

LUC/OCP/Rezoning Application Z20/07

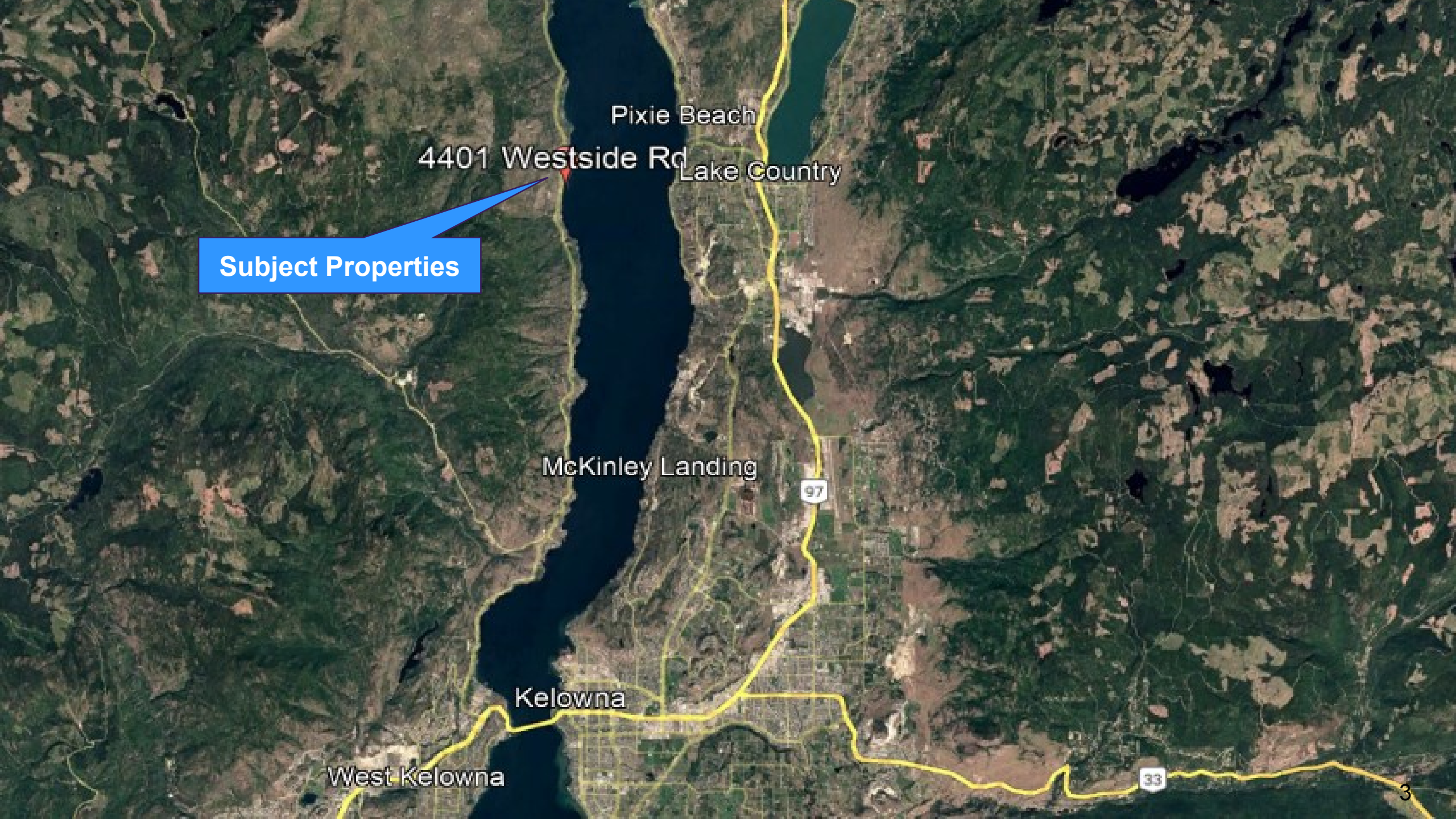
Regional District of Central Okanagan Public Hearing
April 25, 2022

1450 K.L.O. Road
Kelowna, BC, V1W 3Z4
rdco.com



Purpose

- To discharge Land Use Contract No. 258 and apply zoning to the subject properties, and to consider an amendment to the Rural Westside Official Community Plan



Pixie Beach
4401 Westside Rd
Lake Country

Subject Properties

McKinley Landing

97

Kelowna

West Kelowna

33

3



Caesars

4401 Westside Rd

Westside Rd

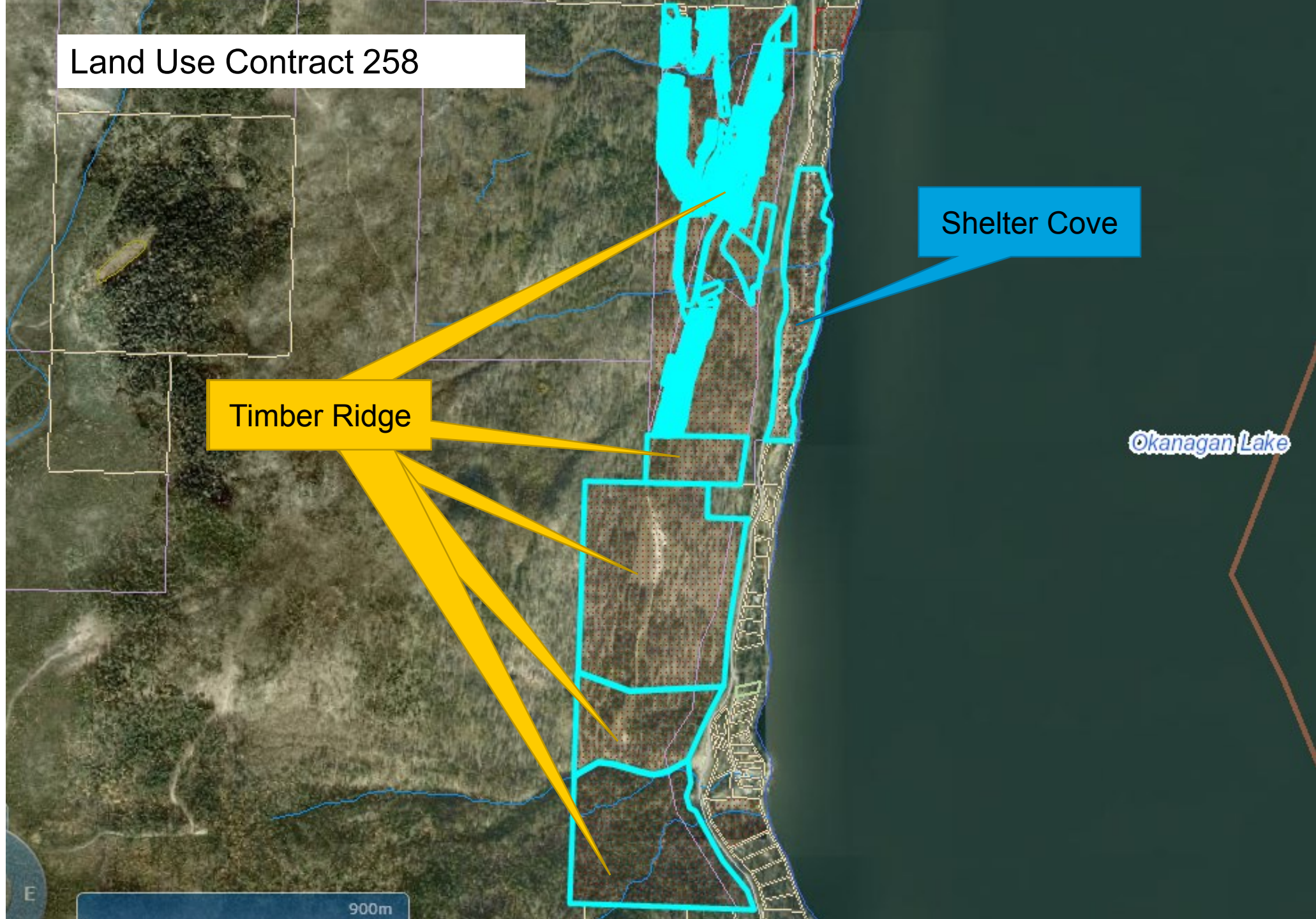
Westside Rd

Land Use Contract 258

Shelter Cove

Timber Ridge

Okanagan Lake



Next Steps

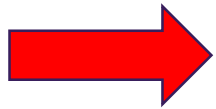
Sept 30, 2014

Regional Board endorsed the Land Use Contract Discharge Project



March 28, 2022

1st Reading – Regional Board Meeting



April 25, 2022

Public Hearing, 2nd and 3rd Reading – Regional Board Meeting



May 30, 2022

Adoption – Regional Board Meeting



May 30, 2023

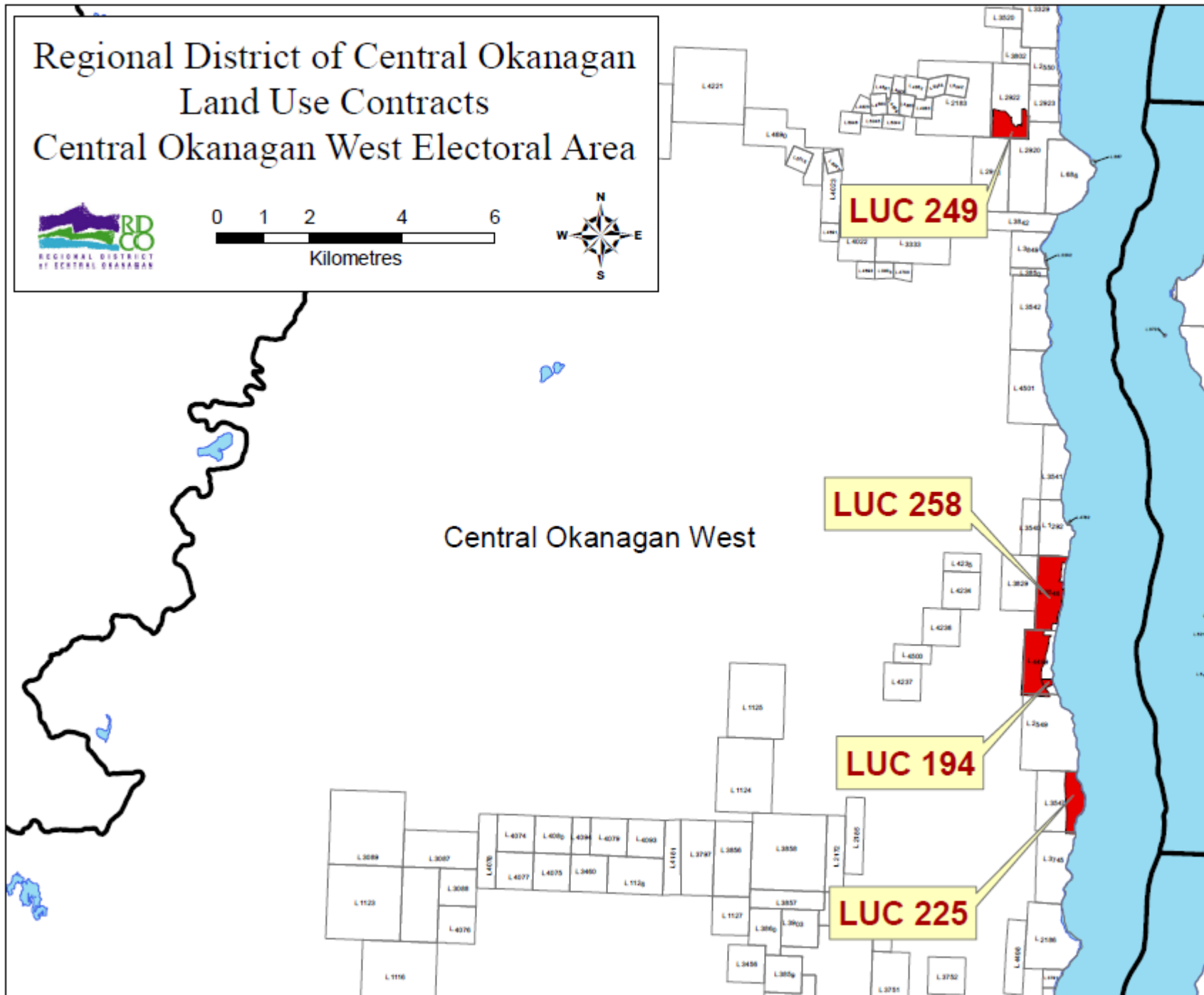
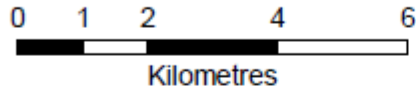
Land Use Contracts Terminate



Background

- **Land Use Contract (LUC):** site-specific land use agreements
- **Province amended Local Government Act:** all LUCs must be terminated prior to June 2022
- **LUCs in the RDCO:** 9 total, 5 discharged

Regional District of Central Okanagan
Land Use Contracts
Central Okanagan West Electoral Area



Shelter Cove

- **Developed with seasonal residential accommodation:**
 - Multiple owners on one land title
 - Mix of vacation homes and recreational vehicles
 - Building & development permits issued by the RDCO
 - Dock & water licenses issued by the Province
- **Servicing:**
 - On-site wastewater disposal approved by IHA
 - Private water sources supplied by Okanagan Lake
- **Wilson's Landing Fire Protection Area**



Shelter Cove (north end)



Shelter Cove (south end)



Timber Ridge

- Vacant properties
 - Land disturbance related to road access
- Servicing:
 - To be addressed at time of future development
- Outside of a Fire Protection Area
 - Portion of the lands impacted by wildfire in 2015



Timber Ridge Properties



Timber Ridge Properties
(facing north)

LUC No. 258

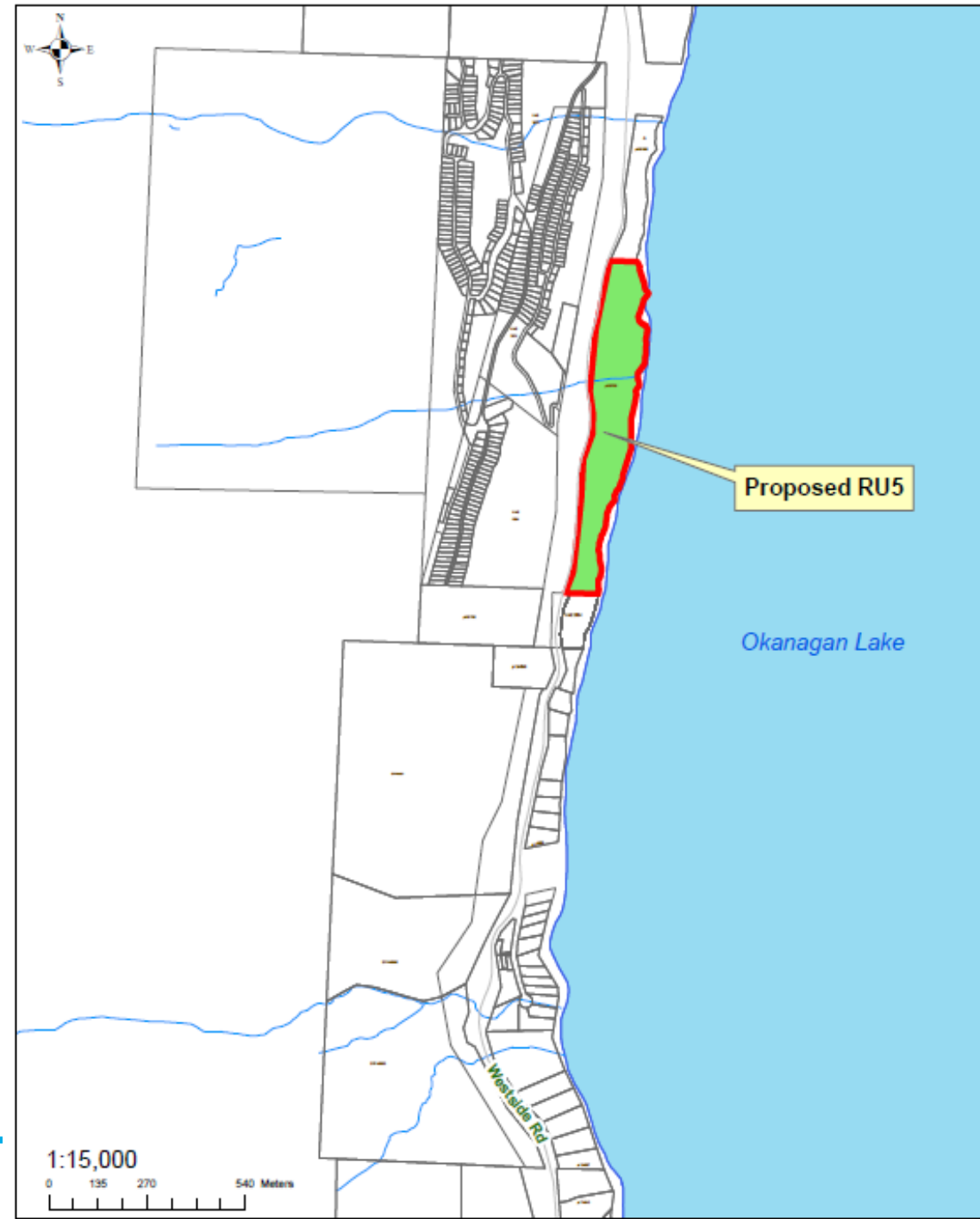
- Adopted 1979, amended 1981
- Permitted Uses:
 - Not more than 463 recreational vehicle sites and 42 vacation home sites
 - One recreation building
 - One retreat building, designed to accommodate up to 110 persons
 - One swimming pool building and swimming pool
 - One administration building
 - One maintenance building
 - One lodge with staff accommodation
 - One sani-station

Proposal

- 1) Discharge LUC No. 258
- 2) Amend Zoning Bylaw and apply zoning to the subject properties as RU1, RU2, and RU5
- 3) Amend the future land use designation under the Rural Westside OCP from Commercial Resort to Large Holdings and Residential Low Density

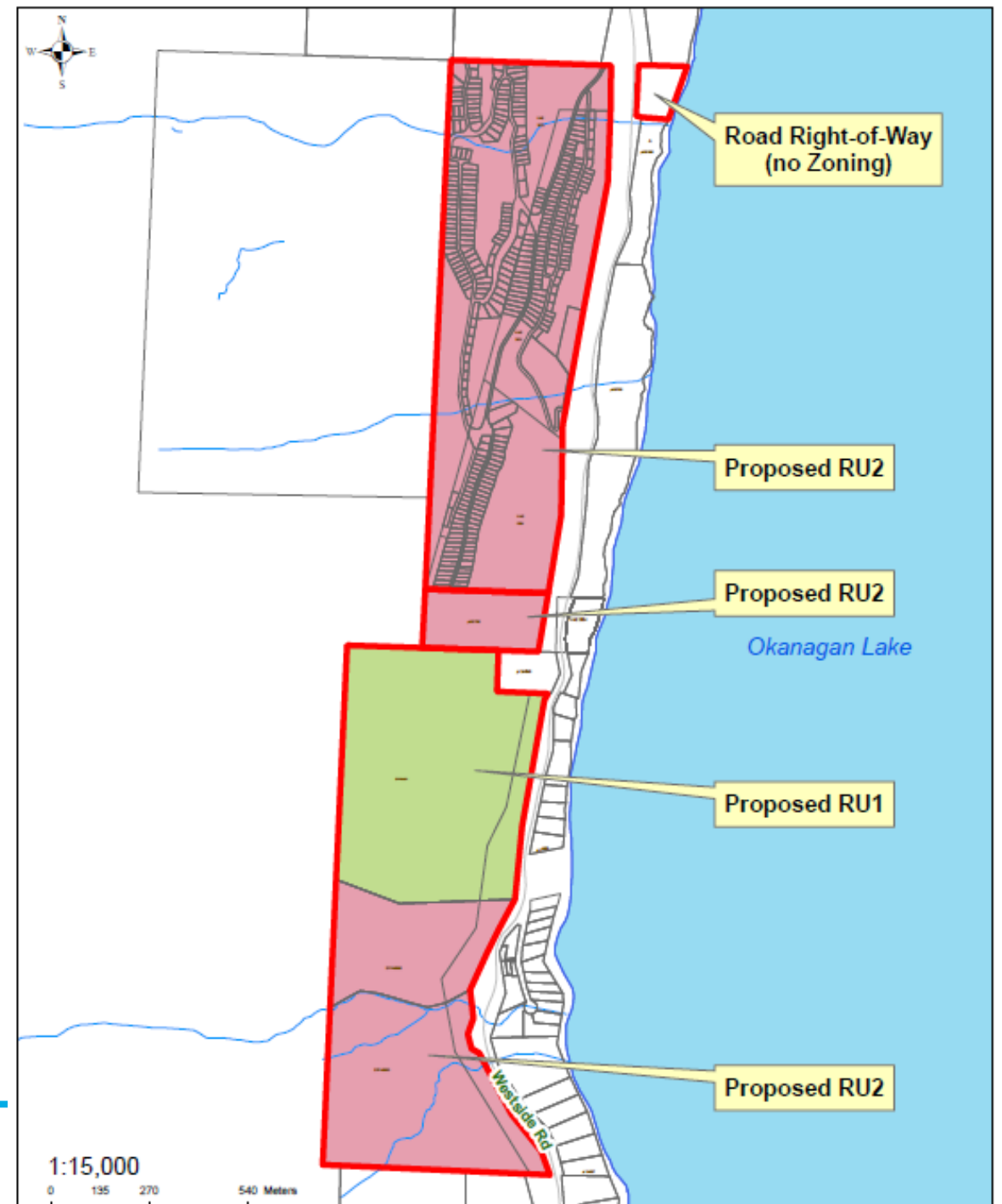
Proposed RU5

- **Single Detached Housing**
 - 2,500m² (.61 acre) min. parcel area
- **Additional Permitted Uses:**
 - Home based business
 - Accessory buildings & structures
- **Subdivision potential:**
 - Approx. 39 parcels
 - Requires community water/wastewater
 - May require variance to servicing requirements



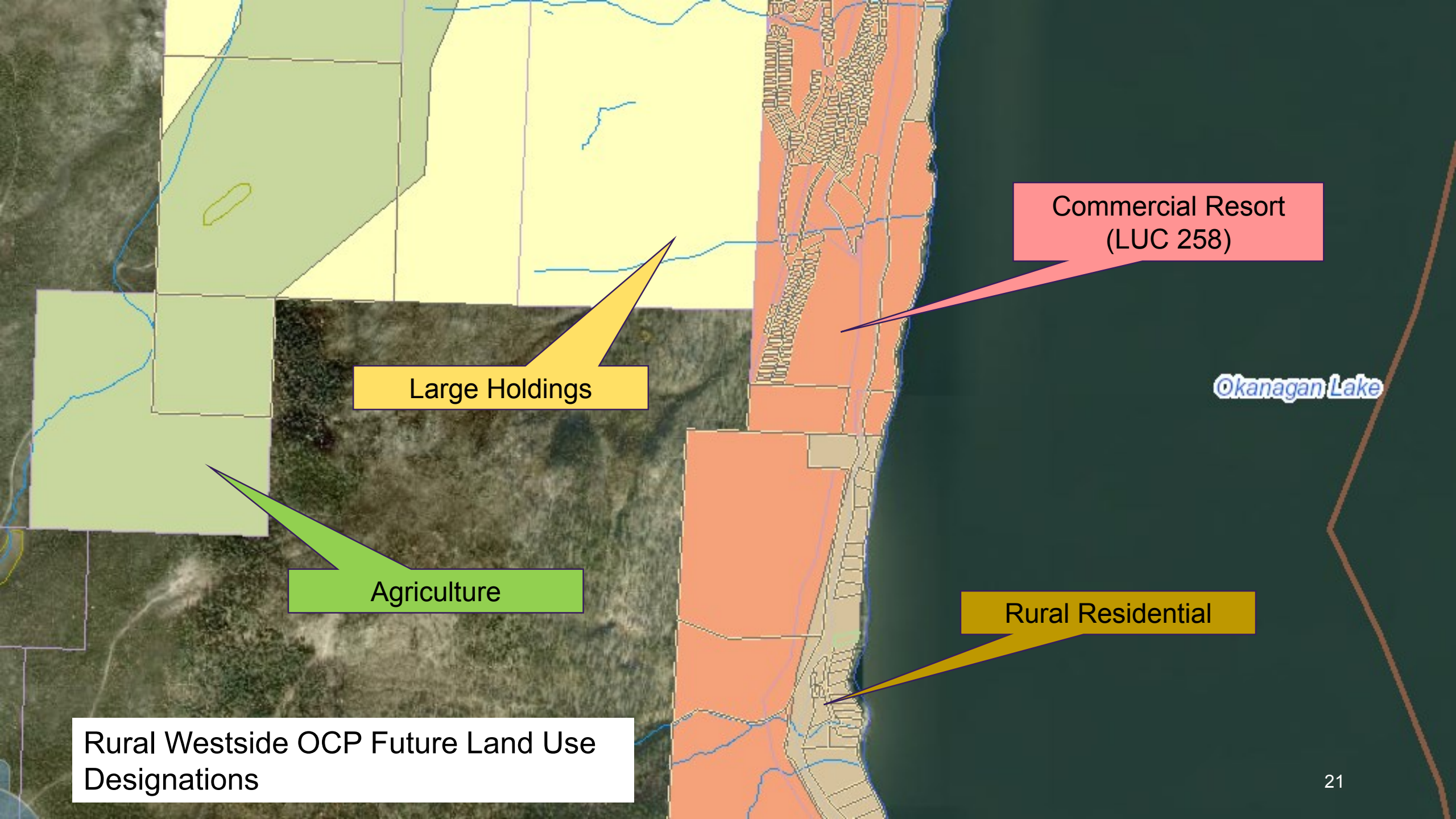
Proposed RU1 & RU2

- **Single Detached Housing**
 - RU1 = 74 acre min. parcel area
 - RU2 = 10 acre min. parcel area
- **Additional Permitted Uses:**
 - Agriculture
 - Home based business
- **Subdivision potential**
 - Approx. 20 parcels (total)
 - On-site wastewater / private water



Rural Westside OCP

- Policy provides assessment criteria for future residential development to be evaluated including:
 - Site servicing
 - Improvements to Westside Road
 - Availability of essential services (e.g. fire services)
 - Capability of the environment to accommodate the development
 - Environmental impact
 - Susceptibility to natural hazards



Large Holdings

Agriculture

Commercial Resort
(LUC 258)

Okanagan Lake

Rural Residential

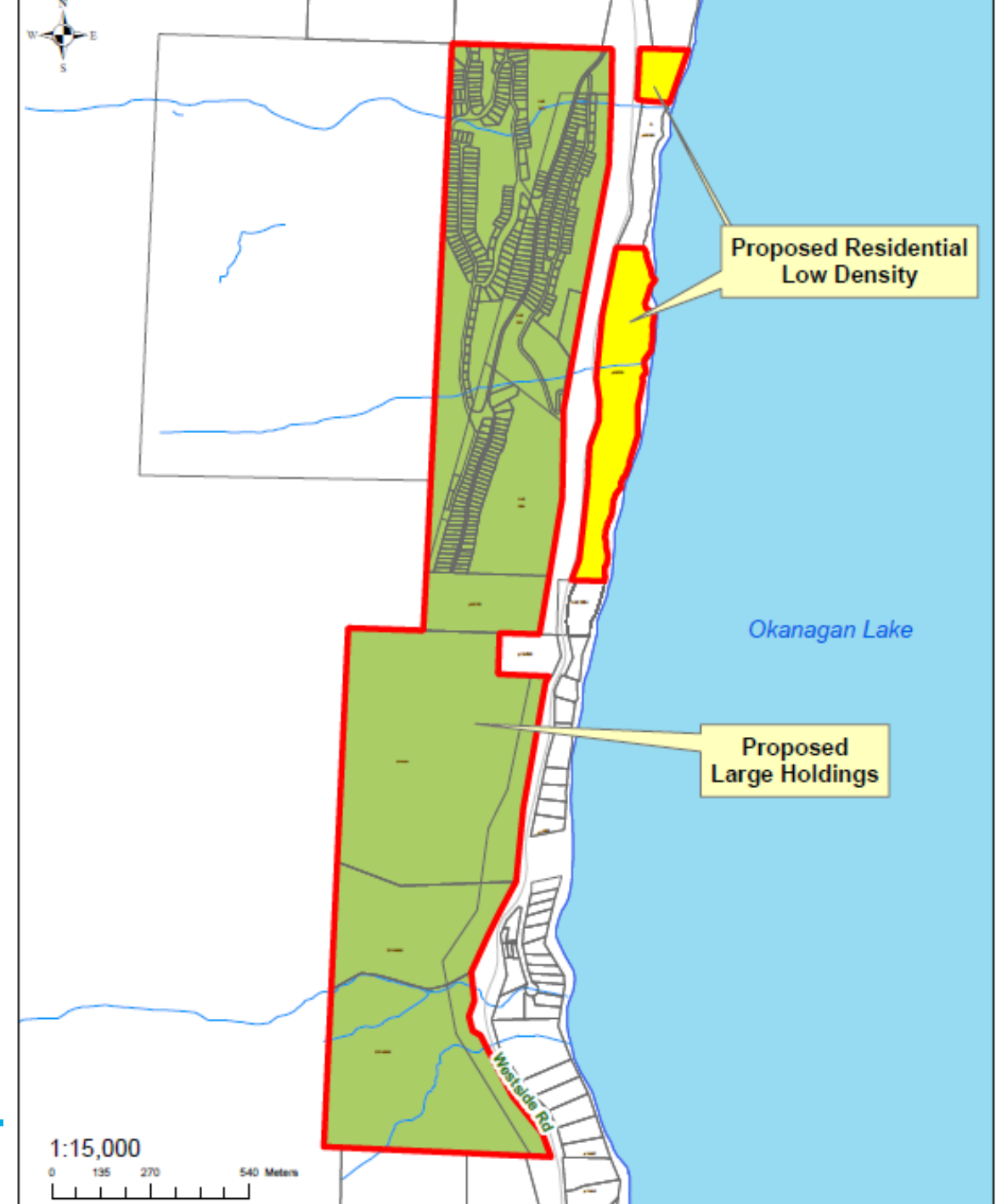
Rural Westside OCP Future Land Use Designations

Rural Westside OCP

- North Westside has maintained a large inventory of vacant lots in all residential categories
 - Over 1,200 undeveloped parcels
- Policy provides that alternatives to the existing LUC's be considered
- Concerns regarding the capacity of existing infrastructure to handle uses permitted under all LUCs

Proposed OCP Amendment

- **Residential low density**
 - Intent is to accommodate single family residential uses
- **Large holdings**
 - Intent is to preserve existing large rural parcels with limited services
 - Minimum parcel size of 4 hectares (10 acres)



Advisory Planning Committee

- Recommends support for the application

Interior Health Authority

- Supports the proposal as it is in line with OCP objectives and min 4-hectare lot size
- Supports zoning that requires community water and community wastewater as part of the subdivision process
- Must consider capability, availability, and adequacy of servicing

Ministry of Transportation & Infrastructure

- No concerns with the discharge of the LUC
- Bylaws must be signed by MOTI after 3rd reading

Ministry of Municipal Affairs

- No concerns with the proposed OCP amendment

Ministry of Forests, Lands, Natural Resource Operations, & Rural Development

- No concerns with the proposal
- May require commercial tenures for home-based business
- Shared moorage not permitted unless subdivision for strata development
- WSA applications required for works in/around streams

Legal / Statutory Authority

- Bylaws must come into force at least one year after they are adopted
- If the timing of the termination causes the owner of land hardship, they may apply to the Board for a variance:
 - Application must be submitted within 6 months of bylaw adoption
 - Board must determine date for LUC to continue to apply
 - The date may be no later than June 30, 2024

Summary

- Provincial legislation stipulates that all LUC's must be discharged, and zoning put in place prior to June 2022
- Local governments have authority to unilaterally discharge LUC's
- Future residential development must consider impacts on existing servicing and infrastructure, the environment, and natural hazards

Summary

- Consistent with policies of the OCP
- Future land use consistent with surrounding land uses
- Zoning will recognize and formalize existing land uses
- Allows flexibility for property owners to come forward with future development proposals



Caesars

4401 Westside Rd

Westside Rd

Westside Rd

Land Use Contract 258

Shelter Cove

Timber Ridge

Okanagan Lake

