

## Rezoning Information Package

**File Number:** 3360-20/20190026

**Subject:** Cariboo Regional District Central Cariboo Area Rural Land Use Amendment Bylaw No. 5216, 2019.

**Electoral Area:** D

**Date of Referral:** June 10, 2019

**Date of Application:** May 30, 2019

**Property Owner's Name(s):** Linda and Garry Peschke

**Applicant's Name:** Linda and Garry Peschke

### SECTION 1: Property Summary

**Legal Description(s):** Lot 1, District Lot 8679, Cariboo District, Plan 30324

**Property Size:** 1 ha (2.485 ac)

**Area of Application:** 1 ha (2.485 ac)

**Location:** 10870 Highway 97 N, McLeese Lake

**Current Zoning:**

Special Exception 5, Commercial Service / Light Industrial (C/M-5)

**Min. Lot Size Permitted:**

0.4 ha (0.98 ac)

**Proposed Zoning:**

Rural 3 (RR 3)

**Min. Lot Size Permitted:**

0.8 ha (1.98 ac)

**Proposed Use:** To revert property to residential for simpler resale.

**No. and size of Proposed Lots:** 1 Lot, 1 ha (2.485 ac). Maximum 1 lot.

**Name and type of existing road system:** Cariboo 97 Highway

**Services Available:** Hydro, Telephone, Septic, Well

**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, Shoreland Management Policy

**Name of Lake/Contributing River and Lake Classification:** Unnamed Creeks

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

	Actual Use Code:	Lot Sizes:
(a) North	180 Mixed	33.63 ha (83.115 ac)
(b) South	180 Mixed	33.63 ha (83.115 ac)
(c) East	Crown	5 ha (12.36 ac)
(d) West	180 Mixed	33.63 ha (83.115 ac)

**SECTION 2: Planning Report**Background:

It is proposed to rezone a 1 ha (2.485 ac) commercial/light industrial property to residential for property resale. The subject property is currently zoned as Special Exception Commercial Service/Light industrial (C/M-5) Zone in Central Cariboo Area Rural Land Use Bylaw No. 3503, 1999. The applicants have requested to rezone the subject property as Rural 3 (RR 3) zone with no further proposed buildings.

The subject property has an existing 159.6 sq. m (1,718 sq. ft) residential structure with an attached deck of 24.7 sq. m (266 sq. ft) in size, 119.9 sq. m (1,291 sq. ft) showroom/store with 40.2 sq. m (433 sq. ft) carport. In addition, there are 167.6 sq. m (1,804 sq. ft) storage and 194.3 sq. m (2,091 sq. ft) woodwork shop along with 14.5 sq. m (156 sq. ft) lean-to shed, 13.5 sq. m (145 sq. ft) root cellar, 3.7 sq. m (39.8 sq. ft) greenhouse, 3.2 sq. m (34.4 sq. ft) shed, 1.5 sq. m (16.1 sq. ft) privy, septic systems and wells existing on site as shown in Appendix C.

Location & Surroundings:

The subject property is located on Cariboo Highway 97 North with a proximity to Fraser River to the west of the property as shown in Appendix B. Currently, there are two streams that passes through the property. It is mostly surrounded by mixed land use of farm and residential activities with vacant crown land to the east of the subject property.

CRD Regulations and Policies:

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

**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:

As the subject property is surrounded by large and mostly vacant resource/agricultural parcels, there will be minimal impact on the neighborhood. Further, the proposed Rural 3 (RR 3) zone better fits within the surrounding rural character instead of the existing commercial/light industrial land use. Therefore, planning staff recommends approval of this application.

Although our spatial data shows the presence of streams on site, lot assessment by a professional Biologist has confirmed that there is no evidence of stream channels on the lot. Therefore, compliance with the Shoreland Management Policy is not required. However, a Controlled Access Permit will be required from the Ministry of Transportation as the property is situated on Highway 97 which is a controlled access highway.

Recommendation:

1. That the Central Cariboo Area Rural Land Use Amendment Bylaw No. 5216, 2019 to rezone Lot 1, District Lot 8679, Cariboo District, Plan 30324 from Special Exception Commercial Service/Light industrial (C/M-5) Zone to Rural 3 (RR 3) zone be approved, subject to the following condition:
  - i.) The applicants must comply with Section 52 of the Transportation Act by attaining a Controlled Access Permit from the Ministry of Transportation.

**SECTION 3: Referral Comments**

**Health Authority:** -

**Ministry of Transportation and Infrastructure:** - July 5, 2019

The Ministry of Transportation and Infrastructure has no objection in principle to the proposed above noted application regarding rezoning of the property to Rural Residential 3 and provides the following comments:

- 1) This application is subject to approval pursuant to Section 52 of the Transportation Act.
- 2) As this property is on Highway 97 which is a controlled access highway, a Controlled Access Permit will be required for access to Lot 1 District Lot 8679 Cariboo District Plan 30324.
- 3) This in no way relieves the owner or occupier of the responsibility of adhering to all other relevant legislation.

**Advisory Planning Commission:** August 21, 2019

Supported, see comments attached.

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

<b>SECTION 4: Board Action</b>	
	Date of Meeting:

<b>ATTACHMENTS</b>
--------------------

Appendix A: Bylaw No. 5216

Appendix B: General Map

Appendix C: Specific Map

Appendix D: Orthographic Map

Other: Applicant's supporting documentation  
Advisory Planning Commission Response Form



CARIBOO REGIONAL DISTRICT

BYLAW NO. 5216

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. 5216, 2019".

2. AMENDMENT

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

- i) rezoning Lot 1 District Lot 8679 Cariboo District Plan 30324 from Special Exception 5 Commercial Service / Light Industrial (C/M-5) zone to Rural 3 (RR 3) zone; and
- ii) amending Schedule "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.

APPROVED UNDER THE "TRANSPORTATION ACT" 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. 5216 cited as the "Cariboo Regional District Central Cariboo Area Rural Land Use Amendment Bylaw No. 5216, 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

0 170 340 680 m

Z19026



**SUBJECT PROPERTY**  
**LOT 1, DL 8679,**  
**C.D., PL 30324**

FRASER RIVER

DL 8679

ALR

SUBJECT PROPERTY

'Williams Lake (Airport)'

'Williams Lake'



# Appendix C: SPECIFIC MAP



--- SUBJECT PROPERTY/  
 --- PROPOSED RURAL 3 ( RR 3 ) ZONE

ALR

10 5 0 10 m

MEASUREMENTS  
 ARE METRIC

Z19026



1

DL 8679

Highway 97 South

RAILWAY R.O.W. PL A-145

HIGHWAY R.O.W. PL 21878

LOT 1, DL 8679,  
 C.D., PL 30324  
 +/- 1.0 ha

ALR

PCL A (DD U33223)  
 DL 8639

STREAM

STREAM

GARDEN

SHED  
 (3.2 sq. m)

SEPTIC

FENCED  
 YARD

DECK  
 (24.7 sq. m)

DWELLING  
 (159.6 sq. m)

WELL

CARPORT  
 (40.2 sq. m)

GREENHOUSE  
 (3.7 sq. m)

SHED  
 (7.1 sq. m)

SHOWROOM &  
 STORE  
 (119.9 sq. m)

ROOT  
 CELLAR  
 (13.5 sq. m)

PRIVY  
 (1.5 sq. m)

HIGHWAY  
 ENTRANCE

GRAVEL  
 DRIVEWAY

WELL

LEANTO  
 SHED  
 (14.5 sq. m)

SHOP &  
 STORAGE  
 (167.6 sq. m)

WOODWORK  
 SHOP  
 (194.3 sq. m)

SEPTIC



Appendix D: ORTHOGRAPHIC MAP



LEGEND

 SUBJECT PROPERTY

0 10 20 40 m Z19026



SUBJECT PROPERTY  
LOT 1, DL 8679,  
C.D., PL 30324

DL 8231

DL 8679

Highway 97 South

1

Describe the existing use of the subject property and all buildings: \_\_\_\_\_

GIFT STORE WOOD WORKING BUILDING

Describe the proposed use of the subject property and all buildings: \_\_\_\_\_

RESIDENTIAL ONLY

Describe the reasons in support for the application: \_\_\_\_\_

TO SELL PROPERTY AS RESIDENTIAL

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

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

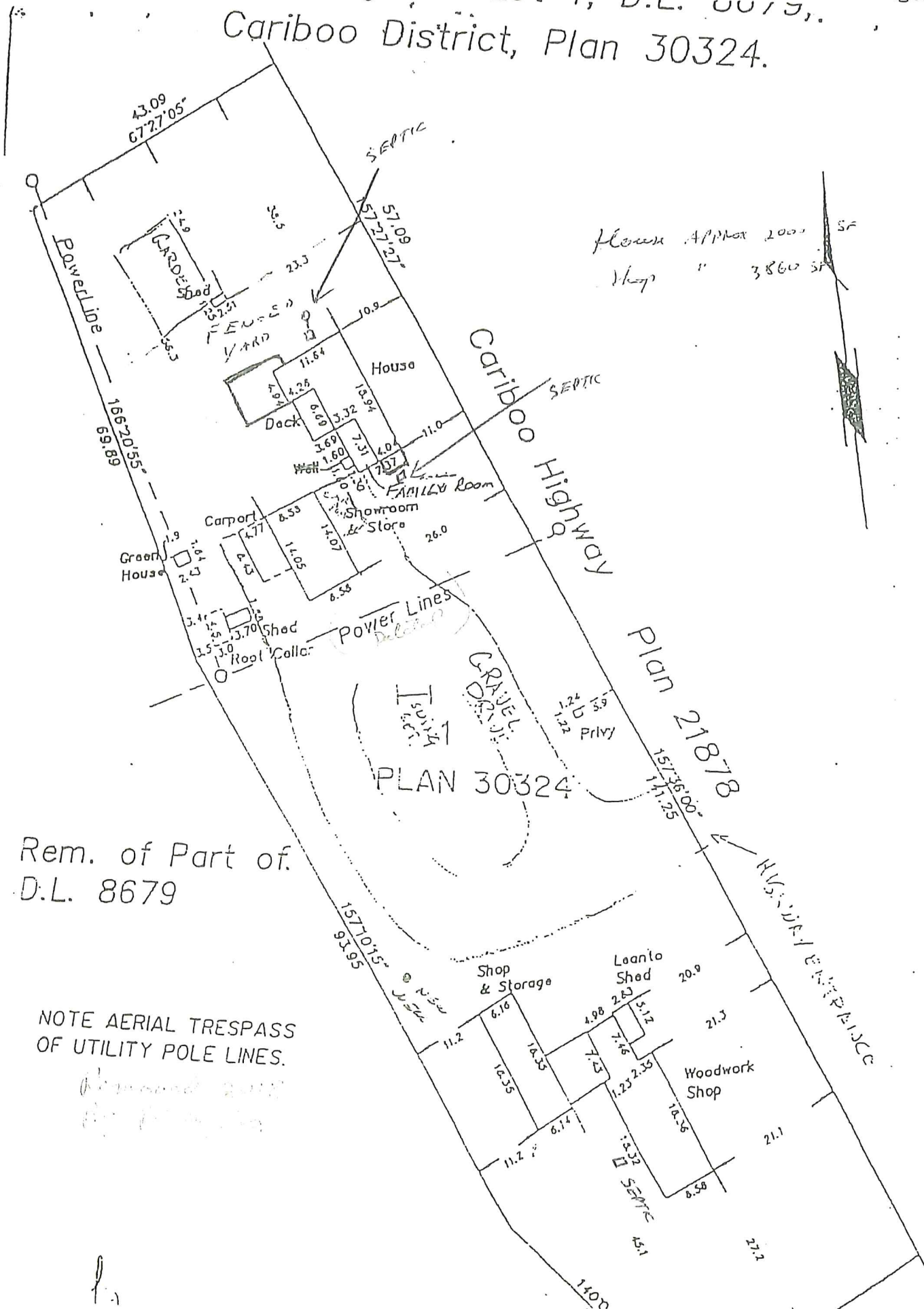
Services Currently Existing or Readily Available to the Property (check applicable area)

\* 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>



Cariboo District, Plan 30324.



**ADVISORY PLANNING COMMISSION RESPONSE FORM**

Minutes of a meeting of the Electoral Area 'D' Advisory Planning Commission held on **Wednesday, August 21<sup>st</sup>** at 7:12pm in the CRD Committee Room in Williams Lake, BC

Members – Howie Chamberlin (in person), Dan Jalbert/Torey Lee/Kathy Rourke (via teleconference)

Electoral Area Director – Steve Forseth

Others Present – Havan Surat (CRD Manager of Development Services)

---

Agenda Item:

**Rezoning Application:**

Applicant – Linda/Gary Peschke

Location – 10870 Highway 97 North (Macalister, BC)

Legal Description – Lot 1, DL 8679, Cariboo District, Plan 30324

---

MOVED – H. Chamberlin;

Seconded – D. Jalbert:

“THAT the Rezoning Application from Linda/Gary Peschke to change zoning from C/M-5 (Special Exemption 5 Zone) to Rural Residential 3 (RR3) Zone for property at 10870 Highway 97 North **BE SUPPORTED** with a proviso that the application, prior to adoption, comply with Section 7.13 of Central Cariboo Rural Land Use Bylaw #3503,1999 in relation to Ancillary Buildings”

**CARRIED**

For the Motion – 4

Against the Motion – 0

Rationale for Resolution – All residential lands should be treated equally in relation to ancillary buildings...

Adjournment:

MOVED – H. Chamberlin;

Seconded – D. Jalbert:

“That the meeting be adjourned”

**CARRIED**

---

H. Chamberlin for R. Kaufman

Chair/Recording Secretary – Area 'D' Advisory Planning Commission