

ADMINISTRATIVE REPORT



TO: Planning & Development Committee

FROM: B. Newell, Chief Administrative Officer

DATE: September 22, 2022

RE: Land Use Bylaw Review – Meadow Valley / Faulder (Electoral Area “F”)

Administrative Recommendation:

THAT Bylaw No. 2790.03, a bylaw to amend the Electoral Area “F” Official Community Plan (OCP); and,

THAT Bylaw No. 2800.18 a bylaw to amend the Okanagan Valley Zoning Bylaw be amended to incorporate recommendations contained in the *Meadow Valley Aquifer Study (2022)* regarding use and density.

Purpose:

To update the policies and regulations that apply to the use and subdivision of land in the Faulder Water System Service Area and Meadow Valley Aquifer.

Background:

December 2, 2021 - the Planning and Development considered the various amendment bylaws related to the Faulder Zone Review, being Bylaw Nos. 2790.03, 2461.19 (now 2800.18) and 2000.17, and recommended that consideration of Faulder planning issues be deferred “until [a] Meadow Valley Aquifer Study is completed.”

August 4, 2022 - the Environment and Infrastructure Committee received the results from the Meadow Valley Aquifer Study from Associated Environmental. This report assessed the capacity of the aquifer to support the variety of land uses across Faulder and Meadow Valley and included a conceptual model of groundwater flow, groundwater available across four distinct sub-regions of the Meadow Valley Aquifer (North Meadow Valley, South Meadow Valley, North Faulder, and Trout Creek Valley), climate and water demand projections, as well as a number of conclusions and recommendations.

Analysis:

In order to support the long-term sustainability of the Faulder Community Water System, Administration maintains its support for amendments to the Electoral Area “F” Official Community Plan (OCP) and Okanagan Valley.

The deferral of the Zoning Bylaw and the Subdivision Servicing Bylaw pending completion of the Meadow Valley Aquifer Study was to allow for any relevant information to be considered prior to amendments to the OCP and Zoning bylaws.

A primary recommendation from the Meadow Valley Aquifer Study, is to “limit or prevent additional development, land uses or activities that draw water out of [the Meadow Valley Aquifer] within the Meadow Valley or North Faulder areas”.

Alternatives:

1. status quo (i.e. proceed with the amendment bylaws as currently drafted);
2. amend the bylaws (i.e. make changes based on the findings of the aquifer study); or
3. abandon the project (i.e. resolve to not proceed with the amendment bylaws).

Administrative Response:

1. Status quo: This would introduce a uniform set of land use policies over the whole of the Meadow Valley Aquifer area, along with new regulations specific to the Faulder Water Service Area, to address uses and densities that might adversely impact on the water system.

Due to the length of time that has transpired since these bylaws were last considered, additional community engagement should be undertaken to re-present the proposed changes contained within the bylaws.

2. Amend the bylaws: Changes to the amendment bylaws could include:
 - revising the proposed OCP policies for the study area to reflect the sub-regions reviewed in the aquifer study (North Meadow Valley, South Meadow Valley and North Faulder);
 - expanding the proposed zoning restrictions on certain uses and densities to include areas outside of the Faulder Water System Service Area (e.g. to the North Meadow Valley and South Meadow Valley sub-regions and North Faulder sub-region), specifically:
 - increasing maximum parcel size requirements for subdivision;
 - prohibiting “accessory dwellings” and “secondary suites”;
 - prohibiting swimming pools; and
 - reviewing “agriculture” as a permitted use in the North Faulder sub-region.

This option requires revision to the draft bylaws and additional public/agency engagement. Challenges to the implementation of the regulations, particularly restrictions on agriculture given the prevalence of lands in the ALR, may arise. In addition, should restrictions be placed on agriculture, any legally established existing agricultural uses would be entitled to continue as a legal non-conforming use. Given the multi-generational nature of agricultural operations and lack of break in use, there may be limited effectiveness in restricting agriculture on lands which have historically been used as part of an agricultural operation.

3. Abandon the project: The amendment bylaws would be abandoned and work on this project would cease, thereby resulting in existing OCP policies and zoning regulations that apply to the Meadow Valley aquifer area remaining unchanged.



 

No. 2 – Meadow Valley Aquifer Study: Review of Conceptual Model of Groundwater Flow and Groundwater Availability (2022)

Attachment No. 1 – Meadow Valley Aquifer Study Sub-Region Map

