

Planning Application Information Sheet

Application Type: Rezoning/OCP Amendment

File Number: 3360-20/20220022

Bylaw(s): Quesnel Fringe Area Official Community Plan Amendment Bylaw No. 5388, 2022 and

Quesnel Fringe Area Zoning Amendment Bylaw No. 5389, 2022

Electoral Area: C

Date of Referral: April 20, 2022 Date of Application: April 05, 2022

Property Owner's Name(s): MICHAEL B GRUETER

Applicant's Name: Brad Wiles

SECTION 1: Property Summary

Legal Description(s): Lot 1, District Lots 8622 and 8623, Cariboo District, Plan PGP46284

Property Size(s): 7.6 ha (18.78 ac.)

Area of Application: 7.6 ha (18.78 ac.)

Location: 1352 Webber Road

Current Designation: Min. Lot Size Permitted:

Rural Residential 2 1.5 ha (3.7 ac.)

Country Residential 0.8 ha (1.98 ac.)

Proposed Designation: Min. Lot Size Permitted

Country Residential 0.8 ha (1.98 ac.)

Current Zoning: Min. Lot Size Permitted:

Rural 2 (RR 2) 2 ha (4.94 ac.)

Rural 3 (RR 3) 0.8 ha (1.98 ac.)

Proposed Zoning: Min. Lot Size Permitted:

Rural 3 (RR 3)

0.8 ha (1.98 ac.)

Proposal: To allow future subdivision of the property up to a maximum of 9 lots.

No. and size of Proposed Lots: No new lots proposed currently; application would allow for future subdivision with a minimum lot size of 0.8 ha (1.98 ac.), up to a maximum of 9 lots.

Existing Buildings: Single Family Dwelling - 109.5 sq. m (1,178.65 sq. ft.)

Secondary Dwelling (to be removed) - 78.3 sq. m (842.81 sq. ft.)

Shop - 64.7 sq. m (696.42 sq. ft)

Proposed Buildings: None

Road Name: Webber Road

Road Type: Paved

Within the influence of a Controlled Access Highway: Highway 26

Services Available: Hydro, Telephone, Well, Sewage Disposal 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: N/A

Within Development Permit Area: Yes

Development Permit Area Name: Aquatic Habitat 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)	2.07 ha (5.12 ac.)
	061 2 Acres Or More (Vacant)	2.02 ha (5 ac.)
	063 2 Acres Or More (Manufactured Home)	2.02 ha (5 ac.)
(b) South	061 2 Acres Or More (Vacant)	19.6 ha (48.43 ac.)
(c) East	061 2 Acres Or More (Vacant)	1.99 ha (4.94 ac.) - 4.04 ha (10 ac.)
(d) West	061 2 Acres Or More (Vacant)	59.1 ha (138.62 ac.)

PLANNING COMMENTS

Update (July 21, 2022):

At the June 10, 2022 Board meeting, the CRD Board resolved to defer this rezoning application up to 90 days due to the proximity of gravel reserves.

Since then, the applicant has submitted a proposed site plan of 4-lot subdivision. There were no specific number of lots or subdivision lot layout proposed previously. The planning staff calculated the maximum number of 9 lots based on the minimum required lot size of the proposed RR 3 zone. There were concerns raised for this potentially high-density subdivision adjacent to the existing gravel reserves. The revised subdivision proposal consists of three lots ranging between 0.81 ha (2 ac.) and 0.82 ha (2.03 ac.) and the remaining land forming a 5.26 ha (12.99 ac.) parcel as shown in revised Appendix C.

Revised Rationale:

Planning staff are supportive of the revised proposal of 4-lot subdivision. There are no changes in the proposed zoning and OCP designation amendments, except the number of proposed lots are reduced from 9- lot subdivision to 4-lot subdivision. With the Provincial gravel reserve in proximity, the revised lower-density subdivision proposal will have reduced potential impact on future landowners. Moreover, the property can already be subdivided up to four lots under the current zoning. Rezoning the remaining lot to Rural 3 (RR 3) zone will align with the partially existing split zone, making the entire property have one zone.

The proposed subdivision lot layout along with panhandle on southern boundary will provide some buffer space should lands to the south be developed for gravel extraction. Therefore, planning staff recommends approval of this rezoning application with revised proposal.

Revised Recommendation:

- 1. That the Quesnel Fringe Area Official Community Plan Amendment Bylaw No. 5388, 2022 be given first and second reading.
- 2. That the Quesnel Fringe Area Zoning Amendment Bylaw No. 5389, 2022 be given first and second reading, and that adoption be subject to the following condition:
 - i. Adoption of the Quesnel Fringe Area Official Community Plan Amendment Bylaw No. 5388, 2022.

Background:

A rezoning application has been received for the property at 1352 Webber Road. The subject property is 7.6 ha (18.78 ac.). The property is currently zoned Rural 2 (RR 2) and Rural 3 (RR 3) in the Quesnel Fringe Area Zoning Bylaw No. 3504, 1999 and Rural Residential 2 and Country Residential in the Quesnel Fringe Area Official Community Plan Bylaw No. 4844, 2014. The applicants have proposed to remove the RR 2 zone and Rural Residential 2 designation from the property and rezone these portions to RR 3 and designate to Country Residential respectively.

The proposed rezoning and official community plan amendment would reduce the minimum lot size for the entire property to 0.8 ha (1.98 ac.) allowing for subdivision of up to nine lots. Planning staff note that the applicants have not proposed subdivision at this time and the request is for future opportunities for the subject property.

Location and Surrounding:

The subject property, as indicated by the applicant, is freshly logged, consisting of small vegetation and remaining cedar trees. A small pond exists on the property. The property also contains a 109.5 sq. m (1,179 sq. ft.) Single Family Dwelling, a 78.3 sq. m (843 sq. ft.) Secondary Dwelling, and a 64.7 sq. m (696 sq. ft.) shop. The applicants have indicated that the secondary dwelling is to be removed. The secondary dwelling is addressed as 1344 Webber Road. The property has frontage on both Webber and Shindell roads on its eastern-most boundary and with Sundown Road on its western-most boundary. The OCP indicates that the property is located in areas of both high and low wildfire probability.

CRD Regulations and Policies:

4844 Quesnel Fringe Area Official Community Plan Bylaw, 2014

6.3 POLICIES

6.3.5 The minimum parcel size for Country Residential lots will be 0.8 hectare to offer opportunities for semi-rural lifestyles. Country Residential subdivisions shall be located in areas where urban public services are not expected to be supplied and water supply and sewage disposal are provided on an individual on-site basis.

SAND, GRAVEL & OTHER MINERAL EXTRACTION

5.3.27 Sites permitting sand and gravel extraction are designated on Schedule B Land Use. The authority for approvals to permit gravel extraction rests with an appropriate ministry. Non-commercial operations which involve only the excavation or deposit of material for limited construction purposes may be permitted where necessary, subject to appropriate permitting.

- 5.3.28 Sand and gravel extraction is limited to the excavation, screening and storage of materials. No additional processing of any kind is permitted, including crushing or the manufacturing of asphalt, concrete, or other materials. Such activities are permitted where approved by Temporary Use Permits under conditions imposed by the Cariboo Regional District. Provincial gravel reserves are located on crown land and land use is not subject to local bylaws, however the Regional District encourages the province to work with local governments when developing gravel extraction plans.
- 5.3.29 Require sand and gravel extraction to be conducted in a manner that limits impacts on neighbouring properties, including: control of hours of operation; dust control; screening; access; traffic circulation and site reclamation.
- 3504 Quesnel Fringe Area Zoning Bylaw, 1999

5.19 RURAL 3 (RR 3) ZONE

5.19.2 ZONE PROVISIONS

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

Rationale for Recommendations:

Planning staff have concerns regarding the proposed rezoning application. The proposal would allow the future subdivision of the subject property into a maximum of nine lots. Staff note that the established neighbourhood surrounding the subject property consists of larger parcels to the south and smaller parcels along the Barkerville Highway 26. These smaller parcels range in size closer to 2 ha (5 ac.) rather than the minimum proposed 0.8 ha (1.98 ac.).

The subject property has frontage on three roads, Webber, Sundown, and Shindell. The composition of the subject property is currently 2.34 ha (5.78 ac.) RR 3 zone and Country Residential designation while the remaining 5.26 ha (13 ac.) is RR 2 zone and Rural Residential 2 designation. Current zoning would allow for up to four subdivided lots.

The primary concern raised by planning staff is the permitted uses of the neighbouring properties. Directly south of the subject property and to the west across Sundown Road are two properties owned by the crown and designated in the Official Community Plan for future gravel extraction. These sites are identified as Provincial Gravel Reserves and are designated accordingly in the OCP. Gravel extraction activities normally create noise, dust, and traffic nuisances which are not compatible with further added residential density of this site. Planning staff have no indication of when these areas will be used for extraction, but they are clearly set aside for such by the province and further noted in the OCP.

The Ministry of Transportation and Infrastructure (MOTI) has no objection in principle to the proposed rezoning application. The applicant is required to apply to MOTI to subdivide. MOTI notes that approval of the rezoning application does not constitute subdivision approval.

The Electoral Area 'C' Advisory Planning Commission has reviewed the application and recommend support of the proposed rezoning. The APC notes the elimination of the split zone as favourable outcome of the proposal.

The subject property is located within the CRD Building Inspection Service Area. The CRD Chief Building Official no objection to the proposal.

In conclusion, because the property is already zoned for higher density than the surrounding neighbourhood and can already subdivide up to four lots under the current zoning, planning staff are not supportive of the proposed rezoning. Furthermore, and most importantly, the presence of the Provincial Gravel Reserves to the south and west of the property would be incompatible with the additional density proposed in this application.

Recommendation:

That the Quesnel Fringe Area Official Community Plan Amendment Bylaw No. 5388, 2022 and Quesnel Fringe Area Zoning Amendment Bylaw No. 5389, 2022 be rejected because of the proximity to gravel reserves.

REFERRAL COMMENTS

Health Authority:

No response.

Ministry of Transportation and Infrastructure: April 26, 2022

The Ministry of Transportation and Infrastructure has no objections in principle to the proposed OCP and zoning amendment to Bylaw(s) 5388 and 5389, to allow for future subdivision of a maximum of 9 lots located on Webber Road. Please note that the landowner will be required to apply for subdivision through the Ministry of Transportation and Infrastructure upon successful rezoning application and that approval of rezoning does not constitute subdivision approval.

Advisory Planning Commission:

See attached.

Ministry of Environment and Climate Change Strategy:

No response.

CRD Chief Building Official: May 25, 2022

No objections / comments

BOARD ACTION

June 10, 2022:

That the proposed Rezoning and Official Community Plan application number 3360-20/20220022 be deferred up to 90 days due of the proximity to gravel reserves.

August 12, 2022:

That Quesnel Fringe Area Official Community Plan Amendment Bylaw No. 5388, 2022 be read a first and second time, this 12th day of August, 2022.

That Quesnel Fringe Area Zoning Amendment Bylaw No. 5389, 2022 be read a first and second time this 12th day of August, 2022. Further, that adoption be subject to the following:

Adoption of Quesnel Fringe Area Official Community Plan Amendment Bylaw No. 5388, 2022.

October 6, 2022:

That Quesnel Fringe Area Official Community Plan Amendment Bylaw No. 5388, 2022 and Quesnel Fringe Area Zoning Amendment Bylaw No. 5389, 2022 be read a third time, this 6th day of October 2022.

ATTACHMENTS

Appendix A: Bylaw 5388 and 5389

Appendix B: General Map Appendix C: Specific Map

Appendix C: Specific Map - Revised Appendix D: Orthographic Map

Other: Applicants Supporting Documentation

Advisory Planning Commission Comments

Public Hearing Results



CARIBOO REGIONAL DISTRICT

BYLAW NO. 5388

A bylaw of the Cariboo Regional District, in the Province of British Columbia to amend Bylaw No. 4844, being the "Quesnel Fringe Area Official Community Plan Bylaw No. 4844, 2013.

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:

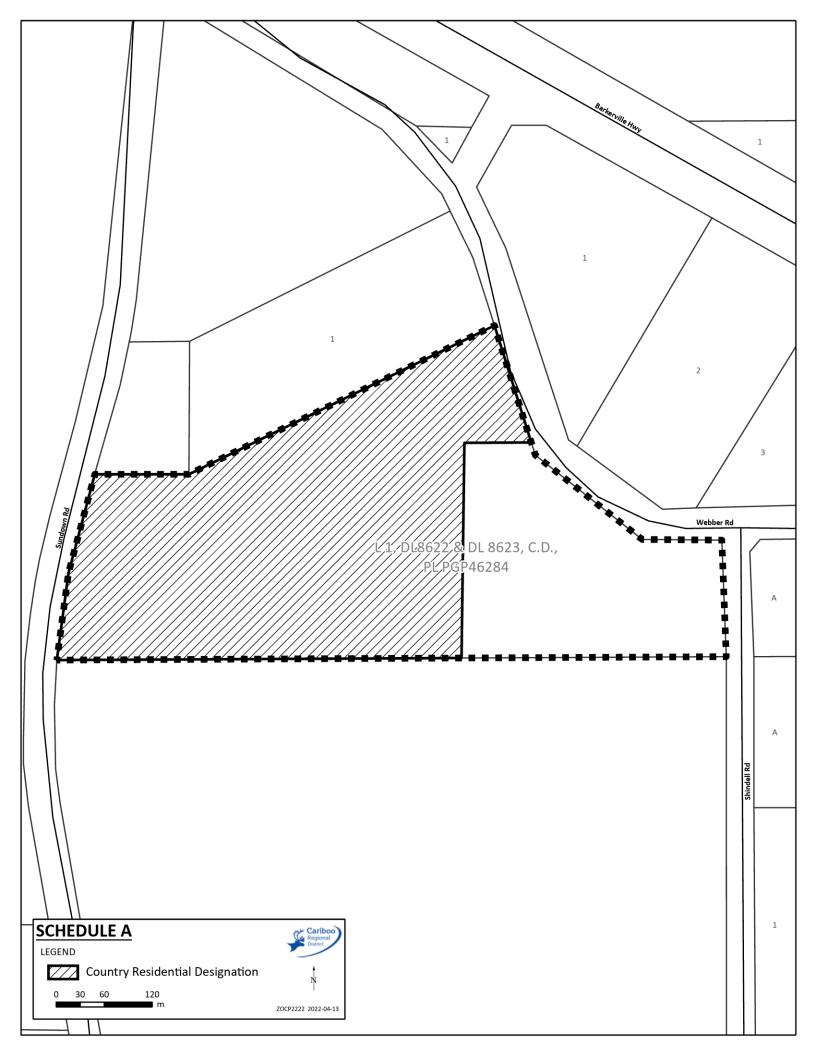
1. CITATION:

This bylaw may be cited for all purposes as the "Quesnel Fringe Area Official Community Plan Amendment Bylaw No. 5388, 2022".

2. Schedule "B" of Bylaw No. 4844 of the Cariboo Regional District is amended by

Redesignating part of Lot 1, District Lots 8622 and 8623, Cariboo District, Plan PGP46284 from Rural Residential 2 designation to Country Residential designation as shown on Schedule 'A'.

READ A FIRST TIME this <u>12th</u> day of	<u>ugust</u> , 2022.		
READ A SECOND TIME this <u>12th</u> day of	August , 2022.		
A PUBLIC HEARING WAS HELD ON THE27 th	DAY OF <u>September</u>	, 2022.	
READ A THIRD TIME this <u>6th</u> day of <u>(</u>	ctober, 2022.		
ADOPTED THIS DAY OF	, 2022.		
	Chair		
	Manager of Corporate Serv	ices	
I hereby certify the foregoing to be a true and correct copy of Bylaw No. 5388, cited as the "Quesnel Fringe Area Official Community Plan Amendment Bylaw No. 5388, 2022", as adopted by the Cariboo Regional District Board on the day of, 2022.			
Manager of Corp	orate Services		





CARIBOO REGIONAL DISTRICT

BYLAW NO. 5389

A bylaw of the Cariboo Regional District, in the Province of British Columbia, to amend Bylaw No. 3504, being the "Quesnel Fringe Area Zoning Bylaw No. 3504, 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, hereby enacts as follows:

1. CITATION

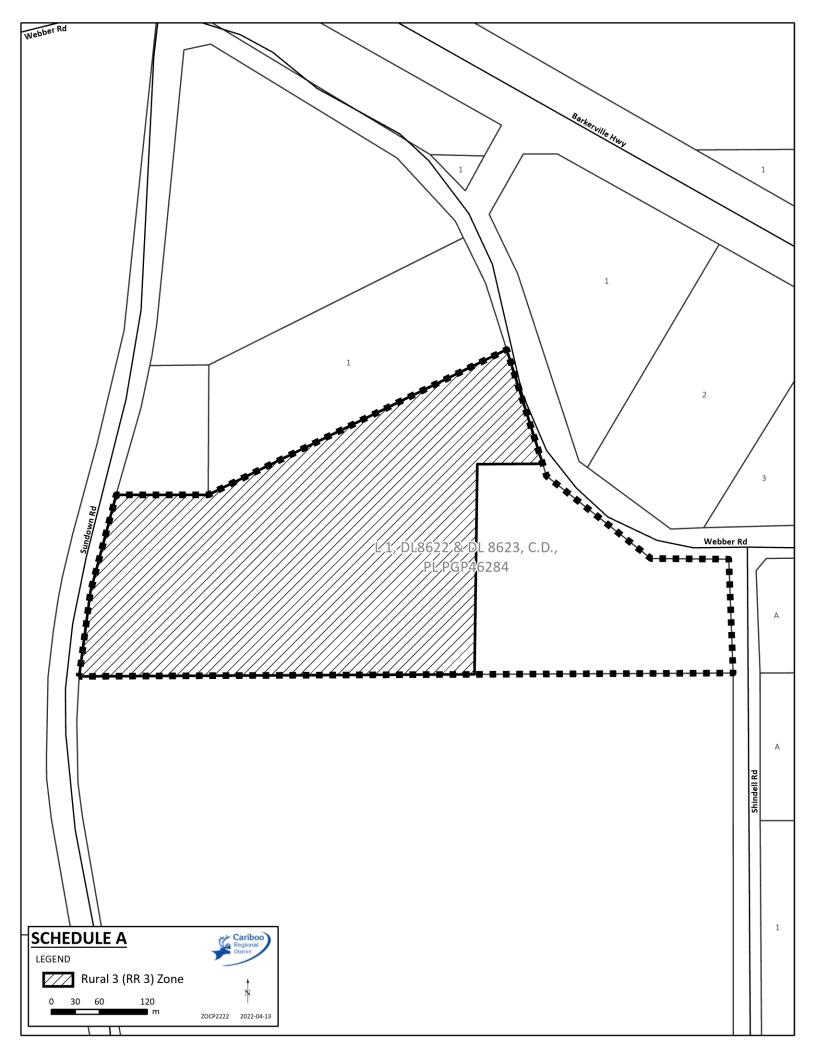
This bylaw may be cited for all purposes as the "Quesnel Fringe Area Zoning Amendment Bylaw No. 5389, 2022".

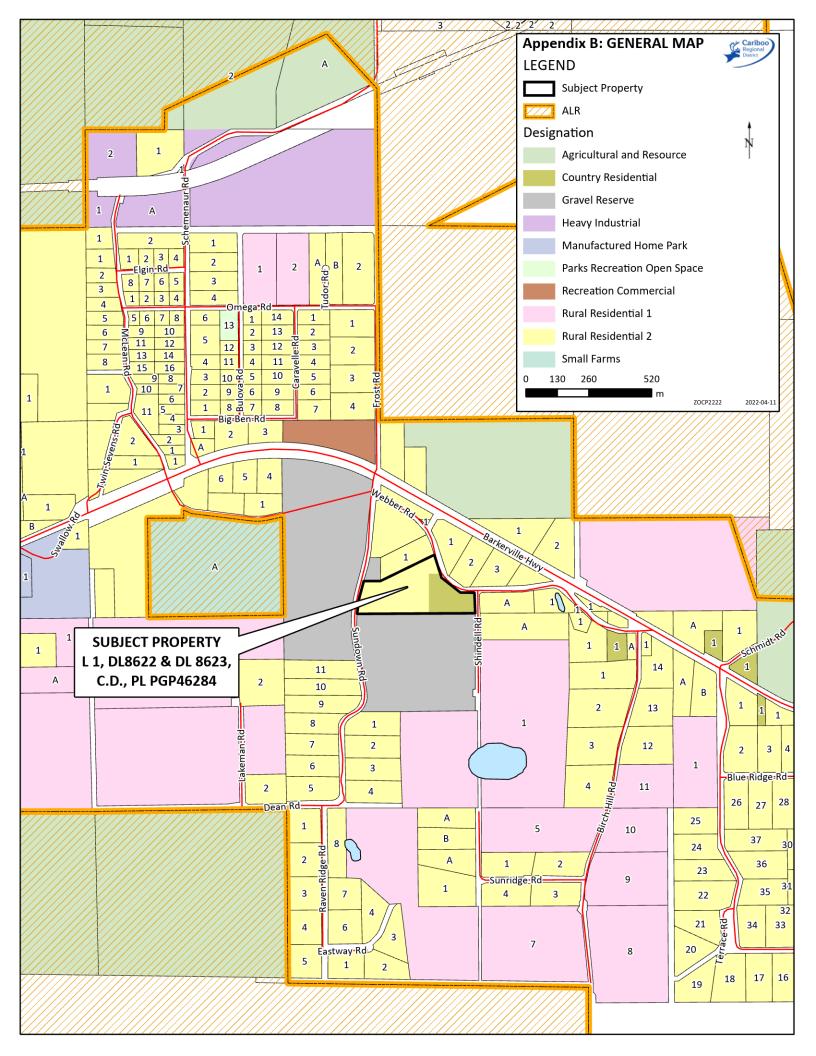
2. AMENDMENT

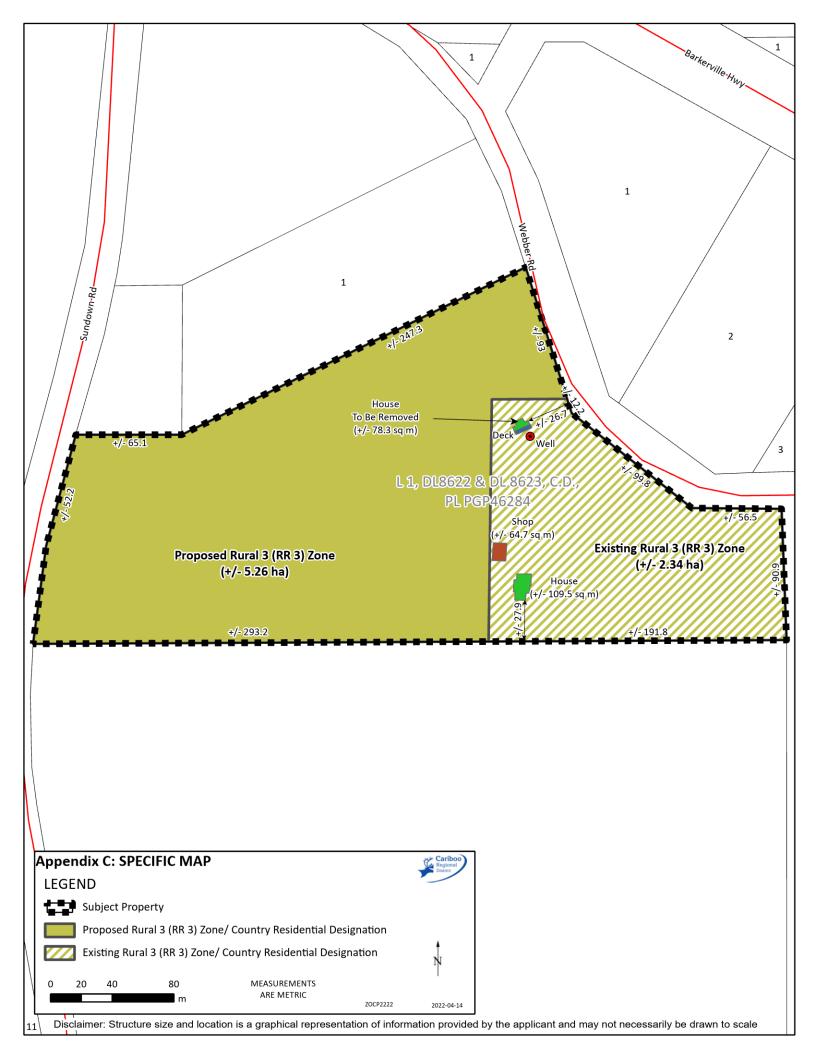
Bylaw No. 3504 of the Cariboo Regional District is amended by:

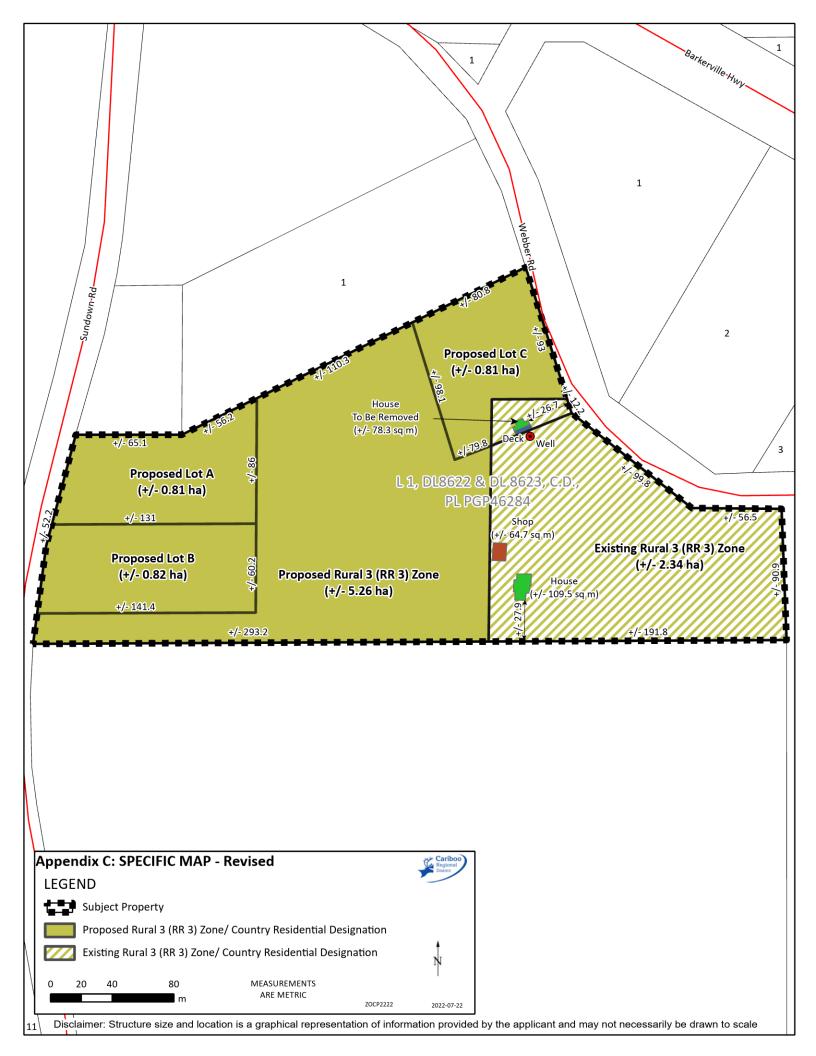
- i) rezoning part of Lot 1, District Lots 8622 and 8623, Cariboo District, Plan PGP46284 from Rural 2 (RR 2) zone to Rural 3 (RR 3) zone, as shown on Schedule 'A'; and
- ii) amending Schedule "C" accordingly.

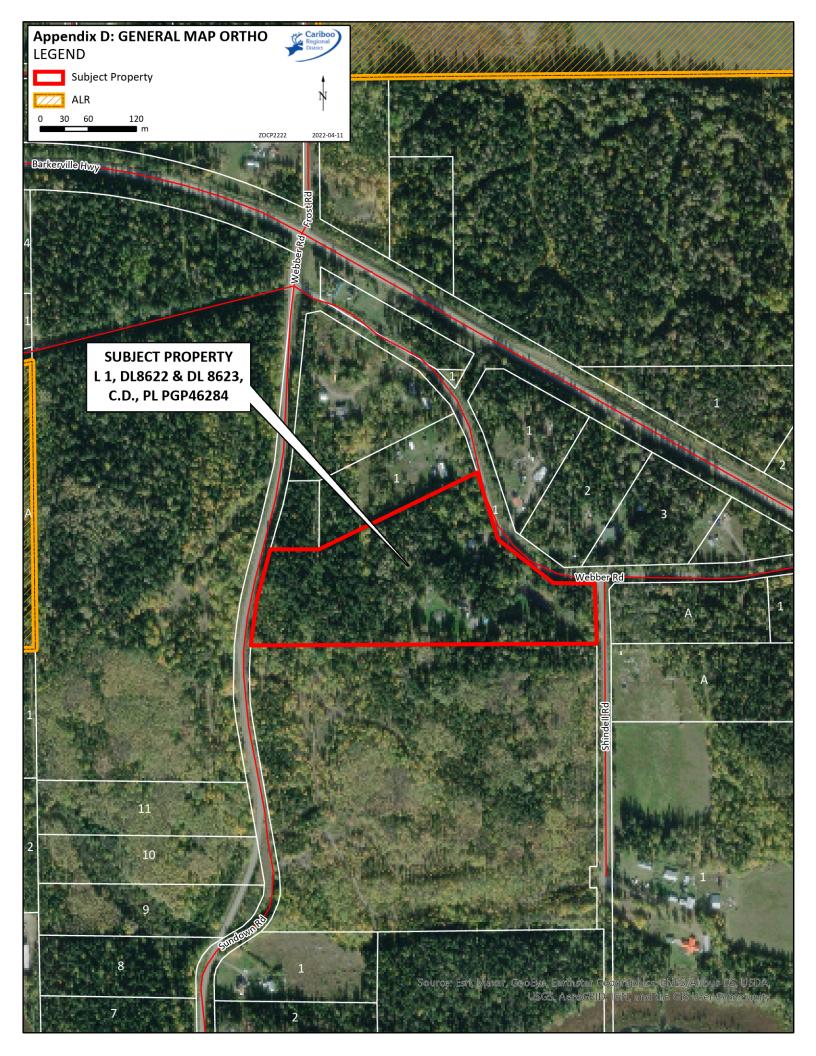
READ A FIRST TIME THIS 12 th DAY OF August , 2022
READ A SECOND TIME THIS <u>12th</u> DAY OF <u>August</u> , 2022
A PUBLIC HEARING WAS HELD ON THE <u>27th</u> DAY OF <u>September</u> , 2022
READ A THIRD TIME THIS 6 th DAY OF October, 2022
APPROVED UNDER THE "TRANSPORTATION ACT" THIS 3rd DAY OF November, 2022
Ja-
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. 5389 cited as the "Quesnel Fringe Area Zoning Amendment Bylaw No. 5389, 2022", as adopted by the Cariboo Regional District Board on the day of
Manager of Corporate Services











		-			
Describe the existing use of the subject property and all buildings: Residential					
Describe the pr	oposed use of the subject property an	d all b	uildings: Reside	ntial	
Describe the reasons in support for the application: We Would like to eventually Subdivide our property, and would prefex to make a general description of vegetation cover (i.e. treed, grassland, forage crop etc.): Small vegetation, cedar trees. Freshly logged.					
Provide general geographical information (i.e. existing lakes, streams, physical features etc.):					
Services Currently Existing or Readily Available to the Property (check applicable area) * Readily Available means existing services can be easily extended to the subject property.					
	Services	Curr	ently ing?	Readily Available?*	
		Yes	No	Yes No	
	Hydro Telephone Community Water System Community Sewer System Sewage Disposal System Well Other (please specify)		0 0 0 0 0 0		
					9

File No: 3360-20/20220022

ADVISORY PLANNING COMMISSION RESPONSE FORM

	eting of the Electoral Area 'C' advisory planning commission held on the CRD Building, , located at QUESTE(, BC, commencing
PRESENT:	Members Tom Maxwell, Dennis Asher, Lynn Phin
	Recording Secretary Charlene Lawrena. Owners/Agent, or MikelColleen Grueter Brad Wiles Contacted but declined to attend
ABSENT: Warren	Ris
ALSO PRESENT: Elector	ral Area Director John Mussiew Staff support (if present)
Tom Maxwell / D WEBBER ROAD, be sup	IDMENT - 3360-20/20220022 (LOT 1, DISTRICT LOTS 8622 AND 8623, CARIBOO 284) Lennis Acha: "THAT the application to rezone/redesignate property at 1352 ported/rejected for the following reasons: Entire property The Same zoning. nothing to reject for this application.
For: 5 Agains	carried/defeated
Termination Lynn Phinky!	Tom Maxwell: That the meeting terminate. CARRIED
Time: 6:30 pm	

Recording Secretary

RESULTS OF PUBLIC HEARING

File No: 3360-20/20220022

	Tuesday, September 27 th , 2022 ion: Meeting Room in the Quesnel Library QUESNEL FRINGE AREA OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW NO. 5388, 2022 AND QUESNEL FRINGE AREA ZONING AMENDMENT BYLAW NO. 5389, 2022
Perso	ns Present:
	Director: John Massier
	Owner(s): Michael Grueter Agent: Brad Wiles
	Public: See attached list
	Staff:
	No public in attendance (excluding owner/agent)
9	Meeting called to order at 7.00 . fM
₽ (Welcome, introduction and the "Purpose of a Public Hearing", including the rules for the meeting and the specifics of the application were read out.
Ø	The following verbal comments and questions were received: (add additional sheet if required) Comments in favour:
	Comments of concern/opposition: see a Hacked
d	Attendees were asked three times for further comments and/or questions.
	The Chair called the meeting adjourned at 7.50 . (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

Bylaw No. 5388 and 5389 - Public hearing comments

Ten people attended the meeting including the two proponents and their agent.

- Question on total number of houses that is planned for the properties to be created (was answered by the proponent and their agent)
- Will the properties be developed by the proponents themselves (was answered by the proponents)
- Two members of the public voiced concerns for the local aquifer that may be impacted by further development
- Concerns with the ability of smaller properties to have proper septic systems (I explained that Northern Health was the relevant authority when it came to septic systems)
- There were concerns voiced about increased traffic in the area because of a subdivision
- Concern raises about potential fire hazard of logging debris left from logging done by the
 proponents. (Answered by the proponents with regards to their property and I explained that
 any concerns about fire risks on Crown lands should be brought to the Ministry of Forests)
- Some concern expressed with a possible increase in crime and light pollution
- There were questions to the proponents on the location and layout of the proposed lots regarding the adjoining properties (which the proponents explained.)
- Question about why some residents received packages in the mail while others didn't. (I explained that staff were required to send packages to owners of properties within a specific distance and that others were able to access the same information through the notice in the paper and from our website.)
- I explained to the room that the Ministry of Transportation and Infrastructure was the approval authority regarding subdivision and that questions on their processes including public consultation should be addressed to them
- There were questions about concerns raised by other area residents that weren't attending the meeting. (I explained that we had written comments from two other property owners and that they will be considered by the Board as well)
- The room was asked three times for further comments and the meeting was adjourned.

Eric Wickham Doreen Wickham 1326 Webber Road

Legal Description: Parcel 1, Plan BCP39346, District Lot 8622,

Cariboo Land District, & DL 8623 Lot Size: 8.204.

Re: Application to rezone Lot 1, District Lots 8622 and 8623 Cariboo District, plan PGP46284

This application must be denied so as to conform with the current 5 acre zoning that is this community.

In 2008 following the completion of building our home at 1326 Webber Road we contacted the Regional District Planning Department seeking information about rezoning our 8 acre parcel of land. We were informed by the planning department that we could spend the money to submit the application but that it would be a waste of money because the planning department would recommend denying the application because the current plan for the community was for 5 acre lots where possible. They went on to say that the only lots smaller than that were those that were geographically limited by roads and right of ways.

Further to denying our application we were obligated to decommission our mobile home that also occupied our land and was to be the residence of the new parcel of land should our subdivision happened.

Other than those lots that are geographically limited all other properties in the region are zoned for a minimum size of 5 acres. With an abundance of properties available in the area the need for small acreages, (Those under 5 acres) will not provide affordability or address any needs for land availability.

Setting the precedent of dividing parcels such as this in to smaller lots will forever change the neighbourhood into a community that does not have the same rural lifestyle qualities we moved into the neighbourhood for.

Respectfully Eric & Doreen Wickham

Genny Hilliard

From: Rita Langrova <langrova@shaw.ca>
Sent: September 25, 2022 7:00 PM

To: CRD Planning
Cc: Shivani Sajwan

Subject: Re: Proposed Bylaws 5388 and 5389

Some people who received this message don't often get email from langrova@shaw.ca. Learn why this is important

Dear Board of Directors of the Cariboo Regional District.

I and my husband received the Notice of Public Hearing set for September 27,2022 at 7pm in regards of proposed Bylaws 5388 and 5389.

We are the owners of the dwelling /8623/ at 1394 Webber Rd., Quesnel, BC, V2J 6T3 located on two titles: CA 1705263 and CA 1705264.

We purchased the property as rural acreage to ensure our privacy and to live environmentally friendly.

We strictly oppose the proposed Bylaws changes #5388 and #5389 for 4 lot subdivision for following reasons:

- Increased Traffic in the Area
- Elevated Carbon Emissions effecting a Climate Change
- Elevated Environmental Pollution
- Threats to Wild Life
- Increased Density of People may Lead to Higher Crime

Please do not hesitate to contact us at 604-220-4250 for further information.

With Best Regards, Rita Langrova Dariusz Benedykczak

Public Hearing Attendance

"Quesnel Fringe Area Official Community Plan Amendment Bylaw No. 5388, 2022" and

"Quesnel Fringe Area Zoning Amendment Bylaw No. 5389, 2022"

Date of Public Hearing: September 27, 2022

Application: 1352 Webber Road (3360-20-20220022)

Address
1330 Webber RD
1330 WEBBER RD
1303 Webber RD.
1339 Webber RJ.
1363/1345 Webber Rd.
1363/1345 Webber Bd.
2323 GRAMINE ROAD QUESNEL
1352 Webber Rd Quesnike
1352 Webber Rd. Quesnel
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