

ADMINISTRATIVE REPORT



TO: Planning & Development Committee

FROM: B. Newell, Chief Administrative Officer

DATE: September 22, 2022

RE: Land Use Bylaw Review – Meadow Valley / Faulder (Electoral Area “F”)

Administrative Recommendation:

THAT Bylaw No. 2790.03, a bylaw to amend the Electoral Area “F” Official Community Plan (OCP); and,

THAT Bylaw No. 2800.18 a bylaw to amend the Okanagan Valley Zoning Bylaw, be amended to incorporate recommendations contained in the *Meadow Valley Aquifer Study (2022)* regarding use and density.

Background:

December 2, 2021 - the Planning and Development Committee reviewed various amendment bylaws related to the Faulder Zone Review, being Bylaw Nos. 2790.03, 2461.19 (now 2800.18) and 2000.17, and resolved to defer consideration of these “until [a] Meadow Valley Aquifer Study is completed.”

August 4, 2022 - the Environment and Infrastructure Committee received a presentation from Associated Environmental on the results from the Meadow Valley Aquifer Study. The report assessed the capacity of the aquifer to support the variety of land uses across Faulder and Meadow Valley and included a conceptual model of groundwater flow, groundwater available across four distinct sub-regions of the Meadow Valley Aquifer (North Meadow Valley, South Meadow Valley, North Faulder, and Trout Creek Valley), climate and water demand projections, as well as a number of conclusions and recommendations.

Alternatives:

1. Status quo (i.e. proceed with the amendment bylaws as currently drafted);
2. Amend the draft amendment bylaws
3. Abandon the project

Analysis:

1. Status quo: This option would introduce a uniform set of land use policies over the whole of the Meadow Valley Aquifer area along with new regulations specific to the Faulder Water Service Area intended to address uses and densities that might adversely impact on the water system.
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2. Amend the draft bylaws: Further to the recommendations contained within the aquifer study, changes to the amendment bylaws may be warranted and could include:

- revising the proposed OCP Bylaw policies for the study area to reflect the sub-regions reviewed in the aquifer study (North Meadow Valley, South Meadow Valley and North Faulder);
- expanding the proposed zoning restrictions on certain uses and densities to include areas outside of the Faulder Water System Service Area (e.g. to the North Meadow Valley and South Meadow Valley sub-regions and North Faulder sub-region), specifically:
 - increasing maximum parcel size requirements for subdivision;
 - prohibiting “accessory dwellings” and “secondary suites”;
 - prohibiting swimming pools; and
 - reviewing “agriculture” as a permitted use in the North Faulder sub-region.

This option requires revised draft bylaws and additional public/agency engagement. Challenges to implementing some of the regulations, particularly possible restrictions on agriculture given the prevalence of lands in the ALR, are possible.

Restrictions on any legally established existing agricultural uses would be entitled to continue as a legal non-conforming use. Given the multi-generational nature of agricultural operations and lack of break in use, there may be limited effectiveness in restricting agriculture on lands which have historically been used as part of an agricultural operation.

3. Abandon the project: The amendment bylaws would be abandoned and work on this project would cease.

Alternatives:

1. THAT the Electoral Area “F” Official Community Plan Amendment Bylaw No. 2790.03 and Okanagan Valley Zoning Amendment Bylaw No. 2800.18, be initiated; or
2. THAT the Electoral Area “F” Official Community Plan Amendment Bylaw No. 2790.03 and Okanagan Valley Zoning Amendment Bylaw No. 2800.18 not be initiated.

Respectfully submitted:



Shannon Duong, Planner II



C. Garrish, Planning Manager

Attachments: No. 1 – Meadow Valley Aquifer Study Sub-Region Map
No. 2 – *Meadow Valley Aquifer Study: Review of Conceptual Model of Groundwater Flow and Groundwater Availability (2022)*

Attachment No. 1 – Meadow Valley Aquifer Study Sub-Region Map

