

COLUMBIA SHUSWAP REGIONAL DISTRICT

Notes of Public Hearing for:

- **Ranchero / Deep Creek Official Community Plan Amendment (CSRD) Bylaw No. 750-02**
- **Ranchero / Deep Creek Zoning Bylaw No. 751**

Notes of the Public Hearing held on Tuesday March 6, 2018 at Ranchero Elementary School, 6285 Ranchero Drive East regarding Ranchero / Deep Creek Official Community Plan Amendment (CSRD) Bylaw No. 750-02 and Ranchero Deep Creek Zoning Bylaw No. 751.

The Public Hearing commenced at 7:05 pm.

PRESENT: Chair Rene Talbot - Electoral Area 'D' Director
Jan Thingsted - Planner, CSRD
Candice Benner - Development Services Assistant, CSRD, note taker
Corey Paiement - Development Services Team Leader, CSRD
16 members of the public

The Chair introduced himself and staff to those present and read the introductory statement. He noted that all persons who believe that their interest in property may be affected shall be given the opportunity to be heard or to present written submissions pertaining to Ranchero / Deep Creek Official Community Plan Amendment (CSRD) Bylaw No. 750-02 and Ranchero Deep Creek Zoning bylaw No. 751.

Jan Thingsted advised that the public hearing was called under Section 890 of the Local Government Act. The public hearing was delegated to Rene Talbot, Director for Electoral Area D. He mentioned that notices had been posted in the local newspapers in accordance with the requirements of the Act. He explained that once the Public Hearing is closed, no further submissions or comments may be received.

Jan then referenced the PowerPoint presentation to explain the location of Electoral Area 'D' on the overhead map as well as the bylaw area in the red rectangle. He explained that Ranchero/ Deep Creek Official Community Plan Amendment (CSRD) Bylaw No. 750-02 is a set of amendments to the objectives, policies, and designation in the current Official Community Plan (OCP). This amendment is required to ensure that the OCP is consistent with the proposed new zoning bylaw. The OCP was adopted in 2011.

Jan stated that Ranchero / Deep Creek Zoning Bylaw No. 751 is a proposed new zoning bylaw that will provide land use regulations for the portion of Electoral Area D covered the OCP and current zoning bylaw. He also added that the bylaw will repeal and replace the existing Ranchero / Deep Creek Land Use Bylaw No. 2100 which has been in place since 1987.

Jan indicated that the mapping is the same as what was displayed at the public open house held in December 2017.

Jan referenced the Gardom Lake map and pointed out that it includes new foreshore and water zones, which are depicted by different colours around foreshore. Bylaw No. 2100 does not have zones that apply to foreshore/water.

Jan went on to explain that after first reading, both bylaws were sent out to referral agencies – there were mostly either no responses or no objections. It was noted that the Agricultural Land Commission (ALC) commented to ensure that the bylaws are consistent with ALC Act and regulations with regard to home site severance and additional dwellings.

The Area D Advisory Planning Commission reviewed the amendment and proposed zoning bylaw and passed a motion recommending approval of both bylaws.

On December 12, 2017 the CSRD hosted a public open house at Ranchero Elementary School. 60 residents were in attendance - there was no formal presentation, but there explanatory posters. Comment forms were provided. The main concern raised was in regard to proposed kennel regulations. Many residents felt that the use was not appropriate in the MH zone felt that 8 ha was too small to allow kennels. After the open house, staff sent the proposed zoning bylaw to a lawyer for a full legal counsel review of bylaw – legal council recommended several changes to the definitions and general regulation sections.

An updated definition of kennel now addresses litters of puppies, and the latest version permits kennel only on parcels zoned industrial that 16 ha or larger. Currently no land within the zoning bylaw fits this description.

Staff also included a new site specific regulation to recognize a rezoning from 2007 that wasn't captured in the OCP and previous drafts of Bylaw No. 751.

There is also more clarification of the signage definition and related regulations. Several mapping updates have also been made.

Jan indicated that the next steps include recommending that the Board give the bylaws third reading on March 29th, 2018 and then send the zoning bylaw to the Ministry of Transportation and Infrastructure for statutory approval. It is anticipated that the Board will adopt the zoning bylaw in April 2018.

The Chair then opened the hearing for public comments:

There was one public written submission from Andrea Turner.

██████████ Deep Creek Road, asked about the Medium Holdings (MH) zone and parcel size as he was unclear on the proposed regulations. Under the proposed bylaw, his zoning will change to MH which means that conventional subdivision of his parcel is no longer possible

Jan said that at the open house he did speak about the MH zone and that some parcels would be parcels un-subdividable under the MH zone. He said, however, that there are ways to subdivide for a relative under Section 514 of the Local Government Act and to speak with staff after the meeting.

██████████ said that all areas that used to be RR have been changed to MH, many in 5-10 ac category when they don't fit in these new MH parcel sizes. He said this is change is being done against the will of the people who bought the properties.

Jan said that the current zones were applied many years ago. In 2011 when OCP was adopted, the designations were updated; this zoning bylaw is consistent with the OCP. The MH zoned

parcels have a minimum parcel size of 8 ha and would therefore require at least 16 ha to qualify for subdivision. Jan clarified that only the yellow coloured parcels on map (Gardom Lake and Ranchero/Shaw Rd area) are designated for higher density while the MH and other designations have a much larger minimum parcel size.

██████████ asked for confirmation that the justification for the RR to MH change is because of the OCP.

Jan said that the intent of the OCP is to concentrate higher density development in the Shaw road/ Ranchero neighborhoods. The intent is to avoid the creation of small parcels in rural low density areas.

██████████ Hwy 97B, thanked Jan for his work and all the fights they had regarding the OCP. She said she sat on an OCP working group for years and that secondary dwellings for seniors, disabilities, etc. had been a topic of conversation. She expressed that secondary dwelling units need not be attached to the principle dwelling as long as the second dwelling meets health and safety standards. She felt that the proposed zoning bylaw disregarded this need for attached dwelling units in the area. She also stressed that affordable housing is one of the biggest issues.

██████████ asked if secondary housing is limited to a maximum size of 800 square feet. He suggested that a single wide mobile is ideal for parents but that the size specified in the bylaw is too small to allow such a unit.

Jan responded by saying that while the current zoning bylaw doesn't permit secondary dwelling units at all, the OCP does recognize the importance of permitting secondary dwelling units. The zoning bylaw offers 3 forms of secondary dwelling units: 1, part of a single family dwelling such as a basement suite; 2, a detached suite above a garage; or 3, a detached cottage. As long the unit don't exceed 90 square meters. He clarified that 90 square meters would accommodate a single wide mobile home. Jan also clarified that a detached secondary dwelling unit would require at least 1 ha of land but that no parcel size requirement is specified for an attached secondary dwelling unit.

██████████ said that she respects this. The issue is a mobile home park can have a septic for two units. Today there are better health and safety standards and therefore people should be able to have detached dwellings on smaller parcel sizes.

██████████ asked about shipping containers storage, specifically about restrictions on a property.

Jan said that the zoning bylaw has no limit to number of sheds, the only limiting factor is parcel coverage. The shipping container regulation approach staff have taken is because staff have received complaints in other areas in the CSRD. He indicated that shipping containers placed on properties on a temporary basis, e.g. building a house or short term, staff doesn't get involved. When shipping containers are placed for long term (beyond six months) shipping containers essentially become an accessory structure and must meet the requirements as such. Any fascia and signage, third party signage is not permitted. So paint over or cover signage up. He read out the general regulations for shipping containers from the proposed zoning bylaw. The length maximum length requirements would permit either two smaller containers or one large one. The bylaw considers shipping containers as an accessory building once it is used beyond a temporary

basis or is structurally modified. Once it becomes an accessory building, it must meet all the accessory building requirements for building height, setbacks, etc.

██████████ asked about the 30 m setback from a creek.

Jan said he thought that ██████ was referring to the proposed OCP bylaw amendment. In 2011, Development Permit requirements for RAR were introduced in the OCP. RAR is a provincial requirement that any local government must have in their OCP. If anyone is proposing development within 30 m of a watercourse, they need to apply for a DP. Many buildings that have existed prior to that regulation and bylaws are not retroactive.

██████████ Hwy 97B, indicated he has almost 7 acres and it is in the ALR. He has been there ██████ years, he has two daughters and he doesn't want to go into a [seniors] home. He asked if he can have a mobile home as a secondary dwelling. If he died, does his daughter have to get rid of it?

Also, for 25 years or more he created three RV sites on his property which are they are serviced by their own septic system and wells. The sites are used only by friends and family. Mr. ██████ asked if he would have to get rid of these.

Jan indicated that the ALC sets out rules and regulations under the ALC Act. They do permit a single wide mobile home intended for family. The ALC also allows for one secondary suite, either attached to the principal residence or located above an existing barn. He said that staff would need to find out if a principal residence could be rented out to non-family members if a family member [daughter] is living in a mobile home.

With regard to the RV sites, Jan said that RV sites are not typically something that the ALC permits on ALR land.

██████████ asked about enforcement for this bylaw.

Jan explained the procedure that if someone believes others are not in line with the bylaw, they can fill out a complaint online then the process includes a file being started and bylaw enforcement follow up.

Corey Paiement explained that bylaw enforcement works on a complaint basis and may need one or two written complaints to follow up or if something is so obvious staff will act on it. In enforcement there are a lot of bylaw infractions which utilizes resources, the complaint basis is how staff operate and have a policy/procedure on how to screen complaints. Staff will devote resources on a case-by-case basis.

Jan said that enforcement also looks to the agency best suited to the complaint - environmental complaints typically go to the province; complaints on criminal matters to the RCMP.

██████████ Rancho Drive East, said that he can't tell what other changes that affect him in Rancho, and asked if there is something he should specifically know for his area.

Jan said that he hasn't created a cheat sheet for comparison but that in his ██████ particular zone, there are no big changes other than the new provisions for a secondary dwelling unit. The bylaw is the same in terms of building height and setbacks. Signage regulations for third party advertising is new. If he has an existing house and doesn't plan on changing it, there shouldn't be

any concerns. Jan also added that there are changes to the home based business regulations and that he [REDACTED] may want to look at.

[REDACTED] said that a friend had spoken to him about starting up a coffee bean roasting business at home which involves roasting coffee and said that there are restrictions against smoke.

Jan said that a roastery may be considered a home occupation but would depend on the scale. He said the home occupation regulations do not allow for the discharge of smoke and added that his friend may want to consider the industrial park for this use.

The Chair declared public hearing closed at 7:52 pm.

The Chair, acknowledged the working group for their participation in the preparation of the OCP and zoning bylaws and noted [REDACTED] and [REDACTED] who were present from those groups. Thank you's for public participation. Thank you's to staff for input.



Rene Talbot, Director – Electoral Area 'D'



Candice Benner, DSA, note taker