

A Revitalized Legislative Framework for the Agricultural Land Reserve

UBCM Convention Clinic

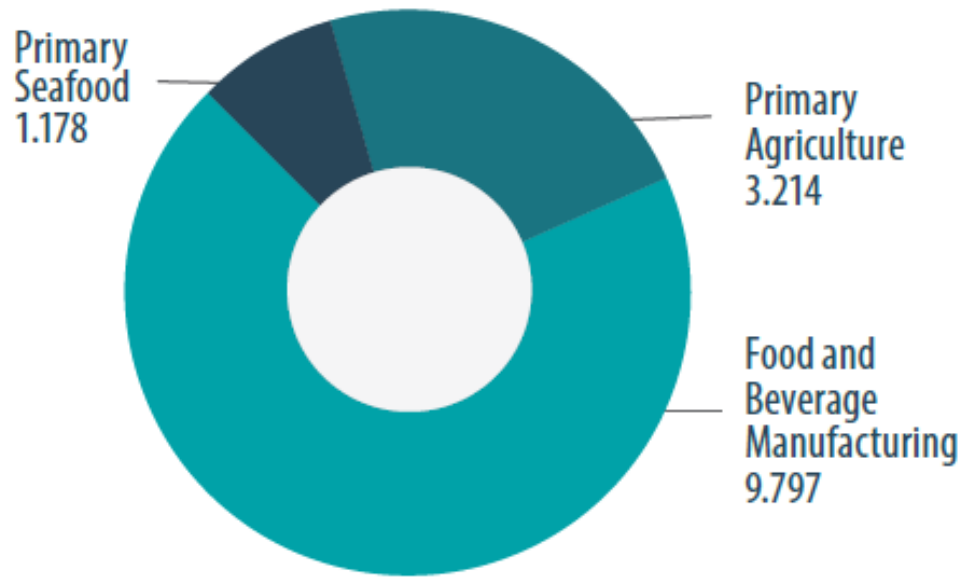
Wednesday, September 25, 2019

James Mack, ADM, BC Ministry of Agriculture
Kim Grout, CEO, Agricultural Land Commission

Outline

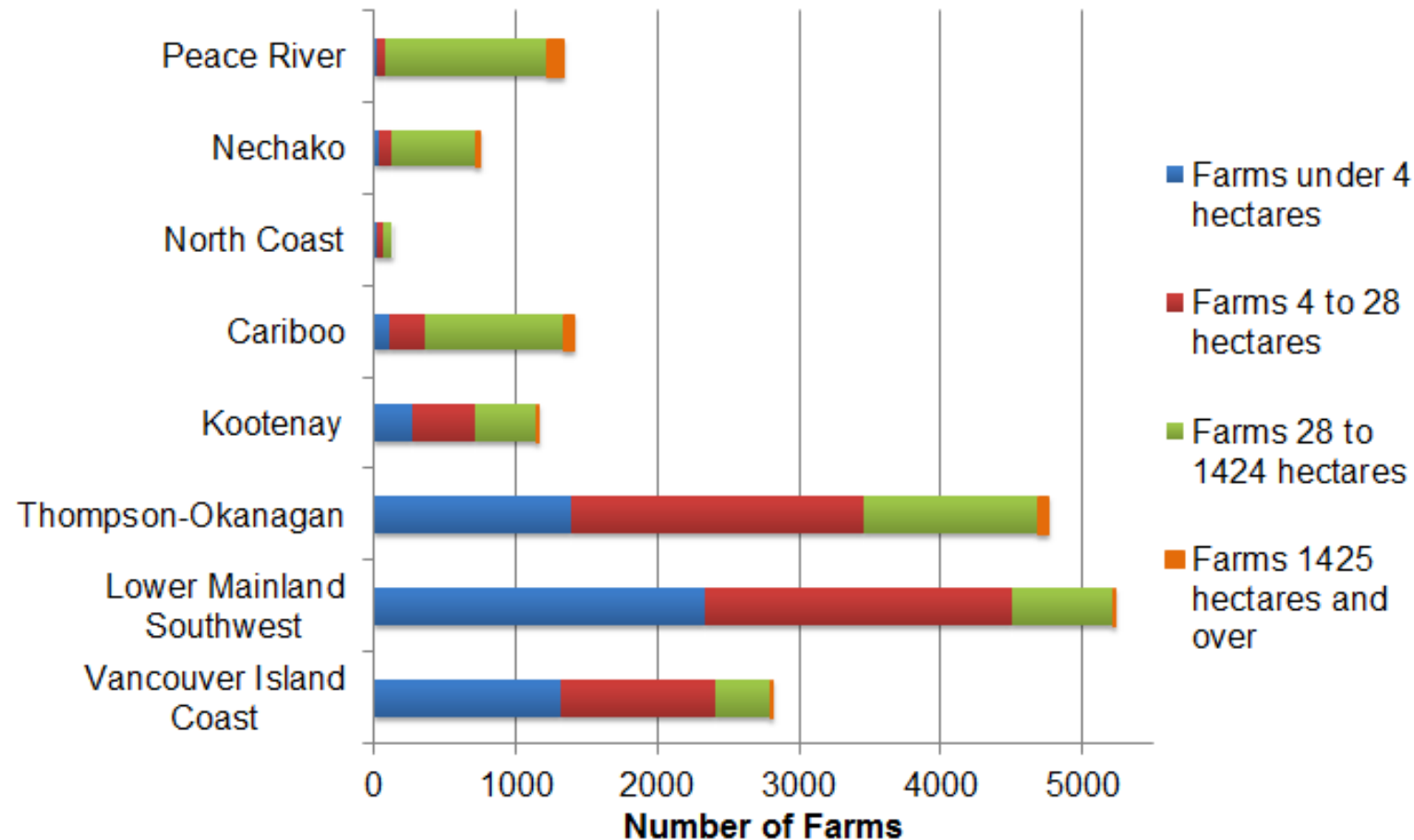
- Highlights of the Agriculture Sector
- The ALR and the ALC
- New Legislative and Regulatory changes
- New and Future engagement on ALR

B.C. Agriculture, Seafood and Food and Beverage Processing - 2017



- 200 commodities and 100 species of fish
- Total revenues \$14.2B
- Primary Agriculture \$3.2B (23%)
- Food & Beverage Processing \$9.8B (69%)
- Primary Seafood \$1.2B (8%)
- BC exported \$3.9 billion worth of agrifood and seafood products in 2017.

B.C. Farm Distribution and Sizes by Region



Agricultural Land Reserve (ALR)



- Created in 1970's
- 4,613,612 hectares (or ~5%) of the provincial land base
- Primary purpose is for farming and ranching in B.C.
- Action was taken because of limited agricultural land and irreversible conversion to urban land uses.
- Issues we still struggle with today.

Agricultural Land Commission (ALC)

- Independent administrative tribunal under the *Agricultural Land Commission Act* (Act) and Regulations. Mandate:
 - to preserve the agricultural land reserve;
 - to encourage farming of the ALR in collaboration with other communities of interest;
 - to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of land in the ALR in their plans, bylaws and policies.
- A Board of 16 that have policy and operational oversight; Six regional panels making application decisions; + an Executive Committee comprised of regional Vice Chairs and Chair that make provincially significant decisions, hear appeals and requests for reconsideration
- ALC staff support organizational responsibilities and services

ALR Pressures

- Minister Popham's 2017 mandate letter direction:

“Make substantive progress on.... Revitaliz[ing] the Agricultural Land Reserve (ALR) and the Agricultural Land Commission (ALC)”
- Speculation and rampant non-farm development pushing the cost of farmland beyond the reach of current and new entrant farmers
- Illegal dumping practices and lack of tools for ALC oversight impacting the productive capacity of the ALR
- Need to recommit to protecting farmland to support farm business across the province and enable a secure food supply into the future

RICHMOND MEGAHOMES March 6, 2018 8:24 pm

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SAM COOPER Updated: May 28, 2017

VANCOUVER
SUN

Carrots or karats: Study says B.C. home prices threaten food security

Peace Arch News Wednesday, March 16, 2011

www.peacearchnews.com 23

Estate lifestyle comes at expense of food production

• news

Super-sized Richmond farmhouses have 'gotten out of hand': councillor

Perfectly legal farmhouses as large as 22,000 square feet are cropping up on Richmond farmland, among the largest homes allowed in Metro Vancouver.

'This has gotten out of hand': Mega-houses sprouting on farmland a pain for Vancouver area

Farm in Richmond, B.C., sells for more than 100 times its assessed value

'This has gotten out of hand': Mega-nouses





Updating the Legislative Framework

- Recommendations of the Minister's Advisory Committee were accepted and advanced by the Province
- Recommendations reflected many of the challenges the ALC and local governments were experiencing in ALR decision-making
- Three key policy objectives set the legislative agenda for revitalization:
 - Objective 1: Preserve the productive capacity of ALR land
 - Objective 2: Encourage priority use of ALR land for agriculture
 - Objective 3: Strengthen ALR and ALC administration and governance to increase public confidence and ensure land use regulation and land use decisions preserve agricultural land and encouraging farming and ranching in the ALR

Recent Changes

- Feb 22, 2019 three key amendments are made and in force now:
 1. Limits on residential development in ALR
 2. New restrictions and requirements established for soil removal and fill, and increased penalties for illegal fill.
 3. Reinstate a single 'zone' to ensure consistent rules with strong protections across provincial ALR
- May 30, 2019 five key amendments made, and will be in force later:
 1. Replacing current ALC governance model
 2. ALC Chair ability to organize commission members into decision-making panels by topic, technical expertise or administrative region
 3. Decision-making criteria ALC must consider to prioritize protection and enhancement of ALR size, integrity and continuity
 4. More compliance and enforcement capacity and tools
 5. Changing the exclusion process to foster LG consideration as part of a broader community land planning process.

ALR Engagement Strategy

- Ministry is putting into place an improved process to explore future policy as it relates to ALR:
 - Track 1: Technical Review Committee
 - Formalize committee to consider ALR issues
 - Track 2: Public and stakeholder engagement
 - September 19 – November 15
 - Track 3: Broad engagement/communication
 - Improve information available on Ministry policy goals

New Public Engagement (Sept 19 to Nov 15)

Asking for public insight and opinions on how we can best:

- Support farmers and ranchers in the ALR to expand and diversify their businesses;
- Help new or young farmers become established on the land and in business; and,
- Ensure there is flexibility for residential options while prioritizing agriculture in the ALR.

Six Session Locations

- Thursday September 19 – Merville (Courtenay/Comox)
- Tuesday October 1 – Delta
- Wednesday October 2 – Dawson Creek
- Thursday October 3 – Prince George
- Thursday October 10 – Kelowna
- Wednesday October 30 – Castlegar

<https://engage.gov.bc.ca/supporting farmers>

Next Steps – ALR Engagement with LG's

Bill 15 – Regulation to bring into force

- Ministry staff will engage with local governments in developing materials that will support the changes

Explore the development of a *homeplate* policy for government's consideration:

- Recommendation from the Minister's Advisory Committee, which includes consultation and analysis on homeplate siting and size
- Based on the guidance in the Minister's Bylaw Standards
- Early engagement with local governments who have farm homeplate/residential footprint bylaws occurred in the Spring 2019
- Will reach out to local governments and First Nations governments to learn more about residential uses on the ALR currently as they relate to the concept of a provincial homeplate.

Potential Future Work with Local Governments

Early look at other potential policy changes based on recommendations, including:

- How to address fairness of opportunities for different commodities in the ALR (e.g., wineries and cideries may have a food and beverage service lounge, which also requires a “lounge” endorsement to be added to a manufacturer licence issued under the Liquor Control and Licensing Act) and the challenges of the 50% rule
- How to address expansive industrialization of the ALR (e.g., large cannabis facilities that go well beyond production) and what tools can support local governments and the ALC in related decision-making

Questions