



## PEACE RIVER REGIONAL DISTRICT

### PUBLIC HEARING – Meeting Minutes

#### Proposed ZONING AMENDMENT BYLAW NO. 2309 (Gardner), 2018

March 27, 2018 @ 7:00 p.m.

North Peace Leisure Pool

9505 – 100 Street, Fort St. John, B.C.

#### ATTENDEES

Peace River Regional District: Brad Sperling, Director of Electoral Area “C” (meeting Chair)  
Claire Negrin, Acting General Manager of Development Services  
Christina Hovey, North Peace Land Use Planner

Applicant: Jared Giesbrecht (agent)

Public: Eight members of the public

#### 1. CALL TO ORDER

The Chair called the meeting to order at 7:03pm.

#### 2. STATEMENT OF PUBLIC HEARING (Chair)

This public hearing is convened pursuant to Section 465 of the *Local Government Act* to allow the public to make representations to the Board respecting matters contained in proposed **Zoning Amendment Bylaw No. 2309 (Gardner), 2018**.

Every one of you present who believes that your interest is affected by the proposed bylaw shall be given a reasonable opportunity to be heard or to present written submissions respecting matters contained in the proposed bylaw. None of you will be discouraged or prevented from making your views known. However, it is important that you restrict your remarks to matters contained in the proposed bylaw.

When speaking please commence your remarks by clearly stating your name and address.

Members of the Board may, if they so wish, ask questions of you following your presentation. However, the function of the Board at this public hearing is to listen to you rather than to debate the merits of the proposed bylaw.

After this public hearing has concluded, the Board may, without further notice, give whatever effect the Board believes proper to the representations made at this hearing.

#### 3. INTRODUCTION TO PROPOSAL

Christina Hovey read the proposal.

Landowner: **Robert James Gardner**

Agent: **Jared Giesbrecht**

Location: **240 Road, west of Fort St. John.**

Legal Description: **Parcel A (46736M) of the NW ¼ of Sec 19, TP 83, R 18, W6M, Peace River, Exc PL 20464**

Proposal: **To rezone the subject property from A-2 “Large Agricultural Holdings” to I-1 “Light Industrial Zone”.**

4. SUMMARY OF APPLICATION PROCEDURE

Christina Hovey briefly reviewed the application process to date.

Application received.	September 28, 2017
Application posted to PRRD “Engage” website.	October 30, 2017
PRRD sign posted on the property.	November 14, 2017
Application and draft bylaws circulated to municipalities and provincial agencies.	November 6, 2017
PRRD Board gives bylaws 1 <sup>st</sup> & 2 <sup>nd</sup> Reading and authorizes Public Hearing.	February 22, 2018
Public Hearing Notification published as follows: <ul style="list-style-type: none"> <li>• Posted to the PRRD website (March 5)</li> <li>• Mailed to landowners within notification area (March 9)</li> <li>• Posted to PRRD Facebook page (March 9 &amp; 20)</li> <li>• Advertised in the Alaska Highway News newspaper (March 15 &amp; 22)</li> <li>• Advertised in the Northern Horizon newspaper (March 16)</li> <li>• Advertised on Energetic City website (March 20 – 27)</li> </ul>	March, 2018
Public Hearing held at the North Peace Leisure Pool, Fort St. John, B.C.	March 27, 2018

5. COMMENTS RECEIVED FROM AGENCIES AND MUNICIPALITIES

Christina Hovey briefly reviewed the comments received.

Organization	Comment
<b>City of Fort St. John</b>	Approval recommended: <ul style="list-style-type: none"> <li>• The property is designated as Light/Service Industrial in the NPFA OCP.</li> <li>• The property abuts the City’s sanitary sewage lagoons, and as such is more appropriate for industrial uses.</li> </ul>
<b>District of Taylor</b>	Interests unaffected.
<b>MoTI</b>	MoTI formal approval is not required. The Ministry has no objections to the rezoning. The Ministry noted that the applicant will need an industrial access permit.

<b>Northern Health Authority</b>	Northern Health's interests unaffected as long as no public health hazards occur and all applicable laws around health are followed.
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6. WRITTEN COMMENTS RECEIVED FROM PUBLIC

Christina Hovey read the comments received from the public:

- E-mail received from Jack Blair, March 27, 2018.

7. COMMENTS FROM APPLICANT

**Jared Giesbrecht (agent):**

- The property is designated as light-industrial under the Official Community Plan (OCP).
- Mr. Gardner understood this to be industrial land – he mixed up the OCP and the zoning which many people do. He should not be punished for this.
- It is an appropriate use [industrial] for this land since it is between a gully and the sewer lagoons. It is too small for a large agricultural holding.
- Mr. Gardner wants to work with the neighbours and has offered to put in a 50' buffer on the north end of the property to ensure a good transition between the residential use to the northwest and the property.

8. COMMENTS FROM PUBLIC

**Jack Blair (233 N. Patterson Street, Prince George):**

- There is already a 100' buffer zone designated by BC Hydro (it's a main line) – so you can't use that same space as your buffer, move into the property another 50'.
- We talked to BC Hydro and you can't store stuff under the hydro line.
- I have concerns about the integrity of this process –trying to do bylaw infraction enforcement and give zoning approval at the same time. I don't think that you can mix those two without impacting the integrity of either/both processes. If you have trouble with your computer you must reboot it.

**Director Sperling:**

- People have a right to apply to rezone.

**Jack Blair:**

- Do you need to be in compliance with the zoning to rezone?

**Director Sperling & Claire Negrin:**

- Explained that there is a new policy in place that allows bylaw enforcement to continue at the same time while a planning application is ongoing.
- The old policy was that bylaw enforcement files were automatically put on hold as soon as an application was received.
- This application was submitted before the policy changed, so the bylaw enforcement file is on hold.

**Dan Cantlaw (9903 73 Avenue, Fort St. John):**

- Didn't we just have a meeting? Does that mean we have to keep coming back every 6 months until the neighbours stop complaining!

**Director Sperling:**

- Explained that you can reapply every six months, and that people have the right to do that.

**Lorne Shallock (Box 6555, Fort St. John):**

- If you decide to levy a fine against the applicant, the amount of the fine is small, it would only be a slap in the wrist.

**Jack Blair:**

- For example, this property has been used for 10 years as Light Industrial and has been collecting revenues for 10 years with no penalty.

**Director Sperling:**

- Our bylaws are “complaint driven” for enforcement.

**Bruce Ross (Box 6625 Fort St. John):**

- There are many cases where there have been complaints made, but no consequences – if there are no rules, let us all know! There should be proper consequences.
- What are the pro’s of doing rezoning?

**Director Sperling:**

- It goes back to the OCP designation and what we have planned to do in this area.

**Bruce Ross:**

- He should pay back taxes for having it as an industrial use.

**Jared Giesbrecht (agent):**

- To clarify, he has been paying industrial taxes.

**Claire Negrin:**

- My understanding is that tax rates are based on what the property is used for rather than based on the zoning.

**Bruce Ross:**

- What would the land be used for if the rezoning is approved?

**Jared Giesbrecht (agent):**

- He plans to keep it for storage.

**Bruce Ross:**

- The road down there is steep and poorly designed. You would need to put your chains on to get up the hill today. It’s a poor road for industrial use, though it would be nice for residential use.

**Dan Cantlaw:**

- It used to be a nice residential neighbourhood – I wish I’d known this 10 years ago that this would happen: I would have been at every meeting. I’ve been there 20 years.

**Lorne Shallock:**

- I have been at every meeting. No one was there at the early meetings. No one was living there when you came. This was supposed to be an industrial area and it changed.

**Dan Cantlaw:**

- [Presented a petition (attached) with names and contact information of seven people]
- These people are residents of the area and have asked me to speak on their behalf. They all oppose the rezoning.
- With some changes to industrial it has been okay until the 2<sup>nd</sup> or 3<sup>rd</sup> owner, and then the uses and impacts get worse and worse. There are other properties that have rezoned and it has gotten worse.

**Jack Blair:**

- What is on the property now would not be in compliance with the I1 zoning. Then what?

**Director Sperling:**

- Then someone would need to complain, I know that enforcement isn’t very fast.

[General discussion around bylaw enforcement. General agreement that the fines should be higher]

**Jack Blair:**

- The owner of the property has been pushing soil onto the neighbouring property and has been using part of the neighbouring property. Water is flowing onto the neighbouring property.

**Director Sperling:**

- That is a matter be taken to Civil Court or maybe to the RCMP. Drainage issues would be a matter for the provincial ministries (MOE & FLNRORD). We can't address that here. We need to focus on the zoning application.

**Jack Blair:**

- Repeated concern about the integrity of the proposal process and that the rules should be enforced.

**Dan Cantlaw:**

- Are we going to have the meeting every 6 months? Peoples' minds will not change.

**Director Sperling:**

- We may have to, it is their right to apply, and we don't know whether peoples' minds may change.

**Jack Blair:**

- I would like to see you reject the zoning or hold the zoning until the enforcement file is closed.

**Louis Cardinal (240 Road):**

- The road allowance is blocked, I would like to walk down to the river.

**Lorne Shallock:**

- The road allowance was blocked by the MoTI after some problems with vandalism.

**Bruce Ross:**

- The applicant should clean up the property before the rezoning is permitted.

**Louis Cardinal:**

- They drag so much mud along that road and they don't push it back onto the property.

**Director Sperling:**

- I believe I have been talking to the MoTI about this road already.

**Jack Blair:**

- There should be a 50' buffer around the entire perimeter of the property. I'm frustrated that you can disregard the zoning for years and then get a "get out of jail free card".

**Jared Giesbrecht (agent):**

- Usually there isn't a buffer needed between two industrial properties.

9. COMMENTS FROM APPLICANT

**Jared Giesbrecht (agent):**

- We understand that residents in the area are frustrated but it's not the answer to take it out on Bob. Don't blame Bob for these problems he didn't create the problems.
- I've been on the property and it is compliant with I-1 zoning.
- Bob understood it to be light industrial land.
- A-2 zoning is the default zoning for undeveloped land – in this case the zoning and the OCP are not consistent and changing the zoning to be consistent with the OCP makes sense.
- Bob isn't trying to hurt anyone. He is proposing the buffer to help out the residents.
- It has been suggested that the driveway be moved and that wouldn't make a difference. This would cause the trucks to have to drive further along the road which would be worse.
- It would cost a lot to move the driveway and it would cost a lot to change it to be Agricultural, and that would just be to punish him.
- The property is next to a sewer lagoon and an old gravel pit it makes sense for it to be industrial.

10. ADDITIONAL COMMENTS FROM THE PUBLIC

**Louis Cardinal:**

- I live right across the road and moving the driveway would make a difference to me. Trucks are turning right in front of my house.

**Jack Blair:**

- The existing driveway crosses over the line onto the neighbouring property.

**Dan Cantlaw:**

- We aren't targeting Bob. Every time a lot changes to industrial it impacts my property value and the equity in my property goes down. We wanted to live in this area, not to see it change to industrial.

**Bruce Ross:**

- Ignorance of the law is no excuse. It wouldn't be that hard or costly to clean up the lot. Just because people don't follow the rules doesn't make it right.

**Jared Giesbrecht (agent):**

- That [making him clear the property] would just be trying to punish him.

11. FINAL COMMENTS FROM APPLICANT

- None.

10. TERMINATION OF PUBLIC HEARING

Chair terminated the public hearing at 7:53pm.

Original signed by: \_\_\_\_\_

Christina Hovey, Recorder

Original signed by: \_\_\_\_\_

Director Brad Sperling, Chair

**List of Attachments:**

- A. PRRD Public Notification for Zoning Amendment Bylaw No. 2309 (Gardner), 2018
- B. Petition & comments from the public

Attachment A: PRRD Public Notification for Zoning Amendment Bylaw No. 2309  
(Gardner), 2018



PEACE RIVER REGIONAL DISTRICT

# Notice of Public Hearing

ZONING AMENDMENT BYLAW NO. 2309 (Gardner), 2018

## 240 Road, west of Fort St. John

### When:

Tuesday, March 27,  
2018 | 7:00 pm

### Where:

North Peace Leisure  
Pool, 9505 – 100 Street,  
Fort St. John, B.C.

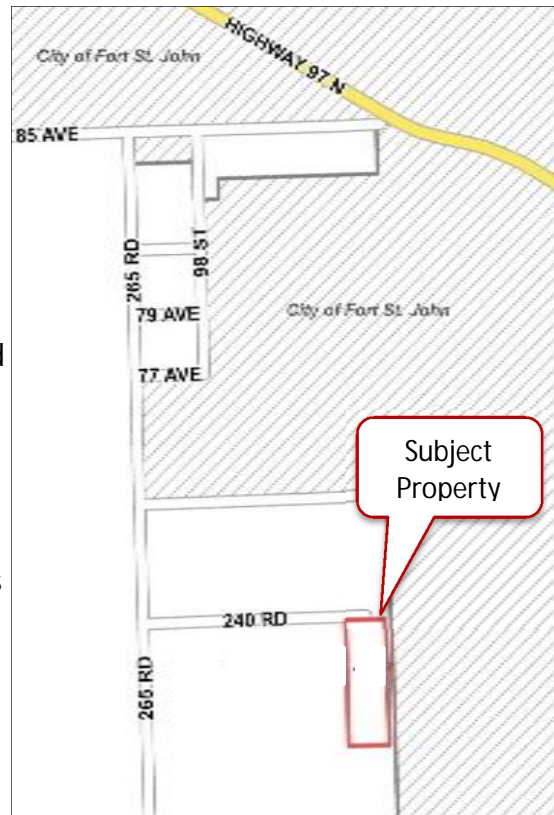
### For More Information:

Contact:  
Development Services  
Tel: 250-784-3200  
Toll Free: 1-800-670-7773  
Email: prrd.dc@prrd.bc.ca

Parcel A (46726M)  
of the NW ¼ of Sec  
19, TP 83, R 18,  
W6M, Peace River,  
Exc PL 20464

The Peace River  
Regional District is  
hosting a meeting to  
discuss the proposed  
Zoning Amendment.

Proposal: To rezone  
the subject property  
from A-2 "Large  
Agricultural Holdings  
Zone" to I-1 "Light  
Industrial Zone".



This notice is in general form only. Relevant background documents may be inspected from Monday through Friday, excluding holidays, between the hours of 8:30am – 4:30pm at the PRRD Dawson Creek office (1981 Alaska Avenue, Dawson Creek, BC) or 8:30am – Noon and 1:00pm – 4:30pm at the PRRD Fort St. John office (9505-100<sup>th</sup> Street, Fort St. John, BC). Written comments or concerns accepted.

Chris Cvik, Chief Administrative Officer



prrd.bc.ca | f


diverse. vast. abundant.



Attachment B: Petition & Comments from the public

I Dan Cantlon of [REDACTED]  
Fort St John BC Canada am speaking on  
behalf of the following residents regarding:

Zoning amendment Bylaw No. 2309 (Gardner), 2018  
240 Road, west of Fort St. John,  
March 27, 2018

\* - EDDIE GINGRAS 

[REDACTED]

\* - STIMPKINS  
SHELLA TOMPKINS

[REDACTED]

DALE GAUNT

[REDACTED]

SHARON GAUNT

[REDACTED]

Bob Banack

[REDACTED]

STEWART MOSSMAN

[REDACTED]

Frank Miether

[REDACTED]

Christina Hovey

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To: Claire Negrin  
Subject: RE: PRRD Active Development Permits - Submit a Comment [#19]

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From: PRRD Active Development Comment Form [REDACTED]  
Sent: Monday, March 26, 2018 3:15 PM  
To: Bruce Simard <[REDACTED]>; Fran Haughian <[REDACTED]>; Suzanne Garrett <[REDACTED]>  
Subject: PRRD Active Development Permits - Submit a Comment [#19]

**Application** 219/2017 Gardner

**No. &**

**Applicant**

**Name \***

**Comments or Concerns: \***

Information for Public Hearing Rezoning Meeting for Bylaw 2309

Usually a public hearing is held to request a rezoning for a piece of property to be used for a different purpose. This meeting allows the property owner to explain and provide details to the hearing about the advantages of the request or change.

Things to consider would be :

1. Good use of the land and resources with respect to development, land use bylaws, and management
2. Compatibility with the official plan
3. Support from the neighborhood
4. Respect for rules, orders, and procedures of the zoning procedures

However, in my opinion this public hearing for bylaw #2309 is for this property owner to "beg for forgiveness" for 10 years of non-compliance use of a property zoned A-2

The property owner developed and changed the properties use to I-1 from A-2 without requesting formal approval or permission. Many bylaws have been broken by this action.

Rezoning doesn't excuse zone bylaw infraction or meet I-1 standards of use. The properties present use and state, if rezoned would still not meet I-1 standards. Some concerns are :

1. No 50' designation buffer zone along the property lines
2. Storage of materials and equipment on 100' Hydro right of way
3. Inappropriate storage of some environmental containers and equipment

4. Storage and placement of material 25-50' beyond the property lines onto adjacent property
5. Failure to control or contain run-off water on the property so it does not cross property lines
6. The collection of revenue for the past 10 years for land rental and equipment storage – all uses that are not allowed in A-2 Zoning
7. Poorly designed road access from the 240 Rd to the property
8. No vision or sound buffers around property, in respect to neighbours
9. Failure to accept , address and adhere to bylaw complaints and zoning infractions

The problems related to this zoning request and all bylaw infractions are all self-inflicted by the land owner. The property owner ignored rules and regulations for zoning, land use and development standards for over 10 years.

I do not support this rezoning request at this time. Although I recognize that the land may be appropriate for I-1 zoning, I would support Option 4 or Option 6 from the PRRD suggested options

First- Put your house in order!!

Find solutions and resolve all bylaw infractions. Adhere to A-2 zoning requirements. Follow the written procedures and bylaws for rezoning, land use and development. Follow the rules, laws and procedures like all other land owners in the surrounding area have done.

Then make a new zoning request when the property is in compliance with the A2 zoning and be responsible for all action. It's not only the law but it's the right thing to do.....

Respectfully Submitted

Jack Blair [REDACTED]

[REDACTED]

[REDACTED]

March 27, 2018

**Your Name** Jack Blair

\*

**Date \*** Monday, March 26, 2018

**Address: \*** [REDACTED]

**Email** [REDACTED]

**(optional)**