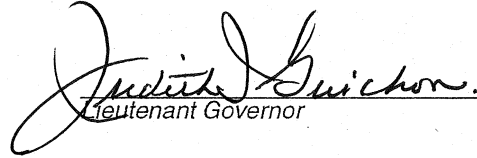


PROVINCE OF BRITISH COLUMBIA  
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

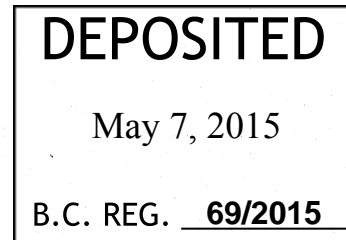
Order in Council No. 200

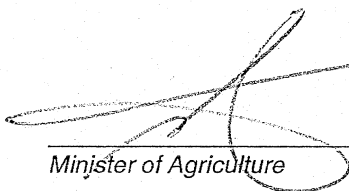
, Approved and Ordered May 07, 2015

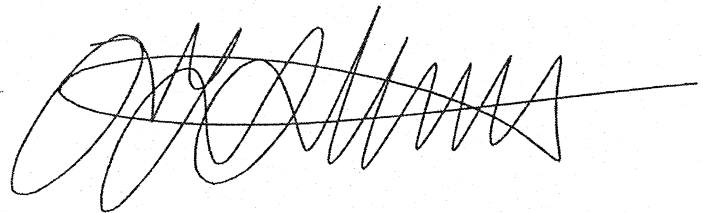
  
Lieutenant Governor

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, Subdivision and Procedure Regulation, B.C. Reg. 171/2002, 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, ss. 58 (2) (a), (a.1) and (b)

Other: OIC 571/2002

April 14, 2015

RESUB3/R/842/2014/3

## SCHEDULE

- 1 *Section 1 of the Agricultural Land Reserve Use, Subdivision and Procedure Regulation, B.C. Reg. 171/2002, is amended in subsection (1) by repealing the definition of “newspaper” and substituting the following:*

“newspaper” has the same meaning as in the *Community Charter*;

- 2 *Section 2 is amended*

*(a) by adding the following subsection:*

(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 917 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. ,

*(b) in subsection (2) by striking out “and may be regulated but must not be prohibited by any local government bylaw except a bylaw under section 917 of the Local Government Act or, if the activity is undertaken on treaty settlement lands, by a law of the applicable treaty first nation government”, and*

*(c) in subsection (2) by adding the following paragraph:*

(p) the production of marihuana in accordance with the Marihuana for Medical Purposes Regulations, SOR/2013-119 (Canada).

- 3 *Section 3 is amended*

*(a) in subsection (1) by striking out “The following land uses are permitted in an agricultural land reserve unless otherwise prohibited” and substituting “The following non-farm uses are permitted in an agricultural land reserve unless otherwise prohibited”,*

*(b) by repealing subsection (1) (f) and (k) and substituting the following:*

(f) biodiversity conservation, passive recreation, heritage, wildlife and scenery viewing purposes, if

(i) the area occupied by any associated buildings and structures does not exceed 100 m<sup>2</sup> for each parcel, and

(ii) the purpose does not include the creation of a wetland intended to manage urban runoff or waste;

(k) aggregate extraction, if the total volume of materials removed from the parcel is less than 500 m<sup>3</sup> and if

(i) any previous extraction from the parcel is rehabilitated in accordance with subsection (3) before a further extraction is made, and

(ii) the cultivatable surface layer of soil is salvaged, stored on the parcel and available for rehabilitation in accordance with subparagraph (i); ,

(c) *in subsection (4) by striking out “The following land uses are permitted in an agricultural land reserve:” and substituting “The following non-farm uses are permitted in an agricultural land reserve and must not be prohibited by a local government bylaw or, for lands located in an agricultural land reserve that are treaty settlement lands, by a law of the applicable treaty first nation government:”*,

(d) *in subsection (4) (a) by striking out “or” at the end of subparagraph (iv), by repealing subparagraph (v) and by substituting the following:*

(v) a reserve established under section 15 of the *Land Act* for recreational use, or

(vi) a recreation site established under section 56 of the *Forest and Range Practices Act*;

(e) *by repealing subsection (4) (f) and substituting the following:*

(f) increasing the right of way width of a forest service road by up to 4 m if the widening does not cause the overall right of way to be wider than

(i) 30 m, if the forest service road is located on Crown land, or

(ii) 20 m, in any other case; , *and*

(f) *in subsection (4) (g) by striking out “30 m;” and substituting “30.5 m;”*.