

Rezoning Application Z22/02

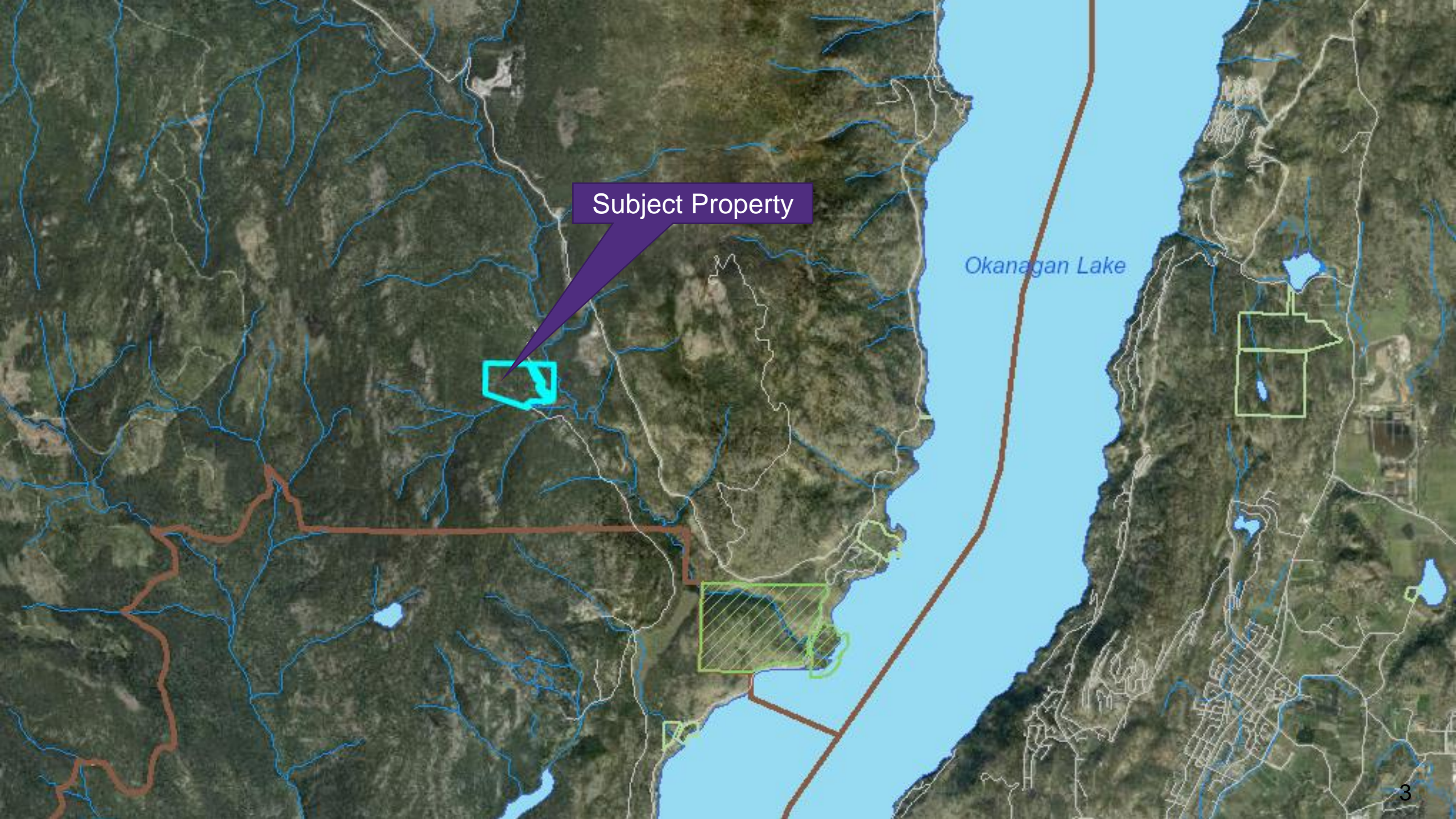
Regional Board Meeting
August 22, 2022

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



Purpose

- To amend the OCP and Zoning on a portion of the subject property from Rural 1 (RU1) to Rural 2 (RU2) to facilitate a future subdivision.

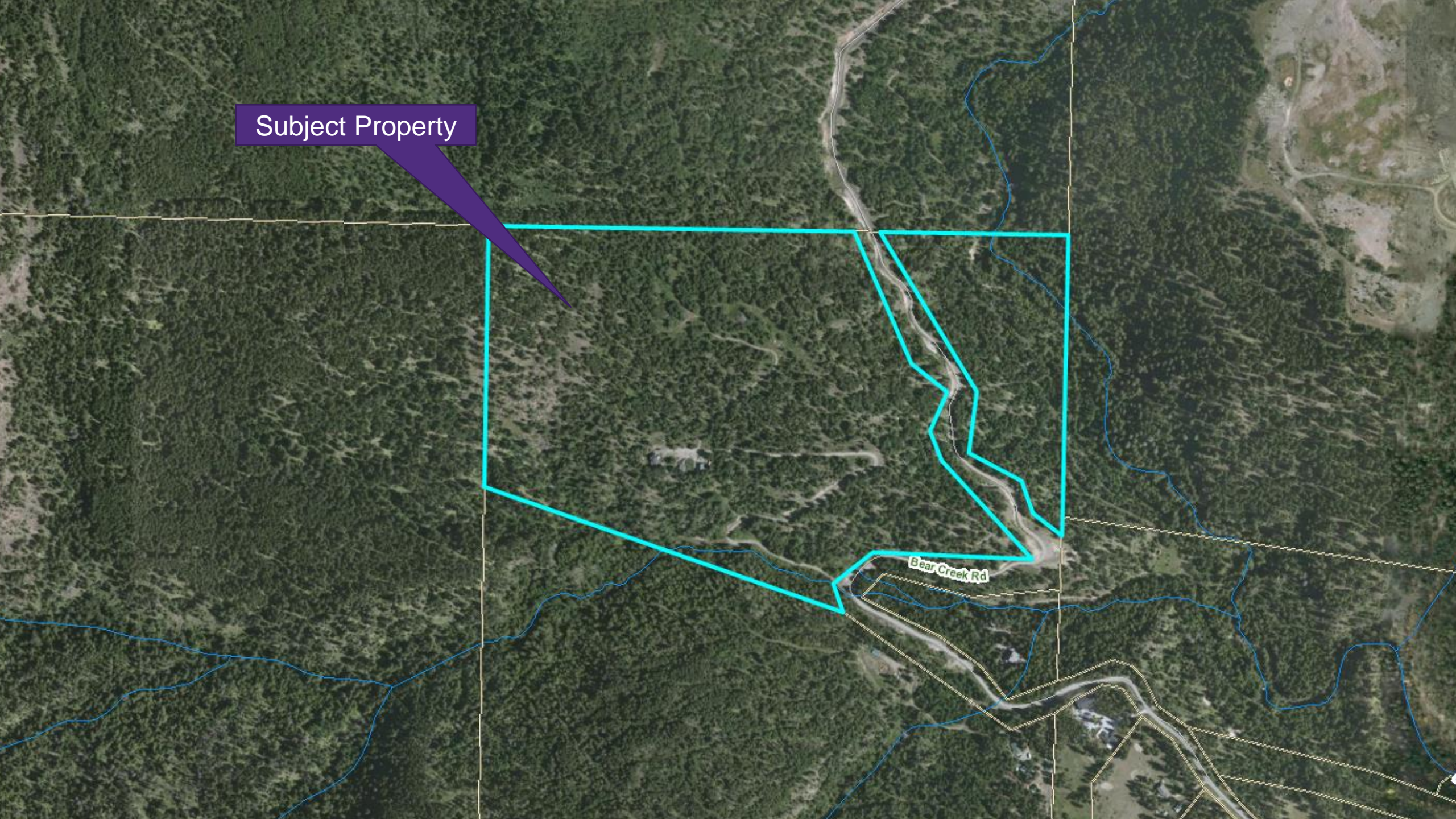


Subject Property

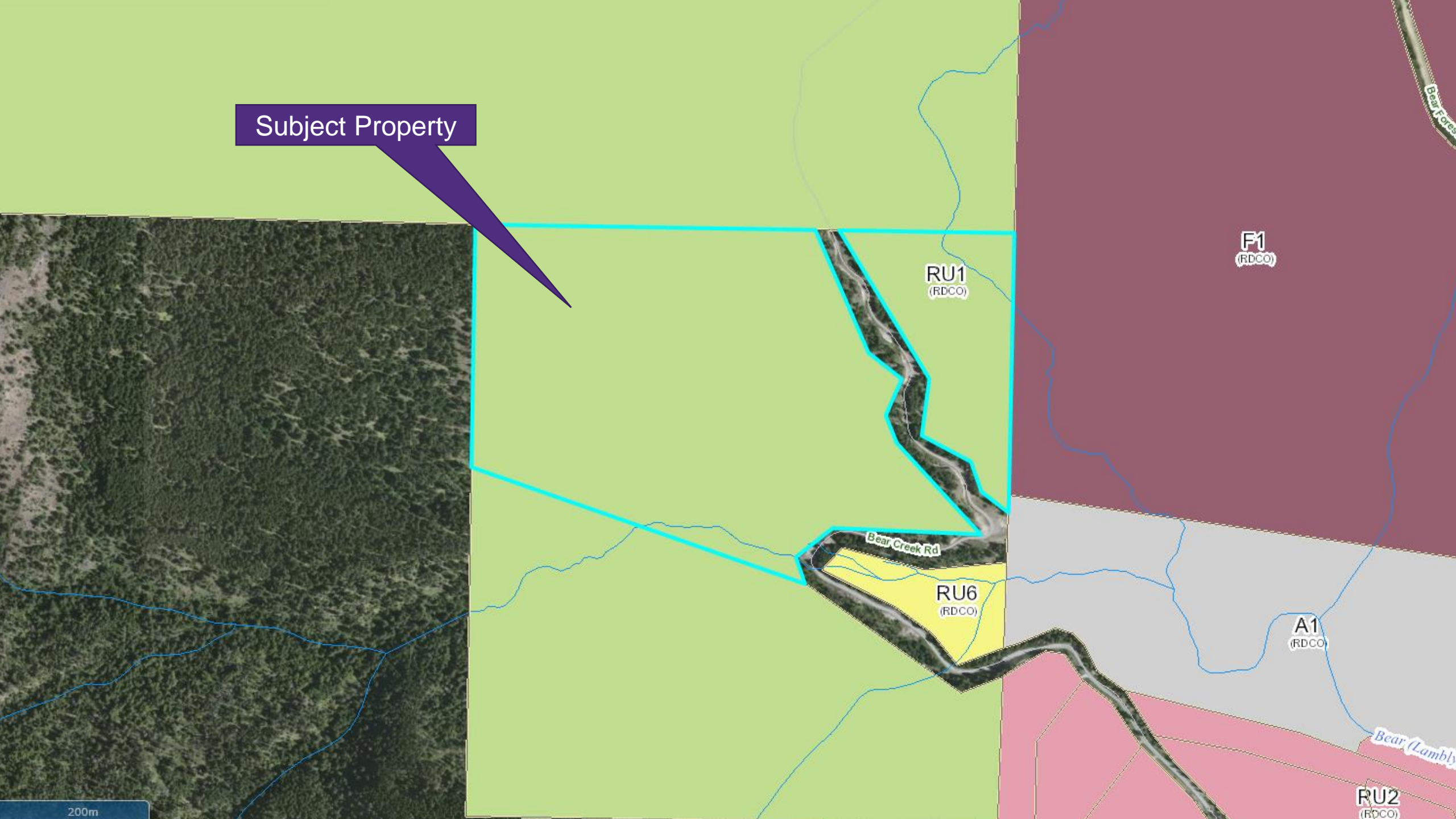
Okanagan Lake

Subject Property

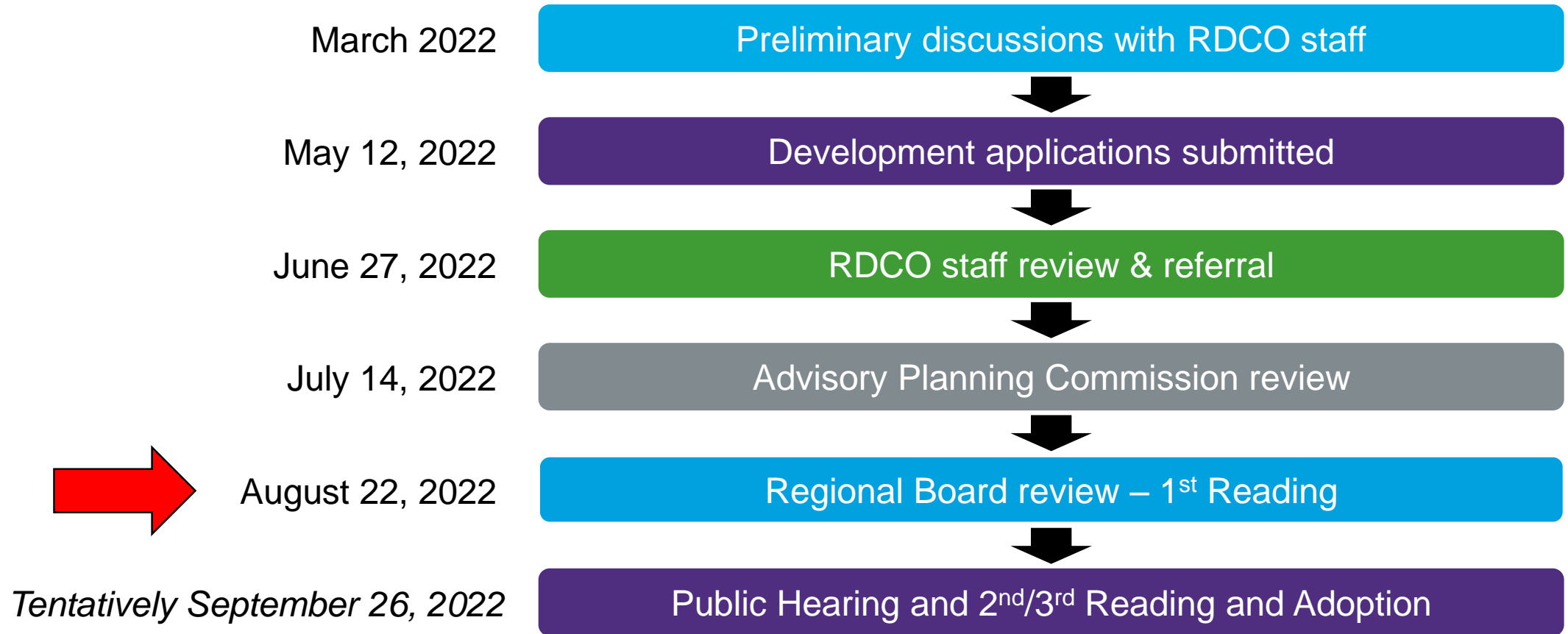
Bear Creek Rd



Subject Property



Process overview



Background

- The subject property is developed with:
 - A single detached house
 - An accessory home and garage
 - Several accessory buildings

Background

- Previous applications for the property include:
 - Subdivision in 1997
 - Zoning Bylaw Amendment in 2003
 - Development Variance Permit in 2005
 - Subdivision in 2006

Proposal

- Rezone a portion of the subject property (84 acres)
 - From: Rural 1 (RU1) (74 acres)
 - To: Rural 2 (RU2) (10 acres)
- To facilitate a future subdivision
- 9 letters of support

**PROPOSED SUBDIVISION PLAN
OF LOT A, DISTRICT LOT 2176,
ODYD, PLAN 23825, EXCEPT
PLANS KAP59351 AND KAP82794**

-Marked Up Drawing to Support Title Charges

0 25 75 125 m
Scale 1:1250

The intended plot size of this plan is 864mm in width by
568mm in height (D-size) when plotted at a scale of 1:1250.

Address: 944 Bear Creek Road, West Kelowna, BC
PID: 006-219-596

LEGEND

- Utility pole
- Water well
- A House
- B Propane tank
- C Barn
- D Garage with living above
- E Shipping container
- F Shed
- F Septic field
- G 0.40 CSP Culvert
- H 0.60 CSP Culvert

NOTES

- Lot dimensions, areas, and offsets to boundaries shown may vary upon completion of a comprehensive legal survey.
- Elevations shown are geoidetic (CGVD2011).
- Contours are derived from a combination of field survey data and LIDAR data obtained from UtiarBC's open data portal.
- Contour interval is 1.0m.

The parcel is subject to charges on title:

- Right of Way RD22
- Covenants KAP5287, KAP1268, KAP1260
- Easement KAP122899

Field survey completed April 27, 2022

DISTRICT LOT 2177

UNSURVEYED CROWN LAND

Building Site
Covenant - limits
the construction
of any residential
dwelling units to
this area on the
parcel.

Proposed
Remainder
Lot A
Part Area = 24.15 ha / 59.67 Ac.
TOTAL AREA = 30.2 ha / 74.7 Ac.

LID ROW

Part Area = 6.09 ha / 15.05 Ac

1
PLAN
KAP59351

Private Access Easement
(btwn Subject Property and
Lot 1 to the south)

Approximate course
of natural survey

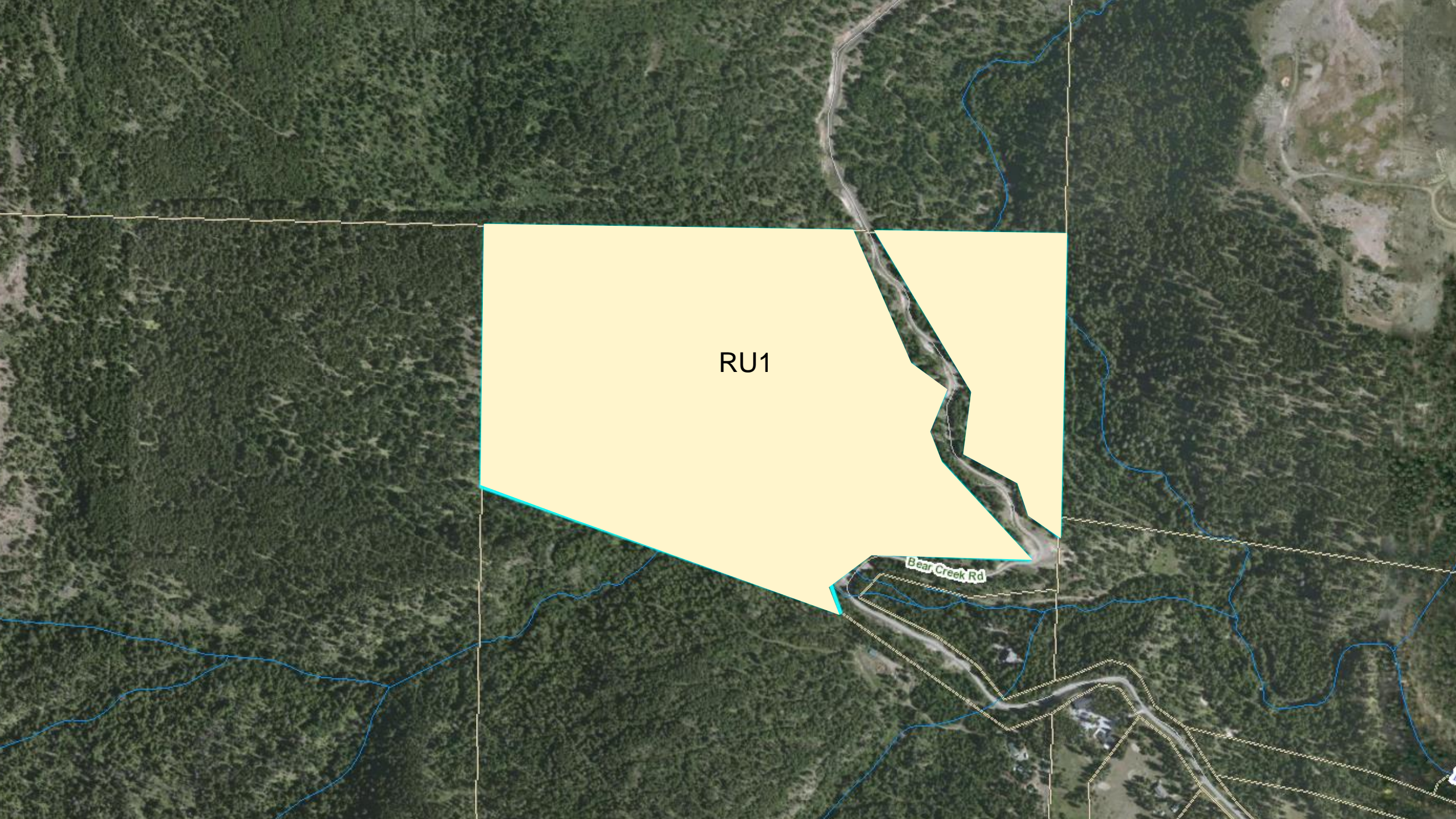
Unknown?
Not on
title?

1
PLAN
KAP82794

What is this?

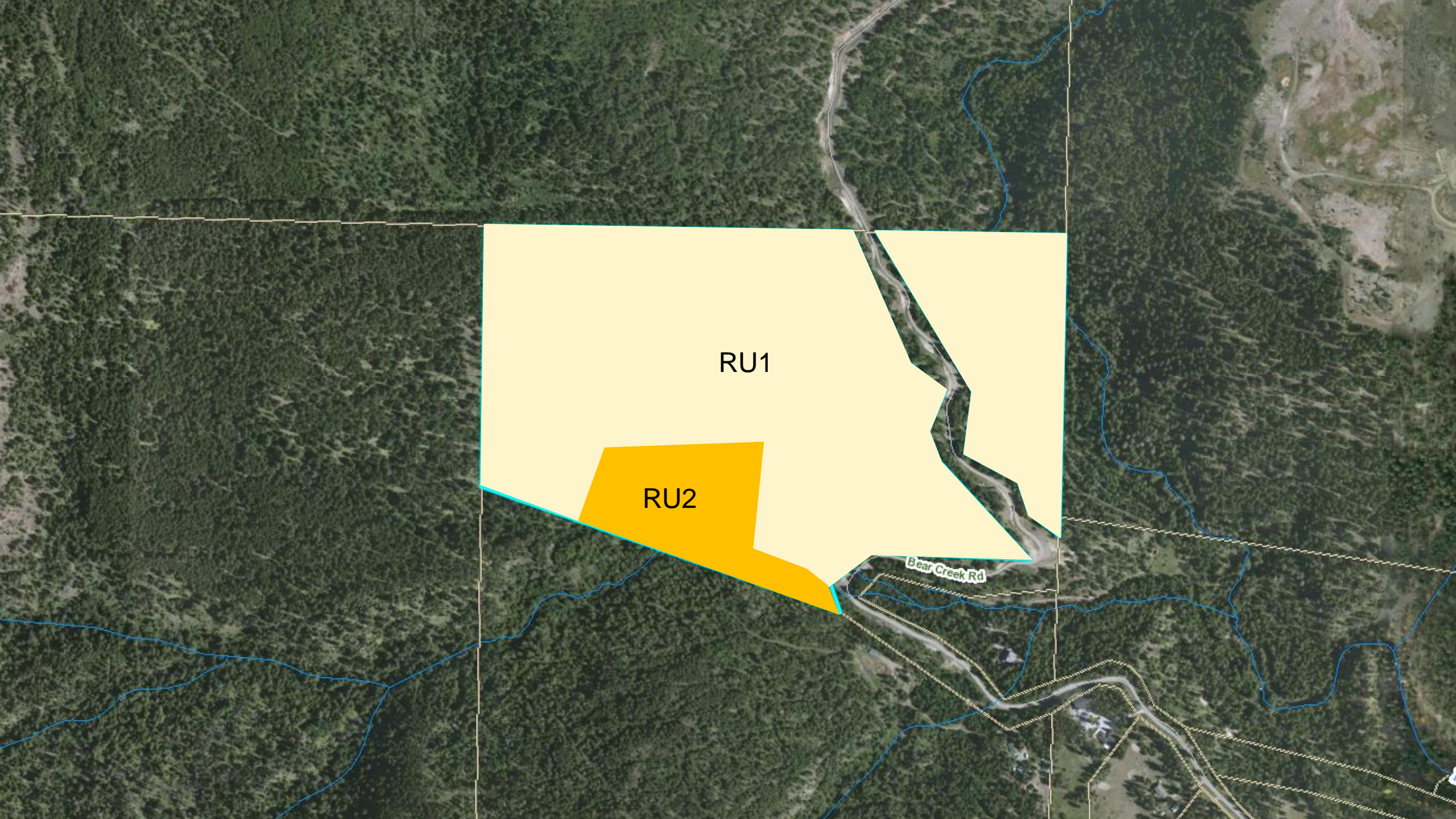
BEAR CREEK ROAD





RU1

Bear Creek Rd



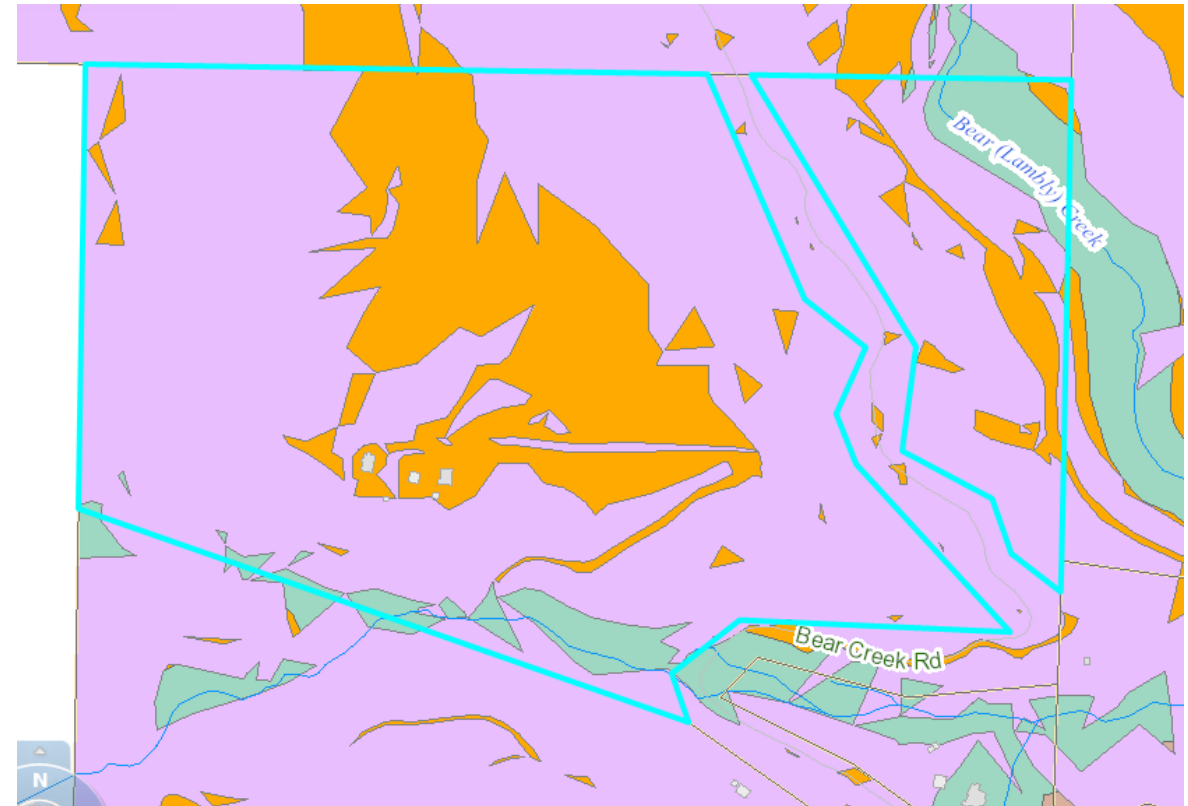
RU1

RU2

Bear Creek Rd

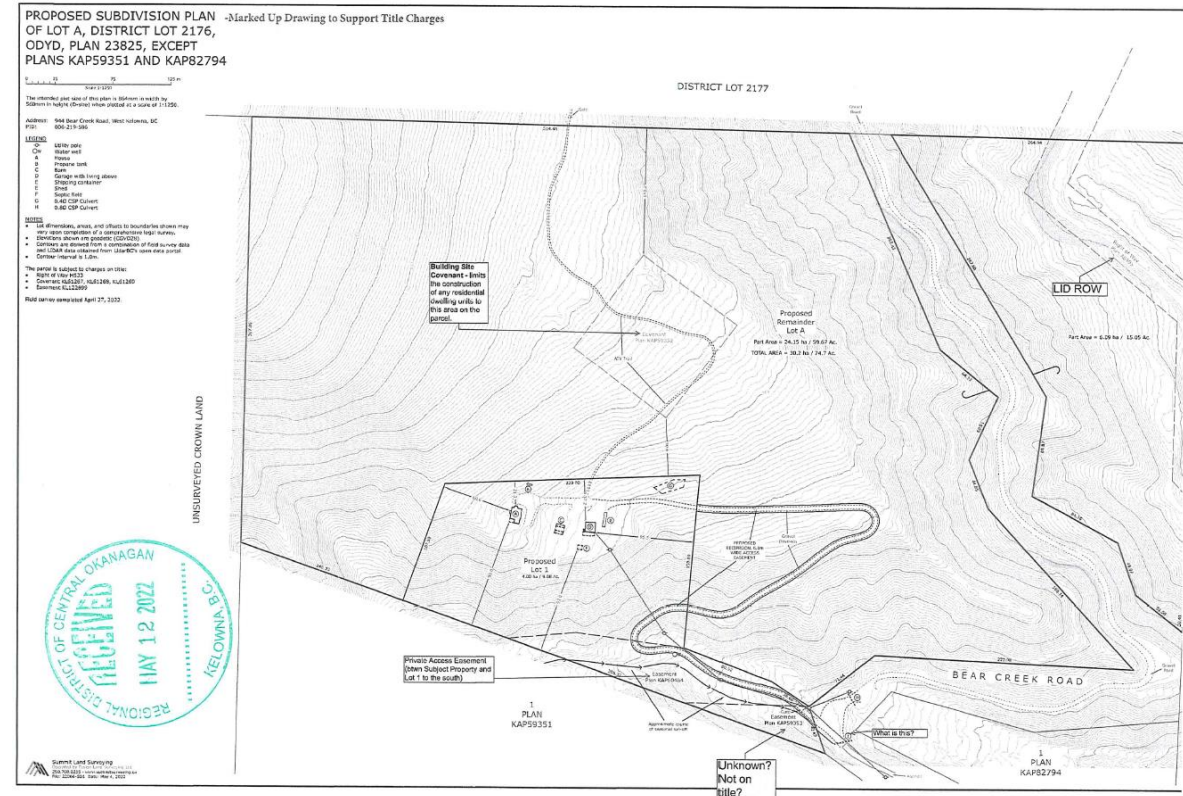
Development Permits Areas

- The property is located within:
 - Wildfire Interface Construction
 - Terrestrial Ecosystem
 - Aquatic Ecosystem
 - Hillside



Registered Covenants

- Covenants registered:
 - Geotechnical
 - Buildable Area
 - Wildfire
- DP may be required before construction or subdivision



Servicing



Private Water Source



Onsite Septic System



Not within a Fire Protection Area

Regional Growth Strategy

- Applicable policies:
 - New growth should consider existing serving and infrastructure
 - Support the protection of rural areas and rural lifestyle
- Proposal shows some alignment with RGS policies

Rural Westside Official Community Plan

- Large Holdings future land use designation supports RU1 and RU2 zones
- Applicable policies:
 - Zoning amendment applications to allow further fragmentation of parcels within the Large Holding designation will not be supported
- Policies from the OCP do not support the application

Zoning Bylaw

- Proposal complies with RU1 and RU2 zoning regulations

Subdivision Servicing Bylaw

- Sets minimum standard of works and services
- The RU2 zone requires:
 - Private Water Source
 - Onsite Wastewater Disposal

Referral Comments

Fire Services

- The property is outside the RDCO Fire Protection Area
- Initial response provided by BC Wildfire Service
- First medical response would be provided by BCEHS
- Adhere to FireSmart Principles and to the Wildfire Covenant
- Proposed buildings must meet or exceed the BC Fire Code

Referral Comments

Advisory Planning Committee

- Supports the application as presented

Interior Health Authority

- No identified any health impacts with the proposal and therefore IHA interests are unaffected.

Referral Comments

City of West Kelowna

- Has a Right of Way on the property for water infrastructure
- Intake is not located on this property
- Interests are unaffected.

Referral Comments

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

- No objections to the proposal
- Must amend the water license prior to subdivision

Ministry of Transportation and Infrastructure

- Ministry staff have no concerns with the proposal

Summary

- Rezone 10 acres of the property from RU1 to RU2
- Alignment with the Zoning Bylaw and Subdivision Serving Bylaw
- No concerns from referral agencies
- OCP does not support the application
- Not within a Fire Protection Area

Recommendation

THAT the Regional Board receives the report from the Director of Community Services, dated August 22, 2022, with respect to RDCO file: Z22/02 for the property located at 944 Bear Creek Road, legally described as Lot A, District Lot 2176, ODYD, Plan 23825, Except Plans KAP59351 and KAP82794 (“the subject property”);

AND THAT OCP Amendment Bylaw No. 1274-12 for the subject property not receive first reading;

AND FURTHER THAT Zoning Amendment Bylaw No. 871-274 for the subject property not receive first reading.

Recommendation

THAT the Regional Board receives the report from the Director of Community Services, dated August 22, 2022, with respect to RDCO file: Z22/02 for the property located at 944 Bear Creek Road, legally described as Lot A, District Lot 2176, ODYD, Plan 23825, Except Plans KAP59351 and KAP82794 (“the subject property”);

AND THAT OCP Amendment Bylaw No. 1274-12 for the subject property receive first reading;

AND THAT Zoning Amendment Bylaw No. 871-274 for the subject property receive first reading;

AND FURTHER THAT scheduling a Public Hearing for application Z22/02 be withheld pending a draft covenant to restrict further subdivision of the subject property;