

Laura Schumi


From: Laura Schumi
Sent: Friday, March 01, 2019 9:09 AM
To: Laura Schumi
Subject: FW: ALC Information Update: ALR Regulation Changes Bring Bill 52 into Force and Effect - March 5 EAD agenda topic

The following is a summary of key residential changes to the ALCA and the ALR Use Regulation:

- Generally land in the ALR may have **no more than one residence** per parcel: ALCA, s. 20.1(1)(a), subject to certain grandfathering exceptions (see "Grandfathering Provisions" section). In addition, the Commission may approve an application for an additional residence if necessary for farm use, but the Commission is prohibited from approving an additional residence otherwise: ALCA, s. 25(1.1).
- New size, siting and use requirements apply to residential structures: ALCA, s. 20.1(1)(c).
- The **total floor area of a principal residence must be 500 m² or less** in order to comply with the ALCA, though a local government may impose a lower size cap under their bylaws: ALCA, ss. 20.1(1)(b), 46. The Commission has resolved on a definition of "total floor area" for the purpose of the ALCA and ALR Use Regulation, as set out in the "Glossary" section at the end of this bulletin.
- The ALCA and regulations had previously contained provisions facilitating the construction of additional dwellings for farm help, manufactured homes for immediate family members, accommodation above an existing farm building, or (in parts of the province) a second single family dwelling. These provisions are no longer found in the ALCA and the ALR Use Regulation, though the ALCA provides some grandfathering protection for pre-existing structures of these kinds and the Commission may approve an application for an additional residence if necessary for farm use.
- If a landowner wishes in the absence of certain grandfathering exceptions to have a principal residence having a total floor area that is more than 500 m², to have an additional residence, or to use a residential structure in a manner that contravenes the regulations, the landowner may submit an application to the Commission, through the local government, seeking Commission approval: ALCA, ss. 20.1(2), 25. The ALCA calls this type of application an **"application for a non-adhering residential use"**. More information about this type of application is provided later in this bulletin under the heading "Applications for Non-Adhering Residential Use".

Gerald Christie, MNRES, MCIP, RPP



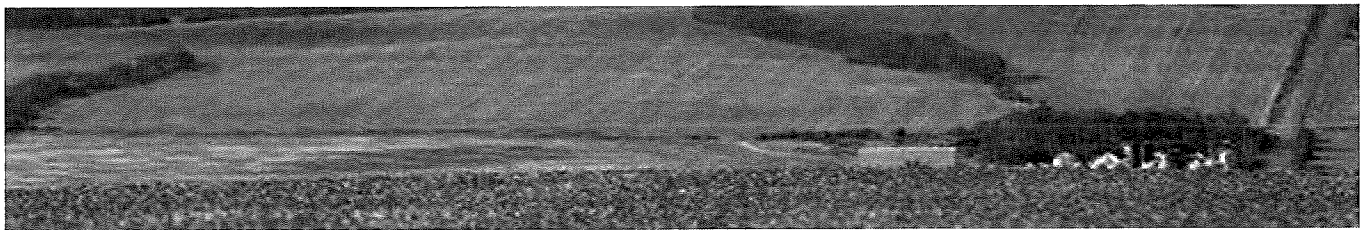
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From: ALC Burnaby ALC:EX [mailto:ALCBurnaby@Victoria1.gov.bc.ca]

Sent: Monday, February 25, 2019 12:33 PM

Subject: ALC Information Update: ALR Regulation Changes Bring Bill 52 into Force and Effect



ALC Information Update

February 25, 2019 – Please circulate to all departments that are involved in applications, permits, bylaws, enforcement and/or other work that affects the ALR.

ALR Regulation Changes Bring Bill 52 into Force and Effect

Effective February 22, 2019, new ALR Regulation changes bring the newly amended ALC Act (Bill 52 – November 27th, 2018) into force and effect.

The ALR Regulation has also been split into two regulations:

- The ALR General Regulation (process and procedures); and
- The ALR Use Regulation (permitted uses).

See Order in Council (OIC) No. 067/2019.

****Please note that until the ALC Act and ALR Regulations have been officially updated on the BC Laws website, the OIC 67/2019 and Bill 52 documents linked above will need to be consulted.**

Housing in the ALR

Housing restrictions in the ALR introduced in 2018 with Bill 52 are now of force and effect. Please refer to [ALC Information Bulletin #5 – Residences in the ALR](#) on the ALC website.

Local Government building departments may need to review pending and recently issued building permits to ensure consistency with the new provincial rules. All residences seeking to meet the grandfathering clauses must have a letter of confirmation from the ALC.

Any residential structure not compliant with the ALC Act and Regulations will need to make a Non-Adhering Residential Use Application to the ALC. See ALC Information Bulletin #5 – Residences in the ALR.

Soil and Fill Use in ALR

Notice of Intent (NOI) submissions for placement of fill or removal of soil are now subject to a \$150 fee. NOI's are submitted directly to the ALC with a read-only copy viewable in the Local Government Inbox.

Please note that the ALC has removed *Bylaw No.2 Placement of Fill in the ALR* from the website until such time that it can be updated to reflect the new ALC Act and ALR Regulations.

Information on soil and fill uses as they relate to residential uses are discussed in [ALC Information Bulletin #5 – Residences in the ALR](#) on the ALC website.

Additional information specific to soil and fill uses in the ALR will be available shortly.

Zones & Application Fees

Applications submitted in areas previously known as Zone 2 that did not have a decision as of February 22, 2019 will now be subject to the new ALC Act and ALR Regulations.

Applications currently with Local Governments

Local governments previously in Zone 2 do not need to change their application review process for any in-stream applications. ALC staff will be reaching out directly to

applicants and agents whose application may be affected by the ALC Act and ALR Regulation changes to make them aware of any impacts.

Applications In Progress

Applicants who were in the process of submitting an application to a local government previously in Zone 2 will receive a “Section 4.3 Notification” in the ALC Application Portal when they attempt to click submit. Once the notification is acknowledged, an email will be sent to the applicant and cc'd to the local government advising them of the changes.

Application Fees

Applications submitted to all local governments after February 22, 2019 are subject to a fee of \$1,500.

Application Portal & the ALC Website

The Application Portal has been taken offline for updating. It is scheduled to be brought back online in the afternoon on Monday, February 25th 2019, with the necessary updates to reflect the new ALC Act and Regulations.

Please refer to the [ALC website](#) for more information on all of these changes.

Contact Us:

<https://www.alc.gov.bc.ca/alc/content/contact-us>

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