



BOARD REPORT

TO: Chair and Directors

File	BL825-38
No:	PL20180175

SUBJECT: Electoral Area F: Scotch Creek/Lee Creek Amendment
(Pinegrove RV Park) Bylaw No. 825-38

DESCRIPTION: Report from Dan Passmore, Senior Planner, dated March 4, 2019.
1131 Pine Grove Road, Scotch Creek.

RECOMMENDATION #1: THAT: "Scotch Creek/Lee Creek Amendment (Pinegrove RV Park) Bylaw No. 825-38" be given third reading, this 21st day of March, 2019.

RECOMMENDATION #2: THAT: "Scotch Creek/Lee Creek Amendment (Pinegrove RV Park) Bylaw No. 825-38" be adopted, this 21st day of March, 2019.

SHORT SUMMARY:

The Pinegrove RV Park Owner's Association has applied to rezone the subject property from C1 – Commercial – 1 zone to RR – Resort Residential zone. While the current C1 zone allows for a campground, the use is limited to temporary accommodation in tents or recreational vehicles. Some of the owners would like to expand the use of the park to allow park models on a more seasonal residential basis. As a result, the application is to rezone the subject property to RR with a special regulation for this property only.

Development Services staff have referred the bylaw, in accordance with the Board's direction, and the responses received were included in the report to the Board for second reading, as amended. See attached "Agency_referral_responses_BL825-38.pdf"

Additionally, the applicant had advised staff that the owner/operator dwelling use originally contemplated in first reading of the bylaw was not necessary and should be amended out of the bylaw. The Board considered the referral comments received and considered the bylaw for second reading, as amended, at their November 15, 2018 regular meeting and resolved to give the bylaw second reading, as amended, and delegated a public hearing.

The public hearing was held Tuesday, January 22, 2019, at the Scotch Creek Community/Fire Hall at 3825 Squilax-Anglemont Road in Scotch Creek. It is appropriate for the Board to consider the public input submitted for the 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	LGA Part 14 ☒ (Unweighted)	Weighted ☐ Corporate	Stakeholder ☐ (Weighted)
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BACKGROUND:

See attached "2018-08-16_Board_DS_BL825-38_Pinegrove-RV-Park.pdf".

POLICY:

See attached "2018-08-16_Board_DS_BL825-38_Pinegrove-RV-Park.pdf".

FINANCIAL:

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

KEY ISSUES/CONCEPTS:

See attached "2018-08-16_Board_DS_BL825-38_Pinegrove-RV-Park.pdf", and "2018-11-15_Board_DS_BL825-38_Pinegrove-RV-Park.pdf".

At the Public Hearing, it was noted that certain owners in the adjacent condo development, which is part of an overall development which included the Pine Grove RV Park as a component, voiced concerns with respect to a shared driveway, and the existing wastewater treatment facility.

The public voiced concerns with respect to the driveway. These concerns were regarding safety aspects. The concerns noted, were partly based on public safety, as the access is also used by mostly pedestrian and bicycle traffic generated by users of the adjacent Scotch Creek Provincial Park. Concerns raised were also regarding the residents of the condo project and their children, and the RV Park owners. Development Services staff noted that the highest volume of traffic from the various users and the most potential for conflict, likely occurs during the August long weekend.

During the course of the Public Hearing, the RV Park Owner's Association President advised that the Association was willing to meet with the condo owners group in an attempt to resolve the safety issues. But it was also noted that existing legal agreements between the parties and the Provincial Government are in place to guarantee the rights to use the access in a shared manner, and therefore arguments in favour of the RV Park abandoning this access were not possible. However, the RV Park did promise to look into the possibility of utilizing an Emergency only access onto Express Point Road for moving new units/construction materials onto the site. This will be communicated to owners in the RV Park by way of a newsletter, although the Owner's Association has noted that strict adherence to this policy cannot be guaranteed.

The RV Park Owner's Association President has been in correspondence with the Condo Strata President, although no indication has been provided of any further discussions.

Concerns expressed with regard to the capacity of the wastewater treatment facility have proven to be more problematic. The facility is owned by the condo strata corporation, who operate the facility through the services of a contractor. A contract exists between the strata corporation, as the owner of the service, and the RV Park (entered into November 24, 2011) that sewer service will be provided to the RV Park. The contract refers to recreational vehicle (RV) use on the sites and is not specific in excluding any particular

type of RV (according to the Canadian RV Association, there are 10 different types of RV). Currently present on the site are a mix of motor homes, travel trailers, fifth wheels, truck campers, and park models. Since this is a contract issue between these parties, any divergence from the terms of the contract, such as a change in usage in the RV Park would be a private matter to be resolved between these parties.

The President of the Condo Strata Corporation, who has been included in correspondence between the Development Services Department and the RV Park Association has advised the following:

"The Shuswap Lake Resort Strata Council believes that re-zoning of the RV Park to allow for Park Model RV units will result in increased occupancy and hence, additional strain on the over taxed sewer plant. As mentioned separately, we are already experiencing problems with the sewer plant capacity now. As a result, we would need to re-negotiate the existing sewer plant agreement to ensure that the RV Association covers any costs associated with an operation and design assessment, upgrades required to accommodate the increase in usage, as well as any percentage increase in operating costs. However, this re-negotiation cannot take place until an operation and design assessment has been completed and the results have been reviewed by Strata Council."

Based on this, it appears that the condo strata corporation and the RV Park Association have some private consultations to pursue regarding their current contract.

Development Services staff have consulted the Sewerage System Standard Practice Manual v.3 (SSSPM) for design flows for sewerage systems. It is noted that in Table III-11 a camp trailer site (fully serviced with hook-up) specifies an Average design flow per unit/site of 170 l/day/unit. The SSSPM does not specify a design flow for a park model unit, which is also a Recreational Vehicle. Therefore, for the purposes of design flow, the RV Park must be considered as the same design flow whether it has trailers and RVs or Park Models on each site.

As a means of comparison, the SSSPM specifies seasonal cottages of less than 100 m² floor area for commercial purposes pose a potential risk of high occupancy for these types of units and states special circumstances for estimating design flow. For residential use seasonal cottages specify a design flow of 250 l/day. Park Models are typically around 50 m² floor area, for comparison purposes.

SUMMARY:

The proposed RR zone and special regulation for this property is meant to reflect the actual uses on this already established site. The special regulation will accommodate park models as well as recreation vehicle or park model shelter buildings. Public input provided indicated concerns with the capacity of the sewage treatment system for the development. Development Services staff have reviewed the issue of sewage capacity with respect to recreational vehicles versus park models (which are a type of RV) and find no substantial difference in sewage volumes that would be contributed to the sewage treatment system. For these reasons, Development Services staff are recommending that the Board consider the public input submitted for the public hearing and consider the Bylaw for third reading and adoption.

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 the rezoning amendment 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.

Ministry of Transportation endorsement of the bylaw is not necessary.

Public Hearing

The delegated Public Hearing for the proposed bylaws was held Tuesday January 22, 2019 at the Scotch Creek Community/Fire Hall at 3825 Squilax-Anglemont Road in Scotch Creek. 16 members of the public attended, of which 7 voiced concerns regarding the impact of the Bylaw, and 3 spoke in favour of the Bylaw.

Please see the attached Public Hearing Notes for details about public input (See "Public_Hearing_Notes_2019-01-22_BL825-38.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.

Please see the attached Public Correspondence received for details about public input (See "Public_Submissions_BL825-38.pdf", attached.)

COMMUNICATIONS:

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

Referral agencies have provided their comments and they have been attached "Agency_referral_responses_BL825-38.pdf".

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

Report Approval Details

Document Title:	2019-03-21_Board_DS_BL825-38_Pinegrove-RV-Park.docx
Attachments:	- BL825-38_Third_Adoption.pdf - 2018-11-15_Board_DS_BL825-38_Pinegrove-RV-Park.pdf - BL825-38-SecondAsAmended.pdf - 2018-08-16_Board_DS_BL825-38_Pinegrove_RV_Park.pdf - BL825-38-First.pdf - PH_Notes_BL825-38_2019-01-22.pdf - Public_Submissions_BL825-38.pdf - Agency_referral_responses_BL825-38.pdf - Maps_Plans_BL825-38.pdf
Final Approval Date:	Mar 9, 2019

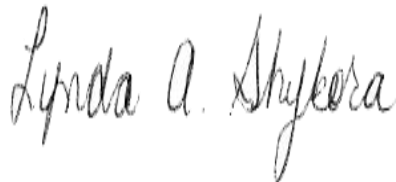
This report and all of its attachments were approved and signed as outlined below:



Corey Paiement - Mar 5, 2019 - 2:56 PM



Gerald Christie - Mar 8, 2019 - 12:13 PM



Lynda Shykora - Mar 8, 2019 - 12:44 PM



Charles Hamilton - Mar 9, 2019 - 1:45 PM