



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, Planner II, dated May 1, 2019. Highway 97, Falkland

RECOMMENDATION #1: THAT: "Salmon Valley Land Use Amendment (674816 BC Ltd.) Bylaw No. 2558 be read a third time, as amended this 16th day of May, 2019.

SHORT SUMMARY:

The applicant would like 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 4 lots; 2 residential and 2 commercial. The applicant also wants a special regulation for one of the commercial lots to permit outdoor storage of vehicles, recreation vehicles (RVs), boats, and trailers, and sea can storage.

A public hearing was held on April 25, 2019 to hear representations from the public regarding the bylaw amendment. It is now appropriate for the Board to consider public input submitted and to consider the bylaw for third reading, as amended, the proposed amendment reflecting a requirement for screening the road frontages and limiting sea can height to not more than 2.4 m and not being stacked.

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

BACKGROUND:

See "2017-08-17_Board_DS_BL2558_674816BCLTD.pdf", "2017-11-16_Board_DS_BL2558_674816BCLtd.pdf", and "2019-03-21_Board_DS_BL2558_674816BCLtd.pdf" attached.

POLICY:

See "2017-08-17_Board_DS_BL2558_674816BCLTD.pdf", "2017-11-16_Board_DS_BL2558_674816BCLtd.pdf", and "2019-03-21_Board_DS_BL2558_674816BCLtd.pdf" attached.

FINANCIAL:

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

KEY ISSUES/CONCEPTS:

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

"2019-03-21_Board_DS_BL2558_674816BCLtd.pdf" attached.

Screening at least 1.8 m in height is required between residential and commercial properties in Bylaw No. 2500. Prior to second reading, as amended, the applicant offered to screen the proposed Remainder lot abutting Wetaskiwin Road and Highway 97 frontages in order to limit sighting of the outdoor storage and sea can uses on the property. The owner has indicated that the screening will consist of installing privacy slats in a chain link fence that will border the external parcel lines of the property as well as the north parcel line that abuts the residential properties. At the public hearing, the applicant also indicated that he will not stack the sea cans; they will not be more than 8 ft/2.4 m high. The applicant also offered to grade the property away from the fence line to make the uses less noticeable from the highway. However, this offer cannot be a bylaw requirement.

Staff are recommending the Board consider an amendment to Bylaw No. 2558 in regards to the requirement for screening the road frontages and limiting sea can height to not more than 2.4 m and not being stacked, as follows:

"In addition to the permitted uses listed in Subsection 2.10.1 and 2.10.3, the principal use on the Remainder, Section 3, Township 18, Range 12, West of the 6th Meridian, Kamloops Division Yale District, EPP89262, which part is more particularly shown hatched on Map 2, shall include "outdoor motor vehicle, boat, and trailer storage area" and sea can storage. Sea cans will not be stacked and will not be more than 2.4 m high. In addition to the screening requirements in Section 2.2.14.1, the owner(s) of the parcel shall also provide screening along the Wetaskawin Road and Highway 97 frontages at the time of development of the parcel and shall be constructed, erected, installed, or planted prior to the use of the parcel for the above note uses, and will be maintained by the registered owner(s) of the property. "

SUMMARY:

Staff are recommending that the Board consider the public input submitted and consider the bylaw for third reading, as amended.

IMPLEMENTATION:

See "2017-08-17_Board_DS_BL2558_674816BCLTD.pdf", "2017-11-16_Board_DS_BL2558_674816BCLtd.pdf", and "2019-03-21_Board_DS_BL2558_674816BCLtd.pdf" attached.

As the subject area is located within 800 m of a controlled access highway, statutory approval from the Ministry of Transportation and Infrastructure (MOTI) is required prior to adoption of the bylaw. In their referral comments, MOTI indicated that they will be giving statutory approval of this amending bylaw after third reading. If the Board supports third reading, as amended of the bylaw, staff will submit the Bylaw No. 2558 to MOTI requesting statutory approval before coming back to the Board for adoption.

COMMUNICATIONS:

See Public_Hearing_Notes_2019-04-25_BL2558.pdf" and Public_submissions_BL2558.pdf" attached.

Staff advertised the public hearing in the Vernon Morning Star on April 17 and 19, 2019. The public hearing was held on April 25, 2019 at the Falkland Seniors Centre and was attended by Development Services staff, Director Talbot, and 13 members of the public, including the applicant, Bip Thind.

Two written submissions were received at the public hearing with a total of 18 submissions received in total.

Out of the submissions received, one submission was from the applicant while the rest of the submissions were in opposition to the application. Several members of the public spoke against the application at the public hearing. The majority of concerns expressed via submissions and at the public hearing include outdoor storage and sea cans being unsightly, especially aesthetically as an entrance point to Falkland, lowering neighbouring residential property values, need for residential properties (not commercial) in Falkland, and concern for increased traffic onto Highway 97.

Screening of the commercial property and restricting the permitted height of the sea cans helps to address aesthetic concerns. The amendment proposes to rezone a portion of the currently zoned commercial property to residential which addresses the public's comments about the community needing more residential properties. Highway traffic is within Ministry of Transportation jurisdiction and in their referral comments they have indicated that they will give statutory approval of this bylaw amendment.

DESIRED OUTCOMES:

That the Board endorse staff recommendation.

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. Salmon Valley Land Use Bylaw No. 2500

Report Approval Details

Document Title:	2019-05-16_Board_DS_BL2558_674816BCLtd.docx
Attachments:	<ul style="list-style-type: none">- BL2558_third_as_amended.pdf- 2019-03-21_Board_DS_BL2558_674816BCLtd.pdf- 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_2019-04-25_BL2558.pdf- Public_submissions_BL2558.pdf- Agency_referral_responses_BL2558.pdf- Septic_map_2018-01-19_BL2558.pdf- Maps_Plans_BL2558.pdf
Final Approval Date:	May 6, 2019

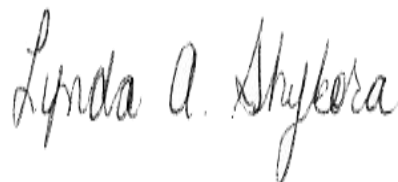
This report and all of its attachments were approved and signed as outlined below:



Corey Paiement - May 3, 2019 - 12:40 PM



Gerald Christie - May 3, 2019 - 12:51 PM



Lynda Shykora - May 6, 2019 - 2:11 PM

A handwritten signature in black ink, appearing to read "C. Hamilton". The signature is fluid and cursive, with a large initial "C" and a stylized "H".

Charles Hamilton - May 6, 2019 - 2:18 PM