would like an opportunity to speak to the Minister directly about your concerns.

If this represents an accurate summary of your concerns, I will be pleased to pass this on to Minister Pimm.
Thanks again for your time s.22
Best wishes,
David.

David Coney
Policy Manager
B.C. Ministry of Agriculture
Tel: 250 387 3232

From: s.22
Sent: Thursday, January 23, 2014 10:07 AM
To: Coney, David AGRI:EX
Subject: Re: ALC - letter to Premier

Great David

Name a time and place and I can meet you.

s.22

Sent from my iPhone

On Jan 22, 2014, at 10:55 AM, "Coney, David AGRI:EX" <David.Coney@gov.bc.ca> wrote:

> Yes, the afternoon looks clear right now. Do you want to come to the office, or shall we go for coffee?
>
> David Coney
> Policy Manager
> B.C. Ministry of Agriculture
> Tel: 250 387 3232
>
> **From:** s.22
> **Sent:** Tuesday, January 21, 2014 9:27 PM
> **To:** Coney, David AGRI:EX
> **Subject:** RE: ALC - letter to Premier
>
> Hi David,
>
> s.22 I'd love a chance to talk in person about the proposed changes to the ALR.
> Next Tuesday Jan 28 is open for me. Could that work for you?
>
> s.2
>
> ---
>
> From: David.Coney@gov.bc.ca
> To: s.22
> Date: Fri, 10 Jan 2014 11:36:38 -0800
> Subject: ALC - letter to Premier
> Hi s.22
>
> It's been a while since we met, so I'm not sure if you will remember me, but I currently lead the policy team at the Ministry of Agriculture, including with respect to the work being done on the ALC.

The letter you sent recently to Premier Clark regarding this work on the ALC has been forwarded to me from Minister Pimm, with a suggestion that we get together to talk trough any questions or concerns you might have.

This of course I am very happy to do, and wondered when might be a convenient time for us to talk by phone, or get together in person? If you can give me a few options over the next week or two, I will block out some time in my calendar.

Many thanks, and I look forward to talking to you soon,

David.

David Coney
Policy Manager
B.C. Ministry of Agriculture
Tel: 250 387 3232

Strictly Confidential

Overview of Bill to amend the *Agricultural Land Commission Act*

Principles and Considerations

- In taking on role as Minister of Agriculture, among the expectations I was tasked with (through mandate letter) was to:

  "ensure the [Agricultural Land] Commission is working for British Columbians, balancing farmland protection with responsible economic development opportunities and the stability of farm families and the farming industry."

  Across government we began a core review process looking at organizations, like the ALC, to make sure they are best serving the people of BC.

- Government was well aware of the long standing and important role of the ALR in BC, and of the significance that British Columbians place on it.

- Through our Core Review, there are some fundamental things that don't change:
  - The ALC remains an independent decision maker.
  - The purpose of the Commission remains unchanged (it remains as stated in section 6 of the *Act*.)

***Agricultural Land Commission Act* - Proposed Amendments**

Our changes can be summarized in four key points:

- First, we are modernizing the Commission's operations;
- Second, we're recognizing B.C.'s regional differences;
- Third, we are looking to work with the sector and with the ALC to find ways to help farmers to generate increased incomes and better support food production; and
- Finally, we are making improvements in the efficiency of community-based land use planning processes.

More specifically, here's what we are doing:

Modernizing Commission Operations

- To ensure we have an ALC that is looking out for BC agriculture interests, for the ***next*** 40 years, we need to modernize its operations.

- We are looking to create some consistency with other government agencies, boards and commissions:
  - We will be establishing matters which the Commission must report to the Minister (e.g.: review of operations, performance indicators, the number and disposition of applications etc.); and
  - Allow the Minister to set service standards on which the Commission must report progress.

- In addition -- as already established in the Act -- Government will move forward with appointing a CEO, separate from the Chair.
- However, just as important to underline here: the ALC retains its independence. Nothing changes.

ALC Regions, Panel Structure and Decision-Making Authority

- We will be establishing and formalizing the existing 6 ALR regions through legislation.
- In law, we'll also be establishing:
  - The existence of a panel for each region;
  - That each region must have a minimum of 2 members, one of whom is appointed as chair of the panel and a vice chair of the Commission;
  - That panel members must be a resident in the region; and
  - Timelines to ensure minimal panel membership is maintained.
- In law, we'll also:
  - Require that the Chair must allocate all applications from a region to the panel for that region (other than under specific circumstances, such as applications reviewed as part of a delegation agreement); and
  - Ensure each regional panel has the full authority of the Commission to make decisions in the region.

Establishment of Two Zones

- Our next change goes to the recognition that B.C. has regional differences.
- As you know, our stats show that 10% of all of B.C.'s ALR land – land on the South Coast, Okanagan and Island -- generates 85% of the revenues at the farm-gate.
- By contrast, 90% of the ALR – in the Kootenay, Interior and Northern regions -- generates just 15% of total farm revenues.
- Clearly, we have a real need to protect that land which is undoubtedly in greater demand, with development and population pressures.
- At the same time, we are confronted with the fact that -- for some farmers – perhaps where the growing season is shorter... or where lower value crops are grown... it is difficult to make a go of it...That they need extra income to actually support their farming operations.
- If we are serious about supporting farming, and making sure that we have a future generation of farmers around to feed B.C. families, we need to start to be realistic about the regional differences we have in B.C.
- We are proposing setting up two ALC-administered zones:
  - Zone 1 = Island, South Coast and Okanagan panel regions.
  - Zone 2 = the rest of BC (Interior, Kootenay, North and other).
- Creation of two zones will better protect in-demand land in zone 1, which will remain status-quo, while offering the ALC more flexibility in its decision making in zone 2.
- In zone two, only, the ALC will have broader flexibility in considering non-agricultural home-based businesses, so that those farmers can continue to make a living, supporting their families and keep farming their land.
- What, specifically, these potential permitted uses will be, will be determined through a regulation – and that is something will be talking to the ALC and the agricultural industry about in the coming months.

Confidential Draft

ALC Decision-Making Criteria

- The purpose of the commission will remain as per current legislation:
  - To preserve agricultural land;
  - To encourage farming on agricultural land in collaboration with other communities of interest; and
  - 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.
- In rendering its decisions in Zone 2, the ALC must consider the purposes of the commission, but *must* also now consider:
  - Economic, cultural and social values;
  - Regional and community planning objectives; and
  - Any other considerations prescribed in regulation.

s.13

Regulation Making Authority

- We are also open to discussing with the ALC, agricultural sector and local governments whether to consider amendments (in both zones) to current regulations on "permitted use" to allow new, limited, value-added farming activities, such as food processing, on farmland.
- This responds to concerns from farmers that regulations prevent them from growing their agricultural businesses.
- The regulation making authority of the Lieutenant Governor in Council will be enhanced to facilitate those opportunities.
- Further, the regulation making authority of the LGIC will be expanded to support the other change that are being made (e.g.: additional criteria for consideration; definition of resident; timing, content, form and manner of ALC reporting; what information must be made public; etc.)

Local Government Act – Proposed Consequential Amendment

Section 879

We are also making an amendment to improve land use planning coordination with local governments – specifically:

- Require local governments to engage the ALC earlier in land use planning processes, such as Official Community Plans, before the bylaw reaches first reading.
- Currently the ALC is engaged after first reading. It is anticipated communities will get more timely and efficient decisions from better coordination.

In order to achieve this we will add a new subsection to s. 879 (of the Local Government Act) stipulating that notwithstanding the rest of s. 879, where an OCP bylaw would affect land in the ALR, the ALC must be consulted.

> *If the development of an OCP, or the repeal or amendment of an OCP, might affect agricultural land, the proposing local government must consult with the ALC, and the consultation must be early and ongoing.*

Note: Agricultural land in this context has the same meaning as in the ALC Act: land designated as agricultural land under this Act and includes agricultural land under a former Act.

Summary ~ Next Steps:

- Next week, we will move to introduce legislation. However, much work remains.
- We intend to work with the sector, the ALC and local governments on the appropriate regulations that help us to deliver on our three principles:
  - continued protection of fertile farmland;
  - support the continued growth of agriculture in B.C.;
  - and, ultimately, ensure the viability of farming families.
- We believe these modest changes support the ALC in its role as independent decision maker and farmland protector, while helping farmers get ahead and making farming a more viable career option for future generations.

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From: Coney, David AGRI:EX
To: Warwick, Julene AGRI:EX
Subject: FOI emails - 2 of 3 - FW: ALR zone 2 info
Date: Friday, November 21, 2014 11:55:53 AM

David Coney
Policy Manager
BC Ministry of Agriculture
250 387 3232

From: Crozier, Bev AGRI:EX
Sent: Thursday, August 21, 2014 8:20 AM
To: Coney, David AGRI:EX; Correspondence Unit AGRI:EX
Subject: RE: ALR zone 2 info

Thank you David
We will CLIFF and address from the DMO.

Beverley Crozier
Sr. Executive Assistant
Deputy Minister's Office, Ministry of Agriculture
Telephone: 250-356-1800 Facsimile: 250-356-8392

From: Coney, David AGRI:EX
Sent: Thursday, August 21, 2014 8:19 AM
To: Correspondence Unit AGRI:EX; Crozier, Bev AGRI:EX
Subject: RE: ALR zone 2 info

No stnd messaging as far as I'm aware.

For this one – the response would be:

I'm looking for information on the changes we can expect to see in the new classification zone 2 (specifically northern BC, Peace River Region) of the ALR?
Of specific interest:

- Minimum parcel size: currently typically 160 acres (1/4 section) -is this expected to be reduced?
    1. Min parcel size is a matter for local govt bylaws, not the ALC or Province.
- Changes to subdivision rules.
    1. Ministry is consulting on whether certain types of subdivision could be approved by an Approving Office without an application to the ALC. Specifically, the types of subdivision being considered are those to a minimum of a ¼ section (in Zone 2 only), and those where a parcel is bisected by a major obstruction such as a numbered highway, major rive, railway, etc. No decision has been made on this question, as consultations are ongoing.
- Map indicating zones 1 and 2.
    1. Maps of the ALR Panel Regions are available on the ALC website. Zone 1 comprises the Island, South Coast and Okanagan panel regions. Zone 2 comprises the Kootenay, Interior and North panel regions.

David Coney
Policy Manager
B.C. Ministry of Agriculture

Tel: 250 387 3232

From: Correspondence Unit AGRI:EX
Sent: Tuesday, August 19, 2014 1:38 PM
To: Crozier, Bev AGRI:EX; Coney, David AGRI:EX
Cc: Correspondence Unit AGRI:EX
Subject: RE: ALR zone 2 info

Hi Bev – no, I haven't gotten any messaging on this issue.

David – do you have standard messaging I can use to respond to these requests as well?

Susan Shust

Ph: (250) 387-3036 | Fx: (250) 356-8392 | email: **Susan.Shust@gov.bc.ca**

From: Crozier, Bev AGRI:EX
Sent: Tuesday, August 19, 2014 1:24 PM
To: Correspondence Unit AGRI:EX
Subject: FW: ALR zone 2 info

Susan
Do we have messaging already approved and in place?
Bev

From: Coney, David AGRI:EX
Sent: Tuesday, August 19, 2014 10:43 AM
To: Fry, Colin ALC:EX; Crozier, Bev AGRI:EX
Cc: Hughes, Kate AGRI:EX; Sooch, Baljeet K AGRI:EX
Subject: RE: ALR zone 2 info

Thanks Colin.

Bev – do we need to CLIFF this or shld we just respond based on the email stream?

Thanks

david

David Coney
Policy Manager
B.C. Ministry of Agriculture
Tel: 250 387 3232

From: Fry, Colin ALC:EX
Sent: Tuesday, August 19, 2014 9:39 AM
To: Coney, David AGRI:EX; Hughes, Kate AGRI:EX
Cc: Crozier, Bev AGRI:EX
Subject: RE: ALR zone 2 info

Over to you guys, thanks Bev.

Colin

From: Crozier, Bev AGRI:EX
Sent: Tuesday, August 19, 2014 9:32 AM
To: Fry, Colin ALC:EX
Subject: RE: ALR zone 2 info

Hi Colin
David Coney or Kate Hughes would be the appropriate individuals to answer these questions.
Bev

From: Fry, Colin ALC:EX
Sent: Tuesday, August 12, 2014 12:47 PM
To: Crozier, Bev AGRI:EX

Subject: FW: ALR zone 2 info
Hi Bev, we are getting calls and emails regarding Bill 24, regulations, etc. I think it is appropriate to re-direct to the Ministry for consistent messaging, who do you suggest the referrals should go to?
Colin

From: ALC Burnaby ALC:EX
Sent: Tuesday, August 12, 2014 12:43 PM
To: Fry, Colin ALC:EX
Subject: FW: ALR zone 2 info

From s.22
Sent: Monday, August 11, 2014 10:02 PM
To: ALC Burnaby ALC:EX
Subject: ALR zone 2 info

Hi,
RE: ALR zone 1 and 2 maps/boundaries and changes to management of zone 2
I'm looking for information on the changes we can expect to see in the new classification zone 2 (specifically northern BC, Peace River Region) of the ALR?
Of specific interest:

- Minimum parcel size: currently typically 160 acres (1/4 section) -is this expected to be reduced?
- Changes to subdivision rules.
- Map indicating zones 1 and 2.

I've checked the ALC website for info as well as scanning the internet, but can't seem to find any meaningful information. I would have thought this detailed (important) info would be readily available, so hoping to find it's published location.
Thanks s.22

From: Coney, David AGRI:EX
To: Warwick, Julene AGRI:EX
Subject: FOI emails - 3 of 3 - FW: For review: REIBC article on ALC
Date: Friday, November 21, 2014 11:56:12 AM
Attachments: REIBC ALC article.docx

David Coney
Policy Manager
BC Ministry of Agriculture
250 387 3232

From: Standish, Alana AGRI:EX
Sent: Wednesday, August 20, 2014 10:44 AM
To: Coney, David AGRI:EX
Subject: FW: For review: REIBC article on ALC

Not sure if you saw this – I didn't see anything wrong with it. Derek has added some messaging in there, thanking ALC for their participation in the consultation, and MLAs, AGRI staff etc. who attended the regional sessions. Jason will send us the final copy. It's not going out until after the 22nd.

Thanks,

Alana Standish
Director, Corporate Governance, Policy & Legislation
Agriculture Science & Policy Division
Ministry of Agriculture
Province of British Columbia
250-514-3690

From: Macnaughton, Jason GCPE:EX
Sent: Thursday, August 14, 2014 2:01 PM
To: Sturko, Derek AGRI:EX; Standish, Alana AGRI:EX
Cc: Boelens, Robert GCPE:EX
Subject: For review: REIBC article on ALC

The Real Estate Institute of British Columbia has approached us with an opportunity to submit a 1500 word (max) article for their upcoming issue that talks about the Core Review process of the ALC & ALR. Attached and below is what we've drafted (based entirely on previously approved messages from NRs & the consultation paper etc).

They've also asked the ALC to write on the history of the ALC & ALR, as well as Harold Steves to write from a municipal level.

Please let me know if you have any edits or concerns – they'd like to have this by tomorrow.

Jason

This spring, the B.C. government passed Bill 24 , the Agricultural Land Commission Act (ALCA), to help farmers grow their business and earn a better living while preserving B.C. farmland for future generations. We began the process with a clear starting point:

- The ALC must remain a fully independent tribunal and decision-maker, and continue to make final decisions on specific land uses within the Agricultural Land Reserve; and
- B.C.'s farmland must be preserved to ensure a sustainable land base for production and a strong future for farming;

The legislation achieves these things by clearly laying out the Agriculture Land Commission's (ALC) role as an independent decision maker and ensuring it has all of the necessary tools at its disposal to continue making the independent decisions that British Columbians have counted on it to make for more than 40 years. We also introduced some changes that could enhance the agrifoods sector, and the lives and incomes of farming families.

The bill created two ALC administered zones to better recognize the province's regional differences. Zone 1, where land is in greater demand and there are development and population pressures, and Zone 2, where growing seasons are shorter and there are lower value crops. In both zones, the priority criteria remains whether the ALC considers the proposal to meet with the purposes of the Commission, namely the preservation of agricultural land, encouraging farming and enabling farm use on agricultural land. In Zone 2 however, the ALC is now, able to consider additional factors in its decision making as well as provide farmers with more flexibility to support their farming operations.

The Act also formalized the ALC's existing model of six regions and six regional panels into law to strengthen regional decision making, as well as giving local governments the opportunity to engage with the ALC earlier in their land use planning processes to ensure better coordination and more timely decisions.

To improve services to farmers, the Commission's operations are also being enhanced. This includes establishing governance and accountability frameworks and service standards, consistent with other government boards, agencies and commissions as well as filling staff vacancies.

When I was appointed Minister of Agriculture I made a commitment that we would consult on the development of the regulations. Throughout July and August, my ministry delivered on that commitment by consulting on the potential development of new regulations related to the Act.

At the outset of the consultation process, a Minister's Reference Group comprised of representatives from the ALC, the Union of British Columbia Municipalities (UBCM) and the BC Agriculture Council (BCAC) was struck to inform the consultation process and any regulatory outcomes.

An initial meeting of the Reference Group was held in early July to provide advice on the consultation process, and to provide substantive input on the consultation questions, followed by a separate meeting with the ALC (commissioners and staff) to solicit further input on the consultation questions.

Informed by those meetings, 11 specific questions were drafted:

1. Should the parameters for allowable on-farm food storage, packing, processing and retail establishments be revised?
2. Should breweries, distilleries and meaderies be allowed on ALR land on the same or similar terms as wineries and cideries are currently allowed?

3. Should the allowable footprint for consumption areas (or 'lounges') ancillary to wineries and cideries (and potentially also breweries, distilleries and meaderies) be increased, and if so on what basis?
4. To what extent should wineries and cideries (and potentially breweries, distilleries and meaderies) be allowed to sell alcohol that was produced elsewhere in BC, not at the winery or cidery?
5. Should anaerobic digesters be permitted in the ALR if the inputs are generated from farming activities?
6. Should on-farm cogeneration facilities be permitted on farms where a portion of the energy created is used on-farm?
7. Should the parameters be expanded for when non-agriculture related businesses are allowed to operate on ALR properties in Zone 2?
8. Should the subdivision of ALR properties in Zone 2 to a minimum parcel size of a quarter section be allowed without an application to the ALC?
9. Should the subdivision of ALR parcels in Zone 2 that are of a defined size, and that are divided by a major highway or waterway, be allowed without an application to the ALC?
10. Should greater clarity be provided on what constitutes an agri-tourism activity that is allowable in the ALR without an application, and if so what parameters should be established?
11. Should temporary leases of portions of a property in Zone 2 of the ALR be allowed without an application to the ALC for: (a) intergenerational transfer of an active farm or ranch operation; and/or (b) to encourage the use of otherwise unfarmed land by existing or new farmers?

In July and August , Ministry staff, accompanied by representatives from the Agricultural Land Commission, met with key members of the agricultural community and local government representatives in seven regions around the province for discussions framed by those 11 questions, to hear their feedback and ideas. All British Columbians were invited to comment on the same 11 questions through http://engage.gov.bc.ca/landreserve/ which was open for comment until Aug. 22.

Our goal was simple: to hear people's thoughts about the implications of what has been suggested, and gather the best ideas possible to help farmers earning a living on their land and ensure there's another generation ready and willing to get into farming.

I want to thank all the British Columbians who took the time to participate and get involved, and contacted me with their ideas and input including members of the board of the BC Agriculture Council, members of the Union of British Columbian Municipalities, representatives of the ALC and the individual farmers and their families who shared their ideas and opinions with me so openly.

We believe giving farmers more opportunities to grow their farming businesses is a benefit to them. We also think it's a benefit to British Columbians who want access to more B.C.-grown foods. I was pleased to hear so many ideas and opinions, and am confident that together will help ensure a strong future for farming in British Columbia.

Norm Letnick

Minister of Agriculture

Jason Macnaughton
Communications Director
Ministry of Agriculture
office: 250-356-1812
mobile: 250-508-2947

This spring, the B.C. government passed Bill 24 , the Agricultural Land Commission Act (ALCA), to help farmers grow their business and earn a better living while preserving B.C. farmland for future generations. We began the process with a clear starting point:

- The ALC must remain a fully independent tribunal and decision-maker, and continue to make final decisions on specific land uses within the Agricultural Land Reserve; and
- B.C.'s farmland must be preserved to ensure a sustainable land base for production and a strong future for farming;

The legislation achieves these things by clearly laying out the Agriculture Land Commission's (ALC) role as an independent decision maker and ensuring it has all of the necessary tools at its disposal to continue making the independent decisions that British Columbians have counted on it to make for more than 40 years. We also introduced some changes that could enhance the agrifoods sector, and the lives and incomes of farming families.

The bill created two ALC administered zones to better recognize the province's regional differences. Zone 1, where land is in greater demand and there are development and population pressures, and Zone 2, where growing seasons are shorter and there are lower value crops. In both zones, the priority criteria remains whether the ALC considers the proposal to meet with the purposes of the Commission, namely the preservation of agricultural land, encouraging farming and enabling farm use on agricultural land. In Zone 2 however, the ALC is now, able to consider additional factors in its decision making as well as provide farmers with more flexibility to support their farming operations.

The Act also formalized the ALC's existing model of six regions and six regional panels into law to strengthen regional decision making, as well as giving local governments the opportunity to engage with the ALC earlier in their land use planning processes to ensure better coordination and more timely decisions.

To improve services to farmers, the Commission's operations are also being enhanced. This includes establishing governance and accountability frameworks and service standards, consistent with other government boards, agencies and commissions as well as filling staff vacancies.

When I was appointed Minister of Agriculture I made a commitment that we would consult on the development of the regulations. Throughout July and August, my ministry delivered on that commitment by consulting on the potential development of new regulations related to the Act.

At the outset of the consultation process, a Minister's Reference Group comprised of representatives from the ALC, the Union of British Columbia Municipalities (UBCM) and the BC Agriculture Council (BCAC) was struck to inform the consultation process and any regulatory outcomes.

An initial meeting of the Reference Group was held in early July to provide advice on the consultation process, and to provide substantive input on the consultation questions, followed by a separate meeting with the ALC (commissioners and staff) to solicit further input on the consultation questions.

Informed by those meetings, 11 specific questions were drafted:

1. Should the parameters for allowable on-farm food storage, packing, processing and retail establishments be revised?
2. Should breweries, distilleries and meaderies be allowed on ALR land on the same or similar terms as wineries and cideries are currently allowed?
3. Should the allowable footprint for consumption areas (or 'lounges') ancillary to wineries and cideries (and potentially also breweries, distilleries and meaderies) be increased, and if so on what basis?
4. To what extent should wineries and cideries (and potentially breweries, distilleries and meaderies) be allowed to sell alcohol that was produced elsewhere in BC, not at the winery or cidery?
5. Should anaerobic digesters be permitted in the ALR if the inputs are generated from farming activities?
6. Should on-farm cogeneration facilities be permitted on farms where a portion of the energy created is used on-farm?
7. Should the parameters be expanded for when non-agriculture related businesses are allowed to operate on ALR properties in Zone 2?
8. Should the subdivision of ALR properties in Zone 2 to a minimum parcel size of a quarter section be allowed without an application to the ALC?
9. Should the subdivision of ALR parcels in Zone 2 that are of a defined size, and that are divided by a major highway or waterway, be allowed without an application to the ALC?
10. Should greater clarity be provided on what constitutes an agri-tourism activity that is allowable in the ALR without an application, and if so what parameters should be established?
11. Should temporary leases of portions of a property in Zone 2 of the ALR be allowed without an application to the ALC for: (a) intergenerational transfer of an active farm or ranch operation; and/or (b) to encourage the use of otherwise unfarmed land by existing or new farmers?

In July and August , Ministry staff, accompanied by representatives from the Agricultural Land Commission, met with key members of the agricultural community and local government representatives in seven regions around the province for discussions framed by those 11 questions, to hear their feedback and ideas. All British Columbians were invited to comment on the same 11 questions through http://engage.gov.bc.ca/landreserve/ which was open for comment until Aug. 22.

Our goal was simple: to hear people's thoughts about the implications of what has been suggested, and gather the best ideas possible to help farmers earning a living on their land and ensure there's another generation ready and willing to get into farming.

I want to thank all the British Columbians who took the time to participate and get involved, and contacted me with their ideas and input including members of the board of the BC Agriculture Council, members of the Union of British Columbian Municipalities, representatives of the ALC and the individual farmers and their families who shared their ideas and opinions with me so openly.

We believe giving farmers more opportunities to grow their farming businesses is a benefit to them. We also think it's a benefit to British Columbians who want access to more B.C.-grown foods. I was pleased to hear so many ideas and opinions, and am confident that together will help ensure a strong future for farming in British Columbia.

Norm Letnick

Minister of Agriculture

FW: Non-farmers living in ALR

Subject: **FW: Non-farmers living in ALR**
From: Nickel, Ken AGRI:EX
To: Margerison, Elizabeth AGRI:EX
Sent: Friday, November 21, 2014 2:31 PM
Attachments:

Urban Rur...

From: van Dalfsen, Bert AGRI:EX
Sent: August 2, 2013 4:31 PM
To: Coney, David AGRI:EX
Cc: Nickel, Ken AGRI:EX
Subject: FW: Non-farmers living in ALR

Hi David,

Here is the background that I was talking about.

Regards,

Bert

From: van Dalfsen, Bert AGRI:EX
Sent: Wednesday, July 31, 2013 5:23 PM
To: van Dalfsen, Bert AGRI:EX
Subject: FW: Non-farmers living in ALR

From: van Dalfsen, Bert AL:EX
Sent: Thursday, October 14, 2010 2:42 PM
To: [illegible]
Subject: RE: Non-farmers living in ALR

From: van Dalfsen, Bert AL:EX
Sent: Thursday, October 14, 2010 2:40 PM
To: s.22
Subject: RE: Non-farmers living in ALR

Thanks very much s.2 That's the slide I remembered.

I had used the statement that "3 out of 4 people living in the ALR are non-farmers" in a conversation with the AIC. I think it is a good indication that we receive farm practice complaints within the ALR and in fact there may be more of those than people outside the ALR complaining about propane cannons for example. The point is that many (I think it's the large majority) of the people complaining about cannons are non-farmers living in the ALR.

To follow up on your SI Beginnings slide:

1. The math does not seem to add up: Rural farmers (6366) and rural non-farmers (26, 400) add up to 32,766 rural residents with 19.4 % farmers and 80.6% non-farmers
2. The average number of persons per farm on the slide seems to be 4 (1584 farms from Ag in Brief in 1996 and 6366 farm population). This is larger than the 3.15 I estimate from the provincial numbers (refer to attached file Urban Rural Farm summary.xlsx)

The attached file also shows that about 20% of farmers are living in urban areas. s.22
s.22

The attached file shows the farm/rural populations as a % for several selected local governments in the "2006 LGs" worksheet. It's interesting that the

numbers range from a low of 6.4% (Maple Ridge) to a high of 28.9% (Abbotsford). Langley was 18.3 % as you point out below. Kelowna is noteworthy as a large community with only 11.1% farmers in the rural area. While Spallumcheen is virtually entirely a rural population and they still have about 3 in 4 people living in the rural area are non-farmers.

One item that will vary between communities is how much land in the rural area is outside the ALR. That could be quite high for Maple Ridge. Another is that there is a large number of farmers living in urban areas which could make the numbers go up (more non farmers compared to farmers in the ALR).

I like it is fairly safe to say that non-farmers greatly outnumber farmers in farming areas. This may be a safer statement to make!

One way to characterize this could be that the maximum number of farmers living in the ALR may be as low as 3 in 10.

Further comments?

Bert

From: S.22
Sent: Wednesday, October 13, 2010 9:50 PM
To: van Dalfsen, Bert AL:EX
Subject: RE: Non-farmers living in ALR

Hi Bert:

I looked over the population information you forwarded and drew on information on page 2 of Langley's Ag. Overview.

The estimate used in the Overview of Langley's farm population in 2006 was 3,876 persons living on farm. Langley's rural population in 2006 was 21,170. Thus we would have an adjusted breakdown of what might be defined as "Rural Farm Population of 3,876 and a Rural non-farm Population of 17,294. Therefore, of the total rural population in Langley in 2006, 18.3% was Rural Farm and 81.7% was Rural Non Farm. So in 2006 in Langley we had roughly 4 out of every 5 persons living in Langley's rural area being non-farm.

This of course is very broad brush stuff because while most of Langley's rural population will in fact be found in the ALR, there will be some pockets of rural that are not in the ALR here and there. Also, there may be a few (not too many I would suspect) of the farm population that are actually in a defined urban area of Langley.

Despite these qualifiers I think it can reasonably be said that "In Langley's rural area the non-farm population is strongly dominate with it being estimate that as many as 4 out of every 5 of Langley's rural population do not live on a farm."

This sort of statement gives lots of wiggle room but provides the clear (and correct) impression that the non-farm population in Langley's rural areas strongly out weigh that part of the population living on farms.

Bert, I have attached a slide from my presentation entitled :SF Beginning" that I presented s. 22 The stats are for Langley are for 1996. In this case the numbers are - Rural Non Farm = 26,400 (76%) / Rural Farm = 6,366 (24%). Thus, I suspect this might be the source of the 3 out of 4 estimate that you mentioned.

Looking at the difference between 1996 and 2006 there appear to be some interesting adjustments.

Hope this is of some help.

S.22

--Original Message-----

From: van Dalfsen, Bert AL:EX [mailto:Bert.vanDalfsen@gov.bc.ca]

Sent: Tuesday, October 12, 2010 5:20 PM

To: S.22

Subject: Non-farmers living in ALR

Hi S.22
S.22
I remember one of your presentations referring to the number of non-farmers living in the ALR (3 out of 4 people living in the ALR). I believe that this was a reference to Langley. Do you remember this stat and how it was derived?

Thanks,
Bert

da0db7df-598d-49cc-9316-4293b5beeeb9, 2006 LGs

2006 Census*	Urban	Rural	Farm**	Urban %	Rural %	Farm/Rural %
Abbotsford	111,433	12,431	3,591	90.0	10.0	28.9
Chilliwack	56,937	12,280	2,484	82.3	17.7	20.2
Delta	94,197	2,526	540	97.4	2.6	21.4
Langley	72,556	21,170	3,876	77.4	22.6	18.3
Maple Ridge	59,983	9,966	640	85.8	14.2	6.4
Surrey	384,400	10,576	1461	97.3	2.7	13.8
Kelowna	91,649	15,058	1665	85.9	14.1	11.1
Coldstream	7,490	1,981	402	79.1	20.9	20.3
Spallumcheen	17	4,943	1,350	0.3	99.7	27.3

* Inforamtion taken from 2006 Agricultrue Overviews

** Farm population is based on a provincial average of 3 persons per farm or 1.5% of BC's total 2006 population

2014-11-27, 10:19 AM

FW: ALC RFL/Cab Sub Work Plan

Thursday, November 27, 2014
10:22 AM

Subject	**FW: ALC RFL/Cab Sub Work Plan**
From	Nickel, Ken AGRI:EX
To	Margerison, Elizabeth AGRI:EX
Sent	Friday, November 21, 2014 2:31 PM
Attachments	 Workplan ...

From: van Dalfsen, Bert AGRI:EX
Sent: September 6, 2013 4:46 PM
To: Nickel, Ken AGRI:EX
Cc: MacDonald, Leslie S AGRI:EX
Subject: FW: ALC RFL/Cab Sub Work Plan

FYI,

Bert

From: Coney, David AGRI:EX
Sent: Friday, September 6, 2013 3:52 PM
To: Last, Gavin AGRI:EX; Bates, Linda A. AGRI:EX; van Dalfsen, Bert AGRI:EX; Rosseker, Alana AGRI:EX
Subject: ALC RFL/Cab Sub Work Plan

As you all know, we have about 3 weeks to complete a draft RFL and to start preparing a detailed submission for either the Core Review WG or the full Cabinet.

Based on the proposals in the WG deck, I have started to flesh out the options and identify some of the pertinent questions we need to address to get us to the finish line - attached. Clearly there will be lots more detailed questions as we work through this, and possibly some new options as well.

What I would propose is that we schedule a series of (possibly daily) meetings over the coming cpl of weeks to go over each of the issues and figure out the detail of what we are going to do, how we are going to do it, and how we are going to write it up for RFL and/or Cab Sub.

We can bring in ALC, CSCD, PSA and others for each individual topic, as required, but I would suggest that we five (or 4, depending on your preference and availability Alana) are the core group.

So please take a look at the attached as a starting point for discussion, and then expect to see meeting invites appearing in your inboxes early next week.

Best wishes,
David.

David Coney
Policy Manager
B.C. Ministry of Agriculture
Tel: 250 387 3232

Zone 2 feedback fo rthe Peace

Wednesday, November 26, 2014
4:22 PM

Subject	**Zone 2 feedback fo rthe Peace**
From	Robinson, Julie P AGRI:EX
To	Hughes, Kate JTST:EX; Coney, David AGRI:EX
Cc	Tegart, Greg AGRI:EX; Vickers, Lori AGRI:EX; Stevenson, John J AGRI:EX; Liggins, Lavona AGRI:EX; Jasper, Geneve AGRI:EX; Forbes, Jim AGRI:EX; Withler, Carl AGRI:EX; Recksiedler, Blaine AGRI:EX; Smith, Darrell R AGRI:EX
Sent	Thursday, July 17, 2014 4:13 PM

Kate and David, Lori and I have review the consultation paper for meetings July 31

Upon looking through the questions some things about our region include we have:
· 3 Hutterite communities and 1 Russian Community who have both commercial and private meat processing and other on farm direct sales, these are communal farm operations
· As I am sure you are aware Citizens for Agricultural Land Reform Society are pro removal of ag land from the ALR and are quite vocally opposed to some of our industry groups that will be attneding.

Q 1) Should the parameters for allowable on-farm food storage, packing, processing and retail establishments be revised?
· only have limited businesses that will be affected by this, including colonies, meat cutters. Relevance to region is minimal.

Q 2) Should breweries, distilleries and meaderies be allowed on ALR land on the same or similar terms as wineries and cideries are currently allowed?
· Currently no such facilities in the region

Q 3) Should the allowable footprint for consumption areas (or 'lounges') ancillary to wineries and cideries (and potentially also breweries, distilleries and meaderies) be increased, and if so on what basis?
· Again these facilities are not currently present in the region

Q 4) To what extent should wineries and cideries (and potentially breweries, distilleries and meaderies) be allowed to sell alcohol that was produced elsewhere in BC, not at the winery or cidery?
· Not currently applicable

Q 5) Should anaerobic digesters be permitted in the ALR if the inputs are generated from farming activities?
· Anaerobic Digesters not currently utilized in the region, currently only 2 licensed dairies less than 200 hd in the region, manure disposal not an issue with our large land base.

Q 6) Should on-farm cogeneration facilities be permitted on farms where a portion of the energy created is used on-farm?
· Co generation plants are not prevalent in the region

Q7 -Should the parameters be expanded for when non-agriculture related businesses are allowed to operate on ALR properties in Zone 2? -
· This topic is relevant to the region, we're not sure where Ag industry in our region want s to go with this, but it is our experience that temporary (less than 1 yr) Oil and Gas related activities that can overlap with existing farm premises should considered and perhaps parameters designed for these

permitted uses should be developed, like temporary storage of oil and gas matting (wooden pallets), bulk tank storage, and equipment storage (where producers would be paid a fee for storage).
· Our understanding is this would have no affect on Oil and Gas Company operations like Encana or Shell
· Large area water storage is also another topic for the permitted use category. The issue is water storage that is several acres large being created in the middle of fields and farm operations that are not planned to be utilized in the farm operation. There is currently very little irrigation in the region (less than 5 producers), and there seems to be some desire from Ag industry to be able to construct such facilitates without getting a non-farm use permit from our perspective there needs to be a balance and some guidelines.

Q 8) Should the subdivision of ALR properties in Zone 2 to a minimum parcel size of a quarter section be allowed without an application to the ALC?
· This is a big debate in our region how to move forward while maintain future opportunity for agriculture

Q 9) Should the subdivision of ALR parcels in Zone 2 that are of a defined size, and that are divided by a major highway or waterway, be allowed without an application to the ALC?
· Should include railway tracks, and should be strongly considered for our region

Q 10) Should greater clarity be provided on what constitutes an agri-tourism activity that is allowable in the ALR without an application, and if so what parameters should be established?
· This does not seem to be a big issue in our region

Q 11) Should temporary leases of portions of a property in Zone 2 of the ALR be allowed without an application to the ALC for:
(a) intergenerational transfer of an active farm or ranch operation; and/or
(b) to encourage the use of otherwise unfarmed land by existing or new farmers?
· Not a common issue in our region currently but could be an issue if it is a means to allow a second permanent residence on one title. Should consider lease with retired farmer, and title be for the existing farmer.

Thank you Lori & Julie

Julie Robinson
Regional Agrologist
Ministry of Agriculture and Lands

email: Julie.P.Robinson@gov.bc.ca
Phone: 250-787-3241
Cell: 250-261-5967
Fax: 250-787-3299

10043-100th St
Fort St John, BC
V1J 3Y5

Re: Agriculture Land Reserve Zone Consultation for Peace Region

Wednesday, November 26, 2014
4:24 PM

Subject **Re: Agriculture Land Reserve Zone Consultation for Peace Region**
From Robinson, Julie P AGRI:EX
To s.22
Cc
s.22 ; Vickers, Lori AGRI:EX
Sent Friday, July 18, 2014 6:16 PM

Hey everyone, I was not meaning to be cryptic with my previous email but my understanding is that these groups (our local associations) were invited and communicated with by another group..... Obviously there has been some confusion about this meeting, so I would say... That the meeting has 2 parts:
1. morning is with regional district and
2. afternoon is with associations... It has not been clear to me when exactly... But I'll work on that for now I'd assume its after 2 at
Pomeroy Hotel
11308 Alaska Rd.
Fort St. John, BC
V1J 5T5
250-262-3233
s.13

Julie
Sent from my iPad
On Jul 18, 2014, at 6:01 PM, s.22 wrote:

s.22 is interested but it will depend on our harvest schedule. Where is this taking place on July 31?
s.22

From: Julie.P.Robinson@gov.bc.ca
To: s.22
s.22
CC: Lori.Vickers@gov.bc.ca
Date: Thu, 17 Jul 2014 16:16:44 -0700
Subject: Agriculture Land Reserve Zone Consultation for Peace Region

Hello, everyone just curious who might be attending from Forage and Forage Seed groups on July 31 regarding Agriculture Land Reserve Zoning for Peace Region?

Julie Robinson
Regional Agrologist
Ministry of Agriculture and Lands

email: Julie.P.Robinson@gov.bc.ca
Phone: 250-787-3241
Cell: 250-261-5967
Fax: 250-787-3299

10043-100th St
Fort St John, BC
V1J 3Y5

Fwd: For your review: Details for the Agricultural Land Reserve Regulation Consultation

Wednesday, November 26, 2014
1:20 PM

Subject	**Fwd: For your review: Details for the Agricultural Land Reserve Regulation Consultation**
From	Robinson, Julie P AGRI:EX
To	s.22
Sent	Thursday, July 24, 2014 11:31 PM
Attachments	 ALR Regul...

Sent from my iPad
Begin forwarded message:

From s.22
Date: July 24, 2014 at 7:19:49 PM MST
To s.22 , "Robinson, Julie P AGRI:EX" <Julie.P.Robinson@gov.bc.ca>, s.22
Subject: FW: For your review: Details for the Agricultural Land Reserve Regulation Consultation

From: ALCA Feedback AGRI:EX [mailto:ALCA_Feedback@gov.bc.ca]
Sent: July-17-14 10:07 AM
To: undisclosed-recipients:
Subject: For your review: Details for the Agricultural Land Reserve Regulation Consultation

Good morning,

This email is to follow up on the invitation you received on Monday July 14th from the Deputy Minister of Agriculture, Derek Sturko, inviting you to attend a consultation session on proposed changes to the Agricultural Land Reserve Use, Subdivision and Procedure Regulation.

Please find attached a consultation paper that provides background information to the consultation, and includes the specific questions that will form the basis of our discussion during the consultation session.

During the session, ministry staff will provide a summary of the background material provided in the consultation paper, including a brief overview of recent changes to the *Agricultural Land Commission Act* and the consultation questions. The main focus of our time together will be to solicit your organization's perspective, and the perspective of other organizations in the room, on the potential changes to the regulation proposed in the consultation paper.

As specified in your invitation, our session is limited in time and will include the participation of a number of groups. Thank you in advance for familiarizing yourself and your delegation with the

consultation paper to help ensure our time together is as productive as possible.

We look forward to meeting with you and hearing your organization's ideas, suggestions and concerns on these important regulatory proposals.

Sincerely,

David Coney
Policy Manager
BC Ministry of Agriculture

Fwd: TIME SENSITIVE INVITATION FROM THE DEPUTY MINISTER OF AGRICULTURE: Agricultural Land Commission Act Consultation Session

Wednesday, November 26, 2014
4:59 PM

Subject: **Fwd: TIME SENSITIVE INVITATION FROM THE DEPUTY MINISTER OF AGRICULTURE: Agricultural Land Commission Act Consultation Session**
From: Robinson, Julie P AGRI:EX
To: s.22
Sent: Thursday, July 24, 2014 11:34 PM

Sent from my iPad
Begin forwarded message:

From: s.22
Date: July 24, 2014 at 7:18:39 PM MST
To: "Robinson, Julie P AGRI:EX" <Julie.P.Robinson@gov.bc.ca>
Subject: FW: TIME SENSITIVE INVITATION FROM THE DEPUTY MINISTER OF AGRICULTURE: Agricultural Land Commission Act Consultation Session

From: s.22
Sent: July-15-14 8:36 AM
To: s.22
Subject: Re: TIME SENSITIVE INVITATION FROM THE DEPUTY MINISTER OF AGRICULTURE: Agricultural Land Commission Act Consultation Session

Hi s.22
Reply that we will be there . I'm away for a few days and probably won't be in cell service.
s.22

Sent from my BlackBerry 10 smartphone on the TELUS network.
From: s.22
Sent: Monday, July 14, 2014 8:15 PM
To: s.22
Cc:
Subject: FW: TIME SENSITIVE INVITATION FROM THE DEPUTY MINISTER OF AGRICULTURE: Agricultural Land Commission Act Consultation Session

Did everyone get this invite?

From: Correspondence Unit AGRI:EX [mailto:MCU@gov.bc.ca]
Sent: July-14-14 2:20 PM
To: s.22
Subject: TIME SENSITIVE INVITATION FROM THE DEPUTY MINISTER OF AGRICULTURE: Agricultural Land Commission Act Consultation Session
Importance: High

File: 0280-30
Ref: 180336

Robert Vander Linden
President
BC Grain Producers Association
E-Mail: s.22

Dear Mr. Linden:

The Ministry of Agriculture is seeking input from industry, local government and other interested groups on potential amendments to the regulation subordinate to the *Agricultural Land Commission Act.*

We are interested in your perspective on this matter and invite you to participate in a consultation session in your region. In order to allow the best use of our time together, most consultation sessions will include a number of representatives from different organizations.

To ensure that those invited to this session have an opportunity to participate in the conversation and provide comments, please limit the number of attendees from your organization to 2.

Venue: Pomeroy Hotel - 11308 Alaska Road, Fort St. John

Date and Time: July 31, 2014; 2:00 PM-5:30 PM

Groups present at your session: Citizens for Agricultural Land Reform Society, Peace River Forage Association of BC, Peace Region Forage Seed Association, BC North Peace River Regional Cattlemen's Association, BC Bison Association

Materials: Background information on changes to the *Agriculture Land Commission Act* and a copy of the consultation questions will be e-mailed to you under a separate cover in the next few days.

You are welcome to bring a written submission from your organization to complement your participation if you wish. If you have any questions, please contact Natasha Thambirajah by telephone at 250 356-1686.

Please R.S.V.P. to this invitation by e-mail to ALCAMeetings@gov.bc.ca by July 17, 2014 and ensure you specify how many people from your organization are attending.

Sincerely,

Derek Sturko
Deputy Minister

FW: For your review: Details for the Agricultural Land Reserve Regulation Consultation

Wednesday, November 26, 2014
11:33 AM

Subject **FW: For your review: Details for the Agricultural Land Reserve Regulation Consultation**
From Robinson, Julie P AGRI:EX
To s.22

Sent Friday, July 25, 2014 1:41 PM
Attachments

ALR Regul...

I think Question 7, 8, 9 have the most relevance to your region if you are looking to skim. Any questions let me know

cheers
Julie

Good morning,

This email is to follow up on the invitation you received on Monday July 14th from the Deputy Minister of Agriculture, Derek Sturko, inviting you to attend a consultation session on proposed changes to the Agricultural Land Reserve Use, Subdivision and Procedure Regulation.

Please find attached a consultation paper that provides background information to the consultation, and includes the specific questions that will form the basis of our discussion during the consultation session.

During the session, ministry staff will provide a summary of the background material provided in the consultation paper, including a brief overview of recent changes to the *Agricultural Land Commission Act* and the consultation questions. The main focus of our time together will be to solicit your organization's perspective, and the perspective of other organizations in the room, on the potential changes to the regulation proposed in the consultation paper.

As specified in your invitation, our session is limited in time and will include the participation of a number of groups. Thank you in advance for familiarizing yourself and your delegation with the consultation paper to help ensure our time together is as productive as possible.

We look forward to meeting with you and hearing your organization's ideas, suggestions and concerns on these important regulatory proposals.

Sincerely,

David Coney

Policy Manager
BC Ministry of Agriculture

FW: TIME SENSITIVE INVITATION FROM THE DEPUTY MINISTER OF AGRICULTURE: Agricultural Land Commission Act Consultation Session

Wednesday, November 26, 2014
4:18 PM

Subject **FW: TIME SENSITIVE INVITATION FROM THE DEPUTY MINISTER OF AGRICULTURE: Agricultural Land Commission Act Consultation Session**

From Robinson, Julie P AGRI:EX

To s.22

Cc Vickers, Lori AGRI:EX

Sent Friday, July 25, 2014 1:34 PM

Hello, Forage Seed Association, I am passing this on as I think your formal invite has got lost in cyber world... don't worry too much about the deadline that has passed at the bottom as this is the first you are hearing of this.

Reuben Loewen
President
Peace Region Forage Seed Association

Dear Mr. Loewen:

The Ministry of Agriculture is seeking input from industry, local government and other interested groups on potential amendments to the regulation subordinate to the *Agricultural Land Commission Act.*

We are interested in your perspective on this matter and invite you to participate in a consultation session in your region. In order to allow the best use of our time together, most consultation sessions will include a number of representatives from different organizations.

To ensure that those invited to this session have an opportunity to participate in the conversation and provide comments, please limit the number of attendees from your organization to 2.

Venue: Pomeroy Hotel - 11308 Alaska Road, Fort St. John

Date and Time: July 31, 2014; 2:00 PM-5:30 PM

Groups present at your session: Citizens for Agricultural Land Reform Society, Peace River Forage Association of BC, Peace Region Forage Seed Association, BC North Peace River Regional Cattlemen's Association, BC Bison Association

Materials: Background information on changes to the *Agriculture Land Commission Act* and a copy of the consultation questions will be e-mailed to you under a separate cover in the next few days.

You are welcome to bring a written submission from your organization to complement your participation if you wish. If you have any questions, please contact Natasha Thambirajah by telephone at 250 356-1686.

Please R.S.V.P. to this invitation by e-mail to ALCAMeetings@gov.bc.ca by July 17, 2014 and ensure you specify how many people from your organization are attending.

Sincerely,

Derek Sturko
Deputy Minister

FW: For your review: Details for the Agricultural Land Reserve Regulation Consultation

Wednesday, November 26, 2014
1:18 PM

Subject	**FW: For your review: Details for the Agricultural Land Reserve Regulation Consultation**
From	Robinson, Julie P AGRI:EX
To	s.22
Sent	Friday, July 25, 2014 1:36 PM
Attachments	ALR Regul...

This is the follow up document I think Questions 7, 8, 9 are the big topics for our region, if you wanna chat ahead of time about this, just let me know

Cheers

Julie

Good morning,

This email is to follow up on the invitation you received on Monday July 14th from the Deputy Minister of Agriculture, Derek Sturko, inviting you to attend a consultation session on proposed changes to the Agricultural Land Reserve Use, Subdivision and Procedure Regulation.

Please find attached a consultation paper that provides background information to the consultation, and includes the specific questions that will form the basis of our discussion during the consultation session.

During the session, ministry staff will provide a summary of the background material provided in the consultation paper, including a brief overview of recent changes to the *Agricultural Land Commission Act* and the consultation questions. The main focus of our time together will be to solicit your organization's perspective, and the perspective of other organizations in the room, on the potential changes to the regulation proposed in the consultation paper.

As specified in your invitation, our session is limited in time and will include the participation of a number of groups. Thank you in advance for familiarizing yourself and your delegation with the consultation paper to help ensure our time together is as productive as possible.

We look forward to meeting with you and hearing your organization's ideas, suggestions and concerns on these important regulatory proposals.

Sincerely,

David Coney
Policy Manager

FW: TIME SENSITIVE INVITATION FROM THE DEPUTY MINISTER OF AGRICULTURE: Agricultural Land Commission Act Consultation Session

Wednesday, November 26, 2014
4:16 PM

Subject **FW: TIME SENSITIVE INVITATION FROM THE DEPUTY MINISTER OF AGRICULTURE: Agricultural Land Commission Act Consultation Session**
From Robinson, Julie P AGRI:EX
To s.22

Cc Vickers, Lori AGRI:EX
Sent Friday, July 25, 2014 1:40 PM

Hello there you guys are getting this via me as I think you formal version was lost in cyber space. I think you'll be able to overlook the deadline as this is the first you are seeing of it. If you want to chat ahead of time about any of this let me know. Hope someone from you group is able to attend☺

I think Rick is attending on behalf of BCGPA FYI

Cheers

Julie

Darwin Linford
President
Peace River Forage Association of BC

Dear Mr. Linford

The Ministry of Agriculture is seeking input from industry, local government and other interested groups on potential amendments to the regulation subordinate to the *Agricultural Land Commission Act*.

We are interested in your perspective on this matter and invite you to participate in a consultation session in your region. In order to allow the best use of our time together, most consultation sessions will include a number of representatives from different organizations.

To ensure that those invited to this session have an opportunity to participate in the conversation and provide comments, please limit the number of attendees from your organization to 2.

Venue: Pomeroy Hotel - 11308 Alaska Road, Fort St. John

Date and Time: July 31, 2014; 2:00 PM-5:30 PM

Groups present at your session: Citizens for Agricultural Land Reform Society, Peace River Forage Association of BC, Peace Region Forage Seed Association, BC North Peace River Regional Cattlemen's Association, BC Bison Association

Materials: Background information on changes to the *Agriculture Land Commission Act* and a copy of the consultation questions will be e-mailed to you under a separate cover in the next few days.

You are welcome to bring a written submission from your organization to complement your participation if you wish. If you have any questions, please contact Natasha Thambirajah by telephone at 250 356-1686.

Please R.S.V.P. to this invitation by e-mail to ALCAMeetings@gov.bc.ca by July 17, 2014 and ensure you specify how many people from your organization are attending.

Sincerely,

Derek Sturko
Deputy Minister

FW: For your review: Details for the Agricultural Land Reserve Regulation Consultation

Thursday, November 27, 2014
9:03 AM

Subject	**FW: For your review: Details for the Agricultural Land Reserve Regulation Consultation**
From	Robinson, Julie P AGRI:EX
To	s.22
Sent	Tuesday, July 29, 2014 4:55 PM
Attachments	ALR Regul...

This is for meeting 2:00 at Pomeroy Hotel

I think Question 7, 8, 9 have the most relevance to your region if you are looking to skim. Any questions let me know

cheers
Julie

Good morning,

This email is to follow up on the invitation you received on Monday July 14th from the Deputy Minister of Agriculture, Derek Sturko, inviting you to attend a consultation session on proposed changes to the Agricultural Land Reserve Use, Subdivision and Procedure Regulation.

Please find attached a consultation paper that provides background information to the consultation, and includes the specific questions that will form the basis of our discussion during the consultation session.

During the session, ministry staff will provide a summary of the background material provided in the consultation paper, including a brief overview of recent changes to the *Agricultural Land Commission Act* and the consultation questions. The main focus of our time together will be to solicit your organization's perspective, and the perspective of other organizations in the room, on the potential changes to the regulation proposed in the consultation paper.

As specified in your invitation, our session is limited in time and will include the participation of a number of groups. Thank you in advance for familiarizing yourself and your delegation with the consultation paper to help ensure our time together is as productive as possible.

We look forward to meeting with you and hearing your organization's ideas, suggestions and concerns on these important regulatory proposals.

Sincerely,

David Coney

Policy Manager
BC Ministry of Agriculture

RE: Stakeholder Suggestions

Thursday, November 27, 2014
10:58 AM

Subject	**RE: Stakeholder Suggestions**
From	Hughes, Kate JTST:EX
To	Sutherland, Kim AGRI:EX
Sent	Tuesday, June 3, 2014 9:31 AM

Thanks for this Kim. I appreciate it. Sorry I didn't have the opportunity to reply sooner. You mention that you have added other organizations to the list, but I don't see the list. Was it meant to be an attachment, or included below? If so, could you resend? Thanks!

Kate

From: Sutherland, Kim AGRI:EX
Sent: Friday, May 30, 2014 2:07 PM
To: Hughes, Kate AGRI:EX
Subject: RE: Stakeholder Suggestions
Hi Kate,

It was great to meet you as well, even though the consultation was rushed, it may offer some push-back to the legislation. Also, I think the legislation will be a bit of a problem to administer—and clear regulations may help the administration of the legislation—make some issues clear cut -- and may put some resources toward doing that (ie. costing a lot more money to put an application through).

My point is that 95% of the population support the ALR and this population generally resides in urban areas and to some extent they organize themselves into groups; and their interest may be in the main pillars by which the general population support agriculture—local food, green space, urban containment and biodiversity. As my knowledge of these groups is somewhat superficial, in your invitations to attend consultation sessions, you may want to word the invitation so that it includes other important organizations that they may be aware of—otherwise you could get the unintended scenario of consulting with one group that may not have ALR issues as large a part of its mandate as another group that you have missed. Farmers and local governments are not necessarily the most important stakeholder here—they may be part of the 5% of the population that do not want farmland protection, (as they will gain a lot if their land is developed), or, on the other hand, they may be part of the group that support farmland. That being said of course, they need to be consulted.

It is a bit of a weakness that farmers are not well organized into regional areas, however, the list below does capture where the organizations are. The main organization for the large farm groups is the British Columbia Ag Council and its member associations.

An additional thought is that it would be important to consult with local governments at the point at which they insect with the ALR—ie. the planners who have the ALR issues on their file.

I have added a few more organizations to the list. Keep in mind that this represents part of the Fraser Valley Regional District and the Squamish Lillooet Regional District. Chris Zabek and other RA's can fill you in on more.

The part of the debate that is entirely missing which is a frustration for me as a resource management person, is the whole awareness of food security. I think it is good to be able to frame up policy in the

reality of resource management in addition to the economic framework that we utilize. We have a very weak understanding of food security in our society so some of the trends that I would like you to be aware of are:

-there is huge uncertainty with the reliability of the ongoing productivity of the farmland where most of our fruits, nuts and vegetables have come from: southern US and California and Mexico. This is due to development pressures and water shortages for agriculture, accompanying groundwater depletion and deepening crisis of water supplies with climate change. From a resource management point of view it seems highly unlikely that these areas will remain supply zones in 20 years time. Peru, Chile will likely pick up some of the slack,— will we be able to compete with large populations of wealthy people on price for the products—countries exporting food will sell to the highest bidder.

-there is predicted a 100% increase in food demand by 2050. This is to (1) end hunger; (2) feed 9 billion people; (3) meet demand for higher quality food by large, wealthier populations.
http://www.sciencemag.org/content/327/5967/812

We here, in the Fraser Valley are feeling those market signals, 35 years ahead of that timeline. We are feeling the growing demand from urbanites locally and finding lots of markets for high quality foods elsewhere. Mark Liewe, who has written for Conference Board of Canada gave an impassioned plea at a dinner meeting in Chilliwack (http://chilliwackchamber.chambermaster.com/events/details/the-future-of-supply-management-371) two weeks ago for Canada to disengage the supply management system to be able to supply dairy products to China. Chinese people are wealthier and want to buy high quality, clean food from Canada. Their land is (1) polluted (2) has been developed into cities and they can't get food of the quality they want produced in China, and want to buy high quality food from us. I don't agree with getting rid of supply management for many reasons I won't go into here, but this talk was in line with what the UN predictions on increased demand for food are—a stark indication of the future of food supplies and markets.

The Fraser Valley produces 5% of all of Canada's farm gate receipts on just 0.2% of its farmland. It is on par or better that other top ag production zones in Canada—Leamington, Ont. Better than Niagara. It is the only place in Canada with a mild winter, has abundant water resources, and great soil. Do we truly, as a province, as a nation, at this time, want to give this up?

--Our Land Use Inventory results are showing that there is very little farmland for farmers to buy if they are wanting to expand their operations. They are moving south across the border in their search for good quality arable land in large enough parcel sizes. There is huge demand for land. There is a lot more vacant industrial land than vacant farmland.

Please call if you want clarification on anything.

Kim Sutherland, MSc., P. Ag.

Regional Agrologist

BC Ministry of Agriculture and Lands

1767 Angus Campbell Road

Abbotsford, BC

(604) 556-3073

From: Hughes, Kate AGRI:EX

Sent: Friday, May 30, 2014 9:16 AM
To: Sutherland, Kim AGRI:EX
Subject: Stakeholder Suggestions

Hi Kim,

Thanks for your input into the yesterday's meeting and for making the time to talk to me further yesterday afternoon. I would have liked our conversation to be longer, but am glad at least that we've met because it'll be much easier to connect by phone now.

I think I"ve captured the list of stakeholders you shared but want to run it past you to double check and capture any others you've thought of.

1. Vancouver food Policy Council
2. Society for Promoting Environmental Protection
3. David Suzuki Foundation
4. West Coast Environmental Law
5. Wilderness Committee
6. Slow Food Vancouver and Farm Folk City Folk
7. Abbotsford AAC
8. Abbotsford Chamber of Commerce Agricultural Committee
9. District of Kent Agricultural Advisory Committee
10. Pacific Agricultural Research Station
11. University of the Fraser Valley; Agricultural Sciences Division
12. Fraser Valley Watershed Coalition
13. Abbotsford Environmental Advisory Committee
14. Pemberton Agricultural Advisory Committee
15. Pemberton Farmers Institute

Thanks again,

Kate

ALC Consultations - Aug 12 Nanaimo and Aug 14 & 15 Abbotsford

Subject:	**ALC Consultations - Aug 12 Nanaimo and Aug 14 & 15 Abbotsford**
From:	Schmidt, Orlando AGRI:EX
To:	Haddow, Wayne AGRI.EX, Hatfield, Jill AGRI:EX; Kline, Rob AGRI:EX, Schmidt, Orlando AGRI:EX; Sutherland, Kim AGRI:EX; Zabek, Chris AGRI:EX
Cc:	MacDonald, Leslie S AGRI:EX
Sent:	Friday, July 18, 2014 7:52 PM
Attachments:	ALR Regul... Draft Stak...

Coast RAN staff

Please find attached 2 documents. One is the itinerary for the ALC Consultations and the other is a discussion paper with questions that will be asked.

These documents are for INTERNAL use only. Please do not circulate further.

With respect to the documents, Kate Hughes and Dave Coney have requested that you share information with them about regional issues relating to the consultation questions ahead of the meetings if you are able. It would be useful for them to know ahead of time about any issues, major projects, major contentions, significant ALC decisions etc that meeting participants may have on their mind.

For the Nanaimo meeting, Wayne is prepared to attend the afternoon session and Rob is still considering his options for the AM session. Jill will be on vacation.

For Abbotsford, there are 6 separate sessions. Chris and Kim, please discuss between you which sessions you would like to attend, and advise Leslie (with cc to myself). We don't necessarily need presence in each session but I would like each of you to attend one or two, particularly the session with Regional District representation. I will also be attending one or two sessions.

s.22 will be at work for one day on July 28 and will set up a staff call for that day to touch base. I will include some time to discuss our role in these consultations.

Orlando Schmidt, MSc, PAg,
Regional Manager, Coast
BC Ministry of Agriculture | 1767 Angus Campbell Road Abbotsford BC V3G 2Z1
Tel 604-556-3101 Fax 604-556-3099 Email: orlando.schmidt@gov.bc.ca

Consultation on Potential Changes to the *Agricultural Land Commission Act*: Agricultural Land Reserve Use, Subdivision and Procedure Regulation

B.C. Ministry of Agriculture
July 2014

1. Purpose

The purpose of this consultation is to invite your input on some proposed additional activities that could be allowed on farmland in the Agricultural Land Reserve without a requirement to make an application to the Agricultural Land Commission, on whether and to what extent these allowable uses should vary between different regions of the province, and on what parameters you think should be put around the proposed new uses.

2. Background

Approximately five percent of BC's land base is included in the Agricultural Land Reserve (ALR), a provincial zone within which agriculture is recognized as the priority activity. The ALR includes public and privately held land and is administered by the Agricultural Land Commission (ALC), an independent government tribunal, with the purpose of preserving agricultural land and encouraging its use for farming.

The *Agricultural Land Commission Act* (the *Act*) establishes both the ALR and the ALC in legislation. The *Act* sets out the structure and operations of the ALC and identifies permissible land uses within the ALR. The Agricultural Land Reserve Use, Subdivision and Procedure Regulation (ALR Regulation) provides greater specificity to many of the provisions in the *Act*.

Amongst other things, the ALR Regulation identifies specific land uses allowable on farmland in the ALR without an application to the ALC. Current examples include such things as growing plants and raising animals, putting up buildings necessary for the farm, selling agricultural products direct to the public, limited food processing and, unless prohibited a local government, specified non-farm activities such as agri-tourism accommodation, temporary sawmills, kennels, and others.

Any activities not permitted by the ALR Regulation do require an application to the ALC, which can approve, deny or vary the application. Applications are required in order to include or exclude land from ALR, to subdivide land within the ALR, or to carry out an activity not expressly permitted in the *Act* or Regulations.

The passage of Bill 24 in May 2014 introduced amendments to the *Act* that change the way in which the ALC is structured and governed. Some of the detail that determines how these legislative changes will be implemented will be provided through changes to the ALR Regulation. One aspect of regulatory change contemplated by the amendments is to expand the list of allowable uses on ALR land, and possibly to vary them between ALR regions.

The focus of this consultation is to ask the question: what further activities should be allowable on farmland in the ALR without an application to the ALC, what parameters should be put around them, and should they vary between regions? A Reference Group convened by the Minister of Agriculture and comprised of representatives from the ALC, the Union of British Columbia Municipalities (UBCM) and the BC Agriculture Council (BCAC) has made a number of specific suggestions in answer to this question, and these suggestions are presented in this paper for your consideration and comment.

Context for the questions is provided in sections 4 and 5 of this paper. Section 6 provides some specific suggestions for new activities that should be allowable in the ALR without an application to the ALC, and also some further specific suggestions for regulatory change related to agri-tourism and the subdivision and leasing of land in the ALR.

3. Consultation Process

Minister's Reference Group and ALC

- A Minister's Reference Group comprised of representatives from the ALC, UBCM and the BCAC has been struck to inform the consultation process and any regulatory outcomes.
- An initial meeting of the Reference Group was held in early July to provide advice on the consultation process, and to provide substantive input on the consultation questions.
- A separate meeting was then held with the ALC (commissioners and staff) to solicit further input on the consultation questions.
- The input gained from the Reference Group and the ALC form the basis of the consultation questions presented in this paper.
- As well, the ALC has provided a number of specific, technical suggestions for regulatory amendments aimed at providing greater clarity for landowners, local governments and the ALC itself around some existing allowable uses. While these suggestions are not the subject of this consultation, they will be provided on the consultation website (see Public Input, below) for your information.
- The Reference Group will meet again mid-way through the process to review stakeholder feedback and provide any additional, interim advice.
- A final meeting of the Reference Group will be held at the end of the consultation process to review outcomes and provide input on any draft regulations the Ministry may consider at that time.

Regional Stakeholder Consultations

- Seven regional meetings will take place between July 22nd and August 22nd encompassing all six ALR regions.
- Invited stakeholders include local government (all Regional Districts), industry (wide cross-section of agriculture associations and farmers' institutes) and other key organizations (e.g. agriculture programs from post-secondary institutions).
- The Ministry will lead the consultation process. The ALC will also attend the regional meetings.

Public Input

- Public input on the consultation questions will be solicited via a consultation website: http://engage.gov.bc.ca/landreserve or via a dedicated Ministry email address: ALCA_Feedback@gov.bc.ca
- The website will be live from July 22nd to August 22nd.

4. Overview of Changes to the ALCA

The *Act* was most recently amended in May 2014, by the passage of Bill 24. At that time, several legislative changes were introduced regarding how the ALC is structured and how it makes decisions on applications. These changes directly inform the framework of this consultation – to discuss what activities should be allowable on farmland in the ALR without an application to the ALC, and if these should vary between regions.

a) Zones, Regions and Regional Panels

The May 2014 amendments to the *Act* codify the existing six ALR regions into law, and require that a regional panel of at least two commissioners be established in each of the six regions.

The amendments also establish two ALR zones, each comprised of three of the six ALR regions:

Zone 1:	*Zone 2:*
Okanagan region	Interior region
South Coast region	Kootenay region
Vancouver Island region	North region

All applications to the ALC (for land exclusions, land inclusions, subdivisions, and land uses not otherwise permitted by the *Act* or Regulations) must now be forwarded by the Chair of the ALC to the appropriate regional panel for decision. At its discretion, a regional panel may take an application referred to it by the Chair, and refer this application instead to the ALC Executive Committee.

Subject to any regulations, if the Chair of the ALC determines that an application is of provincial importance, is novel or of general importance to the application of the *Act*, or may affect more than one panel region, the Chair may also refer the application to the ALC Executive Committee for decision, instead of referring it to a regional panel. The ALC Executive Committee is made up of the six regional panel vice-chairs, and the Chair of the ALC.

While the amendments to the *Act* provide the ability to further define in regulation when the Chair may refer an application to the Executive Committee, the Minister's Reference Group has advised that the *Act* provides enough specificity as written (i.e. the Chair may refer an application to the Executive Committee when the Chair considers an application is of provincial importance, is novel or of general importance to the application of the *Act*, or may affect more than one panel region). As such, it is preferable to allow the Chair the discretion to work within the legislative parameters provided, without further definition being required in regulation at this time.

b) Decision Making

The amendments to the *Act* also introduced new factors for the ALC to consider when making decisions on applications in Zone 2. In making decisions on applications the ALC has always considered the purpose of the ALC as defined in Section 6 of the *Act:*

(a) to preserve agricultural land;
(b) to encourage farming on agricultural land in collaboration with other communities of interest;
(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.

This has not changed in Zone 1.

In Zone 2, however, the ALC is now required by legislation to consider, in descending order of priority:

- The purposes of the ALC as defined in section 6 of the *Act*
- Economic, cultural and social values;
- Regional and community planning objectives; and
- Other prescribed considerations.

While the amendments to the *Act* provide the ability to further define in regulation the factors the ALC must consider in deciding on applications in Zone 2, there is no intention to develop such regulations at this time, and this consultation does not therefore include any questions on this topic.

c) Allowable Uses of ALR Land

The activities that are allowable on ALR land without requiring an application to the ALC are established in the ALR Regulation. There are two broad categories of allowable uses, called Farm Uses and Permitted Uses. Farm Uses include a range of things including: the growing of plants and raising of animals, horse riding, the application of fertilizers, the construction of farm buildings, farm related agri-tourism, and agro-forestry (i.e. activities directly related to farming). Farm Uses may not vary between Zone 1 and Zone 2, and may not be prohibited by local governments. Permitted Uses include such things as limited bed and breakfast accommodation, agri-tourism accommodation, temporary sawmills, kennels, and within certain limitations also non-agricultural home-based businesses. Permitted Uses are viewed as less directly related to agriculture than Farm Uses, but as still compatible with (of low impact to) the farm operation. Permitted Uses may vary between Zone 1 and Zone 2, and may be prohibited by local governments.

Whether and to what extent the list of Farm Uses and Permitted Uses in the ALR Regulation should be updated, and how if at all Permitted Uses should vary between zones, is the focus of this consultation. Further detail on what currently constitutes a Farm Use and a Permitted Use, together with suggestions for additional allowable uses, are provided in sections 5 and 6 of this paper for your consideration and comment.

d) Governance

Other legislative changes introduced in May 2014 include the establishment of additional reporting requirements for the ALC, including a review of operations, performance indicators, details on applications received, survey results, plans, special problems and trends.

The Ministry will be working together with the ALC and other experts in administrative tribunal governance to further define the details of these new operational requirements.

e) Other Regulation Making Authorities

The May 2014 amendments to the *Act* also provide new regulation making authorities to: define terms not otherwise defined in the *Act*; determine how the ALC should make certain information on its operations and decisions public; and to establish residency requirements for commissioners on regional panels.

Regulations establishing residency requirements for commissioners are being developed as part of the process to bring the recent *Act* amendments into force. Otherwise, there is no intention to move ahead on regulations at this time, other than on the central question of what activities (i.e. Farm Uses and Permitted Uses) should be allowed in the ALR without an application to the ALC, and how, if at all, these should vary between zones.

f) Summary

In summary, the May 2014 amendments to the *Act* have introduced changes to the way in which the ALR is structured and governed. Some of the detail that determines how these legislative changes will be implemented will be determined through changes to the ALR Regulation that supports the *Act*. This consultation is intended to solicit input on potential regulatory changes as they relate to changes in the land use activities allowable in Zone 1 and Zone 2.

An itemized list of the recent amendments to the *Act* is provided in Appendix A.

5. Land Uses Currently Allowed in the ALR

Currently, land in the ALR can be used for farming, ranching, and other uses specified in the ALR Regulation. All other activities require an application to the ALC. The specific land uses permitted in the ALR without application to the ALC are listed in the ALR Regulation either as Farm Uses (Section 2 of the Regulation) or as Permitted Uses (Section 3). Land use activities not included in those sections, such as subdividing land, building additional residences, and excluding land from the ALR, require approval by the ALC through the application process.

Farm Uses include activities that are most directly aligned with the business of farming. Many of these activities are captured in the definition of *farm use* set out in the *Act*:

> an occupation or use of land for farm purposes, including farming of land, plants and animals and any other similar activity designated as farm use by regulation, and includes a farm operation as defined in the *Farm Practices Protection (Right to Farm) Act*[1]. ALCA s.1 (1)

[1] http://www.bclaws.ca/civix/document/id/complete/statreg/96131_01

Section 2 of the ALR Regulation duly designates various activities as Farm Use, including: farm retail sales; operating farm wineries or cideries; storage, packing, and product preparation; timber production; agro-forestry; agri-tourism; and others (the full list of farm uses found in section 2 of the ALR Regulation is provided in Appendix B).

The majority of the activities listed in section 2 are restricted by specific parameters that ensure they support an active farm and have only a minimum impact on agricultural land. For example, farm retail sales are permitted only when either all of the farm products offered are produced on the farm, or at least half of the sales area is for products from the farm. Food processing is permitted only when half of the product being produced was sourced on the farm, or is feed for consumption on the farm. The activities listed in section 2 may be regulated but cannot be prohibited by local governments. The *Act* does not permit that the activities listed in section 2 may vary between Zone 1 and Zone 2.

Permitted Uses include activities that are not specifically agricultural in nature, but which are permitted by regulation on ALR land without application to the ALC. Permitted uses are set out in section 3 of the ALR Regulation and include such activities as: bed and breakfast accommodations; temporary sawmills; breeding pets; establishing telecommunications equipment; and others (a full list of the permitted uses found in section 3 of the ALR Regulation is provided in Appendix B).

Similar to Farm Uses under section 2, parameters are established in the Regulation for the majority of these land uses in order to minimize their impact on agricultural land. For instance, temporary sawmills are permitted when half of the timber harvested is from the farm; bed and breakfasts are limited in size; and biodiversity conservation, passive recreation, heritage, wildlife and scenery viewing land uses are permitted so long as related buildings do not exceed a specified footprint. The permitted uses listed in section 3 may be restricted or prohibited by local governments. Permitted Uses may vary between Zone 1 and Zone 2 of the ALR.

Table 1 illustrates the main differences between farm uses, permitted uses and non-farm uses as provided by the ALR Regulation.

Possible Uses of Land:		
A. Farm Use	**B. Permitted Use**	**C. Non-farm Use**
Defined as "farm use" in the ALR Regulation s.2	Defined specifically in ALR Regulation s.3	**Not permitted on ALR land without ALC approval**
No application to the Commission required	No application to the Commission required	**Requires application to the Commission**
May be regulated but not prohibited by local government (s.2 ALR Regulation)	Permitted unless prohibited by local government bylaw (s.3 ALR Regulation)	**Applications go to local government ahead of the Commission. Local Government can refuse to authorize the application, which ends the process, or forward to the Commission with comments and recommendations; the Commission then decides the application.**

6. Consultation Questions

Farm Use

To help identify potential changes to the ALR Regulation, the Ministry has consulted with the Minister's Reference Group (UBCM, BCAC, ALC), and separately also with the ALC. As a result of these consultations, two possible changes to what is an allowable Farm Use of land in the ALR are presented for your consideration and comment. Two additional changes are also presented for your consideration, based on the findings of the recent provincial Liquor Policy Review.

If added to the ALR Regulation, these land use activities would be permitted in the ALR without an application to the ALC, could be regulated but not prohibited by a local government, and would not be able to vary between Zone 1 and Zone 2.

Q 1) Should the parameters for allowable on-farm food storage, packing, processing and retail establishments be revised?

Currently the Regulation states that food storage, packing, product preparation, and food processing are permitted "if at least 50% of the farm product being stored, packed, prepared or processed is produced on the farm or is feed required for farm production purposes on the farm". Retail sales are permitted if

"at least 50% of the retail sales area is limited to the sale of farm products produced on the farm on which the retail sales are taking place and the total area ... does not exceed 300m^2."

These restrictions can inhibit neighbouring farms from investing in joint storage, packing, processing or retail establishment in the ALR, favouring instead the establishment of a number of small, similar operations. This may be an inefficient use of productive farmland, and cost prohibitive for individual small producers. One benefit of the proposed amendment would therefore be to enable cooperative arrangements between farms in proximity to one another.

Amongst other things, lessening the restrictions on on-farm processing could allow the establishment of abattoirs (large, small or mobile), on farms, to serve surrounding cattle, game or poultry farms. Other examples of potential new processing opportunities include value added, further-processing activities related to fresh produce (e.g. grape juice), dairy products (e.g. cheese), or nutraceutical / pharmaceutical products (e.g. related to medical marijuana).

Similarly, lessening restrictions on on-farm retail operations could further enable on-farm markets to sell products from several farms.

Q 2) Should breweries, distilleries and meaderies be allowed on ALR land on the same or similar terms as wineries and cideries are currently allowed?

Currently, wineries and cideries are allowed on ALR land without application to the ALC, so long as a prescribed percentage of the agricultural product used to produce the final product comes from either the farm on which the winery/cidery sits, or another BC farm. The idea here is to extend the same provisions and conditions to breweries, distilleries and meaderies.

Q 3) Should the allowable footprint for consumption areas (or 'lounges') ancillary to wineries and cideries (and potentially also breweries, distilleries and meaderies) be increased, and if so on what basis?

Currently, wineries and cideries in the ALR are allowed to establish consumption areas (or 'lounges') to a maximum size of 125m^2 inside, and 125m^2 outside, which is roughly equal to a maximum of 130 people. One of the findings from the recent provincial Liquor Policy Review is that government should consult on increasing the limit for allowable consumption areas.

Q 4) To what extent should wineries and cideries (and potentially breweries, distilleries and meaderies) be allowed to sell alcohol that was produced elsewhere in BC, not at the winery or cidery?

Currently, a winery or cidery may only sell alcohol produced at that winery or cidery. One of the findings from the recent provincial Liquor Policy Review is that government should consult on allowing the sale of alcohol produced in BC, but not produced on the farm.

Note: In all cases, whether expanding existing farm uses or creating new ones, careful consideration should be given to any appropriate parameters for limiting the Farm Use, for example by limiting the total footprint of any facilities in relation to the size of the farm, prescribing the location of a facility on a

farm, the percentage of any inputs that should be derived from the farm, and the impact on neighbouring farms. The question of whether or not the property is actually being farmed may also be a consideration, as may be the impact of the proposed activity to the farm operation.

Permitted Use

To help identify potential changes to the ALR Regulation, the Ministry has consulted with the Minister's Reference Group (UBCM, BCAC, ALC), and separately also with the ALC. As a result of these consultations, three possible changes to what is an allowable Permitted Use of land in the ALR are presented for your consideration and comment. If added to the ALR Regulation, these land use activities would be permitted in the ALR without an application to the ALC, could be prohibited by a local government, and could vary between Zone 1 and Zone 2.

Q 5) Should anaerobic digesters be permitted in the ALR if the inputs are generated from farming activities?

Anaerobic digestion is defined as a collection of processes by which microorganisms break down biodegradable material in the absence of oxygen. In the farm context, biodegradable material primarily means animal waste, or manure. The process is used to manage farm waste and/or to produce fuels, which may then be used on farm or sold for revenue. Dairy farms in particular may benefit from being able to establish anaerobic digesters on-farm without an application to the ALC, given the ready availability of feedstock.

Q 6) Should on-farm cogeneration facilities be permitted on farms where a portion of the energy created is used on-farm?

Cogeneration or combined heat and power (CHP) is the use of a heat engine or power station to simultaneously generate electricity, useful heat, and CO^2, which can either be used on the farm or sold. Greenhouse operations in particular may benefit from being able to establish co-gen facilities on-farm without an application to the ALC, since heat and CO^2 are both used in greenhouse production.

Q 7) Should the parameters be expanded for when non-agriculture related businesses are allowed to operate on ALR properties in Zone 2?

Currently the Regulation permits a home occupation use that is accessory to a dwelling, of not more than 100 m^2 or such other area as specified in a local government bylaw. One idea is to expand opportunities for a broader range of land-based non-agricultural businesses, such as certain oil and gas ancillary services.

Note: As with Farm Uses, careful consideration should be given to any appropriate parameters for limiting the proposed new activities, including the size and location of any facilities, their permanence, the percentage of inputs derived from the farm and/or the percentage of outputs used on the farm, their impact on neighbouring farms, options for land reclamation after the use ends, whether or not the property is actually being farmed, and the likely impact of the proposed use to the farm operation.

Sub-division

Although most subdivisions require an application to the ALC, section 10 of the ALR Regulation establishes when and how subdivisions of ALR properties can be made by local government (and provincial) Approving Officers, without an application to the ALC. These include subdivisions that will consolidate two or more parcels into a single parcel, and certain other subdivisions when the subdivision will not result in any increase in the number of parcels.

Two ideas have been proposed to enable farmers and ranchers to expand the circumstances under which subdivisions can be approved by an Approving Officer without application to the ALC.

Q 8) Should the subdivision of ALR properties in Zone 2 to a minimum parcel size of a quarter section be allowed without an application to the ALC?

From 1997 to 2003 the ALC "Quarter Section General Order" (or policy) permitted subdivisions down to a minimum size of a quarter section, without an application, in the Peace River and Northern Rockies Regional Districts. The idea here is to reinstate this practice, through regulation, and apply it throughout Zone 2.

Q 9) Should the subdivision of ALR parcels in Zone 2 that are of a defined size, and that are divided by a major highway or waterway, be allowed without an application to the ALC?

Farm properties are often difficult to manage with a major obstruction in the way, and the ALC often allows subdivision of these parcels through an application. The idea here is to allow an Approving Officer to approve subdivisions where such a major obstruction (to be defined in regulation) exists.

Agri-tourism

One proposal is that further definition of what constitutes an "agri-tourism activity" could usefully be provided in section 2 of the Regulation. Section 2 currently provides that agri-tourism activities are allowable as a farm use if the use is temporary and seasonal, and promotes or markets farm products grown, raised or processed on the farm. Providing greater clarity on what constitutes a "temporary and seasonal" activity and when that activity "promotes or markets farm products" may be beneficial for farmers, local governments and the ALC.

It has similarly been proposed that further definition be provided on when agri-tourism accommodations are permitted under section 3 of the Regulation, to ensure that any such accommodations are tied to a legitimate agri-tourism activity under section 2.

Q 10) Should greater clarity be provided on what constitutes an agri-tourism activity that is allowable in the ALR without an application, and if so what parameters should be established?

Leasing land

Currently a landowner in the ALR may lease their entire property without making an application to the ALC, but must make an application in order to lease a portion of their property. It has been proposed

that temporary leases of a portion of a property be allowed without an application if the lease is to (a) enable the intergenerational transfer of active farm or ranch operations without a subdivision, or (b) to encourage the use of otherwise unfarmed land by existing or new farmers.

Q 11) Should temporary leases of portions of a property in Zone 2 of the ALR be allowed without an application to the ALC for:
(a) intergenerational transfer of an active farm or ranch operation; and/or
(b) to encourage the use of otherwise unfarmed land by existing or new farmers?

Allowing "life estate leases" for inter-generational transfer would allow retiring farmers to continue to live on their property while leasing or selling it to their children or other new entrants. The lease could allow a second residence to be established on the property, but no permanent subdivision of property would be involved.

Allowing temporary leases of a portion of a property to bring fallow ALR land into production could help new entrants/young farmers get into agriculture, and/or could increase opportunities for existing farmers to access more land without purchase. This kind of lease would not lead to additional residences being permitted on the farm and would not require a subdivision.

7. Thank you!

Your input into this consultation is greatly appreciated. If you would like to contribute further comments, you may do so by email at **ALCA_feedback@gov.bc.ca** or through our consultation website at http://engage.gov.bc.ca/landreserve

Appendix A:

List of Recent Amendments to the *Agricultural Land Commission Act*

General "Theme"	Description of Change	Section Reference
1) ALC Reporting and Accountability	Allow government, by regulation, to set service standards and reporting requirements for the Commission to the Minister.	ALCA Section 12(2)
	Minister can by order set performance standards.	ALCA Section 12(2.1)
2) Panel Regions and Panel Composition	Establish the 6 existing panel regions (defined geographically in the new Schedule to ALCA)	ALCA Section 4.1
	Require that a panel be established for each of the 6 panel regions.	ALCA Section 11(1)
	Require that the Chair refer applications from a panel region to the panel for that panel region.	ALCA Section 11(6)
	Sets out when chair of the Commission can refer an application to the executive committee.	ALCA Section 11.2
	Commission must consist of at least 13 individuals.	ALCA Section 5(1)
	Regional panels will have a minimum of 2 members, one of whom will be vice chair for the panel appointed by the LGIC.	ALCA Section 5(2) and ALCA Section 11
	Vice chairs and members must be resident in the region of the panel to which they are appointed ('residency' to be defined by regulation).	ALCA Section 5(2) and ALCA Section 11(3)
3) Zones	Zone 1 = Island, South Coast and Okanagan panel regions.	ALCA Section 4.2
	Zone 2 = the rest of BC (i.e. Interior, Kootenay, North panel regions, and other).	
4) Decision-Making in Zones	Zone 1 – no change to decision-making – ALC considers applications on case-by-case basis within the legislated purpose of the Commission, which are as follows: (a) to preserve agricultural land; (b) to encourage farming on agricultural land in collaboration with other communities of interest;	ALCA Section 4.3

		(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. In rendering its decisions in Zone 2, the Commission must also now consider other factors in descending order of priority: economic, cultural and social values; regional and community planning objectives; and any other considerations prescribed by regulation. This does not require the Commission to make decisions that only reflect these new considerations. The Commission is still an independent body and will balance agricultural factors with these other considerations. The legislation provides for greater flexibility in ALC decision-making to allow farmers in Zone 2 to have more options for earning an income.	
5)	*Local Government Act* Amendment	Section 879 of the *Local Government Act* is amended so that local governments must consult with the Commission earlier on in development of, or amendments to, an Official Community Plan (i.e. *prior* to first reading).	*Local Government Act* Section 879
6)	Additional Regulation-Making Powers added to the ALCA	Several subsections have been added to section 58 of the ALCA to provide for additional regulation-making powers. The regulations we are consulting on in this process are tied to several of these new powers and to the other regulation-making powers that have existed for some time in the ALCA.	ALCA Section 58

Appendix B:
Excerpt from the Agricultural Land Reserve Use, Subdivision and Procedure Regulation

Activities designated as farm use

2 (2) The following activities are designated as farm use for the purposes of the Act and may be regulated but must not be prohibited by any local government bylaw except a bylaw under section 917 of the *Local Government Act* or, if the activity is undertaken on treaty settlement lands, by a law of the applicable treaty first nation government:

(a) farm retail sales if

(i) all of the farm product offered for sale is produced on the farm on which the retail sales are taking place, or

(ii) at least 50% of the retail sales area is limited to the sale of farm products produced on the farm on which the retail sales are taking place and the total area, both indoors and outdoors, used for the retail sales of all products does not exceed 300 m^2;

(b) a British Columbia licensed winery or cidery and an ancillary use if the wine or cider produced and offered for sale is made from farm product and

(i) at least 50% of that farm product is grown on the farm on which the winery or cidery is located, or

(ii) the farm that grows the farm products used to produce wine or cider is more than 2 ha in area, and, unless otherwise authorized by the commission, at least 50% of the total farm product for processing is provided under a minimum 3 year contract from a farm in British Columbia;

(c) storage, packing, product preparation or processing of farm products, if at least 50% of the farm product being stored, packed, prepared or processed is produced on the farm or is feed required for farm production purposes on the farm;

(d) land development works including clearing, levelling, draining, berming, irrigating and construction of reservoirs and ancillary works if the works are required for farm use of that farm;

(e) agri-tourism activities, other than accommodation, on land that is classified as a farm under the *Assessment Act*, if the use is temporary and seasonal, and promotes or markets farm products grown, raised or processed on the farm;

(f) timber production, harvesting, silviculture and forest protection;

(g) agroforestry, including botanical forest products production;

(h) horse riding, training and boarding, including a facility for horse riding, training and boarding, if

(i) the stables do not have more than 40 permanent stalls, and

(ii) the facility does not include a racetrack licensed by the British Columbia Racing Commission;

(i) the storage and application of fertilizers, mulches and soil conditioners;

(j) the application of soil amendments collected, stored and handled in compliance with the Agricultural Waste Control Regulation, B.C. Reg. 131/92;

(k) the production, storage and application of compost from agricultural wastes produced on the farm for farm purposes in compliance with the Agricultural Waste Control Regulation, B.C. Reg. 131/92;

(l) the application of compost and biosolids produced and applied in compliance with the Organic Matter Recycling Regulation, B.C. Reg. 18/2002;

(m) the production, storage and application of Class A compost in compliance with the Organic Matter Recycling Regulation, B.C. Reg. 18/2002, if all the compost produced is used on the farm;

(n) soil sampling and testing of soil from the farm;

(o) the construction, maintenance and operation of farm buildings including, but not limited to, any of the following:

(i) a greenhouse;

(ii) a farm building or structure for use in an intensive livestock operation or for mushroom production;

(iii) an aquaculture facility.

(3) Any activity designated as farm use includes the construction, maintenance and operation of a building, structure, driveway, ancillary service or utility necessary for that farm use.

(4) Unless permitted under the *Water Act* or the *Environmental Management Act*, any use specified in subsection (2) includes soil removal or placement of fill necessary for that use as long as it does not

(a) cause danger on or to adjacent land, structures or rights of way, or

(b) foul, obstruct or impede the flow of any waterway.

(5) The removal of soil or placement of fill as part of a use designated in subsection (2) must be considered to be a designated farm use and does not require notification except under section 4.

Permitted uses for land in an agricultural land reserve

3 (1) The following land uses are permitted in an agricultural land reserve unless otherwise 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) accommodation for agri-tourism on a farm if

(i) all or part of the parcel on which the accommodation is located is classified as a farm under the *Assessment Act*,

(ii) the accommodation is limited to 10 sleeping units in total of seasonal campsites, seasonal cabins or short term use of bedrooms including bed and breakfast bedrooms under paragraph (d), and

(iii) the total developed area for buildings, landscaping and access for the accommodation is less than 5% of the parcel;

(b) for each parcel,

(i) one secondary suite within a single family dwelling, and

(ii) one manufactured home, up to 9 m in width, for use by a member of the owner's immediate family;

(c) a home occupation use, that is accessory to a dwelling, of not more than 100 m^2 or such other area as specified in a local government bylaw, or treaty first nation government law, applicable to the area in which the parcel is located;

(d) bed and breakfast use of not more than 4 bedrooms for short term tourist accommodation or such other number of bedrooms as specified in a local

government bylaw, or treaty first nation government law, applicable to the area in which the parcel is located;

(e) operation of a temporary sawmill if at least 50% of the volume of timber is harvested from the farm or parcel on which the sawmill is located;

(f) biodiversity conservation, passive recreation, heritage, wildlife and scenery viewing purposes, as long as the area occupied by any associated buildings and structures does not exceed 100 m^2 for each parcel;

(g) use of an open land park established by a local government or treaty first nation government for any of the purposes specified in paragraph (f);

(h) breeding pets or operating a kennel or boarding facility;

(i) education and research except schools under the *School Act*, respecting any use permitted under the *Act* and this regulation as long as the area occupied by any buildings or structures necessary for the education or research does not exceed 100 m^2 for each parcel;

(j) production and development of biological products used in integrated pest management programs as long as the area occupied by any buildings or structures necessary for the production or development does not exceed 300 m^2 for each parcel;

(k) aggregate extraction if the total volume of materials removed from the parcel is less than 500 m^3, as long as the cultivatable surface layer of soil is salvaged, stored on the parcel and available to reclaim the disturbed area;

(l) force mains, trunk sewers, gas pipelines and water lines within an existing dedicated right of way;

(m) telecommunications equipment, buildings and installations as long as the area occupied by the equipment, buildings and installations does not exceed 100 m^2 for each parcel;

(n) construction and maintenance, for the purpose of drainage or irrigation or to combat the threat of flooding, of

(i) dikes and related pumphouses, and

(ii) ancillary works including access roads and facilities;

(o) unpaved airstrip or helipad for use of aircraft flying non-scheduled flights;

(p) the production, storage and application of Class A compost in compliance with the Organic Matter Recycling Regulation, B.C. Reg. 18/2002, if at least 50% of the compost measured by volume is used on the farm.

(2) Nothing in subsection (1) (a) is to be interpreted as permitting the conversion of a building into strata lots by an owner.

(3) If a use is permitted under subsection (1) (k) it is a condition of the use that once the extraction of aggregate is complete, the disturbed area must be rehabilitated in accordance with good agricultural practice.

(4) The following land uses are permitted in an agricultural land reserve:

(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*, or

(v) recreation reserve established under the *Land Act*;

(b) dedication or upgrading of an existing road with vehicular access and use declared to be a highway under section 42 of the *Transportation Act*;

(c) road construction or upgrading within a dedicated right of way that has a constructed road bed for vehicular access and use;

(d) if the widening or works does not result in an overall right of way width of more than 24 m, widening of an existing constructed road right of way for

(i) safety or maintenance purposes, or

(ii) drainage or flood control works;

(d.1) widening an existing constructed road right of way to ease one curve;

(e) establishing as a forest service road

(i) an existing road under the *Forest Act*, or

(ii) a new road in a managed forest;

(f) increasing the right of way width of a forest service road by up to 4 m if the widening does not result in an overall right of way width of more than 24 m;

(g) railway construction, upgrading and operations on an existing railbed within a dedicated right of way, including widening of an existing railway right of way if the widening does not result in an overall right of way width of more than 30 m;

(h) surveying, exploring or prospecting for gravel or minerals if all cuts, trenches and similar alterations are restored to the natural ground level on completion of the surveying, exploring or prospecting;

(i) surface water collection for farm use or domestic use, water well drillings, connection of water lines, access to water well sites and required rights of way or easements;

(j) soil research or testing as long as the soil removed or fill placed is only in an amount necessary for the research or testing.

(5) Any permitted use specified in subsection (1) or (4) includes the construction, maintenance and operation of buildings, structures, driveways, ancillary services and utilities necessary for that use.

(6) Unless permitted under the *Water Act* or the *Environmental Management Act*, any use specified in subsection (1) or (4) includes soil removal or placement of fill necessary for that use as long as the soil removal or placement of fill does not

(a) cause danger on or to adjacent land, structures or rights of way, or

(b) foul, obstruct or impede the flow of any waterway.

Draft Stakeholder Consultation Plan

Notes:

1. Regional Districts will have option to include representatives from member municipalities and or Agriculture Advisory Committees, within a capped total number of participants per RD.
2. Meetings with participants from a single group or association are typically allotted 90mins: 2 -4 groups. 2hours: meetings of 4 groups and larger, 2.5 -3 hrs

Tuesday, July 8th
Minister's Reference Group - Richmond

Invitees	*Session Time*	*Location*	*Travel*	*Notes*
• BC Agriculture Council • ALC • UBCM	9:00 am - 4:00 pm	**Executive Airport Plaza Hotel**, 7311 Westminster Highway, in Richmond. (Telephone: 604 207-7162)	Leave Victoria 8:05 am Arrive South Van 8:35 am Leave Van 5:35 pm Arrive Vic 6:05 pm	Minister, DM, David and Kate attending

Friday, July 11th
ALC Staff Consultation - Burnaby

Invitees	*Session Time*	*Location*	*Travel*	*Notes*
• Staff and/or Commissioners	9:30 am– 3:00 pm	**ALC Office**, 133-4940 Canada Way, Burnaby BC	Leave Victoria 8:00 am Arrive Van harbour 8:30 am Leave Van 5:40 pm Arrive Vic 6:15 pm	DM, ADM, David, and Kate attending.

Tuesday, July 22nd

Kelowna

Okanagan Penticton Region

Invitees	*Session Time*	*Location*	*Travel*	*Notes*
1. BC Fruit Growers Association 2. BC Wine Institute 3. BC Cherry Growers Association ~~4. Certified Organic Association of BC~~ 5. Southern Interior Stockmen's Association 6. North Okanagan Livestock Association 7. BC Grapegrowers Association ***** 8. Columbia Shuswap Regional District 9. Regional District of Central Okanagan 10. Regional District of North Okanagan 11. RD of Okanagan-Similkameen	10:00-1:00 **** Lunch 1:00-2:00 **** 2:00-4:00	**Ramada Kelowna.** 2170 Harvey Ave. Kelowna. BC V1Y 6G8 250 860-9711	Depart Victoria 7:10 am Arrive in Kelowna 9:11 am. Depart Kelowna 5:55 pm Arrive in Victoria 8:24 pm Cab ride between location and airport = 12-20 minutes	DM, David, Kate, and Rebecca attending

Friday, July 25th

Kamloops

Interior Panel Region

	Invitees	*Session Time*	*Location*	*Travel*	*Notes*
1 2 3 4 5 6	BC Cattleman's Association Thompson-Nicola Regional District Grassland Conservation Council of BC Thompson River University First Nations Agriculture Association Cariboo Chilcotin Agriculture Council	1:00 – 4:30	**Hotel 540** 540 Victoria Street, Kamloops, BC 250 372-2281	Depart Victoria 9:00 am Arrive in Kamloops 11:22 am Depart Kamloops 8:55 pm Arrive in Victoria 10:57 pm 25 minute drive to the airport	James Mack, David, Kate, and Natasha attending

Tuesday, July 29th

Prince George

North Panel Region

	Invitees	*Session Time*	*Location*	*Travel details*	*Notes*
1 2 3 4 5	District C Farmer's Institute District H Farmer's Institute LARM Community Council BC Women's Institute North Cariboo Agricultural Marketing Association	10:00-12:30	**Coast Inn of the North** 770 Brunswick St **Prince George** 250-277-1112	Depart Victoria 7:00 am Arrive in PG 9:05 am Depart PG 7:30 pm Arrive in Victoria 9:58 pm Cab ride from airport – 20 – 30 minutes	James Mack, David, Kate, and Rebecca attending
	*****	**Lunch** 12:30-1:30			
6 7 8	BC Forage Council Skeena Stockmen's Association Nechako Valley Regional Cattlemen's Association	1:30-3:30			
	*****	*****			
9 10. 11 12	Regional District of Bulkley-Nechako RD of Fraser Fort-George Cariboo Regional District University of Northern BC (PG)	4:00-6:00			

Thursday, July 31st

Fort St. John

North Panel Region

Invitees	*Session Time*	*Location*	*Travel details*	*Notes*
1. Northern Rockies Regional Municipality 2. Peace River Regional District *****	11:00-1:00 ****** **Lunch** 1:00-2:00 ******	**Pomeroy Hotel** 11308 Alaska Rd. Fort St. John, BC V1J 5T5 250-262-3233	Depart Victoria: 7:10 am Arrive FSJ: 9:48 am Depart FSJ: 7:05 pm Arrive Victoria: 9:58 pm Cab ride 15 20 minutes	James Mack, David, Kate, and Rebecca attending.
3. Citizens for Agricultural Land Reform Society 4. BC Grain Producers Association (Dawson Creek) 5. Peace Region Forage Seed Association 6. BC North Peace River Regional Cattlemen's Association 7. BC Bison Association 8. Peace River Forage Association	2:00-5:30			

Tuesday, August 5th

Minister's Reference Group - Richmond

Invitees	*Session Time*	*Location*	*Travel*	*Notes*
• BC Agriculture Council • ALC • UBCM		**Executive Airport Plaza Hotel**, 7311 Westminster Highway, in Richmond, 604 207-7162	To be determined	Minister and DM attending

5

Thursday, August 7th
ALC Reporting Requirements - Burnaby

Invitees	*Session Time*	*Location*	*Travel*	*Notes*
• FIRB • ALC • Ministry of Agriculture		**ALC Office**, 133-4940 Canada Way, Burnaby BC	TBD	Tim, discussion on David and Becky and executive attendance

Friday, August 8th
Cranbrook
Kootenay Panel Region

Invitees	*Session Time*	*Location*	*Travel details*	*Notes*
1. Kootenay Livestock Association 2. Creston Valley Beef Grower's Association 3. Windermere Farmer's Institute 4. Creston Valley Agricultural Society	12:30-3:30	**Prestige Rocky Mountain Resort** 209 Van Horne St. South, Cranbrook, BC 250 417-0444	Depart Victoria: 8:00 AM Arrive Cranbrook: 11:21 AM	James Mack, David, Kate, and Rebecca attending
*****	******* **Lunch** 3:30-4:30 *******		Depart Cranbrook: 9:20 PM Arrive Victoria: 10:57 PM	
5. Regional District of East Kootenay 6. Regional District of Central Kootenay 7. Regional District of Kootenay Boundary	4:30-7:00		20 minute drive from airport to venue	

Tuesday, August 12th

Nanaimo

Island Panel Region

Invitees	*Session Time*	*Location*	*Travel details*	*Notes*
1. Small Scale Food Processors 2. BC Institute of Agrologists 3. Peninsula Agriculture Commission 4. District A Farmer's Institute ***** 5. Regional District of Cowichan Valley 6. Regional District of Powell River 7. Regional District of Nanaimo 8. Regional District of Alberni-Clayoquot Strathcona 9. Regional District of Comox Valley 10. Regional District of Strathcona 11. Capital Regional District 12. Islands Trust	9:00 – 12:00 **** **Lunch** 12:00-1:00 ***** 1:00-4:00	**Coast Bastion Hotel** 11 Bastion St, Nanaimo, BC V9R 6E4 (250) 753-6601	Using Ministry car to drive to Nanaimo Car parked at 732 Cormorant St. Walk down ramp to garage with car key, left across the parking lot. Ford Escape at front of building DM will drive up separately.	Derek Sturko, David, Kate, and Rebecca attending

7

Thursday August 14th - Friday August 15th

Abbotsford

South Coast Panel Region

Invitees	*Session Time*	*Location*	*Travel details*	*Notes*
1. Metro Vancouver RD 2 Fraser Valley RD 3 Sunshine Coast RD 4 Squamish-Lillooet RD	9:00-11:30	**Best Western** 32110 Marshall Rd Abbotsford BC V2T 1A1 604-853-3111 ext 428	Orca Airways Depart Victoria: 7:45 AM Arrive Abbotsford: 8:10 AM	Exec IBD: David, Kate, and Rebecca attending
*****	***** **Lunch** 11:30-12:30 *****		Cab ride between location and airport = approximately 10 – 15 minutes (buffer built in)	
5 BC Food Processors' Association 6. Fraser Valley Strawberry Growers' Association 7 BC Potato and Vegetable Growers' Association 8 BC Certified Seed Potato Growers Association 9. BC Greenhouse Growers Association 10. United Flower Growers Cooperative	12:30 – 3:00		Stay overnight in Abbotsford	
******	******			
11. Raspberry Industry development council 12. Young Agrarians 13 Fraser Valley Peas, Bush Beans and Corn Growers' Association 14 BC Landscape and Nursery Association 15. BC Association of Farmers Markets 16 BC Pork Producers Association	3:30-6:00			
Overnight in Abbotsford			Overnight in Abbotsfd	

FRIDAY 15th (Abbotsford – day 2)	**FRIDAY 15th**	
17. BC Dairy Association		
18. Farmland Defence League	8:30 – 10:30	
19. BC Poultry Association		
20. UBC – Faculty of Land and Food Systems		
21. Delta Farmer's Institute		
22. BC Blueberry Council		
		Orca Airways Depart Abbotsford, 5:30 PM Arrive Victoria, 5:55 PM
******	*****	
23. BC Dairy Council		
24. Fraser Valley Cole Crop Growers' Association	10:45-12:45	
25. BC Sheep Federation		
26. Vancouver Food Policy Council		
27. Fraser Valley University – Agriculture Centre of Excellence		
28. District F Farmers' Institute		
******	**** **Lunch** 12:45-1:45 ****	
29. BC Food Systems Network		
30. Farm Folk City Folk		
31. BC Association of Cattle Feeders	2:00 – 4:00	
32. BC Cranberry Growers' Association		
33. Fraser Basin Council		

Tuesday, August 19th
Regional Districts

Invitees	*Session Time*	*Travel details*	*Notes*
1. Regional District of Skeena-Queen Charlotte 2. Regional District of Kitimat-Stikine 3. Central Coast Regional District 4. Regional District of Mt Waddington	1:30 – 3:30	n/a	These groups will be invited to contact the ministry to arrange telephone or in person meetings where possible

Time TBD
Treaty First Nations

1. Maa-nulth (all five First Nations)
2. Nisga'a First nation
3. Tsawwassen First Nation
4. Yale First Nation

Wednesday, September 4th **Minister's Reference Group - Richmond**				
Invitees	*Session Details*	*Location*	*Travel*	*Notes*

10

Wednesday, September 4th

Minister's Reference Group - Richmond

Invitees	*Session Details*	*Location*	*Travel*	*Notes*
• BC Agriculture Council • ALC • UBCM		**Executive Airport Plaza Hotel**, 7311 Westminster Highway, in Richmond, 604 207-7162	9:30 start	Minister and DM attending

11

RE: Some Responses to proposed ALR changes

Thursday, November 27, 2014
11:20 AM

Subject	**RE: Some Responses to proposed ALR changes**
From	Zimmerman, Kathleen AGRI:EX
To	Schmidt, Orlando AGRI:EX; van Dalfsen, Bert AGRI:EX
Cc	Fox, Alison AGRI:EX; Zabek, Chris AGRI:EX; Sutherland, Kim AGRI:EX; Hatfield, Jill AGRI:EX; Haddow, Wayne AGRI:EX; Kline, Rob AGRI:EX; Sawyer, Bronwyn AGRI:EX; Bartle, Gregory AGRI:EX
Sent	Monday, March 31, 2014 3:32 PM

Here is Richard Bullock's most recent update. I haven't seen any media coverage of it, but the ALC just excluded over 1,400 ha as part of their Elk Valley Boundary Review (and included over 600 ha).
http://ht.ly/uNt0K
Thanks,
Kathleen

Senior manger calls - ALC Consultation

Thursday, November 27, 2014
11:21 AM

Subject	**Senior manger calls - ALC Consultation**
From	Coney, David AGRI:EX
To	van Dalfsen, Bert AGRI:EX; Murphy, Kevin J AGRI:EX; Tonn, Patricia AGRI:EX; Schmidt, Orlando AGRI:EX; Tegart, Greg AGRI:EX; Barclay, Brent S. AGRI:EX; Sparanese, Wayne A AGRI:EX; Steward, Lonny AGRI:EX; Viney, Ursula E AGRI:EX; DeLong, Carol AGRI:EX; DeBoer, Pat AGRI:EX; Jonson, Byron AGRI:EX; Hughes-Games, Geoff AGRI:EX; Schur, TJ AGRI:EX; Powell, Charlotte AGRI:EX; Last, Gavin AGRI:EX; Lennox, Brenda AGRI:EX; Matthews, Carmen AGRI:EX
Cc	Hughes, Kate AGRI:EX; Thambirajah, Natasha AGRI:EX; Prisiak, Tim AGRI:EX
Sent	Thursday, May 22, 2014 1:38 PM

Hi everyone,

Thanks very much for the positive responses to my suggestion that we reinstate the monthly senior manager calls that I used to coordinate from here, prior to our most recent reorganization (which seems so long ago now).

I do plan to send a note to Directors on this very soon, just re-confirming that they are all happy for us to continue with this practice, and will let you know once this is done.

In the meantime, I wanted to let you know that the policy team is currently working with folks elsewhere in AGRI to develop a consultation paper and consultation plan w.r.t the regulations that will flow from Bill 24, the Bill to amend the ALC Act, that is currently before the legislature. This consultation process will unfold over the next few months, but as an initial step we are seeking input from colleagues within the Ministry on the consultation process (who are the key regional and sectoral stakeholders we should be meeting?) and also on the substantive elements of the regulations themselves (in particular, on the question what additional farm uses and permitted non-farm uses should be allowed on ALR).

We are planning an internal meeting on this in Abbotsford (and via live meeting) next week, on the 29th, and a meeting invite will be sent out on this shortly, but since you and some of your staff will be included in this invite, I
wanted to give you a heads up now that it is coming, so you are not surprised when you see it.

Any questions, please give me a call or drop me a line,

Best wishes,
David.

David Coney
Policy Manager
B.C. Ministry of Agriculture
Tel: 250 387 3232

ALC Consultations - Schedule and Questions

Subject:	**ALC Consultations - Schedule and Questions**
From:	Coney, David AGRI:EX
To:	van Dalfsen, Bert AGRI:EX; Murphy, Kevin J AGRI:EX; Tonn, Patricia AGRI:EX; Schmidt, Orlando AGRI:EX; Tegart, Greg AGRI:EX; Barclay, Brent S. AGRI:EX; Sparanese, Wayne A AGRI:EX; Steward, Lonny AGRI:EX; Viney, Ursula E AGRI:EX; Jonson, Byron AGRI:EX; DeBoer, Pat AGRI:EX; DeLong, Carol AGRI:EX; Travia, David V AGRI:EX; Langton, Heather AGRI:EX; Hughes-Games, Geoff AGRI:EX; Schur, TJ AGRI:EX; Matthews, Carmen AGRI:EX; Lennox, Brenda AGRI:EX; Ryall, Jody AGRI:EX; Renaud, Michael AGRI:EX, Carswell, Barron AGRI:EX
Sent:	Monday, July 21, 2014 11:50 AM
Attachments:	ALR Regul...
	ALC Regul...

Hi to all AGRI Snr Mngrs,

As you are probably all aware, coming out of the Bill 24 (ALC Act Amendments) process in May, the Province committed to consult stakeholders on development of any regulations that may flow from those legislative amendments.

These consultations start tomorrow and run through to mid-August, with seven meetings being held across the province with invited stakeholders from industry, local govt and elsewhere. The schedule and invitee list (attached – *not for further circulation*) were developed in consultation with staff from across AGRI and with the *Minister's ALC Reference Group* (UBCM, BCAC, ALC), and on direction from our own Executive. Attending the regional meetings on behalf of AGRI will be me, Kate Hughes and a contracted note-taker, as well as either the DM or ADM James Mack. Regional Agrologists have also been invited to attend the meetings in their areas. The ALC Chair, one of the EDs, and the relevant regional Commissioner(s) will also attend.

A public facing website has been developed and will go live tomorrow, inviting individuals (and any stakeholders not invited to a regional meeting) to provide input.

The consultation paper and a list of 11 specific questions (attached) are based on input from the Minister's ALC Reference Group and on direction from our Executive. This document has been shared with invited stakeholders, and will be put up on the website that goes live tomorrow.

Directors have already received these documents.

If you have any questions or comments on the attached or on any other aspect of this overall process, please feel free to call me.

Best wishes,
David.

David Coney
Policy Manager
B.C. Ministry of Agriculture
Tel: 250 387 3232

Consultation on Potential Changes to the *Agricultural Land Commission Act*: Agricultural Land Reserve Use, Subdivision and Procedure Regulation

B.C. Ministry of Agriculture
July 2014

1. Purpose

The purpose of this consultation is to invite your input on some proposed additional activities that could be allowed on farmland in the Agricultural Land Reserve without a requirement to make an application to the Agricultural Land Commission, on whether and to what extent these allowable uses should vary between different regions of the province, and on what parameters you think should be put around the proposed new uses.

2. Background

Approximately five percent of BC's land base is included in the Agricultural Land Reserve (ALR), a provincial zone within which agriculture is recognized as the priority activity. The ALR includes public and privately held land and is administered by the Agricultural Land Commission (ALC), an independent government tribunal, with the purpose of preserving agricultural land and encouraging its use for farming.

The *Agricultural Land Commission Act* (the *Act*) establishes both the ALR and the ALC in legislation. The *Act* sets out the structure and operations of the ALC and identifies permissible land uses within the ALR. The Agricultural Land Reserve Use, Subdivision and Procedure Regulation (ALR Regulation) provides greater specificity to many of the provisions in the *Act*.

Amongst other things, the ALR Regulation identifies specific land uses allowable on farmland in the ALR without an application to the ALC. Current examples include such things as growing plants and raising animals, putting up buildings necessary for the farm, selling agricultural products direct to the public, limited food processing and, unless prohibited a local government, specified non-farm activities such as agri-tourism accommodation, temporary sawmills, kennels, and others.

Any activities not permitted by the ALR Regulation do require an application to the ALC, which can approve, deny or vary the application. Applications are required in order to include or exclude land from ALR, to subdivide land within the ALR, or to carry out an activity not expressly permitted in the *Act* or Regulations.

The passage of Bill 24 in May 2014 introduced amendments to the *Act* that change the way in which the ALC is structured and governed. Some of the detail that determines how these legislative changes will be implemented will be provided through changes to the ALR Regulation. One aspect of regulatory change contemplated by the amendments is to expand the list of allowable uses on ALR land, and possibly to vary them between ALR regions.

The focus of this consultation is to ask the question: what further activities should be allowable on farmland in the ALR without an application to the ALC, what parameters should be put around them, and should they vary between regions? A Reference Group convened by the Minister of Agriculture and comprised of representatives from the ALC, the Union of British Columbia Municipalities (UBCM) and the BC Agriculture Council (BCAC) has made a number of specific suggestions in answer to this question, and these suggestions are presented in this paper for your consideration and comment.

Context for the questions is provided in sections 4 and 5 of this paper. Section 6 provides some specific suggestions for new activities that should be allowable in the ALR without an application to the ALC, and also some further specific suggestions for regulatory change related to agri-tourism and the subdivision and leasing of land in the ALR.

3. Consultation Process

Minister's Reference Group and ALC

- A Minister's Reference Group comprised of representatives from the ALC, UBCM and the BCAC has been struck to inform the consultation process and any regulatory outcomes.
- An initial meeting of the Reference Group was held in early July to provide advice on the consultation process, and to provide substantive input on the consultation questions.
- A separate meeting was then held with the ALC (commissioners and staff) to solicit further input on the consultation questions.
- The input gained from the Reference Group and the ALC form the basis of the consultation questions presented in this paper.
- As well, the ALC has provided a number of specific, technical suggestions for regulatory amendments aimed at providing greater clarity for landowners, local governments and the ALC itself around some existing allowable uses. While these suggestions are not the subject of this consultation, they will be provided on the consultation website (see Public Input, below) for your information.
- The Reference Group will meet again mid-way through the process to review stakeholder feedback and provide any additional, interim advice.
- A final meeting of the Reference Group will be held at the end of the consultation process to review outcomes and provide input on any draft regulations the Ministry may consider at that time.

Regional Stakeholder Consultations

- Seven regional meetings will take place between July 22nd and August 22nd encompassing all six ALR regions.
- Invited stakeholders include local government (all Regional Districts), industry (wide cross-section of agriculture associations and farmers' institutes) and other key organizations (e.g. agriculture programs from post-secondary institutions).
- The Ministry will lead the consultation process. The ALC will also attend the regional meetings.

Public Input

- Public input on the consultation questions will be solicited via a consultation website: http://engage.gov.bc.ca/landreserve or via a dedicated Ministry email address: ALCA_Feedback@gov.bc.ca
- The website will be live from July 22nd to August 22nd.

4. Overview of Changes to the ALCA

The *Act* was most recently amended in May 2014, by the passage of Bill 24. At that time, several legislative changes were introduced regarding how the ALC is structured and how it makes decisions on applications. These changes directly inform the framework of this consultation – to discuss what activities should be allowable on farmland in the ALR without an application to the ALC, and if these should vary between regions.

a) Zones, Regions and Regional Panels

The May 2014 amendments to the *Act* codify the existing six ALR regions into law, and require that a regional panel of at least two commissioners be established in each of the six regions.

The amendments also establish two ALR zones, each comprised of three of the six ALR regions:

Zone 1:	*Zone 2:*
Okanagan region	Interior region
South Coast region	Kootenay region
Vancouver Island region	North region

All applications to the ALC (for land exclusions, land inclusions, subdivisions, and land uses not otherwise permitted by the *Act* or Regulations) must now be forwarded by the Chair of the ALC to the appropriate regional panel for decision. At its discretion, a regional panel may take an application referred to it by the Chair, and refer this application instead to the ALC Executive Committee.

Subject to any regulations, if the Chair of the ALC determines that an application is of provincial importance, is novel or of general importance to the application of the *Act*, or may affect more than one panel region, the Chair may also refer the application to the ALC Executive Committee for decision, instead of referring it to a regional panel. The ALC Executive Committee is made up of the six regional panel vice-chairs, and the Chair of the ALC.

While the amendments to the *Act* provide the ability to further define in regulation when the Chair may refer an application to the Executive Committee, the Minister's Reference Group has advised that the *Act* provides enough specificity as written (i.e. the Chair may refer an application to the Executive Committee when the Chair considers an application is of provincial importance, is novel or of general importance to the application of the *Act*, or may affect more than one panel region). As such, it is preferable to allow the Chair the discretion to work within the legislative parameters provided, without further definition being required in regulation at this time.

b) Decision Making

The amendments to the *Act* also introduced new factors for the ALC to consider when making decisions on applications in Zone 2. In making decisions on applications the ALC has always considered the purpose of the ALC as defined in Section 6 of the *Act:*

(a) to preserve agricultural land;
(b) to encourage farming on agricultural land in collaboration with other communities of interest;
(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.

This has not changed in Zone 1.

In Zone 2, however, the ALC is now required by legislation to consider, in descending order of priority:

- The purposes of the ALC as defined in section 6 of the *Act*
- Economic, cultural and social values;
- Regional and community planning objectives; and
- Other prescribed considerations.

While the amendments to the *Act* provide the ability to further define in regulation the factors the ALC must consider in deciding on applications in Zone 2, there is no intention to develop such regulations at this time, and this consultation does not therefore include any questions on this topic.

c) Allowable Uses of ALR Land

The activities that are allowable on ALR land without requiring an application to the ALC are established in the ALR Regulation. There are two broad categories of allowable uses, called Farm Uses and Permitted Uses. Farm Uses include a range of things including: the growing of plants and raising of animals, horse riding, the application of fertilizers, the construction of farm buildings, farm related agri-tourism, and agro-forestry (i.e. activities directly related to farming). Farm Uses may not vary between Zone 1 and Zone 2, and may not be prohibited by local governments. Permitted Uses include such things as limited bed and breakfast accommodation, agri-tourism accommodation, temporary sawmills, kennels, and within certain limitations also non-agricultural home-based businesses. Permitted Uses are viewed as less directly related to agriculture than Farm Uses, but as still compatible with (of low impact to) the farm operation. Permitted Uses may vary between Zone 1 and Zone 2, and may be prohibited by local governments.

Whether and to what extent the list of Farm Uses and Permitted Uses in the ALR Regulation should be updated, and how if at all Permitted Uses should vary between zones, is the focus of this consultation. Further detail on what currently constitutes a Farm Use and a Permitted Use, together with suggestions for additional allowable uses, are provided in sections 5 and 6 of this paper for your consideration and comment.

d) Governance

Other legislative changes introduced in May 2014 include the establishment of additional reporting requirements for the ALC, including a review of operations, performance indicators, details on applications received, survey results, plans, special problems and trends.

The Ministry will be working together with the ALC and other experts in administrative tribunal governance to further define the details of these new operational requirements.

e) Other Regulation Making Authorities

The May 2014 amendments to the *Act* also provide new regulation making authorities to: define terms not otherwise defined in the *Act*; determine how the ALC should make certain information on its operations and decisions public; and to establish residency requirements for commissioners on regional panels.

Regulations establishing residency requirements for commissioners are being developed as part of the process to bring the recent *Act* amendments into force. Otherwise, there is no intention to move ahead on regulations at this time, other than on the central question of what activities (i.e. Farm Uses and Permitted Uses) should be allowed in the ALR without an application to the ALC, and how, if at all, these should vary between zones.

f) Summary

In summary, the May 2014 amendments to the *Act* have introduced changes to the way in which the ALR is structured and governed. Some of the detail that determines how these legislative changes will be implemented will be determined through changes to the ALR Regulation that supports the *Act*. This consultation is intended to solicit input on potential regulatory changes as they relate to changes in the land use activities allowable in Zone 1 and Zone 2.

An itemized list of the recent amendments to the *Act* is provided in Appendix A.

5. Land Uses Currently Allowed in the ALR

Currently, land in the ALR can be used for farming, ranching, and other uses specified in the ALR Regulation. All other activities require an application to the ALC. The specific land uses permitted in the ALR without application to the ALC are listed in the ALR Regulation either as Farm Uses (Section 2 of the Regulation) or as Permitted Uses (Section 3). Land use activities not included in those sections, such as subdividing land, building additional residences, and excluding land from the ALR, require approval by the ALC through the application process.

Farm Uses include activities that are most directly aligned with the business of farming. Many of these activities are captured in the definition of *farm use* set out in the *Act*:

> an occupation or use of land for farm purposes, including farming of land, plants and animals and any other similar activity designated as farm use by regulation, and includes a farm operation as defined in the *Farm Practices Protection (Right to Farm) Act*[1]. ALCA s.1 (1)

[1] http://www.bclaws.ca/civix/document/id/complete/statreg/96131_01

Section 2 of the ALR Regulation duly designates various activities as Farm Use, including: farm retail sales; operating farm wineries or cideries; storage, packing, and product preparation; timber production; agro-forestry; agri-tourism; and others (the full list of farm uses found in section 2 of the ALR Regulation is provided in Appendix B).

The majority of the activities listed in section 2 are restricted by specific parameters that ensure they support an active farm and have only a minimum impact on agricultural land. For example, farm retail sales are permitted only when either all of the farm products offered are produced on the farm, or at least half of the sales area is for products from the farm. Food processing is permitted only when half of the product being produced was sourced on the farm, or is feed for consumption on the farm. The activities listed in section 2 may be regulated but cannot be prohibited by local governments. The *Act* does not permit that the activities listed in section 2 may vary between Zone 1 and Zone 2.

Permitted Uses include activities that are not specifically agricultural in nature, but which are permitted by regulation on ALR land without application to the ALC. Permitted uses are set out in section 3 of the ALR Regulation and include such activities as: bed and breakfast accommodations; temporary sawmills; breeding pets; establishing telecommunications equipment; and others (a full list of the permitted uses found in section 3 of the ALR Regulation is provided in Appendix B).

Similar to Farm Uses under section 2, parameters are established in the Regulation for the majority of these land uses in order to minimize their impact on agricultural land. For instance, temporary sawmills are permitted when half of the timber harvested is from the farm; bed and breakfasts are limited in size; and biodiversity conservation, passive recreation, heritage, wildlife and scenery viewing land uses are permitted so long as related buildings do not exceed a specified footprint. The permitted uses listed in section 3 may be restricted or prohibited by local governments. Permitted Uses may vary between Zone 1 and Zone 2 of the ALR.

Table 1 illustrates the main differences between farm uses, permitted uses and non-farm uses as provided by the ALR Regulation.

Possible Uses of Land:		
A. Farm Use	**B. Permitted Use**	**C. Non-farm Use**
Defined as "farm use" in the ALR Regulation s.2	Defined specifically in ALR Regulation s.3	**Not permitted on ALR land without ALC approval**
No application to the Commission required	No application to the Commission required	**Requires application to the Commission**
May be regulated but not prohibited by local government (s.2 ALR Regulation)	Permitted unless prohibited by local government bylaw (s.3 ALR Regulation)	**Applications go to local government ahead of the Commission. Local Government can refuse to authorize the application, which ends the process, or forward to the Commission with comments and recommendations; the Commission then decides the application.**

6. Consultation Questions

Farm Use

To help identify potential changes to the ALR Regulation, the Ministry has consulted with the Minister's Reference Group (UBCM, BCAC, ALC), and separately also with the ALC. As a result of these consultations, two possible changes to what is an allowable Farm Use of land in the ALR are presented for your consideration and comment. Two additional changes are also presented for your consideration, based on the findings of the recent provincial Liquor Policy Review.

If added to the ALR Regulation, these land use activities would be permitted in the ALR without an application to the ALC, could be regulated but not prohibited by a local government, and would not be able to vary between Zone 1 and Zone 2.

Q 1) Should the parameters for allowable on-farm food storage, packing, processing and retail establishments be revised?

Currently the Regulation states that food storage, packing, product preparation, and food processing are permitted "if at least 50% of the farm product being stored, packed, prepared or processed is produced on the farm or is feed required for farm production purposes on the farm". Retail sales are permitted if

"at least 50% of the retail sales area is limited to the sale of farm products produced on the farm on which the retail sales are taking place and the total area ... does not exceed 300m^2."

These restrictions can inhibit neighbouring farms from investing in joint storage, packing, processing or retail establishment in the ALR, favouring instead the establishment of a number of small, similar operations. This may be an inefficient use of productive farmland, and cost prohibitive for individual small producers. One benefit of the proposed amendment would therefore be to enable cooperative arrangements between farms in proximity to one another.

Amongst other things, lessening the restrictions on on-farm processing could allow the establishment of abattoirs (large, small or mobile), on farms, to serve surrounding cattle, game or poultry farms. Other examples of potential new processing opportunities include value added, further-processing activities related to fresh produce (e.g. grape juice), dairy products (e.g. cheese), or nutraceutical / pharmaceutical products (e.g. related to medical marijuana).

Similarly, lessening restrictions on on-farm retail operations could further enable on-farm markets to sell products from several farms.

Q 2) Should breweries, distilleries and meaderies be allowed on ALR land on the same or similar terms as wineries and cideries are currently allowed?

Currently, wineries and cideries are allowed on ALR land without application to the ALC, so long as a prescribed percentage of the agricultural product used to produce the final product comes from either the farm on which the winery/cidery sits, or another BC farm. The idea here is to extend the same provisions and conditions to breweries, distilleries and meaderies.

Q 3) Should the allowable footprint for consumption areas (or 'lounges') ancillary to wineries and cideries (and potentially also breweries, distilleries and meaderies) be increased, and if so on what basis?

Currently, wineries and cideries in the ALR are allowed to establish consumption areas (or 'lounges') to a maximum size of 125m^2 inside, and 125m^2 outside, which is roughly equal to a maximum of 130 people. One of the findings from the recent provincial Liquor Policy Review is that government should consult on increasing the limit for allowable consumption areas.

Q 4) To what extent should wineries and cideries (and potentially breweries, distilleries and meaderies) be allowed to sell alcohol that was produced elsewhere in BC, not at the winery or cidery?

Currently, a winery or cidery may only sell alcohol produced at that winery or cidery. One of the findings from the recent provincial Liquor Policy Review is that government should consult on allowing the sale of alcohol produced in BC, but not produced on the farm.

Note: In all cases, whether expanding existing farm uses or creating new ones, careful consideration should be given to any appropriate parameters for limiting the Farm Use, for example by limiting the total footprint of any facilities in relation to the size of the farm, prescribing the location of a facility on a

farm, the percentage of any inputs that should be derived from the farm, and the impact on neighbouring farms. The question of whether or not the property is actually being farmed may also be a consideration, as may be the impact of the proposed activity to the farm operation.

Permitted Use

To help identify potential changes to the ALR Regulation, the Ministry has consulted with the Minister's Reference Group (UBCM, BCAC, ALC), and separately also with the ALC. As a result of these consultations, three possible changes to what is an allowable Permitted Use of land in the ALR are presented for your consideration and comment. If added to the ALR Regulation, these land use activities would be permitted in the ALR without an application to the ALC, could be prohibited by a local government, and could vary between Zone 1 and Zone 2.

Q 5) Should anaerobic digesters be permitted in the ALR if the inputs are generated from farming activities?

Anaerobic digestion is defined as a collection of processes by which microorganisms break down biodegradable material in the absence of oxygen. In the farm context, biodegradable material primarily means animal waste, or manure. The process is used to manage farm waste and/or to produce fuels, which may then be used on farm or sold for revenue. Dairy farms in particular may benefit from being able to establish anaerobic digesters on-farm without an application to the ALC, given the ready availability of feedstock.

Q 6) Should on-farm cogeneration facilities be permitted on farms where a portion of the energy created is used on-farm?

Cogeneration or combined heat and power (CHP) is the use of a heat engine or power station to simultaneously generate electricity, useful heat, and CO^2, which can either be used on the farm or sold. Greenhouse operations in particular may benefit from being able to establish co-gen facilities on-farm without an application to the ALC, since heat and CO^2 are both used in greenhouse production.

Q 7) Should the parameters be expanded for when non-agriculture related businesses are allowed to operate on ALR properties in Zone 2?

Currently the Regulation permits a home occupation use that is accessory to a dwelling, of not more than 100 m^2 or such other area as specified in a local government bylaw. One idea is to expand opportunities for a broader range of land-based non-agricultural businesses, such as certain oil and gas ancillary services.

Note: As with Farm Uses, careful consideration should be given to any appropriate parameters for limiting the proposed new activities, including the size and location of any facilities, their permanence, the percentage of inputs derived from the farm and/or the percentage of outputs used on the farm, their impact on neighbouring farms, options for land reclamation after the use ends, whether or not the property is actually being farmed, and the likely impact of the proposed use to the farm operation.

Sub-division

Although most subdivisions require an application to the ALC, section 10 of the ALR Regulation establishes when and how subdivisions of ALR properties can be made by local government (and provincial) Approving Officers, without an application to the ALC. These include subdivisions that will consolidate two or more parcels into a single parcel, and certain other subdivisions when the subdivision will not result in any increase in the number of parcels.

Two ideas have been proposed to enable farmers and ranchers to expand the circumstances under which subdivisions can be approved by an Approving Officer without application to the ALC.

Q 8) Should the subdivision of ALR properties in Zone 2 to a minimum parcel size of a quarter section be allowed without an application to the ALC?

From 1997 to 2003 the ALC "Quarter Section General Order" (or policy) permitted subdivisions down to a minimum size of a quarter section, without an application, in the Peace River and Northern Rockies Regional Districts. The idea here is to reinstate this practice, through regulation, and apply it throughout Zone 2.

Q 9) Should the subdivision of ALR parcels in Zone 2 that are of a defined size, and that are divided by a major highway or waterway, be allowed without an application to the ALC?

Farm properties are often difficult to manage with a major obstruction in the way, and the ALC often allows subdivision of these parcels through an application. The idea here is to allow an Approving Officer to approve subdivisions where such a major obstruction (to be defined in regulation) exists.

Agri-tourism

One proposal is that further definition of what constitutes an "agri-tourism activity" could usefully be provided in section 2 of the Regulation. Section 2 currently provides that agri-tourism activities are allowable as a farm use if the use is temporary and seasonal, and promotes or markets farm products grown, raised or processed on the farm. Providing greater clarity on what constitutes a "temporary and seasonal" activity and when that activity "promotes or markets farm products" may be beneficial for farmers, local governments and the ALC.

It has similarly been proposed that further definition be provided on when agri-tourism accommodations are permitted under section 3 of the Regulation, to ensure that any such accommodations are tied to a legitimate agri-tourism activity under section 2.

Q 10) Should greater clarity be provided on what constitutes an agri-tourism activity that is allowable in the ALR without an application, and if so what parameters should be established?

Leasing land

Currently a landowner in the ALR may lease their entire property without making an application to the ALC, but must make an application in order to lease a portion of their property. It has been proposed

that temporary leases of a portion of a property be allowed without an application if the lease is to (a) enable the intergenerational transfer of active farm or ranch operations without a subdivision, or (b) to encourage the use of otherwise unfarmed land by existing or new farmers.

Q 11) Should temporary leases of portions of a property in Zone 2 of the ALR be allowed without an application to the ALC for:
(a) intergenerational transfer of an active farm or ranch operation; and/or
(b) to encourage the use of otherwise unfarmed land by existing or new farmers?

Allowing "life estate leases" for inter-generational transfer would allow retiring farmers to continue to live on their property while leasing or selling it to their children or other new entrants. The lease could allow a second residence to be established on the property, but no permanent subdivision of property would be involved.

Allowing temporary leases of a portion of a property to bring fallow ALR land into production could help new entrants/young farmers get into agriculture, and/or could increase opportunities for existing farmers to access more land without purchase. This kind of lease would not lead to additional residences being permitted on the farm and would not require a subdivision.

7. Thank you!

Your input into this consultation is greatly appreciated. If you would like to contribute further comments, you may do so by email at **ALCA_feedback@gov.bc.ca** or through our consultation website at http://engage.gov.bc.ca/landreserve

Appendix A:

List of Recent Amendments to the *Agricultural Land Commission Act*

General "Theme"	Description of Change	Section Reference
1) ALC Reporting and Accountability	Allow government, by regulation, to set service standards and reporting requirements for the Commission to the Minister.	ALCA Section 12(2)
	Minister can by order set performance standards.	ALCA Section 12(2.1)
2) Panel Regions and Panel Composition	Establish the 6 existing panel regions (defined geographically in the new Schedule to ALCA)	ALCA Section 4.1
	Require that a panel be established for each of the 6 panel regions.	ALCA Section 11(1)
	Require that the Chair refer applications from a panel region to the panel for that panel region.	ALCA Section 11(6)
	Sets out when chair of the Commission can refer an application to the executive committee.	ALCA Section 11.2
	Commission must consist of at least 13 individuals.	ALCA Section 5(1)
	Regional panels will have a minimum of 2 members, one of whom will be vice chair for the panel appointed by the LGIC.	ALCA Section 5(2) and ALCA Section 11
	Vice chairs and members must be resident in the region of the panel to which they are appointed ('residency' to be defined by regulation).	ALCA Section 5(2) and ALCA Section 11(3)
3) Zones	Zone 1 = Island, South Coast and Okanagan panel regions.	ALCA Section 4.2
	Zone 2 = the rest of BC (i.e. Interior, Kootenay, North panel regions, and other).	
4) Decision-Making in Zones	Zone 1 – no change to decision-making – ALC considers applications on case-by-case basis within the legislated purpose of the Commission, which are as follows: (a) to preserve agricultural land; (b) to encourage farming on agricultural land in collaboration with other communities of interest;	ALCA Section 4.3

		(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. In rendering its decisions in Zone 2, the Commission must also now consider other factors in descending order of priority: economic, cultural and social values; regional and community planning objectives; and any other considerations prescribed by regulation. This does not require the Commission to make decisions that only reflect these new considerations. The Commission is still an independent body and will balance agricultural factors with these other considerations. The legislation provides for greater flexibility in ALC decision-making to allow farmers in Zone 2 to have more options for earning an income.	
5)	*Local Government Act* Amendment	Section 879 of the *Local Government Act* is amended so that local governments must consult with the Commission earlier on in development of, or amendments to, an Official Community Plan (i.e. *prior* to first reading).	*Local Government Act* Section 879
6)	Additional Regulation-Making Powers added to the ALCA	Several subsections have been added to section 58 of the ALCA to provide for additional regulation-making powers. The regulations we are consulting on in this process are tied to several of these new powers and to the other regulation-making powers that have existed for some time in the ALCA.	ALCA Section 58

Appendix B:
Excerpt from the Agricultural Land Reserve Use, Subdivision and Procedure Regulation

Activities designated as farm use

2 (2) The following activities are designated as farm use for the purposes of the Act and may be regulated but must not be prohibited by any local government bylaw except a bylaw under section 917 of the *Local Government Act* or, if the activity is undertaken on treaty settlement lands, by a law of the applicable treaty first nation government:

(a) farm retail sales if

(i) all of the farm product offered for sale is produced on the farm on which the retail sales are taking place, or

(ii) at least 50% of the retail sales area is limited to the sale of farm products produced on the farm on which the retail sales are taking place and the total area, both indoors and outdoors, used for the retail sales of all products does not exceed 300 m^2;

(b) a British Columbia licensed winery or cidery and an ancillary use if the wine or cider produced and offered for sale is made from farm product and

(i) at least 50% of that farm product is grown on the farm on which the winery or cidery is located, or

(ii) the farm that grows the farm products used to produce wine or cider is more than 2 ha in area, and, unless otherwise authorized by the commission, at least 50% of the total farm product for processing is provided under a minimum 3 year contract from a farm in British Columbia;

(c) storage, packing, product preparation or processing of farm products, if at least 50% of the farm product being stored, packed, prepared or processed is produced on the farm or is feed required for farm production purposes on the farm;

(d) land development works including clearing, levelling, draining, berming, irrigating and construction of reservoirs and ancillary works if the works are required for farm use of that farm;

(e) agri-tourism activities, other than accommodation, on land that is classified as a farm under the *Assessment Act*, if the use is temporary and seasonal, and promotes or markets farm products grown, raised or processed on the farm;

(f) timber production, harvesting, silviculture and forest protection;

(g) agroforestry, including botanical forest products production;

(h) horse riding, training and boarding, including a facility for horse riding, training and boarding, if

(i) the stables do not have more than 40 permanent stalls, and

(ii) the facility does not include a racetrack licensed by the British Columbia Racing Commission;

(i) the storage and application of fertilizers, mulches and soil conditioners;

(j) the application of soil amendments collected, stored and handled in compliance with the Agricultural Waste Control Regulation, B.C. Reg. 131/92;

(k) the production, storage and application of compost from agricultural wastes produced on the farm for farm purposes in compliance with the Agricultural Waste Control Regulation, B.C. Reg. 131/92;

(l) the application of compost and biosolids produced and applied in compliance with the Organic Matter Recycling Regulation, B.C. Reg. 18/2002;

(m) the production, storage and application of Class A compost in compliance with the Organic Matter Recycling Regulation, B.C. Reg. 18/2002, if all the compost produced is used on the farm;

(n) soil sampling and testing of soil from the farm;

(o) the construction, maintenance and operation of farm buildings including, but not limited to, any of the following:

(i) a greenhouse;

(ii) a farm building or structure for use in an intensive livestock operation or for mushroom production;

(iii) an aquaculture facility.

(3) Any activity designated as farm use includes the construction, maintenance and operation of a building, structure, driveway, ancillary service or utility necessary for that farm use.

(4) Unless permitted under the *Water Act* or the *Environmental Management Act*, any use specified in subsection (2) includes soil removal or placement of fill necessary for that use as long as it does not

(a) cause danger on or to adjacent land, structures or rights of way, or

(b) foul, obstruct or impede the flow of any waterway.

(5) The removal of soil or placement of fill as part of a use designated in subsection (2) must be considered to be a designated farm use and does not require notification except under section 4.

Permitted uses for land in an agricultural land reserve

3 (1) The following land uses are permitted in an agricultural land reserve unless otherwise 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) accommodation for agri-tourism on a farm if

(i) all or part of the parcel on which the accommodation is located is classified as a farm under the *Assessment Act*,

(ii) the accommodation is limited to 10 sleeping units in total of seasonal campsites, seasonal cabins or short term use of bedrooms including bed and breakfast bedrooms under paragraph (d), and

(iii) the total developed area for buildings, landscaping and access for the accommodation is less than 5% of the parcel;

(b) for each parcel,

(i) one secondary suite within a single family dwelling, and

(ii) one manufactured home, up to 9 m in width, for use by a member of the owner's immediate family;

(c) a home occupation use, that is accessory to a dwelling, of not more than 100 m^2 or such other area as specified in a local government bylaw, or treaty first nation government law, applicable to the area in which the parcel is located;

(d) bed and breakfast use of not more than 4 bedrooms for short term tourist accommodation or such other number of bedrooms as specified in a local

government bylaw, or treaty first nation government law, applicable to the area in which the parcel is located;

(e) operation of a temporary sawmill if at least 50% of the volume of timber is harvested from the farm or parcel on which the sawmill is located;

(f) biodiversity conservation, passive recreation, heritage, wildlife and scenery viewing purposes, as long as the area occupied by any associated buildings and structures does not exceed 100 m^2 for each parcel;

(g) use of an open land park established by a local government or treaty first nation government for any of the purposes specified in paragraph (f);

(h) breeding pets or operating a kennel or boarding facility;

(i) education and research except schools under the *School Act*, respecting any use permitted under the *Act* and this regulation as long as the area occupied by any buildings or structures necessary for the education or research does not exceed 100 m^2 for each parcel;

(j) production and development of biological products used in integrated pest management programs as long as the area occupied by any buildings or structures necessary for the production or development does not exceed 300 m^2 for each parcel;

(k) aggregate extraction if the total volume of materials removed from the parcel is less than 500 m^3, as long as the cultivatable surface layer of soil is salvaged, stored on the parcel and available to reclaim the disturbed area;

(l) force mains, trunk sewers, gas pipelines and water lines within an existing dedicated right of way;

(m) telecommunications equipment, buildings and installations as long as the area occupied by the equipment, buildings and installations does not exceed 100 m^2 for each parcel;

(n) construction and maintenance, for the purpose of drainage or irrigation or to combat the threat of flooding, of

(i) dikes and related pumphouses, and

(ii) ancillary works including access roads and facilities;

(o) unpaved airstrip or helipad for use of aircraft flying non-scheduled flights;

(p) the production, storage and application of Class A compost in compliance with the Organic Matter Recycling Regulation, B.C. Reg. 18/2002, if at least 50% of the compost measured by volume is used on the farm.

(2) Nothing in subsection (1) (a) is to be interpreted as permitting the conversion of a building into strata lots by an owner.

(3) If a use is permitted under subsection (1) (k) it is a condition of the use that once the extraction of aggregate is complete, the disturbed area must be rehabilitated in accordance with good agricultural practice.

(4) The following land uses are permitted in an agricultural land reserve:

(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*, or

(v) recreation reserve established under the *Land Act*;

(b) dedication or upgrading of an existing road with vehicular access and use declared to be a highway under section 42 of the *Transportation Act*;

(c) road construction or upgrading within a dedicated right of way that has a constructed road bed for vehicular access and use;

(d) if the widening or works does not result in an overall right of way width of more than 24 m, widening of an existing constructed road right of way for

(i) safety or maintenance purposes, or

(ii) drainage or flood control works;

(d.1) widening an existing constructed road right of way to ease one curve;

(e) establishing as a forest service road

(i) an existing road under the *Forest Act*, or

(ii) a new road in a managed forest;

(f) increasing the right of way width of a forest service road by up to 4 m if the widening does not result in an overall right of way width of more than 24 m;

(g) railway construction, upgrading and operations on an existing railbed within a dedicated right of way, including widening of an existing railway right of way if the widening does not result in an overall right of way width of more than 30 m;

(h) surveying, exploring or prospecting for gravel or minerals if all cuts, trenches and similar alterations are restored to the natural ground level on completion of the surveying, exploring or prospecting;

(i) surface water collection for farm use or domestic use, water well drillings, connection of water lines, access to water well sites and required rights of way or easements;

(j) soil research or testing as long as the soil removed or fill placed is only in an amount necessary for the research or testing.

(5) Any permitted use specified in subsection (1) or (4) includes the construction, maintenance and operation of buildings, structures, driveways, ancillary services and utilities necessary for that use.

(6) Unless permitted under the *Water Act* or the *Environmental Management Act*, any use specified in subsection (1) or (4) includes soil removal or placement of fill necessary for that use as long as the soil removal or placement of fill does not

(a) cause danger on or to adjacent land, structures or rights of way, or

(b) foul, obstruct or impede the flow of any waterway.

Stakeholder Consultation Plan

Notes:

1. Regional Districts will have option to include representatives from member municipalities and or Agriculture Advisory Committees, within a capped total number of participants per RD.
2. Meetings with participants from a single group or association are typically allotted 90mins: 2 -4 groups. 2hours: meetings of 4 groups and larger, 2.5 -3 hrs

Tuesday, July 8th
Minister's Reference Group - Richmond

Invitees	*Session Time*	*Location*	*Notes*
• BC Agriculture Council • ALC • UBCM	9:00 am - 4:00 pm	**Executive Airport Plaza Hotel**, 7311 Westminster Highway, in Richmond. (Telephone: 604 207-7162)	

Friday, July 11th
ALC Staff Consultation - Burnaby

Invitees	*Session Time*	*Location*	*Notes*
• Staff and or Commissioners	9:30 am– 3:00 pm	**ALC Office**, 133-4940 Canada Way, Burnaby BC	

Tuesday, July 22nd **Kelowna** *Okanagan Panel Region*			
Invitees	***Session Time***	***Location***	***Notes***
1. BC Fruit Growers Association 2. BC Wine Institute 3. BC Cherry Growers Association 4. Southern Interior Stockmen's Association 5. North Okanagan Livestock Association 6. BC Grapegrowers Association	10:00-1:00	**Ramada Kelowna**, 2170 Harvey Ave. Kelowna, BC V1Y 6G8 250 860-9711	
	****		
*****	**Lunch** 1:00-2:00 ****		
7. Columbia Shuswap Regional District 8. Regional District of Central Okanagan 9. Regional District of North Okanagan 10. RD of Okanagan-Similkameen	2:00-4:00		

Friday, July 25th **Kamloops** *Interior Panel Region*			
Invitees	***Session Time***	***Location***	***Notes***
1. BC Cattleman's Association 2. Thompson-Nicola Regional District 3. Grassland Conservation Council of BC 4. Thompson River University 5. First Nations Agriculture Association 6. Certified Organic Associations of BC	1:00 – 4:30	**Hotel 540** 540 Victoria Street, Kamloops, BC 250 372-2281	

Tuesday, July 29th
Prince George
North Panel Region

Invitees	*Session Time*	*Location*	*Notes*
1. District C Farmer's Institute 2. District H Farmer's Institute 3. LARM Community Council 4. BC Women's Institute 5. North Cariboo Agricultural Marketing Association	10:00-12:30	**Coast Inn of the North** 770 Brunswick St. Prince George 250-277-4112	
*****	**** **Lunch** 12:30-1:30 ****		
6. BC Forage Council 7. Skeena Stockmen's Association 8. Nechako Valley Regional Cattlemen's Association	1:30-3:30		
*****	*****		
9. Regional District of Bulkley-Nechako 10. RD of Fraser Fort-George 11. Cariboo Regional District 12. University of Northern BC (POs)	4:00-6:00		

Thursday, July 31st

Fort St. John

North Panel Region

Invitees	*Session Time*	*Location*	*Notes*
1. Northern Rockies Regional Municipality 2. Peace River Regional District ***** 3. Citizens for Agricultural Land Reform Society 4. BC Grain Producers Association (Dawson Creek) 5. Peace Region Forage Seed Association 6. BC North Peace River Regional Cattlemen's Association 7. BC Bison Association 8. Peace River Forage Association	11:00-12:00 **** **Lunch** 1:00-2:00 **** 2:00-5:30	**Pomeroy Hotel** 11308 Alaska Rd. Fort St. John, BC V1J 5T5 250-262-3233	

Tuesday, August 5th

Minister's Reference Group – Phone Meeting

Invitees	*Session Time*	*Location*	*Notes*
• BC Agriculture Council • ALC • UBCM	**TBC**	Conf call – number TBC	

Thursday, August 7th

ALC Reporting Requirements - Burnaby

Invitees	*Session Time*	*Location*	*Notes*
• FIRB		**ALC Office**, 133-4940	

5

Thursday, August 7th **ALC Reporting Requirements - Burnaby**			
Invitees	***Session Time***	***Location***	***Notes***
• ALC • Ministry of Agriculture		Canada Way, Burnaby BC	

Friday, August 8th **Cranbrook** *Kootenay Panel Region*			
Invitees	***Session Time***	***Location***	***Notes***
1. Kootenay Livestock Association 2. Creston Valley Beef Grower's Association 3. Windermere Farmer's Institute 4. Creston Valley Agricultural Society	12:30-3:30	**Prestige Rocky Mountain Resort** 209 Van Horne St. South, Cranbrook, BC 250-417-0444	
*****	*******		
	Lunch 3:30-4:30		
	*******		
5. Regional District of East Kootenay 6. Regional District of Central Kootenay 7. Regional District of Kootenay Boundary	4:30-7:00		

Tuesday, August 12th

Nanaimo

Island Panel Region

Invitees	*Session Time*	*Location*	*Notes*
1. Small Scale Food Processors 2. BC Institute of Agrologists 3. Peninsula Agriculture Commission 4. District A Farmer's Institute	9:00 – 12:00	**Coast Bastion Hotel** 11 Bastion St. Nanaimo, BC V9R 6E4 (250) 753-6601	
*****	**** **Lunch** 12:00-1:00 *****		
5. Regional District of Cowichan Valley 6. Regional District of Powell River 7. Regional District of Nanaimo 8. Regional District of Alberni-Clayoquot 9. Regional District of Comox Valley 10. Regional District of Strathcona 11. Capital Regional District 12. Islands Trust	1:00-4:00		

Thursday August 14th - Friday August 15th

Abbotsford

South Coast Panel Region

Invitees	*Session Time*	*Location*	*Notes*
1 Metro Vancouver R.D. 2 Fraser Valley R.D 3 Sunshine Coast R.D 4 Squamish-Lillooet R.D	9:00-11:30 **** Lunch 11:30-12:30	**Best Western** 32110 Marshall Rd. Abbotsford BC V2T 1A1 604-853-3111 ext. 428	
*****	*****		
5. BC Food Processors' Association 6. Fraser Valley Strawberry Growers' Association 7. BC Potato and Vegetable Growers' Association 8. BC Certified Seed Potato Growers Association 9. BC Greenhouse Growers Association 10. United Flower Growers Cooperative	12:30 – 3:00		
******	******		
11. Raspberry Industry development council 12. Young Agrarians 13. Fraser Valley Peas, Bush Beans and Corn Growers' Association 14. BC Landscape and Nursery Association 15. BC Association of Farmers Markets 16. BC Pork Producers Association	3:30-6:00		
Overnight in Abbotsford			

FRIDAY 15th (Abbotsford – day 2)

	FRIDAY 15th
17. BC Dairy Association	
18. Farmland Defence League	
19. BC Poultry Association	
20. UBC – Faculty of Land and Food Systems	8:30 – 10:30
21. Delta Farmers Institute	
22. BC Blueberry Council	
******	*****
23. BC Dairy Council	
24. Fraser Valley Cole Crop Growers' Association	10:45-12:45
25. BC Sheep Federation	
26. Vancouver Food Policy Council	
27. Fraser Valley University – Agriculture Centre of Excellence	
28. District 1 Farmers' Institute	
	****
	Lunch 12:45-1:45
******	*****
29. BC Food Systems Network	
30. Farm Folk City Folk	
31. BC Association of Cattle Feeders	2:00 – 4:00
32. BC Cranberry Growers' Association	
33. Fraser Basin Council	

Tuesday, August 19th
Regional Districts

Invitees	*Session Time*	*Notes*
Regional Districts		
1. Regional District of Skeena-Queen Charlotte	1:30 – 3:30	
2. Regional District of Kitimat-Stikine		
3. Central Coast Regional District		
4. Regional District of Mt Waddington		

Time TBD
Treaty First Nations

Treaty First Nations		
1. Maa-nulth (all five First Nations)		
2. Nisga'a First Nation		
3. Tsawwassen First Nation		
4. Yale First Nation		
5. Tsilhqot'in First Nation		

Wednesday, September 4th **Minister's Reference Group - Richmond**			
Invitees	***Session Details***	***Location***	***Notes***
• BC Agriculture Council • ALC • UBCM		**Executive Airport Plaza Hotel**, 7311 Westminster Highway, in Richmond, 604 207-7162	

11

ALCA Regulation and Consultation Engagement Session - follow up

Thursday, November 27, 2014
11:12 AM

Subject	**ALCA Regulation and Consultation Engagement Session - follow up**
From	Thambirajah, Natasha AGRI:EX
To	Awmack, Ken AGRI:EX; Barclay, Brent S. AGRI:EX; Borba, Brenda L AGRI:EX; Botkin, Clayton AGRI:EX; Campbell, Jim G AGRI:EX; Chalmers, Dennis AGRI:EX; Curtis, Jennifer AGRI:EX; Droppo, Tom AGRI:EX; Forbes, Jim AGRI:EX; Haddow, Wayne AGRI:EX; Halter, Shawn AGRI:EX; Hatfield, Jill AGRI:EX; Jasper, Geneve AGRI:EX; Kline, Rob AGRI:EX; Liggins, Lavona AGRI:EX; Low, Don AGRI:EX; MacDonald, Leslie S AGRI:EX; Nickel, Ken AGRI:EX; Recksiedler, Blaine AGRI:EX; Robinson, Julie P AGRI:EX; Roth, Myron AGRI:EX; Schmidt, Orlando AGRI:EX; Schur, TJ AGRI:EX; Skinner, Anne E AGRI:EX; Smith, Darrell R AGRI:EX; Smith, Susan L AGRI:EX; Stevenson, John J AGRI:EX; Sutherland, Kim AGRI:EX; Sweeney, Mark AGRI:EX; Tegart, Greg AGRI:EX; Tonn, Patricia AGRI:EX; Trotter, David B AGRI:EX; Withler, Carl AGRI:EX; Woodske, David AGRI:EX; Zabek, Chris AGRI:EX; Zabek, Lisa AGRI:EX; Zimmerman, Kathleen AGRI:EX; van Dalfsen, Bert AGRI:EX; Hughes-Games, Geoff AGRI:EX; Fox, Alison AGRI:EX; Bartle, Gregory AGRI:EX; Sawyer, Bronwyn AGRI:EX; Murphy, Kevin J AGRI:EX; Sparanese, Wayne A AGRI:EX; Steward, Lonny AGRI:EX; Viney, Ursula E AGRI:EX; DeLong, Carol AGRI:EX; DeBoer, Pat AGRI:EX; Jonson, Byron AGRI:EX; Powell, Charlotte AGRI:EX; Last, Gavin AGRI:EX; Lennox, Brenda AGRI:EX; Matthews, Carmen AGRI:EX; Hughes, Kate AGRI:EX; Thambirajah, Natasha AGRI:EX; Prisiak, Tim AGRI:EX; Coney, David AGRI:EX; van Westendorp, Paul AGRI:EX; Cox, William AGRI:EX; Croteau, Phil AGRI:EX; Falk, Gary AGRI:EX; Mielke, Glen AGRI:EX; Rhodes, Jan AGRI:EX; Njenga, Francis AGRI:EX; Anderson, Heather L AGRI:EX; Twaddle, Charlie AGRI:EX; Bates, Linda A. AGRI:EX; Von Sacken, Angela AGRI:EX; Neilson, Larry AGRI:EX; Carswell, Barron AGRI:EX; Sooch, Baljeet K AGRI:EX
Cc	ALCA Feedback AGRI:EX
Sent	Monday, June 2, 2014 9:32 AM

Thank you to each of you who participated in our Live Meeting from Abbotsford on Thursday regarding possible future amendments to the *Agricultural Land Commission Act* (ALCA) regulations and the consultation plan that we are developing to gather broad input on this topic.

Kate, Tim and I, as well as the rest of the project team, really appreciated your time, questions and contributions. It was incredibly useful to hear the different regional perspectives on the Agricultural Land Reserve (ALR) as well as your thoughts about how to support the purpose of the ALCA and the local needs in your communities. The questions we discussed are challenging ones and we appreciate the level of engagement and feedback that occurred right from the start.
Please send us the names of any groups, agencies or organizations that you recommend should participate in the consultation via email to **ALCA_feedback@gov.bc.ca**. **We will be finalizing this list tomorrow, Tuesday at noon.** We want the process to be as strong as possible, so we appreciate your recommendations. Thank you in advance.
Also, if you are interested to continue Thursdays' conversation and provide further thoughts on the questions we discussed, please contact us.
Again, thank you to those of you who participated in Thursday's meeting.
Best wishes,
Natasha Thambirajah

Natasha Thambirajah
Senior Policy Analyst | Corporate Governance, Policy and Legislation Branch
Agriculture Science and Policy Division | Ministry of Agriculture | Province of British Columbia
T: (250) 356 1686
Please consider the environment before printing.

Tomorrow's call

Subject:	**Tomorrow's call**
From:	Hughes, Kate AGRI:EX
To:	MacDonald, Leslie S AGRI:EX; van Dalfsen, Bert AGRI.EX, Schmidt, Orlando AGRI:EX; Tegart, Greg AGRI:EX
Cc:	Coney, David AGRI:EX; Thambirajah, Natasha AGRI:EX; Prisiak, Tim AGRI:EX
Sent:	Wednesday, July 16, 2014 3:44 PM
Attachments:	Draft Stak... ALC Consu...

Hi Leslie, Bert, Orlando & Greg,
Here is the final version of the ALCA reg consultation schedule. Some participant groups have been moved around since you last saw this. I am sharing our internal version with you, which specifies our travel details and room capacity since that may be relevant to your staff who are attending.

I am also attaching a near final version (still confidential draft) of the consultation paper. The final version will be sent out to stakeholders tomorrow to inform the sessions. The questions may be re-numbered or slightly re-worded, but the content is unlikely to change much between now and then.

I will send out call-in coordinates for tomorrow's phone in meeting shortly.
At this I plan to run through:
- update on our process to date (Reference Group meeting, ALC meeting),
-Who is attending what sessions
-rough timeline post-consultations
-meeting roles
-& take any questions.

Any thing else you'd like me to cover, and can let me know ahead of time?
Thanks!
Cheers,
Kate

Kate Hughes
Senior Policy Analyst
Ministry of Agriculture
250.356.7219

Draft Stakeholder Consultation Plan

Notes:

1. Regional Districts will have option to include representatives from member municipalities and or Agriculture Advisory Committees, within a capped total number of participants per RD.
2. Meetings with participants from a single group or association are typically allotted 90mins: 2 -4 groups. 2hours. meetings of 4 groups and larger, 2.5 -3 hrs

Tuesday, July 8th
Minister's Reference Group - Richmond

Invitees	*Session Time*	*Location*	*Travel*	*Notes*
• BC Agriculture Council • ALC • UBCM	9:00 am - 4:00 pm	**Executive Airport Plaza Hotel**, 7311 Westminster Highway, in Richmond. (Telephone: 604 207-7162).	Leave Victoria 8:05 am Arrive South Van 8:35 am Leave Van. 5:35 pm Arrive Vic 6:05 pm	Minister, DM, David and Kate attending

Friday, July 11th
ALC Staff Consultation - Burnaby

Invitees	*Session Time*	*Location*	*Travel*	*Notes*
• Staff and or Commissioners	9:30 am– 3:00 pm	**ALC Office**, 133-4940 Canada Way, Burnaby BC	Leave Victoria 8:00 am Arrive Van harbour 8:30 am Leave Van. 5:40 pm Arrive Vic 6:15 pm	DM, ADM, David, and Kate attending.

1

Tuesday, July 22nd **Kelowna** *Okanagan Panel Region*				
Invitees	***Session Time***	***Location***	***Travel***	***Notes***
1. BC Fruit Growers Association 2. BC Wine Institute 3. BC Cherry Growers Association 4. Certified Organic Associations of BC 5. Southern Interior Stockmen's Association 6. North Okanagan Livestock Association 7. BC Grapegrowers Association ***** 8. Columbia Shuswap Regional District 9. Regional District of Central Okanagan 10. Regional District of North Okanagan 11. RD of Okanagan-Similkameen	10:00-1:00 **** Lunch 1:00-2:00 **** 2:00-4:00	**Ramada Kelowna**. 2170 Harvey Ave. Kelowna. BC V1Y 6G8 250 860-9711	Depart Victoria 7:10 am Arrive in Kelowna 9:11 am Depart Kelowna 5:55 pm Arrive in Victoria 8:21 pm Cab ride between location and airport = 12 – 20 minutes	DM, David, Kate, and Rebecca attending

Friday, July 25th

Kamloops

Interior Panel Region

	Invitees	*Session Time*	*Location*	*Travel*	*Notes*
1	BC Cattleman's Association	1:00 – 4:30	**Hotel 540**	Depart Victoria 9:00 am	James Mack,
2	Thompson-Nicola Regional District		540 Victoria Street, Kamloops, BC	Arrive in Kamloops 11:22	David, Kate, and
3	Grassland Conservation Council of BC		250 372-2281	am	Natasha attending
4	Thompson River University				
5	First Nations Agriculture Association			Depart Kamloops 8:55 pm	
6	[illegible]			Arrive in Victoria 10:57 pm	
				25 minute drive to the airport	

Tuesday, July 29th

Prince George

North Panel Region

	Invitees	*Session Time*	*Location*	*Travel details*	*Notes*
1 2 3 4 5	District C Farmer's Institute District H Farmer's Institute FARM Community Council BC Women's Institute North Cariboo Agricultural Marketing Association	10:00-12:30	**Coast Inn of the North** 770 Brunswick St **Prince George** 250-277-1112	Depart Victoria 7:00 am Arrive in PG 9:05 am Depart PG 7:30 pm Arrive in Victoria 9:58 pm Cab ride from airport – 20 – 30 minutes	James Mack, David, Kate, and Rebecca attending
	*****	**Lunch** 12:30-1:30			
6 7 8	BC Forage Council Skeena Stockmen's Association Nechako Valley Regional Cattlemen's Association	1:30-3:30			
	*****	*****			
9 10. 11 12	Regional District of Bulkley-Nechako RD of Fraser Fort-George Cariboo Regional District University of Northern BC (PG)	4:00-6:00			

Thursday, July 31st

Fort St. John

North Panel Region

Invitees	*Session Time*	*Location*	*Travel details*	*Notes*
1. Northern Rockies Regional Municipality 2. Peace River Regional District ***** 3. Citizens for Agricultural Land Reform Society 4. BC Grain Producers Association (Dawson Creek) 5. Peace Region Forage Seed Association 6. BC North Peace River Regional Cattlemen's Association 7. BC Bison Association 8. Peace River Forage Association	11:00-1:00 ****** **Lunch** 1:00-2:00 ****** 2:00-5:30	**Pomeroy Hotel** 11308 Alaska Rd. Fort St. John, BC V1J 5T5 250-262-3233	Depart Victoria: 7:10 am Arrive FSJ: 9:48 am Depart FSJ: 7:05 pm Arrive Victoria: 9:58 pm Cab ride 15 20 minutes	James Mack, David, Kate, and Rebecca attending.

Tuesday, August 5th

Minister's Reference Group - Richmond

Invitees	*Session Time*	*Location*	*Travel*	*Notes*
• BC Agriculture Council • ALC • UBCM		**Executive Airport Plaza Hotel**, 7311 Westminster Highway, in Richmond, 604 207-7162	To be determined	Minister and DM attending

Thursday, August 7th
ALC Reporting Requirements - Burnaby

Invitees	*Session Time*	*Location*	*Travel*	*Notes*
• FIRB • ALC • Ministry of Agriculture		**ALC Office**, 133-4940 Canada Way, Burnaby BC	TBD	Tim, decision on David and Becky and executive attendance

Friday, August 8th
Cranbrook
Kootenay Panel Region

Invitees	*Session Time*	*Location*	*Travel details*	*Notes*
1. Kootenay Livestock Association 2. Creston Valley Beef Grower's Association 3. Windermere Farmer's Institute 4. Creston Valley Agricultural Society	12:30-3:30	**Prestige Rocky Mountain Resort** 209 Van Horne St. South, Cranbrook, BC 250 417-0444	Depart Victoria: 8:00 AM Arrive Cranbrook: 11:21 AM	James Mack, David, Kate, and Rebecca attending
*****	******* **Lunch** 3:30-4:30 *******		Depart Cranbrook: 9:20 PM Arrive Victoria: 10:57 PM	
5. Regional District of East Kootenay 6. Regional District of Central Kootenay 7. Regional District of Kootenay Boundary	4:30-7:00		20 minute drive from airport to venue	

Tuesday, August 12th

Nanaimo

Island Panel Region

	Invitees	*Session Time*	*Location*	*Travel details*	*Notes*
1	Small Scale Food Processors	9:00 – 12:00	**Coast Bastion Hotel**	Using Ministry car to drive to Nanaimo	Derek Sturko, David, Kate, and Rebecca attending
2	BC Institute of Agrologists		11 Bastion St, Nanaimo, BC V9R 6J4		
3	Peninsula Agriculture Commission		(250) 753-6601		
4	District A Farmer's Institute			Car parked at 732 Cormorant St. Walk down ramp to garage with car key, left across the parking lot. Lord Escape at front of building	
	*****	**** **Lunch** 12:00-1:00 *****			
5	Regional District of Cowichan Valley				
6	Regional District of Powell River				
7	Regional District of Nanaimo	1:00-4:00		DM will drive up separately	
8	Regional District of Alberni-Clayoquot Strathcona				
9.	Regional District of Comox Valley				
10.	Regional District of Strathcona				
11.	Capital Regional District				
12.	Islands Trust				

Thursday August 14th - Friday August 15th

Abbotsford

South Coast Panel Region

Invitees	*Session Time*	*Location*	*Travel details*	*Notes*
1. Metro Vancouver RD 2 Fraser Valley RD 3 Sunshine Coast RD 4 Squamish-Lillooet RD	9:00-11:30	**Best Western** 32110 Marshall Rd Abbotsford BC V2T 1A1 604-853-3111 ext 428	Orca Airways Depart Victoria: 7:45 AM Arrive Abbotsford: 8:10 AM	Exec IBD: David, Kate, and Rebecca attending
*****	***** **Lunch** 11:30-12:30 *****		Cab ride between location and airport = approximately 10 – 15 minutes (buffer built in)	
5 BC Food Processors' Association 6. Fraser Valley Strawberry Growers' Association 7 BC Potato and Vegetable Growers' Association 8 BC Certified Seed Potato Growers Association 9. BC Greenhouse Growers Association 10. United Flower Growers Cooperative	12:30 – 3:00		Stay overnight in Abbotsford	
******	******			
11. Raspberry Industry development council 12. Young Agrarians 13 Fraser Valley Peas, Bush Beans and Corn Growers' Association 14 BC Landscape and Nursery Association 15. BC Association of Farmers Markets 16 BC Pork Producers Association	3:30-6:00			
Overnight in Abbotsford			Overnight in Abbotsfd	

	FRIDAY 15th (Abbotsford – day 2)	**FRIDAY 15th**
17.	BC Dairy Association	
18.	Farmland Defence League	8:30 – 10:30
19.	BC Poultry Association	
20.	UBC – Faculty of Land and Food Systems	
21.	Delta Farmer's Institute	
22.	BC Blueberry Council	
	******	*****
23.	BC Dairy Council	
24.	Fraser Valley Cole Crop Growers' Association	10.45-12.45
25.	BC Sheep Federation	
26.	Vancouver Food Policy Council	
27.	Fraser Valley University – Agriculture Centre of Excellence	
28.	District F Farmers' Institute	
	******	**** **Lunch** 12:45-1.45 ****
29.	BC Food Systems Network	
30.	Farm Folk City Folk	
31.	BC Association of Cattle Feeders	2.00 – 4.00
32.	BC Cranberry Growers' Association	
33.	Fraser Basin Council	

Orca Airways
Depart Abbotsford 5:30 PM
Arrive Victoria 5:55 PM

Tuesday, August 19th
Regional Districts

Invitees	*Session Time*	*Travel details*	*Notes*
1. Regional District of Skeena-Queen Charlotte 2. Regional District of Kitimat-Stikine 3. Central Coast Regional District 4. Regional District of Mt Waddington	1.30 – 3.30	n a	These groups will be invited to contact the ministry to arrange telephone or in person meetings where possible

Time TBD
Treaty First Nations

1. Maa-nulth (all five First Nations)
2. Nisga'a First nation
3. Tsawwassen First Nation
4. Yale First Nation

Wednesday, September 4th
Minister's Reference Group - Richmond

Invitees	*Session Details*	*Location*	*Travel*	*Notes*

Wednesday, September 4th

Minister's Reference Group - Richmond

Invitees	*Session Details*	*Location*	*Travel*	*Notes*
• BC Agriculture Council • ALC • UBCM		**Executive Airport Plaza Hotel**, 7311 Westminster Highway, in Richmond. 604 207-7162	9:30 start	Minister and DM attending

11

Consultation on Potential Changes to the *Agricultural Land Commission Act*'s Agricultural Land Reserve Use, Subdivision and Procedure Regulation

B.C. Ministry of Agriculture
July 2014

1. Introduction

Approximately five percent of BC's land base is included in the Agricultural Land Reserve (ALR), a provincial zone within which agriculture is recognized as the priority activity. The ALR includes public and privately held land and is administered by the Agricultural Land Commission (the ALC), an independent government tribunal, with the purpose of preserving agricultural land and encouraging its use for farming.

The *Agricultural Land Commission Act* (the *Act*) establishes both the ALR and the ALC in legislation. The *Act* sets out the structure and operations of the ALC and identifies general permissible land uses within the ALR. The Agricultural Land Reserve Use, Subdivision and Procedure Regulation (ALCA Regulation) provides greater specificity to many of the provisions in the *Act*.

Amongst other things, the ALCA Regulation identifies the specific land uses allowable on farmland in the ALR. Current examples include such things as growing plants and raising animals, putting up buildings necessary for the farm, selling farm products direct to the public (e.g. at farm stands), limited food processing and, unless prohibited a local government, specified non-farm activities such as agri-tourism accommodation, temporary sawmills, kennels, and others.

Any activities not permitted by the ALCA Regulation require an application to the ALC, which can approve, deny or vary the application. Applications are required to include or exclude land from ALR, to subdivide land within the ALR, and to carry on any activity not expressly permitted in the *Act* or Regulations.

The passage of Bill 24 in May 2014 introduced amendments to the *Act* that change the way in which the ALR is structured and governed. Some of the detail that determines how these legislative changes will be implemented will be provided through changes to the ALCA Regulation. One aspect of regulatory change contemplated by the amendments is to expand the list of allowable uses on ALR land, and possibly to vary them between ALR regions.

The focus of this consultation is to ask the question: what further activities should be allowable on farmland in the ALR without an application to the ALC, and how should these vary between regions?

Context for this question is provided in sections 2 and 3 of this paper. Section 4 provides some specific suggestions for new activities that should be allowable in the ALR without tan application to the ALC. Section 5 provides further specific suggestions for regulatory change related to agri-tourism and the subdivision and leasing of land in the ALR.

2. Consultation Process

Minister's Reference Group and ALC

- A Minister's Reference Group comprised of the ALC, the Union of British Columbia Municipalities (UBCM) and the BC Agriculture Council (BCAC) has been struck to inform the consultation process and regulatory outcomes.

- An initial meeting of the Reference Group was held in early July to provide advice on the consultation process, and to provide substantive input on the consultation questions.
- A separate meeting was then held with the ALC (commissioners and staff) to solicit further input on the consultation questions.
- The input gained from the Reference Group and the ALC form the basis of the consultation questions presented in this paper.
- The Reference Group will meet again mid-way through the process to review stakeholder feedback and provide any additional, interim advice.
- A final meeting of the Reference Group will be held at the end of the consultation process to review outcomes and provide input on any draft regulations the Ministry may consider at that time.

Regional Stakeholder Consultations

- Seven regional meetings will take place between July 22nd and August 22nd encompassing all six ALR regions.
- Invited stakeholders include local government (all Regional Districts), industry (wide cross-section of agriculture associations and farmers' institutes) and other key organizations (e.g. agriculture programs from post-secondary institutions).
- The Ministry will lead the consultation process. The ALC will also attend the regional meetings.

Public Input

- Public input on the consultation questions will be solicited via a consultation website: http://engage.gov.bc.ca/landreserve or via a dedicated Ministry email address: ALCA_Feedback@gov.bc.ca
- Stakeholders who are not invited to a regional meeting may also provide written submissions via the website or email address. The website will be live from July 22nd to August 22nd.

3. Overview of Changes to the ALCA

The *Act* was most recently amended in May 2014, by the passage of Bill 24. At that time, several legislative changes were introduced regarding how the ALC is structured and how it makes decisions on applications. Some of these changes directly impinge on the focus of this consultation – to discuss what activities should be allowable on farmland in the ALR without an application to the ALC, and how these should vary between regions.

a) Zones, Regions and Regional Panels

The May 2014 amendments to the *Act* codify the existing six ALR regions into law, and require that a regional panel of at least two commissioners be established in each of the six regions.

The amendments also establish two ALR zones, each comprised of three of the six ALR regions:

Zone 1:	*Zone 2:*
Okanagan region	Interior region
South Coast region	Kootenay region
Vancouver Island region	North region

All applications to the ALC (for land exclusions, land inclusions, subdivisions, and land uses not otherwise permitted by the *Act* or Regulations) must now be forwarded by the ALC to the appropriate regional panel for decision. At its own discretion, a regional panel may take an application forwarded to it by the ALC, and refer this application instead to the ALC Executive Committee for a decision.

Subject to any regulations, if the Chair of the ALC determines that an application is of provincial importance, is novel or of general importance to the application of the *Act*, or may affect more than one panel region, the Chair may also refer the application to the ALC Executive Committee for decision, instead of referring it to a regional panel. The ALC Executive Committee is made up of the six regional panel vice-chairs, and the Chair of the ALC.

While the amendments to the *Act* provide the ability to further define in regulation when the Chair may refer an application to the Executive Committee, the Minister's Reference Group has advised that the *Act* provides enough specificity as written (i.e. the Chair may refer an application to the Executive Committee when the Chair considers an application is of provincial importance, is novel or of general importance to the application of the *Act*, or may affect more than one panel region), and that it is therefore preferable to allow the ALC the discretion to work within the legislative parameters provided, without further definition being required in regulation at this time.

b) Decision Making

The amendments to the *Act* also introduced new factors for the ALC to consider when making decisions on applications in Zone 2. In making decisions on applications the ALC has always had to consider the purpose of the ALC as defined in Section 6 of the *Act:*

> (a) to preserve agricultural land;
> (b) to encourage farming on agricultural land in collaboration with other communities of interest;
> (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.

This has not changed in Zone 1.

In Zone 2, however, the ALC is now required by legislation to consider, in descending order of priority:

- The purposes of the ALC as defined in section 6 of the *Act*
- Economic, cultural and social values;
- Regional and community planning objectives; and
- Other prescribed considerations.

While the amendments to the *Act* provide the ability to further define in regulation the factors the ALC must consider in deciding on applications in Zone 2, there is no intention to develop such regulations at this time, and this consultation does not therefore include any questions on this topic.

c) Allowable Uses of ALR Land

The activities that are allowable on ALR land without requiring an application to the ALC are established in the ALCA Regulation. There are two broad categories of allowable uses, called Farm Uses and Permitted Uses. Farm Uses include a range of things including the growing of plants and raising of animals, horse riding, the application of fertilizers, the construction of farm buildings, farm related agri-tourism, and agro-forestry (i.e. activities directly related to farming). Farm Uses may not vary between Zone 1 and Zone 2. Permitted Uses include such things as limited bed and breakfast accommodation, agri-tourism accommodation, temporary sawmills, kennels, and within certain limitations also non-agricultural home-based businesses. Permitted Uses may be viewed as less directly related to agriculture than Farm Uses, but still valuable to the farm operation. Permitted Uses may vary between Zone 1 and Zone 2.

Whether and to what extent the list of farm uses and permitted uses in the ALCA Regulation should be updated, and how if at all permitted uses should vary between zones, is the focus of this consultation. Further detail on what currently constitutes a farm use and a permitted use, together with suggestions for additional allowable uses, are provided below for your consideration and comment.

d) Governance

Other legislative changes include the establishment of additional reporting requirements for the ALC, including a review of operations, performance indicators, details on applications received, survey results, plans, special problems and trends.

The Ministry will be working together with the ALC and other experts in administrative tribunal governance to further define the details of these new operational requirements.

e) Other Regulation Making Authorities

The May 2014 amendments to the *Act* also provide new regulation making authorities to: define terms not otherwise defined in the *Act;* determine how the ALC should make certain information on its operations and decisions public; and to establish residency requirements for commissioners on regional panels.

Regulations establishing residency requirements for commissioners are being developed as part of the process to bring the recent *Act* amendments into force. Otherwise, there is no intention to move ahead on regulations at this time, other than on the central question of what activities (i.e. farm uses and permitted uses) should be allowed in the ALR without an application to the ALC, and how, if at all, these should vary between zones.

f) Summary

In summary, the May 2014 amendments to the *Act* have introduced changes to the way in which the ALR is structured and governed. Some of the detail that determines how these legislative changes will be implemented will be determined through changes to the ALCA Regulation that supports the *Act*. This

consultation is intended to solicit input on potential regulatory changes as they relate to changes in the land use activities allowable in Zone 1 and Zone 2.

An itemized list of the recent amendments to the *Act* is provided in Appendix A.

4. Consultation Topic: Land Uses Allowed in the ALR

a) Uses of land in the ALR that are currently allowed without an application to the ALC.

Currently, land in the ALR can be used for farming, ranching, and other uses specified in the ALCA Regulation. All other activities require an application to the ALC and the ALC's subsequent approval. The specific land uses permitted in the ALR without application to the ALC are listed in the ALCA Regulation either as Farm Uses (Section 2 of the Regulation) or as Permitted Uses (Section 3). Land use activities not included in those sections, such as subdividing land, building additional residences, and excluding land from the ALR, require approval by the ALC through the application process.

Farm uses include activities that are most directly aligned with the business of farming. Many of these activities are captured in the definition of *farm use* set out in the *Act*:

> an occupation or use of land for farm purposes, including farming of land, plants and animals and any other similar activity designated as farm use by regulation, and includes a farm operation as defined in the *Farm Practices Protection (Right to Farm) Act*. ALCA s.1 (1)

Section 2 of the ALCA Regulation duly designates various activities as farm use, including: farm retail sales; operating farm wineries or cideries; storage, packing, and product preparation; timber production; agro-forestry; agri-tourism; and others (the full list of farm uses found in section 2 of the ALCA Regulation is provided in Appendix B).

The majority of the activities listed in section 2 are restricted by specific parameters that ensure they support an active farm and have only a minimum impact on agricultural land. For example, farm retail sales are permitted only when either all of the farm products offered are produced on the farm, or at least half of the sales area is for products from the farm. Food processing is permitted only when half of the product being produced was sourced on the farm, or is feed for consumption on the farm. The activities listed in section 2 may be regulated but cannot be prohibited by local governments. The *Act* does not permit that the activities listed in section 2 may vary between Zone 1 and Zone 2.

Permitted uses include activities that are not specifically agricultural in nature, but which are permitted by regulation on ALR land without application to the ALC. Permitted uses are set out in section 3 of the ALCA Regulation and include such activities as: bed and breakfast accommodations; temporary sawmills; breeding pets; establishing telecommunications equipment; and others (a full list of the permitted uses found in section 3 of the ALCA Regulation is provided in Appendix B).

Similar to farm uses under section 2, parameters are established in the Regulation for the majority of these land uses in order to minimize their impact on agricultural land. For instance, temporary sawmills

are permitted when half of the timber harvested is from the farm; bed and breakfasts are limited in size; and biodiversity conservation, passive recreation, heritage, wildlife and scenery viewing land uses are permitted so long as related buildings do not exceed a specified footprint. The permitted uses listed in section 3 may be restricted or prohibited by local governments. Permitted uses can vary between Zone 1 and Zone 2 of the ALR.

Table 1 illustrates the main differences between farm uses, permitted uses and non-farm uses as provided by the ALCA Regulation.

Possible Uses of Land:		
A. Farm Use	**B. Permitted use**	**C. Non-farm Use**
Defined as "farm use" in the ALCA Regulation s.2	Defined specifically in ALCA Regulation s.3	**Not permitted on ALR land without ALC approval**
No application to the Commission required	No application to the Commission required	**Requires application to the Commission**
May be regulated but not prohibited by local government (s.2 ALCA Regulation)	Permitted unless prohibited by local government bylaw (s.3 ALCA Regulation)	**Applications go to local government ahead of the Commission. LG can opt not to forward the application to the Commission, which terminates the process, or can forward it to the Commission with their endorsement for the Commission to decide.**

b) What additional uses of land should be allowed in the ALR without an application to the ALC?

To help identify potential changes to the ALCA Regulation, the Ministry has consulted with the Minister's Reference Group on the ALC (UBCM, BCAC, ALC). As a result of those consultations, a number of possible changes to what is an allowable use of land in the ALR are presented for your consideration and comment. If added to the ALCA Regulation, these land use activities would be permitted on the ALR without an application to the ALC.

Farm Uses

Current ideas include introducing changes to the list of allowable Farm Uses under section 2 of the Regulation (i.e. uses that are allowed in the ALR without an application to the ALC, which may be regulated but not prohibited by a local government, and which must be the same in Zone 1 and Zone 2) to accomplish the following:

1. Permit breweries, distilleries and meaderies on ALR land on the same or similar terms as wineries and cideries are currently permitted (sect. 1 and 2(b) of the Regulation). Currently, wineries and cideries are permitted on ALR land without application to the ALC, so long as a prescribed percentage of the agricultural product used to produce the final product comes from either the farm on which the winery/cidery sits, or another BC farm.

2. Permit wineries, cideries, breweries, distilleries and meaderies to: establish consumption areas (or 'lounges') that exceed the current size restrictions (125m^2, roughly equal to a maximum of 65 people); and/or to sell alcohol that was not produced on the farm (these suggestions stem from the recent provincial Liquor Policy Review).

3. Revise the parameters for on-farm food storage, packing, processing and retail establishments.

   Currently the Regulation states (sect. 2.a and 2.e) that food storage, packing, product preparation, and food processing are permitted "if at least 50% of the farm product being stored, packed, prepared or processed is produced on the farm or is feed required for farm production purposes on the farm". Retail sales are permitted if "at least 50% of the retail sales area is limited to the sale of farm products produced on the farm on which the retail sales are taking place and the total area ... does not exceed 300m^2."

   These restrictions can inhibit neighbouring farms from investing in joint storage, packing, processing or retail establishment in the ALR, favouring instead the establishment of a number of small, similar operations. This may be an inefficient use of productive farmland, and cost prohibitive for individual small producers. One benefit of the proposed amendment would therefore be to enable cooperative arrangements between farms in proximity to one another.

   Amongst other things, lessening the restrictions on on-farm processing could allow the establishment of on-farm abattoirs that serve surrounding cattle, game or poultry farms.

   Similarly, lessening restrictions on on-farm retail operations could further enable on-farm markets to sell products from several farms.

   In all cases, whether expanding existing farm uses or creating new ones, careful consideration should be given to any appropriate parameters for limiting the farm use, for example by limiting the total footprint of any facilities in relation to the size of the farm, the location of a facility on a farm, the percentage of any inputs that should be derived from the farm, the impact on neighbouring farms, and whether the property is actually being farmed or is being held for other development purposes.

Permitted Uses

Current ideas include introducing changes to the list of allowable Permitted Uses under sect. 3 of the Regulation (i.e. uses that are allowed in the ALR without an application to the ALC, which may be prohibited by a local government, and which may vary between Zone 1 and Zone 2) to accomplish the following:

1. Permit anaerobic digesters on farms. Anaerobic digesters may be used to process waste from both the farm and other sources, and may produce energy to be sold for revenue[1].

2. Permit the use of on-farm cogeneration facilities where a portion of the energy created is sold for revenue[2].

3. Expand the parameters for when non-agriculture related businesses are allowed to operate on ALR properties in Zone 2. Currently the Regulation permits a home occupation use that is accessory to a dwelling, of not more than 100 m^2 or such other area as specified in a local government bylaw.

As with Farm Uses, careful consideration should be given to any appropriate parameters for limiting the proposed new activities, including the size and location of any facilities, their permanence, their relationship to *bona fide* agriculture operations, and their impact on neighbouring farms.

5. Consultation Topic: Other Improvements to the Regulation

a) Sub-division

Although most subdivisions require an application to the ALC, section 10 of the ALCA Regulation establishes when and how subdivisions of ALR properties can be made by local government (and other) approving officers, without an application to the ALC. These include subdivisions that will consolidate two or more parcels into a single parcel, and certain other subdivisions when the subdivision will not result in any increase in the number of parcels.

Current ideas include introducing changes that would enable farmers and ranchers to expand the circumstances under which subdivisions can be approved by an approving officer without application to the ALC:

1. Permit the subdivision of ALR properties one half section or larger down to a minimum parcel size of a quarter section. This regulatory change is only envisioned for application in Zone 2.

2. Permit the subdivision of parcels of a defined size that are divided by a major highway or waterway. Define the minimum allowable size of both subdivided parcels. This regulatory change is only envisioned for application in Zone 2.

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[1] **Anaerobic digestion** is a collection of processes by which microorganisms break down biodegradable material in the absence of oxygen. The process is used to manage waste and/or to produce fuels.

[2] **Cogeneration** or **combined heat and power** (**CHP**) is the use of a heat engine or power station to simultaneously generate electricity and useful heat.

b) Agri-tourism.

One proposal is that further definition of what constitutes an "agri-tourism activity" could usefully be provided in section 2 of the Regulation. Section 2 currently provides that agri-tourism activities are allowable as a farm use if the use is temporary and seasonal, and promotes or markets farm products grown, raised or processed on the farm. Providing greater clarity on what constitutes a "temporary and seasonal" activity and when that activity "promotes or markets farm products" may be beneficial for farmers, local governments and the ALC.

It has similarly been proposed that further definition be provided on when agri-tourism accommodations are permitted under section 3 of the Regulation, to ensure that any such accommodations are tied to a *bona fide* agri-tourism activity under section 2.

c) Leasing.

Currently a landowner in the ALR may lease their entire property without making an application to the ALC, but must make an application in order to lease a portion of their property. It has been proposed that temporary leases of a portion of a property be allowed without an application if the lease is to enable the intergenerational transfer of active farm or ranch operations, or to encourage the use of otherwise unfarmed land by existing or new farmers.

This would allow retiring farmers to continue to live on their property while leasing or selling it to their children or other new entrants. The lease could allow a second residence to be established on the property, but no permanent subdivision of property is involved. This regulatory change is only envisioned for application in Zone 2; Zone 1 farmers wishing a similar arrangement would need to continue to apply to the ALC for a subdivision.

6. Thank you!

Your input into this consultation process is greatly appreciated. If you would like to contribute further comments, you may do so by email at **ALCA_feedback@gov.bc.ca** or through our consultation website, which can be accessed through the Ministry of Agriculture's website: **www.gov.bc.ca/agri** .

Appendix A:

List of Recent Amendments to the *Agricultural Land Commission Act*

General "Theme"	Description of Change	Section Reference
1) ALC Reporting and Accountability	Allow government, by regulation, to set service standards and reporting requirements for the Commission to the Minister.	ALCA Section 12(2)
	Minister can by order set performance standards.	ALCA Section 12(2.1)
2) Panel Regions and Panel Composition	Establish the 6 existing panel regions (defined geographically in the new Schedule to ALCA)	ALCA Section 4.1
	Require that a panel be established for each of the 6 panel regions.	ALCA Section 11(1)
	Require that the Chair refer applications from a panel region to the panel for that panel region.	ALCA Section 11(6)
	Sets out when chair of the Commission can refer an application to the executive committee.	ALCA Section 11.2
	Commission must consist of at least 13 individuals.	ALCA Section 5(1)
	Regional panels will have a minimum of 2 members, one of whom will be vice chair for the panel appointed by the LGIC.	ALCA Section 5(2) and ALCA Section 11
	Vice chairs and members must be resident in the region of the panel to which they are appointed ('residency' to be defined by regulation).	ALCA Section 5(2) and ALCA Section 11(3)
3) Zones	Zone 1 = Island, South Coast and Okanagan panel regions. Zone 2 = the rest of BC (i.e. Interior, Kootenay, North panel regions, and other).	ALCA Section 4.2
4) Decision-Making in Zones	Zone 1 – no change to decision-making – ALC considers applications on case-by-case basis within the legislated purpose of the Commission, which are as follows: (a) to preserve agricultural land; (b) to encourage farming on agricultural land in collaboration with other communities of interest; (c) to encourage local governments, first nations, the government and its agents to enable and	ALCA Section 4.3

		accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies. In rendering its decisions in Zone 2, the Commission must also now consider other factors in descending order of priority: economic, cultural and social values; regional and community planning objectives; and any other considerations prescribed by regulation. This does not require the Commission to make decisions that only reflect these new considerations. The Commission is still an independent body and will balance agricultural factors with these other considerations. The legislation provides for greater flexibility in ALC decision-making to allow farmers in Zone 2 to have more options for earning an income.	
5)	*Local Government Act* Amendment	Section 879 of the *Local Government Act* is amended so that local governments must consult with the Commission earlier on in development of, or amendments to, an Official Community Plan (i.e. *prior* to first reading).	*Local Government Act* Section 879
6)	Additional Regulation-Making Powers added to the ALCA	Several subsections have been added to section 58 of the ALCA to provide for additional regulation-making powers. The regulations we are consulting on in this process are tied to several of these new powers and to the other regulation-making powers that have existed for some time in the ALCA.	ALCA Section 58

Appendix B: Excerpt from the Agricultural Land Reserve Use, Subdivision and Procedure Regulation

Activities designated as farm use

2 (2) The following activities are designated as farm use for the purposes of the Act and may be regulated but must not be prohibited by any local government bylaw except a bylaw under section 917 of the *Local Government Act* or, if the activity is undertaken on treaty settlement lands, by a law of the applicable treaty first nation government:

(a) farm retail sales if

(i) all of the farm product offered for sale is produced on the farm on which the retail sales are taking place, or

(ii) at least 50% of the retail sales area is limited to the sale of farm products produced on the farm on which the retail sales are taking place and the total area, both indoors and outdoors, used for the retail sales of all products does not exceed 300 m^2;

(b) a British Columbia licensed winery or cidery and an ancillary use if the wine or cider produced and offered for sale is made from farm product and

(i) at least 50% of that farm product is grown on the farm on which the winery or cidery is located, or

(ii) the farm that grows the farm products used to produce wine or cider is more than 2 ha in area, and, unless otherwise authorized by the commission, at least 50% of the total farm product for processing is provided under a minimum 3 year contract from a farm in British Columbia;

(c) storage, packing, product preparation or processing of farm products, if at least 50% of the farm product being stored, packed, prepared or processed is produced on the farm or is feed required for farm production purposes on the farm;

(d) land development works including clearing, levelling, draining, berming, irrigating and construction of reservoirs and ancillary works if the works are required for farm use of that farm;

(e) agri-tourism activities, other than accommodation, on land that is classified as a farm under the *Assessment Act*, if the use is temporary and seasonal, and promotes or markets farm products grown, raised or processed on the farm;

(f) timber production, harvesting, silviculture and forest protection;

(g) agroforestry, including botanical forest products production;

(h) horse riding, training and boarding, including a facility for horse riding, training and boarding, if

(i) the stables do not have more than 40 permanent stalls, and

(ii) the facility does not include a racetrack licensed by the British Columbia Racing Commission;

(i) the storage and application of fertilizers, mulches and soil conditioners;

(j) the application of soil amendments collected, stored and handled in compliance with the Agricultural Waste Control Regulation, B.C. Reg. 131/92;

(k) the production, storage and application of compost from agricultural wastes produced on the farm for farm purposes in compliance with the Agricultural Waste Control Regulation, B.C. Reg. 131/92;

(l) the application of compost and biosolids produced and applied in compliance with the Organic Matter Recycling Regulation, B.C. Reg. 18/2002;

(m) the production, storage and application of Class A compost in compliance with the Organic Matter Recycling Regulation, B.C. Reg. 18/2002, if all the compost produced is used on the farm;

(n) soil sampling and testing of soil from the farm;

(o) the construction, maintenance and operation of farm buildings including, but not limited to, any of the following:

(i) a greenhouse;

(ii) a farm building or structure for use in an intensive livestock operation or for mushroom production;

(iii) an aquaculture facility.

(3) Any activity designated as farm use includes the construction, maintenance and operation of a building, structure, driveway, ancillary service or utility necessary for that farm use.

(4) Unless permitted under the *Water Act* or the *Environmental Management Act*, any use specified in subsection (2) includes soil removal or placement of fill necessary for that use as long as it does not

(a) cause danger on or to adjacent land, structures or rights of way, or

(b) foul, obstruct or impede the flow of any waterway.

(5) The removal of soil or placement of fill as part of a use designated in subsection (2) must be considered to be a designated farm use and does not require notification except under section 4.

Permitted uses for land in an agricultural land reserve

3 (1) The following land uses are permitted in an agricultural land reserve unless otherwise 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) accommodation for agri-tourism on a farm if

(i) all or part of the parcel on which the accommodation is located is classified as a farm under the *Assessment Act*,

(ii) the accommodation is limited to 10 sleeping units in total of seasonal campsites, seasonal cabins or short term use of bedrooms including bed and breakfast bedrooms under paragraph (d), and

(iii) the total developed area for buildings, landscaping and access for the accommodation is less than 5% of the parcel;

(b) for each parcel,

(i) one secondary suite within a single family dwelling, and

(ii) one manufactured home, up to 9 m in width, for use by a member of the owner's immediate family;

(c) a home occupation use, that is accessory to a dwelling, of not more than 100 m^2 or such other area as specified in a local government bylaw, or treaty first nation government law, applicable to the area in which the parcel is located;

(d) bed and breakfast use of not more than 4 bedrooms for short term tourist accommodation or such other number of bedrooms as specified in a local

government bylaw, or treaty first nation government law, applicable to the area in which the parcel is located;

(e) operation of a temporary sawmill if at least 50% of the volume of timber is harvested from the farm or parcel on which the sawmill is located;

(f) biodiversity conservation, passive recreation, heritage, wildlife and scenery viewing purposes, as long as the area occupied by any associated buildings and structures does not exceed 100 m^2 for each parcel;

(g) use of an open land park established by a local government or treaty first nation government for any of the purposes specified in paragraph (f);

(h) breeding pets or operating a kennel or boarding facility;

(i) education and research except schools under the *School Act*, respecting any use permitted under the *Act* and this regulation as long as the area occupied by any buildings or structures necessary for the education or research does not exceed 100 m^2 for each parcel;

(j) production and development of biological products used in integrated pest management programs as long as the area occupied by any buildings or structures necessary for the production or development does not exceed 300 m^2 for each parcel;

(k) aggregate extraction if the total volume of materials removed from the parcel is less than 500 m^3, as long as the cultivatable surface layer of soil is salvaged, stored on the parcel and available to reclaim the disturbed area;

(l) force mains, trunk sewers, gas pipelines and water lines within an existing dedicated right of way;

(m) telecommunications equipment, buildings and installations as long as the area occupied by the equipment, buildings and installations does not exceed 100 m^2 for each parcel;

(n) construction and maintenance, for the purpose of drainage or irrigation or to combat the threat of flooding, of

(i) dikes and related pumphouses, and

(ii) ancillary works including access roads and facilities;

(o) unpaved airstrip or helipad for use of aircraft flying non-scheduled flights;

(p) the production, storage and application of Class A compost in compliance with the Organic Matter Recycling Regulation, B.C. Reg. 18/2002, if at least 50% of the compost measured by volume is used on the farm.

(2) Nothing in subsection (1) (a) is to be interpreted as permitting the conversion of a building into strata lots by an owner.

(3) If a use is permitted under subsection (1) (k) it is a condition of the use that once the extraction of aggregate is complete, the disturbed area must be rehabilitated in accordance with good agricultural practice.

(4) The following land uses are permitted in an agricultural land reserve:

(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*, or

(v) recreation reserve established under the *Land Act*;

(b) dedication or upgrading of an existing road with vehicular access and use declared to be a highway under section 42 of the *Transportation Act*;

(c) road construction or upgrading within a dedicated right of way that has a constructed road bed for vehicular access and use;

(d) if the widening or works does not result in an overall right of way width of more than 24 m, widening of an existing constructed road right of way for

(i) safety or maintenance purposes, or

(ii) drainage or flood control works;

(d.1) widening an existing constructed road right of way to ease one curve;

(e) establishing as a forest service road

(i) an existing road under the *Forest Act*, or

(ii) a new road in a managed forest;

(f) increasing the right of way width of a forest service road by up to 4 m if the widening does not result in an overall right of way width of more than 24 m;

(g) railway construction, upgrading and operations on an existing railbed within a dedicated right of way, including widening of an existing railway right of way if the widening does not result in an overall right of way width of more than 30 m;

(h) surveying, exploring or prospecting for gravel or minerals if all cuts, trenches and similar alterations are restored to the natural ground level on completion of the surveying, exploring or prospecting;

(i) surface water collection for farm use or domestic use, water well drillings, connection of water lines, access to water well sites and required rights of way or easements;

(j) soil research or testing as long as the soil removed or fill placed is only in an amount necessary for the research or testing.

(5) Any permitted use specified in subsection (1) or (4) includes the construction, maintenance and operation of buildings, structures, driveways, ancillary services and utilities necessary for that use.

(6) Unless permitted under the *Water Act* or the *Environmental Management Act*, any use specified in subsection (1) or (4) includes soil removal or placement of fill necessary for that use as long as the soil removal or placement of fill does not

(a) cause danger on or to adjacent land, structures or rights of way, or

(b) foul, obstruct or impede the flow of any waterway.

FW: Docs for ALC Ref Group email

Tuesday, November 27, 2014
11:15 AM

Subject	**FW: Docs for ALC Ref Group email**
From	Hughes, Kate AGRI:EX
To	MacDonald, Leslie S AGRI:EX; Schmidt, Orlando AGRI:EX; Tegart, Greg AGRI:EX; van Dalfsen, Bert AGRI:EX
Cc	Coney, David AGRI:EX
Sent	Thursday, July 17, 2014 11:36 AM
Attachments	 ALR Regul...

Hi Leslie, Bert, Orlando & Greg,
Here is the FINAL version of the ALCA reg consultation paper, which has been distributed to all meeting invitees and the Minister's Reference Group this morning. Please share with your staff as/when you are able. As I mentioned yesterday, the questions have been renumbered & reworded slightly from the version I sent yesterday. It won't be needed for the call today, but those attending the sessions will want to have this copy for reference.

If it is all right with you, on the call this afternoon I'd like to invite your staff to provide David and I with some information about regional issues relating to the consultation questions ahead of the meetings if they are able. It would be useful for us to know ahead of time about any issues, major projects, major contentions, significant ALC decisions etc that meeting participants may have on their mind. I think we've raised this before, but it's been awhile so please let me know ahead of the call if you have any concerns about this request.

Thanks!
Kate

Consultation on Potential Changes to the *Agricultural Land Commission Act*: Agricultural Land Reserve Use, Subdivision and Procedure Regulation

B.C. Ministry of Agriculture
July 2014

1. Purpose

The purpose of this consultation is to invite your input on some proposed additional activities that could be allowed on farmland in the Agricultural Land Reserve without a requirement to make an application to the Agricultural Land Commission, on whether and to what extent these allowable uses should vary between different regions of the province, and on what parameters you think should be put around the proposed new uses.

2. Background

Approximately five percent of BC's land base is included in the Agricultural Land Reserve (ALR), a provincial zone within which agriculture is recognized as the priority activity. The ALR includes public and privately held land and is administered by the Agricultural Land Commission (ALC), an independent government tribunal, with the purpose of preserving agricultural land and encouraging its use for farming.

The *Agricultural Land Commission Act* (the *Act*) establishes both the ALR and the ALC in legislation. The *Act* sets out the structure and operations of the ALC and identifies permissible land uses within the ALR. The Agricultural Land Reserve Use, Subdivision and Procedure Regulation (ALR Regulation) provides greater specificity to many of the provisions in the *Act*.

Amongst other things, the ALR Regulation identifies specific land uses allowable on farmland in the ALR without an application to the ALC. Current examples include such things as growing plants and raising animals, putting up buildings necessary for the farm, selling agricultural products direct to the public, limited food processing and, unless prohibited a local government, specified non-farm activities such as agri-tourism accommodation, temporary sawmills, kennels, and others.

Any activities not permitted by the ALR Regulation do require an application to the ALC, which can approve, deny or vary the application. Applications are required in order to include or exclude land from ALR, to subdivide land within the ALR, or to carry out an activity not expressly permitted in the *Act* or Regulations.

The passage of Bill 24 in May 2014 introduced amendments to the *Act* that change the way in which the ALC is structured and governed. Some of the detail that determines how these legislative changes will be implemented will be provided through changes to the ALR Regulation. One aspect of regulatory change contemplated by the amendments is to expand the list of allowable uses on ALR land, and possibly to vary them between ALR regions.

The focus of this consultation is to ask the question: what further activities should be allowable on farmland in the ALR without an application to the ALC, what parameters should be put around them, and should they vary between regions? A Reference Group convened by the Minister of Agriculture and comprised of representatives from the ALC, the Union of British Columbia Municipalities (UBCM) and the BC Agriculture Council (BCAC) has made a number of specific suggestions in answer to this question, and these suggestions are presented in this paper for your consideration and comment.

Context for the questions is provided in sections 4 and 5 of this paper. Section 6 provides some specific suggestions for new activities that should be allowable in the ALR without an application to the ALC, and also some further specific suggestions for regulatory change related to agri-tourism and the subdivision and leasing of land in the ALR.

3. Consultation Process

Minister's Reference Group and ALC

- A Minister's Reference Group comprised of representatives from the ALC, UBCM and the BCAC has been struck to inform the consultation process and any regulatory outcomes.
- An initial meeting of the Reference Group was held in early July to provide advice on the consultation process, and to provide substantive input on the consultation questions.
- A separate meeting was then held with the ALC (commissioners and staff) to solicit further input on the consultation questions.
- The input gained from the Reference Group and the ALC form the basis of the consultation questions presented in this paper.
- As well, the ALC has provided a number of specific, technical suggestions for regulatory amendments aimed at providing greater clarity for landowners, local governments and the ALC itself around some existing allowable uses. While these suggestions are not the subject of this consultation, they will be provided on the consultation website (see Public Input, below) for your information.
- The Reference Group will meet again mid-way through the process to review stakeholder feedback and provide any additional, interim advice.
- A final meeting of the Reference Group will be held at the end of the consultation process to review outcomes and provide input on any draft regulations the Ministry may consider at that time.

Regional Stakeholder Consultations

- Seven regional meetings will take place between July 22nd and August 22nd encompassing all six ALR regions.
- Invited stakeholders include local government (all Regional Districts), industry (wide cross-section of agriculture associations and farmers' institutes) and other key organizations (e.g. agriculture programs from post-secondary institutions).
- The Ministry will lead the consultation process. The ALC will also attend the regional meetings.

Public Input

- Public input on the consultation questions will be solicited via a consultation website: http://engage.gov.bc.ca/landreserve or via a dedicated Ministry email address: ALCA_Feedback@gov.bc.ca
- The website will be live from July 22nd to August 22nd.

4. Overview of Changes to the ALCA

The *Act* was most recently amended in May 2014, by the passage of Bill 24. At that time, several legislative changes were introduced regarding how the ALC is structured and how it makes decisions on applications. These changes directly inform the framework of this consultation – to discuss what activities should be allowable on farmland in the ALR without an application to the ALC, and if these should vary between regions.

a) Zones, Regions and Regional Panels

The May 2014 amendments to the *Act* codify the existing six ALR regions into law, and require that a regional panel of at least two commissioners be established in each of the six regions.

The amendments also establish two ALR zones, each comprised of three of the six ALR regions:

Zone 1:	*Zone 2:*
Okanagan region	Interior region
South Coast region	Kootenay region
Vancouver Island region	North region

All applications to the ALC (for land exclusions, land inclusions, subdivisions, and land uses not otherwise permitted by the *Act* or Regulations) must now be forwarded by the Chair of the ALC to the appropriate regional panel for decision. At its discretion, a regional panel may take an application referred to it by the Chair, and refer this application instead to the ALC Executive Committee.

Subject to any regulations, if the Chair of the ALC determines that an application is of provincial importance, is novel or of general importance to the application of the *Act*, or may affect more than one panel region, the Chair may also refer the application to the ALC Executive Committee for decision, instead of referring it to a regional panel. The ALC Executive Committee is made up of the six regional panel vice-chairs, and the Chair of the ALC.

While the amendments to the *Act* provide the ability to further define in regulation when the Chair may refer an application to the Executive Committee, the Minister's Reference Group has advised that the *Act* provides enough specificity as written (i.e. the Chair may refer an application to the Executive Committee when the Chair considers an application is of provincial importance, is novel or of general importance to the application of the *Act*, or may affect more than one panel region). As such, it is preferable to allow the Chair the discretion to work within the legislative parameters provided, without further definition being required in regulation at this time.

b) Decision Making

The amendments to the *Act* also introduced new factors for the ALC to consider when making decisions on applications in Zone 2. In making decisions on applications the ALC has always considered the purpose of the ALC as defined in Section 6 of the *Act:*

(a) to preserve agricultural land;
(b) to encourage farming on agricultural land in collaboration with other communities of interest;
(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.

This has not changed in Zone 1.

In Zone 2, however, the ALC is now required by legislation to consider, in descending order of priority:

- The purposes of the ALC as defined in section 6 of the *Act*
- Economic, cultural and social values;
- Regional and community planning objectives; and
- Other prescribed considerations.

While the amendments to the *Act* provide the ability to further define in regulation the factors the ALC must consider in deciding on applications in Zone 2, there is no intention to develop such regulations at this time, and this consultation does not therefore include any questions on this topic.

c) Allowable Uses of ALR Land

The activities that are allowable on ALR land without requiring an application to the ALC are established in the ALR Regulation. There are two broad categories of allowable uses, called Farm Uses and Permitted Uses. Farm Uses include a range of things including: the growing of plants and raising of animals, horse riding, the application of fertilizers, the construction of farm buildings, farm related agri-tourism, and agro-forestry (i.e. activities directly related to farming). Farm Uses may not vary between Zone 1 and Zone 2, and may not be prohibited by local governments. Permitted Uses include such things as limited bed and breakfast accommodation, agri-tourism accommodation, temporary sawmills, kennels, and within certain limitations also non-agricultural home-based businesses. Permitted Uses are viewed as less directly related to agriculture than Farm Uses, but as still compatible with (of low impact to) the farm operation. Permitted Uses may vary between Zone 1 and Zone 2, and may be prohibited by local governments.

Whether and to what extent the list of Farm Uses and Permitted Uses in the ALR Regulation should be updated, and how if at all Permitted Uses should vary between zones, is the focus of this consultation. Further detail on what currently constitutes a Farm Use and a Permitted Use, together with suggestions for additional allowable uses, are provided in sections 5 and 6 of this paper for your consideration and comment.

d) Governance

Other legislative changes introduced in May 2014 include the establishment of additional reporting requirements for the ALC, including a review of operations, performance indicators, details on applications received, survey results, plans, special problems and trends.

The Ministry will be working together with the ALC and other experts in administrative tribunal governance to further define the details of these new operational requirements.

e) Other Regulation Making Authorities

The May 2014 amendments to the *Act* also provide new regulation making authorities to: define terms not otherwise defined in the *Act;* determine how the ALC should make certain information on its operations and decisions public; and to establish residency requirements for commissioners on regional panels.

Regulations establishing residency requirements for commissioners are being developed as part of the process to bring the recent *Act* amendments into force. Otherwise, there is no intention to move ahead on regulations at this time, other than on the central question of what activities (i.e. Farm Uses and Permitted Uses) should be allowed in the ALR without an application to the ALC, and how, if at all, these should vary between zones.

f) Summary

In summary, the May 2014 amendments to the *Act* have introduced changes to the way in which the ALR is structured and governed. Some of the detail that determines how these legislative changes will be implemented will be determined through changes to the ALR Regulation that supports the *Act*. This consultation is intended to solicit input on potential regulatory changes as they relate to changes in the land use activities allowable in Zone 1 and Zone 2.

An itemized list of the recent amendments to the *Act* is provided in Appendix A.

5. Land Uses Currently Allowed in the ALR

Currently, land in the ALR can be used for farming, ranching, and other uses specified in the ALR Regulation. All other activities require an application to the ALC. The specific land uses permitted in the ALR without application to the ALC are listed in the ALR Regulation either as Farm Uses (Section 2 of the Regulation) or as Permitted Uses (Section 3). Land use activities not included in those sections, such as subdividing land, building additional residences, and excluding land from the ALR, require approval by the ALC through the application process.

Farm Uses include activities that are most directly aligned with the business of farming. Many of these activities are captured in the definition of *farm use* set out in the *Act*:

> an occupation or use of land for farm purposes, including farming of land, plants and animals and any other similar activity designated as farm use by regulation, and includes a farm operation as defined in the *Farm Practices Protection (Right to Farm) Act*[1]. ALCA s.1 (1)

[1] http://www.bclaws.ca/civix/document/id/complete/statreg/96131_01

Section 2 of the ALR Regulation duly designates various activities as Farm Use, including: farm retail sales; operating farm wineries or cideries; storage, packing, and product preparation; timber production; agro-forestry; agri-tourism; and others (the full list of farm uses found in section 2 of the ALR Regulation is provided in Appendix B).

The majority of the activities listed in section 2 are restricted by specific parameters that ensure they support an active farm and have only a minimum impact on agricultural land. For example, farm retail sales are permitted only when either all of the farm products offered are produced on the farm, or at least half of the sales area is for products from the farm. Food processing is permitted only when half of the product being produced was sourced on the farm, or is feed for consumption on the farm. The activities listed in section 2 may be regulated but cannot be prohibited by local governments. The *Act* does not permit that the activities listed in section 2 may vary between Zone 1 and Zone 2.

Permitted Uses include activities that are not specifically agricultural in nature, but which are permitted by regulation on ALR land without application to the ALC. Permitted uses are set out in section 3 of the ALR Regulation and include such activities as: bed and breakfast accommodations; temporary sawmills; breeding pets; establishing telecommunications equipment; and others (a full list of the permitted uses found in section 3 of the ALR Regulation is provided in Appendix B).

Similar to Farm Uses under section 2, parameters are established in the Regulation for the majority of these land uses in order to minimize their impact on agricultural land. For instance, temporary sawmills are permitted when half of the timber harvested is from the farm; bed and breakfasts are limited in size; and biodiversity conservation, passive recreation, heritage, wildlife and scenery viewing land uses are permitted so long as related buildings do not exceed a specified footprint. The permitted uses listed in section 3 may be restricted or prohibited by local governments. Permitted Uses may vary between Zone 1 and Zone 2 of the ALR.

Table 1 illustrates the main differences between farm uses, permitted uses and non-farm uses as provided by the ALR Regulation.

Possible Uses of Land:		
A. Farm Use	**B. Permitted Use**	**C. Non-farm Use**
Defined as "farm use" in the ALR Regulation s.2	Defined specifically in ALR Regulation s.3	**Not permitted on ALR land without ALC approval**
No application to the Commission required	No application to the Commission required	**Requires application to the Commission**
May be regulated but not prohibited by local government (s.2 ALR Regulation)	Permitted unless prohibited by local government bylaw (s.3 ALR Regulation)	**Applications go to local government ahead of the Commission. Local Government can refuse to authorize the application, which ends the process, or forward to the Commission with comments and recommendations; the Commission then decides the application.**

6. Consultation Questions

Farm Use

To help identify potential changes to the ALR Regulation, the Ministry has consulted with the Minister's Reference Group (UBCM, BCAC, ALC), and separately also with the ALC. As a result of these consultations, two possible changes to what is an allowable Farm Use of land in the ALR are presented for your consideration and comment. Two additional changes are also presented for your consideration, based on the findings of the recent provincial Liquor Policy Review.

If added to the ALR Regulation, these land use activities would be permitted in the ALR without an application to the ALC, could be regulated but not prohibited by a local government, and would not be able to vary between Zone 1 and Zone 2.

Q 1) Should the parameters for allowable on-farm food storage, packing, processing and retail establishments be revised?

Currently the Regulation states that food storage, packing, product preparation, and food processing are permitted "if at least 50% of the farm product being stored, packed, prepared or processed is produced on the farm or is feed required for farm production purposes on the farm". Retail sales are permitted if

"at least 50% of the retail sales area is limited to the sale of farm products produced on the farm on which the retail sales are taking place and the total area ... does not exceed 300m^2."

These restrictions can inhibit neighbouring farms from investing in joint storage, packing, processing or retail establishment in the ALR, favouring instead the establishment of a number of small, similar operations. This may be an inefficient use of productive farmland, and cost prohibitive for individual small producers. One benefit of the proposed amendment would therefore be to enable cooperative arrangements between farms in proximity to one another.

Amongst other things, lessening the restrictions on on-farm processing could allow the establishment of abattoirs (large, small or mobile), on farms, to serve surrounding cattle, game or poultry farms. Other examples of potential new processing opportunities include value added, further-processing activities related to fresh produce (e.g. grape juice), dairy products (e.g. cheese), or nutraceutical / pharmaceutical products (e.g. related to medical marijuana).

Similarly, lessening restrictions on on-farm retail operations could further enable on-farm markets to sell products from several farms.

Q 2) Should breweries, distilleries and meaderies be allowed on ALR land on the same or similar terms as wineries and cideries are currently allowed?

Currently, wineries and cideries are allowed on ALR land without application to the ALC, so long as a prescribed percentage of the agricultural product used to produce the final product comes from either the farm on which the winery/cidery sits, or another BC farm. The idea here is to extend the same provisions and conditions to breweries, distilleries and meaderies.

Q 3) Should the allowable footprint for consumption areas (or 'lounges') ancillary to wineries and cideries (and potentially also breweries, distilleries and meaderies) be increased, and if so on what basis?

Currently, wineries and cideries in the ALR are allowed to establish consumption areas (or 'lounges') to a maximum size of 125m^2 inside, and 125m^2 outside, which is roughly equal to a maximum of 130 people. One of the findings from the recent provincial Liquor Policy Review is that government should consult on increasing the limit for allowable consumption areas.

Q 4) To what extent should wineries and cideries (and potentially breweries, distilleries and meaderies) be allowed to sell alcohol that was produced elsewhere in BC, not at the winery or cidery?

Currently, a winery or cidery may only sell alcohol produced at that winery or cidery. One of the findings from the recent provincial Liquor Policy Review is that government should consult on allowing the sale of alcohol produced in BC, but not produced on the farm.

Note: In all cases, whether expanding existing farm uses or creating new ones, careful consideration should be given to any appropriate parameters for limiting the Farm Use, for example by limiting the total footprint of any facilities in relation to the size of the farm, prescribing the location of a facility on a

farm, the percentage of any inputs that should be derived from the farm, and the impact on neighbouring farms. The question of whether or not the property is actually being farmed may also be a consideration, as may be the impact of the proposed activity to the farm operation.

Permitted Use

To help identify potential changes to the ALR Regulation, the Ministry has consulted with the Minister's Reference Group (UBCM, BCAC, ALC), and separately also with the ALC. As a result of these consultations, three possible changes to what is an allowable Permitted Use of land in the ALR are presented for your consideration and comment. If added to the ALR Regulation, these land use activities would be permitted in the ALR without an application to the ALC, could be prohibited by a local government, and could vary between Zone 1 and Zone 2.

Q 5) Should anaerobic digesters be permitted in the ALR if the inputs are generated from farming activities?

Anaerobic digestion is defined as a collection of processes by which microorganisms break down biodegradable material in the absence of oxygen. In the farm context, biodegradable material primarily means animal waste, or manure. The process is used to manage farm waste and/or to produce fuels, which may then be used on farm or sold for revenue. Dairy farms in particular may benefit from being able to establish anaerobic digesters on-farm without an application to the ALC, given the ready availability of feedstock.

Q 6) Should on-farm cogeneration facilities be permitted on farms where a portion of the energy created is used on-farm?

Cogeneration or combined heat and power (CHP) is the use of a heat engine or power station to simultaneously generate electricity, useful heat, and CO^2, which can either be used on the farm or sold. Greenhouse operations in particular may benefit from being able to establish co-gen facilities on-farm without an application to the ALC, since heat and CO^2 are both used in greenhouse production.

Q 7) Should the parameters be expanded for when non-agriculture related businesses are allowed to operate on ALR properties in Zone 2?

Currently the Regulation permits a home occupation use that is accessory to a dwelling, of not more than 100 m^2 or such other area as specified in a local government bylaw. One idea is to expand opportunities for a broader range of land-based non-agricultural businesses, such as certain oil and gas ancillary services.

Note: As with Farm Uses, careful consideration should be given to any appropriate parameters for limiting the proposed new activities, including the size and location of any facilities, their permanence, the percentage of inputs derived from the farm and/or the percentage of outputs used on the farm, their impact on neighbouring farms, options for land reclamation after the use ends, whether or not the property is actually being farmed, and the likely impact of the proposed use to the farm operation.

Sub-division

Although most subdivisions require an application to the ALC, section 10 of the ALR Regulation establishes when and how subdivisions of ALR properties can be made by local government (and provincial) Approving Officers, without an application to the ALC. These include subdivisions that will consolidate two or more parcels into a single parcel, and certain other subdivisions when the subdivision will not result in any increase in the number of parcels.

Two ideas have been proposed to enable farmers and ranchers to expand the circumstances under which subdivisions can be approved by an Approving Officer without application to the ALC.

Q 8) Should the subdivision of ALR properties in Zone 2 to a minimum parcel size of a quarter section be allowed without an application to the ALC?

From 1997 to 2003 the ALC "Quarter Section General Order" (or policy) permitted subdivisions down to a minimum size of a quarter section, without an application, in the Peace River and Northern Rockies Regional Districts. The idea here is to reinstate this practice, through regulation, and apply it throughout Zone 2.

Q 9) Should the subdivision of ALR parcels in Zone 2 that are of a defined size, and that are divided by a major highway or waterway, be allowed without an application to the ALC?

Farm properties are often difficult to manage with a major obstruction in the way, and the ALC often allows subdivision of these parcels through an application. The idea here is to allow an Approving Officer to approve subdivisions where such a major obstruction (to be defined in regulation) exists.

Agri-tourism

One proposal is that further definition of what constitutes an "agri-tourism activity" could usefully be provided in section 2 of the Regulation. Section 2 currently provides that agri-tourism activities are allowable as a farm use if the use is temporary and seasonal, and promotes or markets farm products grown, raised or processed on the farm. Providing greater clarity on what constitutes a "temporary and seasonal" activity and when that activity "promotes or markets farm products" may be beneficial for farmers, local governments and the ALC.

It has similarly been proposed that further definition be provided on when agri-tourism accommodations are permitted under section 3 of the Regulation, to ensure that any such accommodations are tied to a legitimate agri-tourism activity under section 2.

Q 10) Should greater clarity be provided on what constitutes an agri-tourism activity that is allowable in the ALR without an application, and if so what parameters should be established?

Leasing land

Currently a landowner in the ALR may lease their entire property without making an application to the ALC, but must make an application in order to lease a portion of their property. It has been proposed

that temporary leases of a portion of a property be allowed without an application if the lease is to (a) enable the intergenerational transfer of active farm or ranch operations without a subdivision, or (b) to encourage the use of otherwise unfarmed land by existing or new farmers.

Q 11) Should temporary leases of portions of a property in Zone 2 of the ALR be allowed without an application to the ALC for:
(a) intergenerational transfer of an active farm or ranch operation; and/or
(b) to encourage the use of otherwise unfarmed land by existing or new farmers?

Allowing "life estate leases" for inter-generational transfer would allow retiring farmers to continue to live on their property while leasing or selling it to their children or other new entrants. The lease could allow a second residence to be established on the property, but no permanent subdivision of property would be involved.

Allowing temporary leases of a portion of a property to bring fallow ALR land into production could help new entrants/young farmers get into agriculture, and/or could increase opportunities for existing farmers to access more land without purchase. This kind of lease would not lead to additional residences being permitted on the farm and would not require a subdivision.

7. Thank you!

Your input into this consultation is greatly appreciated. If you would like to contribute further comments, you may do so by email at **ALCA_feedback@gov.bc.ca** or through our consultation website at http://engage.gov.bc.ca/landreserve

Appendix A:

List of Recent Amendments to the *Agricultural Land Commission Act*

General "Theme"	Description of Change	Section Reference
1) ALC Reporting and Accountability	Allow government, by regulation, to set service standards and reporting requirements for the Commission to the Minister.	ALCA Section 12(2)
	Minister can by order set performance standards.	ALCA Section 12(2.1)
2) Panel Regions and Panel Composition	Establish the 6 existing panel regions (defined geographically in the new Schedule to ALCA)	ALCA Section 4.1
	Require that a panel be established for each of the 6 panel regions.	ALCA Section 11(1)
	Require that the Chair refer applications from a panel region to the panel for that panel region.	ALCA Section 11(6)
	Sets out when chair of the Commission can refer an application to the executive committee.	ALCA Section 11.2
	Commission must consist of at least 13 individuals.	ALCA Section 5(1)
	Regional panels will have a minimum of 2 members, one of whom will be vice chair for the panel appointed by the LGIC.	ALCA Section 5(2) and ALCA Section 11
	Vice chairs and members must be resident in the region of the panel to which they are appointed ('residency' to be defined by regulation).	ALCA Section 5(2) and ALCA Section 11(3)
3) Zones	Zone 1 = Island, South Coast and Okanagan panel regions.	ALCA Section 4.2
	Zone 2 = the rest of BC (i.e. Interior, Kootenay, North panel regions, and other).	
4) Decision-Making in Zones	Zone 1 – no change to decision-making – ALC considers applications on case-by-case basis within the legislated purpose of the Commission, which are as follows: (a) to preserve agricultural land; (b) to encourage farming on agricultural land in collaboration with other communities of interest;	ALCA Section 4.3

(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.

In rendering its decisions in Zone 2, the Commission must also now consider other factors in descending order of priority:

economic, cultural and social values;
regional and community planning objectives; and
any other considerations prescribed by regulation.

This does not require the Commission to make decisions that only reflect these new considerations. The Commission is still an independent body and will balance agricultural factors with these other considerations.

The legislation provides for greater flexibility in ALC decision-making to allow farmers in Zone 2 to have more options for earning an income.

5)	*Local Government Act* Amendment	Section 879 of the *Local Government Act* is amended so that local governments must consult with the Commission earlier on in development of, or amendments to, an Official Community Plan (i.e. *prior* to first reading).	*Local Government Act* Section 879
6)	Additional Regulation-Making Powers added to the ALCA	Several subsections have been added to section 58 of the ALCA to provide for additional regulation-making powers. The regulations we are consulting on in this process are tied to several of these new powers and to the other regulation-making powers that have existed for some time in the ALCA.	ALCA Section 58

Appendix B:
Excerpt from the Agricultural Land Reserve Use, Subdivision and Procedure Regulation

Activities designated as farm use

2 (2) The following activities are designated as farm use for the purposes of the Act and may be regulated but must not be prohibited by any local government bylaw except a bylaw under section 917 of the *Local Government Act* or, if the activity is undertaken on treaty settlement lands, by a law of the applicable treaty first nation government:

(a) farm retail sales if

(i) all of the farm product offered for sale is produced on the farm on which the retail sales are taking place, or

(ii) at least 50% of the retail sales area is limited to the sale of farm products produced on the farm on which the retail sales are taking place and the total area, both indoors and outdoors, used for the retail sales of all products does not exceed 300 m^2;

(b) a British Columbia licensed winery or cidery and an ancillary use if the wine or cider produced and offered for sale is made from farm product and

(i) at least 50% of that farm product is grown on the farm on which the winery or cidery is located, or

(ii) the farm that grows the farm products used to produce wine or cider is more than 2 ha in area, and, unless otherwise authorized by the commission, at least 50% of the total farm product for processing is provided under a minimum 3 year contract from a farm in British Columbia;

(c) storage, packing, product preparation or processing of farm products, if at least 50% of the farm product being stored, packed, prepared or processed is produced on the farm or is feed required for farm production purposes on the farm;

(d) land development works including clearing, levelling, draining, berming, irrigating and construction of reservoirs and ancillary works if the works are required for farm use of that farm;

(e) agri-tourism activities, other than accommodation, on land that is classified as a farm under the *Assessment Act*, if the use is temporary and seasonal, and promotes or markets farm products grown, raised or processed on the farm;

(f) timber production, harvesting, silviculture and forest protection;

(g) agroforestry, including botanical forest products production;

(h) horse riding, training and boarding, including a facility for horse riding, training and boarding, if

(i) the stables do not have more than 40 permanent stalls, and

(ii) the facility does not include a racetrack licensed by the British Columbia Racing Commission;

(i) the storage and application of fertilizers, mulches and soil conditioners;

(j) the application of soil amendments collected, stored and handled in compliance with the Agricultural Waste Control Regulation, B.C. Reg. 131/92;

(k) the production, storage and application of compost from agricultural wastes produced on the farm for farm purposes in compliance with the Agricultural Waste Control Regulation, B.C. Reg. 131/92;

(l) the application of compost and biosolids produced and applied in compliance with the Organic Matter Recycling Regulation, B.C. Reg. 18/2002;

(m) the production, storage and application of Class A compost in compliance with the Organic Matter Recycling Regulation, B.C. Reg. 18/2002, if all the compost produced is used on the farm;

(n) soil sampling and testing of soil from the farm;

(o) the construction, maintenance and operation of farm buildings including, but not limited to, any of the following:

(i) a greenhouse;

(ii) a farm building or structure for use in an intensive livestock operation or for mushroom production;

(iii) an aquaculture facility.

(3) Any activity designated as farm use includes the construction, maintenance and operation of a building, structure, driveway, ancillary service or utility necessary for that farm use.

(4) Unless permitted under the *Water Act* or the *Environmental Management Act*, any use specified in subsection (2) includes soil removal or placement of fill necessary for that use as long as it does not

(a) cause danger on or to adjacent land, structures or rights of way, or

(b) foul, obstruct or impede the flow of any waterway.

(5) The removal of soil or placement of fill as part of a use designated in subsection (2) must be considered to be a designated farm use and does not require notification except under section 4.

Permitted uses for land in an agricultural land reserve

3 (1) The following land uses are permitted in an agricultural land reserve unless otherwise 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) accommodation for agri-tourism on a farm if

(i) all or part of the parcel on which the accommodation is located is classified as a farm under the *Assessment Act*,

(ii) the accommodation is limited to 10 sleeping units in total of seasonal campsites, seasonal cabins or short term use of bedrooms including bed and breakfast bedrooms under paragraph (d), and

(iii) the total developed area for buildings, landscaping and access for the accommodation is less than 5% of the parcel;

(b) for each parcel,

(i) one secondary suite within a single family dwelling, and

(ii) one manufactured home, up to 9 m in width, for use by a member of the owner's immediate family;

(c) a home occupation use, that is accessory to a dwelling, of not more than 100 m^2 or such other area as specified in a local government bylaw, or treaty first nation government law, applicable to the area in which the parcel is located;

(d) bed and breakfast use of not more than 4 bedrooms for short term tourist accommodation or such other number of bedrooms as specified in a local

government bylaw, or treaty first nation government law, applicable to the area in which the parcel is located;

(e) operation of a temporary sawmill if at least 50% of the volume of timber is harvested from the farm or parcel on which the sawmill is located;

(f) biodiversity conservation, passive recreation, heritage, wildlife and scenery viewing purposes, as long as the area occupied by any associated buildings and structures does not exceed 100 m^2 for each parcel;

(g) use of an open land park established by a local government or treaty first nation government for any of the purposes specified in paragraph (f);

(h) breeding pets or operating a kennel or boarding facility;

(i) education and research except schools under the *School Act*, respecting any use permitted under the *Act* and this regulation as long as the area occupied by any buildings or structures necessary for the education or research does not exceed 100 m^2 for each parcel;

(j) production and development of biological products used in integrated pest management programs as long as the area occupied by any buildings or structures necessary for the production or development does not exceed 300 m^2 for each parcel;

(k) aggregate extraction if the total volume of materials removed from the parcel is less than 500 m^3, as long as the cultivatable surface layer of soil is salvaged, stored on the parcel and available to reclaim the disturbed area;

(l) force mains, trunk sewers, gas pipelines and water lines within an existing dedicated right of way;

(m) telecommunications equipment, buildings and installations as long as the area occupied by the equipment, buildings and installations does not exceed 100 m^2 for each parcel;

(n) construction and maintenance, for the purpose of drainage or irrigation or to combat the threat of flooding, of

(i) dikes and related pumphouses, and

(ii) ancillary works including access roads and facilities;

(o) unpaved airstrip or helipad for use of aircraft flying non-scheduled flights;

(p) the production, storage and application of Class A compost in compliance with the Organic Matter Recycling Regulation, B.C. Reg. 18/2002, if at least 50% of the compost measured by volume is used on the farm.

(2) Nothing in subsection (1) (a) is to be interpreted as permitting the conversion of a building into strata lots by an owner.

(3) If a use is permitted under subsection (1) (k) it is a condition of the use that once the extraction of aggregate is complete, the disturbed area must be rehabilitated in accordance with good agricultural practice.

(4) The following land uses are permitted in an agricultural land reserve:

(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*, or

(v) recreation reserve established under the *Land Act*;

(b) dedication or upgrading of an existing road with vehicular access and use declared to be a highway under section 42 of the *Transportation Act*;

(c) road construction or upgrading within a dedicated right of way that has a constructed road bed for vehicular access and use;

(d) if the widening or works does not result in an overall right of way width of more than 24 m, widening of an existing constructed road right of way for

(i) safety or maintenance purposes, or

(ii) drainage or flood control works;

(d.1) widening an existing constructed road right of way to ease one curve;

(e) establishing as a forest service road

(i) an existing road under the *Forest Act*, or

(ii) a new road in a managed forest;

(f) increasing the right of way width of a forest service road by up to 4 m if the widening does not result in an overall right of way width of more than 24 m;

(g) railway construction, upgrading and operations on an existing railbed within a dedicated right of way, including widening of an existing railway right of way if the widening does not result in an overall right of way width of more than 30 m;

(h) surveying, exploring or prospecting for gravel or minerals if all cuts, trenches and similar alterations are restored to the natural ground level on completion of the surveying, exploring or prospecting;

(i) surface water collection for farm use or domestic use, water well drillings, connection of water lines, access to water well sites and required rights of way or easements;

(j) soil research or testing as long as the soil removed or fill placed is only in an amount necessary for the research or testing.

(5) Any permitted use specified in subsection (1) or (4) includes the construction, maintenance and operation of buildings, structures, driveways, ancillary services and utilities necessary for that use.

(6) Unless permitted under the *Water Act* or the *Environmental Management Act*, any use specified in subsection (1) or (4) includes soil removal or placement of fill necessary for that use as long as the soil removal or placement of fill does not

(a) cause danger on or to adjacent land, structures or rights of way, or

(b) foul, obstruct or impede the flow of any waterway.

RE: ALCA Consultation Meetings - Follow up to yesterday's call

Thursday, November 27, 2014
11:16 AM

Subject	**RE: ALCA Consultation Meetings - Follow up to yesterday's call**
From	Coney, David AGRI:EX
To	MacDonald, Leslie S AGRI:EX; Schmidt, Orlando AGRI:EX; Recksiedler, Blaine AGRI:EX; Forbes, Jim AGRI:EX; Liggins, Lavona AGRI:EX; Vickers, Lori AGRI:EX; Fox, Alison AGRI:EX; Bartle, Gregory AGRI:EX; van Dalfsen, Bert AGRI:EX; Salpeter, Rebecca AGRI:EX; Haddow, Wayne AGRI:EX; Sutherland, Kim AGRI:EX; Zabek, Chris AGRI:EX; Withler, Carl AGRI:EX; Tegart, Greg AGRI:EX; Robinson, Julie P AGRI:EX
Cc	Hughes, Kate AGRI:EX
Sent	Friday, July 18, 2014 12:42 PM
Attachments	TIME SENS... MESSAGE ...

Thanks very much everyone for your time on the call yesterday, it was very useful to hear your thoughts on both the content of the consultation paper, and the process for developing and answering the consultation questions.

Thanks also to those of you who have subsequently followed up with further questions and comments, including with respect to the issues we are likely to hear most prominently from stakeholders in your regions.

Based on what we heard, I would like to propose the following next steps:
Please provide us, in whatever format is most convenient and useful for you (i.e. by phone, email, written document, in person) any information or comments you have on the specific questions being posed in the consultation paper (e.g. re existing or proposed bylaw standards, Land Title Act issues, etc).
We will email the consultation paper and questions to all AGRI staff, next week, inviting their comments and input on the consultation questions.
We will schedule a meeting (or a series of meetings?) with you towards the end of (or periodically through?) the consultation process, to update you on what we are hearing, and seek your further input and advice.
We will, if convenient to you, arrange phone calls between the policy team and each RA individually, before and after each regional meeting, to talk about what we can expect going in the meetings, how we may wish to conduct the meetings, what we heard in the meetings, and how to deal with any immediate, specific follow-up issues.
With respect to the tone, or nature of the questions themselves, we will make sure to provide full context in each meeting on where the questions came from, and why they are framed as they are, making space for attendees to both support or not support the proposed amendments, and to provide input on any parameters that should be put in place around any of the proposed new uses.
In terms of regional priorities, we recognize that some of the questions are more relevant to some regions than others (e.g. wineries/cideries; AD/Co-Gen; IGT), but we also recognize that the ALR is a provincial resource and that everyone therefore has a legitimate interest in the entire package of questions. Our proposal is therefore just to acknowledge and recognize this as we do the

introductory piece to each meeting, and to make space for attendees to identify which questions are of more or less relevance to them, so we can then move more or less quickly through different sections based on their preferences.
For your information, I am attaching (below) samples of the invite letters that went to stakeholders (1 for RD, 1 for industry), and of the explanatory letter that went to municipalities, as I know some of you are receiving calls about these, as are we.
Should you get questions about the process (e.g. why certain groups were or were not invited) or content (e.g. why these questions and topics, not others), and if you do not feel that you have the information to answer them, or simply prefer not to, please feel free to direct people to me, to your Director, or to ADM James Mack, as you see fit.
Please let us know if these suggestions make sense to you, or not. And if you have any other ideas on how we can make this process work better, please also share those with us. We are committed to making this process as good as we possibly can, within the parameters we have been given, and really appreciate your support in helping us do this.

Best wishes,
David.

David Coney
Policy Manager
B.C. Ministry of Agriculture
Tel: 250 387 3232

Margerison, Elizabeth AGRI:EX

From:	Correspondence Unit AGRI:EX
Sent:	Monday, July 14, 2014 1:18 PM
To:	'draven@revelstoke.ca'
Subject:	TIME SENSITIVE INVITATION FROM THE DEPUTY MINISTER OF AGRICULTURE: Agricultural Land Commission Act Consultation Session
Importance:	High

File: 0280-30
Ref: 180334

David Raven
Chair
Columbia Shuswap Regional District
E-Mail: draven@revelstoke.ca

Dear Mr. Raven:

The Ministry of Agriculture is seeking input from industry, local government and other interested groups on potential amendments to the regulation subordinate to the *Agricultural Land Commission Act*.

We are interested in your perspective on this matter and invite you to participate in a consultation session in your region. In order to allow the best use of our time together, most consultation sessions will include a number of representatives from different organizations.

To ensure that those invited to this session have an opportunity to participate in the conversation and provide comments, please limit the number of attendees from your organization to 4.

We encourage you to solicit input on the consultation material from your member municipalities and to consider including representatives from them and/or any Agricultural Advisory Committees as part of your delegation. You are also welcome to submit written submissions from your Regional District and/or your member municipalities during the consultation.

Venue: Ramada Kelowna - 2170 Harvey Avenue, Kelowna
Date and Time: July 22, 2014; 2:00 PM-4:00 PM
Groups present at your session: Regional District of Central Okanagan, Regional District of North Okanagan, Regional District of Okanagan-Similkameen

Materials: Background information on changes to the *Agriculture Land Commission Act*, and a copy of the consultation questions will be e-mailed to you under a separate cover in the next few days. If you have any questions, please contact Natasha Thambirajah by telephone at
250 356-1686.

Please R.S.V.P. to this invitation by e-mail to ALCAMeetings@gov.bc.ca by July 17, 2014 and ensure you specify how many people from your organization are attending.

Sincerely,

Derek Sturko
Deputy Minister

Margerison, Elizabeth AGRI:EX

From:	Correspondence Unit AGRI:EX
Sent:	Monday, July 14, 2014 3:33 PM
To:	'mayorandcouncil@viewroyal.ca'
Subject:	MESSAGE FROM THE DEPUTY MINISTER OF AGRICULTURE: Agricultural Land Commission Act Consulation Sessions
Importance:	High

File: 0280-30
Ref: 180335

His Worship Graham Hill
Mayor of View Royal
Capital Regional District
E-Mail: mayorandcouncil@viewroyal.ca

Dear Mayor Hill:

The Ministry of Agriculture is seeking input from industry, local government and other interested groups on potential amendments to the regulation subordinate to the *Agricultural Land Commission Act*. We want to share some information with you on this process.

We are interested in the perspective of local governments on this matter. Regional districts have been invited to participate in local consultation sessions but are restricted in the size of their delegation. The limit on the size of the delegation is to ensure that all of those groups invited to the consultation sessions have an opportunity to participate. Regional districts may choose to include representatives from member municipalities or local Agricultural Advisory Committees in their delegations.

In addition, as a local government, your organization may submit any written feedback on the potential amendments to the regulation either via your regional district, or directly to the Ministry of Agriculture at ALCA_Feedback@gov.bc.ca. Regional districts have the opportunity to provide any submissions from their member municipalities to Ministry representatives during their consultation session.

A website will go live at http://engage.gov.bc.ca/landreserve on or before July 22, 2014 which will provide background information on the consultation process that is being undertaken, and detailed questions on the potential regulatory amendments, to which you may choose to respond.

Details for your Regional District's session:

Venue: Coast Bastion Hotel - 11 Bastion Street, Nanaimo
Time: August 12, 2014; 1:00 PM-4:00 PM

Sincerely,

Derek Sturko
Deputy Minister

RE: ALR Regulation Consultations

Thursday, November 27, 2014
11:30 AM

Subject	**RE: ALR Regulation Consultations**
From	Kline, Rob AGRI:EX
To	Hughes, Kate AGRI:EX
Cc	Schmidt, Orlando AGRI:EX; van Dalfsen, Bert AGRI:EX; Underhill, Brian ALC:EX; Coney, David AGRI:EX; Nickel, Ken AGRI:EX; Haddow, Wayne AGRI:EX; Nickel, Ken AGRI:EX
Sent	Wednesday, July 30, 2014 1:18 PM
Attachments	

sturko alc ...

Hi Kate

Have attached a copy of letter to DM Sturko from the Peninsula Ag Commission (PAC). I received it just before your note below. I had an earlier email exchange with Mr Mike Romaine, PAC Chair (last week) - advised him to make all efforts to attend the August 12th Nanaimo meeting but see that they are continuing with a counter invitation to attend the PAC Sep 11th first meeting of the fall. PAC members are probably too busy with farming to pay much attention to the consultation invitation never mind the actual items... Lots of grain about to harvest, irrigation pipest to move and crops being harvested for local sales etc.....Was out yesterday and lots of equipment on the move.... I suspect they have not received the questions to be addressed at the consultation....they also provide agricultural advice to the Capital Regional District and other Ministries on ag issues; water, wildlife etc.

I suspect there will be a bit similar complaint to the DM from Islands Trust as their AACs and other advisory groups do not meet during the summer....and staff are on holidays too...

Rob

From: Hughes, Kate AGRI:EX
Sent: Wednesday, July 30, 2014 12:58 PM
To: Vickers, Lori AGRI:EX; Fox, Alison AGRI:EX; Sutherland, Kim AGRI:EX; Zabek, Chris AGRI:EX; Tegart, Greg AGRI:EX; Robinson, Julie P AGRI:EX; Kline, Rob AGRI:EX
Cc: Withler, Carl AGRI:EX; Recksiedler, Blaine AGRI:EX; Schmidt, Orlando AGRI:EX; Liggins, Lavona AGRI:EX; MacDonald, Leslie S AGRI:EX; Forbes, Jim AGRI:EX; van Dalfsen, Bert AGRI:EX; Coney, David AGRI:EX
Subject: ALR Regulation Consultations

Hi everyone,
First off, I want to thank Blaine, Carl, Jim and Lavona for attending our ALR Regulation consultations in Kelowna, Kamloops and Prince George. It was very helpful to have each of you present at the meetings and provide information to us ahead of time. I'm also grateful for the trouble shooting that some of you have had to do ahead of time to help make sure that invitees were matched up with their invitations. Your efforts helped make sure we could actually meet with the groups we intended to meet with, and I think also calmed some stakeholders who were upset about lost invitations and short timelines before they arrived at our sessions. Your efforts helped our sessions run more smoothly. Julie and Lorie have

also been doing this type of troubleshooting ahead of the FSJ sessions tomorrow. Thank you!

Secondly, -- this is primarily for those whose consultations are still upcoming-- Since there has been some confusion about invitations, I am attaching here a sample of the 'save the date' invitations that were sent to stakeholders, and of the a separate invitation that was sent to RDs, on July 14th. (Invitations were personalised via mail merge). All of these invitees received a follow up email on July 17th with a copy of the consultation paper. We only sent invitations to one primary contact in each organization. For RDs and municipalities we used the contacts listed in Civic Info. I'm also attaching a copy of the invitation sent to municipalities on July 14th, which is an invitation to participate in the consultation, rather than to attend an in-person session.

I apologise for not having sent these to you sooner; hindsight shows it could have been useful for the troubleshooting efforts. If there is other information about this consultation process that would make your work easier, please let me know.

Julie, Lori, Chris, Kim, Alison, Greg -and maybe Rob, Bert and Orlando?-, I'm looking forward to seeing you in the five days of regional sessions still ahead. If any of you can provide me with a head's up about local issues or concerns ahead of the sessions, please give me a call or send me an email.

Thanks. I look forward to seeing you soon.
Kate

Kate Hughes
Senior Policy Analyst
Ministry of Agriculture
250.356.7219

RE: ALC Act - Consultation Process - August 17, 2014

Thursday, November 27, 2014
11:28 AM

Subject **RE: ALC Act - Consultation Process - August 17, 2014**
From Kline, Rob AGRI:EX
To s.22
Cc

Sent Thursday, July 31, 2014 10:49 AM

Hi Mike

Due to tight time lines I forwarded your letter to the policy staff managing the consultation process, so they get PAC's initial input as early as possible and so you are not waiting for an official response on PAC's request to have a Sept 11th consultation.

"Thanks Rob. Summer is a difficult time for farmers to participate in a process like this. We have heard this feedback across the province and likely will continue to.
Thanks for forwarding PAC's submission. I will include it with submissions from other groups so their views will be included in the consultation feedback. Unfortunately the date for which they are requesting a meeting falls after the conclusion of the consultation process, which is August 22nd, and after the final meeting of the Minister's Reference Group, which is Sept 4th. For those reasons, and also because no stakeholder groups have had a one on one meeting with the ministry during this process, I suspect PAC's request will be a difficult one to fulfill. Thanks for encouraging them to attend the August 12th meeting, and for forwarding their submission to us."

Rob

Rob Kline, P. Ag.
Regional Agrologist
BC Ministry of Agriculture
Ph 250 356-5861

From: Isobel Hoffmann [s.22
Sent: Wednesday, July 30, 2014 12:34 PM
To: Minister, AGRI AGRI:EX
Cc: s.22
s.22

s.22 Kline, Rob AGRI:EX; Tom Henry
Subject: ALC Act - Consultation Process - August 17, 2014

Greetings:

Please find attached a letter from the **Peninsula Agricultural Commission** addressed to Deputy Minister Sturko with respect to the upcoming consultation process on August 17, 2014 for proposed changes to the Agricultural Land Commission Act.

Please note we have indicated that the Minister and Jason McNaughton also receive a copy of the letter. I would be appreciative if you could forward this letter to them by email.
I will be sending hard copies of the letter through the regular mail, but thought this would be more efficient in the meantime.

If you have any questions or require additional information, please do not hesitate to contact me at this email address, or our chair, Mike Romaine, s.22

Regards
Isobel Hoffmann
Recording Secretary, PAC

ALR Regulation Consultation Paper and Public Website

Tuesday, November 27, 2014
11:12 AM

Subject	**ALR Regulation Consultation Paper and Public Website**
From	Hughes, Kate AGRI:EX
To	Vickers, Lori AGRI:EX; Fox, Alison AGRI:EX; Sutherland, Kim AGRI:EX; Zabek, Chris AGRI:EX; Tegart, Greg AGRI:EX; Robinson, Julie P AGRI:EX; Recksiedler, Blaine AGRI:EX; Schmidt, Orlando AGRI:EX; Liggins, Lavona AGRI:EX; MacDonald, Leslie S AGRI:EX; Forbes, Jim AGRI:EX; van Dalfsen, Bert AGRI:EX; Fox, Alison AGRI:EX; Bartle, Gregory AGRI:EX; Kline, Rob AGRI:EX; Withler, Carl AGRI:EX
Cc	Coney, David AGRI:EX
Sent	Friday, August 1, 2014 3:44 PM
Attachments	ALR_Regul...

Hi everyone
I've had a couple of questions today about whether the consultation paper supporting the ALR Regulation consultation process can be shared, and how. Thank you to those who have asked! The consultation process is live on on the website **until Aug 22nd,** here: http://engage.gov.bc.ca/landreserve/

The site has a link to the consultation paper and a survey where people can submit their responses to the consultation questions. Please note FYI that questions 3 and 4, concerning an expansion to the footprint of consumption areas of wineries/cideries etc, and the potential for the sale of alcohol from 'off farm' in those lounges, comes from the **Provincial Liquor Policy Review** and not from our Ministry's process).

I am also attaching a copy of the consultation paper to this email so you can share it easily. This paper was confidential prior to the website going live, but is now public. Please share as you see fit and please refer anyone who may be interested to participate in the web based consultation. We would like to maximize public input to this process!

Also, thank you for the work you are all doing to support participation in this consultation process. Please continue to call and email with any questions, your attention to this process keeps improving it.

Have a great long weekend,
Kate

Kate Hughes
Senior Policy Analyst
Ministry of Agriculture
250.356.7219

Consultation on Potential Changes to the *Agricultural Land Commission Act*: Agricultural Land Reserve Use, Subdivision and Procedure Regulation

July 2014



BRITISH COLUMBIA Ministry of Agriculture

Table of Contents

1. Purpose 1

2. Background 1

3. Consultation Process 2

4. Overview of Changes to the ALCA 3

5. Land Uses Currently Allowed in the ALR 5

6. Consultation Questions 7

7. Thank you! 10

Appendix A:
List of Recent Amendments to the *Agricultural Land Commission Act* 11

Appendix B:
Excerpt from the Agricultural Land Reserve Use, Subdivision and Procedure Regulation 13

1. Purpose

The purpose of the consultation is to invite your input on some proposed changes to the Agricultural Land Reserve (ALR) that could be made to the Regulations in the Agricultural Land Reserve Use, Subdivision and Procedure Regulation (ALR Regulation) and the Agricultural Land Commission Act (the Act), on whether uses to complement farming activities should be allowed in different regions of the province, and on what parameters you think should be put around the proposed new uses.

2. Background

Approximately 5% (4.6 million hectares) of BC's land base is included in the Agricultural Land Reserve (ALR). The ALR includes private land, Crown land and lands owned by local governments and First Nations. Private land in the ALR is owned by individuals, companies and other organizations and is administered by the Agricultural Land Commission (ALC). The ALR was established by the provincial government in 1973 with the purpose of preserving agricultural land and encouraging farming on agricultural land in collaboration with other uses that are consistent with agriculture.

The *Agricultural Land Commission Act* (the Act) establishes both the ALR and the ALC in legislation. The Act sets out the structure and operations of the ALC and identifies permissible land uses within the ALR. The Agricultural Land Reserve Use, Subdivision and Procedure Regulation (ALR Regulation) provides greater specificity to many of the provisions in the Act.

Amongst other things, the ALR Regulation identifies specific land uses allowable on farm land in the ALR without an application to the ALC. Current examples include such things as growing plants and raising animals, putting up buildings necessary for the farm, selling agricultural products direct to the public, limited food processing and, unless prohibited a local government, specified non-farm activities such as agri-tourism accommodation, temporary sawmills, kennels, and others.

Activities not permitted outright by the ALR Regulation do require an application to the ALC. The ALC reviews and decides on the application. Applications are sometimes approved with terms and conditions. For example, a farmer may want to build a house within the ALR, or to carry out an activity not expressly permitted under the Act or ALR Regulations.

The passage of Bill 24 in May 2014 introduced amendments to the Act that change the way in which the ALC is structured and governed. Some of the detail that determines how these legislative changes will be implemented, will be provided through changes to the ALR Regulations. A key aspect of the changes introduced by the amendments is to expand the list of activities that farmers can undertake on their land without submitting an ALR application.

The focus of this consultation is to ask the questions: what further activities should be allowable on farm land in the ALR without an application to the ALC, what parameters should be put around these activities, and should they vary between regions? A Reference Group convened by the Minister of Agriculture and comprised of representatives from the ALC, the Union of British Columbia Municipalities (UBCM) and the BC Agriculture Council (BCAC) has made a number of specific suggestions in answer to this question, and these recommendations are presented in this paper for your consideration and comment.

Context for these questions is provided in sections 4 and 5 of this paper. Section 4 provides some specific suggestions for activities that should be allowable in the ALR without an application to the ALC and also some further specific suggestions for regulatory change related to agri-tourism and the subdivision and leasing of land in the ALR.

3. Consultation Process

Minister's Reference Group and ALC

- A Minister's Reference Group comprised of representatives from the Agricultural Land Commission and key agricultural stakeholders will inform the consultation process and provide input on the consultation questions.
- An initial meeting of the Reference Group was held in early July to provide input on the consultation process, and to provide substantive input on the consultation questions.
- A separate meeting was then held with the ALC (commissioners and staff) to solicit further input on the consultation questions.
- The input gained from the Reference Group and the ALC form the basis of the consultation questions presented in this paper.
- As well, the ALC has provided a number of specific, technical suggestions for regulatory amendments aimed at providing greater clarity for landowners, local governments and the ALC itself around some existing allowable uses. While these suggestions are not the subject of this consultation, they will be posted on the consultation website (see Public Input, below) for your information.
- The Reference Group will meet again mid-way through the consultation process to review what we have heard to date and provide any additional information.
- A final meeting of the Reference Group will be held at the end of the consultation process to review outcomes and provide input on any draft regulations the Ministry may consider at that time.

Regional Stakeholder Consultations

- A series of regional meetings will take place between July 22nd and August 22nd, corresponding with the six ALR regions.
- The local stakeholders include local government (all Regional Districts and a cross-section of agriculture associations and farmers' institutes) and other representatives (e.g. agriculture programs from post-secondary institutions).
- The Ministry will host the consultation process. The ALC will also attend these meetings.

Public Input

- Public input on the consultation questions will be sought through an online survey, by e-mail or via a dedicated Ministry email address: [redacted]
- The website will be live from July 22nd to August 22nd.
- Submissions can also be sent by mail to:
  ALR Reg Consultation
  PO Box 9120 Stn Prov Govt
  Victoria BC V8W 9B4

4. Overview of Changes to the ALCA

The Act was most recently amended in May 2014, by the passage of Bill 24. At that time, several legislative changes were introduced regarding how the ALC is structured and how it makes decisions on applications. These changes directly inform the framework of this consultation – to discuss what activities should be allowable on farmland in the ALR without an application to the ALC, and if these should vary between regions.

a) Zones, Regions and Regional Panels

The May 2014 amendments to the Act modify the existing two ALR boards (Okanagan and Kootenay) to create three boards and two commissioners be established in each of the new boards.

The amendments also establish two ALR zones, each comprised of three of the six ALC regions:

Zone 1	*Zone 2:*
Okanagan region	Interior region
South Coast region	Kootenay region
Vancouver Island region	North region

Applications under the Act for land exclusions, land inclusions, subdivisions, non-farm uses and soil or fill uses under the Act (except certain types) must now be forwarded by the Chair of the ALC to the appropriate regional panel for decision. At its discretion, a regional panel may take an application that is referred to it by the Chair and refer this application instead to the ALC Executive Committee.

Such discretion would be applied if the Chair of the ALC determines that an application is of provincial significance, is precedent setting, is of general importance to the application of the Act, or may affect more than one panel region. The Chair may also refer the application to the ALC Executive Committee if the Chair considers that a regional panel is unable to render a decision, or if there is a tie vote at the regional panel. The ALC Executive Committee consists of the Chair, the Vice-Chair, the regional panel chairs, and the Chair of the ALC.

While the amendments to the Act provide the ability to further define in regulation when the Chair may refer an application to the Executive Committee, the Ministers Reference Group has advised that the Act provides enough specificity as written (i.e. the Chair may refer an application to the Executive Committee when the Chair considers an application is of provincial significance, is precedent setting, is of general importance to the application of the Act, or may affect more than one panel region). As such, it is preferable to allow the Chair the discretion to work within the legislative parameters provided, without further definition being required in regulation at this time.

bi Decision Making

The amendments to the Act also introduced new factors for the ALC to consider when making decisions on applications (Zone 2). In making decisions on applications the Act requires that the purpose of the ALC is defined in section 6 of the Act:

a. To preserve agricultural land;

b. To encourage farming on agricultural land in collaboration with other land uses according to [illegible]

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.

Purposes of the Commission

In exercising its powers under the Act, it is now required by legislation to consider, in descending order of priority:

1. the purposes of the ALC as defined in section 6 of the Act;
2. economic, cultural and social values;
3. regional and community planning objectives; and
4. any other prescribed considerations.

While these requirements to the Act provide the ability to further define economic factors in the ALC Act, it does not provide the ability to consider non-farm applications in Zone 2, there is no provision to consider economic factors at first instance or on appeal, but one does not therefore include any questions on this topic.

c) Allowable Uses of ALR Land

The Act sets out the uses that are allowable on ALR land without requiring an application to the ALC, as established in the ALR Use Regulation. There are two broad categories of allowable uses: Farm Uses and Permitted Uses. Farm Uses are the widest range of things and include the growing, rearing, producing and harvesting of agricultural products, the application of fertilizers, the construction of farm buildings, the operation of farm machinery and other activities directly related to carrying on farm operations. Farm Uses may occur in Zone 1 and Zone 2, and may not be prohibited by local governments. Permitted Uses include such things as limited bed and breakfast accommodation, agri-tourism accommodation, temporary sawmills, wineries, and with certain limitations also non-agricultural home based businesses. Permitted Uses are viewed as less directly related to agriculture than Farm Uses, but as still compatible with little impact to the farm operation. Permitted Uses may vary between Zone 1 and Zone 2, and may be prohibited by local governments.

Whether and to what extent the list of Farm Uses and Permitted Uses in the ALR Regulation should be updated, and how / if at all Permitted Uses should vary between zones, is the focus of this consultation. Further detail on what currently constitutes a Farm Use and a Permitted Use, together with suggestions for additional allowable uses, are provided in sections 5 and 6 of this paper for your consideration and comment.

d) Governance

Bill 24 proposes that Regulations be introduced in May 2018 that include the establishment of certain new operational requirements for the ALC, including a review of operations, performance and financial data, applications received, survey results, plans, special problems and trends.

The Minister will then consult together with the ALC and other experts in a manner to be determined by government to further define the details of these new operational requirements.

e) Other Regulation Making Authorities

The May 2018 amendments to the Act also provide new regulation making authorities to define terms not otherwise defined in the Act; determine how the ALC should make certain information and its operations and decisions public; and to establish residency requirements for commissioners or regional panels.

Regulations establishing residency requirements for commissioners are being developed as part of the process to bring the recent Act amendments into force. Otherwise, there is no intention to move ahead on this initiative at this time, other than on the central question of what activities Farm Class and Farm Business Class should be exempted in the ALR without an application to the ALC (or the Land Title Property Authority).

f; Summary

In summary, the May 2014 amendments to the Act have introduced changes to the way in which the ALR is structured and governed. Some of the detail that determines how these Acts at the changes will be implemented will be determined through changes to the ALR Regulation that supports the Act. This consultation is intended to solicit input on potential regulatory changes as they relate to changes in the land use activities allowable in *Zone 1* and *Zone 2*.

An overview list of the recent amendments to the Act is provided in Appendix A.

5. Land Uses Currently Allowed in the ALR

Currently, land in the ALR can be used for farming, ancillary and other uses specified in the ALR Regulation. All other activities require an application to the ALC. The specific land uses permitted in the ALR, the types of application to the ALC are listed in the ALR Regulation and are summarized in the following sections: Farm Uses (Section 3), Land use activities not requiring approval (Section 4), Non-Farm Uses (Section 5). Land use activities not requiring approval (Section 4), such as subdividing land, building additional residences, and excluding land from the ALR, require approval of the ALC through the application process.

Farm uses include activities that are most directly aligned with the business of farming. Many of these activities are set out in the definition of farm use set out in the Act:

> *an occupation or use of land for farm purposes, including farming of land, plants and animals and any other similar activity designated as farm use by regulation, and includes a farm operation as defined in the* Farm Practices Protection (Right to Farm) Act*'. ALCA s.1 (1)*

Section 2 of the ALR Regulation only designates various activities as Farm Use, such as: farm retail sales; agri-tourism activities on a farm; and processing of farm products. Other activities, such as: growing crops; and others, the full list of farm uses found in Section 2 of the ALR Regulation is provided in Appendix B.

The majority of these activities listed in section 2 are restricted by specific parameters that ensure they support an actual farm and have only a minimum impact on agricultural land. For example, farm retail sales are permitted only where either all of the farm products offered are produced on the farm or at least half of the sales area is for products from the farm. Food processing is permitted only where half of the product being produced was sourced on the farm, or is feed for consumption on the farm. The activities listed in section 2 may be regulated but cannot be prohibited by local governments. The Act does not permit that the activities listed in section 2 may vary between Zone 1 and Zone 2.

Permitted uses include activities that are not specifically agricultural in nature, but which are permitted

[illegible]

[illegible] regulation on ALR land without application to the ALC. Permitted uses are set out in section 3 of the ALR Regulation and include such activities as: bed and breakfast accommodation; temporary sawmills; breeding pets; establishing telecommunications equipment; and others. A full list of the permitted uses found in section 3 of the ALR Regulation is provided in Appendix B.

Similar to farm uses under section 2, parameters are established in the Regulation for the majority of these land uses in order to minimize their impact on agricultural land. For instance, temporary sawmills are permitted when half of the timber harvested is from the farm; bed and breakfasts are limited in size; and biodiversity conservation, passive recreation, heritage, wildlife and scenery viewing land uses are permitted so long as related buildings do not exceed a specified footprint. The permitted uses listed in section 3 may be restricted or prohibited by local governments. Permitted uses may vary between Zone 1 and Zone 2 of the ALR.

Table 1 illustrates the main differences between farm uses, permitted uses and non-farm uses as provided by the ALR Regulation.

Possible Uses of Land:

A. Farm Use	B. Permitted Use	C. Non-farm Use
• Defined as "farm use" in the ALR Regulation s.2	• Defined specifically in ALR Regulation s.3	• Not [illegible] outlined in [illegible]
• No application to the Commission required	• No application to the Commission required	• [illegible]
• May be regulated but not prohibited by local government (s.2 ALR Regulation)	• Permitted unless prohibited by local government bylaw (s.3 ALR Regulation)	• Application to the [illegible] of the Commission and a Government [illegible] which [illegible]

6. Consultation Questions

Farm Use

To help identify potential changes to the ALR Regulation, the Ministry has consulted with the Minister's Reference Group (UBCM, BCAC, ALC), and separately also with the ALC. As a result of these consultations, two possible changes to what is an allowable Farm Use of land in the ALR are presented for your consideration and comment. Two additional changes are also presented for your consideration, based on the findings of the recent provincial Liquor Policy Review.

If added to the ALR Regulation, these land use activities would be permitted in the ALR without an application to the ALC, could be regulated but not prohibited by a local government bylaw (zone out of the agricultural zone/use Farm Zone).

Q 1) Should the parameters for allowable on-farm food storage, packing, processing and retail establishments be revised?

Currently the Regulation states that food storage, packing, product preparation, and food processing are permitted if at least 50% of the farm product being stored, packed, prepared or processed is produced on the farm or is feed required for farm production purposes on the farm. Retail sales are permitted if at least 50% of the retail sales area is limited to the sale of farm products produced on the farm on which the retail sales are taking place and the total area of stores not exceed 300m2.

These restrictions can inhibit neighbouring farms from investing in joint storage, packing, processing or retail establishment in the ALR, favouring instead the establishment of a number of small, similar operations. This may be an inefficient use of productive farmland, and cost prohibitive for individual small producers. One benefit of the proposed amendment would therefore be to enable cooperative arrangements between farms in proximity to one another.

Amongst other things, loosening the restrictions on on-farm processing could allow the establishment of abattoirs (large, small or mobile), on farms, to serve surrounding cattle, game or poultry farms. Other examples of potential new processing opportunities include value added, further-processing activities related to fresh produce (e.g. grape juice), dairy products (e.g. cheese), or nutraceutical – pharmaceutical products (e.g. related to medical marijuana).

Similarly, loosening restrictions on on-farm retail operations could further enable on-farm markets to sell products from several farms.

Q 2) Should breweries, distilleries and meaderies be allowed on ALR land on the same or similar terms as wineries and cideries are currently allowed?

Currently, wineries and cideries are allowed on ALR land without application to the ALC so long as a prescribed percentage of the agricultural product used to produce the final product comes from either the farm on which the winery/cidery sits, or another BC farm. The idea here is to extend the same provisions and conditions to breweries, distilleries and meaderies.

Q 3) Should the allowable footprint for consumption areas (or 'lounges') ancillary to wineries and cideries (and potentially also breweries, distilleries and meaderies) be increased, and if so on what basis?

Currently, wineries and cideries in the ALR are allowed to establish consumption areas (or 'lounges') to a maximum size of 125m2 inside, and 125m2 outside, which is roughly equal to a maximum of 130 people.

One of the findings from the recent provincial Liquor Policy Review is that government should consult on increasing the limit for allowable consumption areas.

Q 4) To what extent should wineries and cideries (and potentially breweries, distilleries and meaderies) be allowed to sell alcohol that was produced elsewhere in BC, not at the winery or cidery?

Currently, a winery or cidery may only sell alcohol produced at that winery or cidery. One of the findings from the recent provincial Liquor Policy Review is that government should consult on allowing the sale of alcohol produced in BC, but not produced on the farm.

Note: [illegible] expanding existing farm uses or creating new ones, careful consideration should be given to what appropriate parameters for limiting the Farm Use for a winery, cidery, or other [illegible] in relation to the size of the farm, prescribing the [illegible] of farm inputs that should be derived from the farm, and [illegible] on farms. The question of whether or not the property is actually a farm at all may also be a consideration, as may be the impact of the proposed activity to the farm as a whole.

Permitted Use

To help identify potential changes to the ALR Regulation, the Ministry has consulted with the Minister's Panel on Agriculture, BCMA, BCAC, ALCA, and separately also with the ALC. As a result of these consultations three possible changes to what is an allowable Permitted Use of land in the ALR are presented for your consideration and comment. If added to the ALR Regulation, these land use activities would be permitted in the ALR without an application to the ALC, could be prohibited by a local government, and could vary between Zone 1 and Zone 2.

Q 5) Should anaerobic digesters be permitted in the ALR if the inputs are generated from farming activities?

Anaerobic digestion is defined as a collection of processes by which [illegible] break down [illegible] materials in the absence of oxygen. In the farm context, biodegradable materials primarily means animal waste, or manure. The process is used to manage farm waste and [illegible] produce fuels, which may then be used on farm or sold for revenue. Dairy farms in particular may benefit from being able to establish anaerobic digesters on-farm without an application to the ALC, given the relatively large [illegible] of livestock.

Q 6) Should on-farm cogeneration facilities be permitted on farms where a portion of the energy created is used on-farm?

[illegible] heat and power (CHP) is the use of [illegible] to simultaneously produce [illegible] energy, and CO_2, which can either be used in the farm or sold. Greenhouse operations in particular may benefit from being able to establish larger, heat-driven on-farm CHP without an application to the ALC, since heat and CO_2 are both used in greenhouse production.

Q 7) Should the parameters be expanded for when non-agriculture related businesses are allowed to operate on ALR properties in Zone 2?

[illegible] permit a home occupation use that [illegible] [illegible] [illegible] or [illegible] other area as specified in a local government bylaw. One option to expand opportunities is to allow a broader range of land based non-agricultural businesses, such as certain retail and [illegible] uses.

Note: As with farm uses, careful consideration should be given to any appropriate parameters for limiting the proposed new activities, including the size and location of any facilities, their permanence, the percentage of inputs derived from the farm and/or the percentage of outputs used on the farm, their impact on the surrounding farms, options for land reclamation after the use ends, whether or not the property is actually being farmed, and the likely impact of the proposed use to the farm operation.

Sub division

Although most subdivisions require an application to the ALC, section 10 of the ALR Regulation establishes when and how subdivisions of ALR properties can be made by local governments and provincial Approving Officers, without an application to the ALC. These include subdivisions that consolidate two or more parcels into a single parcel, and certain other subdivisions where the subdivision will not result in any increase in the number of parcels.

Two provisions have been proposed to enable farmers and ranchers to create smaller parcels for family members. Under the proposals, these subdivisions can be approved by an Approving Officer without an application to the ALC.

Q 8) Should the subdivision of ALR properties in Zone 2 to a minimum parcel size of a quarter section be allowed without an application to the ALC?

Prior to the 2002 ALC Quarter Section Camera Order, it was common practice in some areas to subdivide off a quarter section, without an application to the ALC, for the purpose of [illegible]. The intent is to re-establish this practice throughout the province, [illegible].

Q 9) Should the subdivision of ALR parcels in Zone 2 that are of a defined size, and that are divided by a major highway or waterway, be allowed without an application to the ALC?

Farm parcels are sometimes difficult to manage with a major obstruction, such as a highway or river, between the parcels. Subdivision of these parcels through an application to the ALC is required. The proposal is to allow Approving Officers to approve subdivisions where such a major obstruction is the basis for the subdivision [illegible].

Agri-tourism

One proposal is that further definition of what constitutes an "agri-tourism activity" could usefully be introduced in section 2 of the Regulation. Section 2 currently provides that agri-tourism activities are allowable as a farm use if the use is temporary and seasonal, and promotes or markets farm products grown, raised or processed on the farm. Providing greater clarity on what constitutes a temporary and seasonal activity and when that activity "promotes or markets farm products" may be beneficial for farmers, local governments and the ALC.

It has similarly been proposed that further definition be provided on when agri-tourism accommodations are permitted under section 3 of the Regulation, to ensure that any such accommodations are tied to a legitimate agri-tourism activity under section 2.

Q 10) Should greater clarity be provided on what constitutes an agri-tourism activity that is allowable in the ALR without an application, and if so what parameters should be established?

Leasing land

Current land owners in the ALR may lease their entire property without making an application to the ALC. However, an application is required in order to lease a portion of their property. The ALC has proposed that temporary leases of a portion of a property be allowed without an application to the ALC to facilitate intergenerational transfer of active farm or ranch operations and to encourage the use of otherwise unfarmed land by existing or new farmers.

Q 11) Should temporary leases of portions of a property in Zone 2 of the ALR be allowed without an application to the ALC for:
(a) intergenerational transfer of an active farm or ranch operation; and/or
(b) to encourage the use of otherwise unfarmed land by existing or new farmers?

A temporary lease for intergenerational transfer would allow farmers to lease their land to their children, while they continue to live on the property. This would allow new farmers to establish on the property, but no permanent structures would be allowed.

A temporary lease of a portion of a property to farmers would allow ALR landowners to lease land to farmers getting into agriculture, and/or could help existing farmers expand their operations by leasing land without purchase. This kind of lease could not be used to create new residences in the ALR and would not require approval by the ALC.

7. Thank you!

Your input into this consultation is greatly appreciated. If you would like to contribute further comments, you may do so via email at [redacted] or through our consultation website at [redacted].

Appendix A:
List of Recent Amendments to the *Agricultural Land Commission Act*

General "Theme"	Description of Change	Section Reference
1) ALC Reporting and Accountability	Allows government, by regulation, to set service standards and reporting requirements for the Commission to the Minister.	ALCA section 7(2)
	Minister can by order set performance standards.	ALCA section 7(3)
2) Panel Regions and Panel Composition	Establish the 6 existing panel regions (defined geographically in the new Schedule to ALCA).	ALCA section 4(1)
	Require that a panel be established for each of the 6 panel regions.	ALCA Section 11
	Require that the Chair refer applications from a panel region to the panel for that panel region.	ALCA section 16
	Sets out when chair of the Commission can refer an application to the executive committee.	ALCA section 11.1
	Panel regions must consist of at least 3 individuals.	ALCA section 4(2)
	Regional panels will have a minimum of 3 members, one of whom will be vice chair for the panel appointed by the LGIC.	ALCA section 4(3) and ALCA section 4(4)
	Panel chair and members must be resident in the province of the panel to which they are appointed (residency to be determined by regulation).	ALCA section 4(5) and ALCA section 4(6)
3) Zones	"Zone 1" – Island, South Coast and Okanagan panel regions.	ALCA section 4(1.1)
	"Zone 2" – the rest of BC (i.e. Interior, Kootenay, North panel regions, and other).	

General "Theme"	Description of Change	Section Reference
4) Decision-Making in Zones	[illegible] to decision making [illegible] Act [illegible] applications on case by case basis within the broadest purpose of the Commission, which are as follows: a) to preserve agricultural land; b) to encourage farming on agricultural land in collaboration with other communities of interest; 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. In reaching its decisions in *Zone 2*, the Commission must also now consider other factors in descending order of priority: • economic, cultural and social values; • regional and community planning objectives; and • any other considerations prescribed by regulation. This does not require the Commission to make decisions that only reflect these new considerations. The Commission is still an independent body and will balance agricultural factors with these other considerations. The legislation provides for greater flexibility in ALC decision-making to allow farmers in *Zone 2* to have more options for earning an income.	[illegible] ALCA
5) *Local Government Act* Amendment	Section 879 of the *Local Government Act* [illegible] that local governments must consult with the Commission earlier on in development of, or amendments to, an Official Community Plan (i.e. prior to first reading).	[illegible] *Local Government Act*
6) Additional Regulation-Making Powers added to the ALCA	Several subsections have been added to section 58 of the ALCA to provide for additional regulation-making powers. The regulations we are consulting on in this process are tied to several of these new powers and to the other regulation-making powers that have existed for some time in the ALCA.	ALCA Section 58

Appendix B:
Excerpt from the Agricultural Land Reserve Use, Subdivision and Procedure Regulation

Activities designated as farm use

2 (2) The following activities are designated as farm use for the purposes of the Act and may be regulated but must not be prohibited by any local government bylaw except a bylaw under section 917 of the *Local Government Act* or, if the activity is undertaken on treaty settlement lands, by a law of the applicable treaty first nation government:

(a) farm retail sales if

(i) all of the farm product offered for sale is produced on the farm on which the retail sales are taking place, or

(ii) at least 50% of the retail sales area is limited to the sale of farm products produced on the farm on which the retail sales are taking place and the total area, both indoors and outdoors, used for the retail sales of all products does not exceed 300 m2;

(b) a British Columbia licensed winery or cidery and an ancillary use if the wine or cider produced and offered for sale is made from farm product and

(i) at least 50% of that farm product is grown on the farm on which the winery or cidery is located, or

(ii) the farm that grows the farm products used to produce wine or cider is more than 2 ha in area, and, unless otherwise authorized by the commission, at least 50% of the total farm product for processing is provided under a minimum 3 year contract from a farm in British Columbia;

(c) storage, packing, product preparation or processing of farm products, if at least 50% of the farm product being stored, packed, prepared or processed is produced on the farm or is feed required for farm production purposes on the farm;

(d) land development works including clearing, levelling, draining, berming, irrigating and construction of reservoirs and ancillary works if the works are required for farm use of that farm;

(e) agri-tourism activities, other than accommodation, on land that is classified as a farm under the *Assessment Act*, if the use is temporary and seasonal, and promotes or markets farm products grown, raised or processed on the farm;

(f) timber production, harvesting, silviculture and forest protection;

(g) agroforestry, including botanical forest products production;

(h) horse riding, training and boarding, including a facility for horse riding, training and boarding, if

(i) the stables do not have more than 40 permanent stalls, and

(ii) the facility does not include a racetrack licensed by the British Columbia Racing Commission;

(i) the storage and application of fertilizers, mulches and soil conditioners;

(j) the application of soil amendments collected, stored and handled in compliance with the Agricultural Waste Control Regulation, B.C. Reg. 131/92;

(k) the production, storage and application of compost from agricultural wastes produced on the farm for farm purposes in compliance with the Agricultural Waste Control Regulation, B.C. Reg. 131/92;

(l) the application of compost and biosolids produced and applied in compliance with the Organic Matter Recycling Regulation, B.C. Reg. 18/2002;

(m) the production, storage and application of Class A compost in compliance with the Organic Matter Recycling Regulation, B.C. Reg. 18/2002, if all the compost produced is used on the farm;

(n) soil sampling and testing of soil from the farm;

(o) the construction, maintenance and operation of farm buildings including, but not limited to, any of the following:

(i) a greenhouse;

(ii) a farm building or structure for use in an intensive livestock operation or for mushroom production;

(iii) an aquaculture facility.

(3) Any activity designated as farm use includes the construction, maintenance and operation of a building, structure, driveway, ancillary service or utility necessary for that farm use.

(4) Unless permitted under the *Water Act* or the *Environmental Management Act*, any use specified in subsection (2) includes soil removal or placement of fill necessary for that use as long as it does not

(a) cause danger on or to adjacent land, structures or rights of way, or

(b) foul, obstruct or impede the flow of any waterway.

(5) The removal of soil or placement of fill as part of a use designated in subsection (2) must be considered to be a designated farm use and does not require notification except under section 4.

Permitted uses for land in an agricultural land reserve

3 (1) The following land uses are permitted in an agricultural land reserve unless otherwise 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) accommodation for agri-tourism on a farm if

(i) all or part of the parcel on which the accommodation is located is classified as a farm under the *Assessment Act*,

(ii) the accommodation is limited to 10 sleeping units in total of seasonal campsites, seasonal cabins or short term use of bedrooms including bed and breakfast bedrooms under paragraph (d), and

(iii) the total developed area for buildings, landscaping and access for the accommodation is less than 5% of the parcel;

(b) for each parcel,

(i) one secondary suite within a single family dwelling, and

(ii) one manufactured home, up to 9 m in width, for use by a member of the owner's immediate family;

(c) a home occupation use, that is accessory to a dwelling, of not more than 100 m^2 or such other area as specified in a local government bylaw, or treaty first nation government law, applicable to the area in which the parcel is located;

(d) bed and breakfast use of not more than 4 bedrooms for short term tourist accommodation or such other number of bedrooms as specified in a local government bylaw, or treaty first nation government law, applicable to the area in which the parcel is located;

(e) operation of a temporary sawmill if at least 50% of the volume of timber is harvested from the farm or parcel on which the sawmill is located;

(f) biodiversity conservation, passive recreation, heritage, wildlife and scenery viewing purposes, as long as the area occupied by any associated buildings and structures does not exceed 100 m^2 for each parcel;

(g) use of an open land park established by a local government or treaty first nation government for any of the purposes specified in paragraph (f);

(h) breeding pets or operating a kennel or boarding facility;

(i) education and research except schools under the *School Act*, respecting any use permitted under the Act and this regulation as long as the area occupied by any buildings or structures necessary for the education or research does not exceed 100 m^2 for each parcel;

(j) production and development of biological products used in integrated pest management programs as long as the area occupied by any buildings or structures necessary for the production or development does not exceed 300 m^2 for each parcel;

(k) aggregate extraction if the total volume of materials removed from the parcel is less than 500 m^3, as long as the cultivatable surface layer of soil is salvaged, stored on the parcel and available to reclaim the disturbed area;

(l) force mains, trunk sewers, gas pipelines and water lines within an existing dedicated right of way;

(m) telecommunications equipment, buildings and installations as long as the area occupied by the equipment, buildings and installations does not exceed 100 m^2 for each parcel;

(n) construction and maintenance, for the purpose of drainage or irrigation or to combat the threat of flooding, of

(i) dikes and related pumphouses, and

(ii) ancillary works including access roads and facilities;

(o) unpaved airstrip or helipad for use of aircraft flying non-scheduled flights;

(p) the production, storage and application of Class A compost in compliance with the Organic Matter Recycling Regulation, B.C. Reg. 18/2002, if at least 50% of the compost measured by volume is used on the farm.

(2) Nothing in subsection (1) (a) is to be interpreted as permitting the conversion of a building into strata lots by an owner.

(3) If a use is permitted under subsection (1) (k) it is a condition of the use that once the extraction of aggregate is complete, the disturbed area must be rehabilitated in accordance with good agricultural practice.

(4) The following land uses are permitted in an agricultural land reserve:

(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*, or

(v) recreation reserve established under the *Land Act*;

(b) dedication or upgrading of an existing road with vehicular access and use declared to be a highway under section 42 of the *Transportation Act*;

(c) road construction or upgrading within a dedicated right of way that has a constructed road bed for vehicular access and use;

(d) if the widening or works does not result in an overall right of way width of more than 24 m, widening of an existing constructed road right of way for

(i) safety or maintenance purposes, or

(ii) drainage or flood control works;

(d.1) widening an existing constructed road right of way to ease one curve;

(e) establishing as a forest service road

(i) an existing road under the *Forest Act*, or

(ii) a new road in a managed forest;

(f) increasing the right of way width of a forest service road by up to 4 m if the widening does not result in an overall right of way width of more than 24 m;

(g) railway construction, upgrading and operations on an existing railbed within a dedicated right of way, including widening of an existing railway right of way if the widening does not result in an overall right of way width of more than 30 m;

(h) surveying, exploring or prospecting for gravel or minerals if all cuts, trenches and similar alterations are restored to the natural ground level on completion of the surveying, exploring or prospecting;

(i) surface water collection for farm use or domestic use, water well drillings, connection of water lines, access to water well sites and required rights of way or easements;

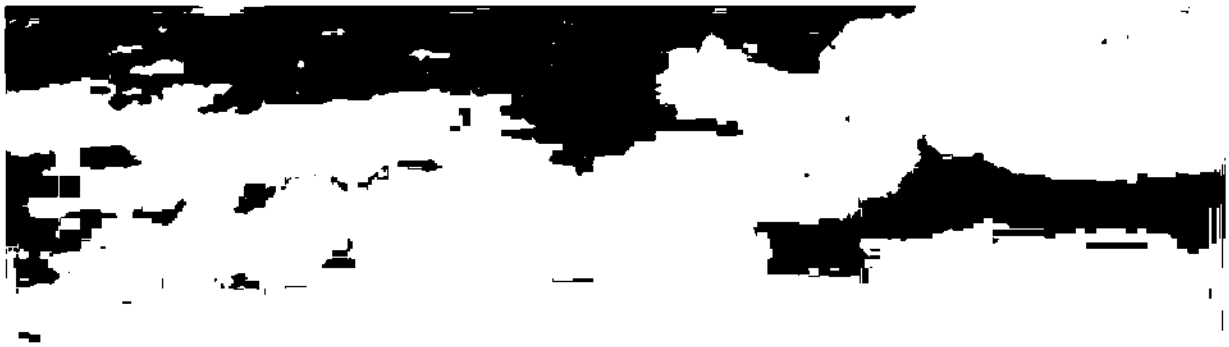
(j) soil research or testing as long as the soil removed or fill placed is only in an amount necessary for the research or testing.

(5) Any permitted use specified in subsection (1) or (4) includes the construction, maintenance and operation of buildings, structures, driveways, ancillary services and utilities necessary for that use.

(6) Unless permitted under the *Water Act* or the *Environmental Management Act*, any use specified in subsection (1) or (4) includes soil removal or placement of fill necessary for that use as long as the soil removal or placement of fill does not

(a) cause danger on or to adjacent land, structures or rights of way, or

(b) foul, obstruct or impede the flow of any waterway.





BRITISH
COLUMBIA

FW: Agricultural Land Commission Act Consultation

Thursday, November 27, 2014
11:21 AM

Subject	**FW: Agricultural Land Commission Act Consultation**
From	Kline, Rob AGRI:EX
To	Hughes, Kate AGRI:EX
Cc	Schmidt, Orlando AGRI:EX; Coney, David AGRI:EX
Sent	Tuesday, August 12, 2014 9:31 PM
Attachments	



sturko aug...

Kate
FYI - this was sent during the session today...
Rob

From: Isobel Hoffmann s.22
Sent: Tuesday, August 12, 2014 10:50 AM
To: Wong, Jane T AGRI:EX
Cc: s.22
s.22 Tom Henry;
s.22
Kline, Rob AGRI:EX; s.22
Subject: Agricultural Land Commission Act Consultation

Greetings:
Please find attached further comments from the ***Peninsula Agricultural Commission*** (addressed to Deputy Minister Sturko) with respect to the above consultation process.
Jane, it would be appreciated if you could pass a copy of the letter to the Minister, Deputy Minister and Jason McNaughton, Communications Director with the Ministry.
If you have any questions regarding the above, please direct them to the PAC Chair, Mike Romaine at s.22
Thank you for your consideration. We look forward to hearing from you.
Regards,
Isobel Hoffmann
Recording Secretary, PAC

Peninsula Agricultural Commission

c/o Saanich Municipal Hall
770 Vernon Avenue, Victoria, B.C. V8X 2W7
Secretary: Isobel Hoffmann (isobel.hoffmann@saanich.ca)
Chair: Mike Romaine

August 11, 2014

Mr. Derek Sturko, Deputy Minister
Ministry of Agriculture
PO Box 9120
Parliament Buildings
Victoria, BC V8W 9E2

Sent by Email

Dear Deputy Minister Sturko:

Agricultural Land Commission Act Consultation

We are writing this letter in follow up to our previous letter dated July 28, 2014 on the above subject.

Upon receiving an electronic copy of the "***Consultation on Potential Changes to the Agricultural Land Commission Act: Agricultural Land Reserve Use, Subdivision and Procedure Regulation***" on August 1, 2014, it was distributed to the Peninsula Agricultural Commission members and Commissioners.

Due to this being one of the most important and busiest times of the year for farmers, it has not been possible in such a short time to obtain the full focus and attention of members on such important, far reaching and potential long term implications of the proposed changes.

Based on the feedback received, it is clear that all of the eleven questions require further investigation, analysis and **then follow-up consultations** prior to being considered for implementation and/or becoming formally established as regulations.

There are several over-riding concerns:

1. How can the oversight of these changes be monitored and who will be accountable for ensuring consistency between and within regions of the province?

2. Where are resources and expertise to undertake the above, both on a site by site, municipality by municipality, region-wide and province-wide basis?

3. What contingency plans and/or mechanisms are in place, or will be enhanced and adequately resourced, to deal with resulting loopholes that may have been created under such proposed changes - such as in Questions1,2,3,4,5,6,7,8,9 and 11?

4. Who will ensure that we as a province do not end up with piecemeal, ad-hoc and variable applications of the proposed changes that can also be precedent-setting for other areas?

.../2

Time constraints - not only on our members but also due to the limited time allocated in the August 12 Consultation session - have resulted unfortunately in PAC's absence from the August 12 Session.

We (PAC) therefore repeat our request and invitation for your Ministry to have a consultation session directly with PAC. Our next PAC meeting is scheduled for September 11, 2014 and we are prepared to dedicate this meeting to such a consultation.

During such a session, we could focus on some of the pitfalls and experiences we have collectively had in dealing with a variety of land use issues and the implications for the future of our land base and farming viability in our Region. The Capital Region, in our opinion, is also an important area that warrants its own consultation session.

Thank you for your consideration.

Yours sincerely,

"Mike Romaine"

Mike Romaine,Chair
Peninsula Agricultural Commission

cc: Honourable Norm Letnick, Minister of Agriculture
Jason McNaughton, Communications Director, Ministry of Agriculture
PAC Members
Councillor Derman (Saanich)
Councillor Cormier (Central Saanich)
Councillor Stock (North Saanich)
Councillor Loveless (Sidney)
Tom Henry, Council representative for Metchosin
Rob Kline, PAC representative, Ministry of Agriculture

RE: compliments to the team (RE ALC consultations)

Thursday, November 27, 2014
11:31 AM

Subject	**RE: compliments to the team (RE ALC consultations)**
From	Kline, Rob AGRI:EX
To	Haddow, Wayne AGRI:EX; Schmidt, Orlando AGRI:EX
Cc	Hatfield, Jill AGRI:EX; van Dalfsen, Bert AGRI:EX; Nickel, Ken AGRI:EX
Sent	Monday, August 18, 2014 2:04 PM

And ARDSA type programs...developing regional infrastructure turnkey type programs supports agricultural development and maintains land use in agriculture better than ALR protection/preservation legislation.....I think that is also what I heard....would that also be fair, Wayne?
Rob
From: Haddow, Wayne AGRI:EX
Sent: Monday, August 18, 2014 2:02 PM
To: Kline, Rob AGRI:EX; Schmidt, Orlando AGRI:EX
Cc: Hatfield, Jill AGRI:EX; van Dalfsen, Bert AGRI:EX; Nickel, Ken AGRI:EX
Subject: RE: compliments to the team (RE ALC consultations)
Hi,
Not a lot more to add, a little heated discussion within the local govts session, but still an amazing amount of consensus in the end. There was a request to support agriculture by re-establishing programs of old such as ALDA.
Wayne
From: Kline, Rob AGRI:EX
Sent: Monday, August 18, 2014 11:45 AM
To: Schmidt, Orlando AGRI:EX
Cc: Haddow, Wayne AGRI:EX; Hatfield, Jill AGRI:EX; van Dalfsen, Bert AGRI:EX; Nickel, Ken AGRI:EX
Subject: RE: compliments to the team (RE ALC consultations)
Wayne and I sat in on both the morning and afternoon sessions....had 3 NDP MLA and one BC Agriculture Council observers.
While there was some diversity of comments from the invitees, there were some fairly direct concerns from regional districts and municipalities about process and the impact of the legislative for Zone 1...it will be interesting to see if those items are reflected in proposed regulation amendments.
I did not take detailed notes and have had a bit of a holiday since but my sum up impression is the majority of the Island consultation attendees felt the ALC is doing a good job within the current regulations and that a provincial panel was preferable to regional panels for Zone 1.
The other comment I might make is that while it was interesting to hear views from local/regional govts and farm interests there was not a lot of new things brought out; and, that is due to at least my involvement with AACs and the relations with local govt staff and elected officials.
Wayne might have a different comments and a take on the day.
Rob
From: Schmidt, Orlando AGRI:EX
Sent: Monday, August 18, 2014 11:02 AM
To: Fox, Alison AGRI:EX; Haddow, Wayne AGRI:EX; Hatfield, Jill AGRI:EX; Kline, Rob AGRI:EX; Schmidt, Orlando AGRI:EX; Sutherland, Kim AGRI:EX; Zabek, Chris AGRI:EX
Cc: van Dalfsen, Bert AGRI:EX; Coney, David AGRI:EX; Nickel, Ken AGRI:EX
Subject: FW: compliments to the team (RE ALC consultations)
Coast RAN,
I also want to thank you for your contributions to the ALC consultations.
Wayne, Rob, Chris, Kim and I were all able to attend at least one session.
I also want to acknowledge that Alison sat in on 2 Abbotsford sessions and may not have received this

note. I'm sure David had you in mind as well.
In case some of you have not heard, I am pleased to announce that I have approval to hire the Fraser Valley West Regional Agrologist position and am working with MyHR to move it to posting as soon as possible...so stay tuned.
Have a great day,
Orlando Schmidt, MSc, PAg,
Regional Manager, Coast
BC Ministry of Agriculture | 1767 Angus Campbell Road Abbotsford BC V3G 2Z1
Tel 604-556-3101 Fax 604-556-3099 Email: orlando.schmidt@gov.bc.ca
From: Nickel, Ken AGRI:EX
Sent: Monday, August 18, 2014 9:52 AM
To: AGRI SDB All
Cc: Coney, David AGRI:EX; Standish, Alana AGRI:EX
Subject: FW: compliments to the team
Good morning
I am pleased to pass on the thanks and appreciation of David Coney. His thoughtful message says it all.
Ken
From: Coney, David AGRI:EX
Sent: Friday, August 15, 2014 6:19 PM
To: Nickel, Ken AGRI:EX
Cc: Parnell, Grant AGRI:EX
Subject: compliments to the team
Hi Ken,
Now that the ALC meetings with stakeholders are over, I want to pass on my thanks to your team for their participation in these meetings. It was great to be able to spend some time with them, and to get their very informative, measured and valuable input. And, above all, it was really great to see the close relationships that the Agrologists have with farmers, ranchers and local govts across the province, and the very high regard in which they are obviously held.
Please pass on my thanks and appreciation.
Best wishes
David
Sent from my BlackBerry 10 smartphone on the TELUS network.

ISSUE: Agricultural Land Commission (ALC) – ALC Transitional Projects

BACKGROUND:

- In February 2013, government, in its Balanced Budget 2013, announced additional funding for the ALC of $4 million over the next 3 years, re-emphasizing the commitment to help the ALC become a stronger organization and transition to a more self supporting model.
- Since early 2012, the ALC has been carrying out several projects related to enhancing its capability to carry out proactive land use planning, conduct ALR boundary reviews and increase compliance and enforcement activities. The projects include digital mapping, data base capture and conversion and the development of website tools that will enable stakeholders, ALC Commissioners and staff greater access to information.

Transitional Project Status

- The ALC continues to work with a contractor on a web-based and interactive self-help portal to enable users to access to data, historical file information, ALR mapping and ALR application status details. The contractor is working on linking the database to the ALC's digital spatial information (ALR maps, agricultural capability maps, etc.).
- The ALC has completed a draft online ALC application form that has recently undergone user testing and is now being fine-tuned based on the testing feedback.
- The ALC is now working with a web design firm to develop a new and improved website that links to the online application form and portal.
- The new web design and portal are focused on electronic submission of applications and file management and provide for better access to information by applicants and the general public.
- ALC's Business Application and data base; the Online Application Tracking System (OATS) fixes and upgrades are ongoing.
- Scanning of historical ALR application maps containing the ALC's 40 year application history is complete.
- Retrieve paper based application files to verify digital mapping of properties, to enter application data into OATS and to scan relevant historical file documents – estimated 27,000 files. Work to date:
  - Approximately 6,500 files with data entered into OATS, file documents scanned and GIS mapping verified.
  - Approximately 24,000 files with file documents scanned (Data entry and GIS mapping verification ongoing)

CROSS JURISDICTIONAL COMPARISON:

- BC's approach to agricultural land preservation is unique and is not comparable to other jurisdictions – domestically or internationally.

PROGRAM EXPENDITURE / REVENUE IMPLICATION (IF APPLICABLE):

- The ALC will continue with its transitional projects with resource allocation from the additional $4 million over three years it received commencing in fiscal year 2013/14.

Approved by:	Prepared by:	Alternate Contact:
Brian Underhill, ALC Executive Director	Brian Underhill	Colin Fry, Executive Director
Date approved: February 6, 2014	ALC	ALC
Phone: (604) 660-7006	Phone: (604) 660-7028	Phone: (604) 660-7006
Cell: (604) 862-2337	Cell: (604) 250-9950	Cell: (604) 862-2337

November 24, 2014

The Honourable Christy Clark

Premier of B.C.

Victoria, B.C.

Re: ALR revamping

Re: Agassiz's Vision for the next 25 years. OCP

"Nothing in fine print is ever good news"

The following discussion is solely my opinion and is without prejudice.

s.22 , I am amazed to discover the wholesale proposal to take out large parcels of land out of the ALR.

What is presently being discussed by the Province, regarding the revamping of the ALC, would see this committee split up into two groups and, perhaps, would let local communities have greater input into decisions. I believe that this may very well be a clever disguise in the eventual dismantling of the ALR.

*However, what we really need at this time is not a weakened review body, but a stronger, **independent**, ALC.*

Local community officials pressured by special interest groups may take the easy way out and permit developers to take out land bit by bit. What would the result of this be in long range terms? Oh yes, I guess we can always get our food from Chile and Mexico and at the same time, we are unable to regulate their environmental laws and contribute to the pollution as a result of the increase in transportation of the products. Carbon footprint turned to sophisticated slogan

As small farms become insolvable, due to unfair competitions with other counties, we are not only losing an industry, we are also losing the indirect employment. This leaves us depending on the direction of a third world country in relation to their food production.

It is hilarious to hear all those comments of diversity and that farming is not the only deal in town. When making buffers between light industry and farms, what are we protecting, the farm or the towns? Case and point is the highway 9 south proposal near Agassiz. With these proposed changes, I must question whether anyone ever considers that the economic driver that agriculture is to the local and provincial economy?

Yes, Agassiz has changed s.22 One, used to make a living on a small plot now needs a second income to sustain the present Farmland. However, I am sad to say it has not all been for the best. The never ending need of the District for more money has led to the loss of land, sometimes by covering the decision based on the premise of future expansions, were simply delusions. Where does it end? There is absolutely no need for taking out any Land of the Land Reserve.

I always hear that this council is for Agriculture. Ha, it makes me laugh and is simply lip service. In one hand we endeavour to kick out some starter entrepreneurs working out of old barns not taking out any land and then the wholesale loss of farmland. What a vision of this council! We should save Farmland not old Barns.

So for me to get a plumber , an electrician , a builder, a welder, if this council has its way, I would have to call Chilliwack , or further , and absorb the service calls cost. What a Vision! What are we preserving, old barn ore Farmland.

An example of this is the area south of McCaffry to the CPR Track which is good farmland and should be preserved as this. There is more than enough land available south of highway 9 to Pioneer Avenue to expand presently underutilized land for small commercial parcels properties that is not suitable for farming. There is also a case to be made for more industrial land east of Pixlie Road.

The town is short on light industrial property, yet council was building a new fire hall in the area that results in no taxes being paid on that property as a result. There is no argument that we needed a new fire hall, however, we have property right in town, or perhaps we are selling it to balance the budgets instead.

The proposal of rezoning Tranmer RD, created in 5 acre parcels for homecoming Veterans is not the solution. Leaving the ALR intact and perhaps have the Assessment Authority making it more equal to other s should be considered.

Heavy industrial land just before Rimex west would make common sense and has the potential for heavy industrial use. But simply taking land out in a large mass to Hwy 7 is again a theory ill conceived.

One of the best properties in Agassiz is the T Cup, which is under tremendous pressure from interest groups to become a Concrete Jungle. It may make some folks rich but does not justify to be removed from the ALR while other options are available. The notion of tanning and hairdressing saloons defies any logic. The illusion of a Hotel defies any common sense. This proposal would put a nail in the coffin of the down town area that has been struggling for years. How can our local council say they are committed to a viable downtown when they support this idea?

It is interesting to note that under the proposals the best farm land in general could be removed, leaving marginal land that must be used for farming. Even the marginal land is good Land; it is only in need of proper drainage a constant struggle with MOE.

There is a potential of creating wealth, no question. But at what cost to the agricultural community is the question that needs to be addressed. And, the idea of having buffers between community and agriculture also needs to be explained. What are we trying to protect: farms from the town or the town from the farms? Does planting a few shrubberies the seeking effect?

There is also a lack of clarity on the Riparian objectives. Should that a 15 meter Riparian Zone ever be implemented, Agassiz will be losing farmland in large scale. We have 125 Km of ditches west of Agassiz and north to Harrison. Riparian zoning of that magnitude will remove 750 acres of land which is not a

small amount of land and would create an economic loss around 5 million dollars.

That is far more than any developer ever took out! It could be justified with the green wave philosophy. Great thinking when we have 96% of B.C. called crown land.

As you can see I am in opposition with a few exceptions, (Rimex, Pixlie RD)of any land being removed from the ALR.

It is time to make a stand and I urge you to stand for the Principals as outlined in the ACT.

Respectfully submitted,

s.22

Cc: Mayor Van Laerhoven

Hon. Minister of Agriculture, Pat Pimm

Hon. Minister Bill Bennett

MLA Laurie Throness

Chair ALC Mr. Richard Bullock

Vice Chair Mrs. Silvia Pranger