ADVISORY PLANNING COMMISSION REFERRAL FORM



July 25, 2022

Application No: RZ A-01-22

Referral Report 1 of 2

Your APC is requested to review the attached application. The Area A APC Meeting will be on Wednesday, August 3 at 7:00 pm via Zoom. The Planning Department will contact the applicant.

Purpose of the Application

The applicant is proposing to rezone District Lot 1591, which contains the Panorama Lodge; District Lot 8015, which contains the adjacent parking area; and District Lot 8016, which contains the Backdoor Lodge from the Small Holdings (H2) Zone to the P2 Zone.

General Location

District Lot 1591 (100 Prairie Road), Panorama Ski Lodge District Lot 8015 (no address), main parking lot District Lot 8016 (70 Prairie Rd), Backdoor Lodge & Ski Patrol Building

Applicant

Dale Bellavance, Bell Group/0832653 BC Ltd & 0832651 BC Ltd

Attachment

Referral Report Minute Template

Referral Sent to

⊠ Northern Health.

⊠Mountain Resorts Branch

⊠Witset First Nation

⊠Office of the Wet'suwet'en

⊠Town of Smithers

⊠ RDBN Protective Services Department

⊠RDBN Building Inspection

⊠Advisory Planning Commission



REGIONAL DISTRICT OF BULKLEY-NECHAKO

PLANNING DEPARTMENT REFERRAL REPORT

FILE No. RZ A-01-22 (Report 1 of 2)

APPLICATION SUMMARY

Name of Agent/Owners: Dale Bellavance, Bell Group/0832653 BC Ltd & 0832651 BC Ltd

Owners of Lot 1 and 2, DL 8114 / Crown Land

Electoral Area: A

Subject Properties, Parcel Size, Use, and Proposed Zoning Change:

District Lot 1591 (100 Prairie Road), Panorama Ski Lodge

• Parcel Size = 2 ha (5 ac)

• Zoning Change = Large Holdings (H2) to Recreation (P2)

District Lot 8015 (no address), main parking lot

• Parcel Size = 1.4 ha (3.5 ac)

• Zoning Change = Large Holdings (H2) to Recreation (P2)

District Lot 8016 (70 Prairie Rd), Backdoor Lodge & Ski Patrol Building

• Parcel Size = 7.5 ha (18.6 ac)

Zoning Change = Large Holdings (H2) to Recreation (P2)

OCP Designation: Ski Smithers Development Area (SSDA) in "Smithers Telkwa

Rural Official Community Plan Bylaw No. 1704, 2014"

ALR Status: Not in the ALR

Location: West of the Town of Smithers on Hudson Bay Mountain. The

area is subject to the Provincially approved Ski Smithers Master Development Plan, which is available from staff on request.

Subject Property Map:



PROPOSED ZONING BYLAW AMENDMENTS

Zoning to Recreation (P2)

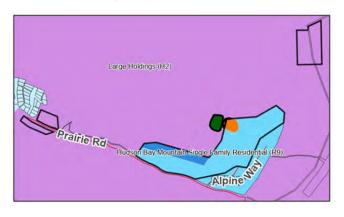
The applicant is proposing to rezone District Lot 1591, which contains the Panorama Lodge; District Lot 8015, which contains the adjacent parking area; and District Lot 8016, which contains the Backdoor Lodge from the Small Holdings (H2) Zone to the P2 Zone.

Rezoning the parcels from H2 to P2 would align current and future uses with the P2 Zone, which allows for clubhouses and ski facilities along with the restaurants and retail typically associated with a commercial outdoor recreation use.

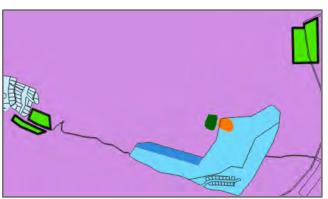
Proposed Rezoning – Housekeeping Amendments

As part of this process staff are proposing an amendment to the H2 Zone to allow ski trails and ski lifts as a permitted principal use on lands designated Ski Smithers Development Area in the "Smithers Telkwa Rural Official Community Plan". This text amendment would make it clear that ski facilities only require P2, P3, C2, or C3 Zoning when they include commercial facilities such a lodges, restaurants, and so forth.

Current Zoning Map



Proposed Zoning Map



Official Community Plan (OCP) and Zoning

The subject properties are designated Resource Ski Smithers Development Area (SSDA) in the OCP. The purpose of this designation is to provide for the expansion, and possible redevelopment, of the ski hill including new recreation and accommodation facilities. Given that SSDA designation policies focuses on the types of development that the Regional Board may support in this area, rather than a discussion on appropriate zones and parcel sizes, the proposed changes to the H2 Zone and the rezoning of lands from H2 to P2 meet the scope of the SSDA Designation.

REFERRALS

This application is being referred to the Electoral Area "A" Advisory Planning Commission, the Town of Smithers, Office of the Wet'suwet'en, Witset First Nation, the Ministry of Transportation and Infrastructure, Mountain Resorts Branch, Northern Health, RDBN Building Inspection, and the RDBN Protective Services Department.

ATTACHMENTS

- Applicant Submission
- Current H2 text
- Proposed H2 text



Attention: Mr. Jason Llewellyn/Director of Planning Regional District of Bulkley-Nechako Planning Department 37 3rd Avenue, PO Box 820 Burns Lake, British Columbia, VOJ 1E0

Dec,28, 2021

Re: R9 Rezone Amendment Application-PID 028 259 114, Lot 1, Plan EPP 7680, District Lot 8114 Range 5, Land District 14

Dear Sir,

The applicant requests that this proposed amendment to the Regional District of Bulkley-Nechako (RD) existing land use bylaw R9, only apply to the Remainder of Lot 1, Plan EPP 7680, District Lot 8114 Range 5, Land District 14, and not to any other lands within in the current recreational leases between the Province of British Columbian and Hudson Bay Mountain Estates.

Additionally, the applicant also requests that the RD consider the removal of the Restrictive Covenant for the same.

For consideration by the RD, the applicant has also provided draft R9 rezone comments; herein provided in Appendix A – R-9 Proposed Zoning Bylaw Amendment. The comments provided reflect the desire to limit the use of Rem. Lot 1 to residential use only, leveraging the successful sale, development, and registration of Phase 1, 16 lot subdivision.

The proposed rezone, removes other previously approved uses that would have required that the RD provide certain amenities to accommodate uses such as condominiums; hotels; commercial developments; etc.

The application also includes a proposed phased strata plan for the Remainder of Lot 1. Along with limiting the uses, the applicant has chosen to increase individual lot sizes to a minimum of 10,000sf, incorporating strata bylaws that will limit the removal of vegetation and require that a leave strip be retained.

I look forward to working with you through the application process.

Thank you,

Dale Bellavance



Included in the application package are the following items:

- 1. Hard copy of Application package
 - 1.1 Cover Page
 - 1.2 Index
 - 1.3 Zoning Bylaw Amendment Application Form
 - 1.4 Agent Authorization Form
 - 1.5 Schedule 1 Site Disclosure Statement
 - 1.6 Appendix A R-9 Proposed Zoning Bylaw Amendment
 - 1.7 Title Search and Encumbrances
 - 1.8 Site Plans
- 2. Electronic copy of Application Package (Each File Separately USB Drive).
- 3. Application Fee: \$1,000.00. Please refer to Item "5. Application Fees" of the Official Community Plan (OCP) / Zoning Bylaw Amendment Application Form.



Index

Cover Page	Page 01
Index	Page 03
Rezone Application	Page 04
Agent Authorization Form	Page 05
Schedule 1 – Site Disclosure Form	Page 08
Title Search, Encumbrances & Link	Page 17
Site Plan	Page 18



1.3 Zoning Bylaw Amendment Application Form / 1.4 Agent Authorization

. AGENT AU	THORIZATION		
	ication below, or provide a	마양은 남자, 마음이 없다. 아름지 하나를 잘 하는 사람들을 내려왔다.	<u>L</u> owners of the subject property musicant to act as agent on their behalf in
	of the land described in this a licant, and as our agent in re	application, I/we authorize (please pr	Dale Bellavance / Bell Group
Gary Mathiesen		12.07.21	
Owner Name	(print)	Signature	Date
Owner Name	(print)	Signature	Date
Owner Name	(print)	Signature	Date
PROPERTY	INFORMATION		
	아니아 아이들은 아이들이 어린다는 것 같아요. 그런 말이 없었다.	he subject of this Application (subj , Range 5, Land District 14 (PIC	
Civic Address Prairie Rd	s (House No., Street Name):		
Size of Property:	112.71 Acres	(Hectares/Acres)	
Existing Land (Describe the us		l under application. List each building and	the use of that building.)
No known prev	vious uses		



1.3 Zoning Bylaw Amendment Application Form

6. SIGN NOTIFICATION REQUIREMENTS

Certain applications require that a sign be posted on the property to advise the community of the application. The sign can be provided by the property owner, or it can be rented from the Regional District of Bulkley-Nechako office (37-3rd Ave, Burns Lake) for a fee of \$25 plus a security deposit of \$75. The \$100 fee and deposit can be included with your application fee.

with your application ree.
Do you wish to pay the signage fee now?
□Yes
■No

7. FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY

Personal information requested on this form is collected under the *Freedom of Information and Protection of Privacy Act* section 26(c) and will be used for the purpose of processing your application. Any information relating to the use and development of the land provided to the RDBN for consideration and in support of the application may be made available for review by any member of the public. If you have any questions about the collection and use of this information, please contact the RDBN Information and Privacy Coordinator at 1-800-320-3339.

8. SITE DISCLOSURE STATEMENT

A Site Disclosure Statement is required when applying to rezone a property. Please fill out Schedule 1 attached to this application.

9. DECLARATION

I, the undersigned, hereby declare that the attached information, provided with respect to this application is a true statement of facts, and authorize RDBN staff to conduct site inspections of the subject property for the purpose of confirming information submitted as part of this application, and for the purpose of processing this application.

Dale Bellavance / Bell Group	12.07.21	
Owner/Agent Signature	Date	

*To ensure your application is complete and that all items have been included with your application, see page 3 of the Official Community Plan & Zoning Amendment brochure for the application checklist.



1.3 Zoning Bylaw Amendment Application Form

4. REQUESTED AMENDMENT

Amendment to Zoning Bylaw:	Zoning Bylaw Amendment for R-9 - Hudson Bay Mountain Single Family Residential
Proposed Amendment to OCP:	

Reason for Application:

(Describe the reason for the application. If the application is to allow a proposed new land use or development, describe that use and / or development. Also discuss why you consider the proposed use and / or development to be appropriate for the land under application. Attach separate pages to the application, or a letter as necessary.

Please Refer to Appendix A - R-9 Proposed Zoning Bylaw Amendment

5. APPLICATION FEES

An application fee as set out in Schedule A to the Regional District of Bulkley-Nechako Development Procedures Bylaw No. 1898, 2020 must accompany this application. An application is not considered complete and cannot be processed until the required application fee and information has been received by the Regional District.

Fees can be paid by cheque, interact debit card, or cash.

- Cheques should be made to the Regional District of Bulkley-Nechako and delivered to the attention of the Planning Department by mail to Box 820, Burns Lake, BC, VOJ 1EO; or at the RDBN office, 37-3rd Ave, Burns Lake, BC.
- Interact debit card or cash payments can be made at the RDBN office, 37 3^{ra} Avenue, Burns Lake, BC.

The following fees are required: Check the box that applies to your application

☐ Official Community Plan (OCP) Amendment	\$1,000
■ Zoning Bylaw Amendment	\$1,000
☐ Combined OCP and Zoning Bylaw Amendment	\$1,500

^{*}Please note that the fee for an application to legalize an existing bylaw contravention is increased by an additional 50%.



1.6 Appendix A – R-9 Proposed Zoning Bylaw Amendment

Proposed R9

Hudson Bay Mountain Estates

11.04.21

12.1.1 Permitted Uses

12.1.1.1 Single Family Dwelling; or

Primary Single-Family Dwelling with Attached Suite; or

Primary Single-Family Dwelling and Detached Secondary Single-Family Dwelling.

12.1.2 Density

12.1.2.1 Not more than One (1) Primary Single-Family Dwelling and one (1) fully Detached Secondary Single-Family Dwelling shall be permitted per parcel; or

Not more than One (1) Primary Single-Family Dwelling with one (1) Attached Suite shall be permitted per parcel.

12.1.2.2 Where a parcel has an Attached Suite per section 12.1.2.4, a Secondary Detached Single-Family Dwelling is not permitted.

Where a parcel has a Secondary Detached Single-Family Dwelling as per section 12.1.2.3, an Attached Suite is not permitted.

12.1.2.3 Not more than two (2) Accessory Buildings shall be permitted per parcel. Accessory Buildings shall be fully detached from any Dwelling or Suite. Accessory Buildings shall have a combined Total Building Area (TBA) of not more than 60 square meters (645.9 sqft). Accessory Buildings shall only be used for storage or parking.

12.1.3 Limitations on Use

12.1.3.1 If a parcel is serviced by on-site septic, the maximum number of bedrooms permitted shall be the lesser of:

The maximum number of bedrooms allowed by the Engineer of Record's (EOR) review of the on-site septic system; or

A Primary Single-Family Dwelling shall have not more than seven (7) bedrooms; and



1.6 Appendix A - R-9 Proposed Zoning Bylaw Amendment

A Secondary Detached Single-Family Dwelling shall have not more than three (3) bedrooms.

If a parcel is serviced by a community septic system, the parcel is permitted a maximum of four (4) bedrooms in total.

12.1.3.2 Home Occupations are restricted to:

Office use.

Bed and Breakfast that includes a maximum of three (3) beds, and provides accommodation to a maximum of 6 patrons at any one time.

12.1.3.3 An Attached Suite shall contain a maximum of:

One (1) kitchen, one (1) living room; and

The maximum number of bedrooms permitted for the Attached Suite shall be the lesser of:

Two (2) bedrooms (in addition to the maximum number of bedrooms for Primary Single-Family Dwelling – 12.1.3.1; or

The maximum number of bedrooms allowed by the Engineer of Record's (EOR) review of the on-site septic system.

12.1.4 Parcel Area

12.1.4.1 The minimum Parcel area that may be created by subdivision is 750 square meters (8,070 sqft) where:

The subdivided Parcels are served by:

A Community Water System; and Individual On-Site Septic System; Or Community Sewer System approved by Interior Health.

12.1.4.2 The minimum Parcel area that may be created by subdivision is 8 hectares (19.77 acres) where:



1.6 Appendix A – R-9 Proposed Zoning Bylaw Amendment

The subdivided Parcels are not served by:

A Community Water System; Or On-Site Septic System; and Community Sewer System or a septic system approved by Interior Health.

12.1.5 Parcel Coverage

12.1.5.1 The combined total parcel coverage of all Structures and Buildings, including Accessory Structures, shall be not more than Thirty Six percent (36%) of the total parcel area.

12.1.6 Setbacks

12.1.6.1 No structure or part thereof shall be located within the setback prescribed below:

6m (19.69 ft) from Front Parcel Line

6m (19.69 ft) from Rear Parcel Line

6m (19.69 ft) from each Side Parcel Line

12.1.7 Height

- 12.1.7.1 The maximum Height for a Primary Single-Family Dwelling is 8.0 meters (26.25 feet)
- 12.1.7.2 The maximum Height for a Secondary Detached Single-Family Dwelling is 8.0 meters (26.25 feet)
- 12.1.7.3 The maximum Height for an Accessory Building or other Structure is 5.0 meters (16.4 feet).
- 12.1.7.4 The maximum Height for a fence is 1.8 meters (6 feet).



1.7 State of Title Certificate and Encumbrances

The Link below contains the following:

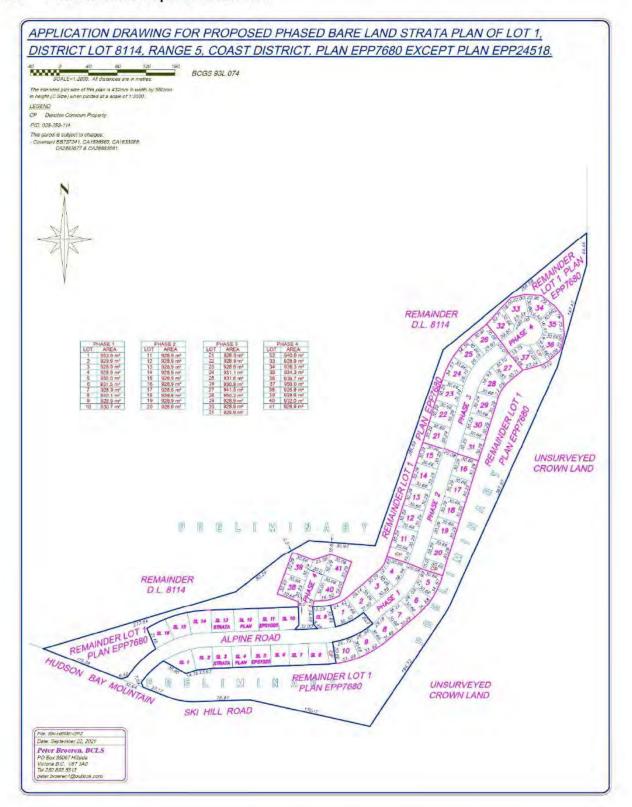
- 1.7.1 State of Title Certificate
- 1.7.2 Covenant BB737241
- 1.7.3 Covenant CA1596663
- 1.7.4 Modification Amendment CA2883677
- 1.7.5 Modification CA2883681
- 1.7.6 Modification of Covenant 1633086
- 1.7.7 Arnie Fine Mortgage CA3877060

LINK:

https://www.dropbox.com/sh/1xwu5zerm3rvczr/AAB4eWJ-0APjHNCKkhVLlk8Da?dl=0

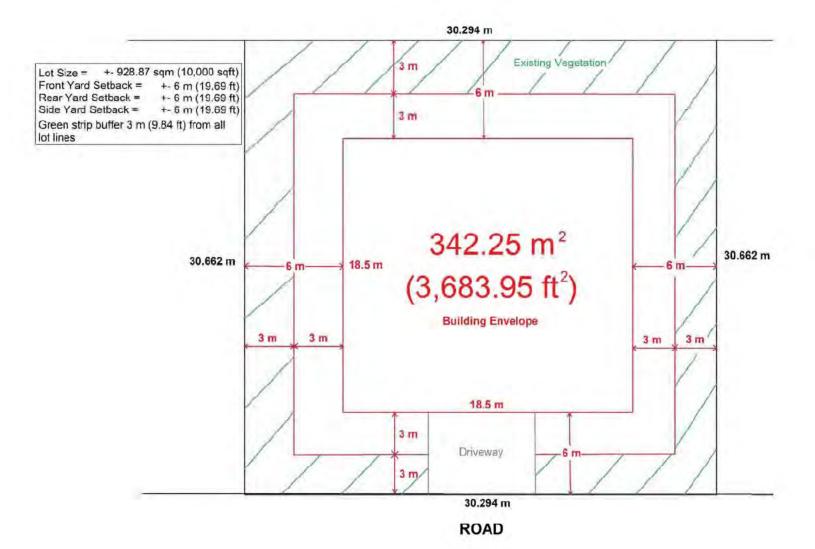


1.8 Site Plan with Proposed Subdivision



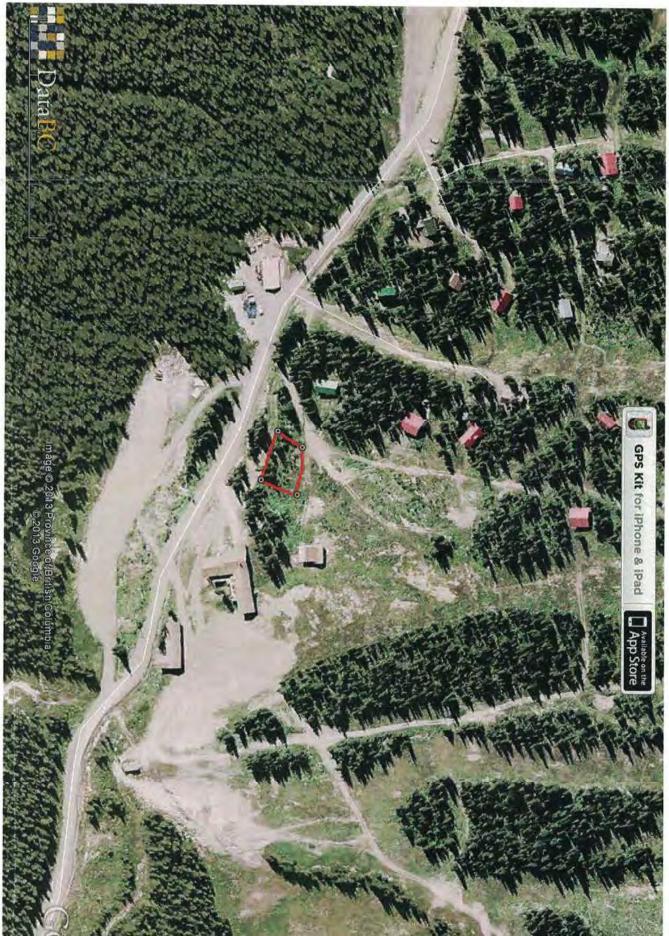


HBME: Proposed Lot Configuration - 05.03.21



Footnotes:

- 1. The above drawing is NTS
- 2. The building envelope and the driveway (+- 5.4 m x 6 m [18 ft x 20 ft]) has a total site coverage of: +- 40%



Hudson Bay Mountain Resort Communication Site 6400098 - Lease - Day Skier Facility 6402075 - Stat R/W - Power Line - BC Hydro 6407813 - L/O - Communication Site - Hudson Bay Date: April 30, 2018 Scale: 1 3,000 Projection: BC Albers, NAD83 hudsonbay 6407813 8x11 3k.pdf Alpine Ski Tenure Boundary All Survey Parcels Surveyed Rights of Way 100 Mapsheet Grid - 20K R/W Plan 12678 R/W Plan 12677 **Hudson Bay Mountain** DL 8016

 From:
 Danielle Patterson

 To:
 "Dale Bellavance"

 Cc:
 Jason Llewellyn

Subject: RE: [EXTERNAL]: HBMR- Whiskey Jack & Backdoor Lodges & Balance of the recreational lands

Date: Wednesday, March 9, 2022 8:53:00 AM

Attachments: <u>image003.png</u>

Good morning Dale,

Thank you for the additional information. I will update you on the review of your application and let you know if I have any more questions or require more information.

Sincerely,

Danielle

Danielle Patterson, BA, BPI (she/her) Senior Planner

Planning Department

Regional District of Bulkley-Nechako

Phone: (250) 692-3195 or Toll Free: 1-800-320-3339

Website: www.rdbn.bc.ca

I respectfully acknowledge that I work and live on the traditional territories of the First Nations in the

Lakes District.



From: Dale Bellavance

Sent: Tuesday, March 8, 2022 12:27 PM

To: Jason Llewellyn <jason.llewellyn@rdbn.bc.ca>; Danielle Patterson

<danielle.patterson@rdbn.bc.ca>

Subject: [EXTERNAL]: HBMR- Whiskey Jack & Backdoor Lodges & Balance of the recreational lands

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Hi Jason,

Per our recent conversation, and in addition to the current zoning application for the remainder of Lot 1, please see below proposed uses: 1.HBMR Lot 2 PT DL 8114-amended R9
2.HBMR Whiskey Jack Lodge DL 1591 & Maintenance/Parking area DL 8015-P2
3.HBMR Backdoor Lodge DL 8016-P2

4.Remainder of the recreational lands-H2

I think this aligns with our previous conversation.

Thank you,



SECTION 15.0 - LARGE HOLDINGS ZONE (H2)

15.0.1 Permitted Uses

Principal Uses

- a) Agriculture
- b) Intensive Agriculture only on a Parcel that has an area equal to or greater than 8 hectares (19.77 acres).
- c) Single Family Dwelling
- d) Two Family Dwelling
- e) Portable Sawmill
- f) Rural Retreat
- g) <u>Utility</u> only on lands designated Ski Smithers Development Area in the "Smithers Telkwa Rural Official Community Plan".

2. Secondary Uses

- a) <u>Kennel</u> only on a <u>Parcel</u> that has an area equal to or greater than 2 hectares (4.94 acres) and a <u>Single Family Dwelling</u> or <u>Two Family Dwelling</u> is the <u>Principal Use</u>.
- b) <u>Large Kennel</u> only on a <u>Parcel</u> that has an area equal to or greater than 8 hectares (19.77 acres) and a <u>Single Family Dwelling</u> or <u>Two Family Dwelling</u> is the <u>Principal</u> Use.
- c) Guest Ranch only on a Parcel where Agriculture is a Principal Use.

15.0.2 Density

1. Not more than two <u>Single Family Dwellings</u> or one <u>Two Family Dwelling</u> shall be located on a <u>Parcel</u>.

15.0.3 Parcel Area

1. The minimum <u>Parcel</u> area that may be created by subdivision is 8 hectares (19.77 acres).

15.0.4 Setback

- No <u>Structure</u> or part thereof, shall be located within 7.5 metres (24.60 feet) of any Parcel Line.
- 2. No Building or portion thereof used for Intensive Agriculture shall be located within:
 - a) 60 metres (196.85 feet) of a Parcel line;
 - b) 30 metres (98.42 feet) of a domestic well, spring or the <u>Natural Boundary</u> of a lake or Watercourse.

Proposed H2 (Version 1) Large Holdings Zone

15.0.1 Permitted Uses

1. Principal Uses

- a) Agriculture
- b) Intensive Agriculture only on a Parcel that has an area equal to or greater than 8 hectares (19.77 acres).
- c) Single Family Dwelling
- d) Two Family Dwelling
- e) Portable Sawmill
- f) Rural Retreat
- g) Utility only on lands designated Ski Smithers Development Area in the "Smithers Telkwa Rural Official Community Plan".
- h) Ski trails and ski lifts only on lands designated Ski Smithers Development Area in the "Smithers Telkwa Rural Official Community Plan".

2. Secondary Uses

- Kennel only on a Parcel that has an area equal to or greater than 2 hectares (4.94 acres)
 and a Single Family Dwelling or Two Family Dwelling is the Principal Use.
- b) Large Kennel only on a Parcel that has an area equal to or greater than 8 hectares (19.77 acres) and a Single Family Dwelling or Two Family Dwelling is the Principal Use.
- c) Guest Ranch only on a Parcel where Agriculture is a Principal Use.

15.0.2 Density

 Not more than two Single Family Dwellings or one Two Family Dwelling shall be located on a Parcel.

15.0.2 Parcel Area

- The minimum Parcel area that may be created by subdivision is 750 square metres (8,070 square feet) where those parcels are served by a Community Water System and a Community Sewer System.
- The minimum Parcel area that may be created by subdivision is 8 hectares (19.77 acres).

12.1.6 <u>Setback</u>

- No Structure or part thereof, shall be located within 7.5 metres (24.60 feet) of any Parcel Line.
- 2. No Building or portion thereof used for Intensive Agriculture shall be located within:
 - a) 60 metres (196.85 feet) of a Parcel line;
 - b) 30 metres (98.42 feet) of a domestic well, spring or the Natural Boundary of a lake or Watercourse.