

Provincial Agricultural Land Commission



BUSINESS PLAN

2009/10

April 1, 2009



Agricultural Land Commission
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August 14, 2009

Honourable Steve Thomson
Minister of Agriculture and Lands
Parliament Buildings
Victoria, BC
V8V 1X4

Dear Minister:

I respectfully submit herewith the Business Plan for the Agricultural Land Commission for the period April 1, 2009 through March 31, 2010.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in black ink, appearing to read 'Erik Karlsen'. The signature is fluid and cursive, with a long horizontal stroke at the end.

Erik Karlsen, Chair

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Message from the Chair



As the Chair of the Agricultural Land Commission (ALC), I am pleased to present the 2009/10 Business Plan for the ALC.

This year's business plan will maintain a focus on three core programs:

- *Advising on the plans and related activities of local government and non-government organizations to preserve agricultural land and encourage farming;*
- *Applying the highest standards of mandate focused, administrative fairness, depth and timeliness in the review of applications; and*
- *Addressing compliance issues associated with the unlawful non-farm uses and the degradation of agricultural lands.*

Like other provincial agencies, the ALC will do this work with fewer resources than previous years. It will also be sensitive to the economic conditions faced by all British Columbians.

From a budget perspective, it is anticipated that two current staff vacancies will not be filled. It is also expected that Commission panel operations will be reduced in the upcoming year.

A risk management approach, described in this business plan, will be used to provide advice to other organizations. Efficiencies will be pursued to deal with applications that do not pose impacts on agricultural land or their agricultural uses. All other applications will be fully reviewed, but some of these may take a longer time to process than in previous years.

The Commission will be as responsive as possible in situations involving plans and applications that are aimed at economic stimulation and recovery, while maintaining its focus on its mandates to preserve agricultural land and encourage their use for agricultural production and by applying the highest standards of administrative fairness in its review of applications.

Erik Karlsen, Chair & CEO
Agricultural Land Commission
Date: April 1, 2009

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Purpose of the Agricultural Land Commission

The Agricultural Land Commission (ALC) is the provincial agency responsible for administering the Agricultural Land Reserve (ALR), a provincial land use zone for agriculture. The purposes of the ALC set out in legislation 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.

The *Agricultural Land Commission Act* (ALC Act) sets out processes for the inclusion or exclusion of land to and from the reserve and for non-farm use and the subdivision of land within the reserve. The ALC Act is supported by the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*, which provides procedures for applications and defines permitted land uses and subdivisions within the ALR.

As an administrative tribunal acting pursuant to the ALC Act and the *Administrative Tribunals Act*, the Commission considers each application on its individual merits through a fair and transparent review process, in most cases involving on-site meetings with applicants. In addition to its legislation, the operations of the Commission are guided by its Governance Policy, which is updated from time to time to ensure that the Commission is operating with reference to the highest standards of administrative fairness.

The work of the Commission is carried out by 19 appointed Commissioners comprised of a Chair, 6 Vice-Chairs and 12 members. The appointed Commissioners are the board of directors of the Commission which is supported by 22 professional staff. The full Commission generally meets annually. The Executive Committee is made up of the Chair and Vice-Chairs provides overall advice and direction to the Commission and generally meets quarterly. The Commission's 6 regional panels are established with 3 Commissioners, a Vice-Chair and 2 members to review and decide upon applications. Panels and staff also advise governments and their agencies on policies, plans and regulations to preserve agricultural land for agricultural purposes.

In situations where there is a broader interest in a matter before a regional panel the Chair may add Vice-Chairs and members from other regional panels. This ensures that a more provincially representative group of Commissioners makes decisions on such a matter.



External Factors

The Agricultural Land Commission operates in a complex environment involving wide ranging and changing land use, social and economic conditions and faces a growing number of applications non-farm uses, subdivisions and exclusions.

One emerging condition is supportive:

Broadening societal interest in farmland preservation and local food production has focused more public attention on the Commission's work and on the ALR in general.

Some are supportive, but may also have impacts on agricultural production:

Conservation organizations continue to purchase agricultural lands, which although protecting the land base, may also result in restrictions on agricultural uses and practices.

There are emerging societal interests in securing the ecological goods and services produced on agricultural lands, with as yet uncertain effects on agricultural production.

Some are serious longstanding concerns that need ongoing and enhanced attention:

Increasing non-farm land uses within and urban development adjacent to the ALR creates mounting pressures on farm practices, limiting agricultural use of the ALR.

Reluctance to contain urban growth through infill, densification and redevelopment continues to place increasing pressures to convert ALR land to urban uses.

Agricultural access to irrigation water continues to be an issue in the face of increasing domestic water supply demands and climate changes.

Permanent debilitating effects on agricultural soils resulting from the unlawful disposal of excavation material and demolition debris is particularly problematic in the Lower Fraser Valley.

Some are related to current economic and demographic conditions that need attention:

Economic challenges faced by some farmers and ranches underlie their ALR applications to supplement to their farm incomes and provide for their retirement.

Intergenerational transfers of farms and ranches that lead to smaller farm units, making them less viable for some forms of agricultural production, particularly cattle and grain.

Some require more effective management:

Oil and gas exploration and development as well as aggregate resource extraction require increased attention to full life cycle approaches to managing agricultural impacts and restoring productivity.

The purchase of agricultural lands and their reforestation for carbon credits is beginning to have effects on their use for agricultural production.



Goals, Objectives, Strategies and Indicators

The Agricultural Land Commission's goals are based on the purpose as set out in the *Agricultural Land Commission Act* to preserve agricultural land and encourage and enable the farming of that land. Due to the nature of the work, the Commission reports out on its decisions and uses key indicators that reflect its efforts regarding agricultural land preservation.

Goal: Preserve Agricultural Land and Encourage Farming

This goal will be achieved by meeting the following objectives through the associated strategies.

Objective 1: To preserve the provincial agricultural land base through application decisions.

Each application is considered on its own merits with reference to information provided by the applicant, local governments, Commission staff and other information the Commission considers pertinent to its deliberation. In all instances the Commission considers the impact to the agricultural land base and to the use of the land base for agriculture.

Strategies

This objective will be achieved through the following strategies:

- Consideration of agriculture capability and suitability of lands under application; and
- Consideration of the potential impacts on the land base and the agricultural use of the land base

Indicators

As indicators for preserving agricultural land through decision-making, the Commission will report on the following:

- Area of land excluded from the ALR during the term of this business plan;
- Agricultural capability of land excluded from the ALR during the term of this business plan;
- Area of land included into the ALR during the term of this business plan; and
- Agricultural capability of land included into the ALR during the term of this business plan.



Operational Priorities

To re-focus Commission resources to meet core business objectives related to application processing.

Objective 2: To focus planning exercises on geographic areas of significant potential risk.

The *Agricultural Land Commission Act* requires the Commission to work closely with local governments with respect to planning and providing advice and direction to local governments to ensure that Official Community Plans and bylaws are consistent with the legislation. At present, there are 142 local governments having ALR land within their jurisdiction.

Experience has shown that early dialogue with local governments regarding community planning initiatives and local planning has had positive results in encouraging farming and promoting the farm use of agricultural land. The suitability of lands in the ALR for farming, even those lands with the highest capability for agricultural production, can be compromised by the establishment of incompatible land uses adjacent, within or in close proximity to the ALR. In the past, the Commission has reviewed planning documents submitted by local governments to assess the overall risk to the land base. Following through on its *ALR and Community Planning Guidelines* document, the Commission continues to place the onus on local governments to ensure their plans are consistent with the ALC Act.

Strategies

This objective will be achieved through the following strategies:

- Curtail the review of all local government planning documents forwarded to the Commission in favour of a risk-based approach that will concentrate planning activities with local governments having high agricultural capability and suitability ALR lands in proximity to large urban growth areas and on reviewing major projects and emerging issues that affect the ALR; and
- Communicate the risk-based approach to all local governments having land in the ALR reminding them that in the absence of a specific review by the Commission, local governments must ensure its bylaws are consistent with the ALC Act, the regulation and orders of the Commission.

Indicators

As an indicator for planning the Commission will report on the following:

- Number of local government plans the Commission reviewed and deemed consistent with the ALC Act during the term of this business plan; and



- Number of major projects and emerging issues the Commission has been involved in during the term of this business plan.

Operational Priorities

To re-focus Commission resources to meet core business objectives related to planning by focusing on ALR areas with significant non-farm development pressures, reviewing major projects and reviewing emerging issues.

Objective 3: To ensure a high degree of compliance with the *Agricultural Land Commission Act*, regulation and orders of the ALC.

Legislation, regulation and orders of the Commission set out the uses permitted in the ALR. The Commission has an obligation along with legislative authority to ensure that ALR lands are being used appropriately. Ensuring that ALR lands are being used properly will maintain a high quality land base for farming and reduce the potential of lands being degraded to the extent that they can no longer be used for agricultural production. Land degradation has occurred in some areas of the province and it will continue, unless the Commission takes a more active role to ensure agricultural lands are protected from unlawful activities such as the significant instances of land filling in the high population growth regions of the province. Partnerships with other government agencies and local governments will be key to success.

Strategies

- Ensure compliance with the ALC Act, regulation and orders of the Commission based on current resources;
- Follow up on complaints of inappropriate use of ALR lands; and
- Monitor the Commission's conditional decisions for compliance.

Indicators

- Number of complaints received
- Number of complaints investigated and resolved
- Number of stop work orders

Operational Priorities:

Focus staff resources on high risk unauthorized land uses.



Regional Panel Business Plans

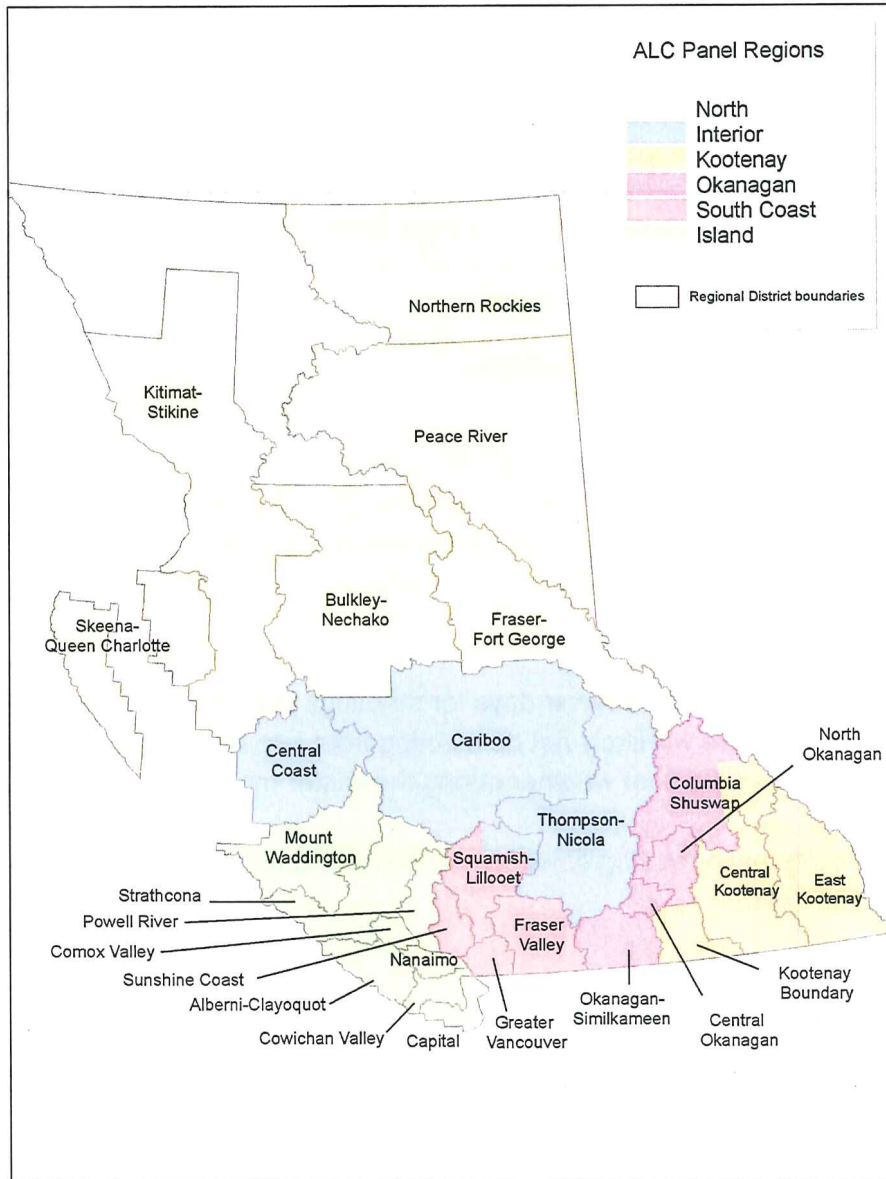
The regional panel business plans reflect the predicted work that will be carried out in the upcoming year by each of the six regional panels. The plans indicate activities related to consideration of applications and panel meetings; planning activities occurring in the region and enforcement issues and challenges. The regional plans relate to the overall business plan objectives and strategies but provide the detail with regard to the quantity and type of work involved in carrying out the mandate of the Commission in a given region of the province.

There will be 3 major changes to panel operations:

1. Panels will not review all local government planning documents forwarded to the Commission. Instead the Commission will implement a risk-based approach that will concentrate panel work on planning associated with local governments having highly capable and suitable ALR lands in proximity to large urban growth areas and on reviewing major projects and emerging issues that affect the ALR;
2. Each regional panel will be allotted fewer days for meetings this year which will be held between April and December. Panels will likely not be meeting from late December 2009 to March 31, 2010 due in large part to inclement weather during the winter months; and
3. The Commission's internal operating objective of processing applications in 90 days or less will be increased to 180 days.



PROVINCIAL AGRICULTURAL LAND COMMISSION





Interior Panel

The Interior Panel region extends from the Central Coast (Bella Coola Valley) to the community of Chase at the western end of Shuswap Lake, encompassing cattle ranching in the Cariboo and Thompson-Nicola Regional Districts. The region is dominated by BC's interior plateau and characterized by dry grasslands and forested parklands.

The region includes the following Regional Districts:

- Central Coast
- Cariboo
- Thompson-Nicola

The Interior Panel region totals 16,234,300 hectares of which 1,496,208 hectares or 9% is land within the ALR. The regional population is 187,665 (2006 Census).

Panel Activities

1. Applications

The Interior Panel reviews among the lowest numbers of applications when compared to other Panels although the number of applications increased in 2008 when compared to the preceding year. The Panel expects to consider approximately 75 applications during 2009/10. Typically applications are subdivisions for family members.

2. Planning

Planning activities anticipated for 2009/10 include:

- a. A review of the Quesnel Fringe OCP with the Cariboo Regional District;
- b. A general review of the Cariboo Regional District's zoning bylaw;
- c. A review of a new OCP being developed by the Thompson-Nicola Regional District for Watch Lake, Green Lake, 70 Mile House and area; and
- d. Commencing in 2010 the City of Kamloops, in conjunction with an OCP review will undertake the preparation of an Agricultural Plan to review the agricultural needs of the community and provide more detailed policy direction for its agricultural land base.

3. Enforcement

Compliance and enforcement issues will be handled as they arise.



Island Panel

The Island Panel 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 centers.

The region includes the following Regional Districts:

- Alberni-Clayoquot
- Capital
- Comox Valley
- Strathcona
- Cowichan Valley
- Mount Waddington
- Nanaimo
- Powell River

The Island Panel region totals 7,786,900 hectares of which 102,850 hectares or 1.3% is land within the ALR. The regional population is 724,233 (2006 Census).

Panel Activities

1. Applications

The Island Panel anticipates receiving 80 – 90 applications during 2009/10. Based on information from regional sources and staff observations it is estimated that the number of applications will increase over the previous year. Several major applications are expected from the Saanich Peninsula, Sooke and Powell River areas.

2. Planning

Planning activities are expected to experience a notable increase in the region. Staff and Commissioners anticipate involvement in 10 – 15 local government planning processes including the review of a number of draft plans and bylaws. Information from the Capital Regional District indicates the Panel may expect to be involved in an update of the Growth Strategy and in new OCPs for Sooke, Port Renfrew, Central Saanich, Metchosin, Saanich and Langford. The new Comox Valley Regional District will embark on a new Growth Strategy. North Cowichan will be undertaking an OCP review including growth in the Chemainus area. The Regional District of Nanaimo plans to update its Growth Strategy and the Islands Trust will develop a new OCP and Agriculture Plan for Salt Spring Island.

3. Enforcement

Compliance and enforcement issues, particularly placement of illegal fill on ALR land, is a challenge in some areas. While monitoring all areas, particular attention will be paid to the Capital, Cowichan Valley and Nanaimo Regional Districts.



Kootenay Panel

The Kootenay Panel 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 following Regional Districts:

- East Kootenay
- Central Kootenay
- Kootenay Boundary
- A portion of the Columbia Shuswap Regional District in the vicinity of Golden

The Kootenay Panel region totals 6,648,700 hectares of which 382,946 hectares or 5.7% is land within the ALR. The regional population is 142,110 (2006 Census). (Note: The population in the Golden area is not included in this figure)

Panel Activities

1. Applications

The Kootenay Panel anticipates receiving 100 - 110 applications during 2009/2010. Information from regional sources and staff observations suggest an increase in the number of applications over the previous year.

2. Planning

Staff and Commissioners anticipate involvement in 5 – 10 local government planning exercises including the review of a number of draft plans and bylaws. Information from the Regional District of East Kootenay indicates the Commission may be involved in planning reviews for the Lake Windermere and Lake Koochanusa areas. In addition the Commission anticipates continued participation in an ALR boundary fine-tuning review in the Elk Valley.

3. Enforcement

Compliance and enforcement issues involve lack of compliance with Commission decisions or the carrying out of non-farm uses without Commission approval. Last year compliance and enforcement staff concentrated on the Baynes Lake area in the Regional District of East Kootenay where numerous commercial campgrounds have been created in the ALR without Commission permission. Ongoing compliance and enforcement will continue in Baynes Lake, Grand Forks, Creston, Newgate and Nakusp.



North Panel

The North Panel region encompasses North East, North Central and North West British Columbia, from Prince George, north, east and west. The region includes the following Regional Districts:

- Northern Rockies
- Peace River
- Fraser- Fort George
- Bulkley-Nechako
- Skeena-Queen Charlotte
- Kitimat-Stikine

The North Panel region totals 47,021,900 hectares of which 2,380,048 hectares or 5% is land within the ALR. The regional population is 252,581 (2006 Census).

Panel Activities

1. Applications

The North Panel anticipates receiving 130-140 applications during 2009/10. Recently completed planning exercises in Fort St. John, Dawson Creek and Pouce Coupe continue to result in an increasing number of applications as landowners pursue the planning decisions. The North Panel region has a high application workload because of its extensive area and a robust energy sector particularly in the northeast.

2. Planning

Planning activities are expected to remain heavy in the region. Staff and Commissioners anticipate involvement in several new and on-going local government planning exercises such as the North Peace Fringe Official Community Plan. Implementation of the Fort St. John and Area Comprehensive Development Plan and the South Peace Comprehensive Development Plan is ongoing.

The Regional District of Fraser-Fort George is embarking on updates to its OCPs and the Commission is likely to be involved particularly with the Willow River OCP. In the Regional District of Bulkley-Nechako, OCP reviews are underway for Electoral Area "D" (Fort Fraser – Fraser Lake), Burns Lake and the Town of Smithers.

3. Enforcement

Compliance and enforcement issues remain a challenge in some areas, particularly over such issues as unauthorized industrial uses, home-based business and multiple residences on parcels within the ALR.



Okanagan Panel

The Okanagan Panel region encompasses the Okanagan and Similkameen Valleys, the Columbia Shuswap and Princeton areas. The region includes the following Regional Districts:

- Columbia Shuswap
- Okanagan-Similkameen
- North Okanagan
- Central Okanagan

The Okanagan Panel region totals 4,408,800 hectares of which 225,209 hectares or 5.1% is land within the ALR. The regional population is 369,193 (2006 Census).

Panel Activities

1. Applications

The Okanagan Panel anticipates receiving 110 – 130 applications during 2009/2010.

2. Planning

It is anticipated that planning activities in the region will remain at current levels. Activities that may require the Panel review:

- Columbia Shuswap rural area OCPs for Electoral Area "C" (Sorrento) and Electoral Area "E" (Rural Sicamous).
- Okanagan-Similkameen OCP reviews for Electoral Area "H" (Rural Princeton) and Electoral Area "D" (Okanagan Falls)
- North Okanagan Regional Growth Strategy and ALR boundary review in Electoral Area "F" (Rural Enderby) and OCP review for Electoral Areas "D" and "E"
- District of Westside's first OCP.
- City of Kelowna's OCP review.
- Planning discussions are also expected with the City of Salmon Arm about land for urban expansion.

3. Enforcement

Ensuring that farm worker housing and agri-tourism accommodation are compliant with the Act and regulation continues to be a challenge in some areas. While monitoring all areas, particular attention will be paid to the City of Kelowna and the Similkameen Valley. ALC compliance and enforcement officers plan to meet with local government representatives to discuss current issues and provide updates.



South Coast Panel

The South Coast Panel region has the smallest ALR land area of the 6 panel regions but the greatest concentration of agricultural production. The ALR in this area is also in proximity to the greatest concentration of urban development in BC. The region encompasses the lower mainland region of the Province from Hope and environs in the easterly part of the Lower Fraser Valley to the Fraser River delta in the west and then north to the Sunshine Coast and the Squamish River valley and the Pemberton Valley. The region includes the following Regional Districts:

- Metro Vancouver
- Fraser Valley
- Squamish-Lillooet
- Sunshine Coast

The South Coast Panel region totals 3,591,500 hectares of which 175,319 hectares or 4.9 % is land within the ALR. The regional population is 2,436,596 (*2006 Census*).

Panel Activities

1. **Applications**

The South Coast Panel anticipates receiving 120 – 140 applications during 2009/10.

2. **Planning**

Planning activities are expected to remain high in the Region. Staff anticipate continued involvement in key transportation planning. The Panel also expects involvement in at least 12 local government planning processes including review of a number of draft plans and bylaws as well as a high level review of plans and policies for the Township of Langley. Information from Metro Vancouver indicates the Panel can expect to be involved in the update of the Regional Growth Strategy and in Regional Context Statement updates for several Metro Vancouver municipalities. The Panel also expects to be involved in work on a Sunshine Coast and Squamish-Lillooet Regional Growth Strategies, Regional Context Statements for Pemberton and Squamish, and an OCP update for Squamish. An Agricultural Area Plan is in the works for Maple Ridge and Kent and Abbotsford hopes to re-commence work on its Agricultural Area Plan.

3. **Enforcement**

Compliance and enforcement issues, particularly the placement of illegal fill in the ALR land, is a continual threat to agricultural lands and farming operations in proximity to urban development taking place outside of the ALR. While monitoring all areas, particular attention will be paid to Fraser River delta communities and other municipalities throughout the Lower Mainland with a view to increasing the awareness of the Commission's enhanced efforts to ensure compliance with the Act and regulations in a collaborative fashion.



Strategic Planning and Operational Policy

Commission work also focuses on strategic planning and operational policy. This work involves dealing with issues related to land use planning, Commission policy on emerging issues and working with other provincial government ministries and local governments to ensure the ALR land base is preserved.

Emerging issues the Commission needs to address include anaerobic digesters as an on-farm means of dealing with agricultural waste and generating energy and temporary farm worker housing in the ALR



Mapping, GIS and Data Management

The ALC mapping department maintains the official ALR maps, prepares maps for application files, responds to mapping enquires from public, ALC staff, government and local government, updates the ALC website, manages the ALC application database and provides IT support.

Much of the work of the Commission depends on spatial information both related to application research and information for decision making as well as the outcome of Commission decisions and any related ALR boundary changes. Historically, the Commission has tracked applications and decisions in a variety of digital and non-digital formats, both spatial and non-spatial. It is currently working towards integrating the various information sources into one central data management and research tool called the Online Application Tracking System (OATS). OATS will replace the Commission's current outdated information management database.

It was expected that OATS would be delivered, tested and in use in the 2008/09 fiscal year. However since OATS was provided for testing in February 2009 it is not anticipated to that testing will be completed before the beginning of this Business Plan. The ALC mapping department will oversee the implementation and ongoing evaluation of the new system during this fiscal year.



2009/10 Budget

Budget:

Operating Budget	\$2,276,000
Capital Budget	\$5,000



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