



THE CORPORATION OF THE
DISTRICT OF SUMMERLAND
COUNCIL REPORT

DATE: July 18th, 2017 File: ZON 2017-05
TO: Linda Tynan – Chief Administrative Officer
FROM: Dean Strachan, MCIP, RPP – Director of Development Services
SUBJECT: OCP/Rezoning Application Lot 2, DL 488, ODYD, Plan KAP7164 (5418 Nixon Road)

STAFF RECOMMENDATION:

That Council pass the following resolutions:

1. *THAT “Official Community Plan Amendment Bylaw No. 2017-022” be introduced and given first and second readings.*
2. *THAT “Zoning Bylaw Amendment Bylaw No. 2017-023” be introduced and given first and second readings.*
3. *THAT a Public Hearing be held on August 28, 2017 to receive public feedback on Bylaws No. 2017-022 & 023.*

PURPOSE:

To consider an OCP amendment to change the land use designation from Agriculture to Low Density Residential and to rezone the property from A1 – Agricultural Small Acreage to RSD1 – Residential Medium Lot Zone for the property located at 5418 Nixon Road.

BACKGROUND:

The subject property is a 3.5 acre lot located on the corner of Nixon Road and Wharf Street in the Trout Creek neighbourhood (see Figure 1). The subject property has an Official Community Plan (OCP) designation of ‘Agricultural’ and is zoned A1 – Agricultural Small Acreage. The property is not located within the Agricultural Land Reserve. The applicants have applied to amend the OCP and rezone the subject property for the purpose of allowing a 22 lot residential subdivision (see Figure 2).

The property is located within the District’s ‘Urban Growth Area’ and has services (water/sewer/electric) adjacent. The Low Density Residential Designation includes neighbourhoods with existing services with a density of between 4 to 22 units per hectare. The proposed 22 lot subdivision would have a density of 15.5 units per hectare.

DISCUSSION:

The proposed residential single family subdivision would fit with the development format of the area. The properties adjacent to the subject property include single family residential development on three sides with an agricultural to the north and the elementary school to the north-east.

The Trout Creek neighbourhood includes areas of RSD1, RSD2 and RSD3 zoning. Recent subdivisions at 6003 Dave Avenue (Lighthouse Landing) and 5815 Highway #97 (Trout Creek Meadows) are zoned RSD1. The proposed RSD1 zoning allow for smaller lot sizes, therefore, more lots on the site than would be permitted under RSD2 and RSD3. The proposed zoning would allow for additional lots to be created but would still fit with the form and character of the area.

CIRCULATION COMMENTS:

The application has been reviewed with District departments. No concerns have been expressed in the Works and Utilities, Recreation, Parks, Finance, Administration and Fire Departments with the proposed zoning bylaw text amendment.

If the OCP amendment and Rezoning are approved, as a part of a subdivision application for the proposed 22 lots detailed infrastructure and servicing plans would be required.

This application was presented to the Advisory Planning Commission (APC) at their July 7, 2017 meeting. The following resolution was passed:

THAT the OCP Amendment and Rezoning application be supported.

Should the application bylaws receive third reading, it will be forwarded to the Ministry of Transportation and Infrastructure for approval.

As the proposal is for an infill subdivision in a developed neighbourhood District staff are recommending that additional consultation with the RDOS, adjacent municipalities, First Nations, other Provincial agencies or Federal Government agencies not be undertaken. The requirements of Local Government Act, Section 475 for consultation during OCP development have therefore been fulfilled.

The proposed bylaw amendment has been forwarded to the Okanagan Skaha School District 67 for consultation. The requirements of Section 476 – Planning of School Facilities have therefore been fulfilled.

The proposed bylaw amendment has been considered in conjunction with the District of Summerland's financial plan and waste management plan. The requirements of Section 477 – Adoption procedures have therefore been fulfilled.

CONCLUSION:

The proposed OCP amendment and Rezoning application would allow for the subject property to be subdivided into 22 single family lots.

OPTIONS:

1. Pass the resolutions as recommended.
2. Pass first reading on the subject bylaw amendments and request additional information from staff in advance of consideration of second reading and/or considering scheduling a public hearing.
3. Refer back to staff for other options.

Respectfully submitted,



Dean Strachan MCIP, RPP
Director of Development Services

Approved for Agenda



Linda Tynan, CAO

Figure 2

