

ADMINISTRATIVE REPORT



TO: Advisory Planning Commission
FROM: B. Newell, Chief Administrative Officer
DATE: September 21, 2021
RE: Official Community Plan (OCP) & Zoning Bylaw Amendment – Electoral Area “H”

Purpose: To allow for a 2-lot subdivision to unhook the parcel along Old Hedley Road. Folio: H-01264.000

Civic: 2321 Old Hedley Road Legal: Block A, District Lot 2855S, SDYD

OCP: Agriculture (AG) Zone: Agriculture Three (AG3)

Proposed Development:

This application is seeking to amend the zoning of the subject property in order to allow for a 2-lot subdivision to “unhook” the parcel along Old Hedley Road. This will result in an approximately 9.7 ha parcel on the north side of Old Hedley Road and an approximately 5.4 ha parcel on the south side of Old Hedley Road.

In order to accomplish this, 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 Agriculture (AG) to Large Holdings (LH); and
- amend the zoning under Schedule ‘2’ (Zoning Map) of the Electoral Area “H” Zoning Bylaw No. 2498, 2012, from Agriculture Three (AG3) to part Large Holdings Two (LH2) and part Large Holdings One (LH1).

In support of the rezoning, the applicant has stated that “the rationale for subdivision is to sell the parcel with the house on it to pay off the mortgage and keep [the] waterfront parcel with the cabin for personal future use.”

Site Context:

The subject property is approximately 15.38 ha in area, is bounded by the Similkameen River along its southern boundary, is bisected by Old Hedley Road and is approximately 14.5 km west of Hedley and 24 km to the east of Princeton. It is understood that the parcel is comprised of a house and shed situated on the north side of Old Hedley Road, and a cabin on the south side (near the Similkameen River).

The surrounding pattern of development is seen to be comprised of rural-residential and residential land uses adjacent to Old Hedley Road and undeveloped Crown land beyond. Bromley Park Provincial Park is also situated 1.7 km to the north.

Background:

It is not clear when the current boundaries of the subject property were created by a Plan of Subdivision, while available Regional District records indicate that a building permit for the placement of a modular home (2005) has previously been issued for this property.

Under the Electoral Area 'H' Official Community Plan (OCP) Bylaw No. 2497, 2012, the subject property has been designated as Agriculture (AG). The property is the subject of a Watercourse Development Permit (WDP) Area designation along the southern edge of the property.

Under the Electoral Area "H" Zoning Bylaw No. 2498, 2012, the subject property has been designated Agriculture Three (AG3), which stipulates a minimum parcel size of 20.0 ha

Under Section 8.0 (Floodplain Regulations) of the Zoning Bylaw, the subject property is within the floodplain associated with the Similkameen River.

The property is within the Agricultural Land Reserve (ALR), but has been classified as "Residential" (Class 01) by BC Assessment.

The property is the subject of an approval from the Agricultural Land Commission (ALC) to undertake a two (2) lot subdivision, which is due to expire on April 19, 2023.

On December 3, 2015 the Ministry of Transportation and Infrastructure (MoTI) referred a proposed 2 lot subdivision involving the subject property to the Regional District for compliance with any applicable RDOS land use bylaws.

The applicant was notified in a letter dated February 19, 2016 that a rezoning was required in order to permit the subdivision due to the 20 ha minimum parcel size in the AG3 zone.

The subject property is not within a community water system area or community sanitary system area, and is also not within a fire department fire district area.

Analysis:

In considering this proposal, Administration recognises that it has previously supported proposals in other Electoral Areas that seek to undertake subdivision along a road alignment within the ALR on the basis that the road generally forms a natural boundary between what is seen to be two separate parcels.

In this instance, the proposed subdivision is not uncharacteristic with surrounding land use development patterns, particularly the Small Holdings (SH) zoned parcels found along Old Hedley Road, and which are also within the ALR.

Conversely, Administration is also cognizant that the land use patterns present on Old Hedley Road occurred a generation ago (if not longer) and may not necessarily be reflective of current strategic land use policies implemented by the Regional District Board. Further, an objective of the OCP is "to discourage the subdivision and non-farm use of land designated for 'Agriculture'.

However, Administration notes that the LH1 & LH2 zones list agriculture as a principal permitted use and given topographical constraints for the agricultural use of the subject parcel (such as steep, rocky hill side) as well as support from the Agricultural Land Commission for the future subdivision of this property, administration is generally supportive of this application.

Administrative Recommendation:

THAT the APC recommends to the RDOS Board of Directors that the subject development application be approved.

Options:

1. THAT the APC recommends to the RDOS Board of Directors that the subject development application be approved.
2. THAT the APC recommends to the RDOS Board of Directors that the subject development application be approved with the following conditions:
 - i) *TBD*
3. THAT the APC recommends to the RDOS Board of Directors that the subject development application be denied.

Respectfully submitted:

Fiona Titley

Fiona Titley, Planner I

Endorsed By:

CG

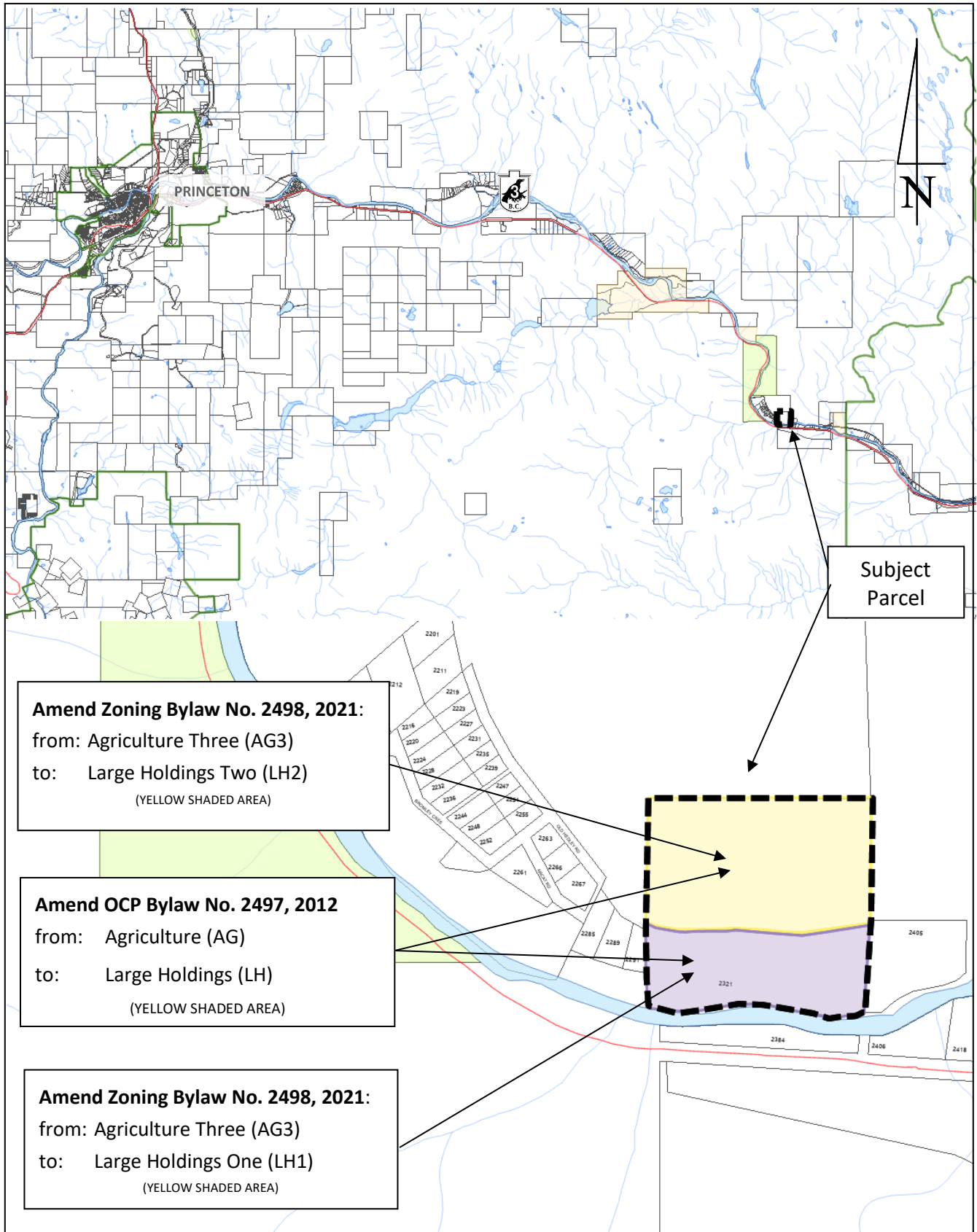
C. Garrish, Planning Manager

Attachments: No. 1 – Context Maps

No. 2 – Applicant’s Site Plan

No. 4 – Site Photo


Attachment No. 1 – Context Maps



Attachment No. 2 – Applicant’s Site Plan

PROPOSED SUBDIVISION PLAN BLOCK A, DISTRICT LOT 2855S, SDYD.

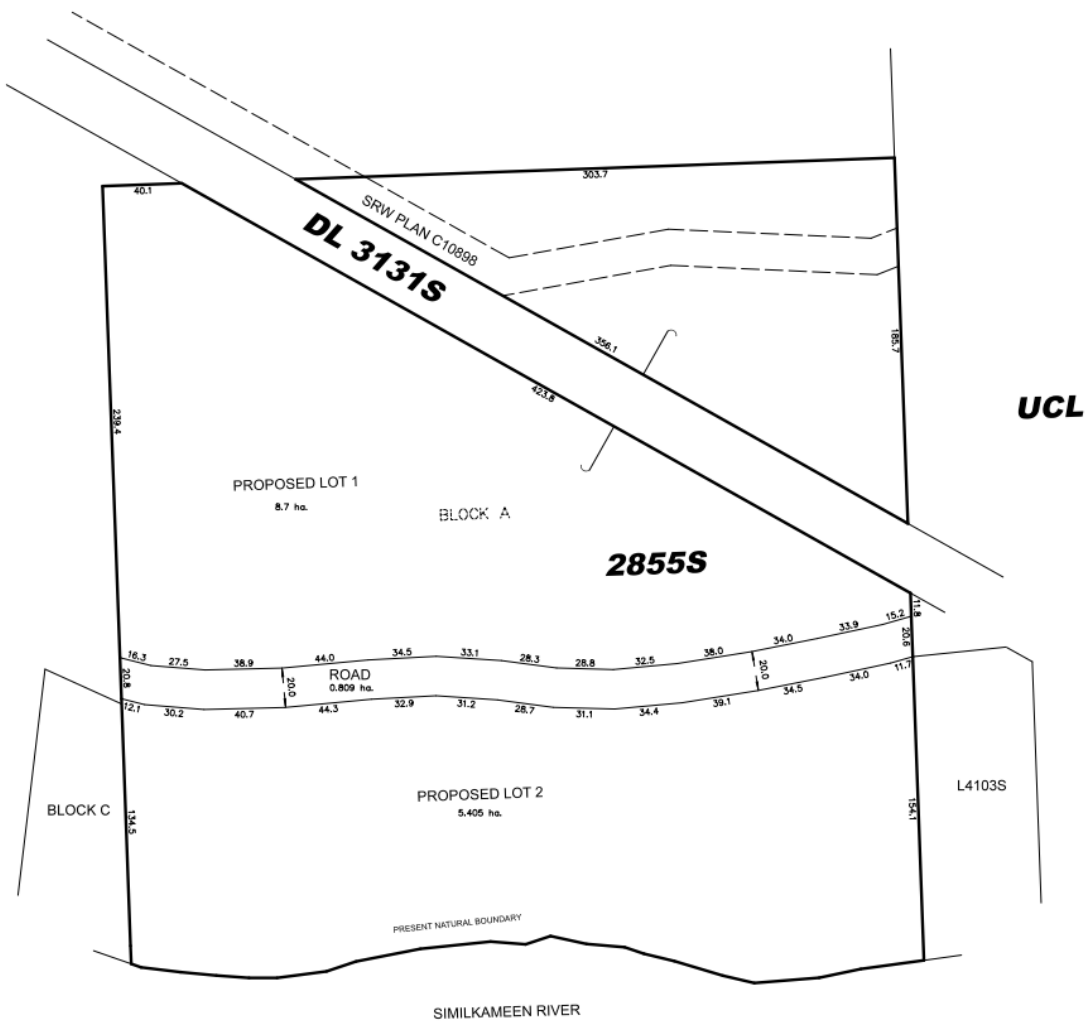
BCGS 92H.049
SCALE 1:1500


The intended plot size of this plan is 560mm in width by 432mm in height (C-size) when plotted at a scale of 1:1500 METRIC.

Lot dimensions and areas will change upon completion of a legal survey.

Road dedication is based on survey of centerline of road and presumes dedication of 10 meters on either side of centerline, subject to approval by the Ministry of Transportation and Infrastructure.

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AITerra
Land Surveying Ltd.
www.AITerraSurvey.ca
P/N: 250-452-9298 File: 121040-SD June 21, 2021

Attachment No. 4 – Site Photo

