

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: April 1, 2021
RE: Zoning Bylaw Amendment – Electoral Area “F”

Administrative Recommendation:

THAT Bylaw No. 2461.15, 2021, Electoral Area “F” Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of May 6, 2021;

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

Purpose: To rezone subject property in order to facilitate subdivision to create additional two (2) lots.

Owners: Derek & Chelsea Bellamy Agent: Bill Coates (ODC) Folio: F-06931.500

Legal: Lot 5, Plan 647, DL2888, ODYD Civic: 8475 Princeton - Summerland Road

OCP: Small Holdings (SH) Proposed OCP: Small Holdings (SH)

Zone: Small Holdings Two (SH2) Proposed Zoning: Small Holdings Three (SH3)

Proposed Development:

This application is seeking to amend the zoning of the subject property in order to facilitate subdivision to create additional two (2) lots.

In order to accomplish this, it is being proposed to amend the zoning of the subject property under Schedule ‘2’ (Zoning Map) of the Electoral Area “F” Zoning Bylaw No. 2461, 2008, from Small Holdings Two (SH2) to Small Holdings Three (SH3).

In support of the rezoning, the applicant has stated that “the proposed two additional parcels and each would provide for building areas. It is noted that the proposed lot 2 would have access from Deans Road and would not be visible from the Princeton-Summerland Road. A recent Sewerage System Feasibility report and a Rapid Environmental Assessment have both indicated favourable results for subdivision of all three parcels, should that be permitted.”

Site Context:

The subject property is approximately 3.2 ha in area and is situated on the west side of Princeton-Summerland Road and in close proximity to District of Summerland’s boundary. It is understood that the parcel is comprised of single detached dwelling and attached garage. The surrounding pattern of development is predominantly rural-residential.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on October 2, 1909, while available Regional District records indicate that a building permits for a single detached dwelling and attached garage (1997) have previously been issued for this property.

Under the Electoral Area “F” Zoning Bylaw No. 2461, 2008, the property is currently zoned Small Holdings Two (SH2) which requires a minimum parcel size of 2.0 ha.

The current SH2 zoning of the property dates to the 1997 Rural Land Use Bylaw (RLUB). Prior to this, the property was zoned Large Holdings (LH) under the 1988 RLUB, and Forestry-Grazing under the 1969 Zoning Bylaw.

In 1981, a rezoning application was submitted to the Regional District seeking to rezone the subject property as well as the adjacent property (to the north) from Forestry-Grazing to Small Holdings one acre minimum (A-1) in order to allow for the subdivision of upwards of eight 1 acre lots.

This proposal was denied by the Board at its meeting of June 21, 1981, on the basis that it was inconsistent with the Plan for the Faulder area, which was not to support densities of greater than 1 unit per 2.5 acres (i.e. 1.0 ha).

Under the Electoral Area “F” Official Community Plan (OCP) Bylaw No. 2790, 2018, the subject property is currently designated Small Holdings (SH), and is the subject of an Environmentally Sensitive Development Permit (ESDP) Area designations.

Community Wildfire Protection Plan, prepared in 2011, identifies subject property to be within “moderate to high” fire rating, while BC Assessment has classified the property as “Residential” (Class 01).

On April 30, 2020, the Ministry of Transportation and Infrastructure (MoTI) referred a proposed 3 lot subdivision involving the subject property to the Regional District for compliance with applicable land use bylaws. As part of this review process, it was determined that the subdivision was not consistent with zoning.

Referrals:

Approval from the Ministry of Transportation and Infrastructure (MoTI) is not required prior to adoption as the proposed amendments involve lands beyond 800 metres of a controlled access highway (i.e. Highway 97 & 3).

Public Process:

On March 18, 2021, a Public Information Meeting (PIM) was held electronically and was attended by zero (0) members of the public.

At its meeting of March 22, 2021, the Electoral Area “F” Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject development application be approved.

All comments received to date in relation to this application are included as a separate item on the Board Agenda.

Analysis:

In considering this proposal, Administration notes that the current proposal is consistent with the Small Holdings designation under the Official Community Plan Bylaw 2790, 2018, that it meets the 1.0 ha requirement for creating new lots not connected to a community sewer system, and generally meets the standard established by the Board in 1981 when it refused the previous subdivision proposal based on density (despite these same provisions no longer being as explicitly stated within the current OCP).

In this instance, the proposal is to create three (3) parcels, each of size not less than 1.0 ha in area. The creation of parcels less than 2.0 ha in area is not anticipated to have a negative affect on the rural character of the neighbourhood. A number of SH2 zoned parcels are located south of the subject property, the majority of which are just over 2.0 ha but also range down to 1.48 ha in size.

Administration acknowledges that similar zoned lots (SH3) exists in the immediate vicinity (parcel to the north), with parcel size 1.3 ha, created as a result of subdivision/rezoning application approved by the Regional District Board in January 2016.

Administration is aware of the water sustainability issues experienced at Faulder in recent years (as well as the recent upgrades being undertaken to the water system), however, it is not aware of similar issues being experienced in the vicinity of Deans Road.

Conversely, Staff does not generally support the creation of ad hoc or spot zonings where they are divorced from broader strategic land use objectives. In such instances, spot zonings grant privileges to a single parcel, which are not granted or extended to other parcels in the vicinity.

In summary, given that the proposal is generally consistent with the Official Community Plan Bylaw for SH land use designation, Administration supports proposed zoning bylaw amendment application and is recommending approval.

Alternatives:

1. THAT Bylaw No. 2461.15, Electoral Area "F" Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of May 6, 2021;

AND THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.
2. THAT Bylaw No. 2461.15, 2021, Electoral Area "F" Zoning Amendment Bylaw be deferred; or
3. THAT Bylaw No. 2461.15, 2021, Electoral Area "F" Zoning Amendment Bylaw be denied.

Respectfully submitted:

R. Gadoya

R. Gadoya, Planning Technician

Endorsed By:



C. Garrish, Planning Manager

Attachments:

- No. 1 – Applicant's Site Plan
- No. 2 – Site Photo

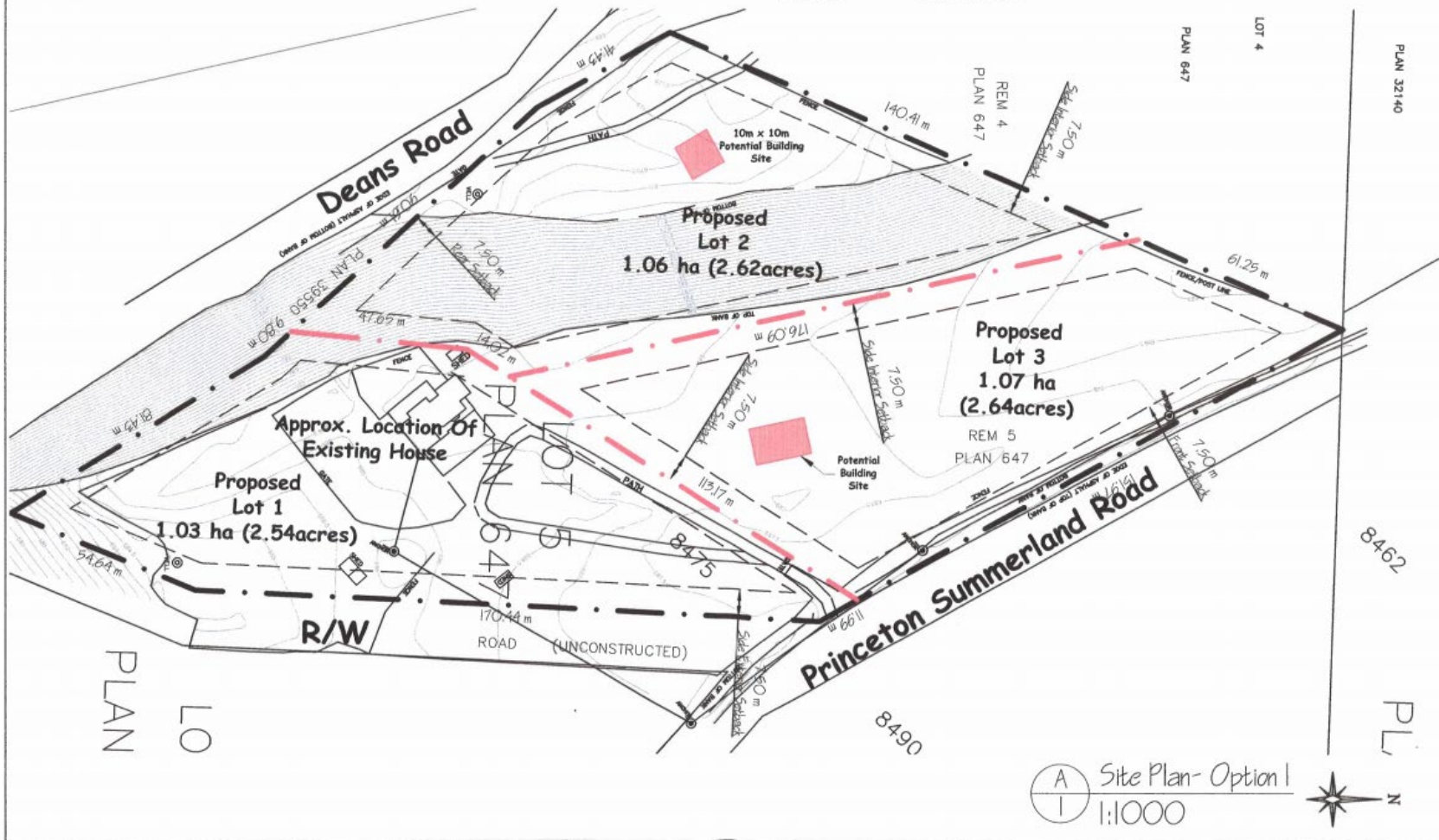
Attachment No. 1 – Applicant’s Site Plan

OKANAGAN DEVELOPMENT
CONSULTANTS INC.

LAND & BUILDING DEVELOPMENT CONSULTANTS:
13222 KELLY AVENUE, SUMMERLAND, B.C. V0H 1Z3
PH: (250) 494-0747

PROJECT:
PROJECT ADDRESS:
LEGAL DESCRIPTION:
CURRENT ZONING:
PLOT DATE:

PROPOSED SUBDIVISION FOR BELLAMY
8475 SUMMERLAND PRINCETON ROAD, SUMMERLAND BC
LOT 4, PLAN 647, EP PLAN A67 AND LOT 5, PLAN 647 D.L. 2888 ODYD
- S12
January 29, 2021



Attachment No. 2 – Site Photo

