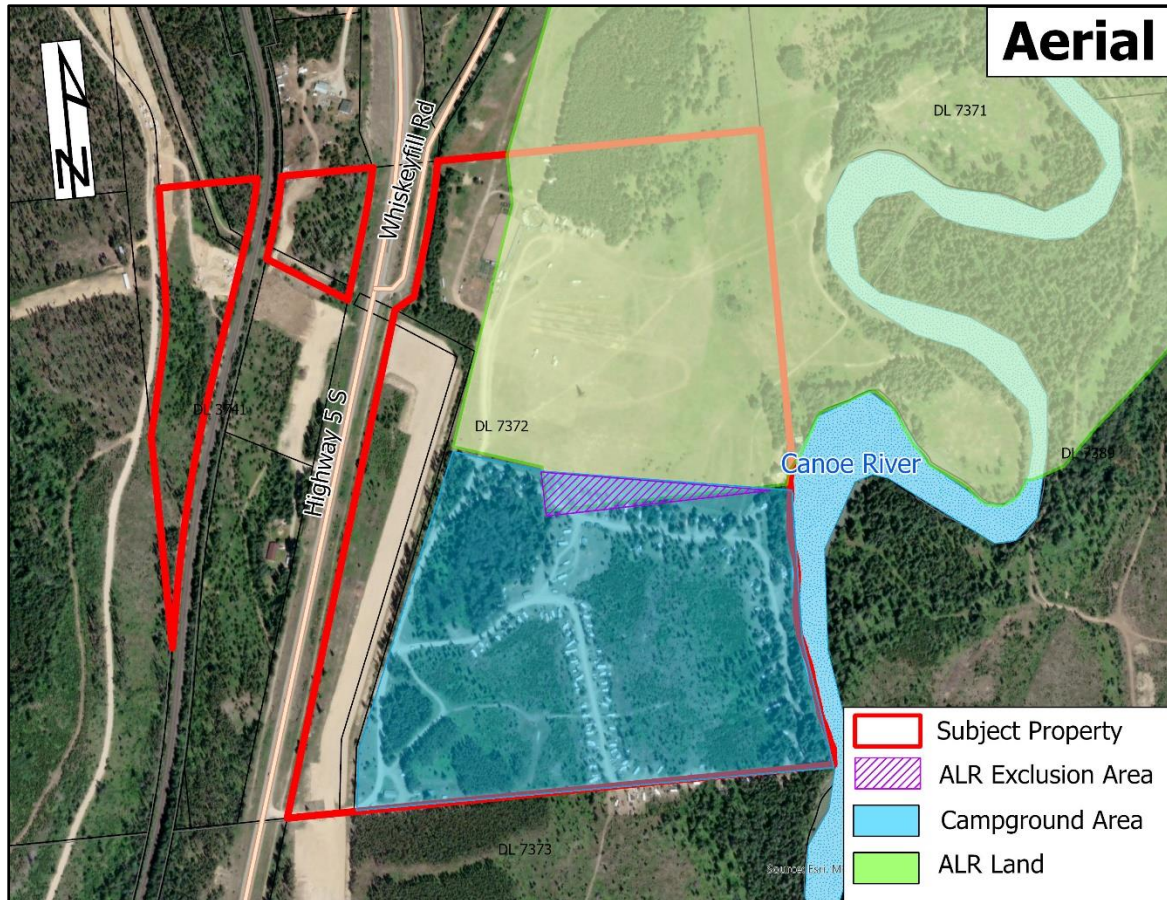
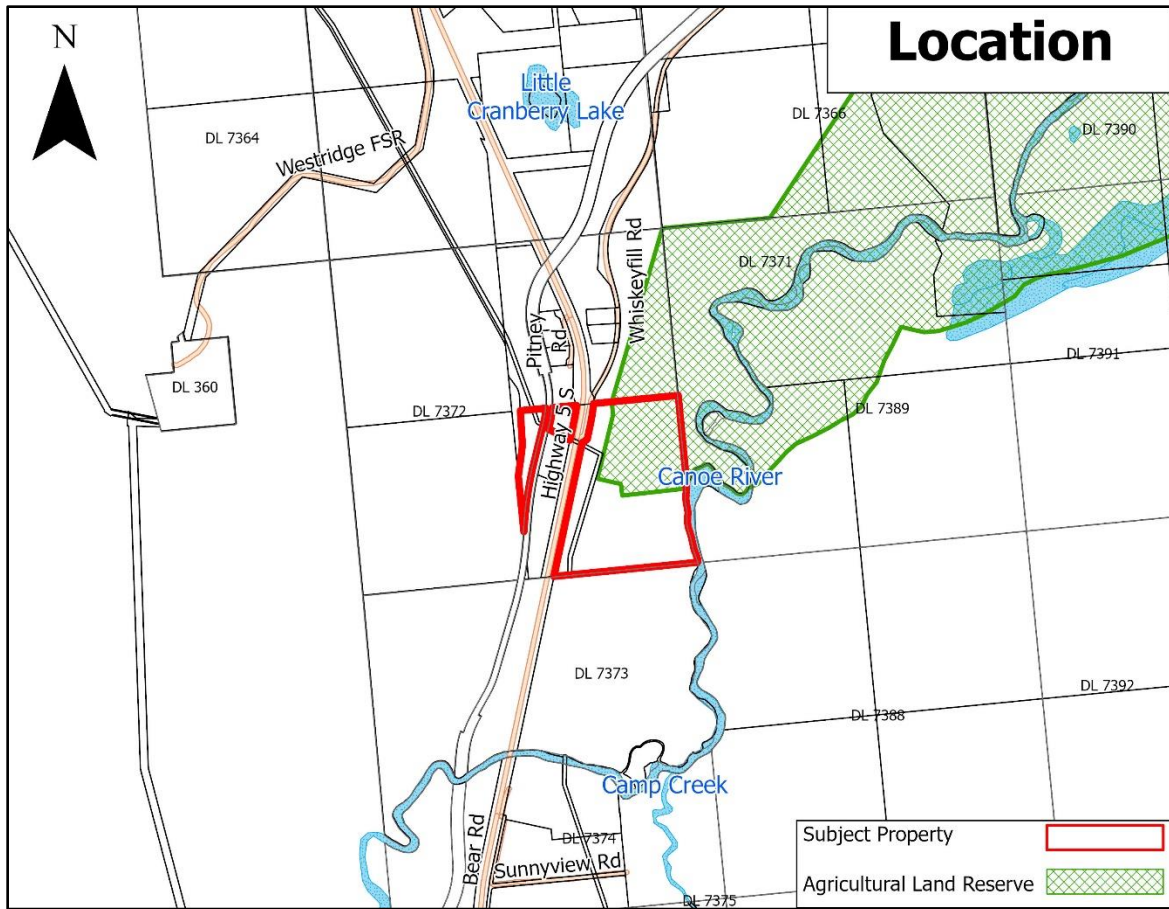
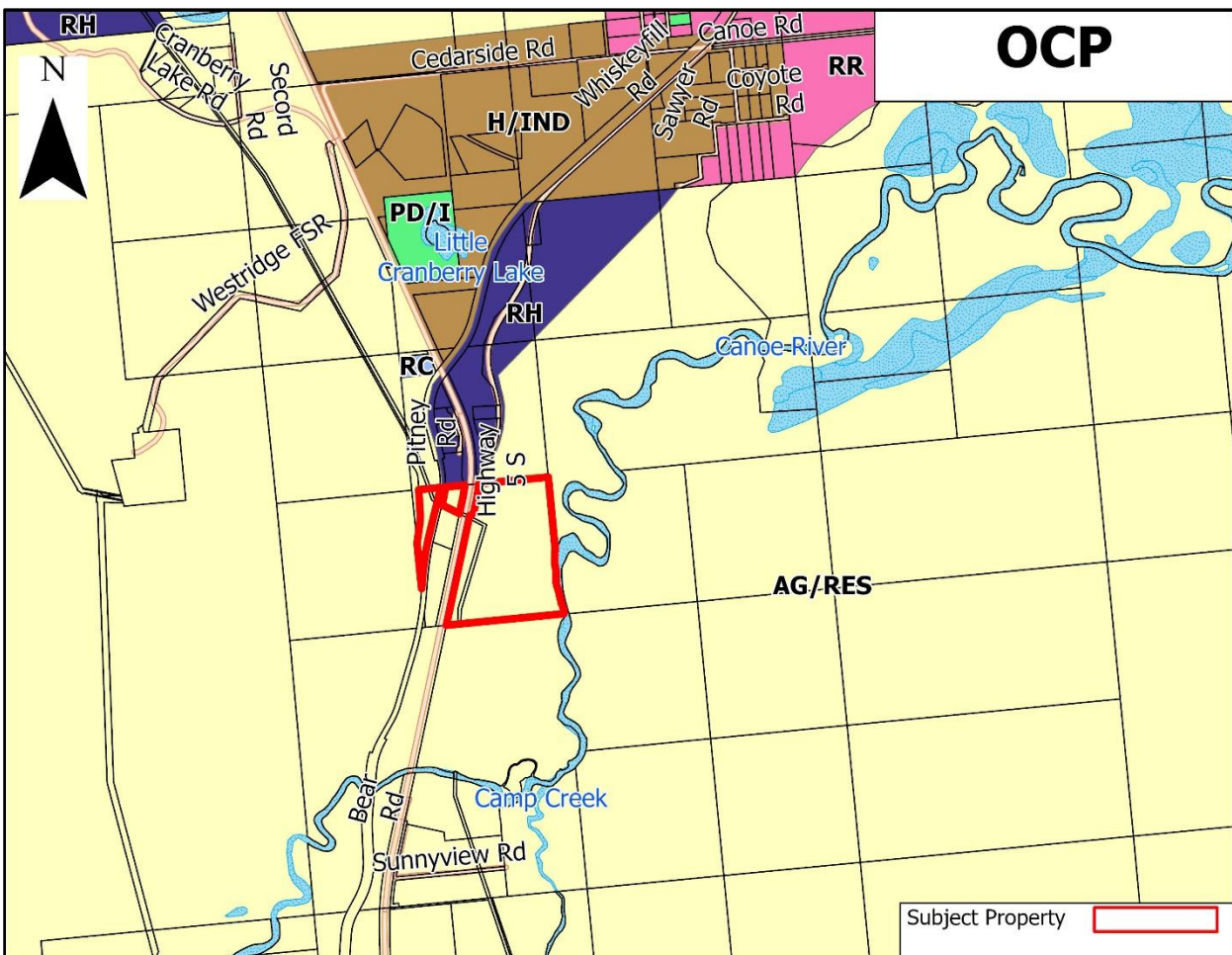
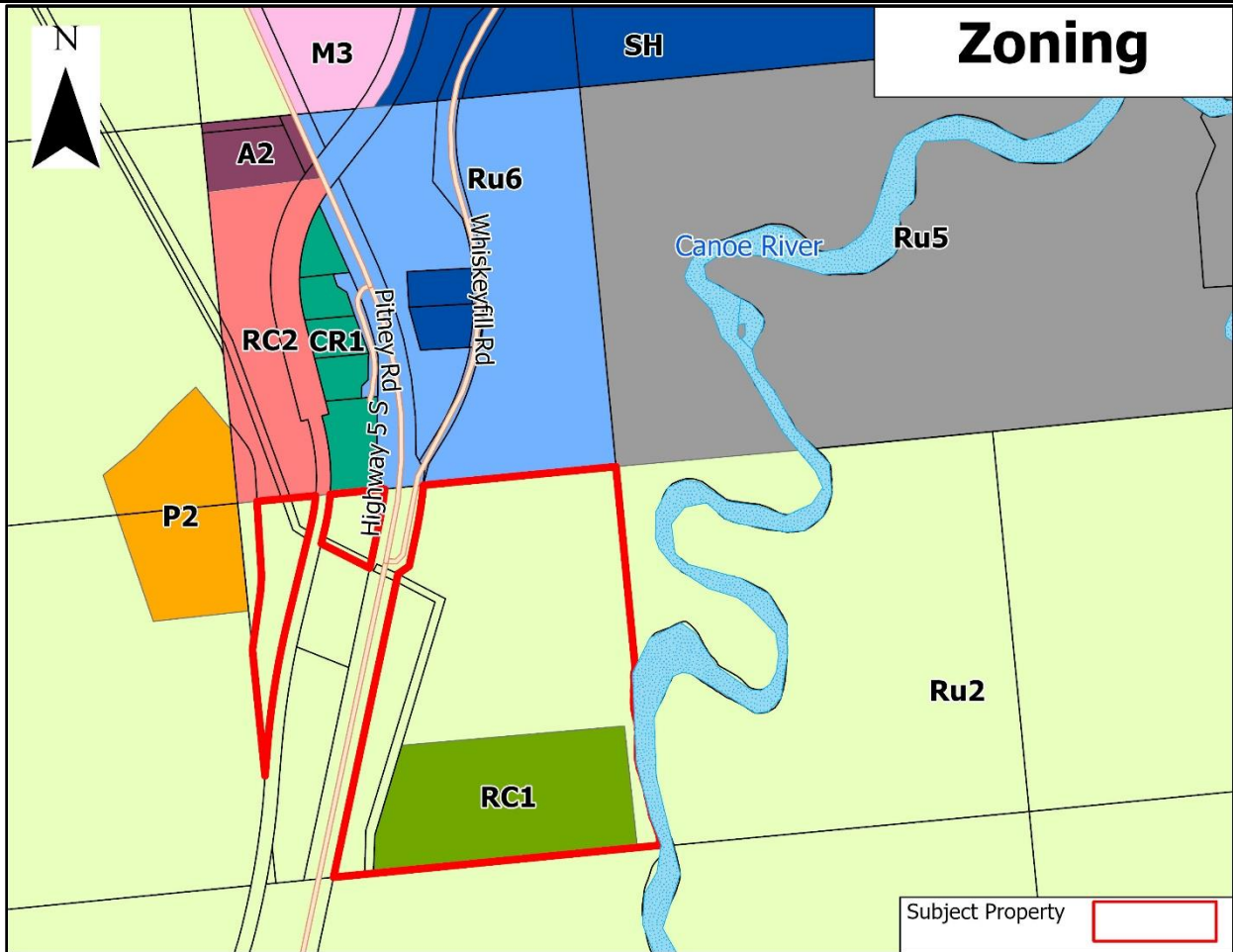


## **BACKGROUNDER – COMBINED OCP AND ZONING APPLICATION**

### **PARCEL MAPS**







**LAND USE PLANNING INFORMATION**

**Previous Land Use Application:** **Rezoning:** In 2003 a portion of the subject property was rezoned from Rural 2 (Ru2) to General Recreation Commercial 1 pursuant to Zoning Bylaw No. 833. This zone did not limit the number of campsites that could be established on a parcel. Additionally, an Official Community Plan (OCP) amendment was not required as the Agriculture/Resource (AG/RES) designation under the OCP did not limit the number of campsites at that time. The rezoning also included a site-specific amendment to prohibit Tourist Accommodation on the subject property.

The OCP and zoning bylaw were subsequently replaced, and the subject property was placed in the Ru2 and Recreation Commercial 1 (RC1) zones under Zoning Bylaw No. 2892, and in the AG/RES designation under the Robson Valley-Canoe Upstream OCP. The current RC1 zone does not limit the number of campsites; however, the current AG/RES designation now only supports a maximum of 25 campsites.

The Canoe River Campground currently has 120 campsites, some of which are located outside the RC1 zone, where they are permitted, and instead lie within the Ru2 zone, where they are not permitted. The applicants have applied to rezone the portion of the campground in the Ru2 zone (hereafter referred to as the “subject area”) to allow the campsites to remain where they are. Because the AG/RES designation now contains a limitation on the number of campsites, an OCP amendment is also required.

In 2018, an application was made to amend the OCP and zoning of the subject area to permit campground use. Amendment Bylaw No. 3089, 2018 and Amendment Bylaw No. 3090, 2018 proposed to rezone the subject area to Recreation Commercial 1 (RC1) and designate the subject area Recreation Commercial (RC) in the OCP. The Bylaws both received third reading from the Regional District Board. Bylaw No. 3090, 2018 was forwarded to the Ministry of Transportation and Transit for review and approval. During the Ministry’s review, the applicants had to address requirements from the Ministry in order for them to approve the zoning amendment. As those requirements were not completed and the Bylaw was not signed by the Ministry. The application lapsed and was closed in March 2022.

**ALR:** Less than one quarter of the subject property is contained within the Agricultural Land Reserve (ALR). A small portion of the ALR land overlaps with part of where the applicants have established their campground operation.

**ALR Exclusion:** In 2017, the applicants applied to the Agricultural Land Commission (ALC) to exclude a portion of the subject area from the ALR. The intent of the application was to facilitate the subdivision of the subject property in order to separate the campground from the rest of the property. The application to exclude was approved (Resolution #334/2017), subject to conditions including the inclusion of a portion of the subject property into the ALR.

**ALR Inclusion:** In 2018, the applicants applied to the ALC to include a portion of the subject property into the ALR as required by the conditions of the ALR exclusion. The application for inclusion was approved (Resolution #258/2018).

**Official Community Plan:** The subject property is designated Agriculture Resource (AG/RES) in the Robson Valley-Canoe Upstream OCP. The AG/RES designation supports Recreation Commercial uses limited to a maximum of 10 tourist accommodation units and 25 campsites.

The proposed OCP amendment would change the campground area (24 ha) of the subject property from AG/RES to Recreation Commercial (RC). The RC designation supports Campground use and does not limit the number of campsites that may be established. Further, the RC designation does not have a minimum parcel size requirement for subdivision.

Although the proposal is inconsistent with the current OCP designation of the property, the OCP’s subdivision and rezoning evaluation factors can be considered by the Board in the evaluation process regarding the rezoning to allow subdivision.

**Section 16.9 - Subdivision and Rezoning Evaluation Factors**

OCP sets out a list of factors to be considered by the Regional District Board where a proposed use may be permitted by the Robson Valley-Canoe Upstream 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 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 this Plan;
- II. consistency with the provisions or policies of the Agricultural Land Commission for lands within the Agricultural Land Reserve;
- III. the extent of agricultural development and potential for impact upon neighbouring agricultural use;
- IV. the level of potential land use impact on the subject property and potential conflict with uses in the immediate proximity;
- V. public opinion as received through the public information and hearing requirements of the Local Government Act;
- 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;
- VII. impact on the transportation network;
- VIII. environmental impact and potential for hazardous conditions;
- IX. any other issue that may be relevant to a specific proposal.
- X. Any proposed parcels that are to be less than 4 ha (10 acres) in size shall be provided with or have proven access to a sufficient domestic water supply.

#### Zoning:

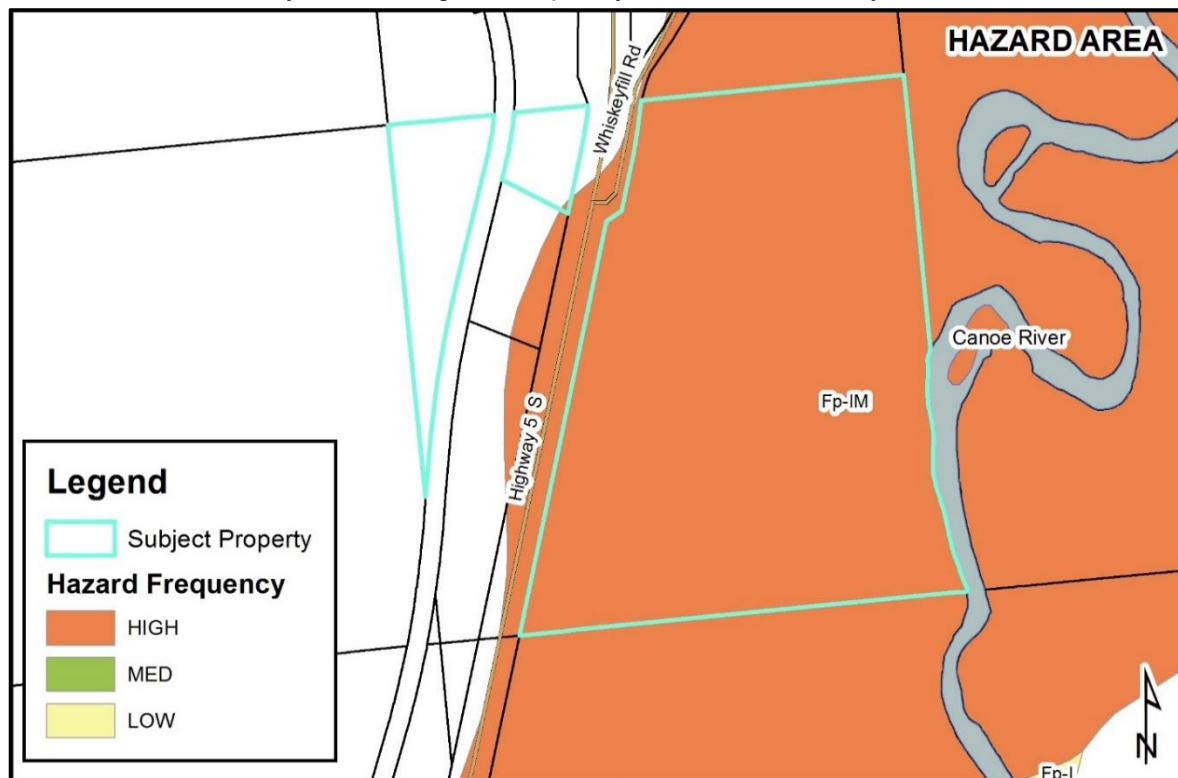
The subject property is currently split-zoned Rural 2 (Ru2) and Recreation Commercial 1 (RC1) under Zoning Bylaw No. 2892. Campground use is permitted in the RC1 zone but is not a permitted use in the Ru2 zone. A portion of the campground encroaches onto the Ru2 zone, thus requiring a zoning bylaw amendment.

The proposed bylaw amendment would rezone a portion (10.5 ha) of the Ru2 lands to RC1 in order to accommodate the subject area. It is noted that the RC1 zone does not restrict the number of campsites that can be established. The minimum parcel size requirement in the RC1 zone is 15 ha, which would allow the applicants to subdivide the campground business from the rest of the property. The RC1 zone currently prohibits Tourist Accommodation use on a site-specific basis for the subject property; the current rezoning application will not affect this regulation, and if successful, Tourist Accommodation will remain prohibited.

Permitted Uses	
Ru2 zone	RC1 zone
Agriculture	Agriculture
Forestry	Campground
Intensive Agriculture	Convenience Grocery/Gifts Store
Kennel	Golf Course
Cannabis Production	Marina/Boat Launch/Boating Fuel and Accessories Sales
Nursery	Open Space Recreation
Open Space Recreation	Recreation Accommodation
Residential-Single Family	Residential-Single Family
Riding Stable	Restaurant/Take-Out Food Outlet
Veterinary Clinic	Staff Accommodation
General Permitted Uses	Trail Riding/Outfitting/Guiding Operation
Buildings and structures accessory to the permitted uses	Tourist Accommodation
	General Permitted Uses
	Buildings and structures accessory to the permitted uses
<b>Once a Residential-Single Family use is established:</b>	<b>Once a Residential-Single Family use is established:</b>
Homecraft	Homecraft
Home Occupation	Home Occupation
Secondary Suite	Secondary Suite

Minimum area of a lot to be created by subdivision is:	
30.0 ha	15.0 ha
Setback regulations for buildings and structures are the same in the Ru2 and RC1 zones.	

**Hazard Area:** The subject property has been identified within the Robson Valley Hazard Land Study by Bruce Geotechnical Consultants (1999) as being within a high-frequency hazard area due to a Fluvial plain with an irregularly sinuous river channel and a meandering river channel. A high-frequency hazard is described in the study as occurring at a frequency of one event in 500 years or more often.



The Regional District Board could request additional information regarding the hazard from the applicant by requesting that they provide a geotechnical report from a qualified professional. The only other opportunity for the Regional District to request a geotechnical report will be through any future building permit process. The Ministry of Transportation and Transit (MoTT) may require a geotechnical report during the subdivision application process.

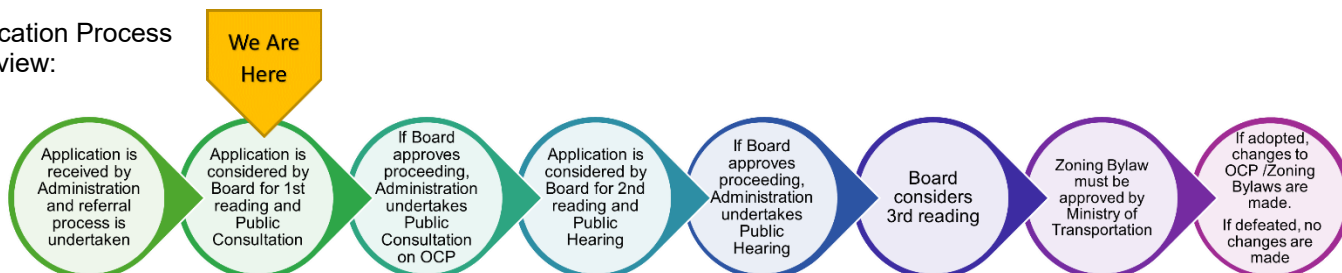
**Other:** The properties are in the following RDFFG service areas:

- Valemount & District Fire
- Canoe Valley Recreation Centre
- Robson Valley Ice Arena

The property is accessed from Highway 5 South.

## APPLICATION PROCESS INFORMATION

Application Process Overview:



<i>Local Government Act:</i>	<p>The <i>Local Government Act</i> outlines requirements for consideration of amendments to a zoning bylaw or official community plan:</p> <ul style="list-style-type: none"> <li>• The local government must consider whether the opportunities for official community plan consultation with one or more of the specified persons, organizations, and authorities should be early and ongoing.</li> <li>• Environmental Services and Financial Services are required to be referred after 1<sup>st</sup> reading in relation to their financial and waste management plans.</li> <li>• School District No. 57 is required to be consulted.</li> </ul>
<i>Community Charter Act, Section 49:</i>	<p>Outlines requirements to publish public notice and allows a local government to adopt a bylaw to publish public notice by alternative means. The Regional District has adopted the Public Notice Bylaw No. 3316, 2023.</p>
Public Notice Bylaw No. 3315 and Policy No.: RD-24-23	<p>Outlines requirements for Public Notice to be published.</p> <ul style="list-style-type: none"> <li>• Posting the public notice on the Public Notice board, the Regional District's website and Facebook page</li> <li>• Must be published at least (7) days before the date of the matter for which the Public Notice is required.</li> <li>• Public Notice will also be published in a newspaper applicable Electoral Area(s), or a portion thereof as applicable in accordance with Appendix "A" of the Policy</li> </ul>
Development Procedures Bylaw No. 3268:	<p>Board may direct that a public consultation opportunity be provided in advance of a public hearing.</p>
<i>Transportation Act, Section 52:</i>	<p>The proposed zoning bylaw amendments affecting land within 800 meters of a controlled access highway require approval from the Ministry of Transportation and Infrastructure (MoTI). MoTI approval will be required for Bylaw No. 3396.</p>
Future Applications:	<p>Building Permits will be required for any new buildings and structures 10m<sup>2</sup> or larger. Should the OCP and Zoning Bylaw amendment be approved, the owner will be required to obtain subdivision approval from the MoTT.</p>

## **REFERRAL COMMENTS**

### **Building Inspection**

No concerns, any new structures require a building permit.

*Dana Ferguson*

*Senior Building Inspector*

### **BC Hydro**

BC Hydro has no objections to the rezoning for this property. Currently we have an SRW on title, but may need an updates SRW depending on the services provided. This would be determined in the design process.

Any questions or concerns please let our office know.

*Julien Jacques*

*Property Coordinator, Property Rights Services*

### **Ministry of Water, Land and Resource Stewardship – Habitat**

I have reviewed the information provided in file REZ 7372SE1/2, an application to amend the Official Community Plan (OCP) and Zoning Bylaw to permit campground use and future subdivision of the subject property. There is already a campground on the subject property that encroaches into an area where it is not permitted by zoning; the amendments would resolve this conflict, but it is worth noting that the proposed new OCP and zoning categories do not limit the number of additional campsites that could be developed on the property in the future. This property sits in a corridor between Hwy 5 and the Canoe River, which is in an area rated as high hazard for hydrogeomorphic events. If these amendments are approved, and further development occurs on the subject property, there may be consequences for wildlife and habitat values in the area.



The site is in the Canoe River watershed, which provides spawning habitat for numerous fish species, including Chinook and Coho salmon; Bull Trout, Rainbow Trout, sculpin, and other fish species also occur in nearby waterways. Forests in this area provide habitat for Moose, Grey Wolves, and several furbearer species, including at-risk Fisher in the Columbian population; previous survey work has documented numerous species of amphibians and birds in nearby wetland and riparian habitats. A portion of the subject property (southeast corner) adjacent to the river is considered a rare stand type that, if harvested, is expected to substantially reduce the ability of this area to support Fishers.

The primary risks to habitat values associated with the proposed amendments relate to the potential for impacts to the Canoe River associated with development on its banks and habitat loss due to forest clearing. At present, it appears that some campsite development has occurred within a Crown Lands Notation of Interest for Environment, Conservation and Recreation (file number 7408951), which denotes the importance of the Canoe River and the surrounding riparian area (100 m buffer on each side of river) as a wildlife corridor.

Any changes that would permit additional development along the river are a concern, as this property has already been identified as at higher risk of a hydrogeomorphic event; evaluation of [watershed hazard in the Omineca Region](#) also indicates this area is rated as high hazard for impacts to water quantity (streamflow) and quality (sedimentation). If approval of the OCP and Zoning Amendments results in additional development of the riparian area, there is a greater likelihood of hydrogeomorphic events, sediment mobilization and release into the river, and bank stability concerns. To reduce the likelihood of adverse impacts, it is expected that the proponents observe the riparian setbacks and development procedures for the Tete Jaune to Albreda Development Permit Area mandated by the Regional District. The proponents should also be advised that development that may be considered Changes In and About A Stream requires Approval or Notification under the *Water Sustainability Act* and *Regulation*, as appropriate. For more information about development adjacent to watercourses, the proponents can consult [A User's Guide to Changes In and About a Stream in British Columbia](#).

While the proponents are not prohibited from clearing the property, they should be aware that land clearing removes forested habitat, reducing the area available to wildlife. This property is private, but progressive development that removes forest from the landscape is a contributor to declining wildlife populations. I encourage the proponents to plan effectively and preserve as much forest cover as possible. They should also be aware that the removal of vegetation poses a risk to breeding birds. Section 34(a) of the *Wildlife Act* protects all birds and their eggs, and Section 34(c) protects their nests while they are occupied by a bird or egg. Typically, August 1 – April 30 is the reduced risk timing window for vegetation removal in the Omineca, but some raptors may begin nesting as early as February. Further information on timing windows in the Omineca can be found here: [Region 7 Omineca - Reduced Risk Timing Windows for Fish and Wildlife \(gov.bc.ca\)](#).

Additionally, Section 34(b) of the *Wildlife Act* protects the nests of eagles, peregrine falcons, gyrfalcons, ospreys, and herons year-round. This means that a tree or other structure containing such a nest must not be felled, even outside of the breeding season for these species. In planning the removal of vegetation, the proponents will need to avoid the removal of nests subject to Section 34(b) and buffer nest trees with surrounding forest. BMPs for this process can be found in the [Guidelines for Raptor Conservation during Urban and Rural Land Development in BC](#). Additionally, Section 6 of the *BC Wildlife Amendment Act, 2004*, pertaining to species at risk and/or the federal *Species at Risk Act* may also be applicable to vegetation management activities.

Provincial BMP and guidelines exist for land development, and I encourage the proponent to review them (see [Develop with Care](#)). Information regarding risks and mitigation strategies for wildlife can be found in [A Compendium of Wildlife Guidelines for Industrial Development Projects in the North Area, British Columbia](#). The proponents should pay special attention to sections 2.1.2, 2.5, and 2.6; parts 3 through 11 in the tables detail recommendations for management and project developments.

*Aija White, Ph.D, R.P.Bio.*

*Ecosystems Biologist - Omineca Region*

### **Agricultural Land Commission**

The conditions for exclusion have been completed, but we are waiting on a subdivision survey plan from the applicant in order to update the ALR map. I have no concerns with proceeding with the rezoning while this is in progress.

*Michael McBurnie*

*Regional Planner, North and Kootenay regions*

### **Ministry of Water, Land and Resource Stewardship – Habitat**

The application for OCP and zoning amendments doesn't appear to involve the use of water or changes in and about a stream, or other activities that would fall under the jurisdiction of the *Water Sustainability Act*.

For informational purposes, the property does have a water license (503582) for commercial enterprise (i.e. the campground). If the applicant is using water for other purposes (e.g. agriculture) or any changes in and about a stream are proposed, a water authorization is required. Please contact FrontCounterBC.

*Sarah Racicot, P.Ag.*

*Licensed Authorizations Officer - Water*

**Transmountain**

Referral comment is attached.

**Ministry of Transportation and Transit**

Referral comment is attached.





February 13, 2025

Community and Development Services  
Regional District of Fraser-Fort George  
135 George Street  
Prince George, BC  
V2L 1P8

Referral Number  
REZ 7372/SE1/4

TM Referral Number  
FFG\_45715\_BC\_0089

TM Tract Number  
824.02

Attn: Daniel Burke, BPI, Planner III

**Re: Canoe River Campground Zoning Amendment – Trans Mountain Response**

Dear Daniel Burke:

I am writing in response to your request on January 23<sup>rd</sup>, 2025, for Trans Mountain's recommendations and comments on the Official Community Plan and Zoning Bylaw Amendment REZ 7372/SE1/4 ("**Zoning Amendment**") at 6190 Highway 5 South, 5970 Whiskeyfill Road, PID 006844782 (the "**Property**"). The Zoning Amendment proposes to rezone a portion of the Property from Rural 2 Zone (Ru2) to Recreation Commercial Zone (RC1) to accommodate the campground area that currently encroaches into the Ru2 zone. At this time, we understand that there is no development activity being proposed on the Property.

With respect to the Zoning Amendment, Trans Mountain would like to advise the following:

- The Zoning Amendment covers a portion of the Property on which Trans Mountain's pipeline Rights of Way are located.
- Trans Mountain has a 24-inch (610 mm) and a 42-inch (1067 mm) pipeline on the Property, east of Highway 5 S and south of Whiskeyfill Road.
- Trans Mountain has 60 foot (18 meter) wide Rights of Way (ROW) registered against the title of the Property under charge number 6218K, CA4123800, CA4123801, CB534141, CB534142, CB534143, and CB534144. These ROW charges provide Trans Mountain with the right to construct, operate, and maintain the pipeline and for access and egress to and from the pipeline and over the Property.
- Trans Mountain has a valve, a 16-meter-wide valve road and a power line on the West side of the property with an agreement in place with the landowner

Trans Mountain would like to provide the following comments:

- Trans Mountain has no specific concerns with the proposed Zoning Amendment.

**Trans Mountain Canada Inc.**

300 – 4401 Still Creek Drive, Burnaby, BC V5C 6G9

Tel: (604) 268-3000 Fax: (604) 268-3001 [www.transmountain.com](http://www.transmountain.com)

- The access road to Trans Mountain's valve site would need to continue to be accessible by Trans Mountain even after rezoning.
- Should the landowner want to do any works in proximity to the pipelines, they would need to follow proper notification processes as per the information below.

For future reference of any additional activity on the noted property, all construction activity along, across, under or over the pipeline and its right of way (ROW) or within 7.5m of the pipeline require a proximity permit from Trans Mountain and an inspector on site.

- Please refer to our [Permit Application Guidelines](#) for information on Permitting requirements.
- Please refer to our [Landscaping Guidelines](#) for information on Landscaping Guidelines within the ROW.

Trans Mountain and its pipelines and rights-of-way are subject to the provisions of the Canada Energy Regulator Act. No ground disturbance is permitted within 30 meters of any pipeline (30m prescribed area) without placing a BC One Call at 1-800-474-6886 or visiting [www.bc1c.ca](http://www.bc1c.ca) and obtaining either prior written consent from Trans Mountain or an order from the Canada Energy Regulator. Separate authorizations are required from Trans Mountain to install any permanent facility such as a fence, driveway, road, utility or even landscaping within the ROW. Enquiries in this regard should be directed to the attention of our Pipeline Protection Department at [pipelines\\_bc@transmountain.com](mailto:pipelines_bc@transmountain.com) or 1-888-767-0304.

Please keep us informed of any future subsequent planning, subdivision and/or development activity on this Property. Thank you for the opportunity to comment on this referral and we look forward to working with you on future referrals. Should you have any questions or require follow up, please contact us at [landreferrals@transmountain.com](mailto:landreferrals@transmountain.com).

Sincerely,

**Patricia Eng**

Property Representative

Trans Mountain

W: 604.268.3097

C: 604.250.0678

[patricia\\_eng@transmountain.com](mailto:patricia_eng@transmountain.com)



**Our File:** 2025-00352

**Date:** March 20, 2025

**Your File:** REZ 7372 / SE1/4

**Response To:** Development Services, Regional District Fraser-Fort George

**Item Referred:** Zoning & OCP Amendments

**Legal Description:** THE SOUTH EAST 1/4 OF DISTRICT LOT 7372 CARIBOO DISTRICT EXCEPT  
PLANS 19772 AND PGP35837; PID 006-844-782

**Reviewed By:** Janet Grainger

### **RESPONSE SUMMARY**

The Ministry of Transportation & Transit (MoTT) has received the above noted referral from the Regional District of Fraser-Fort George regarding the proposed zoning and OCP amendments. The Ministry has reviewed the application and has no objections to the proposal as submitted. However, please note the following comments and recommendations:

- Should the rezoning be approved, the Ministry's signature on the zoning bylaw would be required as this property is within an 800-meter radius of an intersection with a controlled access highway, as per section 52 of the Transportation Act. Please quote file 2025-00352 when providing the bylaw for Ministry approval.
- A restrictive covenant over the portion of the property with RC1 zoning to limit the maximum number of occupied campsites to 50 is required. Please contact the Ministry to discuss the terms of the covenant; alternatively

A new Traffic Impact Analysis (TIA) will need to be submitted to the Ministry for review and acceptance prior to signing of the bylaw. The last TIA submitted to and approved by MoTT through a previous referral, 2019-00032, is no longer relevant. Should the proponent choose to proceed with the TIA option, they are to contact the Ministry to set up a scope development meeting.

- No storm drainage shall be directed to the MoTT drainage system. This includes but is not limited to collection and run-off of the internal road system.
- MoTT setback requirements are to be followed as per Section 12 of the Provincial Undertakings Regulation ( [here](#) )

#### ***Restriction on placement of buildings or other structures***

***12 An owner, occupier or lessee of land must not, without the consent of the minister, place or cause or allow to be placed any building, trailer, mobile home or other structure within the***

---

Ministry of Transportation &  
Transit

Fort George District

**Mailing Address:**  
360-1011 Fourth Avenue  
Prince George, BC V2L 3H9

**Telephone:** (250) 565-4410  
**Facsimile:** (250) 565-6065

**Site Address:**  
360-1011 Fourth Avenue  
Prince George, BC V2L 3H9

**Web Address:**  
[www.gov.bc.ca/tran](http://www.gov.bc.ca/tran)



*following distance from the property line fronting on any arterial highway within a municipality or on any highway in unorganized territory:*

- (a) if a public lane or alley provides secondary access to the property, 3 m;*
- (b) in any other case, 4.5 m.*

- Should the Applicants be granted approval, and if they want to proceed with subdivision, they must apply to MoTT for subdivision approval by the Provincial Approving Officer appointed under the Land Title Act;
  - Any future subdivision must meet MoTT subdivision guidelines and/or conditions identified during the subdivision process, and it is the Applicant's responsibility to adhere to all relevant legislation;
  - The proposed layout as submitted is not guaranteed as it is dependent on review and approval by the Provincial Approving Officer.
  - To submit an application online, a BCeID is required, which they can register for [here](#) and then they can apply for the subdivision [here](#) . If they have any questions or want to discuss the subdivision application process further, they can reach out to [DA.FortGeorge@gov.bc.ca](mailto:DA.FortGeorge@gov.bc.ca)

If you have any questions please feel free to contact myself at (250) 649-2944, or by email at [Janet.Grainger@gov.bc.ca](mailto:Janet.Grainger@gov.bc.ca).

Sincerely,

A black rectangular box redacting the signature of Janet Grainger.

Janet Grainger  
Development Services Officer  
Fort George District