



DATE OF MEETING: February 15, 2024
TO: Saturna Island Local Trust Committee
FROM: Brad Smith, Island Planner
Southern Team
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: Hall ALR Exclusion – Request for Additional Information

RECOMMENDATION

- 1. That the Saturna Island Local Trust Committee consider the submission of exclusion application SA-ALR-2023.1 to the Agricultural Land Commission after a requested site visit to the subject property for the Lyackson First Nation, and potentially any other Nation that requests a visit, is completed.**

REPORT SUMMARY

The purpose of this staff report is to provide the Saturna Island Local Trust Committee (LTC) with additional information from the Agricultural Land Commission (ALC) and the Lyackson First Nation regarding exclusion application SA-ALR-2023.1 (Hall), and to seek further direction from the LTC on whether to proceed with submitting an exclusion application to the ALC. The above recommendation is supported as:

- The inclusion/exclusion proposal would increase potential agricultural capability on the land base and with no net loss to the Agricultural Land Reserve (ALR);
- The proposal does not conflict with Saturna Island Official Community Plan No. 70 (OCP) policies and associated regulatory bylaws;
- The LTC is the applicant for the exclusion application and a site visit as requested by the Lyackson First Nation would provide the opportunity for additional input or concerns to be considered consistent with the Islands Trust's Reconciliation Declaration; and,
- There are registered archaeological sites and mapped archaeological potential within the vicinity of both the proposed inclusion and exclusion subject areas.

BACKGROUND

The property owner, Mr. Ron Hall, has made a request to the LTC to consider submitting an Agricultural Land Reserve (ALR) exclusion application to the ALC. At the May 25, 2023 meeting, the LTC passed the following resolutions:

SA-2023-019

It was Moved and Seconded,

that the Saturna Island Local Trust Committee direct staff to submit an Agricultural Land Reserve exclusion application of behalf of the property owner for the subject properties located on Narvaez Bay Road with the PID numbers of 004-521-889 (exclusion property) and 015-692-205 (inclusion property) and to collect the \$750.00 application fee from the property owner prior to submission of the application.

CARRIED

SA-2023-020

It was Moved and Seconded,

that the Saturna Island Local Trust Committee requires that the property owner, through hired consultants, provide all technical support required by staff in respect of the submission of an Agricultural Land Reserve exclusion application for the subject properties located on Narvaez Bay Road with the PID numbers 004-521-889 (exclusion property) and 015-692-205 (inclusion property) and to enter into a cost recovery agreement with the Islands Trust for all costs associated with the application.

CARRIED

Based on this direction, staff and the property owner completed steps 1-3 to the [ALC exclusion process](#), including the holding of a public hearing and notification to First Nations.

At the October 19, 2023 meeting, staff presented a summary of input received through this process including the following response from the Lyackson First Nation:

After a preliminary review of the LCA Assessment Report by Madrone, there is insufficient information on a number of areas of concern. Without a site visit, we cannot assess the impacts to our constitutionally protected rights. Privatization, logging, and the expansion of residential properties continues to shrink the area we can safely access and harvest.

We would like to understand how the Saturna Island Local Trust Committee unilaterally passed a resolution of support without consulting with the proper rights and title holders. Lyackson First Nation does not consent to the proposed inclusion/exclusion and reiterates our rejection of unilateral decision-making.

Furthermore, and as previously communicated, we require capacity funding to support our meaningful engagement.

Based on this response, and Islands Trust policies with respect to cost recovery, staff made the following recommendation to the LTC:

- 1. That the Saturna Island Local Trust Committee requests staff to arrange a site visit to the subject property for the Lyackson First Nation, and potentially any other Nation, at the cost of the applicant via the existing cost recovery agreement for application SA-ALR-2023.1 (Hall).**

Following significant discussion, the LTC passed the following alternative motion at the October 19 meeting:

SA-2023-034

It was Moved and Seconded,

That the Saturna Island Local Trust Committee direct staff to contact Agricultural Land Commission staff to clarify the process and steps the Agricultural Land Commission would take to consider First Nations input after submission by a local government and that First Nations respondents be informed of this step.

CARRIED

Staff have now communicated further with the ALC and the Lyackson First Nation as summarized in this staff report.

Note: a local government cannot charge a 'fee' to recover costs for an exclusion application (see: [paper](#) by Young Anderson). To date, costs associated with this application have been covered by a cost recovery agreement with the landowner, however this is entirely voluntary.

Additional application information, including the public hearing binder, is included here:

<https://islandstrust.bc.ca/island-planning/saturna/current-applications/>

ANALYSIS

OCP and Zoning Review of Inclusion/Exclusion

The OCP designates the area of the proposed inclusion as Forest Land and the Exclusion as Rural. There are no associated OCP policies that would restrict either the proposed inclusion, nor the exclusion.

The exclusion area is zoned Rural General (RG) and the inclusion area Forest General (FG). Farm use is permitted in the Rural General zone on lots greater than 1.0 hectares. Farm use is only permitted in the Forest General zone on land within the ALR. As such, in this case, the inclusion would need to proceed in order for farm use to be allowed on the subject property.

The property owner has submitted additional information regarding the applicability of the proposal as it pertains to the various specifications in Section 6 of the *ALC Act* (Attachment 5).

Clarification of ALC Legislative Changes and Process Steps

Purpose of Legislative Amendments

- The intent of the 2019 legislative change was to encourage land exclusion applications be done as part of thoughtful land-use planning process by local governments within the context of OCPs/zoning bylaws.
- The changes were part of a broader package of legislative amendments intended to increase the independence of the decision-making at the ALC and to put more direct onus on local governments to participate as decision-makers in the ALR land exclusion process.
- 2019 News Release: <https://news.gov.bc.ca/releases/2019AGRI0020-000336>
- Publicly available [legal analysis provided by Young Anderson](#) summarizes the intent of the changes as follows (p6):

With the amendment of s. 29 of the Act, the Province has given deep statutory significance to the distinction that the Commission had identified in *McCall*. Where the local government is not willing to make the exclusion application itself, there will be no application at all. It seems clear that provincial policy on ALR exclusion applications is to integrate the ALR designations more firmly with local government land use policy, and to deprive local governments of the option of standing aside as owners seek to have their land removed from the ALR. Local governments may drive the bus, or keep the bus in the parking lot; they may no longer ride the bus.

- As the process still allows for property owners to advocate to local governments to submit an exclusion application on their behalf, ALC acknowledged that other local governments are having to consider similar requests and are wrestling with the same questions.

Inclusion/Exclusion Process Steps

- Decisions made by the ALC in respect of land inclusion and exclusion are independent of each other (Attachment 1):

Applications submitted to the Agricultural Land Commission are considered based on their individual agricultural merits and are considered on a case-by-case basis. With respect to a proposal that involves including land in the Agricultural Land Reserve (ALR) and excluding land from the ALR, each component of the proposal (inclusion, exclusion) requires a separate application. The inclusion application and the exclusion application would be considered separately and individually by the Commission. With respect to the outcome of the applications, each application can be either refused or approved (generally, with conditions). As such, you could imagine a situation where one application is approved while the other is refused, or vice versa.

- For inclusion applications, the LTC is only referred the application for comment and recommendations to provide to the ALC:

STEP 5: THE LOCAL GOVERNMENT CONSIDERS THE APPLICATION

The local government receives the application via the Application Portal and completes the following:

- Ensures the application information is sufficient for local government staff and the Board or Council to review and make informed recommendations
- Refers the application to its Board or Council for recommendations and comments
- Refers the application to various committees when necessary (e.g. Agricultural Advisory Committee (AAC), Advisory Planning Commission (APC))
- Completes a local government report and uploads it through the Application Portal
- Holds a public information meeting when necessary

- For exclusion applications the LTC, as the applicant, is required to pass a resolution and can choose to “refuse” to submit it to the ALC at their discretion:

STEP 4: Local or First Nation Government Passes a Resolution on the Application

- Council/Board passes a resolution to forward or not forward the application to the ALC
 - If forwarded, the application proceeds to the ALC for consideration (see Step 5 below)
 - If not forwarded, the application is refused.
- Local or First Nation government will update the application status in the ALC Application Portal to reflect the outcome of the Council/Board's resolution

- ALC staff have also clarified that typically an ‘inclusion’ applicant may withdraw their application if it is made conditional upon approval of a land exclusion (Attachment 2):

As noted in my correspondence, the individual merits of each application will be considered and each application can be refused or approved. As Ian noted, the applications can be submitted concurrently. In my observation of previous decisions, if the Commission understands that the applicant's proposal of inclusion is conditional on the approval of exclusion and if the Commission refuses exclusion but approves inclusion, the Commission will require written confirmation from the applicant confirming they wish to proceed with the inclusion of the land into the ALR prior to actually including the land into the ALR.

ALC Decision Making Authority

- The scope of ALC decision-making authority is narrowly defined in s. 6 of the [ALC Act](#). ALC staff cautioned that this means that the broader community and First Nation considerations that the LTC and other local governments need to consider may not be within the scope of the mandate of the Commission when considering approval or denial of an exclusion or inclusion application.

Purposes of the commission

6 (1) The following are the purposes of the commission:

- (a) to preserve the agricultural land reserve;
- (b) to encourage farming of land within the agricultural land reserve in collaboration with other communities of interest;
- (c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of land within the agricultural land reserve and uses compatible with agriculture in their plans, bylaws and policies.

(2) The commission, to fulfill its purposes under subsection (1), must give priority to protecting and enhancing all of the following in exercising its powers and performing its duties under this Act:

- (a) the size, integrity and continuity of the land base of the agricultural land reserve;
- (b) the use of the agricultural land reserve for farm use.

Process Steps If LTC Submits Exclusion Application

If the LTC were to submit the exclusion application, the ALC may:

- Schedule a site visit for the Commission Members to visit the proposed exclusion site (They could also visit the inclusion site as part of that application if deemed necessary)
- Seek additional information from public/agencies/First Nations/Islands Trust staff through ALC staff
- It was deemed highly unlikely that the Commission would direct the undertaking of a site visit by Lyackson as part of their land inclusion deliberation process or have funding to do so, instead staff indicated that the Commission would find different ways to get that information eg. through staff engagement with Lyackson as required
- For exclusion applications, a meeting with the ALC and the local government is required. At this meeting, the LTC (and staff) would attend as the applicant and the property owner could also attend to speak to the application on their behalf.
- For inclusion applications no meeting is legislatively mandated; however, the LTC could request a meeting with the ALC on the inclusion, but would not be automatically granted one

Additional Input from Lyackson First Nation

Staff received the following additional input from the Lyackson First Nation regarding their request for a site visit (Email included as Attachment 3):

In terms of scope, site visits are important because it allows communities to see the features of the territory in question. There are archaeological and cultural features that can be perceived much easier in situ than on a map. For our members, they offer an experience of the space and what may be lost or

impact to their rights if there are (further) changes. It's also an opportunity to better understand the proposal and provide feedback and input on the nations views. I'm not sure what else I can tell you, would encourage Islands Trust to research what would be beneficial for it.

I will say that we ask for site visits in the context people who have been excluded from their territories in every sense and visiting their spaces is an important part of reclaiming them.

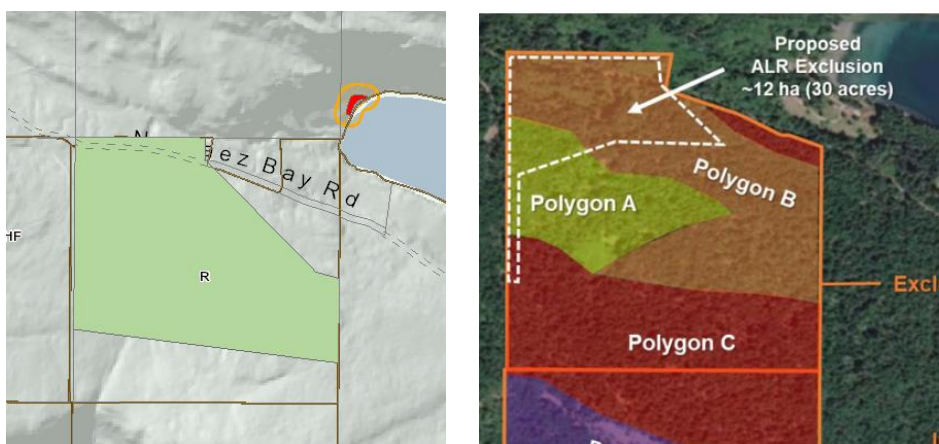
Our visits typically involve staff, a knowledge keeper / Elder / community member (if available) and cover staff costs, transportation, honoraria, per diem etc. A typical budget for a small site visit (e.g. day trip) is \$1,500 - \$5,000, largely dependent on amount of research, location and time.

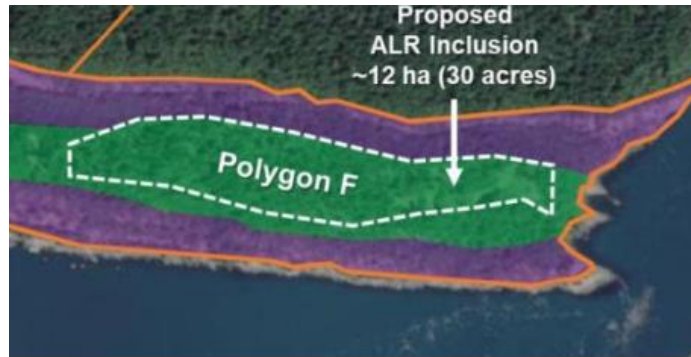
Here's an example of a day trip we did with MOTI last year for a visit to one of the nearby islands (for two staff, two community members, note it did not include archaeology). You will see our rates are modest, mileage costs and allowances based on federal government rates, per ISC.

Technical Staff Preparation, Meetings, Project and Internal Coordination	350.00
Professional Fees - Archaeology (not included - tbc)	-
Site Visit 2 LFN staff / community member / monitor	1,650.00
Accommodation	
Meals / Per Diem	445.00
Travel (ferry / mileage)	231.00
Report - Chief and Council	375.00
Sub Total	\$ 3,051.00
Administration 15%	457.65
Total	\$ 3,508.65

In this case, there are registered archaeological sites in near proximity of both the inclusion and exclusion areas, and archaeological potential identified on the subject properties themselves.

Figure 1. Archaeological Sites with 50 m buffer - Proposed Inclusion and Exclusion Areas





Given the proximity of known First Nation sites, and the further input provided by the Lyackson First Nation, staff are still of the view that a site visit by the Lyackson First Nation should be completed prior to the LTC deciding if it intends to submit the exclusion application.

As the LTC cannot require a site visit through cost recovery, the LTC's option is to request that the applicant voluntarily pay for a site visit.

Rationale for Recommendation

The recommendation on page 1 is supported as:

- The inclusion/exclusion proposal would increase potential agricultural capability on the land base and with no net loss to the Agricultural Land Reserve (ALR);
- The proposal does not conflict with Saturna Island Official Community Plan No. 70 (OCP) policies and associated regulatory bylaws;
- The LTC is the applicant for the exclusion application and a site visit as requested by the Lyackson First Nation would provide the opportunity for additional input or concerns to be considered consistent with the Islands Trust's Reconciliation Declaration; and,
- There are registered archaeological sites and mapped archaeological potential within the vicinity of both the proposed inclusion and exclusion subject areas.

ALTERNATIVES

1. **If the LTC does proceed in the absence of a site visit by the Lyackson First Nation, staff suggest the following motion:**

That the Saturna Island Local Trust Committee directs that staff submit application SA-ALR-2023.1 (Hall) to the Agricultural Land Commission for consideration of the proposed 12-hectare land exclusion.

Staff would proceed with submitting the application to the ALC, including the input provided by all First Nations.

2. **Request further information**

The LTC may request further information prior to making a decision. Recommended wording for the resolution is as follows:

That the Saturna Island Local Trust Committee request that the applicant submit to the Islands Trust.

3. **Deny the application**

The LTC may choose not to proceed with the application.

That the Saturna Island Local Trust Committee proceed no further with application SA-ALR-2023.1.

4. Hold the application in abeyance

The LTC may choose to hold the application in abeyance.

5. Receive for information

The LTC may receive the report for information.

NEXT STEPS

Submitted By:	Brad Smith, PAg Island Planner	February 5, 2024
Concurrence:	Robert Kojima Regional Planning Manager	February 6, 2024

ATTACHMENTS

1. ALC Email 1
2. ALC Email 2
3. Lyackson Response
4. Applicant Information Submission

From: ALC Island Land Use ALC:EX <ALC.Island@gov.bc.ca>
Sent: Friday, December 1, 2023 9:01 AM
To: 'rhall@telus.net'
Cc: Brad Smith
Subject: RE: ALR Exclusion/Inclusion

Hi Ron,

Thank you for reaching out to me for clarification. I've cc'd Brad on this e-mail chain so we can all be on the same page.

Applications submitted to the Agricultural Land Commission are considered based on their individual agricultural merits and are considered on a case-by-case basis. With respect to a proposal that involves including land in the Agricultural Land Reserve (ALR) and excluding land from the ALR, each component of the proposal (inclusion, exclusion) requires a separate application. The inclusion application and the exclusion application would be considered separately and individually by the Commission. With respect to the outcome of the applications, each application can be either refused or approved (generally, with conditions). As such, you could imagine a situation where one application is approved while the other is refused, or vice versa.

I hope this helps to clarify, please feel free to reach out if you have any further questions.

Sincerely,



Nicole Mak (she/her)
Regional Planner – Island & South Coast (FVRD)
201 – 4940 Canada Way, Burnaby, BC, V5G 4K6
T 236.468.3285 | F 604.660.7033
ALC.Island@gov.bc.ca | www.alc.gov.bc.ca

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-----Original Message-----

From: Ron Hall <rhall@telus.net>
Sent: Thursday, November 30, 2023 2:36 PM
To: ALC Burnaby ALC:EX <ALCBurnaby@Victoria1.gov.bc.ca>
Subject: ALR Exclusion/Inclusion

[You don't often get email from rhall@telus.net. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hello Nicole,

It is my understanding that you are the Regional Planner at the ALC who is responsible for Saturna Island.

I am aware that Brad Smith of the Islands Trust has been in contact with you in regard to the procedures used by the Commission when including and excluding land with respect to ALR designation.

Last September I was in touch with Ian Cox who was at that time a planner with the ALC. I presented a rough proposal for moving a part of the ALR designation on one parcel that I own, to another adjacent parcel that I also own. I received information from Ian that said that the inclusion and exclusion applications would be considered individually by the Commission, but they would be considered together as a piece in terms of the proposal as a whole.

Brad Smith reports to me, and to the Saturna Local Trust Committee, that if the inclusion and exclusion applications are made, that one (the inclusion) may be approved, and the other may not approved by the Commission.

This information is contrary to to that I received from Ian Cox, and I am wondering if you could clarify the procedures as they pertain to inclusion and exclusion as a concurrent proposal?

Thanks,

... Ron Hall

From: Ron Hall <rhall@telus.net>
Sent: Friday, December 8, 2023 8:42 AM
To: ALC Island Land Use ALC:EX
Cc: Brad Smith
Subject: Re: ALR Exclusion/Inclusion

Thank-you Nicole!

It seems we have enough information now to be able to submit the concurrent applications. But first, I have a couple of further things to cover off with Brad and the Trustees, so will get on to that shortly.

Your offer of a phone conversation is also appreciated. I will get in touch early next week to set up a time for a brief discussion.

Cheers,

... Ron

On 07/12/2023 9:51 a.m., ALC Island Land Use ALC:EX wrote:

Hi Ron,

Having read Ian's correspondence with you, I believe our advice is consistent. I'd be happy to discuss over the phone to clarify if you would like to schedule a time for a call.

As noted in my correspondence, the individual merits of each application will be considered and each application can be refused or approved. As Ian noted, the applications can be submitted concurrently. In my observation of previous decisions, if the Commission understands that the applicant's proposal of inclusion is conditional on the approval of exclusion and if the Commission refuses exclusion but approves inclusion, the Commission will require written confirmation from the applicant confirming they wish to proceed with the inclusion of the land into the ALR prior to actually including the land into the ALR.

Again, I'd be happy to discuss over the phone or via e-mail.

Sincerely,



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From: Ron Hall <rhall@telus.net>
Sent: Friday, December 1, 2023 1:58 PM
To: ALC Island Land Use ALC:EX <ALC.Island@gov.bc.ca>
Cc: bsmith@islandstrust.bc.ca; mboland@islandstrust.ca; lmiddleton@islandstrust.ca; dmaude@islandstrust.ca
Subject: Re: ALR Exclusion/Inclusion

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hi Nicole,

In response, I find that I am now in a position of having taken the advice of an ALC planner a year ago which is contrary to that which you have now given.

The assurance of the process received from the ALC were fundamental to the investment of time and monies I have put toward preparation for making concurrent applications for exclusion and inclusion.

On the advice provided to me by Ian Cox, at the time a planner with the ALC, I have expended approximately \$15,000 to have a Local Capability for Agriculture report prepared, as well as further significant amount for associated costs.

You will appreciate, I'm sure, that the ALC procedures you describe do not align with those provided to me a year ago. Under such circumstance it would be unreasonable to expect that I should be burdened with the risk of receiving approval of inclusion on one parcel along with no change in status of the other.

I trust you will realize there has been a serious failure of the ALC here.

My further question to you then is: how do we now move the applications forward under the terms originally provided to me by the ALC.

If you are unable to provide a reasonable solution, such as the ability to make concurrent applications with inclusion conditional on exclusion approval, I ask that you forward to a higher level at the ALC for consideration.

Thanks,

...Ron

Sent from my iPhone

On Dec 1, 2023, at 9:00 AM, ALC Island Land Use ALC:EX
<ALC.Island@gov.bc.ca> wrote:

Hi Ron,

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I hope this helps to clarify, please feel free to reach out if you have any further questions.

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Last September I was in touch with Ian Cox who was at that time a planner with the ALC. I presented a rough proposal for moving a part of the ALR designation on one parcel that I own, to another adjacent parcel that I also own. I received information from Ian that said that the inclusion and exclusion applications would be considered individually by the Commission, but they would be considered together as a piece in terms of the proposal as a whole.

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This information is contrary to that I received from Ian Cox, and I am wondering if you could clarify the procedures as they pertain to inclusion and exclusion as a concurrent proposal?

Thanks,

... Ron Hall

From: Brad Smith
Sent: Monday, February 5, 2024 2:46 PM
To: Brad Smith
Subject: Lyackson Site Visit - additional information

Good morning,

Thank you for your emails.

In terms of scope, site visits are important because it allows communities to see the features of the territory in question. There are archaeological and cultural features that can be perceived much easier in situ than on a map. For our members, they offer an experience of the space and what may be lost or impact to their rights if there are (further) changes. It's also an opportunity to better understand the proposal and provide feedback and input on the nations views. I'm not sure what else I can tell you, would encourage Islands Trust to research what would be beneficial for it.

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Here's an example of a day trip we did with MOTI last year for a visit to one of the nearby islands (for two staff, two community members, note it did not include archaeology). You will see our rates are modest, mileage costs and allowances based on federal government rates, per ISC.

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Site Visit 2 LFN staff / community member / monitor	1,650.00
Accommodation	
Meals / Per Diem	445.00
Travel (ferry / mileage)	231.00
Report - Chief and Council	375.00
Sub Total	\$ 3,051.00
Administration 15%	457.65
Total	\$ 3,508.65

We still remain unclear as to why Islands Trust would be considering submitting an application for the ALR exclusion on behalf of the property owner.

Huy ch q'u

Karyn

From: Brad Smith <bsmith@islandstrust.bc.ca>
Sent: Thursday, October 26, 2023 11:13 AM
To: Karyn Scott <consultations@Lyackson.bc.ca>; Referrals <Referrals@Lyackson.bc.ca>
Cc: Robert Kojima <kojima@islandstrust.bc.ca>
Subject: RE: Public Hearing for Saturna Island Proposed Application SA-ALR-2023.1 (Hall)

Hi Karyn,

In further follow-up to Robert's email below, I also apologize for the timing of the public hearing notice being sent out prior to us responding to your specific concerns.

As this is a relatively new process for the Islands Trust in considering whether to submit an application for ALR exclusion on behalf of a property owner to the Agricultural Land Commission (ALC), we are still working out the process steps including how to effectively communicate and engage with First Nations on these matters.

I should clarify that no decision has been made by the Local Trust Committee (LTC) yet on whether they are willing to submit the application on behalf of the property owner, and the public hearing was only one required step to be completed prior to making that decision.

At the October 19, 2023 LTC meeting, the LTC did not direct staff to submit the application to the ALC. Instead, the LTC have requested that staff seek more information from the ALC regarding next steps in the review process should the Islands Trust submit the application on behalf of the property owner, including what steps would be taken to further consult with First Nations as part of the ALC process.

The LTC also directed staff to contact you at the Lyackson First Nation to determine in more detail what the scope of a site visit would entail, including an estimate of costs. To that end, would it be possible for you to provide more detail on the scope, costs and potential timing of a site visit? Alternatively, perhaps we could set up a zoom call to discuss further?

Best regards, Brad

Brad Smith, PAg

Island Planner, Southern Team

200-1627 Fort Street | Victoria BC V8R 1H8

(778) 679-5185 | bsmith@islandstrust.bc.ca | www.islandstrust.bc.ca

You can also reach us toll-free via Service BC 1-800-663-7867 | 604-660-2421

From: Ron Hall <rhall@telus.net>
Sent: Friday, January 12, 2024 2:31 PM
To: Brad Smith
Cc: Lee Middleton; Mairead Boland; David Maude
Subject: Former ALR Boundaries Adjacent to 206 Narvaez Bay Road
Attachments: ALC Section 6 - Alignment.pdf

Hi Brad,

You have earlier mentioned the goal of the ALC as defined by Sec. 6 of the ALC Act.

I have put together some notes of applicability of the ALR move proposal as it pertains to the various specifications in Section 6.

Also, on the last page of the attached, I have put together a map which shows the Exclusion property with ALR designation as well as the adjacent GINPR properties that formerly had ALR designation on them. The map was created using a base taken from old documents in my possession that were provided during the Saturna OCP review. The purpose of the map in present form is to show the disruption of continuity in the ALR designation that occurred when the Parks properties had the ALR designation removed.

If the Exclusion application is submitted, I think the Section 6 comments and map attached here should be included. It would seem more appropriate to include it as part of the exclusion application.

Cheers,

... Ron

6 (1) The following are the purposes of the commission:

(a) to preserve the agricultural land reserve;

The proposal preserves, and in addition enhances, the agricultural capability of, land within the ALR.

(b) to encourage farming of land within the agricultural land reserve in collaboration with other communities of interest;

The proposal, which would put land with improved agricultural capability into the ALR, encourages farming.

The proposal will make it possible to override the restriction imposed by the local government Forest General Zone, where the local zoning permits grazing but not actual farming. The ALR designation through the proposal's inclusion would make it possible to farm the inclusion parcel of land without being in contravention of the Forest General zoning.

(c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of land within the agricultural land reserve and uses compatible with agriculture in their plans, bylaws and policies.

As noted above, the local government defers to the ALR designation in regard to allowing farming to occur without regard to local zoning.

(2) The commission, to fulfill its purposes under subsection (1), must give priority to protecting and enhancing all of the following in exercising its powers and performing its duties under this Act:

(a) the size, integrity and continuity of the land base of the agricultural land reserve;

Under the proposal:

Size:

Size of ALR land base: unchanged,

Integrity and Continuity:

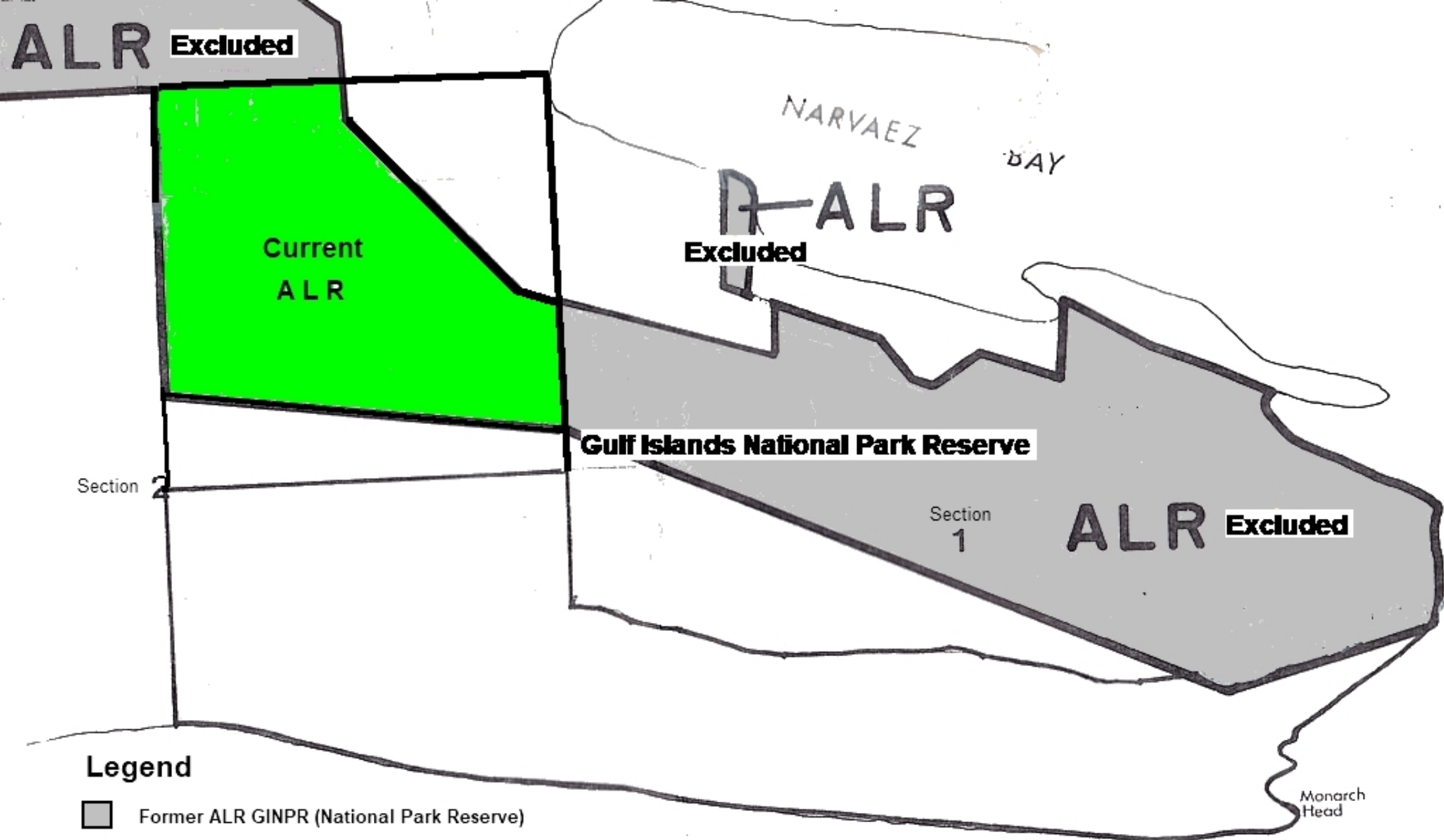
The continuity of the ALR land base was disrupted (circa 2006) by removal of the ALR designation from all Gulf Island National Park Reserve properties on Saturna, including the properties adjacent to the parcel with the proposed exclusion.

See map of former ALR boundaries.



(b) the use of the agricultural land reserve for farm use.

The proposed exclusion property has never been farmed, and likely never will be farmed due to the low quality soil, minimal soil surface cover with exposed rock, and difficult topography.

On the other hand, the proposed inclusion property is very likely to be utilized as a farm.



Legend

-  Former ALR GINPR (National Park Reserve)
-  ALR 206 Narvaez Bay Road