



Planning Application Information Sheet

Application Type: Rezoning/OCP Amendment

File Number: 3360-20/20230046

Bylaw(s): South Cariboo Area Official Community Plan Amendment Bylaw No. 5449, 2023 and South Cariboo Area Zoning Amendment Bylaw No. 5450, 2023

Electoral Area: G

Date of Referral: October 18, 2023

Date of Application: September 19, 2023

Property Owner's Name(s): RICHARD D DUNCAN

SECTION 1: Property Summary

Legal Description(s): Lot 1, District Lot 4188, Lillooet District, Plan KAP44957

Property Size(s): 0.43 ha (1.07 ac.)

Area of Application: 0.43 ha (1.07 ac.)

Location: 5512 and 5524 - Park Drive

Current Designation:

Upland Residential

Min. Lot Size Permitted:

0.8 ha (1.98 ac.)

Proposed Designation:

Commercial

Min. Lot Size Permitted

n/a

Current Zoning:

Residential 1 (R 1)

Min. Lot Size Permitted:

1114 sq. m (11991 sq. ft.)

Proposed Zoning:

Special Exception C 3-3

Min. Lot Size Permitted:

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

Proposal: To legalize the existing land use. There is currently a pub, four apartments, and a house located on the lot. The applicant has stated that these have existed since the 1970's.

No. and size of Proposed Lots: n/a

Existing Buildings: Pub and 4 apartments - 330.70 sq. m. (3559.63 sq. ft.)
House - 83.07 sq. m (894.20 sq. ft.)

Proposed Buildings: none.

Road Name: Park Drive

Road Type: Paved

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

Services Available: Hydro, telephone, Community Water system, septic.

Within the confines of the Agricultural Land Reserve: No

Required to comply with the Shoreland Management Policy: Yes, Septic

Name of Lake/Contributing River: Unnamed lake

Lake Classification: High Sensitivity

Within Development Permit Area: No

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

	Land Use:	Lot Sizes:
(a) North	Single Family Dwelling	0.26 ha - 0.3 ha (0.64 ac. -0.75 ac.)
(b) South	Manufactured Home	0.24 ha (0.59 ac.)
(c) East	Single Family Dwelling and Manufactured Home	0.3 ha - 0.4 ha (0.75 ac. - 1 ac.)
(d) West	Manufactured Home Park	1.6 ha (3.95 ac.)

PLANNING COMMENTS

Background:

It is proposed to rezone the 0.43 ha (1.07 ac.) subject property to legalize the existing Neighbourhood Public House and five residential dwelling units. The subject property is currently zoned as Residential 1 (R 1) in the South Cariboo Area Zoning Bylaw No. 3501, 1999 and is designated as Upland Residential in the South Cariboo Area Official Community Plan Bylaw No. 5171, 2018 as shown in Appendix B.

The applicant has requested to rezone the subject property from Residential 1 (R 1) zone to Special Exception C 3-3 zone. To be consistent with the proposed zoning, the property is also proposed to be redesignated from Upland Residential to Commercial.

The applicant has stated that the business has operated since the 1970's in conjunction with the residential dwellings located on the lot. There are currently four apartments located above the Neighbourhood Public House with a single-family dwelling also located on the lot.

The lot was zoned as Commercial 1 in Zoning Bylaw 180, 1973. This zone would not have allowed the four dwellings as well as the commercial business. The zone was changed to Residential 1 with the adoption of Zoning Bylaw 1000, 1982 which would also not have allowed the mixed residential and commercial use. The pub construction was completed and altered with multiple building permits in 1974, 1976, 1977, 1978, and 1980 but there is no record of the apartments receiving a building permit.

In 1991 the lot was amalgamated with the adjacent lot to the southeast where the single-family dwelling is currently located.

In 1993 a previous owner attempted to rezone the lot to allow for a combined commercial and residential use (4600-20/1933). One of the conditions of the rezoning was that the apartments be removed and only the commercial use and the single-family dwelling remain. The rezoning conditions were never completed by the previous owner. The commercial and residential use continued to operate until the current owner inquired about the permitted uses of the lot.

Location & Surroundings:

The subject property is located at 5512 and 5524 Park Drive within the 103 Mile House Community as shown in Appendix B. The property is surrounded with lawn and gravel with some trees on the lot. The property is mostly surrounded by single-family dwellings and has a mobile home park to the west of the property.

CRD Regulations and Policies:

3501- South Cariboo Area Zoning Bylaw, 1999

5.3.3.3 Special Exception C 3-3 ZONE

1. RESIDENTIAL USES

Notwithstanding any other provisions of this bylaw to the contrary, on lands zoned C 3-3, the permitted residential uses shall be limited to:

- i) 4 dwelling units ancillary to a permitted non-residential use; and
- ii) A single-family residential dwelling ancillary to a permitted non-residential use.

2. REQUIRED YARDS (minimum):

Notwithstanding the above, where abutting an R, RR, RA 1, RA 2 zone, an interior side yard setback may be reduced to 1.5 metres (4.92 feet) for a single-family dwelling.

All other provisions of the C 3 zone shall apply.

5171 - South Cariboo Area Official Community Plan Bylaw, 2018

8.2 & 9.2 OBJECTIVES

8.2.9 Encourage the provision of affordable housing, rental housing, and special needs housing.

9.2.1 Provide sufficient opportunities for commercial development to meet the local needs of area residents and incidental tourist needs.

9.2.2 Support local community commercial uses in locations that can be conveniently accessed by rural residents and integrated with the surrounding rural area.

Rationale for Recommendations:

Planning staff are supportive of the proposed rezoning and OCP amendment application subject to the conditions discussed below. The proposal is in compliance with the objectives of the South Cariboo Area Official Community Plan (OCP) Bylaw by supporting the local population with a mixture of commercial uses in conveniently accessed locations (section 9.2.1 and 9.2.2). The proposed commercial zone will likely have a minimal impact on adjacent lots when all required property line setbacks are followed. The lot will be able to meet all of the zoning requirements of the proposed Special Exception C 3-3 zone.

The Ministry of Transportation and Infrastructure (MOTI) has reviewed the proposal and has no objections to the proposed rezoning and OCP amendment.

The Interior Health Authority (IHA) indicates that an adequate report on the sewerage dispersal system to confirm performance, condition, size, and location for the continued and intended use is required by an Authorized Person (AP) as per the *BC Sewerage System Regulation*. This assessment is to ensure that no health hazard or risk is posed and that it meets the vertical and horizontal separation requirements as set by the current *Sewerage System Standard Practice Manual*. The appropriate reports must confirm that there is adequate space and site conditions to support Type 1 disposal and identify a back-up disposal field for when the original system fails. The unnamed waterbody identified northeast of the site may impact suitable areas for both the initial and reserve sewerage disposal.

The Electoral Area 'G' Advisory Planning Commission (APC) has no objection to the Rezoning/OCP amendment.

The CRD Chief Building Official (CBO) has commented that there may be permits required for the mixed-use building. Building permits may be required for the buildings to align with the B.C. Building Code. The applicant must confirm these requirements with the building department.

The Ministry of Water, Land, and Resource Stewardship has responded stating they have no comments on this application.

In summary, planning staff are supportive of the proposed rezoning and OCP amendment application. The proposed zone will align with the proposed OCP designation and allow the mixed commercial and residential activity to take place. The registration of a shoreland management covenant with respect to sewage disposal systems must be registered prior to adoption. The applicant must also provide a performance inspection and report from an authorized person (AP) in regards to the sewage disposal system.

Recommendation:

1. That South Cariboo Area Official Community Plan Amendment Bylaw No. 5449, 2023 be given first reading.
2. That South Cariboo Area Zoning Amendment Bylaw No. 5450, 2023 be given first reading.
 - i. Further that second reading be subject to the following conditions:
 - a. The applicant providing proof to the Interior Health Authority and the Cariboo Regional District, through an Authorized Person (AP), a Performance Inspection and report on the existing sewerage dispersal system. Further, that the AP conduct a Compliance Inspection and report demonstrating that the existing system can handle the proposed flow. Additionally, that the report from the AP must confirm there is adequate space and site conditions to support Type 1 disposal and identifying a reserve area for when the original system fails.
 - b. The applicant must confirm with the Chief Building Official if further building permits are required for the mixed-use building and provide proof to the Planning Department. If permits are required, the applicant apply for the necessary building permits.
 - ii. Further that adoption be subject to the following conditions:
 - a. Adoption of the South Cariboo Area Official Community Plan Amendment Bylaw No. 5449, 2023.
 - b. The applicant must complete or install all required upgrades to the existing septic system identified in the Performance inspection and report.

The applicant offering to enter into and entering into a covenant to ensure compliance with the CRD Shoreland Management Policy with respect to a sewage disposal system.

REFERRAL COMMENTS

Health Authority: November 28, 2023

See attached.

Ministry of Transportation and Infrastructure: October 27, 2023

EDAS# 2023-05082

The Ministry has no objection to the proposed legalization of a pub and five (5) dwelling units located at 5512 and 5524 Park Drive @ 103 Mile.

Advisory Planning Commission: November 23, 2023

See attached.

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

November 8, 2023

The terrestrial ecosystems section has no comments on this referral.

CRD Chief Building Official: October 24, 2023

No building permits on file for the construction of building or for change of occupancy for mixed use building. Building permits may be required to bring building into compliance with BCBC.

BOARD ACTION

December 8, 2023:

That South Cariboo Area Official Community Plan Amendment Bylaw No. 5449, 2023 be read a first time this 8th day of December 2023.

1. Further that second reading be subject to the following conditions:

1. The applicant providing proof to the Interior Health Authority and the Cariboo Regional District, through an Authorized Person (AP), a Performance Inspection and report on the existing sewerage dispersal system. Further, that the AP conduct a Compliance Inspection and report demonstrating that the existing system can handle the proposed flow. Additionally, that the report from the AP must confirm there is adequate space and site conditions to support Type 1 disposal and identifying a reserve area for when the original system fails.

2. The applicant must confirm with the Chief Building Official if further building permits are required for the mixed-use building and provide proof to the Planning Department. If permits are required, the applicant apply for the necessary building permits.

2. Further that adoption be subject to the following conditions:

1. Adoption of the South Cariboo Area Official Community Plan Amendment Bylaw No. 5449, 2023.
2. The applicant must complete or install all required upgrades to the existing septic system identified in the Performance Inspection and report.
3. 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 a sewage disposal system.

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

August 16, 2024:

That South Cariboo Area Official Community Plan Amendment Bylaw No. 5449, 2023 be read a second time this 16th day of August 2024.

That South Cariboo Area Zoning Amendment Bylaw No. 5450, 2023 be read a second time this 16th day of August 2024.

ATTACHMENTS

Appendix A: Bylaw 5449 and 5450
Appendix B: General Map
Appendix C: Specific Map
Appendix D: Orthographic Map
Other: Applicant's Supporting Documentation
Health Authority Comments
Advisory Planning Commission Comments
Public Hearing Results



CARIBOO REGIONAL DISTRICT

BYLAW NO. 5449

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. 5449, 2023".

2. AMENDMENT

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

Redesignating Lot 1, District Lot 4188, Lillooet District, Plan KAP44957 from Upland Residential designation to Commercial designation.

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

READ A SECOND TIME this 16th day of August, 2024.

A PUBLIC HEARING WAS HELD ON THE 23rd DAY OF October, 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. 5449, cited as the "South Cariboo Area Official Community Plan Amendment Bylaw No. 5449, 2023", as adopted by the Cariboo Regional District Board on the _____ day of _____, 2024.

Manager of Corporate Services



CARIBOO REGIONAL DISTRICT

BYLAW NO. 5450

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. 5450, 2023".

2. AMENDMENT

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

- i) Including Section 5.3.3.3 into Schedule "A" as follows:

5.3.3.3 Special Exception C 3-3 (3360-20/20230046)

Notwithstanding any other provisions of this bylaw to the contrary, on lands zoned C 3-3, the permitted residential uses shall be limited to:

1. RESIDENTIAL USES

- i) 4 dwelling units ancillary to a permitted non-residential use; and
ii) A single- family residential dwelling ancillary to a permitted non-residential use.

2. REQUIRED YARDS (minimum):

Notwithstanding the above, where abutting an R, RR, RA 1, RA 2 zone, an interior side yard setback may be reduced to 1.5 metres (4.92 feet) for a single- family dwelling.

All other provisions of the C 3 zone shall apply.

- ii) rezoning Lot 1, District Lot 4188, Lillooet District, Plan KAP44957 from Residential 1 (R 1) zone to Special Exception C 3-3 zone; and
- iii) amending Schedule "C" accordingly.

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

READ A SECOND TIME THIS 15th DAY OF August, 2024.

A PUBLIC HEARING WAS HELD ON THE 23rd DAY OF October, 2024.

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

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

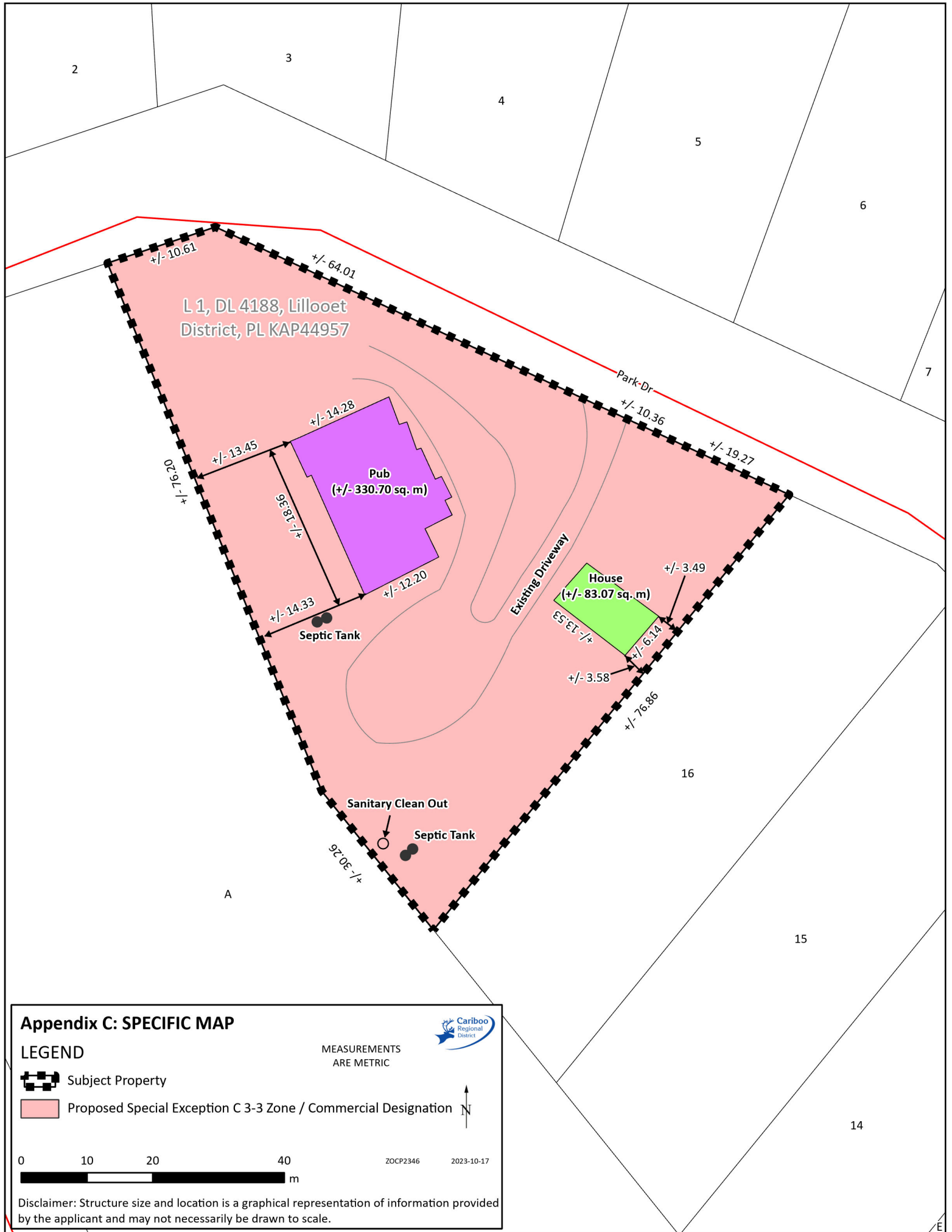
ADOPTED THIS _____ DAY OF _____, 2024.

Chair

Manager of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 5450, cited as the "South Cariboo Area Zoning Amendment Bylaw No. 5450, 2023", as adopted by the Cariboo Regional District Board on the _____ day of _____, 2024.

Manager of Corporate Services





SUBJECT PROPERTY
L 1, DL 4188, LILLOOET DISTRICT,
PL KAP44957

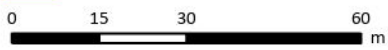
Park Dr

Babcock Rd

Appendix D: GENERAL MAP ORTHO
LEGEND



-  Subject Property
-  ALR



ZOCP2346 2023-10-17

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

Describe the existing use of the subject property and all buildings:

FARRIER PUB 1ST FLOOR
SINCE 1973, 4 APARTMENTS ON TOP
ONE HOUSE

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

FARRIER PUB FOR
FOOD & DRINKS, 4 APARTMENTS AND HOUSE
ARE RENTED OUT ON MONTHLY BASIS

Describe the reasons in support for the application:

THE FARRIER PUB HAS BEEN IN BUSSINES
FOR 50 YEARS NON CONFORMING TO R1

Provide a general description of vegetation cover (i.e. treed, grassland, forage crop etc.):

LAWN AND GRAVEL SURROUD BUILDING WITH
A FEW TREES

Provide general geographical information (i.e. existing lakes, streams, physical features etc.):

LOCATED OFF THE HWY 97 IN 103 MILE
2 BLOCKS FROM HIGHWAY

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 checked="" type="checkbox"/>	<input type="checkbox"/>
Telephone	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Community Water System	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Community Sewer System	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sewage Disposal System	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Well	<input 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"/>

November 28, 2023

Connor Ikoma, Planning Officer 1
Cariboo Regional District
Suite D, 180 North 3rd Avenue,
Williams Lake, BC
V2G 2A4

Sent via email : planning@cariboord.ca

Mr. Connor Ikoma:

**Re: Bylaw No: 5449 and 5450
5512 and 5524 Park Drive
Lot 1, District Lot 4188, Lillooet District, Plan KAP44957**

Thank you for the opportunity to provide comments for the OCP and Zoning amendments on the above subject lot in order to legalize the existing land use. From the information provided my understanding is the subject parcel is 0.43 ha in size, is serviced by a community water system and onsite sewerage system(s) and is currently and has been used for a pub (food & alcohol), four apartments and a house since 1973. Overall, from a healthy planning perspective I cannot see any reasons for objecting to the existing uses being allowed to continue. However, I recommend the onsite sewerage servicing be investigated to ensure it is not causing or will not likely cause a health hazard.

In terms of onsite sewerage servicing the subject parcel is relatively small considering the number of uses that generate wastewater, including higher strength sewage from the food premise, and the amount of driveway and parking areas, which can compact the soil structure. In addition, if the age of the sewerage system is the same as the buildings, it may be nearing failure. To be self-sufficient in terms of onsite sewerage it is important to have as a minimum a back-up area identified and protected for future sewerage dispersal field needs.

With this in mind, I recommend prior to approval that an Authorized Person under the BC *Sewerage System Regulation* provide a report confirming the existing sewerage system is/will not cause a health hazard, and identify a suitable location for a back-up dispersal field. Depending on the size of the identified area, it may be prudent to protect the area for

Interior Health would like to recognize and acknowledge the traditional, ancestral, and unceded territories of the Dākelh Dené, Ktunaxa, Nlaka'pamux, Secwépemc, St'át'imc, Syilx, and Tšilhqot'in Nations where we live, learn, collaborate and work together.

sewerage with a restrictive covenant. In addition, I recommend any identified improvements to the system be completed prior to approving the bylaw amendments.

If there are any questions, concerns or more resources are required please feel free to contact me at 250-253-3679 or anita.ely@interiorhealth.ca.

Sincerely,

A black rectangular redaction box covering the signature of Anita Ely.

Anita Ely, B.Sc, B.Tech, CPHI(C)
Specialist Environmental Health Officer
Healthy Communities, Healthy Families

AE/ae

Interior Health would like to recognize and acknowledge the traditional, ancestral, and unceded territories of the Dākeh Dené, Ktunaxa, Nlaka'pamux, Secwépemc, St'át'imc, Syilx, and Tšilhqot'in Nations where we live, learn, collaborate and work together.

Date: November 23, 2023 7 PM

Applicant/Agent: Richard Duncan participated

Area G director - Al Richmond

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

Absent: Robin Edwards, Graham Leslie

Location of Application: 5512 and 5524 Park Drive, 103 Mile. Farrier Pub

Agenda Item: Rezoning/OCP Amendment to legalize the existing land use.

Moved by: Marvin/Nicola

Area G APC has no objection to this Rezoning/OCP Amendment 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: 3360-20/20230046

Date: October 23, 2024

Location: 108 Community Hall


Re: **SOUTH CARIBOO AREA OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW NO. 5449, 2023 AND SOUTH CARIBOO AREA ZONING AMENDMENT BYLAW NO. 5450, 2023**

Persons Present:

- Director: Al Richmond
 - Owner(s): Richard Duncan
 - Agent: N/A
 - 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:
 - All those present were in favour of the application
 - Comments of concern/opposition:
 - There were no concerns expressed by anyone present
- Attendees were asked three times for further comments and/or questions.
- The Chair called the meeting adjourned at 7:13 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 No. 5449, 2023"

And

"South Cariboo Area Zoning Amendment Bylaw No. 5450, 2023"

Date of Public Hearing: October 23, 2024

Application: 5512 and 5524 Park Drive (3360-20/20230046)

Name	Address
Rick Duncan	[REDACTED]
Alex Mason	[REDACTED]