



REGIONAL DISTRICT of Fraser-Fort George

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REPORT FOR CONSIDERATION

TO: Chair and Directors

File No.: REZ 5164

FROM: Daniel Burke, Planner III

DATE: October 29, 2024

SUBJECT: Proposed Crooked River-Parsnip Official Community Plan Bylaw No. 2425, 2007, Amendment Bylaw No. 3359, 2024 and Zoning Bylaw No. 2892, 2014, Amendment Bylaw No. 3360, 2024

SUMMARY: Purpose: Consider Third Reading and Adoption
 Location: Davie Lake – Electoral Area G
 Owner: Jedwin Developments LTD., INC. No. BC257573
 GH Equipment LTD., INC. No. BC0861285
 Agent: McWalter Consulting Ltd.

Attachments:

1. Summary of Public Hearing Held on October 23, 2024
2. Proposed Bylaw No. 3359, 2024
3. Proposed Bylaw No. 3360, 2024

Previous Reports: Item No. 6.5, August 2024

RECOMMENDATION(S):

1. THAT the report dated October 29, 2024, regarding “Proposed Crooked River-Parsnip Official Community Plan Bylaw No. 2425, 2007, Amendment Bylaw No. 3359, 2024 and Zoning Bylaw No. 2892, 2014, Amendment Bylaw No. 3360, 2024” be received for information.

Declaration by the Public Hearing Chair as to the accuracy and fairness of the summary of the Public Hearing held October 23, 2024, on Crooked River-Parsnip Official Community Plan Bylaw No. 2425, 2007, Amendment Bylaw No. 3359, 2024 and Zoning Bylaw No. 2892, 2014, Amendment Bylaw No. 3360, 2024.

2. THAT the summary of the Public Hearing held October 23, 2024, on Crooked River-Parsnip Official Community Plan Bylaw No. 2425, 2007, Amendment Bylaw No. 3359, 2024 and Zoning Bylaw No. 2892, 2014, Amendment Bylaw No. 3360, 2024 be received for information.
3. THAT Crooked River-Parsnip Official Community Plan Bylaw No. 2425, 2007, Amendment Bylaw No. 3359, 2024 be given third reading.
4. THAT Zoning Bylaw No. 2892, 2014, Amendment Bylaw No. 3360, 2024 be given third reading
5. THAT Crooked River-Parsnip Official Community Plan Bylaw No. 2425, 2007, Amendment Bylaw No. 3359, 2024 be adopted.
6. THAT Zoning Bylaw No. 2892, 2014, Amendment Bylaw No. 3360, 2024 be adopted.

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	2/3 Majority
All 1 Director/1 vote	2/3 Majority

SUMMARY OF APPLICATION:

Location:	Davie Lake – Electoral Area G
Legal Description and PID:	District Lot 5164 Cariboo District – 015-130-088 – 31.4 ha
Applicant(s):	Jedwin Developments LTD., INC. No. BC257573 GH Equipment LTD., INC. No. BC0861285
Agent:	McWalter Consulting Ltd.
Existing Uses:	Two recreation cabins are established.
Proposal:	An application has been made for a combined Official Community Plan (OCP) and Zoning Bylaw amendment to permit the subdivision of the property into two approximately 15.7 ha lots. If the subdivision is successful, the owners propose to construct dwellings on each of the proposed lot.
Application Type:	Combined Official Community Plan and Zoning Bylaw Amendment
Regulation Changes/ Content of Permit:	OCP Amendment Bylaw No. 3359, 2024 proposes to redesignate the property from Agriculture/Resource (AG/RES) to Rural Holdings (RH) to support the zoning amendment. Zoning Amendment Bylaw No. 3360, 2024 proposes to rezone the property from Rural 3 (Ru3) to Residential/Seasonal 2 (R/S2). Further, the amendment proposes on a site-specific basis to increase the minimum area of a lot to be created by subdivision from 6.0 ha to 12.0 ha.

BOARD CONSIDERATION:

The Board is being asked to consider receiving the summary of the public hearing, giving third reading and adopting proposed Bylaw No. 3359 and Bylaw No. 3360.

Other options include:

1. Postponing consideration of the application for further information – Other Decision Options A; or
2. Defeating the application – Other Decision Options B.

Full options and corresponding motions are detailed under the Decision Options section of the report.

RELEVANT POLICIES:

Official Community Plan:	The proposed new parcel size is <u>not consistent</u> with the Agriculture/Resource (AG/RES) designation of the Crooked River-Parsnip Official Community Plan Bylaw No. 2425, 2007 and an amendment is required.
Zoning Bylaw:	The proposed new parcel size 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.
<i>Local Government Act:</i>	Outlines requirements for consideration of amendments to OCP and zoning bylaws and public hearing procedure.

STRATEGIC PRIORITIES ALIGNMENT:

- | | | | |
|--|---|---|---|
| <input type="checkbox"/> Indigenous and Intergovernmental Partnerships | <input type="checkbox"/> Organizational Strength and Adaptability | <input type="checkbox"/> Quality Community Services | <input type="checkbox"/> Environmental Stewardship and Climate Action |
| <input checked="" type="checkbox"/> Awareness and Engagement | <input type="checkbox"/> Statutory or Routine Business | | |


SERVICE RELEVANCE:

Regional District Land Use Planning 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):

Combined OCP/Zoning Bylaw Amendment Process Overview 

DECISION OPTIONS:

1. Approve recommendations:

- the report and summary of the public hearing will be received
- proposed Bylaw No. 3359 and Bylaw No. 3360 will be given third reading and adopted

Other Options:

DIRECTION	ACTIONS THAT WILL BE TAKEN	MOTIONS REQUIRED
A. Postpone consideration of proposed Bylaw No. 3359 and Bylaw No. 3360 pending the receipt of additional information.	<ul style="list-style-type: none"> • The bylaws will return for consideration when the additional information requested by the Board is available. • Consideration of holding another public hearing may be required. 	<i>THAT further consideration of Crooked River-Parsnip Official Community Plan Bylaw No. 2425, 2007, Amendment Bylaw No. 3359, 2024 and Zoning Bylaw No. 2892, 2014, Amendment Bylaw No. 3360, 2024 be postponed pending receipt of [insert requirement].</i>
B. Not proceed with the application which will require third reading of the proposed bylaws to be defeated.	<ul style="list-style-type: none"> • Bylaws cannot be considered further if motion to give third reading is defeated. 	<p>1. <i>THAT Crooked River-Parsnip Official Community Plan Bylaw No. 2425, 2007, Amendment Bylaw No. 3359, 2024 be given third reading.</i></p> <p>2. <i>THAT Zoning Bylaw No. 2892, Amendment Bylaw No. 3360, 2024 be given third reading.</i></p>



SUMMARY COMMENTS:

Although the proposal is inconsistent with the Agriculture/Resource (AG/RES) designation, the OCP's subdivision and rezoning evaluation factors can be of assistance to the Board in the evaluation of the zoning bylaw.

Section 9.0 of the OCP sets out a list of factors to be considered by the Board where a proposed use or subdivision may be permitted by the Crooked River-Parsnip OCP's policies or land use designation but is subject to evaluation through a rezoning process. Information to inform consideration on each factor is obtained through the application process including referral and public processes when applicable. Administration has provided a brief response to each of the factors. The evaluation factors include, but are not limited to, the following:

- I. Consistency with the objectives, policies and land use designations of the OCP;
 - The AG/RES designation supports the creation of new parcels based on a minimum parcel size of 60.0 ha. The proposed size of lots is 15.7 ha. The proposal is inconsistent with the designation.
 - The applicant has proposed to re-designate the property from AG/RES to Rural Holdings (RH), which supports the creation of new parcels based on a minimum parcel size of 15 ha.
- II. Consistency with the provisions or orders of the Agricultural Land Commission (ALC) for lands within the Agricultural Land Reserve (ALR);
 - The property is not within the ALR.
- III. The extent of agricultural development and potential for impact upon neighbouring agricultural use;
 - The property is not located near existing agricultural development.
- IV. The level of potential land use impact on the subject property and potential conflict with uses in the immediate proximity;
 - The potential impact and land use conflict are considered low due to the remoteness of the property and it being adjacent to Crown land.
- V. Public opinion as received through the public information and hearing requirements of the *Local Government Act* (LGA);
 - A public hearing regarding Bylaw No. 3359 and Bylaw No. 3360 was held on October 23, 2024. The summary of that meeting is attached to the Report.
 - No members of the public attended and no public submissions were received.
- VI. The availability of existing services to the site, including but not limited to, fire protection, roads, potable and sufficient water supply, electricity, sewage disposal, or the ability to provide the services to the site;
 - The Subdivision Servicing Bylaw will not be triggered by the proposed subdivision because of the large size of the proposed lots.
 - The property is within a volunteer fire protection area.
- VII. Impact on the transportation network;
 - The driveway for the property is already established off of Hart Highway.
 - The Ministry of Transportation and Infrastructure did not provide any comment related to concerns about impacts on the transportation network from the proposal.
- VIII. Environmental impact and potential for hazardous conditions; and
 - The property is not within a mapped BC Floodplain within the extent of any natural hazard studies commissioned by the Regional District.
 - Ministry of Land, Water and Resource Stewardship – Landbase and Water Stewardships raised no concerns. Water Stewardship did say that a large wetland is present on the eastern portion of the subject property and any proposed works within the wetland would require provincial approval.
 - The property is partially within the Davie Lake Development Permit area. Pursuant to the Crooked River-Parsnip Official Community Plan, development permits are required for development, including land clearing, earthworks, demolition, construction, and subdivision within 100.0m from the lakeshore.
- IX. Any other issue that may be relevant to a specific proposal.
 - No additional issues were identified.

The Board may consider third reading and adoption of the proposed bylaws. If the Amendment Bylaws are approved, the applicants will be required to obtain a non-delegated development permit from the Regional District for the subdivision of the property due to the Davie Lake Development Permit Area.

Respectfully submitted,

Daniel Burke

Daniel Burke
Planner III

DB: CC