

WELCOME TO THE ALC'S POLICY-LAB ON EXCLUSION APPLICATIONS

Time	Topic
5 mins	Introductions/Housekeeping
30 mins	ALC Presentation on Exclusion Applications Post-Bill 15
30 mins	Q&A / Discussion

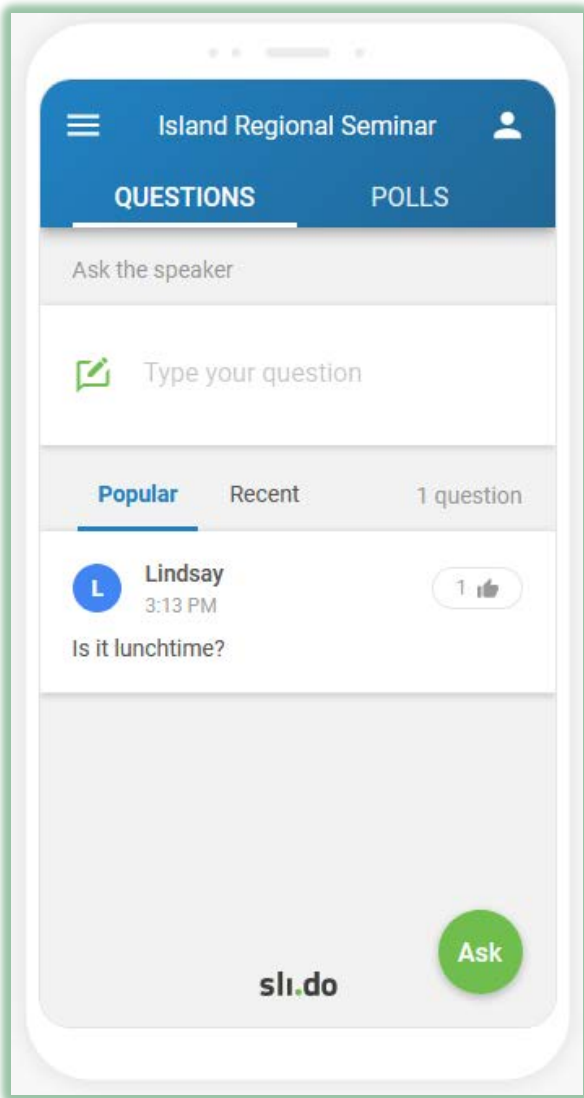
Introductions

- Martin Collins, Director of Policy and Planning,
Martin.Collins@gov.bc.ca
- Shannon Lambie, Regional Planner – South Coast,
Shannon.Lambie@gov.bc.ca
- Gord Bednard, Regional Planner – Island, Kootenay, Northwest,
Gordon.Bednard@gov.bc.ca
- Sara Huber, Regional Planner – Okanagan, Interior, Northeast,
Sara.Huber@gov.bc.ca

How about you?

Please tell us your name, role, and local government

Submit Questions Online



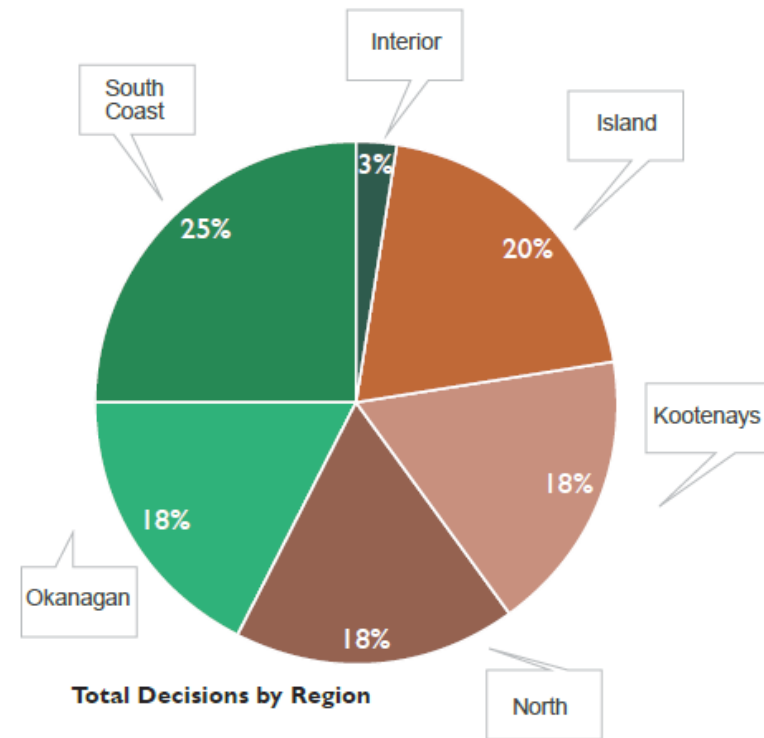
1. Go to **Slido.com**
2. Event Code:
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4. Up-vote others' questions

We will collect questions throughout the presentation.

Exclusion Application Statistics

2019/2020 Fiscal Year

Region	Approvals	Refusals	Total Decisions
Interior	2	0	2
Island	5	3	8
Kootenay	2	5	7
North	3	4	7
Okanagan	3	4	7
South Coast	7	3	10
Total	22	19	41



EXCLUSION APPLICATION CHANGES

Pre-Bill 15 – ALC Act

Section 29

- Gives local, First Nation governments the ability to make an exclusion application.

Section 30

- Gives landowners the ability to make an exclusion application.

Post-Bill 15 – ALC Act

Section 29

- Gives local, First Nation governments, and prescribed bodies the ability to make an exclusion application.

“Prescribed Body”

- Regional Health Board
- Educational Body
- Improvement District
- BC Transit Corporation
- BC Housing Management Commission
- BC Hydro and Power Authority
- South Coast BC Transportation Authority
- BC Transportation Financing Authority
- Columbia Power Corporation

ALR General Regulation s.16 (effective September 30, 2020) – See OIC 131/2020

Bill 15 – Exclusion Applications

Pre-Bill 15

Application by:

- landowner
- local government
- First Nation government
- Provincial government
- ALC

Post-Bill 15

Application by:

- ~~landowner~~
- local government
- First Nation government
- Provincial government
- ALC
- **Prescribed body**

Exclusion Application Fees

Pre-Bill 15

LG Initiated	Landowner Initiated
• \$1,200	• \$1,500

Post-Bill 15 – Effective Sept.30, 2020

LG Initiated	Prescribed Bodies
• \$750	• \$1,500

Note: 50/50 split between LGs and ALC (OIC 353/2020)

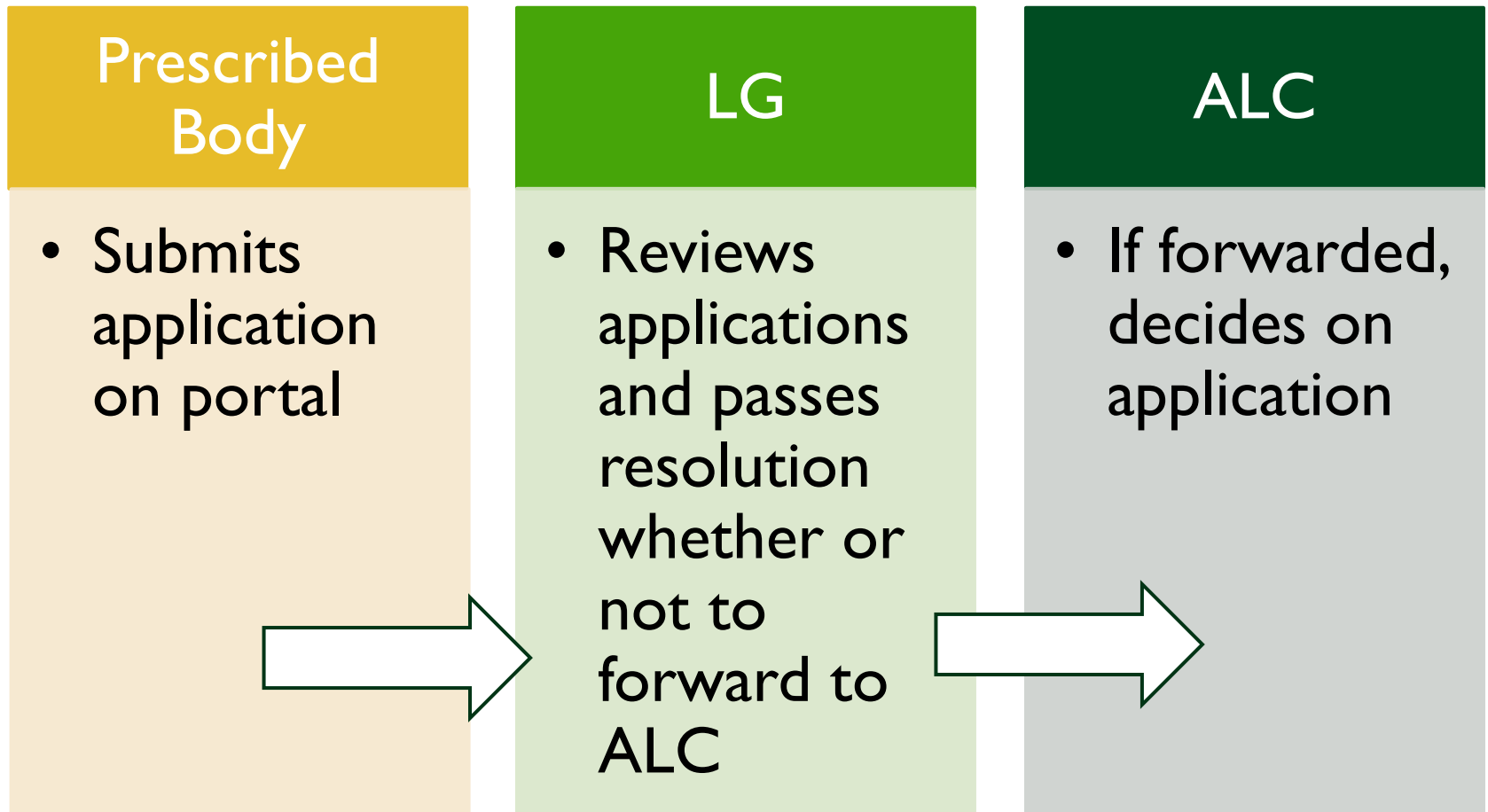
LG Initiated Applications

- **Local government must:**
 - give notice of public hearing
 - hold public hearing (as per LGA)
 - give copy of application to adjacent or affected local governments (where applicable)
 - include copy of public hearing report and any other public comments with application
 - post a sign on affected land

LG Initiated Applications

- **Submitting an application:**
 - Submitted on the ALC application portal
 - Portal includes a set list of questions
 - May include multiple properties
 - Associated required documents (e.g. title)
 - Other documents may be included to support application (e.g. soil agrologist report)
 - Landowner consent no longer required

Prescribed Body Applications



Prescribed Body Applications

- **Prescribed body must:**
 - give notice of public hearing
 - hold public hearing* **NEW**
 - give copy of application to local government that shares common boundary (where applicable)
 - Include copy of notice of public hearing
 - post a sign on affected land
 - send any comments received to local government
 - LG may hold a public information meeting

A photograph of a flock of sheep in a lush green field. In the foreground, a large white sheep with a red ear tag looks directly at the camera. To its right are two smaller black and white sheep and a black sheep. In the background, several other sheep are grazing, and a wire fence runs across the middle ground. The scene is set in a rolling green landscape with trees in the distance.

RECEIVING EXCLUSION REQUESTS

Exclusion Requests

- After September 30, 2020 there will be no option for private landowners to submit applications in the ALC application portal.
- You may want to consider a consistent format for receiving requests.

Exclusion Request Fees

- Local governments must pay ALC application fee (\$750).
- There is no provision under the ALC Act for a local government to prescribe fees for ALC applications to others.
- Local government could seek legal advice on discretion to prescribe fees but there is no blanket authority to charge fees for any service rendered.



POLICY OPTIONS

**You will probably
need one...**

ALC Decision-Making

- ALC reviews applications based on its mandate to preserve ALR land, encourage farming of ALR.
- **New Section 6(2) of ALC Act consideration requirements:**
 - **size, integrity and continuity of the ALR**
 - **use of the ALR for farm use**

<https://www.alc.gov.bc.ca/alc/content/applications-and-decisions/what-the-commission-considers>

Range of Options

All Landowner Requests



Council/Board will accept all private landowner requests

Policy for Consideration



Council/ Board will consider landowner requests that meet specified criteria

Bylaw Review Process



Council/Board will only consider exclusion as part of a bylaw review process (i.e. no landowner requests)

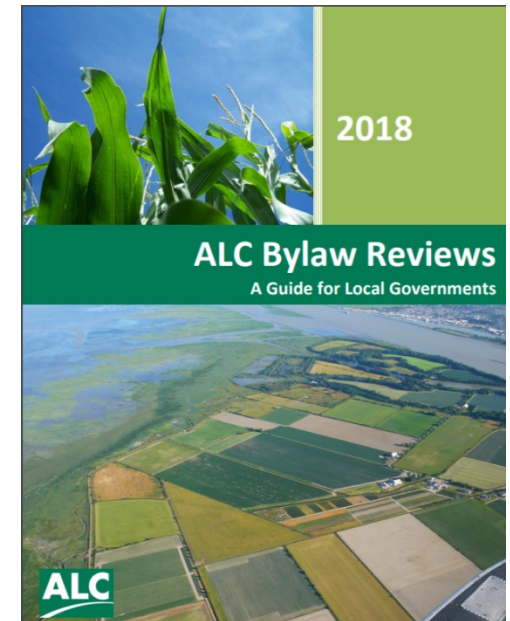
Policy for Consideration

- Given the mandate of the Commission in s. 6(1) and 6(2), your Council/Board will likely want to think about:
 - grouping
 - percentage of parcel in ALR
 - size of parcel
 - location of parcel (edge of ALR)
 - agricultural capability
 - approach (interim policy)

Bylaw Review Process

➤ ALC Bylaw Review Guides Decision-Making

- Any exclusion application would come from an area endorsed for exclusion by the ALC.
- No applications are submitted for parcels that are designated for agriculture in the OCP.



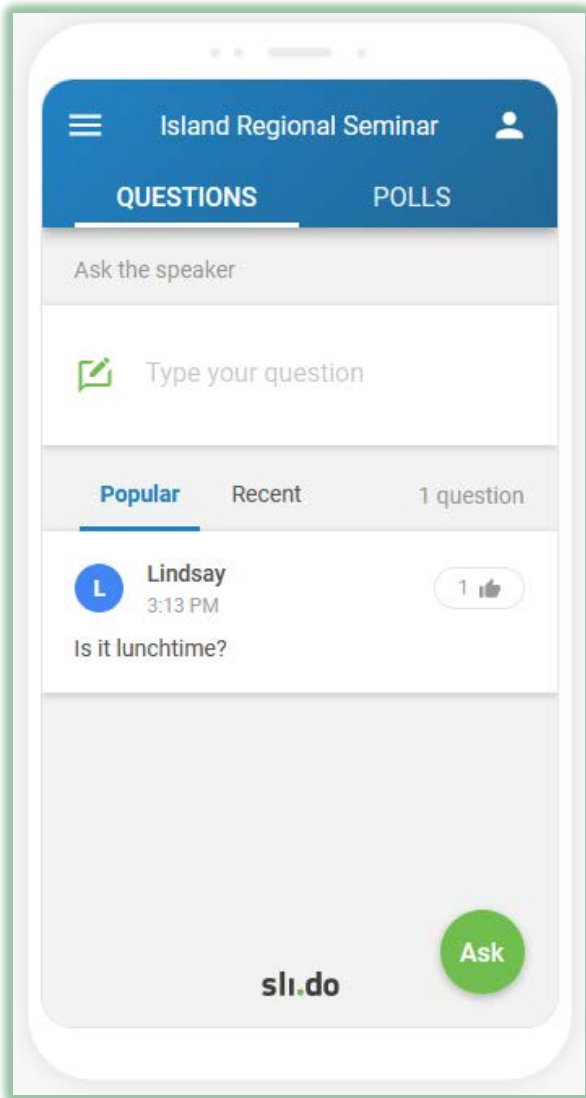
Summary

- LGs will have the authority to determine how exclusion requests are dealt with from private landowners and to make decisions on whether or not to forward prescribed body exclusion applications to the ALC.
- ALC continues to uphold its mandate and be the ultimate decision-maker regardless of how LG's choose to review exclusion requests and submit exclusion applications.



Q & A

Submit Questions Online



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An aerial photograph of a vast agricultural field. The foreground shows deep, curved furrows in the soil, creating a rhythmic pattern that recedes into the distance. The soil is a rich, golden-brown color. In the upper portion of the image, there is a horizontal band of green, which appears to be a different type of vegetation or a strip of grass. Overlaid on this green band is a dark green rectangle containing the word "DISCUSSION" in white capital letters.

DISCUSSION

Has your local government
considered how to approach
exclusion applications?



THANK YOU FOR
PARTICIPATING!