



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

**THURSDAY, JUNE 24, 2021**

<b><u>PAGE NO.</u></b>	<b><u>ELECTORAL AREA PLANNING</u></b>	<b><u>ACTION</u></b>
2-3	Public Hearing Report OCP Amendment and Rezoning Application RZ B-01-21 3rd Reading OCP Amendment Bylaw No.1945, 2021 and Rezoning Bylaw 1946, 2021 (Board agenda pages 36-45)	Receive
4	Public Hearing Report OCP Amendment and Rezoning Application RZ C-01-21 3rd Reading and Adoption OCP Amendment Bylaw No.1947, 2021 and Rezoning Bylaw 1948, 2021 (Board agenda pages 58-67)	Receive
5-13	Written Submissions (Martinsen, Scott, Pollard, Bailey, Van Cleemput, Edgeson (3), Anonymous) Development Variance Permit DVP F-01-21 (Board agenda pages 68-73)	Receive
14-17	Written Submissions (Tim T, Zielke, Mondor, Zielinski) Development Variance Permit DVP F-02-21 (Board agenda pages 74-78)	Receive
18-21	Area A Advisory Planning Commission Minutes Rezoning Application RZ A-03-21 and ALR 1232 (Board agenda pages 84-114 and 131-154)	Receive

**NEW BUSINESS**

**ADJOURNMENT**

**REGIONAL DISTRICT OF BULKLEY-NECHAKO  
REPORT OF THE PUBLIC HEARING FOR BYLAW NOS. 1945 AND 1946, 2021  
June 16, 2021**

Report of the Public Hearing held at 7:00 p.m., June 16, 2021 by zoom conference call.

Present: Michael Riis-Christianson, Chairperson  
Jason Llewellyn, Recording Secretary  
Lorraine Karlsen, Link Road, Prince Rupert  
Gary Zittlaw, 1300 Highway 35  
Janice Muir, Taylor Street

CORRESPONDENCE There were no written submissions to this Public Hearing.

CALL TO ORDER The meeting was called to order at 7:01 p.m.

BUSINESS:

Chair Riis-Christainson Read a statement explaining the bylaw and the public hearing process.

Chair Riis-Christainson Asked Lorraine Karlsen if they had any comments.

Lorraine Karlsen Said they had no concerns.

Chair Riis-Christainson Asked Gary Zittlaw if they had any comments.

Gary Zittlaw Said they had no concerns.

Chair Riis-Christainson Asked Janice Muir if they had any comments.

Janice Muir Said they were only there as tech support and had no comment.

Chair Riis-Christainson Asked everyone in attendance if there were any further comments on the proposed bylaw.

Lorraine Karlsen Asked how the process proceeds from here and whether the subdivision will result in any changes to the road.

Jason Llewellyn Explained that the Board is expected to consider 3<sup>rd</sup> reading of the rezoning bylaw at their June 24<sup>th</sup> Board meeting, and adoption of the bylaw in July once the bylaw has been approved by the Ministry of Transportation and Infrastructure (MoTI). Jason said that any road changes

associated with the subdivision of the property would be determined by MoTI as part of the subdivision process. He said that he did not expect MoTI to require any road improvement

Chair Riis-Christainson      Asked everyone in attendance if there were any further comments on the proposed bylaw. No further comments were received.

Chair Riis-Christainson      Asked everyone in attendance if there were any further comments on the proposed bylaw. No further comments were received.

Chair Riis-Christainson      Thanked everyone for their participation and closed the public hearing at 7:16 p.m.

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Michael Riis-Christainson, Chairperson

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Jason Llewellyn, Recording Secretary

**REGIONAL DISTRICT OF BULKLEY-NECHAKO  
REPORT OF THE PUBLIC HEARING FOR BYLAW NOS. 1947 and 1948, 2021  
June 15, 2021**

Report of the Public Hearing held at 7:00 p.m., June 15, 2021 by zoom conference call.

Present: Tom Greenaway, Chairperson  
Jason Llewellyn, Recording Secretary  
Harry Hook, Applicant  
Britta Hanks, 504 Flathead Ave, Bozeman, Montana

CORRESPONDENCE There were no written submissions to this Public Hearing.

CALL TO ORDER The meeting was called to order at 7:00 p.m.

BUSINESS:

Chair Greenaway Read a statement explaining the bylaw and the public hearing process.

Chair Greenaway Asked Britta Hanks if they had any comments.

Britta Hanks Said they had no comment.

Chair Greenaway Asked Harry Hook if they had comments.

Harry Hook Asked Jason Llewellyn to clarify whether staff support his application.

Jason Llewellyn Confirmed that staff are recommending the Board support the application.

Chair Greenaway Asked everyone in attendance if there were any further comments on the proposed bylaw. No further comments were received.

Chair Greenaway Again asked everyone in attendance if there were any further comments on the proposed bylaw. No further comments were received.

Chair Greenaway Closed the public hearing at 7:15 p.m.

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Tom Greenaway, Chairperson

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Jason Llewellyn, Recording Secretary

**From:** [Geraldine Craven](#)  
**To:** [Planning](#)  
**Subject:** FW: [EXTERNAL]: Development Variance Permit Application F-01-21  
**Date:** June 15, 2021 1:27:36 PM  
**Attachments:** [image002.png](#)

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**From:** BRIAN MARTINSEN  
**Sent:** Tuesday, June 15, 2021 1:23 PM  
**To:** inquiries <[inquiries@rdbn.bc.ca](mailto:inquiries@rdbn.bc.ca)>  
**Subject:** [EXTERNAL]: Development Variance Permit Application F-01-21

In regards to the above application variance, it does affect me. I have had to obtain proper permits to build my cabin, install my water and sewer system, and now to construct a garage. It is a time consuming process but is in place to protect the land and water.

But having this individual filling his shoreline with gravel without a permit, and then building his cabin on crown land that close to the water without a permit (second time around without a permit), I feel he is not entitled to any variance. I feel this man should move his building back to meet code and obtain permits for whatever else he plans to do on this property. This building is not a storage unit or garage. It is a cabin.

Who will be next to try to circumvent the bylaws?

Brian and Margaret Martinsen  
3760 Gill Place

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**From:** [Geraldine Craven](#)  
**To:** [Planning](#)  
**Subject:** FW: [EXTERNAL]: Development Variance Permit Application F-01-21  
**Date:** June 21, 2021 9:57:34 AM  
**Attachments:** [image002.png](#)

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**From:** Carla Scott  
**Sent:** Monday, June 21, 2021 9:18 AM  
**To:** inquiries <inquiries@rdbn.bc.ca>  
**Subject:** [EXTERNAL]: Development Variance Permit Application F-01-21

Good morning,

I am writing in response to the Development Variance Permit Application F-01-21 scheduled for the June 24, 2021 board meeting.

The property is located at 3726 Kozy Place (Lot 11, DL 1142 Cariboo District Plan 23140) and variance proposal is in regards to a storage building near the lakeshore.

I would like to express my objection against this variance proposal.

I believe that the bylaws and building regulations have been developed in the best interest of both the lakeside residents and the natural lake eco-system and habitat.

I have concerns that this structure will have a negative impact on the local wildlife as this structure is interfering with the natural landscape, which is a home and sanctuary to many duck, geese, and loon families, especially as they are raising their young in the spring and early summer. There are also a number of beaver, otter, and muskrat in the bay that use the shoreline as a shelter from predators and as a source of food.

I also have concerns about this development so close to water's edge as it negatively impacts the natural beauty of the lakeside.

According to the variance documentation, this property is .73 acres in size, and based on the local landscape I believe the property is relatively flat, which I believe should provide an adequate amount of space to build a structure within the existing bylaw regulations for both size and location of this structure.

I feel that this request for variance by the landowners is an intentional disregard for the bylaws in place, which most lakeside property owners dutifully obey and structure their developments in accordance with. I feel that this variance request exhibits the landowners' intentional disregard, and appears to support an attitude of 'asking for forgiveness, rather than asking for permission'.

Please register my opposition to this application and my support for reaffirming the existing bylaws and regulations that exist for the benefit of the human inhabitants, as well as the protection of the lake eco-system.

Sincerely,  
Carla Scott  
Tenant at 3530 Gill Place

**From:** [Geraldine Craven](#)  
**To:** [Planning](#)  
**Subject:** FW: [EXTERNAL]: Application for variance F-01-21- Lot 11, District Lot 1142 Cariboo District Plan 23140, 3726 Kozy Place  
**Date:** June 21, 2021 1:53:55 PM  
**Attachments:** [image002.png](#)

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**From:** Lea Pollard  
**Sent:** Monday, June 21, 2021 11:11 AM  
**To:** inquiries <[inquiries@rdbn.bc.ca](mailto:inquiries@rdbn.bc.ca)>  
**Subject:** [EXTERNAL]: Application for variance F-01-21- Lot 11, District Lot 1142 Cariboo District Plan 23140, 3726 Kozy Place

We live at Lot 7, 3780 Gill Pl, Cluculz Lake.

The location of the storage building is high enough and set back enough from the lake that there is no danger of erosion into the lake. The structure has been built by qualified contractors. The structure is not conspicuous from lakeside. The owners have put a great deal of work into improving this lot.

We have no objections to the requested variance.

Lyle and Lea Pollard

June 21, 2021

**From:** [Louise Bailey](#)  
**To:** [Deneve Vanderwolf](#)  
**Subject:** [EXTERNAL]: Development Variance Permit Application F-01-21  
**Date:** June 22, 2021 10:51:17 AM

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We live on the lot right beside Mark Edison and we have no problem with him having a sleeping bunk house for his daughters. There is no plumbing, just sleeping quarters. Our address is 3720 Kozy Road Lot 10. Jerry and Louise Bailey

**From:** [Mark Edgson](#)  
**To:** [Deneve Vanderwolf](#)  
**Cc:** [Rowan Nagel](#)  
**Subject:** Re: [EXTERNAL]: Development Variance Permit Application F-01-21  
**Date:** June 22, 2021 11:48:55 AM

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Hi Deneve!

LOL, Everyone seems to have their own thoughts on this one! It is not a sleeping bunk house.

Best Regards,  
Mark.

This message contains information that is privileged and confidential and is intended solely for the person or entity identified in the addressee field. If you have received this message in error, please notify us immediately by telephone and permanently destroy any and all copies, whether in paper or electronic format. Any dissemination or copying of this message, or any action taken as a result of the information contained in this message, by anyone other than the party for whom it is intended, is strictly prohibited.

On Jun 22, 2021, at 10:58 AM, Deneve Vanderwolf  
<[deneve.vanderwolf@rdbn.bc.ca](mailto:deneve.vanderwolf@rdbn.bc.ca)> wrote:

Hi Mark

Below is a comment we received.

-----Original Message-----

From: Louise Bailey

Sent: June 22, 2021 10:51 AM

To: Deneve Vanderwolf <[deneve.vanderwolf@rdbn.bc.ca](mailto:deneve.vanderwolf@rdbn.bc.ca)>

Subject: [EXTERNAL]: Development Variance Permit Application F-01-21

We live on the lot right beside Mark Edison and we have no problem with him having a sleeping bunk house for his daughters. There is no plumbing, just sleeping quarters. Our address is 3720 Kozy Road Lot 10. Jerry and Louise Bailey

**From:** [Geraldine Craven](#)  
**To:** [Planning](#)  
**Subject:** FW: [EXTERNAL]: Development Variance Permit Application F-01-21  
**Date:** June 22, 2021 3:18:59 PM  
**Attachments:** [image002.png](#)

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**From:** Dean Van Cleemput  
**Sent:** Tuesday, June 22, 2021 2:22 PM  
**To:** inquiries <inquiries@rdbn.bc.ca>  
**Subject:** [EXTERNAL]: Development Variance Permit Application F-01-21

Good morning,

I am writing in response to the Development Variance Permit Application F-01-21 scheduled for the June 24, 2021 board meeting.

The property is located at 3726 Kozy Place (Lot 11, DL 1142 Cariboo District Plan 23140) and variance proposal is in regards to a storage building near the lakeshore.

I would like to express my objection against this variance proposal.

I believe that the bylaws and building regulations have been developed in the best interest of both the lakeside residents and the natural lake eco-system and habitat.

I have concerns that this structure will have a negative impact on the local wildlife as this structure is interfering with the natural landscape, which is a home and sanctuary to many duck, geese, and loon families, especially as they are raising their young in the spring and early summer. There are also a number of beaver, otter, and muskrat in the bay that use the shoreline as a shelter from predators and as a source of food.

I also have concerns about this development so close to water's edge as it negatively impacts the natural beauty of the lakeside.

According to the variance documentation, this property is .73 acres in size, and based on the local landscape I believe the property is relatively flat, which I believe should provide an adequate amount of space to build a structure within the existing bylaw regulations for both size and location of this structure.

I feel that this request for variance by the landowners is an intentional disregard for the bylaws in place, which most lakeside property owners dutifully obey and structure their developments in accordance with. I feel that this variance request exhibits the landowners' intentional disregard, and appears to support an attitude of 'asking for forgiveness, rather than asking for permission'.

Please register my opposition to this application and my support for reaffirming the existing bylaws and regulations that exist for the benefit of the human inhabitants, as well as the protection of the lake eco-system.

Sincerely,  
Dean Van Cleemput  
Tenant at 3530 Gill Place

**From:** [Mark Edgson](#)  
**To:** [Deneve Vanderwolf](#)  
**Cc:** [Rowan Nagel](#)  
**Subject:** [EXTERNAL]: Re: Comment Regarding DVP F-01-21  
**Date:** June 21, 2021 12:35:06 PM

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To Whom it may concern;

I feel that we are in a good place and that our communication has been excellent moving forward with the building permit and variance discussions with the Regional District. I understand that there are always people out there who don't want change and can even have ill demeanour towards other people in general. COVID has been tough on a lot of us! When I first bought my property about 4 years ago, on the first weekend, I left my two Kayaks out on our property... they were both stolen the day we left. We were fortunate to have gotten them both back from the help of some of the community and I'm not passing any blame but since that moment all we wanted to do is secure these items that we use for the water.

This is why we built this building. It's in the right spot next to our dock and our boat launch. There is no harm to any of the natural environment from this being here and there never will be. It is plenty high enough from any flooding, is behind trees as well and it has been built very good.

I appreciate all the effort your team has put forward in educating me on these processes and with helping me correct the few things that needed to be done so that this can be here.

Wishing all the best to everyone out at the lake, I have no ill intentions.

With Kind Regards,

Mark Edgson

June 15/21

To whom It May Concern

re: Development Variance Permit Application  
Lot 11, District Lot 1142 F-01-21

According to our information, the building in question is not a storage shed. It was built as a cabin to stay in on weekends and holidays - it has a well and underground hydro.

Please do not let him pull the wool over your eyes.

I don't think the rules should be changed to suit one person.

Thank you for taking this into consideration.

**RECEIVED**

JUN 18 2021

REGIONAL DISTRICT OF  
BULKLEY-NECHAKO

**From:** [Mark Edgson](#)  
**To:** [Deneve Vanderwolf](#)  
**Subject:** Re: [EXTERNAL]: Re: Written Submission Received  
**Date:** June 23, 2021 11:52:36 AM

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**From:** Mark Edgson <mbedgson@gmail.com>  
**Sent:** June 23, 2021 11:20 AM  
**To:** Deneve Vanderwolf <deneve.vanderwolf@rdbn.bc.ca>  
**Subject:** [EXTERNAL]: Re: Written Submission Received

Thanks Deneve,

Oh my..., I'm not sure who this is? Or where they are getting this information?? Did you by any chance have a name on this one?

I've now heard that people are saying that I have a gazebo, a bunkhouse, a cabin, storage shed, boathouse, shelter, living quarters and I'm sure there are other theories floating out there. Some people apparently have objection and I would assume that many didn't since they hadn't written in.

Yes we have a well on the property and yes we have power at the property, but there is no possible way that I or anyone else could make a 120 x 2 square foot enclosed space into a home with power and water? This is absurd.

Any home, cabin, or dwelling with bathroom, water and heat would be subjected to a very strict process to be done correctly and within many regulations that I am aware of, if I ever went down that path!

But I do understand that this is a process that we are going through and for me not to get too hyped up on.

These types of comments are probably a normal thing with people in general, and I can only imagine what you all have to put up with during your work days!

I hope that I have been able to be clear in what our intentions are.

With kind Regards,

Mark :)

Sent from my iPhone

**From:** [Geraldine Craven](#)  
**To:** [Planning](#)  
**Subject:** FW: [EXTERNAL]: developement variance permit application f-02-21 lot 17 plan ppg 4499 49825 tapping road  
**Date:** June 16, 2021 8:44:25 AM  
**Attachments:** [image002.png](#)

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**From:** tim t  
**Sent:** Tuesday, June 15, 2021 4:58 PM  
**To:** inquiries <[inquiries@rdbn.bc.ca](mailto:inquiries@rdbn.bc.ca)>  
**Subject:** [EXTERNAL]: developement variance permit application f-02-21 lot 17 plan ppg 4499 49825 tapping road

good afternoon..im against granting this variance as this is a new construction project and as such should have had the proper survey done before constructon commenced....another example of beg forgiveness later...these lots are only 50 ft wide....set backs must be respected, thank you for allowing me to input  
49875 Tapping Rd

**From:** [Geraldine Craven](#)  
**To:** [Darrell Hill](#); [Deneve Vanderwolf](#); [Fiona Richardson](#); [Jacob Newkirk](#); [Jason Berlin](#); [Jason Llewellyn](#); [Maria Sandberg](#); [Richard Wainwright](#); [Rowan Nagel](#); [Steve Davis](#)  
**Subject:** FW: [EXTERNAL]:  
**Date:** June 16, 2021 8:43:45 AM  
**Attachments:** [image002.png](#)

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**From:** david zielke  
**Sent:** Tuesday, June 15, 2021 11:07 PM  
**To:** inquiries <inquiries@rdbn.bc.ca>  
**Cc:** david zielke ; Pam Boehmer  
**Subject:** [EXTERNAL]:

Development Variance Permit Application F-02-21

Sent from [Mail](#) for Windows 10

Regarding the above variance permit application.

My name is David Zielke and I own lake property at 49855 Tapping Road Cluculz Lake BC V0J 3A3  
Lot 15, Plan PGP4499, District Lot 1719, Cariboo Land District

I did not receive a notice on this variance application. A neighbor, 4 lots down from me, receive a copy nailed to a tree on his property. As I have a mail box at Cluculz lake which I receive tax notices, tax bills, hydro bills and many other items. I was surprised not to receive this variance permit as I am one lot over from the permit application. Please explain how notices are sent out?

Last year on lot 17 a lock block construction took place, with lock blocks 5 high the width of the lot. My understanding is that anything over 1.5 meters or 2 lock blocks high has to be engineered and approved? This year lot 17, as a result of this structure of lock blocks, had ground and surface water run across lot 16 and down to tapping road. If this water was to cross tapping road it would have flooded lot 15 and 16. Is it possible that someone at the regional district could look into see if this lock block construction was properly engineered?

I strongly oppose the variance permit application F-02-21. The lots in this area along Tapping road range between 52 and 54 feet wide, to infringe on one another property by doing variance permits would not be the right decision.

Not only have I followed the rule of 2 meter set back many other property owners have as well. The map provided shows lot 17 on the lake side directly in line with lot 17 on the opposite side of the road. Yet the proposed half finished structure sits directly behind lot 16. Has anyone from the regional district verified these property lines? As it would appear that lot 17 has already built a lock block construction on lot 16?

Has anyone come out to look at lot 17, it looks more like a commercial construction site than residential or recreation lake property.

Strongly opposed to variance permit application F-02-21

**From:** [Geraldine Craven](#)  
**To:** [Planning](#)  
**Subject:** FW: [EXTERNAL]: Development Variance Permit F-02-02  
**Date:** June 21, 2021 9:00:15 AM  
**Attachments:** [image002.png](#)

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**From:** Brad Mondor  
**Sent:** Saturday, June 19, 2021 9:07 AM  
**To:** inquiries <inquiries@rdbn.bc.ca>  
**Subject:** [EXTERNAL]: Development Variance Permit F-02-02

Re: Development Variance Permit Application F-02-21  
Lot 17, Plan PGP 4499, District Lot 1719 Cariboo Land District  
49825 Tapping Road

Our names are Brad and Brenda Mondor.  
Our property is beside the disputed property. Our address on 49835 Tapping Rd (PID 013-639-188)

We have serious concerns in regards to this variance permit.

We have had serious concerns over this property for many years. If you check your records you will see that many years ago it was requested by your office that the existing building be removed from this property as it was sluffing into the lake. The building was removed but the creosote logs were never removed. Left there to leach into the lake. They have built a new cabin on the existing base so do not understand how the same issue will not happen again. We have heard that they want to add another level to the existing cabin. Nothing has been done to ensure the sluffing does not happen again.

2 years ago large cement retaining wall blocks were put up between their cabin and ours. No consulting was done with us and they are partially on our property..

Then these same blocks were put up across the road (Tapping). The owners put up 5 high blocks and removed the driveway that gave us access to our boat that was under a pole barn on our property. Again no consulting. By them putting in these blocks they have impacted run off and it now all goes directly on our property and will cause flooding. Proper drainage was not done. The corner of this construction is I believe on our property and that is why they are now asking for this variance permit.

I would like to see a survey done on these properties. I strongly believe their existing cabin is on our property and the structure they are wanting to build is on our property.

thank you,  
Brad and Brenda Mondor

## MARK AND ROSEMARY ZIELINSKI

June 21, 2021

RE: **DVP for LOT 17, PLAN PGP4499, DISTRICT LOT 1719 CARIBOU LAND DISTRICT 49825 TAPPING**

Thank you for your communication with us regarding our application for the DVP and giving us the opportunity to submit a rebuttal.

1. With regards to the Lock Block wall: this wall has been Engineer stamped.
2. The structure that we are building has also been Engineer stamped.
3. We are not 'encroaching' on the neighbour's property, as we are not beyond the property line, we just do not meet the required setback on ONE post (southwest front corner)
4. As per drainage concerns, we already placed temporary drainage ditches on both sides (during construction phase) mitigating spring water runoff; and our intention is to do permanent drainage on both East and West sides assisted by 4" perforated piping, fabric and drain rock, with a 2% grade.

The concerns that were presented from all the submissions do not fall under the form and character of our application. We communicated with the Mondors and there appeared to be no concern, hence we are dismayed and confused by their letter. We communicated with Brad Mondor several times and apologized to him about the driveway access to his boat (NOTE: it was 2/3 on our property). We assume they had made an agreement with a previous owner, we are unaware of the details. Due to the construction, Brad had to install a new access driveway on his property. He never voiced any concerns at that time, and we apologized by phone, twice, as the project evolved, realizing his access would be jeopardized. All the concerns in their letter (Brad and Brenda Mondor) were prior to us purchasing this property, and again, do not fall in the realm of the form and character of this application.

Once again, thank you for your communication and looking forward to resolving this issue.

Regards,

Mark and Rosemary Zielinski

18  
**Advisory Planning Commission**  
**Meeting Minutes**

<b>Electoral Area A</b>	<b>Meeting Date: June 21, 2021</b>	<b>Meeting Location: Virtually via Zoom</b>
<b>Attendance</b>		
<u>APC Members</u> ✓ Brian Atherton ✓ Natalie Trueit, arrived at 7:25 ✓ Bob Posthuma (Glenda) ✓ Sandra Hinchcliffe <input type="checkbox"/> Janik Heer ✓ Stoney Stoltenberg <input type="checkbox"/> Andrew Watson <input type="checkbox"/> Alan Koopman		<u>Electoral Area Director</u> ✓ Director Mark Fisher  <u>Other Attendees</u> ✓ Jason Llewellyn, Director of Planning ✓ Maria Sandberg, Planning and Parks Coordinator ✓ Lane Perry, Agent, left at 7:30 ✓ Randy Fraser, Applicant, arrived at 8:00 and left at 8:09 ✓ Greg Burns, Applicant, arrived at 8:00 and left at 8:09
Chairperson: Sandra Hinchliffe		Secretary: Maria Sandberg
Call to Order: 7:03 pm		
<p><b>ALR 1232 and RZ A-03-21 (Dodds)</b></p> <p>Lane Perry presented the two applications and then answered questions regarding number of employees, the extent of production and any future plans for the manufacturing operation. The APC discussed the history of the use, previous applications for the property and the difference between a rezoning and a temporary use permit.</p> <p>The APC unanimously recommends denial of the rezoning amendment and approval of a one-year temporary use permit.</p>		
<p><b>ALR 1231 (Vihar)</b></p> <p>Randy Fraser and Greg Burns answered questions regarding the gravel extraction, and the provincial approval processes. The APC asked for clarification regarding blasting and the location of future extraction on the property. Some discussion that this is a long-standing operation and that there have been no complaints received from area residents.</p> <p>The APC unanimously recommends approval of ALR 1231 (Vihar) non-farm use application.</p>		
<p><b>RDBN-01-21 - Zoning Bylaw Text Amendment Regarding 2nd Dwellings in the Small Holdings (H1) Zone.</b></p> <p>Jason gave a brief presentation of the proposed zoning bylaw text amendment.</p> <p>APC member Brian Atherton submitted a written letter which is attached to this report.</p> <p>In discussion, the APC expressed concerns about opening up the possibilities for subdivision of 5-acre properties and the potential change in privacy and rural character if second dwellings are allowed. Also acknowledged that there is a need for more housing in the area, and that the ALR poses constraints in Smithers. Staff confirmed that the provision of sewage will be regulated by Northern Health and the building permit process. Discussion regarding the need to limit</p>		

the size of the second dwelling, the total square footage of both dwellings or change in setbacks.

Staff explained that this is still early in the process and feedback is still being gathered from municipalities and other agencies. If there is a formal proposal to amend the zone, it will come back to the APC for further comments.

**Other Business**

Sandra presented the Application Discussion Summary provided by staff.

The APC prefers scheduled meetings on the first Monday of every month. Next meeting will be Monday July 5, 2021. Planning department will set up meetings for the next year and send out dates to APC members. The next two meetings will be held via Zoom and after that in-person meetings will be held.

Meeting Adjourned 8:30 pm	Secretary Signature <i>Natalie Truitt</i>
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**Sent:** May 18, 2021 9:31 PM

**To:** [Sandra Hinchliffe](#); [Alan Koopmans](#); [Andrew Watson](#); [Glenda Posthuma](#); [stoney stoltenburg](#); [Janik Heer](#); [Megan Darcy](#); [Mark Fisher](#) \_\_\_\_\_

**Cc:** [Jason Ilewellyn](#); [Jason Berlin](#)

**Subject:** 2nd dwelling bylaw proposal for H1 zoned properties in The RDBN

Sandra and gang

Not sure if I missed out on a meeting to discuss this while I was away or "if" we are yet to schedule one? I know we touched on it awhile back but can't remember if that was our only "kick at the cat" so to speak. So, I will make my thoughts known now and then we'll see if there is a chance for us all to sit and discuss.

I can start off by simply saying I am 100% against the idea. Now, here is my "rationale". (please understand that they are my thoughts and if they are not the group thoughts after meaningful discussion, then I am happy to support the group. At least I may cause you to give consideration to my concerns)

- It will lead to subdivision requests. RDBN staff say this can't happen because it is not permitted. Hmmmmm....previous to this, two houses weren't permitted either and now they are?
- think about the complexities of divorce. The Courts may determine (damned if I am a legal expert) that a division of assets needs to be accomplished by subdividing the property. Both parties walk away happy.
- Noise complaints are a concern in the rural area. More density will equal more complaints. I love dogs. I love kids. But I didn't buy where I am at to hear way more of them and lose all the privacy that I currently enjoy
- It will "promote" the building of second dwellings. Right now people sneak it by via the garage/shop route but if you "open the barn door", it is going to be hard to close it in the future. Density increases may cause us to later reflect on "Beware The Law of Unintended Consequences!
- One concern of the RBDN is that this is happening above shops and garages anyway and that they have difficulty enforcing the rules with permits etc.. Frankly, that is no excuse. If there are rules in place then there needs to be a meaningful way to enforce them. Right now people can flaunt the law and there seems to be no repercussions. Not acceptable!
- Obviously sewer and water are concerns. "If" the second dwelling has its own water (cistern is an option) and sewer separate from the main structure it will really ramp up the request to subdivide as the two properties can stand on their own.
- Second dwellings outside of a Fire Protection Area of a Municipal Fire department will be a concern. First, they increase the likelihood of a fire happening (remember that roughly 50% of wildfires are caused by people) and secondly if there is a wildfire the potential losses to structures is more significant. Also, from personal experience I can tell you that the more dwellings there are, the more complicated the Wildfire response efforts become. Most people are okay with a fireline through their property, not so much if it goes through their house!

There will be a call for Municipal fire departments to expand coverage - a second hall perhaps c/w the associated costs and manpower needs.

- More permitted dwellings will increase the workload of RDBN staff in the planning department. Building Inspections, referrals and the like.
- Property prices will rise! The Real Estate folks will now advertise "Can have a second home!" . Can't fault them as if I was so inclined and had the dollars and cents to put up a second dwelling maybe I would. However that property is now way more expensive to buy in the future. So, even if the second dwelling does not go in, the price will still be higher because a 2nd house "can be built". (Remember the mega houses on farm land that forever take the property from ever financially operating as a viable farm again scenario?)
- "If" my prediction of subdivision comes true the RDBN Board may be complicit in making it happen. More individual properties equals a more taxable land base and RDBN revenue goes up! More revenue, more staff, bigger empire! (Don't take offense, I am just overstating a thought!)

Now, oddly enough to some of you perhaps, I have no objection to having accommodation above shops/garages. To me it is a different kettle of fish. I do not think that this will lead to subdivision requests. Almost all of these that I have seen are very much appurtenant (beside/close to etc.) to the main house. The size needs to have limitations. For Example 1000 sq feet (meters?) And there need to be other enforceable parameters - perhaps even neighbor approval. Not sure, but I think we could flesh the idea out about granny suites, In Law Suites etc..

So, there it is.

I'll restate my first point to close this off - I am not in favour of second dwellings on H1 zoned properties.

With respect,

Brian