Rezoning Information Package

File Number: 3360-20/20190064

Subject: Central Cariboo Area Rural Land Use Amendment Bylaw No. 5256, 2020

Electoral Area: F

Date of Referral: January 27, 2020

Date of Application: December 11, 2019

Property Owner's Name(s): Craig and Ingrid Ritson

Applicant's Name: Craig and Ingrid Ritson

SECTION 1: Property Summary

Legal Description(s): District Lot 11491, Cariboo District

Area of Application: 17.56 ha (43.4 ac)

Location: 5082 S Likely Road

Current Designation:

Not in Official Community Plan Area

Proposed Designation:

Not in Official Community Plan Area

Current Zoning:

Rural 1 (RR 1)

Proposed Zoning:

Rural 1 (RR 1)

Rural 2 (RR 2)

Special Exception Rural 3 (RR 3-6)

Special Exception Lakeshore Residential 2 (RL 2-1)

Special Exception Lakeshore Residential 2 (RL 2-2)

Min. Lot Size Permitted:

N/A

Min. Lot Size Permitted:

N/A

Min. Lot Size Permitted:

4 ha (9.88 ac)

Min. Lot Size Permitted:

4 ha (9.88 ac)

2 ha (4.94 ac)

1 ha (2.47 ac)

0.9 ha (2.22 ac)

1 ha (2.47 ac)

Proposed Use: To subdivide property into 5 Lakeside properties including Special Exception Lakeshore Residential 2-1 and 2-2 parcels, a Special Exception Rural 3 agricultural parcel, a Rural 2 acreage containing the existing house, and a remaining Rural 1 property.

No. and size of Proposed Lots: 7 lots (0.92 ha (2.27 ac) -9.16 ha (22.64 ac))

Name and type of existing road system: S Likely Road (Rd)

Services Available: Hydro, Telephone, Sewage Disposal System, Lake Water Withdrawal.

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:

Yes

Name of Lake/Contributing River and Lake Classification: Quesnel Lake, Quesnel River; High Water Sensitivity

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

Land Use:

Lot Sizes:

(a)

000 Single Family Dwelling

0.61 ha (1.53 ac)

North

062 2 Acres or More (Seasonal Dwelling)

0.88 ha (2.18 ac)-0.91 ha (2.26 ac)

070 2 Acres or More (Outbuilding)

0.90 ha (2.23 ac)

(b)

061 2 Acres or More (Vacant)

26.22 ha (64.8 ac)

South

(c)

000 Single Family Dwelling

0.4 ha (0.98 ac)

East

038 Manufactured Home (Not in

0.41 ha (1.02 ac)

Manufactured Home Park)
062 2 Acres or More (Seasonal Dwelling)

8.9 ha (22 ac)

(d)

Crown Land

Unsurveyed

West

SECTION 2: Planning Report

Background:

It is proposed to rezone a 17.56 ha (43.4 ac) rural residential property to subdivide into seven separate residential lots and make more use of lake frontage. The subject property is currently zoned as Rural 1 (RR 1) in the Central Cariboo Area Rural Land Use Bylaw No. 3503, 1999.

The proposed lot sizes do not comply with the permitted lot size provisions under the current zoning of RR 1. Therefore, the applicants have requested to rezone the subject property from Rural 1 (RR 1) zone to Rural 1 (RR 1), Rural 2 (RR 2), Special Exception Rural 3 (RR 3-6), Special Exception Lakeshore Residential 2 (RL 2-1) and Special Exception Lakeshore Residential 2 (RL 2-2) zones. The proposal includes two 0.92 ha (2.27 ac) RL 2-1 lots, two 1.03 ha (2.55 ac) and 1.09 ha (2.69 ac) RL 2-2 lots, one 1.12 ha (2.77 ac) RR 3-6 lot, one separate 2.2 ha (5.44 ac) RR 2 lot with the existing dwelling on it and the remaining 9.16 ha (22.64 ac) RR 1 lot as shown in Appendix C.

Central Cariboo Area Rural Land Use Bylaw No. 3503, 1999 is amended by including the following sections:

8.10.3.1

Special Exception RL 2-1 Zone (3360-20/20190064)

Notwithstanding any other provisions of this bylaw to the contrary, on lands zoned RL

2-1:

i) Lot Area (minimum) = 0.9 hectare (2.22 acres)

All other provisions of the RL 2 zone shall apply.

8.10.3.2 <u>Special Exception RL 2-2 Zone</u> (3360-20/20190064)

Notwithstanding any other provisions of this bylaw to the contrary, on lands zoned RL 2-2:

ii) Lot Area (minimum) = 1.0 hectare (2.47 acres)

All other provisions of the RL 2 zone shall apply.

8.13.3.6 Special Exception RR 3-6 Zone (3360-20/20190064)

Notwithstanding any other provisions of this bylaw to the contrary, on lands zoned RR 3-6:

iii) Lot Area (minimum) = 1.0 hectare (2.47 acres)

All other provisions of the RR 3 zone shall apply.

Further, there is an ongoing proposed subdivision application with the Ministry of Transportation and Infrastructure associated with this rezoning that is currently being reviewed under the MOTI file #2020-00133.

Location & Surroundings:

The subject property is located on Likely Road with adjacent Quesnel Lake/River situated east of the property as shown in Appendix B. The proposed lakefront lots have water available from the Quesnel Lake/River, while there is an easement for a waterline to the proposed RR 3 lot from the lake.

Currently, there are two shops, one single-family dwelling, one hayshed and a corral existing on-site with dense tree coverage on the remainder of the property. It is surrounded by single-family dwellings to the north, a large vacant residential lot to the south and unsurveyed crown land to the west of the subject property.

CRD Regulations and Policies:

3503- Central Cariboo Area Rural Land Use Bylaw, 1999

8.11 RURAL 1 (RR 1) ZONE

8.11.2 ZONE PROVISIONS

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

8.12 **RURAL 2 (RR 2) ZONE**

8.12.2 ZONE PROVISIONS

(a) LOT AREA (minimum) = 2 hectares (4.94 acres) Rationale for Recommendations:

The applicant states that there is an increase in demand for accessible lakefront lots on Quesnel lake. The proposal supports community development by providing accessible and adequately sized lakefront lots with easily available services. Being surrounded by similar land uses and lot sizes, the intended zoning amendment does not affect the residential character of the neighborhood.

Based on current best practice, Interior Health Authority (IHA) encourages a minimum of 1-hectare (2.47 acres) parcel size to ensure sustainable onsite water and sewer services. The requested lot sizes almost align with the recommended 1-hectare (2.47 acres) parcel size. Further, the proposed Special Exception RL 2 lots comply with the minimum water frontage of 45.5 metres (149.3 feet). Therefore, planning staff recommends approval of this application.

The applicants must comply with the CRD Shoreland Management Policy with respect to sewage disposal and riparian protection due to the presence of highly sensitive Quesnel Lake/River adjacent to the subject property. This will further ensure the ability of the proposed new lots to accommodate sustainable sewerage disposal fields.

Recommendation:

That the Central Cariboo Area Rural Land Use Amendment Bylaw No. 5256, 2020 to rezone
District Lot 11491, Cariboo District from Rural 1 (RR 1) zone to Rural 1 (RR 1), Rural 2 (RR 2),
Special Exception Rural 3 (RR 3-6), Special Exception Lakeshore Residential 2 (RL 2-1) and
Special Exception Lakeshore Residential 2 (RL 2-2) zones be approved, subject to the following
condition:

The applicants offering to enter into and entering into a covenant to ensure compliance with the CRD Shoreland Management Policy with respect to sewerage disposal and riparian protection.

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

SECTION 3: Referral Comments

Health Authority: - February 7, 2020

See attached.

Ministry of Transportation and Infrastructure: - January 28, 2020

The Ministry of Transportation and Infrastructure has no objection in principle to the Zoning Amendment Bylaw No. 5256 package received on January 27/20. Please note that the Ministry currently has a proposed subdivision application for this subject property that is being reviewed under MoTI File #2020-00133 and approval of the rezoning does not constitute subdivision approval. Anything other than a residential driveway requires a permit application to the Ministry.

Advisory Planning Commission: February 6, 2020

See attached.

Ministry of Environment: - February 24, 2020

District Lot 11491, Cariboo District, has approximately 430m of foreshore along the Quesnel River.

Known salmon and kokanee spawning habitat is present in the Quesnel Lake outlet adjacent to and downstream from District Lot 11491. The CRD foreshore management policy should be applied to the proposed sub divided lots, including the 15m riparian buffer. The maintenance of intact riparian habitat in the immediate vicinity of salmonid spawning habitat is critical to prevent sediment release that can adversely impact incubating salmonid eggs and alevin. The highly sensitive fish habitat in the area should be taken into account if any variances from the requirements under the Shoreland Management policy be sought.

SECTION 4: Board Action

Date of Meeting: May 8, 2020

That Central Cariboo Area Rural Land Use Amendment Bylaw No, 5256, 2020 be read a first and second time this 8th day of May, 2020. Further, that adoption be subject to the following:

The applicants offering to enter into and entering into a covenant to ensure compliance with the CRD Shoreland Management Policy with respect to sewerage disposal and riparian protection.

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

Date of Meeting: October 23, 2020

That Central Cariboo Area Rural Land Use Amendment Bylaw No. 5256, 2020 be amended as follows:

Deleting the following text from section 2(i):

8.10.3.1 Special Exception RL 2-1 Zone (3360-20/20190064)

Notwithstanding any other provisions of this bylaw to the contrary, on lands zoned RL 2-1:

i. Lot Area (minimum) = 0.9 hectare (2.22 acres)

All other provisions of the RL 2 zone shall apply.

8.10.3.2 Special Exception RL 2-2 Zone (3360-20/20190064)

Notwithstanding any other provisions of this bylaw to the contrary, on lands zoned RL 2-2:

i. Lot Area (minimum) = 1.0 hectare (2.47 acres)

All other provisions of the RL 2 zone shall apply.

Deleting section 2(ii) and replacing with:

 rezoning District Lot 11491, Cariboo District, from Rural 1 (RR 1) zone to Rural 1 (RR 1), Rural 2 (RR 2), Special Exception Rural 3-6 (RR 3-6), and Lakeshore Residential 2 (RL 2) zones, as shown on attached Schedule "A"; Further, that Schedule "A" be amended to replace the areas proposed for Special Exception Lakeshore Residential 2 (RL 2-1 and RL 2-2) zones to Lakeshore Residential 2 (RL 2) zone.

Further, that Central Cariboo Area Rural Land Use Amendment Bylaw No. 5256, 2020, be read a third time, as amended, this 23rd day of October, 2020.

ATTACHMENTS

Appendix A: Bylaw No. 5256

Appendix B: General Map

Appendix C: Specific Map

Appendix D: Orthographic Map

Other: Applicant's supporting documentation

Interior Health Comments

Advisory Planning Commission comments

Results of public hearing



CARIBOO REGIONAL DISTRICT

BYLAW NO. 5256

A bylaw of the Cariboo Regional District, in the Province of British Columbia, to amend Bylaw No. 3503, being the "Central Cariboo Area Rural Land Use Bylaw No. 3503, 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 "Central Cariboo Area Rural Land Use Amendment Bylaw No. 5256, 2020".

2. AMENDMENT

Bylaw No. 3503 of the Cariboo Regional District is amended by:

- i) Including the following section into Schedule "A" as follows:
 - 8.13.3.6 Special Exception RR 3-6 Zone (3360-20/20190064)

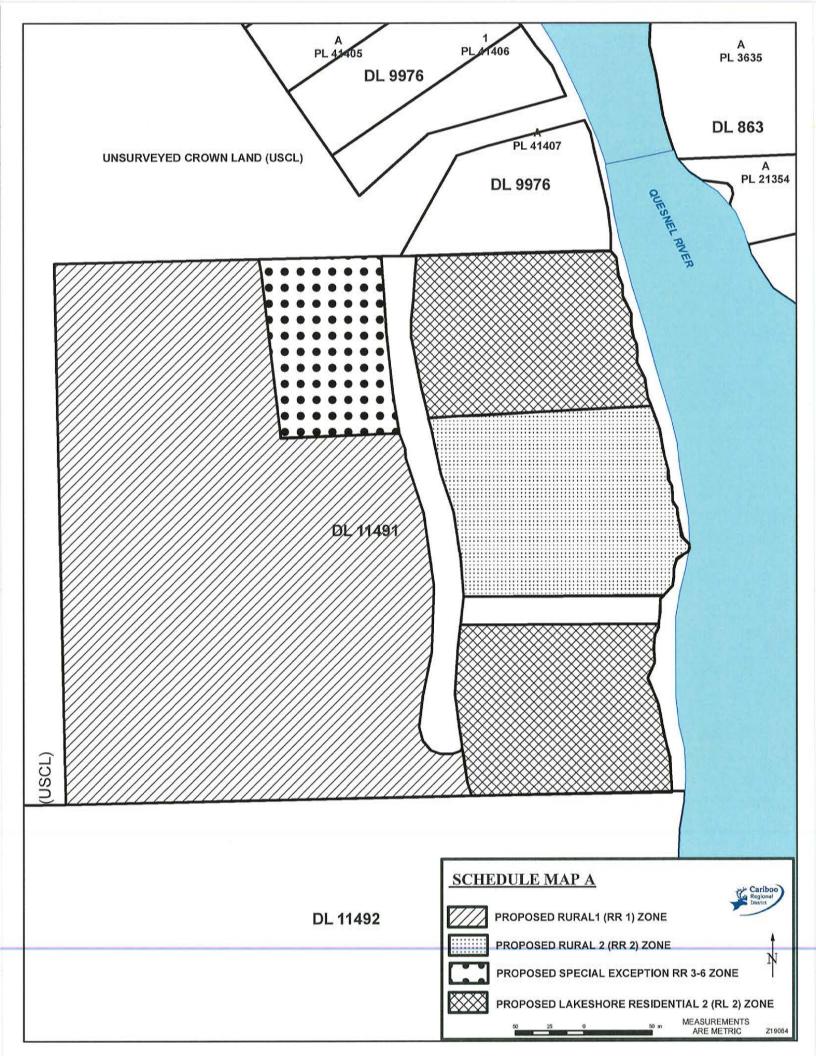
 Notwithstanding any other provisions of this bylaw to the contrary, on lands zoned RR 3-6:
 - i) Lot Area (minimum) = 1.0 hectare (2.47 acres)

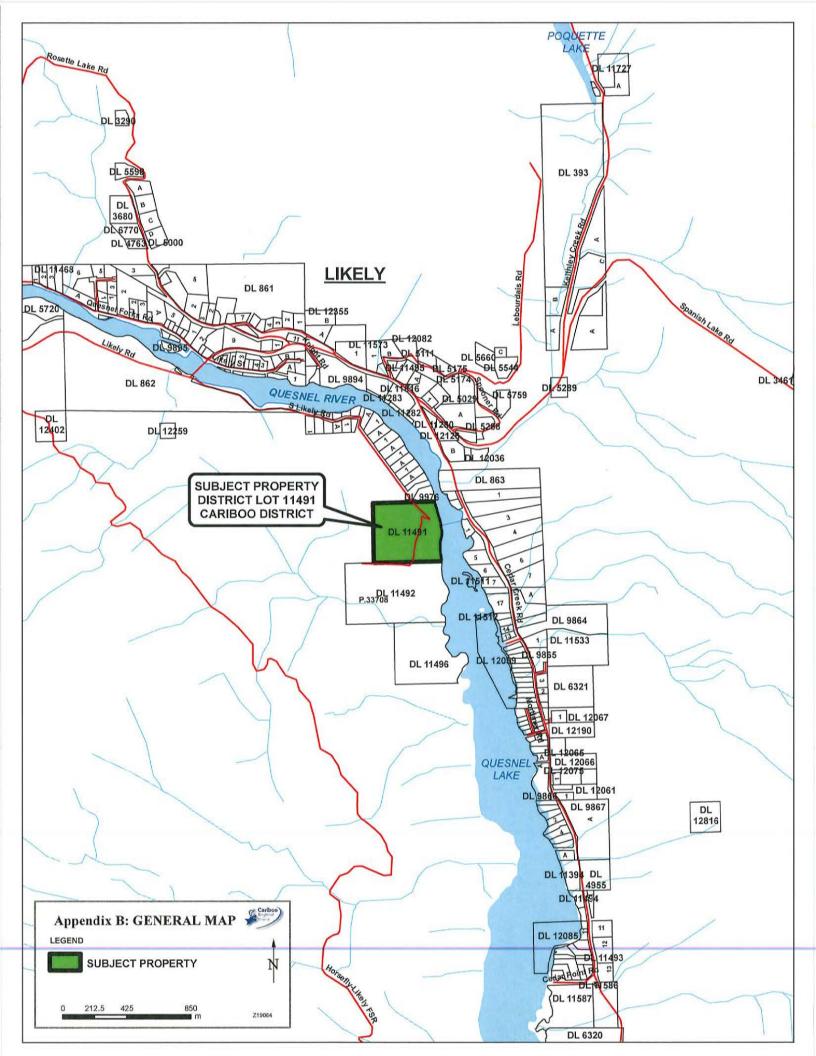
All other provisions of the RR 3 zone shall apply.

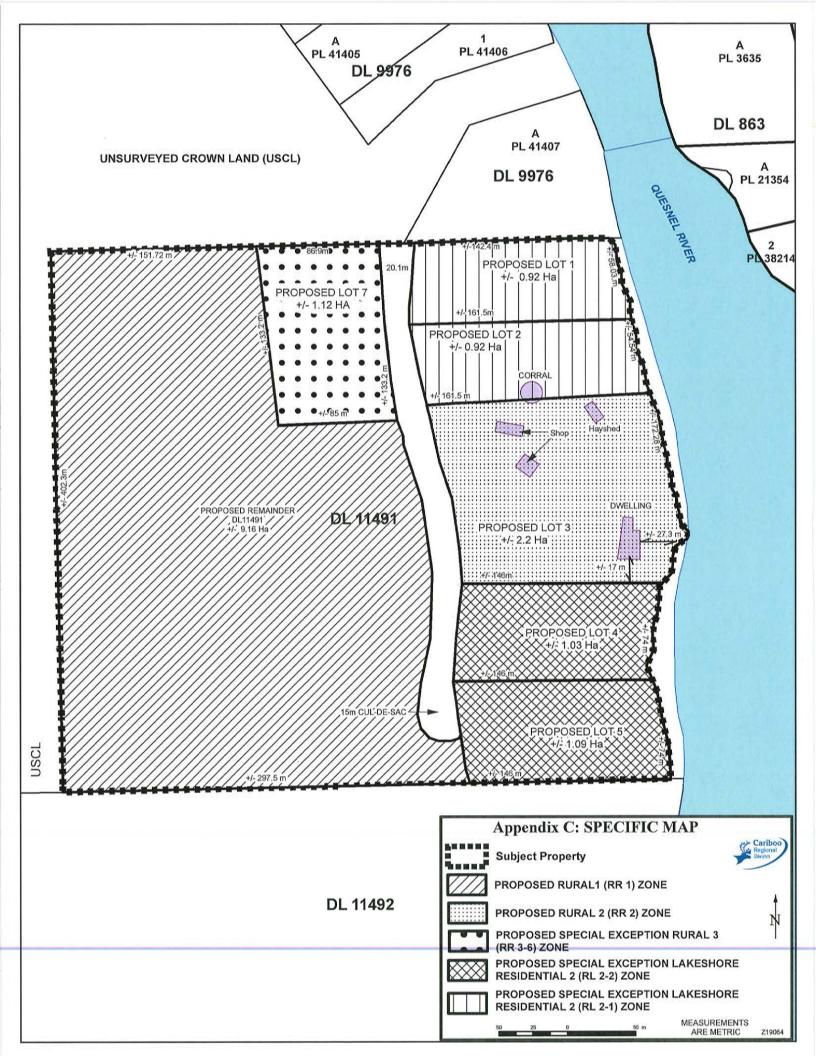
ii)	rezoning District Lot 11491, Cariboo District, from Rural 1 (RR 1) zone to
	Rural 1 (RR 1), Rural 2 (RR 2), Special Exception RR 3-6, Lakeshore
	Residential 2 (RL 2) zones, as shown on attached Schedule "A"; and

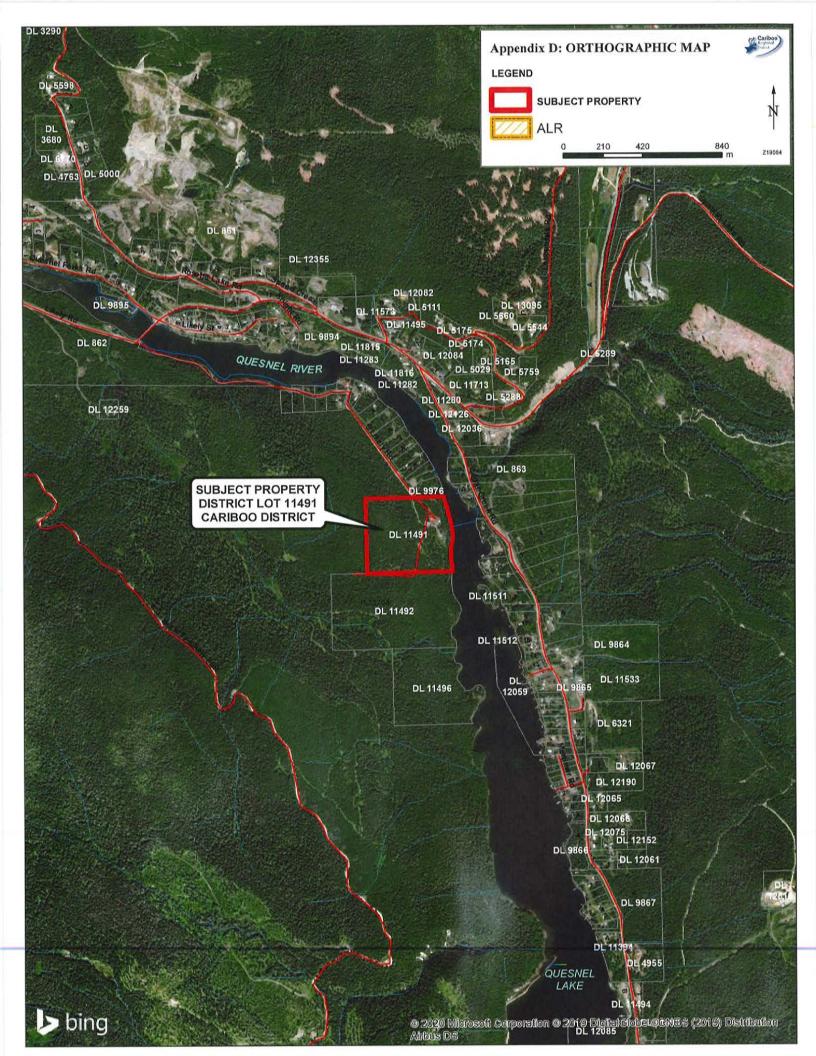
iii)	amending	Schedules	"C"	and	"D"	accordingly	
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READ A FIRST TIME THIS 8 th DAY OF May, 2020.	
READ A SECOND TIME THIS 8 th DAY OF May, 2020.	
A PUBLIC HEARING WAS HELD ON THE 5 th DAY OF August, 2020.	
READ A THIRD TIME THIS <u>23rd</u> DAY OF <u>October</u> , 2020.	
ADOPTED THISDAY OF, 2020.	
Chair	
Manager of Corporate Services	
I hereby certify the foregoing to be a true and correct copy of Bylaw No.	
5256 cited as the "Central Cariboo Area Rural Land Use Amendment Bylaw No. 5256, 2020", as adopted by the Cariboo Regional District Board	
on the, 2020.	
Manager of Corporate Services	





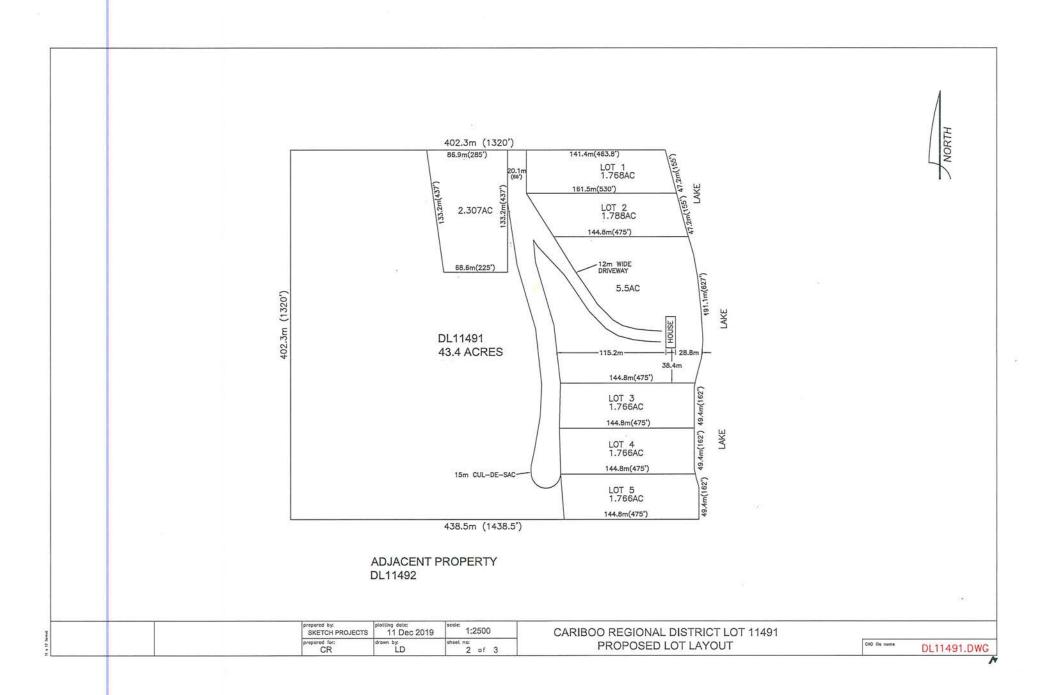




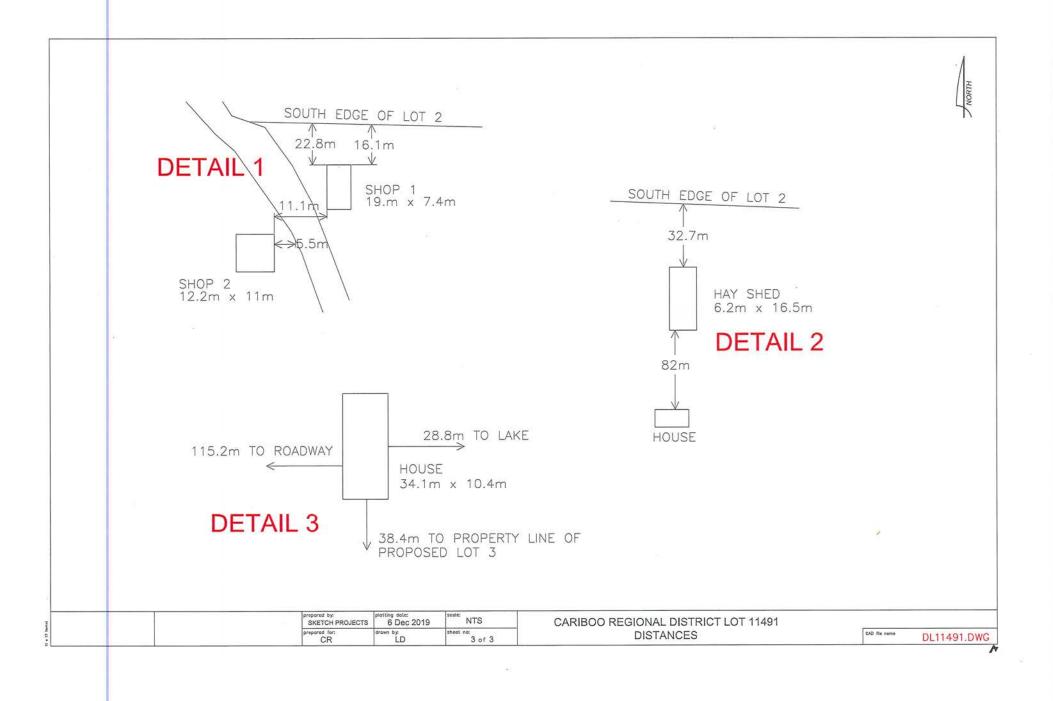
Describe the existing use of the subject property and all buildings: Lake shore home	
with supporting outbuildings ashops and	
1 hay shed	
Describe the proposed use of the subject property and all buildings: 5 Lake front Lots	
Existing buildings to remain with reduced acreage.	
2.307 Ac to be RR3	
Describe the reasons in support for the application: Lake front lots are in Short	
Supply and have been requested by the public	
Provide a general description of vegetation cover (i.e. treed, grassland, forage crop etc.): Lots 1 \$ 2 -	
mix of forage land and forest. Lot 3-5 treed. Lot 6-	
logged (2.307 AC)	
Provide general geographical information (i.e. existing lakes, streams, physical features etc.):	
Lots 1-5 Front onto Quesnel Lake	
Lot 6 is basically flat with some slope at rear of proper	ty.
	F
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 Readily	
Existing? Available?*	

Services	Currently Existing?	Readily Available?*
	Yes No	Yes No
Hydro Telephone Community Water System Community Sewer System Sewage Disposal System Well Other (please specify)		

Lake front lots have water available from Lake. There is an easement for a waterline to Lot 6 from the lake.







File No. 3360-20/201190064

RESPONS	E SUMMARY
Approval Recommended for Reasons Outlined Below	Interests Unaffected by Bylaw
Approval Recommended Subject to Conditions Outlined Below	Approval Not Recommended Due to Reasons Outlined Below
The proposal is to subdivide a Rural 1 pro agricultural parcel, a Rural 2 acreage with	perty into five Lakeshore properties, a Rural 3 existing dwelling and a Rural 1 property.
and groundwater quality. The best practice	The Sewerage / Subdivision Best Practice and Housing provides guidance based on ed to protect human health, the environment e guideline recommends that parcels serviced drinking water supplies should be a minimum
minimal risk to public and environmental he via the initial site assessment that the site accepted by approving authorities that atte	m parcel size that is considered to result in ealth provided that it has been demonstrated is not hydrogeologically sensitive. It has been enuation processes within a one hectare lot to acceptable concentration in groundwater
areas therefore encouraging healthy lifesty	ecommend subdivision within planned growth yles for residents. barriers for individuals to be able to carry out
If you have any questions, please contact	me at 250-851-7347
Signed By: C'CluderTit	tle: Environmental Health Officer
Date: February 7, 2020 Ag	gency: <u>Interior Health Authority</u>

File No. 3360-20/20190064

ADVISORY PLANNING COMMISSION RESPONSE FORM

FEB 0 7:2020

	ng of the Electoral Area 'F' advisory planning con ecated at Big Lake, BC, commencing at 7 PM.	nmission held on February 6, 2020
PRESENT:	Chair	Doug Watt
	Members	Ross McCoubrey, Jack Darney, Bee Hooker
	Recording Secretary	Doug Watt
	Owners/Agent, or Contacted but declined to attend	Craig Ritson
ABSENT:		Cuyler Huffman, John Hoyrup
ALSO PRESENT: Electo	ral Area Director No Staff support (if present)	No
Agenda Items		
Doug Watt /Ross ROAD, be <u>supported</u> /#	rejected for the following reasons: T OF GOOD QUALITY ACCESSIBLE LOTS ON Q	rezone property at 5082 S. LIKELY
ii) ACCESS AND P	PLANNED DEVELOPMENT OF SERVICES APPEAR T	O BE ADEQUATE.
For: 4 Agai	inst: 0	CARRIED/DEFEATED
<u>Termination</u> Bee Hooker	/ Jack Darney : That the meeting terminate.	
Time: 7:50 PM		CARRIED
D. Wart.	D. Wart	

_ Chair

Recording Secretary

RESULTS OF PUBLIC HEARING

File No: 3360-20/201900064

Date: August 5, 2020

Location: Via Teleconference

Re: CENTRAL CARIBOO AREA RURAL LAND USE AMENDMENT BYLAW NO. 5256, 2020

Persor	s Present:			. *
	Director: Maureen LeBourdais Owner(s): Craig Ritson Agent: N/A Public: See attached list Staff: Nigel Whitehead, Manager of Planning S No public in attendance (excluding owner/ag		Planning Officer	e e e e e e e e e e e e e e e e e e e
	Waited ten (10) minutes and then called the	meeting adjourned.	9	
\boxtimes	Roll call conducted by Planning Staff.		* ,	
×	Welcome, introduction and the "Purpose of a specifics of the application were read out by torder at7:01 pm			
\boxtimes	The Chair read out public comments received	within the last 48 hours.	\square No comments	received.
	The Chair read out the following letters received. □ No comments received. 1) Date: August 4, 2020 2) Date:	ved from the public: (attac Name: L. & S. Bingham Name:		nal sheet if required)
\boxtimes	The following verbal comments and questions	s were received: (add add	itional sheet if re	quired)
	Mr. Ritson outlined his reasons in support for	the proposal.	1 18	¥
	Director LeBourdais read out Mr. Bingham's le	etter.	%	160
X	In response to Mr. Bingham's letter, Mr. Ritso contributed to a change in water flow and cor			nining activities whic
K 16	N. Whitehead explained that the mapping info information supplied by the Ministry of Enviro			

Mr. Ritson outlined the riparian protection requirements of various agencies, including a 30 m. setback from watercourse.

Mr. Bingham not concerned about proposed lots 4 and 5. Questions whether Mr. Ritson will remain on

Mr. Bingham satisfied if a 30 m. setback, concern was with 15 m. setback.

proposed lot 3. Concerned about river setbacks on proposed lots 1 and 2.

Mr. Ritson plans to stay on property for foreseeable future.

Ms. MacLean asked about the notification process of the hearing. She only heard of it in the afternoon.

Mr. Whitehead outlined the notification procedures of the CRD.

- Attendees were asked three times for further comments and/or questions.
- ☐ The Chair called the meeting adjourned at __7:21 pm __.

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

Signature of Chair

Shivani Sajwan

From:

Binghams <bingham3@telus.net>

Sent:

August 3, 2020 8:33 AM

To:

CRD Planning

Subject:

Quesnel river lots near Likely.

We own a residence across the Quesnel river from the five proposed lots. We have become very familiar with how unique this area is over the past several decades. We have watched the severe decline in Cadis and Stone Flies due to elevated copper in the river which is having an effect on fish populations. The diminishing Chinook runs are getting worse to the point where some years there are none. The pressure is also on the other five species that spawn in the narrows. If the properties down stream are any indication of what to expect there will be slope and erosion issues. We can't lose sight that this is a river with steep banks and sandstone cliffs that become unstable when the cutting and clearing starts. In May, June and July it becomes a fast moving river. Also it should be known that this is called lake front only because the taxes are higher than if it was called river front which we all know it is. In the information package it outlined the importance of riparian zones. The package also stated that the river would be the water source for the five lots. Does this mean that we can expect cut lines and excavations for water lines to the river. Maybe the fifteen metre riparian zone should revert back to crown land to insure no disruption. I was told by a friend who is a Mining engineer that what happened at Mt. Polley was criminal negligence and they got away with it. So I wouldn't expect much enforcement would take place once the trees start coming down. Unless stricter controls are put in place we can not support this application. Larry and Suzanne Bingham, 6229 Cedar Creek rd., Likely.

Public Hearing Attendance

Date of Public Hearing: Aug 5, 2020

Application: 5082 S. Likely Road (3360-20-20190064)

Name	Address	
Larry Bingham	6229 Cedar Creek Road	
Christine McLean	4703 Tiannia Road	
Sandra Wagner	1430 11 th Avenue North	