



BOARD REPORT

TO: Chair and Directors

File No: BL825-40
PL20190030

SUBJECT: Electoral Area F: Scotch Creek/Lee Creek Zoning Amendment (Mosher)
Bylaw No. 825-40

DESCRIPTION: Report from Erica Hartling, Planner I, dated May 31, 2019.
3740 Ancient Creek Lane, Scotch Creek

RECOMMENDATION #1: THAT: "Scotch Creek/Lee Creek Zoning Amendment (Mosher) Bylaw No. 825-40" be read a second time this 20th day of June 2019;

RECOMMENDATION #2: THAT: a public hearing to hear representations on "Scotch Creek/Lee Creek Zoning Amendment (Mosher) Bylaw No. 825-40" 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 Jay Simpson, as Director of Electoral Area F being that in which the land concerned is located, or Alternate Director Jeffrey Tarry, if Director Simpson 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 subject property is located at 3740 Ancient Creek Lane in Scotch Creek of Electoral Area F. The owners are applying to amend the zone of the Scotch Creek/Lee Creek Zoning Bylaw No. 825 from MU – Mixed Use to R1 – Residential – 1. The proposed R1 zone will continue to allow a single family dwelling or standalone residential campsite as a principal use for the subject property but will not permit the commercial principal uses that are listed in the MU zone.

The bylaw was given first reading and the Board directed staff to refer the bylaw to applicable agencies and First Nations for comment. Comments have been received and are summarized in this report. It is now appropriate for the Board to consider the bylaw for second reading and referral to a public hearing.

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:

See "2019-04-18_Board_DS_BL825-40_First_Mosher.pdf" and "Maps_Plans_Photos_BL900-20.pdf" attached.

POLICY:

See "BL830_BL825_Excerpts_BL825-40.pdf" attached.

Electoral Area F Official Community Plan Bylaw No. 830

- 11.1 General Land Use
- 12.8 NR - Neighbourhood Residential

Scotch Creek/Lee Creek Zoning Bylaw No. 825

- 5.12 MU – Mixed Use
- 5.7 R1 – Residential – 1

FINANCIAL:

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

KEY ISSUES/CONCEPTS:

See "2019-04-18_Board_DS_BL825-40_First_Mosher.pdf" attached.

The Board gave first reading of Bylaw No. 825-40 at its April 18, 2019 Board meeting and directed staff to follow the simple consultation process and refer the bylaw amendment to applicable agencies and First Nations for comment. Referral comments have now been received and are summarized in the Communications section of this report. See copies of the complete referral responses "Agency_Referral_Responses_BL825-40.pdf" attached.

Referral comments came back with interest unaffected or no known concerns with the subject property and proposal. Little Shuswap Lake Indian Band (LSLIB) requested that they are given provisions to conduct archaeology field assessments if necessary. As the property owners have no plans to develop the lot at this time, they have not contacted LSLIB to perform a field study. The owners are aware of the Archaeology Branch and LSLIB procedures and if an archaeological site is encountered during development, activities will be halted and both the Archaeology Branch and LSLIB will be contacted for direction.

SUMMARY:

Staff continue to support Bylaw No. 825-40 and is recommending that the bylaw be considered for second reading and referral to a public hearing in order to hear the views of the public on this matter.

IMPLEMENTATION:**Consultation Process**

Neighbouring property owners first became aware of the application when a notice of application sign was posted on the property. As of the date of this report, no written submissions from the public have been received. If the Board approves the staff recommendation, a public hearing will be scheduled to receive input from the public.

COMMUNICATIONS:

If the Board supports second reading of Bylaw No. 825-40 and delegates a Public Hearing, staff will proceed with notification of property owners within 100 metres and publication of notices as required by the Local Government Act.

Bylaw No. 825-40 was referred to the following agencies and First Nations for comments, which are summarized below. See "Agency_Referral_Responses_BL825-40.pdf" attached.

- Interior Health: Interests unaffected. No health impacts associated with the proposal.
- Ministry of Transportation and Infrastructure: Interests unaffected.
- Archaeology Branch: Approval recommended subject to conditions. Small area of potential but no known archaeological sites recorded on the subject property.
- CSRD Operations Management: No concerns.
- Adams Lake Indian Band: Defers their comments to the Little Shuswap Lake Indian Band.
- Little Shuswap Lake Indian Band (LSLIB): Requests provisions for LSIB to conduct archaeology field assessments and to conduct an AOA and AIA if necessary.

The following agencies and First Nations did not respond to the request for comments:

- Neskonlith Indian Band;
- Okanagan Indian Band;
- Shuswap Indian Band;
- Simpcw First Nation; and,
- Splots'in First Nation.

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. Official Community Plan Bylaw No. 830
2. Scotch Creek/Lee Creek Zoning Bylaw No. 825

Report Approval Details

Document Title:	2019-06-20_Board_DS_BL825-40_Second_Mosher.docx
Attachments:	<ul style="list-style-type: none">- BL825-40_Second.pdf- 2019-04-18_Board_DS_BL825-40_First_Mosher.pdf- BL825-40_First.pdf- BL830_BL825_Excerpts_BL825-40.pdf- Agency_Referral_Responses_BL825-40_Second.pdf- Maps_Plans_Photos_BL825-40.pdf
Final Approval Date:	Jun 6, 2019

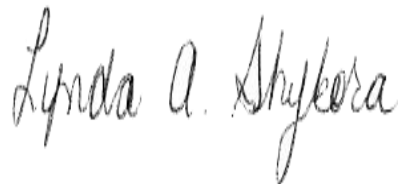
This report and all of its attachments were approved and signed as outlined below:



Corey Paiement - Jun 3, 2019 - 2:27 PM



Gerald Christie - Jun 5, 2019 - 3:11 PM



Lynda Shykora - Jun 6, 2019 - 11:50 AM



Charles Hamilton - Jun 6, 2019 - 3:16 PM