



BOARD REPORT

TO:

Chair and Directors

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| File No: BL725-12 PL20180016 |
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SUBJECT:

Electoral Area C: Electoral Area C Official Community Plan Amendment (Shuswap Country Estates) Bylaw No. 725-12

DESCRIPTION:

Report from Dan Passmore, Senior Planner, dated July 25, 2018. 1885 Tappen Notch Hill Road, Carlin.

**RECOMMENDATION
#1:**

THAT: the Board consider public input received in regard to "Electoral Area C Official Community Plan Amendment (Shuswap Country Estates) Bylaw No. 725-12" and direct staff to require the applicant to provide a report from a qualified professional with experience in groundwater hydrogeology which details the various water supply source wells with regard to their capacity for sustainable yield which matches the proposed development increase, and potential for drawdown interference on neighbouring groundwater wells;

AND THAT: additional information regarding the current and anticipated future operation of the development's sewage treatment system is also required.

**RECOMMENDATION
#2:**

THAT: a second public hearing to hear representations on "Electoral Area C Official Community Plan Amendment (Shuswap Country Estates) Bylaw No. 725-12 " be held;

AND THAT: notice of the public hearing be given by the staff of the Regional District on behalf of the Board in accordance with Section 466 of the Local Government Act;

AND FURTHER THAT: the holding of the public hearing be delegated to Director Paul Demenok, as Director of Electoral Area C being that in which the land concerned is located, or Alternate Director Arnie Payment, if Director Demenok is absent, and the Director or Alternate Director, as the case may be, give a report of the public hearing to the Board.

SHORT SUMMARY:

The applicant has applied for an Official Community Plan (OCP) amendment to re-designate the subject properties. When the Electoral Area C OCP Bylaw No. 725 was adopted in March of 2014, it had designated the portion of the property where the existing Shuswap Country Estates development was located as SH – Small Holdings. Shuswap Country Estates is a manufactured home community consisting of 54 units, the SH designation allows for a maximum residential density of 1 unit per 4 ha.

The applicant is seeking to expand the manufactured home community onto the property to the south and to further subdivide that property into 3 large rural lots.

The Board gave the bylaw first reading at the March 29, 2018 regular meeting and directed staff to refer the bylaw to agencies and First Nations. Referral comments were compiled and presented to the

Board in consideration of second reading of the bylaw and delegation of a Public Hearing which occurred at the June 21, 2018 regular meeting.

The Public Hearing was held Tuesday July 24, 2018 at the Carlin Community Hall at 4051 Myers Frontage Road, Tappen BC. It is appropriate for the Board to consider public input received.

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| VOTING: | Unweighted Corporate | <input type="checkbox"/> | LGA Part 14 (Unweighted) | <input checked="" type="checkbox"/> | Weighted Corporate | <input type="checkbox"/> | Stakeholder (Weighted) | <input type="checkbox"/> |
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BACKGROUND:

See attached "2018-03-29_Board_DS_BL725-12_0731852-BC-LTD_1043181-ALTA-LTD.pdf".

POLICY:

See attached "2018-03-29_Board_DS_BL725-12_0731852-BC-LTD_1043181-ALTA-LTD.pdf".

FINANCIAL:

There are no financial implications to the CSRD with regard to this application.

KEY ISSUES/CONCEPTS:

See attached "2018-03-29_Board_DS_BL725-12_0731852-BC-LTD_1043181-ALTA-LTD.pdf", and "2018-06-21_Board_DS_BL725-12_0731852-BC-LTD_1043181-ALTA-LTD.pdf".

Update

At the Official Public Hearing on July 24, 2018, neighbouring property owners expressed concerns regarding changes in groundwater availability declining as a result of the development of the existing Manufactured Home Community. Residents expressed concerns that if the development is expanded, it will result in a depletion of water available for their purposes. Since the applicant did not provide up to date information regarding the water supply source, staff are concerned with this new information and are thereby recommending that the Board require the applicant to provide a hydrogeologist's report on the current and proposed expanded water supply and potential interference with neighbouring wells.

The public also advised that the current sewage treatment system has not been utilising spray irrigation for disposal of effluent despite the treatment system being registered to do so. While staff do not share the public's concern with respect to spray irrigation as a means of disposing of effluent, some sort of an explanation from the applicant with regard to the operation of the current system and anticipated operation if the expansion takes place is warranted.

SUMMARY:

The applicant has applied for an OCP amendment that would re-designate portions of the subject properties which would reconcile an existing Manufactured Home Community development on the site and allow for its future expansion while also paving the way for a 3 lot subdivision to occur. Staff have prepared the OCP amendment bylaw in accordance with the application request.

Staff expressed concerns with the application at first reading which have been resolved through communication with the applicant. However, staff still harbour concerns about the expansion of residential use and density outside of the Village Centre and Secondary Settlement Area identified in the OCP. It is recognized that this application is to expand an existing manufactured home community development that was established prior to the adoption of the OCP. Also, for the Board's consideration is that the form and density of the residential housing that is proposed may increase the supply of affordable housing in the area, which is also an objective supported by the OCP.

However, public input provided at the Official Public Hearing regarding the development's current and anticipated impact on the groundwater regime in the area, and the operation of the sewage treatment facility gives staff pause, as no information had been provided by the applicant with respect to these matters. Staff are therefore recommending that the Board consider the public input received from the Public Hearing and consider directing staff to require the applicant to provide additional information, to ensure that the development meets with current OCP policies.

Should the Board accept the staff recommendation, and new information is provided, this information needs to be made available to the public, through the delegation of a second Public Hearing.

IMPLEMENTATION:

As per CSRD Policy No. P-18 regarding Consultation Processes-Bylaws, staff recommended the simple consultation process. Neighbouring property owners first became aware of the application for OCP amendments when the notice of development sign was posted on the property. Staff forwarded the bylaw and staff report to referral agencies for review and comment, a summary of the responses has been provided in previous reports to the Board.

Public Hearing

The delegated Public Hearing for the proposed bylaws was held Tuesday July 24, 2018, at the Carlin Community Hall at 4051 Myers Frontage Road, Tappen BC. Twenty-three members of the public attended, of which 6 spoke against the Bylaw, and 1 (the applicant) spoke in favour of the Bylaw. One of those speaking against the Bylaw was a spokesperson for the neighbouring group and delivered a 19 name petition against the Bylaw. The people signing the petition all live in the immediate neighbourhood of the development property.

Please see the attached Public Hearing Notes for details about public input (See "Public_Hearing_Notes_2018-07-24_BL725-12.pdf", attached.)

Additionally, a total of 9 pieces of correspondence were received in regard to the Bylaw: 8 spoke against the Bylaw, and 1 was in favour.

COMMUNICATIONS:

Staff notified adjacent property owners, advertised and held the Public Hearing in accordance with the Local Government Act. If the Board resolves to support the staff recommendation, staff will inform the applicant of the need to supply a hydrogeological report on the source of water, and any possible impacts to neighbouring wells, for the development and information on the current and anticipated operation of the sewage treatment facility. Once staff have received this information, and if the Board has delegated the holding of a second Public Hearing, staff will notify adjacent property owners, advertise and hold the second Public Hearing in accordance with the Local Government Act. Once the second Public Hearing has been held, staff will bring the Bylaw to a future meeting of the Board to

consider the new public input and staff will provide a recommendation regarding third reading of the bylaw.

DESIRED OUTCOMES:

That the Board endorse staff recommendations.

BOARD'S OPTIONS:

1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:

1. Electoral Area C Official Community Plan Bylaw No. 725.
2. Ministry of Environment Permit PE-13672 for sewage treatment and disposal.
3. Various permits issued by Interior Health Authority for water system.

Report Approval Details

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| Document Title: | 2018-08-16_Board_DS_BL725-12_0731852-BC-LTD_1043181-ALTA-LTD.docx |
| Attachments: | <ul style="list-style-type: none">- BL725-12-Third.pdf- 2018-03-29_Board_DS_BL725-12_0731852-BC-LTD_1043181-ALTA-LTD.pdf- 2018-06-21_Board_DS_BL725-12_0731852-BC-LTD_1043181-ALTA-LTD.pdf- Shuswap Country Estates OCP Supplementary Letter 20180327.pdf- Public_Hearing_Notes_2018-07-24_BL725-12.pdf- Public_submissions_BL725-12.pdf- ALC_Referral_Response_Letter_BL725-12.pdf- Agency_referral_Responses_BL725-12.pdf- Maps_Plans_BL725-12.pdf |
| Final Approval Date: | Aug 2, 2018 |

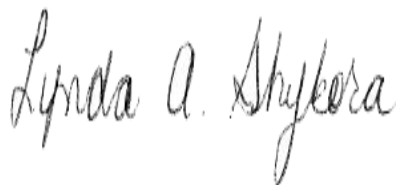
This report and all of its attachments were approved and signed as outlined below:

No Signature - Task assigned to Corey Paiement was completed by workflow administrator Tommy Test

Corey Paiement - Jul 31, 2018 - 8:44 AM



Gerald Christie - Aug 1, 2018 - 12:06 PM



Lynda Shykora - Aug 2, 2018 - 9:28 AM

A handwritten signature in black ink, appearing to read "C. Hamilton". The signature is stylized with a large initial "C" and a long, sweeping underline.

Charles Hamilton - Aug 2, 2018 - 11:01 AM