

 <p><b>Agricultural Land Commission Act</b></p>	<p><b>ALR SUBDIVISION APPROVAL BY APPROVING OFFICERS</b></p>	<p><b>POLICY P-01</b></p> <p>Amended April 2019 January 2016</p>
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*This policy is intended to assist in the interpretation of the [Agricultural Land Commission Act, 2002](#), (the "ALCA") and BC Regulation 171/2002 ([Agricultural Land Reserve General Regulation](#)), (the "General Regulation"). In case of ambiguity or inconsistency, the ALCA and General Regulation will govern.*

**INTERPRETATION:**

If approved under section 10 of the General Regulation, the Approving Officer must endorse the plan of subdivision. The following certificate will fulfill the requirement of section 11(1)(a) of the General Regulation:

<p><i>I hereby certify that this subdivision plan is approved under Section 10 of the Agricultural Land Reserve General Regulation.</i></p> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> <p><i>Signature</i></p> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> <p><i>Name of Officer</i></p>
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The Approving Officer **must** also provide a copy of the approved plan directly to the Agricultural Land Commission (the "Commission"), or may require the owner or agent to provide a copy. The Commission will keep the copy of the approved plan for record keeping and performance evaluation.

Under Section 11(2) the registrar of titles is not required to determine that a copy of the plan has been provided to the Commission.

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

**REFERENCE:**

**Agricultural Land Reserve General Regulation (BC Regulation 171/2002), Sections 9, 10 and 11.**

**Application of this Part**

*9 This Part applies to a plan of subdivision, all or part of which consists of agricultural land.*

**Subdivision approval**

*10(1) Despite Section 18 (5) of the Act, an approving officer or other person referred to in that provision may approve a subdivision described in that provision without the approval of the commission if the proposed subdivision achieves one or more of the following:*

- (a) consolidates 2 or more parcels into a single parcel by elimination of common lot lines;
  - (b) resolves a building encroachment on a property line and creates no additional parcels;
  - (c) involves not more than 4 parcels, each of which is a minimum of 1 ha, and results in all of the following:
    - (i) no increase in the number of parcels;
    - (ii) boundary adjustments that, in the opinion of the approving officer, will allow for the enhancement of farming on the owner's agricultural land or for the better use of structures used for farming;
    - (iii) no parcel in the reserve of less than 1 ha;
  - (d) establishes a legal boundary along the boundary of the agricultural land reserve.
- (2) An approving officer who declines to approve a plan must give notice of that decision to the person who made the application.
- (3) A person who receives a notice under subsection (2) may apply to the commission with respect to the proposed subdivision.

#### **Certification and deposit of approved plan**

- 11(1) If an approval is granted under section 10, the approving officer must
- (a) endorse on the plan a certificate acceptable to the commission, and
  - (b) provide a copy of the approved plan to the commission.
- (2) If the requirements of subsection (1) (a) are met, a registrar of titles under the Land Title Act may accept the endorsed plan for deposit.