

Rezoning / OCP Information Package

File Number: 3360-20/20200002

Subject: South Cariboo Area Official Community Plan Amendment Bylaw No. 5257, 2020 and South Cariboo Area Zoning Amendment Bylaw No. 5258, 2020

Electoral Area: G

Date of Referral: January 29, 2020

Date of Application: January 17, 2020

Property Owner's Name(s): Richard Slater

Applicant's Name: Nigel Hemingway, Cariboo Geographic Systems Ltd.

SECTION 1: Property Summary

Legal Description(s): That Part of District Lot 8155, Lillooet District, Lying West of the Westerly Boundary of Plan 43385

Area of Application: 28.04 ha (69.29 ac)

Location: 7147 93 Mile Loop Road

Current Designation:

Resource Area

Min. Lot Size Permitted:

32 ha (79.07 ac)

Proposed Designation:

Acreage Reserve

Min. Lot Size Permitted:

4 ha (9.98 ac)

Industrial

N/A

Current Zoning:

Acreage Reserve (RA 2)

Min. Lot Size Permitted:

4 ha (9.88 ac)

Proposed Zoning:

Acreage Reserve (RA 2)

Min. Lot Size Permitted:

4 ha (9.88 ac)

Special Exception General Industrial (M 2-4)

4 ha (9.88 ac)

Proposed Use: To construct a shop for an industrial business.

No. and size of Proposed Lots: No new lots; 1 existing parcel 28.04 ha (69.29 ac)

Name and type of existing road system: 93 Mile Loop Road, Rd

Services Available: Hydro, Telephone, Sewage Disposal System, 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

Name of Lake/Contributing River and Lake Classification: Unnamed system, High Sensitivity

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

	Land Use:	Lot Sizes:
(a) North	060 2 Acres Or More (Single Family Dwelling, Duplex)	2.32 ha (5.73 ac)
	063 2 Acres Or More (Manufactured Home)	1.99 ha (4.94 ac)
(b) South	Unsurveyed Crown Land	N/A
(c) East	060 2 Acres Or More (Single Family Dwelling, Duplex)	64.10 ha (158.39 ac)
(d) West	038 Manufactured Home (Not in Manufactured Home Park)	0.76 ha (1.89 ac)
	060 2 Acres Or More (Single Family Dwelling, Duplex)	4.08 ha (10.08 ac) – 6.68 ha (16.5 ac)
	061 2 Acres Or More (Vacant)	4.05 ha (10 ac) – 75.29 ha (186.04 ac)
	063 2 Acres Or More (Manufactured Home)	2.03 ha (5.01 ac) – 11.70 ha (28.91 ac)

SECTION 2: Planning Report**Background:**

It is proposed to rezone 4.75 ha (11.74 ac) within 28.04 ha (69.29 ac) subject property from Acreage Reserve (RA 2) zone to Special Exception General Industrial (M 2-4) as a split zone to allow construction of a shop for an industrial business. The subject property is currently zoned Acreage Reserve (RA 2) in the South Cariboo Area Zoning Bylaw No. 3501, 1999 and designated Resource Area in the South Cariboo Area OCP Bylaw No. 5171, 2018.

The proposed industrial business does not comply with the permitted land use provisions under the current zoning of RA 2. Therefore, the applicant has requested to rezone 4.75 ha (11.74 ac) as a Special Exception General Industrial (M 2-4) zone and the remainder of the property will retain the existing RA 2 zone. Further, it is proposed to redesignate the property to Industrial and Acreage Reserve designations respectively as the proposal does not comply with the objectives of the existing Resource Area designation. Thus, maintaining compliance with the proposed zoning.

As per the proposal, the applicant has requested that the South Cariboo Area Zoning Bylaw No. 3501, 1999 is amended by including Section 5.7.3.4 as follows:

5.7.3.4 Special Exception M 2-4 Zone (3360-20/20200002)

Notwithstanding any other provisions of this bylaw to the contrary, on lands zoned M 2-4, permitted non-residential uses shall be limited to:

(b) NON-RESIDENTIAL USES:

- i) Machine shop and parts manufacturing, machining and assembly;

- ii) Heavy equipment sales, repairs or storage;
- iii) Sheet metal workshop, electroplating, welding shop, industrial repair;
- iv) Storage, maintenance or repair of commodities for shipment and related vehicles and trailers, equipment and stock.
- v) Office, wholesale, and retail sales ancillary to the permitted non-residential uses.
- vi) Ancillary buildings.

(c) ZONE PROVISIONS:

- a) Lot Area (minimum): - 4.0 hectares (9.88 acres)

All other provisions of the M 2 zone shall apply.

Location & Surroundings:

The subject property is located on 93 Mile Loop Road, adjacent to Cariboo Highway 97 in proximity to 100 Mile House area as shown in Appendix B. Currently, there is a single-wide mobile home located near the south-west corner of the property with a large pond situated adjacent to the highway at the northern end and moderate tree coverage throughout. There are a few wetlands, unnamed streams and creeks present on the property which are highly sensitive in nature. It is mostly surrounded by single-family dwellings to the north, west and east of the subject property with unsurveyed crown land to the south.

CRD Regulations and Policies:

3501- South Cariboo Area Zoning Bylaw, 1999

5.22 ACREAGE RESERVE (RA 2) ZONE

5.22.2 ZONE PROVISIONS

- (a) LOT AREA (minimum) = 4 hectares (9.88 acres)

Rationale for Recommendations:

The proposed special exception zone permits limited industrial land uses for manufacturing, repairs, storage and sales of heavy equipment to the forestry and mining sectors. The applicant intends to construct a shop of 930 sq. m in size to accommodate the proposed business within a fully contained building. Thus, mitigating any potential environmental issues.

Being surrounded by vacant unsurveyed crown land and larger rural parcels, the proposal has minimal impact with adequate buffers. Although the proposed industrial area fronts Highway 97, there will not be a direct access from the highway and the only access to the subject property will be from the 93 Mile Loop Road. Thus, avoiding traffic congestion if any by controlling the potential traffic at the intersection of the 93 Mile Loop Road and Highway 97 situated approximately 900 metres south of the subject property.

Further, the location, access and size of the proposed area makes it suitable for the requested land use that ultimately supports forestry and mining industry. 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 highly sensitive streams, creeks and other waterbodies on the subject property.

Recommendation:

1. That the South Cariboo Area Official Community Plan Amendment Bylaw No. 5257, 2020 to redesignate That Part of District Lot 8155, Lillooet District, Lying West of the Westerly Boundary of Plan 43385 from Resource Area to Acreage Reserve and Industrial be approved.
2. That the South Cariboo Area Zoning Amendment Bylaw No. 5258, 2020 to rezone That Part of District Lot 8155, Lillooet District, Lying West of the Westerly Boundary of Plan 43385 from Acreage Reserve (RA 2) zone to Acreage Reserve (RA 2) and Special Exception General Industrial (M 2-4) zones be approved, subject to the following conditions:
 - i.) The applicant must obtain Industrial Access Permit to 93 Mile Loop Road from the Ministry of Transportation and Infrastructure.
 - ii.) 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: - January 30, 2020

The IH Healthy Built Environment (HBE) Team has received the above captioned referral from your agency. Typically we provide comments regarding potential health impacts of a proposal. More information about our program can be found at [Healthy Built Environment](#).

An initial review has been completed and no health impacts associated with this proposal have been identified. As such, our interests are unaffected by this proposal.

However, should you have further concerns, please return the referral to hbe@interiorhealth.ca with a note explaining your new request, or you are welcome to contact me directly at 1-855-744-6328 then choose HBE option.

Ministry of Transportation and Infrastructure: - February 4, 2020

The Ministry of Transportation and Infrastructure has no objection in principle to the proposed rezoning application subject to the following:

- No direct access now or in the future to Cariboo Highway # 97. One (1) access is allowed to 93 Mile Loop Road.
- Applicant is required to apply to this office for an industrial access permit to 93 Mile Loop Road prior to final approval. Access must be constructed in accordance with Ministry standards in accordance with the TAC Manual.

Advisory Planning Commission:

Ministry of Environment: -

FLNRO - Crown: -

FLNRO - Range: - February 13, 2020

In response to proposed Rezoning Referral Package Z2002, there are active grazing licences west of the subject area. For public safety, it is of the utmost importance is that the fence between the land parcel and HWY 97 remains a barrier to livestock.

100 Mile is a Livestock District and cattle are authorized to be at large. As referred to in the *Livestock Act*, private land owners are responsible for building/maintaining a lawful fence to exclude livestock from their deeded land, if they wish to eliminate any potential livestock activity on their property.

What I would like to ensure is that the fence along Hwy 97 is maintained to keep livestock off the highway. I recommend that the current and future land owners fence their private land if they wish to exclude livestock.

SECTION 4: Board Action

Date of Meeting:

ATTACHMENTS

Appendix A: Bylaw No. 5257 & 5258

Appendix B: General Map

Appendix C: Specific Map

Appendix D: Orthographic Map

Other: Applicant's supporting documentation



CARIBOO REGIONAL DISTRICT

BYLAW NO. 5257

A bylaw of the Cariboo Regional District, in the Province of British Columbia, to amend Bylaw No. 5171, being the "South Cariboo Area Official Community Plan Bylaw No. 5171, 2018".

WHEREAS the Regional Board may, amend by bylaw an official community plan; and

WHEREAS the Regional Board has in its consideration of this bylaw had due regard to the consideration and requirements of the *Local Government Act*;

NOW, THEREFORE, the Board of Directors of the Cariboo Regional District, duly assembled, enacts as follows:

1. CITATION:

This bylaw may be cited as the "South Cariboo Area Official Community Plan Amendment Bylaw No. 5257, 2020".

2. AMENDMENT

Schedule "D" of Bylaw No. 5171 of the Cariboo Regional District is amended by:

Redesignating That Part of District Lot 8155, Lillooet District, Lying West of the Westerly Boundary of Plan 43385 from Resource Area designation to Acreage Reserve and Industrial designations, as shown on attached Schedule "A".

READ A FIRST TIME this _____ day of _____, 2020.

READ A SECOND TIME this _____ day of _____, 2020.

A PUBLIC HEARING WAS HELD ON THE _____ DAY OF _____, 2020.

READ A THIRD TIME this _____ day of _____, 2020.

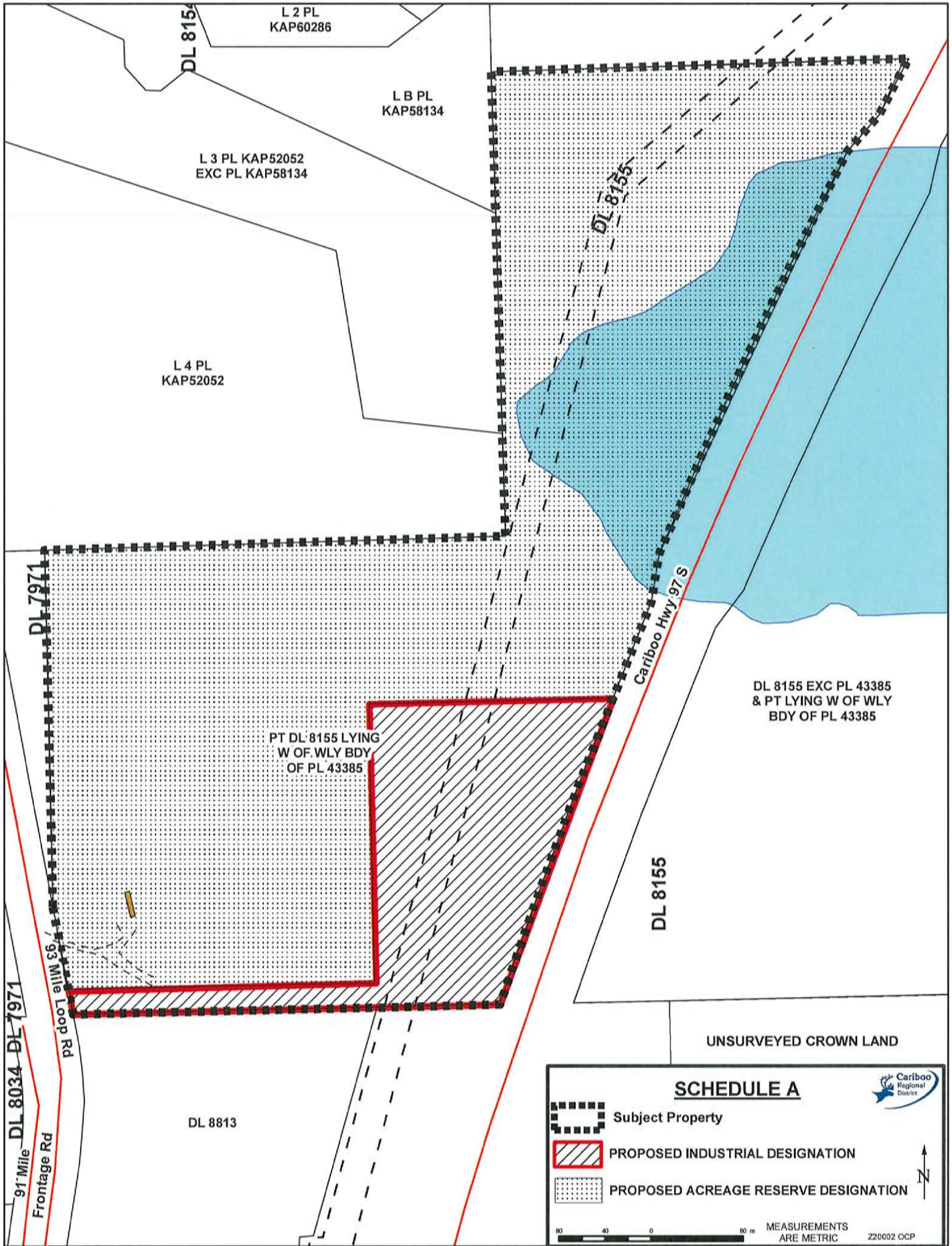
ADOPTED this _____ day of _____, 2020.

Chair

Manager of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 5257, cited as the "South Cariboo Area Official Community Plan Amendment Bylaw No. 5257, 2020", as adopted by the Cariboo Regional District Board on the _____ day of _____, 2020.

Manager of Corporate Services





CARIBOO REGIONAL DISTRICT

BYLAW NO. 5258

A bylaw of the Cariboo Regional District, in the Province of British Columbia, to amend Bylaw No. 3501, being the "South Cariboo Area Zoning Bylaw No. 3501, 1999".

WHEREAS the *Local Government Act* authorizes the Regional Board to amend a Zoning 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 "South Cariboo Area Zoning Amendment Bylaw No. 5258, 2020".

2. AMENDMENT

Bylaw No. 3501 of the Cariboo Regional District is amended by:

- i) Including Section 5.7.3.4 into Schedule "A" as follows:
5.7.3.4 Special Exception M 2-4 Zone (3360-20/20200002)
Notwithstanding any other provisions of this bylaw to the contrary, on lands zoned M 2-4, permitted non-residential uses shall be limited to:
 - (b) NON-RESIDENTIAL USES:
 - i) Machine shop and parts manufacturing, machining and assembly;
 - ii) Heavy equipment sales, repairs or storage;
 - iii) Sheet metal workshop, electroplating, welding shop, industrial repair;
 - iv) Storage, maintenance or repair of commodities for shipment and related vehicles and trailers, equipment and stock;

- v) Office, wholesale, and retail sales ancillary to the permitted non-residential uses;
- vi) Ancillary buildings.

(c) ZONE PROVISIONS:

- a) Lot Area (minimum): - 4.0 hectares (9.88 acres)

All other provisions of the M 2 zone shall apply

- ii) rezoning That Part of District Lot 8155, Lillooet District, Lying West of the Westerly Boundary of Plan 43385 from Acreage Reserve (RA 2) zone to Acreage Reserve (RA 2) and Special Exception General Industrial (M 2-4) zones as shown on attached Schedule "A"; and
- iii) amending Schedules "C" and "D" accordingly.

READ A FIRST TIME THIS _____ DAY OF _____, 2020.

READ A SECOND TIME THIS _____ DAY OF _____, 2020.

A PUBLIC HEARING WAS HELD ON THE _____ DAY OF _____, 2020.

READ A THIRD TIME THIS _____ DAY OF _____, 2020.

APPROVED UNDER THE "TRANSPORTATION ACT" THIS _____ DAY OF _____, 2020.

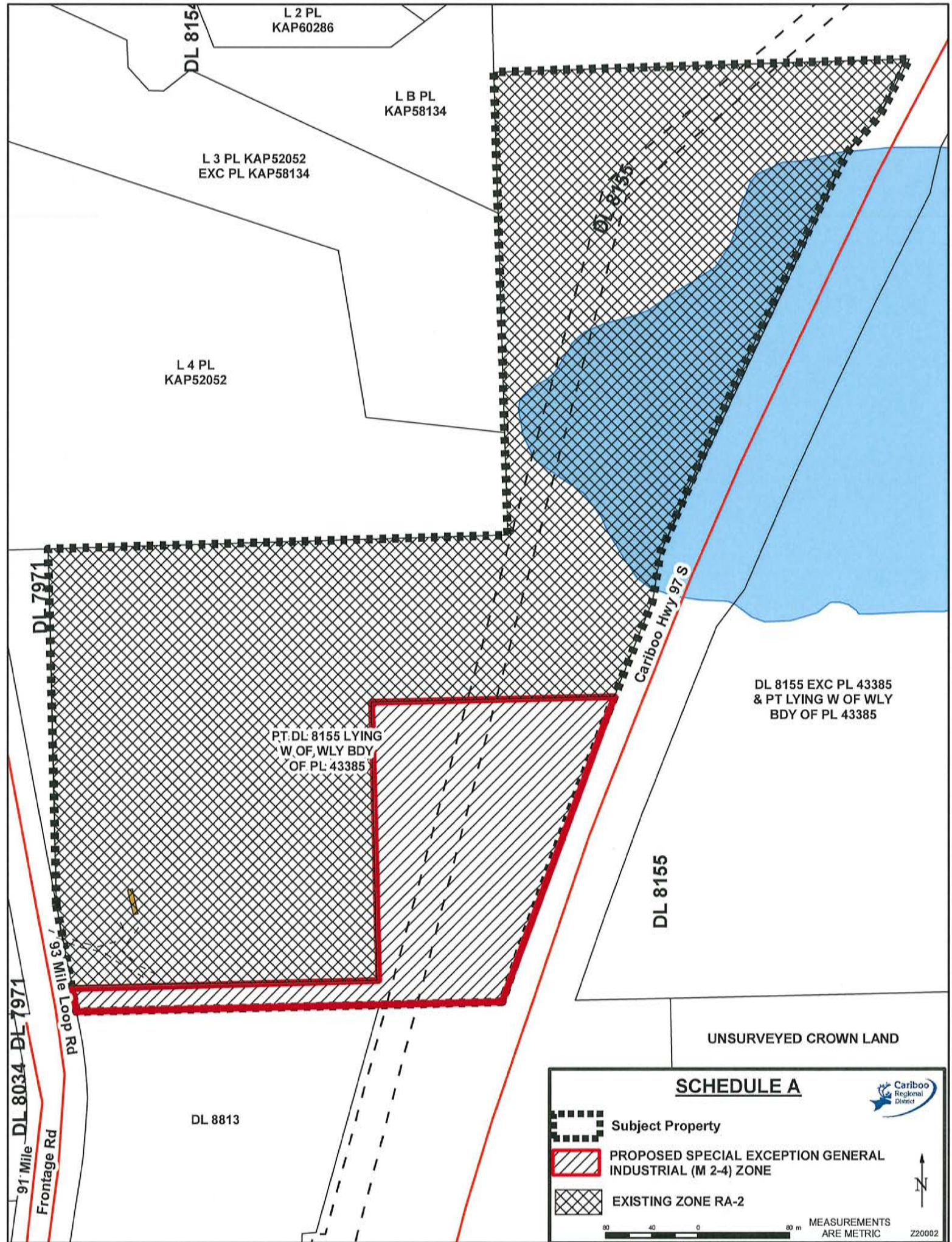
ADOPTED THIS _ DAY OF _____, 2020.

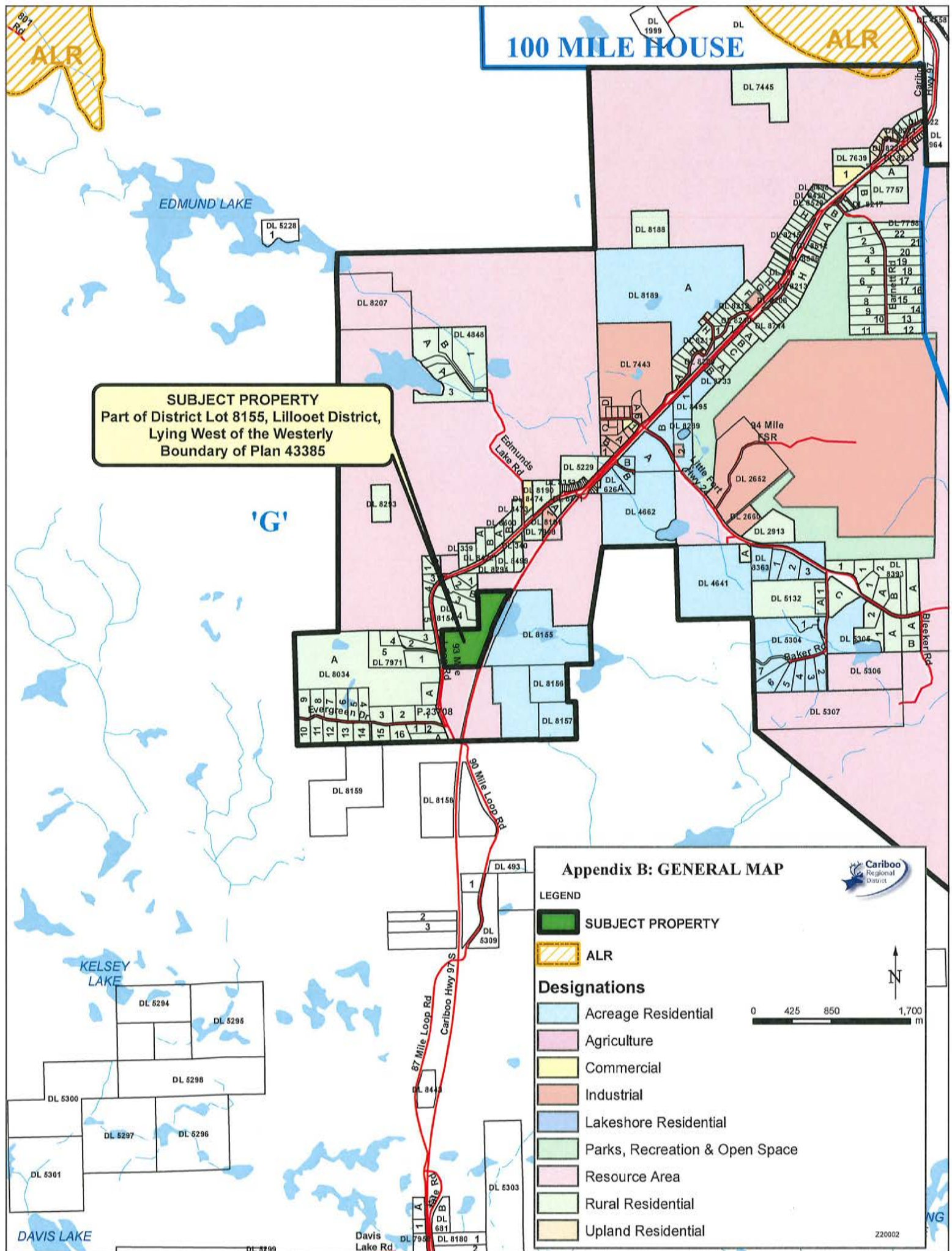
Chair

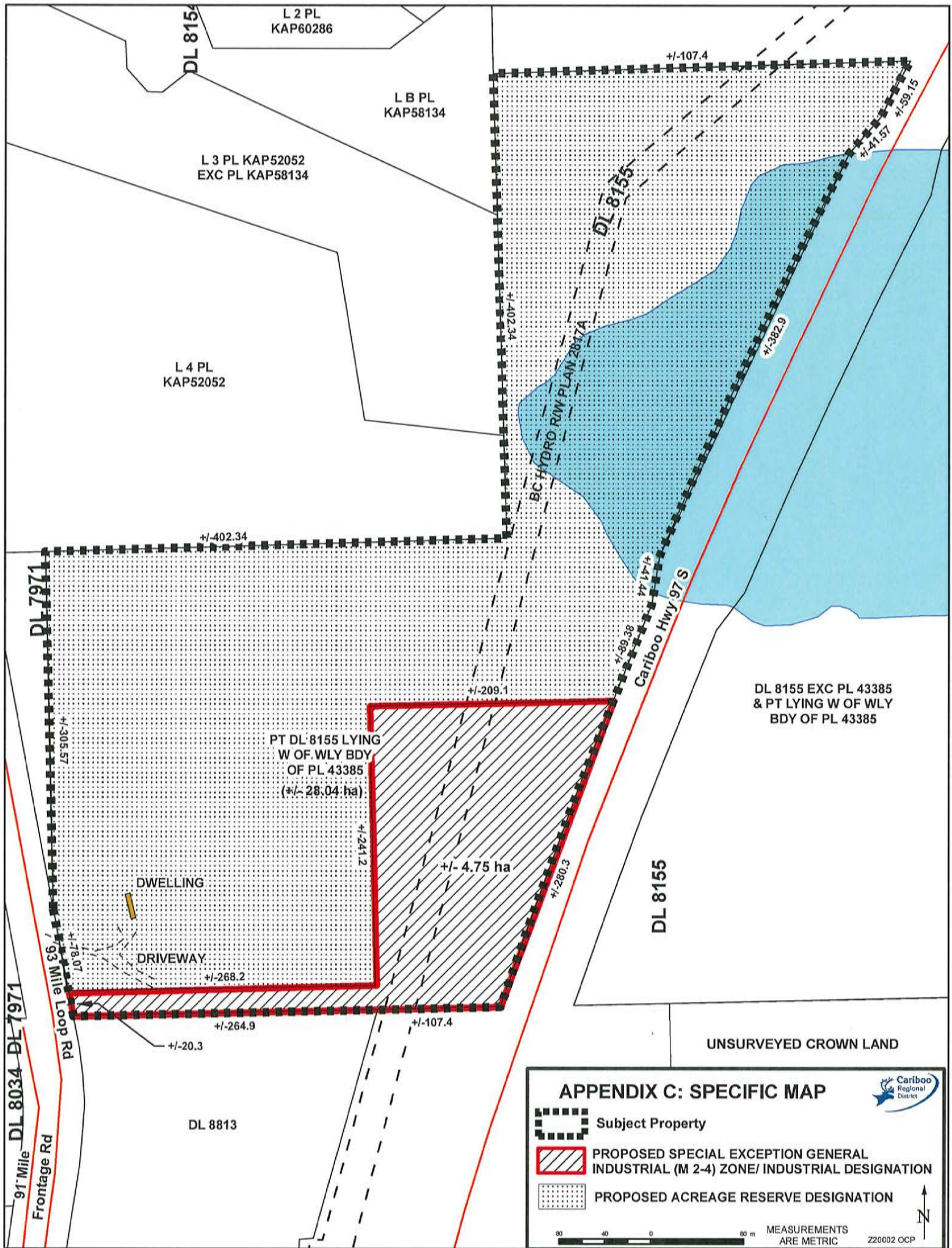
Manager of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 5258, cited as the "South Cariboo Area Zoning Amendment Bylaw No. 5258, 2020", as adopted by the Cariboo Regional District Board on the day of _____, 2020.

Manager of Corporate Services







DL
100 MILE HOUSE

ALR

EDMUND LAKE

'G'

SUBJECT PROPERTY
Part of District Lot 8155, Lillooet District,
Lying West of the Westerly
Boundary of Plan 43385

KEITH LAKE

Appendix D: ORTHOGRAPHIC MAP

LEGEND

 SUBJECT PROPERTY

 ALR



0 337.5 675 1,350
m

Z20002

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Airbus DS



This application is requesting That Part of that part of District Lot 8155, Lillooet District, lying west of the westerly Boundary of Plan 43385 be rezoned. The land is presently zoned Acreage Reserve (RA-2) and we are proposing a Special Exception General Industrial (M-2) Zone to accommodate the business the owner would like to locate on the land. The area being rezoned is 4.6 hectares of which 0.5 hectares is a panhandle access from the 93 Mile Loop Road. The remainder of the property will retain the existing zone.

The land has been given a Resource Designation in the Official Community Plan. We are proposing to change the designation over the same area that is being rezoned to Industrial to accommodate the zone. Since the land does not meet the objectives and policies of the Resource Designation, we are proposing to change the designation on the rest of the land to the Acreage Reserve designation under the residential section of the plan. We believe this designation better aligns with the existing zone and there are other lands in this immediate area with this designation.

There is no planned subdivision associated with this application and no direct access to Highway 97 is planned.

The proposed special exception zone has been created to only allow the uses which the owner needs to operate his business. All others have been excluded. Mr. Slater has built a successful business buying, preparing and supplying heavy equipment to the forestry and mining sectors. He would like to rezone part of this property to accommodate the business and build a shop of sufficient size to allow the work to be done inside the structure. The location is convenient and close to where he lives.

The property is an irregular shape because of the relocation of Highway 97 to its present location. There is a pond at the northerly end which does have some marsh lands around it. There are also areas with higher water tables to the south and west of the pond. Most of these areas are outside the area proposed to be rezoned. This area is predominately higher ground, with minor undulations and well above the lower areas with the higher water tables. This is why the location was chosen within the property.

While the area being rezoned fronts onto Highway 97 access will be from the 93 Mile Loops Road which was the old highway. The intersection of the road and Highway 97 is approximately 900 metres south of the land under application. The intersection has turning lanes, acceleration and de-acceleration lanes and street lights. The proposed use on the land does not generate much traffic and it's impact on this part of 93 Mile Loop Road will not be noticed. The other properties along this section are larger rural lands.

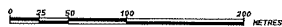
The proposed zone is requesting a larger building be allowed which will be the shop the business is located in. The size is 100 feet by 100 feet. All work on the equipment will be done within the building and any outside storage will have to be screened as per the bylaw requirements. The location should not be visible from any of the residential properties on the 93 Mile Loop Road. Mr. Slater needs a building of this size so that the equipment work can be done within a fully contained building. This mitigates any potential environmental issues.

The Official Community Plan designates land in this area for an industrial land use including one other property on this road. Most of the designated areas are Crown Land which are not currently available for disposition. There isn't land available within the existing industrial subdivision at the intersection of Highway 97 and Highway 24. There is one private property for sale with this designation, but it is very large and not suitable for the proposed use.

Mr. Slater believes this location is the best one for his business plans and it is very close to where he lives. The area proposed to be rezoned is well buffered from the residential properties on the 93 Mile Loop Road and the business will not affect them. The location, size and shape were determined to mitigate any potential environmental concerns and there is a good safe access to Highway 97, a short distance away.

SKETCH SHOWING AREA UNDER APPLICATION FOR REZONING
IN THAT PART OF DISTRICT LOT 8155, LILLOOET DISTRICT,
LYING WEST OF THE WESTERLY BOUNDARY OF PLAN 43385
PID 018-994-849

SCALE 1:2000



ALL DISTANCES ARE IN METRES

THE INTENDED PLOT SIZE OF THIS PLAN IS 864m IN WIDTH
BY 540m IN HEIGHT (D 512) WHEN PLOTTED AT A SCALE OF 1:2000

DRAWN FOR RICHARD SLATER

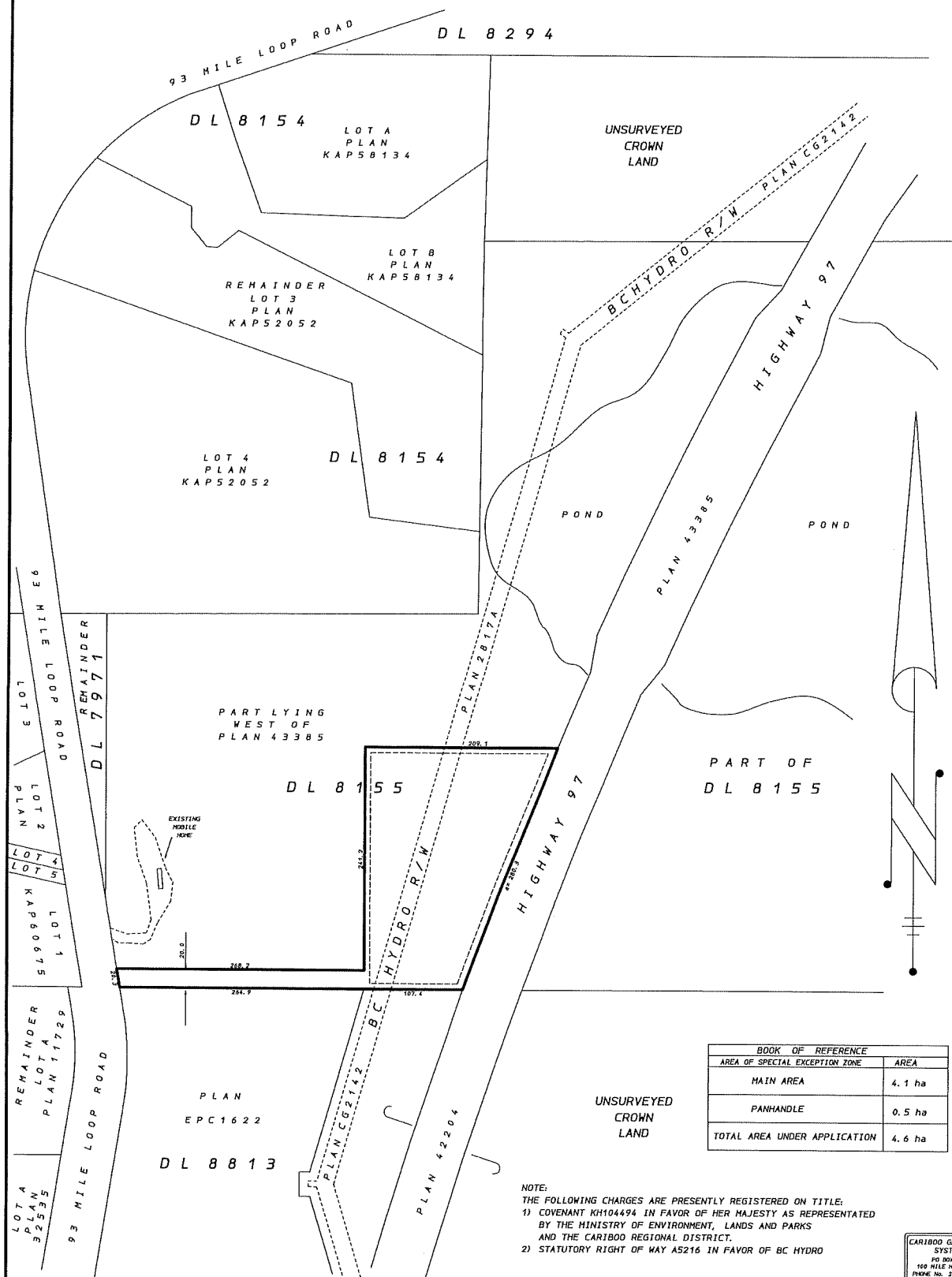
DRAWN JANUARY 6, 2019

BASED ON EXISTING LAND TITLE OFFICE RECORDS AND
PRELIMINARY FIELD INSPECTION UTILIZING
RECONNAISSANCE SURVEY METHODS

THE LOCATION OF MOBILE HOME AND TOPOGRAPHIC FEATURES
ARE APPROXIMATE, DERIVED BY SCALING FROM AIR PHOTOGRAPHY

----- DENOTES ZONE SETBACK REQUIREMENTS

————— DENOTES AREA UNDER APPLICATION



BOOK OF REFERENCE	
AREA OF SPECIAL EXCEPTION ZONE	AREA
MAIN AREA	4.1 ha
PANHANDLE	0.5 ha
TOTAL AREA UNDER APPLICATION	4.6 ha

NOTE:

- THE FOLLOWING CHARGES ARE PRESENTLY REGISTERED ON TITLE:
- 1) COVENANT KH104494 IN FAVOR OF HER MAJESTY AS REPRESENTED BY THE MINISTRY OF ENVIRONMENT, LANDS AND PARKS AND THE CARIBOO REGIONAL DISTRICT.
 - 2) STATUTORY RIGHT OF WAY A5216 IN FAVOR OF BC HYDRO

CARIBOO GEOGRAPHIC
SYSTEMS
PO BOX 1276
100 MILE HOUSE, B.C.
PHONE NO. 250-395-4577
FAC. NO. 250-395-4577