

## **AGRICULTURAL LAND RESERVE**

The Agricultural Land Reserve (ALR) is a provincial land use zone wherein agriculture is recognized as the priority use for approximately 4.6% of the land base of British Columbia, Canada. Established via the provincial Land Commission Act of 1973, the ALR is one of the earliest examples in North America of the use of regional zoning law to permanently preserve farmland and promote local food production. The ALR was intended to permanently protect scarce farmland, limit urban sprawl, increase regional food security, and provide regulation where local governments were unwilling or unable to steward agricultural lands under development pressure. Controversy has surrounded the ALR boundaries and governance since its inception. Yet, polling by Ipsos Reid in 2008 shows that 95% of British Columbians support the ALR and the public policy of preserving farmland.

The ALR is administered by the Agricultural Land Commission (ALC) – an independent administrative tribunal which currently consists of no less than seven appointed members including a Chair and members representing six regional panels. The purpose of the ALC is to preserve agricultural land; to encourage farming on agricultural land in collaboration with other communities of interest; and 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. The ALC reviews all applications for exclusion, inclusion, subdivision and non-farm use applications under the Agricultural Land Commission Act of 2002 and ALR regulations. ALR regulations outright permit many farming activities such as raising of livestock, creation of greenhouses, and the production of poultry, dairy, horticultural plants, vegetables, grains, and tree fruits. ALR regulations allow local governments to restrict but not prohibit other uses such as farm retail sales, storing, packing, and processing, agroforestry, timber production, equestrian facilities, and compost production. ALR regulations also outline permitted non-farm uses that can be prohibited by local governments – for example agritourism accommodation, temporary saw mills, pet kennels and breeding facilities, education and research, and road construction with right of way.

### **Geography of the ALR**

As of April 2013, the ALR includes approximately 4,621,700 ha consisting of both private and Crown (federal and provincial) lands. The ALR is distributed over six administrative regions: North (2,210,783 ha, 49%), Interior (1,528,968 ha, 33%), Kootenay (392,557 ha, 8%), Okanagan (224,977 ha, 5%), South Coast (148,207 ha, 3%), and Island (116,207 ha, 2%) (ALC 2013). When first delineated, the ALR was estimated to include 4,716,516 ha. In 2010, the B.C. Auditor General Office found the ALR had increased (estimated at 4,760,000 ha) but that the quality of land in the ALR had decreased and the geographic distribution of lands had shifted to the North region (which added 6%) while southern regions experienced decline (e.g., the Okanagan region lost 12% and the Island region lost 13%). In 2010, the official ALR area estimate was revised using geographic information systems. This technical change was the

primary reason for a net reduction of 136,000 ha to the estimated ALR area between 2009 and 2010 and is the basis of the current official estimate of the ALR area.

## **Establishing the ALR**

Urban sprawl poses many challenges to agricultural land preservation and local food production, particularly in environments that have limited land suitable for agriculture. In B.C., only 5% of the land base is considered suitable for agriculture and 2.7% capable of growing a reasonable range of crops (lands ranked as class 1-4 by the Canadian Land Inventory). Prime agricultural lands (1.1% of provincial land base) are often located in narrow valleys near densely populated urban areas and subject to heavy competition with other development uses. It is estimated that in the early 1970s up to 6,000 hectares of farmland was annually lost to urban sprawl. Increasing public awareness of the threat of urban sprawl to scarce farmland directly led to creation of the ALR. Several other factors contributed to the successful establishment of the ALR in the 1970s: increased regional food security awareness (recognition of global population growth and food shortages in addition to rising prices and quantities of imported foods); recognition of the importance of regional planning in contexts where local priorities did not match regional priorities or resource bases; the availability in 1969 of the Canadian Land Inventory (CLI) to assist with judging the agricultural capability of the soil; successful efforts to implement regional zoning plans in other contexts (e.g., Hawaii's 1961 Land Use Law, c.205 H.R.S.); failed attempts to slow urban sprawl in the Fraser Valley (e.g., the failure to effectively implement the Lower Mainland Regional Planning Board's 1962 *Land for Farming* plan); and the 1972 provincial election won by the New Democratic Party on the promise of agricultural land reform. In 1973, Resource Minister Robert Williams championed a plan to pursue regional land use zoning as economically less costly than the purchase of development rights or agricultural lands outright.

By 1976, delineation was completed by the commission and 28 regional districts. ALR boundary delineation focused on inclusion of agricultural lands ranked as CLI classes 1-4. In 1978, an audit found that approximately 53% of the lands in the ALR were class 1-4: Class 1 (1.1%), Class 2 (6.3%), Class 3 (15%), Class 4 (30.6%), Class 5 (31.9%), Class 6 (9.4%), Class 7 (3.6%), and water (1.9%). The fact that there was more water (88,890 ha) than Class 1 land (52,920 ha) indicates the scarcity of prime agricultural lands in B.C. (total Class 1 land in the province was estimated at 69,989 ha). Marginal lands were included in the ALR for several technical reasons: some marginal lands were active agricultural lands (e.g., rangelands and production of cranberries or blueberries), some marginal lands could not be spatially disaggregated without impacting higher class lands, the Canadian Land Inventory was sometime a rough estimate of field conditions (original map scales were at 1:50,000), and aligning existing legal boundaries for private properties with the distribution of high quality lands was not feasible given the commission's timeframe, mandate, and resources. In 1983, the creation of the *Land Capability Classification System for Agriculture in British Columbia* (which uses a similar classification scheme to the CLI) allowed the ALC to have more detailed estimates of agricultural potential of B.C. lands, though the CLI continues to be used in areas not covered by this more detailed analysis. Professional agrologist analysis of a parcel's soil agriculture capability is usually included in applications regarding changes to the ALR. Despite the emphasis on class 1-4 lands in the creation of the ALR, these rankings are only one aspect of defining agricultural lands.

When judging proposed changes to the ALR, the ALC examines the agricultural potential of the parcel and surrounding lands by looking at agriculture capability ratings in addition to factors related to productivity, yield, and suitability.

## **Governance of the ALR**

Since 1973, several legislative changes have impacted administration of the ALR, though the central mission to permanently preserve agricultural lands has remained intact. In 1977, the ALC was relieved of the responsibility for land banks, green belts, and parklands in order to focus attention on agricultural land preservation. In addition, public hearings were required for exclusion applications from regional districts and municipalities and appeals to ALC decisions were to be made to Cabinet. In 1988, regulatory changes resulted in golf courses being classified as a permitted use of agricultural land – resulting in 181 applications (120 of which moved forward). In the 1990s, changes included a moratorium on golf course development, changes to ALC decision appeal processes (requiring that Cabinet refer appeals to a board or commissioner), implementation of a vague “provincial interest” clause that allowed Cabinet significant interpretative leeway and became a serious controversy in the 1999 Six Mile Ranch judgment, and the merging of the ALC with the Forest Land Commission. In 2002, the Agricultural Land Commission Act (ALCA) separated the ALC removing forestry land management duties and reorganized the commission into a 19 person committee with a Chair and six regional panels of three people each. In the ALC strategic plan for 2003, the ALC introduced the idea that exclusion of land from the ALR could be approved based on “community need” and “net benefit” to agriculture. Pro-ALR citizens and organizations like the Suzuki Foundation highlighted these new terms as a concern and challenged them as contravening the ALCA.

## **Future of the ALR**

In 2010, the B.C. Auditor General Office and ALC Chair Richard Bullock released complimentary reports that analyzed the ALC and ALR. These reports noted that despite funding challenges and legislative changes, the ALR had been largely successful in preserving agricultural lands. As well, they noted that the ALC required transformation and increased funding in order to meet its mandate and to continue to effectively administer the ALR. In 2011, the provincial government made a one-time increase to the annual ALC budget and committed to \$4 million in additional funding until 2015. In addition, the ALC began to undertake a ALR boundary review that would ensure the ALR has defensible and accurate boundaries; to update the technology required to undertake its legislated duties including accurate GIS, electronic records that are publicly accessible, and an Online Application Portal; to evolve to a proactive long-term planning organization that works with local communities and places priority considerations on *bona fide* farmers and ranchers to identify and cooperatively address emerging issues; and to develop capacity to respond to and enforces against improper use of ALR. The success of this new emphasis to adequately resource and to move the ALC into a proactive tribunal engaged with planning will determine the future of the ALR and the ability of B.C. to maintain its agricultural lands for future generations.

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## FURTHER READINGS

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