

**REGIONAL DISTRICT OF BULKLEY-NECHAKO
SUPPLEMENTARY AGENDA**

Thursday, January 29, 2015

<u>PAGE NO.</u>	<u>REPORTS</u>	<u>ACTION</u>
2-5	Cheryl Anderson, Manager of Administrative Services – Regional District CEO/CAO Meeting - March 24/25, 2015 – Victoria, B.C.	Recommendation/ Direction (Page 2)
6-7	Corrine Swenson, Manager of Regional Economic Development – SWOT Coordinator	Direction
8	Corrine Swenson, Manager of Regional Economic Development – Request for Sponsorship: NICK Memorial Therapeutic Equestrian Riders in Electoral Area A (Smithers Rural)	Recommendation (Page 8)
9-10	Janine Dougall, Director of Environmental Services - Knockholt and Clearview Landfill Tender Bids	Recommendation (Page 10)
11	Kristi Rensby, Finance/Administration Coordinator - Federal Gas Tax Funds - Electoral Area "G" (Houston Rural) – Topley Fire Protection Society	Recommendation (Page 11)
12	Kristi Rensby, Finance/Administration Coordinator - Health, Dental and Insurance Benefits for Directors	Receive
<u>ELECTORAL AREA PLANNING (All Directors)</u>		
<u>Development Variance Permit Application</u>		
13-14	Letter from Clayton and Emily Koehmstedt RE: Development Variance Permit F-01-14 - James Wiebe (See January 29 Board Agenda, pages 147-153)	Receive
15	Letter from James Wiebe RE: Development Variance Permit F-01-14 (See January 29 Board Agenda, pages 147-153)	Receive
<u>Bylaw for Third Reading</u>		
16-25	Rezoning File No. A-03-14 Bylaw 1709 Henry Kempenaar and Paul & Helen DeJong Electoral Area "A"	Recommendation (Page 19)
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26	Ministry of Forests, Lands and Natural Resource Operations – RDBN Application on Behalf of Smithers Motocross Club for Crown Land	Receive
<u>NEW BUSINESS</u>		
<u>ADJOURNMENT</u>		

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Regional District of Bulkley-Nechako Memo

TO: Chair Miller and Board of Directors

FROM: Cheryl Anderson, Manager of Administrative Services

DATE: January 28, 2015

SUBJECT: Regional District CEO/CAO Meeting
- March 24/25, 2015
- Victoria, B.C.

This year's CEO/CAO meeting will take place in Victoria, B.C. on March 24-25, 2015. At this time, formal authorization is being requested for Chair Miller and Gail Chapman, CAO to attend.

In addition, direction is being sought for topics that the Regional Board would like included on the agenda.

RECOMMENDATION

(ALL/DIRECTORS/MAJORITY)

"That the Board of the Regional District of Bulkley-Nechako authorize attendance of Bill Miller, Chair and Gail Chapman, CAO at the CAO/CEO Meeting on March 24-25, 2015 in Victoria, B.C. Further, that the Regional Board provide direction in regard to topics to be included on the agenda."

MEMORANDUM

To: Regional District CAO's and Chairs

From: Al Richmond, Chair
Cariboo Regional District

Date: January 5, 2015

**SUBJECT: REGIONAL DISTRICT CEO/CAO MEETING
MARCH 24/25, 2015 – HOTEL GRAND PACIFIC, VICTORIA**

It's time to begin planning for the annual Regional District CEO/CAO Forum.

As has been done in the past, the forum has been scheduled in advance of the Municipal Finance Authority's financial forum and annual general meeting and will be held:

**1:00-5:00 pm, Tuesday, March 24, 2015
8:00 am-1:00 pm, Wednesday, March 25, 2015**

**Vancouver Island Centre/East Ballroom
Hotel Grand Pacific, 463 Bellville Street, Victoria, BC**

Attached is a Registration Form with the hotel booking information for those who would like to get the paperwork completed early. For those that wish to wait to register closer to the event, please do book these dates into your calendar; in addition, it is strongly suggested that your hotel accommodation be reserved early (the room block releases on **February 24**). UBCM will be coordinating the logistics and registration process.

The agenda for the day needs to be considered in order that necessary resources or speakers can be arranged. Likely the Ministry will again seek to participate on new issues at the Ministry relative to Regional Districts and there will probably be a presentation by UBCM on issues or programs that affect the RD's.

At this point I am soliciting topics that either your RD would like to see on the agenda, speak to, or arrange for speakers and materials. Please send suggestions by email to Janis Bell (jbelle@cariboord.bc.ca). RD's are asked to be prepared to arrange for speakers and materials for their suggested agenda topics. Please forward your suggestions by **Friday, January 30, 2015**.

REGIONAL DISTRICT CEO/CAO FORUM

1:00-5:00 pm, Tuesday, March 24, 2015
8:00 am-1:00 pm, Wednesday, March 25, 2015

Vancouver Island Centre/East Ballroom
Hotel Grand Pacific, 463 Bellville Street, Victoria, BC

REGISTRATION FORM

NAME: _____

TITLE: _____

REGIONAL DISTRICT: _____

EMAIL ADDRESS: _____

SPECIAL DIETARY REQUIREMENTS: _____

REGISTRATION FEES: As has been done in the past, costs will be invoiced on a per capita basis after the event. Sponsorships have been requested, but as yet are unconfirmed.

ACCOMMODATION: As the RD CAO/CEO Forum is being held in conjunction with the MFA Financial Forum/AGM, you may access the MFA has a block of rooms that has been set aside at the Hotel Grand Pacific at a discount rate of \$92/single. Please contact the hotel at: 1-800-663-7550 and quote "Municipal Finance Authority of BC or MAR15MFABC". These rates will only be available until **February 24, 2015**. PLEASE BOOK EARLY.

PLEASE RETURN THIS REGISTRATION FORM TO:

ATTENTION: Iris Hesketh-Boles
FAX: (250) 356-5119
EMAIL: iheskethboles@ubcm.ca
MAIL: 525 Government Street, Victoria, BC V8V 0A8

DEADLINE FOR REGISTRATION: *Wednesday, March 18, 2015*. Early registration is always appreciated to assist in planning for the event.

An agenda will be distributed as the details are finalized. If you require additional information or need to follow-up your registration, please call 250-356-5133.

inquiries

From: Iris Hesketh-Boles <iheskethboles@ubcm.ca>
Sent: January-06-15 8:48 AM
Cc: Janis Bell; Gary MacIsaac; Rebecca Williams
Subject: CORRECTED: 2015 Regional District CEO/CAO Forum
Attachments: Invitation & Reg Form.pdf

Please forward to Chair, CAO and staff supporting both positions.

Planning for the annual Regional District CEO/CAO Forum has begun. As has been done in the past, the Forum has been scheduled in advance of the Municipal Finance Authority's financial forum and annual general meeting and is set for:

1:00-5:00 pm, Tuesday, March 24, 2015
8:00 am-1:00 pm, Wednesday, March 25, 2015

Vancouver Island Centre/East Ballroom
Hotel Grand Pacific, 463 Bellville Street, Victoria, BC

Attached is the Invitation from Chair Al Richmond and the Registration Form with the hotel booking information (note that the room block releases on February 24 so please book early). UBCM will be coordinating the logistics and registration process.

Chair Richmond is also seeking input into the agenda with suggestions to be forwarded by email to Janis Bell jbelle@cariboord.bc.ca by **Friday, January 30, 2015.**

 Iris Hesketh-Boles
 Executive Coordinator
 Association of Vancouver Island & Coastal Communities (AVICC)
 525 Government St, Victoria, BC V8V 0A8
 Tel: 250-356-5122 Fax: 250-356-5119
 EM: iheskethboles@ubcm.ca
 avicc.ca

RECEIVED

JAN 06 2015
REGIONAL DISTRICT
BULKLEY NECHAKO

6



Regional District of Bulkley-Nechako
SUPPLEMENTARY MEMO
Board of Directors
January 29, 2015

To: Chair Miller and the Board of Directors
From: Corrine Swenson, Manager of Regional Economic Development
Date: January 22, 2015
Regarding: SWOT Coordinator

The Regional Skills Gap Analysis (RSGA) adopted by the Board of Directors in 2014 is being implemented by the Strategic Workforce Opportunities Team (SWOT). The SWOT is made up of 30 individuals representing industry, business, education, local government, First Nations, and Chambers of Commerce from across the regional district. For your reference, a copy of the Regional Skills Gap Analysis can be found in the Regional Economic Development Directors Manual distributed in December, 2014.

The SWOT members have identified a need to hire a coordinator to ensure the implementation of the RSGA recommendations and are requesting the RDBN's assistance.

The Regional Economic Development Department has been identifying funding opportunities to cover the cost of wages and equipment (computer, office furniture) for a full time coordinator. The term would be dependent on the grant opportunities, but could be for one-three years, beginning in April, 2015.

When applying for grants, the funding organization expects at a minimum an in-kind contribution from the organization requesting the funding. In-kind contributions can include office space, telephone, internet, supervision, etc.

The hiring of a full time coordinator could include an offsite contractor or an RDBN contract employee. The employment status of the Coordinator will be dependent upon the grant opportunities. Either position will require in-kind support by the RDBN to make the application.

Currently, the Regional Economic Development proposed 2015 budget includes \$68,050 in revenue and expenses for the implementation of the Regional Skills Gap Analysis.

Revenue:

- \$17,050 Northern Development Capacity Grant
- \$51,000 Grant for Coordinator wages and supplies

Expenses:

- \$1,500 RDBN website – SWOT page content and updates
- \$5,550 SWOT meeting expenses
- \$10,000 Sponsorship of R5GA implementation
- \$6,000 Computer and Office furniture for Coordinator
- \$44,000 wages and benefits of Coordinator (Apr-Dec)

Does the RDBN Board of Directors wish to support the hiring of a SWOT Coordinator?

Considerations:

- Does the Board support hiring an offsite contractor or RDBN contract position depending on the funding secured and needs of the SWOT?

Motion would read:

That the RDBN Board of Directors supports hiring a Strategic Workforce Opportunities Team Coordinator through an offsite contractor or RDBN contract position.

- Does the Board support the submission of grant applications for funding of a SWOT Coordinator?

Motion would read:

That the RDBN Board of Directors directs staff to identify and apply for grant opportunities for the hiring of a SWOT Coordinator.

- Does the Board support the RDBN offering in-kind support to hire the coordinator either through an offsite contractor or RDBN contract position? (office space, telephone, internet, supervision, etc.)

Motion would read:

That the RDBN Board of Directors will provide in-kind support (office space, telephone, internet, supervision, etc.) for the hiring of a SWOT Coordinator.

- If grant funding is not secured would the Board consider funding a coordinator through RDBN taxation (2015 budget)?

Motion would read:

That the RDBN Board of Directors will provide up to \$51,000 for the SWOT Coordinator wages and supplies in the 2015 budget.

Recommendation:	(All/Directors/Majority)
Direction.	



Regional District of Bulkley-Nechako
SUPPLEMENTARY MEMO
Board of Directors
January 29, 2015

To: Chair Miller and the Board of Directors
 From: Corrine Swenson, Manager of Regional Economic Development
 Date: January 23, 2015
 Regarding: **Request for Sponsorship: NICK Memorial Therapeutic Equestrian Riders in Electoral Area A (Smithers Rural)**

The NICK Memorial Therapeutic Equestrian Riders (NICKERS) is requesting the RDBN act as a sponsor agency for receiving a grant donation of \$850 from the Bulkley Valley Community Foundation (BVCF) for the purchase of a Freedom Rider English Therapeutic Riding Saddle.

NICKERS is a registered Not for Profit Society that has provided the RDBN with a completed application for sponsorship including a resolution from their Board approving the request and agreeing to enter into an agreement with the RDBN.

A Board resolution is required in order to sponsor NICKERS for the purpose of issuing charitable donation receipts. When the Regional District accepts donations for a project and issues tax receipts, there is an implied level of responsibility on the RDBN to ensure that the funds are spent on the project for which it is intended. A letter of agreement will be requested from NICKERS, committing the group to spending the donations received on the intended project and submitting a final report to the RD upon completion.

The Regional District of Bulkley-Nechako has previously sponsored other Not for Profit Societies in the same manner, including NICKERS in 2012.

Director Fisher is supportive of this request.

RECOMMENDATION

(All/Directors/Majority)

“That the Regional District of Bulkley-Nechako Board of Directors approves of the RDBN acting as a sponsoring agency for the NICK Memorial Therapeutic Equestrian Riders(NICKERS) funding application to Bulkley Valley Community Foundation(BVCF), thus entering into an agreement with NICKERS and the BVCF as well as issuing a tax receipt to the BVCF.”



**REGIONAL DISTRICT OF BULKLEY-NECHAKO
MEMORANDUM**

"Supplementary Agenda"

To: Chairperson Miller and Board of Directors (January 29, 2015)
 From: Janine Dougall
 Director of Environmental Services
 Date: January 22, 2015
 Subject: Knockholt and Clearview Landfill Tender Bids

At the January 15, 2015 Committee of the Whole meeting the following motion was carried regarding the future operation of the Knockholt and Clearview Landfills:

Knockholt and Clearview *Moved by Director Bachrach*
Landfill Operations – Tender *Seconded by Director Greenaway*
Results and RDBN Cost Analysis

C.W.2015-1-8

1. "That the Committee of the Whole receive the Director of Environmental Services December 29, 2014 memo titled "Knockholt and Clearview Landfill Operations – Tender Results and RDBN Cost Analysis."
2. That the Committee of the Whole recommend that the Regional District of Bulkley-Nechako Board of Directors proceed with taking over the Knockholt and Clearview Landfill operations, based on the cost analysis presented to date. Further, that the Regional District of Bulkley-Nechako Board of Directors provide staff with authorization to proceed immediately with procurement processes necessary to purchase the required equipment and hire additional RDBN employees (4), when required."

*Opposed: Rob Newell
 Luke Strimbold*

(All/Directors/Majority)

CARRIED

To deal properly with the bids received associated with the Tender process for contracts for operation of the Clearview and Knockholt Landfills initiated in November 2014, a further motion is required to be carried by the Board of Directors. The motion would be as follows:

That the Board of Directors reject all Tender bids received for the Operation of the Clearview Sub-Regional Landfill (Contract #MR-17686-15/20). The basis for the rejection is that all Tender bids received significantly exceeded the budget.

Further, that the Board of Directors reject all Tender bids received for the Operation of the Knockholt Sub-Regional Landfill (Contract #MR-8856-15/20). The basis for the rejection is that all Tender bids received significantly exceeded the budget.



RECOMMENDATION

(All/Directors/Majority)

1. That the Board of Directors receive the memorandum titled, "Knockholt and Clearview Landfill Tender Bids" and dated January 22, 2015.
2. Further, that the Board of Directors reject all Tender bids received for the Operation of the Clearview Sub-Regional Landfill (Contract #MR-17686-15/20). The basis for the rejection is that all Tender bids received significantly exceeded the budget.
3. Further, that the Board of Directors reject all Tender bids received for the Operation of the Knockholt Sub-Regional Landfill (Contract #MR-8856-15/20). The basis for the rejection is that all Tender bids received significantly exceeded the budget.

Respectfully submitted,



Janine Dougall
Director of Environmental Services



**Regional District of Bulkley-Nechako
Board of Directors –
SUPPLEMENTARY Memorandum
January 29, 2015**

To: Chair Miller and the Board of Directors
From: Kristi Rensby, Finance/Administration Coordinator
Date: January 27, 2015
Regarding: Federal Gas Tax Funds – Electoral Area 'G' (Houston Rural)
Topley Fire Protection Society

The Topley Fire Protection Society, a non-profit organization, has requested the Regional District's assistance in the form of Federal Gas Tax Funds to complete an energy efficiency upgrade project to the Topley Fire Hall, located in Electoral Area 'G'.

The Topley Fire Protection Society wishes to replace an inefficient furnace and several uninsulated doors with more energy efficient alternatives.

At the November 20, 2014 Board Meeting, the RDBN Board of Directors passed a resolution to authorize contributing \$20,864 in Gas Tax Funds to this project.

In the process of gaining additional competitive quotes for the project, a few changes were identified in the project description. Changing the project to include larger doors to accommodate a larger fire truck, and changing from the proposed forced air furnace to radiant heat, has increased the cost of this project to a total project budget of \$23,064.30.

Total uncommitted Gas Tax Funds remaining in Electoral Area 'G' allocation is \$68,164.48. Director Newell is supportive of this project and of accessing Federal Gas Tax Funds in the new amount of \$23,064. A Board resolution is required to contribute further Federal Gas Tax Funds to this project.

RECOMMENDATION:

1. That the RDBN Board of Directors rescind Motion 2014-13-11 passed on November 20, 2014;
2. That the RDBN Board of Directors authorize contributing \$23,064 of Electoral Area 'G' Federal Gas Tax allocation monies for the purchase and installation of insulated doors and a radiant heat system;
3. That the RDBN Board of Directors authorize the purchase and installation of approved signage for the project to a maximum of \$170 cost, and further,

(All/Directors/Majority)
4. That the RDBN Board of Directors authorize the withdrawal of up to \$23,234 from the Federal Gas Tax Reserve Fund.

(Participants/Weighted/Majority)



**Regional District of Bulkley-Nechako
Board of Directors –
SUPPLEMENTARY Memorandum
January 29, 2015**

To: Chair Miller and the Board of Directors
 From: Kristi Rensby, Finance/Administration Coordinator
 Date: January 23, 2015
 Regarding: Health, Dental and Insurance Benefits for Directors

All members of the Regional District Board of Directors are eligible to apply for health, dental and insurance benefits through the Regional District's UBCM plan with Pacific Blue Cross.

The premiums for these benefits are subtracted from the monthly stipend for those directors who wish to be enrolled.

If you have any questions, I would be pleased to discuss the benefits options individually with you.

RECOMMENDATION:	(All/Directors/Majority)
<p>That the RDBN Board of Directors receive the Finance/Administration Coordinator's January 29th memorandum titled "Health, Dental and Insurance Benefits for Directors".</p>	

Schedule A: Development Variance Permit

We do not want a permit of any kind to go to him. He can move the farm out where it belongs, on the 100 or so acres in owners down the road where it is suppose to be.

We do not need a grainery, grinding machine (for the grain), a shed to put it all in, plus 2 tractors, a auger, all in, on a one acre piece between two houses, that would make some piece & quiet once in awhile.

He is selling grain also, running tractors at all hours. He thinks.

Clyton and Emily
HOEHNSTEDT
250-567-4027

not sure if you sent the young couple in the trailer (first place) a paper but they oppose it to, they have a little one that doesn't get much sleep.

ALSO HORSE BARN RIGHT ON PROPERTY LINE
NO HE DOES NOT DESERVE A PERMIT NO QUESTIONS ASKED

14

SCALE 1:500



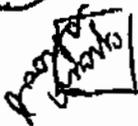
Lot 2, Section 21,
Township 1, Range 4,
Plan PRP4968

Residence

Engstrom Creek

Engstrom Creek

*Plus all the equipment
storage of grain*



*Plus other equipment
not sure of names*

*Water tank
water 5000*

Horse pen



Storage building

you've couple

x

99576

x

Driveway

Sinkut Frontage Rd

Proposed variance
1.5 metres

ATTN: Jason
Maria

15

I am writing to state that I am a bonafide farmer and my land is farm classed and I do grind grain here. The storage building in consideration here is not for grinding grain.

James Wiebe
[Signature]

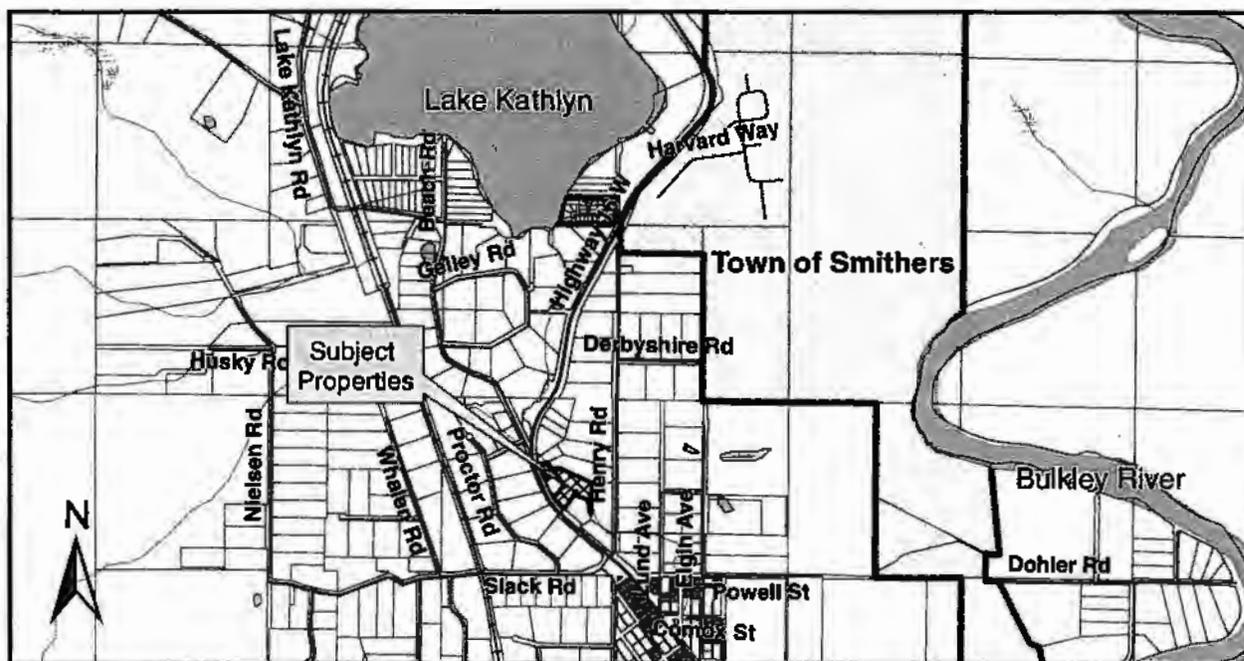
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JAN 28 2015
REGIONAL DISTRICT OF
BULKLEY NECHAKO



Planning Department Report
Rezoning Bylaw No. 1709
File No. A-03-14, 3rd Reading
January 27, 2015

APPLICATION SUMMARY

- Name of Owners:** Henry Kempenaar (property 1)
Paul and Helen DeJong (property 2)
- Name of Agent:** Mark Rossman, HBH Land Surveying Inc.
- Electoral Area:** A
- Subject Properties:**
1. Lot 6, Section 2, Township 1A, Range 5, Coast District, Plan 7754, Except Plan 10135
 2. Lot 5, Section 2, Township 1A, Range 5, Coast District, Plan 5291.
- Location:** The subject properties are located at 4020 Henry Rd and 4190 Powell Frontage Rd, approximately 1.2 kilometres east of the Town of Smithers.



- O.C.P. Designation:** Rural Residential (RR) in the Smithers Telkwa Rural Official Community Plan Bylaw No. 1425, 2007



Zoning: Country Residential (R5) and Small Holdings (H1) in Regional District of Bulkley-Nechako Zoning Bylaw No. 700, 1993

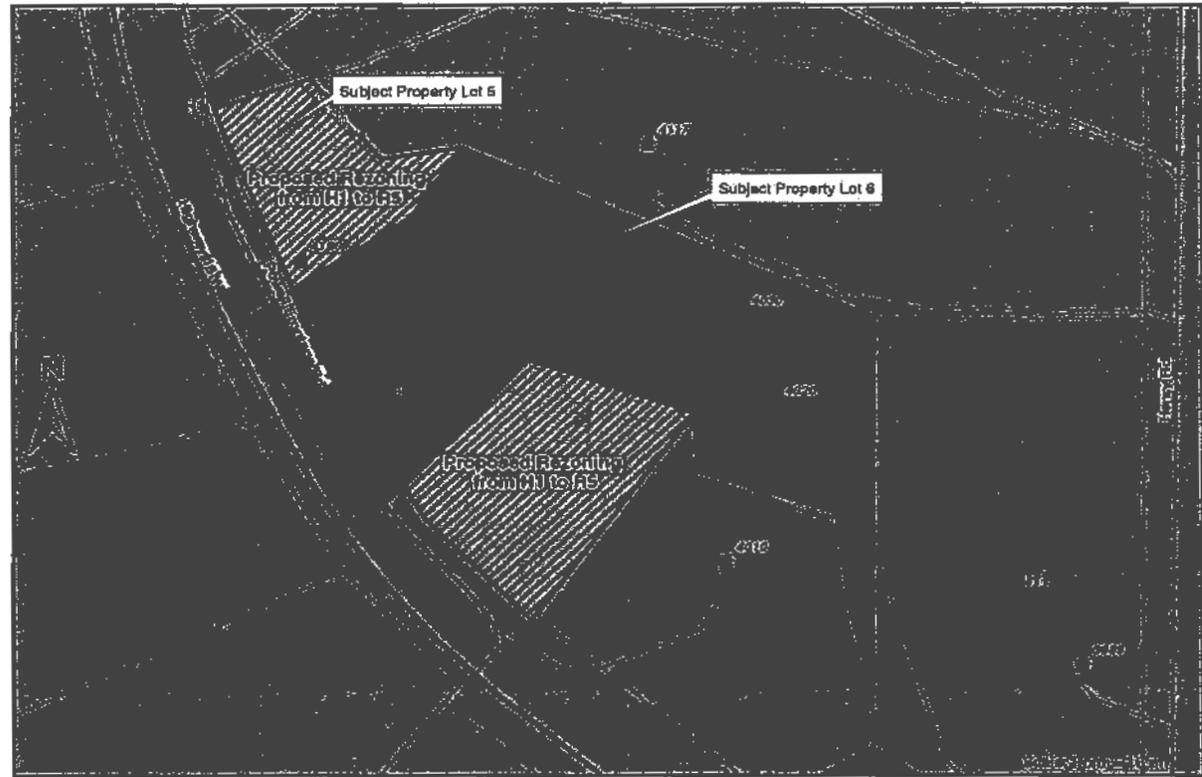
Existing Land Use: Residential

ALR Status: Not in the Agriculture Land Reserve (ALR).

Proposed Rezoning:

To amend Regional District of Bulkley-Nechako Zoning Bylaw No. 700, 1993 from Small Holdings (H1) to Country Residential (R5) for Lot 5 and the part of Lot 6 that is south of Kathlyn Creek.

Current zoning and rezoning proposal



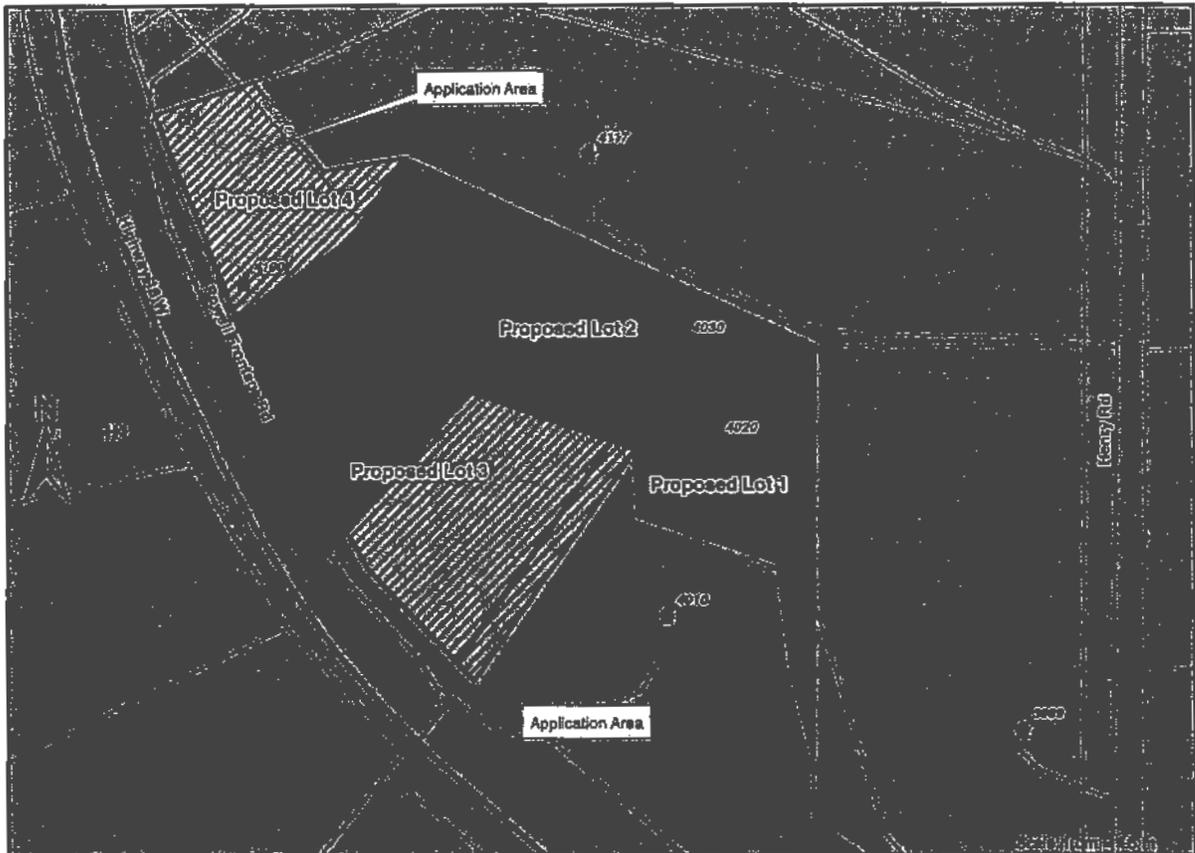
The applicants own three parcels and wish to do a boundary adjustment and a subdivision which would create four parcels. The majority of the area proposed for subdivision is zoned R5, with a minimum parcel area of 0.4 ha at subdivision. The application areas are zoned H1, which requires a minimum parcel area of 2 ha. To subdivide the parcels as proposed, the application areas must be rezoned to the R5 zone.

Mr. Kempenaar owns Lot 6 of Plan 7754, which spans Kathlyn Creek. A house and a mobile home are located north of the creek and he wishes to have each dwelling on its

own legal parcel. He plans to sell the portion of the property south of the creek to Mr. De Jong.

Mr. De Jong owns two parcels, Lot 5 and Lot 6 of Plan 5291. He wishes to move the boundaries between those two lots and to amalgamate Mr Kempenaar's portion south of Kathlyn Creek into proposed lot 3. Currently there is a house located on the boundary between Lot 5 and 6 and the boundary adjustment would solve that encroachment issue and make both proposed lots larger.

Proposed Subdivision Plan with Current Zoning



- Proposed Lot 1 is to be ± 0.468 ha in size and would be accessed by easement from Henry Road, and would contain the mobile home.
- Proposed Lot 2 is to be ± 0.86 ha in size and would become a panhandle parcel with access to Powell Frontage Rd, and would contain a house.
- Proposed Lot 3 is to be ± 0.76 ha in size and would be accessed directly from Powell Frontage Rd, and is a consolidation of a portion of Lot 6, Plan 7754 and a portion of Lot 6, Plan 5291, and is vacant.
- Proposed Lot 4 is to be ± 0.576 ha in size and is a consolidation of the remainder of Lot 6, Plan 5291 with Lot 5, and would contain a house.

Property history Lot 6, Plan 7754

Bylaw 401 (1983) - The part of Lot 6, Plan 7754 lying north and east of Kathlyn Creek was rezoned by Mr. Kempenaar, from Rural II to Rural I to facilitate a subdivision of the property along Kathlyn Creek, as the parcel remaining after the proposed subdivision was less than the minimum site area in the Rural II zone. It appears that this subdivision was never completed.

Bylaw 879 (1995) – Mr Kempenaar applied to rezone the part of Lot 6, plan 7754 lying south of Kathlyn Creek from Small Holdings to Country Residential to facilitate a subdivision of the property into two parcels from north to south. The Ministry of Health expressed concerns regarding the suitability of the lot for on-site sewage disposal. The rezoning was rejected at second reading.

Bylaw 1182 (2000) – Mr. Kempenaar applied to rezone the portion of the property south of Kathlyn Creek from H1 to R5 to facilitate a three lot subdivision. The Town of Smithers and Northern Health expressed concerns. The applicant requested that the application be deferred in order to provide an opportunity to address the objections. While giving the Bylaw third reading in 2005, the Board also directed that final adoption be withheld until the owner has filed an application for subdivision together with the proposed restrictive covenants required by the Northern Health Authority and the Town of Smithers. This would give the RD and its referral agencies an opportunity to review the restrictive covenants prior to subdivision approval and ensure that they are registered with the new plan. The subdivision was never completed.

COMMENTS

Ministry of Environment:

“Thank you for the opportunity to comment on this proposal with respect to helping evaluate compliance with Section 3.4.2 (9d) *“The development addresses wildlife and ecological values”*. A site-visit today confirmed the mapped values.

Kathlyn Creek is identified as *‘critical fish habitat’* on the Regional District Environmental Values map and development along this creek has potential to negatively impact the sensitive fish habitat. A site-visit confirmed that the topography is flat and there is currently riparian vegetation, at some level, along the riparian zone. The addition of new on-site water and sewage contribute to cumulative negative impacts on salmonid spawning and rearing habitat.

A treed, riparian-preservation covenant, or equivalent legal protection, registered on new titles and maintained, would provide the level of compliance needed for Section 3.4.2 (9d).”

Ministry of Transportation and Infrastructure:

“Approval recommended subject to conditions below:

At time of subdivision, the applicant will be required to have a 10 m wide (minimum) panhandle to Powell Frontage Road. As well, relief from 10% frontage will be required.”

Northern Health:

“I have no objections with the amendment of the RDBN Zoning Bylaw No. 700, 1993 as proposed.

Since the purpose of this rezoning is to facilitate a future subdivision and boundary adjustment, I have conducted a preliminary assessment of the ability for the proposed subdivided parcels, according to the RDBN Planning Department Report dated August 21, 2014, to support a suitable on-site sewerage system. The expansion of the lots southwest of Kathlyn Creek, namely Proposed Lot 3, and Proposed Lot 4, will enlarge, so these lots were not considered in this preliminary assessment. Proposed Lots 1 and 2 are smaller parcels, compared to its current size on subject property Lot 6. The two residential homes that have been developed on subject property Lot 6 is proposed to be on separate lots. The sewage disposal system for each residential home on Lot 6 has been filed with Northern Health. I do not have any comments for Proposed Lot 2. Since Proposed Lot 1 is bounded by a creek and is relatively small (0.468 ha), there is limited suitable area for an alternate septic field; therefore, **I recommend placing a covenant on an alternate septic field site.** A location for an alternate septic field was identified in the sewage filing and report completed by Jason Paquette, Design Technician at McElhanney Consulting Services Ltd., on 30 May 2000. On 21 November 2014, I conducted a site visit and confirmed by visual inspection that no development has been made to the proposed alternate septic field site. I recommend placing a covenant in this identified area for a reserve sewage disposal field.”

Town of Smithers: No response received to date.

Advisory Planning Commission:

“The APC recommends approval of rezoning application A-03-14.

- “No subdivision covenant” on proposed Lot 2 is important.
- Sewage systems for house and mobile home on current Lot 6 probably very old.”

Planning Department:

The Public Hearing for Bylaw No. 1709 occurred on January 8, 2015. The Report of the Public Hearing is attached to this report.

The current OCP designation for the subject properties is Rural Residential. This designation is intended to provide opportunities for people to live in a rural setting while protecting and preserving the rural character of the area.

Increased Density

As noted the proposed rezoning would allow the three subject properties to be subdivided into 4 parcels which meet the 0.4 ha (0.99 acres) minimum parcel size in the R5 zone. Generally this density of subdivision is not allowed, except in select situations as outlined in the OCP. However, this situation is unique as the majority of the subject property already has the R5 zone.

Staff note that the proposed rezoning would allow proposed Lot 2 to be further subdivided into two lots. Mr. Kempenaar has offered to register a covenant on title of Lot 6 restricting the subdivision of the property to the subdivision plan submitted with the application. The covenant alleviates any concerns regarding potential further lot development. If the covenant was not offered, the rezoning application must be considered based on the potential of creating four new lots, which is not desirable, based on density and sewage concerns among others.

Sewage

Northern Health has no objection to the bylaw amendment, but recommends that a covenant be placed on proposed Lot 1 to reserve an alternate septic field site. The referral response was given to the applicant, and staff has informed Northern Health that a covenant on an alternate septic field site is an issue that would have to be reviewed and addressed during the MoTI subdivision process.

Kathlyn Creek – conservation covenant

This application was referred to the Ministry of Environment (MoE). The MoE's referral response recommends a riparian preservation covenant, or equivalent legal protection, be registered on the new titles and maintained. MoE's referral response was discussed with the property owners, and they have offered to register a 15 metre conservation covenant on the title of their properties along Kathlyn Creek. MoTI has offered to ensure that the conservation covenant is registered at the time of subdivision. This approach is acceptable to staff.

Existing Dwellings on Lot 6, Plan 7754

There is a house and a mobile home located on Lot 6, Plan 7754. Only one dwelling is permitted per parcel in the R5 zone, therefore one of those dwellings does not conform to zoning. Mr. Kempenaar states that the house was built close to 60 years ago before the inception of RDBN building inspection and the mobile home was moved onto the property over 20 years ago without the issuance of a building permit.

The proposed subdivision of Lot 1 from the parent parcel would allow each dwelling to be located on a separate parcel. This would create compliance with the R5 zone restriction of one single family dwelling per parcel.

Existing Buildings on Lot 5

There is a dwelling and several accessory buildings located on Mr. DeJong's property. The residence has a building permit from 1987 on file. As mentioned previously, the

house is located across the boundary line separating Lot 5 and 6, Plan 5291. There also appears to be a shop straddling the property line. The proposed boundary adjustment will solve the encroachment concerns.

Recommendations

1. That the Regional District Board receive the Report of the Public Hearing for "Regional District of Bulkley-Nechako Rezoning Bylaw No. 1709, 2014".
2. That "Regional District of Bulkley-Nechako Rezoning Bylaw No. 1709, 2014" be given third reading.
3. And that should Bylaw No. 1709 be supported at 3rd reading, final reading not be considered until a restrictive covenant is registered on the title of Lot 6, Section 2, Township 1A, Range 5, Coast District, Plan 7754, Except Plan 10135 by the applicant to the satisfaction of the Regional District to restrict the subdivision of the subject property to the subdivision plan submitted with the application.

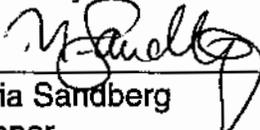
Electoral Area Planning – Participants/Directors/Majority

Reviewed by:



Jason Llewellyn
Director of Planning

Written by:



Maria Sandberg
Planner



REGIONAL DISTRICT OF BULKLEY-NECHAKO
BYLAW NO. 1709

A Bylaw to Amend "Regional District of Bulkley-Nechako Zoning Bylaw No. 700, 1993"

The Board of the Regional District of Bulkley-Nechako in open meeting enacts as follows:

That "Regional District of Bulkley-Nechako Zoning Bylaw No. 700, 1993" be amended such that the following lands are rezoned from the "Small Holdings (H1)" Zone to the "Country Residential (R5)" Zone.

Lot 5, Section 2, Township 1A, Range 5, Coast District, Plan 5291, and the portion of Lot 6, Section 2, Township 1A, Range 5, Coast District, Plan 7754, Except Plan 10135, shown on Schedule "A", which is incorporated in and forms part of this bylaw.

This bylaw may be cited as the "Regional District of Bulkley-Nechako Rezoning Bylaw No. 1709, 2014".

READ A FIRST TIME this 23rd day of October, 2014

READ A SECOND TIME this 23rd day of October, 2014

PUBLIC HEARING HELD this 8th day of January, 2015

READ A THIRD TIME this day of

I hereby certify that the foregoing is a true and correct copy of "Regional District of Bulkley-Nechako Rezoning Bylaw No. 1709, 2014"

DATED AT BURNS LAKE this day of

Corporate Administrator

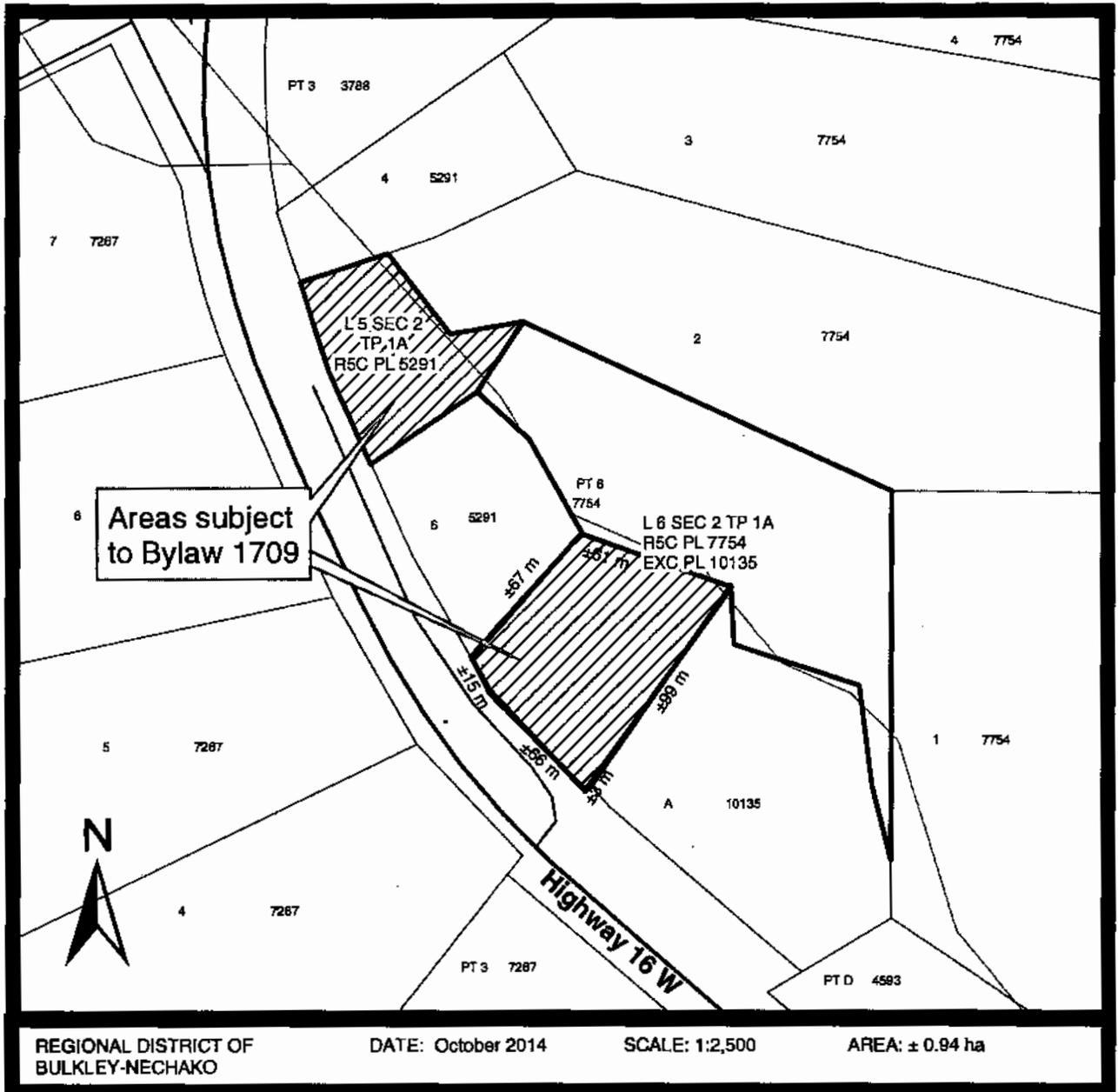
APPROVED UNDER SECTION 52(3)(a) OF THE *TRANSPORTATION ACT*
this day of

Ministry of Transportation and Infrastructure

ADOPTED this day of

Chairperson

Corporate Administrator



SCHEDULE "A" BYLAW NO. 1709

Lot 5, Section 2, Township 1A, Range 5, Coast District, Plan 5291, and a portion of Lot 6, Section 2, Township 1A, Range 5, Coast District, Plan 7754, Except Plan 10135, comprising of ±0.94 ha.

Being rezoned from "Small Holdings (H1)" Zone to the "Country Residential (R5)" Zone, as shown.

I hereby certify that this is Schedule "A" of Bylaw No. 1709, 2014.

Corporate Administrator

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REGIONAL DISTRICT OF BULKLEY-NECHAKO
REPORT OF THE PUBLIC HEARING FOR BYLAW NO. 1709
January 8, 2015

Report of the Public Hearing held at 7:00 p.m., Thursday, January 8, 2015 in the West Fraser Room at the Smithers Municipal Office, 1027 Aldous Street, Smithers, B.C. regarding Bylaw No. 1709.

Present: Mark Fisher, Chairperson
Jason Llewellyn, Recording Secretary
Helen Dejong, property owner
Paulus Dejong
Mark Rossman, applicant

CORRESPONDENCE None

CALL TO ORDER: The meeting was called to order at 7:11 p.m.

BUSINESS:

Chairperson Fisher Welcomed the persons present and asked Jason Llewellyn to read a statement regarding Bylaw No. 1709 noting the location of information packages, and explaining the Public Hearing process.

Jason Llewellyn Called for comments on Bylaw 1709 three times. No comments were received.

Chairperson Fisher Closed the hearing at 7:15 p.m.

Mark Fisher, Chairperson

Jason Llewellyn, Recording Secretary

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January 20, 2015

File: 6408630

Regional District of Bulkley – Nechako
Attn: Amy Wainwright
PO Box 820
Burns Lake, British Columbia
V0J 1E0

Dear Amy Wainwright:

Reference is made to your application on behalf of the Smithers Motocross Club for Crown Land and application fee for the amount of \$250.00 plus GST received on September 9, 2013. The purpose of the application was for Community Institutional (Motocross track) purposes over:

THAT PART OF DISTRICT LOT 223, RANGE 5 COAST DISTRICT, CONTAINING 18.83 HECTARES, MORE OR LESS.

After careful review, we are disallowing your application due to conflicting land applications over the same area.

A refund of \$50.00 plus GST will be issued for the application fee and will be mailed to you separately.

Please contact me at 250-847-6340 or email Bill.Borrett@gov.bc.ca if you have any questions regarding this matter

Sincerely,

Bill Borrett
Authorization Technician

Enclosures

.cc Corinna Brintjes, Corporate Services Analyst, Skeena Region

RECEIVED
JAN 28 2015
REGIONAL DISTRICT OF
BULKLEY NECHAKO