

# AgRefresh

**STAGE 3 REPORT | EXCERPT  
ACCESSORY UNITS**





## 2.4 Accessory Dwelling Units

### Ensure appropriate residential footprint and number of homes

Small second residences (accessory dwelling units) can play an important role in meeting housing needs for farming and non-farming residents in Abbotsford's agricultural areas. This is increasingly apparent as housing pressures increase and affordability declines.

This section addresses accessory dwellings that are not tied to a farming requirement. These are different than "full time farm worker residences" and "temporary farm worker housing", and intended to address general housing needs.

Currently, Abbotsford's agricultural zones (A Zones) permit a secondary suite in the principal residence and the placement of a manufactured home for immediate family, subject to specific conditions. Other rural area zones (CR, RR, and SR) permit the choice of either a secondary suite or a coach house, depending on lot size.

Up until late 2018, AgRefresh was working on updated regulation for accessory manufactured homes and exploring new permissions for coach houses on agricultural properties.

### 2.4.1 Legislation Changes 2018 to 2021

#### Bill 52, 2018

In November 2018, through Bill 52, 2018, the Province removed the legislated options for accessory dwelling units on properties in the ALR, with the exception of a secondary suite in the principal dwelling. This legislation also introduced a new requirement for ALC approval of all additional residences, and that the residence be needed for farming.

Shortly following the enactment of Bill 52, 2018, and in consideration of ALR residents that were in the planning stages when the rules changed, the Province reinstated a time-limited 'grandfathering period' which temporarily extended the option to place a new manufactured home for immediate family. This 'grandfathering period' expires at the end of 2021.

#### Provincial Residential Flexibility Review 2020-2021

Following the Bill 52 changes, the Ministry of Agriculture conducted further community consultation in early 2020 to learn more about residential needs in farming areas and to explore ideas for increased "residential flexibility" in the ALR. This work specifically explored the idea of allowing a small second residence without needing ALC approval and with no required connection to farming.

Following the 2020-2021 Provincial review, new residential options were introduced through ALR Regulation changes on July 12, 2021, and will come into effect on December 31, 2021.

## 2.4.2 New Accessory Residence Options

Changes to the *ALR Use Regulation* in July 2021 introduced new options for a small secondary home on ALR properties, subject to local government approval. Local governments can be more restrictive than the ALC, with the ability to set additional requirements or even prohibit the new options, if desired.

### **New Provincial ALR options not requiring ALC approval**

A lot in the ALR can now have one principal residence (with optional secondary suite) plus one second residence, subject to the following:

#### ***Lots 40 ha (~100 acres) or less***

- the second residence is limited to 90 m<sup>2</sup> (~970 ft<sup>2</sup>)
- there is no restriction on who can occupy the residence (not restricted to family or farm help)
- building type is flexible (e.g., garden suite, guest house, carriage suite, manufactured home, above/in an existing building)
- not permitted if the principal residence exceeds 500 m<sup>2</sup>
- not permitted if there is more than one existing residence on the lot (excluding a secondary suite)

#### ***Lots over 40 ha (~100 acres)***

- the second residence is limited to 186 m<sup>2</sup> (~2,000 ft<sup>2</sup>)
- no restriction on who can occupy the residence
- building type is flexible
- the size of the principal residence does not matter
- not permitted if there is more than one existing residence on the lot (excluding a secondary suite)

Proposals that do not meet the above criteria can still apply to the ALC for an additional residence for 'farm use'. This includes a lot with more than one existing residence (i.e., farm help or manufactured home).

### **Next Steps and Local Government Decision Making**

It is now up to each local government in BC to determine if and how they wish to implement the new accessory residential options for ALR lands within their jurisdiction.

As a next step, the City needs to determine if the new residential options should be permitted and consider any additional regulations needed to address the local context (e.g., minimum lot size).

The ALR regulation change brings the new options into effect on December 31, 2021, giving local governments time to consider the new housing types and update local regulations.

AgRefresh has undertaken notable engagement and review of accessory dwellings throughout Stages 2 and 3, providing a valuable foundation for the recommendations outlined in the following sections.

### 2.4.3 Decision Makers

Once Provincial legislation comes into force, proposals for accessory dwelling units that are consistent with City zoning and ALR regulations can proceed directly to Building Permit, without additional ALC or Council approvals (except for related soil removal or fill).

### 2.4.4 What we heard in Stage 3

AgRefresh Stage 3 engagement addressed a range of considerations for updating the regulation of "Accessory Family Residential Use" (manufactured home for family) and explored permitting coach houses. This feedback provides a valuable foundation for preparing recommendations consistent with the new legislation.

#### **Stage 3 engagement explored the following 'early ideas'**

##### ***Manufactured Home for Family***

- Remove the 'farm class' requirement and 3.8 ha minimum lot size
- Set a maximum residential footprint and setback

##### ***Coach House***

- Permit a single level dwelling above an accessory farm building
- Permit up to 90 m<sup>2</sup> of floor area
- Do not permit on a lot with a manufactured home for family
- Require farm classification
- Do not restrict occupancy

#### **Stage 3 engagement feedback highlights**

##### ***Mobile Home for Family***

- 73% agreed/somewhat agreed with the early ideas
- some recommended retaining farm class or lots size requirements
- some felt the setback and footprint location is too restrictive
- some wanted to regulate the size, but not type of dwelling

##### ***Coach House***

- 84.5 % agreed/somewhat agreed with the early ideas
- some wanted the option to go larger than 90 m<sup>2</sup>
- some felt it should be for family or farm help
- some did not want it limited to farm class properties

\*A full summary of Stage 3 engagement material and feedback is available in the "Stage 3 Winter 2017-18 Engagement Results" report.



## 2.4.5 Draft Recommendations

### A SNAPSHOT

#### Zoning Bylaw Highlights

- Permit an "Accessory Farm Dwelling Unit" (AFDU) accessory to a principal dwelling in all A Zones (A1-A6), in and outside the ALR
- Permit as a coach house, detached building, manufactured home, or a unit within or above a farm building (subject to size limits)
- Allow one AFDU per lot, in addition to a secondary suite in the principal residence
- Require a minimum lot size of 0.4 ha (1 acre)
- Permit 90 m<sup>2</sup> (~970 ft<sup>2</sup>) on lots 40 ha or less, as per Province
- Permit 186 m<sup>2</sup> (~2,000 ft<sup>2</sup>) on lots over 40 ha, as per Province
- Limit detached buildings and coach houses to 2 storeys (7.5 m)
- Do not require farm status or regulate who can occupy the unit
- Retain existing CR, RR, SR zoning permissions for a 90 m<sup>2</sup> coach house in the ALR, but no longer require ALC approval

#### DRAFT POLICY AND REGULATION UPDATES

New  
(Zoning)

#### Permit "Accessory Farm Dwelling Unit" in A Zones

Introduce "Accessory Farm Dwelling Unit" (AFDU) a new use that is permitted accessory to a single detached dwelling in Agricultural Zones (A1-A6)

"Accessory Farm Dwelling Unit" means a non-stratified dwelling unit that is accessory to a single detached dwelling on the same lot, and is:

- (1) a building without any other use; or
- (2) a coach house; or
- (3) located within a building or structure:
  - a. for agricultural use; or
  - b. accessory to an agricultural use on the same lot

New  
(Zoning)

#### Building Types

Allow an AFDU as a coach house, a small detached residence, a manufactured home, or a unit within an agricultural building.

New  
(Zoning)

#### One Per Lot

Permit one AFDU per lot in addition to a secondary suite in the principal residence, consistent with Provincial ALR regulation.

ALC  
Alignment

<p><b>New</b> (Zoning)</p>	<p><b>Minimum Lot Size</b></p> <p>Only permit an Accessory Farm Dwelling Unit on lots 0.4 ha (~ 1 acre) or larger.</p> <p>This is consistent with the minimum lot size required for a coach house in Abbotsford's rural residential zones: Country Residential (CR), Rural Residential (RR), and Suburban Residential (SR).</p>
<p><b>New</b> (Zoning)</p> <p>ALC Alignment</p>	<p><b>Maximum Residence Size</b></p> <p>Consistent with ALR regulations, limit floor area to:</p> <ul style="list-style-type: none"> <li>• 90 m<sup>2</sup> (~970 ft<sup>2</sup>) on a lot 40 ha or less</li> <li>• 186 m<sup>2</sup> (~2,000 ft<sup>2</sup>) on a lot larger than 40 ha</li> </ul>
<p><b>New</b> (Zoning)</p>	<p><b>AFDU in a Building with other Uses</b></p> <p>If an AFDU is located in the same building as another use, limit the cumulative size of all other uses in the building to a maximum of 112 m<sup>2</sup> (~1,200 ft<sup>2</sup>).</p> <p>This provides flexibility for an AFDU in a building with other uses such as home occupation, 3 to 4 car garage, modest agricultural machine shed, farm retail, farm office/workshop.</p> <p>Larger buildings could be considered through the variance application process.</p>
<p><b>New</b> (Zoning)</p>	<p><b>Designed as an Entirely Separate Space</b></p> <p>An AFDU located in a building with another use (i.e., coach house or within a farm building) must be designed to be entirely separate from any other use in the building, and have all entrances and exits entirely separate from all other uses.</p> <p>This provision is intended to prevent unauthorized expansion of the residential floor area.</p>
<p><b>New</b> (Zoning)</p>	<p><b>Setbacks</b></p> <p>Apply the following minimum setbacks for an AFDU:</p> <ul style="list-style-type: none"> <li>• 7.5 m from an exterior lot line</li> <li>• 3.0 m from an interior lot line</li> <li>• 30 m from any building, structure, or confined outdoor area containing livestock, aquaculture, manure, compost, or agricultural waste.</li> </ul>
<p><b>Retain</b> (Zoning)</p>	<p><b>Other Residential Zoning in the ALR</b></p> <p>Retain existing permissions for a coach house on CR, RR, and SR zoned properties in the ALR that are 0.4 ha or larger. ALC permission is no longer required.</p>