



BOARD REPORT

TO:

Chair and Directors

File No:	DP 830-218 PL20170160
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SUBJECT:

Electoral Area F: Form and Character DP 830-218 (Leopold Developments Ltd.)

DESCRIPTION:

Report from Dan Passmore, Senior Planner, dated September 11, 2017.
3810 Kenwood Gate, Scotch Creek.

**RECOMMENDATION
#1:**

THAT: in accordance with Section 490 of the Local Government Act Development Permit No. 830-218 for proposed construction of a 446 m² (4,800 ft²) new building on Lot C, Section 33, Township 22, Range 11, West of the 6th Meridian, Kamloops Division Yale District, Plan KAP728 (PID: 025-598-422), be issued this 19th day of October, 2017.

SHORT SUMMARY:

The applicant is proposing to construct a 446 m² (4,800 ft²) new building on the subject property. Since the property is within the Scotch Creek Primary Settlement Area there is a requirement for an Industrial Form and Character Development Permit, where construction on Industrial designated lands occurs. The Development Permit area contains guidelines for form and character of buildings.

VOTING:

Unweighted
Corporate

☐

LGA Part 14
(Unweighted)

☒

Weighted
Corporate

☐

Stakeholder
(Weighted)

☐

BACKGROUND:

REGISTERED OWNER:

Leopold Developments Ltd.

ELECTORAL AREA:

F

LEGAL DESCRIPTION:

Lot C, Section 33, Township 22, Range 11, West of the 6th Meridian, Kamloops Division Yale District, Plan KAP728 (PID: 025-598-422)

CIVIC ADDRESS:

3810 Kenwood Gate

SURROUNDING LAND USE PATTERN:

North = Commercial Storage

South = Residential/Boat Storage TUP

East = Industrial

West= Industrial

CURRENT AND PROPOSED USE:

Sale of Docks, water treatment systems, boat and dock anchor systems

PARCEL SIZE:

0.4 ha. (0.98 ac)

DESIGNATION:

ID - Industrial

ZONE:

Commercial – 1 (C1)

POLICY:

Electoral Area 'F' Official Community Plan No. 830

PSA - Primary Settlement Area

ID – Industrial

Section 11

Managing Growth: North Shuswap

Policy 1

The Primary and Secondary Settlement Areas are delineated on Schedules B & C. This Plan directs growth and development to these areas. The Plan does not support significant growth and development outside the Primary and Secondary Settlement Areas.

Policy 3

Scotch Creek is the Primary Settlement Area. The Regional District will encourage residential, commercial, and light industrial growth in Scotch Creek that is consistent with the policies of this plan. All new development must be connected to community water and sewer systems.

Section 12

Managing Growth: Scotch Creek (Primary Settlement Area)

SubSection 12.2

Principle 1

Encourage the development of a livable community that provides a high quality of life within its unique environmental setting by:

- b) Striving for a balance of residential, recreational, commercial and light industrial uses, and ensure that adjacent uses are compatible;

Principle 2

Strive for an economically and socially sustainable community by:

- c) Identifying opportunities for economic development that would support the local population and address needs; and
- d) Encouraging the development of employment opportunities, especially year-round permanent jobs.

Subsection 12.7 Industrial (ID)

Objective 1

The intent of this land use is to provide for a range of light industrial uses, including manufacturing, high technology industries, warehousing, storage and distribution, machine and automobile repair. These activities will also help in providing viable year-round employment opportunities.

Policy 1

Permitted uses include light industrial uses, including manufacturing, high technology industries, warehousing, storage and distribution, machine and automobile repair. Commercial uses are also permitted within this land use, as are residential uses as part of a mixed-use building.

Policy 2

A maximum building height of three storeys is permitted.

Policy 3

All parcels designated as Industrial are also designated as Development Permit Areas. The DPA guidelines provide additional direction for development regarding form and character, and they should be considered together with the general land use guidelines.

13.8 Industrial (ID) Development Permit Area

(Scotch Creek)

13.8.1 Area

This DPA applies to the areas shown on Schedule F.

13.8.2 Guidelines

- (a) Light industrial development should be integrated as much as possible into the built fabric of the community, rather than forming isolated auto-oriented enclaves. Block pattern, street design and building placement should be appropriate to a mixed-use area, although industrial use may be the primary land use.
- (b) Buildings should face onto the street, and include entries and windows, providing active edges and visual permeability. Where buildings face a parking lot, pedestrian sidewalks should be provided. Buildings should be set back a minimum distance from the street, to avoid the creation of wide barriers.
- (c) Where possible, buildings should share common parking lots. Parking should be provided at the rear of buildings, at the interior of blocks, or include a landscape buffer between the parking area and the public street.
- (d) Signage should be integrated into the overall site and building, and be legible without being intrusive into the visual landscape.
- (e) Green roofs and other sustainable practices are encouraged.

Scotch Creek Zoning Bylaw No. 825

Commercial – 1 (C1)

Principal Uses

- (a) *Amusement establishment*
- (b) *Campground*
- (c) *Convenience store*
- (d) *Day care*
- (e) *Marina*
- (f) *Mini storage*
- (g) *Motel*
- (h) *Office*
- (i) *Outdoor sales*
- (j) *Personal services*
- (k) *Plant nursery and services*

- (l) *Pub*
- (m) *Public assembly facility*
- (n) *Recycling drop-off facility*
- (o) *Rental shop*
- (p) *Restaurant*
- (q) *Retail store*
- (r) *Service station*
- (s) *Single family dwelling*
- (t) *Tourist cabin*
- (u) *Library*

Secondary Uses

- (a) *Accessory use*
- (b) *Owner/operator dwelling*

FINANCIAL:

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

KEY ISSUES/CONCEPTS:

The subject property is currently serviced by an on-site septic disposal system, although CSRD records on the property do not indicate a permit to construct the system was obtained from the jurisdiction having authority. A Section 219 covenant registered against the title of the property at the time of subdivision in 2003, by the Interior Health Authority (IHA), required a secondary treatment plant (package treatment plant) with nitrate reduction capabilities designed by a BC Professional Engineer to be installed on all lots in the proposed plan of subdivision. Staff have reviewed a building permit issued for the existing building in 2004 which indicates that the building did not require plumbing facilities, so are unaware of whether this requirement was fulfilled by the time the existing on-site sewerage system was installed. Staff are also unaware whether the addition would trigger a new filing, or whether the IHA would enforce their own covenant with respect to this development.

The existing building is currently serviced with a groundwater well.

The subject property is located in an area that has been identified as a hazard area for Flooding and Debris Flow Potential, which requires staff to consider a technical Development Permit. The applicant has provided a report from Mr. Alan Bates, P.Eng. of Streamworks Consulting Inc., dated April 18, 2017 analyzing potential hazard to the proposed development from flooding and debris flow potential. The report concludes that the proposed development is safe to use for the intended use.

The proposed new building is 446 m² (4,800 ft²). The building is proposed to be situated in the southwest corner of the subject property, separate from the existing building. The new building will more than double the size of buildings on the subject property. The owner is not proposing to upgrade the existing building.

The proposed new building complies with building siting requirements in the Scotch Creek/Lee Creek Zoning Bylaw No. 825, including building height restrictions.

The owner has indicated that his intention is to use the existing building and the proposed new building for industrial purposes as a manufacturing and assembly facility to manufacture and assemble docks, dock anchors, buoy anchors, and water treatment systems. The proposed business operation does not conform with the permitted uses in the Commercial – 1 (C1) zone in accordance with Scotch Creek/Lee

Creek Zoning Bylaw No. 825. As a result the owner has applied for a Temporary Use Permit (TUP 830-4 to be allowed to utilise the property for the industrial uses. The property is designated in Electoral Area F Official Community Plan Bylaw No. 830 as Industrial use, so the industrial use of the property is supported in the OCP.

The proposed new building does not contravene the applicable guidelines in Section 13.8 of Electoral Area F Official Community Plan Bylaw No. 830, as it is similar to other buildings in the area.

SUMMARY:

The applicant is requesting a Development Permit for form and character guidelines expressed in the OCP. The proposed building meets the objectives and policies for Industrial development and appears to meet with the applicable Development Permit guidelines as required in Electoral Area 'F' Official Community Plan No. 830.

IMPLEMENTATION:

If the Board issues DP 830-218, the applicant will be notified of the decision in writing, and documentation will be forwarded to the Land Titles Office for registration against the title of the property. The Development Permit for form and character and the Temporary Use Permit must be issued before the applicant can obtain a building permit to construct the proposed new building.

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 October 19, 2017, CSRD Board Meeting. 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. Electoral Area F Official Community Plan Bylaw No. 830
2. Scotch Creek/Lee Creek Zoning Bylaw No. 825
3. Application
4. Streamworks Consulting Inc. report dated April 18, 2017

Report Approval Details

Document Title:	2017-10-19_Board_DS_DP830-218_Leopold.docx
Attachments:	- Maps_Plans_DP830-218.pdf - DP 830-218 Permit and Schedules-FC-Revised.pdf
Final Approval Date:	Oct 6, 2017

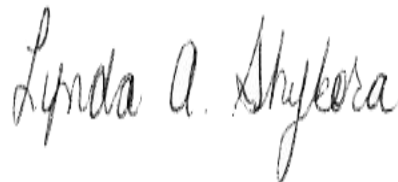
This report and all of its attachments were approved and signed as outlined below:



Corey Paiement - Oct 4, 2017 - 4:46 PM



Gerald Christie - Oct 5, 2017 - 8:17 AM



Lynda Shykora - Oct 6, 2017 - 1:46 PM



Charles Hamilton - Oct 6, 2017 - 3:09 PM