



Regional Board Report

TO: Regional Board

FROM: Todd Cashin, Director of Community Services

DATE: April 27, 2020

SUBJECT: Extension Request for Application File No. Z18/01
OCP Amendment Bylaw No. 1274-06 & Zoning Amendment Bylaw No. 871-246
C. Roy (owner) c/o Kent-Macpherson (agent)
6972 Barcelona Drive East – Central Okanagan West Electoral Area

Voting Entitlement: *Custom Vote - Electoral Areas – 1 Director, 1 Vote*

Purpose: To consider a request for a one-year extension for an application proposing to amend the Official Community Plan and Zoning Bylaws.

Executive Summary:

The Regional Board has not yet considered the above noted application due to the absence of Ministry of Transportation and Infrastructure support for the intent of the associated bylaw amendments, which is to allow a six-lot subdivision on the subject property. The agent has advised that they are working to satisfy the Ministry of Transportation and Infrastructure's concerns; therefore, they have requested an additional one-year extension for Application Z18/01.

The first extension request was approved by the Regional Board in 2019 and expires on April 29, 2020.

RECOMMENDATION:

THAT the Regional Board approve a one-year extension for File No. Z18/01 (OCP Amendment Bylaw No. 1274-06, Zoning Amendment Bylaw No. 871-246).

Respectfully Submitted:

A handwritten signature in black ink, appearing to read "Todd Cashin".

Todd Cashin
Director of Community Services

Approved for Board's Consideration

A handwritten signature in black ink, appearing to read "Brian Reardon".

Brian Reardon, CAO

Prepared by: Brittany Lange, Environmental Planner

Implications of Recommendation:

Policy: Approval of the extension complies with Development Applications Procedures Bylaw No. 944.

Background:

The subject application was submitted on May 1, 2018 and was referred to external agencies on May 31, 2018. During the referral process, the Ministry of Transportation and Infrastructure (MOTI) noted several concerns over access requirements (see attached November 2018 letter).

The agent has advised that they are continuing to work with MOTI to satisfy their concerns, and that they have engaged CTQ Engineering to assist with any engineering related to the technical access requirements. It is staffs understanding that the file is currently with the Provincial Approving Officer at MOTI, and the applicant is awaiting a response.

To date, the amending bylaws have not been considered by the Regional Board due to the absence of MOTI support for the proposed subdivision. The first extension request was approved by the Regional Board in 2019 and expires on April 29, 2020 (see attached March 2020 Request for Extension).

Project Description:Current Land Use:

The property is developed with one single detached house and an accessory building (non-residential). Water is supplied via Okanagan Lake and is serviced by a septic tank. The future land use designation for the property is identified as Commercial Resort, which is the same OCP designation as the adjacent La Casa development. The property is bisected by Westside Road, which was recently updated as a part of MOTI's La Casa to Muir Road - Westside Road Improvement Project. The property's current land use is RU1 Rural 1, which does not allow for subdivision.

Proposal:

1. To amend the Official Community Plan future land use designation on the subject property from Commercial Resort to Large Holdings; and
2. To rezone the site from RU1 Rural 1 to RU2 Rural 2.

In accordance with the bylaw amendments, the applicant proposes a subdivision of six rural residential properties. Servicing methods would remain unchanged (e.g. Okanagan Lake and septic). The applicant has submitted a concurrent subdivision application to Ministry of Transportation and Infrastructure (File: 2018-02209).

Development Applications Procedures Bylaw:

Applications that have not been approved or rejected within twelve (12) months after the application date will be of no force and effect. Unless the Regional Board passes a resolution to extend the deadline up to one-year, a new application will be required in order to proceed.

Organizational/Financial Issues:

The extension request was submitted and processed in accordance with requirements of RDCO Development Application Procedures Bylaw No. 944, including payment of the required fee.

Conclusion:

In recognition that the application expires on April 29, 2020, and the proponent has advised that they are actively working with MOTI, Planning staff supports an extension of the OCP/Zoning amendment application. In the event that the extension request is not approved by the Regional Board, the RDCO application will be closed and the land use will continue as permitted under the RU1 Rural 1 zone.

Alternative Recommendation:

THAT the Regional Board not approve a one-year extension for Application File: Z18/01.

Considerations not applicable to this report:

- *Strategic Plan*
- *General*
- *Legal/Statutory Authority*
- *External Implications*

Attachment(s):

- Schedule 'A' & Orthophoto Maps
- November 21, 2018 Letter from MOTI
- March 20, 2020 Request for Extension