



REGIONAL DISTRICT of Fraser-Fort George

Main Office: 155 George Street, Prince George, BC V2L 1P8
 Telephone: (250) 960-4400 / Fax: (250) 563-7520
 Toll Free: 1-800-667-1959 / www.rdffg.ca

REPORT FOR CONSIDERATION

TO: Chair and Directors

File No.: REZ 1879 N1/2

FROM: Daniel Burke, Planner III

DATE: August 27, 2024

SUBJECT Proposed Chilako River-Nechako Official Community Plan Bylaw No. 2593, 2010, Amendment Bylaw No. 3321, 2023 and Zoning Bylaw No. 2892, 2014, Amendment Bylaw No. 3322, 2023

SUMMARY: Purpose: Consider First Reading and Public Consultation
 Location: 18706 and 18710 Hughes Road – Electoral Area C
 Owner: Jonathan Viergever
Attachments:
 1. Backgrounder
 2. Proposed Bylaw No. 3321, 2023
 3. Proposed Bylaw No. 3322, 2023
Previous Reports: Item No. 6.2, July 2024

RECOMMENDATION(S):

1. THAT the report dated August 27, 2024, regarding “Proposed Chilako River-Nechako Official Community Plan Bylaw No. 2593, 2010, Amendment Bylaw No. 3321, 2023 and Zoning Bylaw No. 2892, 2014, Amendment Bylaw No. 3322, 2023” be received for information.
2. THAT pursuant to Section 477 of the *Local Government Act*, Chilako River-Nechako Official Community Plan Bylaw No. 2593, 2010, Amendment Bylaw No. 3321, 2023 has been considered in conjunction with the current Financial Plan and the current Regional Solid Waste Management Plan.
3. THAT Chilako River-Nechako Official Community Plan Bylaw No. 2593, 2010, Amendment Bylaw No. 3321, 2023 be given second reading.
4. THAT Zoning Bylaw No. 2892, 2014, Amendment Bylaw No. 3322, 2023 be given second reading.
5. THAT a public hearing on Chilako River-Nechako Official Community Plan Bylaw No. 2593, 2010, Amendment Bylaw No. 3321, 2023 and Zoning Bylaw No. 2892, 2014, Amendment Bylaw No. 3322, 2023 be held with the chairing of the hearing to the Electoral Area Director, or their Alternate, or any other Director as delegate of the Board.

ENTITLEMENT	HOW VOTE COUNTED
All 1 Director/1 vote	Majority
All 1 Director/1 vote	Majority
All 1 Director/1 vote	Majority
All 1 Director/1 vote	Majority
All 1 Director/1 vote	Majority

SUMMARY OF APPLICATION:

Location:	18706 and 18710 Hughes Road – Electoral Area C
Legal Description and PID:	The North 1/2 Of District Lot 1879 Cariboo District Except Plans 27965 And EPP9249 – 015-038-696 – 52.51 ha
Applicant(s):	Jonathan Viergever

Existing Uses:	Two Residential-Single Family uses (dwelling) are established. Beverly Creek bisects the property. Development of three residences is proposed on an approximate 2.2 ha bench above a sloping hill that leads down to Beverly Creek and wetland.
Proposal:	An application has been made to allow three residences on the subject property. An amendment to the OCP general Housing Policy is required to increase the maximum potential residential density from two to three based on the lot size. The OCP policy amendment will impact multiple properties within the OCP area. The subject property is proposed to be rezoned to allow three Residential-Single Family uses instead of the current two. The zoning amendment will impact only the subject property.
Application Type:	Combined Official Community Plan and Zoning Bylaw Amendment
Regulation Changes/ Content of Permit:	<ul style="list-style-type: none"> • OCP Amendment Bylaw No. 3321, 2023 proposes to amend the OCP’s Housing Policies to permit additional residence on a parcel where the density does not exceed one residence per each 4 ha of the parcel, subject to the ability to accommodate approved sewage disposal. • Zoning Amendment Bylaw No. 3322, 2023 proposes to rezone the property from Small Holding (SH) and Rural 2 (Ru2) to Rural (Ru6) to allow three residences.

BOARD CONSIDERATION:

The Board gave first reading to each bylaw and authorized a consultation plan for proposed Bylaw No. 3321, 2022 at their July 2024 meeting. Administration has carried out the work described in the consultation plan.

The Board is being asked to consider authorizing second reading of the bylaws and the holding of a public hearing.

RELEVANT POLICIES:

Official Community Plan:	The proposal is <u>not consistent</u> with the Housing Policy of the Chilako River-Nechako Official Community Plan Bylaw No. 2593, 2010 and an amendment is required.
Zoning Bylaw:	The proposal is <u>not consistent</u> with current Zoning Bylaw No. 2892, 2014 and an amendment is required.
Applications Procedures:	Development Applications Procedures Bylaw No. 3268, 2022 outlines requirements for processing OCP and zoning bylaw amendment applications.
Public Notice:	Public Notice Bylaw No. 3316, 2023 provides for alternative means of publishing statutory public notices using the Regional District bulletin board, website, and Facebook page. Public Notice Additional Methods of Publication Policy RD-24-23 provides supplementary notification with a newspaper advertisement.
<i>Community Charter:</i>	Outlines requirements to publish public notice and allows a local government to adopt a bylaw to publish public notice by alternative means.
<i>Local Government Act:</i>	Outlines requirements for consideration of amendments to OCP and zoning bylaws and public hearing procedure.

STRATEGIC ALIGNMENT:

- Climate Action
 Economic Health
 Indigenous Relations
 Strong Communities
 None – Statutory or Routine Business

SERVICE RELEVANCE:

Regional District Land Use Services is a region wide service and fulfils the obligations of land use planning under Part 14 of the *Local Government Act*.

FINANCIAL CONSIDERATION(S):

N/A

OTHER CONSIDERATION(S):

The proposed OCP and zoning bylaw amendments were forwarded to the Regional District’s Environmental Services and Financial Services for comment. The deadline for comment is September 9, 2024. Their responses have not been received to date but will be sent to the Board as an additional item when received.

DECISION OPTIONS:

1. Approve recommendations
 - the application will proceed to public hearing

Other Options:

DIRECTION	ACTIONS THAT WILL BE TAKEN	MOTIONS REQUIRED
A. Postpone consideration of Proposed Bylaw No. 3321 and Proposed Bylaw No. 3322 pending the receipt of additional information	<ul style="list-style-type: none"> • The proposed bylaws will return for consideration when the additional information requested by the Board is available • Consideration of holding a public hearing will still be required 	<i>THAT consideration of Chilako River-Nechako Official Community Plan Bylaw No. 2593, 2010, Amendment Bylaw No. 3321, 2023 and Zoning Bylaw No. 2892, 2014, Amendment Bylaw No. 3322, 2023 be postponed pending receipt of [insert requirement].</i>
B. Not proceed with the application which will require second reading of the proposed bylaws to be defeated.	<ul style="list-style-type: none"> • Proposed bylaws cannot be considered further if motion to give second reading is defeated 	<ol style="list-style-type: none"> 1. <i>THAT Chilako River-Nechako Official Community Plan Bylaw No. 2593, 2010, Amendment Bylaw No. 3321, 2023 be given second reading.</i> 2. <i>THAT Zoning Bylaw No. 2892, 2014, Amendment Bylaw No. 3322, 2023 be given second reading.</i>

SUMMARY COMMENTS:

- Under the *Local Government Act*, the proposed OCP and zoning bylaw amendments were forwarded to the Regional District’s Environmental Services and Financial Services departments for comment.
 - Comments are expected no later than September 9, 2024, and will be forwarded to the Board as an additional item.
- Notice of public consultation was published in the local newspaper and mailed to applicable landowners per Appendix ‘A’. The Regional District requested written comments by 12:00 p.m. on September 9, 2024.
 - No submissions have been received to date. Any correspondence received will be forwarded to the Board as additional agenda items.
- If additional information or amendments are desired, the bylaw may be held at second reading (Other Decision Options A.).
- If the application is unsuccessful, a third residence would not be permitted. The parcel would remain split-zoned SH and Ru2 zone.

It may be reasonable for the Board to consider authorizing a second reading of the bylaws and holding a public hearing to obtain additional public input before making a final decision.

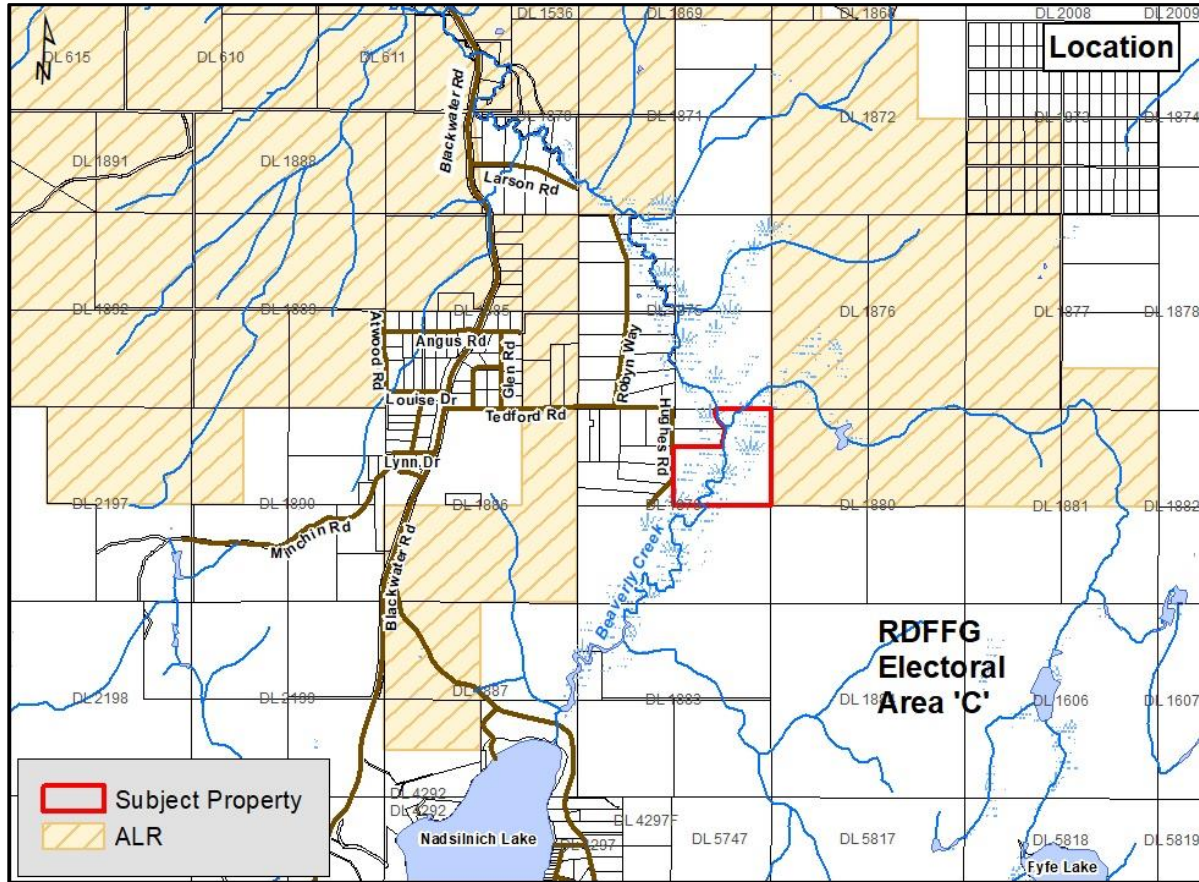
- Further notification beyond the Development Services Applications Procedures Bylaw requirements of requires a Board resolution.
- If Board wished to include all property owners who were mailed a notice during the public consultation phase, a Board resolution would be required.

Further details pertaining to the application can be found in the Backgrounder attachment to the previous report.

Respectfully submitted,
 Daniel Burke
 Daniel Burke, Planner III

BACKGROUNDER- COMBINED OCP AND ZONING APPLICATION

PARCEL MAPS



APPLICATION PROCESS INFORMATION

Application Process Overview for OCP and Zoning Bylaw amendments

<p>Chilako River-Nechako Official Community Plan Bylaw No. 2593, 2010</p>	<p>Statement of objectives and policies to guide decisions on planning and land use management.</p> <ul style="list-style-type: none"> • The Housing Policy is proposed to be amended to allow consideration of additional residences on land outside the ALR based on a maximum density of one residence per 4 ha of the parcel, provided the property has the capacity for on-site sewage disposal. • More details are found in the previous report.
<p>Zoning Bylaw No. 2892, 2014:</p>	<p>Regulates how land, buildings and other structures may be used.</p> <ul style="list-style-type: none"> • amendment proposes to rezone the property from Small Holding (SH) and Rural 2 (Ru2) to Rural 6 (Ru6). • More details are found in the previous report.
<p>Development Applications Procedures Bylaw No. 3268, 2022:</p>	<p>Outlines requirements for processing OCP and Zoning Bylaw amendment applications.</p> <ul style="list-style-type: none"> • Notice of a public hearing is to be sent to owners of land within 200 m of the subject property. • Details the requirements for Notification of Application Sign, alternative form of notification or waiving of notification requirements prior to a public hearing. • Delegates approval of notification requirements to the General Manager of Development Services. <p>Further notification beyond these requirements of the Development Services Applications Procedures Bylaw requires a Board resolution.</p>
<p>Public Notice Bylaw No. 3316, 2023 and Policy No.: RD-24-23</p>	<p>Outlines requirements for publishing statutory public notices:</p> <ul style="list-style-type: none"> • A bylaw requires public notices to be posted on the Public Notice board, the Regional District's website and Facebook page at least (7) days before the date of the matter for which the public notice is required. • Policy requires a public notice to also be published in a newspaper applicable to the Electoral Area(s), or a portion thereof.
<p><i>Community Charter Act, Section 49:</i></p>	<p>Outlines requirements to publish public notice and allows a local government to adopt a bylaw to publish public notice by alternative means.</p> <ul style="list-style-type: none"> • The Regional District has adopted the Public Notice Bylaw No. 3316, 2023.
<p><i>Local Government Act:</i></p>	<p>Outlines requirements for consideration of amendments to OCP and zoning bylaws and public hearing procedure.</p>



REFERRAL COMMENTS**Regional District Financial Services:**

I have no concerns with this OCP amendment in relation to the Financial Plan.

Sarah White, CPA, CGA

General Manager of Financial Services

Regional District Environmental Services:

The delivery of solid waste services is outlined in the Regional Solid Waste Management Plan (RSWMP). The RSWMP is supported by the Municipal Solid Waste Tipping Fee and Site Regulation Bylaw 3166. The Bylaw establishes tipping fees and site usage of the solid waste facilities within the Regional District's solid waste network, as well as identifying the transfer station network designed for rural residential refuse and recycling usage.

The local area transfer station for this application, the West Lake Transfer Station, is designated for residential usage. There is currently no user fee associated with the West Lake Transfer Station, and no swipe card for area residents.

Laura Zapotichny

General Manager of Environmental Services



**REGIONAL DISTRICT
of Fraser-Fort George**

BYLAW NO. 3321

A BYLAW TO AMEND CHILAKO RIVER-NECHAKO OFFICIAL COMMUNITY PLAN BYLAW NO. 2593, 2010

WHEREAS pursuant to the *Local Government Act*, the Regional Board of the Regional District of Fraser-Fort George has, by Bylaw No. 2593, dated August 19, 2010, adopted the Chilako River-Nechako Official Community Plan;

AND WHEREAS the Regional Board intends to amend aforesaid Bylaw No. 2593, 2010 by passage of this bylaw, pursuant to the requirements of the *Local Government Act*,

NOW THEREFORE the Board of Directors of the Regional District of Fraser-Fort George, in open meeting assembled, enacts as follows:

1. Chilako River-Nechako Official Community Plan Bylaw No. 2593, 2010 is hereby amended as shown on Appendix 'A' attached to and forming part of this bylaw.
2. This bylaw may be cited for all purposes as "Chilako River-Nechako Official Community Plan Bylaw No. 2593, 2010, Amendment Bylaw No. 3321, 2023".

READ A FIRST TIME ON THE 18TH DAY OF JULY, 2024

PUBLIC CONSULTATION IN RESPECT OF THIS BYLAW WAS STARTED ON THE 31ST DAY OF JULY, 2024

READ A SECOND TIME ON THE DAY OF , 2024

A PUBLIC HEARING IN RESPECT OF THIS BYLAW WAS HELD ON THE DAY OF , 2024

READ A THIRD TIME ON THE DAY OF , 2024

ADOPTED THIS DAY OF , 2024

Chair

General Manager of Legislative and
Corporate Services

APPENDIX 'A'

1. Schedule 'A' to Chilako River-Nechako Official Community Plan Bylaw No. 2593, 2010 is hereby amended at Section 4.2 with the insertion of the following new subsection iv) and renumbering the remaining subsections accordingly:
 - iv) On parcels not within the Agricultural Land Reserve, more than one additional residence may be permitted on a single parcel where the density does not exceed one residence per each 4 ha of the parcel, subject to the ability to accommodate approved sewage disposal for all residences and evaluation through a rezoning process where necessary.



**REGIONAL DISTRICT
of Fraser-Fort George**

BYLAW NO. 3322

**A BYLAW TO AMEND REGIONAL DISTRICT OF FRASER-FORT GEORGE ZONING BYLAW
NO. 2892, 2014**

WHEREAS the Regional Board of the Regional District of Fraser-Fort George has adopted Regional District of Fraser-Fort George Zoning Bylaw No. 2892, 2014;

AND WHEREAS the Regional Board intends to amend aforesaid Bylaw No. 2892, 2014 by passage of this bylaw, pursuant to the requirements of the *Local Government Act*,

NOW THEREFORE the Board of Directors of the Regional District of Fraser-Fort George, in open meeting assembled, enacts as follows:

1. Regional District of Fraser-Fort George Zoning Bylaw No. 2892, 2014 is hereby amended at Schedule 'B' – Map 151 by rezoning The North ½ of District Lot 1879 Cariboo District Except Plans 27965 and EPP9249 from Small Holding (SH) and Rural 2 (Ru2) to Rural 6 (Ru6).
2. This bylaw may be cited for all purposes as “Zoning Bylaw No. 2892, 2014, Amendment Bylaw No. 3322, 2023”.

READ A FIRST TIME ON THE 18TH DAY OF JULY, 2024

READ A SECOND TIME ON THE DAY OF , 2024

A PUBLIC HEARING ON THIS BYLAW WAS HELD ON THE DAY OF , 2024

READ A THIRD TIME ON THE DAY OF , 2024

ADOPTED THIS DAY OF , 2024

Chair

General Manager of Legislative and
Corporate Services