



Planning Application Information Sheet

Application Type: Rezoning

File Number: 3360-20/20220060

Bylaw(s): Chilcotin Area Rural Land Use Amendment Bylaw No. 5413, 2022

Electoral Area: J

Date of Referral: October 25, 2022

Date of Application: September 13, 2022

Property Owner's Name(s): REUBEN B THOMPSON
LISA J HARTWICK-THOMPSON
DARYL VISSCHER
ANGELA K HARTWICK

Applicant's Name: Veronica Meister - Exton and Dodge Land
Surveying Inc.

SECTION 1: Property Summary

Legal Description(s): District Lot 1565, Range 2, Coast District

Property Size(s): 32.38 ha (80 ac.)

Area of Application: 32.38 ha (80 ac.)

Location: 6670 Tatlayoko Road

Current Designation:
N/A

Min. Lot Size Permitted:
N/A

Current Zoning:
Resource/Agricultural (R/A)

Min. Lot Size Permitted:
32 ha (79.07 ac.)

Proposed Zoning:
Special Exception RR 1-3

Min. Lot Size Permitted:
12 ha (29.65 ac.)

Proposal: To subdivide the property into two rural residential lots.

No. and size of Proposed Lots: Lot A - 16.4 ha (40.53 ac.)
Lot B - 14.7 ha (36.33 ac.)

Existing Buildings: Two Residential Dwellings, 6 sheds and 1 greenhouse.

Proposed Buildings: No new buildings proposed at present.

Road Name: Tatlayoko Road

Road Type: Gravel/Dirt Road

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

Services Available: Sewage Disposal System and Well.

Within the confines of the Agricultural Land Reserve: No

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

Name of Lake/Contributing River: Homathko River

Lake Classification: High

Within Development Permit Area: No

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

	Land Use:	Lot Sizes:
(a) North	110 - Grain & Forage	52.61 ha (130 ac.)
	First Nations Reserve	---
(b) South	110 - Grain & Forage	74.87 ha (185 ac.)
(c) East	Unsurveyed Crown Land	---
	First Nations Reserve	---
(d) West	Unsurveyed Crown Land	---

PLANNING COMMENTS

Background:

It is proposed to rezone a 32.38 ha (80 ac.) subject property to allow for a two-lot subdivision. The property is currently zoned Resource/Agricultural (R/A) in the Chilcotin Area Rural Land Use Bylaw No. 3500, 1999. There are currently two residential dwellings, six sheds and one greenhouse existing on the property.

The applicant has requested to rezone the property from Resource/Agricultural (R/A) zone to Special Exception RR 1-3 zone. The proposal includes two rural residential lots of 16.4 ha (40.53 ac.) and 14.7 ha (36.33 ac.) in size, assigning each of the existing dwellings on two separate proposed lots as shown in Appendix C. There is also a proposed road dedication to access the two new lots indicated on the site plan.

Initially, the proposal was to rezone the property to a Rural 1 (RR 1) zone which requires a minimum lot size of 4 ha (9.88 ac.). This would have allowed further subdivision in future without any planning review. The Area 'H' Advisory Planning Commission (APC) raised the same concern in their referral response. As such, planning staff suggested the applicant to amend their proposal to Special Exception RR 1-3 zone, increasing the minimum lot size requirement to restrict further subdivision of the subject property.

Chilcotin Area Rural Land Use Bylaw, 3500, 1999 is now proposed to be amended by including Section 8.11.3.3 as follows:

8.11.3.3 Special Exception RR 1-3 Zone (3360-20/20220060)

Notwithstanding any other provisions of this bylaw to the contrary, on lands zoned RR 1-3:

- i) LOT AREA (minimum): = 12 ha (29.65 ac.)

All other provisions of the RR 1 zone shall apply.

Location & Surroundings:

The subject property is located at 6670 Tatlayoko Road, with T̓silhqot'in Declared Title and Cochin Lake in proximity as shown in Appendix B. Currently existing services include sewage disposal system and well on the property. Covered in trees and hay fields, the property is used as a rural residential lot with small hobby farm. There is also Homathko River that runs across the property. It is mostly surrounded by large resource/agricultural properties to the north, south and unsurveyed crown land to the east and west of the subject property.

Rationale for Recommendations:

Planning staff are supportive of the proposed zoning amendment application. With no substantive change in the land use of the property and no new buildings proposed at present, the proposal is anticipated to have minimal impact on the neighbouring properties. As indicated by the applicant, subdividing the property that assigns each of the existing dwellings on two separate proposed lots will allow them to each have a manageable area to continue their hobby farming.

There is an ongoing subdivision application (File #2021-00075) for the proposal with the Ministry of Transportation and Infrastructure (MOTI). The Ministry has responded that the applicant must be advised that successful rezoning in no way constitutes subdivision approval, and there are further requirements and development criteria that needs to be satisfied prior to subdivision approval.

The Interior Health Authority (IHA) 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 Electoral Area 'J' Advisory Planning Commission (APC) has returned comments stating their support of the rezoning application, but with an amendment. The APC suggested requiring a 'no further subdivision' covenant as a condition of rezoning approval. Planning staff recognizes the concern expressed by the APC, but instead recommended to change the proposal to Special Exception RR 1-3 zone with increased minimum lot size requirement to restrict further subdivision of the subject property.

The applicant must comply with the CRD Shoreland Management Policy with respect to sewage disposal and riparian protection due to the presence of highly sensitive Homathko River on the subject property. This will further ensure the ability of the proposed new lots to accommodate any alternate sustainable sewerage disposal systems, if required.

Recommendation:

1. That the Chilcotin Area Rural Land Use Amendment Bylaw No. 5413, 2022 be given first and second reading, and that adoption be subject to the following condition:
 - i. The applicant offering to enter into and entering into a Section 219 covenant to ensure compliance with the CRD Shoreland Management Policy with respect to sewerage disposal and riparian protection.

Further, that the cost of registration of the Shoreland Management Policy covenant be borne by the applicant.

REFERRAL COMMENTS

Health Authority: October 28, 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.

Ministry of Transportation and Infrastructure: November 16, 2022

The Ministry of Transportation and Infrastructure's (MoTI) consideration and comments provided are based on the information available to date in context of the proposed rezoning.

The subdivision has not been approved and continues to be under consideration.

MoTI's comments are not to be taken as indication or confirmation that the proposed subdivision will be approved or that any approval to the proposed subdivision is imminent. Rather, the applicant should be mindful that there are matters remaining to be addressed and that such matters may include the applicant being required to apply to other agencies that are beyond MoTI's authority. As a result, MoTI is not in a position to comment on the response that the applicant may receive if the applicant is required to apply to such other agencies.

In addition, it appears that some sheds are located within the proposed MoTI right of way. All structures must be placed at least 4.5 metres back from the right of way. If the subdivision reaches completion, the applicant can apply to the Ministry for an encroachment permit.

Advisory Planning Commission: November 19, 2022

See attached.

Ministry of Environment and Climate Change Strategy: Terrestrial, Aquatic Habitat and Wildlife: November 22, 2022

The terrestrial habitat section does not have any comments or concerns with this referral. However, there are overlaps with important habitats/ecosystems that the proponent can be made aware of:

- Grizzly bear capability habitat
- Grassland Benchmark
- Riparian Management Areas: management and reserve (no harvest) zones

But because the area of interest is private property, we cannot provide recommendations to the overlaps above. Let me know if you have any questions on this.

ATTACHMENTS

- Appendix A: Bylaw 5413
- Appendix B: General Map
- Appendix C: Specific Map
- Appendix D: Orthographic Map
- Other: Applicants Supporting Documentation
Advisory Planning Commission Comments



CARIBOO REGIONAL DISTRICT

BYLAW NO. 5413

A bylaw of the Cariboo Regional District, in the Province of British Columbia, to amend Bylaw No. 3500, being the "Chilcotin Area Rural Land Use Bylaw No. 3500, 1999".

WHEREAS the *Local Government Act* authorizes the Regional Board to amend a Rural Land Use 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 "Chilcotin Area Rural Land Use Amendment Bylaw No. 5413, 2022".

2. AMENDMENT

Bylaw No. 3500 of the Cariboo Regional District is amended by:

- i) Including Section 8.11.3.3 into Schedule "A" as follows:

8.11.3.3 Special Exception RR 1-3 Zone (3360-20/20220060)

Notwithstanding any other provisions of this bylaw to the contrary, on lands zoned RR 1-3:

- i) LOT AREA (minimum): = 12 ha (29.65 ac.)

All other provisions of the RR 1 zone shall apply.

- ii) rezoning District Lot 1565, Range 2, Coast District from Resource/Agricultural (R/A) zone to Special Exception RR 1-3 zone; and
- iii) amending Schedule "C" accordingly.

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

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

A PUBLIC HEARING WAS HELD ON THE _____ DAY OF _____, 2023.

READ A THIRD TIME THIS _____ DAY OF _____, 2023.

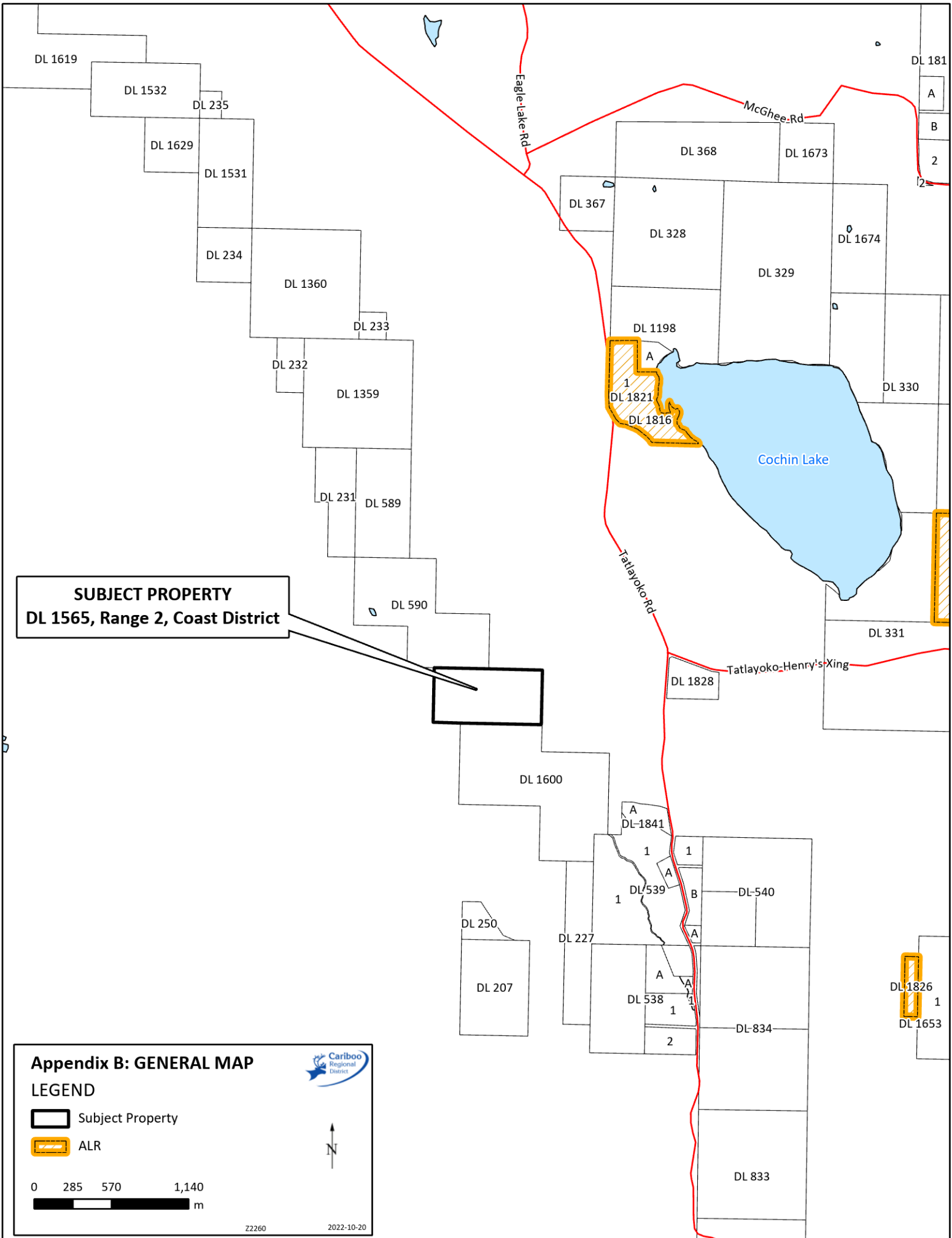
ADOPTED THIS _____ DAY OF _____, 2023.

Chair

Manager of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 5413 cited as the "Chilcotin Area Rural Land Use Amendment Bylaw No. 5413, 2022", as adopted by the Cariboo Regional District Board on the _____ day of _____, 2023.



Manager of Corporate Services




SUBJECT PROPERTY
DL 1565, Range 2, Coast District

Appendix B: GENERAL MAP


LEGEND

-  Subject Property
-  ALR



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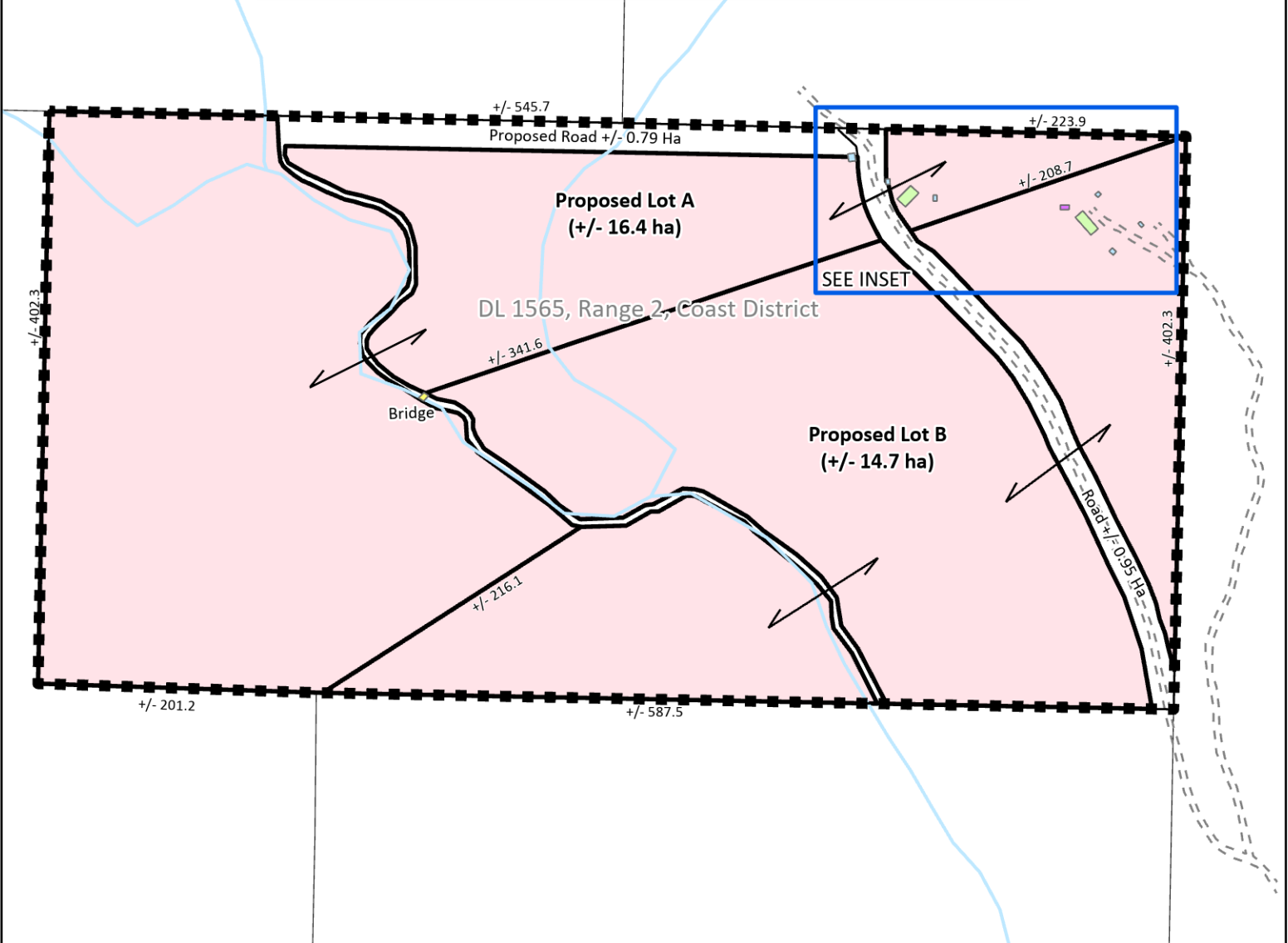
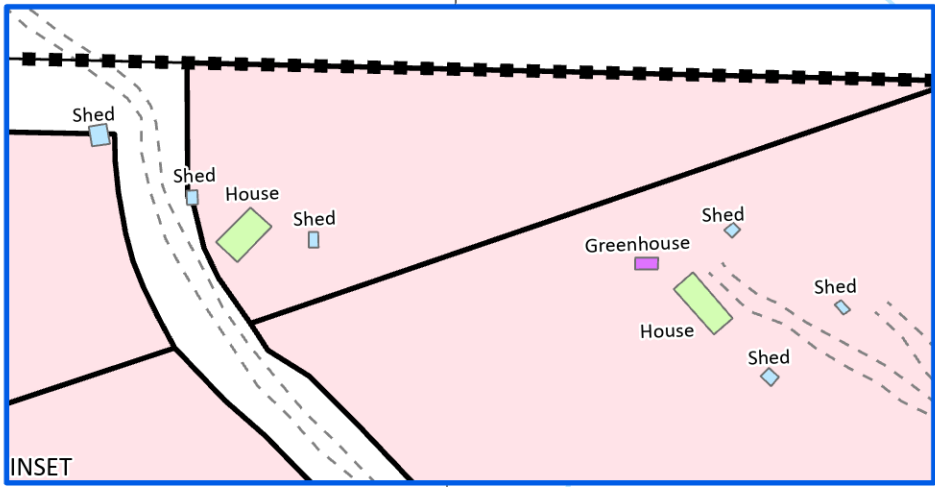
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Z2260
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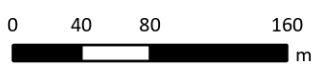




Appendix C: SPECIFIC MAP

LEGEND

-  Subject Property
-  Proposed Special Exception RR 1-3 Zone




MEASUREMENTS ARE METRIC

DL 589

Appendix D: GENERAL MAP ORTHO LEGEND



 Subject Property

0 30 60 120
m



Z2260

2022-10-20

DL 590

SUBJECT PROPERTY
DL 1565, Range 2, Coast District

DL 1600

Describe the existing use of the subject property and all buildings: Small hobby farm

Describe the proposed use of the subject property and all buildings: The use will remain the same

Describe the reasons in support for the application: Nearing completion of MOTI subdivision application. Owners do not qualify under section 514 due to small farm income, so they are proceeding with rezoning

Provide a general description of vegetation cover (i.e. treed, grassland, forage crop etc.): has some treed area, as well as Hay fields

Provide general geographical information (i.e. existing lakes, streams, physical features etc.): The Homathko River runs across the property

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

ADVISORY PLANNING COMMISSION RESPONSE FORM

Minutes of the meeting of the Electoral Area 'J' advisory planning commission held on Nov 19, 2022, in the teleconference, located at ~~at~~ ^{via} ~~at~~ ^{via} Chileatin, BC, commencing at 1:06 pm.

PRESENT: Chair Dave Clark.
Members Lesli Milton, Linda Armstrong, Deborah Kannegiesser, Johanna Kirby

Recording Secretary Johanna Kirby

Owners/Agent, or
 Contacted but declined to attend

ABSENT: Bryn Thompson, Lisa Hartwick, Thompson, Daryl Visscher, Angela Hartwick.

ALSO PRESENT: Electoral Area Director Talin Park.
Staff support (if present) Sriyani Saigwan.

Agenda Items

REZONING APPLICATION - 3360-20/20220060 (DISTRICT LOT 1565, RANGE 2, COAST DISTRICT)

Deborah Kannegiesser / Lesli Milton THAT the application to rezone property at 6670 TATLAYOKO ROAD, be supported / rejected for the following reasons:
with an amendment:
subject to a covenant of no more than two lots. Dave Clark / Linda Armstrong.
As APC suggest the Application be sent to Ministry of forests & ministry of Land, Water & Resource Stewardship.
For: 5 Against: 0
CARRIED DEFEATED

Termination

Johanna Kirby / Dave Clark: That the meeting terminate.

Time: 1:40 pm.

[Signature]
Recording Secretary

[Signature] Nov 21/22
Chair

CARRIED