

District of Barriere

REPORT TO COUNCIL

Request for Decision

Date: July 21, 2025	File: 530.20/Rpts
To: Council	From: C. Hannigan, RPP MCIP Planner/Approving Officer
Re: Zoning Amendment Bylaw No. 258 – 4740 Barriere Town Rd. – Three Readings and Final Adoption	

Recommendation: That Zoning Bylaw No. 111, Amendment Bylaw No. 258 be given first three readings and final adoption.

Background: On May 13, 2024 the owner of 4740 Barriere Town Rd, Lot 7, DL 1354, KDYD, Plan 5207, as shown outlined on the map below, applied and successfully rezoned their property, excluding the portion zoned Recreational (P1) along the Barriere River, back to its original zoning of Residential (R).

They have now applied for an amendment *from Residential (R) to Residential (R) with a site-specific exception to permit a minimum lot size reduction from 500 sq.m. to 260 sq.m. when a Townhome duplex (a building with two similarly sized units joined by a vertical party wall) is subdivided into two fee simple lots.*

This is a technical amendment that relates to ownership (tenure), to allow the option to create two fee simple lots in place of the creation of a two-party strata corporation for each Townhome duplex (currently permitted in the Residential Zone) should the owner wish to sell one or both halves of the duplex along with its associated half of the land separately. Maximum lot coverage and all required setbacks in the residential zone (R) are still required (and to be able) to be met.

Discussion: This amendment will allow the developer to avoid the need to create a two-owner strata corporation with common property surrounding the building and ongoing legal requirements for joint exterior building and land management should they wish to sell one or more of the duplex units separately. Creating separate saleable condominium units is currently allowed under the BC Strata Property Act without any further required subdivision approvals from the municipality. Difficult situations and legal intervention can arise should the two owners not agree on the management of their common assets.

The servicing strategy for this type of development, which is part of the subdivision approval process, has been reviewed and approved by District staff. Separate municipal water and wastewater connections from the street will be required when any duplex is applied for at the building permit stage. Phase 1 of the subdivision is in the final stages of the approval process which will include park land dedication of an approximately 20 metre strip of lands along the Barriere River that are already appropriately zoned P1.

Public Notice has been advertised as legislatively required and a notice board has been affixed to the subject property. At the time of this report creation, no public comments have been received by staff.

Since this is basically a technical amendment that will not increase the existing density, nor is a change of use in this Residential Zone, staff are recommending Council consider all three readings and adoption of this draft bylaw at the same meeting to assist in streamlining the development approvals for this residential development as permitted under the new Provincial legislation.

Strategic Impact: Adheres to and supports the Province's Small-Scale Multi-Unit Housing (SSMUH) Legislation (Bill 44). Resulting housing will assist the District in meeting its legislated housing creation target outlined in its Housing Needs Assessment completed in December of 2024.

Recommendation: That Zoning Bylaw No. 111, Amendment Bylaw No.258 be given first three readings and final adoption.

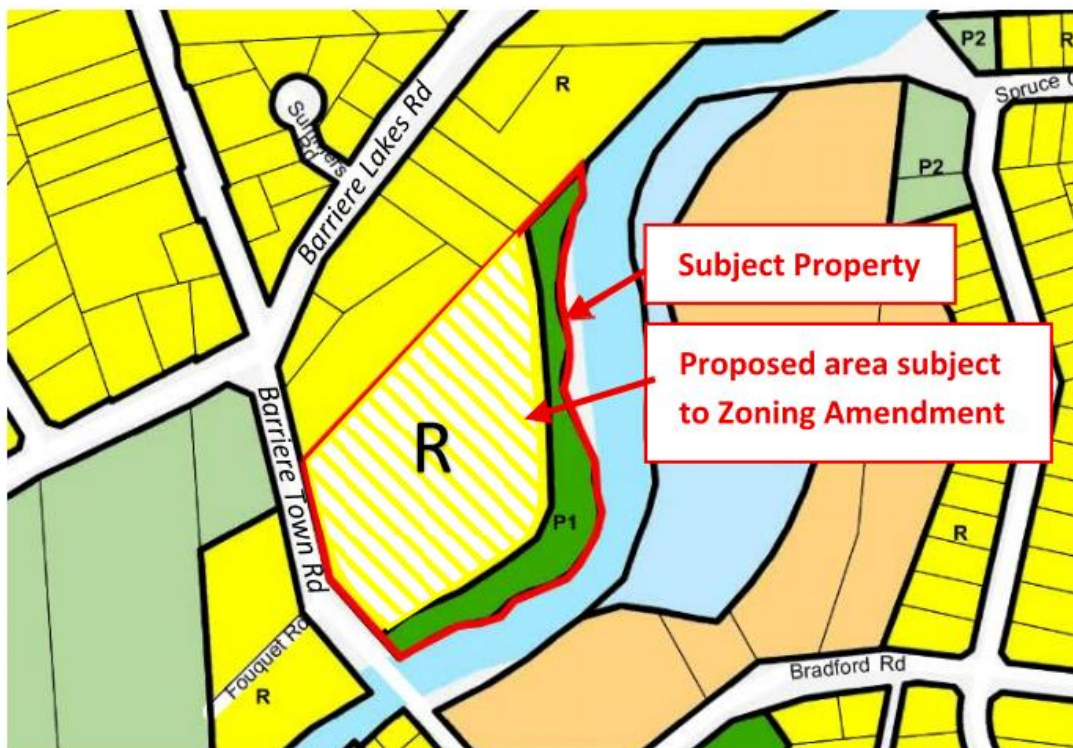
Alternative Options:

1. Council could provide first three readings of the draft Zoning Amendment and wait until the next Council Meeting to give the Bylaw final adoption. This option is not recommended as no public input may be considered after a Bylaw that is ineligible for a Public Hearing under Bill 44 is formally read and therefore would delay the development unnecessarily.
2. Council could choose to reject the rezoning application. This option is not recommended as the result could be the creation of two-owner strata corporations each with common property to manage every time a duplex is constructed. This can result in complex challenges and disputes for owners resulting in costly legal interventions should two owners not agree on the management of their common assets.

Prepared by: C. Hannigan, Approving Officer / Planner

Reviewed by: T. Buchanan, Corporate Officer

Reviewed by: D. Drexler, CAO



DISTRICT OF BARRIERE

ZONING BYLAW NO. 111, AMENDMENT BYLAW NO. 258

A BYLAW TO AMEND "DISTRICT OF BARRIERE
ZONING BYLAW NO. 111"

WHEREAS an application (No. RZ-25-01) 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. 258.*"

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 Residential (R) to Residential (R) with a site-specific exception to permit a minimum lot size reduction from 500 sq.m. to 260 sq.m. when a Townhome duplex (a building with two similarly sized units joined by a vertical party wall) is subdivided into two fee simple lots.
- 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 day of , **2025**

READ A SECOND TIME this day of , **2025**

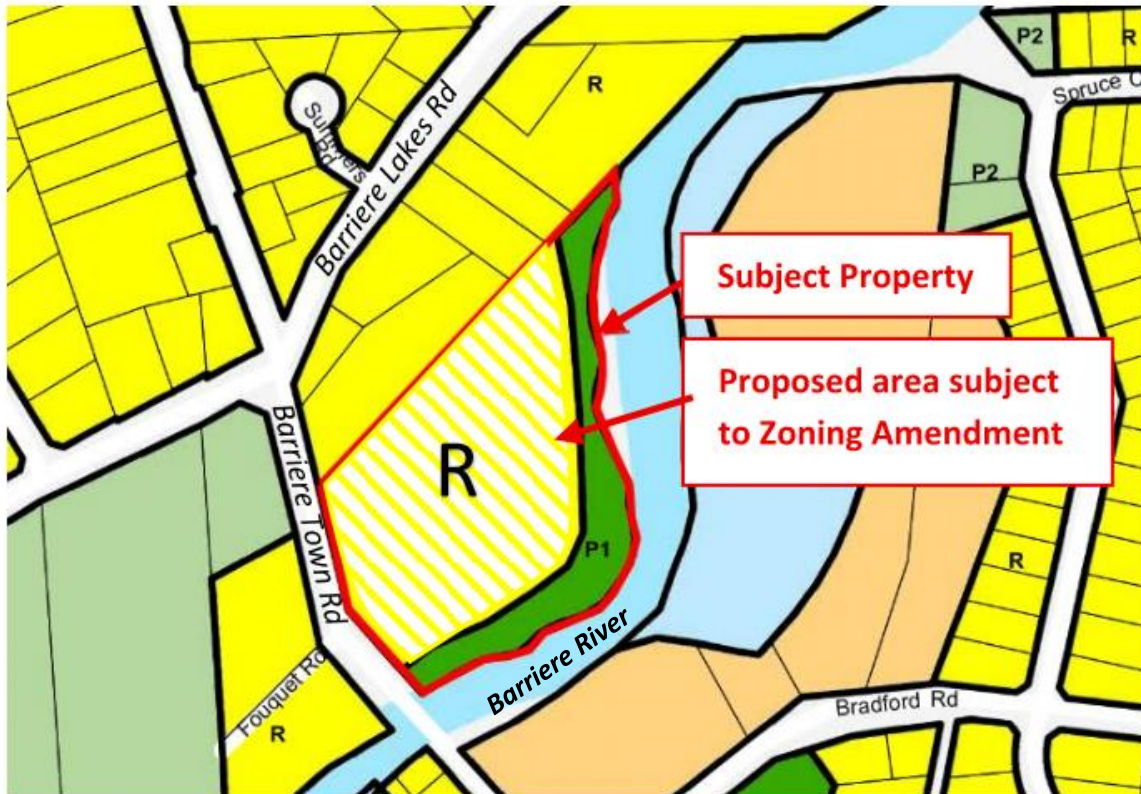
READ A THIRD TIME this day of , **2025**

ADOPTED this day of , 2025

Mayor Rob Kerslake

Tasha Buchanan, Corporate Officer

SCHEDULE 'A'



Schedule 'A' is incorporated in and forms part of
District of Barriere Bylaw No. 258

Certified Correct: Corporate Officer