



# A20-0002

# 3496 Fitzgerald Road

ALC Application



# Proposal

- ▶ To support an application to the Agricultural Land Commission for a non-adhering residential use permit application to allow the construction of a new dwelling, while allowing the applicant to remain in the existing house.

# Development Process

Feb 13, 2020

Development Application Submitted



Staff Review & Circulation



May 11, 2020

Council Consideration



Council  
Approvals



ALC Consideration



Building Permit

# Context Map



City of Kelowna

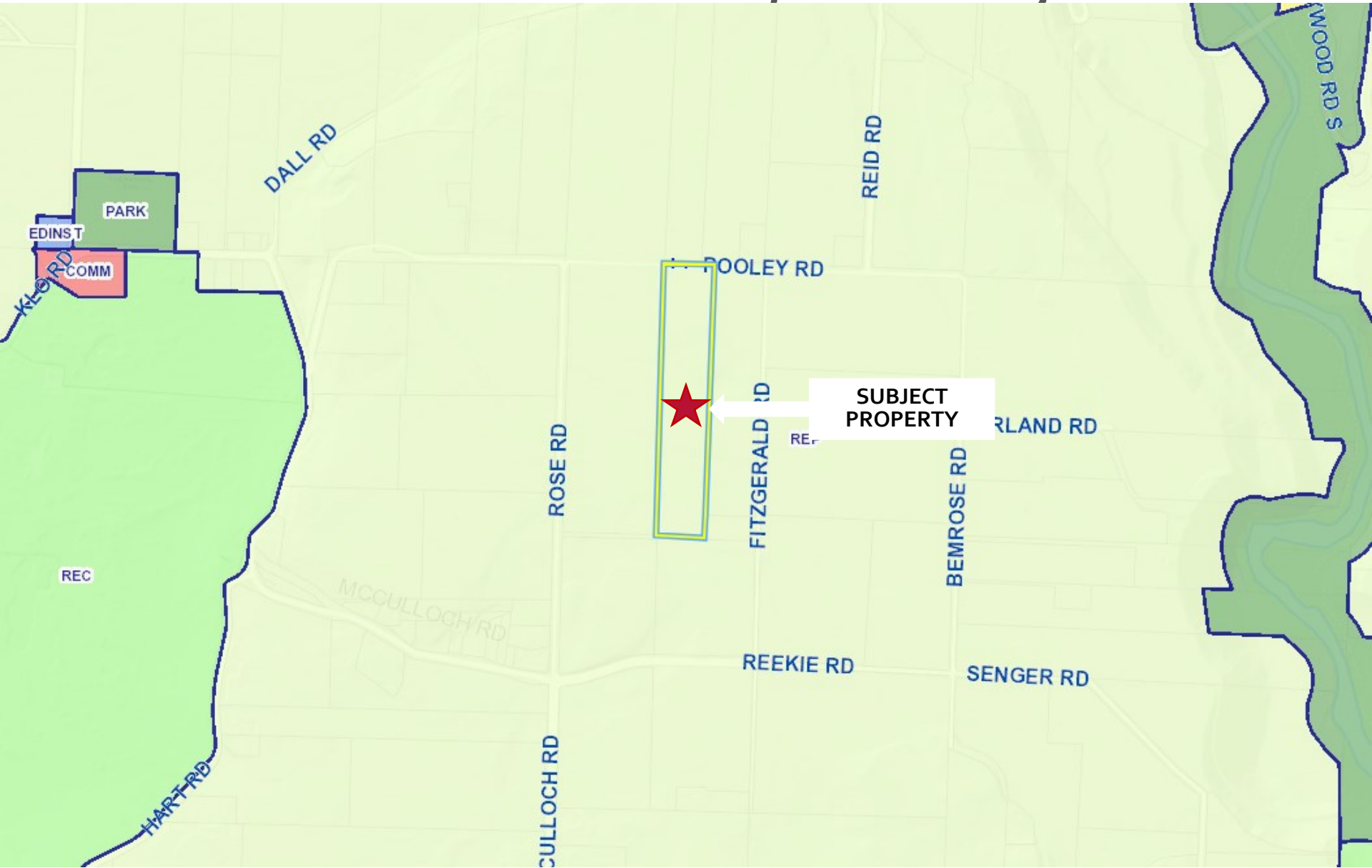
# ALR



City of Kelowna

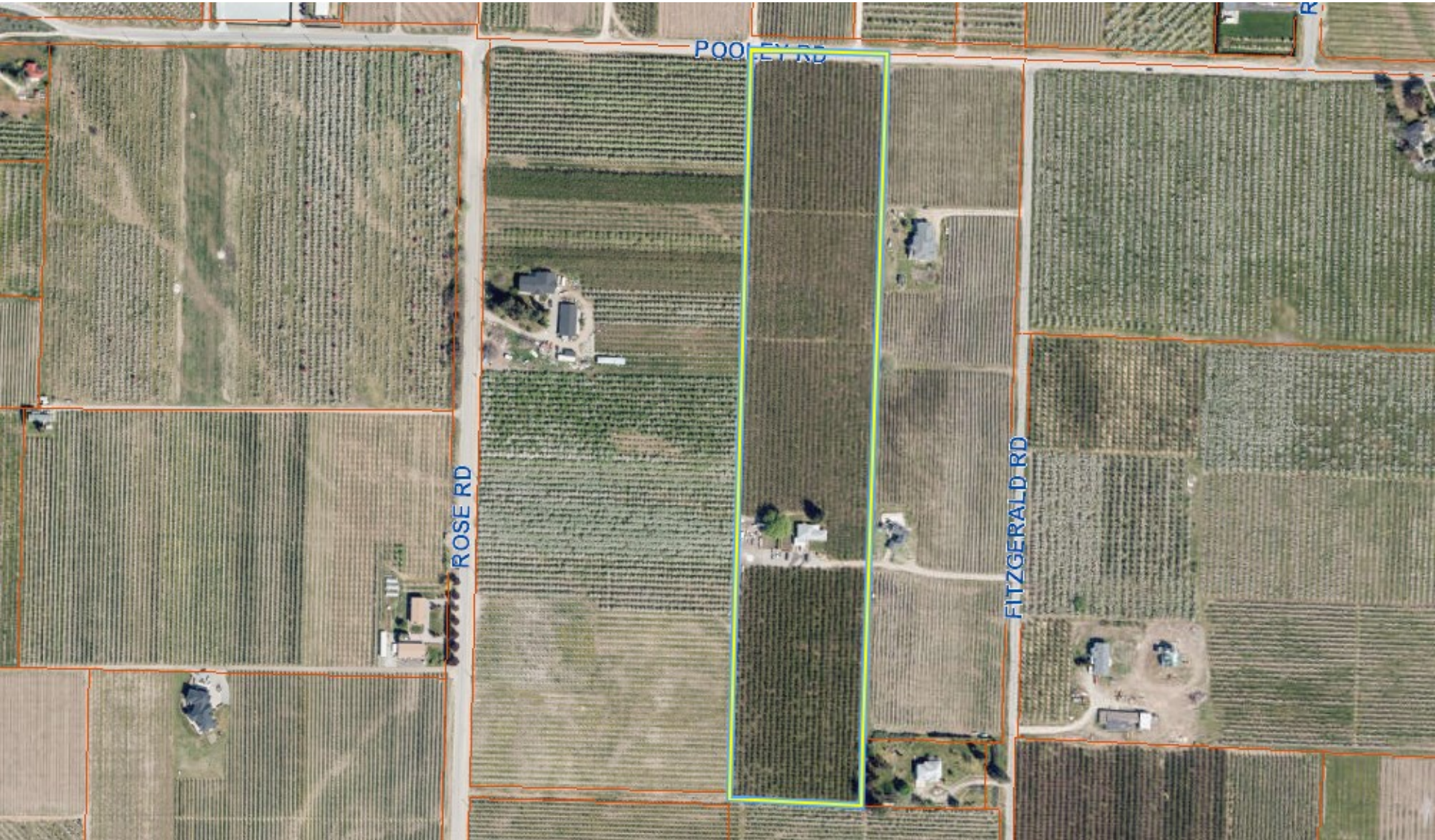


# OCP Future Land Use / Zoning



City of Kelowna

# Subject Property Map



City of Kelowna

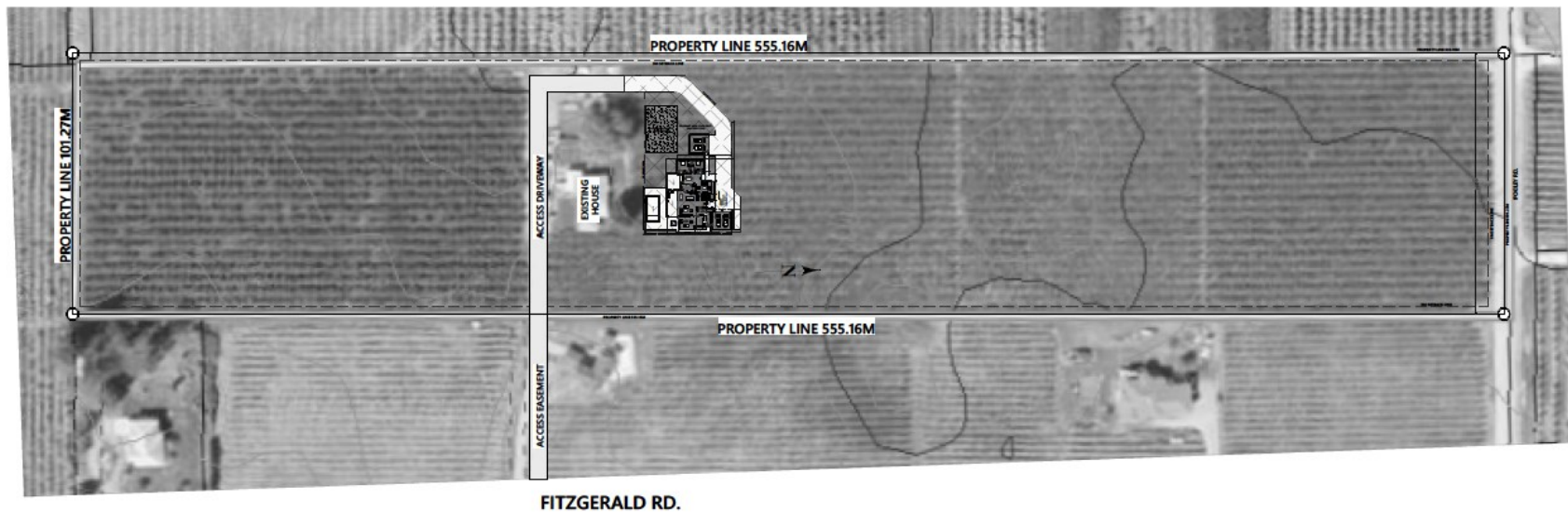
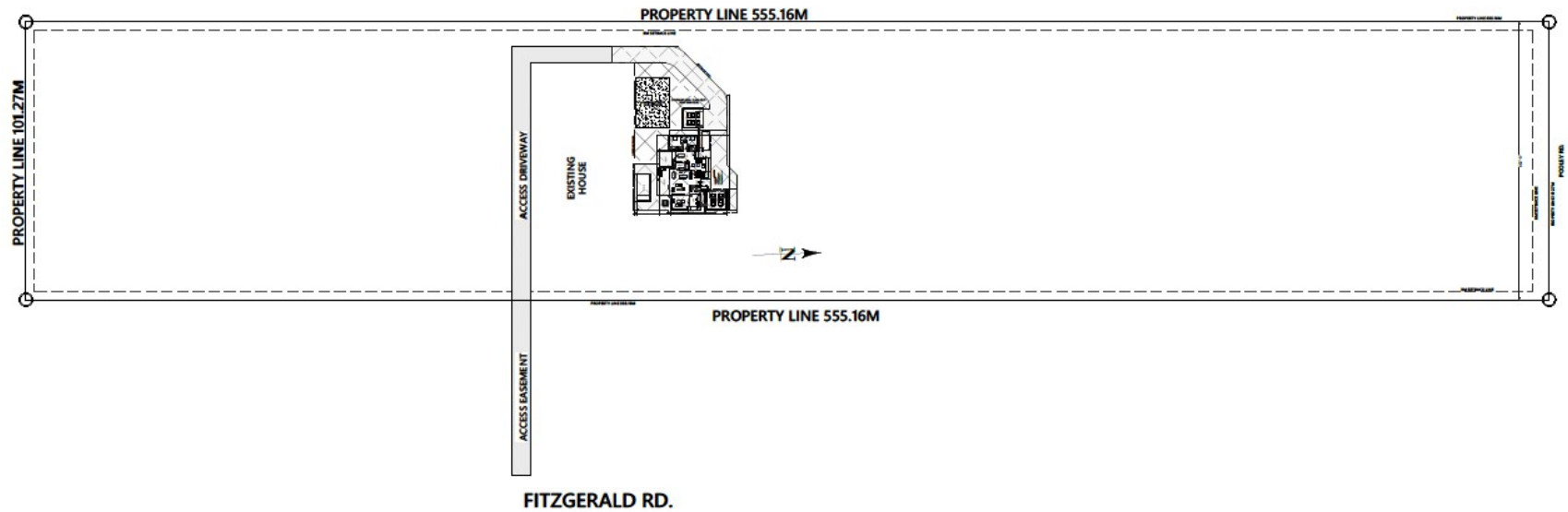


# Project/technical details

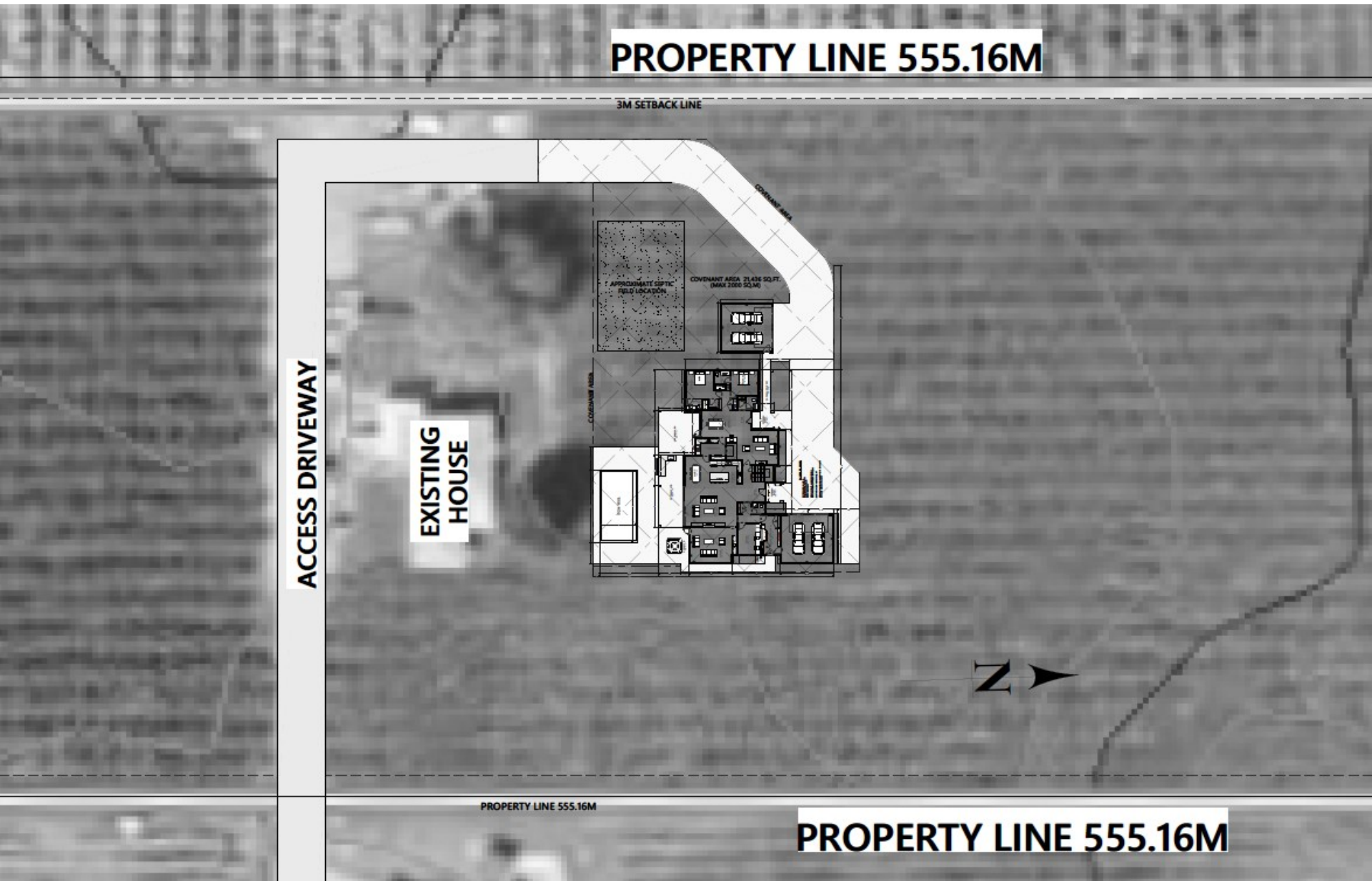
- ▶ Applicant wants to remain in existing house while new house is built.
  - ▶ New dwelling will be within the maximum 500m<sup>2</sup> residential area.
- ▶ The existing dwelling will be decommissioned and turned into a fruit stand and storage facility.



# Site Plan



# Site Plan



# Development Policy

- ▶ OCP - Chapter 5: Development Process
  - ▶ Objective 5.33 Protect and enhance local agriculture
    - ▶ Policy 5.33.1 - Protect Agricultural Land.
- ▶ Agricultural Land Commission Act (ALCA)
  - ▶ Residential use of agricultural land – Section 20.1
    - ▶ (1) Unless permitted under section 20.2, 25 or 45 or the regulations, an owner of agricultural land who constructs, alters or uses a residential structure on the agricultural land must comply with all of the following:
      - ▶ (a) the agricultural land may have no more than one residence per parcel;
    - ▶ (2) an owner may apply (a) to the commission for permission under section 25 for a non-adhering residential use

# Staff Recommendation

- ▶ Staff recommend **support** of the proposed Non-Adhering Residential Use application.
  - ▶ Property is being actively farmed by applicant.
  - ▶ Only one home will remain occupied by the family.
- ▶ Recommend the Bylaw be forwarded to ALC for consideration





## *Conclusion of Staff Remarks*