

## **FCM Sustainable Communities Awards 2012 Winner — Residential development**

District of Summerland, British Columbia  
Population: 11,000



A graphic illustrating some of the new zoning types and proposed developments  
Credit: Nicolas Bevanda, MAIBC CEI Architecture

### ***Zoning Bylaw Review and Update***

#### **Summary**

The District of Summerland worked with a consultant and the community at large to review and update the existing Zoning Bylaw. Developed through an extensive, 12-month public consultation process, the new bylaw allows smaller lot sizes and outlines innovative pocket neighbourhood designs in areas with existing municipal services and infrastructure. The focus on denser communities will lower greenhouse gas emissions and land degradation related to urban sprawl; ease the financial burden of infrastructure expansion; and provide social benefits such as greater community diversity and the ability for citizens to age in place. The updates also included measures to preserve farmland and limit certain development on rural properties. Summerland adopted the updated Zoning Bylaw in September 2011, along with minor updates to the Official Community Plan to allow higher densities and new intensification zones.

#### **Background**

Summerland is a small community of about 11,000, located on Okanagan Lake in the heart of British Columbia's Okanagan Valley. The district has a mix of urban and rural areas, with vast amounts of agricultural land devoted to fruit and wine cultivation. Population has traditionally been quite stable, however the entire Okanagan region has recently experienced a real estate boom, especially from retirees interested in the warm climate and abundant recreational activities. There are competing interests in the community, with some residents favouring growth and others wanting to preserve the small town character. The municipality wanted to update its decade-old zoning regulations to provide opportunities for development while ensuring the preservation of agricultural lands and the local environment.

The update was motivated by a need to make regulations consistent with the planning policies and objectives identified in Summerland's Official Community Plan (OCP), updated in 2008. The OCP included densification, redevelopment and the use of existing infrastructure as key ways to meet Summerland's sustainability goals. In addition, the first goal of the district's 2011 Community Climate Action Plan is to "minimize urban sprawl and promote compact, energy-efficient development with access to amenities within walking and cycling distance." The updated Zoning Bylaw provided Summerland with a means to accomplish these goals.

#### **Project development and implementation**

The district began by hiring a consulting team to help develop the new zoning regulations. The consultants reviewed the existing Zoning Bylaw and researched bylaws from other communities. These reviews produced background materials and comparison tables that helped facilitate discussion at two public open houses and several other workshops with residents. Attendance and participation was strong at all of these events and the issues identified were presented to council in the form of a summary report. Staff from the planning, bylaw enforcement, administration, public works and finance

departments then participated in internal workshops to develop a more technical analysis of the required updates, also taking into account input from community stakeholder groups. Summerland also held workshops with representatives from the agricultural sector, developers and realtors to obtain input.

Once a draft version of the new Zoning Bylaw had been developed, staff members from all departments were engaged again to review and suggest changes. The district provided the bylaw to the Regional District of Okanagan-Similkameen, the Penticton Indian Band, B.C.'s Agricultural Land Commission, the local school district and the Ministry of Transportation for further review and comments. By taking a collaborative approach, both internally with all municipal departments as well as with community stakeholders, Summerland ensured the development of a well supported end product.

The new Zoning Bylaw and OCP amendments were adopted in September 2011. According to Ian McIntosh, Summerland's manager of development services, the adoption of the bylaw went as planned with very little concern, as all the issues had been thoroughly vetted through the extensive public consultation process. This consultative approach continues throughout implementation, with seminars scheduled to advise both the community and city staff of the policy changes and their implications.

The new Zoning Bylaw incorporates three-dimensional diagrams to clarify the regulations and concepts. It also includes a zoning checklist for determining whether or not a particular project meets zoning criteria. Designed to be used by both staff and developers, the checklist will ensure everyone is on the same page and serve to streamline the approval process.

The document includes two new innovative zones, designed to allow for smaller lot sizes and creative neighbourhood designs close to community services. For instance, the Residential Pocket Neighbourhood zone accommodates single detached housing clustered around a common open space and shared parking lot. This zone provides increased density for single-family homes in areas near amenities and services. Another new zone, the Residential Single Detached Intensive (RSD1(i)), promotes small lot infill by allowing lot sizes of 360 square metres. With 1,772 lots currently zoned as RSD1, at an average size of 1,154 square metres, the potential exists to subdivide these into 4,584 new RSD1(i) lots. The bylaw also reduces the minimum size of a regular RSD1 lot. At the current rate of about 40 single-detached permits per year, it would now take about 84 years to reach capacity in serviced areas.

To preserve agricultural lands, the Zoning Bylaw includes a measure to limit the amount of residential development on a farm. The Farm Home Plate is intended to preserve the farming capability and limit residential development to a "normal" farm house and related residential development. This measure is designed to put some limitations on the practice of buying farming acreages for estate properties with huge homes, tennis courts, swimming pools and large garages; removing the farming potential of the land forever. It is an innovative measure that very few municipalities have been able to pass.

Summerland also built additional components into the Zoning Bylaw to emphasize sustainability, including stipulations for bicycle parking (two secure indoor spaces per residential dwelling and secure outdoor space for commercial zoning); regulations for wind, solar and geothermal energy devices; density bonuses for intensive single-family development; and new regulations for secondary suites and carriage homes.

This project was identified as a goal in both the Official Community Plan and Summerland's Community Climate Action Plan. The Action Plan is the district's road map for reducing GHG emissions in line with provincial targets. The province provided baseline (2007) data on community GHG emissions, residential density, commute distances, and modes of transportation. Summerland intends to review and compare new data, at set intervals, to determine what impact the higher density regulations are having on emission levels. In connection to the bylaw updates, minor changes were made to the OCP to allow higher densities and new intensification zones. The project benefited from Summerland's participation in FCM capacity building webinars.

Communication about the project took the form of a dedicated website, mail-outs to residents, displays at city hall, newspaper features, sandwich board signs placed around town and frequent updates on social media sites. The municipality is also developing a brochure on new opportunities for residents resulting from the bylaw and will be hosting information sessions in 2012 after municipal elections are completed.

## Results

- The adoption of the bylaw occurred as planned with very little concern. Ian McIntosh noted that, “only one person spoke against it at the public hearing, as all the issues had been thoroughly vetted through the public process.”
- The bylaw ensures that intensification is only permitted in areas with existing services such as sewer, water and roads. The district will see cost savings from not having to maintain new infrastructure, and increasing density makes public transit a more viable option.
- There has been significant interest in the new RPN zone and Summerland is expecting an application for development in 2012. Several permits have been granted for carriage houses, which will increase the supply of affordable rental housing while providing additional income for existing property owners.
- With the Farm Home Plate, Summerland became one of the few municipalities in BC to include regulations limiting development on farmland. Representatives from Summerland have spoken to other municipalities in the Okanagan Valley who expressed interest in learning more about the concept.

## Lessons Learned

- CONSULTATION RESULTED IN A BYLAW THAT WAS WIDELY SUPPORTED BY THE COMMUNITY. “We were very impressed,” said McIntosh, “with the level of public participation from the farming community, industrial community, developers and general public.” As a result of the project, Summerland has developed a more comprehensive way of connecting with the electorate, both in person and through various forms of social media.
- HIRE A COMPETENT CONSULTANT. The consulting team was invaluable in identifying all the relevant issues early in the process and developing a strong program of public engagement.
- INVOLVE EVERYONE IN THE PROCESS, ESPECIALLY THOSE WORKING WITH THE NEW REGULATIONS. Staff members from many municipal departments were consulted in the development process, but the involvement of bylaw enforcement staff was especially beneficial. Understanding the challenges involved in enforcing the existing and proposed regulations led the team to further simplify and clarify some components of the new Zoning Bylaw.
- WHEN DEALING WITH REGULATORY DOCUMENTS, ENLIST PROFESSIONALS. Once the district had arrived at a near final document, a review by a lawyer familiar with municipal legislation identified a number of legal authority issues and a professional proofreader identified and corrected a significant number of errors.

## Related and Future Initiatives

The updated zoning and the focus of building dense, more compact neighbourhoods are part of an overall effort to reduce the district’s greenhouse gas emissions. Related projects include the installation of solar panels on Summerland’s recreation centre to reduce water heating costs for the public pool. As part of the Community Climate Action Plan, the district will review new data provided by the province and compare progress against 2007 baseline numbers. Measurable factors such as housing types, density, commute times and emissions will help determine the effectiveness of the zoning bylaw and other sustainability initiatives.

## Partners and Collaboration

Federation of Canadian Municipalities – workshops and capacity-building webinars  
Regional District of Okanagan-Similkameen – reviewed the bylaw in light of the Regional Growth Strategy  
Agricultural Land Commission – reviewed the bylaw in the context of agricultural policies  
Ministry of Transportation – reviewed the bylaw with respect to Highway 97  
Realtors – rental and land market advice  
Community associations – residents’ advice and comments

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[http://www.summerland.ca/departments/development/development\\_Planning.aspx](http://www.summerland.ca/departments/development/development_Planning.aspx)