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# **Housing on Agricultural Lands**

**OCP Amendment Bylaw No. 2022-022**

**Zoning Amendment Bylaw No. 2022-023**

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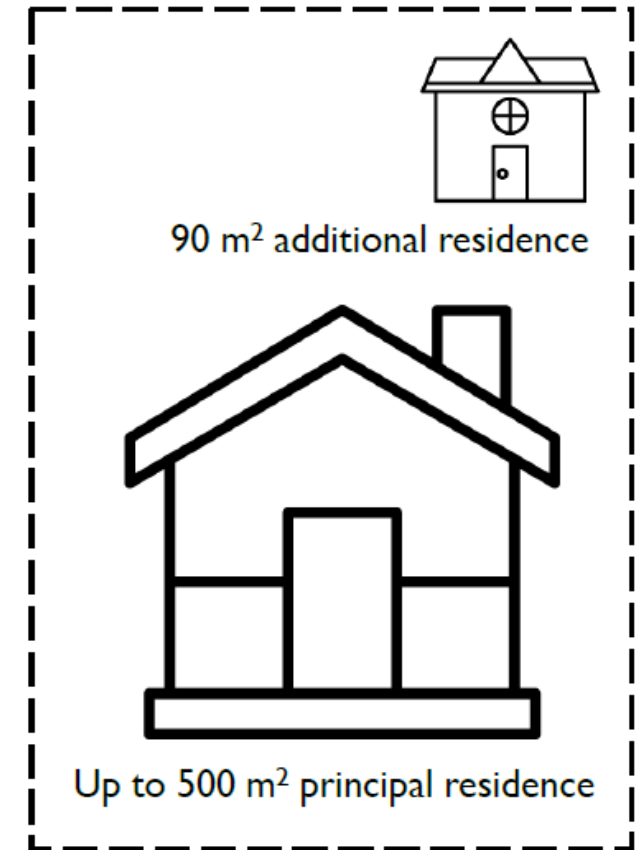
## **Purpose:**

To update housing regulations for  
agricultural zones



# Background

- **December 31, 2021 - ALR Use Regulation changed on to allow for an additional residence**
- **April 12, 2022 – Housing on Agricultural Lands Workshop**
- **May 9, 2022 – Council resolution**



Parcels **less than 40 ha**

# Council Direction

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- ***Allow flexibility*** of residential uses by allowing carriage houses up to 90 m<sup>2</sup> on agricultural lands
- ***Limit residential encroachment*** by siting carriage houses within the existing farm home plate
- ***Discourage the use of arable lands*** for residential purposes further by specifying siting conditions for the farm home plate to be located near roads or on non-arable land (land not suitable for agricultural production).

➤ Allow carriage houses

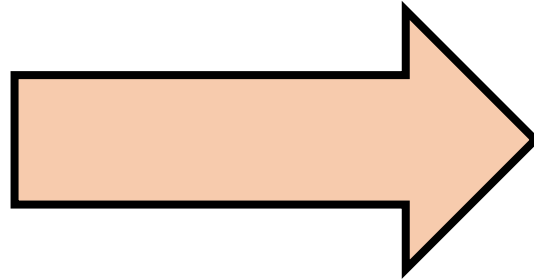
➤ Improve farm home plate



# OCP Agricultural Policies for Housing

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Confine residential  
development in ALR to  
farm residences

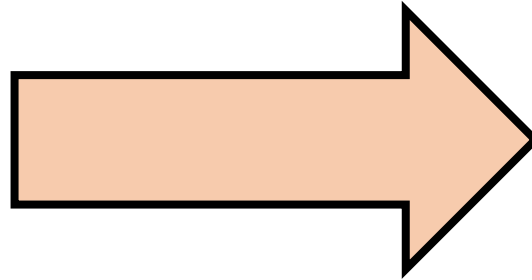


Support residential uses  
that meet the housing,  
operational and/or  
economic needs of  
farmers.

# OCP Agricultural Policies for Housing

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Develop a farm residential “home plate” to minimize the impacts of the residential and other associated non-farm uses on farm parcels



Limit the impacts of residential uses on farmlands and farm operations by encouraging siting on lower capability lands and/or confining such uses within a farm home plate

# OCP Agricultural Policies for Housing

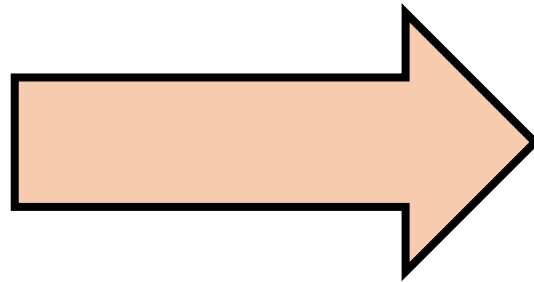
- Encourage use of higher capability lands for farming to support local food production, food security and the agricultural community





# A1 and A2 Zones Housing Uses

Additional Dwelling for  
Farm Help



Carriage House

Existing	Proposed
Single Detached Dwelling or Manufactured Housing – Type 1 or 2	No change
Additional Dwelling for Farm Help	<i>Carriage House</i>
Temporary Farm Worker Accommodation	No change
Secondary Suite	No change

# Carriage House

- “Secondary dwelling constructed in an accessory building”
- Same regulations for carriage houses as other zones (except floor area calculations)
- No user limitations

	Additional Dwelling for Farm Help	Carriage House
Size	110 sq m	Lesser of 90 sq m or 75% of Principal Dwelling floor area; min of 11 sq m
Lot Area	2 ha of arable land and intensity of farming requires permanent help	1 ha (no sewer)
Siting	Farm Home Plate	<i>Farm Home Plate for A1 and A2</i>



# Carriage House

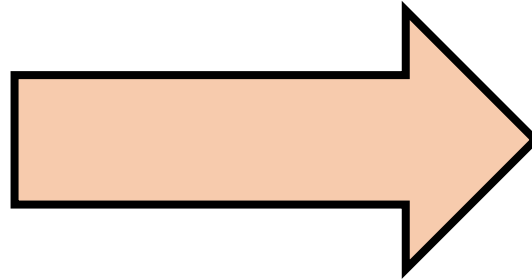
- Additional storey above garage OK
- No bedroom or basement limitations

	Additional Dwelling for Farm Help	Carriage House
Building Specifications	3 bedrooms; no basement	None
Height	4.5 m or one storey	4.5 m or 7.5 m above garage
Maximum	One per lot	One per lot
Other	Farm Status Required	1.5 m unobstructed pathway
Separation Distance	n/a	3 m from Principal Dwelling

# Farm Home Plate Definition

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- No defined shape
- Can be sited anywhere on property
- Silent on including “other” residential uses like lawns
- Includes Temporary Farm Worker Accommodation TFWA



- Defined four sides to create a typical “Lot”
- Includes areas like lawns, landscaping, parking
- Excludes Temporary Farm Worker Accommodation



# Farm Home Plate Size and Coverage

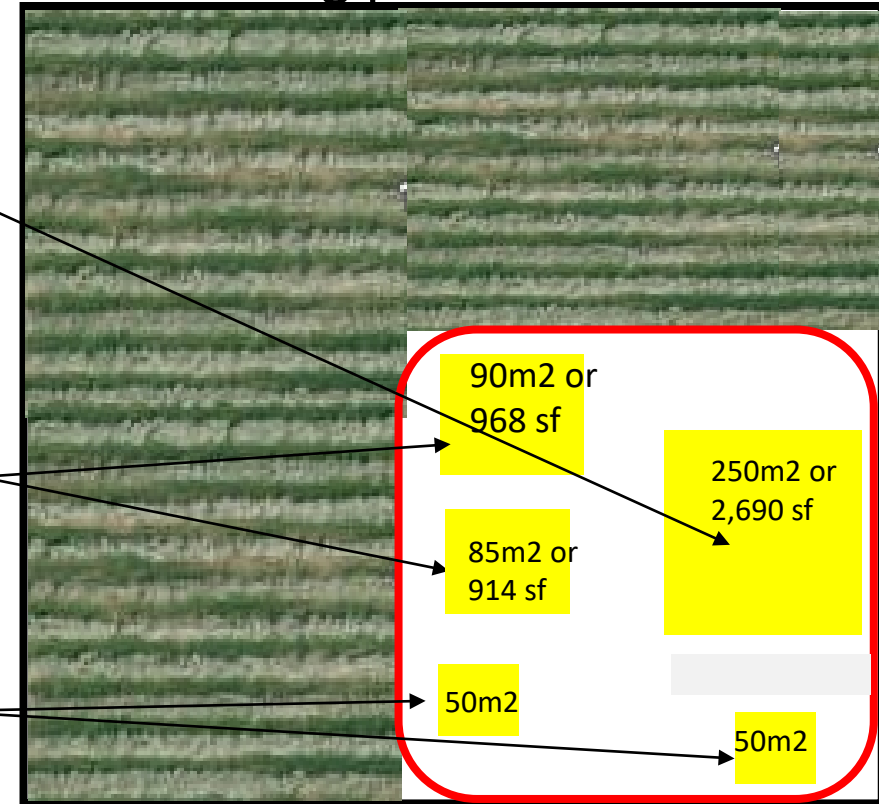
	Existing	Proposed
Size for one dwelling	905 sq m – A1 1,200 sq m – A2	No change
Size if Additional Dwelling	1,500 sq m – A1 2,000 sq m – A2	905 sq m – A1 1,200 sq m – A2 Excludes TFWA
Size if TFWA	1,500 sq m – A1 2,000 sq m – A2	Not specified
Farm Home Plate Maximum Building Coverage	35%	45%

# Farm Home Plate - Current

One dwelling in A1



One dwelling plus additional in A1



- 35% coverage of a 905 sq m area
- 316.75 sq m (3,409 sq ft) building coverage

- 35% of a 1,500 sq m area
- 525 sq m (5,651 sq ft) building coverage

# Zoning Bylaw – Proposed Approach

- Principal dwelling & Carriage house (up to 90 sq m) in same Farm Home Plate
- Option for multiple accessory buildings
- 45% coverage of farm home plate
- Farm plate size:
  - A1- 905 sq m (9,741 sf)
  - A2 - 1200 sq m (12,916 sf)

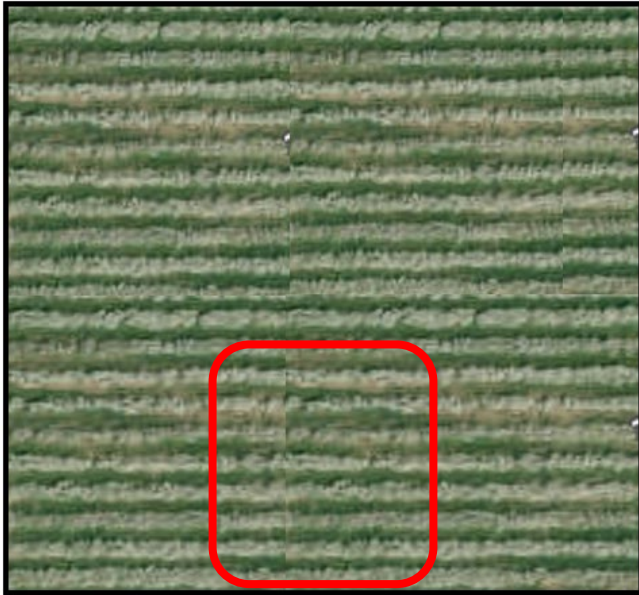


- 407 sq m (4,381 sq ft) coverage in A1
- 540 sq m (5,8125 sq ft) coverage in A2



# Siting a Farm Home Plate

OPTION 1



ABUTTING THE ROAD

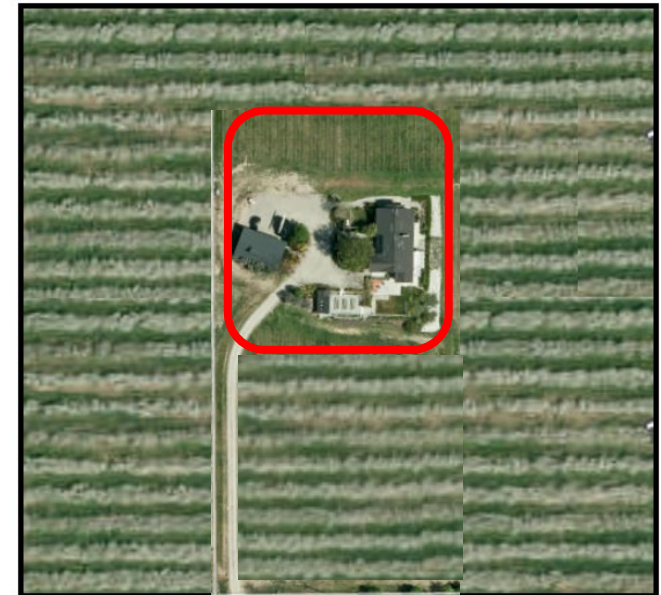
OPTION 2



NOT SUITABLE LAND

(ASSESSED BY AGROLOGIST)

OPTION 3



EXISTING FARM HOME  
PLATE OF ESTABLISHED  
DWELLING



# DPIAC Comments

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- Question on how a carriage house is defined
- Clarification on if secondary suites and carriage houses can be constructed on the same property.
- Question of the maximum size being either 75% of principal dwelling or 90m<sup>2</sup>.
- Concern on if a carriage house will be used for **short term rental** purposes.
- Farm Home Plate is still a “District of Summerland” regulation that is not consistent with the ALC and that is **still restrictive**. Staff responded that we are trying to find the right ‘balance’ of protecting farmland and providing flexibility.
- Question on what we do for buildings that are currently non-conforming and outside the farm home plate?
- The District should take an inventory of secondary residences on agricultural lands that are currently existing.

# APC Comments

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- Question on whether an inventory has been completed to document the type of housing currently on agricultural lands and concern about the amount of agricultural land being used for residences
  - Question on the use of an agrologist's report
  - Question on the intent of increasing the farm plate coverage to 45%
  - Comments about the required four-sided shape of the farm home plate and concern that it **may prevent some contiguous shapes** that may be appropriate
  - Concern about **tax reductions** for agricultural properties and the low standard for obtaining exemptions
  - Concern about **additional septic systems** if temporary farm worker housing can be located in a different area than the farm home plate
  - Clarification that the principal residence can be up to 500 square metres and that a carriage house is limited to 90 square meters. Carriage house can be above a garage or on the ground floor.
  - Comment from one member that the opinion of the Agricultural Advisory Committee should be provided before the APC makes a recommendation.



# AAC Comments

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- Question if you can have a Temporary Farm Worker Accommodation in addition to the “additional dwelling for farm help” or carriage house?
  - Comment that the OBWB 1.0 Hectare rule still restricts placement of secondary homes. Should this be increased to be potentially 2.0 Ha?
  - Septic fields are not that big, so no need to restrict lots further to be larger than 1.0 Hectares
  - The increase of 35% to 45% coverage of a 905 m<sup>2</sup> Farm Home Plate, is 90m<sup>2</sup>, which makes sense if we are restricting carriage houses to 90m<sup>2</sup>.
  - The Farm Home Plate regulations **should state “not suitable” for farming, not “less suitable”**. Class 3 soils could be argued “less suitable” than Class 2, but still productive for farming. Staff agreed that this change can be made.



# AAC Comments

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- The ALC has essentially downloaded responsibility to maintain the ALR to local governments with their regulatory changes.
  - What are the tax implications for these changes to agricultural properties? There is a narrative with the District that farmers are not paying enough taxes.
  - **Against the removal for “farm help” requirement** being removed from the additional dwelling unit. Shouldn't we restrict the use of the second dwelling being used for **short term rental** (AirBnB) use?
  - AAC would like to see the referral comments from the ALC on the proposed regulation changes
  - Carriage houses should be focused on either farm help or family purposes only.
  - Impressed in the amount of work done by staff on the proposed amendments, the only sticking point is the use of the carriage houses.
  - Potential to use MRDT tax for short term rentals to gain tax revenue from this use



# Recommendations DPIAC, APC, AAC

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*THAT the **DPIAC supports** Official Community Plan Amendment Bylaw No. 2022-022 and Zoning Amendment Bylaw No. 2022-023 to update the housing regulations for agricultural lands and provide additional consistency with the Agricultural Land Reserve Use Regulation, **and encourages Council to look at productive uses for non-farmable land within Agricultural zones.***

*THAT the **APC supports** Official Community Plan Amendment Bylaw No. 2022-022 and Zoning Amendment Bylaw No. 2022-023 to update the housing regulations for agricultural lands and provide additional consistency with the Agricultural Land Reserve Use Regulation.*

*THAT the **AAC supports** Official Community Plan Amendment Bylaw No. 2022-022 and Zoning Amendment Bylaw No. 2022-023 to update the housing regulations for agricultural lands, **with limitations on what the carriage house can be used for being for farm help or family purposes only.***

# Discussion

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- **Aligns with ALC regulation**
  - *90 sq m additional dwelling*
- **Further limits encroachment of residential uses onto farmland**
  - *Farm home plate*
- **Provides flexibility to farmers/farm operators**
  - *Use of dwelling no longer restricted*



# Staff Recommendation

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***THAT Official Community Plan Amendment Bylaw No. 2022-022 be read a first and second time;***

***THAT the process, as outlined in this report from Planner II, dated June 27, 2022 be considered appropriate consultation for the purpose of Section 475 of the Local Government Act;***

***THAT Zoning Amendment Bylaw No. 2022-023 be read a first and second time;***

***AND THAT a Public Hearing be held on July 25, 2022 to receive public feedback on the Official Community Plan Amendment Bylaw No. 2022-022 and Zoning Bylaw Amendment Bylaw No. 2022-023.***