

## ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** November 18, 2021  
**RE:** Zoning Bylaw Amendment – Electoral Area “F” (F2021.002-ZONE)

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### Administrative Recommendation:

**THAT Bylaw No. 2461.15, 2021, a bylaw to amend the Electoral Area “F” Zoning Bylaw to facilitate a subdivision to create two additional lots at 8475 Princeton-Summerland Rd., be read a third time and adopted.**

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Folio: F-06931.500

Legal: Lot 5, Plan 647, District Lot 2888, ODYD

OCP: Small Holdings (SH)

Proposed OCP: No change proposed.

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 subdivide the property into three lots of 1.06 ha, 1.07 ha, and 1.03 ha.

In order to accomplish this, the applicants are proposing to amend the zoning of the property from Small Holdings Two (SH2) to Small Holdings Three (SH3). The agent has stated that the proposed two additional parcels “would provide for building areas”. The agent also stated that:

*the addition of two more lots...would provide comfortable building areas [and] would not detract from the character of the area. There is existing SH3 zoning adjacent to the subject property...We note that the proposed lot 2 contains a well, which was in place before the current owners purchased the property in 2015. A recent Sewerage System Feasibility report and a Rapid Environmental Assessment have both indicated favourable results for subdivision of all three parcels.*

### Site Context:

The property is 3.2 ha in area and is situated on the west side of Princeton-Summerland Road, and in close proximity to the District of Summerland’s boundary. The parcel is comprised of a single detached dwelling and attached garage.

The surrounding pattern of development is generally characterised by rural residential development.

### 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) recommended that the development application be approved.

At its meeting of April 1, 2021, the Regional District approved first and second reading of the amendment bylaw and scheduled a public hearing ahead of its meeting of May 6, 2021.

Prior to the scheduled public hearing, the RDOS received representations from four residents within Electoral Area “F”. The representations raised concerns including water resource availability in the area.

On May 6, 2021, a public hearing was held electronically and was attended by one member of the public.

At its meeting of May 6, 2021, the Board resolved to defer the third reading of the amendment bylaw to allow for a PIM and second public hearing.

Following the Board’s resolution, on September 2, 2021, the agent submitted a written request to waive the requirement for a second PIM and public hearing.

At its meeting of September 23, 2021, the Board resolved to delegate the holding of a second public hearing to Electoral Area “F” Director Gettens.

On October 13, 2021, an additional PIM was held electronically and was attended by fourteen (14) members of the public.

On November 8, 2021, a second public hearing was held electronically and was attended by the applicant and property owners and one member of the public.

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 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:**

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. A consideration in that 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.

The 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].

The OCP speaks to this water 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.

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

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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, the proposal is generally consistent with the Official Community Plan Bylaw for SH land use designation,

**Alternatives:**

1. 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:**

  
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Shannon Duong, Planner I

**Endorsed By:**

  
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C. Garrish, Planning Manager

Attachments: No. 1 – Applicant's Site Plan

No. 2 – Site Photo





Attachment No. 2 – Site Photo

