



Regulatory Options for Second Dwellings in the ALR

Proposal


- ▶ To consider options to regulate secondary dwellings on properties within the ALR.

Development Process

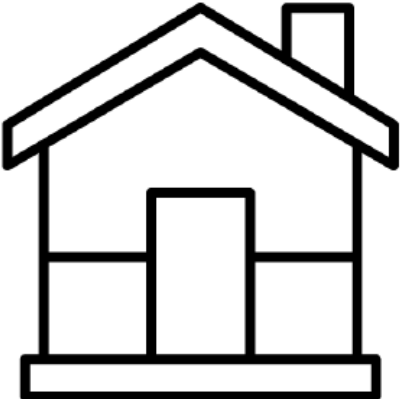


New Legislation

- ▶ New ALC regulation allows a secondary dwelling for select properties within the ALR.
 - ▶ For properties up to 40ha and have a principal dwelling that is less than 500m², a 90m² additional residence is permitted.
 - ▶ For properties that are over 40ha, a second residence up to 186m² is permitted. There are conditions associated with the size of the principal dwelling.
- ▶ Secondary dwelling can be a carriage house, garden suite, manufactured home or suite within existing accessory building.
- ▶ Intent is to allow owners to have short/long-term rental, agritourism, family or farm help. No longer required to be for immediate family members.




90 m² additional residence




Up to 500 m² principal residence

Parcels **less than 40 ha**

OR



186 m² additional residence



Lawfully constructed principal residence

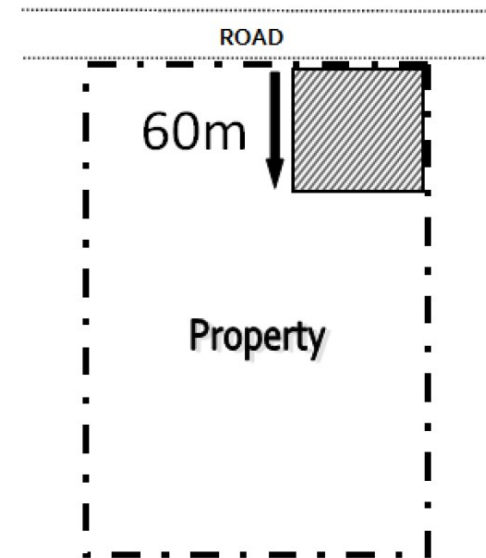
Parcels **more than 40 ha**

Existing Residential Housing Regulations in Kelowna

- ▶ The A1 zone currently allows one dwelling up to 500m² (as defined by the ALC), which may include a secondary suite.
- ▶ As well as a mobile home for immediate family members.
 - ▶ Mobile home must be removed if no longer in use.
- ▶ The setbacks, and height are defined within the Zoning Bylaw.

Farm Residential Footprint Covenant

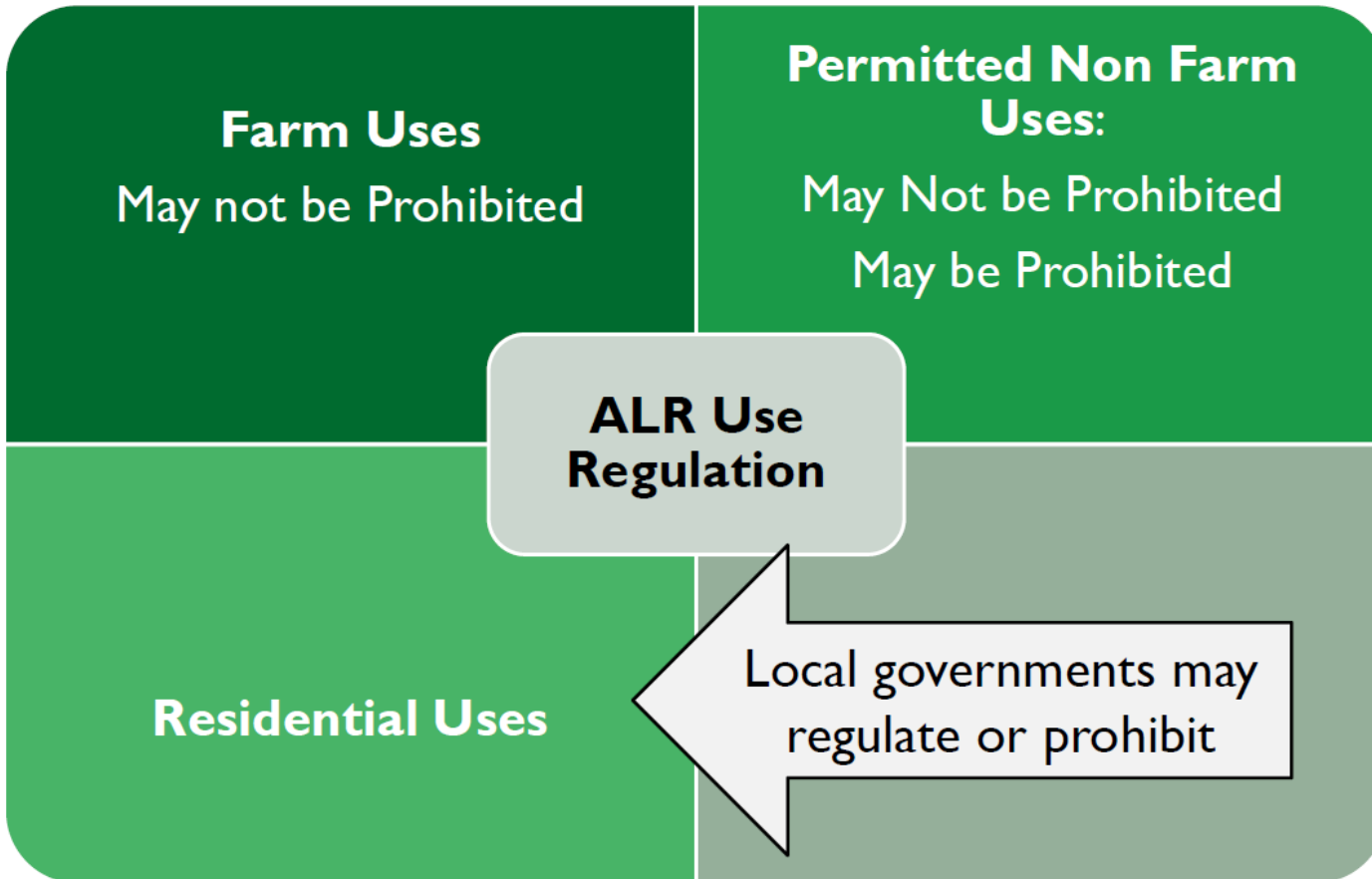
- ▶ Staff require a Farm Residential Footprint covenant to be registered on Title.
 - ▶ This covenant area can be up to 2,000m² (0.2ha) for the principal dwelling and 1,000m² (0.1ha) for mobile home.
- ▶ This was introduced in-lieu of a Farm Development Permit with the intent to create a Homeplate.
- ▶ It is required for any new dwelling or addition over 30m².



Total Number of ALR Properties Affected

Property size	Number of properties
Less than 1 ha	617
1 ha to 40 ha	1296
> 2 ha (recommended minimum size for secondary residence)	1087
Greater than 40 ha	33

- ▶ Of the properties that are greater than two hectares, 187 parcels have two or more dwelling units
- ▶ Approximately 900 parcels could be affected with a 2 ha minimum lot size for a secondary residence.
- ▶ Many of these may also have homes over than 500m².



Option 1: Adopt New ALR Regulations

- ▶ Adopt the regulations for properties larger than 1.0ha in size.
- ▶ This would allow one principal dwelling (up to 500m²) with a secondary suite, as well as a 90m² additional residence.
- ▶ For properties over 40ha, they would be permitted to have second residence up to 186m².
- ▶ This would allow carriage house, manufactured home or accommodation above existing structure.



Option 2: Adopt some of the new ALR Regulations, with restrictions

- ▶ Allow principal dwelling and secondary dwelling up to 90m² for all with a minimum lot size (i.e 2 ha).
 - ▶ This would not allow those over 40ha to have 186m² house.
- ▶ This would have a consistent carriage house size across all ALR properties.
- ▶ This option would allow for greater flexibility, however help limit densities outside of the PGB with a greater focus on maintaining agricultural capability of rural properties.

Option 3: Restrict Second Residences

- ▶ This option would be restricting second residences and only allowing a principal dwelling and a secondary suite.
- ▶ This would be the most strict option and ultimately protect agricultural land and growth strategy. However, would not provide any housing flexibility for property owners and agricultural business.

AAC - December

THAT the Agricultural Advisory Committee recommend to Council that second residences not be supported on agriculturally zoned land

Anecdotal Comments:

- Creates opportunities for conflict and adversely impacts the land with increases in property values and does not encourage farming the land.
- Goes against the objectives of the OCP of densifying and reducing urban sprawl of our community.
- Reminder that not allowing secondary residences still allows the ability to suite the residence for rental income without increasing the footprint into arable land. There are options for rental income already on farmland.
- Secondary residence approval is not a solution for farmers. Ministry needs to reflect how best to help farmers and not just looking at the land ownership opportunity side of the situation.

Potential Amendments

After review of ALC requirements, existing City policies and objectives, and input from the AAC, Staff are proposing the following options to regulate secondary residences in the ALR.

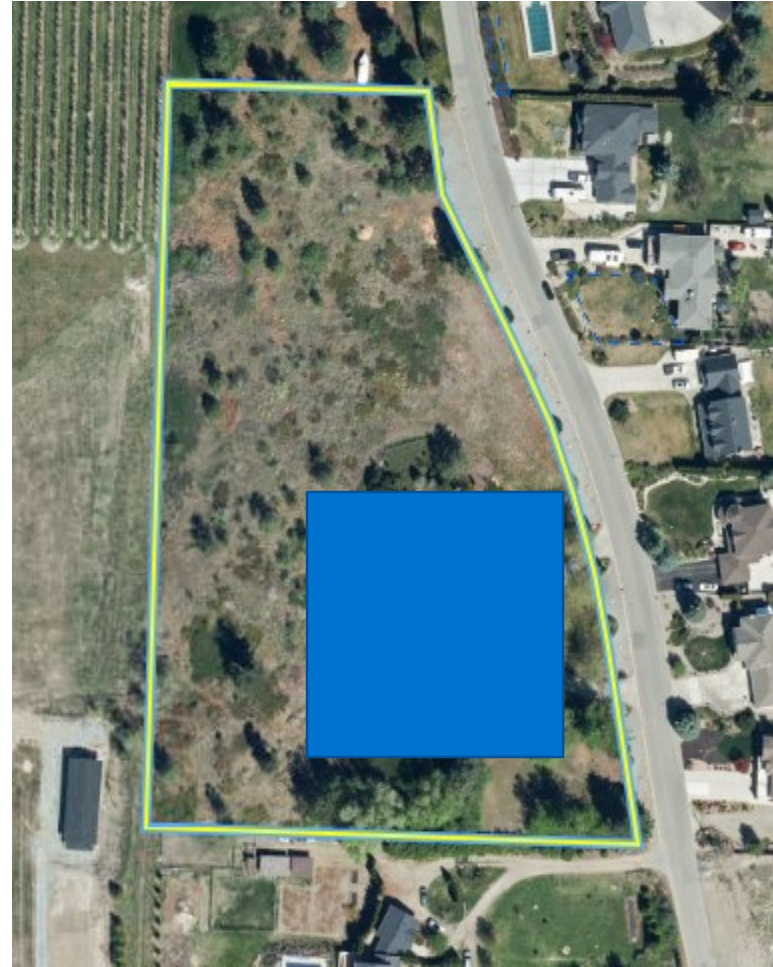
- One secondary suite (within the principle dwelling) or one carriage house/mobile home will be permitted on a property;
- The property must be 2 ha in size or greater;
- All secondary residences must be located within the designated and covenanted residential footprint area as per the OCP's Farm Protection DP Guidelines;
- The maximum floor area of the secondary residences is 90m² or 986ft²;
- The maximum size of the principle dwelling must be 500m² or less;
- The secondary residence could not be subdivided or strata titled.

- ▶ Staff are proposing to permit secondary residences, with limitations:
 - ▶ Allow for greater housing options and flexibility while ensuring protection of agricultural land remains a top priority of the City.
 - ▶ Provide beneficial housing options including ageing in place, housing for immediate family members, market rental or much needed farm worker housing.
 - ▶ Mitigate impacts through existing City policy, specifically the Farm Residential Footprint requirements.
 - ▶ Minimum lot size of 2ha helps ensure that the secondary residence will be used in supporting agricultural uses.
 - ▶ Minimize impact to the overall 2040 OCP growth strategy.

Examples (>1.0 ha but <2.0 ha)



1.1 ha/2.73 ac



1.8 ha/4.68 ac

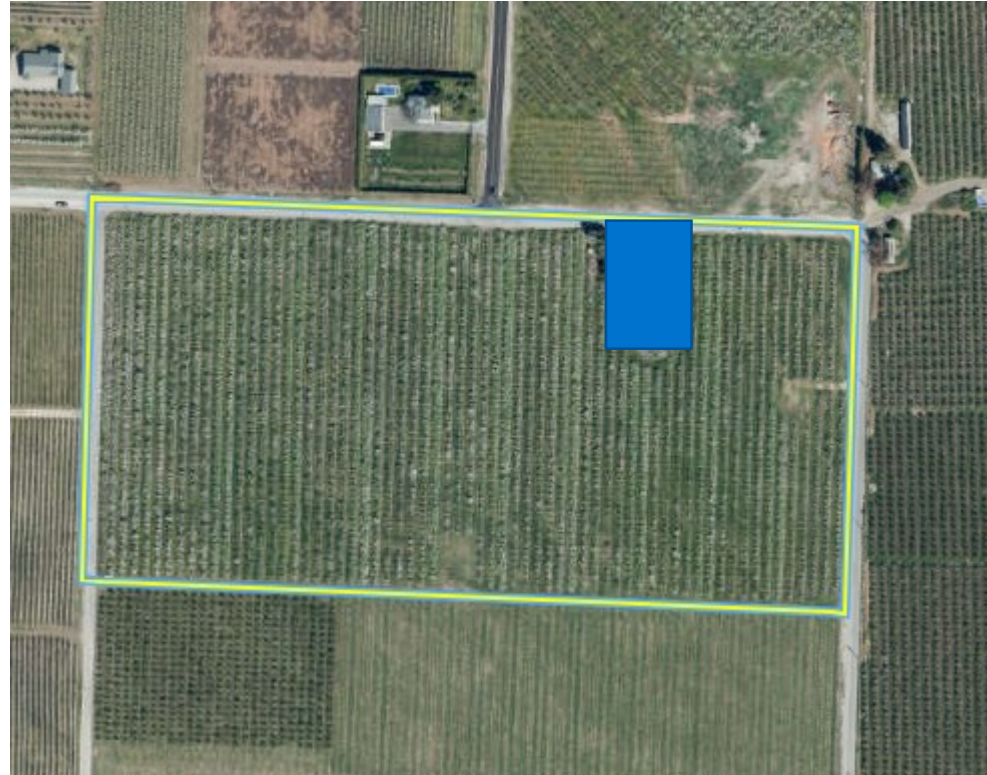


Approx. 3,000 m² Farm Residential Footprint Covenant Area

Examples (<2.0 ha)



3.5 ha/8.75 ac



8.0 ha/20 ac



Approx. 3,000 m² Farm Residential Footprint Covenant Area



Conclusion of Staff Remarks