# **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: Michael Kidston

#### **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: Min. Lot Size Permitted:

Agriculture 32 ha (79.07 ac)

Proposed Designation: Min. Lot Size Permitted:

Agriculture 32 ha (79.07 ac)
Upland Residential 0.8 ha (1.98 ac)

Current Zoning: Min. Lot Size Permitted:

Rural 1 (RR 1) 4 ha (9.88 ac)

Proposed Zoning: Min. Lot Size Permitted:

Rural 1 (RR 1) 4 ha (9.88 ac) Rural 3 (RR 3) 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) City of 100 Mile House North (b) 000 - Single Family Dwelling 0.78 ha (1.93 ac) 001 - Vacant Residential Less Than 2 Acres 0.78 ha (1.95 ac) South 061 – 2 Acres or More – Vacant 16.2 ha (40.1 ac) 111 – Grain and Forage – Vacant 16.1 ha (40 ac) 652 - Churches and Bible Schools 2.3 ha (5.7 ac) (c) 000 - Single Family Dwelling 0.2 ha (0.5 ac) – 0.46 ha (1.15 ac) 001 - Vacant Residential Less Than 2 Acres 0.2 ha (0.5 ac) – 0.5 ha (1.36 ac) East 032 – Single Family Dwelling with Basement 0.2 ha (0.5 ac) – 0.29 ha (0.72 ac) Suite (d) 110 – Grain and Forage 58 ha (143.79 ac) West

#### **SECTION 2: Planning Report**

#### <u>UPDATE - Sept 1, 2020</u>

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 3<sup>rd</sup>, 2018 and the bylaws received third reading from the Board on May 25<sup>th</sup>, 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 redesiganted 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.

#### **SECTION 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.

Date of Meeting: September 11, 2020

That first, second and third readings of Cariboo Regional District South Cariboo Area Official Community Plan Amendment Bylaw No. 5134, 2018 be rescinded.

That South Cariboo Area Official Community Plan Amendment Bylaw No. 5286, 2020 be read a first and second time this 11th day of September, 2020.

That condition 1. of Cariboo Regional District Zoning Amendment Bylaw No. 5135, 2018 be amended to read:

1. Adoption of South Cariboo Area Official Community Plan Amendment Bylaw No. 5286, 2020.

Date of Meeting: October 23, 2020

That South Cariboo Area Official Community Plan Amendment Bylaw No. 5286, 2020 be read a third time this 23<sup>rd</sup> day of October, 2020.

### **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 (2)



#### 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:

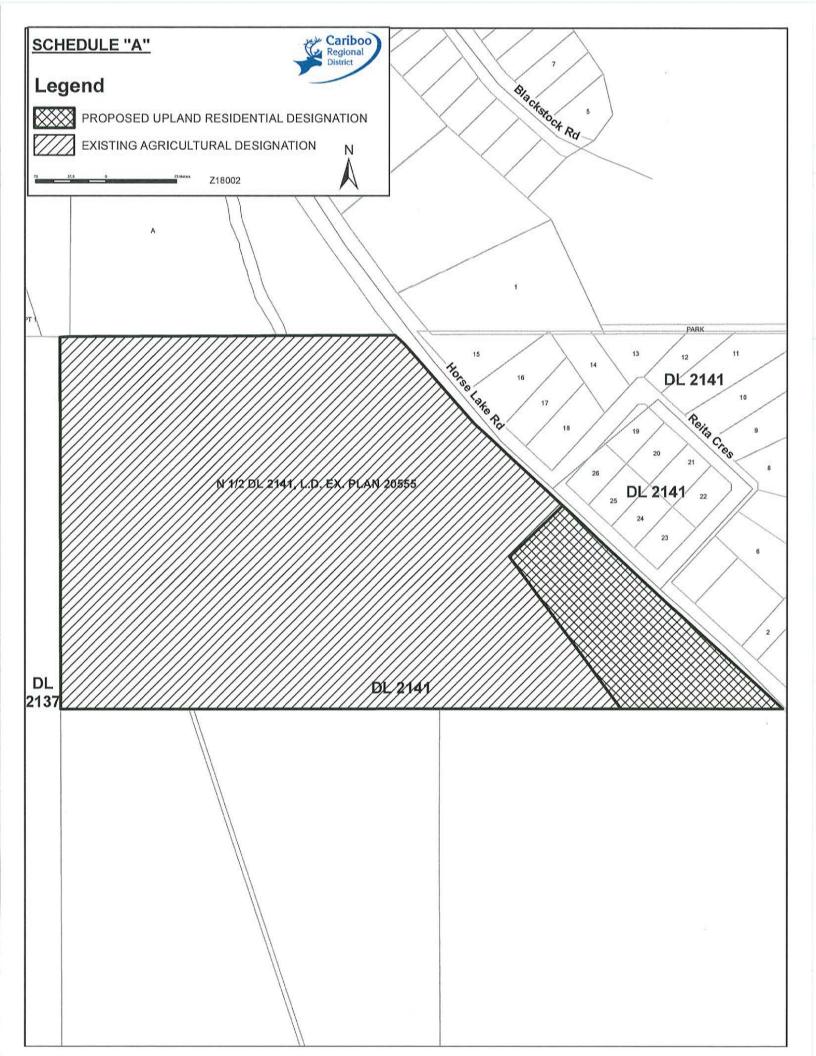
This bylaw may be cited as the "South Cariboo Area Official Community Plan Amendment Bylaw No. 5286, 2020".

#### 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 this11 <sup>th</sup> _ day of, 2020.				
READ A SECOND TIME this <u>11<sup>th</sup></u> day of <u>September</u> , 2020.				
A PUBLIC HEARING WAS HELD ON THE <u>28<sup>th</sup></u> DAY OF <u>September</u> , 2020.				
READ A THIRD TIME this23 <sup>rd</sup> day of, 2020.				
ADOPTED this day of, 2021.				
Chair				
Manager of Corporate Services				
I haraby cartify the foregoing to be a true and correct copy of Dylaw No.				
I hereby certify the foregoing to be a true and correct copy of Bylaw No.  5286, cited as the "South Cariboo Area Official Community Plan				
Amendment Bylaw No. 5286, 2020", as adopted by the Cariboo Regional				
District Board on the day of, 2021.				
Manager of Corporate 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

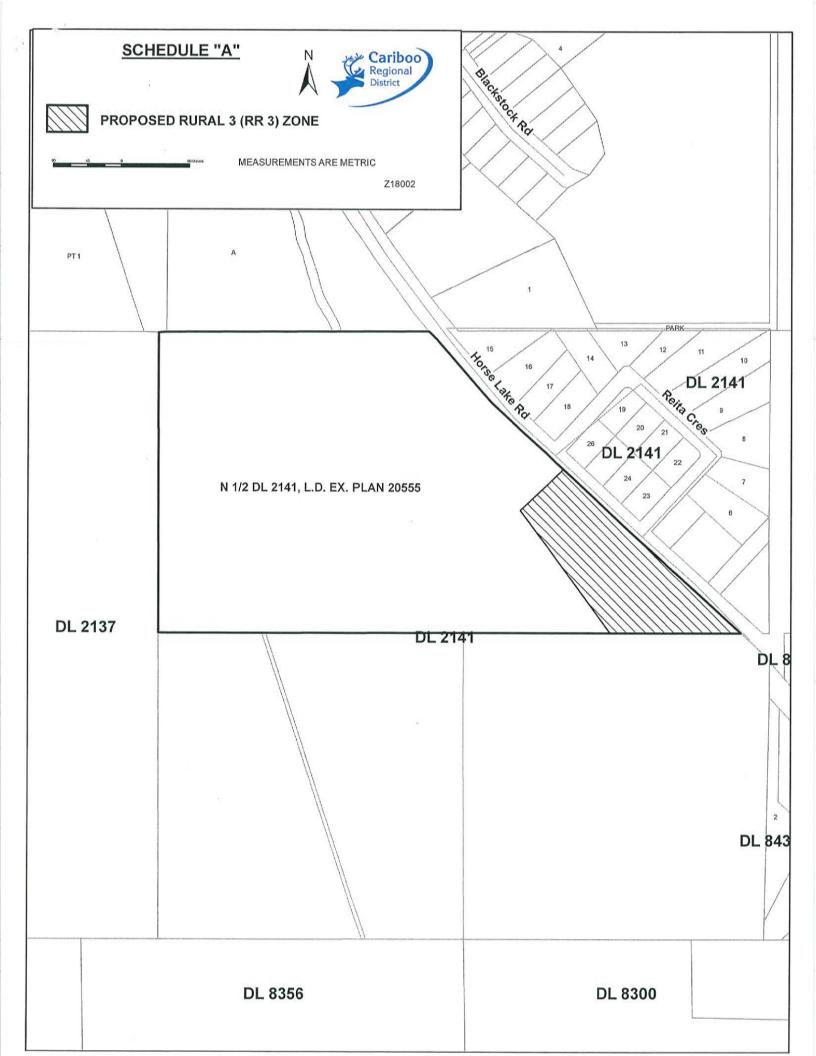
This bylaw may be cited for all purposes as the "Cariboo Regional District South Cariboo Area Zoning Amendment Bylaw No. 5135, 2018".

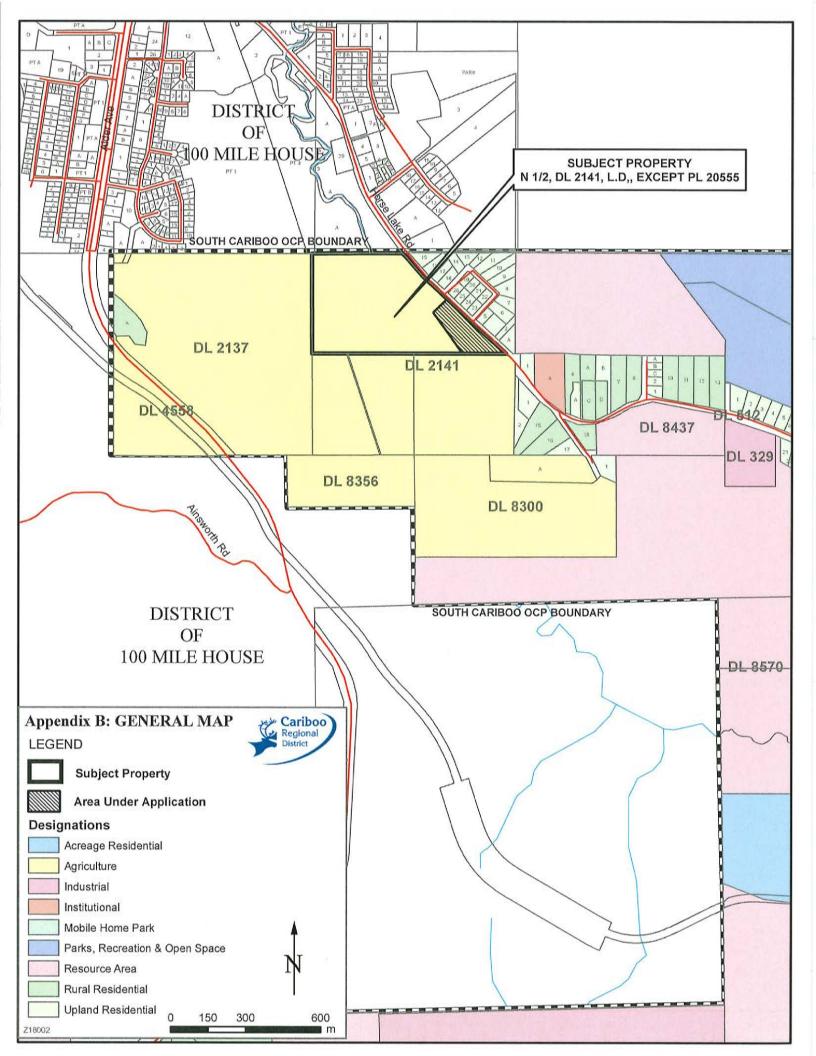
### 2. AMENDMENT

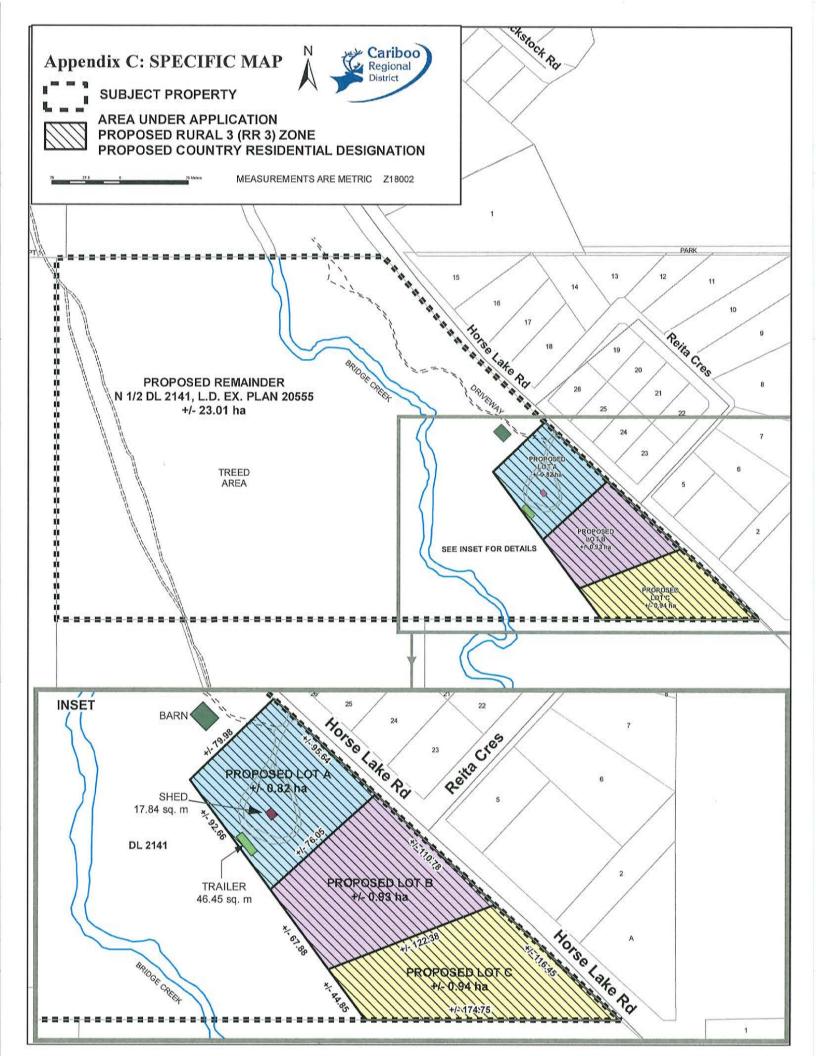
Bylaw No. 3501 of the Cariboo Regional District is amended by:

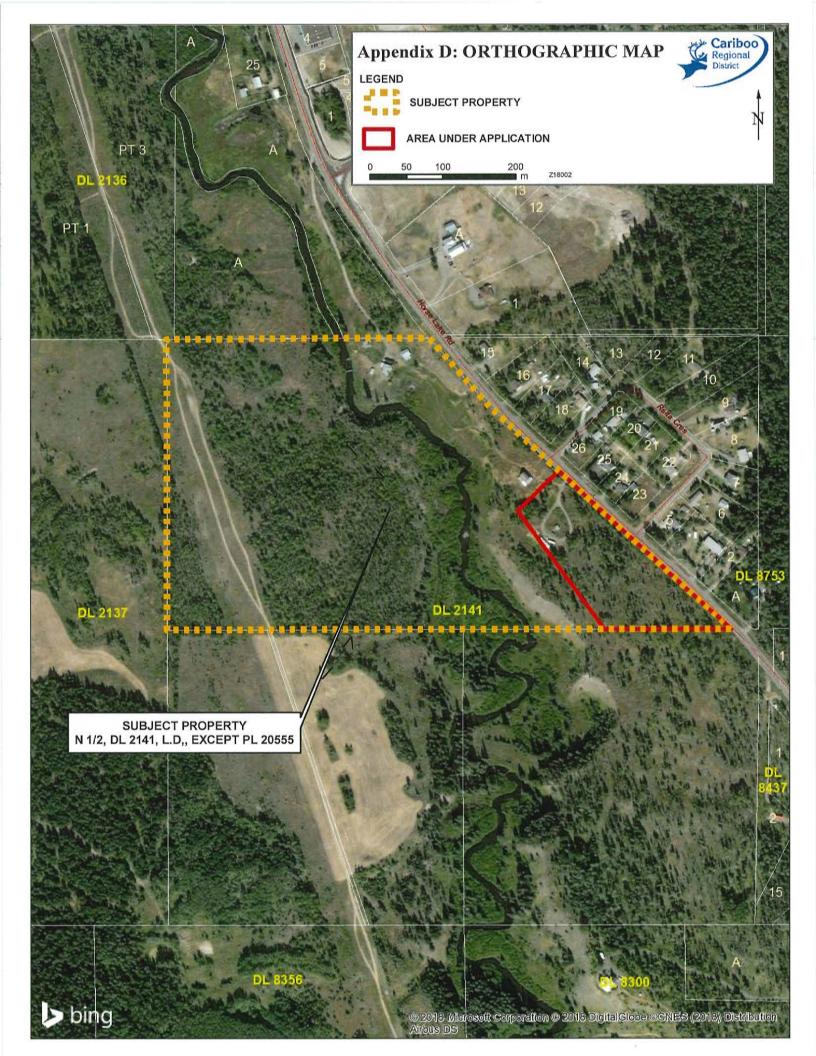
- i) rezoning part of the North 1/2 of District Lot 2141, Lillooet District, Except Plan 20555 from Rural 1 (RR 1) zone to Rural 3 (RR 3) zone as shown on Schedule "A"; and
- ii) amending Schedules "C" and "D" accordingly.

READ A FIRST TIME THIS23 <sup>rd</sup> DAY OFMarch, 2018.			
READ A SECOND TIME THIS 23 <sup>rd</sup> DAY OF March, 2018.			
A PUBLIC HEARING WAS HELD ON THE 3 <sup>rd</sup> DAY OF May , 2018.			
READ A THIRD TIME THIS 25 <sup>th</sup> DAY OF May , 2018.			
APPROVED UNDER THE "TRANSPORTATION ACT" THIS 25 DAY OF TULY, 2018.			
ADOPTED THIS DAY OF, 2018. 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: Rental						
	roposed use of the subject property be subdivided and sold	and all b	uildings: <u>To c</u>	hange the existin	g zoning so that 3 - 2+ acr	е
		T		•		
	easons in support for the application use for ease of access to purchasers	: <u>  1 his la</u>	and would prov	ide more parcels	close to the proximity of	
- TOO WHIE TO	use for ease of access to purchasers					
Provide a gene	eral description of vegetation cover (	i.e. treed	, grassland, fo	rage crop etc.): _		
Provide general geographical information (i.e. existing lakes, streams, physical features etc.):  Bridge Creek flows below the subject property but will not be part of the subdivided pieces.						
***************************************						
	ntly Existing or Readily Available to tl ble means existing services can be easily					
	Services		ently ting?	Read Avai	dily lable?*	
		Yes	No	Yes	No	
,	Hydro Telephone Community Water System Community Sewer System Sewage Disposal System Well					
	Other (please specify)		_			

### 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.



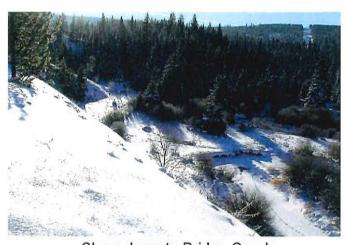
Bridge Creek below the proposed subdivision



Bridge Creek below the proposed subdivision



Slope down to Bridge Creek



Slope down to Bridge Creek

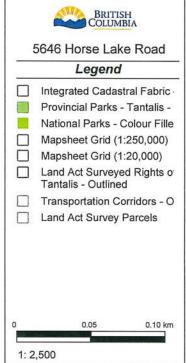


Slope down to Bridge Creek



Vegetation on proposed subdivision area





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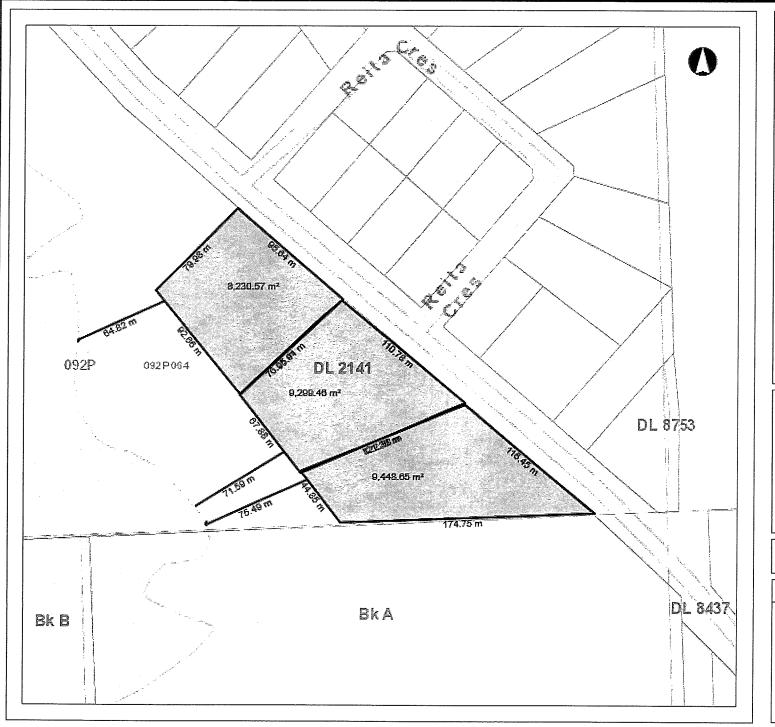
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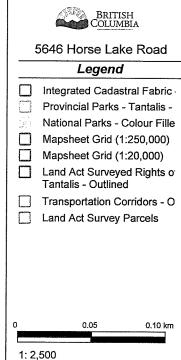
Datum: NAD83

Projection: NAD\_1983\_BC\_Environment\_Albers

#### Key Map of British Columbia







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Datum: NAD83

Projection: NAD\_1983\_BC\_Environment\_Albers

#### Key Map of British Columbia



Signed By:

Date:

March 1, 2018

3300-20/20180002	The National Association Association and the Section Assoc	Cariboo Regional District
RESPONSE SU		MAR 0 1 2018 Referred to
Approval Recommended for Reasons Outlined Below	Interests Unaffected	by Bylaw
X Approval Recommended Subject to Conditions Outlined Below to	Approval Not Recom Reasons Outlined Bel	nmended Due ow
Access to the proposed lots be limited to the district water intake down taken to ensure slope stability and A storm water mitigation plan should driveway drainage to protect Bridge intake; There is a significant traffic hazar Lake Road at this particular location should be given to covert this stret zone.	wn stream, prec siltation cont d be developed, Creek and the i d for drivers on (Reita Cr).	autions should be rol; including roof and District's water turning off of Horse Consideration

Title: Director Ec Dev & Planning

Agency: District of 100 Mile House

Cariboo Regional District	
MAR 1 4 2018	
eferred To	File No: 3360-20/20180002
	SORY PLANNING COMMISSION RESPONSE FORM
Minutes of the meeting in 13 3018 commencing at 7.00	in the FIRE HALL , located at LONE BOTTE, BC,
	Chair RAY CARISON, PETER CRAWSHAY, STEVE BROWN Members ART GUIMOND, DAVE LEVICK.
Jan Marie	Recording Secretary RAY CARLSON
	Owners/Agent, or THINARA VAN LOOV  Contacted but declined to attend
ABSENT: JUST IN	GUIMOND, HAROLD MOBBS, PETER BONTER
	llectoral Area Director BRIAN CEIRKLEY taff support (if present)
Agenda Items	
Lot 2141, Lillooet Dist /	PLICATION - 3360-20/3360-20/20180002 (The North 1/2 of District rict, Except Plan 20555)  : "THAT the application to rezone/redesignate property at
i)	OAD, be supported/rejected for the following reasons:
ii)	
THAT THE APP. For: 5	EVE BROWN, SECONDED BY ART GUIDDOND WCATION BE APPROVED.

DISCUSSION REFURTHER LOTS AT THE CARRIED DEFEATED

DISCRETION OF OWNERS. APC SUGGETS POSSIBILITY OF MORE LOTS

Termination To BE CREATED WITH FIRMONDE TOPORE.

: That the meeting terminate. MOVED BY STEVE BROWN SECONDED BY ART GUIMOND CARRIED Time: 7,30 Pm

Recording Secretary

### RESULTS OF PUBLIC HEARING

File No: 3360-20/20180002

Date: May 3, 2018

Locati	on: 100 Mile Community Hall				
Re:	CARIBOO REGIONAL DISTRICT SO	OUTH AREA OFFICIAL COMMUNITY PLAN D CARIBOO REGIONAL DISTRICT SOUTH AREA . 5135			
Perso	Persons Present:				
D)	Director:				
1	Owner(s):				
×	Agent:				
A	Public: See attached list \( \sum 457 \) \( \tau \)	HE OWNERS			
以为为为	Staff: No public in attendance (excluding owner)	er/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				
	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 required)	ceived from the public: (attached)(add additional sheet if			
	1) Date:	Name: Name:			
		ions were received: (add additional sheet if required)			
		Cariboo Regional District File No			
	Comments of concern/opposition:	MAY 0 4 2018			
		Referred to			
	Attendees were asked three times for furth	er 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			

# **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 Jamera Vanton Lynn Plewes. Bill Plewes	Lelle Lone Butte Horschild 2016 2022 Blackstock Rd 100 Mil 2003 Blackstock Rd 100 Mil
	Cariboo Regional District File No.
	MAY 0 4 2018
*	Referred to

#### **RESULTS OF PUBLIC HEARING**

File No: 3360-20/20180002 Date: September 28, 2020 Location: Via conference call SOUTH CARIBOO AREA OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW NO. 5286, 2020 Persons Present: M Director: Willow Macdonald Owner(s): Bob Plewes M' Agent: Michael Klaston Public: See attached list Q' Staff: Nigel Whitehead - Manager of Planning Services Shivani Sajwan - Planning Officer M No public in attendance (excluding owner/agent) Waited ten (10) minutes and then called the meeting adjourned. M Roll call conducted by Planning Staff. P 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 7:01 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: Comments of concern/opposition:

certify this is a fair and accurate report on the results of the

Signature of Chair

t/hearin⁄g/

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

The Chair called the meeting adjourned at  $\frac{1:12pm}{}$ 

# **Public Hearing Attendance**

# Date of Public Hearing: September 28, 2020

**Application:** 5646 Horse Lake Road (3360-20-20180002)

Name	Address
Bob Plewes (owner)	
Bob Plewes (owner) Michael Kidston (agent)	