

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: June 2, 2022

RE: Official Community Plan (OCP) & Zoning Bylaw Amendment – Electoral Area “H” (H2021.024-ZONE)

Administrative Recommendation:

THAT Bylaw No. 2497.13, 2022, a bylaw to amend the Electoral Area “H” Official Community Plan to allow for a 10-lot bareland strata subdivision at 240 Lawless Creek Road be read a third time and adopted; and,

THAT Bylaw No. 2498.24, 2022, a bylaw to amend the Electoral Area “H” Zoning Bylaw be read a third time and adopted.

Folio: H-00885.000

Legal: District Lot 1020, YDYD

OCP: Large Holdings (LH)

Zone: Large Holdings Two (LH2)

Proposed Development:

The following land use bylaw amendments are being proposed by the applicant:

- amend the land use designation under Schedule ‘B’ (OCP Map) of the Electoral Area “H” Official Community Plan (OCP) Bylaw No 2497, 2012, from Large Holdings (LH) to Small Holdings (SH); and,
- amend the zoning under Schedule ‘2’ (Zoning Map) of the Electoral Area “H” Zoning Bylaw No. 2498, 2012, from Large Holdings Two (LH2) to Small Holdings Three (SH3).

In support of the application, the applicant has stated that “the subject site and the lands to the north are designated as “Growth Areas” for Tulameen.

Site Context:

The property is approximately 12.6 ha in area and is situated on the north side of Lawless Creek Road, approximately 20 km north west from the boundary of the Town of Princeton. It is understood that the parcel is comprised of vacant land.

The surrounding pattern of development is generally characterised by large rural residential parcels to the south and west, undeveloped crown land to the north and small residential lots in Tulameen to the east.

Background:

February 15, 2022 - a Public Information Meeting (PIM) was held via WebEx and was attended by 7 members of the public.

February 15, 2022 - the Electoral Area “H” Advisory Planning Commission (APC) recommended that the development application be approved, subject to the following conditions:

- i) Prior to adoption of Amendment Bylaws No. 2497.13, 2022 and 2498.24, 2022, a statutory covenant is registered on the title of District Lot 1020, YDYG, prohibiting any construction on the land, and prohibiting any further or other subdivision of the land until a mutually acceptable arrangement regarding the reservoir has been reached between the land owner and the Regional District.*

May 5, 2022 - the Regional District resolved to approve first and second reading of the amendment bylaws and scheduled a public hearing ahead of its meeting of June 2, 2022.

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).

Analysis:

This proposal is consistent with the identification of the parcel as a Growth Area in the OCP bylaw. The OCP requires that proposals to create additional land designated Small Holdings be assessed against various criteria, such as impact on the community, capability of accommodating on-site water and sewage disposal, access to existing roads, which are discussed below.

Access

The parcel is accessible via Lawless Creek Road and a private roadway is proposed to further access the lots into the site.

Rural Character

The creation of ten (10) 1.0 ha parcels is compatible with the rural residential character of the area and not anticipated to have a negative visual impact on the community.

Infrastructure Requirements – Water

While the applicant is not required under the Regional District’s Subdivision Servicing Bylaw to provide a community water system as the proposed parcels are to be greater than 1.0 ha in area, they are proposing to construct a private system to provide water to the proposed parcels.

Infrastructure Requirements – Sewage Disposal

The Subdivision Servicing Bylaw allows for parcels 1.0 ha in area or greater to be serviced by an on-site sewage disposal system (i.e. a septic system) and to not have to connect to a community sewer system.

Environmental Assessment

The applicant has provided an Environmental Assessment for the property which identifies that “the proposed layout design results in minor encroachment within Moderate (ESA 2) areas” and further concludes that “as long as construction is conducted following the mitigation and recommendations provided in this report ... the potential for adverse environmental impacts on environmentally sensitive areas will be low.” Further, the applicant would require an Environmentally Sensitive Development Permit (ESDP) to be issued prior to proceeding with the proposed subdivision.

Natural Hazard

It is anticipated that the applicant will be required to do further geotechnical studies and/or hazard risk assessments prior to subdivision approval and at the building permit stage.

Alternatives:

1. THAT first and second readings of Bylaw No. 2497.13, 2022, Electoral Area “H” Official Community Plan Amendment Bylaw and Bylaw No. 2498.24, 2022, Electoral Area “H” Zoning Amendment Bylaw be rescinded and the bylaws abandoned.

Respectfully submitted:

Nikita Kheterpal

Nikita Kheterpal, Planner I

Endorsed By:

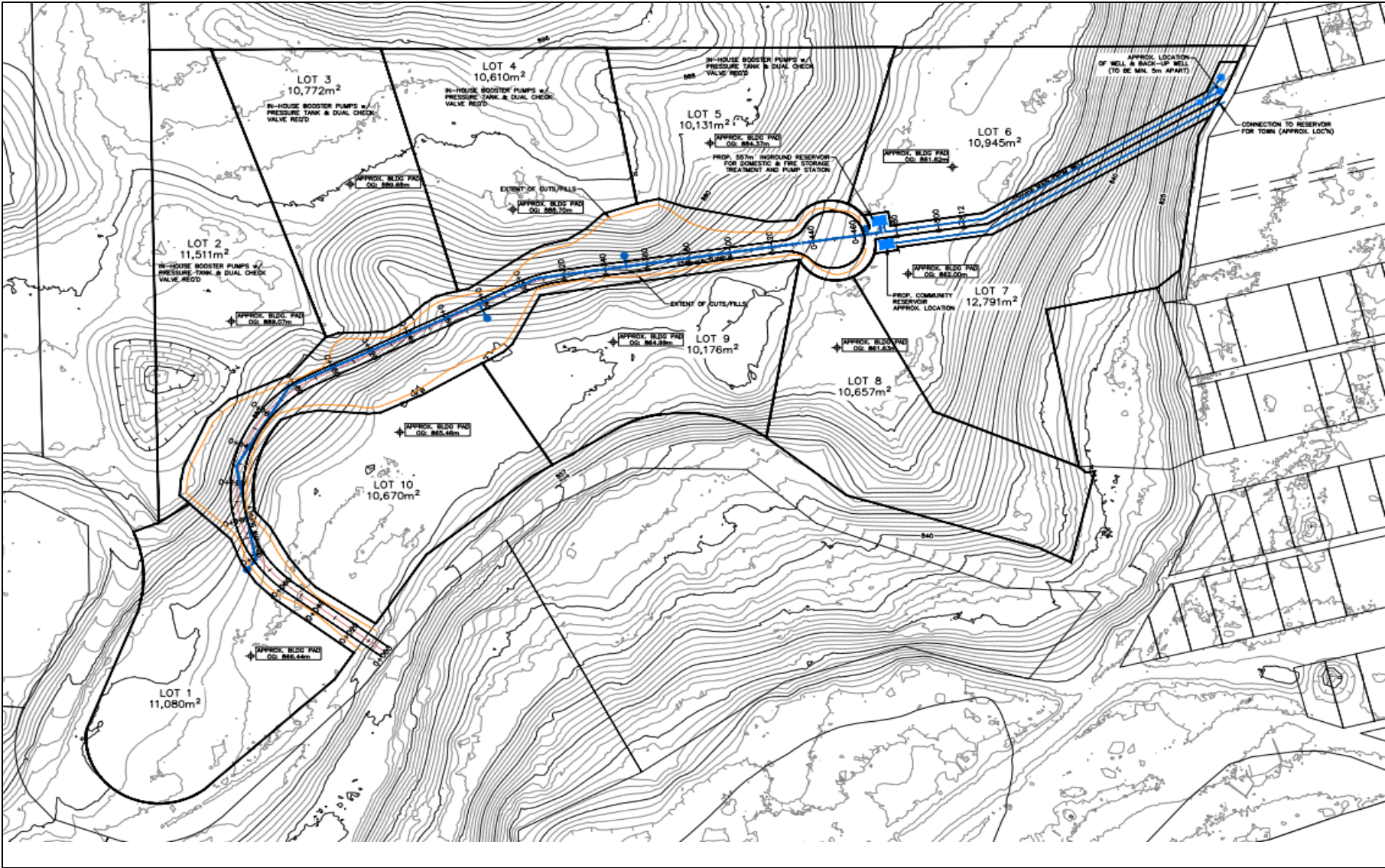


C. Garrish, Planning Manager

Attachments: No. 1 – Applicant’s Site Plan

No. 2 – Site Photo

Attachment No. 1 – Applicant’s Site Plan



Attachment No. 2 – Site Photo

