

Rezoning / OCP Information Package

File Number: 3360-20/20180012

Subject: Cariboo Regional District South Cariboo Area Zoning Amendment Bylaw No. 5140, 2018

Electoral Area: G

Date of Referral: April 5, 2018

Date of Application: March 12, 2018

Property Owner's Name(s): Kathe Goldschmidt and Sidney Goldschmidt

Applicant's Name: Nigel Hemingway

SECTION 1: Property Summary

Legal Description(s): Lot 9 District Lot 352, Lillooet District, Plan 30963

Area of Application: 5.226 ha (12.9 ac)

Location: Steven Road

Current Zoning:

Rural 1 (RR 1)

Min. Lot Size Permitted:

4 ha (9.88 ac)

Proposed Zoning:

Rural 2 (RR 2)

Min. Lot Size Permitted:

2 ha (4.94 ac)

Proposed Use: To create two residential lots for family members.

No. and size of Proposed Lots: 2 lots proposed, lot one: 2.6 ha (6.42 ac), lot two: 2.6 ha (6.42 ac)

Name and type of existing road system: Steven Rd (paved, collector)

Services Available: Hydro, telephone

Within the influence of a Controlled Access Highway: Yes

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

Name of Lake/Contributing River and Lake Classification: Lac la Hache

Required to comply with other Development Permit Area: No

Name of Development Permit: N/A

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

Land Use:

Lot Sizes:

(a)	061 – 2 Acres or More – Vacant	4.1 ha (10.14 ac)
North	063 – 2 Acres or More – Manufactured Home	4.33 ha (10.7 ac) – 4.56 ha (11.29 ac)
(b)	000 – Single Family Dwelling	0.14 ha (0.35 ac) – 0.32 ha (0.8 ac)
South	001 – Vacant Residential Less than 2 Acres	0.22 ha (0.55 ac)
	020 – Residential Outbuilding Only	0.21 ha (0.52 ac)
	038 – Manufactured Home – Not in Manufactured Home Park	0.32 ha(0.8 ac)
	060 – 2 Acres or More Single Family Dwelling, Duplex	1.69 ha (4.18 ac)
(c)	060 – 2 Acres or More Single Family Dwelling, Duplex	0.85 ha (2.12 ac) – 4.13 ha (10.22 ac)
East		
(d)	000 – Single Family Dwelling	0.11 ha (0.289 ac) – 0.17 ha (0.43 ac)
West	001 – Vacant Residential Less Than 2 Acres	0.13 ha (0.34 ac)
	020 – Residential Outbuilding Only	0.13 ha (0.34 ac)
	038 – Manufactured Home – (Not in Manufactured Home Park)	0.129 ha (0.32 ac)

SECTION 2: Planning Report

Background:

The application proposal is to create two residential lots for the property owner family members. The subject property is proposed to rezone from Rural 1 (RR 1) to Rural 2 (RR 2) in South Cariboo Area Zoning Bylaw.

Location and Surroundings:

The proposal is located at Steven Road. There is a mixture of vacant lots and residential dwellings surrounding the subject property.

CRD Regulations and Policies:

South Cariboo Area Zoning Bylaw

5.19 RURAL 2 (RR 2) ZONE

5.19.2 ZONE PROVISIONS

No person shall, within any RR 2 zone, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- (a) LOT AREA (minimum): = 2 hectares (4.94 acres)

Rationale for Recommendations:

Being the proposed new lots still maintain the character of rural residential as depicted in Lac La Hache Official Community Plan, the planning staff is supportive of the rezoning proposal. Being adjacent to Lac La Hache Lake, the proposal is required to comply with Shoreland management policy.

Recommendation:

1: That the South Cariboo Area Zoning Amendment Bylaw No. 5140, 2018 be approved subject to the following condition:

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 and riparian protection.

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

SECTION 3: Referral Comments

Health Authority: - May 16, 2018

See attached.

Ministry of Transportation and Infrastructure: - April 11, 2018

The Ministry of Transportation & Infrastructure has no objection in principle to proposed zoning Bylaw 5140. Please note this in no way constitutes subdivision approval. Items to be considered at the subdivision may include but not limited to:

Access
Proof of Water
Drainage
Sewage Disposal
Right-of Way dedication

Advisory Planning Commission: May 4, 2018

See attached.

Ministry of Environment: -

SECTION 4: Board Action

Date of Meeting: May 25, 2018

That South Cariboo Area Zoning Amendment Bylaw No. 5140, 2018 be read a first and second time this 25th day of May, 2018. Further that adoption be subject to the following condition:

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.

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

Date of Meeting: August 24, 2018

That Cariboo Regional District South Cariboo Area Zoning Amendment Bylaw No. 5140, 2018 be read a third time, this 24th day of August, 2018.

ATTACHMENTS

Appendix A: Bylaw No. 5140

Appendix B: General Map

Appendix C: Specific Map

Appendix D: Orthographic Map

Other: Applicant's supporting documentation

APC Response Form

Interior Health Comments

Public Hearing Results Form



CARIBOO REGIONAL DISTRICT

BYLAW NO. 5140

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. 5140, 2018".

2. AMENDMENT

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

- i) rezoning Lot 9, District Lot 352, Lillooet District, Plan 30963 from Rural 1 (RR 1) zone to Rural 2 (RR 2) zone; and
- ii) amending Schedules "A" and "C" accordingly.

READ A FIRST TIME THIS 25th DAY OF May, 2018.

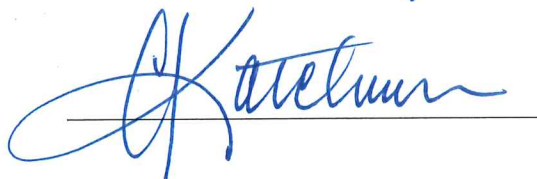
READ A SECOND TIME THIS 25th DAY OF May, 2018.

A PUBLIC HEARING WAS HELD ON THE 12th DAY OF July, 2018.

READ A THIRD TIME THIS 24th DAY OF August, 2018.

APPROVED UNDER THE "TRANSPORTATION ACT" THIS 10th DAY OF Sept, 2018.

Cindy Katchmar
Senior Development Technician
Ministry of Transportation
& Infrastructure



ADOPTED THIS ___ DAY OF _____, 2018.

Chair

Corporate Officer

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 5140, cited as the "Cariboo Regional District South Cariboo Area Zoning Amendment Bylaw No. 5140, 2018", as adopted by the Cariboo Regional District Board on the ___ day of _____, 2018.

Corporate Officer

Appendix B: GENERAL MAP



LEGEND

 SUBJECT PROPERTY

0 162.5 325 650 m

Z18012



SUBJECT PROPERTY
LOT 9, DL 352,
L.D., PLAN 30963



LAC LA HACHE

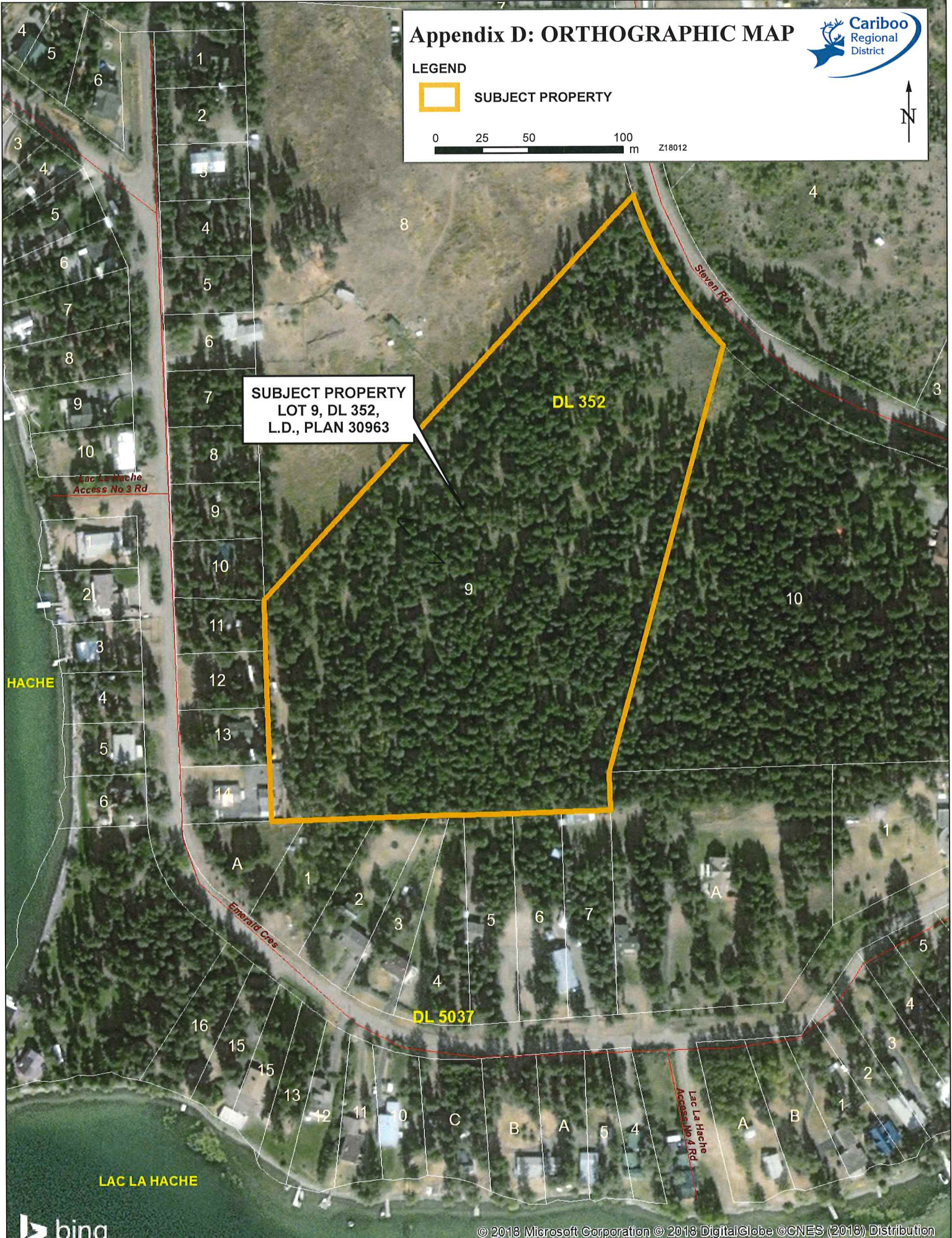
Appendix D: ORTHOGRAPHIC MAP



LEGEND

 SUBJECT PROPERTY

0 25 50 100 m Z18012



SUBJECT PROPERTY
LOT 9, DL 352,
L.D., PLAN 30963

DL 352

DL 5037

HACHE

LAC LA HACHE

Emerald Cres

*Lac La Hache
Access No 1 Rd*

Slezer Rd



This application is requesting that Lot 9, District Lot 352, Lillooet District, Plan 30963 be rezoned from the Rural 1 (RR1) Zone to the Rural 2 (RR2) Zone. The rezoning is being proposed to accommodate the subdivision of the 5.2 hectare property into two lots. The present Official Community Plan Designation for the land is General Residential. The draft document for the new Lac La Hache Official Community Plan has this lot and all others on Steven Road designated Rural Residential. The existing and proposed designations for this land supports the zoning change proposed.

The property was recently purchased jointly by Sid Goldschmidt and his mother Katherine. They both want to relocate to this part of the Cariboo because of the life style opportunities provided in the region. They are proposing a subdivision of the land so each can have title to their own property and they can both have their own homes, yet still live close to each other. They did look around the area but could not find two existing adjacent properties that met their needs.

Lot 9 is an ideal property for a division such as this. It is gently rolling with no topographic constraints, hazardous areas or water courses. It is fairly heavily wooded meaning the owners can leave vegetation buffers around their homes for their and their neighbours privacy. While Lot 9 does not have a lot of road frontage, except for the very southeasterly end good safe access can be provided to both proposed lots. The property is less than 400 metres from the Emerald Crescent Road intersection where the rural mail boxes are and the school bus stop is located. That intersection is about 500 metres from Highway 97 providing access to Williams Lake, the Lac La Hache townsite or 100 Mile House.

The location of this land makes it a property which should be considered for infilling and an increased density. It meets many of the objectives outlined in the draft version of the new Community Plan for Lac La Hache.

- 1) It is well separated from lands in the Agricultural Land Reserve and lands used for Resource purposes by other residential lots and the highway.
- 2) It is in an existing residential neighbourhood of Lac La Hache.
- 3) There are no critical wildlife habitats, geotechnical or environmental hazards on the land and because there are no wet zones or water courses, the water quality of Lac La Hache cannot be impacted.
- 4) The proposed lots are still large which will maintain the rural character of the neighbourhood and provide ample area for sewage disposal requirements.
- 5) The proposed lots are a similar size to three others in the immediate neighbourhood and much larger than most along Emerald Crescent.
- 6) Utility servicing is available at the road fronting Lot 9 and can easily and economically be extended into the proposed properties.

There are not many locations in the Lac La Hache OCP area that are suitable for infilling development without being near Agricultural Land Reserve or Resource Lands. That is because of the highway location and the historic developments along the lake. Lot 9 is in one of those locations within an existing residential neighbourhood. It's physical characteristics contribute to Lot 9 being very good for creation of two lots instead of just

one. The proposed sizes are still large meaning both properties have ample area for all residential infrastructure without impacting adjacent lands. The policies of the Regional District will require, prior to adoption of a zoning change, that soils analysis will need to be done to prove that future sewage systems can not and will not impact the water table or Lac La Hache. While the current owners are making this application, so they can each own a lot beside each other we believe it is an application that the new OCP wants to promote for many reasons stated in the document.

Cariboo Regional District

File No.

MAY 04 2018

Area G APC Response Form.

FILE NO: 3360-20/20180012

Referred To

Date: MAY 3, 2018 @ LAC LA HACHE BC 7PM

Applicant/ Agent: Nigel Hemmingway

Area G Director: Al Richmond

Members: Ron Soeder. Diane Wood. Graham Leslie. Nicola Maughn.

Marvin Monical. ~~Marilyn Niemec~~ Robin Edwards

Location of Application: STEVEN Road LAC LA HACHE Lot #9 DL 352 LLD PLAN 30963

Agenda Item: TO CREATE TWO RESIDENTIAL LOTS

Moved by: Graham / Nicola

Area G APC has no objection to this application.

Moved by Diane That the meeting be adjourned at 7:30 PM

Diane Wood
Recording Secretary.

RR
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 respond to this zoning amendment. Interior Health supports development that has been identified within the Official Community Plan. These planning principles will create environments in which people are physically active and socially connected.

This proposal is in keeping with the OCP for Lac Le Hache.

If you have any questions, please contact me at 250-851-7347

Signed By:  Title: Environmental Health Officer

Date: _____ Agency: Interior Health Authority

RESULTS OF PUBLIC HEARING

File No: 3360-20/20180012

Date: July 12, 2018

Location: Lac La Hache Community Hall

Re: **CARIBOO REGIONAL DISTRICT SOUTH CARIBOO AREA ZONING AMENDMENT
BYLAW NO. 5140, 2018**

Persons Present:

- Director: Al Richmond
 - Owner(s):
 - Agent: Nigel Hemingway
 - 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 7:00 PM.
- 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:
I have no objection and wish them lots of luck

 - Comments of concern/opposition:
- Attendees were asked three times for further comments and/or questions.
- The Chair called the meeting adjourned at 7:10 PM.

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



Signature of Chair

