



# BOARD REPORT

- TO:** Chair and Directors
- SUBJECT:** Electoral Area D: Rancho / Deep Creek Zoning Amendment Bylaw No. 751-07.
- DESCRIPTION:** Report from Jan Thingsted, Planner IIII, dated June 25, 2024. 942 Gardom Lake Road, Gardom Lake.
- RECOMMENDATION: #1** THAT: "Rancho/Deep Creek Zoning Amendment Bylaw No. 751-07" be given second reading, as amended, this 18<sup>th</sup> day of July, 2024.
- RECOMMENDATION: #2** THAT: in accordance with Section 464(2) of the Local Government Act, the public hearing for "Rancho/Deep Creek Zoning Amendment Bylaw No. 751-07" be waived.
- Stakeholder Vote Unweighted (LGA Part 14) Majority*

## SUMMARY:

The subject property is located at 942 Gardom Lake Road in the Gardom Lake neighbourhood of Electoral Area D. The property is designated Medium Holdings (MH) in Rancho / Deep Creek Official Community Plan (OCP) Bylaw No. 750 (Bylaw No. 750) and zoned Medium Holdings (MH) in Rancho / Deep Creek Zoning Bylaw No. 751 (Bylaw No. 751).

The property owners have applied for a zoning bylaw amendment to add a site-specific regulation to the MH zone that will bring their existing veterinary clinic into compliance with zoning and to allow for limited future expansion of their clinic. The amendment will increase the maximum area for a home occupation from 200 m<sup>2</sup> to 250 m<sup>2</sup> and increase the number of non-resident employees from two to six.

Bylaw No. 751-07 received first reading at the April 18, 2024 Board meeting and has been referred to applicable agencies and First Nations for comment. Referral comments are listed in the Communications section below.

Staff are recommending that the Board give Bylaw No. 751-07 second reading, as amended and waive the public hearing as the amendment is consistent with the OCP.

## BACKGROUND:

See: [Regular Board Meeting - April 18, 2024 - Item 17.1](#) for First Reading Board report.

## POLICY:

See attached "BL751-07\_BL750\_BL751\_Excerpts.pdf" for details on [Rancho Deep Creek Official Community Plan Bylaw No. 750](#) policies and [Rancho/ Deep Creek Zoning Bylaw No. 751](#) zoning regulations.

## FINANCIAL:

There are no financial implications associated with this application.

## KEY ISSUES/CONCEPTS:

The Board gave first reading of Bylaw No. 751-07 at the April 18, 2024, Board meeting. Staff recommended the simple consultation process in accordance with Policy P-18 (Consultation Process) as the proposed zoning is consistent with the current Medium Holdings designation and does not require an OCP land use designation change.

Minor formatting changes have been made to Bylaw No. 751-07 since first reading thereby requiring that the bylaw be amended at second reading. No amendments are proposed to the applicant's proposal.

At first reading, staff recommended that the applicant provide the CSRD with the following documentation prior to consideration of second reading, as amended:

- a) Submission of a Record of Sewerage System to confirm adequate performance, condition, size and location for the intended use of the onsite disposal system;
- b) Proof that water quality and quantity is sufficient for the use intended;
- c) More detailed analysis demonstrating that on-site parking can meet zoning requirements;
- d) Copy of a current Highway Use Permit; and,
- e) Clarification from the owners regarding the area required for home occupation uses and the maximum number of non-resident employees.

Following first reading, the applicant has provided the CSRD with the following information:

- a) A letter from a Registered Onsite Wastewater Practitioner noting that the existing sewerage system has been inspected and determined that it needs to be upgraded to accommodate the veterinary clinic and meet current health standards. The applicant has confirmed that upgrades to the sewerage system are planned for summer 2024. Prior to consideration of adoption, staff will require documentation confirming that the sewerage system upgrade has been completed.
- b) A copy of a well log from 2005 noting a yield of 1/US gpm. This yield equates to approximately 5,400 litres per day which is more than double the requirement in Subdivision Servicing Bylaw No. 680 for each parcel (2,000 litres of Potable Water per day for an Independent On-site Water System).
- c) The applicant has noted that the well pumps into a 18,000 litre cistern and that during dry periods, water is delivered to the cistern to supplement any shortages that could develop. There is an onsite water treatment system consisting of filters, u/v light treatment and reverse osmosis.
- a) Confirmation that the subject property has sufficient space to accommodate seven parking spaces in accordance with the parking and loading requirements of Bylaw No. 751.
- b) A copy of the Commercial Access Permit for the subject property issued by the Ministry of Transportation and Infrastructure on May 23, 2024.
- c) Confirmation that the maximum area required for all Home Occupation uses will not exceed 250 m<sup>2</sup> and that the maximum number of non-resident employees will not exceed six (6).

The information provided above addresses the outstanding issues identified by staff at the time of first reading.

### Referral Responses

Referral responses are summarized in the Communications section below. The full responses are attached as "BL751-07\_Referral\_Responses.pdf". No concerns were raised during the referral process.

### Analysis

The property's owners have applied for a zoning bylaw amendment to the MH zone to add a site-specific regulation that will bring their existing veterinary clinic into compliance with zoning and to allow for limited future expansion. The veterinary clinic use is considered consistent with the community values and MH policies in OCP Bylaw No. 750 as it complements the rural character of the area by providing

veterinary services to the local community. Staff are recommending that the Board waive the public hearing requirement as Bylaw No. 751-07 is consistent with the Medium Holdings OCP designation.

As noted above, the necessary follow-up information has been provided by the applicant and no concerns were raised during the consultation process.

#### Rationale for recommendation

Staff continue to support Bylaw No. 751-07 and recommend that the bylaw be considered for second reading, as amended for the following reasons:

- The proposal is supported by the OCP's policies and community value statements;
- The veterinary clinic is suitably buffered from neighbouring properties;
- The CSRD has not received any formal bylaw enforcement complaints regarding the existing veterinary clinic;
- The applicant has provided the necessary information requested by staff at first reading regarding servicing, parking, home occupation use, and Commercial Access; and  
No concerns were raised during the referral process.

#### **IMPLEMENTATION:**

If the Board gives second reading, as amended to Bylaw No. 751-07, the bylaw will be presented to the Board for consideration of third reading at a future Board meeting after the required public notification explained in the Communications section below.

#### **COMMUNICATIONS:**

##### Referral Responses

Following first reading of Bylaw No. 751-07, referrals were sent to applicable agencies and First Nations. The referral responses are summarized below, and the full response are attached, see: "BL751-07\_Referral\_Responses.pdf". No concerns were raised throughout the referral process.

<b>Agency/First Nation</b>	<b>Referral Response</b>
CSRD Community and Protective Services	No comments received.
CSRD Environmental and Utility Services	No objections.
Interior Health Authority	No comments.
Ministry of Transportation and Infrastructure (MOTI)	MOTI staff note that Section 52(3)(a) of the Transportation Act does not apply, and the zoning will not require Ministry endorsement. The Transportation Act applies, and an access permit will be required for the existing access to Gardom Lake Road. <u>Note</u> : an access permit was issue for the subject property on May 23, 2024
Ministry of Forests: Archaeology Branch	According to Provincial records, there are no known archaeological sites recorded on the subject property. Archaeology potentially modelling for the area does not indicate a high potential for previous unidentified archaeological sites to be found on the property.

Adams Lake Indian Band (ALIB)	ALIB does not object to the proposed rezoning. *ALIB requested that the full referral response documents not be publicly available in staff reports.
Skw'lax te Secwepemcúłecw	No Response.
Neskonlith Indian Band	No Response.
Lower Similkameen Indian Band	No Response.
Okanagan Indian Band (OKIB)	OKIB requested capacity funding in order to respond. Staff responded noting that Development Services does not compensate any non-CSRD party or agency for providing referral comments or consultation in regard to the processing or development of policies, plans, bylaws or permits (As per Policy P-21).
Okanagan Nation Alliance	No Response
Penticton Indian Band	The proposed activity is located within Syilx (Okanagan) Territory. Snpink'tn (Penticton Indian Band) has now had the opportunity to review the proposed activity. At this time, Snpink'tn will be deferring further consultation and engagement to the OKIB.
Splatsin First Nation	No Response
Upper Nicola Band	No concerns

#### Public Notification

The applicant has posted a notice of application sign on the subject property in accordance with Development Services Procedures Bylaw No. 4001-02 as amended.

Following first reading of Bylaw No. 751-07 referrals were sent to relevant agencies and First Nations. The responses are summarized in the Key Issues/Concepts section above and the full response are attached, see: "BL751-07\_Referral\_Responses.pdf".

Prior to consideration of third reading, notices will be sent to property owners within 100 m of the subject property advising of the deadline for public submissions (4 PM on the Tuesday prior to the Board meeting that the bylaw is considered for third reading). A third ad will be also placed in the Salmon Arm Observer advising of the deadline for public submissions. Staff will discuss any public submissions in the future Board report for consideration of third reading of this bylaw amendment.

Public notification will specify that a public hearing is not necessary since Bylaw No. 751-07 is consistent with the current Medium Holdings designation in the OCP.

#### **DESIRED OUTCOMES:**

That the Board endorse the staff recommendations.

#### **BOARD'S OPTIONS:**

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



**Report Approval Details**

Document Title:	2024-07-18_Board_DS_BL751-07_Second.docx
Attachments:	- BL751-07_Second.pdf - BL751-07_Referral_Responses.pdf - BL751-07_BL750_BL751_Excerpts.pdf - BL751-07_Maps_Plans_2024-04-18.pdf
Final Approval Date:	Jul 10, 2024

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



Corey Paiement

**No Signature - Task assigned to Gerald Christie was completed by assistant Jennifer Sham**

Gerald Christie



Jennifer Sham

**No Signature - Task assigned to John MacLean was completed by assistant Jennifer Sham**

John MacLean