

## ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** April 16, 2020  
**RE:** Zoning Bylaw Amendment – Electoral Area “H”

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### Administrative Recommendation:

**THAT** Bylaw No. 2498.21, 2020, Electoral Area “H” Zoning Amendment Bylaw be read a first and second time;

**AND THAT** pursuant to sub-section 464 of the *Local Government Act*, the Regional District resolves to waive the holding of a public hearing for Zoning Amendment Bylaw 2498.21, 2020;

**AND THAT** pursuant to sub-section 467 of the *Local Government Act*, staff give notice of the waiving of the public hearing for Zoning Amendment Bylaw 2498.21, 2020.

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Purpose: To rezone the property to formalize an existing salvage operation.

Owner: William & Robert Reichert      Agent: N/A      Folio: H01005.005

Civic: 256 Copper Mountain Road      Legal: Lot A, Plan KAP17187, DL 1822, SDYD, Except Plan H17425

Zoning: Industrial (Light) One (I1)      Proposed Zoning: Industrial (Heavy) Two (I2)

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### Proposed Development:

This application proposes to amend the subject property in order to allow for Salvage Operations as a permitted principal use.

In order to accomplish this, it is being proposed to amend the zoning under Schedule ‘2’ (Zoning Map) of the Electoral Area “H” Zoning Bylaw No. 2498, 2012, from Industrial One (I1) to Industrial Two (I2).

In support of the rezoning, the applicant has stated that “we want to comply with RDOS bylaws, and we were told by RDOS staff that rezoning is better than applying for Temporary Use Permits all of the time. The property contains an established salvage operation business that we would like to continue into the future.”

### Site Context:

The subject property is approximately 0.40 ha in area and is situated approximately 25 meters south of the Town of Princeton’s southern municipal boundary, between Old Copper Mountain Road and Copper Mountain Road.

It is understood that the parcel is comprised of an existing Salvage Operation, including an associated repair shop and outdoor storage. The surrounding pattern of development is generally characterised by developed commercial lands to the north, developed industrial lands to the east and south east, and partially developed large holdings lands to the south and west.

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**Background:**

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops in December, 1966, while available Regional District records indicate that building permits have previously been issued for an addition to the repair shop (2000). Temporary Use permits have been issued for the Salvage Operations in 2013 and 2016.

Under the Electoral Area “H” Official Community Plan (OCP) Bylaw No. 2497, 2012, the subject property is designated Industrial (I), an objective of which is to “provide for small scale, light industrial activities servicing the needs of local residents.”

Under the Electoral Area “H” Zoning Bylaw No. 2498, 2012, the subject property is zoned Industrial (Light) One (I1), which does not list “salvage operations” as a permitted use (this use is permitted in the Industrial (Heavy) Two (L2) Zone).

BC Assessment has classified the property as “Business” (Class 06) and it is also partially within the Agricultural Land Reserve (ALR).

**Referrals:**

At its meeting of March 17, 2020, the Electoral Area “H” Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject development application be approved.

Approval from the Ministry of Transportation and Infrastructure (MoTI) is required prior to adoption as the proposed amendments involve lands beyond 800 metres of a controlled access highway (i.e. Highway 3). Preliminary Approval has been granted by MoTI for this rezoning, pursuant to section 52(3)(a) of the Transportation Act.

Pursuant to Section 475 of the Local Government Act, the Regional District must consult with the Agricultural Land Commission (ALC) when proposing to amend an OCP which might affect land in the agricultural land reserve. Both the ALC and the Ministry of Agriculture have been made aware of the proposed amendment bylaw.

Of note, the ALC has stated that it “has no objection to the proposed Bylaw... the property is an isolated node within the ALR that has remained despite a previous exclusion application which removed almost all of the surround lands from the ALR. The landowner should be encouraged to submit an application for exclusion of this Property from the ALR”.

All agency comments that have been received are included as a separate item on the Board Agenda.

**Analysis:**

In considering this proposal, Administration notes that the site has a long established industrial use, with a history of the owner applying for and receiving Temporary Use Permits since 2013.

The proposed Industrial Two (I2) Zone of the Zoning Bylaw allows Salvage Operation as a principal permitted use. Given the history and context of the established used on this site and surrounding development pattern, Administration is recommending that a more appropriate and consistent way of managing this particular land use, rather than to continue allowing the use through Temporary Use Permits.

In terms of the ALR status of the property, the ALC’s comments have been received and Administration agrees that the property is not well situated or suited for agricultural use, and ALC’s

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recommendation to apply to have the parcel removed from the ALR have been forwarded to the applicant.

In summary, Administration generally supports the proposed Zoning Bylaw amendments.


In light of recent events, and to ensure that those planning applications that are able to proceed continue to be progressed in a timely manner, Administration is recommending that the convening of a public hearing for Amendment Bylaw No. 2498.21, 2020, be waived in accordance with the requirements of the *Local Government Act*.

In this instance, the proposed amendment is seen to be consistent with the various industrial (I) objectives and policies contained within the Electoral Area "H" OCP Bylaw.

**Alternatives:**

1. THAT Bylaw No. 2498.21, 2020, Electoral Area "H" Zoning Amendment Bylaw be read a first and second time and proceed to public hearing;  
AND THAT the holding of the public hearing be delegated to Director Coyne, or their delegate;  
AND THAT staff schedule the date, time, and place of the public hearing in consultation with Director Coyne;  
AND THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.
2. THAT Bylaw No. 2498.21, 2020, Electoral Area "H" Zoning Amendment Bylaw be deferred; or
3. THAT Bylaw No. 2498.21, 2020, Electoral Area "H" Zoning Amendment Bylaw be, be denied.

**Respectfully submitted:**

  
C. Labrecque, Planner II

**Endorsed By:**

  
C. Garrish, Planning Manager

Attachments: No. 1 – Aerial Photo  
No. 2 – Applicant's Site Plan

Attachment No. 1 – Aerial Photo



Attachment No. 2 – Applicant's Site Plan

