

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: J. Zaffino, Chief Administrative Officer
DATE: April 3, 2025
RE: Zoning Bylaw Amendment – Electoral Area “C” (C2024.016-ZONE)

Administrative Recommendation:

THAT the Okanagan Valley Zoning Amendment Bylaw No. 2800.49, 2025 be read a third time.

Purpose: To allow for 10 agri-tourism accommodation units on a parcel under 8.0 ha. Folio: C-05878.000

Legal: Lot 393, Plan KAP1957, District Lot 2450S, SDYD Civic: 325 Road 20

OCP: Agriculture (AG) Zone: Agriculture One (AG1)

Proposed Development:

This application is seeking to amend the zoning of the subject property in order to allow for ten (10) agri-tourism accommodation sleeping units.

In order to accomplish this, the applicant is proposed to amend the zoning of the property under the Okanagan Valley Zoning Bylaw No. 2800, 2022, from Agriculture One (AG1) to Agriculture One Site Specific (AG1s).

In support of the rezoning, the applicant has stated that:

- The proposed zoning will not conflict with the Area “C” Official Community Plan.
- No increase to the number of agri-tourist accommodation units will occur in the area beyond what is presently allowed in the Zoning Bylaw.
- The proposed restrictive covenant being offered by the owner will preclude their adjacent farm parcel at 4114 Highway 97 from having an agri-tourist accommodation building.

Site Context:

The subject property is approximately 5.17 ha in area and is situated on the southeast corner of Road 20 and Highway 97 and is approximately 7.7 km south of the boundary of the Town of Oliver. It is understood that the parcel is comprised of a vineyard, a winery, and an equipment storage building.

The surrounding pattern of development is generally characterised by similarly sized agricultural parcels that have been developed with single detached dwellings.

Background:

At its meeting of March 20, 2025, 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 April 3, 2025.

On April 25, 2025, a public hearing was held and all comments received to date in relation to this application are included with this report.

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Approval from the Ministry of Transportation and Transit (MoTT) 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 one of the objectives for land designated as Agricultural (AG) under the OCP Bylaw is to “protect the agricultural land base of the Plan Area, including associated farming, orchards, vineyards, ranching, and associated value-added activities”.

The Plan seeks a balance between preserving agricultural land for the current and future production with the use of agricultural land for compatible secondary, value-added activities which are meant to provide supplementary income to farmers and diversify the local agricultural and rural economy.

Under the Okanagan Valley Zoning Bylaw, the property owners would be able to construct five (5) agri-tourism accommodation sleeping units on the subject property. The applicant also owns the neighbouring property at 4114 Highway 97, which would also permit up to five (5) agri-tourism accommodation sleeping units.

The proposed agri-tourism building will have an approximately 2.33% parcel coverage, which will include the driveway, the structure itself and any landscaping related to the structure. Constructing ten agri-tourism accommodations sleeping units on the same property will reduce the amount of agricultural land that would need to be removed if it were five (5) units on both properties.

Alternative:

The proposed site specific rezoning, deviates from the broader strategic land use objectives, granting privileges to a single parcel that may not be permitted to other similar parcels in the area.

Additionally, the increased number of agri-tourism accommodation sleeping units creates the potential for uses that may stray from the agricultural intentions of the AG1 zone.

Summary:

In summary, the proposed then (10) agri-tourism accommodation sleeping units is not seen to reduce the agricultural viability of the property, and provide a financial safety net to the agricultural use of the property during low yield years.

Financial Implications:

Financial implications have been considered and none were found.

Communication Strategy:

The proposed bylaw amendment(s) 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 and second readings of the Okanagan Valley Zoning Amendment Bylaw No. 2800.49, 2025, be rescinded and the bylaws abandoned.

Respectfully submitted:

Colin Martin
Colin Martin
Planner I

Endorsed By:



C. Garrish
Senior Manager of Planning

Endorsed By:

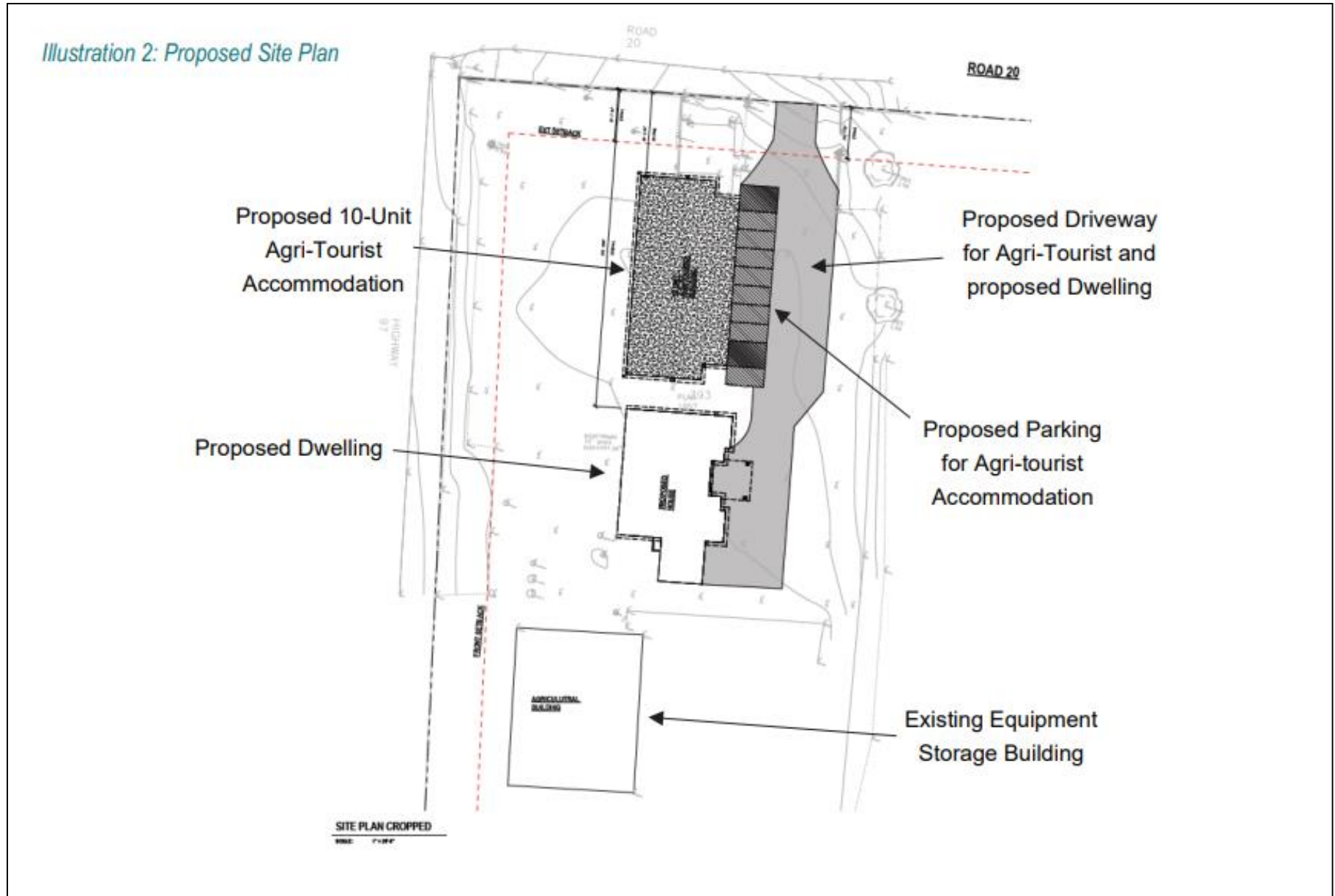


A. Fillion
Managing Director, Dev. & Infrastructure

Attachments: No. 1 – Applicant's Site Plan

No. 2 – Site Photo

Attachment No. 1 – Applicant's Site Plan



Attachment No. 2 – Site Photo

