

**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** July 6, 2017

**RE:** Zoning Bylaw Amendments - Electoral Areas "A", "C", "D", "E", "F" & "H"  
Ag Zone & Regulations Update

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**Administrative Recommendation:**

**THAT Bylaw No. 2728, 2017, Regional District of Okanagan-Similkameen Update of Agricultural Zones and Regulations Amendment Bylaw be read a third time.**

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**Purpose:**

Amendment Bylaw No. 2728 represents the culmination of a multi-year review and update of the definitions and regulations that affect the agricultural zones in the Electoral Area Zoning Bylaws.

**Background:**

The proposed updating of the Agriculture Zones and Regulations is the culmination of a number of different actions and directions provided over the previous 4 years.

Public Information Meetings were previously held in Okanagan Falls on March 8, 2016, and Penticton on March 10, 2016, while consideration by the applicable Electoral Area Advisory Planning Commissions (APCs) occurred between March and April of 2016.

At its meeting of July 21, 2016, the P&D Committee considered comments received from the APCs and resolved to proceed with Amendment Bylaw No. 2728 subject to the minimum number of small livestock and livestock being adjusted from 1 to 2.

At its meeting of May 4, 2017, the P&D Committee resolved to direct staff to amend Draft Amendment Bylaw No. 2728 (Update of Agricultural Regulations) to:

- allow accessory dwellings to be constructed within an accessory building or structure in the Agriculture zones; and
- allow the keeping of honey bees in the Low Density Residential zones.

At its meeting of June 15, 2017, the Regional District Board resolved to approve first and second reading of the amendment bylaw and directed that a public hearing occur at the Board meeting of July 6, 2017.

All other comments received through the public process, including APC minutes are compiled and included as a separate item on the Board Agenda.

Prior to adoption, approval from the Ministry of Transportation and Infrastructure (MoTI) is required as the amendments will affect lands situated within 800 metres of a controlled area (i.e. Highway 3 & 97).

**Analysis:**

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Administration considers the work undertaken to modernise and update agricultural definitions and regulations contained within the Electoral Area Zoning Bylaws to be a significant improvement and an important step towards ensuring consistency across the Electoral Area zoning bylaws with regards to farm lands. These updates include, but are not limited to, the following:

- standardised agriculture and farm related definitions under Section 4.0 (Definitions) in each of the Electoral Area Zoning Bylaws;
- improving the consistency of uses permitted in the RA, AG and LH zones across Electoral Areas;
- updating accessory dwellings regulations in order to standardize floor area allowances; removing 5.0 metres / single storey height restriction; allowing dwellings in accessory structures (i.e. “carriage house”) and further allowing for the clustering of floor area on larger parcels;
- introducing chickens and honey bees as a permitted use in the low density residential zones (i.e. no more than 2 hives, no more than 5 chickens and no roosters);
- increasing the number of livestock (i.e. horses) permitted on parcels between 0.4 ha and 1.0 ha from 1 to 2;
- removing a conflict between the keeping of livestock regulations and setbacks (i.e. 30 metres) for livestock on parcels less than 2.0 ha in area;
- removing the floor area restrictions on wineries and packinghouses (i.e. 600 m<sup>2</sup> in the AG1 Zone and 1,500 m<sup>2</sup> in the AG2 Zone);
- introducing a varied maximum parcel coverage allowance for parcels between 2,020 m<sup>2</sup> and 2.0 ha in area;
- introducing standardised regulations for Agri-tourism Accommodation, Kennels (i.e. 4.0 ha minimum parcel size requirement) and Provisions for Retail Sales of Farm and/or Off-farm products, while deleting redundant provisions related to the *Agricultural Land Commission Act* and *Riparian Area Regulations*; and
- completing a comprehensive review of all existing site specific provisions in light of the aforementioned changes and deleting those which would become redundant under the new regulations.

**Alternative:**

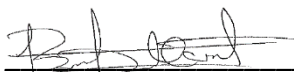
THAT first and second readings of Bylaw No. 2728, 2017, be rescinded and the bylaw abandoned

**Respectfully submitted:**



C. Garrish, Planning Supervisor

**Endorsed by:**



B. Dollevoet, Development Services Manager