

ADMINISTRATIVE REPORT



TO: Planning & Development Committee

FROM: B. Newell, Chief Administrative Officer

DATE: September 23, 2021

RE: OCP & Zoning Bylaw Amendments – Residential and Small Holdings Review

Administrative Recommendation:

THAT Bylaw No. 2892, 2021, a bylaw to amend the Electoral Area “A”, “C”, “D”, “E”, “F” and “I” Official Community Plan (OCP) and Zoning Bylaws in order to update the Residential and Small Holdings zones be read a first and second time and proceed to public hearing; and,

THAT the Board of Directors considers the process, as outlined in this report from the Chief Administrative Officer dated September 23, 2021, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*; and,

THAT, in accordance with Section 477 of the *Local Government Act*, the Board of Directors has considered Amendment Bylaw No. 2892, 2021, in conjunction with its Financial and applicable Waste Management Plans; and,

THAT the holding of a public hearing be scheduled for the Regional District Board meeting of October 21, 2021; and,

THAT notice of the public hearing be given in accordance with the requirements of the *Local Government Act*.

Proposal:

It is being proposed that the Regional District Board initiate an amendment to the Electoral Area “A”, “C”, “D”, “E”, “F” and “I” Official Community Plan (OCP) and Zoning Bylaws in order to update the Residential and Small Holdings zones as part of the final phase of the on-going work related to the preparation of a single zoning bylaw for the Okanagan Electoral Areas.

Specifically, it is being proposed that the South Okanagan Electoral Areas contain consistent zoning regulations with three Residential zones (RS1, RS2, and RS3) and four Small Holdings zones (SH1, SH2, SH3 and SH4) plus one other specific SH5 zone for the West Bench area of Electoral Area “F”.

Background:

Phase 4 of the Residential Zone Update represents one of the last steps in the preparation of a single zoning bylaw for the Okanagan Electoral Areas.

At its meeting of May 6, 2021, the Planning and Development (P&D) Committee of the Regional District Board received information on the community engagement strategy for the Residential and Small Holdings project.

Referrals:

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required prior to adoption as the proposed zoning amendments involve lands within 800 metres of controlled access highways.

Public Process:

In lieu of holding an in person Public Information Meeting (PIM) consultation for this project consisted of a multi-pronged approach, including an online GIS StoryBoard program, a summary document explaining what the project was about and how it was being done, letters to property owners if the proposed zoning change also requires an OCP amendment, and information releases to the press, social media, and civic ready.

In summary, the following consultation was completed:

- A total of 684 letters were sent to owners:
 - Electoral Area “A” - 3;
 - Electoral Area “D” - 15;
 - Electoral Area “F” - 16; and
 - Electoral Area “C” - 224;
 - Electoral Area “E” - 23;
 - Electoral Area “I” - 403.
- A total of 670 views were recorded for the GIS StoryBoard on the project web page, from May 1st to June 15th, 2021.
- 15 phone call enquiries were received and answered.
- 18 emails were received and answered.
- One feedback form was received.
- An electronic information meeting was held for the Twin Lakes residents on June 1, 2021 with a total of eight participants. Three in-person meetings were held.

All comments received, in writing, to date in relation to this application are included as a separate item on the Board Agenda.

Analysis:

The main objective of a single consolidated Zoning Bylaw for the Okanagan valley is to provide convenient and consistent information across the six Okanagan Electoral Areas to the public, developers, land owners and staff.

In support of this objective, work on the consolidated Zoning Bylaw has been completed in stages incorporating amendments for different sections of the existing Bylaws over the past few years. The Residential and Small Holdings sections are the most complex and several criteria were used to determine the best new zone for each property affected.

The replacement zoning being proposed for each property was done in consideration of the property size, the current use, if it is within the Agriculture Land Reserve (ALR), if there is community water and community sewer services, if it is a growth area, the terrain and the general ability to develop the land.

Consolidating and modernizing the six Electoral Area Zoning Bylaws included re-evaluating what the zoning intentions are for a ‘Residential’ parcel and for a ‘Small Holdings’ parcel. The three new proposed Residential zones (RS1, RS2, and RS3) are intended for smaller parcels (~ 350 m² to 1000 m²) either urban or suburban in nature. Usually with community water and sewer services. Most of these

are located in the OK Falls area; however, they also occur on other properties that are relatively small in nature such as in Kaleden or Naramata.

The four main Small Holdings zones (SH1, SH2, SH3, and SH4) plus the West Bench SH5 zone, are intended for rural residential type of properties. These are quite typically found within much of the Regional District and are approximately ~2000 m² to 2.0 ha in area. These parcels typically do not have community water or sewer services, although some areas may be served with a community water system. Specific neighbourhoods include West Bench, parts of Kaleden, most of the Twin Lakes area, Vintage Views, and some pocket areas in the Osoyoos area.

Historically many smaller sized properties were zoned as Residential, presumably through a new subdivision, regardless of location or servicing options. As a result, numerous parcels scattered throughout the Regional District have a Residential designation but are in fact currently considered as a Small Holdings type of property. This Amendment Bylaw proposes to resolve these discrepancies.

In summary, Administration believes that the proposed changes support the direction of creating a single Okanagan Zoning Bylaw.

Alternatives:

1. THAT Amendment Bylaw 2892, 2021 be read a first and second time and proceed to public hearing;

AND THAT the Board of Directors considers the process, as outlined in this report from the Chief Administrative Officer dated September 23, 2021, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*;

AND THAT, in accordance with Section 477 of the *Local Government Act*, the Board of Directors has considered Amendment Bylaw No. 2892, 2021, in conjunction with its Financial and applicable Waste Management Plans;

AND THAT the holding of the public hearing be delegated to Chair Kozakevich, or their delegate;

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*.

Respectfully submitted:



C. Garrish, Planning Manager