

# **Planning Application Information Sheet**

**Application Type:** Rezoning **File Number:** 3360-20/20210057

Bylaw(s): South Cariboo Area Zoning Amendment Bylaw No. 5358, 2021

Electoral Area: G

Date of Referral: December 01, 2021 and March 15, 2022

Date of Application: October 28, 2021

Property Owner's Name(s): 1251625 B C LTD

**SECTION 1: Property Summary** 

Legal Description(s): Lot 1, District Lot 4188, Lillooet District, Plan 17558, Except Plans

KAP50471 and KAP59610

**Property Size(s):** 0.8 ha (1.98 ac.)

Area of Application: 0.8 ha (1.98 ac.)

Location: 5501 Park Drive

**Current Designation:** Min. Lot Size Permitted:

Commercial N/A

**Current Zoning:** Min. Lot Size Permitted:

General Commercial (C 1) 4,000 square metres (43,057 square feet)

Proposed Zoning: Min. Lot Size Permitted:

Special Exception C 4-7 4,000 square metres (43,057 square feet)

**Proposal:** Business or Professional Office; Contractor's Office, Shop or Yard; and, Mini-Storage and Self Storage Facility.

Note: Application is being re-referred to include additional Health Services Centre use, intended for a Yoga Studio within existing office building.

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

Existing Buildings: 322.54 sq. m (3,472 sq. ft.) Office Building

Proposed Buildings: 4 storage buildings Unit 1 - 416.19 sq. m (4,480 sq. ft.) Unit 2 - 390.2 sq. m (4,200 sq. ft.) Unit 3 - 364.2 sq. m (3,920 sq. ft.) Unit 4 - 169.07 sq. m (1,820 sq. ft.)

Road Name: Park Drive Road Type: Paved

Within the influence of a Controlled Access Highway: Cariboo HWY 97 S Services Available: Hydro, Telephone, Sewage Disposal System, Well

Within the confines of the Agricultural Land Reserve: No

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

Name of Lake/Contributing River: N/A

Within Development Permit Area: Yes

**Development Permit Area Name:** Commercial 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)	23.85 ha (58.93 ac.)
(b) South	234 Manufactured Home Park	1.59 ha (3.95 ac.) - 2.64 ha (6.54 ac.)
(c) East	000 Single Family Dwelling	0.29 ha (0.73 ac.)
	038 Manufactured Home (Not In Manufactured Home Park)	0.40 ha (1 ac.)
	150 Beef	30.62 ha (75.67 ac.)
	652 Churches & Bible Schools	1.18 ha (2.94 ac.)
(d) West	180 Mixed	24.8 ha (61.37 ac.)

#### PLANNING COMMENTS

# **Update (April 4, 2022)**

The applicant has requested health services centre be added to the list of permitted land uses. This would permit the upper floor of the contractor's office to be used for a yoga studio. The associated Development Variance Permit application (3090-20/20210062) to decrease the number of required parking stalls has also been re-referred as the applicant has reconfigured the parking area.

Re-referral to the relevant agencies has been made. Comments returned indicate no change from initial referral responses from the Ministry of Transportation and Infrastructure and Interior Health. While the Electoral Area 'G' Advisory Planning Commission has no objection to the addition of the health services centre use, they recommend rejection of the associated variance permit for a reduction in parking stalls. See associated file (3090-20/20210062) for further discussion.

The Cariboo Regional District Chief Building Official has reviewed the application re-referral. The change in occupancy of the existing structure will require a permit from the Building Services department. Further accessibility requirements of the BC Building Code may be required depending on the configuration.

Planning staff have no objection to the proposed yoga studio and support the application with this amendment to the proposed Special Exception Zone as described in the Revised Recommendation below.

### **Revised Recommendation**

That Section 2 of the South Cariboo Area Zoning Amendment Bylaw No. 5358 be amended as follow:

**Deleting Section 2 and replacing with:** 

### 2. AMENDMENT

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

i) Including Section 5.4.3.7 in Schedule "A" as follows:

5.4.3.7 Special Exception C 4-7 Zone (3360-20/20210057)

Notwithstanding any other provision of this bylaw to the contrary, on lands zoned C 4-7, the permitted non-residential uses shall be limited to:

- (i) NON-RESIDENTIAL USES:
- i) business or professional office;
- ii) contractor's office, shop, or yard;
- iii) health services centre;
- iv) car wash, laundromat, cleaning and dry cleaning establishment;
- v) mini-storage or self-storage facility;
- vi) publishing and printing;
- vii) building supply stores;
- viii) commercial nursery and greenhouse;
- ix) upholstering shop;
- x) plumbing, heating, and electrical sales and service;
- xi) paint, floor or wall covering store;
- xii) antique and secondhand sales;
- xiii) commercial museum;
- xiv) taxidermies;
- xv) office, wholesale and retail sales, and a coffee shop ancillary to the permitted non-residential uses;
- xvi) ancillary buildings.

### (ii) OPEN STORAGE

Open storage on the property is limited to an area of 370 sq. m (3,983 sq. ft.) and shall occur only when screened in accordance with Section 5.4.2 (e). Open storage associated with mini-storage or self-storage facility is prohibited. Open storage must be located to the rear of the contractor's office building.

All other provisions of the C 4 zone apply.

#### Update (January 24, 2022)

At the January 14, 2022, Board Meeting, the Board of Directors resolved to defer the application. The Electoral Area G Director expressed concerns about external storage on the property and its visibility from Cariboo Highway 97 and Park Drive. Planning staff suggest changes to the proposed special exception zone to restrict the use of the property for open storage and specify that any

open storage must be located behind the contractor's office and fenced in accordance with the requirements of 5.4.2 (e). Planning staff request the Board of Directors consider the application with these amendments to the proposed Special Exception zone as described below.

## Revised Special Exception Zone:

## 5.4.3 Special C 4 Zones

# 5.4.3.7 Special Exception C 4-7 Zone (3360-20/20210057)

Notwithstanding any other provision of this bylaw to the contrary, on lands zoned C 4-7, the permitted non-residential uses shall include:

#### (i) NON-RESIDENTIAL USES:

- i) business or professional office;
- ii) contractor's office, shop, or yard;

# (ii) OPEN STORAGE

Open storage on the property is limited to an area of 370 sq. m (3,983 sq. ft.) and shall occur only when screened in accordance with Section 5.4.2 (e). Open storage associated with mini-storage or self-storage facility is prohibited. Open storage must be located to the rear of the contractor's office building.

All other provisions of the C 4 zone apply.

## Background:

The proposed rezoning amendment for this 0.8 ha (1.97 ac.) property at 5501 Park Drive in 103 Mile applies to rezone from General Commercial (C 1) to Special Exception C 4-7. This proposal facilitates a proposed mini-storage and self-storage use, and to legalize the contractor's office currently being used on the property. This rezoning application will amend the South Cariboo Area Zoning Bylaw No. 3501, 1999. The South Cariboo Area Official Community Plan Bylaw 5171, 2018 designates the property as commercial. Both the existing C 1 zoning and the Special Exception C 4-7 zone as proposed would be compliant with this designation.

Subject to the successful adoption of this zoning amendment bylaw, approval by the Board of a Development Permit for the Form and Character of the proposed mini-storage facilities, and a Development Variance Permit for the reduction of parking requirements will be required prior to construction of the proposed development. These permit applications have been made and will be presented at a future Board of Directors meeting to align with the proposed adoption of this bylaw amendment as file numbers DP20210060 and DVP20210062 respectively. The proposal consists of 4 mini-storage buildings ranging from 169.07 sq. m (1,820 sq. ft.) to 416.19 sq. m (4,480 sq. ft.). The proposed zone will permit a business or professional office, and a contractor's

office, shop, or yard in addition to the existing uses permitted in the Highway Commercial (C 4) zone.

The proposed Special Exception Zone reads as follows:

### 5.4.3 Special C 4 Zones

### 5.4.3.7 Special Exception C 4-7 Zone (3360-20/20210057)

Notwithstanding any other provision of this bylaw to the contrary, on lands zoned C 4-7, the permitted non-residential uses shall include:

# (i) NON-RESIDENTIAL USES:

- i) business or professional office;
- ii) contractor's office, shop, or yard;

All other provisions of the C 4 zone apply.

# **Location and Surrounding:**

The subject property is located at the corner of Park Drive in 103 Mile and Cariboo Highway 97. The property is not connected to the 103 Mile water service area. The property is identified as part of the South Cariboo Area Official Community Plan Commercial Development Permit Area.

#### Previous Applications:

The subject property, prior to constructing the existing 322.54 sq. m (3,472 sq. ft.) office building, required a development permit for form and character. This permit was approved by the Board of Directors at the October 2<sup>nd</sup>, 2020 Board Meeting as file number DP20200019.

# **CRD Regulations and Policies:**

3501 South Cariboo Area Zoning Bylaw, 1999

### 5.4 SERVICE COMMERCIAL (C 4) ZONE

### 5.4.1 USES PERMITTED

(b) NON-RESIDENTIAL USES:v) mini-storage or self-storage facility;

#### 5.4.2 ZONE PROVISIONS

(a) LOT AREA (minimum) = UNSERVICED LOT 4,000 square metres (43,057 square feet)

#### Rationale for Recommendations:

The requested zoning amendment from General Commercial to Special Exception C 4-7 would allow a mini-storage facility to be constructed on the site, subject to a Development Permit for Form and Character. While office uses are permitted in the C 1 zone, the property is owned and operated by a contracting company which retains a separate office use in the Cariboo Regional District zoning bylaws. As such this rezoning will also legalize the existing uses on the property. The proposal is consistent with the current commercial designation in the South Cariboo Area Official Community Plan.

The Ministry of Transportation and Infrastructure (MOTI) has no objection to the proposed rezoning. The Ministry requires that there be no direct access to the property from Cariboo Highway 97 and a commercial access permit is required prior to final approval by MOTI.

The Interior Health Authority has no objection to the proposed zoning amendment but does have concerns regarding the long-term sustainability of the lot, specifically with regards to sewerage disposal. Land constraints such as the relatively small lot size and onsite well have been considered by the Authority. Interior Health recommends that a covenant be registered to reserve land on the site for an additional sewerage system. Planning Staff appreciate the response of Interior Health but respectfully note that the Cariboo Regional District (CRD) does not have precedent regarding such covenants as the CRD does not enforce sewerage requirements for lots not affected by the Shoreland Management Policy or similar requirements. Interior Health also requires that the onsite well be subject to the approval and permitting requirements of the *BC Drinking Water Protection Act* and *Regulation*.

The Electoral Area 'G' Advisory Planning Commission (APC) states no objection to this rezoning application, provided that the applicant be limited to the proposed development and that everything being stored on site is confined to storage units 1, 2, 3 and 4.

The CRD Chief Building Official advises that a building permit is required for the proposed storage units. At that time spatial separation and fire rating requirements will be assessed.

#### Recommendation:

That South Cariboo Area Zoning Amendment Bylaw No. 5358, 2021 be given first and second reading, and that adoption be subject to the following.

i. The applicant providing proof of application for a commercial access permit to the Ministry of Transportation and Infrastructure.

#### REFERRAL COMMENTS

#### **Health Authority:**

December 17, 2021:

See attached.

## March 21, 2022:

With respect to the above noted re-referral for rezone, my initial comments supplied in my December 17th letter to you with respect to the original rezoning application are attached, and still apply to this rezoning re-referral, in particular around lot size, development on the lot and long term sustainability with respect to sewerage disposal (ensuring there is enough room for a reserve field).

# Ministry of Transportation and Infrastructure:

December 6, 2021: EDAS: 2021-06409

The Ministry of Transportation and Infrastructure has no objection in principle to the proposed rezoning. Please advise applicant they are required to submit detailed site plan showing access from Park Drive and completed H0200 prior to final approval by the Ministry.

Please note there shall be "NO DIRECT ACCESS" to Cariboo Highway # 97.

March 17, 2022:

EDAS # 2022-01441

The Ministry has no objection in principle to the addition of a yoga studio. All parking must be on-site and there shall be no direct access now or in the future to Cariboo Highway # 97. The access must remain in the existing location along Park Drive.

<u>Advisory Planning Commission</u>: December 14, 2021 and March 28, 2022 See attached.

#### Ministry of Environment and Climate Change Strategy:

No response.

### CRD Chief Building Official:

January 4, 2022:

Building permit required for proposed storage units. Spatial separation and fire rating requirements will be required.

## April 12, 2022:

Building permit require for change of occupancy permit. Further accessibility requirements of the BCBC may be required depending on configuration.

#### **BOARD ACTION**

## January 14, 2022:

That consideration of South Cariboo Area Zoning Amendment Bylaw No. 5358, 2021 be Deferred for up to three months to allow staff time to establish the size of the fence area for outside storage.

# February 4, 2022:

That South Cariboo Area Zoning Amendment Bylaw No. 5358, 2021 be read a first and second time, this 4th day of February 2022. Further, that adoption be subject to the following:

The applicant agreeing to remove Non Residential Uses (b) i, ii, iii, vi, ix, xi, xii, xix and xx, as listed in the Service Commercial (C 4) zone, from the proposed Special Exception C 4-7 zone. Further that the applicant provide proof of application for a commercial access permit to the Ministry of Transportation and Infrastructure.

### February 25, 2022:

That second reading of South Cariboo Area Zoning Amendment Bylaw No. 5358, 2021 given on February 4, 2022, be rescinded. Further, that South Cariboo Area Zoning Amendment Bylaw No. 5358, 2021 be amended as follows:

Deleting Section 2 and replacing with:

#### 2.AMENDMENT

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

i. Including Section 5.4.3.7 into Schedule "A" as follows:

## 5.4.3.7 Special Exception C 4-7 Zone (3360-20/20210057)

Notwithstanding any other provision of this bylaw to the contrary, on lands zoned C 4-7, the permitted non-residential uses shall be limited to:

- (i) NON-RESIDENTIAL USES:
  - i) business or professional office;
  - ii) contractor's office, shop, or yard;
  - iii) car wash, laundromat, cleaning and dry cleaning establishment;
  - iv) mini-storage or self-storage facility;
  - v) publishing and printing;
  - vi) building supply stores;
  - vii) commercial nursery and greenhouse;

viii) upholstering shop;

- ix) plumbing, heating, and electrical sales and service;
- x) paint, floor or wall covering store;
- xi) antique and secondhand sales;
- xii) commercial museum;
- xiii) taxidermies;
- xiv) office, wholesale and retail sales, and a coffee shop ancillary to the permitted non-residential uses;
- xv) ancillary buildings.

# (ii) OPEN STORAGE

Open storage on the property is limited to an area of 370 sq. m (3,983 sq. ft.) and shall occur only when screened in accordance with Section 5.4.2 (e). Open storage associated with mini-storage or self-storage facility is prohibited. Open storage must be located to the rear of the contractor's office building.

All other provisions of the C 4 zone apply.

That South Cariboo Area Zoning Amendment Bylaw No. 5358, 2021 be read a second time, as amended, this 25<sup>th</sup> day of February, 2022.

#### **ATTACHMENTS**

Appendix A: Bylaw 5358
Appendix B: General Map
Appendix C: Specific Map
Appendix D: Orthographic Map

Other: Applicants Supporting Documentation

**Advisory Planning Commission Comments** 

**Interior Health Comments** 



## **CARIBOO REGIONAL DISTRICT**

### **BYLAW NO. 5358**

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. 5358, 2021".

# 2. AMENDMENT

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

i) Including Section 5.4.3.7 into Schedule "A" as follows:

## 5.4.3.7 <u>Special Exception C 4-7 Zone (3360-20/20210057)</u>

Notwithstanding any other provision of this bylaw to the contrary, on lands zoned C 4-7, the permitted non-residential uses shall be limited to:

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- i) business or professional office;
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- iv) car wash, laundromat, cleaning and dry cleaning establishment;
- v) mini-storage or self-storage facility;
- vi) publishing and printing;
- vii) building supply stores;
- viii) commercial nursery and greenhouse;

South Cariboo Area Zoning Amendment Bylaw No. 5358, 2021

- ix) upholstering shop;
- x) plumbing, heating, and electrical sales and service;
- xi) paint, floor or wall covering store;
- xii) antique and secondhand sales;
- xiii) commercial museum;
- xiv) taxidermies;
- xv) office, wholesale and retail sales, and a coffee shop ancillary to the permitted non-residential uses;
- xvi) ancillary buildings.

### (ii) OPEN STORAGE

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**Manager of Corporate Services** 

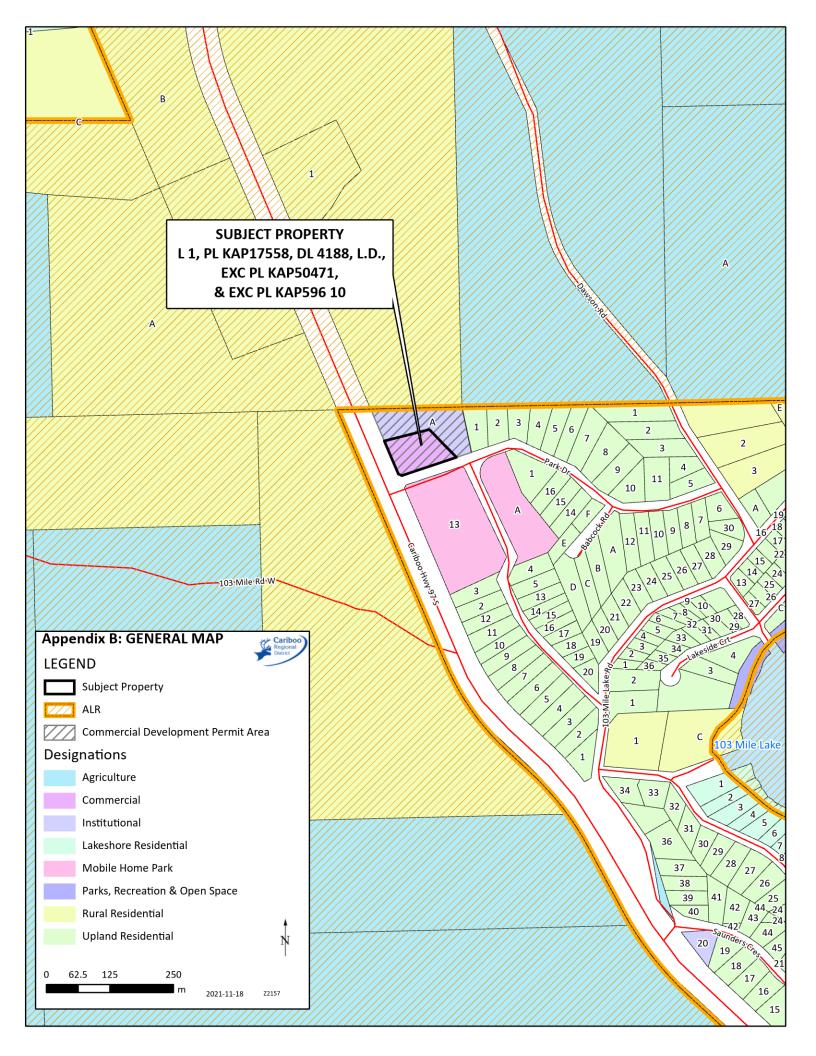
All other provisions of the C 4 zone apply.

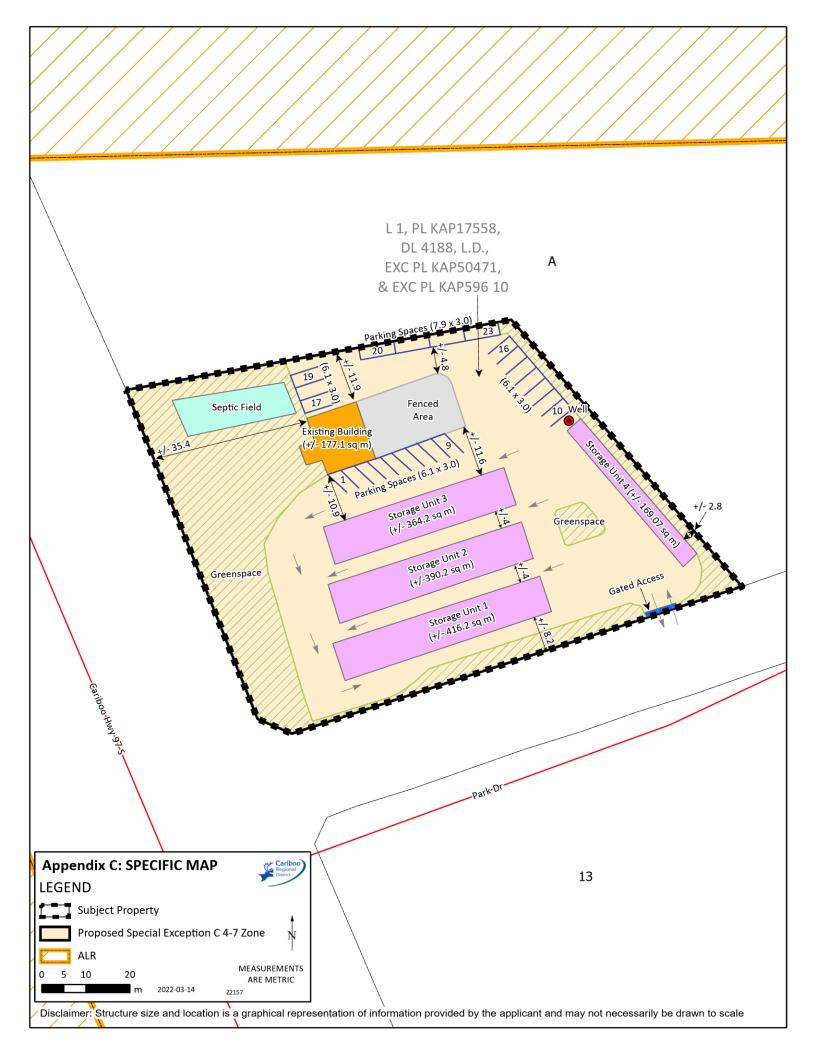
- ii) rezoning Lot 1, District Lot 4188, Lillooet District, Plan 17558, Except Plans KAP50471 and KAP59610 from General Commercial (C 1) zone to Special Exception C 4-7 zone; and
- iii) amending Schedule "C" accordingly.

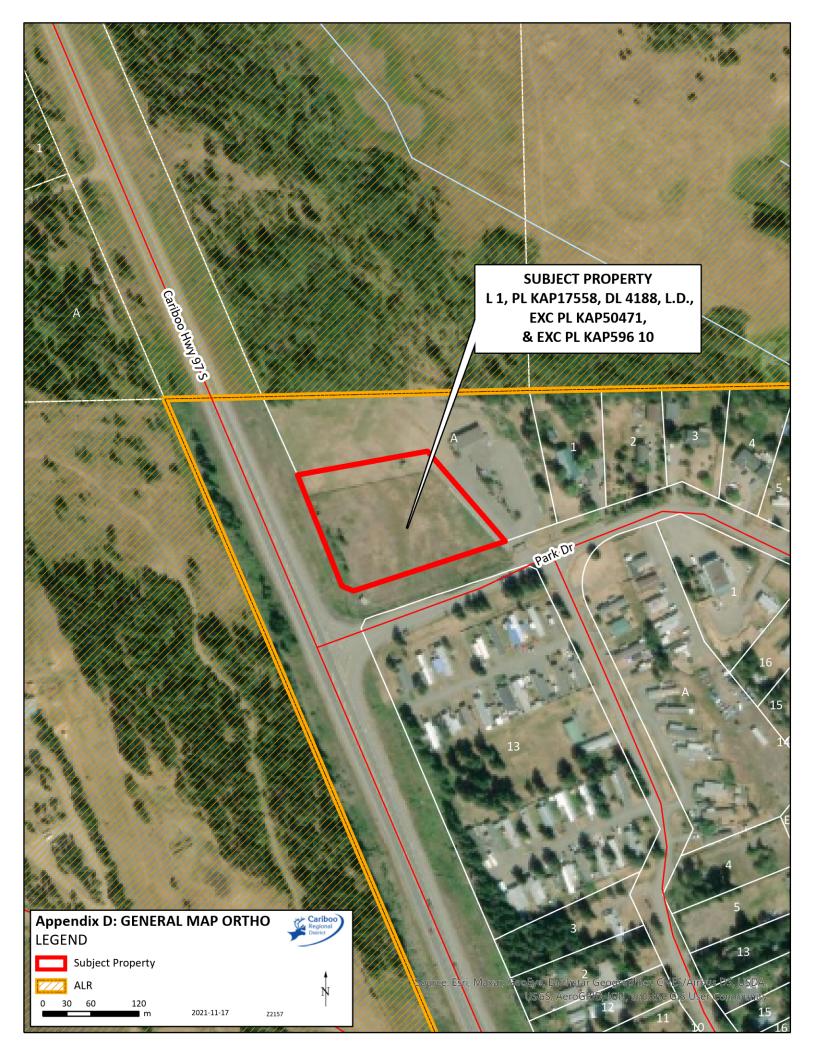
READ A FIRST TIME THIS DAY OF	_, 2022.				
READ A SECOND TIME THIS DAY OF	, 2022.				
A PUBLIC HEARING WAS HELD ON THE DAY OF, 2022.					
READ A THIRD TIME THIS DAY OF	, 2022.				
APPROVED UNDER THE "TRANSPORTATION ACT" THIS _	DAY OF, 2022.				
ADOPTED THIS _ DAY OF, 2022.					
	Chair				

South Cariboo Area Zoning Amendment Bylaw No. 5358, 2021

I hereby certify th	e foregoing to be a true and correct copy of Bylaw No.
5358, cited as the	"South Cariboo Area Zoning Amendment Bylaw No.
5358, 2021", as a	lopted by the Cariboo Regional District Board on the
day of	, 2022.
	Manager of Corporate Services







Describe the existing use of the subject property and all buildings:  Or Mr. T Contracting / Free montle Enterprises Ltd							
Describe the proposed use of the subject property and all buildings:							
Describe the reasons in support for the application: SHOKTAGE ON STOKAGE UNITS IN TOWN  CENTRAL PROPERTY BETWEEN 100 NILE 4 108 NILE  Provide a general description of vegetation cover (i.e. treed, grassland, forage crop etc.): Grassland							
Provide general geographical information (i.e. existing lakes, streams, physical features etc.):  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 Telephone Community Water System Community Sewer System Sewage Disposal System Well Other (please specify)							

# AREA G APC RESPONSE FORM

FILE NO: 3360-20/20210057

Date:

December 14, 2021

**7 PM** 

Conference call meeting

Applicant/Agent: Dietmar Feistmantl

Area G director - Al Richmond

Members:

**Marvin Monical** 

Diane Wood

Graham Leslie

Nicola Maughn

**Marilyn Niemiec** 

Robin Edwards

Absent:

Marilyn Neimec

Location of Application: 5501 Park Drive

Agenda Item: Rezoning from general Commercial (C1) to Special Exception (C 4-7) to allow Business or Professional Office, Contractors Office, Shop or yard; and Mini Storage and Self Storage Facility.

Moved by: Graham/Nicola

Area GAPC has no objection to this rezoning application providing that the applicant be limited to the proposed development and that everything being stored on site is confined to storage units 1, 2, 3 and 4.

**Motion Carried Unanimously** 

Moved by

Diane Wood

that the meeting terminate.

Diane Wood

**Marvin Monical** 

Chair

## AREA G APC RESPONSE FORM

FILE NO: 3360-20/20210057

Date: March 28, 2022

Applicant/Agent: Dietmar Feistmantl

Area G director - Al Richmond

**Members:** 

**Marvin Monical** 

Diane Wood

Graham Leslie

Nicola Maughn

Marilyn Niemiec

Robin Edwards

Absent: Marilyn Neimic, Robin Edwards

Location of Application: 5501 Park Drive

Agenda Item: Rezoning application currently zoned C 1, proposed zoning C 4-7 to accommodate business or professional office; contractors office, shop or yard; and Mini-storage and Self-Storage facility. Application being re-referred to include additional Health services Center use intended for a yoga studio within the existing office building.

Moved by: Nicola Maughn / Graham Leslie

Area GAPC has no objection to this rezoning application as presented.

CARRIED

Moved by

**Diane Wood** 

that the meeting terminate.

Chair: Marvin Monical



December 17th, 2021

Jonathan Reitsma, BURPl Planning Officer Cariboo Regional District Suite D, 180 North 3rd Avenue Williams Lake, BC V2G 2A4

Mail to: planning@cariboord.ca

Dear Jonathan,

RE: File Number: 3360-20/20210057, Lot 1, District Lot 4188, Lillooet District, Plan 17558, Except Plans KAP50471 and KAP59610, 5501 Park Drive

Thank you for the opportunity to provide comments regarding the above noted application. It is our understanding that the proposal is to rezone the o.8ha property from General Commercial (C 1) to Special Exception (C 4-7) to allow for an office building and mini/self storage, which includes four storage buildings/storage yard. It is our understanding that the lot will be serviced by onsite sewerage and an onsite well.

A file review has been conducted, and while we have no objections to the proposed rezone, we do have some concerns around the long term sustainability of the lot with regards to sewerage disposal. Some land constraints noted in the supplied parcel development plans include: smaller lot size (0.8ha), onsite well and limited available land due proposed storage yard, storage buildings, parking and access lanes. The main concerns with these constraints pertains to whether or not there is enough appropriate land for a back up area for affordable wastewater servicing/onsite sewerage system into the future. All sewerage systems have a limited lifespan, so in order to be viably self sufficient for onsite sewerage in the long term, we recommend that as a condition of approval a back up area of land for the existing sewerage system be identified by an Authorized Person (as per the BC Sewerage System Regulation [326/2004]).

Further, as noted in the referral, water for the parcel is to be supplied by an onsite well. As such, the water supply system that services the parcel and proposed business may be subject to the approval and permitting requirements of the BC Drinking Water Protection Act and Regulation if it provides domestic water to employees. See <u>Drinking Water Providers and Operators - Interior Health</u> for more information.

Interior Health is committed to working collaboratively with the Cariboo Regional District to support healthy, sustainable land use planning and policy creation. Please feel free to contact me directly if you have any further questions or comments.

We recognize and acknowledge that we are collectively gathered on the traditional, ancestral, and unceded territories of the seven Interior Region First Nations, where we live, learn, collaborate, and work together. This region is also home to 15 Chartered Métis Communities. It is with humility that we continue to strengthen our relationships with First Nation, Métis, and Inuit peoples across the Interior.



I can be reached at 250-851-7347 or misty.palm@interiorhealth.ca

Sincerely,

Misty Palm, B.Tech. CPHI(C) Environmental Health Officer

**Healthy Communities** 

We recognize and acknowledge that we are collectively gathered on the traditional, ancestral, and unceded territories of the seven Interior Region First Nations, where we live, learn, collaborate, and work together. This region is also home to 15 Chartered Métis Communities. It is with humility that we continue to strengthen our relationships with First Nation, Métis, and Inuit peoples across the Interior.