

Rezoning Information Package

File Number: 3360-20/20170038

Subject: Cariboo Regional District North Cariboo Area Rural Land Use Amendment Bylaw No. 5132, 2018

Electoral Area: I

Date of Referral: February 8, 2018

Date of Application: December 13, 2017

Property Owner's Name(s): Gordon and Sandra Fouty

Applicant's Name: Gordon and Sandra Fouty

SECTION 1: Property Summary

Legal Description(s): The Fractional North East 1/4 of District Lot 3984, Cariboo District, Except Plans 9486, 20288, 24657, PGP36592 and PGP36494

Area of Application: 31.24 ha (77.2 ac)

Property Size: 31.24 ha (77.2 ac)

Location: 972 Grevatt Road

Current Designation:

N/A

Min. Lot Size Permitted:

N/A

Proposed Designation:

N/A

Min. Lot Size Permitted:

N/A

Current Zoning:

Resource/Agricultural (R/A) zone

Min. Lot Size Permitted:

32 ha (79.07 ac)

Proposed Zoning:

Rural 1 (RR 1) zone

Special Exception RR 1-2 zone

Min. Lot Size Permitted:

4 ha (9.88 ac)

10 ha (24.71 ha)

Proposed Use: To create a 4.63 ha (11.5 ac) residential parcel and a 26.6 ha (65.73 ac) remainder.

No. and size of Proposed Lots: Two lots: Lot A at 4.6 ha (11.5 ac) and the remainder parcel at 26.6 ha (65.7 ac)

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

Services Available: Hydro, Telephone, well

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 regards to sewage disposal and riparian protection

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

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	14.3 ha (35.41 ac)
North	151 – Beef - Vacant	16.18 ha (40 ac)
(b)	000 – Single Family Dwelling	0.42 ha (1.04 ac) – 0.55 ha (1.38 ac)
South	001 – Vacant Residential Less than 2 Acres	0.41 ha (1.03 ac)
	060 – 2 Acres or More – Single Family Dwelling, Duplex	2.17 ha (5.37 ac)
(c)	614 – Campgrounds (Includes Government Campgrounds, YMCA)	2.56 ha (6.34 ac)
East		
(d)	151 – Beef - Vacant	108.94 ha (269.2 ac)
West		

SECTION 2: Planning Report

Planning Staff recommends approval of Cariboo Regional District North Cariboo Area Rural Land Use Amendment Bylaw No. 5132, 2017.

Background:

It is proposed to rezone a 31.24 ha (77.2 ac) property to create a 4.6 ha (11.5 ac) waterfront parcel for a family member. The property is zoned Resource/Agricultural (R/A) in the North Cariboo Area Rural Land Use (RLUB) Bylaw No. 3505, 1999. The proposal is shown in Appendix C. The applicants propose to rezone the 4.6 ha parcel to the Rural 1 (RR 1) zone, which has a 4.0 ha minimum lot size requirement, and the 26.6 ha (65.7 ac) remainder portion to the Special Exception RR 1-2 zone that has a 10.0 ha (24.71 ac) minimum lot size requirement.

Staff noted that the remainder parcel could be subdivided into an additional lot under the proposed RR 1-2 zone. However, the intention is to keep the 8.5 ha open pasture portion across Nazko Road with the remainder 15.6 ha lakefront portion containing the farm improvements, and the small 2.5 ha portion west of Gravett Road, containing Jordan Creek, for a total remainder size of 26.6 ha.

Location and Surroundings:

The proposal is located at the intersection of Nazko Road and Gravett Road near Puntchesakut Lake, as shown in Appendix B.

The area surroundings Puntchesakut Lake is comprised of a mixture of Rural 1 (RR 1) and Rural 2 (RR 2) zoned properties, with a few larger Resource/Agricultural (R/A) zoned parcels. A Lakeshore Residential (RL) zoned subdivision and a Provincial Park are located on the eastern shore of the lake. Camp Puntchesakut is adjacent to the proposed 4.6 ha parcel.

Relevant Applications:

Staff noted that a similar rezoning application (4600-20-2727) was received in 2008 to rezone a Resource/Agricultural (R/A) parcel near Puntataenkut Lake (Tibbles Lk.) to the Special Exception RR 1-2 zone. The 2008 application was revised to consider protection of a wetland and of a tributary to Puntataenkut Lake, resulting in a proposed 11.2 ha parcel and a 31.1 ha remainder parcel. The application, shown on Appendix B, was approved by the Board in 2010.

CRD Regulations and Policies:

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”. Puntchesakut Lake is a developed rural residential and recreational area. Plan Broad Objective 2.1 also considers providing a variety of lifestyles and housing choices to meet the needs and affordability levels of area residents.

The subject property is located outside of the Agricultural Land Reserve (ALR), and the RLUB discourages subdivision that would conflict with agricultural uses. There is no anticipated impact to agriculture from the proposal since the zoning for the two proposed lots allows agricultural operations, including intensive agriculture, and all of the adjacent properties associated with active agricultural operations belongs to the applicant.

Staff does however recommend compliance with the CRD Shoreland Management Policy with respect to sewage disposal and riparian protection for Puntchesakut Lake and Jordan Creek.

Rationale for Recommendations:

Planning staff is supportive of the rezoning application as the proposal complies with the RLUB residential and agricultural policies. The proposal is in compliance with density and land use depicted in the area, and provides an affordable housing alternative to a family member, and no impact on agriculture.

Recommendation:

That Cariboo Regional District North Cariboo Area Rural Land Use Amendment Bylaw No. 5132, 2017 be considered for approval, subject to the following condition:

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.

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

SECTION 3: Referral Comments

Health Authority: - February 9, 2018

Northern Health has no objection to this subdivision.

I noted on the application that both new lots are over 10 Acres. With lots of this size in areas where surface water (swamps and creeks) are not a concern, Northern health has no concerns in relation to sewerage.

A lot of 11.36 acres will certainly be able to support an economically viable sewerage system and the other lot has already been developed.

Ministry of Transportation and Infrastructure: - February 26, 2018

The Ministry of Transportation and Infrastructure has no objection in principle to the proposed above Rural Land Use Amendment Bylaw.

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
Geotechnical Assessment

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

Advisory Planning Commission:

Ministry of Environment: -

Lhtako Dene Nation: - March 7, 2018

We have completed our review of the information presented and have no questions or comments.

Nazko First Nation: -

Carrier-Chilcotin Tribal Council: -

SECTION 4: Board Action

Date of Meeting: March 23, 2018

That Cariboo Regional District North Cariboo Area Rural Land Use Amendment Bylaw No. 5132, 2018 be read a first and second time this 23rd day of March, 2018 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 applicant.

Date of Meeting: July 13, 2018

That Cariboo Regional District North Cariboo Area Rural Land Use Amendment Bylaw No. 5132, 2018 be read a third time, this 13th day of July, 2018.

ATTACHMENTS

Appendix A: Bylaw No. 5132

Appendix B: General Map

Appendix C: Specific Map

Appendix D: Orthographic Map

Other: Applicant's supporting documentation
Results of Public Hearing



CARIBOO REGIONAL DISTRICT

BYLAW NO. 5132

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.5132, 2018".

2. AMENDMENT

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

- i) rezoning The Fractional North East 1/4 of District Lot 3984, Cariboo District, Except Plans 9486, 20288, 24657, PGP36592 and PGP36494 from Resource/Agricultural (RA) zone to Rural 1 (RR 1) zone and Special Exception RR 1-2 zone, as shown in Schedule "A"; and
- ii) amending Schedules "C" and "D" accordingly.

READ A FIRST TIME THIS 23rd DAY OF March, 2018.

READ A SECOND TIME THIS 23rd DAY OF March, 2018.

A PUBLIC HEARING WAS HELD ON THE 24th DAY OF May, 2018.

READ A THIRD TIME this 13th day of July, 2018.

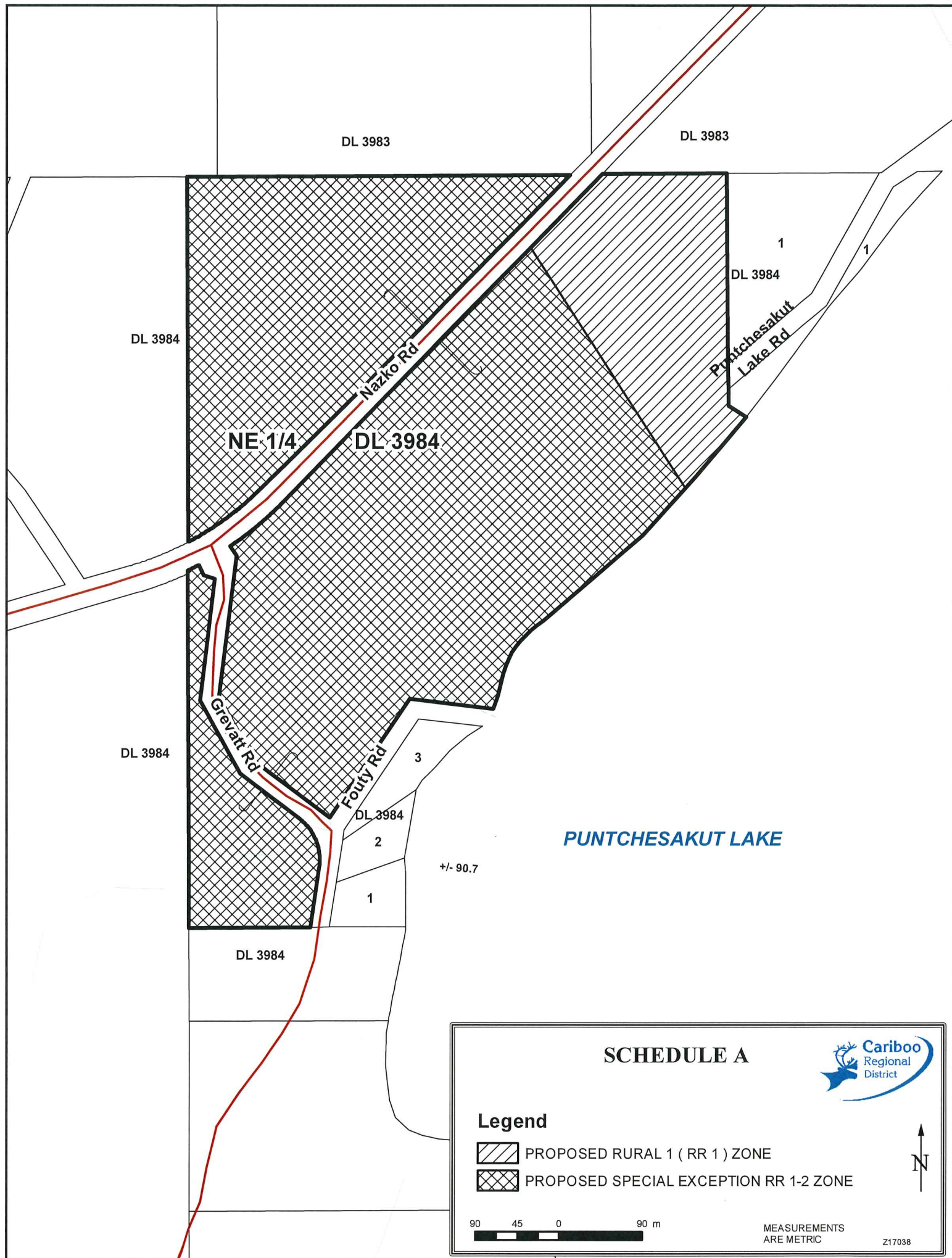
ADOPTED this _____ day of _____, 2019.

Chair

Manager of Corporate Services

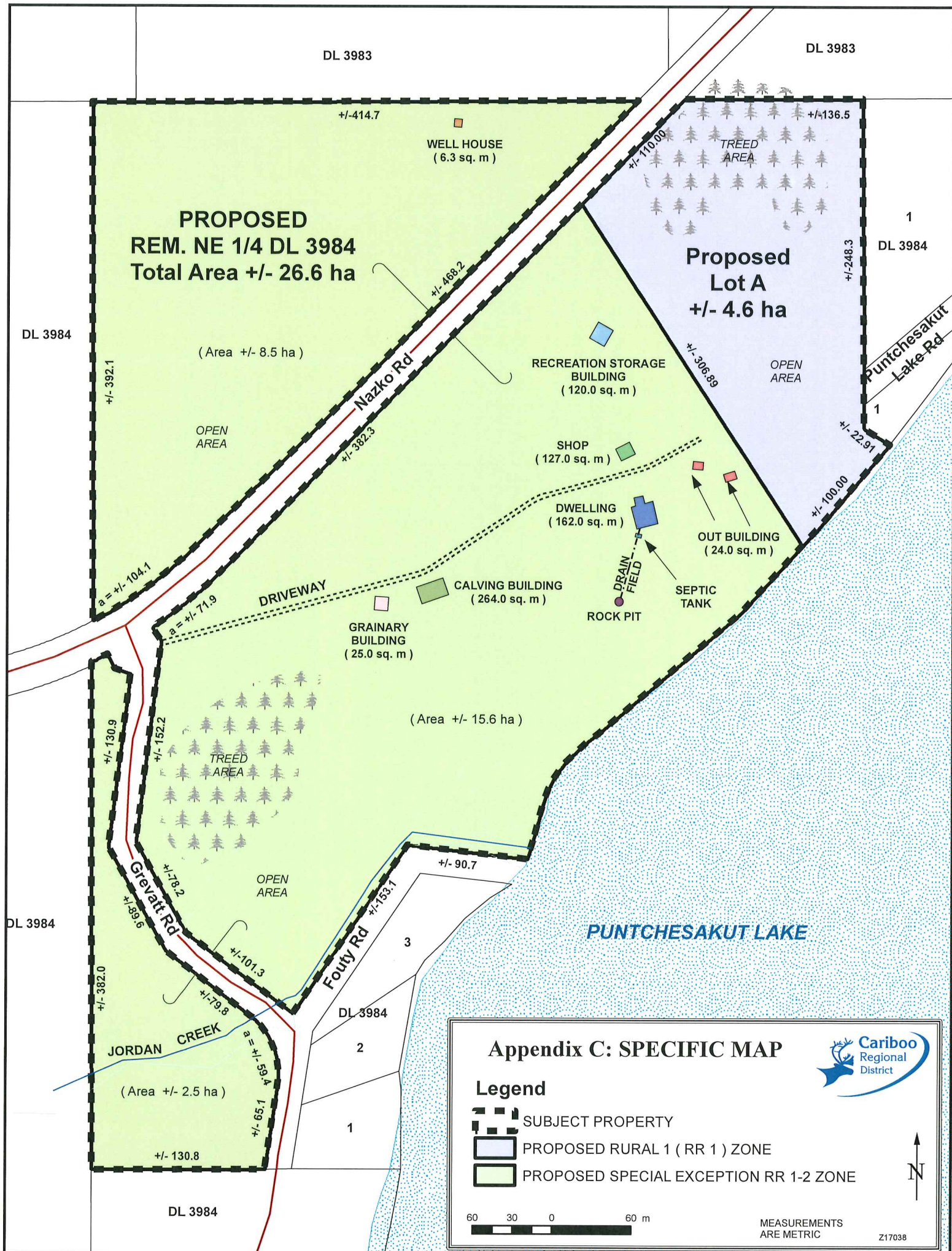
I hereby certify the foregoing to be a true and correct copy of Bylaw No. 5132 cited as the "Cariboo Regional District North Cariboo Area Rural Land Use Amendment Bylaw No.5132, 2018", as adopted by the Cariboo Regional District Board on the _____ day of _____, 2019.

Manager of Corporate Services



Z17038





DL 3983

DL 3983

**PROPOSED
REM. NE 1/4 DL 3984
Total Area +/- 26.6 ha**

**Proposed
Lot A
+/- 4.6 ha**

DL 3984

DL 3984

Puntchesakut
Lake Rd

(Area +/- 8.5 ha)

RECREATION STORAGE
BUILDING
(120.0 sq. m)

SHOP
(127.0 sq. m)

DWELLING
(162.0 sq. m)

OUT BUILDING
(24.0 sq. m)

CALVING BUILDING
(264.0 sq. m)

GRAINARY
BUILDING
(25.0 sq. m)

(Area +/- 15.6 ha)

TREED
AREA

OPEN
AREA

DL 3984

PUNTCHESAKUT LAKE

JORDAN CREEK
(Area +/- 2.5 ha)

DL 3984

Appendix C: SPECIFIC MAP



Legend

- SUBJECT PROPERTY
- PROPOSED RURAL 1 (RR 1) ZONE
- PROPOSED SPECIAL EXCEPTION RR 1-2 ZONE

60 30 0 60 m

MEASUREMENTS
ARE METRIC

Z17038

Appendix D: ORTHOGRAPHIC MAP



LEGEND



SUBJECT PROPERTY

0 65 130 260 m Z17038



SUBJECT PROPERTY
FRAC. NE 1/4 OF DL 3984, C.D. ,
EXC. PLS. 9486, 20288, 24657, PGP36592 & PGP36494

DL 3984

Nazko Rd

Puntchesakut Lake Rd

PUNTCHESAKUT
LAKE

Severn Rd

Describe the existing use of the subject property and all buildings: RESIDENTIAL ALONG
WITH PASTURE AND CALVING FACILITY

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

Describe the reasons in support for the application: WE OWN DL3983 TO NORTH
AND WEST 1/2 OF DL398 TO WEST, INTENDING TO
SURVEY OF A LOT FOR A FAMILY MEMBER ADJACENT TO LAKE

Provide a general description of vegetation cover (i.e. treed, grassland, forage crop etc.): SCATTERED
POP LAR TREES, GRASSY AREAS. TREES ALONG
SHORE LINE OF LAKE

Provide general geographical information (i.e. existing lakes, streams, physical features etc.):
LAKE IS SHOWN ON PLAN AS IS JORDAN CREEK
PROPERTY GENTLY SLOPING FROM ROAD TO LAKE
AS SHOWN ON PLAN.

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	☒	☐	☐	☐
Telephone	☒	☐	☐	☐
Community Water System	☐	☐	☐	☐
Community Sewer System	☐	☐	☐	☐
Sewage Disposal System	☐	☐	☐	☐
Well	☒	☐	☐	☐
Other (please specify)	☐	☐	☐	☐

RESULTS OF PUBLIC HEARING

File No: 3360-20/20170038

Date: May 24, 2018

Location: Bouchie Lake Community Hall

Re: **CARIBOO REGIONAL DISTRICT NORTH CARIBOO AREA RURAL LAND USE
AMENDMENT BYLAW NO. 5132, 2018.**

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 _____.
 - ☐ 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 7:12.

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



Signature of Chair