



# REGIONAL DISTRICT OF MOUNT WADDINGTON

## REGIONAL PLANNING COMMITTEE MEETING AGENDA

August 15, 2023 at 12:00PM

Board Room, RDMW Administrative Office, 2044 McNeill Road, Port McNeill, BC

Join Zoom Meeting:

<u>Page</u>	<b>A. CALL TO ORDER</b>
1	<b>B. APPROVAL OF AGENDA AS PRESENTED</b> (or amended)
	<b>C. ADOPTION OF MINUTES</b>
2-3	1. Minutes of the Regional Planning Committee Meeting held June 20, 2023.
	<b>D. DELEGATIONS</b> - None
	<b>E. REPORTS</b>
4-9	1. 2022-PROJ-01: Gun-Range Crown Tenures

**Recommendation:**

*THAT the Board approves to renew the current leases for additional term of 30 years.*

**F. NEXT MEETING DATE:** To be determined.

**G. ADJOURNMENT**



REGIONAL DISTRICT OF MOUNT WADDINGTON  
**REGIONAL PLANNING COMMITTEE  
MEETING MINUTES**

June 20, 2023 at 12:00pm

Board Room, RDMW Administrative Office, 2044 McNeill Road, Port McNeill, BC

Chair: In Person: Dennis Buchanan  
Directors: In Person: Pat Corbett-Labatt, Dennis Dugas, Andrew Hory, James Furney, Michelle Pottage, David Summers, Brent Schmidt (Alternate for Kathryn Wykes)  
Via Zoom: Kevin Cameron

Staff: David Kim, Administrator, June Kwon, Planning Assistant, Nadine Weldon, Recording Secretary, Nicole McDowell, Reception

Public Hartmut Penner, Erika Penner

Resolution No. **A. CALL TO ORDER** **12:02 PM**

*The Chair opened the meeting by acknowledging that this meeting is taking place on the traditional territory of the Kwak'waka speaking peoples.*

**B. APPROVAL OF AGENDA**

RPC 2023-09 Agenda adopted Moved/Seconded/**CARRIED**  
THAT the RDMW Regional Planning Committee Agenda of June 20, 2023 be approved as presented.

**C. ADOPTION OF MINUTES**

RPC 2023-10 2023 05 16 Minutes Adopted Moved/Seconded/**CARRIED**  
THAT the Minutes of the Board of Directors Meeting held May 16, 2023 be adopted as presented.

**D. DELEGATIONS – None**

**E. REPORTS**

RPC 2023-11 2023-DVP-01 Moved/Seconded/**CARRIED**  
THAT the Board approves Development Variance Permit 2023-DVP-01 to vary the provisions of section 5.3.3 (c) i) of Coal Harbour Zoning Bylaw 669, 2002 to:

- 1) *Decrease the setbacks for primary dwelling from the rear lot lines from 9.0 metres (30.0 feet) to 4.8 metres (15.7 feet) for accommodating the construction of proposed primary dwelling, described as 'Proposed Primary Dwelling,' as shown on the site plan attached as Schedule 'B' to this Development Variance Permit 2023-DVP-01;*

*Subject to the following conditions:*

- a) *The development upon the land, construction of proposed primary dwelling unit, shall be carried out according to the specifications attached hereto as Schedule 'A' and plan attached hereto as Schedule 'B', which form part of this permit;*
- b) *The development must not cause any adverse impact to the RDMW infrastructure and right of ways. The provision of adequate professional engineer's*

*recommendations(s) and endorsement(s) will be required before the release of the Development Variance Permit.*

- c) The permittees to contact the Ministry of Forests advising the current condition of the portion of Crown land abutting to side lot line (SE side) of the subject property and implement Ministry's recommendations if required.*
- d) The permittees to contact the Ministry of Transportation and Infrastructure advising the scope of the work, especially the work relevant to the access passage where the culvert associates with, and derive the work in accordance to the Ministry's standards, policies and recommendations.*
- e) Provision to the Regional District of Mount Waddington of a site plan that accurately depicts the sitting and area of all buildings and structures.*
- f) Provision to the Regional District of Mount Waddington, certified by a professional engineer that the building and site (such as, deep-fill, slope stability), as proposed, would be safe as per section 5.3.3. (c) (i) except the part what would be varied through this permit.*

*AND FURTHER THAT the planning staff, on behalf of Manager of Planning & Development Services, be authorized to execute the permit once the conditions described herein have been completed in full."*

RPC 2023-12

**ADOURNMENT**

**TIME 12:05 PM**

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CHAIR

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SECRETARY



# REGIONAL DISTRICT OF MOUNT WADDINGTON

## REGIONAL PLANNING COMMITTEE REPORT

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**DATE:** August 15, 2023  
**FILE:** 2022-PROJ-01  
**AUTHOUR:** June Kwon, Development Technician  
**SUBJECT:** Gun-Range Crown Tenures

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### BACKGROUND

Broughton Sports Club (“BSC”) and Port Hardy Fish and Wildlife Association (“PHFWA”), as non-profit voluntary running association, offer various activities involving wildlife, environment and other relevant education activities; providing safe range environment and promoting safe culture regarding the use of firearms.<sup>1</sup>

BSC operates the gun range located within the tenure 1408104<sup>2</sup> and has over 200 members. BSC provides archery range, handgun range, rifle range, trap range and several accessory structures in conjunction with featured activities.

PHFWA operates the gun range located within the tenure 1403736<sup>3</sup> and has approximately 130 members. PHFWA gun range accommodates trap shooting range, pistol / rifle range, club house, caretaker’s quarter and accessory storage space.

Since the 17<sup>th</sup> of September, 2019, the administration has been assisting both BSC and PHFWA with preparation of application package for the renewal process.<sup>4</sup> Both ranges, in 1980s, started with the Special Use Permit to temporarily occupy the Crown land, which necessitated annual renewal. In early 2000s, Regional District, on behalf of each range user groups, acquired Crown tenures through ministry and thus provided the tenure area to BSC and PHFWA through the agreement, between the RD and the association.

Here is a timeline since the expiration of the subject tenures:

- July 8<sup>th</sup>, 2017
  - tenure agreements lapsed

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<sup>1</sup> The range operated by BSC is used by Port McNeill, Port Hardy RCMP as well as DFO and the Rangers for practice and qualifications; PHFWA supports Canadian Rangers and Canadian Ranger Programs by offering assistance, training facilities and meeting venues.

<sup>2</sup> *That part of Southeast 1/4 of section 3, Township 1, Rupert District, shown outlined on sketch below, containing 4.170 hectares, more or less* – description used in Schedule “A” of the Licence of Occupation.

<sup>3</sup> *That part of District Lot 198, Rupert District, shown outlined on sketch below, containing 17.28 hectares, more or less* – description used in ‘LEGAL DESCRIPTION SCHEDULE’ of Licence of Occupation, dated the 5<sup>th</sup> of August, 2007.

<sup>4</sup> Application consisting of ‘Site Plan,’ ‘Site Photo,’ ‘Management Plan,’ ‘Environmental Stewardship Plan’ and the result of Lead Soil Sampling Test.

- September 17<sup>th</sup>, 2021
  - Ministry contacted planning department regarding the land file 1408104 (Broughton Sports Club).
- October 12<sup>th</sup>, 2021
  - staff conducted a site visit to Broughton Sports Club
- January 5<sup>th</sup>, 2022
  - Ministry contacted planning department regarding the land file 1403736 (Port Hardy Fish and Wildlife Association).
- February 23<sup>rd</sup>, 2022
  - The application package for Broughton Sports Club completed.
- April 5<sup>th</sup>, 2022
  - planning staff advising the ministry's file officer that the soil test were conducted on 17<sup>th</sup> of March for both Port Hardy Gun Ranges and Broughton Sports Club.
- July 1<sup>st</sup>, 2022
  - The application package for Port Hardy Fish and Wildlife Association completed.
- November 24<sup>th</sup>, 2022
  - Ministry inviting a meeting to explore an option for Crown Granting of the tenure areas; RD deferred as the acquisition and disposition of the property is under the discretion of the Board.
- June 22<sup>nd</sup>, 2023
  - Ministry summarizing the options which RD may consider regarding the two Crown tenures.
- August 15<sup>th</sup>, 2023
  - planning staff attending RPC to enquire planning Committee's recommendation.

One of the aspects, which differentiates this replacement application to the past renewal applications is the necessity of the provision of environment assessment, regarding lead contamination. Soil sampling at the BSC and PHFWA were completed to document the current soil condition relative to lead contamination through the different regions of gun range. The tests were conducted by the Pacificus Biological Services Ltd., on the 17<sup>th</sup> of March, 2022.

Results of the test for BSC revealed that the lead concentrations of all sample sites were below the acceptable limits stipulated by Contaminated Site Regulation (CSR) Schedule 3.1 – Part 1. However, the results of the test prepared for PHFWA indicated that the majority of sample sites are in exceedance of acceptable limits as described in the CSR.

To corroborate management plan and to address increasing emphasis on the sustainable practice of tenure area operation, both associations developed the Environmental Stewardship Plan. Purpose and goals of prepared Environmental Stewardship Plan is to assess the current condition of shooting ranges concerning the level of introduced lead, identify and prescribe actions to address the level of lead resulting from shooting activities and layout plans for continued actions for the use of the site.

Site Plan



Site Plan of Broughton Sports Club (Crown Tenure 1408104)





**PORT HARDY FISH & WILDLIFE ASSOCIATION** SITE PLAN I

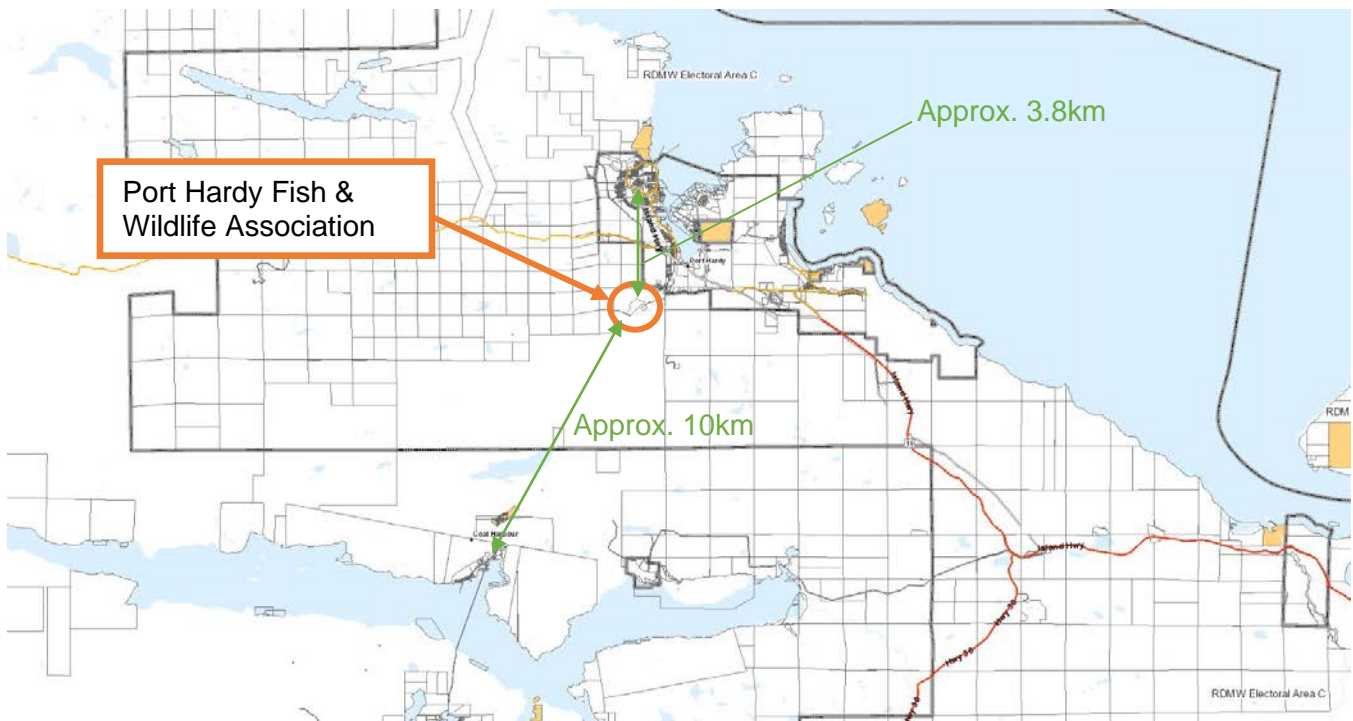


Site Plan of Port Hardy Fish and Wildlife Club (Crown Tenure 1403736)

**PORT HARDY FISH & WILDLIFE ASSOCIATION** SITE PLAN II - Enlarged



DETAIL



### Options laid out by Province

- a. Sponsored Crown Grant – this transfers the ownership of identified parcels of Crown land from the BC Government to RD;
- b. Replacement of the tenure agreement as a lease for a term of 30 years<sup>5</sup>; or
- c. Cancel the tenure; termination of the tenure agreements.

To consider acquisition of tenure area through Sponsored Crown Grants various factors, such as, future land use, economic impact, facility operation / servicing capacity and cost should be contemplated. Crown granting process would also comprise the consultation with First Nations, public and other applicable agencies / organizations.

To accommodate closure of the tenure agreements, pursuant to the conditions outlined in the tenure agreement, RD would be required to remove any improvements and return the land to the condition as it was on the Commencement Date to Ministry's satisfaction. Considering the infrastructures located in the tenure area and the fact that PHFWA was reported with the exceedance of acceptable limits of lead, implementing remediation process and its cost may not be viable at this point of time. This option would also impede the services provided by BSC and PHFWA.

To hear user group's perspective on the subject matter staff circulated above options laid out by province to BSC and PHFWA; both indicates its preference to replace (renew) the tenure.

Therefore, staff recommends replacement of the tenure agreements as a lease for a term of 30 years, as it appears to be the most viable option for RD for this time. This approach would provide following benefits;

<sup>5</sup> Exact term will be confirmed through First Nations consultation and determined by a Decision Maker with the Ministry of Forests



1. Continuation of BSC and PHFWA providing its service to the community;
2. Effective remediation for the current trespassing issue within the subject tenure area; and
3. Securing additional time for considering the direction that RD would take in the future;

**Recommendation to the Planning Committee:**

*THAT the Board approves to renew the current leases for additional term of 30 years.*

Respectfully submitted,

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June Kwon  
Development Technician

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David Kim  
Chief Administrative Officer