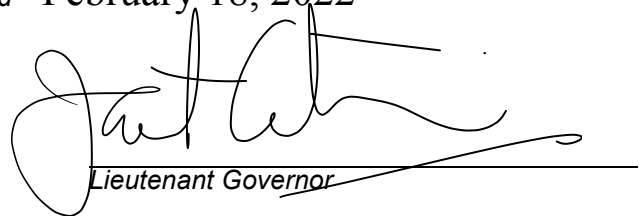


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 83

, Approved and Ordered February 18, 2022



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, effective August 31, 2022, the Agricultural Land Reserve Use Regulation, B.C. Reg. 30/2019, is amended as set out in the attached Schedule.



Minister of Agriculture, Food and Fisheries



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

Other: OIC 67/2019

R10556337

SCHEDULE

- 1** *Section 1 of the Agricultural Land Reserve Use Regulation, B.C. Reg. 30/2019, is amended by adding the following definition:*

“**controlled environment structure**” means a structure that provides a controlled environment intended to intensify crop production, including, without limitation,

- (a) a vertical farming system,
- (b) a rotating tray system, or
- (c) any other structure that minimizes the use of land, controls the use of light, air, water or nutrients or relies in whole or in part on automation,

but not including

- (d) a greenhouse,
- (e) a structure for mushroom production, or
- (f) a structure described in section 8 (1) (b) or (2) that is used for producing cannabis in accordance with section 8; .

- 2** *Part 2 is amended by adding the following Division before section 4:*

Division 1 – Farm Uses That May Be Prohibited .

Controlled environment structures

- 3.1** The use of agricultural land to construct, maintain or operate a controlled environment structure is designated as a farm use.

- 3** *The following heading is added after section 3.1:*

Division 2 – Farm Uses That May Not Be Prohibited .

- 4** *Sections 4 and 5 (1) are amended by striking out “this Part” and substituting “this Division”.*

- 5** *The following section is added to Part 2:*

Controlled environment structures

- 13.1** The use of agricultural land to construct, maintain or operate a controlled environment structure may not be prohibited as described in section 4 if

- (a) the structure that is being constructed, maintained or operated as a controlled environment structure was constructed or was under construction before August 31, 2022, and
- (b) the structure is constructed in accordance with all applicable authorizations and enactments.