



BOARD REPORT

TO: Chair and Directors

File No: BL725-15
PL20180198

SUBJECT: Electoral Area C: Electoral Area C Official Community Plan Amendment (Zappone) Bylaw No. 725-15

DESCRIPTION: Report from Christine LeFloch, Planner II, dated March 29, 2019.
3453 Ford Road, Tappen

RECOMMENDATION #1: THAT: "Electoral Area C Official Community Plan Amendment (Zappone) Bylaw No. 725-15" be read a second time this 18th day of April, 2019.

RECOMMENDATION #2: THAT: a public hearing to hear representations on "Electoral Area C Official Community Plan Amendment (Zappone) Bylaw No. 725-15" 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 Paul Demenok, as Director for Electoral Area C being that in which the land concerned is located, or Alternate Director Jennifer Dies, 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 owners of the subject property have made application to subdivide a 2 ha parcel from the 18.27 ha parent parcel. One of the conditions of subdivision approval is successful redesignation of the parcel from MH – Medium Holdings to RR2 – Rural Residential 2. The Board gave first reading to Electoral Area C Official Community Plan Amendment (Zappone) Bylaw 725-15 at their meeting held February 21, 2019 and directed staff to refer the bylaw to applicable agencies and First Nations. Referral comments have been compiled and it is now appropriate for the Board to consider the bylaw for second reading and referral to a public hearing.

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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:

REGISTERED OWNER:
688490 BC Ltd.

APPLICANTS:
Mike and Rhonda Zappone

ELECTORAL AREA:

C

LEGAL DESCRIPTION:

Lot 1 Section 22 Township 21 Range 10 West of the 6th Meridian Kamloops Division Yale District Plan 38427

PID:

008-096-937

CIVIC ADDRESS:

3453 Ford Road, Tappen

SURROUNDING LAND USE PATTERN:

North: Rural Residential

South: Rural, sand and gravel

East: Bastion Mountain

West: Rural, sand and gravel, agriculture

CURRENT USE:

Gravel pit, log home manufacturing

PROPOSED USE:

The owners would like to subdivide one 2 ha lot from the subject property to sell to Artisan Log Homes who are currently leasing the property, and create potential for future rural residential subdivision after the gravel pit has been decommissioned.

PARCEL SIZE:

18.27 ha

PROPOSED PARCEL SIZES:

2 ha and 16.27 ha

DESIGNATION:

MH – Medium Holdings

ZONE:

N/A

PROPOSED DESIGNATION:

RR2 – Rural Residential 2

PROPOSED ZONE:

N/A

AGRICULTURAL LAND RESERVE:

0%

SITE COMMENTS:

The subject property lies at the base of the western flank of Bastion Mountain. Slopes on the western half of the property are relatively gentle increasing to become very steep on the eastern half of the property. A large portion of the western end of the property is developed as a gravel pit, and Artisan Log Homes is utilizing 2 ha at the northwestern corner of the property for their business. It is noted that slopes on the western end of the parcel have been modified for mining and are extremely steep in some areas. Mapping indicates an intermittent watercourse coming off the upper slopes of Bastion Mountain crosses the property. Confirmation has been received from Trina Koch, R.P. Bio of Western Water Associates that this line represents a draw, but there is no watercourse present. There are currently 3 gated access points to the property. Two of these are located on Proposed Lot 1 and the third is located on the Proposed Remainder.

POLICY:

Please see BL725_Excerpts_BL725-15.pdf, attached.

FINANCIAL:

There are no financial implications for the CSRD as a result of this application.

KEY ISSUES/CONCEPTS:

The proposed bylaw amendment received first reading at the Board meeting held on February 21, 2019 and was referred to applicable agencies and First Nations for comments. A summary of comments received is provided in the Communications section below. Please see attached 2019-02-21_Board_DS_BL725-15.pdf for all background information and analysis related to this application.

Operations Management noted that the property is located within the boundaries of the Tappen Sunnybrae Fire Protection Area and that confirmation of compliance with access requirements is required and that FireSmart principles are to be encouraged. This will be a condition of subdivision approval.

The Mines Branch of the Ministry of Energy, Mines and Petroleum Resources indicated support for the proposal. CSRD staff spoke with staff from the Mines Branch who explained that legal separation of the log home building business from the active mine site through subdivision assists them in ensuring the safety of the mine and assists Worksafe BC in ensuring the safety of the log home business worksite. They also noted that all access to the proposed new lot must be from Ford Road only, no access is permitted through the two sites. Staff will provide these comments to the Approving Officer through the subdivision process.

The Area C APC supported the proposal for redesignation of the subject parcel. Financial Services and Operations Management confirmed that the proposed bylaw amendment is consistent with the CSRD's Financial Plan and Waste Management Plan. No other comments were received from agencies or First Nations.

SUMMARY:

The staff recommend that Bylaw No. 725-15 be read a second time and be referred to a public hearing for the following reasons:

- The proposed OCP amendment has been reviewed as per Section 477 of the Local Government Act and is consistent with the CSRD's Financial Plan and Waste Management Plan;
- The proposed OCP amendment would facilitate the proposed subdivision to create a separate lot for the existing log home business on the property, thereby making it easier for Mines Branch and Worksafe BC to ensure the safety of each operation;
- Referral agencies did not identify any concerns with the proposed bylaw amendment; and
- Staff continue to support this application.

IMPLEMENTATION:

If the Board delegates a public hearing, staff will set a date for the public hearing, and proceed with notification of property owners within 100 metres and publication of notices as required by the Local Government Act.

COMMUNICATIONS:

Bylaw 725-15 was referred to the following agencies and First Nations:

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| Electoral Area C Advisory Planning Commission | Support the application to modify the Official Community Plan for this site and support the subdivision of a 2ha parcel from the parent parcel and be redesignated to RR2. |
| Ministry of Energy, Mines and Petroleum Resources – Mines Branch | Approval recommended. Property boundaries clearly established by a BC Land Surveyor helps to clarify the boundaries of the active mining area. No entrances to the proposed new lot are allowed through the Mine Site. Access must be from Ford Road. |
| Interior Health Authority | No response. |
| Ministry of Transportation and Infrastructure | No response. |
| CSRD Operations Management | This property is within the boundaries of the Tappen Sunnybrae Fire Protection Area. Confirmation of compliance with access requirements as per MOTI guidelines and CSRD Subdivision Servicing Bylaw Required. FireSmart principles and practices to be encouraged. Proposal is consistent with CSRD's Waste Management Plan. |
| CSRD Financial Services | The proposed bylaw has been reviewed as per S. 477 of the Local Government Act and is consistent with the CSRD's current financial plan. |
| Adams Lake Indian Band | No response. |
| Little Shuswap Lake Indian Band | No response. |
| Neskonlith Indian Band | No response. |

Following first reading, the applicant installed a Notice of Application sign at the subject property. A sworn affidavit and photos of the sign have been provided by the applicant in accordance with Development Services Procedures Bylaw 4001.

DESIRED OUTCOMES:

That the Board support the staff recommendations.

BOARD'S OPTIONS:

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

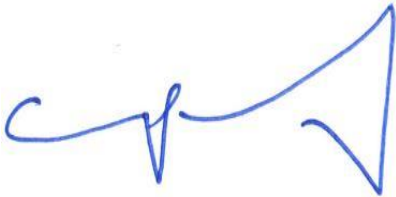
LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:

1. Electoral Area C Official Community Plan Bylaw No. 725
2. Subdivision Servicing Bylaw No. 641

Report Approval Details

| | |
|----------------------|---|
| Document Title: | 2019-04-18_Board_DS_BL725-15_Zappone.docx |
| Attachments: | <ul style="list-style-type: none">- BL725-15_Second.pdf- BL725-15_First.pdf- 2019-02-21_Board_DS_BL725-15_Zappone.pdf- Geotechnical_report_2018-09-26_BL725-15.pdf.pdf- Well_assessment_report_2018-07-27_BL725-15.pdf.pdf- Septic_letter_2018-11-18_BL725-15.pdf.pdf- RAR_Exemption_letter_2018-05-13_BL725-15.pdf.pdf- BL725_Excerpts_BL725-15.pdf- Agency_Referral_Responses_BL725-15.pdf- Maps_Plans_Photos_BL725-15.pdf |
| Final Approval Date: | Apr 8, 2019 |

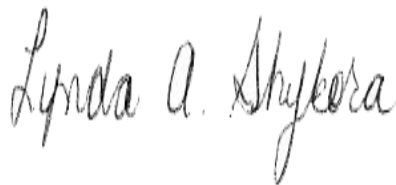
This report and all of its attachments were approved and signed as outlined below:



Corey Paiement - Apr 8, 2019 - 1:43 PM



Gerald Christie - Apr 8, 2019 - 1:44 PM



Lynda Shykora - Apr 8, 2019 - 1:59 PM

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

Charles Hamilton - Apr 8, 2019 - 2:16 PM