

PEACE RIVER REGIONAL DISTRICT ELECTORAL AREA DIRECTORS COMMITTEE MEETING

A G E N D A

for the meeting to be held on Thursday, December 17, 2015 in the
Regional District Office Boardroom, 1981 Alaska Avenue, Dawson Creek, BC
commencing immediately after RBAC meeting

1. Call to Order: Director Goodings to Chair the meeting
2. Director's Notice of New Business:
3. Adoption of Agenda:
4. Adoption of Minutes:
M-1 Electoral Area Directors' Committee Minutes of November 19, 2015.
5. Business Arising from the Minutes:
6. Delegations:
7. Correspondence:
8. Reports:
 - R-1 Chris Cvik, Chief Administrative Officer - Post Referendum - Potable Water and Domestic Sewer Service Report
 - R-2 Trish Morgan, General Manager of Community and Electoral Area Services - Discussion regarding Changes to the *Local Government Act*.
 - R-3 Trish Morgan, General Manager of Community and Electoral Area Services - Public Engagement Process on Building Inspection (referred from the November 26, 2015 Regional Board Meeting)
 - R-4 Chris Cvik, Chief Administrative Officer - Building Bylaw No. 2131, 2014 - Request for Feedback (referred from the December 11, 2015 Regional Board Meeting)
 - R-5 Kole A. Casey, South Peace Land Use Planner - Development of Proposed A-3 Agricultural Wind Zone (referred from the December 11, 2015 Regional Board Meeting)
9. New Business:
10. Communications:
11. Diary:
12. Adjournment:



**PEACE RIVER REGIONAL DISTRICT
ELECTORAL AREA DIRECTORS' COMMITTEE
MEETING MINUTES**

M-1

DATE: November 19, 2015

PLACE: Regional District Office Boardroom, Dawson Creek, BC

PRESENT:

Directors: Karen Goodings, Director, Electoral Area 'B' and Meeting Chair
Brad Sperling, Director, Electoral Area 'C'
Leonard Hiebert, Director, Electoral Area 'D'
Dan Rose, Director, Electoral Area 'E'

Staff: Chris Cvik, Chief Administrative Officer
Shannon Anderson, Deputy Chief Administrative Officer
Trish Morgan, General Manager of Community and Electoral Area Services
Jo-Anne Frank, Corporate Officer
Fran Haughian, Communications Manager / Commissions Liaison
Barb Coburn, Recording Secretary

Call to Order Chair Goodings called the meeting to order at 12:55 p.m.

ADOPTION OF AGENDA:

November 19, 2015
Agenda

MOVED by Director Hiebert SECONDED by Director Rose,
That the Electoral Area Directors' Committee agenda for the November 19, 2015 meeting,
including items of New Business, be adopted:

Call to Order: Director Goodings to Chair the meeting

Director's Notice of New Business:

Adoption of Agenda:

Adoption of Minutes:

M-1 Electoral Area Directors' Committee Meeting Minutes of October 15, 2015.

Business Arising from the Minutes:

Delegations:

Correspondence:

C-1 October 13, 2015 - Copies of letters from Colleen Wangler - Dogs at Large.

Reports

R-1 Trish Morgan, General Manager of Community and Electoral Area Services - Regulating
Agri-tourism and Farm Retail Sales in the Agricultural Land Reserve (ALR).

R-2 Chris Cvik, Chief Administrative Officer - Communication / Vetting Procedure.

R-3 Fran Haughian, Communications Manager - Referendum Communications Report.

R-4 Fran Haughian, Communications Manager - Referendum Community Meeting Notes.

R-5 Trish Morgan, General Manager of Community and Electoral Area Services - Recommendations
from Community Meetings in Pink Mountain and Upper Halfway.

R-6 Trish Morgan, General Manager of Community and Electoral Area Services - Electoral Area
Directors Newspaper Insert.

New Business:

NB-1 November 13, 2015 - Spectra Energy - Booster Station No. 3 Kobes, Air Permit PA-3457
Amendment Application

NB-2 Term on Agricultural Advisory Committee for non-resident landowners

NB-3 Legal opinion regarding the Board voting on strictly rural functions

Communications:

Diary:

Adjournment:

CARRIED.

December 17, 2015

ADOPTION OF MINUTES:

M-1
EADC meeting minutes of
October 15, 2015

MOVED by Director Rose, SECONDED by Director Hiebert,
That the Electoral Area Directors' Committee Meeting minutes of October 15, 2015 be adopted.
CARRIED.

REPORTS:

R-1
Regulating Agri-tourism
and Farm Retail Sales in
the ALR

MOVED by Director Rose, SECONDED by Director Sperling,
That the Electoral Area Directors' Committee recommends to the Regional Board that the
Ministry of Agriculture be requested to provide the Regional District with notifications of any and
all updates, as they occur, to the 2015 Discussion Paper and Proposed Minister's Bylaw
Standards regulating the Agri-tourism and Farm Retail Sales in the Agricultural Land Reserve.
CARRIED.

R-5
Recommendations from
Community Meetings in
Pink Mountain and Upper
Halfway

MOVED by Director Rose, SECONDED by Director Sperling,
That the Electoral Area Directors' Committee recommends to the Regional Board the following:
a) that Maria Butts, District Manager with the Ministry of Transportation and Infrastructure, and
George Smith, Manager of Maintenance and Operations with Public Works Canada, be
invited to present information at an upcoming meeting of the Regional Board on the recently
completed Alaska Highway Corridor Study; and
b) that a request be made to the Ministry of Justice and BC Hydro requesting a copy of the
RCMP report on Site C impacts to police services, authored by Sgt. Rod Carlson, RCMP.
CARRIED.

ADJOURNMENT: The Chair adjourned the meeting at 3 p.m.

Karen Goodings, Chair

Barb Coburn, Recording Secretary



Peace River Regional District REPORT

To: EADC

Date: November 27, 2015

From: Chris Cvik, CAO

Subject: Post Referendum - Potable Water and Domestic Sewer Service Report

RECOMMENDATIONS:

1. That EADC receives the report as information.

BACKGROUND/RATIONALE:

The Post Referendum - Potable Water and Domestic Sewer Service Report will be on January 14, 2016 PRRD Board agenda. At the EADC Meeting on November 19, 2015, the Electoral Area Directors requested the opportunity to review the report prior to the Board Meeting in order to fully review and understand the options.

OPTIONS:

1. That EADC receives the report as information.
2. That EADC provides Administration with further direction on any aspect of the report requiring clarification or additional information that may be required when the report is reviewed at the January 14, 2016, PRRD Board meeting.

STRATEGIC PLAN RELEVANCE: Rural Servicing is identified as a Strategic Priority.

COMMUNICATIONS: N/A

FINANCIAL CONSIDERATION(S): N/A

Staff Initials:

Dept. Head:

CAO:

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December 11, 2015



Peace River Regional District REPORT

To: Chair and Directors

Date: November 27, 2015

From: Chris Cvik, CAO

Subject: Post Referendum - Potable Water and Domestic Sewer Service Report

RECOMMENDATIONS:

1. That the Board directs Administration to continue to monitor costs at the Charlie Lake facility for 2016 based on current user fee rates and to bring forward a report on any proposed changes if required; and
2. That the Board directs Administration to decommission the existing four water stations in the rural areas over 2016 such that all four stations will be closed by December 31, 2016.

BACKGROUND/RATIONALE:

During the Potable Water and Domestic Sewage Receiving Facility Referendum held on November 7, 2015, eligible voters in Electoral Areas B, C, & D for potable water, and Electoral Areas B & C for domestic sewage rejected both proposed new services. As a result of the rejection of the proposed new services, Administration is bringing forward a report for the Board's consideration.

DISCUSSION:

Domestic Sewage Receiving Facility

The PRRD expects to commission the new Charlie Lake Domestic Sewage Receiving Facility in December with it being fully operational in early 2016. As the Board is aware, the facility was constructed without residential tax dollars and was funded from Fair Share and Gas Tax dollars. As residents rejected the creation of a service to pay for the capital and operating costs of the new facility, there are several options that are available including:

1. Do nothing for the 2016 calendar year. Continue to monitor costs at the Charlie Lake facility over 2016 based on the current user fee amounts and bring forward a report on any proposed changes if required.
2. Increase user fees in 2016 to cover capital and operating funding that would have been generated each year from property taxes had the service been established.

Staff Initials:

Dept. Head:

CAO: *Chris Cvik*

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December 11, 2015

3. Hold another referendum in late 2016 or early 2017 with a smaller service area (suggested Area C only) in an effort to create a Domestic Sewage Service function.
4. Investigate the option to sell the facility as residents have told us through the referendum process they are not interested in the Regional District establishing a function to pay for the facility.
5. Close the facility. The PRRD is not required to operate a sewage receiving facility.
6. Propose a Domestic Sewage Service function in 2017 using the Alternative Approval Process (AAP).
7. Refer the issue to the Rural Budgets Administration Committee for consideration on whether to use Peace River Agreement or Gas Tax funding to cover capital and operating costs.

Potable Water

The PRRD operates three untreated water stations (Blackfoot, Fey Spring, and Boundary Lake) and one station with limited treatment in Prespatou. Earlier this year, Northern Health revoked the Regional District's permit for the untreated site at Romedo Spring due to unacceptable bacteriological water sampling results and the Regional District subsequently closed the site.

As residents rejected the creation of a service to pay for the capital and operating costs associated with building and maintaining potable water stations with treatment, the number of options is limited and include the following:

1. That the Board directs Administration to decommission the existing four water stations in the rural areas over 2016 such that all four stations will be closed by December 31, 2016.
2. Hold another referendum in the fall of 2016 or early 2017 with a smaller service area to create a Potable Water Service for a targeted area.
3. Keep the current stations open until such time as Northern Health revokes our permit.
4. Propose a Potable Water Service function in 2017 using the Alternative Approval Process (AAP).
5. Sell the existing water stations to private citizens, community associations, or not-for-profit agencies.
6. Refer the issue to the Rural Budgets Administration Committee for consideration on whether to use Peace River Agreement or Gas Tax funding to build and maintain potable water stations.

ANALYSIS OF OPTIONS:

Domestic Sewage Receiving Facility

- 1. Do nothing for the 2016 calendar year. During this time, continue to monitor the usage of the facility.**

2015 was the trial year for receiving sewage from residents who previously used the Fort St. John sewage receiving facility before access was closed. User fees for residential and commercial haulers were set based on estimated volumes. Actual usage has exceeded the estimated volumes and the result will likely be a budget surplus for the calendar year 2015. The final amounts will not be known until mid to late January once all invoices have been processed.

Surplus 2015 funds could be placed into the capital and operating reserve that would have been set up if the referendum had been successful. Administration would then use 2016 to continue to monitor the costs of running the Charlie Lake facility and bring back a report to the Board with any recommended changes to the user fees if they are required.

The Province has confirmed that the PRRD can continue to operate the new sewage receiving facility through the existing Charlie Lake Sewerage Local Service Area – Bylaw 678, 1990 and amended Bylaw 2194, 2015, since revenue generated through sewage disposal fees can be applied towards cost recovery of that service.

- 2. Increase user fees to cover capital and operating funding that would have been generated each year from property taxes had the service been established.**

This would allow Administration to build the capital and operating reserves sooner than under option 1 which proposes to review the rates at the end of 2016.

- 3. Hold another referendum in late 2016 or early 2017 with a smaller service area (suggested Area C only) to create a Domestic Sewage Service function.**

This recommendation is an option; however, a smaller service area would increase the cost to the taxpayer. For example, assuming that the same amount of \$500,000 per year was being requested and the proposed benefiting area was all of Electoral Area C. Based on 2015 assessment information, the rate proposed would be \$0.325 per \$1,000. For comparison, in the recent referendum that involved both Electoral Areas B and C, the proposed rate was \$0.06 per \$1,000 of assessment.

- 4. Investigate the option to sell the facility as residents have told us through the referendum process they are not interested in the Regional District establishing a function to pay for the facility.**

There may be interest from the private sector in purchasing the site and operating it as a business. This option is not recommended as selling the trucked waste receiving facility is problematic since it is attached to the treatment system that is part of the on-going Charlie Lake Sewer Service. In addition, there could be a risk to the Regional District due to poor quality effluent from the facility unless the Ministry of Environment Operational Certificate is part of the acquisition. Lastly, unless there was specific controls written into any agreement, there could be concerns about the amount of user fees being charged by the private operator.

5. Close the facility. The PRRD is not required to operate a sewage receiving facility as it is not a required service.

This option is not recommended as residents who currently use the facility would have to take their sewage elsewhere. Assuming that District of Taylor, District of Chetwynd or the City of Dawson Creek would accept the sewage, the cost of transporting sewage to these alternate locations would increase considerably. The City of Fort St. John discontinued access to rural residents for their sewage facility as of December 31, 2014, so it is unlikely they would reconsider, although discussions could be re-opened if it were the Board's desire to do so.

6. Propose a Domestic Sewage Service function in 2017 using the Alternative Approval Process (AAP).

During the recent referendum, only 12% of the eligible voters elected to vote. Using the AAP process, 10% of the total number of votes in the proposed service area would be required to sign a petition being against any proposed new service. This option is not recommended as residents would likely be upset that an AAP process is being considered so quickly after the referendum process failed on the same idea.

7. Refer the issue to the Rural Budgets Administration Committee for consideration on whether to use Peace River Agreement or Gas Tax funding to cover capital and operating costs.

As residents have indicated they are not in favor of the proposed service, an option exists for the Electoral Areas to use all or a portion of the annual \$2.7 million Peace Agreement funding (2015 amount for all four electoral areas ~ \$675,000 per Electoral Area) towards building capital or operating reserves at the Charlie Lake Sewage Receiving Facility. As the estimated cost of operating the facility and building reserves is approximately \$500,000 per year, this is an option, but could limit the ability for Peace Agreement funding to be used elsewhere in the rural areas for other projects.

Under this option, the Board will still need to pursue the establishment of a domestic sewer service function through a referendum or alternative approval process. Even if the requisition limit is minimal (i.e., one-dollar), it does not negate the requirement to seek elector approval to create the service. This requirement still exists even though no tax dollars would be used and user fees and grant money would cover 100% of the operating and capital costs. In addition, should there ever be a future need for a requisition amount greater than the nominal amount used to create the service, another referendum or alternative approval process would be required.

Potable Water

- 1. Initiate a process to decommission the existing four water stations in the rural areas over 2016 such that all four stations will be closed by December 31, 2016.**

The decommissioning timeframe will provide residents with a 'notice period' to make alternate arrangements for a water source that is potable.

- 2. Hold another referendum in late 2016 or early 2017 with a smaller service area to create a Potable Water Service for a targeted area.**

This recommendation is an option; however, a smaller service area would increase the cost to the taxpayer. For example, assuming that the same amount of \$2,000,000 per year was being requested and the proposed benefiting area was all of Electoral Area B. Based on 2015 assessment information, the rate proposed would be \$0.295 per \$1,000. For comparison, in the recent referendum that involved both Electoral Areas B, C, & D, the proposed rate was \$0.17 per \$1,000 of assessment. Note: The rate would likely not be as high as the amount shown in the example, as the requisition amount would presumably be less as the \$2,000,000 requisition amount was based on all three Electoral Areas.

- 3. Keep the current stations open until such time as Northern Health revokes our permit.**

In late 2014, Administration was notified by Northern Health that treatment in the form of disinfection is required if water sources are (a) surface water, or (b) ground water that, in the opinion of a drinking water officer, is at risk of containing pathogens. As water stations in the rural areas are not treated, there is on-going risk to the corporation of keeping the current stations open and therefore this option is not recommended.

Under the BC Provincial Drinking Water Protection Act (Part 2 – Section 6), a water supplier must provide, to the users served by its water supply system, drinking water from the water supply system that (a) is potable water, and (b) meets any additional requirements established by the regulations or by its operating permit.

Source: http://www.bclaws.ca/civix/document/id/complete/statreg/01009_01#section6 (November 30, 2015)

- 4. Propose a Potable Water Service function in 2017 using the Alternative Approval Process (AAP).**

During the recent referendum, only 13% of the eligible voters elected to vote. Using the AAP process, 10% of the total number of votes in the proposed service area would be required to sign a petition being against any proposed new service. This option is not recommended as residents would be upset that an AAP process is being considered so quickly after the referendum process failed on the same idea.

- 5. Sell the existing water stations to private citizens, community associations, or not-for-profit agencies.**

This option is not recommended as the PRRD cannot transfer a drinking water permit issued by Northern Health to a new owner. A buyer would be required to obtain their own permit and treat water up to a potable standard if it is being used for human consumption. In addition, the PRRD does not own the water station at Boundary Lake.

6. Refer the issue to the Rural Budgets Administration Committee for consideration on whether to use Peace River Agreement or Gas Tax funding to cover capital and operating costs.

As residents have indicated they are not in favor of the proposed service, an option exists for the Electoral Areas to use all or a portion of the annual \$2.7 million Peace Agreement funding (2015 amount for all four electoral areas ~ \$675,000 per Electoral Area) towards upgrading or building potable water stations. As new facilities are expected to cost approximately up to \$1,000,000 each and upgrading existing systems costing \$300,000 to \$500,000, this is an option, but could limit the ability for Peace Agreement funding to be used elsewhere in the rural areas.

Under this option, the Board will still need to pursue the establishment of a potable water function through a referendum or alternative approval process. Even if the requisition limit is minimal (i.e., one-dollar), it does not negate the requirement to seek elector approval to create the service. This requirement still exists even though no tax dollars would be used and user fees and grant money would cover 100% of the operating and capital costs. In addition, should there ever be a future need for a requisition amount greater than the nominal amount used to create the service, another referendum or alternative approval process would be required.

STRATEGIC PLAN RELEVANCE: Rural Servicing is identified as a Strategic Objective on the Strategic Plan – Emerging Regional Issues.

FINANCIAL CONSIDERATION(S):

1. Sewage - There would be no additional costs to monitor the facility usage.
2. Potable Water - Decommissioning costs would be built into the 2016 budget.

COMMUNICATIONS:

With respect to decommission the existing four water stations in the rural areas by December 31, 2016, Administration would include a mail-out to each impacted resident and business with the 2016 Property Tax Notice.

OTHER CONSIDERATION(S):

Administration is currently working through the negotiation process to secure access to the Dawson Creek Sewage Receiving Facility for rural residents. A similar process will likely be undertaken with the District of Chetwynd. Now that residents have said they do not want to create a potable water function, the opportunity to partner with member municipalities to secure long term access for rural residents is an option that Administration could pursue if directed by the Board; however, a decision on the future of the current untreated water stations is still required.

Proposed Revision to the *Local Government Act*:

Frequently Asked Questions.

What is statute revision?

Statutes of British Columbia are amended every year – new provisions are added and existing provisions are repealed or are repealed and replaced. Some Acts are subject to frequent amendment, adapting to changing circumstances or policy. Other Acts are seldom amended.

Whether frequent or not, amendments do more than change the legal effect of the legislation. They also change its organization. Repeals create gaps. Inserted provisions have decimal numbering, which is legally effective but difficult to read. Over time, an Act that had a logical organization when it became a law loses that structure, making it difficult for readers, in the public and in government, to locate and understand the information they need.

There is a solution to these problems: the *Statute Revision Act* establishes responsibility for the Chief Legislative Counsel (CLC) to consolidate, renumber and reorganize these amended Acts into more coherent and readable “revised” Acts. Further information about statute revision in British Columbia is available [here](#).

How would statute revision change the LGA?

While the proposed revision to the *Local Government Act* (proposed revision) looks quite different (mostly in its organization) from the current version of the *Local Government Act* (LGA), it is important to note that revision is an editorial process intended to improve the readability of the law. Revision does not include changes to the legal effect of an Act.

CLC’s revision powers are limited to what is specified in section 2 of the *Statute Revision Act*, with the most important found in the first two paragraphs: a revision renumbers the legislation to eliminate gaps created by repeals and decimal numbers created by additions to the Act, and, if there have been substantial changes to the Act, CLC may reorganize provisions for a better logical flow.

Why is the LGA being revised?

The current LGA is one of the most heavily used and most amended acts in British Columbia. It was last revised in 1996 and has been amended many times since then. When the *Community Charter* came into force in 2004, consequential amendments resulted in many numbering gaps and decimal additions. It also resulted in disorganization, particularly for regional district (RD) provisions. Before the *Community Charter*, all RD rules were located in Part 24 of the Act. Now they are spread through 9 Parts and related provisions can be hundreds of sections apart.

An important aspect of the revision is that RDs will have legislation that is as user-friendly and coherently organized as the *Community Charter*.

Is the proposed revision really necessary? People have been working with the same LGA organization for years now and might not want to memorize a whole set of new section numbers.

While the proposed revision would mean short-term adjustments for experienced users of the current LGA, the proposed revision would improve the Act's usability in the long-term. All users of the Act would benefit because the overall "architecture" of the Act would be much more comprehensible than the current organization.

Is the Ministry of Community, Sport and Cultural Development doing anything to help local governments adjust to the potential changes?

Yes. Local government practitioners were consulted on the proposed revision to ensure that the organizational changes would improve usability from a local government perspective.

As well, Tables of Concordance and other information about the proposed revision are available on the Ministry of Community Sport and Cultural Development's (Ministry) website. Tables of Concordance will be of critical importance for helping users transition from the current Act to the proposed revision.

What exactly is a Table of Concordance?

A Table of Concordance is used to cross-reference specific sections in an outdated Act with their location in a new or revised Act. For example, the current-to-proposed Table 1 will allow someone who is familiar with a particular section of the current *Local Government Act* to find out where that section is located in the proposed revision.

Are all of the Ministry's advisory materials going to be updated if the proposed revision is brought into force?

Changes are made to legislative provisions quite often, which are not always immediately reflected in the Ministry's wide array of advisory materials. Over time, as those advisory materials are substantively updated, any numbering to the pre-revision Act and other references would be updated.

Why don't you provide RDs with the substantive changes they are looking for through an RD Charter?

The Province will continue to seek to refine legislation for both municipalities and regional districts as issues arise and legislative priorities warrant.

Why go through all the effort to renumber and clean up in the proposed revision without making substantive legislative improvements?

Statute revision is an important process. By making the Act easier to use, statute revision can make regular administrative tasks easier for both local governments and the Province. As well, a more coherent Act helps to ensure future amendments can be made more efficiently and without error.

Will the proposed revision affect local government bylaws that reference the old section numbers?

No. The *Statute Revision Act* establishes the legal rules for this in relation to bylaws (and other documents) made before the revision comes into force. Under the *Statute Revision Act*, a reference to a pre-revision section number in a bylaw must be interpreted as a reference to the equivalent section in a revised act. The current-to-proposed Table of Concordance should provide assistance in locating the relevant section in the proposed revision.

Were local governments consulted on the proposed revision?

Yes. Local government practitioners participated in a consultation group and provided feedback to ensure that the organizational changes in the proposed revision would improve usability from a local government perspective.

How would the proposed revision come into force?

On November 16th 2015, the Legislative Assembly approved a motion to allow the Select Standing Committee on Parliamentary Reform, Ethical Conduct, Standing Orders and Private Bills (Committee) to consider the proposed revision. If the Committee recommends that the proposed revision be brought into force, the Lieutenant Governor will direct that an official copy of the revision be deposited with the Clerk of the Legislative Assembly. Once deposited, the revision may then be brought into force by regulation.



Peace River Regional District REPORT

R-3

To: Electoral Area Directors' Committee

Date: December 9, 2015

From: Trish Morgan, General Manager of Community & Electoral Area Services

Subject: Public Engagement Process on Building Inspection

BACKGROUND/RATIONALE:

The following resolution was passed at the November 26, 2015 meeting of the Regional Board:

MOVED Director Sperling, SECONDED Director McPherson,

That the report dated November 15, 2015 from Chris Cvik, Chief Administrative Officer, regarding the public opinion process on Building Inspection Services, be forwarded to the Electoral Area Directors Committee for the purpose of:

- a) considering amending "Building Bylaw No. 2131, 2014" by reducing the mandatory service area to fire protection areas only and making the rest of the service area voluntary;*
- and,*
- b) identifying an appropriate public consultation process.*

CARRIED.

STRATEGIC PLAN RELEVANCE: Carry forward item from 2014

FINANCIAL CONSIDERATION(S): The cost of the mail-out would need to be included in the 2016 budget.

If a mail out was conducted for all property owners (9,795) in the rural areas the approximate cost would be \$35,000. This includes postage, pre-paid return postage, printing, addressing and stuffing envelopes, and brochure design costs. The cost would be significantly reduced if the mail out was sent to just those residing in the fire protection areas (4,186 residential and commercial).

Community meeting costs include room rentals, snacks, vehicle mileage, etc. and average \$250 per meeting. This does not take into consideration staff time to prepare for meetings, facilitate meetings, take notes at meetings and to write up notes. Average staff time is 3 people at 7 hours per meeting plus travel time.

COMMUNICATIONS CONSIDERATION(S): will depend on options chosen

OTHER CONSIDERATION(S):

Please see the report from Chris Cvik that was presented to the Board on November 26, 2015.

Staff Initials:

Dept. Head:

T. Morgan

CAO:

SL

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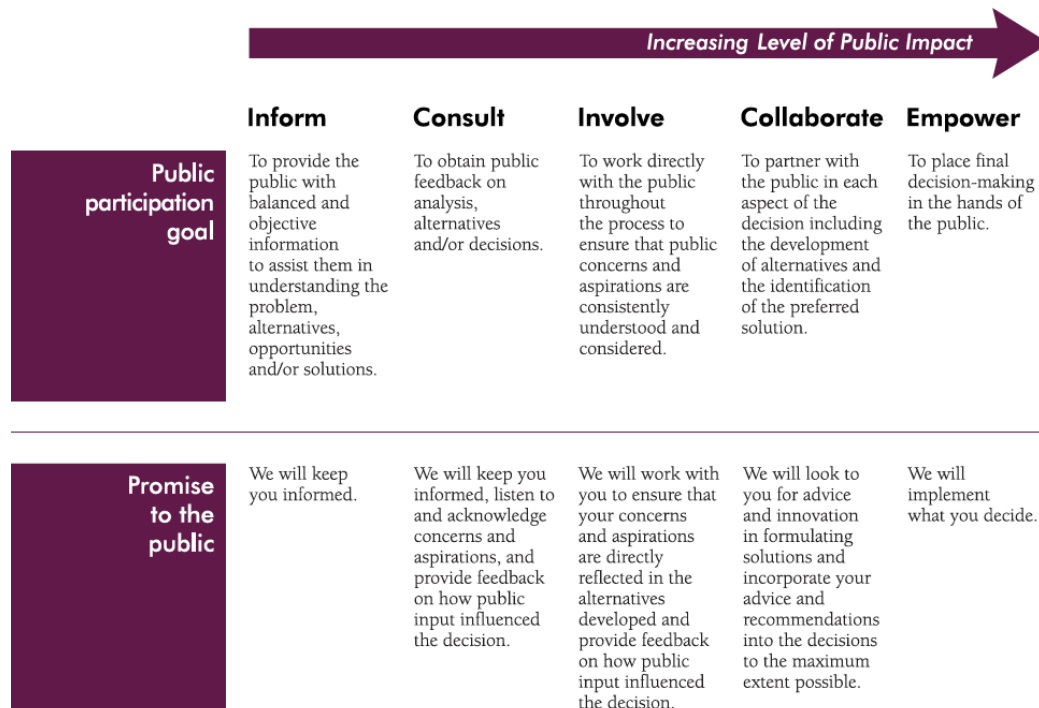
The following points are for discussion with regard to:

1) Considering Mandatory Building Inspection in the Fire Protection Areas Only:

- i. In the future if a fire protection boundary expands, will the mandatory building inspection area also expand with it?
- ii. Will mandatory building inspection apply to the Arras Fire Protection Area?

2) Public Engagement Process:

- i. Where should this engagement fall on the spectrum?



- ii. Who are we engaging?

- Residents inside fire protection areas;
- Residents that are currently within mandatory building inspection areas, but may transition into voluntary as they are not currently within a fire protection area; and/or
- All residents

- iii. What tools should be utilized to engage the public? For example:

- Mail out
 - Provide information to the those that may be affected in one or more of the following forms:
 - a. Information brochure;
 - b. Survey;
 - c. Give notice that comments will be received for a period of time

- Public Meetings
 - Conduct a public meeting in each rural fire protection area
- Website – Engage!
 - Provide opportunity for comments and/ or complete a survey
- Facebook
- Newspaper Advertorials

iv. What support do you require from staff? For example:

- Provision of background materials
- Organization of meetings
- Note taking

v. What is the role of the elected officials? For example:

- If we conduct public meetings, will the directors provide the presentation to the public



Peace River Regional District Committee of the Whole Report

R-3

To: Chair and Directors

Date: November 15, 2015

From: Chris Cvik, CAO

Subject: Building Bylaw – Non Binding Referendum on Building Inspection Service

RECOMMENDATIONS:

1. That the Board approves the process that would be used to determine public opinion on Building Inspection Services.

BACKGROUND/RATIONALE:

During the November 27, 2014, PRRD Board Meeting, the following resolution was passed:

Building Bylaw No. 2131, 2014

RD/14/11/07 (27) That "Building Bylaw No. 2131, 2014" be read three times this 27th day of November, 2014.

- RD/14/11/08 (27)
- 1) That "Building Bylaw No. 2131, 2014" be adopted this 27th day of November, 2014; and
 - 2) That the Regional Board direct that a press release be issued regarding the adoption of "Building Bylaw No. 2131, 2014"; and
 - 3) That the Regional Board approve an information campaign (for 30 days) to update the public about the status of building inspection, with a budget up to \$7,500; and
 - 4) That a referendum be held in each Electoral Area to seek the public's opinion on whether or not the Peace River Regional District should continue with "Building Bylaw No. 2131, 2014", with a view to commencing the referendum process on November 15, 2015, with the referendum to be completed by April 15, 2016.

Staff Initials:

Dept. Head:

CAO: *Chris Cvik*

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November 26, 2015

DISCUSSION:

The purpose of the non-binding referendum is to seek public input on whether the PRRD should be regulating building inspection. Under Section #797.31 of the Local Government Act (LGA), the Board may seek the opinion of the electors of the regional district on a question that the Board believes affects the regional district, by voting or another process the Board considers appropriate.

If the Board believes the question affects all electors (both municipal and rural) then LGA Section #797.31(2) states the Board must seek the opinion of the electors of the entire regional district. If the Board deems that the question affects the rural areas, only the opinion of the rural electors is needed. Administration has proceeded on the basis the question affects the rural areas only.

NOTE: It is important to understand the referendum is non-binding as the Building Bylaw is a regulatory bylaw for which there is no authority to hold a binding referendum. Any outcome of the non-binding referendum would need to come back to the Board for further direction.

Suggested Referendum Process:

Conduct a non-binding referendum across each one of the four Electoral Areas through a mail-in process. The mail-in ballot process would be held over a six week period in early 2016. The ballots will be the same for each Electoral Area. The only difference is that each Electoral Area will receive a different colour ballot to allow the results to be compiled separately for each Electoral Area. Municipal residents would not receive a ballot.

A package would be sent to all property classes in Electoral Areas B, C, D, and E that receive a tax notice through B.C. Assessment. This includes the following classes: Class 1 - Residential; Class 2 – Utilities; Class 3 – Major Industry; Class 4 – Light Industry; Class 5 – Business; Class 6 – Recreation and Non-profit; and Class 7 – Farms.

Staff would make every effort to delete multiple property owners from the mail list so that owners would only receive one ballot regardless of how many properties they may own. The package would include an informational brochure, a self-addressed return stamped envelope, and a ballot that requires owners to circle ONE of the following options:

1. Retain the existing Building Bylaw 2131, 2014 that includes mandatory and voluntary Building Inspection areas. or
2. Repeal the existing Building Bylaw 2131, 2014 that would result in the rural Electoral Areas not having any Building Inspection service. or

3. Adjust Building Bylaw 2131, 2014 to make Building Inspection voluntary across all of the rural Electoral Areas. or
4. Adjust Building Bylaw 2131, 2014 to making Building Inspection mandatory across all of the rural Electoral Areas.

Under the proposed process, there would not be any Community Meetings. The reason for this is because the Regional District is not looking to create a new service or function. Residents are being asked if they would like to maintain the current 'status quo' option of a mandatory and voluntary building inspection service, or eliminate it.

OPTIONS:

1. That the Board approves the process that would be used to determine public opinion on Building Inspection Services.
2. That the Board does not approve the process that would be used to determine public opinion on Building Inspection Services and provides further direction to Administration.
3. That the Board rescind resolution #4 from the November 27, 2014, PRRD Board Meeting to hold a non-binding referendum, and direct Administration to re-develop a process of engagement that is representative of all stakeholders and forward any recommendations to the Board for further consideration.

STRATEGIC PLAN RELEVANCE: Carry forward item from 2014.

COMMUNICATIONS: N/A

FINANCIAL CONSIDERATION(S):

The cost of the mail-out would be included in the 2016 budget. Administration estimates the number of distinct owners who would receive the mail-out at 9,795 addresses at a cost of approximately \$35,000. This includes postage, pre-paid return postage, printing, addressing and stuffing envelopes, and brochure design costs.

OTHER CONSIDERATION(S):

Building inspection is a Public Service that benefits property owners, their neighbors and their neighborhoods. Without the service, real estate and land use management becomes a minefield of uncertainty and 'Buyer Beware'. In 2013, Administration provided a report to the Board on the implications of not having a Building Bylaw Service.

These impacts still exist and include:

Positive Impacts:

1. From a Risk Management perspective, the potential liability to the PRRD for negligent building inspection would cease as the PRRD would no longer provide Building Inspection and Permitting services. (To date the PRRD has been involved in only one legal suit and has never been found liable for poor building inspections. Experience shows this risk is rather low).
2. Property owners would not be taxed for the service. (2015 rate of \$0.004/\$1,000 assessment).
3. Building permit fees would not be required for undertaking construction.
4. Builders not required to obtain inspections for construction.

Negative Impacts:

1. School Site Acquisition Charges (SSAC) - Severely hamper the ability of the PRRD to collect the SSAC on behalf of school districts (where applicable). The SSAC allows for school districts to collect funds to purchase land for new schools, which is a recognized need, and can delay or prevent school construction.
2. Rural Fire Protection: Depending on where you live in the rural area, discontinuing building inspection could negatively impact rural fire protection service to current and future home due to safety concerns over fire fighters entering buildings that may not be built to code.
3. Development Cost Charges (DCCs) for Charlie Lake Sewer – Collection of a DCC is triggered by application for a building permit. Without a building permit the ability to collect DCCs is severely hampered and could lead to underfunding of the Charlie Lake Sewer Service and new development not contributing its share to necessary upgrades.
4. Zoning Compliance – Compliance with zoning requirements is part of the initial assessment in the building permit process. Without this, the risk that buildings will be constructed and used contrary to zoning regulations and community preferences increases dramatically. This can result in higher frequency and costs for enforcement, and high levels of community dissatisfaction.

5. **Assessment Base** – Building permit information is provided to BC Assessment. This information helps ensure that new buildings are captured in the assessment process and taxed accordingly so that people do not pay more than their share of taxes, which is the effect when new assessment is not included. (i.e., as the assessment base grows quickly, a full and accurate accounting of that assessment will reduce taxes when government expenses are managed to increase slower than the assessment base).
6. **Greater Real Estate Risk** – Without the building permit inspection process real estate risk may tend to rise as uncertainty about safety and code compliance increases. This can result in lost sales, more difficulty securing mortgages and generally reduced confidence in the value of construction. This situation of uncertainty also tends to amplify as construction costs increase. The building inspection process provides an industry recognized and affordable third party audit to reduce this risk of uncertainty, and promote safety and confidence in the real estate sector.
7. **Development Permits (DPs)** – DP's allow the PRRD to impose supplementary requirements for specific purposes, to achieve desired community goals, such as: lakeshore development guidelines to enhance environmental quality; screening and buffering between residential and non-residential uses; and general appearance enhancements for highly visible community areas. The primary trigger for activating these requirements is the building permit. Without a building permit, the community goals of the DP are not implemented and cannot be retroactively enforced.

WHAT IS BEING PROPOSED

You are being asked your opinion on whether or not the Peace River Regional District (PRRD) should continue to offer a building permit and inspection service such as currently provided in Building Bylaw No. 2131, 2014.

WHERE CAN I GET A COMPLETE COPY OF BYLAW 2131, 2014?

A complete copy is available on the Engage! Page of the PRRD website at: <http://prrd.bc.ca>

WHY AM I RECEIVING THIS?

Last year in November, 2014, the Board of PRRD approved the following resolution:

“That a referendum be held in each Electoral Area to seek the public’s opinion on whether or not the Peace River Regional District should continue with “Building Bylaw No. 2131, 2014”, with a view to commencing the referendum process on November 15, 2015, with the referendum to be completed by April 15, 2016.”

WHAT IS INCLUDED IN BUILDING BYLAW 2131, 2014?

Building Bylaw 2131, 2014, includes the administration of the BC Building Code by the PRRD through a permitting and inspection process for the construction, alteration, repair and demolition of buildings in all of Electoral Area C and small portions of Electoral Areas B, D, and E.

HOW LONG HAS THE BUILDING BYLAW BEEN IN PLACE?

In 1969, the Province of BC issued supplementary letters patent giving the Peace River Regional District authority to have a building inspection service. The Regional District began regulating building inspection in 1973. Since that time, there has continued to be a building inspection regulatory bylaw in place with the regulations and boundaries changing from time to time to respond to the issues of the day.

The current Bylaw 2131, 2014, was adopted in November 2014, repealed and replaced Bylaw 1996, 2011, and returned the mandatory and voluntary areas of Bylaw No. 1189, 1998. Bylaw 1996, 2011 was repealed in response to public opposition that the bylaw was enacted without proper public input.

WHAT IS THE DIFFERENCE BETWEEN THE MANDATORY AND VOLUNTARY AREAS IN THE CURRENT BYLAW 2131, 2014?

Persons who undertake construction in the mandatory area are required to obtain a building permit. Persons who undertake construction outside of the mandatory area may apply for and obtain a building permit, but are not required to do so.

We would include a map that shows the mandatory and voluntary areas. This would be a high level map similar to the style and size of the one included in the water/sewer brochures.

HOW MUCH DO I CURRENTLY PAY FOR BUILDING INSPECTION SERVICES?

Based on 2015 Assessment, the residential rate for Building Inspection Services is \$0.004 per \$1,000 taxable assessment on land and improvements. The residential rate was \$0.009 per \$1,000 in 2014. In 2015, \$62,979 was collected in property tax for Building Inspection Services

| Residential Value Of Land and Improvements | Amount of Annual Property Tax |
|---|----------------------------------|
| \$300,000 | \$1.20 |
| \$500,000 | \$2.00 |
| \$750,000 | \$3.00 |
| \$1,000,000 | \$4.00 |

HOW MUCH DO USERS PAY FOR BUILDING INSPECTION SERVICES?

The amount that users pay through building permit and other fees (i.e., demolition permits) varies from year to year based on development activity, but has been in excess of 50% of the total tax and fees collected.

| | Property Tax Collected | Building Permit and Other Fees Collected | Total Tax & Fees Collected | Percentage of Revenue Collected from User Fees |
|-------------|---------------------------|---|-------------------------------|--|
| 2015 Budget | \$62,979 | \$75,000 | \$137,979 | 54% |
| 2014 Actual | \$150,786 | \$117,769 | \$200,786 | 59% |
| 2013 Actual | \$40,174 | \$190,766 | \$230,940 | 83% |
| 2012 Actual | \$104,967 | \$171,770 | \$276,737 | 62% |

WHAT IS THE REFERENDUM QUESTION THAT I AM BEING ASKED TO VOTE ON?

The referendum ballot which is located on the back page of this brochure asks you to circle ONE of the following options:

1. Retain the existing Building Bylaw 2131, 2014 that includes mandatory and voluntary Building Inspection areas. OR
2. Repeal the existing Building Bylaw 2131, 2014 that would result in the rural Electoral Areas not having any Building Inspection service. OR
3. Adjust Building Bylaw 2131, 2014 to make Building Inspection voluntary across all of the rural Electoral Areas. OR
4. Adjust Building Bylaw 2131, 2014 to making Building Inspection mandatory across all of the rural Electoral Areas.

WHAT ARE THE IMPACTS OF THE VARIOUS OPTIONS?

1. Building Bylaw 2131, 2014, is retained in each Electoral Area.
Maintaining the status quo means the regional district would continue to have a mandatory and voluntary Building Inspection and Permitting area that is currently in place.
2. Building Bylaw 2131, 2014, is discontinued in each Electoral Area.
Discontinuing the Building Bylaw would result in the rural Electoral Areas not having any Building Inspection and Permitting service. Based on the 2015 budget and assessment figures, the residential tax savings would be about \$2.00 per year on a property with \$500,000 of assessment.
3. Building Bylaw 2131, 2014, is voluntary across all of the rural Electoral Areas.
Building Inspection and Permitting would be provided in the Electoral Areas, but only at the request of the home builder or developer.
4. Building Bylaw 2131, 2014, is mandatory across all of the rural Electoral Areas.
Building Inspection and Permitting would be required across all Electoral Areas.

WHAT ARE THE EFFECTS OF DISCONTINUING BUILDING BYLAW 2131, 2014, IN THE REGIONAL DISTRICT'S RURAL AREAS?

Positive Impacts:

1. From a Risk Management perspective, the potential liability to the PRRD for negligent building inspection would cease as the PRRD would no longer provide Building Inspection and Permitting services. (To date the PRRD has been involved in only one legal suit and has never been found liable for poor building inspections. Experience shows this risk is rather low)
2. Property owners would not be taxed for the service. (2015 rate of \$0.004/\$1,000 assessment)
3. Building permit fees would not be required for undertaking construction.
4. Builders would not be required to obtain inspections for construction.

Negative Impacts:

1. School Site Acquisition Charges (SSAC) - Severely hamper the ability of the PRRD to collect the SSAC on behalf of school districts (where applicable). The SSAC allows for school districts to collect funds to purchase land for new schools, which is a recognized need, and can delay or prevent school construction.
2. Rural Fire Protection: Depending on where you live in the rural area, discontinuing building inspection could negatively impact rural fire protection service to current and future home due to safety concerns over fire fighters entering buildings that may not be built to code.
3. Development Cost Charges (DCCs) for Charlie Lake Sewer – Collection of a DCC is triggered by application for a building permit. Without a building permit the ability to collect DCCs is severely hampered and could lead to underfunding of the Charlie Lake Sewer Service and new development not contributing its share to necessary upgrades.
4. Zoning Compliance – Compliance with zoning requirements is part of the initial assessment in the building permit process. Without this, the risk that buildings will be constructed and used contrary to zoning regulations and community preferences increases dramatically. This can result in higher frequency and costs for enforcement, and high levels of community dissatisfaction.
5. Assessment Base – Building permit information is provided to BC Assessment. This information helps ensure that new buildings are captured in the assessment process and taxed accordingly so that people do not pay more than their share of taxes, which is the effect when new assessment is not included. (i.e. As the assessment base grows quickly, a full and accurate accounting of that assessment will reduce taxes when gov't expenses are managed to increase slower than the assessment base)

6. Greater Real Estate Risk – Without the building permit inspection process real estate risk may tend to rise as uncertainty about safety and code compliance increases. This can result in lost sales, more difficulty securing mortgages and generally reduced confidence in the value of construction. This situation of uncertainty also tends to amplify as construction costs increase. The building inspection process provides an industry recognized and affordable third party audit to reduce this risk of uncertainty, and promote safety and confidence in the real estate sector.
7. Development Permits (DPs) – DP's allow the PRRD to impose supplementary requirements for specific purposes, to achieve desired community goals, such as: lakeshore development guidelines to enhance environmental quality; screening and buffering between residential and non-residential uses; and general appearance enhancements for highly visible community areas. The primary trigger for activating these requirements is the building permit. Without a building permit, the community goals of the DP are not implemented and cannot be retroactively enforced.

WHAT HAPPENS AS A RESULT OF THE VOTE?

The Building Bylaw is a regulatory bylaw for which there is no authority to hold a binding referendum. As a result, any outcome is **non-binding**. The results will go before the PRRD Board for further direction. Based on the results of the referendum, the Board will make the determination whether or not to maintain the current 'status quo', modify or discontinue the service.

WHO CAN VOTE?

All property classes in Electoral Areas B, C, D, and E that receive a tax notice through B.C. Assessment are eligible to vote. This includes the following classes: Class 1 - Residential; Class 2 – Utilities; Class 3 – Major Industry; Class 4 – Light Industry; Class 5 – Business; Class 6 – Recreation and Non-profit; and Class 7 – Farms.

HOW DO I VOTE?

A ballot is included in the informational brochure mailed out to every property class that receives a tax notice with duplicate owners only receiving one ballot for all their properties combined. The Completed ballots are to be returned to the PRRD using the self-addressed stamped envelope included with the ballot.

Include the ballot page with the referendum question.

WHERE CAN I FIND ADDITIONAL INFORMATION?

Please visit the Peace River Regional District website Engage! Section at www.prrd.bc.ca/engage or call the main office telephone number at 250-784-3200.



Peace River Regional District REPORT

R-4

To: Chair and Directors

Date: November 30, 2015

From: Chris Cvik, CAO

Subject: Building Bylaw No. 2131, 2014 - Request for Feedback

RECOMMENDATIONS:

1. That the Board receives the report as information.

BACKGROUND/RATIONALE:

During the PRRD Board Meeting on November 26, 2015, the Board directed Administration to provide a copy of the responses to the July 2015, letter that was sent to various stakeholders requesting feedback on the impact of discontinuing the mandatory building permit area that currently exists under Building Bylaw No. 2131, 2014.

DISCUSSION:

The following documents are provided:

1. Copy of the July 2015 letter that was sent to stakeholders.
2. Listing of stakeholders who were contacted and whether or not a response was received.
3. Copy of responses received.

OPTIONS:

1. That the Board receives the report as information.
2. That the Board provides further direction to Administration.

STRATEGIC PLAN RELEVANCE: N/A

COMMUNICATIONS: N/A

FINANCIAL CONSIDERATION(S): N/A

Staff Initials:

Dept. Head:

CAO: *Chris Cvik*

Page 1 of 1

December 17, 2015



July 28, 2015

Dear Stakeholder:

You are receiving this letter as we would like your feedback on the impact of discontinuing the mandatory building permit area as outlined in Building Bylaw No. 2131, 2014.

Currently, Building Bylaw No. 2131, 2014, for the Peace River Regional District (PRRD) applies to all parts of the Regional District that are not within a municipality (i.e., the rural areas). The Bylaw is split into two distinct areas:

- 1) a mandatory building permit area (shown in green on the attached Schedule A); and
- 2) a voluntary area where persons are not required to obtain a building permit, but may do so if they wish.

In the fall of 2014, the PRRD Board of Directors directed administration to hold a referendum in each Electoral Area to seek the public's opinion on whether or not the Peace River Regional District should continue with Building Bylaw No. 2131, 2014. **If the Bylaw is discontinued, the result is that Building Permits would not be required in any portion of the Electoral Areas (rural areas).**

You are receiving this letter as we would like your feedback and professional opinion on the possible impacts to the services you provide to the public if the mandatory building permit area was removed **and ALL building permits were to become voluntary**. If you support the elimination of the mandatory area, please provide your reasons. Conversely, if you are opposed to the elimination of the mandatory area, please provide your reasons and describe any impacts to your operation or the services you provide to the PRRD or our residents.

If possible, we would appreciate your feedback no later than August 28, 2015. If you have any questions or require additional information, please do not hesitate to contact our office.

Sincerely,

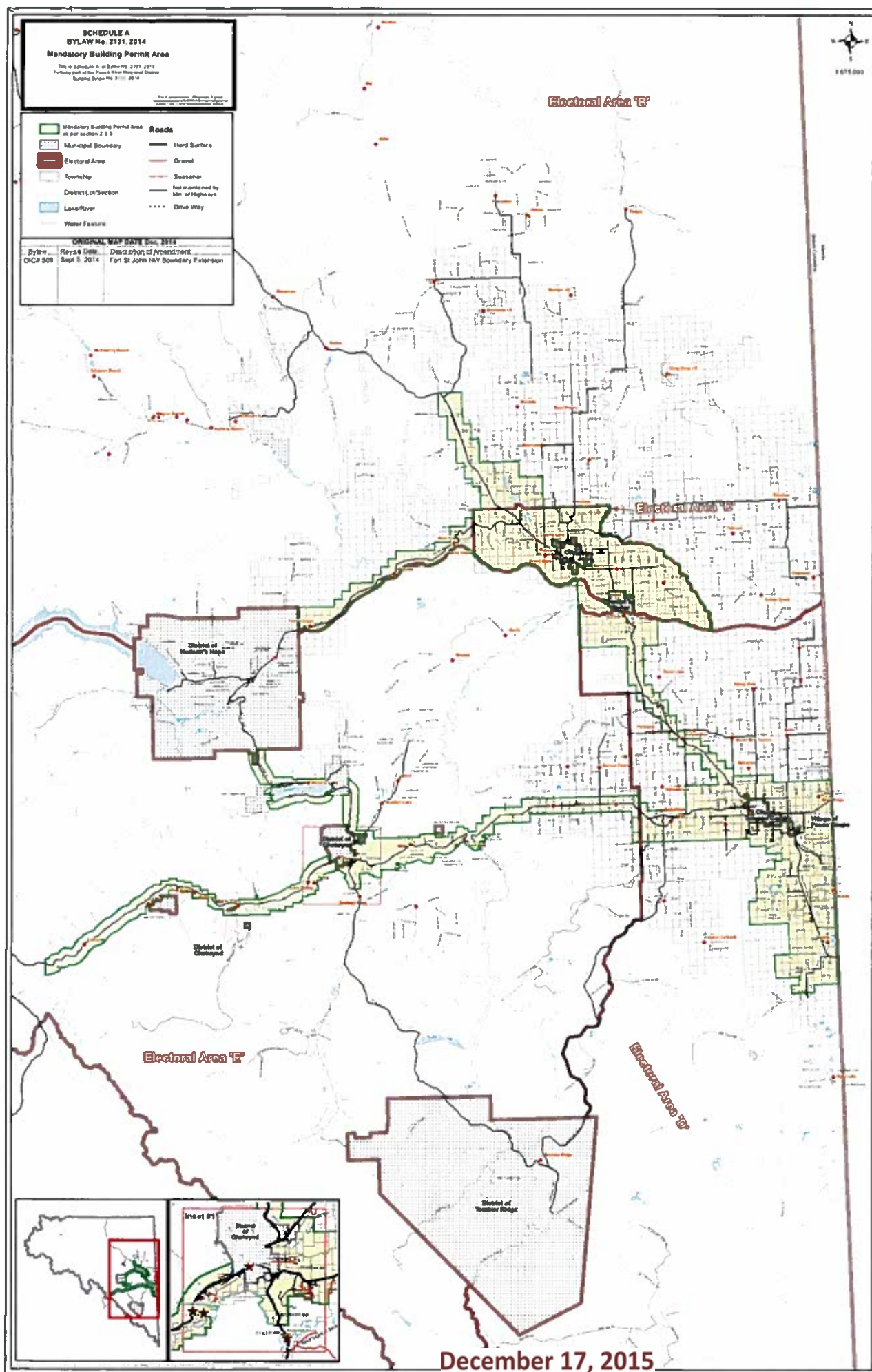
Chris Cvik, CAO

Attch: Schedule A

PLEASE REPLY TO:

December 17, 2015

☒ BOX 810, DAWSON CREEK, BC V1G 4H8 TELEPHONE: (250) 784-3200 or (800) 670-7773 FAX: (250) 784-3201 EMAIL: prrd.dc@prrd.bc.ca
☐ 9505 100 STREET, FOR1 x: (250) 785-1125 EMAIL: prrd.fsj@prrd.bc.ca



Building Bylaw No. 2131, 2014

Request for Feedback

| Organization | | Response Received. |
|---|--|--------------------|
| Municipalities | | |
| City of Dawson Creek | | √ |
| City of Fort St. John | | √ |
| District of Taylor | | √ |
| District of Chetwynd | | √ |
| Village of Pouce Coupe | | √ |
| Regional Districts | | |
| Peace River Regional District (Charlie Lake Fire Dept.) | | √ |
| Columbia Shuswap Regional District | | √ |
| Bulkley Nechako Regional District | | √ |
| Capital Regional District | | √ |
| Banks | | |
| CIBC – DC | | √ |
| RBC – DC | | |
| Lakeview Credit Union – DC | | |
| BMO – FSJ | | |
| North Peace Savings & Credit Union – FSJ | | |
| TD Bank – FSJ | | |
| Insurance Companies | | |
| Geer & Spice – DC | | |
| Hub International Barton Ins – DC | | |
| Arrow Ins Agency – FSJ | | |
| Pomeroy Ins – FSJ | | |
| Real Estate Agencies | | |
| Re/Max DC Realty – DC | | |
| Royal LePage Cascade – DC | | |
| Century 21 – DC & FSJ | | |
| Royal LePage Gold - FSJ | | √ |
| Re/Max Action Realty – FSJ | | |
| School Districts | | |
| SD59 – Superintendent /CEO | | |
| SD60 – Superintendent of Schools | | √ |
| Other | | |
| BC Construction Assoc. North | | |
| BC Assessment | | √ |
| Peace Country Construction Association | | |

December 17, 2015



August 5, 2015

Chris Cvik
Chief Administrative
Peace River Regional District
P.O. Box 810
Dawson Creek, BC V1G 4H8

Dear Mr. Cvik:

Via email: Chris.Cvik@prrd.bc.ca

Re: Elimination of Mandatory Building Permit

Thank you for your letter of July 23, 2015 regarding the possible elimination of the mandatory building permit area in the Peace River Regional District.

You have asked for my "feedback and professional opinion" as to the effect on the public services we provide to the rural area, which I assume to be a reference to the Rural Fire Protection Area. My comments would be as follows:

- The elimination of building inspection in the areas now included in the Fire Protection Area will increase risks associated with the service. Many of the areas of focus in both building and electrical inspections are related to fire safety, which would be unaddressed.
- The City (or the PRRD) will not automatically be in contravention of worker safety regulations simply as a result of continuing to provide fire protection services to an area where no code compliance verification exists. However, we will have a responsibility to evaluate thoroughly what new risks to worker safety result from the change and to implement appropriate mitigation measures. To the extent that those mitigation measures involve more personnel or more equipment, negotiation with the PRRD over pricing for risk mitigation would be required.
- At a minimum, increased caution in firefighting response will be necessary, particularly in any situation where the fire response involves entering a building.
- This may undermine the business case for residents of the PRRD to access fire protection services from the City of Dawson Creek. If the costs increase, while the service is less responsive, does the cost/benefit equation still support resident participation.

- There are available “work arounds” that could be considered, but are likely unacceptable to the PRRD if the decision is taken to eliminate building inspection in the fire protection area. As an example, a fire safety permit regime could be established subject to a fire safety inspection by an appropriate fire official (Section 36 of Fire Services Act), however, that is potentially just as unacceptable as a building inspection.

Generally, there are very good reasons to have a verification service for code compliance. Local governments can provide that verification at considerably less expense than using alternatives such as engineers or architects. Most building inspection services in the province are entirely paid for by user fees with no impact to the general taxpayer. Good value is received by the user, to facilitate mortgage approval, obtain insurance coverage, receive cost effective fire protection and to provide the necessary assurance for prospective future purchasers.

However, if the PRRD Board determines that there are even more compelling reasons to eliminate the verification service, the City of Dawson Creek will work with PRRD staff to “price” the new risk regarding fire protection services. The effected residents will then need to determine if there is any business case to continue with the service.

Yours truly,



Jim Chute
CAO, City of Dawson Creek

/sh



REQUEST FOR DECISION

File # 0400-50

Report To: **Mayor and Council**
 From: **General Manager of Corporate Services**
 Presenter: **General Manager of Corporate Services**
 Subject: **Administration Report No. 0149/15**
Response to PRRD Letter - Discontinuation of PRRD Building Bylaw
 Meeting: **Regular Council**
 Meeting Date: **10 Aug 2015**

RECOMMENDATION:

"THAT, the draft letter to the Peace River Regional District, in response to their request for comment on discontinuance of the PRRD's Building Bylaw, be approved for the Mayor's signature."

CITY MANAGER'S COMMENTS:

Support the recommendation

Acting City Manager

KEY ISSUES(S)/ CONCEPTS DEFINED:

On November 27, 2014, the PRRD Board passed the following resolution:

Building Bylaw No. 2131, 2014

That 'Building Bylaw No. 2131, 2014 ' be read three times this 27th day of November, 2014.

- 1) That 'Building Bylaw No. 213,2014' be adopted this 27th day of November, 2014; and*
- 2) That the Regional Board direct that a press release be issued regarding the adoption of 'Building Bylaw No. 2131, 2014; and*
- 3) That the Regional Board approve an information campaign (for 30 days) to update the public about the status of building inspection, with a budget up to \$7,500; and*
- 4) That a referendum be held in each Electoral Area to seek the public's opinion on whether or not the Peace River Regional District should continue with 'Building Bylaw No. 2131, 2014', with the*

view to commencing the referendum process on November 15, 2015, with the referendum to be completed by April 15, 2016.

As part of the background work, staff at the Regional District contacted the City for comment.

City staff have prepared the attached letter stating our concerns with the proposed direction. This report is seeking Council's feedback on the draft response. If the attached letter is supported, this report also seeks approval of the letter for the Mayor's signature and submission to the PRRD.

RELEVANT POLICY:

ALTERNATIVE RECOMMENDATION:

"THAT, the PRRD's decision to discontinue their Building Bylaw No. 2131, 2014 be supported and the draft letter be revised accordingly,
AND THAT, the Mayor be authorized to sign the revised letter."

| |
|---------------------------------------|
| IMPLICATIONS OF RECOMMENDATION |
|---------------------------------------|

COMPLIANCE WITH STRATEGIC GOALS: A vibrant and diversified economy where local businesses are retained and business opportunities are expanded; citizens' interests are represented and promoted efficiently through political and economic spheres; and the vitality of downtown is maintained and enhanced as a commercial and cultural destination.

A safe, healthy, active and family-friendly community.

A planned and sustainable community where community infrastructure is well-maintained to meet the needs of both current and future generations; the natural environment is preserved, protected and enhanced; and where municipal spending and tax policies are affordable and sustainable over time.

COMPLIANCE WITH STRATEGIC PRIORITIES:

GENERAL:

ORGANIZATIONAL:

FINANCIAL:

FOLLOW UP ACTION:

Revisions to the letter as directed by Council, the Mayor's signature and submission to the PRRD prior to August 28, 2015.

COMMUNITY CONSULTATION:

COMMUNICATION:

OTHER COMMENTS:

Attachments:

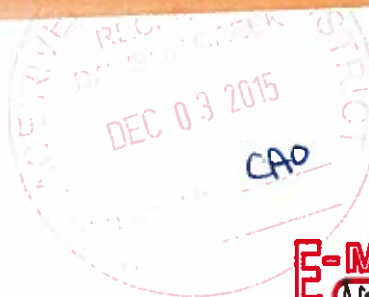
Letter from the PRRD - requesting feedback

Proposed Response to the PRRD

RESPECTFULLY SUBMITTED:

Mindy Smith, General Manager of Corporate Services

03 Aug 2015



City of Fort St. John
10631 100 Street | Fort St. John, BC | V1J 3Z5
(250) 787 8150 City Hall
(250) 787 8181 Facsimile



Mr. Chris Cvik, CAO
Peace River Regional District
Box 810
Dawson Creek, BC V1G 4H8

August 3, 2015
File # 2280-20

Dear: Mr. Cvik,

RE: Request for Feedback, PRRD Building Bylaw 2131, 2014

This letter is in response to your letter to the Region's Municipal CAO's dated July 23, 2015. In your letter you request our feedback on discontinuing the Regional District's Building Bylaw No. 2131, 2014. We appreciate the opportunity to comment.

The City of Fort St. John does not support discontinuing the Bylaw for the following reasons:

1. The areas currently requiring mandatory building permits are within in the Rural Fire Protection Area. Building construction without permits and regulatory oversight often results in substandard building practices and a higher risk to our firefighters.
2. Our communities are growing. To accommodate the needs of economic expansion and a growing City, it is likely the City will expand its borders to include some of the unincorporated area in the near future. Our City requires building code compliance and best practices in building construction. Future expansion to include substandard buildings will impact our taxpayers.
3. The Building Code is a minimum standard for building construction. The main purpose of the Code is to protect public health, safety and general welfare as they relate to the construction and occupancy of buildings and structures. The City of Fort St. John is concerned about a decision of a governing body that conflicts with our core mandate of keeping our communities safe and healthy.
4. In addition we believe there may be impacts on the following:
 - Mortgage companies: Canada Mortgage and Housing Corporation, lending institutions
 - Insurance: Municipal Insurance Association, property insurance companies
 - Building Officials Association of British Columbia
 - Home Protection Office
 - Builder's Underwriters

Once again, thank you for the opportunity to comment. For the above reasons, the City is not in support of discontinuing the PRRD's building bylaw. Please consider other options to address PRRD's issue.

Respectfully,

Mayor Ackerman



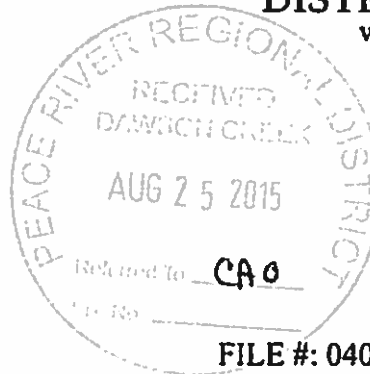
DISTRICT OF TAYLOR

www.DistrictofTaylor.com

Box 300, Taylor, BC V0C 2K0

DISTRICT OFFICE
10007 - 100A Street

Phone (250) 789-3392
Fax (250) 789-3543



R-4

August 13, 2015

Chris Cvik, CAO
Peace River Regional District
PO Box 810
Dawson Creek, BC V1G 4H8

Dear Mr. Cvik:

RE: Building Bylaw No 2131, 2014 Consultation

This letter is in response to your letter to the region's Chief Administrative Officers dated July 23, 2015. Thank you for the opportunity to comment on the effects of removing mandatory building inspection areas within the Peace River Regional District (PRRD) through the proposed discontinuation of the PRRD Building Bylaw No 2131, 2014.

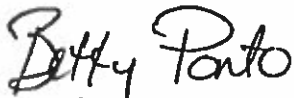
The District of Taylor is not in support of discontinuing the mandatory Building Permit areas around our community for the following reasons:

1. The areas protected by the Taylor Fire & Rescue Service through the Taylor Rural Fire Protection Agreement are part of the mandatory Building Permit area. These permits help to ensure that fire protection and structural provisions that are part of the BC Building Code have been met to protect not only the occupants of a building, but also our firefighters. This is of paramount concern to this Council and community.
2. The District has a Building Bylaw and conducts regular inspections of construction within our boundaries. As the community grows, to have areas without building permits would limit our ability to expand, if needed, and could create liabilities in the future.
3. The BC Building Code (BCBC) is in force throughout the Province whether or not the local authority requires a Building Permit, as per Ministerial Order M188 made on September 7th, 2012. The BCBC, in Division A Section 1.2.1.2, also makes it incumbent on the owner to ensure compliance with the provisions of the Code. Therefore the District feels that the requirement for a Building Permit in the areas surrounding municipalities is not a hardship for the residents as they are required to meet the code regardless and the benefits outweigh any negatives that may be perceived.

December 17, 2015

Thank you again for the opportunity to comment on the proposal to discontinue the PRRD's Building Bylaw. For the reasons stated above, the District of Taylor is not in favor of the proposal. Please feel free to contact the District if you have any questions or require any further information.

Sincerely,

A handwritten signature in black ink that reads "Betty Ponto". The signature is written in a cursive, flowing style.

Acting Mayor,
Betty Ponto

AS/rj

cc: City of Fort St. John
City of Dawson Creek
Village of Pouce Coupe
District of Chetwynd
District of Tumbler Ridge
District of Hudson's Hope

From: Doug Fleming <DFleming@gochetwynd.com>
Sent: Monday, July 27, 2015 2:41 PM
To: Chris Cvik; jchute@dawsoncreek.ca; Charlette Mcleod; Pouce Coupe; 'Dianne Hunter'
Cc: PRRD_Internal; Leo Sabulsky; Paul Gordon; Carol Newsom
Subject: RE: Letter to Organizations on Impact on Removal of Mandatory Building Permit Area.pdf

Chris, further to a conversation with Fire Chief Leo Sabulsky, I wish to confirm that should the Regional District discontinue with Fire and Building Code Inspections in the Chetwynd Fire Protection Area, we will jointly recommend to Council that Rural Fire Protection Services be suspended. New building, or even home renovations for that matter, constructed without reflection to a Building Code will jeopardize the safety of our Firefighters, which is our first and foremost concern. Should you suspend Building regulation for properties outside of the Fire Protection Area only, it will not affect our current service, understanding of course that such service would not likely be further extended to these unprotected (by building regulation) areas.

From: Chris Cvik [mailto:Chris.Cvik@prrd.bc.ca]
Sent: July-24-15 2:23 PM
To: jchute@dawsoncreek.ca; Charlette Mcleod; Doug Fleming; Pouce Coupe; 'Dianne Hunter'
Cc: PRRD_Internal
Subject: Letter to Organizations on Impact on Removal of Mandatory Building Permit Area.pdf

Hi Folks, we are going to be working a referendum with respect to our Building Bylaw.....Yes, it's back.

During the November 27, 2014, PRRD Board Meeting, the following resolution was passed:

Building Bylaw No. 2131, 2014

RD/14/11/07 (27) That "Building Bylaw No. 2131, 2014" be read three times this 27th day of November, 2014.

- RD/14/11/08 (27)
- 1) That "Building Bylaw No. 2131, 2014" be adopted this 27th day of November, 2014; and
 - 2) That the Regional Board direct that a press release be issued regarding the adoption of "Building Bylaw No. 2131, 2014"; and
 - 3) That the Regional Board approve an information campaign (for 30 days) to update the public about the status of building inspection, with a budget up to \$7,500; and
 - 4) That a referendum be held in each Electoral Area to seek the public's opinion on whether or not the Peace River Regional District should continue with "Building Bylaw No. 2131, 2014", with a view to commencing the referendum process on November 15, 2015, with the referendum to be completed by April 15, 2016.

As part of background work, we are contacting some local groups to request feedback that will be incorporated into a report that will go back to Board. One of the groups that was identified as a 'stakeholder' in this exercise is Municipal Fire Departments since you provide Fire Protection Services in the rural fringe areas. We would like to hear from you if there would be any impacts (positive or negative) if the mandatory building permit area was removed. This information will be helpful to us when we explain any implications of not having building inspection to the Board and residents in the Electoral Areas.

Can you please forward the letter onto your Fire Service for a response.

Regards,

R-4

Chris

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From: Carol Bishop <CBishop@poucecoupe.ca>
Sent: Thursday, August 20, 2015 3:41 PM
To: Chris Cvik
Subject: Re: Letter to Organizations on Impact on Removal of Mandatory Building Permit Area.pdf

Good Afternoon Chris,
I have consulted with our Fire Chief and we feel that it is important and we would like to see building permits remain. If you have any further questions, please let me know.
Thank you,
Carol

From: Chris Cvik <Chris.Cvik@prrd.bc.ca>
Date: Friday, July 24, 2015 at 2:22 PM
To: jchute <jchute@dawsoncreek.ca>, Charlette McLeod <CMcLeod@districtoftaylor.com>, DFleming <DFleming@gochetwynd.com>, Carol Bishop <cbishop@poucecoupe.ca>, Dianne Hunter <DHunter@fortstjohn.ca>
Cc: PRRD_Internal <prrd.internal@prrd.bc.ca>
Subject: Letter to Organizations on Impact on Removal of Mandatory Building Permit Area.pdf

Hi Folks, we are going to be working a referendum with respect to our Building Bylaw.....Yes, it's back.

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2) That the Regional Board direct that a press release be issued regarding the adoption of "Building Bylaw No. 2131, 2014"; and
3) That the Regional Board approve an information campaign (for 30 days) to update the public about the status of building inspection, with a budget up to \$7,500; and

4) That a referendum be held in each Electoral Area to seek the public's opinion on whether or not the Peace River Regional District should continue with "Building Bylaw No. 2131, 2014", with a view to commencing the referendum process on November 15, 2015, with the referendum to be completed by April 15, 2016.

R-4

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Can you please forward the letter onto your Fire Service for a response.

Regards,

Chris

From: Carol Bishop <CBishop@poucecoupe.ca>
Sent: Thursday, August 27, 2015 10:13 AM
To: Chris Cvik
Subject: FW: building permits
Attachments: image001.jpg

From: Blair Deveau <firechief@poucecoupe.ca>
Date: Sunday, August 23, 2015 at 3:01 PM
To: Carol Bishop <cbishop@poucecoupe.ca>
Subject: building permits

Good day

By having these permits we know that there is no short cuts and things are up to code, making it safer for us to enter, we know people make changes after however in the overall of thing knowing they meet code set our mind on focusing on what we have to do. This could me a difference of entry for rescue or firefighting

Respectfully,

Blair Deveau

FIRE CHIEF

Village of Pouce Coupe

Fire Department

Office: 1-250-786-5195

Cell: 1-250-219-9205

firechief@poucecoupe.ca



From: Protective Services
Sent: Tuesday, October 06, 2015 10:55 AM
To: Trish Morgan
Cc: Chris Cvik
Subject: RE: Fire protection impacts in areas with no building inspection

Here is the response from Columbia Shuswap Regional District and Bulkley Nechako
I have not had any response from anyone else other than Sooke.
I have emailed and called Mt Waddington departments with no response.

We only have building inspection in some areas, therefore in the other areas people can build what they want to build and I think that is probably a recipe for risk of fire, however, I do not have any evidence to prove my theory. Sorry I can't be of more assistance with this one.

Thank you,

Deborah Jones-Middleton
Regional District of Bulkley-Nechako
Protective Services Manager

Phone: 250-692-3195
Cellular: 250-692-9411
Email: deborahjm@rdbn.bc.ca

Know the Risks – Make a Plan – Test the Plan



Good Morning

Yes we do in only one electoral area. The building Inspector will advise me on any issues and we collaborate regularly. We have flagged issues such as access to structures and driveway grades etc.. There is a permit process where referrals will come my way as well.

I can say that my statistics show less significant structure fires in the Electoral Area with a building inspector. The structure fires I have in this area are normally structures that were built pre inspection as well.

Kenn Mount | Regional Fire Chief (LAFC)
Operations Management

December 17, 2015

Columbia Shuswap Regional District
T: 250.833.5945 | F: 250.832.1083 | TF: 1.888.248.2773
E: kmount@csrd.bc.ca | W: www.csrd.bc.ca

R-4



 Please consider the environment before printing this e-mail
WORKING SMOKE ALARMS SAVE LIVES!

Hi Kenn

Have another quick question for you.

Do you guys have mandated building inspections (after building construction) in your area and if not how has that affected your ability to provide fire protection.

Thanks
Dan

Dan Ross
Protective Services Manager
Peace River Regional District
Direct: 250-784-3215
Cell: 250-219-4011
protective.services@prrd.bc.ca

From: Trish Morgan
Sent: Monday, October 05, 2015 9:09 PM
To: Protective Services <protective.services@prrd.bc.ca>
Subject: RE: Fire protection impacts in areas with no building inspection
Importance: High

Mt Waddington RD it is up Port McNeil, Hardy and Port Alice area. Please work on this ASAP. Chris needs it by Thursday.

From: Protective Services
Sent: Friday, September 25, 2015 12:16 PM
To: Trish Morgan
Subject: RE: Fire protection impacts in areas with no building inspection

Done deal

All my years living on the island I have never heard of Mount Waddington

Dan Ross
Protective Services Manager
Peace River Regional District
Direct: 250-784-3215
Cell: 250-219-4011
protective.services@prrd.bc.ca

From: Trish Morgan
Sent: Friday, September 25, 2015 12:04 PM
To: Protective Services <protective.services@prrd.bc.ca>
Subject: Re: Fire protection impacts in areas with no building inspection

2
December 17, 2015

So we need to talk to some Regional Districts and some smaller than the capital RD. Can you please make contact with Mt Waddington and Columbia Shuswap

Trish Morgan
General Manager of Community & Electoral Area Services
Peace River Regional District
Tel: 250 784-3218
Cell: 250 219-3000

1981 Alaska Avenue
PO Box 810
Dawson Creek, BC V1G 4H8
Tel: 250 784-3200
Fax: 250 784-3201

----- Original message -----

From: Protective Services <protective.services@prrd.bc.ca>
Date: 09-25-2015 11:47 AM (GMT-08:00)
To: Trish Morgan <Trish.Morgan@prrd.bc.ca>
Subject: RE: Fire protection impacts in areas with no building inspection

I guess they would be considered Capital Regional District

Dan Ross
Protective Services Manager
Peace River Regional District
Direct: 250-784-3215
Cell: 250-219-4011
protective.services@prrd.bc.ca

From: Trish Morgan
Sent: Friday, September 25, 2015 11:29 AM
To: Protective Services <protective.services@prrd.bc.ca>
Subject: Re: Fire protection impacts in areas with no building inspection

Which Regional Districts?

Trish Morgan
General Manager of Community & Electoral Area Services
Peace River Regional District
Tel: 250 784-3218
Cell: 250 219-3000

1981 Alaska Avenue
PO Box 810
Dawson Creek, BC V1G 4H8

December 17, 2015

Tel: 250 784-3200
Fax: 250 784-3201

R-4

----- Original message -----

From: Protective Services <protective.services@prrd.bc.ca>
Date: 09-25-2015 11:25 AM (GMT-08:00)
To: Trish Morgan <Trish.Morgan@prrd.bc.ca>
Subject: RE: Fire protection impacts in areas with no building inspection

I did talk to some Chiefs at the LGMA meeting.

The said that the affect has been minimal as the builder is still required to build to the building code and the fire code. Most builders will do the right thing when it comes to these codes even if there is no inspection process as the buildings are engineer designed and the plans are signed off by the Fire Chief.

This is the part we are missing here in the PRRD the fact there is no requirement for a copy of the plans to be reviewed by Fire prior to the application being ok'ed.

BUT they have run into a few builders (usually the guy who does it themselves) who meets no standards and the building constitutes a hazard to fire fighters. They have addressed this issue by doing preplan inspections of buildings and labeling them as hazards to firefighters and designating them as exterior only if they were to catch fire.

Dan Ross
Protective Services Manager
Peace River Regional District
Direct: 250-784-3215
Cell: 250-219-4011
protective.services@prrd.bc.ca

From: Trish Morgan
Sent: Friday, September 25, 2015 10:36 AM
To: Protective Services <protective.services@prrd.bc.ca>
Subject: Fire protection impacts in areas with no building inspection

Just wondering if you were able to find out anything from some Regional Districts that don't have building inspection and how it may impact fire protection.

Trish Morgan
General Manager of Community & Electoral Area Services
Peace River Regional District
Tel: 250 784-3218
Cell: 250 219-3000

1981 Alaska Avenue
PO Box 810
Dawson Creek, BC V1G 4H8
Tel: 250 784-3200
Fax: 250 784-3201

December 17, 2015

Chris Cvik

From: Lal, Ajay <Ajay.Lal@cibc.com>
Sent: Tuesday, August 18, 2015 4:32 PM
To: Chris Cvik
Subject: RE: Discontinuation of Mandatory Building Permit Area - Feedback

Hi Chris,

Thank you for your email and for your question.

I can not comment on the requirements within each Financial Institute but I have seen additional conditions by an underwriter for a property and/or borrower posing a higher than normal risk.

Every mortgage or secure loan is calculated differently, depending on a number of factors. Some of these factors include the character and credit rating of the borrower(s), capacity to repay, how much capital or net worth the borrower(s) have, the geographical area where the property is located, the loan-to-value ratio and the assessed/appraised value of the property.

For renovated residential properties, I have seen where an appraisal was completed to ensure the property met the Bank and/or municipal requirements and a loan was advanced accordingly.

If you require clarification on this, please do not hesitate to reach me on my direct line below.

Thank you again and have a great rest of day.

Sincerely,

Ajay Lal, BComm, AICB, PFP

Branch Manager

CIBC - Dawson Creek Branch | PO Box 599, 10200 - 10th Street, Dawson Creek, BC V1G 4H6

Direct Line: (250) 782-4816 Ext. 222

Fax: (250) 782-3286

Email: Ajay.Lal@cibc.com



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December 17, 2015

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R-4

From: Chris Cvik [mailto:Chris.Cvik@prrd.bc.ca]
Sent: August 18, 2015 9:56 AM
To: Lal, Ajay
Subject: RE: Discontinuation of Mandatory Building Permit Area - Feedback

Hi Ajay, thanks for your response. I would like to confirm one point.

We recently ran into a situation where two individuals who are interested in purchasing a property told us the bank will not finance the property without a valid building permit and inspections and without a building permit they will finance the land only. Are you aware of this occurring within the banking industry.

Thanks,

Chris

Chris Cvik
Direct: 250-784-3208
Cell: 250-784-4603
chris.cvik@prrd.bc.ca

From: Lal, Ajay [mailto:Ajay.Lal@cibc.com]
Sent: Tuesday, July 28, 2015 2:38 PM
To: Brenda Deliman
Cc: PRRD_Internal; Chris Cvik
Subject: RE: Discontinuation of Mandatory Building Permit Area - Feedback

Hi Brenda,

Thank you for your email. There is no impact to myself or to any of the services we provide to our clients.

Given the volatility of local retail business income, if this saves small business owners a permit fee, I would certainly support it.

Sincerely,

Ajay Lal, BComm, AICB, PFP

Branch Manager

CIBC - Dawson Creek Branch | PO Box 599, 10200 - 10th Street, Dawson Creek, BC V1G 4H6

Direct Line: (250) 782-4816 Ext. 222

December 17, 2015

Fax: (250) 782-3286

Email: Ajay.Lal@cibc.com

R-4



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From: Brenda Deliman [<mailto:Brenda.Deliman@prrd.bc.ca>]
Sent: July 28, 2015 2:27 PM
To: Brenda Deliman
Cc: PRRD_Internal
Subject: Discontinuation of Mandatory Building Permit Area - Feedback

Please see attached letter, being forwarded on behalf of Chris Cvik, Chief Administrative Officer, Peace River Regional District.

Email: chris.cvik@prrd.bc.ca
Telephone: 250 784 3208

Brenda Deliman
Secretary of Legislative Services
Direct: 250-784-3223
Brenda.Deliman@prrd.bc.ca

Peace River Regional District

Box 810, 1981 Alaska Avenue
Dawson Creek, BC V1G 4H8
Toll-free (24 hour): 1-800-670-7773
Office: 250-784-3200
Fax: 250-784-3201
www.prrd.bc.ca

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2
December 17, 2015

From: Ronda Wilkins
Sent: Wednesday, September 09, 2015 8:33 AM
To: Chris Cvik
Subject: FW: FW: Discontinuation of Mandatory Building Permit Area - Feedback

From: Kim MacKay [mailto:kim@fsjhomes.com]
Sent: August-24-15 3:20 PM
To: Ronda Wilkins <Ronda.Wilkins@prrd.bc.ca>
Subject: Re: FW: Discontinuation of Mandatory Building Permit Area - Feedback

As a Realtor here in Fort St John for the past 28 years, I have been in many homes in the country that should have had a building permit and were very poorly constructed so I support mandatory building permits.

Sincerely,
Kim MacKay
Royal LePage
250-785-6601

On Mon, Aug 24, 2015 at 2:42 PM, Ronda Wilkins <Ronda.Wilkins@prrd.bc.ca> wrote:

The attachment. ☺

From: Ronda Wilkins
Sent: August-24-15 2:38 PM
To: 'Alexandra.russell@rbc.com'
Subject: Discontinuation of Mandatory Building Permit Area - Feedback
Importance: High

Good Afternoon

Please find attached a friendly reminder for feedback on the Discontinuation of Mandatory Building Permit Area. If we would be able to receive your comments no later than August 28th we would appreciate it.

Please forward comments to Chris Cvik, Chief Administrative Officer, Peace River Regional District.

Email: chris.cvik@prrd.bc.ca

Telephone: [250 784 3208](tel:2507843208)

From: Doug Boyd <dboyd@prn.bc.ca>
Sent: Thursday, September 24, 2015 9:30 AM
To: Chris Cvik
Subject: Re: Discontinuation of Mandatory Building Permit Area - Feedback

Hi Chris - sorry for the delayed response.

By this email please be advised that The Board of Education for School District #60 endorses the continuation of mandatory building permits. One of our major mandates is to provide healthy and safe learning environments for our learning communities. Although our primary focus is on the school facility environment it is also of great importance that students have a safe and protective environment from wherever they arrive. Permits and associated regulations are a method of protecting the health and well being of all and in particular children who do not have a voice in ensuring their own safety.

As a district we also require the submission of an assessed School Site acquisition charge. Currently the process is assisted by being payable at time of permit. If the permit process does not exist collection of these fees will become difficult and perhaps even impossible as we will have no procedure to monitor development or control payment.

On behalf of the Board, thank you for the opportunity to provide feedback

Doug

On Sat, Sep 19, 2015 at 5:21 AM, Chris Cvik <Chris.Cvik@prrd.bc.ca> wrote:

Hi Doug, further to our conversation yesterday, here is a copy of the letter that was sent out. We would appreciate the school divisions comments on the impacts of discontinuing the mandatory building permit area. Please let me know what questions you have. I would appreciate any response as soon as possible as I am starting to compile the feedback.

Thanks,

Chris

Chris Cvik

Chief Administrative Officer

Direct: [250-784-3208](tel:250-784-3208)

Cell: [250-784-4603](tel:250-784-4603)

chris.cvik@prrd.bc.ca

Peace River Regional District

Box 810, 1981 Alaska Avenue

Dawson Creek, BC V1G 4H8

Toll-free (24 hour): [1-800-670-7773](tel:1-800-670-7773)

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Fax: [250-784-3201](tel:250-784-3201)

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--

Doug Boyd
Secretary Treasurer
Peace River North (School District #60)
dboyd@prn.bc.ca
Ph. 250 262 6000

From: BCA Local Government, BCA:EX <localgovernment@bcassessment.ca>
Sent: Friday, September 04, 2015 8:30 AM
To: Chris Cvik
Subject: Feedback on Proposed Referendum on Building Bylaw No. 2131, 2014
Attachments: Letter to Stakeholders on Impact (2).pdf.pdf

Mr. Cvik,

I am writing in response to your request in the attached letter for feedback on the possible impacts to BC Assessment and the services we provide if mandatory building permits within the Peace River Regional District were removed and all permits instead became voluntary.

BC Assessment respects the importance and integrity of the democratic process for all communities across the Province. Consequently, we do not have a position on the outcome of the referendum regarding the continuation of Building Bylaw No. 2131, 2014.

BC Assessment's mandate is to provide a fair, uniform, and equitable assessment roll which can be relied upon to fairly distribute the property tax burden amongst property owners in BC. The property taxes generated from our property assessments support important services within communities across the Province. BC Assessment relies upon strong partnerships with our various stakeholders in order to assist in fulfilling our mandate in a timely, effective, and efficient manner.

BC Assessment relies upon building permit information from Local Governments as one of the main sources of information utilized to focus our efforts on reviewing property inventories where there is a high probability of change. Mandatory building permits assist in ensuring the accuracy of inventory on the assessment roll, and in turn, a fair distribution of the property tax burden amongst property owners in a community. In the absence of mandatory building permits, BC Assessment must rely upon other methods for collecting changes to properties. Many of these alternative methods are not as reliable, nor are they based on a targeted approach in which only those properties with a reasonable probability of a change are reviewed.

BC Assessment thanks the Peace River Regional District for the opportunity to share feedback regarding your proposed referendum on the continuation of Building Bylaw No. 2131, 2014.

Regards,

Michael Spatharakis BA, AACI, P.App

Manager, Local Government Customers

michael.spatharakis@bcassessment.ca
T 1-866-valueBC (825-8322) x 00498 | C 250.208.3508 | F 250.595.7623
400 – 3450 Uptown Blvd. | Victoria BC V8Z 0B9 | www.bcasessment.ca

BC ASSESSMENT     

From: Chris Cvik [<mailto:Chris.Cvik@prrd.bc.ca>]

Sent: August-18-15 10:24 AM

To: Krantz, Jarret BCA:EX

Subject: RE: Building permit initiative

Hi Jarret. I am sending you a copy of a letter that recently went out. I apologize as BC Assessment was not included on the original distribution list. We would appreciate any comments that you would be like to be considered.

R-4

Please call me if you have any questions.

Thanks,

Chris

Chris Cvik

Direct: 250-784-3208

Cell: 250-784-4603

chris.cvik@prrd.bc.ca

December 17, 2015



Peace River Regional District REPORT

R-5

To: PRRD Regional Board

Date: December 4, 2015

From: Kole A. Casey, South Peace Land Use Planner

Subject: Development of proposed A-3 "Agricultural Wind Zone"

RECOMMENDATION(S):

1. THAT the Regional Board read "Peace River Regional District Zoning Amendment Bylaw No. 2224 (CWEG-479), 2015 Bylaw No. 2224, 2015." for a first time.
2. THAT the Regional Board read "Peace River-Liard Regional District Zoning Amendment Bylaw No. 2225 (CWEG-506) 2015" for a first time.
3. THAT the Regional Board read "Peace River Regional District Zoning Amendment Bylaw No.2226 (CWEG-1000), 2015" for a first time.
4. THAT the Regional Board read "Peace River Regional District Zoning Amendment Bylaw No. 2228 (CWEG-1343), 2015." for a first time.
5. That the Regional Board refer proposed Zoning Amendment Bylaw Nos. 2224, 2225, 2226, 2228, 2015 to the Electoral Area Directors Committee (EADC) for review and recommendations for public and stakeholder engagement.

BACKGROUND/RATIONALE:

March 2015

Three ALC applications for Non-farm Use for proposals for small scale wind farms under BC Hydro's SOP (Standing Offer program) on private land were submitted to the Peace River Regional District.

- Review of these applications indicated that the proposals are consistent with the North Peace Fringe Area OCP Bylaw No.1870, 2009 and the PRRD Rural OCP Bylaw No. 1940, 2011, however
- The PRRD Zoning Bylaw No.1000, 1996, the PRRD Zoning Bylaw No. 1343, 2001, The Dawson Creek Rural area Zoning Bylaw No.479, 1986 and the Chetwynd Rural Area zoning Bylaw 506, 1986 do not permit Commercial Wind Energy Generation Systems (CWEGS) in any zone.
- Therefore all four zoning bylaws would need amendments to permit (CWEGS)
- The ALC has since approved all three projects.

December 17, 2015

Staff Initials:

Dept. Head: *Bruce Simard* CAO:

Page 1 of 2

Oct 2015 – Rezoning applications

Three Applications for Development for rezoning to allow (CWEGS) within the PRRD were received by the PRRD.

Response to rezoning applications

The three rezoning applications for a CWEGS use are the initial proposals among several more that are expected from other proponents. Over the past couple years, PRRD staff have received many inquiries about the potential for (CWEGS)(up to 15 MW) on private land. These are projects that are below the threshold for requiring a provincial environmental assessment. Proponents have been consistently advised that rezoning and public review would be required. In regard to “environmental assessment” type information the Development Services Department has required that the proponent submit a detailed project proposal using the provincial template required for such proposals on Crown land. This appears to provide a sufficiently detailed investigation of the environmental impacts for this scale of project. Additional information may be requested as warranted through the rezoning review process.

The Development Services Department is recommending a new A-3 zone, as a category of zoning to accommodate CWEGS. This proposed new zone is built on the template of the standard A-2 zoning with the addition of CWEGS as a permitted use, and the inclusion of siting regulations specific to a CWEGS. The A-3 zone would only be included on the mapping upon application from a proponent and subject to a rezoning review.

While the rezoning applications could be considered concurrently with preparation of the new zone it is recommended to first consider the proposed new zone and then the rezoning applications so that it is clear what the Board policy will be.

Research:

- PRRD staff researched and reviewed similar Wind Farm Zoning Bylaws within British Columbia, Alberta, Ontario, and similar regulations within the United States.
- PRRD staff also reviewed and researched policies set out by the Province of British Columbia and a report for the Province of Manitoba.

STRATEGIC PLAN RELEVANCE: N/A

FINANCIAL CONSIDERATION(S):

Costs to be determined subject to preferred public engagement method.

COMMUNICATIONS CONSIDERATION(S):

External Agency Review:

- This draft bylaw still needs to be referred to external agencies such as municipalities and provincial agencies.
- The draft bylaw will also need legal review

Public Review:

- Holding of a public hearing can be waived pursuant to s. 890(4) of the Local Government Act, and authorize performance of public notification pursuant to s. 893 of the Local Government Act
This is not recommended
- Considering the implications for rural residents it is recommended that the approach to public engagement be first discussed with EADC for recommendations to the Regional Board. Staff can provide a range of options for discussion.

PEACE RIVER REGIONAL DISTRICT

Bylaw No. 2224, 2015

A bylaw to amend the "Dawson Creek Rural Area Zoning
Bylaw No. 479, 1986."

R-5

WHEREAS, the Regional Board of the Peace River Regional District did, pursuant to the Province of British Columbia *Local Government Act*, adopt the "Peace River-Liard Regional District Zoning Bylaw No. 479, 1986";

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. 2224 (CWEG-479), 2015."
2. The "Peace River-Liard Regional District Zoning Bylaw No. 479, 1986" is hereby amended in the following manner:
 - a) By adding the following definitions to Part 3 - Definitions, as follows:
 - (i) **"Commercial Wind Energy Generation System (CWEG)"**
means an electrical generating facility comprised of a wind turbine and accessory facilities, including but not limited to a generator, a transformer, storage, collection and supply equipment, underground cables, a substation, temporary or permanent wind-monitoring tower(s), access road(s) and built to provide electricity for commercial sale and distribution.
 - (ii) **"Wind turbine"**
means a structure designed to convert wind energy into mechanical or electrical energy and includes the wind turbine tower, rotor blades and nacelle.
 - b) By adding a new zone under Part SIX Zones A-3 "Agricultural Wind Zone" following A-2 "Large Agricultural Holding Zone – 63 ha."

PART SIX ZONES – A-3 "Agricultural Wind Zone – 63 ha. (155 acres)

A-3 Agricultural-Wind Zone - 63 ha (155 acres)
Permitted Uses

6.11.1(A) The following uses and no others are permitted in an A-3 zone except as provided for in Part 7 of this By-Law:

- (i) agriculture, including intensive agriculture;
- (ii) oil and gas production, processing, storage, transmission and exploration
- (ii) wood harvesting and forestry;
- (iv) livestock range;
- (iv) fish and wildlife habitat;
- (iv) watershed protection and erosion control;
- (iv) kennel;
- (iv) public use;
- (iv) trapping, hunting, guiding, outfitting, guest ranch and ancillary accommodation;
- (iv) airstrip;
- (iv) mining, including gravel extraction and processing facilities;
- (iv) two family dwelling;
- (iv) single family dwelling;
- (iv) bed and breakfast accommodations; [721, 1991]
- (iv) home occupation;
- (iv) home industry including storage yard;
- (iv) accessory building.
- (iv) Commercial wind energy generation system (CWEG).

Regulations **December 17, 2015**

- (B) On a parcel located in an A-3 zone:

Number of Family Dwellings

- (i) not more than two single family dwellings or a two family dwelling is permitted, but not both;

Additional Dwellings

- (ii) in addition to the dwellings permitted in Section 6.11 (B)(i):
- (a) not more than one farm dwelling per quarter section (63 ha.) parcel of land is permitted in conjunction with an agricultural use;
 - (b) not more than three additional dwelling units per parcel are permitted for ancillary accommodation to trapping, hunting, guiding or guest ranch uses;

Height

- (iii) there are no height limitations in an A-3 zone;

Siting

- (iv) no single family dwelling, two family dwelling or farm dwelling shall be located within:
- (a) 7 metres of a front parcel line;
 - (b) 3 metres of an interior side parcel line
 - (c) 5 metres of an exterior side parcel line; or
 - (d) 7 metres of a rear parcel line;
- (v) no accessory building shall be located within:
- (a) 7 metres of a front parcel line;
 - (b) 3 metres of an interior side parcel line
 - (c) 5 metres of an exterior side parcel line; or
 - (d) 3 metres of a rear parcel line;

Home Occupation and Home Industry

- (vi) (a) home occupations shall be conducted entirely within a building containing a single family dwelling or a two family dwelling or within a building accessory to a single family dwelling or a two family dwelling;
- (b) home industries shall be conducted entirely within a building accessory to a single family dwelling or a two family dwelling and may include a storage yard for products and materials utilized in the home industry;
- (c) storage yards for a home industry shall be limited to a maximum of ten percent (20%) coverage of the parcel, or 1.0 hectare (2.5 acres), whichever is less;
- (d) retail sales of goods produced in the home occupation or home industry shall be permitted but shall be accessory to the principal home occupation or home industry use;

Off Street Parking and Loading

- (vii) off street parking and loading spaces shall be provided and maintained in accordance with Section 7.8 of this bylaw;

Minimal Parcel Size

- (viii) the minimum parcel size is 63 hectares (155 acres) except as noted below.
- (a) for oil and gas production, storage, transmission or exploration there is no minimum parcel size subject to the Local Services Act;
 - (b) for the remainder of a parcel zoned A-2, whereby a portion thereof has been rezoned and subdivided for an intensive agriculture use, the minimum parcel size is 40 hectares (100 acres)
 - (c) for those portions of a parcel which are situated on either side of a railway right-of-way, road right-of-way or a watercourse there is no minimum parcel size subject to the Local Services act only so far as to permit subdivision along a railway right-of-way, road right-of way or watercourse;
 - (d) for those fractional portions of a parcel that are the remainder of a quarter section ad delineated by Quarter section Boundaries, the minimum parcel size is 50 Hectares (124 acres); [581, 1988]

- (ix) the provisions of the Local Services act and regulations thereunder the Provincial regulations relating to sewage disposal, all of which enactments exist as of the date of the last publication of the notice for the Public Hearing for this by-law, are hereby incorporated by reference as requirements under this by-law in respect of subdivision approval;

Agricultural Land Reserve

- (x) refer to Section 4.6 for lands within the Agricultural Land Reserve.

Bed and Breakfast accommodation

- (xi) regulations affecting the operation of bed and breakfast accommodations are provided in Section 7.10 of this bylaw [721,1991]

Wind turbine Siting

- (g) Wind turbines shall be sited to the greater of:
 - (i) The wind turbine shall be at a distance not to exceed a maximum of 40 decibels of turbine-generated sound being received on the outside of an existing dwelling unit or at the boundary of any parcel lines with residential zoning, and;
 - (ii) A wind turbine shall be located not less than 4 times the height of the wind turbine measured from ground level to the highest point of the wind turbines rotor blade arc, from any structure that is not owned by the Land owner upon which the wind turbine is located.
 - (iii) A wind turbine shall be located not less than 10 times the height of the wind turbine measured from ground level to the highest point of the wind turbines rotor blade arc, from any public recreation facility, commercial recreation facility or public use.
 - (iv) A wind turbine shall be located so that the horizontal distance of the wind turbines rotor blade arc to any parcel line shall not be less than 7.5m (23 ft.).

Sound Modeling

- (h) The following sound modeling will apply:
 - (i) The wind turbine locations will be determined through modeling, using a methodology which satisfies the ISO 9613-2 standard.
 - (ii) The sound power level, or acoustic power radiated by the wind turbines, is to be supplied by the turbine manufacturer.
 - (iii) Modeling will utilize the wind speed at which the sound power level has become constant, typically 8 – 10 meters/sec at a height of 10 meters; otherwise 11 meters/sec is to be used.
 - (iv) Application of the sound level requirement is limited to those residences and undeveloped residential parcels in existence at the time of application to construct a wind farm.
 - (v) Worst case scenarios are to be modeled, in which each property line or existing residence is portrayed as being directly downwind from each turbine.
 - (vi) Site specific characteristics, such as topography, are to be incorporated into the model.
 - (vii) Modeling is based on assumptions which may not accurately portray the characteristics of specific sites or meteorological conditions. Questionable turbines are those for which modeling predicts a sound level that is only marginally quieter than the acceptable level.
 - (viii) A risk assessment should be conducted to determine the potential impact on project viability of unacceptable sound levels from questionable turbines.

Colour and Finish for CWAG Systems

- (i) A CWEG System shall be finished in a non-reflective matte and in a colour that minimizes the obtrusive impact of a CWEG system. No lettering or advertising shall appear on the wind turbines or blades other than the manufacturer's and/or owner's identification.

READ a FIRST TIME this ____ day of _____, 2015.

READ a SECOND TIME this ____ day of _____, 2015.

Public Hearing held on ____ day of _____, 2015 and notification mailed on the ____ day of _____, 2015.

READ a THIRD TIME this ____ day of _____, 2016.

ADOPTED this ____ day of _____, 2016.

Lori Ackerman, Chair

Jo-Anne Frank, Corporate Officer

I hereby certify this to be a true and correct copy of "PRRD Zoning Amendment Bylaw No. 2224 (CWEG-479), 2015", as adopted by the Peace River Regional District Board on _____, 2016.

Corporate Officer

PEACE RIVER REGIONAL DISTRICT
Bylaw No. 2225, 2015

R-5

A bylaw to amend the "Chetwynd Rural Area Zoning
Bylaw No. 506, 1986."

WHEREAS, the Regional Board of the Peace River Regional District did, pursuant to the Province of British Columbia *Local Government Act*, adopt the "Peace River-Liard Regional District Zoning Bylaw No. 506, 1986";

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. 2225 (CWEG-506), 2015."
2. The "Peace River-Liard Regional District Zoning Bylaw No. 506, 1986" is hereby amended in the following manner:
 - a) By adding the following definitions to Part 3 - Definitions, as follows:
 - (i) **"Commercial Wind Energy Generation System (CWEG)"**
means an electrical generating facility comprised of a wind turbine and accessory facilities, including but not limited to a generator, a transformer, storage, collection and supply equipment, underground cables, a substation, temporary or permanent wind-monitoring tower(s), access road(s) and built to provide electricity for commercial sale and distribution.
 - (ii) **"Wind Turbine"**
means a structure designed to convert wind energy into mechanical or electrical energy and includes the wind turbine tower, rotor blades and nacelle.
 - b) By adding a new zone under Part VI Zones A-3 "Agricultural Wind Zone" following A-2 "Large Agricultural Holding Zone – 63 ha."

PART SIX ZONES – A-3 "Agricultural Wind Zone – 63 ha. (155 acres)

A-3 Agricultural-Wind Zone - 63 ha (155 acres)
Permitted Uses

6.11.1(A) The following uses and no others are permitted in an A-3 zone except as provided for in Part 7 of this By-Law:

- (i) agriculture;
- (ii) oil and gas production, processing, storage, transmission or exploration
- (c) wood harvesting and forestry;
- (d) livestock range;
- (e) fish and wildlife habitat;
- (f) watershed protection and erosion control;
- (g) kennel;
- (h) public use;
- (i) trapping, hunting, guiding, outfitting, guest ranch and ancillary accommodation;
- (j) airstrip;
- (k) mining, including gravel extraction and processing facilities;
- (l) two family dwelling;
- (m) single family dwelling;
- (n) bed and breakfast accommodations; [663, 1990]
- (o) home occupation;
- (p) home industry including storage yard;
- (q) accessory building; and
- (r) Commercial wind energy generation system (CWEG).

- Regulations
(B) On a parcel located in an A-3 zone:

Number of Family Dwellings

- (i) not more than two single family dwellings or a two family dwelling is permitted, but not both;

Additional Dwellings

- (ii) in addition to the dwellings permitted in Section 6.11 (B)(i):
- (a) not more than one farm dwelling per quarter section (63 ha.) parcel of land is permitted in conjunction with an agricultural use;
 - (b) not more than three additional dwelling units per parcel are permitted for ancillary accommodation to trapping, hunting, guiding or guest ranch uses;
 - (c) additional dwelling units are permitted in conjunction with an oil or gas production, processing, storage or transmission use.

Height

- (iii) there are no height limitations in an A-3 zone;

Siting

- (iv) no single family dwelling, two family dwelling or farm dwelling shall be located within:
- (a) 7 metres of a front parcel line;
 - (b) 3 metres of an interior side parcel line
 - (c) 5 metres of an exterior side parcel line; or
 - (d) 7 metres of a rear parcel line;
- (v) no accessory building shall be located within:
- (a) 7 metres of a front parcel line;
 - (b) 3 metres of an interior side parcel line
 - (c) 5 metres of an exterior side parcel line; or
 - (d) 3 metres of a rear parcel line;

Home Occupation and Home Industry

- (vi)
- (a) home occupations shall be conducted entirely within a building containing a single family dwelling or a two family dwelling or within a building accessory to a single family dwelling or a two family dwelling;
 - (b) home industries shall be conducted entirely within a building accessory to a single family dwelling or a two family dwelling and may include a storage yard for products and materials utilized in the home industry;
 - (c) storage yards for a home industry shall be limited to a maximum of ten percent (10%) coverage of the parcel, or 1.0 hectare (2.5 acres), whichever is less;
 - (d) the combined floor area of all accessory buildings on a parcel used for the purposes of conducting a home occupation and a home industry shall not exceed 300 square metres (3200 square feet;)
 - (e) retail sales of goods produced in the home occupation or home industry shall be permitted but shall be accessory to the principal home occupation or home industry use;

Off Street Parking and Loading

- (vii) off street parking and loading spaces shall be provided and maintained in accordance with Section 7.8 of this bylaw;

Minimal Parcel Size

- (viii) the minimum parcel size is 63 hectares (155 acres). This minimum parcel size shall not apply to:
- (a) a parcel used for oil and gas production, storage, transmission or exploration;
 - (b) any permitted use situate upon a parcel of land that is the remainder of a parcel that has been subdivided and rezoned to permit intensive agriculture use;
 - (c) smaller parcels permitted by Development Variance Permit;
 - (d) where a parcel is divided by a railway right-of-way, highway right-of-way, or a watercourse there is no minimum parcel size applies to the creation of a parcel subdivided along any such railway right-of-way, highway right-of-way or watercourse;
- (ix) Where a parcel to be created under Section 6.11.1 (B)(viii)(a), (c) or (d) is less than 1.8 hectare (4.5 acres), such subdivision is subject to Section 7.9;

Agricultural Land Reserve

- (x) refer to Section 4.5 for lands within the Agricultural Land Reserve.

Bed and Breakfast accommodation

- (xi) regulations affecting the operation of bed and breakfast accommodations are provided in Section 7.10 of this bylaw [663,1990]

Wind turbine Siting

- (g) Wind turbines shall be sited to the greater of:
- (i) The wind turbine shall be at a distance not to exceed a maximum of 40 decibels of turbine-generated sound being received on the outside of an existing dwelling unit or at the boundary of any parcel lines with residential zoning, and;
 - (ii) A wind turbine shall be located not less than 4 times the height of the wind turbine measured from ground level to the highest point of the wind turbines rotor blade arc, from any structure that is not owned by the Land owner upon which the wind turbine is located.
 - (iii) A wind turbine shall be located not less than 10 times the height of the wind turbine measured from ground level to the highest point of the wind turbines rotor blade arc, from any public recreation facility, commercial recreation facility or public use.
 - (iv) A wind turbine shall be located so that the horizontal distance of the wind turbines rotor blade arc to any parcel line shall not be less than 7.5m (23 ft.).

Sound Modeling

- (h) The following sound modeling will apply:
- (i) The wind turbine locations will be determined through modeling, using a methodology which satisfies the ISO 9613-2 standard.
 - (ii) The sound power level, or acoustic power radiated by the wind turbines, is to be supplied by the turbine manufacturer.
 - (iii) Modeling will utilize the wind speed at which the sound power level has become constant, typically 8 – 10 meters/sec at a height of 10 meters; otherwise 11 meters/sec is to be used.
 - (iv) Application of the sound level requirement is limited to those residences and undeveloped residential parcels in existence at the time of application to construct a wind farm.
 - (v) Worst case scenarios are to be modeled, in which each property line or existing residence is portrayed as being directly downwind from each turbine.
 - (vi) Site specific characteristics, such as topography, are to be incorporated into the model.

- (vii) Modeling is based on assumptions which may not accurately portray the characteristics of specific sites or meteorological conditions. Questionable turbines are those for which modeling predicts a sound level that is only marginally quieter than the acceptable level.
- (viii) A risk assessment should be conducted to determine the potential impact on project viability of unacceptable sound levels from questionable turbines.

Colour and Finish for CWAG Systems

- (i) A CWEG System shall be finished in a non-reflective matte and in a colour that minimizes the obtrusive impact of a CWEG system. No lettering or advertising shall appear on the wind turbines or blades other than the manufacturer's and/or owner's identification.

READ a FIRST TIME this ____ day of _____, 2015.

READ a SECOND TIME this ____ day of _____, 2015.

Public Hearing held on ____ day of _____, 2015 and notification mailed on the ____ day of _____, 2015.

READ a THIRD TIME this ____ day of _____, 2016.

ADOPTED this ____ day of _____, 2016.

Lori Ackerman, Chair

Jo-Anne Frank, Corporate Officer

I hereby certify this to be a true and correct copy of "PRRD Zoning Amendment Bylaw No. 2225 (CWEG-506), 2015", as adopted by the Peace River Regional District Board on _____, 2016.

Corporate Officer

**PEACE RIVER REGIONAL DISTRICT
Bylaw No. 2226, 2015**

R-5

A bylaw to amend the "Peace River Regional District
Zoning Bylaw No. 1000, 1996."

WHEREAS, the Regional Board of the Peace River Regional District did, pursuant to the Province of British Columbia *Local Government Act*, adopt the "Peace River Regional District Zoning Bylaw No. 1000, 1996";

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. 2226 (CWEG-1000), 2015."
2. The "Peace River Regional District Zoning Bylaw No. 1000, 1996" is hereby amended in the following manner:
 - a) By adding the following definitions to Part 3 - Definitions, as follows:
 - (i) **"Commercial Wind Energy Generation System (CWEG)"**
means an electrical generating facility comprised of a wind turbine and accessory facilities, including but not limited to a generator, a transformer, storage, collection and supply equipment, underground cables, a substation, temporary or permanent wind-monitoring tower(s), access road(s) and built to provide electricity for commercial sale and distribution.
 - (ii) **"Wind Turbine"**
means a structure designed to convert wind energy into mechanical or electrical energy and includes the wind turbine tower, rotor blades and nacelle.
 - b) By adding a new zone under Part V Zones A-3 "Agricultural Wind Zone" following A-2 "Large Agricultural Holding Zone"

PART VI ZONES SECTION 36-A A-3 (Agricultural-Wind Zone)

Permitted Uses

1. Subject to section 26 of this by-law, the following uses and no others are permitted in an A-3 zone:
 - (a) agriculture;
 - (b) oil and gas activities;
 - (c) temporary worker camps of not more than 30 people;
 - (d) wood harvesting and forestry;
 - (e) trapping, hunting, guiding, outfitting establishments;
 - (f) guest ranch;
 - (g) airstrip;
 - (h) equestrian centre
 - (i) gymkhana grounds
 - (j) gravel extraction and processing;
 - (k) kennel;
 - (l) dwelling unit or dwelling units;
 - (m) limited agriculture;
 - (n) intensive agriculture;
 - (o) intensive livestock operations;

- Permitted accessory uses and buildings on any parcel include the following:
- (p) bed and breakfast accommodation
 - (q) home occupation or home industry;
 - (r) private aircraft landing strips
 - (s) commercial wind energy generation system (CWEG):

Regulations

2. On a parcel located in an A-3 zone:

Minimum Parcel Size

- (b) The minimum parcel size is 63 hectares (155 acres).

Number and type of Dwelling Units

- (b) No more than two single detached family dwellings or a semi-detached dwelling shall be permitted, but not both.

Setbacks

- (c) Except as otherwise specifically permitted in this by-law, no building or structure shall be located within:
- (i) 7 metres (23 ft.) of a front parcel line;
 - (ii) 3 metres (10 ft.) of an interior side parcel line;
 - (iii) 5 metres (17 ft.) of an exterior side parcel line; or
 - (iv) 7 metres (23 ft.) of a rear parcel line.

Additional requirements

See Sections 13-32 of this by-law

Wind Turbine Siting

- (f) Wind turbines shall be sited to the greater of:
- (i) The wind turbine shall be at a distance not to exceed a maximum of 40 decibels of turbine-generated sound being received on the outside of an existing dwelling unit or at the boundary of any parcel lines with residential zoning, and;
 - (ii) A wind turbine shall be located not less than 4 times the height of the wind turbine measured from ground level to the highest point of the wind turbine's rotor blade arc, from any structure that is not owned by the Land owner upon which the wind turbine is located.
 - (iii) A wind turbine shall be located not less than 10 times the height of the wind turbine measured from ground level to the highest point of the wind turbine's rotor blade arc, from any public recreational facilities, commercial recreational facility or public park.
 - (iv) A wind turbine shall be located so that the horizontal distance of the wind turbine's rotor blade arc to any parcel line shall not be less than 7.5m (23 ft.).

Sound Modeling

(g) The following sound modeling will apply:

- (i) The wind turbine locations will be determined through modeling, using a methodology which satisfies the ISO 9613-2 standard.
- (ii) The sound power level, or acoustic power radiated by the wind turbines, is to be supplied by the turbine manufacturer.
- (iii) Modeling will utilize the wind speed at which the sound power level has become constant, typically 8 – 10 meters/sec at a height of 10 meters; otherwise 11 meters/sec is to be used.
- (iv) Application of the sound level requirement is limited to those residences and undeveloped residential parcels in existence at the time of application to construct a wind farm.
- (v) Worst case scenarios are to be modeled, in which each property line or existing residence is portrayed as being directly downwind from each turbine.
- (vi) Site specific characteristics, such as topography, are to be incorporated into the model.
- (vii) Modeling is based on assumptions which may not accurately portray the characteristics of specific sites or meteorological conditions. Questionable turbines are those for which modeling predicts a sound level that is only marginally quieter than the acceptable level.
- (viii) A risk assessment should be conducted to determine the potential impact on project viability of unacceptable sound levels from questionable turbines.

Colour and Finish for CWAG Systems

- (h) A CWEG System shall be finished in a non-reflective matte and in a colour that minimizes the obtrusive impact of a CWEG system. No lettering or advertising shall appear on the wind turbines or blades other than the manufacturer's and/or owner's identification.

READ a FIRST TIME this ____ day of _____, 2015.

READ a SECOND TIME this ____ day of _____, 2015.

Public Hearing held on ____ day of _____, 2015 and notification mailed on the ____ day of _____, 2015.

READ a THIRD TIME this ____ day of _____, 2016.

ADOPTED this ____ day of _____, 2016.

Lori Ackerman, Chair

Jo-Anne Frank, Corporate Officer

I hereby certify this to be a true and correct copy of "PRRD Zoning Amendment Bylaw No. 2226 (CWEG-1000), 2015", as adopted by the Peace River Regional District Board on _____, 2016.

Corporate Officer

December 17, 2015

**PEACE RIVER REGIONAL DISTRICT
Bylaw No. 2228, 2015**

R-5

A bylaw to amend the "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 the "Peace River Regional District Zoning Bylaw No. 1343, 2015";

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. 2228 (CWEG-1343), 2015."
2. The "Peace River Regional District Zoning Bylaw No. 1343, 2001" is hereby amended in the following manner:
 - a) By adding the following definitions to Part II - Definitions, as follows:
 - (i) **"Commercial Wind Energy Generation System (CWEG)"**
means an electrical generating facility comprised of a wind turbine and accessory facilities, including but not limited to a generator, a transformer, storage, collection and supply equipment, underground cables, a substation, temporary or permanent wind-monitoring tower(s), access road(s) and built to provide electricity for commercial sale and distribution.
 - (ii) **"Wind Turbine"**
means a structure designed to convert wind energy into mechanical or electrical energy and includes the wind turbine tower, rotor blades and nacelle.
 - b) By adding a new zone under Part V Zones A-3 "Agricultural Wind Zone" following A-2 "Large Agricultural Holding Zone"

PART VI ZONES SECTION 33-A A-3 (Agricultural-Wind Zone - 63 ha)

1. Permitted Uses

The following PRINCIPAL USES and no others are permitted in an A-3 zone subject to Part IV of this bylaw and subject to Sub-Section 2 of this Section 33;

- (a) AGRICULTURE;
- (b) AGRICULTURE-INTENSIVE;
- (c) AGRICULTURE-DOMESTIC;
- (d) Wood harvesting and forestry;
- (e) Mining, including gravel extraction and processing;
- (f) Asphalt plant;
- (g) Oil and gas wells, PIPELINES;
- (h) PRODUCTION FACILITIES;
- (i) LAND TREATMENT FACILITY, NON-COMMERCIAL;
- (j) KENNEL;
- (k) EQUESTRIAN FACILITY;
- (l) Work camps occupied for less than six months, with less than 30 people;
- (m) Trapping, hunting, guiding, outfitting establishments;
- (n) Airstrip;

- (o) DWELLING UNITS;
- (p) COMMERCIAL WIND ENERGY GENERATION SYSTEM (CWEG):

The following ACCESSORY uses and no others are permitted in an A-2 zone, subject to Part IV of this bylaw and Sub-Section 2 of this Section 33:

- (q) ACCESSORY buildings and ACCESSORY structure;
- (r) BED AND BREAKFAST accommodation;
- (s) HOME BASED BUSINESS;
- (t) SECONDARY SUITE;
- (u) TEMPORARY ADDITIONAL DWELLING;
- (v) AGRI-TOURISM activity.

2. Regulations

Minimum Parcel Size

- (a) The minimum parcel size is 63 hectares (155 acres) except as noted below.
- (b) Exceptions to the required minimum parcel size area as follows:
 - i) subject to the Local Services Act, the minimum parcel size shall not apply where a parcel is divided by a railway, highway right-of-way or watercourse, provide the parcel is subdivided along any such railway, highway right-of-way or watercourse, and the remainder of the parcel for which a subdivision is proposed is not less than 50 hectares (124 acres);
 - ii) for subdivision along a quarter section boundary for an incomplete quarter the minimum parcel size shall be not less than 50 hectares (124 acres);

Number and type of DWELLING UNIT(S)

- (c) One SINGLE FAMILY DWELLING is permitted on a parcel less than 3.6 hectares (9 acres) in size;
- (d) Two SINGLE FAMILY DWELLINGS or one TWO FAMILY DWELLING is permitted on a parcel 3.6 hectares (9 acres) or larger, but not both;

Setbacks

- (e) Except as otherwise permitted in this bylaw, no building or structure shall be located within:
 - i) 7 metres (23 ft.) of a FRONT PARCEL LINE;
 - (ii) 3 metres (10 ft.) of an INTERIOR SIDE PARCEL LINE;
 - (iii) 5 metres (17 ft.) of an EXTERIOR SIDE PARCEL LINE; or
 - (iv) 7 metres (23 ft.) of a REAR PARCEL LINE.

WIND TURBINE Siting

- (f) WIND TURBINES shall be sited to the greater of:
 - (i) The WIND TURBINE shall be at a distance not to exceed a maximum of 40 decibels of turbine-generated sound being received on the outside of an existing DWELLING UNIT or at the boundary of any PARCEL LINES with residential zoning, and;

- (ii) A WIND TURBINE shall be located not less than 4 times the height of the WIND TURBINE measured from ground level to the highest point of the wind turbines rotor blade arc, from any structure that is not owned by the Land owner upon which the WIND TURBINE is located.
- (iii) A WIND TURBINE shall be located not less than 10 times the height of the WIND TURBINE measured from ground level to the highest point of the WIND TURBINES rotor blade arc, from any PUBLIC RECREATION FACILITY, COMMERCIAL RECREATION FACILITY or PUBLIC PARK.
- (iv) A WIND TURBINE shall be located so that the horizontal distance of the WIND TURBINES rotor blade arc to any PARCEL LINE shall not be less than 7.5m (23 ft.).

Sound Modeling

(g) The following sound modeling will apply:

- (i) The wind turbine locations will be determined through modeling, using a methodology which satisfies the ISO 9613-2 standard.
- (ii) The sound power level, or acoustic power radiated by the wind turbines, is to be supplied by the turbine manufacturer.
- (iii) Modeling will utilize the wind speed at which the sound power level has become constant, typically 8 – 10 meters/sec at a height of 10 meters; otherwise 11 meters/sec is to be used.
- (iv) Application of the sound level requirement is limited to those residences and undeveloped residential parcels in existence at the time of application to construct a wind farm.
- (v) Worst case scenarios are to be modeled, in which each property line or existing residence is portrayed as being directly downwind from each turbine.
- (vi) Site specific characteristics, such as topography, are to be incorporated into the model.
- (vii) Modeling is based on assumptions which may not accurately portray the characteristics of specific sites or meteorological conditions. Questionable turbines are those for which modeling predicts a sound level that is only marginally quieter than the acceptable level.
- (viii) A risk assessment should be conducted to determine the potential impact on project viability of unacceptable sound levels from questionable turbines.

Colour and Finish for CWAG Systems

- (h) A CWEG System shall be finished in a non-reflective matte and in a colour that minimizes the obtrusive impact of a CWEG system. No lettering or advertising shall appear on the WIND TURBINES or blades other than the manufacturer's and/or owner's identification.

Asphalt Plant

- (i) Asphalt plants may operate on land zoned A-3 "Large Agricultural Holding Zone" for a continuous period of not more than eight (8) months, otherwise an application for rezoning or a temporary industrial use permit will be required.

Production Facilities

- (j) The following PRODUCTION FACILITIES are not permitted in the A-3 zone:
- i) *Battery sites and compressor stations which covers an aggregate building and/or structure floor area of greater than 450 sq. metres (4850 sq. ft.)*
 - ii) *Oil field waste management facility that requires a permit under the Waste Management Act or which covers an aggregate building and/or structure floor area of greater than 450 sq. metres (4850 sq. ft.)*

Land Treatment Facility

- (k) One LAND TREATMENT FACILITY, NON-COMMERCIAL shall not exceed an area greater than 2 hectares (5 acres) in size.

Production Facilities

- (j) The following PRODUCTION FACILITIES are not permitted in the A-3 zone:
- i) *Battery sites and compressor stations which covers an aggregate building and/or structure floor area of greater than 450 sq. metres (4850 sq. ft.)*
 - ii) *Oil field waste management facility that requires a permit under the Waste Management Act or which covers an aggregate building and/or structure floor area of greater than 450 sq. metres (4850 sq. ft.)*

Land Treatment Facility

- (k) One LAND TREATMENT FACILITY, NON-COMMERCIAL shall not exceed an area greater than 2 hectares (5 acres) in size.

READ a FIRST TIME this ____ day of _____, 2015.

READ a SECOND TIME this ____ day of _____, 2015.

Public Hearing held on ____ day of _____, 2015 and notification mailed on the ____ day of _____, 2015.

READ a THIRD TIME this ____ day of _____, 2016.

ADOPTED this ____ day of _____, 2016.

Lori Ackerman, Chair

Jo-Anne Frank, Corporate Officer

I hereby certify this to be a true and correct copy of "PRRD Zoning Amendment Bylaw No. 2228 (CWEG-1343), 2015", as adopted by the Peace River Regional District Board on _____, 2016.

Corporate Officer

Updated: May 22, 2015

ELECTORAL AREA DIRECTORS' COMMITTEE

DIARY ITEMS

| <u>Item</u> | <u>Status</u> | <u>Notes</u> | <u>Diarized</u> |
|-----------------------------|---------------|---|-----------------|
| 1. Farmer's Advocacy Office | on-going | provide the agenda and meeting notes of the Farmer's Advocacy meetings on a quarterly basis | May 21, 2015 |