

Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.

B.C. LAND SURVEYORS CERTIFICATE OF LOCATION ON LOT 12,  
 PLAN 425, SEC. 36, TP. 26, O.D.Y.D. EXCEPT PLAN 8676,  
 SHOWING ONLY BUILDINGS FRONTING ONTO MOYER ROAD.

1680-1720 MORRISON

B

167.64

\*ARER OUTLINED  
 IN PINK  
 IS MAY

HOUSE  
 (Existing)

NOTE: OTHER BUILDINGS  
 NOT SHOWN

REM. LOT 12  
 PLAN 425

180.55

HOUSE  
 (Under Construct)

MORRISON ROAD

19

241.40

LINE IF LOT A, PLAN 8676 BOUNDARY EXTENDED

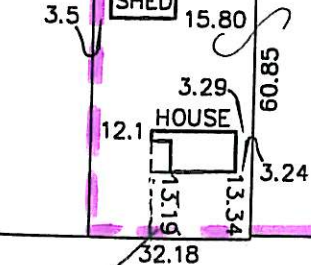
135.46

A

PLAN 8676

3.4  
 3.5

SHED



MOYER ROAD

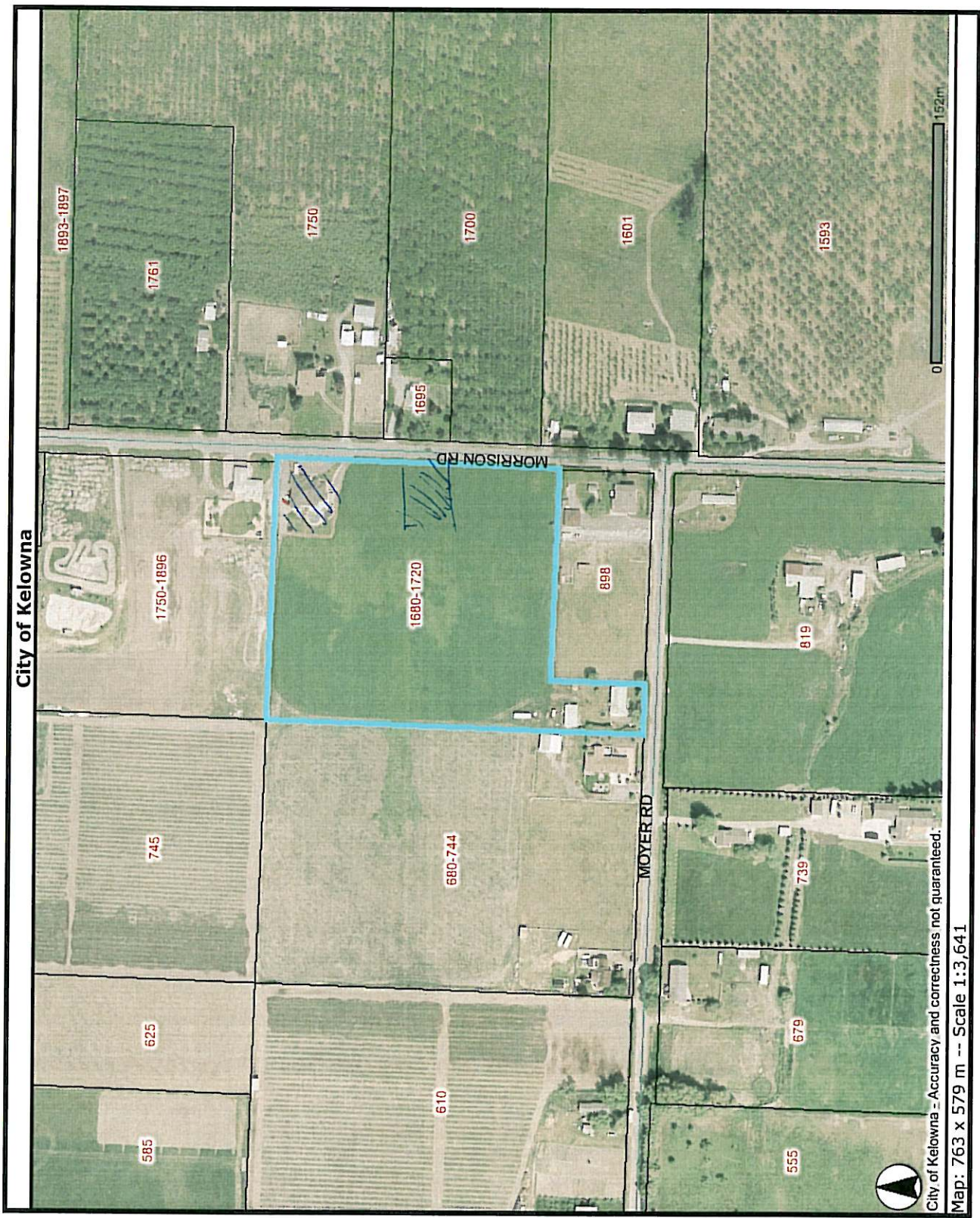
I HEREBY CERTIFY THAT THE ABOVE  
 SKETCH SHOWS THE REGISTERED  
 DIMENSIONS OF THE ABOVE DESCRIBED  
 PROPERTY AND RELATIVE LOCATION OF  
 THE BUILDINGS THEREON.

THIS PLAN IS FOR THE USE OF THE BUILDING INSPECTOR AND/OR MORTGAGEE ONLY  
 AND IS NOT TO BE USED FOR THE RE-ESTABLISHMENT OF PROPERTY BOUNDARIES.

*Steve H. Davis*

CLIENT: LIPKOVITS		T.E. Ferguson Land Surveying Ltd. B.C. AND CANADA LAND SURVEYORS 216-1626 RICHTER STREET, KELOWNA, B.C. TELEPHONE: (250) 763-3115 FAX: (250) 763-0321
DATE: SEPTEMBER 29, 2006		
SCALE: 1:1500 METRES		
FILE: 14270		
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B.C.L.S., C.L.S.  
 THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY  
 SIGNED AND SEALED



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B.C. LAND SURVEYORS CERTIFICATE OF LOCATION  
 SHOWING FOUNDATION ON LOT 12, PLAN 425,  
 SEC. 36, TP. 26, O.D.Y.D. EXCEPT PLAN 8676

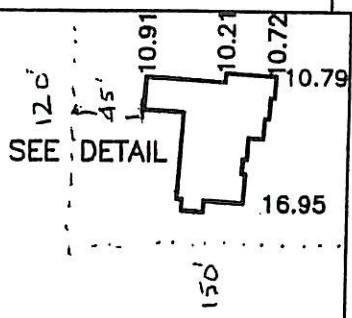
6 OF 6

3.281

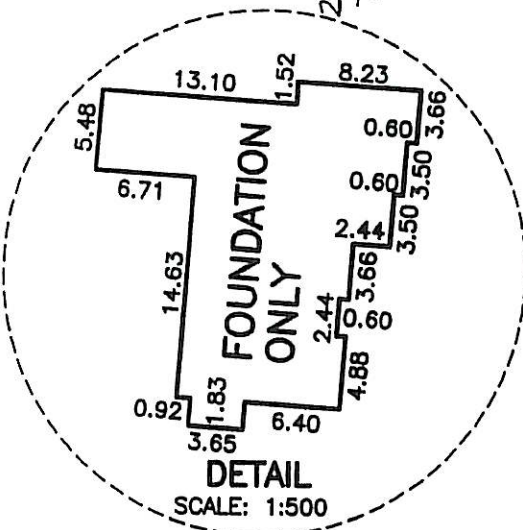
SCHEDULE A

1720 MORRISON ROAD

B  
 167.640



REM. LOT 12  
 PLAN 425



DETAIL  
 SCALE: 1:500

19  
 792'  
 241.402

180.551  
 592'

MORRISON ROAD

G.

H.

60.850  
 200'

A

135.459

32.181  
 190'

MOYER ROAD

*Handwritten signatures and initials*

- (H) - HOUSE
- (G) - GARAGE

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 INSPECTOR AND/OR MORTGAGEE ONLY AND  
 IS NOT TO BE USED FOR RE-ESTABLISHMENT  
 OF PROPERTY BOUNDARIES.

I HEREBY CERTIFY THAT THE ABOVE SKETCH  
 SHOWS THE REGISTERED DIMENSIONS OF THE  
 ABOVE DESCRIBED PROPERTY AND THE RELATIVE  
 LOCATION OF THE BUILDINGS THEREON.

**T.E. Ferguson Land Surveying Ltd.**  
 B.C. AND CANADA LAND SURVEYORS

Given the limiting conditions of ownership since 1972 this policy will likely be applicable only in retirement situations. The City of Kelowna should continue to support the concept of home site severance consistent with Land Commission Policy #025/78, to allow farmers to retire or sell the property and retain the homesite, and thereby make the balance of the property available for others to expand or enter the farm business.

An additional consideration may occur when the homesite in question is considered a heritage resource. It may be appropriate to consider additional site area for the heritage homesite severance in order to retain some semblance of the original stature and presence of the building in the farm context. The Land Commission could be requested to consider increased parcel sizes for home site severance's involving a heritage resource to preserve the agricultural character of the setting.

#### **Parcels Less Than .8 hectares (2 Acres)**

Section 19 (1) of the Land Commission Act exempts lands less than .8 hectares (2 acres), by separate title prior to December 21, 1972, from restrictions on the use of agricultural land. In addition, a Certificate of General Order issued in February 1974 provides a partial exemption for parcels less than .8 hectares created after December 21, 1972. Lands less than .8 hectares are still subject to Land Commission Act regulations regarding subdivision within and exclusion from the Land Reserve. These lands are still subject to all local legislation, bylaws, and regulations; however, it is within the City's mandate to consider the zoning and non-farm use of these lots.

An inventory of existing lots less than .8 hectares within the City of Kelowna indicates that there are a relatively small number of sites, approximately 350 outside of conventional urban subdivisions, with no particular geographic concentration. In fact, most of the existing sites are located within well-established agricultural areas, some of which will have been created under the Homesite Severance provisions. There are some sites near or adjacent to established urban areas, and in some cases act as a buffer from larger agricultural holdings. However, these lots are still in an agricultural context.

The non-farm use of these properties would likely have an impact on the adjacent agricultural operations. New residential or commercial development will generate greater potential for conflict. In addition, this type of development leads to greater speculation on other agricultural lands in the vicinity and reduces the viability of continuing agricultural activity. Given the potential impact on agricultural operations and expectations it would be appropriate for the City, as a general principle, to discourage non-farm use of lands less than 2 acres in an agricultural context.

#### **\* Secondary Suites**

City Council has recently approved a secondary suite strategy that would seek to encourage the legalization of secondary suites throughout the City and implement policies that would make it easier to develop a secondary suite as an affordable housing alternative in all areas of the City, including agricultural areas.

There are a number of positive impacts of allowing secondary suites in rural areas. There would be equitable treatment for all existing residences throughout the City. A

secondary suite may provide some income or mortgage assistance for farmers. A secondary suite would not directly impact the operational side of a farm if no new land were removed from production to add the unit. Units necessary for additional farm help may be provided in this way rather than providing separate units that would use productive land base and require additional septic systems.

Conversely, there is a general lack of available services in rural areas, and rural locations require a vehicle which increases the traffic on a substandard rural road network, and additional traffic increases potential automobile / farm vehicle conflict.

Secondary suites may not be a big issue given that the ALC already supports bed and breakfast, agri-tourist accommodation, farm worker accommodation, farm retail sales etc. In addition, the current Zoning bylaw allows a maximum of two boarders and lodgers in any single-family residence. As this issue may apply in all other jurisdictions throughout the Province the ALC has recently approved Policy # 770/98 which allows one suite per parcel, substantially within the footprint of an existing or proposed single family dwelling provided it is clearly secondary to the dwelling.


It is suggested that support for the general principle of secondary suites in rural / agricultural areas would be reasonable, subject to permitting one suite per parcel, either in the existing or new principal single family dwelling as per Land Commission Policy #770/98. The location of a suite in an accessory building or enlarging the footprint of an existing residence to accommodate a suite would require the approval of the Land Commission.

### Growth Strategies Act

In June 1995 the Municipal Act was amended to provide for the preparation of a Regional Growth Strategy for the purpose of promoting human settlement that is socially, economically, and environmentally healthy and that makes efficient use of public facilities and services, land and other resources. A Regional Growth Strategy should work toward, among other things; maintaining the integrity of a secure and productive resource base, including the agriculture and forest land reserves [Section 849.(2)(e)].

The Central Okanagan Regional District (CORD) has commenced work on a Regional Growth Strategy, however, as that project is not yet complete, there is no official policy with which local Official Community Plans or other similar documents must be in compliance.

The spirit and intent of the City of Kelowna Agriculture Plan is one of maintaining the resource base, as embodied in the Agricultural Land Reserve, and enhancing the agriculture industry with the municipal mandate. However, it would be appropriate to reconsider this document in the context of a Regional Growth Strategy when that initiative has been completed, adopted by the Regional Board and accepted by local governments.

 <p><b>Agricultural Land Commission Act</b></p>	<p style="text-align: right;"><b>Policy #8 March 2003</b></p> <p style="text-align: center;"><b>PERMITTED USES IN THE ALR: RESIDENTIAL USE</b></p>
<p><i>This policy provides advice to assist in the interpretation of the Agricultural Land Commission Act, 2002 and Regulation. In case of ambiguity or inconsistency, the Act and Regulation will govern.</i></p>	

**REFERENCE:**

Agricultural Land Reserve Use, Subdivision and Procedure Regulation (BC Reg. 171/2002), the "Regulation", Section 3 (1) (b)

Section 3 (1) *"the following land uses are permitted in an agricultural land reserve unless otherwise prohibited by a local government bylaw:*

*(b) for each parcel,*

*(i) one secondary suite within a single family dwelling, and*

*(ii) one manufactured home, up to 9 m in width, for use by a member of the owner's immediate family;*

Section 1 (1) **"immediate family"** means, with respect to an owner, the owner's

*(a) parents, grandparents and great grandparents,*

*(b) spouse, parents of spouse and stepparents of spouse,*

*(c) brothers and sisters, and*

*(d) children or stepchildren, grandchildren and great grandchildren;*

**INTERPRETATION:**

The Regulation permits a secondary suite for residential purposes, wholly contained within a single family dwelling, on a parcel in the ALR. The secondary suite use is not limited as to who occupies the suite. The Regulation also provides for one manufactured home, in addition to a dwelling, on a parcel in the ALR, but only for use by the property owner's immediate family. The maximum width of manufactured or mobile home allowed is 9 metres, which provides for what is commonly known as a 'double-wide'. The Commission may make an exception to the width requirement in the Peace and Northern Rockies Regional Districts to provide for a 'double wide' up to the industry standard width (10 metres).

The Regulation defines "immediate family" as noted above. If the manufactured home is no longer occupied by immediate family of the property owner, it is no longer a permitted use in the ALR and must be removed from the parcel or, if it remains, not used for residential purposes.

It should be noted that [Section 18 \(a\) \(ii\) of the Agricultural Land Commission Act](#) provides for one residence per parcel of land, and more than one residence where "the additional residences are necessary for farm use." See Commission Policy ["Additional Residences for Farm Use"](#).

Related uses that are not permitted in the Act or Regulation for residential use require application to and approval from the Commission.

**Where a zoning bylaw is in place, this use must be specifically permitted by the bylaw.**

**TERMS:**

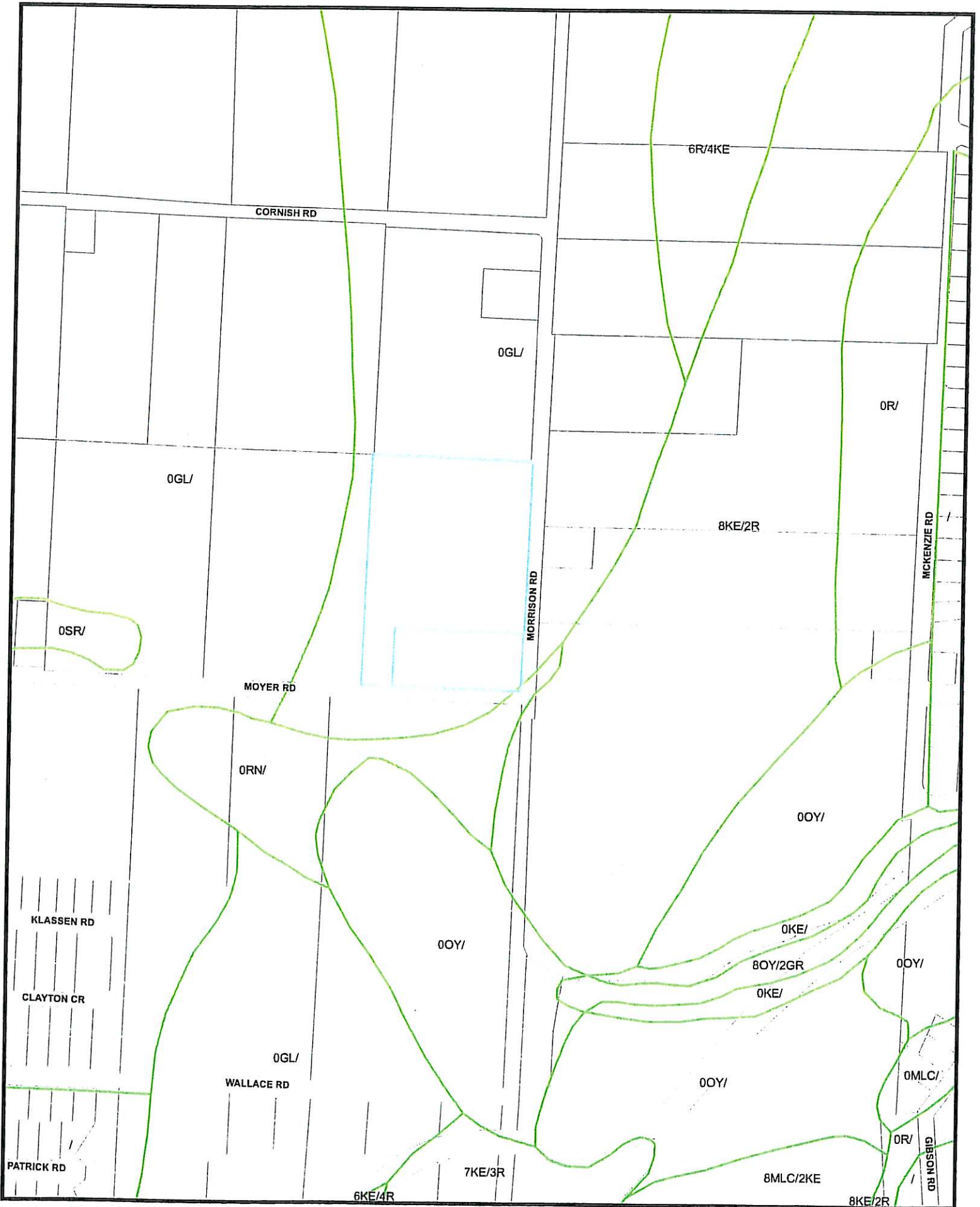
**Home occupation** — means an area set aside for residential use, within the footprint of a single family dwelling, and secondary or ancillary to the residential use of that single family dwelling.



**Manufactured home** — means a transportable prefabricated structure, whether ordinarily equipped with wheels or not, that is designed, constructed or manufactured to be moved from one place to another and to be used for residential use by a single family. The structure normally conforms to the CSA Z240 series standards of the Canadian Standards Association for manufactured homes.



Land Capability = Brown/ Soil Class = Green



1:5,000