



**APPLICATION
for Transportation, Utility
and Recreational Trail Uses in the ALR
under the
Agricultural Land Reserve
Use, Subdivision and Procedure Regulation**

To avoid delays in processing your application, please ensure that all parts of the form are completed and that all additional documentation and fees are enclosed.

The information required by this form and the documents you provide with it are collected to process an application under the *Agricultural Land Commission Act* and regulation. This information will be available for review by any member of the public. If you have any questions about the collection or use of this information, contact the Commission and ask for the staff member handling the application.

Provincial Agricultural Land Commission
Room 133, 4940 Canada Way, Burnaby, BC V5G 4K6
Telephone: (604) 660-7000 Fax: (604) 660-7033
www.alc.gov.bc.ca

INSTRUCTIONS

Unless permitted under sections 2 and 3 of the Agricultural Land Reserve Use, Subdivision and Procedure Regulation, a person must file an application with the office of the Commission for any of the following uses:

- a) widening of an existing road right of way;
- b) construction of a road within an existing right of way;
- c) dedication of a right of way or construction any of the following:
 - i. a new or existing road or railway
 - ii. a new or existing recreational trail;
 - iii. a utility corridor use;
 - iv. a sewer or water line other than for ancillary utility connections;
 - v. a forest service road under the *Forest Act*;
- d) the new use of an existing right of way for a recreational trail.

The application fee is \$400 and is payable to the Minister of Finance.

APPLICANT

This is the registered owner of the land, an agent acting on behalf of the owner, or a person with a right of entry granted by the Mediation and Arbitration Board under the *Petroleum and Natural Gas Act*, the *Mineral Tenure Act*, the *Mining Right of Way Act* or any other authority under an enactment.

LOCAL GOVERNMENT

Specify the municipality or regional district in which the property is located.

LAND UNDER APPLICATION

Copies of the Certificate of Title or Title Search Print must accompany your application.

PROPOSAL

Be clear and precise in describing the proposal and purpose of the application. Include details of any physical alteration of the land that the non-farm use will require. A plan or sketch showing the proposal is required. Explain what steps you may be proposing to reduce potential impact on surrounding agricultural lands such as landscape screening, fencing, etc.

NOTIFICATION OF AFFECTED LANDOWNERS

Persons applying for transportation and utility uses under Section 6 of the Agricultural Land Reserve Use, Subdivision and Procedure Regulation must notify the owners of the land involved in the proposal where the applicant is not the owner of the land under application. Please ensure that the attached pamphlet entitled "**Transportation and Utility Corridors and Agricultural Land - An Advisory for Landowners in the Agricultural Land Reserve**" is given to all affected landowners with land in the Agricultural Land Reserve.

SEND THE COMPLETED APPLICATION TO THE AGRICULTURAL LAND COMMISSION OFFICE

The following **must** be enclosed:

- Application fee (\$400) payable to Minister of Finance
- Certificate of Title or Title Search Print
- Agent authorization (if using agent)
- Map or sketch showing proposal
- Photographs (optional)

INCOMPLETE OR MISSING INFORMATION WILL DELAY YOUR APPLICATION

If you have any questions about the application process, contact the Commission's office.



**APPLICATION FOR TRANSPORTATION, UTILITY OR
RECREATIONAL TRAIL USES
under Section 6 of the Agricultural Land Reserve
Use, Subdivision and Procedure Regulation**

NOTE: The information required by this form and the documents you provide with it are collected to process your application under the Agricultural Land Commission Act and regulation. This information will be available for review by any member of the public. If you have any questions about the collection or use of this information, contact the Agricultural Land Commission and ask for the staff member who will be handling your application.

APPLICANT

Name of Applicant:		Agent:	
Address:		Address:	
Postal Code		Postal Code	
Telephone	Fax	Telephone	Fax
E-mail		E-mail	

LOCAL GOVERNMENT JURISDICTION *(List all affected jurisdictions)*

Municipality	Regional District
_____	_____
_____	_____
_____	_____

LAND UNDER APPLICATION *(Show land on plan or sketch)*

Title Number	Area Affected (Ha.)	Title Number	Area Affected (Ha.)
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Total Project Area: _____ Hectares

NOTIFICATION OF AFFECTED LANDOWNERS

Have all affected property owners with land in the ALR been notified as required by Section 7 of the Agricultural Land Reserve Use, Subdivision and Procedure Regulation?

Yes No

TRANSPORTATION AND UTILITY CORRIDORS AND AGRICULTURAL LAND

AN ADVISORY FOR LANDOWNERS IN THE AGRICULTURAL LAND RESERVE

The purpose of this advisory is to describe the application process for pipelines, roads, recreational trails and other utility corridors in the Agricultural Land Reserve (ALR), and the rights and duties of proponents and affected landowners. It does not address compensation or other issues that may arise between a proponent and a landowner, which are private matters to be resolved between the parties and their professional advisors.

Application Process

The provincial *Agricultural Land Commission Act* protects agricultural land in BC for present and future farm use. Proponents of transportation and utility corridors through the ALR must, in addition to obtaining a landowner's permission, apply and receive permission from the Agricultural Land Commission for such development. Upon receipt of an application, the Commission may contact local governments and other agencies for their comments and recommendations. After reviewing the proposal, the Commission will make a decision and communicate this in writing to the proponent.

The proponent is responsible for notifying the affected landowners at two stages in the process:

- At the time the application is filed with the Commission, and
- When the Commission makes a decision.

If the Commission approves an application, the second notice must include any conditions of approval imposed by the Commission.

Landowner's Rights

As an owner of land in the ALR through which a gas, sewer or water line, road, recreation trail or other utility corridor is being proposed, you have the right:

During the Route Selection Stage

- To all information from the proponent on the options and preferred route location of the transportation or utility corridor through your property; and
- To contact the proponent and the Commission to express concerns or suggest specific changes to the preferred route location.

During the Application Stage

- To be notified by the proponent that an application under the *Agricultural Land Commission Act* has been filed for that portion of the proposal which affects your property; and
- To contact the proponent and the Commission to express concerns or make suggestions on site preparation and reclamation.

During the Decision Stage

- If approved, to be notified by the proponent of the Commission's decision, by way of a copy of the Commission's approval letter outlining the conditions of approval; and
- To view any of the proponent's site preparation and reclamation reports submitted to the Commission. (During any negotiations between a landowner and the proponent, the landowner may request construction or rehabilitation conditions beyond those specified by the Commission.)

During the Construction & Reclamation Stages

- To review all site preparation, construction and reclamation work as it proceeds; and
- To contact the Commission directly if the Commission's conditions are not being met.

To ensure that the Commission's conditions are being met, the Commission staff Agrologist will review the construction and reclamation procedures. If the procedures being used do not satisfy the approved conditions, the Commission may amend the conditions or issue a stop work order. The Commission Agrologist has the authority to modify the approval conditions, provided the modifications do not materially alter the intent of the approval.

Notification of Affected Landowners

The Commission requires the proponent to give this advisory to affected landowners. If you have any concerns about the proposal, please complete the back of this form and send it to the Commission within 14 days of receiving the notification.

