



Planning Application Information Sheet

Application Type: Rezoning/OCP Amendment

File Number: 3360-20/20230033

Bylaw(s): South Cariboo Area Official Community Plan Amendment Bylaw No. 5442, 2023 and South Cariboo Area Zoning Amendment Bylaw No. 5443, 2023

Electoral Area: G

Date of Referral: July 26, 2023

Date of Application: June 26, 2023

Property Owner's Name(s): CARIBOO REGIONAL DISTRICT

Applicant's Name: Cariboo Geographic Systems – Nigel Hemingway

SECTION 1: Property Summary

Legal Description(s): Lot A, District Lots 200, 783, 3552, 3553 and 3554, Lillooet District, Plan 32784, Except Plan EPP37421

Property Size(s): 39.72 ha (98.15 ac.)

Area of Application: 39.72 ha (98.15 ac.)

Location: Adjacent to 4833 Telqua Drive

Current Designation:
Parks, Recreation and Open Space

Min. Lot Size Permitted:
N/A

Proposed Designation:
108 Mile Ranch Residential

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

Current Zoning:
Open Space, Parkland (OSP)

Min. Lot Size Permitted:
N/A

Proposed Zoning:
Special Exception Residential 1 (R 1-1)

Min. Lot Size Permitted:
0.302 ha (32,508 sq. ft.)

Proposal: To correct a historic encroachment of a dwelling within the 108 Greenbelt. The dwelling located at 4833 Telqua Drive encroaches onto greenbelt lands. The CRD Board has agreed to sell 246 sq. m. of land to resolve the issue, subject to rezoning, lot consolidation (i.e. subdivision), and fencing the rear lot line at the owner's cost.

No. and size of Proposed Lots: N/A

Existing Buildings: none.

Proposed Buildings: None

Road Name: Telqua Drive

Road Type: Paved

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

Services Available: Hydro, telephone, community water, sewage disposal system.

Within the confines of the Agricultural Land Reserve: No

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

Within Development Permit Area: No

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

	Land Use:	Lot Sizes:
(a) North	Airports, Heliports, Etc	78.62 ha (194.29 ac)
(b) South	Single Family Dwelling	0.21 - 0.46 ha (0.51 - 1.13 ac.)
(c) East	Airports, Heliports, Etc	78.62 ha (194.29 ac)
(d) West	Single Family Dwelling	0.11 - 0.83 ha (0.28 - 2.05 ac.)

PLANNING COMMENTS

Background:

It is proposed to rezone and redesignate a 246 sq. m (0.061 ac.) portion of the subject property to allow for it to be consolidated with an adjacent property located at 4833 Telqua Drive. The subject property is currently zoned Open Space, Parkland (OSP) in the South Cariboo Area Zoning Bylaw No. 3501, 1999 and is designated as Parks, Recreation and Open Space in the South Cariboo Area Official Community Plan Bylaw No. 5171, 2018, as shown in Appendix B.

The neighbouring landowner has requested the subject property be rezoned from Open Space, Parkland (OSP) to Special Exception R 1-1. To be consistent with the proposed zoning, the property is also proposed to be redesignated from Parks, Recreation and Open Space to 108 Mile Ranch Residential.

The rezoning and OCP amendment are proposed in order to correct an encroachment from 4833 Telqua Drive as a portion of the existing house is located on the 108 Mile Ranch Greenbelt. The encroachment was discovered by the Cariboo Regional District when the land was surveyed. As per zoning regulations in section 5.12.3.1 (b) of the South Cariboo Area Zoning Bylaw No. 3501, 1999, a rear yard of 3 m (9.84 ft.) will be required for the dwelling that encroaches on the subject property.

An agreement to purchase was executed June 20, 2023. The agreement was subject to favorable rezoning, subdivision, and fencing of the rear lot line to prevent future encroachments.

Location & Surroundings:

The subject property is a portion of the 108 Greenbelt located adjacent to the South Cariboo Regional Airport and multiple residential properties located along Telqua Drive as shown in Appendix B. The property is currently treed and is vacant with no buildings.

The property has residential properties along its western side and the South Cariboo Regional Airport to the east. The 108 Golf Resort is located beyond the residential lots to the west.

CRD Regulations and Policies:

3501 - South Cariboo Area Zoning Bylaw, 1999

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

5.12.3.1 (b) iv) Rear Yard - Setback = 3.0 metres (9.84 feet)

8.2 Support the following provisions for the 108 Mile Ranch area:

- 8.3.20 ii) The provision of open space, an integrated trail system connecting with the greenbelt, maintaining open field, protecting wildlife habitat, retaining natural vegetative buffers around waterbodies and wetlands and along watercourses, preserving historic sites, creating adequate recreational areas, and promoting cluster development;

Rationale for Recommendations:

Planning staff are supportive of the proposed rezoning and OCP amendment application. The proposal would correct a historical encroachment within the 108 Mile Ranch Greenbelt by rezoning the lot and allowing the portion being rezoned to be consolidated with the lot partially containing the encroaching dwelling. The proposed consolidation would also satisfy the rear yard requirement outlined in the South Cariboo Area Zoning Bylaw.

The Ministry of Transportation and Infrastructure (MOTI) has no concerns and notes that the dwelling meets the required 4.5 m (14.8 ft.) setback from the roadway.

The Electoral Area 'G' Advisory Planning Commission (APC) has returned comments stating they have no objection to the rezoning application as presented.

The Manager of Community Services has no comments regarding the application and the 108 Greenbelt Commission is aware of the proposal.

The Ministry of Water, Land and Resource Stewardship (MWLRS) has no comment on this application.

In summary, planning staff are supportive of the proposed rezoning/OCP amendment application. The proposed designation meets the intent of both the 108 Mile Ranch Land Use contract as well as the South Cariboo Area Official Community Plan.

Recommendation:

1. That South Cariboo Area Official Community Plan Amendment Bylaw No. 5442, 2023 be given first and second reading.
2. That South Cariboo Area Zoning Amendment Bylaw No. 5443, 2023 be given first and second reading, and that adoption be subject to the following conditions:
 - i. Adoption of the South Cariboo Area Official Community Plan Amendment Bylaw No. 5442, 2023.

REFERRAL COMMENTS

Health Authority:

No response.

Ministry of Transportation and Infrastructure: August 22, 2023

Ministry's interests not impacted. House meets the 4.5 metre setback from the road.

Advisory Planning Commission: August 17, 2023

See attached.

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

August 9, 2023:

No comments on this referral from the ecosystems section.

CRD – Community Services Dept: July 31, 2023

No concerns.

BOARD ACTION

September 8, 2023:

That South Cariboo Area Official Community Plan Amendment Bylaw No. 5442, 2023 be read a first and second time, this 8th day of September 2023.

That South Cariboo Area Zoning Amendment Bylaw No. 5443, 2023 be read a first and second time, this 8th day of September 2023. Further, that adoption be subject to the following:

- i. Adoption of South Cariboo Area Official Community Plan Amendment Bylaw No. 5442, 2023.

ATTACHMENTS

- Appendix A: Bylaw 5442 and 5443
- Appendix B: General Map
- Appendix C: Specific Map
- Appendix D: Orthographic Map
- Other: Applicant's Supporting Documentation
Advisory Planning Commission Comments
Public Hearing Results



CARIBOO REGIONAL DISTRICT

BYLAW NO. 5442

A bylaw of the Cariboo Regional District, in the Province of British Columbia, to amend Bylaw No. 5171, being the "South Cariboo Area Official Community Plan Bylaw No. 5171, 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, duly assembled, enacts as follows:

1. CITATION:

This bylaw may be cited as the "South Cariboo Area Official Community Plan Amendment Bylaw No. 5442, 2023".

2. AMENDMENT

Schedule "D" of Bylaw No. 5171 of the Cariboo Regional District is amended by:

Redesignating part of Lot A, District Lots 200, 783, 3552, 3553 and 3554, Lillooet District, Plan 32784, Except Plan EPP37421 from Parks, Recreation and Open Space designation to 108 Mile Ranch Residential designation as shown on attached Schedule "A".

READ A FIRST TIME this 8th day of September, 2023.

READ A SECOND TIME this 8th day of September, 2023.

A PUBLIC HEARING WAS HELD ON THE 12th DAY OF December, 2023.

READ A THIRD TIME this _____ day of _____, 2024.

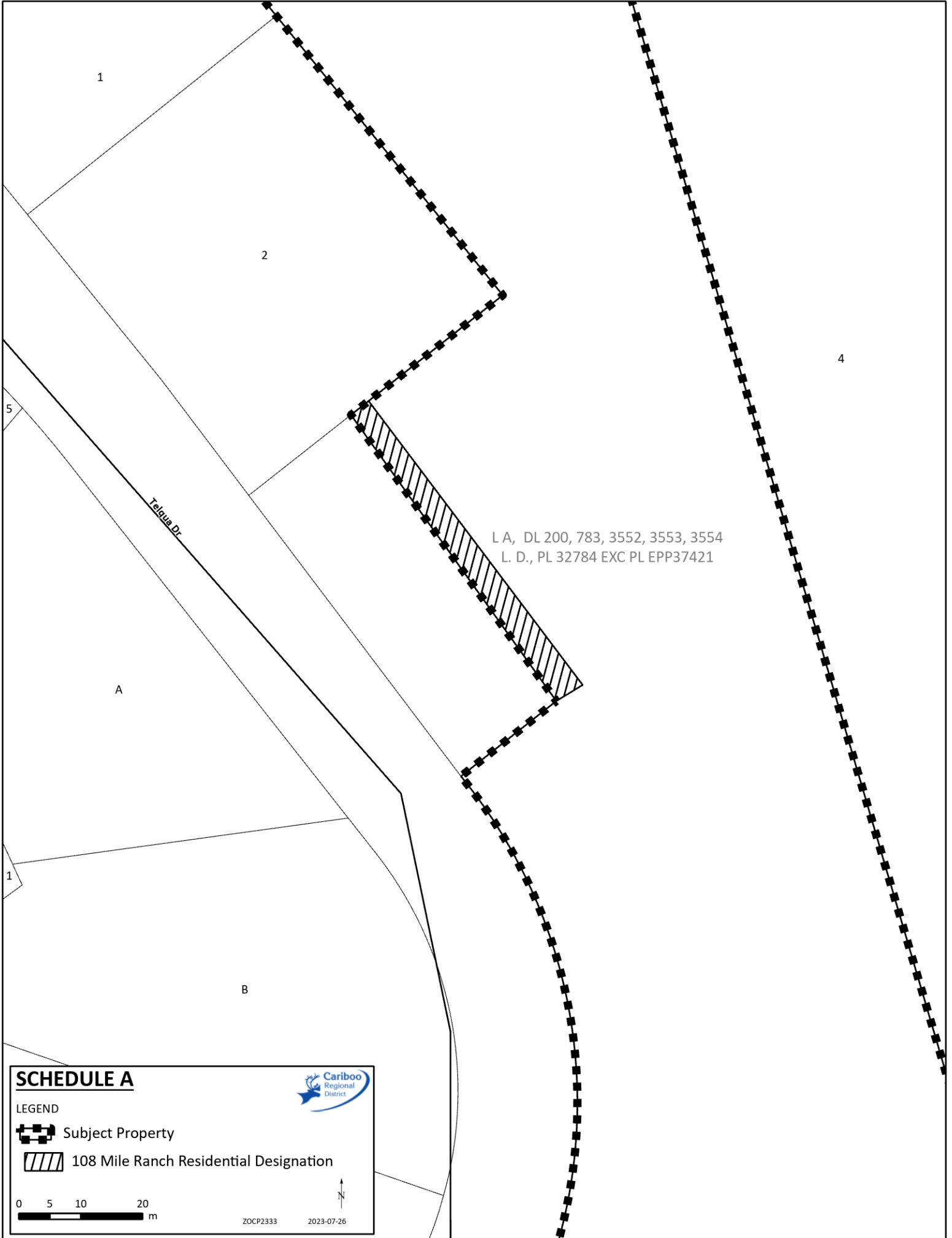
ADOPTED this _____ day of _____, 2024.

Chair

Manager of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 5442, cited as the "South Cariboo Area Official Community Plan Amendment Bylaw No. 5442, 2023", as adopted by the Cariboo Regional District Board on the _____ day of _____, 2024.

Manager of Corporate Services




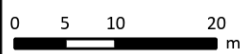
SCHEDULE A



LEGEND

 Subject Property

 108 Mile Ranch Residential Designation



ZOCP2333

2023-07-26



CARIBOO REGIONAL DISTRICT

BYLAW NO. 5443

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. 5443, 2023".

2. AMENDMENT

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

- i) rezoning part of Lot A, District Lots 200, 783, 3552, 3553 and 3554, Lillooet District, Plan 32784, Except Plan EPP37421 from Open Space, Parkland (OSP) zone to Special Exception R 1-1 zone, as shown on attached Schedule "A"; and
- ii) amending Schedules "C" and "D" accordingly.

READ A FIRST TIME THIS 8th DAY OF September, 2023.

READ A SECOND TIME THIS 8th DAY OF September, 2023.

A PUBLIC HEARING WAS HELD ON THE 12th DAY OF December, 2023.

READ A THIRD TIME THIS _____ DAY OF _____, 2024.

APPROVED UNDER THE "TRANSPORTATION ACT" THIS _____ DAY OF _____, 2024.

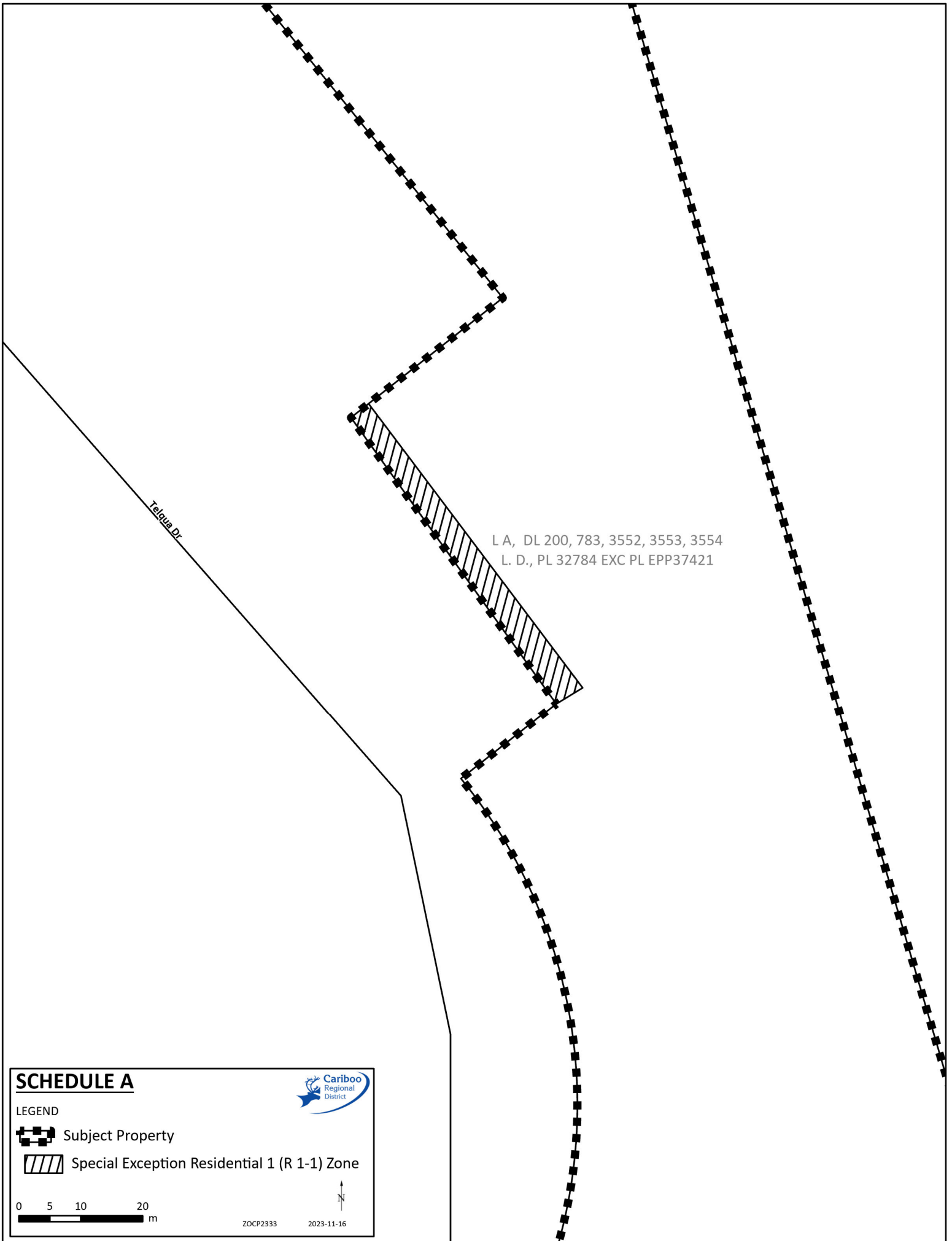
ADOPTED THIS _____ DAY OF _____, 2024.

Chair

Manager of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 5443, cited as the "South Cariboo Area Zoning Amendment Bylaw No. 5443, 2023", as adopted by the Cariboo Regional District Board on the _____ day of _____, 2024.

Manager of Corporate Services




L A, DL 200, 783, 3552, 3553, 3554
L. D., PL 32784 EXC PL EPP37421

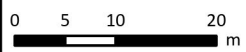
SCHEDULE A



LEGEND

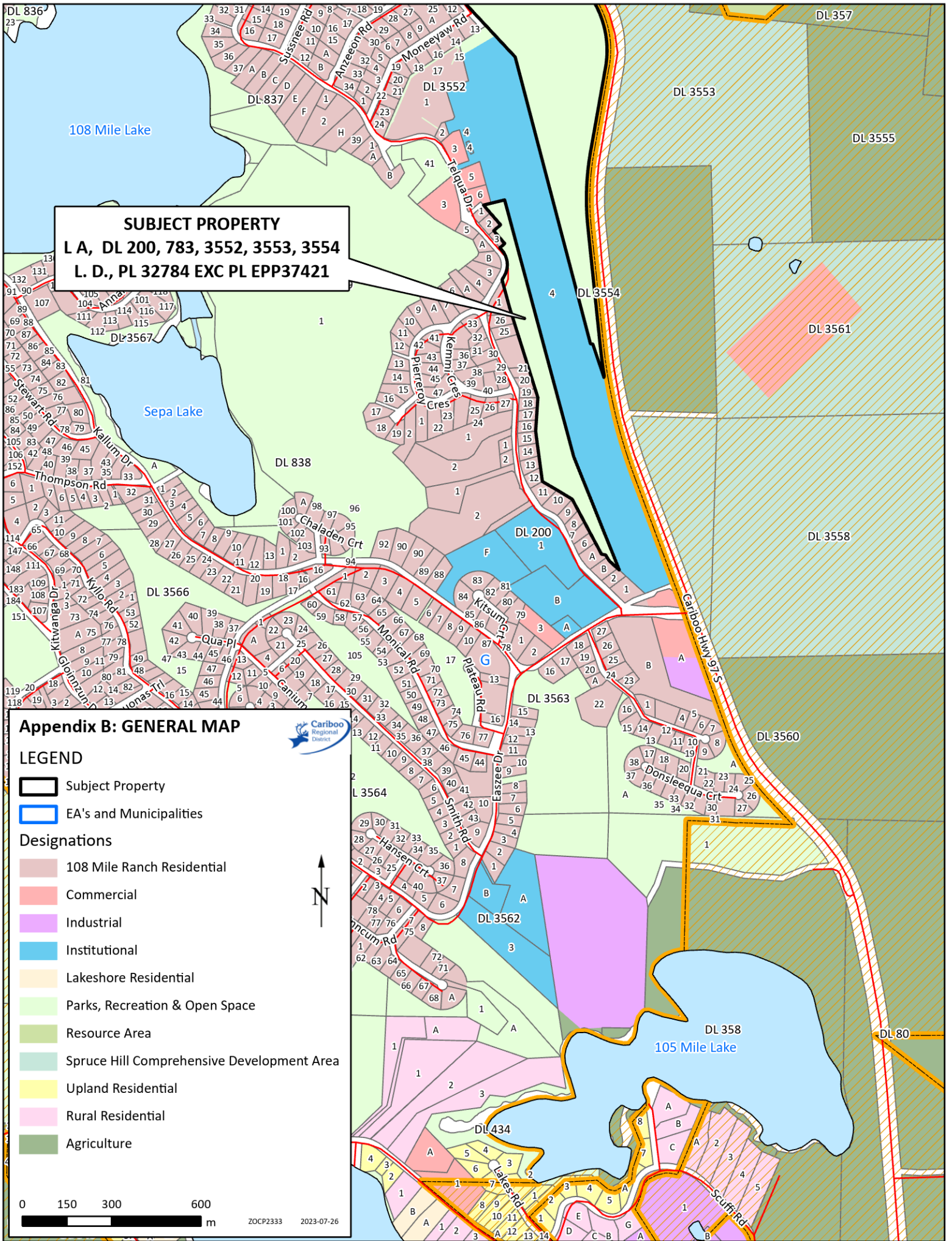
 Subject Property

 Special Exception Residential 1 (R 1-1) Zone



ZOCP2333

2023-11-16





SUBJECT PROPERTY
L A, DL 200, 783, 3552, 3553, 3554
L. D., PL 32784 EXC PL EPP37421

Appendix B: GENERAL MAP



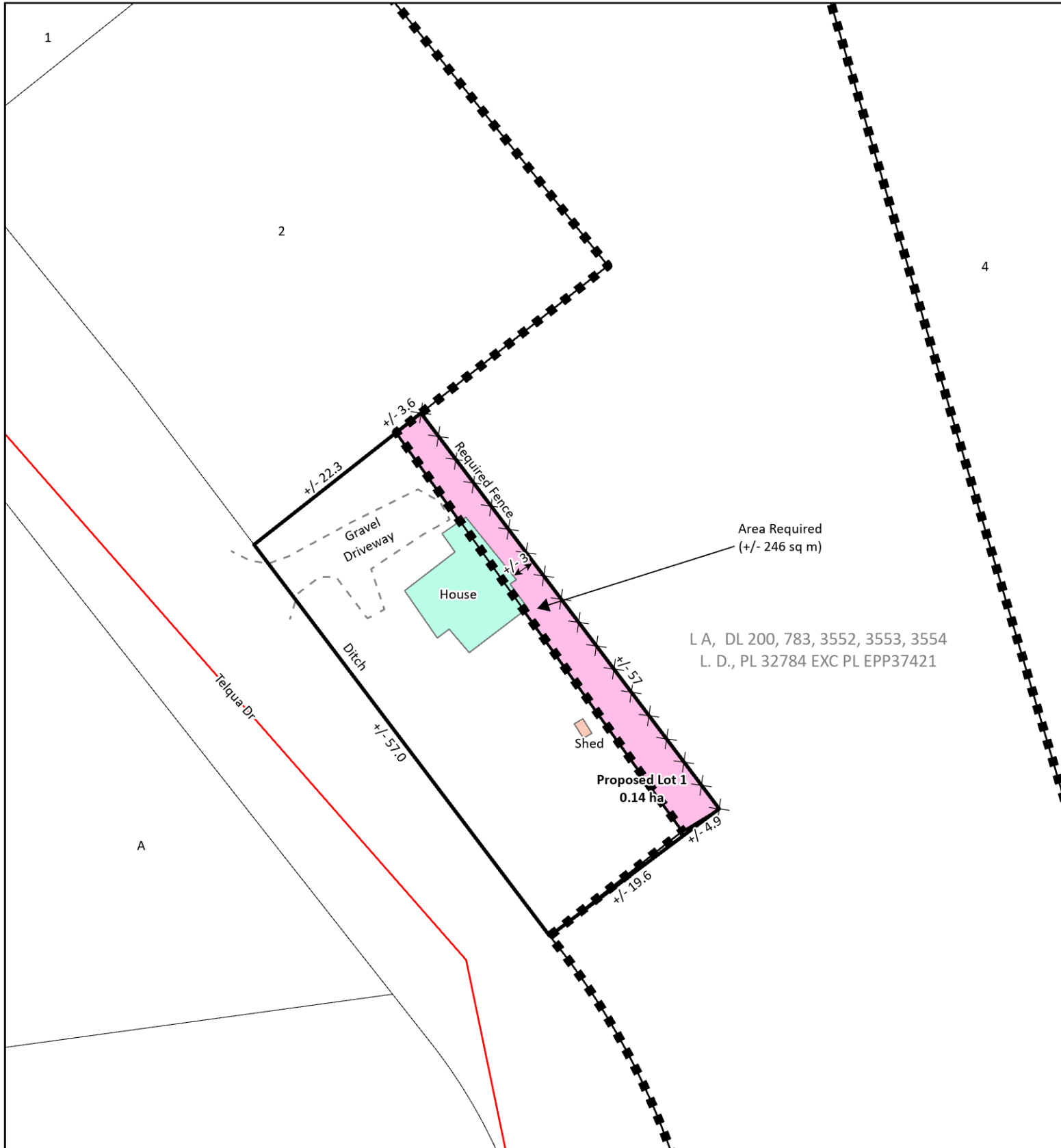
LEGEND

-  Subject Property
-  EA's and Municipalities

Designations

-  108 Mile Ranch Residential
-  Commercial
-  Industrial
-  Institutional
-  Lakeshore Residential
-  Parks, Recreation & Open Space
-  Resource Area
-  Spruce Hill Comprehensive Development Area
-  Upland Residential
-  Rural Residential
-  Agriculture





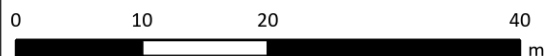
Appendix C: SPECIFIC MAP

LEGEND

Subject Property

Proposed Special Exception Residential 1 (R 1-1) Zone/108 Mile Ranch Residential Designation

MEASUREMENTS
ARE METRIC



ZOCP2333 2023-07-26



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
L A, DL 200, 783, 3552, 3553, 3554
L. D., PL 32784 EXC PL EPP37421

Appendix D: GENERAL MAP ORTHO



LEGEND

 Subject Property

0 15 30 60
m



ZOCP2333 2023-07-26

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Reasons of Support

This application is requesting that part of Lot A, District Lots 200, 783, 3552, 3553 and 3554, Lillooet District, Plan 32784, except Plan EPP37421 be rezoned. The property is approximately 39.79 hectares in size and the application area 246 square metres.

The property is part of the 108 Greenbelt lands and the area under application is between Lot 3, District Lot 3554, Lillooet District, Plan 20833 and the 108 airport. The application is being made to allow the 246 square metres to be added to Lot 3. The area under application has been determined so that the zone setback requirements can be met from the existing structures on Lot 3 to the proposed boundary.

The present owner of Lot 3 purchased the property in October 1992. The residential improvements were located on the land when it was purchased. The encroachment was identified in February 2013 at which time the Cariboo Regional District offered to grant an easement over the area now under application. The owner did not proceed with the offer of an easement at that time.

The owner would now like to correct this problem and in discussions with the Cariboo Regional District it was determined that an easement is no longer the best option to remedy the problem. It was decided and agreed to by all parties that the area should be subdivided from Lot A and consolidated with Lot 3. This requires that part of Lot A to be rezoned and redesignated to the same zone and designation as Lot 3.

When the part of Lot A is rezoned an application for permission to subdivide will be made to the Provincial Approving Officer. When that is approved then the subdivision can be done, and the transfer will take place. There is no increase in the number of lots as the subdivision and Land Title Act requirements require the lands to be consolidated into one parcel. The owner of Lot 3 is paying all costs to complete the project in addition to purchasing the land from the Cariboo Regional District.

Date: August 17, 2023 7 PM

Applicant/Agent: Agent Nigel Hemmingway

Area G director - Al Richmond

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

Absent: Amanda Bird Graham Leslie Nicola Maughn

Location of Application: Adjacent to 4833 Telqua Drive, 108 Mile House. To correct an historic encroachment of a dwelling within the 108 greenbelt.

Agenda Item: Rezoning/OCP Amendment

Moved by: Diane Wood/ Robin Edwards

Area G APC has no objection to this application as presented.

Motion Carried Unanimously

Moved by Diane Wood that the meeting terminate. 7:30 PM

Marvin Monical

Chair

Secretary

RESULTS OF PUBLIC HEARING

File No: 3360-20/20230033

Date: December 12, 2023

Location: 108 Community Hall and Via Teleconference

Re: **SOUTH CARIBOO AREA OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW NO. 5442, 2023 AND SOUTH CARIBOO AREA ZONING AMENDMENT BYLAW NO. 5443, 2023**


Persons Present:

- Director: Al Richmond
 - Owner(s): Cariboo Regional District
 - Agent: Nigel Hemingway – Cariboo Geographic Systems
 - Public: See attached list
 - Staff:
 - No public in attendance** (excluding owner/agent)
-

- Meeting called to order at 7:01 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:
Those present were supportive of the application

 - Comments of concern/opposition:
There were no concerns or opposititon to the application
- Attendees were asked three times for further comments and/or questions.
- The Chair called the meeting adjourned at 7:28 PM. **(Waited at least 10 mins from time of Calling to Order)**

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



Signature of Chair

Public Hearing Attendance

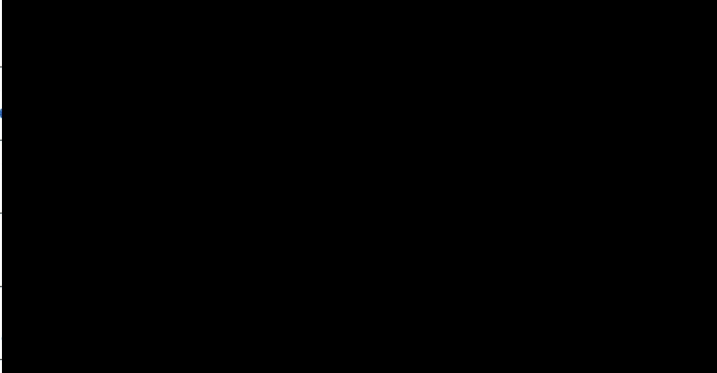
"South Cariboo Area Official Community Plan Amendment Bylaw 5442, 2023"

And

"South Cariboo Area Zoning Amendment Bylaw No. 5443, 2023"

Date of Public Hearing: December 12, 2023

Application: Adjacent to 4833 Telqua Drive (3360-20-20230033)

Name	Address
Fiona Grisswell	
NIGEL HEMINGWAY	
MIKE + FRANK HIRSHFIELD	
Barry Porter	
Dave Simons	