



BOARD REPORT

TO: Chair and Directors

SUBJECT: Electoral Area D: Ranchero/Deep Creek Zoning Bylaw Amendment No. 751-07

DESCRIPTION: Report from Jan Thingsted, Planner III, dated April 3, 2024.
942 Gardom Lake Road, Gardom Lake

RECOMMENDATION #1: THAT: "Ranchero/Deep Creek Zoning Amendment Bylaw No. 751-07" be given first reading, this 18th day of April, 2024.
Stakeholder Vote Unweighted (LGA Part 14) Majority

RECOMMENDATION #2: THAT: the Board utilize the simple consultation process for "Ranchero/Deep Creek Zoning Bylaw Amendment No. 751-07", and the bylaw be referred to the following agencies and First Nations:

- Ministry of Forests - Archaeology Branch;
- Ministry of Transportation and Infrastructure;
- Interior Health Authority;
- CSR D Community and Protective Services;
- CSR D Environmental and Utility Services;
- All applicable First Nations Bands and Councils

Stakeholder Vote Unweighted (LGA Part 14) Majority

SUMMARY:

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

The property owners have applied for a zoning bylaw amendment to the Medium Holdings (MH) zone to add a site-specific regulation that will bring their existing veterinary clinic into compliance with zoning and to allow for minor future expansion.

Staff are recommending that the proposed bylaw amendment be given first reading and sent to the applicable agencies and First Nations for comment.

BACKGROUND:

ELECTORAL AREA:
D

LEGAL DESCRIPTION:

Lot 1 Section 7 Township 19 Range 9 West of the 6th Meridian Kamloops Division Yale District Plan
23833 Except Plans KAP50842 & KAP58363

PID:
006-213-227

CIVIC ADDRESS:
942 Gardom Lake Road, Gardom Lake

SURROUNDING LAND USE PATTERN:
North = Designation: Medium Holdings; Actual Use: Residential, Forested
South = Designation: Medium Holdings; Actual Use: Gardom Lake Road, Residential
East = Designation: Medium Holdings, Actual Use: Residential, Forested
West = Designation: Agriculture; Actual Use: Grain and forage fields

CURRENT USE:
Residential / Veterinary clinic

PROPOSED USE:
Residential / Veterinary clinic

PARCEL SIZE:
1.62 ha

DESIGNATION:
[Ranchero/Deep Creek Official Community Plan Bylaw No. 750](#) MH
– Medium Holdings

ZONE:
[Ranchero/Deep Creek Zoning Bylaw No. 751](#) MH
– Medium Holdings

PROPOSED DESIGNATION:
Ranchero/Deep Creek Official Community Plan Bylaw No. 750 (OCP Bylaw No. 750) MH
– Medium Holdings (no change)

PROPOSED ZONE:
Ranchero/Deep Creek Zoning Bylaw No. 751 (Zoning Bylaw No. 751) MH – Medium Holdings (addition of site-specific regulation to permit a veterinary clinic that is 50 m² larger and permits 4 more non-resident employees than what is currently permitted by home occupation regulations).

ALR
0%

SITE COMMENTS:

The subject property is accessed from Gardom Lake Road. The topography is generally flat with no slopes over 30% . No water courses appear to be present on the property. Buildings on the property include: a main residence, veterinary clinic (destroyed by a fire in December 2023), office building, and several accessory buildings and structures. There is also a riding ring and round fenced area (labeled as "round pen" on the site plan). Trees located along the southeast parcel boundary and Gardom Lake Road provide a buffer between the clinic and the properties to the south.

See: "BL751-07_Maps_Plans.pdf" for further details.

BYLAW ENFORCEMENT:

No

POLICY:

[Ranchero Deep Creek Official Community Plan Bylaw No. 750](#)

Section 1.4 Community Values

Section 3.1 Development Criteria

Section 3.2 General Planning Policies

Section 3.6 Medium Holdings

Section 5.1 Natural Resource Management - Agriculture

[Ranchero/ Deep Creek Zoning Bylaw No. 751](#)

Section 3.17 Home Occupation

Section 4.8 Medium Holdings Zone

See attached "BL751-07_BL750_BL751_Excerpts.pdf" for full details on these OCP policies and zoning regulations.

FINANCIAL:

There are no financial implications associated with this application.

KEY ISSUES/CONCEPTS:

Proposal

The property's owners are both veterinarians and established Deep Creek Veterinary Services on the subject property in 1998. The business has grown since it was first established does not meet the Home Occupation regulations in Bylaw No. 751.

A fire in December 2023 destroyed the clinic building but the owners would like to rebuild. The combined area of the current office building and recently destroyed clinic building is 2,100 sq. ft. (195 m²). The owner has indicated that in the future, the office and clinic may be combined into one building and has calculated that the total area required for home occupation use is 2,600 sq. ft. (250 m²).

The owners have therefore applied to add a site-specific regulation to the Medium Holdings zone that would permit the maximum area of all home occupation uses to be 2,600 sq. ft., and the maximum number of non-resident employees to be six.

See: "BL751-07_Application_2023-11-21.pdf" for further details.

The table below summarizes what Bylaw No. 751 currently permits for home occupations on parcels greater than 0.4 ha, but less than or equal to 2 ha, and what is proposed by the property owners. The subject property is 1.62 ha in size.

Bylaw No. 751 Home Occupation Regulations for parcels greater than 0.4 ha, but less than or equal to 2 ha	Currently Permitted	Proposed
Maximum area of all home occupation uses on a parcel	200 m ²	250 m ²
Number of non-resident employees	2	6

Prior to consideration of second reading, staff will confirm the required home occupation area and non-resident employee requirements with the owners.

OCP Bylaw No. 750

The subject property is designated Medium Holding (MH) in Bylaw No. 750. Lands in this designation are intended to provide for traditional rural pursuits and serve as a buffer between Rural and Resource, Rural Holdings, and Agricultural lands and the more densely developed Rural Residential lands of the Plan Area. Notable objectives in the MD designation include 3.6.1, 3.6.2 and 3.6.4:

- *Preserve the rural character of lands within the Plan Area.*
- *Encourage farm activities on productive or potential agricultural lands including suitable agritourism opportunities and value-added agriculture.*
- *Support development that is compatible with the Community Values (Section 1.4) and Development Criteria (Section 3.1).*

The OCP also includes the following Community Values (Section 1.4.6, 1.4.8 and 1.4.9):

- *Recognition of the benefits afforded to the community through the continued existence of agriculture and rural lifestyles;*
- *Support for economic diversity in new and existing small scale developments that complement the rural integrity of Ranchero/Deep Creek;*
- *Recognition of the importance of small scale commercial and home-site or home-based businesses in the growth and diversification of the Plan Area;*

Staff believe that the existing veterinary clinic on the subject property is an appropriate use in the neighbourhood and is consistent with OCP policy. The clinic provides veterinary services for local residents with animals, including livestock that are part of a farming operation and thereby supports farm activity and rural lifestyles.

Zoning

The subject property is zoned Medium Holding (MH) in Bylaw No. 751 which permits:

- accessory use
- agriculture, limited (on parcels less than 2 ha)
- agri-tourism (on parcels 2 ha and greater)
- bed and breakfast
- childcare facility, in-home

- (f) home occupation
- (g) residential campsite
- (h) secondary dwelling unit

An amendment to add a site-specific regulation is required since the floor area requested for the veterinary clinic is 50 m² larger than what is currently permitted by home occupation regulations. Furthermore, the owners are requesting that the clinic employ up to six non-resident employees – four more than what is currently permitted by home occupation regulations.

Servicing

The subject property is currently serviced by an onsite well and septic system. Prior to consideration of second reading, staff will require that the owners provide the CSRD with a Record of Sewerage System, confirming adequate performance, condition, size and location of the subject property's sewerage system. Staff will also require documentation that the subject property's water supply meets all current standards regarding water quality and quantity.

Access and Parking

The subject property is accessed from Gardom Lake Road. Prior to consideration of second reading, staff will require that the owners provide the CSRD with a valid Highway Use Permit.

The site plan provided indicates that there is approximately 200 sq. ft. (18.5 m²) dedicated to on-site parking. The parking regulations in Bylaw No. 751 specify that a home occupation shall have one parking space, plus one parking space for each employee. Prior to consideration of second reading, staff will require that the owners provide a more detailed sketch plan demonstrating how the parking requirements will be met.

Building

The subject property is located outside of the area in which building inspection applies, however, all structures will need to be built according to the BC Building Code.

Analysis

The property's owners have applied for a zoning bylaw amendment to the Medium Holdings (MH) zone to add a site-specific regulation that will bring their existing veterinary clinic into compliance with zoning and to allow for minor future expansion. The veterinary clinic use is considered consistent with the community values and Medium Holdings policies in OCP Bylaw No. 750 as it compliments the rural character of the area by providing veterinary services to the local community. These services help support the well-being of livestock and other animals in the area while also providing employment opportunities for local residents.

The business has operated on the subject property for over 25 years without any formal bylaw enforcement complaints being submitted. The business is located on the south portion of the subject property with trees located along the southeast parcel boundary and Gardom Lake Road providing a buffer between the clinic and the properties to the south. It is not anticipated that the proposed bylaw amendment will cause any disturbance to neighbouring properties.

Staff believe that the veterinary clinic is an appropriate use in the neighbourhood and recommend that the proposed bylaw amendment proceed to first reading in order for agency and First Nations comments to be requested along with additional documentation from the owners regarding servicing, parking, and access.

Rationale for recommendation

Staff are recommending that the Board consider first reading of the amending bylaws and direct staff to send referrals to the applicable agencies and First Nations 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; and,
- the CSRD has not received any formal bylaw enforcement complaints regarding the existing veterinary clinic.

IMPLEMENTATION:

If the Board gives the bylaw first reading, it is recommended that Bylaw No. 751-07 be referred to applicable agencies and First Nations listed in the Communications section below for their comments. Since the proposed change to the zoning bylaw does not require an OCP amendment it is recommended that the simple consultation process be used. Zoning bylaw amendments that are consistent with the OCP also do not require that a public hearing be held.

A notice of application sign will be required to be posted on the subject property in accordance with Development Services Procedures Bylaw No. 4001-2 as amended, no more than 30 days after the Board has given the amending bylaw first reading. Staff will discuss signage requirements with the applicant prior to posting.

It is recommended that prior to consideration of second reading, the applicant provide the CSRD with the following documentation:

- 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.

COMMUNICATIONS:

If Bylaw 751-07 is given first reading it will be forwarded to the referral agencies and First Nations. Agency and First Nations comments will be provided with a future Board report prior to consideration of second reading.

The following list of referral agencies is recommended:

- Ministry of Forests - Archaeology Branch;
- Ministry of Transportation and Infrastructure;
- Interior Health Authority;
- CSRD Community and Protective Services;
- CSRD Environmental and Utility Services;
- All applicable First Nations Bands and Councils:
 - Adams Lake Indian Band;
 - Little Shuswap Lake Band;
 - Lower Similkameen Indian Band;
 - Neskonlith Indian Band;

- Okanagan Indian Band;
- Okanagan Nation Alliance;
- Penticton Indian Band;
- Splatshin First Nation; and
- Upper Nicola Band.

Staff note that the Electoral Area D Advisory Planning Commission is not currently active because they do not have the minimum required membership at this time.

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:	2024-04-18_Board_DS_BL751-07_First.docx
Attachments:	<ul style="list-style-type: none">- BL751-07_Application_Redacted_2023-11-21.pdf- BL751-07_BL750_BL751_Excerpts.pdf- BL751-07_Maps_Plans_2024-04-18.pdf
Final Approval Date:	Apr 10, 2024

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



Gerald Christie



Jennifer Sham



John MacLean