

BOARD REPORT

TO: Chair and Directors

File No: BL2558
PL20160145

SUBJECT: Electoral Area D: Salmon Valley Land Use Amendment (674816 BC LTD.) Bylaw No. 2558

DESCRIPTION: Report from Candice Benner, Development Services Assistant, dated February 28, 2019.
Highway 97, Falkland

RECOMMENDATION #1: THAT: "Salmon Valley Land Use Amendment (674816 BC LTD.) Bylaw No. 2558" be read a second time, as amended, this 21st day of March, 2019.

RECOMMENDATION #2: THAT: a public hearing to hear representations on "Salmon Valley Land Use Amendment (674816 BC LTD.) Bylaw No. 2558" 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 Rene Talbot, as Director of Electoral Area D being that in which the land concerned is located, or Alternate Director Joy de Vos, if Director Talbot 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 Board last reviewed and gave second reading and delegation of a public hearing to this amendment at its November 16, 2017 Board meeting. The proposal at that time was to redesignate and rezone a portion of the subject property located in Falkland on Highway 97 from C Commercial to RS Residential; the objective being to subdivide the subject property into 5 lots; 2 residential and 3 commercial. The applicant also wanted a special regulation for two of the commercial lots to permit outdoor storage of vehicles, recreation vehicles (RVs), boats, and trailers. A public hearing for that proposal was held on January 23, 2018.

Since the public hearing, the applicant has amended the subdivision layout, going from 5 lots proposed to 4 lots (2 residential, 2 commercial). The applicant is also requesting adding sea can storage to one of the proposed commercial lots. Outdoor storage as a permitted use is still being requested. As this is new information and an additional use is being proposed, this amendment must be reviewed by the Board again for second reading, as amended, and be delegated to another public hearing.

VOTING: Unweighted Corporate LGA Part 14 (Unweighted) Weighted Corporate Stakeholder (Weighted)

BACKGROUND:

See "2017-08-17_Board_DS_BL2558_674816BCLTD.pdf" and "2017-11-16_Board_DS_BL2558_674816BCLtd.pdf".

POLICY:

See "2017-08-17_Board_DS_BL2558_674816BCLTD.pdf" and "2017-11-16_Board_DS_BL2558_674816BCLtd.pdf".

FINANCIAL:

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

KEY ISSUES/CONCEPTS:

See "2017-08-17_Board_DS_BL2558_674816BCLTD.pdf" and "2017-11-16_Board_DS_BL2558_674816BCLtd.pdf".

In their referral comments, Fortis BC indicated that a transmission pressure pipeline runs through a portion of the subject property; no buildings structures or storage of vehicles, boats, etc. is permitted on this right-of-way. This would have significantly impacted the available use of one of the proposed commercial lots and therefore the applicant decided to combine two of the proposed commercial lots into one making the parcel larger.

Current Proposal

The applicant has applied for subdivision to create 4 lots: 2 commercial lots adjacent to Highway 97 and 2 residential lots, on the 2.43 ha subject property. This rezoning is not required to create the 4 lots as the lots meet the minimum parcel size of 4000 m² as set out in the Commercial zone in Bylaw No. 2500; however, the bylaw amendment is required because the applicant would like to:

- add outdoor storage of vehicles, boats, and trailers, and sea can storage to the list of permitted uses in the Commercial zone for the proposed Remainder; and,
- rezone proposed lots 2 and 3 lots to RS Single and Two Family Residential for residential use.

Bylaw No. 2500 does not currently have a definition for outdoor motor vehicle, boat, and trailer storage and therefore a new definition is proposed:

"outdoor motor vehicle, boat, and trailer storage area" means the parking of motor vehicles, recreational vehicles, boats, and trailers including boat, utility, horse, flatbed, and camper, but does not include wrecking yard, salvage operation, or junk yard."

The applicant intends to have a mini-storage use on Proposed Lot 1; mini storage is a permitted use in the Commercial zone.

Screening at least 1.8 m in height is required between residential and commercial properties in Bylaw No. 2500; the applicant has offered to also screen the proposed Remainder lot abutting Wetaskiwin Road and Highway 97 frontage in order to limit sighting of the outdoor storage and sea can uses on the property. The requirement for screening the road frontages has been included in the second reading, as amended, bylaw amendment.

CSRD Operations Department –Utilities staff have indicated that a Works and Services Agreement has been signed by both parties and that connections for all proposed lots to the Falkland Community Water System is currently being completed.

Public Hearing

See "Public_Hearing_notes_BL2558.pdf".

The public hearing for BL2558 was held on January 23, 2018 at 2 PM at the CSRD office in Salmon Arm. One member of the public, the applicant/agent, was in attendance.

Staff received one letter of concern from an adjacent landowner regarding proximity of the development and the proposed location of the septic systems to his well. In response to the letter, the applicant/agent provided this office with a map from Point One Engineering showing the proposed septic systems on Lots 4 and 5 (current proposal: Lot 2 and Remainder) being at least 57.3 m from the neighbour's property line, which meets the minimum 30 m setback for a septic system from a drinking water source/well (Sewerage System Standard Practice Manual Version 3). See "Septic_map_2018-01-19_BL2558.pdf" attached.

SUMMARY:

The proposal is to allow outdoor vehicle, boat, and trailer storage and sea can storage on the proposed Remainder and to create 2 residential lots from the parent property. Staff is recommending second reading, as amended, and delegation of a public hearing for the following reasons:

- the residential use proposed is consistent with the land use pattern policies in Bylaw No. 2500;
- new commercial development is encouraged in Falkland along Highway 97 as stated in Bylaw No. 2500; and,
- in general, there have been no objections from other referral agencies.

IMPLEMENTATION:

Consultation process

As per CSRD Policy No. P-18 regarding Consultation Processes-Bylaws, staff recommended the simple consultation process. Notice of development signs were posted on the property on September 15, 2017, following first reading on August 17, 2017. As of the date of this report, one written submission has been received, see "Public_submission_BL2558.pdf".

COMMUNICATIONS:

See "Agency_referral_responses_BL2558.pdf".

A second referral was not sent out as applicable agencies reviewed and provided comment on storage use in the first referral for this bylaw amendment and sea can storage use is considered a type of storage use.

DESIRED OUTCOMES:

That the Board endorse staff recommendations.

BOARD'S OPTIONS:

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

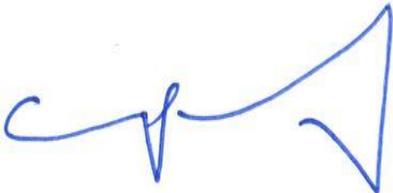
LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:

1. Salmon Valley Land Use Bylaw No. 2500

Report Approval Details

Document Title:	2019-03-21_Board_DS_BL2558_674816BCLtd.docx
Attachments:	<ul style="list-style-type: none">- BL2558_second_reading_as_amended.pdf- 2017-11-16_Board_DS_BL2558_674816BCLtd.pdf- BL2558_second_reading.pdf- 2017-08-17_Board_DS_BL2558_674816BCLTD.pdf- BL2558_first_reading.pdf- Public_Hearing_notes_2018-01-23_BL2558.pdf- Public_submission_BL2558.pdf- Agency_referral_responses_BL2558.pdf- Septic_map_2018-01-19_BL2558.pdf- Maps_Plans_Photos_BL2558.pdf
Final Approval Date:	Mar 11, 2019

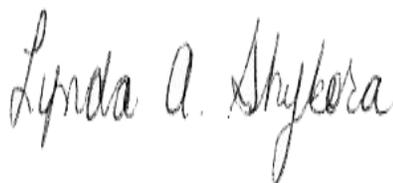
This report and all of its attachments were approved and signed as outlined below:



Corey Paiement - Mar 11, 2019 - 1:59 PM



Gerald Christie - Mar 11, 2019 - 2:12 PM



Lynda Shykora - Mar 11, 2019 - 2:16 PM

No Signature - Task assigned to Charles Hamilton was completed by assistant Lynda Shykora

Charles Hamilton - Mar 11, 2019 - 2:17 PM