



# BOARD REPORT

**TO:** Chair and Directors

**File No:** BL825-48  
PL20220000077

**SUBJECT:** Electoral Area F: Scotch Creek/Lee Creek Zoning Amendment Bylaw No. 825-48

**DESCRIPTION:** Report from Jan Thingsted, Planner III, dated August 3, 2022.  
4143 Butters Rd, Scotch Creek

**RECOMMENDATION:** THAT: "Scotch Creek/Lee Creek Zoning Amendment Bylaw No. 825-48" be read a first time this 18<sup>th</sup> day of August, 2022;  
AND THAT: the Board utilize the simple consultation process for Bylaw No. 825-48 and it be referred to the following agencies and First Nations:

- Interior Health Authority;
- Ministry of Transportation and Infrastructure;
- Ministry of Forests – Archaeology Branch;
- CSRD Operations Management; and,
- All Applicable First Nations Bands and Councils

## SHORT SUMMARY:

The subject property is located at 4143 Butters Road 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 (Bylaw No. 825) from MHP - Manufactured Homes Park to CR – Country Residential. The proposed CR zone will permit the construction of single family dwelling which is currently not permitted in the MHP zone.

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<b>VOTING:</b>	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:

ELECTORAL AREA:  
F

LEGAL DESCRIPTION:  
Lot 1, Section 34, Township 22, Range 11, 6th Meridian, Kamloops Division Yale District Plan 16007

PID:  
008-677-271  
CIVIC ADDRESS:  
4143 Butters Rd, Scotch Creek

SURROUNDING LAND USE PATTERN:  
North = Agriculture  
South = Neighbourhood Residential (zoned Residential 1)  
East = Neighbourhood Residential (zoned Manufactured Homes Park)

West = Neighbourhood Residential (zoned Country Residential)

**CURRENT USE:**

Vacant (previously included manufactured homes)

**PROPOSED USE:**

Construction of a new single family dwelling.

**PARCEL SIZE:**

3.65 ha

**DESIGNATION:**

[Electoral Area F Official Community Plan Bylaw No. 830](#)

NR - Neighbourhood Residential

Primary Settlement Area

**ZONE:**

[Scotch Creek / Lee Creek Zoning Bylaw No. 825](#)

MHP - Manufactured Homes Park

**PROPOSED ZONE**

CR – Country Residential

**AGRICULTURAL LAND RESERVE:**

0%

**SITE COMMENTS:**

The subject property is partly treed with steep slopes exceeding 100% (45 degrees) in the middle and northern sections. There appear to be flatter sections that may be suitable for construction closer to Butters Road and along the existing private access road. There are no watercourses located on the subject property. Access to the subject property is from Butters Road.

**BYLAW ENFORCEMENT:**

No

**POLICY:**

See "BL830\_BL825\_Excerpts\_BL825-48.pdf" attached.

Electoral Area F Official Community Plan Bylaw No. 830

- 11.1 General Land Use
- 12.8 NR - Neighbourhood Residential
- 13.1.2 Hazardous Lands (Steep Slopes) Development Permit Area

Scotch Creek/Lee Creek Zoning Bylaw No. 825

- 5.6 CR – Country Residential
- 5.9 MHP – Manufactured Home Parks

**FINANCIAL:**

There are no financial implications associated with this application.

**KEY ISSUES/CONCEPTS:**Proposal

The owners are proposing to rezone the subject property from the MHP to CR zone to permit the construction of a single family dwelling since the MHP zone does not permit a single family dwelling.

The subject property is currently vacant and the owners have no plans to develop the property for manufactured homes. Most of the properties surrounding the subject property are designated Neighbourhood Residential (NR) in Electoral Area F Official Community Plan Bylaw No. 830 (Bylaw No. 830). The larger properties in the NR designation are generally are zoned CR while the smaller properties are zoned R1 – Residential 1.

See attached "BL825-48\_Maps\_Plans\_Photos.pdf"

Neighbourhood Residential (NR) Policies

The subject property and neighbouring properties are designated NR in Bylaw No. 830 and considered Scotch Creek Larger Lots within the NR designation, which supports maintaining the existing setbacks, landscaping, visual buffers, building massing and building orientation of the residential/recreational neighbourhood.

Servicing

The subject property is within the Scotch Creek Primary Settlement Area of Bylaw No. 830, which requires all new development to connect to a community water system and a community sewer system.

Currently, no options exist in the subject area to connect to community sewer. Since the proposal is a rezoning to construct one single dwelling on an existing parcel, the connection to community sewer system is not required and the installation of a new on-site sewage disposal system to service the proposed dwelling is appropriate. A copy of the Record of Sewerage System (RSS) will be required during the building permit process to ensure that the septic system has been designed for the use intended.

The subject property is adjacent to the CSRD Saratoga Water System service area. The owners have spoken with the CSRD Utilities Team Leader and been informed that a formal application is required to request to be added to the service area and be provided a water connection. Otherwise, the owners will need to be confirm an on-site potable water source, likely a groundwater well, during the building permit process.

If Bylaw No. 825-48 is given first reading by the Board, referral comments will be requested from the Interior Health Authority.

Access and Parking

The subject property is accessed from Butters Road. The property has sufficient space to meet the minimum parking space requirements for the permitted uses of the CR zone.

Building Inspection

The subject property is subject to Building Bylaw No. 660-3. A building permit will be required prior to any new construction.

### Development Permits Areas

The subject property has steep slopes exceeding 30% and is therefore subject to the Hazardous Lands Development Permit Area 2 (Steep Slopes) established in Section 13.1.2 of Bylaw No. 830. A Hazardous Lands (Steep Slopes) Development Permit will be required prior to the construction of any building on the subject property if the proposed building is to be located on slopes exceeding 30%.

### Analysis

The proposal to rezone subject property from MHP to CR is consistent with the Neighbourhood Residential policies in Bylaw No. 830 and reflects the residential land use pattern established in the Butters Road area.

The larger properties in the NR designation are generally zoned CR while the smaller properties are zoned R1 – Residential 1. The minimum parcel size created by subdivision in the CR zone is 2 ha and the size of the subject property is 3.65 ha. No further subdivision of the subject property will be possible unless a future rezoning to R1 is made since the R1 zone permits a 1 ha minimum parcel size created by subdivision. Due to the steep slopes and other subdivision requirements, achieving approval for a R1 subdivision may be difficult. Although an application to rezone to R1 could have been submitted, the owner and agent chose the CR zone.

Given the steep slopes present on the subject property, the development of a single family dwelling is likely more suitable than establishing a manufactured home park.

### **SUMMARY:**

The owners have applied to amend Bylaw No. 825 to rezone the subject property from MHP to CR to permit construction of a single family dwelling. Staff are recommending that the proposed amending bylaws be read a first time and that referrals be sent to applicable agencies and First Nations because the rezoning is consistent with the Neighbourhood Residential OCP policies and reflects the zoning applied to other large parcels in this designation.

### **IMPLEMENTATION:**

#### Consultation Process

As per Section 464(2) of the Local Government Act, a public hearing is not required for the proposed zoning bylaw amendment as the proposal is consistent with the Neighbourhood Residential policies in Electoral Area F Official Community Plan Bylaw No. 830. In accordance with Section 467 of the Local Government Act, staff prepared an advertisement which will be published in two issues of the Shuswap Market News prior to first reading of the bylaw, notifying of the application and that a public hearing is not required. Notifications will also be mailed to landowners and tenants in occupation of properties located within 100 m of the subject property prior to first reading. Further notifications will be mailed out and a third ad placed in the newspaper with the deadline for written submissions prior to third reading of the bylaw. All written public submissions received regarding the proposed bylaw amendment will be attached to a future report for consideration of the Board.

#### Referral Process

The following list of referral agencies is recommended:

- Interior Health Authority;
- Ministry of Transportation and Infrastructure;

- Ministry of Forests – Archaeology Branch;
- CSRD Operations Management;
- Adams Lake Indian Band;
- Little Shuswap Lake Band;
- Neskonlith Indian Band;
- Okanagan Indian Band;
- Shuswap Indian Band;
- Simpcw First Nation; and,
- Splatstin First Nation.

**COMMUNICATIONS:**

If the Board gives Bylaw No. 825-48 first reading, the bylaw will be sent out to referral agencies. Referral responses will be provided to the Board with a future Board report.

**DESIRED OUTCOMES:**

That the Board endorse staff recommendation.

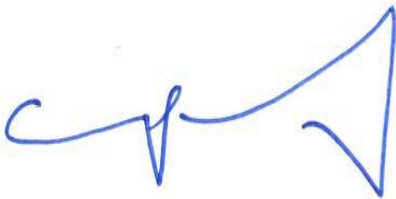
**BOARD'S OPTIONS:**

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

**Report Approval Details**

Document Title:	2022-08-16_Board_DS_BL825-48_First.docx
Attachments:	<ul style="list-style-type: none"><li>- BL825-48_First.pdf</li><li>- BL830_BL825_Excerpts_BL825-48.pdf</li><li>- BL825-48_Maps_Plans_Photos.pdf</li></ul>
Final Approval Date:	Aug 9, 2022

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



Corey Paiement



Gerald Christie



Jennifer Sham



Jodi Pierce