

Rezoning / OCP Information Package

File Number: 3360-20/20160064

Subject: Cariboo Regional District Interlakes Area Official Community Plan Amendment Bylaw No. 5066, 2016 and Cariboo Regional District South Cariboo Area Zoning Amendment Bylaw No. 5067, 2016

Electoral Area: L

Date of Referral: November 7, 2016

Date of Application: October 7, 2016

Property Owner's Name(s): Michelle Jorgensen and Mitchell Spreitzer

Applicant's Name: Michelle Jorgensen and Mitchell Spreitzer

SECTION 1: Property Summary

Legal Description(s): Lot 2, District Lot 1465, Lillooet District, Plan KAP85641

Property Size: 0.56 ha (1.4 ac)

Area of Application: 0.56 ha (1.4 ac)

Location: Wilson Lake Rd

Current Designation:

Commercial

Min. Lot Size Permitted:

n/a

Proposed Designation:

Lakefront Residential

Min. Lot Size Permitted:

0.8ha (1.98 ac)

Current Zoning:

Special Exception Tourist Commercial (C 2-4)

Min. Lot Size Permitted:

4,000 sq. m (43,057 sq. ft)
(0.4 ha)

Proposed Zoning:

Lakeshore Residential (RL)

Min. Lot Size Permitted:

0.4ha (0.99 ac)

Proposed Use: To construct single family dwelling for residential use

No. and size of Proposed Lots: n/a

Name and type of existing road system: Wilson Lake Rd

Services Available: Hydro, proposed well and septic

Within the influence of a Controlled Access Highway: No

Within the confines of the Agricultural Land Reserve: No

Required to comply with the Shoreland Management Policy or Development Permit Areas:

Yes, with respect to sewage and riparian protection. Covenant KH99748 to be discharged.

Name of Lake/Contributing River and Lake Classification: Wilson Lake

Adjoining Properties: (Source: B.C.A.A.)

| | Land Use: | Lot Sizes: |
|---------|-------------------------------------------------|------------------------|
| (a) | 060 – 2 acres or more – Single Family Dwelling, | 64.7 ha (160 acres) |
| North | Duplex | |
| | 070 – 2 acres or more – Outbuilding | 25.9 ha (64 acres) |
| (b) | Wilson Lake | N/A |
| South | | |
| (c) | 020 – Residential Outbuilding Only | 0.52 ha (1.29 acres) |
| East | 238 – Seasonal Resort | 47.1 ha (116.34 acres) |
| (d) est | 000 – Single Family Dwelling | 0.62 ha (1.55 acres) |
| | 020 – Residential Out Building Only | 0.57 ha (1.41 acres) |
| | 062 – 2 acres or more – Seasonal Dwelling | 5.1 ha (12.7 acres) |

SECTION 2: Planning Report

Planning Staff recommends approval of the Interlakes Area Official Community Plan (OCP) Amendment Bylaw No. 5066, 2016 and of the South Cariboo Area Zoning Amendment Bylaw No. 5067, 2016.

It is proposed to rezone 0.56 ha (1.4 ac) of land from Special Exception Tourist Commercial C 2-4 zone to Lakeshore Residential (RL) zone to allow the owners to reside on the land. The property, alongside lots 1, 3 and 4, were subdivided from the Wilson Lake Resort in 2007 under the C 2-4 tourist commercial zoning. The owners' intentions are to build a 139.73 sq. m (1,504 sq. ft.) dwelling with a garage on the land. The proposal is located on Wilson Lake Road as shown in Appendix C. The width of the lot meets the 45.5 metre minimum water frontage requirement of the Lakeshore Residential zone.

The applicants are also applying to redesignate the commercial land to the Lakefront Residential designation. Appendix B references existing land designations in the Wilson/Grizzly Lakes area. Apart from the resort and its four-lot strata subdivision, which includes the subject property, most lands are designated Resource Area, Rural Residential 1, or Agricultural. These designations all exhibit larger minimum lot areas (4 and 32 ha) than the lakefront residential designation.

The Interlakes OCP has five residential designations overall: three are rural designations, one is specific for Deka Lake, and the remaining one is the Lakefront Residential designation which is applicable for lands within 250 metres of the natural boundary of area lakes. Although the existing lot does not meet the Lakefront Residential designation's 0.8 ha minimum lot area requirement, there are no other applicable designations available within the plan. Further, the property is fronting Wilson Lake so it would be appropriately designated. Staff notes that the parcel was subdivided under the commercial designation which does not have a minimum lot area. At the time of subdivision, the lot size complied with the Plan policies. Furthermore, density is dictated by zoning, which in the case of the proposal, the property would meet the 0.4 ha minimum lot area for the Lakeshore Residential (RL) zone.

Appendix E shows that the property is vacant and mostly forested. Wilson Lake's lake sensitivity is unclassified which consequently reverts to the High Sensitivity classification in the CRD Shoreland Management Policy. Staff notes that two covenants registered on the property were associated with the commercial land use and would no longer be applicable to the subject property due to the proposed residential land use (covenants KH99748 and LB150908). Covenant KH99748 also included requirements associated with compliance with CRD Shoreland Management Policy with respect to sewage disposal. This covenant also restricted construction to a housekeeping unit as opposed to a permanent residency in the form of a single family dwelling. Permanent single family dwellings generate more sewage flow than a seasonal occupancy in a housekeeping unit. Therefore, staff recommends both covenants be discharged, and compliance with CRD Shoreland Management with respect to sewage disposal be adhered to. A CRD 2007 Shoreland Management covenant for riparian protection (Document LB15095) was registered as part of the subdivision and this covenant remains valid.

Since the proposal is to rezone an existing small commercial property to residential land use with no possibility of further subdivision, and as the property is already subject to a shoreland riparian covenant, staff does not believe the proposal will have a negative impact on the area. The Plan states that residential developments are mostly clustered around lakes, and lakefront parcels should have minimum waterfrontage of no less than 45.5 m. Thus, the proposal is in keeping with the plan's residential development pattern. Further, the application will be subject to an assessment by a registered Onsite Waste Practitioner (ROWP) to confirm that the parcel can demonstrate sufficient soil capacity to support onsite sewage disposal in accordance with the Plan's Residential Policy 5.1 and in accordance with the CRD Shoreland Management Policy. Therefore, Planning staff recommends the application be approved.

Recommendation:

1 That the Cariboo Regional District Interlakes Area Official Community Plan Amendment Bylaw No. 5066, 2016 be considered for approval.

2 That South Cariboo Area Zoning Amendment Bylaw No. 5067, 2016 be considered for approval subject to the following conditions:

1. Adoption of the Cariboo Regional District Interlakes Area Official Community Plan Amendment Bylaw No. 5066, 2016.
2. The applicant offering to enter into and entering into a covenant to ensure compliance with the CRD Shoreland Management Policy with respect to sewage disposal system.
3. Discharge of covenants KH99748 and LB150908 from the land.

Further, that the cost of registration and discharge of the covenants be borne by the applicants.

SECTION 3: Referral Comments

Health Authority: - November 22, 2016

The applicant is requesting a Zoning and an Official Community Plan (OCP) amendment in order to allow the construction of a single family dwelling for residential use.

The development of this parcel as residential rather than commercial does not affect the capability of

the parcel to accommodate onsite services.

Healthy Built Environment encourages parcel sizes of at least a hectare for residential lots when they are serviced by independent water and sewer services.

Ministry of Transportation and Infrastructure: - November 10, 2016

The Ministry of Transportation and Infrastructure has no objection in principle to the proposed Bylaw referral 5066 & 5067.

Please note that Ministry setback from any public road is a minimum 4.5 metres.

Advisory Planning Commission:

See attached

Ministry of Environment: -

SECTION 4: Board Action

Date of Meeting: December 16, 2016

That Cariboo Regional District Interlakes Area Official Community Plan Amendment Bylaw No. 5066, 2016 be read a first and second time this 16th day of December, 2016.

That Cariboo Regional District South Cariboo Area Zoning Amendment Bylaw No. 5067, 2016 be read a first and second time this 16th day of December, 2016. Further, that adoption be subject to the following:

1. Adoption of the Cariboo Regional District Interlakes Area Official Community Plan Amendment Bylaw No. 5066, 2016.
 2. The applicant offering to enter into and entering into a covenant to ensure compliance with the CRD Shoreland Management Policy with respect to sewage disposal system.
 3. Discharge of covenants KH99748 and LB150908 from the land.
- Further, that the cost of registration and discharge of the covenants be borne by the applicants.

Date of Meeting: March 3, 2017

That Cariboo Regional District Interlakes Area Official Community Plan Amendment Bylaw No. 5066, 2016 and Cariboo Regional District South Cariboo Area Zoning Amendment Bylaw No. 5067, 2016 be read a third time, this 3rd day of March, 2017.

ATTACHMENTS

Appendix A: Bylaw No. 5066 & 5067

Appendix B: General Map

Appendix C: Specific Map

Appendix D: Orthographic Map

Other: APC comments

Results of Public Hearing

Letter from the public dated February 23, 2017



CARIBOO REGIONAL DISTRICT

BYLAW NO. 5066

A bylaw of the Cariboo Regional District, in the Province of British Columbia, to amend Bylaw No. 3906, being the "Cariboo Regional District Interlakes Area Official Community Plan Bylaw No. 3906, 2004".

WHEREAS the Regional Board may amend by bylaw an official community plan; and

WHEREAS the Regional Board has in its consideration of this bylaw had due regard to the consideration and requirements of the *Local Government Act*;

NOW THEREFORE the Board of Directors of the Cariboo Regional District, duly assembled, enacts as follows:

1. CITATION:

This bylaw may be cited as the "Cariboo Regional District Interlakes Area Official Community Plan Amendment Bylaw No. 5066, 2016".

2. AMENDMENT

Schedule "B" of Bylaw No. 3906 of the Cariboo Regional District is amended by:

Redesignating Lot 2, District Lot 1465, Lillooet District, Plan KAP85641 from Commercial designation to Lakefront Residential designation

READ A FIRST TIME THIS 16th DAY OF December, 2016.

READ A SECOND TIME THIS 16th DAY OF December, 2016.

A PUBLIC HEARING WAS HELD ON THE 23rd DAY OF February, 2017.

READ A THIRD TIME THIS 3rd DAY OF March, 2017.

ADOPTED this _____ day of _____, 2018.

Chair

Corporate Officer

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 5066, cited as the "Cariboo Regional District Interlakes Area Official Community Plan Amendment Bylaw No. 5066, 2016", as adopted by the Cariboo Regional District Board on the _____ day of _____, 2018.

Corporate Officer



CARIBOO REGIONAL DISTRICT

BYLAW NO. 5067

A bylaw of the Cariboo Regional District, in the Province of British Columbia, to amend Bylaw No. 3501, being the "South Cariboo Area Zoning Bylaw No. 3501, 1999".

WHEREAS the *Local Government Act* authorizes the Regional Board to amend a Zoning bylaw after a public hearing and upon the affirmative vote of the Directors.

WHEREAS an application has been received to rezone property.

NOW, THEREFORE, the Board of Directors of the Cariboo Regional District, duly assembled, enacts as follows:

1. CITATION

This bylaw may be cited for all purposes as the "Cariboo Regional District South Cariboo Area Zoning Amendment Bylaw No. 5067, 2016".

2. AMENDMENT

Bylaw No. 3501 of the Cariboo Regional District is amended by:

- i) rezoning Lot 2, District Lot 1465, Lillooet District, Plan KAP85641 from Special Exception Tourist Commercial (C 2-4) zone to Lakeshore Residential (RL) zone; and
- ii) amending Schedule "C" accordingly.

READ A FIRST TIME THIS 16th DAY OF December, 2016.

READ A SECOND TIME THIS 16th DAY OF December, 2016.

A PUBLIC HEARING WAS HELD ON THE 23rd DAY OF February, 2017.

READ A THIRD TIME THIS 3rd DAY OF March, 2017.

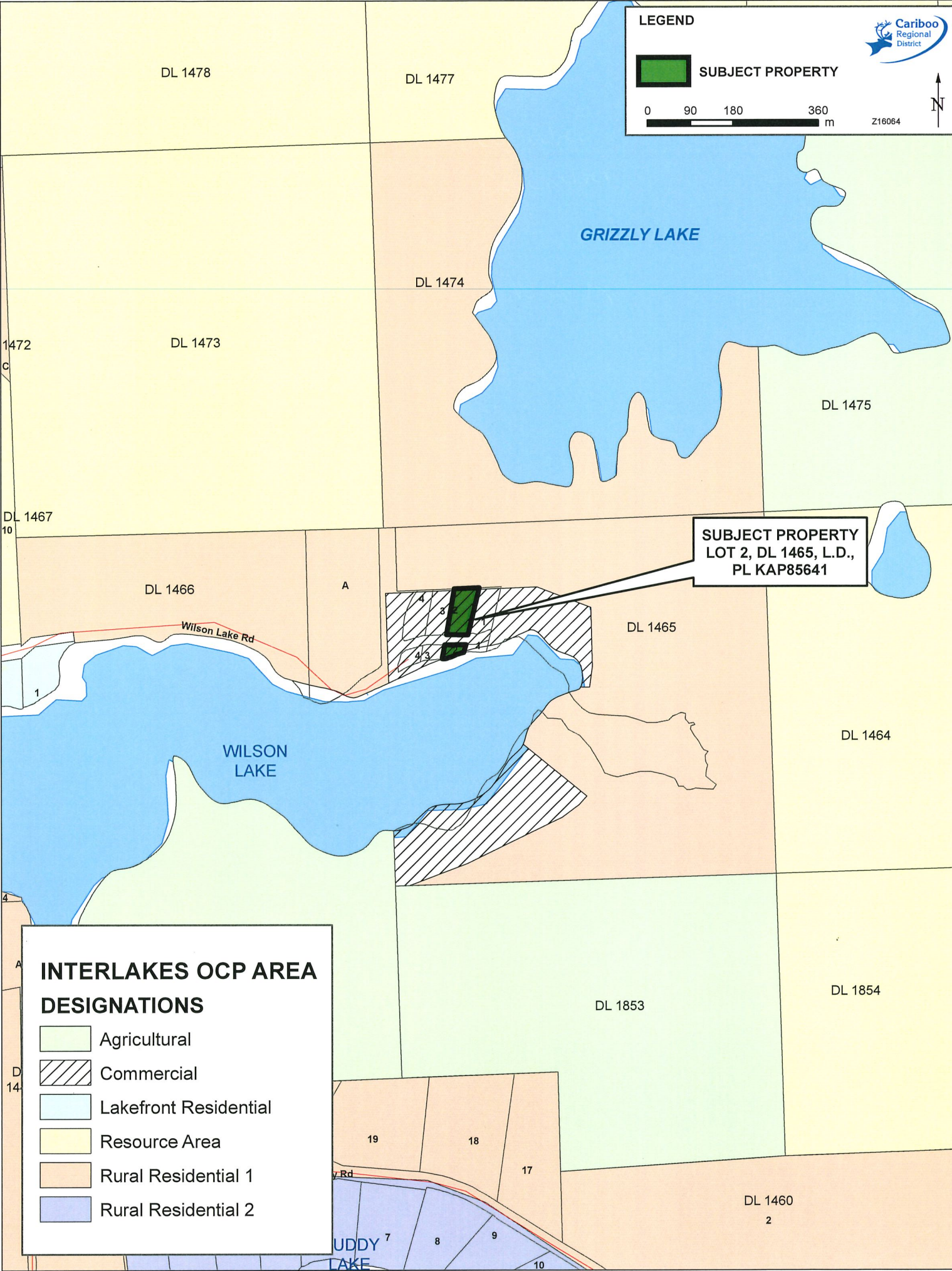
ADOPTED THIS DAY OF , 2018.

Chair

Corporate Officer

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 5067, cited as the "Cariboo Regional District South Cariboo Area Zoning Amendment Bylaw No. 5067, 2016", as adopted by the Cariboo Regional District Board on the day of , 2018.

Corporate Officer



LEGEND



SUBJECT PROPERTY

0 90 180 360 m

Z16064



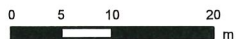
**INTERLAKES OCP AREA
DESIGNATIONS**

- Agricultural
- Commercial
- Lakefront Residential
- Resource Area
- Rural Residential 1
- Rural Residential 2

LEGEND



SUBJECT PROPERTY
PROPOSED LAKESHORE RESIDENTIAL (RL) ZONE
PROPOSED LAKEFRONT RESIDENTIAL DESIGNATION



ALL MEASUREMENTS
METRIC

Z16064

DL 1465

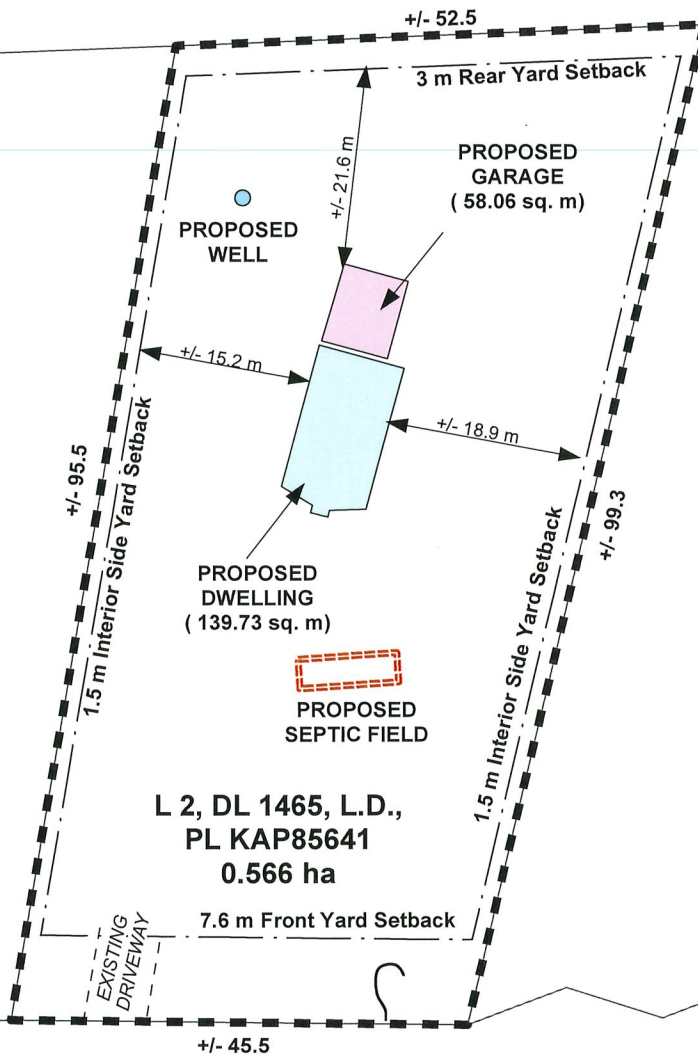
Lot 4
PL KAP85641

DL

Lot 3
PL KAP85641

Lot 1
PL KAP85641

1465



L 2, DL 1465, L.D.,
PL KAP85641
0.566 ha

WILSON LAKE RD

Lot 3
PL KAP85641

Lot 2
PL KAP85641

Lot 1
PL KAP85641

+/- 29.3
DRAINAGE RW
PL KAP 85642

+/- 17.2

+/- 44.6

WILSON LAKE

LEGEND



SUBJECT PROPERTY

0 5 10 20
m



Z16064

SUBJECT PROPERTY
Lot 2, DL1465, L.D.,
PL KAP85641

4

3

2

1

5

WILSON LAKE RD

1

2

3

4

WILSON
LAKE

ADVISORY PLANNING COMMISSION RESPONSE FORM

Minutes of the meeting of the Electoral Area 'L' advisory planning commission held on **NOV 15 2016**
in the **L.B. FIRE HALL**, located at **LONE BUTTE**, BC,
commencing at **7.20 PM**

PRESENT:

Chair **BRIAN COAKLEY**

Members **ART GUIMOND, STEVE BROWN, HAROLD MOBBES,**
ALAN BOYD, JUSTIN GUIMOND, DAVE LEVICK

Recording Secretary **RAY CARLSON**

Owners/Agent, or

☒ Contacted but declined to attend

ABSENT: **PETER CRAWSHAY, PETER BONTER**

ALSO PRESENT:

Electoral Area Director

Staff support (if present)

BRIAN COAKLEY

Agenda Items

REZONING/OCP AMENDMENT APPLICATION – 3360-20/20160064 (Lot 2, District Lot 1465, Lillooet District, Plan KAP85641)

/ : "THAT the application to rezone/redesignate property at WILSON LAKE ROAD be supported rejected for the following reasons:

i) **MOVED BY HAROLD MOBBES SECONDED BY JUSTIN GUIMOND**

; and

ii) **THAT THE APPLICATION BE APPROVED**

For:

7

Against:

0

CARRIED/DEFEATED

Termination

MOVED BY ART GUIMOND, SECONDED BY DAVE LEVICK
RAY / : That the meeting terminate.

CARRIED

Time:

7.40 PM

R. Carlson

Recording Secretary

R. Carlson

Chair

Cariboo Regional District

File No.

NOV 21 2016

Referred To

RESULTS OF PUBLIC HEARING

File No: 3360-20/20160064

Date: February 23, 2017

Location: Interlakes Community Center

Re: **CARIBOO REGIONAL DISTRICT INTERLAKES AREA OFFICIAL COMMUNITY PLAN
AMENDMENT BYLAW NO. 5066, 2016 AND CARIBOO REGIONAL DISTRICT SOUTH
CARIBOO AREA ZONING AMENDMENT BYLAW NO. 5067, 2016**

Persons Present:

- ☒ Director:
- ☐ Owner(s):
- ☐ Agent:
- ☒ Public: See attached list
- ☐ Staff:
- ☐ No public in attendance (excluding owner/agent)

☐ Waited ten (10) minutes and then called the meeting adjourned.

☒ Welcome and introduction by the Area Director/Alternate

☒ The "Purpose of a Public Hearing", including the rules for the meeting and the specifics of the application were read out and the hearing was called to order at 7:05 P.M.

☒ The Chair read out comments received from the referral process including CRD planning staff's comments and board actions to date.

☐ The Chair read out the following letters received from the public: (attached)(add additional sheet if required)

1) Date:

Name:

2) Date:

Name:

N/A

N/A

☒ The following verbal comments and questions were received: (add additional sheet if required)

Comments in favour: THERE WERE SIX PEOPLE THERE

ONE WAS FOR IT, TWO DIDN'T HAVE ONE WAY OR THE OTHER AND ONE WAS THERE TO SEE HOW PUBLIC

Comments of concern/opposition: HEARING WORKED.

MOSTLY CONCERNED WITH THE INDIVIDUAL OWNERS WAY OF DOING BUSINESS, AND WERE MISINFORMED ABOUT MANY THINGS

☒ Attendees were asked three times for further comments and/or questions.

☒ The Chair called the meeting adjourned at 8:20 P.M.

I certify this is a fair and accurate report on the results of the public hearing.



Signature of Chair



Name
(Please Print)

Address
(Please Print)

Kent Rene LaFavor

Wendy CHASE

Home Town

David Hickman

MAT OLIVER

7525 high country Rd. Bridge Lake.

7541 E. SHERIDAN LK. Rd

8280 Wilson LK Rd

8297 Wilson Lake Rd

BRIDGE LAKE

February 23, 2017

Without Prejudice:

Karen Moores;

Manager of Development Services;

For what it's worth, my opinion of this proposal is totally negative. When is the theory of I should be able to do whatever I want going to stop? When are people going to have respect for our OCP's and covenants? We do have an OCP in place which defines our boundaries and information is available at the land title office for prospective buyers that spells out what is allowed and what is restricted. If a potential property owner doesn't agree with the zoning, easements, rights of way then they should go look somewhere where their demands would be met. The other alternative is to draft a new OCP and put it to a referendum. Until then the existing one should be binding with no exceptions.

I also have an issue with the way these public hearings are being held. You appear to have everything working in the applicant's favour. There is a two week notice period and the e-mail from Alice Johnson tells me the information from the FOI is at least thirty days. I am currently waiting for information from MOTI as to the legality of the public road serving this lot and the other three lots. This info will come too late.

The property itself is under two feet of snow covering all the corner pins and hiding the topography of the lot so the general public does not have an opportunity to assess the locations of the septic, back-up septic, buildings, etc.

Input from two Health Unit members from separate applications appear to reject this proposal. There also appears to be a problem with the required sight distance required for residential driveways. As was mentioned in a Zoning Variance just further down the road the APC wanted to reject it because it "had the potential to be precedent setting in the neighbourhood". This was overturned by the planning staff. The same could be said for this proposal. Would an approval for this application give the green light for the other three lots in this subdivision? There is also a potential for three more small lots East of this project. Is this compatible to the neighborhood? I think not. Are seven more septic systems compatible to a highly sensitive lake and yes it is classified as a highly sensitive lake. If you peruse all the other applications for the last twenty years for DL 1465 and DL1464 they all classify Wilson Lake as a highly sensitive lake. Just for your information what goes into this lake ends up in the Bridge

Creek Watershed system which includes Bridge Lake. I have included documentation with my letter backing my statements.

I reiterate, this is not a sensible proposal and should be rejected.

Regards;

Mat Ounpuu, close resident.