

# ADAC

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## North Cariboo Agricultural Development Advisory Committee

Email: [northcariboodac@gmail.com](mailto:northcariboodac@gmail.com)

Webpage: <https://www.cariboord.ca/agriculture>

2020 November 6

Local Government File: 3015-01

Nigel Whitehead  
Manager of Planning Services,  
Cariboo Regional District  
[nwhitehead@cariboord.ca](mailto:nwhitehead@cariboord.ca)

### Delivered Electronically

Dear Mr. Whitehead:

### Re: Proposed Agricultural Land Reserve Exclusion Application Policy

This letter is in regards to the request of the CRD Policy Committee to refer the proposed Agricultural Land Reserve Exclusion Application Policy to the North Cariboo Agricultural Development Advisory Committee (ADAC) for comment.

As a result of legislative changes (Bill 15) regarding applications to exclude land from the Agricultural Land Reserve, ADAC concurs that Option #5 - **Landowner requests earmarked for future long-term planning** does best fit with CRD Planning Staff requirements and with general long-term planning. However, committee members do have real concerns that with no prescribed timeframe defined within this option, an application for exclusion would not necessarily be dealt with in a timely manner.

Therefore, we would like to recommend that elements of Option #4 - **Landowner requests compiled, considered and prioritized by Board at regular intervals** be considered. Potential situations when a property owner's request to the CRD to process Exclusion Applications have greatest merit, they could be processed by the CRD considering elements of Option #4. A set of criteria for assessing the viability of each proposal could be developed, and those with greatest merit might be brought forth in a prescribed timeframe of perhaps every 3 - 5 years. Some of the criteria that might influence this assessment should include the size of the parcel and arability, its location, and impacts of removal. The reference of the factors that the Agricultural Land Commission considers when deciding on these applications, could also be included. <https://www.alc.gov.bc.ca/alc/content/applications-and-decisions/what-the-commission-considers>

If these considerations inform the Cariboo Regional District's set of criteria to evaluate as to what constitutes applications with "greatest merit", the probability of success through the process and viability of the application, will result in fewer resources invested fruitlessly. Applications that score low on this assessment would fall into Option #5.

We realize that there can be significant costs associated with exclusion applications e.g. archaeological assessments, agrology, geotechnical studies, etc., and that, from the view of the CRD solicitor, the CRD does not have the legal ability to pass these costs on to the landowner making the exclusion request. We would recommend that the initial application for exclusion made to the CRD, be re-drafted to include a requirement from the landowner (applicant) to cover these related costs should they be necessary.

The ADAC members support the Cariboo Regional District in exploring the legal implications of returning the cost of professional assessments & documentation to the property owner. ADAC would like to recommend that the CRD investigate other Regional District's policies on ALR exclusion applications and on dealing with the extra costs that might be associated with these applications. In exploring the options available it is of significant interest to see how other regional districts are navigating the same hurdles, bearing in mind there are many different conditions across the regional districts. This exploration may reveal that other regional districts see that this legal implication impacts many of them and a potential resolution could be to request that the ALC amend the language of the ALR Act to reflect the property owner is a co-applicant, such that the financial responsibilities can be their burden & not that of the Regional District.

The Agricultural Development Advisory Committee appreciates the diligence of the Planning Services staff in their review of the proposed Agricultural Land Reserve Exclusion Application Policy. The members of the committee also welcome the opportunity to provide feedback on this policy, as well as, the Official Community Plan and rural land use bylaws as they come forward for periodic renewal.

Sincerely,

A handwritten signature in dark ink, appearing to read "Martin Rossmann", with a long, sweeping horizontal line extending to the right.

Martin Rossmann, Chair  
*Agricultural Development Advisory Committee*  
*North Cariboo*