REGIONAL DISTRICT OF NANAIMO

P O L I C Y

SUBJECT:	***Review of Provincial Agricultural Land Reserve Applications***	POLICY NO: CROSS REF.:	B1.8
EFFECTIVE DATE:	November 26, 2022	APPROVED BY:	Board
REVISION DATE:	June 28, 2011 February 25, 2014 April 27, 2021 October 13, 2026	PAGE:	1 of 2

PREAMBLE:

The Agricultural Land Commission (ALC) is responsible for adjudicating Agricultural Land Reserve (ALR) applications under the *Agricultural Land Commission Act (ALC Act)*. As part of this process, the Regional District of Nanaimo reviews ALR applications, considers local land use planning and agricultural interests, and establishes the Regional District's position on each application.

ALR Applications submitted by property owners and reviewed by the Regional District include Non-Adhering Residential Use, Non-Farm Use, Subdivision, Soil Use for Placement of Fill or Removal of Soil and Inclusion.

An ALR exclusion application may only be submitted by the Province, local governments, First Nation governments, and other prescribed bodies who own the land under application pursuant to s. 29(1)(a) of the ALC Act.

PURPOSE:

To provide guidance to Planning Staff, Agriculture Advisory Committee members and Elected Officials regarding the processing of ALR applications and to clarify the Regional District's role in determining whether an application will be forwarded to the ALC for decision.

POLICY:

The following steps are presented in order of anticipated occurrence.

1. Completeness of ALR Application

ALR applications shall be reviewed by Planning Staff to determine completeness prior to advancement in the application review process in accordance with the Regional District of Nanaimo Development Application, Notification Procedures and Fees Bylaw No. 1845, 2022.

2. ALR Application Considerations

In considering ALR applications, evaluation may include the proposal's consistency with the Regional Growth Strategy, applicable Official Community Plan, and relevant Regional District policies and objectives related to agriculture, land use, environmental stewardship, growth management and the compatibility with the surrounding land uses. Consideration may also be given to the BC agricultural capability classes and sub-classes, the history of land use and development on the subject property and the immediate area, potential impacts on agriculture, and any other matters deemed relevant.

3. Electoral Area Director invited to comment on the ALR application

For applications, a site visit will be scheduled. Following the site visit, the ALR application shall be forwarded to the Electoral Area Director for the Electoral Area in which the subject property is located. The Director is given the opportunity to provide written comment, which Planning Staff will include in the ALR application package for consideration as part of the subsequent review and decision-making process.

4. Agricultural Advisory Committee (AAC) comments and recommendations

At a scheduled AAC meeting, the Committee shall review the ALR application package and written comments provided by the applicable Electoral Area Director. The ALR application package, together with the Director's written comments and the AAC's recommendations, shall then be forwarded to the Regional District's Electoral Area Services Committee for consideration.

5. Electoral Area Services Committee (EASC) comments and recommendations

When making a recommendation, the EASC will consider the written comments of the Electoral Area Director, and the AAC recommendations, and the proposal's compliance with the relevant matters as outlined in Policy 2 (above).

6. Regional Board Resolution

Upon receipt, the Board will consider the ALR application package and the EASC referral recommendation as part of its deliberation. Aligning with the application procedures in the ALC Act, the Board may do one of the following:

A) authorize forwarding the ALR application to the ALC, with comments and recommendations on the respective application;

B) deny forwarding the ALR application to the ALC and notify the applicant accordingly.

TERMS OF USE OF THIS POLICY:

The Board of the RDN is not in any way bound by this policy and is free to apply, or not apply, any evaluation criterion it deems appropriate in its consideration of applications.