



Notice of Intent (NOI) Requirements in the ALR

Under *Section 20.3(1) of the Agricultural Land Commission (ALC) Act*, a Notice of Intent (NOI) is necessary to place fill or remove soil from Agricultural Land Reserve (ALR) land in excess of what is permitted under the *ALR Use Regulation*. The ALC recently clarified that NOI approval is required for the construction of auxiliary buildings and structures and detached auxiliary dwelling units prior to issuance of a Building Permit (BP).

Does this apply to all new construction in the ALR?

A NOI is required for the construction of:

- Detached, auxiliary dwellings (additional/second dwellings),
- "Non-farm use" auxiliary buildings or structures,
- Constructing or maintaining either a farm use building OR a principal residence if the total area from which soil is removed, or on which fill is placed, is greater than 1,000m², and
- Any other work not exempted under the *ALR Use Regulation*

Exemptions:

A NOI is not required for the following:

- Principal Residence where the fill is under 1000 m²
- Auxiliary buildings necessary for a residential use (e.g. a pumphouse or wellhouse). Excludes garages, sheds etc.
- Farm buildings necessary for farm use (property must have a farm use and buildings shall not be easily convertible to residential buildings). Fill area to be under 1000 m². <https://www.alc.gov.bc.ca/app/uploads/sites/763/2023/06/Necessary-Farm-Use-Structures-in-the-ALR-Guidelines.pdf>

A person who places fill or removes soil from land in the ALR without successfully having completed a NOI or Soil or Fill Use Application, may be subject to a penalty or order to remediate the land or remove the unauthorized fill.

How do I make a NOI Application?

The NOI application can be made through the ALC's online web portal. Further details and directions on how to apply can be found at:

[alc.gov.bc.ca/application-and-notice-process/soil-and-fill-notice-of-intent/](https://www.alc.gov.bc.ca/application-and-notice-process/soil-and-fill-notice-of-intent/)

ALC Application Fee: \$150 (payable through the ALC application portal)

For more information, please contact the ALC at alc.soil@gov.bc.ca or 236-468-3343

The SCRDC cannot make NOI applications on an owner or their agent's behalf. This information sheet has been prepared to provide guidance only. It is neither a bylaw nor a legal document. Please consult the *Agricultural Land Commission Act* and its Regulations for definite requirements and procedures.