

ADMINISTRATIVE REPORT



TO: Planning and Development Committee

FROM: B. Newell, Chief Administrative Officer

DATE: January 17, 2018

RE: Proposed 12-lot Subdivision – Spiller Road, Electoral Area “E”
Consistency with South Okanagan Regional Growth Strategy Bylaw No. 2770, 2017

Administrative Recommendation:

THAT the proposed rezoning of Plan KAP1190, Sublot 16, District Lot 2711, SDYD, in order to facilitate a 12-lot subdivision be deemed inconsistent with the South Okanagan Regional Growth Strategy Bylaw No. 2770, 2017.

Issue:

The purpose of this report is to seek direction from the Board regarding the consistency of a proposed rezoning application with the South Okanagan Regional Growth Strategy (RGS) Bylaw No. 2770, 2017.

The property owner of the parcel legally described as Plan KAP1190, Sublot 16, District Lot 2711, SDYD, is seeking approval to amend the Electoral Area “E” Official Community Plan (OCP) Bylaw No. 2458, 2008, and Zoning Bylaw No. 2459, 2008, in order to facilitate a 12 parcel subdivision.

Specifically, the applicant is seeking to change the zoning of the property from Resource Area (RA), which stipulates a minimum parcel size for subdivision of 20.0 hectares (ha) to Small Holdings Two (SH2), which stipulates a minimum parcel size for subdivision of 2.0 ha (see Attachment No. 2).

Background:

The South Okanagan RGS was launched in 2004, adopted in 2010, amended in 2011, and updated in 2016 through a minor update process. It is a partnership between the Regional District of Okanagan-Similkameen (RDOS), the City of Penticton, the Town of Oliver, the Town of Osoyoos, and the District of Summerland to manage growth in the South Okanagan in a manner that is consistent with long-term social, environmental and economic objectives.

A central tenant of the RGS is a commitment to broad-based, long-term sustainable development and, to this end, comprises seven (7) policy areas and supporting Goals, one of which is “Housing and Development” which is concerned with focusing “development to serviced areas in designated Primary Growth Areas and Rural Growth Areas” (“Goal 1” of the RGS). See Attachment No. 3 for a map of existing Primary & Rural Growth Areas.

Primary Growth Areas are larger communities with all the necessary services, infrastructure and amenities in place to accommodate future growth and the RGS directs that a majority of future growth in the South Okanagan should be directed to these areas.

Rural Growth Areas generally comprise established rural settlement areas that have some infrastructure and/or amenities in place and are able to accommodate a limited amount of future development (primarily as a result of existing zoning).

For those communities/property owners outside of Growth Areas, the RGS contemplates some infill development may be anticipated, provided that such development:

- does not significantly increase the number of units or the established density of the area; and
- respects the character of the communities.

At its meeting of September 10, 2018, the RGS Technical Advisory Committee (TAC), which is comprised of Planning Managers of the member municipalities and RDOS, considered this rezoning application. The TAC concluded that the proposed rezoning of the subject property to facilitate a 12 lot residential subdivision **does not** meet the Housing and Development goals of the RGS.

Analysis:

Administration considers the proposed rezoning and subdivision of the subject property to represent the type of “leap-frog” development that the Regional District has attempted to prevent from occurring on or near the boundaries of its member municipalities through its various adopted land use plans (i.e. Regional Plan, Official Settlement Plans, Official Community Plans and the Regional Growth Strategy) since its inception in the mid-1960s.

“Leap-frog” proposals are commonly characterised as the development of lands on the periphery of an existing urban area where such growth is not provided for in the existing plans of the local government. In addition, “leap-frog” development usually requires the extension of public infrastructure (i.e. road, sewer & water infrastructure, etc.) through adjacent undeveloped areas that *may* be scheduled for development at a later time but have not yet been developed.

The proposed rezoning and subdivision of the subject property is seen to meet most of these criteria in that the parcel is situated immediately adjacent the City of Penticton’s boundary and is not in an area that the City is planning on requiring to meet its future growth projections under its new OCP Bylaw.

The subject parcel is also separated from existing higher density development within the City by a largely un-developed parcel (i.e. 1250 Spiller Road), is currently “land-locked” (i.e. does not currently front a public road) and will likely require the extension of road and potentially other municipal services (i.e. garbage, snow clearing, stormwater, etc.) from the City of Penticton.

Administration further understands that the City of Penticton is currently forecasting that its growth needs over the next 20-30 years can be met through existing zoned parcels within its boundaries and is not contemplating future growth occurring within the immediate vicinity of the subject property.

Similarly, the Electoral Area “E” OCP Bylaw is also projecting that residential growth can be accommodated through existing zoning. As such, the proposed subdivision of the subject property is not meeting any unmet need within the City or Naramata.

Administration has previously advised the applicant that development of this property should occur within the City of Penticton and that they should petition the City for a boundary expansion — a position which is supported by the following policy in the Electoral Area “E” OCP Bylaw:

The Regional Board may consider residential development proposals for Sublot 16, Plan 1190, District Lot 2711, SDYD, predicated on concurrent development of adjacent land within the City of Penticton. If development is proposed for this area, the City of Penticton will be encouraged

to consider incorporating Sublot 16 within the City, to integrate the development with adjacent residential development.

With regard to main issue of consistency with the RGS, Administration considers that the current proposal does not meet the following policies:

- Direct limited development to Rural Growth Areas (Policy 1C-2);
- Discourage rezoning of large rural land parcels to smaller parcel sizes, outside of Primary Growth Areas and Rural Growth Areas (Policy 1C-3);
- Limit consideration for rezoning of large rural land parcels to smaller parcel sizes outside of Primary Growth Areas and Rural Growth Areas only where such growth is infill, does not significantly increase the number of units or the established density, and respects the character of its surroundings (Policy 1C-4); and
- Strengthen policies in OCPs to discourage incremental and additional rural growth outside of identified growth areas (Policy 1C-5).

Should the Board conclude that the proposed rezoning of the subject property is not consistent with the RGS Bylaw (this being the Administrative Recommendation above), the applicant's rezoning application will be returned and the file closed.

Should the Board conclude that the proposed rezoning of the subject property is consistent with the RGS Bylaw (this being the Alternative Recommendation below), Administration will continue to process the applicant's rezoning application.

Alternative:

THAT the proposed rezoning of Plan KAP1190, Sublot 16, District Lot 2711, SDYD, in order to facilitate a 12-lot subdivision is deemed consistent with the South Okanagan Regional Growth Strategy Bylaw No. 2770, 2017.

Respectfully submitted:



C. Garrish, Planning Manager

Endorsed by:



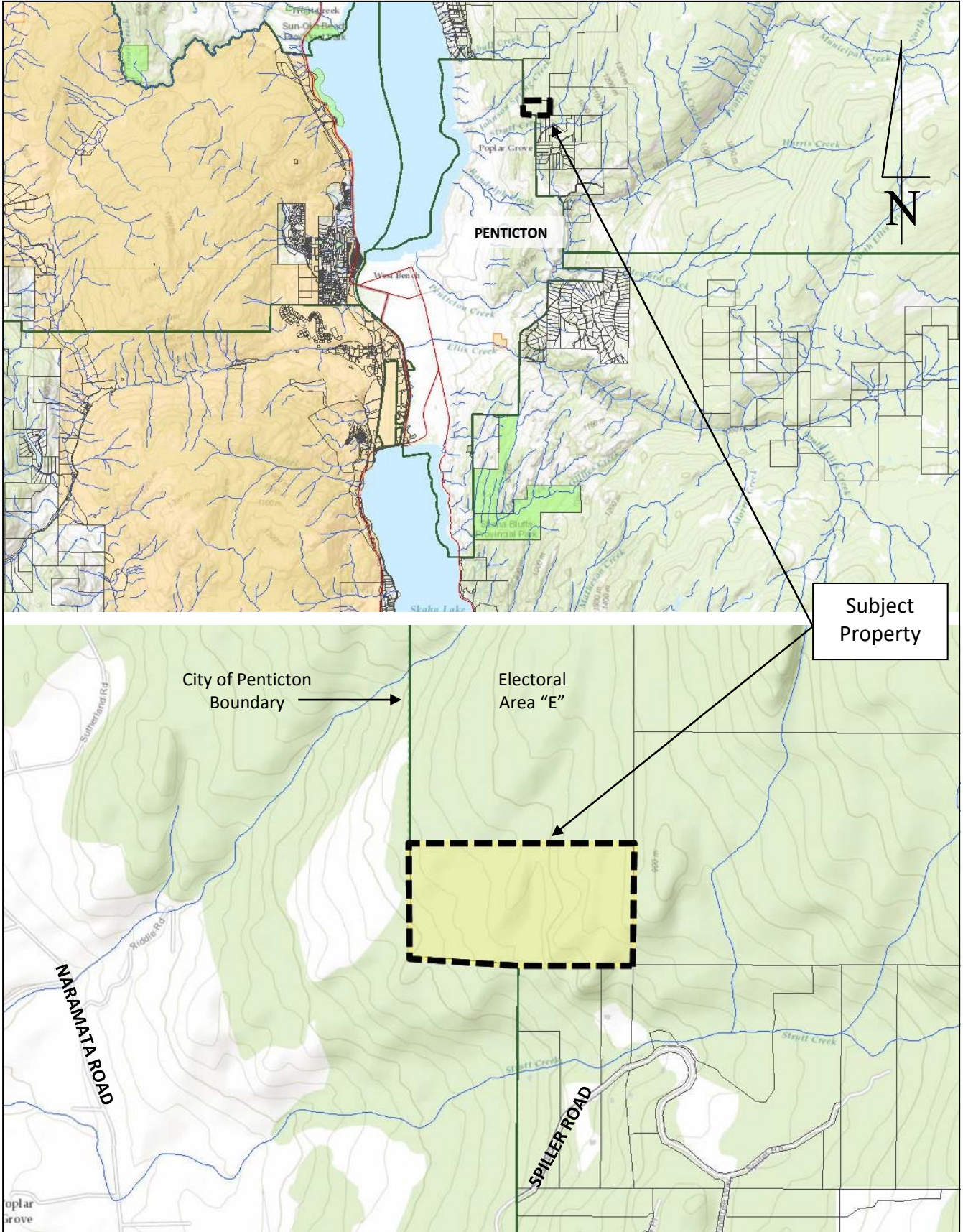
B. Dollevoet, General Manager Dev. Services

Attachments: No. 1 – Context Maps

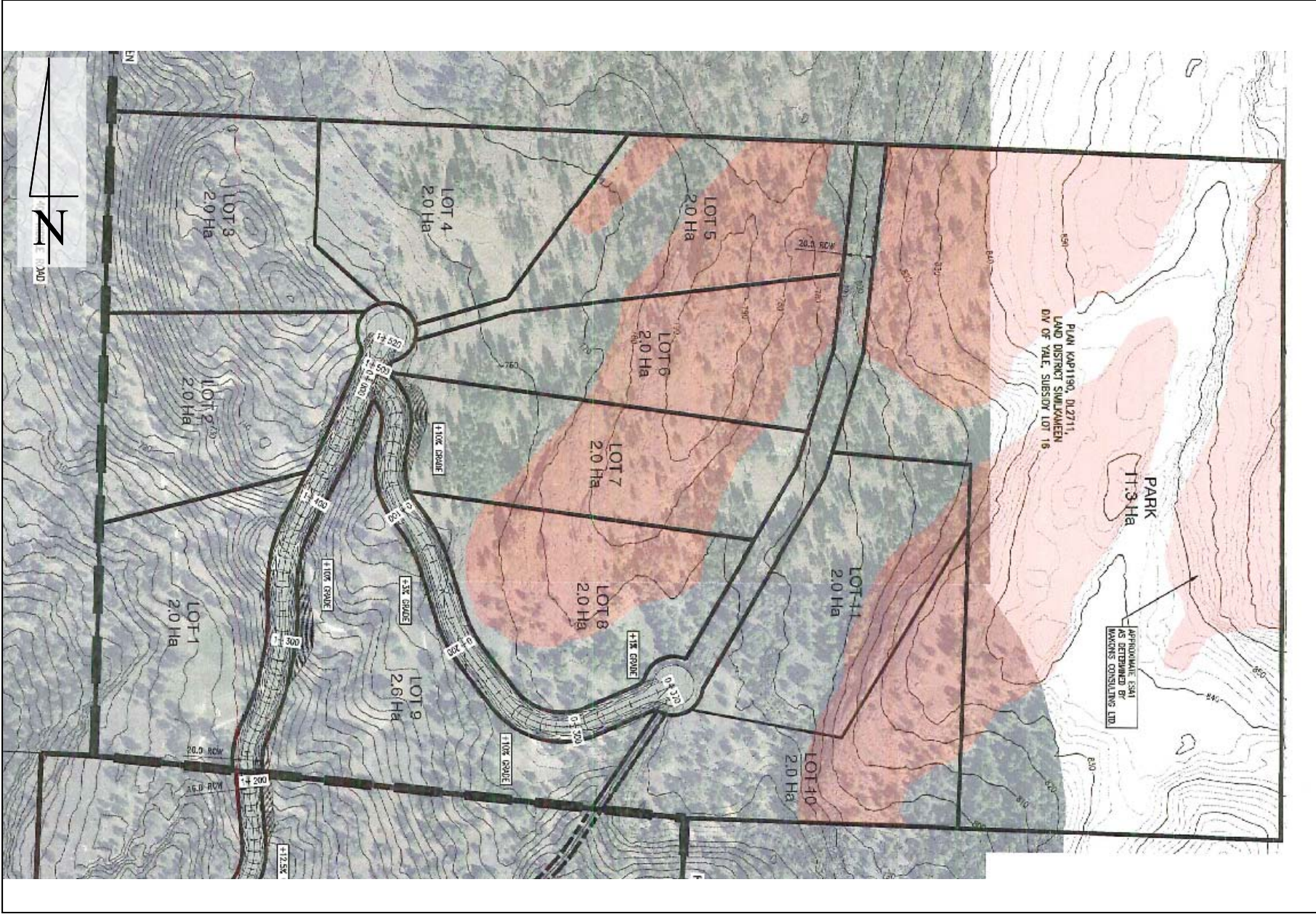
No. 2 – Applicant's Site Plan

No. 3 – Designated Primary and Rural Growth Areas in RGS Bylaw

Attachment No. 1 – Context Maps



Attachment No. 2 – Applicant’s Site Plan



Attachment No. 3 – Designated Primary and Rural Growth Areas in RGS Bylaw

