

# ADMINISTRATIVE REPORT



**TO:** Advisory Planning Commission  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** August 17, 2022  
**RE:** Official Community Plan (OCP) & Zoning Bylaw Amendment – Electoral Area “I”

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Purpose: To allow for the construction of a single detached dwelling. Folio: I-02807.831

Civic: 236 Creekview Rd Legal: Lot 4, District Lot 395S, SDYD, Plan KAP81773

OCP: Medium Density Residential (MR) Zone: Medium Density Residential Apex (RM2)

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## Proposed Development:

This application is seeking to amend the zoning and Official Community Plan designation of the subject property in order to allow for the construction of a single detached dwelling on the subject property.

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 “I” Official Community Plan (OCP) Bylaw No. 2683, 2016, from Medium Density Residential (MR) to Low Density Residential (LR); and
- amend the zoning under Schedule ‘2’ (Zoning Map) of the Okanagan Valley Zoning Bylaw No. 2800, 2022, from Medium Density Residential Apex (RM2) to Low Density Residential Apex Duplex (RD2).

In support of the rezoning, the applicant has stated that:

- *the new zoning will allow us to build a single family home on the vacant lot at 236 Creekview Rd;*
- *the surrounding lots on Creekview Rd and above on Apex Mountain Rd are mainly single family homes;*
- *an apartment building or townhouse would be challenging to fit on the lot due to the lot’s size and steep topography;*
- *water and sewer hookup at Apex Mountain Resort for this lot is registered as a single family lot – construction of anything larger requires an application for a CPCN amendment before proceeding, which may not be approved;*
- *our proposed building is very well designed and fits with the architecture of surrounding buildings; and,*
- *the RDOS is supporting this application – we understand that the RDOS has intended to rezone this lot in February 2023.*

## Site Context:

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The subject property is approximately 1,005 m<sup>2</sup> in area and is situated on the west side of Creekview Rd. It is understood that the parcel is currently vacant.

The surrounding pattern of development is generally characterised by similarly sized low density residential lots zoned RD2, with the exception of the north-westerly adjacent parcel which is zoned RM2 and the north-easterly lands which are zoned Resource Area (RA).

**Background:**

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on August 24, 2006, while available Regional District records indicate building permits have not previously been issued for this property.

A building permit application was submitted for a single detached dwelling on July 25, 2022; however, the current RM2 zoning which applies to the property does not permit “single detached dwelling”.

Under the Regional Growth Strategy (RGS) Bylaw No. 2770, 2017, the Apex area is designated as a Rural Growth Area.

Under the Electoral Area “1” Official Community Plan (OCP) Bylaw No. 2683, 2016, the subject property is currently designated Medium Density Residential (MR).

The OCP Bylaw contains policy which supports a maximum net density for single detached dwelling units on lands designated LR of 30 units per hectare for areas served by a community water system and community sewerage treatment system (Section 11.4.2).

The OCP Bylaw also contains policy which supports the re-designation of lands to LR only within designated Primary and Rural Growth Areas in order to achieve lower servicing costs and to minimize environmental impacts (Section 11.4.4).

Under the Okanagan Valley Zoning Bylaw No. 2800, 2022, the property is currently zoned Medium Density Residential Apex (RM2) which permits “apartment building”, “townhouse”, and “vacation rental, subject to Section 7.10” as principal uses but does not permit “single detached dwelling”.

The subject property is serviced by community water and community sewerage systems, both of which are managed by the Apex Mountain Resort.

As part of the application, the property owners submitted a letter from the Apex Mountain Resort which confirms that the property is authorized to hook up to water and sewer, and that the property is registered as a “single family lot”.

BC Assessment has classified the property as “Residential” (Class 01).

**Analysis:**

In considering this proposal, Administration notes that the Regional District had previously undertaken the Apex Zone Review in 2020, which had resulted in the rezoning of various residential parcels throughout the Apex Mountain Village.

The subject property was rezoned from Residential Multiple Unit Three (RM3) to Medium Density Residential Apex (RM2) as a result of the Apex Zone Review.

As it relates to this application, the former RM3 zone had previously allowed for “single detached dwellings” as a principal use, in addition to various multi-unit housing options and the rezoning of the

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property to RM2 had subsequently removed the allowance for the construction of a single detached dwelling on the subject property.

Administration notes that the proposed development of a single detached dwelling on the property is not anticipated to exceed the 30 unit threshold as described under Section 11.4.2 of the OCP Bylaw.

Further, Administration notes that the proposal is consistent with Section 11.4.4 of the OCP Bylaw, as the property is designated as a Rural Growth Area under the RGS.

In this regard, Administration finds that the proposed zoning and OCP designation amendments are generally consistent with the OCP Bylaw.

Administration also recognises that a majority of the surrounding parcels are currently zoned RD2 and are designated LR. As such, the proposed amendments would be in keeping with the existing development patterns and direction in the general vicinity of the subject property.

Conversely, Administration recognises that the size of the subject property would provide for the development of a larger multi-family dwelling units with the potential for achieving greater density (i.e., an apartment building or townhouse as opposed to a single detached dwelling or duplex building).

Further, as part of the Apex Zone Review, it was noted that Apex is a Rural Growth Area and amendments were made to encourage further densification, albeit, in the village core.

In summary, the proposal is generally seen to be in keeping with the OCP Bylaw, and as such, Administration supports the subject development application.

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**Administrative Recommendation:**

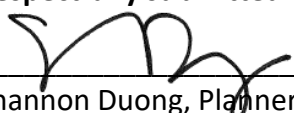
**THAT the APC recommends to the RDOS Board of Directors that the subject development application be approved.**

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**Options:**

1. THAT the APC recommends to the RDOS Board of Directors that the subject development application be approved.
2. THAT the APC recommends to the RDOS Board of Directors that the subject development application be approved with the following conditions:
  - i) *TBD*
3. THAT the APC recommends to the RDOS Board of Directors that the subject development application be denied.

**Respectfully submitted:**

  
Shannon Duong, Planner II

**Endorsed By:**

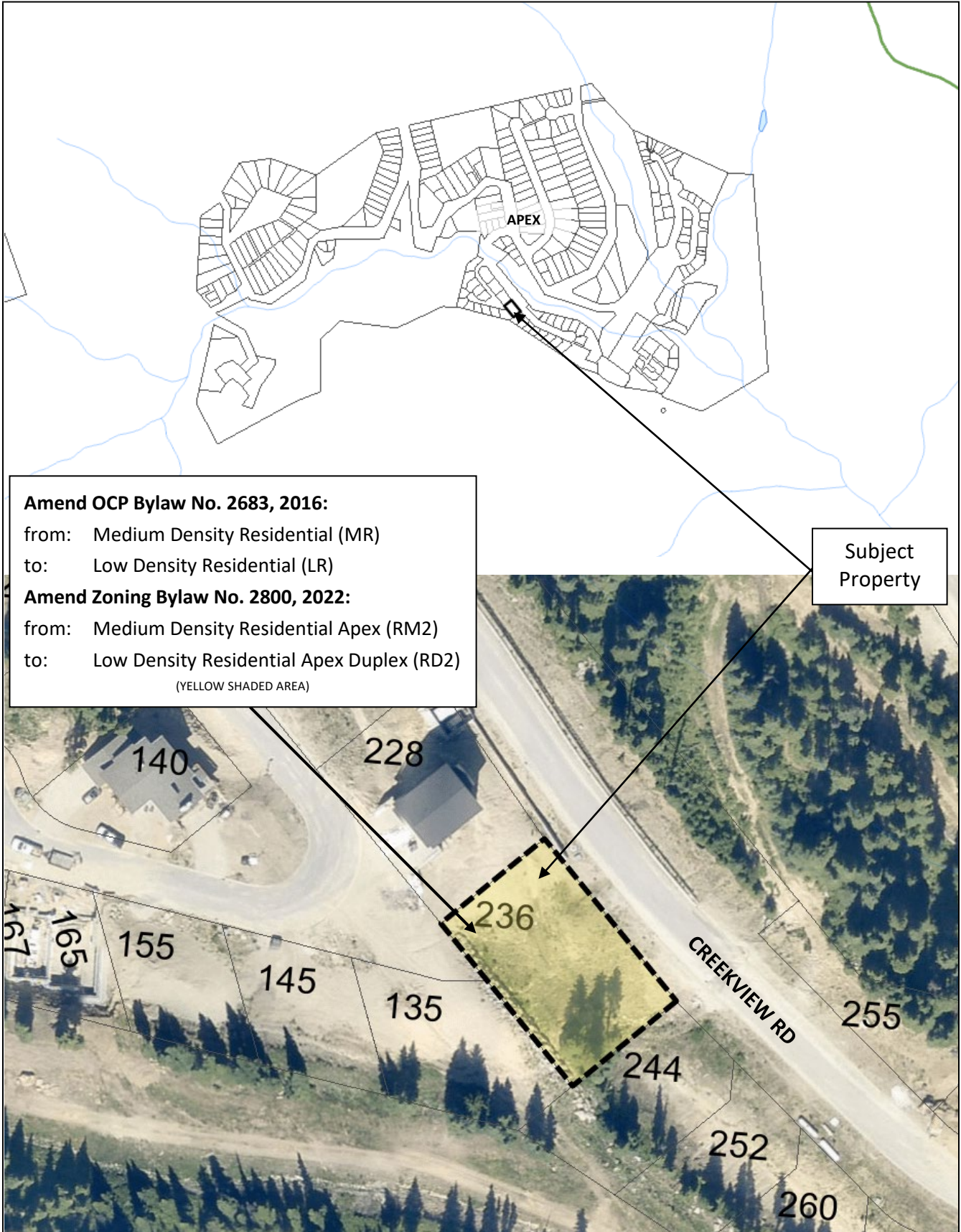
  
C. Garrish, Planning Manager

**Attachments:**

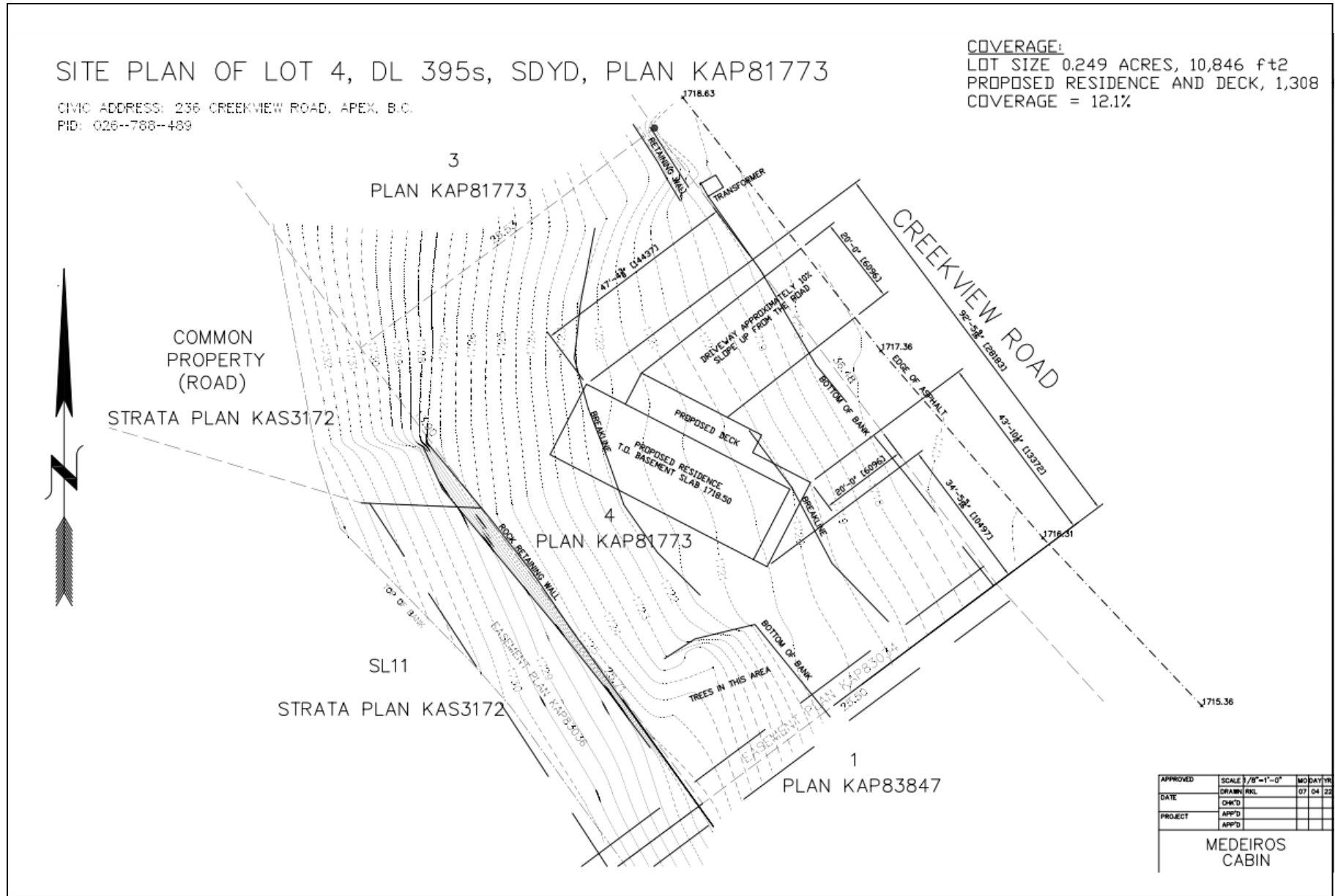
- No. 1 – Context Maps
- No. 2 – Applicant’s Site Plan
- No. 3 – Applicant’s Floor Plans
- No. 4 – Applicant’s Building Elevations
- No. 5 – Site Survey

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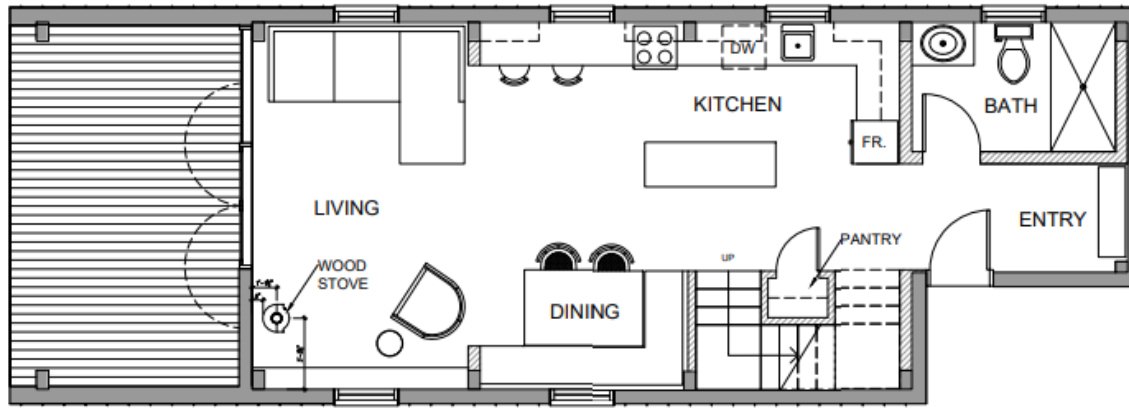
Attachment No. 1 – Context Maps



Attachment No. 2 – Applicant's Site Plan



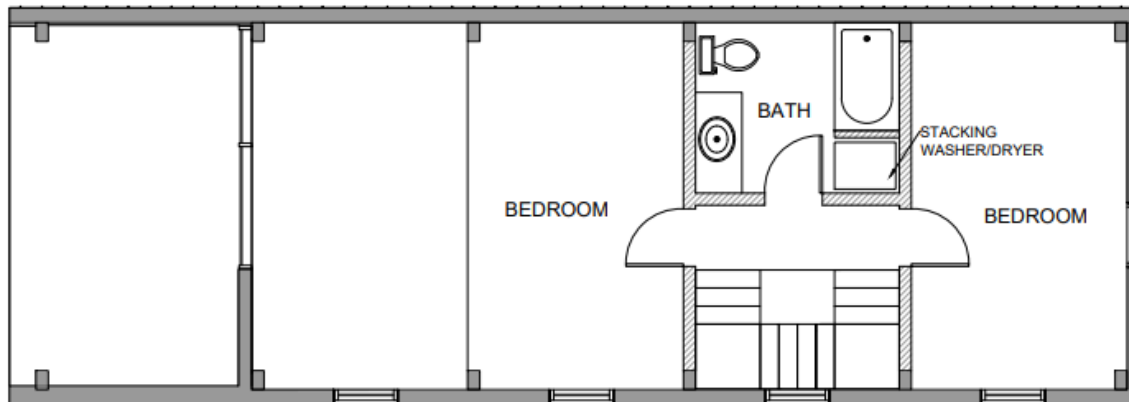
Attachment No. 3 – Applicant's Floor Plans



1  
ID 1

**FIRST FLOOR PLAN**

SCALE: 1/4" = 1'-0"

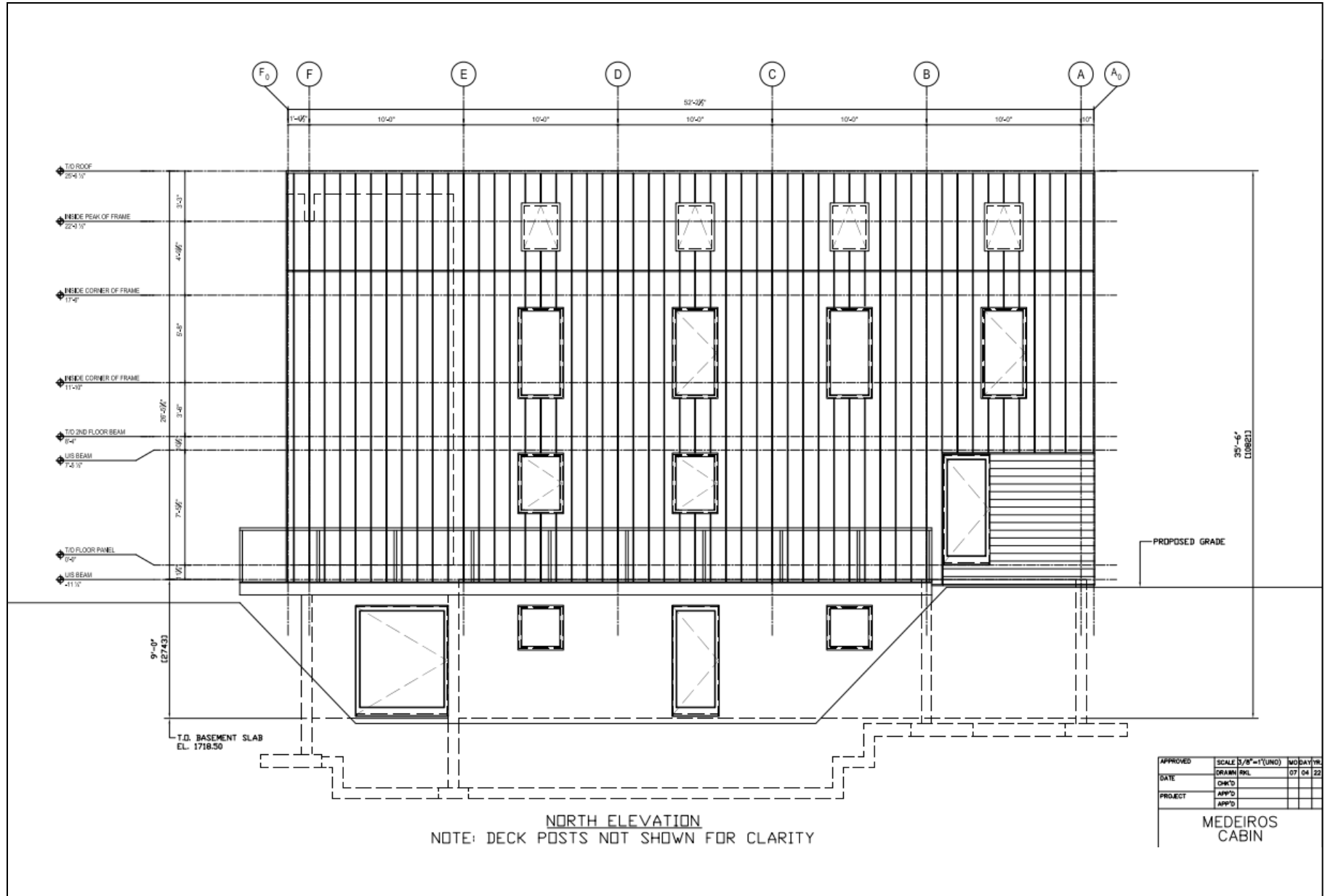


2  
ID 1

**SECOND FLOOR PLAN**

SCALE: 1/4" = 1'-0"

Attachment No. 4 – Applicant’s Building Elevation (North)





Attachment No. 5 – Site Survey

SITE PLAN OF LOT 4, DL 395s, SDYD, PLAN KAP81773

CIVIC ADDRESS: 236 CREEKVIEW ROAD, APEX, B.C.  
PID: 026-788-489

SCALE 1:250



**LEGEND**

- STANDARD IRON POST FOUND
- 1720— CONTOUR ELEVATION
- ┆715.36 SPOT ELEVATION

NOTE: SUBJECT TO THE NON-FINANCIAL CHARGES AND INTERESTS WHICH MAY AFFECT THE PROPERTY SEE CERTIFICATE OF TITLE AND RELATED CHARGE DOCUMENTS FOR CONFIRMATION

THIS PLAN IS BASED ON LAND TITLE AND SURVEY AUTHORITY RECORDS AND A FIELD SURVEY. UNREGISTERED INTERESTS HAVE NOT BEEN CONSIDERED.

LAND SURVEYING COMPANY AND SURVEYOR ACCEPT NO RESPONSIBILITY FOR AND HEREBY DISCLAIM ALL OBLIGATIONS AND LIABILITIES FOR DAMAGES INCLUDING, BUT NOT LIMITED TO, DIRECT, INDIRECT, SPECIAL, AND CONSEQUENTIAL DAMAGES ARISING OUT OF OR IN CONNECTION WITH ANY DIRECT OR INDIRECT USE

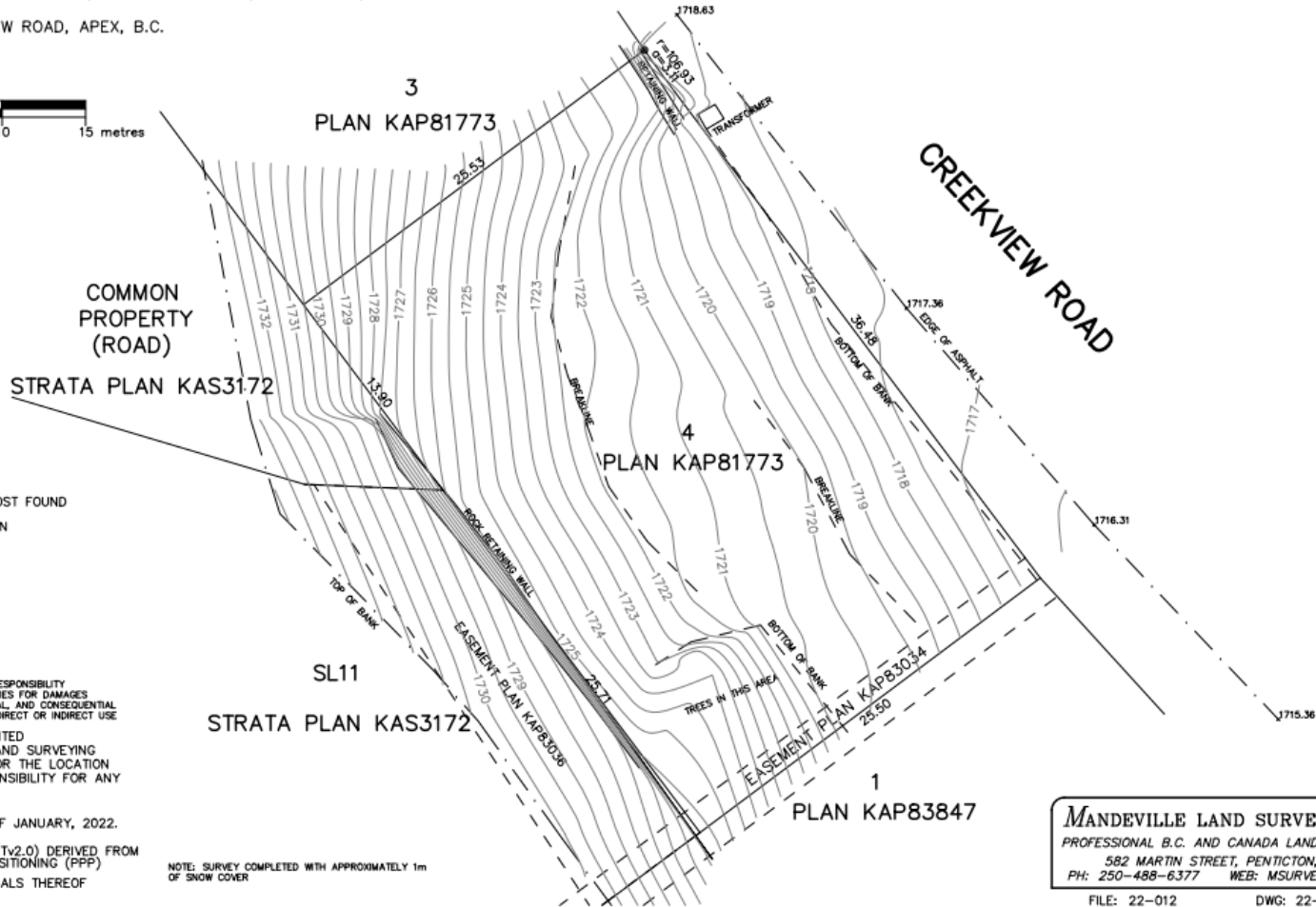
THIS PLAN IS PREPARED SOLELY FOR A LIMITED CONTRACTUAL USE BETWEEN MANDEVILLE LAND SURVEYING AND OUR CLIENT. IT IS NOT TO BE USED FOR THE LOCATION OF PROPERTY LINES. WE ACCEPT NO RESPONSIBILITY FOR ANY UNAUTHORIZED USE.

FIELD SURVEY COMPLETED THIS 21st DAY OF JANUARY, 2022.

ELEVATIONS ARE GEODETIC (ORTHOMETRIC HTV2.0) DERIVED FROM GNSS OBSERVATION AND PRECISE POINT POSITIONING (PPP)

ALL DIMENSIONS ARE IN METRES AND DECIMALS THEREOF UNLESS OTHERWISE NOTED

NOTE: SURVEY COMPLETED WITH APPROXIMATELY 1m OF SNOW COVER



**MANDEVILLE LAND SURVEYING INC.**  
PROFESSIONAL B.C. AND CANADA LAND SURVEYORS  
582 MARTIN STREET, PENTICTON, B.C.  
PH: 250-488-6377 WEB: MSURVEYING.COM

FILE: 22-012 DWG: 22-012

Attachment No. 6 – Site Photo

