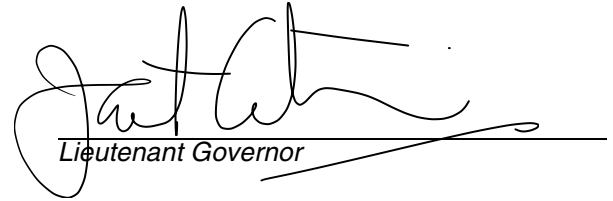


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 353

, Approved and Ordered June 26, 2020



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

- (a) the Agricultural Land Reserve General Regulation, B.C. Reg. 57/2020, is amended as set out in the attached Schedule 1,
- (b) effective September 30, 2020, the Agricultural Land Reserve Use Regulation, B.C. Reg. 30/2019, is amended as set out in the attached Schedule 2, and
- (c) effective September 30, 2020, section 30 of the *Agricultural Land Commission Amendment Act, 2019*, S.B.C. 2019, c. 32, is brought into force except as it adds
 - (i) the definitions of “cancellation fee” and “filing fee” in section 52.2 (1), and
 - (ii) sections 52.2 (2) (b), (3) (b), (4) (c), (5), (7) and (8) and 52.3.



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, ss. 58 (3) and 58.2;
Agricultural Land Commission Amendment Act, 2019, S.B.C. 2019, c. 32, s. 43

Other: OIC 131/2020; OIC 67/2019

R10409203

SCHEDULE 1

1 Section 6 of the Agricultural Land Reserve General Regulation, B.C. Reg. 57/2020, is amended

(a) by repealing subsection (1) (b) and substituting the following:

(b) a fee as follows:

- (i) \$450 in the case of an application described in section 34 (1) (a), (c) or (e) of the Act that is made for the purposes of section 20.1 (2) (a) of the Act in respect of a non-adhering residential use;
- (ii) \$750 in the case of an application described in section 34 (1) (a), (b), (c) or (e) of the Act other than one that is made for the purposes of section 20.1 (2) (a) of the Act in respect of a non-adhering residential use;
- (iii) \$1 500 in the case of an application made under section 34 (1) (d) of the Act. , **and**

(b) by repealing subsection (2) (b) and substituting the following:

(b) a fee as follows:

- (i) in the case of an application that is made for the purposes of section 20.1 (2) (a) of the Act in respect of a non-adhering residential use,
 - (A) \$450 for the purposes of section 34.1 (1) of the Act, and
 - (B) if applicable, an additional \$450 for the purposes of section 34.1 (3) of the Act;
- (ii) in the case of an application other than one that is made for the purposes of section 20.1 (2) (a) of the Act in respect of a non-adhering residential use,
 - (A) \$750 for the purposes of section 34.1 (1) of the Act, and
 - (B) if applicable, an additional \$750 for the purposes of section 34.1 (3) of the Act.

2 Section 23 is amended

(a) by renumbering the section as section 23 (1),

(b) in subsection (1) by striking out “The commission” and substituting “Subject to subsection (2), the commission”, and

(c) by adding the following subsection:

- (2) The commission may grant an application to use recycled concrete aggregate and recycled asphalt pavement within the meaning of section 36 of the Agricultural Land Reserve Use Regulation as fill on agricultural land for any of the following purposes:
 - (a) constructing, maintaining or widening a road;
 - (b) constructing or maintaining a parking area.

- 3 *Section 34 (1) is amended by striking out “accordance section 18.1 (2)” and substituting “accordance with section 18.1 (2)”.*

SCHEDULE 2

- 1 *Section 35 (d) of the Agricultural Land Reserve Use Regulation, B.C. Reg. 30/2019, is amended by striking out “if the total annual volume of soil removed or fill placed is 50 m³ or less” and substituting “if the total annual volume of soil removed or fill placed is equal to or less than the ratio of 50 m³ of soil or fill to 100 m of existing road length”.*

- 2 *Section 36 is amended*

(a) by renumbering the section as section 36 (1),

(b) in subsection (1) by striking out “The following” and substituting “Except as permitted under subsection (2), the following”, and

(c) by adding the following subsections:

- (2) Recycled concrete aggregate and recycled asphalt pavement may be used as fill on agricultural land for the purpose of maintaining an existing farm road as described in section 35 (d).
- (3) For the purposes of subsection (2), **“recycled concrete aggregate”** and **“recycled asphalt pavement”** mean concrete and asphalt that
- (a) have been recovered from a demolition process,
 - (b) have been crushed to a particle size
 - (i) that may pass through a 1.905 cm screen, in the case of recycled concrete aggregate, or
 - (ii) of 1.905 cm³ or smaller, in the case of recycled asphalt pavement, and
 - (c) do not include, or are not combined with, metal, plastic, rubber, wood, glass, paper, organic materials or other contaminants.