

# ADMINISTRATIVE REPORT



**TO:** Planning and Development Committee  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** November 16, 2017  
**RE:** Large Holdings Review – Electoral Area “D-2”

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## **Administrative Recommendation:**

**THAT the Regional District initiate the Electoral Area “D-2” Large Holdings Update Official Community Plan Amendment Bylaw No. 2603.12, 2017, and Zoning Amendment Bylaw No. 2455.30, 2017.**

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## **Purpose:**

This report proposes amendments to the Large Holdings (LH) designation under the Electoral Area “D-2” Official Community Plan (OCP) Bylaw No. 2603, 2013, and the Large Holdings Three (LH3) Zone under the Electoral Area “D-2” Zoning Bylaw No. 2455, 2008, as part of work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

## **Background:**

### Overview:

At its meeting of October 16, 2008, the Board considered an [Administrative Report](#) proposing the creation of a single Electoral Area Zoning Bylaw and directed staff to investigate the preparation of such a bylaw. The 2017 Business Plan includes a direction to ensure “all existing bylaws and policies are kept in a current and useful form ...”

In anticipation of bringing forward a draft zoning bylaw for consideration by the Board, a series of draft amendments (by zone category) will be presented over the coming months intended to update various zones and facilitate their eventual consolidation in a new bylaw.

### Large Holdings:

The origin of the Large Holdings designation in Electoral Area “D-2” can be traced to the Land Use Settlement Plan (Bylaw No. 630) for Okanagan Falls adopted by the Board at its meeting of July 21, 1983. This Plan created, for the first time, an “Openland and Farmland” designation in Electoral Area “D”, the objective of which was “to protect and preserve productive farmland and ... other special resource management areas.”

This designation was revised under the first OCP Bylaw for Okanagan Falls adopted by the Board at its meeting of November 19, 1987, by changing the title to “Openland incl. Forestry & Grazing Land” and introducing the 20.0 ha requirement for subdivision (due to the types of land uses that were to “be protected from urban type land uses”).

While no comparable “Openland” Zone was ever created under the (then) Electoral Area “D” Zoning Bylaw No. 100, 1970, it is assumed that the Board relied on the policy direction provided by the

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“Openland” designation to guide decision regarding changes to land use in this part of Electoral Area “D”.

When a new OCP Bylaw (No. 1708) was adopted for Electoral Area “D-2” in 1996, it divided the “Openland” designation into three new designations, being; Okanagan Provincial Forest (OPF), Farmland (F) and Large Holdings (LH). The objective of the LH designation was stated to be the retention of “areas in as natural and undeveloped states as possible over the long range.”

When a new Zoning Bylaw was adopted for Electoral Area “D-2” in 1998, it applied a 20.0 ha minimum parcel size requirement to the new Resource Area (RA) Zone (to be applied to the OPF designation) and the Large Holdings (LH) Zone (to be applied to the LH designation), and allowed a similar range of extensive land uses (i.e. agriculture, forestry and open land recreation).

When the current Electoral Area “D-2” OCP Bylaw (No. 2603) was adopted in 2013, it carried forward many of the existing LH objectives and policies related to keeping such lands in “as natural and undeveloped states as possible.”

### **Analysis:**

In light of the substantial similarities that exist between the LH3 and RA Zones in Electoral Area “D-2” as well as the similar objectives and policy statements that seek to keep such lands in a generally “undeveloped” state, Administration considers there to be merit in consolidating the LH3 Zone into the RA Zone. For reference purposes, a comparison of the two zones is provided at Attachment No. 1.

To facilitate this, Administration is proposing to re-draft the Large Holdings section of the OCP Bylaw to be consistent with the other Okanagan Electoral Areas.

Of concern, however, is that the origins of the Large Holdings designation/zone in the “Openland and Farmland” designation (1982) — which appears to have been a “catchall” type of zoning — has resulted in a number of properties currently zoned LH3 that would not be suitable for an RA zoning.

For example, there are a number of properties significantly less than 1.0 ha in area currently zoned LH3 — including within the Okanagan Falls townsite — which would be more appropriately zoned either Residential Single Family One (RS1) or Small Holdings Three (SH3).

A number of other properties would also be more appropriately zoned Small Holdings Four (SH4), Large Holdings One (LH1), Large Holdings Two (LH2) or Parks and Recreation (PR). It is Administration’s intention to consult with affected property owners regarding preferable alternative zonings prior to consideration of 1<sup>st</sup> reading.

In addition, The Nature’s Trust of British Columbia (TNTBC) also has extensive land holdings within the Electoral Area, some of which is currently zoned Conservation Area (CA), LH3 and Comprehensive Development (CD).

To bring consistency to the designation and zoning of these parcels, Administration is proposing the introduction of a Conservation Area Site Specific (CAs) Zone. The site specific will allow “agriculture” as a permitted use in recognition that some of these lands are in the Agricultural Land Reserve (ALR) and are leased by TNTBC for farm purposes.

The full listing of affected properties and the proposed replacement zones and OCP designations can be found in the draft amendment bylaws attached with this report.

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**Respectfully submitted:**

  
C. Garrish, Planning Supervisor

**Endorsed by:**

  
B. Dollevoet, Dev. Services Manager

Attachments: No. 1 — LH3 Zone vs. RA Zone  
No. 2 — Draft Amendment Bylaw Nos. 2603.12 & 2455.30

Attachment No. 1 – LH3 Zone vs. RA Zone

LARGE HOLDING (LH3) ZONE	RESOURCE AREA (RA) ZONE
<p><b>Permitted Uses:</b>  <u>Principal Uses:</u>                      agriculture;                      N/A                      N/A                      N/A                      equestrian centre;                      forestry;                      N/A                      N/A                      open land recreation;                      packing, processing and storage of farm and off-farm products;                      single detached dwelling or mobile home;                      veterinary establishment;  <u>Accessory Uses:</u>                      accessory dwelling or mobile home;                      bed and breakfast operation;                      home industries;                      home occupations;                      kennels;                      retail sales of farm and off-farm products;                      secondary suites; and                      accessory buildings and structures</p>	<p><b>Permitted Uses:</b>  <u>Principal Uses:</u>                      agriculture;                      cemeteries;                      charitable, fraternal or philanthropic institutions;                      educational facility;                      equestrian centre;                      forestry;                      gravel processing;                      natural resource extraction;                      open land recreation;                      packing, processing and storage of farm and off-farm products;                      single detached dwelling or mobile home;                      veterinary establishment;  <u>Accessory Uses:</u>                      accessory dwelling or mobile home;                      bed and breakfast operation;                      home industries;                      home occupations;                      kennels;                      retail sales of farm and off-farm products;                      secondary suites; and                      accessory buildings and structures.</p>
<p><b>Minimum Parcel Size:</b>                      20.0 ha</p>	<p><b>Minimum Parcel Size:</b>                      20.0 ha</p>
<p><b>Minimum Parcel Width:</b>                      Not less than 25% of parcel depth</p>	<p><b>Minimum Parcel Width:</b>                      Not less than 25% of parcel depth</p>
<p><b>Maximum Number of Dwellings Per Parcel:</b>                      a) one (1) principal dwelling;                      b) one (1) secondary suite; and                      c) one (1) accessory dwelling or mobile home</p>	<p><b>Maximum Number of Dwellings Per Parcel:</b>                      a) one (1) principal dwelling;                      b) one (1) secondary suite; and                      c) one (1) accessory dwelling or mobile home</p>

LARGE HOLDING (LH3) ZONE	RESOURCE AREA (RA) ZONE
<p><b>Minimum Setbacks:</b></p> <p><u>Buildings and Structures:</u></p> <p>Front parcel line: 7.5 metres</p> <p>Rear parcel line: 7.5 metres</p> <p>Interior side parcel line: 4.5 metres</p> <p>Exterior side parcel line: 4.5 metres</p> <p><u>livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, and on-farm soil-less medium production facilities:</u></p> <p>Front parcel line: 15.0 metres</p> <p>Rear parcel line: 15.0 metres</p> <p>Interior side parcel line: 15.0 metres</p> <p>Exterior side parcel line: 15.0 metres</p> <p><u>incinerators or compost facility:</u></p> <p>Front parcel line: 30.0 metres</p> <p>Rear parcel line: 30.0 metres</p> <p>Interior side parcel line: 30.0 metres</p> <p>Exterior side parcel line: 30.0 metres</p>	<p><b>Minimum Setbacks:</b></p> <p><u>Buildings and Structures:</u></p> <p>Front parcel line: 7.5 metres</p> <p>Rear parcel line: 7.5 metres</p> <p>Interior side parcel line: 4.5 metres</p> <p>Exterior side parcel line: 4.5 metres</p> <p><u>livestock shelters, equestrian centres, generator sheds, boilers or walls with fans, and on-farm soil-less medium production facilities:</u></p> <p>Front parcel line: 15.0 metres</p> <p>Rear parcel line: 15.0 metres</p> <p>Interior side parcel line: 15.0 metres</p> <p>Exterior side parcel line: 15.0 metres</p> <p><u>incinerators or compost facility:</u></p> <p>Front parcel line: 30.0 metres</p> <p>Rear parcel line: 30.0 metres</p> <p>Interior side parcel line: 30.0 metres</p> <p>Exterior side parcel line: 30.0 metres</p>
<p><b>Maximum Height:</b></p> <p>10.0 metres</p>	<p><b>Maximum Height:</b></p> <p>10.0 metres</p>
<p><b>Maximum Parcel Coverage:</b></p> <p>a) 35% for parcels less than 2,500 m<sup>2</sup> in area;</p> <p>b) 20% for parcels greater than 2,500 m<sup>2</sup> and less than 2.0 ha in area; and</p> <p>c) for parcels greater than 2.0 ha in area:</p> <p>i) 5%; and</p> <p>ii) 75% for greenhouse uses</p>	<p><b>Maximum Parcel Coverage:</b></p> <p>a) 35% for parcels less than 2,500 m<sup>2</sup> in area;</p> <p>b) 20% for parcels greater than 2,500 m<sup>2</sup> and less than 2.0 ha in area; and</p> <p>c) for parcels greater than 2.0 ha in area:</p> <p>i) 5%; and</p> <p>ii) 75% for greenhouse uses</p>