

## ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** March 18, 2021  
**RE:** Zoning Bylaw Amendment – Electoral Area “I” (Twin Lakes Golf Resort Ltd.)

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### Administrative Recommendation:

**THAT** Bylaw No. 2457.20, 2018, being the Electoral Area “I” Zoning Amendment Bylaw, be read a third time; and,

**THAT**, prior to adoption of Amendment Bylaw 2457.20, 2018, a ‘no build’ statutory covenant be registered on the title of Lot A, Plan KAP46761, District Lots 228s, 2169 & 4098s, SDYD, except Plan KAP53180, in order that the area identified as “Phase 2”, and as shown on Attachment No. 2 in the Administrative Report from the Chief Administrative Officer dated March 18, 2021, shall not proceed until:

- a) groundwater sustainability and availability is proven to warrant further development; and
  - b) 36 dwelling units in “Phase 1” have been constructed and issued occupancy permits.
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Purpose: To allow for the development of a phased multi-use development resort at the Twin Lakes Golf Course

Owner: Twin Lakes Golf Resort Ltd      Applicant: Suki Sekhon      Folio: D-02342.001 & D-02343.000

Legal: Lot 2, Plan KAP26332, DL 228s & 2169, SDYD, except Plan H15455; and      Civic: 79 Twin Lakes Road  
Lot A, Plan KAP46761, District Lots 228s, 2169 & 4098s, SDYD, except Plan KAP53180

Zones: various      Proposed Zoning: various

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### Proposed Development:

The applicant is seeking to rezone parts of two legal parcels in order to facilitate the development of the Twin Lakes Golf Resort, which is going to “compliment the existing golf course use with up to 232 new residential units and tourism facilities, in two proposed phases, over the next 25 years.”

In order to facilitate this, the applicant is proposing to ‘transfer’ existing residential densities from “Lot 2” to “Lot A” (see Attachment No. 2). This will result in the following zoning changes:

- “Lot 2”: from part Residential Single Family One (RS1) and part Medium Density Residential One (RM1) to Resource Area (RA); and
- Lot “A”: from General Commercial Site Specific (C1s) and Golf Course Commercial (CT3) to a new Twin Lakes Village (TLV) Zone.

In support of the proposal, the applicant has stated that community benefits will include greater safety through increased daily residential interaction; maintaining a rural like setting with less than

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10% of the Twin Lakes Golf Resort Lands used as residential; a mix of housing types; encouraging both seasonal and permanent use; and land stewardship and preservation.

**Site Context:**

The TLGR currently owns two parcels of land in the Twin Lakes area with development proposed on both. The parcels are located to the south adjacent to Highway 3A and north of Nipit / Twin Lake.

“Lot 2” is approximately 41.4 ha in size, currently vacant and consists of rolling hills, steep rocky outcrops, grasslands and treed areas.

“Lot A” is approximately 66 ha in size and is principally used as a golf course and clubhouse as well as a seasonal RV Park Campground.

Surrounding properties are a mixed land use of larger Resource Area and Large Holdings properties, while the properties surrounding Nipit Lake are a mix of residential zonings.

**Background:**

On February 1, 2018, the applicant hosted a community open house at the Twin Lakes golf clubhouse, at which approximately 36 members of the public were present.

On June 12, 2018, a Public Information Meeting was held ahead of the Advisory Planning Commission (APC) meeting, and was attended by approximately 37 members of the public.

At its meeting of June 12, 2018, the Electoral Area “D” Advisory Planning Commission (APC) resolved to recommend to the RDOS Board the development application be approved subject to several conditions.

At its meeting of August 3, 2018, the Board resolved to approve first reading of Amendment Bylaw No. 2457.20, 2018, and deferred consideration of second reading pending the completion of a number of conditions by the applicant.

At its meeting of March 21, 2019, the Board resolved to approve second reading of the amendment bylaw and required of the property owner that they enter into a works and servicing agreement (WSA) prior to consideration of third reading.

On August 5, 2020, an electronic Public Information Meeting was held in order to provide an overview of proposed changes to the amendment bylaw to allow for the retention of the existing RV Park and to respond to separate amendments subsequently applied to the Electoral Area “I” Zoning Bylaw.

On December 7, 2020 an electronic Public Hearing was held online via WebEx, and was attended by the agent and property owner and approximately 25 members of the public.

All comments received to date in relation to this application are included as a separate item on the Board Agenda.

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required prior to adoption as the proposed amendments involve lands within 800 metres of a controlled access highway (i.e. Highway 3A).

**Analysis:**

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In considering this proposal, Administration notes that increasing densities at the Twin Lakes “village” and removing the existing RS1 and RM1 zones from “Lot 2” is consistent with the Regional Growth Strategy (RGS) Bylaw as well as the Electoral Area “I” OCP.

In recognition of the significant concerns expressed by the community on groundwater sustainability, the Plan recognizes that balancing any new development with water conservation and environmental stewardship is important and provides assessment criteria for new development at the Twin Lakes Rural Growth Area. The proposed Twin Lakes Golf Resort is generally seen to be consistent with this criteria:

- Water supply will be monitored prior to further development;
- Establishment of adequate community water and sewer infrastructure;
- The overall development is phased, and the Phase 1 building strata is also proposed to be phased;
- The new Twin Lakes Village zone will provide a focus on a village development concept;
- Water conservation including water metering, re-use and xeriscaping will be incorporated;
- Water will be monitored for availability from groundwater wells servicing residential and from the golf course use.

Also of importance, the proposal will remove low and medium density residential zoning from the hillside on “Lot 2” and return this zoning to Resource Area (RA), which will help preserve the rural character and environmental values of this area.

Works and Servicing Agreement:

In order to meet the infrastructure servicing objectives of the Plan, the applicant is proposing to create a community water and sewer system that will subsequently be turned over to the Regional District to own and operate under proposed RDOS service areas.

To ensure this infrastructure is constructed to Regional District standards, the Board required the property owner enter into a works and servicing agreement (WSA) prior to consideration of 3<sup>rd</sup> reading. Administration is anticipating that this agreement will be executed prior to the Board meeting of March 18, 2021.

Water Availability – “Phase 2”:

Further to the direction provided by the Board at first reading, a “no build” statutory covenant (with a “priority” clause) is to be registered against “Lot A” prior to consideration of adoption. The purpose of this statutory covenant is to ensure that there is adequate water available to service the proposed development and that the following be demonstrated prior to “Phase 2” commencing:

- a) groundwater sustainability and availability is proven to warrant further development; and*
- b) 36 dwelling units in “Phase 1” have been constructed and issued occupancy permits.*

A draft statutory covenant has already been prepared and agreed to by the property owner and Administration and will be registered against title should third reading be approved by the Board.

Proposed Changes to the Amendment Bylaw:

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Due to a request from the applicant to amend their proposal to retain the campground use at its existing location on “Lot A” as opposed to introducing new zoning for this same use on “Lot 2” it is being proposed that Amendment Bylaw No. 2457.20, 2018, be revised.

In addition, due to on-going land use bylaw amendments being pursued by the Regional District in support of a single zoning bylaw for the Okanagan Electoral Areas, other revisions to the Amendment Bylaw are required.

Accordingly, it is recommended that the following revisions to the amendment bylaw be approved at third reading:

- the proposed Twin Lakes Village Centre (TLV) Zone be applied to an approximately 0.725 ha area currently proposed to be zoned Residential Multiple Unit Three (RM3);
- permitted uses in the TLV Zone be amended by:
  - replacing “multi-dwelling units” with “apartment building” and “townhouse”;
  - adding “campground”, “community hall”, “duplex”; and
  - deleting “accessory dwelling”.
- amending minimum parcel size requirements for subdivision to introduce regulations for the strata subdivision of duplex units (i.e. 550 m<sup>2</sup> parent parcel size and 225 m<sup>2</sup> when strata subdividing the units);
- amending the maximum density allowance as follows:
  - from 55 dwelling units/ha for apartment buildings and townhouses to 60 dwelling units/ha; and
  - introducing a provision of duplexes (i.e. 2 dwelling units per parcel for duplexes, provided that both dwellings are located in one (1) residential building).
- deleting the maximum Floor Area Ratio (FAR) requirement of 2.0;
- increasing the front setback from 3.0 metres to 4.5 metres;
- amending the maximum parcel coverage regulation by introducing a 45% provision for duplexes; and
- deleting a site specific provision that would have allowed “campground” as a permitted use in the Resource Area (RA) Zone to be applied to Lot 2, Plan KAP26332, District Lot 228S 2169, SDYD, Except Plan H15455.

**Summary:**

In summary, at this stage, Administration supports the 3<sup>rd</sup> reading of the zoning amendment bylaw No. 2457.20, 2018, Electoral Area, as the Board conditions put forward in 1<sup>st</sup> and 2<sup>nd</sup> reading have been met.

**Alternatives:**

1. THAT Bylaw No. 2457.20, 2018, Electoral Area “I” Zoning Amendment Bylaw be deferred; or
2. THAT first and second readings of Bylaw No. 2457.20, 2018, Electoral Area “I” Zoning Amendment Bylaw be rescinded and the bylaw abandoned.

**Attachments:**

- No. 1 - Overview of Proposed Amendment Bylaw Change
- No. 2 - Applicant’s Site Plan
- No. 3 - Site Photo

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**Respectfully submitted:**

Cory Labrecque

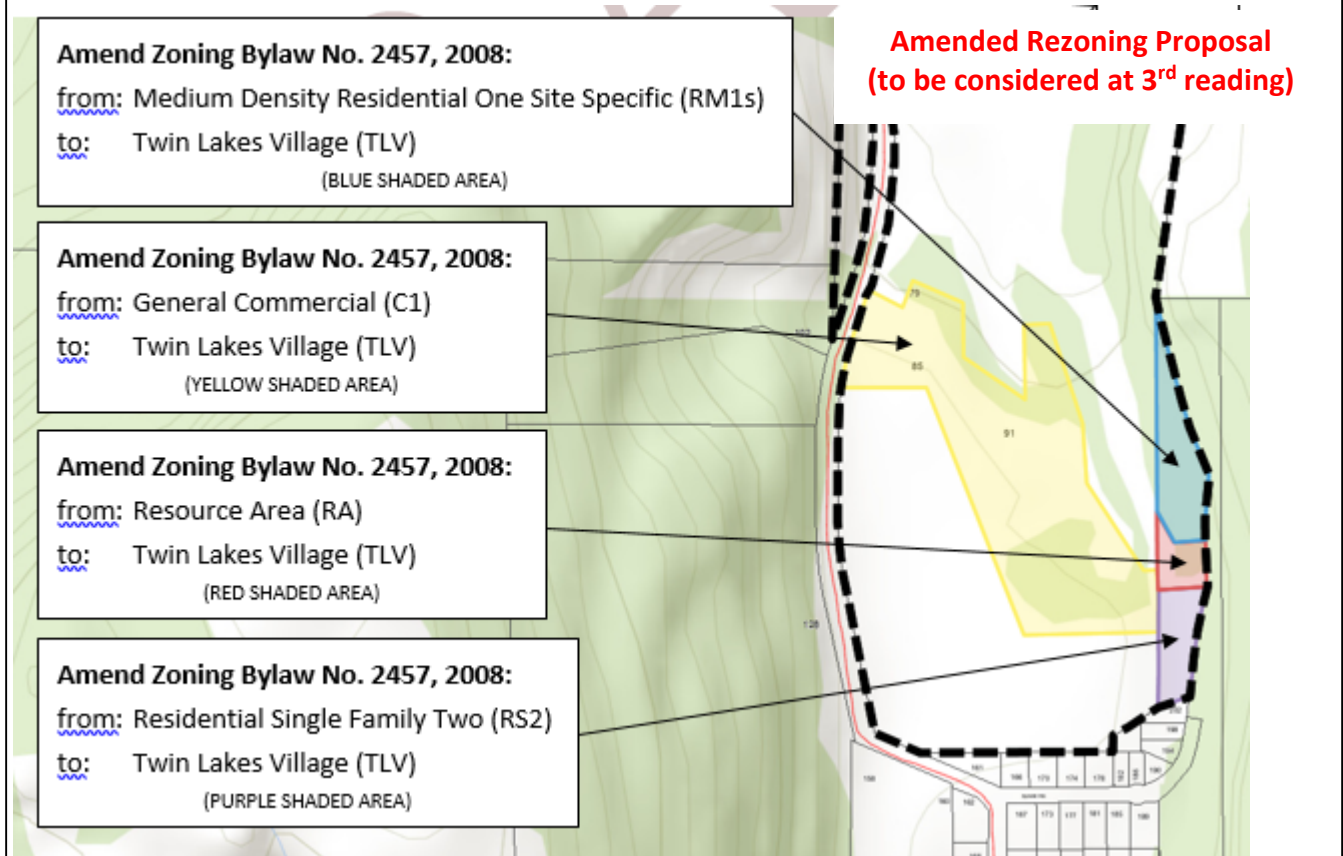
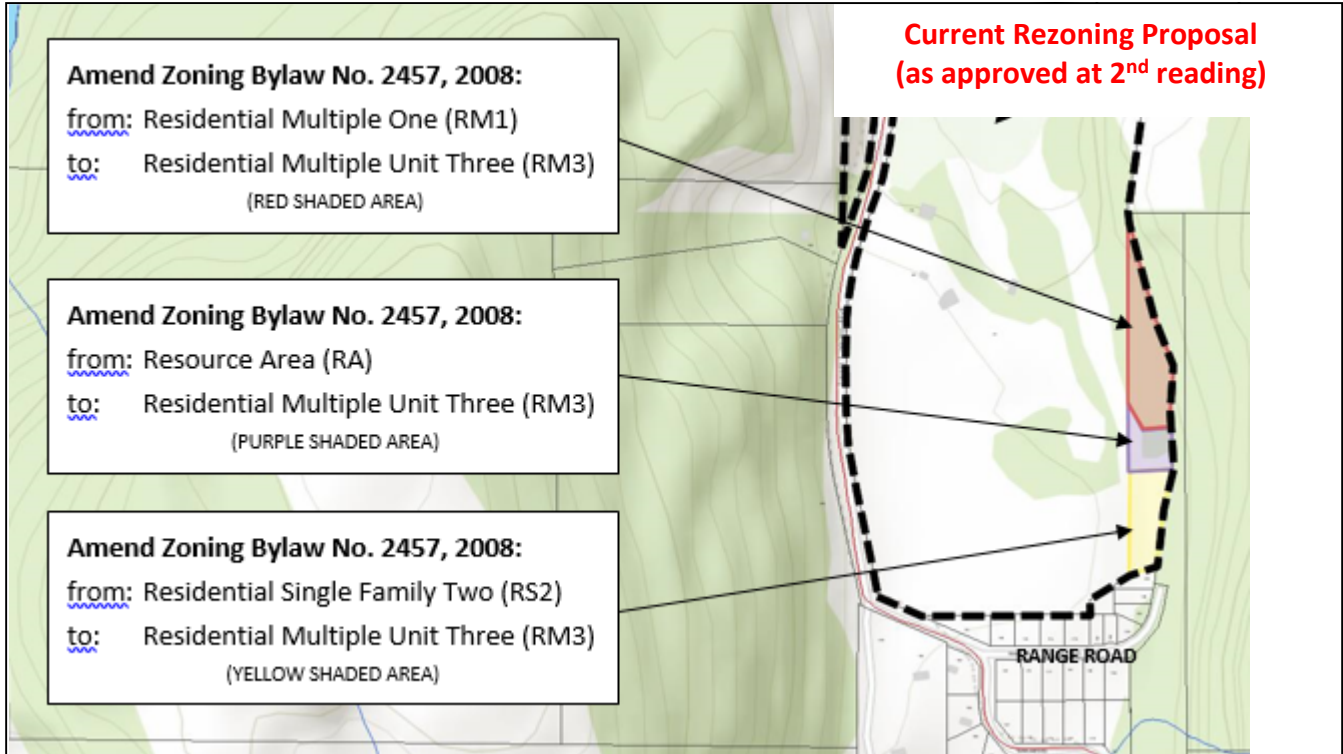
Cory Labrecque, Planner II

**Endorsed By:**

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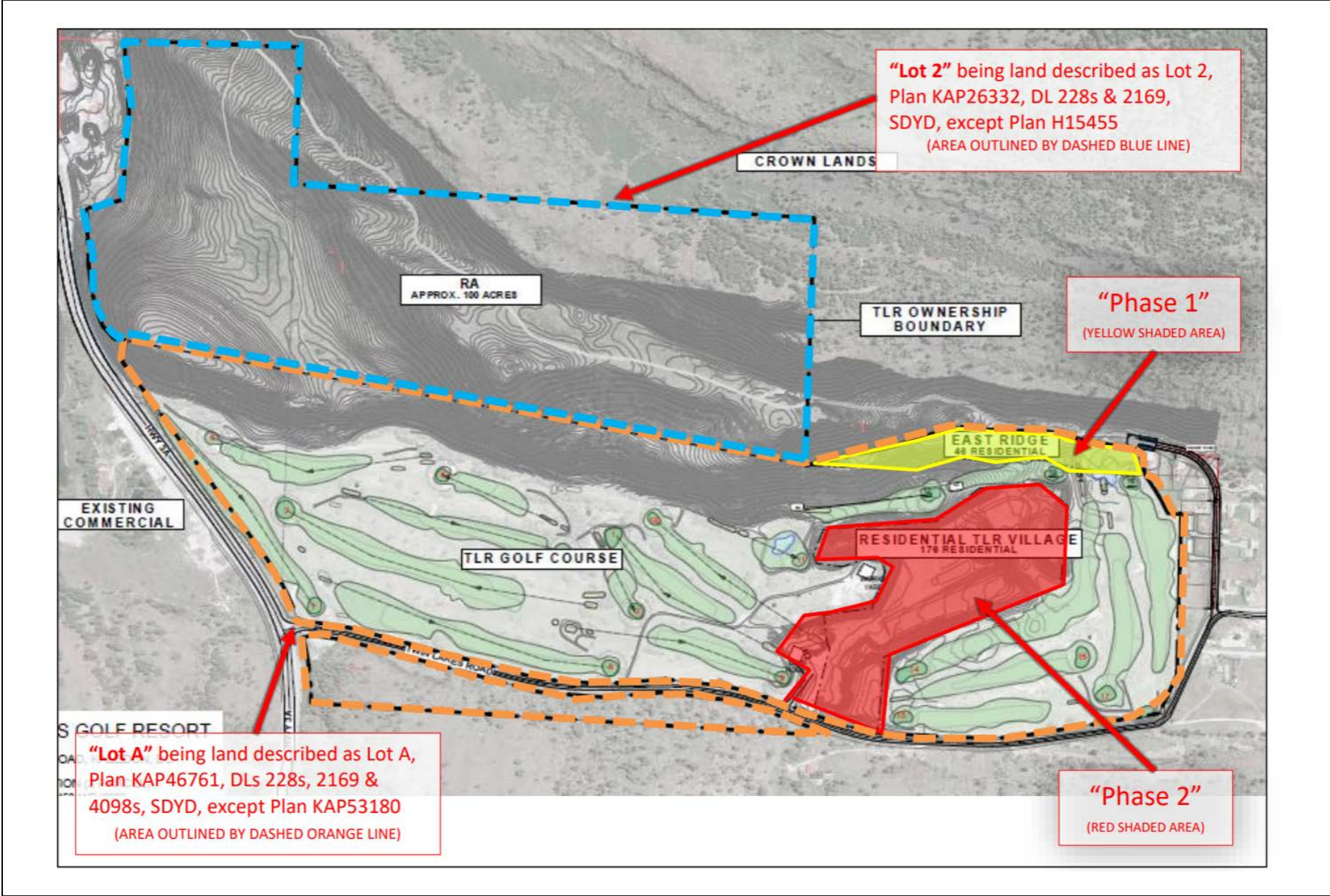
C. Garrish, Planning Manager

Attachment No. 1 – Overview of Proposed Amendment Bylaw Changes





Attachment No. 2 – Applicant’s Site Plan





Attachment No. 3 – Site Photo

