



**Agricultural Land
Commission Act**

**Policy L-12
January 2016**

**APPROVALS GRANTED UNDER ORDERS IN COUNCIL
4483/72 AND 157/73**

This policy is intended to assist in the interpretation of the [Agricultural Land Commission Act, 2002](#), including amendments as of September 2014, (the “ALCA”) and BC Regulation 171/2002 ([Agricultural Land Reserve Use, Subdivision and Procedure Regulation](#)), including amendments as of August 2016 (the “Regulation”). In case of ambiguity or inconsistency, the ALCA and Regulation will govern.

Orders-in-Council 4483/72 and 157/73 were passed by Cabinet in 1972 and 1973 to prohibit non-farm use of agricultural land, prior to passage of the *Land Commission Act* and the Agricultural Land Reserve being established. These orders effectively “froze” certain lands and set up an application process whereby non-farm developments or subdivisions could be reviewed and decided on. Once the ALR was designated by Cabinet order, these interim orders were rescinded for all areas but two of the province and the regulatory provisions and application requirements of the ALCA came into force for the balance of the province.

The only exception is for two areas within the Kitimat-Stikine Regional District that remain subject to Orders-in-Council 4483/72 and 157/73. These are:

1. Nass-Cranberry Basin Area - more particularly described as the area lying below the 1000 foot contour on either side of the Cranberry River and the area lying below the 1000 foot contour on either side of the Nass River from Sideslip and Derrick Lakes (near the bend northward of the Nass River) to the mouth of the Nass. (Refer to 1:250,000 National Topographic Series map sheet 103P).
2. Upper Kispiox River System - more particularly described as the area lying below the 1500 foot contour as show on 1:250,000 National Topographic Series map sheets 93M and 103P.

Apart from the above exception, approvals granted under Orders-in-Council 4483/72 and 157/73 are no longer valid.

If a subdivision or non-farm use granted under an appeal to these orders-in-council has not proceeded or completed, a new application must be submitted under the ALCA.

Unless defined in this policy, terms used herein will have the meanings given to them in the ALCA or the Regulation.