

Rezoning / OCP Information Package

File Number: 3360-20/20180044

Subject: Cariboo Regional District South Cariboo Official Community Plan Amendment Bylaw No. 5174, 2018 and Cariboo Regional District South Cariboo Area Zoning Amendment Bylaw No. 5175, 2018

Electoral Area: L

Date of Referral: September 20, 2018

Date of Application: August 30, 2018

Property Owner's Name(s): Prudent DeWitte, Eddy DeWitte, Katty DeWitte

Applicant's Name: Cariboo Geographic Systems c/o Nigel Hemingway

SECTION 1: Property Summary

Legal Description(s): District Lot 1801, Lillooet District, Except Plans KAP55975 and KAP61510

Property Size: 47 ha (116 ac)

Area of Application: 47 ha (116 ac)

Location: 7219 Watch Lake Road

Current Designation:

Resource Area

Min. Lot Size Permitted:

32 ha (79.07 ac)

Proposed Designation:

Rural Residential 1

Min. Lot Size Permitted:

4 ha (9.88 ac)

Current Zoning:

Resource/Agricultural (RA 1)

Min. Lot Size Permitted:

32 ha (79.07 ac)

Proposed Zoning:

Rural 1 (RR 1)

Min. Lot Size Permitted:

4 ha (9.88 ac)

Proposed Use: To subdivide the property into 7 lots.

No. and size of Proposed Lots: Three 4.1 ha lots, two 4.4 ha lots, one 4.5 ha lot and a 16.2 ha remainder lot.

Name and type of existing road system: Watch Lake Rd

Services Available: None

Within the influence of a Controlled Access Highway: No

Within the confines of the Agricultural Land Reserve: Yes

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: Attwood Creek

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

Name of Development Permit: N/A

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

	Actual Use Code:	Lot Sizes:
(a) North	061 – 2 Acres or More - Vacant	39.78 ha (98.32 ac) – 44.92 ha (111 ac)
(b) South	060 – 2 Acres or More – Single Family Dwelling, Duplex 150 - Beef	10.12 ha (25.05 ac) 67.99 ha (168.02 ac)
(c) East	060 – 2 Acres or More – Single Family Dwelling, Duplex 061 - 2 Acres or More - Vacant	16.18 ha (40 ac) 39.78 ha (98.32 ac)
(d) West	061 - 2 Acres or More – Vacant 063 – 2 Acres or More – Manufactured Home 110 – Grain and Forage 150 – Beef 151 – Beef - Vacant	4 ha (9.98 ac) 2.03 ha (5.016 ac) 16.39 ha (40.52 ac) 4.05 ha (10.03 ac) 4.04 ha (10 ac)

SECTION 2: Planning Report

Background:

It is proposed to rezone a 47 ha (116 ac) agricultural property to subdivide into seven rural residential lots. The subject property is currently zoned as Resource/ Agricultural (RA 1) in the South Cariboo Area Zoning Bylaw No. 3501, 1999.

The proposed lot sizes do not comply with the permitted lot size provisions under the current zoning of RA 1. Therefore, the applicant proposes to rezone the subject property from RA 1 to Rural 1 (RR 1) zone in order to subdivide the property into three 4.1 ha (10.13 ac) lots, two 4.4 ha (10.87 ac) lots, one 4.5 ha (11.12 ac) lot and a 16.2 ha (40.03 ac) remainder lot encompassing the land in the Agricultural Land Reserve. The proposal is shown in Appendix C. It is also proposed to change the designation from Resource Area to Rural Residential 1 in the South Cariboo Official Community Plan Bylaw No. 3100.

Location & Surroundings:

The subject property is located on Watch Lake Road with Irish Lake to the north and Guessagain Lake to the south-west of the property as shown in Appendix B. There is an Attwood creek that runs through the subject property from west to east. Currently, the property is a vacant land covered in natural meadow and wooded areas with moderate tree coverage. It is surrounded by single-family dwellings to the south and east, and vacant lands to the north and west of the subject property.

CRD Regulations and Policies:

3501- South Cariboo Area Zoning Bylaw, 1999

5.18 RURAL 1 (RR 1) ZONE

5.18.2 ZONE PROVISIONS

- (a) LOT AREA (minimum) = 4 hectares (9.88 acres)

3100- South Cariboo OCP Bylaw, 1996

7.7 RESIDENTIAL DESIGNATIONS

- RURAL RESIDENTIAL 1 - (RR-1)
parcels which shall be a minimum size of 4 hectares.

Rationale for Recommendations:

Generally, the presence of any highway generates more subdivision proposals due to the ease of access. As this new subdivision lots are closer to Watch Lake Road, planning staff recommends approval of this application. However, the applicants have to comply with the CRD Shoreland Management Policy with respect to sewage disposal and riparian protection due to the presence of an Attwood Creek on the subject property.

Recommendation:

1. That the South Cariboo Area Official Community Plan Amendment Bylaw No. 5174, 2018 to re-designate the subject property from Resource Area designation to Rural Residential 1 designation be approved.
2. That the South Cariboo Area Zoning Amendment Bylaw No. 5175, 2018 to rezone District Lot 1801, Lillooet District, Except Plans KAP55975 and KAP61510 from Resource/ Agricultural (RA 1) zone to Rural 1 (RR 1) zone be approved, subject to the following condition(s):
 - i) The applicant offering to enter into and entering into a covenant to ensure compliance with the CRD Shoreland Management Policy with respect to sewerage disposal and riparian protection.
 - ii) The applicants offering to enter into and entering into a covenant to ensure compliance with the provisions of the Agricultural Policy with respect to fencing and setback of 45 metres from all the boundaries adjacent to the ALR.

Further, that the cost of registration of the Shoreland Management Policy covenant and the Agricultural Policy covenant be borne by the applicants.

SECTION 3: Referral Comments

Health Authority: - October 5, 2018

See attached.

Ministry of Transportation and Infrastructure: - September 26, 2018

The Ministry of Transportation and Infrastructure has no objection to the proposed rezoning.

Please advise applicant this in no way constitutes subdivision approval. Items may include but not limited to:

Engineered road design and construction to Ministry standard

Drainage easements

Archaeology Assessment or Study

Access construction

Proof of Water

Sewage Disposal

Covenants

Advisory Planning Commission: October 15, 2018

See attached.

Ministry of Environment: -

CRD Environmental Services Department: - September 20, 2018

Environmental Services interests are unaffected by the rezoning application.

SECTION 4: Board Action

Date of Meeting:

ATTACHMENTS

Appendix A: Bylaw No. 5174 & 5175

Appendix B: General Map

Appendix C: Specific Map

Appendix D: Orthographic Map

Other: Applicant's supporting documentation

Interior Health Comments

APC Comments



CARIBOO REGIONAL DISTRICT

BYLAW NO. 5174

A bylaw of the Cariboo Regional District, in the Province of British Columbia, to amend Bylaw No. 3100, being the "South Cariboo Area Official Community Plan Bylaw No. 3100, 1995".

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 South Cariboo Area Official Community Plan Amendment Bylaw No. 5174, 2018".

2. AMENDMENT

Schedule "B" of Bylaw No. 3100 of the Cariboo Regional District is amended by:

Redesignating District Lot 1801, Lillooet District, Except Plans KAP55975 and KAP61510 from Resource Area to Rural Residential 1.

READ A FIRST TIME this _____ day of _____, 2018.

READ A SECOND TIME this _____ day of _____, 2018.

A PUBLIC HEARING WAS HELD ON THE _____ DAY OF _____, 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. 5174, cited as the "Cariboo Regional District South Cariboo Area Official Community Plan Amendment Bylaw No. 5174, 2018", as adopted by the Cariboo Regional District Board on the _____ day of _____, 2018.

Corporate Officer



CARIBOO REGIONAL DISTRICT

BYLAW NO. 5175

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. 5175, 2018".

2. AMENDMENT

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

- i) rezoning District Lot 1801, Lillooet District, Except Plans KAP55975 and KAP61510 from Resource/Agricultural 1 (RA 1) zone to Rural 1 (RR 1) zone; and
- ii) amending Schedule "C" accordingly.

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

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

A PUBLIC HEARING WAS HELD ON THE _____ DAY OF _____, 2018.

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

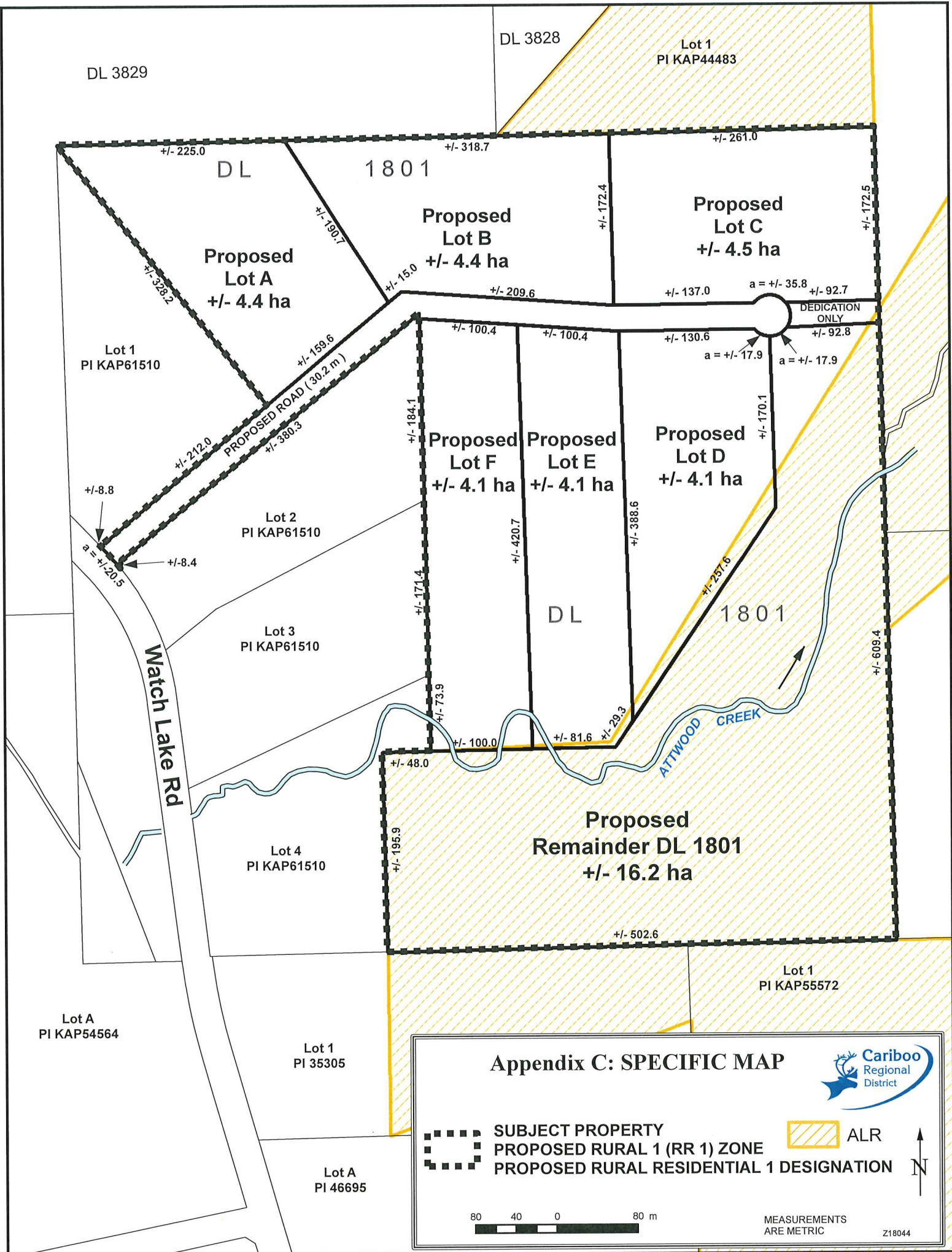
ADOPTED THIS ____ DAY OF _____, 2018.

Chair

Corporate Officer

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 5175, cited as the "Cariboo Regional District South Cariboo Area Zoning Amendment Bylaw No. 5175, 2018", as adopted by the Cariboo Regional District Board on the ____ day of _____, 2018.

Corporate Officer



Appendix D: ORTHOGRAPHIC MAP



LEGEND



SUBJECT PROPERTY



ALR

0 45 90 180 m Z18044



DL 3829

DL 2080

DL 1801

DL 3827

DL 3807

DL 3819

DL 3808

SUBJECT PROPERTY
DL 1801, L.D.,
EXCEPT PLs. KAP55975, KAP61510



Describe the existing use of the subject property and all buildings: _____

The property is vacant except for an old dilapidated hay storage building which has collapsed.

Describe the proposed use of the subject property and all buildings: Rural residential properties.

Describe the reasons in support for the application: see attached sheet

Provide a general description of vegetation cover (i.e. treed, grassland, forage crop etc.): This property is a combination of wooded areas and hay meadows.

Provide general geographical information (i.e. existing lakes, streams, physical features etc.): The property is generally level with minor undulations, Attwood Creek flows through it.

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 checked="" type="checkbox"/>	<input type="checkbox"/>
Telephone	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Well	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other (please specify)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Property Owners:

Prudent DeWitte, Rancher
PO Box 47
Lone Butte, BC
V0K 1X0

Eddy Valere DeWitte, Painting Contractor
4809 Bolean Drive
Kamloops, BC
V2H 1M3

Katty Degard DeWitte, Office Assistant
Rue De Velaine 40
Wanfercee-Baulet, Belgium
6224

As joint tenants

This application is requesting a rezoning and a redesignation within the Official Community Plan for District Lot 1801, Lillooet District, except Plans KAP55975 & KAP61510. This is being requested to accommodate a proposed six lot subdivision leaving the remainder of the property encompassing the land in the Agricultural Land Reserve.

District Lot 1801 has been owned by the DeWitte Family for 25 years and they have done two previous subdivisions within it. Plan KAP55975 created a single property over that part of the land west of Watch Lake Road. In 1998 Plan KAP61510 created four lots on the east side of Watch Lake Road with a panhandle access into the remainder of District Lot 1801. The four lots created were all over 4.0 hectares in size, as the land was all zoned Rural 1 at that time, and the panhandle was left to accommodate future development. The family did not do the total development in 1998 because of the cost to bring the public road into the land. Since then the Cariboo Regional District adopted a new zoning bylaw and because of the size of the remainder it was given the Resource Agricultural Zone instead of the Rural 1 zone. The owner was not aware of this change by the Cariboo Regional District and this application is being made to change the zone back to allow the development they planned in 1998. They thought they could just start phase two if their development.

The property is partially within the Agricultural Land Reserve. Both the original design and this current design (amended only to meet current subdivision requirements) have been done so all of the land in the reserve is left as a remainder with a buffer between the proposed lot boundary and the land reserve boundary. The remainder is approximately 16 hectares in size.

The six proposed lots are all over 4.1 hectares in size maintaining the rural character the DeWitte's established with the previous subdivision. This size also conforms to other properties in the general area. These rural residential properties will be a combination of wooded and open meadow areas and all are well suited for a small hobby farm type of use. The terrain is very gently rolling with many suitable buildings sites on each proposed lot with buffering and privacy possibilities.

The area of the proposed lots is presently designated Resource area in the draft South Cariboo OCP. The first policy of this designation is to designate land with resource operations as resource. This property does not have enough timber on it for the designation and the agricultural opportunities, other than hobby farm, is not viable because of the lack of the irrigation and carrying capacity for animals. The second policy while discouraging subdivision gives protection of watersheds, encourage range land opportunities and minimize conflicts with residential land uses as the reasons why. This proposal does not affect the watershed because the majority of Attwood Creek is outside the proposed lots. The Shoreland Management Policy which must be complied with for this application will ensure that all lots do not impact the creek or water table. The size of the property and the carrying capacity for animals in this location make it not productive range land. The proposal also removes any possible conflict with residential areas because of proposed rural residential uses beside existing lands used and designated for

that use. The Crown Land north of the proposal has already been logged and east and south is the Agricultural Land Reserve.

This property is located on the paved Watch Lake Road approximately 3.5 kilometers from Lone Butte where the post office and fire hall are located. It also has very easy access from there to the service centre of 100 Mile House on Highway 24. Utility servicing and the school bus route is on Watch Lake Road. This location because of its proximity to these services is ideal for the small expansion of the existing residential neighbourhood on this part of the Watch Lake Road. The proposed design meets all applicable objectives for residential development within the draft OCP. It does this in an environmentally responsible manner respecting the rural character of adjacent properties and the area.

The proposal provides a suitable relationship to the natural environment through the protection of Attwood Creek, the zoning setbacks on all lots and the buffering of other lands and their uses. The proposed rural residential area is adjacent to other similar sized residential properties, Crown Land that has been already utilized for its resources and the larger remainder between the lots and the family's ranch lands to the east. The properties are easily serviced within the development and all of each proposed lot is suitable for the onsite residential infrastructure needed. The proposed development is separated from the road by the existing residential properties, so other than a new road intersection people traveling along Watch Lake Road will see no change to the area's character.

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 appreciates the opportunity to comment on this proposal which changes the current OCP and zoning designation to permit a7 lot subdivision.

The Healthy Community Development supports the South Cariboo Official Community Plan which has sound community planning principles while recognizing the need to encourage planned growth.

The proposal will place housing in an area where the residents would be reliant on private vehicles to carry out their daily live activities.

Encouraging the use of private vehicles has health impacts to our population since it will influence their lifestyle by reducing daily physical activity and opportunities to access daily amenities. (Please note that use of a personal vehicle can create an average household expenditures of 14% for transportation)

Physical activity and access to amenities has been shown to reduce disease incident, improve quality of life therefore reducing health care costs.

Physical activity is among the most significant modifiable behaviours that can influence a person's likelihood of developing chronic diseases, such as diabetes, heart disease, stroke or cancer.

Private vehicles impact air quality and Climate Action Plans.

The [Healthy Built Environment Linkages Toolkit](#) is an evidence based resource which links planning principle to health outcomes.

Please contact HBE@interiorhealth.ca or the undersigned at 250 851-7347 if you have further concerns or inquiries.

Signed By: 

Title: Environmental Health Officer

Date: October 5, 2018

Agency: Interior Health

ADVISORY PLANNING COMMISSION RESPONSE FORM

Minutes of the meeting of the Electoral Area 'L' advisory planning commission held on OCTOBER 9 2018 in the ROE LAKE HALL, located at SHERIDAN LK, BC, commencing at 8.10 PM

PRESENT:

Chair RAY CARLSON

Members PETER CRAWSHAY, ALAN BOYD, JUSTIN GUIMOND, RAY CARLSON, STEVE BROWN, HAROLD MOBBS, PETER BONTER

Recording Secretary RAY CARLSON

Owners/Agent, or NIGEL HEMINGWAY

☐ Contacted but declined to attend

Cariboo Regional District

OCT 10 2018

ABSENT: DAVE LEVICK, ART GUIMOND

ALSO PRESENT:

Electoral Area Director

Staff support (if present)

BRIAN COAKLEY

Agenda Items

REZONING/OCP APPLICATION – 3360-20/20180044 (District Lot 1801, Lillooet District, Except Plans KAP55975 and KAP61510)

/ : "THAT the application to rezone/redesignate property at 7219 WATCH LAKE ROAD, be supported/rejected for the following reasons:

i) MOVED BY HAROLD MOBBS

SECONDED BY STEVE BROWN

ii)

TO BE INCLUDED IN MOTION: THAT THE SETBACK ON ALL BOUNDARIES ADJACENT TO THE ALR BE INCREASED FROM 30 TO 45 METRES

For:

7

Against:

0

CARRIED DEFEATED

Termination

/ : That the meeting terminate.

CARRIED

Time:

9.00 PM

R. Carlson
Recording Secretary

R. Carlson
Chair

Cariboo Regional District

File No.

OCT 15 2018

Referred To