



Planning Application Information Sheet

Application Type: Rezoning/OCP Amendment

File Number: 3360-20/20220054

Bylaw(s): Lac La Hache Area Official Community Plan Amendment Bylaw No. 5409, 2022 and South Cariboo Area Zoning Amendment Bylaw No. 5410, 2022

Electoral Area: G

Date of Referral: October 03, 2022

Date of Application: August 16, 2022

Property Owner's Name(s): MICHAEL L LANGE
JULIE A LANGE

Applicant's Name: Cariboo Geographic Systems

SECTION 1: Property Summary

Legal Description(s): Lot 11, District Lot 5, Lillooet District, Plan 4190, Except Parcel A (DD 183362F)

Property Size(s): 0.33 ha (0.81 ac.)

Area of Application: 0.33 ha (0.81 ac.)

Location: 4000 Cariboo Highway 97

Current Designation:
Commercial

Min. Lot Size Permitted:
N/A

Proposed Designation:
Townsite Residential

Min. Lot Size Permitted
N/A

Current Zoning:
General Commercial (C 1)

Min. Lot Size Permitted:
649 sq. m (6,986 sq. ft.)
(For combined Residential and Non-Residential Use)

Proposed Zoning:
Special Exception R 2-3

Min. Lot Size Permitted:
696 sq. m (7,492 sq. ft.)
(Per Two-Family Dwelling Unit)

Proposal: To allow two single-family residential dwellings on site.

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

Existing Buildings: Residential Dwelling - 116 sq. m (1,249 sq. ft.)
Attached Deck - 30 sq. m (322.9 sq. ft.)
Shed 1 - 19 sq. m (204.5 sq. ft.)
Shed 2 - 28 sq. m (301.39 sq. ft.)
Deck - 45 sq. m (484.38 sq. ft.)

Proposed Buildings: One single-family residential dwelling.

Road Name: Cariboo Highway 97 S

Road Type: Paved

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

Services Available: Hydro, Telephone, Community Water System, Community Disposal System, and Natural Gas.

Within the confines of the Agricultural Land Reserve: No

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

Name of Lake/Contributing River: Lac La Hache

Lake Classification: High

Within Development Permit Area: Yes

Development Permit Area Name: Aquatic Habitat Development Permit Area

Commercial Development Permit Area

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

	Land Use:	Lot Sizes:
(a) North	200 , Store(S) And Service Commercial	0.162 ha (0.4 ac.)
	201 , Vacant IC&I	0.21 ha (0.52 ac.)
(b) South	Lac La Hache	---

(c) East	000 , Single Family Dwelling	0.113 ha (0.28 ac.)
	000 , Single Family Dwelling	0.073 ha (0.18 ac.)
	000 , Single Family Dwelling	0.14 ha (0.34 ac.)
(d) West	200 , Store(S) And Service Commercial	0.25 ha (0.61 ac.)
	200 , Store(S) And Service Commercial	0.134 ha (0.33 ac.)
	001 , Vacant Residential Less Than 2 Acres	0.225 ha (0.556 ac.)

PLANNING COMMENTS

Background:

An application to rezone the property at 4000 Cariboo Highway 97 has been received by planning staff. The 0.33 ha (0.81 ac.) subject property is currently zoned General Commercial (C 1) in the South Cariboo Area Zoning Bylaw No. 3501, 1999 and is designated Commercial in the Lac La Hache Area Official Community Plan Bylaw No. 5170, 2018.

The applicant has requested to rezone the subject property from General Commercial (C 1) zone to Special Exception R 2-3 zone. To be consistent with the proposed zoning, the property is also proposed to be redesignated from Commercial designation to Townsite Residential designation. This proposal will legalize the existing residential use.

The South Cariboo Area Zoning Bylaw No. 3501, 1999 is proposed to be amended by including Section 5.13.3.3 as follows:

5.13.3.3 Special Exception R 2-3 Zone (3360-20/20220054)

Notwithstanding any other provisions of this bylaw to the contrary, on lands zoned R 2-3, the following provisions shall apply:

- (a) RESIDENTIAL USES:
 - i) A single-family residential dwelling; or
 - ii) Two single-family residential dwellings.
- (b) ZONE PROVISIONS:
 - i) Lot Frontage (minimum) = 10 m (32.8 ft.)

All other provisions of the R 2 zone shall apply.

Location and Surrounding:

The subject property is located on Cariboo Highway 97 S, adjacent to Lac La Hache as shown in Appendix B. Covered in grass and some trees, the property is slightly sloped towards Lac La Hache and is within the Aquatic Habitat Development Permit Area. Currently, the property is being used as a residential lot with no commercial activities on-site. There is an existing 116 sq. m (1,249 sq. ft.) residential dwelling with a 30 sq. m (322.9 sq. ft.) attached deck, two sheds of 19 sq. m (204.5 sq. ft.) and 28 sq. m (301.39 sq. ft.) in sizes, and a 45 sq. m (484.38 sq. ft.) deck on the property. It is a mixed-use neighbourhood, mostly surrounded by residential and commercial lots along the highway.

CRD Regulations and Policies:

5170 – Lac La Hache Area Official Community Plan Bylaw, 2018

8.2 OBJECTIVES

8.2.8 Encourage the location of multi-family housing in the serviced area, and to allow for flexibility and diversity uses in the Townsite area.

8.3.1 Townsite Residential

Location and land use criteria = Townsite location, single-family or two-family use.

Development standards = All uses require community water and community sewer system.

Rationale for Recommendations:

Planning staff are supportive of the proposed rezoning application. The proposed zone amendment will legalize the existing residential use. Residential uses are permitted in the C 1 zone as ancillary uses to a permitted commercial use. Commercial operations are currently not present on the property.

The proposed Special Exception R 2-3 zone will allow two single-family dwellings on the subject property as requested to accommodate the owner's future plans. The second dwelling is intended to be used by the extended family or to be rented as a long-term rental unit. The property is currently serviced by the Lac La Hache sewer and water systems. As such, both the dwellings can be connected to the existing community services. Surrounded by residential properties, and controlled traffic in and outflow due to the panhandle access to the highway makes the subject property adequate for a residential use.

The applicant also understands that the proposed zone provisions would technically allow the property to be subdivided, but it cannot be done easily because of the limited frontage on a public road. The existing statutory right of way across the property, as shown in Appendix C, further restricts any future subdivision.

The Ministry of Transportation and Infrastructure (MOTI) has no objection in principle to the proposed rezoning. It is required that the applicant submit a permit application to the Ministry for residential access to Cariboo Highway, prior to final rezoning approval.

Recognizing the importance of diverse housing forms to meet the socioeconomic and demographic needs of all community members, the Interior Health Authority (IHA) supports the proposed residential development in the serviced Lac La Hache neighbourhood.

The Electoral Area 'G' Advisory Planning Commission (APC) has returned comments stating their support of the rezoning application as the subject property is limited in highway frontage to be considered commercial and being serviced by the Lac La Hache sewer and water system, the proposal is anticipated to have minimal impact on the neighbouring properties. The CRD planning staff agrees with the APC comments and, therefore, supports this rezoning proposal.

The subject property is located within the CRD Building Inspection Service Area. The CRD Chief Building Official has reviewed the application and has no objection to the proposed rezoning. A building permit will be required for any future development.

Further, the property is within the Aquatic Habitat Development Permit (DP) Area as designated under Section 488 (1) (a) of the *Local Government Act* for the protection of the natural environment, its ecosystems and biological diversity. As per Section 5.4.3 of the Lac La Hache Area OCP Bylaw, a Development Permit will be required for any future building construction, removal, or destruction of vegetation within 15 m (49.2 ft.) from the natural boundary of the lake.

The applicant must comply with the CRD Shoreland Management Policy with respect to riparian protection due to the presence of highly sensitive Lac La Hache adjacent to the subject property. As the property is serviced by community water and sewer system, Shoreland Management Policy compliance with respect to sewage disposal will not be required.

Recommendation:

1. That the Lac La Hache Area Official Community Plan Amendment Bylaw No. 5409, 2022 be given first and second reading.
2. That the South Cariboo Area Zoning Amendment Bylaw No. 5410, 2022 be given first and second reading, and that adoption be subject to the following conditions:
 - i. Adoption of the Lac La Hache Area Official Community Plan Amendment Bylaw No. 5409, 2022.
 - ii. The applicant must submit a permit application to the Ministry of Transportation and Infrastructure for residential access to Cariboo Highway 97 S.

- iii. 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 riparian protection.

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

REFERRAL COMMENTS

Health Authority: October 6, 2022

Thank you for the opportunity to provide comments for consideration regarding the above referenced application. It is our understanding that the application is for a Rezoning/OCP Amendment to allow two single-family residential dwellings at 4000 Cariboo Highway 97, Lac La Hache. This referral has been reviewed from Healthy Community Development perspective and the following is for your consideration.

Healthy Housing

The HBE_linkages_toolkit_2018.pdf (bccdc.ca) is an evidence based resource which links planning principle to health outcomes. Housing plays a significant role in influencing people's health – living in affordable, safe, and stable housing is associated with positive physical and mental health outcomes. Prioritizing a variety of diverse housing forms, including long term rental housing, can help to meet the socioeconomic and demographic needs of all community members. The proposal will increase the total amount of residential rental spaces in the community and will provide: opportunities for residents in Lac La Hache to continue to age within their home community, social connectivity to friends and family in the area, and connection to transportation networks. All of which have significant impacts on health and well-being.

Drinking Water and Wastewater Servicing

We strongly advocate for community wastewater and drinking water servicing; especially those owned and operated by local governments because they have good governance structures and operations, and have access to other funding. In addition, economies of scale can be better achieved with community systems both for infrastructure and maintenance costs. It is our understanding going forward the proposed facility will be connected to the Cariboo Regional District Lac La Hache community drinking water and sanitary sewer systems.

Overall, from a healthy community development and population health perspective we support this proposed development. Interior Health is committed to working collaboratively with the Cariboo Regional District to support healthy, sustainable community development and land use planning and policy creation.

Ministry of Transportation and Infrastructure: October 5, 2022
EDAS # 2022-05122

The Ministry of Transportation & Infrastructure has no objection in principle to the proposed rezoning from Commercial to Townsite Residential for the property located at 4000 Cariboo Highway 97.

Please complete the attached permit application for access to Cariboo Highway and submit to this office, prior to final approval.

Advisory Planning Commission: October 24, 2022:
See attached.

Ministry of Environment and Climate Change Strategy: October 17, 2022
We have no comments from the Habitat/ecosystems Section on this referral.

CRD Chief Building Official: October 21, 2022
No objections. Permit required for proposed work.

CRD – Environmental Services Dept: October 27, 2022
See attached.

BOARD ACTION

November 10, 2022:

That Lac La Hache Area Official Community Plan Amendment Bylaw No. 5409, 2022 be read a first and second time, this 10th day of November 2022.

That South Cariboo Area Zoning Amendment Bylaw No. 5410, 2022 be read a first and second time, this 10th day of November 2022. Further, that adoption be subject to the following:

- i. Adoption of the Lac La Hache Area Official Community Plan Amendment Bylaw No. 5409, 2022.
- ii. The applicant submitting a permit application to the Ministry of Transportation and Infrastructure for residential access to Cariboo Highway 97 S.
- iii. 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 riparian protection.

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

ATTACHMENTS

Appendix A: Bylaw 5409 & 5410
Appendix B: General Map
Appendix C: Specific Map
Appendix D: Orthographic Map
Other: Applicants Supporting Documentation
Advisory Planning Commission Comments
CRD Environmental Services Department Comments
Public Hearing Results



CARIBOO REGIONAL DISTRICT

BYLAW NO. 5409

A bylaw of the Cariboo Regional District, in the Province of British Columbia, to amend Bylaw No. 5170, being the "Lac La Hache Area Official Community Plan Bylaw No. 5170, 2018".

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 in open meeting assembled enacts as follows:

1. CITATION

This bylaw may be cited as the "Lac La Hache Area Official Community Plan Amendment Bylaw No. 5409, 2022".

2. AMENDMENT

Schedule "C" of Bylaw No. 5170 of the Cariboo Regional District is amended by:

Redesignating Lot 11, District Lot 5, Lillooet District, Plan 4190, Except Parcel A (DD 183362F) from Commercial designation to Townsite Residential designation.

READ A FIRST TIME this 10th day of November, 2022.

READ A SECOND TIME this 10th day of November, 2022.

A public hearing was held on the 6th day of February, 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. 5409, cited as the "Lac La Hache Area Official Community Plan Amendment Bylaw No. 5409, 2022", as adopted by the Cariboo Regional District Board on the _____ day of _____, 2023.

Manager of Corporate Services



CARIBOO REGIONAL DISTRICT

BYLAW NO. 5410

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. 5410, 2022".

2. AMENDMENT

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

- i) Including Section 5.13.3.3 into Schedule "A" as follows:

5.13.3.3 Special Exception R 2-3 Zone (3360-20/20220054)

Notwithstanding any other provisions of this bylaw to the contrary, on lands zoned R 2-3, the following provisions shall apply:

(a) RESIDENTIAL USES:

- i) A single-family residential dwelling; or
- ii) Two single-family residential dwellings.

(b) ZONE PROVISIONS:

- i) Lot Frontage (minimum) = 10 m (32.8 ft.)

All other provisions of the R 2 zone shall apply.

- ii) rezoning Lot 11, District Lot 5, Lillooet District, Plan 4190, Except Parcel A (DD 183362F) from General Commercial (C 1) zone to Special Exception R 2-3 zone; and
- iii) amending Schedule "C" accordingly.

READ A FIRST TIME THIS 10th DAY OF November, 2022.

READ A SECOND TIME THIS 10th DAY OF November, 2022.

A PUBLIC HEARING WAS HELD ON THE 6th DAY OF February, 2023.

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

APPROVED UNDER THE "TRANSPORTATION ACT" 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. 5410, cited as the "South Cariboo Area Zoning Amendment Bylaw No. 5410, 2022", as adopted by the Cariboo Regional District Board on the _____ day of _____, 2023.

Manager of Corporate Services

Appendix B: GENERAL MAP



LEGEND

- Subject Property
- EAs and Municipalities
- ALR

Designation

- Commercial
- Industrial
- Institutional
- Townsite Residential
- Rural Residential
- Agricultural

0 37.5 75 150
m

ZOCP2254

2022-09-28



SUBJECT PROPERTY
L 11, DL 5, L.D., PL KAP4190
EXC PCL A (DD183362F)

Lac La Hache

Appendix C: SPECIFIC MAP



LEGEND



Subject Property



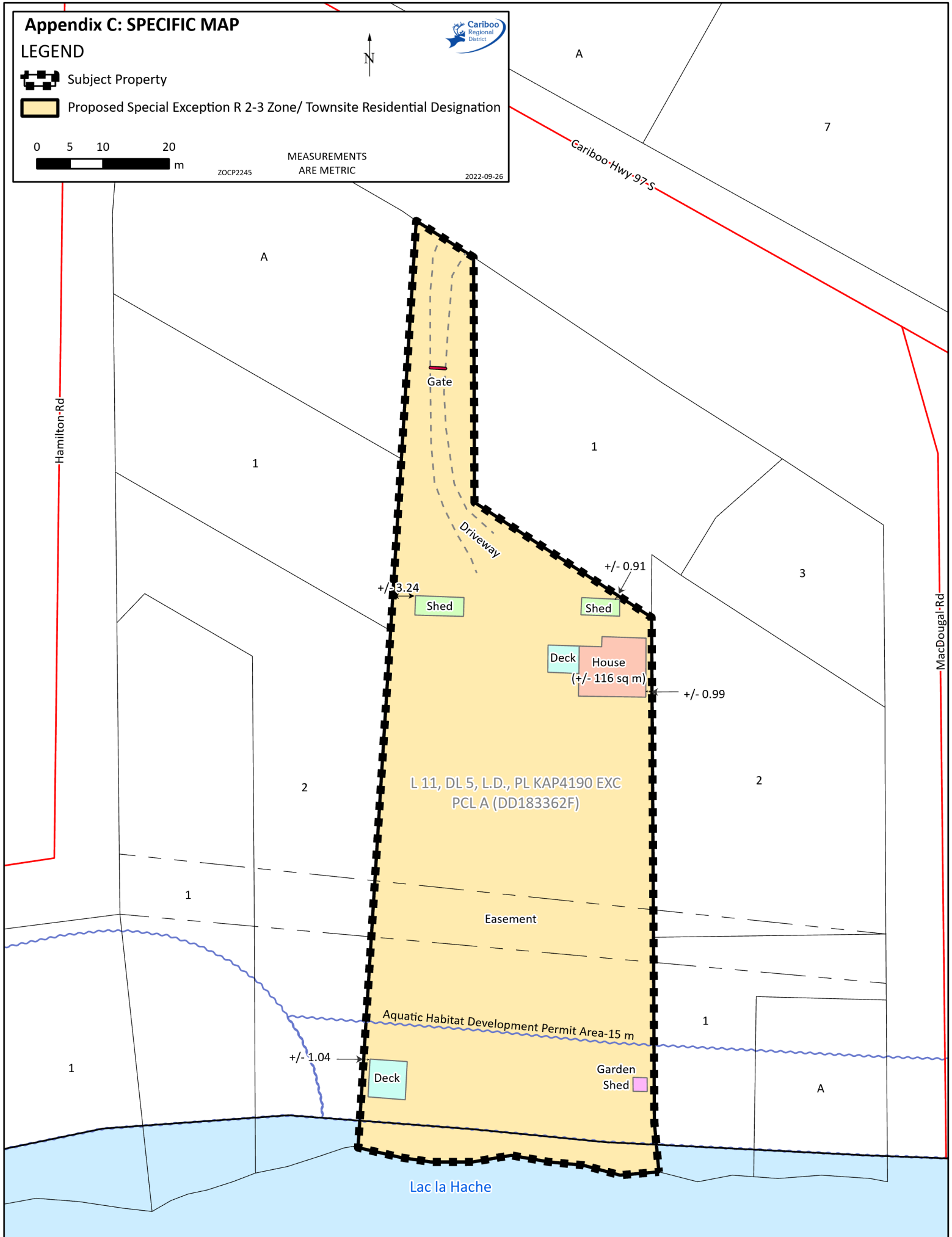
Proposed Special Exception R 2-3 Zone/ Townsite Residential Designation

0 5 10 20
m

ZOCP2245

MEASUREMENTS
ARE METRIC

2022-09-26






SUBJECT PROPERTY
L 11, DL 5, L.D., PL KAP4190
EXC PCL A (DD183362F)

Appendix D: GENERAL MAP ORTHO



LEGEND

 Subject Property



0 30 60 120
m

ZOCP2254

2022-09-26

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Airbus DS

Reasons of Support

This application is requesting that Lot 11, District Lot 5, Lillooet District, Plan 4190, except Parcel A (DD183362F) be rezoned and re-designated. The property is 0.43 hectares in size and is located at 4000 Cariboo Highway No. 97 in Lac La Hache. The land is serviced by the Cariboo Regional District Lac La Hache sewer and water systems and no subdivision of the land is proposed.

The property is presently zoned General Commercial (C1) in the South Cariboo Area Zoning Bylaw No. 3501. It is designated Commercial in the Lac La Hache Area Official Community Plan Bylaw No. 5170. While the property does have road frontage on Highway 97, this frontage is just a panhandle that is 10 metres wide. The majority of the land is behind another property on the highway, which is used for commercial purposes. The property on the other side of the panhandle with highway frontage is also commercial. All other adjacent lands are used for residential purposes except the Lac La Hache Bakery property.

While the land has been zoned General Commercial it is not conducive for that use because of the lack of highway frontage. The allowable non-residential uses of the zone require that road frontage, better visibility to the public and better access than what the property has available. Many of the allowable uses already exist in the Lac La Hache townsite area or are not suitable for this location. To our knowledge the land has never been used for commercial purposes and for the reasons noted above will also not be in the future.

We are proposing a Special Exception Residential 2 (R2) zone and a Townsite Residential designation in the Community Plan. The adjacent properties, used for residential purposes, have this designation and the Residential 2 zone. The standard zone allows for a two-family dwelling unit/ duplex but not two separate dwellings. The special exception zone is being requested because the owners would like to build a new residence but maintain the existing house on the property. The existing home is 116 square metres in size (1249 square feet). The standard zone allows for a carriage house with a maximum size of 90 square metres (969 square feet). The existing house does not meet the carriage house definition and is 26 square metres or 29% larger than the maximum carriage house size so the special exception zone is being requested to accommodate the owner's future plans.

The two homes can both be serviced by the Lac La Hache sewer and water systems so onsite servicing is not required. The second home will not be used for vacation rentals but, if not used by the extended family, may be rented as a long-term rental unit. While the zone provisions would technically allow the land to be subdivided, it cannot be done easily because of the limited frontage on a public road. To subdivide this land would require a paved road to be brought in and the panhandle width is half the width required for a public road. Future subdivision is also limited because of the existing statutory right of way crossing the land in the approximate middle. So, if this application is approved

there is very little chance that the requested Special Exception zone to allow the two residences could carry to more lots in the future.

The reasons why this land is not used for commercial purposes are:

- Limited frontage on Highway 97.
- No visibility to the public due to the terrain sloping down.
- Many of the allowable uses of the zone already exist in proximity within the townsite.
- The allowable uses of the zone not existing in the townsite are not suited to this location or lot size.
- Several of the allowable uses of the zone would not locate here due to the size of the community.

The reasons why this land is most suitable for a residential use:

- The neighbouring lands are predominately used for residential purposes.
- There is no increased traffic on and off the highway.
- The panhandle access to the highway.
- The land is waterfront on the lake.
- Is serviced by the community sewer and water systems.
- It has historically been used for residential purposes.
- The constraints of the existing statutory right of way on any use other than residential.
- Residential objective 8.2.8 of the OCP states *Encourage the location of multi-family housing in the serviced area, and to allow for flexibility and diversity of uses in the Townsite area.*

This application is being made to change the zone and designation for a property that has not been used for what the zone allows and will not be used that way in the future. The application is requesting the land receive a Residential Zone and designation which is what it has been used for and is a use best suited for this particular property. There are other properties in the Lac La Hache townsite (some vacant) that are much better suited to meet the commercial objectives and policies of the Official Community plan than this one.

AREA G APC RESPONSE FORM

FILE NO: 3090-20/20220054

Date: Oct 24, 2022

7 PM

Conference call

Applicant/Agent: Nigel Hemmingway

Area G director - Al Richmond

**Members: Marvin Monical
Marilyn Niemiec**

**Diane Wood
Robin Edwards**

**Graham Leslie
Amanda Bird**

**Nicola Maughn
Jamie Hughes**

Absent: Graham Leslie, Jamie Hughes Amanda Bird Nicola Maughn

Location of Application: 4000 Cariboo Highway , Lac la Hache BC

Agenda Item: Rezoning/OCP Amendment

Moved by: Marvin/Robin

Area G APC has no objection to this Rezoning/OCP Amendment application. The property is too limited in highway frontage to be considered commercial. The property is serviced by the Lac La Hache sewer and water system.

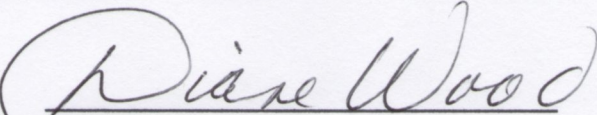
Motion Carried Unanimously

Moved by Diane Wood

that the meeting terminate. 7:30 PM

Marvin Monical

Chair


Secretary

RESPONSE SUMMARY

☐ Approval Recommended for Reasons Outlined Below

☐ Interests Unaffected by Bylaw

☒ Approval Recommended Subject to Conditions Outlined Below

☐ Approval Not Recommended Due to Reasons Outlined Below

1. Bylaw requires that all properties connect to the water utility. Approval is subject to applicant making application to the Cariboo Regional District to verify water quantities and adequacy of Cariboo Regional District works.
2. Bylaw requires that all properties connect to the sewer utility. Approval is subject to applicant making application to the Cariboo Regional District to verify sewage quantities and adequacy of Cariboo Regional District works.
3. Connection to community water systems and community sewer systems will be required for the proposed second dwelling.

Signed By: 

Title: William May

Date: Oct 27 2022

Agency: CRD

RESULTS OF PUBLIC HEARING

File No: 3360-20/20220054

Date: March 1, 2023

Location: Lac La Hache Community Hall

Re: **LAC LA HACHE AREA OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW NO. 5409, 2022 AND SOUTH CARIBOO AREA ZONING AMENDMENT BYLAW NO. 5410, 2022**

Persons Present:

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

- ☒ Meeting called to order at _7:00 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:

The applicants were present to support their application.

Comments of concern/opposition:

Concern was raised about amending the OCP The OCP is amended too frequently.

Concern about the changes to the zoning bylaw to permit secondary suites and carriage houses without public input

Answer There was extensive public consultation by having open houses to allow the public to review and comment on the changes

The OCP suggests that development be encouraged away from the lake and not on properties along the lake.

- ☒ Attendees were asked three times for further comments and/or questions.
- ☒ The Chair called the meeting adjourned at _7:35 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

[illegible]