



City of
Kelowna

TA23-0006 Secondary Residential Uses in the ALR

Text Amendment Application

Purpose

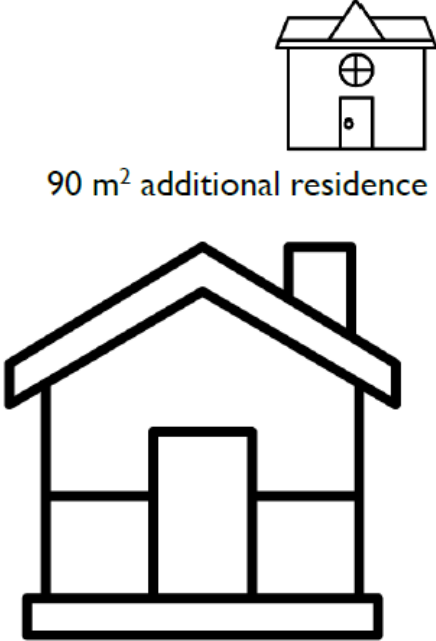
- ▶ To consider a Text Amendment application to the A1 – Agriculture Zone to change regulations to secondary residences within the Agricultural Land Reserve.

Development Process



Legislation

- ▶ (2021) ALC regulation allows a secondary dwelling for select properties within the ALR.
 - ▶ For properties up to 40 ha and have a principal dwelling that is less than 500 m², a 90 m² additional residence is permitted.
 - ▶ For properties that are over 40 ha, a second residence up to 186 m² 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.



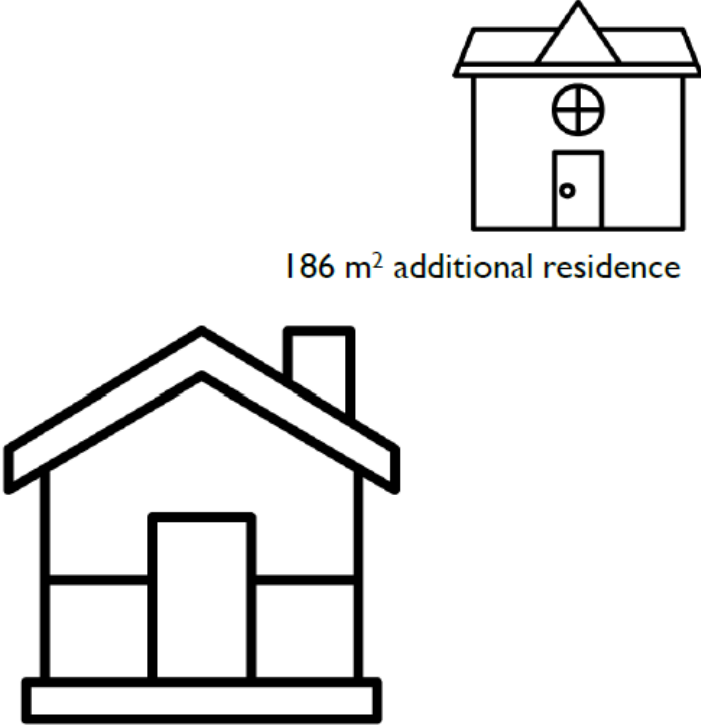
90 m² additional residence

Up to 500 m² principal residence

The diagram shows a large house with a chimney and a smaller house positioned above it, representing an additional residence. The entire scene is enclosed in a dashed rectangular border.

Parcels **less than 40 ha**

OR



186 m² additional residence

Lawfully constructed principal residence

The diagram shows a large house with a chimney and a smaller house positioned above it, representing an additional residence. The entire scene is enclosed in a dashed rectangular border.

Parcels **more than 40 ha**

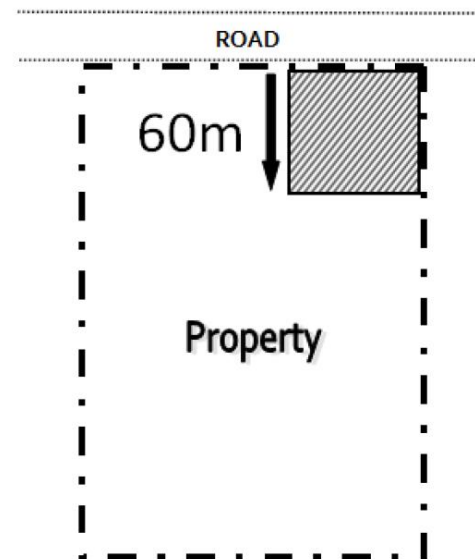
Current Regulations

Adopted with Zoning Bylaw #12375

- One secondary suite (within the principal 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 90 m² or 986 ft²;
- The maximum size of the principal dwelling must be 500 m² or less; and
- Secondary residence could not be subdivided or strata titled.

Farm Residential Footprint Covenant

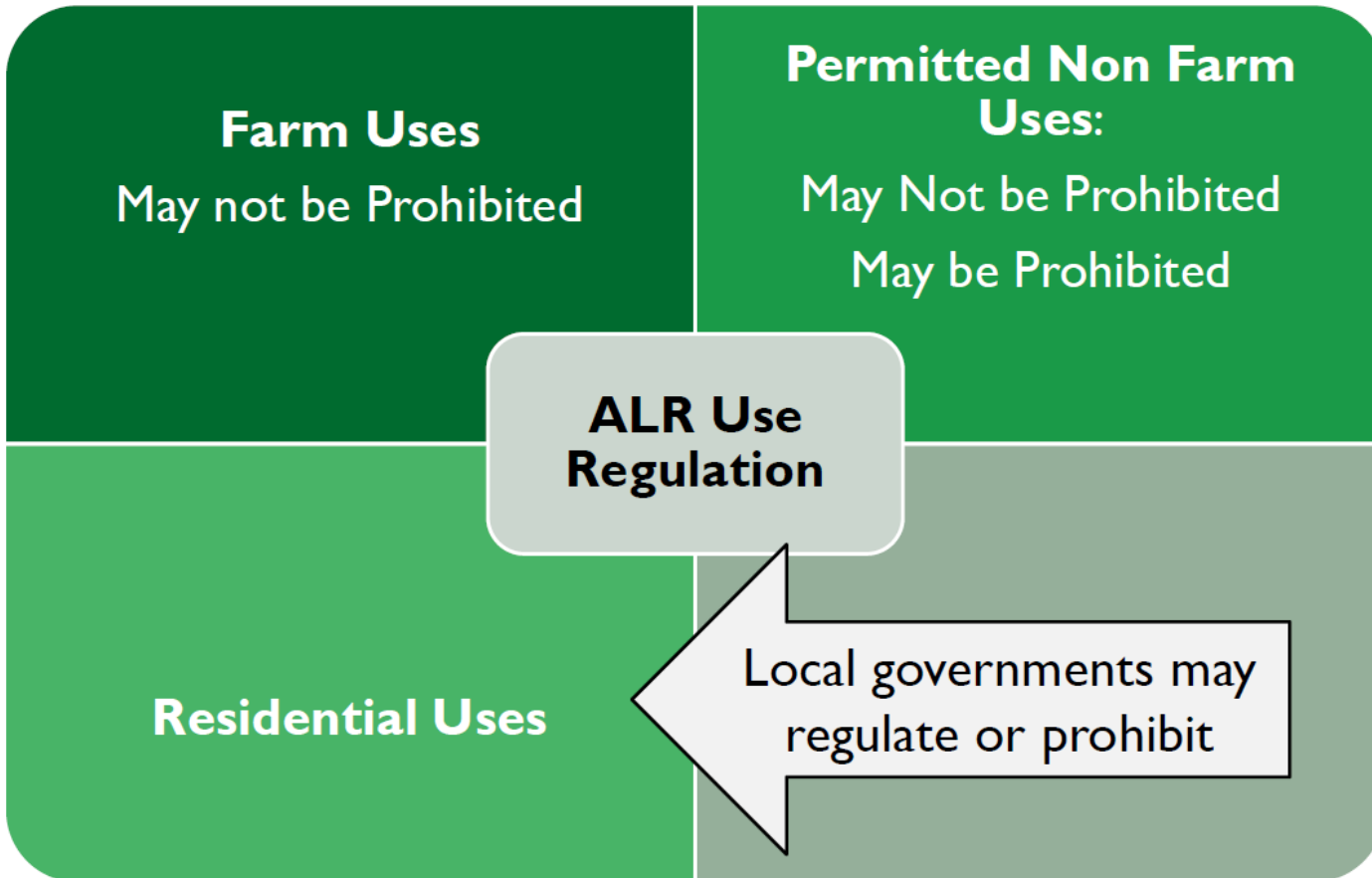
- ▶ Staff require a Farm Residential Footprint covenant to be registered on Title.
 - ▶ This covenant area can be up to 2,000 m² (0.2 ha) for the principal dwelling and 1,000 m² (0.1 ha) for mobile home.
- ▶ This was introduced in-lieu of a Farm Development Permit with the intent to create a Homeplate.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



Total Number of ALR Properties Affected

Property size	Number of properties
Less than 1 ha	617
1 ha to 40 ha	1,296
> 2 ha (recommended minimum size for secondary residence)	1,087
Greater than 40 ha	33

- ▶ There are 1,329 parcels in the ALR above 1 ha
- ▶ Many of these may also have homes over than 500 m².



Proposed Amendments

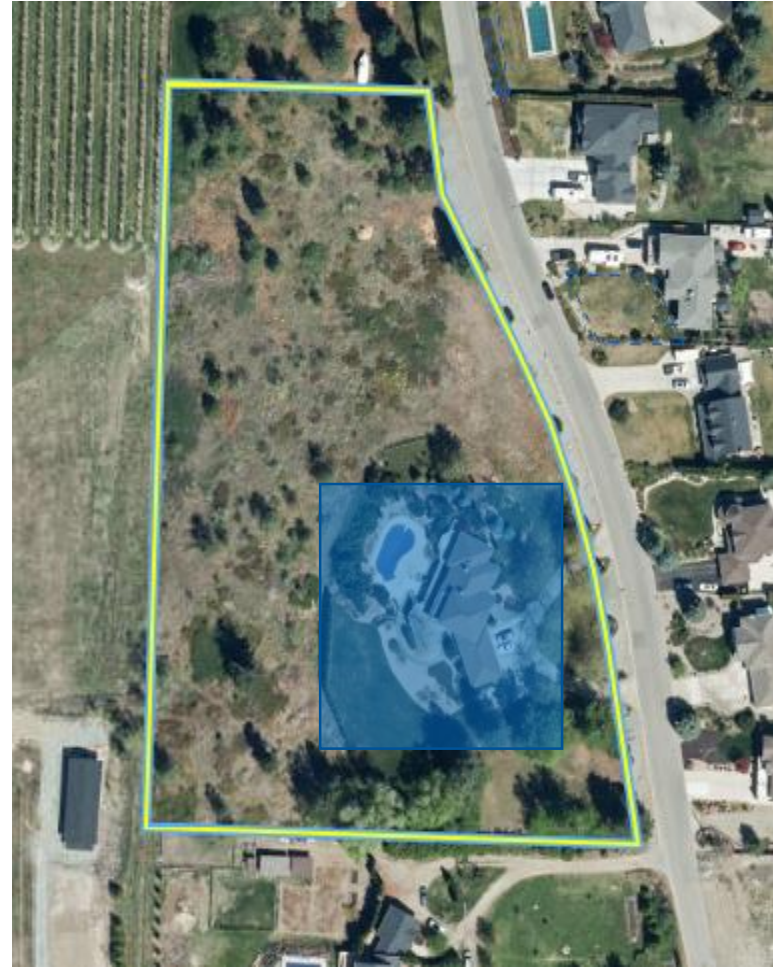
- ▶ Staff are proposing to align directly with the ALC Act and Regulations with the exception of the 1 ha minimum of the Okanagan Basin Water Board requirements. This would include the following regulations and restrictions:
 - Both one secondary suite (within the principal dwelling) and one carriage house/mobile home or suite within an accessory building will be permitted on a property;
 - The property must be 1 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 986 ft² for properties under 40 ha in size;
 - The maximum floor area of the secondary residences is 186 m² for properties over 40 ha in size;
 - The maximum size of the principal dwelling must be 500 m² or less; and
 - The secondary residence could not be subdivided, or strata titled.

- ▶ Staff are proposing to align secondary residential uses with the provincial regulations:
 - ▶ Allow for greater housing options and flexibility for property owners and agricultural producers;
 - ▶ Mitigate impacts through existing City policy, specifically the Farm Residential Footprint requirements;
 - ▶ Minimum lot size of 1 ha helps to ensure OBWB guidelines met; and
 - ▶ Limited number of units anticipated. One permit has been issued in the first 8 months with an estimated 5-10 units in varying levels of the permitting process. |

Examples (>1.0 ha but <2.0 ha)



1.1 ha/2.73 ac



1.8 ha/4.68 ac

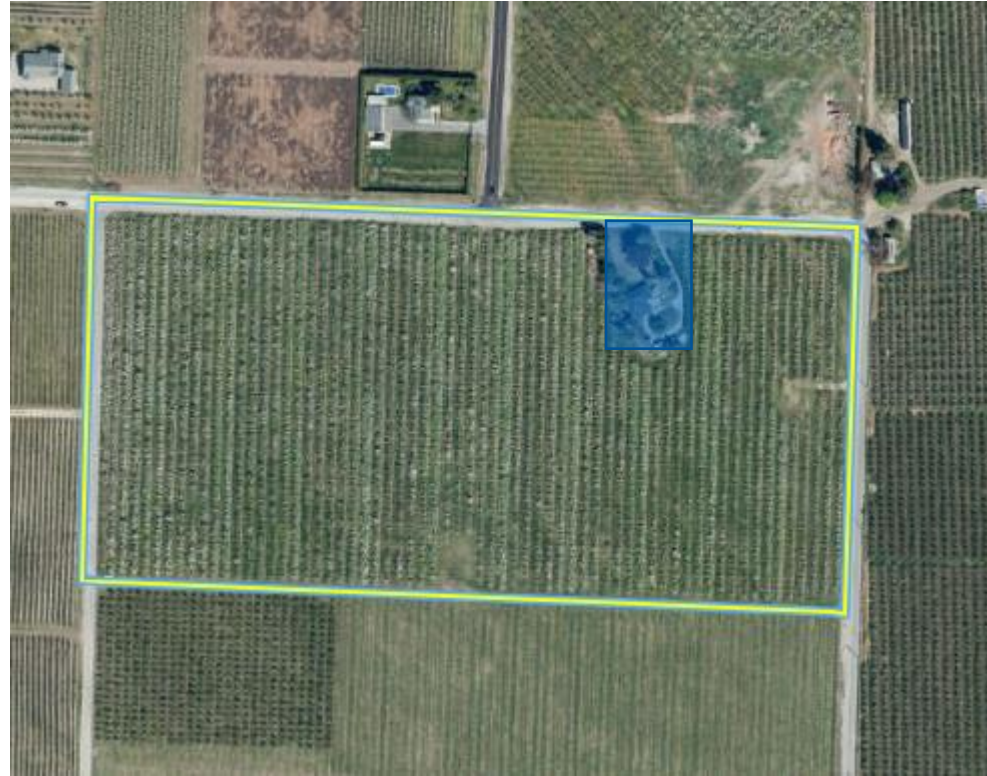


Approx. 3,000 m² Farm Residential Footprint Covenant Area

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