

COUNCIL REPORT

To: Mayor and Council

From: Administration

Date: August 9, 2022

Subject: OCP Amendment – Public Watershed Definition

RECOMMENDATION:

THAT Council receives this report for information.

BACKGROUND:

At the Regular Council Meeting of April 25, 2022 staff were directed to find a solution for the inconsistency between Zoning Bylaw No.1368 and the Official Community Plan Bylaw No.1304.

It was identified during the review of a Crown Land referral for trail development on Morfee Mountain, that the zoning designation and the Public Watershed Official Community Plan (OCP) designation were not aligned and contradicted one another. The zoning for the designated Public Watershed area (attachment A) is A1 – Outdoor Recreation, Agriculture and Resource Zone. This zone permits the development of recreation adventure, recreation outdoor, and campgrounds. These were the principle uses that have been looked at for future planning. The Public Watershed OCP designation does not allow for these uses. It is recommended that these two policies align.

Due to the zoning principle uses aligning with other District strategies and priorities such as Council's Strategic Priorities, Recreational Trails Master Plan, Community Economic Development and Tourism Plan, staff are recommending amending the definition of the Public Watershed OCP designation to match more closely to that of the A1 – Outdoor Recreation, Agriculture and Resource Zone, and add an appropriate development permit process to ensure new developments in the area are still carefully reviewed to ensure they do not cause harm to the watershed or the community's local water source.

ECONOMIC & SOCIAL BENEFIT:

As outlined in the Trails Strategy for British Columbia, a diverse and attractive trail system provides a strong advantage for both community residents and recreational tourism. Trails and trail-based recreation are important contributors to the quality of life of residents, support healthy lifestyles, help protect our environmentally significant areas, and provide opportunities

to celebrate heritage and culture. A growing body of data indicates that trails can be an economic driver that strengthens and diversifies resource-based economies. With appropriate planning and communication, the trail system management can be effectively coordinated to avoid conflicts with other land users and local industry.

"The District of Mackenzie and surrounding region have a tremendous amount of opportunities for diverse motorized and non-motorized trail experiences of cultural, historic, and natural value. Although the trail system is already appreciated and well-used by the local residents, there is a strong potential to expand, enhance, and promote the system to make Mackenzie a major destination for recreational tourism." – 2018 Trails Master Plan

CONSIDERATIONS:

Unauthorized motorized and non-motorized trail building has been a problem on municipal and provincial lands. This happens when jurisdictions don't work collaboratively and proactively with local trail enthusiasts to ensure the trail system is quality, fun, sustainable, and focused on delivering the desired experiences. With a shift toward strategic planning of trail systems and greater engagement of trail enthusiasts, unauthorized trail building will decline, especially where the trail systems provide the trail experience sought by users.

One of the key findings from the 2018 Trails Master Plan was there are approximately 147km of existing trails within the District of Mackenzie, and another 193km of trails in the surrounding study area. With many of these trails being documented and consulted with the District there are some that have been historically used with little to no technical review from the District staff.

With our proposed solution to the OCP Amendment we hope to capture future trail development within the District of Mackenzie's boundary to document and help facilitate the permitting, planning and safe construction of future trails through the use of a development permit. This will be especially helpful for trail development that cross both the municipal and Provincial jurisdiction or where support from the municipality may be required for a Crown Land application.

NATURAL RESOURCE DEVELOPMENT:

Staff have conducted an assessment of historical and current Natural Resource uses in the area, which are permitted by the Province of BC - such as an existing gravel pit operation and BCTS/forestry operations as well as future uses such as the maintenance for Morfee Mountain Road. Updating the Public Watershed definition in tandem with implementing the Development Permit process would give Staff a tool to provide consistent and appropriate technical review of future crown land referrals as well as District operations in our environmentally sensitive areas.

WATERSHED REVIEW

During the original conversations with the Lands Office, staff inquired about the effect to the Morfee Lake Watershed area if the District were to allow recreational development in this area. Their response was, "Discussions with our water group identified no concerns with the proposal, but they also identified they would refer to the District of Mackenzie if any questions came in pertaining to work occurring in this area." Following the initial discussion District staff completed a technical review of the watershed and surrounding area including a review of the historical boundary of the watershed. Staff have also explored the 2015 Source Water Protection Plan as well as consulted with a local hydrologist on the current trail development on Morfee Mountain.

The findings from the local hydrologist are as follows:

- The current proposed area for the bike trails is within the Morfee Creek Watershed which drains into the Williston Reservoir Via Morfee Creek and is likely not a main contributor to Aquifer 431 (Mackenzie's water supply aquifer). For future reference if the trails were developed in the Morfee Lake Watershed, they do not believe that trail development would have a negative impact on Aquifer 431's recharge source. However, if potential groundwater contamination sources such as in-ground septic systems are planned, a hydrologist should be consulted to review the proposed design and location. The detailed report will be located on the center table file for Councils review.

It would be staff's recommendation that a hydrologist be consulted for any future developments within this zone and to include this as a step in the development permitting process for this area.

PROPOSED SOLUTION:

Staff is proposing to amend the definition of Public Watershed in the Official Community Plan to read,

PW: Public Watershed

"The Public Watershed (PW) designation is intended to protect the community's water supply and as such the designation does not support the creation of any lot, with the exception of lands needed for community water supply. Some natural resource development and non-mechanized recreational activity is permitted such as, but not limited to, hiking, horseback riding, mountain biking, or cross-country skiing where no clearing of trails is proposed and no buildings or structures are contemplated except where permitted by Council through the application of a development permit."

Staff also recommends deferring any development requests in the area that are received prior to the creation of a development permit and its associated procedure during Phase 2 of the

Downtown Vision and Action Plan and Development Permit Areas Project. This will enable staff to return to Council with a wholesome framework for administering land requests near environmentally sensitive areas.

OPEN HOUSE:

Staff have scheduled an open house regarding the proposed amendment to the Official Community Plan. As the results of the engagement are collected following the publishing of this agenda, a summary of the findings will be shared with Council as a late item.

CONCLUSION:

Based on the current uses taking place within the Public Watershed area and the potential for future use staff recommend changing the definition of the Public Watershed to allow for recreational use and development that has undergone levels of review through the development permit process.

NEXT STEPS:

- Council consider giving first two readings of Official Community Plan Amendment Bylaw No. 1489, 2022 during the Bylaw section of this agenda;
- If first two readings approved, staff will make arrangements for a Public Hearing to gather public feedback on the proposed amendment.
- Staff would then bring back the amendment bylaw as well as a subsequent report to the Regular Meeting of October 11th, 2022 detailing the feedback from the Public Hearing.
- Staff would draft an appropriate development permit and procedure during Phase 2 of the Downtown Vision and Development Permit Area Project for Council's consideration.

COUNCIL PRIORITIES:

Community and Social Development

- Our investment in the municipality's services and infrastructure, our commitment to principles of social equity and well-being, and our belief in the value of resident engagement, creates a healthy community in which everyone feels valued and enjoys a high quality of life.

Environmental Sustainability

- The way we operate has an impact on the environment. We are committed to integrating sustainability and Environmental, Social and Governance factors (ESG) into our decision making and business practices.



Respectfully Submitted,

Luke Thorne

Luke Thorne
Land and Environmental Coordinator

Diane Smith

Approved for Submission to Council

**Attachment A - Official Community Plan Bylaw No. 1304
(2017)Public Watershed Designated Area**

