

# ADMINISTRATIVE REPORT



**TO:** Board of Directors

**FROM:** J. Zaffino, Chief Administrative Officer

**DATE:** January 18, 2024

**RE:** Official Community Plan (OCP) & Zoning Bylaw Amendment – Electoral Area “D” (D2023.010-ZONE)

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## Administrative Recommendation:

**THAT the Electoral Area “D” Official Community Plan Amendment Bylaw No. 2603.24, 2023, and the Okanagan Valley Zoning Amendment Bylaw No. 2800.30, 2023, be read a third time.**

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**Purpose:** To allow for a 1-lot subdivision. **Folio:** D-03459.030

**Civic:** Lot 3, Plan 14822, District Lot 551, SDYD **OCP:** Part Industrial (I); Part Agriculture (AG)

**Legal:** 1631 Maple Street **Zone:** Part Site Specific Industrial One (I1s); Part Agriculture One (AG1)

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## Proposed Development:

This application is seeking to amend the zoning of the subject property in order to facilitate a 1-lot subdivision.

In order to accomplish this, the following land use bylaw amendments are being proposed by the applicant:

- amend the land use designation under Schedule ‘B’ (OCP Map) of the Electoral Area “D” Official Community Plan (OCP) Bylaw No. 2603, 2013, from part Industrial (I) and part Agriculture (AG) to part Industrial (I) and part Small Holdings (SH); and
- amend the zoning under Schedule ‘2’ (Zoning Map) of the Okanagan Valley Zoning Bylaw No. 2800, 2022, from part General Industrial Site Specific (I1s) and part Agriculture One (AG1) to part General Industrial Site Specific (I1S) and part Small Holdings Two (SH2).

In support of the rezoning, the applicant has stated that “the owner’s goal is to subdivide the portion of the property in the ALR from the remainder of the parcel to create a farm parcel and parcel for industrial use. Creating a separate parcel offers the best opportunity for the ALR lands to be used for farm purposes.”

## Site Context:

The subject property is approximately 2.31 ha in area and is situated on the east side of Maple Street in the industrial area of Okanagan Falls. It is understood that the parcel is comprised of self storage buildings and an area of vacant Agricultural Land Reserve (ALR) land.

The surrounding pattern of development is generally characterised by a mix of industrial and agricultural uses.

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**Background:**

On December 13, 2023, a Public Information Meeting (PIM) was held online via Webex and was attended by approximately one member of the public.

At its meeting of November 14, 2023, the Electoral Area “D” Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject development application be approved.

At its meeting of December 21, 2023, the Regional District Board resolved to approve first and second reading of the amendment bylaws and scheduled a public hearing ahead of its meeting of January 18, 2024.

All comments received to date in relation to this application are included with this report.

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required prior to adoption as the proposed amendments involve lands within 800 metres of a controlled access highway (i.e. Highway 97).

**Analysis:**

In considering this proposal, Administration notes that an objective of the Electoral Area “D” OCP is “to maintain the integrity of agriculture in the [Plan] area, by preserving land most suitable for agriculture and preventing fragmentation of large agricultural areas.”

In support of this, the Plan speaks to only supporting subdivisions that result in parcels sizes smaller than 4.0 ha within the ALR when in the form of a boundary adjustment that enhances agricultural potential. Otherwise, the Plan seeks “the retention of large contiguous blocks designated Agriculture.”

It is also Administration’s understanding that the Agricultural Land Commission (ALC) does not support the subdivision of farm parcels as smaller lots offer a narrower range of agricultural options and are less likely to be used for agriculture.

In the context of the subject property, therefore, the Plan is seen to support a boundary adjustment in which the ALR part of the subject property is consolidated with an adjacent agricultural parcel as opposed to being subdivided into a new 0.69 ha fee simple parcel.

That said, Administration also recognises that:

- the proposed subdivision is to occur along with the boundary of the ALR;
- the ALC has indicated that they have no objection to the proposed bylaw amendments;
- the resultant new parcel will be separate from an industrially zoned parcel and be more likely to be used for agricultural purposes (albeit hobby farming due to the small size of the parcel); and
- the parcel is connected to urban services such as community water and sewer.

Of concern, Small Holdings zones parcels have historically been used for residential purposes and, as a result, there may be potential for future conflict with an ad hoc residential parcel surrounded by agricultural uses to the north and industrial uses to the south.

**Alternative:**

Conversely, rather than subdividing the property, it may be preferable to retain it as a single unit and allow it to be fully developed to industrial uses.

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Due to the remnant character of the ALR designation on this property as well as the fact that the parcel has been provided an urban-level of services (i.e. community water, sewer and street lighting), and adjoins the Okanagan Falls “industrial park”, there is seen to be merit to including the whole of the property in the Okanagan Falls Growth Containment Boundary and pursuing a subsequent Exclusion with the ALC.

It is recognised, however, that this would be a multi-year process with a number of discretionary approval points that may not all be achieved.

Summary:

In summary, and for the reasons outlined above, Administration is recommending that the proposed amendments to the Electoral Area “D” land use bylaws be supported.

**Alternatives:**

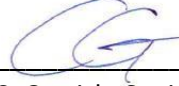
1. THAT first and second readings of the Electoral Area “D” Official Community Plan Amendment Bylaw No. 2603.24, 2023, and the Okanagan Valley Zoning Amendment Bylaw No. 2800.30, 2023, be rescinded and the bylaws abandoned.

**Respectfully submitted:**

*Ben Kent*

Ben Kent, Planner II

**Endorsed By:**

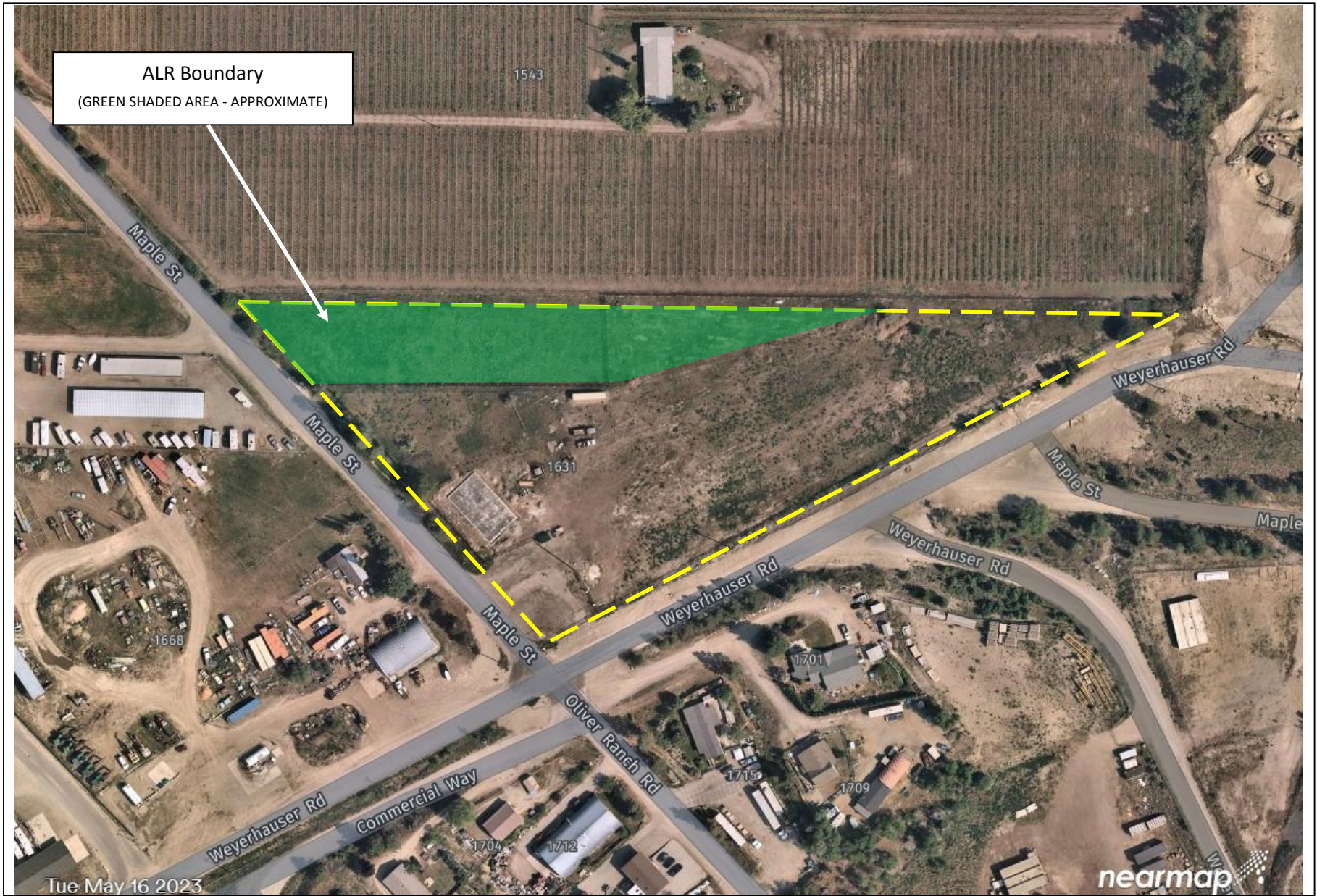


C. Garrish, Senior Manager of Planning

Attachments: No. 1 – Aerial Photo

No. 2 – Site Photo

Attachment No. 1 – Aerial Photo



Attachment No. 2 – Site Photo (Google Streetview)

