

Request for Decision Bylaw Amendment Application

File No: P 721 325
Reference: Bylaw Nos. 3144 & 3145
Date: May 2, 2022

Subject: Bylaw No. 3144 & Bylaw No. 3145 (Cranbrook West / Corrigan & Cunliffe)
Applicant: Aaron and Matthew Corrigan & Robert Cunliffe
Location: New Lake Road, West of Cranbrook
Legal: Lot 9, District Lot 4841, Kootenay District, Plan EPP100100

Proposal: To amend the OCP and zoning designation of the subject property to permit future residential subdivision. The proposed OCP designation change is from R-RES, Residential Reserve to LH, Large Holdings and the proposed zoning designation change is from RR-8, Rural Residential (Country) Zone to RR-4, Rural Residential (Hobby Farm) Zone.

Development Agreement: The applicants have offered development contributions in the amount of \$407 per lot to be paid to the RDEK for transfer to the City of Cranbrook to help mitigate impacts to the City's road infrastructure as a result of the development. They've also offered an additional \$1000 per lot to be paid to the RDEK for trail infrastructure and park development within Electoral Area C.

Options:

1. THAT Bylaw No. 3144 cited as "Regional District of East Kootenay – Rockyview Official Community Plan Bylaw No. 2255, 2010 – Amendment Bylaw No. 28, 2022 (Cranbrook West / Corrigan & Cunliffe)" be introduced and further, that the Board is satisfied that the OCP consultation identified in the staff report is appropriate.
2. THAT Bylaw No. 3145 cited as "Regional District of East Kootenay – Electoral Area C South Zoning & Floodplain Management Bylaw No. 2913, 2019 – Amendment Bylaw No. 13, 2022 (Cranbrook West / Corrigan & Cunliffe)" be introduced; and further, that a development agreement containing the items identified in the staff report be registered on title prior to bylaw adoption.
3. THAT Bylaw No. 3144 cited as "Regional District of East Kootenay – Rockyview Official Community Plan Bylaw No. 2255, 2010 – Amendment Bylaw No. 28, 2022 (Cranbrook West / Corrigan & Cunliffe)" not proceed.
4. THAT Bylaw No. 3145 cited as "Regional District of East Kootenay – Electoral Area C South Zoning & Floodplain Management Bylaw No. 2913, 2019 – Amendment Bylaw No. 13, 2022 (Cranbrook West / Corrigan & Cunliffe)" not proceed.

Recommendation: Options 1 & 2

The proposal is within an area identified as having the potential for future subdivision and it adequately addresses the applicable OCP policies.

**Property
Information:**

Current OCP Designation: R-RES, Residential Reserve

Proposed OCP Designation: LH, Large Holdings

OCP Policies:

- Subdivision is generally not supported within the Cranbrook West subarea, with the exception of those parcels currently zoned for subdivision, parcels designated R-RES or subdivision for a relative as per the provisions of the zoning bylaw and the *Local Government Act*.
- The integration of the R-RES, Residential Reserve land use designation applies to parcels currently zoned to accommodate subdivision. The designation does not commit the Regional District to a specific course of action but rather identifies those properties as having potential for rural infill development and establishes criteria against which applications to amend the zoning and land use designation will be reviewed. The R-RES designation may result in higher densities than can currently be accommodated in exchange for implementation of alternative development standards while still maintaining the rural character of the subareas.

Applications for bylaw amendments should address the following:

- compatibility of proposed development with surrounding land uses and parcel sizes;
- projections for estimated timelines for phasing and completion of development;
- compatibility of proposed development with the permanent home ownership objectives of this plan;
- access to the development and proposed road networks;
- integration of Conservation Subdivision Design principles by:
- identifying and protecting conservation areas such as riparian areas, wetlands, steep slopes, woodlands, wildlife corridors and habitats and buffers;
- compact neighbourhood design;
- development contributions to assist in mitigating the impacts of the proposed development, including contributions to assist with road or transportation upgrades within the City of Cranbrook. Development Contributions are not in lieu of any Development Cost Charges or other fees that may be required as a result of future development within the RDEK or City of Cranbrook;
- consideration of the establishment of a service to ensure the long term preservation and maintenance of the dedicated green space;
- water and sewer servicing options;
- identification of opportunities for trail connectivity within the area under application and adjacent developments;
- consideration for water reduction measures for buildings and landscaping;
- consideration of building envelopes to maximize views and passive solar orientation;
- integration of FireSmart principles in the development;
- consideration to the potential impacts on groundwater.

**Property
Information -
cont'd:**

Current Zone Designation: RR-8, Rural Residential (Country) Zone
(minimum parcel size: 8 ha)

Proposed Zone Designation: RR-4, Rural Residential (Hobby Farm)
Zone (minimum parcel size: 4 ha)

Parcel Size: 8.1 ha (20 ac)
Proposed Lots 1 and 2: approximately 4 ha

Density:

Existing: The parcel is currently vacant.

Proposed: The proposal is for a two lot subdivision. Each parcel is
permitted one single family dwelling.

Potential: There is a potential for two 4 ha lots to be created with the RR-4
zone designation

ALR Status: Not within the ALR

Interface Fire Hazard Rating: High, within the Cranbrook Rural fire
protection area

BC Assessment: Residential (Vacant)

Water and Sewer Services: Onsite proposed

Flood Hazard Rating: The subject property is not identified as being within
a flood hazard rating area.

**Professional
Studies:**

None

**Additional
Information:**

None

Consultation:

Section 475 of the *Local Government Act* requires that local government
consider the depth and breadth of consultation to be undertaken with
persons or organizations that it considers may be affected by the proposed
OCP amendment. Consultation completed to date for this amendment
includes referral of the bylaw to the following organizations. In addition,
there will be opportunity for discussion with the public prior to the
commencement of the public hearing.

APC Area C: Support recommended

Referral Agencies:

- **Interior Health Authority:** Interests unaffected
- **Transportation & Infrastructure:** Interests unaffected
- **Environment:** No response
- **Ktunaxa Nation Council:** No further concerns
- **School District No. 5:** No response

**Consultation -
cont'd:**

- **Telus:** No objection
- **City of Cranbrook:** City OCP policy does not generally support development of a significant scale and impact adjacent to the City.

**Documents
Attached:**

- Bylaws
- Location Map
- Land Use Map
- OCP Designation Map
- Zone Designation Map
- Proposal

**RDEK
Contact:**

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