

## ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** May 6, 2021  
**RE:** Zoning Bylaw Amendment – Electoral Area “F”

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### **Administrative Recommendation:**

**THAT Bylaw No. 2461.15, 2021, Electoral Area “F” Zoning Amendment Bylaw be read a third time and adopted.**

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Purpose: To rezone subject property in order to facilitate subdivision to create additional two (2) lots.

Owners: Derek & Chelsea Bellamy                      Agent: Bill Coates (ODC)                      Folio: F-06931.500

Legal: Lot 5, Plan 647, DL2888, ODYD                      Civic: 8475 Princeton - Summerland Road

OCP: Small Holdings (SH)                      Proposed OCP: Small Holdings (SH)

Zone: Small Holdings Two (SH2)                      Proposed Zoning: Small Holdings Three (SH3)

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### **Proposed Development:**

This application is seeking to amend the zoning of the subject property in order to facilitate subdivision to create additional two (2) lots.

In order to accomplish this, it is being proposed to amend the zoning of the subject property under Schedule ‘2’ (Zoning Map) of the Electoral Area “F” Zoning Bylaw No. 2461, 2008, from Small Holdings Two (SH2) to Small Holdings Three (SH3).

In support of the rezoning, the applicant has stated that “the proposed two additional parcels and each would provide for building areas. It is noted that the proposed lot 2 would have access from Deans Road and would not be visible from the Princeton-Summerland Road. A recent Sewerage System Feasibility report and a Rapid Environmental Assessment have both indicated favourable results for subdivision of all three parcels, should that be permitted.”

### **Site Context:**

The subject property is approximately 3.2 ha in area and is situated on the west side of Princeton-Summerland Road and in close proximity to District of Summerland’s boundary. It is understood that the parcel is comprised of single detached dwelling and attached garage. The surrounding pattern of development is predominantly rural-residential.

### **Background:**

On March 18, 2021, a Public Information Meeting (PIM) was held electronically and was attended by zero (0) members of the public.

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At its meeting of March 22, 2021, the Electoral Area “F” Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject development application be approved.

At its meeting of April 1, 2021, the Regional District Board resolved to approve first and second reading of the amendment bylaws and scheduled a public hearing ahead of its meeting of May 6, 2021.

All comments received to date in relation to this application are included as a separate item on the Board Agenda.

Approval from the Ministry of Transportation and Infrastructure (MoTI) is not required prior to adoption as the proposed amendments involve lands beyond 800 metres of a controlled access highway (i.e. Highway 97/3).

**Analysis:**

In considering this proposal, Administration is aware that a previous proposal from 1981 to rezone and subdivide the subject property into eight (8) parcels approximately 4,040 m<sup>2</sup> (i.e. 1 acre) in area was refused by the Board. It is understood that a consideration in this decision was an existing Regional District policy requiring a minimum area of 1.0 ha (i.e. 2.5 acres) for parcels in the Faulder area due to water availability concerns.

Administration is also aware that this specific 1.0 ha policy addressing water availability concerns has been replaced in the OCP Bylaw with a more generic statement that the Board “discourages subdivision of properties in order to maintain the rural character of the [Faulder] area” [emphasis added].

Administration is further aware of the water sustainability issues experienced within the Faulder Water System and that the OCP speaks to this system being “at capacity”, but notes that the subject property is 1.5 kilometres south-east of this water system and is not aware of similar extreme water scarcity issues being experienced in the vicinity of Deans Road.

Administration notes that adjacent properties at 15 Deans Road (2018) and 66 Deans Road (2016) were both rezoned in order to facilitate 2-lot subdivisions with new parcels not less than 1.0 ha in area. In this context, the applicant’s proposal to similarly create 1.0 ha parcels would not be inconsistent with the “rural character of the [Faulder] area”.

Conversely, ad hoc or spot zonings, when they are divorced from broader strategic land use objectives, can grant privileges to a single parcel, which are not granted or extended to other parcels in the vicinity. Given the recent history of rezoning approval for subdivision in this area, Administration suspects that other land owners would be desirous of a 1.0 ha parcel size allowance.

In addition, and given the concerns expressed by some local residents regarding water supply in the area, adding additional parcels through subdivision may not be advisable.

In summary, given that the proposal is generally consistent with the Official Community Plan Bylaw for SH land use designation, Administration supports proposed zoning bylaw amendment application and is recommending approval.

**Alternatives:**

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1. THAT third reading of Bylaw No. 2461.15, 2021, Electoral Area "F" Zoning Amendment Bylaw be deferred; or
  2. THAT first and second readings of Bylaw No. 2461.15, 2021, Electoral Area "F" Zoning Amendment Bylaw be rescinded and the bylaws abandoned.

**Respectfully submitted:**



C. Garrish, Planning Manager

Attachments: No. 1 – Applicant's Site Plan

No. 2 – Site Photo



Attachment No. 2 – Site Photo

