



December 15, 2021

Ecora File No.: 190078

Regional District Okanagan Similkameen
101 Martin Street
Penticton, BC Postal V2A 5J9

Attention: Planning Department

**Reference: Community Plan and Zoning Bylaw Amendment for 240 Lawless Creek Road,
Tulameen**

Ecora Engineering and Resource Group Ltd. (Ecora) was requested to undertake a Community Plan and Rezoning application for a site adjacent to the Tulameen community.

Background

The subject site is located in Electoral Area “H” of the Regional District of Okanagan Similkameen (RDOS). The site is a 13 ha property located south-west of the Tulameen townsite. The site is a forested hillside characterized by steep slopes along the eastern edge, a slope running through the middle of the site and two level benches in the south-east and northern area. The property is accessed from Lawless Creek Road. It is proposed to rezone this site to Small Holdings 3 to permit a subdivision of 10, 1 ha rural residential lots, designed as a bare land strata subdivision.

The subject property is directly above the A1 zoned community parks property (former school site) on Third Street. There is also a site zoned PR, Parks and Recreation abutting the eastern property line between 2nd and 3rd Avenues in the Tulameen community. RS1 is the dominant zoning of the Tulameen. Crown Land north of the property is zoned RA, Resource Area and rural lots to the west and south are zoned SH2.

Development Concept

The Site Plan illustrates a bare land strata subdivision concept with an access from Lawless Creek Road at the south western end of the property. A new cul-de-sac private road passes through the central slope area of property, with 5 lots on either side of the new road. Each lot is a minimum of 1 hectare in area.

Planning Considerations

Area “H” Community Plan, Bylaw No. 2497: This OCP was adopted in 2012 and provides for a guide to development of the largest rural area in the RDOS. Princeton is the only municipality in this sub-region and is about 30 minutes from Tulameen.

The designation of the subject property is currently LH, Large Holdings with a minimum parcel area of 4-8 ha (10 to 20 acres). The proposed subdivision will require a redesignation of the site to SH, Small Holdings. Plan policies “requires that a proposal to create additional land designated Small Holdings should provide the following:

- Availability of land currently designated as SH
- Capability of natural environment to support development and impact on important habitat and leave strips
- Capability of accommodating on-site domestic water and sewage disposal
- Susceptibility to natural hazards, such as flooding, slope instability, wildfire
- Proximity to road access and other community services
- Consideration of visual impacts of hillside development

Lands to the west and south of the subject site are designated SH on the OCP Plan Map, while the lot to the north is designated as RA, Resource Area and is Crown land.

On Schedule “E”, the site and surrounding lands are rated as a High, Fire Condition Class. The eastern steep slope of the property is designated as an “Environmentally Sensitive Development Permit “on Schedule “G” of the OCP.

Under Section 8.0 *Local Area Policies*, of the Area “H” Community Plan there are Policies established for the community of Tulameen. On Map 3, Tulameen Local Area Map, the subject site and the lands to the north are designated as “Growth Areas” for Tulameen. The Area Plan policies also support continued exploration of the feasibility and costs of providing a public sewage and/or water system to Tulameen and to determine community support for a Service Area.

Zoning Bylaw No. 2498, 2012: This site is currently zoned Large Holdings 2, LH2 with a minimum parcel size of 8 ha. Rezoning to Small Holdings 3, SH3 with a minimum parcel size of 1.0 ha is required for the proposed subdivision. This is consistent with the Plan policy to establish 1.0 ha as a minimum lot size for parcels without community sewer.

Availability of Small Holdings Lots

A review of the zoning map in areas within 2 kilometers of Tulameen illustrates the SH zoning as follows:

- SH4 zoning (0.5 to 1 ha) of less than 10 lots in the northern part of the community, 2 lots at the southern edge and about 20 lots at Collins Gulch Road to the south east
- SH2 (2 ha) in a large block along Lawless Creek Road of about 20 lots and 1 lot at the eastern side of the Townsite

From a review of aerial photo mapping, there are less than 5 vacant parcels zoned Small Holdings. It is concluded that the supply of vacant Small Holdings lots in Tulameen and nearby area is very limited.

Proximity to Roads and Community Services

The site has ready access to Lawless Creek Road and is close to services in the Tulameen community. This includes parks and recreational facilities as well as the limited commercial services available.

Tulameen Water System

There have been past efforts by the RDOS to establish a community water system in Tulameen, including an engineering report in 1995 that was updated in 2005 and again in 2008. Water quality in domestic wells and a lack of fire protection have been concerns. The most recent community consultation occurred in 2016-17. At that time, the public response to a survey was 6% undecided, 40% in favour and 54% not in favour of moving forward on the project, in large part due to the high costs of installing a new system through a Local Service Area.

Proposed On-Site Water System

The water system for the proposed 10 lot subdivision, shown on the attached Site Plan, will be a privately owned and operated water system. The water system will be owned by the Strata corporation consisting of the 10 lot owners. In general, the water system will consist of the following components:

- 1) Well water supply located at the east side of the property (2 wells for redundancy)
- 2) 560 m³ in ground reservoir (Domestic + fire flow)
- 3) Combined treatment Building and pump station
- 4) 2- Domestic pumps to handle peak hour demand with one pump out of service (1.4 L/s)
- 5) 1 smaller jockey pump and pressure tank for average day flows
- 6) Separate fire pump sized to handle fire flow + maximum day demand (60.6 L/s)
- 7) Standby genset for emergency back up power
- 8) Automatic controls and SCADA
- 9) 100mm PVC reservoir fill line from wells to reservoir
- 10) 150mm PVC distribution watermain, 38mm water services and fire hydrants

The treatment plant for the water supply will depend primarily on the quality of the water from the proposed wells which will be confirmed once the wells are drilled. Typically, well water only requires chlorination for disinfection purposes in the distribution main, however additional treatment may be required or desirable based on the actual quality of the water and other factors such as proximity to open water, septic systems, etc. The water system will be designed to all applicable Provincial and IHA requirements.

The owners of the subject property are volunteering a donation of a site for the future Tulameen Water System Reservoir and supply/distribution mains as shown on the Site Plan.

Natural Hazards

The property is well above the floodplain of the Tulameen River and has considerable exposed bedrock generally indicating a stable slope. A geotechnical assessment will be a requirement at the subdivision stage.

As indicated in the Community Plan, the interface forest fire hazard is significant throughout much of the forested lands of Area "H". The overall objective is to direct development away from hazardous conditions, unless the hazard has been sufficiently addressed.

Fire Management Policies will likely include a request from the Approving Officer to require a fire hazard risk assessment at the time of subdivision, potentially require the assessment at the zoning stage and to encourage fire mitigation to a Moderate rating and encourage property owners to carry out fuel load reduction.

The subject property has excellent road access and with an on-site water system proposed addresses a number of important criteria. At the subdivision stage, fuel breaks, fire smart building construction and on-site fuel modification can be addressed through a professional fire risk assessment.

Visual Impacts

The developable portion of the new subdivision is accessed through an internal road in the central area of the property. The east and south sides of the site, adjacent to Tulameen and Lawless Creek Road respectively, will remain in a forested state. With 1 ha lots, development impacts will be limited and much of the site will remain in a natural condition. There will be limited visual impact on the area.

Environmental Mapping

Regional Terms of Reference (TOR) are used to define a four-class Environmentally Sensitive Area (ESA) ranking system. Factors considered during the refinement of ecosystem mapping include provincial status (i.e., Red or Blue-listed), rare and endangered species occurrence and/or potential, general landscape condition (i.e., degradation, disturbance, isolation, connectivity, fragmentation), successional stage, regional rarity, relative biodiversity, and professional judgment. The four classes of ESA classification are described below:

ESA 1 (High) – areas that provide significant environmental value, due to the presence of rare physical features, rare ecosystems, or rare plants and animals. These areas represent habitat of great importance to the functioning of natural ecosystems. Various types of habitat will qualify as ESA 1 on the basis of sensitivity, vulnerability, connectivity, and biodiversity. For example, all wetlands, rare plant communities, and habitat for rare animal species have high value.

ESA 2 (Moderate) – areas that contain physical features, plants, animals and habitat characteristics that contribute toward the overall diversity and contiguous nature of the surrounding natural features. These will include sensitive ecosystems, as refined according to the ESA stratification criteria for the scale of mapping. These may also include areas used to buffer ecological functions of high value ecosystems.

ESA 3 (Low) – areas that may contain important features or remnant stands/sites with ecological value but are not identified in the SEI nor considered neither locally nor regionally rare. Areas mapped as ESA 3 may be in a stage of succession that provides limited value to local wildlife species and expresses a level of previous disturbance.

ESA 4 (Not Sensitive) – areas that contribute little or no value to the overall diversity of vegetation, soils, terrain and wildlife characteristics of the area. Areas mapped as ESA 4 typically include heavily disturbed ecosystems, previously cleared areas (gravel pits, exposed soil etc.) and areas of existing infrastructure such as roads.

Environmental Assessment Report

Ecora environmental professionals visited the site in July 2019 and the results are detailed in the submitted report “Environmental Assessment at 230 Lawless Creek Road, Tulameen” by Ecora Engineering and Resource Group Ltd, December 7, 2021. The Report determined that about 6.9 ha of the site are ESA2 and 5.7 ha are ESA3.

The ESA 2 Areas are based on the good condition and late seral stage (old forest) of the northern and eastern areas of the property. The remainder of the site is ESA 3 due to some degradation by roads, trails, litter, etc. and are generally lower condition and/or younger.

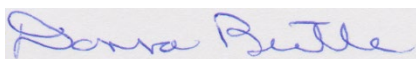
The Report concludes that “the property is considered a suitable location for the proposed subdivision from an environmental perspective as it abuts the western boundary of Tulameen and each proposed lot will have a minimum 1 ha parcel size allowing for areas to remain in their current natural state. Approximately 5.82 ha (85%) of the EAS2 will remain in its natural state along the northern boundary and serve as a wildlife corridor for wildlife to move north.”

The proposed development minimizes the effects of habitat loss. Strategies include additional restoration and/or compensation as determined by the Environmental Monitor and avoidance of direct impacts to sensitive wildlife by completing construction activities within least-risk work windows. Site-specific Environmental Management Plans may be implemented for each lot at the time of subdivision in a future Environmentally Sensitive Development Permit to meet RDOS requirements.

We trust this report/proposal meets your present requirements. If you have any questions or comments, please contact the undersigned.

Sincerely

Ecora Engineering & Resource Group Ltd.



Donna Butler, MCIP. RPP

Senior Planner

Direct Line: 250.490.2227 x1070

Email: donna.butler@ecora.c