

LUC/ Zoning Amendment Application Z21/07

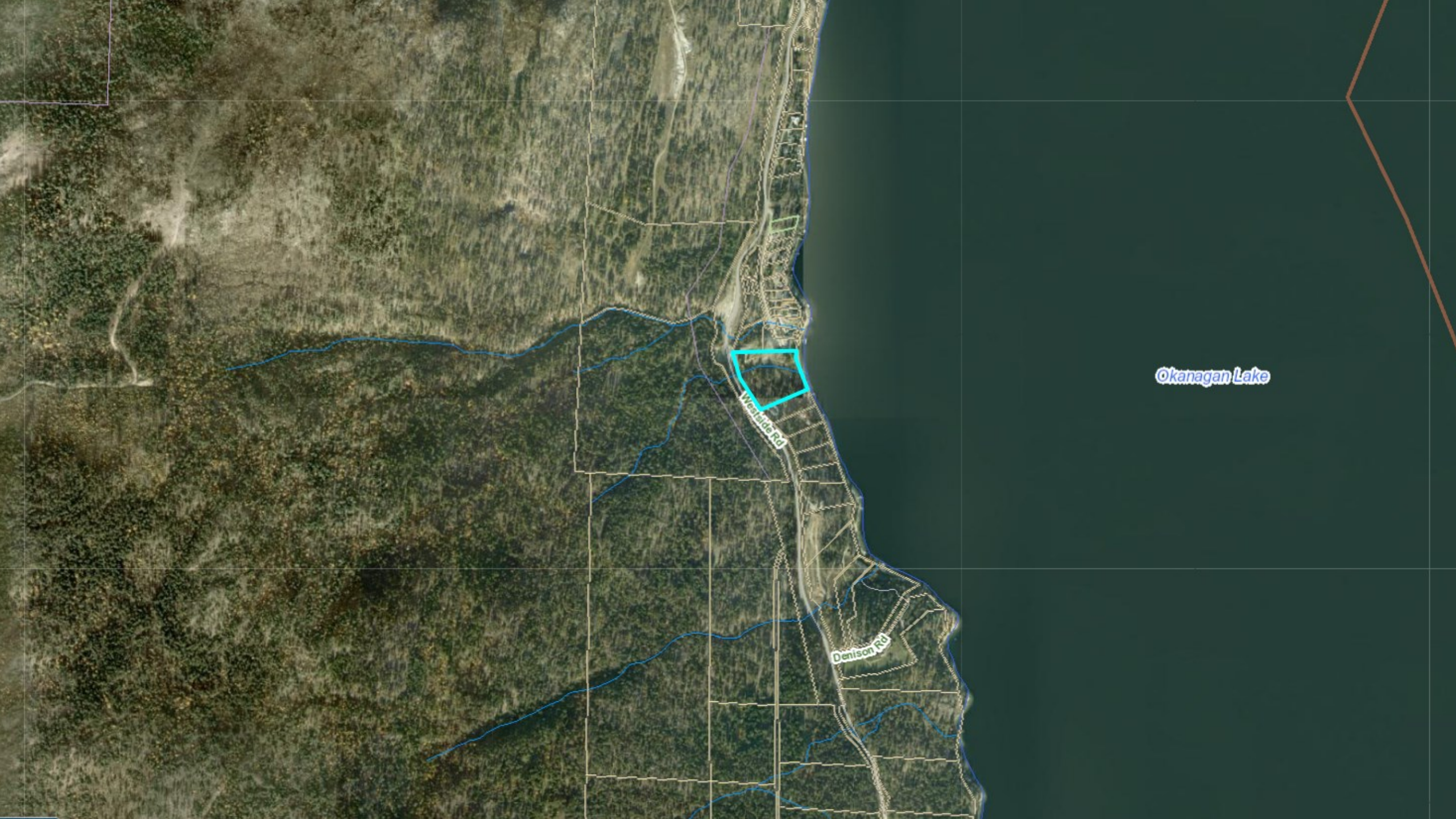
Regional District of Central Okanagan Board Meeting
March 28, 2022

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



Purpose

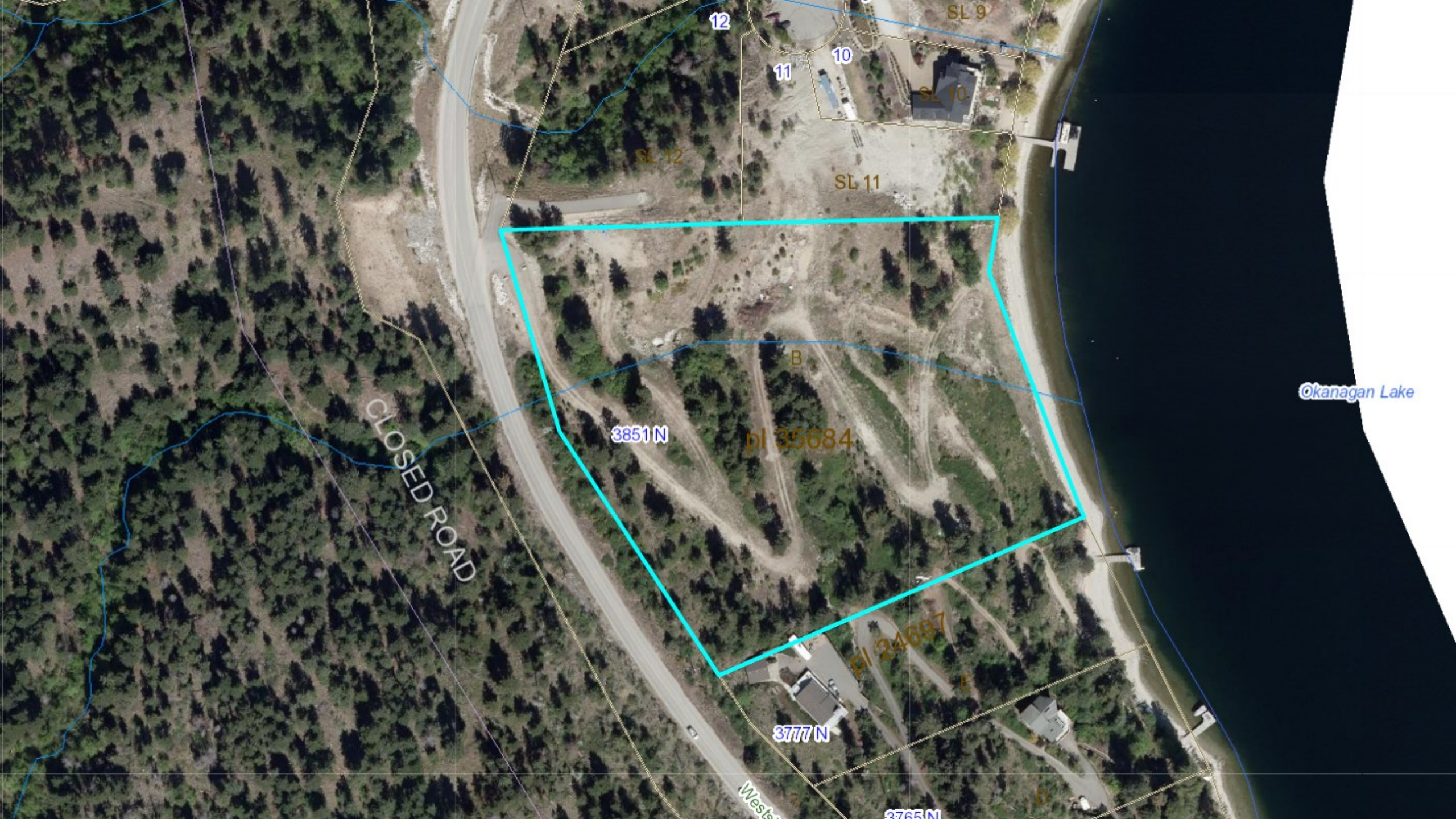
1. Discharge Land Use Contract No. 194;
2. Amend Zoning Bylaw No. 871 to zone the subject property RU4 Country Residential.



© Okanagan Lake

Webber Rd

Denison Rd



CLOSED ROAD

Okanagan Lake

12

11

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SL 9

SL 10

SL 12

SL 11

B

3851 N

pl 35684

pl 24697

3777 N

3765 N

West

Background

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

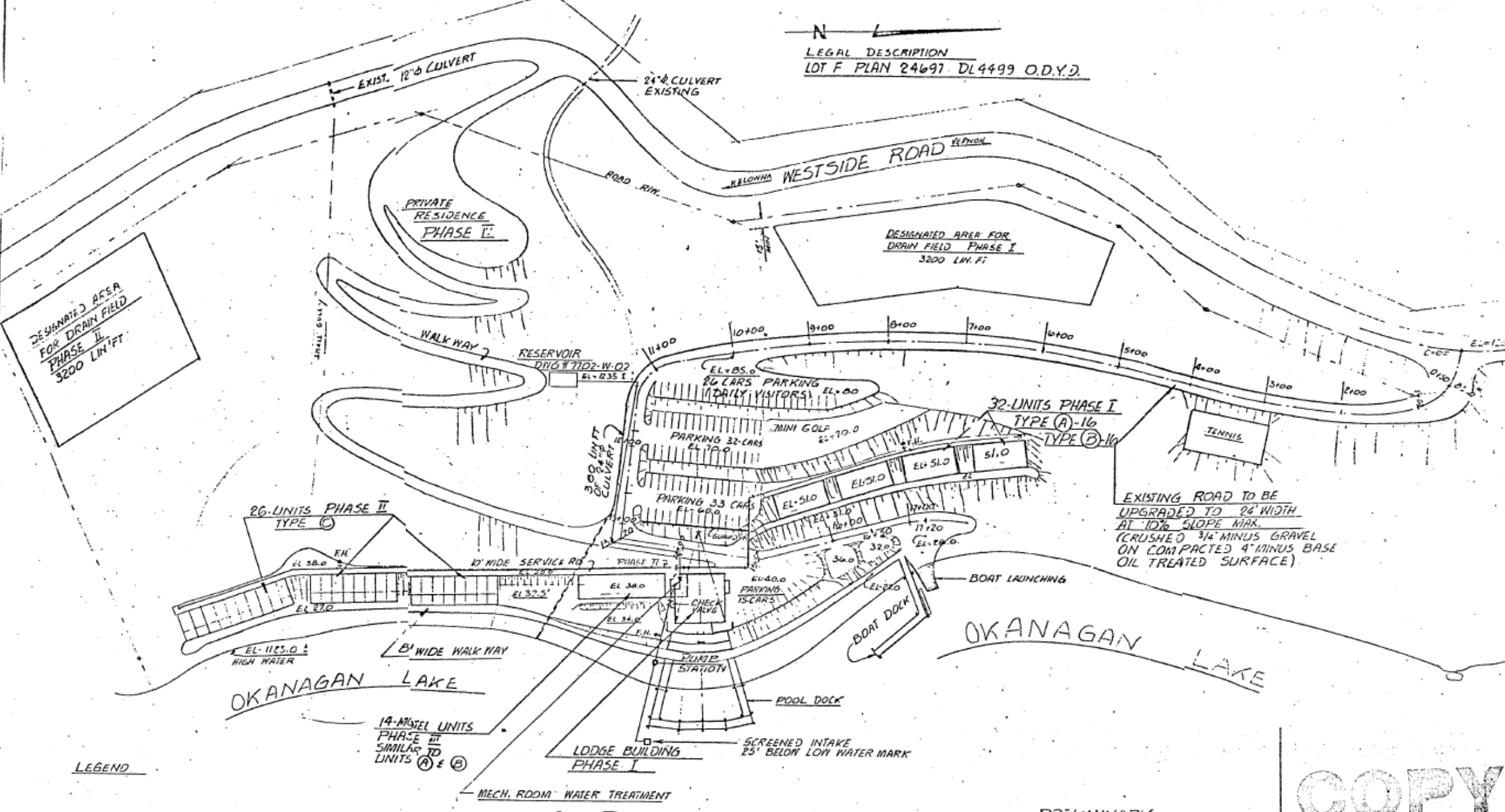
LUC 194

- LUC 194 was adopted in 1978

LUC 194 Land Uses

- One residential single-family dwelling
- 72 tourist residential rentals units
- Dining lounge
- Restaurant
- Convention hall
- Commercial recreation (boat launch facilities)
- Grocery store
- Pump station to provide water for drinking, irrigation and fire protection
- Sewer system with septic tanks and drain fields
- Four parking lots with a total capacity of 106 spaces

N
 LEGAL DESCRIPTION
 LOT F PLAN 24697 DL4499 O.D.Y.D.



EXISTING ROAD TO BE
 UPGRADED TO 24' WIDTH
 AT 10% SLOPE MAX.
 (CRUSHED 3/4" MINUS GRAVEL
 ON COMPACTED 4" MINUS BASE
 OIL TREATED SURFACE)

LEGEND

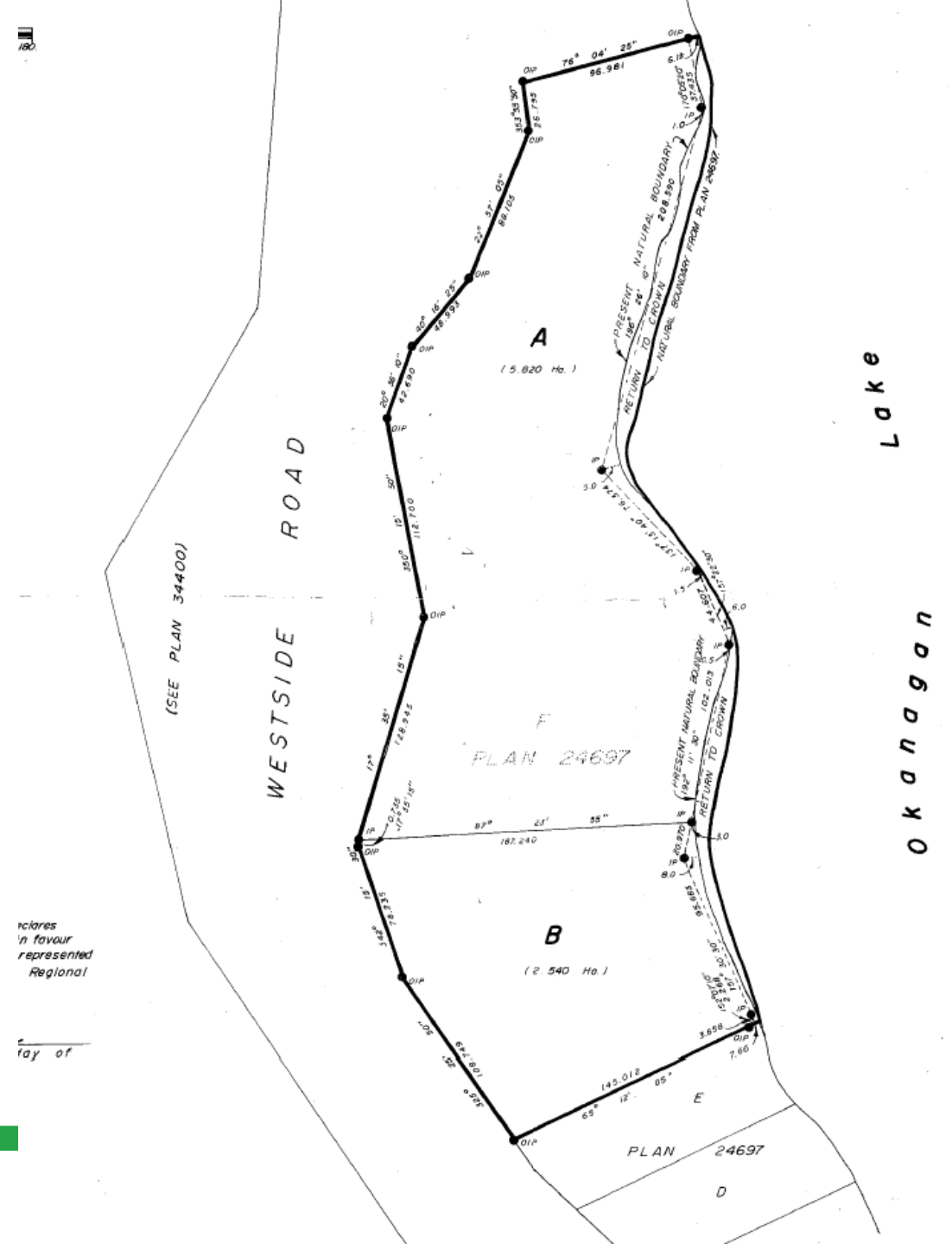
SITE PLAN
 1"=60'
 (DOMESTIC WATER CONVEYANCE)

PRELIMINARY
 FOR APPROVAL ONLY

COPY
 CIVIL ENGINEERING & CONSTRUCTION
 2100 BROADVIEW AVE. VICTORIA, B.C.
 V8W 2T8

LUC 194 Land Uses

- Subdivided in 1985
- Lot B
 - Development Permit was approved but lapsed

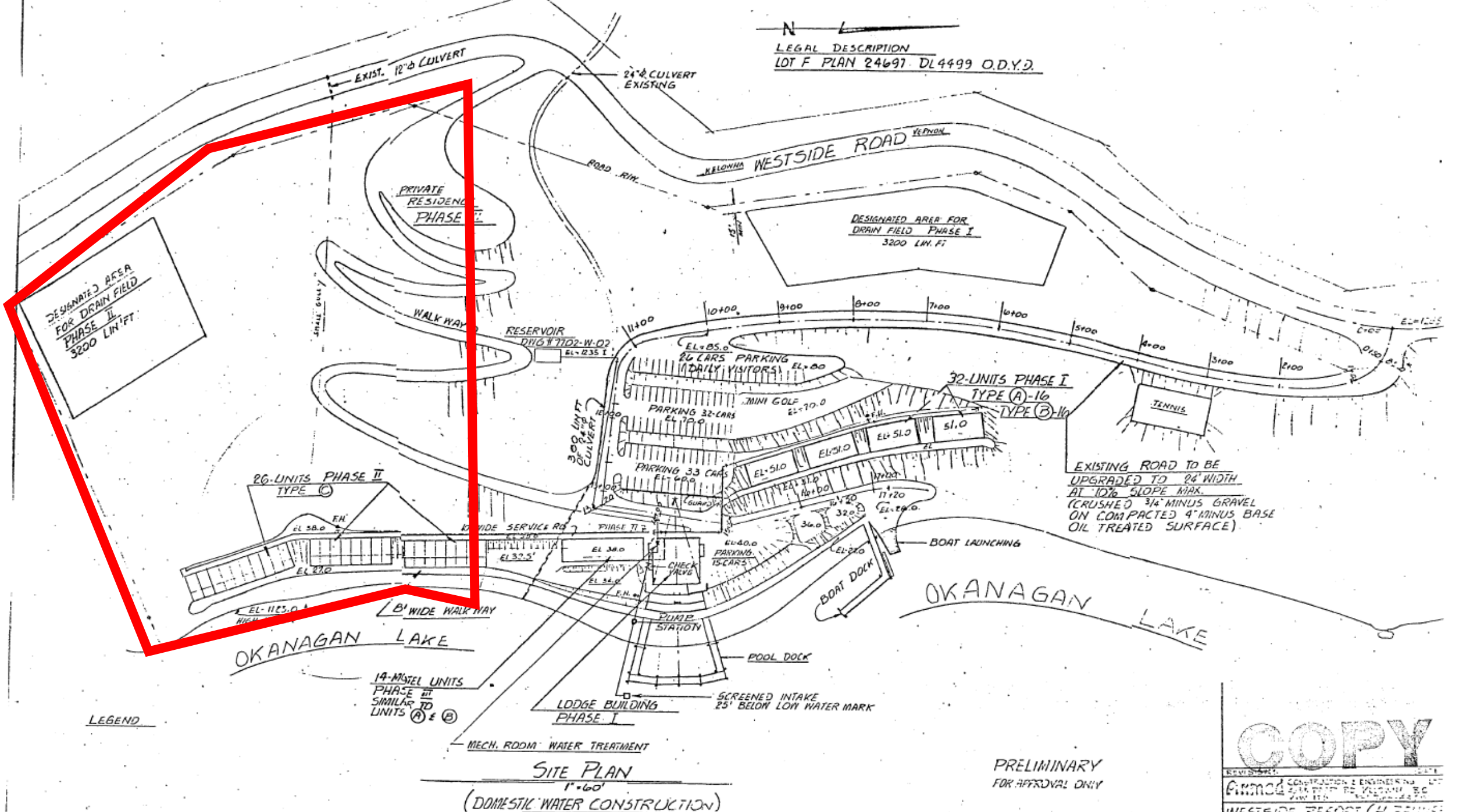


LUC 194 Land Uses

- In 1989 Lot A:
 - LUC discharges
 - Rezoned to RU5
 - Subdivided into 15 lots
- Lot B remained



N
 LEGAL DESCRIPTION
 LOT F PLAN 24697 DL4499 O.D.Y.D.



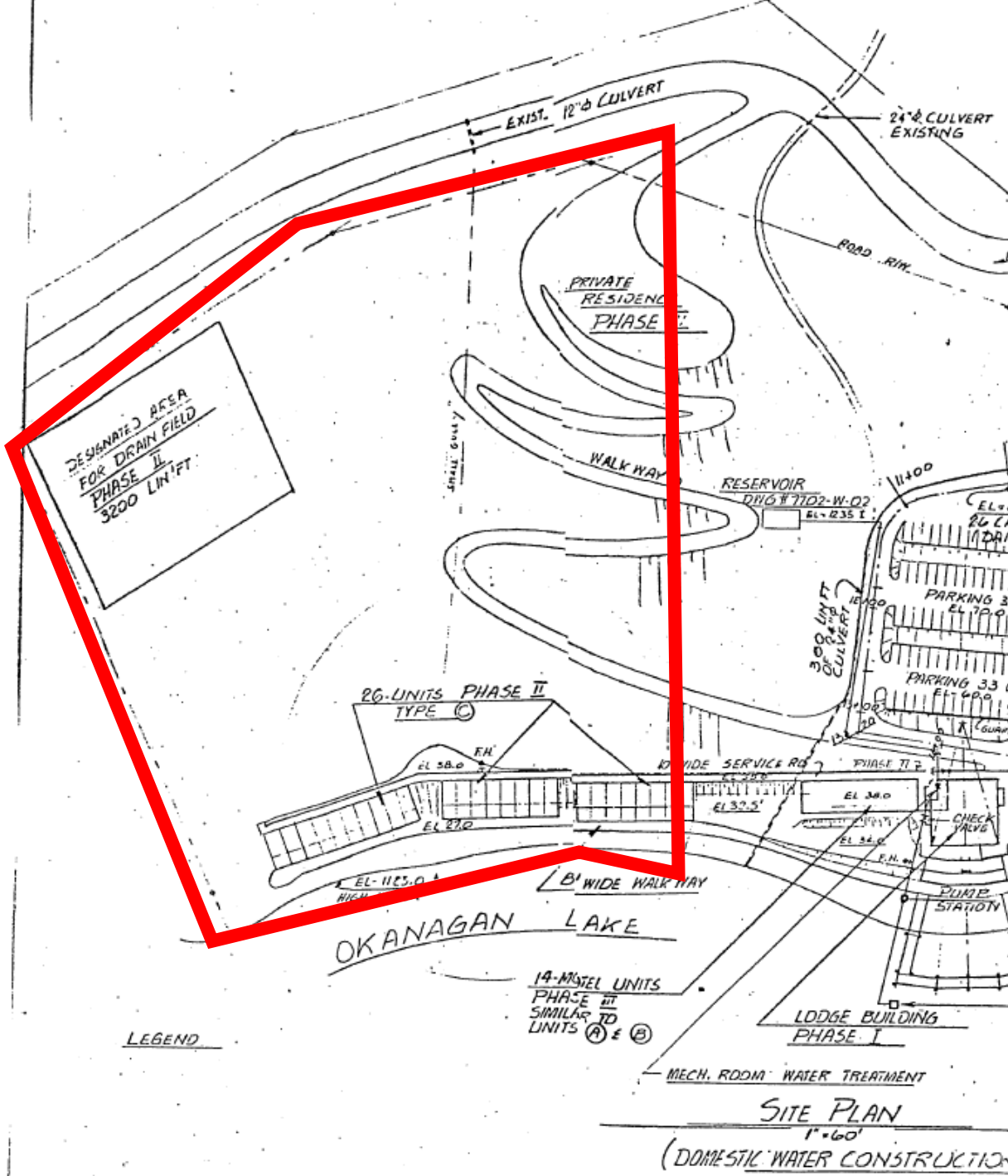
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SITE PLAN
 1"=60'
 (DOMESTIC WATER CONSTRUCTION)

PRELIMINARY
 FOR APPROVAL ONLY

COPY
 CONSULTING ENGINEERING LTD.
 4214 WEST 10TH AVENUE, BC
 VAN. V6M 2K6
 WESTSIDE RESORT (H. ZEMER)



Proposal

- 1) Discharge LUC No. 194
- 2) Amend Zoning Bylaw and apply zoning to the subject property as RU4 Country Residential

Proposed RU4

- RU4 - Country Residential
 - 0.5 ha (1.24 acre) min. parcel area
- Permitted Uses:
 - Single detached dwelling
 - Home based business
 - Accessory buildings & structures
- Subdivision potential:
 - Maximum 5 lots
 - Requires community water/wastewater
 - May require variance to servicing requirements



Rural Westside OCP

- Rural Residential land use designation
- Character and zoning of surrounding properties



Rural Westside OCP

- 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

Rural Westside OCP

- LUC 194 permits:
 - 72 tourist residential rental units
 - 1 residence
- Proposed RU4 zone permits:
 - 1 residence
 - Development potential for a maximum 5 lot subdivision

Advisory Planning Committee

- Recommends support for the application

Agency Comments

- No concerns from:
 - Inspection Services
 - Parks Service
 - Engineering Services
 - Fire Services

Agency Comments

- MFLNRORD

- Concerns regarding work near stream without authorization

- MOTI

- signature prior to adoption

Next Steps

- Public Hearing
- Further readings of Bylaws

External Implications

- Written notices were mailed to the registered property owner in LUC No. 194
- Any correspondence received from the public or owners will be provided to the Regional Board as part of a future Public Hearing

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

- All LUCs must be discharged by June 2022
- Discharge LUC 194 and Rezone to RU4
- Supported by OCP policies
- Proposal significantly reduces density
- No concern from internal departments

Recommendation

THAT the Regional Board, receives the report from the Director of Community Services, dated March 28, 2022, with respect to RDCO File: Z21/07;

AND THAT LUC Termination Bylaw No 194-05 Lot B, District Lot 4499, ODYD, Plan 356854 located at 3850 Westside Road be given first reading;

AND THAT Zoning Amendment Bylaw No. 871-272 Lot B, District Lot 4499, ODYD, Plan 356854 located at 3850 Westside Road be given first reading;

AND THAT the Regional Board schedule a Public Hearing on April 28, 2022, for LUC Termination Bylaw No 194-05 and Zoning Amendment Bylaw 871-272, RDCO File No. Z21/07.

AND FURTHER THAT the Regional Board direct staff to accept no further development applications related to Lot B, District Lot 4499, ODYD, Plan 356854 located at 3850 Westside Road pending completion of the proposed bylaw amendments.



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