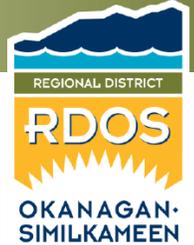


ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: J. Zaffino, Chief Administrative Officer
DATE: October 17, 2024
RE: Official Community Plan (OCP) & Zoning Bylaw Amendment – Electoral Area “E” (E2024.014-ZONE)

Administrative Recommendation:

THAT the Electoral Area “E” Official Community Plan Amendment Bylaw No. 3010.02, 2024, and the Okanagan Valley Zoning Amendment Bylaw No. 2800.46, 2024 be read a third time and adopted.

Purpose: To allow for a single detached dwelling and agriculture Folio: E-02073.005
Civic: 3005 Naramata Road Legal: Lot 2, Plan KAP26537, District Lot 207, SDYD
OCP: Commercial (C) Zone: General Commercial (C)

Proposed Development:

This application is seeking to amend the zoning of the subject property in order to allow for an existing structure on the property to be converted to a single detached dwelling, and to allow for agriculture.

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 “E” Official Community Plan (OCP) Bylaw No. 3010, 2023, from Commercial (C) to Agriculture (AG); and
- Amend the zoning under Schedule ‘2’ (Zoning Map) of the Okanagan Valley Zoning Bylaw No. 2800, 2022, from General Commercial (C1) to agriculture One (AG1).

In support of the rezoning the applicant has stated that:

- *Property [sic] is in the ALR and ALC wants to see the property [sic] and neighbouring lot both returned to AG1 zoning in the latest OCP. (ALC File 46842 Page 4).*
- *Neighbouring lot (3015 Naramata Rd) mentioned above is non-conforming and ALC (residential + business [sic] on commercial)*
- *Wanting to renovate [sic] interior of building to residential (primary residence) and turn lower property into a nursery/farm crop (trees plants, vegetables, etc.)*

Background:

On September 11, 2024, a Public Information Meeting (PIM) was held virtually on Webex and was attended by one members of the public.

At its meeting of September 9, 2024, the Electoral Area “E” Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject development application be approved.

At its meeting of October 3, 2024, the Regional District Board resolved to approve first and second reading of the amendment bylaws and directed that a public hearing occur at the Board meeting of October 17, 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 not required prior to adoption as the proposed amendments involve lands beyond 800 metres of a controlled access highway (i.e. Highways 97 and 3).

Analysis:

Administration considers that the proposed rezoning is intended to realign the zoning of this property to reflect the allowances of the Agricultural Land Commission.

As such, the proposal is seen to be consistent with the Electoral Area “E” OCP, which includes policies speaking to “support(ing) the use of land designated Agriculture (AG) ... for agricultural use”.

Further, the proposed rezoning would also be consistent with the recommendations by the ALC, as the proposed rezoning would clarify that agricultural uses are permitted on the property.

Lastly, both proposed uses for the subject site have been considered. Use of the existing building as a single detached dwelling is permitted in the AG1 Zone, and the use of a ‘nursery’ is generally considered “agriculture”, subject to compliance with the provisions of the zoning bylaw and ALR Use Regulations.

In summary, the proposed rezoning is seen to align the zoning of this property with the regulations of the Agricultural Land Commission and is consistent with the Electoral Area “E” OCP Bylaw.

Financial Implications:

Financial implications have been considered and none were found.

Communication Strategy:

The proposed bylaw amendments have been notified in accordance with the requirements of the *Local Government Act* as well as the Regional District’s Development Procedures Bylaw No. 2500, 2011.

Alternatives:

1. THAT first, second and third readings of the Electoral Area “E” Official Community Plan Amendment Bylaw No. 3010.02, 2024, and the Okanagan Valley Zoning Amendment Bylaw No. 2800.46, 2024, be rescinded and the bylaws abandoned.

Respectfully submitted:

Colin Martin
Colin Martin, Planner I

Endorsed By:


C. Garrish, Senior Manager of Planning

Attachments:

No. 1 – Applicant’s Site Plan

Attachment No. 1 – Site Photo

