

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: May 5, 2022
RE: Zoning Bylaw Amendment – Electoral Area “D” (D2021.021-ZONE)

Administrative Recommendation:

THAT Bylaw No. 2800.08, 2022, a bylaw to amend the Okanagan Valley Zoning Bylaw 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*.

Purpose: To allow for the construction of a single family dwelling Folio: D-00767.010

Civic: 501 Eastside Road Legal: Lot A, Plan KAP11546, District Lot 337, SDYD

Zone: Low Density Residential Manufactured Home Park (RSM1) Proposed: Low Density Residential Two (RS2)

Proposed Development:

This application is seeking to amend the zoning of the subject property in order to construct a single family dwelling on the subject property.

In order to accomplish this, the applicant is proposing to amend the zoning of the property under the Okanagan Zoning Bylaw No. 2800, 2022, from Low Density Residential Manufactured Home Park (RSM1) to Low Density Residential Two (RS2).

In support of the rezoning, the applicant has stated that “the property was many years ago part of the mobile home park but was removed from the parcel but was never rezoned. The parcel still has a RSM1 zoning but our wish is to build a single family home on this property... We feel that a single family home would have more appeal than a modular home and add to the beauty of the property.”

Site Context:

The subject property is approximately 1,183 m² in area and is situated on the south side of Eastside Road approximately 270 metres east of Skaha Lake. It is understood that the parcel is currently vacant.

The surrounding pattern of development is generally characterised by a mobile home park to the south, Nature’s Trust conservation land to the east, agricultural land to the west and a gravel pit to the north.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on June 15, 1961, while available Regional District records indicate that a building permits have not previously been issued for this property.

Under the Electoral Area “D” Official Community Plan (OCP) Bylaw No. 2603, 2013, the subject property is currently designated Low Density Residential (LR), and is the subject of a Hillside Development Permit (HDP) designation and is also designated as an Important Ecosystem Area.

Under the Okanagan Zoning Bylaw No. 2800, 2022, the property is currently zoned Low Density Residential Manufactured Home Park (RSM1) which lists manufacture home and manufactured home park as principal permitted use. BC Assessment has classified the property as “Residential” (Class 01) and the eastern corner of the parcel is identified as having a soil stability rating of “low to moderate hazard” under the G.G. Runka report.

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).

Public Process:

On February 8, 2022, a Public Information Meeting (PIM) was held via Webex and was attended by approximately 3 members of the public.

At its meeting of February 8, 2022, the Electoral Area “D” Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject development application be approved.

All comments received to date in relation to this application are included in the Board Agenda.

Analysis:

Under the current zoning, a single detached dwelling is a permitted secondary use. However, section 7.1.5(a) of the Zoning Bylaw states that no accessory building or structure shall be situated on a parcel unless a principal building has already been erected on the same lot. Given the size of the property, both a manufacture home and a single detached dwelling would not fit on the parcel.

The change in use to permit a single detached dwelling as a permitted principal use as opposed to a manufacture home is minimal as both housing types are free-standing single-family residences.

Further, the RSM1 zone has a minimum parcel size of 1.0 ha for a manufactured home park therefore given the size of the property it should have been rezoned at the time of subdivision. As such, the re-designation of land to RS2 is seen as the appropriate action to provide this property with zoning regulations that are reflective of the property size and intended use.

Conversely, we generally support higher densities in designated growth areas which supports the existing higher density RSM2 zoning.

Alternatives:

1. THAT Okanagan Valley Zoning Amendment Bylaw No. 2800.08, 2022, be read a first and second time and proceed to public hearing;
AND THAT the holding of the public hearing be delegated to Director Obirek;
AND THAT staff schedule the date, time, and place of the public hearing in consultation with Director Obirek;
AND THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.
2. THAT Bylaw No. 2800.08, 2022, Okanagan Valley Zoning Amendment Bylaw be, be denied.

Respectfully submitted:

Fiona Titley

Fiona Titley, Planner I

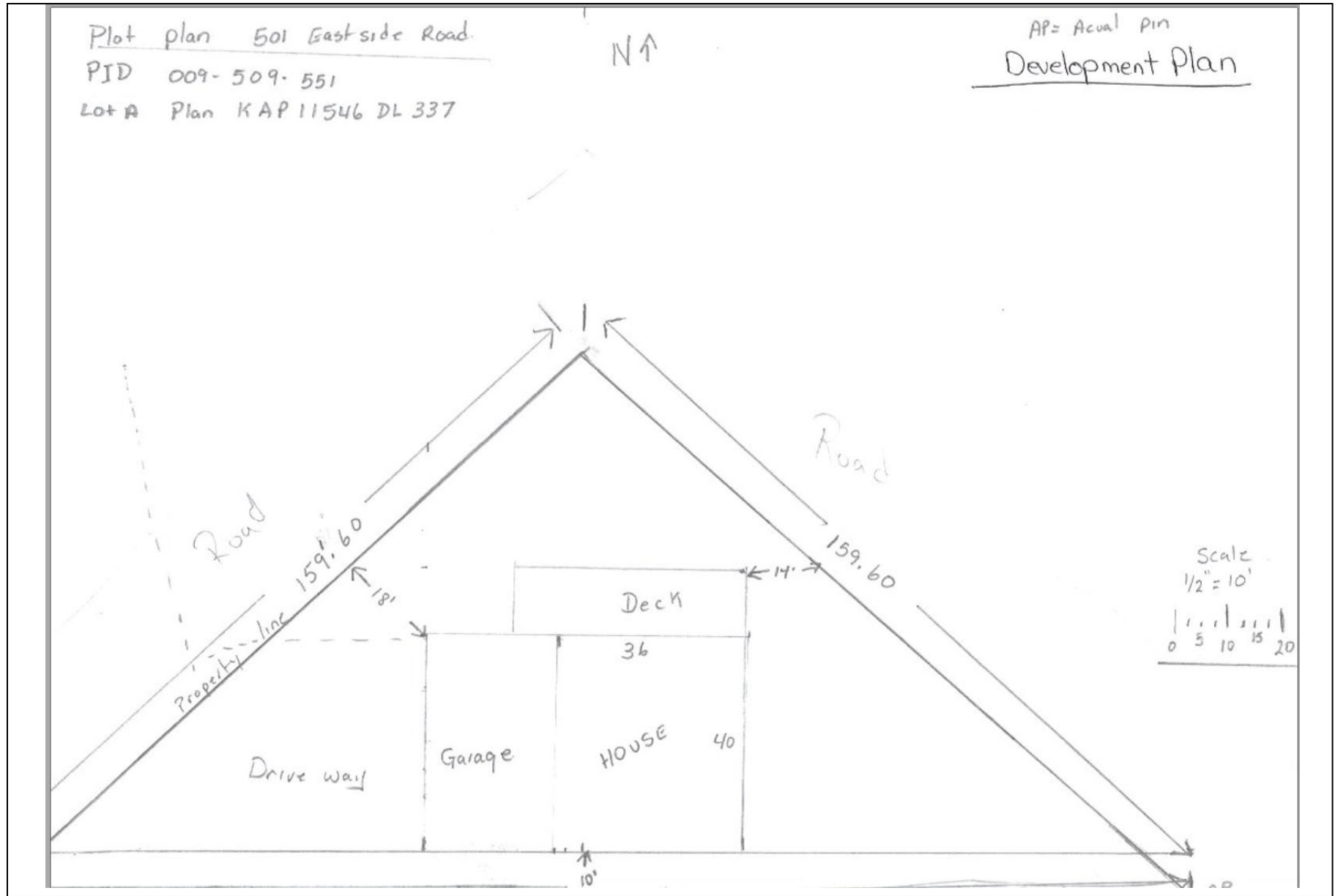
Endorsed By:

CG

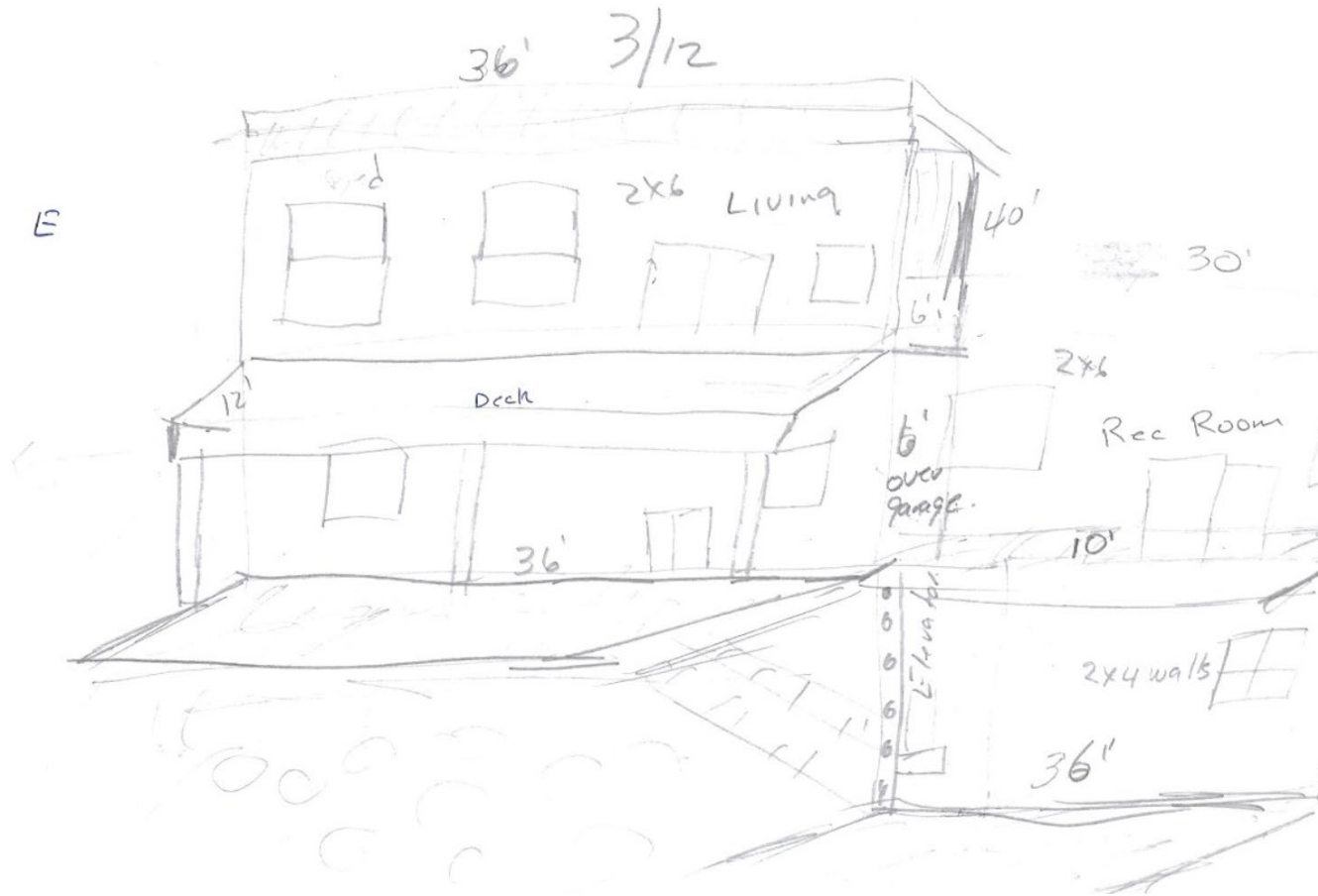
C. Garrish, Planning Manager

- Attachments: No. 1 – Applicant’s Site Plan
No. 2 – Applicant’s Building Elevations
No. 3 – Site Photo

Attachment No. 1 – Applicant's Site Plan



Attachment No. 2 – Applicant's Building Elevations



Attachment No. 3 – Site Photo (Google Streetview)

