

# BOARD REPORT

**TO:** Chair and Directors

**File No:** BL 751 & BL 750-02  
PL20160012

**SUBJECT:** Electoral Area D: Rancho / Deep Creek Official Community Plan Bylaw Amendment (CSR D) No. 750-02 & Rancho / Deep Creek Zoning Bylaw No. 751

**DESCRIPTION:** Report from Jan Thingsted, Planner, dated November 2, 2017. Rancho/Deep Creek

**RECOMMENDATION #1:** THAT: "Rancho / Deep Creek Official Community Plan Amendment (CSR D) Bylaw No. 750-02" be read a second time, as amended, this 16<sup>th</sup> day of November, 2017.

**RECOMMENDATION #2:** THAT: "Rancho / Deep Creek Zoning Bylaw No. 751" be read a second time, as amended, this 16<sup>th</sup> day of November, 2017.

**RECOMMENDATION #3:** THAT: the Board direct staff to hold an open house to present Bylaw No. 750-02 and Bylaw No. 751

## SHORT SUMMARY:

Rancho / Deep Creek Zoning Bylaw No. 751 is a follow up to the Rancho / Deep Creek Official Community Plan (OCP) Bylaw No 750. Bylaw No. 751 will provide land use regulations for the portion of Electoral Area 'D' covered by the OCP and will repeal and replace Rancho / Deep Creek Land Use Bylaw No. 2100.

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**VOTING:** Unweighted  LGA Part 14  Weighted  Stakeholder   
Corporate (Unweighted) Corporate (*Weighted*)

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## BACKGROUND:

Zoning has been in place for the Rancho / Deep Creek area since 1978, with the most current zoning bylaw adopted in September 1987, 30 years ago. Bylaw No. 2100 is one of the oldest land use bylaws in the CSR D and contains many references to outdated legislation. The Rancho / Deep Creek OCP, adopted in November 2011, recommends that the current land use bylaw be replaced with a bylaw that generally reflects the status quo in terms of density and land use as well as the goals and policies of the OCP.

The process of preparing Bylaw No. 751 began in the summer of 2012, with planning students conducting a field survey to verify current land uses on all parcels in the bylaw area. Additional land use inventory work was conducted in 2014 and 2015. Drafting of the bylaw text and maps was carried out between 2014 and 2015. Bylaw No. 750-02 was given first reading in March 2016 and Bylaw No. 751 was given first reading in January 2016.

## POLICY:

Section 478(2) of the Local Government Act requires that all zoning bylaws adopted after an OCP must be consistent with that plan. Bylaw No. 751 proposes to introduce several land use zones which are currently not identified in the OCP. Ranchero / Deep Creek Official Community Plan Amendment (CSRDA) Bylaw No. 750-02 is, therefore, required to create designations and policies that complement the new zones and ensure consistency between the two bylaws. For example, the proposed foreshore zones require corresponding foreshore designations and policy statements in the OCP.

**FINANCIAL:**

\$10,000 was allocated for 2017 to complete Bylaw No. 750-02 and Bylaw No. 751. This amount takes into consideration the cost of public open houses, public hearings, advertising, and legal counsel review. Any monies remaining from 2017 are proposed to be rolled-over into the 2018 budget to allow the completion of the project.

**KEY ISSUES/CONCEPTS:**

The intent of Bylaw No. 751 is to repeal and replace Bylaw No. 2100 with an up-to-date bylaw that reflects current legislation and is consistent with the OCP. The intent of Bylaw No. 750-02 is to ensure that the new zoning bylaw and current OCP are consistent with each other.

**SUMMARY:**

A summary of Bylaw No. 750-02 and Bylaw No. 751 was provided in a previous Board report at the time of consideration of first reading. Since that time, numerous changes have been made to these bylaws. A summary of key changes is provided below:

**Key updates to Bylaw No. 750-02 since first reading:**

- Updates to demographic information (new data from the 2016 census)

**Key updates to Bylaw No. 751 regulation since first reading:**

- Updated Definitions
- Home Occupations – more clarity on home occupation total area allowance in relation to parcel size.
- Secondary Dwelling Unit – more clarity on maximum size allowance.
- Shipping Containers – to be permitted temporarily for 6 months.
- New "limited agriculture" provisions for MH and RR1 zones.
- Cannabis Production Facilities – deletion of "Special Industrial" Zone. Cannabis Production Facilities to only be permitted on ALR land.
- Private Campgrounds - new definitions and regulations better reflect existing operations.
- Signage – new definitions.

Based on the positive input received from referral agencies and Electoral Area D APC, staff is recommending at this time that the bylaws be given second reading as amended.

**IMPLEMENTATION:****Complex Consultation Process**

If Bylaw No. 751 and Bylaw Amendment No. 750-02 receive second reading as amended, the bylaws will be presented at an open house to obtain public feedback. Once final edits have been made to the

bylaws, they will be sent to legal counsel for review and brought back again to the Board for consideration of any further amendments needed at second reading, along with a recommendation to delegate a public hearing.

### **COMMUNICATIONS:**

Property owners and residents will be able to view the proposed bylaws on the CSRD website and obtain hard copies from the CSRD office. Advertisements will be placed in local newspapers to provide notice of the public open house and public hearing. Comments received from the public on this bylaw will be presented to the Board prior to third reading.

Bylaw No. 750-02 and Bylaw No. 751 were sent out to the following referral agencies listed below. Agency comments are noted in the right column.

Agricultural Land Commission	Provided comments to ensure consistency with ALC Act and regulations of the ALC – home site severances and provisions for additional dwellings
First Nations Bands and Councils	No response
Ministry of Forests, Lands and Natural Resource Operations - Archaeology Branch	No response
City of Salmon Arm	No objections
CSRD Financial Services	Interests unaffected
CSRD Operations Management	No concerns
Electoral Area D Advisory Planning Commission	Provided a motion recommending approval of 750-02 and Bylaw No. 751 as presented
Fisheries and Oceans Canada - Habitat Enhancement	No response
Interior Health Authority	No response
The Managed Forest Council	No response
Ministry of Agriculture	No response
Ministry of Community, Sport and Cultural Development	No concerns
Ministry of Energy and Mines	No response
Ministry of Environment	No response
Ministry of Forests, Lands and Natural Resource Operations	No objections
Ministry of Transportation and Infrastructure	No formal response but provided feedback on the proposed Hwy 97B setback
NAV Canada - Land Use Office	No response
Regional District of North Okanagan	Interests unaffected
School District #83	No response
Township of Spallumcheen	No comment or concerns
Transport Canada	No response

### **DESIRED OUTCOMES:**

That the Board endorse staff recommendations.

**BOARD'S OPTIONS:**

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

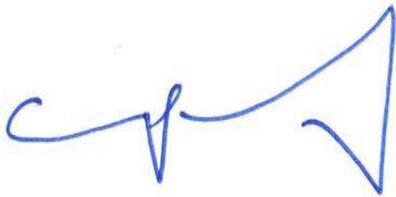
**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

- Rancho / Deep Creek Official Community Plan Bylaw No. 750
- Previous Board Reports

**Report Approval Details**

Document Title:	2017-11-16_Board_DS_BL751_BL750-02_CSRD.docx
Attachments:	<ul style="list-style-type: none"><li>- BL750-02_second_amended.pdf</li><li>- BL750-02_Schedule_A_second_amended.pdf</li><li>- BL750-02_Schedule_B_second_amended.pdf</li><li>- BL751_second_amended.pdf</li><li>- BL751_Schedule_A_second_amended.pdf</li><li>- BL751_Schedule_B_second_amended.pdf</li><li>- BL751_Schedule_C_second_amended.pdf</li></ul>
Final Approval Date:	Nov 6, 2017

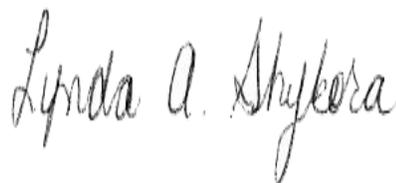
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - Nov 3, 2017 - 12:15 PM**



**Gerald Christie - Nov 3, 2017 - 2:08 PM**



**Lynda Shykora - Nov 6, 2017 - 1:30 PM**



**Charles Hamilton - Nov 6, 2017 - 1:43 PM**