



STAFF REPORT

DATE: May 2, 2019 **FILE:** 0540-04 EASC

TO: Chair and Directors,
Electoral Areas Services Committee

FROM: Dave Leitch
Chief Administrative Officer

RE: MILLER – FIRST NATION CONSULTATION (CP 1D 19/RZ 1D 19)

PURPOSE

To consider the consultation process for an official community plan (OCP) amendment for land located adjacent to the Oyster River in Electoral Area D.

POLICY ANALYSIS

During the amendment of an OCP and prior to a public hearing, Section 475 of the *Local Government Act* (LGA) requires the Regional District to provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected, and more specifically to consider whether to consult with the following:

- a) the board of any regional district that is adjacent to the area covered by the plan,
- b) the council of any municipality that is adjacent to the area covered by the plan,
- c) first nations,
- d) school district boards, greater boards and improvement district boards, and
- e) the provincial and federal governments and their agencies.

Part 14, Planning and Land Use Management, of the LGA describes local government's role and responsibilities regarding OCP and zoning bylaw amendments, namely Section 472 (Official Community Plans), Section 479 (Zoning Bylaws) and Sections 464 - 465 (Public Hearings on Bylaws).

EXECUTIVE SUMMARY

An application has been received to amend the land use designation and zoning for a parcel of land at the end of Chantrelle Way, which does not currently conform to the lot size requirements of the Oyster Bay-Buttle Lake Official Community Plan Bylaw nor the Campbell River Area Zoning Bylaw.

The purpose of the application is to allow for the property to continue to be managed as Private Managed Forest Land while allowing a subdivision for the son of a Chantrelle Way homesteader for family purposes over a portion of the proposed Country Residential lands. It is the intent of the owner to continue managing the parcel as Private Managed Forest Land while securing residential use over the parcel.

Based on the proposed re-designation of land and in accordance with the requirements of the LGA, the Regional District must provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected. A proposed First Nations' consultation process and agency referral list have been prepared for the Committee's consideration.

Following approval of the consultation process provided, a formal referral of the application will be provided to the identified agencies and First Nations for review and comment. Upon completion of the consultation process, a full staff report regarding the proposal and associated land use considerations, including consultation outcomes, will be prepared for the Committee's consideration.

RECOMMENDATIONS

1. THAT the report from the Chief Administrative Officer be received.
2. THAT the Committee recommend the First Nations' consultation process as outlined in the staff report dated May 2, 2019, for application CP 1D 19/ RZ 1D19 – Miller be approved.
3. THAT the Committee recommend the agency referral list as outlined in the staff report dated May 2, 2019, for application CP 1D 19/ RZ 1D 19 – Miller be approved.

Respectfully:



Dave Leitch
Chief Administrative Officer

BACKGROUND/HISTORY

The property, referred to as 'Chantrelle Forest Lands', is currently inappropriately designated and zoned due to the lack of area associated with the parcel. The parcel does not meet the lot size requirements of neither the Upland Resource designation of the Oyster River-Buttle Lake Official Community nor the Upland Resource zone of the Campbell River Area Zoning Bylaw. The property is owned by the son of the homesteaders that first settled on Chantrelle Way in 1979 and whom constructed the roadway that provides access to 'Chantrelle Forest Lands'. Mr. Miller is a forester that has lived on Chantrelle Way his entire life and purchased 'Chantrelle Forest Lands' in 2017. The property is currently designated and managed as Private Managed Forest Land. A 1.0-hectare portion of the land was logged by Mr. Miller in May of 2017 and in April 2018 planted by himself and family. A forest management plan over the property is in force to guide the future forest management and long-term forest investment. It is the intent of Mr. Miller to continue to operate the balance of the lands as Private Managed Forest Land and fulfill his dream to manage forests and improve lands in the Chantrelle area for the next generation. This use is permitted under the current non-conforming designation and zoning of Upland Resource as well as the proposed Rural/Country Residential designation and zoning.

The proposal is to re-designate and rezone the balance of the land to be consistent with the requirements of the OCP and zoning bylaw, being Rural (RU) and Rural One (RU-1), while providing a Country Residential (CR) designation and Country Residential Four (CR-4) zone over a smaller portion of the land. Based on the proposed re-designation of land, and in accordance with the requirements of the LGA, the Regional District must provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected. A proposed First Nations' consultation process and agency referral list have been prepared for the Committee's consideration.

PROPOSED FIRST NATIONS CONSULTATION AND AGENCY REFERRAL

The SRD is committed to early and on-going First Nations consultation, as required under Section 475 of the *LGA* and guided by the Ministry of Municipal Affairs and Housing's *Guide to First Nations Engagement on Local Government Statutory Approvals*. As part of the consultation process, the SRD will initiate contact with First Nations to provide application details and to seek First Nations input related to the proposed bylaw amendment considerations. Should comments, or concerns, be received from any First Nation regarding the proposed bylaw amendments, such comments will be forwarded to the Board for further consideration and direction. The following First Nations consultation list as sourced from the Province of BC's Consultative Areas Database is provided for Committee's consideration:

Proposed First Nation Referral List

√	Xwémalhkwu (Homalco) First Nation	√	Nanwakolas Council
	Hul'qumi'num Treaty Group		Cowichan Tribes
	Klahoose First Nation		Stz'uminus First Nation
√	K'ómoks First Nation		Halalt First Nation
	Lake Cowichan First Nation	√	We Wai Kai (Cape Mudge Band)
√	Laich-Kwil-Tach Treaty Society	√	We Wai Kum (Campbell River Band)
	Lyackson First Nation		Penelakut Tribe

Proposed Agency Referral List

√	Agricultural Land Commission	√	Ministry of Agriculture
√	Advisory Planning Commission (APC)		Ministry of Municipal Affairs and Housing
√	BC Assessment Authority		Ministry of Energy & Mines
	BC Ferries Corporation	√	Ministry of Environment
	BC Parks	√	Ministry of Forests, Lands & Natural Resource Operations (Archaeology)
			Ministry of Forests, Lands & Natural Resource Operations (Land Tenures/Natural Resources)
	Powell River Regional District (PRRD)	√	Ministry of Transportation and Infrastructure
√	Environment Canada	√	School District No. 72 (Campbell River)
	Coastal Fire		Transport Canada Navigable Waters
	Ministry of Aboriginal Relations & Reconciliation	√	Island Health

OPTIONS FOR THE COMMITTEE TO CONSIDER

- a) To provide support for the proposed First Nations consultation and agency referral list as identified above.
- b) To provide support for an amended First Nations consultation and agency referral list.
- c) To not proceed with consultation at this time.

Staff is recommending support for the above-mentioned Option (a).

Should support be provided, staff will then forward details of the application to identified parties for review and comment. Following the consultation process, a staff report which summarizes the specifics of the application and consultation outcomes will then be prepared for Committee's consideration.

FINANCIAL IMPLICATIONS

Fees for the official community plan and rezoning application process have been received in accordance with the Regional District's Planning Procedures and Fee Bylaw (Bylaw No. 5).

LEGAL IMPLICATIONS

The report content outlining agency referral and First Nations consultation considerations is in accordance with LGA requirements.

INTERGOVERNMENTAL/REGIONAL IMPLICATIONS

The consultation process will provide opportunity to explore intergovernmental/regional implications.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS

Citizen/public relations implications will be considered through the bylaw process as legislated by Sections 464-465 of the *Local Government Act*.

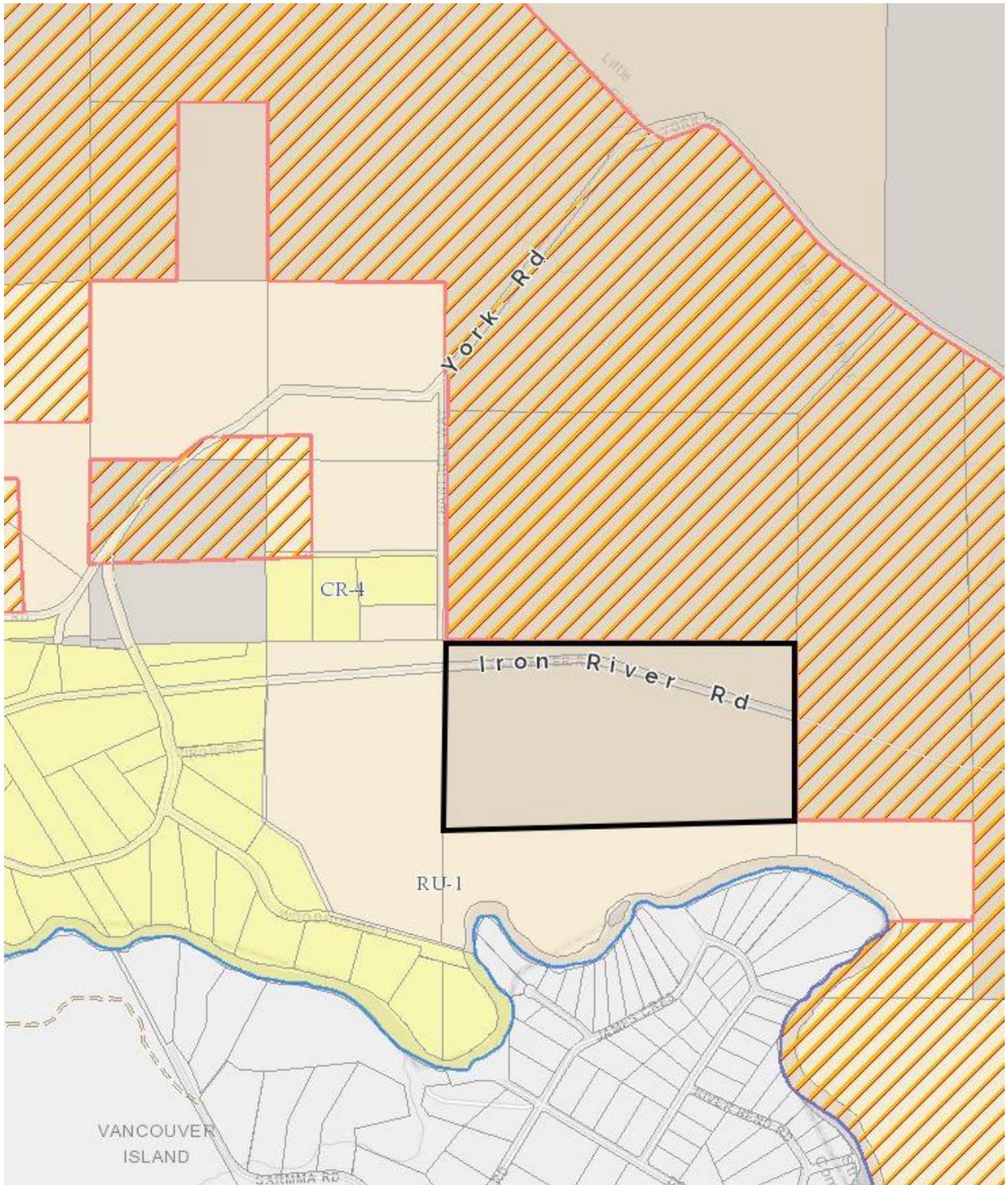
INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS

Community Services staff resources will be required in the preparation of consultation and referral materials.

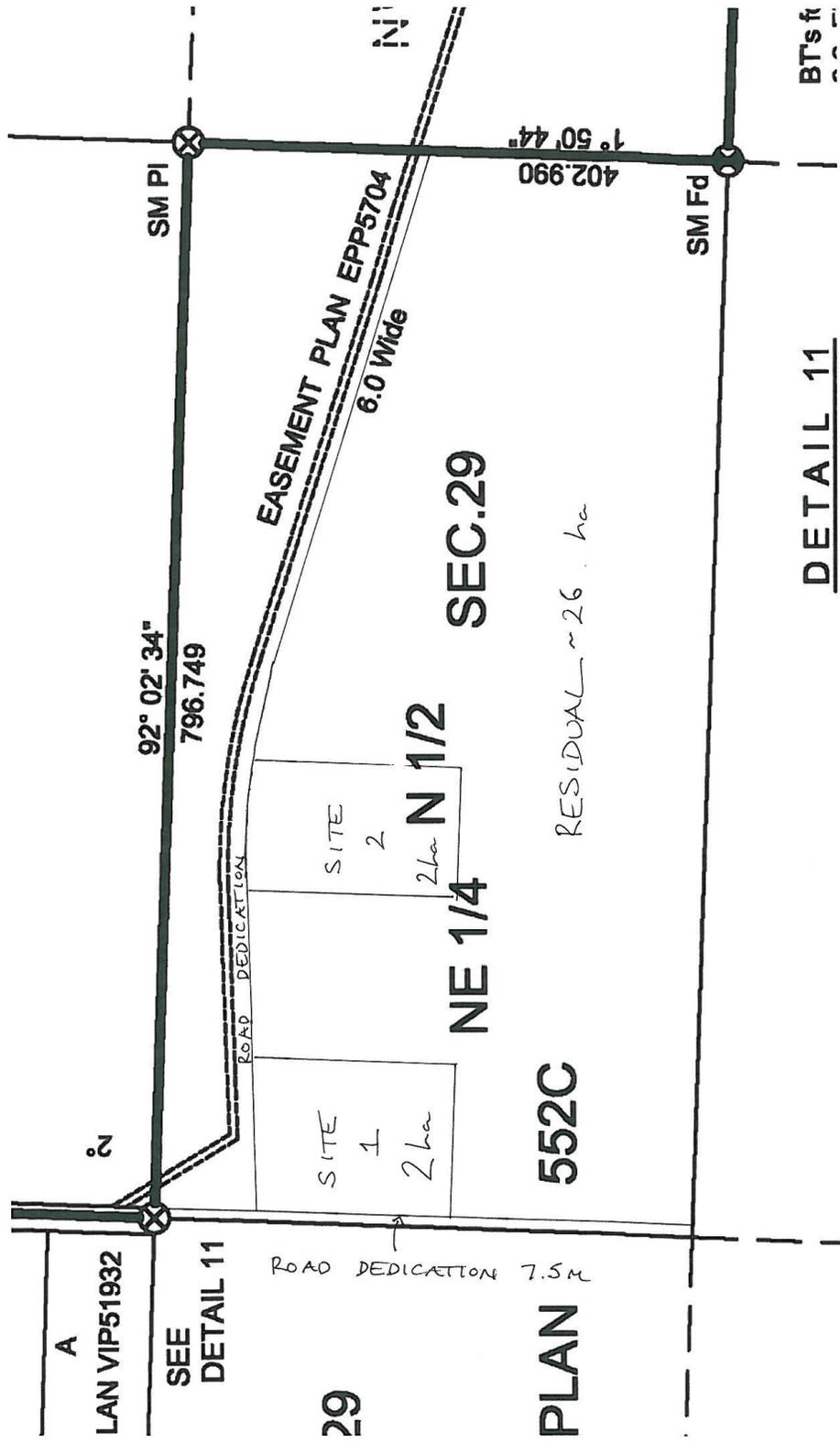
Submitted by:

Ralda Hansen
Community Services Manager

Prepared by: A. Nelson, Parks, Planning, Building & Bylaw Enforcement Manager



Location map



Proposed site plan

Policies:

Designations and Minimum Lot Sizes

1. Areas for housing development shall be designated as described below and illustrated on Map 3:

Residential

- areas of large suburban lots with septic systems and Regional District water;
- upgrading of water system and the development of alternative sewage treatment and disposal systems to be pursued to permit limited growth;
- new lots shall have an average minimum lot size of 4000m² (1ac).

CSRD
2568

- c) notwithstanding the above, the average minimum lot size may be reduced to 2500 square metres (0.62 acre) where the proposed subdivision of the parent parcel creates not more than one additional lot and the subdivision is for the sole purpose of accommodating the siting of one existing, legally established dwelling on each lot.

Country Residential

- rural properties of various sizes with septic systems and either Regional District or well water;
- upgrading of water system to be pursued to expand the local service area and to permit limited growth;
- new lots shall have an average minimum lot size of 2ha (4.9ac).
- The property legally described as Lot 2, District Lot 193, Comox Land District, Plan 18649 is hereby exempted from the average lot requirement of 2 ha (4.9acres) as stated in the Country Residential designation.

CSRD
2322

- e) the property legally described as Lot 3, Section 34, Township 4, Comox District, Plan 42409 except part in Plan VIP54090 is hereby exempted from the average lot requirement of 2 hectares (4.9 acres) as stated in the "Country Residential" designation.

CSRD
3248

Rural

- areas expected to remain as rural acreage properties catering to the demand for hobby farms, equestrian activities, rural estates and isolated homesteads with well water and septic systems;
- includes parcels inside the local service areas which have one or more development constraints;
- new lots shall have an average minimum lot size of 8ha (19.8ac).

2. The average minimum lot size may be reduced by 50% for any designation where density bonusing in exchange for community amenities occurs.

3. Extensions of the areas designated "Residential" may be considered if the following conditions are met:

- a) opportunities for development in the existing "Residential" areas have been exhausted or denied;
- b) the new areas are logical extensions of the existing settlement areas, and will be served by community water service, community sewage treatment and any needed stormwater management systems;

- c) a strategy for the development, staging, and finance of infrastructure or community facilities for the extension is adopted;
 - d) rural and recreational characteristics are defined and protected;
 - e) the cumulative impacts of development on rural and recreational characteristics and on natural features and functions are assessed and found to be minimal and acceptable;
 - f) within developments of 10 lots or more, opportunities to use renewable energy supplies or energy conservation devices have been included; and
 - g) the proposed development has a compact or clustered form with densities that utilizes efficient use of land, infrastructure, and community facilities.
4. Extensions of the areas designated "Country Residential" may be considered if the following conditions are met:
- a) opportunities for development in the existing "Country Residential" areas have been exhausted or denied;
 - b) new development areas are logical extensions of the existing settlement areas, and the long-term adequacy of on-site or community water supply and sewage treatment and stormwater management systems is demonstrated;
 - c) a strategy for the development, staging, and financing of any needed infrastructure and community facilities for the extension is adopted; and
 - d) rural and recreational characteristics are defined and protected; and
 - e) the cumulative impacts of development on rural and recreational characteristics and on natural features and functions are assessed and are found to be minimal and acceptable;
 - f) within developments of 10 lots or more, opportunities to use renewable energy supplies or energy conservation devices have been included; and
 - g) the proposed development will have a compact or clustered form with densities and uses appropriate to the services available or proposed.
5. Extensions may form isolated housing developments where all other conditions in policies 3 and 4 have been satisfied for the designation requested.
6. Mobile home parks may be located in areas designated "Residential" or "Country Residential" where they conform to the general housing policies. Mobile home parks shall be limited to a density of 15 units/ha and a maximum site area of 2.0 ha (4.9 acres).
7. Housing development shall be discouraged and directed away from the following:
- a) parcels designated as Agricultural Land Reserve or Forest Land Reserve;
 - b) parcels designated for commercial or industrial use;
 - c) hazard lands;
 - d) environmentally sensitive areas;
 - e) sites contaminated by past land uses; and
 - f) parcels having significant underlying aggregate or mineral deposits; and
 - g) where development occurs on such lands, it shall be clustered to protect land resources, minimize land use conflicts and ensure public safety.

Subdivision

8. Subdivisions to provide a residence for a relative under Section 998 of the Municipal Act are considered to be appropriate.
9. With a limited amount of land available outside of the ALR and FLR in the planning area, the creation of parcels with a lot area of 1.0 hectare (2.5 acre) or more for primarily single family residential use shall be generally considered to be an inefficient use of land and shall be discouraged.
10. More efficient land use may be encouraged by promoting and permitting the following:
 - a) redeveloping of older neighbourhoods;
 - b) infill housing;
 - c) grouping of housing in clusters in appropriate locations;
 - d) smaller parcels;
 - e) using appropriate local road standards and designs; and
 - f) flexible and innovative regulatory bylaws.

Dwellings

11. The construction of new homes will be limited to single family dwellings. Construction of duplex and multi-family dwellings shall not be permitted.
12. Secondary suites and secondary dwellings of 60.0 square metres (645.9 square feet) may be permitted on parcels connected to a community sewage system or where approved by the Ministry of Health.
13. Two dwellings per parcel may be permitted with approval of the Ministry of Health where the lot is twice the required minimum lot size.
14. Existing duplex and multi-family dwellings and residential lots with more than one dwelling shall be recognized and zoned accordingly.
15. One and two storey height limits shall be considered to protect views of Georgia Strait and Coast Mountains along the Island Highway corridor.

Retaining Rural Character

16. Use of the following guidelines shall be encouraged for designing housing developments:
 - a) Environmentally sensitive areas should be permanently protected as public open space;
 - b) The natural terrain and drainage should be maintained;
 - c) A minimum of 30% of the site area, or a mix of open space and other desired amenities, should be permanently provided for public use and include existing rural and recreational features of the site;
 - d) Pedestrian links and linear parkways should be provided including public access to waterways;
 - e) Clearing of vegetation at the edge of roads and driveways should be kept to a minimum, and roads and driveways curved;

- f) Buildings and structures should be sited and constructed so that they are absorbed by the landscape and do not protrude above the tree tops and crestlines of hills and ridges seen from public places and roads;
 - g) The form and character of the development should reflect and enhance the rural nature of the community;
 - h) Viewpoints should be accessible to the public as landmarks, parks, common open space and stopping points along roads and linear parkways;
 - i) Desired views should be opened by selectively cutting trees and branches, rather than clearing large areas; and
 - j) Favourable road design should be included wherever possible (See Section 313, Policy b).
17. The zoning bylaw should contain incentives for keeping private land undeveloped such as density bonus, transfer of development rights and a variety of uses which permit the owner to make a living from the land without resorting to large-scale development.
18. Infilling shall be encouraged to be integrated with existing developments to maintain views, sunshine and existing drainage patterns.
19. Setbacks may be reduced or varied to encourage protection of significant rural and natural site characteristics.
20. A conservation zone may be applied to parcels of land covenanted or deeded against further development or use, including common property in strata titled subdivisions.

Cluster Housing

21. Cluster housing developments of 60 dwellings or less with no, or a very small number of commercial and cottage industry enterprises may be permitted in all areas designated for housing where community water, community sewage treatment and stormwater management systems are provided.
22. To encourage the provision of common open space and facilities as well as affordable and special needs housing in clustered housing developments, density bonusing shall be permitted. The permitted bonus shall reflect the number and type of amenities provided. Where density bonusing is proposed, development shall be in compliance with a comprehensive development plan.
23. Common open space means a parcel or parcels of land, and area of water, or combination of land and water to be conserved as an amenity for the common use and benefit of residents in a particular development and the community at large. Parcels of common open space shall be owned and managed in common by the residents in a particular development, a non-profit society or dedicated to a public agency including the Regional District.

Features

- a) Environmentally sensitive areas including areas with slopes greater than 20%, floodplains, wetlands, ground water recharge areas, archaeological sites and

- other critical or sensitive areas worthy of preservation shall be included in areas of common open space.
- b) Existing man-made features, especially those of heritage value such as farmsteads and abandoned right-of-ways, may be preserved as common open space or used for common facilities.
 - c) The selection of areas for protection as common open space shall include the consideration of features on adjacent property(ies) so as to form contiguous masses between properties.
 - d) Common open space shall abut a highway and shall be accessible to the public from the said highway.
 - e) Areas of common open space shall have water frontage where the parent parcel abuts or features a lake, watercourse or sea.
 - f) Common open space shall not include any land within a privately held lot, a road right-of-way or land dedicated under the Municipal Act for school or park use.
 - g) The area used to provide parking for activities in the common open space may be included in the area computations.
24. Common facilities means buildings, structures, equipment, recreational facilities or other physical improvements provided as an amenity for the common use and benefit of the residents in a particular development and where desired the community at large such as shared cooking facilities, meeting rooms, daycare, exercise equipment, extra storage lockers, indoor bicycle storage, and playground equipment. These facilities shall be constructed and funded by the owner of the parcel which he or she is developing. Common facilities shall be owned and managed in common by the residents in a particular development, a non-profit society or dedicated to a public agency including the Regional District.

Facilities provided shall be designed to serve the anticipated needs of the residents of the development, and where applicable, the community-at-large. The anticipated characteristics and demographic profile of future residents, the facilities available in neighbouring developments and relevant policies of this bylaw shall be considered.

Rental, Affordable and Special Needs Housing

Objectives:

1. Provide opportunities for the creation of housing that is available for rent, or sale to a full range of incomes, age groups and abilities.

Policies:

1. Where deemed to be appropriate by the community, innovative design, average minimum lot sizes, density bonuses, a range of house sizes and government support may be used to create opportunities for the provision of affordable housing for

households with special needs and households in the lowest 30% of household income distribution.

2. The provision of affordable or special needs housing shall be subject to a housing agreement between the land owner and the Regional District under Section 963.2 of the Municipal Act. The agreement shall specify the number of units, the tenure, availability, management of the units and maximum rents or selling prices. The housing agreement shall be filed in the Land Title Office.

310 INDUSTRIAL

Objectives:

1. *Protect* the rural nature of the planning area from incompatible industrial uses;
2. *Recognize* the District of Campbell River as the regional industrial and commercial centre and encourage heavy industrial uses to locate within its boundaries; and
3. *Allow* small scale, industrial enterprises producing goods and services required by local residents and businesses where conflict with residential development will be avoided.

Policies:

1. Industrial developments shall:
 - a) not generate excessive traffic and noise in residential areas;
 - b) be compatible with adjacent land and water uses and natural resource areas;
 - c) provide buffering and screening;
 - d) allow public access to the waterfront areas;
 - e) include systems for sewage treatment and disposal, stormwater management and water supply and distribution; and
 - f) preserve and protect environmentally sensitive areas.
2. Industrial development in proximity to a residence on an adjoining or adjacent parcel or which is visible from major roads, shall be adequately screened and buffered to avoid conflict with adjacent land uses.
3. Industrial uses may be allowed in areas designated "Industrial".
4. All lands, except those lands identified for park purposes and those designated "Residential" or "Country Residential" shall be designated as being eligible for consideration for the issuance of Temporary Industrial Use permits. The issuance of such a permit shall be conditional on the applicant providing:
 - a) a detailed description of the proposed use and the duration of proposed activity;
 - b) plans for mitigation of potentially harmful impact on the environment and the local community;
 - c) applicable provincial and federal government approvals or permits;
 - d) a security to guarantee performance of the terms of the permit;

8. Signage advising motorists of pedestrians, horseback riders and cyclists shall be encouraged.
9. Public transport systems and programs or initiatives which promote shared ridership, or pedestrian and bicycle movement shall be encouraged.
10. The development of a shared bus stop or stops between the Comox Valley and Campbell River transit systems shall be encouraged to promote travel by transit.
11. Signs identifying public access to the shoreline shall be encouraged. Parking and walking paths are encouraged at these access points. Trails connecting the access points shall be encouraged where physically possible and practical.

314 UPLAND RESOURCES

Objectives:

1. *Maintain* resource based activities as the primary uses for this area;
2. *Minimize* interference with stream water quality and quantity; and
3. *Protect and maintain* the quality and quantities of water used for domestic, commercial and agricultural purposes.

Policies:

1. Land uses shall be limited to resource dependent activities and industries, and activities which require isolated sites such as the storage and manufacturing of explosives.
2. The allocation and use of renewable resources will only be encouraged to the extent to which they can be replenished.
3. Land and water management shall be integrated, with decisions regarding one made in full awareness of its effects on the other to anticipate and resolve conflicts.
4. In those watersheds which act as a supply area for drinking water systems land use regulations which help to maintain water quality at a level suitable for human use shall be supported and encouraged.
5. Protection of the integrity of the water environment and its aquatic ecosystems shall be encouraged.
6. Recognition of the scenic and recreational values of water will be encouraged.
7. Where conflicts arise between competing interests, equitable solutions shall be sought by government, water users and owners in a public forum.
8. The minimum lot size for subdivision shall be as follows:
 - a) 40.0 hectares (98.8 acres) for the area east of the most westerly boundary of the BC Hydro transmission right-of-way Plans 508, 509, 914, 917, and 919;
 - b) 40.0 hectares (98.8 acres) for the area within 1.0 kilometre (0.62 miles) west of the most westerly boundary of the said rights-of-way, with measurement made

- perpendicular to the said rights-of-way boundary, except as modified in Clause (p);
- c) 400 hectares (988.4 acres) for the area more than 1.0 kilometre (0.62 miles) west of the most westerly boundary of the said rights-of-way, with measurement made perpendicular to the said rights-of-way boundary, except as modified in Clause (d);
 - d) Notwithstanding the above, where a parcel is subject to both the 40.0 and 400.0 hectare (98.8 and 988.4 acres) minimum lot size, the minimum lot size which applies to the greatest portion of the parcel shall be the minimum lot size for subdivision. Where a parcel is divided into portions of equal area by a line 1.0 kilometre (0.62 miles) west of the most westerly boundary of the said rights-of-way, with measurement made perpendicular to the said rights-of-way boundary, the minimum lot size in respect of the entire parcel shall be 40 hectares (98.8 acres).
- 9 Forestry operations on private land are encouraged to comply with provincial forest practice regulations.

315 UTILITIES

The following applies to the physical installation and delivery of utility services including but not limited to electricity, telephone, cable, natural gas, streetlights, water, sewage treatment and communication towers.

Objectives:

1. Encourage the adequate development and delivery of utility services.

Policies:

1. The Regional District encourages the concept of utility corridors in accordance with the following:
 - a) utility routes should be situated within existing road or utility rights-of-way;
 - b) corridors should be designed as multiple use corridors, such as the corridor along the B.C. Hydro rights-of-way;
 - c) the siting and development of corridors should be undertaken in a manner which respects significant environmental and resource features; and
 - d) the siting and development of corridors should avoid land which is in the ALR and FLR where possible.
2. Underground services shall be encouraged in subdivisions with an average lot size of less than 4000 square metres (1.0 acre).
3. Streetlights and other improvements will only be provided where desired by local residents and supported through an appropriate local service area bylaw. Under the bylaw, the majority of costs will be borne by the benefiting property owners.

Chantrelle Forest Land

HISTORY OF CHANTRELLE WAY

My parents moved to their newly purchased 20.0 acres off York Road in 1979. They were among some of the very first pioneers to come to the York Road Area. At the time most of their family thought they were crazy to move from Vancouver to the middle of nowhere on Vancouver Island, but they had a vision of living a rural lifestyle and were determined to make it a reality. When my parents purchased the Chantrelle property, it was surrounded by forest land, with no road access and no services. They started off by building Chantrelle Way, the 0.5km road that was required to access their property off of York Road. My parents cleared the land required for road access and residential development. It was my mom and dad, with their bare hands that cleared their land and spent the next two years building their house by hand, while living in a mobile home.

I was born on the property in 1980 and was fortunate enough to be raised along side my sister on our own little piece of heaven. Being born on Chantrelle Way, I have lived my entire life here, with only brief stints away to attend post-secondary education. I grew up appreciating all that Chantrelle Way and its surrounding lands had to offer. The forests and biodiversity of the adjacent lands have always been a priority for my family and we have been key land stewards for the area, removing garbage, educating the public when partaking in negative or fire hazard activities.

My family continues to live on Chantrelle way, creating community since 1979. I currently live on a 5.0-acre piece of property that my parents agreed to subdivide off for me in 2010. I feel extremely fortunate that my parents were able to give me a little piece of their land to raise my children in the area that I have lived my entire life in and love so much. Having the ability to watch my two young children experience the same things my sister and I did living a rural lifestyle is truly amazing. Chantrelle Way has always been my home and my desire has always been to own my own piece of land and follow in my parents pioneering footsteps.

CHANTRELLE FOREST LANDS

The Chantrelle Forest Lands property is located at the end of Chantrelle Way, off York Road. The property is adjacent to my childhood home and adjacent to my home at Chantrelle Way and Woodland Drive. The Chantrelle Forest Lands is a 79.0-acre parcel of land that consists primarily of third growth coniferous stands. The parcel is well drained, gently sloped, with very little surface water and well suited for future forest harvesting. The land is surrounded by Rural lands to the south, Country Residential lands to the north and west and includes Agricultural Land Reserve lands to the east. Lots in the immediate area range in size with a large portion of those being 5.0 acres or less. The subject property is currently non-compliant with the lot size requirement of the Upland Resource zone.

ACQUIRING AND MANAGING CHANTRELLE FOREST LAND

My sister and I were fortunate enough to be able to purchase the 79.0-acre Chantrelle Forest Lands from TimberWest in February 2017. Since purchasing the Chantrelle lands off TimberWest my primary role has been land stewardship. As a registered professional forester (RPF), I developed a Forest Management Plan and had the lands classed as Private Managed Forest Land. Upon purchasing Chantrelle Forest Lands, I completed an invasive species inventory for the property. It was identified that areas disturbed within the last three to five years had fairly high-density areas of Scotch Broom infill, which totaled approximately 2.5 acres of the property. Some areas have been eradicated of the broom and replanted with Douglas Fir. Removal of the Scotch Broom continues, with a broom busting event to occur Spring 2019.

Forest Management Plan

The Forest Management Plan includes the following considerations:

- **Reforestation:** the reforestation objective is to promptly regenerate logged areas with ecologically suitable species that result in a health commercially valuable stand of trees that is not impeded from competition from plants and shrubs and is within the time frames identified in the *Private forest Land Council Regulation*.
- **Soil Conservation:** the objective is to protect soil productivity on disturbed areas by minimizing the amount of area occupied by permanent roads, landings and excavated or bladed trails.
- **Water Quality:** the objective is to protect human drinking water both during and after harvesting as well as maintain healthy aquatic ecosystem.
- **Fish Habitat:** no fish bearing streams located on site, however, all land development activities will be conducted to ensure limited impact to any surface runoff.
- **Critical Wildlife Habitat:** the objective is to facilitate the long-term protection of critical wildlife habitat.
- **Forest Health:** the objective is to implement measures aimed at reducing the loss of forest productivity due to insects, disease and invasive species.
- **Fire Protection:** the objective is to avoid any negative impacts to timber and other on-site values due to wildfire.

The management plan for the property is to maintain the established forested areas and recently planted areas for future forest management activities. The long-term objective for this management commitment is to oversee the operable and productive lands within the boundaries of the managed forest for the production of trees.

During the development of the Forest Management Plan it was identified that a 2.5 acre portion of the land that consisted of harvestable Douglas Fir was ready for harvesting. In May 2017 the 2.5 acres of land was logged by a small-scale local logging contractor with the harvested timber sold locally. In April 2018, myself and family replanted the area 1200 trees. Additional tree planting will occur in April 2019 in areas that were historically left unplanted and additional areas where invasive species have been removed.

The Forest Management Plan has further identified an additional 6.5 acres of over-mature deciduous species that will be harvested within the next one to two years should a local specialty mill has interest in the timber. It also identifies 15 acres of coniferous that will be ready for harvest within the next 10-15 years. The remainder of the harvestable timber will be ready for harvest within the next 25-30 years.

Forest Management Plan Challenges

The current trend is for small forestry lands to be sold off as it is economically difficult for large volume-based corporations to manage such small sections of harvestable land. Even as a small operator it is difficult to find mills willing to accept smaller volumes of timber and/or to find buyers that are willing compensate for the costs associated with harvesting low volume in small isolated areas. Given the above and based on the timeline required between the last harvest and the next harvest, the ongoing forest management of the property has its economic challenges.

Associated Management Plan

The primary management plan for Chantrelle Forest Land is to continue with the current forest management plan. However, as noted in the section above, there are forest management challenges associated with smaller harvestable lands that are in this case compounded by the prescriptive nature of the current zoning. The sustainable management of the land is limited by the current zoning which has been found to be too prescriptive to provide for economically sustainable forest management and harvesting. In recognition of all Chantrelle Forest Lands has to offer, including all its associated values, and to overcome the challenges associated with its management, an associated management plan is contemplated.

The associated management plan is contemplated to offset the economic difficulties and improve the land management required to maintain the primary Forest Management Plan of Chantrelle Forest Lands. To provide for the full potential of the land, it is proposed that my sister and I to move to the property and each construct a primary residence with separate title. Having separate title with the ability for each sibling to construct a residence would provide additional investment in the property and provide equity to financially provide the opportunity to continue forest management activities as prescribed by the approved Forest Management Plan on the balance of the lands into the foreseeable future. As my passion is to retain the property for forest management and to meet legislated requirements for Private Managed Forest Lands, the balance of the harvestable lands must maintain a minimum of 55.0 acres. Given this, it is proposed that my sister and I each own a minimum 5.0 + acre parcel of land that we would be able to secure a mortgage over while managing the remainder of the property as Private Forest Managed Land.

Long term plans for the far distant future may include being able to provide subdivided parcels of land for our children, to provide them the opportunity to experience the rural lifestyle that my family and I have been so fortunate to live and enjoy for 40 years.

Management Plan Impact

The areas that are contemplated for residential development will result in minimal land development and clearing. The minimal clearing and land alteration that is required will be completely concealed from both the roadway abutment and neighbouring parcels. The access to the residential portion of the land is planned off the existing access road and will be completely concealed from all sightlines. The resulting residences will blend in with the surrounding forested areas of the property and will be sited on portions of the land that have limited harvestable potential. The management plan for the property will continue to blend with the existing neighbourhood and complement existing land use patterns. The proposal is situated adjacent to an existing arterial road that provides a transportation route for residents located in the more densely populated surrounding area. Amenities, including grocery store, medical clinic and restaurant, are easily accessible via a short 6-minute drive from the Chantrelle Forest Lands. Associated impacts on the environment, neighbourhood, local amenities and facilities resulting from the limited increase in residential density are negligible.

APPLICATION

The proposal for my sister and I to reside on the land and continue with ongoing forest management activities requires an OCP and zoning amendment. Although these changes are required, the resulting impact is minimal. Residing onsite will allow us to invest in the land and have additional equity to be able to better manage the forest land. Living on the land will also position us to provide better overall land management and land stewardship. There has always been and will continue to be land activities in the area that are harmful to the environment, ecosystem and forest health. Improving the overall

land stewardship has always been a key objective for the Chantrelle Forest Lands. Even prior to having a vested interest in the land, my family has been key land stewards for the area, removing garbage, preventing unauthorized tree cutting, educating the public when partaking in negative or fire hazard activities. Residing on the land will enable heightened land stewardship and better control over adverse land activities including, illegal dumping and tree cutting and fire hazard activities during the dry season.

The requested OCP and zoning amendment is consistent with the surrounding neighbourhood. Adjacent settlement areas, which are either zoned or designated as country residential, are located in the immediate surrounding neighbourhood. The actual densities in the area consist of more densely populated country residential neighbourhoods, some of which are located just west of Chantrelle way and continuing to the very end of York Road. Although the proposal conflicts with the existing OCP designation, it does align with many of the OCP's policies and objectives. The application is consistent with the OCP overall as the proposal will protect rural characteristics and a mix of larger lot sizes. The proposal is also consistent with OCP's objectives to provide rural acreage properties to allow for hobby farms, equestrian activities, rural estates and isolated homesteads.

Applicant's brief