



## REGIONAL DISTRICT OF CENTRAL OKANAGAN PUBLIC HEARING AGENDA

Monday, June 22, 2020  
7:00 p.m.  
Woodhaven Board Room  
1450 K.L.O. Road, Kelowna, BC

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Pages

### 1. CALL TO ORDER

Chair Given acknowledged that this meeting is being held on the traditional territory of the syilx/Okanagan peoples.

This Special Meeting is being held for the purpose of considering an amendment to the South Slopes Official Community Plan No. 1304, and amendments to the RDCO Zoning Bylaw No. 871.

The Public Hearing was advertised (pursuant to the Local Government Act) in the Kelowna Capital News on:

- Wednesday, June 10, 2020; and
- Wednesday, June 17, 2020

A Consultation Notice in accordance with the Local Government Act was advertised in the Kelowna Capital News on Wednesday, June 3, 2020.

In accordance with Development Applications Procedure Bylaw No. 944, "Notice of Application" signs were also posted on the subject properties.

The role of the Regional Board is to hear representation from those persons who wish to provide comments regarding the proposed bylaws. Everyone who wishes to speak shall be given the opportunity to be heard. No one will be, or should feel, discouraged or prevented from making his or her views known. However, it is important that all who speak at this meeting restrict their remarks to matters contained in the bylaw and it is my responsibility as Chairperson of this meeting to ensure that all remarks are so restricted.

Members of the Regional Board may, if they so wish ask questions of you following your presentation. However, the main function of the Regional Board members this evening is to listen to the views of the public. It is not the function of the Regional Board at this public hearing to debate the merits of the proposed bylaws with individual citizens.

No decision will be made at the Hearing, but the entire proceedings will be considered by the Regional Board at a subsequent meeting.

Submissions regarding the proposed bylaws may be received prior to or at this Hearing.

No further information or representations can be considered by the Regional Board after the Public Hearing is terminated.

**1.1 Zoning Amendment Bylaw No. 871-251**

1 - 15

Owner/Applicant: S. & P. Sandher (RDCO File:Z18/06)

Received First Reading: July 18, 2019

Central Okanagan East Electoral Area

To amend the zoning on Lot D, District Lots 121 & 122, ODYD, Plan KAP63914 to permit Temporary Agricultural Worker Dwellings and to vary setbacks to approve the location of existing Temporary Agricultural Worker Dwellings and Accommodation.

**1.2 South Slopes Official Community Plan Amendment Bylaw No. 1304-02 & Zoning Amendment Bylaw No. 871-258**

16 - 35

Owner: R. Schoenherr / Applicant: G. Fedoriuk (RDCO File: Z19/06)

Received First Reading: April 27, 2020

Central Okanagan East Electoral Area

To amend the Future Land Use Designation on part of the South ½ of Section 36, Township 29, ODYD from Rural Resource to Parks and Natural Open Space.

and

To amend the zoning from RU1 Rural 1 to CL8 Conservation Lands, P1 Park and Open Space, and F1 Forest Resource, and a site-specific amendment to permit adventure eco-tourism as a use in the CL8 Conservation Lands zone.

**2. TERMINATE & ADJOURN**



# Regional Board Report

For the Public Hearing June 22, 2020

**TO:** Regional Board

**FROM:** Todd Cashin  
Director of Community Services

**DATE:** June 22, 2020

**SUBJECT:** Zoning Amendment Bylaw No. 871-251  
Application Z18/06 S. & P. Sandher (Owners)  
4401 Old Vernon Road - Central Okanagan East Electoral Area

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**Purpose:** To amend Zoning Bylaw No. 871 specific to Lot D, Plan KAP63914 to permit existing Temporary Agricultural Worker Dwellings and Accommodation that surpasses the maximum building gross floor area allowed on a single parcel and to vary setbacks.

## Executive Summary:

The owners of Lot D, Plan KAP63914, DL 121 & 122, ODYD with a civic address of 4401 Old Vernon Road are requesting a site-specific rezoning to legitimize the existing temporary farm worker housing on the subject property. The owners previously received conditional approvals in 2013 and 2016 (File: TUP-13-01) to permit temporary farm worker housing placed on the property prior to the Regional District's current Temporary Farm Worker Dwelling and Accommodation regulations. The TUP has since expired and is not eligible for renewal.

To date, two letters of opposition have been received and no agency concerns have been identified at this time.

Respectfully Submitted:

  
Todd Cashin  
Director of Community Services

Approved for Board's Consideration



*Prepared by: Brittany Lange, Environmental Planner*

M. Rilkoff, Deputy CAO for  
Brian Reardon, CAO

## Background:

First Reading: The Regional Board granted First Reading to Zoning Amendment Bylaw No. 871-251 on July 18, 2019. On January 27, 2020, resolution #142/19 was amended such that scheduling of a Public Hearing be withheld pending receipt of the following:

- A draft covenant prohibiting new Temporary Agricultural Worker Dwellings and Accommodation on neighbouring parcels owned by S. & P. Sandher and/or S. Sundher Orchards Ltd; and,
- Written confirmation that a covenant which achieves Zoning Bylaw No. 871, Section 3.25.9 requirements will be registered prior to final adoption on the subject property.

RDCO staff received the required documentation confirming the two (2) covenants have been registered. As such, the application has now been scheduled for a Public Hearing.

## Proposal:

The subject property forms part of a large agricultural operation specializing in apple and cherry production that spans just over 500 acres of owned and leased properties located in the North and Central Okanagan. Migrant farm workers are a necessary part of the operation. The agricultural property includes accommodation for approximately 102 farm workers on-site, which allows for operational efficiency of a centralized site to coordinate and transport workers, plus the social benefit of common housing.

The following is an overview of the accommodation provided on-site:

- 24 temporary farm worker housing (TFWH) located within three atco trailers (~1,300ft<sup>2</sup>),
- 18 TFWH located within an accessory home/agricultural dwelling (~2,034 ft<sup>2</sup>), and
- 60 TFWH located within a residential lodge (~5,180 ft<sup>2</sup>).

The image below identifies the buildings that comprise the temporary farm worker housing.



## History:



The owners previously received conditional approvals in 2013 and 2016 (File: TUP-13-01) to permit temporary farm worker housing (TFWH) on the subject property. These applications were precipitated due to on-going difficulties faced by the landowners with respect to securing suitable TFWH. At the time, Zoning Bylaw No. 871 did not have provisions to allow TFWH.

On March 28, 2014, the Regional Board adopted a Zoning Bylaw text amendment to allow TFWH on properties subject to a specific list of conditions and requirements (Section 3.25 attached). The accessory home/agricultural dwelling, lodge and three atco trailers were placed on the property prior to the Regional District's current Temporary Farm Worker Dwelling and Accommodation regulations. The TUP has expired and is not eligible for a renewal; therefore, the applicant is requesting a site-specific rezoning to recognize the TFWH use occurring.

The TFWH at the subject property does not achieve the following provisions of Zoning Bylaw No. 871, Section 3.25 Temporary Agricultural Worker Dwellings and Accommodation:

- The maximum building gross floor area on the property utilized for TFWH is greater than 250m<sup>2</sup>.
- The minimum setback from a parcel line is less than 15.0 m.
- The maximum setback from the principal building is greater than 15.0 m.
- Two of the structures have permanent foundations.

#### **Servicing:**

##### Water

Glenmore Ellison Improvement District provides the property with potable water. GEID has indicated that the owner has satisfied all requirements for the existing TFWH.

##### Sewerage Disposal

Through the building permit process, RDCO is in receipt of on-site sewerage disposal system information which confirms that the buildings are adequately serviced.

Currently, the 24 workers who reside in the 3 atco trailers use the washroom facilities located within the residential lodge; however, under direction from the Seasonal Agricultural Worker Program, the owners have submitted a Building Permit Application (File No. 19/092) to install a washroom facility adjacent to the 3 atco trailers for the workers' use. The proposed accessory building (non-residential) is a permitted use and has received approval from the Agricultural Land Commission as well as a Registered Onsite Wastewater Practitioner.

#### **Seasonal Agricultural Worker Program:**

The property owners have submitted the annual declaration for 2020 that they participate in the Government of Canada's Seasonal Agricultural Worker Program.

#### **Regional Temporary Farm Worker Housing Regulation Review:**

Regional District staff has worked collaboratively with Provincial agencies and member municipalities to review the Central Okanagan region's TFWH regulations with the intent of developing a consistent approach. Subsequent to the regional initiative commencing, the City of Kelowna adopted new TFWH regulations in 2017. RDCO, District of Lake Country, City of West Kelowna, and City of Kelowna jointly hosted an industry stakeholder workshop regarding farm worker housing April 2018; after which the City of West Kelowna adopted their new TFWH regulations.

It was anticipated that the Regional Board would consider bylaw revisions to Zoning Bylaw No. 871 by the end of 2018; however, the Province's Bill 52 – 2018: Agricultural Land Commission Amendment Act received Royal Assent on November 27, 2018. Bill 52 and the corresponding Agricultural Land Reserve General Regulation and Agricultural Land Reserve Use Regulation (approved February 22, 2019) brought about changes to residential uses occurring within the Agricultural Land Reserve, which affect TFWH.

In recognition that the Agricultural Land Commission changes affect TFWH, further review is required prior to staff recommending Zoning Bylaw No. 871 changes.

#### **Agricultural Plan:**

The Regional District's Agricultural Plan (approved June 2005) recognizes the need for seasonal farm worker housing in the region and includes a recommendation to explore options for providing a regulatory context to permit this use.

#### **Ellison Official Community Plan Bylaw No. 1124:**

- Policy No. 14.2.11 Support the retention of large continuous blocks of agricultural land and discourage fragmentation.

#### **Regional Growth Strategy Bylaw No. 1336:**

The Central Okanagan has strong agricultural roots and this sector has been important in defining the region and its growth pattern. With changes in population, pressures of development, increased climate impacts, water pressures, and more focus on local food production for sustainability, these changes have raised more awareness on food systems from cultivating and planting to consumption to the compost heap, and back again.

Today, food policies appear on the agenda of dozens of municipal governments across North America and beyond. Future planning can help ensure food systems are adequately addressed in growth management decisions and to support a regional food system that is healthy, resilient and sustainable.

- Policy No. 3.2.5.7: Protect the supply of agricultural land and promote agricultural viability.

#### **Site Context:**

The property is located in the Ellison Area and is accessed through the adjacent parcel at 4381 Old Vernon Road. Servicing includes the Ellison Fire Protection Area, on-site sewerage disposal system and water is provided by the Glenmore Ellison Improvement District. In accordance with the Ellison Official Community Plan Bylaw No. 1124, the property is not affected by Development Permit Areas.

#### **Additional Information:**

<b>Owners/Applicants:</b>	S. & P. Sandher
<b>Legal Description:</b>	Lot D, Plan KAP63914, DL 121 & 122, ODYD
<b>Address:</b>	4401 Old Vernon Road
<b>Lot Size:</b>	+/- 4.0 ha (9.91 acres)
<b>Zone:</b>	A1 Agricultural
<b>Official Community Plan Designation:</b>	Agriculture
<b>Sewage Disposal:</b>	Septic system
<b>Water Purveyor:</b>	Glenmore Ellison Improvement District
<b>Existing Use:</b>	Agricultural

<b>Surrounding Uses:</b>	<b>North:</b> Agriculture <b>South:</b> Agriculture <b>East:</b> Agriculture <b>West:</b> Agriculture
<b>A.L.R.:</b>	Within the A.L.R.
<b>Fire Protection:</b>	Within the Ellison Fire Protection Area

### **RDCO TECHNICAL COMMENTS (Presented at First Reading):**

**Agricultural Advisory Commission** supports the application as presented.

The AAC appreciates that the accommodations have been consolidated into one area of the farm and does not disturb neighbours.

**Inspection Services** staff indicates that all TFWH has received approved building permits.

**Fire Services** staff notes no concerns as the building permit process ensures the accommodations achieve fire code.

**Bylaw Enforcement** staff advises that no complaints have been received.

**Planning Services** staff indicates that at time of considering the Temporary Use Permit (TUP-13-01), there was potential that RDCO's future Zoning Bylaw regulations may not fit the TFWH occurring on the subject property and the owners would be required to pursue alternative options, such as applying for a site-specific zoning amendment.

The owners are utilizing buildings with permanent foundations which were constructed with building permits prior to the 2014 RDCO TFWH regulations coming into effect. The three atco trailers are on non-permanent foundations, which also have building permits.

As the TFWH is organized in a manner that allows for operational efficiency of a centralized site to coordinate and transport workers, plus the social benefit of common housing, it is proposed that a covenant be registered on the titles of the surrounding agricultural lands owned by the property owners to not permit new TFWH to be constructed on those properties.

RDCO staff reviewed the above-noted covenants with the property owners in the spring of 2019. The covenants should be registered prior to final adoption of the amendment bylaw.

### **AGENCY REFERRAL COMMENTS (Presented at First Reading):**

**Agricultural Land Commission** staff indicates that an application for Non-Adhering Residential Use is not required as the landowners have existing valid building permits and the structures have been approved and existed on the property prior to the new regulations. Provided there is no expansion, the TFWH would be permitted without the need to make an application.

While not a part of this application, the ALC notes that the proposed washroom facilities (Building Permit Application No. 19/092) would be considered a necessary structure and ancillary services; therefore, no application to the ALC is required for the washroom/shower trailer to service the existing TFWH.

**Ministry of Agriculture** staff provides the following comments for consideration:

- MOA staff supports the development of seasonal farm worker accommodation appropriate to the farm operation's agricultural activity.
- The MOA's 'Guide for Bylaw Development in Farming Areas' (Bylaw Guide) provides guidelines approved by the Minister for local governments when developing their bylaws regarding farm areas.
- In order to maximize the greatest long term potential for agriculture in the area, it is important to maintain the most optimal configuration of contiguous, productive land.

**Glenmore-Ellison Improvement District** advises that the owner has satisfied all requirements GEID requested for the existing TFWH. GEID does not have any concerns with the proposed zoning amendment.

**FortisBC** advises that there are primary distribution facilities along Old Vernon Road and Black Road. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights were required. Otherwise, FortisBC has no concerns.

**Unaffected Agencies** include BC Hydro, City of Kelowna, Interior Health Authority, Ministry of Transportation and Infrastructure.

**Unaffected RDCO Departments** include Parks Services and Environmental Services.

#### **RDCO TECHNICAL COMMENTS (Subsequent to First Reading):**

**Inspections Services** staff advise that Building Permit Application No. 19/092 has since expired. A new application is required for the proposed washroom facilities.

**Planning Services** staff met with the property owners and discussed the proposed three (3) covenants prior to the bylaw being considered for first reading. At time of the owners exploring the draft covenants, it came to their attention that restricting the individual sale of the parcels would not be in the best interest of the farm operation. As such, the owners requested that the Regional Board not require a draft covenant restricting the individual sale of neighbouring parcels owned by S. & P. Sandher and/or S. Sundher Orchards Ltd. Given this request, on January 27, 2020, resolution #142/19 was amended and the requirement for this covenant removed.

Furthermore, Planning staff advise that the remaining two (2) covenants were reviewed with the property owners as well as legal counsel in the spring of 2020. The required documentation confirming that the covenants have been registered has been received.

#### **External Implications:**

In accordance with Development Applications Procedures Bylaw No. 944, a Notice of Application Sign has been posted. Subsequent to the Public Hearing notification process, up to and including the date of this report, no letters of support and two (2) letters of opposition have been received regarding this application.

**Conclusion:**

Should the Regional Board close the Public Hearing, the application will come forward with a separate report for Board consideration of further readings to the bylaw amendment.

**Attachment(s):**

- Zoning Amendment Bylaw No. 871-251
- Subject Property & Orthophoto Maps
- Site Improvement Survey, dated June 5, 2019
- Zoning Bylaw No. 871, Section 3.25
- Letters of Opposition

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**REGIONAL DISTRICT OF CENTRAL OKANAGAN**

**BYLAW NO. 871-251**

**A Bylaw to Amend Regional District of Central Okanagan Zoning Bylaw 871, 2000**

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WHEREAS the Regional Board of the Regional District of Central Okanagan is desirous of amending Zoning Bylaw No. 871, 2000 under the provisions of the Local Government Act.

NOW THEREFORE the Regional Board of the Regional District of Central Okanagan, in an open meeting enacts as follows:

1. **This bylaw may be cited as Regional District of Central Okanagan Zoning Amendment Bylaw No. 871-251.**
2. **That the Regional District of Central Okanagan Zoning Bylaw No. 871, 2000 is hereby AMENDED by the following and forms a part of this bylaw:**
  - 2.1 Amending **PART 3 General Regulations**, Section 3.25 - Temporary Agricultural Worker Dwellings and Accommodation
    - 2.1.1 Subsection 2 by **ADDING** "2.1 Except for Lot D, Plan KAP63914, DL 121 & 122, ODYD which is permitted a maximum building gross floor area of 791 m<sup>2</sup> (8,514 sq. ft)."
    - 2.1.2 Subsection 5 by **ADDING** "5.1 Except for Lot D, Plan KAP63914, DL 121 & 122, ODYD which is permitted to use dwellings existing prior to March 28, 2014."
    - 2.1.3 Subsection 6 by **ADDING** "6.1 Except for Lot D, Plan KAP63914, DL 121 & 122, ODYD which is permitted to site Temporary Agricultural Worker Dwellings and Accommodation buildings in accordance with the Site Improvement Survey, dated June 5, 2019, by Bret M. Christensen."
    - 2.1.4 Subsection 7 by **ADDING** "7.1 Except for Lot D, Plan KAP63914, DL 121 & 122, ODYD which is permitted to site Temporary Agricultural Worker Dwellings and Accommodation buildings in accordance with the Site Improvement Survey, dated June 5, 2019, by Bret M. Christensen."

READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_

PUBLIC HEARING HELD PURSUANT TO THE LOCAL GOVERNMENT ACT this \_\_\_\_\_  
day of \_\_\_\_\_

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Director of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Zoning Bylaw No. 871-251 as read  
a third time by the Regional District of Central Okanagan the \_\_\_\_\_ day of \_\_\_\_\_

Dated at Kelowna, this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Director of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Zoning Bylaw No. 871-251 which  
was Adopted by the Regional District of Central Okanagan on the \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_

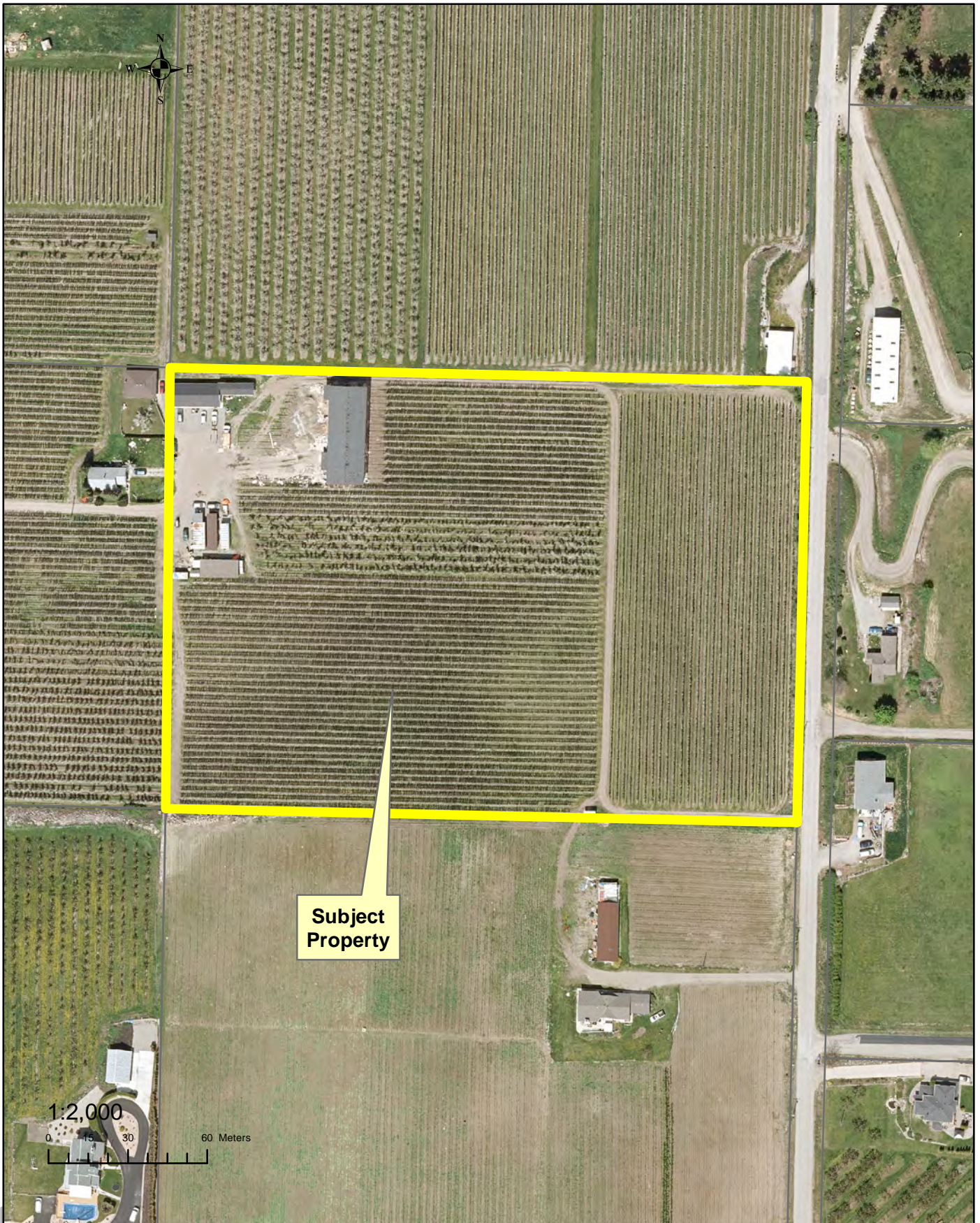
Dated at Kelowna, this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Director of Corporate Services

H:\Planning\3360-Zoning\20-Applications\2018\Z18-06 S. Sandher (Orchards Ltd)\Bylaws & Maps\Bylaw 871-251.docx

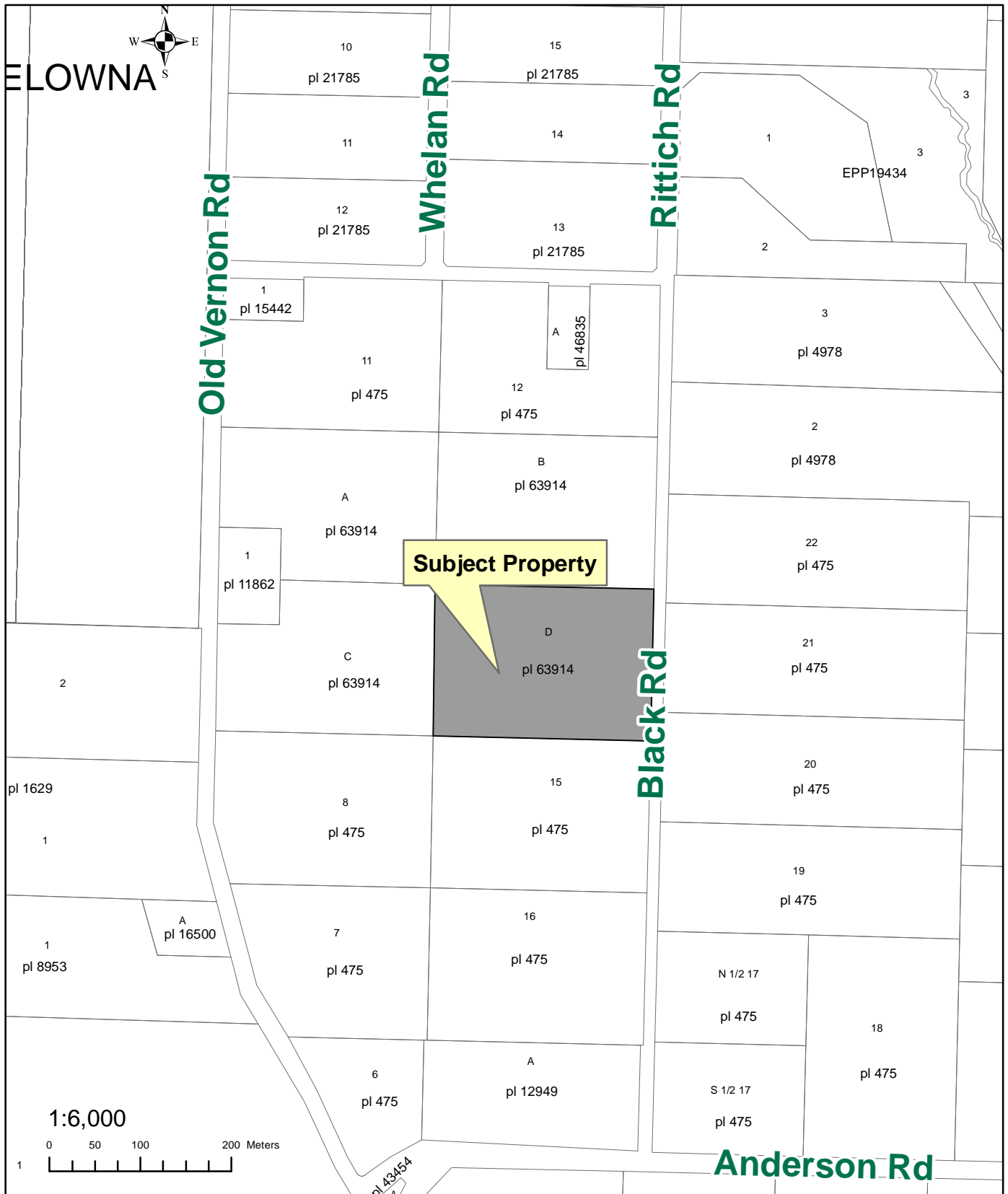


# ORTHOPHOTO





# SUBJECT PROPERTY



File: Z18/06

Drawn by: CA

Date: July 8, 2019

Lot D, ODYD, Plan KAP63914, DL 121 & DL 122

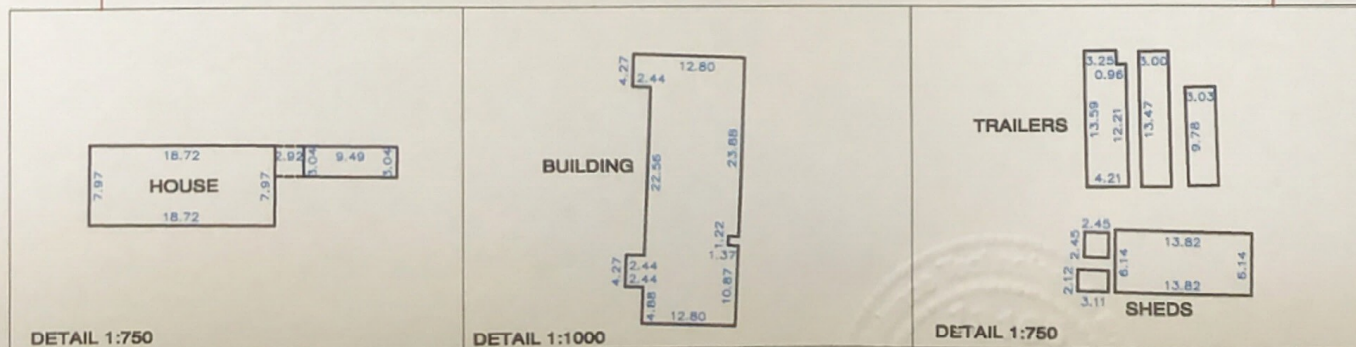
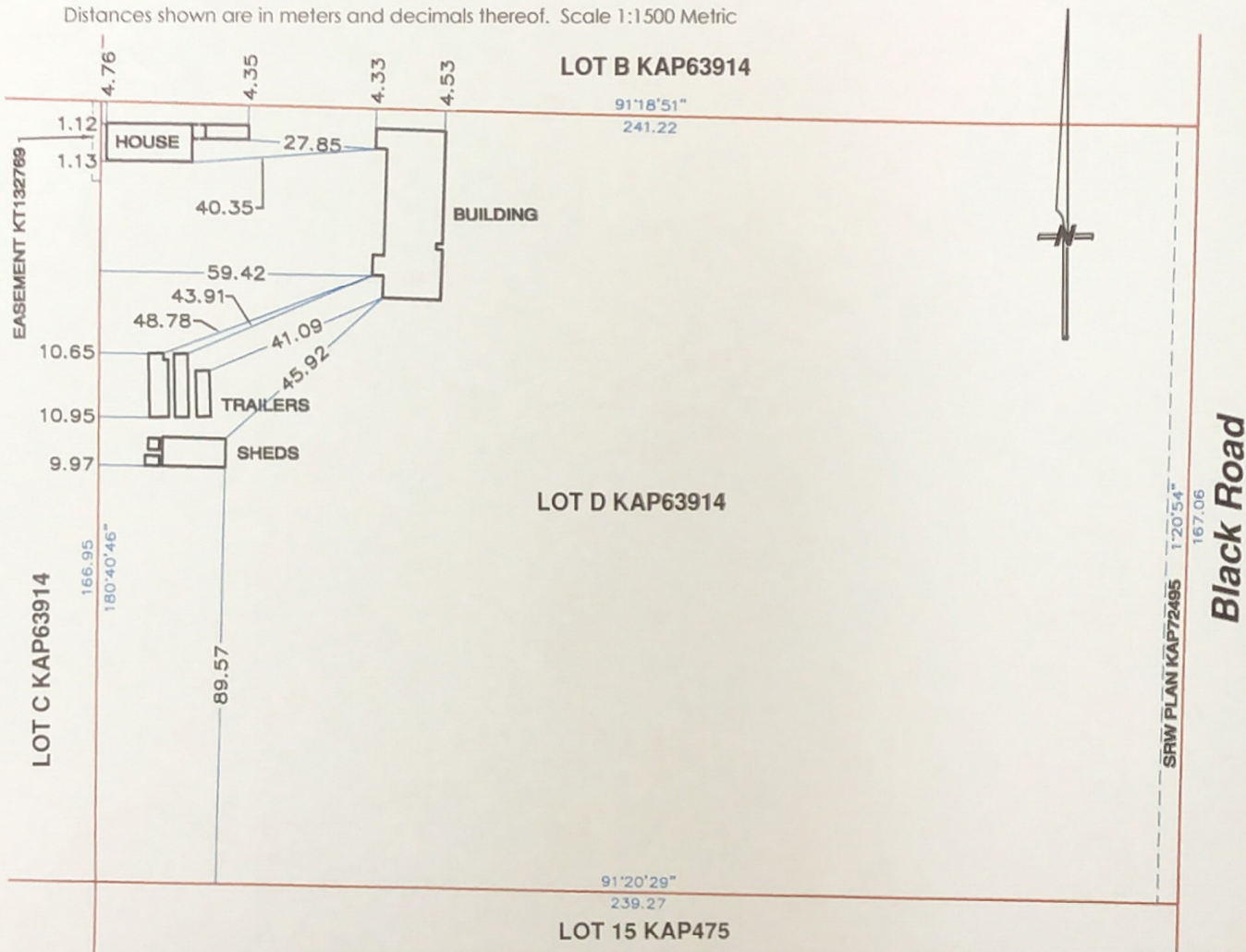
# SITE IMPROVEMENT SURVEY

Survey Performed on the 15th day of May, 20 19

Legal Description Lot D, District Lots 121 & 122, O.D.Y.D., Plan KAP63914

Civic Address 4401 Old Vernon Road, Kelowna, BC

Distances shown are in meters and decimals thereof. Scale 1:1500 Metric



I Bret Christensen hereby declare that the dimensions shown on this drawing are accurate and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.  
This document is not valid unless originally signed and sealed.  
This plan is prepared for mortgage purposes and/or building inspections and is not to be used to establish legal boundaries.

this 10th day of JUNE, 20 19  
Bret M. Christensen  
**Bret M. Christensen ASCT, RSIS**

### 3.25 Temporary Agricultural Worker Dwellings and Accommodation

*Temporary Agricultural Worker Dwellings* and Accommodation are subject to the following regulations:

1. A minimum *parcel* size of 3.8 ha (9.4 acres) is required to permit a *Temporary Agricultural Worker Dwellings* and Accommodation.
2. The *Temporary Agricultural Worker Dwellings* and Accommodation shall be limited to a maximum *building gross floor area* of 186 m<sup>2</sup> (2002.1 sq. ft.), except that where the owner of a farm operation can document by ownership records or copies of leases registered in the Land Title Office that the farm operation is at least 40 ha (98.8 acres) in size, a maximum *building gross floor area* of 250 m<sup>2</sup> (2,691.0 sq. ft.) for *Temporary Agricultural Worker Dwellings* and Accommodation per farm operation shall be permitted.
3. The *Temporary Agricultural Worker Dwellings* and Accommodation shall be used for the temporary accommodation of seasonal agricultural workers who are employed by the owner of the *parcel* to work in the owner's agricultural operation.
4. The parcel upon which the accommodation is located is classified as a "farm" under the Assessment Act.
5. A *Temporary Agricultural Worker Dwellings* and Accommodation is a *building* or *manufactured home* placed on a temporary foundation or footings with no basement.
6. The required minimum *setback* of a *Temporary Agricultural Worker Dwellings* and Accommodation *building* from any *parcel line* is 15.0 m (49.2 sq. ft.).
7. The required maximum *setback* of a *Temporary Agricultural Worker Dwellings* and Accommodation *building* from a principal residence is 15.0 m (49.2 ft.).
8. One parking space for every 30.0 m<sup>2</sup> (322.9 sq. ft.) of *gross floor area* of a *Temporary Agricultural Worker Dwellings* and Accommodation is required in addition to those required for the principal dwelling.
9. The owner of the *parcel* shall enter into a restrictive covenant, under the Land Title Act, with the Regional District of Central Okanagan, that states:
  - 9.1 A statutory declaration shall be filled out with local government annually stating the *building* will only be used for *Temporary Agricultural Worker Dwellings* and Accommodation for a specified period of time;
  - 9.2 only used by temporary farm workers and that the owner will remove or decommission the housing if vacant for two consecutive years;
  - 9.3 the *Temporary Agricultural Worker Dwellings* and Accommodation applies to farms registered with a Federal and/or Provincial seasonal agricultural workers program or is for the accommodation of workers employed by those farms.

RDCO --

The Sandher packing massive industrial plant , that does not belong on the corner of Old Vernon Rd. and Scotty creek road , Abusing the preservation of A/R land , the buildings codes and the whole neighborhood and their properties .

There is a disgusting - eyesore of a mess right on the corner . When is regional district going to ask them to clean up their mess ? Even buyers are complaining about the eye sores

All the illegal buildings on farm land are not preserving agricultural land , have them move their buildings to the proper Industrial Zone



**From:** Jamie Lea Bennett [<mailto:jamielb@shaw.ca>]  
**Sent:** Sunday, June 23, 2019 8:29 AM  
**To:** info-rdco  
**Subject:** Temporay Farm Workers accomidation Scotty Creek

Good day

I do not agree that there should be a change in set back at all.

Further more I travel that road at least twice a week I don't recall seeing a sign posted anywhere.

Housing of these temporary farm workers along with regular inspections as to whose is actually staying in these temporary homes as well as proof they have the correct paper work issued from Immigration to prove it.

As far as giving there application fee back not a chance.

Thank you

Jamie Bennett





# Regional Board Report

For the Public Hearing June 22, 2020

**TO:** Regional Board

**FROM:** Todd Cashin  
Director of Community Services

**DATE:** June 22, 2020

**SUBJECT:** OCP Amendment Bylaw No. 1304-02 & Zoning Amendment Bylaw No. 871-258  
Application Z19/06 (R. Schoenherr (owner) c/o G. Fedoriuk (agent))  
4429 June Springs Road  
Central Okanagan East Electoral Area

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**Purpose:** To amend the OCP Future Land Use Designation on a portion of the subject property from Rural Resource to Parks and Natural Open Space, to amend the zoning from RU1 Rural 1 to CL8 Conservation Lands, P1 Park and Open Space, and F1 Forest Resource, and a site-specific amendment to permit adventure eco-tourism as a use in the CL8 Conservation Lands zone.

## Executive Summary:

In accordance with the bylaw amendments, the applicant intends to continue operating the existing outdoor recreational aerial adventure park, ropes and challenge course known as Myra Canyon Adventure Park at the subject property. This use is not permitted in Zoning Bylaw No. 871 and was previously permitted by the Board under a Temporary Use Permit (TUP-13-03) for three years, with a subsequent renewal for a period of three years approved on April 14, 2016. Since the initial application, Planning staff has communicated that a permanent remedy must be accomplished through submission of an OCP and zoning amendment application and approval of the bylaw amendments.

To date, no opposition has been received from affected agencies or neighbouring property owners regarding the application.

Respectfully Submitted:

  
Todd Cashin  
Director of Community Services

Approved for Board's Consideration



*Prepared by: Danika Dudzik, Senior Planner*

M. Rilkoff, Deputy CAO  
for Brian Reardon, CAO

**Background:**

The subject property is bisected by KLO Creek and the corridor surrounding the creek has historically been utilized for recreational purposes. The majority of the 129 ha (320 acre) parcel remains in a natural state with the exception of the existing outdoor recreational aerial adventure park, ropes and challenge course known as Myra Canyon Adventure Park. Through the amendment applications, the applicant intends to continue the use which is not currently permitted in the zoning bylaw and historically permitted under a Temporary Use Permit.

The subject property is currently zoned RU1 Rural 1, this zone is intended to accommodate rural and agricultural uses on parcels that are 30 hectares or greater and located outside the Land Reserve and allows for a variety of permitted uses.

The existing land use designation in the South Slopes Official Community Plan (OCP) is Rural Resource, intended for privately owned large rural lots with minimal services. Private lands within this designation are intended to support resource industries such as cattle range, agriculture, timber harvest and gravel extraction as well as outdoor recreation on large parcels (30 ha or larger).

**History:**

Myra Canyon Adventure Park has been previously supported by the Regional Board on a portion of the subject property under a Temporary Use Permit and upon expiry of the TUP, a Board resolution to not pursue active enforcement on the operation subject to various conditions. One of these conditions was the preparation and submission of an OCP and zoning amendment application.

The business provides an outdoor based activity site for families with children of all ages as well as for leisure and corporate groups, including school classes. Currently, Myra Canyon Adventure Park utilizes an approximate 5.85 ha (14.2 acres) portion of the 129 ha (320 acre) property which includes a ropes and challenge course area, zip-lines, and a parking area. No permanent buildings are associated with the business and it operates with minimal negative environmental impact.

The Temporary Use Permit was conditionally approved for three years by the Regional Board on April 22, 2013. In 2013, the intent of the original applicant was to obtain approval of the TUP and establish the business while continuing negotiations with the property owner for a long-term lease and/or purchase of the property. Since the initial application, Planning staff has communicated that a permanent remedy must be accomplished via submission of, and approval of both an OCP and zoning amendment application.

In accordance with the *Local Government Act* Section 497, a TUP may be issued for up to three years with the option of one renewal for an additional three years. In 2016, the previous applicant requested a one-time renewal of the TUP for a period of three years to allow the continued operation of the business. This renewal was approved by the Regional Board on April 14, 2016 to allow the then-applicant to pursue an OCP and zoning amendment applications. In 2018 a land use amendment application was made however, it was withdrawn prior to referring it to external agencies and public process.

On April 11, 2019 the Regional Board was informed that the owner had engaged with a consultant to develop a land use proposal for consideration by the Board and intended to submit a comprehensive development zone application later in the year.

As an alternative to leaving the property vacant during the planning process, the owner wanted Myra Canyon Adventure Park to continue during the 2019 season, under a new operator. The Regional Board considered the information and decided not to pursue active enforcement on the existing outdoor recreational ropes course/zip line business for a period of one year subject to the owner/agent adhering to various conditions.

The Regional District is not compelled to enforce its bylaws. Legal counsel notes that the exercise of a local government's discretion to enforce its bylaws is not reviewable by a court unless it is exercised in bad faith. Case law supports a local government decision to withhold taking enforcement action where a bylaw is under review, as in the case of an application to amend the zoning/OCP.

Subsequent to the Board meeting on April 11, 2019, Planning staff were advised that the consultant was no longer involved in the planning process. Since this time, the owner engaged Greg Fedoriuk to represent the owners' interests in the property. Mr. Fedoriuk is the current operator of Myra Canyon Adventure Park and has continued operation of the business in a manner that complies with the previous TUP conditions.

**First Reading:** The Regional Board granted First Reading to OCP Amendment Bylaw No. 1304-02 and Zoning Bylaw No. 871-258 on April 27, 2020. Further, the application was to be scheduled for a Public Hearing upon:

- Receipt of comments from Ministry of Forests, Lands, Natural Resource Operations and Rural Development (Resource Management Branch);
- Receipt of comments from Interior Health Authority; and
- Receipt of confirmation from the owner that the public access over the KLO creek trail will be maintained.

**Proposal:**

1. To amend the Official Community Plan future land use designation on a portion of the subject property from Rural Resource to Parks and Natural Open Space;
2. To rezone the site from RU1 Rural 1 to CL8 Conservation Lands, P1 Park and Open Space, and F1 Forest Resource;
3. To amend the Permitted Uses Table for the CL8 Conservation Lands zone, Section 5.3.1 by adding a new subsection 5.3.1.10 – On part of South ½ of Section 36, Township 29, ODYD the following additional use is permitted: Adventure Eco-Tourism; and
4. To amend Definitions – Part 15 by adding the following definition: Adventure Eco-Tourism.

The applicant intends to continue the existing business, with the ability to expand; offering additional passive recreational activities to the community and tourism sector.

**South Slopes Official Community Plan Bylaw No. 1304:**

Various objectives and policies in the South Slopes Official Community Plan (OCP) address a core principle for this unique area, which is to, retain protect and enhance the current rural character. The OCP supports tourism and related businesses in the South Slopes that complement the existing parks and their permitted low-impact uses, supports the Strategic Plan of the Economic Development Commission, identifies the importance of an overall connectivity of natural open space, linear parks and trails, and includes policy to plan for and protect wildlife corridors, rare and endangered ecosystem communities and species, important fish or wildlife resources and ecosystem connectivity.



**KLO Creek Corridor:**

RDCO Parks Services has had ongoing interests in the KLO Creek corridor as a future trail and greenway connection between KLO Creek Regional Park, Scenic Canyon Regional Park and Myra-Bellevue Provincial Park. The KLO Creek trail corridor and greenway connectivity between these adjacent parks is supported in the South Slopes Official Community Plan. In 2013, the RDCO was presented with the opportunity to secure a trail access along KLO Creek, as part of the TUP requirements. The agreement entered into between the RDCO and owner in 2014 allowed the RDCO to fulfill this trail connection for multi-use recreation purposes between Regional Parks, and Myra-Bellevue Provincial Park which was actively used for recreation.

When the TUP expired, the lease for the trail connection expired. Last year, as the owner/agent was in the process of developing a land use proposal for consideration by the Regional Board and as an alternative to leaving the property vacant during the planning process, there was desire for Myra Canyon Adventure Park to continue to operate. As such, the Board agreed to not pursue active enforcement on the existing outdoor recreational ropes course/zip line business uses subject to the owner adhering various conditions. One of these conditions was that the owner would enter into a lease agreement for a two year period with RDCO Parks Services for the KLO Creek trail.

**Site Context:**

The surrounding land use is varied as it borders directly with Myra-Bellevue Provincial Park, vacant Crown lands, agriculture, and K.L.O. Creek Regional Park. The portion of the subject property which contains Myra Canyon Adventure Park is accessed through a Crown land parcel to the west. The owner has obtained a Commercial Access Permit from the Ministry of Transportation and Infrastructure and has valid Crown land license to access the subject property through the Crown land parcel.

Myra-Bellevue Protected Area was established on April 18, 2001 as part of the Okanagan-Shuswap Land and Resource Management Plan. In May of 2004, the Protected Area was reclassified as a Provincial Park.

Under the OCP, the property is affected by a number of Development Permit Areas (including Aquatic Ecosystem, Sensitive Terrestrial Ecosystem, Hillside, and Wildfire). A Development Permit (DP-13-10) was approved on February 17, 2014 for land disturbance associated with the existing Myra Canyon Adventure Park development.

**Additional Information:**

<b>Owner:</b>	R. Schoenherr
<b>Agent:</b>	G. Fedoriuk
<b>Legal Description:</b>	South 1/2 of Section 36, Township 29, ODYD
<b>Address:</b>	4429 June Springs Road
<b>Lot Size:</b>	+/- 129.5 ha (320 acres)
<b>Zoning:</b>	RU1 Rural1
<b>OCP Designation:</b>	Rural Resource
<b>Sewage Disposal:</b>	Portable toilets
<b>Water Supply:</b>	Well
<b>Surrounding Uses:</b>	<b>North:</b> Agriculture/K.L.O. Creek Regional Park/Vacant Crown lands <b>South:</b> Myra-Bellevue Provincial Park <b>East:</b> Vacant Crown lands <b>West:</b> Rural residential/June Springs Road/Crown land
<b>A.L.R.:</b>	Not within the A.L.R.
<b>Fire Protection Area:</b>	June Springs Fire Protection Area

**RDCO TECHNICAL COMMENTS (Presented at First Reading):**

**Parks Services** staff indicates support for the zoning amendment as the Parks Department has ongoing recreational interests in the KLO Creek corridor for the park and trail connectivity to KLO Creek Regional Park, Scenic Canyon Regional Park, and Myra Bellevue Provincial Park. The KLO Creek trail corridor and trail connectivity between RDCO, City of Kelowna and Crown lands is supported in the South Slopes OCP Bylaw No. 1304.

In 2019, RDCO Parks Services entered into an interim two year land lease agreement with the owner of the parcel for public access over the KLO Creek trail. The existing lease agreement, due to expire on April 30, 2021, contains a renewal option for an additional two year term. It is recommended that the existing signed land lease agreement for the KLO Creek trail through the subject property remain in effect and as a condition of approval for the bylaw amendments.

**Environmental Advisory Commission** recommends that the application be supported as presented.

**Planning Services** staff indicates the existing use (outdoor recreational ropes course/zip line business) is not permitted in Zoning Bylaw No. 871 and was previously permitted by the Board under a Temporary Use Permit (TUP-13-03) for three years, with a subsequent renewal for a period of three years approved on April 14, 2016. Since the initial TUP application, Planning staff has communicated that a permanent remedy must be accomplished through submission of an OCP and zoning amendment application and approval of the bylaw amendments.

In 2013, a Development Permit (DP) was conditionally approved to address the environmental and hillside impacts associated with the existing operation (RDCO File: DP-13-10). Since the original DP approval, all activities have been completed with the exception of the condition to register a Section 215 geotechnical covenant for the activities covered under Phase 2. This condition was waived by the Director of Community Services in 2017 as the Phase 2 proposal of zip lines within the canyon was abandoned by the property owner.

Under the DP, the marsh wetland / dugout restoration was completed in 2017, with professional oversight and monitoring by Ecora Resource Group Ltd. 10% of the required maintenance bond is currently being held by the Regional District for a minimum of two years (growing seasons) to ensure that the required mitigation has been fully implemented and demonstrated to function ecologically or as designed. The maintenance bond may be held for longer periods if, throughout the initial 2-year period the persistent failure of the works is documented.

**Unaffected RDCO Departments** include Inspection Services, Fire Services, and Environmental Services.

#### **AGENCY REFERRAL COMMENTS (Presented at First Reading):**

**Ministry of Transportation and Infrastructure** staff indicates the subject property is beyond Ministry jurisdiction. Applications located within 800 metres from an intersection with a Controlled Access Highway require Ministry of Transportation & Infrastructure approval.

The Ministry has issued a Commercial Access Permit for the operation of Myra Canyon Adventure Park. Subsequent to rezoning, should additional uses be added to the operation, the permit will require an amendment.

#### **Ministry of Forests, Lands, Natural Resource Operations and Rural Development (Regional Lands Branch)** staff advises:

- Recreation Sites and Trails BC has no concerns with the proposed bylaw amendments.
- The subject property has a domestic water licence attached to it – C112138. It is the responsibility of the landowner to apportion the water licence should the use change or subject to a future subdivision of the land.
- The subject area is within Ungulate Winter Range GAR Order UWR u-8-001 and Mule Deer Planning Cells, the Central Okanagan South Slopes TEM Sensitive Ecosystem, and Grizzly Bear Resource Management Zones.
- The subject area is within the Provincial Forest of the Okanagan Timber Supply Area (TSA). Any area that will no longer be managed for timber harvesting within the timber harvesting land base (THLB) may require a deletion from the provincial forest.
- The ILRR report shows constraints with two Non-Legal Old Growth Management Areas (OGMAs) (LRDW/ILRR ID 37725 and 37726, also described as KAM\_TOK\_928 and KAM\_TOK\_929). However, in iMap, it appears the proposed area overlaps with two OGMA's KAM\_TOK\_927 and KAM\_TOK\_928. If any development or timber removal is planned within these OGMA areas, the Ministry must be notified.

**Ministry of Forests, Lands, Natural Resource Operations and Rural Development (Archaeology Branch)** staff indicates according to Provincial records, there are no known archaeological sites recorded on the subject property. Further, archaeological potential modelling for the area does not indicate a high potential for previously unidentified archaeological sites to be found on the subject property.

The Archaeology Branch does not identify a need for archaeological study or Provincial heritage permit(s) at this time. Archaeological sites are protected under the *Heritage Conservation Act* and must not be damaged or altered without a Provincial heritage permit issued by the Archaeology Branch. This protection applies even when archaeological sites are previously unidentified or disturbed. If archaeological material is encountered at any time, the Archaeology Branch must be contacted for direction.

**City of Kelowna** staff indicates that the City of Kelowna owns a parcel adjacent to the subject property; directly north of Myra Canyon Adventure Park. The City property is not park (aside from the land along KLO Creek that is maintained by the RDCO) and does not have sanctioned trails connecting to the existing outdoor recreational ropes course/zipline business. Additionally, there will be cattle on the property for a portion of the year, through a prescribed grazing program to reduce wildfire fuel hazard.

The cattle will be placed there annually once fuel mitigation is complete this winter and is funded through the Forest Enhance Society of BC (FESBC), and led by the Ministry of Forests, Lands, Natural Resource Operations and Rural Development.

City staff advises no objection to the proposed use of the property subject to the following:

- Establish signage at the north property boundary that notifies visitors that this land is “Not park property – No sanctioned trails are beyond this point.”
- Establish a wire fence at the property’s north property line along 4295 Field Road from the western corner to the edge of the KLO Creek ravine. The construction of fences in ungulate winter ranges will follow recommended designs to ensure safe passage for deer and smaller critters that need to move under the lower wire. This usually includes barbless wires for the upper and lower wires as well increased height of the lower strand. In areas of known deer migration routes high visibility strips may also be attached to reduce risk of injury.

**Fortis BC** staff indicated there are primary distribution facilities along June Springs Road and within the boundary of the subject property. All costs and land right requirements associated with changes to the existing servicing are the responsibility of the applicant.

For any changes to the existing service, the applicant must contact a FortisBC Inc (Electric) designer for more details regarding design, servicing solutions, and land right requirements.

**Unaffected Agencies** include BC Hydro, Shaw Cable, and Telus.

#### **AGENCY REFERRAL COMMENTS (Subsequent to First Reading):**

**Westbank First Nation** completed a review of the proposal pursuant to the Westbank First Nation decision-making process. Through this process, a decision was made to allow the proposed activity/development.

**Ministry of Forests, Lands, Natural Resource Operations and Rural Development (Ecosystems Branch)** staff advises that the subject lands overlap with known values including critical habitat for Federally-Listed Species at Risk (gopher snake, rattlesnake, and night snake), ungulate winter range, mountain goat winter range, very high conservation ranking, KLO creek, Grizzly Bear Resource Management Zone, and Species and Ecosystems at Risk (Black Cottonwood-Douglas Fir/Douglas Maple-Common Snowberry). Due to the presence of these known values, any future development activities must be guided by a Qualified Professional (QP).

Future development activities within 30 m of a stream are subject to the Riparian Areas Protection Regulation. No development, including vegetation clearing is allowed within 30 m of the stream without a RAR assessment.

Activities on the property must not result in the introduction and spread of invasive weed species into previously undisturbed areas. Under the provincial *Weed Control Act*, an occupier of land is responsible for controlling noxious weeds.

Nesting birds are protected from harm under the provincial *Wildlife Act*, along with year-round protection of nests of eagles, peregrine falcons, gyrfalcon, osprey, heron, and burrowing owls. Any proposed vegetation clearing must be completed within the respective timing window.

Activities on the subject property must be compliant with all other relevant legislation, including but not limited to, the *Water Sustainability Act* and *Migratory Birds Convention Act*.

**Interior Health Authority** supports activities that provide opportunities to have access to natural spaces and physical activity however, it is important that the operation minimize erosion and overland flow into KLO creek. Interior Health Authority (IHA) staff advises that the Environmental Public Health Program will provide future guidance and approval as required on items such as source water protection and servicing. It is recommended that a review of the site be completed to assess future needs as long term use for this purpose may require the operator to provide onsite sewerage. As pit toilettes are the current method of sewage disposal, the operator should consider providing handwashing stations as a possible preventative measure. Should the sale of food be proposed in the future, review and approval is required from IHA.

#### **External Implications:**

In accordance with Development Applications Procedures Bylaw No. 944, two Notice of Application Signs have been posted. One sign was posted on the subject property and the second sign was posted adjacent to June Spring Road on MOTI right-of-way. Subsequent to the Public Hearing notification process, up to and including the date of this report, no letters of support or opposition have been received regarding this application.

#### **Conclusion:**

Should the Regional Board close the Public Hearing, the application will come forward with a separate report for Board consideration of further readings to the bylaw amendment.

#### **Attachments:**

- OCP Amendment Bylaw No. 1304-02
- Zoning Amendment Bylaw No. 871-258
- Orthophoto Map
- Myra Canyon Adventure Park Site Plan
- Zoning Bylaw No. 871, CL8 Conservation Lands & P1 Park and Open Space & F1 Forest Resource

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**REGIONAL DISTRICT OF CENTRAL OKANAGAN**  
**BYLAW NO. 1304-02**  
**A Bylaw to amend the South Slopes Official Community Plan Bylaw No. 1304, 2012**

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WHEREAS the Regional Board of the Regional District of Central Okanagan is desirous of amending Bylaw No. 1304, 2012 under the provisions of the Local Government Act.

NOW THEREFORE the Regional Board of the Regional District of Central Okanagan, in an open meeting enacts as follows:

1. **This bylaw may be cited as South Slopes Official Community Plan Amendment Bylaw No. 1304-02.**
2. **That the South Slopes Official Community Plan Bylaw No. 1304, 2012 is hereby AMENDED by changing the designation on part of South ½ of Section 36, Township 29, ODYD as shown on Schedule 'A' attached to and forming part of this bylaw from Rural Resource to Parks and Natural Open Space.**
3. **That the South Slopes Official Community Plan Schedule 'C' Future Land Use Map of the bylaw be AMENDED to depict the change.**

READ A FIRST TIME this 27th day of April 2020

PUBLIC HEARING HELD PURSUANT TO THE LOCAL GOVERNMENT ACT this \_\_\_\_\_  
day of \_\_\_\_\_

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Director of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1304-02 as read a third time by the Regional District of Central Okanagan the \_\_\_\_\_ day of \_\_\_\_\_

Dated at Kelowna, this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Director of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1304-02 which was Adopted by the Regional District of Central Okanagan on the \_\_\_\_\_ day of \_\_\_\_\_

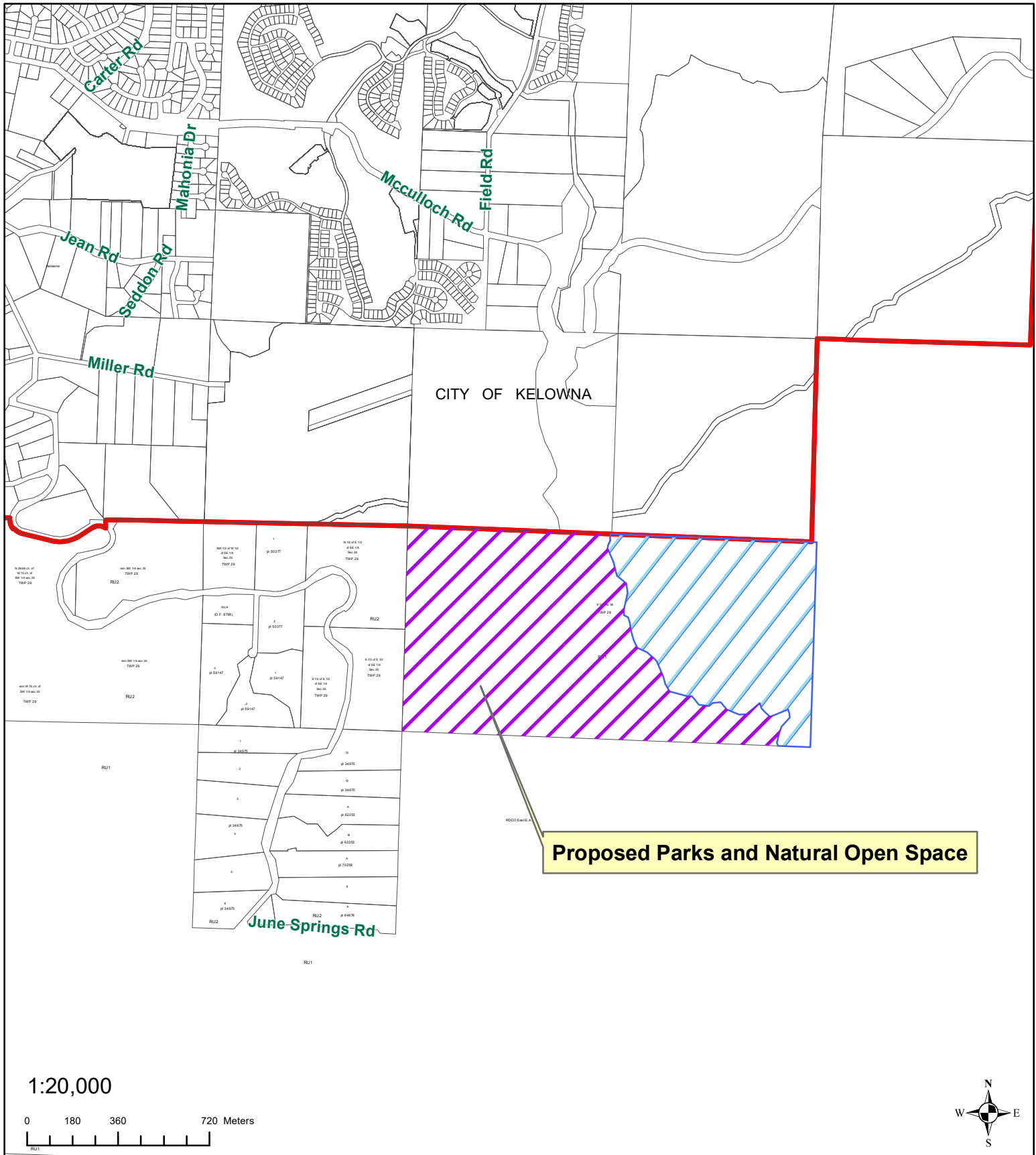
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Dated at Kelowna, this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Director of Corporate Services

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# SCHEDULE 'A'



I hereby certify this to be a true and correct copy of Schedule 'A' as described in  
Bylaw No. 1304-02 and read a third time by the Regional District of Central Okanagan  
on the \_\_\_\_\_ day of \_\_\_\_\_



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**REGIONAL DISTRICT OF CENTRAL OKANAGAN**

**BYLAW NO. 871-258**

**A Bylaw to Amend Regional District of Central Okanagan Zoning Bylaw 871, 2000**

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WHEREAS the Regional Board of the Regional District of Central Okanagan is desirous of amending Zoning Bylaw No. 871 under the provisions of the Local Government Act.

NOW THEREFORE the Regional Board of the Regional District of Central Okanagan, in an open meeting enacts as follows:

1. **This bylaw shall be cited as Regional District of Central Okanagan Zoning Amendment Bylaw No. 871-258.**
2. **That the Regional District of Central Okanagan Zoning Bylaw No. 871, 2000 is hereby AMENDED by the following and forms a part of this bylaw:**

2.1 Amending **PART 5 – Resource Land Uses**

2.1.1. SECTION 5.3 - Conservation Lands (CL8)

1. **ADDING** 5.3.1.10 to Section 5.3.1 – “On part of South ½ of Section 36, Township 29, ODYD the following additional use is permitted: *Adventure Eco-Tourism*”

2.2. Amending **PART 15 – Definitions**

- 2.2.1. In the appropriate alphabetical order **ADDING** the new definition: “*Adventure Eco-Tourism* means the use of land for recreational and educational activities with an element of adventure that take place outdoors where patrons are the primary participants engaging in a unique experience while preserving the natural environment. Typical uses include but are not limited to aerial adventure park (zip-lines), ropes and challenge courses, walking and hiking trails, wilderness adventures, and action sports.”

3. **That the Regional District of Central Okanagan Zoning Bylaw No. 871, 2000 is hereby AMENDED by changing the zoning on the South ½ of Section 36, Township 29, ODYD as shown on Schedule ‘A’ attached to and forming a part of this bylaw from RU1 Rural 1 to CL8 Conservation Lands, P1 Park and Open Space, and F1 Forest Resource.**
4. **That the Regional District of Central Okanagan Zoning Bylaw map being Schedule ‘B’ of the bylaw be AMENDED to depict the change.**

READ A FIRST TIME this 27th day of April 2020

PUBLIC HEARING HELD PURSUANT TO THE LOCAL GOVERNMENT ACT this \_\_\_\_\_  
day of \_\_\_\_\_

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Director of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Zoning Bylaw No. 871-258 as read a third time by the Regional District of Central Okanagan the \_\_\_\_\_ day of \_\_\_\_\_

Dated at Kelowna, this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Director of Corporate Services

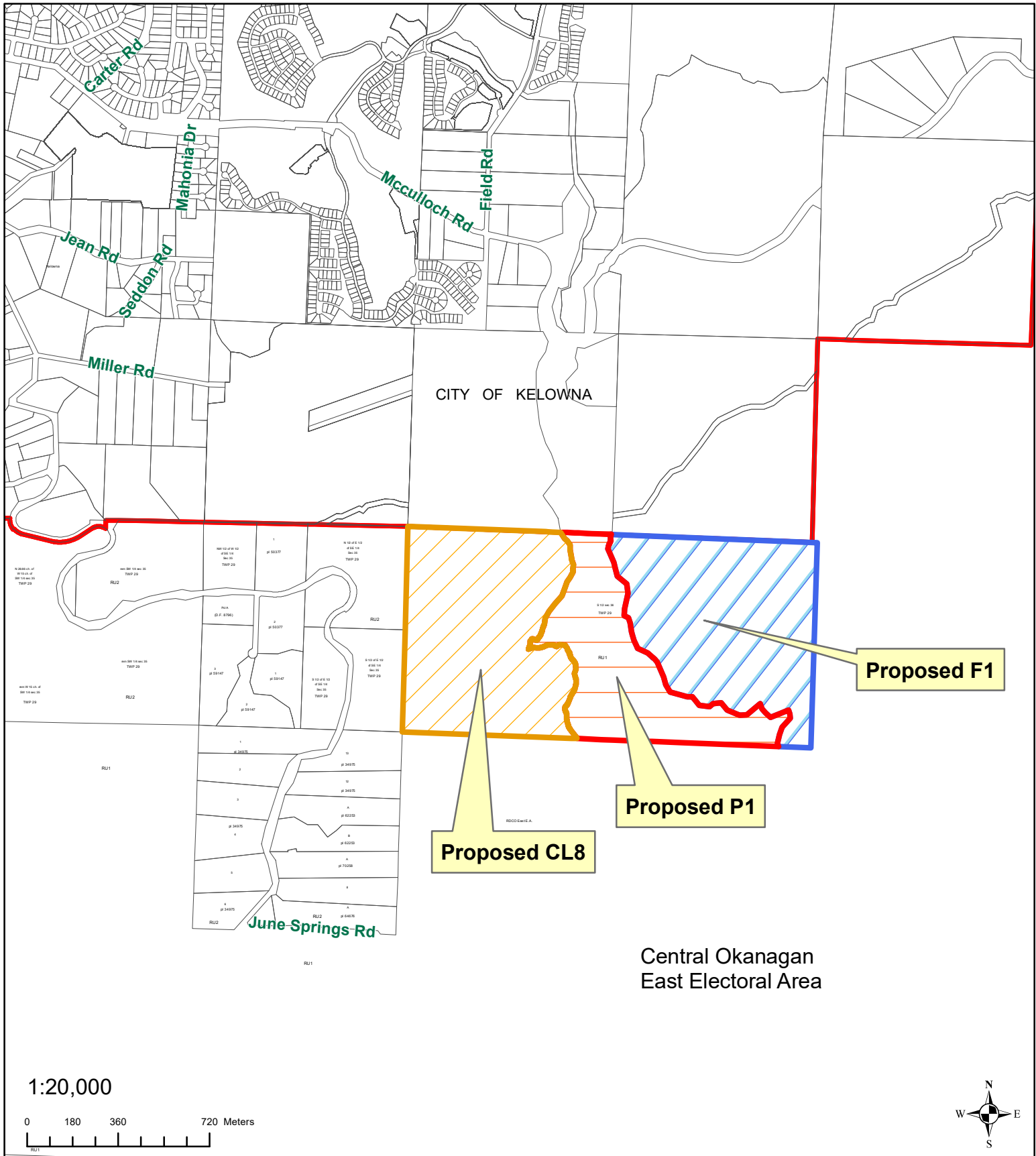
I hereby certify the foregoing to be a true and correct copy of Zoning Bylaw No. 871-258 which was Adopted by the Regional District of Central Okanagan on the \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Dated at Kelowna, this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Director of Corporate Services

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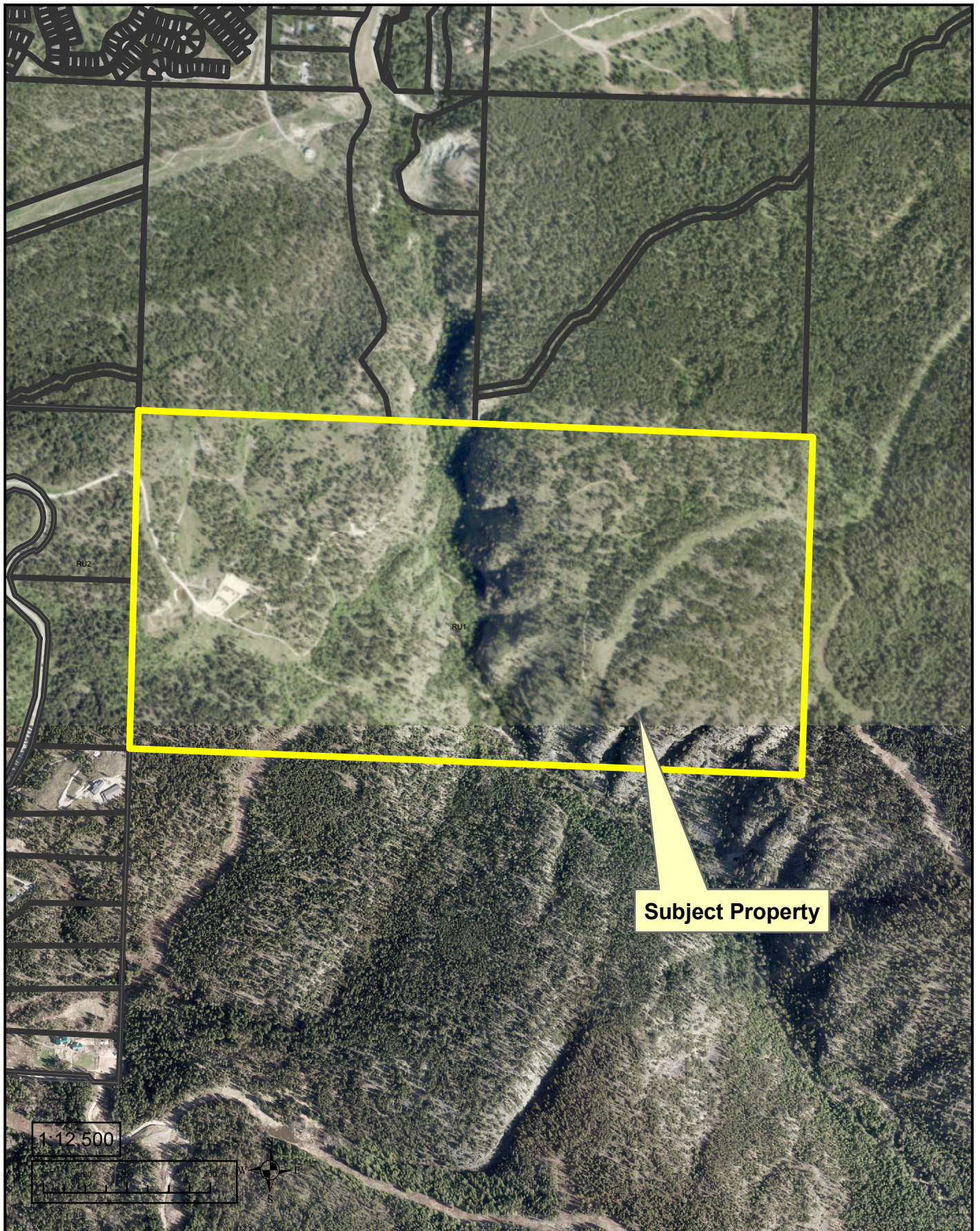
# SCHEDULE 'A'



I hereby certify this to be a true and correct copy of Schedule 'A' as described in Bylaw No. 871-258 and read a third time by the Regional District of Central Okanagan on the \_\_\_\_\_ day of \_\_\_\_\_



# ORTHOPHOTO





CITY OF KELOWNA

Proposed CL8

Proposed P1

Proposed F1

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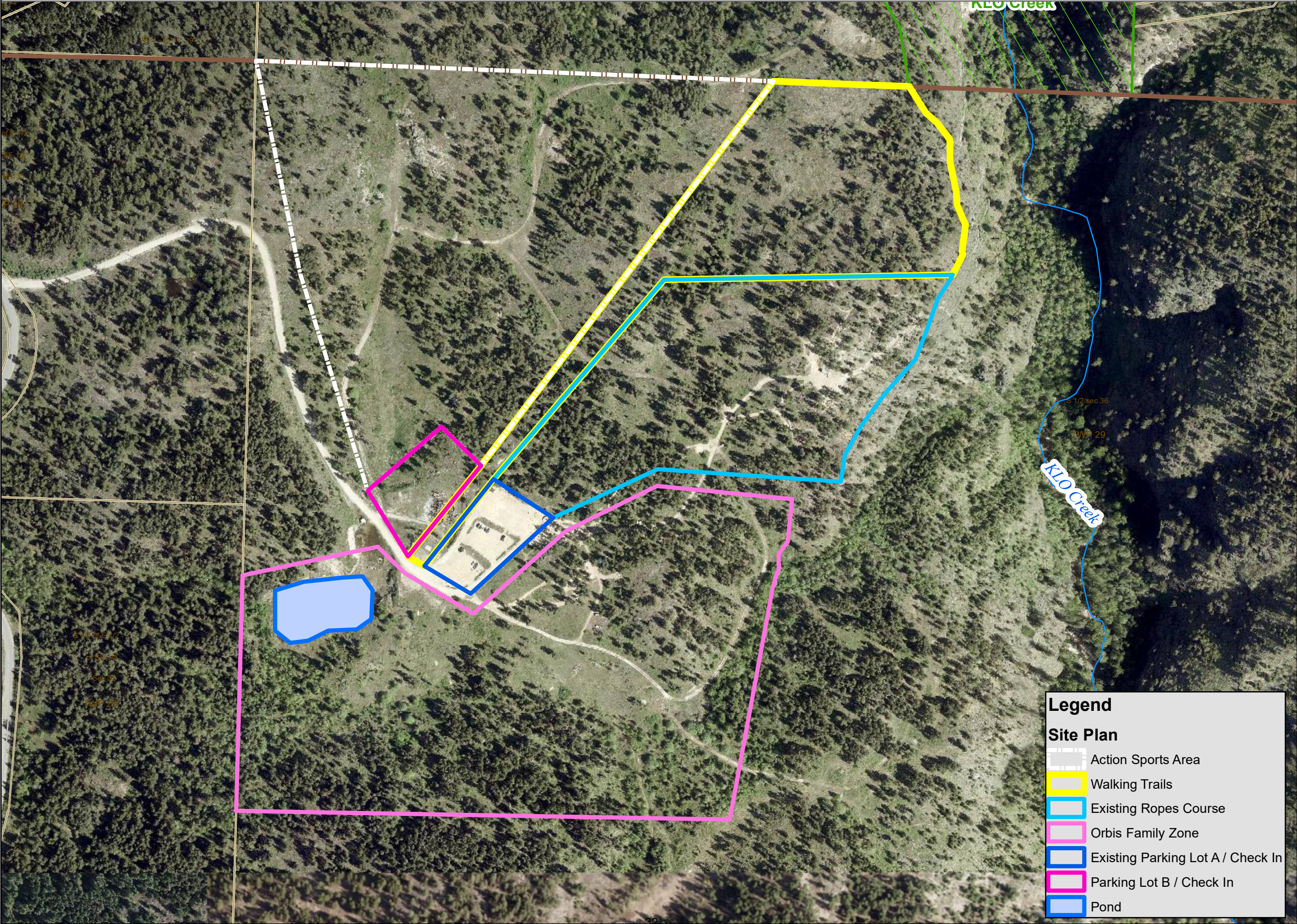
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# Site Plan





## 5.3 CONSERVATION LANDS

# CL8

**Purpose:** To manage lands and watercourses where protection and conservation of the natural environment is the principle objective and to permit passive recreational uses where appropriate.

### PERMITTED USES TABLE FOR CL8 ZONE

#### 5.3.1 Permitted uses, buildings and structures:

- .1 *Conservation area;*
- .2 Ecological reserve, flood hazard, groundwater protection, or community water supply area;
- .3 Erosion or sediment control;
- .4 Interpretive centre;
- .5 Forest or wilderness oriented recreation and wilderness purposes including campsites where the use exists prior to March 17, 2008;
- .6 Open space;
- .7 Silviculture for purpose of forest health or fire hazard reduction;
- .8 Water, fisheries and wildlife, biological diversity and culture heritage purposes.
- .9 *Accessory Building or Structures* (see Section 3.17)

### REGULATIONS TABLE FOR CL8 ZONE

Column 1	Column 2
5.3.2 <b>Minimum <i>parcel area</i></b>	1 hectare (2.5 acres)
5.3.3 <b>Minimum <i>parcel frontage</i></b>	30 m (98.4 ft.)
5.3.3 <b>Minimum <i>setback from watercourse</i></b>	30 m (98.4 ft.)
5.3.4 <b>Minimum <i>setbacks from parcel boundaries</i></b>	4.5 m (14.8 ft.)
5.3.5 <b>Minimum <i>setbacks from A1 Zone</i></b>	15.0 m (49.2 ft.)
5.3.6 <b>Maximum <i>parcel coverage</i></b>	5% of the <i>parcel area</i>
5.3.7 <b>Maximum <i>building height</i>:</b>	
.1 <i>Principle buildings</i>	9.0 m (29.5 ft)
.2 <i>Accessory uses, buildings and structures</i> (see Section 3.17)	5.0 m (16.4 ft.)

# 13.1 PARK AND OPEN SPACE

# P1

**Purpose:** To accommodate parks and recreational open space and other associated uses.

## PERMITTED USES TABLE FOR P1 ZONE

### 13.1.1 Permitted uses, buildings and structures:

- .1 Parks and playgrounds;
- .2 *Conservation area*;
- .3 Ecological reserves;
- .4 Gift and snack shop;
- .5 *Golf courses*;
- .6 *Golf driving ranges*;
- .7 Interpretive centre;
- .8 *Recreation services, outdoor*;
- .9 *Dwelling unit*;
- .10 *Accessory buildings and structures*. (See Section 3.17)
- .11 *Religious or non-denominational camps*
- .12 **On part of Lot 2, Plan 1965, (except plans 2570 and B7383), DL 3329 ODYD, only the following site specific uses are permitted: 26 residential dwelling units, accessory buildings, parking areas, and tennis court.**

Bylaw  
871-25

Bylaw  
871-51

Bylaw  
871-97

## REGULATIONS TABLE FOR P1 ZONE

Column 1	Column 2
13.1.2 <b>Minimum <i>parcel frontage</i></b>	30.0 m (98.4 ft.)
13.1.2 <b>Minimum <i>front setback</i></b>	4.5 m (14.8 ft.)
13.1.3 <b>Minimum <i>side setback</i></b>	3.0 m (9.8 ft.)
13.1.4 <b>Minimum <i>corner side setback</i></b>	4.5 m (14.8 ft.)
13.1.5 <b>Minimum <i>rear setback</i></b>	3.0 m (9.8 ft.)
13.1.6 <b>Minimum <i>setbacks from A1 Zone</i></b>	15.0 m (49.2 ft.) [see section 3.11]
13.1.7 <b>Maximum <i>parcel coverage</i></b>	35% of the <i>parcel area</i>
13.1.8 <b>Maximum number of <i>single detached houses</i></b>	1 per <i>parcel</i>
13.1.9 <b>Maximum <i>building height</i></b>	9.0 m (29.5 ft.)

Bylaw  
871-215



## 5.2 FOREST RESOURCE

# F1

**Purpose:** to accommodate forest and resource management uses, on large parcels that are within the Forest Land Reserve.

### PERMITTED USES TABLE FOR F1 ZONE

Bylaw  
871-25

#### 5.2.1 Permitted uses buildings and structures:

- .1 Timber production, utilization and related purposes;
- .2 Forage production and grazing of livestock and wildlife;
- .3 Forest or wilderness oriented recreation and wilderness purposes;
- .4 Water, fisheries and wildlife, biological diversity and cultural heritage purposes;
- .5 *Dwelling unit*;
- .6 *Accessory buildings and structures*. (see Section 3.17)

### REGULATIONS TABLE FOR F1 ZONE

Column 1	Column 2
5.2.2 <b>Minimum <i>parcel area</i></b>	30.0 ha (74 acres)
5.2.3 <b>Minimum <i>parcel frontage</i></b>	30.0 m (98.4 ft.)
5.2.4 <b>Minimum <i>front setback</i></b>	10.0 m (32.8 ft.)
5.2.5 <b>Minimum <i>side setback</i></b>	10.0 m (32.8 ft.)
5.2.6 <b>Minimum <i>corner side setback</i></b>	10.0 m (32.8 ft.)
5.2.7 <b>Minimum <i>rear setback</i></b>	10.0 m (32.8 ft.)
5.2.8 <b>Maximum <i>parcel coverage</i></b>	35% of the <i>parcel area</i>
5.2.9 <b>Maximum number of <i>dwelling units</i></b>	1 per <i>parcel</i>

Bylaw  
871-194

Bylaw  
871-215

[Note: Some *parcels* zoned F1 may be located within the Agricultural Land Reserve. Therefore, some uses may not be allowed in the Agricultural Land Reserve without Agricultural Land Commission approval.]

Bylaw  
871-204