



**Agricultural Land
Commission Act**

**Policy L-16
January 2016**

**ACTIVITIES DESIGNATED AS FARM USE:
LEASE OF A PORTION OF ALR LAND FOR FARM USE**

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.

REFERENCE

Agricultural Land Reserve Use, Subdivision and Procedure Regulation (BC Reg. 171/2002), Section 2(1.1), (2)(q) and Section 1(1).

(1.1) The activities designated under this section as farm uses for the purposes of the Act must not be prohibited

- (a) by any local government bylaw except a bylaw under section 552 of the [Local Government Act](#), or*
- (b) by a law of the applicable treaty first nation government, if the activity is undertaken on treaty settlement lands.*

(2) The following activities are designated as farm use for the purposes of the Act:

- (q) a farm use by a person other than the owner of the farm under a lease of the farm or part of the farm, if a condition of the lease is that the leased land be used only for one or more farm uses.*

Agricultural Land Commission Act S.B.C 2002 c. 36, Section 1(1)

“farm product” means a commodity that is produced from a farm use as defined in the Act or designated by this regulation.

“farm use” means an occupation or use of land for farm purposes, including farming of land, plants and animals and any other similar activity designated as farm use by regulation, and includes a farm operation as defined in the [Farm Practices Protection \(Right to Farm\) Act](#)

INTERPRETATION:

The Regulation permits a portion of Agricultural Land Reserve (“ALR”) land to be leased for farm use with the intention of encouraging increased production on agricultural land. If the lease fulfills the intent of Section (2)(q), and there is an intent to register the lease, please contact the Registrar of Land Titles.

Lessees are not permitted to construct or place a residential structure, of any kind, on the leased area. The construction of farm buildings on the leased area is allowed.

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