

District of Barriere

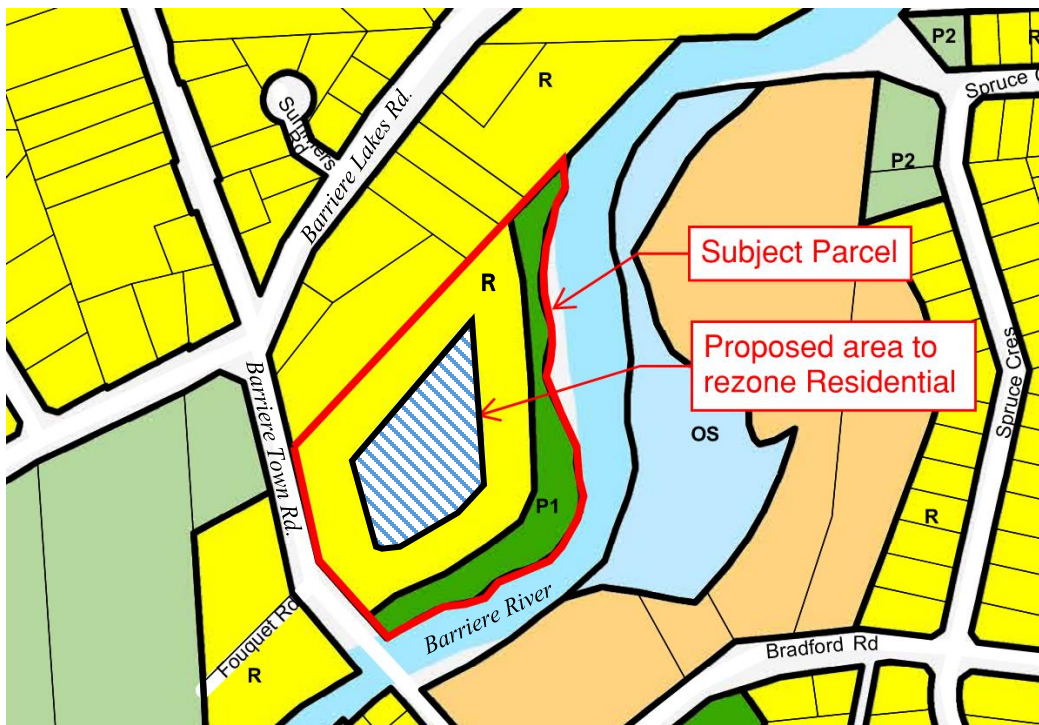
REPORT TO COUNCIL

Date: March 11, 2024	File: 530.20/Rpts
To: Council	From: C. Hannigan, RPP MCIP Planner/Approving Officer
Re: RZ-24-01 Application for Rezoning – 4740 Barriere Town Rd.	

Background: The owners of 4740 Barriere Town Rd, Lot 7, DL 1354, KDYD, Plan 5207, as shown hatched on the map below, have applied to rezone the centre portion of their property from Recreational (P1) with a site-specific exception to permit a community wastewater treatment system and associated structures in the central green space of the property, back to its original zoning of Residential (R).

The connection of a wastewater force main to the existing municipal wastewater system to the south to service these lands is being proposed instead of an on-site private community wastewater system servicing these lands.

This is the first application before Council that is subject to the new provincial legislation (Bill 44) prohibiting a Public Hearing in the case of a proposed rezoning involving residential development that is consistent with the Official Community Plan (OCP). Notice of the application coming to Council for 1st (first) reading is still required and was advertised in the local newspaper for a two-week period, mailed to property owners within 100m of the property's boundary and the required signage posted at the site. Comments on the application will still be received by the office prior to this meeting.



However, only comments dealing with possible issues other than residential densities will be brought forward to Council, should any be received.

In addition, there is no opportunity for public comments on this application at the Council meeting, including any attempts to do so at the Public Inquiries section of the meeting.

Discussion: This property was the subject of a subdivision application and associated rezoning in 2011. The preliminary subdivision approval given at that time was for a bare land strata lot development of 32 residential lots known as Waterwheel Landing. The lots were designed around a central area where the private community wastewater system would be located. This area was rezoned to Recreational (P1) with an exception to permit the wastewater system. It would also have served as a common green space over the top of the system.

As part of the approval process for this previous subdivision, a number of studies as well as property disturbances to install infrastructure, were undertaken until the development reached a standstill. This included the establishment of engineered Flood Construction Levels (FCL) on the property, which have been confirmed by the most recent Flood Inundation mapping, and an Archaeological Overview Assessment (AOA) completed by Golder and Associates. Although there has been interest over the years, this most recent proposal is the first to move forward with the idea of creating fee simple residential subdivision lots on the entire property.

Servicing:

This current proposal would replace the private central on-site wastewater system with a force main from the property to the closest access point of the existing municipal system south of the river. Initial engineering has offered this as a feasible option to the developer. District staff have also confirmed this may be viable and could be to the District's advantage should other properties along its route be able to benefit through connection either now or in the future. Staff are recommending the final adoption of any zoning change be held at 3rd reading until this force main has been constructed, which would require detailed design approval by the District. The detailed requirements for lot design, roads and servicing would be part of the subdivision application process which would restart should the rezoning be supported to third reading by Council.

Application Process:

Attached is draft *Zoning Bylaw No. 111, Amendment Bylaw No. 239* presented to Council for 1st reading and includes a sketch (Schedule 'A') of the subject property. The rezoning proposed is as following:

2.1 *The Zoning of PART OF LOT 7, DL 1354, KDYD, PLAN 5207 shown hatched on Schedule 'A' to Bylaw No. 239, is amended from Recreational (P1) with a site-specific exception to permit a community wastewater treatment system and associated structures to Residential (R).*

Should Council wish to support this Bylaw amendment tonight, all three readings can be considered at this meeting.

Recommendation: That Zoning Bylaw No. 111, Amendment Bylaw No. 239 be given 1st, 2nd and 3rd readings.

Prepared by: C. Hannigan, Approving Officer / Planner
Reviewed by: T. Buchanan, Acting CAO

DISTRICT OF BARRIERE

DRAFT - ZONING BYLAW NO. 111, AMENDMENT BYLAW NO. 239

A BYLAW TO AMEND “DISTRICT OF BARRIERE
ZONING BYLAW NO. 111”

WHEREAS an application (No. RZ-24-01) for amendment to District of Barriere Zoning Bylaw No. 111 has been made to the District;

AND WHEREAS the desired changes in the use of land has been considered;

AND WHEREAS the zoning amendment conforms to the District of Barriere Official Community Plan;

AND WHEREAS a public hearing is prohibited under Bill 44;

NOW THEREFORE, the Council of the District of Barriere, in open meeting assembled, enacts as follows:

1. **CITATION**

1.1 This bylaw may be cited as “*District of Barriere Zoning Bylaw No. 111, Amendment Bylaw No. 239.*”

2. **PURPOSE**

2.1 The Zoning classification on part of Lot 7, District Lot 1354, Kamloops Division Yale District, Plan KAP5207, shown on the map attached hereto as Schedule ‘A’ is amended from Recreational (P1) with a site-specific exception to permit a community wastewater treatment system and associated structures to Residential (R).

2.2 The map attached hereto as Schedule ‘A’ showing the portion of Lot 7 that is subject to rezoning as hatched, is incorporated in and forms part of this bylaw.

READ A FIRST TIME this 11th day of March, **2024**

READ A SECOND TIME this day of , **2024**

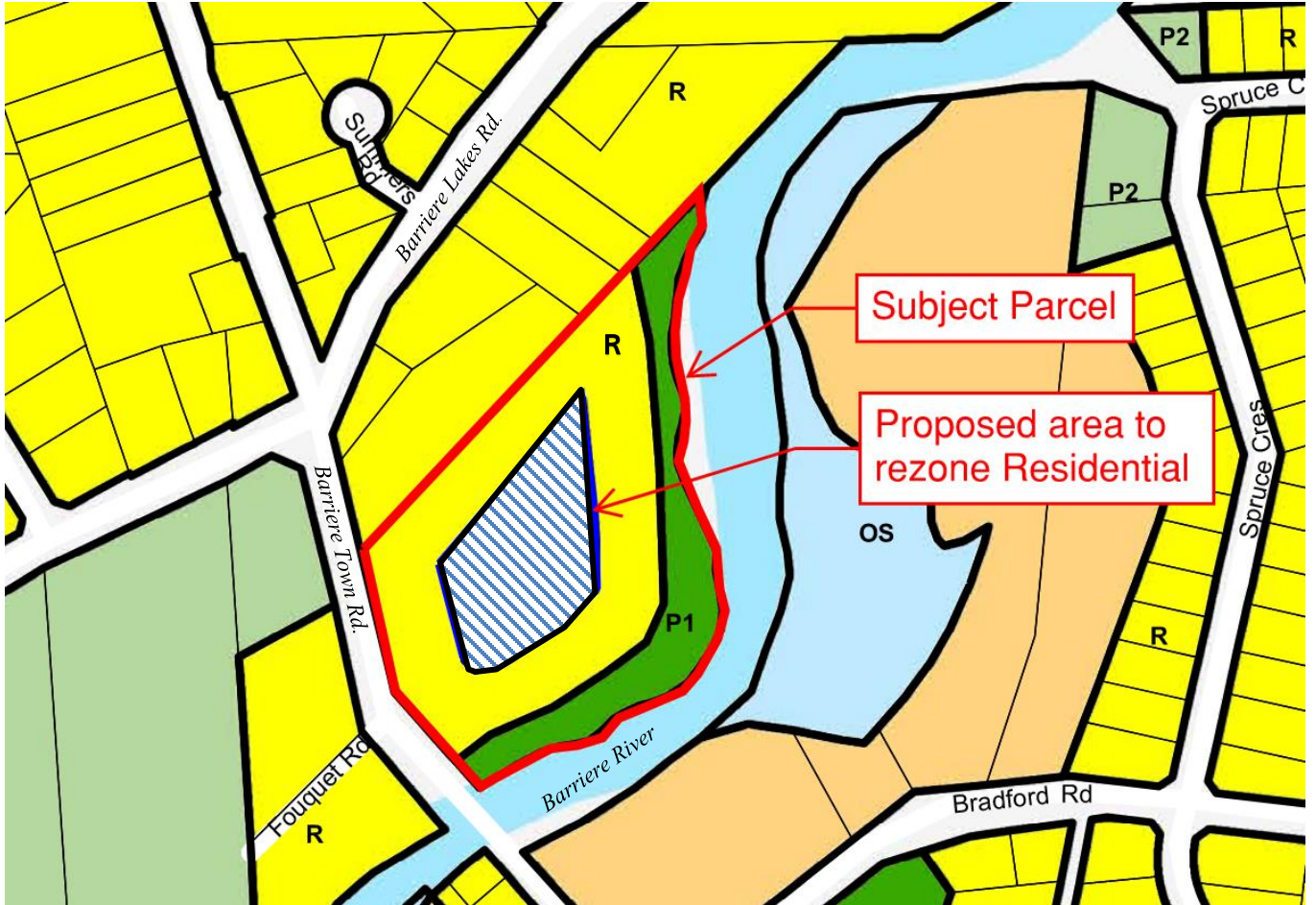
READ A THIRD TIME this day , **2024**

ADOPTED this day of , 2024

Mayor Ward Stamer

Tasha Buchanan, Corporate Officer

SCHEDULE 'A'



Schedule 'A' is incorporated in and forms part of District of Barriere Bylaw No. 239

Certified Correct: Corporate Officer