

# INFINITY

P R O P E R T I E S

BUILT  PROUD

4 March 2021

Mr. Cory Labrecque | Planner II  
Regional District of Okanagan-Similkameen  
101 Martin Street  
Penticton BC, V2A 5J9

**RE: RDOS File No: A06377.000**

Dear Mr. Labrecque,

## History

In October of 2013 new ownership purchased Willow Beach Developments Ltd. and took over the asset comprised solely of the site known as Willow Beach, located at the North end of Osoyoos Lake. Infinity Properties Ltd. is the acting property manager and development manager during the rezoning and subsequent construction of the site. An Authorization Letter has been attached for your reference as well as a current copy of the Title Search and BC Company Summary.

The purchase of the property included the lands, approximately 69 acres, and at the time, the approved but now rescinded and expired third reading of Amendment Bylaw Nos. 2450.06 & 2451.12, 2013.

## Introduction

Since the time of purchase the ownership group has had every intention to move forward with a development however, there were some initial delays experienced with respect to relocation proposals, minor conflicts with the previously adopted 3<sup>rd</sup> reading zoning bylaw and most recently, the extreme weather events and the Environmental and Hydrological Assessments for the newly proposed development area, resulting in our 2016 application stale dating.

We experienced some initial delays with respect to the existing tenancies and implementation of an appropriate relocation plan. A relocation plan was finalized and sent out to the tenants in August 2014 and it was our intent to find individual solutions for each tenant. Our goal was to try and deal with the tenancies prior to redevelopment because the existing sewer and domestic water system were and still are experiencing multiple failures and simply waiting for development approvals in order to issue notice to the tenants didn't seem like an appropriate course of action. The unknown with respect to development timelines played a big role with the previous decision. The relocation plan provided to the tenants in August 2014 and to the RDOS in September 2014 was not received well by the remaining tenants. To date only 1 of the existing 21 tenancies took advantage of the offer. A considerable amount of time was spent trying to come up with solutions for each tenant and in the end we were no further ahead than when we began.

In addition to trying to formulate a relocation plan, there were some amendments to the existing application we wanted to make prior to proceeding. Our desire to adjust the lakefront setbacks, build and connect a lagoon to the lake and re-work the amount of land dedicated as park triggered a new application process as well as some additional reports/studies that also consumed a considerable amount of time and effort to prepare.

Since our re-application in 2016, the development boundaries and proposal has undergone even more changes and refinement. Due to an environmentally sensitive migratory route of a particular species of toad the development footprint has been adjusted and made significantly smaller to accommodate and protect this route. This accommodation as well as our QEP's desire to preserve the natural watercourses and ponds within the site resulted in the further refinement of the development boundaries. We are extremely proud of the final result as it still achieves the lot yield we originally anticipated and preserves more of the natural environment.

### **Proposal**

Infinity Properties wishes to apply for an OCP and Rezoning Amendment for Lot 1 District Lot 2450S Similkameen Division Yale District Plan 22229 & Lot 675 District Lot 2405S Similkameen Division Yale District Plan 2006 Except Plans 22229, 43613 and H9726.

We propose to redevelop the properties as illustrated on the attached conceptual zoning plan. It is important to note that the proposed layout is significantly different from the previously submitted application(s). The neighbourhood will still consist of approximately the same number of single-family lots, with the main changes being the elimination of the lagoon and connection to the lake as well as the significantly smaller development footprint. The proposed development footprint is approximately 30% of the overall site area.

The proposal consists of 4 different zoning boundaries, CA, PR, RS1 & RS1s. We are seeking site specific provisions on one of the proposed zones, RS1s. The specific use for the RS1s zone is to reduce the minimum RS1 lot width from 16.5 meters down to a minimum of 14.0 meters with the intent of maintaining the RS1 overall minimum lot size of 505m<sup>2</sup>.

### **Topography**

The property doesn't have any significant grade changes which preclude development, however some of the proposed development area falls below the minimum flood construction level (FCL). The FCL elevation is 280.7 geodetic meters. The areas falling below this elevation would be met by either elevating the land or having the homes constructed so the underside of the floor systems meet the 280.7 meter minimum requirement.

### **Environment**

The current Envirowest EIA and supportive studies are drastically different from the past submissions and applications. Considering the RDOS's 2013 endorsement of the PGI EIA and subsequent support of the recommended setbacks and partial infilling of multiple watercourses we are confident that the current environmental submissions and recommendations will be supportable as they are drastically

different and far more respectful of the natural boundaries, established migration routes and sensitive habitat within the site.

### **Access**

The property has existing North and South bound access along Hwy 97 with a dedicated left hand turn lane for traffic travelling South and a dedicated right hand lane for traffic travelling North.

### **Public Amenities / Parkland Dedication**

The proposal contemplates a public water front park at the South West corner of the site. The intention is to provide a public area and park to a standard that is acceptable to the RDOS.

### **Regional Growth Strategy and Official Community Plan**

The subject property is noted in the South Okanagan Regional Growth Strategy, highlighted as a Rural Growth Area. Willow Beach is located within an established rural settlement area and will be serviced with Osoyoos municipal sanitary sewer and community water supply, staying within the spirit of the Regional Growth Strategy.

Willow Beach offers significant environmental values, and the proposed development contemplates over 70% of the site being dedicated as natural environment and public park space. The park location offers residents' new outdoor recreational space and waterfront opportunities as well as extended multi-use trail networks for pedestrian and bike traffic. The northern 47 +/- Acres of the site is proposed to be preserved and protected in an effort to conserve the natural habitat of that area. It is recognized that the land closest to the old oxbow system is sensitive and therefore reasonable efforts will be displayed to protect these areas from any negative impacts caused by the surrounding development. The EIA and related documents and studies support the proposed development and highlight the sensitive areas as well as the measures that will be taken to protect and enhance these areas.

### **Conclusion**

- Compared to past applications, the current proposal has a significantly smaller development footprint which has been primarily driven by the results of the updated Environmental Impact Assessment.
- Zoning is very similar to the zoning that the Board had previously given 3<sup>rd</sup> reading adoption (Bylaw No(s). 2405.06 & 2451.12, 2013).
- Zoning is consistent with Regional Growth Strategy (RGS) and Official Community Plan (OCP).
- The identified SPEA will be protected.
- Highway access was previously dealt with by MoTI through recent H97 improvements.
- The proposed parkland dedication is in accordance with the RDOS parkland dedication requirements and the proposed zoning and subsequent density has remained consistent with the previously adopted by-laws.

Thank you for considering the above. If you require anything further please do not hesitate to contact the undersigned at your convenience.

Sincerely,  
Infinity Properties Ltd



Joshua Turner | Development Manager  
On Behalf of Willow Beach Developments Ltd  
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