

Rezoning / OCP Information Package

File Number: 3360-20/20170010

Subject: Cariboo Regional District North Cariboo Area Rural Land Use Amendment Bylaw No. 5091, 2017

Electoral Area: A

Date of Referral: March 29, 2017

Date of Application: March 14, 2017

Property Owner's Name(s): Lance Morgan Lawlor

Applicant's Name: Lance Morgan Lawlor

SECTION 1: Property Summary

Legal Description(s): Lot A, District Lot 7254, Cariboo District, Plan PGP39037

Area of Application: 23.79 ha (58.81 ac)

Location: Quesnel Hydraulic Rd

Current Designation:

N/A

Min. Lot Size Permitted:

N/A

Proposed Designation:

N/A

Min. Lot Size Permitted:

N/A

Current Zoning:

Rural 1 (RR 1)

Min. Lot Size Permitted:

4.0 ha (9.88 acre)

Proposed Zoning:

Rural 2 (RR 2)

Min. Lot Size Permitted:

2.0 ha (4.94 acre)

Proposed Use: To create seven rural residential lots with a 9.76 ha remainder parcel

No. and size of Proposed Lots:

7 lots at 2 ha (4.94 ac)

1 lot at 9.76 ha (24.11 ac)

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

Services Available: hydro, telephone. Well and sewage disposal system available.

Within the confines of the Agricultural Land Reserve: No

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

Shoreland Management Policy with respect to sewage disposal

Name of Lake/Contributing River and Lake Classification: Seasonal creek

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

	Land Use:	Lot Sizes:
(a) North	Unsurveyed Crown Land	
(b) South	060- 2 Acres or More – Single Family Dwelling, Duplex	6.9 ha (17.19 ac) – 7.24 ha (17.9 ac)
	150- Beef	38.8 ha (95.99 ac)
	151- Beef – Vacant	42.9 ha (106.22 ac)
	Seasonal creek	
(c) East	Unsurveyed Crown Land	
(d) West	060- 2 Acres or More – Single Family Dwelling, Duplex	2.9 ha (7.19 ac) – 38.3 ha (94.84 ac)

SECTION 2: Planning Report

Planning Staff recommends approval of Cariboo Regional District North Cariboo Area Rural Land Use Bylaw (RLUB) Amendment Bylaw No. 5091, 2017.

It is proposed to rezone a 23.79 ha (58.81 ac) property to facilitate a 7-lot subdivision with a 9.76 ha remainder. The property is vacant and located on the Quesnel-Hydraulic Road, east of Dragon Lake, as shown in Appendix B. The proposal is shown in Appendix C.

The subject property is zoned Rural 1 (RR 1) and proposed to create a Rural 2 (RR 2) subdivision. The proposed remainder is also being rezoned to the RR 2 zone for potential further subdivision. Due to the BC Hydro right-of-way, the remainder could potentially be re-subdivided into three to four lots.

Staff note that the two parcels, located south of the subject property, as shown in Appendix B, were the subject of a rezoning application (No. 3360-20-20150046) to realign property boundaries and create two additional lots, for a total of four lots. District Lot 12506 was originally zoned Resource/Agricultural (R/A) and Lot A was zoned Rural 1 (RR 1). The subdivision density ranged from 9.70 ha to 23.0 ha, with three of the parcels in the ±10 ha range. The application was adopted by the Regional Board on August 26, 2016 resulting in the lands being zoned to the Rural 1 (RR 1) zone and Special Exception RR 1-2 zone. In contrast, the current proposal is to create Rural 2 (RR 2) zoned lots with a minimum 2.0 ha density.

A small seasonal stream crosses the southern tip of the property, corresponding to proposed Lot 8. CRD North Cariboo Area Rural Land Use Bylaw's watercourse setback regulation requires a 30 metres setback with a 3 metres flood elevation. Therefore, the applicant might need to readjust the lot configuration or size of proposed Lot 8 to account for the restrictions. Since the whole property is being zone to the Rural 2 (RR 2) zone, the applicant should have enough flexibility to adjust the subdivision to accommodate a sufficient building envelope and sewage disposal area. Unless the applicant can

provide confirmation from a registered professional or from the Ministry of Environment that the seasonal creek does not meet the definition of a watercourse, compliance with the CRD Shoreland Management Policy with respect to sewage disposal and riparian protection is recommended. Staff point out that a small creek is located on District Lot 12506, just south of the current application. Rezoning application 3360-20-20150046 was also subject to the CRD Management Policy. The Shoreland Management Policy's watercourse definition is provided below.

"Watercourse" means any natural or man-made depression with well-defined banks and a bed of 0.6 metre or more below the surrounding land serving to give direction to a current of water at least six months of the year or having a drainage area of 2 square kilometers or more upstream of the point of consideration, or as required by a designated official of the Ministry of Water, Land and Air Protection.

Staff further note that the subject property is surrounded by unsurveyed crown land to the north and east, and land assessed as beef to the south. Therefore, compliance with the 2016 CRD Agricultural Policy with regards to buffering and fencing of the non-agricultural edge is recommended. The CRD Agricultural Policy applies to land located next to the Agricultural Land Reserve (ALR), or land adjacent to Crown land that can be used as rangeland, or private farmland.

The North Cariboo RLUB Residential Policy 3.3 (c) allows for "a range of lot sizes and uses for rural and residential type developments, where appropriate, and to minimize conflicts with agricultural operations". The area where the subject property is situated is not considered a settlement area in the North Cariboo RLUB; however, the area is in proximity to the Dragon Lake neighborhood. Further, the subject property is located outside of the ALR, and compliance with the CRD Agricultural Policy should minimize the impact of the subdivision.

Planning staff recommends approval of the application as it will act as an infill subdivision to the Dragon Lake neighbourhood. Further, the proposal is supported by the North Cariboo RLUB Residential Policy 3.3 (c). In addition, a recent similar application was approved to facilitate subdivision of the two southern adjacent properties into a four-lot subdivision.

Recommendation:

That Cariboo Regional District North Cariboo Area Rural Land Use Amendment Bylaw No. 5091, 2017 be considered for approval, subject to the following condition(s):

1. 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.
2. 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 buffering of the southern, north and western boundary of Lot A, District Lot 7254, Cariboo District, Plan PGP39037. Further, to advise that the property is adjacent to land which may be used for agricultural purposes, and for feeding and grazing of crops.

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

And further, that the cost of preparation and registration of the Agricultural Policy covenant be borne by the applicants.

SECTION 3: Referral Comments

Health Authority: -

Ministry of Transportation and Infrastructure: - April 24, 2017

The Ministry of Transportation and Infrastructure has no objection in principle to the proposed referral re: Amendment Bylaw 5091.

Please note this in no way constitutes subdivision approval and in no way relieves the owner or occupier of the responsibility of adhering to all other relevant legislation.

Conditions for future subdivision may include but not limited to:

- Access Evaluation
- Drainage
- Right of Way Dedication
- Archaeological Assessment
- Proof of Water
- Sewage Disposal
- First Nations Consultation

Please see attached link for information: http://www.th.gov.bc.ca/DA/Subdivision_Home.asp

Advisory Planning Commission:

See attached

Ministry of Environment: -

FLNRO Range Officer: -

Carrier Chilcotin Tribal Council: -

Lhtako Dene Nation: - April 14, 2017

Thank you for the information regarding Bylaw 5091-Z1710, amendment to the North Cariboo Area Land Use Bylaw.

There are no comments or concerns regarding this amendment.

SECTION 4: Board Action

Date of Meeting: May 12, 2017

That Cariboo Regional District North Cariboo Area Rural Land Use Amendment Bylaw No. 5091, 2017 be read a first and second time this 12th day of May, 2017. Further, that adoption be subject to the following conditions:

1. 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.
2. 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 buffering of the southern, north and western boundary of Lot A, District Lot 7254, Cariboo District, Plan PGP39037. Further, to advise that the property is adjacent to land which may be used for agricultural purposes, and for feeding and grazing of crops.

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

And further, that the cost of preparation and registration of the Agricultural Policy covenant be borne by the applicants.

Date of Meeting: August 31, 2017

That Cariboo Regional District North Cariboo Area Rural Land Use Amendment Bylaw No. 5091, 2017 be read a third time, this 31st day of August, 2017.

ATTACHMENTS

Appendix A: Bylaw No. 5091

Appendix B: General Map

Appendix C: Specific Map

Appendix D: Orthographic Map

Other: Applicant's supporting documentation

APC Comments

Results of Public Hearing



CARIBOO REGIONAL DISTRICT

BYLAW NO. 5091

A bylaw of the Cariboo Regional District, in the Province of British Columbia, to amend Bylaw No.3505, being the "North Cariboo Area Rural Land Use Bylaw No. 3505, 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, enacts as follows:

1. CITATION:

This bylaw may be cited for all purposes as the "Cariboo Regional District North Cariboo Area Rural Land Use Amendment Bylaw No.5091, 2017".

2. AMENDMENT

Bylaw No. 3505 of the Cariboo Regional District is amended by:

- i) rezoning Lot A, District Lot 7254, Cariboo District, Plan PGP39037 from Rural 1 (RR 1) zone to Rural 2 (RR 2) zone; and
- ii) amending Schedule "C" accordingly.

READ A FIRST TIME THIS 12th DAY OF May, 2017.

READ A SECOND TIME THIS 12th DAY OF May, 2017.

A PUBLIC HEARING WAS HELD ON THE 13th DAY OF July, 2017.

READ A THIRD TIME this 31st day of August, 2017.

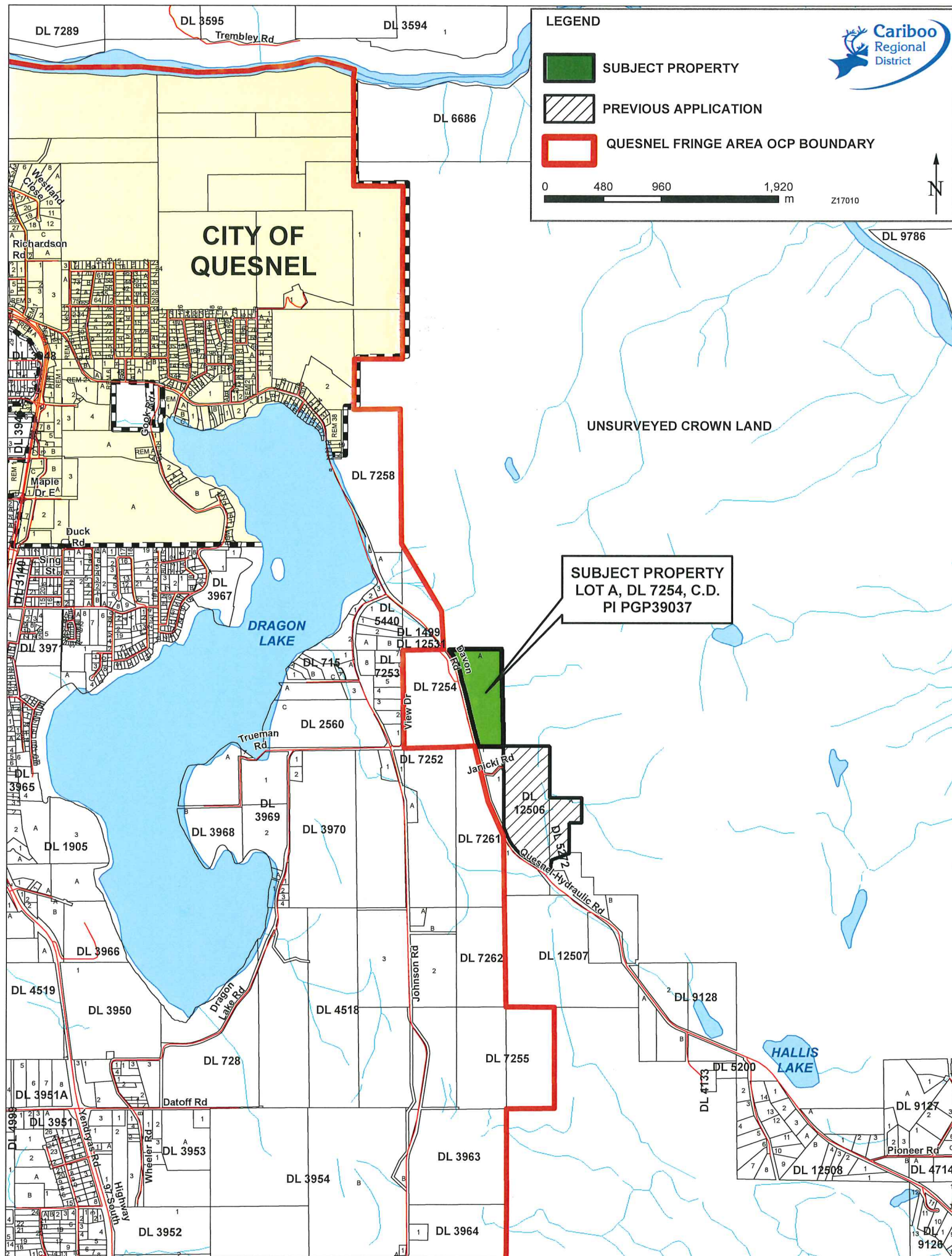
ADOPTED this _____ day of _____, 2018.

Chair

Manager of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 5091 cited as the "Cariboo Regional District North Cariboo Area Rural Land Use Amendment Bylaw No.5091, 2017", as adopted by the Cariboo Regional District Board on the _____ day of _____, 2018.

Manager of Corporate Services



LEGEND

- SUBJECT PROPERTY
- PROPOSED RURAL 2 (RR 2) ZONE

90 45 0 90 m

MEASUREMENTS
ARE METRIC

Z17010



UNSURVEYED
CROWN LAND

BC Hydro
SRW
Plan 20517

BC Hydro
SRW
Plan 23199

+/-431.73

PROPOSED
LOT 1
+/- 9.40 ha

7254

TREED
AREA

DL

Davon Rd

PROPOSED 10 m ROAD

PROPOSED
LOT 2
+/- 2.0 ha

+/-200

PROPOSED
LOT 3
+/- 2.0 ha

PROPOSED
LOT 4
+/- 2.0 ha

UNSURVEYED
CROWN LAND

BC Hydro
SRW
Plan CG1080

Quesnel-Hydraulic Rd

PROPOSED
LOT 5
+/- 2.0 ha

+/-275

+/-260

PROPOSED
LOT 6
+/- 2.0 ha

+/-243

PROPOSED
LOT 7
+/- 2.0 ha

+/-223

PROPOSED
LOT 8
+/- 2.0 ha

SEASONAL
CREEK

+/-201.45

+/-75
+/-80
+/-84
+/-94

LEGEND



SUBJECT PROPERTY



0 50 100 200 m Z17010

DL 1499

DL 12531

Devon Rd

Quasabukwuk Rd

A

DL 7254

DL 7254

SUBJECT PROPERTY
LOT A, DL 7254, C.D.
PI PGP39037

DL 7252

DL 7261

DL 12506

1

Describe the existing use of the subject property and all buildings: Vacant. Residential

Describe the proposed use of the subject property and all buildings: RESIDENTIAL

Describe the reasons in support for the application: optimize land use, subdivision

Provide a general description of vegetation cover (i.e. treed, grassland, forage crop etc.): Treed.

Provide general geographical information (i.e. existing lakes, streams, physical features etc.):

Small stream on South corner.

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

ADVISORY PLANNING COMMISSION RESPONSE FORM

Minutes of the meeting of the Electoral Area 'A' advisory planning commission held on _____
in the _____, located at _____, BC,
commencing at _____

PRESENT: Chair VINCE BERKINGTON
Members
ARMAND MEKINLEY
DAVE MURFORD
MARY SESTROM
Recording Secretary
MARY
Owners/Agent, or
☐ Contacted but declined to attend

ABSENT:

ALSO PRESENT: Electoral Area Director
Staff support (if present)
TED ARMSTRONG

Agenda Items

REZONING APPLICATION – 3360-20/20170010 (Lot A, District Lot 7254, Cariboo District, Plan PGP39037)

/ : "THAT the application to rezone property at QUESNEL
HYDRAULIC ROAD be supported/rejected for the following reasons:

- i)
- ii)

For: _____ Against: _____
CARRIED/DEFEATED

Termination

/ : That the meeting terminate.
CARRIED

Time: _____

Recording Secretary Chair
SEE ATTACHED

APRIL 12/17.

Ded.

Armand

Dave

Vince

Mary

@ 6³⁵

no objections to application.
3360-20/20170010.

M. Gration

A. Berling

RESULTS OF PUBLIC HEARING

File No: 3360-20/20170010

Date: July 13, 2017

Location: Quesnel Royal Canadian Legion Hall

Re: **CARIBOO REGIONAL DISTRICT NORTH CARIBOO AREA RURAL LAND USE
AMENDMENT BYLAW NO. 5091, 2017**

Persons Present:

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

Cariboo Regional District

File No.

AUG - 4 2017

Referred To

-
- ☒ **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 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:

 - Comments of concern/opposition:
 - ☐ Attendees were asked three times for further comments and/or questions.
 - ☐ The Chair called the meeting adjourned at 7¹⁰.

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


Signature of Chair

Attendance List

Public Hearing For

Cariboo Regional District North Cariboo Area Rural Land Use Amendment Bylaw No.
5091, 2017

Name
(Please Print)

Address
(Please Print)

LANCE LAWLOR

955 River Park Rd

Lisa Battram

1639 Maple Dr.