

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: July 19, 2018

RE: Zoning Bylaw Amendments – Electoral Areas “A”, “C”, “D”, “E” & “F”
Tourist Commercial Zone Review and Consolidation

Administrative Recommendation:

THAT Bylaw No. 2808, 2018, Regional District of Okanagan-Similkameen Tourist Commercial Zone Update Amendment Bylaw be read a first and second time and proceed to a public hearing;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of August 16, 2018;

AND THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.

Purpose:

Amendment Bylaw No. 2808 seeks to amend the Okanagan Valley Electoral Area Zoning Bylaws in order to update the Tourist Commercial Zones. This amendment relates to the work being undertaken on the preparation of a single Okanagan Valley Electoral Area Zoning Bylaw.

Background:

At its meeting of October 16, 2008, the Board considered an [Administrative Report](#) proposing the creation of a single Electoral Area Zoning Bylaw and directed staff to investigate the preparation of such a bylaw. The 2018 Business Plan includes a direction to “continuously improving bylaws, policy and process within the organization ...”

In anticipation of bringing forward a draft zoning bylaw for consideration by the Board in Q4 of 2017, a series of draft amendments (by zone category) will be presented over the coming months intended to update various zones and facilitate their eventual consolidation in a new bylaw.

At its meeting of July 20, 2017, the Planning and Development (P&D) Committee of the Board considered an Administrative Report (for information) related to a proposed update of the Tourist Commercial Zones.

Public Process:

On May 11, 2018, the Regional District sent letters to all registered property owners with land zoned Tourist Commercial advising of the proposed changes to the land use bylaws and seeking feedback.

Approximately seven (7) feedback forms were returned and are included as a separate item on the Board Agenda. Administration also met (including phone conversations) with a number of property owners to discuss the proposed zoning changes to their property.

Agency comments have been received from Ministry of Transportation and Infrastructure (MoTI), Interior Health Authority (IHA), Kaleden Irrigation District (KID), Okanagan Falls Irrigation District (OFID), Penticton Indian Band (PIB), Ministry of Forests, Lands and Natural Resource Operations (Ecosystem Branch) and the Town of Oliver and these are included as a separate item on the Board Agenda.

Approval from the Ministry of Transportation and Infrastructure (MoTI) will be required prior to adoption as the proposed amendments involve lands within 800 metres of a controlled access highway.

Analysis:

The principal objective of the Tourist Commercial Zone Review is to update the language and regulations of the various tourist commercial zones in the Okanagan Electoral Area zoning bylaws. Not only will this facilitate the integration of these zones into a single zoning bylaw, but it allows for their modernisation to ensure coherence, consistency and fairness across Electoral Areas.

By way of example, the inconsistent allowance for hotels and motels in the CT1 Zone across Electoral Areas is proposed to be addressed through the introduction of a general reference to “tourist accommodation” as a permitted principal use, which contemplates lodges, motels, hotels, inns, or hostels and other types of accommodation for the travelling public.

As a further result of these proposed amendments, Administration is further proposing to consolidate the six (6) current Commercial Tourist Zones into three (3) main zones, being: Tourist Commercial (CT1), Campground Commercial (CT2) and Golf Course Commercial (CT3). For reference purposes, tables are included at Attachment Nos. 2 & 3 showing the transition of these zones as well as how existing CT1 zones compare to the proposed new CT1 Zone.

With regard to town/village centre areas in Okanagan Falls, Naramata, Apex and Twin Lakes where tourist commercial zones are common, it is being proposed that these areas be accommodated through new “Town Centre” or “Village Centre” zones. The zones are the subject of separate reviews being undertaken in each of these communities and include a range of commercial, tourist commercial, residential and institutional uses.

Alternatives:

THAT the Board of Directors defer first reading of Amendment Bylaw No. 2808, 2018.

Respectfully submitted:



C. Garrish, Planning Supervisor

Attachments: No. 1 — Tourist Commercial Zone Transition Matrix
No. 2 — CT1 Zone Comparison

Attachment No. 1 – Tourist Commercial Zone Transition Matrix

ELECTORAL AREA	EXISTING ZONE	PROPOSED ZONE	COMMENTS
"A"	Tourist Commercial One (CT1)	Tourist Commercial (CT1)	
"A"		Campground Commercial (CT2)	Proposed to apply CT2 Zone to existing campgrounds
"C"	Tourist Commercial One (CT1)	Tourist Commercial (CT1)	
"C"	Tourist Commercial Four (Campground) (CT4)	Campground Commercial (CT2)	
"C"	Resource Area Site Specific (RAs)*	Golf Course Commercial (CT3)	RAs currently applies to Fairview Golf Course.
"D-1"	Tourist Commercial One (CT1)	Tourist Commercial (CT1)	
"D-1"	Tourist Commercial Four (Campground) (CT4)	Campground Commercial (CT2)	
"D-1"	Tourist Commercial Six (CT6)	Golf Course Commercial (CT3)	CT6 currently applies to Twin Lakes Golf Course.
"D-2"	Tourist Commercial One (CT1)	Tourist Commercial (CT1)	
"D-2"	Tourist Commercial Four (Campground) (CT4)	Campground Commercial (CT2)	
"D-2"	Commercial Amusement (C6)	Penticton Speedway (CT5)	
"E"	Tourist Commercial One (CT1)	Tourist Commercial (CT1)	
"F"	Tourist Commercial One (CT1)	Tourist Commercial (CT1)	
"F"	Tourist Commercial Five (CT5)		CT5 Zone applies only to "La Punte Norte" (guest house)
"F"	Tourist Commercial Two Limited (CT2)	Campground Commercial (CT2)	Current CT2 Zone is a "campground" zone. Applies to 1 property.
"F"	Tourist Commercial Three Limited (CT3)	Small Holdings Four Site Specific	Property owner is supportive of proposed change
"F"	Small Holdings Five (SH5)	Golf Course Commercial (CT3)	SH5 currently applies to WOW Golf Course.
"F"	Marina Commercial (C5)	Marina Commercial (CT4)	C5 Zone applies to Greata Ranch property

Attachment No. 2 – CT1 Zone Comparison

ELECTORAL AREA "A" (CT1)	ELECTORAL AREA "C" (CT1)	ELECTORAL AREA "D-1" (CT1)	ELECTORAL AREA "D-2" (CT1)	ELECTORAL AREA "E" (CT1)	ELECTORAL AREA "F" (CT1)	PROPOSED CT1 ZONE
Principal Uses: motels; resorts; eating and drinking establishments; recreation services, indoor and outdoor; amusement establishments, indoor and outdoor; retail, outdoor, sales area not to exceed 200 m ² ; retail stores, general, not to exceed 250 m ² in gross floor area; campgrounds, on parcels greater than 2 ha;	Principal Uses: motels; resorts; eating and drinking establishments; recreation services, indoor; amusement establishments, indoor; retail, outdoor, sales area not to exceed 200 m ² ; retail stores, general, not to exceed 200 m ² in gross floor area; libraries, museums, art galleries; taxidermy;	Principal Uses: campground; eating and drinking establishment; motels; resorts; recreational vehicle park;	Principal Uses: Hotels; motels; resorts; campground; eating and drinking establishments; outdoor markets; recreation, amusement and cultural facilities; retail sales, convenience;	Principal Uses: motels; resorts; eating and drinking establishments; recreation services, indoor and outdoor; amusement establishments, indoor and outdoor; retail, outdoor, sales area not to exceed 200 m ² ; retail stores, general, not to exceed 250 m ² in gross floor area; campgrounds, on parcels greater than 2 ha;	Principal Uses: eating and drinking establishments; motel; retail sales, convenience; service station;	Principal Uses: eating and drinking establishments; indoor recreation; outdoor recreation; tourist accommodation;
Accessory Uses: accessory buildings and structures; accessory dwelling; offices.	Accessory Uses: accessory buildings and structures; accessory dwelling; campgrounds accessory to a motel or resort; recreation equipment sales and rentals.	Accessory Uses: accessory buildings and structures; accessory dwelling; convenience store not to exceed 235 m ² ; home occupation; sporting and amusement facility; recreation equipment sales and rentals.	Accessory Uses: accessory buildings and structures; accessory dwelling; bed and breakfast operation; home occupation; retail sales, not to exceed 235 m ² ; sporting and amusement facility; recreation equipment sales and rentals.	Accessory Uses: accessory buildings and structures; accessory dwelling; car wash.	Accessory Uses: accessory buildings and structures; accessory dwelling; home occupation.	Accessory Uses: accessory buildings and structures; accessory dwelling; office; personal service establishment, not to exceed 200 m ² in gross floor area; retail store, general, not to exceed 250 m ² in gross floor area.
Minimum Parcel Size: 2,020 m ²	Minimum Parcel Size: 1,010 m ²	Minimum Parcel Size: 1,010 m ²	Minimum Parcel Size: 1,010 m ²	Minimum Parcel Size: 505 m ²	Minimum Parcel Size: 505 m ²	Minimum Parcel Size: 1,000 m ²
Minimum Parcel Width: 15.0 metres	Minimum Parcel Width: 18.0 metres	Minimum Parcel Width: 18.0 metres	Minimum Parcel Width: Not less than 25% of parcel depth	Minimum Parcel Width: Not less than 25% of parcel depth	Minimum Parcel Width: Not less than 25% of parcel depth	Minimum Parcel Width: Not less than 25% of parcel depth
Maximum Number Dwellings Per Parcel: one (1) accessory dwelling	Maximum Number Dwellings Per Parcel: one (1) accessory dwelling	Maximum Number Dwellings Per Parcel: one (1) accessory dwelling	Maximum Number Dwellings Per Parcel: one (1) accessory dwelling	Maximum Number Dwellings Per Parcel: one (1) accessory dwelling	Maximum Number Dwellings Per Parcel: one (1) accessory dwelling	
Maximum Density for a Campground: 75 campground spaces per hectare	Maximum Density for a Campground: [see Campground Bylaw No. 713]	Maximum Density for a Campground: [see Campground Bylaw No. 713]	Maximum Density for a Campground: [see Campground Bylaw No. 713]	Maximum Density for a Campground: 75 campground spaces per hectare	Maximum Density for a Campground: 30 campground spaces per hectare	
Minimum Setbacks: <u>All buildings:</u> Front parcel line: 7.5 m Rear parcel line: 7.5 m Interior side parcel line: 4.5 m Exterior side parcel line: 4.5 m	Minimum Setbacks: <u>All buildings:</u> Front parcel line: 7.5 m Rear parcel line: 4.5 m Interior side parcel line: 3.0 m Exterior side parcel line: 4.5 m	Minimum Setbacks: <u>Principal buildings:</u> Front parcel line: 7.5 m Rear parcel line: 1.5 m Interior side parcel line: 1.5 m Exterior side parcel line: 4.5 m	Minimum Setbacks: <u>Principal buildings:</u> Front parcel line: 7.5 m Rear parcel line: 1.5 m Interior side parcel line: 1.5 m Exterior side parcel line: 4.5 m	Minimum Setbacks: <u>All buildings:</u> Front parcel line: 7.5 m Rear parcel line: 7.5 m Interior side parcel line: 4.5 m Exterior side parcel line: 3.0 m	Minimum Setbacks: <u>All buildings:</u> Front parcel line: 7.5 m Rear parcel line: 7.5 m Interior side parcel line: 4.5 m Exterior side parcel line: 1.5 m	Minimum Setbacks: <u>All buildings:</u> Front parcel line: 7.5 m Rear parcel line: 4.5 m Interior side parcel line: 4.5 m Exterior side parcel line: 4.5 m
Maximum Height: 12.0 metres	Maximum Height: 12.0 metres	Maximum Height: 10.0 metres	Maximum Height: 7m (within 100 m of Skaha Lake) 10 m (beyond 100 m of Skaha Lake)	Maximum Height: 10.0 metres	Maximum Height: 10.0 metres (principal) 4.5 metres (accessory)	Maximum Height: 12.0 metres
Maximum Parcel Coverage: 35% / 3% for campgrounds	Maximum Parcel Coverage: 35%	Maximum Parcel Coverage: 35%	Maximum Parcel Coverage: 35%	Maximum Parcel Coverage: 35% / 3% for campgrounds	Maximum Parcel Coverage: 35%	Maximum Parcel Coverage: 35%