



BOARD REPORT

TO: Chair and Directors

File No: BL825-39
PL20180135

SUBJECT: Electoral Area F: Scotch Creek/Lee Creek Zoning Amendment (Yakashiro) Bylaw No. 825-39

DESCRIPTION: Report from Dan Passmore, Senior Planner, dated October 31, 2018. #8, 1022 Scotch Creek Wharf Road, Scotch Creek.

RECOMMENDATION #1: THAT: "Scotch Creek/Lee Creek Zoning Amendment (Yakashiro) Bylaw No. 825-39", be given second reading this 15th day of November, 2018.

RECOMMENDATION #2: THAT: a public hearing to hear representations on Scotch Creek/Lee Creek Amendment (Yakashiro) Bylaw No. 825-39 be held;

AND THAT: notice of the public hearing be given by 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 Jay Simpson, as Director for Electoral Area 'F' being that in which the land concerned is located, or his Alternate to be named, if Director Simpson 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 is planning to rebuild a new single family dwelling on Strata Lot 8, Section 27, Township 22, Range 11, West of 6th Meridian, KDYD, Strata Plan K227. Unfortunately, the proposed building exceeds the parcel coverage for the R1 zone. The applicant is proposing a site specific amendment to the R1 zone to allow for a parcel coverage of 82.2%, as well as setback variances that will permit the proposed house to be constructed on the subject property.

Development Services staff have referred the bylaw, in accordance with the Board's direction, and the responses received have been summarised in the attached "Agency_referral_responses_BL825-39.pdf". Therefore, it is appropriate for the Board to consider referral comments received and consider the bylaw for second reading, and to consider delegating a Public Hearing.

VOTING:

Unweighted
Corporate

☐

LGA Part 14
(Unweighted)

☒

Weighted
Corporate

☐

Stakeholder
(Weighted)

☐

BACKGROUND:

See attached "2018-09-20_Board_DS_BL825-39_Yakashiro.pdf"

POLICY:

See attached "2018-09-20_Board_DS_BL825-39_Yakashiro.pdf"

FINANCIAL:

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

KEY ISSUES/CONCEPTS:

See attached "2018-09-20_Board_DS_BL825-39_Yakashiro.pdf".

Update

Referral responses are attached, see "Agency_referral_responses_BL825-39.pdf".

Archaeology Branch responded suggesting that the site may contain unknown sites, and that the developer should familiarize themselves with their duties and obligations under the Heritage Conservation Act, while the site is being re-developed. Anchor Bay strata is an existing development.

CSRD Team Leader, Protective Services noted the reduced setbacks and advised that this would limit the ability of the neighbouring properties to build within 5 m of the property line. Development Services staff briefed the Team Leader, Protective Services of the unique attributes of the Anchor Bay strata and pointed out that beyond the dimensions of Lot 8, an additional strip of limited common property was already in place ensuring that nothing would be built within this 5 m restriction.

SUMMARY:

The applicant is planning to rebuild a new single family dwelling on Strata Lot 8, Section 27, Township 22, Range 11, West of 6th Meridian, KDYD, Strata Plan K227. Unfortunately, the proposed building exceeds the parcel coverage for the R1 zone. The applicant is proposing a site specific amendment to the R1 zone to allow for a parcel coverage of 82.2%, as well as setback relaxations that will permit the proposed house to be constructed on the subject property.

Staff are recommending that the Board consider the Bylaw for second reading and consider delegating a 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 zoning amendments when the notice of development sign was posted on the property.

COMMUNICATIONS:

If the Board supports second reading, as amended, of Bylaw No. 825-39 and delegates a Public Hearing, staff will proceed with notification of adjacent property owners and advertising the Public Hearing as set out in the Local Government Act.

Referral agencies have provided their comments and they have been attached "Agency_referral_responses_BL825-39.pdf".

DESIRED OUTCOMES:

That the Board endorse staff recommendations.

BOARD'S OPTIONS:

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

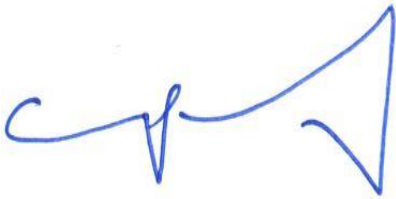
LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:

1. Electoral Area 'F' Official Community Plan Bylaw No. 830
2. Scotch Creek/Lee Creek Zoning Bylaw No. 825

Report Approval Details

Document Title:	2018-11-15_Board_DS_BL825-39_Yakashiro.docx
Attachments:	<ul style="list-style-type: none">- 2018-09-20_Board_DS_BL825-39_Yakashiro.pdf- BL825-39-Second.pdf- Agency_referral_responses_BL825-39.pdf- Maps_Plans_BL825-39.pdf
Final Approval Date:	Nov 2, 2018

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



Corey Paiement - Nov 1, 2018 - 9:35 AM



Gerald Christie - Nov 2, 2018 - 9:33 AM

No Signature - Task assigned to Lynda Shykora was completed by assistant Jennifer Sham

Lynda Shykora - Nov 2, 2018 - 9:50 AM



Charles Hamilton - Nov 2, 2018 - 10:21 AM