

FILE NOTE

Development Services Department



DATE: January 12, 2021

FROM: Cory Labrecque, Planner II

RE: Electoral Area “H” Zoning Bylaw Amendment Bylaw No. 2498.16, 2021
Proposed amendments to be considered at 3rd reading

Proposed Amendments:

At such time as Amendment Bylaw No. 2498.16, 2021, is considered for third reading by the Board of the Regional District of Okanagan-Similkameen, it will be proposed that an additional set of amendments to the bylaw be considered, specifically removing “split zoning” on the following adjacent properties in the East Gate, as such:

- **5058 Highway 3** (Lot 3, Plan EPP55773, District Lot 902, YDYD): Amend the property’s zoning from partially Tourist Commercial One (CT1), partially Residential Single Family One (RS1) and partially Small Holdings Four (SH4) zoning, to entirely Tourist Commercial One (CT1).
- **110 Thistle Road** (Lot 2, Plan EPP55773, District Lot 902, YDYD): Amend the property’s zoning from partially Residential Single Family One (RS1) and partially Tourist Commercial One (CT1), to entirely Tourist Commercial One (CT1) zoning.
- **112 Thistle Road:** (Lot 1, Plan EPP55773, District Lot 902, YDYD): Amend the property’s zoning from partially Residential Single Family One (RS1) and partially Tourist Commercial One (CT1) zoning, to be entirely Residential Single Family One (RS1).
- **5070 Highway 3:** (Lot 1, Plan KAP51362, District Lot 902, YDYD): Amend the property’s zoning from partially Small Holdings Four (SH4) zoning and partially Commercial One (CT1) zoning, to be entirely Small Holdings Four (SH4).

Background:

Amendment Bylaw No. 2498.16, 2021 is proposed by RDOS staff for correcting previous typographical errors and mapping inconsistencies, updating maximum areas for secondary suites & accessory dwellings, and introducing scientific research facilities as a permitted use in the Resource Area (RA) Zone.

At its meeting of January 7, 2021, the Regional District Board resolved to approve first and second reading of Amendment Bylaw No. 2498.16, 2021, and scheduled a public hearing for its February 4, 2021 Board meeting.

Since that meeting, some zoning bylaw mapping issues have come to the attention of RDOS staff in relation to the properties located at 5058 Highway 3, 5070 Highway 3, 110 Thistle Road, & 112 Thistle Road, when an application for a Campground Permit was submitted for 5058 Highway 3.

Analysis:

The properties were subject to a 2016 subdivision, which led to each parcel having two or more zones that no longer align with the properties' boundaries. This is likely an unintended consequence of the 2016 subdivision, which led to the following existing zoning conditions:

- **5058 Highway 3:** is primarily zoned for Tourist Commercial One (CT1), and also has partial Residential Single Family One (RS1) and partial Small Holdings Four (SH4) zoning.
- **110 Thistle Road:** is primarily zoned Residential Single Family One (RS1), and also has partial Tourist Commercial One (CT1) zoning.
- **112 Thistle Road:** is primarily zoned Residential Single Family One (RS1), and also has partial Tourist Commercial One (CT1) zoning.
- **5070 Highway 3:** is primarily zoned Small Holdings Four (SH4) zoning, and also has partial Commercial One (CT1) zoning.

To correct this mapping inconsistency, RDOS staff are recommending the following zoning bylaw mapping corrections be included in Bylaw 2498.16, 2021 at third reading, and introduced prior to the public hearing scheduled on February 4, 2021:

- **5058 Highway 3:** Amend the zoning to be entirely Tourist Commercial One (CT1).
- **110 Thistle Road:** Amend the zoning to be entirely Residential Single Family One (RS1).
- **112 Thistle Road:** Amend the zoning to be entirely Residential Single Family One (RS1).
- **5070 Highway 3:** Amend the zoning to be entirely Small Holdings Four (SH4).

Each of these proposed mapping amendments utilize the zone that has been identified as the property's "primary zone", while removing any other partial secondary zoning.

RDOS staff intends to introduce these mapping amendments prior to the February 4th Public Hearing and at the RDOS Board's consideration of third reading, so that the split-zoning for these properties to have a singular zone in which to regulate it's land use.

Respectfully submitted,

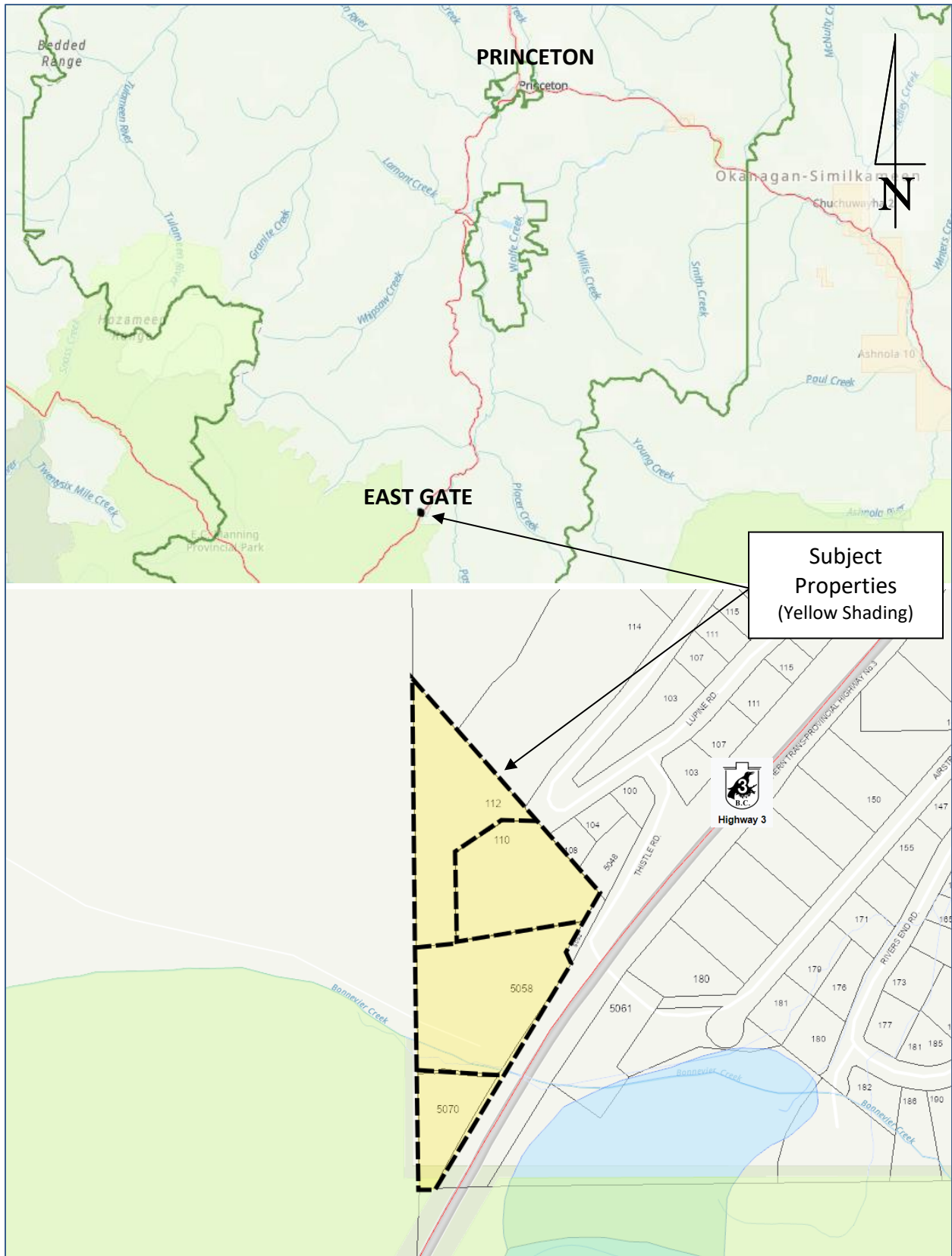
Cory Labrecque

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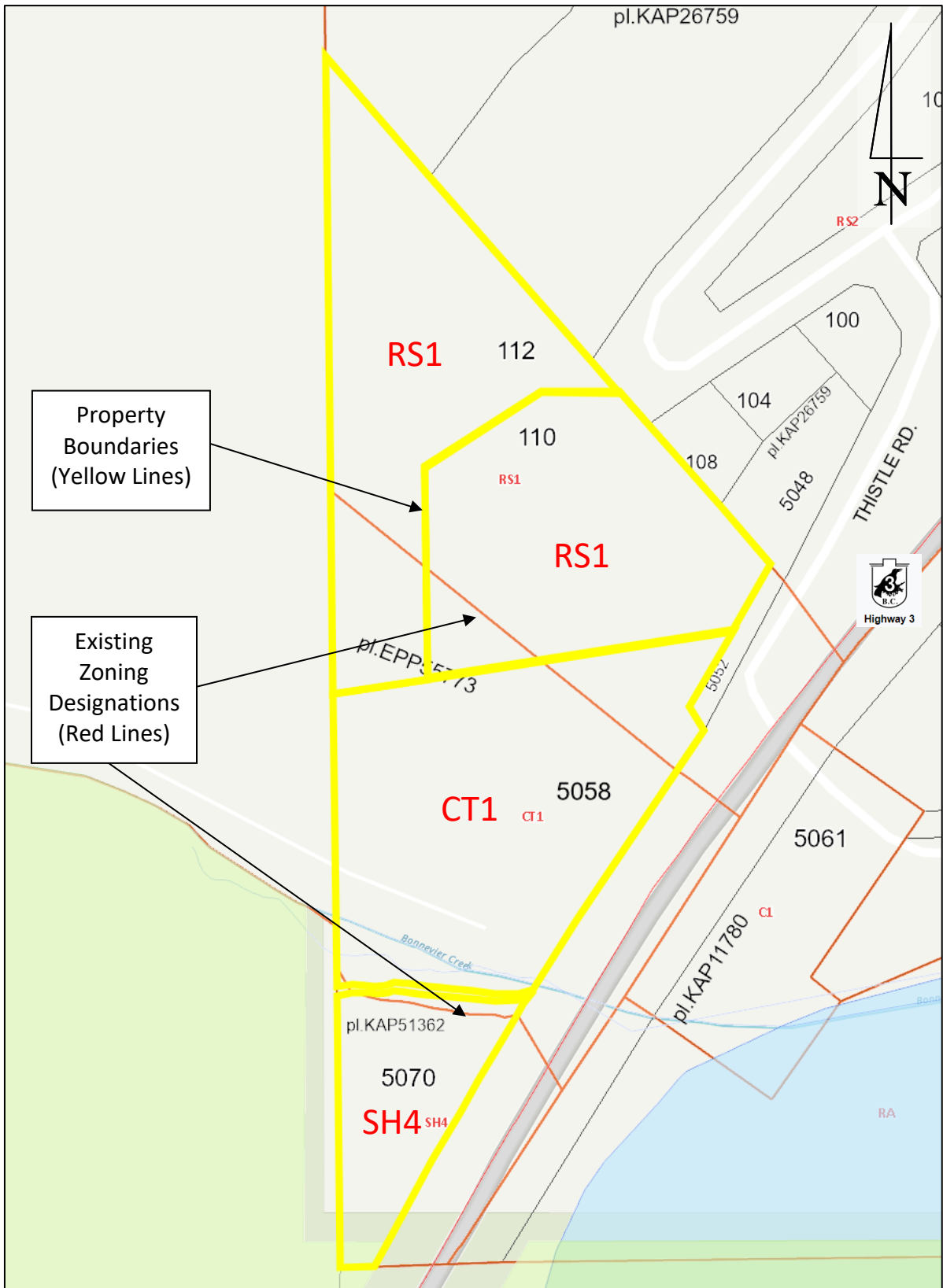
Attachments:

- Map 1: Context Maps Showing Location of Subject Properties
- Map 2: Existing Split-Zoning (Property Boundaries and Zoning Misaligned)
- Map 3: Proposed Zoning (Property Boundaries and Existing Zoning Aligned)
- Map 4: Proposed Mapping Ammendments for Bylaw 2498.16, 2021
- Map 5: Proposed Mapping Ammendments for Bylaw 2498.16, 2021

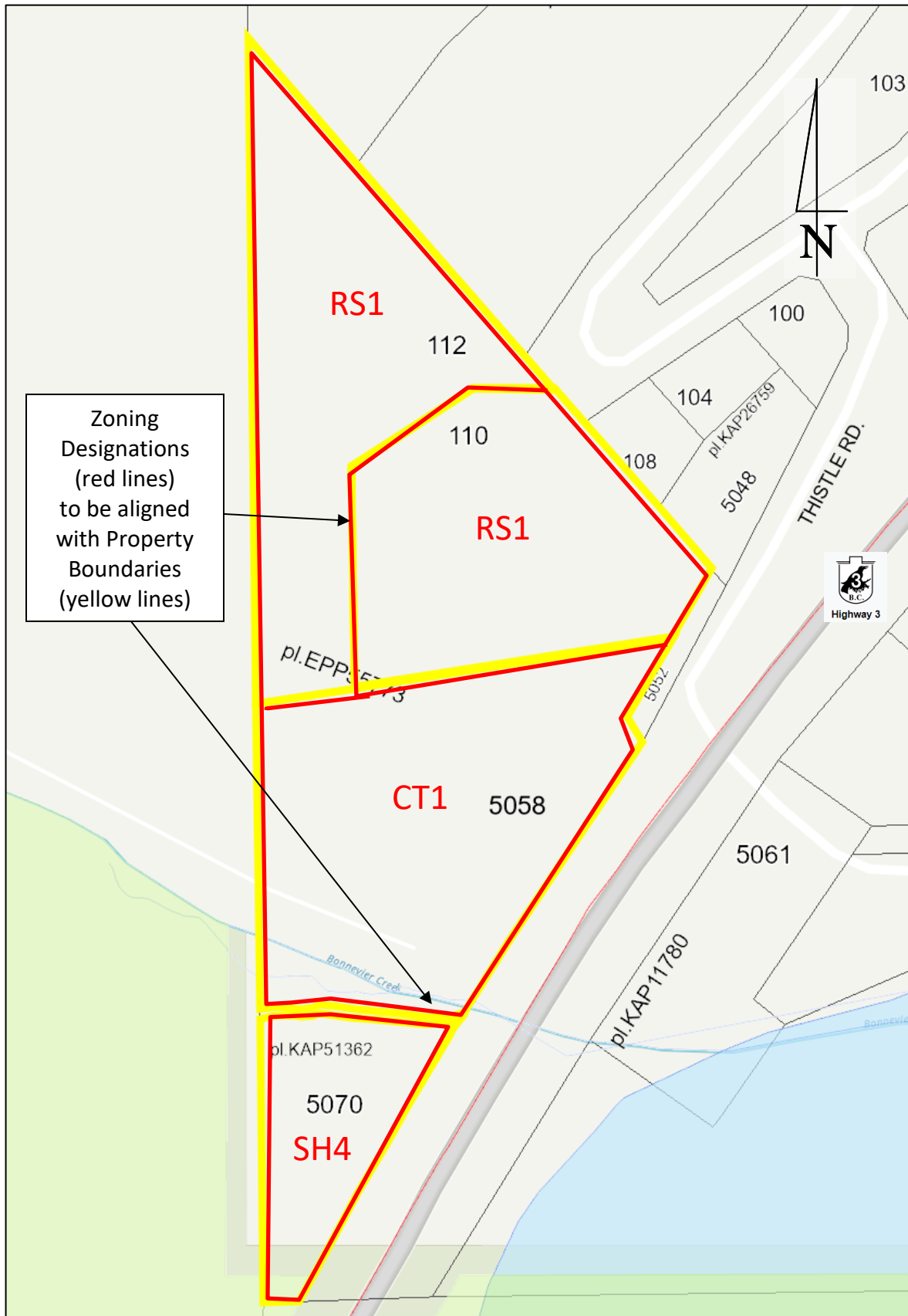
Map 1: Context Maps Showing Location of Subject Properties



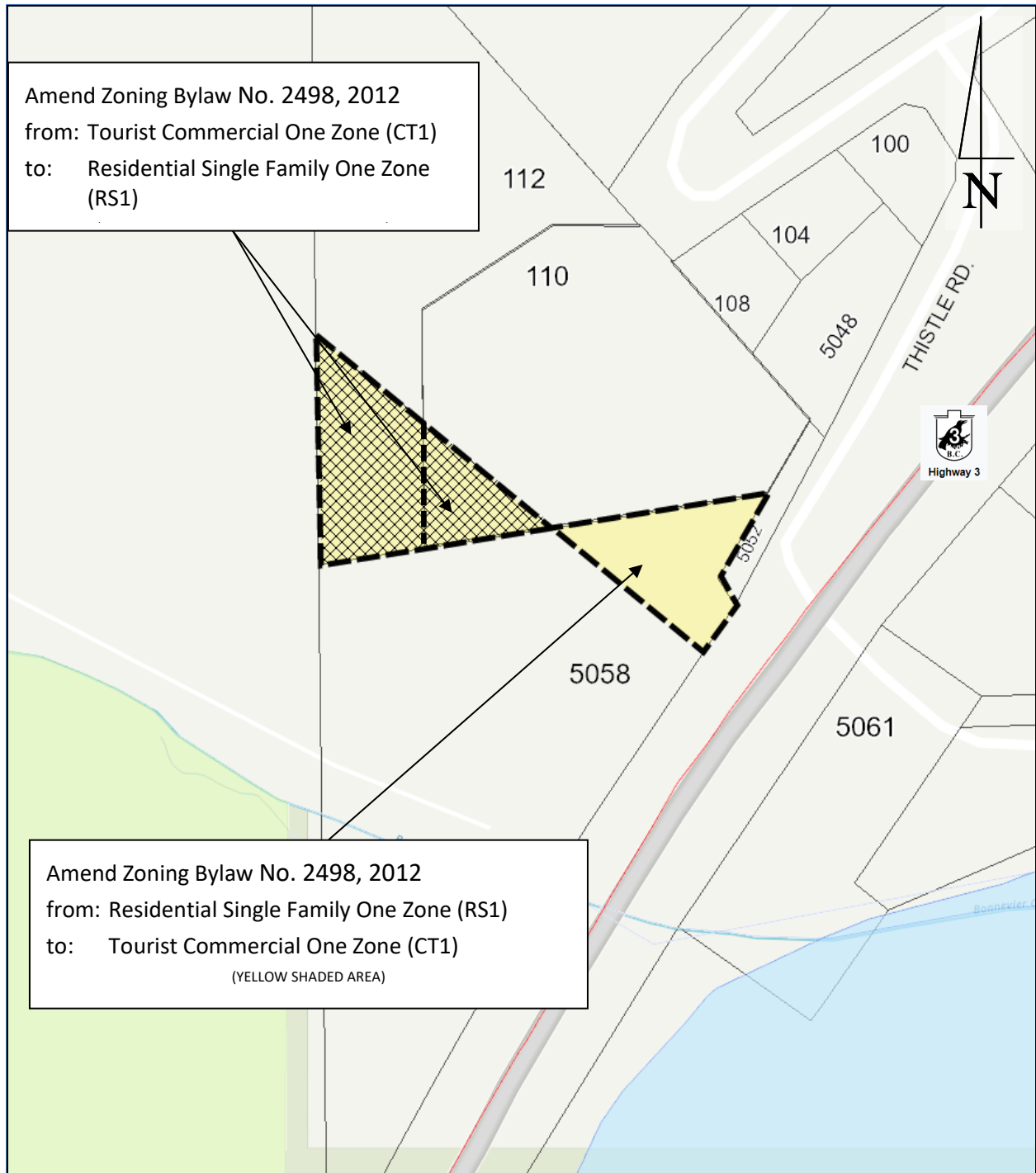
Map 2: Existing Split-Zoning (Property Boundaries and Zoning Misaligned)



Map 3: Proposed Zoning (Property Boundaries and Existing Zoning aligned)



Map 4: Proposed Mapping Amendments for Bylaw 2498.16, 2021



Map 5: Proposed Mapping Amendments for Bylaw 2498.16, 2021

