



REGIONAL DISTRICT of Fraser-Fort George

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REPORT FOR CONSIDERATION

TO: Chair and Directors

File No.: REZ 9377

FROM: Daniel Burke, Planner III

DATE: October 24, 2024

SUBJECT Proposed Zoning Bylaw No. 2892, 2014, Amendment Bylaw No. 3364, 2024

SUMMARY: Purpose: Consider Third Reading
Location: 47267 and 47283 Hart Highway – Electoral Area G
Owner: Property 1 – Todd Steele
Property 2 – Cheryl Steele
Applicant: Regional District of Fraser-Fort George
Attachments:
1. Summary of Public Hearing held October 23, 2024
2. Proposed Bylaw No. 3364, 2024

Previous Reports: Item No. 6.4, August 2024

RECOMMENDATION(S):

1. THAT the report dated October 24, 2024, regarding “Proposed Zoning Bylaw No. 2892, 2014, Amendment Bylaw No. 3364, 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 on October 23, 2024, on proposed Zoning Bylaw No. 2892, 2014, Amendment Bylaw No. 3364, 2024.

2. THAT the summary of the Public Hearing held October 23, 2024, on proposed Zoning Bylaw No. 2892, 2014, Amendment Bylaw No. 3364, 2024 be received for information.
3. THAT Zoning Bylaw No. 2892, 2014, Amendment Bylaw No. 3364, 2024 be given third reading.

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

SUMMARY OF APPLICATION:

Location:	47267 & 47283 Hart Highway - Electoral Area G
Legal Description and PID:	Property 1 - District Lot 9377 Cariboo District Except Plans H212, 28193, and PGP43102 – 015-536-327 – 1.43 ha. Property 2 - Lot A District Lot 9377 Cariboo District Plan PGP43102 - 024-295-078 – 0.82 ha.
Owner(s):	Property 1 – Todd Steele Property 2 – Cheryl Steele
Applicant(s):	Regional District of Fraser-Fort George
Existing Uses:	Property 1: Campground operation. Property 2: Residence and commercial kitchen under construction.

Proposal:	The Regional District proposes to rezone the subject properties from Commercial 1 (C1) to Commercial 2 (C2) within Zoning Bylaw No. 2892, 2014. This rezoning is to correct an oversight made when the McLeod Lake-Azu Rural Land Use Bylaw was replaced with Zoning Bylaw No. 833 in 2008. In 2008, the property was rezoned to C1 which did not include Tourist Accommodation or Campground as permitted uses which were previously allowed. When Zoning Bylaw No. 833 was repealed and replaced with Zoning Bylaw No. 2892 in 2014, the C1 zone was carried over without correcting the oversight.
Application Type:	Zoning Bylaw Amendment
Regulation Changes:	Bylaw No. 3364, 2024 proposes to rezone the subject properties from Commercial 1 (C1) to Commercial 2 (C2).

BOARD CONSIDERATION:

The Board is being asked to consider receiving the summary of the public hearing meeting and giving third reading to proposed Bylaw No. 3364, 2024.

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 zoning bylaw is <u>consistent</u> with Crooked River-Parsnip Official Community Plan (OCP) Bylaw No. 2425, 2007 and an amendment is not 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 zoning bylaw amendment applications.
<i>Local Government Act:</i>	Outlines requirements for consideration of amendments to a zoning bylaw.
<i>Transportation Act, Section 52</i>	Proposed zoning bylaw amendments affecting land within 800 meters of a controlled access highway require approval from the Ministry of Transportation and Infrastructure prior to being considered for adoption.

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:

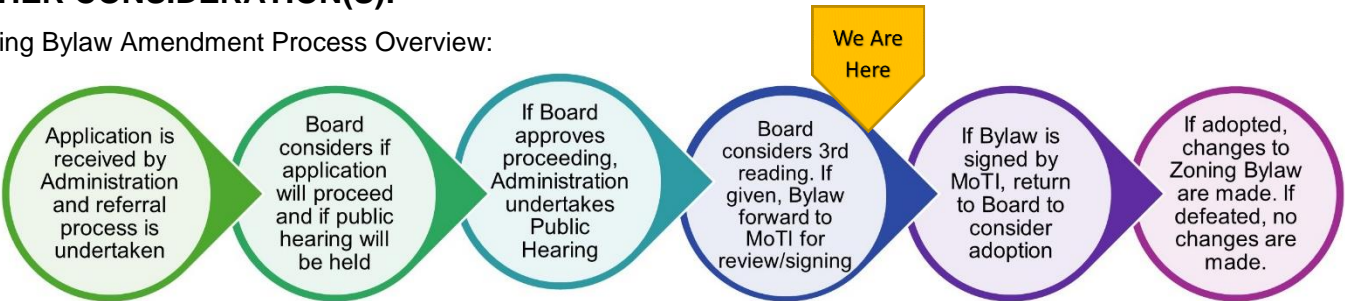
Regional District Land Use Planning Services is a region wide service and fulfils the obligations of land use planning under Part 14 of the *Local Government Act*.

FINANCIAL CONSIDERATION(S):

N/A

OTHER CONSIDERATION(S):

Zoning Bylaw Amendment Process Overview:



DECISION OPTIONS:

1. Approve recommendations

- the report and public hearing summary will be received
- proposed Bylaw No. 3364, 2024 will be given third reading
- the bylaw may return for consideration of adoption after approval by the Ministry of Transportation and Infrastructure

Other Options:

DIRECTION	ACTIONS THAT WILL BE TAKEN	MOTIONS REQUIRED
A. Postpone consideration of proposed Bylaw No. 3364 pending the receipt of additional information	<ul style="list-style-type: none"> • the bylaw 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 consideration of proposed Zoning Bylaw No. 2892, 2014, Amendment Bylaw No. 3364, 2024 be postponed pending receipt of [insert requirement].</i>
B. Not proceed with the application which will require third reading of the proposed bylaw to be defeated	<ul style="list-style-type: none"> • bylaw cannot be considered further if motion to give third reading is defeated 	<i>THAT Zoning Bylaw No. 2892, 2014, Amendment Bylaw No. 3364, 2024 be given third reading.</i>

SUMMARY COMMENTS:

Section 9.0 of the Crooked River-Parsnip OCP sets out a list of factors to be considered by the Board where a proposed use may be permitted by the OCP's policies or land use designation but is subject to evaluation through a rezoning process. Information to guide the consideration of each factor is obtained through the application process including agency referral and public processes when applicable. 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 proposed C2 zone is consistent with the Highway Commercial (HC) OCP designation that supports Local Commercial and Recreation commercial and other uses catering to the travelling public.
- II. Consistency with the provisions or orders of the Agricultural Land Commission for lands within the Agricultural Land Reserve;
 - The properties and the surrounding area are not within the ALR.
- III. The extent of agricultural development and potential for impact upon neighbouring agricultural use;

- There is no agricultural development in the area.
- IV. The level of potential land use impact on the subject property and potential conflict with uses in the immediate proximity;
- The potential land use impact is low as the uses were ongoing before 2008.
- V. Public opinion as received through the public information and hearing requirements of the Local Government Act;
- A public hearing was held on October 23, 2024. No members of the public attended, and no written submissions were received. The summary of the meeting is attached to the report.
- 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 property is not within a volunteer fire department protection area. No servicing concerns were identified.
- VII. Impact on the transportation network;
- The properties are accessed directly from Hart Highway. The zoning bylaw requires approval from the Ministry of Transportation and Infrastructure (MoTI) due to its proximity to a controlled access highway. MoTI also requires an application for an access permit.
- VIII. Environmental impact and potential for hazardous conditions;
- The lands are within the McLeod Lake Development Permit Area, which is designated for the protection of riparian habitat and water quality. Future development will require evaluation through a Development Permit application. Permits for commercial uses are not delegated to Administration for approval.
- IX. Any other issue that may be relevant to a specific proposal.
- None identified.

This zoning amendment is proposed to correct an administrative oversight. No significant impacts to land use are anticipated. Should proposed Bylaw No. 3364, 2024 receive third reading, it will be forwarded to the Ministry of Transportation and Infrastructure for approval before returning for the Board to consider adoption.

Respectfully submitted,

Daniel Burke

Daniel Burke
Planner III

DB: