



Request for Decision Bylaw Amendment Application

File No: P 719 607
Reference: Bylaw No. 2971
Date: December 23, 2019

Subject: Bylaw No. 2971 (Wilmer / Wilmer Eco Development Ltd)
Applicant: Wilmer Eco Development Ltd.
Agent: Katharine Regan
Location: Horsethief Road
Legal: Part of REM Sublot 12, District Lot 377, Kootenay District, Plan X15 (PID: 009-592-261)

Proposal: To amend the zone designation of a 1550 m² portion of the subject property to permit subdivision of two new residential acreages.

Development Agreement: The applicant has offered to register a 'no development' covenant for the W-1 area.

Options:

1. THAT Bylaw No. 2971 cited as "Regional District of East Kootenay – Upper Columbia Valley Zoning Bylaw No. 900, 1992 – Amendment Bylaw No. 358, 2019 (Wilmer / Wilmer Eco Development Ltd)" be introduced.
2. THAT Bylaw No. 2971 cited as "Regional District of East Kootenay – Upper Columbia Valley Zoning Bylaw No. 900, 1992 – Amendment Bylaw No. 358, 2019 (Wilmer / Wilmer Eco Development Ltd)" not proceed.

Recommendation: **Option #1**
The OCP designation for the subject portion of land supports the requested amendment and the watershed and riparian values will be protected by Development Permit 49-18 and the 'no development' covenant offered by the applicant.

Property Information: **OCP Designation:** SH, Small Holdings which encompasses the parcels that are larger than 0.4 hectares and less than or equal to 2.0 hectares. This designation has been applied to lots that are within proximity to development nodes and recognizes the use of these lands as residential and agricultural in nature.

OCP Policies:

- Parcels outside the Wilmer Development Node identified on Schedule D1 are not supported for subdivision below the minimum parcel size permitted by the current zoning. (The subject land is outside the Wilmer Development Node).

**Property
Information -
cont'd**

- For the REM of Sublot 12 District Lot 377 Kootenay District Plan X15, rezoning applications to enable additional subdivision opportunities on the north side of Horsethief Road beyond what is permitted by the existing zoning are not supported.
- The potential impact of additional consumers in the Wilmer Waterworks District on the groundwater supply should be considered when development is planned.
- Conservation of land in corridors and watercourses through the use of a 30 metre buffer zone is strongly encouraged. This is of critical importance along the Columbia River, wetlands and other fish bearing and domestic use watercourses throughout the plan area.

Current Zoning:

The subject 1550 m² portion of property is zoned W-1, Watershed Protection

Proposed Zoning: SH-3, Small Holding Rural Zone, minimum parcel size: 2.0 ha

Parcel Sizes:

Total area of Rem Sublot 12: 47 ha (116.5 ac)
Area under application: 1550 m² (0.06 ac)

Density: One single family dwelling is permitted.

ALR Status: The subject portion of land is within the ALR. ALC resolution #200/2017 approved the proposed subdivision.

Interface Fire Hazard Rating: High, not within a fire service area

BC Assessment: Residential (vacant)

Water and Sewer Services: Onsite proposed

**Professional
Studies:**

A Rare Plant and Ecosystem Assessment was prepared by T.J. Ross in 2018 and submitted with the Development Permit application. The Ross Report makes recommendations for the future development of the identified residential node north of Horsethief Road.

**Additional
Information:**

None.

Consultation:

Advisory Planning Commission:

APC Areas F & G: Refusal recommended. The APC stated that the Wilmer community rejected this proposal and the APC expressed concerns regarding water supply, which they say is a priority.

**Consultation –
cont'd:**

Referral Agencies:

- **Interior Health Authority:** Interests unaffected
- **Transportation & Infrastructure:** Interests unaffected
- **Environment:** No response
- **Ktunaxa Nation Council:** No response
- **Akisqnuq First Nation:** No response
- **Shuswap Indian Band:** No apparent significant impacts to our indigenous rights, including title.
- **School District No. 6:** No response
- **Telus:** No response

**Documents
Attached:**

- Bylaws
- Location Map
- Land Use Map
- Proposal and Site Sketch
- Proposed Subdivision Plan

**RDEK
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