

# Agricultural Land Reserve

*A guide for applications to the Provincial Agricultural Land Commission*

**Regional  
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Central  
Okanagan**

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Agricultural Land  
Reserve?

What is the  
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Commission?

What role does  
the Regional  
District play?

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## This Guide explains:

- The Agricultural Land Reserve (ALR)
- The Agricultural Land Commission
- The role of the Regional District
- Applications to the Agricultural Land Commission and the application process
- Commonly asked questions

## What is the Provincial Agricultural Land Reserve (ALR)?

Approximately 5% of the province of BC is considered good agricultural land. In 1973, in response to the rapid loss of farm land and the intense pressure on agricultural land for non-agricultural uses the province of BC created the Agricultural Land Commission Act.

This legislation:

- Created maps showing lands in the ALR,
- Restricted non-agricultural use and development of land in the ALR, and
- Created a set of policies and regulations for activities in the ALR .

## What is the Provincial Agricultural Land Commission (ALC)?

The Agricultural Land Commission is a group of people appointed by the province of BC. They have authority to deal with all applications. The Agricultural Land Commission makes decisions on all applications under the Agricultural Land Commission Act.

## What role does the Regional District play?

Planning Staff at the Development & Environmental Services Department are the first people to contact when discussing land in the ALR.

The Regional District:

- Is the local liaison for applications to the Agricultural Land Commission,
- Has maps showing ALR boundaries,
- Provides applications to the public,
- Provides assistance to the public in reviewing ALC and RD requirements including policies and regulations which may affect the application,
- Provides details on application processing

Planning Staff will do their best to answer inquiries. Should any questions arise that staff cannot answer; people will be referred to the Agricultural Land Commission office in Burnaby.



## What control does the Regional District have on land in the ALR?

The Regional District can enact regulations for land within the ALR, but cannot prohibit agriculture. The Regional District cannot approve subdivisions or non-agricultural uses without the approval of the Commission.

The Commission cannot consider some applications without the approval of corresponding local bylaws. For example, if an applicant is proposing a non-farm use within the ALR that requires a local rezoning, the Regional Board can withhold the ALR application until zoning requirements are met.

In other types of ALR applications the Regional Board forwards a resolution containing comments, suggestions and possibly a statement of support or non-support.

Farming using normal farm practices (some of which neighbours may consider a nuisance) is supported by the provincial Farm Practices Protection Act. Public concerns about farm practices should be discussed with the Ministry of Agriculture and Lands (250) 861-7211.

## What Regional District policies affect applications?

An Official Community Plan (OCP) is a bylaw of policies providing a framework for making land use decisions. The Regional District has three (3) OCPs and most areas are covered by one of them. The policies of an OCP are used in evaluating applications and reviewing proposed changes in land use. All development must conform to the relevant policies of the applicable OCP.

The Regional District completed an Agricultural Plan in 2005. That Agricultural Plan is supported in OCPs and other Regional District policy bylaws. The recommendations in the Agricultural Plan will be considered in the review of any applications.

When land is excluded from the ALR, development cannot proceed without rezoning and changing the land use designation of the OCP. An amendment to an OCP may also be required where certain non-farm uses re approved on a property (ie. golf course).

## How is an ALR application made?

With a few exceptions, applications to the Agricultural Land Commission are submitted to the Development Services Department. Planning Staff have application packages that outline the required information, drawings and fees.

It is important to make an appointment with Planning Staff before submitting a formal application. Staff will be pleased to review requirements and provide information. This will ensure a complete application and prevent unnecessary delays.

Applications to exclude land from the ALR will require public advertising by the landowner prior to submitting an application. The application form contains more details.

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What control does the RD have on land in the ALR?

What Regional District policies affect an application?

How is an application made?

An application to the Commission should be in writing and include all the information that the applicant wants considered. On-site visits by the Commission may form part of the application approval process but if they occur, would be brief. The application should be complete and thorough.



## What is the application process?

The Agricultural Land Commission Act and Procedure Regulation identify the process required for ALR applications. A summary of the process is outlined on the adjacent chart.

Included in the process are evaluations by staff, affected government agencies, and relevant advisory groups.

It is important to remember that submitting an application does not guarantee approval.

## ALR Application Process

### Discuss the proposal with Planning Staff at the Development & Environmental Services Department

Staff can provide applications and information. They can also discuss any policies that may affect the application.

### Public notification

If the application is for exclusion of property from the ALR, proof of public notification must be submitted with the application.

### Submit complete application to the Development & Environmental Services Department

### Application reviewed

Staff, relevant agencies, the Advisory Planning Commission, and the Agricultural Advisory Committee are asked to provide comments on the proposal. Staff then prepares a report to the Regional Board.

### Consideration by the Regional Board

The Regional Board may:

- Not approve the application and stop the process,
- Call for a public meeting to obtain more input,
- Authorize the application to proceed to the Commission along with recommendations.

### Application forwarded to the Agricultural Land Commission

### Commission considers the application

The Commission will give most applicants an opportunity to present their application. The Commission either approves (often with conditions) or does not approve the application and notifies the applicant and affected agencies.

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What is the process for applications?

The Application Process Flowchart

## What are the application costs?

The cost of an application can vary depending upon the complexity of the application. Some of the typical costs are:

- The Agricultural Land Commission application fee.
- Any documents/plans necessary to complete application requirements such as an agrologist report, water study, etc.
- Public notification (for exclusion applications only).

## How long does the application process take?

Regional District Staff does their best to ensure that applications are dealt with in a timely manner. Most applications take approximately 6 to 8 weeks to proceed through the evaluation process at the Regional District. The application is then forwarded to the Agricultural Land Commission in Burnaby. The Commission takes approximately 8 to 12 weeks to consider the application and make a decision. The Commission contacts the applicant with the final decision.

## What advisory group does the Regional District have?

The Regional District has three (3) advisory groups, which provide comments on the various applications/referrals. These comments are considered in any decision made by the Regional Board.

Members of an advisory group are appointed by the Regional Board based on their background of civic activity, interest or expertise.

Applications may be referred to one or more of the following advisory groups:

- Advisory Planning Commission
  - Central Okanagan East
  - Central Okanagan West
- Agricultural Advisory Committee
- Environmental Advisory Committee

Applicants are informed when an advisory group is reviewing their application. Applicants have the right to speak and be heard at these meetings.

## For more information...

For more information, please contact planning staff at the Development & Environmental Services Department at (250) 469-6227. We will be pleased to help you and answer any questions that you might have.

*This brochure is to be used in conjunction with our other informational brochures and as an aid in discussions with staff. It is general in nature, and is not a legal document. Any contradiction, dispute or difference between the contents of this brochure and applicable bylaws, plans, policies or guidelines will be resolved by reference to the bylaws or other official documents.*

*This brochure does not apply to incorporated areas within the Regional District of Central Okanagan such as Peachland, Kelowna, or Lake Country, nor does it apply to First Nation land.*

*You should always refer to the official copies of the Official Community Plans, Zoning Bylaw, Subdivision and Development Bylaw and other formal Regional District documents if you are unsure of any procedure or requirement. Staff will be pleased to be of assistance.*

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What advisory groups does the Regional District have?

How to find more information?