

 <p><b>Agricultural Land Commission Act</b></p>	<p style="text-align: right;"><b>Policy P-07 October 2016</b></p> <p style="text-align: center;"><b>POLICY REGARDING SITE VISITS IN APPLICATIONS TO AND ADJUDICATIVE DECISION MAKING FUNCTIONS OF THE PROVINCIAL AGRICULTURAL LAND COMMISSION (THE “COMMISSION”)</b></p>
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1. For the purposes of this policy, a “site visit” refers to any visit to a property by a member of a decision-making panel of the Commission for the purpose of making observations or gathering evidence (including taking photographs) relevant to an application before or other adjudicative decision-making functions of the Commission. A site visit may take one of three forms:
  - (a) A “walk-around and meeting” with the applicant;
  - (b) A “walk-around” intended solely to allow the panel to make observations and ask questions, but not for the applicant to make representations;
  - (c) A “drive by” the property without entering onto the property.
2. No Commission member will conduct a site visit unless the panel (regional panel or Executive Committee) has determined in advance: (i) that a site visit is necessary or desirable in order to properly decide the application or other adjudicative matter, and (ii) what type of site visit is appropriate in the circumstances.
3. Where a site visit requires entry onto the applicant’s property, Commission staff will advise the applicant in writing (by letter or email) in advance, setting out the nature of the site visit and whether the site visit will include an opportunity for the applicant to make representations (see 1(a) and 1(b) above). The letter or email will attach a copy of the Commission’s Policy Statement Concerning the Role of Elected Officials in Applications to and other Adjudicative Decision-Making Functions of the Commission.
4. No site visit will be undertaken before notifying the Commission office and giving Commission staff the opportunity to attend with the panel at the site visit. All liaison for the purpose of arranging the time, place and entry onto the site will be conducted by Commission staff.
5. If the site visit involves an application for exclusion, the panel and staff must take all reasonable steps to ensure that the site visit and meeting comply with the requirements of the Agricultural Land Reserve Use, Subdivision and Procedure Regulation pertaining to exclusion applications.
6. Taking into account the volume of applications, the geography of the province and the location of regional panel members, a regional panel may designate one or two of its members to conduct a site visit.
7. At the conclusion of the site visit, a draft site visit report will be prepared and provided to the applicant for comment. Following the comment process, the site

visit report will be finalized and become part of the decision-making record provided to all members of the decision-making panel as part of its deliberations.

8. Where a panel concludes that the site visit should be a “walk-around and meeting” with the applicant, the regional panel will ensure that the site visit is organized so that the applicant is given a reasonable opportunity to provide evidence and representations to the panel. Where the “walk-around and meeting” takes place with less than the full panel present, a draft report of the representations will be produced and provided to the applicant for comment. Following the comment process, the report will be finalized and, together with any additional evidence provided by the applicant (e.g., photographs or reports) will become part of the decision-making record provided to the entire panel as part of its deliberations.
9. If the applicant wishes to make representations to the panel, the applicant must make the representations in person or through the applicant’s agent. For the purposes of this policy, the “applicant’s agent” means the person shown on the Application form as “agent”. If the applicant wishes to have another person at the site meeting, such as an agrologist or other agricultural professional to make representations on behalf of the applicant, the applicant must give prior written notice to the chair of the panel setting out the persons the applicant wishes to attend at the site meeting. The panel will not entertain representations by any other person.
10. If a panel concludes that the site visit should be limited to a “drive-by” the property, the applicant will not receive advance notice of the “drive-by” but will be provided with a copy of the written report produced as a result of the drive- by, and an opportunity to provide written comment on any matter referenced in the report.