



## A Short History of the Agricultural Land Reserve and Commission Prepared by Joan Sawicki

- Dec. 21, 1972 plus Jan. 18, 1973 – O-I-C freeze (brought in under Environment and Land Use Act)
- Bill 42 – Land Commission Act passed April 18, 1973;
  - o Objectives “to preserve agricultural land for farm use and to encourage the establishment and maintenance of family farms”
  - o Secondary objectives to preserve greenbelt land in and around urban areas, to preserve land bank land for urban and industrial development and to preserve parkland for recreational use. Only in the case of agricultural lands, however, was Land Commission granted zoning power; for other objectives, had to purchase the land in order to preserve.
- Process for establishing original Agricultural Land Reserves (ALR)
  - o Dept of Agriculture prepared ‘suggested ALR plans’ for each of 28 Regional Districts (RD), based on BC Land Inventory agriculture capability maps, which had been previously distributed.
  - o Land Commission (Commissioners and General Manager) traveled throughout Province, meeting with Regional Districts and Municipal Councils to explain intent and process.
  - o RDs held public hearings, then submitted ALR Plans, taking into account population growth, Official Community and Settlement Plans (OCP) etc. (Guidance was for 5 years growth to allow time for local governments to redirect growth away from farmland).
  - o Land Commission staff reviewed the preliminary Plans (documented suggested additions to and deletions from the proposed ALR Plans) to ensure intent of legislation was followed and to ensure consistency throughout the Province. Suggested Plan changes were discussed with RDs.
  - o During this whole process, over 300 public meetings were held throughout the Province, (most attended by Land Commissioners and General Manager) to discuss proposed ALR boundaries.
  - o Amended ALR Plans were sent for review by resource ministries of government and Environment and Land Use Committee of Cabinet

- o Each ALR Plan was approved by Cabinet; then officially designated by the Land Commission.
- o Original O-I-Cs (freeze) was lifted for each RD after designation of ALR
- o All RDs substantially completed by 1975 – approx 4.7 million ha designated as ALR
- History of changes to the legislation and the program
  - o 1973-74 – in recognition that saving the land was not enough, also have to save the farmer – “4 pillars” put in place: Farm Income Assurance Act; Agriculture Credit Act; Farm Product Industry Act; Agricultural Land Development Act
  - o 1977 – legislation changed to delete reference to urban, industrial and recreational secondary objectives and legislation renamed the Agricultural Land Commission Act
  - o Several high profile appeals to Cabinet overturning ALC decisions; Gary Runka resigned from the Agricultural Land Commission after Gloucester decision.
  - o Fine tuning the ALR boundaries began almost immediately after designation and has continued as new information or time/budget allowed; several special projects with RD/Municip., often related to OCP reviews; Agricultural Area Plans pursued; Planning for Agriculture Manual developed etc.
  - o 1993 – return of golf courses as use requiring ALC application; repeal of provisions allowing appeals of ALC decisions to Cabinet
  - o 1997-8 – 6 Mile Ranch controversy; amendments to provincial interest clause of ALCA – clarifying agricultural land preservation as first priority in consideration of provincial interest
  - o 2000 - Forest Land Reserve (FLR) and Agricultural Land Commission joined; renamed Land Reserve Commission – 3-3 person panels with regional as well as provincial responsibilities;
  - o 2002 - Core Review process - FLR eliminated; name reverted to Agricultural Land Commission but purpose and function ‘blurred’ by a) community need and b) 6 3- person regional panels to replace provincial commission; Purposes of the ALCA revised:
    - 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
  - o 2011 - Bill 19 Misc Statutes Amendment Act – 5 yr. application repeat rule introduced; increased enforcement capability provided; Chair oversight of panels increased; online application tracking ability enhanced.
  - o 2012 – 2014 ALC Chair’s “Changing the Way we Do Business” reports and updates (August 2012, October 2013 and March 2014)

## Reminders

- Freeze (2 OICs) prevented subdivision and non-farm use of land over 2 acres and applied to lands that were zoned agriculture; lands that were taxed as agriculture and lands classified as BCLI Class 1-4
- March 25, 1973 - protesters on lawns of legislature; appeals to Prime Minister to stop legislation. (Contrast to 2008 Ipsos Reid poll indicating 95% of respondents either strongly or very strongly supported the ALR)
- 1973 legislation brought in because local governments couldn't withstand the pressure to allow development on cheap farmland; agriculture land recognized as a provincial resource, not merely a regional one.
- Use of biophysical inventory as the basis of a legally designated zone part of ALR's uniqueness and continuing strength/success; applications are decided each on their own merits but based on a scientific foundation of land capability for agriculture and impact on surrounding ALR/ farm community. (See decision-making criteria on ALC website.)
- Requirement to have legally definable boundaries (versus boundaries that reflect natural characteristics of the land) did contribute to some boundary credibility issues. Scale and age of land capability mapping also a factor (sometimes difficult to apply to 5-10 acre parcels). Much of this has been/continues to be addressed through 'fine-tuning' and the application process.
- ALC used to have an acquisition and leaseback program for young farmers – 20 yr leases with options to purchase after 3 years. Program was very successful and popular but only existed until 1976.
- ALR is intended as a permanent zone. Agriculture is considered the 'highest and best use' – i.e this is not a rationing exercise; not a zone of convenience. Still struggling with this; over the decades, applications have taken up way too much of ALC time (but see 2010-14 redirect by current Chair)
- ALC has always worked with infrastructure agencies – highways, transmission lines - to minimize impact on ALR; also 'special projects' with local gov't as they reviewed their OCPs; (eg. Langley replot; Vernon Spray Effluent lease of lands to City); ALC has always relied on cooperation and shared commitment
- The best protection for the ALR was always considered good settlement planning – better OCPs etc. have been an important by-product of the ALR.
- The ALR was never just about 'saving the land' (although that was considered the critical prerequisite); early recognition that, in order for agriculture to succeed in contributing to local economies and future generations, needed also to preserve the farmer and the farm community.
- Despite its warts over the decades, BC's agricultural land preservation program remains the most successful program of its kind in North America – and has been used as a model by at least 3 other provinces in Canada. Here, in BC, it is unlikely we would still have commercial agriculture in places like Richmond, Delta, LFV and parts of Okanagan without the ALR.