



REGIONAL
DISTRICT
NORTH
OKANAGAN

STAFF REPORT

TO: Board of Directors
FROM: Planning Department

File No: 3061.21.04
Date: May 11, 2022

SUBJECT: *Swan Lake Residential Infill Plan- Revised – Bylaw 2920, 2021*

RECOMMENDATION:

That Second Reading of Electoral Areas "B" and "C" Official Community Plan Amendment Bylaw No. 2920, 2021, which proposes to amend the Electoral Areas "B" and "C" Official Community Plan Bylaw No. 2626, 2014, be rescinded; and further,

That Bylaw No. 2920, 2021 Electoral Areas "B" and "C" Official Community Plan Amendment be given Second Reading as amended and forwarded to a Public Hearing; and further,

That the Public Hearing for Bylaw No. 2920, 2021 be delegated to the Electoral Area Advisory Committee under section 231 of the *Local Government Act*.

BACKGROUND:

This report relates to the *Swan Lake Residential Infill Plan*, which the Board of Directors most recently considered at their Regular Meeting of March 16, 2022. At that time, the Board of Directors gave Second Reading to Electoral Areas "B" and "C" Official Community Plan Amendment Bylaw No. 2920, 2021, which proposes changes to the Electoral Areas "B" and "C" Official Community Plan to support a broader range of housing types and a moderate increase in density in existing neighbourhoods which are proposed to be connected to community sewer and community water in the Swan Lake area.

The Board of Directors further resolved to delegate the Public Hearing for Bylaw No. 2920 to the Electoral Area Advisory Committee under section 231 of the *Local Government Act*.

In accordance with Sections 475, 476 and 477 of the Local Government Act the subject bylaw was forwarded for consideration and comments to adjacent local governments, First Nations, and relevant agencies whose interests may be affected by Bylaw No. 2920. The Bylaw was also referred to and considered by the Electoral Area "B" and "C" Advisory Planning Commissions on March 30, 2022, where a number of comments regarding infill potential were discussed. The responses to this referral are provided below.

In light of the comments and concerns raised by the Electoral Area "B" Advisory Planning Commission, the Electoral Area Advisory Committee passed the following resolution at the May 5, 2022 meeting:

That it be recommended to the Board of Directors, Bylaw No. 2920, 2021 Electoral Areas "B" and "C" Official Community Plan Amendment be amended by adding infill objectives and policies for efficient infill development.

DISCUSSION:

Referral responses were received from the City of Vernon and the Township of Spallumcheen. The City of Vernon noted no objections to the *Swan Lake Residential Infill Plan* and expressed support of the Regional District's efforts to increase housing options and affordability. The Township of Spallumcheen expressed a desire to discuss and coordinate plans for roads, trails, and sewer infrastructure within areas adjacent to the Township to avoid duplication. Based on the feedback from Area B and C residents and a desire for low to moderate infill levels in the areas near and adjacent to the Township boundary, staff are of the opinion that these topics are adequately addressed in the Official Community Plan. However, the "Electoral Areas B & C Parks Plan" and "Greater Vernon Trails & Natural Spaces Master Plan" will be incorporated into the Official Community Plan in 2022. It is anticipated the "Greater Vernon Trails & Natural Spaces Master Plan" will be complete in the fall of 2022 at which time staff will initiate an amendment to the Electoral Areas B & C Official Community Plan. This would be an appropriate time to engage with the Township of Spallumcheen on future trail connections. Staff have reached out to the Township to discuss these matters and ensure there is an appropriate opportunity to discuss all topics of interest, including roads, trails and sewer infrastructure.

The Electoral Area "B" Advisory Planning Commission expressed concerns regarding the re-designation of properties before a connection to the future community sewer system could result in having properties subdivided into additional residential lots utilizing septic systems as long as they are larger than 1 ha. In order to address these concerns, staff have included Swan Lake Residential Infill Objectives along with a number of new policies to ensure the full buildout potential of these lots is considered before rezoning is granted.

As there were no additional concerns or objections identified through the Bylaw referral process, it is recommended that Electoral Areas "B" and "C" Official Community Plan Amendment Bylaw No. 2920, 2021 be given Second Reading as amended and be forwarded to a Public Hearing.

The public consultation process undertaken in preparing the *Swan Lake Residential Infill Plan* was outlined in detail in the Planning Department report dated October 26, 2021. In general, the main opportunities to provide feedback included:

- May-June 2021: Direct mailout with a copy of the survey;
- Project website launched in May (included an online version of the survey);
- E-mail and phone numbers for the project team were provided, and residents were encouraged to reach out to a planner at any time during the planning process;
- Four public meetings were held via Zoom (June 1 and June 9, 2021- two sessions each day);
- Referral process for comments from adjacent communities, First Nations and relevant agencies;
- August 9, 2021: Direct mailout to area residents providing a summary of the survey results;
- September 2021: Two outdoor Open House sessions were held at N'Kwala Park on September 13 (5:00-7:00 pm) and September 15 (10:00 am to Noon).

REFERRALS:

Electoral Areas "B" and "C" Official Community Plan Amendment Bylaw No. 2920 was referred January 5, 2022 for comments to the following:

1. City of Vernon

Our main interest is the maintenance of the commercial and industrial lands in this area. The plan appears to have no impact on this. In addition, we are supportive of efforts to increase housing options and affordability as this aligns with our priorities.

2. Township of Spallumcheen

At the Monday January 31, 2022 Special Council Meeting, the Township of Spallumcheen Council passed the following resolution (# 039/2022):

"...THAT the Township of Spallumcheen provide the following referral comments regarding the Referral Request from Regional District of North Okanagan (RDNO) dated January 5, 2022 – Swan Lake Residential Infill Plan – Electoral Areas "B" and "C" Official Community Plan Amendment Bylaw No. 2920, 2021:

- THAT the RDNO discuss and coordinate all trail connectivity options between the electoral areas and the Township when developing the area, especially where there is increased density;*
- THAT the RDNO ensure that their sewer main and property connections between jurisdictions are coordinated with the Township to avoid any duplications, especially in the Glen Hayes, Ridgeview, Greenhow and McLennan Road areas;*
- AND FINALLY THAT the RDNO discuss and coordinate all road connectivity for all existing and proposed roads, including all servicing requirements of Fortis BC, BC Hydro, Telus and other infrastructure service providers, required within areas that are adjacent to the Township."*

3. Ministry of Transportation and Infrastructure- The Ministry of Transportation and Infrastructure has no legislated authority in the OCP amendment process. Therefore, we have no comment on this referral.

4. Electoral Area "B" Advisory Planning Commission

The Commission provided the following comments regarding Bylaw 2920 and the Swan Lake Residential Infill Plan:

- Concerns regarding redesignating properties before a connection to the potential future community sewer system could result having properties be subdivided into additional residential lots utilizing a septic system as long as they are larger than 1 ha.
- Allowing larger lot subdivision before connection to sewer is a concern for the future infill in the area.
- Survey respondents requested no change and the bylaw is proposing quite a bit of change.
- Discussion regarding the potential community sewer system and capacity.

5. Splatsin

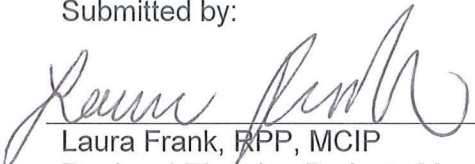
6. Okanagan Indian Band

7. School Districts No. 22 and No. 83

8. RDNO Finance Department

9. RDNO Solid Waste Department

Submitted 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

REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 2920

A bylaw to amend Electoral Areas "B" and "C" Official Community Plan Bylaw No. 2626, 2014 as amended.

WHEREAS pursuant to Section 472 [Authority to adopt a bylaw] of the *Local Government Act*, the Board of the Regional District of North Okanagan may, by Bylaw, adopt one or more official community plans;

AND WHEREAS the Board has enacted the "*Electoral Areas "B" and "C" Official Community Plan Bylaw No. 2626, 2014*" as amended to provide a statement of objectives and policies to guide decisions on planning and land use management, within the area covered by the plan;

AND WHEREAS the Board has resolved to amend the Official Community Plan;

NOW THEREFORE, the Board of the Regional District of North Okanagan in an open meeting assembled, hereby **ENACTS AS FOLLOWS**:

CITATION

1. This Bylaw may be cited as "*Electoral Areas "B" and "C" Official Community Plan Amendment Bylaw No. 2920, 2021*".

AMENDMENTS

2. Schedule "A" of *Electoral Areas "B" and "C" Official Community Plan Bylaw No. 2626, 2014* is hereby amended by deleting the first paragraph of Section 6.1 (including the two bullet points) and replacing it with the following:

Housing affordability was identified as the most significant challenge within the North Okanagan during the development of the 2020 North Okanagan Regional Housing Needs Assessment. Addressing affordability is complex and will require action from various levels of government, non-profits and the development community. It was also noted that there needs to be a shared regional response to existing and emerging housing demands. Working towards a diverse and affordable housing stock is an important foundation for supporting growth and responding to changes in population and housing trends. With these objectives in mind, a Regional Housing Strategy was completed in 2021 to guide discussions regarding priorities for implementation aimed at supporting the provision of non-market, market, and rental housing stock.

3. Schedule "A" of *Electoral Areas "B" and "C" Official Community Plan Bylaw No. 2626, 2014* is hereby amended by adding the following as Section 6.3 after Cosens Bay Policies:

6.3 SWAN LAKE RESIDENTIAL INFILL DEVELOPMENT

CONTEXT

In 2019, Provincial and Federal government grant funding was approved to establish a wastewater collection and recovery system (also referred to as a community sewer system) to service lands within portions of Regional District of North Okanagan 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 potential for a community sewer system to service lands currently serviced by on-site septic systems or holding tanks inevitably leads to development interests, proposals and pressures for new development not previously possible utilizing on-site septic disposal systems.

The potential for new development and land use change within the initial phase of the community sewer system is addressed in the Swan Lake Commercial Area and Neighbourhood Plan, which was adopted as Schedule “K” to the Electoral Areas “B” and “C” Official Community Plan in 2018.

The scope of the Swan Lake Commercial Area and Neighbourhood Plan also included lands with the potential to be within later phases of the wastewater collection and recovery project, including established residential nodes located primarily to the east of Pleasant Valley Road. The potential for new development within these residential neighbourhoods was not fully explored within the Swan Lake Commercial Area and Neighbourhood Plan as a more focused effort to engage with residents and landowners within these neighbourhoods was deemed necessary to determine each neighbourhood’s vision for its future if sewer becomes available. In this regard, these established residential neighbourhoods were the focus of the Swan Lake Residential Infill Plan which was undertaken in 2021.

Results of a survey undertaken as part of the consultation process for the Swan Lake Residential Infill Plan varied by neighbourhood. With the exception of two neighbourhoods which are already included in the first phase of the wastewater recovery project service area, less than 50 percent of the survey responders in the other nodes supported connecting to and paying for community sewer. Throughout the Infill Plan area there were, however, residents who supported connecting to a community sewer system to allow for infill development and to protect the environment.

SWAN LAKE RESIDENTIAL INFILL OBJECTIVES

Residential infill encourages the development of underused or vacant land in existing areas to increase density and place new development near existing resources and infrastructure. This type of development enables density and accommodates environmentally sustainable growth by using existing utility and transportation infrastructure. Lands designated as Residential within the Swan Lake Residential Infill Plan area are intended to accommodate this type of growth while being sensitive to the rural characteristics of the region.

SWAN LAKE RESIDENTIAL INFILL DEVELOPMENT POLICIES

The following policies apply to properties within the Swan Lake Residential Infill Plan area as shown on Schedule “L”.

6.3.1 Lands designated Residential and proposed for Rural re-zonings will trigger an Official Community Plan amendment.

6.3.2 Should one of the neighbourhoods identified on Schedule “L” wish to connect to community sewer in the future, a Consent Process to include additional properties into the service area may be initiated by a formal petition request to the Regional District.

6.3.3 With the exception of boundary adjustment subdivisions and lots created pursuant to Section 514 of the Local Government Act, new lots created by subdivision shall be not less than 1.0 ha in size unless connected to a community sewer system and community water system and shall be consistent with the provisions of the Regional District of North Okanagan Zoning Bylaw and Subdivision Servicing Bylaw.

6.3.4 Lots less than 2 ha in size will not be supported for Residential re-zoning unless community sewer and water services are available.

6.3.5 To ensure the infill potential within the plan area is reached, lands that are designated Residential and being considered for re-zoning, the following will be required:

- a. Comprehensive site plan displaying lot layouts, roadways and full buildout potential.
- b. The RDNO will require a restrictive covenant to be registered on title to ensure the proposed lots must be less than 1 ha when subdivided and conform with the approved site plan.
- c. Subdivision approval will not be granted until water and sewer services are extended to the subject property.

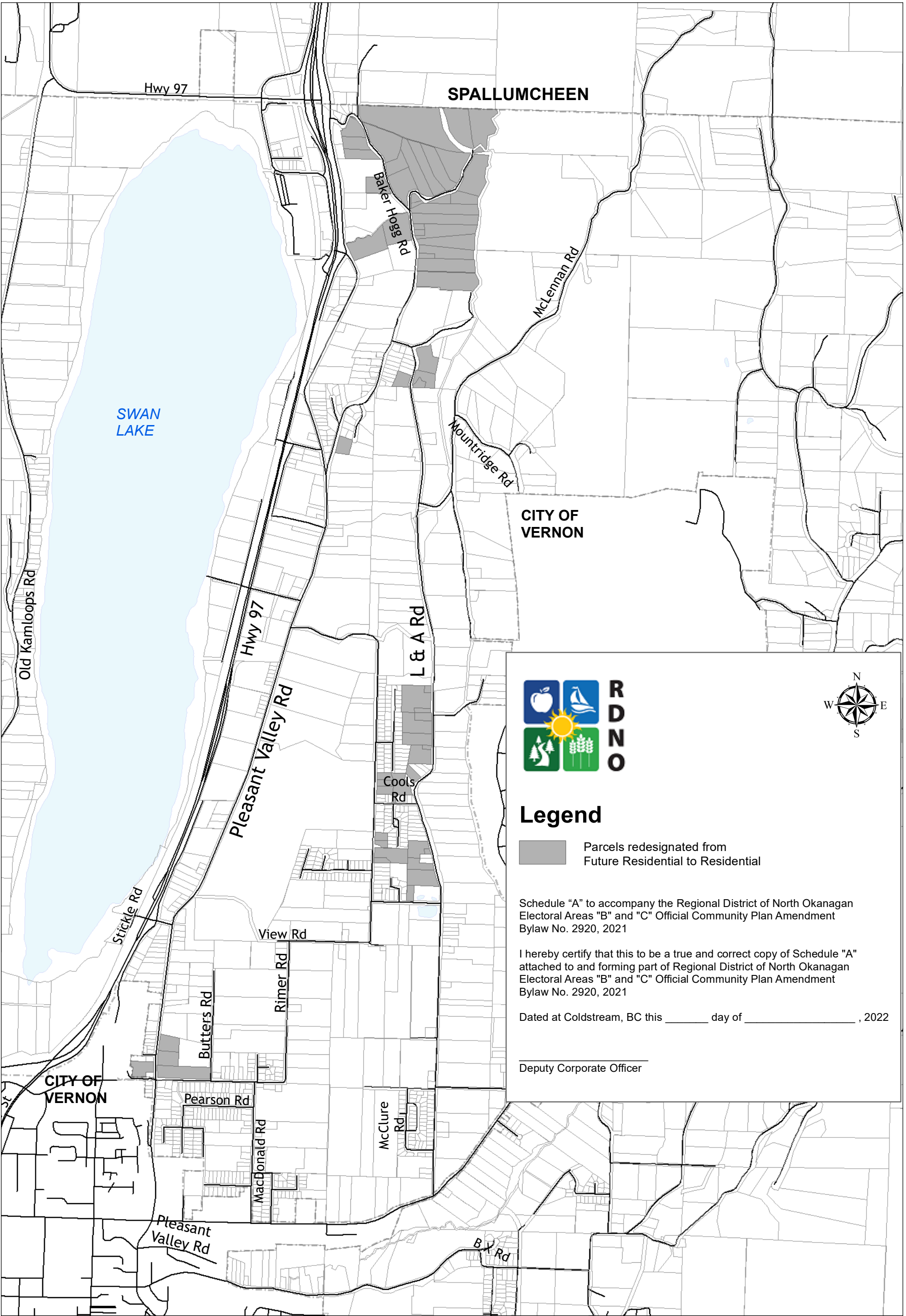
6.3.6 To provide local affordable and rental housing options for neighbourhoods which connect to community sewer and community water systems, the following policies apply:

- a. Within the Residential land use designation, the Regional District supports a reduced minimum lot size standard for lots in the Residential zones.
 - b. Within the Residential land use designation, the Regional District supports the development of secondary suites, ancillary single family dwellings, two family dwellings, three family dwellings, four family dwellings, and row houses consistent with provisions of the Zoning Bylaw provided the residential dwelling unit(s) are connected to community sewer and community water systems.
4. Schedule "B" General Land Use map of *Electoral Areas "B" and "C" Official Community Plan Bylaw No. 2626, 2014* is hereby amended by changing the land use designation of all properties designated as **Future Residential** to **Residential** as shown on the map labelled as Schedule "A" attached to and forming part of this bylaw.
 5. That the map labelled as Schedule "L" Swan Lake Residential Infill Plan Area attached to and forming part of this bylaw be added as Schedule "L" to *Electoral Areas "B" and "C" Official Community Plan Bylaw No. 2626, 2014*.

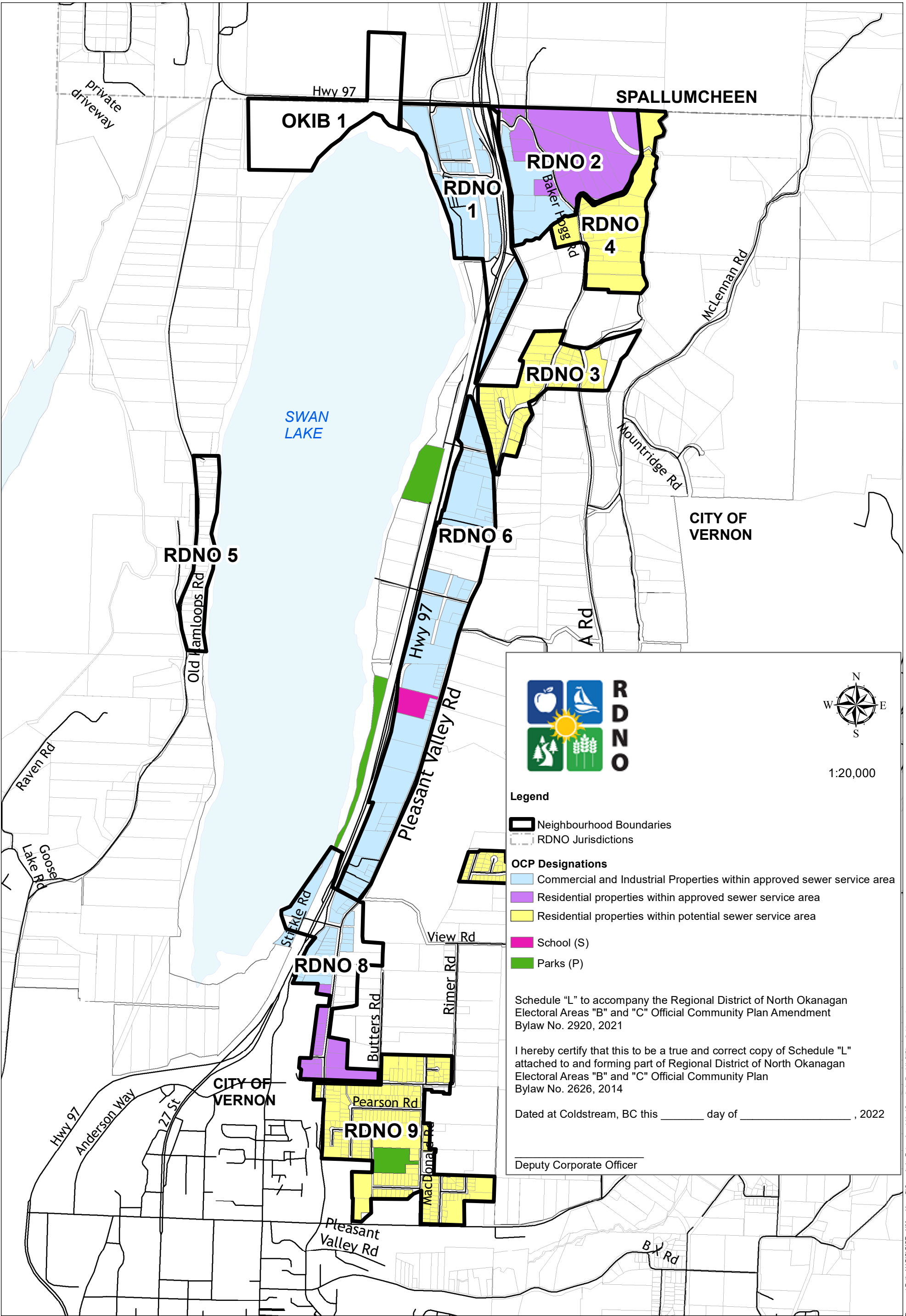
Read a First Time	this	15th	day of	December, 2021
Bylaw considered in conjunction with the Regional District Financial Plan and Waste Management Plan	this	15th	day of	December, 2021
Read a Second Time	this	16th	day of	March, 2022
Advertised on	this		day of	, 2022
	this		day of	, 2022
Delegated Public Hearing held	this		day of	, 2022
Read a Third Time	this		day of	, 2022
ADOPTED	this		day of	, 2022

Chair

Deputy Corporate Officer



Schedule A attached to and forming part of Electoral Areas “B” and “C” Official Community Plan Amendment Bylaw No. 2920, 2021



**Schedule L Swan Lake Residential Infill Plan Area
To Accompany Official Community Plan Bylaw No. 2626, 2014**