



Agricultural Land Commission Local Government Stakeholder Survey

Prepared for:

Kim Grout, CEO

Lindsay McCoubrey, Policy Analyst

April 18, 2018

The logo for 'sentis' features a stylized 3D cube icon composed of green and grey faces, followed by the word 'sentis' in a lowercase, sans-serif font.

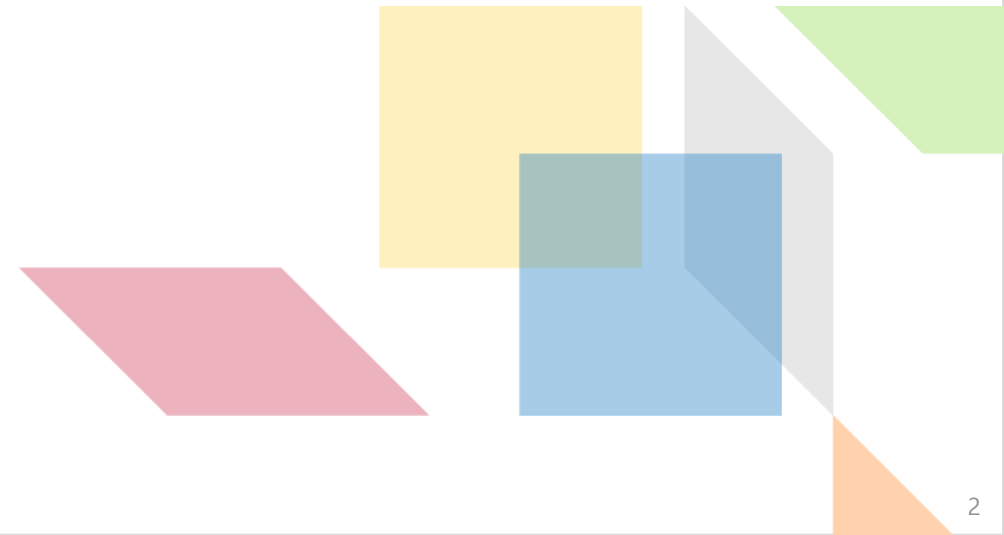
Contents

03 Background, Objectives & Methodology

06 Summary

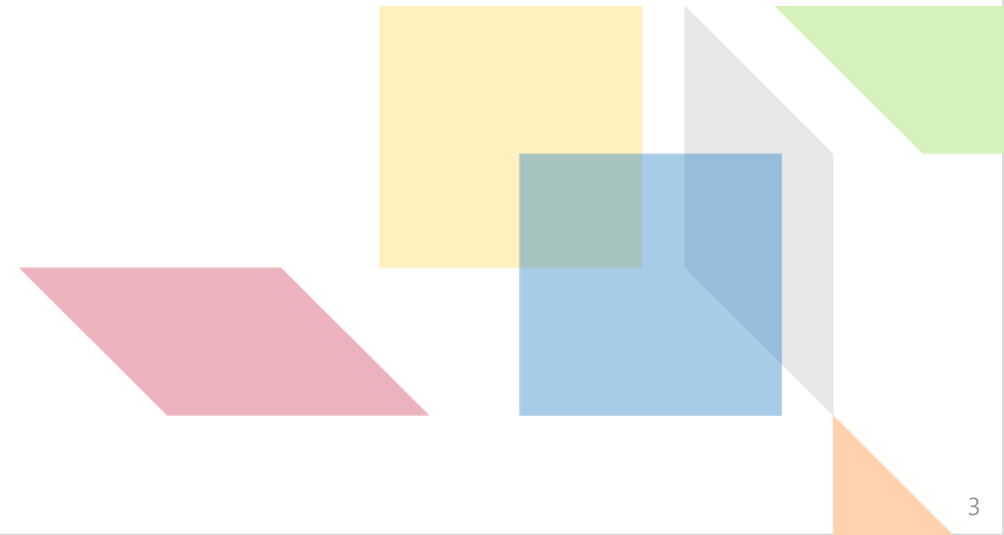
09 Survey Results

28 Appendix



The logo for 'sentis' features a stylized 3D cube icon composed of green and grey faces, followed by the word 'sentis' in a lowercase, sans-serif font.

Background, Objectives & Methodology

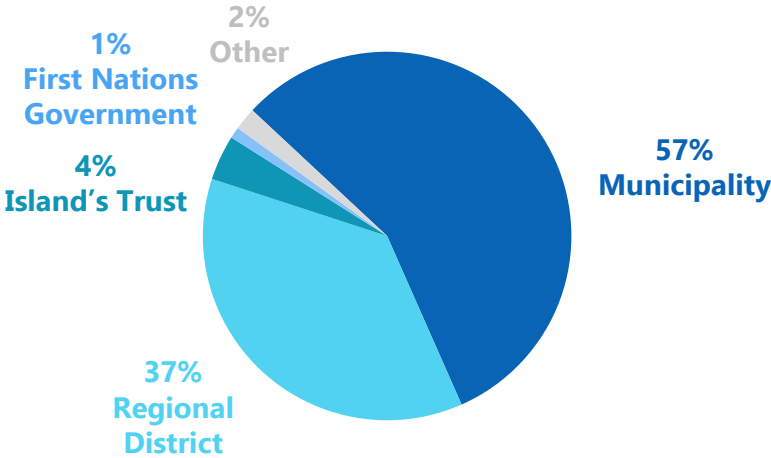


Background & Objectives

- › The Ministerial Order No. M072 sets out a series of goals for the Agricultural Land Commission (ALC). One goal is Local Government Engagement. The Minister expects that the commission will work with local governments to recognize agricultural land uses and enforce the Agricultural Land Commission Act within the context of local planning and zoning such as official community plans, land use bylaws, growth strategies, agricultural plans and related policies.
- › In late 2016, the ALC commissioned Sentis Research to survey local governments and elected officials whose work involves the Agricultural Land Reserve (ALR). The results of this baseline survey revealed that the top land use planning, by-law enforcement and compliance challenges identified by local governments are:
 - Unauthorized land use in the ALR
 - Additional dwellings
 - Public awareness/education
 - Unauthorized filling in the ALR
 - Subdivisions
- › Based on those findings, a second survey was conducted in early 2018 to gather feedback on how the ALC and local governments could most effectively address these challenges. Another objective of the survey was to solicit local government feedback on the draft ALC Bylaw No. 2 – Placement of Fill in the Agricultural Land Reserve.
- › Specifically, the 2018 survey addressed the following objectives:
 - Identified strategies to decrease the incidence of unauthorized uses in the ALR
 - Identified permitted uses that are the most difficult to regulate
 - Gathered information on additional dwellings for farm help, including the criteria used and challenges faced
 - Measured the current incidence and perceptions regarding the regulation of size and siting of structures in the ALR
 - Determined top reasons for requesting subdivision in the ALR and measured awareness of alternates to subdivision
 - Gathered feedback on the proposed requirements in draft Bylaw No. 2 (including Farm Use, Non-Farm Use, and the Construction of a Single Family Residence)

Methodology

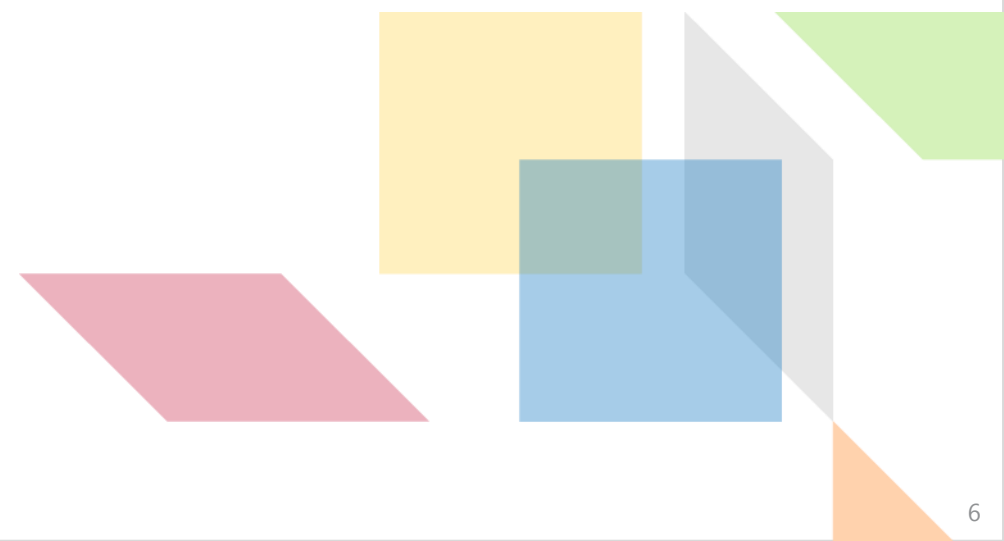
- › The ALC provided Sentis with a list of email addresses for 375 local government contacts. Email invitations were sent by Sentis on behalf of the ALC, asking the recipient to forward the email to any individual(s) at their organization who have contact with the ALC and/or whose work involves land use planning, policy or enforcement within the ALR.
- › The survey was open for participation from March 5 to 16, 2018.
- › Overall, a total of 167 local government stakeholders completed the survey. The final sample distribution, in terms of government type and region, is generally representative of the population. The breakdown of the final sample by government type is shown in the chart below.*



**Note: Percentages may not add to exactly 100% due to rounding.*

A small icon of a 3D cube with green and grey faces, identical to the one in the header.

Summary



Decreasing Unauthorized Uses in the ALR

While greater public awareness, clearer definitions, and greater consistency between ALC legislation and other legislation are considered helpful in decreasing unauthorized uses in the ALR, local government respondents consider more enforcement by the ALC to be by far the most effective way to decrease unauthorized uses in the ALR.

Additional Dwellings for Farm Help

The majority of stakeholders (56%) find it difficult to regulate additional dwellings necessary for farm help. It is also the permitted use that is considered most difficult to regulate. It follows that only 28% of those who deal with requests for additional residential dwellings for farm help feel that they have the tools necessary to determine if the additional dwellings are needed. The challenges cited as making this determination difficult include a lack of industry standards, limited staff resources and a lack of understanding of the applicant's business operations.

Just over two-thirds of stakeholders (68%) indicate that their local government authorizes additional dwellings for farm help under section 18 of the ALC Act at least sometimes. Local government stakeholders identified three main criteria that they use to determine whether additional dwellings are necessary. They are: whether the property is classified as "farm" under the Assessment Act, proof of agricultural necessity, and the minimum property or farm unit size.

Regulating Size & Siting of Structures in the ALR

Local governments are most likely to regulate the size or siting of farm retail sales facilities and permanent dwellings for full-time farm help - three-quarters of stakeholders indicate that their local government regulates the size or siting of these structures. In contrast, only 57% indicate that their local government regulates the size and/or siting of alcohol production facilities.

There is strong support for introducing provincial regulatory requirements for the size and siting of structures in the ALR – particularly for temporary and permanent accommodations.

50% Processing/Production Requirement

A strong majority (70%) of those who review and regulate the size and/or siting of farm processing and/or farm retail sales buildings find it difficult to determine/enforce compliance of the requirement that 50% of what is processed/produced in facilities in the ALR must be comprised of agricultural products grown on the farm.

Subdivision

Stakeholders identified that the most common reason that landowners request application for subdivision in the ALR is for residential development purposes.

Awareness of the different alternates to subdivision varies – while 57% are aware that a lease of a farm is permitted if that lease is to be used for farm uses, 40% are aware that a residential lease is permitted for a retired farmer in Zone 2.

Soil Deposit/Extraction Bylaws

Consistent with the 2016 survey, half of stakeholders (49%) indicated that their local government has a soil deposit/extraction bylaw.

There is majority support for most of the criteria proposed in Draft Bylaw No. 2 – Fill Placement in the ALR for Farm Use. Support is highest for the proposed criteria for 'farm product processing' and 'horse riding, training and boarding facilities'. It is lowest for the proposed criteria for the 'production of medical marihuana'.

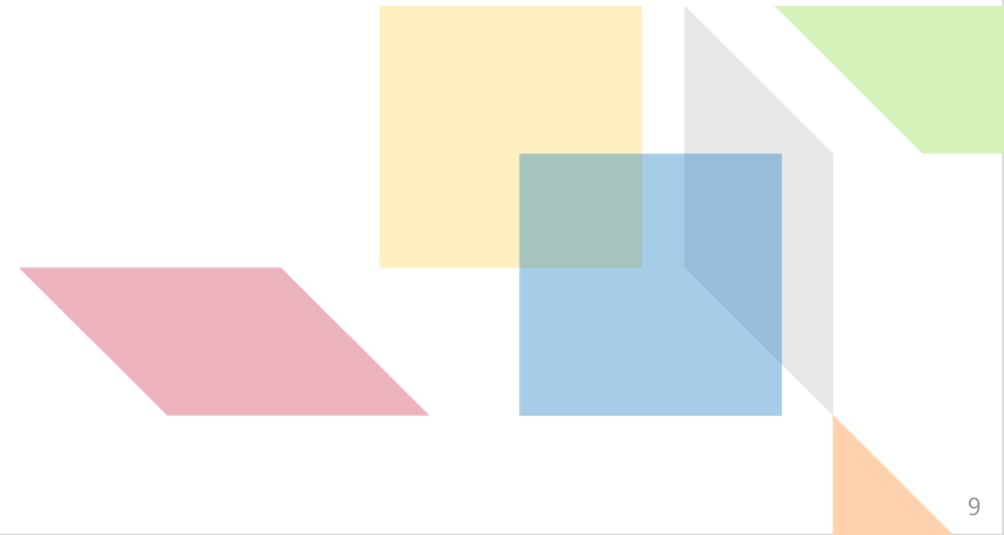
There is also majority support for most of the criteria proposed in Draft Bylaw No. 2 - Fill Placement in the ALR for Non-Farm Use. Support is notably lower, however, for the criteria regarding 'telecommunications equipment', 'agri-tourism accommodation' and 'residential use under a lease of a farm located in Zone 2'.

Support is strong for the proposed thresholds for Fill Placement for Construction of a Single Family Residence – both for the construction of driveways and for the placement of fill for the residence.



Survey Results

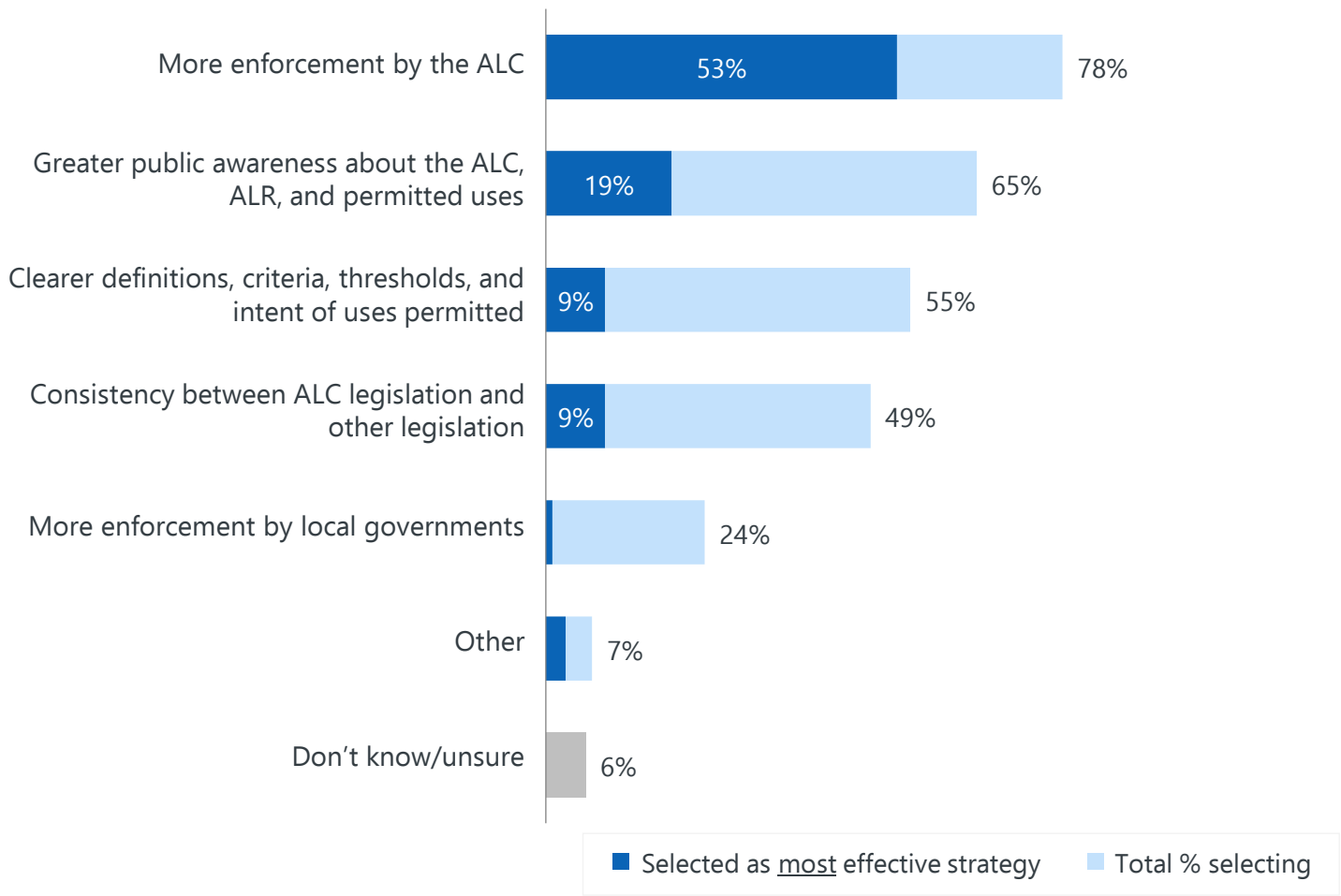
Unauthorized Uses in the ALR



Decreasing the Incidence of Unauthorized Uses in the ALR

- › When it comes to decreasing the incidence of unauthorized uses in the ALR, over three-quarters of stakeholders (78%) indicated that more enforcement from the ALC would be an effective strategy. By a wide margin, this is considered the most effective strategy to reduce unauthorized uses in the ALR.
- › Increasing public awareness about the ALC, ALR and permitted uses is also considered an effective strategy - selected by two-thirds of stakeholders.
- › While stakeholders are highly likely to consider more enforcement by the ALC as an effective strategy, they are unlikely to consider more enforcement by local governments as effective – just one-quarter feel that this would decrease the incidence of unauthorized uses.
- › Those working in a Bylaw Enforcement role are most likely to believe that more enforcement by the ALC and local governments would be effective (92% and 69% selecting, respectively).

Strategies to Decrease the Incidence of Unauthorized Uses in the ALR



Base: (167)

Note: Percentages may add to more than 100% given that it is a multiple response question.

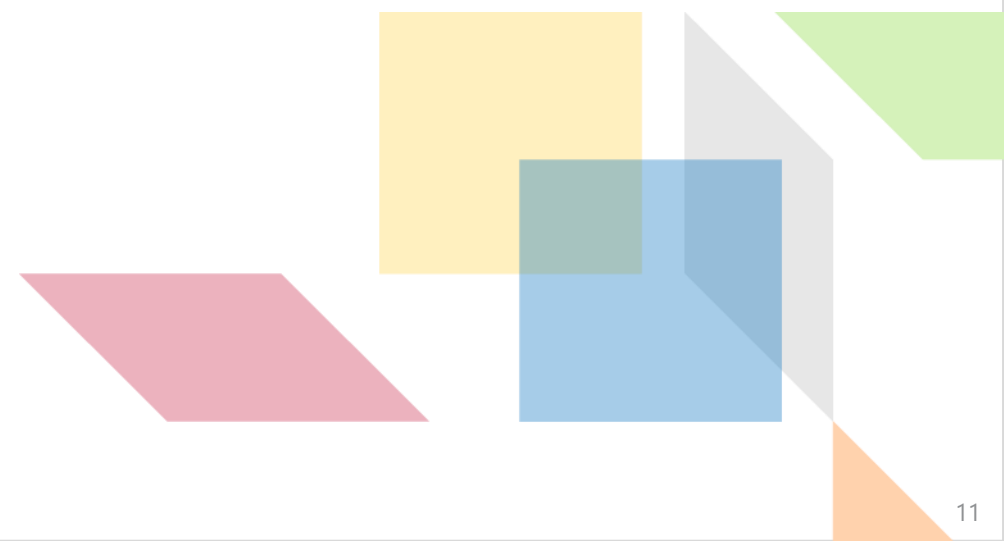
Q4. What do you think could be done to decrease the incidence of unauthorized uses in the ALR? *Select all that apply.*

Q4b. And which do you think would be the most effective at decreasing the incidence of unauthorized uses in the ALR? *Select only one.*

A stylized 3D cube icon with green and grey faces, identical to the one in the header.

Survey Results

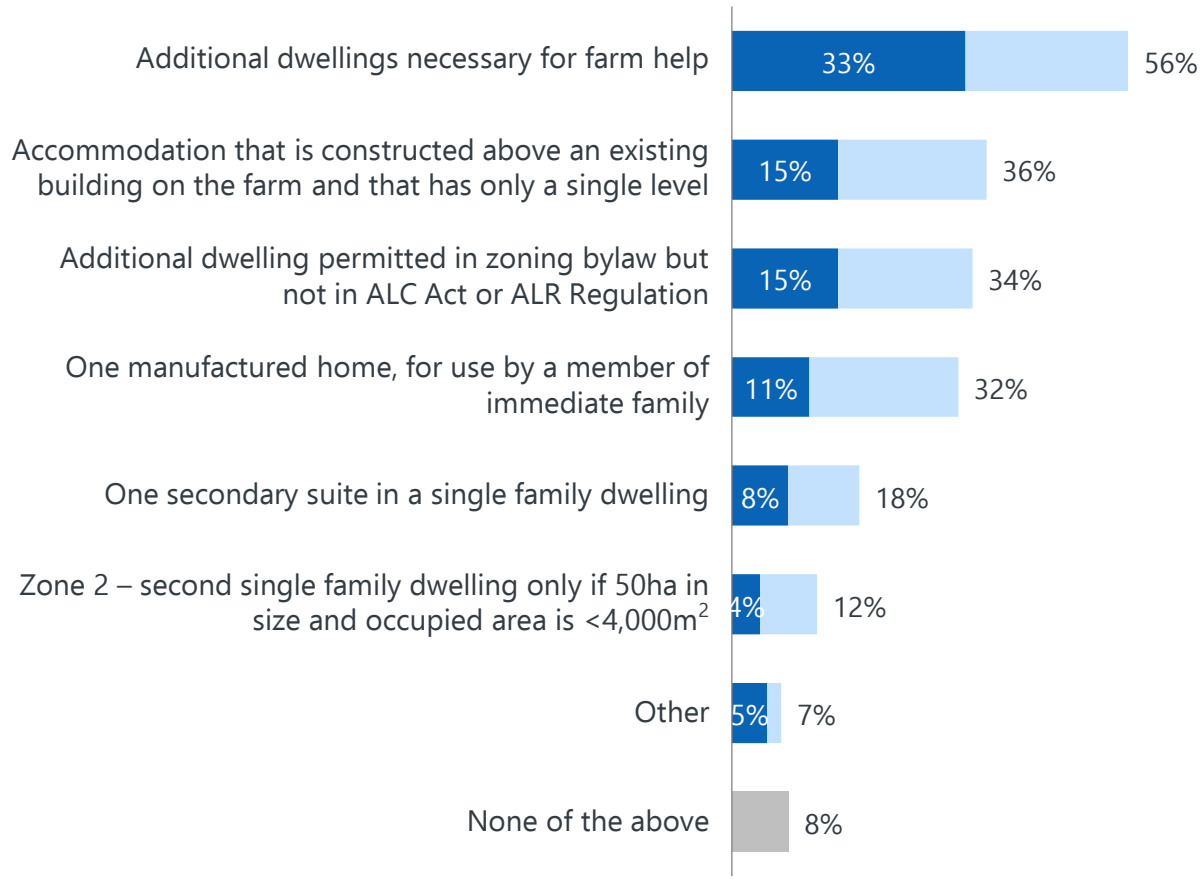
Additional Dwellings



Challenges of Regulating Permitted Uses for Additional Dwellings

- › Stakeholders consider ‘additional dwellings necessary for farm help’ the most difficult permitted use to regulate - over half (56%) identify it as a challenge, including one-third who rank it as the top challenge.
- › Stakeholders in the Okanagan are especially likely to find this permitted use difficult to regulate (85% selecting compared to 56% overall).
- › Stakeholders in the North are more likely to have difficulty regulating ‘additional dwellings permitted in zoning bylaws but not in the ALC Act or ALR Regulation’ (58% versus 34% selecting overall) and ‘Zone 2 – second single family dwelling only if 50ha in size and occupied area is <4,000m²’ (37% versus 12% overall).

Permitted Uses for Additional Dwellings which are Difficult to Regulate
(among stakeholders providing an answer)



Base: (131)

■ Selected as most difficult to regulate ■ Total % selecting

Note: Percentages may add to more than 100% given that it is a multiple response question. Responses are among those able to give a rating (i.e. excludes Don't Know).

Q5. With respect to land use planning, by-law enforcement and compliance challenges related to additional dwellings, which of the following permitted uses are the most difficult to regulate? *Select all that apply.*

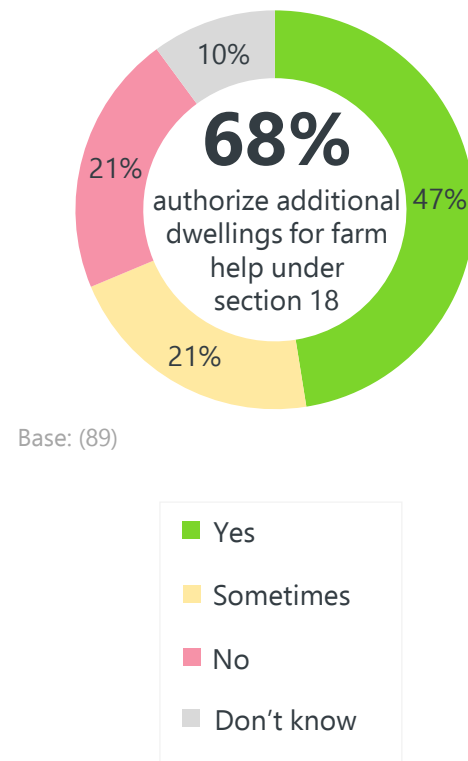
Q5c. And which one permitted use is the most difficult to regulate? *Select only one.*

Authorizing Additional Dwellings for Farm Help

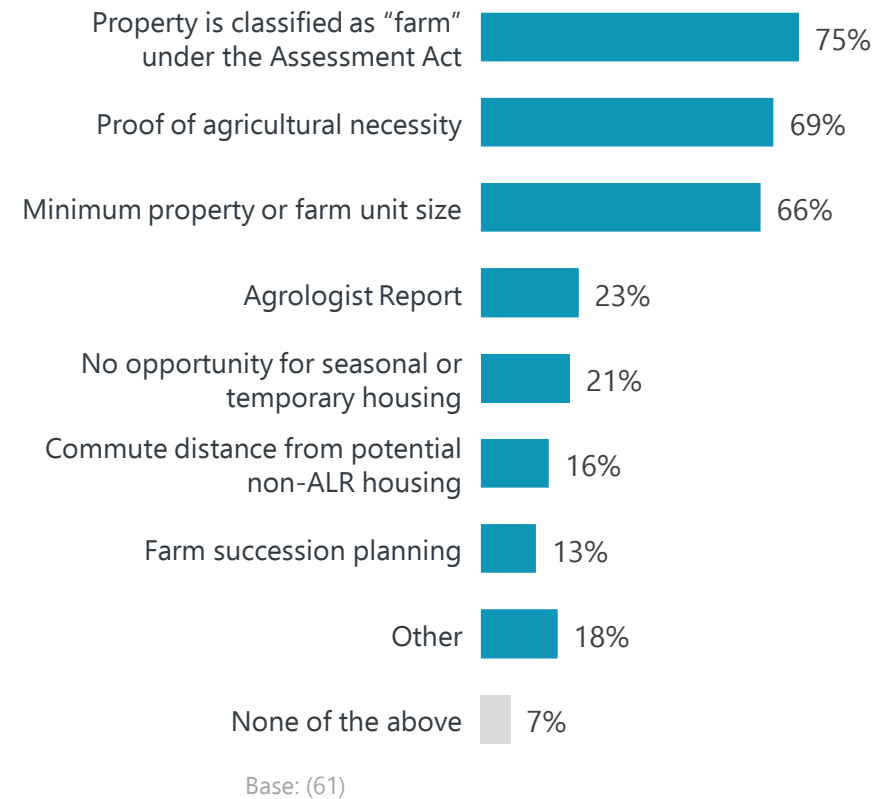
53% of survey respondents indicated that they review or make decisions regarding requests for additional residential dwellings for farm help. Results on slides 13 to 14 are based on this group of respondents.

- › Just over two-thirds (68%) of those who deal with requests for additional residential dwellings for farm help indicated that their local government authorizes additional dwellings for farm help under section 18 of the ALC Act.
- › Local government stakeholders identified three main criteria that they use to determine whether additional dwellings are necessary. They are:
 - › Whether the property is classified as 'farm' under the Assessment Act
 - › Proof of agricultural necessity
 - › Minimum property or farm unit size

Authorizing Additional Dwellings for Farm Help Under Section 18



Criteria Used to Determine Necessity of Additional Dwellings for Farm Help (among those authorizing at least sometimes)



Note: Base is among those whose role involves requests for additional residential dwellings for farm help.

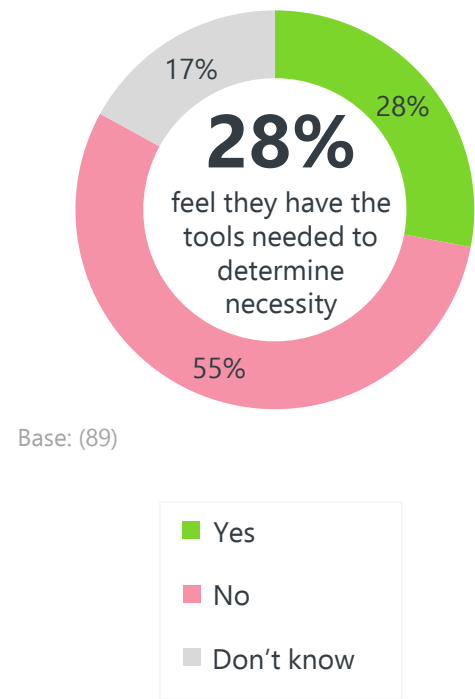
Q7. Does your local government authorize additional dwellings for farm help under s. 18 of the *Agricultural Land Commission Act*?

Q8. [IF YES/SOMETIMES] Which of the following are used as criteria by your local government or First Nation's government to determine if an additional dwelling is necessary for farm help? *Select all that apply.*

Authorizing Additional Dwellings for Farm Help

- › Only 28% of those who deal with requests for additional residential dwellings for farm help feel that they have the tools needed to determine whether an additional residence is needed.
- › Stakeholders in regional districts are more likely to feel that they lack the tools needed (68%) compared to their counterparts in municipalities (45%).
- › As illustrated in the comments on the right, some of the perceived challenges stakeholders experience include:
 - › Insufficient industry standards
 - › Limited staff resources
 - › Lack of understanding of an applicant's business operations

Ability to Determine Necessity of Additional Dwellings for Farm Help



Greatest Challenge in Determining the Necessity of Additional Dwellings for Farm Help

- “ There are no standards to compare the claimed need to a typical farm type and demand. Other variables such as commuting distance, real estate market, succession planning all play in the request and decision making, but there are no particular standards that apply. ”
- “ Obtaining enough evidence that they are farming at a high enough capacity that they require farm help (we have no Agrologist on staff to assess this and rely on letters from either the ALC or Min. Ag). ”
- “ Limited staff resources to do on-site checks. ”
- “ Understanding the nature of the operation and how much land and workers are required to support the type of operation. ”
- “ It's not always clear whether property owners really want the dwelling for farm help or to rent out as an additional source of income. It's hard to know if a tenant is actually a farm hand or not. How does one check for that? Would one have to show up on the farm unannounced and check if the tenant is pulling up carrots? That's not very realistic. Having said this, it is nonetheless good to have the regulation since many landowners do comply with it. There are just always a certain number who don't. ”

Note: Base is among those whose role involves requests for additional residential dwellings for farm help.

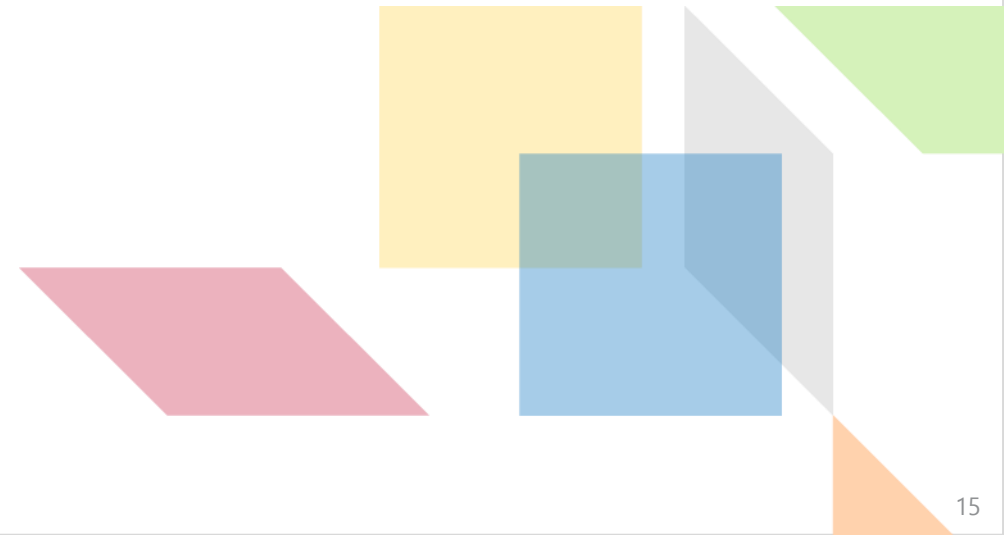
Q9. Do you feel that you have the tools to determine whether or not an additional residence is needed for farm help (e.g., policies, guidelines, legislation)?

Q10. What is your greatest challenge in determining the necessity for additional dwellings for farm help?



Survey Results

Regulating Size and Siting of Structures in the ALR

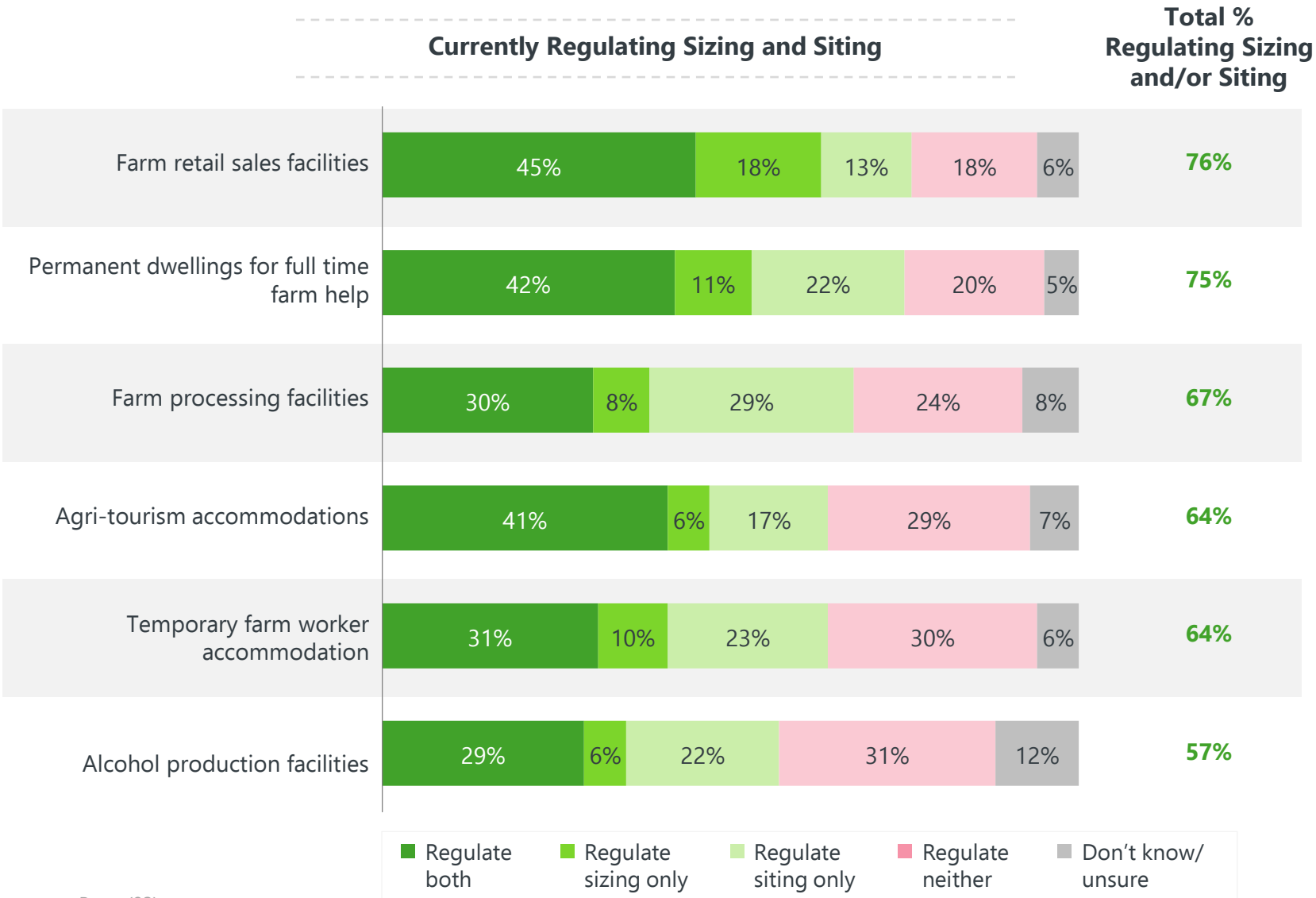


Regulating Size and Siting of Structures in the ALR



50% of survey respondents indicated that they review or regulate the size and/or siting of farm processing and/or farm retail sales buildings. Results on slides 16 to 19 are based on this group of respondents.

- Those who review or regulate size and/or siting are most likely to indicate that their local government regulates the size or siting of farm retail sales facilities and permanent dwellings for full-time farm help - three-quarters indicated that their local government regulates the size or siting of these structures, including over 40% who indicated that their local government regulates both.
- In contrast, only 57% indicated that their local government regulates the size and/or siting of alcohol production facilities.



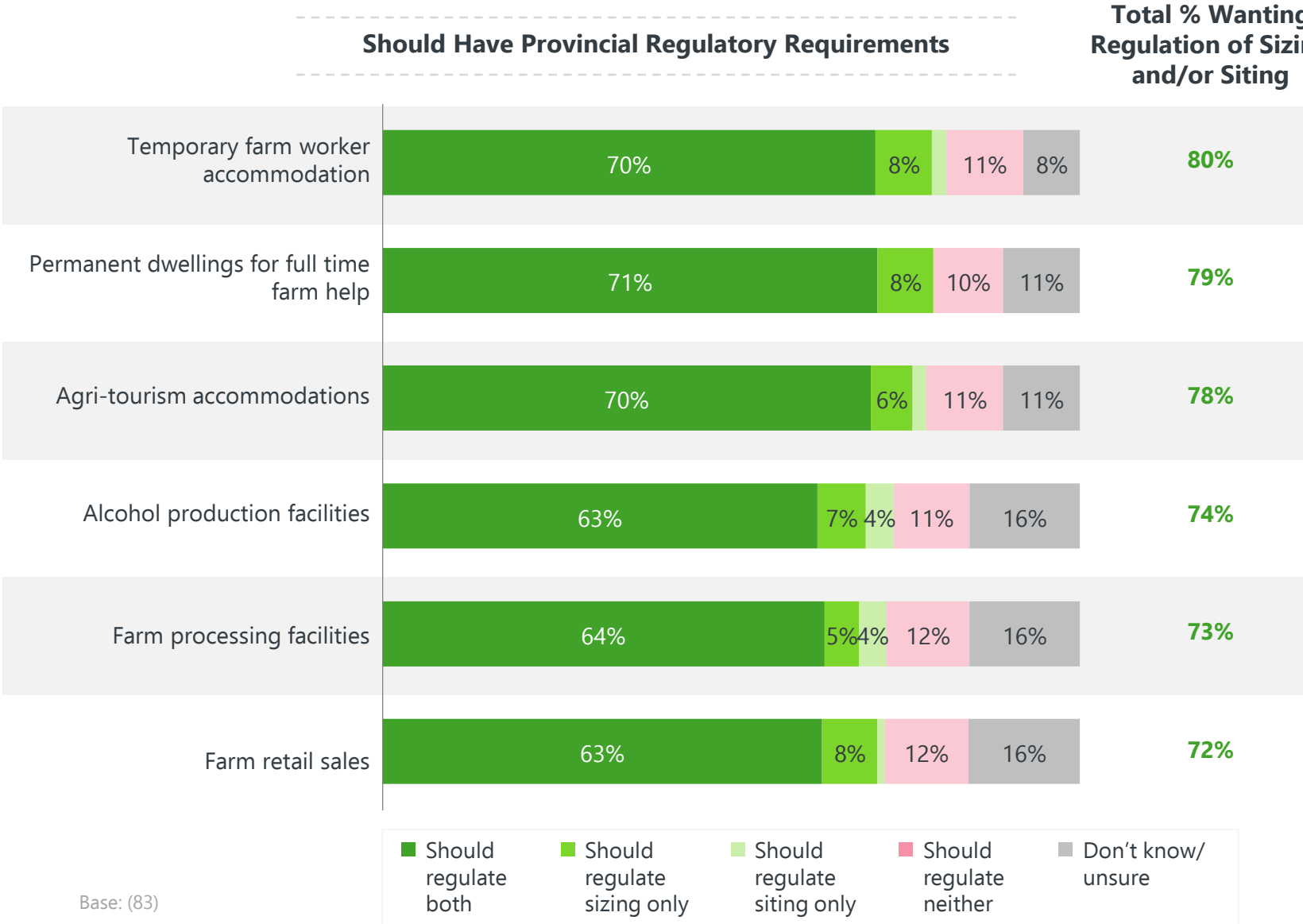
Base: (83)

Note: Base is among those whose role involves reviewing or regulating the size and/or siting of farm processing and/or farm retail sales buildings.
Q13. Does your local government or First Nations government currently regulate the size and/or siting of each of the following?

Provincial Regulation of Size and Siting of Structures in the ALR



- › There is broad support for provincial regulatory requirements for the size and siting of structures in the ALR.
- › Support is particularly strong for provincial regulation of temporary and permanent accommodations. Seven-in-ten of those who review or regulate size and/or siting believe that there should be provincial regulatory requirements for:
 - › Temporary farm worker accommodations
 - › Permanent dwellings for full-time farm help
 - › Agri-tourism accommodations

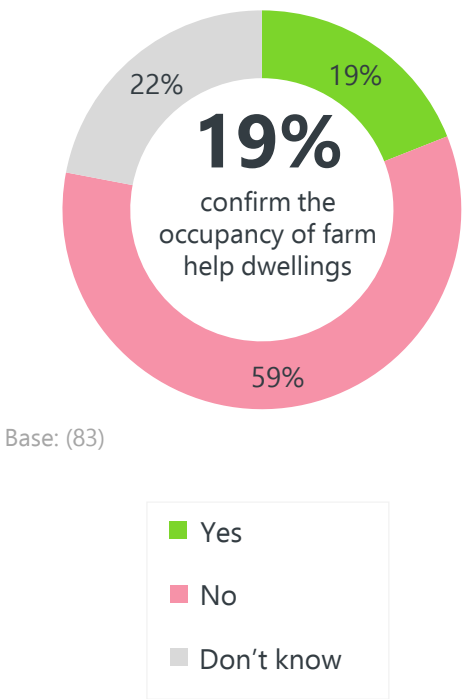


Note: Base is among those whose role involves reviewing or regulating the size and/or siting of farm processing and/or farm retail sales buildings.
Q15. Do you think there should be provincial regulatory requirements with respect to the size and siting of each of the following?

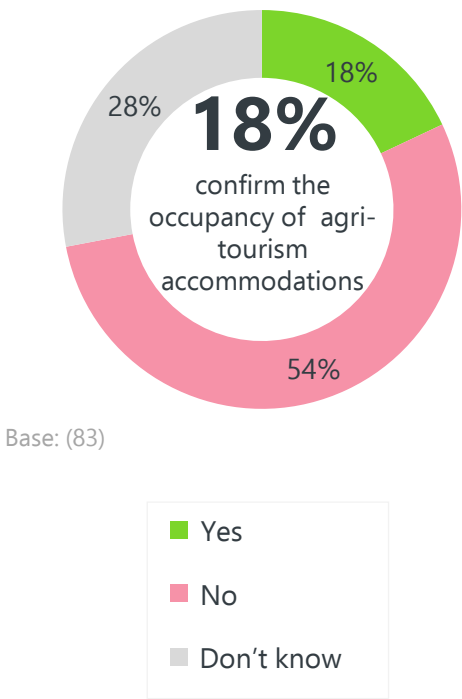
Confirming Occupancy After Construction

- > It is not common for those who review or regulate size and/or siting to confirm occupancy of farm help dwellings and agri-tourism accommodations after construction – only two-in-ten do so.
- > About one-quarter are unsure whether or not occupancy is confirmed after construction.
- > Those working in regional districts are less likely than those working in municipalities to confirm occupancy after construction.
 - > Just 6% indicated that their regional district confirms occupancy of farm help dwellings (compared to 32% who work for municipalities).
 - > 9% indicated that their regional district confirms occupancy of agri-tourism accommodations (compared to 27% who work for municipalities).

Confirming Occupancy of Farm Help Dwellings After Construction



Confirming Occupancy of Agri-Tourism Accommodations After Construction



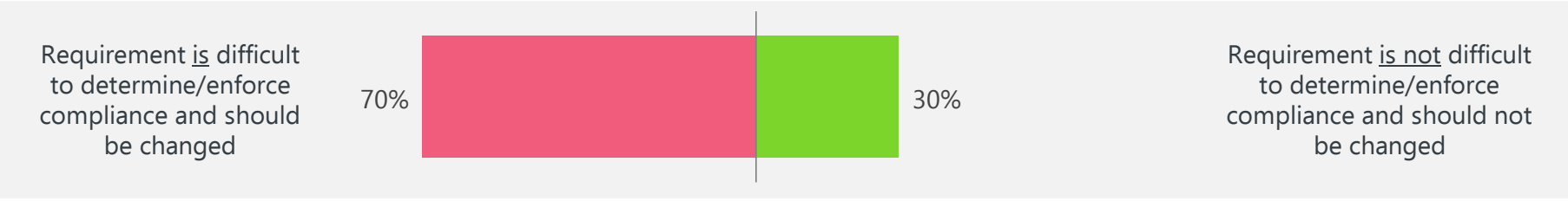
Note: Base is among those whose role involves reviewing or regulating the size and/or siting of farm processing and/or farm retail sales buildings.
Q14a. Do you confirm the occupancy of farm help dwellings after construction?
Q14b. Do you confirm the occupancy of agri-tourism accommodations after construction?

50% Processing/Production Requirement

- › A strong majority (70%) of those who review and regulate the size and/or siting of farm processing and/or farm retail sales buildings find it difficult to determine/enforce compliance of the requirement that 50% of what is processed/produced in facilities in the ALR must be comprised of agricultural products grown on the farm.
- › Some of the reasons that stakeholders feel the requirement is difficult to determine or to enforce compliance are:
 - › Definitions are unclear
 - › It is challenging to monitor
 - › Applicants have problems providing the required documentation

Perceived Difficulty of Determining & Enforcing Compliance

50% of what is processed/produced in facilities located in the ALR must be comprised of agricultural products grown on the farm where the facilities are located



Base: (83)

Why Requirement is Difficult to Determine/Enforce Compliance

(among those rating as difficult)

- “ Applicants often have trouble providing documentation to satisfy this requirement. Staff have trouble knowing what to ask for. ”
- “ The definitions of 'farm' is not clear. Is it 50% of the weight or volume? Also it is difficult to determine how much was grown on the farm. How do you prove this? ”
- “ How can you be certain the greenhouse actually grew 50% of the plants for sale? It is difficult to monitoring what is being brought in or being grown. We have other more important things to be doing. ”
- “ Very difficult to determine total output of farm products. What about products across multiple properties affiliated with one farm operation? ”

Note: Base is among those whose role involves reviewing or regulating the size and/or siting of farm processing and/or farm retail sales buildings.

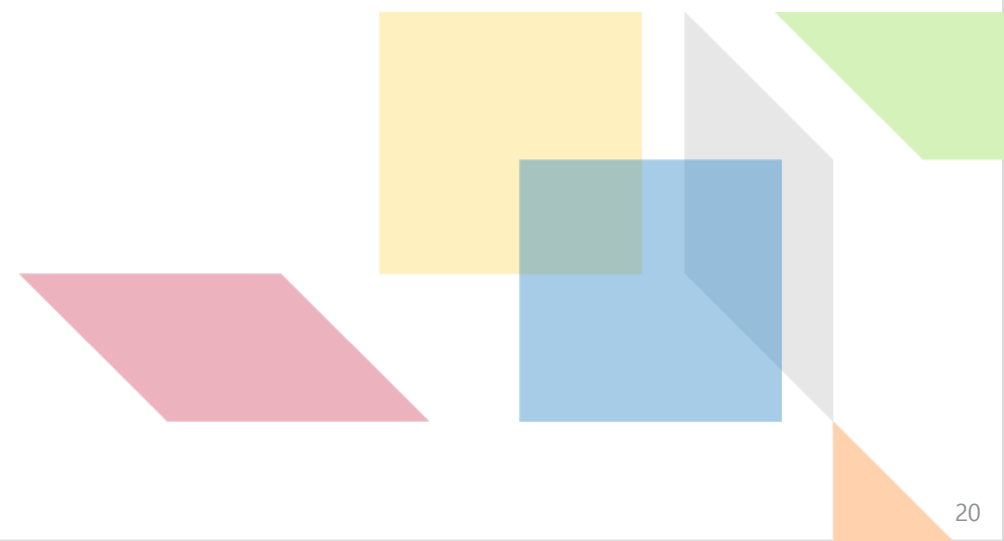
Q16. Currently, 50% of what is processed/produced in facilities located in the ALR must be comprised of agricultural products grown on the farm where the facilities are located. Which of the following best reflects your view?

Q17. [IF DIFFICULT] Please explain why the requirement is difficult to determine compliance or to enforce compliance.

A stylized 3D cube icon with green and grey faces, identical to the one in the header.

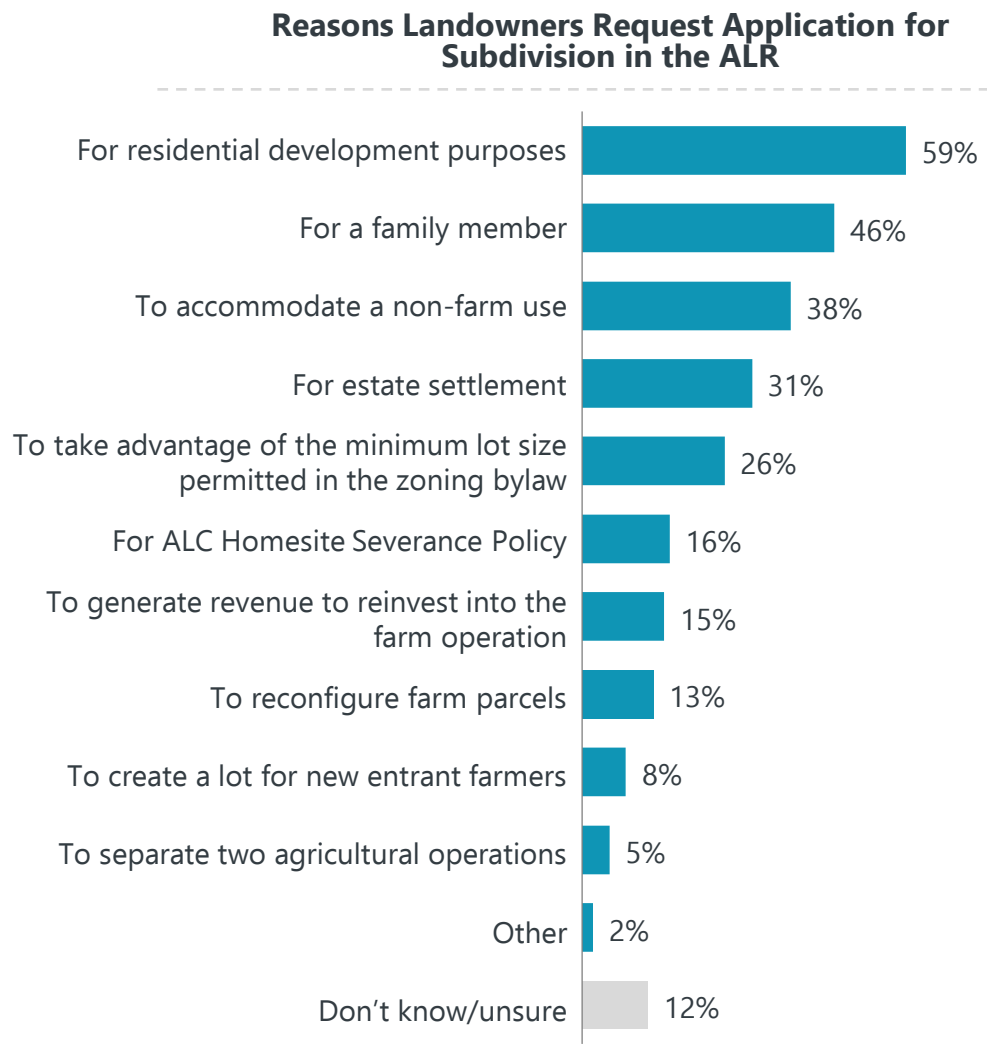
Survey Results

Subdivision



Reasons for Requesting Application for Subdivision

- › Stakeholders indicated that the most common reason that landowners request application for subdivision in the ALR is for residential development purposes (59%).
- › Other relatively common reasons mentioned for subdivision applications included:
 - › For family members
 - › To accommodate a non-farm use
 - › For estate settlement
 - › To take advantage of the minimum lot size permitted in the zoning bylaw
- › Some reasons for requesting application for subdivision are more common in certain regions:
 - › In the Interior, to generate revenue to reinvest into farm operation (71%)
 - › On the Island, for residential development purposes (74%)
 - › In the Okanagan, for ALC Homesite Severance Policy (48%)



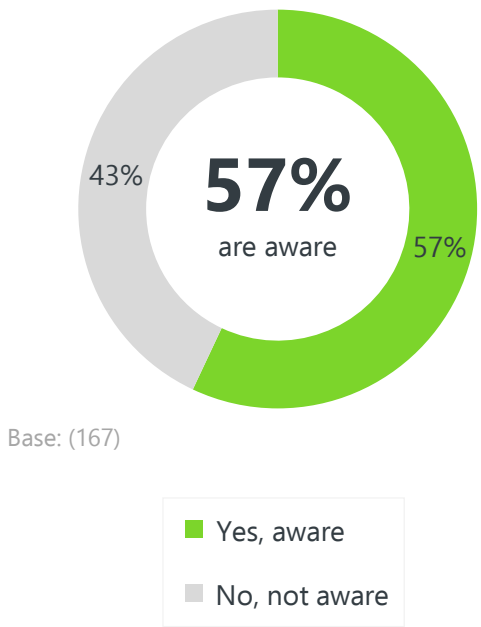
Base: (167)

Note: percentages may add to more than 100% given that it is a multiple response question.
Q18. In your experience, what are the most common reasons that landowners request application for subdivision in the ALR? *Select all that apply.*

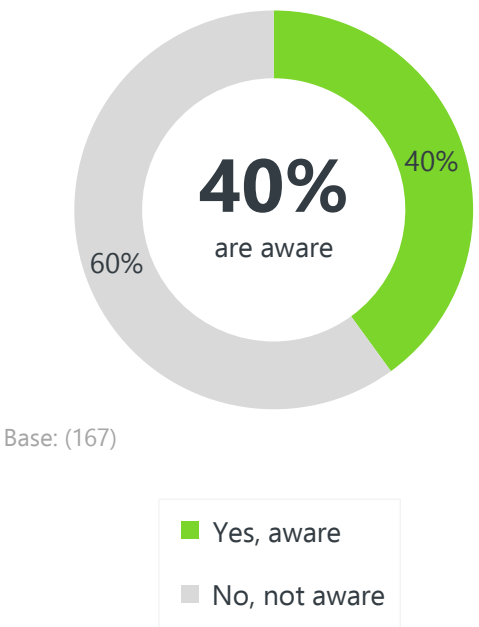
- › Just over half of stakeholders (57%) indicated that they are aware that in Zone 1 and 2, a lease for a farm to be used for farm uses is permitted as an alternate to subdivision.
- › Awareness that a residential lease of a farm for a retired farmer is permitted as an alternate to subdivision in Zone 2 is lower, at 40%.
- › Among stakeholders whose role involves Land Use Planning/Policy, 70% and 51% indicated that they are aware of each alternate, respectively.
- › Stakeholders from regional districts are more likely to be aware that in Zone 2, a residential lease of a farm for a retired farmer is permitted as an alternate to subdivision (54% are aware, compared to 31% among municipalities).

Awareness of Alternates to Subdivision

Zone 1 and 2: A lease for a farm or part of a farm, if that lease is to be used for farm uses



Zone 2: A residential lease of a farm or part of a farm for a retired farmer subject to criteria



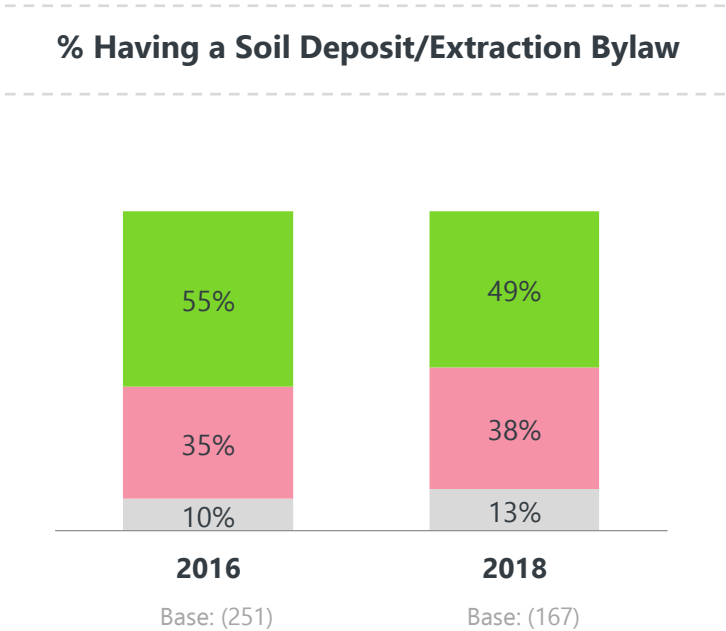
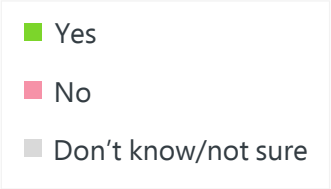


Survey Results

Soil Bylaws/Regulations



- > In line with the findings from the 2016 stakeholder survey, about half of stakeholders indicated that their local government has a soil deposit/extraction bylaw (49%).
- > Two-thirds of municipality stakeholders indicated that their local government has one, compared to just 21% among regional districts.
- > By region, local governments in the Okanagan and South Coast are most likely to have a soil deposit/extraction bylaw (70% and 67%, respectively).



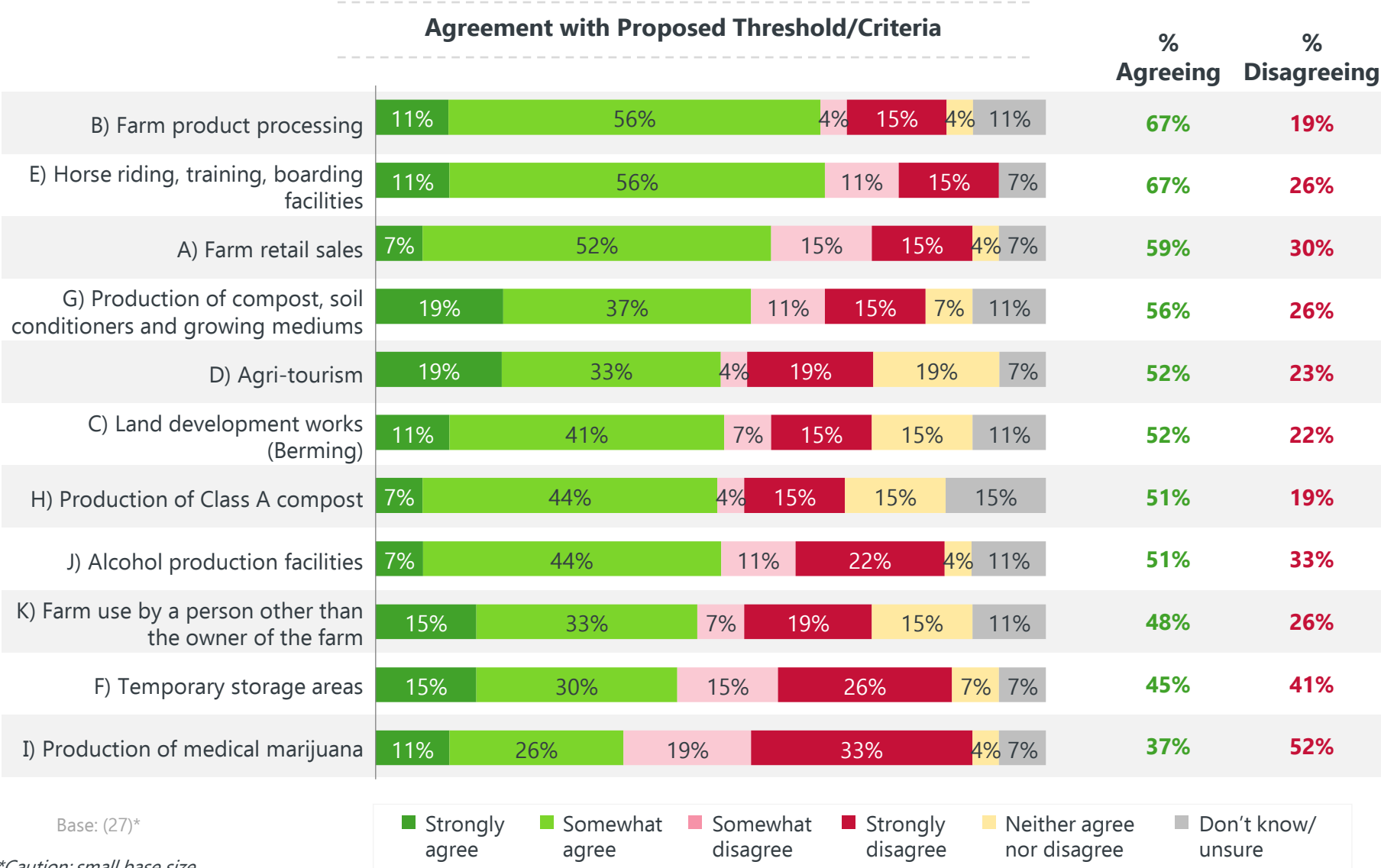
Note: 2016 Results are from the Local Government Stakeholder Survey conducted in December 2016.
Q20. Does your local government have a soil deposit/extraction bylaw?

Draft Bylaw No. 2 – Fill Placement in the ALR for Farm Use



33% of survey respondents indicated that they are involved in the regulation of placement of fill. Results on slides 25 to 27 are based on this group of respondents.

- › These respondents were presented with the proposed thresholds/criteria for three sections within Draft Bylaw No. 2 and rated their level of agreement or disagreement with each one.
- › The majority indicated that they were in agreement with most of the criteria proposed in Draft Bylaw No. 2 – Fill Placement in the ALR for Farm Use. Support is highest for the proposed criteria for ‘farm product processing’ and ‘horse riding, training and boarding facilities’.
- › Views are more mixed when it comes to the proposed criteria for ‘temporary storage areas’, ‘farm use by a person other than the owner of the farm’ and ‘alcohol production facilities’.
- › Support for the criteria for the ‘production of medical marijuana’ was weakest – 37% agreed with it while 52% disagreed with it.



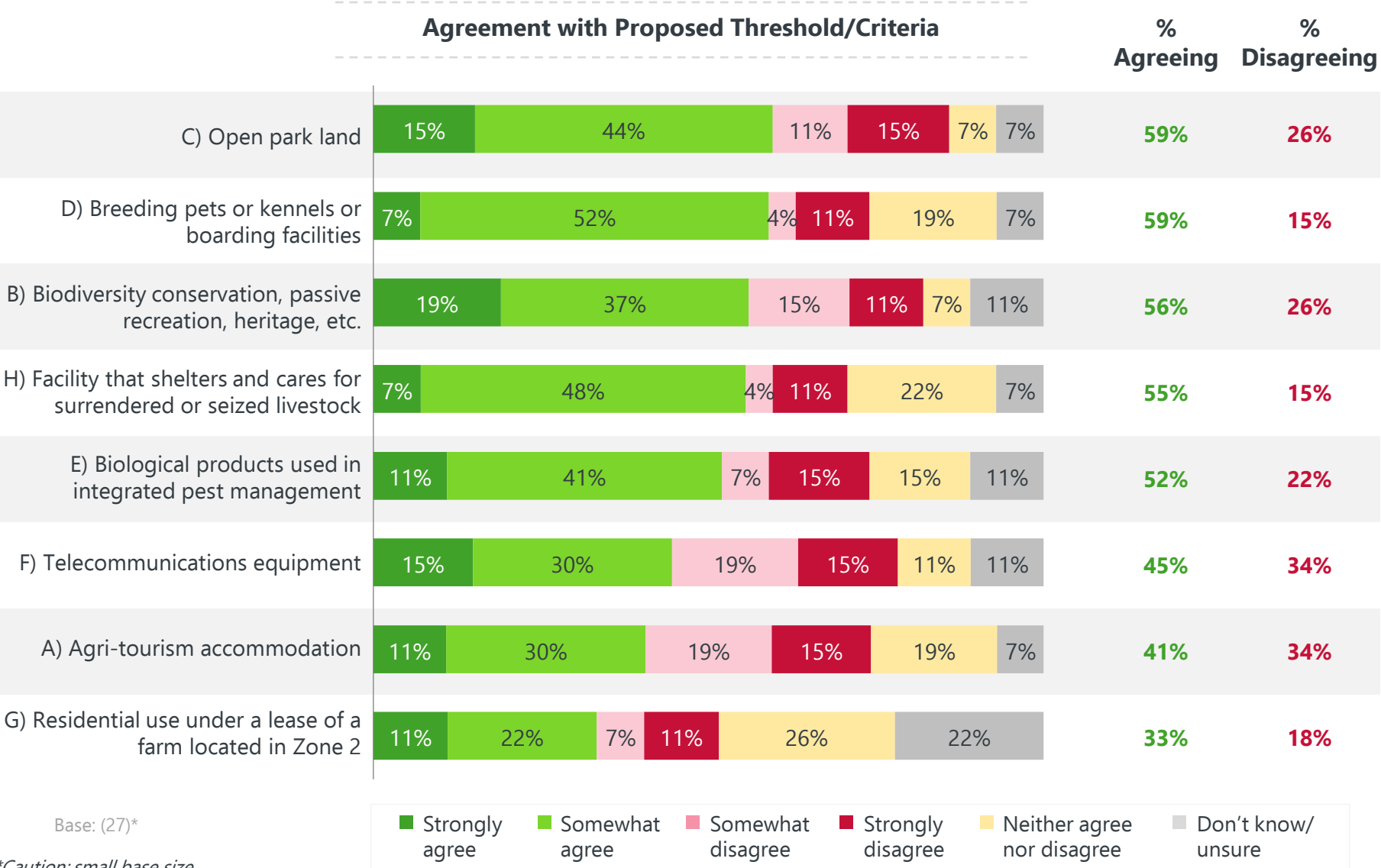
Base: (27)*
*Caution: small base size.

Note: Base is among those whose role involves the regulation of placement of fill.
Q22. For each of the following, please indicate if you agree with the proposed threshold or criteria?

Draft Bylaw No. 2 – Fill Placement in the ALR for Non-Farm Use



- › Those involved in the regulation of placement of fill generally agreed with the proposed thresholds for Fill Placement in the ALR for Non-Farm Use – at least half support 5 out of the 8 proposed criteria.
- › The criteria for ‘telecommunications equipment’ and ‘agri-tourism accommodation’ generated the most mixed reactions.
- › The criteria for ‘residential use under a lease of a farm located in Zone 2’ received the weakest support. However, this was due to a relative high percentage of these respondents being neutral or unsure how to evaluate this criterion.



*Caution: small base size.

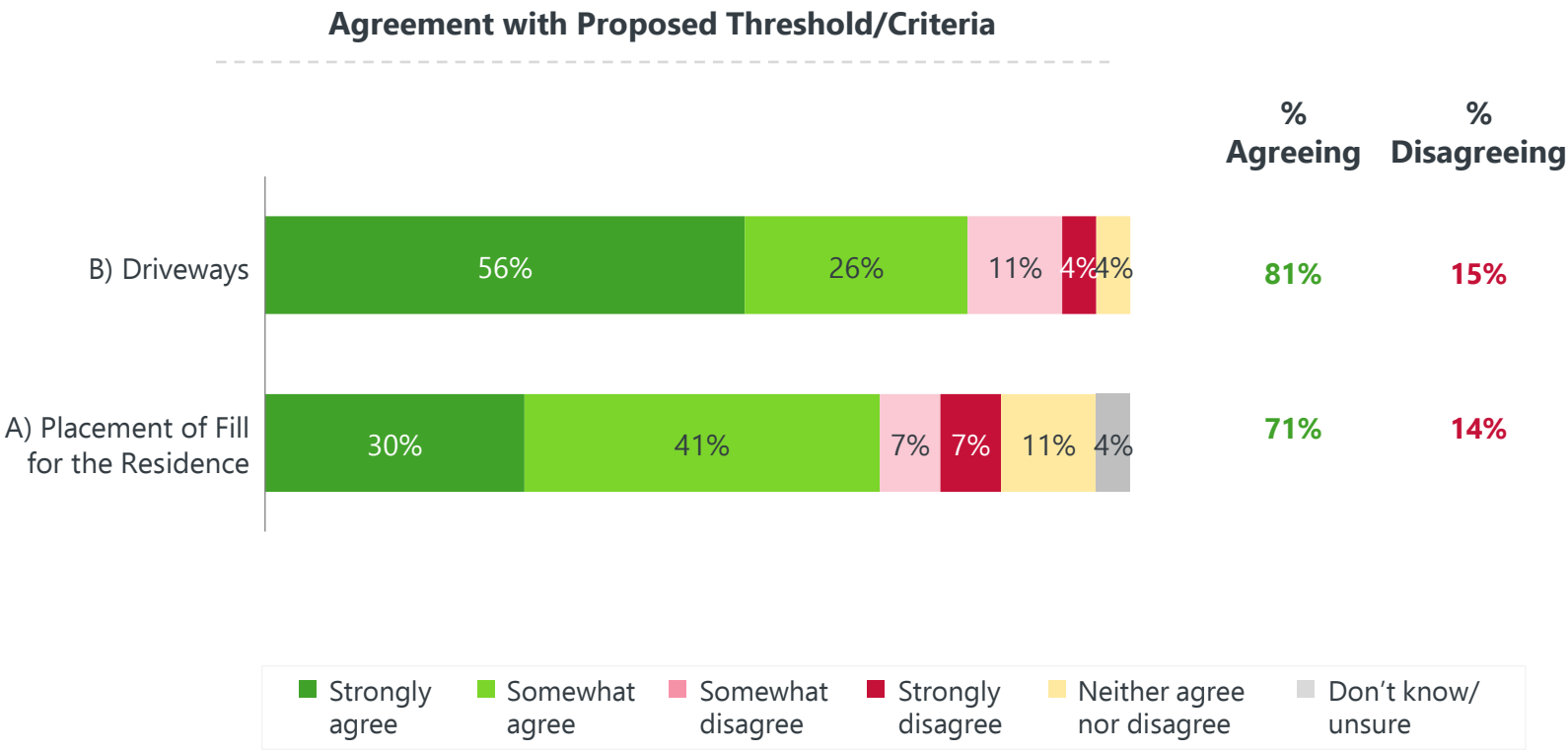
Note: Base is among those whose role involves the regulation of placement of fill.

Q23. For each of the following, please indicate if you agree with the proposed threshold or criteria?

Draft Bylaw No. 2 – Fill Placement for Construction of a Single Family Residence



- › There is broad support for the criteria in the Fill Placement for the Construction of a Single Family Residence section of Draft Bylaw No. 2.
- › Eight-in-ten of those involved in the regulation of the placement of fill agree with the criteria for constructing driveways, while seven-in-ten agree with the criteria for placement of fill for the residence. Just 14%-15% disagree.
- › Support is particularly strong for the criteria for driveways – over half (56%) strongly agree with it.



Base: (27)*

**Caution: small base size.*

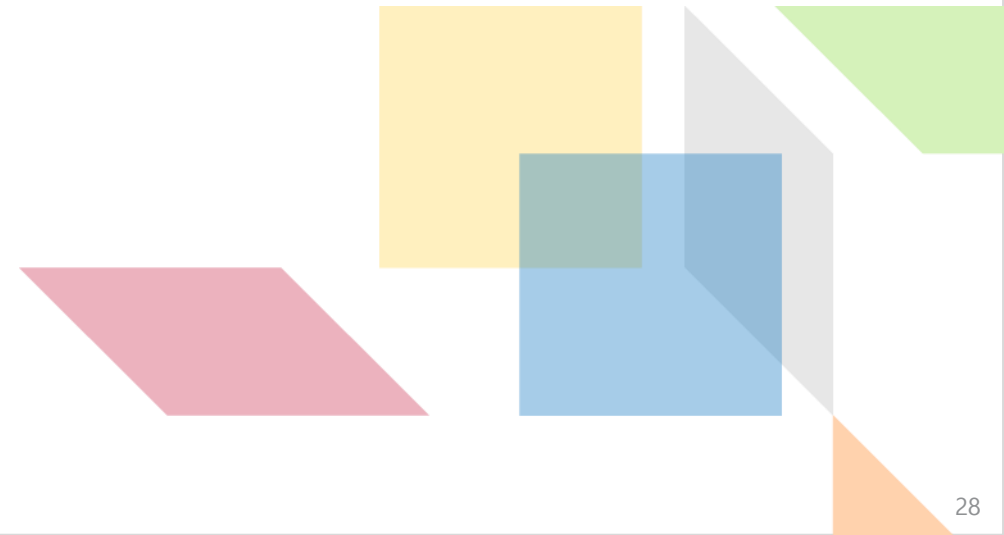
Note: Base is among those whose role involves the regulation of placement of fill.

Q24. For each of the following, please indicate if you agree with the proposed threshold or criteria?

A small graphic element for the 'Appendix' title, consisting of a green and grey 3D cube icon.

Appendix

- Participant Profile



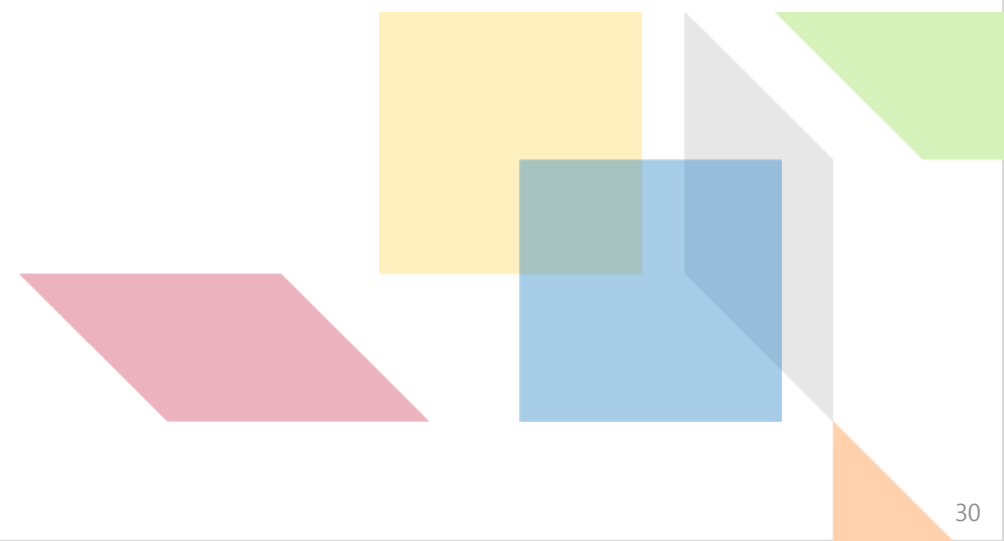
	2018
Base	167 %
Government Type	
Municipality	57
Regional District	37
First Nations Government	1
Island's Trust (unaided)	4
Other	2
Region	
Interior	4
Island	23
Kootenay	11
North	14
Okanagan	16
South Coast	31
Role/Area of Work	
Land Use Planning/Policy	62
Administration	11
Engineering/Building/Permitting	11
Bylaw Enforcement	8
Other	8

**Note: Percentages may not add to exactly 100% due to rounding.*

A stylized 3D cube icon with green and grey faces, identical to the one in the header.

Appendix

- Questionnaire





2018 AGRICULTURAL LAND COMMISSION SURVEY OF LOCAL GOVERNMENT

FINAL – MARCH 2, 2018

NOTE: TEXT IN CAPS IS NOT VISIBLE TO SURVEY RESPONDENTS. ALL OPEN ENDS ARE SEMI-MANDATORY.

SURVEY LANDING PAGE

In the survey the ALC conducted in December 2016, the top land use planning, by-law enforcement and compliance challenges identified by local governments were:

- Unauthorized land use
- Additional dwellings
- Unauthorized filling

The 2018 ALC Local Government Engagement Survey would now like your feedback on how the ALC and local governments can most effectively address these challenges and to solicit local government consultation on the draft ALC Bylaw No. 2 – Placement of Fill in the Agricultural Land Reserve.

This survey will take between 5 and 10 minutes, depending on your answers. All of your feedback is strictly confidential and will not be linked to your identity.

PARTICIPANT CHARACTERISTICS

Q1. First, please indicate if you work for a municipality, regional district, or First Nations government.

1. Municipality
2. Regional District
3. First Nations Government
96. Other (specify)

Q2. Which ALR Region is your local government in?

1. Interior
2. Island
3. Kootenay
4. North
5. Okanagan
6. South Coast

Q3. And which of the following best describes your role, or the area you work in?

If it is not listed below, you can enter it in using 'Other (specify)'.

1. Administration
2. Bylaw Enforcement
4. Engineering/Building/Permitting/Public Works
6. Land Use Planning/Policy
96. Other (specify)

UNAUTHORIZED USES IN THE ALR

Q4. What do you think could be done to decrease the incidence of unauthorized uses in the ALR? *Select all that apply.*

RANDOMIZE

1. Greater public awareness about the ALC, ALR, and permitted uses
2. More enforcement by local governments
3. More enforcement by the ALC
4. Clearer definitions, criteria, thresholds, and intent of uses permitted by the ALC Act and ALR Regulation
5. Consistency between ALC legislation and other legislation (e.g. local government bylaws, *Liquor Control and Licensing Act, Organic Matter Recycling Regulation*)
96. Other (specify)
97. None of these will decrease the incidence of unauthorized uses
98. Don't know/unsure

ASK Q4b IF 2+ RESPONSES ARE SELECTED IN Q4.

Q4b. And which do you think would be the most effective at decreasing the incidence of unauthorized uses in the ALR? *Select only one.*

[SHOW ALL THE RESPONSES SELECTED IN Q4]

ADDITIONAL DWELLINGS IN THE ALR

Q5. With respect to land use planning, by-law enforcement and compliance challenges related to additional dwellings, which of the following permitted uses are the most difficult to regulate? *Select all that apply.*

RANDOMIZE

1. Additional dwellings necessary for farm help
2. One manufactured home, up to 9 m in width, for use by a member of the owner's immediate family
3. One secondary suite in a single family dwelling
4. Accommodation that is constructed above an existing building on the farm and that has only a single level
5. In Zone 2 only: a second single family dwelling, but only if the parcel is at least 50 ha in size and if the total area occupied by all residences and other residential structures, roads and service lines, and all land between them, is 4 000 m² or less
6. Additional dwellings permitted in a zoning bylaw but not permitted in the ALC Act or ALR Regulation
96. Other (specify)
97. None of the above are difficult to regulate [SKIP TO Q6]
98. Don't know/unsure [SKIP TO Q6]

ASK IF 2+ RESPONSES ARE SELECTED IN Q5.

Q5c. And which one permitted use is the most difficult to regulate? *Select only one.*

[SHOW ALL THE RESPONSES SELECTED IN Q5]

Q5b. [WORDING IF 2+ RESPONSES SELECTED IN Q5] Please explain why you feel these permitted uses are difficult to regulate.

[WORDING IF ONLY 1 RESPONSE SELECTED IN Q5] Please explain why you feel this permitted use is the most difficult to regulate.

FREE FORM

ADDITIONAL DWELLINGS FOR FARM HELP

Q6. In your current role, do you review or make decisions regarding requests for additional residential dwellings for farm help?

1. Yes
2. No
98. Don't Know

[IF NO OR DON'T KNOW SKIP TO NEXT SECTION (IF Q6=2 OR 98, SKIP TO Q12)]

Q7. Section 18 (b) of the *Agricultural Land Commission Act*, states that a local government or First Nations government may not approve more than one residence on a parcel of ALR land unless the additional residence is necessary for farm use. If the local government or First Nations government chooses not to exercise its authority under s. 18, or determines that the additional dwelling is not necessary for farm use, an application to the Commission is required.

Does your local government authorize additional dwellings for farm help under s. 18 of the *Agricultural Land Commission Act*?

[INSERT HYPERLINK: http://www.bclaws.ca/Recon/document/ID/freeside/00_02036_01#section18]

1. Yes
2. No
3. Sometimes
98. Don't Know

Q8. [ASK IF YES OR SOMETIMES (IF Q7=1 OR 3, ASK Q8)] Which of the following are used as criteria by your local government or First Nations government to determine if an additional dwelling is necessary for farm help? *Select all that apply.*

RANDOMIZE

1. Property is classified as "farm" under the *Assessment Act* (i.e. "farm class")
2. Minimum property or farm unit size
3. Proof of agricultural necessity (e.g. description of agricultural operation, production, livestock type and care required, hours of employment per week, area in crop production)

4. No opportunity for seasonal or temporary housing
5. Commute distance from potential non-ALR housing
6. Farm succession planning
7. Agrologist Report
96. Other (specify)
97. None of the above are used as criteria

Q9. Do you feel that you have the tools to determine whether or not an additional residence is needed for farm help (e.g. policies, guidelines, legislation)?

1. Yes
2. No
98. Don't know

Q10. [SHOW ON SAME PAGE BELOW Q9] What is your greatest challenge in determining the necessity for additional dwellings for farm help?

FREE FORM

REGULATING SIZE AND SITING OF STRUCTURES IN THE ALR

Q12. Does your current role involve reviewing and regulating the size and/or siting of farm processing and/or farm retail sales buildings?

1. Yes
2. No
98. Don't know

[IF NO OR DON'T KNOW, SKIP TO NEXT SECTION (IF Q12=2 OR 98, SKIP TO Q18)]

Q13. Does your local government or First Nations government currently regulate the size and/or siting of each of the following?

RANDOMIZE ROWS

	1. Currently regulate both sizing and siting	2. Currently regulate sizing only	3. Currently regulate siting only	4. Currently regulate neither	98. Don't know/ unsure
a. Farm processing facilities					
b. Farm retail sales facilities					
c. Permanent dwellings for full time farm help					
d. Temporary farm worker accommodation					
e. Agri-tourism accommodations					
f. Alcohol production facilities					

Q14a. Do you confirm the occupancy of farm help dwellings after construction?

1. Yes
2. No
3. Don't know

Q14b. [SHOW ON SAME PAGE AS Q14a] Do you confirm the occupancy of agri-tourism accommodations after construction?

1. Yes
2. No
3. Don't know

Q15. Do you think there should be provincial regulatory requirements with respect to the size and siting of each of the following?

RANDOMIZE ROWS

	1. Should regulate both sizing and siting	2. Regulate sizing only	3. Regulate siting only	4. Regulate neither	98. Don't know/unsure
a. Farm processing facilities					
b. Farm retail sales facilities					
c. Permanent dwellings for full time farm help					
d. Temporary farm worker accommodation					
e. Agri-tourism accommodations					
f. Alcohol production facilities					

Q16. Currently, 50% of what is processed/produced in facilities located in the ALR must be comprised of agricultural products grown on the farm where the facilities are located. Which of the following best reflects your view?

1. This requirement is difficult to determine compliance, or to enforce compliance, and should be changed
2. This requirement is not difficult to determine compliance, or to enforce compliance, and should not be changed

Q17. [ASK IF DIFFICULT TO DETERMINE/ENFORCE (Q16=1). SHOW ON SAME PAGE BELOW Q16] Please explain why you feel the requirement is difficult to determine compliance or to enforce compliance.
FREE FORM

SUBDIVISION

Q18. In your experience, what are the most common reasons that landowners request application for subdivision in the ALR? *Select all that apply.*

RANDOMIZE.

1. For a family member
2. For estate settlement
3. To reconfigure farm parcels
4. To generate revenue to reinvest into the farm operation
5. For residential development purposes
6. To accommodate a non-farm use
7. For [ALC Homesite Severance Policy](https://www.alc.gov.bc.ca/assets/alc/assets/legislation-and-regulation/policies/alc_-_policy_l-11_-_homesite_severance_on_alr Lands.pdf) (ALC Policy L-11) [INSERT HYPERLINK: https://www.alc.gov.bc.ca/assets/alc/assets/legislation-and-regulation/policies/alc_-_policy_l-11_-_homesite_severance_on_alr Lands.pdf]
8. To separate two agricultural operations
9. To take advantage of the minimum lot size permitted in the zoning bylaw
10. To create a lot for new entrant farmers
96. Other (specify)
98. Don't know/unsure

Q19. As an alternate to subdivision, are you aware that the Agricultural Land Reserve Use, Subdivision and Procedure Regulation permits:

a) Zone 1 and 2: A lease for a farm or part of a farm, if that lease is to be used to for farm uses?

1. Yes
2. No

b) Zone 2: A residential lease of a farm or part of a farm for a retired farmer subject to criteria?

1. Yes
2. No

SOIL BYLAWS/REGULATIONS

Q20. Does your local government have a soil deposit/extraction bylaw?

1. Yes
2. No
98. Don't know/unsure

[IF NO OR DON'T KNOW SKIP TO END (IF Q20=2 OR 98, SUBMIT SURVEY)]

Q21. In your current role, are you involved in the regulation of placement of fill?

1. Yes
2. No

[IF NO SKIP TO END (IF Q21=NO, SUBMIT SURVEY)]

Currently, 44% of all the complaints the ALC receives are for the placement of fill without approval of the ALC. In an effort to reduce the number of fill violations, the ALC is proposing the adoption of a soil deposit bylaw to clearly define when the placement of fill is considered necessary and when notification or an application to the ALC is required. The draft bylaw also clarifies the maximum volumes/areas of fill for specific farm and non-farm uses and further defines fill and land development activities. **The ALC is seeking input from local government and First Nations government on the development of this bylaw.**

To view the full copy of the draft bylaw, click here: [\[INSERT HYPERLINK TO PDF "Draft Soils Bylaw_Local Government Survey"\]](#)

Q22. What follows are some requirements that the ALC has developed for **Draft Bylaw No. 2 – Placement of Fill in the Agricultural Land Reserve - Fill Placement for Farm Use.**

Fill placement will be considered necessary under Part 2 section 2 of the ALR Regulation for the following farm uses, and exempt from the requirement to notify the Commission in accordance with section 7 of the Bylaw, if the following requirements are met:

For each of the following, please indicate if you agree with the proposed threshold or criteria.

1. Strongly agree
2. Somewhat agree
3. Neither agree nor disagree
4. Somewhat disagree
5. Strongly disagree
98. Don't know/unsure

RANDOMIZE REQUIREMENTS. INCLUDE LETTER (SO RESPONDENT CAN REFER TO FULL COPY OF BYLAW IF DESIRED).

- a) Farm retail sales only if associated with the construction of a farm retail sales building and associated parking and loading areas not to exceed a total combined area of 0.2 hectares or less per 16 hectare and to a height not to exceed the minimum level required to satisfy flood protection requirements
- b) Farm product processing only if associated with the construction of a farm retail sales building and associated parking and loading areas not to exceed a total combined area of 0.2 hectares or

less per 16 hectare and to a height not to exceed the minimum level required to satisfy flood protection requirements

- c) Land development works limited to Berming, and the construction of Reservoirs and Ancillary Works as defined by this bylaw constructed of Soil or Aggregate, or a combination thereof, not including crushed concrete or demolition debris of any kind **[INCLUDE HOVER OVER WITH DEFINITION FOR "Berming": Berming means the construction of dikes required for cranberry production and flood protection dikes authorized/approved by the applicable local government. Cranberry dikes must not exceed a height of 2.2 metres geodetic or 2.0 metres above natural grade and a width at the base of no more than 10 metres.]**
- d) Agri-tourism only if associated with the construction of buildings, structures or parking areas approved by the Commission as part of a non-farm use application
- e) Horse riding, training and boarding facilities only if associated with the construction of barns, arenas and associated parking areas not to exceed a total combined area of 0.2 hectares or less per 16 hectares and to a height not to exceed the minimum level required to satisfy flood protection requirements
- f) Temporary storage areas (less than 9 months) required for the storage of fertilizers, mulches, soil conditioners, and materials regulated by the Organic Matter Recycling Regulation (BC Reg. 18/2002) limited to the footprint of the temporary storage area. All Fill must be removed and reclaimed once these materials have been land applied
- g) Production of compost, soil conditioners, and growing mediums from agricultural wastes produced on the farm for farm purposes in compliance with the Agricultural Waste Control Regulation (BC Reg 131/92) provided that a nutrient management plan demonstrates that all of the material is used on the farm and that the construction of buildings related to the production of this material does not exceed a total combined area of 0.2 hectares or less per 16 hectares
- h) Production of Class A compost if at least 50% of the compost measured by volume is used on the farm and Fill is limited to the construction of the composting facility as indicated in Division 3 of the Organic Matter Recycling Regulation
- i) Production of medical marihuana only if associated with the construction of a building (not including greenhouses) and associated parking and loading areas not to exceed a total combined area of 0.2 hectares or less per 16 hectares and to a height not to exceed the minimum level required to satisfy flood protection requirements
- j) Alcohol Production Facilities only if associated with the construction of buildings, associated parking, landscaping and loading areas not to exceed a total combined area of 0.2 hectares or less per 16 hectares and to a height not to exceed the minimum level required to satisfy flood protection requirements
- k) A farm use by a person other than the owner of the farm under a lease of the farm or part of the farm provided that use is one of the uses identified in section 6 a) through j)

Q22b. If you have any comments regarding **Draft Bylaw No. 2 – Fill Placement for Farm Use** please share them in the space below.

FREE FORM

Q23. What follows are some requirements that the ALC has developed for **Draft Bylaw No. 2 – Placement of Fill in the Agricultural Land Reserve - Fill Placement for Non Farm Use.**

Fill placement will be considered necessary under Part 2 section 3 of the ALR Regulation for the following non-farm uses and exempt from the requirement to notify the Agricultural Land Commission, in accordance with section 12, if the following requirements are met:

For each of the following, please indicate if you agree with the proposed threshold or criteria.

1. Strongly agree
2. Somewhat agree
3. Neither agree nor disagree
4. Somewhat disagree
5. Strongly disagree
98. Don't know/unsure

RANDOMIZE REQUIREMENTS. INCLUDE LETTER (SO RESPONDENT CAN REFER TO FULL COPY OF BYLAW IF DESIRED).

- a) Agri-tourism accommodation only if associated with the construction of buildings not to exceed a total combined area of 0.2 hectares or less per 16 hectares and to a height not to exceed the minimum level required to satisfy flood protection requirements
- b) Biodiversity conservation, passive recreation, heritage, wildlife and scenery viewing purposes to a volume not to exceed 100 square metres
- c) Open park land to a volume not to exceed 100 square meters
- d) Breeding pets or kennels or boarding facilities only if associated with the construction of barns and kennels not to exceed a total combined area of 0.2 hectares or less per 16 hectares and to a height not to exceed the minimum level required to satisfy flood protection requirements
- e) Production and development of biological products used in integrated pest management programs to a volume not to exceed 300 square metres
- f) Telecommunications equipment, buildings and installations to a volume not to exceed 100 square metres
- g) A residential use under a lease of a farm or part of a farm located in Zone 2 only if associated with the construction of a building not to exceed a total combined area of 0.2 hectares or less per 16 hectares and to a height not to exceed the minimum level required to satisfy flood protection requirements
- h) A facility that shelters and cares for surrendered, abandoned or seized livestock only if associated with the construction of barns not to exceed a total combined area of 0.2 hectares or less per 16 hectares and to a height not to exceed the minimum level required to satisfy flood protection requirements

Q23b. If you have any comments regarding **Draft Bylaw No. 2 - Fill Placement for Non Farm Use** please share them in the space below.
FREE FORM

Q24. What follows are some requirements that the ALC has developed for **Draft Bylaw No. 2 – Placement of Fill in the Agricultural Land Reserve - Fill Placement for the Construction of a Single Family Residence.**

For each of the following, please indicate if you agree with the proposed threshold or criteria.

1. Strongly agree
2. Somewhat agree
3. Neither agree nor disagree
4. Somewhat disagree
5. Strongly disagree
98. Don't know/unsure

RANDOMIZE REQUIREMENTS. INCLUDE LETTER (SO RESPONDENT CAN REFER TO FULL COPY OF BYLAW IF DESIRED).

- a) Fill placement will be considered necessary for the construction of a Single Family Residence provided the Placement of Fill does not exceed a total combined area of 0.2 hectares or less and to a height not to exceed the minimum level required to satisfy flood protection requirements
- b) A driveway constructed to access a Single Family Residence should not exceed 6 metres in width

Q24b. If you have any comments regarding **Draft Bylaw No. 2 - Fill Placement for the Construction of a Single Family Residence** please share them in the space below.
FREE FORM

[SHOW ON SAME PAGE BELOW Q24b] If you have additional feedback that you would like to share about *Draft Bylaw No. 2 – Placement of Fill in the Agricultural Land Reserve*, please contact Katarina Glavas at katarina.glavas@gov.bc.ca.

Those are all of our questions.
On behalf of the ALC, thank you again for your time and feedback.