



BOARD REPORT

TO: Chair and Directors

File No: BL725-12
PL20180016

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 January 10, 2019. 1885 Tappen Notch Hill Road, Carlin.

RECOMMENDATION #1: THAT: "Electoral Area C Official Community Plan Amendment (Shuswap Country Estates) Bylaw No. 725-12" be given third reading this 21st day of January 2019.

RECOMMENDATION #2: THAT: "Electoral Area C Official Community Plan Amendment (Shuswap Country Estates) Bylaw No. 725-12" be adopted this 21st day of January 2019.

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.. The Board considered public input received, at their August 16, 2018 regular meeting and resolved to require the applicant to provide additional information in the form of 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. Also information regarding the current and anticipated future operation of the development’s sewage treatment system was also required.

The additional information was required to be available for the public to review, so a second Public Hearing on the Bylaw was delegated to be held.

The second Public Hearing was held November 28, 2018 Cedar Heights Community Centre,. It is appropriate for the Board to consider the additional technical information and public input submitted for the second public hearing and consider the Bylaw for third reading. Should the Board give the Bylaw third reading, it is also appropriate for the Board to consider adoption.

VOTING:	Unweighted Corporate	<input type="checkbox"/>	LGA Part 14 (Unweighted)	<input checked="" type="checkbox"/>	Weighted Corporate	<input type="checkbox"/>	Stakeholder (<i>Weighted</i>)	<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", "2018-06-21_Board_DS_BL725-12_0731852-BC-LTD_1043181-ALTA-LTD.pdf", and "2018-08-16_Board_DS_BL725-12_0731852-BC-LTD_1043181-ALTA-LTD.pdf".

Update

At the second Public Hearing on November 28, 2018, the public noted concerns with a new cattle feed-lot operation on the agricultural portion of the subject property. The concern was with respect to the potential contamination of the aquifer that the neighbours draw their drinking water from as the neighbours stated that there are a number of unused but not properly sealed well sites in the area. At the Public Hearing the applicant advised that it was their intent to ensure these wells were abandoned properly in accordance with the Groundwater Protection Regulations.

The public expressed concerns about the content of the hydrogeological report prepared by a qualified professional that was submitted by the applicant. The public noted that the hydrogeologist's analysis was based upon data obtained in 2008, and that current conditions may be different. The hydrogeologist advised that the data was sufficient as the well is in current use for the community and its use patterns support the relevance of the data used.

The public also noted the hydrogeologist's support of the opinion of the original testing firm that additional testing was required on the well. This is standard for the Province to require such testing, including interference testing when an expansion requiring a change to licensing is proposed. The hydrogeologist also explained that the fact of the separation between the neighbouring wells and the separate aquifers meant that interference was a very low likelihood.

The hydrogeologist noted that anecdotal evidence of drawdown experienced by the neighbours was more likely the result of the CPR well which is the same aquifer as their wells, but not the aquifer the development will be serviced from. In any event the Province will require additional tests, as a condition of licensing the water distribution system for the expansion, as noted in the hydrogeologist report for the future when the park is expanded. Staff have included the Hydrogeologist report, see attached "Hydrogeologist_report_2018-9-10.pdf".

In addition to the Hydrogeologist report the applicant also provided a memo describing the wastewater treatment plant operation, to fulfill the Board's requirement. The report indicates that the current system

has capacity for the anticipated future expansion of the manufactured home community. Staff have included the report, see attached "Wastewater_Report_2018-10-05.pdf". The public did not comment on this additional sewerage information.

SUMMARY:

Development Services staff are recommending that the Board consider the additional technical information submitted by the applicant and public input submitted for the second Public Hearing and consider the Bylaw for third reading and adoption. Staff are satisfied with the results presented in the additional hydrogeological report that the water supply for the expanded development is obtained from a different aquifer source than neighbouring properties, who have reported a diminishment in their available water supply. Staff also acknowledge the oversight by the Province with additional requirements for testing of the well source which will be required for the source, as part of their licensing requirements, for the future expansion of the manufactured home community. Staff are also satisfied with the information provided in the wastewater report.

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 and First Nations for review and comment, a summary of the responses has been provided in previous reports to the Board.

See attached "Agency_referral_Responses_BL725-12.pdf", and "ALC_Referral_Response_Letter_BL725-12.pdf".

Ministry of Transportation endorsement of the bylaw is not necessary.

First 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.

Second Public Hearing

The delegated second Public Hearing for the proposed bylaws was held Wednesday November 28, 2018, at the Lower Level of the Cedar Heights Community Centre, 2316 Lakeview Drive, Blind Bay, BC. Nine members of the public attended, of which 1 spoke against the Bylaw, and 3 (the applicant, the owner, and a resident of the park) spoke in favour of the Bylaw. The person 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 "Second_Public_Hearing_Notes_2018-11-28_BL725-12.pdf", attached.)

Additionally, a total of 2 pieces of correspondence were received in regard to the Bylaw: 1 spoke against the Bylaw, and included the 19 name petition, and 1 was in favour, which included a 70 name petition.

COMMUNICATIONS:

Staff notified adjacent property owners, advertised and held the second Public Hearing in accordance with the Local Government Act. It is now appropriate for the Board to consider the Bylaw for third reading and to further consider the Bylaw for adoption.

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

Document Title:	2019-02-21_Board_DS_BL725-12_0731852-BC-LTD_1043181-ALTA-LTD.docx
Attachments:	<ul style="list-style-type: none"> - BL725-12-Third_Adopt.pdf - Public_submissions_BL725-12_SecondPH.pdf - Public_Hearing_Notes_2018-11-28_BL725-12.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 - 2018-08-16_Board_DS_BL725-12_FullPackage.pdf - Hydrogeologist_Report_2018-9-10.pdf - Wastewater_Report_2018-10-05.pdf - Agency_referral_Responses_BL725-12.pdf - ALC_Referral_Response_Letter_BL725-12.pdf - Public_Hearing_Notes_2018-07-24_BL725-12.pdf - Public_submissions_BL725-12.pdf - Maps_Plans_BL725-12.pdf
Final Approval Date:	Feb 7, 2019

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

Corey Paiement - Jan 25, 2019 - 4:11 PM

Gerald Christie - Feb 6, 2019 - 10:32 AM

Lynda Shykora - Feb 7, 2019 - 1:19 PM

A handwritten signature in black ink, appearing to read "C. Hamilton". The signature is written in a cursive, somewhat stylized font.

Charles Hamilton - Feb 7, 2019 - 1:31 PM