



Planning Application Information Sheet

Application Type: Rezoning/OCP Amendment

File Number: 3360-20/20200049

Bylaw(s): Williams Lake Fringe Area Official Community Plan Amendment Bylaw No. 5294, 2020 and Williams Lake Fringe and 150 Mile House Area Zoning Amendment Bylaw No. 5295, 2020

Electoral Area: E

Date of Referral: December 21, 2020

Date of Application: December 07, 2020

Property Owner's Name(s): KENTON R TURCHINETZ
JENNIFER A TURCHINETZ

Applicant's Name: EXTON & DODGE LAND SURVEYING INC

SECTION 1: Property Summary

Legal Description(s): District Lot 12020, Cariboo District, Except: Plan EPP6513

Property Size(s): 1.65 ha (4.07 ac.)

Area of Application: 1.65 ha (4.07 ac.)

Location: 2163 Dog Creek Road

Current Designation:

Rural Residential 3

Min. Lot Size Permitted:

Average 1.15 ha (2.84 ac.) with parcels ranging from 0.8 ha (1.98 ac.) to 1.5 ha (3.71 ac.)

Proposed Designation:

Residential

Min. Lot Size Permitted

0.04 ha (0.099 ac.) (For lots serviced by community water and sewer)

Current Zoning:

Rural 3 (RR 3)

Min. Lot Size Permitted:

0.8 ha (1.98 ac.)

Proposed Zoning:
Special Exception R 1-1

Min. Lot Size Permitted:
0.28 ha (0.69 ac.)

Proposal: Rezoning to allow for subdividing the property into three residential lots with smaller lot sizes.

No. and size of Proposed Lots: 3 residential lots: 0.66 ha (1.63 ac.) Lot 1; 0.59 ha (1.46 ac.) Lot 2; and 0.4 ha (0.99 ac.) Lot 3

Existing Buildings: One Residential Dwelling and a Shed

Proposed Buildings: No buildings proposed.

Road Name: Dog Creek Road

Road Type: Paved

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

Services Available: Hydro, Telephone, Sewage Disposal System and 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/Industrial 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)	1.49 ha (3.67 ac.)
	000 Single Family Dwelling	0.15 ha (0.36 ac.)
	000 Single Family Dwelling	0.18 ha (0.44 ac.)
(b) South	063 2 Acres Or More (Manufactured Home)	0.81 ha (2 ac.)
	060 2 Acres Or More (Single Family Dwelling, Duplex)	0.92 ha (2.28 ac.)

(c) East	063 2 Acres Or More (Manufactured Home)	10.04 ha (24.8 ac.)
(d) West	060 2 Acres Or More (Single Family Dwelling, Duplex)	0.898 ha (2.22 ac.)
	060 2 Acres Or More (Single Family Dwelling, Duplex)	0.85 ha (2.1 ac.)

PLANNING COMMENTS

Update (July 8, 2021):

The applicant has requested to amend their proposal from 3-lot subdivision to 2-lot subdivision because of the setback requirements from the neighbour's sewage lagoon and the required agricultural buffer that limits buildable area on the previously proposed lots across the east side of Dog Creek Road.

The revised proposal is to rezone part of the subject property from Rural 3 (RR 3) zone to Special Exception R 1-1 zone, and simultaneously redesignate the respective portion from Rural Residential 3 to Residential designation. The staff recommendation reflects the necessary amendments to the proposed zoning and OCP amendment bylaws. A second public hearing is not required as the proposed amendments will not allow an increase in density of the proposal, as presented at the public hearing.

Revised Recommendation:

1. That the Williams Lake Fringe Area Official Community Plan Amendment Bylaw No. 5294, 2020 to redesignate part of District Lot 12020, Cariboo District, Except: Plan EPP6513 from Rural Residential 3 designation to Residential designation be approved.
2. That the Williams Lake Fringe and 150 Mile House Area Zoning Amendment Bylaw No. 5295, 2020 to rezone part of District Lot 12020, Cariboo District, Except: Plan EPP6513 from Rural 3 (RR 3) zone to Special Exception R 1-1 zone be approved, subject to the following conditions:
 - i) Adoption of Williams Lake Fringe Area Official Community Plan Amendment Bylaw No. 5294, 2020

- ii) **The applicant offering to enter into and entering into a covenant to ensure compliance with the provisions of the Agricultural Policy with respect to fencing and buffering along the eastern boundary of the subject property.**
- iii) **The applicant offering to enter into and entering into a Wildfire Interface covenant encouraging land owners to use Fire Smart wildfire mitigation practices for building construction and land management on the subject property.**

Further, that the Agricultural Policy covenant and Wildfire Interface covenant be registered in priority to any financial charges on title, and the cost of registration be borne by the applicant.

Background:

It is proposed to rezone a 1.65 ha (4.07 ac.) rural residential property to subdivide into three separate smaller residential lots. The subject property is currently zoned Rural 3 (RR 3) in the Williams Lake Fringe and 150 Mile House Area Zoning Bylaw No. 3502, 1999, and is designated Rural Residential 3 in the Williams Lake Fringe Area Official Community Plan Bylaw No. 4782, 2013.

The proposed lot sizes do not comply with the permitted lot size provisions under the current zoning of RR 3. Therefore, the applicant has requested to rezone the subject property From Rural 3 (RR 3) zone to Special Exception R 1-1 and Residential 2 (R 2) zones. The proposal includes two R 2 lots of 0.73 ha (1.8 ac.) and 0.64 ha (1.58 ac.) in sizes, and one Special Exception R 1-1 lot of 0.28 ha (0.69 ac.) in size. It is also proposed to redesignate the property from Rural Residential 3 to Residential designation to maintain compliance with the proposed zoning. The proposal is shown in Appendix C.

Williams Lake Fringe and 150 Mile House Area Zoning Bylaw No. 3502, 1999 is amended by including the following section:

5.12.3.1 Special Exception R 1-1 Zone (3360-20/20200049)
Notwithstanding any other provisions of this bylaw to the contrary, on lands zoned R 1-1:

- i) Lot Area (minimum) = 0.28 hectare (0.69 acres)

All other provisions of the R 1 zone shall apply.

Further, there is an ongoing proposed subdivision application with the Ministry of Transportation and Infrastructure associated with this rezoning that is currently being reviewed under the MOTI file #2020-05829.

Location & Surroundings:

The subject property is located at 2163 Dog Creek Road, adjacent to an Agricultural Land Reserve (ALR) property to the east as shown in Appendix B. Currently, there is a residential structure, a shed, septic tank and a well existing on the portion of the property on the west side of Dog Creek Road. The portion to the east of the road is currently vacant and covered in trees and grass.

The property is completely within the slope grid range of 0%-20%, partially within the environmentally sensitive area for Mule Deer Winter Range and is also partially within the identified very high risk of wildfire hazard area. It is mostly surrounded by single-family dwellings and crown range pastures to the far north of the subject property.

CRD Regulations and Policies:

3502-Williams Lake Fringe and 150 Mile House Area Zoning Bylaw, 1999

5.13 RESIDENTIAL 2 (R 2) ZONE

5.13.2 ZONE PROVISIONS

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

Rationale for Recommendations:

Based on the Advisory Planning Commission (APC) comments, the proposal has been revised to remove the hooked Lot 3 from the east side of the property. The size of the proposed Lots 1 and 2 has been adjusted accordingly. The proposed Lot 3 across the west side of Dog Creek Road remains intact and is proposed to be subdivided from the rest of the property. Further, water and sewer requirements will be confirmed by the Province at the subdivision stage. Staff note Interior Health comments do not support the proposal, but also recognize the existing west portion being constrained by road and that it is unfeasible to extend septic servicing across Dog Creek Road.

As the existing Dog Creek Road passes through the subject property that physically splits the property into two separate parcels, the proposal is anticipated to have minimal impact on the neighboring properties. Surrounded by similar land use, the requested zoning amendment does not affect the residential character of the neighborhood. Therefore, planning staff supports this application.

Compliance with the Agricultural Policy regarding fencing and buffering will be required due to the presence of Agricultural Land Reserve (ALR) adjacent to the subject property. This will reduce future risk associated with livestock entering on residential property.

Further, staff recognizes that the subject property is within the Williams Lake Fringe Area OCP Wildfire Hazard Area and is identified as being at very high risk. The OCP Environmental Management Policies Section 4.3.54 states that for any subdivision or land use development that will create fewer than four parcels in a high wildfire hazard area:

“The property owner shall register a standard restrictive covenant on the property title encouraging land owners to use Fire Smart wildfire mitigation practices for building construction and land management to reduce the wildfire hazard in their development”.

Therefore, planning staff recommend that a wildfire interface covenant be registered on title in accordance with the above OCP policy.

The subject property also lies within the Commercial/Industrial Development Permit Area as identified under Williams Lake Fringe Area Official Community Plan Bylaw No. 4782, 2013. This will not affect the current proposal in any way as it is a residential property development.

Recommendation:

3. That the Williams Lake Fringe Area Official Community Plan Amendment Bylaw No. 5294, 2020 to redesignate District Lot 12020, Cariboo District, Except: Plan EPP6513 from Rural Residential 3 designation to Residential designation be approved.
4. That the Williams Lake Fringe and 150 Mile House Area Zoning Amendment Bylaw No. 5295, 2020 to rezone District Lot 12020, Cariboo District, Except: Plan EPP6513 from Rural 3 (RR 3) zone to Special Exception R 1-1 and Residential 2 (R 2) zones be approved, subject to the following conditions:
 - iv) Adoption of Williams Lake Fringe Area Official Community Plan Amendment Bylaw No. 5294, 2020
 - v) The applicant offering to enter into and entering into a covenant to ensure compliance with the provisions of the Agricultural Policy with respect to fencing and buffering along the eastern boundary of the subject property.
 - vi) The applicant offering to enter into and entering into a Wildfire Interface covenant encouraging land owners to use Fire Smart wildfire mitigation practices for building construction and land management on the subject property.

Further, that the Agricultural Policy covenant and Wildfire Interface covenant be registered in priority to any financial charges on title, and the cost of registration be borne by the applicant.

REFERRAL COMMENTS

Health Authority: January 25, 2021

See attached

Ministry of Transportation and Infrastructure: January 8, 2021

The Ministry of Transportation and Infrastructure (MoTI) has no objection to the proposed rezoning application. MoTI has a current subdivision application that is being reviewed under the file number 2020-05829. MoTI's approval recommendation of the Rezoning and OCP Amendment does not constitute approval of the subdivision application (2020-05829).

Advisory Planning Commission: January 19, 2021

See attached

Ministry of Environment and Climate Change Strategy:

No response

Min of FLNRORD - Range:

No response

Agricultural Land Commission: January 4, 2021

See attached

Ministry of Agriculture, Food and Fisheries: January 26, 2021

See attached

BOARD ACTION

February 11, 2021:

That Williams Lake Fringe Area Official Community Plan Amendment Bylaw No. 5294, 2020 be read a first and second time this 11th day of February, 2021.

That Williams Lake Fringe and 150 Mile House Area Zoning Amendment Bylaw No. 5295, 2020 be read a first and second time this 11th day of February, 2021. Further, that adoption be subject to the following:

- i. Adoption of Williams Lake Fringe Area Official Community Plan Amendment Bylaw No. 5294, 2020.
- ii. The applicant offering to enter into and entering into a covenant to ensure compliance with the provisions of the Agricultural Policy with respect to fencing and buffering along the eastern boundary of the subject property.
- iii. The applicant offering to enter into and entering into a Wildfire Interface covenant encouraging landowners to use Fire Smart wildfire mitigation practices for building construction and land management on the subject property.

Further, that the Agricultural Policy covenant and Wildfire Interface covenant be registered in priority to any financial charges on title, and the cost of registration be borne by the applicant.

April 16, 2021:

That Williams Lake Fringe Area Official Community Plan Amendment Bylaw No. 5294, 2020 and Williams Lake Fringe and 150 Mile House Area Zoning Amendment Bylaw No. 5295, 2020 be read a third time this 16th day of April, 2021.

August 20, 2021:

That the third reading given on April 16th, 2021 to the Williams Lake Fringe Area Official Community Plan Amendment Bylaw No. 5294, 2020 be rescinded.

That Williams Lake Fringe Area Official Community Plan Amendment Bylaw No. 5294, 2020 be amended as follows:

Deleting section 2 and replacing with:

2. AMENDMENT

Schedule "C" of Bylaw No. 4782 of the Cariboo Regional District is amended by:

Redesignating part of District Lot 12020, Cariboo District, Except: Plan EPP6513 from Rural Residential 3 designation to Residential designation, as shown on attached Schedule "A".

And, that Schedule "A" be added to indicate Residential designation on the South-West side of Dog Creek Road.

Further, that Williams Lake Fringe Area Official Community Plan Amendment Bylaw No. 5294, 2020 be given third reading, as amended, this 20th day of August, 2021.

That the third reading given on April 16th, 2021 to the Williams Lake Fringe and 150 Mile House Area Zoning Amendment Bylaw No. 5295, 2020 be rescinded.

That Williams Lake Fringe and 150 Mile House Area Zoning Amendment Bylaw No. 5295, 2020 be amended as follows:

Deleting section 2(ii) and replacing with:

ii) rezoning part of District Lot 12020, Cariboo District, Except: Plan EPP6513 from Rural 3 (RR 3) zone to Special Exception R 1-1 zone, as shown on attached Schedule "A".

And, that Schedule "A" be amended by deleting reference to the Residential 2 (R 2) zone.

Further, that Williams Lake Fringe and 150 Mile House Area Zoning Amendment Bylaw No. 5295, 2020 be given third reading, as amended, this 20th day of August, 2021.

ATTACHMENTS

Appendix A: Bylaw No. 5294 and 5295
Appendix B: General Map
Appendix C: Specific Map
Appendix D: Orthographic Map
Other: Applicant's supporting documentation
Health Authority Comments
Advisory Planning Commission Comments
Agricultural Land Commission Comments
Ministry of Agriculture, Food and Fisheries Comments
Public Hearing Results



CARIBOO REGIONAL DISTRICT

BYLAW NO. 5294

A bylaw of the Cariboo Regional District, in the Province of British Columbia, to amend Bylaw No. 4782, being the "Williams Lake Fringe Area Official Community Plan Bylaw No. 4782, 2012".

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 "Williams Lake Fringe Area Official Community Plan Amendment Bylaw No. 5294, 2020".

2. AMENDMENT

Schedule "C" of Bylaw No. 4782 of the Cariboo Regional District is amended by:

Redesignating part of District Lot 12020, Cariboo District, Except: Plan EPP6513 from Rural Residential 3 designation to Residential designation, as shown on attached Schedule "A".

READ A FIRST TIME THIS 11th DAY OF February, 2021.

READ A SECOND TIME THIS 11th DAY OF February, 2021.

A PUBLIC HEARING WAS HELD ON THE 30th DAY OF March, 2021.

READ A THIRD TIME THIS 20th DAY OF August, 2021.

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. 5294, cited as the "Williams Lake Fringe Area Official Community Plan Amendment Bylaw No. 5294, 2020", as adopted by the Cariboo Regional District Board on the _____ day of _____, 2022.

Manager of Corporate Services

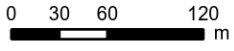
SCHEDULE A



LEGEND

 Subject Property

 Proposed Residential Designation



MEASUREMENTS
ARE METRIC

Z2049

2

A

A

Dog Creek Rd

D.L. 12020, CARIBOO DISTRICT,
EXCEPT PLAN EPP6513

B

A



CARIBOO REGIONAL DISTRICT

BYLAW NO. 5295

A bylaw of the Cariboo Regional District, in the Province of British Columbia, to amend Bylaw No. 3502, being the "Williams Lake Fringe and 150 Mile House Area Zoning Bylaw No. 3502, 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 "Williams Lake Fringe and 150 Mile House Area Zoning Amendment Bylaw No. 5295, 2020".

2. AMENDMENT

Bylaw No. 3502 of the Cariboo Regional District is amended by:

- i) Including Section 5.12.3.1 into Schedule "A" as follows:

5.12.3.1 Special Exception R 1-1 Zone (3360-20/20200049)
Notwithstanding any other provisions of this bylaw to the contrary, on lands zoned R 1-1:
i) Lot Area (minimum) = 0.28 hectare (0.69 acres)

All other provisions of R 1 zone shall apply.

- ii) rezoning part of District Lot 12020, Cariboo District, Except: Plan EPP6513 from Rural 3 (RR 3) zone to Special Exception R 1-1 zone, as shown on attached Schedule "A"; and
iii) amending Schedules "C" and "D" accordingly.

READ A FIRST TIME THIS 11th DAY OF February, 2021.

READ A SECOND TIME THIS 11th DAY OF February, 2021.

A PUBLIC HEARING WAS HELD ON THE 30th DAY OF March, 2021.

READ A THIRD TIME THIS 20th DAY OF August, 2021.

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. 5295, cited as the "Williams Lake Fringe and 150 Mile House Area Zoning Amendment Bylaw No. 5295, 2020", as adopted by the Cariboo Regional District Board on the _____ day of _____, 2022.

Manager of Corporate Services

SCHEDULE A



LEGEND

 Subject Property

 Proposed Special Exception R 1-1 Zone

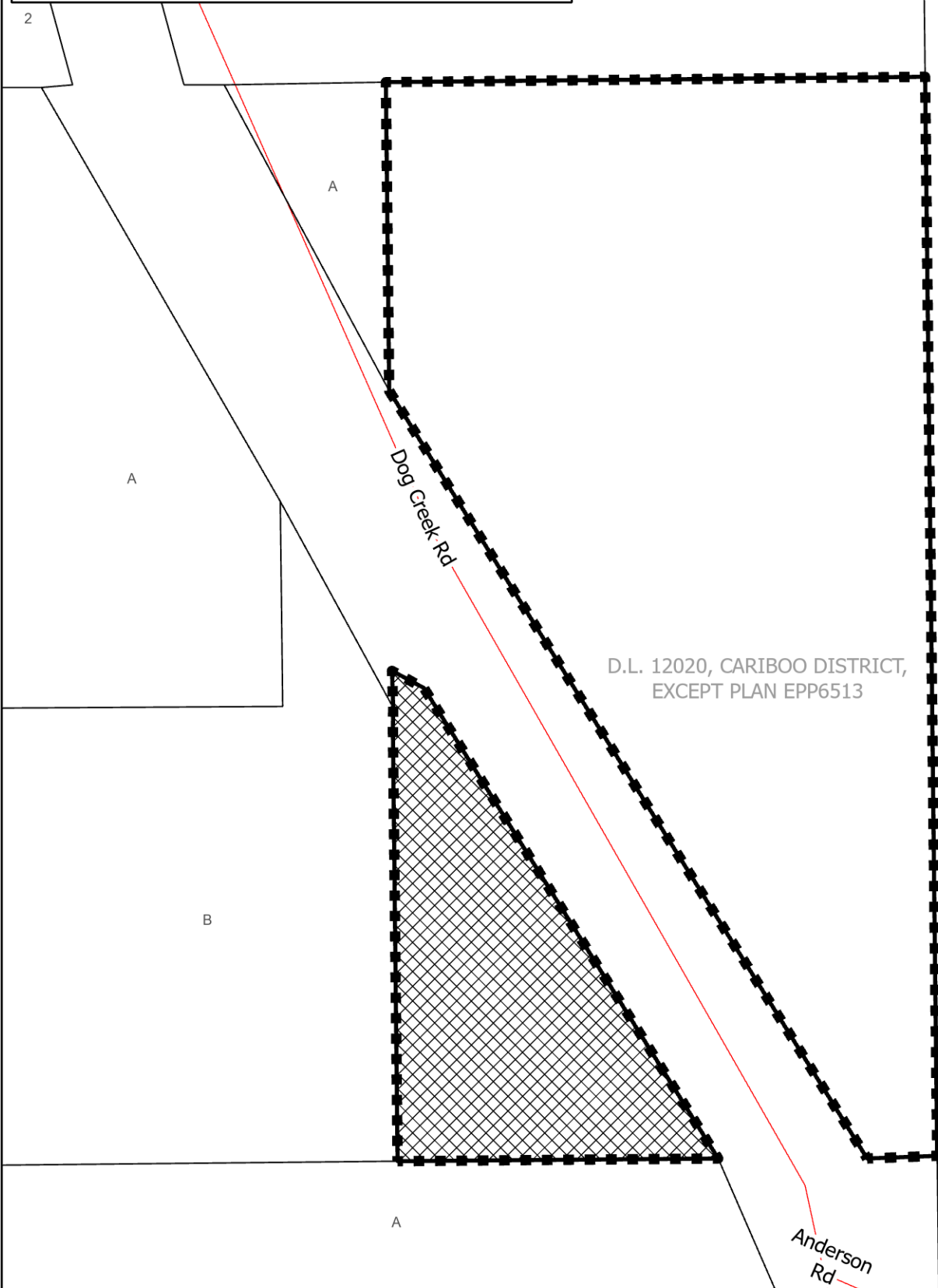


0 30 60 120 m

MEASUREMENTS
ARE METRIC

Z2049

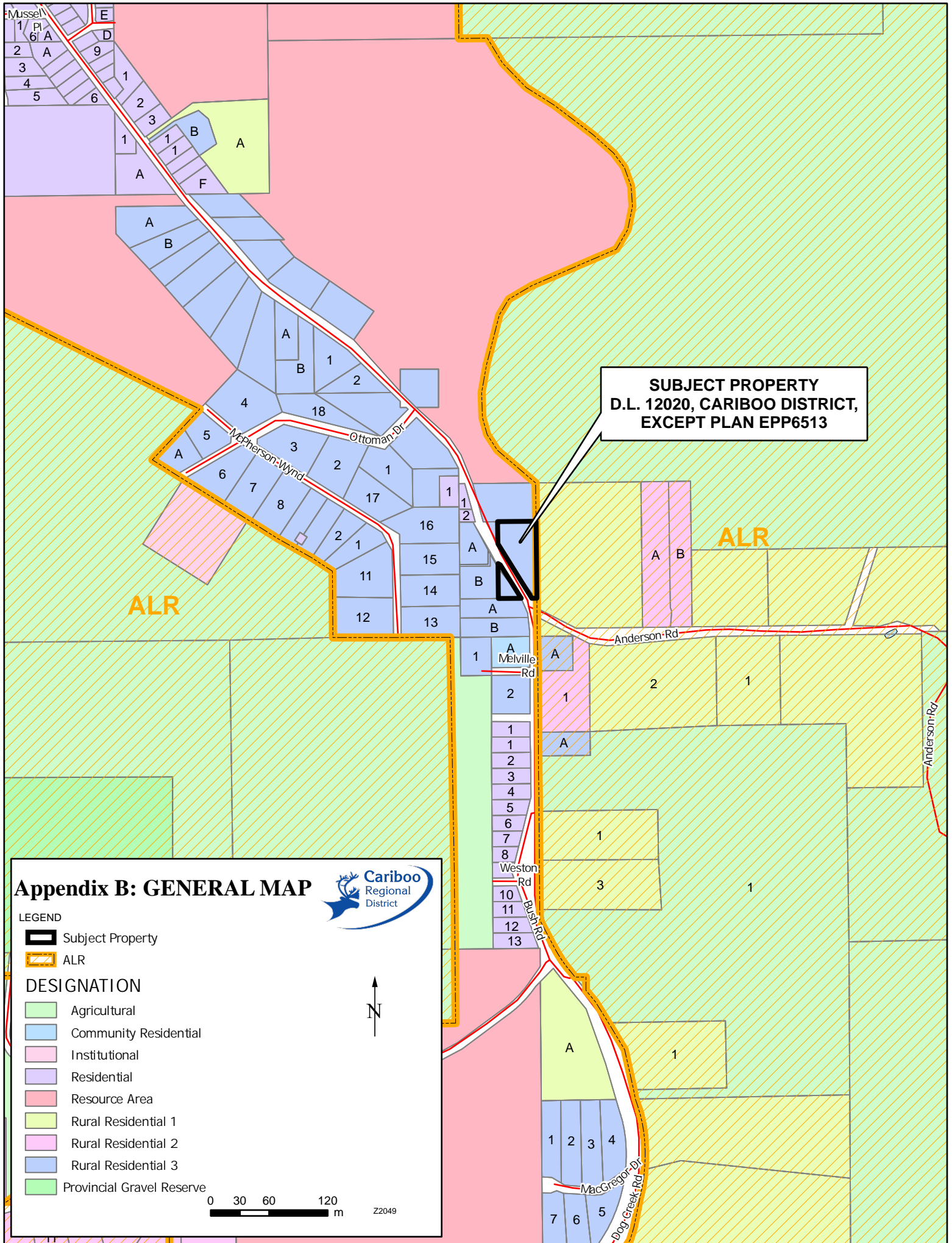
2



D.L. 12020, CARIBOO DISTRICT,
EXCEPT PLAN EPP6513

Dog Creek Rd

Anderson Rd





**SUBJECT PROPERTY
D.L. 12020, CARIBOO DISTRICT,
EXCEPT PLAN EPP6513**










Appendix B: GENERAL MAP



LEGEND

-  Subject Property
-  ALR

DESIGNATION

-  Agricultural
-  Community Residential
-  Institutional
-  Residential
-  Resource Area
-  Rural Residential 1
-  Rural Residential 2
-  Rural Residential 3
-  Provincial Gravel Reserve



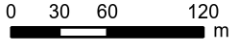
Z2049

Appendix C: SPECIFIC MAP (REVISED)



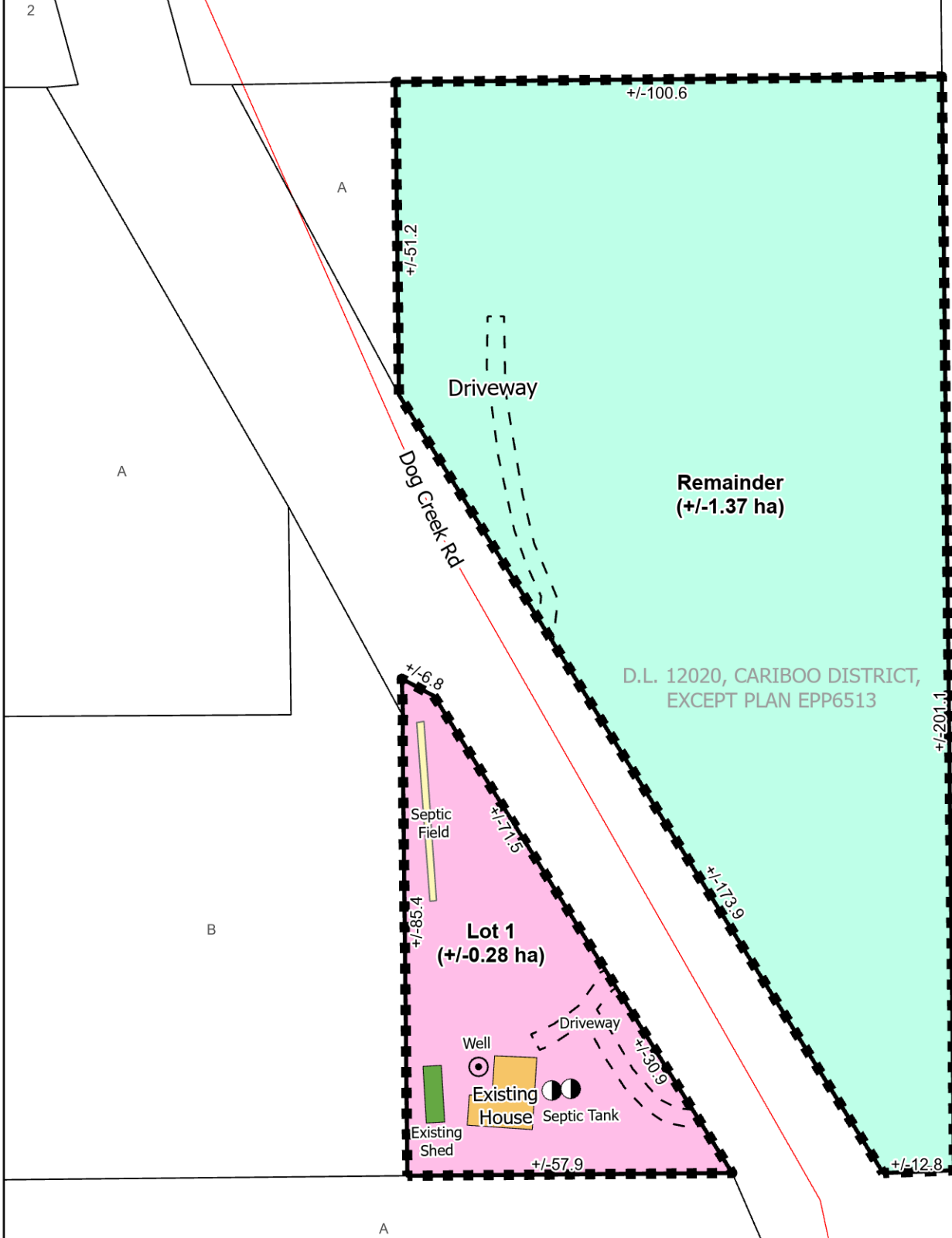
LEGEND

- Subject Property
- Existing Rural 3 (RR 3) Zone / Rural Residential 3 Designation
- Proposed Special Exception R 1-1 Zone / Residential Designation

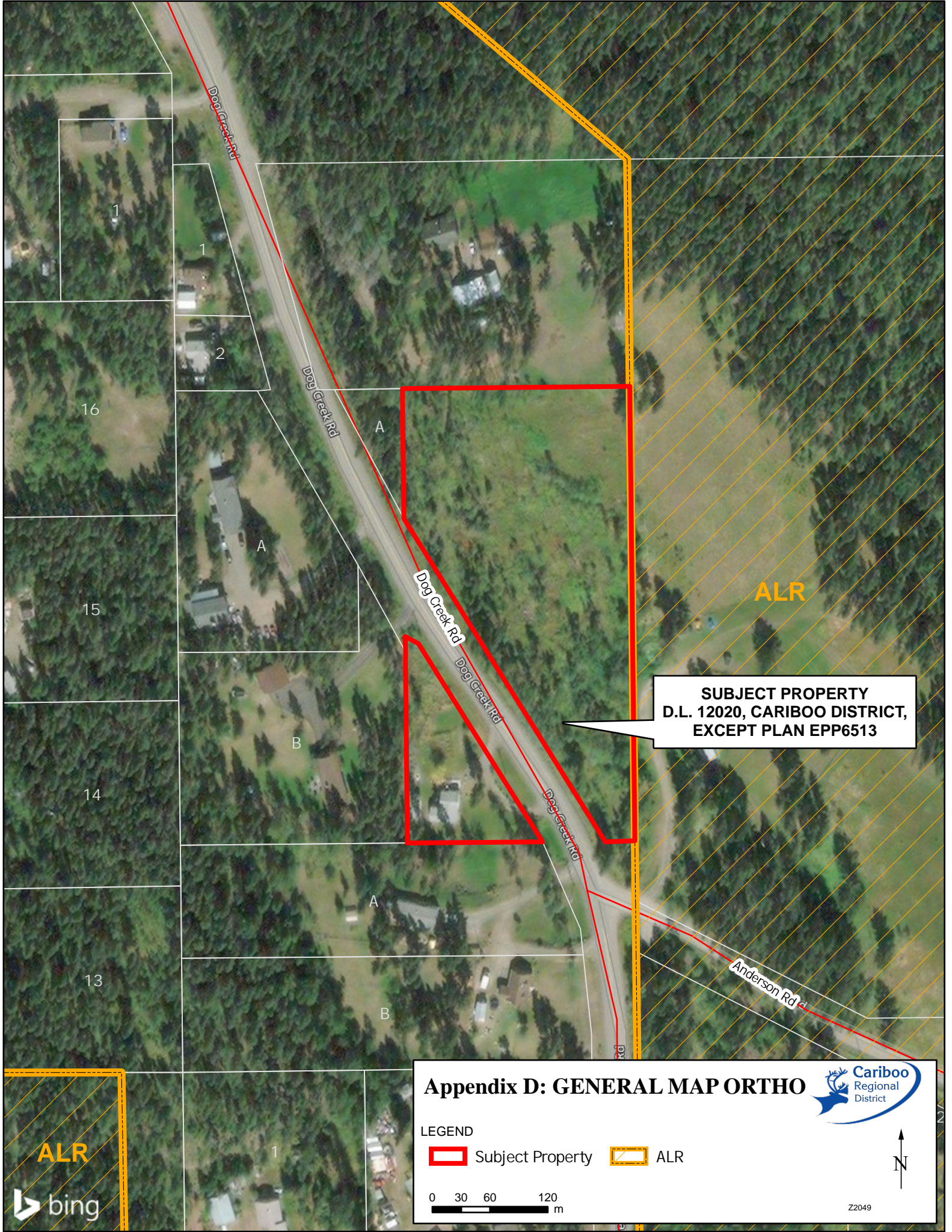


MEASUREMENTS
ARE METRIC

Z2049




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
D.L. 12020, CARIBOO DISTRICT,
EXCEPT PLAN EPP6513**

Appendix D: GENERAL MAP ORTHO



LEGEND

Subject Property ALR

0 30 60 120
m

N
↑
N

Z2049



ALR

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

Describe the proposed use of the subject property and all buildings: Residential

Describe the reasons in support for the application: Subdivision and rezoning to smaller lot sizes would fit surrounding land use.

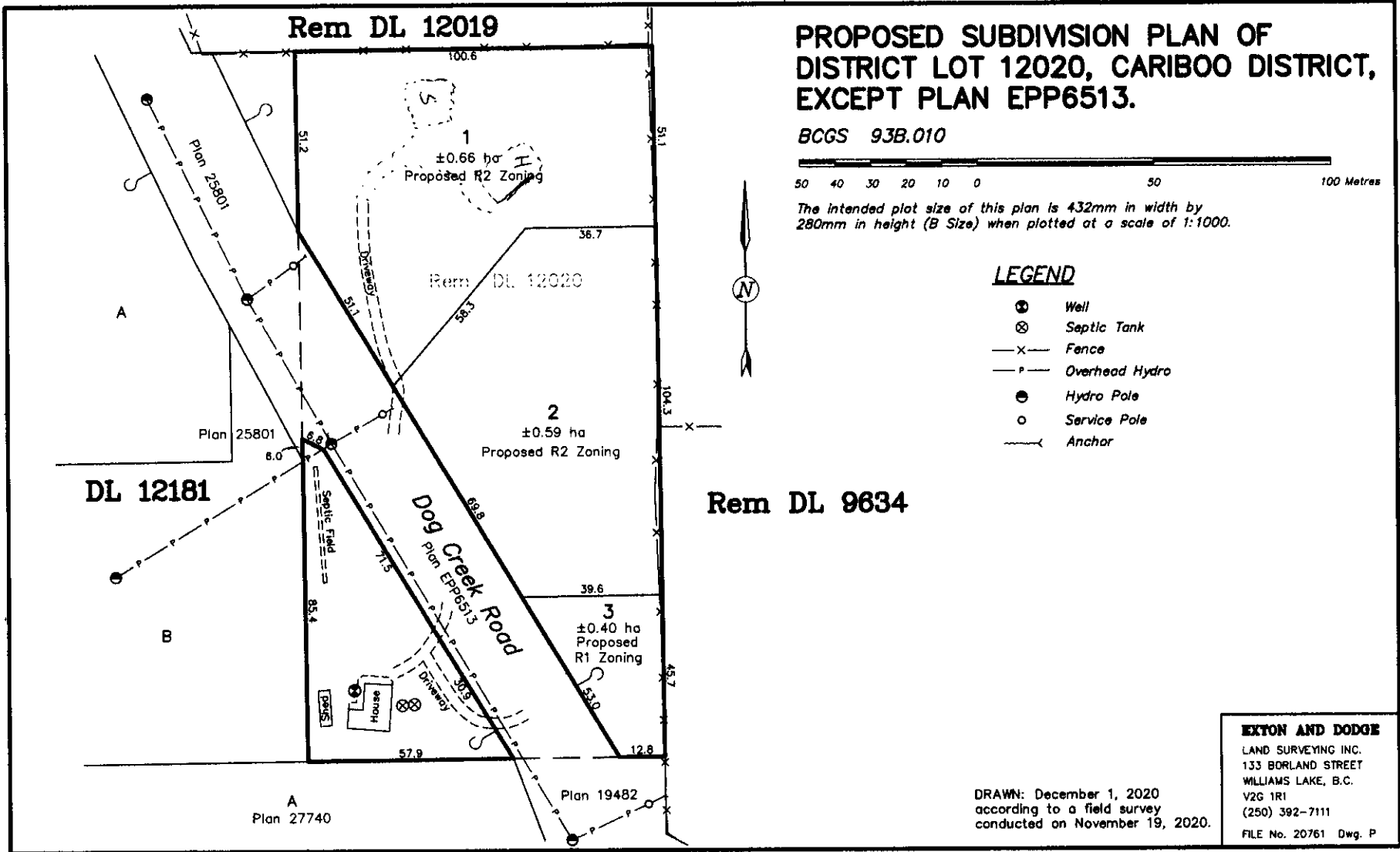
Provide a general description of vegetation cover (i.e. treed, grassland, forage crop etc.): Treed - previously logged

Provide general geographical information (i.e. existing lakes, streams, physical features etc.): N/A gently sloping to the southwest.

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 type="checkbox"/>	<input checked="" 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 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"/>



**PROPOSED SUBDIVISION PLAN OF
DISTRICT LOT 12020, CARIBOO DISTRICT,
EXCEPT PLAN EPP6513.**

BCGS 93B.010



The intended plot size of this plan is 432mm in width by 280mm in height (B Size) when plotted at a scale of 1:1000.

LEGEND

- ⊙ Well
- ⊗ Septic Tank
- X- Fence
- P- Overhead Hydro
- Hydro Pole
- Service Pole
- Anchor

EXTON AND DODGE
 LAND SURVEYING INC.
 133 BORLAND STREET
 WILLIAMS LAKE, B.C.
 V2G 1R1
 (250) 392-7111
 FILE No. 20761 Dwg. P

DRAWN: December 1, 2020
 according to a field survey
 conducted on November 19, 2020.

RESPONSE SUMMARY

- | | |
|--|---|
| <input type="checkbox"/> Approval Recommended for Reasons Outlined Below | <input type="checkbox"/> Interests Unaffected by Bylaw |
| <input type="checkbox"/> Approval Recommended Subject to Conditions Outlined Below | <input type="checkbox"/> Approval Not Recommended Due to Reasons Outlined Below |

Thank you for the opportunity to review and comment on the proposed Official Community Plan and Zoning amendments to permit subdivision of this property into three residential lots, ranging from 0.66 to 0.4 hectares in lot sizes.

Interior Health – Healthy Communities would recommend no change in the OCP or Zoning for the following reasons:

- The housing opportunity in this area would require the residents to be depended on private vehicles due to the distance to Williams Lake.
- Healthy Communities recommends considering and assessing the cumulative impacts of onsite sewerage systems and the overall impact of onsite sewerage systems within a given area on drinking water supply, water table mounding, surface water quality, and groundwater contamination as part of sustainability planning.

The links between our [health and housing](#) are clear. Housing that is good quality, accessible, appropriate and affordable can support the health and well-being of individuals and communities, contributing to an increased sense of safety, decreased crime, greater social well-being and improved quality of life. We recognize the work that the CRD is doing to balance housing needs and diversify housing opportunities in the region while maintaining high quality and safe housing for everyone.

In order to minimize biological hazard for housing the parcels would need to provide a safe, potable water source and supply to the residents and the onsite sewerage systems would need to comply with the Sewerage System Regulation.

The onsite sewerage systems should be sustainable for all new residential dwellings therefore, the parcel should be suitable to accommodate reserve sites for alternate sewerage disposal areas for the sustainability of these dwelling units. The Ministry of Community, Sport and Cultural Development has proposed a minimum lot size of one hectare as sustainable in the long term when needing to be independent for onsite water and sewer servicing. Interior Health supports and recommends this minimum parcel size in the absence of zoning which protects long-term sustainability.

Please contact our office if you have any questions.

Signed By:  Title: Environmental Health Officer

Date: January 25, 2021 Agency: Interior Health

JAN 21 2021

Referred To

File No: 3360-20/202000491

ADVISORY PLANNING COMMISSION RESPONSE FORM

Minutes of the meeting of the Electoral Area 'E' advisory planning commission held on January 19, 2021 by teleconference in Williams Lake, BC, commencing at 6:33 pm.

PRESENT: Chair: John Dressler
Members: Henry Van Soest, Susan Tritt, Bette McLellan, Shilo Labelle
Recording Secretary: Shilo Labelle
Agent: Exton and Dodge Land Surveying inc. – Darko Ognajanov
Owner: Kenton Turchinetz
 Contacted but declined to attend

ABSENT: Dave Stafford, Amy Thacker

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

Agenda Items

REZONING/OCP APPLICATION – 3360-20/20200049 (District Lot 12020, Cariboo District, Except: Plan EPP6513)

Moved by: Henry Van Soest /Seconded by: Bette McLellan

“THAT the application to rezone and redesignate property at 2163 DOG CREEK ROAD, be rejected unless:

- i) The application be amended to change the rezoning on the east side of the property to two lots, not three lots, with water and sewer confirmation, and to address water run off to flow to the north and not south.

For: Five / Against: None

CARRIED

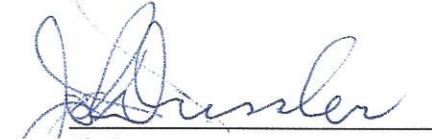
Termination

Moved by: /Seconded by: :That the meeting terminate.

CARRIED

Time: 7:44 pm


Recording Secretary


Chair



Agricultural Land Commission
 201 – 4940 Canada Way
 Burnaby, British Columbia V5G 4K6
 Tel: 604 660-7000 | Fax: 604 660-7033
 www.alc.gov.bc.ca

January 4, 2021

Reply to the attention of Sara Huber
 ALC Issue: 52025
 Local Government File: ZOCP2049

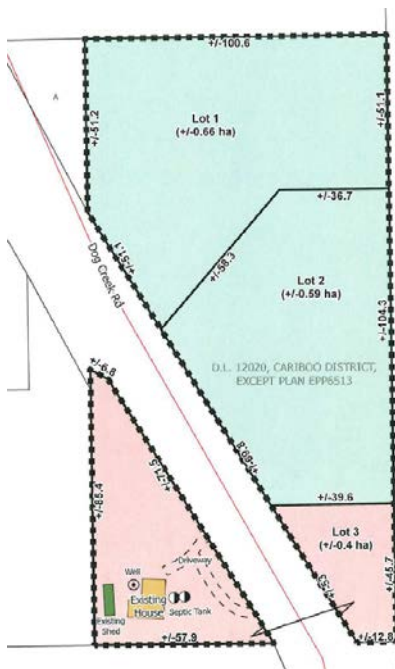
Genny Hilliard
 Development Services Clerk V, CRD
ghilliard@cariboord.ca

Re: Cariboo Regional District Official Community Plan and Zoning Amendment Bylaw Nos. 5294 and 5295

Thank you for forwarding a draft copy of Cariboo Regional District (CRD) Official Community Plan and Zoning Amendment Bylaw Nos. 5294 and 5295 (the “Bylaws”) for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the Bylaws are consistent with the purposes of the *ALC Act* (ALC Act), the Agricultural Land Reserve (ALR) General Regulation, (the “ALR General Regulation”), the ALR Use Regulation (the “ALR Use Regulation”), and any decisions of the ALC.

The Bylaws propose to amend the land use designation from Rural Residential 3 to Residential and to rezone from Rural 3 to Residential 1 and Residential 2, in order to facilitate a subdivision into three lots on the property identified as 2163 Dog Creek Road; PID: 013-835-742 (the “Property”).

Context Map:



The ALC recognizes that the Property is not within the ALR; however, the east boundary of the Property is directly adjacent to ALR lands.

Part 3 of the Ministry of Agriculture's [Guide to Edge Planning](#) (2015) describes urban-side edge planning tools to promote urban/rural compatibility. With the addition of two lots adjacent to the ALR, there may be potential for complaints about farm noise and smells, as well as potential impacts to agriculture, such as trespass, litter, theft, etc.

For this reason, ALC staff recommend considering the setback and buffer requirements outlined in the [Guide to Edge Planning](#), including up to a 30 m setback from the ALR boundary, and an associated 15 m vegetated buffer to reduce the potential for urban/agricultural conflicts.

The ALC strives to provide a detailed response to all bylaw referrals affecting the ALR; however, you are advised that the lack of a specific response by the ALC to any draft bylaw provisions cannot in any way be construed as confirmation regarding the consistency of the submission with the ALCA, the Regulations, or any Orders of the Commission.

This response does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

If you have any questions about the above comments, please contact the undersigned at 236-468-3258 or by e-mail (Sara.Huber@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION



Sara Huber, Regional Planner

Enclosure: Referral of CRD ZOCP2049

CC: Ministry of Agriculture – Attention: Gregory Bartle

52025m1



January 26, 2021

File: 3360-20/20200049

Shivani Sajwan
Planning Officer
Cariboo Regional District

VIA EMAIL: SSajwan@cariboord.ca

Re: OCP and Zoning Bylaws 5294 and Bylaw 5295 referral – 2163 Dog Creek Road

Dear Shivani Sajwan:

Thank you for providing the B.C. Ministry of Agriculture, Food and Fisheries with the opportunity to comment on the proposed OCP and zoning bylaw amendments Nos. 5294 and 5295 to facilitate the subdivision of a parcel into three portions for residential use adjacent to the Agricultural Land Reserve. Ministry staff have reviewed the provided information and offer the following comments:

- Ministry staff note that strong vegetative buffers and building setbacks along the urban-side of the ALR boundary can help promote land use compatibility and reduce potential future farm practice complaints.
- Ministry staff note that if approved, the rezoning of this parcel from RR3 to R1 and R2, will result in the following agricultural uses no longer be permitted on these parcels as per the Williams Lake Fringe and 150 Mile House Area Zoning Bylaw. The Regional District may wish to consider allowing these uses in alternate locations when undertaking future land use planning exercises where appropriate given their relevance for the long-term viability of agriculture in the area.
 - *agricultural operations ancillary to a permitted residential use, excluding intensive livestock operations, feedlots and stockyards;*
 - *slaughtering and butchering ancillary to a permitted residential use or agricultural operation, providing such slaughtering and butchering is limited to only those animals produced on the property, or conducted for personal consumption by the owner, provided the activity is in conformance with applicable provincial and federal legislation;*
 - *Farm Retail Sales;*
 - *the processing of farm products may take place on the farm property provided that at least 50% of the farm product is produced on that farm;*

.../2

- *agri-tourism activities, other than accommodation, on land that is classified as a farm under the Assessment Act, if the use is temporary and seasonal, and promotes or markets farm products grown, raised or processed on the farm;*

If you have any questions or concerns about our comments, please do not hesitate to contact us.

Sincerely,

Gregory Bartle Land Use Planner
B.C. Ministry of Agriculture, Food and
Fisheries
Phone: 778 974-3836
Email: Gregory.Bartle@gov.bc.ca

Nicole Pressey, P.Ag., Regional Agrologist
B.C. Ministry of Agriculture, Food and
Fisheries – Cariboo Central Coast
Office: 236 713-2223
Email: Nicole.Pressey@gov.bc.ca

Email copy: Sara Huber, ALC Regional Planner, Sara.Huber@gov.bc.ca

RESULTS OF PUBLIC HEARING

File No: 3360-20/20200049

Date: March 30, 2021

Location: CRD Boardroom Via Teleconference

Re: **WILLIAMS LAKE FRINGE AREA OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW NO. 5294, 2020 AND WILLIAMS LAKE FRINGE AND 150 MILE HOUSE AREA ZONING AMENDMENT BYLAW NO. 5295, 2020**

Persons Present:

- Director: Angie Delainey
 - Owner(s): Kenton and Jennifer Turchinetz
 - Agent: Darko Ognjanov – Exton and Dodge Land Surveying
 - Public: See attached list
 - Staff: Shivani Sajwan, Planning Officer
 - No public in attendance** (excluding owner/agent)
-

Waited ten (10) minutes and then called the meeting adjourned.

Roll call conducted by Planning Staff.

Welcome, introduction and the “Purpose of a Public Hearing”, including the rules for the meeting and the specifics of the application were read out by the Chair/Area Director/Alternate. The hearing was called to order at 7:03 pm.

The Chair read out public comments received within the last 48 hours. No comments received within the last 48 hours. Previously submitted comments available for viewing on CRD website and in CRD offices.
1) Date: March 17, 2021 Name: Steve Westwick

The following verbal comments and questions were received:

Agent Darko Ognjanov presented the summary of the proposal.

Marion Lynds: This proposal will set precedent for other subdivision in the area which will then decrease the harmony in the neighbourhood from environmental standpoint, more vehicles coming in and out disturbing the rural character of the area. Most importantly, this proposal will lead to two more wells and two more septic systems which will impact the water source in the area. Even the Interior Health has denied the proposal and generally recommend a minimum of 1 hectare lots.

Chair Delainey: This is a regular rezoning application and will not be setting a precedent. Every application is considered separately based on different agency’s comments. The current proposal is solely for this subject property.

Darko Ognjanov (Agent): There is already a dwelling existing on the smaller proposed lot to the south-west corner of the property with a septic system in place. Water and sewer requirements on the other two proposed lots will be confirmed by the Province at the subdivision stage.

Marion Lynds: Satisfied with the answer.

Harry and Bonnie Prest: Will there be multifamily dwellings allowed or just the single-family dwelling? Can they have mobile home as single-family dwelling? Will there be two driveways? Can anybody subdivide like this in future?

Shivani Sajwan: The proposed Residential 2 (R 2) zone permits a single-family dwelling or two-family residential dwelling, but not multi-family dwellings. Mobile homes are allowed as single-family dwelling, but it needs to comply with the Building Code and require a Building Permit. They can have two driveways once

the property is subdivided. Anybody can apply for subdivision, but each application is evaluated on a case-by-case basis, taking different agency's comments into consideration, such as Ministry of Transportation, Interior Health, Advisory Planning Committee, Ministry of Agriculture etc.

Kenton Turchinetz (Owner): There has been an update based on conversations with the Ministry of Transportation. The Ministry may consider having a shared driveway to address the impact of potential run-off on-site.

Harry and Bonnie Prest: What does Special Exception R 1-1 zone mean on the hooked lot?


Darko Ognjanov (Agent): That south-west lot is no longer hooked to the east side of the property as recommended by the Advisory Planning Committee (APC), and the zoning of the south-west lot is changed by creating Special Exception R-1-1 zone to accommodate the existing lot size as it is constrained by Dog Creek road.

Steve Westwick: Once subdivided, this proposal will increase the taxes in the neighbourhood.

The call was disconnected.

- Attendees were asked three times for further comments and/or questions.
- The Chair called the meeting adjourned at 7:26 pm.

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



Angie Delainey (Apr 7, 2021 12:14 PDT)

Signature of Chair

Hello my name is Steve Westwick I live at
906, Anderson Rd. W.M.L.K. B.C. V2G-4V8
I am writing to protest against this
Decision, this is my mothers property.
She is ninety years old and her name is
~~My~~ Rene Westwick. She owns 27 ACRES OF PROPERTY
compared to his 4 ACRES, my mother has lived
here since 1952, and im not to happy
about your decision, to do so.
we had a good well for over 60 years
and this moron isnt going to
take care water or raise care tanks.

Steve Westwick
Williams Lake
B.C.

Cariboo Regional District
File No.

MAR 17 2021

Referred To

Public Hearing Attendance

Date of Public Hearing: March 30, 2021

Application: 2163 Dog Creek Road (3360-20-20200049)

Name	Address
Director Delaineey	---
Darko Ognjanov (Agent)	---
Kenton and Jennifer Turchinetz (Owners)	2163 Dog Creek Rd.
Bonnie and Harry Prest	722 Winger Rd.
Marion Lynds	2115 Dog Creek Rd.
Steve Westwick	906 Anderson Rd.