

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: November 18, 2021

RE: OCP and Zoning Bylaw Amendments – Electoral Areas “A”, “C”, “D”, “E”, “F” & “I” (X2021.005-ZONE)

Administrative Recommendation:

THAT Bylaw No. 2892, 2021, a bylaw to amend Okanagan OCP and Zoning Bylaws with a Residential and Small Holdings Zone Update, be read a third time, as amended.

Purpose:

Bylaw No. 2892, 2021 is proposing to amend the Electoral Area “A”, “C”, “D”, “E”, “F” and “I” Official Community Plan (OCP) and Zoning Bylaws in order to update the Residential and Small Holdings zones.

Specifically, it is being proposed that the South Okanagan Electoral Areas contain consistent zoning regulations with three Residential zones (RS1, RS2, and RS3) and four Small Holdings zones (SH1, SH2, SH3 and SH4) plus one other specific SH5 zone for the West Bench area of Electoral Area “F”.

This is the final phase of the on-going work related to the preparation of a single zoning bylaw for the Okanagan Electoral Areas.

Background:

May 6, 2021 - the Planning and Development Committee received information on the engagement strategy proposed for the project, including an online GIS StoryBoard program, letters to property owners if the proposed zoning change also requires an OCP amendment and information releases to the press, social media, and CivicReady.

In summary, a total of 684 letters were sent to owners, a total of 670 views were recorded for the GIS StoryBoard on the project web page between May and June of 2021, 15 phone call enquiries were received and answered, 18 emails were received and answered, and one (1) feedback form was received. A WebEx information meeting was held for the Twin Lakes residents on June 1, 2021 with a total of eight participants. Three in-person meetings were held.

September 23, 2021 - the Regional District approved first and second reading of the amendment bylaw and scheduled a public hearing ahead of its meeting of October 21, 2021.

October 21, 2021 - a public hearing was held and attended by six members of the public. The Board resolved, at its meeting of October 21, 2021, to defer consideration of third reading so that “staff can discuss with the land owner of the affected property” (i.e. “Sickle Point” in Electoral Area “I”).

October 28, 2021 - the Regional District formally notified the property owner of Lot A, Plan KAP55255, District Lot 103S, SDYD (i.e. "Sickle Point") of Bylaw No. 2892, 2021, and requested feedback by November 8, 2021.

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required prior to adoption as the proposed amendments involve lands within 800 metres of a controlled access highway (i.e. Highways 97 & 3).

All comments received to date in relation to this application are included as a separate item on the Board Agenda.

Analysis:

The main objective of a single consolidated Zoning Bylaw for the Okanagan valley is to provide convenient and consistent information across the six Okanagan Electoral Areas to the public, developers, land owners and staff.

Work on the consolidated Zoning Bylaw has been completed in stages incorporating amendments for different sections of the existing Bylaws over the past few years. The Residential and Small Holdings sections are the most complex and several criteria were used to determine the best new zone for each property affected.

The replacement zoning being proposed for each property was done in consideration of the property size, the current use, if it is within the Agriculture Land Reserve (ALR), if there is community water and community sewer services, if it is a growth area, the terrain and the general ability to develop the land.

Consolidating and modernizing the six Electoral Area Zoning Bylaws included re-evaluating what the zoning intentions are for a 'Residential' parcel and for a 'Small Holdings' parcel. The three new proposed Residential zones (RS1, RS2, and RS3) are intended for smaller parcels (~ 350 m² to 1000 m²) either urban or suburban in nature. Usually with community water and sewer services. Most of these are located in the OK Falls area; however, they also occur on other properties that are relatively small in nature such as in Kaleden or Naramata.

The four main Small Holdings zones (SH1, SH2, SH3, and SH4) plus the West Bench SH5 zone, are intended for rural residential type of properties. These are quite typically found within much of the Regional District and are approximately ~2000 m² to 2.0 ha in area. These parcels typically do not have community water or sewer services, although some areas may be served with a community water system. Specific neighbourhoods include West Bench, parts of Kaleden, most of the Twin Lakes area, Vintage Views, and some pocket areas in the Osoyoos area.

Historically many smaller sized properties were zoned as Residential, presumably through a new subdivision, regardless of location or servicing options. As a result, numerous parcels scattered throughout the Regional District have a Residential designation but are in fact currently considered as a Small Holdings type of property. This Amendment Bylaw proposes to resolve these discrepancies.

Further to comments provided at the public hearing, it is proposed that Amendment Bylaw No. 2892 be amended at third reading in order that Schedule 'E-226' be revised so that the proposed zoning of the properties identified by this schedule is Small Holdings Two (SH2) as opposed to Small Holdings One (SH1). This change will continue to allow for "agriculture" as a permitted use on the subject properties.

Alternatives:

1. THAT Regional District of Okanagan-Similkameen Residential and Small Holdings Zone Update Bylaw No. 2892, 2021, be read a third time;
2. THAT first and second reading of Regional District of Okanagan-Similkameen Residential and Small Holdings Zone Update Amendment Bylaw No. 2892, 2021, be rescinded and the bylaw abandoned.

Respectfully submitted:

A handwritten signature in blue ink, appearing to read 'C. Garrish', is written over a horizontal line.

C. Garrish, Planning Manager