

# REQUEST FOR DECISION

**TO:** Council **MEETING DATE:** October 16, 2024

**FROM:** Ian Holl, Development Planning Manager

**SUBJECT:** Rezoning for 10 Units of Agritourism Accommodation at 1785 Tyson Road

**FILE NO:** 3360-2023-04

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## RECOMMENDATIONS

1. That second reading be rescinded for Zoning Amendment Bylaw No. 580-09, 2023.
  2. That second reading, as amended, be given to Zoning Amendment Bylaw No. 580-09, 2023.
  3. That staff be authorized to schedule a Public Hearing for Zoning Amendment Bylaw No. 580-09, 2023.
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## PURPOSE

To present Council with a rezoning application for 1785 Tyson Road that proposes an increase in the allowable agritourism accommodation units from three to ten and alters the zoning regulation to allow units outside the single detached dwelling. The proposal is aligned with the provincial Agricultural Land Reserve (ALR) regulations that allow up to ten units in a variety of configurations without requiring a non-farm use application. Since December 2023, the applicant has provided additional information on both existing uses and future plans on the property. Now they propose three geodesic domes, two A-Frame cabins, and five tent/RV sites for the 10 agritourism accommodation units.

## OPTIONS

1. Defer the application pending additional information as directed.
2. Reject the application.

## DISCUSSION

### Summary

The AG1 zone in Zoning Bylaw No. 580, 2022, intentionally limits the number of agritourism accommodation units and the location and type of those units. When developing Zoning Bylaw 580, 2022, the decision was made to be more restrictive than the Province in this area. This was part of the zoning modernization to emphasize the primacy of agriculture in the new AG1 zone. The objective was to better protect agricultural use of farmland. This was also based on the

extensive allowance for short-term rentals in residential zones outside the ALR and the intent to reduce the pressure for non-farm/residential usage of farmland.

The Official Community Plan (OCP) policies support agritourism and agritourism accommodation as ancillary to agricultural use therefore there is scope to support a zoning amendment application for site-specific uses that comply with the provincial regulations and are supported by the OCP.

The zoning bylaw amendment has been revised to address applicant changes to the proposed type of units. Previously the applicants were considering three geodesic domes and seven tent/RV sites. Now they are looking at three geodesic domes, two A-Frame cabins, and five tent/RV sites. As before they would all be seasonal accommodation tied to the agritourism use on the farm. They can only operate three out of four seasons in accordance with provincial regulations.

**Legislative Context**

The provincial *Agricultural Land Reserve Act* and Regulations apply to the property and proposal; Section 33 of Part 4 – Residential Uses / Division 1 – Residential Uses Generally addresses Agritourism Accommodation .

Agritourism accommodation is a land use that may be regulated and/or entirely prohibited by a local government. The Province established a maximum of 10 sleeping units that local governments could not exceed, although the District permitted a lesser number.

**Background**

Table 1 – Applicant Information

<b>Owner/Applicant</b>	Tyler and Lucinda Gray
<b>Civic Address</b>	1785 Tyson Road
<b>Legal Address</b>	Lot 2, District Lot 3555, Plan VAP14939, PID 007-781-130
<b>Size of Properties</b>	~2.6 ha
<b>OCP Designation</b>	Agriculture
<b>Zoning Designation</b>	AG1
<b>DP Areas</b>	Development Permit Area No. 2 (watercourse habitat and hazard) Development Permit Area No. 5 (steep slopes)



Figure 1 – Site Location

**POLICY AND BYLAW IMPLICATIONS**

OCP policies support agriculture as the primary use of land within designated areas as well as associated activities.

OCP Policy 8.4 Growth, diversification and development of the local agricultural economy is supported, including farming and associated activities such as farm-gate marketing, farmer’s markets, valued-added agricultural processing, and agritourism opportunities that are ancillary to farming and support the viability of the farm use.

**SUSTAINABILITY PLAN IMPLICATIONS**

- 1. Social Sustainability and Community Well Being
  - a. Sub-Goal 3: Increase Access to Local Food Production
- 2. Economic Sustainability
  - a. Goal 2: Diversify the Local Economy

## **STRATEGIC PLAN IMPLICATIONS**

1. Community Safety and Wellbeing
  - a. Work with grassroots community partners to grow sustainable food security
2. Commitment to Climate Change Mitigation, Adaptation, and the Preservation of the Natural Environment
  - a. Providing cultural, education and stewardship opportunities

## **FINANCIAL IMPLICATIONS**

The regular business licence fee would apply. Consideration could be given in future to creating an agritourism accommodation specific licence fee alongside a non-farm use campground fee.

## **COMMUNICATIONS**

The public hearing will be advertised in accordance with local and provincial regulations.

Respectfully submitted,

Ian Holl, MCIP, RPP

Development Planning Manager

Attachments:

1. Revised Site Plan

Associated Bylaw:

1. Zoning Amendment Bylaw No. 580-09, 2023