Agricultural Land Commission BC Regulation 1973 to November 1, 2002

Compiled by Lesley Campbell, Records November, 2008

Source: Jim Plotnikoff, ALC Director of Planning and Tony Pellett, ALC Planner 135-40/ALC/Regs/Act

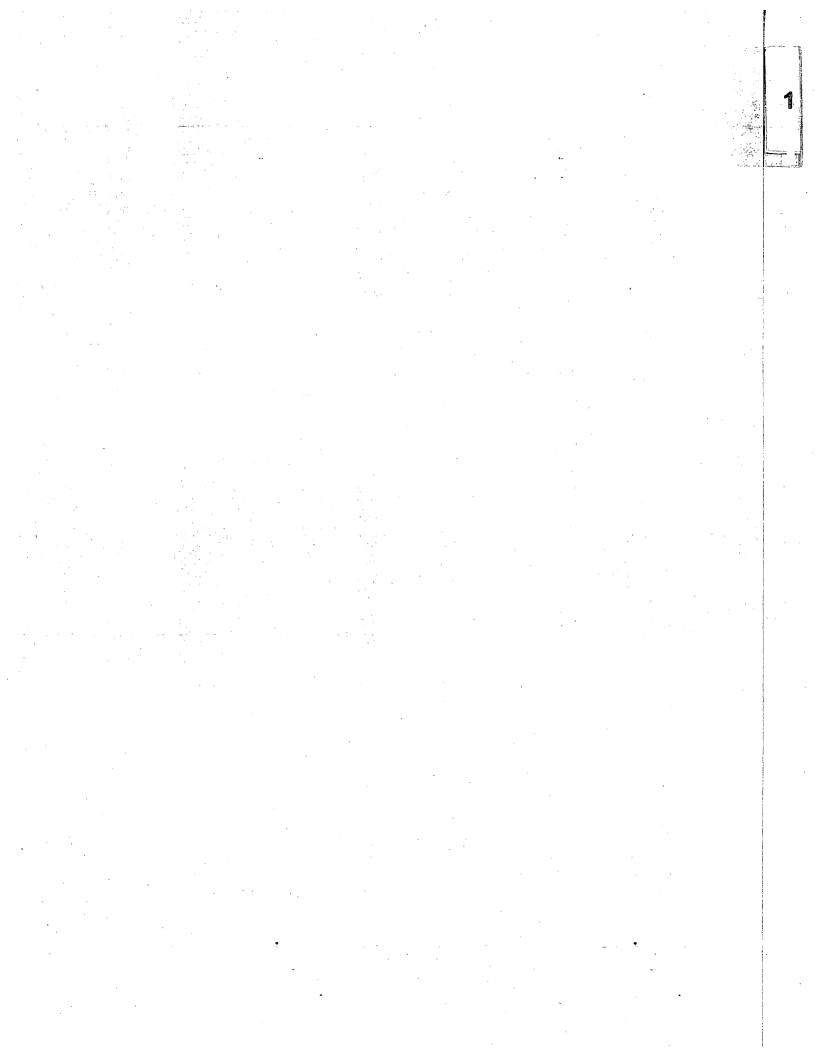
> Reviewed by: Jim Plotnikoff, ALC, Director of Planning Tony Pellett, ALC Planner

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Overview

History of Legislation Concerning the Agricultural Land Reserve

Agricultural Land Commission Act Regulations

31 January 1974	B.C. Regulation 60/74, Order-in-Council 353 (filed 4 Feb. 1974)	Procedural Regulations
25 April 1974	Order-in-Council #1418/74 B.C. Regulation #264/74	Administration of Crown Land In the Agricultural Land Reserve
19 July 1974	B.C. Regulation 494/74, Order-in-Council 2414 (filed 22 July 1974)	Inclusion Regulations
16 January 1975	B.C. Regulation 19/75 Order-in-Council #130/75	Subdivision and Land Use Regulations
30 January 1975	B.C. Regulation #93/75 Order-in-Council #420/75 (Filed 4 Feb. 1975)	Subdivision and Land Use Regulations. B.C. Regulation 19/75 rescinded (minor error in Section B2(1) (d)
27 July 1978	B.C. Regulation #313/78 Order-in-Council #1978/78 (filed 28 July 78)	New Procedural Regulations B.C. Regulation #60/74 repealed (including B.C. Regulation #494/78)
15 January 1981	B.C Regulation 7/81 Order-in-Council #30/81	B.C. Regulation #93/75 repealed New Subdivision and Land Use Regulations
18 February 1981	B.C. Regulation #8/81 consolidated with B.C. Regulation #313/78, Order- in-Council #31/81	New "Subdivision and Land Use "Regulations ("Special Cases") Consolidated with Procedural Regulations B.C. Regulation #313/78 amended
18 September 1984	BC Regulations 313/78	Consolidated for convenience
15 June 1988	BC Regulation 7/81 Order-in-Council #1141	Amended Section 2(1)m BC Regulation 238/88
10 August 1988	BC Regulation 313/78Order-in-Council #1496	Repealed
31 October 1988	BC Regulations 313/78	Consolidated (includes amendments up to BC Regulation 301/88

Overview

History of Legislation Concerning the Agricultural Land Reserve

<u>Agricultural Land Commission Act</u> <u>Regulations</u>

13 November 1991	BC Regulation 7/81 Order- in-Council #1392	Golf Course Development Moratorium
27 November 1991	BC Regulation 308/91 Order-in-Council #1437	Golf Course Development Moratorium amended (listing of file numbers)
18 December 1991	BC Regulation 308/91 Order-in-Council #1631	Golf Course Development Moratorium amended (listing of file numbers
3 April 1992	BC Regulation 308/91 Order-in-Council #530	Golf Course Development Moratorium amended (listing of file numbers
3 April 1992	BC Regulation 308/91 Order-in-Council #531	Golf Course Development Moratorium amended (listing of file numbers
3 December 1992	BC Regulation 603/77 Order –in-Council #1763 Effective Date January 1, 1993	Sections 3(2) and 11 Repealed and substituted (Application Fees)
3 December 1992	BC Regulation 313/78 Order-in-Council #1763 Effective Date January 1, 1993	Sharing of Application Fee proceeds - Added
8 January 1993	B.C. Regulation 313/78 Agricultural Land Reserve Procedure Regulation (includes amendments up to BC Regulation 449/92	Consolidated
9 November 1995	BC Regulation 313/78 Order-in-Council #1354	Amended – Effective Date January 1, 1996 BC Regulation 446/95
9 November 1995	BC Regulation 603/77 Order-in Council #1354	Repealed - Effective Date January 1, 1996 BC Regulation 446/95
15 December 1998	Agricultural Land Reserve Subdivision and Land Use Regulation BC Regulation 7/81	Revised under New BC Regulation 448/98 Ministerial Order #407

Overview

History of Legislation Concerning the Agricultural Land Reserve

<u>Agricultural Land Commission Act</u> <u>Regulations</u>

15 December 1998	Agricultural Land Reserve	Revised under New BC
13 December 1990	Subdivision and Land Use	
		Regulation 449/98
15.5	Regulation BC 445/73	Ministerial Order #408
15 December 1998	Agricultural Land Reserve	Revised under New BC
	Subdivision and Land Use	Regulation 451/98
	Regulation BC 603/77	Ministerial Order #410
15 December 1998	Agricultural Land Reserve	Revised under New BC
	Subdivision and Land Use	Regulation
	Regulation BC 313/78	452/98Ministerial Order
		#411
21 February 2000	BC Regulation 448/98	Agricultural Land Reserve
_	Agricultural Land Reserve	Subdivision and Land Use
	Subdivision and Land Use	Regulation is amended by
	Regulation is amended	striking out Agricultural
	Order-in-Council #229 –	Land Commission Act in
	effective date April 1, 2000	the title of the schedule and
	1100tive date 7 tpm 1, 2000	substituting "Agricultural
		Land Reserve Act" BC
		Regulation 71/2000
21 February 2000	BC Regulation 450/98	Administration of Crown
211 0514419 2000	Administration of Crown	Land in an Agricultural
	Land in an Agricultural	Land Reserve Regulation is
	Land Reserve Regulation is	amended a) in sections 1
	amended Order-in-Council	and 3(b) and b) in section
	#231 – effective date April	3(c) BC Regulation 73/2000
	1, 2000	
21 February 2000	BC Regulation 452/98	Agricultural Land Reserve
	Agricultural Land Reserve	Procedure Regulation
	Procedure Regulation is	amended – BC Regulation
	amended Order-in-Council	74/2000
	#233 – effective date April	
	1, 2000	
	.,	
L	<u>J </u>	<u> </u>

123 June 13

2116

recommend:

THAT Order-in-Council No. 157/73 be amended by striking out the words "No municipality, regional district or the City of Vancouver shall pass a zoning by-law, or enter into a land use contract, authorizing farm land to be used for non-agricultural use", and substituting the following:

"No by-law or land use contract of a municipality, regional district, or the City of Vancouver shall be deemed to authorize farmland to be used for non-agricultural use contrary to the provisions of this Order."

DATED this

21

day of

June

A.D. 1973

"David D. Stupich"

Minister of Agriculture

APPROVED this 21

day of

June

A.D. 1973

"D. Barrett"

Presiding Member of the Executive Council



VICTORIA

July 4, 1973

MEMORANDUM

To Regional Districts and Municipalities:

I am enclosing for your information a copy of Order-in-Council 2116 approved June 22, 1973, which is in further reference to Order-in-Council 157/73 pursuant to the Environment and Land Use Act.

Similarly enclosed is a copy of Order-in-Council 2257 approved July 3, 1973, pursuant to the Land Commission Act. Please note this Order-in-Council proclaims the remaining Sections of the Act, namely Sections 8 - 12 inclusive and Section 16, which directly refer to the establishment of the Agricultural Land Reserve plans.

You will receive further information regarding the establishment of the land reserve plans from Mr. W. T. Lane, Chairman of the Land Commission, in the very near future.

Yours very truly,

David D. Stupich

Minister of Agriculture

Encls.



2257

report:

THAT Section 22 of the Land Commission Act, being Chapter 46 of the Statutes of British Columbia, 1973 provides that the Act, excepting that Section, comes into force on a date to be fixed by the Lieutenant-Governor by his Proclamation and that he may fix different dates for the coming into force of the several provisions of the Act;

AND TO RECOMMEND THAT, pursuant to the Land Commission Act, being Chapter 46 of the Statutes of British Columbia, 1973 and all other powers thereunto enabling, that a Proclamation do issue fixing the date of approval of this order by his Honour the Lieutenant-Governor as the date for the coming into force of the following provisions of the Land Commission Act, that is to say Sections 8, 9, 10, 11, 12 and 16.

DATED this 29 day of June A.D. 1973

"David D. Stupich"
Minister of Agriculture

APPROVED this 29 day of June A.D. 1973

"D. Barrett"

Presiding Member of the Executive Council

Approved and ordered this

25th day of

October

A.D. 19 73

At the Executive Council Chamber, Victoria,

Lieutenant-Governor.

PRESENT:

The Honourable

Mr.s. Dailly Williams Mr.

Mr. Barrett Mr. Macdonald

Mr. Stupich Mr.

Nimsick Mr. Strachan

Mr. King

Mr. Lorimer

Mr. Cocke

Mr. Hartley

Mr. Lea Mr.

Radford Mr.

Lauk Mr. Nicolson

Milss Young in the Chair.

0/c 687/14

BRITISH COLUMBIA LAND COMMISSION

MAR U a 1974

RECEIVED BURGLEY, B C.

To His Honour

The Lieutenant-Governor in Council:

The undersigned has the honour to report:

THAT section 6 of the Environment and Land Use Act provides that on the recommendation of the Committee, the Lieutenant-Governor in Council may make such Orders respecting the environment, or land use, as he may consider necessary or advisable;

AND THAT, pursuant to section 6, Orders in Council 4483/72, 157/73 and 1891/73 were made;

AND THAT it is considered necessary and advisable to amend the appeal provisions of Order in Council 157/73;

AND TO RECOMMEND THAT, pursuant to section 6, the appeal provisions contained in Order in Council No. 157, approved January 18, 1973, be amended by deleting the final paragraph and substituting the following:

"Where a person having any interest in farmland is aggrieved by any action taken under authority of this Order, he may appeal to the Land Commission, who may hear the appeal and vary, amend, rescind or confirm the action."

Minister of Lands, Forests and Water Resources

Presiding Member of the Executive Council

DEC 05 MET D

BURILLEY, B.C.

APPROVED AND ORDERED 29. NOV. 1973

Lieutenant-Governor

EXECUTIVE COUNCIL CHAMBERS, VICTORIA 29. NOV. 1973

Pursuant to the Land Commission Act, and upon the recommendation of the undersigned, the Lieutenant-Governor, by and with the advice and consent of the Executive Council, orders that

- 1. Every municipality or regional district shall submit to the Provincial Land Commission (hereinafter referred to as the 'commission') a base plan showing the whole of the agricultural land reserve in the municipality or regional district, as the case may be, to a scale of fifty thousand feet to one inch, and such other plans of larger scale (hereinafter referred to as 'constituent plans') as the commission may consider necessary to clearly set out the agricultural land reserve.
- 2. The base plan and each constituent plan, upon being adopted by by-law of the board of the regional district, shall be signed by the chairman and the secretary-treesurer of the regional district or other duly authorized alternates, and be sealed with the seal of the regional district.
 - 3. The base plan shall bear the endorsement:

Agricultural Land Reserve Plan for the Regional District of , duly adopted by by-law of the Regional District Board on the day of , 1973, pursuant to s. 3 (2) of the Land Commission Act, S.B.C., 1973, ch. 46.

Constituent plans shall bear the endorsement:

Whis is a portion of the Agricultural Land Reserve plan for the Regional District of duly adopted by by-law of the Regional District Board on the day of , 1973, pursuant to 5.8 (2) of the Land Commission Act, S.B.C., 1973,

ch. 46. FILED

200 8 1973

15-/73

145

- 5. The scale and north point shall be clearly shown on the base plan and each constituent plan.
- 6. The boundaries of the agricultural land reserve lands shall be drawn along or with reference to legal boundary lines established by an instrument registered or deposited in a land registry office.
- 7. Where a boundary of the agricultural land reserve lands shown on any base plan or constituent plan is not drawn along, or with reference to, a legal boundary line, the agricultural land reserve plan shall nevertheless be deemed to be valid; and the effective boundary of the agricultural land reserve lands shall be ascertained by scaling off from the nearest or most convenient legal boundary line as determined by the commission.
- 8. Where there appears to be a discrepancy between a base plan and a constituent plan of larger scale, the boundary of the constituent plan of larger scale shall govern.
- 9. Base plans and constituent plans shall clearly indicate the land registration district in which the agricultural land receive is situated.
- 10. Where the agricultural land reserve lands in a regional district are situated within more than one land registration district, the boundaries of the land registration districts shall be clearly indicated on the base plan, and on such constituent plans are situated within more than one land registration district.
- Upon the designation of an agricultural land reserve under which 8 of the Act, the consission shall deposit a copy of the agricultural land reserve plan contified by the general manager, in the proper land registry office or land registry offices.

12. The notation required to be made by the Registrar under subsection (2) of section 10 of the Act shall be endorsed on the face of a certificate of title and shall be in the following form:

This certificate of title may be affected by the Land Commission Act; see Agricultural Land Reserve Plan No. ----, deposited -----, 19--.

Registrar

Minister of Agriculture

Presiding Member of the Executive Council

British Columbia Agricultural Land Commission

4233 Lodger Avenue, Burnaby, B.C., V5G-3T3

4940 Canada Way Burnaby, B.C. V5G 4K6

30 January 1981

To All Regional Districts and Municipalities

Subject: Revisions to the Subdivision and Land Use Regulations Under the Agricultural Land Commission Act

The Cabinet has recently revised B. C. Regulation 93/75, which was commonly termed the Subdivision and Land Use Regulation under the Agricultural Land Commission Act. Reg. 93/75 is, as of January 15, 1981 rescinded and replaced by Reg. 7/81 and 8/81 with the attached diagram graphically portraying the format changes.

By way of brief explanation, at the request of the Ministry of the Attorney-General, B. C. Regulation 93/75 is being split into two separate regulations. One regulation (0.i.C. 30/81 - filed as B. C. Reg. #7/81) is called the Agricultural Land Commission Subdivision and Land Use Regulation and essentially extracts from the former Regulation 93/75 those categories of subdivision and land use that are permitted without any approval from the Commission. These subdivisions and uses were generally termed "outright uses" in former Regulation 93/75. In addition, those uses termed "conditional uses" in former B. C. Regulation 93/75 have been extracted and placed into a separate regulation (0.i.C. 31/81 - filed as B. C. Reg. #8/81) as an addition to existing B. C. Regulation 313/78 Which is the Agricultural Land Reserve Procedure Regulation. This regulation (#8/81) specifies thoses uses and subdivisions which are dealt with as "special cases" meaning simply that while they still require an approval of the Commission, the method of obtaining the approval is direct from the Commission and is less complicated and time consuming than are regular applications under either Section 12(1) or 20(1) of the Agricultural Land Commission Act.

The substantive changes to the regulations are as follows:

cont...

- 1) Former Reg. 93/75 Section B(l)(c) specified that additional dwelling units as necessary for farm use were permitted as outright uses. This section is being deleted since the statute itself permits any number of additional dwellings that may be required for farm use.
- 2) Former Reg. 93/75 Sections B(1)(e) and (f) listed public parks, recreation reserves and wildlife reserves as outright uses. In the revised regulations, only those parks, recreation reserves and wildlife reserves that are not intensive in nature are left as an outright use while those that involve substantial alterations to the land become a conditional use or "special case" which would require an approval from the Commission. Essentially, parks and recreational reserves that involve development less than 1,000 square meters where the park is less than two hectares, or less than 4,000 square metres where the park is greater than two hectares, would not require an approval from the Commission.
- 3) Former Reg. 93/75 Section B 1(h) listed golf courses as an outright use but thesehave now become a conditional use or "special" case" use which requires approval from the Commission.
- 4) Former Reg. 93/75 Section B 2(1)(b) listed any additional dwellings that may be required for non-farm use for joint tenants or tenants in common as a conditional use. This has now been deleted and these uses should be coming forward as regular applications under Section 20(1) of the Act.
- 5) Former Reg. 93/75 Section B 2(1)(n) listed schools and other public institutions as a conditional use. These have now been deleted and should come forward as regular applications under Section 20(1) of the Agricultural Land Commission Act thus having the benefit of full public exposure and scrutiny by local government.
- 6) Horse riding arenas or boarding stables and dog kennels have been added as conditional uses or special cases under Reg. 8/81 since they are quasi-agricultural in nature.

There are some additional minor changes in wording but these do not affect the substance of the regulations. To clarify in detail the specific changes to the former Regulation 93/75 you will find attached a Table of Concordance.

continued ...

In addition, please find enclosed a copy of the Agricultural Land Commission Act--Revised Statute, as well as copies of the Revised Statutes Correction Act and the Miscellaneous Statutes Amendment Act, which include final corrections to the revised statute. A consolidated version of the Agricultural Land Commission Act is not yet available from the Queen's Printer but we will forward additional copies once available. Please note that the revised statute is not intended to change the substance of the Agricultural Land Commission Act but rather to standardize wording and format. However, it has created an inconvenience in that the sections have been renumbered and we would ask that the appropriate changes be noted. For this purpose please refer to the attached Table of Concordance.

Please circulate this information to any of your staff who may deal with Agricultural Land Commission matters and should any questions arise please do not hesitate to contact our office.

Yours truly

PROVINCIAL AGRICULTURAL LAND COMMISSION

M. F. Clarke Chairman

JPP/pr

Enc.

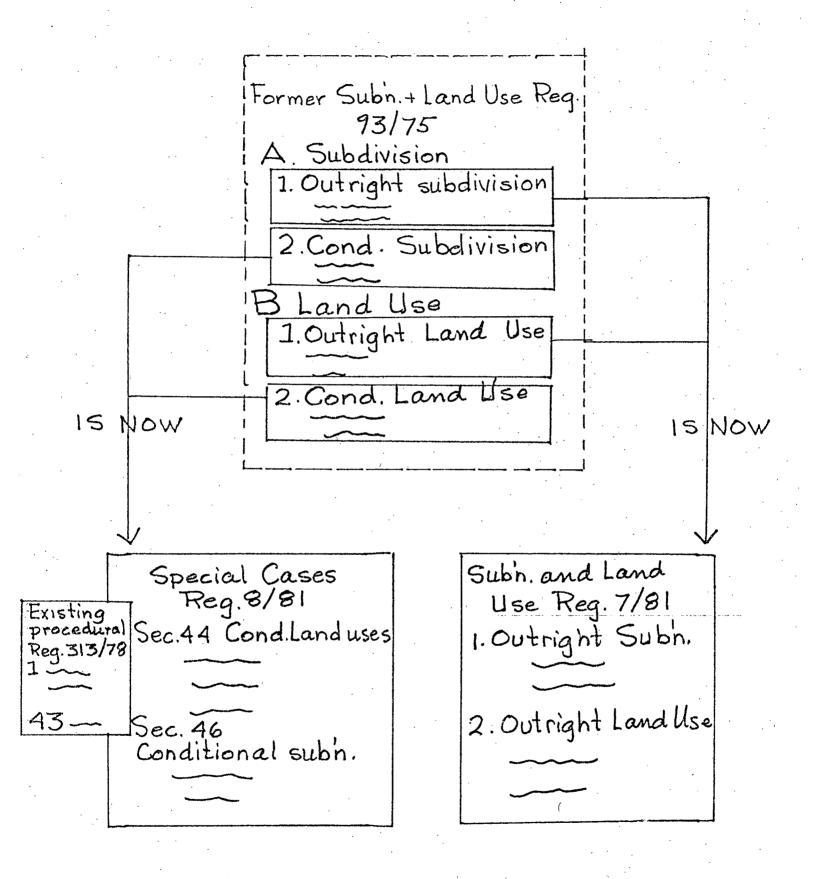


TABLE OF CONCORDANCE

			F	ormer r	egulation	93/75 and regulation	7/81 and 8/81
Reg.	93/75	Section	A	1(1)(2)	becomes	eg. 7/81 section 1(1) ubstance unchanged, o	(2)(3) nly minor wording changes
			A	2(1)(a)	II .	eleted - these subdiv	isions should be regular applications
			A	2(1)(b)	11 .	eg. 8/81 section 46	
·			A	2(2)(3)	(4) "	eg. 8/81 section 46 a ording changes	nd 47 substance unchanged, only minor
Reg.	93/75	Section	В	1(a)	n	eg. 7/81 section 2(1) ation by addition of	(a) substance unchanged, minor clarifi- "buildings and structures",
			В	1(b)	U	eg. 7/81 section 2(1)	(c) substance unchanged but simplified
		. ••••	В	1(c)	81	eleted - these uses a	re allowed under the Act
			В	1(d)	II	eg. 7/81 section 2(1) f forest protection p	(d) simple clarification by addition ractices
			В	1(e)	n	eg. 7/81 section 2(1) utright use	(e) leaves ecological reserves as an
						eserves that have a l	(g) leave public parks and recreation ow intensity of development as an outarks and recreation reserves of a high nt become conditional uses or special section 44(c).
			В	l (f)		orks on the surface on the surface of the control o	res wildlife reserves with no substantial of the land as an outright use involving major surface works become secial cases under Reg. 8/81 Sec. 44(b)
	•		В	1(g)	70	Reg. $7/81$ section $2(1)$	(h) - unchanged

Page 2		TABLE OF CONCORDANCE
	B 1(h) becomes	Reg. 8/81 section 44(0) becomes a conditional use or special case
·	B 1(i) "	Reg. 7/81 section 2(1)(i) unchanged
	B 1(j) "	Reg. 7/81 section 2(1)(j) unchanged
	B 1(k) "	Reg. 7/81 section 2(1)(k) unchanged
	B 1(1)	Reg. 7/81 section 2(1)(1) unchanged
Reg. 93/75 Sec	ction B 2(1)(a)	Reg. 8/81 section 44(a) substance unchanged, only minor wording changes
	B 2(1)(b)	deleted - applications for additional dwellings for non-farm uses should be regular applications under the Act.
	B 2(1)(c)	Reg. 8/81 Sec. 44(d) unchanged
	B 2(1)(d)	Reg. 8/81 Sec. 44(e) unchanged
· .	B 2(1)(e)	Reg. 8/81 Sec. 44(f) unchanged
	B 2(1)(f)	Reg. 8/81 Sec. 44(g) added storage or pumping
•	B 2(1)(g)	Reg. 8/81 Sec. 44(h) unchanged
	B 2(1)(h)	Reg. 8/81 Sec. 44(i) unchanged
•	B 2(1)(i)	Reg. 8/81 Sec. 44(j) unchanged
	B 2(1)(j)	Reg. 8/81 Sec. 44(k) unchanged
	B 2(1)(k)	Reg. 8/81 Sec. 44(1) unchanged
	B 2(1)(1)	Reg. 8/81 Sec. 44(m) unchanged
	B 2(1)(m)	Reg. 8/81 Sec. 44(n) unchanged

B 2(1)(n)

deleted - these uses should be regular applications under Act

Page 3

TABLE OF CONCORDANCE

Reg. 93/75 Section B 2(2)

Reg. 8/81 Sec. 44 preamble and 45 unchanged

B 3(4)

deleted since the Ministry of the Attorney General feels they are not necessary

ADDITIONS

S. & L. U. Reg 7/81 2(1)(b) addition to clarify ancillary buildings for (a)

S. & L. U. Reg.7/81 2(2) addition to clarify that compliance with all other laws still required

Reg. 8/81 section 44(p) and (q) - these uses are added since they are "quasi-agricultural"

From ALC Amentments 1995

INTEROFFICE MEMORANDUM

Date: 15-Feb-1996 09:45am PST

From: PETER JONES of AGF

PJONES

Dept: Agriculture, Fisheries & Food

Tel No: 660-7000

TO: (see below)

Subject: CONSOLIDATION OF BC REGULATION 313/78

The amendments which were made to B.C. Regulation 313/78 of the Agricultural Land Commission Act in November, 1995 have been consolidated with the previous regulations. A copy of the consolidated B.C. Regulation 313/78 will be placed in your mailbox today.

Please discard all copies of B.C. Regulation 313/78 dated January 8, 1993 and Order in Council 1354/95, and replace them with a copy of B.C. Regulation 313/78 dated February 2, 1996.

I have asked Sherry to discard these superseded records and replace them with copies of the consolidated regulations. In addition, I have noticed that some staff are not using a current copy of the Agricultural Land Commission.

Please ensure that you are using a copy of the Agricultural Land Commission Act dated December 5, 1994.

Significant amendments to the ALC Act have been made since 1992, and the December 5, 1994 copy consolidates amendments made by;

Bill 42 - 1992 Agriculture, Fisheries and Food Statutes Amendment Act, 1992

Bill 42 - 1993 Cabinet Appeals Abolition Act

Bill 30 - 1994 Agricultural Land Commission Amendment Act, 1994

I have also asked Sherry to discard copies of these three superseded bills, and I recommend that you also discard your reference copies as well. Lesley will maintain a historical record of all superseded legislation in an ARCS file.

The current legislation that you should be using and mailing to the public is,

Agricultural Land Commission Act - dated December 5, 1994

Agricultural Land Reserve Procedure Regulation

B.C. Regulation 313/78 - dated February 2, 1996

Agricultural Land Commission Subdivision and Land Use Regulation B.C. Regulation 7/81 - dated December 13, 1991

Bill 11 - 1995 Consequential Amendment - dated June 8, 1995

Please give a shout if you have any questions.

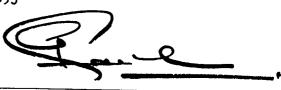
PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No.

1354

, Approved and Ordered NOV. -9.1995



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) effective January 1, 1996, B.C. Reg. 313/78, the Agricultural Land Reserve Procedure Regulation is amended as set out in Appendix 1 to this order, and
- (b) sections 12 to 17 of B.C. Reg. 603/77, the Permit Regulation, are repealed.

DEPOSITED

NOV 1 0 1995

B.C. REG. 466/95

Minister of Agriculture, Fisheries and Food

Plesiding 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:

men Order is made

Soil Conservation Act, section 10; Agricultural Land Commission Act, section 37

Other (specify):-

and section:-

93C 979 c. 9

October 27, 1995

1663 /95/13/sas

Appendix 1

1. Section 1 of B.C. Reg. 313/78, the Agricultural Land Reserve Procedure Regulation, is repealed and the following substituted:

Form of application under section 11 of the Act

- (1) An application of a municipality or regional district to the commission under section 11 of the Act must contain all the information specified in Schedule 3 and be accompanied by any other supporting material the commission may indicate it requires.
 - (2) If the commission intends to act on its own initiative under section 11 of the Act
 - (a) the proposal of the commission must be in the form and contain all the information specified in Schedule 3 and be accompanied by any other supporting material the commission may indicate it requires, and
 - (b) the commission must send a copy of the proposal and supporting material to the municipality or regional district.
- 2. Section 4 is repealed and the following substituted:

Commission to inform a regional district or municipality if land is excluded, or non-agricultural use is permitted, on their application

- 4. The commission must inform the applicant and if applicable, the appropriate registrar of titles if the commission excludes land under section 11 (1) of the Act or, under section 11 (2) of the Act, grants permission under section 15 (2), 16, 18 or 19 (2) of the Act.
- 3. Section 5 is amended
 - (a) by repealing "Schedule B" and substituting "Schedule 1",
 - (b) by renumbering section 5 as section 5 (1), and
 - (c) by adding the following subsections:
 - (2) Before filing an application under subsection (1), an owner must give notice of the application by

- (6) An application under subsection (1) must be accompanied by
 - (a) an original copy of each advertisement required under subsection (2) (a) as published with the date of publication clearly indicated,
 - (b) a signed statement by the owner stating the name and address of each person served under subsection (2) (b), the date of service and the manner of service, and
 - (c) a photograph clearly indicating the manner in which the notice was posted under subsection (2) (c).
- 4. Section 6 is amended by repealing "Schedule C" and substituting "Schedule 2".
- 5. Section 7 is amended by striking out "After" and substituting "Subject to section 5 (4), after".
- 6. Section 10 is repealed and the following substituted:

The regional district or municipality must transmit its recommendations

10. The regional district or municipality must transmit its recommendations and comments required under section 25.1 (6) of the Act and any other information it wants the commission to consider concerning an application to the commission within the time limited under section 12.

7. Section 12 is amended

- (a) by striking out "30 days" and substituting "45 days",
- (b) in paragraph (a) by repealing "Schedule B" and substituting "Schedule 1", and
- (c) in paragraph (b) by repealing "Schedule C" and substituting "Schedule 2".
- 8. Section 13 is amended by repealing "Schedule B or C" and substituting "Schedule 1 or 2".
- 9. Sections 21 to 30 are repealed.
- 10. Section 31 is amended by repealing "Schedule B" and substituting "Schedule 1".

Commission to inform interested parties if land is designated

42. On approving an application under section 10 (3) of the Act or designating all or part of the land as part of an agricultural land reserve under section 10 (3) or (5) of the Act, the commission must notify the applicant, the owner, the municipality, if applicable, the regional district in which the land is situated, and the appropriate registrar of titles of the designation.

14. Section 44 is amended

- (a) by repealing "Schedule F" and substituting "Schedule 1", and
- (b) in paragraph (h) by striking out "Pollution Control Act" and substituting "Waste Management Act".
- 15. Section 46 is amended by repealing "Schedule F" and substituting "Schedule 1".
- 16. Schedules A to G are repealed and the following substituted:



SCHEDULE 1

APPLICATION BY LAND OWNER UNDER SECTION 10(5) OR 12(1) OR 20(1) OF THE AGRICULTURAL LAND COMMISSION ACT OR SECTION 44 OR 46 OF B.C. REGULATION 313/78

NOTE: The information on this form is collected to process your application under the Agricultural Land Commission Act. All applications are available for review by the public. If you have any questions about the collection and use of this information, contact the Agricultural Land Commission office and ask for the staff member who will be handling your application.

PART 1. APPLICANT			
Registered Owner:	Agent:		
Address:	Address:		
		· · ·	
Tel. (home) Fax. (work)	Tel	Fax	
PART 2. TYPE OF APPLICATION (I chack apprapriate have		
INCLUSION under Sec. 10(5)	SPECIAL C	ASE SUBDIVISION SUBDIVISION ASE SUBDIVISION ALONG THE A	ON in the ALR LR boundary)
EXCLUSION under Sec. 12(1)	SPECIAL C under Sec. 44	ASE USE in the A	ALR
SUBDIVISION or USE in the ALR under Sec. 20(1)	State which .	subsection of Sec.	44
Part 3. LOCAL GOVERNMENT JURI	SDICTION (Indicate I	legional District o	r Municipality)
PART 4. IDENTIFICATION OF LAND (UNDER APPLICATION	(Show land on	plan or sketch)
Legal Description:		Size of Each Parcel (Ha.)	Date Acquired (Mo.) (Yr.)
			:
·			
	Total Hectares:		



SCHEDULE 2

LOCAL GOVERNMENT REPORT REQUIRED UNDER SECTION 6, 32 OR 36 OF B.C. REGULATION 313/78

R.D./Mun. File No.
Fee Receipt No.
Fee Amount
ALR Base Map No.
ALR Constituent Map No.
Air Photo No.

Information supplied by:		ALR Constituent Map No.
In respect of the application of:	Local Government	Air Photo No
Name of Applicant		
-FP		
Name of Agent		
PART 1. LOCAL PLA	NNING (Attach relevant sections of t	bylaws)
Community Plan or Rural Land U	Jse Bylaw designation:	
Zoning:		
Minimum lot size permitted:		
Uses permitted:		
What amendments to Plans or By	laws are required for the proposal to pro	oceed?
		on or documentation.
	or 20(2) required: If so, attach resolution	on or documentation.
Services available or scheduled: Roads		
(*If road	dedication is required indicate on plan)	
Sewage disposal		
		· ·
•	•	
PART 2. CURRENT US	E OF LAND UNDER APPLICATION	N (Show information on plan or sketch)
List various uses at present:		
Describe all buildings:		
Describe the main physical charac	teristics: flat, hilly, rocky, clay or sandy	soil, watercourses, roads, etc.
	,	
PART 3. USES ON ADJ/	ACENT LOTS (Show information on	plan or sketch)
Lot Size	List all uses and describe all t	
North	- and the describe and	outlings
East		
South		·
West		



SCHEDULE 3

APPLICATION BY LOCAL GOVERNMENT OR THE COMMISSION UNDER SECTION 10(3) OR 11(1) OR 11(2) OF THE AGRICULTURAL LAND COMMISSION ACT

R.D./Mun. File No.
Fee Receipt No.
Fee Amount
ALR Base Map No.
ALR Constituent Map No
Air Photo No

1		ALR Base Map No.
	ALR Constituent Map No	
Regional Distr	Air Photo No.	
PART 1.		
Name:		
PART 2.	TYPE OF APPLICATION (\(\shi check appropriate box \)	
. •	INCLUSION under Sec. 10(3)	
	EXCLUSION under Sec. 11(1)	
	SUBDIVISION or NON-FARM USE in the ALR under Sec. 11(2)	
PART 3.	IDENTIFICATION OF LAND UNDER APPLICATION (Show land on ALR map & legal plan & attach Certificate(s) of Tit	le)
Legal Descript	ion:	Size of Each Parcel (Ha.)
	Total I	Hectares
PART 4.	CURRENT USE OF LAND UNDER APPLICATION (Show infor	malion on plan or sketch)
List various uses	at present: orchard, hayfield, pasture, wooded, etc.	•
Describe all build	lings:	
	n physical characteristics: flat, hilly, rocky, clay or sandy soil, watercour	
	watercour	scs, roads, etc.

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Filed February 4, 1974

LAND COMMISSION ACT

ORDER IN COUNCIL 353, APPROVED AND ORDERED JANUARY 31, 1974

Pursuant to the Land Commission Act, and upon the recommendation of the undersigned, the Lieutenant-Governor, by and with the advice and consent of the Executive Council, orders that the following regulation be made:

APPLICATIONS UNDER LAND COMMISSION ACT

Applications by a Municipality, Regional District, or the Commission to Exclude Land From an Agricultural Land Reserve Under Section 9 (1) of the Act

1. Where a municipality, regional district, or the commission makes an application to the Lieutenant-Governor in Council under section 9 (1) of the Act, the application shall be in substantial compliance with Schedule A to this regulation, and the applicant shall notify the other two parties referred to in section 9 (1) of the Act by sending to each party a copy of the application and the supporting material, and the Lieutenant-Governor in Council, prior to considering the application, shall allow each party to make representations in respect of the application.

2. Where the Lieutenant-Governor in Council, under section 9 (1) of the Act, intends, by his own Order, to exclude land, he shall notify the commission, the regional district, and, if applicable, the municipality, and shall allow each party to

make representations in respect of the intended action.

3. Where the Lieutenant-Governor in Council, by his own Order under section 9 (1) of the Act, excludes any land, the Lieutenant-Governor in Council shall notify the commission of such action, and the commission shall in turn notify the regional district and, if applicable, the municipality, and the appropriate registrar of titles.

Applications by an Owner to Exclude Land Under Section 9 (2) Pursuant to Section 9 (3) of the Act

4. Where an owner makes an application to the commission under section 9 (2) of the Act, the applicant shall file the application in compliance with Schedule A to this regulation in the office of the secretary-treasurer of the regional district in which the land is situated and shall pay to the secretary-treasurer a processing fee of twenty-five dollars.

5. (1) The secretary-treasurer shall forthwith obtain the information as

prescribed in Schedule B to this regulation and complete the Schedule.

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- (2) Where the land is located in unorganized territory, the secretary-treasurer shall supply the information required by items (1) to (9) of Schedule B; but, where the land is located in a municipality, the secretary-treasurer shall require the clerk of the municipality to supply the information referred to in items (2) to (9), and the clerk shall forthwith supply such information.
- 6. The secretary-treasurer shall, forthwith after receipt of the application and of the information required to complete Schedule B pursuant to sections 4 and 5, forward copies of Schedules A and B to the regional district, and, if applicable, the municipality.
- 7. Where an application filed under section 4 is in respect of land referred to in section 9 (5) of the Act, no further proceedings shall be taken unless and until the municipality or regional district passes the resolution referred to in section 9 (5) of the Act authorizing the application.
- 8. Where a resolution is passed pursuant to section 9 (5) of the Act, the secretary-treasurer shall transmit to the commission, along with the other information required pursuant to section 11, a certified copy of the resolution of the regional district where the land is located in unorganized territory, or a certified copy of the resolution of the municipality where the land is located in a municipality.
- 9. The regional district or municipality may, if it considers it necessary or advisable, transmit its recommendations, comments, opinions, or any other information in respect of any application to the commission within the time limited under section 11.
- 10. (1) The regional district may, if it considers it necessary or advisable, hold public information meetings in respect of any application and, where such a meeting is held, at least one member of the regional district representing the area within the land that is the subject matter of the application is situated shall attend and shall report to the regional district the views expressed at the meeting.
- (2) The member of the regional district referred to in subsection (1) shall transmit a copy of the report or a summary thereof, indicating the degree of support for or opposition to, the application to the commission pursuant to section 11.
- 11. The secretary-treasurer shall, within thirty days, or, where a public information meeting is held pursuant to section 10, within sixty days, after receipt of an application, transmit the application in Schedule A and the information required in Schedule B, and the resolution, if required under section 8, and any other information pursuant to sections 9 and 10, to the commission.
- 12. Notwithstanding anything in these regulations or in Schedule A or B appended hereto, the commission may require of the applicant, or of the regional district or municipality, such further or additional information as it considers necessary.
- 13. A hearing required by section 9 (3) of the Act shall be held at a time and at a place designated by the commission and may be adjourned from time to time.
- 14. (1) The commission shall give written notice of the date and place of the hearing to
 - (a) the applicant;
 - (b) the regional district;

(c) the municipality, if any; and

(d) such owners or occupiers of land located adjacent to the land referred to in the application as it may consider necessary or advisable,

not less than ten days and not more than thirty days before the date of the hearing.

- (2) The notice of hearing shall
 - (a) identify the land referred to in the application;

(b) state the purpose of the application; and

- (c) state the place and time at which the application and the documents pertaining to the application may be inspected.
- 15. The commission shall cause to be mailed by registered mail to the applicant a statement of the facts, opinions, and other information, or a summary thereof, received by the commission to be submitted to the commission at the hearing.
- 16. The commission shall, at the request of the applicant or his agent, allow him or his agent to examine and make copies of all relevant documents in the custody of the commission pertaining to the application.
- 17. (1) The applicant is entitled to make representations at the hearing personally or by his counsel or agent.
- (2) The commission may order the applicant or any other person to give his evidence upon oath.
 - 18. For the purpose of the hearing, the commission
 - (a) has and may exercise all the powers of a Commissioner under sections 7, 10, and 11 of the Public Inquiries Act;
 - (b) may accept written submissions or any other form of evidence notwithstanding that it may not be evidence in a Court of law; and
 - (c) may hear representations, evidence, and opinions of any person present or represented at the hearing, and of the regional district and municipality, that are relevant to the application.
- 19. Where any evidence is presented at the hearing a statement of which has not been sent to the applicant pursuant to section 15, the commission,
 - (a) where the applicant, or his counsel or agent, is present at the hearing, may hear further representations in respect of such evidence, or adjourn the hearing to enable the applicant to make answer to such evidence; or
 - (b) where the applicant, or his counsel or agent, is not present at the hearing, shall notify the applicant by registered mail of the additional evidence presented by the hearing and the date within which such additional evidence may be answered.

Applications to Appeal Under Section 9 (7) of the Act

- 20. (1) A person who is dissatisfied with the decision of the commission under section 9 (2) of the Act may file a notice of appeal to the Environment and Land Use Committee.
 - (2) The person shall file with the notice of appeal
 - (a) a certified copy of a resolution of the regional district, where the land is in unorganized territory, or a resolution of the municipality



- where the land is within a municipality, authorizing the appellant to appeal; and
- (b) a certificate of leave to appeal signed and dated by two members of the commission.
- (3) A certificate of leave to appeal expires sixty days after the date shown thereon.
- 21. An appeal under section 20 shall be filed with the Environment and Land Use Committee by delivering it or mailing it by registered mail to the secretary of that committee in Victoria, British Columbia.
- 22. The appellant shall state in the notice of appeal the reasons for the appeal and the grounds upon which he alleges that the decision of the commission is wrong.
- 23. The appellant shall attach to the notice a copy of the application and the attached documents filed with the commission on the original application.
- 24. The appellant shall deliver or mail by registered mail a copy of the notice of appeal to each person who made a submission or gave evidence in support of or in opposition to the original application, and to the regional district and the municipality, if any, and to the commission.
- 25. Upon receipt of a copy of the notice of appeal, the commission shall forthwith transmit to the secretary of the Environment and Land Use Committee
 - (a) a copy of all the documents in the custody of the commission pertaining to the original application;
 - (b) a transcript of any evidence that was transcribed at the hearing; and
 - (c) a copy of the decision of the commission, and the reasons therefor, if any.
- 26. The Environment and Land Use Committee shall notify the appellant of the date and place of the hearing and the appellant shall deliver or serve by registered mail a copy of the notice on each person, regional district, and municipality served with the notice of appeal at least ten days before the date of the hearing.
- 27. The Environment and Land Use Committee shall, at or before the hearing, review all the documents filed with it pertaining to the appeal, and at the hearing shall hear the representations and evidence of the commission, the appellant, and the regional district, municipality, and other persons who made representations or gave evidence on the original application, and such other evidence as the Environment and Land Use Committee may consider necessary.
- 28. Sections 17 and 18 apply to a hearing and review under section 27 and the words "Environment and Land Use Committee" shall be substituted for "commission", where applicable.

Applications to Exempt the Use of Land Under Section 11 (4) of the Act, Pursuant to Section 10 (1) and (4) and Section 11 (2) and (3) of the Act

Where a person makes an application to the commission under section 11 (4) of the Act, pursuant to section 10 (1) and (4) and section 11 (2) and (3) of the Act, the applicant shall file an application in substantial compliance with Schedule A hereto in the office of the secretary-treasurer of the regional district in which the

B.C. Reg. 60/74

land is situated and shall pay to the secretary-treasurer a processing fee of twenty-five dollars.

- 30. Sections 5 and 12 apply in respect of applications filed pursuant to section 29.
- 31. The commission may, where it is considered necessary or advisable, hold a hearing with respect to any application filed pursuant to section 29 and the meeting shall be held at a time and place designated by the commission and may be adjourned from time to time.
- 32. Where the commission holds a hearing under section 31, sections 14 to 19 apply in respect of the hearing.

D. D. STUPICH Minister of Agriculture

D. BARRETT
Presiding Member of the Executive Council

SCHEDULE A

APPLICATION UNDER THE LAND COMMISSION ACT (Information to be supplied by applicant)

I,	(Address)	
	(Address)	(Telephone)
the undersigned, being owner		(1010pilotto)
I,	/ h 11	
(itamo)	(Address)	(Telephone)
the authorized agent of the undersig	gned owner of the following prope	erties:
	(Legal description)	
within the Regional District of		
do hereby make application under		
of the Land Commission Act to	(Section 9 (2) or Sect	ion 11 (4))
(8	Select either (a) or (b) below)	
if pursuant to section 9 (2)—		
(a) have the above descri	bed properties excluded from the A	Agricultural Land December
Plan of the		Pagional District
if pursuant to section 11 (4)—		Regional District.
Commission Act and	possible the nature of the applica n 10 (1) and (4) or section 11 (for what purposes.	ation for permission; i.e., (2) and (3) of the <i>Land</i>
My reasons for requesting this		
	submit one conv of each of the fo	ollowing on adda.d

B.C. Reg. 60/74

- (a) A map or maps and/or plan or plans of appropriate scale, indicating
 - (i) the subject property of the application, in terms of the smallest existing legal parcel or parcels, and the location of the subject property within the Agricultural Land Reserve; and
 - (ii) where the applicant owns, leases, or rents additional properties, the collective properties or farm unit under the ownership, lease, or rental of the applicant in the immediate area of the application.

Such maps or plans must identify parcels by legal description, and specify boundary lines, dimensions, areas, ownership, and tenure.

- It is preferable that these maps or plans be those of a surveyor, engineer, architect, planner, or other equivalent professional:
- (b) A description of the existing use of the overall properties or farm unit, and of the subject property, including photographs of the property and buildings and any other details or information relating to the present usage of the property:
- (c) A brief description, either in words or by plan of the existing land use and buildings adjacent to and surrounding the property:
- (d) A description of the proposed use of the subject property including, if available, plans of any proposed buildings or development:
- (e) Any other information or comments.

I hereby declare that the information contained herein is to the best of my knowledge factual and correct.

(Signature of owner)		
(Owner's name printed)		
(Date)		

SCHEDULE B

INFORMATION TO BE SUPPLIED BY REGIONAL DISTRICT AND/OR MUNICIPALITY

• ••	(Name of applicant) On the following properties:	
(Address)		
, 5	description)	
	the following	

- (1) If applicable, the regional plan designation of the subject property and a description of the permitted uses, minimum lot size, and other regulations pertaining thereto:
- (2) Any other applicable community or other plan or study designations:
- (3) The zoning applicable to the subject property at the date of application and a description of the permitted uses, minimum lot size, and other regulations pertaining thereto:
- (4) The zoning applicable to the subject property immediately prior to the twenty-first day of December, 1972:
- (5) A description of the use of the subject property, including any details relating to occupancy and legality of use and occupancy:
- (6) A brief description of the existing land use and buildings adjacent to and surrounding the subject property:

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(7) A description of the services available to the subject property or the possibility or feasibility of providing services:
(8) Indication of whether property is located in floodplain:
(9) Any other information or comments.

(Signature of secretary-treasurer or administrator)
(Date)

BRITISH Co. LAND Commission MAY 0 6 1974



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APPROVED AND ORDERED 25 APR 1974

Lleutenant-Governor

EXECUTIVE COUNCIL CHAMBERS, VICTORIA 25 APR 1974

Pursuant to the Land Commission

Act, and upon the recommendation

of the undersigned the Lieutenant-Governor, by and with the advice and consent of the Executive Council, orders that the following regulation be made.

ADMINISTRATION OF CROWN LAND DESIGNATED AS AN AGRICULTURAL LAND RESERVE

Crown land designated as an agricultural land reserve pursuant to Sections 7 and 8 of the Land Commission Act, shall be administered, managed and controlled pursuant to provisions of the Land Act, disposed of only in accordance with the Land Act, provided, however, that no person may use such land for any purpose other than a use compatible with the preservation of the land for farm use except as permitted by the Land Commission Act or the regulations under that Act or by order of the Provincial Land Commission upon such terms and conditions as the Commission may impose.

Minister of Agriculture

Presiding Member of

Executive Council

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B.C. REG. No. &

LAND COMMISSION ACT

ORDER IN COUNCIL 2412, APPROVED AND ORDERED JULY 19, 1974

Pursuant to the Land Commission Act, and upon the recommendation of the undersigned, the Lieutenant-Governor, by and with the advice and consent of the Executive Council, orders that the following regulation be made:

Order-in-Council number 353/74 (published in the B.C. Gazette as B.C. Reg. 60/74) is amended by adding after section 32, the following as sections 33 to 40: Applications to include land in an Agricultural Land Reserve

- 33. Where an owner's land is not included in an agricultural land reserve plan approved by the Lieutenant-Governor in Council in respect of the regional district in which the owner's land is situated, the owner may, at any time, apply to the regional district in which the land is situated to have his land designated as, or as part of, an agricultural land reserve.
- 34. The regional district may, where it considers it advisable, hold a public hearing in respect of an application made under section 33, and the provisions of section 703 of the *Municipal Act* apply with the necessary changes and so far as they are applicable, to the hearing.
- 35. The regional district shall within 30 days, or, where a public hearing is held pursuant to section 34, within 60 days, after receipt of an application under section 33, transmit the application and the recommendations of the regional district together with any other information relevant to the application, including comments received from a municipality in which the land is situated, to the commission.
- 36. Where the commission considers that designation of the land as, or as part of, and agricultural land reserve carries out the intent and purpose of the Act, it shall, after approval of the Lieutenant-Governor in Council, designate the lands as, or as part of, an agricultural land reserve and it shall notify the applicant, the municipality and regional district in which the land is situated, and the appropriate Registrar of Titles of the designation.
- 37. Notwithstanding section 33, where land is not included in an agricultural land reserve plant approved by the Lieutenant-Governor in Council in respect of the regional district in which the land is situated, and a municipality, a regional district, or the commission considers it necessary or advisable that the land be designated as, or as part of, an agricultural land reserve, the municipality, regional district, or commission, as the case may be, may, at any time, whether or not it is the owner of the land, apply to the Lieutenant-Governor in Council to have the land so designated and shall give notice in writing to the other two parties and, if applicable, to the owner of the land.
- 38. (1) Where the land is not owned by the municipality, regional district, or commission applying under section 37, it shall, at its own expense, hold a public hearing at least thirty days prior to submitting the application to the Lieutenant-Governor in Council, and the provisions of section 703 of the *Municipal Act* apply with the necessary changes and so far as they are applicable to the hearing.

(2) The applicant must give at least two weeks' written notice of the public hearing under this section to the other two parties, and to the owner of the land.

39. The Lieutenant-Governor in Council shall, prior to considering an application by an applicant under section 37, allow the applicant, the owner, the municipality and regional district in which the land is situated, and the commission to make representations in respect of the application.

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40. Where the Lieutenant-Governor in Council approves an application by an applicant under section 37, the commission shall designate the land as, or as part of, an agricultural land reserve and the commission shall notify the applicant, the owner, the municipality and regional district in which the land is situated, and the appropriate Registrar of Titles of the designation.

DAVID D. STUPICH Minister of Agriculture

E. DAILLY
Presiding Member of the Executive Council

Reprinted from THE BRITISH COLUMBIA GAZETTE - PART II, dated August 20, 1974.

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APPROVED AND ORDERED JAN. 18 107

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ANECUTIVE COUNCIL CHAMBERS, VICTORIA JAM. 1 5 1975

Pursuant to the Lieutenant-Governor, by and with the advice and consent of the Executive Council, orders that the following regulations be made:

Regulation of Sub-division and Land Use Under the Land Commission Act.

A. SUBDIVISION

- 1 (1) An Approving Officer under the Land Registry Act and an Approving Officer or Board of Variance under the Municipal Act and an Approving Officer or authority under the Strata Titles Act and Real Estate Act may not approve or authorize a plan of subdivision under the Land Registry Act or Strata Title Plan under the Strata Titles Act, all or part of which consists of agricultural land in an Agricultural Land Reserve except in the following cases:
 - (a) Where the proposed subdivision or Strata Plan,
 - (i) creates no more land registry parcels for the land in question than existed immediately prior to the approval or authorization, and
 - (ii) involves boundary adjustments which, in the opinion of the approving officer or Board of Variance, will allow for the more efficient use of agricultural land or the better utilization of farm buildings for farm purposes, and
 - (iii) creates no land registry parcel less than two (2) acres in area;
 - (b) Where the proposed subdivision consolidates two or more land registry parcels into a single land registry parcel.
 - (2) In the event of an approval being granted pursuant to Section 1(1) (a) or (b), the approving officer, Board or authority shall endorse on the plan a Certificate substantially in the form in Schedule A attached to these regulations.
- 2 (1) In the following cases, and notwithstanding Section 10 (4) (d) of the Act and the requirements of B.C. Regulation 60/74, the Commission may authorize, for the purposes of the Land Commission Act and in the manner set forth in this section, a Registrar of Titles to accept an application for deposit of a plan of subdivision under the Land Registry Act or a strata plan under the Strata Titles Act, all or part of which consists of agricultural land in an Agricultural Land Reserve, if in the opinion of the Provincial Land Commission, the proposed subdivision carries out the intent of the Land Commission Act.

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- (a) Where, in the opinion of the Commission, the proposed
 subdivision would create land registry parcels on which economically feasible farm units could be operated;
 considering soil capabilities, climatic conditions and the nature of agriculture in the area.
- (b) Where the proposed subdivision is designed to establish a legal boundary along the perimeter of an agricultural land reserve; provided that land within the reserve remains as an integral parcel and is not less than two (2) acres in area or is consolidated with adjoining properties within the reserve, pursuant to Section A 1(1) (b).
- 2 (2) In the event a person wishes to obtain the authorization of the Commission for the acceptance of an application for deposit in a Land Registry Office of a plan of subdivision, pursuant to 2 (1) (a) or (b), a written application shall be made to the Commission, such application to contain the following:
 - (a) sketch plan of the proposed subdivision showing clearly:
 - (i) the subject property in terms of the smallest existing Land Registry parcel or parcels, identified by full legal description, and showing acreage of the Land Registry parcel or parcels, and dimensions of each boundary; and
 - (ii) the proposed new Land Registry parcels to be created on the subject property showing approximate areas of the proposed parcels and approximate dimensions of each boundary; and
 - (iii) roads or rights-of-way on or abutting the subject property including details as to whether the roads or rights-of-way are dedicated and regarding the extent to which the roads or rights-of-way are opened and constructed; and
 - (iv) existing buildings or structures.
 - (b) sketch plan showing clearly:
 - (i) the adjacent Land Registry parcels; and
 - (ii) the location of the subject property within the Agricultural Land Reserve; and
 - (iii) the location of properties, other than the subject property, which are under the ownership, lease, or rental of the applicant, in the vicinity of the subject property.
 - (c) a description, either in words or by plan, of the existing land use of the subject property and the immediately adjacent properties.
 - (d) a full description of the proposed use of the subject property, including details regarding the specific nature of the proposed farm use.
 - (e) the name and signature of the registered owner of the subject property.

- (i) will drillings and access to will sites not including wells drilled for potable water under B 1 (b).
- (j) guest ranches.
- (k) open land recreation uses, including campgrounds, fishing and hunting camps, game farms, and rifle ranges, provided that not more than five (5) per cent of the area of the Land Registry Parcel, or five (5) acres, whichever is the lower, is physically altered for the development. Roads, services, paving, parking facilities, buildings, structures, earthworks, shall be deemed physical alteration.
- surveying, exploring or prospecting for gravel, oil or minerals, or undertaking soil surveys, provided that all cuts, trenches and similar alterations be restored to the natural ground level and all topsoil be replaced.
- (m) gravel pits over two (2) acres in area, peat extractive areas, and turi forms where reclamation and rehabilitation is possible.
- (n) schools and other public institutions,
- 2 (2) In the event a person wishes to obtain the authorization of the Commission for a land use pursuant to B 2 (1), a written application shall be made to the Commission, such application to contain the following:
 - (a) sketch plan of the subject property showing clearly :
 - (i) the subject property in terms of the smallest existing Land Registry parcel or parcels, identified by full legal description, and showing acreage of the Land Registry parcel or parcels, and dimensions of each boundary.
 - (ii) roads or rights-of-way on or abutting the subject'property including details as to whether the roads or rights-of-way are dedicated and regarding the extent to which the roads or rights-of-way are opened and constructed.
 - (iii) existing buildings or structures.
 - (b) sketch plan showing clearly:
 - (i) the adjacent Land Registry parcels.
 - (ii) the location of the subject property within the Agricultural Land Reserve.
 - (iii) the location of properties, other than the subject property which are under the ownership, lease or rental of the applicant, in the vicinity of the subject property.
 - (c) a description, either in words or by plan, of the existing land use of the subject property and the immediately adjacent properties.
 - (d) a full description of the proposed use of the subject property.
 - (e) the name and signature of the registered owner of the subject property.

- 2 (3) The Commission shall, prior to issuing an order under B 2, educed the Designal District of the receipt or any application made pursuant to D 2.
- 3 Applications to the Commission, other than those provided for in Section B 1 and B 2, for an Order authorizing a land use shall be as set forth in Section 29 of B.C. Regulation #60/74.
- 4 Nothing in Sections B 1, 2 and 3 shall relieve an applicant from complying with all other legislation, bylaws and decisions of responsible authorities which may apply.

Minister of Agriculture

Presiding Member of the Executive Council

Schedule A

"I hereby certify that this subdivision plan is approved pursuant to Section ______ of B.C. Regulations _____/74."

with the date of approval and shall sign the Certificate

with the date of approval, and shall sign the Certificate and append his official designation, for example, "City Engineer, City of ____", or "Chief Engineer, Department of Highways."

LAND COMMISSION ACT

ORDER IN COUNCIL 420, APPROVED AND ORDERED JANUARY 30, 1975

Pursuant to the Land Commission Act, and upon the recommendation of the undersigned, the Lieutenant-Governor, by and with the advice and consent of the Executive Council, orders that Order-in-Council #130/75, approved January 16, 1975, be exempt from publication under the Regulations Act, be rescinded and the following regulations be made:—

A. SUBDIVISION

- 1 (1) An Approving Officer under the Land Registry Act and an Approving Officer or Board of Variance under the Municipal Act and an Approving Officer or authority under the Strata Titles Act and Real Estate Act may not approve or authorize a plan of subdivision under the Land Registry Act or Strata Title Plan under the Strata Titles Act, all or part of which consists of agricultural land in an Agricultural Land Reserve except in the following cases:
 - (a) Where the proposed subdivision or strata plan,
 - (i) creates no more Land Registry parcels for the land in question than existed immediately prior to the approval or authorization, and
 - (ii) involves boundary adjustments which, in the opinion of the approving officer or Board of Variance, will allow for the more efficient use of agricultural land or the better utilization of farm buildings for farm purposes, and
 - (iii) creates no Land Registry parcel less than two (2) acres in area:
 - (b) Where the proposed subdivision consolidates two or more Land Registry parcels into a single Land Registry parcel.
- (2) In the event of an approval being granted pursuant to section 1 (1) (a) or (b), the approving officer, Board or authority shall endorse on the plan a certificate substantially in the form of Schedule A attached to these regulations.
- 2 (1) In the following cases, and notwithstanding section 10 (4) (d) of the Act and the requirements of B.C. Regulation 60/74, the Commission may authorize, for the purposes of the Land Commission Act and in the manner set forth in this section, a Registrar of Titles to accept an application for deposit of a plan of subdivision under the Land Registry Act or a strata plan under the Strata Titles Act, all or part of which consists of agricultural land in an Agricultural Land Reserve, if in the opinion of the Provincial Land Commission, the proposed subdivision carries out the intent of the Land Commission Act.
 - (a) Where, in the opinion of the Commission, the proposed subdivision would create Land Registry parcels on which economically feasible farm units could be operated; considering soil capabilities, climatic conditions and the nature of agriculture in the area.
 - (b) Where the proposed subdivision is designed to establish a legal boundary along the perimeter of an agricultural land reserve; provided that land within the reserve remains as an integral parcel and is not less than two (2) acres in area or is consolidated with adjoin-



ing properties within the reserve, pursuant to section A 1 (1) (b).

- 2 (2) In the event a person wishes to obtain the authorization of the Commission for the acceptance of an application for deposit in a Land Registry Office of a plan of subdivision, pursuant to 2(1)(a) or (b), a written application shall be made to the Commission, such application to contain the following:
 - (a) Sketch plan of the proposed subdivision showing clearly:
 - (i) The subject property in terms of the smallest existing Land Registry parcel or parcels, identified by full legal description, and showing acreage of the Land Registry parcel or parcels, and dimensions of each boundary; and
 - (ii) The proposed new Land Registry parcels to be created on the subject property showing approximate areas of the proposed parcels and approximate dimensions of each boundary; and
 - (iii) Roads or rights-of-way on or abutting the subject property including details as to whether the roads or rights-of-way are dedicated and regarding the extent to which the roads or rights-of-way are opened and constructed; and
 - (iv) Existing buildings or structures.
 - (b) Sketch plan showing clearly:
 - (i) The adjacent Land Registry parcels; and
 - (ii) The location of the subject property within the Agricultural Land Reserve; and
 - (iii) The location of properties, other than the subject property, which are under the ownership, lease, or rental of the applicant, in the vicinity of the subject property.
 - (c) A description, either in words or by plan, of the existing land use of the subject property and the immediately adjacent properties.
 - (d) A full description of the proposed use of the subject property, including details regarding the specific nature of the proposed farm use.
 - (e) The name and signature of the registered owner of the subject property.
- 3 Applications to the Commission other than those provided for in section A 1 and A 2, for an order authorizing the acceptance of an application for deposit of a plan of subdivision under the *Land Registry Act*, all or part of which consists of agricultural land in an Agricultural Land Reserve, shall be as set forth in section 29 of B.C. Regulation 60/74. 3/3/75
- 4 Nothing in sections A 1, 2 and 3 shall relieve a plans approving officer or Board of Variance from complying with the provisions of the Land Registry Act, the Municipal Act, the Strata Titles Act and the Real Estate Act; and the regulations and bylaws from time to time adopted thereunder, which would otherwise apply.

B. LAND USE

- 1 Outright uses—In addition to the land uses permitted pursuant to the Land Commission Act, the following land uses are permitted in an Agricultural Land Reserve:
 - (a) The storage and sale on an individual farm of the agricultural products grown or reared on that farm.
 - (b) One dwelling unit and accessory buildings and structures per Land Registry parcel, including ancillary service and utility installations



and connections provided that the Land Registry parcel has existing legal and physical access constructed to the standards required by a bylaw passed pursuant to section 711 of the Municipal Act or the regulations or standards of the Department of Highways, as the case may be, and further provided that the Land Registry parcel was, on the twenty-first day of December, 1972, registered on a separate Certificate of Title, issued under the Land Registry Act.

(c) Additional dwelling units and accessory buildings and structures including all ancillary service and utility installations and connections, where such are necessary for farm use, including dwelling units and accessory buildings, structures or developments required for religious,

commune or co-op colony farming.

(d) The harvesting of trees and the carrying out of all silvicultural practices.

(e) Ecological reserves and public parks where these are established

by a Provincial, Regional District or municipal authority.

- (f) A reserve or area of land designated or required for animals or birds to live or feed, including without limiting the generality of the foregoing, wildlife winter range and waterfowl nesting areas but excluding commercial zoos.
- (g) Fish farms.

(h) Golf courses.

- (i) Minor highway, road and railway operations and construction including the following:
 - (aa) Minor improvement of drainage works including cleaning and deepening of ditches.

(bb) Easing one curve.

(cc) Widening, dedication or construction of highway, road or railway rights-of-way provided that the widening, dedication or area of construction is less than one acre per mile of road.

(j) Expanding the workings of an existing gravel pit provided the total of areas already excavated and currently being worked does not ex-

ceed a maximum of two (2) acres in area.

(k) Construction and maintenance of dykes and related pumphouses and ancillary works, including construction and maintenance of access roads and facilities made necessary by the threat of flooding.

(1) Land development works including clearing, draining, irrigating, construction of reservoirs and ancillary works where such works are required for farm use of the property.

2 (1) Conditional uses-Notwithstanding the requirements of B.C. Regulation #60/74, the Provincial Land Commission may authorize for the purposes of the Land Commission Act and in the manner set forth in this section, the following land uses, where in the opinion of the Commission, the proposed use and manner of development thereof does not materially reduce the future agricultural potential of the land or where in the opinion of the Commission the proposed use is in the public interest:

(a) The processing of agricultural products.

(b) Additional dwelling units and accessory buildings and structures, including all ancillary service and utility installations, where such are necessary to provide for joint tenants or tenants in common of a

Land Registry parcel.

(c) Unpaved airstrips for use of aircraft flying non-scheduled flights.

(d) Dedication or construction of new highway, road or railway rights-of-way except as permitted in B 1 (i).

(e) Electrical transmission lines and utility installations, including pipeline pumping stations, automatic telephone exchanges, electrical substations, navigational aids and underground pipelines.

(f) Trunk sewer and trunk water lines.

(g) Sewage lagoons, treatment plants and other sewage disposal facilities, where these fall within the jurisdiction of the *Pollution Control Act*.

(h) Sanitary land fills.

(i) Well drillings and access to well sites not including wells drilled for potable water under B 1 (b).

(i) Guest ranches.

(k) Open land recreation uses, including campgrounds, fishing and hunting camps, game farms, and rifle ranges, provided that not more than five (5) per cent of the area of the Land Registry parcel, or five (5) acres, whichever is the lesser, is physically altered for the development. Roads, services, paving, parking facilities, buildings, structures, earthworks, shall be deemed physical alteration.

(1) Surveying, exploring or prospecting for gravel, oil or minerals, or undertaking soil surveys, provided that all cuts, trenches and similar alterations be restored to the natural ground level and all topsoil be replaced.

(m) Gravel pits over two (2) acres in area, peat extractive areas, and turf farms where reclamation and rehabilitation is possible.

(n) Schools and other public institutions.

2 (2) In the event a person wishes to obtain the authorization of the Commission for a land use pursuant to B 2 (1), a written application shall be made to the Commission, such application to contain the following:

(a) Sketch plan of the subject property showing clearly:

- (i) The subject property in terms of the smallest existing Land Registry parcel or parcels, idenitfied by full legal description, and showing acreage of the Land Registry parcel or parcels, and dimensions of each boundary.
- (ii) Roads or rights-of-way on or abutting the subject property including details as to whether the roads or rights-of-way are dedicated and regarding the extent to which the roads or rights-of-way are opened and constructed.
 - (iii) Existing buildings or structures.

(b) Sketch plan showing clearly:

(i) The adjacent Land Registry parcels.

- (ii) The location of the subject property within the Agricultural Land Reserve.
- (iii) The location of properties, other than the subject property which are under the ownership lease or rental of the applicant, in the vicinity of the subject property.

(c) A description, either in words or by plan, of the existing land use of the subject property and the immediately adjacent properties.

(d) A full description of the proposed use of the subject property.

(e) The name and signature of the registered owner of the subject property.

2 (3) The Commission shall, prior to issuing an order under B 2, advise the

Regional District of the receipt of any application made pursuant to B 2.

- 3 Applications to the Commission, other than those provided for in Section B 1 and B 2, for an Order authorizing a land use shall be as set forth in section 29 of B.C. Regulation #60/74.
- 4 Nothing in sections B 1, 2 and 3 shall relieve an applicant from complying with all other legislation, bylaws and decisions of responsible authorities which may apply.

D. D. STUPICH Minister of Agriculture

D. BARRETT
Presiding Member of the Executive Council

SCHEDULE A

REGULATION OF SUBDIVISION AND LAND USE UNDER THE LAND COMMISSION ACT

Reprinted from THE BRITISH COLUMBIA GAZETTE PART II, dated February 18, 1975.

Queen's Printer for British Columbia © Victoria, 1980

LAND COMMISSION ACT

ORDER IN COUNCIL 420, APPROVED AND ORDERED JANUARY 30, 1975

Pursuant to the Land Commission Act, and upon the recommendation of the undersigned, the Lieutenant-Governor, by and with the advice and consent of the Executive Council, orders that Order-in-Council #130/75, approved January 16, 1975, be exempt from publication under the Regulations Act, be rescinded and the following regulations be made:—

A. SUBDIVISION

1 (1) An Approving Officer under the Land Registry Act and an Approving Officer or Board of Variance under the Municipal Act and an Approving Officer or authority under the Strata Titles Act and Real Estate Act may not approve or authorize a plan of subdivision under the Land Registry Act or Strata Title Plan under the Strata Titles Act, all or part of which consists of agricultural land in an Agricultural Land Reserve except in the following cases:

(a) Where the proposed subdivision or strata plan,

(i) creates no more Land Registry parcels for the land in question than existed immediately prior to the approval or authorization, and

(ii) involves boundary adjustments which, in the opinion of the approving officer or Board of Variance, will allow for the more efficient use of agricultural land or the better utilization of farm buildings for farm purposes, and

(iii) creates no Land Registry parcel less than two (2) acres

in area;

(b) Where the proposed subdivision consolidates two or more Land Registry parcels into a single Land Registry parcel.

• (2) In the event of an approval being granted pursuant to section 1 (1) (a) or (b), the approving officer, Board or authority shall endorse on the plan a certificate substantially in the form of Schedule A attached to these regulations.

- 2 (1) In the following cases, and notwithstanding section 10 (4) (d) of the Act and the requirements of B.C. Regulation 60/74, the Commission may authorize, for the purposes of the Land Commission Act and in the manner set forth in this section, a Registrar of Titles to accept an application for deposit of a plan of subdivision under the Land Registry Act or a strata plan under the Strata Titles Act, all or part of which consists of agricultural land in an Agricultural Land Reserve, if in the opinion of the Provincial Land Commission, the proposed subdivision carries out the intent of the Land Commission Act.
 - (a) Where, in the opinion of the Commission, the proposed subdivision would create Land Registry parcels on which economically feasible farm units could be operated; considering soil capabilities, climatic conditions and the nature of agriculture in the area.
 - (b) Where the proposed subdivision is designed to establish a legal boundary along the perimeter of an agricultural land reserve; provided that land within the reserve remains as an integral parcel and is not less than two (2) acres in area or is consolidated with adjoining properties within the reserve, pursuant to section A 1 (1) (b).
- 2 (2) In the event a person wishes to obtain the authorization of the Commission for the acceptance of an application for deposit in a Land Registry Office of a plan of subdivision, pursuant to 2 (1) (a) or (b), a written application shall be made to the Commission, such application to contain the following:

(a) Sketch plan of the proposed subdivision showing clearly:

(i) The subject property in terms of the smallest existing Land Registry parcel or parcels, identified by full legal description, and showing acreage of the Land Registry parcel or parcels, and dimensions of each boundary; and

(ii) The proposed new Land Registry parcels to be created on the subject property showing approximate areas of the proposed parcels and approximate dimensions of each boundary; and

(iii) Roads or rights-of-way on or abutting the subject property including details as to whether the roads or rights-of-way are dedicated and regarding the extent to which the roads or rights-of-way are opened and constructed; and

(iv) Existing buildings or structures.

(b) Sketch plan showing clearly:

(i) The adjacent Land Registry parcels; and

(ii) The location of the subject property within the Agricultural Land Reserve; and

(iii) The location of properties, other than the subject property, which are under the ownership, lease, or rental of the applicant, in the vicinity of the subject property.

(c) A description, either in words or by plan, of the existing land use of the subject property and the immediately adjacent properties.

(d) A full description of the proposed use of the subject property, including details regarding the specific nature of the proposed farm use.

(e) The name and signature of the registered owner of the subject property.

3 Applications to the Commission other than those provided for in section A 1 and A 2, for an order authorizing the acceptance of an application for deposit of a plan of subdivision under the Land Registry Act, all or part of which consists of agricultural land in an Agricultural Land Reserve, shall be as set forth in section 29 of B.C. Regulation 60/74.

4 Nothing in sections A 1, 2 and 3 shall relieve a plans approving officer or Board of Variance from complying with the provisions of the Land Registry Act, the Municipal Act, the Strata Titles Act and the Real Estate Act; and the regulations and bylaws from time to time adopted thereunder, which would otherwise apply.

B. LAND USE

1 Outright uses—In addition to the land uses permitted pursuant to the Land Commission Act, the following land uses are permitted in an Agricultural Land Reserve:

(a) The storage and sale on an individual farm of the agricultural prod-

ucts grown or reared on that farm.

(b) One dwelling unit and accessory buildings and structures per Land Registry parcel, including ancillary service and utility installations and connections provided that the Land Registry parcel has existing legal and physical access constructed to the standards required by a bylaw passed pursuant to section 711 of the Municipal Act or the regulations or standards of the Department of Highways, as the case may be, and further provided that the Land Registry parcel was, on the twenty-first day of December, 1972, registered on a separate Certificate of Title, issued under the Land Registry Act.

(c) Additional dwelling units and accessory buildings and structures including all ancillary service and utility installations and connections, where such are necessary for farm use, including dwelling units and accessory buildings, structures or developments required for religious,

commune or co-op colony farming.

(d) The harvesting of trees and the carrying out of all silvicultural practices.

(e) Ecological reserves and public parks where these are established

by a Provincial, Regional District or municipal authority.

- (f) A reserve or area of land designated or required for animals or birds to live or feed, including without limiting the generality of the foregoing, wildlife winter range and waterfowl nesting areas but excluding commercial zoos.
- (g) Fish farms.

(h) Golf courses.

(i) Minor highway, road and railway operations and construction including the following:

(aa) Minor improvement of drainage works including cleaning

and deepening of ditches.

(bb) Easing one curve.

(cc) Widening, dedication or construction of highway, road or railway rights-of-way provided that the widening, dedication or area of construction is less than one acre per mile of road.

(i) Expanding the workings of an existing gravel pit provided the total of areas already excavated and currently being worked does not ex-

ceed a maximum of two (2) acres in area.

(k) Construction and maintenance of dykes and related pumphouses and ancillary works, including construction and maintenance of access roads and facilities made necessary by the threat of flooding.

(1) Land development works including clearing, draining, irrigating, construction of reservoirs and ancillary works where such works are

required for farm use of the property.

2 (1) Conditional uses-Notwithstanding the requirements of B.C. Regulation #60/74, the Provincial Land Commission may authorize for the purposes of the Land Commission Act and in the manner set forth in this section, the following land uses, where in the opinion of the Commission, the proposed use and manner of development thereof does not materially reduce the future agricultural potential of the land or where in the opinion of the Commission the proposed use is in the public interest:

(a) The processing of agricultural products.

(b) Additional dwelling units and accessory buildings and structures, including all ancillary service and utility installations, where such are necessary to provide for joint tenants or tenants in common of a Land Registry parcel.

(c) Unpaved airstrips for use of aircraft flying non-scheduled flights.

(d) Dedication or construction of new highway, road or railway rights-

of-way except as permitted in B 1 (i).

(e) Electrical transmission lines and utility installations, including pipeline pumping stations, automatic telephone exchanges, electrical substations, navigational aids and underground pipelines.

(f) Trunk sewer and trunk water lines.

(g) Sewage lagoons, treatment plants and other sewage disposal facilities, where these fall within the jurisdiction of the Pollution Control Act.

(h) Sanitary land fills.

(i) Well drillings and access to well sites not including wells drilled for potable water under B 1 (b).

(i) Guest ranches.

(k) Open land recreation uses, including campgrounds, fishing and hunting camps, game farms, and rifle ranges, provided that not more than five (5) per cent of the area of the Land Registry parcel, or five (5) acres, whichever is the lesser, is physically altered for the development. Roads, services, paving, parking facilities, buildings, structures, earthworks, shall be deemed physical alteration.

(1) Surveying, exploring or prospecting for gravel, oil or minerals, or undertaking soil surveys, provided that all cuts, trenches and similar alterations be restored to the natural ground level and all topsoil be

replaced.

(m) Gravel pits over two (2) acres in area, peat extractive areas, and turf farms where reclamation and rehabilitation is possible.

(n) Schools and other public institutions.

2 (2) In the event a person wishes to obtain the authorization of the Commission for a land use pursuant to B 2 (1), a written application shall be made to the Commission, such application to contain the following:

(a) Sketch plan of the subject property showing clearly:

(i) The subject property in terms of the smallest existing Land Registry parcel or parcels, idenitfied by full legal description, and showing acreage of the Land Registry parcel or parcels, and dimensions of each boundary.

(ii) Roads or rights-of-way on or abutting the subject property including details as to whether the roads or rights-of-way are dedicated and regarding the extent to which the roads or rights-of-way

are opened and constructed.

(iii) Existing buildings or structures.

(b) Sketch plan showing clearly:

(i) The adjacent Land Registry parcels.

- (ii) The location of the subject property within the Agricultural Land Reserve.
- (iii) The location of properties, other than the subject property which are under the ownership lease or rental of the applicant, in the vicinity of the subject property.

(c) A description, either in words or by plan, of the existing land use of the subject property and the immediately adjacent properties.

(d) A full description of the proposed use of the subject property.

(e) The name and signature of the registered owner of the subject property.

2 (3) The Commission shall, prior to issuing an order under B 2, advise the Regional District of the receipt of any application made pursuant to B 2.

3 Applications to the Commission, other than those provided for in Section B 1 and B 2, for an Order authorizing a land use shall be as set forth in section 29

of B.C. Regulation #60/74.

4 Nothing in sections B 1, 2 and 3 shall relieve an applicant from complying with all other legislation, bylaws and decisions of responsible authorities which may apply.

> D. D. STUPICH Minister of Agriculture

D. BARRETT Presiding Member of the Executive Council

SCHEDULE A

REGULATION OF	SUBDIVISION	AND LAND	Use	UNDER	THE]	LAND	Commission	ÁСТ

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"I hereby certify that this subdivision plan is approve of B.C. Regulations/74." with the date of app and append his official designation, for example, "City E	nroval and a	·hall ci	an tha	Cartificants
or "Chief Engineer, Department of Highways."				
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AGRICULTURAL LAND COMMISSION ACT

ORDER IN COUNCIL 1979, APPROVED AND ORDERED JULY 27, 1978

On the recommendation of the undersigned, the Lieutenant-Governor, by and with the advice and consent of the Executive Council, orders that on the day after this Order in Council is filed under the *Regulations Act* or on the day 28 days after this Order in Council is made, whichever is later, B.C. Reg. 60/74 (Order in Council 353/74) be repealed and the following regulation be made:

AGRICULTURAL LAND RESERVE PROCEDURE REGULATION

Application by a Municipality, Regional District, or the Commission and Action by the Lieutenant-Governor in Council Under Section 9 (1) of the Act

- 1. Where the commission or a municipality or regional district makes an application under section 9 (1) of the Act
 - (a) the application shall contain all the information itemized in Schedule A to this regulation and such other supporting material as may be required by the Lieutenant-Governor in Council or the commission,

(b) where the applicant is a municipality, it shall send a copy of the application and supporting material to the regional district,

(c) where the applicant is a municipality or regional district it shall submit the application to the commission who shall consider the application and shall make a recommendation and submit the application along with the recommendation to the Minister for forwarding to the Lieutenant-Governor in Council, and the commission shall send a copy of its recommendation to the regional district and, if applicable, the municipality, and

(d) where the applicant is the commission, it shall send a copy of the application and supporting material to the regional district and, if applicable, the municipality.

- 2: (1) The commission, municipality, or regional district holding a public hearing as required by section 9 (1) of the Act shall publish a notice stating the time and place of the hearing in at least two consecutive issues of a newspaper published or circulated in the municipality or regional district where the land is situated, with the last of such publications appearing not less than 3 days nor more than 10 days before the date of the hearing.
 - (2) The notice of hearing shall
 - (a) identify, in a general manner, the land or lands affected but need not use the legal description of the land affected;
 - (b) state in general terms the intent of the application; and
 - (c) state when and where a copy of the application may be inspected.
- (3) At the hearing all persons shall be afforded an opportunity to be heard on matters related to the proposed application.
 - (4) The hearing may be adjourned from time to time.
- (5) A member of the Council or of the regional board, or a commissioner who was not present at the hearing, may vote on the application if an oral or written report of the hearing has been given to him.
- 3. The commission, municipality, or regional district holding the hearing may, without further notice, allow amendment to the proposed application to give such effect as it deems fit to representations made at the hearing.

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4. Where the Lieutenant-Governor in Council excludes any land on his own under section 9 (1) (a) of the Act, the minister shall inform the commission and the commission shall inform the regional district and, if applicable, the municipality and the appropriate registrar of titles.

Applications by an Owner to Exclude Land Under Section 9 (2) Pursuant to Section 9 (3) of the Act

- 5. Where an owner intends to make an application to the commission under section 9 (2) of the Act, he shall first complete and file an application in the form in Schedule B to this regulation in the office of the secretary-treasurer of the regional district in which the land is situated.
- 6. (1) The secretary-treasurer shall, on compliance by an owner with section 5, forthwith complete the form in Schedule C.
- (2) Where the land is not located in a municipality, the secretary-treasurer shall supply the information required by Schedule C, but otherwise the secretary-treasurer shall require the clerk of the municipality to supply the information required by Schedule C and the clerk shall forthwith supply that information.
- 7. The secretary-treasurer or, if applicable, the clerk of the municipality, shall forthwith after receipt of the application submit the application to the regional district board or, if applicable, the municipal council.
- 8. Where an application filed under section 5 is in respect of land referred to in section 9 (5) of the Act, no further proceedings shall be taken unless and until the municipality or regional district passes the resolution referred to in section 9 (5) of the Act authorizing the application.
- 9. Where a resolution is passed under section 9 (5) of the Act, the secretary-treasurer shall transmit a certified copy of it to the commission along with the other information required by section 12.
- 10. Where the regional district or municipality considers it necessary or advisable to transmit its recommendations, comments, opinions, or any other information in respect of any application to the commission, it shall do so within the time limited under section 12.
- 11. (1) The regional district may, if it considers it necessary or advisable, hold public information meetings in respect of an application and, where such a meeting is held, at least one member of the regional district representing the area within which the land that is the subject matter of the application is situated, shall attend and shall report to the regional district the views expressed at the meeting.
- (2) The member of the regional district referred to in subsection (1) shall forthwith transmit a copy of the report or a summary of it, indicating the degree of support for or opposition to the application, to the commission.
- 12. The secretary-treasurer shall, within 30 days or, where a public information meeting is held pursuant to section 11, within 60 days after receipt of an application, transmit
 - (a) the application in Schedule B,
 - (b) the information required in Schedule C,
 - (c) the resolution, if required under section 9, and
 - (d) any other information about a public information meeting held under section 11

to the commission.

13. Notwithstanding anything in these regulations or in Schedule B or C, the commission may require of the applicant or of the regional district or municipality such further relevant information as it considers necessary.

- 14. A hearing required by section 9 (3) of the Act shall be held at a time and at a place designated by the commission and may be adjourned from time to time.
- 15. (1) The commission shall give written notice of the date and place of the hearing to

(a) the applicant,

(b) the regional district,

(c) the municipality, if any, and

(d) such owners or occupiers of land located adjacent to the land referred to in the application as it may consider necessary or advisable, not less than 10 days and not more than 30 days before the date of the hearing.

(2) The notice of hearing shall

(a) identify the land referred to in the application,

(b) state the purpose of the application, and

- (c) state the place and time at which the application and the documents relating to the application may be inspected.
- 16. The commission shall cause to be mailed by registered mail to the applicant or delivered by a personal service a statement of the facts, opinions and other information, or a summary of them, received by the commission for consideration at the hearing.
- 17. The commission shall, at the request of the applicant or his agent, allow him or his agent to inspect all relevant documents in the custody of the commission relating to the application.
- 18. (1) The applicant is entitled to make representations at the hearing personally or by his counsel or agent.
- (2) The commission may require the applicant or any other person offering evidence to give his evidence on oath.

19. For the purpose of the hearing the commission may

- (a) require that evidence offered before it be given on oath and may for that purpose administer an oath,
- (b) accept written submissions or any other form of evidence notwithstanding that it may not be evidence in a court of law, and
- (c) hear representations, evidence and opinions of any person present or represented at the hearing and of the regional district and municipality that, in the opinion of the commission, are relevant to the application.
- 20. Where evidence is presented at the hearing, a statement or summary of which has not been sent to the applicant, the commission,
 - (a) where the applicant or his counsel or agent is present at the hearing, may hear further representations in respect of such evidence, or adjourn the hearing to enable the applicant to make answer to that evidence, or
 - (b) where the applicant or his counsel or agent is not present at the hearing, shall notify the applicant by registered mail or by personal service of the additional evidence presented by the hearing and the time within which the additional evidence may be answered.

Applications to Appeal to the Environment and Land Use Committee Under Sections 9 (7) and 9 (8) of the Act

21. (1) A person who is dissatisfied with the decision of the commission made in respect of an application to it under section 9 (2) of the Agricultural Land Commission Act or under section 5 of the Soil Conservation Act may apply to the

commission for a certificate of leave to appeal to the Environment and Land Use Committee by delivering it or mailing a written request to the commission.

(2) The written request shall state the grounds on which the person alleges that the decision of the commission is wrong.

22. (1) A person applying to the minister for leave to appeal under section 9 (8) of the Act may apply to the minister for a certificate of leave to appeal to the Environment and Land Use Committee by mailing a written request by registered mail to the minister.

(2) The written request shall state the grounds on which the person alleges that the decision of the commission is wrong and the person making the application shall mail, by registered mail, a copy of the written request to the commission.

(3) On receipt of a copy of the written request the commission shall forthwith

transmit to the minister

(a) a copy of all the documents in the custody of the commission respecting the original application,

(b) a transcript of any evidence that was transcribed at the hearing, and

(c) a copy of the decision of the commission and of any reasons for it.
(4) A person requesting the certificate of leave to appeal who makes additional written submissions to the minister shall send copies of them to the commission.

- (5) The minister shall review the application and may require of the applicant, the regional district or municipality, the commission, or any other person such further or additional information as he considers necessary and shall supply copies of such further or additional information to the applicant, the regional district or municipality and the commission and shall give each party a reasonable time to respond.
- 23. (1) Where a person has obtained leave under section 21 or 22 to appeal to the Environment and Land Use Committee the person shall file with the Environment and Land Use Committee either
 - (a) the certificate of leave to appeal signed and dated by two members of the commission, or
 - (b) the certificate of leave to appeal signed and dated by the minister.
 - (2) A certificate of leave to appeal expires 60 days after its date.
- 24. A person appealing under section 9 (7) or 9 (8) of the Act shall file a notice of the appeal accompanied by the certificate of leave to appeal with the Environment and Land Use Committee by delivering it or mailing it by registered mail to the secretary of the committee at the City of Victoria.
- 25. The appellant shall state in the notice of appeal the reasons for the appeal and the grounds on which he alleges that the decision of the commission is wrong.
- 26. The appellant shall deliver or mail by registered mail a copy of the notice of appeal to each person who made a submission or gave evidence in support of or in opposition to the original application and to the regional district and the municipality, if any, and to the commission and shall submit to the secretary of the Environment and Land Use Committee a list of the persons so notified and a signed statement that they have been so notified.
- 27. On receipt of a copy of the notice of appeal, the commission shall forthwith transmit to the secretary of the Environment and Land Use Committee
 - (a) a copy of all the documents in the custody of the commission respecting the original application,
 - (b) a transcript of any evidence that was transcribed at the hearing,
 - (c) a copy of the decision of the commission and any reasons for it.

- 28. The Environment and Land Use Committee shall notify by registered mail the appellant, the commission, the regional district, and the municipality, if applicable, of the date and place of the hearing at least 20 days before the date of the hearing, and the appellant shall deliver or serve by registered mail a copy of the notice of the date and place of the hearing on each person who made a submission or gave evidence in support of or in opposition to the original application at least 10 days before the date of the hearing and shall send to the secretary of the Environment and Land Use Committee a signed statement that they have been so notified.
- 29. The Environment and Land Use Committee shall, at or before the hearing, review all the documents filed with it respecting the appeal and at the hearing shall hear the representations and evidence of the commission, the appellant and the regional district, municipality and other persons who made representations or gave evidence on the original application, and such other evidence as the Environment and Land Use Committee may consider necessary.
- 30. Sections 18 and 19 apply to a hearing and review under section 29 with "Environment and Land Use Committee" being substituted for "commission," where applicable.

Applications Under Section 11 (4) of the Act to Exempt the Use of Land Pursuant to Section 10 (1) and (4) and Section 11 (2) of the Act

- 31. Where a person applies to the commission under section 11 (4) of the Act pursuant to section 10 (1) and (4) and section 11 (2) of the Act he shall file an application in substantial compliance with Schedule B in the office of the secretary-treasurer of the regional district in which the land is situated.
 - 32. Sections 6 to 13 apply in respect of applications filed pursuant to section 31.
- 33. The commission may, where it is considered necessary or advisable, hold a hearing with respect to any application filed pursuant to section 31 and the meeting shall be held at a time and place designated by the commission and may be adjourned from time to time.
- 34. Where the commission holds a hearing under section 33, sections 15 to 20 apply in respect of the hearing.

Applications to Include Land in an Agricultural Land Reserve

- Under Section 8 (12), (13), and (14) of the Act

 35. Where an owner's land is not included in an agricultural land reserve plan the owner may, pursuant to section 8 (14) of the Act, at any time, apply to have his land designated as or as part of an agricultural land reserve by filing an application in compliance with Schedule D in the office of the secretary-treasurer of the regional district in which the land is situated.
- 36. The secretary-treasurer shall forthwith obtain information listed in Schedule E and complete the Schedule.
- 37. The regional district may, where it considers it advisable, hold a public hearing in respect of an application made under section 35, and section 2 applies to the hearing.
- 38. The regional district shall, within 30 days or, where a public hearing is held pursuant to section 37, within 60 days after receipt of an application under section 35, transmit the application and the recommendations of the regional district together with any other information relevant to the application, including comments received from a municipality in which the land is situated, to the commission.

- 39. Where the commission considers that designation of the land as or as part of an agricultural land reserve carries out the intent and purpose of the Act, and after approval of the Lieutenant-Governor in Council designates the lands as or as part of an agricultural land reserve, it shall notify the applicant, the municipality, if applicable, and the regional district in which the land is situated and the appropriate registrar of titles of the designation.
- 40. Notwithstanding section 35, a municipality, regional district, or the commission may, pursuant to section 8-(12) of the Act, at any time, whether or not it is the owner of the land, apply to the Lieutenant-Governor in Council for approval of the addition of the land to a designated land reserve and shall give notice in writing to the other two parties and to the owner of the land.
- 41. (1) Where the land is not owned by the municipality, regional district, or commission applying under section 40 it shall, pursuant to section 8 (13) of the Act, at its own expense, hold a public hearing at least 30 days before submitting the application to the Lieutenant-Governor in Council and section 2 applies to the hearing.
- (2) The applicant must give at least two weeks' written notice of the public hearing under this section to the other parties and to the owner of the land.
 - (3) A report of the public hearing shall accompany the application.
- 42. An applicant under section 40, the owner, the municipality and regional district in which the land is situated and the commission may make written representations in respect of the applicant's application.
- 43. Where the Lieutenant-Governor in Council approves an application made under section 40, the commission shall, where it designates the land as or as part of an agricultural land reserve, notify the applicant, the owner, the municipality, if applicable, the regional district in which the land is situated, and the appropriate registrar of titles of the designation.

 J. A. NIELSEN

Minister of the Environment

W. R. BENNETT
Presiding Member of the Executive Council

A I C File No

AGRICULTURAL LAND COMMISSION ACT APPLICATION UNDER SECTION 9 (1)

(Information to be supplied by a municipality or regional district for land only within its jurisdiction.)	
district for fand only within its jurisdiction.)	

*		7 A.D.O. A 110 110
		R.D. File No.
	SCHEDULE A	•
In respect to land within		in the
•	(Municipality	or electoral area)
	the	
(Regional district)		(Applicant)
hereby makes application und	ler section	of the Agricultural Land
	(9 (1) (a) o	
Commission Act to the Lieute	enant-Governor in Council.	
	ation, the following informa	ation applicable to the subject area is neguish by subarea.)
1. Identification	•	
	eneral terms if for a large ar	rea)

	1.2	Acreage of subject area
	1.3	Acreage of subject area which is Crown land
	1.4	Location on A.L.R. plan and legal base maps
2.	Cha	aracteristics Existing land use
	2.2	Proposed land use
	2.3	Land use of surrounding properties
	2.4	Notable physical features
	2.5	Extent of floodplain (if applicable)
	2.6	Services available or scheduled
	2.7	Roads or rights-of-way on or abutting the subject properties, including information on road or rights-of-way dedication and extent of construction
3.		al and regional planning Official Regional Plan designation
	3.2	Community or Settlement Plan designation
:	3.3	Zoning
4.	4.1	nments and recommendations (include copies of resolutions where applicable) Regional Board
	4.2	Municipal Council (if applicable)
	4.3	Advisory Planning Committee or Commission
	4.4	Technical Planning Committee
	4.5	Others
	Repo	ort of public hearing (include date and place of hearing and number attending).
pri	Th ate so	e above information may also be indicated, in part, on maps and (or) plans of approcale.
		(Signature of Secretary-treasurer or Administrator) (Date)
:		APPLICATION UNDER THE AGRICULTURAL LAND COMMISSION ACT
		(Information to be supplied by applicant. Application fee, \$25.) A.L.C. File No.
		R.D. File No.
		Receipt No.



SCHEDULE B

REGIONAL DISTRICT				
Property owner's name:	Authorized ag	ent of the owner:		
(Please print) Address of owner:	(Please print) Address of agent:			
City/Town/Village:	City/Town/V	illage:		
Postal Code:	Postal Code:			
Telephone No::	Telephone No	•:		
		,		
Full Legal Description of Each Existing Land Reg Under Application	istry Parcel	Approximate Acreage of Each Existing Legal Parcel of Land		
	Total acreage			
	,	· · · · · · · · · · · · · · · · · · ·		
In enclose a copy of one of the following for the property/properties under application: Certificate of Indefeasible Title, or	Date on whor interest in applicant:	n property was purchased n property acquired by the		
☐ Certificate of Encumbrances, or ☐ Tax/Assessment Notice.	(Day)	(Month) (Year)		
I hereby make application under: (Pleace check appropriate box) (a) the Agricultural Land Commission (i) subdivide the subject pro (ii) use the subject property or (b) Section 9 (2) of the Agricultura described property excluded from the content of the conte	perty, and (or) for non-farm p	urposes within the ALR plan. sion Act to have the above- and Reserve Plan.		
In support of this application I submit a plot of the following:	an or plans of a	ppropriate scale showing each		
A. The legal boundaries of the subject specific location of the subject pubers boundary of the Agricultural Land	roperty in the A Reserve;	Agricultural Land Reserve or		
 B. The location of any permanent dweenings or structures on the property; 	•			
C. The location of the proposed new and approximate dimensions of ea additional dwellings or buildings to	ch boundary or	eated with approximate areas the proposed location of any		

(Physical Features)

D. The location of waterways, roads, and/or rights-of-way (public or private and surface condition), benches, ridges, or other significant topographical features and any areas under bush, cleared, pasture, cultivated land, etc.

It is preferable, but not mandatory, that the plans be based on those prepared by a professional surveyor, engineer, architect, or planner. Such maps (having been drawn at some time in the past for another purpose) are often available to an applicant (e.g., the last deposited subdivision plan involving the property in question, prints of which may be obtained from the Land Registry Office for the cost of copying). The maps should identify individual parcels by legal description and should specify dimensions of each of the subject parcels.

Name of	applicant Name of ag	e)
Name of	f applicant Name of ag	
•		•
In respec	SCHEDULE C	,
	of upproduced or.	Air Photo No.
	(a) Regional District (b) Municipality (If applicable)	Base
	(a) Regional District	Map/Sheet No.
Info	ormation supplied by	A.L.C. File No R.D. File No
	AGRICULTURAL LAND COMMISSI	•
	APPLICATION UNDER THE	
	5	
D	on 11 (4) involves an application to subdivide land or to use d this application be successful, it in no way implies that other in this regard the zoning, building, sewage disposal, access, a water, should be checked by all applicants.	
Note	egent is handling application, please supply authorization from own Section 9 (2) involves an application requesting complete e	er. xclusion from the Agricultural
	(Signature of owner)*	(Date)
I he factual a	reby declare that the information contained herein is nd correct.	****
	Any other additional information or comments	
(a)	is to say, the specific proposed use and whether the development ermit, a development contract, etc. Include sketch plans of an ans where available. My reasons for requesting this action are as follows	
(c)	Describe the proposed use of the subject property	include a subdivision to govern
	operation	
	(ii) Are there any livestock operations (10 or m cial sale) within one (1) mile of the subject property	ore animals raised for com? If so, please specify type
(0)	ing the subject property or farm unit	lots adjacent to and neight
If ava	iliable, include photographs of the subject property, including n relating to the present use of the subject property. (i) Describe the existing land use and buildings on all	buildings, and any other deta
	briefly any and all buildings and (or) structures located note the location of the said structures on a plan or m	



3. The zoning classification governing the subject property at the date of application (please

attach map, if possible):

(a) Uses permitted _____

(b) Minimum lot size permitted _____

ZONING .

(c) Ot	her relevant regulations und	er zoning by-law (if applicabl	e)
4. The zoning ap (Note—the req	plicable to the subject propurement under section 9 (5) or	erty immediately prior to De 11 (4) (a) for a resolution of auti	cember 21, 1972
5. (a) Description and legal	on of the use of the subject party of use and occupancy	property, including any details	
(b) Is the sub	ject property governed by b	ouilding codes and (or) inspe	ctions?
subject proper (a) No	ty (a map, if available): rth	use and buildings adjacent to	
(b) Ea	st		
(c) So	ıth	·	
(d) We	est		
7. A description of providing se	of the services available to ervices:	the subject property or the p	ossibility or feasibility
(b) Wa	nter		
(c) Sev	vage disposal		
(d) Oth	ners	***************************************	
8. Is the subject	property located in a flood	plan? Yes □ No □	
9. Any other info	rmation or comments		
	(Secretary-treasurer or Administration	rator)	(Date)
	·		
APPLICATION	FOR INCLUSION OF L	AND IN THE	
AGRICULT	'URAL LAND RESERVI	E PURSUANT A.L.C. 1	File No
TO SECTION	ON 8 (14) OF THE AG	RICULTURAL	
LAND COM	MISSION ACT		File No
10.5		EDULE D	
÷*	(To be compl	leted by the applicant)	
REGIONAL DI	STRICT	·	
1. Property owner	r's name:	Authorized agent of the	e owner:
	(Please print)	(Please	print)
Address of ow	ner: '	Address of agent:	·
City/Town/Vi	llage:	City/Town/Village:	
Postal Code:		Postal Code:	
Telephone No.	:	Telephone No.:	
properties are	te the appropriate chart or Crown land, private land, o	charts below, depending or or a combination of both.	whether the subject
Full Legal Descr Registry Parcel of H	iption of Each Existing Land rivate Lands Under Application	Approximate Total Acreage of Each Existing Legal Parcel of Land	Cleared or Improved Acreage of Each Lot
	Total agras as 1		
	Total acreage	*	

(b) Crown Land

Fu	ll Legal Description of Each Existing Land Registry Parcel of Crown Land Under Application	Type of Crown Lease	Approximate 1 of Each Exi Parcel o	sting Legal	Cleared or Improved Acreage of Each Lot
		Total acreage			
		<u> </u>			
	Note—If there are any Crown leases, plea	se provide a copy	of each lease.		
	In support of the application, please from the Land Registry Office) or by legal description and dimension show: (i) the location of each of parcels; and	alternatively a s. The plan o	sketch plan i r plans of a	dentifying i	ndividual parcels scale should also
	(ii) the location of other lar land is in immediate vici	nd owned, lease nity of the subj	ed, or rented ect properties	by the app	licant where that
4.	Describe the existing use of the sub	iect properties			: '
	5	,			
	Note—Wherever possible, provide photog	raphs of the subje	ct property which	h also shows	huildings
5 .	Describe the existing use of those pr				
	are owned or leased by the application, and legal description of ea	cant in the im	mediate vici	nity, includ	ing the acreage,
	<u> </u>				<u> </u>
6.	Describe the existing land use and subject property or farm unit:				
	North				
	East				
	C41.				
	South				
	***CSL				
7.	Describe the proposed use of the sub	ject property			- W.
8.	Clearly state the reasons for request Land Reserve:	ing inclusion o	f the subject	property in	the Agricultural
	Any other information or comments				
9.	Any other information or comments		·		
fac	I hereby declare that the informatual and correct.	tion contained			
	(Signature of ow	ner)*			(Date)
	* If agent is handling application, please s	· ·	n from owner		(200)
fur	Please consult the Agricultural 1 ther details.			regulations	s thereunder for
ΑF	PPLICATION FOR INCLUSION	OF LAND IN	THE		
	AGRICULTURAL LAND RES TO SECTION 8 (14) OF THI LAND COMMISSION ACT	ERVE PURS E AGRICULT	UANT A URAL		No
	LAND COMMISSION ACI			K.D. File I	No
		Name of	applicant		

the	NOTE—Prior to filling in Schedule E, please verify the following information provided by applicant:
	 (1) Legal description and acreage of the subject properties. (2) Description of existing use of the subject property. (3) Description of surrounding land uses and buildings.
10.	On a map, please locate each of the subject properties in relation to the Agricultural Land Reserve, if applicable.
11.	The Official Regional Plan designation of the subject property, with some details
12.	Any applicable community or other plan or study designations, with some details
13.	The zoning classification governing the subject property at the date of application (please attach map):
	ZONING
	(c) Other relevant regulations under zoning by-law (if applicable)
14.	Was the property included by the regional district in the recommended Agricultural Land Reserve? Yes No No
15.	Recommendations for the inclusion of the subject properties in the Agricultural Land Reserve: (a) Municipality's
	(b) Regional District's
16.	(a) Are there any lands adjacent to the subject properties, worthy of inclusion in the Agricultural Land Reserve?
	Yes No (b) If so, please give details on adjacent properties
	(Secretary-Treasurer or Administrator) (Date)
	Reprinted from The British Columbia Gazette—Part II, August 15, 1978.

Printed by K. M. MacDonald, Printer to the Queen's Most Excellent Majesty in right of the Province of British Columbia. 1978

5M-878-3289

SCHEDULE

B.C. Reg. 313/78 is amended

- by striking out "section 9 (1)" wherever it appears and substituting "section 11 (1)",
- (b) by striking out "section 9 (1) (a)" and substituting "section 11 (1)",
- (c) by striking out "section "9 (2)" wherever it appears and substituting "section 12 (1)",
- (d) by striking out "section 9 (3)" wherever it appears and substituting "section 12 (2)",
- (e) by striking out "section 9 (5)" wherever it appears and substituting "section 12 (4)",
- (f) in the heading before section 21 by striking out "Sections 9 (7) and 9 (8)" and substituting "Section 13 (1) and (2)",
- in section 22 by striking out "section 9 (8)" and substituting
 "section 13 (2)",
- (h) in section 24 by striking out "section 9 (7) or 9 (8)" and substituting "section 13 (1) or (2)",
- (i) by striking out "section 10 (1) and (4)" wherever it appears and substituting "sections 15 (2), 16 and 18",
- (j) by striking out "section 11 (2)" wherever it appears and substituting "section 19 (2)",
- (k) by striking out "section 11 (4)" wherever it appears and substituting "section 20",
- in section 40 by striking out "section 8 (12)" and substituting "section 10 (3)",
- (m) in section 41 by striking out "section 8 (13)" and substituting "section 10 (4)", \(\sqrt{} \)
- (n) in section 35 by striking out "section 8 (14)" and substituting "section 10 (5)",
- (o) in the heading before section 35 by striking out "Section 8 (12), (13), and (14)" and substituting "Section 10 (3), (4) and (5)",
- (p) hy adding the form attached to this regulation as Schedule F to B.C. Reg. 313/78, and
- (4) by adding the following after Section 43:

Special Cases

APPROVED AND ORDERED JM 15.1981

Lieutenant-Governor

EXECUTIVE COUNCIL CHAMBERS, VICTORIA JAN 15.1981

On the recommendation of the undersigned, the Lieutenant-Governor, by and with the advice and consent of the Executive Council, orders that B.C. Reg. 93/75 is repealed and the regulation as set out in the attached schedule be made.

Minister of Agriculture and Food

FILED

JAN 1 6 1981

B.C. REG No.

Presiding Member

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

Authority under which Order is made:

Agricultural Land Commission Act, ss. 15 and 37

Act and section

OC 420/75

W. B. Maddaford

(Signature and typed or print

901/80

Statutory authority checked by..... December 2, 1980

Schedule

AGRICULTURAL LAND COMMISSION SUBDIVISION AND LAND USE REGULATION

Subdivision

1. (1) An approving officer under the Land Title Act or an approving officer or Board of Variance under the Municipal Act may authorize or approve a plan of subdivision, all or part of which consists of agricultural land in an agricultural land reserve, where

(a) the proposed subdivision

(i) does not result in an increase in the number of land registry parcels for the land concerned when compared with the situation existing at the time the application for subdivision was made,

involves boundary adjustments that, in the opinion of the approving officer or Board of Variance, will allow for the more efficient use of agricultural land or the better utilization of farm buildings for farm purposes, and

creates no land registry parcel less than 8093.5 m^2 in area, or

the proposed subdivision consolidates 2 or more land registry (b) parcels into a single land registry parcel by elimination of common lot lines.

(2) Where an approval is granted pursuant to subsection (1), the approving officer or Board shall endorse on the plan a certificate substantially in the form of Schedule A and, in that case, a registrar of titles under the Land Title Act may accept the plan for deposit.

(3) Nothing in this section shall be construed as relieving an applicant, an approving officer, or a Board of Variance from complying with the requirements of the Land Title Act, the Municipal Act, the Condominium Act, the Real Estate Act or the regulations or by-laws enacted under any of them.

Land Use

- 2. (1) The following land uses are permitted in an agricultural land reserve:
 - (a) storage and sale of agricultural products produced on the individual farm on which the storage or sale is taking place;

construction of buildings or structures necessary for a (b)

purpose referred to in paragraph (a);
construction of one single family dwelling unit and accessory buildings and structures including ancillary service and utility installations and connections, per land registry parcel;

harvesting of trees and the carrying out of all silvicultural (d) and forest protection practices;

ecological reserves established under the Ecological Reserve (e) Act;

- (f) a reserve or area of land or habitat set apart for wildlife, providing the surface of the land is not subject to substantial works and, for the purposes of this paragraph, burning or thinning of the natural growth from time to time is not a substantial work;
- parks and recreation reserves, whether established by the Province, a regional district or a municipality, that are left or kept in their natural state except to the extent necessary to facilitate outdoor recreation by modifying the site to provide public access; but developed facilities for access, including roads and parking, shall not exceed, where the park
 - less than 2 ha, 1 000 m², or 2 ha or more, 4 000 m²;

(h) fish farms;

(i) minor highway, road, or railway operations and construction including the following:

) minor improvement of drainage works, including cleaning and deepening of ditches;

(ii) easing one curve;

(iii) widening, dedication, or construction of highway, road, or railway rights of way provided that the area involved in widening, dedication, or construction is less than 2 500 m²/km of road;

expanding the workings of an existing gravel pit to a maximum of 8093.5 m² in area including the areas already excavated;

(k) construction and maintenance of dykes and related pumphouses and ancillary works, including construction and maintenance of access roads and facilities made necessary by the threat of flooding;

(1) land development works including clearing, draining, irrigating and construction of reservoirs and ancillary works, where the works are required for farm use of the property on

which the works are located.

(2) Nothing in this section relieves an applicant from complying with all other legislation, by-laws and decisions of responsible authorities that may apply, including zoning, subdivision and any other land use legislation.

SCHEDULE A

Certificate of Subdivision Under the Agricultural Land Commission Act

I hereby certification	is subdiv Regulati		plan is	approved	pursuant	to
	 •					
•						
				•		
		٠				
	•					
		•	<u> </u>			
		Ap	proving	Authorit	У	



31

APPROVED AND ORDERED JUL 15.1981

EXECUTIVE COUNCIL CHAMBERS, VICTORIA JAN 15.1981

On the recommendation of the undersigned, the Lieutenant-Governor, by and with the advice and consent of the Executive Council, orders that the Agricultural Land Reserve Procedure Regulation, B.C. Reg. 313/78, be amended as set out in the attached schedule.

Agriculture and Food

FILED

JAN 1 6 1981

C REG No.

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

Authority under which Order is made:

Agricultural Land Commission Act, ss. 15 & 37

Act and section

Amends OC 1979/78

Other (specify)

W. B. Maddaford

Statutory authority checked by December 2, 1980

1165/80

- B.C. Reg. 313/78 is amended
- (a) by striking out "section 9 (1)" wherever it appears and substituting "section 11 (1)",
- (b) by striking out "section 9 (1) (a)" and substituting "section 11 (1)",
- (c) by striking out "section "9 (2)" wherever it appears and substituting "section 12 (1)",
- (d) by striking out "section 9 (3)" wherever it appears and substituting "section 12 (2)",
- (e) by striking out "section 9 (5)" wherever it appears and substituting "section 12 (4)",
- (f) in the heading before section 21 by striking out "Sections 9 (7) and 9 (8)" and substituting "Section 13 (1) and (2)",
- (g) in section 22 by striking out "section 9 (8)" and substituting "section 13 (2)",
- (h) in section 24 by striking out "section 9 (7) or 9 (8)" and substituting "section 13 (1) or (2)",
- (i) by striking out "section 10 (1) and (4)" wherever it appears and substituting "sections 15 (2), 16 and 18",
- (j) by striking out "section 11 (2)" wherever it appears and substituting "section 19 (2)",
- (k) by striking out "section 11 (4)" wherever it appears and substituting "section 20",
- (1) in section 40 by striking out "section 8 (12)" and substituting "section 10 (3)",
- (m) in section 41 by striking out "section 8 (13)" and substituting "section 10 (4)",
- (n) in section 35 by striking out "section 8 (14)" and substituting "section 10 (5)",
- (o) in the heading before section 35 by striking out "Section 8 (12), (13), and (14)" and substituting "Section 10 (3), (4) and (5)",
- (p) by adding the form attached to this regulation as Schedule F to B.C. Reg. 313/78, and
- (q) by adding the following after section 43:

Special Cases

- 44. Notwithstanding section 31, where a person applies to the commission under section 15 (2) of the Act for permission to use land in an agricultural land reserve for a purpose other than farm use, he shall, where the proposed use is one of the following, file in the office of the commission an application substantially in the form in Schedule F:
 - (a) storage and sale or processing of agricultural products on a farm where they were not grown or reared on that farm;
 - (b) a reserve or area of land or habitat set apart for wildlife that does not qualify as a permitted land use under the Agricultural Land Commission Subdivision and Land Use Regulation;

(c) parks and recreation reserves, whether created by the Province, a regional district or a municipality, that do not qualify as a permitted land use under the Agricultural Land Commission Subdivision and Land Use Regulation;

unpaved airstrip for use of aircraft flying non-scheduled (d)

dedication or construction of new highway, road or railway (e)

rights of way;

electrical transmission lines and utility installation, including pipeline pumping stations, automatic telephone exchanges, electrical substations, navigational aids, underground pipelines and any ancillary purposes;

trunk sewer and trunk water lines and ancillary storage or (g) pumping facilities, including construction of or addition to a

reservoir;

sewage lagoons, treatment plants and other sewage disposal facilities regulated by the Pollution Control Act;

sanitary land fills; (i)

well drillings and access to well sites but not including (j) wells drilled for potable water for use in a single family dwelling unit;

guest ranches;

open land recreation uses, including campgrounds, fishing and hunting camps, game farms and rifle ranges, provided a total (1) of not more than 5% of the land registry parcel or 2 ha, whichever is the lesser, will be physically altered by the construction of roads, services, paving, parking facilities, buildings, structures or earthworks;

surveying, exploring or prospecting for gravel, oil or minerals, provided all cuts, trenches and similar alterations will be restored to the natural ground level and all topsoil

is replaced;

gravel pits, peat extractive areas and turf farms, where reclamation and rehabilitation is possible;

golf courses, including a driving range or a par 3 pitch and putt facility;

horse riding arenas or boarding stables; dog kennels for boarding or breeding. (p)

- 45. The commission shall, before issuing an order allowing a use referred to in section 44, inform the regional district and municipality, if applicable, in which the land is located, of the receipt of the application.
- 46. Notwithstanding section 31, where a person applies to the commission under section 18 of the Act for an order authorizing a registrar of titles to accept a plan of subdivision under the Land Title Act or a strata plan under the Condominium Act, if the proposed subdivision is designed to establish a legal boundary along the perimeter of an agricultural land reserve and the part of the land within the reserve will consist of a parcel not less that 8093.5 m² in area, he shall file in the office of the commission an application substantially in the form in Schedule F.
- 47. The commission shall, before issuing an order authorizing acceptance of a plan referred to in section 46, inform the regional district and municipality, if applicable, of the receipt of an application under that section.



Province of British Columbia APPLICATION UNDER THE AGRICULTURAL LAND COMMISSION ACT

P.A.L.C. File No.

PURSUANT TO B.C. REG

INFORMATION TO BE SUPPLIED BY APPLICANT

SCHEDULE

REGIONAL DISTRICT	
PROPERTY OWNER'S NAME (PLEASE PRINT)	AUTHORIZED AGENT OF THE OWNER* (PLEASE PRINT)
ADDRESS OF OWNER	ADDRESS OF AGENT
CITY/TOWN/VILLAGE	CITY/TOWN/VILLAGE
POSTAL CODE	POSTAL CODE
TELEPHONE NO.	TELEPHONE NO.
	*IF AGENT IS SUBMITTING THE APPLICATION, AUTHORIZATION MUST BE SUPPLIED FROM THE REGISTERED OWNER OF THE PROPERTY.
FULL LEGAL DESCRIPTION OF EACH LAND REGISTRY PARCEL UNDER APP	EXISTING APPROX. AREA OF EACH EXISTING LANI REGISTRY PARCEL
lease attach a copy of the Certificate of Indefeasible Title or a State of f the tax notice.	TOTAL AREA IN HECTARES Title Certificate for the Land Registry Parcel(s) involved or alternately a continuous
hereby make application under: (Please check appropriate box)	
	C. Reg.
OR	
(b) Land Use — Section of B. (Indicate Subsection)	C. Reg.
The subject property in terms of the smallest existing Land Registry identified by full length description, and showing the smallest existing Land Registry.	Appell and Table of the second

- or parcels, and dimensions of each boundary including the adjacent Land Registry parcels;
- 2. The location of the subject property within the Agricultural Land Reserve; and
- The location of any permanent dwellings or mobile homes and any existing buildings or structures on the property;
- The proposed new Land Registry parcels to be created on the subject property showing approximate areas of the proposed parcels and approximate dimensions of each boundary or the proposed location of any additional dwellings or buildings to be constructed.
- The location of properties, other than the subject property, which are under the owner ship, lease, or rental of the applicant, in the vicinity of the subject property; and
- The location of waterways, roads and/or rights-of-way (public or private and surface condition), benches, ridges or other significant topographical features and any areas under bush, cleared, pasture, cultivated land, etc.

It is preferable, but not mandatory, that the plans be based on those prepared by a professional surveyor, engineer, architect or planner, Such maps (having been drawn at some time in the past-for another purpose) are often available to an applicant (e.g. the last deposited subdivision plan involving the property in question, prints of which may be obtained from the Land Registry Office for the cost of copying). The maps should identify individual parcels by legal description and should specify dimensions of each of the subject parcels.

		·		
•••				
	If available, include photographs of the subject property, including build relating to the present use of the subject property.	ings, and any other		
	to you own or lease any other properties within a one-kilometre radius rovide the legal description and describe the existing land use of these		operty?	If so, plo
•	······································		·	

	<u> </u>			
(i) Describe the existing land use and buildings on all lots adjacent to		الماسية الماسة	·
	farm unit			oject prope

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		· .		
,···		•	•	
	i) Are there any livestock operations (10 or more animals raised f	•		
kil	lometre of the subject property? If so, please specify type of operation	ì		
				÷
De	escribe the proposed use of the subject property			
De				
De	escribe the proposed use of the subject property			
De	escribe the proposed use of the subject property			
De	escribe the proposed use of the subject property			
De	escribe the proposed use of the subject property			
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Should this application be successful, it in no way implies that other necessary approvals or permits will be granted. In this regard the zoning, building, sewage disposal, access, and availability of necessary services, including water, should be checked by all applicants.

Please consult the Agricultural Land Commission Act and regulations thereunder for further details.

Filed July 28, 1978

AGRICULTURAL LAND COMMISSION ACT

ORDER IN COUNCIL 1979, APPROVED AND ORDERED JULY 27, 1978 [Consolidated for convenience only, February 18, 1981]

AGRICULTURAL LAND RESERVE PROCEDURE REGULATION

Application by a Municipality, Regional District, or the Commission and Action by the Lieutenant-Governor in Council Under Section 11 (1) of the Act.

1. Where the commission or a municipality or regional district makes an application under section 11 (1) of the Act

(a) the application shall contain all the information itemized in Schedule A to this regulation and such other supporting material as may be required by the Lieutenant-Governor in Council or the commission,

(b) where the applicant is a municipality, it shall send a copy of the application and supporting material to the regional district,

(c) where the applicant is a municipality or regional district it shall submit the application to the commission who shall consider the application and shall make a recommendation and submit the application along with the recommendation to the Minister for forwarding to the Lieutenant-Governor in Council, and the commission shall send a copy of its recommendation to the regional district and, if applicable, the municipality, and

(d) where the applicant is the commission, it shall send a copy of the application and supporting material to the regional district and, if

applicable, the municipality. (B.C. Reg. 8/81.)

- 2. (1) The commission, municipality, or regional district holding a public hearing as required by section 11 (1) of the Act shall publish a notice stating the time and place of the hearing in at least two consecutive issues of a newspaper published or circulated in the municipality or regional district where the land is situated, with the last of such publications appearing not less than 3 days nor more than 10 days before the date of the hearing.
 - (2) The notice of hearing shall
 - (a) identify, in a general manner, the land or lands affected but need not use the legal description of the land affected;

(b) state in general terms the intent of the application; and

- (c) state when and where a copy of the application may be inspected.
- (3) At the hearing all persons shall be afforded an opportunity to be heard on matters related to the proposed application.
 - (4) The hearing may be adjourned from time to time.
- (5) A member of the Council or of the regional board, or a commissioner who was not present at the hearing, may vote on the application if an oral or written report of the hearing has been given to him. (B.C. Reg. 8/81.)
- 3. The commission, municipality, or regional district holding the hearing may, without further notice, allow amendment to the proposed application to give such effect as it deems fit to representations made at the hearing.
- 4. Where the Lieutenant-Governor in Council excludes any land on his own under section 11 (1) of the Act, the minister shall inform the commission and the commission shall inform the regional district and, if applicable, the municipality and the appropriate registrar of titles. (B.C. Reg. 8/81.)

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Applications by an Owner to Exclude Land Under Section 12 (1) Pursuant to Section 12 (2) of the Act

- 5. Where an owner intends to make an application to the commission under section 12 (1) of the Act, he shall first complete and file an application in the form in Schedule B to this regulation in the office of the secretary-treasurer of the regional district in which the land is situated. (B.C. Reg. 8/81.)
- 6. (1) The secretary-treasurer shall, on compliance by an owner with section 5, forthwith complete the form in Schedule C.
- (2) Where the land is not located in a municipality, the secretary-treasurer shall supply the information required by Schedule C, but otherwise the secretary-treasurer shall require the clerk of the municipality to supply the information required by Schedule C and the clerk shall forthwith supply that information.
- 7. The secretary-treasurer or, if applicable, the clerk of the municipality, shall forthwith after receipt of the application submit the application to the regional district board or, if applicable, the municipal council.
- 8. Where an application filed under section 5 is in respect of land referred to in section 12 (4) of the Act, no further proceedings shall be taken unless and until the municipality or regional district passes the resolution referred to in section 12 (4) of the Act authorizing the application. (B.C. Reg. 8/81.)
- 9. Where a resolution is passed under section 12 (4) of the Act, the secretary-treasurer shall transmit a certified copy of it to the commission along with the other information required by section 12. (B.C. Reg. 8/81.)
- 10. Where the regional district or municipality considers it necessary or advisable to transmit its recommendations, comments, opinions, or any other information in respect of any application to the commission, it shall do so within the time limited under section 12.
- 11. (1) The regional district may, if it considers it necessary or advisable, hold public information meetings in respect of an application and, where such a meeting is held, at least one member of the regional district representing the area within which the land that is the subject matter of the application is situated, shall attend and shall report to the regional district the views expressed at the meeting.
- (2) The member of the regional district referred to in subsection (1) shall forthwith transmit a copy of the report or a summary of it, indicating the degree of support for or opposition to the application, to the commission.
- 12. The secretary-treasurer shall, within 30 days or, where a public information meeting is held pursuant to section 11, within 60 days after receipt of an application, transmit
 - (a) the application in Schedule B.
 - (b) the information required in Schedule C.
 - (c) the resolution, if required under section 9, and
 - (d) any other information about a public information meeting held under section 11

to the commission.

- 13. Notwithstanding anything in these regulations or in Schedule B or C, the commission may require of the applicant or of the regional district or municipality such further relevant information as it considers necessary.
- 14. A hearing required by section 12 (2) of the Act shall be held at a time and at a place designated by the commission and may be adjourned from time to time. (B.C. Reg. 8/81.)



- 15. (1) The commission shall give written notice of the date and place of the hearing to
 - (a) the applicant,
 - (b) the regional district,
 - (c) the municipality, if any, and
 - (d) such owners or occupiers of land located adjacent to the land referred to in the application as it may consider necessary or advisable, not less than 10 days and not more than 30 days before the date of the hearing.
 - (2) The notice of hearing shall
 - (a) identify the land referred to in the application,
 - (b) state the purpose of the application, and
 - (c) state the place and time at which the application and the documents relating to the application may be inspected.
- 16. The commission shall cause to be mailed by registered mail to the applicant or delivered by a personal service a statement of the facts, opinions and other information, or a summary of them, received by the commission for consideration at the hearing.
- 17. The commission shall, at the request of the applicant or his agent, allow him or his agent to inspect all relevant documents in the custody of the commission relating to the application.
- 18. (1) The applicant is entitled to make representations at the hearing personally or by his counsel or agent.
- (2) The commission may require the applicant or any other person offering evidence to give his evidence on oath.
 - 19. For the purpose of the hearing the commission may
 - (a) require that evidence offered before it be given on oath and may for that purpose administer an oath,
 - (b) accept written submissions or any other form of evidence notwithstanding that it may not be evidence in a court of law, and
 - (c) hear representations, evidence and opinions of any person present or represented at the hearing and of the regional district and municipality that, in the opinion of the commission, are relevant to the application.
- 20. Where evidence is presented at the hearing, a statement or summary of which has not been sent to the applicant, the commission,
 - (a) where the applicant or his counsel or agent is present at the hearing, may hear further representations in respect of such evidence, or adjourn the hearing to enable the applicant to make answer to that evidence, or
 - (b) where the applicant or his counsel or agent is not present at the hearing, shall notify the applicant by registered mail or by personal service of the additional evidence presented by the hearing and the time within which the additional evidence may be answered.

Applications to Appeal to the Environment and Land Use Committee Under Section 13 (1) and (2) of the Act

21. (1) A person who is dissatisfied with the decision of the commission made in respect of an application to it under section 12 (1) of the Agricultural Land Commission Act or under section 5 of the Soil Conservation Act may apply to the

commission for a certificate of leave to appeal to the Environment and Land Use Committee by delivering it or mailing a written request to the commission.

(2) The written request shall state the grounds on which the person alleges that the decision of the commission is wrong. (B.C. Reg. 8/81.)

22. (1) A person applying to the minister for leave to appeal under section 13 (2) of the Act may apply to the minister for a certificate of leave to appeal to the Environment and Land Use Committee by mailing a written request by registered mail to the minister.

(2) The written request shall state the grounds on which the person alleges that the decision of the commission is wrong and the person making the application shall mail, by registered mail, a copy of the written request to the commission.

(3) On receipt of a copy of the written request the commission shall forthwith transmit to the minister

(a) a copy of all the documents in the custody of the commission respecting the original application,

(b) a transcript of any evidence that was transcribed at the hearing, and(c) a copy of the decision of the commission and of any reasons for it.

(4) A person requesting the certificate of leave to appeal who makes additional written submissions to the minister shall send copies of them to the commission.

(5) The minister shall review the application and may require of the applicant, the regional district or municipality, the commission, or any other person such further or additional information as he considers necessary and shall supply copies of such further or additional information to the applicant, the regional district or municipality and the commission and shall give each party a reasonable time to respond. (B.C. Reg. 8/81.)

23. (1) Where a person has obtained leave under section 21 or 22 to appeal to the Environment and Land Use Committee the person shall file with the Environment and Land Use Committee either

(a) the certificate of leave to appeal signed and dated by two members of the commission, or

(b) the certificate of leave to appeal signed and dated by the minister.

(2) A certificate of leave to appeal expires 60 days after its date.

24. A person appealing under section 13 (1) or (2) of the Act shall file a notice of the appeal accompanied by the certificate of leave to appeal with the Environment and Land Use Committee by delivering it or mailing it by registered mail to the secretary of the committee at the City of Victoria. (B.C. Reg. 8/81.)

25. The appellant shall state in the notice of appeal the reasons for the appeal and the grounds on which he alleges that the decision of the commission is wrong.

- 26. The appellant shall deliver or mail by registered mail a copy of the notice of appeal to each person who made a submission or gave evidence in support of or in opposition to the original application and to the regional district and the municipality, if any, and to the commission and shall submit to the secretary of the Environment and Land Use Committee a list of the persons so notified and a signed statement that they have been so notified.
- 27. On receipt of a copy of the notice of appeal, the commission shall forthwith transmit to the secretary of the Environment and Land Use Committee
 - (a) a copy of all the documents in the custody of the commission respecting the original application,
 - (b) a transcript of any evidence that was transcribed at the hearing, and
 - (c) a copy of the decision of the commission and any reasons for it. 28. The Environment and Land Use Committee shall notify by registered

mail the appellant, the commission, the regional district, and the municipality, if applicable, of the date and place of the hearing at least 20 days before the date of the hearing, and the appellant shall deliver or serve by registered mail a copy of the notice of the date and place of the hearing on each person who made a submission or gave evidence in support of or in opposition to the original application at least 10 days before the date of the hearing and shall send to the secretary of the Environment and Land Use Committee a signed statement that they have been so notified.

- 29. The Environment and Land Use Committee shall, at or before the hearing, review all the documents filed with it respecting the appeal and at the hearing shall hear the representations and evidence of the commission, the appellant and the regional district, municipality and other persons who made representations or gave evidence on the original application, and such other evidence as the Environment and Land Use Committee may consider necessary.
- 30. Sections 18 and 19 apply to a hearing and review under section 29 with "Environment and Land Use Committee" being substituted for "commission," where applicable.

Applications Under Section 20 of the Act to Exempt the Use of Land Pursuant to Sections 15 (2), 16 and 18 and Section 19 (2) of the Act

- 31. Where a person applies to the commission under section 20 of the Act pursuant to sections 15 (2), 16 and 18 and section 19 (2) of the Act he shall file an application in substantial compliance with Schedule B in the office of the secretary-treasurer of the regional district in which the land is situated. (B.C. Reg. 8/81.)
 - 32. Sections 6 to 13 apply in respect of applications filed pursuant to section 31.
- 33. The commission may, where it is considered necessary or advisable, hold a hearing with respect to any application filed pursuant to section 31 and the meeting shall be held at a time and place designated by the commission and may be adjourned from time to time.
- 34. Where the commission holds a hearing under section 33, sections 15 to 20 apply in respect of the hearing.

Applications to Include Land in an Agricultural Land Reserve Under Section 10 (3), (4) and (5) of the Act

- 35. Where an owner's land is not included in an agricultural land reserve plan the owner may, pursuant to section 10 (5) of the Act, at any time, apply to have his land designated as or as part of an agricultural land reserve by filing an application in compliance with Schedule D in the office of the secretary-treasurer of the regional district in which the land is situated. (B.C. Reg. 8/81.)
- 36. The secretary-treasurer shall forthwith obtain information listed in Schedule E and complete the Schedule.
- 37. The regional district may, where it considers it advisable, hold a public hearing in respect of an application made under section 35, and section 2 applies to the hearing.
- 38. The regional district shall, within 30 days or, where a public hearing is held pursuant to section 37, within 60 days after receipt of an application under section 35, transmit the application and the recommendations of the regional district together with any other information relevant to the application, including comments received from a municipality in which the land is situated, to the commission.

- 39. Where the commission considers that designation of the land as or as part of an agricultural land reserve carries out the intent and purpose of the Act, and after approval of the Lieutenant-Governor in Council designates the lands as or as part of an agricultural land reserve, it shall notify the applicant, the municipality, if applicable, and the regional district in which the land is situated and the appropriate registrar of titles of the designation.
- 40. Notwithstanding section 35, a municipality, regional district, or the commission may, pursuant to section 10 (3) of the Act, at any time, whether or not it is the owner of the land, apply to the Lieutenant-Governor in Council for approval of the addition of the land to a designated land reserve and shall give notice in writing to the other two parties and to the owner of the land. (B.C. Reg. 8/81.)
- 41. (1) Where the land is not owned by the municipality, regional district, or commission applying under section 40 it shall, pursuant to section 10 (4) of the Act, at its own expense, hold a public hearing at least 30 days before submitting the application to the Lieutenant-Governor in Council and section 2 applies to the hearing.
- (2) The applicant must give at least two weeks' written notice of the public hearing under this section to the other parties and to the owner of the land.
- (3) A report of the public hearing shall accompany the application. (B.C. Reg. 8/81.)
- 42. An applicant under section 40, the owner, the municipality and regional district in which the land is situated and the commission may make written representations in respect of the applicant's application.
- 43. Where the Lieutenant-Governor in Council approves an application made under section 40, the commission shall, where it designates the land as or as part of an agricultural land reserve, notify the applicant, the owner, the municipality, if applicable, the regional district in which the land is situated, and the appropriate registrar of titles of the designation.

SPECIAL CASES

- 44. Notwithstanding section 31, where a person applies to the commission under section 15 (2) of the Act for permission to use land in an agricultural land reserve for a purpose other than farm use, he shall, where the proposed use is one of the following, file in the office of the commission an application substantially in the form in Schedule F:
 - (a) storage and sale or processing of agricultural products on a farm where they were not grown or reared on that farm;
 - (b) a reserve or area of land or habitat set apart for wildlife that does not qualify as a permitted land use under the Agricultural Land Commission Subdivision and Land Use Regulation;
 - (c) parks and recreation reserves, whether created by the Province, a regional district or a municipality, that do not qualify as a permitted land use under the Agricultural Land Commission Subdivision and Land Use Regulation;
 - (d) unpaved airstrip for use of aircraft flying non-scheduled flights;
 - (e) dedication or construction of new highway, road or railway rights of way;
 - (f) electrical transmission lines and utility installation, including pipeline pumping stations, automatic telephone exchanges, electrical substations, navigational aids, underground pipelines and any ancillary purposes;
 - (g) trunk sewer and trunk water lines and ancillary storage or pumping

facilities, including construction of or addition to a reservoir:

(h) sewage lagoons, treatment plants and other sewage disposal facilities regulated by the *Pollution Control Act*;

(i) sanitary land fills;

(j) well drillings and access to well sites but not including wells drilled for potable water for use in a single family dwelling unit;

(k) guest ranches;

(1) open land recreation uses, including campgrounds, fishing and hunting camps, game farms and rifle ranges, provided a total of not more than 5% of the land registry parcel or 2 hectares, whichever is the lesser, will be physically altered by the construction of roads, services, paving, parking facilities, buildings, structures or earthworks;

(m) surveying, exploring or prospecting for gravel, oil or minerals, provided all cuts, trenches and similar alterations will be restored to the natural

ground level and all topsoil is replaced;

(n) gravel pits, peat extractive areas and turf farms, where reclamation and rehabilitation is possible;

(o) golf courses, including a driving range or a par 3 pitch and putt facility;

(p) horse riding arenas or boarding stables;

- (q) dog kennels for boarding or breeding. (B.C. Reg. 8/81.)
- 45. The commission shall, before issuing an order allowing a use referred to in section 44, inform the regional district and municipality, if applicable, in which the land is located, of the receipt of the application. (B.C. Reg. 8/81.)
- 46. Notwithstanding section 31, where a person applies to the commission under section 18 of the Act for an order authorizing a registrar of titles to accept a plan of subdivision under the Land Title Act or a strata plan under the Condominium Act, if the proposed subdivision is designed to establish a legal boundary along the perimeter of an agricultural land reserve and the part of the land within the reserve will consist of a parcel not less than 8 093.5 m² in area, he shall file in the office of the commission an application substantially in the form in Schedule F. (B.C. Reg. 8/81.)
- 47. The commission shall, before issuing an order authorizing acceptance of a plan referred to in section 46, inform the regional district and municipality, if applicable, of the receipt of an application under that section. (B.C. Reg. 8/81.)

J. A. NIELSEN

Minister of the Environment

W. R. BENNETT
Presiding Member of the Executive Council

AGRICULTURAL LAND COMMISSION ACT APPLICATION UNDER SECTION 11 (1)

(Information to be supplied by a municipality or regional district for land only within its jurisdiction.)

•	,	A.L.C. File No.	
		R.D. File No.	
	SCHEDULE	A	
In respect to land within	-		in th
	(Municipal	ity or electoral area)	
(Regional district)	, the7	(Applicant)	

nereby i	makes application under section of the Agricultural Land (11 (1) or 11 (2))
	ssion Act to the Lieutenant-Governor in Council.
In submitte	support of this application, the following information applicable to the subject area is ed: (If several distinct areas are involved, distinguish by subarea.)
	tification
1.1	Legal description (in general terms if for a large area)
1.2	Total area of subject area
1.3	Area of subject area which is Crown land
1.4	Location on A.L.R. plan and legal base maps
	racteristics
2.1	Existing land use
2.2	Proposed land use
2.3	Land use of surrounding properties
2.4	Notable physical features
2.4	Notable physical features
2.5	Extent of floodplain (if applicable)
2.6	Services available or scheduled
2.7	Roads or rights-of-way on or abutting the subject properties, including information on road or rights-of-way dedication and extent of construction
3.1	al and regional planning Official Regional Plan designation
	Community or Settlement Plan designation
	Zoning
4. Con	ments and recommendations (include copies of resolutions where applicable) Regional Board
4.2	Municipal Council (if applicable)
4.3	Advisory Planning Committee or Commission
4.4	Technical Planning Committee
4.5	Others
_	ort of public hearing (include date and place of hearing and number attending).
6. Rea	sons for request
Ti priate s	he above information may also be indicated, in part, on maps and (or) plans of approscale.
	(Signature of Secretary-treasurer or Administrator) (Date)



Province of British Columbia APPLICATION UNDER THE AGRICULTURAL LAND COMMISSION ACT

(Information to be supplied by applicant. Application fee, \$25.)

A.L.C. Pile No.	
R.D. File No.	
Receipt No.	

SCHEDULE B

REC	GIONAL DISTRICT					
Prop	perty owner's name:	Α	uthorized agent of the owner	· r:		
	(Please print)		(Picase p	rint)		
Address of owner:		Address of agent:				
City	/Town/Village:	City/Town/Village:				
Post	al Code:	P	ostal Code:			
Tele	phone No.:	T	elephone No.:	-		
	Full Legal Description of Each Existing Land Registry 8	arcel L	luder Application	Approximate Area of Each Existing Legal Parcel of Land		
			·	Existing Legal Parcel of Land		
•••••	<u> </u>		Total area in hectares			
	V		Total area in nectales			
	I enclose a copy of one of the following for the property/properties under application: Certificate of Indefeasible Title, or State of Title Certificate, or Tax/Assessment Notice. Lhereby make application under: (Please check appropriate box) (a) Section 20 (1) of the Agricultural Lar (i) subdivide the subject property for or (b) Section 12 (1) of the Agricultural Lar excluded from the Agricultural Land	ty, an non-f nd C	d (or) arm purposes within the AL commission Act to have the	the applicant: (Year) R plan.		
				<u> </u>		
	In support of this application I submit a plan or plan	s of	appropriate scale showing ea	ach of the following:		
	 A. The legal boundaries of the subject propert the subject property in the Agricultural Lan B. The location of any permanent dwellings on the property; C. The location of the proposed new parcels dimensions of each boundary or the propose constructed; 	d Remob	serve or boundary of the A ile homes and any existing the e created with approximate	gricultural Land Reserve; buildings or structures on e areas and approximate		
	(Physical Features)					
	 The location of waterways, roads, and/or benches, ridges, or other significant topogra cultivated land, etc. 					
	It is preferable, but not mandatory, that the plans be based	on th	ose prepared by a professional	surveyor, engineer, architect,		

It is preferable, but not mandatory, that the plans be based on those prepared by a professional surveyor, engineer, architect, or planner. Such maps (having been drawn at some time in the past for another purpose) are often available to an applicant (e.g., the last deposited subdivision plan involving the property in question, prints of which may be obtained from the Land Registry Office for the cost of copying). The maps should identify individual parcels by legal description and should specify dimensions of each of the subject parcels.

AGR 2001 REV 80/6

d any other details or information subject property? If so, please ites. ighbouring the subject property amercial sale) within one (1) ubdivision, a rezoning, a building and (or) subdivision plans where
ighbouring the subject property mercial sale) within one (1) subdivision, a rezoning, a building and (or) subdivision plans where
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ubdivision, a rezoning, a building and (or) subdivision plans where
vledge, factual and correct.
(Date) ricultural Land Reserve. rm purposes. (The land remains in or permits will be granted. In this luding water, should be checked by ther details. ada Way, Burnaby, B.C. V5G 4K6
File No
File No.
Rase
onstituent
hoto No.
Approximate Area of Each Existing Legal Parcel of Land
a
Bai sel rin

3.	The zoning classification governing the subject programmer of the subj	roperty at the date of application (please attach map, if possib
	(a) Uses permitted	
	(b) Minimum lot size permitted	
	(c) Other relevant regulations under zon	ning by-law (if applicable)
	The zoning applicable to the subject property in (Note the requirement under section 12 (4) or resolution.)	amediately prior to December 21, 1972
5. (a) Description of the use of the subject propert	y, including any details relating to occupancy and legality of
	and occupancy (Please note any buildings or	structures plus approximate areas of use):
(b) Is the subject property governed by building	g codes and (or) inspections?
5. <i>A</i>	A brief description of the existing land use and b	uildings adjacent to and surrounding the subject property indic
i	ng approximate lot sizes (a map, if available):	Use additional paper if necessary
(a) North	P-P in necessary.
(1	b) East	
(c) South	
(4	i) West	
. A	description of the services available to the subie	ct property or the possibility or feasibility of providing service
(4) Roads	represents of the possibility of feasibility of providing service
(Ł) Water	
C	·) Sewage disposal	
(4) Others	
Te.	the subject property leasted in a second	-
	the subject property located in a floodplain?	
A		aphic, soils and legal maps, etc.)
	(Secretary-Treasurer or Administrator)	(Date)
2007	REV 81/1	(Date)
_	NDV 61/1	
κ	B	
Ŋ	Province of British Columbia	. :
-	APPLICATION FOR INCLUSION OF	FLAND IN THE
•	GRICULTURAL LAND RESERVE	PURSUANT TO A.L.C. File No.
2	ECTION 10 (5) OF THE AGRICUL	TURAL LAND
•	COMMISSION ACT	R.D. File No.
		N.B. The Ho.
		\circ
	SC	HEDULE D
		ompleted by the applicant)
	EGIONAL DISTRICT	· · · · · · · · · · · · · · · · · · ·
p:	EGIONAL DISTRICT	
R	Property owner's name:	Authorized agent of the owner:
	F y owner a name.	AUGULIZED AVERT OF THE AUGUST
	(Please print)	

	City/Town/Village:	City/ I own/ Village:				
	Postal Code:	Postal C	ode:			
	Telephone No.:	Telepho	ne No	o.:		
2.	Please complete the appropriate chart or charts belowand, private land, or a combination of both.	w, dependin	g on	whether the subject pro	perties are Crowi	
	(a) Private Land					
	Full Legal Description of Each Existing Land Registry Parce of Private Lands Under Application	1	A	pproximate Total Area of Each Existing Legal Parcel of Land	Cleared or Improved Area of Each Lot	
			! 			
	<u> </u>	Total area	<u>.</u>			
	(b) Crown Land					
	Full Legal Description of Each Existing Land Registry Parcel of Crown Land Under Application	Type o Crown Le	(Approximate Total Area of Each Existing Legal Parcel of Land	Cleared or Improved Area of Each Lot	
		<u> </u>		Tatter of Lam	Of Bacil Lot	
		1	····		***************************************	
		Total	area	ļ		
	Note-If there are any Crown leases, please provide a co	opy of each les	asc.			
	The plan or plans of appropriate scale should also she (i) the location of each of the subject proper (ii) the location of other land owned, leased, vicinity of the subject properties.	rties in relat				
. 1	Describe the existing use of the subject properties			·		
	Note—Wherever possible, provide photographs of the s	subject propert	y whic	ch also shows buildings.		
	Describe the existing use of those properties which are by the applicant in the immediate vicinity, including the					
5.	Describe the existing land use and buildings on all I	lots adjacen	t to a	and neighbouring the su	ubject property or	
	North					
	East					
	South					
	West					
	Tr Git.		•••••	***************************************		
7.	Describe the proposed use of the subject property		•			

Any other information or comments	
	•
I hereby declare that the information contained herein is, to the be	st of my knowledge, factual and con
(Signature of owner)* * If agent is handling application, please supply authorization from owner.	(Date)
Please consult the Agricultural Land Commission Act and regulatio	ns thereunder for further details
2008.1 REV \$1/1 •	and distributed for further details.
rovince of British Columbia	
PPLICATION FOR INCLUSION OF LAND IN THE GRICULTURAL LAND RESERVE PURSUANT TO	A.L.C. File No
ECTION 10 (5) OF THE AGRICULTURAL LAND	R.D. File No.
	ame of applicant
SCHEDULE E	
	selies if annihable >
(To be completed by the regional district and municipy Note—Prior to filling in Schedule E, please verify the following information (1) Legal description and area of the subject properties. (2) Description of existing use of the subject property.	
(3) Description of surrounding land uses and buildings.	
. On a map, please locate each of the subject properties in relation to the	
. The Official Regional Plan designation of the subject property, with s	
Any applicable community/settlement or other plan or study designation	
. The zoning classification governing the subject property at the date of	
ZONING (a) Uses permitted	
(b) Minimum lot size permitted	and the second second
	ole)
(c) Other relevant regulations under zoning by-law (if applicat	
	d Agricultural Land Reserve?
(c) Other relevant regulations under zoning by-law (if applicate the property included by the regional district in the recommender Yes \(\scale \) No \(\scale \)	
(c) Other relevant regulations under zoning by-law (if applicat	gricultural Land Reserve:

Reserve? Yes No		
(b) If so, please give details on adjacent pro	perties	***************************************
		••••
(Secretary-Treasurer or Administrator)	(Date)	······································
J		
Province of British Columbia	P.A.L.C	C. File No.
	TION UNDER THE LAND COMMISSION ACT	
RSUANT TO B.C. REG.		
ORMATION TO BE SUPPLIED BY APPLICANT		
Si	CHEDULE F	
GIONAL DISTRICT		
ROPERTY OWNER'S NAME (PLEASE PRINT)	AUTHORIZED AGENT OF THE OWNER'	(PLEASE PRINT)
DDRESS OF OWNER	ADDRESS OF AGENT	
TY/TOWN/VILLAGE	CITY/TOWN/VILLAGE	
OSTAL CODE	POSTAL CODE	
ELEPHONE NO.	TELEPHONE NO.	
	*IF AGENT IS SUBMITTING THE APPLICATION SUPPLIED FROM THE REGISTERED OWNER OF	
FULL LEGAL DESCRIPTION OF I		APPROX. AREA OF EACH EXISTING LAND REGISTRY PARCEL
	TOTAL AREA IN HECTARES	
lease attach a copy of the Certificate of Indefeasible Title or a State of otice.	Title Certificate for the Land Registry Parcel(s) involve	ed or alternately a copy of the to
hereby make application under: (Please check appropriate box)		
(a) Subdivision — Section of B.C. Reg. 8/	/A1	
- (Indicate Subsection)		
(b) Land Use — Section of B.C. Reg. 8/8	OR 1	
n support of this application I submit a plan or plans of appropriate sci	ale showing each of the following.	
The subject property in terms of the smallest existing Land Registry parcel or description, and showing acreage of the Land Registry parcel or parcels, and		
including the adjacent Land Registry parcels;	14	

- 2. The location of the subject property within the Agricultural Land Reserve; and
- The location of any permanent dwellings or mobile homes and any existing buildings or structures on the property;
- 4. The proposed new Land Registry parcels to be created on the subject property showing approximate areas of the proposed parcels and approximate dimensions of each boundary or the proposed location of any additional dwellings or buildings to be constructed.
- The location of properties, other than the subject property, which are under the ownership, lease, or rental of the applicant, in the vicinity of the subject property; and
- The location of waterways, roads and/or rights-of-way (public or private and surface condition), benches, ridges of other significant topographical features and any areas under bush, cleared, pasture, cultivated land, etc.

It is preferable, but not mandatory, that the plans be based on those prepared by a professional surveyor, engineer, architect or planner. Such maps (having been drawn at some time in the past for another purpose) are often available to an applicant (e.g. the last deposited subdivision plan involving the property in question, prints of which may be obtained from the Land Registry Office for the cost of copying). The maps should identify individual parcels by legal description and should specify dimensions of each of the subject parcels.

(a	Describe the existing use of the subject property. Please describe briefly any and all buildings and (or) structures located on the property and if possible note the location of the said structures on a plan or map.
	If available, include photographs of the subject property, including buildings, and any other details or information relating to the present use of the subject property.
(b	Do you own or lease any other properties within a one-kilometre radius of the subject property? If so, please provide the legal description and describe the existing land use of these properties.
(c)	(i) Describe the existing land use and buildings on all lots adjacent to and neighbouring the subject property or farm unit.
(ii) Are there any livestock operations (10 or more animals raised for commercial sale) within one (1) kilometre of the subject property? If so, please specify type of operation	
(d)	Describe the proposed use of the subject property
	That is to say, the specific proposed use and whether the development involves a subdivision, a rezoning, a building permit, a development contract, etc. Include sketch plans of any proposed buildings and (or) subdivision plans where available.
(e)	My reasons for requesting this action are as follows (use additional paper if necessary)
	I hereby declare that the information contained herein is, to the best of my knowledge, factual and correct.
	(Signature of owner)* (Oate)
	If agent is handing application, please supply sufforwation from owner. Should this application be successful, it in no way implies that other necessary approvals or permits will be granted. In this regard the zoning, building, sewage, disposal, access, and availability of necessary services, including water, should be checked by all applicants. Please consult the Agricultural Land Commission Act and regulations thereunder for further details.
	Provincial Agricultural Land Commission, 4940 Canada Way, Burnaby, B.C. V5G 4K6
*	(B.C. Reg. 8/81.)

B.C. Reg. 313/78

Filed July 28, 1978

O.C. 1979/78

Agricultural Land Commission Act

AGRICULTURAL LAND RESERVE PROCEDURE REGULATION

[consolidated for convenience, September 18, 1984]

Application by a Municipality, Regional District, or the Commission and action by the Lieutenant Governor in Council under section 11 (1) of the Act

- 1. (1) Where a municipality or regional district makes an application under section 11 of the Act
 - (a) the application shall contain all the information itemized in Schedule A to this regulation and such other supporting material as may be required by the Lieutenant Governor in Council or the commission, and
 - (b) it shall submit the application to the commission who shall consider the application and shall make a recommendation and submit the application and the recommendation to the minister for forwarding to the Lieutenant Governor in Council, and the commission shall send a copy of its recommendation to the applicant.
 - (2) Where the commission makes an application under section 11 of the Act
 - (a) the application shall contain all the information itemized in Schedule A to this regulation and such other supporting material as may be required by the Lieutenant Governor in Council,
 - (b) it shall send a copy of the application and supporting material to the municipality or regional district, and
 - (c) it shall submit the application and recommendation to the minister for forwarding to the Lieutenant Governor in Council.

[en. B.C. Reg. 225/84, s. 1.]

- 2. (1) The commission, municipality, or regional district holding a public hearing as required by section 11 (3) of the Act shall publish a notice stating the time and place of the hearing in at least two consecutive issues of a newspaper published or circulated in the municipality or regional district where the land is situtated, with the last of such publications appearing not less than 3 days nor more than 10 days before the date of the hearing.
 - (2) The notice of hearing shall
 - (a) identify, in a general manner, the land or lands affected but need not use the legal description of the land affected,
 - (b) state in general terms the intent of the application, and
 - (c) state when and where a copy of the application may be inspected.

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- (3) At the hearing all persons shall be afforded an opportunity to be heard on matters related to the proposed application.
 - (4) The hearing may be adjourned from time to time.
- (5) A member of the municipal council or of the regional board, or a commissioner who was not present at the hearing, may vote on the application if an oral or written report of the hearing has been given to him.

[am. B.C. Regs. 8/81, s. (a); 225/84, s. 2.]

- 3. The commission, municipality, or regional district holding the hearing may, without further notice, allow amendment to the proposed application to give such effect as it deems fit to representations made at the hearing.
- 4. Where the Lieutenant Governor in Council excludes land under section 11 (1) or grants permission under section 15 (2), 16, 18 or 19 (2) pursuant to section 11 (2) of the Act, the minister shall inform the commission and the commission shall inform the regional district and, if applicable, the municipality and the appropriate registrar of titles.

[am. B.C. Regs. 8/81, s. (b); 225/84, s. 3.]

Applications by an owner to exclude land under section 12 (1) pursuant to section 12 (2) of the Act

- 5. Where an owner intends to make an application to the commission under section 12 (1) of the Act, he shall first complete and file an application in the form in Schedule B to this regulation
 - (a) in the office of the clerk of the municipality, where the land that is the subject matter of the application is located in a municipality, and
 - (b) in all other cases, in the office of the secretary treasurer of the regional district within which the land is located.

[am. B.C. Regs. 8/81, s. (c); 225/84, s. 4.]

- 6. The secretary treasurer or clerk shall, on compliance by an owner with section 5, forthwith complete the form in Schedule C.
 - (2) Repealed. [B.C. Reg. 225/84, s. 5.]

[am. B.C. Reg. 225/84, s. 5.]

7. After receipt of an application under section 5, the secretary treasurer or clerk shall submit the application to the regional board or municipal council, as the case may be.

[am. B.C. Reg. 225/84, s. 6.]

8. Where an application filed under section 5 is in respect of land referred to in section 12 (4) of the Act, no further proceedings shall be taken unless and until the municipality or regional district passes the resolution referred to in section 12 (4) of the Act authorizing the application.

[am. B.C. Reg. 8/81, s. (e).]

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9. Where a resolution is passed under section 12 (4) of the Act, the secretary treasurer or clerk shall transmit a certified copy of it to the commission along with the other information required by section 12.

[am. B.C. Regs. 8/81, s. (e); 225/84, s. 7.]

- 10. Where the regional district or municipality considers it necessary or advisable to transmit its recommendations, comments, opinions, or any other information in respect of any application to the commission, it shall do so within the time limited under section 12.
- 11. (1) A municipality or regional district may, if it considers it necessary or advisable, hold public information meetings in respect of an application under section 12 of the Act.
- (2) Where a regional district holds a public information meeting referred to in subsection (1), the board of the regional district shall ensure that the member of the regional district representing the area within which the land that is the subject matter of the application is situated attends at the meeting and, forthwith after the meeting, submits a report to the board indicating the degree of support for or opposition to the application.
- (3) Where a municipality holds a public information meeting referred to in subsection (1), the council of the municipality shall ensure that at least one member of the council for the municipality attends at the meeting and forthwith, after the meeting, submits a report to the council indicating the degree of support for or opposition to the application.

[en. B.C. Reg. 225/84, s. 8.]

- 12. A person who receives an application referred to in section 5 shall, within 30 days or, where a public information meeting is held pursuant to section 11, within 60 days after receipt of an application, transmit
 - (a) the application in Schedule B.
 - (b) the information required in Schedule C,
 - (c) the resolution, if required under section 9, and
 - (d) the report submitted under section 11 and any other information about a public information meeting held under section 11to the commission.

[am. B.C. Reg. 225/84, s. 9.]

- 13. Notwithstanding anything in these regulations or in Schedule B or C, the commission may require of the applicant or of the regional district or municipality such further relevant information as it considers necessary.
- 14. A hearing required by section 12 (2) of the Act shall be held at a time and at a place designated by the commission and may be adjourned from time to time.

 [am. B.C. Reg. 8/81, s. (d).]
- 15. (1) The commission shall give written notice of the date and place of the hearing to

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AGRICULTURAL LAND COMMISSION ACT
AGRICULTURAL LAND RESERVE PROCEDURE

(a) the applicant,

(b) where the land that is the subject matter of the application is located in a municipality, the municipal council of the municipality, and

(c) where the land that is the subject matter of the application is not located in a municipality, the regional board of the regional district within which the land is located.

not less than 10 days and not more than 30 days before the date of the hearing.

- (1.1) Where it considers advisable, the commission shall give written notice of the date and place of the hearing to the owners of the land located adjacent to the land referred to in the application not less than 10 days and not more than 30 days before the date of the hearing.
 - (2) The notice of hearing shall
 - (a) identify the land referred to in the application,
 - (b) state the purpose of the application, and
 - (c) state the place and time at which the application and the documents relating to the application may be inspected.

[am. B.C. Reg. 225/84, s. 10.]

- 16. The commission shall cause to be mailed by registered mail to the applicant or delivered by a personal service a statement of the facts, opinions and other information, or a summary of them, received by the commission for consideration at the hearing.
- 17. The commission shall, at the request of the applicant or his agent, allow him or his agent to inspect all relevant documents in the custody of the commission relating to the application.
- 18. (1) The applicant is entitled to make representations at the hearing personally or by his counsel or agent.
- (2) The commission may require the applicant or any other person offering evidence to give his evidence on oath.
 - 19. For the purpose of the hearing the commission may
 - (a) require that evidence offered before it be given on oath and may for that purpose administer an oath,
 - (b) accept written submissions or any other form of evidence notwithstanding that it may not be evidence in a court of law, and
 - (c) hear representations, evidence and opinions of any person present or represented at the hearing and of the regional district and municipality that, in the opinion of the commission, are relevant to the application.
- 20. Where evidence is presented at the hearing, a statement or summary of which has not been sent to the applicant, the commission.
 - (a) where the applicant or his counsel or agent is present at the hearing, may hear further representations in respect of such evidence, or

- adjourn the hearing to enable the applicant to make answer to that evidence, or
- (b) where the applicant or his counsel or agent is not present at the hearing, shall notify the applicant by registered mail or by personal service of the additional evidence presented by the hearing and the time within which the additional evidence may be answered.

Applications to appeal to the Environment and Land Use Committee under sections 13(1) and (2) of the Act

- 21. (1) A person who is dissatisfied with the decision of the commission made in respect of an application to it under section 12 (2) of the Agricultural Land Commission Act or under section 5 of the Soil Conservation Act may apply to the commission for a certificate of leave to appeal to the Environment and Land Use Committee by delivering it or mailing a written request to the commission.
- (2) The written request shall state the grounds on which the person alleges that the decision of the commission is wrong.

[am. B.C. Reg. 8/81, s. (c).]

- 22. (1) A person applying to the minister for leave to appeal under section 13 (2) of the Act may apply to the minister for a certificate of leave to appeal to the Environment and Land Use Committee by mailing a written request by registered mail to the minister.
- (2) The written request shall state the grounds on which the person alleges that the decision of the commission is wrong and the person making the application shall mail, by registered mail, a copy of the written request to the commission.
- (3) On receipt of a copy of the written request the commission shall forthwith transmit to the minister
 - (a) a copy of all the documents in the custody of the commission respecting the original application,
 - (b) a transcript of any evidence that was transcribed at the hearing, and
 - (c) a copy of the decision of the commission and of any reasons for it.
- (4) A person requesting the certificate of leave to appeal who makes additional written submissions to the minister shall send copies of them to the commission.
- (5) The minister shall review the application and may require of the applicant, the regional district or municipality, the commission, or any other person such further or additional information as he considers necessary and shall supply copies of such further or additional information to the applicant, the regional district or municipality and the commission and shall give each party a reasonable time to respond.

[am. B.C. Reg. 8/81, s. (g).]

23. (1) Where a person has obtained leave under section 21 or 22 to appeal to the Environment and Land Use Committee the person shall filewith the Environment and Land Use Committee either

- (a) the certificate of leave to appeal signed and dated by two members of the commission, or
- (b) the certificate of leave to appeal signed and dated by the minister.
- (2) A certificate of leave to appeal expires 60 days after its date.
- 24. A person appealing under section 13 (1) or (2) of the Act shall file a notice of the appeal accompanied by the certificate of leave to appeal with the Environment and Land Use Committee by delivering it or mailing it by registered mail to the secretary of the committee at the City of Victoria.

[am. B.C. Reg. 8/81, s. (h).]

- 25. The appellant shall state in the notice of appeal the reasons for the appeal and the grounds on which he alleges that the decision of the commission is wrong.
 - 26. The appellant shall
 - (a) deliver or mail by registered mail a copy of the notice of appeal to
 - (i) the minister.
 - (ii) the commission.
 - (iii) each person who made a submission or gave evidence respecting the original application,
 - (iv) where the land that is the subject matter of the application is located in a municipality, the municipal council for the municipality, and
 - (v) where the land that is the subject matter of the application is not located in a municipality, the regional board of the regional district in which the land is located, and
 - (b) submit a list of the persons notified under paragraph (a) and a statement signed by the appellant, saying that they have been so served, to the secretary of the Environment and Land Use Committee.

 [en. B.C. Reg. 225/84, s. 11.]
- 27. (1) Where leave to appeal was granted under section 13 (2) of the Act, the minister, on receipt of a copy of a notice of appeal, shall transmit to the secretary of the Environment and Land Use Committee all material received by him under section 22.
- (2) On receipt of a copy of a notice of appeal, the commission shall transmit to the secretary of the Environment and Land Use Committee
 - (a) where leave to appeal was granted under section 13 (1) of the Act, all documents or evidence described in section 22 (3) (a) to (c), or
 - (b) where leave to appeal was granted under section 13 (2) of the Act, any documents transmitted to the commission subsequent to the transmission of material under section 22 (3).

[en. B.C. Reg. 225/84, s. 12.]

28. The Environment and Land Use Committee shall notify by registered mail the appellant, the commission, and every person to whom the notice of appeal was sent under section 26, of the date and place of the hearing at least 20 days before the date of the hearing.

[am. B.C. Reg. 225/84, s. 13.]

- 29. The Environment and Land Use Committee shall, at or before the hearing, review all the documents filed with it respecting the appeal and at the hearing shall hear the representations and evidence of the commission, the appellant and the regional district, municipality and other persons who made representations or gave evidence on the original application, and such other evidence as the Environment and Land Use Committee may consider necessary.
- 30. Sections 18 and 19 apply to a hearing and review under section 29 with "Environment and Land Use Committee" being substituted for "commission," where applicable.

Applications under section 20 of the Act to exempt the use of land pursuant to sections 15 (2), 16 and 18 and section 19 (2) of the Act

- 31. Where a person applies to the commission under section 20 of the Act pursuant to sections 15 (2), 16 and 18 and section 19 (2) of the Act he shall file an application in substantial compliance with Schedule B
 - (a) in the office of the clerk of the municipality, where the land that is the subject matter of the application is located in a municipality, and
 - (b) in all other cases, in the office of the secretary treasurer of the regional district within which the land is located.

[am. B.C. Regs. 8/81, ss. (i), (j), (k); 225/84, s. 14.]

- 32. (1) Sections 6 to 13 apply in respect of applications filed pursuant to section 31.
- (2) For the purpose of subsection (1), a reference to section 12 (4) of the Act in sections 6 to 13 is deemed to be a reference to section 20 (2) of the Act.

 [am. B.C. Reg. 225/84, s. 15.]
- 33. The commission may, where it is considered necessary or advisable, hold a hearing with respect to any application filed pursuant to section 31 and the meeting shall be held at a time and place designated by the commission and may be adjourned from time to time.
- ${f 34.}$ Where the commission holds a hearing under section 33, sections 15 to 20 apply in respect of the hearing.

Applications to include land in an Agricultural Land Reserve under section 10(3), (4) and (5) of the Act

35. Where an owner's land is not included in an agricultural land reserve plan the owner may, pursuant to section 10 (5) of the Act, at any time, apply to

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have his land designated as or as part of an agricultural land reserve by filing an application in compliance with Schedule ${\bf D}$

(a) in the office of the clerk of the muinicipality, where the land that is the subject matter of the application is located in a municipality, and

(b) in all other cases, in the office of the secretary treasurer of the regional district within which the land is located.

[am. B.C. Regs. 8/81, s. (n); 225/84, s. 16.]

36. On an owner filing an application under section 35, the secretary treasurer or clerk shall forthwith obtain information listed in Schedule E and complete the Schedule.

[am. B.C. Reg. 225/84, s. 17.]

- 37. The board of a regional district or the council of a municipality that has had an application filed with it under section 35 may hold a public hearing in respect of the application and section 2 applies to the hearing.

 [en. B.C. Reg. 225/84, s. 18.]
- 38. After receipt of an application, a board of a regional district or a municipal council, as the case may be, shall transmit the application, its recommendations and any other relevant information to the commission
 - (a) within 30 days, or
 - (b) where a hearing is held by it under section 37, within 60 days. [en. B.C. Reg. 225/84, s. 18.]
- 39. Where the commission considers that designation of the land as or as part of an agricultural land reserve carries out the intent and purpose of the Act, and after approval of the Lieutenant Governor in Council designates the lands as or as part of an agricultural land reserve, it shall notify the applicant, the municipality, if applicable, and the regional district in which the land is situated and the appropriate registrar of titles of the designation.
- 40. (1) Notwithstanding section 35, a municipality, regional district, or the commission may, pursuant to section 10 (3) of the Act, at any time, whether or not it is the owner of the land, apply to the Lieutenant Governor in Council for approval of the addition of the land to a designated land reserve and shall give notice in writing to the other parties and to the owner of the land.

(2) An application made under subsection (1) shall be in the form set out in Schedule G and include any other material required by the commission or the Lieutenant Governor in Council.

[am. B.C. Reg. 225/84, s. 19.]

41. (1) Where the land is not owned by the municipality, regional district, or commission applying under section 40 it shall, pursuant to section 10 (4) of the Act, at its own expense, hold a public hearing at least 30 days before submitting the application to the Lieutenant Governor in Council and section 2 applies to the hearing.

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AGRICULTURAL LAND COMMISSION ACT AGRICULTURAL LAND RESERVE PROCEDURE

(2) The applicant must give at least two weeks' written notice of the public hearing under this section to the other parties and to the owner of the land.

(3) A report of the public hearing shall accompany the application.
[am. B.C. Reg. 8/81, s. (m).]

- 42. An applicant under section 40, the owner, the municipality and regional district in which the land is situated and the commission may make written representations in respect of the applicant's application.
- 43. Where the Lieutenant Governor in Council approves an application made under section 40, the commission shall, where it designates the land as or as part of an agricultural land reserve, notify the applicant, the owner, the municipality, if applicable, the regional district in which the land is situated, and the appropriate registrar of titles of the designation.

Special cases

44. Notwithstanding section 31, where a person applies to the commission under section 20 of the Act for permission to use land in an agricultural land reserve for a purpose other than farm use, he shall, where the proposed use is one of the following, file in the office of the commission an application substantially in the form in Schedule F:

(a) storage and sale or processing of agricultural products on a farm where they were not grown or reared on that farm;

(b) a reserve or area of land or habitat set apart for wildlife that does not qualify as a permitted land use under the Agricultural Land Commission Subdivision and Land Use Regulation,

(c) parks and recreation reserves, whether created by the Province, a regional district or a municipality, that do not qualify as a permitted land use under the Agricultural Land Commission Subdivision and Land Use Regulation;

(d) unpaved airstrip for use of aircraft flying non-scheduled flights;

(e) dedication or construction of new highway, road or railway rights of way;

electrical transmission lines and utility installation, including pipeline pumping stations, automatic telephone exchanges, electrical substations, navigational aids, underground pipelines and any ancillary purposes;

(g) trunk sewer and trunk water lines and ancillary storage or pumping facilities, including construction of or addition to a reservoir;

(h) sewage lagoons, treatment plants and other sewage disposal facilities regulated by the *Pollution Control Act*;

(i) sanitary land fills:

(j) well drillings and access to well sites but not including wells drilled for potable water for use in a single family dwelling unit;

(k) guest ranches;

- (1) open land recreation uses, including campgrounds, fishing and hunting camps, game farms and rifle ranges, provided a total of not more than 5% of the land registry parcel or 2 ha, whichever is the lesser, will be physically altered by the construction of roads, services, paving, parking facilities, buildings, structures or earthworks;
- (m) surveying, exploring or prospecting for gravel, oil or minerals, provided all cuts, trenches and similar alterations will be restored to the natural ground level and all topsoil is replaced;
- (n) gravel pits, peat extractive areas and turf farms, where reclamation and rehabilitation is possible;
- (o) golf courses, including a driving range or a par 3 pitch and putt facility;
- (p) horse riding arenas or boarding stables;
- (q) dog kennels for boarding or breeding.

[en. B.C. Reg. 8/81, s. (q); am. B.C. Reg. 225/84, s. 20.]

- 45. Before issuing an order allowing a use referred to in section 44, the commission shall inform either of the following of the application:
 - (a) where the land that is the subject matter of the application is located in a municipality, the municipal council of the municipality;
 - (b) in all other cases, the board of the regional district within which the land is located.

[en. B.C. Reg. 225/84, s. 21.]

46. Notwithstanding section 31, where a person applies to the commission under section 20 of the Act for an order authorizing a registrar of titles to accept a plan of subdivision under the Land Title Act or a strata plan under the Condominium Act, if the proposed subdivision is designed to establish a legal boundary along the perimeter of an agricultural land reserve and the part of the land within the reserve will consist of a parcel not less that 8 093.5 m² in area, he shall file in the office of the commission an application substantially in the form in Schedule F.

[en. B.C. Reg. 8/81, s. (q); am. B.C. Reg. 225/84, s. 22.]

- 47. Before issuing an order authorizing acceptance of a plan referred to in section 46, the commission shall inform either of the following of the application:
 - (a) where the land that is the subject matter of the application is located in a municipality, the municipal council of the municipality;
 - (b) in all other cases, the board of the regional district within which the land is located.

[en. B.C. Reg. 225/84, s. 23.]

AGRICULTURAL LAND COMMISSION ACT AGRICULTURAL LAND RESERVE PROCEDURE

SCHEDULE A

AP A	PLICATION UNDER SECTION 11 OF THE GRICULTURAL LAND COMMISSION ACT	P.A.L.C. File No.	
	In respect to land within	R.D./Mun. File No.	
	(M	unicipality or electoral area)	in th
_	(Regional district)	(Applicant)	
hen Lie	utenant Governor in Council.	11 (2) of the Agricultural Land Comm	
	In support of this application, the following informati (If several distinct areas are involved, distinguish by	on applicable to the subject area is sul	omitted:
1. 1	Identification	•	
	1.1 Legal description (in general terms if for a large ar	ta)	
	1.2 Total area of subject area		
	1.4 Location on A.L.R. plan and legal base maps		
	haracteristics		
	.1 Existing land use		
2	.2 Proposed land use		
2	.3 Land use of surrounding properties		
2	.4 Notable physical features		
2	.5 Extent of floodplain (if applicable)		
2	.6 Services available or scheduled		
- 2.	7 Roads or rights of way on or abutting the subject pro- dedication and extent of construction	perties, including information on road o	or rights of way
3. L	ocal planning		
	1 Community or Settlement Plan designation	·	
	2 Zoning		
4. C i 4.	omments and recommendations (include copies of reso 1. Regional Board or Municipal Council	lutions where applicable)	
4.	2 Advisory Planning Committee or Commission		
	3 Others		
5. Re 5. Re	eport of public hearing tinclude date and place of hearing	ng and number attending).	
-			
	The above information may also be indicated, in part, o	on maps and (or) plans of appropriate s	cale.
AGR 2	(Signature of Secretary-Treasurer or Clerk)	(Dat-	e1

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AGRICULTURAL LAND COMMISSION ACT AGRICULTURAL LAND RESERVE PROCEDURE

SCHEDULE B

Province of British Columbia				
APPLICATION UNDER SECTION 12 (1) or 20 (1) OF	THE	P.A.L.C. File N	lo	
AGRICULTURAL LAND COMMISSION ACT		R.D./Mun. File	No	
		Receipt No		
INFORMATION TO BE SUPPLIED BY APPLICANT (Please submit completed forms to the Regional District C	Office o	r if applicable to	the Municipal	Office.)
REGIONAL DISTRICT/MUNICIPALITY				
Property owner's name:	Auth	orized agent of th	ne owner:	
(Please print)			Please print)	
Address of owner:	Addr	ess of agent:		
City/Town/Village:	City/	Town/Village:		
Postal Code:	Posta	l Code:		
Telephone No.:	Telep	hone No.:		
*If agent is submitting the application, authorization must be supplied fro	m the reg	ristered owner of the p	roperty.	
Full Legal Description of Each Existing	T	Approxin	nate Area of E	ach
Land Title Parcel Under Application	1.		Land Title Par	
	-			
Total area in hectares				
	_			
I enclose a copy of one of the following for the prop-				
erty/properties under application:		interest in property acquired by to applicant:		uired by the
Certificate of Indefeasible Title, or		пррисши.		
☐ State of Title Certificate, or	1	l — <u> </u>		
☐ Tax/Assessment Notice.		(Day)	(Month)	(Year)
I hereby make application under:				
(Please check appropriate box)				
(a) section 20 (1) of the Agricultural Land Commission	n Act to)		
(i) subdivide the subject property, and (or) (ii) use the subject property for non-farm pur	noses v	vithin the A1 R o	lan	
or	poses .	· · · · ·	1411,	
(b) section 12 (1) of the Agricultural Land Commission the Agricultural Land Reserve Plan.	Act to I	nave the above des	scribed proper	ty excluded from
In support of this application I submit a plan or plan	s of ap	propriate scale s	howing each o	of the following:
 the subject property in terms of the smallest existing land title parcel or parcels, identified by full legal description, and showing the area of the land title parcel or parcels, and dimensions of each boundary 				
including the adjacent land title parcels; 2. the location of the subject property within the Ag	ricultur	al Land Reserve		
the location of any permanent dwellings or mobile				structures on the
property; 4. the proposed new land title parcels to be created or proposed parcels and approximate dimensions of e				
dwellings or buildings to be constructed;				•
 the location of properties, other than the subject property, which are under the ownership, lease, or rental of the applicant, in the vicinity of the subject property; 				
6. the location of waterways, roads and/or rights of way (public or private and surface condition), benches,				
ridges or other significant topographical features and areas under bush, cleared, pasture, cultivated land, etc.				

${\color{blue} \textbf{AGRICULTURAL LAND COMMISSION ACT} \\ \textbf{AGRICULTURAL LAND RESERVE PROCEDURE} \\ }$

availabl nay be	is preferable, but not mandatory, that the plans be based on those prepared by a professional surveyor, r, architect, or planner. Such maps (having been drawn at some time in the past for another purpose) are often e to an applicant (e.g., the last deposited subdivision plan involving the property in question, prints of which obtained from the land title office for the cost of copying). The maps should identify individual parcels by scription and should specify dimensions of each of the subject parcels.
(a)	Describe the existing use of the subject property. Please describe briefly any and all buildings and structures located on the property and if possible note the location of the said structures on a plan or map.
	If available, include photographs of the subject property, including buildings, and any other details or
(h)	to the present use of the subject property
(0)	Do you own or lease any other properties within one kilometre radius of the subject property? If so, please provide the legal description and describe the existing land use of these properties.
(c)	(i) Describe the existing land use and buildings on all lots adjacent to and neighbouring the subject property or farm unit
	(ii) Are there any livestock operations (10 or more animals raised for commercial sale) within one kilometre of the subject property? If so, please specify type of operation.
(d)	Describe the proposed use of the subject property
	That is to say, the specific proposed use and whether the development involves a subdivision, a rezoning, a building permit, a development contract, etc. Include sketch plans of any proposed buildings and subdivision plans where available.
(c)	My reasons for requesting this action are as follows (use additional paper if necessary)
(f)	Any other additional information or comments
I he	reby declare that the information contained herein is, to the best of my knowledge, factual and correct.
	(Signature of owner)* (Date)
*If a	gent is handling application, please supply authorization from owner.
Note serve.	
Secti nains in	on 20 (1) involves an application to subdivide land or to use land for other than farm purposes. (The land
Shou nted. I luding	Id this application be successful, it in no way implies that other necessary approvals or permits will be in this regard the zoning, building, sewage disposal, access and availability of necessary services, water, should be checked by all applicants. e consult the Agricultural Land Commission Act and regulation thereunder for further details.
	consult the Agricultural Land Commission Act and regulation thereunder for further details

AGRICULTURAL LAND COMMISSION ACT AGRICULTURAL LAND RESERVE PROCEDURE

SCHEDULE C

Province of British Columbia	•
SCHEDULE C	
REPORT OF LOCAL GOVERNMENT REQUIRED UNDER SECTION 6 OR 32 OF THE AGRICULTURAL LAND RESERVE PROCEDURE REGULATION	R.D./Mun. File No Map/Sheet No Base
(To be completed by the regional district or municipality.) Information supply by:	Constituent Air Photo No
(Regional District/Municipality)	
in respect of application of: Name of applicant Name of agent	
(If applicable)	
Full Legal Description of Each Existing Land Title Parcel Under Application	Approximate Area of Each
	Existing Legal Parcel of Land
Total area in hectares	
1. Any applicable community, settlement or other plan or study designation	ons, with some details
2. The zoning classification governing the subject property at the date possible): ZONING (a) Uses permitted (b) Minimum lot size permitted (c) Other relevant regulations under zoning bylaw (if applicable)	
3. The zoning applicable to the subject property immediately prior to Dec (Note the requirement under section 12 (4) or 20 (2) of the Act for enclose copy of resolution.) 4. (a) Description of the use of the subject property, including any details re and occupancy. (Please note any buildings or structures plus appropriate the subject property in the subject property.)	or a resolution of authorization. Please elating to occupancy and legality of use oriate areas of use)
(b) Is the subject property governed by building codes and (or) inspect	ions?
A brief description of the existing land use and buildings adjacent to indicating approximate lot size (a map, if available): (a) North (b) East (c) South	and surrounding the subject property
(c) South (d) West (like addition)	
(Use additional paper if necessary.)	
A description of the services available to the subject property or the services: (a) Roads	possibility or feasibility of providing
(b) Water	
. Is the subject property located in a flood plain? Yes No	
. Any other information or comments	

AGRICULTURAL LAND COMMISSION ACT AGRICULTURAL LAND RESERVE PROCEDURE

SCHEDULE D

Province of British	Columbia				
APPLICATION FOR INCLUSION OF LAND IN THE AGRICULTURAL LAND RESERVE UNDER SECTION 10 (5) OF THE AGRICULTURAL LAND COMMISSION ACT				P.A.L.C. File No.	
				.D./Mun. File No	
INFORMATION TO BE (Please submit completed	SUPPLIED BY A forms to the Regi	PPLICAN onal Distr	TT.	ole, to the Municipal Office	e.)
REGIONAL DISTRICT/M	IUNICIPALITY _				
Property owner's name:	:		Authorized agent of	of the owner:	
Address of owner:			Address of agent:		
City/Town/Village:			City/Town/Village	:	
Postal Code:			Postal Code:		
Telephone No.:			Telephone No.:		
land, private land, or a c	ropriate chart or che combination of bot	arts belov h.	v, depending on whethe	r the subject properties are	Crown
Full Legal Descri	ption of	A	pproximate Total		
Each Existing La Parcel of Private	nd Title	Area of Each		Cleared or Improved Area of	
Under Applica	ation	Existing Legal Parcel of Land		Each Lot	
Total are	ea in hectares				
(b) Crown Land				•	
Full Legal Descripton of Each Existing Land Title Parcel of Crown Land Under Application	Type of Crown Lea	se	Approximate Total Area of Each Existing Lega Parcel of Land	Cleared or	 ,
	Total area in h	ectares			
NOTE—If there are any	Crown losses -l-		•		

Crown leases, please provide a copy of each lease.

In support of the application, please submit a survey plan or plans (which may be obtained from the land title office) or alternatively a sketch plan identifying individual parcels by legal description and dimensions. The plan or plans of appropriate scale should also show:

- (i) the location of each of the subject properties in relation to surrounding legal parcels;
- (ii) the location of other land owned, leased or rented by the applicant where that land is in the immediate vicinity of the subject properties.



AGRICULTURAL LAND COMMISSION ACT AGRICULTURAL LAND RESERVE PROCEDURE

(a) Describe the existing use of the subject properties				
•	Note—Wherever possible, provide photographs of the subject property which also show buildings.			
(b)	by the applicant in the immediate vicinity, including the area, location and legal description of each			
(c)	Describe the existing land use and buildings on all lots adjacent to and neighbouring the subject property or farm North East South West			
(d)	Describe the proposed use of the subject property			
	Clearly state the reasons for requesting inclusion of the subject property in the Agricultural Land Reserve:			
	Any other information or comments			
	I hereby declare that the information contained herein is, to the best of my knowledge, factual and correct.			
	(Signature of owner)*			
	*If agent is handling application, please supply authorization from owner.			
4CD	Please consult the Agricultural Land Commission Act and regulations thereunder for further details.			

AGRICULTURAL LAND COMMISSION ACT AGRICULTURAL LAND RESERVE PROCEDURE

SCHEDULE D

Province of British	Columbia					
THE AGRICULTURAL OF THE AGRIC	ULTURAL LAND	E UNDER COMMIS	R SECTION 10 (5) SSION ACT R.	P.A.L.C. File No.		
	forms to the Regi	PPLICAN onal Distr	JT	le, to the Municipal Office.)		
REGIONAL DISTRICT/N Property owner's name:			Authorized agent of	f the owner:		
Address of owner:		 .	Address of agent:			
City/Town/Village:			City/Town/Village:			
Postal Code:	- W	<u> </u>	Postal Code:			
Telephone No.:			Telephone No.:			
Please complete the appland, private land, or a complete (a) PRIVATE LAND	ropriate chart or che combination of bot	narts below h.	w, depending on whether	the subject properties are Crown		
Full Legal Description of Each Existing Land Title Parcel of Private Lands Under Application			pproximate Total Area of Each Existing Legal Parcel of Land	Cleared or Improved Area of Each Lot		
Total are	ea in hectares					
(b) Crown Land				·		
Full Legal Descripton of Each Existing Land Title Parcel of Crown Land Under Application	Type of Crown Lea		Approximate Total Area of Each Existing Legal Parcel of Land	Cleared or Improved Area of Each Lot		
	Total area in h	ectares				

NOTE-If there are any Crown leases, please provide a copy of each lease.

In support of the application, please submit a survey plan or plans (which may be obtained from the land title office) or alternatively a sketch plan identifying individual parcels by legal description and dimensions. The plan or plans of appropriate scale should also show:

- (i) the location of each of the subject properties in relation to surrounding legal parcels;
- (ii) the location of other land owned, leased or rented by the applicant where that land is in the immediate vicinity of the subject properties.

$\begin{array}{c} \textbf{AGRICULTURAL\ LAND\ COMMISSION\ ACT} \\ AGRICULTURAL\ LAND\ RESERVE\ PROCEDURE \end{array}$

(a)	Describe the existing use of the subject properties				
	Note—Wherever possible, provide photographs of the subject property which also show buildings.				
(b)	Describe the existing use of those properties which are not the subject of this application but are owned or leased by the applicant in the immediate vicinity, including the area, location and legal description of each:				
(c)	Describe the existing land use and buildings on all lots adjacent to and neighbouring the subject property or farm North East South West				
(d)	Describe the proposed use of the subject property				
(f)	Any other information or comments				
	I hereby declare that the information contained herein is, to the best of my knowledge, factual and correct.				
	(Signature of owner)* *If agent is handling application, please supply authorization from owner. Please consult the Agricultural Land Commission Act and regulations thereunder for further details.				

AGRICULTURAL LAND COMMISSION ACT AGRICULTURAL LAND RESERVE PROCEDURE

SCHEDULE E

Province of British Columbia	
REPORT OF LOCAL GOVERNMENT UNDER SECTION 36 OF THE AGRICULTURAL LAND RESERVE PROCEDURE REGULATION	R.D./Mun. File No Map/Sheet No Base
(To be completed by the regional district or municipality.)	ConstituentAir Photo No
Information supply by:(Regional District/Municipality)	
(Regional District/Municipality)	•
In respect of application of:	
Name of applicant Name of (If applic	of agent
Note—Prior to filling in Schedule E, please verify the informand in particular: (1) legal description and area of the subject properties; (2) description of existing use of the subject property; (3) description of surrounding land uses and buildings. 1. On a map, please locate each of the subject properties in relation 2. Any applicable community/settlement or other plan or study description.	to the Agricultural Land Reserve, if applicable esignations, with some details
3. The zoning classification governing the subject property at the ZONING (a) Uses personned.	date of application (please attach map):
(4) Oses pennitted	
(b) Minimum lot size required	
(c) Other relevant regulations under zoning bylaw (if app	
 4. Was the property included by the regional district in the ori designation? Yes □' No □ 5. Recommendations for the inclusion of the subject properties in Council or Regional Board 	ginal proposal for Agricultural Land Reserve
 6. (a) Are there any lands adjacent to the subject properties worthy Yes □ No □ (b) If so, please give details on adjacent properties 	
	

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AGR 2009 REV 84/7

(Date)

${\color{blue} \textbf{AGRICULTURAL LAND COMMISSION ACT} \\ \textbf{AGRICULTURAL LAND RESERVE PROCEDURE} \\ }$

SCHEDULE F

Province of British Columbia					
SPECIAL CAS	E APPLICATION P.A.L.C. File No.				
APPLICATION UNDER	SECTIONS 44 AND 46 of				
	G. 313/78, SERVE PROCEDURE REGULATION				
4 - O - 4					
INFORMATION TO BE SUPPLIED BY APPLICANT (Please submit completed forms to the Provincial Agric	cultural Land Commission office.)				
REGIONAL DISTRICT/MUNICIPALITY					
Property Owner's Name (Please Print)	Authorized Agent of the Owner* (Please Print)				
Address of owner	Address of agent				
City/Town/Village	City/Town/Village				
Postal Code	Postal Code				
Telephone No.	Telephone No.				
the state of the	*If agent is submitting the application, authorization must be supplied from the registered owner of the property.				
Full Legal Description of Each Existing	Approximate Area of Existing				
Land Title Parcel Under Application	Land Title Parcel				
	`				
Total area in hectares					
Please attach a copy of the Certificate of Indefeasible T involved or alternately a copy of the tax notice.	itle or a State of Title Certificate for the land title parcel(s)				
I hereby make application under: (Please check appropriate (a) Land Use—Section 44 () of B.C. Reg. 313/7 or	oriate box) 8. (Indicate Subsection)				
(b) Subdivision—Section 46 of B.C. Reg. 313/78	· •				
In support of this application I submit a plan or	plans of appropriate scale showing each of the following:				
1. the subject property in terms of the smallest e	In support of this application I submit a plan or plans of appropriate scale showing each of the following: 1. the subject property in terms of the smallest existing land title parcel or parcels, identified by full legal description, and showing area of the land title parcel or parcels, and dimensions of each boundary including				
2. the location of the subject property within the	Agricultural Land Reserve:				
the location of any permanent dwellings or mo property;	bile homes and any existing buildings or structures on the				
4. the proposed new land title parcels to be created	d on the subject property showing approximate areas of the feach boundary or the proposed location of any additional				
the location of properties, other than the subject property, which are under the ownership, lease or rental of the applicant, in the vicinity of the subject property;					

the location of waterways, roads and/or rights of way (public or private and surface condition), benches, ridges or other significant topographical features and any areas under bush, cleared, pasture, cultivated land, etc.

AGRICULTURAL LAND COMMISSION ACT AGRICULTURAL LAND RESERVE PROCEDURE

(-	another purpose) are often available to an applicant (e.g., the last deposited subdivision pla involving the property in question, prints of which may be obtained from the land title office for the dimensions of each of the subject parcels.
(a	Describe the existing use of the subject property. Please describe briefly any and all buildings and (or structures located on the property and if possible note the location of the said structures on a plan or map
	If available, include photographs of the subject property, including buildings, and any other details or information relating to the present use of the subject property.
(b)	Do you own or lease any other properties within a one-kilometre radius of the subject property? If so, please provide the legal description and describe the existing land use of these properties.
(c)	(i) Describe the existing land use and buildings on all lots adjacent to and neighbouring the subject property or farm unit
	(ii) Are there any livestock operations (10 or more animals raised for commercial sale) within one kilometre of the subject property? If so, please specify type of operation
(d)	Describe the proposed use of the subject property
	That is to say the cooling
	That is to say, the specific proposed use and whether the development involves a subdivision, a rezoning, a building permit, a development contract, etc. Include sketch plans of any proposed buildings and (or) subdivision plans where available.
(e) <u>1</u>	My reasons for requesting this action are as follows (use additional paper if necessary)
-	
I here	by declare that the information contained herein is, to the best of my knowledge, factual and correct.
	(Signature of owner)*
Shoul	out is italium application, please supply and
granted. In including v	this regard the zoning, building, sewage disposal, access and availability of necessary services.
Picase	consult the Agricultural Land Commission Act and regulations thereunder for further details. Tovincial Agricultural Land Commission 940 Canada Way
В	umaby, B.C. (5G 4K6

$\begin{array}{c} \textbf{AGRICULTURAL\ LAND\ COMMISSION\ ACT} \\ AGRICULTURAL\ LAND\ RESERVE\ PROCEDURE \end{array}$

SCHEDULE G

	Province of British Columbia	
	SCHEDULE G	
AI	PPLICATION FOR INCLUSION OF LAND IN THE AGRICULTURAL LAND RESERVE UNDER SECTION 10 (3) OF THE AGRICULTURAL LAND COMMISSION ACT	P.A.L.C. File NoR.D./Mun. File No
(Inform	mation to be supplied by a municipality or regional district of	only for land within its jurisdiction
Iı	n respect to land within(Municipality	in the
	(Municipality	y or electoral area)
	(Regional district)	(Applicant)
hereby in Cou	makes application under section 10(3) of the Agricultural La	and Commission Act to the Lieutenant Governor
Ir distinc	n support of this application, the following information applic t areas are involved, distinguish by sub-area.)	cable to the subject area is submitted: (If several
	ntification Legal description (in general terms if for a large area)	
1.2	Total area of subject area	
1.3	Area of subject area which is Crown land	
1.4	Locate property on survey or legal base maps (as available)
	Existing land use	
2.2	Proceedings	
2.2	Proposed land use	
2.3	Land use of surrounding properties	
2.4	Notable physical features	
۷. 4		

AGRICULTURAL LAND COMMISSION ACT AGRICULTURAL LAND RESERVE PROCEDURE

2.5	Extent of floodplain (if applicable)
2.6	Services available or scheduled
2.7	Roads or rights of ways on or abutting the subject properties, including information on roads or rights of way dedication and extent of construction
	cal planning 1 Community or Settlement Plan designation
	2 Zoning
	omments and recommendations (include copies of resolutions where applicable) Regional Board or Municipal Council
4.	2 Advisory Planning Committee or Commission
4.	3 Others
5. Re	eport of public hearing (include date and place of hearing and number attending)
6. CI	learly state the reasons for requesting inclusion of the subject property in the Agricultural Land Reserve
-	
TI	he above information may also be indicated, in part, on maps and (or) plans of appropriate scale.
	(Signature of Secretary-Treasurer or Clerk) (Date)

[Provisions of the Agricultural Land Commission Act relevant to the enactment of this regulation: section 37]

CHRINEL SPECKETHKIH DATCHOKT ORDER OF THE LIEUTENANT GOVERNOR IN COLUMBIA AGRICULTURAL LAND COMMISSION Order in Council No. 1141 , Approved and Ordered JUN 16.1988 JUN 21 1988 RECEIVED nt Governor Executive Council Chambers, Victoria JUN 15.1988 On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that B.C. Reg. 7/81, the Agricultural Land Commission Subdivision and Land Use Regulation, is amended in section 2 (1) by adding the following paragraph: (m) golf, pitch and putt courses or driving ranges, including clubhouses, restaurants, pro shops and similar ancillary facilities necessary for golf purposes, on terms and conditions the Commission considers appropriate for the maintenance of the agricultural potential of the subject lands and adjacent agricultural lands and the mitigation or reduction of impact on adjacent agricultural lands, including terms and conditions with respect to (i) the design and siting of ancillary facilities, (ii) the quiet enjoyment of adjacent agricultural lands, (iii) soil conservation, (iv) removal or placement of trees, hedges, shrubs, buffer zones, green spaces and fences, and (v) drainage and watercourses. DEPOSITED JUN 1 7 1988 B.C. REG. 238/88 Minister of Agriculture and Fisheries Presiding Member of the Executive Council (This part is for the records of the Office of Legislative Counsel, and is not part of the Order.) Authority under which Order is made: Act and section -........ Agricultural Land Commission Act, sections 15 and 37 (Alterney General examiner) May 25, 1988 1126/88/jb

NCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN CA

Order in Council No. 1141, Approved and Ordered JIN 16.1988

TISH COLUMBIA AGRICULTURAL LAND COMMISSION

JUN 21 1988

RECEIVED

nt Governor

Executive Council Chambers, Victoria 38 3 1983

On the recommendation of the undersigned, inside untersum Governor, by and with the advice and consont of the Executive Council, orders that P.C. Reg. 7/31, the Agricultural Land Commission Subdivision and Land Use Regulation, is omended in section 2 (1) by adding the following paragraph:

- (m) golf, pitch and pult courses or driving ranges, including clubbouses, restaurants, pro shops and similar auxillary facilities recessary for golf purposes, on terms and conditions the Commission considers appropriate for the maintenance of the agriculture) potential of the subject funds and adjacent agricultural lands and the mitigation or reduction of impact on adjacent agricultural lends, including terms and conditions with respect to
 - (i) the design and siting of small any facilities.
 - (ii) the quiet enjoyment of edjacent agricultural lands,
 - (iii) soil conservation,
 - (iv) removal or placement of trees motigos, shrubs, buffer zones, green spaces and fences, and
 - (v) drainage and watercoursen

DEPOSITED

JUN 1 7 1988

B.C. REG. 238/88

Minister of Agriculture and Fisheries ing Member of the Executive Council

(This part is for the receives of two Office of Legislative Counsel, and is not part of the Order.)

Authority under which Order is made:

Other (specify) O.C. 30/81

Frankred by: ... B.D. Adamson ...

May 25, 1988

(Allerney General examiner)

1126/83/jb

B.C. Reg. 7/81 O.C. 30/81 Filed January 16, 1981

Agricultural Land Commission Act

[Consolidated June 30, 1988]

AGRICULTURAL LAND COMMISSION SUBDIVISION AND LAND USE REGULATION

[includes amendments up to B.C. Reg. 238/88]

Subdivision

1. (1) An approving officer under the Land Title Act or an approving officer or board of variance under the Municipal Act may authorize or approve a plan of subdivision, all or part of which consists of agricultural land in an agricultural land reserve, where

(a) the proposed subdivision

- (i) does not result in an increase in the number of land registry parcels for the land concerned when compared with the situation existing at the time the application for subdivision was made,
- (ii) involves boundary adjustments that, in the opinion of the approving officer or board of variance, will allow for the more efficient use of agricultural land or the better utilization of farm buildings for farm purposes, and

(iii) creates no land registry parcel less than 8 093.5 m2 in area, or

(b) the proposed subdivision consolidates 2 or more land registry parcels into a single land registry parcel by elimination of common lot lines.

(2) Where an approval is granted pursuant to subsection (1), the approving officer or board shall endorse on the plan a certificate substantially in the form of Schedule A and, in that case, a registrar of titles under the Land Title Act may accept the plan for deposit.

(3) Nothing in this section shall be construed as relieving an applicant, an approving officer or a board of variance from complying with the requirements of the Land Title Act, the Municipal Act, the Condominium Act, the Real Estate Act or the regulations or bylaws enacted under any of them.

Land use

- 2. (1) The following land uses are permitted in an agricultural land reserve:
- (a) storage and sale of agricultural products produced on the individual farm on which the storage or sale is taking place;
- (b) construction of buildings or structures necessary for a purpose referred to in paragraph (a);
- (c) construction of one single family dwelling unit and accessory buildings and structures including ancillary service and utility installations and connections, per land registry parcel;
- (d) harvesting of trees and the carrying out of all silvicultural and forest protection practices;
- (e) ecological reserves established under the Ecological Reserve Act;

- (f) a reserve or area of land or habitat set apart for wildlife, providing the surface of the land is not subject to substantial works and, for the purposes of this paragraph, burning or thinning of the natural growth from time to time is not a substantial work;
- (g) parks and recreation reserves, whether established by the Province, a regional district or a municipality, that are left or kept in their natural state except to the extent necessary to facilitate outdoor recreation by modifying the site to provide public access; but developed facilities for access, including roads and parking, shall not exceed, where the park is
 - (i) less than 2 ha, 1 000 m², or
 - (ii) 2 ha or more, 4 000 m²;
- (h) fish farms:
- (i) minor highway, road or railway operations and construction including the following:
 - (i) minor improvement of drainage works, including cleaning and deepening of ditches;
 - (ii) easing one curve;
 - (iii) widening, dedication or construction of highway, road or railway rights of way provided that the area involved in widening, dedication or construction is less than 2 500 m²/km of road;
- (j) expanding the workings of an existing gravel pit to a maximum of 8 093.5 m² in area including the areas already excavated;
- (k) construction and maintenance of dykes and related pumphouses and ancillary works, including construction and maintenance of access roads and facilities made necessary by the threat of flooding;
- (l) land development works including clearing, draining, irrigating and construction of reservoirs and ancillary works, where the works are required for farm use of the property on which the works are located;
- (m) golf, pitch and putt courses or driving ranges, including clubhouses, restaurants, pro shops and similar ancillary facilities necessary for golf purposes, on terms and conditions the Commission considers appropriate for the maintenance of the agricultural potential of the subject lands and adjacent agricultural lands and the mitigation or reduction of impact on adjacent agricultural lands, including terms and conditions with respect to
 - (i) the design and siting of ancillary facilities,
 - (ii) the quiet enjoyment of adjacent agricultural lands,
 - (iii) soil conservation,
 - (iv) removal or placement of trees, hedges, shrubs, buffer zones, green spaces and fences, and
 - (v) drainage and watercourses.
- (2) Nothing in this section relieves an applicant from complying with all other legislation, bylaws and decisions of responsible authorities that may apply, including zoning, subdivision and any other land use legislation.

[am. B.C. Reg. 238/88.]



PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 1389 , Approved and Ordered NOV.~7.1991

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 section 2 (1) (m) of B.C. Reg. 7/81, the Agricultural Land Commission Subdivision and Land Use Regulation, is repealed.

DEPOSITED

B.C. REG. 306 91

Bill BarlES

Minister of Agriculture, Fisheries and

Food

(This part is for administrative purposes only and is not part of the Order.) 10rity under which Order is made: Agricultural Land Commission Act, sections 15 and 37 Act and section:ther (specify):-..O/C 30/81 November 7, 1991 Queen's Printer for British Columbia®

Victoria, 1991

AGRICULTURAL LAND COMMISSION ACT SUBDIVISION AND LAND USE

7/81

SCHEDULE A

CERTIFICATE OF SUBDIVISION UNDER THE AGRICULTURAL LAND COMMISSION ACT

AGRICULTURAL LAND COMM	ISSION ACT
I hereby certify that this subdivision plan is approof B.C. Regulation	ved pursuant to section
	Approving Authority
[Provisions of the Agricultural Land Commission this regulation: sections 15 and 37]	Act relevant to the enactment of
	Act relevant to the enactment of

Vem A. Burkhardt Queen's Printer for British Columbia© Victoria, 1992

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B.C. Reg. 7/81 O.C. 30/81

Filed January 16, 1981

Agricultural Land Commission Act

AGRICULTURAL LAND COMMISSION SUBDIVISION AND LAND USE REGULATION

[includes amendments up to B.C. Reg. 306/91]

[Consolidated December 13, 1991]

Subdivision

- 1. (1) An approving officer under the Land Title Act or an approving officer or board of variance under the Municipal Act may authorize or approve a plan of subdivision, all or part of which consists of agricultural land in an agricultural land reserve, where
 - (a) the proposed subdivision
 - (i) does not result in an increase in the number of land registry parcels for the land concerned when compared with the situation existing at the time the application for subdivision was made,
 - (ii) involves boundary adjustments that, in the opinion of the approving officer or board of variance, will allow for the more efficient use of agricultural land or the better utilization of farm buildings for farm purposes, and
 - (iii) creates no land registry parcel less than 8 093.5 m² in area, or
 - (b) the proposed subdivision consolidates 2 or more land registry parcels into a single land registry parcel by elimination of common lot lines.
- (2) Where an approval is granted pursuant to subsection (1), the approving officer or board shall endorse on the plan a certificate substantially in the form of Schedule A and, in that case, a registrar of titles under the *Land Title Act* may accept the plan for deposit.
- (3) Nothing in this section shall be construed as relieving an applicant, an approving officer or a board of variance from complying with the requirements of the Land Title Act, the Municipal Act, the Condominium Act, the Real Estate Act or the regulations or bylaws enacted under any of them.

Land use

- 2. (1) The following land uses are permitted in an agricultural land reserve:
- (a) storage and sale of agricultural products produced on the individual farm on which the storage or sale is taking place;
- (b) construction of buildings or structures necessary for a purpose referred to in paragraph (a);
- (c) construction of one single family dwelling unit and accessory buildings and structures including ancillary service and utility installations and connections, per land registry parcel;
- (d) harvesting of trees and the carrying out of all silvicultural and forest protection practices;
- (e) ecological reserves established under the Ecological Reserve Act;

- (f) a reserve or area of land or habitat set apart for wildlife, providing the surface of the land is not subject to substantial works and, for the purposes of this paragraph, burning or thinning of the natural growth from time to time is not a substantial work;
- (g) parks and recreation reserves, whether established by the Province, a regional district or a municipality, that are left or kept in their natural state except to the extent necessary to facilitate outdoor recreation by modifying the site to provide public access; but developed facilities for access, including roads and parking, shall not exceed, where the park is
 - (i) less than 2 ha, 1000 m^2 , or
 - (ii) 2 ha or more, 4 000 m²;
- (h) fish farms;
- (i) minor highway, road or railway operations and construction including the following:
 - (i) minor improvement of drainage works, including cleaning and deepening of ditches;
 - (ii) easing one curve;
 - (iii) widening, dedication or construction of highway, road or railway rights of way provided that the area involved in widening, dedication or construction is less than 2 500 m²/km of road;
- (j) expanding the workings of an existing gravel pit to a maximum of 8 093.5 m² in area including the areas already excavated;
- (k) construction and maintenance of dykes and related pumphouses and ancillary works, including construction and maintenance of access roads and facilities made necessary by the threat of flooding;
- (l) land development works including clearing, draining, irrigating and construction of reservoirs and ancillary works, where the works are required for farm use of the property on which the works are located;
- (m) Repealed. [B.C. Reg. 306/91.]
- (2) Nothing in this section relieves an applicant from complying with all other legislation, bylaws and decisions of responsible authorities that may apply, including zoning, subdivision and any other land use legislation.

[am. B.C. Reg. 238/88; 306/91.]



AGRICULTURAL LAND COMMISSION ACT SUBDIVISION AND LAND USE

SCHEDULE A

CERTIFICATE OF SUBDIVISION UNDER THE AGRICULTURAL LAND COMMISSION ACT

AGRICULTURAL LAND CO	OMMISSION ACT		
I hereby certify that this subdivision plan is approved pursuant to section of B.C. Regulation			
	Approving Authority		
[Provisions of the Agricultural Land Commiss this regulation: sections 15 and 37]	ion Act relevant to the enactment of		

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Dec. 13/91

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. f 1496 . Approved and Ordered AUG. 10.1988

Mogus Lieutegent Governor

Executive Council Chambers, Victoria AUG - 9.1988

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that section 44 (o) of B.C. Reg. 313/78, the Agricultural Land Reserve Procedure Regulation, is repealed.

DEFUSITED
AUG11 1938
BC.REG. 301/88

Minister of Agriculture and Fisheries

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, sections 15 and 37

Other (specify):- Q.C. 1979/78

July 25, 1988

1585/88/13/jb

B.C. Reg. 313/78 O.C. 1979/78

Filed July 28, 1978

Agricultural Land Commission Act

AGRICULTURAL LAND RESERVE PROCEDURE REGULATION

[includes amendments up to B.C. Reg. 301/88]

[Consolidated October 31, 1988]

Application by a Municipality, Regional District, or the Commission and action by the Lieutenant Governor in Council under section 11 (1) of the Act

- 1. (1) Where a municipality or regional district makes an application under section 11 of the Act
 - (a) the application shall contain all the information itemized in Schedule A to this regulation and such other supporting material as may be required by the Lieutenant Governor in Council or the commission, and
 - (b) it shall submit the application to the commission who shall consider the application and shall make a recommendation and submit the application and the recommendation to the minister for forwarding to the Lieutenant Governor in Council, and the commission shall send a copy of its recommendation to the applicant.
 - (2) Where the commission makes an application under section 11 of the Act
 - (a) the application shall contain all the information itemized in Schedule A to this regulation and such other supporting material as may be tequired by the Lieutenant Covernor in Council.

(b) it shall send a copy of the application and supporting material to the municipality or regional district, and lefole deciding on the application

(c) it shall submit the application and recommendation to the minister for forwarding to the Lieutenant Governor in Council

[en. B.C. Reg. 225/84, s. 1.]

2. (1) The commission, municipality, or regional district holding a public hearing as required by section 11 (3) of the Act shall publish a notice stating the time and place of the hearing in at least two consecutive issues of a newspaper published or circulated in the municipality or regional district where the land is situated, with the last of such publications appearing not less than 3 days nor more than 10 days before the date of the hearing.

- (2) The notice of hearing shall
 - (a) identify, in a general manner, the land or lands affected but need not use the legal description of the land affected,
 - (b) state in general terms the intent of the application, and
 - (c) state when and where a copy of the application may be inspected.
- (3) At the hearing all persons shall be afforded an opportunity to be heard on matters related to the proposed application.
 - (4) The hearing may be adjourned from time to time.

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(5) A member of the municipal council or of the regional board, or a commissioner who was not present at the hearing, may vote on the application if an oral or written report of the hearing has been given to him.

[am. B.C. Regs. 8/81, s. (a); 225/84, s. 2.]

- 3. The commission, municipality, or regional district holding the hearing may, without further notice, allow amendment to the proposed application to give such effect as it deems fit to representations made at the hearing.
- 4. Where the Lieutenant Governor in Council excludes land under section 11 (1) or grants permission under section 15 (2), 16, 18 or 19 (2) pursuant to section 11 (2) of the Act, the minister shall inform the commission and the commission shall inform the regional district and, if applicable, the municipality and the appropriate registrar of titles.

[am. B.C. Regs. 8/81, s. (b); 225/84, s. 3.]

Applications by an owner to exclude land under section 12 (1) pursuant to section 12 (2) of the Act

- 5. Where an owner intends to make an application to the commission under section 12 (1) of the Act, he shall first complete and file an application in the form in Schedule B to this regulation
 - (a) in the office of the clerk of the municipality, where the land that is the subject matter of the application is located in a municipality, and
 - (b) in all other cases, in the office of the secretary treasurer of the regional district within which the land is located.

[am. B.C. Regs. 8/81, s. (c); 225/84, s. 4.]

6. The secretary treasurer or clerk shall, on compliance by an owner with section 5, forthwith complete the form in Schedule C.

(2) Repealed. [B.C. Reg. 225/84, s. 5.] [am. B.C. Reg. 225/84, s. 5.]

7. After receipt of an application under section 5, the secretary treasurer or clerk shall submit the application to the regional board or municipal council, as the case may be.

[am. B.C. Reg. 225/84, s. 6.]

8. Where an application filed under section 5 is in respect of land referred to in section 12 (4) of the Act, no further proceedings shall be taken unless and until the municipality or regional district passes the resolution referred to in section 12 (4) of the Act authorizing the application.

[am. B.C. Reg. 8/81, s. (e).]

9. Where a resolution is passed under section 12 (4) of the Act, the secretary treasurer or clerk shall transmit a certified copy of it to the commission along with the other information required by section 12.

[am. B.C. Regs. 8/81, s. (e); 225/84, s. 7.]

- 10. Where the regional district or municipality considers it necessary or advisable to transmit its recommendations, comments, opinions, or any other information in respect of any application to the commission, it shall do so within the time limited under section 12.
- 11. (1) A municipality or regional district may, if it considers it necessary or advisable, hold public information meetings in respect of an application under section 12 of the Act.
- (2) Where a regional district holds a public information meeting referred to in subsection (1), the board of the regional district shall ensure that the member of the regional district representing the area within which the land that is the subject matter of the application is situated attends at the meeting and, forthwith after the meeting, submits a report to the board indicating the degree of support for or opposition to the application.
- (3) Where a municipality holds a public information meeting referred to in subsection (1), the council of the municipality shall ensure that at least one member of the council for the municipality attends at the meeting and forthwith, after the meeting, submits a report to the council indicating the degree of support for or opposition to the application.

[en. B.C. Reg. 225/84, s. 8.]

- 12. A person who receives an application referred to in section 5 shall, within 30 days or, where a public information meeting is held pursuant to section 11, within 60 days after receipt of an application, transmit
 - (a) the application in Schedule B,
 - (b) the information required in Schedule C.
 - (c) the resolution, if required under section 9, and
- (d) the report submitted under section 11 and any other information about a public information meeting held under section 11 to the commission

[am. B.C. Reg. 225/84, s. 9.]

- 13. Notwithstanding anything in these regulations or in Schedule B or C, the commission may require of the applicant or of the regional district or municipality such further relevant information as it considers necessary.
- 14. A hearing required by section 12 (2) of the Act shall be held at a time and at a place designated by the commission and may be adjourned from time to time.

 [am. B.C. Reg. 8/81, s. (d).]
- 15. (1) The commission shall give written notice of the date and place of the hearing to
 - (a) the applicant,
 - (b) where the land that is the subject matter of the application is located in a municipality, the municipal council of the municipality, and

(c) where the land that is the subject matter of the application is not located in a municipality, the regional board of the regional district within which the land is located,

not less than 10 days and not more than 30 days before the date of the hearing.

- (1.1) Where it considers advisable, the commission shall give written notice of the date and place of the hearing to the owners of the land located adjacent to the land referred to in the application not less than 10 days and not more than 30 days before the date of the hearing.
 - (2) The notice of hearing shall
 - (a) identify the land referred to in the application,
 - (b) state the purpose of the application, and
 - (c) state the place and time at which the application and the documents relating to the application may be inspected.

[am. B.C. Reg. 225/84, s. 10.]

- 16. The commission shall cause to be mailed by registered mail to the applicant or delivered by a personal service a statement of the facts, opinions and other information, or a summary of them, received by the commission for consideration at the hearing.
- 17. The commission shall, at the request of the applicant or his agent, allow him or his agent to inspect all relevant documents in the custody of the commission relating to the application.
- 18. (1) The applicant is entitled to make representations at the hearing personally or by his counsel or agent.
- (2) The commission may require the applicant or any other person offering evidence to give his evidence on oath.
 - 19. For the purpose of the hearing the commission may
 - (a) require that evidence offered before it be given on oath and may for that purpose administer an oath,
 - (b) accept written submissions or any other form of evidence notwithstanding that it may not be evidence in a court of law, and
 - (c) hear representations, evidence and opinions of any person present or represented at the hearing and of the regional district and municipality that, in the opinion of the commission, are relevant to the application.
- 20. Where evidence is presented at the hearing, a statement or summary of which has not been sent to the applicant, the commission,
 - (a) where the applicant or his counsel or agent is present at the hearing, may hear further representations in respect of such evidence, or adjourn the hearing to enable the applicant to make answer to that evidence, or

(b) where the applicant or his counsel or agent is not present at the hearing, shall notify the applicant by registered mail or by personal service of the additional evidence presented by the hearing and the time within which the additional evidence may be answered.

Applications to appeal to the Environment and Land Use Committee under sections 13 (1) and (2) of the Act

- 21. (1) A person who is dissatisfied with the decision of the commission made in respect of an application to it under section 12 (2) of the Agricultural Land Commission Act or under section 5 of the Soil Conservation Act may apply to the commission for a certificate of leave to appeal to the Environment and Land Use Committee by delivering it or mailing a written request to the commission.
- (2) The written request shall state the grounds on which the person alleges that the decision of the commission is wrong.

[am. B.C. Reg. 8/81, s. (c).]

- 22. (1) A person applying to the minister for leave to appeal under section 13 (2) of the Act may apply to the minister for a certificate of leave to appeal to the Environment and Land Use Committee by mailing a written request by registered mail to the minister.
- (2) The written request shall state the grounds on which the person alleges that the decision of the commission is wrong and the person making the application shall mail, by registered mail, a copy of the written request to the commission.
- (3) On receipt of a copy of the written request the commission shall forthwith transmit to the minister
 - (a) a copy of all the documents in the custody of the commission respecting the original application.
 - (b) a transcript of any evidence that was transcribed at the hearing, and
 - (c) a copy of the decision of the commission and of any reasons for it.
- (4) A person requesting the certificate of leave to appeal who makes additional written submissions to the minister shall send copies of them to the commission.
- (5) The minister shall review the application and may require of the applicant, the regional district or municipality, the commission, or any other person such further or additional information as he considers necessary and shall supply copies of such further or additional information to the applicant, the regional district or municipality and the commission and shall give each party a reasonable time to respond.

[am. B.C. Reg. 8/81, s. (g).]

- 23. (1) Where a person has obtained leave under section 21 or 22 to appeal to the Environment and Land Use Committee the person shall file with the Environment and Land Use Committee either
 - (a) the certificate of leave to appeal signed and dated by two members of the commission, or

- (b) the certificate of leave to appeal signed and dated by the minister.
- (2) A certificate of leave to appeal expires 60 days after its date.
- 24. A person appealing under section 13 (1) or (2) of the Act shall file a notice of the appeal accompanied by the certificate of leave to appeal with the Environment and Land Use Committee by delivering it or mailing it by registered mail to the secretary of the committee at the City of Victoria.

[am. B.C. Reg. 8/81, s. (h).]

25. The appellant shall state in the notice of appeal the reasons for the appeal and the grounds on which he alleges that the decision of the commission is wrong.

26. The appellant shall

- (a) deliver or mail by registered mail a copy of the notice of appeal to
 - (i) the minister.
 - (ii) the commission,
 - (iii) each person who made a submission or gave evidence respecting the original application,
 - (iv) where the land that is the subject matter of the application is located in a municipality, the municipal council for the municipality, and
 - (v) where the land that is the subject matter of the application is not located in a municipality, the regional board of the regional district in which the land is located, and
- (b) submit a list of the persons notified under paragraph (a) and a statement signed by the appellant, saying that they have been so served, to the secretary of the Environment and Land Use Committee.

 [en. B.C. Reg. 225/84, s. 11.]
- 27. (1) Where leave to appeal was granted under section 13 (2) of the Act, the minister, on receipt of a copy of a notice of appeal, shall transmit to the secretary of the Environment and Land Use Committee all material received by him under section 22.
- (2) On receipt of a copy of a notice of appeal, the commission shall transmit to the secretary of the Environment and Land Use Committee
 - (a) where leave to appeal was granted under section 13 (1) of the Act, all documents or evidence described in section 22 (3) (a) to (c), or
 - (b) where leave to appeal was granted under section 13 (2) of the Act, any documents transmitted to the commission subsequent to the transmission of material under section 22 (3).

[en. B.C. Reg. 225/84, s. 12.]

28. The Environment and Land Use Committee shall notify by registered mail the appellant, the commission, and every person to whom the notice of appeal was sent under section 26, of the date and place of the hearing at least 20 days before the date of the hearing.

[am. B.C. Reg. 225/84, s. 13.]

- 29. The Environment and Land Use Committee shall, at or before the hearing, review all the documents filed with it respecting the appeal and at the hearing shall hear the representations and evidence of the commission, the appellant and the regional district, municipality and other persons who made representations or gave evidence on the original application, and such other evidence as the Environment and Land Use Committee may consider necessary.
- 30. Sections 18 and 19 apply to a hearing and review under section 29 with "Environment and Land Use Committee" being substituted for "commission," where applicable.

Applications under section 20 of the Act to exempt the use of land pursuant to sections 15 (2), 16 and 18 and section 19 (2) of the Act

- 31. Where a person applies to the commission under section 20 of the Act pursuant to sections 15 (2), 16 and 18 and section 19 (2) of the Act he shall file an application in substantial compliance with Schedule B
 - (a) in the office of the clerk of the municipality, where the land that is the subject matter of the application is located in a municipality, and
 - (b) in all other cases, in the office of the secretary treasurer of the regional district within which the land is located.

[am. B.C. Regs. 8/81, ss. (i), (j), (k); 225/84, s. 14.]

- **32.** (1) Sections 6 to 13 apply in respect of applications filed pursuant to section 31.
- (2) For the purpose of subsection (1), a reference to section 12 (4) of the Act in sections 6 to 13 is deemed to be a reference to section 20 (2) of the Act.

[am. B.C. Reg. 225/84, s. 15.]

- 33. The commission may, where it is considered necessary or advisable, hold a hearing with respect to any application filed pursuant to section 31 and the meeting shall be held at a time and place designated by the commission and may be adjourned from time to time.
- **34.** Where the commission holds a hearing under section 33, sections 15 to 20 apply in respect of the hearing.

Applications to include land in an Agricultural Land Reserve under section 10(3),(4) and (5) of the Act

35. Where an owner's land is not included in an agricultural land reserve plan the owner may, pursuant to section 10 (5) of the Act, at any time, apply to

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have his land designated as or as part of an agricultural land reserve by filing an application in compliance with Schedule D

- (a) in the office of the clerk of the muinicipality, where the land that is the subject matter of the application is located in a municipality, and
- (b) in all other cases, in the office of the secretary treasurer of the regional district within which the land is located.

[am. B.C. Regs. 8/81, s. (n); 225/84, s. 16.]

36. On an owner filing an application under section 35, the secretary treasurer or clerk shall forthwith obtain information listed in Schedule E and complete the Schedule.

[am. B.C. Reg. 225/84, s. 17.]

37. The board of a regional district or the council of a municipality that has had an application filed with it under section 35 may hold a public hearing in respect of the application and section 2 applies to the hearing.

[en. B.C. Reg. 225/84, s. 18.]

- 38. After receipt of an application, a board of a regional district or a municipal council, as the case may be, shall transmit the application, its recommendations and any other relevant information to the commission
 - (a) within 30 days, or
 - (b) where a hearing is held by it under section 37, within 60 days. [en. B.C. Reg. 225/84, s. 18.]
- 39. Where the commission considers that designation of the land as or as part of an agricultural land reserve carries out the intent and purpose of the Act, and after approval of the Lieutenant Governor in Council designates the lands as or as part of an agricultural land reserve, it shall notify the applicant, the municipality, if applicable, and the regional district in which the land is situated and the appropriate registrar of titles of the designation.
- 40. (1) Notwithstanding section 35, a municipality, regional district, or the commission may, pursuant to section 10 (3) of the Act, at any time, whether or not it is the owner of the land, apply to the Lieutenant Governor in Council for approval of the addition of the land to a designated land reserve and shall give notice in writing to the other parties and to the owner of the land.
- (2) An application made under subsection (1) shall be in the form set out in Schedule G and include any other material required by the commission or the Lieutenant Governor in Council.

[am. B.C. Reg. 225/84, s. 19.]

41. (1) Where the land is not owned by the municipality, regional district, or commission applying under section 40 it shall, pursuant to section 10 (4) of the Act, at its own expense, hold a public hearing at least 30 days before submitting the application to the Lieutenant Governor in Council and section 2 applies to the hearing.

- (2) The applicant must give at least two weeks' written notice of the public hearing under this section to the other parties and to the owner of the land.
 - (3) A report of the public hearing shall accompany the application. [am. B.C. Reg. 8/81, s. (m).]
- 42. An applicant under section 40, the owner, the municipality and regional district in which the land is situated and the commission may make written representations in respect of the applicant's application.
- 43. Where the Lieutenant Governor in Council approves an application made under section 40, the commission shall, where it designates the land as or as part of an agricultural land reserve, notify the applicant, the owner, the municipality, if applicable, the regional district in which the land is situated, and the appropriate registrar of titles of the designation.

Special cases

- 44. Notwithstanding section 31, where a person applies to the commission under section 20 of the Act for permission to use land in an agricultural land reserve for a purpose other than farm use, he shall, where the proposed use is one of the following, file in the office of the commission an application substantially in the form in Schedule F:
 - (a) storage and sale or processing of agricultural products on a farm where they were not grown or reared on that farm;
 - (b) a reserve or area of land or habitat set apart for wildlife that does not qualify as a permitted land use under the Agricultural Land Commission Subdivision and Land Use Regulation;
 - (c) parks and recreation reserves, whether created by the Province, a regional district or a municipality, that do not qualify as a permitted land use under the Agricultural Land Commission Subdivision and Land Use Regulation;
 - (d) unpaved airstrip for use of aircraft flying non-scheduled flights;
 - (e) dedication or construction of new highway, road or railway rights of way:
 - (f) electrical transmission lines and utility installation, including pipeline pumping stations, automatic telephone exchanges, electrical substations, navigational aids, underground pipelines and any ancillary purposes;
 - (g) trunk sewer and trunk water lines and ancillary storage or pumping facilities, including construction of or addition to a reservoir;
 - (h) sewage lagoons, treatment plants and other sewage disposal facilities regulated by the *Pollution Control Act*;
 - (i) sanitary land fills;
 - (j) well drillings and access to well sites but not including wells drilled for potable water for use in a single family dwelling unit;
 - (k) guest ranches;

- (1) open land recreation uses, including campgrounds, fishing and hunting camps, game farms and rifle ranges, provided a total of not more than 5% of the land registry parcel or 2 ha, whichever is the lesser, will be physically altered by the construction of roads, services, paving, parking facilities, buildings, structures or earthworks;
- (m) surveying, exploring or prospecting for gravel, oil or minerals, provided all cuts, trenches and similar alterations will be restored to the natural ground level and all topsoil is replaced;
- (n) gravel pits, peat extractive areas and turf farms, where reclamation and rehabilitation is possible;
- (o) Repealed. [B.C. Reg. 301/88.]
- (p) horse riding arenas or boarding stables;
- (g) dog kennels for boarding or breeding.

[en. B.C. Reg. 8/81, s. (q); am. B.C. Regs. 225/84, s. 20; 301/88.]

- 45. Before issuing an order allowing a use referred to in section 44, the commission shall inform either of the following of the application:
 - (a) where the land that is the subject matter of the application is located in a municipality, the municipal council of the municipality;
 - (b) in all other cases, the board of the regional district within which the land is located.

[en. B.C. Reg. 225/84, s. 21.]

46. Notwithstanding section 31, where a person applies to the commission under section 20 of the Act for an order authorizing a registrar of titles to accept a plan of subdivision under the Land Title Act or a strata plan under the Condominium Act, if the proposed subdivision is designed to establish a legal boundary along the perimeter of an agricultural land reserve and the part of the land within the reserve will consist of a parcel not less that 8 093.5 m² in area, he shall file in the office of the commission an application substantially in the form in Schedule F.

[en. B.C. Reg. 8/81, s. (q); am. B.C. Reg. 225/84, s. 22.]

- 47. Before issuing an order authorizing acceptance of a plan referred to in section 46, the commission shall inform either of the following of the application:
 - (a) where the land that is the subject matter of the application is located in a municipality, the municipal council of the municipality;
 - (b) in all other cases, the board of the regional district within which the land is located.

[en. B.C. Reg. 225/84, s. 23.]

Province of British Columbia

SCHEDULE A

APPLICATION UNDER SECTION 11 OF THE AGRICULTURAL LAND COMMISSION ACT

		P.A.L.C. File NoR.D./Mun. File No
	In	respect to land within in the (Municipality or electoral area)
		(Regional district) , the(Applicant)
Ag	reby <i>ricu</i> In	makes application under section 11 (1) or section 11 (2) of the altural Land Commission Act to the Lieutenant Governor in Council. support of this application, the following information applicable to the carea is submitted:
_		(If several district areas are involved, distinguish by sub-area.)
1.		entification Legal description (in general terms if for a large area)
	1.2	Total area of subject area
	1.3	Area of subject area which is Crown land
	1.4	Location on A.L.R. plan and legal base maps
2.		aracteristics Existing land use
	2.2	Proposed land use
	2.3	Land use of surrounding properties
	2.4	Notable physical features
	2.5	Extent of floodplain (if applicable)
	2.6	Services available or scheduled
٠	2.7	Roads or rights of way on or abutting the subject properties, including information on road or rights of way dedicated and extent of construction

AGRICULTURAL LAND COMMISSION ACT 313/78 AGRICULTURAL LAND RESERVE PROCEDURE - Schedule A

3.	Local planning 3.1 Community or Settlement Plan designation		
	3.2 Zoning		
4.	Comments and recommendations (include copies of resolutions where applicable)		
	4.1 Regional Board or Municipal Council		
	4.2 Advisory Planning Committee or Commission		
	4.3 Others		
5 .	Report of public hearing (include date and place of hearing and number attending).		
6.	Reasons for request		
pla	The above information may also be indicated, in part, on maps and (or) ans of appropriate scale.		
(Sig	mature of Secretary-Treasurer or Clerk) (Date)		

[en. B.C. Reg. 225/84, s. 24.]

Province of British Columbia

SCHEDULE B

APPLICATION UNDER SECTION 12 (1) or 20 (1) OF THE AGRICULTURAL LAND COMMISSION ACT

INFORMATION TO BE SUPPLIED BY APPLICANT (Please submit completed forms to the Regional District Office or if applicable to the Municipal Office.)	Receipt No.
REGIONAL DISTRICT/MUNICIPALITY	
Property owner's name:	Authorized agent of the owner:
(Please print)	(Please print)
Address of owner:	Address of agent:
City/Town/Village:	City/Town/Village:
Postal Code:	Postal Code:
Telephone No::	Télephone No.:
Full Legal Description of Each Existing Land Title Parcel Under Application	Approximate Area of Each Existing Legal Parcel of Land
Total area in hectares	

31/7/84

I enclose a copy of one of the following for the property/properties under application: Certificate of Indefeasible Title, or	Date on which property was purchased or interest in property acquired by the applicant:		
State of Title Certificate, or Tax/Assessment Notice.	(Day) (Month) (Year)		
hereby make application under: Please check appropriate box)			

- (a) section 20 (1) of the Agricultural Land Commission Act to (i) subdivide the subject property, and (or)
 - (ii) use the subject property for non-farm purposes within the ALR plan,

or

(b) section 12 (1) of the Agricultural Land Commission Act to have the above described property excluded from the Agricultural Land Reserve Plan.

In support of this application I submit a plan or plans of appropriate scale showing each of the following:

- 1. the subject property in terms of the smallest existing land title parcel or parcels, identified by full legal description, and showing the area of the land title parcel or parcels, and dimensions of each boundary including the adjacent land title parcels;
- the location of the subject property within the Agricultural Land Reserve;
- the location of any permanent dwellings or mobile homes and any existing buildings or structures on the property;
- 4. the proposed new land title parcels to be created on the subject property showing approximate areas of the proposed parcels and approximate dimensions of each boundary or the proposed location of any additional dwellings or buildings to be constructed;
- the location of properties, other than the subject property, which are under the ownership, lease, or rental of the applicant, in the vicinity of the subject property;
- the location of waterways, roads and/or rights of way (public or private and surface condition), benches, ridges or other significant topographical features and any areas under bush, cleared, pasture, cultivated land, etc.

It is preferable, but not mandatory, that the plans be based on those prepared by a professional surveyor, engineer, architect, or planner. Such maps (having been drawn at some time in the past for another purpose) are often available to an applicant (e.g., the last deposited subdivision plan involving the property in question, prints of which may be obtained from the land title office for the cost of copying). The maps should identify individual parcels by legal description and should specify dimensions of each of the subject parcels.

	-1
(a)	Describe the existing use of the subject property. Please describe briefly any and all buildings and structures located on the property and if possible note the location of the said structures on a plan or map.
	If available, include photographs of the subject property, including buildings, and any other details or information relating to the present use of the subject property.
(b)	Do you own or lease any other properties within a one kilometre radius of the subject property? If so, please provide the legal description and describe the existing land use of these properties.
(c)	(i) Describe the existing land use and buildings on all lots adjacent to and neighbouring the subject property or farm unit
	(ii) Are there any livestock operations (10 or more animals raised for commercial sale) within one kilometre of the subject property? If so, please specify type of operation
(d) Describe the proposed use of the subject property
	That is to say, the specific proposed use and whether the development involves a subdivision, a rezoning, a building permit, a development contract, etc. Include sketch plans of any proposed buildings and subdivision plans where available.
(€	e) My reasons for requesting this action are as follows (use

add	itional paper if necessary)
(f) Any oth	er additional information or comments
	eclare that the information contained herein is, to the edge, factual and correct.
70:	f owner)* (Date)
(Signature o *If agent :	is owner). is handling application, please supply authorization from
owner. NOTE: Sect:	ion 12 (1) involves an application requesting complete
exclusion from t	he Agricultural Land Reserve.
Section 20 land for other (Land Reserve.)	(1) involves an application to subdivide land or to use than farm purposes. (The land remains in the Agricultural
	s application be successful, it in no way implies that approvals or permits will be granted. In this regard the
zoning, building services, includ Please cons	g, sewage disposal, access, and availability of necessary ling water, should be checked by all applicants. Bult the Agricultural Land Commission Act and regulations
thereunder for f	urther details. [en. B.C. Reg. 225/84, s. 24.]
	tem p.c. red. 223/04, s. 24.1
	,
Province of Brit	ish Columbia
	SCHEDULE C
•	REPORT OF LOCAL GOVERNMENT REQUIRED UNDER SECTION 6 OR 32 OF THE AGRICULTURAL LAND RESERVE PROCEDURE REGULATION
(To be completed	by the regional district or municipality.)
Information supp	olied by:
	(Regional District/Municipality
	R.D./Mun. File No.
	Map/Sheet No
	Constituent
	Air Photo No.

In res	spect of application of:			
Name of applicant Name (If Full Legal Description of Each Existing Land Title Parcel Under Application		applicable) Approximate Area of Each Existing Legal Parcel of Land		
	Total area in hectares			
1.	Any applicable community, settlem designations, with some details	ent or other plan or study		
2.	The zoning classification governing the subject property at the date of application (please attach map, if possible):			
	ZONING			
	 (a) Uses permitted (b) Minimum lot size permitted (c) Other relevant regulations united 	nder zoning bylaw (if applicable)		
3.	The zoning applicable to the subject December 21, 1972			
	(Note the requirement under section of authorization. Please enclose co	12 (4) or 20 (2) for a resolution py of resolution.)		
4.	(a) Description of the use of the details relating to occupancy as (Please note any buildings or of use)	structures plus appropriate areas		
	(b) Is the subject property governe spections?	d by building codes and (or) in-		
5.	A brief description of the existing to and surrounding the subject prosize (a map, if available): (a) North	land use and buildings adjacent operty indicating approximate lot		
	(b) East (c) South			
	(d) West (Use additional paper if ne	cessary.)		

6.	the possibility or feasibili (a) Roads	es available to the subject property or ty of providing services:
7.	Is the subject property loca	ted in a flood plain? Yes No
8.	Any other information or com	ments
	(Signature of Secretary-Tr	reasurer or Clerk) (Date) Reg. 225/84, s. 24.]
Prov	vince of British Columbia	
	S	CHEDULE D
	THE AGRICULTURAL LAND	OR INCLUSION OF LAND IN RESERVE UNDER SECTION 10 (5) OF RAL LAND COMMISSION ACT
(Ple	ORMATION TO BE SUPPLIED BY APP ease submit completed forms licable to the Municipal Offic	to the Regional District Office or if
	•	P.A.L.C. File No. R.D./Mun. File No.
REG	IONAL DISTRICT/MUNICIPALITY _	· · · · · · · · · · · · · · · · · · ·
1.	Property owner's name:	Authorized agent of the owner:
	Address of owner:	Address of agent:
	City/Town/Village:	City/Town/Village:
	Postal Code:	Postal Code:
	Telephone No:	Telephone No:
		

- Please complete the appropriate chart or charts below, depending on whether the subject properties are Crown land, private land, or a combination of both.
 - (a) PRIVATE LAND

Full Legal Description of Each Existing Land Title Parcel of Private Lands Under Application	Approximate Total Area of Each Existing Legal Parcel of Land	Cleared or Improved Area of Each Lot
Total area in hectates]

(b) CROWN LAND

Full Legal Description of Each Existing Land Title Parcel of Crown Land under Application	Type of Crown Lease	Approximate Total Total Area of Each Existing Legal Parcel of Land	Cleared or Improved Area of Each Lot
	Total area in hectares		

NOTE--If there are any Crown leases, please provide a copy of each lease.

- In support of the application, please submit a survey plan or plans (which may be obtained from the land title office) or alternatively a sketch plan identifying individual parcels by legal description and dimensions. The plan or plans of appropriate scale should also show:

 (i) the location of each of the subject properties in relation to
 - surrounding legal parcels;
 - (ii) the location of other land owned, leased or rented by the applicant where that land is in the immediate vicinity of the subject properties.

4.	Describe the existing use of the subject properties		
	NOTEWherever possible, provide photographs of the subject property also show buildings.		
	Describe the existing use of those properties which are not the subject of this application but are owned or leased by the applicant in the immediate vicinity, including the area, location and legal description of each:		
	Describe the existing land use and buildings on all lots adjacent to and neighbouring the subject property or farm unit:		
	North		
	East		
	South		
	West		
7.	Describe the proposed use of the subject property		
	Clearly state the reasons for requesting inclusion of the subject property in the Agricultural Land Reserve:		
9.	Any other information or comments		
best	I hereby declare that the information contained herein is, to the of my knowledge, factual and correct.		
	(Signature of owner)* (Date)		
owner	* If agent is handling application, please supply authorization from		
there	Please consult the Agricultural Land Commission Act and regulations counter for further details.		
	[en. B.C. Reg. 225/84, s. 24.]		

31/7/84

Province of British Columbia

SCHEDULE E

REPORT OF LOCAL GOVERNMENT UNDER SECTION 36 OF THE AGRICULTURAL LAND RESERVE PROCEDURE REGULATION

To be completed by the regional district or municipality.)
Information supplied by:(Regional District/Municipality)
R.D./Mun. File No. Map/Sheet No. Base Constituent Air Photo No.
In respect of application of:
Name of applicantName of agent(If applicable)
NOTEPrior to filling in Schedule E, please verify the information provided by the applicant in Schedule D and in particular: (1) legal description and area of the subject properties; (2) description of existing use of the subject property; (3) description of surrounding land uses and buildings. 1. On a map, please locate each of the subject properties in relation to the Agricultural Land Reserve, if applicable. 2. Any applicable community/settlement or other plan or study designations, with some details
3. The zoning classification governing the subject property at the dat of application (please attach map):
ZONING
(a) Uses permitted (b) Minimum lot size required (c) Other relevant regulations under zoning bylaw (if applicable

4.	Was prop	the property included by the regional district in the original cosal for Agricultural Land Reserve designation?
		Yes No D
5.	Reco	ommendations for the inclusion of the subject properties in the icultural Land Reserve:
		Council or Regional Board
6.	(a)	Are there any lands adjacent to the subject properties worthy of inclusion in the Agricultural Land Reserve?
		Yes No
	(b)	If so, please give details on adjacent properties
		ure of Secretary-Treasurer or Clerk) (Date) [en. B.C. Reg. 225/84, s. 24.]
Prov	ince	of British Columbia
		SCHEDULE F SPECIAL CASE APPLICATION
		P.A.L.C. File No
		APPLICATION UNDER SECTIONS 44 AND 46 OF B.C. REG. 313/78, THE AGRICULTURAL LAND RESERVE PROCEDURE REGULATION
(Ple	ease	TION TO BE SUPPLIED BY APPLICANT submit completed forms to the Provincial Agricultural Land.on office.)
REG:	IANOI	DISTRICT/MUNICIPALITY

	-1
PROPERTY OWNER'S NAME (Please Print)	AUTHORIZED AGENT OF THE OWNER* (Please Print)
ADDRESS OF OWNER	ADDRESS OF AGENT
CITY/TOWN/VILLAGE	CITY/TOWN/VILLAGE
POSTAL CODE	POSTAL CODE
TELEPHONE NO.	TELEPHONE NO.

* If agent is submitting the application, authorization must be supplied from the registered owner of the property.

FULL LEGAL DESCRIPTION OF EACH EXISTING LAND TITLE PARCEL UNDER APPLICATION	APPROX. AREA OF EXISTING LAND TITLE PARCEL
TOTAL AREA IN HECTARES	

Please attach a copy of the Certificate of Indefeasible Title or a State of Title Certificate for the land title parcel(s) involved or alternately a copy of the tax notice.

I he	reby make applica	ation	under: (Please check appropriate box)
	(a) Land Use or		Section 44 () of B.C. Reg. 313/78. (Indicate Subsection)
	(b) Subdivision		Section 46 of B.C. Reg. 313/78,

In support of this application I submit a plan or plans of appropriate scale showing each of the following:

- the subject property in terms of the smallest existing land title parcel or parcels, identified by full legal description, and showing area of the land title parcel or parcels, and dimensions of each boundary including the adjacent land title parcels;
- the location of the subject property within the Agricultural Land Reserve;
- the location of any permanent dwellings or mobile homes and any existing buildings or structures on the property;
- 4. the proposed new land title parcels to be created on the subject property showing approximate areas of the proposed parcels and approximate dimensions of each boundary or the proposed location of any additional dwellings or buildings to be constructed;
- the location of properties, other than the subject property, which are under the ownership, lease or rental of the applicant, in the vicinity of the subject property;
- 6. the location of waterways, roads and/or rights of way (public or private and surface condition), benches, ridges or other significant topographical features and any areas under bush, cleared, pasture, cultivated land, etc.

It is preferable, but not mandatory, that the plans be based on those prepared by a professional surveyor, engineer, architect or planner. Such maps (having been drawn at some time in the past for another purpose) are often available to an applicant (e.g. the last deposited subdivision plan involving the property in question, prints of which may be obtained from the land title office for the cost of copying). The maps should identify individual parcels by legal description and should specify dimensions of each of the subject parcels.

(a) Describe the existing use of the subject property. Please describe briefly any and all buildings and (or) structures located on the property and if possible note the location of the said structures on a plan or map.

If available, include photographs of the subject property, including buildings, and any other details or information relating to the present use of the subject property.

⁽b) Do you own or lease any other properties within a one-kilometre radius of the subject property? If so, please provide

	the legal description and describe the existing land use of these properties.
(c)	(i) Describe the existing land use and buildings on all lots adjacent to and neighbouring the subject property or farm unit
	(ii) Are there any livestock operations (10 or more animals raised for commercial sale) within one kilometre of the subject property? If so, please specify type of operation
(b)	Describe the proposed use of the subject property
	That is to say, the specific proposed use and whether the development involves a subdivision, a rezoning, a building permit, a development contract, etc. Include sketch plans of any proposed buildings and (or) subdivision plans where available.
(e)	My reasons for requesting this action are as follows (use additional paper if necessary)
I hereb best of my k	y declare that the information contained herein is, to the nowledge, factual and correct.

Should this application be successful, it in no way implies that other necessary approvals or permits will be granted. In this regard the

⁽Signature of owner)* (Date)

* If agent is handling application, please supply authorization from owner.

zoning, building, sewage disposal, access and availability of necessary services, including water, should be checked by all applicants.

Please consult the $\underline{\text{Agricultural Land Commission Act}}$ and regulations thereunder for further details.

Provincial Agricultural Land Commission 4940 Canada Way Burnaby, B.C. V5G 4K6 [en. B.C. Reg. 225/84, s. 24.]

Province of British Columbia

SCHEDULE G

P.A.L.C. File No. R.D./Mun. File No.
APPLICATION FOR INCLUSION OF LAND IN THE AGRICULTURAL LAND RESERVE UNDER SECTION 10 (3) of the AGRICULTURAL LAND COMMISSION ACT
(Information to be supplied by a municipality or regional district only for land within its jurisdiction.)
In respect to land within (Municipality or electoral area) , the
(Regional district) nereby makes application under section 10 (3) of the Agricultural Land Commission Act to the Lieutenant Governor in Council.
In support of this application, the following information applicable to the subject area is submitted: (If several distinct areas are involved, distinguish by sub-area.)
. Identification
1.1 Legal description (in general terms if for a large area)
1.2 Total Area of subject area
1.3 Area of subject area which is Crown land

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	1.4	Locate property on survey or legal base maps (as available)		
2.	Cha	racteristics		
2.1 Existing land use				
	2.2	Proposed land use		
	2.3	Land use of surrounding properties		
	2.4	Notable physical features		
	2.5	Extent of floodplain (if applicable)		
	2.6	Services available or scheduled		
	2.7	Roads or rights of ways on or abutting the subject properties, including information on roads or rights of way dedication and extent of construction		
3.		l planning		
	3.1	Community or Settlement Plan designation		
	3.2	Zoning		
4.	Com appl	ments and recommendations (include copies of resolutions where icable)		
	4.1	Regional Board or Municipal Council		
	4.2	Advisory Planning Committee or Commission		

31/7/84

number
ubject
d (or)

NOTE: The plan referred to in this regulation is exempt from publication and may be inspected at the offices of the Agricultural Land Commission, 4333 Ledger Avenue, Burnaby, B.C.

[Provisions of the Agricultural Land Commission Act relevant to the enactment of this regulation: section 37]

Vern A. Burkhardt Queen's Printer for British Columbia© Victoria, 1992

Ρ.

PROVINCE OF BRITISH COLUMB

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order In Council No. 1392 . Approved and Ordered NOV, 141991

Weutenent Governor

Executive Council Chambers, Victoria 13 KW 1991

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, on the recommendation of the Environment and Land Use Committee, the Golf Course Development Moratorium Regulation attached to this order is made.

Ball Burger

Minister of Agriculture, Pisheries and

Presiding Member of the Executive Council

Authority under	(This part is for administrative pr which Order is mades	urposes only and is not part of the Orden)
Act and sections. Other (specify):	**************************************	***************************************
Owner (obsessable	40(\$44400000000000000000000000000000000	
November 8, 1991		
	· ·	1757 191/13/ih

Golf Course

GOLF COURSE DEVELOPMENT MORATORIUM REGULATION

Moratorium on development

- 1. A person must not construct or significantly alter a golf course, pitch and putt course, driving range, club house, restaurant, pro shop or ancillary facility
 - (a) to which section 2 (1) (m) of B.C. Reg. 7/81 applied immediately prior to repeal of that section in November, 1991, and
 - (b) for which an application to set terms and conditions under section 2 (1) (m) of B.C. Reg. 7/81 was made to the Agricultural Land Commission on or after June 16, 1988.

Agricultural Land Commission

2. Subject to section 4 the Agricultural Land Commission must not set terms and conditions or process applications for the purposes of the former section 2 (1) (m) of S.C. Reg. 7/81.

Local Government

3. Where a proposal has been made to set terms and conditions under the former section 2(1)(m) of B. C. Reg. 7/81, a municipality must not act under Part 29 of the Municipal Act for the purposes of implementation of the proposal.

Review

4. The Agricultural Land Commission must review all proposals for construction or alteration described in section 1 and recommand to the Environment and Land Use Committee those that should be exempted from this regulation.

PROVINCE OF BRITISH COLUN. A

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 1437 Approved and Ordered NOV. 28.1991

Lieutenant Governor

Executive Council Chambers, Victoria 27 NOV. 1991

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that on the recommendation of the Environment and Land Use Committee, B.C. Reg. 308/91, the Golf Course Development Moratorium Regulation is amended as set out in the Appendix to this order.

BRITISH COLUMBIA AGRICULTURAL LAND COMMISSION

DEC - 3 1991

RECEIVED BURNASY, B.C.

51

Bill Bayes

Minister of Agriculture, Fisheries and

Food

Presiding Member of the Executive Council

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

ority under which Order is made:

Act and section: Environment and Land Use Act, section 6...

Other (specify):-

November 14, 1991

2/c...134.2/91.

アラウ /91/13/jb

APPENDIX

1. The following section is added to B.C. Reg. 308/91, the Golf Course Development Moratorium Regulation:

Exemption

5. This regulation does not apply to construction or alteration described in section 1 for which an application, identified by file numbers used by the Agricultural Land Commission, is listed in the Schedule to this regulation.

BRITISH COLUMBIA AGRICULTURAL LAND COMMISSION

DEC - 3 1991

RECEIVED BURNABY, B.C.

SCHEDULE

27-S-89-23735 27-J-89-22891 21-J-89-23792 27-I-88-22535 27-I-90-24288 02-C-88-22705 I.T. 27-C-89-23925 27-C-89-23961 27-A-89-23673 27-B-88-22630 27-B-89-22975 27-B-90-25263 27-B-91-25504 27-X-89-23302 27-T-89-22974 27-T-ARMS-90-24999 27-G-88-22618 27-G-89-23716 27-G-KELO-24101 27-G-KELO-24185 27-V-89-22895 27-V-89-23820 27-V-89-23821

27-J-NCOW-25442

27-H-89-24109 27-Zz-88-22851 27-Zz-KAML-90-24207 27-O-BRBY-90-24544 27-M-88-22469 27-M-89-23108

27-M-89-23877 27-M-CHWK-90-25138 27-O-88-22622

27-K-90-24850 27-K-PITT-90-24209

27-0-89-23878

27-V-90-25443

27-Q-88-22534

27-Q-90-24369

27-D-88-22743 27-D-89-23523 BRITISH COLUMBIA AGRICULTURAL LAND COMMISSION

DEC - 3 1991

RECEIVED BURNABY, B.C. PROVINCE OF BRITISH COLUMBIA

ORDER OF HE LIEUTENANT GOVERNOL IN COUNCIL

Order in Council No. 1631 , Approved and Ordered DEC 19.1991

Suather Severor

Executive Council Chambers, Victoria 18 OEC 1991

On the recommendation of the undersigned, the Lieutenant Covernor, by and with the advice and consent of the Executive Council, orders that on the recommendation of the Environment and Land Use Committee, B.C. Reg. 308/91, the Golf Course Development Moratorium Regulation, is amended as set out in the Appendix to this order.

Minister of Agriculture, Fisheries and Food

Presiding Member of the Executive Counci

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

uthority under which Order is made:

section: Environment and Land Use Act, s. 7.

ther (specify):-

December 6, 1991

95/ /91/13/jb

APPENDIX

1. The Schedule to B.C. Reg. 308/91, the Golf Course Development Moratorium Regulation, is amended by the addition of the following file numbers used by the Agricultural Land Commission:

27-C-ISTR-90-24367 27-S-89-22892 27-S-89-24089 02-J-88-22485 (B) 02-T-86-20524 27-P-90-25000 27-N-91-25812 27-W-88-22617 27-W-90-25110 27-H-SARM-90-24746 27-H-REVS-90-24895 27-Z-88-22225 27-Z-SECH-90-25444 27-Zz-MRTT-90-24747 27-V-89-23484 27-L-90-24458 27-L-90-25383 27-Q-90-24837 27-O-LGYD-90-25136 27-0-89-23576 27-O-SURR-91-25505 27-0-89-23379 27-O-DELT-90-25109 27-0-89-23127 27-0-88-22224 21-YY-88-22167

PI VINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 531 , Approved and Ordered -3. MR. 1992

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 on the recommendation of the Environment and Land Use Committee, B.C. Reg. 308/91, the Golf Course Development Moratorium Regulation, is amended as set out in the Appendix to this order.

BRITISH COLUMBIA AGRICULTURAL LAND COMMISSION

APR 1 3 1992

RECEIVED BURNABY, B.C.

Bill Bar SE

Minister of Agriculture, Fisheries and

Food

Presiding Member of the Executive Council

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

ity under which Order is made:

tet and section: Environme

Environment and Land Use Act. s. 7

)ther (specify):-

O.C. 1392/91

APPENDIX

1. The Schedule to B.C. Regulation 308/91, the Golf Course Development Moratorium Regulation, is amended by the addition of the following file numbers used by the Agricultural Land Commission:

FILE NUMBER APPLICATION NAME

REGION:		Fraser	VALLEY
E	ABBT	24210	MAWHINNEY
E	ABBT	26090	BAKERVIEW/WADA ENT. LTD.
K		25623	GOLDEN EAGLE RANCH LTD.
K	MISS	25445	WYNNYK
K	PITT	25461	MEADOW GARDENS GOLF COURSE
M	CHWK	24373	BLACKBURN DEVELOPMENT/WELLSBY
0		23993	APOLLO IMPORT EXPORT
0		25137	TSAKUMIS/PRIMERO
0	DELT	22512	HOLLINGSWORTH
0	LGYD	23107	CRIMSON POULTRY RANCH
0	LGYD	24780	GOLFCORP VENTURES (SMUGGLER'S)
0	SURR	22893	ESTABLISHMENT DEV. CORP.
0	SURR	24323	NORTHVIEW/STEWART & DUFFY
0	RICH	25549	GRANFIELD FARMS LTD.

REGION: INTERIOR

H	SALM	23058	WATTIE, COLIN C.
YY	• •	24108	SMITH
zz		22850	HARPER RANCH
H		26089	FORBES & EVERTON
ΥY		25877	MCLEOD, GEOFF
\boldsymbol{z}		26015	KUZIK/FARWEST DEV.
Z		26294	EGER, ALBERT
zz		26242	MEL BAR RANCHES
zz		26295	ALM VACATION INT.
zz		26383	R. SIMMENTHALS/MARGUERITE

BRITISH COLUMBIA AGRICULTURAL LAND COMMISSION

APR 1 3 1992

RECEIVED BURNABY, B.C.

FILE NUMBER

APPLICATION NAME

REGION: KOOTENAY

L		25548	WAGNER, G.H.
L		25878	SHULTZE, KARL
L		26088	LIGHTBURN, E.
L		26342	FLETCHER, WAYNE
L	CRAN	25896	MISSION HILLS GOLF DEV.

REGION: NORTH

W TAYL 26325 DISTRICT OF TAYLOR

REGION: OKANAGAN

G	KELO	25476	KELOWNA GREEN ORCHARDS LTD.
G	KELO	25475	MC CULLOCH ORCHARD GREEN
V		23822	KLINGER, WILFRED
V		22818	SHAW/NIVEN
V		22701	METZLER/SHAW
V		25377	BECK
V		25935	WHATLEY, G.R.
V		25939	INLAND CONTRACTING
V		25941	HOOVER, NORMAN & MONICA

REGION: VANCOUVER ISLAND

С	NSAN 24393	VICTORIA INT/TRANSPORT CANADA
S	23549	PENGARRY VENTURES LTD.
S	26016	RADELET & BECHTHELD

BRITISH COLUMBIA AGRICULTURAL LAND COMMISSION

APR 1 3 1992

RECEIVED BURNABY, B.C.

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PR INCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 530 , Approved and Ordered -3. IPR 1992

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 on the recommendation of the Environment and Land Use Committee, B.C. Reg. 308/91, the Golf Course Development Moratorium Regulation, is amended as set out in the Appendix to this order.

BRITISH COLUMBIA AGRICULTURAL LAND COMMISSION

APR 1 3 1992

RECEIVED BURNABY, B.C.

BIN Fowler

Minister of Agriculture, Fisheries and

Food

Presiding Member of the Executive Council

	(This part is for administrative puri	poses only and is not part of the Order.)	
A rity under	which Order is made:	overs only and is not part of the Graer.)	'∱\
ct and section:-	Environment and Land Use Act, s. 7		
)ther (specify):-	c/c 1372/91		************
January 31, 1992		∂a /92/13/jb	••••••••

APPENDIX

1. The Schedule to B.C. Reg. 308/91, the Golf Course Development Moratorium Regulation, is amended by the addition of the following file numbers used by the Agricultural Land Commission:

27-O-LGYD-21756 - Hall 27-M-CHWK-23715 - Friesen 27-O-SURR-24623 - Westcraft

27-Yy-24397 - Balaclava/Wuschke

27-S-25230 - Arranglen 27-Zz-KAML-24208 - ORD/KALYK

> BRITISH COLUMBIA AGRICULTURAL LAND COMMISSION

APR 1 3 1992

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Important Information (disclaimer and copyright information)

B.C. Reg. 308/91 O.C. 1392/91 Deposited November 18, 1991

Environment and Land Use Act

GOLF COURSE DEVELOPMENT MORATORIUM REGULATION

[includes amendments up to B.C. Reg. 122/92]

Contents

- 1 Moratorium on development
- 2 Agricultural Land Commission
- 3 Local government
- 4 Review
- 5 Exemption

Schedule

Moratorium on development

- 1 A person must not construct or significantly alter a golf course, pitch and putt course, driving range, club house, restaurant, pro shop or ancillary facility
 - (a) to which section 2 (1) (m) of B.C. Reg. 7/81 applied immediately prior to repeal of that section in November, 1991, and
 - (b) for which an application to set terms and conditions under section 2 (1) (m) of B.C. Reg. 7/81 was made to the Agricultural Land Commission on or after June 16, 1988.

Agricultural Land Commission

2 Subject to section 4 the Agricultural Land Commission must not set terms and conditions or process applications for the purposes of the former section 2 (1) (m) of B.C. Reg. 7/81.

Local government

3 Where a proposal has been made to set terms and conditions under the former section 2 (1) (m) of B.C. Reg. 7/81, a municipality must not act under Part 26 of the *Municipal Act* for the purposes of implementation of the proposal.

Review

4 The Agricultural Land Commission must review all proposals for construction or alteration described in section 1 and recommend to the Environment and Land Use Committee those that should be exempted from this regulation.

Exemption

5 This regulation does not apply to construction or alteration described in section 1 for which an application, identified by file numbers used by the Agricultural Land Commission, is listed in the Schedule to this regulation.

[en. B.C. Reg. 312/91.]

Schedule

[en. B.C. Reg. 312/91; am. B.C. Regs. 330/91; 121/92; 122/92.]

02-C-88-22705 I.T.	27-O-88-22622
02-J-88-22485 (B)	27-O-89-23127
02-T-86-20524	27-O-89-23878
21-J-89-23792	27-O-89-23576
21-YY-88-22167	27-O-89-23379
27-A-89-23673	27-O-BRBY-90-24544
27-B-88-22630	27-O-DELT-90-25109
27-B-89-22975	27-O-LGYD-21756 — Hall
27-B-90-25263	27-O-LGYD-90-25136
27-B-91-25504	27-O-SURR-24623 — Westcraft
27-C-89-23925	27-O-SURR-91-25505
27-C-89-23961	27-P-90-25000
27-C-ISTR-90-24367	27-Q-88-22534
27-D-88-22743	27-Q-90-24369
27-D-89-23523	27-Q-90-24837
27-G-88-22618	27-S-89-22892
27-G-89-23716	27-S-89-23735
27-G-KELO-24101	27-S-89-24089
27-G-KELO-24185	27-S-25230 — Arranglen
27-H-89-24109	27-T-89-22974
27-H-REVS-90-24895	27-T-ARMS-90-24999
27-H-SARM-90-24746	27-V-89-22895
27-1-88-22535	27-V-89-23820
27-1-90-24288	27-V-89-23821
27-J-89-22891	27-V-89-23484
27-J-NCOW-25442	27-V-90-25443
27-K-90-24850	27-W-88-22617
27-K-PITT-90-24209	27-W-90-25110

27-L-90-24458 27-X-89-23302 27-L-90-25383 27-Yy-24397 — Balaclava/Wuschke 27-M-88-22469 27-Z-88-22225 27-M-89-23108 27-Zz-88-22851 27-M-89-23877 27-Zz-KAML-90-24207 27-M-CHWK-23715 — Friesen 27-Zz-KAML-24208 — ORD/KALYK

27-M-CHWK-90-25138 27-Z-SECH-90-25444 27-N-91-25812 27-Zz-MRTT-90-24747

27-0-88-22224

REGION: FRASER VALLEY

E-ABBT-24210-Mawhinney

E-ABBT-26090-Bakerview/Wada Ent. Ltd.

K-25623-Golden Eagle Ranch Ltd.

K-MISS-25445-Wynnyk

K-PITT-25461-Meadow Gardens Golf Course

M-CHWK-24373-Blackburn Development/Wellsby

O-23993-Apollo Import Export

O-25137-Tsakumis/Primero

O-DELT-22512-Hollingsworth

O-LGYD-23107-Crimson Poultry Ranch

O-LGYD-24780-Golfcorp Ventures (Smuggler's)

O-SURR-22893-Establishment Dev. Corp.

O-SURR-24323-Northview/ Stewart & Duffy

O-RICH-25549-Granfield Farms Ltd.

REGION: INTERIOR

H-SALM-23058-Wattie, Colin C.

H-26089-Forbes & Everton

YY-24108-Smith

YY-25877-McLeod, Geoff

Z-26294-Eger, Albert

Z-26015-Kuzik/Farwest Dev.

ZZ-22850-Harper Ranch

ZZ-26242-Mel Bar Ranches

ZZ-26295-Alm Vacation Int.

ZZ-26383-R. Simmenthals/Marguerite

REGION: KOOTENAY

L-CRAN-25896-Mission Hills Golf Dev.

L-26342-Fletcher, Wayne

L-26088-Lightburn, E

L-25878-Schultze, Karl

L-25548-Wagner, G.H.

REGION: NORTH

W-TAYL-26325-District of Taylor

REGION: OKANAGAN

G-KELO-25476-Kelowna Green Orchards Ltd.

G-KELO-25475-McCulloch Orchard Green

V-22701-Metzler/Shaw

V-22818-Shaw/Niven

V-23822-Klinger, Wilfred

V-25377-Beck

V-25935-Whatley

V-25939-Inland Contracting

V-25941-Hoover, Norman & Monica

REGION: VANCOUVER ISLAND

C-NSAN-24393-Victoria Int/Transport Canada

S-23549-Pengarry Ventures Ltd.

S-26016-Radelet & Bechtheld

[Provisions of the *Environment and Land Use Act*, R.S.B.C. 1996, c. 117, relevant to the enactment of this regulation: section 8]

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PROVINCE OF BRITISH COLUMBI

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

, Approved and Ordered -3.000.1992 Order in Council No. 1763

Administratot

Executive Council Chambers, Victoria -2 DE 1992

Administrator On the recommendation of the undersigned, the Lieutenant Screen, by and with the advice and consent of the Executive Council, orders that effective January 1, 1993

- The Agriculture, Fisheries and Food Statutes Amendment Act, 1992, S.B.C. 1992. c. 29, is brought into force.
- 2. Sections 3 (2) and 11 of B.C. Reg. 603/77, the Permit Regulation, are repealed and the following substituted:
- 11. (1) The prescribed application fee for the purposes of section 2.1 (1) (b) of the Act is \$550.00.
 - (2) The prescribed portion of the application fee that a local authority may retain for the purposes of section 2.2(1)(a) of the Act is \$250.00.
 - (3) The prescribed times for the purposes of section 2.2 (1) (b) of the Act are March 31, June 30, September 30 and December 31 of each year.
- The following section is added to B.C. Reg. 313/78, the Agricultural Land Reserve Procedure Regulation: Sharing of application fee proceeds
- 48. (1) The prescribed application fee
 - (a) for an application under section 11 or 12 of the Act is \$750.00,
 - (b) for an application under section 20 of the Act to which section 44 or 46 of this regulation does not apply is \$550.00, and
 - (c) for an application to which section 44 or 46 of this regulation applies is \$400.00.
 - (2) The prescribed portion of the application fee that a municipality or regional district may retain for the purposes of section 25.2(1)(a) of the Act is \$250.00 for an application under section 12 of the Act or for an application described in subsection (1) (b) of this section.
 - (3) The prescribed portion of an application fee that must be remitted by the commission for the purposes of section 25.2 (5) of the Act is \$150.
 - (4) The prescribed times for the purposes of section 25.2 (1) (b) of the Act are March 31, June 30, September 30 and December 31 of each year.

Bil Barles	M.	Hanour
Minister of Agriculture, Fisheries and Food	Presiding Memb	er of the Executive Council
(This part is for administrative pu	urposes only and is not part of the Order.)	DEC 0 4 1992
nehowier under which Order is made: 01.000 a	ation 3ai	/

Authority under which Order is m PS1979-9 Agricultural Land Commission Act. s. 37; Soil Conservation Act. s. 10 and Act and section:-

Agriculture, Fisheries and Food Statutes Amendment Act, 1992, s. 11 BUL Other (specify):-

32, 1-6 [Ag. Land Commission Act] November 17, 1992 56 7- 10 [Soil Conservation Act]

1989/92/13 jb

Agricultural Land Commission Act

AGRICULTURAL LAND RESERVE PROCEDURE REGULATION

[includes amendments up to B.C. Reg. 449/92]

[Consolidated January 8, 1993]

Application by a Municipality, Regional District, or the Commission and action by the Lieutenant Governor in Council under section 11 (1) of the Act

- 1. (1) Where a municipality or regional district makes an application under section 11 of the Act
 - (a) the application shall contain all the information itemized in Schedule A to this regulation and such other supporting material as may be required by the Lieutenant Governor in Council or the commission, and
 - (b) it shall submit the application to the commission who shall consider the application and shall make a recommendation and submit the application and the recommendation to the minister for forwarding to the Lieutenant Governor in Council, and the commission shall send a copy of its recommendation to the applicant.
 - (2) Where the commission makes an application under section 11 of the Act
 - (a) the application shall contain all the information itemized in Schedule A to this regulation and such other supporting material as may be required by the Lieutenant Governor in Council,
 - (b) it shall send a copy of the application and supporting material to the municipality or regional district, and
 - (c) it shall submit the application and recommendation to the minister for forwarding to the Lieutenant Governor in Council. [en. B.C. Reg. 225/84, s. 1.]
- 2. (1) The commission, municipality, or regional district holding a public hearing as required by section 11 (3) of the Act shall publish a notice stating the time and place of the hearing in at least two consecutive issues of a newspaper published or circulated in the municipality or regional district where the land is situtated, with the last of such publications appearing not less than 3 days nor more than 10 days before the date of the hearing.
 - (2) The notice of hearing shall
 - (a) identify, in a general manner, the land or lands affected but need not use the legal description of the land affected,

- (b) state in general terms the intent of the application, and
- (c) state when and where a copy of the application may be inspected.
- (3) At the hearing all persons shall be afforded an opportunity to be heard on matters related to the proposed application.
- (4) The hearing may be adjourned from time to time.
- (5) A member of the municipal council or of the regional board, or a commissioner who was not present at the hearing, may vote on the application if an oral or written report of the hearing has been given to him.

[am. B.C. Regs. 8/81, s. (a); 225/84, s. 2.]

- 3. The commission, municipality, or regional district holding the hearing may, without further notice, allow amendment to the proposed application to give such effect as it deems fit to representations made at the hearing.
- 4. Where the Lieutenant Governor in Council excludes land under section 11 (1) or grants permission under section 15 (2), 16, 18 or 19 (2) pursuant to section 11 (2) of the Act, the minister shall inform the commission and the commission shall inform the regional district and, if applicable, the municipality and the appropriate registrar of titles.

 [am. B.C. Regs. 8/81, s. (b); 225/84, s. 3.]

Applications by an owner to exclude land under section 12 (1) pursuant to section 12 (2) of the Act

- 5. Where an owner intends to make an application to the commission under section 12 (1) of the Act, he shall first complete and file an application in the form in Schedule B to this regulation
 - (a) in the office of the clerk of the municipality, where the land that is the subject matter of the application is located in a municipality, and
 - (b) in all other cases, in the office of the secretary treasurer of the regional district within which the land is located.

 [am. B.C. Regs. 8/81, s. (c); 225/84, s. 4.]
- 6. (1) The secretary treasurer or clerk shall, on compliance by an owner with section 5, forthwith complete the form in Schedule C.
 - (2) Repealed. [B.C. Reg. 225/84, s. 5.] [am. B.C. Reg. 225/84, s. 5.]
- 7. After receipt of an application under section 5, the secretary treasurer or clerk shall submit the application to the regional board or municipal council, as the case may be.

[am. B.C. Reg. 225/84, s. 6.]

8. Where an application filed under section 5 is in respect of land referred to in section 12 (4) of the Act, no further proceedings shall be taken unless and until the municipality or regional district passes the resolution referred to in section 12 (4) of the Act authorizing the application.

[am. B.C. Reg. 8/81, s. (e).]

- 9. Where a resolution is passed under section 12 (4) of the Act, the secretary treasurer or clerk shall transmit a certified copy of it to the commission along with the other information required by section 12.

 [sm. B.C. Regs. 8/81, s. (e); 225/84, s. 7.]
- 10. Where the regional district or municipality considers it necessary or advisable to transmit its recommendations, comments, opinions, or any other information in respect of any application to the commission, it shall do so within the time limited under section 12.
- 11. (1) A municipality or regional district may, if it considers it necessary or advisable, hold public information meetings in respect of an application under section 12 of the Act.
 - (2) Where a regional district holds a public information meeting referred to in subsection (1), the board of the regional district shall ensure that the member of the regional district representing the area within which the land that is the subject matter of the application is situated attends at the meeting and, forthwith after the meeting, submits a report to the board indicating the degree of support for or opposition to the application.
 - (3) Where a municipality holds a public information meeting referred to in subsection (1), the council of the municipality shall ensure that at least one member of the council for the municipality attends at the meeting and forthwith, after the meeting, submits a report to the council indicating the degree of support for or opposition to the application.

[en. B.C. Reg. 225/84, s. 8.]

- 12. A person who receives an application referred to in section 5 shall, within 30 days or, where a public information meeting is held pursuant to section 11, within 60 days after receipt of an application, transmit
 - (a) the application in Schedule B,
 - (b) the information required in Schedule C.
 - (c) the resolution, if required under section 9, and
 - (d) the report submitted under section 11 and any other information about a public information meeting held under section 11

to the commission.

[am. B.C. Reg. 225/84, s. 9.]

- 13. Notwithstanding anything in these regulations or in Schedule B or C, the commission may require of the applicant or of the regional district or municipality such further relevant information as it considers necessary.
- 14. A hearing required by section 12 (2) of the Act shall be held at a time and at a place designated by the commission and may be adjourned from time to time.

[am. B.C. Reg. 8/81, s. (d).]

- 15. (1) The commission shall give written notice of the date and place of the hearing to
 - (a) the applicant,
 - (b) where the land that is the subject matter of the application is located in a municipality, the municipal council of the municipality, and
 - (c) where the land that is the subject matter of the application is not located in a municipality, the regional board of the regional district within which the land is located.

not less than 10 days and not more than 30 days before the date of the hearing.

- (1.1) Where it considers advisable, the commission shall give written notice of the date and place of the hearing to the owners of the land located adjacent to the land referred to in the application not less than 10 days and not more than 30 days before the date of the hearing.
 - (2) The notice of hearing shall
 - (a) identify the land referred to in the application.
 - (b) state the purpose of the application, and
 - (c) state the place and time at which the application and the documents relating to the application may be inspected.

 [am. B.C. Reg. 225/84, s. 10.]
- 16. The commission shall cause to be mailed by registered mail to the applicant or delivered by a personal service a statement of the facts, opinions and other information, or a summary of them, received by the commission for consideration at the hearing.
- 17. The commission shall, at the request of the applicant or his agent, allow him or his agent to inspect all relevant documents in the custody of the commission relating to the application.
- 18. (1) The applicant is entitled to make representations at the hearing personally or by his counsel or agent.

- (2) The commission may require the applicant or any other person offering evidence to give his evidence on oath.
- 19. For the purpose of the hearing the commission may
 - (a) require that evidence offered before it be given on oath and may for that purpose administer an oath,
 - (b) accept written submissions or any other form of evidence notwithstanding that it may not be evidence in a court of law, and
 - (c) hear representations, evidence and opinions of any person present or represented at the hearing and of the regional district and municipality that, in the opinion of the commission, are relevant to the application.
- 20. Where evidence is presented at the hearing, a statement or summary of which has not been sent to the applicant, the commission,
 - (a) where the applicant or his counsel or agent is present at the hearing, may hear further representations in respect of such evidence, or adjourn the hearing to enable the applicant to make answer to that evidence, or
 - (b) where the applicant or his counsel or agent is not present at the hearing, shall notify the applicant by registered mail or by personal service of the additional evidence presented by the hearing and the time within which the additional evidence may be answered.

Applications to appeal to the Environment and Land Use Committee under sections 13 (1) and (2) of the Act

- 21. (1) A person who is dissatisfied with the decision of the commission made in respect of an application to it under section 12 (2) of the Agricultural Land Commission Act or under section 5 of the Soil Conservation Act may apply to the commission for a certificate of leave to appeal to the Environment and Land Use Committee by delivering it or mailing a written request to the commission.
 - (2) The written request shall state the grounds on which the person alleges that the decision of the commission is wrong.

 [am. B.C. Reg. 8/81, s. (c).]
- 22. (1) A person applying to the minister for leave to appeal under section 13 (2) of the Act may apply to the minister for a certificate of leave to appeal to the Environment and Land Use Committee by mailing a written request by registered mail to the minister.
 - (2) The written request shall state the grounds on which the person alleges that the decision of the commission is wrong and the person

making the application shall mail, by registered mail, a copy of the written request to the commission.

- (3) On receipt of a copy of the written request the commission shall forthwith transmit to the minister
 - (a) a copy of all the documents in the custody of the commission respecting the original application.
 - (b) a transcript of any evidence that was transcribed at the hearing, and
 - (c) a copy of the decision of the commission and of any reasons for it.
- (4) A person requesting the certificate of leave to appeal who makes additional written submissions to the minister shall send copies of them to the commission.
- (5) The minister shall review the application and may require of the applicant, the regional district or municipality, the commission, or any other person such further or additional information as he considers necessary and shall supply copies of such further or additional information to the applicant, the regional district or municipality and the commission and shall give each party a reasonable time to respond.

[am. B.C. Reg. 8/81, s. (g).]

- 23. (1) Where a person has obtained leave under section 21 or 22 to appeal to the Environment and Land Use Committee the person shall file with the Environment and Land Use Committee either
 - (a) the certificate of leave to appeal signed and dated by two members of the commission, or
 - (b) the certificate of leave to appeal signed and dated by the minister.
 - (2) A certificate of leave to appeal expires 60 days after its date.
- 24. A person appealing under section 13 (1) or (2) of the Act shall file a notice of the appeal accompanied by the certificate of leave to appeal with the Environment and Land Use Committee by delivering it or mailing it by registered mail to the secretary of the committee at the City of Victoria.

 [am. B.C. Reg. 8/81, s. (h).]
- 25. The appellant shall state in the notice of appeal the reasons for the appeal and the grounds on which he alleges that the decision of the commission is wrong.
- 26. The appellant shall
 - (a) deliver or mail by registered mail a copy of the notice of appeal to

- (i) the minister,
- (ii) the commission,
- (iii) each person who made a submission or gave evidence respecting the original application,
- (iv) where the land that is the subject matter of the application is located in a municipality, the municipal council for the municipality, and
- (v) where the land that is the subject matter of the application is not located in a municipality, the regional board of the regional district in which the land is located, and
- (b) submit a list of the persons notified under paragraph (a) and a statement signed by the appellant, saying that they have been so served, to the secretary of the Environment and Land Use Committee.

[en. B.C. Reg. 225/84, s. 11.]

- 27. (1) Where leave to appeal was granted under section 13 (2) of the Act, the minister, on receipt of a copy of a notice of appeal, shall transmit to the secretary of the Environment and Land Use Committee all material received by him under section 22.
 - (2) On receipt of a copy of a notice of appeal, the commission shall transmit to the secretary of the Environment and Land Use Committee
 - (a) where leave to appeal was granted under section 13 (1) of the Act, all documents or evidence described in section 22 (3) (a) to (c), or
 - (b) where leave to appeal was granted under section 13 (2) of the Act, any documents transmitted to the commission subsequent to the transmission of material under section 22 (3).

[en. B.C. Reg. 225/84, s. 12.]

28. The Environment and Land Use Committee shall notify by registered mail the appellant, the commission, and every person to whom the notice of appeal was sent under section 26, of the date and place of the hearing at least 20 days before the date of the hearing.

[am. B.C. Reg. 225/84, s. 13.]

29. The Environment and Land Use Committee shall, at or before the hearing, review all the documents filed with it respecting the appeal and at the hearing shall hear the representations and evidence of the commission, the appellant and the regional district, municipality and other persons who made representations or gave evidence on the original application, and such other evidence as the Environment and Land Use Committee may consider necessary.

30. Sections 18 and 19 apply to a hearing and review under section 29 with "Environment and Land Use Committee" being substituted for "commission," where applicable.

Applications under section 20 of the Act to exempt the use of land pursuant to sections 15 (2), 16 and 18 and section 19 (2) of the Act

- 31. Where a person applies to the commission under section 20 of the Act pursuant to sections 15 (2), 16 and 18 and section 19 (2) of the Act he shall file an application in substantial compliance with Schedule B
 - (a) in the office of the clerk of the municipality, where the land that is the subject matter of the application is located in a municipality, and
 - (b) in all other cases, in the office of the secretary treasurer of the regional district within which the land is located.

[am. B.C. Regs. 8/81, ss. (i), (j), (k); 225/84, s. 14.]

- 32. (1) Sections 6 to 13 apply in respect of applications filed pursuant to section 31.
 - (2) For the purpose of subsection (1), a reference to section 12 (4) of the Act in sections 6 to 13 is deemed to be a reference to section 20 (2) of the Act.

[am. B.C. Reg. 225/84, s. 15.]

- 33. The commission may, where it is considered necessary or advisable, hold a hearing with respect to any application filed pursuant to section 31 and the meeting shall be held at a time and place designated by the commission and may be adjourned from time to time.
- 34. Where the commission holds a hearing under section 33, sections 15 to 20 apply in respect of the hearing.

Applications to include land in an Agricultural Land Reserve under section 10 (3), (4) and (5) of the Act

- 35. Where an owner's land is not included in an agricultural land reserve plan the owner may, pursuant to section 10 (5) of the Act, at any time, apply to have his land designated as or as part of an agricultural land reserve by filing an application in compliance with Schedule D
 - (a) in the office of the clerk of the municipality, where the land that is the subject matter of the application is located in a municipality, and
 - (b) in all other cases, in the office of the secretary treasurer of the regional district within which the land is located.

 [am. B.C. Regs. 8/81, s. (n); 225/84, s. 16.]

36. On an owner filing an application under section 35, the secretary treasurer or clerk shall forthwith obtain information listed in Schedule E and complete the Schedule.

[am. B.C. Reg. 225/84, s. 17.]

- 37. The board of a regional district or the council of a municipality that has had an application filed with it under section 35 may hold a public hearing in respect of the application and section 2 applies to the hearing.

 [en. B.C. Reg. 225/84, s. 18.]
- 38. After receipt of an application, a board of a regional district or a municipal council, as the case may be, shall transmit the application, its recommendations and any other relevant information to the commission
 - (a) within 30 days, or
 - (b) where a hearing is held by it under section 37, within 60 days. [en. B.C. Reg. 225/84. s. 18.]
- 39. Where the commission considers that designation of the land as or as part of an agricultural land reserve carries out the intent and purpose of the Act, and after approval of the Lieutenant Governor in Council designates the lands as or as part of an agricultural land reserve, it shall notify the applicant, the municipality, if applicable, and the regional district in which the land is situated and the appropriate registrar of titles of the designation.
- 40. (1) Notwithstanding section 35, a municipality, regional district, or the commission may, pursuant to section 10 (3) of the Act, at any time, whether or not it is the owner of the land, apply to the Lieutenant Governor in Council for approval of the addition of the land to a designated land reserve and shall give notice in writing to the other parties and to the owner of the land.
 - (2) An application made under subsection (1) shall be in the form set out in Schedule G and include any other material required by the commission or the Lieutenant Governor in Council.

 [am. B.C. Reg. 225/84, s. 19.]
- 41. (1) Where the land is not owned by the municipality, regional district, or commission applying under section 40 it shall, pursuant to section 10 (4) of the Act, at its own expense, hold a public hearing at least 30 days before submitting the application to the Lieutenant Governor in Council and section 2 applies to the hearing.
 - (2) The applicant must give at least two weeks' written notice of the public hearing under this section to the other parties and to the owner of the land.
 - (3) A report of the public hearing shall accompany the application. [am. B.C. Reg. 8/81, a. (m).]

- 42. An applicant under section 40, the owner, the municipality and regional district in which the land is situated and the commission may make written representations in respect of the applicant's application.
- 43. Where the Lieutenant Governor in Council approves an application made under section 40, the commission shall, where it designates the land as or as part of an agricultural land reserve, notify the applicant, the owner, the municipality, if applicable, the regional district in which the land is situated, and the appropriate registrar of titles of the designation.

Special cases

- 44. Notwithstanding section 31, where a person applies to the commission under section 20 of the Act for permission to use land in an agricultural land reserve for a purpose other than farm use, he shall, where the proposed use is one of the following, file in the office of the commission an application substantially in the form in Schedule F:
 - (a) storage and sale or processing of agricultural products on a farm where they were not grown or reared on that farm;
 - (b) a reserve or area of land or habitat set apart for wildlife that does not qualify as a permitted land use under the Agricultural Land Commission Subdivision and Land Use Regulation;
 - (c) parks and recreation reserves, whether created by the Province, a regional district or a municipality, that do not qualify as a permitted land use under the Agricultural Land Commission Subdivision and Land Use Regulation;
 - (d) unpaved airstrip for use of aircraft flying non-scheduled flights;
 - (e) dedication or construction of new highway, road or railway rights of way;
 - electrical transmission lines and utility installation, including pipeline pumping stations, automatic telephone exchanges, electrical substations, navigational aids, underground pipelines and any ancillary purposes;
 - (g) trunk sewer and trunk water lines and ancillary storage or pumping facilities, including construction of or addition to a reservoir;
 - (h) sewage lagoons, treatment plants and other sewage disposal facilities regulated by the *Pollution Control Act*;
 - (i) sanitary land fills:
 - (j) well drillings and access to well sites but not including wells drilled for potable water for use in a single family dwelling unit;
 - (k) guest ranches;

- open land recreation uses, including campgrounds, fishing and hunting camps, game farms and rifle ranges, provided a total of not more than 5% of the land registry parcel or 2 ha, whichever is the lesser, will be physically altered by the construction of roads, services, paving, parking facilities, buildings, structures or earthworks;
- (m) surveying, exploring or prospecting for gravel, oil or minerals, provided all cuts, trenches and similar alterations will be restored to the natural ground level and all topsoil is replaced:
- (n) gravel pits, peat extractive areas and turf farms, where reclamation and rehabilitation is possible:
- (o) Repealed. [B.C. Reg. 301/88.]
- (p) horse riding arenas or boarding stables;
- (q) dog kennels for boarding or breeding. [en. B.C. Reg. 8/81, s. (q); am. B.C. Regs. 225/84, s. 20; 301/88.]
- 45. Before issuing an order allowing a use referred to in section 44, the commission shall inform either of the following of the application:
 - (a) where the land that is the subject matter of the application is located in a municipality, the municipal council of the municipality;
 - (b) in all other cases, the board of the regional district within which the land is located.

 [en. B.C. Reg. 225/84, 8, 21.]
- 46. Notwithstanding section 31, where a person applies to the commission under section 20 of the Act for an order authorizing a registrar of titles to accept a plan of subdivision under the Land Title Act or a strata plan under the Condominium Act, if the proposed subdivision is designed to establish a legal boundary along the perimeter of an agricultural land reserve and the part of the land within the reserve will consist of a parcel

not less that 8 093.5 m² in area, he shall file in the office of the commission an application substantially in the form in Schedule F. [en. B.C. Reg. 8/81, s. (q); am. B.C. Reg. 225/84, s. 22.]

- 47. Before issuing an order authorizing acceptance of a plan referred to in section 46, the commission shall inform either of the following of the application:
 - (a) where the land that is the subject matter of the application is located in a municipality, the municipal council of the municipality;
 - (b) in all other cases, the board of the regional district within which the land is located.

[en. B.C. Reg. 225/84, s. 23.]

AGRICULTURAL LAND COMMISSION ACT AGRICULTURAL LAND RESERVE PROCEDURE

313/78

- 48. (1) The prescribed application fee
 - (a) for an application under section 11 or 12 of the Act is \$750,
 - (b) for an application under section 20 of the Act to which section 44 or 46 of this regulation does not apply is \$550, and
 - (c) for an application to which section 44 or 46 of this regulation applies is \$400.
 - (2) The prescribed portion of the application fee that a municipality or regional district may retain for the purposes of section 25.2 (1) (a) of the Act is \$250 for an application under section 12 of the Act or for an application described in subsection (1) (b) of this section.
 - (3) The prescribed portion of an application fee that must be remitted by the commission for the purposes of section 25.2 (5) of the Act is \$150.
 - (4) The prescribed times for the purposes of section 25.2 (1) (b) of the Act are March 31, June 30, September 30 and December 31 of each year. [en. B.C. Reg. 449/92, s. 3.]

Province of British Columbia

SCHEDULE A

APPLICATION UNDER SECTION 11 OF THE AGRICULTURAL LAND COMMISSION ACT

	т.		
	ın	In respect to land within(Municipality or electors	larea) in the
_	·	, the	
Αg	ricu In	cultural Land Commission Act to the Lieutenant Gove in support of this application, the following informa ect area is submitted:	ernor in Council. tion applicable to the
		(If several district areas are involved, distinguish by su	(Applicant) section 11 (1) or section 11 (2) of the othe Lieutenant Governor in Council. The following information applicable to the involved, distinguish by sub-area.) terms if for a large area) Crown land egal base maps erties ble) d abutting the subject properties, including
1.		Identification	•
	1.1	1.1 Legal description (in general terms if for a large ar	ea)
	1.2	1.2 Total area of subject area	
	1.3	1.3 Area of subject area which is Crown land	
	1.4	1.4 Location on A.L.R. plan and legal base maps	
2.	Ch	Characteristics	
	2.1	2.1 Existing land use	
	2.2	2.2 Proposed land use	
	2.3	.3 Land use of surrounding properties	
	2.4	.4 Notable physical features	
٠.	Identii 1.1 Le 1.2 To 1.3 Ar 1.4 Lo Charac 2.1 Ex 2.2 Pro 2.3 Lai 2.4 No 2.5 Ext 2.6 Ser 2.7 Roa info	.5 Extent of floodplain (if applicable)	
		.6 Services available or scheduled	
	2.7	7 Roads or rights of way on or abutting the subject prinformation on road or rights of way dedical construction	properties, including ted and extent of
•			

AGRICULTURAL LAND COMMISSION ACT 313/78 AGRICULTURAL LAND RESERVE PROCEDURE - Schedule A

3.	Local planning 3.1 Community or Settlement Plan designation
	3.2 Zoning
4.	Comments and recommendations (include copies of resolutions where applicable)
	4.1 Regional Board or Municipal Council
	4.2 Advisory Planning Committee or Commission
	4.3 Others
5.	Report of public hearing (include date and place of hearing and number attending).
6.	Reasons for request
pla	The above information may also be indicated, in part, on maps and (or) ns of appropriate scale.
(Sig	nature of Secretary-Treasurer or Clerk) (Date)

[en. B.C. Reg. 225/84, s. 24.]

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Province of British Columbia

SCHEDULE B

APPLICATION UNDER SECTION 12 (1) or 20 (1) OF THE AGRICULTURAL LAND COMMISSION ACT

INFORMATION TO BE SUPPLIED BY APPLICANT (Please submit completed forms to the Regional District Office or if applicable to the Municipal Office.)	P.A.L.C. File No. R.D./Mun. File No. Receipt No.
REGIONAL DISTRICT/MUNICIPALITY Property owner's name:	Authorized agent of the owner:
(Please print)	(Please print)
Address of owner:	Address of agent:
City/Town/Village:	City/Town/Village:
Postal Code:	Postal Code:
Telephone No.:	Telephone No.:
Full Legal Description of Each Existing Land Title Parcel Under Application	Approximate Area of Each Existing Legal Parcel of Land
Total area in hectares	

31/7/84

				
applica	e proper ation:	opy of one of the following ty/properties under of Indefeasible Title, or		Date on which property was purchased or interest in property acquired by the applicant:
—		tle Certificate, or ent Notice.		(Day) (Month) (Year)
I hereby (Please o	make app check app	plication under: propriate box)		
	(-/	20 (1) of the Agricultural subdivide the subject propuse the subject property fALR plan,	er.	and Commission Act to ty, and (or) non-farm purposes within the
□ (p)	section the abov	12 (1) of the Agricultural we described property exclu-	La	and Commission Act to have d from the Agricultural Land

In support of this application I submit a plan or plans of appropriate scale showing each of the following:

- the subject property in terms of the smallest existing land title parcel or parcels, identified by full legal description, and showing the area of the land title parcel or parcels, and dimensions of each boundary including the adjacent land title parcels;
- 2. the location of the subject property within the Agricultural Land Reserve;
 - the location of any permanent dwellings or mobile homes and any existing buildings or structures on the property;
 - 4. the proposed new land title parcels to be created on the subject property showing approximate areas of the proposed parcels and approximate dimensions of each boundary or the proposed location of any additional dwellings or buildings to be constructed;
 - 5. the location of properties, other than the subject property, which are under the ownership, lease, or rental of the applicant, in the vicinity of the subject property;
- the location of waterways, roads and/or rights of way (public or private and surface condition), benches, ridges or other significant topographical features and any areas under bush, cleared, pasture, cultivated land, etc.

It is preferable, but not mandatory, that the plans be based on those prepared by a professional surveyor, engineer, architect, or planner. Such maps (having been drawn at some time in the past for another purpose) are often available to an applicant (e.g., the last deposited subdivision plan involving the property in question, prints of which may be obtained from the land title office for the cost of copying). The maps should identify individual parcels by legal description and should specify dimensions of each of the subject parcels.

(a)	Describe the existing use of the subject property. Please describe briefly any and all buildings and structures located on the property and if possible note the location of the said structures on a plan or map.
	If available, include photographs of the subject property, including buildings, and any other details or information relating to the present use of the subject property.
(b)	Do you own or lease any other properties within a one kilometre radius of the subject property? If so, please provide the legal description and describe the existing land use of these properties.
(c)	(i) Describe the existing land use and buildings on all lots adjacent to and neighbouring the subject property or farm unit
	(ii) Are there any livestock operations (10 or more animals raised for commercial sale) within one kilometre of the subject property? If so, please specify type of operation
(d)	Describe the proposed use of the subject property
	That is to say, the specific proposed use and whether the development involves a subdivision, a rezoning, a building permit, a development contract, etc. Include sketch plans of any proposed buildings and subdivision plans where available.

(e) My reasons for requesting this action are as follows (use

additional paper if necessary)
(f) Any other additional information or comments
I hereby declare that the information contained herein is, to the best of my knowledge, factual and correct.
(Signature of owner)* (Date)
*If agent is handling application, please supply authorization from owner.
NOTE: Section 12 (1) involves an application requesting complete exclusion from the Agricultural Land Reserve. Section 20 (1) involves an application to subdivide land or to use land for other than farm purposes. (The land reserve)
land for other than farm purposes. (The land remains in the Agricultural
Should this application by
zoning, building, sewage disposal, access, and availability of necessary services, including water, should be checked by all applicants.
Please consult the Agricultural Land Commission Act and regulations thereunder for further details.
[en. B.C. Reg. 225/84, s. 24.]
Province of British Columbia
on principle
SCHEDULE C
REPORT OF LOCAL GOVERNMENT REQUIRED UNDER SECTION 6 OR 32 OF THE AGRICULTURAL LAND RESERVE PROCEDURE REGULATION
(To be completed by the regional district or municipality.)
Information supplied by:
(Regional District/Municipality
·
R.D./Mun. File No. Map/Sheet No.
Base
Constituent
Air Photo No.

In r	respect of application of:	
Name		ame of agent If applicable)
Ful La	l Legal Description of Each Existing and Title Parcel Under Application	Approximate Area of Each Existing Legal Parcel of Land
	Total area in hectares	
1.	Any applicable community, settle designations, with some details	ement or other plan or study
2.	The zoning classification governing of application (please attach map, zoning	if possible):
3.	The zoning applicable to the subjection	under zoning bylaw (if applicable)
	(Note the requirement under section of authorization. Please enclose or	12 (4) or 20 (2) for a resolution opp of resolution.)
4.	(a) Description of the use of the details relating to occupancy a	
	(b) Is the subject property governe spections?	
5.	A brief description of the existing to and surrounding the subject prosize (a map, if available): (a) North (b) East (c) South (d) West	operty indicating approximate lot
	(Use additional paper if neo	cessary.)

31/7/84

6.	the possibility or feasibility	available to the subject property or of providing services:	
	(a) Roads (b) Water		
	(c) Sewage disposal		
	(d) Others		
7.	Is the subject property located	d in a flood plain? Yes No	
8.	Any other information or commen	nts	
	(Signature of Secretary-Trea [en. B.C. Red	surer or Clerk) (Date) g. 225/84, s. 24.]	
Pro	vince of British Columbia		
	SCHI	EDULE D	
	THE AGRICULTURAL LAND RES	INCLUSION OF LAND IN SERVE UNDER SECTION 10 (5) OF LAND COMMISSION ACT	
(Ple	ORMATION TO BE SUPPLIED BY APPLIC case submit completed forms to cicable to the Municipal Office.)	the Perional District occi-	
	• •	P.A.L.C. File No	
REĠI	ONAL DISTRICT/MUNICIPALITY		
1.	Property owner's name:	Authorized agent of the owner:	
	Address of owner:	Address of agent:	
	City/Town/Village:	City/Town/Village:	
	Postal Code:	Postal Code:	
	Telephone No:	Telephone No:	

 Please complete the appropriate chart or charts below, depending on whether the subject properties are Crown land, private land, or a combination of both.

(a) PRIVATE LAND

Full Legal Description of Each Existing Land Title Parcel of Private Lands Under Application	Approximate Total Area of Each Existing Legal Parcel of Land	Cleared or Improved Area of Each Lot
Total area in hectates		

(b) CROWN LAND

Full Legal Description of Each Existing Land Title Parcel of Crown Land under Application	Type of Crown Lease	Approximate Total Total Area of. Each Existing Legal Parcel of Land	Cleared or Improved Area of Each Lot
· .	Total area in hectares		

NOTE--If there are any Crown leases, please provide a copy of each lease.

- 3. In support of the application, please submit a survey plan or plans (which may be obtained from the land title office) or alternatively a sketch plan identifying individual parcels by legal description and dimensions. The plan or plans of appropriate scale should also should
 - dimensions. The plan or plans of appropriate scale should also show:

 (i) the location of each of the subject properties in relation to surrounding legal parcels;
 - (ii) the location of other land owned, leased or rented by the applicant where that land is in the immediate vicinity of the subject properties.

4.	Describe the existing use of the subject properties
whic	NOTEWherever possible, provide photographs of the subject property h also show buildings.
5.	Describe the existing use of those properties which are not the subject of this application but are owned or leased by the applicant in the immediate vicinity, including the area, location and legal description of each:
6.	Describe the existing land use and buildings on all lots adjacent to and neighbouring the subject property or farm unit:
	North
	Fact
	South West
Ż.	Describe the proposed use of the subject property
8.	Clearly state the reasons for requesting inclusion of the subject property in the Agricultural Land Reserve:
9.	Any other information or comments
pest	I hereby declare that the information contained herein is, to the of my knowledge, factual and correct.
	(Signature of owner)* (Date)
wner	* If agent is handling application, please supply authorization from .
here	Please consult the <u>Agricultural Land Commission Act</u> and regulations under for further details. [en. B.C. Reg. 225/84, s. 24.]
	Len. B.C. Reg. 225/84, S. 24.]

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Province of British Columbia

SCHEDULE F

REPORT OF LOCAL GOVERNMENT UNDER SECTION 36 OF THE AGRICULTURAL LAND RESERVE PROCEDURE REGULATION

(To be completed by the regional district or municipality.)
Information supplied by:
(Regional District/Municipality)
R.D./Mun. File No. Map/Sheet No. Base Constituent Air Photo No.
In respect of application of:
Name of applicant Name of agent (If applicable)
NOTEPrior to filling in Schedule E, please verify the information provided by the applicant in Schedule D and in particular: (1) legal description and area of the subject properties; (2) description of existing use of the subject property; (3) description of surrounding land uses and buildings.
 On a map, please locate each of the subject properties in relation to the Agricultural Land Reserve, if applicable.
 Any applicable community/settlement or other plan or study designa- tions, with some details
3. The zoning classification governing the subject property at the date of application (please attach map): ZONING
ZONING
 (a) Uses permitted (b) Minimum lot size required (c) Other relevant regulations under zoning bylaw (if applicable)

4. Was the proposal f	property included by the regional district in the original for Agricultural Land Reserve designation?
Yes	□ No □
5. Recommenda Agricultur	ations for the inclusion of the subject properties in the ral Land Reserve:
Counci	l or Regional Board
6. (a) Are the inclus	nere any lands adjacent to the subject properties worthy of ion in the Agricultural Land Reserve?
Yes	
(D) II so,	please give details on adjacent properties
	,
(Signature of	Secretary-Treasurer or Clerk) (Date) [en. B.C. Reg. 225/84, s. 24.]
Province of Bri	tish Columbia
	SCHEDULE P SPECIAL CASE APPLICATION
	P.A.L.C. File No
THE	APPLICATION UNDER SECTIONS 44 AND 46 OF B.C. REG. 313/78, AGRICULTURAL LAND RESERVE PROCEDURE REGULATION
INFORMATION TO (Please submit Commission offi	BE SUPPLIED BY APPLICANT completed forms to the Provincial Agricultural Land ce.)
REGIONAL DISTRI	CT/MUNICIPALITY

PROPERTY OWNER'S NAME (Please Print)	AUTHORIZED AGENT OF THE OWNER* (Please Print)
ADDRESS OF OWNER	ADDRESS OF AGENT
CITY/TOWN/VILLAGE	CITY/TOWN/VILLAGE
POSTAL CODE	POSTAL CODE
TELEPHONE NO.	TELEPHONE NO.
	* If agent is submitting the application

* If agent is submitting the application, authorization must be supplied from the registered owner of the property.

FULL LEGAL DESCRIPTION OF EACH EXISTING LAND TITLE PARCEL UNDER APPLICATION	APPROX. AREA OF EXISTING LAND TITLE PARCEL
TOTAL AREA IN HECTARES	

Please attach a copy of the Certificate of Indefeasible Title or a State of Title Certificate for the land title parcel(s) involved or alternately a copy of the tax notice.

I hereby make ar	plication	under: (Please check appropriate box)
(a) Land Us	e	Section 44 () of B.C. Reg. 313/78. (Indicate Subsection)
(b) Subdivi	sion	Section 46 of B.C. Reg. 313/78,

In support of this application I submit a plan or plans of appropriate scale showing each of the following:

- the subject property in terms of the smallest existing land title parcel or parcels, identified by full legal description, and showing area of the land title parcel or parcels, and dimensions of each boundary including the adjacent land title parcels;
- the location of the subject property within the Agricultural Land Reserve;
- the location of any permanent dwellings or mobile homes and any existing buildings or structures on the property;
- 4. the proposed new land title parcels to be created on the subject property showing approximate areas of the proposed parcels and approximate dimensions of each boundary or the proposed location of any additional dwellings or buildings to be constructed;
- 5. the location of properties, other than the subject property, which are under the ownership, lease or rental of the applicant, in the vicinity of the subject property;
- 6. the location of waterways, roads and/or rights of way (public or private and surface condition), benches, ridges or other significant topographical features and any areas under bush, cleared, pasture, cultivated land, etc.

It is preferable, but not mandatory, that the plans be based on those prepared by a professional surveyor, engineer, architect or planner. Such maps (having been drawn at some time in the past for another purpose) are often available to an applicant (e.g. the last deposited subdivision plan involving the property in question, prints of which may be obtained from the land title office for the cost of copying). The maps should identify individual parcels by legal description and should specify dimensions of each of the subject parcels.

(a) Describe the existing use of the subject property. Please describe briefly any and all buildings and (or) structures located on the property and if possible note the location of the said structures on a plan or map.

If available, include photographs of the subject property, including buildings, and any other details or information relating to the present use of the subject property.

⁽b) Do you own or lease any other properties within a one-kilometre radius of the subject property? If so, please provide

	these properties.
(c)	(i) Describe the existing land use and buildings on all lots adjacent to and neighbouring the subject property or farm unit
	(ii) Are there any livestock operations (10 or more animals raised for commercial sale) within one kilometre of the subject property? If so, please specify type of operation
(d)	Describe the proposed use of the subject property
	That is to say, the specific proposed use and whether the development involves a subdivision, a rezoning, a building permit, a development contract, etc. Include sketch plans of any proposed buildings and (or) subdivision plans where available.
(e)	My reasons for requesting this action are as follows (use additional paper if necessary)
,	
I hereby best of my kn	declare that the information contained herein is, to the owledge, factual and correct.
(Signating the state of the sta	ture of owner)* is handling application, please supply authorization from
Should to	his application be successful, it in no way implies that ry approvals or permits will be granted. In this regard the

zoning, building, sewage disposal, access and availability of necessary services, including water, should be checked by all applicants.

Please consult the $\underline{\text{Agricultural Land Commission Act}}$ and regulations thereunder for further details.

Provincial Agricultural Land Commission 4940 Canada Way Burnaby, B.C. V5G 4K6 [en. B.C. Reg. 225/84, s. 24.]

Province of British Columbia

SCHEDULE G

P.A.L.C. File No.

	R.D./Mun. File No
	APPLICATION FOR INCLUSION OF LAND IN THE AGRICULTURAL LAND RESERVE UNDER SECTION 10 (3) of the AGRICULTURAL LAND COMMISSION ACT
(Inform	mation to be supplied by a municipality or regional district only and within its jurisdiction.)
In r	respect to land within in the
	(Municipality or electoral area) , the
hereby Commiss	(Regional district) (Applicant) makes application under section 10 (3) of the Agricultural Landion Act to the Lieutenant Governor in Council.
the sur	support of this application, the following information applicable to eject area is submitted: (If several distinct areas are involved, suish by sub-area.)
l. Iden	tification
1.1	Legal description (in general terms if for a large area)
1.2	Total Area of subject area
1.3	Area of subject area which is Crown land

	1.4	Locate property on survey or legal base maps (as available)
2.	. Cha	racteristics
	2.1	Existing land use
	2.2	Proposed land use
	2.3	Land use of surrounding properties
	2.4	Notable physical features
	2.5	Extent of floodplain (if applicable)
	2.6	Services available or scheduled
		Roads or rights of ways on or abutting the subject properties, including information on roads or rights of way dedication and extent of construction
3.	Loca	l planning
	3.1	Community or Settlement Plan designation
	3.2	Zoning
١.	Commappl:	ments and recommendations (include copies of resolutions where
	4.1 1	Regional Board or Municipal Council
	4.2	Advisory Planning Committee or Commission
	-	

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	4.3 Others
5.	Report of public hearing (include date and place of hearing and number attending)
6.	Clearly state the reasons for requesting inclusion of the subject property in the Agricultural Land Reserve
	The above information may also be indicated, in part, on maps and (or) plans of appropriate scale.
_(;	Signature of Secretary-Treasurer or Clerk) (Date) [en. B.C. Reg. 225/84, s. 24.]
and	TE: The plan referred to in this regulation is exempt from publication d may be inspected at the offices of the Agricultural Land Commission, 33 Ledger Avenue, Burnaby, B.C.

[Provisions of the Agricultural Land Commission Act relevant to the enactment of this regulation: section 37]

Queen's Printer for British Columbia© Victoria, 1995 B.C. Reg. 313/78 O.C. 1979/78

Filed July 28, 1978

Agricultural Land Commission Act

AGRICULTURAL LAND RESERVE PROCEDURE REGULATION

[includes amendments up to B.C. Reg. 449/92]

[Consolidated January 8, 1993]

Application by a Municipality, Regional District, or the Commission and action by the Lieutenant Governor in Council under section 11 (1) of the Act

- 1. (1) Where a municipality or regional district makes an application under section 11 of the Act
 - (a) the application shall contain all the information itemized in Schedule A to this regulation and such other supporting material as may be required by the Lieutenant Governor in Council or the commission, and
 - (b) it shall submit the application to the commission who shall consider the application and shall make a recommendation and submit the application and the recommendation to the minister for forwarding to the Lieutenant Governor in Council and the commission shall send a copy of its recommendation to the applicant.
 - (2) Where the commission makes an application under section 11 of the Act
 - (a) the application shall contain all the information itemized in Schedule A to this regulation and such other supporting material as may be required by the Lieutenant Governor in Council,
 - (b) it shall send a copy of the application and supporting material to the municipality or regional district, and
 - (c) it shall submit the application and recommendation to the minister for forwarding to the Lieutenant Governor in Council.

 [en. B.C. Reg. 225/84, s. 1.]
- 2. (1) The commission, municipality, or regional district holding a public hearing as required by section 11 (3) of the Act shall publish a notice stating the time and place of the hearing in at least two consecutive issues of a newspaper published or circulated in the municipality or regional district where the land is situtated, with the last of such publications appearing not less than 3 days nor more than 10 days before the date of the hearing.
 - (2) The notice of hearing shall
 - (a) identify, in a general manner, the land or lands affected but need not use the legal description of the land affected,

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- (b) state in general terms the intent of the application, and
- (c) state when and where a copy of the application may be inspected.
- (3) At the hearing all persons shall be afforded an opportunity to be heard on matters related to the proposed application.
- (4) The hearing may be adjourned from time to time.
- (5) A member of the municipal council or of the regional board, or a commissioner who was not present at the hearing, may vote on the application if an oral or written report of the hearing has been given to him.

[am. B.C. Regs. 8/81, s. (a); 225/84, s. 2.]

- 3. The commission, municipality, or regional district holding the hearing may, without further notice, allow amendment to the proposed application to give such effect as it deems fit to representations made at the hearing.
- 4. Where the Lieutenant Governor in Council excludes land under section 1.1 (1) or grants permission under section 15 (2), 16, 18 or 19 (2) pursuant to section 11 (2) of the Act, the minister shall inform the commission and the commission shall inform the regional district and, if applicable, the municipality and the appropriate registrar of titles.

 [am. B.C. Regs. 8/81, s. (b); 225/84, s. 3.]

Applications by an owner to exclude land under section 12 (1) pursuant to section 12 (2) of the Act

- 5. Where an owner intends to make an application to the commission under section 12 (1) of the Act, he shall first complete and file an application in the form in Schedule B to this regulation
 - (a) in the office of the clerk of the municipality, where the land that is the subject matter of the application is located in a municipality, and
 - (b) in all other cases, in the office of the secretary treasurer of the regional district within which the land is located.

 [am. B.C. Regs. 8/81, s. (c); 225/84, s. 4.]
- 6. (1) The secretary treasurer or clerk shall, on compliance by an owner with section 5, forthwith complete the form in Schedule C.
 - (2) Repealed. [B.C. Reg. 225/84, s. 5.] [am. B.C. Reg. 225/84, s. 5.]
- 7. After receipt of an application under section 5, the secretary treasurer or clerk shall submit the application to the regional board or municipal council, as the case may be.

[am. B.C. Reg. 225/84, s. 6.]

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8. Where an application filed under section 5 is in respect of land referred to in section 12 (4) of the Act, no further proceedings shall be taken unless and until the municipality or regional district passes the resolution referred to in section 12 (4) of the Act authorizing the application.

[am. B.C. Reg. 8/81, s. (e).]

- 9. Where a resolution is passed under section 12 (4) of the Act, the secretary treasurer or clerk shall transmit a certified copy of it to the commission along with the other information required by section 12.

 [am. B.C. Regs. 8/81, s. (e); 225/84, s. 7.]
- 10. Where the regional district or municipality considers it necessary or advisable to transmit its recommendations, comments, opinions, or any other information in respect of any application to the commission, it shall do so within the time limited under section 12.
- 11. (1) A municipality or regional district may, if it considers it necessary or advisable, hold public information meetings in respect of an application under section 12 of the Act.
 - (2) Where a regional district holds a public information meeting referred to in subsection (1), the board of the regional district shall ensure that the member of the regional district representing the area within which the land that is the subject matter of the application is situated attends at the meeting and, forthwith after the meeting, submits a report to the board indicating the degree of support for or opposition to the application.
 - (3) Where a municipality holds a public information meeting referred to in subsection (1), the council of the municipality shall ensure that at least one member of the council for the municipality attends at the meeting and forthwith, after the meeting, submits a report to the council indicating the degree of support for or opposition to the application.

[en. B.C. Reg. 225/84, s. 8.]

- 12. A person who receives an application referred to in section 5 shall, within 30 days or, where a public information meeting is held pursuant to section 11, within 60 days after receipt of an application, transmit
 - (a) the application in Schedule B,
 - (b) the information required in Schedule C,
 - (c) the resolution, if required under section 9, and
 - (d) the report submitted under section 11 and any other information about a public information meeting held under section 11

to the commission.

[am. B.C. Reg. 225/84, s. 9.]

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- 13. Notwithstanding anything in these regulations or in Schedule B or C, the commission may require of the applicant or of the regional district or municipality such further relevant information as it considers necessary.
- 14. A hearing required by section 12 (2) of the Act shall be held at a time and at a place designated by the commission and may be adjourned from time to time.

[am. B.C. Reg. 8/81, s. (d).]

- 15. (1) The commission shall give written notice of the date and place of the hearing to
 - (a) the applicant,

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- (b) where the land that is the subject matter of the application is located in a municipality, the municipal council of the municipality, and
- (c) where the land that is the subject matter of the application is not located in a municipality, the regional board of the regional district within which the land is located,

not less than 10 days and not more than 30 days before the date of the hearing.

- (1.1) Where it considers advisable, the commission shall give written notice of the date and place of the hearing to the owners of the land located adjacent to the land referred to in the application not less than 10 days and not more than 30 days before the date of the hearing.
 - (2) The notice of hearing shall
 - (a) identify the land referred to in the application,
 - (b) state the purpose of the application, and
 - (c) state the place and time at which the application and the documents relating to the application may be inspected.

 [am. B.C. Reg. 225/84, s. 10.]
- 16. The commission shall cause to be mailed by registered mail to the applicant or delivered by a personal service a statement of the facts, opinions and other information, or a summary of them, received by the commission for consideration at the hearing.
- 17. The commission shall, at the request of the applicant or his agent, allow him or his agent to inspect all relevant documents in the custody of the commission relating to the application.
- 18. (1) The applicant is entitled to make representations at the hearing personally or by his counsel or agent.

- (2) The commission may require the applicant or any other person offering evidence to give his evidence on oath.
- 19. For the purpose of the hearing the commission may
 - (a) require that evidence offered before it be given on oath and may for that purpose administer an oath,
 - (b) accept written submissions or any other form of evidence notwithstanding that it may not be evidence in a court of law, and
 - (c) hear representations, evidence and opinions of any person present or represented at the hearing and of the regional district and municipality that, in the opinion of the commission, are relevant to the application.
- 20. Where evidence is presented at the hearing, a statement or summary of which has not been sent to the applicant, the commission,
 - (a) where the applicant or his counsel or agent is present at the hearing, may hear further representations in respect of such evidence, or adjourn the hearing to enable the applicant to make answer to that evidence, or
 - (b) where the applicant or his counsel or agent is not present at the hearing, shall notify the applicant by registered mail or by personal service of the additional evidence presented by the hearing and the time within which the additional evidence may be answered.

Applications to appeal to the Environment and Land Use Committee under sections 13 (1) and (2) of the Act

- 21. (1) A person who is dissatisfied with the decision of the commission made in respect of an application to it under section 12 (2) of the Agricultural Land Commission Act or under section 5 of the Soil Conservation Act may apply to the commission for a certificate of leave to appeal to the Environment and Land Use Committee by delivering it or mailing a written request to the commission.
 - (2) The written request shall state the grounds on which the person alleges that the decision of the commission is wrong.

 [am. B.C. Reg. 8/81, s. (c).]
- 22. (1) A person applying to the minister for leave to appeal under section 13 (2) of the Act may apply to the minister for a certificate of leave to appeal to the Environment and Land Use Committee by mailing a written request by registered mail to the minister.
 - (2) The written request shall state the grounds on which the person alleges that the decision of the commission is wrong and the person

making the application shall mail, by registered mail, a copy of the written request to the commission.

- (3) On receipt of a copy of the written request the commission shall forthwith transmit to the minister
 - (a) a copy of all the documents in the custody of the commission respecting the original application,
 - (b) a transcript of any evidence that was transcribed at the hearing, and
 - (c) a copy of the decision of the commission and of any reasons for it.
- (4) A person requesting the certificate of leave to appeal who makes additional written submissions to the minister shall send copies of them to the commission.
- (5) The minister shall review the application and may require of the applicant, the regional district or municipality, the commission, or any other person such further or additional information as he considers necessary and shall supply copies of such further or additional information to the applicant, the regional district or municipality and the commission and shall give each party a reasonable time to respond.

[am. B.C. Reg. 8/81, s. (g).]

- 23. (1) Where a person has obtained leave under section 21 or 22 to appeal to the Environment and Land Use Committee the person shall file with the Environment and Land Use Committee either
 - (a) the certificate of leave to appeal signed and dated by two members of the commission, or
 - (b) the certificate of leave to appeal signed and dated by the minister.
 - (2) A certificate of leave to appeal expires 60 days after its date.
- 24. A person appealing under section 13 (1) or (2) of the Act shall file a notice of the appeal accompanied by the certificate of leave to appeal with the Environment and Land Use Committee by delivering it or mailing it by registered mail to the secretary of the committee at the City of Victoria.

 [am. B.C. Reg. 8/81, s. (h).]
- 25. The appellant shall state in the notice of appeal the reasons for the appeal and the grounds on which he alleges that the decision of the commission is wrong.
- 26. The appellant shall
 - (a) deliver or mail by registered mail a copy of the notice of appeal to

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- (i) the minister,
- (ii) the commission,
- (iii) each person who made a submission or gave evidence respecting the original application,
- (iv) where the land that is the subject matter of the application is located in a municipality, the municipal council for the municipality, and
- (v) where the land that is the subject matter of the application is not located in a municipality, the regional board of the regional district in which the land is located, and
- (b) submit a list of the persons notified under paragraph (a) and a statement signed by the appellant, saying that they have been so served, to the secretary of the Environment and Land Use Committee.

[en. B.C. Reg. 225/84, s. 11.]

- 27. (1) Where leave to appeal was granted under section 13 (2) of the Act, the minister, on receipt of a copy of a notice of appeal, shall transmit to the secretary of the Environment and Land Use Committee all material received by him under section 22.
 - (2) On receipt of a copy of a notice of appeal, the commission shall transmit to the secretary of the Environment and Land Use Committee
 - (a) where leave to appeal was granted under section 13 (1) of the Act, all documents or evidence described in section 22 (3) (a) to (c), or
 - (b) where leave to appeal was granted under section 13 (2) of the Act, any documents transmitted to the commission subsequent to the transmission of material under section 22 (3).

 [en. B.C. Reg. 225/84, s. 12.]
- 28. The Environment and Land Use Committee shall notify by registered mail the appellant, the commission, and every person to whom the notice of appeal was sent under section 26, of the date and place of the hearing at least 20 days before the date of the hearing.

 [am. B.C. Reg. 225/84, s. 13.]
- 29. The Environment and Land Use Committee shall, at or before the hearing, review all the documents filed with it respecting the appeal and at the hearing shall hear the representations and evidence of the commission, the appellant and the regional district, municipality and other persons who made representations or gave evidence on the original application, and such other evidence as the Environment and Land Use Committee may consider necessary.

30. Sections 18 and 19 apply to a hearing and review under section 29 with "Environment and Land Use Committee" being substituted for "commission," where applicable.

Applications under section 20 of the Act to exempt the use of land pursuant to sections 15 (2), 16 and 18 and section 19 (2) of the Act

- 31. Where a person applies to the commission under section 20 of the Act pursuant to sections 15 (2), 16 and 18 and section 19 (2) of the Act he shall file an application in substantial compliance with Schedule B
 - (a) in the office of the clerk of the municipality, where the land that is the subject matter of the application is located in a municipality, and
 - (b) in all other cases, in the office of the secretary treasurer of the regional district within which the land is located.

[am. B.C. Regs. 8/81, ss. (i), (j), (k); 225/84, s. 14.]

- 32. (1) Sections 6 to 13 apply in respect of applications filed pursuant to section 31.
 - (2) For the purpose of subsection (1), a reference to section 12 (4) of the Act in sections 6 to 13 is deemed to be a reference to section 20 (2) of the Act.

[am. B.C. Reg. 225/84, s. 15.]

- 33. The commission may, where it is considered necessary or advisable, hold a hearing with respect to any application filed pursuant to section 31 and the meeting shall be held at a time and place designated by the commission and may be adjourned from time to time.
- 34. Where the commission holds a hearing under section 33, sections 15 to 20 apply in respect of the hearing.

Applications to include land in an Agricultural Land Reserve under section 10 (3), (4) and (5) of the Act

- 35. Where an owner's land is not included in an agricultural land reserve plan the owner may, pursuant to section 10 (5) of the Act, at any time, apply to have his land designated as or as part of an agricultural land reserve by filing an application in compliance with Schedule D
 - (a) in the office of the clerk of the municipality, where the land that is the subject matter of the application is located in a municipality, and
 - (b) in all other cases, in the office of the secretary treasurer of the regional district within which the land is located.

[am. B.C. Regs. 8/81, s. (n); 225/84, s. 16.]

36. On an owner filing an application under section 35, the secretary treasurer or clerk shall forthwith obtain information listed in Schedule E and complete the Schedule.

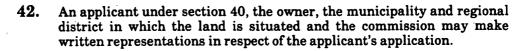
[am. B.C. Reg. 225/84, s. 17.]

- 37. The board of a regional district or the council of a municipality that has had an application filed with it under section 35 may hold a public hearing in respect of the application and section 2 applies to the hearing.

 [en. B.C. Reg. 225/84, s. 18.]
- 38. After receipt of an application, a board of a regional district or a municipal council, as the case may be, shall transmit the application, its recommendations and any other relevant information to the commission
 - (a) within 30 days, or
 - (b) where a hearing is held by it under section 37, within 60 days. [en. B.C. Reg. 225/84, s. 18.]
- 39. Where the commission considers that designation of the land as or as part of an agricultural land reserve carries out the intent and purpose of the Act, and after approval of the Lieutenant Governor in Council designates the lands as or as part of an agricultural land reserve, it shall notify the applicant, the municipality, if applicable, and the regional district in which the land is situated and the appropriate registrar of titles of the designation.
- 40. (1) Notwithstanding section 35, a municipality, regional district, or the commission may, pursuant to section 10 (3) of the Act, at any time, whether or not it is the owner of the land, apply to the Lieutenant Governor in Council for approval of the addition of the land to a designated land reserve and shall give notice in writing to the other parties and to the owner of the land.
 - (2) An application made under subsection (1) shall be in the form set out in Schedule G and include any other material required by the commission or the Lieutenant Governor in Council.

 [am. B.C. Reg. 225/84, s. 19.]
- 41. (1) Where the land is not owned by the municipality, regional district, or commission applying under section 40 it shall, pursuant to section 10 (4) of the Act, at its own expense, hold a public hearing at least 30 days before submitting the application to the Lieutenant Governor in Council and section 2 applies to the hearing.
 - (2) The applicant must give at least two weeks' written notice of the public hearing under this section to the other parties and to the owner of the land.
 - (3) A report of the public hearing shall accompany the application. [am. B.C. Reg. 8/81, s. (m).]

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43. Where the Lieutenant Governor in Council approves an application made under section 40, the commission shall, where it designates the land as or as part of an agricultural land reserve, notify the applicant, the owner, the municipality, if applicable, the regional district in which the land is situated, and the appropriate registrar of titles of the designation.

Special cases

- 44. Notwithstanding section 31, where a person applies to the commission under section 20 of the Act for permission to use land in an agricultural land reserve for a purpose other than farm use, he shall, where the proposed use is one of the following, file in the office of the commission an application substantially in the form in Schedule F:
 - (a) storage and sale or processing of agricultural products on a farm where they were not grown or reared on that farm;
 - (b) a reserve or area of land or habitat set apart for wildlife that does not qualify as a permitted land use under the Agricultural Land Commission Subdivision and Land Use Regulation;
 - (c) parks and recreation reserves, whether created by the Province, a regional district or a municipality, that do not qualify as a permitted land use under the Agricultural Land Commission Subdivision and Land Use Regulation;
 - (d) unpaved airstrip for use of aircraft flying non-scheduled flights;
 - (e) dedication or construction of new highway, road or railway rights of way;
 - (f) electrical transmission lines and utility installation, including pipeline pumping stations, automatic telephone exchanges, electrical substations, navigational aids, underground pipelines and any ancillary purposes;
 - (g) trunk sewer and trunk water lines and ancillary storage or pumping facilities, including construction of or addition to a reservoir;
 - (h) sewage lagoons, treatment plants and other sewage disposal facilities regulated by the *Pollution Control Act*;
 - (i) sanitary land fills;
 - (j) well drillings and access to well sites but not including wells drilled for potable water for use in a single family dwelling unit;
 - (k) guest ranches;



- (1) open land recreation uses, including campgrounds, fishing and hunting camps, game farms and rifle ranges, provided a total of not more than 5% of the land registry parcel or 2 ha, whichever is the lesser, will be physically altered by the construction of roads, services, paving, parking facilities, buildings, structures or earthworks;
- (m) surveying, exploring or prospecting for gravel, oil or minerals, provided all cuts, trenches and similar alterations will be restored to the natural ground level and all topsoil is replaced;
- (n) gravel pits, peat extractive areas and turf farms, where reclamation and rehabilitation is possible;
- (o) Repealed. [B.C. Reg. 301/88.]
- (p) horse riding arenas or boarding stables;
- (q) dog kennels for boarding or breeding. [en. B.C. Reg. 8/81, s. (q); am. B.C. Regs. 225/84, s. 20; 301/88.]
- 45. Before issuing an order allowing a use referred to in section 44, the commission shall inform either of the following of the application:
 - (a) where the land that is the subject matter of the application is located in a municipality, the municipal council of the municipality;
 - (b) in all other cases, the board of the regional district within which the land is located.

 [en. B.C. Reg. 225/84, s. 21.]
- 46. Notwithstanding section 31, where a person applies to the commission under section 20 of the Act for an order authorizing a registrar of titles to accept a plan of subdivision under the Land Title Act or a strata plan under the Condominium Act, if the proposed subdivision is designed to establish a legal boundary along the perimeter of an agricultural land reserve and the part of the land within the reserve will consist of a parcel not less that 8 093.5 m² in area, he shall file in the office of the commission an application substantially in the form in Schedule F.

 [en. B.C. Reg. 8/81, s. (q); am. B.C. Reg. 225/84, s. 22.]
- 47. Before issuing an order authorizing acceptance of a plan referred to in section 46, the commission shall inform either of the following of the application:
 - (a) where the land that is the subject matter of the application is located in a municipality, the municipal council of the municipality;
 - (b) in all other cases, the board of the regional district within which the land is located.

[en. B.C. Reg. 225/84, s. 23.]

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- 48. (1) The prescribed application fee
 - (a) for an application under section 11 or 12 of the Act is \$750,
 - (b) for an application under section 20 of the Act to which section 44 or 46 of this regulation does not apply is \$550, and
 - (c) for an application to which section 44 or 46 of this regulation applies is \$400.
 - (2) The prescribed portion of the application fee that a municipality or regional district may retain for the purposes of section 25.2 (1) (a) of the Act is \$250 for an application under section 12 of the Act or for an application described in subsection (1) (b) of this section.
 - (3) The prescribed portion of an application fee that must be remitted by the commission for the purposes of section 25.2 (5) of the Act is \$150.
 - (4) The prescribed times for the purposes of section 25.2 (1) (b) of the Act are March 31, June 30, September 30 and December 31 of each year. [en. B.C. Reg. 449/92, s. 3.]



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Province of British Columbia

SCHEDULE A

APPLICATION UNDER SECTION 11 OF THE AGRICULTURAL LAND COMMISSION ACT

	1	P.A.L.C. File No
		R.D./Mun. File No.
	In	respect to land within in the in the
		the
	C	Regional district) (Applicant)
Ag	ricul In s	makes application under section 11 (1) or section 11 (2) of the ltural Land Commission Act to the Lieutenant Governor in Council. support of this application, the following information applicable to the area is submitted: (If several district areas are involved, distinguish by sub-area.)
1.	Ide	ntification
	1.1	Legal description (in general terms if for a large area)
	1.2	Total area of subject area
	1.3	Area of subject area which is Crown land
	1.4	Location on A.L.R. plan and legal base maps
2.	Cha	aracteristics
		Existing land use
	2.2	Proposed land use
	2.3	Land use of surrounding properties
	2.4	Notable physical features
	2.5	Extent of floodplain (if applicable)
	2.6	Services available or scheduled
	2.7	Roads or rights of way on or abutting the subject properties, including information on road or rights of way dedicated and extent of construction

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3.	Local planning 3.1 Community or Settlement Plan designation			
	3.2 Zoning			
4.	Comments and recommendations (include copies of resolutions where applicable)			
	4.1 Regional Board or Municipal Council			
	4.2 Advisory Planning Committee or Commission			
	4.3 Others			
5 .	Report of public hearing (include date and place of hearing and number attending).			
6.	Reasons for request			
pla	The above information may also be indicated, in part, on maps and (or) ans of appropriate scale.			
(Sig	gnature of Secretary-Treasurer or Clerk) (Date)			

[en. B.C. Reg. 225/84, s. 24.]

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Province of British Columbia

SCHEDULE B

APPLICATION UNDER SECTION 12 (1) or 20 (1) OF THE AGRICULTURAL LAND COMMISSION ACT

THEODINATION TO BE STORED	P.A.L.C. File No.
INFORMATION TO BE SUPPLIED BY APPLICANT	R.D./Mun. File No.
(Please submit completed forms to the	
Regional District Office or if applicable	Receipt No.
to the Municipal Office.)	•
· ·	
REGIONAL DISTRICT/MUNICIPALITY	
Property owner's name:	Authorized agent of the owner:
-	and the country of the owner:
(Please print)	(Please print)
	•
. 13	
Address of owner:	Address of agent:
City/Town/Village:	City / May /22233
orey, rown, viriage.	City/Town/Village:
•	
Postal Code:	Postal Code:
Telephone No.:	Telephone No.:
	_
Full Logal Decement of D. 1 = 1	
Full Legal Description of Each Existing	Approximate Area of Each
Land Title Parcel Under Application	Existing Legal Parcel of Land
	
	
Total area in	
hectares	

I enclose a copy of one of the following for the property/properties under application: Certificate of Indefeasible Title, or	Date on which property was purchased or interest in property acquired by the applicant:			
State of Title Certificate, or Tax/Assessment Notice.	(Day) (Month) (Year)			
I hereby make application under: (Please check appropriate box)				
(a) section 20 (1) of the Agricultural Land Commission Act to (i) subdivide the subject property, and (or) (ii) use the subject property for non-farm purposes within the ALR plan, or				
(b) section 12 (1) of the Agricultural the above described property exclude Reserve Plan.	Land Commission Act to have ed from the Agricultural Land			
In support of this application I submit a plan or plans of appropriate scale showing each of the following:				

parcel or parcels, identified by full legal description, and showing the area of the land title parcel or parcels, and dimensions of each boundary including the adjacent land title parcels;

2 the location of the subject property within the Agricultural land Reserve;

1. the subject property in terms of the smallest existing land title

- the location of any permanent dwellings or mobile homes and any existing buildings or structures on the property;
- 4. the proposed new land title parcels to be created on the subject property showing approximate areas of the proposed parcels and approximate dimensions of each boundary or the proposed location of any additional dwellings or buildings to be constructed;
- 5. the location of properties, other than the subject property, which are under the ownership, lease, or rental of the applicant, in the vicinity of the subject property;
- the location of waterways, roads and/or rights of way (public or private and surface condition), benches, ridges or other significant topographical features and any areas under bush, cleared, pasture, cultivated land, etc.

It is preferable, but not mandatory, that the plans be based on those prepared by a professional surveyor, engineer, architect, or planner. Such maps (having been drawn at some time in the past for another purpose) are often available to an applicant (e.g., the last deposited subdivision plan involving the property in question, prints of which may be obtained from the land title office for the cost of copying). The maps should identify individual parcels by legal description and should specify dimensions of each of the subject parcels.

a)	Describe the existing use of the subject property. Please describe briefly any and all buildings and structures located on the property and if possible note the location of the said structures on a plan or map.
	If available, include photographs of the subject property, including buildings, and any other details or information relating to the present use of the subject property.
ъ)	Do you own or lease any other properties within a one kilometre radius of the subject property? If so, please provide the legal description and describe the existing land use of these properties.
c)	(i) Describe the existing land use and buildings on all lots adjacent to and neighbouring the subject property or farm unit
	(ii) Are there any livestock operations (10 or more animals raised for commercial sale) within one kilometre of the subject property? If so, please specify type of operation
d)	Describe the proposed use of the subject property
	That is to say, the specific proposed use and whether the development involves a subdivision, a rezoning, a building permit, a development contract, etc. Include sketch plans of any proposed buildings and subdivision plans where available.
e)	My reasons for requesting this action are as follows (use

AGRICULTURAL LAND COMMISSION ACT AGRICULTURAL LAND RESERVE PROCEDURE

	additional paper if necessary)			
	- I weepsaly			
(f) Any	other additional information or comments			
I hereb best of my k	by declare that the information contained herein is, to the nowledge, factual and correct.			
(Signatur	re of owner)* (Date)			
	nt is handling application, please supply authorization from			
	Section 12 (1) involves an application requesting complete			
Section 20 (1) involves an application to subdivide land or to use and for other than farm purposes. (The land remains in the Agricultural Land Reserve.)				
zoning, build services, ind Please	this application be successful, it in no way implies that ary approvals or permits will be granted. In this regard the ding, sewage disposal, access, and availability of necessary cluding water, should be checked by all applicants.			
chereunder ro	further details. [en. B.C. Reg. 225/84, s. 24.]			
December 15 D				
Province of British Columbia				
	SCHEDULE C			
·	REPORT OF LOCAL GOVERNMENT REQUIRED UNDER SECTION 6 OR 32 OF THE AGRICULTURAL LAND RESERVE PROCEDURE REGULATION			
(To be comple	ted by the regional district or municipality.)			
Information s				
	(Regional District/Municipality			
	R.D./Mun. File No.			
	Map/Sheet No. Base			
	Constituent Air Photo No.			

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Mamo	of applicant	Name of agent
		Name of agent (If applicable)
Ful La	l Legal Description of Each Ex nd Title Parcel Under Applicat	isting Approximate Area of Each Existing Legal Parcel of Land
	Total are hectare	
1.	Any applicable community, designations, with some detai	settlement or other plan or study
2.	of application (please attach	verning the subject property at the date map, if possible):
	ZONING	
	(a) Uses permitted (b) Minimum lot size perm (c) Other relevant regula	nitted tions under zoning bylaw (if applicable)
3.	The zoning applicable to the December 21, 1972	e subject property immediately prior to
	(Note the requirement under s of authorization. Please end	section 12 (4) or 20 (2) for a resolution close copy of resolution.)
4.	details relating to occup (Please note any buildin	of the subject property, including any cancy and legality of use and occupancy. gs or structures plus appropriate areas
		governed by building codes and (or) in-
5.	to and surrounding the subjective (a map, if available): (a) North (b) East (c) South (d) West	existing land use and buildings adjacent ect property indicating approximate lot if necessary.)

AGRICULTURAL LAND COMMISSION ACT AGRICULTURAL LAND RESERVE PROCEDURE

7. Is the subject property located in a flood plain? Yes No 8. Any other information or comments (Signature of Secretary-Treasurer or Clerk) (Date [en. B.C. Reg. 225/84, s. 24.] Province of British Columbia SCHEDULE D APPLICATION FOR INCLUSION OF LAND IN THE AGRICULTURAL LAND RESERVE UNDER SECTION 10 (5) OF THE AGRICULTURAL LAND COMMISSION ACT INFORMATION TO BE SUPPLIED BY APPLICANT
(Signature of Secretary-Treasurer or Clerk) (Date [en. B.C. Reg. 225/84, s. 24.] Province of British Columbia SCHEDULE D APPLICATION FOR INCLUSION OF LAND IN THE AGRICULTURAL LAND RESERVE UNDER SECTION 10 (5) OF THE AGRICULTURAL LAND COMMISSION ACT INFORMATION TO BE SUPPLIED BY APPLICANT
[en. B.C. Reg. 225/84, s. 24.] Province of British Columbia SCHEDULE D APPLICATION FOR INCLUSION OF LAND IN THE AGRICULTURAL LAND RESERVE UNDER SECTION 10 (5) OF THE AGRICULTURAL LAND COMMISSION ACT INFORMATION TO BE SUPPLIED BY APPLICANT
[en. B.C. Reg. 225/84, s. 24.] Province of British Columbia SCHEDULE D APPLICATION FOR INCLUSION OF LAND IN THE AGRICULTURAL LAND RESERVE UNDER SECTION 10 (5) OF THE AGRICULTURAL LAND COMMISSION ACT INFORMATION TO BE SUPPLIED BY APPLICANT
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APPLICATION FOR INCLUSION OF LAND IN THE AGRICULTURAL LAND RESERVE UNDER SECTION 10 (5) OF THE AGRICULTURAL LAND COMMISSION ACT INFORMATION TO BE SUPPLIED BY APPLICANT
THE AGRICULTURAL LAND RESERVE UNDER SECTION 10 (5) OF THE AGRICULTURAL LAND COMMISSION ACT INFORMATION TO BE SUPPLIED BY APPLICANT
(Please submit completed forms to the Regional District Office or i
applicable to the Municipal Office.)
P.A.L.C. File No. R.D./Mun. File No.
REGIONAL DISTRICT/MUNICIPALITY
1. Property owner's name: Authorized agent of the owner:
Address of owner: Address of agent:
City/Town/Village: City/Town/Village:
Postal Code: Postal Code:

- Please complete the appropriate chart or charts below, depending on whether the subject properties are Crown land, private land, or a combination of both.
 - (a) PRIVATE LAND

Full Legal Description of Each Existing Land Title Parcel of Private Lands Under Application	Approximate Total Area of Each Existing Legal Parcel of Land	Cleared or Improved Area of Each Lot
Total area in hectates		

(b) CROWN LAND

Full Legal Description of Each Existing Land Title Parcel of Crown Land under Application	Type of Crown Lease	Approximate Total Total Area of Each Existing Legal Parcel of Land	Cleared or Improved Area of Each Lot
	Total area in hectares		

NOTE--If there are any Crown leases, please provide a copy of each lease.

- In support of the application, please submit a survey plan or plans (which may be obtained from the land title office) or alternatively a sketch plan identifying individual parcels by legal description and dimensions. The plan or plans of appropriate scale should also show:
 - (i) the location of each of the subject properties in relation to
 - surrounding legal parcels;
 (ii) the location of other land owned, leased or rented by the applicant where that land is in the immediate vicinity of the subject properties.

AGRICULTURAL LAND COMMISSION ACT AGRICULTURAL LAND RESERVE PROCEDURE

4.	Describe the existing use of the subject properties
Whi	NOTEWherever possible, provide photographs of the subject property
5.	Describe the existing use of those properties which are not the subject of this application but are owned or leased by the applicant in the immediate vicinity, including the area, location and legal description of each:
6.	Describe the existing land use and buildings on all lots adjacent to and neighbouring the subject property or farm unit:
	North
	East
	South
	West
7 . 3.	Describe the proposed use of the subject property Clearly state the reasons for requesting inclusion of the subject property in the Agricultural Land Reserve:
).	Any other information or comments
est	I hereby declare that the information contained herein is, to the of my knowledge, factual and correct.
	(Signature of owner)*
	(Date)
wner	* If agent is handling application, please supply authorization from .
here	Please consult the Agricultural Land Commission Act and regulations under for further details.

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AGRICULTURAL LAND COMMISSION ACT AGRICULTURAL LAND RESERVE PROCEDURE

Province of British Columbia

SCHEDULE E

REPORT OF LOCAL GOVERNMENT UNDER SECTION 36 OF THE AGRICULTURAL LAND RESERVE PROCEDURE REGULATION

OT)	be completed by the regional dist	rict or municipality.)	
Info	ermation supplied by:		
	(Rec	gional District/Municipal	ity)
		R.D./Mun. File No. Map/Sheet No. Base	
		Constituent Air Photo No.	
In r	espect of application of:		
Name	of applicant	Name of agent (If applicable)	
prov	NOTEPrior to filling in Schedule ided by the applicant in Schedule (1) legal description and area of (2) description of existing use (3) description of surrounding la	D and in particular: It the subject properties; of the subject property; and uses and buildings.	
1.	On a map, please locate each of the Agricultural Land Reserve, if	the subject properties in applicable.	relation to
2.	Any applicable community/settlem tions, with some details	ent or other plan or stu	udy designa-
3.	The zoning classification government of application (please attach map	ing the subject property	at the date
,	(a) Uses permitted(b) Minimum lot size required		
	(c) Other relevant regulation	s under zoning bylaw (if	applicable)
			

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4. Was the property included by the regional district in the original proposal for Agricultural Land Reserve designation?
Yes No 🗌
5. Recommendations for the inclusion of the subject properties in the Agricultural Land Reserve:
Council or Regional Board
6. (a) Are there any lands adjacent to the subject properties worthy of inclusion in the Agricultural Land Reserve?
Yes No C
(b) If so, please give details on adjacent properties
(Signature of Secretary-Treasurer or Clerk) (Date) [en. B.C. Reg. 225/84, s. 24.]
Province of British Columbia
SCHEDULE F
SPECIAL CASE APPLICATION
P.A.L.C. File No
APPLICATION UNDER SECTIONS 44 AND 46 OF B.C. REG. 313/78,
THE AGRICULTURAL LAND RESERVE PROCEDURE REGULATION
NFORMATION TO BE SUPPLIED BY APPLICANT (Please submit completed forms to the Provincial Agricultural Land Commission office.)
REGIONAL DISTRICT/MUNICIPALITY

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PROPERTY OWNER'S NAME (Please Print)	AUTHORIZED AGENT OF THE OWNER* (Please Print)
ADDRESS OF OWNER	ADDRESS OF AGENT
CITY/TOWN/VILLAGE	CITY/TOWN/VILLAGE
POSTAL CODE	POSTAL CODE
TELEPHONE NO.	TELEPHONE NO.

* If agent is submitting the application, authorization must be supplied from the registered owner of the property.

FULL LEGAL DESCRIPTION OF EACH EXISTING LAND TITLE PARCEL UNDER APPLICATION	APPROX. AREA OF EXISTING LAND TITLE PARCEL
TOTAL ADDA	
TOTAL AREA IN HECTARES	

Please attach a copy of the Certificate of Indefeasible Title or a State of Title Certificate for the land title parcel(s) involved or alternately a copy of the tax notice.

1	hereby	make	application	under:	(Please	check	appropriate	box))
---	--------	------	-------------	--------	---------	-------	-------------	-------	---

- (a) Land Use -- Section 44 () of B.C. Reg. 313/78. (Indicate Subsection)
- (b) Subdivision -- Section 46 of B.C. Reg. 313/78,

In support of this application I submit a plan or plans of appropriate scale showing each of the following:

- the subject property in terms of the smallest existing land title parcel or parcels, identified by full legal description, and showing area of the land title parcel or parcels, and dimensions of each boundary including the adjacent land title parcels;
- the location of the subject property within the Agricultural Land Reserve;
- the location of any permanent dwellings or mobile homes and any existing buildings or structures on the property;
- 4. the proposed new land title parcels to be created on the subject property showing approximate areas of the proposed parcels and approximate dimensions of each boundary or the proposed location of any additional dwellings or buildings to be constructed;
- 5. the location of properties, other than the subject property, which are under the ownership, lease or rental of the applicant, in the vicinity of the subject property;
- the location of waterways, roads and/or rights of way (public or private and surface condition), benches, ridges or other significant topographical features and any areas under bush, cleared, pasture, cultivated land, etc.

It is preferable, but not mandatory, that the plans be based on those prepared by a professional surveyor, engineer, architect or planner. Such maps (having been drawn at some time in the past for another purpose) are often available to an applicant (e.g. the last deposited subdivision plan involving the property in question, prints of which may be obtained from the land title office for the cost of copying). The maps should identify individual parcels by legal description and should specify dimensions of each of the subject parcels.

(a) Describe the existing use of the subject property. Please describe briefly any and all buildings and (or) structures located on the property and if possible note the location of the said structures on a plan or map.

If available, include photographs of the subject property, including buildings, and any other details or information relating to the present use of the subject property.

⁽b) Do you own or lease any other properties within a one-kilometre radius of the subject property? If so, please provide

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ALLE TOOL

AGRICULTURAL LAND COMMISSION ACT AGRICULTURAL LAND RESERVE PROCEDURE

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	the legal description and describe the existing land use of these properties.
(c)	(i) Describe the existing land use and buildings on all lots adjacent to and neighbouring the subject property or farm unit
· .	(ii) Are there any livestock operations (10 or more animals raised for commercial sale) within one kilometre of the subject property? If so, please specify type of operation
(d)	Describe the proposed use of the subject property
	That is to say, the specific proposed use and whether the development involves a subdivision, a rezoning, a building permit, a development contract, etc. Include sketch plans of any proposed buildings and (or) subdivision plans where available.
(e)	My reasons for requesting this action are as follows (use additional paper if necessary)
I hereby best of my kr	y declare that the information contained herein is, to the nowledge, factual and correct.
	-
* If agent Owner.	is handling application, please supply authorization from
Should other necessa	this application be successful, it in no way implies that ary approvals or permits will be granted. In this regard the

313/78

zoning, building, sewage disposal, access and availability of necessary services, including water, should be checked by all applicants.

Please consult the $\underline{\text{Agricultural Land Commission Act}}$ and regulations thereunder for further details.

Provincial Agricultural Land Commission 4940 Canada Way Burnaby, B.C. V5G 4K6 [en. B.C. Reg. 225/84, s. 24.]

Province of British Columbia

SCHEDULE G

P.A.L.C. File No. R.D./Mun. File No.
N.D./ Main. 1116 NO.
APPLICATION FOR INCLUSION OF LAND IN THE AGRICULTURAL LAND RESERVE UNDER SECTION 10 (3) of the AGRICULTURAL LAND COMMISSION ACT
(Information to be supplied by a municipality or regional district only for land within its jurisdiction.)
In respect to land within (Municipality or electoral area) , the
(Regional district) (Applicant) hereby makes application under section 10 (3) of the Agricultural Land Commission Act to the Lieutenant Governor in Council.
In support of this application, the following information applicable to the subject area is submitted: (If several distinct areas are involved, distinguish by sub-area.)
1. Identification
l.l Legal description (in general terms if for a large area)
1.2 Total Area of subject area
1.3 Area of subject area which is Crown land

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1.	4 Locate property on survey or legal base maps (as available)
. Ch	aracteristics
2.	l Existing land use
2.	2 Proposed land use
	3 Land use of surrounding properties
2.4	1 Notable physical features
2.5	Extent of floodplain (if applicable)
2.6	Services available or scheduled
2.7	Roads or rights of ways on or abutting the subject properties, including information on roads or rights of way dedication and extent of construction
,	
Loca	al planning
3.1	Community or Settlement Plan designation
	Zoning
Com appl	ments and recommendations (include copies of resolutions where
4.1	Regional Board or Municipal Council
	Advisory Planning Committee or Commission

AGRICULTURAL LAND COMMISSION ACT AGRICULTURAL LAND RESERVE PROCEDURE

4.3 Others
5. Report of public hearing (include date and place of hearing and number attending)
6. Clearly state the reasons for requesting inclusion of the subject property in the Agricultural Land Reserve
The above information may also be indicated, in part, on maps and (or) plans of appropriate scale.
(Signature of Secretary-Treasurer or Clerk) (Date) [en. B.C. Reg. 225/84, s. 24.]
NOTE: The plan referred to in this regulation is exempt from publication and may be inspected at the offices of the Agricultural Land Commission, 4333 Ledger Avenue, Burnaby, B.C.
[Provisions of the Agricultural Land Commission Act relevant to the enactment of this regulation: section 37]
Queen's Printer for British Columbia © Victoria, 1993

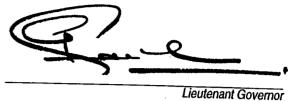
PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No.

1354

, Approved and Ordered NOV. -9.1995



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) effective January 1, 1996, B.C. Reg. 313/78, the Agricultural Land Reserve Procedure Regulation is amended as set out in Appendix 1 to this order, and
- (b) sections 12 to 17 of B.C. Reg. 603/77, the Permit Regulation, are repealed.

DEPOSITED

Plesiding 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: at and section:-Soil Conservation Act, section 10; Agricultural Land Commission Act, section 37 RUBC1999 C. 391 Other (specify):-93C 979 c. 9 October 27, 1995

1663 /95/13/sas

Appendix 1

I. Section 1 of B.C. Reg. 313/78, the Agricultural Land Reserve Procedure Regulation, is repealed and the following substituted:

Form of application under section 11 of the Act

- 1. (1) An application of a municipality or regional district to the commission under section 11 of the Act must contain all the information specified in Schedule 3 and be accompanied by any other supporting material the commission may indicate it requires.
 - (2) If the commission intends to act on its own initiative under section 11 of the Act
 - (a) the proposal of the commission must be in the form and contain all the information specified in Schedule 3 and be accompanied by any other supporting material the commission may indicate it requires, and
 - (b) the commission must send a copy of the proposal and supporting material to the municipality or regional district.
- 2. Section 4 is repealed and the following substituted:

Commission to inform a regional district or municipality if land is excluded, or non-agricultural use is permitted, on their application

- 4. The commission must inform the applicant and if applicable, the appropriate registrar of titles if the commission excludes land under section 11 (1) of the Act or, under section 11 (2) of the Act, grants permission under section 15 (2), 16, 18 or 19 (2) of the Act.
- 3. Section 5 is amended
 - (a) by repealing "Schedule B" and substituting "Schedule 1",
 - (b) by renumbering section 5 as section 5 (1), and
 - (c) by adding the following subsections:
 - (2) Before filing an application under subsection (1), an owner must give notice of the application by

- (a) advertising on 2 separate occasions not less than 7 or more than 14 days apart, inclusive of the day of publication, in a newspaper in general circulation in the municipality or regional district in which the land for which application under section 12 (1) of the Act is being made is situated,
- (b) serving personally or by registered mail a copy of the notice of application under subsection (3) and a copy of the signed application under subsection (1) on each registered owner of land in an agricultural land reserve that
 - (i) shares a common boundary with the land for which application under section 12 (1) of the Act is being made, or
 - (ii) is separated by a public road right of way from the land for which application under section 12 (1) of the Act is being made,
- (c) posting a copy of the notice of application under subsection (3) and a copy of the signed application under subsection (1) on a sign measuring at least 60 cm by 120 cm on the land for which application under section 12 (1) of the Act is being made at the midpoint of a boundary of that land that is adjacent to a public road right of way.
- (3) Each advertisement under subsection (2) (a) and copy of the notice posted under subsection (2) (c) must be worded as follows:

NOTICE OF EXCLUSION APPLICATION

REGARDING LAND IN THE AGRICULTURAL LAND RESERVE

I,	(full name, or names, of registered owner)
	(mailing address)
intend on making an application pursua	int to Section 12 (1) of the Agricultural Land Commission Act
to exclude from the Agricultural Land	Reserve the following property which is legally described as
	(legal description from the title certificate)
and located at	(street address if applicable).
	est in the application may do so by forwarding their comments
	(name and mailing address of the local government)
	(14 days from the date of first publication)

- (4) A municipality or regional district must not consider an application under section 12 (1) of the Act until 14 days after all documents have been published, posted and served under subsection (2) respecting the application.
- (5) If an owner receives a response to a notice given under subsection (2), the owner must forward a copy of the response to the municipality or regional district.

- (6) An application under subsection (1) must be accompanied by
 - (a) an original copy of each advertisement required under subsection (2) (a) as published with the date of publication clearly indicated,
 - (b) a signed statement by the owner stating the name and address of each person served under subsection (2) (b), the date of service and the manner of service, and
 - (c) a photograph clearly indicating the manner in which the notice was posted under subsection (2) (c).
- 4. Section 6 is amended by repealing "Schedule C" and substituting "Schedule 2".
- 5. Section 7 is amended by striking out "After" and substituting "Subject to section 5 (4), after".
- 6. Section 10 is repealed and the following substituted:

The regional district or municipality must transmit its recommendations

10. The regional district or municipality must transmit its recommendations and comments required under section 25.1 (6) of the Act and any other information it wants the commission to consider concerning an application to the commission within the time limited under section 12.

7. Section 12 is amended

- (a) by striking out "30 days" and substituting "45 days",
- (b) in paragraph (a) by repealing "Schedule B" and substituting "Schedule 1", and
- (c) in paragraph (b) by repealing "Schedule C" and substituting "Schedule 2".
- 8. Section 13 is amended by repealing "Schedule B or C" and substituting "Schedule 1 or 2".
- 9. Sections 21 to 30 are repealed.
- 10. Section 31 is amended by repealing "Schedule B" and substituting "Schedule 1".

- II. Section 35 is amended by repealing "Schedule D" and substituting "Schedule 1".
- 12. Section 36 is amended by repealing "Schedule E" and substituting "Schedule 2".
- 13. Section 39 to 43 are repealed and the following substituted:

Adding to a designated land reserve despite section 35

- 39. (1) A municipality or regional district, whether or not it is the owner of the land, may apply at any time under section 10 (3) of the Act to add land to a designated land reserve on giving notice in writing of the application to the regional district or municipality as the case may be, the commission and, if the land is not owned by the applicant municipality or regional district, the owner of the land.
 - (2) The commission, on giving notice in writing to the municipality, regional district and the owner of the land, may propose at any time under section 10 (3) of the Act to add land to a designated land reserve.
 - (3) An application or proposal made under subsection (1) or (2) must be in the form set out in Schedule 3 and be accompanied by any other material required by the commission.

The municipality, regional district or the commission to hold a public hearing

- 40. (1) A municipality or regional district applying, or the commission making a proposal under section 39 must hold a public hearing under section 10 (4) of the Act at its own expense at least 30 days
 - (a) before submitting the application to the commission, or
 - (b) if the commission makes a proposal, before the commission considers the matter

and section 2 applies to the hearing.

(2) At least 2 weeks' written notice of the public hearing must be given under this section to the other parties and to the owner of the land.

Written representations may be made

41. An applicant under section 39, the owner, the municipality and regional district in which the land is situated may make written representations in respect of an application or a proposal.

Commission to inform interested parties if land is designated

42. On approving an application under section 10 (3) of the Act or designating all or part of the land as part of an agricultural land reserve under section 10 (3) or (5) of the Act, the commission must notify the applicant, the owner, the municipality, if applicable, the regional district in which the land is situated, and the appropriate registrar of titles of the designation.

14. Section 44 is amended

- (a) by repealing "Schedule F" and substituting "Schedule 1", and
- (b) in paragraph (h) by striking out "Pollution Control Act" and substituting "Waste Management Act".
- 15. Section 46 is amended by repealing "Schedule F" and substituting "Schedule 1".
- 16. Schedules A to G are repealed and the following substituted:



APPLICATION BY LAND OWNER UNDER SECTION 10(5) OR 12(1) OR 20(1) OF THE AGRICULTURAL LAND COMMISSION ACT OR SECTION 44 OR 46 OF B.C. REGULATION 313/78

NOTE: The information on this form is collected to process your application under the Agricultural Land Commission Act. All applications are available for review by the public. If you have any questions about the collection and use of this information, contact the Agricultural Land Commission office and ask for the staff member who will be handling your application.

PART 1. APPL	ICANT			
Registered Owner:		Agent:	· · · · · · · · · · · · · · · · · · ·	
Address:		Address:		
			-	
Tel. (home) (work)	Fax.	Tel	Fax	•
PART 2. TYPE	OF APPLICATION (√check appropriate bo	x)	
INCLUSION under Sec. 10(5)		SPECIAL under Sec.	L CASE SUBDIVISION (Subdivision along the A	ON in the ALR LR boundary)
EXCLUSION under Sec. 12(1)		SPECIAL under Sec. 4	L CASE USE in the A	ALR
SUBDIVISION of under Sec. 20(1)	or USE in the ALR	State whi	ch subsection of Sec.	44
oart 3. LOCA	201000000000000			
aits. LUCA	L GOVERNMENT JUR	ISDICTION (Indica	te Regional District o	r Municipality)
PART 4. IDENT	IFICATION OF LAND I	UNDER APPLICATIO)N (Show land on	plan or sketch)
Legal Description:			Size of Each Parcel (Ha.)	Date Acquired (Mo.) (Yr.)
				;
		Total Hectar	es:	

	ART 5. OTHER L. SOWNED OR I (Show information on plan or ske	EASED WITHIN THIS MMUNITY stch)
Leg	gal description:	Present use:
	,	
PA	RT 6. CURRENT USE OF LAND UNI	DER APPLICATION (Show information on plan or sketch)
Lis	t <u>all</u> existing uses on the entire parcel: orchard, h	
Des		
Des	scribe the main physical characteristics: flat, hilly	, rocky, clay or sandy soil, watercourses, roads, etc.
	RT 7. USES ON ADJACENT LOTS (Show information on plan or sketch;
	scribe all uses: pasture, hay, vegetables, poultry, scribe all buildings: house, barn, school, etc. orth	dairy, trailer park, community hall, etc.
We		
PΛ	RT 8. PROPOSAL AND REASONS FO	OR APPLICATION (Show on plan or sketch if appropriate)
		3 NATE DICATION (Show on planto) sketch if appropriate)
	RT 9. DECLARATION color that the information contained in the application contained c	ation is, to the best of my knowledge, true and correct.
	Date	Signature of Owner(s)
	following documents must be enclosed: Application fee Certificate of Title or Title Search Print Assessment/Tax Notice Agent authorization (if using agent)	☐ Map or sketch showing details requested ☐ Proof of Notice of Application *(See instructions) ☐ Photographs (optional)

INCOMPLETE OR MISSING INFORMATION WILL DELAY YOUR APPLICATION

Should this application be successful, it in no way implies that other necessary approvals or permits will be granted. Zoning, subdivision, building, sewage disposal, access and availability of services, including water, should be checked by all applicants.



LOCAL GOVERNMENT REPORT REQUIRED UNDER SECTION 6, 32 OR 36 OF **B.C. REGULATION 313/78**

R.D./Mun. File No.
Fee Receipt No
Fee Amount
ALR Base Map No.
ALR Constituent Map No.
Air Photo No

Information s	supplied by:		ALR Constituent Map No.
	the application of:	Local Government	Air Photo No
Name of Age	nt		
PART 1.		NNING (Attach relevant sections of t	
Community F	Plan or Rural Land U	se Bylaw designation:	
Zoning:			
Minimum lot	size permitted:		
What amendn			oceed?
Is authorization			on or documentation.
	able or scheduled:		
Water	(*If road	dedication is required, indicate on plan.)	
Sewage dispo-	sai		
			,
PART 2.	CURRENT US	E OF LAND UNDER APPLICATION	N (Show information on plan or sketch)
List various us	ses at present:		
Describe all bi			
Describe the n		teristics: flat, hilly, rocky, clay or sandy	
PART3.	USES ON ADJA	ACENT LOTS (Show information of	n plan ar sketch)
North	Lot Size	List all uses and describe all	buildings
East			
South			
West			
AnnForm? - 1			-

PART 4. COMMENTS AND RECO	MMENDATIONS (Include copies of resolutions)
Board or Council:	
Advisory Planning Commission:	
Agriculture Advisory Committee:	
Planning staff:	
PART 5. CONFIRMATION OF APP	'LICANT'S INFORMATION
If not, please note the correct legal description.	nt correctly identify the parcel(s) under application?
Is the parcel size(s) correctly noted? If not, please note the correct size(s):	
Signature of Secretary-Treasurer or Cl	lerk Date



APPLICATION BY LOCAL GOVERNMENT OR THE COMMISSION UNDER SECTION 10(3) OR 11(1) OR 11(2) OF THE AGRICULTURAL LAND COMMISSION ACT

R.D./Mun. File No	
Fee Receipt No.	
Fee Amount	
ALR Base Map No.	
ALR Constituent Map No.	
Air Photo No.	

In respect to land within: Municipality/Electoral Area in the		ALR Base Map No	
	ct		Air Photo No
Name:			
PART 2.	TYPE OF APPLICATION (Scheck ap	propriate box)	
	INCLUSION under Sec. 10(3)		
	EXCLUSION under Sec. 11(1)		
	SUBDIVISION or NON-FARM USE in the	ALR under Sec. 11(2)	
PART 3.	IDENTIFICATION OF LAND UNDER (Show land on ALR map & legal plan & a	APPLICATION ttach Certificate(s) of	Title)
Legal Descript	ion:		Size of Each Parcel (Ha.)
		Tot	tal Hectares
PART 4.	CURRENT USE OF LAND UNDER APP	EICATION (Show in	formation on plan or sketch)
List various uses	at present: orchard, hayfield, pasture, wooded	i, etc.	
Describe all build	lings:		
Describe the mai	n physical characteristics: flat, hilly, rocky, cl	ay or sandy soil, waterc	ourses, roads, etc.
		· · · · · · · · · · · · · · · · · · ·	

PART 5. USES ON A) JACENT LOTS (Show information on plan or sketch)	
Describe all uses: pasture, hay, vegetables, poultry, dairy, trailer park, commercial, etc. Describe all buildings: house, barn, school, lodge, etc. North East South West	-
PART 6. LOCAL PLANNING (Attach relevant sections of bylaws)	
Community Plan or Rural Land Use Bylaw designation:	_
Zoning:	_
Uses permitted:	
Services available or scheduled:	_
Roads	
WaterSewage disposal	_
Others	_
PART 7. AUTHORIZATION, COMMENTS AND RECOMMENDATIONS (Include copies of resolutions)	
Resolution of Board or Council authorizing application:	
	_
Comments and recommendations of: Advisory Planning Commission	
Agriculture Advisory Committee	<u>-</u> -
Planning staff	
Others	_
PART 8. REPORT OF PUBLIC HEARING	
	35555
Include a record of the hearing date, location, number attended, a synopsis of the comments and a copy of the Public Hearing notice. Also include any written submissions.	
PART 9. PROPOSAL AND REASONS FOR APPLICATION (Show on plan or sketch if appropriate)	
	_
	_
	_
	-
Signature of Secretary-Treasurer or Clerk Date	

AppForm3 - 2

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

, Approved and Ordered -3.080.1992 Order in Council No. 1763

Administratot

Executive Council Chambers, Victoria -2 EE 1992

Administrator On the recommendation of the undersigned, the Limitenant Covernor, by and with the advice and consent of the Executive Council, orders that effective January 1, 1993

- 1. The Agriculture, Fisheries and Food Statutes Amendment Act, 1992, S.B.C. 1992. c. 29, is brought into force.
- 2. Sections 3 (2) and 11 of B.C. Reg. 603/77, the Permit Regulation, are repealed and the following substituted:
- 11. (1) The prescribed application fee for the purposes of section 2.1 (1) (b) of the Act is \$550.00.
 - (2) The prescribed portion of the application fee that a local authority may retain for the purposes of section 2.2(1)(a) of the Act is \$250.00.
 - (3) The prescribed times for the purposes of section 2.2 (1) (b) of the Act are March 31, June 30, September 30 and December 31 of each year.
- 3. The following section is added to B:C. Reg. 313/78, the Agricultural Land Reserve Procedure Regulation: Sharing of application fee proceeds
- 48. (1) The prescribed application fee
 - (a) for an application under section 11 or 12 of the Act is \$750.00.
 - (b) for an application under section 20 of the Act to which section 44 or 46 of this regulation does not apply is \$550.00, and
 - (c) for an application to which section 44 or 46 of this regulation applies is \$400.00.
 - (2) The prescribed portion of the application fee that a municipality or regional district may retain for the purposes of section 25.2(1)(a) of the Act is \$250.00 for an application under section 12 of the Act or for an application described in subsection (1) (b) of this section.
 - (3) The prescribed portion of an application fee that must be remitted by the commission for the purposes of section 25.2 (5) of the Act is \$150.
 - (4) The prescribed times for the purposes of section 25.2 (1) (b) of the Act are March 31, June 30, September 30 and December 31 of each year.

Bil Barles	
Minister of Agriculture, Fisheries and Food	

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

DEC 0 4 1992

Authority under which Order is made: 231979-

. Agricultural Land Commission Act. s. 37; Soil Conservation Act. s. 10 and B.C. REG Act and section:-Agriculture, Fisheries and Food Statutes Amendment Act, 1992, s. 11 BUC 42 Other (specify):-

November 17, 1992

34, 1-6 [Ag. Land Commission Act] 86 7- 10 [Soil Conservation Act]

1989/92/13 jb

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No.

1354

, Approved and Ordered NOV. -9.1995

Que.

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) effective January 1, 1996, B.C. Reg. 313/78, the Agricultural Land Reserve Procedure Regulation is amended as set out in Appendix 1 to this order, and
- (b) sections 12 to 17 of B.C. Reg. 603/77, the Permit Regulation, are repealed.

DEPOSITED

NOV 1 0 1995

B.C. REG. 466/95

Minister of Agriculture, Fisheries and Food

Plesiding 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:

of and section:-

Soil Conservation Act, section 10; Agricultural Land Commission Act, section 37

Other (specify):- Renacion c. 391

93c 979 c. 9

October 27, 1995

1663 /95/13/sas

Appendix 1

I. Section 1 of B.C. Reg. 313/78, the Agricultural Land Reserve Procedure Regulation, is repealed and the following substituted:

Form of application under section 11 of the Act

- (1) An application of a municipality or regional district to the commission under section 11 of the Act must contain all the information specified in Schedule 3 and be accompanied by any other supporting material the commission may indicate it requires.
 - (2) If the commission intends to act on its own initiative under section 11 of the Act
 - (a) the proposal of the commission must be in the form and contain all the information specified in Schedule 3 and be accompanied by any other supporting material the commission may indicate it requires, and
 - (b) the commission must send a copy of the proposal and supporting material to the municipality or regional district.
- 2. Section 4 is repealed and the following substituted:

Commission to inform a regional district or municipality if land is excluded, or non-agricultural use is permitted, on their application

- 4. The commission must inform the applicant and if applicable, the appropriate registrar of titles if the commission excludes land under section 11 (1) of the Act or, under section 11 (2) of the Act, grants permission under section 15 (2), 16, 18 or 19 (2) of the Act.
- 3. Section 5 is amended
 - (a) by repealing "Schedule B" and substituting "Schedule 1",
 - (b) by renumbering section 5 as section 5 (1), and
 - (c) by adding the following subsections:
 - (2) Before filing an application under subsection (1), an owner must give notice of the application by

- (a) advertising on 2 separate occasions not less than 7 or more than 14 days apart, inclusive of the day of publication, in a newspaper in general circulation in the municipality or regional district in which the land for which application under section 12 (1) of the Act is being made is situated,
- (b) serving personally or by registered mail a copy of the notice of application under subsection (3) and a copy of the signed application under subsection (1) on each registered owner of land in an agricultural land reserve that
 - (i) shares a common boundary with the land for which application under section 12 (1) of the Act is being made, or
 - (ii) is separated by a public road right of way from the land for which application under section 12 (1) of the Act is being made,
- (c) posting a copy of the notice of application under subsection (3) and a copy of the signed application under subsection (1) on a sign measuring at least 60 cm by 120 cm on the land for which application under section 12 (1) of the Act is being made at the midpoint of a boundary of that land that is adjacent to a public road right of way.
- (3) Each advertisement under subsection (2) (a) and copy of the notice posted under subsection (2) (c) must be worded as follows:

NOTICE OF EXCLUSION APPLICATION

REGARDING LAND IN THE AGRICULTURAL LAND RESERVE

l,	(full name, or names, of registered owner)
	(mailing address)
	nt to Section 12 (1) of the Agricultural Land Commission Act
to exclude from the Agricultural Land	Reserve the following property which is legally described as,
	(legal description from the title certificate)
and located at	(street address if applicable).
	est in the application may do so by forwarding their comments
•••••	(name and mailing address of the local government)
	(14 days from the date of first publication)

- (4) A municipality or regional district must not consider an application under section 12 (1) of the Act until 14 days after all documents have been published, posted and served under subsection (2) respecting the application.
- (5) If an owner receives a response to a notice given under subsection (2), the owner must forward a copy of the response to the municipality or regional district.

- (6) An application under subsection (1) must be accompanied by
 - (a) an original copy of each advertisement required under subsection (2) (a) as published with the date of publication clearly indicated,
 - (b) a signed statement by the owner stating the name and address of each person served under subsection (2) (b), the date of service and the manner of service, and
 - (c) a photograph clearly indicating the manner in which the notice was posted under subsection (2) (c).
- 4. Section 6 is amended by repealing "Schedule C" and substituting "Schedule 2".
- 5. Section 7 is amended by striking out "After" and substituting "Subject to section 5 (4), after".
- 6. Section 10 is repealed and the following substituted:

The regional district or municipality must transmit its recommendations

- 10. The regional district or municipality must transmit its recommendations and comments required under section 25.1 (6) of the Act and any other information it wants the commission to consider concerning an application to the commission within the time limited under section 12.
- 7. Section 12 is amended
 - (a) by striking out "30 days" and substituting "45 days",
 - (b) in paragraph (a) by repealing "Schedule B" and substituting "Schedule 1", and
 - (c) in paragraph (b) by repealing "Schedule C" and substituting "Schedule 2".
- 8. Section 13 is amended by repealing "Schedule B or C" and substituting "Schedule 1 or 2".
- 9. Sections 21 to 30 are repealed.
- 10. Section 31 is amended by repealing "Schedule B" and substituting "Schedule 1".

- 11. Section 35 is amended by repealing "Schedule D" and substituting "Schedule 1".
- 12. Section 36 is amended by repealing "Schedule E" and substituting "Schedule 2".
- 13. Section 39 to 43 are repealed and the following substituted:

Adding to a designated land reserve despite section 35

- 39. (1) A municipality or regional district, whether or not it is the owner of the land, may apply at any time under section 10 (3) of the Act to add land to a designated land reserve on giving notice in writing of the application to the regional district or municipality as the case may be, the commission and, if the land is not owned by the applicant municipality or regional district, the owner of the land.
 - (2) The commission, on giving notice in writing to the municipality, regional district and the owner of the land, may propose at any time under section 10 (3) of the Act to add land to a designated land reserve.
 - (3) An application or proposal made under subsection (1) or (2) must be in the form set out in Schedule 3 and be accompanied by any other material required by the commission.

The municipality, regional district or the commission to hold a public hearing

- 40. (1) A municipality or regional district applying, or the commission making a proposal under section 39 must hold a public hearing under section 10 (4) of the Act at its own expense at least 30 days
 - (a) before submitting the application to the commission, or
 - (b) if the commission makes a proposal, before the commission considers the matter

and section 2 applies to the hearing.

(2) At least 2 weeks' written notice of the public hearing must be given under this section to the other parties and to the owner of the land.

Written representations may be made

41. An applicant under section 39, the owner, the municipality and regional district in which the land is situated may make written representations in respect of an application or a proposal.

Commission to inform interested parties if land is designated

42. On approving an application under section 10 (3) of the Act or designating all or part of the land as part of an agricultural land reserve under section 10 (3) or (5) of the Act, the commission must notify the applicant, the owner, the municipality, if applicable, the regional district in which the land is situated, and the appropriate registrar of titles of the designation.

14. Section 44 is amended

- (a) by repealing "Schedule F" and substituting "Schedule 1", and
- (b) in paragraph (h) by striking out "Pollution Control Act" and substituting "Waste Management Act".
- 15. Section 46 is amended by repealing "Schedule F" and substituting "Schedule 1".
- 16. Schedules A to G are repealed and the following substituted:



APPLICATION BY LAND OWNER UNDER SECTION 10(5) OR 12(1) OR 20(1) OF THE AGRICULTURAL LAND COMMISSION ACT OR SECTION 44 OR 46 OF B.C. REGULATION 313/78

NOTE: The information on this form is collected to process your application under the Agricultural Land Commission Act. All applications are available for review by the public. If you have any questions about the collection and use of this information, contact the Agricultural Land Commission office and ask for the staff member who will be handling your application.

PART 1. APPLICANT			
Registered Owner:	Agent:		
Address:	Address:		
Tel. (home) Fax. (work)	Tel	Fax	•
PART 2. TYPE OF APPLICATION ((check appropriate box)		
INCLUSION under Sec. 10(5)	SPECIAL C under Sec. 46 (ASE SUBDIVISIO	ON in the ALR LR boundary)
EXCLUSION under Sec. 12(1)	SPECIAL C under Sec. 44	ASE USE in the A	ALR
SUBDIVISION or USE in the ALR under Sec. 20(1)	State which .	subsection of Sec.	44
Part 3. LOCAL GOVERNMENT JURIS	SDICTION (Indicate I	egional District o	r Municipality)
PART 4. IDENTIFICATION OF LAND U	NDER APPLICATION	(Show land on)	plan or sketch)
Legal Description:		Size of Each Parcel (Ha.)	Date Acquired (Mo.) (Yr.)
			·
	Total II		
	Total Hectares:		

PART 5. OTHER L SOWNED OF (Show information on plan or s	R LEASED WITHIN THIS MMUNITY
Legal description:	Present use:
PART 6. CURRENT USE OF LAND U	NDER APPLICATION (Show information on plan or sketch)
List <u>all</u> existing uses on the entire parcel: orchard	, hayfield, pasture, wooded, etc.
Dasseiba all buildings	
Describe all buildings:	
Describe the main physical characteristics: flat, hil	lly, rocky, clay or sandy soil, watercourses, roads, etc.
PART 7. USES ON ADJACENT LOTS	(Show information on plan or sketch)
Describe all uses: pasture, hay, vegetables, poultry	y, dairy, trailer park, community hall, etc.
Describe all buildings: house, barn, school, etc. North	
East	•
South	
West	
PART 8. PROPOSAL AND REASONS	FOR APPLICATION (Show on plan or sketch if appropriate)
	The state of the s
	·
PART 9. DECLARATION	
	lication is, to the best of my knowledge, true and correct.
Date	Signature of Owner(s)
The following documents <u>must</u> be enclosed:	
□ Application fee□ Certificate of Title or Title Search Print	 □ Map or sketch showing details requested □ Proof of Notice of Application *(See instructions)
☐ Assessment/Tax Notice	Photographs (optional)
Agent authorization (if using agent)	

INCOMPLETE OR MISSING INFORMATION WILL DELAY YOUR APPLICATION

Should this application be successful, it in no way implies that other necessary approvals or permits will be granted. Zoning, subdivision, building, sewage disposal, access and availability of services, including water, should be checked by all applicants.

appForm1 -4



LOCAL GOVERNMENT REPORT REQUIRED UNDER SECTION 6, 32 OR 36 OF B.C. REGULATION 313/78

R.D./Mun. File No.
Fee Receipt No.
Fee Amount
ALR Base Map No.
ALR Constituent Map No
Air Photo No

Information supplied by:	ALR Constituent Map No.
In respect of the application of: Name of Applicant	Air Photo No
Name of Agent	
PART 1. LOCAL PLANNING (Attach relevant sections of	
Community Plan or Rural Land Use Bylaw designation:	•
Zoning:	
Minimum lot size permitted:	
What amendments to Plans or Bylaws are required for the proposal to pr	oceed?
Is authorization under Sec. 12(4) or 20(2) required? If so, attach resoluti	
Services available or scheduled: Roads	
(*If road dedication is required, indicate on plan.)	
WaterSewage disposal	
Is the land governed by building inspection?	·
PART 2 CURRENT USE OF LAND UNDER APPLICATIO	N (Show information on plan or sketch)
List various uses at present:	
Describe all buildings:	
Describe the main physical characteristics: flat, hilly, rocky, clay or sand	y soil, watercourses, roads, etc.
PART 3. USES ON ADJACENT LOTS (Show information o	n plan or sketch;
Lot Size List all uses and describe all North	buildings
East	·
South	
West	
A. B. O. I	

PART 4.	COMMENTS AND RECOMMENDATION	(Include copies of resolutions)	
Board or Cour	ncil:		
Advisory Plan	ning Commission:	·	
Agriculture Ad	Ivisory Committee:		
Planning staff:			
Others:			
PART S.	CONFIRMATION OF APPLICANT'S INFO	RMATION	
Does the legal of	description noted by the applicant correctly identify ote the correct legal description.	the parcel(s) under application?	
Is the parcel siz	ve(s) correctly noted?ote the correct size(s)		
Signat	ure of Secretary-Treasurer or Clerk	Date	



APPLICATION BY LOCAL GOVERNMENT OR THE COMMISSION UNDER SECTION 10(3) OR 11(1) OR 11(2) OF THE AGRICULTURAL LAND COMMISSION ACT

R.D	D/Mun. File No
Fee	Receipt No.
	Amount
	R Base Map No.
ALI	R Constituent Map No
Air	Photo No

In respect to la	nd within	ALR Base Map No.
	Electoral Area in the	ALR Constituent Map No
Regional Distri	ct	Air Photo No.
	APPLICANT	
Name:		
PART 2.	TYPE OF APPLICATION (\(\sigma\) check appropriate box)	
	INCLUSION under Sec. 10(3)	
	EXCLUSION under Sec. 11(1)	
	SUBDIVISION or NON-FARM USE in the ALR under Sec. 11(2)	
PART 3.	IDENTIFICATION OF LAND UNDER APPLICATION (Show land on ALR map & legal plan & attach Certificate(s) of	Fille)
Legal Descript	ion:	Size of Each Parcel (Ha.)
		ration (rid.)
-	·	
	t .	
	Tot	al Hectares
'ART 4.	CURRENT USE OF LAND UNDER APPLICATION (Show in)	formation on plan or sketch)
ist various uses	at present: orchard, hayfield, pasture, wooded, etc.	
Describe all build	dings:	
escribe the mai	n physical characteristics: flat, hilly, rocky, clay or sandy soil, waterco	ourses, roads, etc.

PART 5.	USES ON ADJACENT LO	TS (Show information	in on plan or sketch)	
		dge, etc.	, commercial, etc.	
PART 6.	LOCAL PLANNING (Atta	ich relevant sections o	f bylaws)	
Community Plan	or Rural Land Use Bylaw des	ignation:		
Zoning:				
Uses permitted: _				
Minimum lot size	permitted:			
Services available				
Water				
Sewage disposal_				
Others				
	AUTHORIZATION, COMN (Include copies of re			
	rd or Council authorizing app			
	commendations of: g Commission			
Agriculture Advis	ory Committee			
Planning staff				
Others				
PART 8.	REPORT OF PUBLIC HEA	RING		
Include a record of Hearing notice. Al	f the hearing date, location, nu so include any written submis	imber attended, a syno sions.	psis of the comments and	a copy of the Public
PART 9.	PROPACIT IND PERCAN	e non anny rotaw		
	PROPOSAL AND REASON	SPOKAPILICALIC	IN (Show on plan or sk	etch if appropriate)
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	· · · · · · · · · · · · · · · · · · ·			
Cianati	of Courseans T	I.		
ыупиште	of Secretary-Treasurer or Cle	erk.	Date	

Approved and Ordered December 17, 1998

Ministerial Orders

7/81 FORMERLY 313/78

MINISTERIAL ORDER 407

Ministry Responsible: AGRICULTURE AND FOOD

Statutory Authority: Agricultural Land Commission

Revised Agricultural Land Reserve Subdivision and Land Use Regulation for the purposes of section 11 of B.C. Reg. 394/83.

MINISTERIAL ORDER 408

FORMERLY 445/73 Now 449/48

Now. 448/98

Ministry Responsible: AGRICULTURE AND FOOD

Statutory Authority: Agricultural Land Commission

Revised Local Government Plans Regulation for the purposes of section 11 of B.C. Reg. 394/83.

MINISTERIAL ORDER 409

Ministry Responsible: AGRICULTURE AND FOOD

FORMERLY 264/74

Statutory Authority: Agricultural Land Commission

450/98

Revised Administration of Crown Land in an Agricultural Land Reserve Regulation for the purposes of section 11 of B.C. Reg. 394/83.

MINISTERIAL ORDER 410

FORMERLY 603/77 Now 451/98

Ministry Responsible: AGRICULTURE AND FOOD

Statutory Authority: Soil Conservation

Revised Agricultural Land Reserve Permit Regulation for the purposes of section 11 of B.C.

Reg. 394/83.

MINISTERIAL ORDER 411

Ministry Responsible: AGRICULTURE AND FOOD

FORMENY 313/78

Statutory Authority: Agricultural Land Commission

Now 452/98

Revised Agricultural Land Reserve Procedure Regulation for the purposes of section 11 of B.C. Reg. 394/83.

[OD]

PROVINCE OF BRITISH COLUMBIA

REGULATION OF THE MINISTER

OLD: 7/81 NEW: 448/98

Agricultural Land Commission Act

I, Corky Evans, Minister of Agriculture and Food, approve the attached revised Agricultural Land Reserve Subdivision and Land Use Regulation for the purposes of section 11 of B.C. Reg. 394/83.

DEPOSITED

DEC 1 5 1998

B.C. REG. 448/98

Date Minister of Agriculture and Food

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

Authority under which Order is made:

Act and section:
Regulations Regulation, B.C. Reg. 394/83, Part 2

Other (specify):
Agricultural Land Commission Act, sections 17 and 55 revises B.C. Reg. 7/81, oic 30/81

November 6, 1998

166 /98/7/bgn

AGRICULTURAL LAND RESERVE SUBDIVISION AND LAND USE REGULATION

Contents

PART 1 - PERMITTED SUBDIVISIONS

- 1 Application of this Part
- 2 Subdivision approval
- 3 Certification and deposit of approved plan
- 4 All other requirements must be met

PART 2 - PERMITTED USES

- 5 Permitted uses for land in an agricultural land reserve
- 6 Other requirements continue to apply

SCHEDULE

PART 1 - PERMITTED SUBDIVISIONS

Application of this Part

1 This Part applies to a plan of subdivision, all or part of which consists of agricultural land in an agricultural land reserve.

Subdivision approval

- An approving officer under the *Land Title Act*, or an approving officer or board of variance under the *Municipal Act*, may authorize or approve the plan of subdivision
 - (a) if the proposed subdivision consolidates 2 or more land registry parcels into a single land registry parcel by eliminating common lot lines, or
 - (b) if the proposed subdivision
 - (i) does not result in an increase in the number of land registry parcels for the land concerned when compared with the situation existing at the time the application for subdivision was made,
 - (ii) involves boundary adjustments that, in the opinion of the approving officer or board of variance, will allow for the more efficient use of agricultural land or the better utilization of farm buildings for farm purposes, and
 - (iii) creates no land registry parcel having an area of less than 8 093.5 m².

Certification and deposit of approved plan

- 3 If an approval is granted under section 2 of this regulation,
 - (a) the approving officer or board of variance must endorse on the plan a certificate substantially in the form of the Schedule to this regulation, and

(b) a registrar of titles under the Land Title Act may then accept the endorsed plan for deposit.

All other requirements must be met

Nothing in this Part is to be construed as relieving an applicant, an approving officer or a board of variance from complying with the requirements of the Land Title Act, the Municipal Act, the Condominium Act, the Real Estate Act or the regulations or bylaws enacted under any of those Acts.

PART 2 - PERMITTED USES

Permitted uses for land in an agricultural land reserve

- 5 The following land uses are permitted in an agricultural land reserve:
 - (a) storage and sale of agricultural products produced on the individual farm on which the storage or sale is taking place;
 - (b) construction of buildings or structures necessary for a purpose referred to in paragraph (a);
 - (c) for each land registry parcel, construction of one single family dwelling unit and accessory buildings and structures including ancillary service and utility installations and connections;
 - (d) harvesting of trees and the carrying out of all silvicultural and forest protection practices;
 - (e) ecological reserves established under the Ecological Reserve Act;
 - (f) a reserve or area of land or habitat set apart for wildlife, if the surface of the land is not subject to substantial works and, for the purposes of this paragraph, burning or thinning of the natural growth from time to time is not a substantial work;
 - (g) parks and recreation reserves, whether established by the Provincial government, a regional district or a municipality, that are left or kept in their natural state except to the extent necessary to facilitate outdoor recreation by modifying the site to provide public access, subject to the limit that developed facilities for access, including roads and parking, must not exceed the following:
 - (i) 1 000 m², if the park has an area of less than 2 hectares;
 - (ii) 4 000 m², if the park has an area of 2 hectares or more;
 - (h) fish farms;
 - (i) minor highway, road or railway operations and construction, including the following:
 - (i) minor improvement of drainage works, including cleaning and deepening of ditches;
 - (ii) easing one curve;

- (iii) widening, dedication or construction of highway, road or railway rights of way, if the area involved in widening, dedication or construction is less than 2 500 m²/km of road;
- (j) expanding the workings of an existing gravel pit to a maximum area of 8 093.5 m² including the areas already excavated;
- (k) construction and maintenance of dikes and related pumphouses and ancillary works, including construction and maintenance of access roads and facilities made necessary by the threat of flooding;
- (1) land development works, including clearing, draining, irrigating and construction of reservoirs and ancillary works, if the works are required for farm use of the property on which the works are located.

Other requirements continue to apply

Nothing in this Part relieves an applicant from complying with all other legislation, bylaws and decisions of responsible authorities that may apply, including zoning, subdivision and any other land use legislation.

SCHEDULE

CERTIFICATE OF SUBDIVISION UNDER THE AGRICULTURAL LAND COMMISSION ACT

I hereby certify that this subdivision plan is approved under section of the Agricultural Land Reserve Subdivision and Land Use Regulation.

Approving Authority

PROVINCE OF BRITISH COLUMBIA

REGULATION OF THE MINISTER

OLO 445/73 NEW: 449/98

Agricultural Land Commission Act

I, Corky Evans, Minister of Agriculture and Food, approve the attached revised Local Government Plans Regulation for the purposes of section 11 of B.C. Reg. 394/83.

DEPOSITED

DEC 1 5 1998

B.C. REG. 449/98

Date Minister of Agriculture and Food

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

Authority under which Order is made:

Act and section:- Regulations Regulation, B.C. Reg. 394/83, Part 2

Other (specify):- Agricultural Land Commission Act, section 55 revises B.C. Reg. 445/73, oic 3919/73

November 6, 1998

1662/98/7/bgn

LOCAL GOVERNMENT PLANS REGULATION

Contents

- **Definitions**
- 2 Local governments must submit plans to commission
- Adoption of plans by bylaw
- Endorsement on plans
- 5 Content and form requirements
- Effect of discrepancy between plans
- Deposit of agricultural reserve plan in land title office

Definitions

1 In this regulation:

"base plan" means a plan under section 2 (a) of this regulation;

"constituent plan" means a plan under section 2 (b) of this regulation.

Local governments must submit plans to commission

- For the purposes of section 12 (1) of the Agricultural Land Commission Act, each municipality and regional district must submit to the Provincial Agricultural Land Commission
 - (a) a base plan showing the whole of the agricultural land reserve in the municipality or regional district, as the case may be, to a scale of 50 000 feet to one inch, and
 - (b) other plans of larger scale that the commission considers necessary to clearly set out the agricultural land reserve.

Adoption of plans by bylaw

On being adopted by bylaw of the board of the regional district, a base plan and each constituent plan must be signed by the chair and the regional district officer assigned responsibility under section 198 of the Municipal Act, or other duly authorized alternates, and be sealed with the seal of the regional district.

Endorsement on plans

4

4	(1) A base plan must bear the following endorsement:								
	Agricultural Land Reserve Plan for the Regional District of								
	, adopted by bylaw of the Board of the Regional District								
	on the day of, under section 12 (1) of the Agricul-								
	tural Land Commission Act.								

(2) A constituent plan must bear the following endorsement: This is a portion of the Agricultural Land Reserve Plan for the Regional District of, adopted by bylaw of the Board of the

Regional District on the day of,,	under	section	12
(1) of the Agricultural Land Commission Act.			

Content and form requirements

- 5 (1) A base plan and each constituent plan must be prepared in accordance with the following:
 - (a) the scale and north point must be clearly shown on the plan;
 - (b) the boundaries of the agricultural land reserve lands must be drawn along or with reference to legal boundary lines established by an instrument registered or deposited in a land title office;
 - (c) the plan must clearly indicate the land title district in which the agricultural land reserve is located;
 - (d) if the agricultural land reserve lands indicated on the plan are located in more than one land title district, the boundaries of the land title districts must be clearly indicated on the plan.
 - (2) Despite subsection (1) (b), if a boundary of the agricultural land reserve lands shown on the plan is not drawn along or with reference to a legal boundary line, the agricultural land reserve plan is nevertheless valid, and the effective boundary of the agricultural land reserve lands is to be ascertained by scaling off from the nearest or most convenient legal boundary line as determined by the commission.

Effect of discrepancy between plans

If there appears to be a discrepancy between a base plan and a constituent plan of larger scale, the boundary of the constituent plan of larger scale governs.

Deposit of agricultural reserve plan in land title office

- 7 (1) On designation of an agricultural land reserve under section 11 of the Agricultural Land Commission Act, the commission must deposit a copy of the agricultural land reserve plan, certified by the general manager, in the proper land title office or land title offices.
 - (2) The notation required to be made by the registrar under section 17 (5) of the Agricultural Land Commission Act must be endorsed on the face of a certificate of title and must be in the following form:

							•	•••••	R	egistrar
on	,	•••••							, , , , , , , , , , , , , , , , , , ,	•
Comi	nission Act;	see	Agri	cultur	al La	and Reser	ve P	lan N	Ιο, de	posited
This	certificate	of	title	may	be	affected	by	the	Agricultura	l Land

PROVINCE OF BRITISH CULUMBIA

REGULATION OF THE MINISTER

OLO: 264/14 NEW: 450/98

Agricultural Land Commission Act

I, Corky Evans, Minister of Agriculture and Food, approve the attached revised Administration of Crown Land in an Agricultural Land Reserve Regulation for the purposes of section 11 of B.C. Reg. 394/83.

DEPOSITED

DEC 1 5 1998

B.C. REG. 450/98

Date

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

Authority under which Order is made:

Act and section:- Regulations Regulation, B.C. Reg. 394/83, Part 2

Other (specify):- Agricultural Land Commission Act, sections 17 and 55 revises B.C. Reg. 264/74, oic 1418/74

November 6, 1998

1663/98/7/bgn

ADMINISTRATION OF CROWN LAND IN AN AGRICULTURAL LAND RESERVE REGULATION

Application to Crown land designated as ALR

1 This regulation applies to Crown land designated as an agricultural land reserve under sections 10 and 11 of the *Agricultural Land Commission Act*.

Management of land

- 2 Subject to section 3, the land must be
 - (a) administered, managed and controlled under the Land Act, and
 - (b) disposed of only in accordance with the Land Act.

Use of land

- 3 A person may not use the land for any purpose other than the following:
 - (a) a use that is compatible with the preservation of the land for farm use;
 - (b) a use permitted by the Agricultural Land Commission Act or the other regulations under that Act;
 - (c) a use permitted by order of the Provincial Agricultural Land Commission, on terms and conditions the commission imposes.

PROVINCE OF BRITISH COLUMBIA REGULATION OF THE MINISTER

OLD: 603/77 NEW: 451/98

Soil Conservation Act

I, Corky Evans, Minister of Agriculture and Food, approve the attached revised Agricultural Land Reserve Permit Regulation for the purposes of section 11 of B.C. Reg. 394/83.

DEPOSITED

DEC 1 5 1998

BC REG 451 /98

Date

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

Authority under which Order is made:

Act and section:- Regulations Regulation, B.C. Reg. 394/83, Part 2

Other (specify):- Soil Conservation Act, section 11 revises B.C. Reg. 603/77, oic 3856/77

November 6, 1998

16df /98/7/bgn

AGRICULTURAL LAND RESERVE PERMIT REGULATION

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- 8 Security may be required as condition of permit
- 9 Inspection required before permit granted
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- 12 Term of permit
- 13 Application fees

Definitions

- 1 In this regulation:
 - "Act" means the Soil Conservation Act:
 - "inspector" means a person appointed by the minister under section 8 (3) of the Act;
 - "officer" means an enforcement officer appointed by a local authority under section 8 (1) of the Act.

Circumstances in which permit is not required

- 2 (1) A permit is not required in the following circumstances:
 - (a) a person
 - (i) is carrying out research or soil testing, or
 - (ii) is engaged by a government, regional district, municipality, university or any other public or private body in carrying out research or soil testing

so long as

- (iii) the amount of soil removed or the amount of fill placed is only that reasonably necessary for the research or testing, and
- (iv) the research or testing is done for agricultural, farming or horticultural purposes;
- (b) the land is a highway as defined in the Highway Act;
- (c) the soil is removed or fill is placed for the construction of dikes, ditches and related pumphouses and ancillary works, including construction and maintenance of access roads and facilities made necessary by the threat of flooding;

- (d) the removal of soil or placement of fill is associated with or involves
 - (i) the cultivation of land,
 - (ii) the application of fertilizers, manures, composts, mulches or soil conditioners.
 - (iii) the application of a maximum depth of 30 cm of wood wastes that are readily incorporated into the soil,
 - (iv) the construction and maintenance of a farm building or structure on an area of land of not more than 0.2 ha/16 ha,
 - (v) the construction and maintenance of roadways, drainage, irrigation and livestock watering works for farm use if the total volume of soil removed or fill placed is not more than 320 m³/16 ha,
 - (vi) the operations of a florist, nursery operator, turf farmer or greenhouse operator, if the amount of soil removed or fill placed is reasonably necessary for the growth and maintenance of the plants grown, or
 - (vii) the construction of one residential dwelling unit and accessory buildings and structures for each land registry parcel, including auxiliary services and utilities and reasonable landscaping requirements.
- (2) In order to qualify for the exemption referred to in subsection (1) (d) (i) to (vi), the activity must be done in accordance with good agricultural practice.
- (3) In order to qualify for the exemption referred to in subsection (1) (d) (vii), the dwelling unit must be related or incidental to use of land for agricultural, farming or horticultural purposes.

Circumstances in which permit is not allowed

- A local authority must not grant a permit under section 5 of the Act and the commission must not give its approval under section 2 of the Act if, despite the imposition of terms and conditions, the removal of soil or placing of fill would, in the opinion of the local authority or commission, do any of the following:
 - (a) cause danger on or to adjacent land, structures or rights of way;
 - (b) foul, obstruct or impede the flow of any stream, creek, waterway, water-course, waterworks, ditch, drain or sewer, unless the applicant holds a permit to do so under the *Water Act* or *Waste Management Act*;
 - (c) make the land unsuitable for agriculture;
 - (d) adversely affect farming on adjacent land.

Permit application

- 4 (1) An applicant for a permit under section 5 of the Act must apply in writing on a form provided by the local authority, which must include the following:
 - (a) the full name, address and telephone number of the applicant;

- (b) if the applicant is not the owner,
 - (i) the full name, address and telephone number of the owner of the land,
 - (ii) the title or tenancy under which the land is occupied, and
 - (iii) the consent in writing of the owner of the land;
- (c) the general location (regional district, municipality, electoral area) and the legal description of the land;
- (d) a plan indicating in sufficient detail and with reasonable accuracy the location and area of the proposed removal or filling;
- (e) the reasons for the removal or filling;
- (f) the maximum depth and quantity of soil to be removed or fill to be placed;
- (g) the characteristics of the soil to be removed or fill to be placed;
- (h) the proposed dates of the start and completion of the removal or filling;
- (i) the date of the application, the signature of the applicant, and the applicant's certification that the information in the application is true.
- (2) An applicant who falsely certifies under subsection (1) (i) or who knowingly provides false or misleading information in an application commits an offence.

Application requirements

- In considering an application for a permit, the local authority or the commission may require the applicant to do one or more of the following:
 - (a) obtain and file with the local authority or the commission a report of a person who is, in the opinion of the local authority or the commission, qualified to make such a report, stating
 - (i) the depth, quantity and characteristics of the soil to be removed or fill to be placed,
 - (ii) the feasibility of removal or filling,
 - (iii) the proper method of removal or filling,
 - (iv) the method of preventing the occurrences referred to in section 3 of this regulation, and
 - (v) other information the local authority or the commission requests;
 - (b) obtain and file with the local authority or the commission a contour plan prepared by a person who is, in the opinion of the local authority or the commission, qualified to make such a plan, indicating
 - (i) the actual contours of the land,
 - (ii) the area and depth of the removal or filling,
 - (iii) the contours of the land after the proposed removal or filling, and
 - (iv) any other information the local authority or the commission requests.

Undertaking required

- 6 (1) An applicant for a permit must sign, as part of the application, an undertaking to do the following:
 - (a) remove soil or place fill in the quantities and in the manner specified in the permit, and in accordance with the Act, regulation and the permit;
 - (b) before the expiry of the permit,
 - (i) restore the land to a condition fit and suitable for agriculture, to a standard approved by the local authority and the commission, or
 - (ii) restore the land to the condition required by the local authority and the commission, at the time and in the manner required by the local authority and the commission;
 - (c) pay for any damage to persons or property that, in the opinion of the local authority and the commission, was caused by the applicant.
 - (2) The undertaking under subsection (1) is deemed to be a term and condition of the permit if one is issued.

Other deemed conditions

- 7 (1) It is deemed to be a condition of every permit that the local authority or the commission, or their representatives, or an officer or an inspector, has free and unrestricted access to the land referred to in the permit to determine whether the Act, the regulation and the terms and conditions of the permit are being observed and performed.
 - (2) It is deemed to be a condition of every permit that the permit holder must not do anything in relation to the removal of soil or placing of fill that would likely result in the occurrence of any of the matters referred to in section 3 of this regulation.

Security may be required as condition of permit

- 8 (1) The local authority or the commission may, as a condition of a permit, require the applicant to give security in cash or certified cheque, or by way of a bond, conditioned on and to secure the proper performance by the applicant of all terms, conditions and requirements of the Act, the regulation and the permit.
 - (2) Security under subsection (1) must be in the form and amount required by the local authority or the commission.

Inspection required before permit granted

9 A local authority must not grant a permit under the Act until an officer or an inspector has inspected the area and the site of the proposed removal of soil or placement of fill.

Documents to be sent to commission

On issuing a permit under this regulation, the local authority must send to the commission a copy of

- (a) the permit,
- (b) the application, and
- (c) other documents in its custody relating to the application for the permit.

Permit must be displayed

- 11 A person who holds a permit must
 - (a) keep the permit prominently displayed at the person's place of business, if any, and
 - (b) keep a copy at the site of soil removal or placement of fill.

Term of permit

Unless otherwise specified in the permit, or unless the permit is suspended or cancelled under the Act, a permit expires one year after the date it is issued.

Application fees

- 13 (1) The prescribed application fee for the purposes of section 3 (1) (b) of the Act is \$550.
 - (2) The prescribed portion of the application fee that a local authority may retain for the purposes of section 4 (1) (a) of the Act is \$250.
 - (3) The prescribed times for the purposes of section 4 (1) (b) of the Act are March 31, June 30, September 30 and December 31 of each year.

PROVINCE OF BRITISH COLUMBIA REGULATION OF THE MINISTER

OLD-313/78 NEW: 452/98

Agricultural Land Commission Act

I, Corky Evans, Minister of Agriculture and Food, approve the attached revised Agricultural Land Reserve Procedure Regulation for the purposes of section 11 of B.C. Reg. 394/83.

DEPOSITED

DEC 1 5 1998

B.C. REG. 452/98

Date Minister of Agriculture and Food

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

Authority under which Order is made:

Act and section:- Regulations Regulation, B.C. Reg. 394/83, Part 2

Other (specify):- Agricultural Land Commission Act, section 55 revises B.C. Reg. 313/78, oic 1979/78

November 6, 1998

1660 /98/7/bgn

AGRICULTURAL LAND RESERVE PROCEDURE REGULATION

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AGRICULTURAL LAND RESERVE PROCEDURE REGULATION

Section 14 Applications and Proposals — Local government applications and commission proposals for exclusion from reserve or for special permission

Form of application or proposal

- 1 (1) An application of a municipality or regional district to the commission under section 14 of the Act must contain all the information specified in Schedule 3 to this regulation and be accompanied by any other supporting material the commission may indicate it requires.
 - (2) If the commission intends to act on its own initiative under section 14 of the Act,
 - (a) the proposal of the commission must be in the form and contain all the information specified in Schedule 3 to this regulation and be accompanied by any other supporting material the commission may indicate it requires, and
 - (b) the commission must send a copy of the proposal and supporting material to the municipality or regional district.

Notice of public hearing

- 2 (1) The commission, municipality or regional district holding a public hearing as required by section 14 (4) of the Act must publish a notice of hearing in accordance with this section.
 - (2) The notice of hearing must be published in at least 2 consecutive issues of a newspaper published or circulated in the municipality or regional district where the land is located, with the last of these publications appearing not less than 3 days and not more than 10 days before the date of the hearing.
 - (3) The notice of hearing must
 - (a) state the time and place of the public hearing,
 - (b) identify in a general manner the land or lands affected, but need not use the legal description of the land affected,
 - (c) state in general terms the intent of the application, and
 - (d) state when and where a copy of the application may be inspected.

Procedure at public hearing

- 3 (1) At a public hearing under section 14 (4) of the Act, all persons must be afforded an opportunity to be heard on matters related to the proposed application.
 - (2) The hearing may be adjourned from time to time.

(3) A member of the commission, municipal council or regional district board who was not present at the hearing may vote on the application if an oral or written report of the hearing has been given to the member.

Amendment at public hearing

The commission, municipality or regional district holding the public hearing may, without further notice, allow amendment to the proposed application to give such effect as it considers fit to representations made at the hearing.

Commission must give notice of positive decision

- 5 The commission must inform the applicant and, if applicable, the appropriate registrar of titles if the commission
 - (a) excludes land under section 14 (1) of the Act, or
 - (b) under section 14 (2) of the Act, grants permission under section 17 (3), 18, 20 or 21 (2) of the Act.

Section 15 Applications — Owner applications for exclusion from reserve

Owner must give notice before filing application

- An owner who intends to make an application to the commission under section 15 (1) of the Act must
 - (a) complete and file an application in accordance with section 7 of this regulation, and
 - (b) before filing the application, give notice in accordance with section 8 of this regulation.

Form and filing of application

- 7 (1) An application referred to in section 6 of this regulation must be in the form in Schedule 1 to this regulation and must be filed,
 - (a) if the land that is the subject of the application is located in a municipality, in the office of the responsible local government officer for that municipality, or
 - (b) in all other cases, in the office of the responsible local government officer for the regional district in which the land is located.
 - (2) An application under subsection (1) must be accompanied by the following:
 - (a) an original copy of each advertisement required under section 8 (1) (a) of this regulation, as published with the date of publication clearly indicated;
 - (b) a photograph clearly indicating the manner in which the notice was posted under section 8 (1) (b) of this regulation;
 - (c) a signed statement by the owner stating

- (i) the name and address of each person served under section 8 (1) (c) of this regulation,
- (ii) the date of service, and
- (iii) the manner of service.

Notice of application

- 8 (1) Before filing an application under section 7 of this regulation, the owner must give notice of the application by advertising, posting and service as follows:
 - (a) advertising a notice of application under subsection (2) on 2 separate occasions in a newspaper in general circulation in the municipality or regional district in which the land that is the subject of the application is located, with these publications not less than 7 days and not more than 14 days apart, inclusive of the day of publication;
 - (b) posting on the land that is the subject of the application
 - (i) a copy of the signed application under section 7 of this regulation, and
 - (ii) a copy of the notice of application under subsection (2),
 - on a sign measuring at least 60 cm by 120 cm and positioned at the midpoint of a boundary of that land that is adjacent to a public road right of way:
 - (c) serving, personally or by registered mail, a copy of the signed application under section 7 and a copy of the notice of application under subsection (2) on each registered owner of land in an agricultural land reserve that
 - (i) shares a common boundary with the land for which the application is being made, or
 - (ii) is separated by a public road right of way from the land for which the application is being made.
 - (2) Each advertisement under subsection (1) (a) and the copy of the notice posted under subsection (1) (b) must be worded as follows:

NOTICE OF EXCLUSION APPLICATION REGARDING LAND IN THE AGRICULTURAL LAND RESERVE

ıll name of each registered owner)	
ailing address)	
tend to make an application under section 15 (1) of the Agricultural and Commission Act to exclude from the Agricultural Land Reservilowing property which is legally described	
gal description from the title certificate)	•••••

and located at (street address if app	licable).
	g to express an interest in the application may do so by mments in writing to
(name and mailing ad	ddress of the local government)
by	(date that is 14 days from the date of first publication).

(3) If an owner receives a response to a notice given under this section, the owner must forward a copy of the response to the municipality or regional district.

When local government can consider application

9 A municipality or regional district must not consider an application under section 15 (1) of the Act until 14 days after all relevant documents have been published, posted and served under section 8 of this regulation.

Official must complete Schedule 2 and submit application to local government

- On compliance by an owner with section 6 of this regulation, the responsible local government officer must
 - (a) without delay complete the form in Schedule 2 to this regulation, and
 - (b) subject to section 9 of this regulation, submit the application to the municipal council or regional district board, as applicable.

Procedure if authorizing resolution required by section 15 (4) of the Act

- 11 (1) If an application filed under section 6 of this regulation is in respect of land referred to in section 15 (4) of the Act, further proceedings must not be taken unless and until the municipality or regional district passes the resolution referred to in section 15 (4) of the Act authorizing the application.
 - (2) If a resolution is passed under section 15 (4) of the Act, the responsible local government officer must send a certified copy of the resolution to the commission along with the other information required by section 14 of this regulation.

Local government may hold public information meeting

- 12 (1) If it considers this necessary or advisable, a municipality or regional district may hold public information meetings in respect of an application under section 15 of the Act.
 - (2) If a municipality holds a public information meeting referred to in subsection (1), the municipal council must ensure that at least one council member
 - (a) attends the meeting, and
 - (b) without delay after the meeting, submits a report to the council indicating the degree of support for or opposition to the application.

- (3) If a regional district holds a public information meeting referred to in subsection (1), the regional district board must ensure that the board member representing the area in which the land that is the subject of the application is located
 - (a) attends the meeting, and
 - (b) without delay after the meeting, submits a report to the board indicating the degree of support for or opposition to the application.

Local government must provide recommendations to commission

- Within the applicable time limit under section 14 of this regulation, the municipality or regional district must send to the commission
 - (a) its comments and recommendations required under section 33 (6) of the Act, and
 - (b) any other information it wants the commission to consider concerning the application.

Documents to be sent to commission

- 14 (1) Within the applicable time limit under subsection (2), a person who receives an application referred to in section 6 of this regulation must send to the commission
 - (a) the application required in Schedule 1 to this regulation,
 - (b) the information required in Schedule 2 to this regulation,
 - (c) the resolution, if required under section 11 (2) of this regulation, and
 - (d) the report submitted under section 12 of this regulation and any other information about a public information meeting held under that section.
 - (2) The time limit for sending materials under subsection (1) is
 - (a) 60 days after receipt of the application, if a public information meeting is held under section 12 of this regulation, and
 - (b) 45 days after receipt of the application in other cases.

Commission may require additional information

Despite anything in this regulation or in Schedule 1 or 2 to this regulation, the commission may require the applicant, municipality or regional district to provide further relevant information the commission considers necessary.

Commission hearing on application

A hearing required by section 15 (2) of the Act must be held at a time and at a place designated by the commission and may be adjourned from time to time.

Notice of commission hearing

17 (1) Not less than 10 days and not more than 30 days before the hearing required by section 15 (2) of the Act, the commission must give written notice of the date and place of the hearing to the following:

- (a) the applicant;
- (b) if the land that is the subject of the application is located in a municipality, the council of the municipality;
- (c) if the land that is the subject of the application is not located in a municipality, the board of the regional district in which the land is located;
- (d) if the commission considers this advisable, the owners of the land located adjacent to the land that is the subject of the application.
- (2) The notice of hearing must
 - (a) identify the land that is the subject of the application,
 - (b) state the purpose of the application, and
 - (c) state the place and time at which the application and the documents relating to the application may be inspected.

Applicant to be given access to relevant information

- 18 (1) The commission must cause to be delivered to the applicant, by registered mail or personal service,
 - (a) a statement of the facts, opinions and other information received by the commission for consideration at the hearing, or
 - (b) a summary of those facts, opinions and other information.
 - (2) At the request of the applicant or the applicant's agent, the commission must allow the applicant or agent to inspect all relevant documents in the custody of the commission relating to the application.

Representations and evidence

- 19 (1) The applicant is entitled to make representations at the hearing personally or by counsel or agent.
 - (2) The commission may require the applicant or any other person offering evidence to give that evidence on oath.

Procedure at commission hearing

- 20 For the purpose of the hearing, the commission may
 - (a) require that evidence offered before it be given on oath and may for that purpose administer an oath,
 - (b) accept written submissions or any other form of evidence even though it may not be evidence in a court of law, and
 - (c) hear representations, evidence and opinions of any person present or represented at the hearing and of the municipality and regional district that, in the opinion of the commission, are relevant to the application.

Commission to notify applicant of evidence presented

- 21 (1) This section applies if evidence is presented at the hearing, a statement or summary of which has not been sent to the applicant.
 - (2) If the applicant or the applicant's counsel or agent is present at the hearing, the commission may
 - (a) hear further representations in respect of the additional evidence, or
 - (b) adjourn the hearing to enable the applicant to make answer to that evidence.
 - (3) If the applicant or the applicant's counsel or agent is not present at the hearing, the commission must notify the applicant by registered mail or by personal service of
 - (a) the additional evidence presented at the hearing, and
 - (b) the time within which the additional evidence may be answered.

Section 13 (4) Applications — Local government applications or commission proposals to include land in reserve

Application by local government or proposal by commission

- 22 (1) A municipality or regional district, whether or not it is the owner of the land, may apply at any time under section 13 (4) of the Act to add land to a designated land reserve, on giving notice in writing of the application to
 - (a) the municipality or regional district, as the case may be,
 - (b) the commission, and
 - (c) if the land is not owned by the applicant municipality or regional district, the owner of the land.
 - (2) The commission may propose at any time under section 13 (4) of the Act to add land to a designated land reserve, on giving notice in writing to
 - (a) the municipality,
 - (b) the regional district, and
 - (c) the owner of the land.
 - (3) An application or proposal made under subsection (1) or (2) must be in the form set out in Schedule 3 to this regulation and be accompanied by any other material required by the commission.

Required public hearing

23 (1) For an application referred to in section 22 (1) of this regulation, the applicant municipality or regional district must hold the public hearing under section 13 (5) of the Act, at its own expense, at least 30 days before submitting the application to the commission.

- (2) For a proposal referred to in section 22 (2) of this regulation, the commission must hold the public hearing under section 13 (5) of the Act, at its own expense, at least 30 days before the commission considers the matter.
- (3) Sections 2 and 3 of this regulation apply to the public hearing.
- (4) At least 2 weeks' written notice of the public hearing must be given to the other parties and to the owner of the land.

Written representations may be made

The applicant, the owner, the municipality and the regional district in which the land is located may make written representations in respect of an application or proposal referred to in section 22 of this regulation.

Commission to inform interested parties if land is designated

- On approving an application under section 13 (4) of the Act or designating all or part of the land as part of an agricultural land reserve under section 13 (4) or (6) of the Act, the commission must give notice of this to
 - (a) the applicant,
 - (b) the owner,
 - (c) the municipality, if applicable,
 - (d) the regional district in which the land is located, and
 - (e) the appropriate registrar of titles.

Section 13 (6) Applications — Owner applications to include land in reserve

Application by owner

- 26 (1) If an owner's land is not included in an agricultural land reserve plan, the owner may apply at any time under section 13 (6) of the Act to have the land designated as or as part of an agricultural land reserve.
 - (2) An application referred to in subsection (1) must be made by filing an application in compliance with Schedule 1 to this regulation,
 - (a) if the land that is the subject of the application is located in a municipality, in the office of the responsible local government officer for the municipality, and
 - (b) in all other cases, in the office of the responsible local government officer for the regional district in which the land is located.

Local government officer must complete Schedule 2

After an owner files an application under section 26 of this regulation, the responsible local government officer must without delay obtain information listed in Schedule 2 of this regulation and complete the form in that Schedule.

Local government may hold hearing

- 28 (1) A municipal council or regional district board that has had an application filed with it under section 26 of this regulation may hold a public hearing in respect of the application.
 - (2) Sections 2 and 3 of this regulation apply to a hearing under subsection (1).

Local government submission to commission

- 29 (1) Within the applicable time limit under subsection (2), a municipal council or regional district board that has received an application under section 26 of this regulation must send to the commission
 - (a) the application,
 - (b) the recommendations of the council or board, and
 - (c) any other relevant information.
 - (2) The time limit for sending materials under subsection (1) is
 - (a) 60 days after receipt of the application, if a hearing is held under section 28 of this regulation, and
 - (b) 30 days after receipt of the application in other cases.

Commission to inform interested parties if land is designated

- On designating all or part of the land as part of an agricultural land reserve under section 13 (6) of the Act, the commission must give notice of the designation to
 - (a) the owner,
 - (b) the municipality, if applicable,
 - (c) the regional district in which the land is located, and
 - (d) the appropriate registrar of titles.

Section 22 Applications — General applications for use or subdivision of reserve land

Application must be filed with local government

- 31 (1) A person who applies to the commission under section 22 of the Act for permission under section 17 (3), 18, 20 or 21 (2) of the Act must file an application in substantial compliance with Schedule 1 to this regulation,
 - (a) if the land that is the subject of the application is located in a municipality, in the office of the responsible local government officer for the municipality, and
 - (b) in all other cases, in the office of the responsible local government officer for the regional district in which the land is located.
 - (2) As exceptions, subsection (1) does not apply in relation to applications
 - (a) for a type of use prescribed in section 34 of this regulation, or

(b) to subdivide land in circumstances prescribed in section 36 of this regulation.

Sections 10 to 15 apply

- 32 (1) Sections 10 to 15 of this regulation apply in respect of an application filed under section 31 of this regulation.
 - (2) For the purpose of subsection (1), a reference to section 15 (4) of the Act in sections 10 to 15 of this regulation is deemed to be a reference to section 22 (2) of the Act.

Commission hearing

- 33 (1) If this is considered necessary or advisable, the commission may hold a hearing with respect to any application filed under section 31 of this regulation.
 - (2) A hearing under subsection (1) must be held at a time and place designated by the commission and may be adjourned from time to time.
 - (3) Sections 17 to 21 of this regulation apply in respect of a hearing under subsection (1).

Section 22 Applications — Special cases for certain uses of reserve land

Application to be filed directly with commission

- 34 (1) A person must file in the office of the commission an application substantially in the form in Schedule 1 to this regulation if
 - (a) the person is applying to the commission under section 22 of the Act for permission to use land in an agricultural land reserve for a purpose other than farm use, and
 - (b) the proposed use is a use prescribed by subsection (2).
 - (2) The following are purposes prescribed for the purpose of subsection (1):
 - (a) storage and sale or processing of agricultural products on a farm if they were not grown or reared on that farm;
 - (b) a reserve or area of land or habitat set apart for wildlife that does not qualify as a permitted land use under the Agricultural Land Commission Subdivision and Land Use Regulation;
 - (c) parks and recreation reserves, whether created by the Provincial government, a regional district or a municipality, that do not qualify as a permitted land use under the Agricultural Land Reserve Subdivision and Land Use Regulation;
 - (d) unpaved airstrip for use of aircraft flying non-scheduled flights;
 - (e) dedication or construction of new highway, road or railway rights of way;

- (f) electrical transmission lines and utility installations, including pipeline pumping stations, automatic telephone exchanges, electrical substations, navigational aids, underground pipelines and any ancillary purposes;
- (g) trunk sewer and trunk water lines and ancillary storage or pumping facilities, including construction of or addition to a reservoir;
- (h) sewage lagoons, treatment plants and other sewage disposal facilities regulated by the Waste Management Act;
- (i) sanitary land fills;
- (j) well drillings and access to well sites, but not including wells drilled for potable water for use in a single family dwelling unit;
- (k) guest ranches;
- (1) open land recreation uses, including campgrounds, fishing and hunting camps, game farms and rifle ranges, if a total of not more than 5% of the land registry parcel or 2 ha, whichever is the lesser, will be physically altered by the construction of roads, services, paving, parking facilities, buildings, structures or earthworks;
- (m) surveying, exploring or prospecting for gravel, oil or minerals, if all cuts, trenches and similar alterations are to be restored to the natural ground level and all topsoil is to be replaced;
- (n) gravel pits, peat extractive areas and turf farms, if reclamation and rehabilitation is possible;
- (o) horse riding arenas or boarding stables;
- (p) dog kennels for boarding or breeding.

Notice to local government

- Before issuing an order allowing a use prescribed in section 34 of this regulation, the commission must inform the following of the application:
 - (a) if the land that is the subject matter of the application is located in a municipality, the municipal council of the municipality;
 - (b) in all other cases, the board of the regional district in which the land is located.

Section 22 Applications — Special cases for certain subdivisions of reserve land

Application to be filed directly with commission

- 36 (1) A person must file in the office of the commission an application substantially in the form in Schedule 1 of this regulation if
 - (a) the person is applying to the commission under section 22 of the Act for an order authorizing a registrar of titles to accept a plan of subdivision under the *Land Title Act* or a strata plan under the *Condominium Act*,

- (b) the proposed subdivision is designed to establish a legal boundary along the perimeter of an agricultural land reserve, and
- (c) the part of the land within the reserve will consist of a parcel with an area of not less that 8 093.5 m².

Notice to local government

- 37 Before issuing an order authorizing acceptance of a plan referred to in section 36 of this regulation, the commission must inform the following of the application:
 - (a) if the land that is the subject matter of the application is located in a municipality, the municipal council of the municipality;
 - (b) in all other cases, the board of the regional district in which the land is located.

General

Who is the responsible local government officer

- 38 For the purpose of this regulation, "responsible local government officer" means,
 - (a) in relation to a municipality, the municipal officer assigned responsibility under section 198 of the *Municipal Act* for that municipality, and
 - (b) in relation to a regional district, the regional district officer assigned responsibility under section 198 of the *Municipal Act* for that regional district.

Prescribed fees

- 39 (1) The prescribed application fees are as follows:
 - (a) for an application under section 14 or 15 of the Act, \$750;
 - (b) for an application under section 22 of the Act to which section 34 or 36 of this regulation does not apply, \$550;
 - (c) for an application to which section 34 or 36 of this regulation applies, \$400.
 - (2) The prescribed portion of the application fee that a municipality or regional district may retain for the purposes of section 34 (1) of the Act is \$250 for
 - (a) an application under section 15 of the Act, or
 - (b) an application described in subsection (1) (b) of this section.
 - (3) The prescribed times for the purposes of section 34 (1) (b) of the Act are March 31, June 30, September 30 and December 31 of each year.
 - (4) The prescribed portion of an application fee that must be remitted by the commission for the purposes of section 34 (5) of the Act is \$150.

Provincial Agricultural Land Commission

SCHEDULE 1

Application by Land Owner under Section 13(6), 15(1) or 22(1) of the Agricultural Land Commission Act or under Section 34 or 36 of the Agricultural Land Reserve Procedure Regulation

NOTE: The information on this form is collected to process your application under the Agricultural Land Commission Act. All applications are available for review by the public. If you have any questions about the collection and use of this information, contact the Agricultural Land Commission office and ask for the staff member who will be handling your application.

PART 1: APPLICANT	
Registered Owner:	Agent:
Address:	Address:
·	
Tel. (home) (work) Fax E-mail	Tel. Fax. E-mail
INCLUSION	ck appropriate box) SPECIAL CASE SUBDIVISION in the ALR
under Sec. 13(6) of the Act EXCLUSION under Sec. 15(1) of the Act	under Sec. 36 (subdivision along the ALR boundary) of the Regulation SPECIAL CASE USE in the ALR under Sec. 34 of the Regulation
SUBDIVISION or USE in the ALR under Sec. 22(1) of the Act	State which paragraph of Sec. 34(2) describes the proposed use
PART 3 LOCAL GOVERNMENT JURISDIC	TION (Indicate Regional District or Municipality)
PART 4. IDENTIFICATION OF LAND UND	ER APPLICATION (Show land on plan or sketch)
Legal Description:	Size of Each Date Acquired Parcel (Ha.) (Mo.) (Yr.)
	Total Hectares:

Legal description:		Present use:
· .		
•		
ART 6. CURRENT USE OF LAND UN	DER APPL	ACATION (Show information on plan or sketch
ist <u>all</u> existing uses on the entire parcel: orchard, h	ayfield, pas	ture, wooded, etc.
Describe all buildings:		
Describe the main physical characteristics: flat, hilly	, rocky, cla	y or sandy soil, watercourses, roads, etc.
THERE IS GARDAN STREAMED, HOLD A SACRAMENT AND AND RELIEVED WHAT AT LOCAL COMMENT.	y the little Period in the Little	、 人名英格兰人姓氏格兰的变体 医多种性 医多种性 医多种性 (1997)
PART 7. USES ON ADJACENT LOTS	(Show info	mation on plan or sketch)
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Describe all uses: pasture, hay, vegetables, poultry,	dairy, traile	er park, community hall, etc.
Describe all buildings: house, barn, school, etc.		
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ast		
	<u>.</u>	
South		
East South West	-01008.1888.0845.7255	
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South West	OR APPL	CATION (Show on plan or sketch if appropriate
outh Vest ART 8 PROPOSAL AND REASONS F	OR APPL	CATION (Show on plan or sketch if appropriate
outh /est ART 8. PROPOSAL AND REASONS F ART 9: DECLARATION		
outh Vest ART 8. PROPOSAL AND REASONS F		
PART 9. DECLARATION		
South West PART 8 PROPOSAL AND REASONS F		
PART 9. DECLARATION		
PART 9. DECLARATION declare that the information contained in the application.		the best of my knowledge, true and correct.
PART 9. DECLARATION declare that the information contained in the application. Date The following documents must be enclosed:	cation is, to	the best of my knowledge, true and correct. Signature of Owner(s)
PART 9. DECLARATION declare that the information contained in the applic Date The following documents must be enclosed: Application fee	cation is, to	the best of my knowledge, true and correct. Signature of Owner(s) Map or sketch showing details requested
ART 8. PROPOSAL AND REASONS F PART 9. DECLARATION declare that the information contained in the application and the property of the following documents must be enclosed:	cation is, to	the best of my knowledge, true and correct. Signature of Owner(s)

INCOMPLETE OR MISSING INFORMATION WILL DELAY YOUR APPLICATION

Should this application be successful, it in no way implies that other necessary approvals or permits will be granted. Zoning, subdivision. building, sewage disposal, access and availability of services, including water, should be checked by all applicants.



SCHEDULE 2

Local Government Report required under Section 10, 27 or 32 of the Agricultural Land Reserve Procedure Regulation

R.D./Mun. File No.
Fee Receipt No.
Fee Amount
ALR Base Map No.
ALR Constituent Map No.
Air Photo No.

Information supplied by:	ALR Constituent Map No.
Local Government	Air Photo No.
In respect of the application of:	
Name of Applicant	
Name of Agent	
PART 1. LOCAL PLANNING (Attach relevant sections of bylaws)	
Community Plan or Rural Land Use Bylaw designation:	
Zoning:	
Minimum lot size permitted:	
Uses permitted:	
What amendments to Plans or Bylaws are required for the proposal to proceed?	
Is authorization under Sec. 15(4) or 22(2) of the Agricultural Land Commission documentation.	Act required? If so, attach resolution or
Services available or scheduled: Roads	
Roads (If road dedication is required, indicate on plan.) Water	
Sewage disposal	· ·
Other	
Is the land governed by building inspection?	
PART-2. CURRENT USE OF LAND UNDER APPLICATION (SA	(OWAIT)OFMATION ON PRINCIPS SKEICH)
List various uses at present:	
Describe all buildings:	
Describe the main physical characteristics: flat, hilly, rocky, clay or sandy soil,	watercourses, roads, etc.

PART 3.	USES ON ADJ	JACENT LOTS (Show information on plan or sketch)	
North	Lot Size	List all uses and describe all buildings	
East			
South			
West			
PART 4.	COMMENTS	AND RECOMMENDATIONS. (Include copies of resolutions)	
TO MERCEN CONTRACTOR STREET	ncil:		
Advisory Plan			
Agriculture A	dvisory Committee:	•	
Planning staff	:		
Others:			
PART 5:	CÖNFIRMATI	ION OF APPLICANT'S INFORMATION	
-	description noted by	by the applicant correctly identify the parcel(s) under application?	
•		· · · · · · · · · · · · · · · · · · ·	
Is the parcel si	ize(s) correctly noted	d?	
If not, please r	note the correct size((s)	
Sione	ature of Responsible	P. Local Government Officer Date	



SCHEDULE 3

Application by Local Government or the Commission under Section 13(4) or 14(1) or 14(2) of the Agricultural Land Commission Act

R.D./Mun. File No.
Fee Receipt No.
Fee Amount
ALR Base Map No.
ALR Constituent Map No.
Air Photo No.

In respect to land within: Municipality/Electoral Area		in the	ALR Constituent Map No	
Regional Distri	lct	·	Air Photo No.	
PART I.	APPLICANT			
Name:				
PART 2:	TYPE OF APPLICATION (*check	appropriate box)		
	INCLUSION under Sec. 13(4)			
	EXCLUSION under Sec. 14(1)			
	SUBDIVISION or NON-FARM USE in t	he ALR under Sec. 14(2)		
PART 3.	IDENTIFICATION OF LAND UNDE (Show land on ALR map & legal plan &		le or Title Search Prints)	
Legal Descrip	tion:		Size of Each Parcel (Ha.)	
		WATER CONTRACTOR OF THE CONTRA		
		Tota	l Hectares	
PART4.	- CURRENT USE OF LAND UNDER A	PPLICATION: (Show info	rmation on plan or sketch)	
List various use	s at present: orchard, hayfield, pasture, woo	ded, etc.		
Describe all bui	ildings:			
Describe the ma	ain physical characteristics: flat, hilly, rocky	clay or sandy soil, waterco	urses, roads, etc.	

Describe all uses: pasture, hay, vegetables, poultry, dairy, trailer park, commercial, etc. Describe all buildings: house, barn, school, lodge, etc. North East South West LOCAL PLANNING (Attach relevant sections of bylaws) PART 6. Community Plan or Rural Land Use Bylaw designation: Zoning: Uses permitted: Minimum lot size permitted:_ Services available or scheduled: Roads Water Sewage disposal_ Others **AUTHORIZATION, COMMENTS AND RECOMMENDATIONS** (Include copies of resolutions) Resolution of Board or Council authorizing application: Comments and recommendations of: Advisory Planning Commission Agriculture Advisory Committee Planning staff Others PART 8. REPORT OF PUBLIC HEARING Include a record of the hearing date, location, number attended, a synopsis of the comments and a copy of the Public Hearing notice. Also include any written submissions. PROPOSAL AND REASONS FOR APPLICATION (Show on plan or sketch if appropriate) PART 9. Signature of Responsible Local Government Officer Date

USES ON ADJACENT LOTS (Show information on plan or sketch)

PROVINCE OF BRITISH CULUMBIA

REGULATION OF THE MINISTER

OLD-313/78 NEW: 452/98

Agricultural Land Commission Act

I, Corky Evans, Minister of Agriculture and Food, approve the attached revised Agricultural Land Reserve Procedure Regulation for the purposes of section 11 of B.C. Reg. 394/83.

DEPOSITED

DEC 1 5 1998

B.C. REG. 452/98

Date Minister of Agriculture and Food

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

Authority under which Order is made:

Act and section:- Regulations Regulation, B.C. Reg. 394/83, Part 2

Other (specify):- Agricultural Land Commission Act, section 55 revises B.C. Reg. 313/78, oic 1979/78

November 6, 1998

1660 /98/7/bgn

Agricultural Land Reserve Act

AGRICULTURAL LAND RESERVE PROCEDURE REGULATION

[includes amendments up to B.C. Reg. 74/2000]

[Updated to April 27, 2000]

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SCHEDULES 1 TO 3 Repealed

Section 14 Applications and Proposals — Local government applications and commission proposals for exclusion from reserve or for special permission

Form of application or proposal

- 1 (1) An application of a municipality or regional district to the commission under section 14 of the Act must be in the form and contain all the information specified by the commission for an Application by Local Government or the Commission and be accompanied by any other supporting material the commission may indicate it requires.
 - (2) If the commission intends to act on its own initiative under section 14 of the Act,
 - (a) the proposal of the commission must be in the form and contain all the information specified by the commission for an Application by Local Government or the Commission under section 13 or 14 of the Act, and
 - (b) the commission must send a copy of the proposal and supporting material to the municipality or regional district.

[am. B.C. Reg. 74/2000, s. 1.]

Notice of public hearing

- 2 (1) The commission, municipality or regional district holding a public hearing as required by section 14 (4) of the Act must publish a notice of hearing in accordance with this section.
 - (2) The notice of hearing must be published in at least 2 consecutive issues of a newspaper published or circulated in the municipality or regional district where

AGRICULTURAL LAND RESERVE PROCEDURE REGULATION

the land is located, with the last of these publications appearing not less than 3 days and not more than 10 days before the date of the hearing.

- (3) The notice of hearing must
 - (a) state the time and place of the public hearing,
 - (b) identify in a general manner the land or lands affected, but need not use the legal description of the land affected,
 - (c) state in general terms the intent of the application, and
 - (d) state when and where a copy of the application may be inspected.

Procedure at public hearing

- 3 (1) At a public hearing under section 14 (4) of the Act, all persons must be afforded an opportunity to be heard on matters related to the proposed application.
 - (2) The hearing may be adjourned from time to time.
 - (3) A member of the commission, municipal council or regional district board who was not present at the hearing may vote on the application if an oral or written report of the hearing has been given to the member.

Amendment at public hearing

The commission, municipality or regional district holding the public hearing may, without further notice, allow amendment to the proposed application to give such effect as it considers fit to representations made at the hearing.

Commission must give notice of positive decision

- 5 The commission must inform the applicant and, if applicable, the appropriate registrar of titles if the commission
 - (a) excludes land under section 14 (1) of the Act, or
 - (b) under section 14 (2) of the Act, grants permission under section 17 (3), 18, 20 or 21 (2) of the Act.

Section 15 Applications — Owner applications for exclusion from reserve

Owner must give notice before filing application

- 6 An owner who intends to make an application to the commission under section 15 (1) of the Act must
 - (a) complete and file an application in accordance with section 7 of this regulation, and
 - (b) before filing the application, give notice in accordance with section 8 of this regulation.

April 27, 2000 3

Form and filing of application

- 7 (1) An application referred to in section 6 of this regulation must be in the form specified by the commission for an Application by Land Owner and must be filed.
 - (a) if the land that is the subject of the application is located in a municipality, in the office of the responsible local government officer for that municipality, or
 - (b) in all other cases, in the office of the responsible local government officer for the regional district in which the land is located.
 - (2) An application under subsection (1) must be accompanied by the following:
 - (a) an original copy of each advertisement required under section 8 (1) (a) of this regulation, as published with the date of publication clearly indicated;
 - (b) a photograph clearly indicating the manner in which the notice was posted under section 8 (1) (b) of this regulation;
 - (c) a signed statement by the owner stating
 - (i) the name and address of each person served under section 8 (1) (c) of this regulation,
 - (ii) the date of service, and
 - (iii) the manner of service.

[am. B.C. Reg. 74/2000, s. 2.]

Notice of application

- 8 (1) Before filing an application under section 7 of this regulation, the owner must give notice of the application by advertising, posting and service as follows:
 - (a) advertising a notice of application under subsection (2) on 2 separate occasions in a newspaper in general circulation in the municipality or regional district in which the land that is the subject of the application is located, with these publications not less than 7 days and not more than 14 days apart, inclusive of the day of publication;
 - (b) posting on the land that is the subject of the application
 - (i) a copy of the signed application under section 7 of this regulation, and
 - (ii) a copy of the notice of application under subsection (2), on a sign measuring at least 60 cm by 120 cm and positioned at the midpoint of a boundary of that land that is adjacent to a public road right of way;
 - (c) serving, personally or by registered mail, a copy of the signed application under section 7 and a copy of the notice of application under subsection (2) on each registered owner of land in an agricultural land reserve that
 - (i) shares a common boundary with the land for which the application is being made, or

- (ii) is separated by a public road right of way from the land for which the application is being made.
- (2) Each advertisement under subsection (1) (a) and the copy of the notice posted under subsection (1) (b) must be worded as follows:

NOTICE OF EXCLUSION APPLICATION REGARDING LAND IN THE AGRICULTURAL LAND RESERVE

	·
	(full name of each registered owner)
	of
	(mailing address)
	intend to make an application under section 15 (1) of the Agricultural Land Reserve Act to exclude from the Agricultural Land Reserve the following property which is legally described as
	and located at
	Any person wishing to express an interest in the application may do so by forwarding their comments in writing to
	(name and mailing address of the local government)
	by(date that is 14 days from the date of first publication).
(3)	If an owner receives a response to a notice given under this section, the owner must forward a copy of the response to the municipality or regional district. [am. B.C. Reg. 74/2000, s. 3.]

When local government can consider application

9 A municipality or regional district must not consider an application under section 15 (1) of the Act until 14 days after all relevant documents have been published, posted and served under section 8 of this regulation.

Official must complete Schedule 2 and submit application to local government

- On compliance by an owner with section 6 of this regulation, the responsible local government officer must
 - (a) without delay complete a Local Government Report in the form specified by the commission, and
 - (b) subject to section 9 of this regulation, submit the application to the municipal council or regional district board, as applicable.

[am. B.C. Reg. 74/2000, s. 4.]

Procedure if authorizing resolution required by section 15 (4) of the Act

11 (1) If an application filed under section 6 of this regulation is in respect of land referred to in section 15 (4) of the Act, further proceedings must not be taken

AGRICULTURAL LAND RESERVE PROCEDURE REGULATION

unless and until the municipality or regional district passes the resolution referred to in section 15 (4) of the Act authorizing the application.

(2) If a resolution is passed under section 15 (4) of the Act, the responsible local government officer must send a certified copy of the resolution to the commission along with the other information required by section 14 of this regulation.

Local government may hold public information meeting

- (1) If it considers this necessary or advisable, a municipality or regional district may hold public information meetings in respect of an application under section 15 of the Act.
 - (2) If a municipality holds a public information meeting referred to in subsection (1), the municipal council must ensure that at least one council member
 - (a) attends the meeting, and
 - (b) without delay after the meeting, submits a report to the council indicating the degree of support for or opposition to the application.
 - (3) If a regional district holds a public information meeting referred to in subsection (1), the regional district board must ensure that the board member representing the area in which the land that is the subject of the application is located
 - (a) attends the meeting, and
 - (b) without delay after the meeting, submits a report to the board indicating the degree of support for or opposition to the application.

Local government must provide recommendations to commission

- Within the applicable time limit under section 14 of this regulation, the municipality or regional district must send to the commission
 - (a) its comments and recommendations required under section 33 (6) of the Act, and
 - (b) any other information it wants the commission to consider concerning the application.

Documents to be sent to commission

- 14 (1) Within the applicable time limit under subsection (2), a person who receives an application referred to in section 6 of this regulation must send to the commission
 - (a) the Application by Land Owner,
 - (b) the Local Government Report,
 - (c) the resolution, if required under section 11 (2) of this regulation, and
 - (d) the report submitted under section 12 of this regulation and any other information about a public information meeting held under that section.

- (2) The time limit for sending materials under subsection (1) is
 - (a) 60 days after receipt of the application, if a public information meeting is held under section 12 of this regulation, and
 - (b) 45 days after receipt of the application in other cases.

[am. B.C. Reg. 74/2000, s. 5.]

Commission may require additional information

Despite anything in this regulation, the commission may require the applicant, municipality or regional district to provide further relevant information the commission considers necessary.

[am. B.C. Reg. 74/2000, s. 6.]

Commission hearing on application

A hearing required by section 15 (2) of the Act must be held at a time and at a place designated by the commission and may be adjourned from time to time.

Notice of commission hearing

- 17 (1) Not less than 10 days and not more than 30 days before the hearing required by section 15 (2) of the Act, the commission must give written notice of the date and place of the hearing to the following:
 - (a) the applicant;
 - (b) if the land that is the subject of the application is located in a municipality, the council of the municipality;
 - (c) if the land that is the subject of the application is not located in a municipality, the board of the regional district in which the land is located;
 - (d) if the commission considers this advisable, the owners of the land located adjacent to the land that is the subject of the application.
 - (2) The notice of hearing must
 - (a) identify the land that is the subject of the application,
 - (b) state the purpose of the application, and
 - (c) state the place and time at which the application and the documents relating to the application may be inspected.

Applicant to be given access to relevant information

- 18 (1) The commission must cause to be delivered to the applicant, by registered mail or personal service,
 - (a) a statement of the facts, opinions and other information received by the commission for consideration at the hearing, or
 - (b) a summary of those facts, opinions and other information.

AGRICULTURAL LAND RESERVE PROCEDURE REGULATION

(2) At the request of the applicant or the applicant's agent, the commission must allow the applicant or agent to inspect all relevant documents in the custody of the commission relating to the application.

Representations and evidence

- 19 (1) The applicant is entitled to make representations at the hearing personally or by counsel or agent.
 - (2) The commission may require the applicant or any other person offering evidence to give that evidence on oath.

Procedure at commission hearing

- 20 For the purpose of the hearing, the commission may
 - (a) require that evidence offered before it be given on oath and may for that purpose administer an oath,
 - (b) accept written submissions or any other form of evidence even though it may not be evidence in a court of law, and
 - (c) hear representations, evidence and opinions of any person present or represented at the hearing and of the municipality and regional district that, in the opinion of the commission, are relevant to the application.

Commission to notify applicant of evidence presented

- 21 (1) This section applies if evidence is presented at the hearing, a statement or summary of which has not been sent to the applicant.
 - (2) If the applicant or the applicant's counsel or agent is present at the hearing, the commission may
 - (a) hear further representations in respect of the additional evidence, or
 - (b) adjourn the hearing to enable the applicant to make answer to that evidence.
 - (3) If the applicant or the applicant's counsel or agent is not present at the hearing, the commission must notify the applicant by registered mail or by personal service of
 - (a) the additional evidence presented at the hearing, and
 - (b) the time within which the additional evidence may be answered.

Section 13 (4) Applications — Local government applications or commission proposals to include land in reserve

Application by local government or proposal by commission

22 (1) A municipality or regional district, whether or not it is the owner of the land, may apply at any time under section 13 (4) of the Act to add land to a designated land reserve, on giving notice in writing of the application to

- (a) the municipality or regional district, as the case may be,
- (b) the commission, and
- (c) if the land is not owned by the applicant municipality or regional district, the owner of the land.
- (2) The commission may propose at any time under section 13 (4) of the Act to add land to a designated land reserve, on giving notice in writing to
 - (a) the municipality,
 - (b) the regional district, and
 - (c) the owner of the land.
- (3) An application or proposal made under subsection (1) or (2) must be made by filing an Application by Local Government or the Commission in a form specified by the commission and be accompanied by any other material required by the commission.

[am. B.C. Reg. 74/2000, s. 7.]

Required public hearing

- 23 (1) For an application referred to in section 22 (1) of this regulation, the applicant municipality or regional district must hold the public hearing under section 13 (5) of the Act, at its own expense, at least 30 days before submitting the application to the commission.
 - (2) For a proposal referred to in section 22 (2) of this regulation, the commission must hold the public hearing under section 13 (5) of the Act, at its own expense, at least 30 days before the commission considers the matter.
 - (3) Sections 2 and 3 of this regulation apply to the public hearing.
 - (4) At least 2 weeks' written notice of the public hearing must be given to the other parties and to the owner of the land.

Written representations may be made

The applicant, the owner, the municipality and the regional district in which the land is located may make written representations in respect of an application or proposal referred to in section 22 of this regulation.

Commission to inform interested parties if land is designated

- On approving an application under section 13 (4) of the Act or designating all or part of the land as part of an agricultural land reserve under section 13 (4) or (6) of the Act, the commission must give notice of this to
 - (a) the applicant,
 - (b) the owner,
 - (c) the municipality, if applicable,
 - (d) the regional district in which the land is located, and

(e) the appropriate registrar of titles.

Section 13 (6) Applications — Owner applications to include land in reserve

Application by owner

- 26 (1) If an owner's land is not included in an agricultural land reserve plan, the owner may apply at any time under section 13 (6) of the Act to have the land designated as or as part of an agricultural land reserve.
 - (2) An application referred to in subsection (1) must be made by filing an Application by Land Owner in the form specified by the commission,
 - (a) if the land that is the subject of the application is located in a municipality, in the office of the responsible local government officer for the municipality, and
 - (b) in all other cases, in the office of the responsible local government officer for the regional district in which the land is located.

[am. B.C. Reg. 74/2000, s. 8.]

Local government officer must complete Schedule 2

After an owner files an application under section 26 of this regulation, the responsible local government officer must without delay complete a Local Government Report in a form specified by the commission.

[am. B.C. Reg. 74/2000, s. 9.]

Local government may hold hearing

- 28 (1) A municipal council or regional district board that has had an application filed with it under section 26 of this regulation may hold a public hearing in respect of the application.
 - (2) Sections 2 and 3 of this regulation apply to a hearing under subsection (1).

Local government submission to commission

- 29 (1) Within the applicable time limit under subsection (2), a municipal council or regional district board that has received an application under section 26 of this regulation must send to the commission
 - (a) the application,
 - (b) the recommendations of the council or board, and
 - (c) any other relevant information.
 - (2) The time limit for sending materials under subsection (1) is
 - (a) 60 days after receipt of the application, if a hearing is held under section 28 of this regulation, and
 - (b) 30 days after receipt of the application in other cases.

Commission to inform interested parties if land is designated

- On designating all or part of the land as part of an agricultural land reserve under section 13 (6) of the Act, the commission must give notice of the designation to
 - (a) the owner,
 - (b) the municipality, if applicable,
 - (c) the regional district in which the land is located, and
 - (d) the appropriate registrar of titles.

Section 22 Applications — General applications for use or subdivision of reserve land

Application must be filed with local government

- 31 (1) A person who applies to the commission under section 22 of the Act for permission under section 17 (3), 18, 20 or 21 (2) of the Act must file an Application by Land Owner, in a form specified by the commission,
 - (a) if the land that is the subject of the application is located in a municipality, in the office of the responsible local government officer for the municipality, and
 - (b) in all other cases, in the office of the responsible local government officer for the regional district in which the land is located.
 - (2) As exceptions, subsection (1) does not apply in relation to applications
 - (a) for a type of use prescribed in section 34 of this regulation, or
 - (b) to subdivide land in circumstances prescribed in section 36 of this regulation.

[am. B.C. Reg. 74/2000, s. 10.]

Sections 10 to 15 apply

- 32 (1) Sections 10 to 15 of this regulation apply in respect of an application filed under section 31 of this regulation.
 - (2) For the purpose of subsection (1), a reference to section 15 (4) of the Act in sections 10 to 15 of this regulation is deemed to be a reference to section 22 (2) of the Act.

Commission hearing

- 33 (1) If this is considered necessary or advisable, the commission may hold a hearing with respect to any application filed under section 31 of this regulation.
 - (2) A hearing under subsection (1) must be held at a time and place designated by the commission and may be adjourned from time to time.
 - (3) Sections 17 to 21 of this regulation apply in respect of a hearing under subsection (1).

Section 22 Applications — Special cases for certain uses of reserve land

Application to be filed directly with commission

- 34 (1) A person must file in the office of the commission an Application by Land Owner in the form specified by the commission if
 - (a) the person is applying to the commission under section 22 of the Act for permission to use land in an agricultural land reserve for a purpose other than farm use, and
 - (b) the proposed use is a use prescribed by subsection (2).
 - (2) The following are purposes prescribed for the purpose of subsection (1):
 - (a) storage and sale or processing of agricultural products on a farm if they were not grown or reared on that farm;
 - (b) a reserve or area of land or habitat set apart for wildlife that does not qualify as a permitted land use under the Agricultural Land Reserve Subdivision and Land Use Regulation;
 - (c) parks and recreation reserves, whether created by the Provincial government, a regional district or a municipality, that do not qualify as a permitted land use under the Agricultural Land Reserve Subdivision and Land Use Regulation;
 - (d) unpaved airstrip for use of aircraft flying non-scheduled flights;
 - (e) dedication or construction of new highway, road or railway rights of way;
 - (f) electrical transmission lines and utility installations, including pipeline pumping stations, automatic telephone exchanges, electrical substations, navigational aids, underground pipelines and any ancillary purposes;
 - (g) trunk sewer and trunk water lines and ancillary storage or pumping facilities, including construction of or addition to a reservoir;
 - (h) sewage lagoons, treatment plants and other sewage disposal facilities regulated by the Waste Management Act;
 - (i) sanitary land fills;
 - (j) well drillings and access to well sites, but not including wells drilled for potable water for use in a single family dwelling unit;
 - (k) guest ranches;
 - (l) open land recreation uses, including campgrounds, fishing and hunting camps, game farms and rifle ranges, if a total of not more than 5% of the land registry parcel or 2 ha, whichever is the lesser, will be physically altered by the construction of roads, services, paving, parking facilities, buildings, structures or earthworks;
 - (m) surveying, exploring or prospecting for gravel, oil or minerals, if all cuts, trenches and similar alterations are to be restored to the natural ground level and all topsoil is to be replaced;

- (n) gravel pits, peat extractive areas and turf farms, if reclamation and rehabilitation is possible;
- (o) horse riding arenas or boarding stables;
- (p) dog kennels for boarding or breeding. [am. B.C. Reg. 74/2000, s. 11.]

Notice to local government

- Before issuing an order allowing a use prescribed in section 34 of this regulation, the commission must inform the following of the application:
 - (a) if the land that is the subject matter of the application is located in a municipality, the municipal council of the municipality;
 - (b) in all other cases, the board of the regional district in which the land is located.

Section 22 Applications — Special cases for certain subdivisions of reserve land

Application to be filed directly with commission

- 36 (1) A person must file in the office of the commission an Application by Land Owner in the form specified by the commission if
 - (a) the person is applying to the commission under section 22 of the Act for an order authorizing a registrar of titles to accept a plan of subdivision under the *Land Title Act* or a strata plan under the *Condominium Act*,
 - (b) the proposed subdivision is designed to establish a legal boundary along the perimeter of an agricultural land reserve, and
 - (c) the part of the land within the reserve will consist of a parcel with an area of not less than 8 093.5 m².

[am. B.C. Reg. 74/2000, s. 12.]

Notice to local government

- Before issuing an order authorizing acceptance of a plan referred to in section 36 of this regulation, the commission must inform the following of the application:
 - (a) if the land that is the subject matter of the application is located in a municipality, the municipal council of the municipality;
 - (b) in all other cases, the board of the regional district in which the land is located.

General

Who is the responsible local government officer

38 For the purpose of this regulation, "responsible local government officer" means,

AGRICULTURAL LAND RESERVE PROCEDURE REGULATION

Schedules 1 to 3

- (a) in relation to a municipality, the municipal officer assigned responsibility under section 198 of the *Municipal Act* for that municipality, and
- (b) in relation to a regional district, the regional district officer assigned responsibility under section 198 of the *Municipal Act* for that regional district.

Prescribed fees

- 39 (1) The prescribed application fees are as follows:
 - (a) for an application under section 14 or 15 of the Act, \$750;
 - (b) for an application under section 22 of the Act to which section 34 or 36 of this regulation does not apply, \$550;
 - (c) for an application to which section 34 or 36 of this regulation applies, \$400.
 - (2) The prescribed portion of the application fee that a municipality or regional district may retain for the purposes of section 34 (1) of the Act is \$250 for
 - (a) an application under section 15 of the Act, or
 - (b) an application described in subsection (1) (b) of this section.
 - (3) The prescribed times for the purposes of section 34 (1) (b) of the Act are March 31, June 30, September 30 and December 31 of each year.
 - (4) The prescribed portion of an application fee that must be remitted by the commission for the purposes of section 34 (5) of the Act is \$150.

SCHEDULES 1 TO 3

Repealed. [B.C. Reg. 74/2000, s. 13.]

Note: this regulation revises B.C. Reg. 313/78

[Provisions relevant to the enactment of this regulation: Regulations Regulation, B.C. Reg. 394/83, Part 2; Agricultural Land Reserve Act, R.S.B.C. 1996, c. 10, section 55]

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OVINCE OF BRITISH COLUMF

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

, Approved and Ordered FEB 21 2000 Order in Council No.

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, 2000, B.C. Reg. 448/98, the Agricultural Land Reserve Subdivision and Land Use Regulation, is amended by striking out "Agricultural Land Commission Act" in the title of the schedule and substituting "Agricultural Land Reserve Act".

DEPOSITED

FEB 2 2 2000

B.C. REG. +

Minister of Agriculture and Food

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: Agricultural Land Commission Act, section 55 and section:-(Agriculture Land Reserve Act, eff. April 1, 2000) Other (specify):-

January 14, 2000

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FEB 21 '00 03:32PM ORDERS NCE OF BRITISH COLUM!

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No.

231 , Approved and Ordered FEB 21 2000

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, 2000, B.C. Reg. 450/98, the Administration of Crown Land in an Agricultural Land Reserve Regulation, is amended

- (a) in sections 1 and 3 (b) by striking out "Agricultural Land Commission Act" and substituting "Agricultural Land Reserve Act", and
- (b) in section 3 (c) by striking out "Provincial Agricultural Land Commission" and substituting "Land Reserve Commission".

DEPOSITED

FEB 2 2 2000

B.C. REG. <u>73/2000</u>

Minister of Agriculture and Food

Presiding Member of the Executive Council

<u></u>	(This pan is for administrative purposes only and is not part of the Order.)	
Authority under which Order is made:		
at and section:-	Agricultural Land Commission Act, section 55	
Other (specify):-	(Agriculture Land Reserve Act, eff. April 1, 2000)	

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P.6/8

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order is Council No.

233 , Approved and Ordered FEB 21 2000

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, 2000, B.C. Reg. 452/98, the Agricultural Land Reserve Procedure Regulation, is amended as set out in the attached Schedule.

DEPOSITED

FEB 2 2 2000

B.C. REG. 74/2000

Minister of Agriculture and Food

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:

and section:-

Agricultural Land Commission Act, section 55

Other (specify):-

(Agriculture Land Reserve Act, eff. April 1, 2000)

SCHEDULE

- 1 Section 1 of B.C. Reg. 452/98, the Agricultural Land Reserve Procedure Regulation, is amended
 - (a) in subsection (1) by striking out "contain all the information specified in Schedule 3 to this regulation" and substituting "be in the form and contain all the information specified by the commission for an Application by Local Government or the Commission", and
 - (b) in subsection (2) (a) by striking out "in Schedule 3 to this regulation and be accompanied by any other supporting material the commission may indicate it requires," and substituting "by the commission for an Application by Local Government or the Commission under section 13 or 14 of the Act,".
- 2 Section 7 (1) is amended by striking out "in Schedule 1 to this regulation" and substituting "specified by the commission for an Application by Land Owner".
- 3 Section 8 (2) is amended by striking out "Agricultural Land Commission Act" and substituting "Agricultural Land Reserve Act".
- 4 Section 10 (a) is amended by striking out "the form in Schedule 2 to this regulation" and substituting "a Local Government Report in the form specified by the commission,".
- Section 14 (1) is amended by repealing paragraphs (a) and (b) and substituting the following:
 - (a) the Application by Land Owner,
 - (b) the Local Government Report, .
- 6 Section 15 is amended by striking out "or in Schedule 1 or 2 of this regulation".
- 7 Section 22 (3) is amended by striking out "in the form set out in Schedule 3 to this regulation" and substituting "made by filing an Application by Local Government or the Commission in a form specified by the commission".
- 8 Section 26 (2) is amended by striking out "application in compliance with Schedule 1 of this regulation," and substituting "Application by Land Owner in the form specified by the commission,".

- 9 Section 27 is amended by striking out "obtain information listed in Schedule 2 of this regulation and complete the form in that Schedule." and substituting "complete a Local Government Report in a form specified by the commission."
- Section 31 (1) is amended by striking out "application in substantial compliance with Schedule 1 to this regulation," and substituting "Application by Land Owner, in a form specified by the commission,".

11 Section 34 is amended

- (a) in subsection (1) by striking out "application substantially in the form in Schedule 1 to this regulation" and substituting "Application by Land Owner in the form specified by the commission", and
- (b) in subsection (2) (b) by striking out "Agricultural Land Commission Subdivision and Land Use Regulation" and substituting. "Agricultural Land Reserve Subdivision and Land Use Regulation".
- 12 Section 36 (1) is amended by striking out "application substantially in the form in Schedule 1 to this regulation" and substituting "Application by Land Owner in the form specified by this commission".
- 13 Schedules 1 to 3 are repealed.