

Rezoning Information Package

File Number: 3360-20/20190062

Subject: Chilcotin Area Rural Land Use Amendment Bylaw No. 5251, 2019

Electoral Area: J

Date of Referral: December 20, 2019

Date of Application: December 12, 2019

Property Owner's Name(s): Carol and Walter Foster

Applicant's Name: Dawson Road Maintenance (Mike Wolfram)

SECTION 1: Property Summary

Legal Description(s): The North 1/2 of District Lot 326, Range 2, Coast District

Area of Application: 32.37 ha (80 ac)

Location: Tatla Lake Area

Current Designation:

Not in Official Community Plan Area

Min. Lot Size Permitted:

N/A

Proposed Designation:

Not in Official Community Plan Area

Min. Lot Size Permitted:

N/A

Current Zoning:

Resource/Agricultural (R/A)

Min. Lot Size Permitted:

32 ha (79.07 ac)

Proposed Zoning:

Special Exception Resource/Agricultural (R/A-3)

Min. Lot Size Permitted:

30.35 ha (75 ac)

General Industrial (M 2)

0.4 ha (0.98 ac)

Proposed Use: To use a portion of the land for Dawson Road Maintenance (DRM). It will allow for a mustering point and storage of equipment for DRM to fulfil its obligations under the SA17 highway maintenance contract.

No. and size of Proposed Lots: 1 Lot: Lease 2.02 ha (5 ac) and remainder 30.35 ha (75 ac)

Name and type of existing road system: Chilcotin-Bella Coola HWY 20, Highway

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:
No

Name of Lake/Contributing River and Lake Classification: N/A

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

	Land Use:	Lot Sizes:
(a)	150 Beef	26.14 ha (64.6 ac)
North	590 Miscellaneous (Transportation and Communication)	2.02 ha (5 ac)
(b)	150 Beef	32.3 ha (80 ac) - 64.75 ha (160 ac)
South		
(c)	150 Beef	70.98 ha (175.4 ac)
East		
(d)	Crown Land	Unsurveyed
West		

SECTION 2: Planning ReportBackground:

It is proposed to use a portion of the subject property to the north of Highway 20 for Dawson Road Maintenance (DRM) to allow for a mustering point and storage of equipment to fulfil its obligations under the Service Area 17 highway road maintenance contract. The subject property is currently zoned as Resource/Agricultural (R/A) in the Chilcotin Area Rural Land Use Bylaw No. 3500, 1999.

The proposed land use does not comply with the permitted land uses under the current zoning of R/A. Therefore, the applicant has requested to rezone leased out 2.02 ha (5 acres) land situated north of the Highway 20 from Resource/Agricultural (R/A) zone to General Industrial (M 2), and the rest of 30.35 ha (75 acres) Resource/Agricultural zoned land will be rezoned to Special Exception Resource/Agricultural (R/A-3) for the purpose of bylaw compliance, thus making it a split zone as shown in Appendix C.

Chilcotin Area Rural Land Use Bylaw No. 3500, 1999 is amended by including Section 8.14.3.3 as follows:

8.14.3.3 Special Exception R/A-3 Zone (3360-20/20190062)

Notwithstanding any other provisions of this bylaw to the contrary, on lands zoned R/A-3:

- i) Lot Area (minimum) = 30.35 hectares (75 acres).

All other provisions of the R/A zone shall apply.

Further, it is intended that DRM will bring hydro and telephone services onto the site at the highway access point. There will also be a sewage disposal system consisting of a septic tank installed and a water well drilled onsite.

Location & Surroundings:

The subject property is located at Chilcotin-Bella Coola Highway 20 in the Tatla Lake area with Patterson Lake to the south-west of the property as shown in Appendix B. Currently, it is a vacant land with part of the property to the south of Highway 20 being a wetland. The property is partially contoured with

trees and some levelled gravel areas to the north of Highway 20. It is mostly surrounded by resource/agricultural lands to the south and east with unsurveyed crown lands to the north and west of the subject property.

CRD Regulations and Policies:

3500- Chilcotin Area Rural Land Use Bylaw, 1999

8.4 GENERAL INDUSTRIAL (M 2) ZONE

8.4.2 ZONE PROVISIONS

- (a) LOT AREA (minimum) = 0.4 hectares (0.98 acres)

Rationale for Recommendations:

Considering the easy accessibility to Highway 20, the location of the proposed lot is highly suitable for the highway road maintenance yard to ensure safety of the motoring public with timely clearing of the roads in the area, especially during the winter season. Being surrounded by vacant crown lands and situated adjacent to a previously used maintenance yard, the proposal has minimal impact on the neighboring properties. Therefore, planning staff recommends approval of this application.

However, the applicant must obtain an Access Permit from the Ministry of Transportation and Infrastructure as any access other than residential driveway requires a permit.

Recommendation:

1. That Chilcotin Area Rural Land Use Amendment Bylaw No. 5251, 2019 to rezone the North 1/2 of District Lot 326, Range 2 Coast District from Resource/ Agricultural (R/A) zone to Special Exception Resource/ Agricultural (R/A-3) and General Industrial (M 2) zones be approved, subject to the following condition:
 - i) The applicant must obtain an Access Permit from the Ministry of Transportation and Infrastructure for the proposed driveway.

SECTION 3: Referral Comments

Health Authority: - January 10, 2020
See attached.

Ministry of Transportation and Infrastructure: - January 9, 2020
The Ministry of Transportation and Infrastructure has no objection in principle to the Zoning Amendment Bylaw No. 5251 package received December 20/19. Please advise the applicant that any access other than a residential driveway requires an access permit from this Ministry.

Advisory Planning Commission: January 10, 2020
See attached.

Ministry of Environment: -

FLNRO: Terrestrial Habitat – February 6, 2020

As mapped, the property subject to the bylaw referral appears to be private land. Therefore, the Terrestrial Habitat section of FLNRORD has no comments for the review process.

FLNRO: Recreation Sites and Trails -

Ministry of Agriculture – February 11, 2020

See attached.

Agricultural Land Commission – December 23, 2019

See attached.

SECTION 4: Board Action

Date of Meeting: February 13, 2020

That Chilcotin Area Rural Land Use Amendment Bylaw No. 5251, 2019 be read a first and second time this 13th day of February, 2020. Further, that adoption be subject to the following:

The applicant obtaining an Access Permit from the Ministry of Transportation and Infrastructure for the proposed driveway.

ATTACHMENTS

Appendix A: Bylaw No. 5251

Appendix B: General Map

Appendix C: Specific Map

Appendix D: Orthographic Map

Other: Applicant's supporting documentation

Advisory Planning Commission Comments

Interior Health Comments

Agricultural Land Commission Comments

Ministry of Agriculture Comments

Results of Public Hearing



CARIBOO REGIONAL DISTRICT

BYLAW NO. 5251

A bylaw of the Cariboo Regional District, in the Province of British Columbia, to amend Bylaw No. 3500, being the "Chilcotin Area Rural Land Use Bylaw No. 3500, 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 "Chilcotin Area Rural Land Use Amendment Bylaw No. 5251, 2019".

2. AMENDMENT

Bylaw No. 3500 of the Cariboo Regional District is amended by:

- i) Including Section 8.14.3.3 into Schedule "A" as follows:
 - 8.14.3.3 Special Exception R/A-3 Zone (3360-20/20190062)
Notwithstanding any other provisions of this bylaw to the contrary, on lands zoned R/A-3:
 - i) Lot Area (minimum) = 30.35 hectares (75 acres).

All other provisions of the R/A zone shall apply

- ii) rezoning The North 1/2 of District Lot 326, Range 2, Coast District from Resource/Agricultural (R/A) zone to Special Exception Resource/Agricultural (R/A-3) and General Industrial (M 2) zones, as shown on attached Schedule "A"; and
- iii) amending Schedules "C" and "D" accordingly.

READ A FIRST TIME THIS 13th DAY OF February, 2020.

READ A SECOND TIME THIS 13th DAY OF February, 2020.

A PUBLIC HEARING WAS HELD ON THE 25th DAY OF June, 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. 5251 cited as the "Chilcotin Area Rural Land Use Amendment Bylaw No. 5251, 2019", as adopted by the Cariboo Regional District Board on the day of _____, 2020.

Manager of Corporate Services

SCHEDULE A



PROPOSED SPECIAL EXCEPTION RESOURCE/
AGRICULTURAL (R/A - 3) +/- 30.35 Ha (75 acres)



PROPOSED GENERAL INDUSTRIAL
(M2) +/- 2.02 Ha (5 acres)



00 45 0 90 m MEASUREMENTS
ARE METRIC Z19062

258

L A PL
39743

DL 256

Coola Hwy 20
Chilcotin-Bella

N1/2 DL 326

DL 54 EXC
PL 39743

S1/2 DL 326

DL
1348

Appendix B: GENERAL MAP



LEGEND



SUBJECT PROPERTY



0 270 540 1,080 m

Z119062

MARTIN LAKE

Smokey Lake FSR

SUBJECT PROPERTY
PART N 1/2 DL326, RANGE 02,
COAST RANGE 2 LAND DISTRICT

Wr Graham Rd

Tatla Lk Cemetery Rd

DL 182

DL 320

DL 329

DL 380

DL 258

DL 324

DL 319

DL 53

DL 188

DL 187

DL 54

Chilcotin-Bella Coola Hwy 20

DL 326

DL 1700

DL 404

DL 402

DL 322

DL 401

DL 1348

PATTERSON LAKE PARK

PATTERSON LAKE

Tattayoko Rd

Appendix C: SPECIFIC MAP



SUBJECT PROPERTY



PROPOSED SPECIAL EXCEPTION
RESOURCE/AGRICULTURAL
(R/A - 3) +/- 30.35 Ha (75 acres)

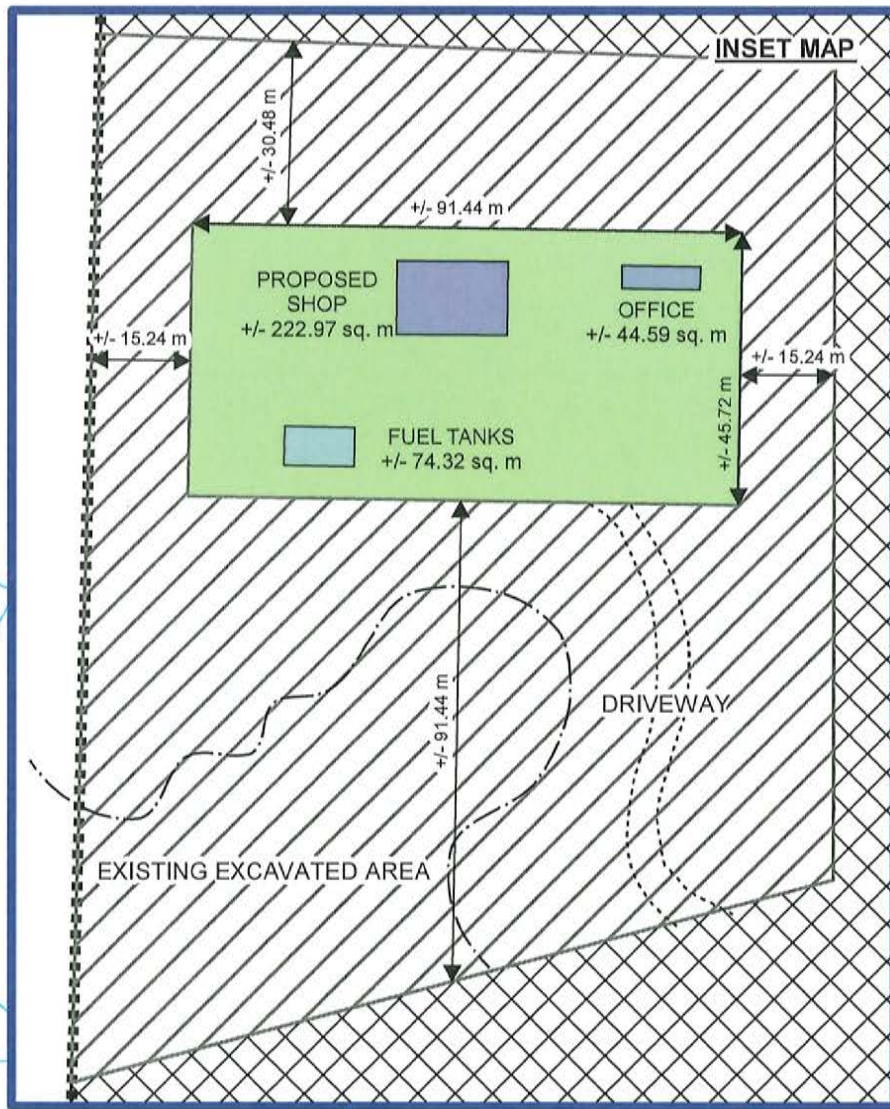


PROPOSED GENERAL INDUSTRIAL
(M2) +/- 2.02 Ha (5 acres)



MEASUREMENTS
ARE METRIC

Z19062



DL 258

DL 320

L A PL 39743

DL 256

SEE INSET MAP FOR DETAILS

Coola Hwy 20
Chilcotin-Bella

N1/2 DL 326

DL 54 EXC
PL 39743

DL 1348

S1/2 DL 326

Appendix D: ORTHOGRAPHIC MAP



LEGEND



SUBJECT PROPERTY

0 100 200 400 m Z19062



SUBJECT PROPERTY
PART N 1/2 DL 326, RANGE 02
COAST RANGE 2 LAND DISTRICT



Describe the existing use of the subject property and all buildings: No current use. Property is raw land with scrub trees and gravel on it

Describe the proposed use of the subject property and all buildings: On a portion of the land it will allow for a mustering point and storage of equipment for Dawson Road Maintenance to fulfill its obligations under the SA17 highway road maintenance contract.

Describe the reasons in support for the application
- See attached word document

Provide a general description of vegetation cover (i.e. treed, grassland, forage crop etc.): The property is partially treed and is gravelly

Provide general geographical information (i.e. existing lakes, streams, physical features etc.): The property is hilly with some flat areas above the highway. There are small trees with gravelly ground. There are no lakes or streams on the property.

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

It is intended that Dawson Road Maintenance will bring hydro and telephone onto the site at the highway access point. DRM will also put in a sewage disposal system consisting of a septic tank and drain field system. A water well will also be drilled.

**Cariboo Regional District
Development Application Form
Application for Rezoning of Part N ½ District Lot 326, Range 02,
Coast Range 2 Land District CG 521611123**

Pg3: Describe the reasons in support of the application:

- Dawson Road Maintenance (DRM) was successful in retaining the Service Area 17 highway road maintenance contract. The new contract commenced July 1, 2019 for a term of ten years with an option for an additional five years. Under the old contract DRM operated the Tatla Lake maintenance yard out of the Ministry of Transportation gravel pit right beside the subject property we are looking to rezone. The Ministry of Transportation has notified DRM that we are no longer able to operate the maintenance yard out the gravel pit.
- To ensure the safety of the motoring public with the timely clearing of the roads in the area, especially during the winter months it is critical that we find a location in the Tatla Lake area. Alternatively, the crew will be traveling from Anahim Lake to clear these roads.
- After reviewing potential properties in the area, it was deemed that the subject property, with ready access to highway 20, would be the most suitable location for the highway road maintenance yard.

ADVISORY PLANNING COMMISSION RESPONSE FORM

Minutes of the meeting of the Electoral Area 'J' advisory planning commission held on Jan. 10, 2020.
in the Tatla Lake Com. Centre, located at Tatla Lake, BC, commencing at 2 pm.

PRESENT:

Chair

Dave Clark.

Members

Deborah Kannigiesse.
Linda Armstrong.
Leslie Milton.
Johanna Kirby.

Recording Secretary

Johanna Kirby.

Owners/Agent, or

☒ Contacted but declined to attendNo response to email**ABSENT:**Tolin Pace, Terra Hatch.**ALSO PRESENT:** Electoral Area DirectorGerald Kirby.

Staff support (if present)

Agenda Items**REZONING APPLICATION – 3360-20/20190062 (The North 1/2 of District Lot 326, Range 2 Coast District)**

Dave Clark / L. Milton: "THAT the application to rezone property in THE TATLA LAKE AREA,
be supported / rejected for the following reasons:

i)

we can see no conflict in rezoning

ii)

this piece of property.

For:

5

Against:

0CARRIED / DEFEATED**Termination**

Johanna Kirby, Dave Clark: That the meeting terminate.

CARRIEDTime: 3 pm.

Recording Secretary

Chair



Interior Health
Every person matters

Cariboo Regional District
File No.

JAN 10 2020

Referred To

January 10, 2020

Cariboo Regional District
Suite D, 180 North 3rd Avenue
Williams Lake, BC V2G 2A4

<mailto:ghilliard@cariboord.ca>

To whom it may concern:

RE: Bylaw #: 5251
File #: 3360-20/20190062
Legal Description(s): The North 1/2 of District Lot 326, Range 2 Coast District

Our interests are unaffected

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.

Sincerely,

Mike Adams, CPHI(C)
Team Leader, Healthy Communities
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

December 23, 2019

Reply to the attention of Sara Huber
ALC Issue: 51663
Local Government File: Z1962

Genny Hilliard
Development Services Clerk V, Cariboo Regional District
ghilliard@cariboord.ca

Delivered Electronically

Re: Cariboo Regional District Chilcotin Area Rural Land Use Amendment Bylaw No. 5251, 2019

Thank you for forwarding a draft copy of Cariboo Regional District (CRD) Chilcotin Area Rural Land Use Amendment Bylaw No. 5251, 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 Bylaw proposes to rezone the property identified as PID: 007-375-964 (the "Property") from Resource/Agricultural (R/A) to Resource/Agricultural (R/A) and General Industrial (M2) in order to use a portion of the land for Dawson Road Maintenance (DRM) as a mustering point and storage of equipment to fulfill DRM's obligations under the salt highway maintenance contract.

ALC staff recognizes that the Property is not within the ALR, nor is it adjacent to any ALR lands. For this reason, ALC staff has no objection to the Bylaw.

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.

This response does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

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).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in black ink, appearing to be 'Sara Huber', with a stylized, cursive script.

Sara Huber, Regional Planner

Enclosure: Referral of Amendment Bylaw No. 5251, 2019

CC: Ministry of Agriculture – Attention: Nicole Pressey

51663m1



Date: February 11, 2020

File: 3360-20/201900062

Shivani Sajwan, Planning Officer
Cariboo Regional District
Suite D, 180 North 3rd Avenue
Williams Lake, BC V2G 2A4

Via email: ssajwan@cariboord.bc.ca

Re: Proposed Bylaw No. 5251, 2019 – Rezoning from R/A to R/A and M2

Dear Shivani Sajwan,

Thank you for providing the B.C. Ministry of Agriculture the opportunity to comment on the proposed Bylaw No. 5251, 2019 for the property located on the Chilcotin-Bella Coola HWY 20 in the Tatla Lake Area. I have reviewed the documents you have provided. From a Ministry perspective I can provide the following comments for your consideration:

- Ministry staff recognize the importance of a well-maintained highway system for BC's agriculture sector.
- Ministry staff are available to discuss viable agricultural opportunities with land owners considering pursuing farming/ranching activities on the parcel.
- For information about leasing farmland in the Cariboo, please refer to the [Guide for Agriculture Lease Agreements in British Columbia](#).
- In addition, the Ministry has funded the Young Agrarians' Land Matching Coordinator to link land owners with new entrants seeking to actively farm land. Please read more here: <https://www2.gov.bc.ca/gov/content/industry/agriculture-seafood/programs/land-matching>

If you have any questions, please contact me directly at Nicole.Pressey@gov.bc.ca or 236-713-2223.

Sincerely,

Nicole Pressey, P. Ag.,
Regional Agrologist
Cariboo Chilcotin Coast

Email copy:
Sara Huber, ALC Regional Planner, Sara.Huber@gov.bc.ca

RESULTS OF PUBLIC HEARING

File No: 3360-20/20190063 3360-20/20200006 3360-20/20190062

Date: June 25, 2020

Location: VIA Teleconference

Re: **NORTH CARIBOO AREA RURAL LAND USE AMENDMENT BYLAW NO. 5250, 2019, QUESNEL FRINGE AREA ZONING AMENDMENT BYLAW NO. 5260, 2020 and CHILCOTIN AREA RURAL LAND USE AMENDMENT BYLAW NO. 5251, 2019**

Persons Present:

- ☒ Chair: Margo Wagner
 - ☒ Directors: Mary Sjostrom – Electoral Area “A” and Gerald Kirby – Electoral Area “J”
 - ☒ Owner(s): Ralph & Trevor Norn; Carol & Walter Foster
 - ☒ Agents: Brian Bennette, Andrea Hoy, Pat Gunderson, Mike Wolfram
 - ☐ Public: See attached list
 - ☒ Staff: John MacLean, Chief Administrative Officer; Nigel Whitehead, Senior Planner; and Shivani Sajwan, Planning Officer
 - ☒ **No public in attendance** (excluding owner/agent)
-

☒ Roll call conducted by Planning Staff.

☐ **Waited ten (10) minutes and then called the meeting adjourned.**

☒ Welcome, introduction and the “Purpose of a Public Hearing”, including the rules for the meeting were read out by Chair Wagner. The hearing was called to order at _6:00 pm_____.

☒ Chair turned the meeting over to Director Sjostrom who read out the specifics of the application for BL 5250.

☐ Director Sjostrom read out public comments received within the last 48 hours.

☒ No comments received within 48 hours.

☐ The following verbal comments were received: (add additional sheet if required)
Comments in favour:

Comments of concern/opposition:

☐ Director Sjostrom read out the following public comments received during the public hearing: (attached)(add additional sheet if required) ☒ No comments received.

1) Date: _____ Name: _____

2) Date: _____ Name: _____

☒ Attendees were asked three times for further comments and/or questions.

☒ Chair turned the meeting over to Director Sjostrom who read out the specifics of the application for BL 5260.

☐ Director Sjostrom read out public comments received within the last 48 hours. ☒ No comments received within 48 hours.

☐ The following verbal comments were received: (add additional sheet if required)
Comments in favour:

Comments of concern/opposition:

☐ Director Sjostrom read out the following public comments received during the public hearing: (attached)(add additional sheet if required) ☒ No comments received.

1) Date: Name:
2) Date: Name:

☒ Attendees were asked three times for further comments and/or questions.

☒ Chair Wagner read out the specifics of the application for BL 5260

☐ Chair Wagner read out public comments received within the last 48 hours. ☒ No comments received within 48 hours.

☐ The following verbal comments were received: (add additional sheet if required)
Comments in favour:

Comments of concern/opposition:

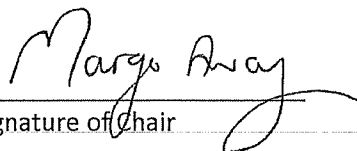
☐ Chair Wagner read out the following public comments received during the public hearing: (attached)(add additional sheet if required) ☒ No comments received.

1) Date: Name:
2) Date: Name:

☒ Attendees were asked three times for further comments and/or questions.

☒ The Chair called the meeting adjourned at __6:11 pm__.

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


Signature of Chair

Public Hearing Attendance

Date of Public Hearing: June 25, 2020

Application: 3572 and 3580 Durrell Road (3360-20-20190063)

Name	Address
Brian Bennett - Agent	
Ralph and Trevor Norn - Applicant	

Application: 1262 Maple Heights Road (3360-20-20200006)

Name	Address
Andrea Hoy - Agent	

Application: Tatla Lake Area (3360-20-20190062)

Name	Address
Pat Gunderson - Agent	
Carol and Walter Foster - Applicant	