



## REQUEST FOR DECISION

Agenda Item Number: 6.1.1

Meeting Date: 4/8/2024

Author: S. Summers

---

**TO:** Mayor and Council

**FROM:** Planning and Development Services

**SUBJECT:** Zoning Amendment Bylaw No. 2436, 6488 Renfrew Road (Z24-02)

---

### RECOMMENDATION:

THAT Council give first and second readings to Zoning Amendment Bylaw No. 2436 to rezone the property located at 6488 Renfrew Road (Lot 2, District Lot 221, Osoyoos Division Yale District, Plan 11495) from Rural Residential (RR1) to Multi-Unit Infill Residential (RM2).

THAT Council give third reading to Zoning Amendment Bylaw No. 2436 to rezone the property located at 6488 Renfrew Road from Rural Residential (RR1) to Multi-Unit Infill Residential (RM2); and

FURTHER THAT Council direct staff to schedule the Bylaw for adoption following:

1. Registration of a Section 219 covenant that restricts building and development on the portions of the lot identified in Attachment '2'.
2. Registration of Section 219 covenant that requires remittance of Community Amenity Contributions and installation of two speed (30 km/h) and curve-ahead warning signs prior to building permit issuance.
3. Registration of statutory rights-of-way in accordance with Attachment '3' on the north end of the property and with a minimum width of 4.5 meters for the sanitary line at the south end of the property.
4. Completion of the required road dedication on Renfrew Road.

### PURPOSE

To consider the first, second and third readings of Zoning Amendment Bylaw No. 2436 for an application to amend Zoning Bylaw No. 2400. The proposed amendment would rezone the property at 6488 Renfrew Road (Lot 2, District Lot 221, ODYD, Plan 11495) from RR1 (Rural Residential) to RM2 (Multi-Unit Infill Residential) to facilitate a future subdivision.

### COUNCIL AUTHORITY/PREVIOUS DECISIONS

*Local Government Act* section 479 – Grants local governments the power to enact bylaws that define zones and regulate the use of land, buildings, and other structures within each zone.

### CHIEF ADMINISTRATIVE OFFICERS COMMENTS

Approved for Council's consideration.

# REPORT

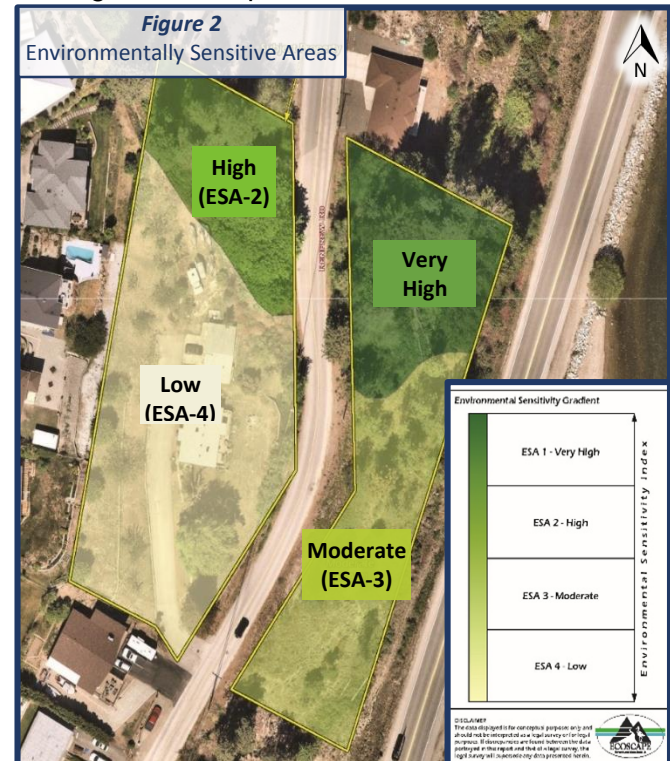
## BACKGROUND

The property at 6488 Renfrew Road, hereafter referred to as the 'subject property,' is located in the Lower Princeton neighbourhood and is currently zoned Rural Residential (RR1) (*Figure 1*). The subject property is approximately 3 kilometres west of the downtown area and 1 kilometre east of Hardy Falls. It is situated in a predominantly low-density residential area, with the 'Falls' development approximately 200 metres south of the subject property.

The surrounding uses and zones are:

Direction	Zone	Existing Land Use
North	R1	Low density residential.
East	N/A	Highway 97 and Okanagan Lake.
South	R1	Low density residential and vacant highway right of way.
West	R1	Low density residential.

The subject property is 2.27 acres (9,131 square meters), hooked parcel which is separated by Renfrew Road. The western portion of the property is approximately 5,482 square meters, with moderate slopes fronting Renfrew Road. The eastern portion of the property is approximately 3,686 square meters and fronts Renfrew Road and Highway 97 with significant slopes. There is a cluster of trees along with a gully, located to the north of the subject property.



The property is accessed from the south corner off Renfrew Road and currently contains a single-detached dwelling and an accessory building located on the western portion of the property. The eastern portion of the subject property is vacant.

Several environmentally sensitive areas have been identified on the subject property, as outlined in the environmental assessment conducted by Ecoscape Environmental Consulting (*Figure 2*). In accordance with Peachland's Terms of Reference for Professional Reports, the environmental assessment includes an evaluation of environmentally sensitive areas. The potential environmentally sensitive areas are as follows:

**ESA-1** is considered a very highly environmentally sensitive area, containing significant vegetation and wildlife characteristics representing a diverse range of sensitive habitat which contributes significantly to the overall connectivity of the habitat and ecosystems.

**ESA-2** is considered a highly environmentally sensitive area, contributes toward the overall diversity and contiguous nature of the surrounding natural features.

**ESA-3** is considered a moderately environmentally sensitive area. These areas contribute to the diversity to the landscape, although based on the condition and adjacency of each habitat the significant function within the landscape is limited.

**ESA-4** is considered a low environmentally sensitive area there is little or no value to the overall diversity or vegetation, soils, terrain and wildlife characteristics of the area.

## DISCUSSION

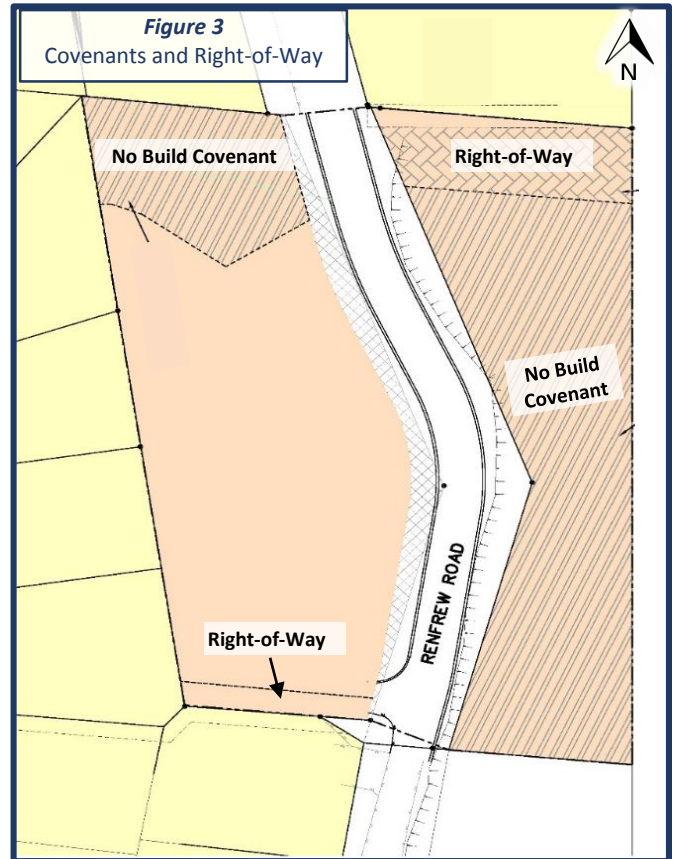
### Proposal

The application proposes to rezone the subject property from RR1 (Rural Residential) to RM2 (Multi-Unit Infill Residential) to facilitate future subdivision and residential infill development.

Development on the property will be concentrated on the southwest portion. The eastern portion of the subject property is not developable due to its slope and will be permanently protected through a no-build covenant and a right-of-way for stormwater management infrastructure.

The future subdivision will require shared driveway access from the existing driveway location, with only one access point permitted. The northwest corner of the property which is designated ESA-2 and slopes into a gully will also be permanently protected through a no-build, covenant, beginning at the top of bank and ending at the northern property line.

In total, approximately 44% of the property will be protected by covenants and rights-of-way (*Figure 3*), protecting the site's environmentally sensitive and hazard areas from future development.



## Official Community Plan (OCP) Bylaw No. 2220 Compliance Review

### §2.3.6 Lower Princeton Neighbourhood

The subject property is located within the Lower Princeton Neighbourhood, as identified in the Official Community Plan. In accordance with the policies for the Lower Princeton Neighbourhood, the proposed development will avoid slopes greater than 30% and there is a geotechnical report that recommended mitigation measures for the proposed development in accordance with the Official Community Plan (§2.3.6.1.).

### §4.11 Low Density Residential

The Official Community Plan designates the subject property as Low Density Residential. The maximum density for a Low Density Residential serviced lot with cluster housing is 25 units per hectare (10 units per acre). In accordance with the Official Community Plan, the maximum density for the property is 22.7 units if it is developed with duplexes or cluster housing.

In accordance with Low Density Residential policies the proposed rezoning would be designated as infill development. Any future development would be limited to one access. The property is fully serviced and can meet the standards found in the Subdivision and Development Servicing Bylaw No.2395 (Official Community Plan §4.11.1, §4.11.4 and §4.11.5).

## §6.0 Development Permit Area

The subject property is located within the technical Hillside, Sensitive Terrestrial, and Aquatic Ecosystem Development Permit Areas. The required technical Development Permit will be reviewed and approved administratively through a technical Development Permit.

During the application review process, staff identified that the gully located in the northwest portion of the property potentially contained environmentally sensitive areas. This was confirmed by the Environmental Assessment completed by Ecoscape Environmental Consulting, as well as the OCP. The applicable sections of the OCP are as follows:

**Section 6.3.2.1.3** states that developments and subdivisions should be designed to avoid endangered, threatened, or vulnerable species and plant communities, including critical habitat.

**Section 6.3.2.1.4** emphasizes that land disturbance and construction should be minimized within sensitive terrestrial ecosystems, with a protective buffer or leave strip area.

**Section 6.3.2.4** includes recommendations for structural design on forested slopes, advising the retention of trees and tree stands of various ages to support natural succession and the long-term sustainability of the forest ecosystem.

**Section 6.4.1.1 and 6.4.1.7.4** support the preservation of natural features including gullies by way of covenant or parkland dedication.

As a result, staff requested that a no-build covenant be placed in this area. The no-build covenant will ensure that most of the ESA-1 and ESA-2 areas are permanently protected. The disturbance within the ESA-1 area for stormwater infrastructure will require a 1:1 habitat rehabilitation ratio on the eastern portion of the subject property.

### Zoning Bylaw No. 2400 Compliance Review

The subject property is currently zoned Rural Residential (RR1). Due to the property size, agricultural use is not permitted, the only permitted principal use is one single detached dwelling. The maximum density of the lot is one dwelling unit and one accessory dwelling unit.

The applicant proposes to rezone the subject property to Multi-Unit Infill Residential (RM2), which is intended to provide a zone for multiple-unit residential and compatible uses on serviced urban lots 800 square meters or larger in size. Accounting for the required covenant area, the subdividable lot frontage is approximately 100 metres, which would permit a maximum of 5 lots. This maximum does not account for the feasibility of a five-lot subdivision, including factors such as required setbacks, driveway access, and other zone and site-specific considerations.

The zoning comparison between Rural Residential (RR1) and Multi-Unit Infill Residential (RM2) is as follows:

Zone	RR1 (Existing)	RM2 (Proposed)
Permitted Uses	Single Detached Dwelling, Agricultural (lot over 1 ha)	Single Detached Dwelling, Duplex Dwelling or Townhouse Dwelling.
Max Density	1 Primary Dwelling and 1 Accessory Dwelling	4 units
Max Building Height- Principal Building	9.1m (29.9 ft)	10.0m (32.8 ft)
Lot Coverage	20% (lot between 0.5 acers and 1 acers)	45% with parking and driveways shall not exceed 60%
Front Yard Setback- Principal Building	7.5m (24.6ft)	6.0m (19.7 ft)
Read Yard Setback- Principal Building	7.5m (24.6ft)	4.5m (14.8 ft)
Interior Side Yard Setback- Principal Building	4.5m (14.8ft)	2.0m (6.5 ft)
Exterior Side Yard Setback- Principal Building	7.5m (24.6ft)	3.0 (9.8 ft)

## Technical Review

This review has been completed based on the *Engineering Design Brief* by D.E. Pilling and Associates and *6488 Renfrew Road Water and Sanitary Capacity Modelling* by Urban Systems along with referral comments from the District's Engineering and Infrastructure Department.

The proposed rezoning and subsequent subdivision can be generally accommodated within the District's infrastructure, with minimal upgrades.

### Water

The existing water servicing has sufficient capacity to handle the peak flows associated with the proposed rezoning.

An additional fire hydrant will be required to be installed on the west side of Renfrew Road approximately 30 meters south of the northern property line.

### Sanitary Sewer

The existing sanitary sewer system has sufficient capacity to handle flows associated with the proposed rezoning.

### Storm Drainage

Stormwater will be directed through the northeast portion of the property via a right-of-way for the required infrastructure. A detailed stormwater management plan will be required at subdivision.

### Roads and Offsite Improvements

Renfrew Road is classified as an Urban Collector (SD-R6). Road dedication is required to achieve an 18-meter right-of-way for Renfrew Road. Frontage improvements are required to meet the Urban Collector Standard, including streetlights, curb and gutter and a sidewalk along the property frontage on Renfrew Road.

Two speed limit (30 km/h) signs and curve-ahead warning signs are required to be installed on Renfrew Road adjacent to the development.

## External Referral Comments

BC Transit, Fortis BC, BC Hydro and Telus have no objection.

The Ministry of Transportation and Transit had no concerns, the Ministry will sign the Bylaw after third reading.

## Development Financing Review

### Development Cost Charges.

Development Cost Charges are established under Bylaw No. 2155 to fund the capital costs of providing, constructing, altering, or expanding roads, sewer, water, drainage, and parkland acquisition and improvements. Development Cost Charges apply to multi-unit residential developments and are collected at the time of Building Permit issuance. Charges include the Peachland Development Cost Charges, as well as contributions to the Regional District of the Central Okanagan Wastewater Treatment and the School District. Development Cost Charges will be applicable for each additional unit at the time of Building Permit issuance.

**Official Community Plan §9.1 Community Amenity Contribution.** *Community Amenity Contribution Policy DEV-100* applies to all rezoning projects involving three or more units with funds earmarked for such future amenities throughout Peachland such as waterfront enhancement, trail development, an arena, museum, fire hall, etc. A covenant will be registered on title requiring Community Amenity Contributions for each unit at the time of Building Permit.

## Public Notification

In accordance with the *Local Government Act* section 464 (*Bill 44 Housing Statutes (Residential Development) Amendment Act*), a local government must not hold a public hearing on a proposed zoning bylaw if an official community plan is in effect, this bylaw is consistent with the official community plan, and the sole purpose of the bylaw is to permit residential development.

Further, in accordance with Development Procedures Bylaw No. 2396, a public information meeting was held on February 26<sup>th</sup>, 2025. The public information meeting was held at the Little School House, 1898 Brandon Avenue. Notices of the meeting were hand delivered to local properties and mailed to properties outside of Peachland. Notices were also posted on the District's community board and website. The applicant has provided a summary report of the public information meeting (Attachment '4').

In conformance with *section 467(3)* of the *Local Government Act*, public notification requirements have been fulfilled prior to first reading of the proposed bylaw amendment. A Notice of Application sign has been posted at the property boundary, notification letters have been sent to owners and tenants of properties within 100m of the subject property, and notification was published on the District of Peachland's website.

## STRATEGIC DIRECTION

### Increase Housing Choice

Integration of infill housing that is sensitive to the existing neighbourhood.

### Infrastructure Improvements

Road and sidewalk improvements and an additional fire hydrant.

## CONCLUSION

Staff recommend supporting the subject zoning amendment application and recommend that Council grant first, second, and third readings based on the following rationale:

- The proposal aligns with various policies of the Official Community Plan and is consistent with the future land use designation.
- The proposed Multi-Unit Infill Residential (RM2) zone is well suited for the area, the surrounding neighbourhood Low Density Residential (R1) zone also permits up to 4 dwelling units per lot.
- Environmentally sensitive areas on the subject property will be protected through covenants.
- The applicant will install road signage and undertake upgrades to improve safety in the area and an additional fire hydrant in the area.

## SUPPORTING DOCUMENTATION

Attachment 1. Zoning Amendment Bylaw No. 2436

Attachment 2. Covenant Areas Draft

Attachment 3. Right-of-Way Plan Draft

Attachment 4. PIM Summary

**REVIEWED & APPROVED BY Darin Schaal, Director of Planning and Development Services**

**REVIEWED & APPROVED BY Joe Creron, CAO**