

## ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** September 1, 2011  
**RE:** Zoning & OCP Bylaw Amendment Application – Electoral Area “E”

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### Administrative Recommendation:

**THAT [Bylaw No. 2458.03, 2011](#) be amended by adding an exemption from preparing a Comprehensive Development Plan and read a third time;**

**AND THAT [Bylaw No. 2459.06 2011](#) be amended by removing the words “from part Small Holdings Two (SH2)” and read a third time.**

### Reference:

Purpose: To facilitate the subdivision of approximately 41 parcels as well as the designation of a residentially zoned area to conservation for the purposes of preserving a wildlife corridor.

Owner: Naramata Benchland Properties Ltd. Agent: Urban Connections Folio: E-10-06834.000

Civic: 3440 Arawana Road & 3480 Arawana Forestry Road, Naramata

Legal: Plan 1190, District Lot 2711, Subsidy Lot 14, Except Plan A62, 29843, 38736, KAP44343, KAP45544, KAP46231, KAP54137, KAP57167, KAP86517, SDYD (3440 Arawana Road);

Lot A, Plan KAP58675, District Lot 3474, SDYD (3480 Arawana Forestry Road); and

District Lot 3474, SDYD, Except Plans KAP44343 and KAP59640.

### Proposed Development:

The subject properties are located on Arawana Road in the eastern hillsides above Naramata.

The purpose of these amendment applications are to amend the Community Plan to redesignate the lands to Small Holdings and Conservation Area and to introduce a textual amendment to the Electoral Area ‘E’ Zoning Bylaw No. 2459, 2008, that would create a Small Holdings Five (SH5) Zone (which would establish a minimum parcel size of 2,020 m<sup>2</sup>) and then rezone an approximately 14.7 hectare (ha) area of land at 3480 Arawana Forestry Road and District Lot 3474 from Resource Area (RA) to Small Holdings Five Site Specific (SH5s) in order to facilitate a 41 lot subdivision. The site specific component would establish a maximum density of 41 parcels, with up to 8 of these 41 parcels having a maximum parcel size of not less than 1,500 m<sup>2</sup>.

At the same time the rezoning of the adjacent 14.85 ha area situated at 3440 Arawana Road that is under their ownership from part Residential Single Family One Site Specific (RS1s) and part Residential Single Family One (RS1) to Conservation Area (CA) for the establishment of a wildlife corridor take place.

### Background:

A Public Hearing was held on August 17, 2011. Approximately 9 persons were in attendance.

At the Hearing two minor bylaw amendments were outlined as follows:

Community Plan Amendment:

The Board resolution in support of this development stated “AND THAT the OCP Section 7.3.2 be amended to provide an exemption for Lot A, Plan KAP 58675, DL 3473 SDYS (3480 Arawana Road), Except Plan KAP 44343, KAP 53674, KAP 59640 SDYD from the requirement for a Comprehensive Development Plan (CDP).” This amendment was missed in the bylaw given second reading by the Board. It is now recommended that the amendment to exempt the subject property from this requirement for a CDP be included. This approach is consistent with legal advice sought.

Zoning Bylaw Amendment:

The Zoning Amendment Bylaw includes the words “from part Small Holdings (SH2)” when outlining the lands to be zoned to Conservation Area, but these lands have not been considered for rezoning. Furthermore, all maps clearly do not include the SH2 lands. It is therefore recommended that this housekeeping amendment be made.

Ministry of Community, Sport and Cultural Development (MCSCD) approval of the Community Plan amendment bylaw is required after third reading. Ministry of Transportation approval is not required.

**Alternatives:**

That first and second reading of Bylaws No 2458.03 and No. 2459.03 be rescinded and the bylaws be abandoned.

**Respectfully submitted:**

*“Donna Butler”*

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D. Butler, Development Services Manager