



# BOARD REPORT

- TO:** Chair and Directors
- SUBJECT:** Electoral Area G: Electoral Area C Official Community Plan Amendment Bylaw No. 725-29 and South Shuswap Zoning Amendment Bylaw No. 701-113
- DESCRIPTION:** Report from Ken Gobeil, Senior Planner, dated February 28, 2025. 1063 Fredrickson Rd, Notch Hill
- RECOMMENDATION #1:** THAT: Electoral Area C Official Community Plan Bylaw No. 725-29 be denied first reading, this 20<sup>th</sup> day of March 2025.  
*Stakeholder Vote Unweighted Majority*
- RECOMMENDATION #2:** THAT: South Shuswap Zoning Amendment Bylaw No. 701-113 be denied first reading, this 20<sup>th</sup> day of March 2025.  
*Stakeholder Vote Unweighted Majority*

## SUMMARY:

The owner of 1063 Fredrickson Rd has applied for an amendment to the Electoral Area C Official Community Plan (OCP) Bylaw No. 725, as amended, and the South Shuswap Zoning Bylaw No. 701, as amended, to accommodate a residential subdivision of up to twenty-five 1-ha lots.

Electoral Area C Official Community Plan Amendment Bylaw No. 725-29 (see "BL725-29\_First.pdf" attached) proposes to redesignate the property from RH – Rural holdings, to RR – Rural Residential, with a site-specific regulation limiting the total number of lots created by subdivision.

South Shuswap Zoning Amendment Bylaw No. 701-113 (see "BL701-113\_First.pdf" attached) proposes to rezone the property from LH – Large Holdings to RR3 – Rural Residential (1 ha) with a site-specific regulation limiting the total number of lots created by subdivision to 25.

Staff do not support the application because the proposed lot size is not supported in the OCP and have recommended to the applicant that the application be revised to allow 2 ha lots which is consistent with other rural subdivisions in the area. However, the applicant would like to proceed with bylaw amendments to authorize future subdivision of 1 ha lots.

## BACKGROUND:

**ELECTORAL AREA:**  
G

**LEGAL DESCRIPTION:**  
The North East Quarter of Section 8 Township 22 Range 11 West of the 6<sup>th</sup> Meridian Kamloops Division Yale District Excluding Plans 31 18973 and KAP79702

**CIVIC ADDRESS:**  
1063 Fredrickson Rd

**SURROUNDING LAND USE PATTERN:**  
North = Gravel Extraction, Canadian Pacific Railway, Agriculture  
South = Crown (Forest)

East = Agriculture, Gravel Extraction  
West = Crown (Forest)

CURRENT USE:  
Rural

PROPOSED USE:  
Residential Subdivision. Up to twenty-five 1-ha lots

PARCEL SIZE:  
65.4 ha

PROPOSED PARCEL SIZE:  
1-ha lots

DESIGNATION:  
[Electoral Area C Official Community Plan Bylaw No. 725](#)  
RH – Rural Holdings

PROPOSED DESIGNATION:  
RR1 – Rural Residential

ZONE:  
[South Shuswap Zoning Bylaw No. 701](#)  
LH – Large Holdings

PROPOSED ZONE:  
RR3 – Rural Residential 3

AGRICULTURAL LAND RESERVE (ALR):  
0%

SITE COMMENTS:  
The subject property contains an alluvial fan of an unnamed creek which eventually flows into Shuswap Lake. The southern half of the property is steeply sloped and heavily treed. The northern half of the property is relatively flat and cleared of trees. The treed portion of the property was partially burned in the Bush Creek East wildfire in 2023.

The property is accessed by Fredrickson Road. However, the property does not have direct frontage and is separated from Fredrickson Road by the Canadian Pacific Railway. There is an easement registered on title for road right of way if Fredrickson Road is ever extended beyond the Canadian Pacific Railway right of way.

There is an existing single detached dwelling and accessory buildings on the eastern side of the property. See "BL725-29\_BL701-113\_Maps\_Plans\_Photos\_Redacted.pdf" attached.

BYLAW ENFORCEMENT:  
This application is not the result of bylaw enforcement.

**POLICY:**

[Electoral Area C Official Community Plan Bylaw No. 725](#)

- Section 1 – Plan Vision and Framework
- Section 3 – Growing Gradually and Wisely
  - 3.4 Residential

- Railway and Transportation Corridor (RW)
- Section 6 – Respecting our Sensitive Environments
  - 6.4 Hazardous Areas
- Section 11 – Fostering Community Vitality
- Section 12 – Development Permit Areas
  - 12.1 Hazardous Lands Development Permit Area (Steep Slopes)
  - 12.4 Riparian Areas Regulation (RAR) Development Permit Area.

See “BL725-29\_BL701-113\_Excerpts\_BL725.pdf” attached for applicable policies and regulations from the Electoral Areas C Official Community Plan.

#### South Shuswap Zoning Bylaw No. 701

- Section 1 – Definitions
- Section 9 – RR3 - Rural Residential Zone (1ha)
- Section 15 – LH - Large Holdings Zone

See “BL725-29\_BL701-113\_Excerpts\_BL701.pdf” attached for applicable policies and regulations from the South Shuswap Zoning Bylaw.

#### **FINANCIAL:**

There are no financial implications associated with this application. Section 477 of the Local Government Act requires that after first reading, the local government must consider OCP amendments in conjunction with the current financial and waste management plans. If the Board gives these amending bylaws first reading, the proposed amending bylaws will be referred to the CSRD’s Financial Services and Environmental and Utility Services departments for review and comment.

#### **KEY ISSUES/CONCEPTS:**

##### Proposal

The owner would like to subdivide the flatter portion of the property into 1 ha lots. The applicant has submitted supporting documents outlining their intent which notes that they would like to create a community of up to twenty-five 1 ha lots and create with a large common property for residents to use for recreation, (see “BL725-29\_BL701-113\_Applicant\_Submission\_2024-11-29\_Redacted.pdf” attached). As part of their application a concept subdivision plan was submitted which includes twenty-one 1-ha lots in the flat portion of the property, the subdivision concept includes one 11 ha lot (Lot 22) and a 33 ha Remainder which would be used as a common property for residents, see “BL725-29\_BL701-113\_Maps\_Plans\_Photos\_Redacted.pdf” attached.

##### South Shuswap Zoning Bylaw

The subject property is zoned LH - Large Holdings and the minimum lot size for new lots created by subdivision is 8 ha. The property is approximately 64 ha and therefore could potentially be subdivided into 8 lots with the existing zoning.

The applicant proposes 1 ha lots; in order to subdivide to 1-ha lots, staff have drafted South Shuswap Zoning Amendment Bylaw No. 701-113 (Bylaw No. 701-113) to rezone the property to RR3 – Rural Residential (1 ha), with a site-specific regulation limiting the total number of lots created by subdivision to 25.

If the property is subdivided into 25 lots, there would be approximately three times the number of lots than is currently permitted in the LH Zone.

#### Electoral Area C Official Community Plan

The Electoral Area C OCP addresses future land use and density. Policies are intended to protect rural character and guide future residential development to existing established communities. The OCP establishes Sorrento as the Village Centre, or primary hub for the area where all residential and commercial activities are directed to locate. Established communities like White Lake, Sunnybrae, Blind Bay, Eagle Bay and Wild Rose Bay are Secondary Settlement Areas where limited commercial and new residential development are directed. The OCP discourages subdivision or any commercial development outside of those areas. However, rural development (i.e. lots greater than 2 ha, - the RR2 Rural Residential 2 designation) has been supported.

The subject property is outside of the Village Centre or Secondary Settlement Areas. Specifically, the property is approximately 2 km from the Village Centre area and is separated from the Village Centre by the Canadian Pacific Railway, and an approximate 1 km strip of land in the Agricultural Land Reserve (designated AG in the Official Community Plan), see "BL725-29\_BL701-113\_Maps\_Plans\_Photos\_Redacted.pdf" attached.

Because of the separation from the Village Centre, and large property size, the subject property is designated RH – Rural Holdings, this designation is intended for large parcels where subdivision and residential development are not suitable. Residential development is not supported in this designation.

At the applicant's request, staff have drafted Electoral Area C OCP Amendment Bylaw No. 725-29 to redesignate the property from RH – Rural Holdings to RR – Rural Residential with a site-specific regulation limiting the total number of lots created by subdivision to 25.

#### Development Permits

The OCP also establishes development permits; the property has slopes over 30% and a creek running through the property (see "BL725-29\_BL701-113\_Maps\_Plans\_Photos\_Redacted.pdf" attached) and is therefore in the Hazardous Lands (Steep Slope) Development Permit Area and the Riparian Area Regulation (RAR) development Permit Area. These development permits will be required at the time of subdivision.

A Steep Slopes Development Permit ensures that the property can be used safely for its intended use. In support of a Steep Slopes Development Permit application, the property owner is required to submit a geohazard report prepared by a qualified professional assessing the property, the proposed development, and confirming the development is safe for the use intended which may include potential mitigation measures (i.e. retaining walls, vegetation, additional setbacks etc.).

A Riparian Areas Regulation (RAR) Development Permit ensures that environmentally sensitive riparian areas are protected, and property owners adhere to the provincial Riparian Areas Protection Regulation (RAPR) when developing within 30 m of the natural boundary of a watercourse. In support of a RAR Development Permit the property owner must submit a Riparian Areas Protection Regulation Assessment Report by a Qualified Environmental Professional which confirms that development can meet the provincial regulations. Prior to the issuance of a Development Permit, the CSRD must receive confirmation from the Aquatics Branch of the Ministry of Forests that the Riparian Areas Protection Regulation Assessment report meets the provincial regulations and confirm that all recommendations from that Assessment Report are adhered to.

#### Analysis

As noted above, the proposed 1 ha minimum lot size proposed in this application is not supported by the OCP in this location and is inconsistent with other rural subdivisions. Staff note that the subject property is surrounded by operating farms, gravel extraction, and crown land (see "BL725-29\_BL701-113\_Maps\_Plans\_Photos\_Redacted.pdf" attached). Smaller, residential lots conflict with the existing rural, resource and agricultural properties. The existing land uses create noise, dust, smells and generate heavy truck traffic at all times of day or night which can be a nuisance to a residential neighbourhood.

In other OCP amendments for rural subdivision, the minimum lot size for subdivision has been 2-ha (coinciding with the RR2 - Rural Residential 2 designation which has a minimum lot size of 2 ha). On 2 ha or greater properties residents have a greater separation from the noise, dust, lights, or other nuisances from surrounding properties and is in keeping with the rural character of the area.

Staff have discussed the lot size of the proposed subdivision with the applicant and although it is possible to create twenty-five 2-ha lots (in a different layout) the applicant wishes the Board would consider a 1-ha lot size as shown in the concept plan (see "BL725-29\_BL701-113\_Applicant\_Submission\_2024-11-29\_Redacted.pdf" attached).

The applicant noted that when the costs of subdivision (such as technical reports and building roads) are distributed to more lots, subdivisions are more affordable for future residents. Up to 25 1 ha lots are more cost effective than eight 8-ha lots which are currently permitted because the same length of road is required, and the same development permits are required but costs are distributed amongst 8 lots instead of 25.

The applicant has also stated that 1-ha lots are an appropriate size for a rural area. The applicant noted that there are approximately 150 lots outside of the Agricultural Land Reserve, the Village Centre or Secondary Settlement Areas in Electoral Area G that are less than 2 ha, and that their subdivision proposal is consistent with the other properties that exist in the area and that those subdivisions do not negatively impact their surroundings.

The CSRD GIS Department confirmed that there are 158 properties in Electoral Area G meeting this description (outside of ALR, and not in the Village Centre or Secondary Settlement Area). Staff note that those lots were created prior to the adoption of the OCP (2014), or the application for subdivision was submitted before the OCP was adopted, and that type of density in rural areas has not been supported moving forward.

The applicant's submission also references the need for housing and the 2020 Housing Needs Assessment. While a variety of housing options are generally supported, the increased density should still be directed to appropriate areas which are identified in the Official Community Plan.

The applicant has noted that they will revisit their application if the Board does not support a 1 ha lot size. However, they are concerned that the costs may not make any other subdivision feasible.

#### Access

The subject property is accessed by Fredrickson Rd. However, Fredrickson Rd right of way ends at the Canadian Pacific Railway, and there is a railway crossing to the property (there is an existing easement for road access in the future). If the amending bylaws are adopted and the property is subdivided, Fredrickson Rd will need to be extended across the Canadian Pacific Railway to provide access.

If the amending bylaws are given first reading, referrals will be sent to the Ministry of Transportation and Transit, as well as the Canadian Pacific Railway to comment on the proposed bylaw amendments and potential implications for future development.

### Recreation Space, Trails and Park dedication

The large proposed remainder lot is intended for trails and recreation of future residents. Currently this is proposed as a common property for future owners and not a parkland dedication. However, the proposed subdivision would trigger park and dedication requirements under Section 510 of the Local Government Act. Section 510 requires that 5% of a property be provided as parkland which could be used by all members of the public. This would amount to approximately 3.27 ha of parkland. However, where a local government has an official community plan and parks plan, the local government has the authority to accept cash in lieu of land.

If the amending bylaws are given first reading, a referral will be sent to CSRD Community Services to comment on the proposed park as it pertains to the Area C and G Parks Plan, and Policy P-5 Park Land Dedication as Function of Subdivision.

If the CSRD pursues park land dedication, the proposed subdivision plans may be affected and thus may change the total number of lots that could be subdivided.

Staff note that lots over 2-ha do not trigger park land dedication under Section 510 of the Local Government Act.

### Subdivision Servicing

The CSRD's Subdivision Servicing Bylaw No. 680, as amended (Bylaw No. 680), sets the standards and requirements for servicing of all subdivisions in the CSRD Electoral Areas. It includes requirements for provision of adequate sewage disposal and potable water for each proposed lot along with building sites and driveways that meet minimum standards for grades and width.

Staff will complete a thorough review of each of the subdivision criteria when an application is submitted.

### Subdivision Feasibility

While the subdivision application review and development permit process include technical reporting requirements to ensure that lots created by subdivision are sustainable for a single detached dwelling, due to the number of potential lots being created, staff recommend that the applicant provide higher level feasibility studies regarding the potential servicing of the future subdivision prior to consideration of second reading. These include:

- A preliminary hydrogeological report prepared by a Qualified Professional with experience in hydrogeology regarding the feasibility of groundwater resources on the subject property to support the potential buildout of the proposed subdivision.
- A servicing brief outlining the feasibility of soils on the subject property to accept sewage generated by the potential buildout of the proposed subdivision. This may be combined with the hydrogeological report noted above if the same Qualified Professional is preparing the report.

As noted above, the subject property contains the alluvial fan of an unnamed creek, the fan is the flattest portion of the property and is the location of most lots. The property was burnt by the Bush Creek East Wildfire in 2023 and as a result the potential impact to flooding and debris flow of the alluvial fan has changed. In 2024, BGC Engineering did a geohazard risk assessment based on the current conditions at the time (which was that the fan was mostly denuded of trees, and that there was only one dwelling on the eastern edge of the fan). Staff recommend that a preliminary geohazard review be completed prior to second reading to review the potential risks of subdivision and full development in the alluvial fan to ensure that lots could be safely developed.

When an application for subdivision is made, the subdivision requirements set out in Bylaw No. 680 and development permits, as set out in the OCP, will still need to be met. The studies completed at the bylaw amendment stage should consider these requirements in their reporting.

#### FireSmart & Wildfire Susceptibility

As noted above, the property was partially burned in the Bush Creek East Wildfire. Much of the property is still forested and there is a potential future risk to future residents if the subject property is subdivided.

If the amending bylaws are given first reading staff recommend that a FireSmart Assessment be completed on the subject property, this is a service provided by the CSRD. If the results of the FireSmart assessment and/or geohazard review warrant further wildfire susceptibility review, staff recommend that a wildfire assessment report from a qualified Registered Professional Forester be required prior to a public hearing. The report would need to provide an overall assessment of the property for susceptibility to wildfire and provide recommendations for how mitigate risks.

#### Rationale for Recommendations

Staff are recommending that Electoral Area C Official Community Plan Amendment Bylaw No. 725-29 and South Shuswap Zoning Amendment Bylaw No. 701-113 be denied at first reading because the OCP does not support residential development (1-ha lots) outside of Village Centre or Secondary Settlement Areas.

However, staff note that property could be subdivided into 2 ha lots which would be supported by the OCP. The property is large enough that twenty-five 2-ha lots could be subdivided.

#### **IMPLEMENTATION:**

If the Board supports staff recommendation and denies first reading, the file will be closed, and the applicant will be notified of the Board's decision.

If the Board does not support the staff recommendation, and instead support granting the amending bylaws first reading, staff suggest the following recommendations:

<b>RECOMMENDATION #1</b>	THAT: Electoral Area C Official Community Plan Bylaw No. 725-29 be read a first time this 20th day of March 2025. <i>Stakeholder Vote Unweighted Majority</i>
<b>RECOMMENDATION #2</b>	THAT: South Shuswap Zoning Amendment Bylaw No. 701-113 be read a first time this 20th day of March 2025. <i>Stakeholder Vote Unweighted Majority</i>
<b>RECOMMENDATION #3</b>	THAT: the Board utilize the complex consultation process for Bylaw Nos 725-29 and 701-113.  AND THAT: The bylaws be referred to the following agencies: <ul style="list-style-type: none"> <li>• Canadian Pacific Railway</li> <li>• Ministry of Forests, Archaeology Branch</li> <li>• Ministry of Transportation and Transit</li> <li>• CSRD Community and Protective Services</li> <li>• CSRD Environmental and Utility Services</li> <li>• CSRD Financial Services</li> <li>• All applicable First Nations Bands and Councils</li> </ul>

	<i>Stakeholder Vote Unweighted Majority</i>
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If the amending bylaws are given first reading, the amending bylaws will be referred to the applicable agencies and First nations listed in the Communications Section of this report for their comments. Input from referral agencies and First Nations will assist in determining whether second readings will be recommended.

As there is also a proposed change to the Official Community Plan, in accordance with Policy P-18 regarding consultation processes, the complex-consultation process is recommended.

Under the complex consultation process, the applicant will be required to hold a public information meeting in the community where the subject property is located. This public information meeting would be arranged and conducted by the applicant and would take place prior to the Board's consideration of second reading. The purpose of the meeting is for the applicant to provide the public with information about the proposal, listen to comments and concerns, and answer any questions.

In addition, a notice of application sign will be required to be posted on the subject property in accordance with Development Services Procedures Bylaw No. 4001-02, as amended, no more than 30 days after the Board has given the amending bylaws first reading. One notice of application sign will be required to be posted at the entrance of the subject property.

It is further required that prior to consideration of second reading, the applicant provide the CSRD with the following reports:

- A preliminary hydrogeological report prepared by a Qualified Professional with experience in hydrogeology regarding the feasibility of groundwater resources on the subject property to support the potential buildout of the proposed subdivision.
- A servicing brief outlining the feasibility of soils on the subject property to accept sewage generated by the potential buildout of the proposed subdivision.
- A preliminary geohazard review of potential risks of subdivision and full development in the alluvial fan.
- A FireSmart assessment
  - If the findings of the geohazard review or FireSmart Assessment warrant further review of wildfire susceptibility staff may recommend that a professional Wildfire Susceptibility Report by completed prior to a public hearing.

Staff will work with the applicant regarding signage, professional reporting requirements and details of the public information meeting if the amending bylaws are given first reading.

The Board may also choose to defer a decision; if the Board chooses to defer their decision, staff will work with the applicant to address the reasons for the Board's deferral and submit a subsequent report to the Board for consideration regarding future readings of the bylaws.

### **COMMUNICATIONS:**

If the amending bylaws are given first reading, they will be forwarded to the referral agencies and First Nations listed below. Agency and First Nations comments will be provided with a future Board report prior to consideration of second reading and a recommendation of a public hearing. Pursuant to Section 466 of the Local Government Act, the CSRD's Environmental and Utility Services and the CSRD Financial Services Departments will need to confirm if the proposed Official Community Plan amendment is consistent with the CSRD's Waste Management Plan and Financial Management Plan.

The following list of referral agencies is recommended:

- Canadian Pacific Railway

- Ministry of Forests, Archaeology Branch
- Ministry of Transportation and Transit
- CSRD Community and Protective Services
- CSRD Environmental and Utility Services
- CSRD Financial Services
- BC Hydro
- All applicable First Nations Bands and Councils
  - Adams Lake Indian Band;
  - Skw'lax te Secwepemcú'ecw (Little Shuswap Lake Band); and
  - Neskonlith Indian Band.

**DESIRED OUTCOMES:**

That the Board endorse the staff recommendation(s).

**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:	2025-03-20_Board_DS_BL725-29_BL701-113_First.docx
Attachments:	<ul style="list-style-type: none"><li>- BL725-29_First.pdf</li><li>- BL701-113_First.pdf</li><li>- BL725-29_BL701-113_Excerpts_BL725.pdf</li><li>- BL725-29_BL701-113_Excerpts_BL701.pdf</li><li>- BL725-29_BL701-113_Applicant_Submission_2024-11-29_Redacted.pdf</li><li>- BL725-29_BL701-113_Maps_Plans_Photos_Redacted.pdf</li></ul>
Final Approval Date:	Mar 11, 2025

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

**No Signature - Task assigned to Corey Paiement was completed by assistant Crystal Robichaud**

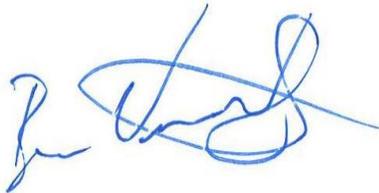
Corey Paiement



Gerald Christie

**No Signature found**

Derek Sutherland



Ben Van Nostrand



Jodi Pierce

A handwritten signature in cursive script, appearing to read "Jennifer Sham".

Jennifer Sham

A handwritten signature in cursive script, appearing to read "John MacLean".

John MacLean