
To: Mayor and Council
From: Paul Gipps, CAO
Meeting Date: February 4, 2025
Meeting Type: Regular Council Meeting

Prepared by: James Robertson, Land Agent
Department: Corporate Services

Title: ALR Exclusion Application Policy 2007-082
Description: Repeal of policy no longer required for ALR Exclusion Applications

RECOMMENDATION

THAT ALR Exclusion Policy 2007-082 be repealed.

EXECUTIVE SUMMARY

In 2007 Council adopted ALR Exclusion Application Policy 07.82 to provide guidance on considering ALR exclusions including: ensuring the OCP was considered, ensure land use planning was done consultation with the ALC, ensure public involvement in the process and ensuring applicants are aware of the process when they apply.

Since 2007, the *Agricultural Land Commission Act* and guidelines available for the Exclusion Application process have changed. In 2018 Bill 52-2018 implemented the requirement that all exclusion applications be submitted to the ALC by a “prescribed body” (local government, First Nation or Public Body) whereas previously, property owners could apply directly to the ALC. The prescribed body is also responsible for completing the requirements of the application including providing notice and holding a public hearing.

The new legislation and guidelines provide clear procedures for exclusion applications which the District is required to adhere to. While ALR Policy 82 is not contradictory to the legislation, the policy is generally no longer applicable and staff recommend the policy be repealed. The specific sections in Policy 82 are addressed below:

If a proposal complies with the OCP, Council may forward the application to the ALC for a decision. The ALC Act requires the District follow the prescribed process and consideration of compliance with the OCP would be addressed in a Report to Council.

If a proposal complies with a previous resolution of the ALC indicating an area may be removed from the ALR, Council may forward the application to the ALC for a decision. Previous resolutions of the ALC are processed through a separate ALC process which the District would be required to adhere to.

If a proposal does not comply with the OCP or a previous resolution of the ALC, then Council should hold planning discussion with representatives of the ALC before forwarding the application to the ALC for a decision. Any exclusion applications received by the District, regardless of complying with the OCP or ALC resolutions, would be referred to all required parties. Staff regularly discuss items of concern with the ALC and ensure all appropriate information is processed prior to consideration of the application.

Following agency referral including the Agricultural Advisory Committee (AAC), a public hearing should be held prior to sending the application to the ALC for a decision. The AAC Terms of Reference set out the requirement for applications to be forwarded to the committee and the requirement to hold a public hearing for an exclusion application is included in legislation.

FINANCIAL IMPLICATIONS

None Budget Previously Approved Other (see below)

ALTERNATE RECOMMENDATION

THAT ALR Exclusion Policy 2007-082 not be repealed.

Respectfully Submitted.

James Robertson, Land Agent

Report Approval Details

Document Title:	ALR Exclusion Policy 2007-082.docx
Attachments:	- Attachment A - ALR Exclusion Policy 2007-082.pdf
Final Approval Date:	Jan 31, 2025

This report and all of its attachments were approved and signed as outlined below:

Task assigned to Paul Gipps, Chief Administrative Officer was completed by workflow administrator Reyna Seabrook, Director of Corporate Services

Paul Gipps, Chief Administrative Officer - Jan 31, 2025 - 1:33 PM