



Planning Application Information Sheet

Application Type: Rezoning

File Number: 3360-20/20240019

Bylaw(s): Central Cariboo Area Rural Land Use Amendment 5477, 2024

Electoral Area: F

Date of Referral: April 22, 2024

Date of Application: April 12, 2024

Property Owner's Name(s): Gregory Hiebert
Charlene Hiebert

SECTION 1: Property Summary

Legal Description(s): Lot 2, District Lot 10289, Cariboo District, Plan 14202
Lot 3, District Lot 10289, Cariboo District, Plan 14202

Property Size(s): 0.44 ha (1.09 ac.)

Area of Application: 0.44 ha (1.09 ac.)

Location: 6416 Horsefly Landing Rd

Current Designation:

Min. Lot Size Permitted:
n/a

Current Zoning:

Tourist Commercial (C 2)

Min. Lot Size Permitted:

4000 sq. m. (43,057 sq. ft.)

Proposed Zoning:

Lakeshore Residential (RL)

Min. Lot Size Permitted:

0.4 ha (0.99 ac.)

Proposal: To rezone the properties from Tourist Commercial (C 2) to Lakeshore Residential (RL) to legalize an existing use. The zone of the property was changed with the adoption of Zoning Bylaw 3503. The previous owner provided an affidavit in 1982 stating that the property was used by Horsefly Lodge for tourist commercial activity prior to 1970.

No. and size of Proposed Lots: no new lots

No. and size of Proposed Lots: no new lots

Existing Buildings: Lot 2

house 169.46 sq. m. (1824 sq. ft.)

garage 89.19 sq. m. (960 sq. ft.)

Lot 3

house 81.29 sq. m. (875 sq. ft.)

garage 44.59 sq. m. (480 sq. ft.)

Proposed Buildings: none.

Road Name: Horsefly Landing Rd.

Road Type: Gravel/Dirt Road

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

Services Available: Hydro, telephone, sewage disposal system and water pumped from lake

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: Horsefly Lake

Lake Classification: Low

Within Development Permit Area: No

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

Land Use:		Lot Sizes:
(a) North	Seasonal Resort	0.95 ha. (2.35 ac.)
(b) South	Single-family Residential	0.24 ha (0.6 ac.)
(c) East	n/a	n/a
(d) West	Seasonal Resort	0.95 ha. (2.35 ac.)

PLANNING COMMENTS

Background:

An application to rezone two lakefront properties to legalize the existing residential land use has been received. The subject properties are currently zoned Tourist Commercial (C 2) in the Central Cariboo Area Rural Land Use Bylaw No. 3503, 1999. The applicant proposes to rezone to Lakeshore Residential (RL) zone.

The subject properties are 0.24 ha (0.6 ac.) and 0.2 ha (0.49 ac.) in size. Each contains a dwelling and detached garage. The applicant indicates, and staff research confirms, that the properties were once utilized as part of a resort operation, however were sold for residential use a number of decades ago. The neighbouring parcel to the north and west is also zoned Tourist Commercial (C 2) and appears to be continuing operation as Horsefly Landing Resort.

Location & Surroundings:

The subject properties are located at 6414 and 6416 Horsefly Landing Road, fronting Horsefly Lake. Surrounding the property are similarly sized lakefront parcels. Horsefly Lake has a low sensitivity rating under the CRD Shoreland Management Policy.

CRD Regulations & Policies:

Central Cariboo Area Rural Land Use Bylaw No. 3505, 1999.

3.3 RESIDENTIAL

It is the policy of the Board with respect to residential uses and development:

...

(c) to allow for a range of lot sizes and uses for rural and rural residential type developments, where appropriate, and to minimize conflicts with agricultural operations;

8.9 LAKESHORE RESIDENTIAL (RL) ZONE

8.9.1 USES PERMITTED

No person shall, within any RL zone, use any lot or erect, alter or use any building or structure for any purpose except one or more of the following RL uses, namely:

(a) RESIDENTIAL USES:

- i) a single-family residential dwelling; or
- ii) one (1) secondary suite and must be subordinate to a single-family residential dwelling; or
- iii) one (1) carriage house and must be subordinate to a single-family residential dwelling; or
- iv) a temporary dwelling unit in conjunction with a single-family residential dwelling.

8.9.2 ZONE PROVISIONS

(a) LOT AREA (minimum): = 0.4 hectare (0.99 acre)

Rationale for Recommendation:

Planning staff are supportive of the proposed zoning amendment bylaw. The proposed Lakeshore Residential (RL) zone will align with the existing and long-standing residential use of the subject properties. Further, it will enable the property owner to facilitate a future sale of one or both properties, as lenders are often hesitant to finance properties with non-conforming land use.

Although these existing lots do not meet the minimum lot size of 0.4 ha (0.99 ac.) for the RL zone, the Rural Land Use Bylaw recognizes pre-existing lot sizes under section 7.5.

Electoral Area 'F' Advisory Planning Commission unanimously supported the proposal, confirming that the subject properties have not been used as a resort for decades and supporting the legalization of the existing land use.

The applicant will be required to comply with the CRD Shoreland Management Policy with respect to sewerage disposal and riparian protection due to the proximity to Horsefly Lake.

Recommendation:

That Central Cariboo Area Rural Land Use Amendment Bylaw No. 5477, 2024 be read a first and second time this 5th day of July 2024. Further, that adoption be subject to the following:

- 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 sewage disposal and riparian protection.

Further, that the cost of registration of the shoreland management covenant be borne by the applicant.

REFERRAL COMMENTS

Ministry of Transportation and Infrastructure: April 23, 2024

No concerns.

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

No response.

Ministry of Water, Land and Resource Stewardship:

No response.

Advisory Planning Commission: May 21, 2024

See attached.

Health Authority:

No response.

ATTACHMENTS

Appendix A: Bylaw 5477

Appendix B: General Map

Appendix C: Specific Map

Appendix D: Orthographic Map

Other: Applicant's Supporting Documents
Advisory Planning Commission Comments



CARIBOO REGIONAL DISTRICT

BYLAW NO. 5477

A bylaw of the Cariboo Regional District, in the Province of British Columbia, to amend Bylaw No. 3503, being the "Central Cariboo Area Rural Land Use Bylaw No. 3503, 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 "Central Cariboo Area Rural Land Use Amendment Bylaw No. 5477, 2024".

2. AMENDMENT

Bylaw No. 3503 of the Cariboo Regional District is amended by:

- i) rezoning Lot 2, District Lot 10289, Cariboo District, Plan 14202 and Lot 3, District Lot 10289, Cariboo District, Plan 14202, from Tourist Commercial (C 2) zone to Lakeshore Residential (RL) zone; and
- ii) amending Schedule "C" accordingly.

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

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

A PUBLIC HEARING WAS HELD ON THE _____ DAY OF _____, 2024.

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

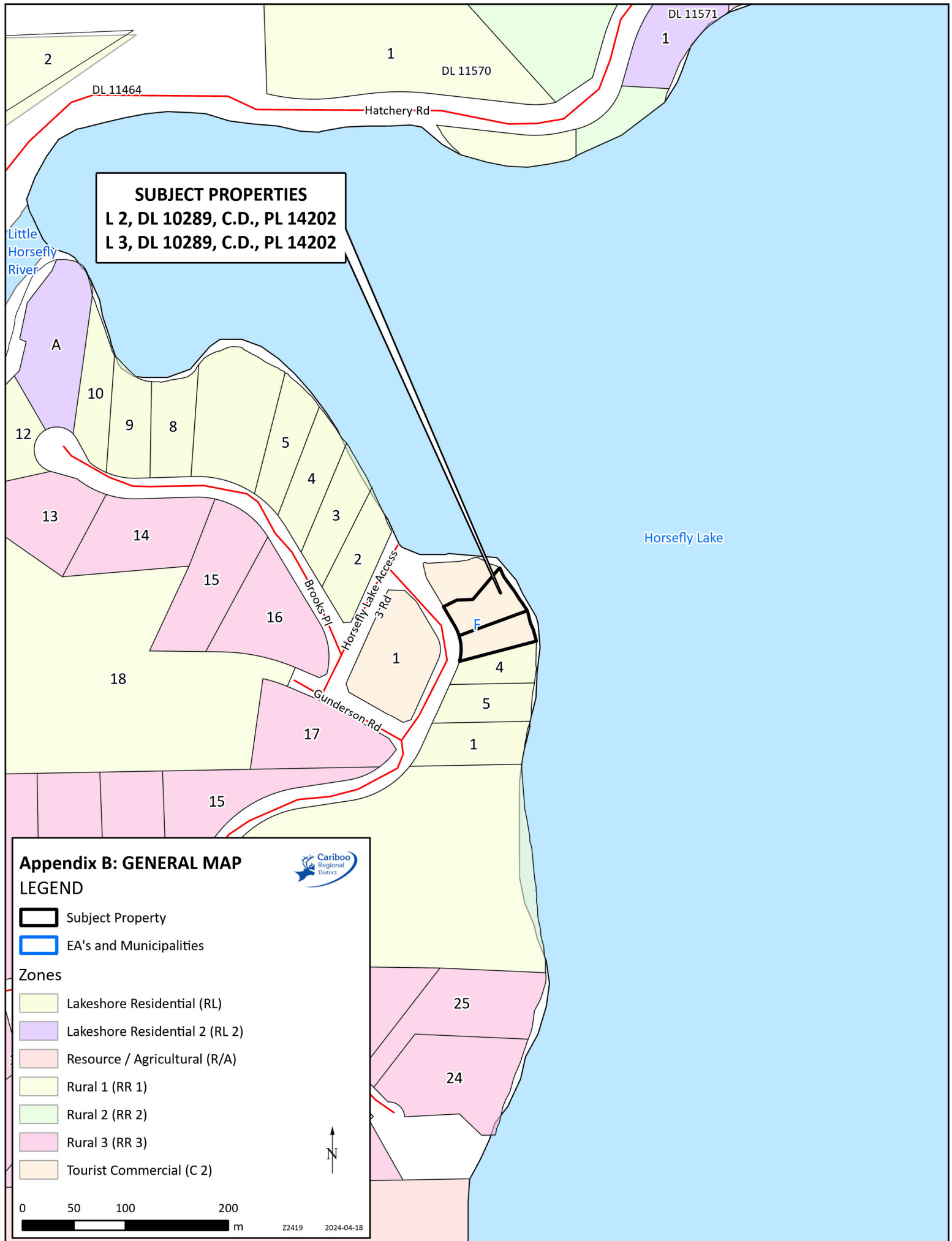
ADOPTED THIS _____ DAY OF _____, 2024.

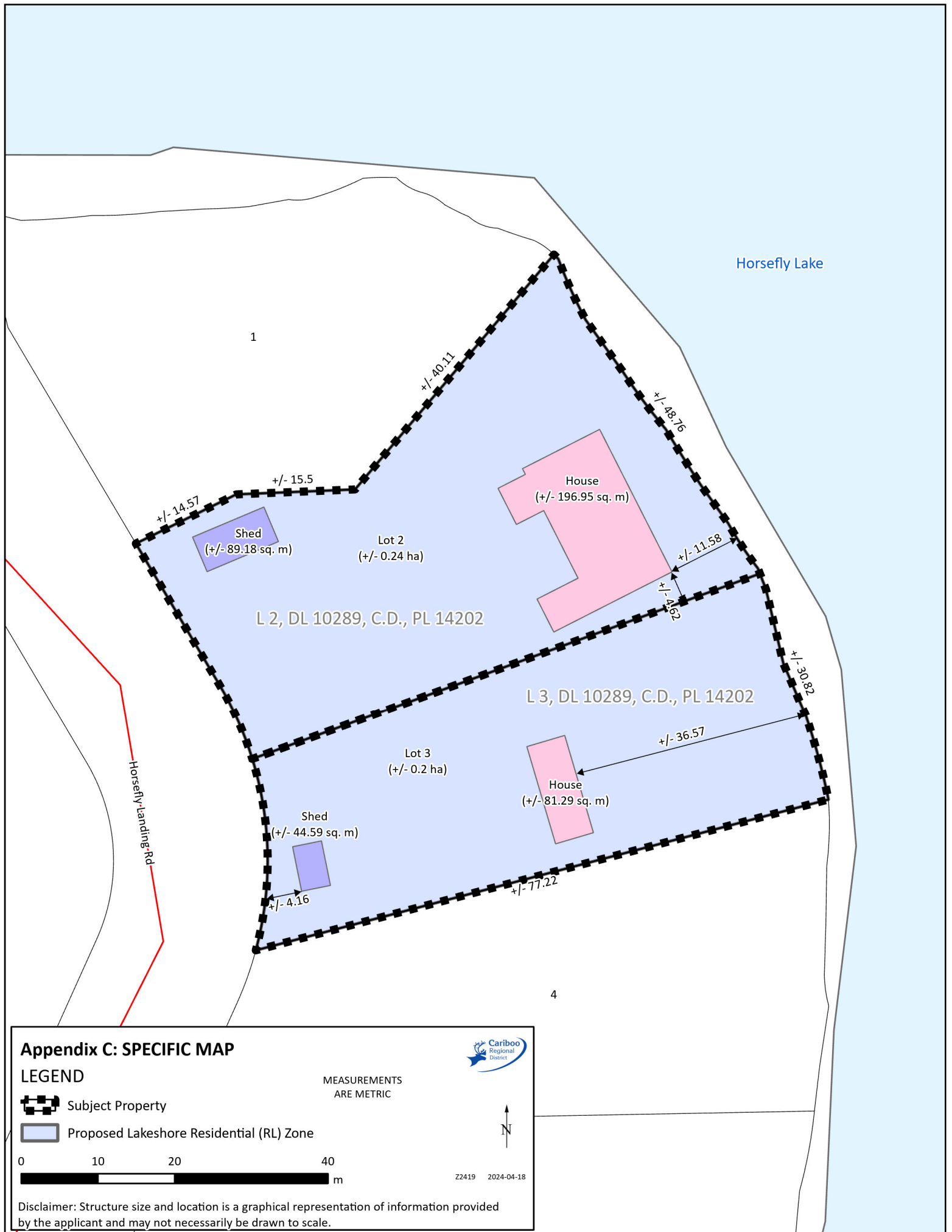
Chair

Manager of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 5477, cited as the "Central Cariboo Area Rural Land Use Amendment Bylaw No. 5477, 2021", as adopted by the Cariboo Regional District Board on the _____ day of _____, 2024.

Manager of Corporate Services





SUBJECT PROPERTIES
L 2, DL 10289, C.D., PL 14202
L 3, DL 10289, C.D., PL 14202

Horsefly Lake

Horsefly Landing Rd

1

4

5

Appendix D: GENERAL MAP ORTHO
LEGEND



 Subject Property

0 10 20 40
m



Z2419 2024-04-16

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

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

Describe the proposed use of the subject property and all buildings: Owners Residence

Describe the reasons in support for the application: To have the correct zoning as to what both properties are being used as.

Provide a general description of vegetation cover (i.e. treed, grassland, forage crop etc.): Lawn, Coniferous trees, Deciduous trees. Flowers and Shrubs planted over the last 30 years.

Provide general geographical information (i.e. existing lakes, streams, physical features etc.): We are situated at Horsetly lake.

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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community Sewer System	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (please specify)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

lake water for drinking



Planning Application Advisory Planning Commission Comment Form

Date of Meeting: 3 PM May 21, 2024

Location of Meeting: CRD Meeting Room

File Number: 3360-20/20240019 – Z2419

Application Type: Rezoning

Electoral Area: F

Legal Description: Lot 2, District Lot 10289, Cariboo District, Plan 14202
Lot 3, District Lot 10289, Cariboo District, Plan 14202

Property Location: 6416 Horsefly Landing Rd & 6414 Horsefly Landing Rd

ATTENDANCE

Present:

Chair: Doug Watt

Members: Carla Krogan,
Dianna MacQueen ,
Jack Darney, John Hoyrup
Ross McCoubrey

Recording Secretary: Doug Watt

Owners/Agent: Greg and Charlene Hiebert

☐ Contacted

Absent: Bee Hooker

Also Present:

Electoral Area Director: Maureen LaBourdais

Staff Support: None

RESOLUTION

THAT application with File Number 3360-20/20240019 – Z2419 be **SUPPORTED** / ~~REJECTED~~ for the following reasons:

- 1) The 2 lots have not operated as part of the resort for decades and are used for private residences only.
- 2) This application will make legal the present use of the properties.

Moved by Dianna, seconded by Jack.

For: 6 Against: 0

CARRIED / ~~DEFEATED~~

Termination:

That the meeting terminate.

Moved: John

Seconded: jack

CARRIED

Time: 3:15 PM

Douglas Watt _____
Recording Secretary

Douglas Watt _____
Chair