



*Agricultural Land
Commission Act*

**Policy #5
March 2003**

**PERMITTED USES IN THE ALR:
AGRI-TOURISM ACCOMMODATION**

This policy provides advice to assist in the interpretation of the Agricultural Land Commission Act, 2002 and Regulation. In case of ambiguity or inconsistency, the Act and Regulation will govern.

REFERENCE:

Agricultural Land Reserve Use, Subdivision and Procedure Regulation (BC Reg. 171/2002), the “Regulation”, Section 3 (1) (a)

Section 3 (1) “the following land uses are permitted in an agricultural land reserve unless otherwise prohibited by a local government bylaw:

(a) accommodation for agri-tourism on a farm if

- (i) all or part of the parcel on which the accommodation is located is classified as a farm under the Assessment Act,*
- (ii) the accommodation is limited to 10 sleeping units in total of seasonal campsites, seasonal cabins or short term use of bedrooms including bed and breakfast bedrooms under paragraph (d), and*
- (iii) the total developed area for buildings, landscaping and access for the accommodation is less than 5% of the parcel;*

Section 1 (1)

“agri-tourism” means a tourist activity, service or facility accessory to land that is classified as a farm under the Assessment Act

“sleeping unit” means

- (a) a bedroom or other area used as a bedroom in a cabin, dwelling or accessory building, and*
- (b) a tent or recreational vehicle on a campsite*

INTERPRETATION:

The Regulation permits accommodation for agri-tourism on a farm, provided all the following three criteria are met:

1. All or part of the parcel must be classified as a farm under the *Assessment Act*;
2. The accommodation must be 10 or fewer sleeping units including seasonal campsites, seasonal cabins or short term use of bedrooms, including bed and breakfast bedrooms allowed under Section 3 (1) (d) of the Regulation; and
3. The total developed area for this use including buildings, landscaping and access, (driveways and parking), must be less than 5% of the total parcel area.

Local governments may prohibit this use or allow the use with the above restrictions. The local government may also have additional requirements for such things as parking, signage, setbacks etc.

Under this Regulation, agri-tourism accommodation can only be located on an ALR parcel that is assessed as a farm, and the accommodation use must be accessory to the principle use of the property which is farming. This use is permitted only if the property is assessed as ‘farm’ and if the assessment changes, this use is no longer permitted.

The use of campsites or cabins (separate from dwellings) for agri-tourist accommodation must be seasonal which this policy interprets as less than 12 months of the year. In other words, the campsites or cabins must not be available for paying guests for the full year or 12 consecutive months. A single tent or a single recreational vehicle on a campsite on the parcel counts as one sleeping unit.

However bedrooms in a dwelling or building accessory to a dwelling, may be offered for tourist accommodation year round, or the full 12 months, i.e. there is no 'seasonal' requirement for this type of sleeping unit. A bedroom, or other area such as a living room used as a bedroom (i.e. with a bed), counts as one sleeping unit. All the sleeping units must be used only for tourist accommodation for paying guests.

The farm on which the accommodation is located may be comprised of one or several parcels of land owned or operated by a farmer as a farm business.

The maximum limit of 10 sleeping units includes the number of bed and breakfast bedrooms permitted under Section 3 (1) (d) of the Regulation. For example, if there are already 3 bed and breakfast bedrooms on a parcel, only 7 additional sleeping units may be permitted under the Regulation, to meet the maximum of 10 in total. See Commission Policy "Permitted Uses in the ALR: Bed and Breakfast Use".

Agri-tourism accommodation uses that do not meet the conditions established in the Regulation, for example uses with more than 10 sleeping units, require application to and approval from the Commission.

Where a zoning bylaw is in place, this use must be specifically permitted by the bylaw.

TERMS:

Short term – means the use by a tourist of bedroom accommodation for agri-tourism for a period of not more than 30 consecutive days. The term 'tourist' used in this policy, means a person who travels from place to place away from their permanent residence for pleasure or business.