



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 June 24, 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 18th day of July, 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 considered this file at its May 16, 2019 Board meeting and denied third reading for a special regulation for the subject property to permit outdoor storage and sea can storage on the C Commercial portion of the property and to redesignate and rezone the northern portion of the property from C Commercial to RS Single and Two Family Residential.

The applicant has amended his application by removing the special regulation for outdoor storage and seacan storage and is now only applying to redesignate and rezone the northern portion of the property from C Commercial to RS Single and Two Family Residential to facilitate a subdivision.

VOTING:

Unweighted
Corporate

☐

LGA Part 14
(Unweighted)

☒

Weighted
Corporate

☐

Stakeholder
(Weighted)

☐

BACKGROUND:

See previous Board Reports for relevant background information:

"2017-08-17_Board_DS_BL2558_674816BCLtd.pdf",

"2017-11-16_Board_DS_BL2558_674816BCLtd.pdf",

"2019-03-21_Board_DS_BL2558_674816BCLtd.pdf", and

"2019-05-16_Board_DS_ BL2558_674816BCLtd.pdf", attached.

POLICY:

See previous Board Reports for relevant land use and policy information:

"2017-08-17_Board_DS_BL2558_674816BCLtd.pdf",
"2017-11-16_Board_DS_BL2558_674816BCLtd.pdf",
"2019-03-21_Board_DS_BL2558_674816BCLtd.pdf", and
"2019-05-16_Board_DS_BL2558_674816BCLtd.pdf", attached.

FINANCIAL:

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

Each change in application that requires a public hearing has a fee associated with it, as required in Development Services Application Fees Bylaw No. 4000. This application has had two public hearings to date and a third is proposed; therefore, in addition to the original \$2500 application fee, the applicant has now paid an additional \$2000 in fees for this application.

KEY ISSUES/CONCEPTS:

See previous Board Reports regarding historic key issues/concepts information:

"2017-08-17_Board_DS_BL2558_674816BCLtd.pdf",
"2017-11-16_Board_DS_BL2558_674816BCLtd.pdf",
"2019-03-21_Board_DS_BL2558_674816BCLtd.pdf", and
"2019-05-16_Board_DS_BL2558_674816BCLtd.pdf", attached.

A public hearing was held on April 25, 2019 to hear representations from the public regarding the bylaw amendment for a special regulation to permit outdoor storage and seacan storage on the C Commercial portion of the property and to redesignate and rezone the northern portion of the property from C Commercial to RS Single and Two Family Residential. Several members of the public expressed concern regarding the proposed outdoor and sea can storage uses; some members of the public spoke favourably to the proposed residential uses, see "Public_Hearing_notes_2019-04-25_BL2558.pdf" and "Public_submissions_BL2558.pdf".

The applicant has revised his application to only include the redesignation and rezoning for the northern half of the property from C Commercial to RS Single and Two Family Residential. The proposed amendment would facilitate a subdivision that would include 2 residential lots and 2 commercial lots, see Current Proposal map in "Maps_Plans_Photos_BL2558.pdf".

As the special regulation for outdoor storage and sea can storage uses has been withdrawn, the screening of the subject property along the road frontages is also no longer proposed by the applicant. Screening between commercial and residential uses is still a requirement of Bylaw No. 2500, prior to the occupancy or use of buildings or structures constructed, erected or located on the commercially zoned parcel.

BL2554, which was adopted on May 21, 2015, added "mini storage" as a permitted use to the Commercial zone for the parent parcel. A mapping amendment to the parent parcel is required to remove "mini storage" for the northern part of the property proposed to be redesignated and rezoned to RS Single and Two Family Residential.

SUMMARY:

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;
- The neighbouring properties to the north and east are designated and zoned RS –Single and Two Family Residential;
- There is an existing residential development to the north and east; and
- The proposed redesignation and rezoning from Commercial to Single and Two Family residential for the north half of the subject property has remained consistent throughout this application.

IMPLEMENTATION:

See previous Board Reports regarding implementation requirements at different stages of this application process:

"2017-08-17_Board_DS_BL2558_674816BCLtd.pdf",
"2017-11-16_Board_DS_BL2558_674816BCLtd.pdf",
"2019-03-21_Board_DS_BL2558_674816BCLtd.pdf", and
"2019-05-16_Board_DS_BL2558_674816BCLtd.pdf", attached.

If the Board approves the staff recommendation, a public hearing will be scheduled to receive input from the public.

COMMUNICATIONS:**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.

Referral Process

See "Agency_referral_responses_BL2558.pdf".

A second referral was not sent out as applicable agencies reviewed and provided comment on the proposed residential use in the first referral on the initial bylaw amendment application.

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.*

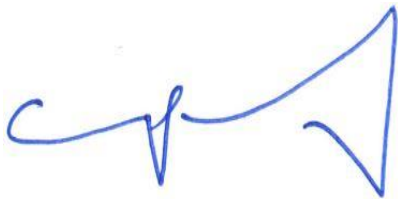
LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:

1. Salmon Valley Land Use Bylaw No. 2500

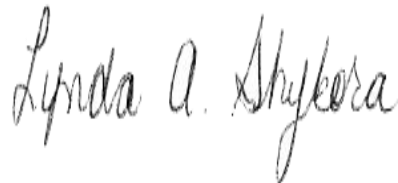
Report Approval Details

Document Title:	2019-07-18_Board_DS_BL2558_second_amended_674816BCLtd.docx
Attachments:	<ul style="list-style-type: none">- BL2558_second_reading_as_amended_2.pdf- 2019-05-16_Board_DS_BL2558_674816BCLtd.pdf- 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_2018-01-23_BL2558.pdf- Public_submission_BL2558_Redacted.pdf- Agency_referral_responses_BL2558.pdf- Septic_map_2018-01-19_BL2558.pdf- Maps_Plans_Photos_BL2558.pdf
Final Approval Date:	Jul 5, 2019

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



Corey Paiement - Jul 5, 2019 - 1:26 PM



Lynda Shykora - Jul 5, 2019 - 3:14 PM

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

Charles Hamilton - Jul 5, 2019 - 3:15 PM