

ADMINISTRATIVE REPORT



TO: Advisory Planning Commission
FROM: J. Zaffino, Interim Chief Administrative Officer
DATE: November 14, 2023
RE: Official Community Plan (OCP) & Zoning Bylaw Amendment – Electoral Area “D”

Purpose: To allow for a 1-lot subdivision. Civic: 1631 Maple Street. Folio: D-03459.030
Zone: Part Site Specific Industrial One (I1s), Part Agriculture One (AG1)
OCP: Part Industrial (I), Part Agriculture (AG) Legal: Lot 3, Plan 14822, District Lot 551, SDYD

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 from part Site Specific Industrial One (I1s) and part Agriculture One (AG1) to part Site Specific Industrial Once (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.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on March 28, 2019.

Available Regional District records indicate that building permits for a keylock installation tank (1993), demolition of a dwelling (2018), and a self-storage building (2023) have previously been issued for this

File No: D2023.010-ZONE

property and that it has been classified as Business and Other (Class 06) by BC Assessment. Currently, building permit applications for three new self-storage buildings (2023) are being processed by the Regional District.

Under the Regional Growth Strategy (RGS) Bylaw No. 2770, 2017, the property is outside of the current Ok Falls Primary Growth Area Growth Containment Boundary.

Under the Electoral Area "D" Official Community Plan (OCP) Bylaw No. 2603, 2013, the subject property is currently designated part Agriculture (AG) and part Industrial (I). The portion of the property designated Industrial (I) is the subject of the OK Falls Industrial Development Permit Area (IDP) Area Designation.

Under the Okanagan Valley Zoning Bylaw No. 2800, 2022, the property is currently split-zoned part Site Specific Industrial One (I1s) and part Agriculture One (AG1) which require a minimum parcel size of 0.1 ha, subject to servicing in the I1s zone and a minimum parcel size of 4.0 ha in the AG1 zone.

The property is within the Okanagan Falls community water, community sewer and street lighting service areas.

An approximately 0.69 ha part of the property is within the Agricultural Land Reserve (ALR) and is currently undeveloped.

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.

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.

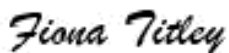
Administrative Recommendation:

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 supported.

Options:

1. THAT the APC recommends to the RDOS Board of Directors that the subject development application be approved.
2. THAT the APC recommends to the RDOS Board of Directors that the subject development application be approved with the following conditions:
 - i) *TBD*
3. THAT the APC recommends to the RDOS Board of Directors that the subject development application be denied.

Respectfully submitted:



Fiona Titley, Planner II

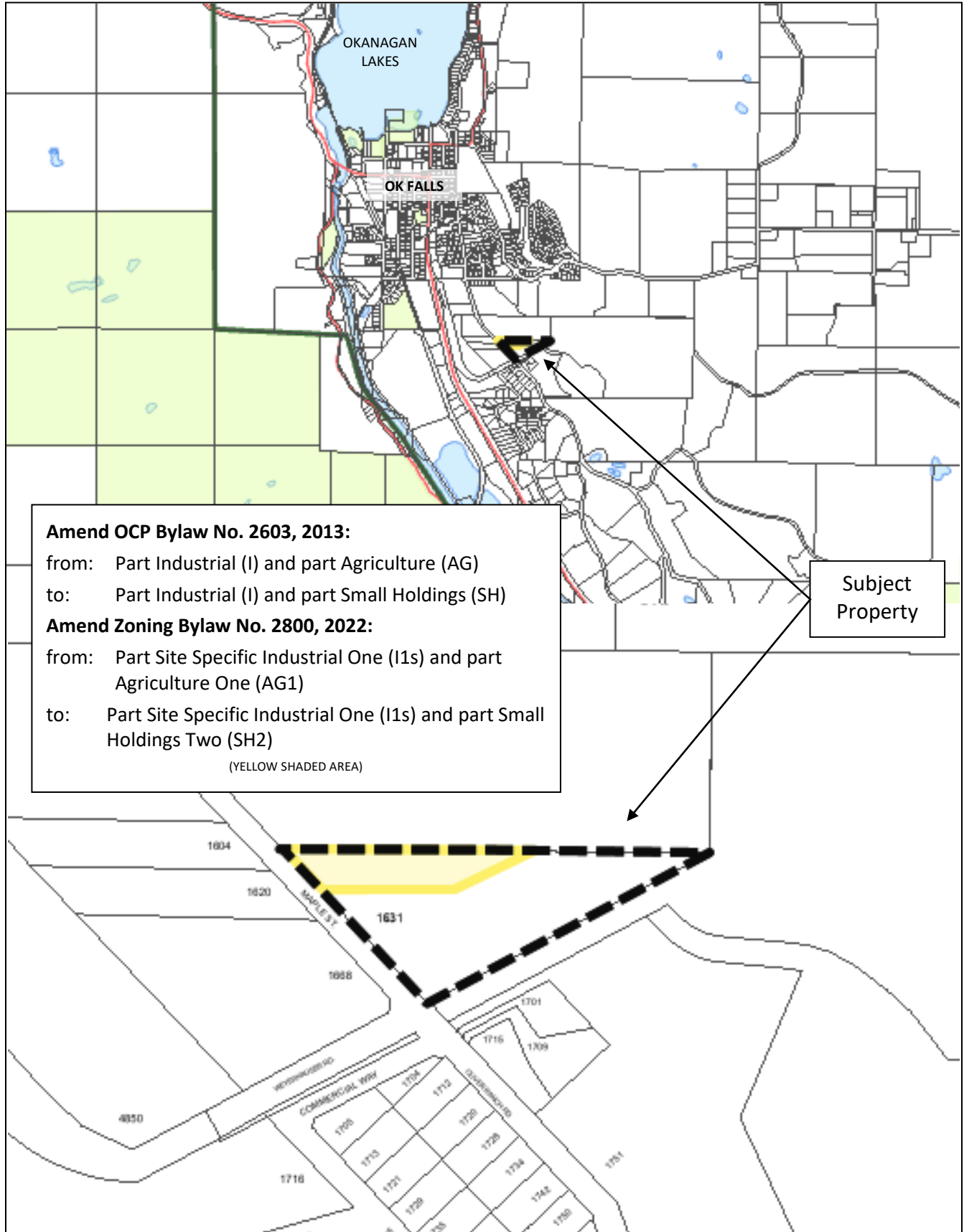
Endorsed By:



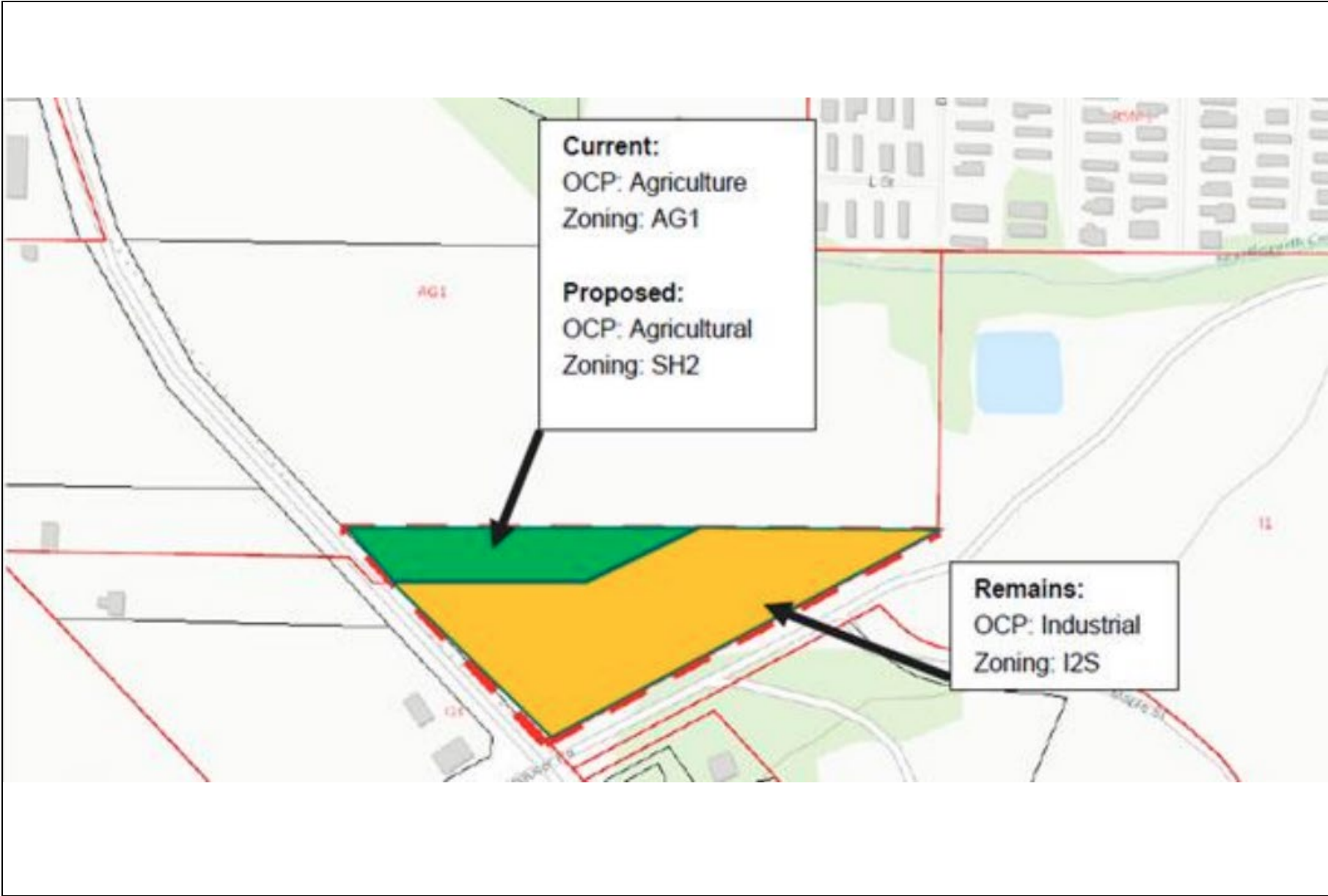
C. Garrish, Senior Manager of Planning

Attachments: No. 1 – Context Maps
No. 2 – Applicant’s Site Plan
No. 3 – Aerial Photo

Attachment No. 1 – Context Maps



Attachment No. 2 – Applicant’s Site Plan



Attachment No. 3 – Aerial Photo

