

REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 2942

A bylaw to amend the Electoral Area “F” Official Community Plan Bylaw No. 2702, 2016 and amendments thereto.

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 Area “F” Official Community Plan Bylaw No. 2702, 2016*” 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, pursuant to Section 460 [Development approval procedures] of the *Local Government Act*, the Board must, by bylaw, define procedures under which an owner of land may apply for an amendment to an Official Community Plan and must consider every application for an amendment to the plan;

AND WHEREAS the Board has enacted the “*Regional District of North Okanagan Development Application Procedures and Administrative Fees Bylaw No. 2677, 2018*” as amended to establish procedures to amend an Official Community Plan, a Zoning Bylaw, or a Rural Land Use Bylaw, or to issue a Permit:

AND WHEREAS the Board has received an application to amend the Official Community Plan designation;

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 Area “F” Official Community Plan Amendment Bylaw No. 2942, 2022***”.

AMENDMENTS

2. The land use designation of the property legally described as District Lot 2415, ODYD, Except Plans 2024 & KAP81665 and located at Enderby Mabel Lake Road, Electoral Area “F” is hereby changed on Schedule “C” of the Electoral Area “F” Official Community Plan Bylaw No. 2702, 2016 from Future Park to Commercial.

Read a First Time	this	21st	day of	September, 2022
Bylaw considered in conjunction with the Regional District Financial Plan and Waste Management Plan	this	21st	day of	September, 2022
Read a Second Time	this	14th	day of	December, 2022

Advertised on	this	23rd	day of	January, 2023
Delegated Public Hearing held	this	2nd	day of	February, 2023
Read a Third Time	this	15th	day of	February, 2023
Third Reading Rescinded	this	20th	day of	November, 2024
Advertised on	this	23rd	day of	May, 2025
	this	27th	day of	May, 2025
Delegated Public Hearing held	this	5th	day of	June, 2025
Read a Third Time	this		day of	,2025
ADOPTED	this		day of	, 2025

Chair

Deputy Corporate Officer

REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 3026

A bylaw to rezone lands and amend the Zoning Map attached to the Regional District of North Okanagan Zoning Bylaw No. 3000, 2023 and amendments thereto.

WHEREAS pursuant to Section 479 [Zoning bylaws] of the *Local Government Act*, the Board of the Regional District of North Okanagan may, by Bylaw, divide the whole or part of the Regional District into zones, name each zone, establish boundaries for the zones and regulate uses within those zones;

AND WHEREAS the Board has created zones, named each zone, established boundaries for these zones and regulated uses within those zones by Bylaw No. 3000, being the “*Regional District of North Okanagan Zoning Bylaw No. 3000, 2023*” as amended;

AND WHEREAS, pursuant to Section 460 [*Development approval procedures*] of the *Local Government Act*, the Board must, by bylaw, define procedures under which an owner of land may apply for an amendment to a Zoning Bylaw and must consider every application for an amendment to the bylaw;

AND WHEREAS the Board has enacted the “*Regional District of North Okanagan Development Application Procedures and Administrative Fees Bylaw No. 2677, 2018*” as amended to establish procedures to amend an Official Community Plan, a Zoning Bylaw, or a Rural Land Use Bylaw, or to issue a Permit:

AND WHEREAS the Board has received an application to rezone property;

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

CITATION

1. This Bylaw may be cited as “**Zoning Amendment Bylaw No. 3026, 2024**”.

AMENDMENTS

2. The zoning of the property legally described as District Lot 2415, ODYD, Except Plans 2024 & KAP81665 and located at Enderby Mabel Lake Road, Electoral Area “F” is hereby changed on Schedule “A” of the *Regional District of North Okanagan Zoning Bylaw No. 3000, 2023* from the **Non-Urban (N.U) zone** to the **Recreation Commercial (C.5) zone**.

Read a First and Second Time	this	20th	day of	November, 2024
Advertised on	this	23rd	day of	May, 2025
	this	27th	day of	May, 2025
Delegated Public Hearing held	this	5th	day of	June, 2025
Read a Third Time	this		day of	, 2025
ADOPTED	this		day of	, 2025

Chair

Deputy Corporate Officer

REGIONAL DISTRICT OF NORTH OKANAGAN

Extract from the Minutes of a Meeting of the

Board of Directors

Held on

Wednesday, May 21, 2025

Bylaw 2942 - Electoral Area "F" Official Community Plan Amendment

Bylaw 3026 - Zoning Amendment

**THE CROWN IN THE RIGHT OF THE PROVINCE OF BC, c/o SPLATSIN
DEVELOPMENT CORPORATION [File No. 22-0569-F-OR]
Enderby Mabel Lake Road, Electoral Area "F"**

Moved and seconded

That Electoral Area "F" Official Community Plan Amendment Bylaw No. 2942, 2022, which proposes to amend the Electoral Area "F" Official Community Plan Bylaw No. 2702, 2016 by changing the land use designation of the property legally described as District Lot 2415, ODYD, Except Plans 2024 & KAP81665 and located at Enderby Mabel Lake Road, Electoral Area "F" from Future Park to Commercial, be forwarded to a Public Hearing; and further,

That Zoning Amendment Bylaw No. 3026, 2024, which proposes to amend the Regional District of North Okanagan Zoning Bylaw No. 3000, 2023 by changing the zoning of the property legally described as District Lot 2415, ODYD, Except Plans 2024 & KAP81665 and located at Enderby Mabel Lake Road, Electoral Area "F" from the Non-Urban (N.U) zone to the Recreation Commercial zone (C.5) zone, be forwarded to a Public Hearing.

CARRIED

Moved and seconded

That the Public Hearing for Bylaw Nos. 2942 and 3026 be delegated to the Electoral Area Advisory Committee under Section 231 of the *Local Government Act*.

CARRIED



**REGIONAL
DISTRICT
NORTH
OKANAGAN**

STAFF REPORT

TO: Board of Directors

FROM: Planning Department

SUBJECT: OCP Amendment Bylaw No. 2942 and Zoning Amendment Bylaw No. 3026

File No: 22-0569-F-OR

Date: April 24, 2025

RECOMMENDATION:

That Electoral Area “F” Official Community Plan Amendment Bylaw No. 2942, 2022, which proposes to amend the Electoral Area “F” Official Community Plan Bylaw No. 2702, 2016 by changing the land use designation of the property legally described as District Lot 2415, ODYD, Except Plans 2024 & KAP81665 and located at Enderby Mabel Lake Road, Electoral Area “F” from Future Park to Commercial, be forwarded to a Public Hearing; and further,

That Zoning Amendment Bylaw No. 3026, 2024, which proposes to amend the Regional District of North Okanagan Zoning Bylaw No. 3000, 2023 by changing the zoning of the property legally described as District Lot 2415, ODYD, Except Plans 2024 & KAP81665 and located at Enderby Mabel Lake Road, Electoral Area “F” from the Non-Urban (N.U) zone to the Recreation Commercial zone (C.5) zone, be forwarded to a Public Hearing.

BACKGROUND:

This report relates to an application which proposes to amend the Electoral Area “F” Official Community Plan (OCP) land use designation of the property located at Enderby Mabel Lake Road (District Lot 2415) from Future Park to Commercial and to change the zoning of the property from Non-Urban (N.U) to Recreation Commercial (C.5). If approved, the applicant proposes to develop the property as a 20-site campground and a 10-unit rental cabin accommodation development.

At the Regular Meeting held on August 17, 2022, the Board of Directors considered the application and resolved to prepare an Official Community Plan Amendment Bylaw and a Zoning Amendment Bylaw for First Reading. The Zoning Amendment Bylaw proposed to amend the previous RDNO Zoning Bylaw No. 1888, 2023 which was replaced by Zoning Bylaw No. 3000, 2023 in February of 2024. The Board resolved that Second Reading be withheld until the applicant has held a Public Information Meeting and comments have been received from the Parks Department. The Board resolved that Final Adoption of the Bylaws be withheld until:

1. A Commercial Development Permit has been issued by the Regional District for the proposed cabin accommodation development;
2. The applicant has registered a covenant against the title of the property that would prohibit fee-simple or bareland strata subdivision;
3. The Regional District has confirmed that the subject property has been connected to the Mabel Lake Water and Sewer Utility systems or guarantees which meet the requirements of the Small Utilities Department regarding their construction and installation are provided.

At the Regular Meeting held on December 14, 2022, the Board of Directors gave Second Reading to the associated Official Community Plan Bylaw No. 2942 and Zoning Amendment Bylaw No. 2943. The Board resolved that Final Adoption of the Bylaws be withheld until the applicant has entered into an agreement with the Regional District for public use of the existing trail located on the subject property. The Board also resolved not to require the registration of a covenant that would prohibit subdivision.

A Delegated Public Hearing was held on February 2, 2023. At the Regular Meeting held on February 15, 2023, the Board of Directors gave Third Reading to Bylaw No. 2942 and Bylaw No. 2943. The Board resolved that Final Adoption of the Bylaws be withheld until the Province has approved a Crown Land Tenure for commercial uses on the property as requested in their email dated January 16, 2023.

At the Special Meeting held on February 7, 2024, the Board of Directors Adopted the Regional District of North Okanagan Zoning Bylaw No. 3000, which replaced Zoning Bylaw No. 1888. Active rezoning applications and associated zoning amendment bylaws that proposed to amend Zoning Bylaw No. 1888 must be replaced with a zoning amendment bylaw that proposes to amend Zoning Bylaw No. 3000.

At the Regular Meeting held on November 20, 2024, the Board rescinded Third Reading of the Electoral Area "F" Official Community Plan Amendment Bylaw No. 2942 and gave First and Second Readings to Zoning Amendment Bylaw No. 3026, which replaces Zoning Amendment Bylaw No. 2943.

The Board also resolved that the Public Hearing for Bylaw Nos. 2942 and 3026 not be held until:

1. assurances have been provided by a professional engineer that the proposed development can be adequately serviced by an on-site water supply and that the use of the water supply would not have a negative impact on the water supply of existing users in the surrounding area;
2. assurances have been provided by a professional engineer that the proposed development can be serviced by an on-site septic system meeting the requirements of the authority having jurisdiction.

The Board also resolved that Final Adoption of Bylaw Nos. 2942 and 3026 be withheld until:

1. a Commercial Development Permit has been approved for issuance by the Regional District for the proposed cabin accommodation development;
2. the applicant has entered into an agreement with the Regional District of North Okanagan for public use of the existing trail located on the subject property.

DISCUSSION:

In follow-up to the Board's resolution, the applicant has provided the attached report dated April 8, 2025 from Kala Geosciences Ltd. The report states that based on a desktop study and in the engineer's opinion:

- The maximum daily water demand for the proposed development is understood to be approximately 0.59 l/s.
- The potential to intercept favorable conditions to construct a 152 mm well capable of delivering 0.59 L/s of water is good at the Subject Property;
- Groundwater recharge is likely abundant at the raised fluvial bench. The proposed water well will have a minimal impact on surrounding wells and surface water bodies;
- Kala considered the site to be very good for the proposed discharge of treated wastewater effluent to ground;
- It is the opinion of Kala that in comparison to RDNO subdivision bylaws, the site is suitable from groundwater development and wastewater to ground perspective.

Based on the conclusions, the engineer has provided a list of next steps for the owner should they wish to further verify the presence or absence of a suitable aquifer. The engineer has stated that a well does not need to be drilled nor does a soils investigation need to be conducted to support the above noted conclusions.

CONCLUSION:

The proposal to amend the OCP and rezone the property is required to be considered at a new public hearing as a new Zoning Bylaw was adopted in February 2024 and the proposal has been changed from being serviced with community sewer and water to on-site servicing (well and septic). The Board resolved that the Public Hearing for Bylaw Nos. 2942 and 3026 not be held until:

1. assurances have been provided by a professional engineer that the proposed development can be adequately serviced by an on-site water supply and that the use of the water supply would not have a negative impact on the water supply of existing users in the surrounding area;
2. assurances have been provided by a professional engineer that the proposed development can be serviced by an on-site septic system meeting the requirements of the authority having jurisdiction.

Staff suggest that the findings in the report from Kala Geosciences Ltd satisfy the above noted conditions and as such, Official Community Plan Amendment Bylaw No. 2942 and Zoning Amendment Bylaw No. 3026 can now be forwarded to a Public Hearing.

Submitted by:



Jennifer Miles, RPP, MCIP
Planner II

Reviewed by:



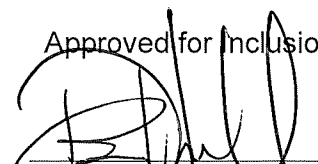
Greg Routley
Deputy Planning Manager

Endorsed by:



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

Approved for Inclusion:



David Sewell
Chief Administrative Officer

REGIONAL DISTRICT OF NORTH OKANAGAN

Extract from the Minutes of a Meeting of the

Board of Directors

Held on

Wednesday, November 20, 2024

Bylaw 2942 - Electoral Area "F" Official Community Plan Amendment

Bylaw 3026 - Zoning Amendment

**THE CROWN IN THE RIGHT OF THE PROVINCE OF BC, c/o SPLATSIN DEVELOPMENT CORPORATION [File No. 22-0569-F-OR]
Enderby Mabel Lake Road, Electoral Area "F"**

Moved and seconded

That Third Reading of Electoral Area "F" Official Community Plan Amendment Bylaw No. 2942, 2022, which proposes to amend the Electoral Area "F" Official Community Plan Bylaw No. 2702 by changing the land use designation of the property legally described as District Lot 2415, ODYD, Except Plans 2024 & KAP81665 and located at Enderby Mabel Lake Road, Electoral Area "F" from Future Park to Commercial, be rescinded; and further,

That Zoning Amendment Bylaw No. 3026, 2024, which proposes to amend the Regional District of North Okanagan Zoning Bylaw No. 3000 by changing the zoning of the property legally described as District Lot 2415, ODYD, Except Plans 2024 & KAP81665 and located at Enderby Mabel Lake Road, Electoral Area "F" from the Non-Urban (N.U) zone to the Recreation Commercial zone (C.5) zone, be given First and Second Readings; and further,

That the Public Hearing for Electoral Area "F" Official Community Plan Amendment Bylaw No. 2942, 2022 and Zoning Amendment Bylaw No. 3026, 2024 not be held until:

1. assurances have been provided by a professional engineer that the proposed development can be adequately serviced by an on-site water supply and that the use of the water supply would not have a negative impact on the water supply of existing users in the surrounding area;
2. assurances have been provided by a professional engineer that the proposed development can be serviced by an on-site septic system meeting the requirements of the authority having jurisdiction; and further,

That Final Adoption of Electoral Area "F" Official Community Plan Amendment Bylaw No. 2942, 2022 and Zoning Amendment Bylaw No. 3026, 2024 be withheld until:

1. a Commercial Development Permit has been issued by the Regional District for the proposed cabin accommodation development;
2. the applicant has entered into an agreement with the Regional District of North Okanagan for public use of the existing trail located on the subject property.

CARRIED



**REGIONAL
DISTRICT
NORTH
OKANAGAN**

STAFF REPORT

TO: Board of Directors

FROM: Planning Department

SUBJECT: OCP Amendment Bylaw No. 2942 and Zoning Amendment Bylaw No. 3026

File No: 22-0569-F-OR

Date: October 22, 2024

RECOMMENDATION:

That Third Reading of Electoral Area “F” Official Community Plan Amendment Bylaw No. 2942, 2022, which proposes to amend the Electoral Area “F” Official Community Plan Bylaw No. 2702 by changing the land use designation of the property legally described as District Lot 2415, ODYD, Except Plans 2024 & KAP81665 and located at Enderby Mabel Lake Road, Electoral Area “F” from Future Park to Commercial, be rescinded; and further,

That Zoning Amendment Bylaw No. 3026, 2024, which proposes to amend the Regional District of North Okanagan Zoning Bylaw No. 3000 by changing the zoning of the property legally described as District Lot 2415, ODYD, Except Plans 2024 & KAP81665 and located at Enderby Mabel Lake Road, Electoral Area “F” from the Non-Urban (N.U) zone to the Recreation Commercial zone (C.5) zone, be given First and Second Readings; and further,

That the Public Hearing for Electoral Area “F” Official Community Plan Amendment Bylaw No. 2942, 2022 and Zoning Amendment Bylaw No. 3026, 2024 not be held until:

1. assurances have been provided by a professional engineer that the proposed development can be adequately serviced by an on-site water supply and that the use of the water supply would not have a negative impact on the water supply of existing users in the surrounding area;
2. assurances have been provided by a professional engineer that the proposed development can be serviced by an on-site septic system meeting the requirements of the authority having jurisdiction; and further,

That Final Adoption of Electoral Area “F” Official Community Plan Amendment Bylaw No. 2942, 2022 and Zoning Amendment Bylaw No. 3026, 2024 be withheld until:

1. a Commercial Development Permit has been approved for issuance by the Regional District for the proposed cabin accommodation development;
2. the applicant has entered into an agreement with the Regional District of North Okanagan for public use of the existing trail located on the subject property;

BACKGROUND:

This report relates to an application which proposes to amend the Electoral Area “F” Official Community Plan land use designation of a property located at Enderby Mabel Lake Road (District Lot 2415) from Future Park to Commercial and to change the zoning of the property from Non-Urban (N.U) to Recreation Commercial (C.5). If approved, the applicant proposes to develop the property for short term commercial accommodation being a campground and a 10-unit rental cabin development.

At the Regular Meeting held on August 17, 2022, the Board of Directors considered the application and resolved to prepare an Official Community Plan Amendment Bylaw and a Zoning Amendment Bylaw for First Reading. The Board resolved that Second Reading be withheld until the applicant has held a Public Information Meeting and comments have been received from the Parks Department. The Board resolved that Final Adoption of the Bylaws be withheld until:

1. A Commercial Development Permit has been issued by the Regional District for the proposed cabin accommodation development;
2. The applicant has registered a covenant against the title of the property that would prohibit fee-simple or bareland strata subdivision;
3. The Regional District has confirmed that the subject property has been connected to the Mabel Lake Water and Sewer Utility systems or guarantees which meet the requirements of the Small Utilities Department regarding their construction and installation are provided; and

At the Regular Meeting held on December 14, 2022, the Board of Directors gave Second Reading to the associated Official Community Plan Bylaw No. 2942 and Zoning Amendment Bylaw No. 2943. The Board resolved that Final Adoption of the Bylaws be withheld until the applicant has entered into an agreement with the Regional District for public use of the existing trail located on the subject property. The Board also resolved not to require the registration of a covenant that would prohibit subdivision.

A Delegated Public Hearing was held on February 2, 2023. At the Regular Meeting held on February 15, 2023, the Board of Directors gave Third Reading to Bylaw No. 2942 and Bylaw No. 2943. The Board resolved that Final Adoption of the Bylaws be withheld until the Province has approved a Crown Land Tenure for commercial uses on the property as requested in their email dated January 16, 2023.

At the Special Meeting held on February 7, 2024, the Board of Directors Adopted the Regional District of North Okanagan Zoning Bylaw No. 3000, which replaced Zoning Bylaw No. 1888. Active rezoning applications and associated zoning amendment bylaws that proposed to amend Zoning Bylaw No. 1888 must be replaced with a zoning amendment bylaw that proposes to amend Zoning Bylaw No. 3000.

The applicant has indicated that they still wish to move forward with the application now that Zoning Bylaw No. 3000 has been adopted. The applicant has amended their application in which they propose on-site servicing via a well and septic system. The applicant had previously proposed to connect to the Mabel Lake Water and Sewer Utility systems. The applicant also proposes to increase the number of camping spaces from 20 to 22. The matters of the public trail down to the river mouth and the Commercial Development Permit remain outstanding.

DISCUSSION:

The Planning Department suggests that the revised proposal is consistent with the Official Community Plan provided it can be demonstrated that the proposal to utilize onsite servicing is supported by the Policies of the Electoral Area "F" Official Community Plan listed below.

Water Supply

The applicant has amended their application in which they propose on-site servicing via a well. The applicant had previously proposed to connect to the Mabel Lake Water Utility system. The Board previously resolved that the subject property be connected to the system as a condition of adopting the OCP and Zoning Amendment Bylaws. To address the proposed new servicing plan, staff recommend that assurances be provided by a professional engineer that the proposed development can be adequately serviced by an on-site water supply and that the use of the water supply would not have a negative impact on the water supply of existing users in the surrounding area.

On-site sewage disposal

The applicant has amended their application in which they propose on-site septic system. The applicant had previously proposed to connect to the Mabel Lake Sewer Utility system. The Board previously resolved that the subject property be connected to the system as a condition of adopting the OCP and Zoning Amendment Bylaws. To address the proposed new servicing plan, staff recommend that assurances be provided by a professional engineer that the proposed development can be serviced by an on-site septic system meeting the requirements of the authority having jurisdiction.

Development Permit, Public Trail and Crown Land Tenure

Staff recommend that the Board's previous condition of adoption related to the requirements for a Development Permit and agreement for public use of the existing trail remain.

Staff note that the Board previously resolved that Final Adoption of the associated Bylaws be withheld until the Province has approved a Crown Land Tenure for commercial uses on the property, as requested in their email dated January 16, 2023. The Province has since retracted this request and as such, staff have not recommended that this condition apply to the new Zoning Amendment Bylaw or associated OCP Amendment Bylaw.

OFFICIAL COMMUNITY PLAN:

Public Facilities and Services Policies - Water

1. Because of the importance of an adequate water supply in rural areas and the uncertainty about water supply in some areas, in conjunction with an OCP/zoning amendment application, assurance about the proposed water supply (quality and quantity) should be provided and the Board of Directors may request that a hydrogeological study be provided to determine impacts, if any, of the proposed development on the water supply of existing users in the surrounding area and the aquifer.

Commercial Policies

1. Commercial land development shall not be considered for rezoning until the roads and services adequate for the development are either in place or guarantees regarding their construction and installation are provided.

Submitted by:



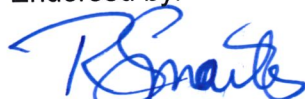
Jennifer Miles, RPP, MCIP
Planner II

Reviewed by:



Greg Routley
Deputy Planning Manager

Endorsed by:



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

Approved for Inclusion:



David Sewell
Chief Administrative Officer

REGIONAL DISTRICT OF NORTH OKANAGAN

Extract from the Minutes of a Meeting of the

Board of Directors

Held on

Wednesday, February 15, 2023

Bylaw 2942 - Electoral Area "F" Official Community Plan Amendment

Bylaw 2943 - Zoning Amendment

**THE CROWN IN THE RIGHT OF THE PROVINCE OF BC, c/o SPLATSIN
DEVELOPMENT CORPORATION [File No. 22-0569-F-OR]**

Enderby Mabel Lake Road, Electoral Area "F"

Moved and seconded

That the Chair's report dated February 2, 2023 from the Delegated Public Hearing held on February 2, 2023 for Electoral Area "F" Official Community Plan Amendment Bylaw No. 2942, 2022 and Zoning Amendment Bylaw No. 2943, 2022 be received.

CARRIED

Moved and seconded

That Electoral Area "F" Official Community Plan Amendment Bylaw No. 2942, 2022 which proposes to amend the Electoral Area "F" Official Community Plan Bylaw No. 2702, 2016 by changing the land use designation of the property legally described as District Lot 2415, ODYD, Except Plans 2024 & KAP81665 and located at Enderby Mabel Lake Road, Electoral Area "F" from Future Park to Commercial be given Third Reading; and further,

That Zoning Amendment Bylaw No. 2943, 2022 which proposes to amend the Regional District of North Okanagan Zoning Bylaw No. 1888, 2003 by changing the zoning of the property legally described as District Lot 2415, ODYD, Except Plans 2024 & KAP81665 and located at Enderby Mabel Lake Road, Electoral Area "F" from the Non-Urban (N.U) zone to the Recreation Commercial zone (C.5) zone be given Third Reading.

CARRIED

Moved and seconded

That Final Adoption of Electoral Area "F" Official Community Plan Amendment Bylaw No. 2942, 2022 and Zoning Amendment Bylaw No. 2943, 2022 be withheld until the Province has approved a Crown Land Tenure for commercial uses on the property as requested in the their email dated January 16, 2023.

CARRIED



**REGIONAL
DISTRICT
NORTH
OKANAGAN**

STAFF REPORT

TO: Board of Directors

FROM: Planning Department

SUBJECT: OCP Amendment Bylaw No. 2942 and Zoning Amendment Bylaw No. 2943

File No: 22-0569-F-OR

Date: February 8, 2023

RECOMMENDATION 1:

That upon consideration of comments received at the delegated Public Hearing, Electoral Area “F” Official Community Plan Amendment Bylaw No. 2942, 2022 which proposes to amend the Electoral Area “F” Official Community Plan Bylaw No. 2702, 2016 by changing the land use designation of the property legally described as District Lot 2415, ODYD, Except Plans 2024 & KAP81665 and located at Enderby Mabel Lake Road, Electoral Area “F” from Future Park to Commercial be considered for Third Reading; and further,

That upon consideration of comments received at the delegated Public Hearing, Zoning Amendment Bylaw No. 2943, 2022 which proposes to amend the Regional District of North Okanagan Zoning Bylaw No. 1888, 2003 by changing the zoning of the property legally described as District Lot 2415, ODYD, Except Plans 2024 & KAP81665 and located at Enderby Mabel Lake Road, Electoral Area “F” from the Non-Urban (N.U) zone to the Recreation Commercial zone (C.5) zone be considered for Third Reading.

RECOMMENDATION 2:

That Final Adoption of Electoral Area “F” Official Community Plan Amendment Bylaw No. 2942, 2022 and Zoning Amendment Bylaw No. 2943, 2022 be withheld until the Province has approved a Crown Land Tenure for commercial uses on the property as requested in their email dated January 16, 2023.

BACKGROUND:

This report relates to an application for an amendment to the Electoral Area “F” Official Community Plan (OCP) land use designation and zoning for the property located at Enderby Mabel Lake Road in Electoral Area “F”. The applicant proposes to amend the OCP land use designation of the subject property from Future Park to Commercial and to change the zoning of the property from Non-Urban (N.U) to Recreation Commercial (C.5). If approved, the applicant proposes to develop the property as a 20 site campground and a 10 unit rental cabin accommodation development.

At the Regular Meeting of the Board of Directors held on August 17, 2022, the Board resolved that staff be directed to prepare an Official Community Plan Amendment Bylaw and a Zoning Amendment Bylaw for First Reading. The Board gave Second Reading to Bylaw Nos. 2942 and 2943 on December 14, 2022 and forwarded the Bylaws to a delegated Public Hearing. A Public Hearing was held on February 2, 2023.

The Board also previously resolved that Final Adoption of the Official Community Plan and Zoning Amendment Bylaws be withheld until:

1. A Commercial Development Permit has been issued by the Regional District for the proposed cabin accommodation development;
2. The Regional District has confirmed that the subject property has been connected to the Mabel Lake Water and Sewer Utility systems or guarantees which meet the requirements of the Small Utilities Department regarding their construction and installation are provided; and
3. The applicant has entered into an agreement with the Regional District of North Okanagan for public use of the existing trail located on the subject property.

DISCUSSION:

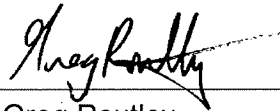
The Province is the owner of the subject property. The Province has submitted a letter (attached) requesting that a condition be added to the application that prevents Final Adoption of the zoning bylaw for the parcel until a Crown Land Tenure for commercial uses is approved. Given the request from the Province as the owner of the property, staff recommend that Final Adoption of Electoral Area "F" Official Community Plan Amendment Bylaw No. 2942, 2022 and Zoning Amendment Bylaw No. 2943, 2022 be withheld until the Province has approved a Crown Land Tenure for commercial uses on the property.

Submitted by:



Jennifer Miles, RPP, MCIP
Planner II

Reviewed by:



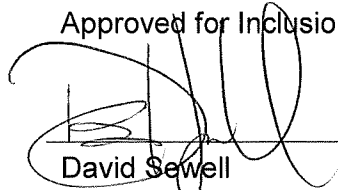
Greg Routley
Deputy Planning Manager

Endorsed by:



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

Approved for Inclusion:



David Sewell
Chief Administrative Officer

From: Harvey, Danalee FOR:EX [<mailto:Danalee.Harvey@gov.bc.ca>]

Sent: Monday, January 16, 2023 10:50 AM

To: Jennifer Miles <jennifer.miles@rdno.ca>

Cc: Rob Smailes <rob.smailes@rdno.ca>

Subject: RE: 22-0569-F-OR - Splatsin

*** External Email - Use Caution***

Thanks Jennifer.

As discussed at the meeting, Crown Lands is requesting that a precondition be added to the rezoning application that prevents rezoning of the parcel until a Crown Land Tenure for commercial uses be approved.

Thanks,



Danalee Harvey P. Ag

Senior Authorizations Specialist (Lands)

Ministry of Forests

Thompson Okanagan Region

441 Columbia Street | Kamloops, BC V2C 2T3

250-312-6754



TO: Board of Directors
FROM: Chair, Electoral Area Advisory Committee

File No: 22-0569-F-OR
Date: February 2, 2023

SUBJECT: Report on Delegated Public Hearing for Bylaw Nos. 2942 and 2943

Purpose:

The Delegated Public Hearing for Electoral Area “F” Official Community Plan Amendment Bylaw No. 2942, 2022 and Zoning Amendment Bylaw No. 2943, 2022 was held at 2:00 p.m. on Thursday, February 2, 2023. The bylaws propose to amend Electoral Area “F” Official Community Plan Bylaw No. 2702, 2016 by changing the land use designation of the property legally described as District Lot 2415, ODYD, Except Plans 2024 & KAP81665 and located at Enderby Mabel Lake Road, Electoral Area “F” from Future Park to Commercial and to change the zoning of the same property from the Non-Urban (N.U) zone to the Recreation Commercial (C.5) zone.

The purpose of this report is to satisfy the requirements of Section 469 (2) of the *Local Government Act* which states that the RDNO must not adopt a bylaw that was the subject of a delegated Public Hearing until the delegate (EAAC) reports to the Board, either orally or in writing, the views expressed at the hearing.

Views Expressed at the Delegated Public Hearing:

Presentations at the Delegated Public Hearing

There were eight (8) speakers at the Delegated Public Hearing for Bylaw Nos. 2942 and 2943. The following summarizes the points made by those who expressed their views:

- Applicant spoke in support of the application
- History of the area and how Splatsin utilizes the lake and river for fishing
- Requested neighbourhood cooperation
- Concerns regarding a bald eagle habitat on the subject property
- Concerns regarding water and sewer infrastructure capacity and who will pay for upgrades
- Concerns regarding fire safety and emergency response
- Supportive of growth in a sustainable way
- Concerns regarding parking, noise, dust, and trespassing
- Concerns regarding existing pathway/trail access and maintenance
- Concerns regarding notice and notification of the public meetings
- Support for future development in the area

- Concerns regarding adjacent owners purchasing property under assumption that the subject property was zoned park
- Portions of the subject property are steep, why is that portion included in the application?
- Questions regarding ownership of the subject property

Written Submissions

There were eleven (11) written submissions received prior to the start of the Delegated Public Hearing. The general views expressed in the written submissions included the following main concerns:


- Condition prior to rezoning that Crown Land Tenure for commercial uses be approved
- Emergency response, wildfire risk and firefighting capacity
- Environmental concerns about the removal of existing trees and bank stability
- Existing trail connectivity and maintenance
- Garbage disposal
- Water and septic infrastructure capacity
- Increased traffic and parking
- Noise, dust and trespassing
- Purchased property with the understanding adjacent property was designated park

The minutes of the Delegated Public Hearing contain the above details regarding points made by speakers in regards to the bylaw provisions.

I invite the other Electoral Area Directors to add any further comments at this time if they want.

As Chair of the Electoral Area Advisory Committee, this is my report of the Delegated Public Hearing in accordance with Section 469 of the *Local Government Act*. I declare it to be fair and accurate and now ask for a motion to receive this report.

Submitted by:



Director Shatzko, Chair
Electoral Area Advisory Committee

REGIONAL DISTRICT OF NORTH OKANAGAN

Extract from the Minutes of a Meeting of the

Board of Directors

Held on

Wednesday, December 14, 2022

Bylaw 2942 - Electoral Area "F" Official Community Plan Amendment

Bylaw 2943 - Zoning Amendment

THE CROWN IN THE RIGHT OF THE PROVINCE OF BC, c/o SPLATSIN DEVELOPMENT CORPORATION [File No. 22-0569-F-OR]

Enderby Mabel Lake Road, Electoral Area "F"

Moved and seconded

That Electoral Area "F" Official Community Plan Amendment Bylaw No. 2942, 2022 which proposes to amend the Electoral Area "F" Official Community Plan Bylaw No. 2702, 2016 by changing the land use designation of the property legally described as District Lot 2415, ODYD, Except Plans 2024 & KAP81665 and located at Enderby Mabel Lake Road, Electoral Area "F" from Future Park to Commercial be given Second Reading and be forwarded to a Public Hearing; and further,

That Zoning Amendment Bylaw No. 2943, 2022 which proposes to amend the Regional District of North Okanagan Zoning Bylaw No. 1888, 2003 by changing the zoning of the property legally described as District Lot 2415, ODYD, Except Plans 2024 & KAP81665 and located at Enderby Mabel Lake Road, Electoral Area "F" from the Non-Urban (N.U) zone to the Recreation Commercial (C.5) zone be given Second Reading and be forwarded to a Public Hearing.

CARRIED

Moved and seconded

That the Public Hearing for Bylaw Nos. 2942 and 2943 be delegated to the Electoral Area Advisory Committee under Section 231 of the *Local Government Act*.

CARRIED

Moved and seconded

That Final Adoption of Official Community Plan Amendment Bylaw No. 2942 and Zoning Amendment Bylaw No. 2943 be withheld until the applicant has entered into an agreement with the Regional District of North Okanagan for public use of the existing trail located on the subject property; and further,

That condition 2 of Final Adoption from the August 17, 2022 Board of Directors resolution, being a requirement to register a restrictive covenant that would prohibit subdivision be removed.

CARRIED



STAFF REPORT

TO: Board of Directors

File No: 22-0569-F-OR

FROM: Planning Department

Date: November 28, 2022

SUBJECT: OCP Amendment Bylaw No. 2942 and Zoning Amendment Bylaw No. 2943

RECOMMENDATION:

That Electoral Area "F" Official Community Plan Amendment Bylaw No. 2942, 2022 which proposes to amend the Electoral Area "F" Official Community Plan Bylaw No. 2702, 2016 by changing the land use designation of the property legally described as District Lot 2415, ODYD, Except Plans 2024 & KAP81665 and located at Enderby Mabel Lake Road, Electoral Area "F" from Future Park to Commercial be given Second Reading and be forwarded to a Public Hearing; and further,

That Zoning Amendment Bylaw No. 2943, 2022 which proposes to amend the Regional District of North Okanagan Zoning Bylaw No. 1888, 2003 by changing the zoning of the property legally described as District Lot 2415, ODYD, Except Plans 2024 & KAP81665 and located at Enderby Mabel Lake Road, Electoral Area "F" from the Non-Urban (N.U) zone to the Recreation Commercial zone (C.5) zone be given Second Reading and be forwarded to a Public Hearing; and further,

That the Public Hearing for Bylaw Nos. 2942 and 2943 be delegated to the Electoral Area Advisory Committee under Section 231 of the *Local Government Act*; and further,

That Final Adoption of Official Community Plan Amendment Bylaw No. 2942 and Zoning Amendment Bylaw No. 2943 be withheld until the applicant has made suitable arrangements with the Regional District of North Okanagan to secure a statutory right of way for the existing trail located on the property.

SUMMARY:

This report relates to an application for an amendment to the Electoral Area "F" Official Community Plan (OCP) land use designation and zoning for the property located at Enderby Mabel Lake Road in Electoral Area "F". The applicant proposes to amend the OCP land use designation of the subject property from Future Park to Commercial and to change the zoning of the property from Non-Urban (N.U) to Recreation Commercial (C.5). If approved, the applicant proposes to develop the property as a 20 site campground and a 10 unit rental cabin accommodation development.

It is recommended that the subject Bylaws be considered for Second Reading and be forwarded to a Public Hearing delegated to the Electoral Area Advisory Committee. The applicant has fulfilled the Board's conditions of Second Reading which were to hold a Public Information Meeting and to receive comment from the RDNO Parks Department and Mabel Lake Water and Sewer Utilities.

As the Parks Department has noted their desire to have trail connectively though the subject property, staff have recommended that Adoption of the proposed Official Community Plan and Zoning Amendment Bylaws be withheld until the applicant has made suitable arrangements with the Parks Department to obtain a statutory right of way for the existing trail located on the property.

The Board previously resolved that Final Adoption of the associated Bylaws be withheld until the Regional District has confirmed that the subject property has been connected to the Mabel Lake Water and Sewer Utility systems or guarantees which meet the requirements of the Small Utilities Department regarding their construction and installation are provided. Staff are not recommending any additional conditions related to the utilities at this time.

BACKGROUND:

At the Regular Meeting of the Board of Directors held on August 17, 2022, the Board resolved that staff be directed to prepare an Official Community Plan Amendment Bylaw and a Zoning Amendment Bylaw for First Reading. The Board further resolved that Second Reading of the Bylaws be withheld until:

1. The applicant has held a Public Information Meeting in accordance with the Public Information Meeting Guide and submitted a follow-up report to staff in accordance with the Regional District of North Okanagan Public Information Meeting Guide;
2. Comments are received from the RDNO Parks Department and Mabel Lake Water and Sewer Utilities.

The Board also resolved that Final Adoption of the Official Community Plan and Zoning Amendment Bylaws be withheld until:

1. A Commercial Development Permit has been issued by the Regional District for the proposed cabin accommodation development;
2. The applicant has registered a covenant against the title of the property that would prohibit fee-simple or bareland strata subdivision;
3. The Regional District has confirmed that the subject property has been connected to the Mabel Lake Water and Sewer Utility systems or guarantees which meet the requirements of the Small Utilities Department regarding their construction and installation are provided.

At the Regular Meeting held on September 21, 2022, the Board of Directors gave First Reading to Electoral Area "F" Official Community Plan Amendment Bylaw No. 2942, 2022 and Zoning Amendment Bylaw No. 2943, 2022.

PUBLIC INFORMATION MEETING:

In follow-up to the Board's direction, the applicant held a Public Information Meeting (PIM) on Wednesday, September 28, 2022 beginning at 10:00 AM. The PIM was held in the Boardroom at Splatsin Development Corporation's headquarters located at 5655 Hwy 97A, Enderby, BC. In accordance with the requirements of the Regional District Public Information Meeting Guide, the applicant submitted a report to staff regarding the PIM including the following information:

- photos of the meeting notification sign posted on the property on September 7, 2022;
- copies of the advertisement that was run in the September 1 and September 8, 2022 editions of the Okanagan Advertiser newspaper;
- a copy of the mail-out that was delivered to 295 addresses in the area via Canada Post neighbourhood mail out campaign including the following:
 - date, time, and purpose of the Public Information Meeting;
 - location of the Public Information Meeting;
 - address of the subject property;

- site plan of the property;
- contact information for the applicant and for the Regional District of North Okanagan;
- a description of the proposed OCP and Zoning amendments; and
- a comment sheet inviting recipients to submit written comments to the Regional District.
- Minutes of the PIM indicate the following:
 - nine members of the public attended the meeting.
 - the attendees had questions about the applicants plans, whether there would be a fulltime on-site operator, concerns related to behavior of campers and including trespass and use of motorized vehicles, trail maintenance, buffering, consultation requirements, park land requirements and fire prevention measures.

Three written comments regarding the proposal were received by the Planning Department:

- Letter 1 was not supportive of the proposal and indicated concerns related to limiting development in the community until water issues including firefighting capacity for existing residents have been addressed. The other letter was also not supportive of the proposal and indicated concerns related to limiting development in the community until issues related to water and sewer infrastructure to support current residents are addressed, including firefighting.
- Letter 2 also suggested there is no need for additional campgrounds in the area.
- Letter 3 was also not supportive of the proposal and indicated concerns related to changing the designation of the subject property from Park to Commercial and loss of potential for additional park land in the area. The letter also indicated concerns related to "increased foot and vehicle traffic along with the attendant issues resulting from short term, transient renters."

Staff note that a copy of the mail-out delivered to 295 addresses in the area via Canada Post Neighbourhood Mail Campaign. As this method would not deliver to non-resident property owners or properties which do not contain a residence, some property owners were not provided notification as part of the mail out; however the mail out was provided to a wider range of property owners in the area.

The PIM guide states: "the applicant should mail or otherwise deliver an information package to property owners and residents within a minimum distance of 100m [300 ft] of the property, a minimum of 10 days prior to the date of the meeting." Should the Board feel the method used by the applicant was not sufficient to meet the requirements of the PIM guide, the Board could resolve to defer Second Reading until the applicant has provided notification and held a PIM in accordance with the PIM Guide.

REFERRAL COMMENTS:

Mabel Lake Water and Sewer Utilities:

Mabel Lake Water and Sewer Utilities provided the following comments:

In response to the applicant's inquiry with respect to the above mentioned property, the Regional District of North Okanagan (RDNO) provides the following as information in regards to the request to confirm water and sewer infrastructure capacities and potential water and sewer servicing for the property:

1. All water and sewer services are subject to RDNO water and sewer bylaws, standards and regulations. Copies of all RDNO bylaws are available at the RDNO office and on the RDNO website at www.rdno.ca.
2. This review is valid for one (1) year as of the date of this letter provided that there are no changes in legislation, regulations, or bylaws in which case alterations of this review may be required to comply with the new legislation, regulations, or bylaws.

3. RDNO records indicate that there is no existing water or sewer service to the property.
4. Mabel Lake Water (MLW) and Mabel Lake Sewer (MLS) are nearing capacity and both systems require an engineering evaluation to determine available capacity and upgrades that may be required to service the proposed development. The RDNO will retain the engineering consultant, at the developer's expense, to prepare the system assessment and provide a report outlining upgrades that may be required for both services with costs estimates. Depending on the engineering assessment, this development could trigger the following requirements:
 - 4.1. Secondary effluent treatment for MLS due to maximum septic flow capacity triggers being reached as per the Mabel Lake Sewer Operational Certificate 14490 issued by the Ministry of Environment.
 - 4.2. Sewer lift station upgrades for MLS on Mabel Lake Place.
 - 4.3. Additional water storage requirements for MLW to meet the additional maximum daily demands
 - 4.4. Upgrades to the current MLW water treatment process
 - 4.5. Expansion of the MLW pump house and
 - 4.6. Application to the Province for additional Water License for MLW.
5. An onsite collection system with pumping ability to the existing gravity main will be required. Developer is required to connect onsite sewer collection system to the existing manhole on Parkway Road, this may require an onsite pump.
6. Water and sewer fees will be required as provided in Tables 1 and 2.
7. Water meter in approved pit at the property line may be required.
8. All costs incurred with the development are to be borne by the Developer.
9. Prior to construction, a Servicing Agreement will be required to build the water and sewer off site works, as per Schedule C of Greater Vernon Water Subdivision and Development Servicing Bylaw 2650, 2013.
10. Water and sewer servicing boundaries require amendments to include the subject property into the Mabel Lake Water (MLW) and Mabel Lake Sewer (MLS) service areas (Tables 1 and 2). The service boundary amendment application will only be accepted after the Servicing Agreement has been signed and securities paid. The service boundary amendment will need to be approved by the Electoral Area Advisory Committee and the RDNO Board. If the service boundary amendment is not approved, the Servicing Agreement will be void and all securities will be returned.
11. A Water and Sewer Servicing Agreement between the RDNO and the Splitsin Development Corporation may be required for long term servicing (to be determined).

The following fees are payable at the RDNO office as specified below.

Table 1. Water fees

Fee Description	Rate	Payable Prior to...	Total
Plan Review and Inspection Fee	5% on first \$100,000 of the capital cost of water portion of project. 4% of \$100,000 - \$200,000 3% of \$200,000 - \$500,000 2% of \$500,000 - \$1,000,000 1% in excess of \$1,000,000	Drawing Review and/or Approval	To Be Determined
Water Service Connection Fee	Engineering review to assess	Development Approval	To Be Determined
Water Service Construction Fee	Actual cost. 125% deposit required	Development Approval	To Be Determined

Fee Description	Rate	Payable Prior to...	Total
	based on estimate of Actual Cost*		
Local Area Service Administration Fee	\$2,400 per Local Area Service bylaw	Construction Approval	\$2,400.00

*Note: extra costs will be billed and excess will be refunded.

Table 2. Sewer fees

Fee Description	Rate	Payable Prior to...	Total
Development Inquiry Fee	Actual Cost per inquiry (\$250 minimum for the first three hours)	Development Inquiry Review	\$250.00 (Paid)
Sewer System Capacity Review	Cost provided in Table 1	Continuation of Application	See Table 1
Plan Review and Inspection Fee	5% on first \$100,000 of the capital cost of sewer portion of project. 4% of \$100,000 - \$200,000 3% of \$200,000 - \$500,000 2% of \$500,000 - \$1,000,000 1% in excess of \$1,000,000	Drawing Review and/or Approval	To Be Determined
Sewer Service Connection Fee	Engineering review to assess	Development Approval	To Be Determined
Sewer Service Construction Fee	Actual cost. 125% deposit required based on estimate of Actual Cost*	Development Approval	To Be Determined
Latecomer Fee	Engineering review to assess	Development Approval	To Be Determined
Local Area Service Administration Fee	\$2,400 per Local Area Service bylaw	Construction Approval	\$2,400.00

*Note: extra costs will be billed and excess will be refunded.

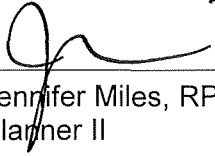
There are other developers that have expressed interest in participating in the engineering study to include their development potential to connect to sewer and water in the Mabel Lake/Kingfisher area. The work scope of the engineering assessment and allocation of costs to each party will be determined at an upcoming meeting where all interested parties including Splatsin will be invited. The cost of the engineering report will be provided once participation and funding commitments are established.

RDNO Parks Department:

The RDNO Parks Department provided the following comments:

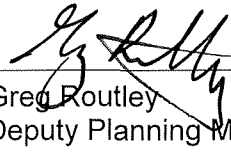
- RDNO Parks is requesting a Statutory ROW for the existing trail located on the property. This would connect up with another trail that we have to the east. The trail is located within the area designated as "land to stay undeveloped" on the Referral map.

Submitted by:



Jennifer Miles, RPP, MCIP
Planner II

Reviewed by:



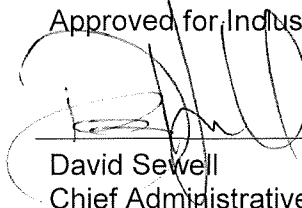
Greg Routley
Deputy Planning Manager

Endorsed by:



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

Approved for Inclusion:



David Sewell
Chief Administrative Officer

REGIONAL DISTRICT OF NORTH OKANAGAN

Extract from the Minutes of a Meeting of the

Board of Directors

Held on

Wednesday, September 21, 2022

Bylaw 2942 - Electoral Area "F" Official Community Plan Amendment

Bylaw 2943 - Zoning Amendment

**THE CROWN IN THE RIGHT OF THE PROVINCE OF BC, c/o SPLATSIN
DEVELOPMENT CORPORATION [File No. 22-0569-F-OR]**

Enderby Mabel Lake Road, Electoral Area "F"

Moved and seconded

That Electoral Area "F" Official Community Plan Amendment Bylaw No. 2942, 2022, which proposes to amend the Electoral Area "F" Official Community Plan Bylaw No. 2702, 2016 by changing the land use designation of the property legally described as District Lot 2415, ODYD, Except Plans 2024 & KAP81665 and located at Enderby Mabel Lake Road, Electoral Area "F" from Future Park to Commercial, be given First Reading; and further,

That Zoning Amendment Bylaw No. 2943, 2022, which proposes to amend the Regional District of North Okanagan Zoning Bylaw No. 1888, 2003 by changing the zoning of the property legally described as District Lot 2415, ODYD, Except Plans 2024 & KAP81665 and located at Enderby Mabel Lake Road, Electoral Area "F" from the Non-Urban (N.U) zone to the Recreation Commercial zone (C.5) zone be given First Reading.

CARRIED

REGIONAL DISTRICT OF NORTH OKANAGAN

Extract from the Minutes of a Meeting of the

Board of Directors

Held on

Wednesday, August 17, 2022

Official Community Plan / Rezoning Application

**THE CROWN IN THE RIGHT OF THE PROVINCE OF BC, c/o SPLATSIN DEVELOPMENT CORPORATION [File No. 22-0569-F-OR]
Enderby Mabel Lake Road, Electoral Area "F"**

Moved and seconded

That the application to amend the Electoral Area "F" Official Community Plan Bylaw No. 2702, 2016 by changing the land use designation of portions of the property legally described as District Lot 2415, ODYD, Except Plans 2024 & KAP81665 and located at Enderby Mabel Lake Road, Electoral Area "F" from Future Park to Commercial be supported in principle and staff be directed to prepare an Official Community Plan Amendment Bylaw for First Reading only; and further,

That the application to amend the Regional District of North Okanagan Zoning Bylaw No. 1888, 2003 by changing the zoning of portions of the property legally described as Lot 2415, ODYD, Except Plans 2024 & KAP81665 and located at Enderby Mabel Lake Road, Electoral Area "F" from the Non-Urban (N.U) zone to the Recreation Commercial (C.5) zone be supported in principle and staff be directed to prepare a Zoning Amendment Bylaw for First Reading only; and further,

That the referral process outlined in the Planning Department report dated July 22, 2022 be considered appropriate consultation for the purpose of Sections 475 and 476 of the *Local Government Act*; and further,

That in accordance with Section 477 of the *Local Government Act*, the Official Community Plan Amendment Bylaw be considered in conjunction with the Regional District of North Okanagan's Financial Plan and the Regional Solid Waste Management Plan; and further,

That Second Reading of the proposed Official Community Plan and Zoning Amendment Bylaws be withheld until:

1. The applicant has held a Public Information Meeting in accordance with the Public Information Meeting Guide and submitted a follow-up report to staff in accordance with the Regional District of North Okanagan Public Information Meeting Guide;
2. Comments are received from the RDNO Parks Department and Mabel Lake Water and Sewer Utilities; and further,

That Final Adoption of the proposed Official Community Plan and Zoning Amendment Bylaws be withheld until:

1. A Commercial Development Permit has been issued by the Regional District for the proposed cabin accommodation development;
2. The applicant has registered a covenant against the title of the property that would prohibit fee-simple or bareland strata subdivision;
3. The Regional District has confirmed that the subject property has been connected to the Mabel Lake Water and Sewer Utility systems or guarantees which meet the requirements of the Small Utilities Department regarding their construction and installation are provided.

CARRIED



PLANNING DEPARTMENT INFORMATION REPORT

OFFICIAL COMMUNITY PLAN / REZONING APPLICATION

DATE:	July 22, 2022
FILE NO.:	22-0569-F-OR
OWNER/APPLICANT:	The Crown in the Right of the Province of BC c/o Splat-sin Development Corporation
LEGAL DESCRIPTION:	District Lot 2415, ODYD, Except Plans 2024 & KAP81665
P.I.D.#	011-808-241
CIVIC ADDRESS:	Enderby Mabel Lake Road
PROPERTY SIZE:	4.05 ha
SERVICING:	Community water and community sewer (proposed)
PRESENT ZONING:	Non-Urban (N.U)
PROPOSED ZONING:	Recreation Commercial (C.5)
PRESENT O.C.P. DESIGNATION:	Future Park
PROPOSED O.C.P. DESIGNATION:	Commercial
PROPOSED USE:	Campground and rental cabin accommodations

PLANNING DEPARTMENT RECOMMENDATION:

That the application to amend the Electoral Area "F" Official Community Plan Bylaw No. 2702, 2016 by changing the land use designation of portions of the property legally described as District Lot 2415, ODYD, Except Plans 2024 & KAP81665 and located at Enderby Mabel Lake Road, Electoral Area "F" from Future Park to Commercial be supported in principle and staff be directed to prepare an Official Community Plan Amendment Bylaw for First Reading only; and further,

That the application to amend the Regional District of North Okanagan Zoning Bylaw No. 1888, 2003 by changing the zoning of portions of the property legally described as Lot 2415, ODYD, Except Plans 2024 & KAP81665 and located at Enderby Mabel Lake Road, Electoral Area "F" from the Non-Urban (N.U) zone to the Recreation Commercial zone (C.5) zone be supported in principle and staff be directed to prepare a Zoning Amendment Bylaw for First Reading only; and further,

That the referral process outlined in the Planning Department report dated July 15, 2022 be considered appropriate consultation for the purpose of Sections 475 and 476 of the *Local Government Act*; and further,

That in accordance with Section 477 of the *Local Government Act*, the Official Community Plan Amendment Bylaw be considered in conjunction with the Regional District of North Okanagan's Financial Plan and the Regional Solid Waste Management Plan; and further,

That Second Reading of the proposed Official Community Plan and Zoning Amendment Bylaws be withheld until:

1. The applicant has held a Public Information Meeting in accordance with the Public Information Meeting Guide and submitted a follow-up report to staff in accordance with the Regional District of North Okanagan Public Information Meeting Guide;
2. Comments are received from the RDNO Parks Department and Mabel Lake Water and Sewer Utilities; and further,

That Final Adoption of the proposed Official Community Plan and Zoning Amendment Bylaws be withheld until:

1. Commercial Development Permit has been for issuance by the Regional District for the proposed cabin accommodation development;
2. The applicant has registered a covenant against the title of the property that would prohibit fee-simple or bareland strata subdivision;
3. The Regional District has confirmed that the subject property has been connected to the Mabel Lake Water and Sewer Utility systems or guarantees which meet the requirements of the Small Utilities Department regarding their construction and installation are provided.

SUMMARY:

This report relates to an application for an amendment to the Official Community Plan (OCP) land use designation and zoning for the property located at Enderby Mabel Lake Road in Electoral Area "F". The applicant proposes to amend the OCP land use designation of the subject property from Future Park to Commercial and to change the zoning of the property from Non-Urban (N.U) to Recreation Commercial (C.5). If approved, the applicant proposes to develop the property as a 20 site campground and a 10 unit rental cabin accommodation development.

The Planning Department recommends that the application be supported as it is consistent with the policies of the Electoral Area "F" Official Community Plan including the Kingfisher Local Area Plan. Staff recommend that the associated Bylaws be prepared for First Reading and that the applicant be required to hold a Public Information Meeting in accordance with the Public Information Meeting Guide and comments have been provided by the RDNO Mabel Lake Water and Sewer Utilities Department and Parks Department. Staff also recommend that Adoption be withheld until:

- A Commercial Development Permit has been for issuance by the Regional District for the proposed cabin accommodation development;
- The Regional District has confirmed that the subject property has been connected to the Mabel Lake community water and sewer systems or guarantees which meet the requirements of the Small Utilities Department regarding their construction and installation are provided.

BACKGROUND:

Site Context and Proposal

The subject property is located on the north sides of Rivermouth Road and the west side of Parkway Road. A portion of the property is located on the west side of Rivermouth Road and the east side of the Shuswap River. The property is generally flat and is vacant. The middle of the property is cleared while the remainder of the property is treed. The property is currently owned by the Province. A portion of the property is a known archeological site and the Province has indicated that Splatsin has strength of claim on the subject property.

The property is not currently serviced with onsite water or septic and is not within the service boundary of the Mabel Lake Water and Sewer system areas. The applicant has applied to these utilities for inclusion into the service areas and to determine the requirements and perspective costs of servicing.

The attached maps show the location, ALR boundaries, zoning and OCP designation of the subject and surrounding properties. The attached orthophoto was taken in 2013.

The Proposal

The applicant has applied to amend the OCP land use designation of the subject property from Future Park to Commercial and to amend the zoning from Non-Urban (N.U) to Recreation Commercial (C.5). If approved, the applicant proposes to develop a 20 site campground and 10 unit cabin accommodation development. The site plan (attached) indicates the development would include 20 RV sites, a pool/recreation area, office, parking area and an undeveloped area. The development would be accessed from Parkway Road and is proposed to be serviced by the Mabel Lake community water system and the community sewer system.

Current Official Community Plan / Zoning Amendment Applications

As directed by the Board of Directors, applications for OCP amendments are to be considered in batches so that the cumulative effect they will have on the area can be better analyzed.

In March 2022, the Regional District received an application to change the OCP land use designation of and zoning of a 32.46 ha property located at 150 Crossridge Road in Electoral Area "F" from Non-Urban to Country Residential. If approved, the applicant is proposing to subdivide the property into 15 lots.

Previous OCP / Zoning Amendment Applications

An overview of OCP amendment applications received in Electoral Area “F” over the past 10 years is provided below:

- 1) In March 2012, the Regional District received an application involving two properties located north of the City of Enderby. The applicant (North Enderby Timber) proposed to change the OCP land use designation of a 4.9 ha portion of the 39.2 ha property, located approximately 1.6 km north of the City of Enderby, at 6314 Highway 97A from Agricultural to Industrial and to change the zoning of the same portion of the property from Large Holdings (L.H) to General Industrial (I.2). The application also proposed to change the OCP land use designation of a 4.9 ha portion of the 8.1 ha property, located approximately 5.4 km north of the City of Enderby, at 91 Crandlemire Road from Industrial to Agricultural and to change the zoning of the same portion of that property from General Industrial (I.2) to Large Holding (L.H). The applicant proposed to subdivide the rezoned 4.9 ha portion of the property located at 6314 Highway 97A and to use it for log storage and lumber mill purposes and to subdivide and rehabilitate the rezoned 4.9 ha portion of the property located 91 Crandlemire Road to allow the same portion of the property to be used for agricultural purposes. The OCP and Zoning Bylaw Amendments were adopted in November 2014.
- 2) In March 2018, the Regional District received an application to amend the OCP land use designation of a 3.16 ha portion of a 20.57 ha property located at 3315 Enderby Mabel Lake Road from Non-Urban and Agricultural to Commercial and to rezone the same part of the property from Non-Urban (N.U) to Service Commercial (C.4). The applicant proposed to develop a storage facility and a caretaker’s residence. Conditions of Adoption included provision of a \$30,000.00 amenity contribution offered by the applicant to the RDNO and registration of a covenant to restrict the use of the C.4 zoned area to a mini storage facility and one dwelling unit. The OCP and Zoning Amendments were adopted in September 2018.
- 3) In December 2018, the Regional District received an application to amend the OCP land use designation and zoning of a 22.5 ha portion of a 65.7 ha property located on Edgar Road from Non-Urban to Country Residential. If successful, the applicant proposed to apply to subdivide the property into a total of 12 lots. The OCP and Zoning Amendment bylaws were given First Reading by the Board of Directors in September 2019. In November 2020 the applicant directed staff to close the file as his plans for the property had changed.
- 4) In October 2021, the Regional District received an application to amend the OCP land use designation of the property located at 6402 Highway 97A, from Non-Urban to Industrial and to change the zoning of the property from Non-Urban (N.U) to Light Industrial (I.1). If approved, the applicants propose to construct a truck service and repair shop with a caretaker’s residence and a commercial storage facility including a mini storage building and outdoor storage area for RVs and boats. The Board resolved that further consideration of the application be withheld until a comprehensive plan which addresses how the proposed development of the subject property may form part of a larger area of existing and potential future industrial land use, including but not limited to consideration of the potential for public road access to be dedicated and/or upgraded to accommodate the potential development while protecting the safety and efficient function of Highway 97A. The Planning Department is currently working on the Electoral Area “F” Industrial & Service Commercial Lands Study as an ongoing project.

PLANNING ANALYSIS:

The applicant has applied to amend the OCP land use designation of the subject property from Future Park to Commercial and to amend the zoning from Non-Urban (N.U) to Recreation Commercial (C.5). If approved, the applicant proposes to develop a 20 site campground and 10 unit cabin accommodation development. The Planning Department recommends that the application be supported in principal for the following reasons:

- the proposed commercial use and zoning of the property is generally compatible with land uses of adjacent properties and other land uses at Mabel Lake;
- the applicants have indicated they intend to connect to the Mabel Lake community water and sewer systems;
- the proposed development complies with the Policies of the OCP, specifically the property is adjacent to and in close proximity to the Shuswap River/Mabel Lake and the property is to the east of Kingfisher Creek, outside of the Agricultural Land Reserve and in proximity to existing facilities and services.

Staff recommend that the application not advance further until comments have been provided by the RDNO Mabel Lake Water and Sewer Utilities Department as the property may require significant works to be able to connect to the existing community systems and as the property is not currently located within either service area. Staff also recommend that the application not advance until comments are received from the Parks Department as the property is currently designated as Future Park.

To ensure the proposal complies with Policies of the OCP related to being well-planned and comprehensive and in compliance with the Zoning Bylaw, staff recommend that Adoption be withheld until:

- Commercial Development Permit has been for issuance by the Regional District for the proposed cabin accommodation development;
- The Regional District has confirmed that the subject property has been connected to the Mabel Lake community water and sewer systems or guarantees which meet the requirements of the Small Utilities Department regarding their construction and installation are provided.

Staff note that the overall proposal will also require approval of a Campground Permit prior to construction of a campground, but not as a condition of the rezoning.

Public Information Meeting

The Regional District Development Application Procedures and Administrative Fees Bylaw No. 2677 states that when an application has been approved in principle by the Board of Directors subject to the applicant holding a Public Information Meeting (PIM), the applicant must hold the meeting in accordance with Board policy and with payment of the applicable PIM review fee. In this regard, staff have recommended that a Public Information Meeting be held prior to Second Reading of the OCP and Zoning Amendment Bylaws.

OFFICIAL COMMUNITY PLAN:

This application proposes to change the OCP land use designation of the subject property from Future Park to Commercial. The following OCP Policies are applicable to the application:

Commercial Lands Policies

1. Lands identified for current or potential commercial use are designated Commercial on Schedule “C”.
2. Land designated Commercial is also designated as a Development Permit Area in order to establish guidelines respecting the form and character of development.
3. Commercial development in the Kingfisher area is also subject to the policies of the Kingfisher Local Area Plan, Schedule “B” of the Official Community Plan.
4. Highway and tourist commercial and recreation commercial uses proposed for locations on Highway 97A adjacent to Mara Lake, Mabel Lake, the Shuswap River, or in proximity to existing commercial development will be considered for OCP amendment and rezoning on their individual merits.
5. When considering applications to rezone property to the Recreation Commercial (C.5) or Recreational Vehicle Campground/Resort Commercial (C.6) zone, the Board of Directors may require covenants to restrict further subdivision as a condition precedent to approval to ensure continued availability of these uses for tourists, travellers, and the public in general.
6. Commercial land development shall not be considered for rezoning until the roads and services adequate for the development are either in place, or guarantees regarding their construction and installation are provided.
7. In considering an Official Community Plan amendment or rezoning application for commercial development the Board of Directors will consider the level of use that the area can support without suffering negative impacts to its environmental resources, the visitor experience, residential quality of life, traffic and circulation, and public access to existing recreation amenities and facilities.
8. Commercial development must have access to a public road system meeting Ministry of Transportation and Infrastructure standards in which emergency egress must be considered.
9. The Board of Directors considers that Recreation Commercial development for Kingfisher should generally be limited to the portion of the community to the east of Kingfisher Creek, outside of the Agricultural Land Reserve and in proximity to existing facilities and services; and should proceed in a well-planned and comprehensive manner in accordance with all applicable policies of this Plan.
10. The Board of Directors may direct that an Official Community Plan amendment application be presented at a Public Information Meeting to be hosted in the community by the applicant prior to scheduling of a Public Hearing.

Kingfisher Local Area Plan

1. Continue to plan for water system expansion and upgrades as the community requests connection.
2. No broad changes to current Official Community Plan designations to increase land base for development over current scenario are recommended until a detailed land use planning exercise occurs. It is recognized that this could occur through an application driven process. The RDNO will review applications on their own merits and will be given careful consideration in relation to relevant policies outlined in the Electoral Area F OCP and Kingfisher Local Area Plan.
3. Acknowledge growth and work towards achieving a balance between recreational/seasonal development and the principles of smart growth / complete communities.
4. Consider acquiring lands identified in the Enderby & Area F Services Parks Master Plan through development acquisitions or through other opportunities if they arise.

5. Work with the Enderby and District Heritage Commission, Archaeological Branch and Splatsin to facilitate the identification, protection and conservation of heritage resources, including historical buildings, archaeological sites and historic trails. Preserve and promote the value of heritage sites within the plan area.
6. Where development will impact a known archaeological site as identified by the Province of BC under the Heritage Conservation Act, the RDNO will direct the developer/applicant to contact the BC Archaeological Branch for instruction on how to proceed before any approvals are granted.

Community, Heritage, Arts and Culture Policies

Heritage Policies

1. The Regional District recognizes:
 - a. that heritage properties should be conserved as resources with value for present and future generations; and
 - b. that heritage and cultural values should be identified, celebrated, and retained through community partnerships and engagement.
2. The Regional District regards the natural and built heritage of Electoral Area "F" as a community asset which is central to its multi-faceted character and will seek to integrate heritage conservation, and awareness about heritage into planning, policies, and decision-making.
3. In relation to inquiries and applications, the Regional District will provide information on the requirements of the Archaeology Branch with respect to development and construction which may impact a known or potential archaeological site.
4. Foster the development of arts and cultural organizations and activities as a means to promote arts and cultural development in the North Okanagan.

Parks, Trails and Recreation Policies

1. Parks, trails, and recreation uses in the Kingfisher area are also subject to the policies of the Kingfisher Local Area Plan, Schedule "B", of the Official Community Plan.
2. The Regional District supports the implementation of the Enderby and Area 'F' Services Parks Master Plan (the Parks Master Plan) which was completed in 2011 and provides residents of Area "F" and the City of Enderby with a comprehensive planning tool to create an efficient and desirable park and trail system consistent with community input, park standards, and population projections. Implementation recommendations, including a financial plan are detailed in the Parks Master Plan and speak to the potential acquisition and/or improvement of the following sites located within Area "F".
3. Support the establishment and ongoing maintenance and management of public access points to the Shuswap River, Mabel Lake, and Mara Lake including adequate facilities such as parking, washrooms, and garbage receptacles where feasible.
4. In the acquisition and development of open spaces, quality of the recreation experience should be considered the number one priority in the planning process as well as in the management of the site in the future. The focus should be on the values of specific additions to the present opportunities which should not compromise areas of high environmental value.
5. The general location of potential future park sites, which may not necessarily be specific to any given parcel, are indicated on Schedule "C" by a symbol and/or the designation Future Park (FP).

Public Facilities and Services Policies

Water

1. Permanent or seasonal Residential developments within the growth area as defined by the Regional Growth Strategy Bylaw No. 2500, 2011 shall be required to connect to a community water system.
2. The Regional District will continue to operate and maintain the following water utilities in Electoral Area “F”:
 - Mabel Lake Water Utility provides treated water drawn from Mabel Lake to approximately 370 water service connections in the Kingfisher area including connections to properties on Enderby Mabel Lake Road (the Kingfisher Campground, Kingfisher Community Hall, and Mabel Lake Resort), Parkway Road, Cessna Road, Mabel Lake Place, Lakeview Place, Leighton Road, and properties in the “Mabel Ridge Estates” area on Mabel Ridge Road, Walker Road, Dolly Varden Road, and Lusk Lake Road East. While there are no immediate plans to expand the service areas of the above noted Water Utilities, the Regional District will continue to monitor water usage demands and water quality on an ongoing basis and to undertake upgrading as necessary to achieve drinking water quality objectives.

Sewage Treatment & Disposal

1. Residential developments within the growth area as defined by the Regional Growth Strategy Bylaw 2500, 2011 shall be required to connect to a community sewer system. The Regional District supports the exploration of partnership opportunities and creative approaches to the provision of sanitary sewer services to the growth areas and future growth areas in Electoral Area “F” as defined within the Regional Growth Strategy Bylaw.
2. The Regional District supports the provision of sewer services for health and environmental purposes specifically in Residential and Commercial areas where onsite sewage disposal is problematic.
3. Where a request for municipal sewer system connection / extension is received by the Regional District, the Board of Directors will evaluate each request on its own merits.
4. Where an applicant for development or an existing community wishes to connect to a community sewer system and the municipality has indicated that direct connection to their system is not possible, the Regional District will consider:
 - a. the establishment of a local service area for that development with effluent disposal to ground or other approved method depending on local conditions; and
 - b. where a connection is made to a municipal sewer system, the Regional District will consider a contract with the municipality for all or some of the operational and administrative services that coincide with the local service area.
5. The Regional District will continue to operate and maintain the Mabel Lake Sewer Utility which provides community sanitary sewage (septic tank effluent) collection and disposal services to approximately 143 properties in the Kingfisher area including portions of the Mabel Lake Resort and residential properties along Mabel Lake Place, Lakeview Place, and Cessna Road. There are no immediate plans to expand the service area of the Mabel Lake Sewer Utility.

Development Permit Areas

If rezoning to Recreation Commercial (C.5) is approved, the property would be designated as a “Commercial” Development Permit Area.

REGIONAL GROWTH STRATEGY:

The Regional Growth Strategy designates the subject property as being within a Growth Area. The following definitions have been provided for Growth Areas:

“GROWTH AREAS: are serviced by water and sewer infrastructure and are defined by the Rural Protection Boundary. Growth Areas are intended to contain the diversity of the region’s established communities with urban densities (lots less than 1 hectare). Urban levels of service, including water and sewer infrastructure extensions, will be limited to Growth Areas. Growth Areas do not necessarily correspond to municipal or electoral area boundaries (existing or proposed). Growth Area boundaries respect past agreements and comprehensive neighbourhood planning initiatives that have access to existing water and sewer infrastructure.”

The Regional Growth Strategy (RGS) outlines the regional policies that are to be considered by the Board of Directors when reviewing an OCP/zoning amendment application. The following RGS policies apply with respect to this application:

Urban Containment and Rural Protection

- UC-1.1: Areas designated as Growth Areas are to be fully serviced with community water and sewer and can accommodate a broad range of urban land uses at urban densities.
- UC-1.3: Consider the full cost of development, including water and sewer infrastructure, transportation, emergency response and civic services, to ensure that land use decisions are transparent, informed, fiscally responsible, and take into account the principles of asset management.
- UC-2.1: Designate Rural Protection Boundaries, consistent with the Regional Growth Strategy, within Official Community Plans for the purpose of protecting lands within the Rural Protection Area. Lands designated as Rural Protection Areas are intended to accommodate low density development on larger (1 hectare and greater) parcels of land that are not serviced with both community water and sewer systems.
- UC-2.5: Discourage the provision of, or expansion of, community water and/or sewer service to the Rural Protection Area unless supported for health or environmental reasons or servicing current levels of development and only where such services do not result in development that will require rural expansion of water and/or sewer infrastructure.
- UC-2.6: Designate lands as Rural Protection Areas: This designation will protect, and at the same time enhance, the rural landscape by encouraging development that is compatible with the rural character of the North Okanagan.
- UC-2.7: Encourage the location of commercial, retail, and community services that serve rural residents to neighbouring communities and existing activity areas to prevent the conversion of rural lands into commercial uses.
- UC-2.8: Protect the character of rural areas: Rural Protection Areas contain a variety of lands with natural resource value including agriculture and forestry. These lands have historically played a significant role in shaping North Okanagan character and identity, offering rural lifestyle choice, as well as providing important economic benefits. Their long term viability and productivity is increasingly threatened by urban encroachment and the spread of incompatible land uses.

Economic Development

- ED-2.1: Explore initiatives that support continued economic diversification, including value added, community based business development, green jobs and sustainable industries.

ED-2.4: Investigate opportunities to support the expansion of regional employment that are consistent with the Regional Growth Strategy.

Water Stewardship

WS-3.1: Collaborate on the development and implementation of a consistent full cost accounting framework (that includes the cost of construction, maintenance, operation, and replacement) for water and sewer infrastructure that reflects the true cost of delivering a long term sustainable service.

Transportation and Infrastructure

TI-2.7: Ensure that land use decision making is informed by a full understanding of the impacts on all aspects of the transportation system, including transit, walking and cycling.

TI-2.9: Encourage a choice of transportation modes by including transit and active transportation infrastructure in road design, where feasible.

TI-3.1: Develop policies that will focus growth toward areas with existing infrastructure.

ZONING BYLAW:

The subject property is zoned Non-Urban (N.U). Uses permitted in the N.U zone include bed and breakfast, boarding house, community care facilities, fruit and produce pickers' cabins and work force housing units, home occupation uses, intensive and limited agricultural use, accessory farm sales, resource use, manufactured homes, medical marihuana production facilities, packing houses, public parks and playgrounds, single and two family dwellings, secondary suites, ancillary dwellings, accessory buildings and structures, veterinary clinics, wineries and cideries.

The applicant proposes to rezone the property from the Non-Urban (N.U) zone to the Recreation Commercial (C.5) zone. Uses permitted in the C.5 zone include accessory buildings and structures, accommodation, entertainment and recreation facilities, food service, water storage and bulk distribution facilities on same lot as water source, retail sales, service and repair, rapid infiltration and spray irrigation of treated effluent, seasonal use, temporary accommodation use, and shooting range.

Lots that are proposed to be subdivided in the N.U zone must be at least 7.2 ha. Lots that are proposed to be subdivided in the C.5 zone must be at least 1 ha and must have lot frontage of not less than one-tenth of the perimeter of the lot.

The proposed campground and rental cabin accommodation uses would be permitted in the C.5 zone as an accommodation use which also includes hotels, motels, and one dwelling unit for the owner, operator, or employee of the principal and permitted use.

The overall proposal will also require approval of a Campground Permit prior to construction of a campground. Campgrounds must conform with Schedule D of the Zoning Bylaw which states in part, that:

- Each camping space must be a minimum of 84 m².
- Campgrounds must be provided with a landscaped buffer area not less than 7.5 m wide adjacent to the front lot line and not less than 4.5 m wide adjacent to all other lot lines and within which no camping space, residential accommodation, parking, garbage disposal areas, privies, service buildings, or recreational areas except for waterfront recreation, shall be permitted.

- A campground must have open space for recreation areas to serve the campground in the amount of not less than 5% of the area of the campground.
- A dwelling unit may be provided for the owner or operator of the campground, and must have a minimum site area of 550 m².
- A retail facility for the purpose of selling groceries, camping supplies, and souvenirs is permitted to serve the campground provided the maximum floor area does not exceed 25 m² for a campground with up to 50 spaces, or 25 m² + 0.3 m² per space in excess of 50 spaces to a maximum of 50 m².
- Within 30 m of the campground entrance, there must be a customer parking/holding area in the amount of 18 m² for each 10 camping spaces up to a maximum of 140 m².
- All sewage and other wastewater generated within the campground must be discharged into a community sewer system or into a private sewage disposal system in compliance with applicable legislation and regulations.
- Where water and sewer systems are available, each camping space intended for an independent trailer must be provided with a sewer connection.
- Where sewer and water systems are installed, the campground must be provided with at least one service building equipped with flush type fixtures and other facilities including toilets, wash basins, showers, and a slop sink in an amount as specified in Schedule D.
- Where a campground contains spaces for use by trailers, a trailer sewage disposal station must be provided, except where privies are permitted or sewer connections are available at each site intended for use by an independent trailer¹.

LOCAL GOVERNMENT ACT:

The property is not within the boundary of the Mabel Lake Water and Sewer system areas. The following provides information related to the process for petition for an extension of these services.

Section 337 of the *Local Government Act* states that the owners of parcels in an electoral area may sign and submit to the regional district a petition for a service in all or part of that electoral area. Each page of a petition must do the following:

- a) describe in general terms the service that is proposed;
- b) define the boundaries of the proposed service area;
- c) indicate in general terms the proposed method for recovering annual costs;
- d) contain other information that the board may require.

Section 337 of the *Local Government Act* states that in order for a petition to be certified as sufficient and valid for the purposes of this section, the petition must be signed by the owners of at least 50% of the parcels liable to be charged for the proposed service, and the persons signing must be the owners of parcels that in total represent 50% of the net taxable value of all land and improvements within the proposed service area.

Section 347 of the *Local Government Act* states that for a proposed electoral participating area, the board may authorize participating area approval to be given if the board receives a sufficient petition under section 337. Section 347 of the *Local Government Act* states that participating area approval under this section may be given by the electoral area director consenting in writing to adoption of the bylaw.

¹ As defined in Schedule D of Zoning Bylaw No. 1888, 2003, "independent trailer" means a trailer equipped with a water-closet and a place for washing, wastes from both of which may be disposed of directly into a sewage disposal system through a drain connection.

REFERRAL COMMENTS:

Section 475 of the *Local Government Act* states that during the amendment of an OCP, the proposing local government must provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected, and must consider whether the opportunities for consultation should be early and ongoing. Section 476 states that the local government must consult with the local school district. Section 477 of the *LGA* requires that, after First Reading, a local government consider an OCP amendment in conjunction with its Financial Plan and any applicable Solid Waste Management Plan.

In the event an Official Community Plan Amendment Bylaw associated with this application is given First Reading, to address the requirements of sections 475 and 476 of the *Local Government Act*, the subject application has been referred to the following for their review and comment:

REFERRAL COMMENTS:

The application was referred for comments to the following:

1. **RDNO Administration**
2. **RDNO Community Services**
3. **RDNO Parks Department**
4. **RDNO Chief Financial Officer**
5. **RDNO Protective Services**
6. **School District 22 and 83**
7. **Splatsin**
8. **Okanagan Indian Band**

OKIB provided the following comments:

Please find enclosed the results of Preliminary Office Review:

1. High Archaeology potential and Archaeology Sites; EdQq-8 and EdQq-2.
2. Okanagan Indian Band will require that an OKIB Cultural Heritage Monitor be on site during any ground disturbance.
3. TSD Work Request and service rates that can be shared with the proponents. Completed work requests to be submitted to Colleen Marchand and Colin Marchand for scheduling.

Any questions: please contact Julie Richard (250) 542-7132 or by email: julie.richard@okanagan.org

Please advise the Okanagan Indian Band in writing as to your ability to meet the above listed conditions as outlined. Failure to meet these conditions will result in our revocation of our conditional approval of the proposed activity/development.

Thank you for consulting the Okanagan Indian Band on this activity/development.

9. **RDNO Building Inspection Department**

The Building Inspector provided the following comments:

Proposal to comply with the BC Building Code and RDNO Building Bylaw

10. **RDNO Environmental Services**

RDNO Environmental Services provided the following comments:

The development is not near any RDNO waste facility, so no objection to the OCP / Rezoning application.

11. **Interior Health Authority**

Interior Health Authority provided the following comments:

Thank you for the above captioned referral. Typically we provide comments regarding potential health impacts of a proposal. More information about our program can be found at Healthy Built Environment.

An initial review has been completed and no health impacts associated with this proposal have been identified. As such, our interests are unaffected by this proposal. At this time the Mabel Lake Water Utility is not on any public notifications. The drinking water purveyor (RDNO) is evaluating options to meet the Provincial Treatment Objectives for Surface Water. As long as the RDNO drinking water system operators are confident that water demand can be met for the proposed plan, we do not have any concerns.

12. Ministry of Transportation and Infrastructure

The Ministry provided the following comments:

The Ministry of Transportation and Infrastructure (MoTI) has received and reviewed your referral dated June 24, 2022, for a rezoning for the property legally described as District Lot 2415, ODYD, Except Plans 2024 & KAP81665 and located at Enderby Mabel Lake Road, Electoral Area "F". The proposal does not fall within Section 52(3)(a) of the Transportation Act and will not require formal MoTI approval and signature.

MoTI is in support of the proposal however the Transportation Act applies, and the following condition must be met:

1. MoTI has no record of an access permit issued to this property for commercial activity. The owner is required to apply to MoTI for a commercial access permit online at the following link: Highway Use Permits - Province of British Columbia (gov.bc.ca)

13. Ministry of Forests, Lands & Natural Resources

The Ministry provided the following comments:

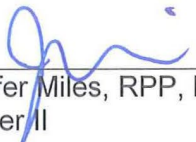
DOS LANDS TEAM:

It appears all current proposed development is on the eastern side of Rivermouth Road. Our interests are unaffected.

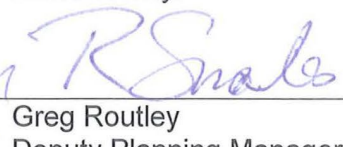
14. RDNO Small Utilities

Water and sewer servicing boundaries will require amendments to include the subject property in the Mabel Lake Water and Mabel Lake Sewer service areas. Water and sewer system capacities require evaluation to determine available capacity and upgrades that may be required as both systems may be nearing their capacity limits. RDNO will need to retain an engineering consultant at the developer's expense to prepare an engineering report for both systems to determine available capacity and if upgrades are required. The capacity of the water license will need to be assessed based on the needs of the development and application of additional water license may be required. Additional comments will be included once the developer's applications have been fully reviewed.

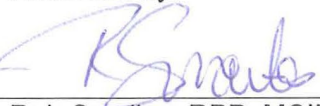
Submitted by:


Jennifer Miles, RPP, MCIP
Planner II

Reviewed by:


Greg Routley
Deputy Planning Manager

Endorsed by:

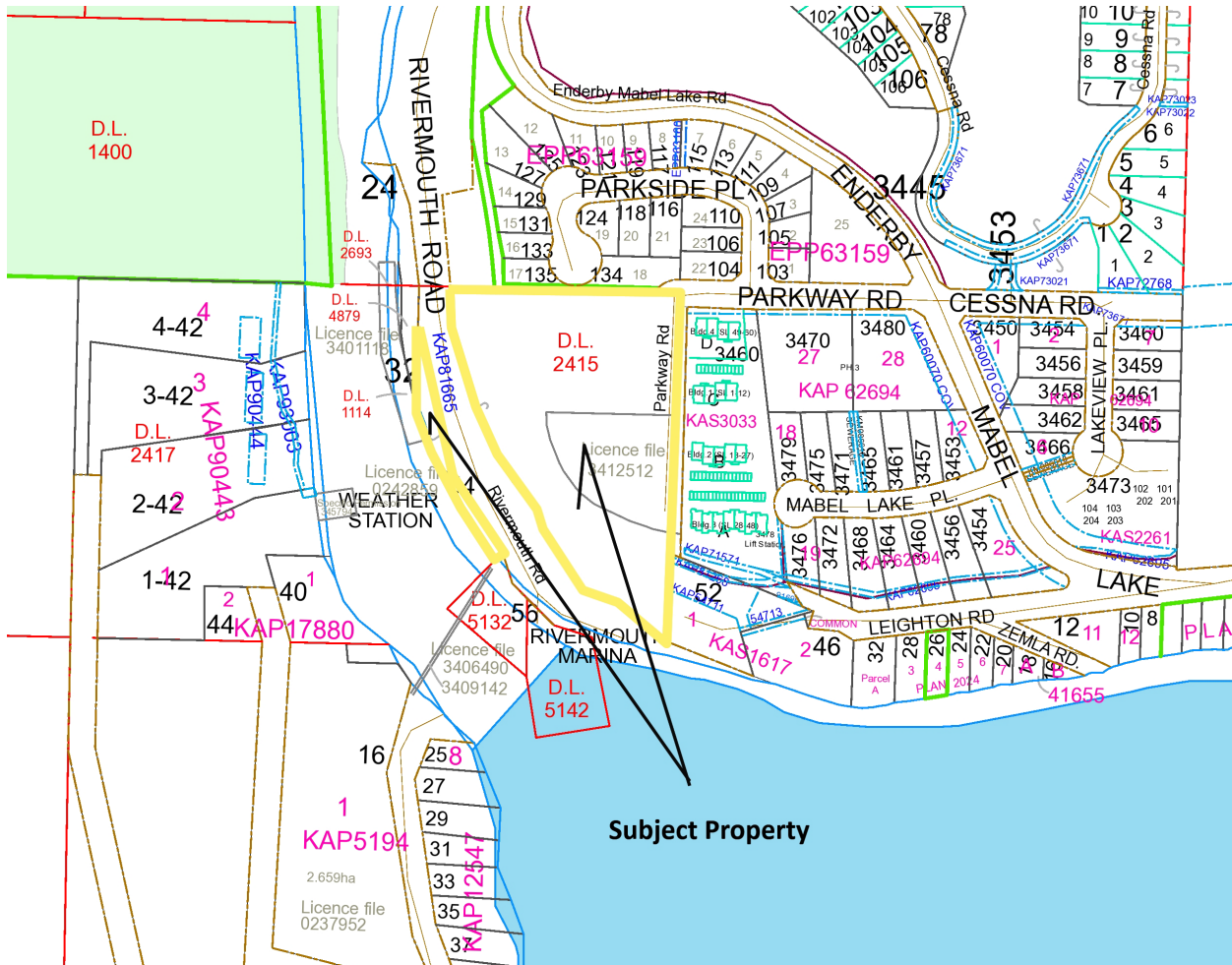

Rob Smails, RPP, MCIP
General Manager, Planning and Building

Approved for Inclusion:


David Sewell
Chief Administrative Officer

SUBJECT PROPERTY MAP OCP / REZONING

File: 22-0569-F-OR
Location: Enderby Mabel Lake Road



SUBJECT PROPERTY MAP OCP / REZONING Orthophoto - 2022

File: 22-0569-F-OR
Location: Enderby Mabel Lake Road

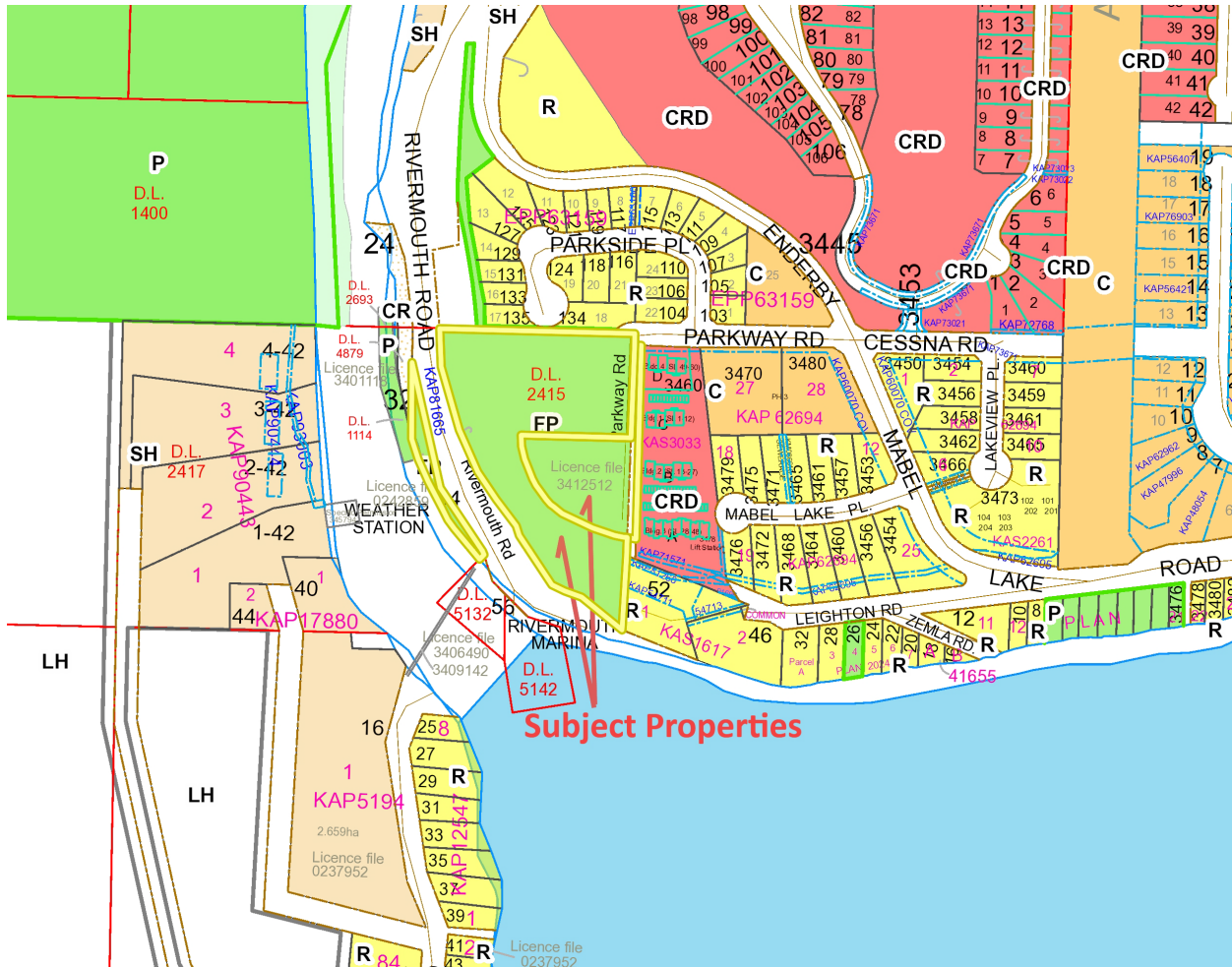


SUBJECT PROPERTY MAP

OCP / REZONING

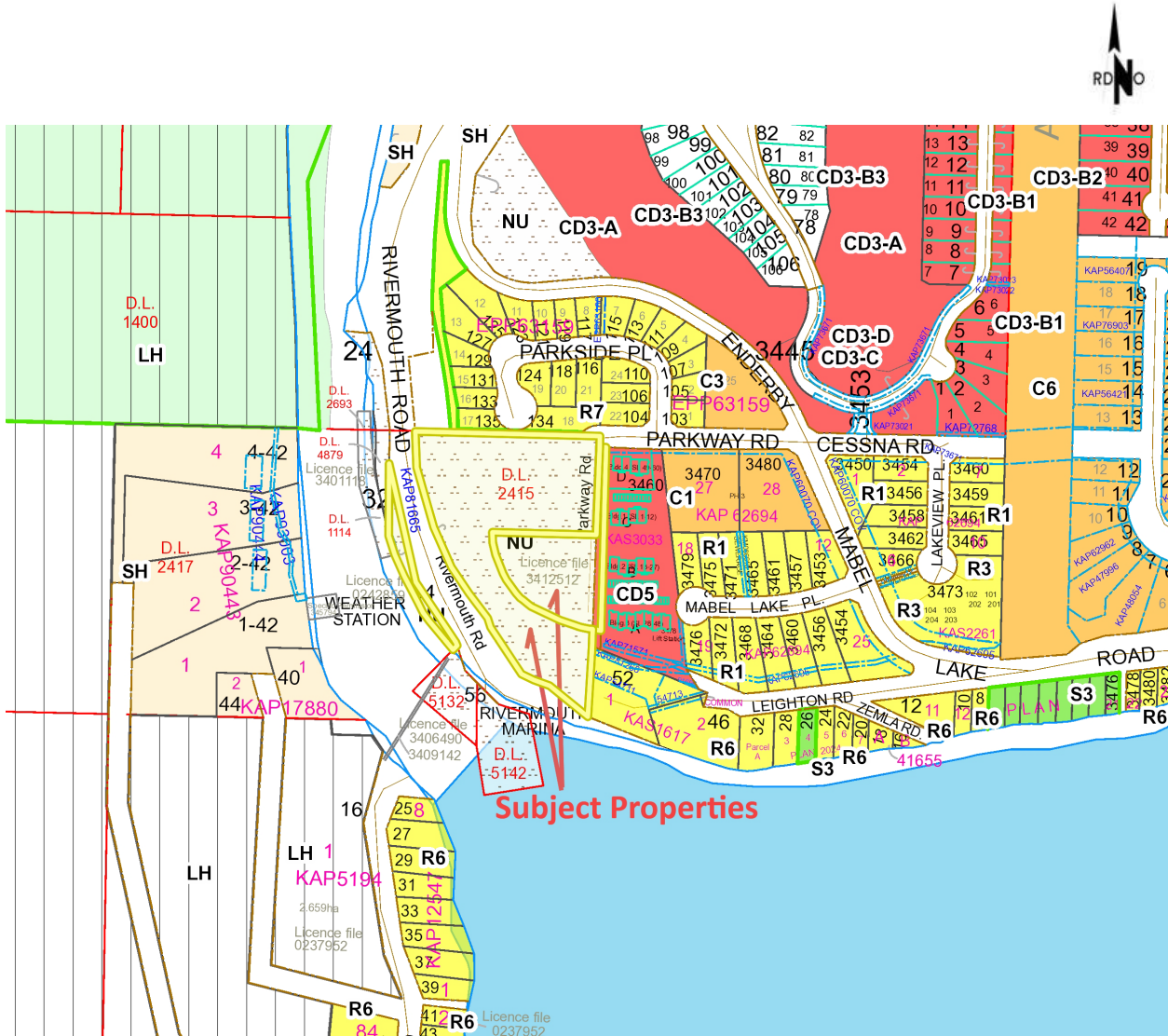
OCP Boundaries

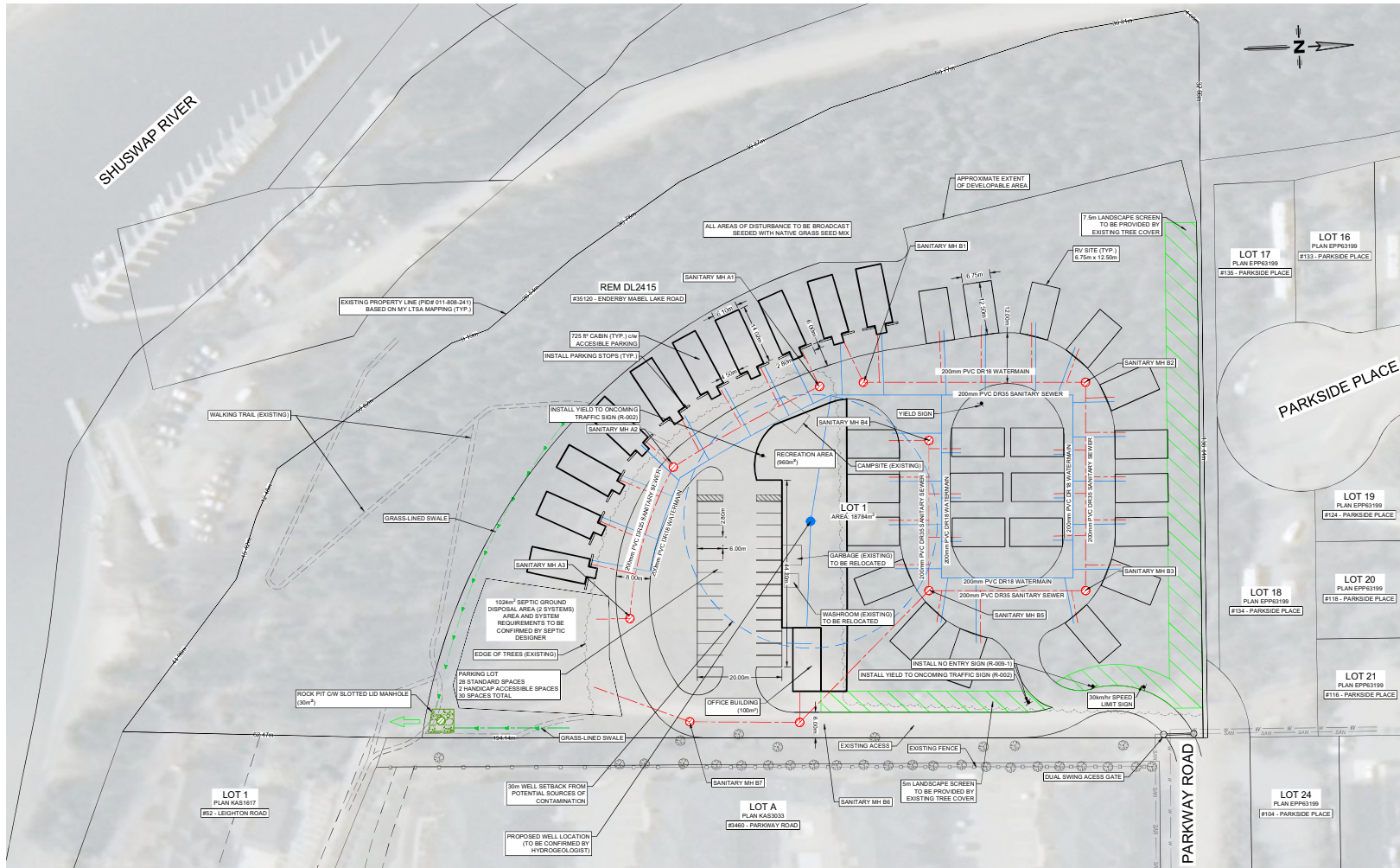
File: 22-0569-F-OR
Location: Enderby Mabel Lake Road



SUBJECT PROPERTY MAP OCP / REZONING Zoning Boundaries

File: 22-0569-F-OR
Location: Enderby Mabel Lake Road





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DRAWINGS ARE NOT TO BE SCALED

NO.	DATE	DESCRIPTION	BY	APP'D
E	2024/02/01	ISSUED FOR DISCUSSION	JLR	FDS
D	2024/01/09	ISSUED FOR DISCUSSION	JLR	FDS
C	2023/12/11	ISSUED FOR DISCUSSION	JLR	FDS
B	2023/07/08	ISSUED FOR DISCUSSION	JLR	FDS

REVISIONS

NO.	DATE	DESCRIPTION	BY	APP'D
DESIGN		FDS		
DRAWN		PAH		
DATE		2022/10/04		
CHECKED		BTL		

PERMIT No.: 1001279

SCALES: 0 1:1 500 20

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SPLATSIN DEVELOPMENT CORPORATION

3400 PARKWAY ROAD DEVELOPMENT
KINGFISHER, BC

CONCEPTUAL SITE SERVICING

PROJECT No. 280-1

SHEET 1 OF 2

DWG. No. SK1 REV. No. E



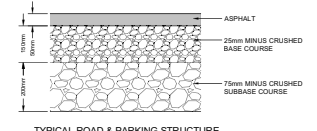
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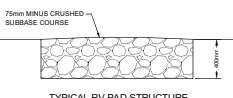
R-002 SIGN
NOT TO SCALE



R-009-1 SIGN
NOT TO SCALE



TYPICAL ROAD & PARKING STRUCTURE
NOT TO SCALE



TYPICAL RV PAD STRUCTURE
NOT TO SCALE

NOT FOR CONSTRUCTION