



Planning Application Information Sheet

Application Type: Rezoning/OCP Amendment

File Number: 3360-20/20220010

Bylaw(s): Green Lake and Area Official Community Plan Amendment Bylaw No. 5374, 2022 and South Cariboo Area Zoning Amendment Bylaw No. 5375, 2022

Electoral Area: G

Date of Referral: February 22, 2022

Date of Application: January 28, 2022

Property Owner's Name(s): JAMES R KINCAID
ERIN N FILTNESS

Applicant's Name: Cariboo Geographic Systems

SECTION 1: Property Summary

Legal Description(s): Lot 5, District Lot 350, Lillooet District, Plan 29306, Except Plans 38586, KAP48788 and KAP48789

Property Size(s): 10.06 ha (24.86 ac.)

Area of Application: 10.06 ha (24.86 ac.)

Location: 7976 Begbie Road

Current Designation:
Rural Holding

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

Proposed Designation:
Rural Residential

Min. Lot Size Permitted
0.8 ha (1.98 ac.)

Current Zoning:
Rural 1 (RR 1)

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

Proposed Zoning:
Rural 3 (RR 3)

Min. Lot Size Permitted:
0.8 ha (1.98 ac.)

Proposal: Agricultural operation and residential lots.

No. and size of Proposed Lots: Lot 1 - 8.04 ha (19.87 ac.)

Lot 2 – 1.01 ha (2.5 ac.)

Lot 3 – 1.01 ha (2.5 ac.)

Existing Buildings: None

Proposed Buildings: None in short term; Residences, ancillary, and farm buildings in long term.

Road Name: Begbie Road

Road Type: Gravel/Dirt Road

Within the influence of a Controlled Access Highway: Cariboo HWY 97 S

Services Available: Hydro, Telephone, Sewage Disposal (Readily Available), Well (Readily Available)

Within the confines of the Agricultural Land Reserve: No

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

Name of Lake/Contributing River: Eighty Three Mile Creek

Lake Classification: Moderate

Within Development Permit Area: Yes

Development Permit Area Name: Hazardous Lands 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)	3.96 ha (9.8 ac.)
(b) South	060 2 Acres Or More (Single Family Dwelling, Duplex)	1.03 ha (2.56 ac.) - 8.59 ha (21.22 ac.)
(c) East	060 2 Acres Or More (Single Family Dwelling, Duplex)	1.08 ha (2.66 ac.)
	063 2 Acres Or More (Manufactured Home)	1.24 ha (3.06 ac.)
	Unsurveyed Crown Land	

(d) West 061 2 Acres Or More (Vacant) 4.09 ha (10.1 ac.)

063 2 Acres Or More (Manufactured Home) 3.97 ha (9.82 ac.)

Surveyed Crown Properties

PLANNING COMMENTS

Background:

A rezoning and official community plan amendment has been proposed for the property at 7976 Begbie Road near the intersection of Cariboo Highway 97 S and 83 Mile Road. The subject property is 10.06 ha (24.86 ac.) in size and is currently zoned Rural 1 (RR 1) in the South Cariboo Area Zoning Bylaw No. 3501, 1999 and designated Rural Holding in the Green Lake and Area Official Community Plan Bylaw No. 4641, 2010. The proposal is to amend the zone for a portion of the subject property from Rural 1 (RR 1) zone to the Rural 3 (RR 3) zone and from Rural Holding designation to Rural Residential designation. The applicants propose to rezone a portion of the property to facilitate a three-lot subdivision consisting of two 1.01 ha (2.5 ac.) properties and the remaining land forming an 8.04 ha (19.87 ac.) parcel. The applicants have indicated intentions of a cooperative agricultural operation on the site, with the smaller proposed lots intended to provide property title for the co-founders of the farm operation.

Location and Surrounding:

The subject property is located near the corner of Begbie Road and 83 Mile Road, overlooking Cariboo Highway 97 S and 83 Mile Creek. The site is generally level, although steep cutbanks drop down in the southern-most point of the property. This prohibits driveway access from this point of the property and requires the Proposed Lot 1 have access to Begbie Road near to the northern boundary, and as such an access panhandle is proposed. The property is mostly wooded but contains a cleared BC Hydro Transmission Line Right of Way through its center.

CRD Regulations and Policies:

3501 South Cariboo Area Zoning Bylaw, 1999

5.18 RURAL 1 (RR 1) ZONE

5.18.2 ZONE PROVISIONS

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

5.20 RURAL 3 (RR 3) ZONE

5.20.2 ZONE PROVISIONS

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

4641 Green Lake and Area Official Community Plan Bylaw, 2010

3.5 LAND USE CONCEPTS

Near the 83 Mile Road / Hwy 97 junction, protection of the heritage values and increased tourism-related commercial services are encouraged. Increasing density to small holdings is also encouraged there, provided there are no negative impacts to 83 Mile Creek or other resources.

6.24 RESIDENTIAL DESIGNATIONS

Residential Land Use Designation	Parcel Size or Density
Rural Holding	1 unit per 4 ha (9.9 ac) minimum parcel size
Small Holding	1 unit per 2 ha (5 ac) minimum parcel size
Rural Residential	1 unit per 0.8 ha (2 ac) minimum parcel size

6.29 Small Holding

Increasing density to small holdings is encouraged near the 83 Mile / Highway 97 junction, provided there are no negative impacts to 83 Mile Creek or other resources.

Rationale for Recommendations:

Planning staff have concerns regarding the proposed rezoning and Official Community Plan amendment, which is not supported by the Green Lake and Area Official Community Plan (OCP). The OCP states twice, in Sections 3.5 and 6.29, that the area surrounding the 83 Mile junction with Highway 97 is encouraged to increase to the density associated with the Small Holding designation, with a maximum parcel density of one dwelling unit per 2 ha (5 ac.). The property is currently designated Rural Holding, which has a maximum parcel density of one dwelling unit per 4 ha (9.9 ac.) while the proposed Rural Residential designation would increase the density to one dwelling unit per 0.8 ha (2 ac.). Planning staff, in consideration of long-term planning goals set in the OCP, do not support the application as proposed.

The Green Lake and Area OCP is a shared document between the Cariboo Regional District and the Thompson-Nicola Regional District (TNRD). The application was referred to the TNRD, where the TNRD Board of Directors has recommended refusal as presented. The TNRD Board added that

an OCP Bylaw amendment from Rural Holding to Small Holding is recommended for support citing the same concerns with the compliance of Green Lake and Area OCP Sections 3.5 and 6.29.

Subdivision which fully meets the intent of the OCP is possible. This would result in a three-lot subdivision in which the two smaller lots are sized 2 ha (4.94 ac.) while the remaining lot is sized 6.06 ha (14.97 ac.). Planning staff have provided an opportunity for the agent and applicants to revise the proposal to ensure consistency with Sections 3.5 and 6.29 of the OCP. The applicants have rejected this concept. Instead, the applicants have suggested that the rezoning and following subdivision be undertaken subject to a covenant restricting further subdivision of the site. The applicant suggests that this would meet the maximum density intent of the OCP, although staff note that the proposed lot size would be less than the size suggested in the OCP.

The Electoral Area 'G' Advisory Planning Commission (APC) is supportive of the application, provided the applicant fence and buffer the entire property according to the Cariboo Regional District Agricultural Policy. Planning staff recognize the intent of the APC however this policy is not applicable to Proposed Lot 1, as the proposed lot is 8.04 ha (19.87 ac.). The Agricultural Policy applies to properties being subdivided less than 4 ha (9.88 ac.). Other referral agencies such as the Ministry of Transportation and Infrastructure, Interior Health, the Ministry of Agriculture, Food, and Fisheries, and the CRD Chief Building Official had no objections to the proposal, within the scope of their jurisdictions.

While planning staff are not supportive of the proposal, it is noted that Section 13.0 Potential Hazard Areas in the Green Lake and Area OCP requires a standard wildfire covenant be registered on to the property. The property is also located within the area that requires a covenant be registered for Shoreland Management for sewage disposal as it pertains to 83 Mile Creek. These are required to be registered on the title of the property prior to adoption of the amendment bylaws should the Board wish to approve the application.

In conclusion, staff do not support the proposal to amend the OCP designation from Rural Holding to Rural Residential within the 83 Mile Road and Highway 97 Junction area. The proposed designation does not meet the intent of sections 3.5 and 6.29 of the Green Lake and Area Official Community Plan. Should the Board wish to support the lot layout as proposed, a covenant restricting further subdivisions will be required as suggested by the applicants. Reviewing the Green Lake and Area OCP, planning staff conclude that if the entire lot were to be rezoned Small Holding and subdivided accordingly, the density would be greater than what is currently proposed.

Should the Board of Directors choose to give Green Lake and Area Official Community Plan Amendment Bylaw No. 5374, 2022 and South Cariboo Area Zoning Amendment Bylaw No. 5375, 2022, 1st and 2nd reading, that registration of a restrictive covenant prohibiting further subdivision, a standard wildfire covenant, and the Cariboo Regional District Shoreland Management covenant will be conditions of adoption.

Recommendation:

That the proposed Green Lake and Area Official Community Plan Amendment Bylaw No. 5374, 2022 and South Cariboo Area Zoning Amendment Bylaw No. 5375, 2022 be rejected because the proposed land use designation is not supported by the Official Community Plan.

REFERRAL COMMENTS

Health Authority: February 23, 2022

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. Please note that this response does not automatically confer Interior Health support for a future subdivision. Additional information will be required at the subdivision stage in order for Interior Health to meaningfully comment on the sewerage servicing capability of the land and long-term sustainability.

Ministry of Transportation and Infrastructure: February 24, 2022

EDAS: 2022-00933

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 as part of the subdivision review may include but are not limited to the following:

- o Access to each proposed lot from Begbie Road
- o Drainage
- o Archaeology
- o Proof of Water
- o Sewage Disposal
- o Geotechnical review

Advisory Planning Commission: March 3, 2022

See attached.

Thompson-Nicola Regional District: March 29, 2022

See attached.

Ministry of Environment and Climate Change Strategy:

No response.

Ministry of Agriculture, Food and Fisheries: March 23, 2022

See attached.

CRD Chief Building Official: March 3, 2022

No objections. Property within building inspection service area.

BOARD ACTION

May 19, 2022:

That Green Lake and Area Official Community Plan Amendment Bylaw No. 5374, 2022 and South Cariboo Area Zoning Amendment Bylaw No. 5375, 2022 be read a first and second time this 19th day of May 2022, subject to the following:

1. Adoption of Green Lake and Area Official Community Plan Amendment Bylaw No. 5374, 2022.
2. The applicant offering to enter into and entering into a covenant to ensure compliance with the CRD Shoreland Management Policy with respect to sewage disposal system.
3. That the applicant prepare and register a priority covenant encouraging land owners to use fire smart wildfire mitigation practices for building construction and land management.
4. The applicant and their solicitor committing to enter into a Section 219 covenant on the lands to restrict further subdivision, registration of such covenant to be at time of registration of the proposed two-lot subdivision. Further, that the cost of preparation and registration of the commitment document and covenant be borne by the applicants.

ATTACHMENTS

Appendix A: Bylaw 5374 and 5375

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

Thompson-Nicola Regional District Comments

Public Hearing Results



CARIBOO REGIONAL DISTRICT

BYLAW NO. 5374

A bylaw of the Cariboo Regional District, in the Province of British Columbia, to amend Bylaw No. 4641, being the "Green Lake Area Official Community Plan Bylaw No. 4641, 2010".

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 "Green Lake Area Official Community Plan Amendment Bylaw No. 5374, 2022".

2. AMENDMENT

Schedule "B" of Bylaw No. 4641 of the Cariboo Regional District is amended by:

Redesignating part of Lot 5, District Lot 350, Lillooet District, Plan 29306, Except Plans 38586, KAP48788, and KAP48789 from Rural Holding designation to Rural Residential designation as shown on Schedule "A".

READ A FIRST TIME THIS 19th DAY OF May, 2022.

READ A SECOND TIME THIS 19th DAY OF May, 2022.

A PUBLIC HEARING WAS HELD ON THE 15th DAY OF August, 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. 5374, cited as the "Green Lake Area Official Community Plan Amendment Bylaw No. 5374, 2022", as adopted by the Cariboo Regional District Board on the _____ day of _____, 2022.

Manager of Corporate Services

SCHEDULE A



LEGEND

- Subject Property
- Rural Residential Designation

0 30 60 120
m

ZOCP2210

2022-02-16



1

2

L-5, DL 350, L.D., PL KAP29306
EXC PL 38586, & EXC PL
KAP48788, KAP48789

1

A

B

C

D

Begbie Rd

83 Mile Rd

Cariboo Hwy 97 S



CARIBOO REGIONAL DISTRICT

BYLAW NO. 5375

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. 5375, 2022".

2. AMENDMENT

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

- i) rezoning part of Lot 5, District Lot 350, Lillooet District, Plan 29306, Except Plans 38586, KAP48788, and KAP48789 from Rural 1 (RR 1) zone to Rural 3 (RR 3) zone as shown on Schedule "A"; and
- ii) amending Schedules "C" and "D" accordingly.

READ A FIRST TIME THIS 19th DAY OF May, 2022.

READ A SECOND TIME THIS 19th DAY OF May, 2022.

A PUBLIC HEARING WAS HELD ON THE 15th DAY OF August, 2022.

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

APPROVED UNDER THE "TRANSPORTATION ACT" 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. 5375, cited as the "South Cariboo Area Zoning Amendment Bylaw No. 5375, 2022", as adopted by the Cariboo Regional District Board on the day of _____, 2022.

Manager of Corporate Services

SCHEDULE A



LEGEND

- Subject Property
- Rural 3 (RR 3) Zone

0 30 60 120
m

ZOCP2210

2022-02-16



L5, DL350, L.D., PL KAP29306
EXC PL 38586, & EXC PL
KAP48788, KAP48789

Cariboo Hwy 97 S

Begbie Rd

83 Mile Rd

1

2

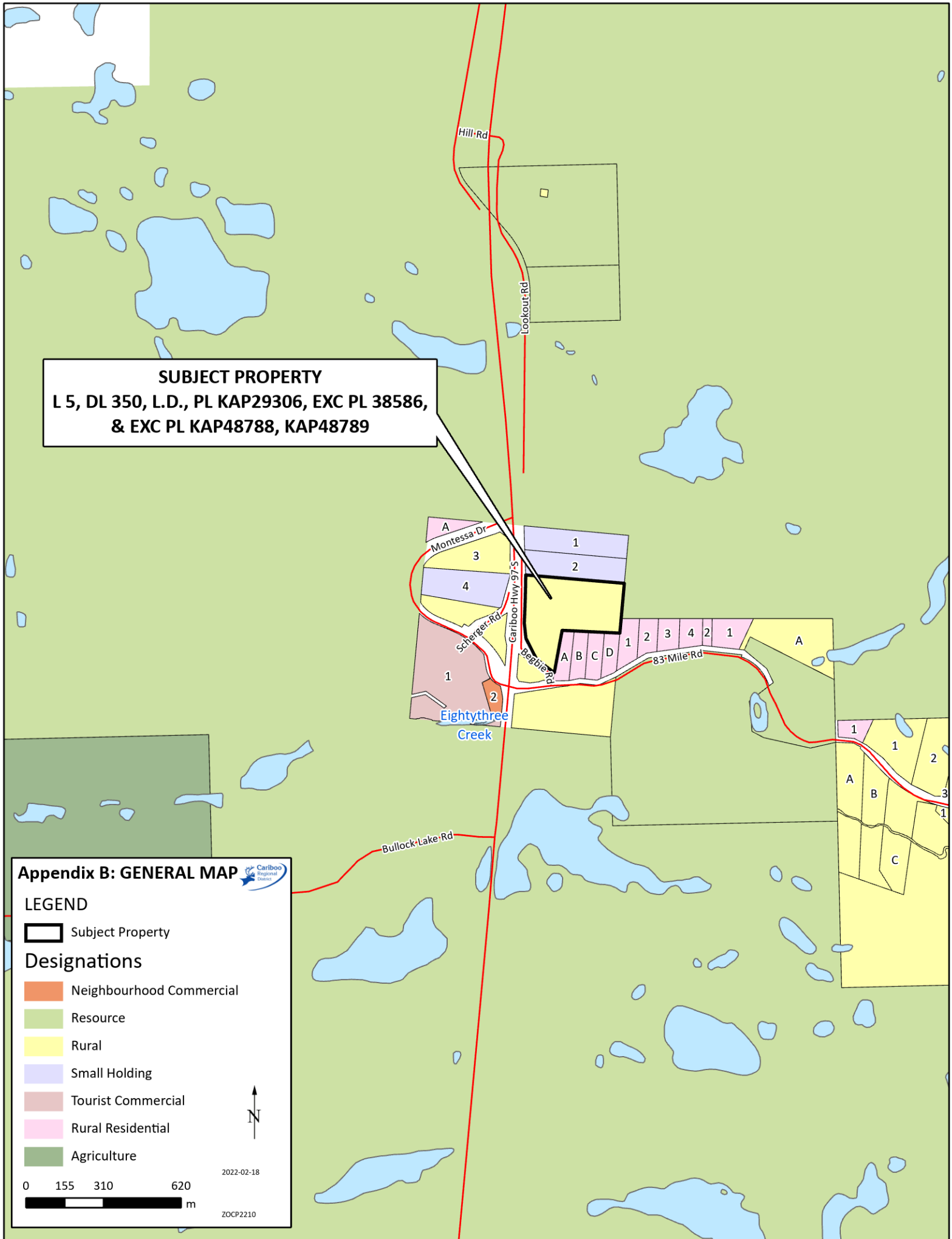
1

A

B

C

D



Appendix C: SPECIFIC MAP



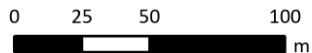
LEGEND

Subject Property

Subject Property

Proposed Rural 1 (RR 1) Zone/ Rural Holding Designation

Proposed Rural 3 (RR 3) Zone/ Rural Residential Designation



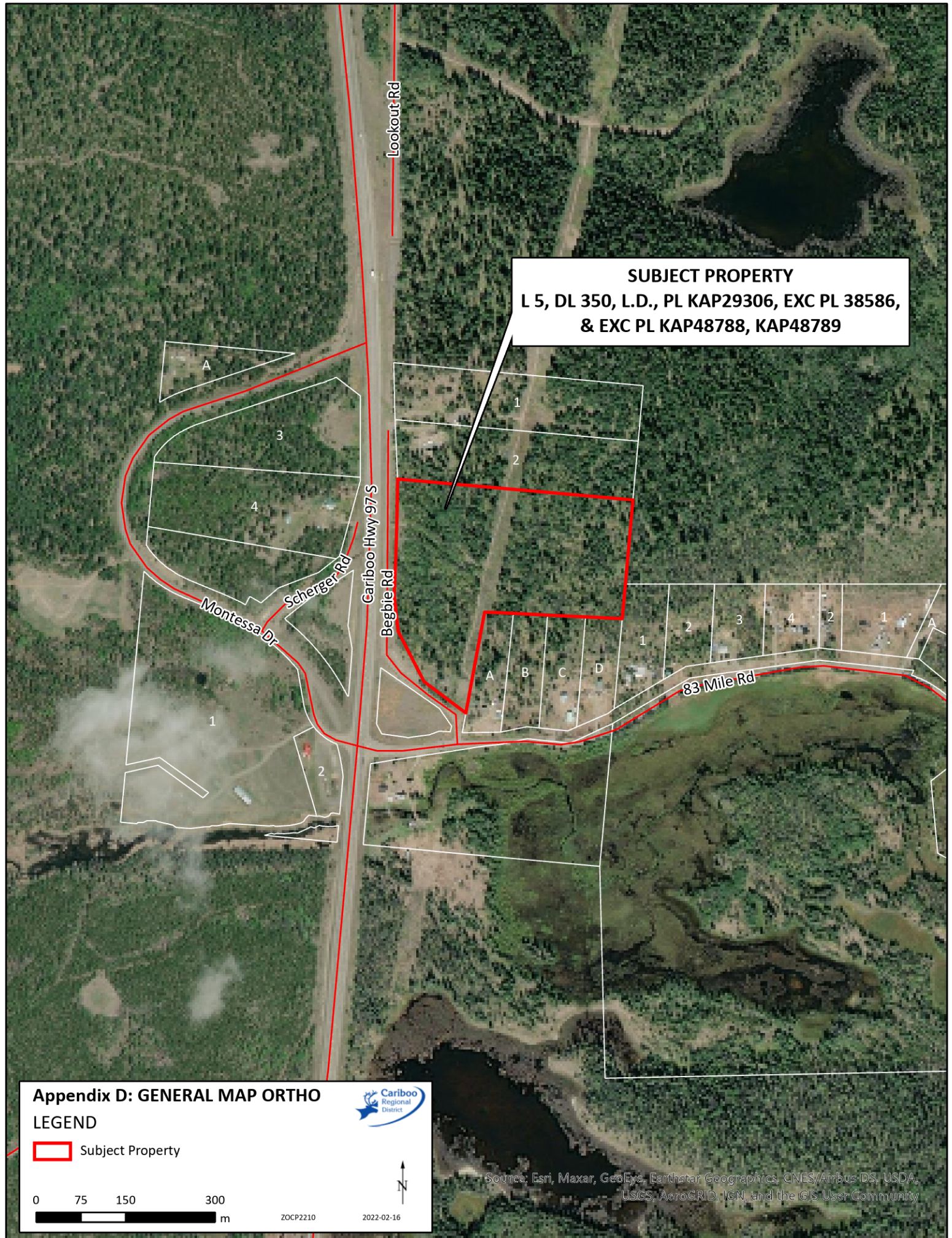
MEASUREMENTS
ARE METRIC

ZOCP2210

2022-02-16



Disclaimer: Structure size and location is a graphical representation of information provided by the applicant and may not necessarily be drawn to scale



SUBJECT PROPERTY
L 5, DL 350, L.D., PL KAP29306, EXC PL 38586,
& EXC PL KAP48788, KAP48789

Appendix D: GENERAL MAP ORTHO

LEGEND

 Subject Property



0 75 150 300
m

ZOCP2210

2022-02-16



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

Reasons in Support

This application is requesting that part of Lot 5, District Lot 350, Lillooet District, Plan 29306, except Plans 38586, KAP48788, and KAP48789 be rezoned and re-designated to accommodate a 3-lot residential subdivision. The property is 10 hectares in size and is located at 7976 Begbie Road in the 83 Mile House neighbourhood. The area under application within the property is shown as proposed Lots 2 and 3 on the accompanying proposal. Proposed Lot 1 will maintain the existing zone and designation.

Begbie Road is a frontage road on the east side of Highway 97. It connects to the 83 Mile Road which provides direct access to Highway 97 via an intersection with turning lanes as well as acceleration and de-acceleration lanes. The 83 Mile House neighbourhood has 21 lots in the immediate area all are zoned for residential purposes except 2 which were part of the original Roadhouse land and are on the west side of the Highway. The properties range in size from 0.4 hectares to 9.9 hectares in the neighbourhood. North of the land under application are 2 lots 3.2 and 3.9 hectares in size and then Crown Land. South of the property, between it and 83 Mile Road, are 4 lots approximately 1.0 hectare in size. On the east side is mostly Crown Land and one residential lot 1.2 hectares in size. The west side is Begbie Road and then the Highway.

The land is presently designated Rural Holding in the Official Community Plan and is zoned Rural 1. The proposed zone for lots 2 and 3 is Rural 3 and the proposed designation is Rural Residential. This proposed zone and designation conforms to the properties south of the land under application maintaining the rural character of the neighbourhood and others in this neighbourhood.

The property is presently vacant but there is a BC Hydro transmission line going through it. The proposed subdivision has been designed based on the terrain. While the land is generally level with small undulations it has some steep cutbanks along the road. These prohibit access from the road along the southerly end. For this reason, the larger proposed Lot 1 is accessed by a 40 metre wide panhandle at the northerly end where a driveway can be built. Proposed Lot 2 has an existing driveway, and a driveway can be constructed into proposed Lot 3 as it has frontage north of the cutbanks. Hydro and telephone service runs along Begbie Road for servicing of the lots.

The current owners purchased the property with the intention of building a home and operating a hobby farm. They have close friends who also wish to relocate here and help run the farm. The 2 smaller lots are so the friends can have their own titles to build their homes on and the plan is that all 3 families will manage and run the farm cooperatively. The agricultural objectives of the families are a permitted use in the existing and proposed zones. Future fencing and agricultural improvements may not recognize the proposed lot lines due to the cooperative nature of their plans. There is no intention to market these lots if this application and subsequent subdivision is approved.

The proposal and owners future plans meet several objectives of the Official Community Plan.

- **Rural Community** – retain the rural values and character, including safe, peaceful, and environmentally sensitive settlements and a friendly, supportive lifestyle in a natural setting.
- **Strong Economy** – Strengthen the economic and employment base, including year-round tourism as well as commercial, industrial, and agricultural uses that respect the rural character and the environmental resources of the area.
- **Agriculture** – Protect agriculture and ranch land, support the agriculture and ranching industry, and include community agriculture in new developments.

The proposal also conforms to a land use designation concept of the Official Community Plan which states *“Near the 83 Mile Road/ Highway 97 junction, protection of the heritage values and increased tourism-related commercial services are encouraged. Increasing density to small holdings is also encouraged there, provided there are no negative impacts to 83 Mile Creek or other resources.”* This land is well north of the creek and the future homesites cannot impact it or any other resources.

One of the residential objectives of the Official Community Plans states *“Encourage the inclusion of community agriculture in new developments, due to its social, recreation, health, education, and food security benefits.”* The plans to operate this land as a small hobby farm by 3 families meets this objective.

The owners looked for properties in the South Cariboo for a while before finding this land which they believe is ideal to realize their dream. This application is being made so that their friends can join them in this pursuit and have title to their own properties. This small increase in density will not impact the neighbourhood, does not put any additional pressure on roads in the area because of the location and existing access to the Highway and the lots proposed are large enough to support all onsite infrastructure and meet all setback requirements.

Cariboo Geographic Systems

A Division of Nigel Hemingway Land Surveying Ltd.



2nd May 2022

FILE REF: 2234

Cariboo Regional District
Suite D – 180 N. Third Ave.
Williams Lake, B.C.
V2G 2A4

Attention: Mr. Nigel Whitehead
Dear Sir:

Re: Rezoning and OCP Amendment Application for part of Lot 5, District Lot 350, Lillooet District, Plan 29306, except Plans 38586, KAP48788 and KAP48789. Your File 3360-20/20220010

The above noted application is for an infilling development in the 83 Mile House neighbourhood. The Green Lake and Area OCP, Bylaw 4641 has a policy statement (6.29) encouraging increased density in this location by infilling with properties in the Small Holding land use designation. This designation has a parcel size of 2 hectares and a density requirement of 1 unit per 2 hectares which is a very large lot size for infilling developments.

The landowners, as explained in the application, wish to rezone the land to allow three families to each have a property on which to build their home and operate the total property as a single farm unit amongst them. For this reason, creating 2 hectare sized lots to meet this policy is not conducive to the plans of the families even though the property has enough area to create lots of this size. The proposal is for properties of a similar size in the immediate area.

The owners to comply with the density requirements of the policy would like to offer to enter into a no further subdivision covenant on the proposed lots with the Cariboo Regional District. This will allow the overall density objectives to be met now and, in the future,

If you would like to discuss this proposed solution, please let me know.

Yours truly,

NIGEL HEMINGWAY, B.C.L.S.

NH/dp

Cc: Erin Fitness & James Kincaid

P.O. Box 1270, 490 Cedar Ave. 100 Mile House, B.C. V0K 2E0
Ph: 250-395-4577 E-mail: cgs_nigel@telus.net Fax: 250-395-2425

Date: March 2, 2022

Applicant/Agent: Nigel Hemmingway

Area G Director - Al Richmond

**Members: Marvin Monical Diane Wood Graham Leslie Nicola Maughn
Marilyn Niemiec Robin Edwards**

Absent: Graham Leslie

Location of Application: 7976 Begbie Road

Agenda Item: Rezoning / OCP Amendment – 3360-20/20220010

Moved by: Robin Edwards/Nicola Maughn

Area G APC has no objection to this proposed rezoning/OCP amendment providing that the applicant install perimeter fencing around the entirety of the subject property in accordance with the CRD Agricultural policy.

CARRIED UNANIMOUSLY

Moved by Diane Wood

that the meeting terminate. 7:35 p.m.

**Chair: _____
Marvin Monical**

**Secretary Diane Wood
Diane Wood**



March 23, 2022

Jonathan Reitsma
Planning Officer I
Cariboo Regional District
Sent by email jreitsma@cariboord.ca

Dear Jonathan:

Re: File: 3360-20/20220010 – Zoning and Official Community Plan (OCP) Amendment - 7976 Begbie Road (Lot 5 District Lot 350, Lillooet District, Plan 29306, Except Plans 38586, KAP48788 and KAP48789) – The Subject Property

Thank you for providing the opportunity for the Ministry of Agriculture, Food and Fisheries (Ministry) to comment on the above noted file that proposes an OCP and Zoning amendment to facilitate subdivision of the subject property. From an agricultural perspective, the Ministry offers the following comments:

- The subject property is 10.06 ha and is not within the Agricultural Land Reserve (ALR).
- The subject property is designated Rural Holdings (RH) in the OCP.
- The proposed new OCP designation for a portion of the subject property is Rural Residential, with minimum lot size of 0.8 ha.
- The subject property is zoned Rural Residential 1 (RR1).
- The proposed new zoning designation for a portion of the subject property is Rural Residential 3 (RR3) with a minimum lot size of 0.8 ha.
- The subject property is not adjacent to the ALR.
- Based on the information provided the subject property does not currently have any agricultural production taking place.
- There does not appear to be any agricultural production near the subject property that could be negatively impacted by the subdivision proposal.
- It is noted that increased traffic to the subject property may lead to the introduction of invasive species. Under the *Weed Control Act*, the land occupier has a legal obligation to control noxious weeds on the site. Control of both plants and seeds is required as the seeds from invasive plants can lay dormant and viable in the soil for many years and can

be a serious long-term problem. Ensuring that weed prevention and control plan is in place and followed during all phases of the operation is critical.

- The Ministry has no further comment on the application.

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

Sincerely,

Marisa McDonald, P. Ag
Land Use Planner
236-713-2265
Marisa.McDonald@gov.bc.ca

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

Cc: Michael McBurnie, Regional Planner – Agricultural Land Commission



THOMPSON-NICOLA
REGIONAL DISTRICT
The Region of BC's Best

300-465 Victoria Street
Kamloops, BC V2C 2A9
Tel: 250-377-8673
Toll Free in BC: 1-877-377-8673
Email: admin@tnrd.ca

Department: Planning

March 29, 2022

VIA Email: ghilliard@cariboord.ca

Cariboo Regional District
Suite D, 180 North 3rd Avenue
Williams Lake, BC V2G 2A4

Attention: Genny Hilliard, Development Service Clerk V

Dear Sir/Madam:

Subject: **Referral Report No. 655**
Cariboo Regional District Green Lake Area Official Community Plan
Amendment Bylaw No. 5374, 2022 and Cariboo Regional District South
Cariboo Area Zoning Amendment Bylaw No. 5375, 2022
Lot 5, District Lot 350, Lillooet District, Plan 29306, Except Plans 38586,
KAP48788 and KAP48789 - (the "Property")
7976 Begbie Road, 83 Mile House, BC

In response to your referral letter of February 22, 2022, be advised that the Thompson-Nicola Regional District Board of Directors passed the following resolution at their regular meeting on March 24, 2022:

1. THAT the Cariboo Regional District's Green Lake Area Official Community Plan Amendment Bylaw No. 5374, 2022, and the South Cariboo Area Zoning Amendment Bylaw. 5375, 2022, be recommended for refusal, *as presented*.
2. THAT an OCP Bylaw amendment from *Rural Holding* to *Small Holding* and an amendment to the zoning bylaw from *Rural 1 (RR 1)* to *Rural 2 (RR 2)* be recommended for support.

Thank you for the opportunity to comment on this application.

Yours truly,

Dan Wallace, RPP, MCIP
Planner

DW/cb

Encl. Certified resolution and Board Report

MUNICIPALITIES: Ashcroft | Barriere | Cache Creek | Chase | Clearwater | Clinton
Kamloops | Logan Lake | Lytton | Merritt | Sun Peaks

ELECTORAL AREAS: "A" "B" "E" "I" "J" "L" "M" "N" "O" "P"



The Region of BC's Best

CERTIFIED RESOLUTION OF THE THOMPSON-NICOLA REGIONAL DISTRICT
BOARD OF DIRECTORS

THAT, the Cariboo Regional District's Green Lake Area Official Community Plan Amendment Bylaw No. 5374, 2022 and the South Cariboo Area Zoning Amendment Bylaw No. 5375, 2022, be recommended for refusal, *as presented*.

THAT, an OCP Bylaw amendment from Rural Holding to Small Holding and an amendment to the zoning bylaw from *Rural 1 (RR 1) to Rural 2 (RR 2) be recommended for support*.

I hereby certify the above to be a true copy of a resolution adopted by the Thompson-Nicola Regional District Board at its Regular Board Meeting held on March 24, 2022.

Dated at Kamloops, British Columbia

This 29 day of March, 2022

Agnese Saat, Deputy Corporate Officer



THOMPSON-NICOLA
REGIONAL DISTRICT
The Region of BC's Best

300-465 Victoria Street
Kamloops, BC V2C 2A9

Tel: 250-377-8673
Toll Free in BC: 1-877-377-8673
Email: admin@tnrd.ca

Department: Planning

March 17, 2021

VIA Email: ghilliard@cariboord.ca

Cariboo Regional District
Suite D, 180 North 3rd Avenue
Williams Lake, BC V2G 2A4

Attention: Genny Hilliard, Development Services Clerk V

Dear Madam:

Subject: **Referral Report No. REF 655**
Cariboo Regional District Green Lake Area Official Community Plan Amendment
Bylaw No. 5374, 2022 and Cariboo Regional District South Cariboo Area Zoning
Amendment Bylaw No. 5375, 2022
Lot 5, District Lot 350, Lillooet District, Plan 29306, Except plans 38586,
KAP48788 and KAP 48789
7976 Begbie Road, 83 Mile House, BC

Please find enclosed, a copy of the information that is included on the Board of Directors' agenda concerning your Zoning Amendment application.

Your application will be reviewed by the Board of Directors at their meeting to be held on March 24th, 2022.

If you require further information, please contact the undersigned.

Yours truly,

Dan Wallace, RPP, MCIP
Planner

DW/cb

Encl. Board Report



TO: Chair and Board of Directors **Meeting Date:** March 24, 2022

FROM: General Manager of Development Services

SUBJECT: **Referral Report No. 655**
Cariboo Regional District Green Lake Area Official Community Plan Amendment Bylaw No. 5374, 2022 and Cariboo Regional District South Cariboo Area Zoning Amendment Bylaw No. 5375, 2022
Lot 5, District Lot 350, Lillooet District, Plan 29306, Except Plans 38586, KAP48788 and KAP48789 - (the "**Property**")
7976 Begbie Road, 83 Mile House, BC

RECOMMENDATION:

1. **THAT the Cariboo Regional District's Green Lake Area Official Community Plan Amendment Bylaw No. 5374, 2022 and the South Cariboo Area Zoning Amendment Bylaw No. 5375, 2022, be recommended for refusal, *as presented*.**
2. **THAT an OCP Bylaw amendment from *Rural Holding to Small Holding* and an amendment to the zoning bylaw from *Rural 1 (RR 1) to Rural 2 (RR 2)* be recommended for support.**

R. Sadilkova
General Manager of Development Services

Prepared by: Dan Wallace, RPP, MCIP

Approved for
Board Consideration
CAO

PURPOSE:

This report is to consider a referral from the Cariboo Regional District (CRD) in accordance with the applicable policy in the Green Lake and Area Official Community Plan (OCP).

SUMMARY:

Planning Services has reviewed a referral relating to two proposed bylaws forwarded by the CRD. The OCP bylaw amendment requests an OCP redesignation on a portion of the Property from *Rural Holding* to *Rural Residential* and rezoning on this same portion from *RR-1: Rural* (minimum parcel size is 4 hectares) to *RR-3: Rural* (min. parcel size is 0.8 ha) The bylaws would enable a landowner to subdivide the Property into two-1.01 ha parcels with an 8.04 ha remainder – see inset maps on following pages.

Subject: CRD Green Lake Area Official Community Plan Amendment Bylaw No. 5374, 2022
CRD South Cariboo Area Zoning Amendment Bylaw No. 5375, 2022 - **No. REF 655**

The proposal is inconsistent with the OCP's *Land Use Concepts* for the 83 Mile House area, so Planning Services Staff recommends **refusal** as presented. On the other hand, Staff is not opposed to residential development at this location in accordance with OCP policy. Staff **supports** an OCP amendment to the *Small Holding* designation (2 ha parcel size), *not* an amendment to *Rural Residential* (0.8 ha minimum parcel size), enabling the residential subdivision to proceed, albeit with a 2 ha parcel size supported by the OCP at this location.

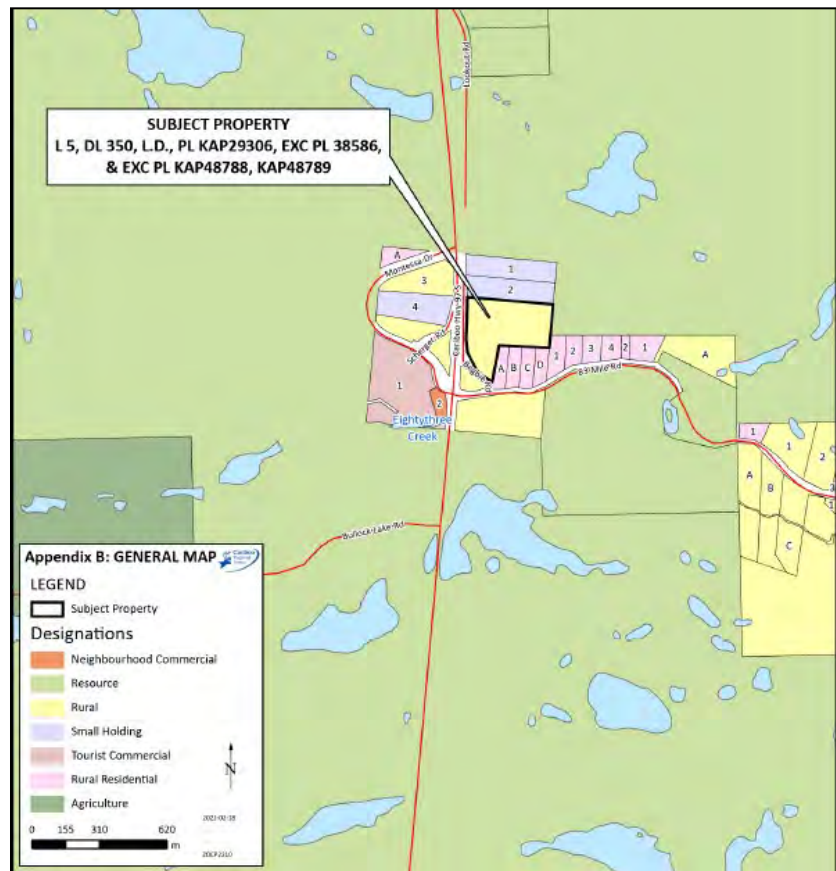
BACKGROUND:

Green Lake and Area OCP – Development Application Process

This OCP was adopted in 2012. The Board may recall the uniqueness of this OCP in that it provides objectives and policies to guide decisions on planning and land-use within the Green Lake watershed area across lands in both the CRD and TNRD. To assist in the OCP's cross-jurisdictional implementation, a strategy was developed and written into the Plan to assist with administration. As part of this strategy, we cross-refer development applications for comment (similarly to the process for municipal Fringe Areas). Attached, please find the complete referral, including the applicant's Reasons in Support document; two amendment bylaws; and maps.

Neighbourhood Description

The Parcel, 7976 Begbie Road, is located near the intersection of 83 Mile Road and Cariboo Highway No. 97. In the OCP, the 83 Mile neighbourhood node currently comprises primarily *Rural* and *Small Holding* designated properties. There are limited *Rural Residential* designated parcels in the area that were developed in the mid-70s as ≈2-acre parcels.



Subject: CRD Green Lake Area Official Community Plan Amendment Bylaw No. 5374, 2022
CRD South Cariboo Area Zoning Amendment Bylaw No. 5375, 2022 - **No. REF 655**

DISCUSSION:

The OCP's land use designations are consistent for lands within the CRD and TNRD. The Property, suitably designated *Rural Holding*, is a designation intended to reflect properties that should remain rural in character and size with a density of one dwelling per 4 ha. The applicant wishes to redesignate a portion of the Property to *Rural Residential* (one dwelling per 0.8 ha) and subsequently rezone for the purpose of creating two additional ≈ 1 ha parcels as shown in pink on the inset map.

The OCP states the following under Section 3.5 – *Land Use Concepts*:

Near the 83 Mile Road/Hwy 97 junction, protection of heritage values and increased tourism-related commercial services are encouraged. Increasing density to small holdings is also encouraged there, provided there are no negative impacts to 83 Mile Creek or other resources.



Furthermore, Section 6.29 – *Small Holding* – provides the following supporting policy:

6.29 Increasing density to small holdings is encouraged near the 83 Mile / Highway 97 junction, provided there are no negative impacts to 83 Mile Creek or other resources.

During the OCP's development, the *Rural Residential* designation was applied to some smaller properties in the 83 Mile neighbourhood due to their pre-existing parcel size. For new development in the 83 Mile neighbourhood, TNRD Planning Services supports current OCP policy direction for *Small Holding* densities comprising parcels with a 2 ha minimum parcel size. In this case, it appears that the proposed subdivision plan could be modified to accommodate this parcel size. Lastly, our support is conditional on the development having no negative impacts on 83 Mile Creek or other resources.

Attachment:

- CRD Referral, dated February 22, 2022

RESULTS OF PUBLIC HEARING

File No: 3360-20/202220010

Date: Monday, August 15, 2022

Location: South Cariboo Recreation Centre – Meeting Room

Re: **GREEN LAKE AND AREA OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW NO. 5374, 2022 AND SOUTH CARIBOO AREA ZONING AMENDMENT BYLAW NO. 5375, 2022**

Persons Present:

- ☒ Director: Al Richmond
 - ☒ Owner(s): James Kincaid and Erin Filtness
 - ☒ Agent: Nigel Hemingway – Cariboo Geographic Systems
 - ☒ Public: See attached list
 - ☐ Staff:
 - ☐ **No public in attendance** (excluding owner/agent)
-

- ☒ Meeting called to order at 7:03 PM.
- ☒ Welcome, introduction and the “Purpose of a Public Hearing”, including the rules for the meeting and the specifics of the application were read out.
- ☒ The following verbal comments and questions were received: (add additional sheet if required)
Comments in favour:

 See attached comment sheet

Comments of concern/opposition:

 See attached comment sheet
- ☒ Attendees were asked three times for further comments and/or questions.
- ☒ The Chair called the meeting adjourned at 7:50 PM. (**Waited at least 10 mins from time of Calling to Order**)

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



Signature of Chair

File No: 3360-20/2022/20010

Date: Monday, August 15, 2022

Location: South Cariboo Recreation Centre -Meeting Room

By Law No 5374 & 5375

Results of Public Hearing Comment Sheet

Comments in Favour

Those present were not opposed to the development of the property itself but were concerned about the potential impacts to the wells on the adjacent 4 properties.

Comments of Concern/Opposition

One email was received and read to those present

Concern was expressed about the impact the wells required for the development would have on the adjacent four properties. Residents explained that they believe their water quality has deteriorated since some work was done by MOTI. The agent explained that proof of water was done at the subdivision stage not at the rezoning stage. He explained that the applicant must provide proof of water to MOTI before the proposal would receive subdivision approval. The owners indicated they would be prepared to monitor the wells on the adjacent properties as part of the work required by MOTI if the owners gave their consent for them to do so. Those present were satisfied with the offer to have their wells monitored as part of the work required by MOTI. Residents were informed that this agreement would be between themselves and the developer and that the CRD would not be part of that agreement.

The agent and the owners indicated they were prepared to enter into a covenant with the Cariboo Regional District that there will be no further subdivision of the property.

From: [Sylvia Gosselin](#)
To: [CRD Planning](#)
Subject: Rezoning & re-designating of Lot 5, DL350, Plan 29306
Date: August 12, 2022 1:07:47 PM

You don't often get email from sylvia.e.gosselin@gmail.com. [Learn why this is important](#)

To Whom It May Concern,

I am writing to express the concerns of myself and my other two neighbours who all own the four properties attached on the South side of the property looking to subdivide.

For myself, one of the reasons that I purchased my property at 8005 was because the property to the North was one large piece that would have probably only had one house built closer to the access on Begbie Rd., if anyone ever built on it.

Another reason for purchasing my property was the good-tasting well water that my property had at the time. This water has already changed to taste more like sulphur ever since there was logging done on the hill above us (about 2 years ago), which is where the property in question is also situated. My neighbours and I are very concerned about what the additional logging, ground disturbance, building, well-drilling, etc. will do to our existing wells as in regards to water quality and quantity. Our homes at the bottom of Begbie hill are all on shallower wells (60' - 80' depth); whereas we understand that the one new well already dug on the property above us had to drill to 230' depth, which probably means they are already using our aquifer?? Under the new BC groundwater rules, I am led to believe that we have the grandfather rights to this water with our pre-existing wells. As we are all retired and living on fixed incomes, we would like to have some sort of guarantee that our water sources will not be compromised by a subdivision above us; and if they are, we will not be financially burdened by having to rectify the situation. The water would be our main concern about giving the "Okay" for this subdivision to proceed.

I will be attending the 7 pm meeting on Monday to make sure our concerns become part of the public record.

Sincerely,

Sylvia Gosselin
250-791-5777
8005 83 Mile Rd., 70 Mile House, BC V0K 2K1

Harold & Julie Newcomb
8001 83 Mile Rd.

Guy & Myra Aggiss
7997 83 Mile Rd.

