

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: May 17, 2018

RE: Zoning Bylaw Amendment – Electoral Area “A” (“Regal Ridge” Site Specific Zone Review)

Administrative Recommendation:

THAT Bylaw No. 2451.23, 2018, Electoral Area “A” Zoning Amendment Bylaw be read a third time.

Purpose:

Amendment Bylaw No. 2451.23 seeks to amend the Electoral Area “A” Zoning Bylaw No. 2451, 2008, in order to remove a number of site specific zoning regulations that relate to the Small Holdings Two (SH2) and Conservation Area (CA) Zones at “Regal Ridge” on Anarchist Mountain. This amendment relates to the work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

Background:

On February 15, 2018, the Regional District sent letters to all registered property owners with land zoned Large Holdings One Site Specific (LH1s), SH2s and CAs advising of the proposed changes to the land use bylaws and seeking feedback. Approximately 17 feedback forms were returned and are included as a separate item on the Board’s Agenda.

At its meeting of April 5, 2018, the Board resolved to defer consideration of Amendment Bylaw 2451.23 to its meeting of April 19, 2018. In response, Administration amended the amendment bylaw to remove the proposed changes to the LH1s zonings at Regal Ridge.

At its meeting of April 19, 2018, the Regional District Board resolved to approve first and second reading of the amendment bylaws and directed that a public hearing occur at the Board meeting of May 17, 2018.

All comments received through the public process are compiled and included as a separate item on the Board Agenda

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required prior to adoption as the subject property is situated within 800 metres of a controlled area (i.e. Highway 3).

Analysis:

Many of the site specific zoning regulations that are being proposed for deletion from the zoning bylaw were introduced during the subdivision of the "Regal Ridge" development between 2004-2008.

In the intervening years, the Regional District has updated a number of regulations in the Electoral Area "A" Zoning Bylaw as they relate to hooked parcels; keeping of livestock and honeybees; modular homes (A277) and mobile homes (Z240); “1.0 ha Policy” (i.e. applied to minimum parcel size of Small Holdings Three (SH3) Zone); and permitted uses in Conservation Area (CA) Zone (undertaken as part of Environmentally Sensitive Development Permit Area update).

As a result, Administration considers many of the site specific zoning regulations that apply to parcels at "Regal Ridge" to have now become redundant or are no longer seen to be reflective of current Regional District Board land use policies and objectives and should not be carried forward into any new Okanagan Valley Zoning Bylaw.

Staff also note that the Regional Growth Strategy (RGS) Bylaw was adopted in 2010 and identified "Regal Ridge" as a Rural Growth Area. While staff are aware of some of the concerns expressed by residents regarding the proposed reduction in minimum parcel sizes from 1.25 ha in the SH2s Zone to 1.0 ha in the SH3 Zone and that this may result in a modest increase in density at "Regal Ridge", this is, nevertheless, seen to be consistent with the direction of the RGS.

With regard to the proposed deletion of the site specific regulation related to the keeping of livestock, Administration is proposing that this not be carried forward as it is not coherent in that it speaks to limiting the number of livestock to no more than two (2) animals on parcels greater than 2.0 ha in area despite the zoning bylaw allowing up to three (3) animals and 75 small livestock (i.e. chickens/rabbits) on parcels between 1.0 ha and 1.5 ha (and even more animals on parcels between 1.5 and 2.0 ha).

Alternatives:

THAT first and second reading of Bylaw No. 2451.23, 2018, Electoral Area "A" Zoning Amendment Bylaws be rescinded and the bylaw abandoned.

Respectfully submitted:



C. Garrish, Planning Supervisor

Endorsed by:



B. Dollevoet, Dev. Services Manager