



## REGIONAL DISTRICT OF BULKLEY-NECHAKO

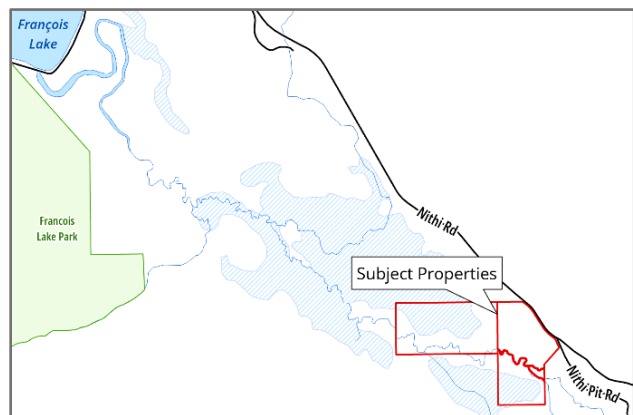
### Planning Department Referral Report

File No. PF D-0-125

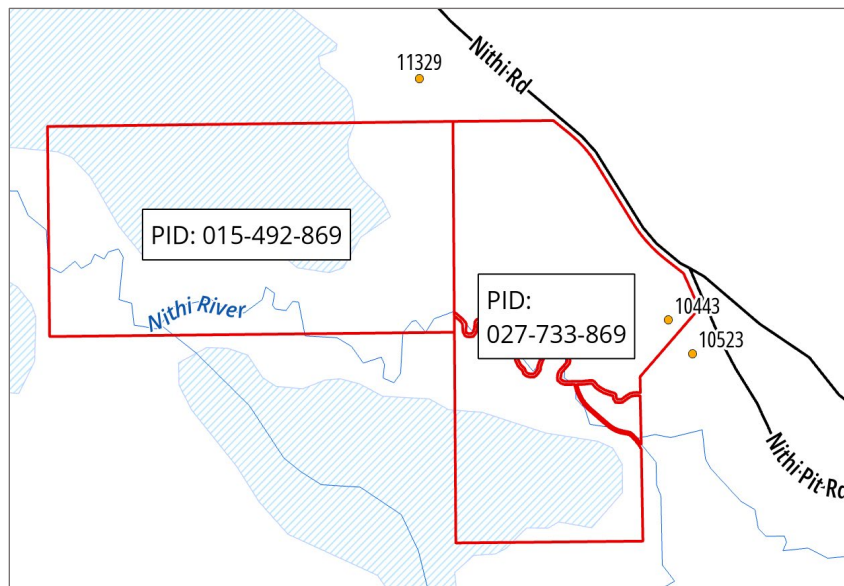
Written By: Danielle Patterson, Senior Planner

#### APPLICATION SUMMARY

<b>Name Owner:</b>	Lloyd Voth
<b>Electoral Area:</b>	D (Fraser Lake Rural)
<b>Subject Property</b>	<b>Unaddressed parcel</b> , legally described as the North ½ of the Southwest ¼ of District Lot 77, Range 4, Coast District (PID 015-492-869)  <b>10443 Nithi Pit Road</b> , legally described as Lot 1, District Lot 77, Range 4, Coast District, Plan BCP39103 (PID 027-733-165)
<b>Existing Parcel Sizes:</b>	<b>N½ of SW¼:</b> Approximately 32.38 ha (~80.02 ac)  <b>10443 Nithi Pit Road:</b> Approximately 29.4 ha (~72.84 ac)
<b>Proposed Parcel Sizes:</b>	<b>Proposed Lot 1:</b> Approximately 32.5 ha (~80.3 ac)  <b>Proposed Lot 2:</b> Approximately 30.0 ha (~74 ac)
<b>Existing Hwy Frontage:</b>	<b>N½ of SW¼:</b> Zero per cent (landlocked parcel)  <b>10443 Nithi Pit Road:</b> Approximately 20 per cent
<b>Proposed Hwy Frontage:</b>	<b>Proposed Lot 1:</b> Approximately 6 per cent  <b>Proposed Lot 2:</b> Approximately 11 per cent
<b>OCP Designation:</b>	Resource (RE) pursuant to Endako, Fraser Lake and Fort Fraser Rural Official Community Plan, Bylaw No. 1865, 2019.
<b>Zoning:</b>	Rural Resource Zone (RR1) in "Regional District of Bulkley-Nechako Zoning Bylaw No. 1800, 2020" (the Zoning Bylaw)
<b>Existing Land Uses:</b>	Agricultural/Residential
<b>Location:</b>	Approximately 4 km from Francois Lake, 8 km from Stellaquo 1 IR, and 11 km from the Village of Fraser Lake.



### Existing Parcel Layouts



One parcel (west) is landlocked with no easement. Blue lines represent wetlands.

### PROPOSAL

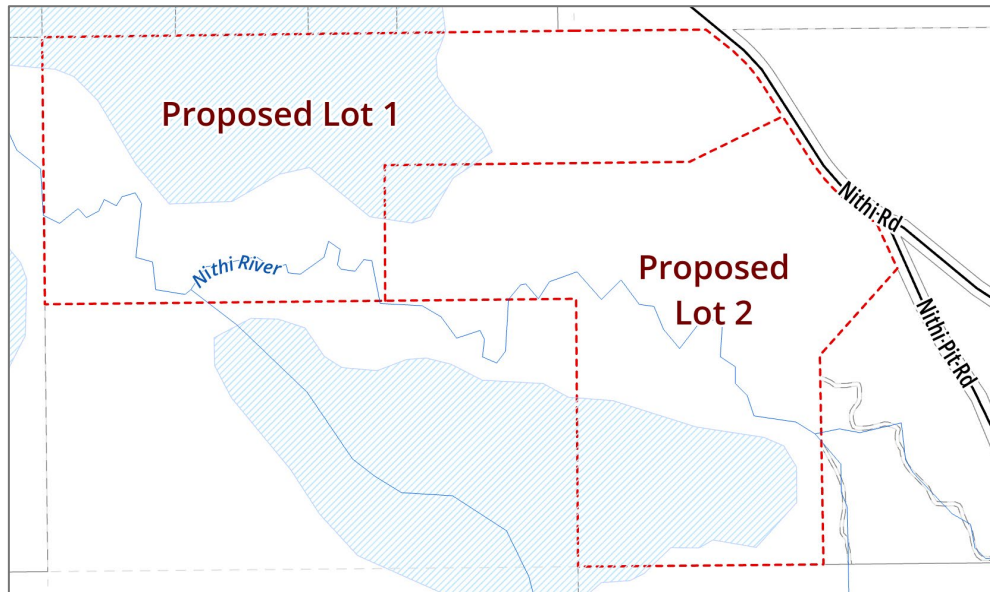
The property owner has two adjoining parcels: an approximately 32.38 ha landlocked parcel and an approximately 29.4 ha parcel. The property owner would like to adjust the boundaries between these parcels to create parcels with areas of roughly 32.5 ha and 30 ha (see map below for proposed parcel layout), with surveying to be finalized.

Proposed Lot 1 would have an approximate road frontage of 6 per cent and Proposed Lot 2 would have an approximate road frontage of 11 per cent. Pursuant to Section 512 of the *Local Government Act*, 10 per cent of the total perimeter of each newly created parcel must front the highway (Nithi Road and/or Nithi Pit Road) or obtain an exemption from the RDBN Board. Given this requirement, the applicant has submitted a letter requesting the Board permit an exemption to the parcel frontage for Proposed Lot 1 to allow a 6 per cent road frontage (see Attachments for request letter).

The property owner's reasons for requesting the exemption are as follows.

- The undersized road frontage was discovered during the subdivision application stage and needs resolved for the boundary adjustment to move forward.
- The proposed parcel boundaries better conform to the natural terrain, as well as existing utilities, roads, and power lines.
- The layout provides both parcels with road access. Currently one parcel is landlocked.
- The new layout would provide Proposed Parcel 1 access to level land to build a house, build a septic field, and access a driveway. The existing landlocked parcel is prone to flooding, making it difficult to find a site to install a septic field or house.

### Proposed Parcel Layouts



Both proposed parcels would have access to Nithi Road. Blue lines represent wetlands.

## DISCUSSION

### Parcel Frontage Reductions

Section 512(1) of the *Local Government Act* states the following:

*"Minimum parcel frontage on highway*

512 (1) *If a parcel being created by a subdivision fronts on a highway, the minimum frontage on the highway must be the greater of*

*(a) 10% of the perimeter of the lot that fronts on the highway, and*

*(b) the minimum frontage that the local government may, by bylaw, provide.*

*(2) A local government may exempt a parcel from the statutory or bylaw minimum frontage provided for in subsection (1).*

*(3) As a limitation on section 229 [delegation of board authority] of this Act or section 154 [delegation of council authority] of the Community Charter, a local government may delegate its powers under subsection (2) only to an approving officer."*

The Board of Directors delegated the authority to exempt a parcel from the statutory 10 per cent highway frontage to the subdivision Approving Officer who sits at the Ministry of Transportation and Infrastructure (MoTT) from 1986 until April 11, 2024. From April 12, 2024 – onwards, any requests for parcel exemptions must be approved by the Board of Directors.

## Property Details – Existing Property Layouts

The unaddressed parcel legally described as the North ½ of the Southwest ¼ of District Lot 77, Range 4, Coast District (N½ of SW¼) is approximately 32.38 ha and landlocked. The parcel is in a low-lying area. Approximately 52 per cent of the parcel is covered in wetland, dominated by black spruce. The Nithi River traverses through the length of the parcel ([see link for site visit photos](#)). There is a hayfield on a small portion of the parcel, nestled in a narrow strip between the wetlands and Nithi River. No structures are present.

10443 Nithi Pit Road is approximately 30.0 ha and approximately 20 percent of the parcel perimeter fronts Nithi Road and Nithi Pit Road. The north half of the parcel is relatively flat, sits at a higher elevation and has a hay field, farm outbuildings, and a single family dwelling. The south half of the parcel is low lying, and almost evenly covered with wetlands and trees, dominated by black spruce.

## Official Community Plan

### Land Use Designation

The area is designated Resource (RE) pursuant to the Endako, Fraser Lake and Fort Fraser Rural Official Community Plan.

The objectives of the RE designation are to support sound resource management while preserving lands for agriculture and grazing, mineral or aggregate extraction, fish and wildlife management, trapping, wilderness-oriented recreation and necessary institutional, public, utility or transportation services. The following are RE OCP policies relevant to this proposal.

*“(2) The minimum parcel size within the Resource (RE) designation shall be 8 hectares (19.77 acres).*

*“(3) Wherever possible established routes used by cattle or wildlife; recreation lands; and rare or unique fish and wildlife habitats will be protected from incompatible land uses.”*

Additionally, OCP Section 4.2.2 - Natural Environment has the following relevant policy.

*“(4) states, the “Regional District will support and encourage the retention of a greenbelt of natural vegetation along watercourses”.*

## Zoning

The Rural Resource Zone (RR1) has a minimum parcel size at subdivision of 28 ha (69 ac). The proposed parcel layout meets the minimum parcel area requirements for the zone. Existing structures meet RR1 zoning setbacks requirements and the RR1 Zone does not have a zone-specific parcel frontage requirement.

The Zoning Bylaw includes a Setbacks from a Natural Boundary regulation, which additionally requires a 15 metre (49.21 feet) setback from the natural boundary of the wetlands and Nithi River. Existing structures meet this setback requirement.

## **Floodplain Management**

Floodplain Management Bylaw No. 1878, 2020 requires most structures to meet the following requirements:

- A flood construction level of 1.5 metres above the natural boundary of the wetlands and river.
- Floodplain setbacks of 7.5 metres and 15.0 metres from the natural boundary of the wetlands and Nithi River, respectively.

## **REFERRALS**

This application is being referred to the Electoral Area D Advisory Planning Commission, the MoTT, and the RDBN Protective Services Department.

## **ATTACHMENTS:**

- Applicant's request letter to the Board
- [Site visit photos \(link\)](#)
- [Proposed Lot 1 perimeter measurements map \(link\)](#)

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Lloyd Voth


February 5, 2025

**Regional District Buckley- Nechako**

To: Board of Directors

**I am applying for a “Road Frontage Reduction,”** as outlined in Section 512 of the Local Government Act, which your staff made reference to in your response **Subdivision Referral Comment Sheet File No. 2024-06258.** (My application was forwarded to your staff by MOTT recently.)

**The object of this proposed, Boundary Adjustment/Subdivision is** to provide a more suitable building site for the 80-acre, Unaddressed Lot, legally described as the North ½ of The Southwest 1/4 of District Lot 77 Range 4 Coast District; PID 015-492-869, which conform to the existing.

The new property lines better conform to natural boundaries and existing utilities, roads and hydro lines. My plan is to eventually sell one of the two properties. The proposed subdivision enhances both properties equally.

Thank you for your consideration.

Lloyd Voth

Based on this initial review, I would like to request additional information and some comments, described below.

1. It is not clear from reviewing your request what the exact reduction you are requesting the RDBN Board to consider. Please specify which proposed parcel you wish to see have a reduced highway frontage and the length of that proposed frontage.

***The proposed parcel I wish to see have a reduced highway frontage is for the "Unaddressed Lot" highlighted in green on the attached drawing and the length of that proposed frontage is 175.4m.***

***On the green highlighted drawing locate the following lengths, which are circled in pencil to the far right of the map: A 42.00m, B 77.9m and C 55.5m. These total the proposed frontage of 175.4 m.***

2. During our conversation, you had mentioned several reasons why you were requesting the reduction in highway frontage for one of your two parcels, which you described briefly in your letter.

Can you provide more details. For example, where do the existing utility lines run on the property?

***The existing Hydro line runs along Nithi Road and are not on the proposed property.***

***There are no utilities.***

What is it about the requested reduction that would provide a more suitable building site, as noted in your letter?

***The existing "Unaddressed Lot" is subject to occasional Spring time flooding.***

***By exchanging property portions an excellent future building site will be available.***

***10443 Nithi Pit Road Lot would benefit by increased high yield hay fields.***

Do you have any comments related to your septic system (which I remember discussing during our call)?

***The new boundary adjustment would provide a better solution for a septic system for the proposed boundary adjustment on the "Unaddressed Lot" because the acquired portion is well above the creek level.***

3. Please provide a new site plan for your request that includes the following:

3.1. The entire perimeter of both proposed parcels clearly marked.

***Both lots are clearly marked as follows.***

***The "Unaddressed Lot" the perimeter is highlighted in green.***

***The "10443 Nithi Pit Road Lot" the perimeter is highlighted in yellow.***

3.2. The length (including the unit of measurement) for all parcel lines for both proposed parcels clearly labelled. The measurements can be directly marked on the site plan.

***The length for all parcel lines are clearly labelled and marked on the attached maps.***

***The unit of measure is meters.***