



BOARD REPORT

TO:**Chair and Directors**

File No:	DVP 641-26 PL2017052
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SUBJECT:

Electoral Area E: Development Variance Permit No. 641-26 (Handley)

DESCRIPTION:

Report from Candice Benner, Development Services Assistant, dated May 16, 2017.

2405 and 2485 Samuelson Road, Cambie-Solsqua

RECOMMENDATION:

THAT: in accordance with Section 498 of the Local Government Act, Development Variance Permit No. 641-26, for that part of:

1. Lot 1, Sections 7 and 8, Township 22, Range 7, W6M, KDYD, Plan 18189;
2. The Northeast Quarter of Section 7, Township 22, Range 7, W6M, KDYD, Except (1) The South Half of the South Half of Legal Subdivision 10, (2) Part Included in SRW Plan 15917, and (3) Part Included in Plan 18189 and NEP 22490; and
3. Lot A, Section 7, Township 22, Range 7, W6M, KDYD, Plan NEP 22490,

varying Subdivision Servicing Bylaw No. 641, by waiving the requirement that a surface water source proposed for an Independent On-Site Water System must be included on the List of Eligible Sources, contained in Schedule D of Bylaw No. 641; which will allow:

- Proposed lot 2, EPP68797 to obtain domestic water from Holms Creek and Enquist Spring; and,
- Proposed lot 1 & 3, EPP68797 to obtain domestic water from Holms Creek,

for a proposed subdivision under application No. 2014-06104E,

be issued this 15th day of June, 2017, subject to receipt of water quality analyses for all subject parcels that meet the requirements of Subdivision Servicing Bylaw No. 641.

SHORT SUMMARY:

The subject property is in the Cambie-Solsqua area of Electoral Area E. The owners have applied for a boundary adjustment subdivision for three lots. Two lots have existing surface water licences for Holms Creek and one lot has an existing licence for Holms Creek and Enquist Spring. Neither of these surface water sources are listed on Schedule D – List of Eligible Sources in Bylaw No. 641 and therefore a Development Variance Permit is required to authorize these water sources for the new lots in order for the subdivision to be approved.

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

BACKGROUND:

REGISTERED OWNERS:
Sally and Dean Handley

ELECTORAL AREA:
E

LEGAL DESCRIPTION:

1. Lot 1 Sections 7 and 8 Township 22 Range 7 W6M KDYD Plan 18189 (PID: 013-140-868);
2. The Northeast Quarter of Section 7 Township 22 Range 7 W6M KDYD Except (1) The South Half of the South Half of Legal Subdivision 10, (2) Part Included in SRW Plan 15917 and (3) Part Included in Plan 18189 and NEP 22490 (PID: 011-987-057); and,
3. Lot A Section 7 Township 22 Range 7 W6M KDYD Plan NEP 22490 (PID: 023-234-253)

PROPOSED PROPERTY SIZES:

Lot 1: 34.9 ha
Lot 2: 19.1 ha
Lot 3: 5.46 ha

CURRENT AND PROPOSED USE:
Rural Residential

DESIGNATION AND ZONE:
Rural Sicamous Land Use Bylaw No. 2000
A Agriculture
R Rural

POLICY:

Subdivision Servicing Bylaw No. 641

Part 8 of Subdivision Servicing Bylaw No 641 (Bylaw No. 641) deals with assessment and demonstration of potable water for independent on-site water systems. Independent On-site Water System is defined as "a Domestic Water System that serves only one *Dwelling Unit*."

Section 8.2 requires that all new parcels created by subdivision must be provided with an Independent On-Site Water System.

Schedule "D" List of Eligible Sources

The provincial Water Stewardship Division produced a list of eligible sources for surface water to the CSRD in a memorandum dated October 21, 2011. The surface water sources on this list have been identified and approved by the province as having sufficient volumes of water to accommodate domestic use sustainably.

Examples of approved water sources listed for Electoral Area E include Eagle River, Malakwa Creek, Craigellachie (Gorge) Creek, Perry River, Trout Lake.

FINANCIAL:

No financial implications to the CSRD.

KEY ISSUES/CONCEPTS:

The owners are going through the boundary adjustment subdivision process and the servicing requirements for Subdivision Servicing Bylaw No. 641 must be met, including proof of an acceptable water source.

Under the existing parcel configuration, the domestic water source for two parcels is Holms Creek and for one lot both Holms Creek and Enquist Spring; neither water source is listed in Schedule "D" – List of Eligible Sources in Bylaw No. 641 as an approved surface water source with the provincial Water Stewardship Division and therefore requires a Development Variance Permit.

The owners have existing domestic water licences for all three parcels that meet the requirements of Bylaw No. 641; they have submitted an application to the province to amend these licences to match the proposed parcel configurations. Prior to CSRD providing final comments for the subdivision application, the owners will be required to provide confirmation that the province will approve the water licence amendments.

The owners are in the process of obtaining water quality analyses for the parcels; prior to CSRD staff providing final comments for the subdivision application, staff will be in receipt of these results and will also require a Section 219 covenant be placed on the titles ensuring provisions of potable water are met for all parcels. If water quality analyses indicate potability concerns, the owners will be required to hire a qualified professional to ensure a water treatment system is feasible for the parcels that ensures the source is potable water and that the covenant reflects this assessment.

SUMMARY:

The property owners have applied for a Development Variance Permit to waive the requirement that the surface water source must be listed in Schedule D – List of Eligible Sources for the subject property. Staff are recommending approval of the Development Variance Permit for the following reasons:

- the owners have current and Ministry approved water licenses for Holms Creek and Enquist Spring that meet the requirements of Bylaw No. 641;
- the owners must meet water quality requirements of Bylaw No. 641 prior to issuance of this DVP;
- the owners must continue to satisfy all requirements of Bylaw No. 641 prior to subdivision completion, including registering a Section 219 covenant on the certificates of title ensuring provisions of potable water are met for all parcels.

IMPLEMENTATION:

If the Board issues DVP641-26, staff will forward the documentation to Land Title Office for registration on the title for all subject parcels.

COMMUNICATIONS:

Property owners and tenants in occupation within 100 m of the subject property were given notification a minimum of 10 days prior to the CSRD Board of Directors considering this application. All interested parties have had the opportunity to provide comments regarding this application prior to the Board Meeting.

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.*

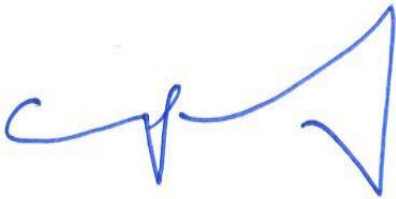
LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:

1. Subdivision Servicing Bylaw No. 641, as amended
2. Water Licences

Report Approval Details

Document Title:	2017-06-15_Board_DS_DVP641-26_Handley.docx
Attachments:	- DVP641-26.pdf - Maps_Plans_DVP641-26.pdf
Final Approval Date:	Jun 7, 2017

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



Corey Paiement - Jun 6, 2017 - 11:00 AM



Gerald Christie - Jun 6, 2017 - 12:27 PM

No Signature - Task assigned to Lynda Shykora was completed by assistant Emily Johnson

Lynda Shykora - Jun 6, 2017 - 3:54 PM



Charles Hamilton - Jun 7, 2017 - 8:28 AM