



# BOARD REPORT

**TO:**

Chair and Directors

**File No:**

BL701-91

PL20180027

**SUBJECT:**

Electoral Area C: South Shuswap Zoning Amendment (PK Chahal Holdings Ltd.) Bylaw No. 701-91

**DESCRIPTION:**

Report from Dan Passmore, Senior Planner dated March 15, 2018.  
1299 Trans Canada Highway, Sorrento.

**RECOMMENDATION #1:**

THAT: "South Shuswap Zoning Amendment (PK Chahal Holdings Ltd.) Bylaw No. 701-91" be given first reading this 19<sup>th</sup> day of April, 2018.

**RECOMMENDATION #2:**

THAT: the Board utilize the simple consultation process for Bylaw No. 701-91, and the Bylaw be referred to the following agencies and First Nations:

- Area C Advisory Planning Commission;
- Interior Health Authority;
- Ministry of Transportation and Infrastructure;
- Ministry of Forests, Lands, Natural Resource Operations and Rural Development – Archaeology Branch;
- CSR D Operations Management;
- CSR D Financial Services Department; and,
- All relevant First Nations.

**SHORT SUMMARY:**

The applicant has applied for a rezoning amendment to rezone the subject properties from C1 – Town Centre Commercial Zone to C5 – Tourist Commercial Zone. The proposed rezoning would allow a proposed boundary adjustment subdivision and result in 2 parcels consisting of 1.03 ha each. The southern property would be to support the existing motel, restaurant/pub, and ice cream stand, while the northern property would be re-developed into a campground consisting of 38 campsites.

**VOTING:**

Unweighted  
Corporate

☐

LGA Part 14  
(Unweighted)

☒

Weighted  
Corporate

☐

Stakeholder  
(Weighted)

☐

**BACKGROUND:**

## PROPERTY OWNER:

PK Chahal Holdings Ltd.

## APPLICANT:

Lawson Engineering Ltd., c/o Blake Lawson

## ELECTORAL AREA:

C

## LEGAL DESCRIPTION:

1. Lot 1, Section 16, Township 22, Range 11, West of the 6<sup>th</sup> Meridian, Kamloops Division, Yale District, Plan 16715
2. Lot 6, Section 16, Township 22, Range 11, West of the 6<sup>th</sup> Meridian, Kamloops Division, Yale District, Plan 31558

## PID:

1. 008-545-944
2. 003-654-770

## CIVIC ADDRESS:

1. 1299 Trans Canada Highway
2. Corriano Road

## SURROUNDING LAND USE PATTERN:

North = Ortona Road/Seasonal Recreation/Shuswap Lake

South = TCH/Commercial

East = Commercial/Residential

West = Commercial

## CURRENT USE:

1. Motel, Restaurant/Pub, ice cream stand
2. Vacant

## PARCEL SIZE:

1. 1.96 ha (4.83 ac)
2. 0.11 ha (0.26 ac)

## DESIGNATION:

VC – Village Commercial

**ZONE:**

C1 – Town Centre Commercial

**PROPOSED ZONE:**

C5 – Tourist Commercial

**POLICY:****Electoral Area C Official Community Plan Bylaw No. 725****3.2 Village Centre (VC)****3.2.1 Objective**

*To allow for a variety of residential and commercial development within Sorrento.*

**3.2.2 Policies**

- .1 This designation applies to areas within Sorrento as outlined on Schedules B and C.
- .2 Permitted land uses within the Village Centre include: residential (see *Policy 3*), retail including food services, offices, business and personal services, community and health-related services, public and institutional uses, recreation, arts and cultural activities, highway commercial uses, personal, professional and financial services. Small-scale light industrial uses whose operations are compatible with adjacent uses are also permitted.
- .3 Residential development is subject to the following housing forms and maximum densities:

Detached	5 units/ac (1 unit/0.2 ac) 12 units/ha (1 unit/0.08 ha)
Semi-detached	8 units/ac (1 unit/0.13 ac) 20 units/ha (1 unit/0.05 ha)
Townhouse	12 units/ac (1 unit/0.13 ac) 30 units/ha (1 unit/0.03 ha)
Apartment	30 units/ac (1 unit/0.03 ac) 74 units/ha (1 unit/0.01 ha)

- .4 Residential units above ground floor commercial establishments and live-work units may be permitted and encouraged.
- .5 New development in the form of pedestrian-oriented “mainstreet” building types or infill that creates enclosed nodes/courtyards is strongly encouraged.
- .6 Resilient “mainstreet” building types are encouraged that allow development of a mix of uses (retail, office, residential) and which can be adjusted in response to market demands. In Sorrento, predominantly commercial buildings are encouraged to locate within or

adjacent to already established commercial parcels to build on a contiguous commercial core.

- .7 All new subdivisions and all new rezoning applications which would increase existing residential densities or require additional sewer or water capacity must be connected to both a community sewer system and a community water system. Where community sewer and water system servicing is not feasible, the maximum allowable density is 1 unit / ha (1 unit / 2.47 ac).
- .8 Where possible, new development will include dedicated pedestrian and non-motorized linkages to and through the development.
- .9 Main street mixed use building types are encouraged to improve the quality of the streetscape along the corridor, to increase the density and vitality of the core, and to make better use of vacant and under-used sites. This will create a stronger definition of the pedestrian environment. Building facades should have active frontages, where entries and active uses (food service patios, display areas, or public realm enhancements) orient towards the street. This will also help to create a village core in which it is possible to more easily walk between stores and services, providing maximum pedestrian activity along the public street.
- .10 New commercial, industrial, multi-family and intensive residential development within the Village Centre is subject to the Form & Character Development Permit Area Guidelines.

### **3.8 Commercial**

#### **3.8.1 Objective**

- .1 To recognize existing commercial uses and provide for future commercial opportunities within the Secondary Settlement Areas.

#### **3.8.2 Policies**

- .1 Commercial development that is incompatible with the community, or would have unmitigated negative impacts on the environment, is not acceptable anywhere in the South Shuswap.
- .2 Large scale commercial development is not acceptable in the Secondary Settlement Areas or rural areas of the South Shuswap. Such development is directed to the Village Centre.
- .3 The Village Centre (VC) designation encompasses a broad range of commercial uses, including retail, food services, offices, business and personal services, community and health-related services, public and institutional uses, recreation, arts and cultural activities, highway commercial uses, personal, professional and financial services.

- .4 Neighbourhood Commercial (NC) is acceptable in Secondary Settlement Areas, allowing a limited range of retail, and personal, professional and community services that meet the daily needs of local residents. Housing above grade level commercial is also acceptable.
- .5 Existing Commercial (C), Tourist Commercial (TC) and Resort Commercial (RC) land use designations are recognized on Schedules B and C. New Commercial (C), Tourist Commercial (TC) and Resort Commercial (RC) may be considered in the Secondary Settlement Areas through individual redesignation and rezoning applications.
- .6 Existing Waterfront Commercial (WC) developments are recognized on the Schedules B and C. New Waterfront Commercial (WC) developments are not supported.
- .7 Small-scale Highway Commercial (HC) which caters to the travelling public, is acceptable along the Trans-Canada Highway, but not between the Village Centres.
- .8 Multi-unit residential development is encouraged to locate near major commercial developments within the Sorrento Village Centre, in order to help create a more walkable community and to provide a population base to support businesses.
- .9 All new redesignation and rezoning applications for commercial uses which would require additional sewer or water capacity and which are located in proximity to a community sewer system and a community water system must connect to that system.

## **6.8 Archaeology Sites**

Archaeological sites contain unique information about the past. These sites are protected by the Heritage Conservation Act, and a provincial heritage permit is required before development within a site may take place. Throughout BC, protected archaeological sites are being accidentally damaged with increasing frequency as a consequence of development. The South Shuswap contains a number of recorded archaeological sites and has the potential to contain more.

### **6.8.1 Objective**

- .1 To avoid or reduce damage to archaeological sites.

### **6.8.2 Policy**

The Regional District will:

- 1. Direct the applicant, if the property overlaps with a recorded archaeological site, to engage a professional consulting archaeologist to determine whether an archaeological impact assessment is required. Altering a protected archaeological site will require a Provincial Heritage Alteration Permit before any land altering activities.

**South Shuswap Zoning Bylaw No. 701**

The subject properties are currently zoned C1 – Town Centre Commercial which allows a great variety of uses as follows:

1. ambulance station;
2. aviary and botanical gardens which may include public display;
3. bakery;
4. bank, credit union or trust company;
5. building set apart for public worship;
6. car wash, permitted only if connected to a community sewer system;
7. commercial garden centre;
8. commercial daycare facility;
9. commercial lodging;
10. convenience store;
11. craft and gift shop;
12. gallery or studio (including music, television and radio studios);
13. indoor recreation facility;
14. library;
15. neighbourhood pub;
16. office;
17. parking lot or facility;
18. personal service establishment;
19. police station;
20. post office;
21. public assembly facility;
22. restaurant;
23. retail store;
24. sale, rental and repair of tools and small equipment
25. service station;
26. theatre;
27. accessory single family dwelling;
28. accessory upper floor dwelling units;
29. accessory use.
30. mini storage, permitted only on Lot A (DD W52001F), Block 11, Section 16, Township 22, Range 11, W6M, KDYD, Plan 1127

The C1 zone does not permit a campground.

The proposed C5 Tourist Commercial Zone allows the following uses:

1. commercial lodging;
2. restaurant;
3. outdoor recreation facility;

4. indoor recreation facility;
5. campground;
6. convenience store;
7. bakery;
8. post office;
9. gasoline/vehicle fuel sales;
10. craft and gift shop;
11. personal service establishment;
12. neighbourhood pub;
13. gallery or studio (but not including television, music or radio studios);
14. police station;
15. ambulance station;
16. accessory upper floor dwelling units with or without sewer;
17. single family dwelling for caretaker of property;
18. accessory use.

Further to this the following definitions are central to the application:

CAMPGROUND means a site used for commercial purposes for accommodating recreational travelers in travel trailers, recreational vehicles or tents.

RECREATIONAL VEHICLE OR TRAVEL TRAILER means a vehicular portable structure used as a temporary dwelling for travel whether self-propelled or not, but does not include a park model.

PARK MODEL is a type of recreational vehicle that conforms with the CSA Z-241 Standard and meets the following criteria;

- i. it is built on a single chassis mounted on wheels;
- ii. it is designed to facilitate relocation from time to time;
- iii. it is designed as seasonal or temporary accommodation and may be connected to those utilities necessary for operation of installed fixtures and appliances; and,
- iv. it has a gross floor area not exceeding 50 m<sup>2</sup>;

and which is not installed on a permanent foundation.

SEASONAL is less than one hundred eighty-two (182) days per calendar year.

#### **FINANCIAL:**

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

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

##### **The Proposal**

The applicant is proposing a boundary adjustment subdivision between the 2 subject properties that will result in 2 new lots which are proposed to be 1.03 ha each. This would comply with the C5 zone minimum parcel size requirement.

The southern lot would contain all of the existing development, as well as an area for the current on-site septic disposal system, plus a back-up dispersal field area. The northern lot would be re-developed into a campground consisting of 38 camping sites. The minimum parcel size for a campground in the C5 zone is 1.0 ha.

### **Water Servicing**

The subject properties are currently within the Sorrento (CSRD) Community water service area, and the existing and proposed new development has connections available. There are also fire protection hydrants available in the area.

### **Sewer Servicing**

The applicant has submitted details on the existing on-site septic system for the existing commercial uses on the property. The proposed new campground on the northern property will be serviced through installation of a new on-site septic system.

### **Access**

Currently access to the existing commercial uses on the property is from the Trans Canada Highway, with an existing driveway at either end of the site. The new lot to the north with its campground use is proposed to be accessed from Ortona Road. The Ministry of Transportation and Infrastructure will need to approve the amending bylaw after third reading and prior to adoption.

### **Electoral Area C Official Community Plan Bylaw No. 725**

The OCP has designated the property as Village Commercial – VC. The VC designation is specific to the town centre of Sorrento, and allows for a variety of permitted land uses including highway commercial uses. Commercial Policy 3.8.2.7 talks about Highway Commercial as being small scale and catering to the travelling public along the Trans-Canada Highway. The proposed rezoning appears to comply with this land use, except that the proposed new campground will not front the Trans-Canada Highway. Nevertheless the use patterns in the C5 zone are supported in the VC designation.

Should this rezoning application be approved by the Board, subsequent development of the proposed subdivision and the campground would be subject to a Village Centre Form and Character Development Permit. Unfortunately, this DP area does not contain guidelines to improve the aesthetics of campground developments, such as required landscaping and screening.

### **Campground Use**

Noting the definitions in Bylaw No. 701, the campground development could not be used for Park Models, but would be limited to Recreational Vehicles. Nevertheless the definition of a campground does not limit the use to the travelling public, or to seasonal use. It has become a

trend that campgrounds within the Shuswap area have evolved to expand beyond these traditional stereotypes to include long-term site rental and more of a residential use.

The site proposed for the campground has both commercial and residential uses immediately surrounding. The proposal ties in with commercial uses as contemplated in both the OCP and South Shuswap Zoning Bylaw No. 701, but may create a conflict with nearby residential uses in the event the campground is run as a traditional seasonal campground, unless the nearby residential uses are also used for seasonal accommodation. Year-round, almost residential use of the campground, could lead to neighbourhood aesthetic concerns, again this would be less the case if nearby residential areas are only used seasonally.

**SUMMARY:**

The applicant has applied for a rezoning amendment that would rezone the subject properties from C1 to C5. The proposed C5 zone allows all of the existing uses on the site, and would allow the northern portion to be developed into a campground.

Staff are recommending that the Board can consider the bylaw for first reading and consider directing staff to forward the bylaw and background information to referral agencies and First Nations. Staff make this recommendation because the proposed rezoning appears to comply with OCP policies, but have concerns with respect to potential land use conflict of the proposed campground with neighbouring properties.

**IMPLEMENTATION:**

As per CSRD Policy No. P-18 regarding Consultation Processes-Bylaws, staff recommends the simple consultation process. Neighbouring property owners will first become aware of the application for zoning amendments when a notice of development sign is posted on the property.

**Referral Process**

The following list of referral agencies is recommended:

- Area C Advisory Planning Commission;
- Interior Health Authority;
- Ministry of Transportation and Infrastructure;
- Ministry of Forests, Lands, Natural Resource Operations and Rural Development – Archaeology Branch;
- CSRD Operations Management;
- CSRD Financial Services Department; and,
- All relevant First Nations
  - Adams Lake Indian Band
  - Little Shuswap Indian Band

- Neskonlith Indian Band

**COMMUNICATIONS:**

If the bylaw is given first reading it will be forwarded to the referral agencies. Agency comments will be provided with a future Board report. The applicant will be required to post a Notice of Development sign on the subject property in accordance with Development Services Procedures Bylaw No. 4001.

**DESIRED OUTCOMES:**

That the Board endorse staff recommendations.

**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 C Official Community Plan Bylaw No. 725.
2. South Shuswap Zoning Bylaw No. 701

**Report Approval Details**

Document Title:	2018-04-19_Board_DS_BL701-91_PK-Chahal-Holdings-Ltd.docx
Attachments:	- BL701-91_First.pdf - Lawson_Engineering_Ltd_Project_Outline_2018-02-15_BL701-91.pdf - Maps_Plans_BL701-91.pdf
Final Approval Date:	Apr 9, 2018

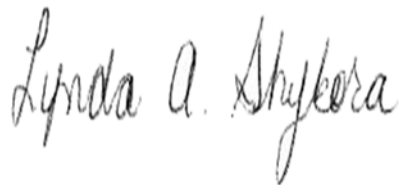
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - Apr 6, 2018 - 2:05 PM**



**Gerald Christie - Apr 6, 2018 - 4:24 PM**



**Lynda Shykora - Apr 9, 2018 - 9:43 AM**

**No Signature - Task assigned to Charles Hamilton was completed by assistant Lynda Shykora**

**Charles Hamilton - Apr 9, 2018 - 11:38 AM**