



BOARD DATE: DEC 21, 2023  
AGENDA ITEM B.4  
D2023.010-ZONE  
ADDITIONAL RESPONSE

December 14, 2023

File No: 0280-30

Local Government File No: D2023.010-ZONE

Fiona Titley, Planner II

Regional District of Okanagan-Similkameen

Via E-mail: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

Dear Fiona Titley:

**Re: Rezoning and OCP Amendment for 1631 Maple Street (PID: 008-933-600) – The Subject Property**

Thank you for providing BC Ministry of Agriculture and Food (Ministry) staff the opportunity to comment on this application to amend the zoning of the Subject Property in order to facilitate a subdivision of the 0.54 ha portion of the Subject Property that is within the Agricultural Land Reserve (ALR) from the remainder of the 2.31 ha property that is not within the ALR. Specifically, the applicant is looking to amend the land use designation of the property under the Electoral Area 'D' Official Community Plan (OCP) Bylaw No. 2603, 2023, from Part Industrial (I) and part Agriculture (AG) to part Industrial (I) and part Small Holdings (SH) and to amend the zoning of the property under the Okanagan Valley Zoning Bylaw No. 2800, 2022 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).

Ministry staff have the following comments:

- Ministry staff note that from Google Maps Street View dated July 2023, there appears to be a fence around the 0.54 ha ALR area of the parcel.
- Ministry staff note that the applicant's rationale that "creating a separate parcel offers the best opportunity for the ALR lands to be used for farm purposes" is not backed by the provincial Agricultural Land Use Inventory data which shows that small parcels are less likely to be farmed than large parcels. While the SH2 zone does permit agriculture as a principal use, it seems more likely that the 0.54 ha parcel will be used for rural residential uses.
- Rural residential uses are among the least compatible uses with agriculture. This proposal will create a small rural residential lot that is directly adjacent to an intensive vineyard to the north and the industrial uses to the south, leading to a

situation where complaints are highly likely; particularly farm practice complaints. Industrial uses tend to be more compatible with agriculture than rural residential uses.

- Ministry staff note that the rationale behind the rezoning to SH2 is that the AG1 zone has a 4 ha minimum lot size, while the SH2 zone has a 0.5 ha minimum lot size for lots connected to community water and sewer as is the case for the Subject Property.
- The Ministry's Guide for Bylaw Development in Farming areas recommends applying a single agricultural zone to all lands in the Agricultural Land Reserve (ALR). This is to ensure that agriculture is recognized as the primary use of the ALR. Changing the zoning to an SH zone will signal that uses other than agriculture are the priority for the parcel and may increase expectation of new residents that they can expect a quiet rural lifestyle as opposed to being located in the middle of a working landscape. It may also lead to confusion as to the types of uses that are permitted on the parcel.
- Ministry staff do not recommend that the proposal proceed as presented. While it would be preferable for the subdivision to not proceed, if it does, Ministry staff recommends that at the very least a site-specific zoning bylaw amendment to the AG1 zone be applied to the parcel to permit the smaller lot size. A covenant should also be registered on title notifying future owners that they are located within a farming area and may experience nuisance including noise, odour and dust.

If you have any questions, please contact us directly at the numbers or email addresses below.

Sincerely,



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