



Planning Application Information Sheet

Application Type: Rezoning

File Number: 3360-20/20220045

Bylaw(s): South Cariboo Area Zoning Amendment Bylaw No. 5400, 2022

Electoral Area: G

Date of Referral: June 29, 2022

Date of Application: June 10, 2022

Property Owner's Name(s): GERGO SZATMARI

Applicant's Name: Michael Kidston Land Surveying

SECTION 1: Property Summary

Legal Description(s): Lot B, District Lots 200 and 3560, Lillooet District, Plan 30951, Except Plan KAP45694

Property Size(s): 4.71 ha (11.64 ac.)

Area of Application: 4.71 ha (11.64 ac.)

Location: Easzee Dr.

Current Designation:
108 Mile Ranch Residential

Min. Lot Size Permitted:
0.302 ha (0.75 ac.)

Current Zoning:
Open Space, Parkland (OSP)

Min. Lot Size Permitted:
N/A

Proposed Zoning:
Special Exception R 1-1

Min. Lot Size Permitted:
0.302 ha (0.75 ac.)

Proposal: Future residential development in accordance with 108 Mile Residential Zone (R 1-1). Proposal is to resolve zoning inconsistency. Property changed to Open Space Parkland (OSP) zone when Zoning Bylaw 3501 was adopted, however property intent has always been for 108 Mile Residential.

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

Existing Buildings: None.

Proposed Buildings: No new buildings proposed at present.

Road Name: Easzee Dr.

Road Type: Paved

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

Services Available: Hydro, Telephone and Community Water System

Within the confines of the Agricultural Land Reserve: No

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

Name of Lake/Contributing River: None

Within Development Permit Area: No

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

	Land Use:	Lot Sizes:
(a) North	000 - Single Family Dwelling	0.46 ha (1.13 ac.)
	515 - Airports, Heliports, Etc.	
(b) South	000 - Single Family Dwelling	0.48 ha (1.18 ac.)
	000 - Single Family Dwelling	0.35 ha (0.86 ac.)
(c) East	202 - Store(s) And Living Quarters	3.71 ha (9.167 ac.)
(d) West	038 - Manufactured Home (Not In Manufactured Home Park)	0.23 ha (0.56 ac.)
	000 - Single Family Dwelling	0.19 ha (0.47 ac.)

PLANNING COMMENTS

Background:

An application to rezone the property at Easzee Dr. in the 108 Mile Ranch has been received by planning staff. This proposal requests that the 4.71 ha (11.64 ac.) subject property be rezoned from Open Space, Parkland (OSP) to Special Exception R 1-1 zone to align with the existing Official Community Plan (OCP) designation. The property is currently designated 108 Mile Ranch Residential in the South Cariboo Area Official Community Plan Bylaw No. 5171, 2018.

The proposal would allow future residential development in accordance with 108 Mile Residential Zone (R 1-1). This is to resolve the current zoning inconsistency. The property was assigned the Open Space Parkland (OSP) zone when Zoning Bylaw 3501 was adopted in 2001, however the intent has always been for 108 Mile Residential.

Location and Surrounding:

The subject property is located within 108 Mile Ranch, on Easzee Drive and in proximity to the Cariboo Highway 97 N as shown in Appendix B. Currently, it is a vacant property, mostly flat covered in trees and open grassland. The property is within the service area of the Cariboo Regional District 108 Mile water service area. It is mostly surrounded by single-family dwellings to the north, south and west, a commercial lot with stores (“108 Mall”) and living quarters to the east of the subject property. Other community amenities in proximity include South Cariboo Region/108 Mile Airport and 108 Mile Elementary School.

CRD Regulations and Policies:

3501 South Cariboo Area Zoning Bylaw, 1999

5.12 RESIDENTIAL 1 (R 1) ZONE

5.12.1 USES PERMITTED

a) RESIDENTIAL USES:

- i. A single-family residential dwelling; or
- ii. One (1) secondary suite and must be subordinate to a single-family dwelling; or
- iii. One (1) carriage house and must be subordinate to a single-family dwelling; or
- iv. A temporary dwelling unit in conjunction with a single-family residential dwelling.

5.12.3 SPECIAL R 1 ZONES

5.12.3.1 Special Exception R 1-1 Zone (108 LUC)

The following provisions shall apply:

- (a) Lot Area (minimum): = 0.302 hectare (32,508 square feet)

- (b) Required Yards (minimum):
 - i. Front Yard - Setback = 7.6 metres (24.93 feet)
 - ii. Exterior Side Yard – Setback = 7.6 metres (24.93 feet)
 - iii. Interior Side Yard – Setback = 3.0 metres (9.84 feet)
 - iv. Rear Yard - Setback = 3.0 metres (9.84 feet)

Rationale for Recommendations:

Planning staff have no objection to the proposed rezoning of the property as it will resolve a zoning inconsistency that originated during the Zoning Bylaw 3501 adoption process. By rezoning the site to the Special Exception R 1-1 zone, the applicant will be able to have future residential development which was the original property intent.

This zoning amendment will be consistent with the current OCP designation and with the general residential character of the 108 Mile Ranch area. Further, the property is identified for residential development in the 108 Land Use Contract. The 108 Mile Ranch being predominantly a residential community, the proposal to further develop the subject property into smaller residential lots is anticipated to have minimal impact on the neighbourhood.

The Interior Health Authority (IH) has responded that their interests are unaffected by the rezoning application as no health impacts associated with the proposal have been identified at this initial review.

The Ministry of Transportation and Infrastructure (MOTI) has also provided their comments. The Ministry has no objections to the proposed rezoning, but there are several other criteria that will be considered at the future development stage including but not limited to access, road construction and/or road dedication, archaeology assessment, sewage disposal, proof of water, geotechnical review, and drainage.

The subject property is located within the CRD Building Inspection Service Area. The CRD Chief Building Official (CBO) has no comments regarding this proposal. A building permit will be required for any future development on the property.

The CRD Environmental Services Department has responded with no current implications for utility for the 108 Mile water system and that future lot servicing can be achieved for the minimum required 0.302 ha (0.75 ac.) lot sizing.

The Electoral Area 'G' Advisory Planning Commission (APC) has reviewed the application and have no objections to the proposed rezoning.

The applicant asserts this zoning inconsistency was due to staff error in the period of 1999-2001 during drafting of Zoning Bylaw 3501 and are requesting a refund of their rezoning application fee.

Recommendation:

1. That the South Cariboo Area Zoning Amendment Bylaw No. 5400, 2022 be given first and second reading.

Further, that the full application fee of \$1400.00 be refunded to the applicant for File No. 3360-20/20220045, due to extenuating circumstances in accordance with CRD Application Fee Policy PL2.2 (Policy #11-06A-13).

REFERRAL COMMENTS

Health Authority: July 5, 2022

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: July 20, 2022

EDAS # 2022-03907

The Ministry of Transportation has no objection in principle to the proposed rezoning. Please be advised this in no way constitutes subdivision approval and requirements may include the items below but are not limited to:

- o Access
- o Road Construction and/or Road Dedication
- o Archaeology Assessment
- o Sewage Disposal
- o Proof of Water
- o Geotechnical Review
- o Drainage

Advisory Planning Commission: July 20, 2022

See attached.

Ministry of Environment and Climate Change Strategy:
No response received.

CRD Chief Building Official: July 20, 2022
No comments.

CRD Environmental Services Department: July 27, 2022
This rezoning application has no current implications for our Utility for the 108 Mile Water System; future lot servicing can be achieved for 0.3 Hectare lot sizing.

BOARD ACTION

August 12, 2022:

That South Cariboo Area Zoning Amendment Bylaw No. 5400, 2022 be read a first and second time, this 12th day of August, 2022.

That the full application fee of \$1,400.00 be refunded to the applicant for File No. 3360-20/20220045, due to extenuating circumstances in accordance with the CRD Application Fee Policy PL2.2 (Policy #11-06A-13).

October 6, 2022:

That South Cariboo Area Zoning Amendment Bylaw No. 5400, 2022 be read a third time, this 6th day of October 2022.

ATTACHMENTS

Appendix A: Bylaw 5400
Appendix B: General Map
Appendix C: Specific Map
Appendix D: Orthographic Map
Other: Applicants Supporting Documentation
Advisory Planning Commission Comments
Public Hearing Results



CARIBOO REGIONAL DISTRICT

BYLAW NO. 5400

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. 5400, 2022".

2. AMENDMENT

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

- i) rezoning Lot B, District Lots 200 and 3560, Lillooet District, Plan 30951, Except Plan KAP45694 from Open Space, Parkland (OSP) zone to Special Exception R 1-1 zone; and
- ii) amending Schedule "C" accordingly.

Appendix B: GENERAL MAP

LEGEND

Subject Property

ALR

Designations

108 Mile Ranch Residential

Commercial

Industrial

Institutional

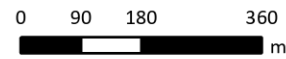
Parks, Recreation & Open Space

Resource Area

Spruce Hill Comprehensive Development Area

Rural Residential

Agriculture

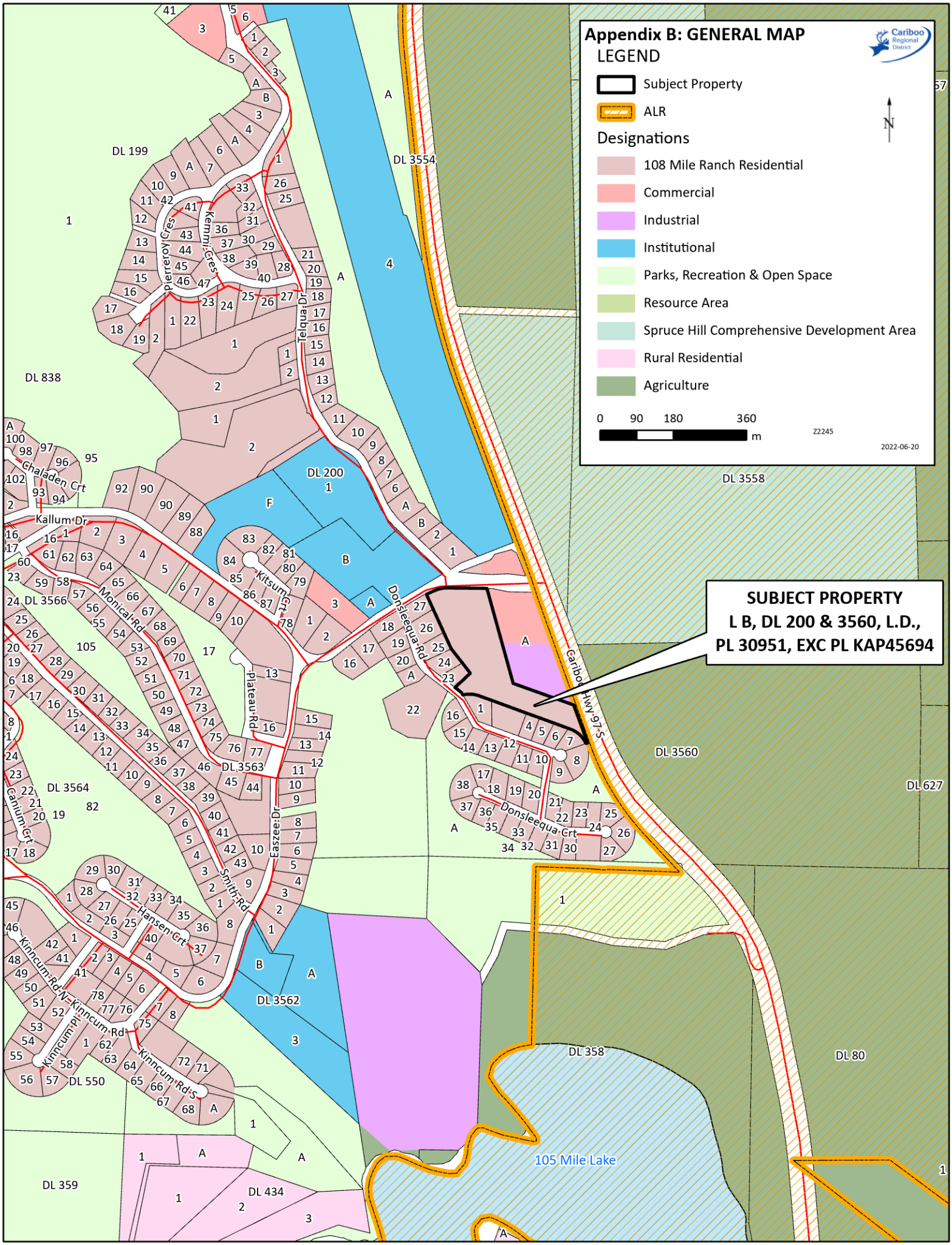


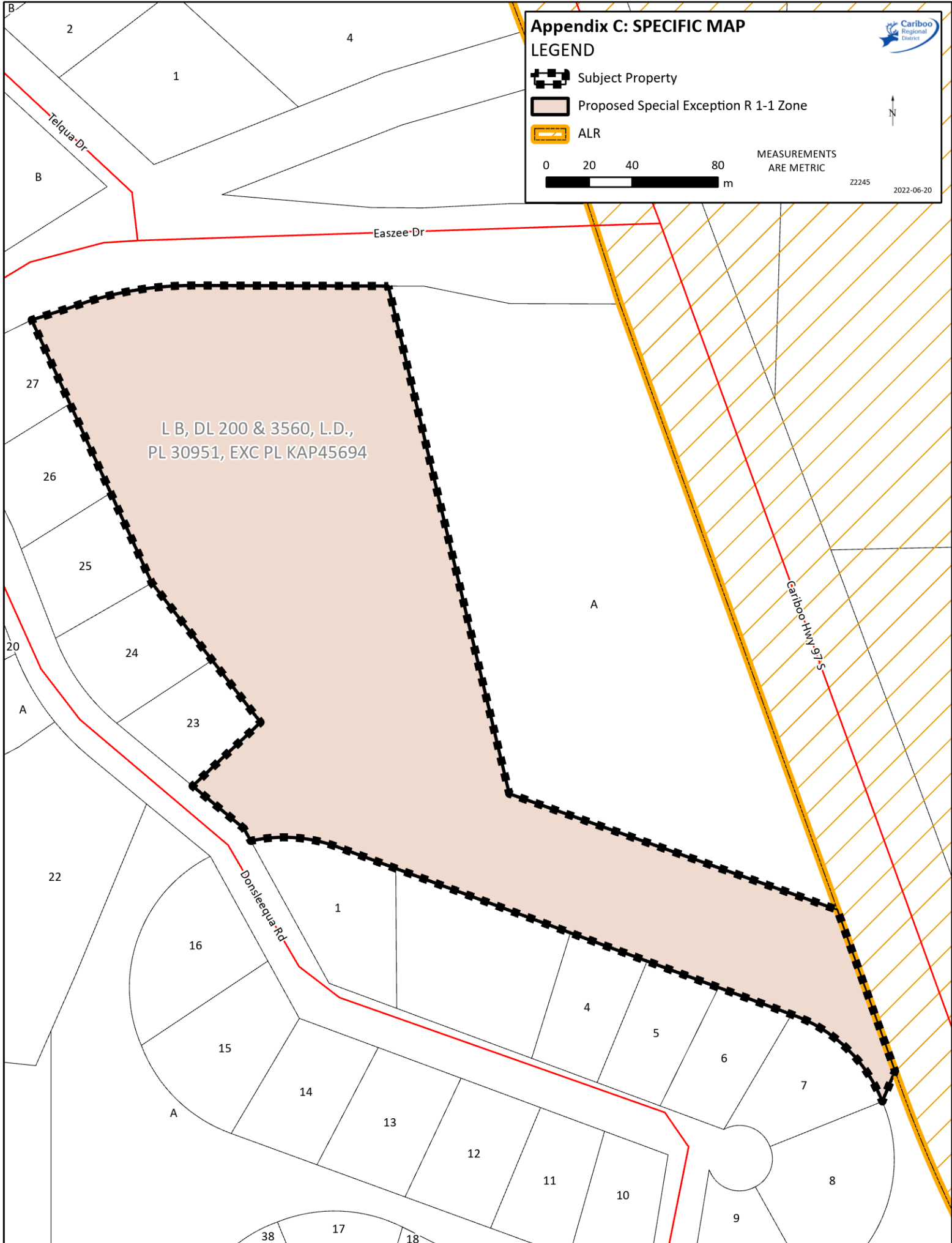
22245

2022-06-20




SUBJECT PROPERTY
L B, DL 200 & 3560, L.D.,
PL 30951, EXC PL KAP45694





**Appendix D: GENERAL MAP ORTHO
LEGEND**



 Subject Property

 ALR

0 30 60 120
m

Z2245

2022-06-20



SUBJECT PROPERTY
L B, DL 200 & 3560, L.D.,
PL 30951, EXC PL KAP45694



Describe the existing use of the subject property and all buildings: vacant

Describe the proposed use of the subject property and all buildings: Possible future development as allowed.

Describe the reasons in support for the application: Property incorrectly designated OSP when change-over to Bylaw 3501 occurred. Owner wishes property revert to Residential 1 (R1-1 108 M.10 zone).

Provide a general description of vegetation cover (i.e. treed, grassland, forage crop etc.): 50/50 treed and open grassland.

Provide general geographical information (i.e. existing lakes, streams, physical features etc.): None

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

AREA G APC RESPONSE FORM

FILE NO: 3360-20/20220045

JUL 27 2022

referred To

Date: July 20, 2022

Applicant/Agent: Michael Kidston

Area G director - Al Richmond

Members:	Marvin Monical	Diane Wood	Graham Leslie	Nicola Maughn
	Marilyn Niemiec	Robin Edwards	Amanda Bird	Jamie Hughes

Absent: Nicola Maughn Robin Edwards Jamie Hughes

Location of Application: Easzee Drive, 108 Mile

Agenda Item: Rezoning

Moved by: Graham Leslie / Marvin Monical

Area G APC has no objection to this rezoning application.

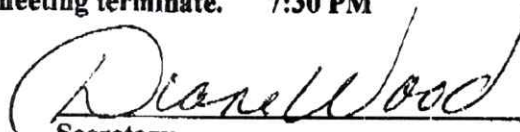
CARRIED UNANIMOUSLY

Moved by Graham Leslie

that the meeting terminate. 7:30 PM

Marvin Monical

Chair



Secretary

RESULTS OF PUBLIC HEARING

File No: 3360-20/20220045

Date: Tuesday, October 4th, 2022

Location: 108 Community Hall

Re: **SOUTH CARIBOO AREA ZONING AMENDMENT BYLAW NO. 5400, 2022**

Persons Present:

- Director: Al Richmond
 - Owner(s): Gergo Szatmari
 - Agent: Michael Kidston Land Surveying
 - Public: See attached list
 - Staff:
 - No public in attendance** (excluding owner/agent)
-

- Meeting called to order at 7:05 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 8:13 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

Public Hearing Comments

South Cariboo Area Zoning Amendment Bylaw No. 5400,2022

Concerns were expressed by many in attendance that the increase in traffic on Donsleequa would create a hazard for children waking to school due to the lack of shoulders and road design.

Concern was expressed regarding the water pressure being very low and this potential subdivision will make the situation worse.

Concern about the loss of property values with the loss of Open Space Parkland zone and the increased density of more residential development causing congestion.

Did the CRD ever consider buying this property?

Answer No

People bought homes based on this property being zoned Open Space Parkland.

The rezoning of this property represents the potential loss of commercial property on the 108.

Answer The property owner could put forward a rezoning application to have this property zoned commercial.

How long have you owned this property?

Answer The property was owned by my grandfather for over 30 Years I inherited the land from him a few years ago.

How many lots will be developed?

Answer I have no plans to develop the property at the present time.

How can we have say into road access to the property and the number of lots?

Answer Subdivision approval is controlled by the Ministry of Transportation and Highways your concerns can be directed to them. There is currently no subdivision plan for this property. We are only trying to correct a Zoning error done by CRD staff.

Is there no legal recourse available to residents regarding the rezoning error?

Answer This would be best addressed by your Legal Council

Public Hearing Attendance

"South Cariboo Area Zoning Amendment Bylaw No. 5400, 2022"

Date of Public Hearing: October 4, 2022

Application: Easzee Dr. (3360-20-20220045)

Name	Address
IRENE RASMUSSEN	4988 DONSLERQUA RD
KAI RASMUSSEN	4988 DONSLERQUA RD
Bruce Greenwood	4971 Donsleequa Rd
Louise Greenwood	4971 Donsleequa Rd
Terry Capnerhurst	4976 Donsleequa Rd
Norma Capnerhurst	4976 Donsleequa Rd
Greg Szafranski	Box 1805 100 Mile
HEIDI HAPALO	4984 DONSLERQUA RD
Barb Monical	Tatton Road
Kathie Knutson	4998 Donsleequa Rd
Judy Bernert	5446 Donsleequa CRT.
Pauline Pazeau	5448 Donsleequa CRT.
Michael Kidston	5801 Simon Lake Rd 100 MH
Frank Shedd	4936 GLOINDZUN DR
Bang Port	5349 Annaham Cresc.
Debra Porter	5349 Annaham Cresc.
Lesla Hamilton	4985 Donsleequa Rd

