

TO: Electoral Area Advisory Committee

FROM: Planning Department

SUBJECT: *Swan Lake Residential Infill Plan – Status Report*

File No: 3061.21.04

Date: October 26, 2021

RECOMMENDATION:

That the Planning Department Staff Report dated October 26, 2021, regarding the status of the *Swan Lake Residential Infill Plan* be received for information; and further,

That staff be directed to prepare an Official Community Plan Amendment Bylaw and Zoning Amendment Bylaw for consideration of First Reading as outlined in the Planning Department Staff Report dated October 26, 2021.

BACKGROUND:

In 2019, Provincial and Federal government grants were secured to establish a wastewater collection and recovery system to service lands within the Regional District of North Okanagan. Phase 1 of the treatment plant includes portions of Electoral Areas "B" and "C", the south end of the Township of Spallumcheen, and Okanagan Indian Band lands at the north end of Swan Lake.

The *Swan Lake Residential Infill Plan* ("the Infill Plan") was initiated in 2021 to address the potential for the community sewer system to be extended beyond Phase 1 to service established residential neighbourhoods to the east of Swan Lake. In this regard, over the Spring and Summer of 2021, staff carried out a focused effort to engage with area residents and landowners to determine if they would be interested in connecting to the community sewer system and what type of new residential development, if any, they would want to see in their neighbourhood. As indicated on the attached map, the following neighbourhoods were involved in this consultation process:

- RDNO 2 - Greenhow Frontage Road Mixed Use Area
- RDNO 3 - North Pleasant Valley Road / L & A Road Residential Neighbourhood
- RDNO 4 - North Grey Canal Trail Rural Residential Neighbourhood
- RDNO 7 - Herry Road Residential Neighbourhood
- RDNO 8 - South portion of the South Swan Lake Mixed Use Area
- RDNO 9 - N'Kwala Park Residential Neighbourhood
- RDNO 10 - McClure Road Residential Neighbourhood

The RDNO 2 and RDNO 8 neighbourhoods are already part of Phase 1 of the wastewater recovery project. Therefore, input from residential property owners in these areas was invited to help guide future land use policy preparation for these neighbourhoods.

Due to the restrictions on non-farm use and subdivision of land in the Agricultural Land Reserve (ALR), aside from secondary suites, lands within the ALR are not eligible for more intensive residential development and are not part of this planning process.¹

Planning and Consultation Process to Date

- February 2021: Board of Directors endorse Terms of Reference for the *Swan Lake Residential Infill Plan*.
- March – April 2021: Information gathering, preparation of Consultation Plan and Background Report, photos taken of each neighbourhood, and infill/development examples in Kelowna and Vernon.
- May 2021: Background Report reviewed by the Electoral Area Advisory Committee and Board of Directors
- May – June 2021:
 - Letter, survey, and postage-paid return envelope were sent to 610 owners and 56 occupants² of the 610 properties within the Infill Plan area (a total of 666 surveys were mailed). The survey response period closed on June 15, 2021.
 - A project website was launched in May, including an online version of the survey.
 - Notification regarding the Infill Plan was included in the Regional District's weekly ad in the Morning Star newspaper.
 - A media release was issued.
 - 19 posters were placed on mailboxes and notice boards within the Infill Plan area.
 - Four public meetings were held using Zoom on June 1 and June 9 (two sessions each day).
 - Zoom meeting presentation was posted on the project website.
- June 2021: Letter and Background Report was referred for comments to the Okanagan Indian Band, Splatins, Township of Spallumcheen, City of Vernon, Ministry of Transportation and Infrastructure, Ministry of Environment, and Interior Health Authority. No referral responses have been received to date.
- July 2021: The Electoral Area Advisory Committee and Board of Directors received a report on survey results. At their Regular Meeting of July 21, 2021, the Board of Directors passed the following resolution:
 - *That discussions be concluded with residents and residential property owners within the neighbourhood identified as RDNO 10 as a result of Phase One consultation for the Swan Lake Residential Infill Plan.*
 - *That staff be directed to undertake additional consultation with residents and residential property owners within the neighbourhoods identified as RDNO 2, 3, 4, 7, 8 and 9, and subject to Provincial Health Orders a Public Information Meeting be held to further inform residents.*
 - *That staff be directed to send a letter to residential property owners and occupants within the Swan Lake Residential Infill Plan area in addition to online and media updates to inform people of the results of the survey process and Phase One consultation.*
 - *That the Swan Lake Residential Infill Plan project deliverables consist of a final report to the Board of Directors outlining proposed amendments to the Electoral Areas "B" and "C" Official Community Plan and Zoning Bylaw following the completion of Phase Two consultation.*

¹ Unless exempt from the restrictions of the *Agricultural Land Commission (ALC) Act* under the provisions of Section 23 of the ALC Act.

² Where Property Owner's primary address did not align with the civic address within the plan area, an additional survey was sent to the dwelling within the plan area.

- Week of August 9, 2021:
 - Letters sent to all 610 property owners within the *Swan Lake Residential Infill Plan* providing survey results and an invitation to attend outdoor public Open House sessions to be held at N'Kwala Park in mid-September.
 - Property owners in neighbourhoods RDNO 2 and RDNO 8 were also provided with a brief questionnaire aimed at determining what type and density of new housing they would support in their neighbourhood once community sewer is available.
 - Project website updated to include notice of the N'Kwala Park Open Houses.
- September 9, 2021: Notification regarding the N'Kwala Park Open Houses was included in Regional District's weekly ad in the Morning Star newspaper.
- September 2021: Two outdoor Open House sessions were held at N'Kwala Park on September 13 from 5:00 PM to 7:00 PM and September 15 from 10:00 AM to Noon.

N'Kwala Park Open House Consultation

Due to COVID-19 restrictions, initial stages of the public consultation process relied on electronic and written forms of communication. With the easing of restrictions in July regarding outdoor events, two outdoor open house sessions were held at N'Kwala Park on September 13 and September 15.

Approximately 40 people attended the two open house sessions. The following five written submissions were received at the open house sessions:

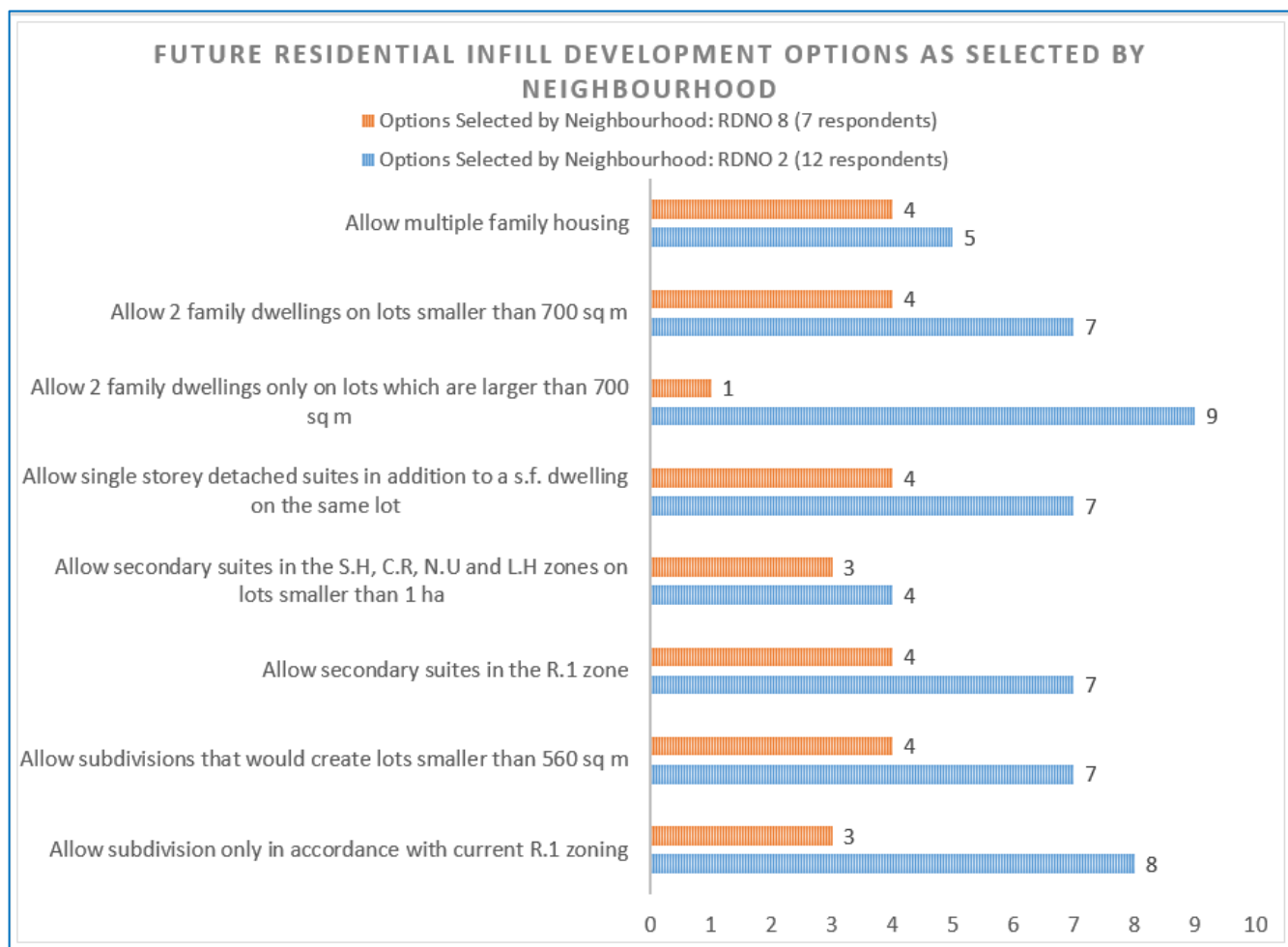
- 1) *"We support density to help ease housing affordability crisis."* (From resident of RDNO 7)
- 2) *"We are ALR & just want to tap into sewer. It is better environmentally to be on sewer & will be better for Swan Lake."* (From resident of RDNO 7)
- 3) *"Please look at Wood Lake algae outbreak. Swan Lake is a pond. Phosphate and Nitrogen need to be removed."* (From resident of RDNO 9)
- 4) *"I would fully support this prop. I have 3 ½ acres to develop."* (From resident of RDNO 9)
- 5) *"Thank you for involving me in this process. I am not in favour of rezoning N'Kwala Neighbourhood and the idea of connecting to sewer never crossed my mind. I believe there is sufficient land to develop in the North Okanagan. I see that the cost of land and houses is an issue across Canada, not just here."* (From resident of RDNO 9)

Additional public input received between August 19th and October 1st, 2021 is summarized in an attachment to this report. Opinions were varied and largely related to the question of connecting to community sewer.

Results of Survey Two Distributed to the RDNO 2 & RDNO 8 Neighbourhoods

As noted previously, in early August, letters were sent to all residential property owners within the Infill Plan area to invite them to attend one of the N'Kwala Park outdoor open house sessions and to provide an overview of the results of the survey conducted in May/June. Since the majority of survey respondents from the RDNO 2 and RDNO 8 neighbourhoods indicated that they were supportive of infill development in their neighbourhoods, the second mail-out to these two neighbourhoods also included a second survey intended to help determine the type and density of future, fully serviced housing supported in their neighbourhood. The letter, map and survey #2 are attached to this report for reference.

Out of a total of 19 surveys mailed to property owners in RDNO 2, there were 12 completed surveys received for a response rate of 63%. Out of a total of 18 surveys mailed to property owners in RDNO 8, there were 7 completed surveys received for a response rate of 39%. Survey recipients were instructed to select as many development options as they liked. Results are presented below:



DISCUSSION:

Overall, the results of the surveys undertaken as part of the consultation process for the *Swan Lake Residential Infill Plan* varied by neighbourhood. With the exception of neighbourhoods RDNO 2 and RDNO 8, which are already included in the first phase of the wastewater recovery project area, there was no community consensus for connecting to a sewer system. Some residents indicated they wanted to retain the existing rural character of the area while others supported connecting to a community sewer system to allow for infill development and protection of the natural environment.

Based on the feedback received as a result of the surveys, Zoom meetings, and the N'Kwala Park Open House sessions, staff recommend the following changes to the Official Community Plan:

Proposed Amendments to Electoral Areas "B" & "C" Official Community Plan

Currently, Electoral Areas "B" & "C" Official Community Plan Section 6.1 Residential Lands Objectives expresses an intention to "*significantly reduce the potential development of residential (urban) lots.*" This section is proposed to be updated as the Official Community Plan was prepared at a time when it was not contemplated that a community sanitary sewer system may be available to service parts of Electoral Areas "B" and "C." Additionally, it is timely to revisit this section of the OCP given that housing affordability was identified as the most significant challenge in the recently completed *Regional Housing Needs Assessment*. Allowing for smaller residential lots and a broader range of dwelling types, enabled by connection to a community sanitary sewer system, is one way the Regional District can increase the supply of affordable housing in an environmentally responsible manner.

New policy statements about residential property within the *Swan Lake Residential Infill Plan* area are proposed to be included within a new sub-section in OCP Section 6.0 RESIDENTIAL LANDS. The proposed new sub-section would consist of a context statement describing the rationale behind the preparation of the *Swan Lake Residential Infill Plan* and policy statements to guide the consideration of development proposals. It is suggested that the new policies should:

- speak to how additional properties or neighbourhoods may petition the Regional District should they wish to join the community sewer service area in the future;
- confirm that a minimum lot size of 1 ha would be required for new lots created by subdivision unless the property is connected to a community sewer and community water system; and
- provide direction on the housing forms that would be supported within the Residential land use designation on properties connected to a community sewer and community water system.

Schedule "B," the Official Community Plan General Land Use Map, is proposed to be amended by changing the Future Residential designation to Residential. Currently, the OCP does not have any policy statements specific to the Future Residential designation; therefore, no policy guidance would be lost with this change. It is suggested that current Residential land use policies, together with new policies proposed as noted above, would provide direction for future residential development and the redevelopment of existing residential properties within Electoral Areas "B" and "C". The proposed change would simplify the mapping and help avoid confusion about the intent of the land use designations.

The Electoral Areas "B" and "C" Official Community Plan does not include designation of a Development Permit Area to address the form and character of multi-family residential development. At this time, staff are *not* considering an amendment to the OCP that would require an approved Multi-Family Residential Development Permit before constructing any multi-family residential building. It is anticipated that the scope and scale of Multi-Family Residential development would be limited and would not justify the need for a Development Permit designation. Features such as parking and screening are addressed in the Zoning Bylaw.

Proposed Amendments to Zoning Bylaw No. 1888, 2003

In order to facilitate infill development within the Swan Lake Corridor, several amendments to the Zoning Bylaw are being proposed. These amendments are intended to enable development but are contingent on properties being connected to a community sewer and water system. Attention has been paid to the size, location (setbacks), height, and density of dwellings within the area to reduce the impact on the surrounding rural landscapes and maintain the privacy of adjacent properties. The proposed amendments are summarized below:

- allowing secondary suites and ancillary single family dwellings in the Residential Single Family (R.1), and Residential Two Family (R.2) zones;
- allowing secondary suites on lots less than 1 ha and ancillary single family dwellings on lots less than 2 ha, on Rural zoned lots outside the Agricultural Land Reserve in Electoral Areas "B" and "C", if connected to community sewer and community water;
- removing the minimum floor area requirement for ancillary single family dwellings and detached suites;
- restricting the height and establishing setbacks for ancillary single family dwellings, on Rural zoned lots less than 2 ha and on Residential zoned lots located in Electoral Areas "B" or "C", to ensure that such dwellings do not exceed one (1) storey and would be situated to the rear of the principal residence;
- specifying minimum requirements for the provision of useable open space for ancillary single family dwellings located on properties which are less than 2 ha and located in Electoral Areas "B" or "C"; and

- reducing the minimum lot size and frontage requirements and allowing for greater lot coverage for single and two family residential use in the R.1, R.2, and R.3 zones if connected to community sewer and community water systems.

No changes to the landscaping and screening requirements of the Regional District's Zoning Bylaw are proposed by staff at this time. Landscaping is not a requirement for multi-family development under either the Regional District of North Okanagan Zoning Bylaw No. 1888, the Village of Lumby Zoning Bylaw No. 750, nor the City of Enderby Zoning Bylaw No. 1550. Screening, which may take the form of fencing or evergreen hedging, is required under both the Regional District and Village of Lumby Zoning Bylaws, where any multi-family parking area abuts a lot in a Residential zone.


The proposed changes to the Zoning Bylaw would allow for a moderate increase in density within Electoral Areas "B" and "C" neighbourhoods which connect to the future community sewer system. The proposed provisions to allow for fully serviced smaller lots and additional housing options enhance the economic viability of the wastewater collection and treatment system and will allow for the development of more affordable housing.

Should the Board of Directors resolve to direct staff to prepare an Official Community Plan Amendment Bylaw and Zoning Amendment Bylaw as recommended, staff will prepare the bylaws for further consideration and will prepare for a mandatory Public Hearing to be held following Second Reading of the bylaws. Endorsement of the Zoning Amendment Bylaw by the Ministry of Transportation and Infrastructure would be required following Third Reading as the proposed amendments would apply to properties within 800 m of the intersection of a Controlled Access Highway.

Attachments

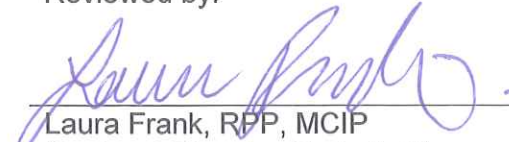
Attachment A – Map of Nodes within the Swan Lake Residential Infill Plan Area
Attachment B – Letter mailed to all neighbourhoods on August 9, 2021
Attachment C – Survey mailed to neighbourhoods RDNO 2 and RDNO 8
Attachment D – Summary of Public Input Received August 19 – October 1, 2021

Submitted by:



Marnie Skobalski, RPP, MCIP
Planner II

Reviewed by:



Laura Frank, RPP, MCIP
Regional Planning Projects Manager

Endorsed by:

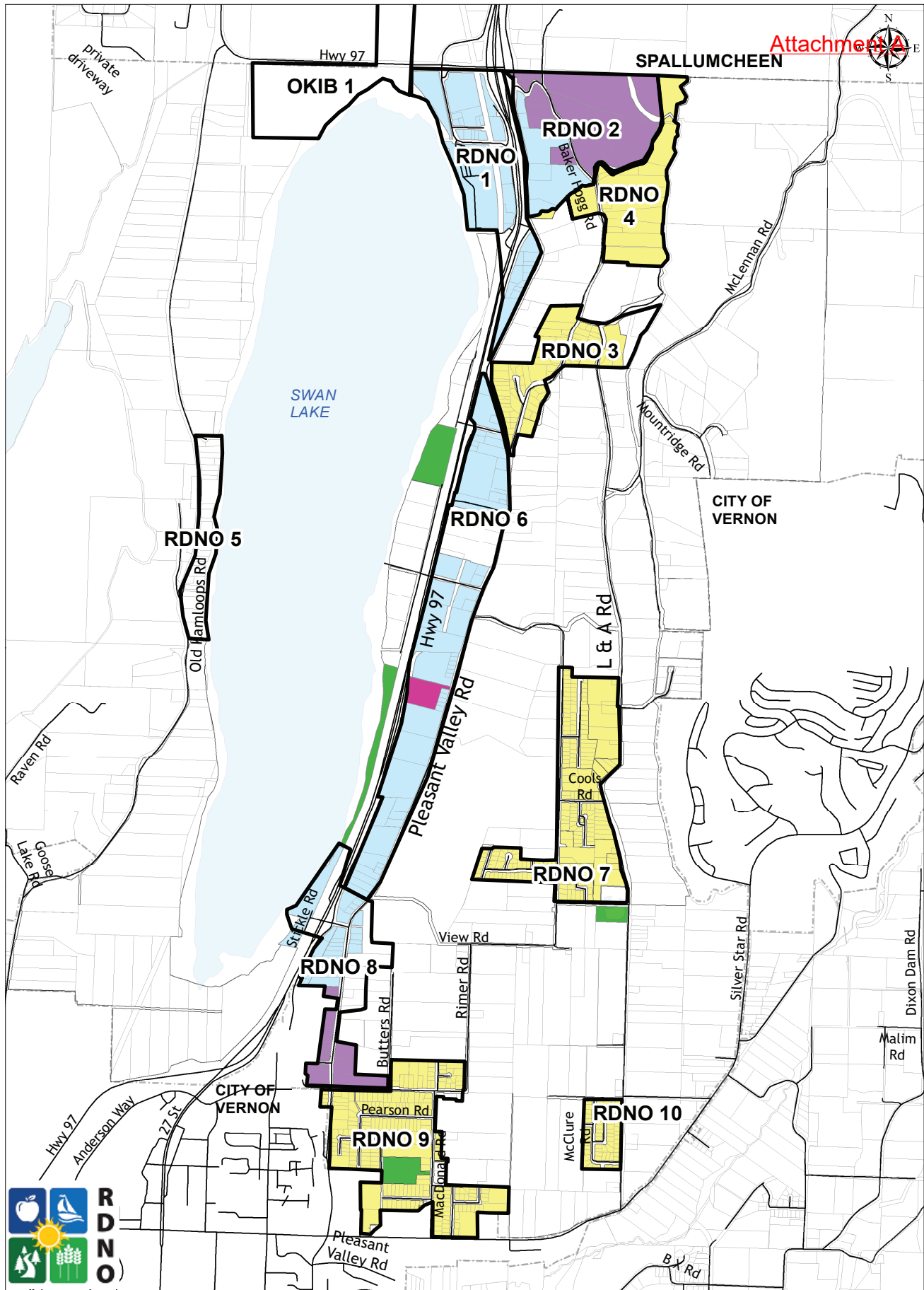


Rob Smailes, RPP, MCIP
General Manager, Planning and Building

Approved for Inclusion:



David Sewell
Chief Administrative Officer



1:20,000

0 0.25 0.5 1 Kilometers

Legend

- Neighbourhood Boundaries
- RDNO Jurisdictions

OCP Designations

- Commercial and Industrial Properties within approved service area
- Residential and Future Residential properties within approved service area
- Residential properties within potential service area

- School (S)
- Parks (P)



REGIONAL DISTRICT NORTH OKANAGAN

MEMBER MUNICIPALITIES:

CITY OF ARMSTRONG

VILLAGE OF LUMBY

CITY OF ENDERBY

CITY OF VERNON

DISTRICT OF COLDSTREAM

TOWNSHIP OF SPALLUMCHEEN

ELECTORAL AREAS:

"B" – SWAN LAKE

"E" – CHERRYVILLE

"C" – BX DISTRICT

"F" – ENDERBY (RURAL)

"D" – LUMBY (RURAL)

OFFICE OF : PLANNING DEPARTMENT

OUR FILE No.: 3061.21.04

August 9, 2021

Re: Swan Lake Residential Infill Plan

The Regional District wishes to thank everyone who completed the recent Swan Lake Residential Infill Plan survey. Surveys were mailed to 610 properties in the neighbourhoods identified as RDNO 2, 3, 4, 7, 8, 9, and 10, as shown on the attached map. We had an excellent response rate with 362, or 60%, of the surveys being returned.

This letter is being sent to provide you with an update on the survey results and to let you know about further public consultation opportunities planned for September.

Survey Results

Due to COVID-19 restrictions, to date, Regional District staff were unable to meet in person with property owners, and we've had to rely on electronic and written forms of communication.

The survey was developed to determine the willingness of property owners to connect to a future community sanitary sewer system and, if connected to community sewer, identify what types of residential infill development were supported in each neighbourhood.

Survey respondents were asked if they would be willing to connect to the future community sewer system and to indicate their preferred vision for their neighbourhood by selecting from the following options:

- (a) no change (no community sewer system, no change to zoning regulations);
- (b) modest change (connection to community sewer, allowing secondary suites and detached suites);
- (c) intermediate change (same as (b) and also allowing for smaller single-family lots); or
- (d) maximum change (same as (c) and allowing for townhouses, 3-plexes and 4-plexes in areas close to existing multiple-family housing).

The majority of survey respondents from neighbourhoods RDNO 2 and RDNO 8 indicated that they were supportive of connecting to the sewer system. These two areas are already within the sewer project's initial service area, and respondents in these neighbourhoods were generally in support of the more intensive change scenarios.

Responses received from RDNO 3, 4, 7, 9 and 10 were not supportive of connecting to the proposed sewer system. Depending on the neighbourhood, between 58% to 65% of respondents indicated that they were not interested in connecting to the proposed sewer system. Respondents in these neighbourhoods generally favoured the "no change" scenario.

The following table provides an overview of the survey response rate by neighbourhood:

Survey Responses Received			
Neighbourhood Node	Responses Received	# of Properties	Response Rate
RDNO 2	12	19	63 %
RDNO 3	46	68	68 %
RDNO 4	12	18	67 %
RDNO 7	112	200	56 %
RDNO 8	14	18	78 %
RDNO 9	123	226	54 %
RDNO 10	31	61	51 %
Other / Outside of Nodes / Prefer Not to Say	12	n/a	
All Nodes	362	610	60%

For more detailed information on the survey results, visit the project website at: www.rdno.ca/infill

Upcoming Public Consultation Opportunities

With the recent announcement that the Province of B.C. is now in Step 3 of the *COVID-19 Restart Plan*, we were pleased to learn that outdoor organized gatherings can now take place with up to 5,000 attendees or 50% capacity, whichever is greater. The Regional District Board of Directors has decided to provide additional opportunities for the area residents to learn more if they are interested.

If you would like more information regarding the potential for a community sewer system to service your neighbourhood and the types of new residential development that could be possible when connected to a community sewer system, you are encouraged to attend one of the open house sessions indicated below:

- **Monday, September 13, 2021, N'Kwala Park, 5:00 PM to 7:00 PM**
- **Wednesday, September 15, 2021, N'Kwala Park, 10:00 AM to 12:00 PM**

Regional District staff will be available at each session to answer your questions.

If you have any questions, concerns or feedback, you may email infillplan@rdno.ca or phone the Planning Department at 250-550-3700.

The Regional District is monitoring Covid-19 restrictions and if any changes are required to the scheduled open house sessions, it will be communicated through our website at www.rdno.ca/infill.



You are receiving this questionnaire because your property is located in either neighbourhood **RDNO 2** or **RDNO 8** as shown on the enclosed map.

A survey was mailed out and made available online in May of this year and a majority of respondents from neighbourhoods **RDNO 2** and **RDNO 8** indicated that they were supportive of connecting to the sewer system and also supportive of more intensive residential development in these neighbourhoods.

The Regional District is seeking additional feedback from residents of **RDNO 2** and **RDNO 8** as to the type of new housing that would be supported in these neighbourhoods once the community sewer system is available.

Please take a moment to complete the questionnaire below and return it to the Regional District by mail using the enclosed stamped envelope by **September 20, 2021**.

1. Which Neighbourhood is your property located within (see attached map)?

- ☐ RDNO 2 - Greenhow Frontage Road Mixed Use Area
- ☐ RDNO 8 - South portion of the South Swan Lake Mixed Use Area
- ☐ Prefer not to say
- ☐ If you are unsure, please provide the name of the street you live on or your civic address (*optional*)

2. Please select one or more of the options below to describe what level of development you support for your neighbourhood if connected to the proposed sewer system. Check as many as you like:

- ☐ Allow subdivision only in accordance with current Single Family Residential (R.1) zoning, i.e. minimum lot size of 560 square meters (6,028 sq ft) on community sewer system.
- ☐ Allow subdivisions that would create lots *smaller* than 560 square meters (6,028 sq ft).
- ☐ Allow secondary suites in the Single Family Residential (R.1) zone.
- ☐ Allow secondary suites in the Small Holding (S.H), Country Residential (C.R), Non-Urban (N.U) and Large Holding (L.H) zones on lots smaller than 1 hectare (2.47 acres).
- ☐ Allow single storey detached suites (i.e. garden suites) in addition to a single family dwelling on the same lot.
- ☐ Allow 2-family dwellings (i.e. duplexes) only on lots which are *larger* than 700 square metres (7,535 sq ft).
- ☐ Allow 2-family dwellings (i.e. duplexes) on lots *smaller* than 700 square metres (7,535 sq ft).
- ☐ Allow multiple family housing (i.e. townhouses, 3-plexes, 4-plexes).

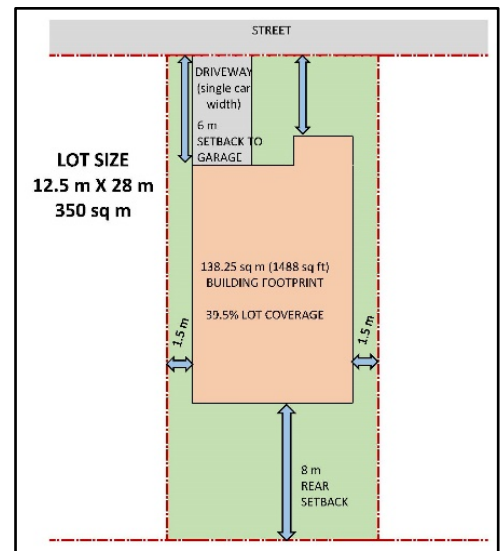
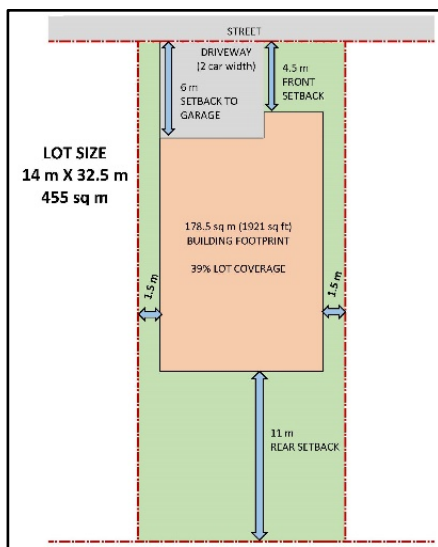
See page 2 for development examples.



The pictures below show what a single storey detached suite could look like:



The pictures below show what a lot that is smaller than 560 square meters could look like:



The pictures below show what 4-plexes or townhouses could look like:



Please enclose any additional comments on a separate sheet of paper or email: infillplan@rdno.ca

Thank-you!



Summary of Public Input Received August 19 – October 1, 2021

- 1) *“Please be advised (and also forward to the Board of Directors) that the following persons that own property within Node #3 are with objection to any proposed infill proposals and/or installation of a sanitary sewer system/service to their/our properties. **The first sessions and survey for this area indicated a 68% rejection of a sanitary sewer system/service. ***The following neighbours have indicated they would have their rejection noted and also included in this letter. (Note: 9 persons were listed.) ***QUESTION: since Respondents of your first survey in this neighbourhood generally favoured the "no change" scenario, why was this exercise promoted again by the BOARD OF DIRECTORS??? Thank you for your attention to this submission.” (From resident of RDNO 3)*
- 2) *“My address is [REDACTED] Richards Cres or RDNO zone 10 I am definitely in favour of being connected to sewer (sorry been away most of the summer and wasn't able to respond to the survey).” (From resident of RDNO 10)*
- 3) *“I support the idea of a sewer system rather than septic for myself. But I do not wish to see any other zoning changes in my neighborhood.” (From resident of RDNO 7)*
- 4) *“I never received a survey for [REDACTED] Redrock Road. I own [REDACTED] Pleasant Valley Road as well. I want both of these votes to SUPPORT the connection to sewer as well as the maximum change D.” (From resident of RDNO 3) Note: Regional District records indicate a survey was mailed to both addresses.*
- 5) *I just received the result of the survey that was sent out and I am appalled to see that in RDNO 7 they have not voted for the hook up and of the 200 homes only 112 surveys were sent back. I have no idea what people are thinking but the only comment I have is that if that they have turned the opportunity down then everyone's septic in the whole area should be tested and make sure it follows the right building code as I can tell you for a fact that peoples septic are falling in the area and it is a health issue. You can smell septic and see it coming out of the bottom of their yard. Most of these septic have to be at least 35 years old. If they think they are saving costs by not hooking up...what do they it is going to cost to have a new septic system put it. Very frustrated resident. (From resident of RDNO 7)*