

This Act is current to 30 November 2016.

## **GREENBELT ACT**

[RSBC 1996] CHAPTER 176

### Contents

- 1 Definitions
- 2 Application of other Acts
- 3 Preservation of greenbelt land
- 4 Greenbelt register
- 5 Gifts of money
- 6 Disposition of greenbelt land
- 7 Inconsistent use under existing lease or agreement
- 8 Management of greenbelt land
- 9 Lease, right of way or easement over greenbelt land
- 10 Power to make regulations

### Definitions

#### 1 In this Act:

"Crown land" means ungranted Crown or public land or Crown domain within British Columbia that belongs to the government, whether or not waters flow over or cover it, and includes any right, title, estate or interest of the government in land;

"greenbelt land" means land that is

- (a) considered by the minister to be suitable for preservation as greenbelt land under this Act, and
- (b) reserved or acquired for that purpose under section 3.

#### Application of other Acts

2 (1) Except as provided in this Act or the regulations, greenbelt land is not subject to any other enactment, whenever enacted or made.

(2) Except in accordance with this Act or the regulations, no person may exercise a power granted under any other enactment so as to affect greenbelt land.

(3) Despite subsections (1) and (2), this Act is subject to the Agricultural Land Commission Act, the Ecological Reserve Act, the Environment and Land Use Act, the Environmental Management Act and the Water Sustainability Act.

#### Preservation of greenbelt land

3 For establishing and preserving greenbelt land,

- (a) the Lieutenant Governor in Council may, by order, reserve Crown land as greenbelt land,
- (b) with the approval of the Lieutenant Governor in Council, the minister may acquire land on behalf of the government as greenbelt land, and
- (c) with the approval of the Lieutenant Governor in Council, the minister may make an agreement on behalf of the government with any of the following for the acquisition by the government of land owned by them as greenbelt land:

- (i) Canada;
- (ii) an agency of Canada;
- (iii) an agency of the government;
- (iv) a municipality or regional district;
- (v) an agency of a municipality or regional district.

#### Greenbelt register

4 (1) The minister must maintain a greenbelt register to record all land reserved or acquired under section 3.

(2) The record may include the following:

- (a) the legal description of the land;
- (b) the name of the owner of the fee simple if other than the government;

- (c) the estate or interest in the land held by the government and the method of acquisition;
- (d) the area;
- (e) the date of entry in the register.

#### Gifts of money

5 (1) The Minister of Finance may accept money, received from a gift or grant, for the acquisition or maintenance of greenbelt land.

(2) On the requisition of the minister, money accepted under subsection (1) may be paid out for this Act without any other appropriation.

#### Disposition of greenbelt land

6 (1) With the approval of the Lieutenant Governor in Council and after public notice, the minister may dispose of greenbelt land in accordance with the Land Act.

(2) On disposal, the minister must delete the record of that land from the greenbelt register.

(3) This section does not apply to land acquired by gift under the former Greenbelt Protection Fund Act.

#### Inconsistent use under existing lease or agreement

7 (1) Land that, at the time it is recorded in the greenbelt register is being used, under a lease or other agreement, for a purpose inconsistent with the nature and use of the land as greenbelt land, may continue to be used for that purpose until the expiry of the term of that lease or other agreement and any extension specifically permitted by the lease or other agreement.

(2) If, at the time it is recorded in the greenbelt register, there are buildings on greenbelt land, the minister may lease the buildings.

#### Management of greenbelt land

8 (1) The minister is responsible for the management of greenbelt land.

(2) The minister may carry out maintenance, improvement and development work on greenbelt land.

(3) The minister may, in writing, delegate the management of greenbelt land.

#### Lease, right of way or easement over greenbelt land

9 Despite section 6, the minister may lease or grant a right of way or easement over greenbelt land in accordance with the Land Act to any person on terms consistent with the continued existence, nature and use of the land as greenbelt land.

#### Power to make regulations

10 The Lieutenant Governor in Council may make regulations referred to in section 41 of the Interpretation Act.

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