



**Agricultural Land
Commission Act**

**Policy L-10
January 2016**

**BUILDING NEW RESIDENCE WHILE OCCUPYING EXISTING
RESIDENCE**

This policy is intended to assist in the interpretation of the [Agricultural Land Commission Act](#), 2002, including amendments as of September 2014, (the “ALCA”) and BC Regulation 171/2002 ([Agricultural Land Reserve Use, Subdivision and Procedure Regulation](#)), including amendments as of August 2016, (the “Regulation”). In case of ambiguity or inconsistency, the ALCA and Regulation will govern.

It is the policy of the Agricultural Land Commission (“the Commission”) that an application to the Commission for non-farm use is not required where:

- there is one existing residence on the parcel;
- the existing residence will be demolished, moved off the parcel, or made uninhabitable upon occupancy of the new residence, and
- a bond or Letter of Credit and an affidavit (or such other assurances as determined by an authority issuing the building permit) ensuring demolition or removal of the initial residence, or that the initial residence is uninhabitable, has been posted with the authority issuing the building permit.

However for clarity, an application and approval under Section 20(3) of the ALCA for non-farm use is required if the intention is to retain and occupy both residences and one of the residences is not required for farm purposes use.

Unless defined in this policy, terms used herein will have the meanings given to them in the ALCA or the Regulation.

RELATED POLICY:

ALC Policy L-09 Additional Residences for Farm Help Accommodation