



REGIONAL DISTRICT of Fraser-Fort George

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REPORT FOR CONSIDERATION

TO: Chair and Directors File No.: REZ 6005/SW ¼

FROM: Kenna Jonkman, MCIP, RPP, Planner III

DATE: August 27, 2015

SUBJECT
SUMMARY: Item: Zoning Bylaw No. 2892, Amendment Bylaw No. 2949, 2015
 Purpose: Consider Third Reading and Adoption
 Location: Tete Jaune – Electoral Area ‘H’
 Owner: Province of British Columbia
 Applicant: Regional District of Fraser-Fort George

PREVIOUS
REPORTS: Item 5.3, July 2015 (see Agenda for link)

ATTACHMENT(S): 1. Minutes of Public Hearing held Tuesday, August 25, 2015
 2. Bylaw No. 2949, 2015

RECOMMENDATION(S):	<u>ENTITLEMENT</u>	<u>HOW VOTE COUNTED</u>
1. THAT the report be received. Declaration by the Public Hearing Chair of the minutes of the Public Hearing held Tuesday, August 25, 2015 regarding Zoning Bylaw No. 2892, Amendment Bylaw No. 2949, 2015.	All 1 Director/1 vote	Majority
2. THAT the minutes of the Public Hearing held August 25, 2015 regarding Bylaw No. 2949 be received.	All 1 Director/1 vote	Majority
3. THAT Zoning Bylaw No. 2892, Amendment Bylaw No. 2949, 2015 be given third reading.	All 1 Director/1 vote	Majority 2/3
4. THAT Zoning Bylaw No. 2892, Amendment Bylaw No. 2949 be adopted.	All 1 Director/1 vote	Majority

ISSUE(S):

An application has been made to amend Zoning Bylaw No. 2892 to allow a cemetery use on the subject parcel.

The Board is being asked to consider:

- Third reading of Zoning Bylaw No. 2892, Amendment Bylaw No. 2949, 2015
- Adoption of Zoning Bylaw No. 2892, Amendment Bylaw No. 2949, 2015

RELEVANT POLICIES:

1. Robson Valley-Canoe Upstream Official Community Plan Bylaw No. 1589:
 - designates the subject area as Public Development/Institutional (PD/I)
 - PD/I designation supports the development of community related uses that are non-commercial in nature
 - An OCP amendment is not required to allow the establishment of a cemetery use
2. Zoning Bylaw No. 2892:
 - designates the subject area as Rural 5 (Ru5)
 - Ru5 does not permit the establishment of a cemetery
 - a Zoning Amendment is required to allow the establishment of the proposed cemetery use

SERVICE RELEVANCE:

Regional District Land Use Services is a region wide service and fulfils the obligations of land use planning under Part 26 of the *Local Government Act*.

FINANCIAL CONSIDERATION(S):

N/A

OTHER CONSIDERATION(S):

1. A public hearing into the matter was held Tuesday, August 25, 2015 at the Tete Jaune Community Hall. The minutes of the meeting are attached for Board's consideration.
2. At the referral stage the Ministry of Transportation and Infrastructure raised concerns that the proposed subdivision would not provide access to lands beyond. Follow up with the Ministry of Forests, Lands and Natural Resource Operations has confirmed that the proposed Crown Grant process would include access to land beyond along the south boundary of the proposed cemetery site. This information was forwarded to the Ministry of Transportation and Infrastructure with an opportunity to provide further comment. No further comments were received prior to the public hearing.

DECISION OPTIONS:

1. Approve recommendations.
 - Bylaw No. 2949 will be adopted

Other Options:

- a. Amend Bylaw No. 2949
 - bylaws may not be amended after third reading
 - a change in Bylaw No. 2949 will require an additional public hearing prior to further consideration
- b. defeat Bylaw No. 2949 at third reading
 - if defeated, the bylaw may not be considered further
 - cemetery use will not be permitted on the subject parcel

COMMENTS:

The applicant has submitted an application to rezone a portion of the subject parcel to establish a cemetery use in the Tete Jaune community. Proposed Bylaw No. 2949 would amend the zoning on the 1.36 ha portion of the parcel from Rural 5 (Ru5) to Public Development 1 (P1). Should the zoning amendment be successful the applicant plans to proceed with subdividing the 1.36 ha portion of parcel from the remainder lot and obtaining ownership of it from the Crown.

At the July meeting the Regional District Board directed Administration to send a notice of the meeting to all property owners who would be within the service area to provide them an opportunity to comment. A public hearing regarding the proposal was held Tuesday, August 25, 2015 at the Tete Jaune Community Hall. There were no concerns or opposition raised at the meeting regarding the proposed land use development.

Should the proposed zoning bylaw be adopted Community Services Administration could move forward with the crown grant process to secure the lands for the Regional District with the purpose of establishing a cemetery.

Respectfully submitted,

"Kenna Jonkman"

Kenna Jonkman, MCIP, RPP
Planner III

KJ:jw



REGIONAL DISTRICT of Fraser-Fort George

Minutes of the public hearing regarding Zoning Bylaw No. 2892, Amendment Bylaw No. 2949, 2015 held Tuesday, August 25, 2015 at the Tete Jaune Community Hall.

Those Present: Dannielle Alan, Electoral Area 'H' Director, Chair
Kenna Jonkman, RDFFG, (Recording Secretary)
Carina Hanson, RDFFG, (Applicant)

and five members of the public

Open the Public Meeting: Director Alan opened the Public Hearing at 7:00 p.m.
Director Alan read the Chairperson Statement.

Introductions: Director Alan introduced herself, Kenna Jonkman from Development Services and Carina Hanson from Community Services of the Regional District of Fraser-Fort George.

Presentation from Development Services (Kenna Jonkman): Kenna provided detail that Zoning Bylaw No. 2892, Amendment Bylaw No. 2949, 2015 is proposed to rezone a portion of Part of the South West $\frac{1}{4}$ of District Lot 6005, within Cariboo District from Rural 5 (Ru5) to Public Development 1 (P1). The proposed zoning amendment would permit a Cemetery use, or any other uses pursuant to the P1 zone. The subject parcel is located off Carr Road. The owner is the Province of British Columbia (area is under a Crown License of Occupation). The agent is the Regional District of Fraser-Fort George.

Kenna reviewed the parcel size, proposal, hazard land, access, fire protection, cemetery licensing and current Agricultural Land Reserve, Official Community Plan and Zoning Bylaw regulations. She reviewed the permitted uses and minimum parcel size of the proposed Public Development 1 (P1) zone and the proposed subdivision process. Kenna reviewed technical agency comments received from Regional District Building Inspections, Northern Health Authority, Ministry of Transportation and Infrastructure, Ministry of Forests, Lands and Natural Resource Operations – Water Stewardship and Ministry of Forests, Lands and Natural Resource Operations – Habitat Stewardship. She also reviewed additional information submitted by the Ministry of Forests, Lands and Natural Resource Operations regarding the Ministry of Transportation and Infrastructure concerns and noted that the information was forwarded to the Ministry of Transportation and Infrastructure for comment and no comments had been received.

Letters: Two letters were received from Roger and Doreen Beck and Morag Telfer. These letters are attached to and form part of these minutes.

Presentation from the Applicant, Carina Hanson (RDFFG):

- I will start by providing a summary of what has occurred to date
- The process began September 2005 due to a letter being sent from the community group to the Regional District requesting the service
- Board received the information and approved a request and Administration started to work with a steering committee
- The first thing done was a feasibility study to determine the location, service boundary, annual operating budget, taxation, site plan and estimated timeline to operation of the cemetery
- The study was presented to Board and a referendum was held in 2012 where eligible voters in the service area voted in favour of the proposal.
- In January 2013 an application was made to the Ministry of Forest, Lands and Natural Resource Operations for a sponsored crown grant for the subject parcel

- In February 2014 the crown grant offer was received with the conditions that the land be excluded from the Agricultural Land Reserve, the lands be rezoned and then a survey being completed
- The exclusion from the Agricultural Land Reserve was made in June 2014 and approved in April 2015
- If all goes well adoption of the zoning bylaw to allow the cemetery will happen at the September Regional District Board meeting and then a survey can proceed
- All required documents would then be forwarded to the Ministry of Forests, Lands and Natural Resource Operations to have the property ownership transferred to the Regional District
- A Certificate of Public Interest process would then happen through the Consumer Protection Branch. This is a charge that is registered against the property in the Land Title Office and is the last land process needed
- Hopeful timeline is that construction would start in the summer of 2016 and have the cemetery operating in the fall of 2016.
- This is an estimated timeline and can change due to unknown timelines for land processes

Gene Blackman: - What is the size of the subject parcel?

Kenna Jonkman: - The entire parcel is 23.8 acres but the area proposed for the cemetery is 3.4 acres

Gene Blackman: - What was the concern about access?

Kenna Jonkman: - The Ministry of Transportation and Infrastructure was concerned that there would be no access to lands beyond
 - The Ministry of Forests, Lands and Natural Resource Operations have confirmed that access to lands beyond has been incorporated into the subdivision proposal

Ainslie Jackman : - Why is the Ministry of Transportation and Infrastructure interested in the subdivision process?

Kenna Jonkman: - Typically subdivisions in the Regional District are handled by their office
 - They have a department that approves most subdivisions
 - Because this is a crown grant process it is handled by the Ministry of Forests, Lands and Natural Resource Operations

Ainslie Jackman: - Will the rest of the parcel remain crown land and the zoning will not change?

Kenna Jonkman: - Yes, the remaining portion of the parcel after subdivision will remain crown land with the zoning of Rural 5 (Ru5)

Gene Blackman: - How was the size of the cemetery determined?

Carina Hanson: - Steering Community and Regional District Administration determined that 150 full body plots would be adequate
 - The plan is to develop 50 plots at a time
 - The size of the cemetery relates to the size of full body plots

Ainslie Jackman: - The Steering Committee also consulted other cemeteries of similar sizes

Gene Blackman: - Is the subject parcel in ALR?

Kenna Jonkman: - The 3.4 acre area of the parcel subject to the rezoning application was excluded
 - The rest of the parcel is still within the ALR

Willis Blackman: - Is there a chance that another area of land can be held and put aside for an expansion of the cemetery?

Carina Hanson: - We have been in touch with a cemetery that is similar in nature and has been operating for over 100 years
 - Recently they just had over 100 internments using the full body plots
 - Research shows that 80% of internments are cremation which uses less land

- Kenna Jonkman: Information for the referendum would have likely included the proposal for reserve lands
-
- Willis Blackman: I believe the Valemount Cemetery is only 1 acre
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- Carina Hanson: - The cemetery was designed so that it is not crowded
There may be expansion options on site
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- Willis Blackman: Just want to say keep up the good work and hurry
-
- Director Alan: Are there any further comments?
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- Close the Hearing: There being no further comment, Director Alan closed the hearing at 7:33 p.m.

CHAIR

SECRETARY

Development Services

From: [REDACTED]
Sent: Monday, August 24, 2015 2:10 PM
To: Development Services
Subject: Cemetery Public Hearing, Tete Jaune

Re: Zoning Bylaw 2892, Amendment Bylaw 2949, 2015

Dear Kenna Jonkman, MCIP, RPP, Development Services

I am owner of Lot 1 Plan 24508 in DL 5676.

I am delighted that so much has been done on the proposed Cemetery for Tete Jaune. Many thanks to all who are working on it.

I would like to say that I am awaiting a chance to purchase space in the cemetery if the proposal continues further.

I cannot be buried in the Jasper Town Cemetery because of their regulations and the Valemount Cemetery looks awfully full, so I really hope the meeting will be positive.

As a genealogist for my family, I have been in many cemeteries across our country, including two hillside ones. They are all very peaceful and look like public parks. I am sure that if the cemetery committee is judicious in how they remove trees and if they eventually put in a bench that it will be an advantage to the surrounding area.

Sincerely,

Morag Telfer

Heather Meier

From: Roger Beck [REDACTED]
Sent: Friday, August 07, 2015 2:54 PM
To: Development Services
Cc: Ainslie Jackman
Subject: Written Submission--Public Hearing

August 7, 2015

Dear Sir or Madam:

Re: Zoning Bylaw No. 2892, Amendment Bylaw No. 2949,2015

My wife and I are strongly in favour of using the identified parcel as a cemetery; hence, we are strongly in favour of the rezoning.

Sincerely,

Dr. Roger L. Beck
Mrs. Doreen G. Beck



**REGIONAL DISTRICT
of Fraser-Fort George**

BYLAW NO. 2949

**A BYLAW TO AMEND REGIONAL DISTRICT OF FRASER-FORT GEORGE ZONING BYLAW NO. 2892,
2014**

WHEREAS the Regional Board of the Regional District of Fraser-Fort George has, by bylaw, adopted Regional District of Fraser-Fort George Zoning Bylaw No. 2892;

AND WHEREAS the Regional Board intends to amend aforesaid Bylaw No. 2892 by passage of this bylaw, having due regard to the requirements of the *Local Government Act*;

NOW THEREFORE the Board of Directors of the Regional District of Fraser-Fort George, in open meeting assembled, enacts as follows:

1. Regional District of Fraser-Fort George Zoning Bylaw No. 2892 is hereby amended at Schedule 'B' – Map 215 by rezoning a portion of Part of the South West ¼ of District Lot 6005, within Cariboo District from Rural 5 (Ru5) to Public Development 1 (P1) as shown on Appendix 'A' attached to and forming part of this bylaw.
2. This bylaw may be cited for all purposes as "Zoning Bylaw No. 2892, Amendment Bylaw No. 2949, 2015."

READ A FIRST TIME ON THE 23RD DAY OF JULY, 2015

READ A SECOND TIME ON THE 23RD DAY OF JULY, 2015

A PUBLIC HEARING IN RESPECT OF THIS BYLAW WAS HELD ON THE 25TH DAY OF AUGUST, 2015

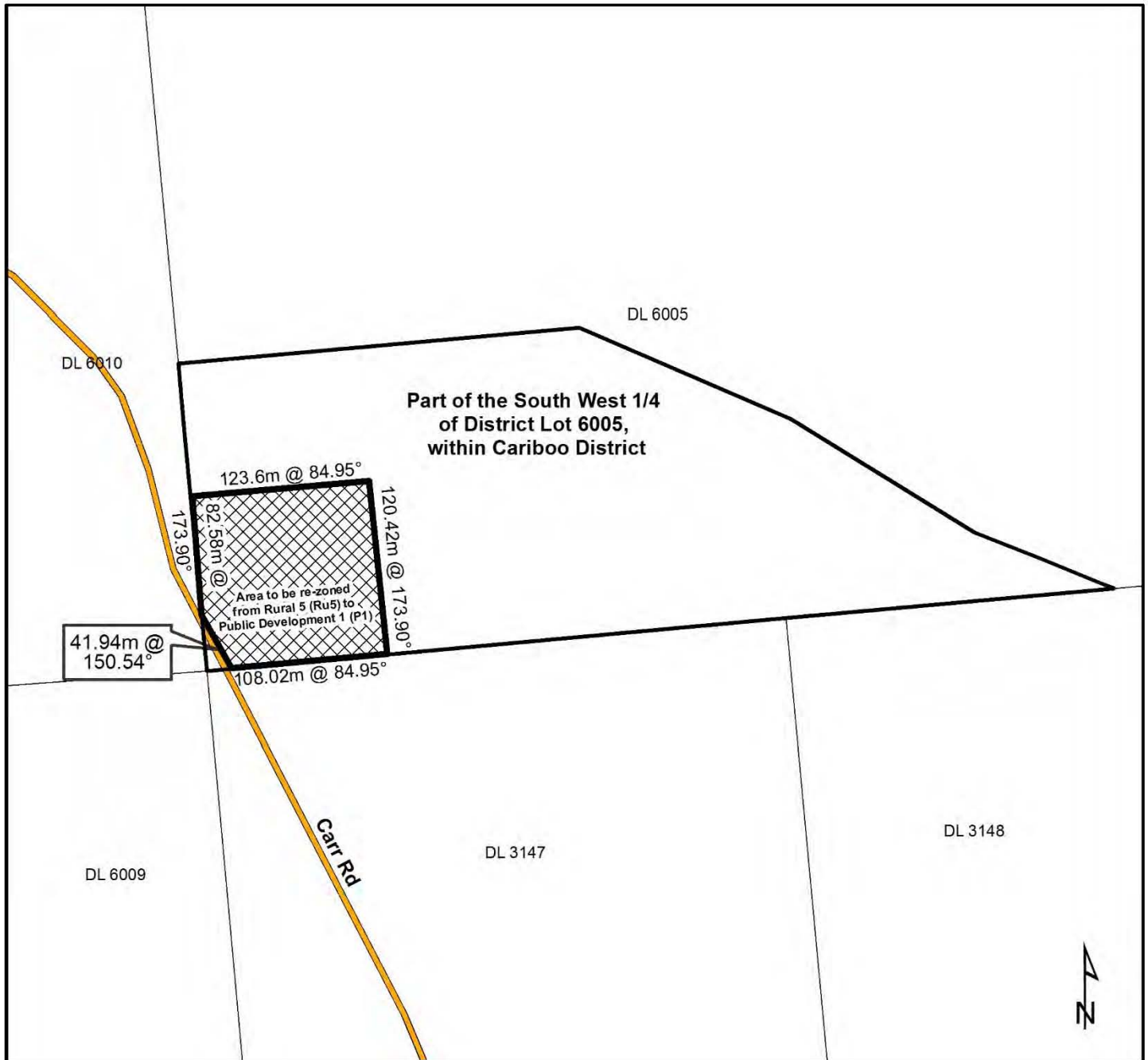
READ A THIRD TIME ON THE DAY OF , 2015


ADOPTED THIS DAY OF , 2015

Chair

Corporate Officer

APPENDIX 'A'



 REGIONAL DISTRICT
of Fraser-Fort George

Certified as Appendix "A" to Bylaw No.
2949, 2015

Corporate Officer