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## REGIONAL DISTRICT OF MOUNT WADDINGTON

### PUBLIC HEARING MINUTES

Public Hearing held on June 20, 2017 at the RDMW Office,  
2044 McNeill Road, Port McNeill, B.C. regarding:  
Regional District of Mount Waddington Zoning Bylaw No. 21,  
Amendment Bylaw No. 920, 2017

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**PRESENT:** Chair Andrew Hory and Directors Shirley Ackland, Jan Allen, Mike Berry, Hank Bood, Pat Corbett-Labatt, Heidi Soltau and Phil Wainwright  
**STAFF:** Greg Fletcher - Administrator; Jeff Long - Manager of Planning & Development Services  
**PUBLIC:** Tim McGrady - Farewell Harbour Lodge Ltd. (property owner and applicant)

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Chair Hory called the public hearing to order at 1:45 pm

Chair Hory 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 the proposed bylaw, namely Regional District of Mount Waddington Zoning Bylaw No. 21, Amendment Bylaw No. 920, 2017. Notice of this public hearing has been undertaken in accordance with the Local Government Act and Regional District of Mount Waddington Planning and Development Procedures and Fees Bylaw No. 916. In this regard, the notice was published in two consecutive issues of the North Island Gazette Newspaper on June 7<sup>th</sup> and 14<sup>th</sup>, 2017 and was posted on the bulletin board at the Regional District of Mount Waddington office on May 18, 2017. Notice of this public hearing was also sent to the owners of properties that are subject to site specific zoning changes as per Bylaw No. 920, as well as the owners of properties within 100 metres of these properties. The Chair advised that all persons who believe that their interests are affected by proposed Bylaw No. 920 will be given an opportunity to be heard respecting matters contained in the bylaws.

Chair Hory 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.'s 920.

Mr. Long stated that Bylaw No. 920, if adopted, would have the effect of amending Regional District of Mount Waddington Zoning Bylaw No. 21 and includes three main components, namely 1) housekeeping items, 2) two site specific zone changes, and, 3) preparation and application of a new Marine Zone (MAR-1). He further explained these three components as follows:

- 1) Housekeeping items:
  - (a) Exclude marijuana from the definition of agriculture and create a new definition related to marijuana grow operations;
  - (b) Making minor corrections or changes to existing definitions;
  - (c) Recognize that First Nations reserves established by the Federal Government are exempt from the zoning bylaw;
  - (d) Adding a new section called exceptions that allows:
    - (1) The use of buildings in any zone by local, provincial and federal governments for things like polling stations, census taking, etc.

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- (2) A reduction in the prescribed minimum lot area for Crown land tenures where no services are required or services can be accommodated on a smaller tenure area; and,
  - (3) Docks used in association with residential dwellings on waterfront lots.
- (e) Includes regulations for home occupations uses;
- (f) Allow a cabin dwelling on a lot in the Rural Zone (A-1) as an accessory use to an existing single detached dwelling.
- 2) Two site specific zone changes:
- (a) Blackfish Lodge Resort
- (1) RDMW dealt with the Crown Land Tenure Application in 2015 and the Province went ahead and issued the tenure licence without the zoning being rectified;
  - (2) This proposal relates to a land based site which is 0.193 of a hectare (0.48 acre) in area and is located adjacent to the east side of the Wakeman Forest Service Road. The site is cleared of vegetation and was previously utilized as a gravel pit and in this regard, has been heavily disturbed. The proposal is to provide accommodation services to recreational fisherpersons as well as forest industry personnel working in the area. The applicant advises that when used to accommodate fisherpersons, the proposed development would house 2 to 4 guests and 2 to 3 employees. When used to house forestry workers, there could be as many as 10 persons staying at the camp at any given time. The proposed development would consist of four buildings: a 74.42 square metre (801 square foot) main house, a 81.74 square metre (880 square foot) bunk house, a 15.6 square metre (168 square foot) shop and a 8.9 square metre (96 square foot) generator shed. The first three buildings have been owned by the applicant since 2005 and would have to be relocated to the site from a short distance away (+/-200 metres), while the generator shed is to be constructed on site.
- The applicant advises that the sewage system to be utilized would meet Island Health requirements and installation would be overseen by a qualified professional. The potable water source would be a freshwater creek approximately 66 metres (216.5 feet) from the site. An intake would be constructed at the creek with the water piped to the site. Water consumption would be a maximum of 4 cubic metres per day.
- (3) A new Lodging House Accommodation Zone (LHA-1) has been developed which would be applied to the subject site which relates to Licence No. V920276 under Provincial File No. 1414351 and is described as "That Part of District Lot 63, Range 2, Coast District" and containing 0.193 of a hectare (0.477 of an acre), as well as that area immediately adjacent to it for a total area of 1.25 hectares (3.09 acres). It is noted that the area that would be subject to the new Lodging House Accommodation Zone is one quarter of a hectare larger than was included at 1<sup>st</sup> reading of Bylaw No. 920. This is to ensure that the infrastructure associated with the water service for the development is included and the enlarged area, and this change was included in the public hearing notification.
- (b) Farewell Harbour Lodge:
- (1) Expansion of existing resort on Berry Island with extension of existing uses associated with the resort on the upland property onto the marine area adjacent to the resort property to accommodate the existing (docks) which are in a marine area which is subject to an existing lease with the Province, as well as proposed new uses as part of and expanded lease area (from 0.134 of a hectare to 0.324 of a hectare).

- (2) New uses to include a 46 metre (150 foot) long floating breakwater, a 3.65 meter (12 foot) by 17 metre (56 foot) dock, and two floats (each being 16.8 metres by 20 metres in size), one that will include a building to provide additional accommodation (4 new rooms) and a second that will house a kitchen area. These new facilities will be used in conjunction with the resort use on the adjacent upland property and will increase the capacity of the Farewell Harbour Lodge from 8 to 12 rooms. The new facilities would be connected to the Lodge's existing water supply which includes a desalination plant, as well as the sewage system.
- (3) An environmental assessment has been conducted which includes recommendations that the applicant has acknowledged in writing, will be implemented as part of the development.
- (4) Bylaw No. 920 proposes to extend the Destination Resort Zone (DR-1) to apply to that marine area located adjacent to and west of the lot on Berry Island which is included in the Destination Resort Zone (DR-1) and is legally described as Lot A, District Lot 840, Range 1, Coast District, Plan EPP19195, as well as a portion of the lot on Berry Island which is also included in the Destination Resort Zone (DR-1) and is legally described as Lot B, District Lot 840, Range 1, Coast District, Plan EPP19195.

### 3) Preparation and application of new Marine Zone (MAR-1):

Mr. Long explained this zone is intended to apply to the vast majority of the marine areas throughout the Regional District except those areas within the boundaries of the four municipalities, those areas subject to other Regional District zoning or land use bylaws, and sites subject to specific zoning categories as per Zoning Bylaw No. 21. The Marine Zone allows the following uses:

- a) Accessory uses associated with upland based forestry, including, but not limited to: log dump, booming and storage; helicopter drop site; barge ramp; docking systems; and, float camp to provide temporary accommodation for forestry workers;
- b) Docks used as an accessory use in conjunction with a permitted residential use or dwelling as per section 3.1.5(c) of this Bylaw;
- c) Marine navigational aids installed by the Province of British Columbia or Federal Government or agents thereof, or as required by and with the permission of the respective agency having jurisdiction; and,
- d) Restoration or enhancement of the intertidal zone with the prior written approval of Fisheries and Oceans Canada, where applicable.

Permitted uses shall only be established upon prior issuance of Crown land tenure for said uses, where required by the Province of British Columbia

Non-conforming status is provided for a marine area or a building or structure located in a marine area, that is lawfully used as of June 20, 2017 and is subject to the Marine Zone (MAR-1) as of that date.

Mr. Long then outlined the process associated with Bylaw No. 920. He indicated that at its meeting on May 16<sup>th</sup>, 2017, the Regional District's Board of Directors gave 1<sup>st</sup> reading to Bylaw No. 920 and 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 2<sup>nd</sup> and 3<sup>rd</sup> readings to, and adopt Bylaw No. 920. If adopted, Bylaw No. 920 would then take full force and effect.

Mr. Long noted that no submissions were received as a result of notifications associated with the holding of today's public hearing and Bylaw No. 920.

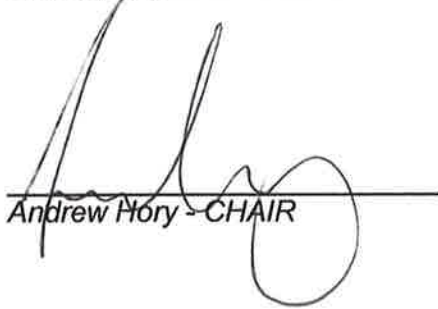
Chair Hory thanked Mr. Long and then proceeded with the first call for verbal submissions and asked if there was anyone who wishes to speak.

Tim McGrady, of Comox, one of the owners and applicants in relation to the subject property, introduced himself and thanked the Board for consideration of the proposed Bylaw. He explained his background in tourism and in the resort industry as well as circumstances leading up to his involvement with partner Ryan Brockway in the Farewell Harbour Lodge. He advised that it is their goal to become a world class wildlife viewing facility in the Regional District and that the business uptake has been good for the start of this year and that 15 employees have been hired as part of the Lodge's operations.

There was no one else in attendance who wished to speak a first time. 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 Hory 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 Hory declared the public hearing closed at 2:00 p.m.

**CERTIFIED CORRECT:**



Andrew Hory - CHAIR



Jeff Long - SECRETARY