



PEACE RIVER REGIONAL DISTRICT
PUBLIC HEARING – MINUTES

Proposed Zoning Amendment By-law No. 2110, 2014

July 3, 2014 @ 7:00 p.m.

Charlie Lake Hall, Charlie Lake, BC

ATTENDANCE:

Peace River Regional District: Brad Sperling, Alternate Director of Electoral Area 'C'
Jodi MacLean, Assistant Manager of Development Services

Applicant: Florian Schwarz, 8712 Hwy 97, Charlie Lake
Kimberly Schwarz, 8712 Hwy 97, Charlie Lake

Agent: Siana Toure, Focus Corporation, Fort St. John

Public: Gary Lang, 12847 Ben's Road
Shelley Lang, 12847 Ben's Road
Rolande Reinboldts, 12843 & 12839 Ben's Road
Susan Hogaboam, 12835 Ben's Road
Miles Hogaboam, 12835 Ben's Road
Carla Hart, 12834 Ben's Road
John Locher, 94 Street Fort St. John
Abe Fehr, 13047 Hunters Lane
Les Christiansen, 12939 Hill Top Road
Kelly Klassen, 12954 Hill Top Road
Perry Oftebro, 12973 Hill Top Road
Karen Falkenberg, 13162 Lakeshore Drive
Ed White, 13198 Charlie Lake Crescent
Shannon Chiupka, 12821 Ben's Road
Jerry Mullin, 12821 Ben's Road
Kimberly Wylie, 12858 Ben's Road
Kelly Clement, 12858 Ben's Road

1. **CALL TO ORDER**

The Chair called the meeting to order at 7:00 pm

2. **CHAIRMAN READS THE STATEMENT OF PUBLIC HEARING**

The Chair read out the Statement of Public Hearing

3. **INTRODUCTION TO PROPOSAL**

Jodi MacLean introduced the proposal as follows:

LANDOWNER: Florian & Kimberly Schwarz

LEGAL DESC: Lot 1 Plan 22972, Section 17, Township 84, Range 19, W6M, PRD

PROPOSAL: To subdivide the property to create commercial parcels.

Zoning Amendment Bylaw No. 2110 (Schwarz), 2014, proposes to rezone subject property from R-4 (Residential 4 Zone) to C-2 (General Commercial Zone).

4. **SUMMARY OF APPLICATION PROCEDURE**

Jodi MacLean read the Summary of Application Procedure as follows:

- November 26, 2013 – PRRD receives application
- June 26, 2014 – Application and proposed bylaw referred to municipalities and provincial agencies
- February 13, 2014 – PRRD Board gives zoning amendment bylaw 1st & 2nd Reading and authorizes a public hearing to take place pursuant to s. 890(4) of the *Local Government Act, and that public notice be issued*
- June 19, 2014 – Public hearing notification mailed to landowners
- June 26 & 27, 2014 – Public notification advertised in *Alaska Highway News*
- July 3, 2014 – Public hearing takes place in Charlie Lake, BC at the Community Hall.

5. COMMENTS FROM AGENCIES AND MUNICIPALITIES RECEIVED

MINISTRY OF TRANSPORTATION: The Ministry supports the proposed rezoning from Residential to Highway Commercial. We have received an application for subdivision from the land owner. The Ministry requires the land owner to enter into a no build covenant for the entire property prior to the Ministry approving the proposed rezoning. A sample covenant can be supplied to the owner's lawyer. The owner's agent has been advised of this requirement for rezoning.

6. WRITTEN COMMENTS RECEIVED FROM PUBLIC

- Letter dated June 25, 2014 from Bruce & Janet Haley
- Letter dated July 3, 2014 from Gary & Shelley Lang
- Undated letter received July 3, 2014 from Kelly Clement and Kimberly Wylie
- Undated letter received July 3, 2014 from Kimberly Wylie
- Undated letter originally received June 27, 2012 from Kelly Clement and Kimberly Wylie and resubmitted July 3, 2014
- Petition with 40 signatures opposing rezoning proposal received July 3, 2014
- Petition with 41 signatures opposing rezoning proposal dated 2012 but submitted July 3, 2014

7. COMMENTS FROM APPLICANT

- The applicant submitted a new Information Package earlier in the day to the PRRD Fort St. John office. The Information Package contains:
 - Letter of interest from a Fort St. John Dental clinic
 - Petition with 135 signatures supporting the rezoning proposal
 - Map illustrating where the signatures originated
 - Copies of PRRD OCP and zoning documents
 - Letter from real estate agent regarding C-2 zoned land in Charlie Lake
 - Letter from Agricultural Land Commission approving the ALR exclusion request
 - Copy of the Traffic Impact Assessment for the proposal
 - Photographs of the subject property
 - Table of concerns heard during the previous rezoning attempt and mitigation measures
 - List of dates regarding the adoption of the OCP.
- Florian Schwarz identifies himself as the property-owner and applicant. He purchased it 5 years ago with an expectation development. He was aware of the property's inclusion in the Fort St. John & Area Comprehensive Development Plan and the Official Community Plan.
- He has since operated a home-based business without complaint, sees growing community, his business is growing at same time, wants to expand his business under this new zone, believes more services are needed.
- He goes over the Information Package, noting the petition of support which he collected personally by talking to residents, describes some photos illustrating view from property to Jensen sub which shows trees, aerial photo of property which illustrates thickness of

vegetation between residents and subject, notes he is willing to leave vegetation as is with covenant to mitigate impacts between commercial business and residences.

- He notes his work with the Ministry of Transportation & Infrastructure on moving his driveway off the highway and onto PNG Frontage Road (expected to occur within the next year, independently of this application).
- He notes the development potential under the current R4 Zone, access would come from Bens Road and with sewer lots can be as small as 1 acre. If under the proposed C4 zone access would come from PNG Frontage Road and only 3 lots would be developed with his business on the remainder.
- He notes his willingness to implement a ~ 20 foot vegetative buffer or berm, and notes he has no intention of putting access from Bens Road but that access is ultimately the decision of Ministry of Transportation.
- He concludes by reviewing the letter from Agricultural Land Commission, the OCP adoption process and the table of concerns & mitigations from the Information Package.

8. COMMENTS FROM PUBLIC

Miles Hogaboam: Refers to the satellite photo and asks why not use Spectra access point?

Florian Schwarz: It was the decision of the Ministry of Transportation & Infrastructure.

Miles Hogaboam: Notes the previous OCP (Bylaw No. 907) called for nodal development around the store and hall area and around mile 54, and didn't dissuaded strip development along the highway. Questions the viability of farming the subject property.

Susan Hogaboam: States the proposed 20 foot buffer is not sufficient, especially in winter.

Florian Schwarz: Notes there is also a road right-of-way in between and his willingness to plant evergreen or construct a berm.

Susan Hogaboam: States that is still not enough.

Gary Lang: Using the airphoto he illustrates gaps in the existing vegetative buffer.

Florian Schwarz: Explains the gaps came from road building going too far and the road builders also damaged his fence.

Carla Hart: Notes a conflict between the proposed intersection and school bus stop and that there are kids there at least 2 times a day.

General discussion ensues regarding the school bus route, the bus stop and the intersection.

Florian Schwarz: Notes excessive traffic already present at that intersection and that it needs improvement.

Gary Lang: Says that when he moved there, he was told the school bus couldn't pull around, so the drop off stop is at the frontage road.

General discussion ensues regarding the intersection and the roads.

Miles Hogaboam: Refers to what the C-2 zone allows for and says there is not demand for it given that Fort St. John is so close and more logical for locating commercial land.

Karen Falkenberg: States that she moved into the area 40 years ago wanting a quiet country life, but in last 40 years has seen 6 or 7 different owners next door and they all make changes to the property. She recalls that the applicant bought here in 2009 and that he is already looking to make changes.

She notes his commitments but asks what will next person do. She reiterates that she bought here for peace and quiet and to get away from the city.

Florian Schwarz: Agrees with what Karen says. Anyone can buy and sell land. Offers a covenant to bind future land owners.

Karen Falkenberg: States she is fine with residential development, but not commercial.

Florian Schwarz: Describes how development is already happening around the area and that there is often commercial businesses operating on residential properties and how people are working and living together.

Carla Hart: Notes differences between home-based businesses and commercial/industrial operations, especially with type of vehicles.

Florian Schwarz: Contrasts different types of vehicles.

Carla Hart: Argues that the petition of support are mostly not from living in the Jensen Sub.

Florian Schwarz: Uses the map in the Information Package to illustrate where the signatures came from.

Rolande Reinboldts: Asks how many people are against this and what was said to get the support of the people on the petition.

Karen Falkenberg: Asks if the people on the petition are property owners.

Florian Schwarz: Describes how petition was conducted.

Karen Falkenberg: Distinguishes between residents and property owners.

General discussion ensues about the Shady Acres Mobile Home Park

Jerry Mullin: Asks what the applicant does as his home-based business.

Florian Schwarz: Describes his home-based business as a home base for trucks which work in region, little work is done on the site and that he wants to maintain its residential character.

Rolande Reinboldts: Describes her experience with the applicant when he came to her home saying he wanted a larger shop. She asks how the equipment associated with his business would come onto the property and states that the equipment does have some sour gas remnants.

Florian Schwarz: Reiterates that he has received no complaints.

Brad Sperling: Asks if the applicant's business is permitted use in the proposed commercial zone.

Florian Schwarz: Believes it would allowed.

General discussion ensues regarding the applicant's home-based business

Jerry Mullin: Enquires whether a topographical survey is available.

Florian Schwarz: Says he does not have one but that the property has been surveyed.

Jerry Mullin: Enquires whether the existing trees on the applicant's property or right-of-way.

Florian Schwarz: States that some of the trees are on Ben's Road right-of-way.

Darryl Stark: States that he owns parcels on other side of highway and notes that the minimum property sizes are the same in both the existing R4 and proposed C2 zones. Asks about the additional uses allowed in the proposed C2 zone allowed on certain other parcels, like trucking and oilfield contractors.

Jodi MacLean: Clarifies the text amendment process that added those uses.

Darryl Stark: Agrees with the applicant's assessment on the traffic situation, describes experience with traffic there, disagrees with Focus/Ministry of Transportation's traffic impact conclusion that improvements not needed until later, that there needs to have a traffic light there now, and that during winter driving people are spinning out. Notes that the North Peace Fringe Area OCP is under review, was told future development would not be hindered by review. Asks if the OCP is under review whether this requested rezoning is proper at this time. He notes problems with school bus stop and the impacts of a growing population.

Karen Falkenberg: Expresses agreement with Darryl Stark and describes how she avoids that intersection by driving on back roads to the existing traffic lights.

Kimberly Wylie: Describes Ben's Road and the existing vegetation and that representatives of PNG told her it was fine to keep the vegetation there. She describes pedestrian, including her children's, use of these road. She states she talked to neighbors about this proposal as the applicant did and discussed differences in points of view about growth. She believes it will be easier to get an industrial zone once it is commercial. She doesn't want to lose their investment they put into their property. She wants to live in a small community like how the subdivision exists today.

Kimberly Wylie submits a letters and petition against the proposal, as well as the petition taken in 2012 regarding the previous application.

Rolande Reinboldts: Notes community has spoken against this twice in 2 years.

Kimberly Wylie: States that she spoke to the people listed on the support petition and said that they thought they were signing a drive way access item.

Florian Schwarz: Reads aloud the statement written on the petition.

Kimberly Wylie: Says the people signing the petition didn't understand that and that she explained to them what it was actually about.

Florian Schwarz: Compares the number of people expressing support on the petition and number of notices sent by the PRRD and contrasts to the number of people opposing.

General discussion ensues regarding differences and rationales for supporting and opposing.

Miles Hogaboam: States a belief that Charlie Lake will never be a commercial destination because it cannot compete with Fort St. John, that no one is going to drive from Fort St. John to go for coffee.

Wayne Klassen – States that he hears the need for growth but also a desire for a quiet neighbourhood. Asks who decides? Describes who he sees as supporting vs opposing and their stake in the decision.

Brad Sperling: Describes Board decision-making process.

9. FINAL COMMENTS FROM APPLICANT

- Florian Schwarz notes potential for future development, refers to the map showing the support petition signatures and describes who is supporting. He reiterates the future changes that will occur moving his driveway off the highway and onto PNG Frontage Road.

10. TERMINATION OF PUBLIC HEARING

The Chair terminated the Public Hearing at 8:25 pm