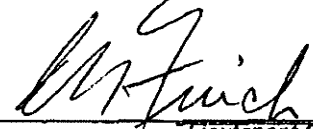


PROVINCE OF BRITISH COLUMBIA
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. **775**, Approved and Ordered **NOV 10 2006**




~~Lieutenant Governor~~
Administrator

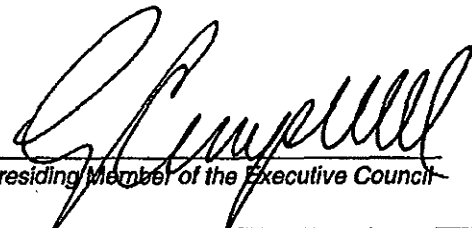
Executive Council Chambers, Victoria

On the recommendation of the undersigned, the ~~Lieutenant Governor~~ ^{Administrator}, by and with the advice and consent of the Executive Council, orders that, effective November 13, 2006,

- (a) *the Expropriation Act General Regulation, B.C. Reg. 451/87, is amended as set out in section 1 of the attached Schedule,*
- (b) *the Geothermal Resources Administrative Regulation, B.C. Reg. 132/83, is amended as set out in section 2 of the attached Schedule,*
- (c) *the Land Title Act Regulation, B.C. Reg. 334/79, is amended as set out in section 3 of the attached Schedule, and*
- (d) *the Strata Property Regulation, B.C. Reg. 43/2000, is amended as set out in sections 4 to 7 of the attached Schedule.*



Minister of Agriculture and Lands



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: *Expropriation Act, R.S.B.C. 1996, c. 125, s. 54; Geothermal Resources Act, R.S.B.C. 1996, c. 171, s. 24; Land Title Act, R.S.B.C. 1996, c. 250, ss. 76 and 385; Strata Property Act, S.B.C. 1998, c. 43, s. 292;*

Other (specify): *OICs 2103/79, 623/83, 2531/87 and 130/2000*

October 16, 2006

SCHEDULE

1 Section 3 of the Expropriation Act General Regulation, B.C. Reg. 451/87, is repealed and the following substituted:

Requirements of plan

- 3** (1) If less than an entire parcel is affected by the expropriation and a fee simple interest is intended to be expropriated,
- (a) a copy of a reference or explanatory plan must be attached to the expropriation notice, and
 - (b) the application to file the notice in the land title office must be accompanied by a plan package that
 - (i) complies with section 67 (s) of the *Land Title Act*, or
 - (ii) in the case of an electronic plan, complies with section 168.721 of the *Land Title Act*.
- (2) If less than an entire parcel is affected by the expropriation and an interest less than the fee simple is intended to be expropriated,
- (a) a copy of a reference or explanatory plan must be attached to the expropriation notice, and
 - (b) the application to file the notice in the land title office must be accompanied by a plan package that
 - (i) complies with section 67 (s) of the *Land Title Act*, or
 - (ii) in the case of an electronic plan, complies with section 168.721 of the *Land Title Act*,unless the application to file the notice includes a description of the area of the parcel and the interest to be affected by the expropriation, in a method contemplated by section 58 (1) of the *Land Title Act*, that is contained in a written instrument in form and substance capable of registration as a charge under the *Land Title Act*.

2 Section 4 of the Geothermal Resources Administrative Regulation, B.C. Reg. 132/83, is amended

- (a) *in subsection (3) by striking out* "on tracing linen or film with a matte finish, plus 2 paper prints of the site of the well to be drilled", *and*
- (b) *by adding the following subsection:*
 - (3.1) If the application for well authorization is not submitted to the division by an electronic plan within the meaning of, and as contemplated by, Part 7.2 of the *Land Act*,
 - (a) the original plan accompanying the application must be on film with a matte finish, and
 - (b) the application must be accompanied by 2 paper prints of the site of the well to be drilled.

3 Section 9 of the Land Title Act Regulation, B.C. Reg. 334/79, is repealed and the following substituted:

If there is no connection with a highway

- 9** (1) An approving officer may grant relief from compliance with section 75 (1) (a) (i) of the Act if a subdivision creates a single parcel that does not abut a highway and the subdivider
- (a) proposes to grant, appurtenant to the new parcel, an easement of access to a highway or, where there is no established system of highways, a private road or way, and
 - (b) submits to the approving officer a subdivision plan that shows the new parcel and outlines in a manner that complies with the rules made by the Association of British Columbia Land Surveyors or, in the case of an electronic plan, that complies with section 168.721 of the *Land Title Act*
 - (i) the easement area, or
 - (ii) the private road or way.

4 Section 14.3 of the Strata Property Regulation, B.C. Reg. 43/2000, is amended by adding the following subsection:

- (4) This section does not apply to a strata plan in electronic format that may be submitted for deposit in a land title office in accordance with Division 2.1 of Part 10.1 of the *Land Title Act*.

5 Section 14.4 is amended

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

- (ii) must be dated and contain the name of the surveyor preparing the strata plan; ,

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

- (q) the street address of the land contained in the strata plan must be shown on the first sheet;
- (r) the name of the municipality or assessment district in which the strata plan is located must be shown on the first sheet; , *and*

(c) by adding the following subsection:

- (3) The following do not apply to a strata plan in electronic format submitted for deposit in a land title office in accordance with Division 2.1 of Part 10.1 of the *Land Title Act*:
- (a) the requirements in subsection (1) that the strata plan consist of a series of consecutively numbered sheets and that particular matters be set out on the first sheet;
 - (b) subsection (1) (k).

6 Section 14.9 is repealed and the following substituted:

Application to deposit strata plan

- 14.9** Every strata plan tendered for deposit and registration must be accompanied by
- (a) unless the plan is in electronic format, an Application to Deposit Strata Plan in Form Z, signed by the person applying to deposit the strata plan or by his or her agent, and
 - (b) the duplicate indefeasible title covering the land if it is not already in the land title office.

7 *Section 14.10 is amended*

(a) by renumbering the section as section 14.10 (1), and

(b) by adding the following subsection:

- (2) This section does not apply to a strata plan in electronic format that is submitted for deposit in a land title office in accordance with Division 2.1 of Part 10.1 of the *Land Title Act*.