

Rezoning Information Package

File Number: 3360-20/20190007

Subject: Cariboo Regional District Central Cariboo Area Rural Land Use Amendment Bylaw No. 5198, 2019

Electoral Area: F

Date of Referral: February 26, 2019

Date of Application: February 5, 2019

Property Owner's Name(s): Charlene Smythe

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

SECTION 1: Property Summary

Legal Description(s): Lot C, District Lot 8131, Cariboo District, Plan 25607

Property Size: 4.54 ha (11.22 ac)

Area of Application: 4.54 ha (11.22 ac)

Location: 4258 Spur Road

Current Zoning:

Rural 1 (RR 1)

Proposed Zoning:

Rural 2 (RR 2) and Lakeshore Residential 2 (RL 2)

Min. Lot Size Permitted:

4 ha (9.88 ac)

Min. Lot Size Permitted:

2ha (4.94 ac) /0.8 ha (1.98 ac)

Proposed Use: To subdivide property into two residential lots.

No. and size of Proposed Lots: 2 lots. Lot 1 1.01 ha (2.49 ac) and Rem C 3.24 ha (8 ac)

Name and type of existing road system: Spur Road, Proposed Lake Access 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: No

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

Yes – Riparian Zone Protection and Onsite Effluent Disposal

Name of Lake/Contributing River and Lake Classification:

Big Lake, Moderate

Required to comply with other Development Permit Areas:

No

Name of Development Permit:

N/A

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

Actual Use Code:		Lot Sizes:
(a) North	060 2 Acres Or More (Single Family Dwelling, Duplex)	0.99ha (2.47ac) – 1.08ha (2.69ac)
	063 2 Acres Or More (Manufactured Home)	1.03ha (2.55ac) – 1.11ha (2.76ac)
(b) South	Big Lake	
	060 2 Acres Or More (Single Family Dwelling, Duplex)	0.90ha (2.24ac) - 0.91ha (2.26ac)
(c) East	063 2 Acres Or More (Manufactured Home)	0.82ha (2.03ac)
	061 2 Acres Or More (Vacant)	3.8ha (9.41ac)
(d) West	060 2 Acres Or More (Single Family Dwelling, Duplex)	1.03ha (2.55ac) - 1.1ha (2.72ac)
	061 2 Acres Or More (Vacant)	0.90ha (2.24ac)

SECTION 2: Planning Report

Background:

It is proposed to rezone a 4.54 ha (11.22 ac) rural residential property to subdivide into two separate 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 proposes to rezone the subject property from RR 1 zone to Rural 2 (RR 2) and Lakeshore Residential (RL 2) zones in order to subdivide the property into 3.24 ha (8 ac) and 1.01 ha (2.49 ac) sized lots respectively. The proposal is shown in Appendix C.

Location & Surroundings:

The subject property is located on the cul-de-sac of the Spur Road with Big Lake to the south of the property as shown in Appendix B. Currently, there is a residential structure and a barn existing on the property with low tree coverage. It is surrounded by single-family dwellings to the north and west, and vacant land to the east of the subject property.

CRD Regulations and Policies:

3503-Central Cariboo Area Rural Land Use Bylaw, 1999

8.10 LAKESHORE RESIDENTIAL 2 (RL 2) ZONE

8.10.2 ZONE PROVISIONS

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

8.12 RURAL 2 (RR 2) ZONE

8.12.2 ZONE PROVISIONS

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

Rationale for Recommendations:

The broad land use objective from Section 2.4 for the Central Cariboo Rural Planning Area encourages new residential development within the existing settlement areas of Big Lake. Being surrounded by properties with similar land-use and vacant land, the proposal has minimal impact on adjacent properties. Therefore, planning staff recommends approval of this application.

However, the applicant must comply with the CRD Shoreland Management Policy with respect to onsite sewage disposal and riparian protection due to the presence of Big lake adjacent to the subject property. Further, if any additions such as deck or wharf are projected on the proposed road/driveway, a permit from FrontCounter BC under the Water Sustainability Act will be required.

Recommendation:

1. That the Central Cariboo Area Rural Land Use Amendment Bylaw, 5198, 2019 to rezone Lot C, District Lot 8131, Cariboo District, Plan 25607 from Rural 1 (RR 1) zone to Rural 2 (RR 2) and Lakeshore Residential 2 (RL 2) zones be approved, subject to the following condition:
 - 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.

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

SECTION 3: Referral Comments

Health Authority: - April 2, 2019

See Comments attached.

Ministry of Transportation and Infrastructure: - February 26, 2019

The Ministry of Transportation and Infrastructure has no objection in principle to the proposed Zoning Amendment Bylaw No. 5198 package received on February 26/19. Please note that the Ministry currently has a proposed subdivision application for this subject property that is being reviewed under MoTI File #2017-04114 and 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: March 5, 2019

Supported. See attached.

Ministry of Environment: - March 1, 2019

A minimum 10 m riparian buffer along Big Lake should be maintained. From the drawings provided in the application, it looks like the proposed road/driveway to the southwest corner of proposed Lot 1 may be closer to the lake than that, but it's hard to tell. If any works (for example, a boat launch or wharf) are to be added, an application through FrontCounter BC under the Water Sustainability Act will be required.

SECTION 4: Board Action

Date of Meeting: April 12, 2019

That the Central Cariboo Area Rural Land Use Amendment Bylaw No. 5198, 2019 be read a first and second time this 12th day of April, 2019. Further that adoption be subject to the following:

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.

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

Date of Meeting: August 23, 2019

That Cariboo Regional District Central Cariboo Area Rural Land Use Amendment Bylaw No. 5198, 2019 be read a third time, this 23rd day of August, 2019.

ATTACHMENTS

Appendix A: Bylaw No. 5198

Appendix B: General Map

Appendix C: Specific Map

Appendix D: Orthographic Map

Other: Applicant's supporting documentation

APC Response Form

Interior Heath Comments

Results of Public Hearing

Email from Wendy Holtom at Ministry of Transportation and Infrastructure



CARIBOO REGIONAL DISTRICT

BYLAW NO. 5198

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. 5198, 2019".

2. AMENDMENT

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

- i) rezoning Lot C, District Lot 8131, Cariboo District, Plan 25607 from Rural 1 (RR 1) zone to Rural 2 (RR 2) zone and Lakeshore Residential 2 (RL 2) zone as shown on Schedule "A"; and
- ii) amending Schedule "B" and "C" accordingly.

READ A FIRST TIME THIS 12th DAY OF April, 2019.

READ A SECOND TIME THIS 12th DAY OF April, 2019.

A PUBLIC HEARING WAS HELD ON THE 19th DAY OF June, 2019.

READ A THIRD TIME THIS 23rd DAY OF August, 2019.

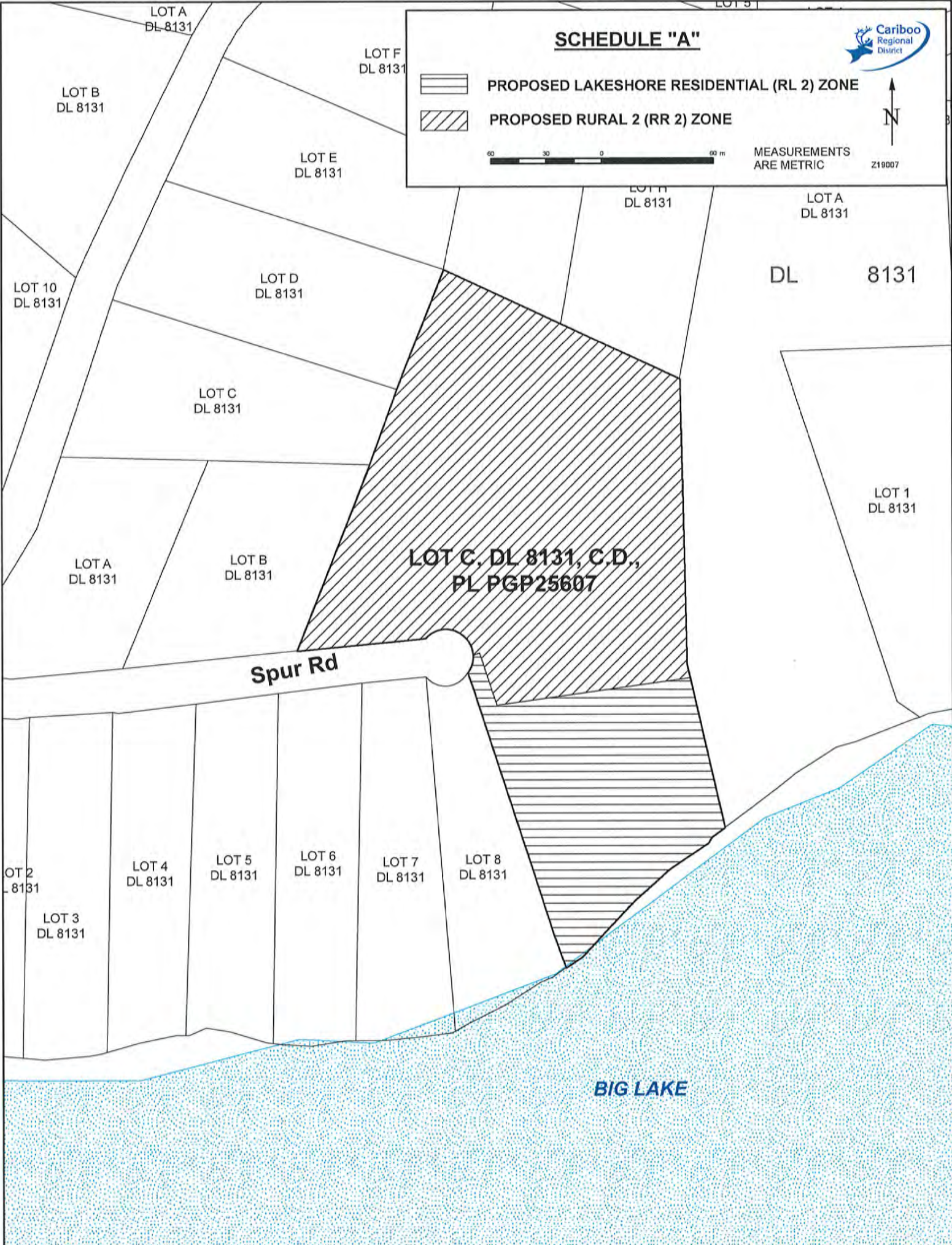
ADOPTED THIS ____ DAY OF _____, 2019.

Chair

Manager of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 5198 cited as the "Cariboo Regional District Central Cariboo Area Rural Land Use Amendment Bylaw No. 5198, 2019", as adopted by the Cariboo Regional District Board on the _____ day of _____, 2019.

Manager of Corporate Services



SCHEDULE "A"



PROPOSED LAKESHORE RESIDENTIAL (RL 2) ZONE



PROPOSED RURAL 2 (RR 2) ZONE



MEASUREMENTS
ARE METRIC

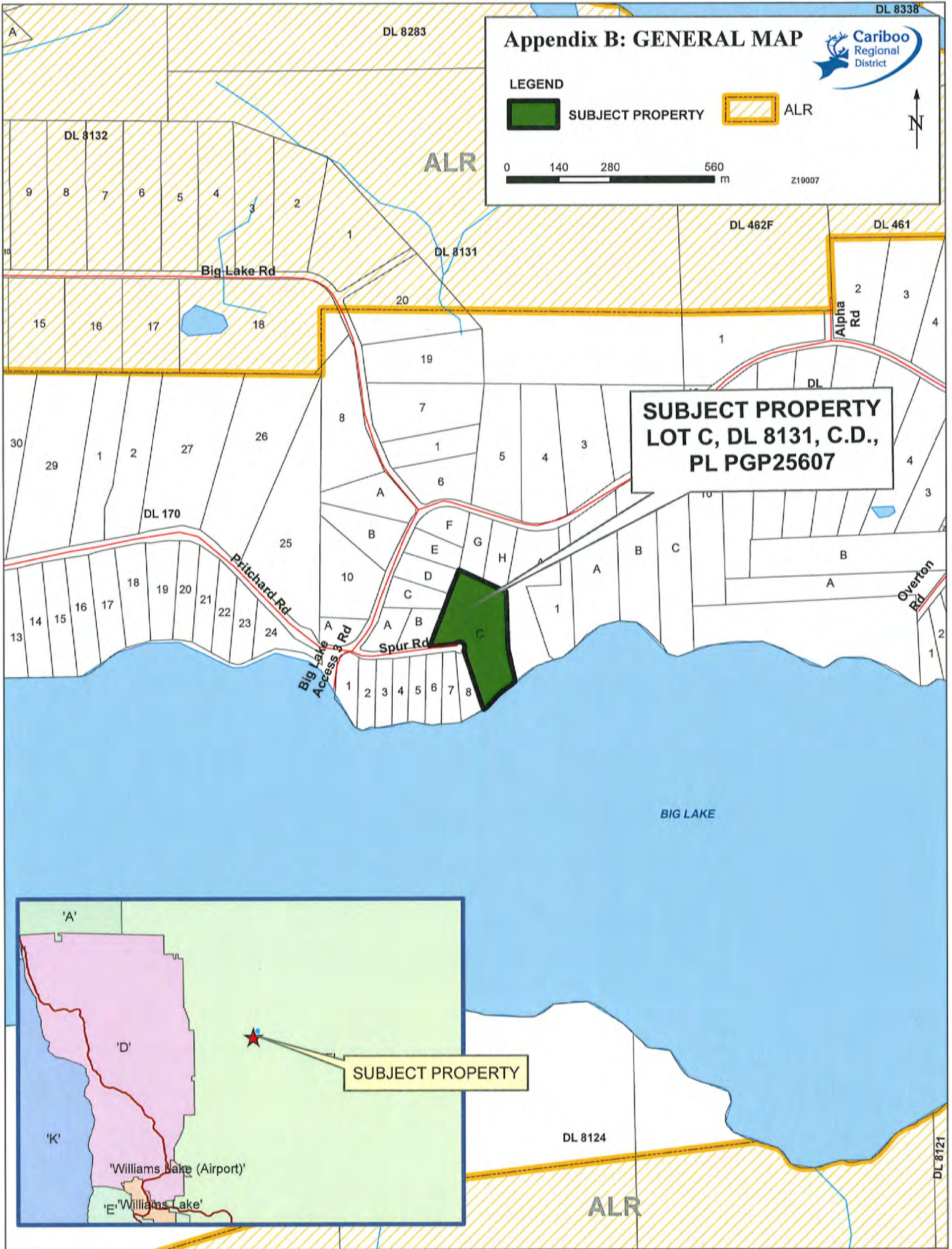


Z19007

**LOT C, DL 8131, C.D.,
PL PGP25607**

Spur Rd

BIG LAKE



Appendix C: SPECIFIC MAP



SUBJECT PROPERTY



PROPOSED LAKESHORE
RESIDENTIAL (RL 2) ZONE



PROPOSED RURAL 2 (RR 2) ZONE

● HYDRO POLE

● SEPTIC CLEANOUT

● SEPTIC LID

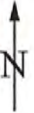
● WELL

--- DRIVEWAY

x - FENCE

— HYDRO LINE

MEASUREMENTS
ARE METRIC



LOT E
DL 8131

LOT G
DL 8131

LOT H
DL 8131

DL 8131

PROPOSED REMAINDER
LOT C, DL 8131, C.D.,
PL PGP25607
+/- 3.24 ha

LOT C, DL 8131,
C.D., PLAN PGP25607
+/- 4.54 ha

LOT B
DL 8131

LOTA
DL 8131

BARN
(147.70 sq. m)

CARPORT
(67.21 sq. m)

DECK
(35.73 sq. m)

Spur Rd

DRIVEWAY

a= +/- 10.0

+/- 29.1

+/- 107.71

DWELLING
(106.76 sq. m)

SEPTIC FIELD

WELL

+/- 88.8

PROPOSED LOT 1
+/- 1.01 ha

DL 8131

LOT 8
DL 8131

LOT 7
DL 8131

LOT 6
DL 8131

LOT 5
DL 8131

+/- 155.1

+/- 10.0

+/- 50.0

+/- 20.0

+/- 21.0

+/- 89.4

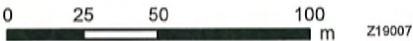
BIG LAKE

Appendix D: ORTHOGRAPHIC MAP



LEGEND

 SUBJECT PROPERTY



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 surrounded by smaller lots – proposed subdivision is suited to the existing neighborhood land use

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

ADVISORY PLANNING COMMISSION RESPONSE FORM

Minutes of the meeting of the Electoral Area 'F' advisory planning commission held on
 MAR. 4/19 in the 150 FIREHALL, located at 150 mile, BC,
 commencing at 7:15 pm HOUSE

PRESENT:

Chair GEORGE ATAMANENKO

 Members BEB HOOKER
 JACK DARNEY
 JOHN HOYRUP
 CYLER HOFFMAN

Recording Secretary GTA

 Owners/Agent, or VERONICA MEISER EXTON & DUDGE
☐ Contacted but declined to attend SURVEYORS
ABSENT:

DOUG WATT

ALSO PRESENT:

Electoral Area Director JOAN SURELEY

Staff support (if present)

OBSERVER TONI HOOKER

Agenda Items**REZONING APPLICATION - 3360-20/20190007 (Lot C, District Lot 8131, Cariboo District, Plan 25607)**
 / : "THAT the application to rezone property at 4258 SPUR
 ROAD, be supported/rejected for the following reasons:

- i) COMPLIES WITH W.L. FRINGE & 150 MILE HOUSE AREA ZONING BY-LAW
- ii) APPROVE OF A TWO LOT SUBDIVISION & SIMILAR TO EXISTING PROPERTIES
- iii) NO NEED FOR A PUBLIC ROAD ACCESS

For:

unanimous

Against:

CARRIED/DEFEATED

Termination

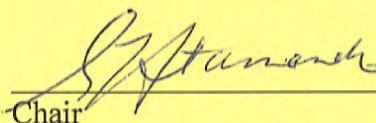
/

: That the meeting terminate.

CARRIED

Time: 7.40 pm

 GTA
 Recording Secretary


 Chair

 Cariboo Regional District
 File No.

MAR 05 2019

Referred To

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

We appreciate the opportunity to provide a health perspective on this proposed zoning which will allow the parcel to be subdivided into two residential lots.

Interior Health recommends the principals within the Provincial Health Services Authority- HBE linkages toolkit. Healthy community design supports health objectives which include facilitating physical activity, reducing injury risks, improving public safety and the perceptions of safety.

Housing options should provide safe and sustainable infrastructure in an area that has access to daily amenities. Housing development should be encouraged were transportation networks move away from private vehicle and towards active transportation which benefits the environment, greenhouse gas emissions and can improve equity by prioritizing active transportation options like walking, cycling and public transit to accommodate the needs of all individuals and income levels.

Surface and Ground Water quality can be affected through developmental practices which can increase the movement of nutrients, sediments, bacteria, herbicides and pesticides into the water regime.

Interior Health - Healthy Community Development has concerns supporting this development proposal. We encourage growth within an area where infrastructure (community water, community sewer, drainage, waste reduction) is planned, operated, and financially sustainable. There will continue to be a demand for adequate housing accommodation. We recommend directing housing growth to area that can provide sustainable sewerage systems and drinking water systems

If you have any questions, please contact me at 250-851-7347

Signed By:  Title: Environmental Health Officer

Date: April 2, 2019 Agency: Interior Health Authority

RESULTS OF PUBLIC HEARING

File No: 3360-20/201900057

Date: June 19, 2019

Location: Big Lake Community Hall

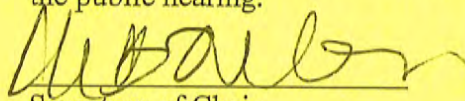
Re: **CARIBOO REGIONAL DISTRICT CENTRAL CARIBOO AREA RURAL LAND USE
AMENDMENT BYLAW NO. 5197, 2019**
5198

Persons Present:

- ☒ Director: Le Bowdais
- ☐ Owner(s):
- ☒ Agent: Veronica Meister
- ☐ Public: See attached list
- ☒ Staff: Hawron Swale
- ☐ 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 7:00 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:
Support without Public had access req. from MOT
 - Comments of concern/opposition:
too much traffic due to Public had access.
 - ☐ Attendees were asked three times for further comments and/or questions.
 - ☐ The Chair called the meeting adjourned at 7:18 pm

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


Signature of Chair

- Big Lake Community Assoc. has concern for MOTI requirement for asking ^{Public} access to lake.
- Agent provided background for MOTI Subdivision application
- Joan mentioned that in LGA might allow the applicant to donate to Community Association in lieu of road access.

Attendance List

Public Hearing For

Cariboo Regional District Central Cariboo Area Rural Land Use Amendment Bylaw No.
5198, 2019

Name
(Please Print)

Address
(Please Print)

Bee Hooker

TONI HOOKER

Christine Dymond

Jean Loxley

Vince Loxley

VERONICA MEISTER

4254 Overton Rd.

" " " "

3174 Pritchard Rd.

4256 Overton Rd.

CI

AGENT - 3036 Ferguson RD
1501 Lile Hwy

Nyree Alexander


From: Havan Surat
Sent: August 13, 2019 8:35 AM
To: Nyree Alexander
Subject: FW: Big Lake Area - Ministry File # 2017-04114
Attachments: BLCA Letter file # 2017-04114.docx; Fwd: Smythe subdivision at Big Lake Ranch - Ministry File # 2017-04114 ; Revised Plan 17161-P 11-29-2019.pdf

Please print this email for Smythe file

Havan Surat, MRAIC, FIIA
Manager of Development Services
hsurat@cariboord.ca



Cariboo Regional District
Suite D, 180 North 3rd Avenue
Williams Lake, BC V2G 2A4
Phone: 250-392-3351 Ext 283
Fax: 250-392-2812

 Please think about the environment before you print

From: Holtom, Wendy E TRAN:EX <Wendy.Holtom@gov.bc.ca>
Sent: July 26, 2019 5:17 PM
To: 'secretaryblca@gmail.com' <secretaryblca@gmail.com>
Cc: Havan Surat <hsurat@cariboord.ca>; 'Veronica Meister' <vmeister@exdodge.com>; 'Charlene Smythe' <biglakechar@gmail.com>
Subject: Big Lake Area - Ministry File # 2017-04114

Hi Lisa, the CRD Planning Manager, Havan Surat, has requested that Ministry send an email to the Big Lake Community Association (BLCA) with an explanation of the applicant's required revision of proposed layout and Preliminary Layout Not Approved letter's Reason of water access requirement. Please contact me directly if you are no longer the Secretary for the BLCA or no longer affiliated with the BLCA so I can redirect this email.

I have included the BLCA letter formatted into a word document, the BLCA email sent to the Ministry of Transportation and Infrastructure's District Manager - Todd Hubner on May 3rd, 2019 and a copy of the revised proposed layout as a reference to the email I am sending today. I am writing to update the Big Lake Community Association (BLCA) about my review of the Ministry Subdivision Application File and BLCA letter. As the Provincial Approving Officer (PAO) for the Ministry File # 2017-04114, I am the Statutory Decision Maker for the province and must adhere to the legislation of the Land Title Act and other Acts that are applicable to the file. When I adjudicated the proposed subdivision application, I assessed the proposal based on a fee simple title of land to be registered as a conventional subdivision within the Province of British Columbia. Being that the proposed subdivision is next to Big Lake, my technicians and I have reviewed the proposal to adhere to the Legislation accordingly.

The legislation that I am referring to is the Section 75(1)(c)/(d) and Section 76 of the Land Title Act (see link - http://www.bclaws.ca/Recon/document/ID/freeside/96250_07#section75) which strictly enforces access to

waterbodies defined pursuant to the Act. I believe that there is some confusion about the Legislation that is stated in 'Reason b' of the 'Preliminary Layout Not Approved'(PLNA) dated November 28, 2017, which states the adherence of access to water defined in Section 75(1)(c)/(d) and Section 76 of the Land Title. I have to clarify that the scope of my authority to grant relief from water access requirements is a grant of relief from strict compliance with requirements. My authority extends to granting of partial relief from the requirements but not full relief. So, under Section 76 the PAO's scope of discretion with respect to relief from water access requirements under Section 75, is a grant of relief from strict compliance which only is possible by a negotiated partial relief with detailed reasons and this includes a submission of an Affidavit.

The applicant may have to hold another public hearing or seek further public comment to correct the confusion about the legislation and scope of discretion by the Ministry's PAO believed by the attendee of the public hearing. Contact me for if there are any questions.

Sincerely,
Wendy

Wendy Holtom, RPP, MCIP

Provincial Approving Officer

Ministry of Transportation and Infrastructure

301-640 Borland Street

Williams Lake BC V2G 4T1

Phone No: 250-398-4265

Cell No: 250-267-2406

Fax No: 250-398-4454

E-mail: wendy.holtom@gov.bc.ca

www.th.gov.bc.ca/DA/Subdivision_Home.asp



From: Holtom, Wendy E TRAN:EX

Sent: Wednesday, May 8, 2019 1:45 PM

To: secretaryblca@gmail.com

Cc: Holtom, Wendy E TRAN:EX

Subject: Fwd: Smythe subdivision at Big Lake Ranch - Ministry File # 2017-04114

Hi Lisa, Todd Hubner and I have received the letter that BLCA emailed on May 3rd. We wanted to thank you for bringing forward the Association's concerns and the information.

We will review the letter you have sent.

The subdivision file in question is only at preliminary stage of a non-approval(PLNA). The Regional District's rezoning requirements and process is one of the reasons of PLNA.

Please contact myself for any further information.

Sincerely,
Wendy

Wendy Holtom

Provincial Approving Officer

Ministry of Transportation and Infrastructure

301-640 Borland Street

Williams Lake BC V2G 4T1

Phone No: 250-398-4265

Cell No: 250-267-2406

Fax No: 250-398-4454

E-mail: wendy.holtom@gov.bc.ca

www.th.gov.bc.ca/DA/Subdivision_Home.asp



From: lisa voncina <secretaryblca@gmail.com>

Date: May 3, 2019 at 2:33:13 PM PDT

To: Todd.Hubner@gov.bc.ca, mlebourdais@cariboord.ca

Subject: Smythe subdivision at Big Lake Ranch

Mr. Todd Hubner
Ministry of Highways and Transportation and Infrastructure
Southern Interior Region
310-640 Borland Street
Williams Lake, BC
V2G 4T1

Dear Mr. Hubner

Members of the Big Lake Community Association (BLCA) currently sit on the Advisory Planning Committee and recently had a subdivision of land in Big Lake brought to their attention. This proposed subdivision is at Lot C, District Lot 8131, Cariboo District Plan 25607 and is owned by Mrs. Smythe

We have carefully considered the proposed subdivision, the Ministry's current requirements and the local residents concerns. We have summarized these points as follows:

- The ministry's proposed location for lake access on the Smythe property is unreasonably steep
- There is an existing dry hydrant for water 375 meters west of the Smythe property on the existing highways' access to the lake. BLCA installed the hydrant last year at significant expense to the community.
- The last major subdivision (the original Big Lake Ranch property) included input from the community of Big Lake. Our directors successfully negotiated with the developers and were provided two portions of land, including the historic William Parker grave which is situated in the newly developed community cemetery site and the other has now been developed into a heritage site where some of the original buildings still stand.

The community has greatly benefited from our ability to work together in these endeavors. We have a good working relationship with Ministry staff regarding development which we hope to continue in the future.

Thank you for your consideration of this matter and we look forward to hearing from you.



Lisa Vancina, Secretary BLCA
On behalf of the Directors of BLCA

cc: Maureen LeBourdais, Director of Area F

- ⊙ Denotes Well.
- ⊖ Denotes Septic Lid.
- Denotes Septic Cleanout.
- ⊗ Denotes Hydro Pole.
- Denotes Hydro Line.



EXTON AND DODGE
LAND SURVEYING INC.
133 BORLAND STREET
WILLIAMS LAKE, B.C.
V2G 1R1
(250) 392-7111
FILE No. 17161 Dwg. P