



Planning Application Information Sheet

Application Type: Rezoning

File Number: 3360-20/20210064

Bylaw(s): South Cariboo Area Zoning Amendment Bylaw No. 5362, 2021

Electoral Area: L

Date of Referral: December 21, 2021

Date of Application: December 07, 2021

Property Owner's Name(s): MICHELLE F RUSHINKO
CORY M RUSHINKO

Applicant's Name: Cory and Michelle Rushinko

SECTION 1: Property Summary

Legal Description(s): Lot B, District Lot 3889, Lillooet District, Plan EPP77031

Property Size(s): 0.97 ha (2.41 ac.)

Area of Application: 0.97 ha (2.41 ac.)

Location: 6344 Green Lake North Road

Current Designation:

Rural Residential

Min. Lot Size Permitted:

0.8 ha (2 ac.)

Current Zoning:

Lakeshore Residential (RL)

Min. Lot Size Permitted:

0.4 ha (0.99 ac.)

Proposed Zoning:

Rural 3 (RR 3)

Min. Lot Size Permitted:

0.8 ha (1.98 ac.)

Proposal: Agricultural uses ancillary to the principal residence.

No. and size of Proposed Lots: No new lots proposed.

Existing Buildings: None

Proposed Buildings: Building permit issued for a single family dwelling.

Road Name: Green Lake North Road

Road Type: Paved

Within the influence of a Controlled Access Highway: N/A

Services Available: Hydro, Well

Readily Available: Sewage Disposal System to be installed in 2022.

Within the confines of the Agricultural Land Reserve: No

Required to comply with the Shoreland Management Policy: N/A

Name of Lake/Contributing River: Green Lake

Lake Classification: Moderate

Within Development Permit Area: Yes

Development Permit Area Name: Riparian Development Permit Area

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

	Land Use:	Lot Sizes:
(a) North	061 2 Acres Or More (Vacant)	8.31 ha (20.53)
	070 2 Acres Or More (Outbuilding)	16.91 ha (41.78 ac.)
(b) South	Green Lake	
(c) East	000 Single Family Dwelling	0.44 ha (1.1 ac.)
	001 Vacant Residential Less Than 2 Acres	0.44 ha (1.1 ac.)
	063 2 Acres Or More (Seasonal Dwelling)	0.96 ha (2.38 ac.)
(d) West	060 2 Acres Or More (Single Family Dwelling, Duplex)	3.65 ha (9.04 ac.)
	191 Other (Vacant)	0.82 ha (2.03 ac.)

PLANNING COMMENTS

Background:

It is proposed to rezone a property at 6344 N Green Lake Road from Lakeshore Residential (RL) to Rural 3 (RR 3) in the South Cariboo Area Zoning Bylaw No. 3501, 1999. The property is designated Rural Residential in the Green Lake Area Official Community Plan 4641, 2010. The designation of the property does not need to be amended.

The purpose of rezoning is to allow the property owners to keep horses on the property. The RL zone does not permit for agricultural operations while agricultural operations, including keeping livestock, are permitted ancillary to a residential use on the RR 3 zoned properties. The property is 0.97 ha (2.41 ac.) and meets the 0.8 ha (1.98 ac.) minimum lot size of the RR 3 zone.

The property is currently vacant, however a building permit for a single-family residence and attached garage was issued in October 2021.

Location and Surrounding:

The subject property is located on N Green Lake Road, fronting on to Green Lake. The property is nearby to Ace High Road. The vegetation is noted as grassland with some trees. Surrounding properties vary in size from relatively smaller lakeshore parcels to larger agricultural holdings on the inland side of N Green Lake Road.

Previous Applications:

The property was created by a subdivision in 2017, preceded by a rezoning application at the Cariboo Regional District in 2015 (3360-20-20150030). Preceding even further, the area was subject to an Agricultural Land Commission exclusion application in 2012 (4035-20/L 20120026) which was approved so as to allow the subdivision now including the subject property.

CRD Regulations and Policies:

3501 South Cariboo Area Zoning Bylaw, 1999

5.20 RURAL 3 (RR 3) ZONE

5.20.1 PERMITTED USES

(b) NON-RESIDENTIAL USES:

- vii) agricultural operations ancillary to a permitted residential use, excluding intensive livestock operations, feedlots and stockyards

Rationale for Recommendations:

The applicants have requested a zoning amendment from Lakeshore Residential (RL) to Rural 3 (RR 3) zone. The purpose of this change is to allow the applicants to keep a horse on the property. The Cariboo Regional District does not permit agricultural operations, including the keeping of livestock, on properties zoned RL. The property exceeds the minimum lot size for the Lakeshore Residential zone, as well as the proposed Rural 3 zone. The existing designation in the Green Lake Area Official Community Plan supports the proposal to allow the keeping of livestock on the property. The Official Community Plan emphasizes the rural character of the plan area, and while the Rural Residential designation specifies residential uses as the primary use on parcels with this designation, it does not impede ancillary uses such as small-scale agriculture.

Referral requests were made to many organizations. The Ministry of Transportation and Infrastructure (MOTI), the Interior Health Authority, and the Ministry of Forests, Lands, and Natural Resource Operations: Range (FLNRO) have all stated that their agencies have no objection to the approval of this proposal.

The Area 'L' Advisory Planning Commission (APC) has substantial concerns regarding the proposal. The APC notes that the property is sloped towards Green Lake. The APC expressed concern regarding the potential for nutrient loading in the lake from livestock manure and the potential precedent it would start within the area. Planning staff agree with the APC that utmost care must be given in respect to the health of lakes within the Cariboo Regional District at every scale, however staff respectfully disagree that this proposal causes a threat to the health of Green Lake.

Staff note that the lake is a considerable size, even compared to many within the Regional District, with the Shoreland Management Policy noting a surface area of 2,310 ha. It should also be noted that many of the properties along the lake within the Cariboo Regional District are zoned to allow agricultural operations, and further agricultural and rural designations can be found around Green Lake within the Thompson Nicola Regional District, which shares the Green Lake Area Official Community Plan. As the lake is of a considerable size and substantial agricultural operations are present in the area, staff believe that the effect of an RR 3 zoned property on the lake will not be consequential. The RR 3 zone would only permit agriculture ancillary to the primary residential use. As the ancillary agriculture use prohibits intensive livestock operations, feedlots, and stockyards it is unlikely that heavy contamination would be possible. Should concerns with the land use arise, the Ministry of Agriculture, Food, and Fisheries (MAFF) has authority to enforce better farming practices including animal care and handling and manure storage and use through the Farm Practices Protection (Right to Farm) Act.

Planning staff note that a current Shoreland Management Covenant is registered on the property with respect to both riparian protection and sewerage disposal. As such the Cariboo Regional District will not require a new covenant to be registered.

The Ministry of Agriculture, Food, and Fisheries has provided comments in support of the application. The Ministry notes that the subject property is not located within the Agricultural

Land Reserve (ALR) but does boarder land across N Green Lake Road from the reserve. Ministry staff view the application as beneficial to agriculture.

Recommendation:

1. That the South Cariboo Area Zoning Amendment Bylaw No. 5362, 2021 be given first and second reading.

REFERRAL COMMENTS

Health Authority: December 22, 2021

The IH Healthy Community Development 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: December 23, 2021

EDAS # 2021-06670

The Ministry of Transportation and Infrastructure has no objection to the proposed addition of agricultural use.

Advisory Planning Commission: January 10, 2022

See attached.

Ministry of Environment and Climate Change Strategy:

No response.

Ministry of FLNRORD - Range: January 10, 2022

No concerns.

Ministry of Agriculture, Food and Fisheries: January 21, 2022

See attached.

CRD Chief Building Official: January 20, 2022

No comments regarding rezoning. Property is within building inspection service area.

ATTACHMENTS

Appendix A: Bylaw 5362
Appendix B: General Map
Appendix C: Specific Map
Appendix D: Orthographic Map
Other: Applicants Supporting Documentation
Advisory Planning Commission Comments
Ministry of Agriculture, Food and Fisheries Comments



CARIBOO REGIONAL DISTRICT

BYLAW NO. 5362

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. 5362, 2021".

2. AMENDMENT

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

- i) rezoning Lot B, District Lot 3889, Lillooet District, Plan EPP77031 from Lakeshore Residential (RL) zone to Rural 3 (RR 3) zone; and
- ii) amending Schedule "C" accordingly.

READ A FIRST TIME THIS _____ DAY OF _____, 2022.

READ A SECOND TIME THIS _____ DAY OF _____, 2022.

A PUBLIC HEARING WAS HELD ON THE _____ DAY OF _____, 2022.

READ A THIRD TIME THIS _____ DAY OF _____, 2022.

ADOPTED THIS _____ DAY OF _____, 2022.

Chair

Manager of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 5362, cited as the "South Cariboo Area Zoning Amendment Bylaw No. 5362, 2021", as adopted by the Cariboo Regional District Board on the day of _____, 2022.

Manager of Corporate Services

SUBJECT PROPERTY
L B, DL 3889, L.D., PL EPP77031

Appendix B: GENERAL MAP

LEGEND


 Subject Property


 ALR


Designation

 Resort Commercial


 Resource

 Rural


 Small Holding

 Rural Residential

 Agriculture

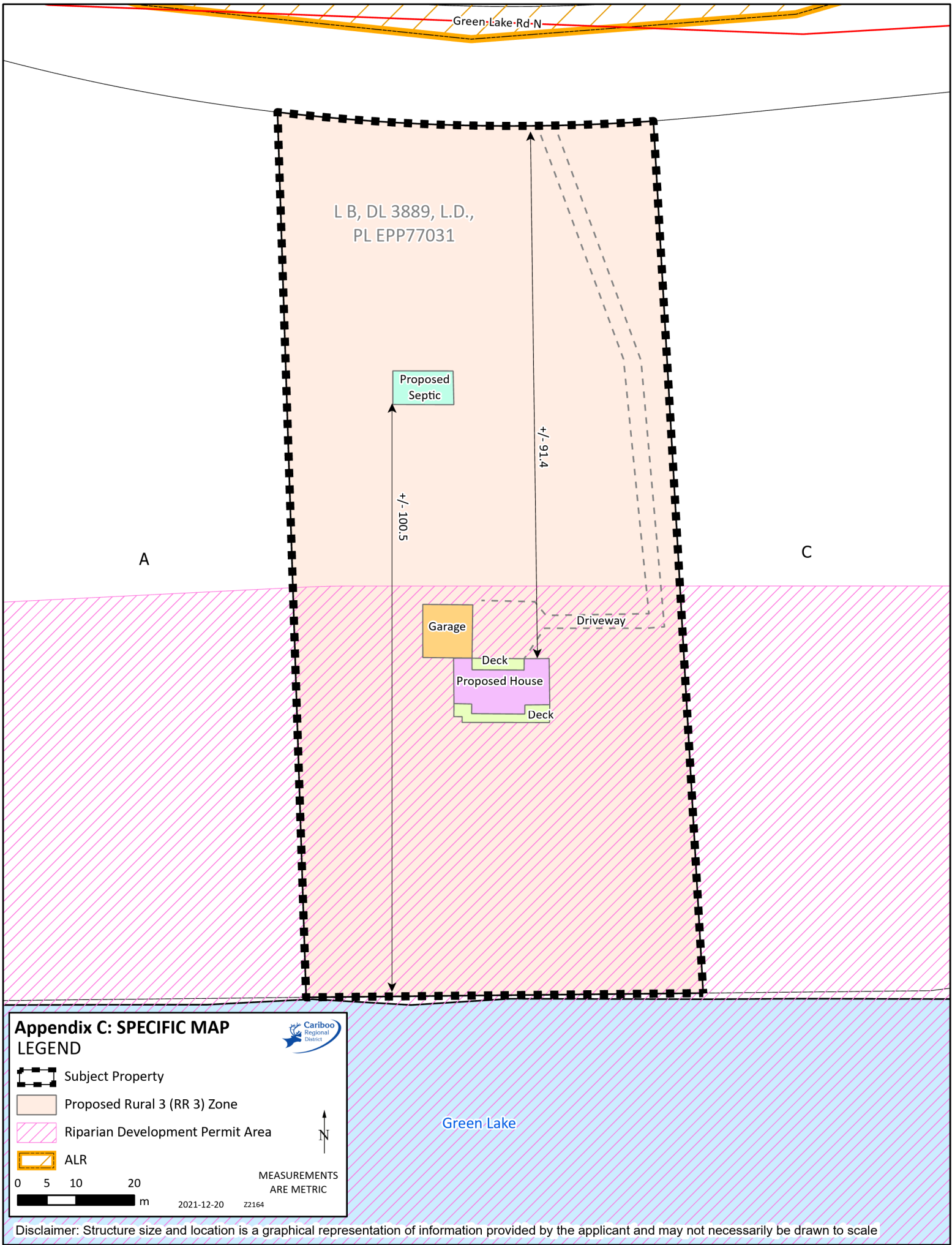
 Park



0 75 150 300
 m

2021-12-16

Z2164



SUBJECT PROPERTY
L B, DL 3889, L.D., PL EPP77031

Green Lake Rd N

Green Lake

Appendix D: GENERAL MAP ORTHO
LEGEND



 Subject Property

 ALR

0 30 60 120
m

2021-12-21

Z2164



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Describe the existing use of the subject property and all buildings: Currently our house is under construction. There are no other buildings on the property

Describe the proposed use of the subject property and all buildings: We be our main residence, and we would like to be able to have a horse and possible chickens.

Describe the reasons in support for the application: We purchased this lot to be able to have enough room for our house and pasture for a horse for my daughter.

Provide a general description of vegetation cover (i.e. treed, grassland, forage crop etc.): grassland with some trees.

Provide general geographical information (i.e. existing lakes, streams, physical features etc.): Lake front

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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community Water System	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community Sewer System	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sewage Disposal System <i>Spring 2022</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Well	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ADVISORY PLANNING COMMISSION RESPONSE FORM

Minutes of the meeting of the Electoral Area 'L' advisory planning commission held on 10 Jan 2021
 in the per phone, located at Lone Butte, BC, commencing at 7:30 pm

PRESENT:Chair Sharon WoloshynMembers Steve Brown
Barb Mattin
Ursula HartRecording Secretary Inga UderliffOwners/Agent, or Cory Rushinko
☐ Contacted but declined to attend**ABSENT:****ALSO PRESENT:** Electoral Area Director

Staff support (if present)

Willow McDonald
Nigel WhiteheadAgenda Items

REZONING APPLICATION – 3360-20/20210064 (LOT B, DISTRICT LOT 3889, LILLOOET DISTRICT, PLAN EPP77031)

Barb / Inga : "THAT the application to rezone property at 6344 GREEN LAKE ROAD, be supported/rejected for the following reasons:

- i) lot is on hill and sewage of horse would seep into lake
 - ii) we do not want it to set precedent for other lakeshore prop.
- Steve: we do not have authority to determine where people can have animals

For: |||| Against: 1 voteCARRIED/DEFEATEDTermination

/

: That the meeting terminate.

CARRIED

Time:

Inga Uderliff
Recording SecretarySharon Woloshyn
Chair** For substantial non-residential use.



January 21, 2022

Jonathan Reitsma
Planning Officer
Cariboo Regional District

Sent by email

Dear Jonathan:

**Re: Bylaw No. 5362 – Rezoning Application at 6344 Green Lake North Road (PID: 030-376-645)
– The Subject Property**

Thank you for providing the opportunity for Ministry of Agriculture, Food and Fisheries (Ministry) staff to comment on Bylaw No. 5362 that proposes to rezone the Subject Property from Lakeshore Residential (RL) to Rural 3 (RR 3). From an agricultural perspective, the Ministry offers the following comments:

- The Subject Property is not located within the Agricultural Land Reserve (ALR) but does border land within the ALR to the north and is located in an area where the majority of properties are located within the ALR.
- The purpose of the rezoning application is to permit ancillary agricultural uses on the Subject Property that are not permitted in the current RL zoning. Specifically, the landowners desire to have a horse and possibly raise chickens on the Subject Property.
- Ultimately, given that this application supports agricultural uses on the Subject Property, Ministry staff view this application as beneficial to agriculture.

Please contact Ministry staff if you have any questions regarding the above comments.

Thank you for the opportunity to provide comments from an agricultural perspective with respect to this file.

Sincerely,

Reed Bailey
Land Use Planner
778-698-3455
Reed.Bailey@gov.bc.ca

Nicole Pressey
Regional Agrologist
236-713-2223
Nicole.Pressey@gov.bc.ca

Cc: Michael McBurnie, Regional Planner – Agricultural Land Commission