

COMMITTEE REPORT



Date: May 9th, 2024
To: Agricultural Advisory Committee
From: Development Planning Department
Address: 2160 Galiano Road
File No.: A23-0004
Zone: A1 – Agriculture

1.0 Purpose

To consider an application to the Agricultural Land Commission (ALC) for a Non-Adhering Residential Use Permit to maintain 90 m² of the existing dwelling as living space and to live in the existing dwelling, while a new residence is being constructed.

2.0 Development Planning

The subject property is 8.48 acres (3.43 ha) in size and is located on the corner of Galiano Road and Glenmore Rd N. The applicant is seeking permission to allow the existing dwelling to be occupied while a new dwelling is being constructed. In addition, the existing dwelling will be decommissioned to meet the permitted 90 m² total floor area for a second residence, which will have to occur prior to final occupancy of the new dwelling.

The existing dwelling was built in 1977 and is 230 m² in size. The owners have indicated that the existing dwelling is not large enough to accommodate the six family members, and the delayed decommissioning will allow them to remain on the property while a new dwelling is being constructed. The existing dwelling will have the entire basement decommissioned, and the main floor will be split between living space and agricultural storage to meet the allowable 90 m² total floor area for a secondary residence.

The property has active agriculture, as there are approximately 2,300 cherry trees planted on the subject property. A new irrigation system was installed throughout the property to allow for a more productive farming operation. There is one existing farm building, which is a barn at the centre of the site, and it is currently leased to a third-party for cannabis production.

If the proposal is approved by Council and the Agricultural Land Commission, a Farm Residential Footprint covenant is required to be registered on Title prior to the issuance of a new Building Permit. The covenant area would Homeplate the residential uses including both dwellings, and all residential accessory buildings. Prior to final Building Permit occupancy of the new principal dwelling, a Decommissioning Building Permit will be required to be completed. This will ensure that the dwelling is converted to 90 m² total floor area prior to final occupancy, and the property will eventually conform with ALC guidelines. The maximum size for a principal dwelling is 500 m² total floor area.

3.0 Subject Property & Background

3.1 Site Context

The subject property lies within the North Glenmore neighbourhood, and the surrounding area is primarily agricultural lands within the ALR.

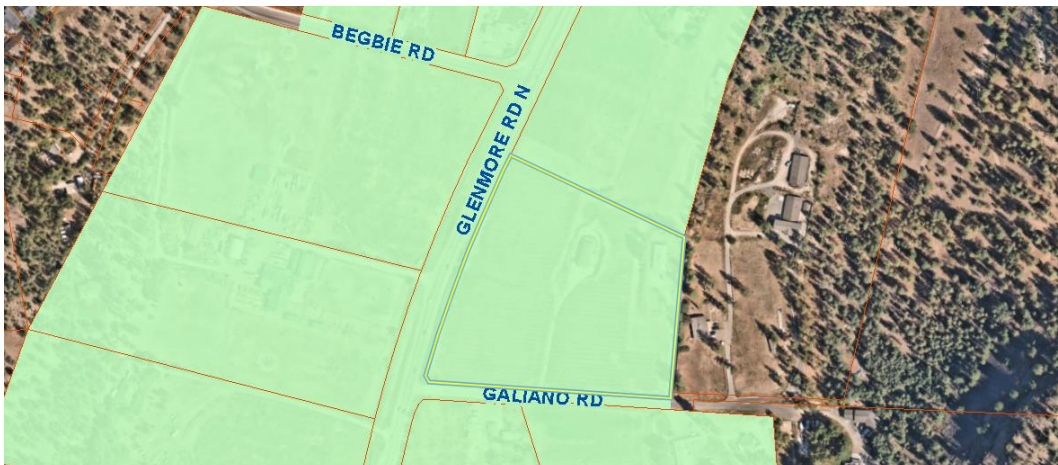
Zoning and land use adjacent to the property are as follows:

| Orientation | Zoning | ALR | Land Use |
|-------------|--------------------------------------|-----|---------------------------------|
| North | A1 – Agriculture 1 | Yes | Agriculture |
| South | A1 – Agriculture 1 | Yes | Agriculture / Rural Residential |
| East | A2 – Agriculture / Rural Residential | No | Rural Residential |
| West | A1 – Agriculture 1 | Yes | Agriculture |

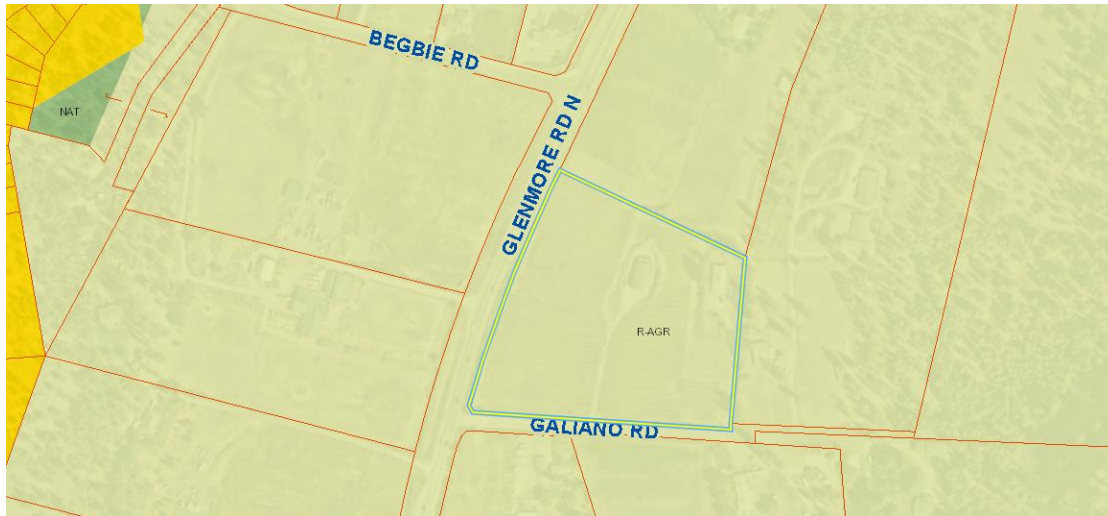
Subject Property Map



ALR Map



Future Land Use Map



3.2 **Current Development Policies**

4.1 Kelowna Official Community Plan (OCP)

| | |
|--|--|
| Objective 8.1. Protect and preserve agricultural land and its capability. | |
| Policy 8.1.10. Homeplating. | Locate buildings and structures, including farm help housing and farm retail sales areas and structures, on agricultural parcels in close proximity to one another and where appropriate, near the existing road frontage. <i>The proposed location of the new dwelling will be in close proximity to the existing dwelling. These are closed to the road frontage but are accessed via a driveway that runs parallel with the east property line away from the active agriculture.</i> |
| Objective 8.4. Stop urban sprawl into Rural Lands | |
| Policy 8.4.3. Housing in Agricultural Areas. | Discourage additional residential development (both expansions and new developments) in areas surrounded by ALR and non-ALR agricultural lands. Secondary suites may be permitted in a permitted primary dwelling. Carriage houses may be considered on Rural Residential lands where the property is 1.0 hectares or greater and where proposal is consistent with the Farm Protection Guidelines outlined in Chapter 22: Farm Protection Development Permit Area. <i>The subject property is over 1.0ha, and if approved, the secondary residence would meet the same allowable total floor area of a carriage house at 90 m².</i> |

Report prepared by: Tyler Caswell, Planner II
Reviewed by: Dean Strachan, Community Planning and Development Manager
Approved for Inclusion: Nola Kilmartin, Development Planning Department Manager

Attachments:

- Attachment A – ALC Application File No: 66626
- Attachment B – Site Plan
- Attachment C – Floor Plan