



Land Use Operational Policy Agriculture - Intensive

NAME OF POLICY:	Agriculture - Intensive
APPLICATION:	This policy applies to all Crown land allocated for the commercial production of animals, fruits, and/or vegetables on parcels 15 ha or less (e.g. poultry farms, dairy farms, market gardens, green-houses, nurseries, piggeries, and feed lots).
ISSUANCE:	Assistant Deputy Minister, Rural Development, Lands and Innovation
IMPLEMENTATION:	Ministry of Forests, Lands, Natural Resource Operations and Rural Development
REFERENCES:	<i>Land Act</i> (Ch. 245, R.S.B.C., 1996)
RELATIONSHIP TO PREVIOUS POLICY:	This policy replaces the previous Intensive Agriculture policy dated June 1, 2011.

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Date:

APPROVED AMENDMENTS:		
Effective Date	Briefing Note /Approval	Summary of Changes:

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1. POLICY APPLICATION

This policy applies to the disposition of Crown land for intensive agricultural use, meaning the use of Crown land parcels of an area of 15 ha or less for the commercial production of animals, fruits and/or vegetables. Examples of intensive agriculture include poultry farms, dairy farms, market gardens, greenhouses, nurseries, piggeries and feed lots.

New tenures and sales are only available:

- in areas designated as intensive agricultural lands under Section 17 of the *Land Act*, or
- through a competitive process.

This policy applies to Crown land located both within and outside of the Agricultural Land Reserve.

2. PRINCIPLES AND GOALS

For information on Crown land allocation principles see [Crown Land Allocation Principles](#).

3. DEFINITIONS AND ABBREVIATIONS

For a glossary of definitions and abbreviations see [Glossary and Abbreviations](#).

4. APPLICANT ELIGIBILITY

For standard policy information on eligibility see [Eligibility and Restrictions](#).

5. FORM OF LAND ALLOCATION

For standard policy information on forms of allocation see [Form of Crown Land Allocation](#).

Refer to Appendix 1 for a summary of the forms and terms of Crown land allocation available for intensive agriculture operations.

5.1 Lease

The maximum term for a lease is 30 years.

All shoreland parcels and all parcels not registrable in the Land Titles Office are disposed by lease.

Applicants may apply to obtain a 30 year replacement lease at mid-term of the tenure.

5.2 Sale

All new and replacement intensive agricultural parcels are made available in fee simple where:

- the lot is registered in a Land Title Act subdivision plan; or
- a *Land Act* survey complies with approving officer requirements (title to be raised on issuance of Crown grant).

6. PRICING POLICY

For information on pricing see the [Pricing Policy](#).

For information on application and service fees see the [Crown Land Fees Procedure](#).

7. ALLOCATION PROCESSES

For detailed standard information on allocation processes see [Allocation Procedures - Applications](#).

Additional or special requirements for intensive agriculture allocations are:

7.1 Applications

New tenures and sales are made by direct application in areas designated (under Section 17 of the *Land Act*) as intensive agricultural lands.

Replacement tenures are available by direct offer pursuant to application.

7.1.1 Field Inspections

In cases of direct sale disposition a statutory declaration (as opposed to a field inspection) is normally sufficient as a basis upon which to rescind buy-back options. Statutory declarations should state that intensive agricultural development has been completed in full compliance with the development plan.

7.2 Competitive Process

Crown land for intensive agriculture is disposed by competitive process in all cases except areas designated by the province (pursuant to Section 17 of the *Land Act*) for intensive agricultural use.

7.3 Direct Sale

Crown land in areas designated by the province (pursuant to Section 17 of the *Land Act*) is disposed by direct sale pursuant to application.

8. TENURE ADMINISTRATION

For standard tenure administration information see the [Tenure Administration Procedure](#).

Additional or special requirements for intensive agriculture allocations are:

8.1 Assignment to Financial Institutions

Applicant eligibility requirements are waived for assignment or foreclosure of agricultural leases to recognized financial institutions (e.g. Farm Credit Corporation, Federal Business Development Bank, credit unions, chartered banks or trust companies).

The financial institution may hold the tenure for its unexpired term provided the tenure is maintained in good standing.

Financial institutions must be advised, at the time of receiving a lease through assignment or foreclosure, that any future assignment of the unexpired term must meet prevailing eligibility criteria.

A financial institution that is a lessee through assignment or foreclosure may exercise an option to purchase, provided development requirements and any other conditions of the option have been fulfilled.

9. VARIANCE

Variances to this policy must be completed in accordance with the [Policy Variance Procedure](#).

Appendix 1. Intensive Agriculture Policy Summary

TENURE	TERM	METHOD OF DISPOSITION
Lease	30 yrs standard term with provision for replacement at midterm	Competitive Process or Direct Offer in designated areas
Direct Sale	Perpetuity	Competitive Process or Direct Offer in designated areas