

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: March 21, 2019

RE: Official Community Plan (OCP) & Zoning Bylaw Amendments – Electoral Area “D”

Administrative Recommendation:

THAT Bylaw No. 2603.17, 2019, Electoral Area “D” Official Community Plan Amendment Bylaw and Bylaw No. 2455.40, 2018, Electoral Area “D” Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

AND THAT the Board of Directors considers the process, as outlined in the report from the Chief Administrative Officer dated March 21, 2019, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*;

AND THAT, in accordance with Section 477 of the *Local Government Act*, the Board of Directors has considered Amendment Bylaw No. 2603.17, 2019, in conjunction with its Financial and applicable Waste Management Plans;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of April 18, 2019;

AND THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.

Purpose:

The proposed amendments to the Electoral Area “D” Official Community Plan (OCP) Bylaw and Zoning Bylaw are related to the introduction of a Parks and Recreation (PR) Zone over the parcel at 176 Chadwell Place in the “Heritage Hills” community of Electoral Area “D”. The Regional District has recently acquired this parcel for parkland purposes.

Background:

In 2015, the Regional District:

- approved up to \$200,000 from reserve funding for parkland acquisition with the adoption of the Heritage Hills Parkland Acquisition Reserve Expenditure Bylaw.
- utilized \$400,000 was to purchase parkland at 176 Chadwell Place in Heritage Hills.

Referrals:

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required prior to adoption as Amendment Bylaw No. 2455.40, 2019, involves land within 800 metres of a controlled access highway (i.e. Highway 97).

Pursuant to Section 476 of the *Local Government Act*, the Regional District must consult with the relevant School District when proposing to amend an OCP for an area that includes the whole or any

part of that School District. In this instance, School District No. 53 have been made aware of the proposed amendment bylaw.

Pursuant to Section 477 of the *Local Government Act*, after first reading the Regional Board must consider the proposed OCP amendment in conjunction with Regional District's current financial and waste management plans. The proposed OCP amendment has been reviewed by the Public Works Department and Finance Department, and it has been determined that the proposed bylaw is consistent with RDOS's current waste management plan and financial plan.

Referral comments on this proposal have been received from the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (Archaeology Branch), School District No. 53, Ministry of Transportation and Infrastructure (MOTI), and Penticton Indian Band (PIB) and these are included as a separate item on the Board Agenda.

Analysis:

Administration supports the proposed amendments to the land use designation and zoning of the subject properties to reflect their acquisition and long-term use for parkland purposes.

Alternatives:

1. THAT Bylaw No. 2603.17, 2018, Electoral Area "D" Official Community Plan Amendment Bylaw and Bylaw No. 2455.40, 2018, Electoral Area "D" Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;
AND THAT the Board of Directors considers the process, as outlined in the report from the Chief Administrative Officer dated March 7, 2019, to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*;
AND THAT, in accordance with Section 477 of the *Local Government Act*, the Board of Directors has considered Amendment Bylaw No. 2603.17, 2019, in conjunction with its Financial and applicable Waste Management Plans;
AND THAT the holding of the public hearing be delegated to Director Obirek, or delegate;
AND THAT staff schedule the date, time, and place of the public hearing in consultation with Director Obirek, or delegate;
AND THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.
2. THAT first reading of the Electoral Area "D" Official Community Plan (OCP) Amendment Bylaw No. 2603.17, and the Electoral Area "D" Zoning Amendment Bylaw No. 2455.40, 2018, be deferred.
3. THAT first reading of the Electoral Area "D" Official Community Plan (OCP) Amendment Bylaw No. 2603.17, and the Electoral Area "D" Zoning Amendment Bylaw No. 2455.40, 2018, be denied.

Respectfully submitted:



C. Garrish, Planning Manager

Endorsed by



B. Dollevoet, General Manager, Dev. Services

Attachments: No. 1 – Agency Referral List

Attachment No. 1 – Agency Referral List

Referrals have been sent to the following agencies as highlighted with a , regarding Amendment Bylaw No. 2603.17:

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| <input type="checkbox"/> | Agricultural Land Commission (ALC) | <input type="checkbox"/> | Fortis |
| <input checked="" type="checkbox"/> | Interior Health Authority (IHA) | <input type="checkbox"/> | City of Penticton |
| <input type="checkbox"/> | Ministry of Agriculture | <input type="checkbox"/> | District of Summerland |
| <input type="checkbox"/> | Ministry of Energy & Mines | <input type="checkbox"/> | Town of Oliver |
| <input type="checkbox"/> | Ministry of Community, Sport and Cultural Development | <input type="checkbox"/> | Town of Osoyoos |
| <input checked="" type="checkbox"/> | Ministry of Environment | <input type="checkbox"/> | Town of Princeton |
| <input checked="" type="checkbox"/> | Ministry of Forest, Lands & Natural Resource Operations (Arch. Branch) | <input type="checkbox"/> | Village of Keremeos |
| <input type="checkbox"/> | Ministry of Jobs, Tourism and Innovation | <input type="checkbox"/> | Okanagan Nation Alliance (ONA) |
| <input checked="" type="checkbox"/> | Ministry of Transportation and Infrastructure | <input checked="" type="checkbox"/> | Penticton Indian Band (PIB) |
| <input type="checkbox"/> | Integrated Land Management Bureau | <input type="checkbox"/> | Osoyoos Indian Band (OIB) |
| <input type="checkbox"/> | BC Parks | <input type="checkbox"/> | Upper Similkameen Indian Bands (USIB) |
| <input checked="" type="checkbox"/> | School District 53 (Okanagan Similkameen) | <input type="checkbox"/> | Lower Similkameen Indian Bands (LSIB) |
| <input type="checkbox"/> | School District 58 (Nicola Similkameen) | <input type="checkbox"/> | Environment Canada |
| <input type="checkbox"/> | School District 67 (Okanagan Skaha) | <input type="checkbox"/> | Fisheries and Oceans Canada |
| <input type="checkbox"/> | Central Okanagan Regional District | <input type="checkbox"/> | Archaeology Branch |
| <input type="checkbox"/> | Kootenay Boundary Regional District | <input type="checkbox"/> | Dominion Radio Astrophysical Observatory |
| <input type="checkbox"/> | Thompson Nicola Regional District | <input type="checkbox"/> | Canadian Wildlife Services |
| <input type="checkbox"/> | Fraser Valley Regional District | <input checked="" type="checkbox"/> | Lakeshore Highland Water System |
| <input type="checkbox"/> | Okanagan Falls Volunteer Fire Dep't | <input checked="" type="checkbox"/> | Okanagan Falls Irrigation District |