



# Agricultural Land Commission



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2006-2007**

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# Message from the Chair

**The ALC** is a 19 member administrative tribunal established to preserve agricultural lands. Through ongoing work of the commissioners, staff and partners in governments and other organizations, agricultural lands will continue to be available to contribute to our health, economic well-being and quality of life for generations to come.

As the agency responsible for considering and deciding on exclusion, inclusion, subdivision and non-farm use applications involving ALR land, and undertaking enforcement against those that would use ALR land in contravention of the Agricultural Land Commission Act, the ALC is the front-line of British Columbia's agricultural land preservation program.

Typically an annual report from a government agency focuses on

numbers and statistics. It summarizes how many applications were received and the results of its decisions, breaking these down into categories by regions. While this information is useful, it does not convey how and why the decisions were made. This report is intended to augment the numbers and statistics associated with the commission's business activities to more effectively communicate its roles and responsibilities, the steps that it takes, and its performance as the agency accountable for the agricultural land base in British Columbia.

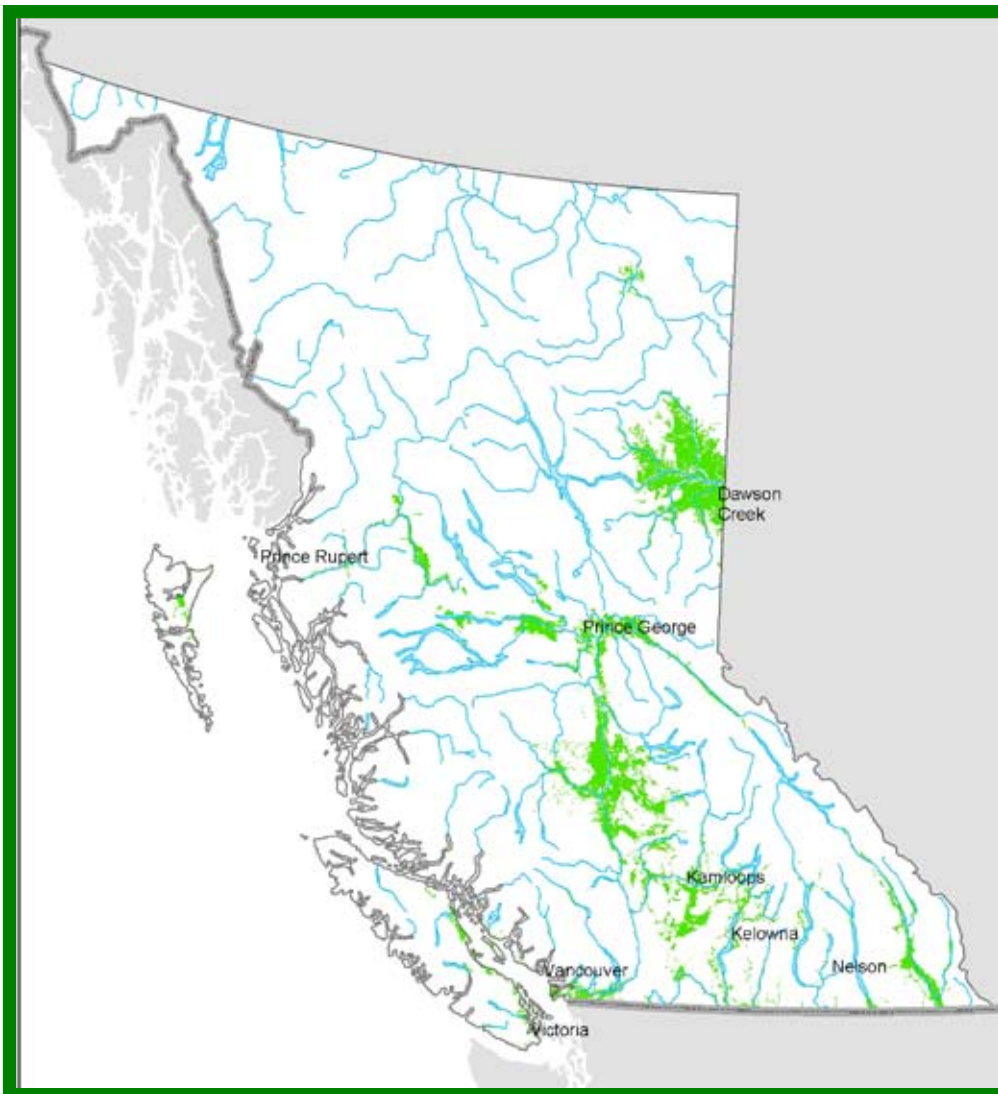
As you read this report, you will note the depth and breadth of work undertaken by commissioners, staff and many others in government and non-government organizations. I extend my thanks to all of them.



# Mission and Overview

**The mission** of the Agricultural Land Commission is to preserve agricultural land and encourage and enable farm businesses throughout British Columbia.

The Commission administers the Agricultural Land Reserve (ALR) as an administrative tribunal at arms'-length from the provincial government. The Commission operates independently within the framework of the *Agricultural Land Commission Act and BC Regulation 171/2002 (Agricultural Land Reserve Use, Subdivision and Procedure Regulation)*. In addition sections 1 – 10 of the *Administrative Tribunals Act* apply to the Commission.



**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, by-laws and policies.

# The Board

## THE BOARD

**The Agricultural Land Commission** is administered by a government-appointed Commission consisting of 19 board members comprised of a Chair, six Vice-Chairs and 12 Commissioners. For administrative efficiency and regional responsiveness the Commission has created 6 panels for its 6 geographical regions of the province. Each panel has three members - a Vice-Chair and 2 Commissioners appointed from the region for which they are responsible.

The 19 member board is the provincial body of the Commission. The Commission is not, as is often thought, the aggregate of 6 regional Commissions.

The Board met once this fiscal year. Discussions included updates to the Service Plan, budget review, policy issues and operational issues including staffing and application processing.

### BOARD MEMBERS (APRIL 1, 2006 – MARCH 31, 2007)

Erik Karlsen, Victoria  
(Chair)

Michael Bose, Surrey (appointed Dec. 1, 2006)  
Holly Campbell, Kamloops  
David Craven, Shawnigan Lake  
Gordon Gillette, Williams Lake (appointed Dec. 1, 2006)  
D. Grant Griffin, Cranbrook (appointed Dec. 1, 2006)  
Grant Huffman, Riske Creek  
Sue Irvine, Naramata  
John Kendrew, Pouce Coupe  
Monika Marshall, Grand Forks  
Sharon McCoubrey, Lake Country

William Norton, Chilako Valley near Prince  
George (appointed May 1, 2006)  
Sylvia Pranger, Kent (appointed Dec. 1, 2006)  
Carmen Purdy, Cranbrook  
Frank Read, Vanderhoof  
Donald Rugg, Colwood  
Lorne Seitz, Courtenay  
Sid Sidhu, Vernon  
John Tomlinson, Langley (appointed May 1, 2006)

**The following Commissioners** also served in this fiscal year until their terms expired in May 2006:

Peter Dhillon, Richmond  
Walter Dyck, Chilliwack  
Cheryle Huscroft, Creston

Harold Kerr, Telkwa  
Carol Paulson, Langley



# Executive Committee

## THE EXECUTIVE COMMITTEE

The Executive Committee consists of the Chair and the 6 Vice-Chairs. The Committee decides on:

- ⊙ Strategic—Service planning
- ⊙ Policy development
- ⊙ Issues of province-wide importance
- ⊙ Monitoring and coordination of panel operations

The Executive Committee met three times this year. Topics of discussion included strategic policy, business planning and governance.

## THE EXECUTIVE COMMITTEE



# Panels

The panels consist of a Vice-Chair and 2 Commissioners. Panels are responsible for:

- ⊙ Decisions on applications
- ⊙ Plan and bylaw reviews
- ⊙ Field inspections
- ⊙ Meeting with individuals, local governments, farm organizations and other government representatives

Panels report their regional activities through the Vice-Chair to the Executive Committee. All decisions relating to applications and planning issues are made at the regional level by the panels. Decisions of a panel are final and cannot be appealed to the Executive Committee or the Board.

The Panels met on a regular rotation schedule depending on the application activity in their regions.

## THE PANELS

# Panel Regions

## ISLAND PANEL

Responsible for the Alberni-Clayoquot, Capital, Comox-Strathcona, Cowichan Valley, Mount Waddington and Nanaimo Regional Districts and the Islands Trust.

## SOUTH COAST PANEL

Responsible for the Fraser Valley, Greater Vancouver, Powell River, Squamish-Lillooet and Sunshine Coast Regional Districts.

## OKANAGAN PANEL

Responsible for the Central Okanagan, Columbia Shuswap, North Okanagan and Okanagan-Similkameen Regional Districts.

## KOOTENAY PANEL

Responsible for the Central Kootenay, East Kootenay and Kootenay-Boundary Regional Districts.

## INTERIOR PANEL

Responsible for the Cariboo, Central Coast and Thompson-Nicola Regional Districts.

## NORTH PANEL

Responsible for the Bulkley-Nechako, Fraser-Fort George, Kitimat-Stikine, Northern Rockies, Peace River and Skeena-Queen Charlotte Regional Districts.

## ALC PANEL REGIONS



**Area of Province: 99,217,145 hectares**

**Area of ALR: 4,759,669 hectares (March 31, 2007)**



# The Commission Office

The Commission employed 20 staff this past year. The business of the Commission is carried out through three functional areas:

## **Land Use Planning and Application Processing**

Staff research and administer all applications submitted pursuant to the *Agricultural Land Commission Act* and Regulations as well as performing compliance and enforcement related duties. In addition, they also review plans and by-laws of local governments and other agencies to ensure that the ALR is properly identified and that the policies support the objectives of the Act and Regulations.

## **Strategic Planning and Corporate Policy**

Staff actively participates with the Commission in developing strategies, plans and policies to achieve the goals and objectives set out in the Service Plan. Staff also participates in the agricultural planning and policy initiatives of other ministries, agencies and local governments.

## **Administration and Information Systems**

The previous two functions are supported by an administration, records management and information systems unit. This includes maintenance of an application database comprised of approximately 29,000 stored paper files and almost 9,000 stored paper and electronic files as well as over 1,400, 1:20,000 scale ALR maps for the province.

## THE STAFF

### **Executive Directors**

Brian Underhill  
Colin Fry

### **Policy and Special Projects**

Gary Hall  
Shaundehl Runka

### **Compliance and Enforcement**

Gordon Bednard

### **Staff Agrologist**

Trevor Murrie, P.Ag

### **Regional Planners**

Roger Cheetham  
*Island, Kootenay, North*

Martin Collins  
*Okanagan, Interior, North*

Tony Pellett  
*South Coast*

### **Land Use Planners**

Jennifer Carson  
*South Coast*

Terra Kaethler  
*Island, Kootenay*

Brandy Ridout  
*Okanagan*

Simone Rivers  
*Interior, North*

### **Mapping and GIS**

Stacy Meech  
*GIS Coordinator*

Craig Phillips  
*Mapping Technician*

Gabriel Hazaparu  
*Mapping Technician*

### **Administrative Support**

Eva Germano  
*Reception*

Lesley Campbell  
*Records Clerk*

Myra Duggan  
*Accounts*

Lucena Varias Condevillamar  
*Word Processing Clerk*

# Interior Panel

## MEMBERS:

Grant Huffman (Vice-Chair),  
Holly Campbell, Gordon Gillette

### Message from the Vice-Chair

The Interior Panel of the Agricultural Land Commission administers the ALR lying between Kamloops and Quesnel. This is the ranching belt of British Columbia. In recent years, cattle ranching has been under economic pressure due to the BSE crisis. While this crisis appears to be easing, the economic stresses brought about by cattle export restrictions in past years continues to reverberate throughout the region. Established ranches are under pressure to diversify income or access equity in ranch properties. In addition there are constant pressures on ranching lands from urbanites seeking land for recreational and residential uses.

The Interior Panel reviewed 59 new applications for subdivision, exclusion and non-farm use in 2006/2007. Applications are characterized by exclusion or subdivision of larger grazing/range parcels adjoining; major highways for commercial/industrial uses (in select locations); and lakes for residential uses. The Panel takes the view that on occasion benefits can be achieved for agriculture when multiple parcels are under application. For example, owners may have the option to consolidate farm remnants to at least balance the effects

of subdivision, exclusion or non-farm use and more preferably, to enhance the agricultural utility of the land.

The use of large grazing parcels exclusively for residential uses, can degrade the grassland resource, and result in residential/farm conflicts and a patchwork, discontinuous, non-working landscape. The Commission is working with ranchers and landowners to minimize the impact of residential uses on the working landscape.

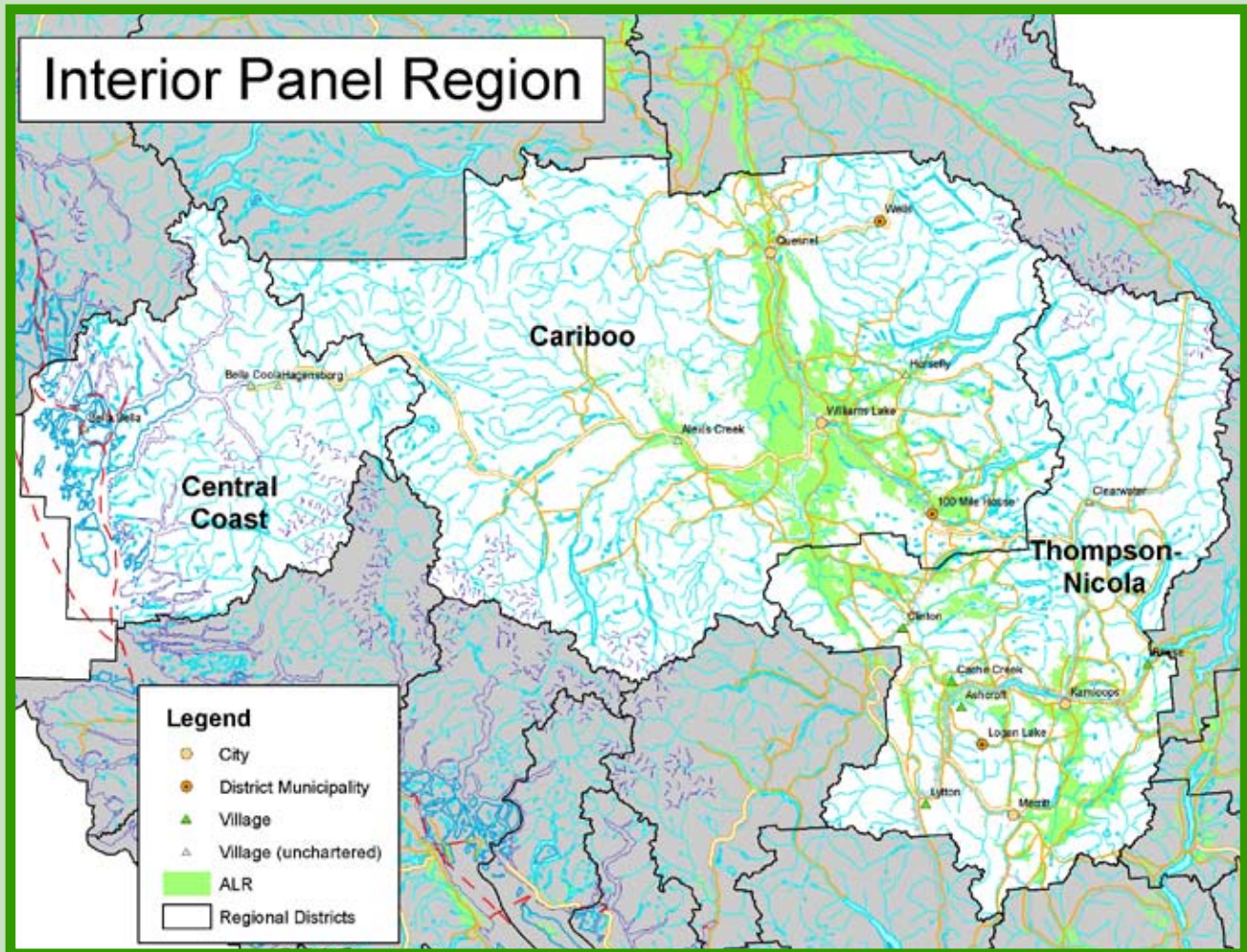
Transportation corridors on scarce valley bottom land may represent a significant loss of the highest capability agricultural land in the region. These lands are also under pressure for recreational uses (golf courses and playing fields), as well as commercial and industrial uses associated with transportation infrastructure.

## PANEL OPERATIONS



# Interior Panel

## MAP OF INTERIOR PANEL REGION



**Area of Panel Region: 16,234,297 hectares**  
**Area in ALR: 1,496,208 hectares**

# Interior Panel

## Number of Applications Received by Type

# OF APPLICATIONS	EXCLUSIONS	INCLUSIONS	NON-FARM USE & SUBDIVISION
67	12	5	50

## PANEL STATISTICS

April 1, 2006 -  
March 31, 2007

## Area Included and Excluded and Agriculture Capability

	REFUSED	APPROVED	AGRICULTURE CAPABILITY OF APPROVED		
			Prime	Mixed	Secondary
Inclusion Area (hectares)	0	197	0	0	197
Exclusion Area (hectares)	202	123	64	47	12

## Plans and Bylaws Reviewed

CATEGORY	AREA	NUMBER
Official Community Plans	Quesnel, North Kamloops	2
Implementing Bylaws	Cariboo Regional District	1
	Thompson-Nicola Regional District	1
<b>TOTAL</b>		<b>4</b>

# Interior Panel

## APPLICATIONS OF INTEREST

The following selected examples illustrate how the Agricultural Land Commission panels responded to proposals to change the ALR boundary or to requests for subdivision or non-farm use of ALR lands. Applications are considered on the merits of each case at hand in the context of the Commission's mandate and take into account an assessment of factors related to agricultural capability and suitability and impact upon the ALR.

### **British Columbia Wilderness Tours Inc. (Tranquille)** **#ZZ-36735**

The application was to exclude from the ALR, 47 ha in Kamloops to build 320 single-family homes, 950 multi-family homes, 20,000 ft<sup>2</sup> of commercial space and to use 46.1 ha in the ALR for a golf course. The former Tranquille Health Care Institution is located on the property which includes approximately 100 abandoned structures.

In its review, the Interior Panel noted that in 1989, approval had been given to the then Ministry of Crown Lands to exclude 32 ha of land that encompassed the health facility and to use 10 ha for recreational use provided the recreational use did not encroach on adjacent agricultural land. The land was never excluded because the required fence and buffer were not established.

In July 2006 the application was refused as proposed. However, in light of the 1989 decision the Panel indicated it was prepared to consider a revised proposal that benefited agriculture by more efficiently configuring agricultural fields and designing the urban uses and infrastructure in such a way as to not intrude on or impact the agricultural area of the property.

Commission staff subsequently worked with the proponent and a revised proposal was reviewed by the Panel February 2007. The revised development proposal was approved as the Panel believed that overall, the suitability of the ALR lands for farm use would be preserved, and in some cases improved, and that the impact of the proposed non-farm uses would be mitigated and contained. The Panel required the development to proceed in phases to ensure the agricultural improvements associated with the project would be substantially completed in phase one. Agricultural improvements include the consolidation of the agricultural area into a single parcel, upgrading the irrigation infrastructure, securing water rights, repairing and constructing fences and vegetative screening, reclamation of debilitated lands associated with the Tranquille facility by removing derelict buildings and soil remediation.

## PLANNING ACTIVITIES / ISSUES OF INTEREST

The following selected example illustrates how the integration and coordination of interests regarding land use planning and resource management require ongoing dialogue and collaboration between local governments and the Agricultural Land Commission.

In 2006/07, the Panel encouraged agricultural development and reclamation of debilitated lands comprising the historic Tranquille site located on Kamloops Lake in the westerly part of the City of Kamloops. In response to an application for housing and a resort in the ALR, the Commission directed development away from high capability lands, required the agricultural development of fallow lands, and reclamation of previously debilitated lands to agricultural uses, resulting in a benefit for agriculture. It is the Commission's view that by working cooperatively with the proponent and the City from a land use planning perspective, agricultural values were addressed.

## APPLICATIONS OF INTEREST

## PLANNING ACTIVITIES / ISSUES OF INTEREST



# Island Panel

Members:  
Lorne Seitz (Vice-Chair),  
David Craven, Donald Rugg

## Message from the Vice-Chair

During the past year, pressure on the Agriculture Land Reserve on Vancouver Island subsided to a degree. The number of applications considered by the Island Panel was down 23% (from 88 to 68) compared to the previous year. While growth continues at a brisk pace on the south east side of the Island, that did not translate into increased pressure on the ALR.

A number of exclusions of land from the ALR were approved in the last year but, in most cases, the land was of relatively poor quality for agriculture. In two instances, the ALR boundary was adjusted to include adjacent lands that were of equal or better quality than the lands excluded. These situations indicate that the mapping of the ALR is not perfect.

Many of the applications considered by the Island Panel in the past year were for subdivision of land. These applications were not for dense housing subdivision but usually would involve dividing a property, frequently not currently farmed, into two or more smaller units, which would remain in the ALR. There are a number of issues that arise with subdivision requests and each application has its own unique set of circumstances. In some instances, topographical characteristics, such as streams, gullies, ridges or roads create significant challenges to farming the property as a single unit. In other cases, subdivision might create two, more viable, farm units, might assist in the intergenerational transfer of the farm operation or might allow for children to become a full participant in a large farming operation. The Commissioners must consider all the factors associated with an application. We have found site visits and discussion with applicants extremely beneficial in reaching a decision.

The Island Panel has noted an increase in the number of subdivision applications where the intent is to plan for estate settlement or to provide a lot for

a child with no obvious agriculture objective. The Commission has not considered these to be sufficient reasons for subdivision. In these cases, the Commissioners revert to consideration of whether there are valid agriculture reasons for dividing the property or whether topographical or other similar characteristics would support subdivision.

The Panel also noted that, generally, local governments are becoming more supportive of agriculture. The Panel reviewed several Official Community Plans over the past year and invariably the OCPs recognized agriculture as an important component of the local community and economy. We had a number of fruitful discussions with local governments throughout the year. These observations suggest that local governments are looking carefully at maximizing the use of lands outside of the ALR before approaching the Panel requesting assistance in addressing some of their growth challenges.

During the past year, there has been an increased media focus on the ALR and the Commission. This increased attention has had a positive benefit in that it has heightened public awareness of the importance of agriculture and the value of the ALR.

However, in several instances, the information presented has not told the complete story. Two examples are illustrative. The first is reference to the amount of land excluded from the ALR on Vancouver Island since 2002, particularly in the Capital Region District (CRD). These references argue that a significant amount of land has been excluded from the ALR. What is usually not mentioned is that during this same period land has been added to the ALR. In all, while just under 1,300 hectares were removed from the ALR the Panel also included approximately 540 hectares into the ALR.

With regard to the area excluded from the ALR it is important to note several significant applica-

Continued on next page...

## PANEL OPERATIONS

*Continued from previous page...*

tions. The federal government required the exclusion of 429 hectares to create the Gulf Islands National Park. The federal government would not take ownership of the land unless all encumbrances on title (including the ALR designation) were removed. Refusal to remove the land from the ALR could have caused the agreement to create the National Park to collapse. An additional 100 hectares were excluded to facilitate the expansions of Royal Roads University, Camosun College and Swartz Bay Ferry Terminal while another 70 hectares involved the exclusion of the land occupied by the terminal and runway of the Campbell River Airport. These applications account for 47 % of all land excluded from the ALR between April 1, 2002 and March 31, 2007.

The second example is a map of the CRD produced by the Sierra Club. It shows the lands excluded from the ALR since it was established in 1974. The lands excluded for the Gulf Islands National Park and Royal Roads are shown with no explanation or analysis. In addition, the maps identify 426 hectares of the ALR occupied by golf courses. What is not stated is that almost all of that land was occupied by the golf courses before the ALR was established. Included in this group are the Victoria and Uplands Golf Courses in Oak Bay and the Royal Colwood Golf Course in Colwood. These courses preceded the establishment of the ALR by up to 100 years. In 1974, most golf courses were placed in the ALR, presumably based on the premise that, if required, they could be

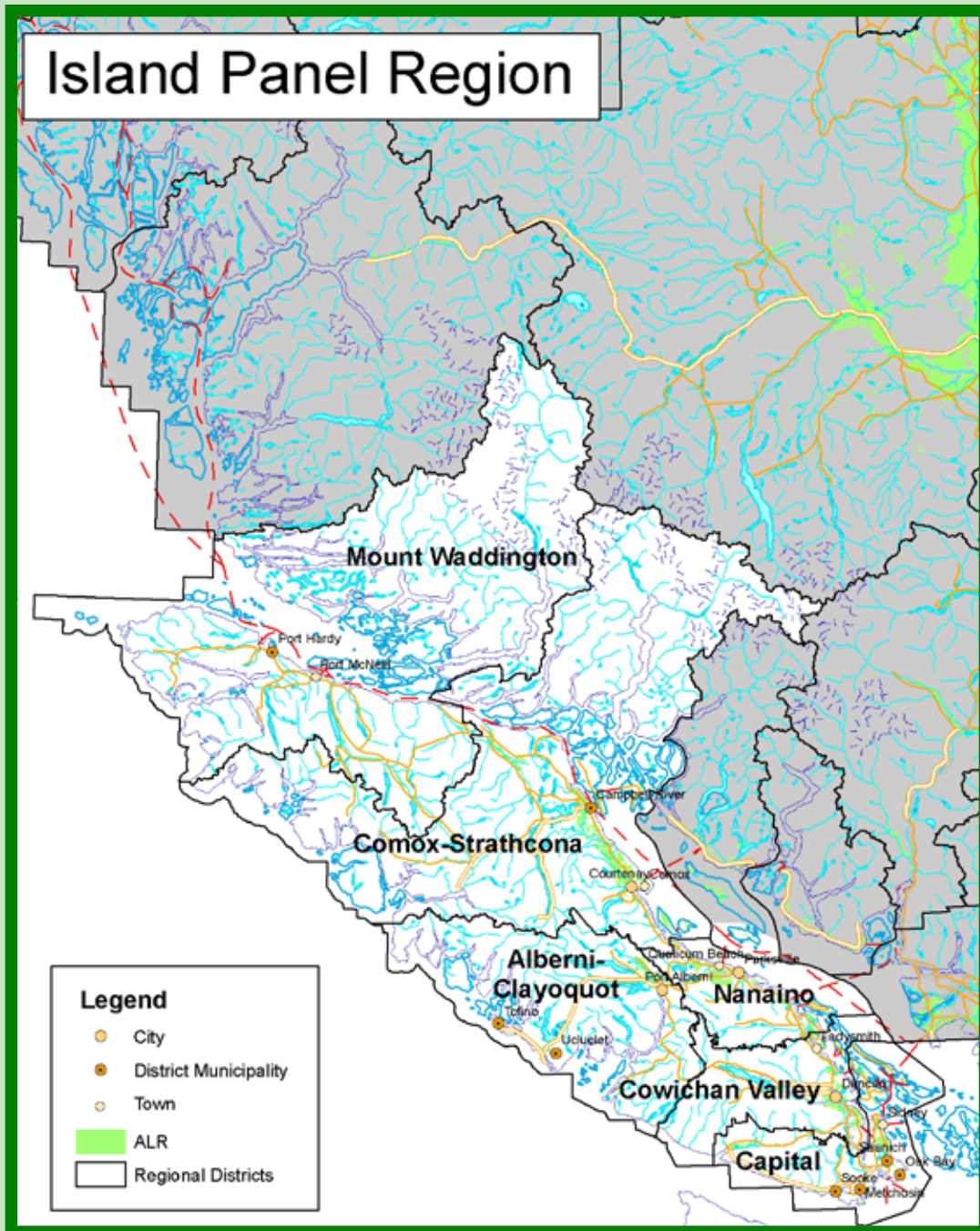
converted to agriculture production. Unfortunately, unless they are familiar with these details, most readers would assume that the lands were made available for golf course development after the ALR was established.

While 2006 was a relatively quiet year on Vancouver Island, the Commission cannot assume that trend will continue. Growth on the south east coast of the Island will continue and pressure on the ALR will increase. Close cooperation between the ALC and local governments will help to channel the growth pressure to non-ALR land within developed areas. To achieve that, local governments will have to increase densities to minimize sprawl.

Nevertheless, there will still be pressure on the ALR, particularly to accommodate the infrastructure needs of growing communities. This might involve new or expanded roads, new regional transit, water and sewer facilities, recreation areas, schools and hospitals. In some instances, it will be difficult for communities to meet these growth challenges without an impact on the ALR. The Commission will, of necessity, be required to work closely with local governments to find solutions that minimize the impact on the ALR and attempt to identify compensating benefits for agriculture in the communities.

# Island Panel

## MAP OF ISLAND PANEL REGION



Area of Panel Region: 7,786,879 hectares

Area in ALR: 102,850 hectares

# Island Panel

**PANEL  
STATISTICS**  
April 1, 2006 -  
March 31, 2007

## Number of Applications Received by Type

# OF APPLICATIONS	EXCLUSIONS	INCLUSIONS	NON-FARM USE & SUBDIVISION
68	11	6	51

## Area Included and Excluded and Agriculture Capability

	REFUSED	APPROVED	AGRICULTURE CAPABILITY OF APPROVED		
			Prime	Mixed	Secondary
Inclusion Area (hectares)	0	75	1	70	4
Exclusion Area (hectares)	40	144	6	98	40

## Plans and Bylaws Reviewed

CATEGORY	AREA	NUMBER
Official Community Plans	Capital Regional District	7
	Regional District of Nanaimo	1
	Islands Trust	4
Implementing Bylaws Zoning, subdivision & other bylaws	Central Saanich Ag. Tourism	1
	Islands Trust	2
Transportation Plans Includes highways & comprehensive transportation plans	Courtenay	1
Boundary Adjustments Changes in local government boundaries	Comox and Courtenay	2
Conservation Covenants	Denman, Morrison Marsh, Wicks	2
<b>TOTAL</b>		<b>20</b>

# Island Panel

## APPLICATIONS OF INTEREST

The following selected example(s) illustrate how the Agricultural Land Commission panels responded to proposals to change the ALR boundary or to requests for subdivision or non-farm use of ALR lands. Applications are considered on the merits of each case at hand in the context of the Commission's mandate and take into account an assessment of factors related to agricultural capability and suitability and impact upon the ALR.

### **Mustard Seed Street Church** **#J-37135**

The application was to construct a 10,000 ft<sup>2</sup> storage shed for agricultural equipment, and food products grown/produced both on and off site. Food products will be distributed to local food banks. The property situated in North Cowichan and known as Hope Farm, was a dairy farm and is now operated by the Mustard Seed Street Church as a non-profit society that also provides training to persons with addictions or other social problems.



The Mustard Seed Church has hired a team of two Professional Agrologists and a planner to develop a farm plan that will form the basis for a 25-year development program for the farm. The plan for the 12 ha farm includes a number of intensive vegetable and fruit production areas along with forage production and a wet area being designated for tree production.

### **Shawnigan Lake School** **#J-36626**

The application was for exclusion of the 12 ha ALR portion of a 103 ha property to accommodate additional school infrastructure including the construction of dormitories.

The Panel met with the applicant in November 2006. The Panel concluded that despite moderate

limitations of agricultural capabilities in some areas and the existing school facilities, the land still had agricultural potential. The Panel held the view that while there is significant non-farm development on the property this has not rendered the land unsuitable for agricultural use.

The panel saw no reason for the proposed expansion of the school to be placed within the ALR. In fulfilling its mandate to preserve agricultural

land, the Panel considered it appropriate to refuse the application preferring that future school expansion be sited on the non-ALR portions of the property.

### **Hayes Forest Services Ltd.**

### **#J-35959**

The application requested exclusion of a 36 ha property to facilitate its subdivision into approximately 30 one hectare lots. The property is located on the perimeter of the ALR northeast of Shawnigan Lake.

The proposal prompted area residents to express concerns about impacts on water quality and potential conflicts with farming activities in the area. A soil capability assessment prepared on behalf of the applicant indicated that the agricultural potential of the property is significantly limited. The panel also noted that the proposed future development was contrary to present zoning and that the regional district recommended that the application be refused.

A site inspection took place in May 2005 and the panel deferred its decision pending receipt of further information from the applicant and a public information meeting to provide interested parties an opportunity to express their views on the proposal. The Panel convened a public infor-

## APPLICATIONS OF INTEREST



# Island Panel

mation meeting in January 2007.

The Panel concluded that for the most part the land had marginal agricultural capability. In agreeing to exclude the majority of the land, the Commission recognized that there was an active farming operation beyond the north east corner of the property on higher capability soils and that this was a concern raised at the public meeting. Therefore, the Panel excluded the property save and except the north east portion so as not to negatively impact the adjacent farm.

## PLANNING ACTIVITIES / ISSUES OF INTEREST

The following selected example illustrates how the integration and coordination of interests regarding land use planning and resource management require ongoing dialogue and collaboration between local governments and the Agricultural Land Commission.

In 2006/07 the Panel had the opportunity to review and provide feedback on a number of community planning and land use bylaw matters. These matters were of interest to the Commission because they were all generally very supportive of farming and the ALR. Most of the planning-related business was focused in and around the Capital Regional District and presented few if any issues that the Commission considered as contrary to the intent and purpose of the *Agricultural Land Commission Act*.

## PLANNING ACTIVITIES/ ISSUES OF INTEREST



# Kootenay Panel

Members:  
Monika Marshall (Vice-Chair),  
Carmen Purdy, D. Grant Griffin

## Message from the Vice-Chair

The Panel experienced continuing pressure on the ALR for resort development during the year, particularly in the East Kootenay area. This pressure and the on-going difficulties being experienced in the ranching sector highlighted two important issues:

- ⊙ The need to identify the key issues affecting the future of agriculture in the region and review the ALR in the light of these issues, and
- ⊙ The importance of working with the regional district and stakeholder groups to develop a new land use strategy for the Columbia Trench that reflects the needs of the agriculture community in light of the pressures from the resort and development sectors.

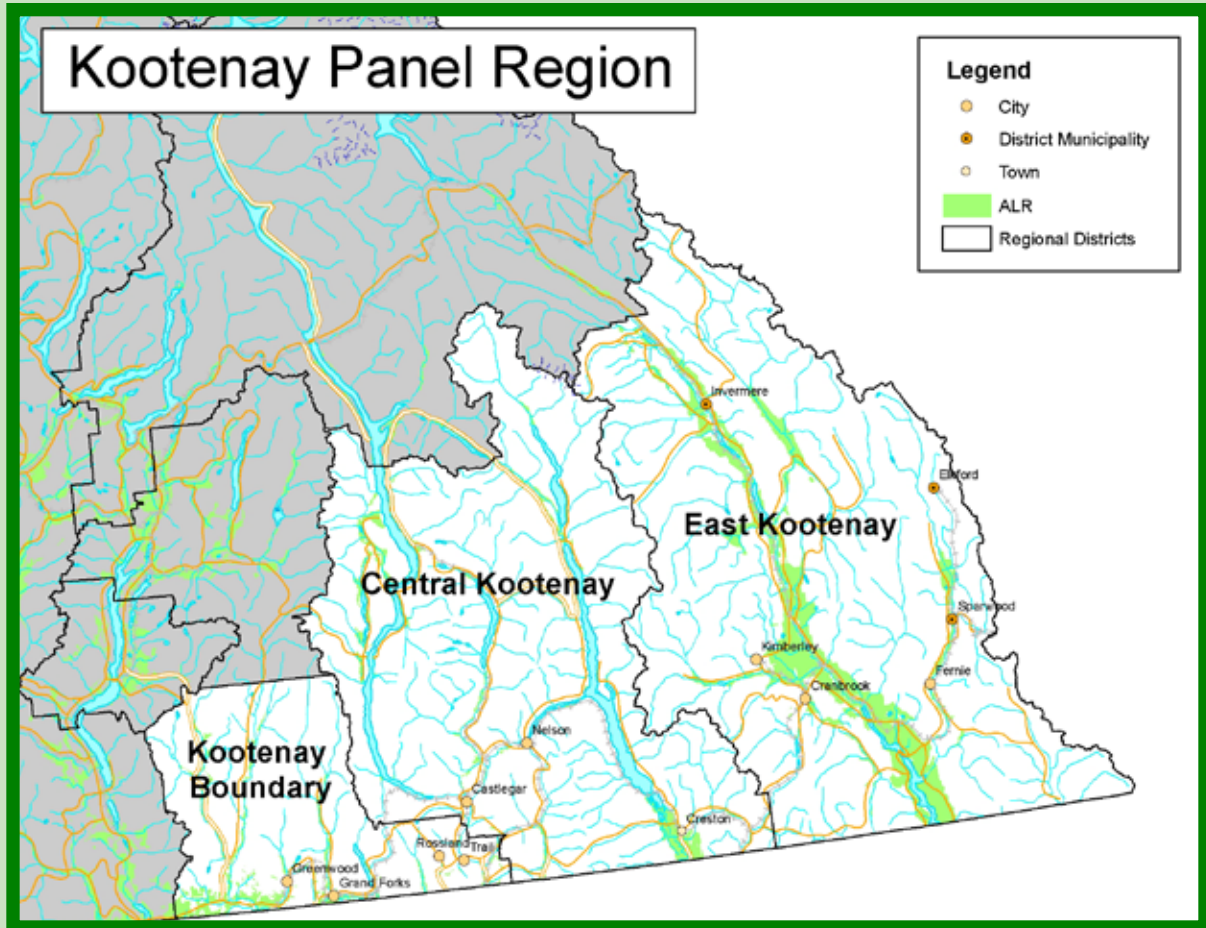
In recent years the Panel has had a growing concern with regard to the number of conservation covenants that propose to significantly restrict agricultural activity. During this past year three such covenants were reviewed by the Panel none of which were approved. Discussions were held during the year with conservation groups to explain that without proper consideration of agricultural values, the registration of conservation covenants can significantly impact the agricultural economy in the Kootenays. While respecting the overall objectives of conservation covenants the Panel does not believe they should be used to eliminate or significantly restrict agriculture. More discussion is needed in this regard.



## PANEL OPERATIONS

# Kootenay Panel

## MAP OF KOOTENAY PANEL REGION



**Area of Panel Region: 6,648,656 hectares**

**Area in ALR : 382,946 hectares**



# Kootenay Panel

## Number of Applications Received by Type

# OF APPLICATIONS	EXCLUSIONS	INCLUSIONS	NON-FARM USE & SUBDIVISION
103	14	1	88

**PANEL  
STATISTICS**  
April 1, 2006 -  
March 31, 2007

## Area Included and Excluded and Agriculture Capability

	REFUSED	APPROVED	AGRICULTURE CAPABILITY OF APPROVED		
			Prime	Mixed	Secondary
Inclusion Area (hectares)	0	1	0	0	1
Exclusion Area (hectares)	5	353	0	259	94

## Plans and Bylaws Reviewed

CATEGORY	AREA	NUMBER
Official Community Plans	Regional District of Kootenay Boundary	1
	Regional District of East Kootenay	3
Implementing Bylaws Zoning, subdivision & other bylaws	Kimberley	1
Utility and Energy Projects Utility & infrastructure corridors	Waneta Expansion Project	1
Boundary Adjustments Changes in local government boundaries	Cranbrook	1
Conservation Covenants	Regional District of East Kootenay	3
<b>TOTAL</b>		<b>10</b>

# Kootenay Panel

## APPLICATIONS OF INTEREST

### APPLICATIONS OF INTEREST

The following selected examples illustrate how the Agricultural Land Commission panels responded to proposals to change the ALR boundary or to requests for subdivision or non-farm use of ALR lands. Applications are considered on the merits of each case at hand in the context of the Commission's mandate and take into account an assessment of factors related to agricultural capability and suitability and impact upon the ALR.

#### **Braund #L-36540**

In September 2006, the Panel considered a proposal on land near Windermere Lake, to develop a private, not for profit, 18-hole golf course facility on a portion of two properties totaling 164 ha.

The Panel toured the property and met with the applicant and agent in June 2006. It was noted the property is an operating ranch. In the Panel's view, the land had agricultural capability and it did not believe that there were external factors that rendered the land unsuitable for agricultural use. The Panel was also concerned that the proposal would negatively impact existing or potential agricultural use of the subject property and surrounding lands in the long term. The application was denied.

#### **Waneta Expansion Power Corporation #Q-36529**

This application was part of the Waneta Hydro-Electric Expansion Project requiring approximately 9.8 km of new transmission line to be constructed to connect the Waneta Dam Expansion Power Plant to the Selkirk substation. The majority of the new transmission line was

to be located on Crown or private land outside of the ALR with the exception of a 1.5 ha area near Castlegar.

The Panel visited the site of the proposed transmission line in May 2006 and found that there are some pasture lands and existing hay fields that have already been impacted by two existing utility corridors in the vicinity. In the Panel's view, this aspect of the proposal, as it affects the ALR, was an essential part of the overall project which was benefiting the region as a whole. The Panel believed that the transmission line within the ALR would not alter or hinder the existing farm activities in the vicinity provided adequate measures were taken to prevent the spread of noxious weeds.

### PLANNING ACTIVITIES / ISSUES OF INTEREST

The following selected example illustrates how the integration and coordination of interests regarding land use planning and resource management require ongoing dialogue and collaboration between local governments and the Agricultural Land Commission.

The Panel has, in recent years, noticed a significant increase in the number of applications coming from the East Kootenay area for resort and residential development within the ALR. This together with the difficulties being experienced by the ranching industry has prompted the Panel to engage the regional district in planning processes that incorporate specific strategies for preserving agricultural land, bring additional agricultural land into production, and which strengthen the regional agricultural economy. The Commission has accordingly added this objective to its service plan for the period 2007/2010.

## PLANNING ACTIVITIES/ ISSUES OF INTEREST



# North Panel

Members:  
Frank Read (Vice-Chair),  
John Kendrew, William Norton

## Message from the Vice-Chair

The Panel was extremely busy during the past year administering an extensive geographic area ranging from Terrace to Valemount (west to east) and Prince George to Fort Nelson (south to north). The Panel administers the largest ALR area in the province, constituting approximately 2.3 million hectares of ALR, about half the provincial total.

The Panel reviewed 123 applications in 2006/07, among the highest of each of the 6 panels. After resolving a number of outstanding issues at a meeting held between the Panel and the Regional District Fraser-Fort George, it was able to endorse the Pineview and Robson Valley Canoe Upstream official community plans bringing the entire Regional District (7 electoral areas) under delegated decision making. The agreement has now been in place for 6 years. An audit of the Regional District's decisions under the agreement was conducted by the Panel during the year which suggests the agreement is working satisfactorily.

In 2006 the Panel conditionally endorsed the South Peace Comprehensive Development Plan (CDP), which laid the groundwork for the expansion of the City of Dawson Creek. The CDP followed the template of Fort St John and Area CDP, which was

adopted in 2003/2004. Dawson Creek is undergoing an oil and gas exploration boom that is stretching its urban fabric. Other planning initiatives in the northeast include the adoption of the Fort Nelson Official Community Plan and the proposed Fort St John Fringe Official Community Plan.

The potential to delegate decision making authority to other regional districts will be explored. Extensive ALR areas and agriculturally supportive OCPs and zoning bylaws in the north may provide further opportunities for delegation.

Subdivision for a family member is an issue, as farmers seek to retain family members on farm properties to facilitate intergenerational transfers of assets and farmland. The Panel continues to take into account biophysical criteria, productive capacity of the land, and conflict potential when its reviews subdivision applications for relatives.

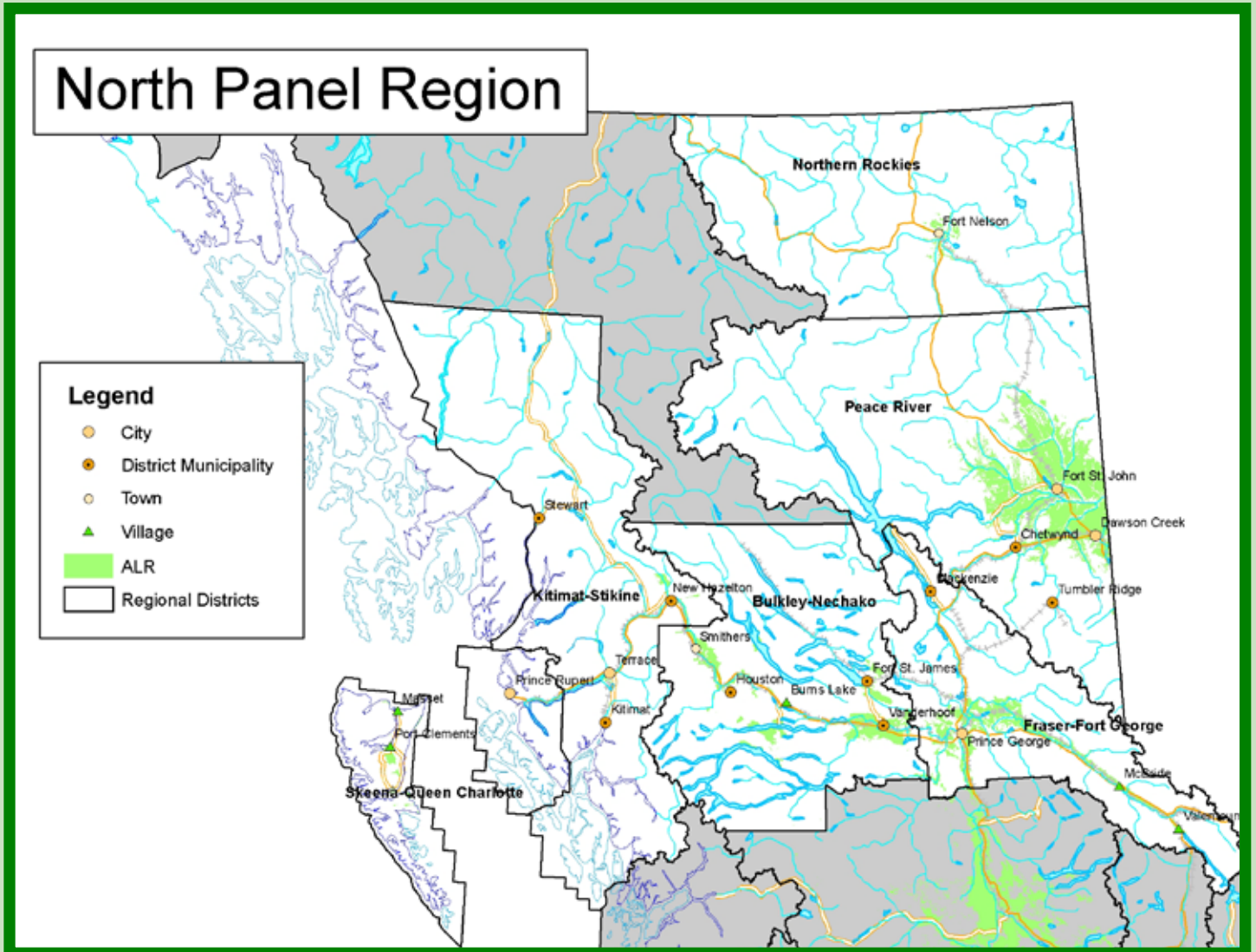
Oil and gas exploration on ALR land remains a source of friction between farmers and exploration and extraction companies. The Panel is working with the Oil and Gas Commission to ensure that agricultural values are protected to the greatest extent possible.

## PANEL OPERATIONS



# North Panel

## MAP OF NORTH PANEL REGION



Area of Panel Region: 58,699,354 hectares  
Area of ALR: 2,380,048 hectares

# North Panel

## Number of Applications Received by Type

# OF APPLICATIONS	EXCLUSIONS	INCLUSIONS	NON-FARM USE & SUBDIVISION
123	14	10	99

## PANEL STATISTICS

April 1, 2006 -  
March 31, 2007

## Area Included and Excluded and Agriculture Capability

	REFUSED	APPROVED	AGRICULTURE CAPABILITY OF APPROVED		
			Prime	Mixed	Secondary
Inclusion Area (hectares)	0	628	152	0	476
Exclusion Area (hectares)	202	157	47	1	109

## Plans and Bylaws Reviewed

CATEGORY	AREA	NUMBER
Official Community Plans	Smithers-Telkwa	1
	Pineview	1
	Robson Valley Canoe Upstream	1
	Fort St. John	1
	Fort Nelson	1
	South Peace	1
Boundary Adjustments Changes in local government boundaries	Dawson Creek	1
<b>TOTAL</b>		<b>7</b>

# North Panel

## APPLICATIONS OF INTEREST

The following selected example illustrates how the Agricultural Land Commission panels responded to proposals to change the ALR boundary or to requests for subdivision or non-farm use of ALR lands. Applications are considered on the merits of each case at hand in the context of the Commission's mandate and take into account an assessment of factors related to agricultural capability and suitability and impact upon the ALR.

### Teed #W-36751

The application was to exclude a 19 ha portion of the 49 ha property from the ALR for light industrial development. If excluded, the area was to be subdivided into approximately four 4.8 ha lots.

The property is part of a large block of land in and around Fort St. John that has been identified through a comprehensive planning and development process for future community development. In 2003, the Panel working with the Peace River Regional District, endorsed certain aspects of the Fort St. John and Area Comprehensive Development Plan (CDP), which provided an identified land supply for future growth in the region over the next 20 years. In light of the CDP, the Regional District and the Panel have been entertaining applications and dealing with them in a manner consistent with the CDP's land use policies, designations and phasing plans.

The Panel found the Teed application to be consistent with the long-term objective of the CDP but it was identified by the Regional District as being

within Phase 3 and therefore not part of current planning objectives. In July 2006, the Panel, following a close review of all of the factors affecting the application, including a meeting with the proponent decided to refuse the application. In making this decision, the Panel noted that it was premature to consider approving the application in light of its endorsement of the CDP and in advance of the substantial completion of Phases 1 and 2.

## PLANNING ACTIVITIES / ISSUES OF INTEREST

The following selected example illustrates how the integration and coordination of interests regarding land use planning and resource management require ongoing dialogue and collaboration between local governments and the Agricultural Land Commission.

In 2006/07, the Panel, the Peace River Regional District and the City of Dawson Creek concluded a collaborative land use planning exercise that addressed the growth pressures experienced by the City. The Commission did not agree with the Regional District's original proposal for the South Peace Comprehensive Development Plan, believing it to be too ambitious, and inconsistent with its mandate. However, following a land use analysis that assessed growth rates and the existing vacant land inventory, the Commission reduced and re-directed the original land use designation proposal by Dawson Creek for ALR land for commercial, industrial and residential development to areas less suitable for agriculture.

## APPLICATIONS OF INTEREST

## PLANNING ACTIVITIES / ISSUES OF INTEREST

# Okanagan Panel

Members:  
Sue Irvine (Vice-Chair),  
Sharon McCoubrey, Sid Sidhu

## Message from the Vice-Chair

Many Okanagan Valley communities are constrained by the ALR. During 2006/07, the Panel has been frequently petitioned by urban communities seeking places to grow. A significant portion of Panel time has been spent meeting and discussing urban growth options with local communities as it relates to the ALR.

Many communities are facing a strong demand for retirement and recreational residences. Also there are specific local pressures on lands for industry and commerce. These lands are deemed essential for Okanagan communities in order to balance and/or enhance the work/resident ratio, and to ensure complete communities with a mix of ages, jobs and services. At the same time, the agricultural sector is seeking affordable land on which to expand. Intense residential development pressures have contributed to the significantly increasing price of farmland rising beyond the means of many farmers.

The Panel has been in discussions within the past year with the Town of Osoyoos, the District of Sicamous, the Town of Oliver and the Regional District of Central Okanagan (re: Westbank) about accommodating urban growth pressures in the ALR. Each community is surrounded by the ALR. The Panel takes the general approach that incremental expansion of urban areas into the ALR cannot be sustained in the long term and encourages local governments to approach these pressures on a regional basis, and to directing urban growth to communities with the capacity to absorb growth. Councils are also encouraged to consider what benefits for agriculture can be achieved through community investment or planning processes.

In general, the Panel has been able to successfully work with communities to achieve a balanced response to urban pressures that respects the purposes of the *Agricultural Land Commission Act*. However,

it continues to caution mayors and councils that it may not accede to urban pressures in some areas, believing that expansion onto farmlands must cease to be an option in the face of current biophysical and cultural realities supporting the necessity to preserve and protect farmlands.

Farmlands are also under pressure from within. The Commission continues to be concerned about the number, scale of residential dwellings allowed on farm properties, and urges local governments to more carefully address the need for additional dwellings for farm help.

Intergenerational transfers of farms to children has also emerged as an issue as the pool of qualified applicants (pre-1972 landowners) for homesite severance shrinks. Farmers who purchased, or inherited their properties after the ALR was established in the mid- to late-1970s are retiring. They want their family members to take over the farm, but find farmland values to be excessive, and subdivision options constrained. The Commission appreciates the need for farmers to address family and financial interests at retirement, but it also believes that the resource cannot be compromised each time a generation passes on the farm to the next. Farm families need to be more creative in their proposals to transfer the farmland resource at retirement.

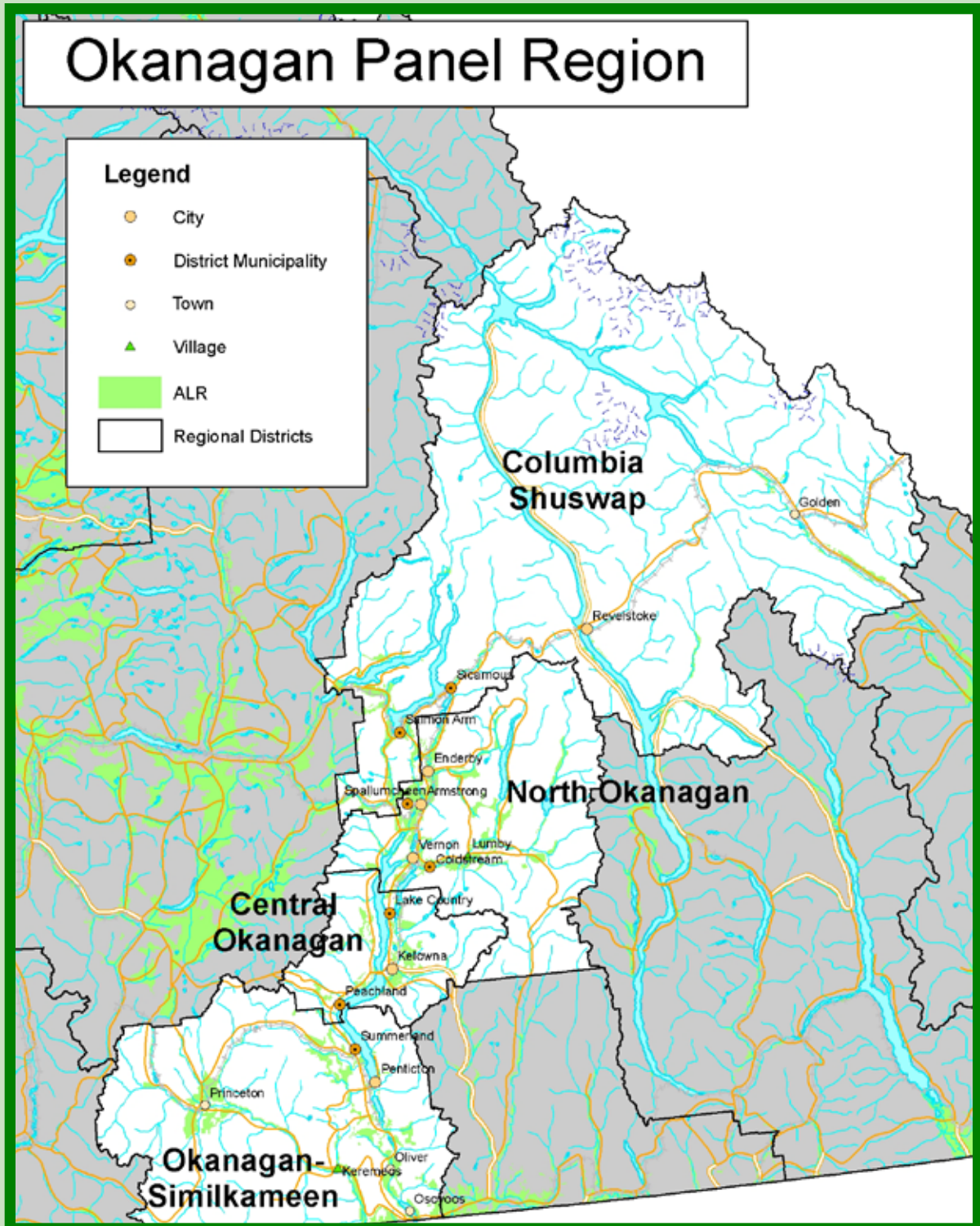
## PANEL OPERATIONS





# Okanagan Panel

## MAP OF OKANAGAN PANEL REGION



Area of Panel Region: 4,408,822 hectares  
Area of ALR: 225,209 hectares

# Okanagan Panel

## Number of Applications Received by Type

# OF APPLICATIONS	EXCLUSIONS	INCLUSIONS	NON-FARM USE & SUBDIVISION
124	19	7	98

**PANEL  
STATISTICS**  
April 1, 2006 -  
March 31, 2007

## Area Included and Excluded and Agriculture Capability

	REFUSED	APPROVED	AGRICULTURE CAPABILITY OF APPROVED		
			Prime	Mixed	Secondary
Inclusion Area (hectares)	1	40	16	1	23
Exclusion Area (hectares)	381	324	16	207	101

## Plans and Bylaws Reviewed

CATEGORY	AREA	NUMBER
Official Community Plans	Osoyoos, Deep Creek, District of Sicamous, Carrs Landing, Lower Glenrosa, Goats Peak, Lakeview Village	7
Regional Growth Strategies	Regional District of Okanagan Similkameen	1
Park & Recreation Plans	South Okanagan National Park	1
Other Land Use Plans	Oliver	1
Conservation Covenants	Spallumcheen, Okanagan Falls, Yellow Lake	2
<b>TOTAL</b>		<b>12</b>



# Okanagan Panel

## APPLICATIONS OF INTEREST

The following selected examples illustrate how the Agricultural Land Commission panels responded to proposals to change the ALR boundary or to requests for subdivision or non-farm use of ALR lands. Applications are considered on the merits of each case at hand in the context of the Commission's mandate and take into account an assessment of factors related to agricultural capability and suitability and impact upon the ALR.

### **Tower Ranch Ltd. #G-22342**

In 1988 the Commission of the day considered an application on land near Kelowna to exclude 181 ha for the purpose of developing a golf course and residential development. At that time the Commission agreed in principle to the use of the land as it held the view that community expansion at Kelowna should avoid lands suitable for tree fruit production. The subject lands were believed to be at an elevation which would not sustain commercial tree fruit production and it was noted that golf courses were an allowed use of ALR lands as per the ALR regulations of the day.

The Commission believed that in order for the development to occur for the intended purpose and in such a way as to limit impact on adjoining ALR lands, mitigation measures such as fencing, buffering, cattle guards, restrictive covenants and farm land sensitive site and density planning and road design should be developed and implemented. As there was no time limit imposed by the Commission, after several years the proponent activated the proposal and carried through with a development plan acceptable to the Commission.

In 2007, the proponent filed the subdivision plans and the Panel finalized the decision which excluded 76 ha comprising the residential component of the Tower Ranch Golf Course development.

### **Subdivision for Relatives**

#### **Several requests throughout the Okanagan Valley**

In 2006/07 the Panel considered a number of requests to subdivide ALR land in order to provide land for family members to build homes. In some cases two homes were in place or there were as many as four or more family members and arguments were made to sever the interests in the land to provide each family a separate title.

The Panel had concerns with many of the proposals and did not grant approval noting that in most cases there would be a negative impact on the long-term agricultural potential of the land. In some cases the application was in keeping with the Commission's Homesite Severance Policy (HSP) and those applications were approved. In many cases the land was acquired by the applicants well after the ALR had been designated and they did not meet the intent of the HSP.

The Panel recognizes the interest in maintaining family units and that population growth in the valley is lending to increases in residential land costs. However, the Panel is very cautious when it comes to responding to subdivision requests as there is a finite supply of suitable land for farming.

### **Township of Spallumcheen T-36892**

In December 2006, a non-farm use application was submitted by the Township of Spallumcheen on behalf of 12 landowners representing 15 unauthorized non-farm uses in the ALR. The application arose from a home occupation "amnesty" program initiated by the Township. Over the years a number of non-conforming home based businesses were developed. These businesses were for the most part inconsistent with the zoning bylaw and unknown to Township staff and Council. At present, the ALR Regulation permits the following in the ALR "a home occupation use, that is accessory to a dwelling, of not more than 100 m2 or

## APPLICATIONS OF INTEREST

# Okanagan Panel

such other area as specified in a local government bylaw: "The purpose of the application was for the Panel to review home based businesses in the ALR that exceed the Township's bylaw standards.

Commission and Township staff worked collaboratively to review the bylaw, the purpose of which was to examine options on how to expand the home occupation footprint and bring many on the non-conforming uses into compliance with a new community standard. An amended bylaw increased the size of the home occupation footprint from the previous standard of 100 m<sup>2</sup> to a maximum of 185 m<sup>2</sup> and permits up to four non-resident employees. Some businesses still exceeded this threshold and as part of the application a proposal was made to place covenants on those lands to require both the Panel's approval and a zoning amendment if expansion was contemplated in the future.

After visiting the sites of the home-based businesses the Panel approved all the existing non-farm uses as requested. The Panel noted that generally the businesses either occupied properties with marginal agricultural capability, or they had little impact on agricultural utility because of their small footprint, or they occupied abandoned farming structures. In agreeing to the application, the Panel emphasized that it did not support the expansion of any of the facilities without the submission of a non-farm use application.

This application was the second of two "batch" applications, the former of which was in 2005 and considered and approved eleven non-conforming home businesses.

## PLANNING ACTIVITIES / ISSUES OF INTEREST

The following selected example illustrates how the integration and coordination of interests regarding land use planning and resource management require ongoing dialogue and collaboration between local governments and the Agricultural Land Commission.

In 2006/07, the Panel worked collaboratively with the Town of Osoyoos, in assessing its community growth and long-term land use requirements through its official community plan review process. The Town has limited growth options due to biophysical constraints (mountains and lake), the U.S. border, ALR boundaries, and provincial Crown lands managed for environmental values. Recent growth rates experienced by the Town suggest that land use pressures may result in the Town soon having lesser access to new lands to accommodate urban expansion. Through consultation and co-operation with the Panel the Town identified new lands for development, and developed a policy framework that more efficiently used existing urban land. The Panel agreed to non-farm use designations in an ALR area which had limited suitability for agriculture due to existing subdivision patterns and biophysical constraints.

## PLANNING ACTIVITIES/ ISSUES OF INTEREST



# South Coast Panel

Members:  
Sylvia Pranger (Vice-Chair),  
Michael Bose, John Tomlinson

## PANEL OPERATIONS

### Message from the Vice-Chair

The South Coast Panel is responsible for the Commission region with the smallest land area but the greatest concentration of agricultural production. Public scrutiny is correspondingly intense, yet one of the greatest threats to farmland in the South Coast region attracts little public scrutiny. Because of the pace of new building in the Lower Mainland (notably the Fraser Valley and Greater Vancouver Regional Districts), vast amounts of soil are excavated and must be taken to disposal sites. Tipping fees are attractive to many landowners, with the result that much of the soil "fill" is spread over prime farmland without any authorization and with potential long-term impacts to the suitability of that land for producing food for our growing population. The South Coast Panel and Commission staff have spent much time with local government staff, who are often frustrated by the fact that fill moves freely across municipal and regional district boundaries. Enforcement is only part of the solution; we must also be proactive in finding places where the deposit of fill can be beneficial, such as in rehabilitation of gravel workings or in providing cover material for sanitary landfills.

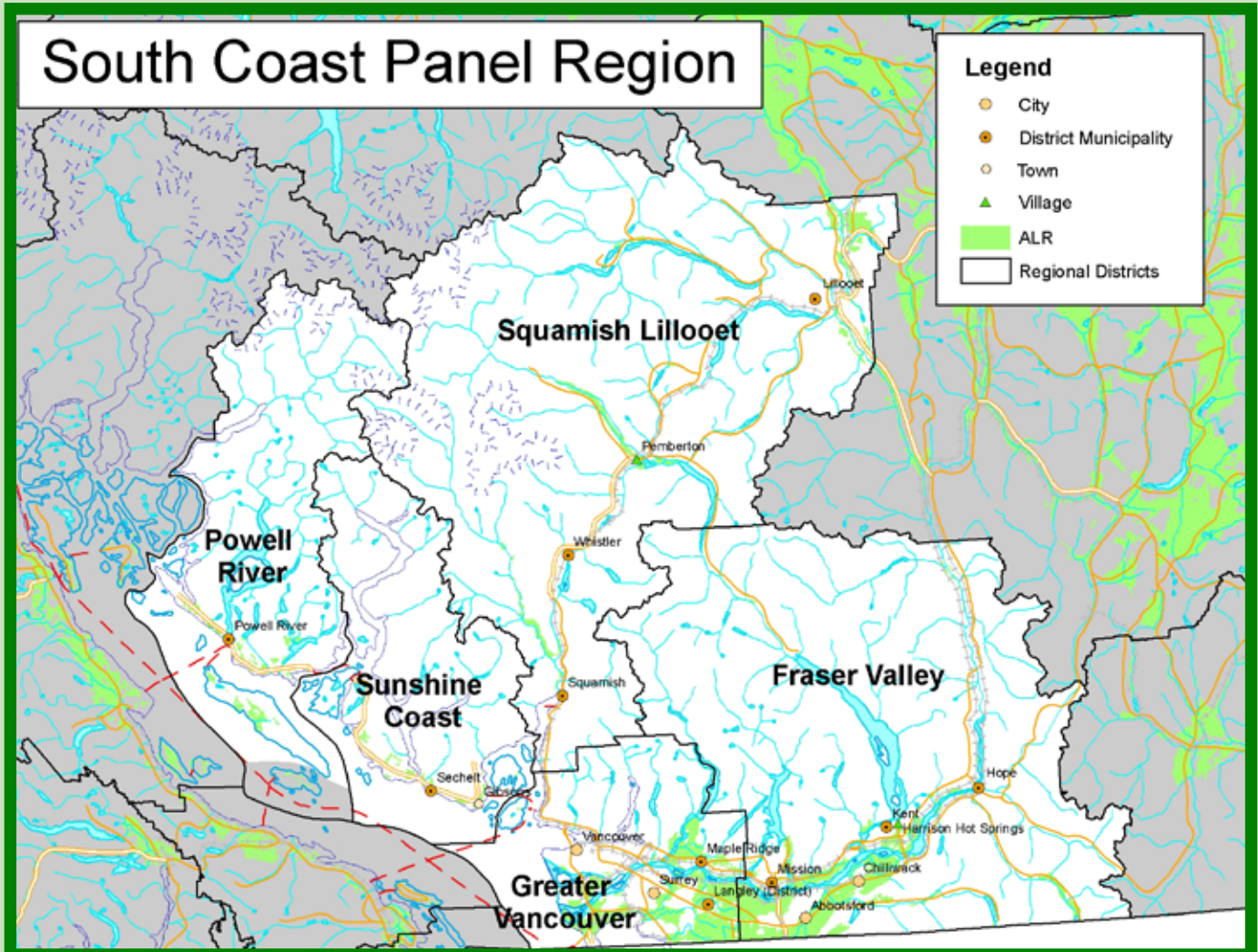
The South Coast region is also experiencing a demand for numerous transportation corridors, some of which must cross farmland. We also deal with a broad list of agencies responsible for transportation planning, including local governments, TransLink, the Provincial "Gateway" Program, the BC Ministry of Transportation, the federal Border Infrastructure Program, and Transport Canada's Roberts Bank Rail Corridor study. Of these, one of the most challenging has been that part of the proposed "South Fraser Perimeter Road" which would pass through farmland in Delta. The Panel has reviewed some preliminary information and Commission staff have had opportunities to raise agricultural issues during the required environmental screening, but the Panel has not yet received a formal application to construct the road through the ALR. The Panel hopes this preliminary work may result in a greater awareness of the issues facing Panel and the ALR.





# South Coast Panel

## MAP OF SOUTH COAST PANEL REGION



Area of Panel Region: 3,591,491 hectares  
Area of ALR: 175,319 hectares

# South Coast Panel

## Number of Applications Received by Type

# OF APPLICATIONS	EXCLUSIONS	INCLUSIONS	NON-FARM USE & SUBDIVISION
118	12	2	104

**PANEL STATISTICS**  
April 1, 2006 -  
March 31, 2007

## Panel Decisions

	REFUSED	APPROVED	AGRICULTURE CAPABILITY OF APPROVED		
			Prime	Mixed	Secondary
Inclusion Area (hectares)	8	1	1	0	0
Exclusion Area (hectares)	630	16	5	5	6

## Plans and Bylaws Reviewed

CATEGORY	AREA	NUMBER
Official Community Plans	Fraser Valley Regional District, Greater Vancouver Regional District, Squamish-Lilloet Regional District, Sunshine Coast Regional District	6
Regional Growth Strategies	Squamish-Lilloet Regional District	1
Implementing Bylaws Zoning, subdivision & other bylaws	Fraser Valley Regional District Sunshine Coast Regional District	1 1
Transportation Plans	Greater Vancouver Regional District	3
Parks & Recreation Plans	Squamish-Lilloet Regional District	1
Conservation Covenants		0
<b>TOTAL</b>		<b>13</b>



# South Coast Panel

## APPLICATIONS OF INTEREST

The following selected examples illustrate how the Agricultural Land Commission panels responded to proposals to change the ALR boundary or to requests for subdivision or non-farm use of ALR lands. Applications are considered on the merits of each case at hand in the context of the Commission's mandate and take into account an assessment of factors related to agricultural capability and suitability and impact upon the ALR.

### **Barnston Island Majority Landowners and Resident's Committee** **#0-35256**

In February 2004 the Barnston Island Majority Land Owners and Resident's Committee (BIMLORC) applied to exclude approximately 441 ha of land from the ALR. Amongst the evidence presented, the applicant argued that there is a need within the Greater Vancouver area for more land to accommodate industrial development.

Following a period of time for assessment, on site viewings and two deferrals of the application, the Panel held a public information meeting on June 19, 2006 to

provide interested parties with the opportunity to express their views as they related to the proposal. Approximately 275 people attended. On July 19, 2006 the Panel denied the application believing the lands have agricultural capability, that the lands are suitable for agricultural use, that the community need argument was not applicable and that the proposal was inconsistent with the objective of the Agricultural Land Commission Act to preserve agricultural land.

### **Canada Lands Company CLC Limited** **#0-36435**

In September 2006, the Panel considered an application from Canada Lands Company CLC Limited to exclude 55.2 ha from the ALR to facilitate development of a trade and exhibition centre, urban residential and mixed-use development, and major City of Richmond park facilities. The application was submitted following an agreement that had been reached between the City of Richmond, the Musqueam Indian Band, Fisheries and Oceans Canada, and Canada Lands Company CLC Limited for the future disposition of the subject lands if the land was removed from the ALR. The Panel understood the interests of Musqueam as well as that the mandate of Canada Lands Company CLC Limited is to optimize the financial and community value



The Panel did not believe the City had conducted the necessary analyses or provided the level of detail that would warrant further consideration of community need. Furthermore, the City asserted that the property was not suitable for agricultural use because it is surrounded by four-lane arterial streets. Contrary to that argument, the Commission believed the existing road network served to enhance agricultural suitability by providing a buffer to adjacent lands.

## APPLICATIONS OF INTEREST

obtained from strategic properties deemed surplus to federal program purposes.

The application advanced an argument for community need, but only for the park/open space and trade and exhibition centre components.



The Panel found that the land was suitable for agricultural use and that it would be inappropriate to consider excluding land with prime agricultural capability from the ALR.

### **Applications to Place Fill on ALR Lands**

During 2006/07 the Panel considered a number of applications for placement of fill as a non-farm use of ALR land. While proposals for placement of fill do occur beyond this Panel region, the pressure to place fill on ALR land in the Lower Fraser Valley is significant due to the vibrant construction sector of the economy in and around BC's largest urban based region. The total volume of fill proposed to be placed on ALR land in 17 applications was approximately 390,000 m<sup>3</sup>. To put this into perspective, this would equate to approximately 65, 000 dump truck loads.

In reviewing fill applications, the Panel has become increasingly concerned about the potential negative impact on the long-term agricultural potential of land. The placement of fill can also have profound impacts on neighbouring lands. For example, fill placed on one property may alter natural drainage patterns resulting in increased water accumulations on adjacent lands. The Panel now seeks to ensure that it has sufficient technical information in order to properly assess an application.

Of the 17 applications considered in 2006/07, the Panel made decisions on 7 proposals of which only 3 were given approval. Ten other applications were

deferred pending the receipt of additional technical reports and details.

### **PLANNING ACTIVITIES / ISSUES OF INTEREST**

The following selected example illustrates how the integration and coordination of interests regarding land use planning and resource management require ongoing dialogue and collaboration between local governments and the Agricultural Land Commission.

In November 2006, the District of Maple Ridge Council adopted an Official Community Plan (OCP), following a thorough review of its needs, including a model review of the role of agriculture in the community. The OCP identifies the need for a commercial and industrial lands strategy, but the OCP specifically defers that study in order that the first item in the comprehensive strategy will be the development of an Agriculture Plan.

Council has established Maple Ridge's first Agricultural Advisory Committee and the Commission along with the Ministry of Agriculture and Lands will be represented and will assist Maple Ridge with its agricultural planning. From early on, the Commission worked collaboratively with Maple Ridge from the point of view of supporting the development of an OCP that considered agricultural interests and the ALR.

## **PLANNING ACTIVITIES/ ISSUES OF INTEREST**

# ALR Statistics Summary

## CUMULATIVE PANEL STATISTICS APR 1, 2006-MAR 31, 2007

### Number of Applications Received by Type

PANEL REGION	INCLUSION	EXCLUSION	SUBDIVISION & NON-FARM USE
Interior	5	12	50
Island	6	11	51
Kootenay	1	14	88
North	10	14	99
Okanagan	7	19	98
South Coast	2	12	104
<b>TOTAL</b>	<b>31</b>	<b>82</b>	<b>490</b>

### Plans and Bylaws By Panel Region

	INTERIOR	ISLAND	KOOTENAY	NORTH	OKANAGAN	SOUTH COAST
Official Community Plans	2	12	4	6	7	6
Regional Growth Strategies					1	1
Implementing Bylaws	2	3	1			2
Transportation Plans		1				3
Parks and Recreation Plans					1	1
Utility and Energy Projects			1			
Boundary Adjustments		2	1	1		
Other Land Use Plans					1	
Conservation Covenants		2	3		2	
<b>TOTAL</b>	<b>4</b>	<b>20</b>	<b>10</b>	<b>7</b>	<b>12</b>	<b>13</b>





# ALR Statistics Summary

## Area Included and Excluded and Net Change (Hectares)

PANEL REGION	INCLUSION		EXCLUSION		NET CHANGE
	Approved	Refused	Approved	Refused	
Interior	197	0	123	202	+74
Island	75	0	144	40	-69
Kootenay	1	0	353	5	-352
North	628	0	157	202	+471
Okanagan	40	1	324	381	-284
South Coast	1	8	16	630	-15
<b>TOTAL</b>	<b>942</b>	<b>9</b>	<b>1,117</b>	<b>1,460</b>	<b>-175</b>

## Agriculture Capability of Area Included (Hectares)

PANEL REGION	AREA INCLUDED	AGRICULTURE CAPABILITY		
		Prime	Mixed	Secondary
Interior	197	0	0	197
Island	75	1	70	4
Kootenay	1	0	0	1
North	628	152	0	476
Okanagan	40	16	1	23
South Coast	1	1	0	0
<b>TOTAL</b>	<b>942</b>	<b>170</b>	<b>71</b>	<b>701</b>

## Agriculture Capability of Area Excluded (Hectares)

PANEL REGION	AREA EXCLUDED	AGRICULTURE CAPABILITY		
		Prime	Mixed	Secondary
Interior	123	64	47	12
Island	144	6	98	40
Kootenay	353	0	259	94
North	157	47	1	109
Okanagan	324	16	207	101
South Coast	16	5	5	6
<b>TOTAL</b>	<b>1,117</b>	<b>138</b>	<b>617</b>	<b>362</b>



# ALR Statistics Summary

**TABLE 1. AREA INCLUDED AND EXCLUDED FROM THE ALR, BY YEAR**

ALR Area at Designation: 4,716,516 Hectares

TYPE	INCLUSIONS		EXCLUSIONS		TOTAL INCLUSIONS	TOTAL EXCLUSIONS	NET FIGURE	ALR AREA at Year End
	Gov't	Land Owner	Gov't	Land Owner			Gain/Loss	
1974	0	0	240	379	0	619	-619	4,715,897
1975	26	2,535	1,832	1,366	2,561	3,198	-637	4,715,259
1976	479	38	1,377	981	517	2,358	-1,841	4,713,418
1977	4,207	93	16,271	2,653	4,300	18,925	-14,625	4,698,793
1978	18,950	191	8,544	1,992	19,141	10,537	8,604	4,707,398
1979	2,936	315	7,258	2,495	3,252	9,753	-6,502	4,700,896
1980	125	117	4,363	1,768	242	6,132	-5,889	4,695,007
1981	1,008	267	12,976	3,491	1,275	16,467	-15,192	4,679,815
1982	3,555	79	3,834	2,378	3,634	6,212	-2,578	4,677,237
1983	148	6,085	2,933	1,311	6,233	4,244	1,989	4,679,226
1984	425	7,120	2,387	2,660	7,545	5,047	2,498	4,681,724
1985	2,875	16,566	8,225	1,003	19,440	9,227	10,213	4,691,937
1986	1,648	159	3,158	1,505	1,807	4,663	-2,856	4,689,081
1987	1,400	3,751	2,160	709	5,152	2,868	2,283	4,691,364
1988	0	6,714	712	526	6,714	1,238	5,476	4,696,840
1989	0	947	274	906	947	1,180	-233	4,696,607
1990	806	9,996	1,062	1,133	10,802	2,195	8,607	4,705,214
1991	768	0	1,432	643	768	2,075	-1,306	4,703,908
1992	0	3	42	1,039	3	1,081	-1,078	4,702,830
1993	37	5,806	14	809	5,843	823	5,020	4,707,850
1994	86	2,791	1,015	628	2,877	1,642	1,235	4,709,085
1995	0	1,095	373	798	1,095	1,171	-75	4,709,010
1996	23	1,845	1,168	406	1,868	1,574	294	4,709,304
1997	24	846	4,534	718	869	5,252	-4,383	4,704,922
1998	97	581	2,298	649	678	2,947	-2,269	4,702,652
1999	974	987	1,324	541	1,961	1,864	97	4,702,749
2000	21,801	1,418	5,150	647	23,219	5,797	17,422	4,720,172
2001	0	973	73	480	973	553	420	4,720,592
2002	0	41,792	42	1,918	41,792	1,960	39,832	4,760,423
2003	0	428	11	735	428	746	-318	4,760,105
2004	0	1,559	228	1,269	1,559	1,497	62	4,760,167
2005	0	1,670	873	1,334	1,670	2,207	-537	4,759,630
2006	0	977	3	743	977	746	231	4,759,861
1st Q 2007	0	284	0	477	284	477	-193	4,759,668
<b>TOTAL</b>	<b>62,397</b>	<b>118,027</b>	<b>96,184</b>	<b>41,087</b>	<b>180,424</b>	<b>137,271</b>	<b>43,152</b>	<b>4,759,669</b>

NOTES: All figures are cumulative and rounded off. Since figures are rounded off, totals may not be exact.

# ALR Statistics Summary

**TABLE 2. AREA INCLUDED AND EXCLUDED FROM THE ALR, BY REGIONAL DISTRICT**  
for the period from 1974 to March 31, 2007

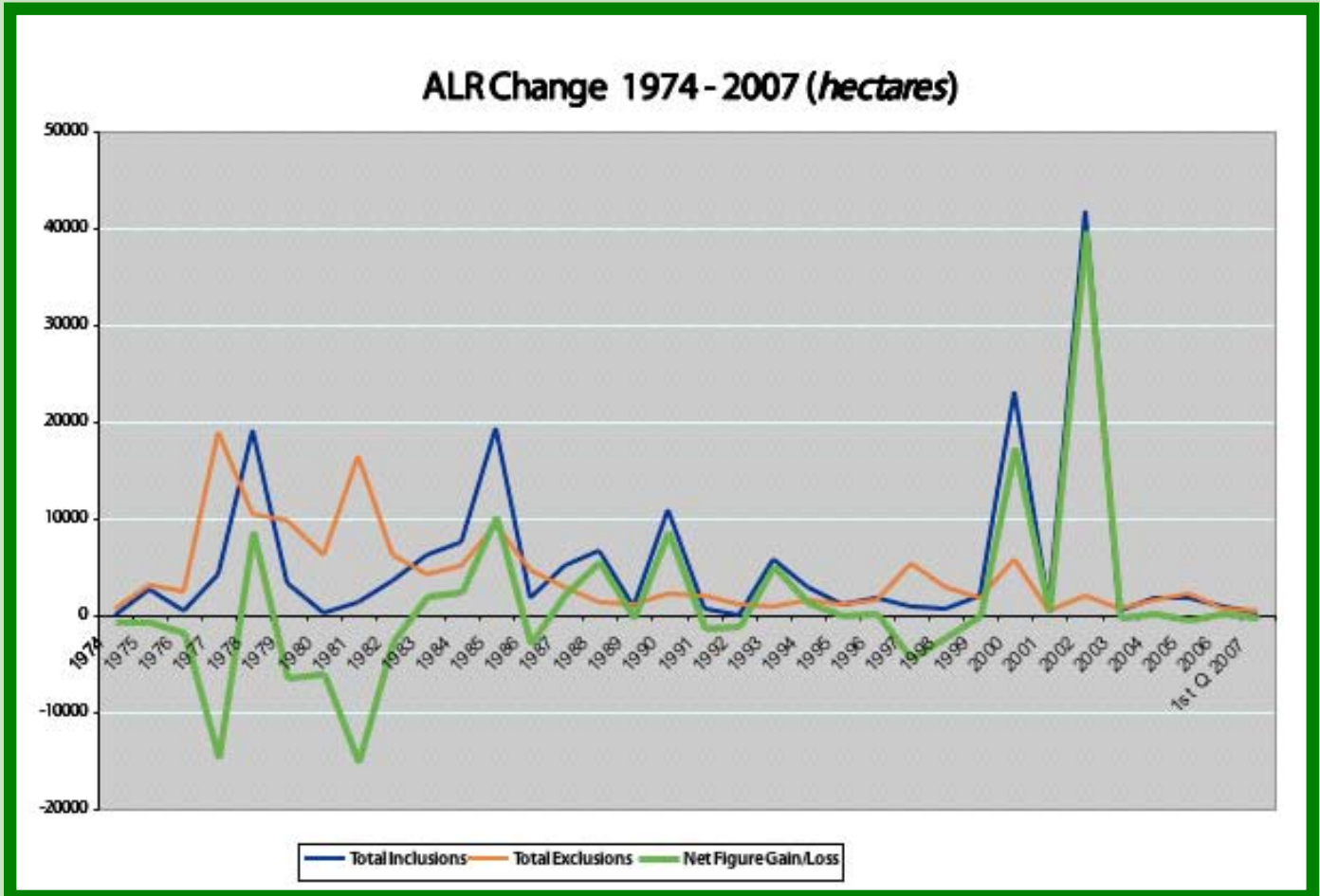
REGIONAL DISTRICT	AREA AT DESIGNATION	INCLUSIONS	EXCLUSIONS BY APPLICATION		TOTAL EXCLUSIONS	AREA AS OF YEAR END 2006
			GOV'T	PRIVATE		
Alberni Clayoquot	7,935	805	958	84	1,041	7,699
Bulkley Nechako	297,611	70,484	1,710	462	2,172	365,923
Capital	19,595	268	664	2,136	2,800	17,063
Cariboo	925,506	18,384	14,326	4,059	18,385	925,505
Central Coast	4,453	53	0	65	65	4,442
Central Kootenay	71,539	799	7,315	1,044	8,359	63,979
Central Okanagan	33,077	210	4,513	2,690	7,203	26,084
Columbia Shuswap	67,409	1,364	15,448	2,434	17,882	50,892
Comox Strathcona	43,725	4,778	6,544	1,649	8,192	40,310
Cowichan Valley	21,984	361	3,628	1,048	4,676	17,669
East Kootenay	272,510	297	803	6,430	7,233	265,574
Fraser Fort George	349,636	42,395	9,981	1,582	11,563	380,468
Fraser Valley	76,803	415	3,837	1,500	5,336	71,882
Greater Vancouver	66,839	227	3,743	2,402	6,145	60,921
Kitimat Stikine	64,170	3,146	456	381	838	66,478
Kootenay Boundary	55,061	291	1,124	837	1,961	53,391
Mount Waddington	1,741	17	0	120	120	1,638
Nanaimo	21,053	1,879	3,119	1,340	4,459	18,472
North Okanagan	70,283	1,533	4,683	1,234	5,917	65,899
Northern Rockies	45,554	603	389	195	584	45,573
Okanagan Similkameen	86,478	2,165	1,934	3,373	5,308	83,335
Peace River	1,453,434	26,628	212	2,153	2,365	1,477,697
Powell River	14,130	502	4,925	161	5,086	9,546
Skeena-Queen Charlotte	43,887	80	20	167	187	43,780
Squamish Lillooet	27,126	939	2,632	286	2,917	25,147
Sunshine Coast	6,275	17	1,824	422	2,247	4,046
Thompson Nicola	568,705	1,789	1,396	2,836	4,232	566,261
<b>TOTAL</b>	<b>4,716,516</b>	<b>180,424</b>	<b>96,184</b>	<b>41,087</b>	<b>137,271</b>	<b>4,759,669</b>

**NOTES:**

\* all figures are cumulative and rounded off.

The areas of ALR for FVRD and GVRD have been adjusted to reflect the changes in jurisdictional boundaries involving Central Fraser Valley, Dewdney Alouette, the original Greater Vancouver and Fraser Cheam RD's. FVRD and GVRD did not exist in their current form at the time of ALR designation. Figures for these RD's are estimates of ALR area at designation using GIS and ALR application database information.

# ALR Statistics Summary





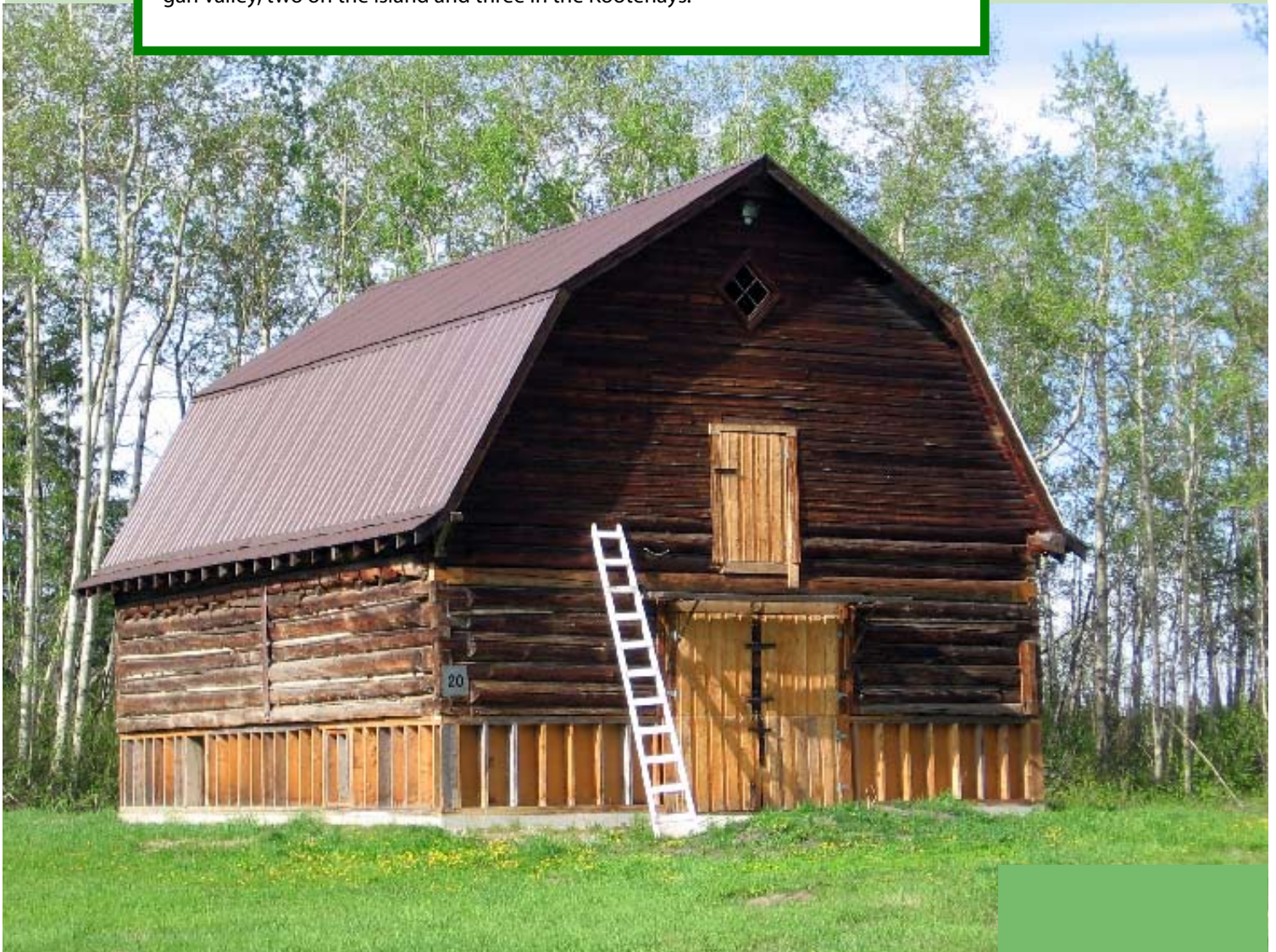
# Strategic Planning & Policy

## CONSERVATION COVENANTS

**Conservation covenants** are usually the result of an agreement between a non-governmental organization and a landowner in order to preserve an environmental value. On occasion these covenants involve land in the ALR.

A covenant that would prohibit the use of land in the ALR for farm purposes cannot be registered at the Land Title Office unless approved by the Commission.

The Commission reviewed seven covenants in 2006/07. Two were within the Okanagan valley, two on the Island and three in the Kootenays.





# Strategic Planning and Policy

**Delegation is** the authorization by the Commission to a local government or other authority to act on its behalf to make use and subdivision decisions in the ALR under section 26 of the *Agricultural Land Commission Act*.

## Delegation Agreements In Place:

### 1. Fraser Fort George Regional District

- ⊙ Covers seven Electoral Areas which have Official Community Plans (OCP) that were reviewed and approved by the Commission. The original agreement has been in place since January 2001 and subsequently amended as new OCPs are approved by the North Panel.
- ⊙ During the year the North Panel reviewed decisions made by the Regional District in terms of the delegation agreement. Between January 2001 and March 31, 2007, the Regional District made 34 decisions for subdivision or non-farm use involving land in the ALR. In the 2006/07 the Regional District made 10 decisions under the delegated decision-making authority.
- ⊙ While the North Panel generally concurred with the majority of the decisions made by the Regional District, it identified a small number of issues that it wished to discuss with the Regional District. These issues included subdivision in the areas surrounding Prince George referred to in the OCPs as the Prince George Fringe area and decisions made in terms of Section 946 of the *Local Government*

*Act*.

### 2. Regional District of East Kootenay

- ⊙ Wasa-Ta Ta Creek-Skookumchuk-Sheep Creek area Land Use Bylaw. Agreement in place since 2003 and renewed on November 1, 2006 for an indefinite term.
- ⊙ Since the agreement came into effect, three decisions have been made by the Regional District for subdivision or non-farm use, all of which have been made within the 2006/07 fiscal year.

### 3. Oil and Gas Commission

- ⊙ The delegation agreement with the Oil and Gas Commission (OGC) has been in place since April 2004. The agreement delegates decision-making ability regarding specified oil and gas related proposals within the Peace River and Northern Rockies Regional Districts.
- ⊙ In 2006/07 a total of 839 oil and gas activities on ALR lands were exempted from making an application based on reporting and reclamation conditions. The OGC received 39 Schedule "B" post reclamation reports where ALR lands were no longer needed for oil and gas use. The OGC Deputy Commissioner approved six applications and referred four applications to the North Panel for decision. Seventeen complaints were received by the OGC regarding oil and gas activities on ALR land and two investigations took place.

## DELEGATION OF DECISION-MAKING To Local Governments and Other Authorities

# Strategic Planning and Policy

## EMERGING ISSUES Establishing Larger Panels

### ESTABLISHING LARGER PANELS

**During the** past year the Commission has explored the concept of establishing Inter-Regional Panels in certain instances. The establishment of such a Panel would be application or issue specific and may involve:

- ⊙ An application or issue that straddles Panel boundaries
- ⊙ An application or issue of a substantive nature either in terms of size or having the potential to impact decision-making in two or more Panel regions
- ⊙ A substantive planning review
- ⊙ An application or issue that is potentially precedent setting
- ⊙ An application or issue of provincial significance
- ⊙ A situation where a Panel may benefit from the input of other Commissioners having experience or expertise as it relates to an application or issue

The process for establishing a larger Panel is still in the developmental stages and will only be considered where there are unique and specific circumstances. Conceptually, the process for establishing a larger Panel would involve the preparation of a staff report as it relates to the proposal, review of the report by the ALC Chair and the Vice-Chair of the Panel, followed by a decision of the Chair on whether to establish a larger Panel consisting of the Panel in which the application or issue arose and additional Commissioners as deemed necessary.

# Strategic Planning and Policy

## SUBDIVISION APPLICATIONS

**Over the course** of the year the consideration of subdivision applications formed a large part of the workload in each Panel Region. Subdivision proposals are based on a wide variety of reasons such as family estate settlements, real estate development, providing family members with properties, inter-generational farm transfers and financing to name a few.

When it comes to considering individual applications, Commissioners are faced with making decisions based on the evidence before them as provided by the applicant(s), local government, staff and their own observations following site inspections.

An example of a potentially positive subdivision from an agricultural perspective may involve the creation of a small lot for a family member on non-productive ground to ensure the family member continues to have an active role in farming the parent parcel or if the subdivision facilitates the inter-generational transfer of a farm. However, these considerations are a small part of the comprehensive review. The Commissioners must also take into consideration many other fac-

tors such as existing parcel size, prior subdivision and non-farm use approvals, agricultural quality and suitability of the land, potential impact on adjacent and nearby farm operations, regional influences, etc.

Where a subdivision is proposed to create a non-farm, rural residential parcel(s), even if the parcel is intended for a family member, it often carries unacceptable consequences to agriculture. A subdivision may lead to developments that would not only remove land from production, but would also introduce an element of risk for farm operators by potentially compromising the continued use of established farm management practices. For example, the use of bird cannons by berry farmers is an ongoing source of irritation to nearby residential areas and calls are routinely made to local governments seeking the discontinuation of this farm management practice.

As members of an administrative tribunal, the Commissioners must consider each application on its own merits and in the context of the objectives of the *Agricultural Land Commission Act* – namely is the subdivision in aid of agriculture or will agricultural potential be diminished.

## EMERGING ISSUES: Subdivision Applications

# Mapping / GIS

## ALR MAPS

The Commission maintains the official maps of the ALR which are indexed by Regional District.

At present, two different methods are used to produce ALR maps, depending on the Regional District. Under the Commission's original mapping system, base maps show the location of the ALR boundaries at a map scale of 1:50,000 or larger. Constituent maps (where available) show the ALR boundaries in greater detail, generally at a scale of 1:10,000. For nine Regional Districts, this mapping system is still maintained manually.

For the rest of the Regional Districts, digital GIS (Geographic Information Systems) data is used to produce the official ALR maps. Maps are at 1:20,000 scale. They are referenced to provincial standard TRIM digital data.

The Commission is currently converting to digital ALR maps for all Regional Districts. Refer to the Commission's web site ([www.alc.gov.bc.ca/mapping/status](http://www.alc.gov.bc.ca/mapping/status)) for the current status of ALR mapping by Regional District.

Refer to the Commission's web site ([www.alc.gov.bc.ca/mapping/obtaining\\_maps.htm](http://www.alc.gov.bc.ca/mapping/obtaining_maps.htm)) for details on how to order maps. Digital ALR maps can also be viewed online.

## REGIONAL DISTRICTS MAINTAINED IN TRIM-BASED, 1:20,000 MAPS

<b>Alberni-Clayoquot</b> TRIM-based ALR maps: 5	<b>Fraser-Fort George</b> TRIM-based ALR maps: 94
<b>Bulkley-Nechako</b> TRIM-based ALR maps: 114	<b>Mount Waddington</b> TRIM-based ALR maps: 6
<b>Capital</b> TRIM-based ALR maps: 21	<b>Nanaimo</b> TRIM-based ALR maps: 11
<b>Cariboo</b> TRIM-based ALR maps: 249	<b>Northern Rockies</b> TRIM-based ALR maps: 24
<b>Central Coast</b> TRIM-based ALR maps: 7	<b>Peace River</b> TRIM-based ALR maps: 220
<b>Central Kootenay</b> TRIM-based ALR maps: 63	<b>Powell River</b> TRIM-based ALR maps: 14
<b>Comox-Strathcona</b> TRIM-based ALR maps: 25	<b>Skeena-Queen Charlotte</b> TRIM-based ALR maps: 30
<b>Cowichan Valley</b> TRIM-based ALR maps: 13	<b>Squamish-Lillooet</b> TRIM-based ALR maps: 30
<b>Kitimat-Stikine</b> TRIM-based ALR maps: 62	<b>Thompson-Nicola</b> TRIM-based ALR maps: 180

## REGIONAL DISTRICTS MAINTAINED IN 1:50,000 BASE MAPS AND CONSTITUENT MAPS:

<b>Central Okanagan</b> ALR Base maps: 5 Constituent maps: 33	<b>Kootenay-Boundary</b> ALR Base maps: 9 Constituent maps: 25
<b>Columbia Shuswap</b> ALR Base maps: 22 Constituent maps: 39	<b>North Okanagan</b> ALR Base maps: 11 Constituent maps: 41
<b>East Kootenay</b> ALR Base maps: 17 Constituent maps: 15	<b>Okanagan-Similkameen</b> ALR Base maps: 18 Constituent maps: 44
<b>Fraser Valley</b> ALR Base maps: 10 Constituent maps: 43	<b>Sunshine Coast</b> ALR Base maps: 3 Constituent maps: 1
<b>Greater Vancouver</b> ALR Base maps: 5 Constituent maps: 47	

## GIS DATA

The ALR boundaries for the province have been digitized into GIS (Geographic Information Systems) format, rectifying the existing ALR boundaries to provincial standard geo-referenced digital data:

- ⊙ TRIM for planimetric base features such as water bodies, roads, etc; and
- ⊙ Crown Land Registry Services parcel-based data, Cadastral Data Management System (CDMS) or large scale cadastral from the Integrated Cadastral Information Society (ICIS).

Each ALR boundary segment carries attributes to describe what the boundary aligns with. This includes the type of feature the boundary follows (e.g. property boundary, river) and the data source that feature was captured from. The digital ALR layer is not aligned to the most current property boundary data in some areas. If there is any doubt as to the location of a property relative to the ALR, consult the official ALR map.

Some of the GIS data is provisional and is not considered the official representation of the ALR boundary. See Status of ALR Mapping for a list of areas which still have their official ALR maps pro-

duced manually, and which have them produced by GIS.

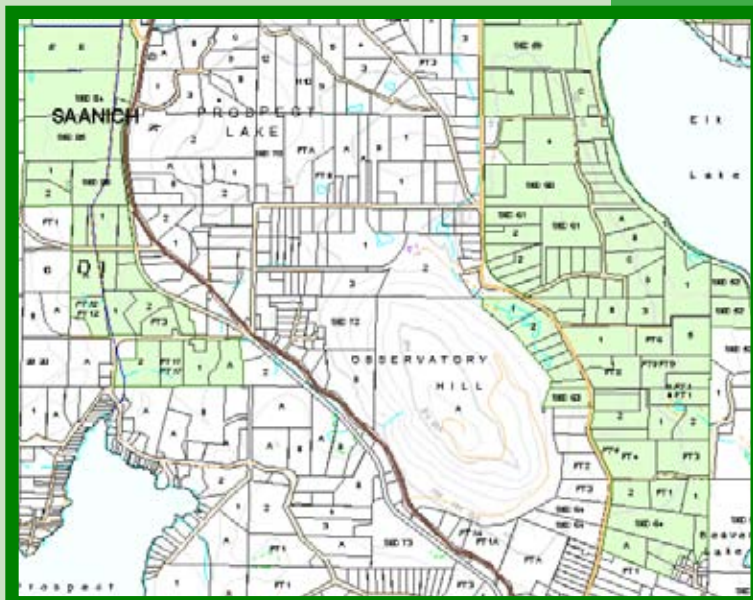
If you have GIS capability you can download a shapefile of the ALR boundary from the following site:

<ftp://slkftp.env.gov.bc.ca/alc/outgoing>

Conversion of the ALR boundaries to GIS format has created a better tool to calculate the ALR area. The initial calculation of the ALR area at designation was done from maps at the 1:50,000 scale using the dot matrix and planimeter methods. There are a couple of factors that may have affected the accuracy of calculating the ALR using these methods. Firstly, the thickness of the ALR line on the maps may have obscured dots that fell on the boundary. Secondly, no provision was made to exclude water bodies (lakes and rivers) if they fell within an ALR boundary. The margin of error for these methods is unknown.

While the Commission has not adopted the GIS data method of reporting the ALR area, it intends to do so in the near future.

## GIS DATA





# 2006/07 Financial Report

DESCRIPTION	2006/07	2006/07
	BUDGET	ACTUAL
SALARIES	\$1,165,000	\$1,075,600
BENEFITS	\$301,000	\$264,800
COMMISSION	\$240,000	\$301,500
STAFF TRAVEL	\$70,000	\$68,300
BUILDING OCCUPANCY	\$170,000	\$165,200
PROF SERVICES CONTRACTS	\$30,000	\$8,800
LEGAL CONTRACTS	\$25,000	\$22,000
INFO SYSTEMS	\$40,000	\$55,300
OFFICE SUPPLIES & BUSINESS EXPENSES	\$40,000	\$44,500
STAT ADVERTISING	\$15,000	\$6,200
UTILITIES & MATERIALS	\$1,000	\$200
VEHICLES	\$10,000	\$10,700
AMMORTIZATION	\$1,000	\$1,100
OTHER EXPENSES	0	\$1000
FTEs	22	19.67
<b>TOTAL BUDGET</b>	<b>\$2,108,000</b>	<b>\$2,025,200</b>

