

Rezoning Information Package

File Number: 3360-20/20170034

Subject: Cariboo Regional District Chilcotin Area Rural Land Use Amendment Bylaw No. 5125, 2017

Electoral Area: K

Date of Referral: December 18, 2017

Date of Application: October 12, 2017

Property Owner's Name(s): Siegfried Reuter and Kelly Reuter

Applicant's Name: Siegfried Reuter and Kelly Reuter

SECTION 1: Property Summary

Legal Description(s): That Parcel or Tract of Unsurveyed Crown Land East of Taseko River in the Vicinity of Beece Creek, Lillooet District, containing 10.429 ha More or Less (Crown File 5407584)

Area of Application: 10.429 ha (25.77 ac)

Location: Taseko Lake Road

Current Zoning:

Resource/Agricultural (R/A)

Min. Lot Size Permitted:

32 ha (79.07 ac)

Proposed Zoning:

Tourist Commercial (C 2)

Min. Lot Size Permitted:

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

Proposed Use: To legalize an existing tourism development on Beece Creek

No. and size of Proposed Lots: Not proposed for subdivision

Name and type of existing road system: Taseko Lake Rd (gravel, collector)

Services Available: Sewage disposal, well, wood heat, propane cooking, cistern, solar/battery bank, wind and diesel generator.

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 disposal and riparian protection.

Name of Lake/Contributing River and Lake Classification: Beece Creek

Lake/Stream Sensitivity: High

Required to comply with other Development Permit Areas: N/A

Name of Development Permit: N/A

Crown Grant states no new development will occur within 15 metres of the natural boundary of Beece Creek, and that if the existing lodge is destroyed, any new structures must be set back a minimum of 15 metres from the natural boundary of Beece Creek.

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

Land Use:

Lot Sizes:

- (a) Unsurveyed Crown Land
North
- (b) Unsurveyed Crown Land
South
- (c) Unsurveyed Crown Land
East
- (d) Unsurveyed Crown Land
West Taseko River

SECTION 2: Planning Report

Planning Staff recommends approval of Cariboo Regional District Chilcotin Area Rural Land Use Amendment Bylaw No. 5125, 2017.

Background:

It is proposed to rezone 10.43 ha (25.77 ac) of Crown land to legalize a resort established in 1935 on Beece Creek. The proposal is shown in Appendix C.

Unsurveyed Crown lands are usually zoned Resource/Agricultural in CRD Rural Land Use Bylaws (RLUB) and in Zoning Bylaws. The Resource/Agricultural (R/A) zone does permit a guide outfitting camp but does not permit a lodge, a resort, or any other tourist commercial uses, including accommodation. The proponent has a valid guiding territory certificate.

Application History / Relevant Applications:

The applicants purchased the Crown Licence of Occupation for the resort in 1999. They have applied for a lease with Crown (Crown File 5407584), subject to rezoning the land to the Tourist Commercial (C 2) zone to reflect the existing land uses. The existing Crown Licence has the following restrictions pertaining to Beece Creek:

- *No new development will occur within 15 metres of the natural boundary of Beece Creek;*
- *If the existing lodge is destroyed, any new structure will be set back a minimum of 15 metres from the natural boundary of Beece Creek;*
- *You will not remove or permit the removal of any Improvements from the Land except as expressly permitted in this Agreement.*

Location and Surroundings:

The proposal is located on Taseko Lake Road, east of the Taseko River, as shown in Appendix B. Appendix C and D shows that Beece Creek is bisecting the property. There are no other properties in the area.

CRD Regulations and Policies:

The Chilcotin Area RLUB provides economic development policies and policies related to existing uses. The plan also recognizes the Chilcotin area to be rural and sparsely populated, and the importance of tourist establishments catering to the fishing, hunting and nature enthusiasts. The RLUB describes the following objectives and policies related to tourism commercial uses:

- To both encourage the growth and expansion of the tourism industry in the area and therefore foster tourist-related economic development, in an environmental friendly manner, while preserving and maintaining lake water quality in the area.
- To foster tourism-related, economic development and encourage the growth and expansion of the tourism industry by including a broad range of recreational amenities in conjunction with accommodation-based businesses. At the same time, encouraging their location, operation and expansion in an environmentally friendly manner by maintaining minimum setback distances from the lakes and watercourses, in an effort to preserve and maintain lake water quality.

Staff notes that the restrictions imposed in the Crown license is limited to structural improvements, and does not offer riparian protection such as restricting removal of vegetation. Interior Health also indicated in their referral comments concerns associated with onsite sewerage system, food preparation and drinking water supply system. As such, planning staff recommends compliance with the Shoreland Management Policy with respect to sewage disposal system and riparian protection of Beece Creek, and that the applicant demonstrate compliance with Interior Health Authority requirements. The Ministry of Transportation and Infrastructure (MOTI) also requested a Commercial Access permit as the resort is accessed via Taseko Lake Road.

Rationale for Recommendations:

Planning staff is supportive of the rezoning as the proposal complies with the policies and objectives of the RLUB, and the resort has been in existence for more than 80 years.

Recommendation:

That Chilcotin Area Rural Land Use Amendment Bylaw No. 5125, 2017 be considered for approval subject to the following conditions:

1. The applicants offering to enter into and entering into a covenant to ensure compliance with the CRD Shoreland Management Policy with respect to sewage disposal system and riparian protection;
2. The applicants meeting Interior Health Authority requirements prior to adoption; and,
3. The applicants obtaining a Provincial Public Highway Commercial Access Permit from the Ministry of Transportation and Infrastructure prior to adoption.

Further, that the cost of registration of the covenant be borne by the applicants.

SECTION 3: Referral Comments

Health Authority:

See attached.

Ministry of Transportation and Infrastructure: - December 19, 2017

The Ministry of Transportation and Infrastructure has no objection in principle to the proposed Bylaw Referral No. 5125.

Please note that a Provincial Public Highway Permit Application for Commercial Access will be required since this development accesses a Ministry road. <http://www.th.gov.bc.ca/permits/H0020.pdf>

Advisory Planning Commission:

See attached.

Ministry of Environment: -

Ministry of Forests, Lands, Natural Resource Operations and Rural Development:

Tsilhqot'in National Government

Esketemc First Nation

Yunesit'in Government

SECTION 4: Board Action

Date of Meeting: February 16, 2018

That Cariboo Regional District Chilcotin Area Rural Land Use Amendment Bylaw No. 5125, 2017 be read a first and second time this 16th day of February, 2018. Further, that adoption be subject to the following:

1. The applicants offering to enter into and entering into a covenant to ensure compliance with the CRD Shoreland Management Policy with respect to sewage disposal system and riparian protection.
2. The applicants meeting Interior Health Authority requirements prior to adoption.
3. The applicants obtaining a Provincial Public Highway Commercial Access Permit from the Ministry of Transportation and Infrastructure prior to adoption.

Further, that the cost of registration of the covenant be borne by the applicants.

ATTACHMENTS

Appendix A: Bylaw No. 5125

Appendix B: General Map

Appendix C: Specific Map

Appendix D: Orthographic Map

Other: Applicant's supporting documentation
APC comments
Interior Health Authority comments
Results of Public Hearing



CARIBOO REGIONAL DISTRICT

BYLAW NO. 5125

A bylaw of the Cariboo Regional District, in the Province of British Columbia, to amend Bylaw No. 3500, being the "Chilcotin Area Rural Land Use Bylaw No. 3500, 1999".

WHEREAS the *Local Government Act* authorizes the Regional Board to amend a Rural Land Use 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, hereby enacts as follows:

1. CITATION

This bylaw may be cited for all purposes as the "Cariboo Regional District Chilcotin Area Rural Land Use Amendment Bylaw No. 5125, 2017".

2. AMENDMENT

Bylaw No. 3500 of the Cariboo Regional District is amended by:

- i) rezoning That Parcel or Tract of Unsurveyed Crown Land East of Taseko River in the Vicinity of Beece Creek, Lillooet District, Containing 10.429 ha More or Less (Crown File 5407584) from Resource/Agricultural (R/A) zone to Tourist Commercial (C 2) zone; and
- ii) amending Schedule "C" accordingly.

READ A FIRST TIME THIS 16th DAY OF February, 2018.

READ A SECOND TIME THIS 16th DAY OF February, 2018.

A PUBLIC HEARING WAS HELD ON THE 1st DAY OF May, 2018.

READ A THIRD TIME THIS _____ DAY OF _____, 2018.

ADOPTED THIS ___ DAY OF _____, 2018.

Chair

Corporate Officer

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 5125 cited as the "Cariboo Regional District Chilcotin Area Rural Land Use Amendment Bylaw No. 5125, 2017", as adopted by the Cariboo Regional District Board on the _____ day of _____, 2018.

Corporate Officer

Appendix C: SPECIFIC MAP



LEGEND

- SUBJECT PROPERTY
- PROPOSED TOURIST COMMERCIAL (C 2) ZONE



ALL MEASUREMENTS
METRIC

Z17034



UNSURVEYED CROWN LAND

CREEK

Taseko Lake Rd

+/- 270

HORSE PENS

STORAGE
(15.6 sq. m)

PARKING

WORKSHOP
(297.3 sq. m)

HORSE PENS

TACK HOUSE
(111.5 sq. m)

+/- 287

SEPTIC FIELD

HORSE PENS

GUEST HOUSE
(37.2 sq. m)

LODGE
(232.3 sq. m)

PARKING

GUEST CABIN
(61.3 sq. m)

STORAGE
(55.7 sq. m)

GENERATOR
(9.3 sq. m)

+/- 313 m

PLAYGROUND &
RECSITES

GUEST CABIN
(37.2 sq. m)

SEPTIC FIELD

GUEST CABINS
(48.3 sq. m each)

PARKING

SEPTIC FIELD

+/- 221

GUEST CABIN
(91.8 sq. m)

STORAGE
(17.8 sq. m)

STORAGE
(17.8 sq. m)

+/- 115 m

+/- 159 m

UNSURVEYED CROWN LAND

TRAIL
TO TASEKO LAKE


Appendix D: ORTHOGRAPHIC MAP



LEGEND

 SUBJECT PROPERTY

0 25 50 100 m



Z17034



UNSURVEYED CROWN LAND

Taseko Lake Rd

SUBJECT PROPERTY
THAT PARCEL OR TRACT OF UNSURVEYED CROWN LAND
EAST OF TASEKO RIVER, IN THE VICINITY OF BEECE CREEK,
LILLOOET DISTRICT, CONTAINING 10.429 ha, MORE OR LESS
(Crown File 5407584)

UNSURVEYED CROWN LAND

Describe the existing use of the subject property and all buildings: Tourism lodge - community kitchen and home of owners, kids cabin, 2 staff cabins, 5 guest cabins - log buildings, pole barn - shop, coolhouse - woodshed for horse lean to shelter - old log tack shed & generator building

Describe the proposed use of the subject property and all buildings: community kitchen for ranch vacation guests in season, owners dwelling all seasons, cabins house staff and guests, animal shelters, and storage for equipment, workshop

Describe the reasons in support for the application: Owner's applied for lease to move from license of occupation (LOC) and LANDS requested rezoning to include commercial tourism use from guide outfitting + ranch guests.

Provide a general description of vegetation cover (i.e. treed, grassland, forage crop etc.): flat, open gravel yard and parking area, pine trees outside perimeter of main yard, aspen and willow along creekside and rest of area is grass.

Provide general geographical information (i.e. existing lakes, streams, physical features etc.): Peace Creek NE side branch runs past front of lodge and kids cabins. Guest cabins sit on SW side of creek accessed by foot bridge or stream ford.

Services Currently Existing or Readily Available to the Property (check applicable area)

* Readily Available means existing services can be easily extended to the subject property.

Services	Currently Existing?		Readily Available?*	
	Yes	No	Yes	No
Hydro	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Telephone	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> satellite	<input checked="" type="checkbox"/>
Community Water System	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Community Sewer System	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sewage Disposal System	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> septic tanks + drain fields	<input checked="" type="checkbox"/>
Well	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other (please specify)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
wood heat				
propane cooking				
cistern				
solar/battery bank				
wind & diesel generator				

JAN 03 2018

File No: 3360-20/20150049

Referred To ADVISORY PLANNING COMMISSION RESPONSE FORM

Minutes of the meeting of the Electoral Area 'K' advisory planning commission held on Jan 3/18 in the Chitotin Lodge, located at Riske Creek BC, commencing at 11:30 a.m.

PRESENT: Chair Trena Plummer
Members Trena Plummer, Noreen MacDonald, Lorraine Bowser
Recording Secretary Lynn Blatchford

Owners/Agent, or
 Contacted but declined to attend

ABSENT: Ken Waslen

ALSO PRESENT: Electoral Area Director R (East Chitotin) Betty Andersen
Staff support (if present) Francesca Sanna (Planning Officer)

Agenda Items

TEXT AMENDMENTS - ANCILLARY -

1 / : "THAT the text amendments regarding ancillary structures be supported/rejected for the following reasons:

- i) the business is well established & been in operation for years ; and
- ii) Commission is good for the province

For: 4 Against: 0

CARRIED/DEFEATED

Termination

Trena Plummer : That the meeting terminate.

CARRIED

Time: 12:10

Lynn Blatchford
Recording Secretary

Trena Plummer
Chair

RESPONSE SUMMARY

- Approval Recommended for Reasons Outlined Below Interests Unaffected by Bylaw
- Approval Recommended Subject to Conditions Outlined Below Approval Not Recommended Due to Reasons Outlined Below

Interior Health thanks you for the opportunity to comment on the proposed legalization of an existing tourism development on Beece Creek. All facilities open to the public are required to meet several health regulations to ensure there is no health risk to the users.

Interior Health has no records on Taseko Lake Resort for approval and operation of the services being provided to the guests using this facility. A public facility requires approval and operating permits for the food preparation facilities and the drinking water supply system. Information on the requirements is available on the Interior Health website or by contacting our office in Williams Lake. <https://www.interiorhealth.ca/YourEnvironment/Pages/default.aspx>

The facility must demonstrate that the onsite sewerage system can accommodate the development on the parcel. The sewerage system regulation requires that an owner obtain the services of an authorized person. The owner will be required to meet the health requirements to continue this operation.

Our recommendation would be dependant on the capability of the resort to provide the required services within our guidelines and policies.

Please feel free to contact me directly if you have any questions or concerns.

Signed By:  Title: Environmental Health Officer

Date: January 15, 2018 Agency: Interior Health Authority

RESULTS OF PUBLIC HEARING

File No: 3360-20/20170034

Date: May 1, 2018

Location: Alexis Creek Community Hall

Re: **CARIBOO REGIONAL DISTRICT CHILCOTIN AREA RURAL LAND USE AMENDMENT
BYLAW NO. 5125**

Persons Present:

- Director: *Betty Anderson*
- Owner(s): *Siegfried & Kelly Reuter*
- 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 _____.
- 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: _____
- The following verbal comments and questions were received: (add additional sheet if required)
 - Comments in favour:

 - Comments of concern/opposition:
- Attendees were asked three times for further comments and/or questions.
- The Chair called the meeting adjourned at 7:11 P.M.

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

Betty Anderson
Signature of Chair