



Planning Application Information Sheet

Application Type: Rezoning/OCP Amendment

File Number: 3360-20/20200044

Bylaw(s): South Cariboo Area Official Community Plan Amendment Bylaw No. 5305, 2021 and South Cariboo Area Zoning Amendment Bylaw No. 5306, 2021

Electoral Area: L

Date of Referral: January 19, 2021

Date of Application: October 21, 2020

Property Owner's Name(s): MARY VAN DE WETERING
BERT VAN DE WETERING

Applicant's Name: Michael Kidston Land Surveying

SECTION 1: Property Summary

Legal Description(s): The Southwest 1/4 of District Lot 4037, Lillooet District, Except Plans 24102, 27650, 28095, 29152 and KAP57847

Property Size(s): 8.54 ha (21.1 ac.)

Area of Application: 8.54 ha (21.1 ac.)

Location: 5916 Hwy 24

Current Designation:
Rural Residential

Min. Lot Size Permitted:
4 ha (9.88 ac.)

Proposed Designation:
Upland Residential

Min. Lot Size Permitted
2 ha (4.94 ac.)
(0.8 ha with a community water system)

Rural Residential

4 ha (9.88 ac.)

Current Zoning:
Rural 1 (RR 1)

Min. Lot Size Permitted:
4 ha (9.88 ac.)

Proposed Zoning:

Special Exception R 1-4

Min. Lot Size Permitted:

0.4 ha (0.988 ac.)

Rural 3 (RR 3)

0.8 ha (1.98 ac.)

Rural 1 (RR 1)

4 ha (9.88 ac.)

Proposal: To subdivide the property into four smaller residential lots to create opportunity for more affordable rural housing.

No. and size of Proposed Lots: Lot 1 - 0.45 ha (1.11 ac.)

Lot 2 - 1.01 ha (2.5 ac.)

Lot 3 - 1.01 ha (2.5 ac.)

Lot 4 - 6.1 ha (15.07 ac.)

Existing Buildings: 115.34 sq. m (1241.51 sq. ft.) Storage shed, 9 sq. m (96.88 sq. ft.)
Pumphouse/electrical shed

Proposed Buildings: 1 Mobile home

Road Name: Eli's Road

Road Type: Gravel/Dirt Road

Within the influence of a Controlled Access Highway: Highway 24

Services Available: Hydro, Telephone, Well (Currently existing)

Sewage disposal system (Readily available)

Within the confines of the Agricultural Land Reserve: No

Required to comply with the Shoreland Management Policy: Yes - Riparian and Septic

Name of Lake/Contributing River: 93 Mile Creek

Lake Classification: High

Within Development Permit Area: Yes

Development Permit Area Name: Aquatic Habitat Development Permit Area

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

	Land Use:	Lot Sizes:
(a) North	060 2 Acres Or More (Single Family Dwelling, Duplex)	5.06 ha (12.5 ac.)
	070 2 Acres Or More (Outbuilding)	4.49 ha (11.1 ac.)

(b) South	060 2 Acres Or More (Single Family Dwelling, Duplex)	4.04 ha (9.98 ac.)
	061 2 Acres Or More (Vacant)	258.99 ha (640 ac.)
	061 2 Acres Or More (Vacant)	4.07 ha (10.06 ac.)
	060 2 Acres Or More (Single Family Dwelling, Duplex)	4.88 ha (12.08 ac.)
(c) East	060 2 Acres Or More (Single Family Dwelling, Duplex)	4.09 ha (10.1 ac.)
	060 2 Acres Or More (Single Family Dwelling, Duplex)	4.05 ha (10 ac.)
	063 2 Acres Or More (Manufactured Home)	4.05 ha (10 ac.)
	060 2 Acres Or More	18 ha (44.48 ac.)
(d) West	202 Store(S) And Living Quarters	2.83 ha (7 ac.)
	063 2 Acres Or More (Manufactured Home)	4.06 ha (10.03 ac.)

PLANNING COMMENTS

Background:

It is proposed to rezone an 8.54 ha (21.1 ac.) rural residential property to subdivide into four smaller residential lots and create opportunity for more affordable rural housing. The subject property is currently zoned as Rural 1 (RR 1) 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 lot sizes do not comply with the permitted lot size provisions under the current zoning of RR 1. Therefore, the applicant has requested to rezone a portion of the subject property

from Rural 1 (RR 1) zone to Special Exception R 1-4 and Rural 3 (RR 3) zones. The proposal includes one 0.45 ha (1.11 ac.) R 1 lot, two 1.01 ha (2.5 ac.) RR 3 lots and the remainder RR 1 lot of 6.1 ha (15.07 ac.) in size as shown in Appendix C.

South Cariboo Area Zoning Bylaw No. 3501, 1999 is proposed to be amended by including the following section:

5.12.3.4 Special Exception R 1-4 Zone (3360-20/20200044)

Notwithstanding any other provisions of this bylaw to the contrary, on lands zoned R 1-4:

- i) Interior Side Yard – Setback = 3 metres (4.92 feet)

All other provisions of the R 1 zone shall apply.

Further, it is proposed to redesignate the property from Rural Residential to Upland Residential and the remainder Rural Residential designations respectively to maintain compliance with the proposed zoning. It is also requested to amend Schedule “A” of the South Cariboo Area Official Community Plan Bylaw No. 5171, 2018 by inserting the following text after 8.3.3:

- i) Where parcels are isolated by road, water boundaries, or other factors, reduced area may be considered on individual merits and conditions. Water and sewer provision must meet provincial servicing requirements. Further development criteria to be met and administered by Subdivision Approval Authority at subdivision approval stage.

Location & Surroundings:

The subject property is located at 5916 Little Fort Highway 24 in the Lone Butte neighbourhood as shown in Appendix B. It is mostly covered in second growth trees and grass/shrubs with highly sensitive 93 Mile Creek that flows through the southern portion of the property. In terms of topography, there is a gradual slope towards 93 Mile Creek.

There is a 115.34 sq. m (1,241.51 sq. ft.) storage shed, 9 sq. m (96.88 sq. ft.) pumphouse/electrical shed and a well existing on the property. Currently, the property is being cleared and improved for building a long-term residence. It is mostly surrounded by rural residential lots with a commercial lot to the west and a large vacant crown land to the south of the subject property.

CRD Regulations and Policies:

3501- South Cariboo Area Zoning Bylaw, 1999

5.12 RESIDENTIAL 1 (R 1) ZONE

5.12.2 ZONE PROVISIONS

- (a) LOT AREA (minimum) = 0.4 hectares (0.988 acres)

5.20 RURAL 3 (RR 3) ZONE

5.20.2 ZONE PROVISIONS

- (a) LOT AREA (minimum) = 0.8 hectares (1.98 acres)

5.18 RURAL 1 (RR 1) ZONE

5.18.2 ZONE PROVISIONS

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

Rationale for Recommendations:

Planning staff are supportive of the proposed zoning amendment application. The proposal is in compliance with Section 8.2 of the South Cariboo Area Official Community Plan (OCP) Bylaw by permitting a range of lot sizes and maintaining the varied character of the area.

To provide an adequate buffer and privacy for the neighbouring property to the west, the Advisory Planning Commission (APC) has recommended that the required interior side yard setback be increased. Planning Staff agrees with that reasoning and, therefore, has amended the proposal requiring a 3 m (4.94 ft.) interior side yard setback from west boundary of the subject property.

The Ministry of Transportation and Infrastructure (MOTI) currently has no objections over the proposed rezoning. However, there are several development criteria that will be considered at the subdivision approval stage including but not limited to right of way dedication, no direct access to Little Fort Highway 24, sewage disposal, proof of water, archeological assessment, and drainage.

Based on current best practice, Interior Health Authority (IHA) encourages a minimum of 1 ha (2.47 ac.) parcel size to ensure sustainable onsite water and sewer services. The proposed Lot 1 size of 0.45 ha (1.11 ac.) is clearly not in compliance, but staff recognizes that the lot size of the proposed Lot 1 is restricted due to the existing road layout. Although the size of Lot 1 is significantly small for a rural area, a single-family development is still feasible as seen further east in the Lone Butte neighbourhood. Therefore, planning staff recommends approval of this application.

The applicant must comply with the CRD Shoreland Management Policy with respect to sewage disposal and riparian protection due to the presence of highly sensitive 93 Mile Creek on the subject property. This will further ensure the ability of the proposed new lots to accommodate sustainable sewerage disposal systems.

Further, the subject property is within the Aquatic Habitat Development Permit Area as designated under Section 488 (1) (a) of the *Local Government Act* for the protection of the natural environment, its ecosystems and biological diversity. As per Section 5.5.2 of the South Cariboo Area OCP Bylaw, a Development Permit will be required prior to the subdivision of land or construction of a building/structure on the subject property.

Recommendation:

1. That South Cariboo Area Official Community Plan Amendment Bylaw No. 5305, 2021 be approved.
2. That South Cariboo Area Zoning Amendment Bylaw No. 5306, 2021 be approved. Further, that adoption be subject to the following conditions:
 - i) Adoption of the South Cariboo Area Official Community Plan Amendment Bylaw No. 5305, 2021.
 - ii) The applicant 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 applicant.

REFERRAL COMMENTS

Health Authority: February 8, 2021

Interior Health Healthy Communities thanks you for the opportunity to provide a health perspective to this proposal that will create rural housing by subdividing an existing lot into four smaller residential lots.

The bylaw will create a variation in parcel size from all adjoining parcels that is in keeping with the community design.

One of the proposed lots is 0.45 hectares in size, which would not meet the Interior Health guidelines for subdivision requirements for parcels serviced with onsite drinking water and onsite sewerage.

These parcels are approximately 20 km from the community of 100 Mile House, which would require the residents to be dependant on private vehicles to carry out their daily activities. Healthy neighbourhood design as per the Healthy Built Environment Linkages Toolkit facilitates

land use decisions that prioritize complete, compact and connected communities, which have positive health impacts on the population's physical and mental health.

Interior Health aims to improve health and wellness by creating policies and environments that support good health.

Ministry of Transportation and Infrastructure: January 22, 2021
eDAS # 2021-00423

The Ministry of Transportation and Infrastructure has no objection in principle to the proposed rezoning. Please note this in no way constitutes subdivision approval and items to be considered at the subdivision stage may include but are not limited to:

- No direct access to 93 Mile Little Fort Highway # 24
- Right of way dedication
- Sewage Disposal
- Proof of Water
- Archaeology Assessment
- Drainage

Advisory Planning Commission: February 1, 2021
See attached.

Ministry of Environment and Climate Change Strategy:
No response

CRD Chief Building Official: January 29, 2021
No objection to application

BOARD ACTION

March 5, 2021

That South Cariboo Area Official Community Plan Amendment Bylaw No. 5305, 2021 be read a first and second time this 5th day of March, 2021.

That South Cariboo Area Zoning Amendment Bylaw No. 5306, 2021 be read a first and second time this 5th day of March 2021. Further that adoption be subject to the following:

- 1) Adoption of South Cariboo Area Official Community Plan Amendment Bylaw No. 5305, 2021

- 2) The applicant 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 covenant be borne by the applicant.

ATTACHMENTS

Appendix A: Bylaw No. 5305 and 5306
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. 5305

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. 5305, 2021".

2. AMENDMENT

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

- i) Schedule "A" of Bylaw No. 5171 of the Cariboo Regional District is amended by Inserting the following text after 8.3.3:
 - i Where parcels are isolated by road, water boundaries, or other factors, reduced area may be considered on individual merits and conditions. Water and sewer provision must meet provincial servicing requirements. Further development criteria to be met and administered by Subdivision Approval Authority at subdivision approval stage.

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

Redesignating a portion of the Southwest 1/4 of District Lot 4037, Lillooet District, Except Plans 24102, 27650, 28095, 29152 and KAP57847 from Rural Residential to Upland Residential as shown on Schedule "A";

READ A FIRST TIME this 5th day of March, 2021.

READ A SECOND TIME this 5th day of March, 2021.

A PUBLIC HEARING WAS HELD ON THE 14th DAY OF April, 2021.

READ A THIRD TIME this _____ day of _____, 2021.

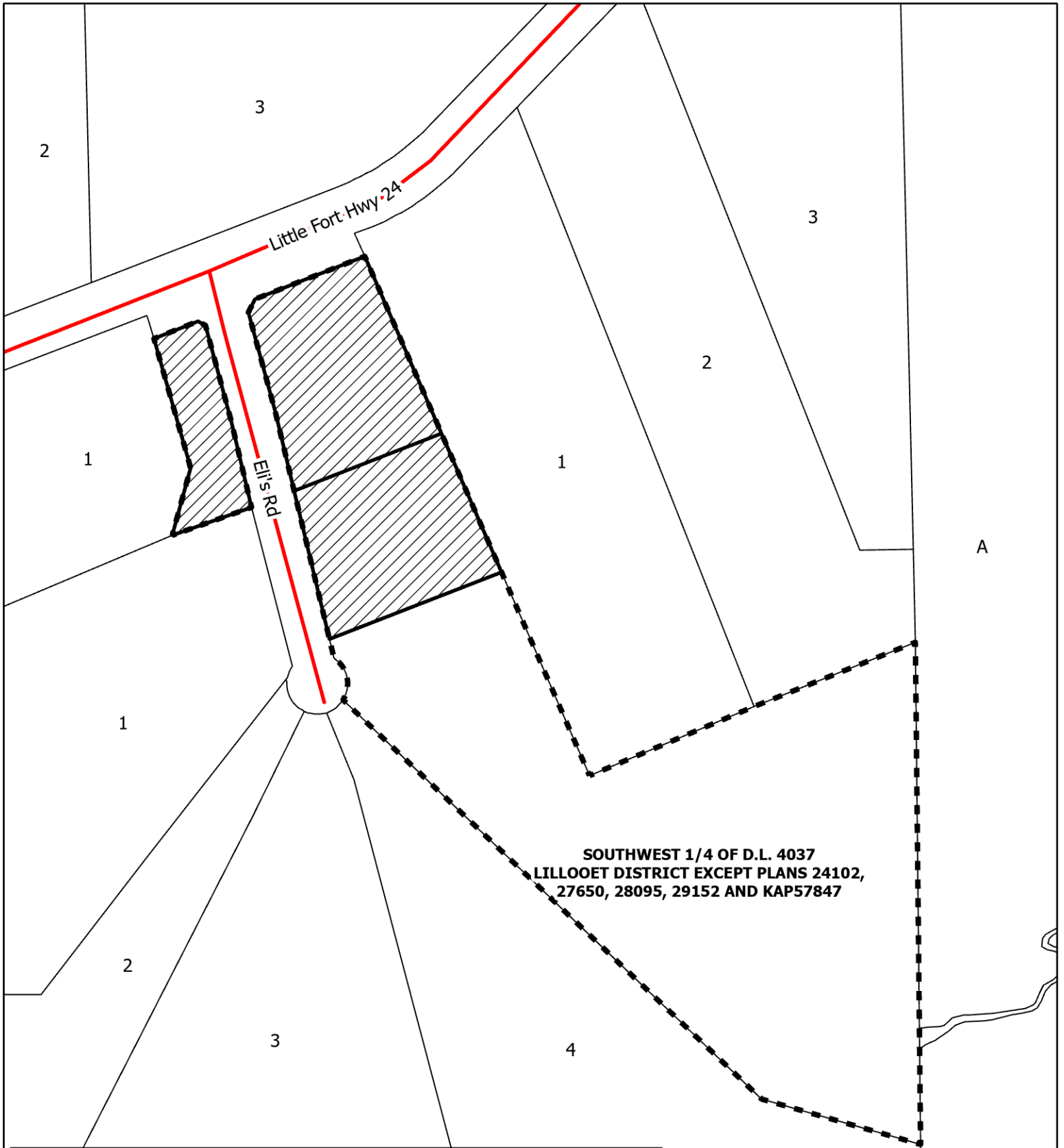
ADOPTED this _____ day of _____, 2021.

Chair

Manager of Corporate Services



I hereby certify the foregoing to be a true and correct copy of Bylaw No. 5305, cited as the "South Cariboo Area Official Community Plan Amendment Bylaw No. 5305, 2021", as adopted by the Cariboo Regional District Board on the _____ day of _____, 2021.

Manager of Corporate Services



SCHEDULE A

LEGEND

-  Subject Property
-  Proposed Upland Residential Designation

0 30 60 120
m

MEASUREMENTS
ARE METRIC

Z2044





CARIBOO REGIONAL DISTRICT

BYLAW NO. 5306

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. 5306, 2021".

2. AMENDMENT

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

- i) Including Section 5.12.3.4 into Schedule "A" as follows:
5.12.3.4 Special Exception R 1-4 Zone (3360-20/20200044)
Notwithstanding any other provisions of this bylaw to the contrary, on lands zoned R 1-4:
 - i) Interior Side Yard - Setback = 3 metres (4.92 feet)

All other provisions of the R 1 zone shall apply.
- ii) rezoning a portion of the Southwest 1/4 of District Lot 4037, Lillooet District, Except Plans 24102, 27650, 28095, 29152 and KAP57847 from Rural 1 (RR 1) zone to Special Exception R 1-4 and Rural 3 (RR 3) zones as shown on Schedule "A"; and
- iii) amending Schedules "C" and "D" accordingly.

READ A FIRST TIME THIS 5th DAY OF March, 2021.

READ A SECOND TIME THIS 5th DAY OF March, 2021.

A PUBLIC HEARING WAS HELD ON THE 14th DAY OF April, 2021.

READ A THIRD TIME THIS _____ DAY OF _____, 2021.

APPROVED UNDER THE "TRANSPORTATION ACT" THIS _____ DAY OF _____, 2021.

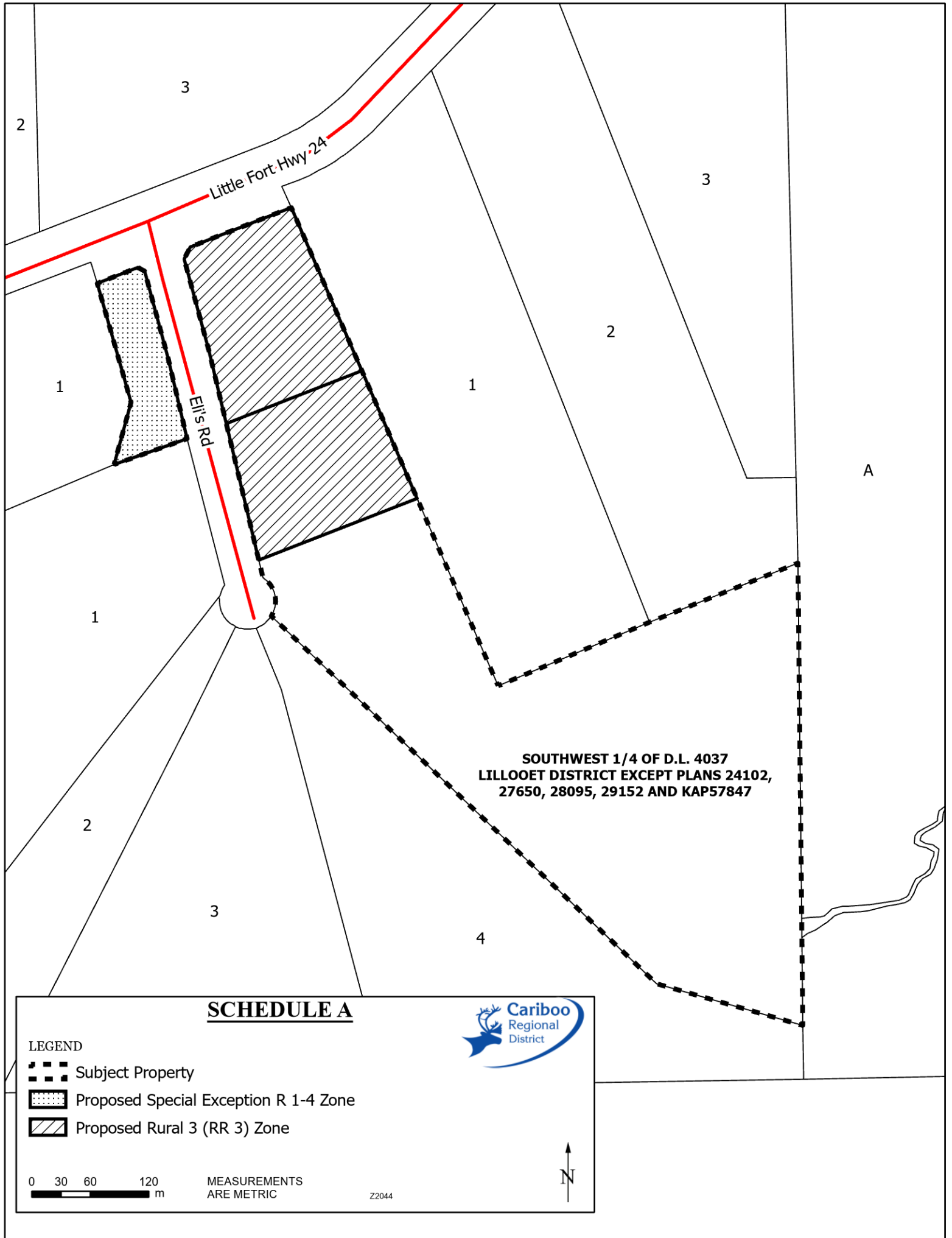
ADOPTED THIS _____ DAY OF _____, 2021.

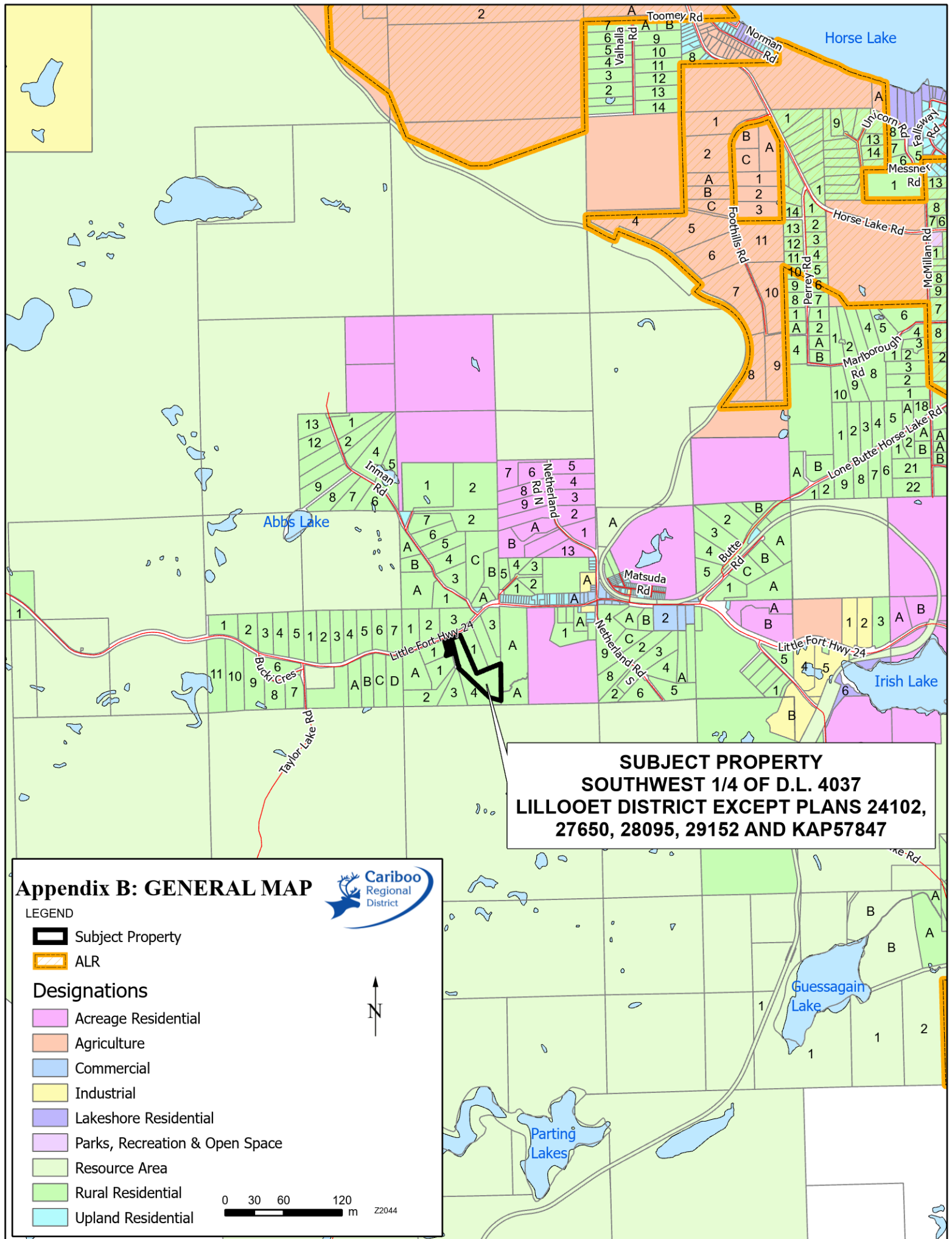
Chair

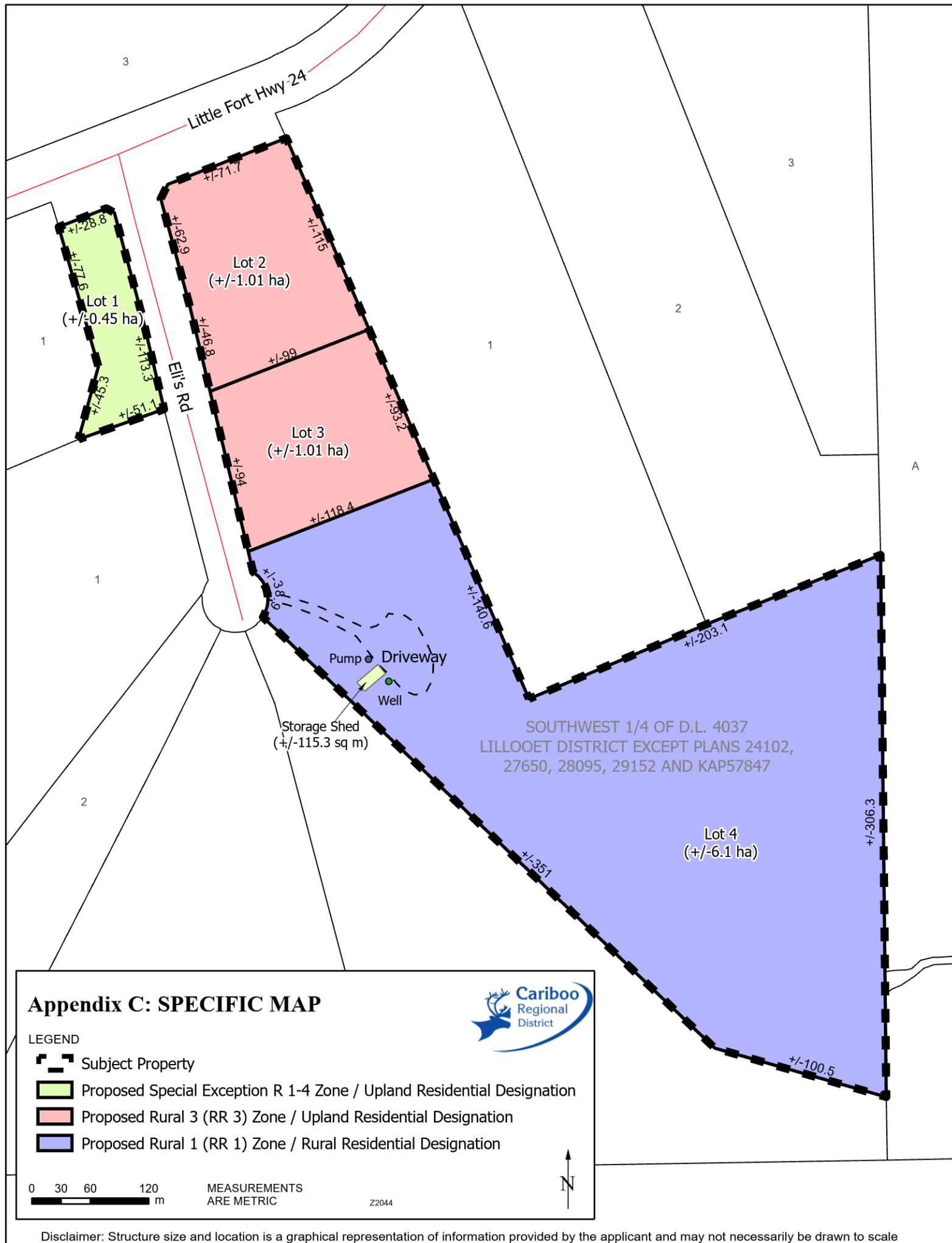
Manager of Corporate Services

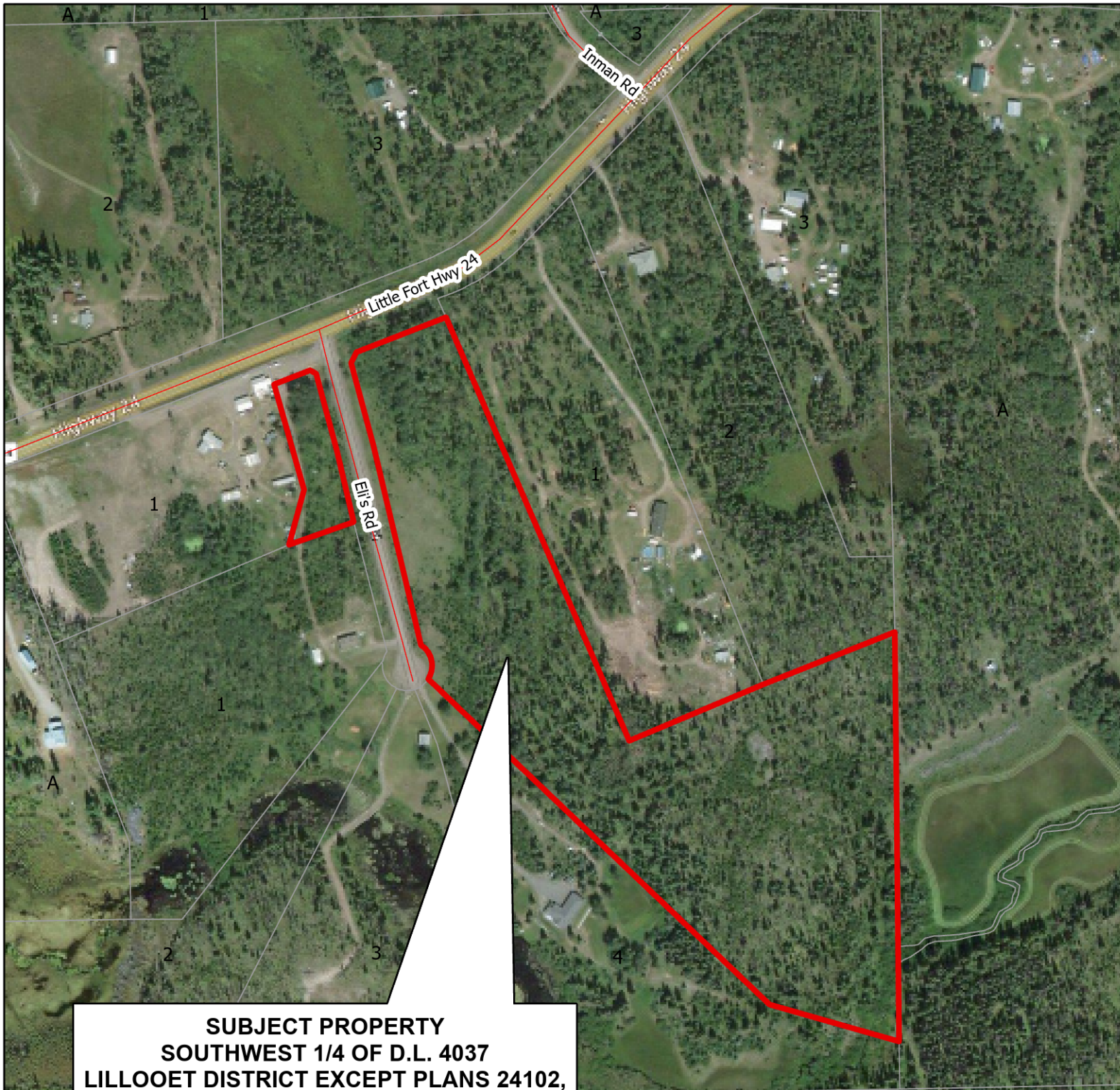
I hereby certify the foregoing to be a true and correct copy of Bylaw No. 5306, cited as the "South Cariboo Area Zoning Amendment Bylaw No. 5306, 2021", as adopted by the Cariboo Regional District Board on the _____ day of _____, 2021.

Manager of Corporate Services









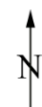
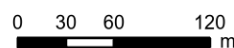
**SUBJECT PROPERTY
SOUTHWEST 1/4 OF D.L. 4037
LILLOOET DISTRICT EXCEPT PLANS 24102,
27650, 28095, 29152 AND KAP57847**

Appendix D: GENERAL MAP ORTHO



LEGEND

 Subject Property



Z2044



SW 1/4 DL 4037, L.D. -
Reasons in support of rezoning

- current property configuration is a result of subdivision ongoing over 47 years
- **Proposed Lot 1** is of no use as “hooked” across Eli's Road. It is reasonably shaped, has minimum depth of 34 m, widening to the south. Property is high and dry, slopes moderately (3 – 4 %) away from adjoining Lot 1 of Plan 29152, and is sandy well-drained soil. This lot is covered in second growth pine, fir, and poplar.
- **Proposed Lots 2 and 3** have level frontage onto Eli's Road. Property is mostly treed with second growth pine and poplar. Both lots are well shaped, flat, and offer opportunity to develop these properties easily to make use of the 1 ha size. Proposed Lots 1, 2, and 3 promote the stated objective of the OCP “to maintain the varied character of the area, by permitting a range of lot sizes”. These smaller lots also create opportunity for more affordable rural housing by not requiring, and then not utilizing, large areas of land. Most or many 2 and 4 hectare lots only utilize less than 50% of their area.
- **Proposed Lot 4** remains large enough to meet current zoning and OCP designation. It is well away from Highway 24, and is largely treed with some initial clearing for residential development to continue. Future development could occur with no significant restraints, but none is contemplated at this time. 93 Mile Creek through the SEly tip of this property is not affected, and offers no benefit for any use.

The owners of this property wish to create one smaller lot for their son (Lot 3) and to keep the remainder (Lot 4) for their eventual relocation to the South Cariboo. The one extra residential lot (Lot 2) will help pay for the development costs to finalize this proposal.

ADVISORY PLANNING COMMISSION RESPONSE FORM

Minutes of the meeting of the Electoral Area 'L' advisory planning commission held on 1st February
in the on phone, located at _____, BC, commencing at _____

PRESENT: Chair Alan Boyd
Members Ursula Hart, Sharon Woloshyn,

Recording Secretary Inga Kdeyft

Owners/Agent, or Michael Kidston, Bert van de Wetering
☐ Contacted but declined to attend

ABSENT: Peter Bowler, Art Guimard, Justin Guimard, Steve Brown

ALSO PRESENT: Electoral Area Director Willow Mc Donald
Staff support (if present)

Agenda Items Sharon: Motion to accept with changes to set back to Lot 1

REZONING/OCF APPLICATION – 3360-20/20200044 (The Southwest 1/4 of District Lot 4037, Lillooet District, Except Plans 24102, 27650, 28095, 29152 and KAP57847)

/ : "THAT the application to rezone/redesignate property at 5916 HWY 24, be supported/rejected for the following reasons:

- i) we recommend to change the setbacks for lot 7 ~~rezone~~ side to provide privacy for west neighbour
- ii)

For: 4 Against: 0

CARRIED/DEFEATED

Termination

/ : That the meeting terminate.

CARRIED

Time: 7:30 pm
Inga Kdeyft
Recording Secretary

Alan Boyd
Chair

RESULTS OF PUBLIC HEARING

File No: 3360-20/20200044

Date: April 14, 2021

Location: CRD Boardroom Via Teleconference

Re: **SOUTH CARIBOO AREA OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW NO. 5305, 2021 AND SOUTH CARIBOO AREA ZONING AMENDMENT BYLAW NO. 5306, 2021**

Persons Present:

- ☒ Director: Willow Macdonald
 - ☒ Owner(s): Bert and Mary van de Wetering
 - ☒ Agent: Michael Kidston
 - ☐ Public: See attached list
 - ☒ Staff: John MacLean, Chief Administrative Officer, Shivani Sajwan, Planning Officer II and Jonathan Reitsma, Planning Officer I
 - ☒ **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 7:03 pm.
- ☐ The Chair read out public comments received within the last 48 hours. ☒ No comments received within the last 48 hours. Previously submitted comments available for viewing on CRD website and in CRD offices.
 - 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:
- ☒ Attendees were asked three times for further comments and/or questions.
- ☒ The Chair called the meeting adjourned at 7:14 pm.

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



Signature of Chair