

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: May 5, 2022

RE: Okanagan Valley Zoning Amendment Bylaw No. 2800 (X2022.008-ZONE)

Administrative Recommendation:

THAT Bylaw No. 2800.01, 2022, a bylaw to amend the Okanagan Valley Zoning Bylaw to address a number of mapping errors be read a first and second time and proceed to public hearing; and

THAT the holding of a public hearing be scheduled for the Regional District Board meeting of June 2, 2022; and

THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.

Background:

At its meeting of April 21, 2022, the Regional District adopted the Okanagan Valley Zoning Bylaw No. 2800, 2022, which repealed and replaced the zoning bylaws for Electoral Areas "A", "C", "D", "E", "F" & "I". A number of errors in the new zoning map have subsequently been identified.

Referrals:

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. Highway 97).

Analysis:

The mapping errors identified in Zoning Bylaw No. 2800 were unintended, inconsistent with the underlying OCP designations and of a minor nature. For instance, incorrect "line work" inadvertently changed the zoning of part of the property at 5647 Cactus Street in Electoral Area "C" from General Industrial (I1) to Low Density Residential One (RS1).

As there is no history of residential use of this property and the OCP designation is currently Industrial (I), the I1 Zone should be restored.

The property at 530 Oak Avenue, Kaleden is currently the community cemetery and is the subject of a boundary adjustment in which land is being swapped with the Ministry of Transportation and Infrastructure (MoTI) in order to formalize the current location of the road. In order to avoid a split-zoning of the property as well as the road reserve, a zoning change was identified as part of the drafting of Bylaw No. 2800, but was inadvertently omitted from the final draft version of the zoning map.

The proposed amendment of the area to become road to Resource Area (RA) and the un-made road that will become part of the cemetery to Administrative and Institutional (AI) is seen to be consistent with the OCP Bylaw.

The property at 177 Clearview Crescent, Apex, was previously identified for correction through the adoption of Bylaw No. 2800, but inadvertently retained a Low Density Residential Duplex Apex (RD2) zoning. In order to allow for the development of a triplex on the property, which was previously applied for, the zoning should be amended to Medium Density Residential Apex (RM2). This will be consistent with the Medium Density Residential (MR) designation of the property under the OCP Bylaw.

Finally, incorrect line work has resulted in the property at 705 Old Kaleden Road inadvertently being rezoned from Small Holdings One (SH1) to Okanagan Basin Lakes (W1), which is a zoning applied exclusively to bodies of water. To correct this it is being proposed to restore the SH1 Zone.

Alternative:

1. THAT the amendment of the Okanagan Valley Zoning Bylaw No. 2800.01, 2022, be denied.

Respectfully submitted



C. Garrish, Planning Manager