Rezoning Information Package

File Number: 3360-20/20180002

Subject: South Cariboo Area Official Community Plan Amendment Bylaw No. 5286, 2020 and Cariboo

Regional District South Cariboo Zoning Amendment Bylaw No. 5135, 2018

Electoral Area: L

Date of Referral: February 14, 2018

Date of Application: January 11, 2018

Property Owner's Name(s): Bob Plewes Contracting Ltd. (Robert Plewes)

Applicant's Name: Tamara Van Loon

SECTION 1: Property Summary

Legal Description(s): The North 1/2 of District Lot 2141, Lillooet District, Except Plan 20555

Area of Application: 2.68 ha (6.63 ac)

Property Size: 25.7 ha (63.5 ac)

Location: 5646 Horse Lake Road

Current Designation:

Agriculture

Proposed Designation:

Agriculture

Upland Residential

Current Zoning:

Rural 1 (RR 1)

Proposed Zoning:

Rural 1 (RR 1)

Rural 3 (RR 3)

Min. Lot Size Permitted:

32 ha (79.07 ac)

Min. Lot Size Permitted:

32 ha (79.07 ac)

0.8 ha (1.98 ac)

Min. Lot Size Permitted:

4 ha (9.88 ac)

Min. Lot Size Permitted:

4 ha (9.88 ac) 0.8 ha (1.98 ac)

Proposed Use: To create three lots for residential use.

No. and size of Proposed Lots: 4 lots: one 0.82 ha (2.02 ac) lot, one 0.93 ha (2.3 ac) lot, one 0.94 ha

(2.33 ac) lot and a 23.07 ha (56.87 ac) remainder parcel

Name and type of existing road system: Horse Lake Rd (paved, collector)

Services Available: Hydro

Within the influence of a Controlled Access Highway: Yes Within the confines of the Agricultural Land Reserve: Yes

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

Yes, with respect to sewage disposal and riparian protection

Name of Lake/Contributing River and Lake Classification: Bridge Creek

| Adjoining Properties: (Source: B.C.A.A.) | | | | |
|--|---|--|--|--|
| | Land Use: | Lot Sizes: | | |
| (a) North | City of 100 Mile House | | | |
| (b) South | 000 – Single Family Dwelling 001 - Vacant Residential Less Than 2 Acres 061 – 2 Acres or More – Vacant 111 – Grain and Forage – Vacant 652 – Churches and Bible Schools | 0.78 ha (1.93 ac) 0.78 ha (1.95 ac) 16.2 ha (40.1 ac) 16.1 ha (40 ac) 2.3 ha (5.7 ac) | | |
| (c) East | 000 - Single Family Dwelling 001 - Vacant Residential Less Than 2 Acres 032 – Single Family Dwelling with Basement Suite | 0.2 ha (0.5 ac) — 0.46 ha (1.15 ac) 0.2 ha (0.5 ac) — 0.5 ha (1.36 ac) 0.2 ha (0.5 ac) — 0.29 ha (0.72 ac) | | |
| (d) West | 110 – Grain and Forage | 58 ha (143.79 ac) | | |

SECTION 2: Planning Report

UPDATE - Sept 1, 2020

This application consists of South Cariboo Area OCP Amendment Bylaw No. 5134, 2018 and South Cariboo Area Zoning Amendment Bylaw No. 5135, 2018. A public hearing was held May 3rd, 2018 and the bylaws received third reading from the Board on May 25th, 2018. The applicant has been working on completing conditions of bylaw adoption (shoreland management covenant, and agricultural policy compliance). Since third reading, the new South Cariboo Official Community Plan was adopted in February of 2019. The property is presently designated Agriculture in the new OCP (it was previously designated Small Holding Residential and Agricultural).

As OCP Amendment Bylaw 5134, 2018 is amending the previous South Cariboo OCP Bylaw No. 3100, which has been rescinded, a new OCP Amendment Bylaw is required, to amend the designation of the current South Cariboo OCP Bylaw No. 5171. Unfortunately, although the proposal of the applicant has not changed, a new public hearing will be required to amend the current OCP. Further, a text amendment is also proposed, to provide an exemption from the new minimum lot size of 2.0 ha (4.94 ac.) on residential properties not connected to a community water system (as prescribed in the new South Cariboo OCP). Condition 1. of the Zoning Amendment Bylaw No. 5135, will need to be updated, referencing the new OCP amendment bylaw number.

Staff remain supportive of the proposal, subject to completion of the existing conditions on the zoning bylaw amendment.

New Recommendation

1. Rescind first, second, and third readings of Bylaw No. 5134, 2018

- 2. Give first and second readings of Bylaw No. 5286, 2020
- 3. Amend condition 1. of Board support for Bylaw No. 5135 to:
 - a. Adoption of Cariboo Regional District South Cariboo Area Official Community Plan Amendment Bylaw No. 5286, 2020.

Planning staff recommends approval of the Cariboo Regional District South Cariboo Area Official Community Plan (OCP) Amendment Bylaw No. 5286, 2020, and Cariboo Regional District South Cariboo Area Zoning Amendment Bylaw No. 5135, 2018.

Background:

It is proposed to rezone and redesignate part of a lot for the purpose of creating a 3-lot subdivision. The proposal is shown in Appendix C. The 25.7 ha property is zoned Rural 1 (RR 1) and is designated Agriculture under the current South Cariboo OCP. The land west of Bridge Creek is located in the Agricultural Land Reserve (ALR).

The applicant is rezoning 2.68 ha (6.63 ac) of land from Rural 1 (RR 1) zone to Rural 3 (RR 3) zone to create three lots with minimum lot area of 0.8 ha (1.98 ac). The 2.68 ha of land also need to be redesignated to Upland Residential from Agriculture designation that has a minimum lot area of 32 ha (79.07 ac).

Location and Surroundings:

The proposal is located on Horse Lake Road, as shown in Appendix C. Bridge Creek meanders through the property, as shown in Appendix D. All building improvements are located between the creek and the road. The property borders the District of 100 Mile House to the north.

There is active agricultural land south and west of the property, and residential lands across from Horse Lake Road to the east of the subject property. The agricultural properties are assessed as grain and forage.

CRD Regulations and Policies:

Section 7.10 recommends minimum subdivided lot size of 0.8 hectare, the Country Residential designation seems more appropriate. For residential development adjacent to the Agricultural Land Reserve Boundary, Section 7.15 of the plan provides the following objectives:

- No negative impact on agricultural land;
- Parcels within a residential designation shall be located a minimum distance of 30 metres from ALR boundary;
- Provisions of building setbacks, drainage protection, vegetation screens and fences may all be employed to buffer or separate development from farming; and
- Creation of larger or longer parcels to buffer or separate development from farming.

The South Cariboo OCP Plan, under Section 7.15, recommends to utilizing edge planning practices for residential development adjacent to agricultural land. The CRD implemented in 2016 a region-wide agricultural policy. The CRD Agricultural Policy recommends that development with a minimum lot area less than 4 ha next to the agricultural edge be fenced and buffered in order to limit the impact of the non-farm development on the agricultural lands.

Staff noted that the proposed lots are not located in the ALR, so no ALR subdivision application is needed to precede the rezoning application. However, referral to the Agricultural Land Commission resulted with the Commission suggesting fencing the proposed subdivision to protect the agricultural potential of the remainder portion. Planning staff recommends compliance with the CRD Agricultural Policy with regards to fencing the 3 proposed lots. The RR 3 zone does allow agricultural operation, but only subordinate to residential operation. The applicant already indicated that the lots are intended to be sold for residential purposes.

Due to the presence of Bridge Creek on the property and the importance and sensitivity of the watercourse, compliance with CRD Shoreland Management Policy is also recommended for both riparian protection and on-site sewage disposal.

Rationale for Recommendations:

Planning staff is supportive of the rezoning and the OCP amendment, as the proposal complies with the residential policies and objectives of the South Cariboo Official Community Plan. The applicant is proposing lots that are larger than the density prescribed under the current Small Holding Residential in an attempt to buffer the impact of the residential development on the agricultural lands and on Bridge Creek. Further, compliance with the CRD Agricultural Policy will ensure that the South Cariboo OCP Residential Policy 7.15 objectives and the Agricultural Land Commission recommendation are satisfied.

Recommendation:

1.

That Cariboo Regional District South Cariboo Area Official Community Plan Amendment Bylaw No. 5134, 2018 be considered for approval.

2.

That Cariboo Regional District South Cariboo Area Zoning Amendment Bylaw No. 5135, 2018 be considered for approval, subject to the following conditions:

- 1. Adoption of Cariboo Regional District South Cariboo Area Official Community Plan Amendment Bylaw No. 5134, 2018.
- 2. The applicant offering to enter into and entering into a covenant to ensure compliance with the CRD Shoreland Management Policy with respect to sewage disposal system and riparian protection.
- 3. The applicant offering to enter into and entering into a covenant to ensure compliance with the provisions of the CRD Agricultural Policy with respect to fencing the boundary of the proposed 3 lots, except for the boundary alongside Horse Lake Road. Further, to advise that the proposed

lots are adjacent to land, which may be used for agricultural purposes and for feeding and grazing of crops.

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

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

FGDDSECTION 3: Referral Comments

Health Authority: -

Ministry of Transportation and Infrastructure: - February 27, 2018

The Ministry of Transportation & Infrastructure has no objection in principle to the proposed rezoning/OCP Amendment.

Please note this in no way constitutes subdivision approval. Items to be considered at the subdivision stage may include, but are not limited to:

- Written confirmation of approval from the Agricultural Land Commission prior to subdivision application (if applicable)
- Restricted access to # 371 Horse Lake Road (joint access and/or frontage road)
- Minimum site lines @ access points
- Access / road construction to MOTI standards
- Drainage
- Archaeology Assessment
- Proof of Water
- Sewage Disposal
- Setback requirements

Advisory Planning Commission:

See attached

Ministry of Environment: -

Agricultural Land Commission: - February 21, 2018

As these bylaws affect lands lying outside the ALR and do not directly abut the ALR boundary, the ALC interested are unaffected.

That said, fencing the new residential lots would be supportive of existing, or future agricultural activities on the remainder.

District of 100 Mile House: - March 1, 2018

See attached.

SECTION 4: Board Action

Date of Meeting: March 23, 2018

That Cariboo Regional District South Cariboo Area Official Community Plan Amendment Bylaw No. 5134, 2018 be read a first and second time this 23rd day of March, 2018.

That Cariboo Regional District South Cariboo Zoning Amendment Bylaw No. 5135, 2018 be read a first and second time this 23rd day of March, 2018. Further, that adoption be subject to the following:

- 1. Adoption of Cariboo Regional District South Cariboo Area Official Community Plan Amendment Bylaw No. 5134, 2018.
- 2. The applicant offering to enter into and entering into a covenant to ensure compliance with the CRD Shoreland Management Policy with respect to sewage disposal system and riparian protection.
- 3. The applicant offering to enter into and entering into a covenant to ensure compliance with the provisions of the CRD Agricultural Policy in regards to fencing the boundary of the proposed 3 lots, except for the boundary alongside Horse Lake Road, as the proposed lots that are adjacent to land may be used for agricultural activities and for feeding and grazing of crops.

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

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

Date of Meeting: May 25, 2018

That Cariboo Regional District South Cariboo Area Official Community Plan Amendment Bylaw No. 5134, 2018 and Cariboo Regional District South Cariboo Zoning Amendment Bylaw No. 5135, 2018 be read a third time, this 25th day of May, 2018.

ATTACHMENTS

Appendix A: Bylaw No. 5286 and 5135

Appendix B: General Map

Appendix C: Specific Map

Appendix D: Orthographic Map

Other: Applicant's supporting documentation

District of 100 Mile House comments

APC Comments

Results of Public Hearing



CARIBOO REGIONAL DISTRICT

BYLAW NO. 5286

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:

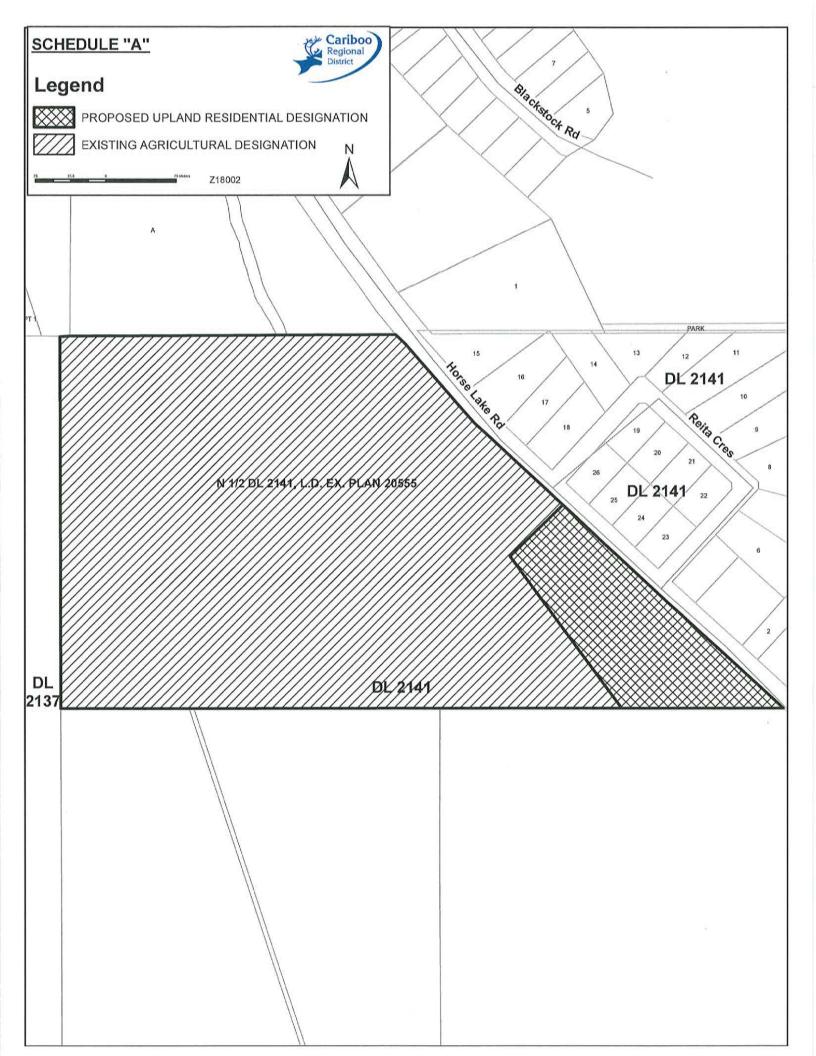
This bylaw may be cited as the "South Cariboo Area Official Community Plan Amendment Bylaw No. 5286, 2020".

2. AMENDMENT

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

- i) Including Section 8.3.1(a) into Schedule "A" as follows:
 - 8.3.1(a) OCP amendment applications in progress at the time of adoption of this bylaw are exempt from the community water system connection requirement for the Upland Residential designation minimum lot area requirement of 0.8 ha, in areas where no existing community water system exists.
- ii) redesignating Part of the North 1/2 of District Lot 2141, Lillooet District, Except Plan 20555 from Agriculture designation to Upland Residential designation as shown on Schedule "A".
- iii) amending Schedule "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 O | F, 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 tro 5286, cited as the "South Cariboo Amendment Bylaw No. 5286, 2020", as District Board on the day of | Area Official Community Plan adopted by the Cariboo Regional |
| Manager of Corpor | rate Services |





CARIBOO REGIONAL DISTRICT

BYLAW NO. 5135

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

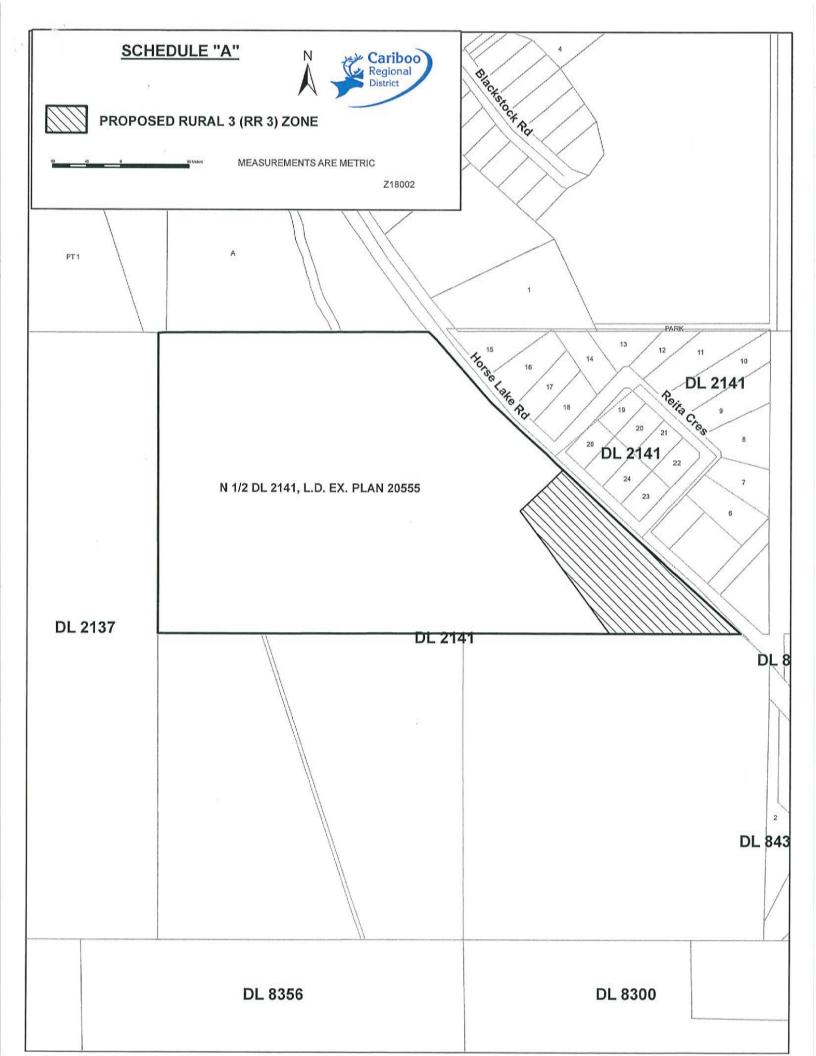
This bylaw may be cited for all purposes as the "Cariboo Regional District South Cariboo Area Zoning Amendment Bylaw No. 5135, 2018".

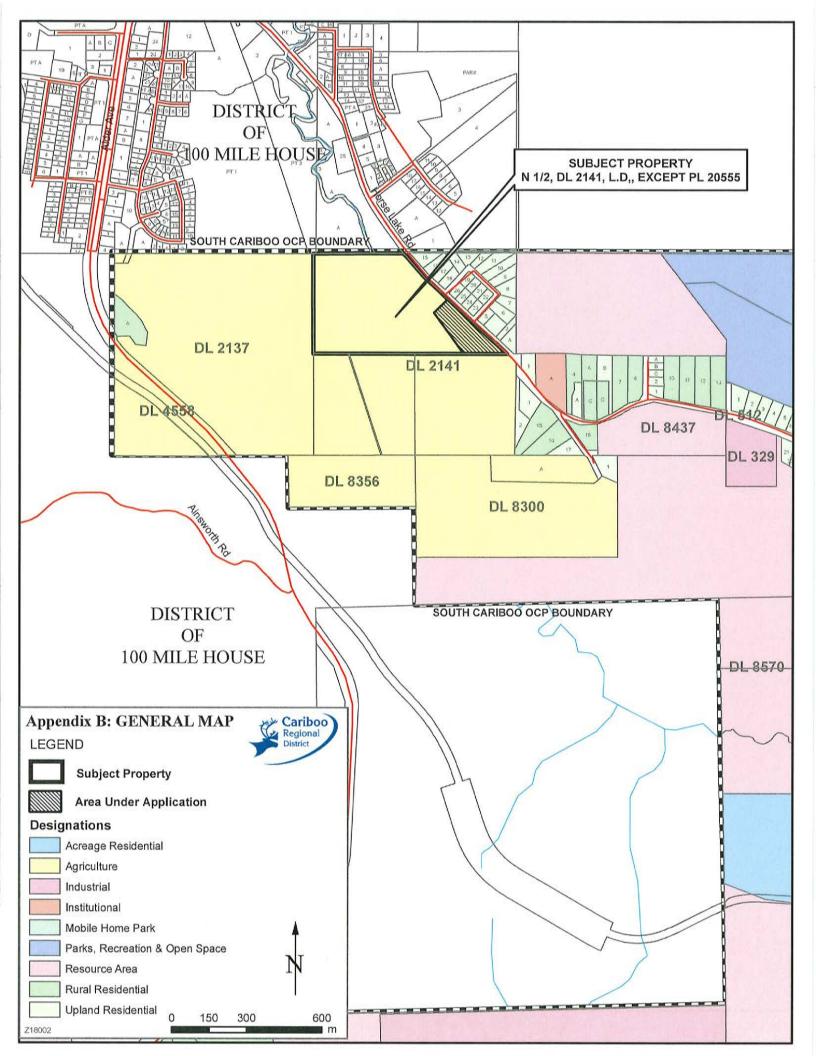
2. AMENDMENT

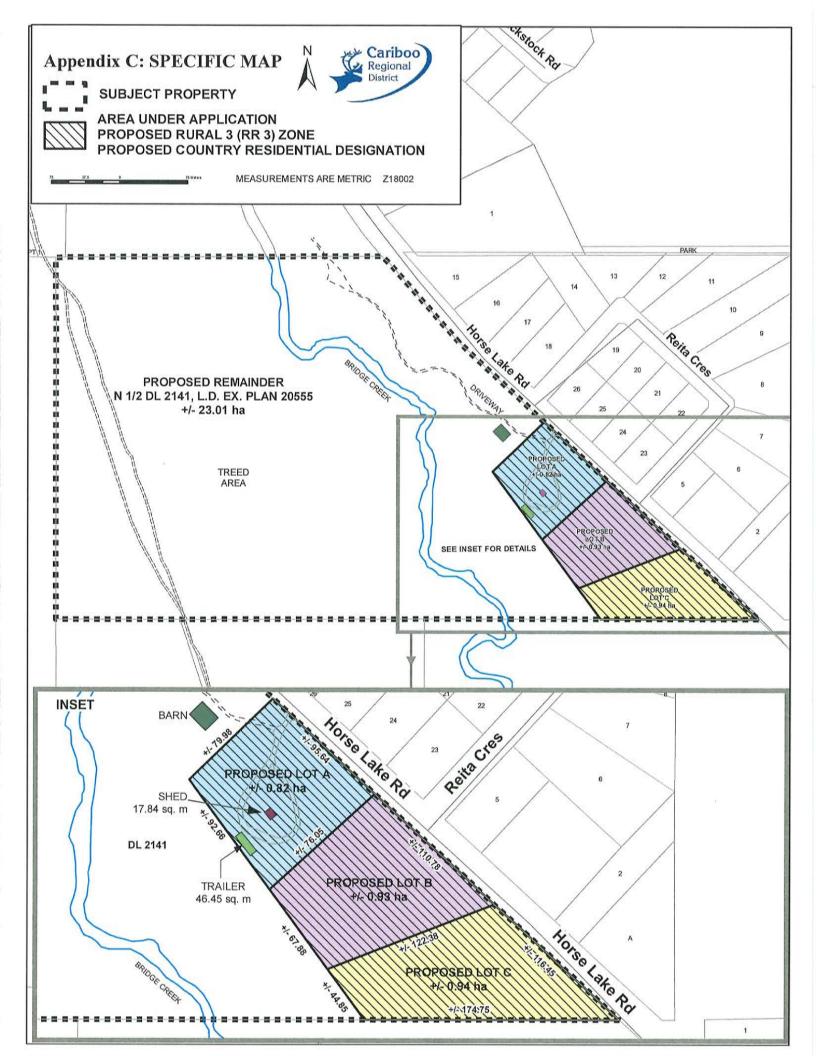
Bylaw No. 3501 of the Cariboo Regional District is amended by:

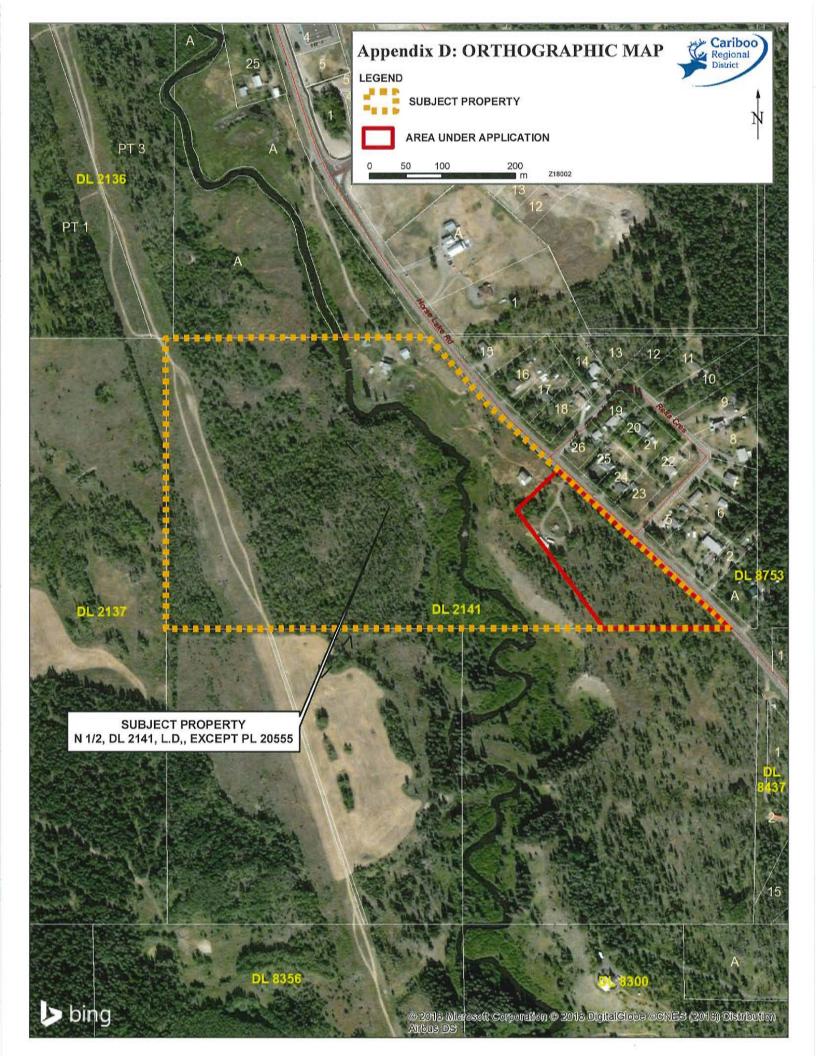
- i) rezoning part of the North 1/2 of District Lot 2141, Lillooet District, Except Plan 20555 from Rural 1 (RR 1) zone to Rural 3 (RR 3) zone as shown on Schedule "A"; and
- ii) amending Schedules "C" and "D" accordingly.

| READ A FIRST TIME THIS 23 rd DAY OF March, 2018. |
|---|
| READ A SECOND TIME THIS 23rd DAY OF March, 2018. |
| A PUBLIC HEARING WAS HELD ON THE 3 rd DAY OF May, 2018. |
| READ A THIRD TIME THIS 25 th DAY OF May , 2018. |
| APPROVED UNDER THE "TRANSPORTATION ACT" THIS 25 DAY OF 500/ |
| |
| ADOPTED THIS DAY OF, 2018. DISTRICT MANAGER, TRANSPORTATION |
| Chair |
| |
| Corporate Officer |
| I hereby certify the foregoing to be a true and correct copy of Bylaw No. 5135, cited as the "Cariboo Regional District South Cariboo Area Zoning Amendment Bylaw No. 5135, 2018", as adopted by the Cariboo Regional District Board on the day of, 2018. |
| Corporate Officer |









| Describe the | existing use of the subject property | and all buildings: <u>Rental</u> | |
|-----------------------------|--|------------------------------------|---|
| | proposed use of the subject propert n be subdivided and sold | y and all buildings: <u>To c</u> ł | nange the existing zoning so that 3 - 2+ acre |
| | reasons in support for the application | | de more parcels close to the proximity of |
| Provide a gen | eral description of vegetation cover | (i.e. treed, grassland, for | rage crop etc.): |
| Bridge Cree Services Curre | ral geographical information (i.e. exit k flows below the subject property but ently Existing or Readily Available to able means existing services can be easi | will not be part of the subc | divided pieces. |
| | Hydro Telephone Community Water System Community Sewer System Sewage Disposal System Well Other (please specify) | Yes No | Yes No |

5646 Horse Lake Road

Photos of Bridge Creek that is within 100 Meters of proposed lots, the proposed lots are several meters above Bridge Creek as noted in the photos.



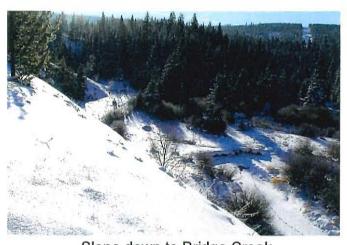
Bridge Creek below the proposed subdivision



Bridge Creek below the proposed subdivision



Slope down to Bridge Creek



Slope down to Bridge Creek



Slope down to Bridge Creek



Vegetation on proposed subdivision area





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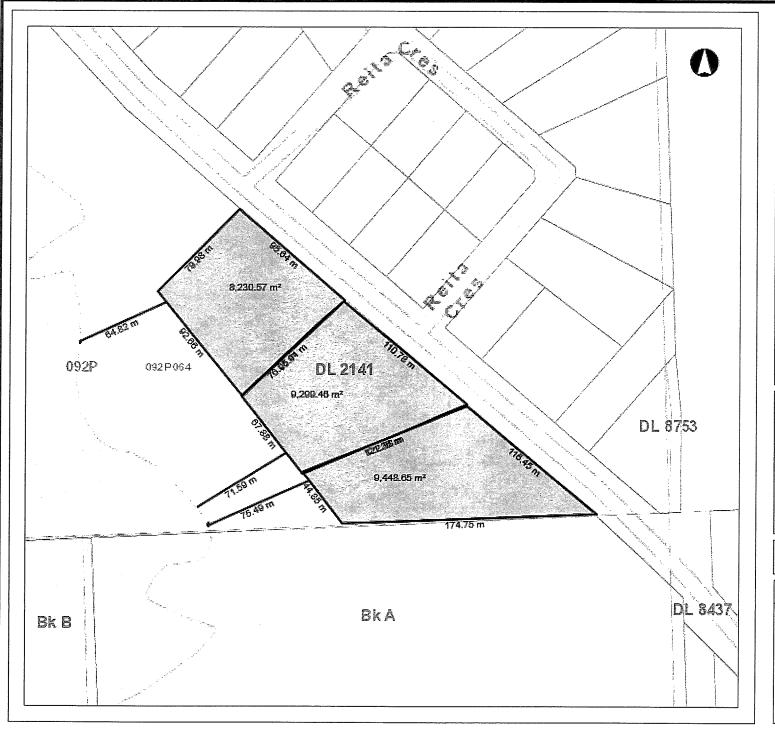
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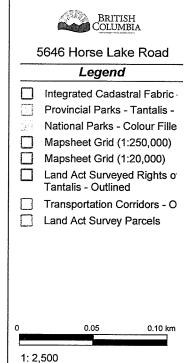
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Key Map of British Columbia







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Projection: NAD_1983_BC_Environment_Albers

Key Map of British Columbia



Signed By: ___

Date:

March 1, 2018

| . 3360-20/20180002 | Cariboo Regional District |
|--|---|
| RESPONSE SUMMAR | Referred To |
| Approval Recommended for Reasons Outlined Below Interests Un | naffected by Bylaw |
| X Approval Recommended Subject to Conditions Outlined Below Approval Notes to Reasons Outlined Subject to | ot Recommended Due lined Below |
| Access to the proposed lots be limited to discount to the district water intake down stream taken to ensure slope stability and siltation. A storm water mitigation plan should be develor driveway drainage to protect Bridge Creek and intake; There is a significant traffic hazard for driveway at this particular location (Reital should be given to covert this stretch of rose zone. | i, precautions should be on control; loped, including roof and d the District's water ivers turning off of Horse Cr). Consideration |
| | E . |
| | |
| | |

Title: Director Ec Dev & Planning

Agency: District of 100 Mile House

| C | ariboo F | 70 | gio | onal District | |
|------|----------|----|-----|---------------|--|
| File | No | | | | |
| | MAR | 1 | 4 | 2018 | |

File No: 3360-20/20180002 Referred To

ADVISORY PLANNING COMMISSION RESPONSE FORM

Minutes of the meeting of the Electoral Area 'L' advisory planning commission held on MARCH 13 DOIS in the FIRE HALL , located at LONE BUTTE, BC, commencing at 700 Pm

PRESENT:

Chair RAY CARISON, PETER CRAWSHAY, STEVE BROWN Members ART GUIMOND, DAVE LEVICK.

Recording Secretary RAY CARLSON

Owners/Agent, or TAMPARA VAN LOON Contacted but declined to attend

ABSENT: JUSTIN GUIMOND, HAROLD MOBBS, PETER BONTER

ALSO PRESENT: Electoral Area Director BRIAN COPKIEY Staff support (if present)

Agenda Items

REZONING/OCP APPLICATION - 3360-20/3360-20/20180002 (The North 1/2 of District Lot 2141, Lillooet District, Except Plan 20555)

: "THAT the application to rezone/redesignate property at 5646 HORSE LAKE ROAD, be supported/rejected for the following reasons:

MOVED BY STEVE BROWN, SECONDED BY ART GUIDDOND THAT THE APPLICATION BE APPROVED.

For: 5 Against: O

CARRIED/DEFEATED DISCUSSION REFURTHER LOTS AT THE DISCRETION OF OWNERS. APC SUGGETS POSSIBILITY OF MORE LOTS
TERMINATION TO BE CREATED WITH APPROVAL FARER

: That the meeting terminate.

BY STEVE BROWN SECONDED BY ART GUIMONA

CARRIED

Time: 7,30 Pm

RESULTS OF PUBLIC HEARING

File No: 3360-20/20180002

Date: May 3, 2018

| Locati | on: 100 Mile Community Hall | | |
|--------|--|--|--|
| Re: | | TTH AREA OFFICIAL COMMUNITY PLAN CARIBOO REGIONAL DISTRICT SOUTH AREA 5135 | |
| Person | ns Present: | | |
| ARAKAR | Director: Owner(s): Agent: Public: See attached list \(\sum \psi \sum \tau \) \(\tau \ | | |
| | Waited ten (10) minutes and then called t | he 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 | | |
| | 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: 1) Date: 2) Date: | vived from the public: (attached)(add additional sheet if Name: Name: | |
| | The following verbal comments and question Comments in favour: | ns were received: (add additional sheet if required) | |
| | | Cariboo Regional District | |
| | Comments of concern/opposition: | File No. MAY 0.4 2018 | |
| | | Referred to | |
| | Attendees were asked three times for further | comments and/or questions. | |
| | The Chair called the meeting adjourned at_ | 7:15. P.M | |
| | | I certify this is a fair and accurate report on the results of the public hearing. | |

Attendance List

Public Hearing For

South Official Community Plan Amendment Bylaw No. 5134

and

South Area Zoning Amendment Bylaw No. 5135

| Name (Please Print) | Address (Please Print) |
|---|--|
| Bob Plewes Tamara Vanton Lynn Plewes. Bill Plewes | Cello Lone Butte Horschill 222 Blackstock Rd 100 Mi 222 Blackstock Rd 100 Mi |
| | |
| | |
| | Cariboo Regional District File No. |
| • | MAY 0 4 2018 Referred to |
| | |