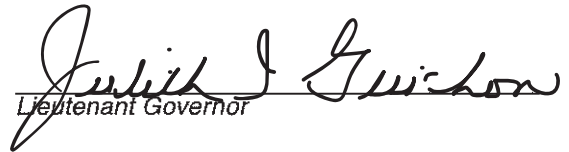


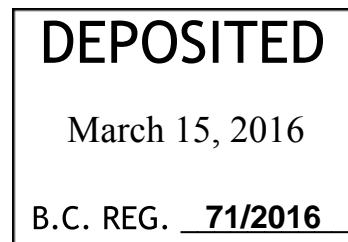
PROVINCE OF BRITISH COLUMBIA
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL


Order in Council No. 159 , Approved and Ordered March 14, 2016


Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective April 1, 2016, the Agricultural Land Reserve Use, Subdivision and Procedure Regulation, B.C. Reg. 171/2002, is amended as set out in the attached Schedule.





Minister of Agriculture



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: Agricultural Land Commission Act, S.B.C. 2002, c. 36, s. 58 (2) (d), (d.1) and (k) and (4)

Other: OIC 571/2002

February 26, 2016

R/66/2016/3

SCHEDULE

1 Section 33 (1) of the Agricultural Land Reserve Use, Subdivision and Procedure Regulation, B.C. Reg. 171/2002, is repealed and the following substituted:

- (1) In subsection (1.1), “**application**” means an application made for the purpose of seeking permission under any of the following sections of the Act:
- (a) section 20 or 21, for a use or subdivision of agricultural land to which section 4 of this regulation does not apply;
 - (b) section 29 or 30, for the exclusion of land from the agricultural land reserve;
 - (c) section 34 (6), for applications filed directly with the commission.
- (1.1) The prescribed application fees are as follows:
- (a) \$1 500, if the application is made in respect of land located entirely or partially in Zone 1;
 - (b) \$900, if the application is made in respect of land located entirely in Zone 2.

2 The following sections are added:

Other fees

- 33.1** (1) In this section, “**document administration**” means the administration, processing, preparation, review, execution, filing or registration of any of the following by the commission, other than in the context of an application made under the Act:
- (a) a report;
 - (b) a survey or map;
 - (c) a contract or similar legal instrument;
 - (d) a record that must be approved, filed or registered under an enactment;
 - (e) a subdivision plan, a statutory right of way or a covenant, including related records necessary for deposit of the subdivision plan, statutory right of way or covenant with the Registrar of Land Titles;
 - (f) a form of security.
- (2) If, on approving an application made under the Act, a term or condition described in Column 1 of the following table is imposed on the applicant, the applicant must pay the fee set out in Column 2 opposite the term or condition:

Item	Column 1 Term or Condition	Column 2 Fee (\$)
1	Document administration	150 for each record
2	Site inspection	350 for each inspection
3	The monitoring of activities carried out on land surveyed as being less than 0.8 ha	500
4	The monitoring of activities carried out on land surveyed as being between 0.8 ha and 4 ha	1 000

Item	Column 1 Term or Condition	Column 2 Fee (\$)
5	The monitoring of activities carried out on land surveyed as being more than 4 ha	2 000

- (3) No fee is payable under item 2 of the table in subsection (2) if item 3, 4 or 5 of the table applies.
- (4) The fees set out in items 1 and 2 of the table in subsection (2) are payable at the time the term or condition is imposed.
- (5) The fees set out in items 3 to 5 of the table in subsection (2) are payable annually, on the date set by the person who approves the application, for each year or part of a year that monitoring is carried out.

Transition – fees

- 33.2** (1) The fees set out in section 33 (1.1) apply to applications received on or after April 1, 2016.
- (2) The fees set out in section 33.1 (2) apply to a service described in that subsection provided on or after April 1, 2016, but only in respect of an application approved as follows:
- (a) in respect of a fee described in item 1 or 2 of the table to that subsection, to applications approved on or after January 1, 2016;
 - (b) in respect of a fee described in any of items 3 to 5 of the table to that subsection, to applications approved
 - (i) on or after January 1, 2016, or
 - (ii) before January 1, 2016, if monitoring continues to be a condition on or after January 1, 2016.
- (3) If subsection (2) (b) (ii) applies,
- (a) the first payment is due on the date that is
 - (i) no earlier than April 1, 2016 and no later than June 1, 2016, and
 - (ii) set by the person responsible for carrying out the monitoring, and
 - (b) subsequent payments are due annually for each year or part of a year that monitoring is carried out.