



**PROVINCIAL AGRICULTURAL
LAND COMMISSION**

Annual Report 2022 – 2023



Territorial Acknowledgement

The ALC gratefully and respectfully acknowledges our work spans across the ancestral territories of the 198 First Nations, as well as 38 Chartered Communities of the Métis Nation of BC.

We recognize that the historic relationship between Indigenous peoples and the land continues today, and respect the diverse teachings, traditions and practices within these territories.

This document was published on the ancestral territory of the Coast Salish peoples including the territories of the xʷməθkʷəyəm (Musqueam), Skwxwú7mesh (Squamish), and Səlílwətaʔ (Tsleil-Waututh) Coast Salish peoples.





Honourable Pam Alexis,
Minister of Agriculture and Food
Parliament Buildings,
Victoria, BC V8V 1X4

Dear Minister:

I respectfully submit the Annual Report for the Provincial Agricultural Land Commission for the period April 1, 2022, to March 31, 2023. This report has been prepared in accordance with section 59.2 of the Administrative Tribunals Act and section 28 of the Agricultural Land Reserve General Regulation.

Yours truly,

Jennifer Dyson, Chair
PROVINCIAL AGRICULTURAL LAND COMMISSION

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Message From the Chair Jennifer Dyson

On behalf of the Board and staff, I present the 2022-2023 Annual Report of the Agricultural Land Commission (ALC). It is my privilege to work with this team and serve the province as Chair of the ALC, and in this our 50th year, I am heartened by the outreach from so many incredible people wanting to help celebrate and share the incredible story of farmland preservation in BC. To learn more, please visit our website [50 Years of the Provincial Agricultural Land Commission — Provincial Agricultural Land Commission \(gov.bc.ca\)](https://www.gov.bc.ca/alclc/).

When we talk about the business of agriculture, our farms, and ranches, we focus on adaption and the work being undertaken to improve efficiencies and resilience. Together we have experienced a global pandemic, disrupted supply chains and

empty store shelves. Extreme climate events have exposed our vulnerability to mother nature, tested our transportation systems, and increased input costs and food prices. Did we predict this? Perhaps 50 years ago we did in part when policy makers put in place a suite of legislation to preserve BC's scarce farmland as a "public good" for the food security of future British Columbians.

Post pandemic, the ALC experienced a real labour market shift with unprecedented staffing changes due to early retirements, job switching and changing lifestyle choices, which places even more pressure on those remaining to get the work of the agency done, because the workload of the Commission never decreases.

This "churn" in the labour market we have, and are, experiencing is occurring across all levels of government and the impact felt when experienced staff leave is often quite profound. As a tribunal, the work we do is very specialized, and not found in the existing labour pool, which means months of training that falls on the shoulders of the remaining staff compliment which impacts our processing times. We were fortunate though, to be staffed back up to full capacity by the end of the fiscal and have a great team of young professionals working here at the ALC.

The work of the Commission is often misunderstood within other provincial ministries or local governments so the team at the ALC spends a lot of time, or tries to, with existing resources, reaching out to help educate and inform others about what the ALC Act and its regulations means for their work. Following the 2022 municipal elections, the Commission sent out invitations to every local government in BC offering to meet with Boards and Councils to provide an overview of the legislation, our processes, and encourage collaboration on the administration of the Agricultural Land Commission Act (ALC Act) and its regulations. The ALC Act isn't superseded by any other legislation, with the exception of the Interpretation Act, the Environment and Land Use Act and the Environmental Management Act, and requires local governments and other agencies with decision-making authority in the ALR to comply with the legislation and ensure their bylaws and decisions are consistent with the ALC Act.

The Commission has also been working to develop more online resources to help inform and assist with the interpretation of the legislation following it's modernization by the provincial government in 2019 through 2021. Since 2019, several new information bulletins and policies have been developed and adopted by the Commission to help clarify the legal interpretation of the ALC Act

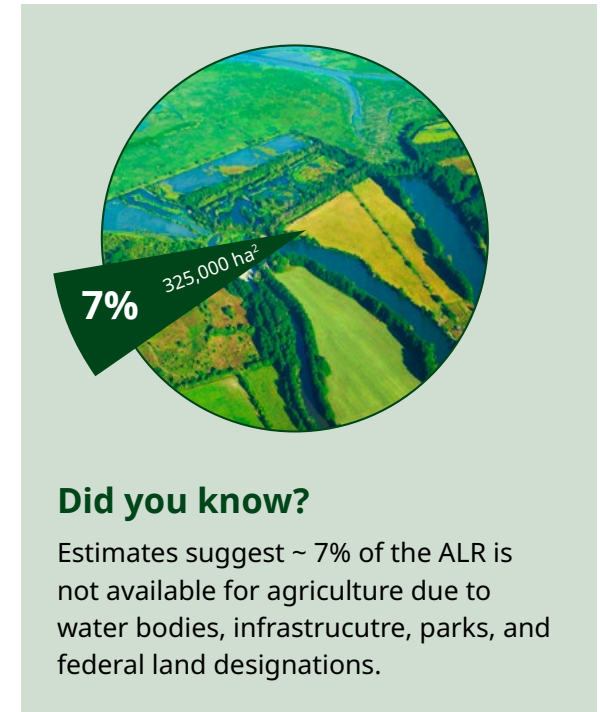
and its regulations. In 2022, the Commission issued a comprehensive information bulletin on the legal requirements governing subdivision and the registration of plans that cause subdivision in the ALR to assist local governments, Approving Officers, and the Registrar of Titles. The Commission also updated its policies governing subdivision, which was a substantive amount, but necessary piece of work, in addition to many other initiatives highlighted in this Annual Report.

As Chair of the Commission, I get hundreds of calls from around the province, and what sticks out for me is how the people and the issues raised in these calls are as diverse as agriculture is in this province. A few years ago, I spoke to a farmer who has farmed a gorgeous piece of land for approximately 40 years and the conversation started out very negative with "...why the hell do we need the ALR...?". What I learned through our discussions though, was that he was angry and frustrated that his life's work was not going to continue. As I listened, he began to talk about his passion for the land and the life he had chosen, and his desire to teach people what he knew. The issue wasn't the ALR; the real story was he loved what he did, and the rest of the family had no interest in farming. He had made a good living but was angry that his time was coming to an end and there was no one to pick up the mantle.

I have since linked him with a couple interested in getting into farming and, fingers crossed, they stay and make a go of it. The question of "How do we get the next generation to farm?" comes up all the time and there is no one size fits all answer. It is often one story (like the one I share above), one situation (which is always unique) at a time.

I have also seen conversions shift, in the wake of recent climate disasters, to the need to keep and encourage local food production. B.C.'s ongoing reliance on food imports is dangerous knowing that climate change is impacting countries we have traditionally relied on for food imports. The conversation during the Union of BC's Municipalities convention and the First Nations Leadership Gathering were all focused on trying to attract and encourage more local agriculture production and the need to develop a skilled work force to support the sector. These were great conversations, and we hope these synergies carry forward.

The pressure to provide more recreational opportunities, in various forms, in the ALR is increasing all over the province and it is important that the impacts on existing and future agricultural production is carefully considered to avoid unanticipated impacts. Recreational interests should never outweigh agriculture or ecological values in the ALR. The Commission's experience shows that recreation use in Crown ALR range areas,



particularly those accessible to motorized users, negatively impact native grasslands and local biodiversity, and adversely impact ranching operations through harassment of livestock, degradation of rangelands, spread of invasive species, increased wildfire risk, vandalism, trespass, and liability. This is not to say that recreation and agriculture can not coexist, they can, if the planning and design considers the operational needs of agriculture.

The ALC is not an agency solely focused on preserving agricultural land. The ALC is also an agency tasked with encouraging all levels of government to accommodate and encourage farming in the development of their plans, policies and bylaws which only happens when we have a chance to participate and collaborate at the planning table with other agencies. The land links us to our past and provides opportunities for the future, if we treat it as a scarce, sensitive, and important asset, we all win.

I am signing off with the words of a young fifth generation farmer that says it better than I ever could:

"I grew up working on the farm. From age 5 I started doing manual labour from making boxes to grading potatoes. As I grew older, I started working with tractors and would spend my summers weeding, irrigating, and working the land.

At age 18 I left the farm thinking I would never come back. You see, I saw how hard it was firsthand. I saw my father lose most of his crop back in 2010 and I saw my grandpa still doing physical labour in his 70s. I wanted a stable job. I wanted to check out at 5.

Fast-forward almost five years, I was feeling unsettled. I felt a lack of purpose. Over many long conversations with my father, I decided to return to the family farm at age 28, with a promise to my dad that I would give him one

year and then decide if I wanted to continue. Over these last 11 months I have found my purpose. I fell in love with not only the satisfaction of a long hard day but having a job that directly feeds Canadians. I realized that most farmers do what they do not because of the money but because of the passion that they have for others and their feeling of responsibility to protect food security in this country.

I am standing here today, to tell every next generational farmer that it is worth it. To encourage the next wave of Canadian farmers that will feed this great nation, whether they have been born yet or not. Our actions and decisions today matter more than ever."

In this report, there is much more to learn about the work that we do at the ALC. More than ever, we remain committed to delivering and improving upon our mandate, to preserve agricultural land and encourage farming in collaboration with other communities of interest.

Thank you for taking the time to review our 2022 – 2023 Annual Report.

Jennifer Dyson

Chair of the Agricultural Land Commission



Did you know?

Not all agricultural lands are created equal and not all agricultural lands are capable of, or suitable for producing all agricultural products.

There are seven agricultural capability classifications set out in both the Canadian Land Inventory and the BC Land Inventory systems that take into account the relative degree and type of limitation to agriculture; use and/or the range of possible crops. These systems also indicate the type and intensity of management practices required for good farm management of the soil. Class 1 lands are capable of producing the broadest range of crops and while Class 6 and 7 are the least agriculturally capable lands, they may still be agriculturally productive, where topography and climate allow, and/or where the agricultural activities are dedicated to closed environmental systems.

British Columbia's diverse agriculture industry needs all classes of land to thrive.



PROVINCIAL AGRICULTURAL LAND COMMISSION

2022 – 2023 Fast Facts

42% 

OF ALL COMPLIANCE AND
ENFORCEMENT COMPLAINTS
ARE FOR UNAUTHORIZED FILL

4.1 

HECTARES APPROVED
FOR INCLUSION



52.6

HECTARES APPROVED
FOR EXCLUSION



~5%
OF PROVINCE
IN ALR

149



LOCAL GOVERNMENTS
WITH ALR IN THEIR
JURISDICTION

98% 

SOIL AND FILL NOTICE
OF INTENTS RESPONDED
TO BY THE OFFICE OF THE
CEO IN 60 DAYS

308 

APPLICATIONS DECIDED

762  

SECTION 218
STATUTORY RIGHT OF WAY
NOTIFICATIONS SUBMITTED
TO THE ALC

36



BUSINESS DAYS IS THE
AVERAGE PROCESSING
TIME FOR CEO DELEGATED
DECISIONS.

66%  

APPROVAL RATE FOR
NON-ADHERING
RESIDENTIAL USE
APPLICATIONS FOR
ADDITIONAL DWELLINGS

364 

APPLICATIONS RECEIVED

52% 

OF ALL COMPLIANCE
AND ENFORCEMENT
COMPLAINTS ARE FROM
THE SOUTH COAST
REGION

54%



OF THE ALR IS
IN CROWN



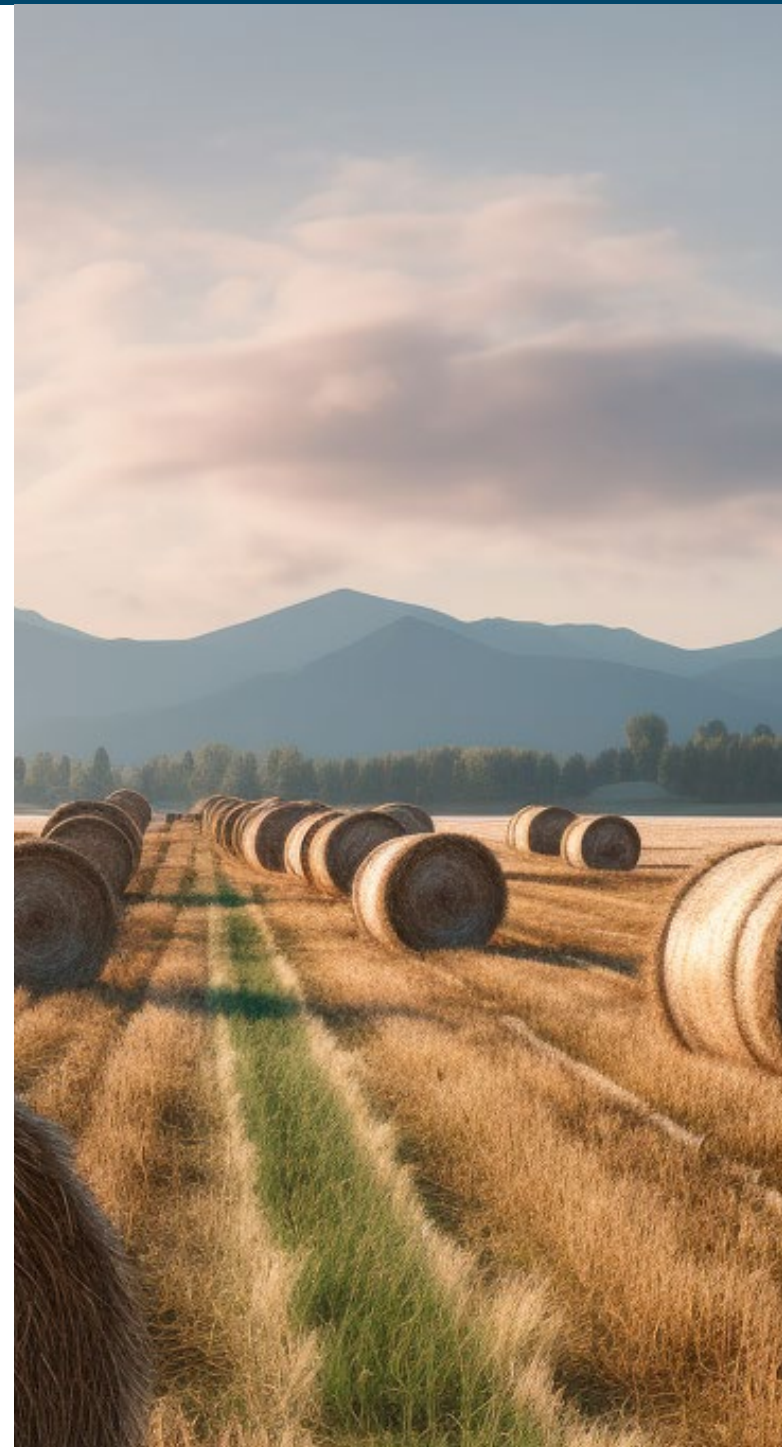
Purpose and Mandate

The Agricultural Land Commission (ALC) is an administrative tribunal, independent of the Provincial Government, that is responsible for exercising its decision-making authority in accordance with the Agricultural Land Commission Act and in compliance with certain sections of the Administrative Tribunals Act. As set out in the legislation, the Commission and its decision-makers must remain neutral, and faithfully, honestly and impartially perform their duties.

PURPOSE AND LEGISLATIVE FRAMEWORK

1. The purposes of the ALC as set out in s.6 of the Agricultural Land Commission Act (ALC Act) are:
 - a. to preserve agricultural land;
 - b. to encourage farming on agricultural land in collaboration with other communities of interest; and,
 - c. to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.
2. The commission, to fulfill its purposes under subsection (1), must give priority to protecting and enhancing all of the following in exercising its powers and performing its duties under this Act:
 - a. the size, integrity and continuity of the land base of the agricultural land reserve; and,
 - b. the use of the agricultural land reserve for farm use.

The ALC Act sets out the processes to be followed when making applications for exclusion, inclusion, non-farm use, non-adhering residential use, soil and fill use, subdivision, and transportation and utility uses in the ALR. The ALR General Regulation sets out the procedures for applications to the ALC and the ALR Use Regulation sets out what is permitted in the ALR without application to the ALC.



Governance Structure

A photograph of a large-scale poultry farming operation. In the foreground, several chickens are walking on a grassy field. Behind them, a large, fenced-in area contains a massive flock of chickens. In the background, there are several farm buildings, including a large dark-colored barn and a smaller white building with a cupola. The scene is set against a backdrop of rolling hills and mountains under a sky with scattered clouds. The text "Governance Structure" is overlaid on the left side of the image.

The work of the ALC is carried out by a Commission of not less than 11 and no more than 19 members from six administrative regions around the Province who serve collectively as the board of directors of the ALC. The Commission Chair is appointed by Order in Council of the Lieutenant Governor in Council, and Commission members are appointed by Ministerial Order of the Ministry of Agriculture and Food. The Chair has the authority to appoint one or more Vice-Chairs to serve on the Executive Committee from the members appointed by the Minister and to appoint members to panels for decision-making.

Commission members are appointed by the Minister after a merit-based process and consultation with the Commission Chair based on their knowledge in matters related to agriculture, land-use planning, local government, and First Nations government as set out in s.5(1) of the ALC Act.

FULL COMMISSION

The Full Commission, consisting of all members of the board, meet at least twice a year, to carry out a variety of duties, including developing policies governing ALC operations, the interpretation of legislation, and passing resolutions and bylaws regarding the conduct of its affairs.

EXECUTIVE COMMITTEE

The Executive Committee, consisting of the Chair and Vice-Chairs meet monthly or as needed to oversee ALC operations, decide applications delegated by the Full Commission, making reconsideration determinations on reconsiderations pursuant to s.33 of the ALC Act for decisions decided by the Executive Committee, and exercise any other functions delegated by the Full Commission.

PANELS

The Chair of the Commission may establish panels consisting of two or more members of the Commission based on administrative region, member expertise, application type or any other criteria determined by the Chair.

The Chair of the Commission has directed the establishment of a panel for each of the six administrative regions of the Province, to make decisions on all application types received from the region, with the exception of applications for soil and fill use and film productions.

A five-member Soil and Fill Use Panel has been appointed to decide on all soil and fill use applications in BC and a three-member Film Panel has been established to decide on all non-farm use applications for filming in the ALR. These panels were provided with additional training to assist them with the review and analysis of the technical information submitted with these types of applications.

The Chair may appoint Commission members to more than one panel and the Chair of the Commission may also serve on a panel.

A panel of the Commission has all the powers, duties, and functions of the Commission to adjudicate on applications. Decisions of a panel are for all purposes, a decision of the Commission, and may only be reconsidered as per s.33 and s.33.1 of the ALC Act.

LEGEND

- North Region
- Island Region
- Kootenay Region
- Interior Region
- South Coast Region
- Okanagan Region

NORTH PANEL

Janice Tapp (Chair) — Fraser Lake
Karen McKean — Peace River
Andrew Adams — Willow River

INTERIOR PANEL

Richard Mumford (Chair) — Alexis Creek
Bob Haywood-Farmer — Savona

ISLAND PANEL

Linda Michaluk (Chair) — North Saanich (Expired Jan 2023)
Jennifer Woike — Cowichan Valley
Brenda Schoepp (Chair) — Victoria (Appointed Jan 2023)
Jolleen Dick (Suuwayaqawith) — Port Alberni (Appointed Dec 2022)

OKANAGAN PANEL

Gerald Zimmermann (Chair) — Kelowna
Jerry Thibeault — Cranbrook (April – Dec)
Joe Deuling — Lumby
Erin Carlson — Summerland (appointed Dec 2022)

KOOTENAY PANEL

Richard Mumford (Chair) — Alexis Creek (April – Dec)
Jerry Thibeault (Chair) — Cranbrook (Jan – March 31)
Ian Knudsen — Creston (Expired Oct 2022)
Wayne Harris — Creston (Appointed Dec 2022)
Donna O'Donnell — Grand Forks (Appointed Dec 2022)

SOUTH COAST PANEL

Ione Smith (Chair) — Sechelt
Susan Gimse — Pemberton
Holger Schwichtenberg — Agassiz

Soil and Fill Panel: Jennifer Dyson (Chair), Susan Gimse, Bob Hawood-Farmer, Karen McKean, Gerald Zimmerman

Executive Committee: Jennifer Dyson (Chair), Richard Mumford (Vice-Chair), Gerald Zimmerman (Vice-Chair), Janice Tapp (Vice Chair), Ione Smith (Vice-Chair), Linda Michaluk (Vice-Chair — Expired Jan, 2023), Jerry Thibeault (Vice-Chair — Appointed Jan, 2023)

Film Panel: Jennifer Dyson (Chair), Ione Smith, Bob Hawood-Farmer

THE COMMISSION IS SUPPORTED BY A PROFESSIONAL STAFF SECRETARIAT WORKING IN FOUR FUNCTIONAL AREAS:

Application Processing (Adjudication)
and Notices of Intent

ALC staff research and administer the processing of all applications received pursuant to the ALC Act and its regulations. Staff also administer and make decisions, where delegated to do so under the ALC Act, for all notices of intent to remove soil or place fill.

Policy and Planning Reviews

ALC staff actively participate with Commissioners in developing strategies, plans, and policies to assist with the interpretation and implementation of the ALC Act and its regulations. As well, staff review plans, policies, and bylaws of local governments and laws of First Nation governments, and other agencies to ensure they are consistent with the legislative and regulatory requirements of the ALC Act and its regulations.

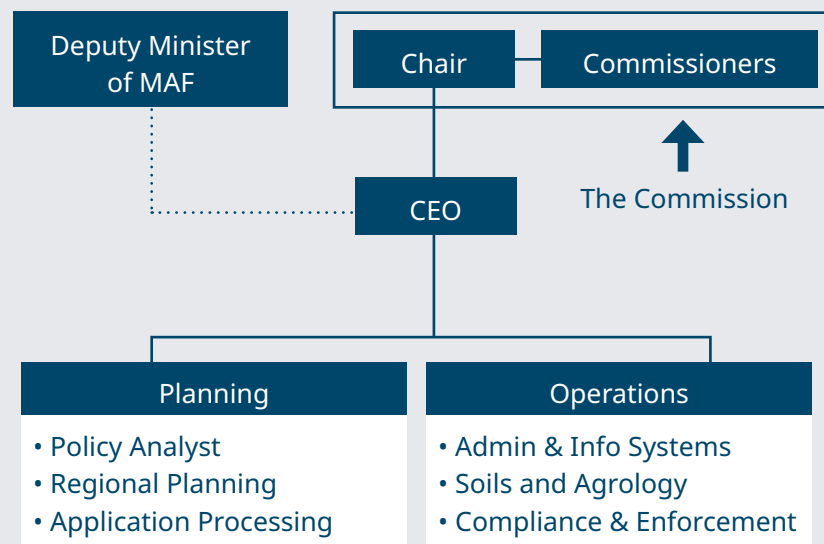
Compliance and Enforcement

Designated staff officials respond to reports of suspected contravention, carry out site inspections, investigate alleged contraventions, and take enforcement actions, when necessary, to ensure activities in the ALR are consistent with the ALC Act, its regulations, and orders of the ALC.

Administration and Information Systems

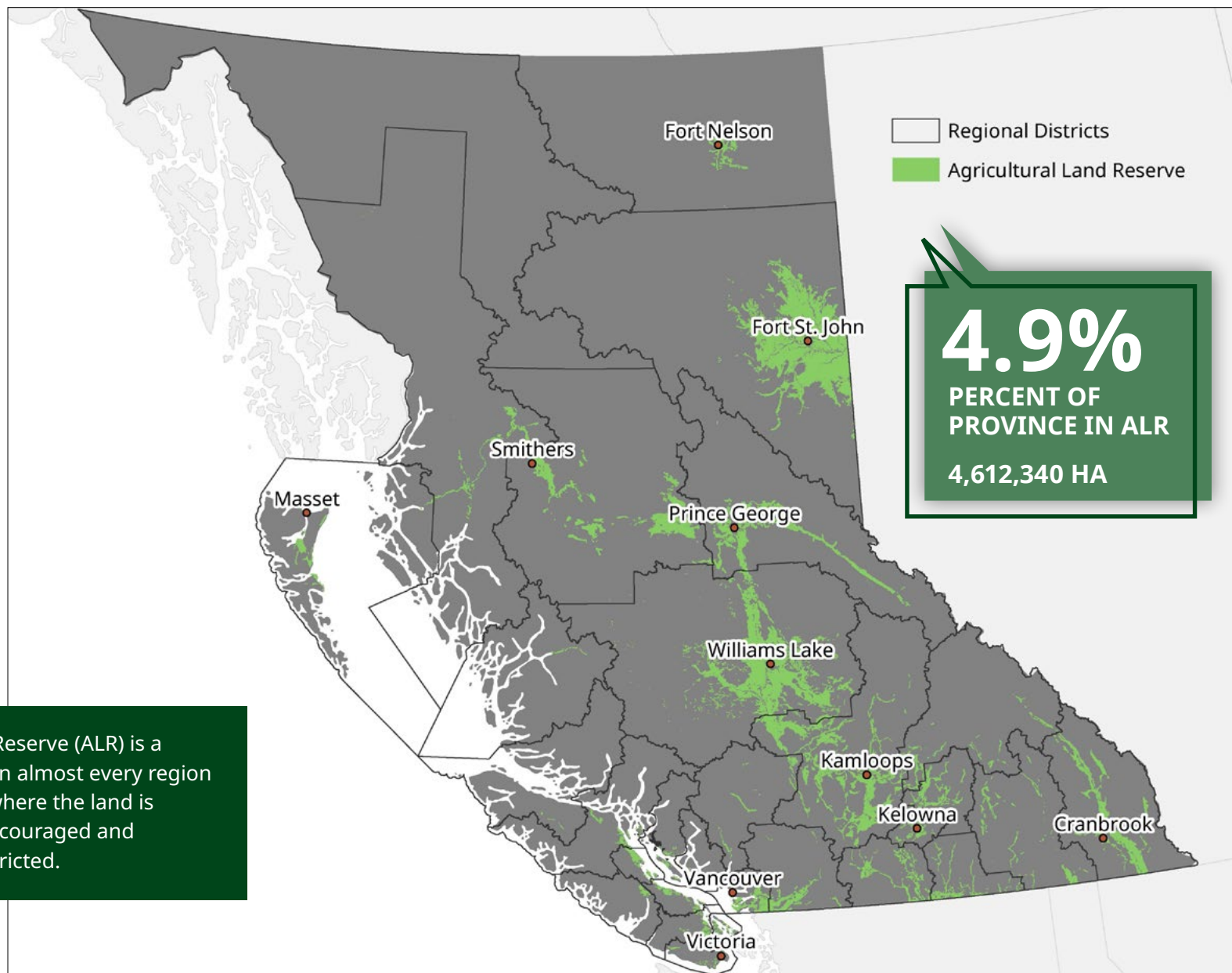
The previous three functions are supported by an administration, records management, and geospatial information systems unit.

AGRICULTURAL LAND COMMISSION ORGANIZATIONAL CHART





The Agricultural Land Reserve



The Agricultural Land Reserve (ALR) is a provincial zone found in almost every region of the Province of BC where the land is protected, farming is encouraged and non-farm uses are restricted.

THE AGRICULTURAL LAND RESERVE DESIGNATION HISTORY

Under the 1973 Land Commission Act (the precursor to the ALC Act), the 28 Regional Districts in the Province of BC were required to submit an agricultural reserve plan to the ALC for consideration.

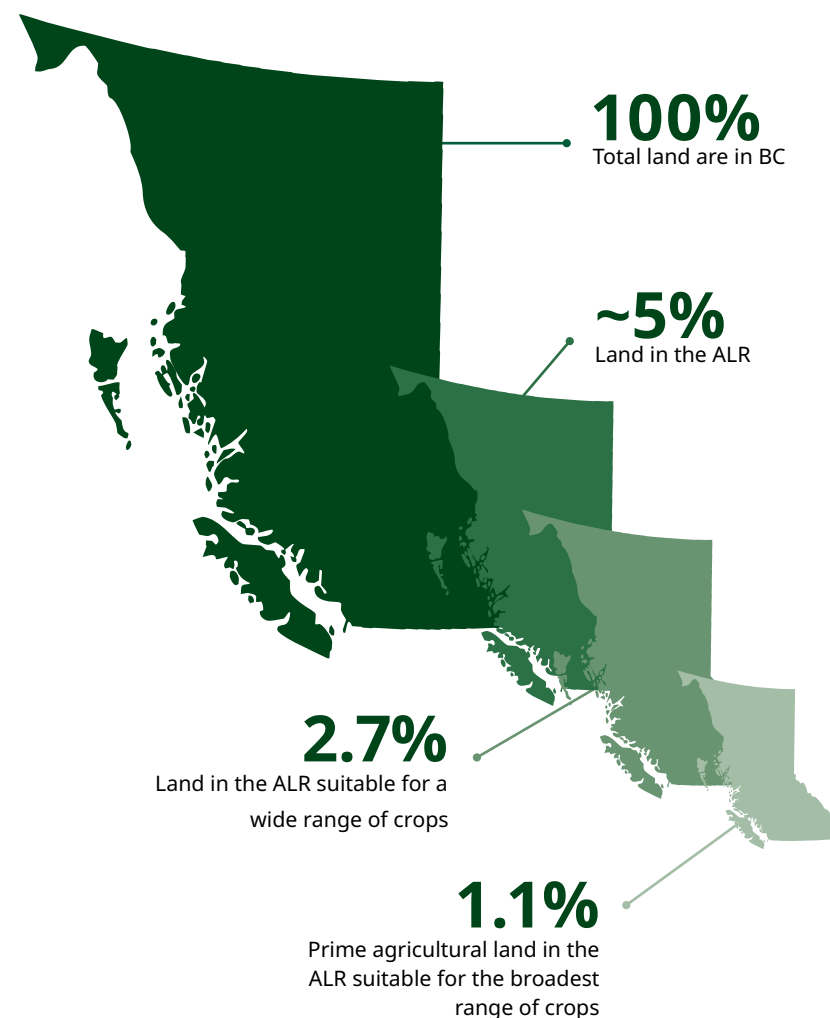
To aid Regional Districts and provide guidance, the provincial Ministry of Agriculture prepared suggested ALR maps that identified lands having the soil and climate combination to support agriculture.

These maps were based on soil surveys and the Canadian Land Inventory (CLI) agricultural capability data, combined with proposed urban expansion areas on lower capability lands.

Regional Districts made recommendations to the ALC and the maps were reviewed to ensure technical consistency with the reserves across the Province. In general, the following methodology was applied:

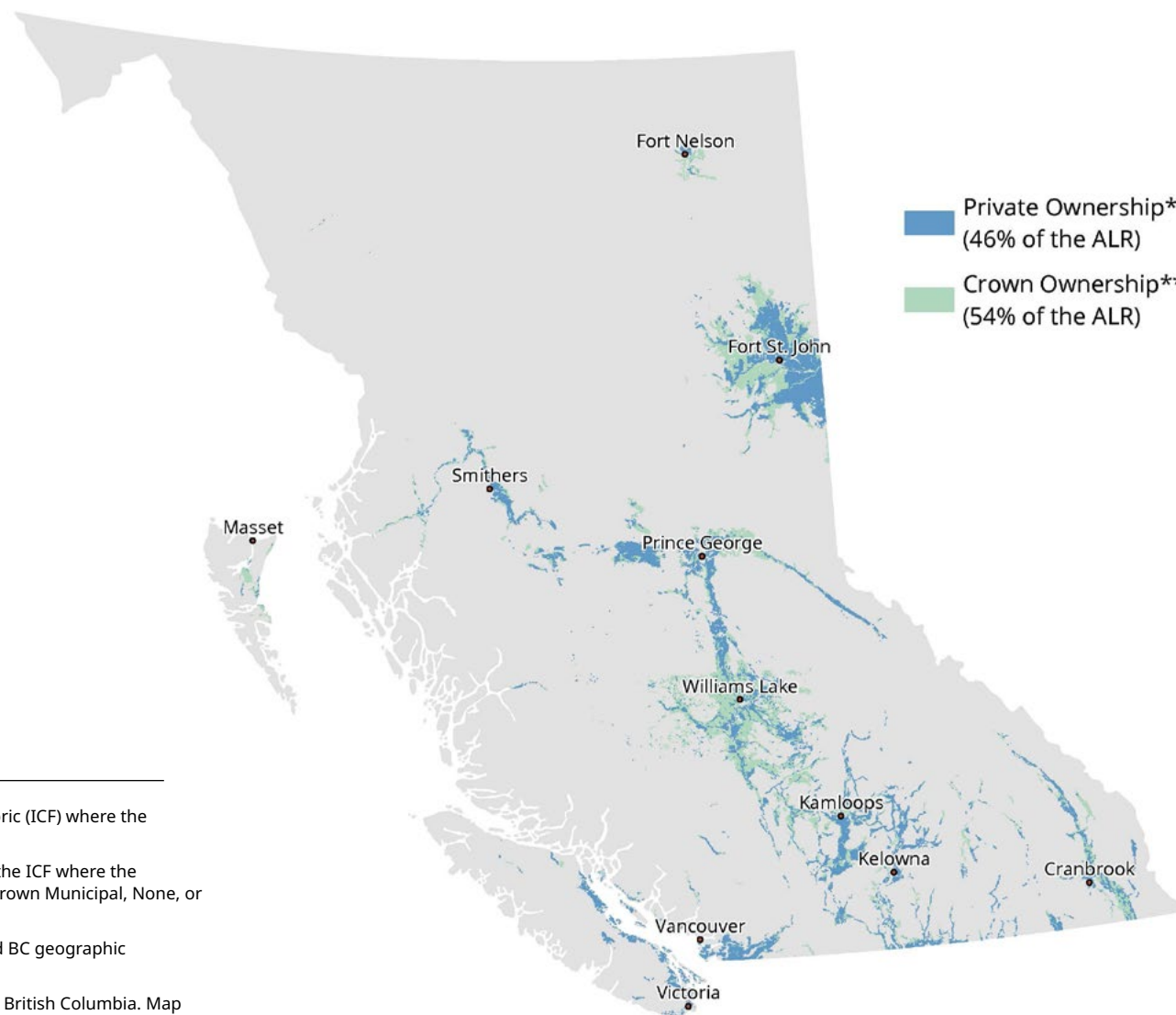
- **All Class 1 to 4 land** (CLI) that were not already developed were included in the ALR, both Crown and private land;
- **If non-agricultural land** was not immediately available for urban expansion, enough land was excluded to allow for about five years of community growth to ensure local governments had a reasonable amount of time to re-direct future growth patterns;
- **Class 5 and 6 lands** (CLI) where historic land use patterns indicated that such land could effectively be used for agriculture in conjunction with Class 1 to 4 land, including the spring and summer grazing ranges in ranching areas of the province, were included; and,
- **Small pockets of Class 7 land** where exclusion of such land might have allowed undesirable intrusion or incompatible uses into agricultural areas were included.

Following the ALC's review, the plans along with the ALC's recommended changes were approved by Cabinet. The process of establishing the ALR took one and a half years.



AGRICULTURAL LAND RESERVE: PRIVATE VS CROWN OWNERSHIP

Five percent (~4.6 million ha) of the land base in BC is designated as ALR. Within this five percent, approximately 54% is Crown ALR and 46% is privately owned. Access to this land base is further limited by landscape features (such as wetlands, rivers, streams, lakes), infrastructure (including airports, roads, rail lines, utility corridors, oil and gas infrastructure, sewage and water treatment facilities), forestry and mining, trails, parks, and other non-farm uses such as schools, churches, firehalls, sports fields, and resorts.

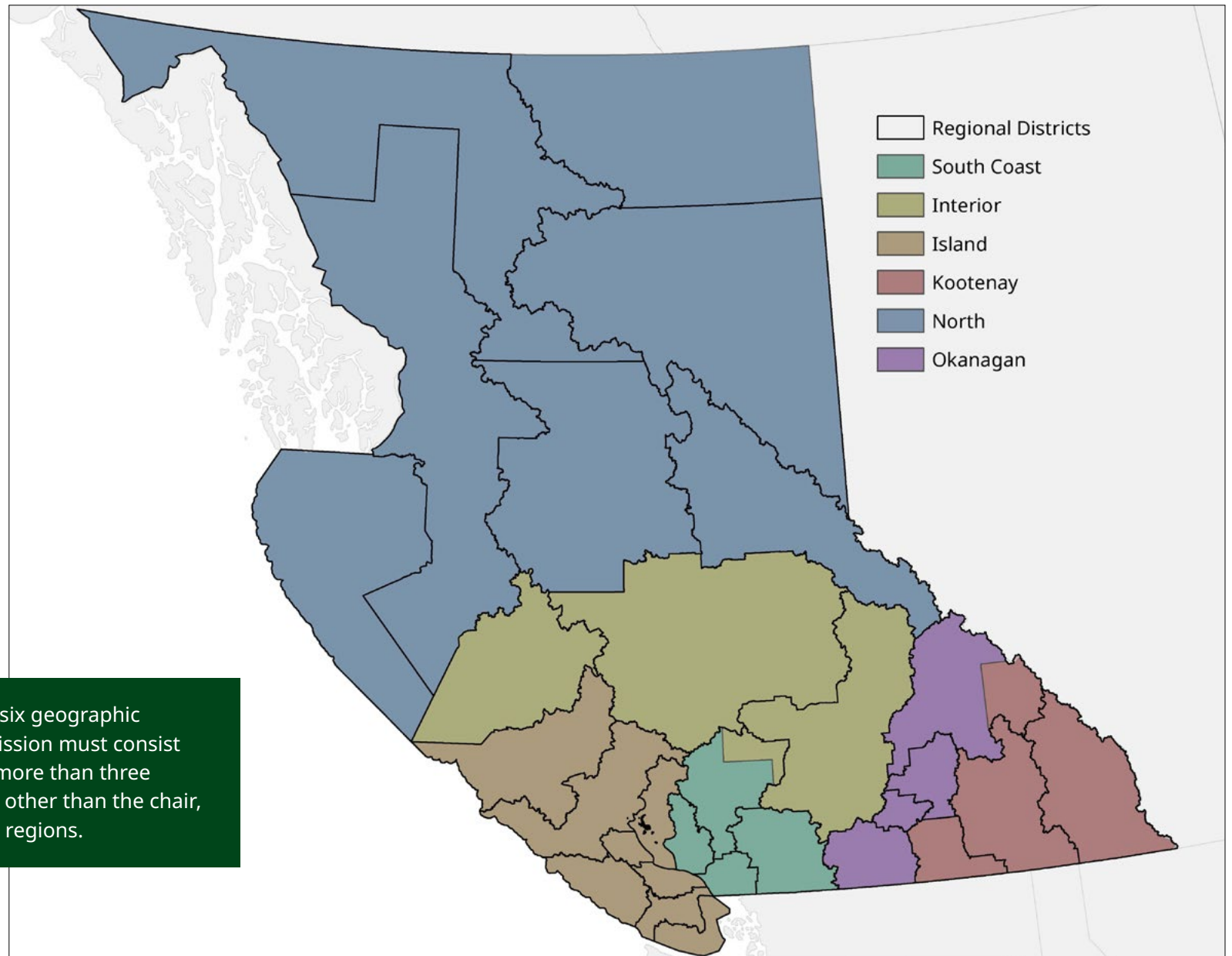


***Private Ownership** = Properties in the Integrated Cadastral Fabric (ICF) where the Ownership Class is defined as Private, First Nations, or Municipal

****Crown Ownership** = Unsurveyed crown land, or properties in the ICF where the Ownership Class is defined as Crown Federal, Crown Provincial, Crown Municipal, None, or Unknown.

Data sources: ALC, Integrated Cadastral Information Society, and BC geographic warehouse.

Contains information licensed under Open Government License - British Columbia. Map for reference only. Accuracy not guaranteed. Map created June 2021.



The ALR is divided into six geographic regions and the Commission must consist of at least one, but no more than three Commission members, other than the chair, from each one of these regions.

INTERIOR ADMINISTRATIVE REGION

The Interior region extends from the Central Coast (Bella Coola Valley) to the community of Chase at the western end of Shuswap Lake.

The region includes the Central Coast, Cariboo, Squamish-Lillooet (Lillooet area only), and Thompson-Nicola Regional Districts.

Major Settlements

- 100 Mile House
- Bella Coola
- Kamloops
- Merritt
- Quesnel
- Williams Lake

Total ALR area in Region: ~1,528,997 hectares



9.4% of the region is in the ALR.

32% of the ALR in the Interior Region is in Private Ownership.

68% of the ALR in the Interior Region is in Crown ownership*.

*Definition of Crown ownership defined on [page 18](#)



THE ALR IN THE INTERIOR
REGION REPRESENTS
33% OF THE TOTAL ALR
IN THE PROVINCE

ISLAND ADMINISTRATIVE REGION

The Island region encompasses Vancouver Island, most of the Gulf Islands, and a number of coastal mainland areas that are part of Regional Districts headquartered on Vancouver Island or are more readily accessed from the Island than from mainland centres.

The region includes the Alberni Clayoquot, Capital, Comox Valley, Cowichan Valley, Mount Waddington, Nanaimo, qathet, and Strathcona Regional Districts.

Major Settlements

- Campbell River
- Port Alberni
- Comox
- Powell River
- Duncan
- Saanich
- Nanaimo

Total ALR area in Region: ~115,441 hectares



1.5% percent of region is in the ALR

79% of Island Region is in private ownership.

21% of Island Region is in Crown ownership*.

*Definition of Crown ownership defined on [page 18](#)



THE ALR IN THE ISLAND
REGION REPRESENTS
3% OF THE TOTAL ALR
IN THE PROVINCE.

KOOTENAY ADMINISTRATIVE REGION

The Kootenay region encompasses the southeasterly portion of BC extending from the BC/Alberta border in the east to the Grand Forks and Kootenay Boundary area in the west.

The region includes the Central Kootenay, East Kootenay, and Kootenay Boundary Regional Districts and a portion of the Columbia Shuswap Regional District (Golden area only).

Major Settlements

- Creston
- Cranbrook
- Grand Forks
- Kimberly
- Invermere
- Sparwood

Total ALR area in Region: ~388,262 hectares

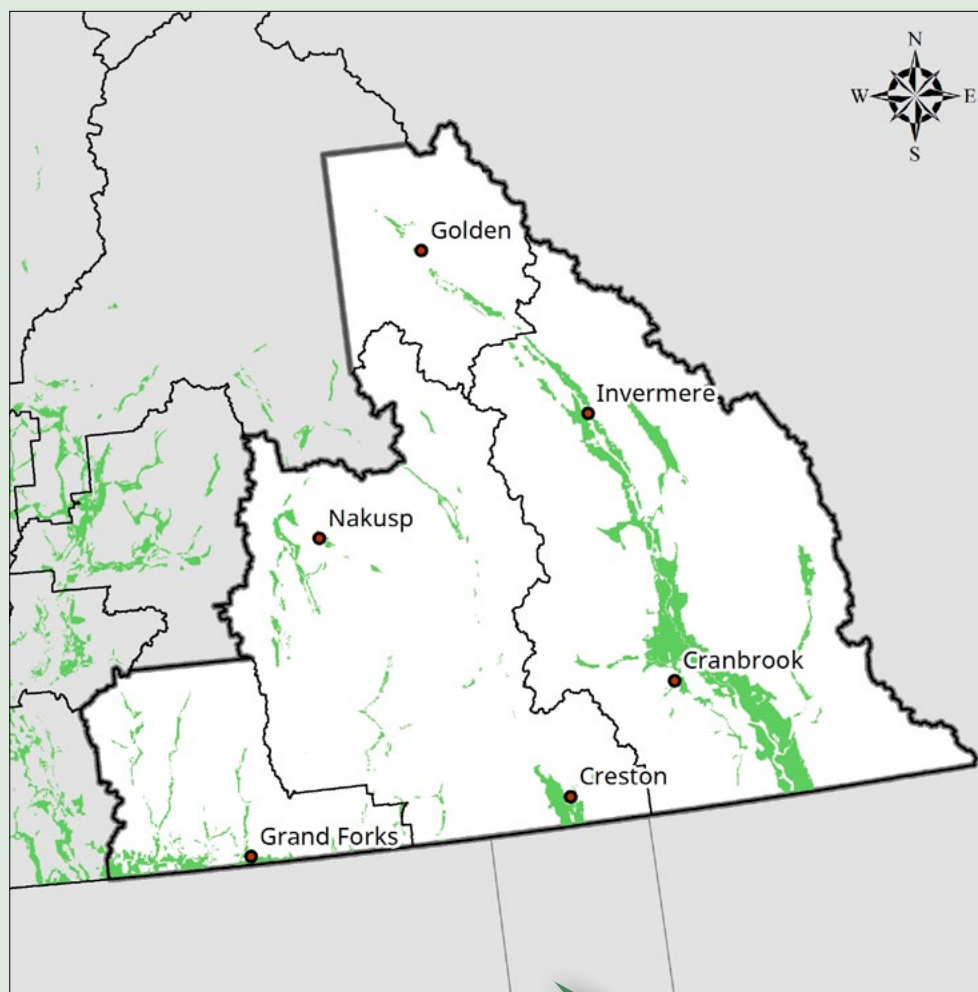


5.8% percent of region in ALR.

42.5% of the Kootenay Region is in private ownership.

57.5% of the Kootenay Region is in Crown ownership*.

*Definition of Crown ownership defined on [page 18](#)



THE ALR IN THE KOOTENAY
REGION REPRESENTS
8% OF THE TOTAL ALR
IN THE PROVINCE.

NORTH ADMINISTRATIVE REGION

The North region encompasses north-east, north-central and north-west BC, from Prince George to the BC/Yukon border.

The region includes Bulkley-Nechako, Fraser-Fort George, Kitimat-Stikine, Peace River, and North Coast Regional District and the Northern Rockies Regional Municipality.

Major Settlements

- Fort Nelson
- Terrace
- Fort St. John
- Smithers
- Prince George
- Vanderhoof
- Telkwa

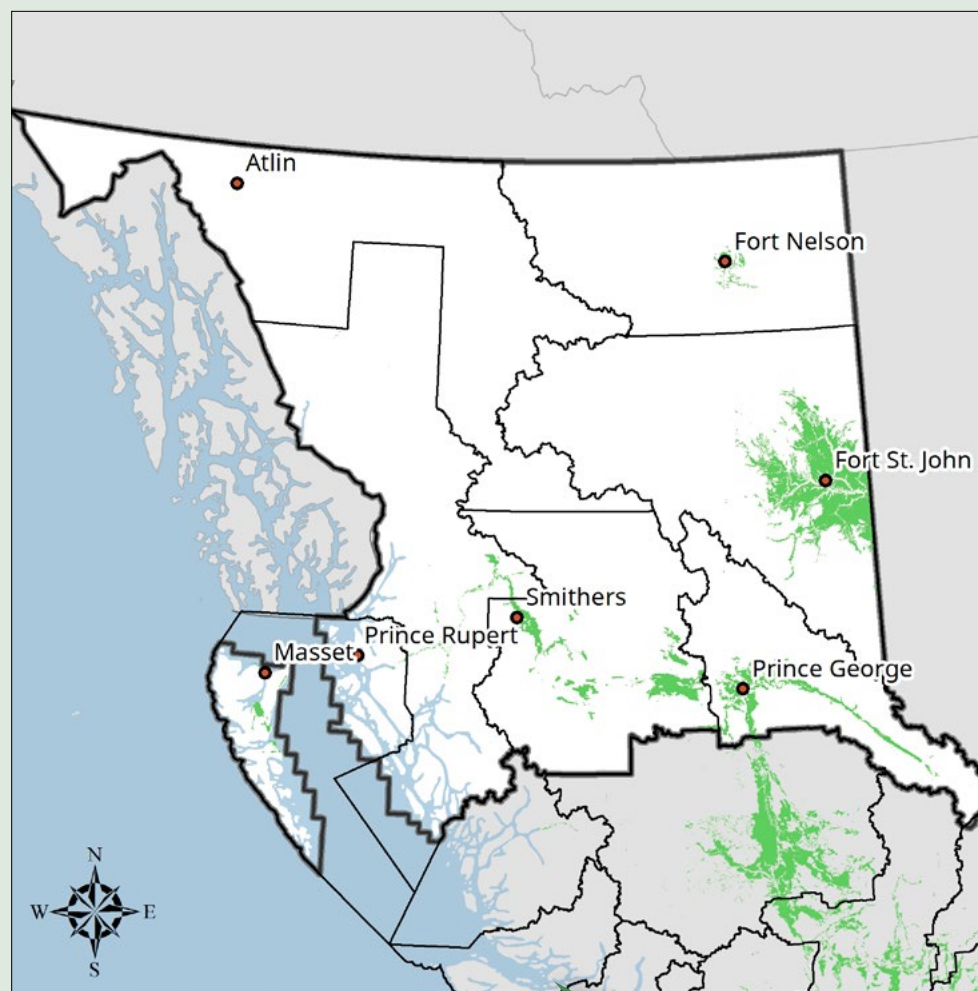
Total ALR area in Region: ~2,206,832 hectares



3.6% of region is in the ALR.

51% of the North Region is in private ownership.

49% of the North Region is in Crown ownership*.



THE ALR IN THE NORTH
REGION REPRESENTS
48% OF THE TOTAL
ALR IN THE
PROVINCE.

*Definition of Crown ownership defined on [page 18](#)

OKANAGAN ADMINISTRATIVE REGION

The Okanagan region encompasses the Okanagan and Similkameen Valleys, the Columbia Shuswap, and Princeton areas.

The region includes the Central Okanagan, Columbia Shuswap (except Golden area), North Okanagan, and Okanagan Similkameen Regional Districts.

Major Settlements

- Kelowna
- Osoyoos
- Oliver
- Penticton
- Princeton
- Revelstoke
- Salmon Arm
- Vernon

Total ALR area in Region: ~224,717 hectares

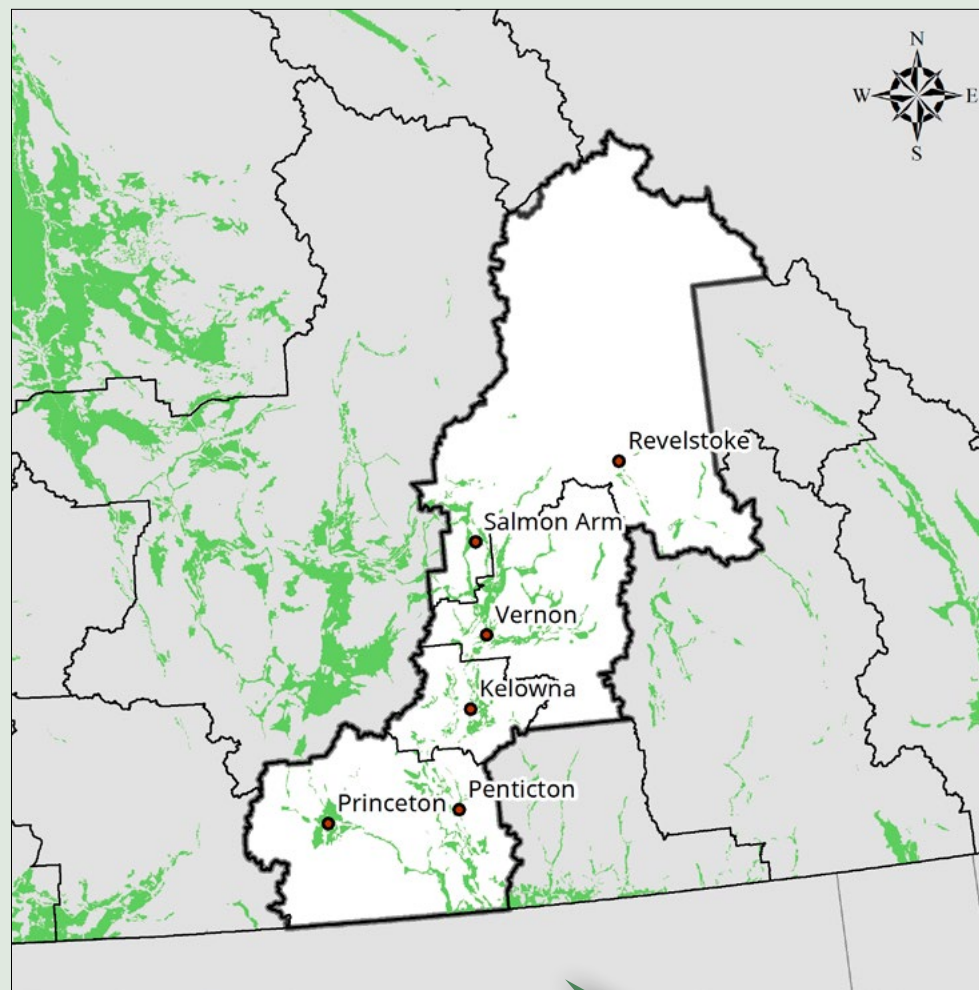


5% of region is in the ALR.

59.5% of the Okanagan Region is in private ownership.

40.5% of Okanagan Region is in Crown ownership*.

*Definition of Crown ownership defined on [page 18](#)



THE ALR IN THE OKANAGAN
REGION REPRESENTS
5% OF THE TOTAL ALR
IN THE PROVINCE

SOUTH COAST ADMINISTRATIVE REGION

The South Coast region encompasses the lower mainland region of BC from Hope to the Fraser River delta and north to the Sunshine Coast and the Squamish River and Pemberton valleys.

The region includes the Fraser Valley, Metro Vancouver, Squamish-Lillooet (except the Lillooet area), and Sunshine Coast Regional Districts.

Major Settlements

- Abbotsford
- Chilliwack
- Langley
- Mission
- Pitt Meadows
- Richmond
- Surrey
- Vancouver

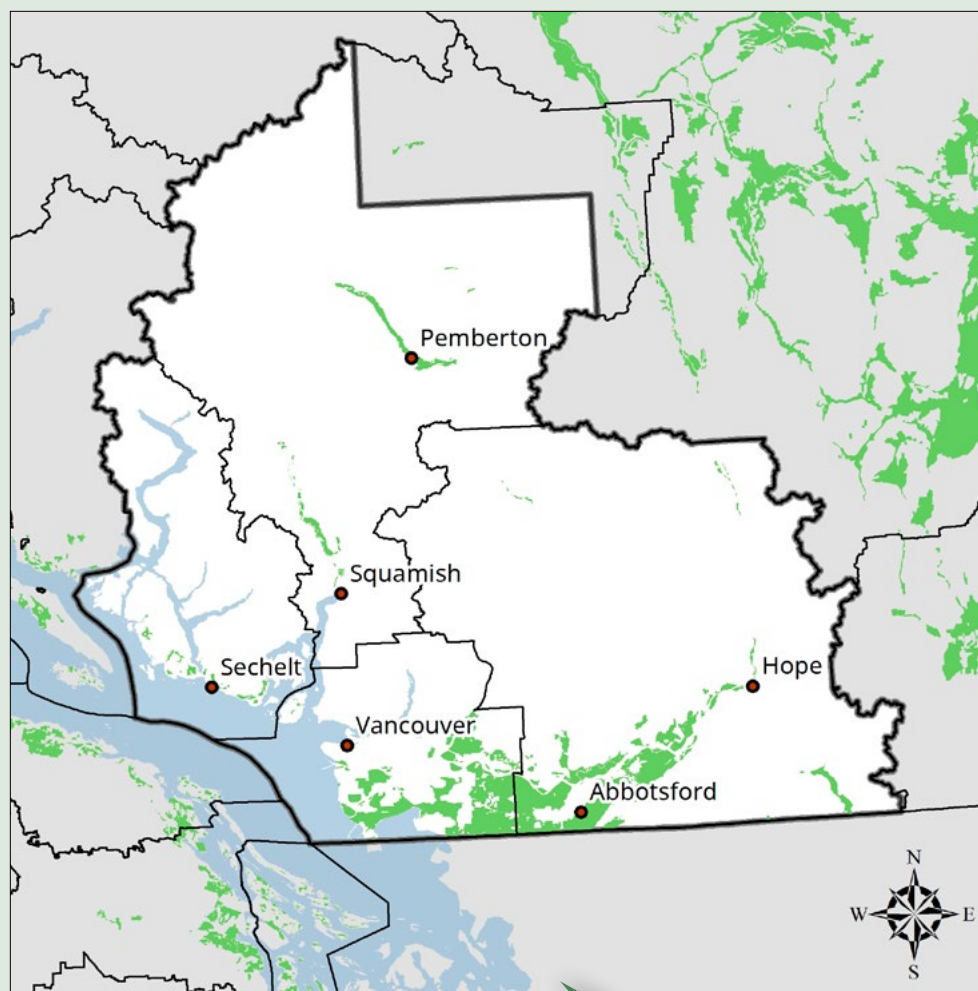
Total ALR area in Region: ~148,143 hectares



4.1% of region is in the ALR.

76% of the South Coast Region is in private ownership.

24% of the South Coast Region is in Crown ownership*.



THE ALR IN THE SOUTH COAST REGION REPRESENTS
3% OF THE TOTAL ALR IN THE PROVINCE.

*Definition of Crown ownership defined on [page 18](#)



Statutory Rights of Way

STATUTORY RIGHTS OF WAY NOTIFICATIONS

Effective September 30, 2020, under the ALC Act,

- anyone wishing to register a charge granting or otherwise creating a statutory right of way (SRW) as described in section 218 of the Land Title Act, fully or partially over land in the ALR, must give notice, in the prescribed form and manner, to the ALC; and
- the Registrar of Titles at the Land Title and Survey Authority (LTSA) must not register a SRW in the ALR unless the registrar is satisfied that the ALC has been notified in the form and manner required by the ALC.

Advisory: A notification of statutory right of way response from the ALC is not an authorization to conduct a use, construct works, remove soil, or place fill (including gravel) for a use other than a use prescribed by the legislation within the ALR.

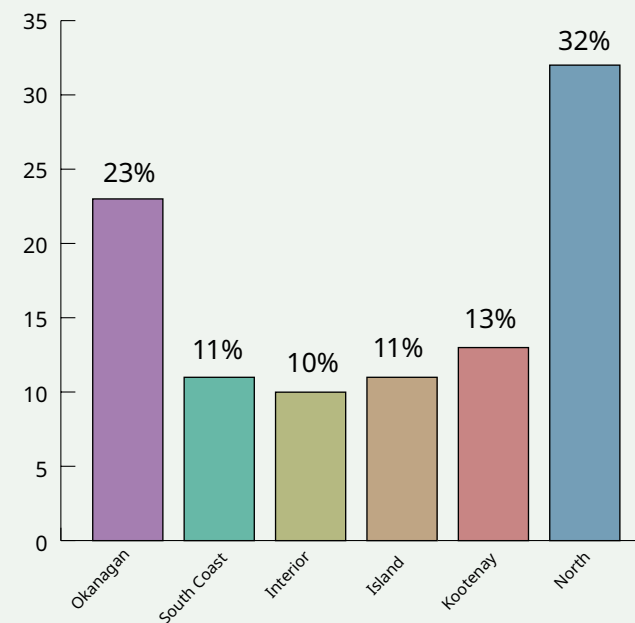
In 2022/23, the ALC received and responded to 762 SRW notifications which is a slight increase (1%) over the number of SRWs notifications received in the 2021/22 fiscal as noted in the table below.

NUMBER OF STATUTORY RIGHTS OF WAY NOTIFICATIONS SUBMITTED IN 2022/2023

REGION	2022/23	2021/22
Interior	73	52
Island	84	47
Kootenay	97	96
North	244	266
Okanagan	178	184
South Coast	86	108
Total	762	753

Regulation requiring notification to the ALC effective September 30, 2020

SRW BY REGION

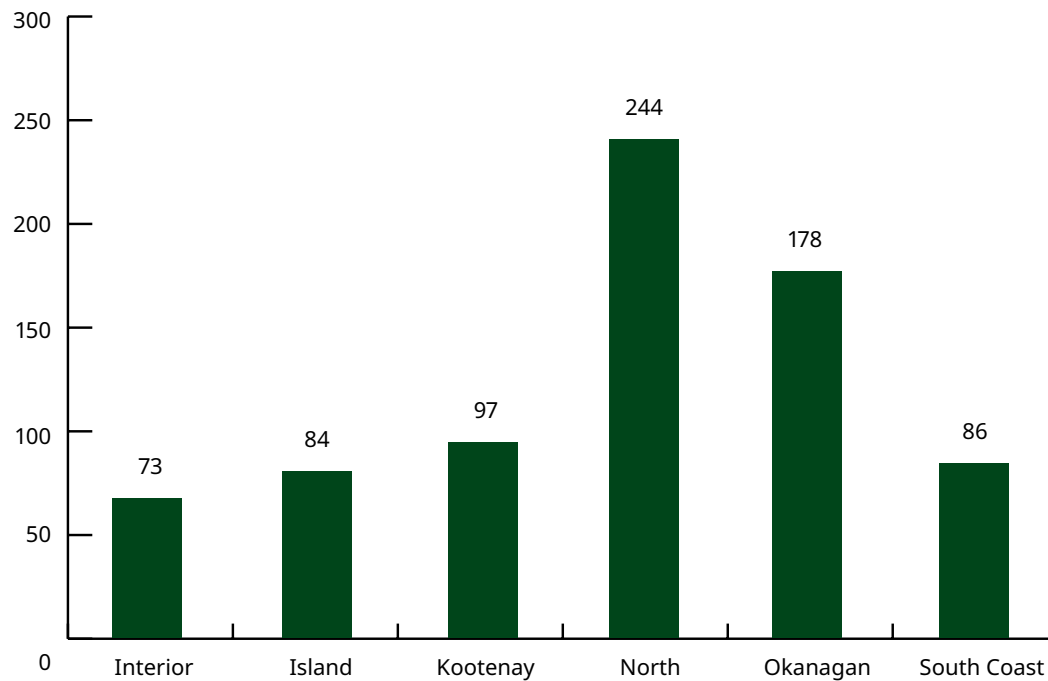


Thirty-two percent (32%) of all SRW notifications received in 2022/23 were from the North Administrative Region and 76% of these SRW notifications were for oil and gas activity.

23% of all SRW notifications received in 2022/23 were from the Okanagan Administrative Region and the majority of these SRW notifications were submitted by BC Hydro (40%) and Trans Mountain Pipeline ULC (37%).

Fifty-two percent (52%) of all the SRW notifications submitted to the ALC in the 2022/23 fiscal were from two agencies for electrical distribution: BC Hydro (241) and FortisBC Inc. (151). The SRW notifications submitted by BC Hydro were concentrated in the Okanagan (24%), North (21%) and Island (20%) Administrative Regions of the Province while the majority of the FortisBC Inc. SRW notifications were in the Okanagan Administrative Region (50%) and Kootenay Administrative Region (46%).

SRW NOTIFICATIONS SUBMITTED IN 2022/23 BY ADMINISTRATIVE REGION





Applications and Decisions

Applications received by the Commission were up 7% overall in the 2022/23 fiscal, compared to the previous fiscal.

This increase appears to be driven in large part by a:

- 71% increase in the number of non-farm use applications received by the Commission in the 2022/23 fiscal as compared to the 2021/22 fiscal, including an increase in the number of applications to the BC Energy Regulator (formerly known as the BC Oil and Gas Commission) for oil and gas activity in the ALR which increased from 3 in the 2021/22 fiscal to 14 in the 2022/23 fiscal;
- 30% increase in the number of applications received for soil removal or fill placement in the ALR; and
- 15% increase in the number of subdivision applications.

In contrast, the Commission saw a 27% decrease in the number of exclusion applications and a 43% decrease in the number of transportation and utility use applications received by the ALC in the 2022/23 fiscal as compared to previous fiscal (noted on [page 31](#)).

The decrease in exclusion applications received by the Commission was expected, following changes to the ALC Act that took effect September 20, 2020 to no longer permit private property owners to submit exclusion applications to the Commission.

The decrease in the number of transportation and utility use applications is likely a result of a regulatory change that no longer permits plans that cause subdivision of the ALR, specifically road dedication, to be submitted directly to the Commission through the transportation and utility use application process. As a result of this regulation change anyone wanting to dedicate road in the ALR must apply for subdivision, which likely accounts for the increase in the number of subdivision applications received by the Commission in the 2022/23 fiscal as compared to previous fiscal years as shown in the table on [page 31](#).



NUMBER OF APPLICATIONS RECEIVED BY APPLICATION TYPE (2018/19 TO 2022/23)

APPLICATION TYPE	NUMBER OF APPLICATIONS RECEIVED ¹ BY TYPE				
	2022/2023	2021/2022	2020/2021	2019/2020	2018/2019
Inclusion	1	7	9	10	14
Exclusion	16	22	51	38	23
Non-Farm Use ³	98	57	77	89	120
Non-Adhering Residential Use ²	77	79	112	90	10
Subdivision	91	79	62	83	127
Transportation and Utilities	34	60	45	43	55
Soil or Fill	47	36	22	27	16
Total	364	340	378	380	365

¹ Includes applications forwarded to the ALC by a local or first nation government or submitted directly to the ALC for Transportation and Utility Use applications or to the BC Energy Regulator (formerly the the Oil and Gas Commission) in the North Administrative Region.

² This application type was introduced in February 22, 2019 by Bill 52-2018.

³ Includes non-farm use applications decided by the BC Energy Regulator (formerly the Oil and Gas Commission).

The increase in applications received by the ALC in the 2022/23 fiscal was concentrated in the South Coast and Island administrative regions. There was a 23% increase in the number of applications received in both these administrative regions in the 2022/23 fiscal, as compared to the previous fiscal. The increase in the number of applications received in

the South Coast Administrative Region is attributed to an 83% increase in applications received from the Township of Langley (44 in 2022/23 vs 24 in 2021/22), while the increase in applications in the Island Administrative Region is spread across several local governments as shown in the chart on [page 32](#).

APPLICATIONS RECEIVED

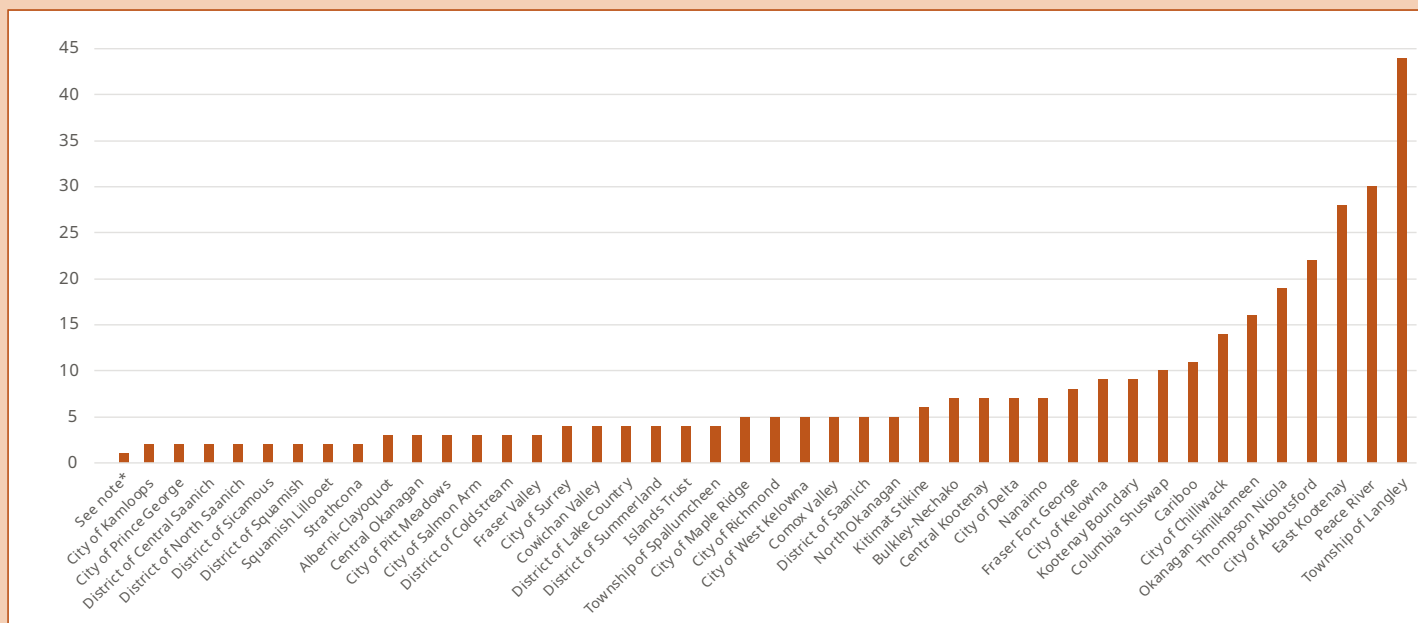
NUMBER OF APPLICATIONS RECEIVED¹ BY REGION (2022/2023 TO 2018/2019)

ADMINISTRATIVE REGION	NUMBER OF APPLICATIONS RECEIVED ¹ BY REGION				
	2022/2023	2021/2022	2020/2021	2019/2020	2018/2019
Interior Region	32	28	26	24	25
Island Region	42	34	33	38	45
Kootenay Region	47	51	52	35	34
North Region	54	58	62	81	100
Okanagan Region	74	76	91	93	80
South Coast Region	115	93	114	109	81
Total	364	340	378	380	365

¹ Includes applications forwarded to the ALC by local government or submitted directly to the ALC for Transportation and Utility Use applications or the BC Energy Regulator (formerly the Oil and Gas Commission) in the North Administrative Region.

NUMBER OF APPLICATIONS RECEIVED BY LOCAL GOVERNMENT (2022/2023)

* City of Cranbrook, City of Nanaimo, City of Penticton, City of Powell River, City of Vernon, District of Hope, District of Invermere, District of Metchosin, District of Mission, District of New Hazelton, District of North Cowichan, District of Peachland, District of Sooke, qathet, Sunshine Coast, Town of Ladysmith, Town of Lake Cowichan, Town of Oliver, Town of Osoyoo, Tsawwassen First Nations, Village of Keremeos, Village of Radium Hot Springs.



NUMBER OF APPLICATIONS RECEIVED BY TYPE AND BY ADMINISTRATIVE REGION

April 1, 2022 to March 31, 2023

INTERIOR REGION

11	Subdivision
7	Non-Farm Use
6	Transportation and Utility Use
3	Soil or Fill
3	Non-Adhering Residential Use
2	Exclusion
0	Inclusion
32	Total

ISLAND REGION

12	Non-Adhering Residential Use
10	Non-Farm Use
7	Subdivision
6	Soil or Fill
4	Transportation and Utility Use
3	Exclusion
0	Inclusion
42	Total

OKANAGAN REGION

18	Non-Farm use
19	Non-Adhering Residential Use
13	Subdivision
11	Transportation and Utility Use
8	Soil or Fill
4	Exclusion
1	Inclusion
74	Total

KOOTENAY REGION

18	Subdivision
10	Non-Farm use
7	Soil or Fill
4	Non-Adhering Residential Use
4	Exclusion
4	Transportation and Utility Use
0	Inclusion
47	Total

NORTH REGION

24	Non-Farm use
21	Subdivision
5	Soil or Fill
2	Non-Adhering Residential Use
1	Exclusion
1	Transportation and Utility Use
0	Inclusion
54	Total

SOUTH COAST REGION

37	Non-Adhering Residential Use
29	Non-Farm use
21	Subdivision
18	Soil or Fill
8	Transportation and Utility Use
2	Exclusion
0	Inclusion
115	Total

NUMBER OF APPLICATION DECISIONS RELEASED (2022/23 TO 2018/19)

While the number of decisions released by the Commission was down 2% in the 2022/23 fiscal, as compared to the previous fiscal, the number of decisions released by administrative region increased in the Island, North and Okanagan regions as a result of increased staffing levels, and an increase in the number of applications decided by the BC Energy

Regulator in the North Administrative Region. The number of application decisions made by the BC Energy Regulator this past fiscal increased from 3 in the 2021/22 fiscal to 14 in the 2022/23 fiscal. Please see [pages 50 to 52](#) for more information on delegated decision making by the BC Energy Regulator.

ADMINISTRATIVE REGION	NUMBER OF APPLICATIONS DECIDED ¹ BY REGION				
	2022/23	2021/2022	2020/2021	2019/2020	2018/2019
Interior Region	22	33	24	31	26
Island Region	38	19	40	63	31
Kootenay Region	42	44	43	52	35
North Region ²	57	46	59	97	91
Okanagan Region	64	62	99	87	96
South Coast Region	85	111	108	116	83
Total	308	315	373	446	362

¹ Applications decided includes applications carried forward from the previous fiscal.

² Applications submitted and decided in the North Administrative Region include applications to and decided by the BC Energy Regulator (formerly the Oil and Gas Commission) acting on behalf of the ALC.

The large percent increase in the number of subdivision and non-farm use application decisions made by the Commission in the 2022/23 fiscal as compared to last fiscal is due in large part to the increase in the

number of subdivision (up 25%) and non-farm use (up 27%) applications received by the Commission in the 2022/23 fiscal, as noted on [page 31](#) of this report.

INCLUSION APPLICATIONS

Inclusion applications made under s.17(3) of the ALC Act for the addition of land into the ALR may be initiated by the Commission, a local government, a First Nation Government*, or a landowner. To be included in the ALR, land must have the capability for agricultural use, based on soils and climate, or a combination of both. Local governments and First Nations may comment on an inclusion application but are required to forward all applications for inclusion to the ALC for consideration. There is no fee (\$0) required for applications to include land into the ALR.

* the definition of First Nation Government in the Agricultural Land Commission Act (ALC Act) is specific to settlement lands that are subject to a treaty or land claim agreement, or proposed settlement lands identified in an agreement in principle.

REGION	APPROVALS	REFUSALS	TOTAL DECISIONS
Interior	0	0	0
Island	0	0	0
Kootenay	0	0	0
North	0	0	0
Okanagan	3	0	3
South Coast	0	0	0
Total	3	0	3



100% of inclusion applications decided in 2022/23 were approved

1%
OF ALL 2022/2023
APPLICATIONS

EXCLUSION APPLICATIONS

Exclusion applications made under s.29 or s.30 of the ALC Act to remove land from the ALR may only be initiated by the Commission, a local government, a First Nation government*, or a prescribed public body. Exclusion applications made under s. 29 of the ALC Act must first be considered by the local or First Nation government who then, by resolution of the local government or law of the First Nation government, must determine whether to forward an application to the ALC for its consideration. A local government or First Nation government is not compelled to forward an application to the Commission (except in certain circumstances). The ALC may approve or refuse an exclusion application or approve an alternative application type and retain the land within the ALR.

* the definition of First Nation government in the Agricultural Land Commission Act (ALC Act) is specific to settlement lands that are subject to a treaty or land claims agreement, or proposed settlement lands identified in an agreement in principle.

REGION	APPROVALS	REFUSALS	TOTAL DECISIONS
Interior	0	0	0
Island	1	0	1
Kootenay	6	1	7
North	0	0	0
Okanagan	1	2	3
South Coast	0	1	1
Total	8	4	12

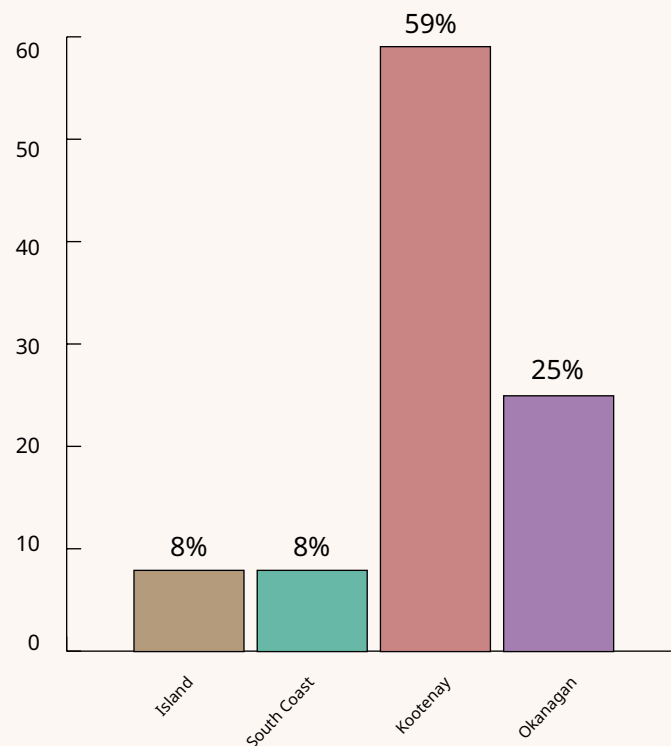


67% of exclusion applications decided in 2022/23 were approved.

4%

OF ALL 2022/2023 APPLICATIONS

DECISIONS BY REGION



ALR CHANGE APPROVED BY COMMISSION DECISION

April 1, 2022 to March 31, 2023 | All figures are in hectares (ha)

Area Approved for Inclusion and Exclusion

REGION	INCLUSION		EXCLUSION		NET CHANGE
	APPROVED	REFUSED	APPROVED	REFUSED	
Interior	-	-	0.15	-	-0.15
Island	-	-	0.46	-	-0.46
Kootenay	-	-	48	10.2	-48
North	-	-	-	-	-
Okanagan	4.1	-	4	19.2	0.1
South Coast	-	-	-	0.8	-
Total	4.1	-	52.61	30.2	-48.51

Agricultural Capability of Areas Approved for Inclusion

REGION	INCLUSION AREA	AGRICULTURAL CAPABILITY			
		PRIME	MIXED ¹	SECONDARY	UNCLASSIFIED
Interior	-	-	-	-	-
Island	-	-	-	-	-
Kootenay	-	-	-	-	-
North	-	-	-	-	-
Okanagan	4.1	-	2.2	1.9	-
South Coast	-	-	-	-	-
Total	4.1	-	2.2	1.9	-

¹ Mixed Agricultural Capability includes agricultural lands with prime dominant and secondary agricultural capabilities classifications.

Agricultural Capability of Areas Approved for Exclusion

REGION	EXCLUSION AREA	AGRICULTURAL CAPABILITY			
		PRIME	MIXED ¹	SECONDARY	UNCLASSIFIED
Interior	0.15	-	-	0.15	-
Island	0.46	-	0.46	-	-
Kootenay	48	5.1	35.5	7.4	-
North	-	-	-	-	-
Okanagan	4	-	-	4	-
South Coast	-	-	-	-	-
Total	52.61	5.1	35.96	11.55	0.0

¹ Mixed Agricultural Capability includes agricultural lands with prime dominant and secondary agricultural capabilities classifications.

See [page 73](#) for the Cumulative Statistics on lands included and excluded from the ALR in 2022/23.

Area Included and Excluded by Commission decision — April 1, 2022 to March 31, 2023 | All figures are in hectares (ha)

REGIONAL DISTRICTS	OUTRIGHT AND CONDITIONAL DECISION		NET CHANGE INCLUDE/EXCLUDE
	APPLICATION TYPE		
	INCLUSION AREA	EXCLUSION AREA	
Capital RD	-	0.46	-0.46
Central Kootenay	-	5.1	-5.1
Central Okanagan	0.4	-	0.4
Columbia Shuswap	1.9	4	-2.1
East Kootenay	-	42.9	-42.9
Okanagan Similkameen	1.8	-	1.8
Thompson Nicola	-	0.15	-0.15
Total	4.1	52.61	-48.51

Only Regional Districts with change approved during the 2022/23 fiscal year are listed in the table above.

NON-ADHERING RESIDENTIAL USE APPLICATIONS

Non-adhering residential use applications made under s.20.1 of ALC Act to permit the construction of a principal residence with a total floor area greater than 500 m², or an additional residence or accommodation use that doesn't comply with Part 4 of the ALR Use Regulation may be initiated by a landowner. All non-adhering residential use applications must first be considered by the local or First Nation government* who must, by resolution of the local government or law of the First Nation government, agree to forward an application to the Commission for consideration. A local government or First Nation government may also elect to refuse to forward an application to the Commission.

* the definition of First Nation government in the Agricultural Land Commission Act (ALC Act) is specific to settlement lands that are subject to a treaty or land claims agreement, or proposed settlement lands identified in an agreement in principle.

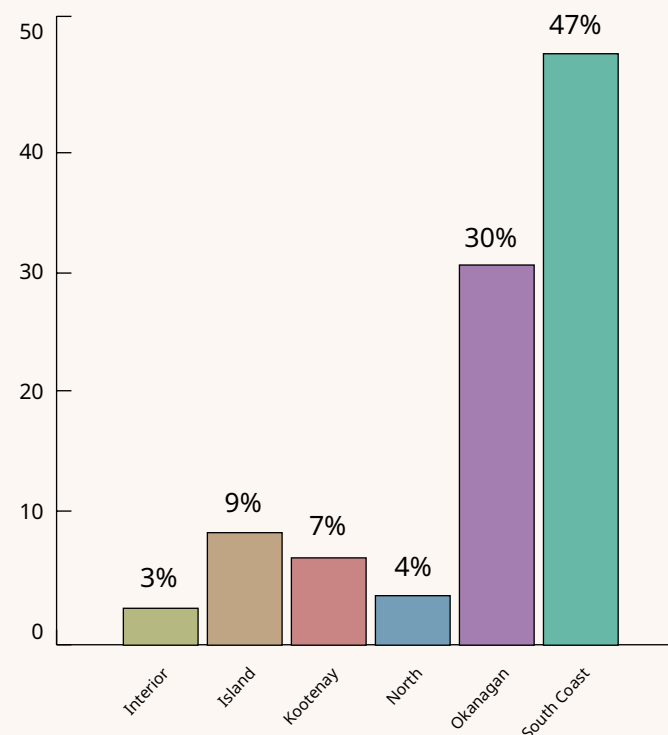
REGION	APPROVALS	REFUSALS	TOTAL DECISIONS
Interior	0	2	2
Island	3	3	6
Kootenay	4	1	5
North	2	1	3
Okanagan	17	4	21
South Coast	18	14	32
Total	44	25	69



64% of non-adhering residential use applications decided in 2022/23 were approved.

22%
OF ALL 2022/2023
APPLICATIONS

DECISIONS BY REGION



NUMBER OF NON-ADHERING RESIDENTIAL USE APPLICATIONS DECIDED BY SUB-TYPE

APPLICATION SUB-TYPE	2022/23	2021/22
Additional residence	56	72
Principal residence greater than 500m ²	12	9
Tourist accommodation	1	0
Total	69	81

APPROVAL RATE OF NON-ADHERING RESIDENTIAL USE APPLICATIONS DECIDED IN 2022/23 BY SUB-TYPE

APPLICATION SUB-TYPE	NUMBER OF DECISIONS	NUMBER APPROVED	NUMBER REFUSED	APPROVAL RATE (%)
Additional residence	56	37	19	66%
Principal residence greater than 500m ²	12	7	5	58%
Tourist accommodation	1	0	1	0%
Total	69	44	25	64%

Sixteen of the applications decided were for additional residences for temporary foreign worker accommodations; 75% were from the Okanagan Administrative Region, 12% were from the South Coast Administrative Region and 12% were from the Kootenay Administrative Region.



NON-FARM USE APPLICATIONS

Non-farm use applications made under s.20(2) of the ALC Act for a use that exceeds the thresholds permitted by the ALR Use Regulation or for a use not expressly permitted by regulation, such as commercial or industrial business uses, may be initiated by a landowner or a person with a right of entry under another enactment. All non-farm use applications must be reviewed by the local or First Nation government* who must, by resolution of the local government or law of the First Nation government, agree to forward an application to the Commission for consideration. A local or First Nation government may elect to refuse to forward an application to the Commission.

* the definition of First Nation government in the Agricultural Land Commission Act (ALC Act) is specific to settlement lands that are subject to a treaty or land claims agreement, or proposed settlement lands identified in an agreement in principle.

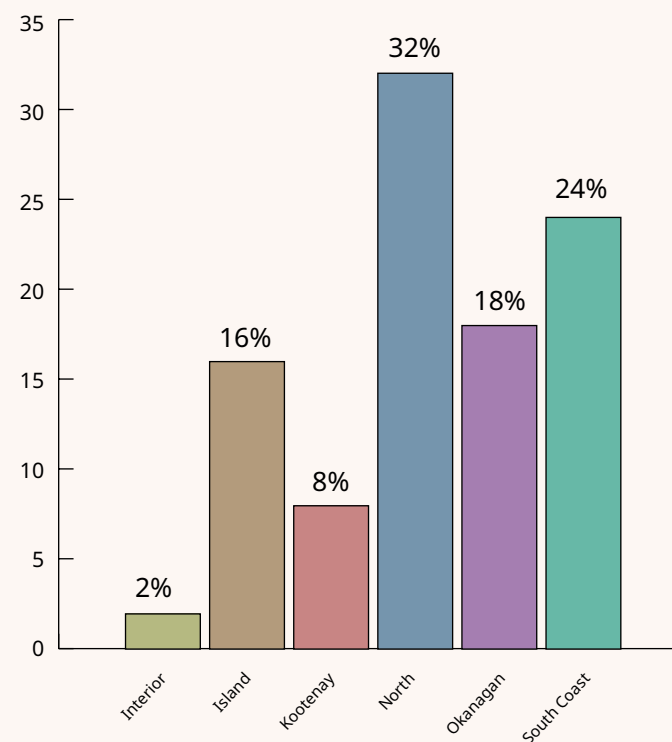
REGION	APPROVALS	REFUSALS	TOTAL DECISIONS
Interior	2	0	2
Island	8	5	13
Kootenay	5	1	6
North	24	1	25
Okanagan	7	7	14
South Coast	16	3	19
Total	62	17	79



78% of non-farm use applications decided in 2022/23 were approved.

26%
OF ALL 2022/2023
APPLICATIONS

DECISIONS BY REGION



SUBDIVISION APPLICATIONS

Subdivision applications made under s.21(2) of the ALC Act may be initiated by a landowner. All subdivision applications must be reviewed by a local or First Nation government* who must, by resolution of the local government or law of the First Nation government, agree to forward an application to the Commission for consideration. A local or First Nation government may elect to refuse to forward an application to the Commission.

* the definition of First Nation government in the Agricultural Land Commission Act (ALC Act) is specific to settlement lands that are subject to a treaty or land claims agreement, or proposed settlement lands identified in an agreement in principle.

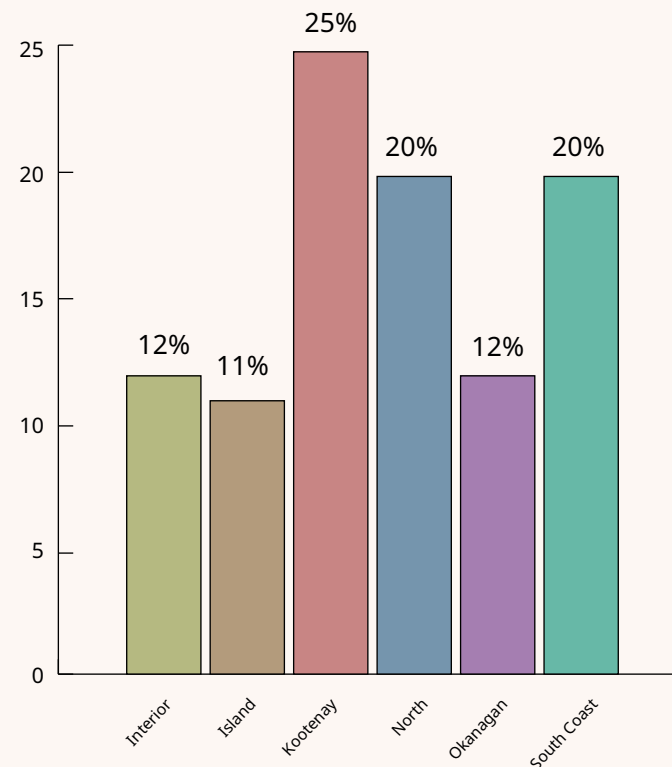
REGION	APPROVALS	REFUSALS	TOTAL DECISIONS
Interior	6	4	10
Island	4	5	9
Kootenay	8	12	20
North	9	7	16
Okanagan	4	6	10
South Coast	8	8	16
Total	39	42	81



48% of subdivision applications decided in 2022/23 were approved.

26%
OF ALL 2022/2023
APPLICATIONS

DECISIONS BY REGION



TRANSPORTATION AND UTILITY APPLICATIONS

Applications made under s.22 of the Agricultural Land Reserve General Regulation for the construction of transportation, utility and trail infrastructure in the ALR are submitted directly to the ALC, without a resolution of the local government or law of the First Nation government* or landowner consent. These applications may be made by a landowner or person with a right of entry under another enactment, provided the landowners have been notified and advised that they may submit their comments or concerns with the application directly to the Commission.

* the definition of First Nation government in the Agricultural Land Commission Act (ALC Act) is specific to settlement lands that are subject to a treaty or land claims agreement, or proposed settlement lands identified in an agreement in principle.

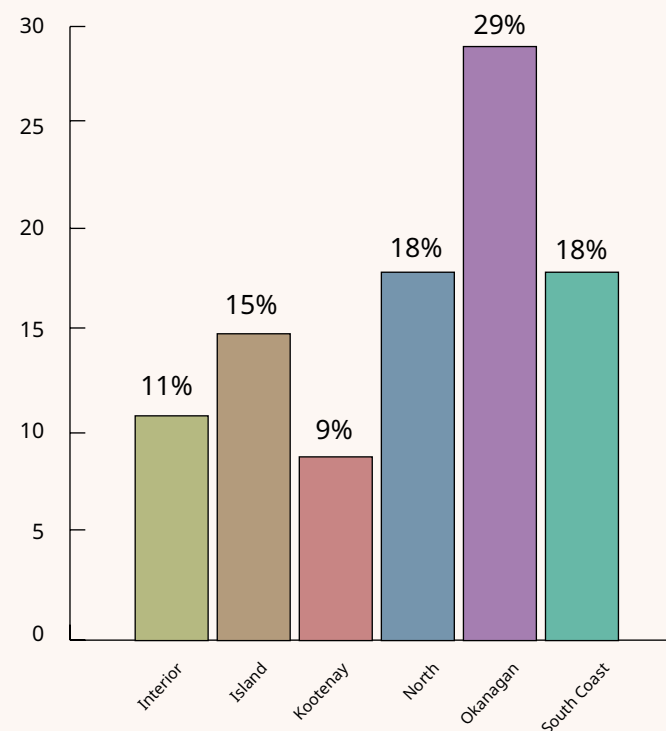
REGION	APPROVALS	REFUSALS	TOTAL DECISIONS
Interior	5	0	5
Island	7	0	7
Kootenay	4	0	4
North	7	1	8
Okanagan	12	1	13
South Coast	8	0	8
Total	43	2	45



96% of transportation and utility use applications decided in 2022/23 were approved.

15%
OF ALL 2022/2023
APPLICATIONS

DECISIONS BY REGION



SOIL OR FILL USE IN THE ALR

Only in very limited circumstances, which are expressly identified in s.26 and s.35 of the ALR Use Regulation, can fill placement or removal of soil or aggregate be undertaken in the ALR without interaction with the Agricultural Land Commission (ALC) via a Notice of Intent or a Soil or Fill Use Application. Additionally, some types of fill are prohibited under s.36 of the ALR Use Regulation and cannot be approved by the Commission.

A person who intends to place fill (including aggregate for building construction) or remove soil or aggregate in the ALR for any use that is not considered exempt under s.26 and s.35 of the ALR Use Regulation may not do so without a Notice of Intent or Soil or Fill Use Application being approved by the Commission. For more information please see [ALC Information Bulletin No. 7](#).

Exempt Activities

Maximum placement of fill for the following:

- Cranberry berms: 10 m base width and 2m high
- Flood protection dikes, drainage, irrigation, and livestock watering: 320 m³ / 16 ha annually
- Farm structures: 1,000 m² area each
- Principal residence: 1,000 m² area
- Maintaining an existing farm road: 50 m³ per 100 m annually
- Top-dress for berries: 100 m³ / ha clean sand annually
- Applying soil amendments to a depth of 30 cm

Aggregate removal (up to a maximum of 500 m³)

- Cultivable surface layer of soil must be salvaged, stored on the parcel, and be made available for rehabilitation
- Disturbed area must be rehabilitated

Soil research and testing, limited to the amount necessary

Permitted Outright

ALC Authorization Required

Notice of Intent (NOI)

- NOIs are to seek authorization prior to lawful placement of fill or removal of soil or aggregate, it is NOT a process to seek retroactive approval of fill that was placed or soil that was removed without prior authorization from the ALC
- NOIs are generally for authorization of permitted uses in the ALR Use Regulation
- NOI fee is \$150
- NOI decisions are made by the CEO or their delegates
- If an NOI is not approved, a landowner may be directed to submit an application

Application

- A landowner may also choose to directly submit an application instead of an NOI
- Soil and Fill Use applications are generally required for the placement of fill or removal of soil not expressly permitted by the ALR Use Regulation and larger scale fill or removal projects
- An application has a fee of \$1,500. If an Applicant previously submitted an NOI, the \$150 fee is deducted and the Applicant pays \$1,350
- Application decisions are made by the Commission

NOI or Application

Prohibited

Placing fill or removing soil or aggregate (other than an Exempted Activity) without completing an NOI or application is prohibited.

The following must not be used as fill on ALR land:

- Construction or demolition waste (incl. masonry rubble, concrete, cement, rebar, drywall and wood waste)
- Asphalt
- Glass
- Synthetic polymers (e.g., plastic drainage pipe)
- Treated wood or unchipped lumber

Not Permitted

SOIL OR FILL USE APPLICATIONS

Soil or Fill Use applications made under s.20.3(5) of the ALC Act for the placement of fill or remove soil or aggregate for large scale projects, or projects directed to do so by the office of the CEO after a review of a Notice of Intent (NOI) may be initiated by a landowner. All soil or fill use applications must be reviewed by a local or First Nation government and may not proceed to the Commission unless authorized by a resolution of the local government or law of the First Nation government*. A local or First Nation government* may elect to refuse to forward an application to the Commission.

* the definition of First Nation government in the Agricultural Land Commission Act (ALC Act) is specific to settlement lands that are subject to a treaty or land claims agreement, or proposed settlement lands identified in an agreement in principle.

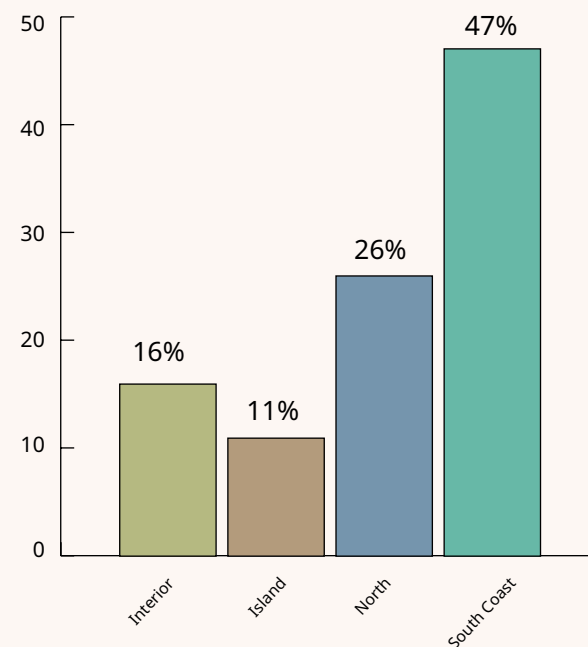
REGION	APPROVALS	REFUSALS	TOTAL DECISIONS
Interior	3	0	3
Island	2	0	2
Kootenay	0	0	0
North	2	3	5
Okanagan	0	0	0
South Coast	6	3	9
Total	13	6	19



68% of soil or fill use applications decided in 2022/23 were approved.

6%
OF ALL 2022/2023
APPLICATIONS

DECISIONS BY REGION



NOTICE OF INTENT FOR SOIL REMOVAL OR FILL PLACEMENT

A Notice of Intent (NOI) to remove soil (including mineral extraction projects) or place fill may be submitted directly to the ALC for consideration by the CEO and/or their delegate. Once all of the information necessary to make a decision has been received, the ALC has 60-days to respond to an NOI. If the CEO and/or their delegate refuses to approve an NOI, applicants must submit a soil or fill use application before any soil removal or fill placement activities can take place.

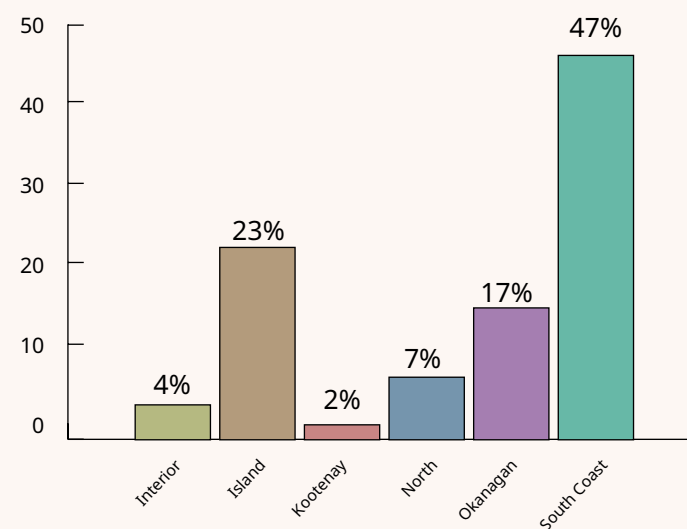
Local or First Nation governments* may not permit the placement of fill or removal of soil unless it is first approved by the Commission (NOI or Soil or Fill Use application) or is a permitted activity in s.26 or s.35 of the ALR Use Regulation.

* the definition of First Nation government in the Agricultural Land Commission Act (ALC Act) is specific to settlement lands that are subject to a treaty or land claims agreement, or proposed settlement lands identified in an agreement in principle.

REGION	APPROVALS	REFUSALS	TOTAL DECISIONS
Interior	7	0	7
Island	25	14	39
Kootenay	4	0	4
North	7	6	13
Okanagan	20	9	29
South Coast	51	31	81
Total	114	60	174

Please note: NOIs are not considered applications under the ALC Act and are not included in the application statistics referred to elsewhere in the Annual Report.

DECISIONS BY REGION



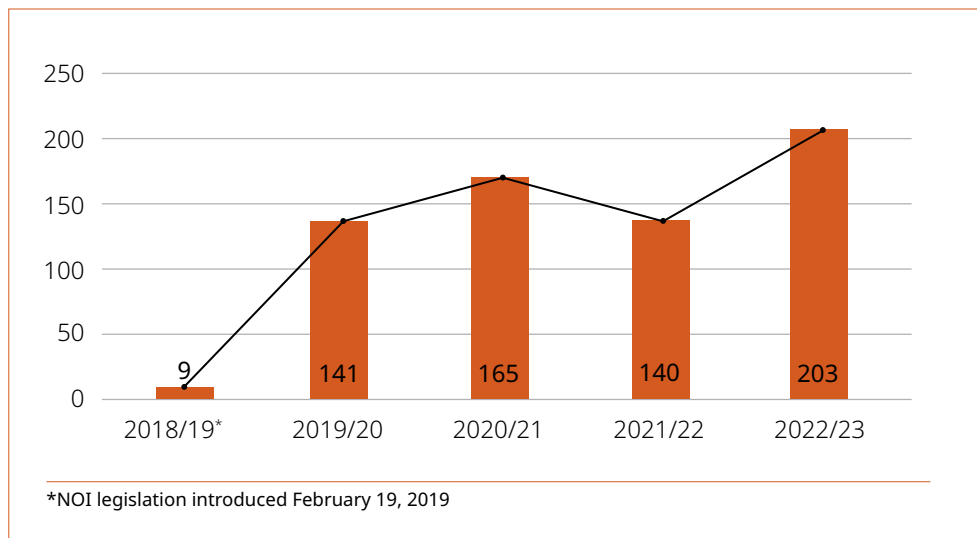
NOTICE OF INTENT SUBMISSIONS

The number of NOIs submitted to the ALC increased 44% in the 2022/23 fiscal, increasing from 140 in 2021/22 to 203 in 2022/23.

Please note the number of NOIs submitted for 2019/20, 2020/21, 2021/22 in the chart below have been amended from previous year's reports to exclude cancelled NOIs.

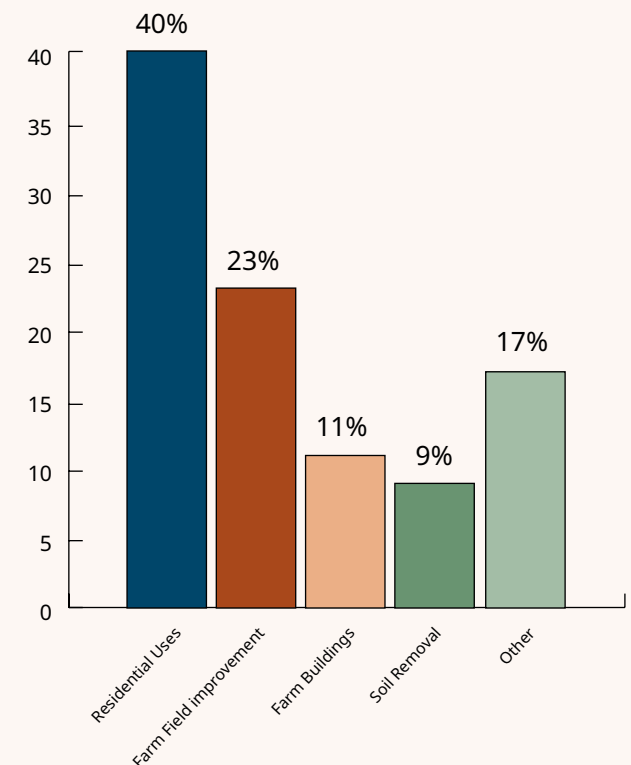
This increase is associated with the amendment to ALR Use Regulation that took effect on December 31, 2021, which permits the construction of an additional residence subject to certain conditions but still requires the ALC to authorize the removal of soil or placement of fill associated with the construction of the permitted additional residence.

NUMBER OF NOI'S SUBMITTED



The number of NOIs submitted to the ALC associated with residential use in the ALR increased from 35 in the 2021/2022 fiscal year to 73 in the 2022/2023 fiscal year and the number of NOIs submitted for the construction and/or maintenance of an additional residence increased from 12 in 2021/2022 to 29 in 2022/2023.

NOI SUBMISSIONS BY CATEGORY



2022/2023 NOTIFICATION AND DECISION PROCESSING TARGETS

The following performance indicators regarding the timely processing of applications were established effective April 1, 2016, to evaluate the performance of the ALC under s.12(2)(b) of the ALC Act.

Performance Indicator	Actual					Target
	2022/2023	2021/2022	2020/2021	2019/2020	2018/2019	
Performance Indicator 1: Percent of Applicants notified within 5 business days of application receipt ¹ by the ALC that the Application is complete.						
	93%	86%	94%	69%	95%	100%
Performance Indicator 2: Percent of Applicants notified within 5 business days of application receipt ¹ by the ALC that the Application is deficient and specifies what additional information is required.						
	87%	68%	91%	52%	95%	100%
Performance Indicator 3: Percent of Applications processed within 60 business days ² .						
	25%	45%	86%	57%	47%	90%
Performance Indicator 4: Percent of Applications processed within 90 business days ² .						
	42%	75%	95%	81%	94%	90%

¹ An application is not received by the ALC until the required application fee is paid.

² Application processing period commences on the date the ALC receives both the application documentation from the local government and the application fee from the applicant. The application period is paused when waiting for additional information from the applicant, for a scheduled site visit or exclusion meeting, or at the request of the applicant.

While it can be difficult to forecast the volume and degree of complexity of applications and their impacts on processing times, the single most significant driver for decreased application processing performance starting in the 2021/22 fiscal and carrying over into the 2022/23 fiscal was high staff turnover and the resulting backlog of applications created by position vacancies.

Seventy-nine percent (79%) of all the staff involved in the intake and

processing of applications completely changed over starting late 2021 and into early 2023.

As of February 13, 2023, all staff vacancies have been filled and the ALC is working to train staff and prioritize the processing of farm related applications in order to improve application processing performance. At current staffing levels the ALC expects processing performance indicators to return to pre-2021/2022 levels over the course of the next fiscal.



Delegated Decisions

DELEGATED DECISIONS UNDER SECTION 26 OF THE ALC ACT

Under s.26 of the Agricultural Land Commission Act (ALC Act), the Commission may enter into delegation with a First Nation government* or an authority to exercise some or all of the Commissions power to decide use or subdivision applications. Under s.26(5) of the ALC Act, a decision made by a delegated authority had the same legal effect as a decision of the ALC.

BC ENERGY REGULATOR

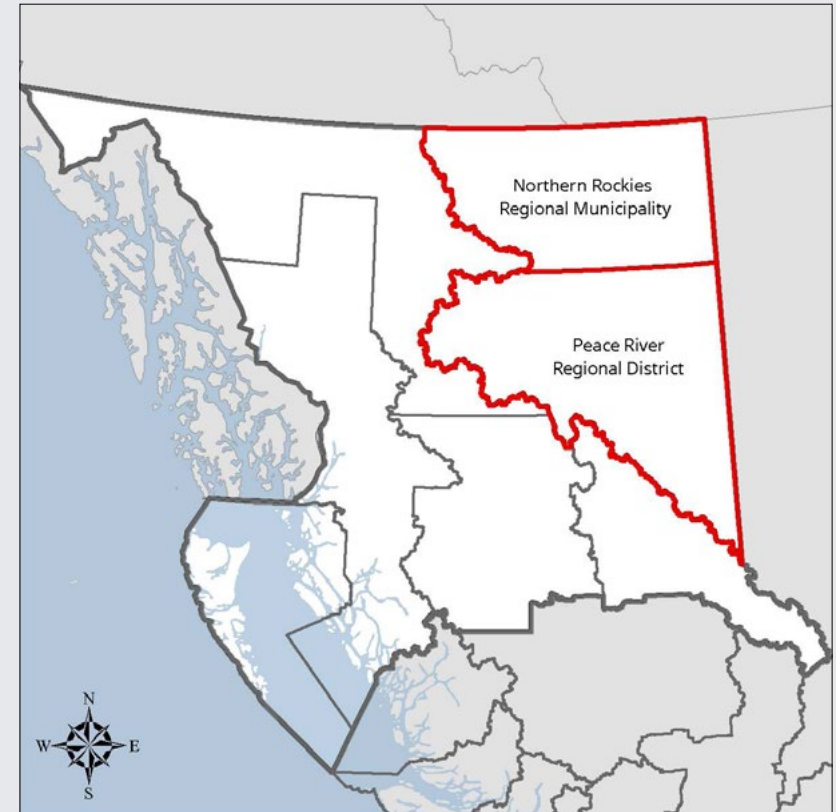
Since 2004, the BC Oil and Gas Commission (OGC), now known as the BC Energy Regulator (BCER), has been delegated the power to make decisions on applications for non-farm use associated with oil and gas production facilities, such as well sites, borrow pits, access roads, pipelines, and power lines, subject to certain thresholds, within the Peace River Regional District and the Northern Rockies Regional Municipality.

The premise behind the 2004 ALC/OGC Delegation Agreement was that oil and gas facilities were temporary and would be reclaimed and returned to agricultural uses once the resource had been extracted.

While the Delegation Agreement has been amended over the years to try and strengthen the agricultural considerations, the current agreement includes a 20 ha per section threshold up to which oil and gas facilities are permitted in the ALR without application, and beyond the 20 ha per section threshold, an application to the OGC, acting on behalf of the ALC, is required. [On the following page](#) is a summary of OGC approvals for the 2022/23 fiscal year. The ALC notes that the number of oil and gas related applications approved by the BCER increased from 4 in the 2021/22 fiscal year to 14 in the 2022/23 fiscal.

* the definition of First Nation government in the Agricultural Land Commission Act (ALC Act) is specific to settlement lands that are subject to a treaty or land claims agreement, or proposed settlement lands identified in an agreement in principle.

THE REGIONS OF THE PROVINCE COVERED BY THE ALC/OGC DELEGATION AGREEMENT



BC ENERGY REGULATOR (BCER) DELEGATED DECISION STATISTICS

The Delegation Agreement identifies oil and gas and ancillary activities that require a decision from the BCER under the ALC Act.

These activities, specified in Appendix I of the Delegation Agreement are as follows:

Item 2: oil and gas and ancillary activity sites where the combined total area of existing and proposed activities on the section is >20.0 hectares

Item 4: above ground electric power line not immediately adjacent to a road

Item 5: conversion or expansion of an existing oil and gas activity or ancillary activity, or a new oil and gas activity or ancillary activity that is listed in (i)-(v) (multi-well facilities, sumps, water reservoirs, produced water storage ponds, camps, borrow/ aggregate pits), for which new land is required and the total project (lease) area is >3.0 hectares

Item 6: oil and gas waste storage, treatment, and/or disposal facility that is operated by a person who is not a producer, or a conversation or expansion of such a site for which new land is required

OGC APPLICATION SUMMARY	2022/23	2021/22	2020/21	2019/20	2018/19
Applications Submitted	26	19	12	28	25
Applications Approved*	14	4	11	28	24
Total Area of Non-Farm Use Approved (ha)	33	3.4	37.5	153.5	180
Applications Triggering Item 2 of Appendix I ¹	13	8	10	17	19
Applications Triggering Item 4 of Appendix I ¹	8	5	-	5	4
Applications Triggering Item 5 of Appendix I ¹	7	7	10	12	7
Applications Triggering Item 6 of Appendix I ¹	1	-	-	-	-

¹ The Number of Application triggering individual items in Appendix I exceeds the total because some applications trigger more than one item.

* Pending: 6 Approval letters on hold; Proposed Disturbance Area: 122 ha; 8 of the 14 applications approved during 2022/23 fiscal year were submitted during the 2021/22 fiscal year.

The total area of ALR in Northeast BC affected by each type of oil and gas activity and ancillary activity and the total area affected.

ACTIVITY	TOTAL AREA (HA) 2022/2023			TOTAL AREA (HA) 2021/2022		
	CROWN	PRIVATE	TOTAL AREA (ha)	CROWN	PRIVATE	TOTAL AREA (ha)
Pipelines	12	60	72	79	204	283
Wellsites, facilities	4	23	27	72	47	120
Roads	6	6	12	97	332	429
Ancillary	53	27	80	151	203	354
Total	75	116	191	399	787	1,186

The total area of ALR in Northeast BC affected by activities exempt from requiring permission for non-farm use.

ACTIVITY	TOTAL AREA (HA) 2022/2023	TOTAL AREA (HA) 2021/2022	TOTAL AREA (HA) 2020/2021
Pipelines	112	102	422
Wellsites, facilities	17	11	78
Roads	2	8	61
Ancillary	88	96	326
Total	219	217	887

DELEGATED DECISION MAKING UNDER SECTION 27 OF THE ALC ACT

Under s.27 of the Agricultural Land Commission Act (ALC Act), the Commission may, by resolution, delegate to the Chief Executive Officer (CEO) the authority to make certain application decisions, subject to the establishment of criteria.

If the CEO considers that the application does not meet the purposes of s.6 of the ALC Act, does not meet the criteria specified by the Full Commission, or for any other reason does not wish to approve the application, the application must be referred to the applicable panel for a decision. An approval by the CEO is a decision of the Commission for the purposes of the ALC Act.

The CEO made a total of 76 delegated decisions in the 2022/2023 fiscal year and on average these decisions were made within 36 business days. Decisions on applications for temporary foreign worker housing, for workers registered in a federal temporary worker program, were made on average within 27 active business days.

The distribution of CEO delegated decisions by Administrative Region is as follows: South Coast (29%), Okanagan (20%), North (18%), Interior (14%), Kootenay (11%), and Island (9%).

CEO Delegated Decisions

2022/2023	2021/2022	2020/2021	2019/2020	2018/2019
76	71	83	55	31





Reconsiderations

RECONSIDERATION OF DECISIONS

ALC decisions are final and conclusive but may be reconsidered in very limited circumstances under the ALC Act, as noted below.

Requests by an affected person under s.33 of the ALC Act

The Commission may reconsider a decision pursuant to s.33 of the ALC Act upon written request of an affected party¹ or at the Commission's own initiative if the Commission determines that:

(a) evidence not available at the time of the original decision has become available that could not have been made available had the person affected exercised due diligence, or

(b) all or part of the original decision was based on evidence that was in error or was false.

This is a discretionary authority that provides the Commission with a mechanism to revisit a decision if found to be flawed due to the consideration of incorrect information

or, if substantive and compelling new information is provided that would have significantly contributed to the Commission's understanding of the facts at the time of its original deliberation. This section does not provide for the re-argument or re-weighting of the same evidence. If the panel concludes that there are no grounds for reconsideration, the ALC takes no further action on the matter.

¹ See ALC Policy P-08 on the ALC's website for the definition of an "affected party".

REGION	REQUESTS SUBMITTED UNDER S.33 ALC ACT				REQUESTS CONSIDERED UNDER S.33 ALC ACT			
	2022/23	2021/22	2020/21	2019/20	2022/23	2021/22	2020/21	2019/20
Interior	9	1	5	5	3	2	4	1
Island	5	6	11	13	2	5	2	5
Kootenay	6	1	7	18	1	3	3	6
North	4	7	8	8	1	7	4	1
Okanagan	6	17	16	14	5	5	6	6
South Coast	9	28	26	29	8	23	14	14
Total	39	60	73	87	20	45	33	33

Twenty (20) of the 39 requests submitted in the 2022/23 fiscal were reconsidered. Of the 20 requests reconsidered, 3 of the decisions were re-confirmed (original decision upheld), 1 was reversed, and 16 were varied.

RECONSIDERATIONS DIRECTED BY THE CHAIR UNDER S.33.1 OF THE ALC ACT

Pursuant to s.33.1 of the ALC Act, the Chair may direct the Executive Committee to reconsider an application decision made by a panel if the Chair finds that the application decision may not fulfill the purposes of the Commission as set out in s.6 of the ALC Act. The purpose of s.33.1 of the ALC Act is to provide the Chair with oversight to ensure consistency of decision considerations according to the ALC Act.

Subsequent to a decision being released to the applicant, the Chair is given 60-days to review a decision and direct the Executive Committee to reconsider the application. The Executive Committee must review the application and may confirm, reverse, or vary the decision.

There was only 1 chair directed reconsideration in 2022/23.

CHAIR DIRECTED RECONSIDERATIONS (S.33.1 OF THE ALC ACT)

REGION	REQUESTS			
	2022/23	2021/22	2020/21	2019/20
Interior	0	0	0	0
Island	0	0	0	0
Kootenay	0	0	0	0
North	0	0	0	0
Okanagan	0	0	0	0
South Coast	1	0	2	2
Total	1	0	2	2





Planning and Engagement

POLICY AND REGIONAL PLANNING

ALC Policy and Regional Planning staff work with provincial ministries and local and First Nation governments in a coordinated and cooperative manner by participating in planning processes and reviewing policies, plans, and bylaws with a goal to:

- Ensure consistency with the ALC Act, ALR regulations, and prior orders/resolutions of the Commission;
- Provide feedback and clarifications on ALR regulations, as needed; and,
- Identify opportunities to enable and encourage farming in the ALR.

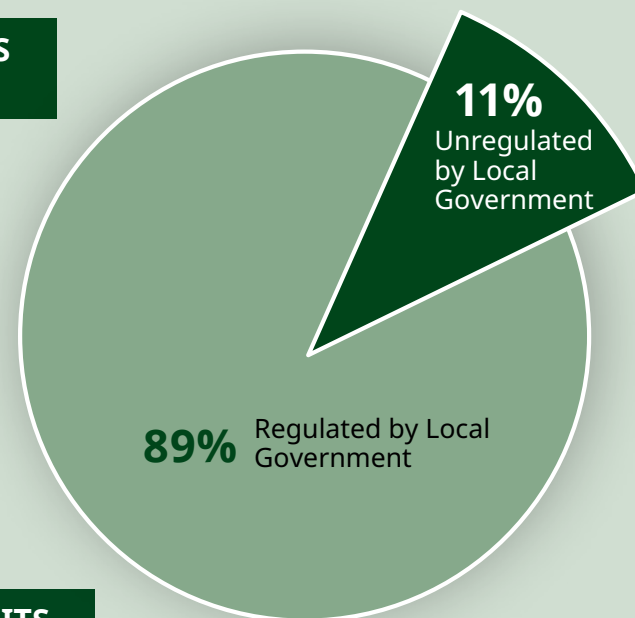
Section 3 of the ALC Act stipulates that a minister or agent of the government must not exercise a power granted under another enactment except in accordance with the ALC Act and its regulations and s.46(2) of the ALC Act requires local and First Nation governments to ensure consistency between their bylaws/laws and the ALC Act,

its regulations, and any resolutions of the Commission. Should any inconsistencies exist, the laws and bylaws are of no force or effect to the extent of the inconsistency (s.46(4) ALC Act). Notwithstanding s. 46(4) of the ALC Act, governments should still ensure their bylaws are consistent, as inconsistencies cause confusion for the public and could encourage non-compliance with the ALC Act and its regulations.

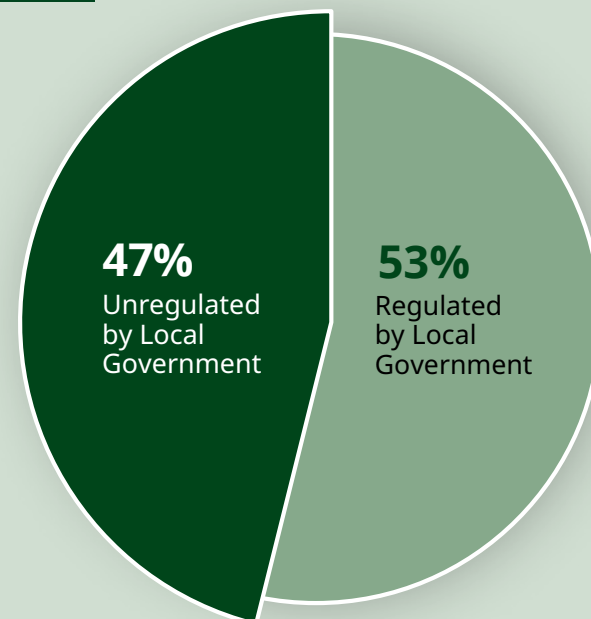
Unregulated Areas of the ALR

In 2019, the ALC polled local governments and determined that 11% of the ALR is unregulated by local government zoning, and building construction is unregulated (no permits or inspection required) in 47% of the ALR. These figures were calculated with the assistance of local government planning and geoinformational staff. The ALC plans to undertake additional work to determine the impact of this finding on the ALR.

ZONING BYLAWS REGULATIONS



BUILDING PERMITS REGULATIONS



BYLAW REVIEW HIGHLIGHTS

Each year, the ALC reviews local government plan and bylaw referrals affecting the ALR and land adjacent to the ALR for consistency with the ALC Act and its regulations. These include, but are not limited to, Official Community Plans, Neighbourhood Plans, Zoning Bylaws, Agricultural Area Plans, Transportation Plans, and Parks and Open Space Plans. The ALC received 21 major planning referrals this past fiscal.

Of note, this past fiscal was the:

Peace River Regional District's North Peace Fringe Area Official Community Plan Referral

In June 2022, the Commission reviewed the Peace River Regional District's (PRRD) North Peace Fringe Area Official Community Plan (OCP). The OCP is an update to the 2011 plan and proposed changes to some existing non-agricultural designations in the ALR that the Commission previously endorsed.

In 2009, the Commission (Resolution #1105/2009) endorsed some lands for primarily medium- and high-density residential, industrial, and commercial uses. In this review, the Commission endorsed the following land use designation changes:

- ~75 ha previously endorsed for *Medium Density Rural Residential* back to *Agriculture*
- ~15 ha previously endorsed for *Medium Density Residential* to *Industrial*
- 2 ha of already developed ALR land to *Settlement Centre* and
- ~160 ha of ALR land that was previously endorsed for *Light Industrial* and *Medium Density Residential* to *Study Area (Industrial)*.

The net result of these endorsements is ~73 ha of land returned to an Agriculture designation.

Additionally, the Commission agreed to endorse a Geotechnical Hazard Study Area designation over ~290 ha of ALR land near the 2018 and 2020 Old Fort landslides, to limit development while the geotechnical hazard is assessed. This designation does not change the underlying *Agricultural* designation and does not indicate a future change in use from agriculture to any non-farm uses.



REGION	MAJOR REFERRALS RECEIVED
Interior	1
Island	5
Kootenay	5
North	2
Okanagan	6
South Coast	2
Total	21

POLICY AND INFORMATION BULLETINS

The ALC's policies and information bulletins provide clarification and legal interpretation of the ALC Act and its regulations, as well as provide guidance on courses of action consistently taken or adopted by the Commission.

All ALC policies and information bulletins are available on the ALC's [Policies & Bulletins](#) page of the website. The following is a summary of the more significant changes made in 2022/23:

Policy P-02 Parcels Less than 2 Acres was amended to clarify that the use exception set out in section 23(1) of the ALC Act is limited and does not provide a general exemption from the ALC Act or its regulations. Lands that meet the exception remain in the ALR and the ALR notation remains on the certificate of title. The policy was also updated to include a 'Role of Local Government' section that clarifies that local governments do not have the authority to make determinations under section 23(1) of the ALC Act and that farm uses or non-farm uses permitted in Part 2 and Part 3, Division 1 of the ALR Use Regulation, respectively can not be prohibited by a local government enactment.

CEO Delegated Decision-Making Criteria was amended to no longer permit the CEO to decide on exclusion applications following changes made by government to the legislation governing the exclusion application process in the ALC Act; and to allow the CEO to make decisions on non-adhering residential use applications for up to 130 temporary farm workers per farm operation for tree fruit operations.

The definitions of Total Floor Area (TFA) in Information Bulletin IB-05 were amended to:

- define crawlspace and to exclude these spaces from the calculation of total floor area for both principal and additional residences.

- clarify that attic spaces created using roof trusses are excluded from the definition of total floor area for both principal and additional residences and that attic spaces created by using attic trusses or rafters are included in the calculation of total floor area; and
- require attached garages and unenclosed carport floor area to be included in the calculation of total floor area for an additional residence unless the additional residence occupies the second storey above a one storey garage.

Info Bulletin IB-09 Subdivision in the ALR was published to assist with the interpretation of the ALC Act, the Agricultural Land Reserve General Regulation (ALR General Regulation) and the Agricultural Land Reserve Use Regulation (ALR Use Regulation), in relation to subdivision in the ALR. The bulletin includes information on permitted subdivisions, subdivision restrictions for parcels less than two acres, statutory rights of way that may cause subdivision, leasing a portion of land that causes subdivision, and restrictions on the registration of strata plans in the ALR.

ALC ENGAGEMENT AND OUTREACH

Working Groups

Public Interest Bonding Strategy (PIBS) Working Group — the ALC is part of a cross-government working group that has a mandate to ensure owners of large high risk industrial projects are appropriately bonded so that they, not British Columbians, pay the full costs of environmental cleanup if their projects are abandoned. The project is led by the Ministry of Environment (MOE) with working group members from across the Natural Resource Sector.

LTSA Working Group — ALC and Land Title and Survey Authority of BC staff established a working group to identify ways to improve the current process for the registration of documents and notices on title.

Filming in the ALR Working Group — Since 2017, the ALC has worked collaboratively with Creative BC and interested local government stakeholders to develop an approach for accommodating temporary location filming in the ALR. As a result of this work a four-stream approach for considering temporary filming proposals in the ALR has been established. The four streams include:

Stream 1: Temporary filming on a property in the ALR for no more than 10 days a year, not including prep and wrap days, consistent with the 'gathering for an event' provisions of under s.17 of the ALR Use Regulation do not require application to the ALC.

Stream 2: Temporary filming on select properties in the ALR, confirmed by the ALC, that have historical non-farm use approvals for assembly or event use do not require application to the ALC.

Stream 3: Properties wanting more than 10 days per year of filming on a property in the ALR must apply for a non-farm use application, but the processing of these applications is streamlined if the property and proposed filming activity complies with specified criteria established by the Commission for the CEO to consider.

Stream 4: Properties wanting more than 10 days per year of filming on a property in the ALR, that do not comply with Stream 3 criteria, must apply for a non-farm use application that will be considered by a decision-making panel comprised of Commissioners who served on the ALC filming in the ALR working group and are knowledgeable about the film industry and its practices.

Stream 3 was implemented as a pilot project in April 2021 with the intention to streamline low-impact proposals for up to 60 days of filming per year, subject to certain criteria including 'Farm' classification under the Assessment Act and submission of a financial security to ensure site restoration. The ALC has been working with the Township of Langley to trial this application process and, in December 2022, the first 6 applications were forwarded from the Township of Langley to the ALC for consideration. The ALC will be monitoring film activity on these properties and assessing any agricultural issues resulting from these applications to assist the working group and the Township of Langley to refine the pilot project criteria as necessary in the coming years.



SUPERMAN & LOIS TO START FILMING SEASON 2 THIS SEPTEMBER (HOLLYWOODNORTHBUEZZ.COM)

PRESENTATIONS AND ENGAGEMENT

- Association of Regional District Planning Managers of BC Conference
- Regional District Chair and Chief Administrative Officer Forum
- BC Agriculture Council
- Tla'amin First Nation
- North Administrative Region Planner Workshop
- Licence Inspector's and Bylaw Officer's Association (LIBOA) Conference
- BC Agriculture in the Classroom Foundation Summer Institute
- 4-H Food For Thought Program
- BC Indigenous Advisory Council on Agriculture and Food (IACAF)
- Union of BC Municipalities (UBCM) 2022 Local Government Convention Meetings
- City of Armstrong
- City of Prince George
- City of Kamloops
- District of Lake Country
- City of Kelowna
- City of Fort St John
- Peace River Regional District
- Regional District of Okanagan Similkameen Area G
- District of Squamish
- Squamish Lillooet Regional District
- Century 21 Realtors (Okanagan Region)
- Squamish Valley Realtors
- Richmond Agricultural Advisory Committee
- BC Institute of Agrologists- Okanagan Branch
- First Nations Leadership Gathering
- Metro Vancouver's Annual Agriculture Planners Workshop
- Ministry of Agriculture and Food's Engagement Session on the Alignment of Laws Initiative
- Western Washington State University
- Regional District of Central Kootenay and Creston Valley Agricultural Advisory Committee
- Shuswap North Okanagan Rail Trail Town Hall





Judicial Review

JUDICIAL REVIEW

The legislation does not provide for appeals of tribunal decisions. Instead, a party may apply for judicial review in BC Supreme Court. A judicial review is not a re-trial or a rehearing of an application. In this type of review, a sitting Supreme Court judge will review a decision that has been made by an administrative tribunal or an administrative decision maker. The judge does not focus on whether they would have made a different decision than that of the original decision maker. Instead, the judge focuses on determining whether the decision maker had the authority to make a particular decision and whether the decision maker exercised that authority reasonably and fairly.

In the 2022/23 fiscal year, there were no judgements made in the BC courts (in this case, the BC Supreme Court) related to the Agricultural Land Commission (ALC).





Compliance and Enforcement Program

The ALC's Compliance and Enforcement (C&E) Program was brought into effect in 2007 out of concern that damage from activities not permitted in the ALR would continue to occur unless further protective measures were taken.

The C&E program's main purpose is to ensure that activities taking place within the ALR are consistent with the ALC Act and its regulations. This is achieved by using a combination of education, compliance assessment, and enforcement.

Officials designated under the ALC Act have legislated authority to enforce provisions of the ALC Act on ALR lands. This authority includes entering and inspecting land, requesting records, and issuing orders for compliance and stop work orders if uses of land contravene or are about to contravene the Act, its regulations, or orders of the commission.

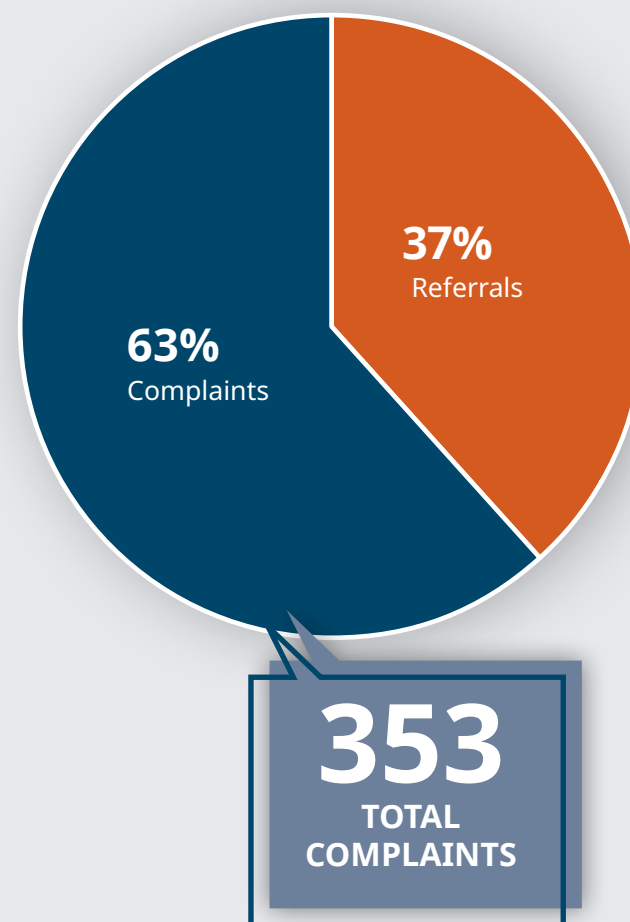
The ALC C&E program currently consists of six officers, one intake program advisor and one supervisor/officer. Three officers are based in Burnaby, 1 officer is based in Nanaimo, 1 officer is based in Kamloops, and 2 officers are based in the Okanagan region.

This past fiscal, the C&E team was focused on actively working with local and regional governments providing education and guidance on the ALC, ALR and our governing legislation.

Officer's key functions include:

- Responding to reports of alleged ALC contraventions on private or public ALR land;
- Conducting inspections;
- Seeking voluntary compliance when contraventions are found and taking enforcement actions when needed; and
- Developing and maintaining partnerships with municipalities, regional districts and other Provincial agency staff on collaborative enforcement.

COMPLAINTS AND REFERRALS 2022/2023



COMPLIANCE & ENFORCEMENT WORKLOAD

As of April 1, 2022, there were 602 active C&E files (i.e. non-resolved complaints and referrals) carried forward from the previous fiscal year, which is an increase of 2% over the previous fiscal.

The number of incoming complaints and referrals was up 33% (i.e. 353) in the 2022/23 fiscal as compared to the previous fiscal. While property inspections were up by 18% in the 2022/23 fiscal year, enforcement actions were down 11%, file closure rates were down 28%, and the number of active files at fiscal year end was up 29% due in large part to staffing vacancies.

ALC C&E inspection records and orders relating to private or public organizations can be reviewed at the [Natural Resource Compliance and Enforcement Database \(NRCED\)](#).

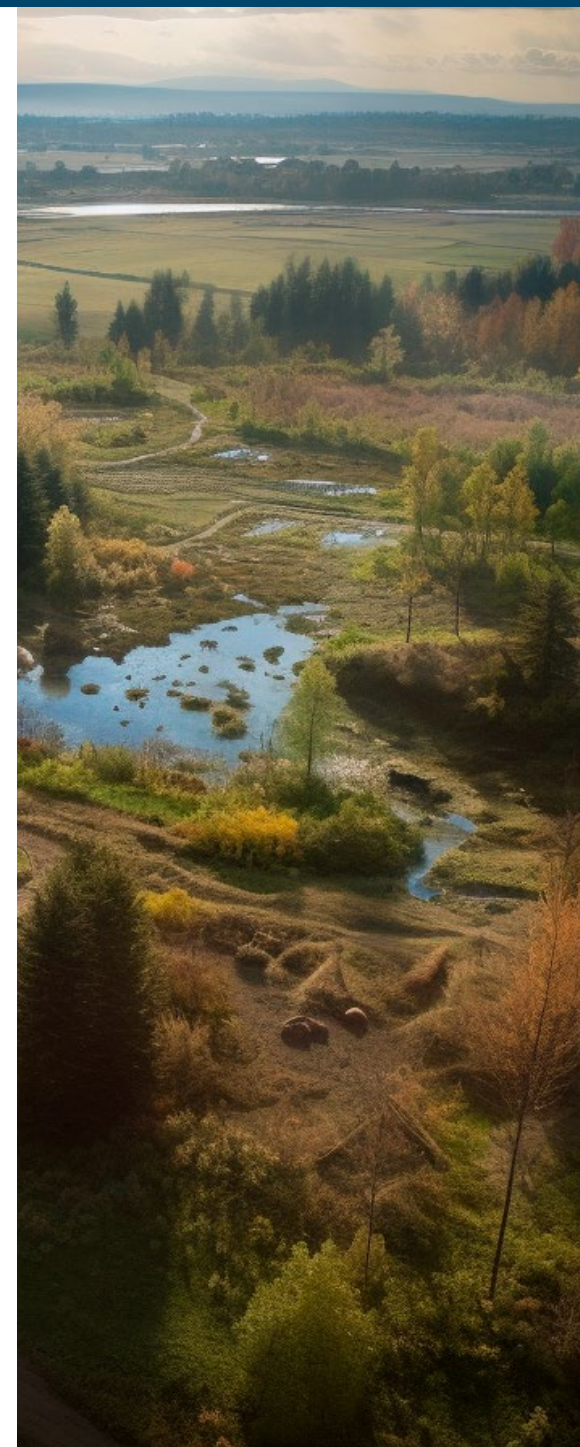
C&E Statistics

C&E ACTIVITY	PERCENT CHANGE FROM PREVIOUS FISCAL	2022/2023	2021/2022	2020/2021
Active Files at Beginning of Year (April 1) ¹	+2%	602	588	477
Incoming Complaints/Referrals	+33%	353	265	310
Files Closed	-28%	179	250	200
Active Files at End of Year (March 31)	+29%	776	602	587
Property Inspections	+18%	346	292	194
Compliance Actions ²	+0.5%	224	223	234
Enforcement Actions — Orders Issued ³	-11%	17	19	17

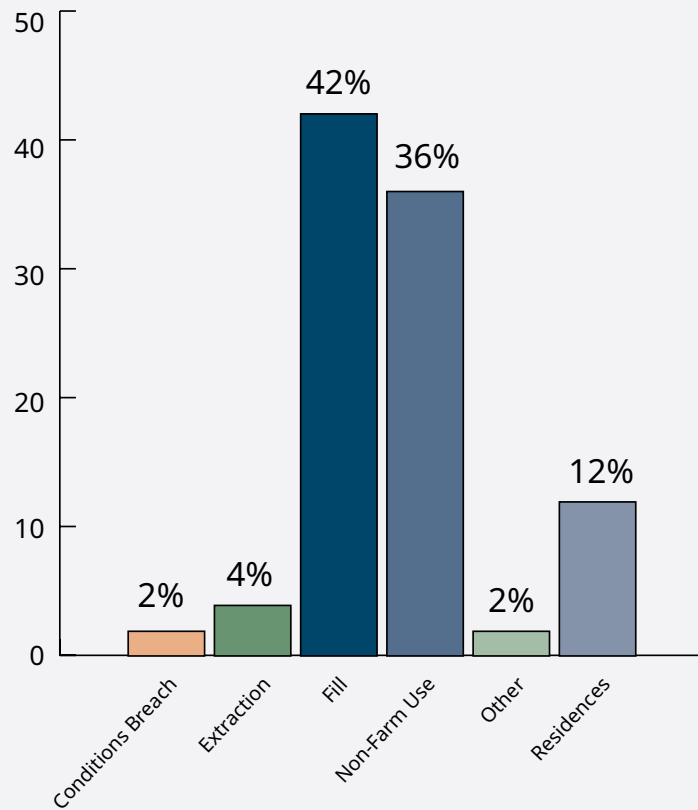
¹ Number of active files at the beginning of fiscal; includes files from the previous fiscal years.

² Compliance actions include compliance notices and notices of contravention.

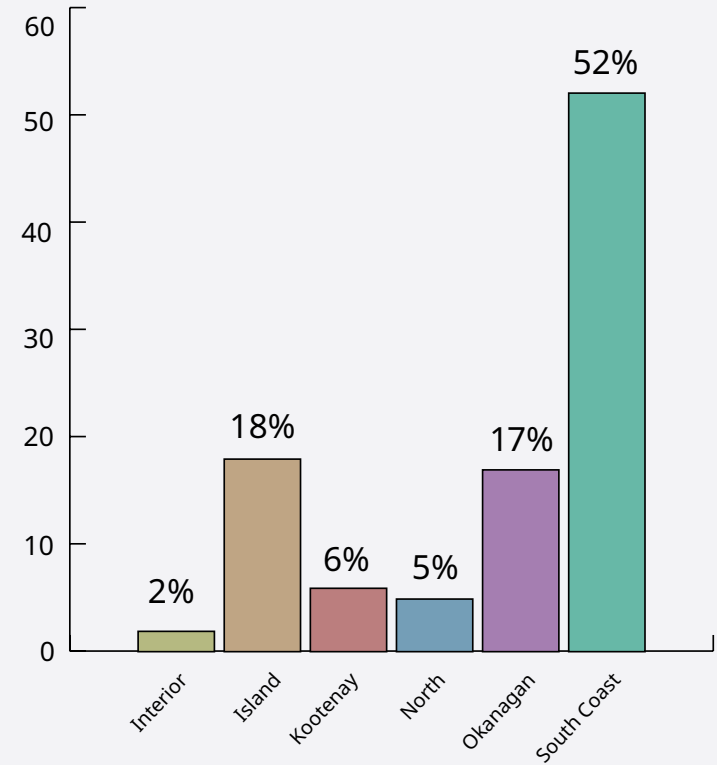
³ Orders include stop-work orders, remediation orders and penalty orders.



C&E FILES BY TYPE



C&E FILES BY REGION



ENFORCEMENT APPEALS UNDER S.55 OF THE ALC ACT

A person who is the subject of a determination, decision, order or penalty by an ALC official under section 50, 52 and 54 of the ALC Act may appeal to the board of the Commission. The ALC Rules of Practice and Procedure for Appeals is available on the ALC's website. On an appeal, the Commission may confirm or reverse the determination, decision, order or penalty, or refer the matter back to the official with or without direction.

In 2022/2023 there were no appeals submitted during the fiscal year. To view appeals decided visit the ALC website at: <https://www.alc.gov.bc.ca/alc/content/alc-act-alr-regulation/compliance-and-enforcement>

OUTCOME OF APPEAL	# OF ORDERS UNDER APPEAL
Confirmed	0
Reversed	0
Decision Pending	1
Withdrawn	1
Total	2

These stats are for appeals submitted in the previous fiscal.



Financial Report



2022/23 AGRICULTURAL LAND COMMISSION STATEMENT OF FINANCIAL OPERATIONS

STOB	DESCRIPTION	2022/23 BUDGET	2022/23 ACTUAL	2021/22 BUDGET	2021/22 ACTUAL
50-52	Salaries & Benefits	2,773,000	4,016,198	2,773,000	3,565,088
55	Commission — Expenses & Fees	794,000	379,268	794,000	329,706
57	Staff Travel	188,000	49,215	188,000	11,751
59	Centralized Support Services	28,000	-	28,000	-
60-61	Professional Services — Legal	525,000	331,612	525,000	368,657
63	IT Expenses	239,000	79,833	239,000	146,662
65	Office Supplies & Business Expenses	69,000	50,859	69,000	63,471
68	Statutory Advertising & Publications	21,000	-	21,000	-
69	Utilities, Materials & Supplies	26,000	14,244	26,000	8,737
70	Vehicle Expenses	52,000	3,618	52,000	2,584
73	Amortization	281,000	13,318	281,000	13,318
75	Building Occupancy Charges	5,000	96,500	5,000	94,077
77-80	Government Transfers	-	-	-	268,409
85	Other Expenses	3,000	-	3,000	-
88-90	Recoveries (Internal & External)	(3,000)	(141,394)	(3,000)	-
	Total	\$5,001,000	4,893,271	\$5,001,000	4,872,460

Appendix



CUMULATIVE GIS ALR CHANGE — INCLUDED & EXCLUDED | APRIL 1, 2012 – MARCH 31, 2023

FISCAL YEAR	INCLUSIONS (ha)	EXCLUSIONS (ha)	NET CHANGE	CURRENT TOTAL ALR (ha)
April 1, 2012				4,623,289
2012/13	238	1709	-1471	4,621,818
2013/14	1296	1957	-662	4,621,156
2014/15	792	1090	-298	4,620,858
2015/16	79	4283 ¹	-4,204	4,616,654
2016/17	198	943 ²	-745	4,615,909
2017/18	223	2970 ³	-2747	4,613,162
2018/19	65	212	-147	4,613,015
2019/20	127	238	-111	4,612,904
2020/21	103	137	-34	4,612,870
2021/22	39	384 ⁴	-344	4,612,526
2022/23	18	204 ⁵	-186	4,612,340
Total	3,178	14,126	-10,949	

Cumulative GIS ALR Change Notations

All figures calculated using GIS data are based on final Completion Date for the boundary change.

These figures reflect application and non-application related ALR boundary changes. Application changes resulting from the completion of conditions of approval and non-application related boundary changes resulting from changes made by the Provincial government via legislation or regulation, cadastre changes and other associated amendments to the ALR boundary that are not tracked due to their nature and frequency.

Non-Application Related Boundary Changes of Note

¹ In April 2015, Order in Council 148 'permanently' excluded 2,775 hectares and 'temporarily' excluded an additional 941 hectares of land from the ALR for Site C Dam. The total area excluded from the ALR is 3,716 hectares. The excluded area is reflected in the GIS ALR Change table statistics for 2015/16 but is not recorded as a decision of the ALC panel or the Commission.

² In accordance with paragraph 30 of the Lands Chapter of the Tla'amin Final Agreement and section 9 of the Tla'amin Final Agreement Act, 835.8 hectares of land was excluded from the ALR effective April 5, 2016. The excluded area is reflected in the GIS ALR Change table statistics for 2016/17 but is not recorded as a decision of the ALC panel or the Commission.

³ In October 2017, the ALC completed the East Kootenay ALR Boundary Review Project that excluded 2875.6 ha from the ALR; 1284.8 ha was excluded from Electoral Area B and 1590.8 ha was excluded from Electoral Area E. The excluded area is reflected in the GIS ALR Change table statistics for 2017/2018.

⁴ In February 2022, Order in Council 53 'temporarily' excluded an additional 101.5 hectares of land from the ALR for Site C Dam.

⁵ In March 2023, Order in Council 147, excluded 66.2 ha from the ALR for Eco-waste Industries Ltd. in the City of Richmond.

Archived ALC Cumulative Statistics Table 1974 — March 31, 2012

See report appendix for ALC cumulative inclusion and exclusion statistics by calendar year. The ALR data on this table were calculated using manual methods (i.e. Dot Matrix or electronic planimeter). The ALR maps were not digitized into GIS until April 1, 2012.

1. ALR INCLUDED AND EXCLUDED BY CALENDAR YEAR (DATABASE) | 1974 – MARCH 31, 2012

FISCAL YEAR	INCLUSIONS	EXCLUSIONS	NET FIGURE	CURRENT ALR AREA
At Designation				4,717,519
1974	0	628	-628	4,716,891
1975	2,561	3,193	-632	4,716,259
1976	517	2,365	-1,848	4,714,411
1977	4,300	18,924	-14,624	4,699,787
1978	19,141	10,524	8,617	4,708,403
1979	3,252	9,758	-6,507	4,701,897
1980	242	6,131	-5,889	4,696,008
1981	1,275	16,474	-15,199	4,680,809
1982	3,634	6,212	-2,578	4,678,231
1983	6,233	4,228	2,005	4,680,235
1984	7,545	5,047	2,498	4,682,733
1985	19,440	9,229	10,211	4,692,944
1986	1,807	4,662	-2,855	4,690,089
1987	5,152	2,868	2,283	4,692,373
1988	6,714	1,238	5,476	4,697,848
1989	947	1,180	-233	4,697,615
1990	10,680	2,195	8,485	4,706,100
1991	768	2,075	-1,306	4,704,794
1992	3	1,081	-1,078	4,703,716
1993	5,843	823	5,020	4,708,736
1994	2,877	1,642	1,235	4,709,971
1995	1,095	1,171	-75	4,709,896
1996	1,868	1,574	294	4,710,190
1997	869	5,252	-4,383	4,705,808
1998	678	2,861	-2,184	4,703,624
1999	1,961	1,864	97	4,703,721
2000	23,204	5,797	17,407	4,721,127
2001	973	553	420	4,721,548
2002	41,792	1,530	40,262	4,761,809
2003	428	746	-318	4,761,491
2004	1,559	1,497	62	4,761,553
2005	1,670	2,241	-572	4,760,981
2006	977	531	446	4,761,428
2007	1,263	1,628	-365	4,761,063
2008	801	1,457	-655	4,760,408
2009	1,385	2,172	-787	4,759,620
2010	658	555	103	4,759,723
2011	682	632	50	4,759,773
March 31, 2012	16	6	10	4,759,783

¹ All figures between 1974 and 2008 include both final decided and conditionally approved decisions.

² Figures from 2009 forward include only final approved and completed conditions decisions.

³ ALR area at designation is based on manual mapping method (dot Matrix or electronic planimeter 1974).

