

## Rezoning / OCP Information Package

**File Number:** 3360-20/20190052

**Subject:** Cariboo Regional District South Cariboo Area Official Community Plan Amendment Bylaw No. 5245, 2019 and Cariboo Regional District South Cariboo Area Zoning Amendment Bylaw No. 5246, 2019

**Electoral Area:** L

**Date of Referral:** October 24, 2019

**Date of Application:** October 3, 2019

**Property Owner's Name(s):** Mary Chell, Jeff Kline, Stephen Kline

**Applicant's Name:** Jeff Kline

### SECTION 1: Property Summary

**Legal Description(s):** Lot A, District Lot 4051, Lillooet District, Plan KAP61838, Except Plan KAP61839

**Property Size:** 1.87 ha (4.63 ac)

**Area of Application:** 1.87 ha (4.63 ac)

**Location:** 6640 Perrey Road, Lone Butte

**Current Designation:**

Rural Residential

**Min. Lot Size Permitted:**

0.8 ha (1.97 ac)

**Proposed Designation:**

Industrial

**Min. Lot Size Permitted:**

N/A

**Current Zoning:**

Rural 2 (RR 2)

**Min. Lot Size Permitted:**

2 ha (4.94 ac)

**Proposed Zoning:**

Special Exception Heavy Industrial (M 3-1-2)

**Min. Lot Size Permitted:**

1.85 ha (4.57 ac)

**Proposed Use:** To rezone property to a special exception heavy industrial zone to facilitate cannabis production.

**No. and size of Proposed Lots:** 1 lot 1.87 ha (4.83 ac)

**Name and type of existing road system:** Perrey Road; Road

**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**Required to comply with other Development Permit Areas:** No**Adjoining Properties:** (Source: B.C.A.A.)

	Actual Use Code:	Lot Sizes:
(a) North	060 2 Acres or more (Single Family Dwelling/Duplex)	1.99 ha (4.94 ac) – 2.17 ha (5.38 ac)
(b) South	070 2 Acres or more (Outbuilding)	4.05 ha (10.01 ac)
(c) East	070 2 Acres or more (Outbuilding)	2.03 ha (5.02 ac)
	060 2 Acres or more (Single Family Dwelling/Duplex)	2.01 ha (4.99 ac) – 4.09 ha (10.12 ac)
(d) West	061 2 Acres or more (Vacant)	12.22 ha (30.2 ac) -15.62 ha (38.6 ac)
	060 2 Acres or more (Single Family Dwelling/Duplex)	9.6 ha (23.7 ac)
	062 2 Acres or more (Seasonal Dwelling)	11.04 ha (27.28 ac)

**SECTION 2: Planning Report****Background:**

It is proposed to rezone a 1.87 ha (4.63 ac) rural residential property into a heavy industrial lot to facilitate cannabis production on site. The subject property is currently zoned as Rural 2 (RR 2) in the South Cariboo Area Zoning Bylaw No. 3501, 1999 and is designated as Rural residential in the South Cariboo Area Official Community Plan Bylaw No. 5171, 2018.

The proposed cannabis production facility does not comply with the permitted land use provisions under the current zoning of RR 2. Therefore, the applicant has requested to rezone the subject property from RR 2 zone to a Special Exception Heavy Industrial (M 3-1-2) to allow the construction of an approximately 375 sq. m (4036.47 sq. ft) cannabis production facility. The proposal is shown in Appendix C.

The South Cariboo Area Zoning Bylaw No. 3501, 1999 is proposed to amend by including Section 5.8.3.2 as follows:



#### 5.8.3.2 Special Exception M 3-1-2 Zone (3360-20/20190052)

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

1- 2, permitted non-residential uses are restricted to:

(a) NON-RESIDENTIAL USES:

- i) Cannabis production facility;
- ii) Ancillary buildings.

(b) ZONE PROVISIONS

- i) Lot Area (minimum) = 1.85 ha (4.57 ac)
- ii) Cannabis Production Facility Area (maximum) = 375 sq. m.

All other provisions of the M 3-1 zone shall apply.

#### Location and Surroundings:

The subject property is located on Perrey Road at Lone Butte with Horse Lake in close proximity to the north of the property as shown in Appendix B. Currently, there are two sheds, a 148.6 sq. m (1599.52 sq. ft) residential dwelling, and a shed attached with a carport existing on the property. It is mostly surrounded by rural residential lots with an Agricultural Land Reserve (ALR) parcel to the west of the subject property.

#### CRD Regulations and Policies:

*3501- South Cariboo Area Zoning Bylaw, 1999*

### **5.8 HEAVY INDUSTRIAL 1 (M 3-1) ZONE**

#### **5.8.1 USES PERMITTED**

- (a) RESIDENTIAL USES:
- i) an accessory dwelling unit.

#### **5.8.2 ZONE PROVISIONS**

- (c) CONDITIONS OF USE:

No activity may be undertaken which constitutes a nuisance to surrounding areas by reason of unsightliness. Nor may any activity be undertaken which creates or causes

a

health, fire or explosion hazard or electrical interference. Noise abatement measures

in

the form of screening may be required.

*5171- South Cariboo Area Official Community Plan Bylaw, 2018*

### **10.0 INDUSTRIAL DESIGNATION**



10.2 OBJECTIVES:

10.2.2 Minimize potential conflict between industrial and non-industrial uses.

10.3 POLICIES:

The Cariboo Regional District Board will:

10.3.4 Zone lands designated for Industrial use Light Industrial (M-1), General Industrial (M-2) or Heavy Industrial (M-3) depending on the proposed uses and their suitability for a particular site or community.

10.3.6 Not support the designation or rezoning of land as Industrial that is incompatible with or detrimental to the environment. Heavy industrial uses will only be considered if impacts to the environment can be minimized and buffered from neighbouring residential and agricultural land uses.

10.3.8 Review screening and landscaping requirements including:

- i) Appropriate setbacks to prevent noise, light and other nuisances from negatively impacting adjoining lands, and
- ii) Fencing and landscaping to buffer the industrial uses from neighbouring uses.

10.3.9 Encourage infill of existing vacant or redevelopment of underutilized sites, for a range of industrial activities, rather than designate additional industrial lands.

Rationale for Recommendations:

Based on the existing Rural 2 (RR 2) zone and the surrounding rural residential and agricultural land use designations, a heavy industrial land use to facilitate cannabis production disturbs the residential character of the neighborhood.

Further, the CRD policy 10.3.9 under the Official Community Plan intend to limit this use to areas suitable for industrial use; and encourage the infill of existing vacant industrial sites rather than designating additional industrial lands. Therefore, planning staff is not supportive of this rezoning and OCP amendment.

Should the proposal move forward with an approval, the applicant will be required to comply with the provisions of Agricultural Policy with respect to fencing and buffering along the west boundary of the subject property as it is adjacent to an ALR parcel.

Recommendation:

1. That the Cariboo Regional District South Cariboo Area Official Community Plan Amendment Bylaw No. 5245, 2019 to redesignate Lot A, District Lot 4051, Lillooet District, Plan KAP61838, Except Plan KAP61839 from Rural Residential designation to Industrial designation be rejected.



2. That the Cariboo Regional District South Cariboo Area Zoning Amendment Bylaw No. 5246, 2019 to rezone Lot A, District Lot 4051, Lillooet District, Plan KAP61838, Except Plan KAP61839 from Rural 2 (RR 2) zone to Special Exception Heavy Industrial (M 3-1-2) zone be rejected.

### SECTION 3: Referral Comments

**Health Authority:** - November 21, 2019

See attached

**Ministry of Transportation and Infrastructure:** -

**Advisory Planning Commission:** November 4, 2019

See attached

**Ministry of Forests, Lands and Natural Resource Operations** – November 20, 2019

At this time, the FLNRORD Terrestrial Habitat Section doesn't have any comments regarding the Rezoning/OCP Referral for cannabis production.

### SECTION 4: Board Action

Date of Meeting:

### ATTACHMENTS

Appendix A: Bylaw No. 5245 & 5246

Appendix B: General Map

Appendix C: Specific Map

Appendix D: Orthographic Map

Other: Applicant's supporting documentation

Interior Health Comments

Advisory Planning Commission Comments





CARIBOO REGIONAL DISTRICT

BYLAW NO. 5245

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 "Cariboo Regional District South Cariboo Area Official Community Plan Amendment Bylaw No. 5245, 2019".

2. AMENDMENT

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

Redesignating Lot A, District Lot 4051, Lillooet District, Plan KAP61838, Except Plan KAP61839 from Rural Residential designation to Industrial designation.



READ A FIRST TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

A PUBLIC HEARING WAS HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 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. 5245, cited as the "Cariboo Regional District South Cariboo Area Official Community Plan Amendment Bylaw No.5245, 2019", as adopted by the Cariboo Regional District Board on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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





CARIBOO REGIONAL DISTRICT

BYLAW NO. 5246

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. 5246, 2019".

2. AMENDMENT

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

- i) rezoning Lot A, District Lot 4051, Lillooet District, Plan KAP61838, Except Plan KAP61839 from Rural 2 (RR 2) zone to Special Exception Heavy Industrial (M 3-1-2) zone; and
- ii) amending Schedules "B" and "C" accordingly.



READ A FIRST TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

READ A SECOND TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

A PUBLIC HEARING WAS HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

READ A THIRD TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.

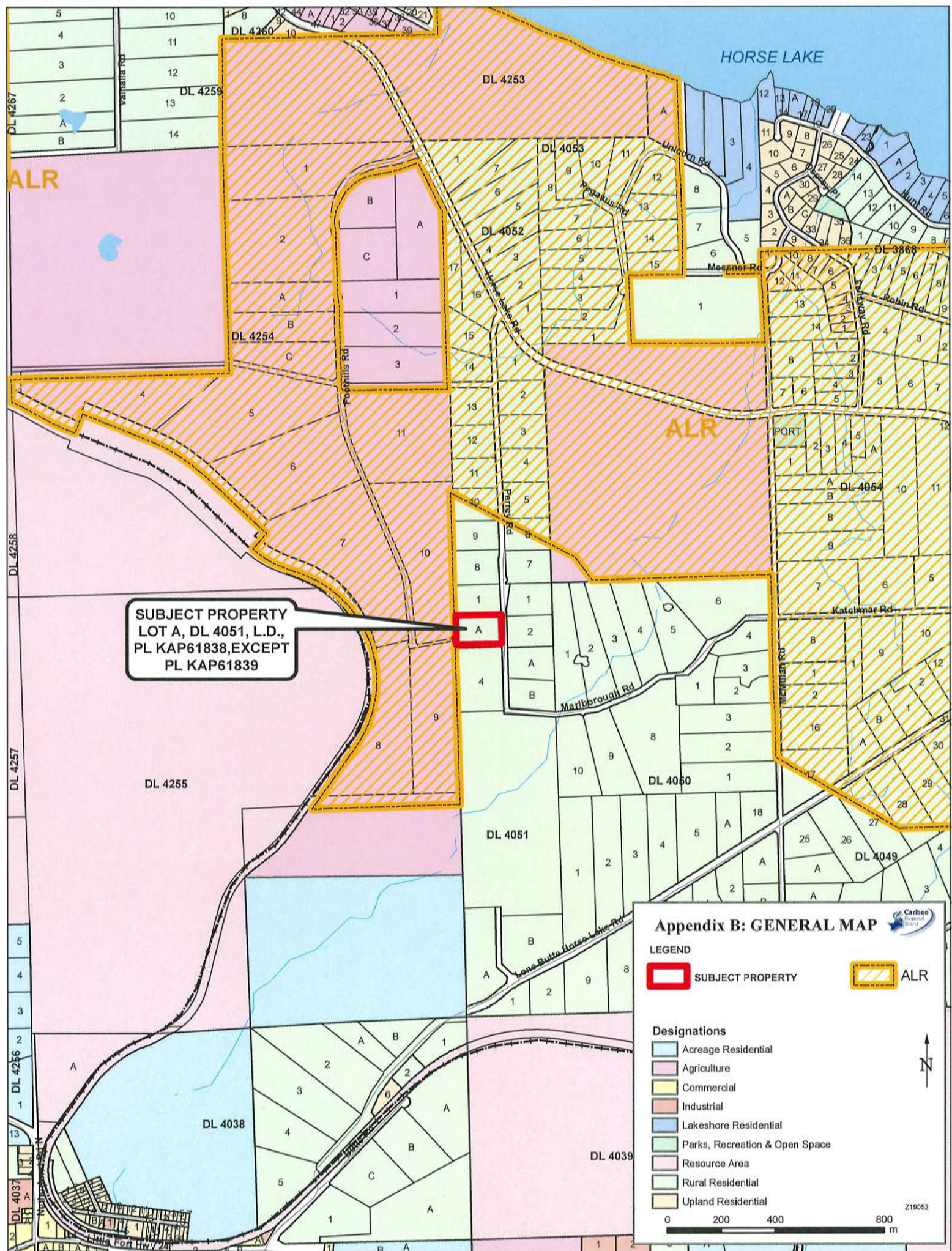
\_\_\_\_\_  
Chair

\_\_\_\_\_  
Corporate Officer

I hereby certify the foregoing to be a true and correct copy of Bylaw No.5246, cited as the "Cariboo Regional District South Cariboo Area Zoning Amendment Bylaw No.5246, 2019", as adopted by the Cariboo Regional District Board on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Corporate Officer







# Appendix C: SPECIFIC MAP



Subject Property /  
Proposed Special Exception Heavy Industrial  
(M 3-1-2) Zone & Proposed Industrail Designation



20 10 0 20 m

MEASUREMENTS  
ARE METRIC

Z19052

Lot 1  
PL 32917

Lot 1  
PL KAP 91193

Lot 2  
PL KAP 91193

Lot 10  
PL KAP65761

DL

Lot 9  
PL KAP65761

Lot 4  
PL 32917

Lot A,  
PL KAP61838  
+/- 1.87 ha

PROPOSED CANNABIS  
PRODUCTION FACILITY  
(15.24m X 24.38m)

SHED  
(4.57m X 6.1m)

DWELLING  
(148.6 sq m)

DECK  
(1.83m X 5.49m)

SHED  
(2.44m X 4.88 m)

SHED & CARPORT  
(4.57m X 6.1 m)

DRIVEWAY

Perrey Rd

4051

+/-174.38

30.48 m

30.48 m

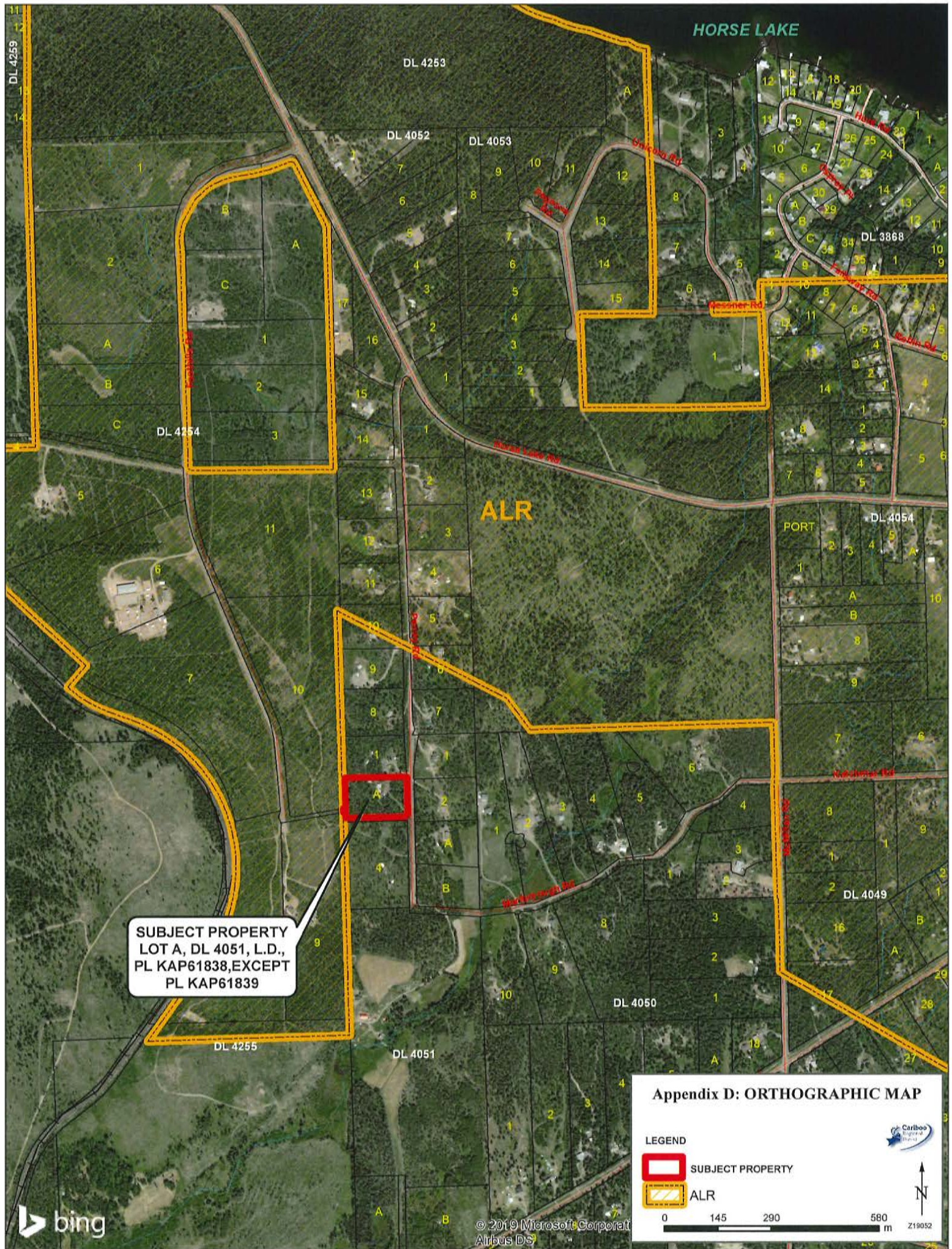
+/-170.85

+/-102.09

+/-8.51

+/-167.64







SUBJECT PROPERTY  
LOT A, DL 4051, L.D.,  
PL KAP61838, EXCEPT  
PL KAP61839

#### Appendix D: ORTHOGRAPHIC MAP

##### LEGEND

-  SUBJECT PROPERTY
-  ALR



0 145 290 580 m

Z19052



## RESPONSE 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

Thank you for the opportunity to provide comments from a healthy community perspective for rezoning a property to a special heavy industrial zone to facilitate cannabis production. The following comments are noted and should be taken into consideration:

### Water Supply-

The water supply system that services the facility may be subject to the approval and permitting requirements of the BC Drinking Water Protection Act and Regulation.

### Waste Water Disposal-

Domestic Sewage includes washroom, food preparation, dishwashing and showering waste. This falls under the BC Sewerage System Regulation and is enforced by Interior Health.

Waste water generated by these facilities may not be considered "domestic sewage." Industrial Waste is managed by the Ministry of Environment, under the Environmental Waste Manage Act, Municipal Sewage Regulation.

### Location-

Industrial operations are expected to follow best practices for protecting the environment and public health. Best practices, however, may not adequate to contain all odors from the operation. Therefore, proximity and impact on adjacent land uses need to be considered:

- Proximity to residences and schools
- The size configuration of the property, including access to the property
- Potential noise, glare and vibration issues
- Air quality- prevailing winds, ventilation, odors

If you have any questions or comments, please contact us at [hbe@interiorhealth.ca](mailto:hbe@interiorhealth.ca) or 1-855-744-6328 and choose option 4.

Signed By: Faith Kwong Title: Environmental Health Officer

Date: November 21, 2019 Agency: Interior Health Authority



ADVISORY PLANNING COMMISSION RESPONSE FORM

Minutes of the meeting of the Electoral Area 'L' advisory planning commission held on  
 November 4/19 in the Firehall, located at Lone Butte, BC, commencing at

**PRESENT:**

Chair

Members

AK  
JUSTIN

Recording Secretary

Owners/Agent, or

☐ Contacted but declined to attend**ABSENT:****ALSO PRESENT:**

Electoral Area Director

Staff support (if present)

Agenda Items

**REZONING/OCP APPLICATION – 3360-20/20190052 (Lot A, District Lot 4051, Lillooet District, Plan KAP61838, Except Plan KAP61839)**

THAT the application to rezone/redesignate property at 6640 PERREY ROAD, be supported/rejected for the following reasons:

i) SMELL -

ii) IN A RESIDENTIAL AREA

iii) SECURITY ISSUES POSSIBLY

iv) SETTING A PRECEDENT

Against

CARRIED/DEFEATED

Termination

JUSTIN

AK

: That the meeting terminate.

CARRIED

Time: 8 PM

Recording Secretary

Chair