

## Rezoning Information Package

**File Number:** 3360-20/20190017

**Subject:** South Cariboo Area Zoning Amendment Bylaw No. 5210, 2020

**Electoral Area:** G

**Date of Referral:** May 5, 2020

**Date of Application:** April 17, 2020

**Property Owner's Name(s):** Dennis and Lori Ann Smith

**Applicant's Name:** Michael Kidston Land Surveying Ltd.

### SECTION 1: Property Summary

**Legal Description(s):** Lot 25, District Lot 5, Lillooet District, Plan 5851, Except Plans 7382 and 28372

**Property Size:** 2,306 sq m (24,830 sq ft)

**Area of Application:** 2,306 sq m (24,830 sq ft)

**Location:** 4813 Eagle Avenue

**Current Designation:**  
Townsite Residential

**Min. Lot Size Permitted:**  
N/A

**Current Zoning:**  
Residential 2 (R 2)

**Min. Lot Size Permitted:**  
4000 sq m (43,057 sq ft)

**Proposed Zoning:**  
Special Exception Residential 2 (R 2-2)

**Min. Lot Size Permitted:**  
400 sq m (4,306 sq ft) per Single  
Family Dwelling Unit *or*  
500 sq m (5,382 sq ft) per Two  
Family Dwelling Unit  
222 sq m (2,390 sq ft) per Multi  
Family Dwelling Unit

Multi-Family Residential (R 3)

**Proposed Use:** To create 3 lots with existing dwellings on each.

**No. and size of Proposed Lots:** 3: Lot 1 - 1434 sq m  
Lot 2 - 457.5 sq m  
Lot 3 - 547 sq m

**Name and type of existing road system:** Eagle Road, Avenue

**Services Available:** Hydro, Telephone, Community Water System, Community Sewer System

**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:**  
No

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

	Actual Use Code:	Lot Sizes:
(a) North	061 2 Acres Or More (Vacant)	12.22 ha (30.21 ac)
(b) South	000 Single Family Dwelling 038 Manufactured Home (Not In Manufactured Home Park)	0.06 ha (0.15 ac) – 0.10 ha (0.26 ac) 0.08 ha (0.2 ac)
(c) East	000 Single Family Dwelling	0.21 ha (0.3 ac) – 0.32 ha (0.8 ac)
(d) West	000 Single Family Dwelling 020 Residential Outbuilding Only	0.08 ha (0.2 ac) - 0.10 ha (0.25 ac) 0.2 ha (0.51 ac)

**SECTION 2: Planning Report**

Background:

It is proposed to rezone a 0.23 ha (0.57 ac) subject property to subdivide into three separate residential lots for legalizing the existing dwellings. The subject property is zoned as Residential 2 (R 2) in the South Cariboo Area Zoning Bylaw No. 3501, 1999, and is designated as Townsite Residential in the Lac La Hache Area Official Community Plan Bylaw No. 5170, 2018.

Currently, there is one 75.07 sq. m (808.05 sq. ft) single-family dwelling, a 91.56 sq. m (985.54 sq. ft) two-family dwelling along with a 40.5 sq. m (435.94 sq. ft) cabin that is intended to be converted into a storage shed upon the completion of subdivision process, and a three-unit 176.26 sq. m (1897.25 sq. ft) multi-family dwelling existing on the property as rental housings serviced by CRD water and sewer.

The existing number of residential dwellings are not permitted under the current zoning of Residential 2 (R 2). Therefore, the applicant has requested to rezone the subject property as Special Exception Residential 2 (R 2-2) and Multi-Family Residential (R 3) zones. The proposal includes two R 2-2 lots of 457.5 sq. m (4,924.5 sq. ft) and 547 sq. m (5887.9 sq. ft) in sizes, accommodating the existing single-family and two-family dwellings respectively, and the remaining R 3 lot of 1434 sq. m (15,435.5 sq. ft) in size including 10 metres wide panhandle for the existing triplex. The proposal is shown in Appendix C.

South Cariboo Area Zoning Bylaw No. 3501, 1999 is amended by including Section 5.13.3.2 as follows:

5.13.3.2      Special Exception R 2-2 Zone (3360-20/20190017)

Notwithstanding any other provisions of this bylaw to the contrary, on lands zoned R 2-2 serviced by Community Sewer and Water:

- a) Lot Area (minimum) = 400 sqm (4,306 sqft) per single-family dwelling unit.  
Lot Area (minimum) = 500 sqm (5,382 sqft) per two-family dwelling unit.

All other provisions of the R 2 zone shall apply.

Application History:

A previous application to rezone the subject property from Residential 2 (R 2) zone to Multi-Family Residential (R 3) zone was rejected in 2005 at 3<sup>rd</sup> reading.

Location & Surroundings:

The subject property is located in Lac La Hache on Eagle Avenue and in close proximity to Felker Street as shown in Appendix B. It is mostly surrounded by single-family dwellings to the south, east, west, and vacant rural residential land to the north of the subject property.

CRD Regulations and Policies:

*3501- South Cariboo Area Zoning Bylaw, 1999*

**5.13 RESIDENTIAL 2 (R 2) ZONE**

5.13.2 ZONE PROVISIONS

(c) LOT FRONTAGE (minimum):

- i) Per Single-Family Dwelling (including a temporary dwelling unit) = 15 metres (49.2 feet)
- ii) Per Two-Family Dwelling = 20 metres (65.6 feet)

**5.14 MULTI-FAMILY RESIDENTIAL (R 3) ZONE**

5.14.2 ZONE PROVISIONS

(a) LOT AREA (minimum):

Per Multi-Family Dwelling Unit = 222 square metres (2,390 square feet)

Rationale for Recommendations:

Planning staff are supportive of the proposed zoning amendment application. The requested zoning amendment will bring all the existing residential buildings in compliance with the Zoning Bylaw in terms of land uses and lot sizes without affecting the residential character of the neighborhood.

The subject property is located close to the intersection of Eagle Avenue and Felker Street, providing two separate entrances to the proposed lots. Further, the proposal has been revised as recommended by the Ministry of Transportation and Infrastructure to accommodate a minimum of 10 metres wide panhandle that provides adequate accessibility to proposed lot 1. Front dimensions of the other two

proposed lots 2 and 3 also complies with the minimum required lot frontage of 15 metres per single-family dwelling and 20 metres per two-family dwelling respectively under the CRD Zoning Bylaw. Therefore, planning staff recommends approval of this application.

All the buildings on-site that are currently being serviced by CRD community water and sewer have one connection. Bylaw requires separate water and sewer utility connections for each proposed lot. Therefore, the applicant must apply for separate service connections and provide associated deposits prior to subdivision approval.

Based on Section 464 (2) of the *Local Government Act*, CRD Board may consider waiving the public hearing for this application as the proposed zoning is consistent with the existing OCP designation. However, planning staff recommends conducting a public hearing due to the rejection of the previous application.

Recommendation:

1. That the South Cariboo Area Zoning Amendment Bylaw No. 5210, 2020 to rezone Lot 25, District Lot 5, Lillooet District, Plan 5851, Except Plans 7382 and 28372 from Residential 2 (R 2) zone to Special Exception Residential 2 (R 2-2) and Multi-Family Residential (R 3) zones be approved.

### SECTION 3: Referral Comments

**Health Authority:** - May 6, 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.

**Ministry of Transportation and Infrastructure:** - May 23, 2020

The Ministry of Transportation and Infrastructure has no objection in principle to the proposed rezoning. Proposed Lot 3 should be accessed from Felker Street.

Panhandle must be protected a minimum of 10 metres.

**Ministry of Environment:** -

**Advisory Planning Commission:** May 20, 2020

See attached.

**CRD Environmental Services Department:** - May 26, 2020

Approval recommended subject to conditions outlined below:

Bylaw requires that all properties connect to the water and sewer utility. Approval is subject to applicant applying for service connections and providing associated deposit prior to subdivision approval. 2 sewer and 2 water connections would be needed to service new lots.

**SECTION 4: Board Action**

Date of Meeting: June 19, 2020

That South Cariboo Area Zoning Amendment Bylaw No. 5210, 2020 be read a first and second time this 19<sup>th</sup> day of June, 2020.

**ATTACHMENTS**

Appendix A: Bylaw No. 5210

Appendix B: General Map

Appendix C: Specific Map

Appendix D: Orthographic Map

Other: Applicant's supporting documentation  
Advisory Planning Commission Comments  
Results of Public Hearing



CARIBOO REGIONAL DISTRICT

BYLAW NO. 5210

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. 5210, 2020".

2. AMENDMENT

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

i) Including Section 5.13.3.2 into Schedule "A" as follows:

5.13.3.2 Special Exception R 2-2 Zone (3360-20/20190017)

Notwithstanding any other provisions of this bylaw to the contrary, on lands zoned R 2-2 serviced by Community Sewer and Water:

- a) Lot Area (minimum) = 400 square metres (4,306 square feet) per single-family dwelling unit.  
Lot Area (minimum) = 500 square metres (5,382.13 square feet) per two-family dwelling unit.

All other provisions of the R 2 zone shall apply

- ii) rezoning Lot 25, District Lot 5, Lillooet District, Plan 5851, Except Plans 7382 and 28372 from Residential 2 (R 2) zone to Special Exception Residential 2 (R 2-2) and Multi-Family Residential (R 3) zones as shown on attached Schedule "A"; and
- iii) amending Schedules "C" and "D" accordingly.

READ A FIRST TIME THIS 19<sup>th</sup> DAY OF June, 2020.

READ A SECOND TIME THIS 19<sup>th</sup> DAY OF June, 2020.

A PUBLIC HEARING WAS HELD ON THE 13<sup>th</sup> DAY OF August, 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. 5210, cited as the "South Cariboo Area Zoning Amendment Bylaw No. 5210, 2020", as adopted by the Cariboo Regional District Board on the day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Manager of Corporate Services

# SCHEDULE A



## Legend

-  PROPOSED MULTI-FAMILY RESIDENTIAL(R 3)
-  PROPOSED SPECIAL EXCEPTION RESIDENTIAL 2 (R 2-2)



MEASUREMENTS ARE METRIC 219017



Lot 1  
PL 2883

Lot A  
PL 12155

Lot 25, District Lot 5,  
Lillooet District, Plan 5851,  
Except Plans 7382 and 28372

Lot A  
PL 7382

Lot 1  
PL KAP58315

Lot A  
PL 28372

Eagle Ave

Felker St

Lot 18  
PL 4432

Lot  
PL 6935

Lot 1  
PL KAP5

Lot 2  
PL KAP58315



# Appendix B: GENERAL MAP



## Legend

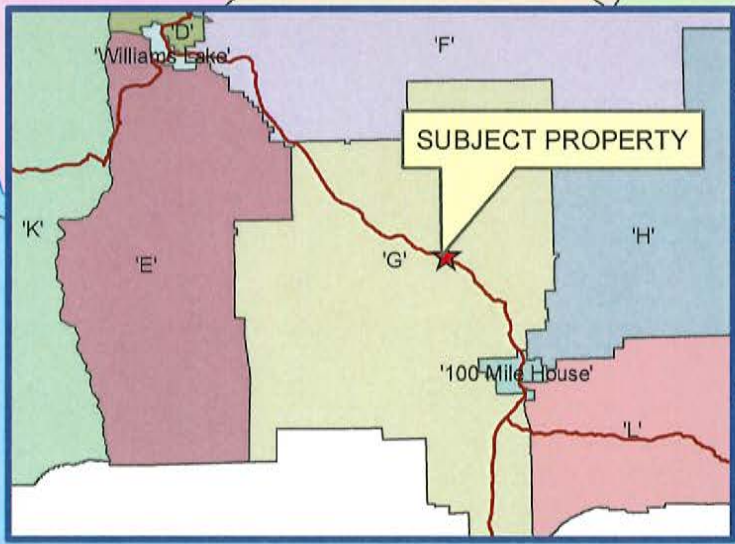
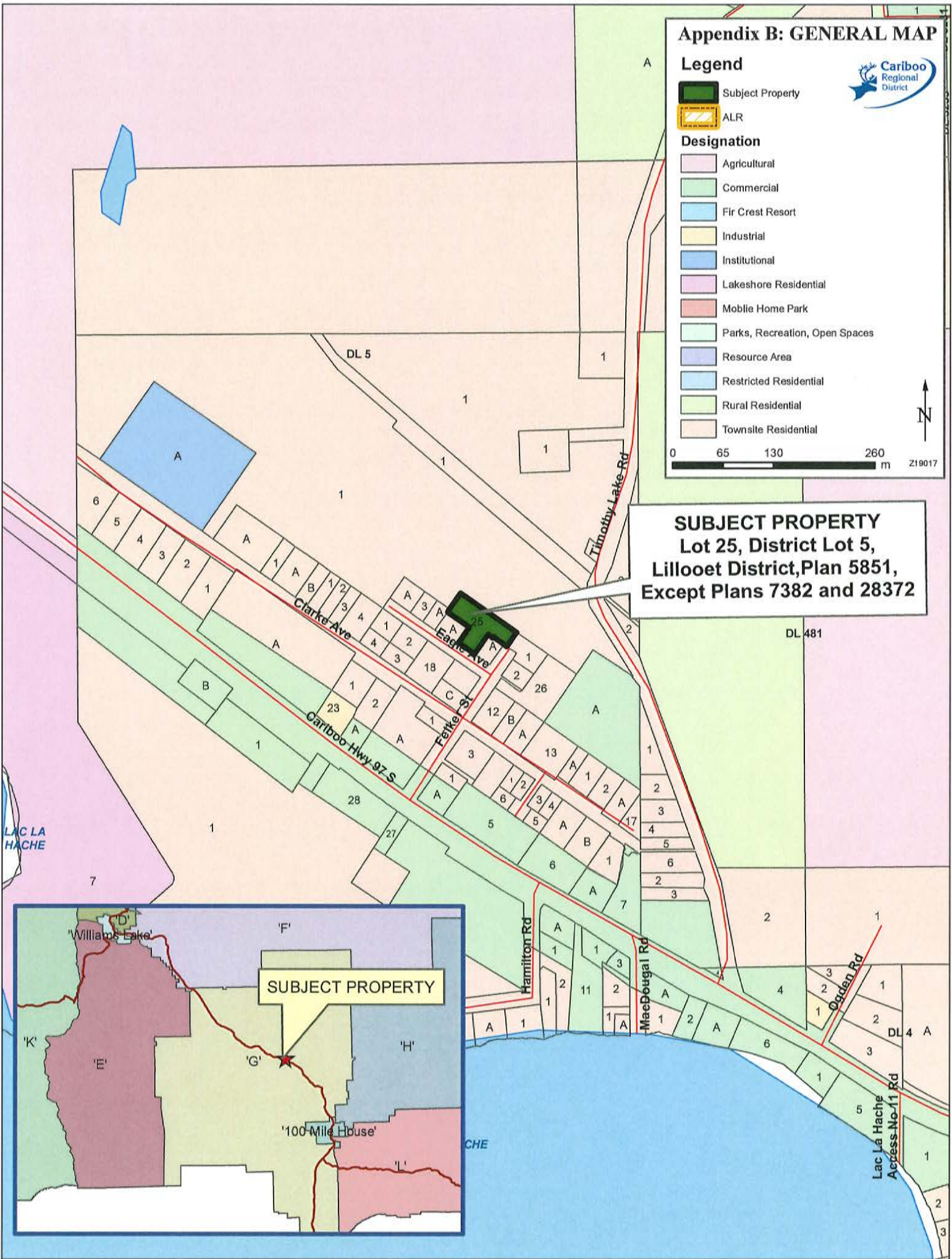
- Subject Property
- ALR

## Designation

- Agricultural
- Commercial
- Fir Crest Resort
- Industrial
- Institutional
- Lakeshore Residential
- Mobile Home Park
- Parks, Recreation, Open Spaces
- Resource Area
- Restricted Residential
- Rural Residential
- Townsite Residential



**SUBJECT PROPERTY**  
**Lot 25, District Lot 5,**  
**Lillooet District, Plan 5851,**  
**Except Plans 7382 and 28372**

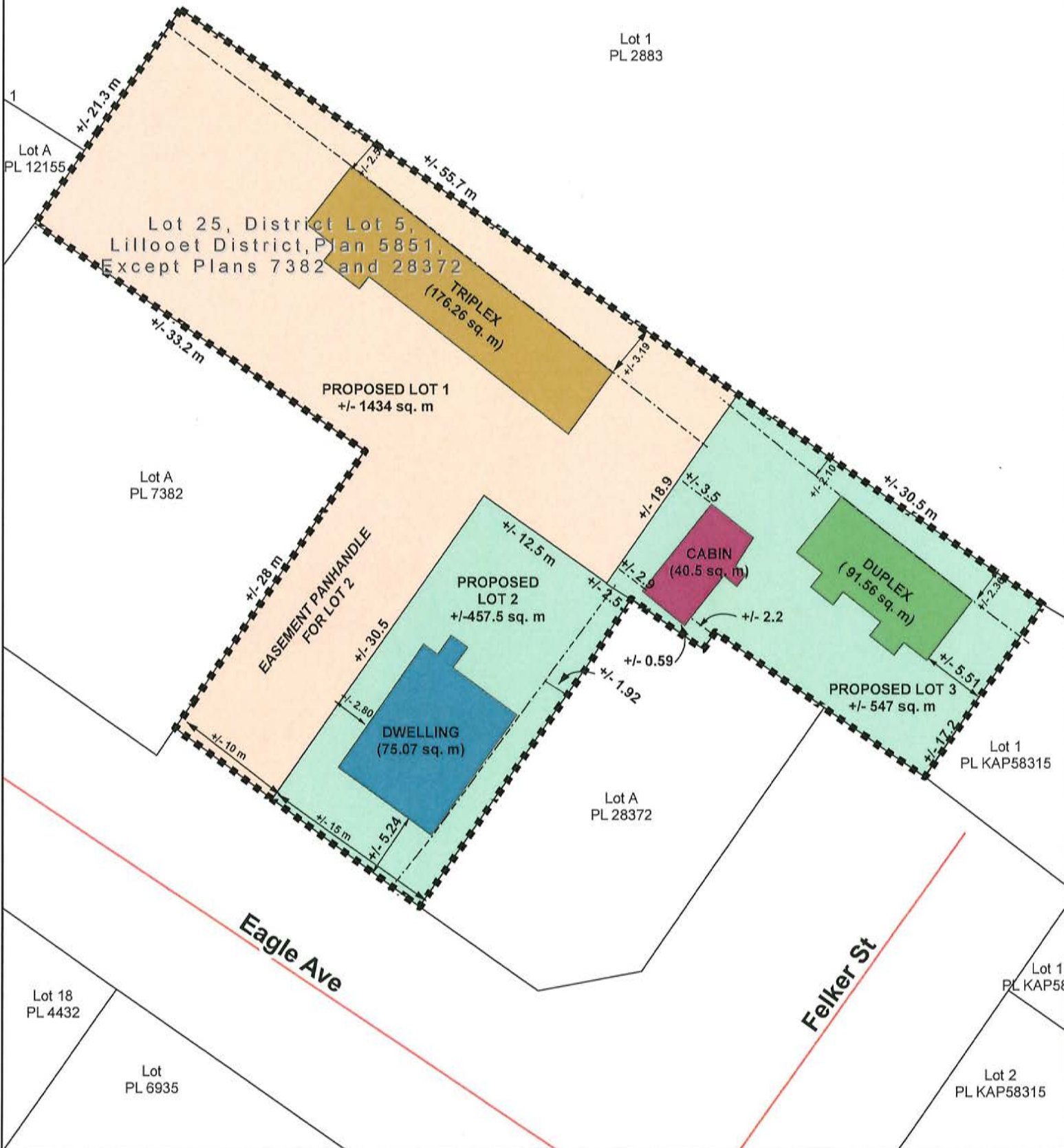


# Appendix C: SPECIFIC MAP



## Legend

- SUBJECT PROPERTY
  - PROPOSED MULTI-FAMILY RESIDENTIAL (R 3)
  - PROPOSED SPECIAL EXCEPTION RESIDENTIAL 2 (R 2-2)
- 8 4 0 8 m MEASUREMENTS ARE METRIC 219017



# Appendix D: ORTHOGRAPHIC MAP



## LEGEND

 SUBJECT PROPERTY

0 5 10 20 m

Z19017



SUBJECT PROPERTY  
LOT 25, DL 5,  
L.D., PL 5851  
EXCEPT PIs. 7382 & 28372



All buildings are serviced by CRD water and sewer.  
 All units are currently rented.

Describe the proposed use of the subject property and all buildings: Remain as presently being used.

Describe the reasons in support for the application: Rental housing is hard to find. Owner wishes to divest himself of these buildings, but not to displace tenants. Spl. exception zone would allow each building to remain on own lot.

Provide a general description of vegetation cover (i.e. treed, grassland, forage crop etc.): Cleared for buildings and parking, but some trees remain on property.

Provide general geographical information (i.e. existing lakes, streams, physical features etc.): No outstanding features.

**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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community Sewer System	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sewage Disposal System	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Well	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Requirements for Specific Application Types**

**Zoning and/ or Official Community Plan (OCP) Amendments (if applicable)**

Proposed Zone(s):

Proposed OCP Designation(s):

Area G APC Response Form.

FILE NO: 3360-20/20190017

Date: May 20, 2020 via conference call

Applicant/ Agent: Michael Kidston - Agent & Denis Smith - applicant both on conf. call.

Area G Director: Al Richmond - present on call

Members: Ron Soeder. Diane Wood. Graham Leslie. Nicola Maughn.

Marvin Monical. Marilyn Niemec. Robin Edwards All on call

Location of Application: 4813 Eagle Ave., Lac La Pêche BC

Agenda Item: Rezoning Lot 25, DL 5 LLD PLAN 5851 except PLANS 7382 & 28372.

Moved by: MARVIN MONICAL / Nicola Maughn

Area B APC accepts this rezoning application as presented providing that access to proposed Lot 3 is adequate and to MOTI requirements.

Carried unanimously

Moved by Diane That the meeting be adjourned at 7:45 PM

Diane Wood  
Recording Secretary.

\_\_\_\_\_  
Chair

RESULTS OF PUBLIC HEARING

File No: 3360-20/20190017

Date: August 13, 2020

Location: CRD Boardroom Via Teleconference

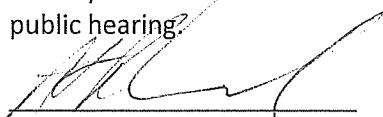
Re: SOUTH CARIBOO AREA ZONING AMENDMENT BYLAW NO. 5210, 2020

Persons Present:

- Director: Al Richmond
- Owner(s): Dennis Smith
- Agent: Michael Kidston
- Public: See attached list
- Staff: Nigel Whitehead, Manager of Planning Services  
Shivani Sajwan, Planning Officer
- No public in attendance (excluding owner/agent)

- Waited ten (10) minutes and then called the meeting adjourned.
- Roll call conducted by Planning Staff.
- Welcome, introduction and the "Purpose of a Public Hearing", including the rules for the meeting and the specifics of the application were read out by the Chair/Area Director/Alternate. The hearing was called to order at 7:00 pm.
- The Chair read out public comments received within the last 48 hours.  No comments received.
- The Chair read out the following letters received from the public: (attached)(add additional sheet if required)  
 No comments received.  
1) Date: \_\_\_\_\_ Name: \_\_\_\_\_  
2) Date: \_\_\_\_\_ Name: \_\_\_\_\_
- The following verbal comments and questions were received: (add additional sheet if required)  
Comments in favour:  
*M. Kidston provided an overview of the proposal.  
D. Smith outlined his desire to subdivide the lots to allow future divestment should he decide to. Not considering it at the present.*  
Comments of concern/opposition:
- Attendees were asked three times for further comments and/or questions.
- The Chair called the meeting adjourned at 7:10 pm

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



Signature of Chair