

## ADMINISTRATIVE REPORT



**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** October 21, 2021

**RE:** Official Community Plan (OCP) & Zoning Bylaw Amendment – Electoral Area “F” (F2021.008-ZONE)

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### Administrative Recommendation:

**THAT Bylaw No. 2790.02, 2021, a bylaw to amend the Electoral Area “F” Official Community Plan be read a 3<sup>rd</sup> time; and,**

**THAT Bylaw No. 2461.18, 2021, a bylaw to amend the Electoral Area “F” Zoning Bylaw, be read a third time.**

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Purpose: to allow for the development of 106 dwelling units. Folio: F-06642.200

Legal: Lot 11, Plan KAP621, DL 2536, ODYD, Except Plan H578 36630 KAP75352 Civic: 625 Highway 97

OCP: Tourist Commercial (CT) Proposed OCP: Medium Density Residential (MR)

Zone: Campground Commercial Site Specific (CT2s) Proposed Zoning: Medium Density Residential (RM1)

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### Proposed Development:

This application is seeking to amend the zoning of five subject properties in order to facilitate a medium density residential development with a total of 106 dwelling units within eight terraced apartment structures.

In order to accomplish this, the following land use bylaw amendments are being proposed by the applicant:

- amend the land use designation under Schedule ‘B’ (OCP Map) of the Electoral Area “F” Official Community Plan (OCP) Bylaw No. 2790, 2018, from Tourist Commercial (CT) to Medium Density Residential (MR); and
- amend the zoning under Schedule ‘2’ (Zoning Map) of the Electoral Area “F” Zoning Bylaw No. 2461, 2008, from Campground Commercial Site Specific (CT2s) to Medium Density Residential One (RM1).

In support of the proposal, the applicant has stated that ““as the lands are allowed to be rezoned we as developer feel that this development will assist in the regional growth and will support the taxes the RDOS and local community.”

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**Site Context:**

Of the five parcels subject to the OCP amendment and rezoning application, four are “hooked” across Highway 97. The area of the five properties under the application is situated on the east side of Highway 97 and is approximately 6.8 ha in area.

The properties are located approximately 1.5 km north of the boundary of District of Summerland and abut the Okanagan Lake to the east. It is understood that the parcels are comprised of a single detached dwelling and various accessory structures.

The surrounding pattern of development is generally characterised by a provincial park to the south, undeveloped crown land to the west and a mix of residential and agricultural parcels to the north.

**Background:**

**August 11, 2021**, a Public Information Meeting (PIM) was held electronically via Webex application and was attended by approximately two (2) members of the public.

**August 23, 2021**, the Electoral Area “F” Advisory Planning Commission (APC) recommended that the subject development application be approved.

**September 23, 2021**, the Regional District approved first and second reading of the amendment bylaws and scheduled a public hearing ahead of its meeting of October 21, 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. Highway 97).

**Analysis:**

The application is consistent with the designation of Greata Ranch as a Rural Growth Area under the south Okanagan Regional Growth Strategy and the proposed form of residential development and the level of density is generally what is encouraged to occur within a designated growth area and is also consistent with previous proposals that were submitted for other parcels within this Growth Area.

The OCP does speak to development within the Greata Ranch Rural Growth Area being properly serviced (i.e. on-site provision of water and sanitary sewage treatment) and being able to address geotechnical constraints, which are discussed below.

**Infrastructure Requirements:**

The applicant is proposing the development of a combined water and wastewater treatment facility for the development. The OCP discourages the creation of new private utilities within a designated Growth Area and the current RDOS policy is that essential services should be owned and operated by a local government.

At present, the development of a private sewer system is inconsistent with the Liquid Waste Management Plan (LWMP) and cannot be constructed. The LWMP requires that development at this site be connected to the District of Summerland’s Wastewater Treatment Plant.

The District of Summerland has indicated that “further investigation is required with regards to the costs and benefits to the [District] to extending a sanitary sewer connection to the Greata Ranch area” and that it will have certain requirements if a connection to its wastewater system is pursued by the proponent.

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The applicant will either need to seek an amendment to the LWMP or build in accordance with its requirements. Otherwise, the OCP speaks to new development adhering to the best practices, such as the Provincial Sewerage System Regulation administered by Interior Health Authority for on-site sewage disposal.

With regard to the provision of water to the property, there is a current water licence that permits for irrigation usage, but which cannot be used for domestic purposes. Accordingly, the proponent will need to engage with the province on a new licence to provide water to the proposed development.

Hazard Lands:

The applicant has submitted a peer-review of the Geotechnical Assessment Report completed in 2007 for the properties, which generally concludes that the development can proceed subject to certain provisions and recommendations to conduct further site investigations.

Additional geo-technical hazard assessments may be required prior to the issuance of any building permits for development on the property.

Alternative:

Conversely, the subject properties are among the few remaining campground zoned lands with excellent lakefront access and the proposed amendments will result in a loss of this amenity.

The OCP speaks to reviewing the suitability of Greata Ranch as a Rural Growth Area as part of the current Review of the RGS Bylaw.

**Alternatives:**

1. THAT first and second readings of Bylaw No. 2790.02, 2021, Electoral Area "F" Official Community Plan Amendment Bylaw and Bylaw No. 2461.18, 2021, Electoral Area "F" Zoning Amendment Bylaw be rescinded and the bylaws abandoned.

**Respectfully submitted:**

*Nikita Kheterpal*

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Nikita Kheterpal, Planner I

**Endorsed By:**



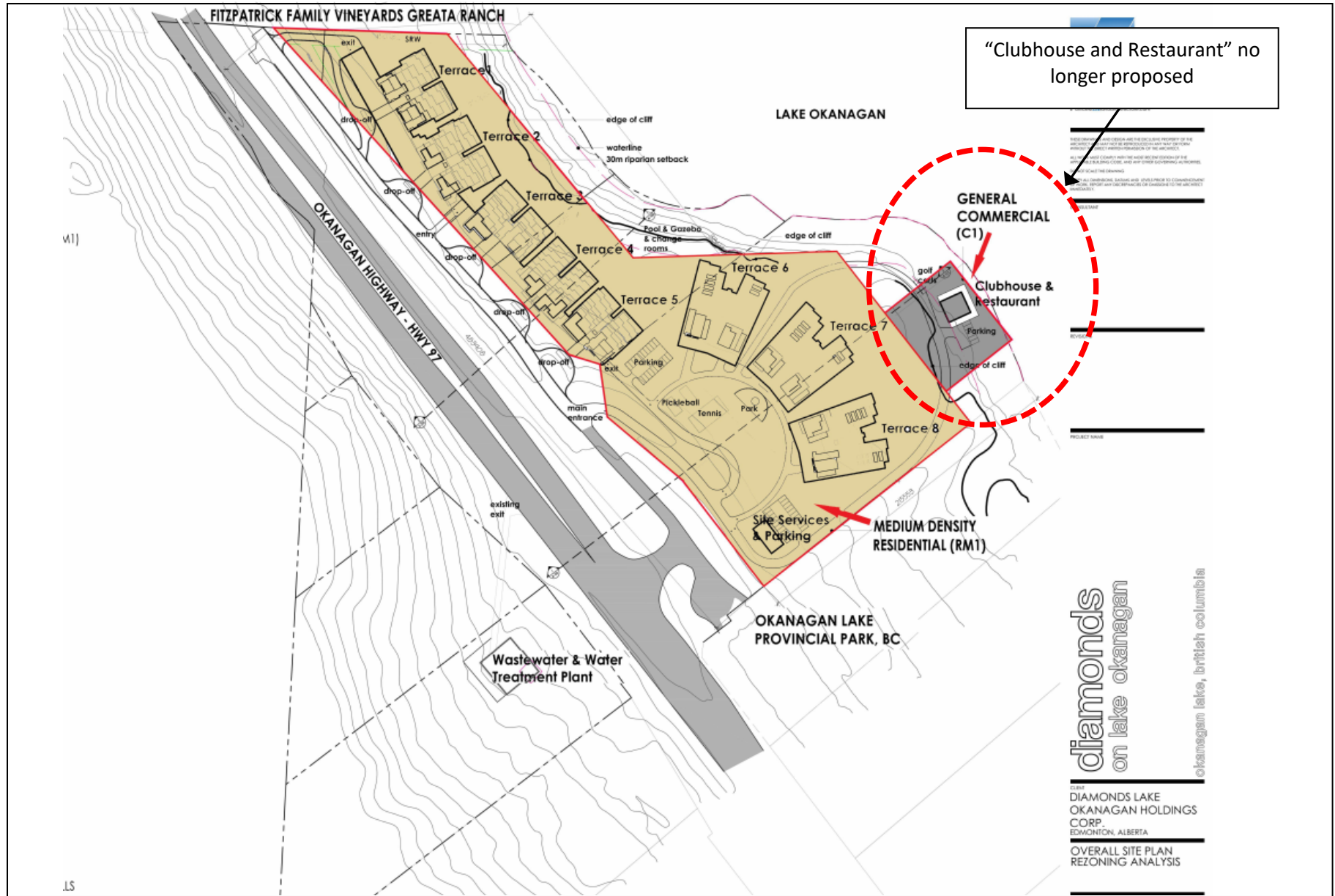
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C. Garrish, Planning Manager

Attachments: No. 1 – Applicant's Site Plan

No. 2 – Aerial Photo

Attachment No. 1 – Applicant’s Site Plan





Attachment No. 2 – Aerial Photo

