



# City of Richmond

## Report to Council Planning and Development Department

**To:** Richmond City Council

**Date:** November 8, 2013

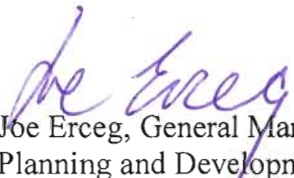
**From:** Joe Erceg  
General Manager, Planning and Development

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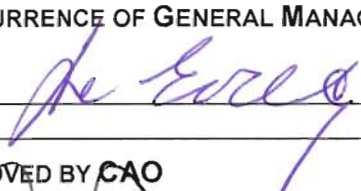

**Re:** **Provincial Core Review: Protecting and Enhancing the Agricultural Land Commission and Reserve**

### Staff Recommendation

1. That the City of Richmond Council reiterate to the Premier, Minister of Agriculture and Minister responsible for the Core Review, that during the Review, the Provincial Government should:
  - (a) protect, enhance, adequately fund, and enforce the Agricultural Land Reserve, Agricultural Land Commission, and its policies; and
  - (b) enable consultation opportunities for City Council, the Richmond Agriculture Advisory Committee (AAC) and public; and
2. That copies of the letter be sent to all Members of the Legislative Assembly (MLAs), the Metro Vancouver Board and local governments, and the Port Metro Vancouver Board.

  
Joe Erceg, General Manager,  
Planning and Development

Att. 3

REPORT CONCURRENCE
CONCURRENCE OF GENERAL MANAGER 
APPROVED BY CAO 

## Staff Report

### Origin

The purpose of this report is to respond to a series of recent articles which are attached regarding possible changes to the Agricultural Land Commission and Agricultural Land Reserve (**Attachments 1, 2, 3**). The report is provided so Council can comment further on this matter.

#### *Council's 2011 - 2014 Term Goals*

This report addresses the following Council Term Goals:

- 6. Intergovernmental Relations
- 7. Managing Growth and Development.

### Findings of Fact

#### Council's Monday, October 7, 2013 Resolution:

On Monday, October 7, 2013, at a Special Council meeting, Council passed the following resolution regarding the Provincial Core Review as it affects Agricultural Land Commission and Reserve:

- (1) *That as the Provincial Government is conducting a Core Review of its programs and services including the Agricultural Land Commission (ALC) and Reserve (ALR), and as opportunities for Council and public consultation during the Review are unclear, Council write the Premier and Minister of Agriculture requesting that the Core Review:*
  - (a) *protect, enhance, adequately fund, and enforce the Agricultural Land Reserve, Agricultural Land Commission, and its policies; and*
  - (b) *enable consultation opportunities for City Council, the Richmond Agriculture Advisory Committee (AAC) and public; and*
- (2) *That copies of the letter be sent to all Members of the Legislative Assembly (MLAs), the Metro Vancouver Board and local governments, the Port Metro Vancouver Board, and the Core Review Panel.*

At the time of writing this report, the City has not received a response from the Provincial Government regarding this resolution.

### Analysis

Since Council passed the above resolution in October 2013 and advised the Province of its support for the ALC and ALR, the status of this matter has become less clear. There is considerable speculation regarding potential changes to the ALC and ALR which would erode the protection of farming in British Columbia. In view of this uncertainty, staff recommend that Council reiterate its position to the Premier, Minister of Agriculture and Minister responsible for the Core Review to protect the ALC and ALR.

### Financial Implications

None

**Conclusion**

To ensure that the City's ALC and ALR interests are protected during the upcoming provincial Core Review, staff recommend that Council reiterate to the Premier, Minister of Agriculture and Minister responsible for the Core Review, that the Provincial Government: (1) protect, enhance, adequately fund, and enforce the Agricultural Land Reserve, Agricultural Land Commission, and its policies; and (2) enable consultation opportunities for City Council, the Richmond Agriculture Advisory Committee (AAC) and public. As well, copies of the letter be sent to all Members of the Legislative Assembly (MLAs), the Metro Vancouver Board and local governments, and the Port Metro Vancouver Board.



Terry Crowe, Manager,  
Policy Planning  
(604-276-4139)

TC:kt

- |                     |  |
|---------------------|--|
| <b>Attachment 1</b> | November 7, 2013, The Globe and Mail Article titled: 'Sacrosanct' Agricultural Land Commission eyed for breakup" which includes: "B.C. government documents summarize proposal to dismantle Agricultural Land Commission". |
| <b>Attachment 2</b> | November 7, 2013, Vancouver Sun article titled: "B.C. looks to overhaul Agricultural Land Reserve"   |
| <b>Attachment 3</b> | November 8, 2013, The Province article titled: "B.C. gov't denies it wants to change land reserve"   |

## 'Sacrosanct' Agricultural Land Commission eyed for breakup

**MARK HUME**

VANCOUVER — The Globe and Mail

Published Thursday, Nov. 07 2013, 8:00 AM EST

Last updated Thursday, Nov. 07 2013, 6:58 PM EST

British Columbia's "sacrosanct" Agricultural Land Commission will be effectively dismantled and the B.C. Oil and Gas Commission will assume new responsibilities for land use decisions if a proposal prepared for cabinet is adopted, according to confidential government documents

*[<http://www.theglobeandmail.com/news/british-columbia/bc-government-documents-summarize-proposal-to-dismantle-agricultural-land-commission/article15322690/>].*

Information obtained by The Globe and Mail shows that B.C. Agriculture Minister Pat Pimm is preparing to ask cabinet to endorse a plan to "modernize" the ALC, an independent Crown agency, which has overseen and protected about four million hectares of farmland for 40 years. Under the plan, the ALC – long a thorn in the side of developers who want to free up farmland – would move within the Ministry of Agriculture, apparently ending its autonomy from government.

### More Related to this Story

- [B.C. Liberals looking to appease private interests with land reforms, Dix says](#)
- [B.C. land dispute underlines Delta farmland's uncertain future](#)
- [Delta council feeling the heat in Tsawwassen hearings](#)

The move reflects the rapid ascendancy of the oil and gas industry in B.C., which has become a prime focus of government.

"The Agricultural Land Commission legislative mandate is too narrow to allow decisions that align with the priority for economic development," is the message Mr. Pimm will deliver, according to a document labelled Cabinet Decision Summary Sheet.

The document provides a point-by-point description of the steps Mr. Pimm wants to take. It calls on cabinet to allow him to "develop the necessary policy, regulatory and legislative amendments" he needs to implement dramatic change.

Energy Minister Bill Bennett – who earlier this year identified the ALC as a target when he promised the government's core review would "look at the sacrosanct things, like ... the Agricultural Land

Reserve and the Agricultural Land Commission” – returned a call made to Mr. Pimm’s office.

“It’s a cabinet process and you apparently have a cabinet document. I’m not permitted ... to talk about cabinet processes and the things that are being discussed,” said Mr. Bennett, who is in charge of the core review.

“Nothing that the core review process could potentially do would reduce the protection for farmland in British Columbia,” he said. “Bottom line. There is nothing that we would contemplate that would reduce or undermine the central principle of the Agricultural Land Reserve, which is the protection of farmland and the sustainability of farming.”

According to a second unmarked document, Mr. Pimm will propose splitting the ALR into two zones, where different rules would apply. The ALR currently protects all agricultural land across the province, but Mr. Pimm would like to see the land in the Okanagan and Fraser valleys and Vancouver Island in one zone, with land in the Interior, Kootenays and everything north of the Okanagan in a second zone.

The move appears designed to allow the government to ease the way for resource development in the northeast, where oil and gas development has increasingly been in conflict with farmers and ranchers.

Mr. Pimm spent 25 years working in the oil and gas industry before being elected to the provincial legislature. His appointment by Premier Christy Clark as Agriculture Minister was seen as an early sign the Liberal government didn’t want the ALC to hinder energy resource development.

Earlier this year, the ALC signed a “delegation agreement” with the BC OGC, giving the agency limited authority to authorize non-farm use of agricultural land. Under Mr. Pimm’s proposal, the BC OGC would become the primary authority on deciding whether agricultural land, outside the Okanagan and southwest region, could be withdrawn for industrial use.

Mr. Pimm is also proposing to give local governments more control, calling for “community growth applications [to be] decided by local governments.”

The ALC was established in 1974 as concerns grew in B.C. about the 6,000 hectares a year of prime agricultural land then being lost to development. Now about 500 hectares are removed annually.

## B.C. government documents summarize proposal to dismantle Agricultural Land Commission

**MARK HUME**

Vancouver — The Globe and Mail

Published Thursday, Nov. 07 2013, 6:48 PM EST

Last updated Thursday, Nov. 07 2013, 6:56 PM EST

*This is a partial transcript of a document on government letterhead, portions of which were blacked out, that carries the signature line for B.C. Agriculture Minister Pat Pimm. It identifies the Agricultural Land Reserve as the issue to be addressed through proposed policy changes.*

**Read the original story here.** [<http://www.theglobeandmail.com/news/british-columbia/sacrosanct-agricultural-land-commission-eyed-for-breakup/article15306864/>]

### **Cabinet Decision Summary Sheet**

Issue: Agricultural Land Reserve

The Agricultural Land Commission legislative mandate is too narrow to allow decisions that align with the priority for economic development.

Request:

Modernize the ALC to ensure that government's priorities for economic development are reflected in ALC decisions, and to improve service levels for applicants.

Proposed Minute:

- Develop the necessary policy, regulatory and legislative amendments to:
- Modernize ALC decision making to reflect government priorities.
- Create two ALR areas with different rules.
- Change the ALC's legislative mandate, in one or both ALR areas
- Remove some decisions from the ALC.
- Community growth applications decided by local governments.
- Modernize ALC operations by moving the ALC into the Ministry.

– Honorable Pat Pimm

A second document was not on government letterhead, but contained additional information and

**CNCL - 283**

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*sources say it appears to be an accurate summary of the government's proposals.*

Cabinet is days away from considering the Core Review's proposal on the Agricultural Land Reserve and Agricultural Land Commission.

The proposed changes, if approved, will:

- 1) Dismantle the Agricultural Land Commission – staff and their functions will move into the Ministry of Agriculture. There will be regional panels but decisions will be able to be appealed to a third party and overturned.
- 2) Change the mandate of the ALC – the ALC will be required to give equal weight to economic development as well as agriculture.
- 3) Create two classes of ALR – one area will be status quo – this will be the Okanagan and Fraser Valley-Vancouver Island. The other area will cover the Interior, Kootenays and everything north of the Okanagan, where the rules will be “anything goes.”
- 4) Change what local governments can and can't do around land use decisions.
- 5) Make oil and gas decisions the priority land use decisions and the Oil and Gas Commission the primary authority.

### **More Related to this Story**

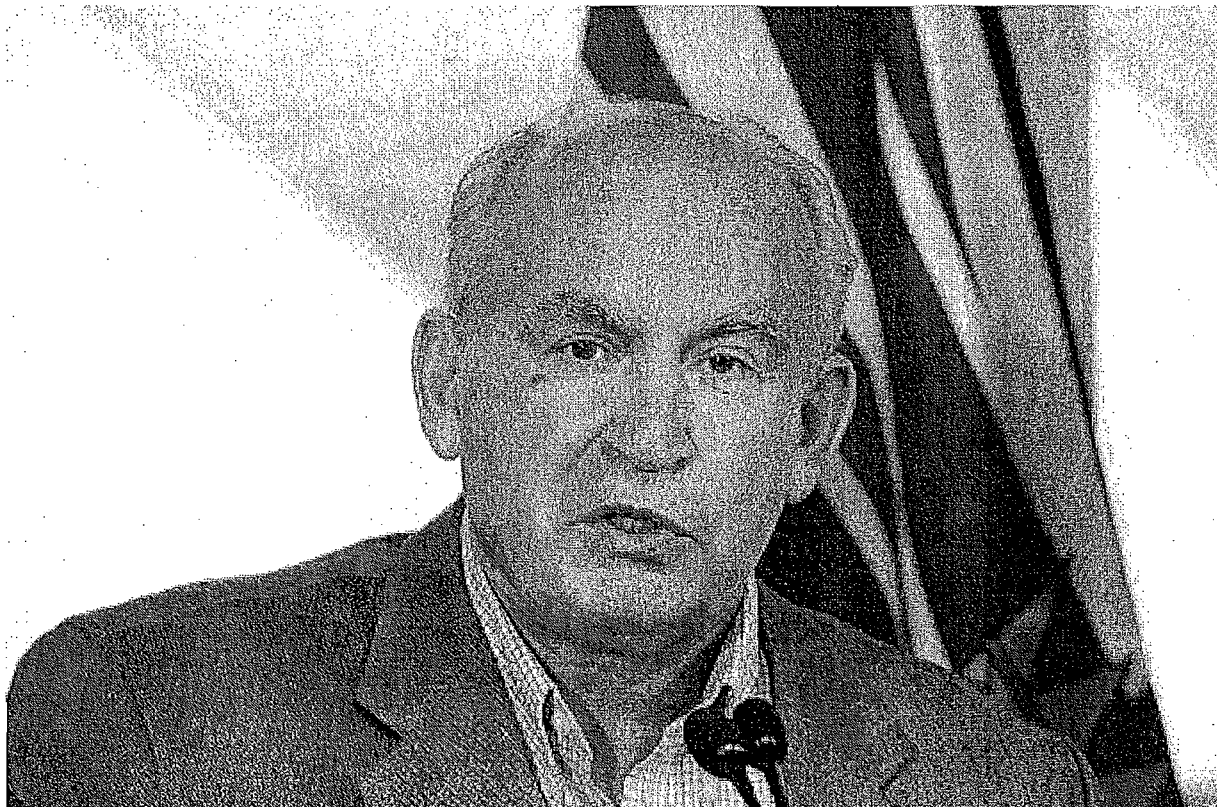
- ['Sacrosanct' Agricultural Land Commission eyed for breakup](#)
- [B.C. Liberals looking to appease private interests with land reforms, Dix says](#)



# B.C. looks to overhaul Agricultural Land Reserve

## Plans could dismantle one of B.C.'s most-popular government initiatives

BY RANDY SHORE, VANCOUVER SUN NOVEMBER 7, 2013 4:16 PM



Bill Bennett, cabinet minister in charge of Victoria's core review of government programs, says the provincial government is hoping to free up land in northern and eastern B.C. that is currently locked in the Agricultural Land Reserve to encourage economic development

Photograph by: NICK PROCAYLO, PNG

The provincial government is hoping to free up land in northern and eastern B.C. that is currently locked in the Agricultural Land Reserve to encourage economic development, according to Energy Minister Bill Bennett, the minister responsible for B.C.'s core service review.

Bennett wants to ensure that marginal agricultural land within the Agricultural Land Reserve in the Kootenays, Cariboo and the northeast is used for the broader benefit of local economies.

"That's what people in those areas tell us they want," he said.

Bennett suggested the Agricultural Land Commission, the independent Crown agency charged with protecting 4.7 million hectares of land in the ALR for farming, has been too rigid in its pursuit of that mandate, something that could change as part of the government's service review.



"When the reserve was created several decades ago, there was much land put in that wasn't good for agriculture," said Bennett. "We were promised a review of the boundaries after five years, and that never happened."

The province's best agricultural land is concentrated in Richmond, South Vancouver Island, the Fraser Valley and the Okanagan, said Bennett.

"When you get outside those areas into places like the Kootenays, the Cariboo and the northeast, you'll find a fair bit of land that really isn't good for agriculture," he said.

About one-third of the ALR land in the Kootenays — approximately 140,00 hectares — is Class 5, 6 or 7, the lowest-quality soils for agriculture, according to government data.

Critics worry the B.C. Liberals intend to weaken the commission's mandate in order to facilitate economic expansion and real estate development, the very forces the ALR was created to defend against.

The commission considers 600 to 1,000 applications a year for exclusion from the land reserve.

"That's our farming and food security gone, right there," said Brent Mansfield, co-chair of the B.C. Foods Systems Network. "If you change its farmland protection mandate and take away its provincial focus and its independence, you make the Agricultural Land Commission powerless and ineffective."

In a letter to Bennett and Agriculture Minister Pat Pimm, Mansfield and co-chair Abra Byrne worry that the government is sacrificing B.C.'s future food security for short-term economic gain.

"As B.C. considers the current opportunities in the energy sector, resource development must be balanced with the long-term food production capacity of the province so crucial to our food security," they wrote.

But farmers have been lobbying for change to the legislation that governs the land commission, arguing that it is too restrictive and stifles business growth — activities such as on-farm processing and agri-tourism — in what is an increasingly diverse food industry, according to Rhonda Driediger, chairwoman of the B.C. Agriculture Council.

"There is definitely land throughout B.C. that is in the wrong classification, some of which can be used for non-soiled-based agriculture such as greenhouses and poultry operations," she said. "We should be looking at the best economic use of land."

Driediger is unconcerned about a rumoured government agenda to hand control of agricultural land to the oil and gas industry.

The Oil and Gas Commission already has authority to exclude ALR land for oil and gas extraction and pipeline construction under a decade-old agreement with the land commission.

"That's old news," she said.

Bennett spent much of his day Thursday responding to documents obtained by The Globe and Mail that appeared to suggest the government is considering an expanded responsibility for land use decisions for the Oil and Gas Commission. The Globe story also suggested the government wants the land commission under the control of the ministry of agriculture.

Bennett dismissed the documents as "talking points" and "bold ideas" meant to elicit discussion.

"We have no plans to bring the (land commission) into the government or let public servants or elected people to make decisions about the Agricultural Land Reserve," said Bennett. "We are not going to dismantle the (land commission) and regional panels that we ourselves created. That I can tell you for certain."

The provincial government two years ago restored funding to the land commission in response to a 2010 report by the auditor general that said the commission was struggling to fulfil its mandate. A moratorium on repeat applications to exclude land from the reserve was also implemented at that time to ease development pressure on farmland.

NDP agriculture critic Nicholas Simons said Bennett appears to be pursuing a personal agenda in his criticism of the land commission, stemming from irritation over specific decisions by the body.

"He just seems unhappy that decisions have been made that promote farm uses, and he seems to think there are better ways to use that land," said Simons.

The core service review is meant to examine ways to deliver government services in a more cost-effective way. The review is expected to continue until the end of 2014.

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# B.C. gov't denies it wants to change land reserve

A leaked cabinet document that proposes significant changes to B.C.'s Agricultural Land Reserve prompted swift denials Thursday from the provincial government.

The Globe and Mail published a story based on cabinet documents that reportedly outline a proposal from Agriculture Minister Pat Pimm to "modernize" the Agricultural Land Commission, the Crown agency that manages the land reserve.

Among other things, the proposal would see the commission cease to be an independent agency.

Instead, it would come under the control of the Agriculture Ministry, while handing "primary authority" to authorize industrial activity on agricultural land to the B.C. Oil and Gas Commission, the newspaper reported.

The documents were prepared as part of a so-called "core review" of government operations, launched earlier this year in a bid to trim the provincial budget.

The cabinet minister in charge of that review responded Thursday by ruling out many of the most controversial aspects of the leaked proposal.

Bill Bennett, also the minister of energy and mines, said the newspaper story was based on an "older document" that has been rejected.

"We certainly have no plans to bring the commission inside government or tamper with the independence of the commission, and we have no plans to undermine the central principle of the reserve, which is the protection of good quality farmland," Bennett said.

But his comments did little to assure supporters of the land reserve, created in the mid-

1970s by the NDP government of the day.

Harold Steves, a Richmond councillor who as an NDP member of the legislature in the 1970s was considered one of the land reserve's co-founders, said he's convinced the Liberal government is searching for ways to weaken the reserve and the commission that protects it.

Steves warned any attempt to tamper with the land reserve would be fraught with political danger. "If they called an election on this issue, they wouldn't get a seat," he said.

— *The Canadian Press*