

ADMINISTRATIVE REPORT

TO: Advisory Planning Commission

FROM: B. Newell, Chief Administrative Officer

DATE: December 15, 2016

RE: OCP and Zoning Bylaw Amendments – Electoral Area “F”



Purpose: To allow for a one lot subdivision to create a two hectare (ha) parcel.

Owners: Penelope and Andrew Spink Civic: 633 Meadow Valley Rd. Folio: F-01888.200

Legal: Lot B, District Lot L 154, ODYD, Plan 30904

OCP: Large Holdings (LH) Proposed OCP: Small Holdings (SH)

Zoning: Large Holdings (LH) Proposed Zoning: Small Holdings Two (SH2)

Proposal:

This proposal is seeking to amend the zoning on the northern two hectare (ha) portion of the subject property in order to facilitate a one lot subdivision.

Specifically, the applicant is requesting a Small Holdings (SH) designation under the Official Community Plan (OCP) as well as a Small Holdings Two (SH2) zoning under the Zoning Bylaw be applied on the northern 2 ha of the property. The remaining parcel, approximately 4.8 ha, will remain Large Holdings.

The applicant in support of the proposal has stated:

- *There is a buildable area accessible from the road;*
- *There is sufficient water and area for septic;*
- *In character for the area;*
- *Not in the ALR;*
- *Will provide a rural type parcel for those who wish to live in the farmland.*

Site Context:

The subject property is approximately 6.8 ha in size and located at the junction of Fish Lake Road and Meadow Valley Road and is approximately 6.5 km north of Faulder. The subject property contains a single family dwelling and two accessory structures.

Surrounding properties are characterized as farmland within the ALR to the west and Resource Area Crown land to the east. Properties to the north and south are mostly similar sized parcels and zoned LH. Immediately to the south is a 2 ha parcel that was subdivided in 1977. The subject property is located at the base of a fairly steep hillside, although there are flatter areas near the road.

Background:

The property was created through a 1980 subdivision and building permits were issued in 1993 and 2008.

Under the Electoral Area “F” Official Community Plan (OCP) Bylaw No. 2460, 2008, the subject property is designated Large Holdings (LH) and is zoned Large Holdings (LH) under the Electoral Area “F” Zoning Bylaw No. 2461, 2008. Under the LH zone, the minimum parcel size is 4.0 ha, whereas, under the SH2 zone, the minimum parcel size is 2.0 ha.

There is a Watercourse Development Permit (WDP) identified on the subject property. The property is not within the Agricultural Land Reserve (ALR). Currently there are no Environmentally Sensitive Development Permit (ESDP) areas established in Electoral Area “F”; however, the draft ESDP area mapping indicates that the portion of the property would be within the ESDPA.

The South Okanagan Regional Growth Strategy (RGS) within which Electoral Area “F” is contained, identifies only two growth areas; these being the District of Summerland as a Primary Growth Area and Greata Ranch as a Rural Growth Area.

Analysis:

In considering this rezoning proposal, Administration recognizes that the current OCP has limited policy direction regarding growth management. One objective that is stated in the OCP is to “provide the opportunity for limited new growth in the Rural Planning Area”.

While the proposal is seeking to create only one new parcel; in order to do so, it requires amending the OCP and introducing a Small Holdings designation over a partial piece of property into an area of established agricultural and large holdings properties. The nearest SH zoned properties are approximately 4.5 km south of the subject property.

The Rural Holdings section of the OCP contains a policy with a list of criteria on which to assess any future large holdings, small holdings and rural residential development. These criteria are as follows:

- a) Capability of handling on site domestic water and sewage disposal;
- b) Capability of the natural environment and topography to accommodate additional development;
- c) Impact on adjacent land use designation, and the character of the existing area;
- d) Location relative to existing roads and other community and essential services;
- e) Susceptibility to natural hazards;
- f) An environmental impact assessment where lands contain lakes, marsh lands and watercourses; and
- g) A visual impact assessment where development is proposed on hillsides and other visually sensitive areas.

In this case, water and sewer would be handled on site through a well and a septic system and it appears that there are limited topographic characteristics or natural hazards that would preclude some further development. The hill side rising up to the east could restrict the type of development activity and may possibly negatively impact the visual characteristics of the valley.

There is a concern that this proposal is representative of incremental rural subdivision and that allowing Small Holdings designation and zone in this area of mostly Large Holdings and Agriculture zones would be uncharacteristic for the neighbourhood. The OCP does provide opportunity for

limited new growth; however, given the location of the subject property there does not seem to be enough supporting rationale to introduce Small Holdings into the area where no other SH zones are located.

The APC should also be aware that there is an estimated capacity based on current zoning in Area “F” for approximately an additional 200 Small and Large Holding parcels (based on a 2014 calculation). While the subject property does access Meadow Valley Rd, there are no other community or essential services nearby. The Meadow Valley area is not identified as a designated rural growth area under the RGS Bylaw.

For these reasons, Administration does not support the proposed OCP and Zoning amendment. The APC is also aware that an OCP review and update of Area “F” is to be conducted starting in 2017 and through that process there may be community support on assessing the areas for possible rural ‘infill’ potential. In light of the upcoming OCP review it would be premature to permit this proposal proceed. The Board has also recently denied another somewhat similar proposal in the area for the same lack of specific OCP growth policy direction.

Administrative Recommendation:

THAT the APC recommends to the RDOS Board that the subject development application be denied.

Options:

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

Respectfully submitted

E. Riechert

E. Riechert, Planner

Endorsed by:

C. Garrish

C. Garrish, Planning Supervisor

Endorsed by:

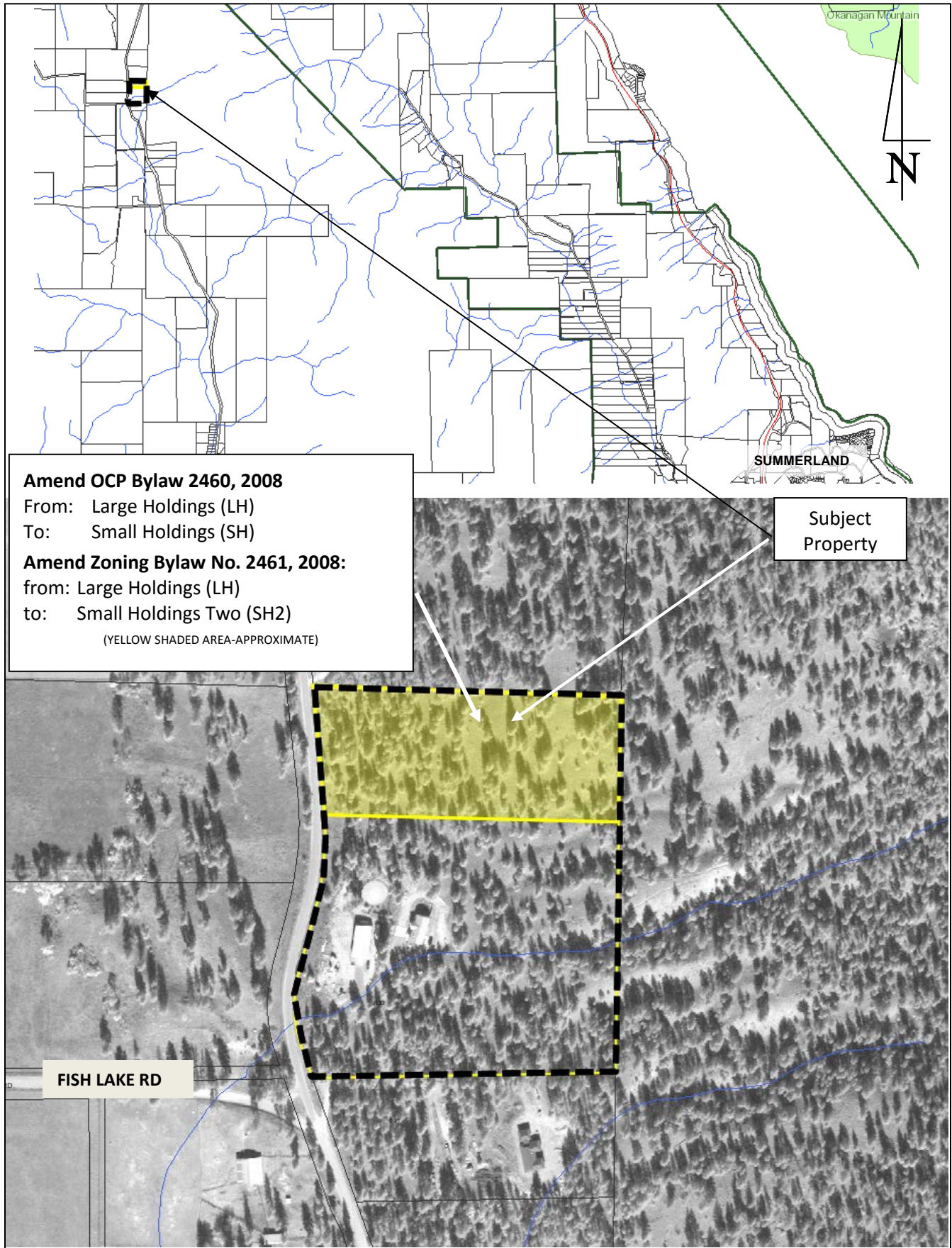
Donna Butler

D. Butler, Dev. Services Manager

Attachments: No. 1 – Context Maps

No. 2 – Applicant’s Site Plan

Attachment No. 1 - Context Maps



Attachment No. 2 – Applicant's Site Plan

