



Peace River Regional District
DEVELOPMENT SERVICES
Zoning Amendment Report
BYLAW No 2309, 2018
3RD READING

OWNER: Robert Gardner DATE: May 11, 2018
AGENT: Jared Giesbrecht FILE No.: 17-219
AREA: Electoral Area C
LEGAL: PCL A (46726M) of the NW 1/4 of SEC 19 TP 83 R 18 W6M Peace River ECL PL 20464
PID: 010-308-521
LOT SIZE: 5.54 ha (13.68 acres)
LOCATION: 240 Road, directly west of the Fort St. John municipal boundary.

PROPOSAL

To change the zoning on the subject property from A-2 "Large Agricultural Holdings Zone" to I-1 "Light Industrial Zone".

RECOMMENDATION: [ALL DIRECTORS - CORPORATE UNWEIGHTED]

- 1. THAT the Regional Board read Peace River Regional District Zoning Amendment Bylaw No. 2309 (Gardner), 2018 for a third time.
2. THAT consideration of adoption of Bylaw 2309, 2018 be deferred pending registration of a restrictive covenant on title for a landscaped, no-build buffer along the north property line and relocation of the driveway from the western side of the property to the middle of the property.

Reasoning:

- The proposed rezoning is consistent with the NPFA OCP.
The purpose of the landscaped, no-build buffer is to minimize any negative impacts on the residential properties on the north side of the 240 Road.
The purpose of relocating the driveway is to increase the buffering between the industrial use and the residential property across the 240 Road. With the current location of the driveway you can see into the subject property from the residential property. If the driveway were relocated, it would be directly across from the industrial property on the north side of the 240 Road. In addition, the existing driveway may be encroaching on the neighbouring property.

ALTERNATIVE OPTIONS

- OPTION 1: 1. THAT the Regional Board read Peace River Regional District Zoning Amendment Bylaw No. 2309 (Gardner), 2018 for a third time.
2. THAT the Regional Board adopt Peace River Regional District Zoning Amendment Bylaw No. 2309 (Gardner), 2018.

REASONING:

- The proposed rezoning is consistent with the NPFA OCP.

Department Head

CAO

**OPTION 2:** 1. THAT the Regional Board defer Zoning Amendment Bylaw No. 2309 (Gardner), 2018 until such time as the bylaw enforcement file (No. 15-103) has been resolved; further, that staff be directed to remove the hold from bylaw enforcement file No. 15-103 and pursue compliance.

**REASONING:**

- There is an open bylaw enforcement file (File No. 15-103) on the property. The enforcement file began with a 2015 complaint that the property was being used for industrial uses despite having agricultural zoning. The enforcement file is currently on hold pending the outcome of this application.

**OPTION 3:** 1. THAT the Regional Board refuse Zoning Amendment Bylaw No. 2309 (Gardner), 2018.  
2. THAT the Regional Board direct staff to continue with bylaw enforcement.

**OPTION 4:** 1. THAT the Regional Board direct staff to prepare a supplemental report prior to Board consideration of third reading of Zoning Amendment Bylaw No. 2309 (Gardner), 2018 in order to bring forward a public comment received AFTER the public hearing

**REASONING:**

- One additional submission from a member of the public has not been included in this report.
- In the opinion of staff, the additional submission does not provide new information.
- Board Procedure Bylaw No. 2200, 2015, Part 13 – Public Hearings, states:
  - 82. “Following the close of a Public Hearing, no further submissions or comments from the public may be accepted by members of the Board”.
- If the Board wishes to review this additional submission, the Board would have the option to hold a new Public Hearing, or to waive the requirement for an additional Public Hearing as the rezoning is consistent with the OCP.
  - If the requirement for a Public Hearing is waived, the minutes from the March 27, 2018 meeting could still be considered as information, however a new Public Notification would be required before the bylaw can be given 3<sup>rd</sup> Reading (*Local Government Act*, Section 467).

**SUMMARY OF PROCESS & PUBLIC ENGAGEMENT**

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

**LAND USE POLICIES AND REGULATIONS**

<b>OFFICIAL COMMUNITY PLAN (OCP):</b>	LSI (Light/Service Industrial), NPFA OCP Bylaw No. 1870, 2009.
<b>ZONING:</b>	A-2 (Large Agricultural Holding Zone), PRRD Zoning Bylaw No. 1343, 2001.
<b>AGRICULTURAL LAND RESERVE (ALR):</b>	Not within.
<b>BUILDING INSPECTION AREA:</b>	Mandatory.
<b>DEVELOPMENT PERMIT AREA:</b>	Industrial Development Permit Area #2.
<b>SCHOOL DISTRICT #60 ACQUISITION CHARGE</b>	Within. N/A for zoning change.
<b>BYLAW AREA:</b>	
<b>FIRE PROTECTION AREA:</b>	Within the Fort St. John Rural Fire Protection Area.

**SITE CONTEXT**

The subject property is located on the south side of 240 Road directly adjacent to the City of Fort St. John municipal boundary.

The area is a mix of industrial and residential uses. The property is immediately surrounded by the following uses:

- North: Industrial and Residential
- West & South: Industrial (Industrial, former sand and gravel pit)
- East: Industrial (City of Fort St. John municipal sanitary sewage lagoons)

There are residential lots on the north side of 240 Road and further west of the sand and gravel pit. There are agricultural properties further to the west, south, and east.

**SITE FEATURES**

<b>LAND:</b>	Based on aerial photos and a site visit, most of the site is cleared and is used for industrial storage. There are a few small wooded areas in the southern part of the subject property.
<b>STRUCTURES:</b>	There are no existing structures on the subject property.
<b>ACCESS:</b>	The subject property has frontage on the 240 Road. There is also an undeveloped right of way on the east side of the property. There is an existing driveway onto the 240 Road at the northwestern edge of the property, across from the residential property on the north side of the 240 Road. The 240 Road and driveway are both unpaved.
<b>SOIL:</b>	The soil on the subject property is classified 2 <sub>C</sub> . Soils in this class have moderate limitations that restrict the range of crops or require moderate conservation practices. Subclass C indicates an adverse climate. Class 2 <sub>C</sub> soils are one of the best soil classifications in the region.

**COMMENTS AND OBSERVATIONS**

<b>APPLICANT</b>	The rezoning is in keeping with the surrounding use and the OCP designation of the property as LSI. The owner is willing to place a restrictive covenant on title [for a buffer along the 240 Road].
<b>ALR:</b>	The subject property is not within the ALR.

**OCP:** The subject property is designated 'Light/Service Industrial' (LSI) within the PRRD North Peace Fringe Area Official Community Plan Bylaw No.1870, 2009 (NPFA OCP). The purpose of this designation is to allow for industrial uses (Section 8.3.1).

The surrounding properties hold the following designations:

- North: LSI – Light/Service Industrial, and MDR – Medium Density Residential
- West & South: HI – Heavy Industrial
- East: II – Institutional (City of Fort St. John Zoning Bylaw 2076, 2011), Proposed designation: Public Utility (Draft OCP Bylaw No. 2388, 2017) Note: this is the City’s municipal sanitary sewage lagoons.

The residential properties on the north side of the 240 Road are designated Medium Density Rural Residential.

**The proposed rezoning is consistent with the OCP designation of the property.**

**ZONING:** The subject property is zoned A-2 (Large Agricultural Holdings Zone) within the Peace River Regional District Zoning Bylaw No. 1343, 2001. **The existing use is not permitted under the A-2 Zoning, therefore, a rezoning is required for this use to continue.**

The surrounding properties hold the following zoning:

- North: I-1 (Light Industrial) and R-3 (Residential 3 Zone)
- West & South: I-1 (Light Industrial)
- East: INST (Public and Institutional) (City of Fort St. John Zoning Bylaw 2181, 2014) Note: this is the City’s municipal sanitary sewage lagoons.

The residential properties on the north side of the 240 Road are zoned R-3 (Residential 3 Zone).

The proposed I-1 zone permits a range of light industrial uses. The existing uses would be permitted under the I-1 zone. The minimum lot size for the I-1 zone is 1.8ha. The subject property is 5.54ha so it is larger than the minimum lot size for an I-1 zone.

**The proposed I-1 zoning is consistent with the context of the adjacent properties.**

**BACKGROUND:** The property is currently being used to store industrial equipment. This is not permitted under the current zoning of the property (A-2 Zoning) and therefore this use is a contravention of the Zoning Bylaw (Bylaw No. 1343, 2001). There is an existing bylaw enforcement file for the property (File No. 15-103). The enforcement file is open but is currently on hold pending the outcome of this application.

• Complaint received that the property was being used for an industrial use on land zoned A-2.	April 2015
• Application received to rezone the property to I-1 (File No. 112/2015).	May 2015
• Public Information Meeting, 1 <sup>st</sup> and 2 <sup>nd</sup> reading by Regional Board, and Public Hearing.	June - Nov 2015
• Public meeting held.	Nov 2015
• Regional Board defers application until such a time as the NPFA OCP is complete.	Jan 2016
• Application brought forward and refused by the board. Bylaw file was reopened at this time.	March 2017

<ul style="list-style-type: none"> <li>Request for a plan for bringing the property into zoning compliance.</li> </ul>	April 2017
<ul style="list-style-type: none"> <li>Applicant requested that the time requirement to submit a new application be waived (there is a six-month wait before a new application can be submitted where an application is refused). This request was refused by the Regional Board.</li> </ul>	July 2017
<ul style="list-style-type: none"> <li>Warning ticket issued with a request for a plan for compliance.</li> </ul>	July 2017
<ul style="list-style-type: none"> <li>Ticket issued with a request for a plan for compliance.</li> </ul>	August 2017
<ul style="list-style-type: none"> <li>2<sup>nd</sup> ticket issued with a request for a plan for compliance.</li> </ul>	August 2017
<ul style="list-style-type: none"> <li>Rezoning application (this file No. 17-219) was received and bylaw enforcement was placed on hold.</li> </ul>	Sept 2017

**Please Note:** As of October 12, 2017 (Regional Board Resolution RD/17/10/20), bylaw enforcement files are no longer automatically placed on hold when a planning application is received. Since this application was received before October 12, 2017, the bylaw enforcement file was placed on hold in accordance with the old policy.

### IMPACT ANALYSIS

- AGRICULTURE:** The subject property is not an agricultural property and there are no agricultural properties immediately adjacent to the property. The soil on the property is classified as 2<sub>c</sub> which is some of the best quality soil in the region, however the subject property is 5.54ha (13.7ac), which is considered small for an agricultural property in this area.
- CONTEXT:** The proposal is in keeping with the immediate context of the area which is made up of industrial uses. The property which surrounds the subject property to the west and south is a sand and gravel pit. The property immediately to the east contains the City of Fort St. John's sanitary sewage lagoons.
- The property directly across the 240 Road from the subject property is an industrial property. There are residential uses on the north side of the 240 Road and further to the west.
- The area to the north and northwest, towards Highway 97 is a mix of industrial and residential uses. There are agricultural properties further to the west and east. The residential uses on the north side of the 240 Road may be impacted by the industrial use, However the existing quarry and the trucking company opposite the subject property are already in operation and are permitted uses.
- POPULATION & TRAFFIC:** No increase in population is expected as a result of this proposal. The industrial use would be expected to have higher traffic volume than an agricultural parcel. The traffic is expected to be intermittent since the property is mainly used for storage. The traffic would access the property via the 265 Road and the 240 Road.

### NOTIFICATION & COMMENTS

- REFERRAL:** A referral was sent on November 6, 2017 requesting comments from the following organizations:
- 7 municipalities within the Region;
  - Ministry of Transportation and Infrastructure (MoTI);
  - Northern Health Authority;

- BC Hydro;
- Oil & Gas Commission;
- Fort St. John Fire Department; and,
- School District 60.

As of January 26, 2018, comments were received as follows:

<b>Organization</b>	<b>Comment</b>	<b>Response</b>
<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>	N/A
<b>District of Taylor</b>	Interests unaffected.	N/A
<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.	N/A
<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.	N/A



General Area

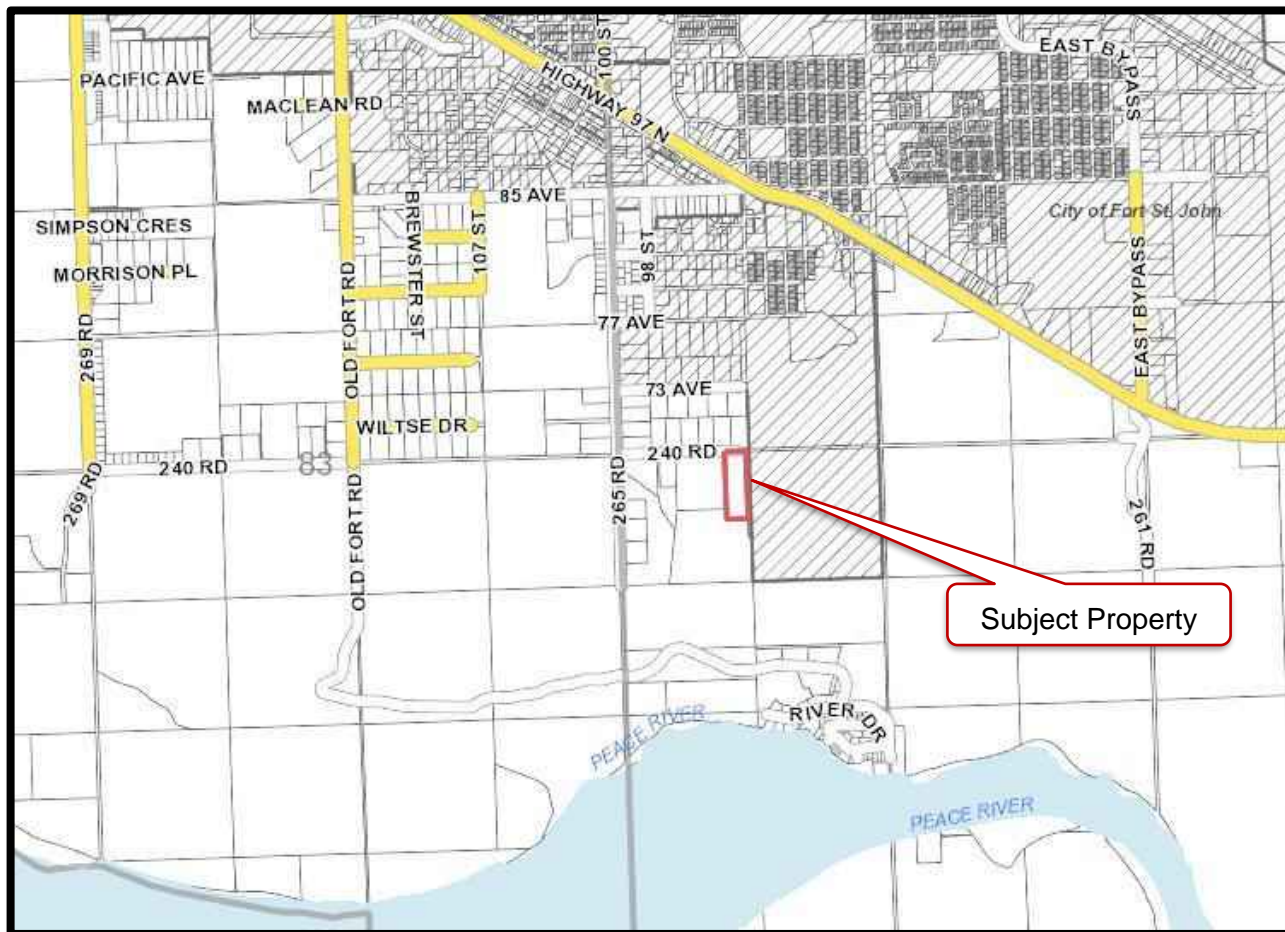
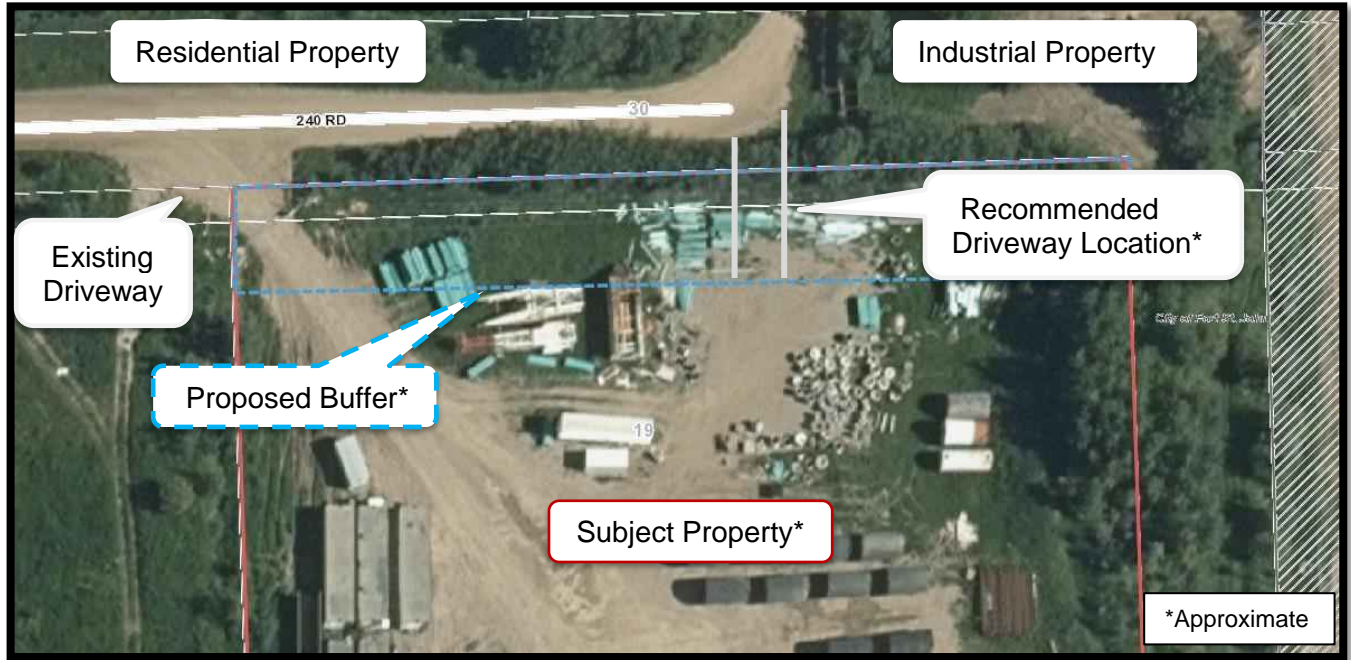




Photo Imagery









**NPFA Official Community Plan Bylaw No.1870, 2009 (Schedule B, Map 5)**



**PRRD Zoning Bylaw No. 1343, 2001 (Schedule A Map, 13)**





ZONING AMENDMENT REPORT  
**MAPS**  
FILE NO. 17-219

**Agricultural Land Reserve & CLI Soil Classification**





ZONING AMENDMENT REPORT  
**SITE PHOTOS**  
FILE NO. 17-219

April & August 2017





**List of Attachments:**

- A. Public Hearing Meeting Minutes
- B. Draft Zoning Amendment Bylaw No. 2309 (Gardner), 2018



## **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 F-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
City of Fort St. John	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>
District of Taylor	Interests unaffected.
MoTI	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** [REDACTED]:

- 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** [REDACTED]:

- 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** [REDACTED]:

- 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 [REDACTED]:**

- 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 is 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.



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Christina Hovey, Recorder



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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

## 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](mailto:prrd.dc@prrd.bc.ca)



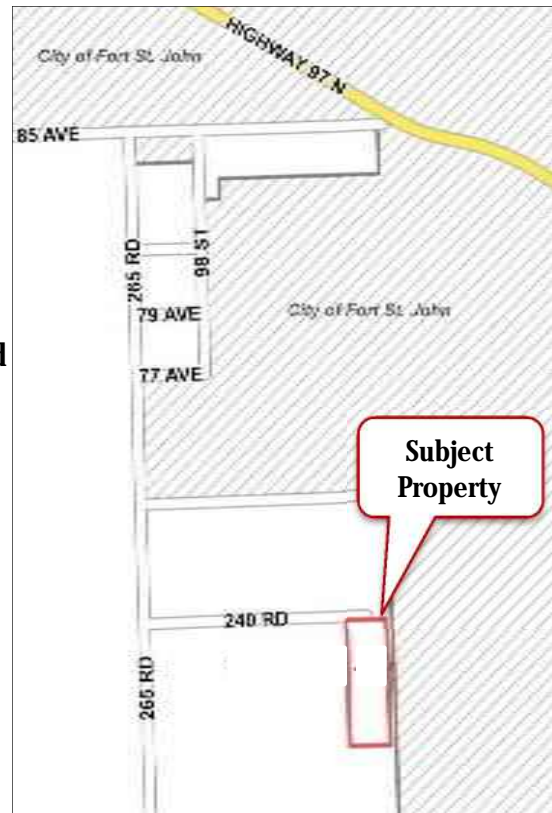
[prrd.bc.ca](http://prrd.bc.ca) |

## 240 Road, west of Fort St. John

**Parcel A (46726M)**  
of the NW  $\frac{1}{4}$  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


diverse. vast. abundant.

May 24, 2018

Attachment **B**: Petition & Comments from the public

I Dan Cantlon of 9903 - 73 Ave Box B31a)  
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   
Box 6521 ~~9887~~ 9887 73 AVE  
FORT ST JOHN BC V1S 4H9 250 261-3948

\* - Stimpkins  
SHELLA TOMPKINS 250-261-9160  
PO BOX 6521 9885 73 AVE  
FORT ST JOHN BC V1S 4H9

DALE GAULT  
Box 6521 FORT ST JOHN BC  
250-261-2403

HARON  
Box 6521 FORT ST JOHN BC  
250-261-2403

Box 666 Fort St John BC  
250-793-1100

STEV  
9847 73 A  
262-5681

Frank  
240 Road Fort St John  
250-261-7621

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 [<mailto:no-reply@wufoo.com>]  
**Sent:** Monday, March 26, 2018 3:15 PM  
**To:** Bruce Simard <[Bruce.Simard@prrd.bc.ca](mailto:Bruce.Simard@prrd.bc.ca)>; Fran Haughian <[Fran.Haughian@prrd.bc.ca](mailto:Fran.Haughian@prrd.bc.ca)>; Suzanne Garrett <[Suzanne.Garrett@prrd.bc.ca](mailto:Suzanne.Garrett@prrd.bc.ca)>  
**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] land owner in Fort St John .)

[redacted]

March 27, 2018

Your Name Jack Blair

\*

Date \* Monday, March 26, 2018

Address: \*

[redacted]

Email

(optional)

[redacted]

**PEACE RIVER REGIONAL DISTRICT  
Bylaw No. 2309, 2018**

**A bylaw to amend Peace River Regional District  
Zoning Bylaw No. 1343, 2001."**

**WHEREAS, the Regional Board of the Peace River Regional District did, pursuant to the Province of British Columbia *Local Government Act*, adopt "Peace River Regional District Zoning Bylaw No. 1343, 2001";**

**NOW THEREFORE the Regional Board of the Peace River Regional District, in open meeting assembled, enacts as follows:**

- 1. This by-law may be cited for all purposes as "Peace River Regional District Zoning Amendment Bylaw No. 2309 (Gardner), 2018."**
- 2. Schedule A – Map 13 of "Peace River Regional District Zoning Bylaw No. 1343, 2001" is hereby amended by rezoning Parcel A(46726M) of the Northwest ¼ of Section 19, Township 83, Range 18, W6M, PRD except Plan 20464, from A-2 "Large Agricultural Holdings Zone" to I-1 "Light Industrial Zone", as shown on Schedule 'A' which is attached to and forms part of this bylaw.**

<b>READ A FIRST TIME THIS</b>	<u>22<sup>nd</sup></u>	day of	<u>February</u>	, 2018.
<b>READ A SECOND TIME THIS</b>	<u>22<sup>nd</sup></u>	day of	<u>February</u>	, 2018.
<b>Public Hearing held on the</b>	<u>27<sup>th</sup></u>	day of	<u>March</u>	, 2018
<b>Notification mailed on the</b>	<u>9<sup>th</sup></u>	day of	<u>March</u>	, 2018
<b>READ A THIRD TIME THIS</b>	_____	day of	_____	, 2018.
<b>ADOPTED THIS</b>	_____	day of	_____	, 2018

\_\_\_\_\_  
**Chair**

**(Corporate Seal has been affixed  
to the original bylaw)**

\_\_\_\_\_  
**Corporate Officer**

I hereby certify this to be a true and correct copy of "PRRD Zoning Amendment Bylaw No. 2309 (Gardner), 2018, as adopted by the Peace River Regional District Board on \_\_\_\_\_, 2018.

\_\_\_\_\_  
Corporate Officer

**May 24, 2018**

Peace River Regional District  
By-law No. 2309, 2018  
SCHEDULE "A"



Map. No. 13 - Schedule A of "Peace River Regional District Zoning Bylaw No. 1343, 2001" is hereby amended by rezoning Parcel A(46726M) of the Northwest ¼ of Section 19, Township 83, Range 18, W6M, PRD except plan 20464, **from** A-2 "Large Agricultural Holdings Zone" **to** I-1 "Light Industrial Zone" as shown shaded on the drawing below:

