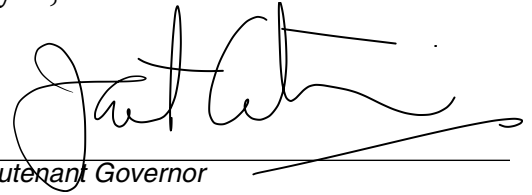


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 385

, Approved and Ordered July 4, 2019




Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that the Agricultural Land Reserve Use Regulation, B.C. Reg. 30/2019, is amended as set out in the attached Schedule.



Minister of Agriculture



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: *Agricultural Land Commission Act, S.B.C. 2002, c. 36, s. 58 (2)*

Other: *OIC 67/2019*

R2034000327

SCHEDULE

1 Section 32 of the Agricultural Land Reserve Use Regulation, B.C. Reg. 30/2019, is repealed and the following substituted:

Additional residence

- 32** (1) The use of agricultural land for an additional residence is permitted if the additional residence meets all of the conditions set out in subsection (2) or (3), as applicable.
- (2) An additional residence that is a pre-existing residential structure is permitted if
- (a) the residence is constructed in accordance with all applicable enactments,
 - (b) on February 22, 2019, the size, siting and use of the residence complied with section 3 (1) (b) (ii) or (b.1) (ii) or (iii) of the Agricultural Land Reserve Use, Subdivision and Procedure Regulation, as it read on February 21, 2019, and
 - (c) the size and siting of the residence is not altered after February 22, 2019 unless
 - (i) permitted under section 25 or 45 of the Act, or
 - (ii) the alteration does not increase
 - (A) the size of the manufactured home, if the residence is a manufactured home, or
 - (B) the total area occupied by all residences and other residential structures, roads and service lines, and all agricultural land between them, if the residence is not a manufactured home.
- (3) An additional residence that is a manufactured home and that is not a pre-existing residential structure is permitted if
- (a) the manufactured home is 9 m or less in width,
 - (b) the manufactured home is used only by the owner or any of the following persons who are related within the meaning of subsection (4):
 - (i) a person who is the owner's
 - (A) parent, grandparent or great grandparent,
 - (B) sibling, or
 - (C) child, grandchild or great grandchild;
 - (ii) the owner's spouse, or a person who is a parent of the owner's spouse,
 - (c) all required authorizations to locate the manufactured home on the agricultural land are granted before February 22, 2020, and
 - (d) the size and siting of the manufactured home is not altered after February 22, 2020, unless permitted under section 25 or 45 of the Act.
- (4) For the purposes of subsection (3) (b), a person is related to an owner or the owner's spouse whether the relationship is by blood, marriage or a marriage-like relationship within the meaning of section 3 of the *Family Law Act*.