



# A20-0001

# 1756 Byrns Road

ALC Application



# Proposal

- ▶ To support an application to the Agricultural Land Commission for a non-adhering residential use permit application to allow for an additional dwelling and for TFWH for up to eight workers.

# Development Process



Jan 28, 2020

Development Application Submitted



Staff Review & Circulation



Jul 13, 2020

Council Consideration



Council Approvals



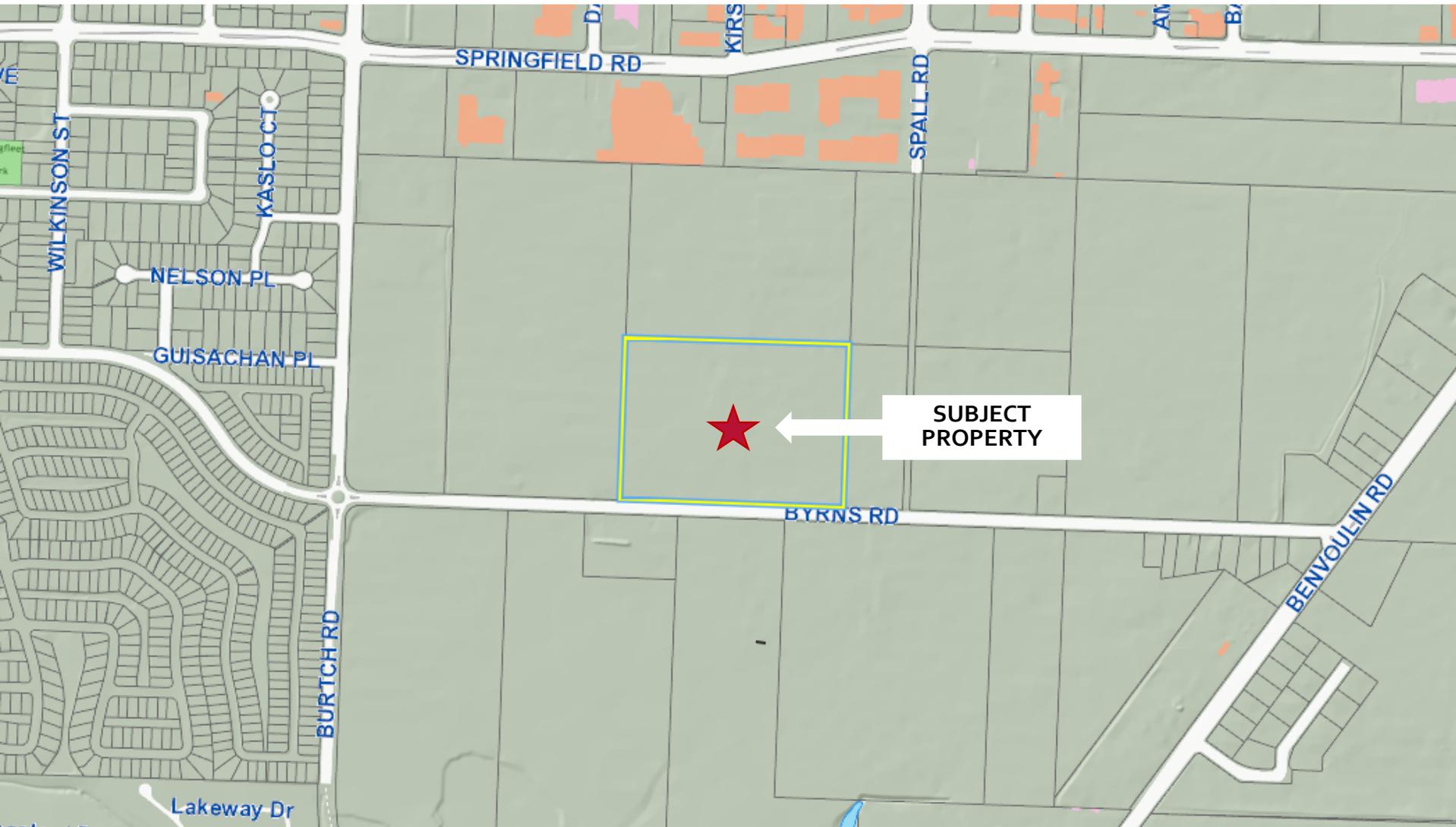
ALC Consideration



Building Permit

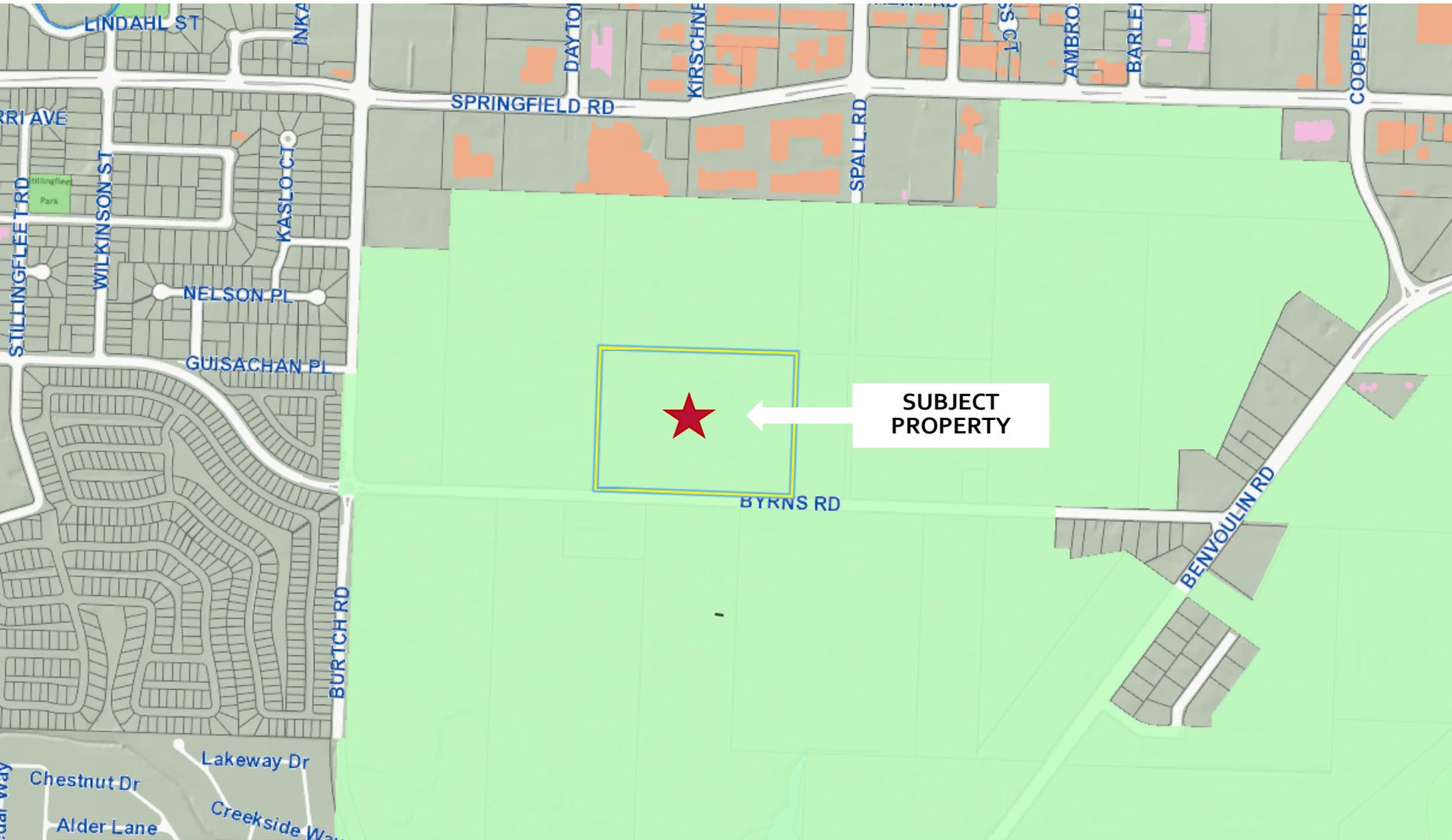


# Context Map

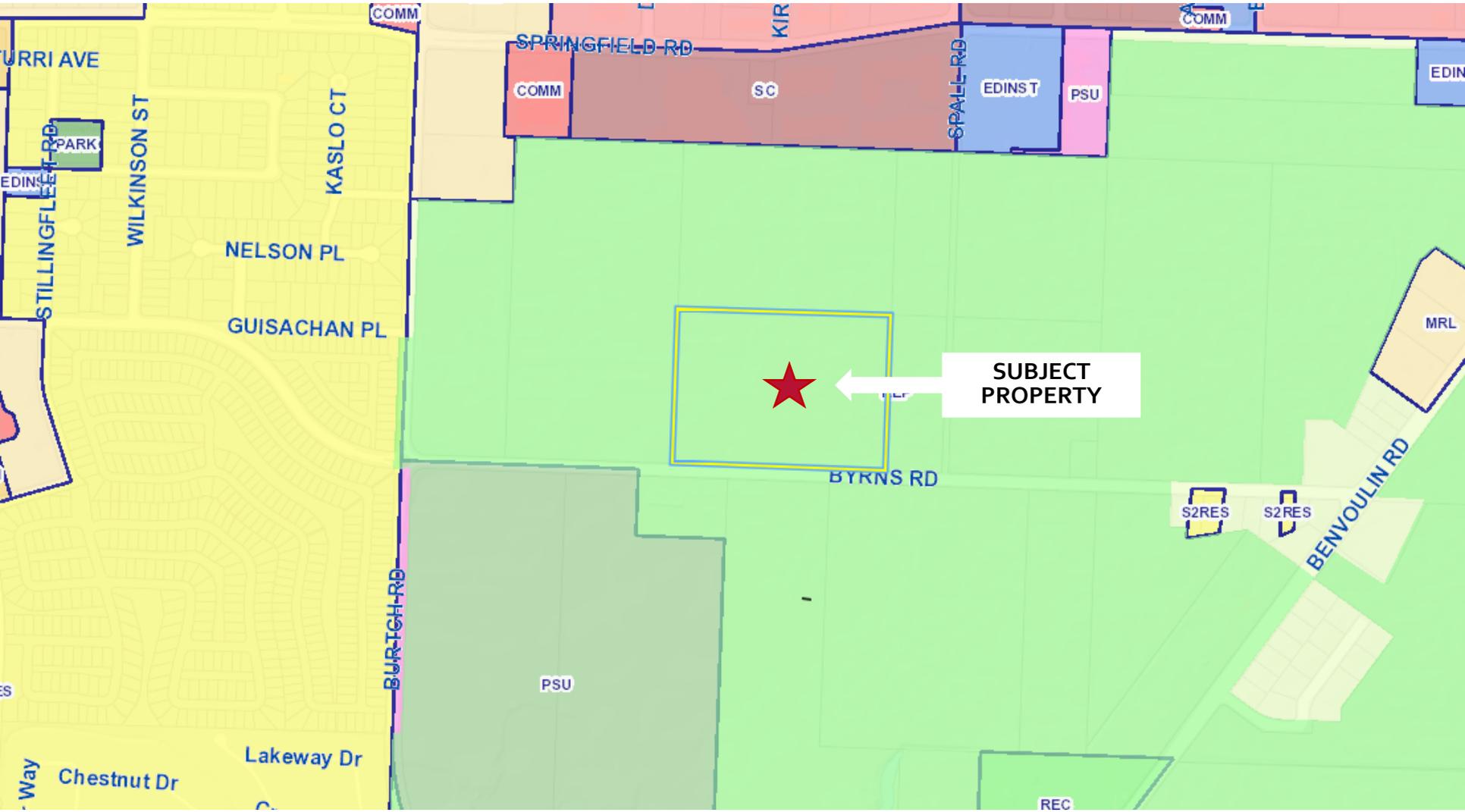


City of Kelowna

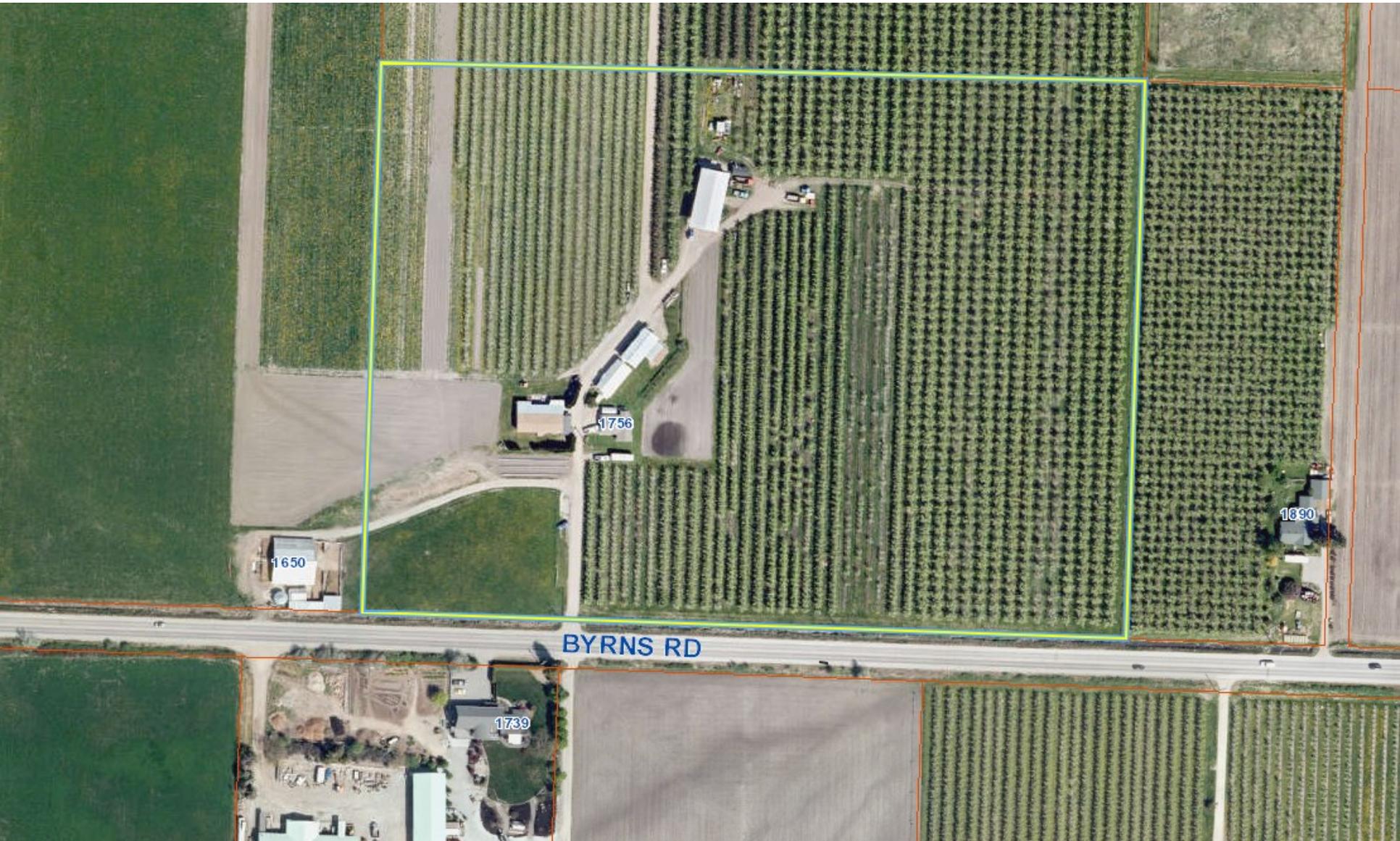
# ALR



# OCP Future Land Use / Zoning

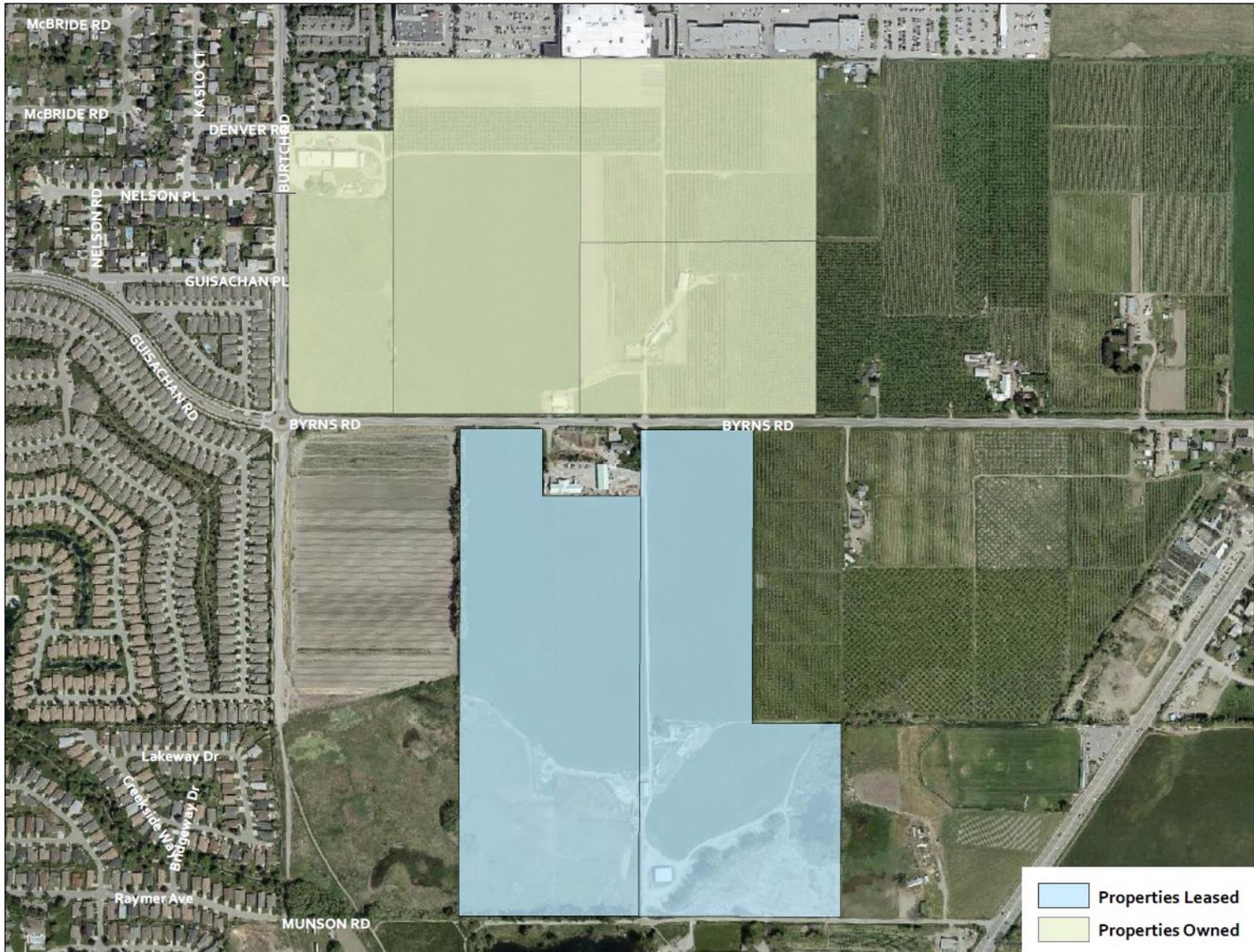


# Subject Property Map



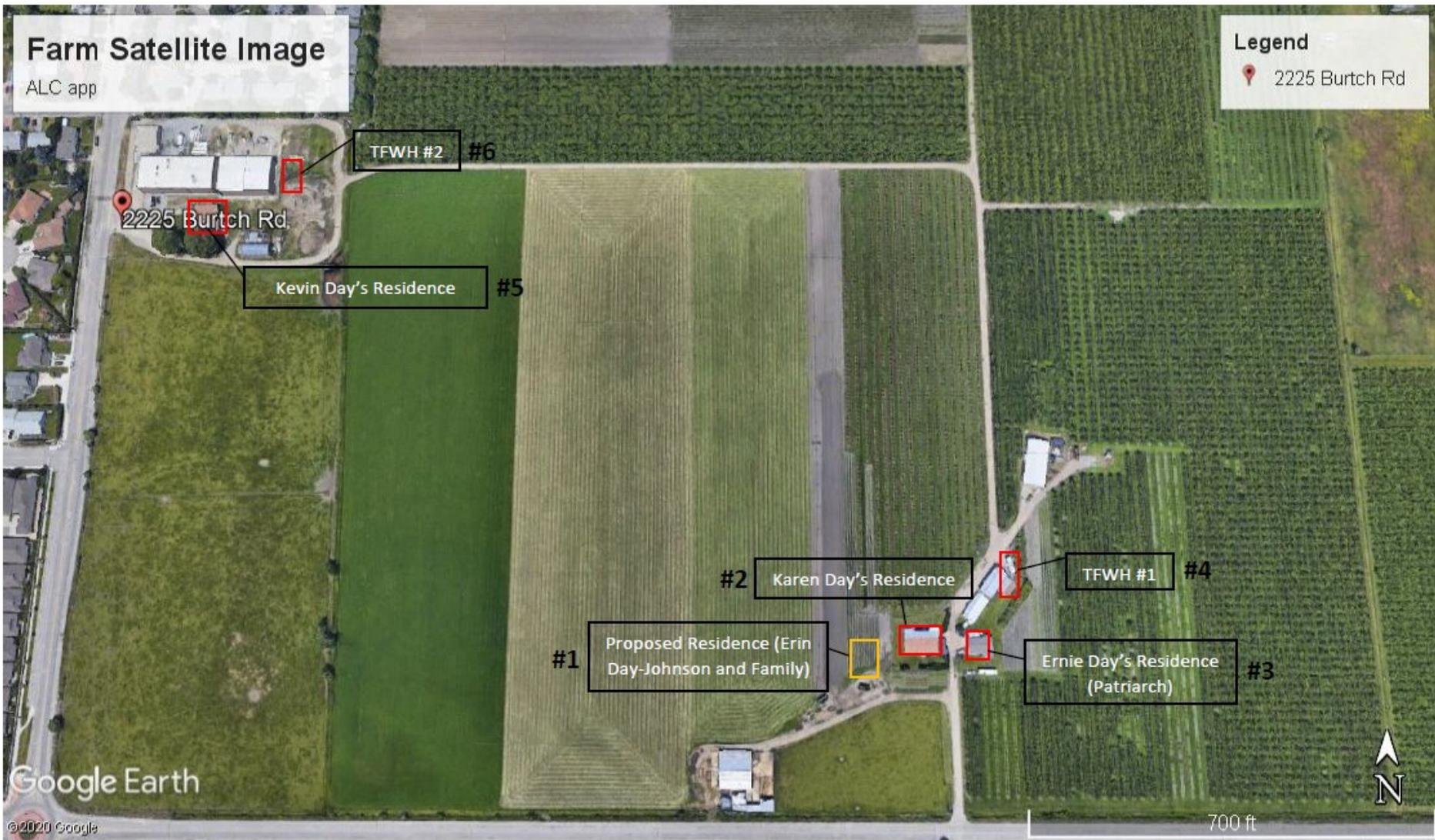
City of Kelowna

# Subject Property Map



City of Kelowna

# Site Plan



# Project/technical details

- ▶ The applicant is nearing retirement and wants to pass over the farm operations to his daughter as part of the succession of the farm.
- ▶ To do this, they are proposing to build a third dwelling on the subject property.
- ▶ This will help the daughter oversee operations on the farm.

# Project/technical details

- ▶ The family owns four properties along Byrns Rd, two of which are vacant.
- ▶ They have agreed to place a no-build covenant on one of the neighbouring vacant properties.
- ▶ This covenant can be removed once, the stick frame home is removed from the property. This would leave them with the proposed home and a mobile home.
  - ▶ This would then be permitted within the A1 zone.

# Project/technical details

- ▶ The application is also for TFWH for up to eight workers
- ▶ This structure is existing and has previously had workers through the SAWP.
- ▶ The applicant has demonstrated that the farm operation is large enough to require

# 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.
  - ▶ The subject property and the surrounding area is actively farmed by the family.
  - ▶ The family has agreed to placing the covenant on the other site until the third dwelling is removed.
  - ▶ The TFWH meets policies and regulations.
  - ▶ Recommend the Bylaw be forwarded to ALC for consideration



## *Conclusion of Staff Remarks*