

## Rezoning Information Package

**File Number:** 3360-20/20190023

**Subject:** Cariboo Regional District Central Cariboo Rural Land Use Area Amendment Bylaw No. 5215, 2019.

**Electoral Area:** E

**Date of Referral:** June 5, 2019

**Date of Application:** May 15, 2019

**Property Owner's Name(s):** Harold Richards

**Applicant's Name:** Veronica Meister, c/o Exton and Dodge Land Surveying Inc.

### SECTION 1: Property Summary

**Legal Description(s):** The Fractional South West ¼ of Section 24, Township 44, Lillooet District, Except Plan 26815

**Property Size:** 5.16 ha (12.75 ac)

**Area of Application:** 5.16 ha (12.75 ac)

**Location:** 2511 Chimney Lake Road

**Current Zoning:**

Rural 1 (RR 1)

**Proposed Zoning:**

Rural 2 (RR 2)

Rural 3 (RR 3)

**Min. Lot Size Permitted:**

4 ha (9.88 ac)

**Min. Lot Size Permitted:**

2 ha (4.94 ac)

0.8 ha (1.98 ac)

**Proposed Use:** Residential lots.

**No. and size of Proposed Lots:** 4 lots, from 0.8 ha (1.98 ac) to 2.36 ha (5.83 ac)

**Name and type of existing road system:** Chimney Lake Road

**Services Available:**

Hydro, Telephone, Sewage Disposal System, Well

**Within the influence of a Controlled Access Highway:** No

**Within the confines of the Agricultural Land Reserve:** Partially

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

Yes

**Name of Lake/Contributing River and Lake Classification:** Felker Lake

**Required to comply with other Development Permit Areas:** No

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

Actual Use Code:		Lot Sizes:
(a) North	060 2 Acres Or More (Single Family Dwelling, Duplex)	4.1 ha (10.14 ac)
(b) South	063 2 Acres Or More (Manufactured Home) 060 2 Acres Or More (Single Family Dwelling, Duplex)	0.83 ha (2.06 ac) 0.82 ha (2.05ac) – 0.85 ha (2.11 ac)
(c) East	061 2 Acres Or More (Vacant)(Crown)	64.75 ha (160 ac)
(d) West	063 2 Acres Or More (Manufactured Home) 060 2 Acres Or More (Single Family Dwelling, Duplex)	0.86 ha (2.12 ac) 0.84 ha (2.07 ac) – 0.86 ha (2.14 ac)

## SECTION 2: Planning Report

### Background:

It is proposed to rezone a 5.16 ha (12.75 ac) rural residential property to subdivide into four separate rural residential lots. The subject property is currently zoned as Rural 1 (RR 1) in the Central Cariboo Area Rural Land Use Bylaw No. 3503, 1999.

The proposed lot sizes do not comply with the permitted lot size provisions under the current zoning of RR 1. Therefore, the applicant has requested to rezone the subject property as Rural 2 (RR 2) and Rural 3 (RR 3) zones. The proposal includes two RR 3 lots of 0.8 ha (1.98 ac) in size, one RR 3 lot of 1.20 ha (2.96 ac) size, and the remaining RR 2 lot of 2.36 ha (5.83 ac) in size. The proposal is shown in Appendix C.

### Location & Surroundings:

The subject property is located on Chimney Lake Road and in close proximity to Felker Lake as shown in Appendix B. Currently, there is a residential structure, garage, lean-to, and a well existing on the property with a mix of grassland and treed areas. It is mostly surrounded by single-family dwellings to the north, south, west, and vacant crown land to the east of the subject property.

### CRD Regulations and Policies:

*3503-Central Cariboo Area Rural Land Use Bylaw, 1999*

#### **8.12 RURAL 2 (RR 2) ZONE**

##### **8.12.2 ZONE PROVISIONS**

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

#### **8.13 RURAL 3 (RR 3) ZONE**

##### **8.13.2 ZONE PROVISIONS**

- (a) LOT AREA (minimum) = 0.8 hectares (1.98 acres)

Rationale for Recommendations:

Surrounded by the similar land use and lot sizes, the requested zoning amendment does not affect the residential character of the neighborhood. Further, ALR portion of the lot remains intact without being subdivided. Therefore, planning staff recommends approval of this application.

However, the applicant must comply with the CRD Shoreland Management Policy with respect to sewage disposal due to the presence of Felker Lake in close proximity to the subject property. This will further ensure the ability of the proposed new lots to accommodate sustainable sewerage disposal field.

In addition, compliance with the Agricultural Policy regarding fencing will be required due to the presence of ALR and crown land zoned Resource/Agricultural adjacent to the subject property. This will reduce future risk associated with livestock entering on residential property.

Recommendation:

1. That the Central Cariboo Area Rural Land Use Amendment Bylaw No. 5215, 2019 to rezone the Fractional South West  $\frac{1}{4}$  of Section 24, Township 44, Lillooet District, Except Plan 26815 from Rural 1 (RR 1) zone to Rural 2 (RR 2) and Rural 3 (RR 3) zones be approved, subject to the following conditions:
  - 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.
  - ii.) The applicant offering to enter into and entering into a covenant to ensure compliance with the provisions of the Agricultural Policy with respect to fencing along the east boundary and ALR portion on north boundary of the subject property.

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

**SECTION 3: Referral Comments**

**Health Authority:** - June 28, 2019 and July 5, 2019

See comments attached.

**Ministry of Transportation and Infrastructure:** - June 5/19

The Ministry of Transportation and Infrastructure has no objection in principle to the Zoning Amendment Bylaw No. 5215 package received on June 5/19. Please note that approval of the rezoning does not constitute subdivision approval. Anything other than a residential driveway requires a permit application to the Ministry.

**Advisory Planning Commission:** June 27, 2019

Supported, see comments attached.

**Ministry of Forests, Lands and Natural Resource Operations: -**

**Agricultural Land Commission:** - July 4, 2019

See Comments attached.

**SECTION 4: Board Action**

Date of Meeting:

**ATTACHMENTS**

Appendix A: Bylaw No. 5215

Appendix B: General Map

Appendix C: Specific Map

Appendix D: Orthographic Map

Other: Applicant's supporting documentation  
Advisory Planning Commission Response Form  
Interior Health Comments – Environmental Health Officer  
Agricultural Land Commission Comments  
Interior Health Comments – Public Health Dietitian





CARIBOO REGIONAL DISTRICT

BYLAW NO. 5215

A bylaw of the Cariboo Regional District, in the Province of British Columbia, to amend Bylaw No. 3503, being the "Central Cariboo Area Rural Land Use Bylaw No. 3503, 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 Central Cariboo Area Rural Land Use Amendment Bylaw No. 5215, 2019".

2. AMENDMENT

Bylaw No. 3503 of the Cariboo Regional District is amended by:

- i) rezoning The Fractional South West  $\frac{1}{4}$  of Section 24, Township 44, Lillooet District, Except Plan 26815 from Rural 1 (RR 1) zone to Rural 2 (RR 2) zone and Rural 3 (RR 3) zone as shown on Schedule "A"; and
- ii) amending Schedules "B" and "C" accordingly.

READ A FIRST TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

READ A SECOND TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

A PUBLIC HEARING WAS HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

READ A THIRD TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

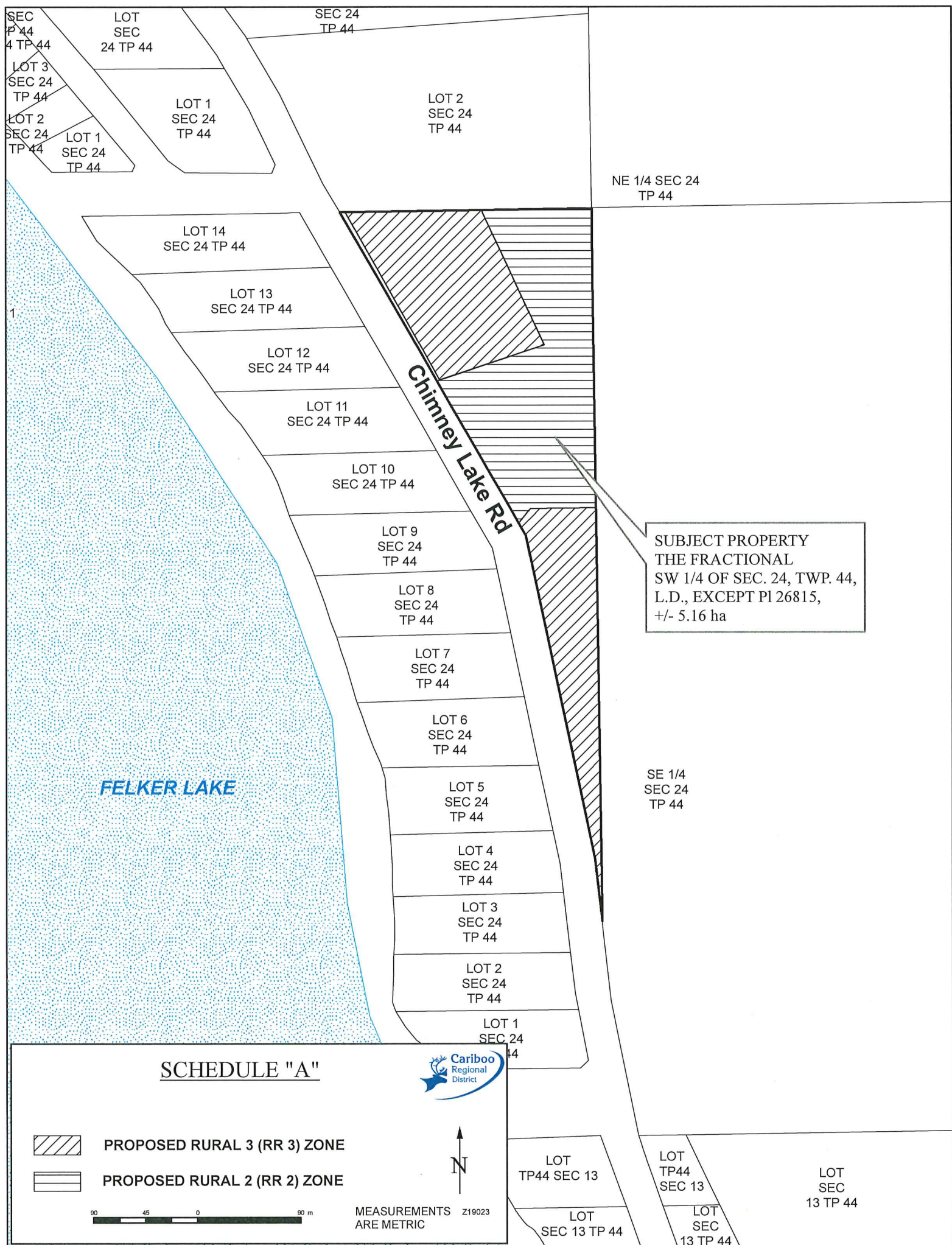
ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019.

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Manager of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 5215 cited as the "Cariboo Regional District Central Cariboo Area Rural Land Use Amendment Bylaw No. 5215, 2019", as adopted by the Cariboo Regional District Board on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Manager of Corporate Services





# Appendix B: GENERAL MAP



## LEGEND



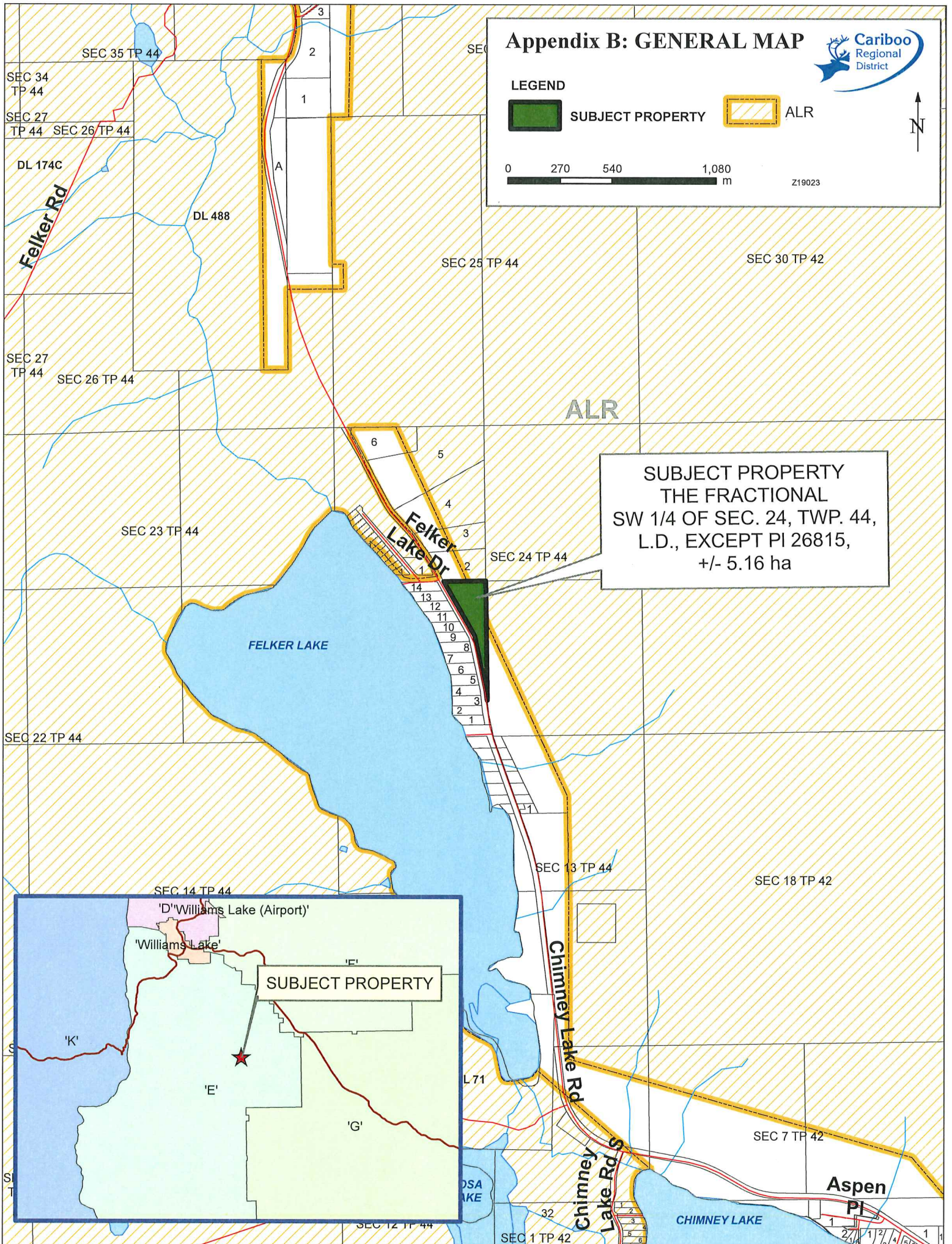
SUBJECT PROPERTY



ALR

0 270 540 1,080 m

Z19023

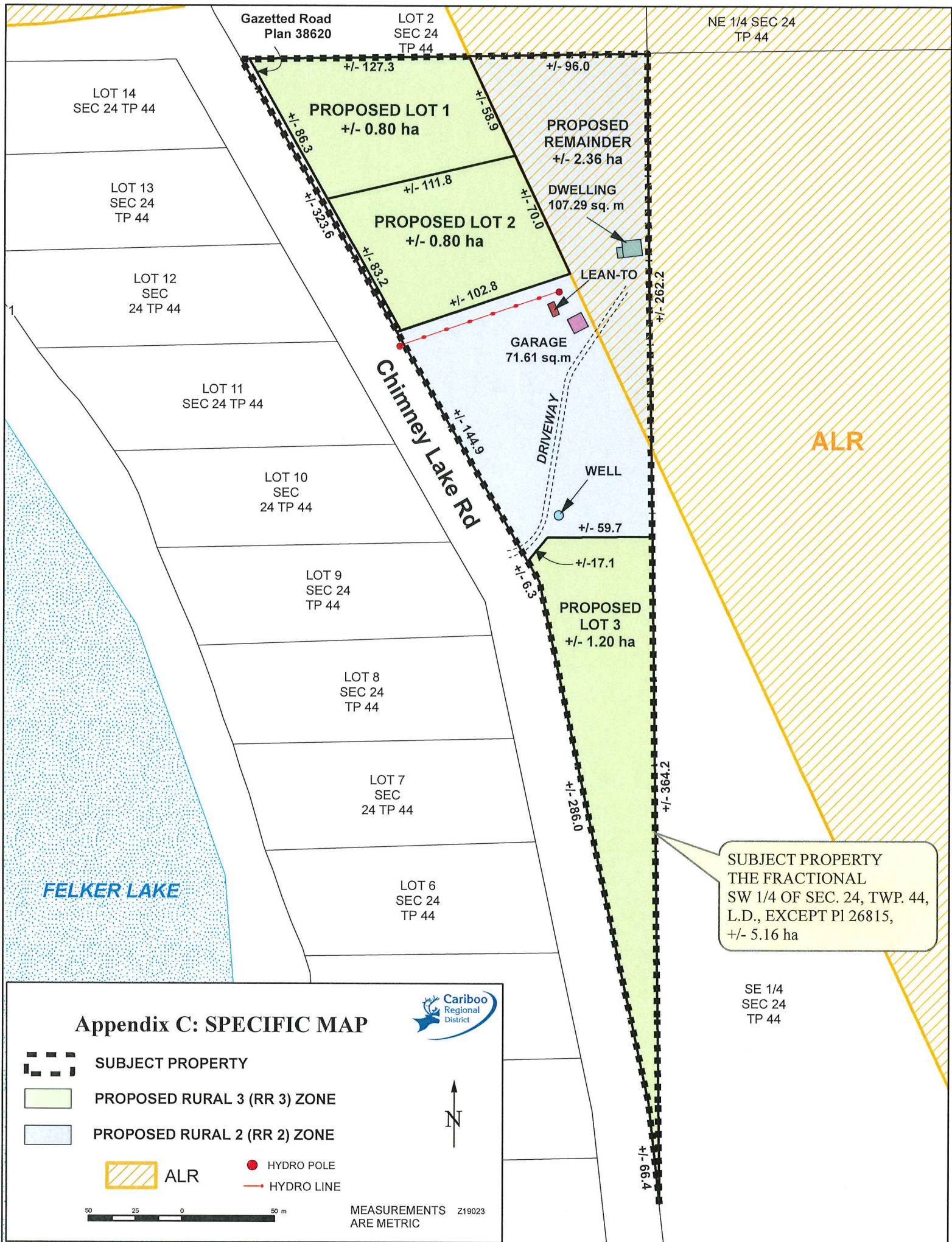


SUBJECT PROPERTY  
THE FRACTIONAL  
SW 1/4 OF SEC. 24, TWP. 44,  
L.D., EXCEPT PI 26815,  
+/- 5.16 ha

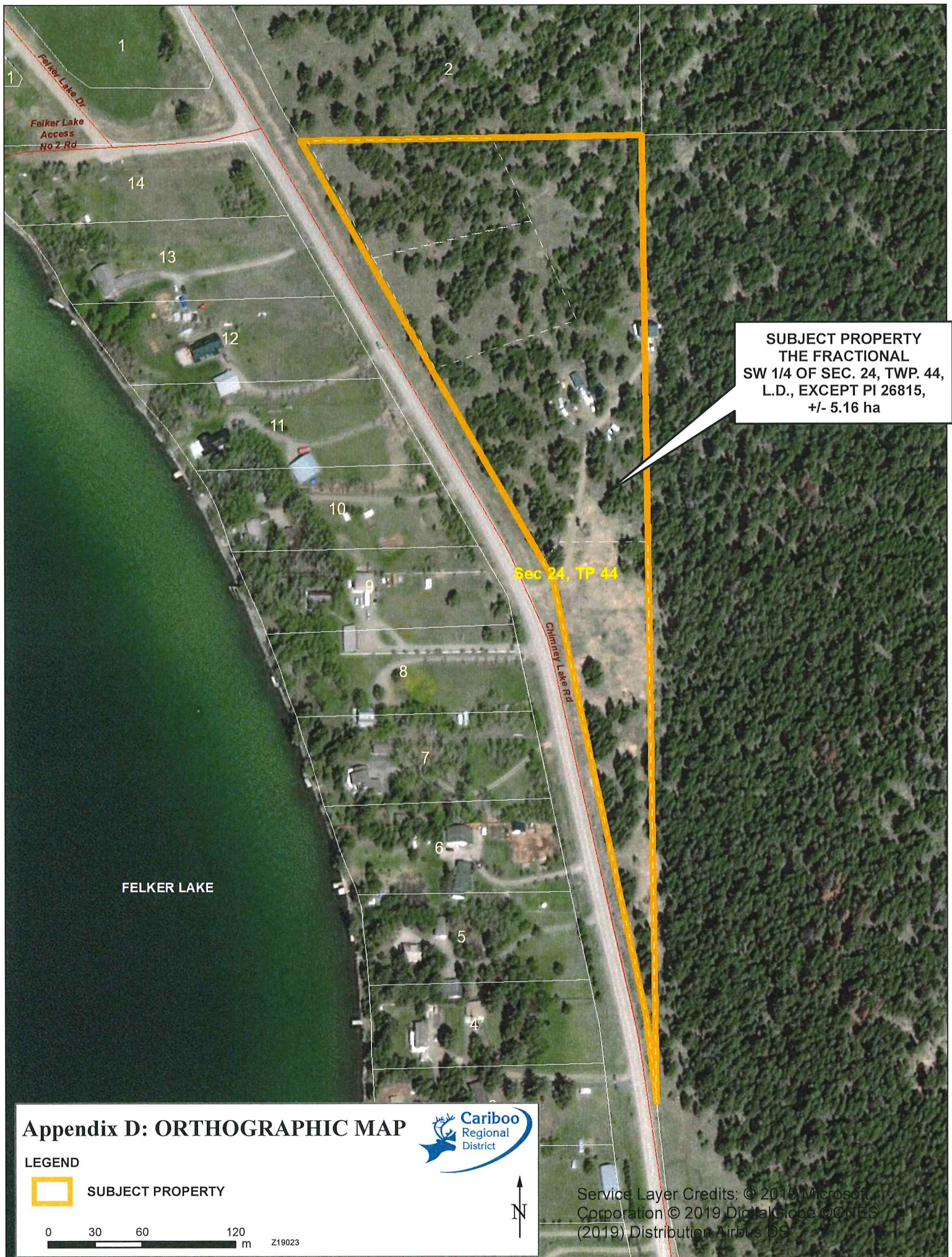
SUBJECT PROPERTY

Aspen  
PI











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

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

Describe the reasons in support for the application: Property is at Falker Lake and all properties across Chimney Lake Road are small lots – proposed subdivision is suited to the existing neighborhood

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

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

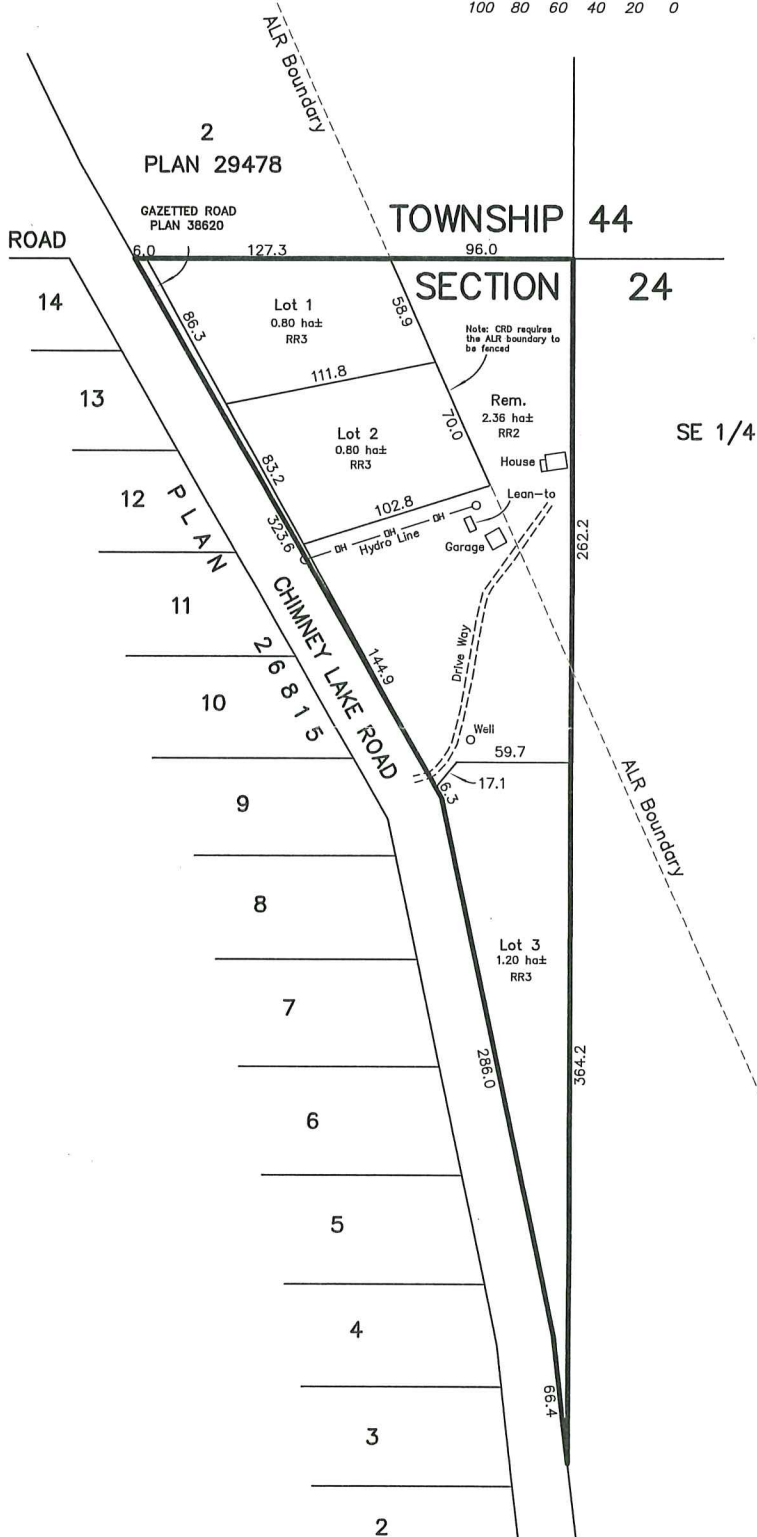
Services Currently Existing or Readily Available to the Property (check applicable area)

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

PLAN OF PROPOSED SUBDIVISION  
OF THE REMAINDER OF SECTION 24,  
TOWNSHIP 44, LILLOOET DISTRICT.

SCALE 1 : 2500



**EXTON AND DODGE**

LAND SURVEYING INC.  
133 BORLAND STREET  
WILLIAMS LAKE, B.C.  
V2G 1R1  
(250) 392-7111  
FILE No. 15810 Dwg. P3



ADVISORY PLANNING COMMISSION RESPONSE FORM

Minutes of the meeting of the Electoral Area 'E' advisory planning commission held on June 26 - 2019 / 12:00 in the CRD building, located at Williams Lake, BC, commencing at

**PRESENT:** Chair John Dressler  
Members Henry Van Soest, Dave Stafford  
John Dressler, Bernd Eisele

Recording Secretary Bernd Eisele

Owners/Agent, or Harold Richards  
☐ Contacted but declined to attend Veronica Meister (Exton and Dodge)

**ABSENT:** Betty McLellan, Kerry Chelsea, Susan Tritt

**ALSO PRESENT:** Electoral Area Director Angie Delaine  
Staff support (if present)

Agenda Items

**REZONING APPLICATION – 3360-20/20190023 (THE FRACTIONAL SOUTH WEST 1/4 OF SECTION 24, TOWNSHIP 44, LILLOOET DISTRICT, EXCEPT PLAN 26815)**

Moved by: Henry van Soest Seconded by: Bernd Eisele

: "THAT the application to rezone property at 2511 CHIMNEY LAKE ROAD, be SUPPORTED for the following reasons":

i) Meets guidelines for rezoning

ii)

For: 4

Against: 0

CARRIED

Termination

Moved by:

Seconded by:

: That the meeting terminate.

Time: 12:39

☐ CARRIED

Recording Secretary

Chair

## RESPONSE SUMMARY

- |  |   |
|--|---|
| <input type="checkbox"/> Approval Recommended for Reasons Outlined Below           | <input type="checkbox"/> Interests Unaffected by Bylaw                          |
| <input type="checkbox"/> Approval Recommended Subject to Conditions Outlined Below | <input type="checkbox"/> Approval Not Recommended Due to Reasons Outlined Below |

Thank you for the opportunity to provide a health perspective to the proposed 4 lot subdivision. These parcels are adjacent to Felker Lake which is consider moderate sensitivity for development of onsite effluent disposal as per the Lakeshore Management Policy.

The housing quality, the housing community, the housing affordability and the housing location directly link to health outcomes. We encourage land use amendments which promote healthy and active lifestyles to improve physical and social wellbeing within a community area. We encourage growth in areas where the existing infrastructures is available to meet the needs of development.

The *Healthy Built Environment Linkages Toolkit - Making the links between design, planning and health* (2018) prepared by the BC Provincial Health Services Authority, identifies healthy housing planning principles linked to positive health outcomes based on population health research.

The Provincial Health Authority through the Healthy Built Environment linkages toolkit provides health evidence that land use decisions influence the choices people make in how they move around from place to place to carry out their daily activities.

Growth should adhere to planning principles which promote wellbeing in a community by encouraging housing plans, climate action plans, transportation design plans while acknowledging the environmental and economic constraints.

Sustainable onsite sewerage systems and drinking water systems can pose environmental and economic constraints in rural development.

Interior Health endorses the concept of creating development where the easy choice is the healthy choice which helps to improve population health. Development in this area will encourage the use of private vehicles due to safety and distance to commute. The reliance on private vehicles can reduce a residents' ability to have an active lifestyle, physical activity and opportunities to access amenities. Physical activity and access to amenities has been shown to reduce disease incident, improve quality of life therefore reducing health care cost.

**Interior Health supports land development in areas where access to amenities, work, recreation, and daily activities encourage healthy lifestyles therefore improving the health and wellbeing of the population**

**If you have any questions, please contact me at 250-851-7347 or HBE@interiorhealth.ca**

Signed By:  Title: Environmental Health Officer

Date: June 28, 2019 Agency: Interior Health Authority





**Agricultural Land Commission**

201 – 4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604 660-7000 | Fax: 604 660-7033  
www.alc.gov.bc.ca

July 4, 2019

Reply to the attention of Sara Huber  
ALC Issue: 51445  
Local Government File: 3360-20/20190023

Nyree Alexander  
Development Services Clerk V  
Cariboo Regional District  
nalexander@cariboord.ca

**Delivered Electronically**

**Re: Cariboo Regional District Central Cariboo Area Rural Land Use Amendment**  
**Bylaw No. 5215, 2019**

Thank you for forwarding a draft copy of Cariboo Regional District (CRD) Amendment Bylaw No. 5215, 2019 (the "Bylaw") for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the Bylaw is consistent with the purposes of the Agricultural Land Commission Act (ALCA), the Agricultural Land Reserve General Regulation, (the "General Regulation"), the Agricultural Land Reserve Use Regulation (the "Use Regulation"), and any decisions of the ALC.

The applicant is proposing to rezone the property located at 2511 Chimney Lake Road (PID: 007-527-535) (the "Property") from Rural 1 (RR 1) to Rural 2 (RR 2) and Rural 3 (RR 3) in order to subdivide four lots ranging in size from 0.8 ha to 2.36 ha. The proposal would create three lots entirely outside of the ALR (Lots 1, 2, and 3), and one lot partially within the ALR (the "ALR Lot"). The three lots outside of the ALR would be rezoned to RR 3, while the ALR lot would be rezoned to RR 2.

With respect to the proposed RR2 Zone, the ALC would like to advise that there are several permitted uses contained within this Zone that are inconsistent with the ALCA and its regulations. While the ALC recognizes this Zone would capture both ALR and non-ALR lands, thereby additional uses may be permitted outside of the ALR, the ALC encourages the CRD to create a site-specific zone and/or a special exception to the RR-2 Zone in order for the ALR Lot's zoning to be consistent with the ALCA and its regulations.

The Plan of Proposed Subdivision of the Remainder of Section 24, Township 44, Lillooet District (the "Plan"), prepared by Exton and Dodge Land Surveying Inc. attached to the referral package notes that the existing structures on the ALR Lot include a house, lean-to, detached garage, driveway, well, and hydro line. The Plan also indicates that the boundary of the ALR Lot adjoining Lots 1 and 2 will be fenced.

The ALC concurs with the proposed fencing between Lots 1 and 2 because there is potential for conflict between residential and agricultural users.. The ALC recommends the fencing be constructed in accordance with the Ministry of Agriculture's Guide to Edge Planning Appendix C - Fencing Specifications.

\*\*\*\*\*

The ALC strives to provide a detailed response to all bylaw referrals affecting the ALR; however, you are advised that the lack of a specific response by the ALC to any draft bylaw provisions cannot in any way be construed as confirmation regarding the consistency of the submission with the ALCA, the Regulations, or any Orders of the Commission.

If you have any questions about the above comments, please contact the undersigned at 604-660-7019 or by e-mail ([Sara.Huber@gov.bc.ca](mailto:Sara.Huber@gov.bc.ca)).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION



Sara Huber, Regional Planner

Enclosures: Bylaw Referral Z1923  
RR 2 of Land Use Bylaw No. 3503, 1999  
Proposed Subdivision of the Remainder of Section 24, Township 44, Lillooet  
District  
Appendix C – Fencing Specifications

CC: Ministry of Agriculture – Attention: Nicole Pressey

51445m1



July 5, 2019

Shivani Sajwan MCP, B. Arch  
Planning Officer  
Cariboo Regional District  
Suite D 180 North 3<sup>rd</sup> Avenue, Williams Lake, BC V2G 2A4

Dear Shivani Sajwan,

Re. Application for Rezoning: 3360-20/20190023

Thank you for the opportunity to provide comments on this application. It is our understanding that this is an application for rezoning to permit the development of additional residential lots on a parcel partially in the ALR. This application has been reviewed from the Healthy Food System perspective.

The following are population health related comments for Cariboo Regional District staff to consider when making their decision.

### **Healthy Food Systems**

Interior Health has an interest in protecting agricultural land and increasing the capacity of local food systems as a way to support our community's food security. Food security is vital to the health and well-being of a community and is the foundation for healthy eating. Food security has been recognized as a key public health issue by the BC Ministry of Health. Interior Health ensures the delivery of key government priorities to increase food security.

- Dividing land into small parcels may not support agriculture capacity because "the number of viable farming options generally decreases with a reduced parcel size", as per the Ministry of Agriculture<sup>1</sup>. It is not within our scope to comment on or determine whether or not the proposed division is required to continue current and future agriculture use. However, we do draw attention to the need to preserve farmland.
- Farmland preservation helps to maintain a level of food production that contributes to food self-sufficiency, and food self-sufficiency increases food security and supports healthy eating.
- Food self-sufficiency in BC is increasingly important, as extreme weather will affect food production in California and elsewhere. Currently, California supplies 40% -50% of BC's imported fruits and vegetables
- The parcel in question is relatively small (5.16 ha), so the impacts of the division on agricultural operations may be negligible. In addition, the parcel is adjacent to a dense lake shore residential area so some additional residential development per this application may be consistent with the rural community plan.

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<sup>1</sup> BC Ministry of Agriculture. (2014). Agricultural Land Use Inventory: City of Kelowna, Regional District of Central Okanagan, Summer 2014. (Reference No. 800.510-14.2014).





- Residential lots that interface with agricultural operations can be impacted by noise and air quality issues. Agriculture can negatively affect air quality through contributions to particulate matter, odours, and volatile compounds.
- Vegetative buffers can benefit residents by reducing noise, dust, and odours, and buffers provide environmental benefits such as improving water quality.

Regards,

Megan Dark, RD CDE  
Public Health Dietitian  
Healthy Communities  
Interior Health Authority