



REGIONAL DISTRICT OF MOUNT WADDINGTON

PUBLIC HEARING MINUTES

Public Hearing held on April 19, 2016 at the RDMW Office,
2044 McNeill Road, Port McNeill, B.C. regarding
RDMW Zoning Bylaw No. 21, Amendment Bylaw No. 894, 2016

PRESENT: Chair Dave Rushton and Directors Shirley Ackland, Jan Allen, Mike Berry, Hank Bood, Dennis Dugas, Andrew Hory and Heidi Soltau

STAFF: Greg Fletcher - Administrator; Jeff Long - Manager of Planning & Development Services, Melissa Tonkin – Recording Secretary

PUBLIC: Dean Wyatt (Owner - Applicant)

Chair Rushton called the public hearing to order at 1:36 pm

Chair Rushton advised that this public hearing is being held in accordance with the Local Government Act to allow the public to make representations to the Regional District of Mount Waddington regarding proposed Regional District of Mount Waddington Zoning Bylaw No. 21, Amendment Bylaw No. 894, 2016 (Bylaw No. 894). Notice of this public hearing has been undertaken in accordance with the Local Government Act and Regional District of Mount Waddington Development Procedures Bylaw No. 594. In this regard, the notice was published in two consecutive issues of the North Island Gazette Newspaper on April 7th and 14th, 2016 and was posted on March 7, 2016 on the bulletin board at the Regional District of Mount Waddington office located at 2044 McNeill Road, Port McNeill, B.C. Notice of this public hearing was also sent to the owners of the lands subject to Bylaw No. 894, as well as the owner of land within 100 metres of the lands subject to Bylaw No. 894. The Chair advised that all persons who believe that their interests are affected by proposed Bylaw No. 894 will be given an opportunity to be heard respecting matters contained in the Bylaw.

Chair Rushton read from a prepared statement outlining the public hearing procedures. Before calling for speakers, the Chair asked Jeff Long, Manager of Planning & Development Services, to provide an overview of the intent and purpose of Bylaw No. 894.

Mr. Long stated that Bylaw No. 894, if adopted, would have the effect of amending Regional District of Mount Waddington Zoning Bylaw No. 21 to:

- 1) Include a new zoning category, namely the “Marine Resort Zone (MR-1)”;
- 2) Include District Lot 2537 (PIN: 90103731) and portions of District Lots 580 (PID: 008-536-678) and 583 (PID: 008-535-621), Range 1, Coast District, which are located within or adjacent to Glendale Cove, being part of Knight Inlet, within the Marine Resort Zone (MR-1). These three adjacent marine and upland areas are utilized in the operation of the Knight Inlet Lodge resort development by Knight Inlet Grizzly Tours Ltd., and application of the Marine Resort Zone (MR-1) would permit the existing resort and accessory uses;
- 3) Add definitions for “Licenced Premises”, “Marina”, “Recreation” and “Resort Uses”; and,
- 4) Undertake housekeeping corrections such as:
 - a) Replacing different references associated with facilities that serve liquor with the term “Licenced Premises”;

- b) Replacing different references associated with marina developments with the term “Marina”;
- c) Deleting the requirement to obtain construction permits, a practice which has never been implemented in past;
- d) Clarifying language pertaining to the regulations associated with commercial hydro electric and wind energy generating systems (HEGs and WEGs);
- e) Clarifying that a restrictive covenant may be required to be registered on title to prevent further subdivision when taking advantage of the density averaging provisions of the Rural Zone (A-1);
- f) Clarifying the extent of the application of the Rural Zone (A-1);
- g) Deleting the designation of Development Areas which relates to superseded provincial legislation (*Municipal Act*); and,
- h) Clarifying penalty provisions.

Mr. Long then outlined the process associated with Bylaw No. 894. He indicated that at its meeting on February 16, 2016, the Regional District’s Board of Directors gave 1st reading to Bylaw No. 882 and directed staff to refer the Bylaw to external organizations for review and comment by April 15, 2016. As a result of the referral process, comments were received from four organizations as follows:

- 1) An email from the Ministry of Forests, Lands and Natural Resource Operations to advise that has no immediate concerns;
- 2) An email from Transport Canada to advise that there is no conflict with the Navigation Protection Act and that Transport Canada’s Navigation Protection Program has no concerns with the proposal;
- 3) An email from Fisheries and Oceans Canada that indicates that it does not have a regulatory role related to the By-Law Amendment because it does not directly propose works, undertakings or activities that may result in serious harm to fish; and,
- 4) An email from Island Health that indicates that due to the replacement of the Knight Inlet Lodge in 2013 due to a fire in 2012, some of the information provided by the applicant relates to the old lodge facility and is outdated. In this regard, upon replacement of the lodge, the applicant did submit plans and specifications to the Province for approval and Island Health confirms that: 1) a valid Permit to Operate a Food Service Establishment is in place in accordance with the Public Health Act; 2) a valid Permit to Operate a Water Supply System is in place in accordance with the *Drinking Water Protection Act* and the water supplier submits samples for bacteriological analysis on a monthly basis during operations; and, 3) the Ministry of Environment’s database shows Authorization Number 12598 has been issued to the owner with respect to the sewage system.

Mr. Long advised that at its meeting on February 16, 2016, the Board of Directors also directed staff to undertake preparations for advertising and conducting this public hearing. Upon conclusion of this public hearing, the Board of Directors could proceed to give 2nd and 3rd readings to, and adopt Bylaw No. 894. If adopted, Bylaw No. 894 would then take full force and effect.

Mr. Long noted that no submissions were received as a result of notifications associated with Bylaw No. 894 and the holding of today’s public hearing.

Chair Rushton thanked Mr. Long and then proceeded with the first call for verbal submissions and asked if there was anyone who wishes to speak.

Mr. Dean Wyatt (8841 Driftwood Road, Black Creek, BC) advised he wished to make the trip to attend the public hearing today to support the application for rezoning and to introduce himself and meet the Board of Directors. He indicated that there has been little in the way of interaction between the Lodge owners and the people of the RDMW even though the Knight Inlet Lodge has been operating since 1979. Mr. Wyatt described the Lodge business and numbers of visitors that come to the Lodge each year. He talked about the tourism potential of the area and in particular, the bear viewing which is a key activity that the Lodge provides. Mr. Wyatt invited the Board to come visit and see the Lodge facilities. There was discussion about tourism in the area and the potential for same.

The Chair then proceeded to call for a second time if there was anyone who wished to speak.

No one identified themselves as wishing to speak.

The Chair then proceeded to call for a third time asking if there was anyone who wished to speak.

There were no speakers.

Chair Rushton advised that any written submissions must now be turned in before the close of the public hearing. After a final call for written submissions and receiving none, Chair Rushton declared the public hearing closed at 2:00p.m.

CERTIFIED CORRECT:



Dave Rushton - CHAIR



Jeff Long - SECRETARY