



Planning Application Information Sheet

Application Type: Rezoning/OCP Amendment

File Number: 3360-20/20230060

Bylaw(s): Green Lake Area Official Community Plan Amendment Bylaw No. 5456, 2023 and South Cariboo Area Zoning Amendment Bylaw No. 5457, 2023

Electoral Area: L

Date of Referral: December 13, 2023

Date of Application: December 06, 2023

Property Owner's Name(s): REBECCA L KENDALL
EDWARD S KENDALL

Applicant's Name: Cariboo Geographic Systems

SECTION 1: Property Summary

Legal Description(s): Lot 1, District Lot 1919, Lillooet District, Plan KAP90830

Property Size(s): 34.70 ha (85.74 ac.)

Area of Application: 34.70 ha (85.74 ac.)

Location: Little Green Lake Road

Current Designation:

Agriculture

Min. Lot Size Permitted:

32 ha (79.07 ac.)

Proposed Designation:

Rural Holding and Agricultural

Min. Lot Size Permitted

4 ha (9.9 ac)

Current Zoning:

Resource / Agricultural (RA 1)

Min. Lot Size Permitted:

32 ha (79.07 ac.)

Proposed Zoning:

Rural 1 (RR 1) and Special Exception RR 1-6

Min. Lot Size Permitted:

4 ha (9.88 ac.) and 25 ha (61.8 ac.)

Proposal: To rezone Proposed Lot A to allow for a future subdivision of a 6.6 ha (16.31 ac.) lot on the NW side of Little Green Lake Rd. This application is related to an ALC subdivision application that was approved (CRD File 3015-20/L20230010). The ALC application was approved subject to three conditions. The titles of the remainder lot and an adjacent property to be bound with a covenant preventing the separate sale of the two properties, the submission of a surveyed subdivision plan, and the registration of a covenant that restricts the construction of residential dwellings on the two properties. The proposed new lot is located north of Little Green Lake Road while the remainder lot is located to the south of the roadway.

No. and size of Proposed Lots: Proposed Lot A 6.6 ha (16.31 ac.)
Proposed remainder Lot 1 28.1 ha (69.44 ac.)

Existing Buildings: Barn, cabin, covered shipping container, travel trailer.

Proposed Buildings: none

Road Name: North Green Lake Road

Road Type: Paved

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

Services Available: Existing: hydro, telephone
Available: sewage disposal, well

Within the confines of the Agricultural Land Reserve: Yes - fully within

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

Name of Lake/Contributing River: 3 unnamed creeks

Lake Classification: High

Within Development Permit Area: Yes

Development Permit Area Name: Riparian Development Permit Area

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

	Land Use:	Lot Sizes:
(a) North	crown land	149 ha (368.19 ac.)
(b) South	000, Single Family Dwelling 032, Residential Dwelling with Suite	0.45 - 0.63 ha (1.1-1.55 ac.)
(c) East	Beef	82.3 ha (203.37 ac.)

(d) West Beef
Crown Land

60.58 ha (149.69 ac.)

PLANNING COMMENTS

Background:

A rezoning and official community plan amendment has been proposed for the subject property. The subject property is currently zoned as Resource/ Agricultural (RA 1) in the South Cariboo Area Zoning Bylaw No. 3501, 1999 and is designated as Agriculture in the Green Lake and Area Official Community Plan Bylaw No. 4641, 2010. The proposal is to amend the zone from Resource/ Agricultural (RA 1) to Rural 1 (RR 1) and Special Exception RR 1-6. The lot north of Little Green Lake Road is proposed to be Rural 1 (RR 1) and the remainder lot south of Little Green Lake Road is proposed to be Special Exception Rural 1.

A previous ALR subdivision application has been approved by the ALC under resolution #501/2023. The applicant states that the proposed rezoning and subdivision make it possible to bind the titles of the remainder lot and an adjacent property to increase the long-term agricultural viability. The proposed lot to the north of Little Green Lake Road has never been used for agricultural purposes.

Location and Surrounding:

The subject properties are located at 6429 Eden Road, with Watch Lake in proximity as shown in Appendix B. Completely within the Agricultural Land Reserve (ALR), the properties are covered in grass and trees. Due to the presence of unnamed streams on site, the properties are within the riparian development permit area that extends 30 m (98.43 ft.) from the natural boundary of the watercourse. Existing services include hydro, telephone, septic and well. There are mostly crown lands surrounding the properties to the north and west, large farmland to the east and single-family dwellings to the south of the subject properties. The Cariboo Regional District's Watch Lake refuse site is located on the crown land and in close proximity to the northern boundary.

CRD Regulations and Policies:

3501- South Cariboo Area Zoning Bylaw, 1999

5.18 Rural 1 (RR 1) ZONE

5.18.2 ZONE PROVISIONS

- (a) LOT AREA (minimum) = 4 ha (9.88 ac.)

5.18.3.6 Special Exception RR 1-6 ZONE

- (i) LOT AREA (minimum) = 25 ha (61.8 ac.)

Cariboo Regional District Agricultural Policy, 2016

4.0 GENERAL POLICIES

(b) To support the Agricultural Land Commission in its mandate of protecting agricultural lands and agricultural opportunities.

(f) To protect agricultural lands, a minimum lot size of 4.0 hectares (9.88 acres) will be required for property being rezoned to facilitate a subdivision next to land associated with active agricultural operations or for subdivision that are adjoining the Agricultural Land Reserve's boundary. Larger parcels are encouraged for subdivision in the ALR, such as the 32 ha (79.07ac) minimum lot size requirement referenced in Official Community Plans Agricultural Designation or as approved by the Agricultural Land Commission.

Rationale for Recommendations:

Planning staff are supportive of the proposed rezoning application. It is recognized that the proposed Lot A would have very little opportunity for agriculture from the reports of the limiting site conditions from the applicant including poor soil quality and blown down forest. It is further indicated that the topography of the proposed lot is not conducive for agricultural use as part of the overall property but may be suitable for small hobby farm use. For these reasons, this portion of the property has never been used for agriculture and all the agricultural improvements were made south of the Little Green Lake Road.

Planning staff note that Little Green Lake Road already effectively divides the subject property. This combined with the existing range of property sizes in proximity limits the impact of fragmentation. Section 4 (f) of the CRD Agricultural Policy, 2016 encourages for larger sized parcels within the ALR to have a minimum lot size of 32 ha (79.07 ac.), the proposed 28.1 ha (69.44 ac.) remainder lot when bound to the 34.3 ha (84.8 ac.) southern property will meet and exceed this requirement and will be able to be used to its full potential with the 6.6 ha (16.31 ac.) portion removed.

The Ministry of Transportation and Infrastructure (MOTI) has reviewed the proposal and has no objections with the proposed rezoning but states that an application for subdivision with the Ministry of Transportation will be required.

The Electoral Area 'L' Advisory Planning Commission (APC) has reviewed the application and were in favour of the rezoning application. The APC stated that maximum lot coverage and ancillary building floor area maximums will ensure sustained agricultural viability on the remainder lot.

The Ministry of Water, Land and Resource Stewardship stated that they cannot comment on private property but the applicant should be aware that the property overlaps with mule deer winter range, critical habitat for the American badger, Riparian Management areas, s4 and s6 streams and Lakeshore management class B.

Interior Health Authority (IHA) has not made a comment on this application.

In summary, planning staff are supportive of the proposed rezoning and OCP amendment application. The proposal will allow for residential activity and agricultural activity to take place. Prior to subdivision an Aquatic Habitat Development Permit may be required.

Recommendation:

1. That South Cariboo Area Official Community Plan Amendment Bylaw No. 5456, 2023 be given first and second reading.
2. That South Cariboo Area Zoning Amendment Bylaw No. 5457, 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. 5456, 2023.
 - ii. 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 system and riparian protection and removal of covenant LB373664.

Further, that the cost of registration of the shoreland management covenant and removal of covenant LB373664 be borne by the applicants.

REFERRAL COMMENTS

Health Authority:

No response.

Ministry of Transportation and Infrastructure: January 11, 2024

Thank you for sending the above referenced referral. The Ministry of Transportation and Infrastructure (MoTI) has no objections to the rezoning proposal of Proposed Lot A to allow for a future subdivision of a 6.6 ha lot on the NW side of Little Green Lake Rd.

Please note that the landowner(s) will be required to apply for a subdivision through MoTI. Rezoning approval does not constitute subdivision approval. Once a preliminary subdivision application is made to MoTI, ministry staff assess the application. For more information about the subdivision process and to apply online, see [Subdividing land outside a municipality - Province of British Columbia \(gov.bc.ca\)](https://www2.gov.bc.ca/gov/content/land/land_division/subdividing_land_outside_municipality).

Advisory Planning Commission: January 3, 2024

See attached.

Ministry of Land, Water and Resource Stewardship: December 14, 2023

This is private property which we cannot comment on but for your and the proponents knowledge, the property overlaps on the following:

- Mule Deer Winter Range (north side of the road, lot A)
- Critical Habitat for American Badger
- Riparian Management Areas
- S4 and S6 streams
- Lakeshore Management Class B

BOARD ACTION

February 9, 2024

That Green Lake Area Official Community Plan Amendment Bylaw No. 5456, 2023 be read a first and second time this 9th day of February 2024.

That South Cariboo Area Zoning Amendment Bylaw No. 5457, 2023 be read a first and second time this 9th day of February 2024. Further, that adoption be subject to the following:

- i. Adoption of the South Cariboo Area Official Community Plan Amendment Bylaw No. 5456, 2023.

- ii. 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 system and riparian protection and removal of covenant LB373664.

Further, that the cost of registration of the shoreland management covenant and removal of covenant LB373664 be borne by the applicants.

ATTACHMENTS

Appendix A: Bylaw 5456 and 5457
Appendix B: General Map
Appendix C: Specific Map
Appendix D: Orthographic Map
Other: Applicant's Supporting Documentation
Public Hearing Results



CARIBOO REGIONAL DISTRICT

BYLAW NO. 5456

A bylaw of the Cariboo Regional District, in the Province of British Columbia, to amend Bylaw No. 4641, being the "Green Lake Area Official Community Plan Bylaw No. 4641, 2010".

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 "Green Lake Area Official Community Plan Amendment Bylaw No. 5456, 2023".

2. AMENDMENT

Schedule "B" of Bylaw No. 4641 of the Cariboo Regional District is amended by:

Redesignating part of Lot 1, District Lot 1919, Lillooet District, Plan KAP90830 from Agriculture designation to Rural Holding designation, as shown on attached Schedule "A"

READ A FIRST TIME THIS 9th DAY OF February, 2024.

READ A SECOND TIME THIS 9th DAY OF February, 2024.

A PUBLIC HEARING WAS HELD ON THE 3rd DAY OF April, 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. 5456, cited as the "Green Lake Area Official Community Plan Amendment Bylaw No. 5456, 2023", as adopted by the Cariboo Regional District Board on the _____ day of _____, 2024.

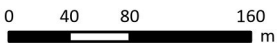
Manager of Corporate Services



SCHEDULE A

LEGEND

-  Subject Property
-  Rural Holding Designation





CARIBOO REGIONAL DISTRICT

BYLAW NO. 5457

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. 5457, 2023".

2. AMENDMENT

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

- i) rezoning Lot 1, District Lot 1919, Lillooet District, Plan KAP90830 from Resource/Agricultural (RA 1) Zone to Rural 1 (RR1) and Special Exception RR1-6 Zones; as show on attached Schedule "A"
- ii) amending Schedules "C" and "D" accordingly.

READ A FIRST TIME THIS 9th DAY OF February, 2024.

READ A SECOND TIME THIS 9th DAY OF February, 2024.

A PUBLIC HEARING WAS HELD ON THE 3rd DAY OF April, 2024.

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

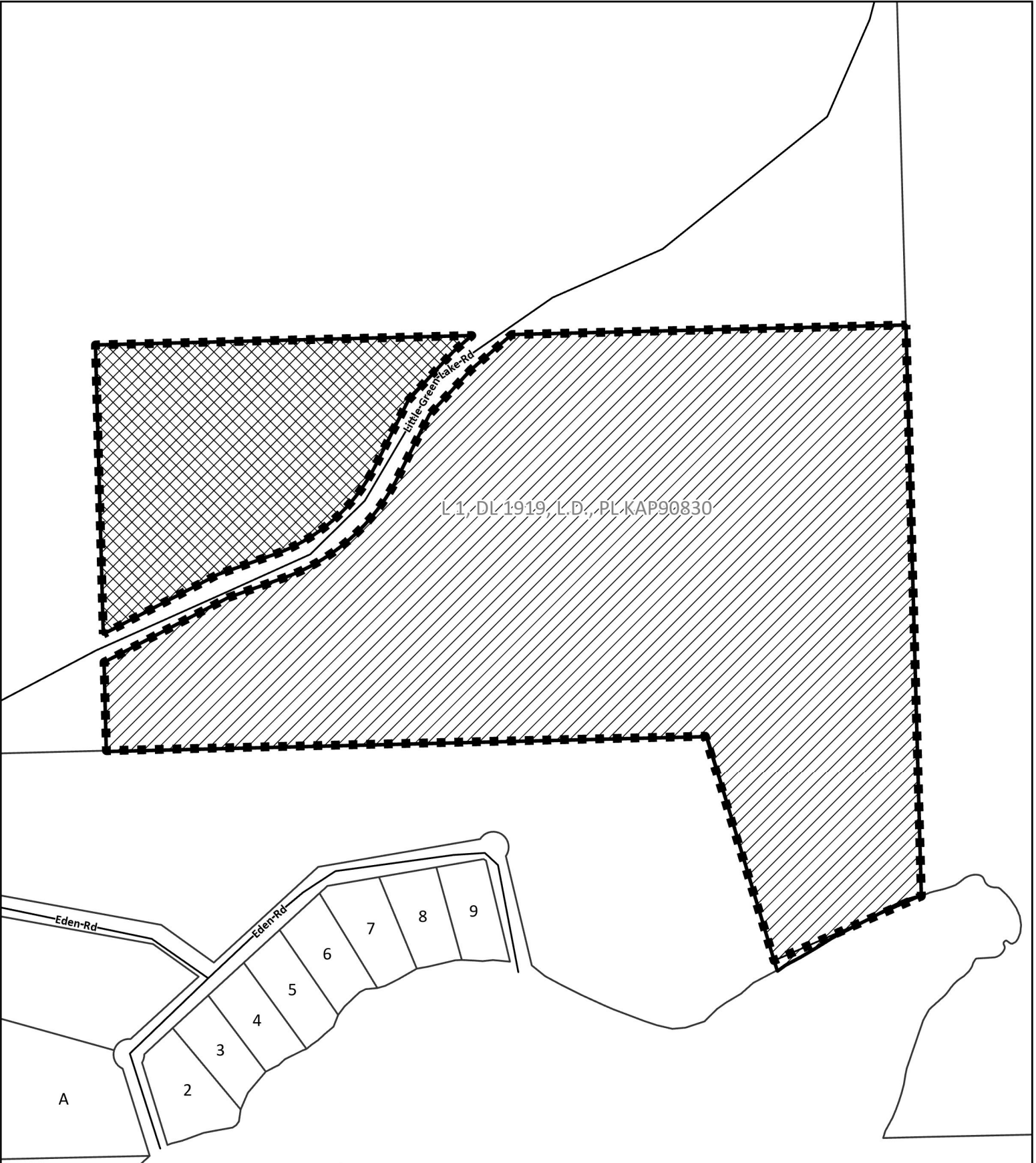
ADOPTED THIS _____ DAY OF _____, 2024.

Chair

Manager of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 5457, cited as the "South Cariboo Area Zoning Amendment Bylaw No. 5457, 2023", as adopted by the Cariboo Regional District Board on the _____ day of _____, 2024.

Manager of Corporate Services



SCHEDULE A

LEGEND

- Subject Property
- Rural 1 (RR 1) Zone
- Special Exception Rural RR 1-6 Zone



0 40 80 160
m

ZOCP2360 2023-12-12

SUBJECT PROPERTY
L 1, DL 1919, L.D., PL KAP90830

Appendix B: GENERAL MAP

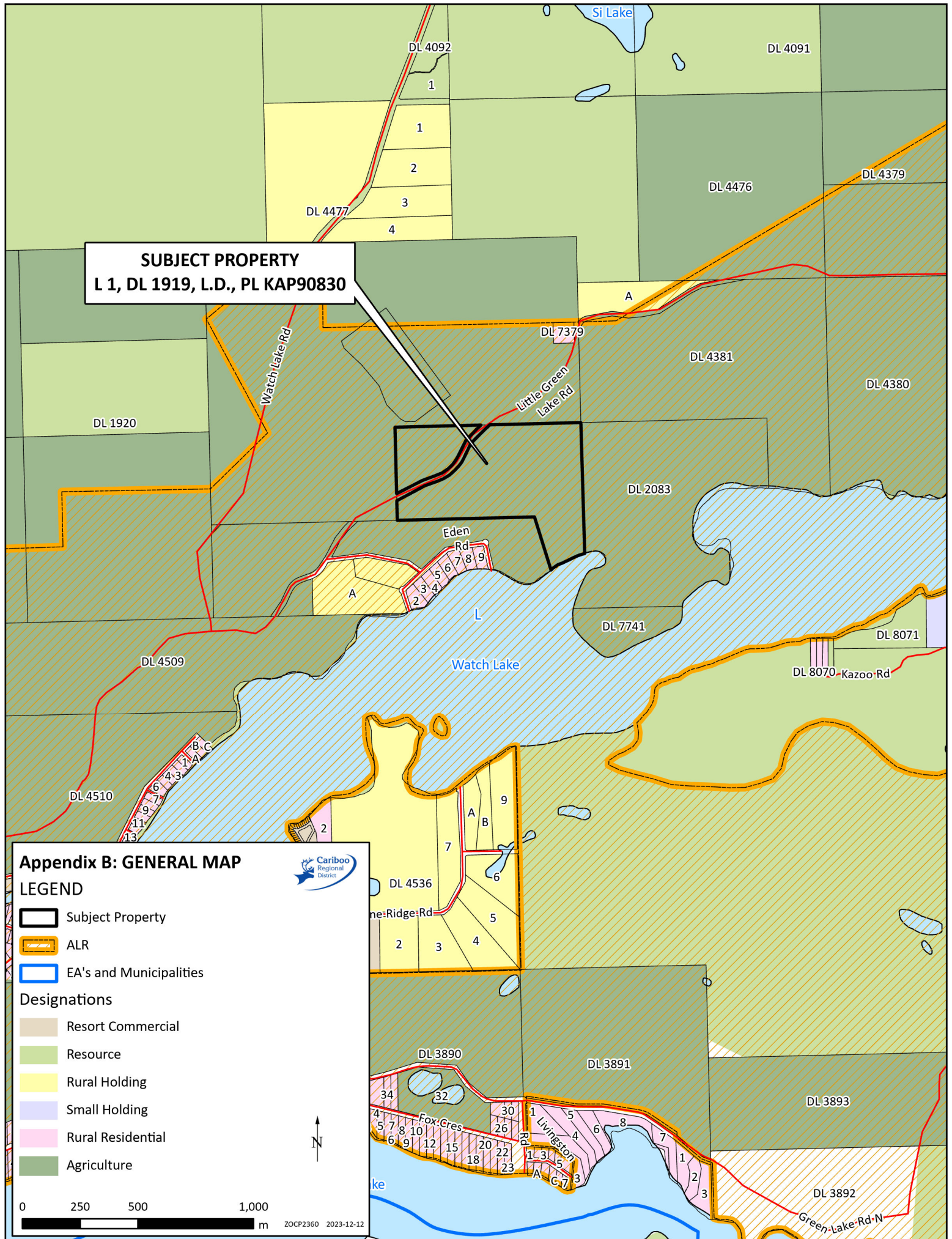
LEGEND

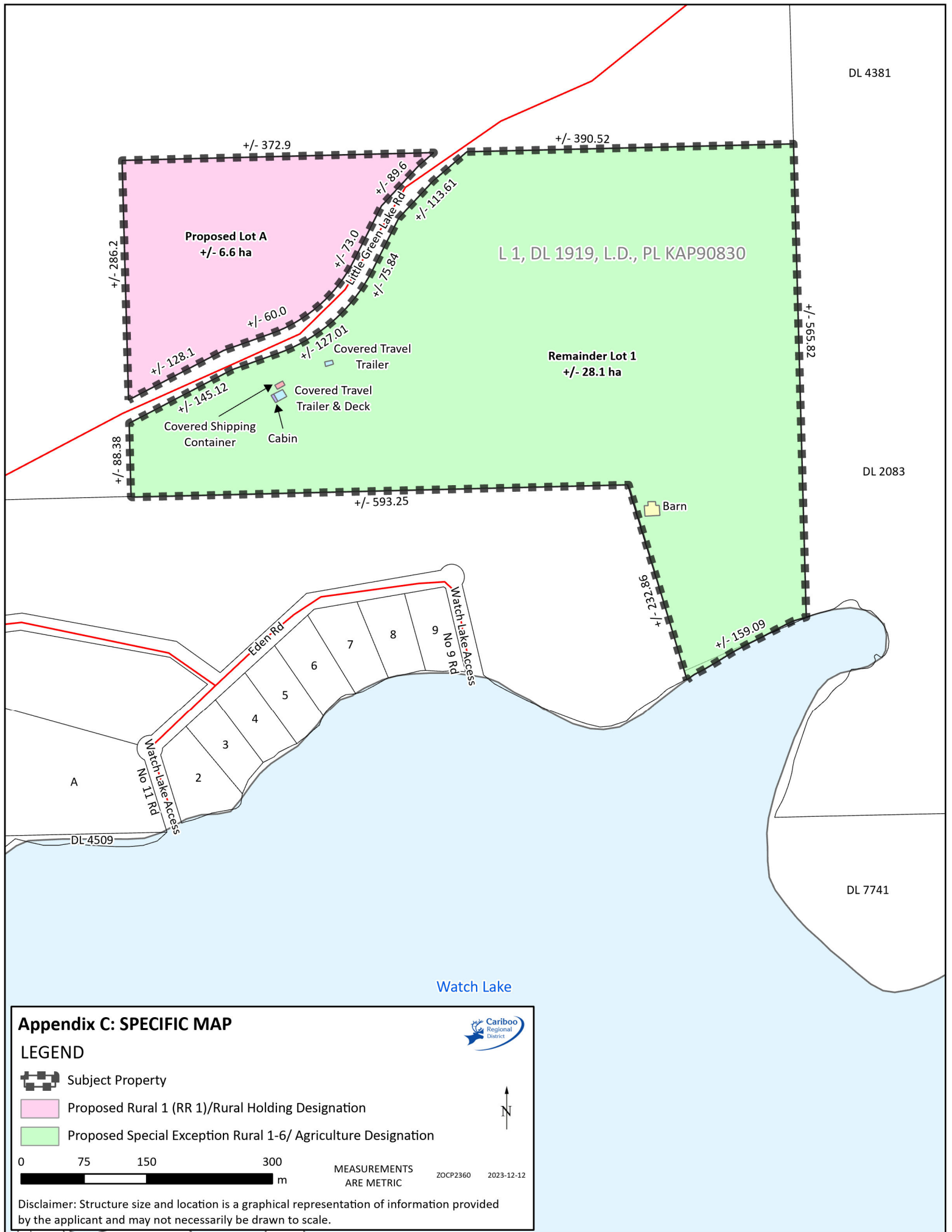
-  Subject Property
 -  ALR
 -  EA's and Municipalities
- Designations**
-  Resort Commercial
 -  Resource
 -  Rural Holding
 -  Small Holding
 -  Rural Residential
 -  Agriculture



0 250 500 1,000
m

ZOCP2360 2023-12-12





SUBJECT PROPERTY
L 1, DL 1919, L.D., PL KAP90830

Little Green Lake Rd



Eden Rd

Watch Lake Access No 9 Rd

Watch Lake Access No 11 Rd

Appendix D: GENERAL MAP ORTHO

LEGEND

-  Subject Property
-  ALR



0 75 150 300
m

ZOCP2360 2023-12-12

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

Reasons of Support

This application is requesting that Lot 1, District Lot 1919, Lillooet District, Plan KAP90830 be rezoned to accommodate a one lot subdivision within the Agricultural Land Reserve. The part proposed for subdivision is 6.6 hectares in size and lies north of Little Green Lake Road. The land north of the road is vacant, has never been used for agriculture and is not a viable component of the agricultural use of Lot 1.

The property is presently zoned Resource Agricultural (RA 1) and designated Agricultural in the Green Lake and Area Official Community Plan. The Agricultural Land Commission approved the subdivision in October 2023 under resolution #501/2023 (file number 67388). We are proposing a Rural 1 (RR1) zone for the proposed lot and a special exception zone for the proposed remainder. The special exception zone is the standard Rural 1 zone but has increased the minimum lot size to 26 hectares.

The current owners of Lot 1 also own the South Half of the South Half, District Lot 1919, Lillooet District, except plan 26063 and except plan KAP90830. This land is 34.3 hectares in size and because of roads is in 3 separate physical parcels. It has the same zone and designation as currently exist on Lot 1. The existing hay fields are on this land and on that part of Lot 1 lying south of the Little Green Lake Road. These agricultural uses cross the existing property boundary and are managed as a single unit.

In considering the application the Agricultural Land Commission considered that the hay fields straddle the lot line and that larger areas of land are required for agricultural uses suitable for the agricultural capabilities of the properties. The owners had proposed to the Commission that the proposed remainder be consolidated with the other property by a binding of titles covenant. This covenant when registered prevents the sale of either property individually ensuring the long-term viability of the agricultural use and allows both properties to continue to be managed as a single farm unit. This consolidated parcel will be approximately 62.4 hectares in size. The Land Commission decision only requires the covenant to be with them, but the owners are agreeable to having the Regional District as party to the covenant.

The proposed lot is triangular and has Crown Land on the west and north sides with the public road forming the other boundary. The Cariboo Regional District's Watch Lake refuse site is in the Crown Land and very close to the northern boundary. The terrain on this side of the road is not conducive for an agricultural use as part of the overall property but may be suitable for a small hobby farm use. The soils are poor, and the forest has experienced severe blow downs in the last few years. This part of the land has never been used for agriculture and all agricultural improvements are south of the road for these reasons.

The Green Lake and Area Official Community Plan has six objectives for lands designated Agriculture, and we believe this proposal meets all of them.

- *Objective 1. Support the long-term viability of agriculture and ranching in the area.*

This objective is met by consolidating all lands with existing agricultural uses and the lands with further agricultural potential into a single consolidated parcel 62.4 hectares in size. This is almost double the minimum lot size the plan says should be maintained.

- *Objective 2. Encourage the preservation of existing and potentially viable agricultural and ranch lands.*

This objective is met by consolidating all viable agricultural and ranch lands into a single property.

- *Objective 3. Discourage the fragmentation of agricultural and ranch lands through subdivision or development for non-agricultural purposes.*

This objective is met because currently there are two properties and with the proposed consolidation there will be two properties when the land north of the road is subdivided off. A smaller lot north of the road and a large lot containing all existing and potential agricultural uses.

- *Objective 4. Minimize conflicts between agriculture / ranching and other land uses.*

This objective is not affected by the proposal and there is no potential to increase conflict with it.

- *Objective 5. Minimize the impacts of agriculture and ranching on environmental resources.*

This objective is not affected by the proposal. It places two waterfront properties onto a single consolidated parcel and creates one upland property.

- *Objective 6. Recognize and support the maintenance of the Agricultural Land Reserve.*

This objective is met because all lands will remain in the Land Reserve and a more viable larger property for agriculture will be created.

When the subdivision was done to create Lot 1, Plan KAP90830 two covenants were entered into. One covenant was with the Cariboo Regional District under their Shoreland Management Policy and provides for riparian protection along the lake and any watercourses. The second covenant is with the Cariboo Regional District and the Province and establishes horizontal and vertical setbacks for future structures from Watch Lake.

This application is being made to allow a subdivision of land within the Agricultural Land Reserve. We are requesting that a 6.6 hectare portion north of a public road be created from a 34.7 hectare lot. The proposed lot has never been used for agriculture, has limited potential because of the road, size, shape and separation from the rest of the lands owned. The remainder of the lot be consolidated by a covenant binding titles with the adjacent 34.3 hectare property creating a large 62.4 hectare property which has and will continue to be used for agriculture. This will ensure that the existing hay field which presently straddles both properties can not be divided in the future by selling the properties separately. The owners strongly believe that this is the best way to ensure the long-term agricultural viability of the land, while allowing them to subdivide off land they cannot use for agriculture.



Planning Application Advisory Planning Commission Comment Form

Date of Meeting: January 3, 2024
Location of Meeting: Interlakes, 2 phone in (x2) @ 7:00 pm
File Number: 3360-20/20230060
Application Type: Rezoning/OCP Amendment
Electoral Area: L
Legal Description: Lot 1, District Lot 1919, Lillooet District, Plan KAP90830
Property Location: Little Green Lake Road

ATTENDANCE

Present: Sharron Woloshyn
Chair: Gordon Ross, Glen Clark, Steve Brown, Barb Matfin
Members: Ursula Hart
Phone in - Greg Atherton + Manuela Betschart.

Recording Secretary: Sharron Woloshyn
Owners/Agent: Nigel Hemmingway, Ed Kendall, Rebecca Kendall
☐ Contacted but declined to attend

Absent: Dori Dennison

Also Present:
Electoral Area Director: Eric deVries
Staff Support: N/A

RESOLUTION

Barb + Gordon motioned.

THAT application with File Number 3360-20/20230060 be SUPPORTED / REJECTED for the following reasons:

1) APC members initially suggested a special exception to the existing RA2 zone to maintain lot coverage @ 10%. The proposed new zone (RR1) allows lot coverage of 15% which was thought to potentially reduce the amount of agricultural land use. A discussion about ancillary building limitations (Bylaw 3501-4.11) alleviated that concern.

2) The three conditions of the ALC approval will protect the agricultural value of the "remaining" lot, including restricting the construction of residences.

For: 8

Against: 0

CARRIED/DEFEATED

Termination:

That the meeting terminate.

Moved: GORD

Seconded: Glen

CARRIED

Time: 7:25

Recording Secretary

Chair

Date: April 3, 2024

ad out.

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

Signature of Chair _____

[illegible]