

Category: PLANNING

Subject: Process for Agricultural Land Reserve (ALR) Exclusion Applications

Purpose

The purpose of this policy is to establish a process for accepting, reviewing and processing applications for Agricultural Land Reserve (ALR) Exclusions; in which a property owner requests that the City of Penticton apply on their behalf and pays all applicable costs to have their property excluded from the ALR.

Scope

This policy applies to all requests from property owners who wish to exclude their property from the Agricultural Land Reserve (ALR) and guides staff when an application is received.

Policy Statement

The City of Penticton recognizes the importance of the Agricultural Land Reserve (ALR), and that the purpose of the Agricultural Land Commission (ALC), which is to preserve agricultural land, encourage farming 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.

As of September 30, 2020, private landowners are no longer able to make an application for ALR exclusion. As of this date, the City of Penticton is required to be the applicant for an exclusion application to the Agricultural Land Commission (ALC).

1. Application Requirements

Applications for exclusion from the ALR will only be considered by staff if the property owner demonstrates both of the following:

1. The property owner(s) have exhausted all other applicable ALR Applications prior to considering exclusion from the ALR; and
2. No portion of the property (ies) are designated as 'Agriculture' by the City's Official Community Plan Bylaw.

2. Application Submission

Should staff proceed with considering an ALR Exclusion application, the property owner(s) will be required to submit a complete application package in order to be considered by staff. Subsequent information may be requested and required in order for staff to proceed with the application.

3. Application Process

All ALR Exclusion applications will proceed through the following general process:

1. Staff will complete a technical review of the application, which may include referral to the Technical Planning Committee (TPC).
2. The application will be referred to the City's Agriculture Advisory Committee for review and comment prior to consideration by Council.
3. Staff will follow the ALC's mandated process for submitting ALR Exclusion Applications (as amended from time to time) including notifications to the public and hosting an opportunity for the public to speak to Council on the matter.
4. The application will be considered by Council. Council will pass a resolution to either forward (with or without conditions), or not forward the ALR Exclusion Application to the ALC for consideration.

Related Policies and Legislation

- Official Community Plan Bylaw No. 2019-08, as amended
- Agricultural Land Commission Act
- Bill 15-2019

Approval History			
Previous revisions/replaces: n/a			
Approved by Council on:	November 2, 2021	Resolution No.:	380/2021

Certified Correct:



Angie Collison, Corporate Officer