

# ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** J. Zaffino, Chief Administrative Officer  
**DATE:** February 8, 2024  
**RE:** Official Community Plan (OCP) & Zoning Bylaw Amendment – Electoral Area “I” (I2023.012-ZONE)

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## Administrative Recommendation:

**THAT the Electoral Area “I” Official Community Plan Amendment Bylaw No. 2683.08, 2024, and the Okanagan Valley Zoning Amendment Bylaw No. 2800.31, 2024, be read a third time and adopted.**

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Purpose: To allow for a duplex to be constructed. Folio: I-02798.005.005  
Civic: 177 Clearview Crescent Legal: Lot 2, Plan KAP65691, District Lot 395S, SDYD  
OCP: Medium Density Residential (MR) Zone: Medium Density Residential Apex (MR2)

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## Proposed Development:

This application is seeking to amend the zoning of the subject property in order to allow for the development of a duplex.

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 (MR2) to Low Density Residential Apex Duplex (Rd2).

In support of the rezoning, the applicant has stated that “At one time we had [the] rezoned to allow for a tri-plex. For myself and two sons. Once we had plans drawn up we decided the units were way too small. Therefore, we decided to build a duplex, which gets us a much more functional unit.”

## Site Context:

The subject property is approximately 530 m<sup>2</sup> in area and is situated on the north side of Clearview Crescent. It is understood that the parcel is comprised of vacant land.

The surrounding pattern of development is generally characterised by similarly sized residential parcels that have been development with various forms of multifamily dwellings.

## Background:

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On December 13, 2023, a Public Information Meeting (PIM) was held online through Webex and was attended by approximately zero members of the public.

At its meeting of January 2, 2024, the Electoral Area “I” Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject development application be approved.

At its meeting of January 18, 2024, the Regional District Board resolved to approve first and second reading of the amendment bylaws and scheduled a public hearing ahead of its meeting of February 8, 2024.

On February 8, 2024, a public hearing was held and all comments received to date in relation to this application are included with this report

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Approval from the Ministry of Transportation and Infrastructure (MoTI) is not required prior to adoption as the proposed amendments involve lands beyond 800 metres of a controlled access highway.

### **Analysis:**

In considering this proposal, Administration notes that the current zoning permits higher density uses in the form of townhouses and apartments; therefore rezoning to lower density uses will likely reduce the strain on utilities and infrastructure in the Apex area.

The property was originally zoned as Low Density Residential Apex Duplex (RD2) before the introduction of the Okanagan Valley Zoning Bylaw No.2800, 2022, and only changed to Medium Density Residential Apex (MR2) to facilitate a previously proposed tri-plex development at the request of the owner. However, the previously proposed tri-plex would have been too large to fit on the property. The proposed rezone would, return the property to the originally prescribed designation.

Apex Mountain is designated as a Rural Growth Area, and the Electoral Area “I” OCP supports directing new development to existing serviced areas within designated Rural Growth Areas. This development would take place on a vacant lot that would have access to servicing and provides diversity in density, both of which are policies supported by the OCP for General Residential.

Conversely, Administration recognises that by changing the zoning designation to RD2 and the OCP designation to LR it could complicate the possibility of higher density development to occur on the property in the future.

In summary, Administration considers the requested amendments to satisfy the intent of the OCP and Zoning Bylaw, to be consistent with the Regional Growth Strategy, and to be consistent with adjacent uses. For these reasons, administration is recommending approval.

### **Alternatives:**

1. THAT first and second readings of the Electoral Area “I” Official Community Plan Amendment Bylaw No. 2683.08, 2024, and the Okanagan Valley Zoning Amendment Bylaw No. 2800.31, 2024, be rescinded and the bylaws abandoned.

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**Respectfully submitted:**

*Colin Martin*

Colin Martin, Planner I

**Endorsed By:**



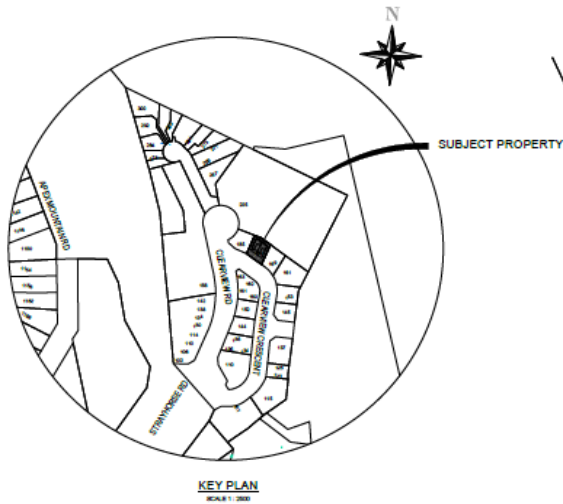
C. Garrish, Senior Manager of Planning

Attachments: No. 1 – Applicant’s Site Plan

No. 2 – Applicant’s Building Elevations

No. 3 – Site Photo

**PROPOSED DUPLEX**  
**WILDSTONE CONSTRUCTION GROUP**  
**177 CLEARVIEW CRES**  
**HEDLEY (APEX MOUNTAIN RESORT), BC**  
**FEBRUARY 2023**



LEGAL DESCRIPTION  
 LOT 2, PLAN KAP65691, DL 395s, SDYD



DRAWING LIST	
220480-C0.0	COVER
220480-C1.0	SITE SERVICING PLAN

**ecora**  
 2201-224 MAIN STREET  
 PENNINGTON, S.C.  
 29902  
 PHONE: 252-462-2227

Drawing No. 220480-C0.0	Rev.No 1
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## Attachment No. 2 – Building Elevations

**EAST ELEVATION**

**GENERAL REMARKS**  
 EAST WALL  
 TOTAL FINISH FLOOR = 1007' 11" 0"  
 TOTAL FINISH CEILING = 1114' 0" 0"  
 FINISH FLOOR TO FINISH CEILING = 106' 11" 0"  
 FINISH FLOOR TO FINISH CEILING = 106'

**NOTE:**  
 CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS OF THE EXISTING STRUCTURE AND REPORT TO THE OWNER OR ARCHITECT PRIOR TO COMMENCEMENT OF CONSTRUCTION.  
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 ALL DIMENSIONS SHOWN ARE TO FACE UNLESS OTHERWISE NOTED.  
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 THIS PLAN IS FOR INFORMATION ONLY AND IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE APPROVAL OF THE ARCHITECT AND THE LOCAL JURISDICTION.  
 THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION.

**NORTH ELEVATION**

**ISSUED FOR BUILDING PERMIT**

<b>AZTECH DRAFTING SERVICES</b>		<b>N&amp;E ELEVATIONS PROPOSED DUPLEX</b>	
1777 CLEARVIEW CRESCENT AZTEC, MICHIGAN 48106		1777 CLEARVIEW CRESCENT AZTEC, MICHIGAN 48106	
DATE: 04/20/23	SCALE: AS SHOWN	DATE: 04/20/23	SCALE: AS SHOWN
PROJECT: 23-001	CLIENT: [REDACTED]	PROJECT: 23-001	CLIENT: [REDACTED]
DRAWN BY: [REDACTED]	CHECKED BY: [REDACTED]	DRAWN BY: [REDACTED]	CHECKED BY: [REDACTED]
DATE: 04/20/23	SCALE: AS SHOWN	DATE: 04/20/23	SCALE: AS SHOWN

**WEST ELEVATION**

**GENERAL REMARKS**  
 EAST WALL  
 TOTAL FINISH FLOOR = 1007' 11" 0"  
 TOTAL FINISH CEILING = 1114' 0" 0"  
 FINISH FLOOR TO FINISH CEILING = 106' 11" 0"  
 FINISH FLOOR TO FINISH CEILING = 106'

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**SOUTH ELEVATION**

**ISSUED FOR BUILDING PERMIT**

<b>AZTECH DRAFTING SERVICES</b>		<b>S&amp;W ELEVATIONS PROPOSED DUPLEX</b>	
1777 CLEARVIEW CRESCENT AZTEC, MICHIGAN 48106		1777 CLEARVIEW CRESCENT AZTEC, MICHIGAN 48106	
DATE: 04/20/23	SCALE: AS SHOWN	DATE: 04/20/23	SCALE: AS SHOWN
PROJECT: 23-001	CLIENT: [REDACTED]	PROJECT: 23-001	CLIENT: [REDACTED]
DRAWN BY: [REDACTED]	CHECKED BY: [REDACTED]	DRAWN BY: [REDACTED]	CHECKED BY: [REDACTED]
DATE: 04/20/23	SCALE: AS SHOWN	DATE: 04/20/23	SCALE: AS SHOWN

Attachment No. 2 – Site Photo

