

ADMINISTRATIVE REPORT



TO: Planning & Development Committee

FROM: B. Newell, Chief Administrative Officer

DATE: October 19, 2023

RE: Subdivision Servicing Bylaw Review – Campground Regulation Bylaw

Administrative Recommendation:

THAT the Regional District of Okanagan-Similkameen Campground Regulations Bylaw No. 2779, 2018, be repealed in conjunction with the introduction of a new Subdivision and Development Servicing Bylaw; and

THAT the Electoral Area zoning bylaws be amended to require:

- .1 a campground use be connected to a community water system and community sewer system;**
 - .2 a second access from a public highway, separated by at least 50.0 metres from the first access be provided to each campground use containing greater than fifty (50) camping spaces.**
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Purpose:

To provide the Board with options regarding the Campground Regulations Bylaw No. 2779, 2018, in relation to the on-going review of the Subdivision Servicing Bylaw.

Background:

Under Section 298 (Building regulation bylaws) of the *Local Government Act (the “Act”)*, the Regional District may, amongst other things, “regulate the construction and layout of ... camping grounds” and require that these provide “facilities” specified by bylaw.

At its meeting of July 19, 1982, the Regional District adopted a Campsite and Mobile Home Park Bylaw No. 713, 1982, and it is understood that this Bylaw was based upon a provincial template provided to local governments in the late 1970s.

In 2017, as part of on-going work related to the drafting of the Okanagan Valley Zoning Bylaw, the Regional District initiated a review of the Campground Bylaw as part of a broader of the Tourist Commercial (CT) zones.

This resulted in the adoption of the current Campground Regulations Bylaw No. 2779, 2018, in which “facilities”, as authorized by Section 298 of the Act, included the following:

- Layout Standards:
 - Parcel Area
 - Campsite Space
 - Max. Number of RVs
 - Campsite Density
 - On-site Facilities:
 - Washrooms
 - Laundry
 - Garbage Disposal
 - Amenity Areas
 - Access (vehicles)
 - Vehicle Parking
 - Driveways
 - Utilities (Water, Sewer & Storm)
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In order to confirm compliance with the “facilities” standards established by the bylaw, the Regional District is able to require a Campground Permit be obtained prior to commencing such a use.

Subdivision Servicing Bylaw Review:

Subdivision Servicing Bylaw No. 2000, 2002 is currently under review and the regulations that apply to water and sewer design standards will be updated. The Act provides that the Regional District may, by bylaw, require the provision of works and services for either subdivision or as part of the issuance of a building permit (e.g. design standards for water, sewer and drainage systems, etc.).

Analysis:

The review of the Subdivision Servicing Bylaw to be an opportune time to revisit the Board’s intent in implementing a dedicated bylaw requiring “facilities” for campgrounds. The Campground Regulations Bylaw may be imposing an overly prescriptive burden in relation to one specific type of use that the Regional District does not apply to other commercial businesses.

Option No. 1 - Repeal the Campground Regulations Bylaw

In favour of repealing the bylaw is a recognition that, in addition to applying a higher standard of development to one specific commercial use (i.e. campground), many of the regulations contained in the bylaw are vague and provide insufficient direction.

For instance, the water, sewer and storm water regulations *generally* reference the need to comply with various provincial legislation and do not convey any specific Regional District design standards. If the intent is to require that a campground be properly serviced by a water and sewer system, this can be addressed through either the zoning or subdivision servicing bylaw(s).

Similarly, the bylaw specifies that a campground operator shall provide an “ample number” of garbage containers and arrange for the disposal of refuse, but does not specify the form that these shall take.

Juxtaposed to this are *highly* prescriptive requirements for washrooms and laundry facilities (e.g. the number of toilets, urinals, sinks and showers are stipulated by gender and total number of camping spaces). We don’t prescribe similar requirements for hotels, motels, hostels, vacation rentals or resorts.

Other regulations related to parcel size, campsite spacing, density provisions, landscaping, vehicle parking and amenity areas could be addressed through the zoning bylaw - if the retention of the regulation was deemed worthwhile.

Option No. 2 – Amend the Campground Regulations Bylaw

Another option that is available would be to undertake a review of the Campground Regulations Bylaw with the intent of only retaining those regulations seen to warrant additional review through the issuance of a Campground Permit.

This option would require additional discussion to determine which design standards are worthy of retention (see Attachments Nos. 1 to 5 for an overview of the existing standards).

Option No. 3 - Status Quo

The option to maintain the status quo and retain the Campground Regulations Bylaw in its current form is available. Under this scenario, no further action would be taken and a Campground Permit will remain a requirement prior to the development of a new campground or the alteration of an existing campground.

Summary:

There appears to be merit in streamlining the number of bylaws regulating the development of campgrounds within the Regional District and removing a permit process that is not applied to other tourist commercial operations.

The Campground Regulations Bylaw No. 2779 should be repealed as part of the introduction of a new Subdivision and Development Servicing (SDS) Bylaw and requirements for a second access for larger campground and water and sewer servicing should be incorporated into the zoning bylaws.

Public Engagement:

Any change would be incorporated as part of the engagement process for the review of the Draft SDS Bylaw.

Alternatives:

- .1 Amend the Campground Regulations Bylaw No. 2779, 2018, as follows:
 - a) *TBD*.
- .2 Status quo.

Respectfully submitted:



C. Garrish, Senior Manager of Planning



S. Duong, Planner II

- Attachments:
- No. 1 – Overview of Section 7.1 (General Layout Standards)
 - No. 2 – Overview of Section 7.2 (On-site Facilities)
 - No. 3 – Overview of Section 7.3 (Landscaping and Amenity Areas)
 - No. 4 – Overview of Section 7.4 (Roadways, Access and Parking)
 - No. 5 – Overview of Section 7.5 (Utilities)

Attachment No. 1 – Overview of Section 7.1 (General Layout Standards)

Bylaw Section Number	Comments
<p>7.1.1.1 The minimum area on which a campground use may be undertaken shall be specified in the applicable Electoral Area zoning bylaw.</p>	<p>The regulation refers to provisions within the zoning bylaws, and is not necessary in this bylaw. <u>Recommendation</u>: regulation be deleted.</p>
<p>7.1.1.2 Where more than one parcel of land is required to accommodate a proposed campground, a campground permit shall not be issued until:</p> <ul style="list-style-type: none"> a) the parcels are consolidated by plan of subdivision or by cancellation of interior parcel lines; or b) a statutory covenant under Section 219 of the <i>Land Title Act</i> between the Regional District and the owner is registered in the Land Title Office against the titles of the parcels required for the campground, which would prevent the parcels from being sold or transferred separately. 	<p>The zoning bylaw applies a similar requirement to buildings and structures, but not to uses. The Regional District should be consistent in how it treats commercial uses. <u>Recommendation</u>: regulation be deleted.</p>
<p>7.1.2.1 Each campsite within a campground shall:</p> <ul style="list-style-type: none"> a) be clearly distinguishable from adjacent campsites on a campground plan; b) be accessible from the internal road system of the campground; and c) not be directly accessible from a highway. 	<p>The Regional District has not provided sufficient guidance regarding how a campsite can be made “clearly distinguishable” in order to comply with this requirement. Internal accessibility can be seen as a matter for the operator in ensuring an optimal visitor experience. Highway access is the purview of the Ministry of Transportation and Infrastructure and addressed through the issuance of “Access Permits”. <u>Recommendation</u>: regulation be deleted.</p>
<p>7.1.3.1 The maximum number of recreational vehicles permitted within a campsite space shall be one (1).</p>	<p>This is a regulation that could be incorporated within the zoning bylaw, <i>if</i> deemed worth retaining. <u>Recommendation</u>: regulation be deleted.</p>
<p>7.1.4.1 The maximum campground density in a campground shall be specified in the applicable Electoral Area zoning bylaw and shall be calculated on the total area of the parcel on which the campground is based.</p>	<p>The regulation is re-directing to provisions within the zoning bylaws. <u>Recommendation</u>: regulation be deleted.</p>

Attachment No. 2 – Overview of Section 7.2 (On-site Facilities)

Bylaw Section Number		Comments																																																																															
<p>7.2.1.1 Washroom facilities shall be provided in every campground, and:</p> <ul style="list-style-type: none"> a) shall be located in a separate building or buildings; b) shall be located a maximum of 150.0 metres from any camping space and a minimum of 4.5 metres from any camping space; c) the quantity of toilets, urinals, wash basins and showers shall be provided in accordance with the following table: 	<table border="1"> <thead> <tr> <th rowspan="2">Number of Camping Spaces</th> <th colspan="2">Toilets</th> <th>Urinals</th> <th colspan="2">Washbasins</th> <th colspan="2">Showers</th> </tr> <tr> <th>Male</th> <th>Female</th> <th>Male</th> <th>Male</th> <th>Female</th> <th>Male</th> <th>Female</th> </tr> </thead> <tbody> <tr> <td>1 – 15</td> <td>1</td> <td>1</td> <td>1</td> <td>1</td> <td>1</td> <td>1</td> <td>1</td> </tr> <tr> <td>16 – 30</td> <td>1</td> <td>2</td> <td>1</td> <td>2</td> <td>2</td> <td>1</td> <td>1</td> </tr> <tr> <td>31 – 45</td> <td>2</td> <td>2</td> <td>1</td> <td>3</td> <td>3</td> <td>1</td> <td>1</td> </tr> <tr> <td>46 – 60</td> <td>2</td> <td>3</td> <td>2</td> <td>3</td> <td>3</td> <td>2</td> <td>2</td> </tr> <tr> <td>61 – 80</td> <td>3</td> <td>4</td> <td>2</td> <td>4</td> <td>4</td> <td>2</td> <td>2</td> </tr> <tr> <td>81 - 100</td> <td>3</td> <td>4</td> <td>2</td> <td>4</td> <td>4</td> <td>3</td> <td>3</td> </tr> <tr> <td>101 - 130</td> <td>4</td> <td>5</td> <td>3</td> <td>5</td> <td>5</td> <td>4</td> <td>4</td> </tr> <tr> <td>131 – 150</td> <td>5</td> <td>6</td> <td>3</td> <td>5</td> <td>5</td> <td>5</td> <td>5</td> </tr> </tbody> </table>	Number of Camping Spaces	Toilets		Urinals	Washbasins		Showers		Male	Female	Male	Male	Female	Male	Female	1 – 15	1	1	1	1	1	1	1	16 – 30	1	2	1	2	2	1	1	31 – 45	2	2	1	3	3	1	1	46 – 60	2	3	2	3	3	2	2	61 – 80	3	4	2	4	4	2	2	81 - 100	3	4	2	4	4	3	3	101 - 130	4	5	3	5	5	4	4	131 – 150	5	6	3	5	5	5	5	<p>Prescribing the number of washroom facilities is seen to be highly prescriptive and more a matter for the operator in ensuring an optimal visitor experience.</p> <p><u>Recommendation</u>: regulation be deleted.</p>
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<p>7.2.2.1 Laundry facilities shall be provided in every campground that contains more than 60 camping spaces in the following ratio:</p> <ul style="list-style-type: none"> a) one (1) clothes washing machine for every 30 camping spaces; and b) one (1) clothes dryer for every 30 camping spaces. 	<p>Prescribing the number of laundry facilities is seen to be highly prescriptive and more a matter for the operator in ensuring an optimal visitor experience.</p> <p><u>Recommendation</u>: regulation be deleted.</p>																																																																																
<p>7.2.3.1 The owner of the campground shall dispose or arrange for disposal of garbage or refuse.</p>	<p>Regulation does not state how this is to occur, arguably incinerating or burying refuse on site satisfies requirement.</p> <p><u>Recommendation</u>: regulation be deleted.</p>																																																																																
<p>7.2.3.2 If the owner of a campground establishes one or more garbage disposal areas within the campground for the collection of garbage and refuse, they shall:</p> <ul style="list-style-type: none"> a) provide fly-tight metal contains in ample number; and b) maintain the containers so that they shall not become foul-smelling, unsightly, or a breeding place for flies. 	<p>The regulation does not provide sufficient guidance (i.e. it is not clear what constitutes a “fly-tight metal container” or what is meant by “ample number”) and is structured as a guideline (i.e. section starts with reference to “If”) making it difficult to assess compliance and/or enforce.</p> <p><u>Recommendation</u>: regulation be deleted.</p>																																																																																

Attachment No. 3 – Overview of Section 7.3 (Landscaping and Amenity Areas)

Bylaw Section Number	Comments
<p>7.3.1.1 Every campground shall have immediately within all its boundaries, a 4.5 metre wide buffer area comprising a landscape screen in the form of a hedge or other similar vegetation that will create a visual barrier about the campground within which the following are not permitted:</p> <ul style="list-style-type: none"> a) required creation or amenity areas; b) building or structures, except permitted signs and fences; c) garage disposal areas; d) private sewage disposal system, other than the underground part of the system; e) vehicle parking area(s). 	<p>The Regional District has recently been moving towards prescribing landscaping requirements within the context of a form and character development permit area designation. Should the Board wish to continue requiring landscaping buffers for campground, the DP option is available.</p> <p><u>Recommendation</u>: regulation be deleted.</p>
<p>7.3.1.2 Except where a hazard has been identified by a suitably qualified individual (e.g. arborist), no plant material may be removed nor may any substance of which land is composed be deposited or removed from a buffer area except as part of an approved landscaping plan.</p>	<p>The bylaw does not require an approved landscape plan, making assessing compliance difficult. It is also not clear what the Regional District’s interest is in regulating landscaping to this level.</p> <p><u>Recommendation</u>: regulation be deleted.</p>
<p>7.3.1.3 The only roads permitted in a buffer area are those which cross it as close to right angles as practical and connect directly with the road system contained within the remainder of the manufactured home park. No road shall traverse a buffer area and give direct access from a public highway to a MHP.</p>	<p>It is understood that this regulation is intended to limit the number of access points to a MHP for aesthetic/streetscape reasons. It is not clear what the Regional District’s interest is in regulating campgrounds to this degree (see also Section 7.1.2.1 above and comments).</p> <p><u>Recommendation</u>: regulation be deleted.</p>
<p>7.3.2.1 A campground shall have open space for playground, park, sports, games and similar amenity areas to serve the campground in the amount of not less than 5% of the area of the campground.</p>	<p>This is a regulation that is more a matter for the operator in ensuring an optimal visitor experience. It <i>could</i> be incorporated within the zoning bylaw, if deemed worth retaining.</p> <p><u>Recommendation</u>: regulation be deleted.</p>
<p>7.3.2.2 The recreation areas shall not include buffer areas, parking areas, ancillary buildings, camping spaces, driveways, and storage areas.</p>	<p>This can be better addressed by introducing regulations for “recreation area” in the zoning bylaw, <i>if</i> it is determined to retain the requirement.</p> <p><u>Recommendation</u>: regulation be deleted.</p>

Attachment No. 4 – Overview of Section 7.4 (Roadways, Access and Parking)

Bylaw Section Number	Comments
<p>7.4.1.1 Access to and from a campground shall have a minimum roadway width of 13.0 metres and a minimum hard surfaced or gravelled width of 7.0 metres. No parking shall be allowed on the access roadway.</p>	<p>Highway access is the purview of the Ministry of Transportation and Infrastructure and addressed through the issuance of “Access Permits”. It is not clear within the bylaw what constitutes as an “access road” as opposed to a “driveway” or an “internal roadway”.</p> <p><u>Recommendations</u>: regulation be deleted.</p>
<p>7.4.1.2 All camping spaces, owner’s or operator’s residence, service buildings, as well as other facilities where access is required shall have access by an internal roadway system.</p>	<p>Internal accessibility can be seen as a matter for the operator in ensuring an optimal visitor experience (see Section 7.1.2.1 above and comments).</p> <p><u>Recommendation</u>: regulation be deleted</p>
<p>7.4.1.3 Roadways giving access to and from camping spaces shall have a minimum roadway width of 7.0 metres and a minimum hard surfaced or gravelled width of 4.3 metres.</p>	<p>“Roadways” within a campground are more properly understood as private driveways. The Regional District does not regulate this for any other commercial use. Parking regulations are otherwise addressed in the zoning bylaws.</p> <p><u>Recommendation</u>: regulation be deleted</p>
<p>7.4.1.4 Roadways in a campground shall be well drained, and maintained in such a manner as to render them free from dust at all times.</p>	<p>The regulation does not provide sufficient guidance and is structured as a guideline making difficult to assess compliance and/or enforce. This issue is a matter for the operator in ensuring an optimal visitor experience.</p> <p><u>Recommendation</u>: regulation be deleted.</p>
<p>7.4.1.5 Dead end roadways and cul-de-sacs shall have a turning circle at the end with a radius of at least 14.0 metres, or of a sufficient width to accommodate emergency vehicles and recreational vehicles accessing campsite spaces.</p>	<p>“Roadways” within a campground are more properly understood as private driveways and are not generally designed to the same standard as publicly dedicated roads.</p> <p><u>Recommendation</u>: regulation be deleted.</p>
<p>7.4.2.1 At least one highway access shall be provided to a campground containing fifty (50) or less camping spaces.</p>	<p>This is seen to be redundant as an inability to access a campground site by patrons would likely be detrimental to the business.</p> <p><u>Recommendation</u>: regulation be deleted</p>

<p>7.4.2.2 A second access from a public highway, separated by at least 50.0 metres from the first access shall be provided to each campground containing fifty-one (51) or more camping spaces.</p>	<p>The provision of a second highway access for campground uses comprising more than 50 spaces is seen to be related to internal vehicle movements and health and safety considerations (i.e. secondary access/egress point in the event of an emergency).</p> <p><u>Recommendation:</u> provision be incorporated as a “General Regulation” in the zoning bylaws.</p>
<p>7.4.3.1 Within 30.0 metres of the campground entrance or office, there shall be provided customer’s parking/holding area in an amount of 18.0 m² for each ten (10) camping spaces up to a maximum of 140.0 m² for the convenience and safety of the customers.</p>	<p>The Regional District does not currently prescribe similar requirements for any other commercial use. At present, the zoning bylaws specify 1 vehicle parking space per camping space. If additional parking requirements are required, these can be addressed through the zoning bylaw.</p> <p><u>Recommendation:</u> regulation be deleted</p>

Attachment No. 5 – Overview of Section 7.5 (Utilities)

Bylaw Section Number	Comments
<p>7.5.1.1 The owner of the campground shall provide a potable water system in compliance with the <i>Drinking Water Protection Act</i>.</p>	<p>The regulation refers to a separate statutory standard (i.e. provincial legislation). Additionally, the provision of adequate water supply for a proposed development can be made a requirement of the Draft Subdivision and Development Servicing Bylaw. <u>Recommendation</u>: regulation be deleted</p>
<p>7.5.2.1 The owner of the campground shall provide for the disposal of all wastewater to be discharged into a community sewer system or into a private sewerage system in compliance with the Sewerage System Regulation (<i>Public Health Act</i>) or Municipal Wastewater Regulation (<i>Environmental Management Act</i>).</p>	<p>The regulation refers to a separate statutory/regulatory standard (i.e. provincial legislation). <u>Recommendation</u>: regulation be deleted</p>
<p>7.5.2.2 The disposal of waste generated by recreational vehicles may be provided through connection to a wastewater system at individual campsites or centralized sewage disposal stations.</p>	<p>The regulation is not requiring anything be done as it is stating that a sani-dump for RV wastewater “may” be provided within the campground. <u>Recommendation</u>: regulation be deleted</p>
<p>7.5.2.3 If provided, recreational vehicle sewage disposal stations shall be located in an area apart from any roadway and out of which a recreational vehicle may be easily and conveniently moved.</p>	<p>See comments above. <u>Recommendation</u>: regulation be deleted</p>
<p>7.5.2.4 Tourist cabins within a campground must be connected to a wastewater system for the disposal of sewage when provided with individual washroom facilities.</p>	<p>If a community sewer system is introduced as a land use bylaw requirement (e.g. subdivision servicing or zoning bylaw) this will be addressed. <u>Recommendation</u>: regulation be deleted</p>
<p>7.5.2.5 Despite sub-sections 1-4, privies may be permitted in accordance with the Interior Health Privy and Vault Privy Guidelines and Sewerage System Regulation (<i>Public Health Act</i>) if there is an insufficient supply of water available within the campground to operate flush toilets.</p>	<p>It is assumed that allowing a privy (e.g. outhouse) would need to occur by development variance permit (DVP) as the regulation states that “may” be permitted. If correct, this is more of a policy direction to be considered when assessing a DVP. Also somewhat moot if a campground is required to connect to a community water and sewer system. <u>Recommendation</u>: regulation be deleted</p>

<p>7.5.2.6 Holding tanks are not a permitted form of waste water disposal.</p>	<p>This regulation is included in the Draft Subdivision and Development Servicing Bylaw. <u>Recommendation:</u> regulation be deleted</p>
<p>7.5.3.1 All campground shall be provided with a storm water drainage system installed according to a design by an appropriately registered professional to contain runoff on site, or discharge it to a storm runoff system in accordance with relevant provincial guidelines.</p>	<p>The regulation refers to a separate statutory/regulatory standard (e.g. provincial guidelines). <u>Recommendation:</u> regulation be deleted</p>