



PEACE RIVER REGIONAL DISTRICT  
ELECTORAL AREA DIRECTORS COMMITTEE MEETING

A G E N D A

---

Thursday, June 15, 2017  
in the Regional District Office Boardroom, 1981 Alaska Avenue, Dawson Creek, BC  
Commencing at 10 a.m.

---

1. CALL TO ORDER: **Director Goodings to Chair meeting**
2. DIRECTOR'S NOTICE OF NEW BUSINESS:
3. ADOPTION OF AGENDA:
4. ADOPTION OF MINUTES:  
M-1 Electoral Area Directors' Committee Minutes of April 20, 2017
5. BUSINESS ARISING FROM THE MINUTES:
6. DELEGATIONS  
10:30 a.m. D-1 Kyle Rezanoff, Ecosystems Biologist, Ministry of Forests, Lands and Natural Resource Operations, and Ed Green, Resident - Beaver Problems
7. CORRESPONDENCE:
8. REPORTS:  
R-1 May 30, 2017 - Tyra Henderson - Old Fort/Hudson's Bay Cemetery  
R-2 June 9, 2017 - Bruce Simard, General Manager of Development Services - Bylaw Enforcement Policy Update Regarding Development Applications Submitted as a Remedy for Bylaw Contravention
9. NEW BUSINESS:  
NB-1 Supporting EA Directors – Impact of new EA Manager Discussion (Chris Cvik)  
NB-2 June 13, 2017 - Director Goodings / Paulo Eichelberger, General Manager of Environmental Services - North Pine TV Tower (Handout)  
NB-3 Wartenbe Windfarm in Rolla  
NB-4 Sonnet Development Application
10. COMMUNICATIONS:
11. DIARY:
12. ADJOURNMENT:



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

**M-1**

DATE: April 20, 2017  
PLACE: Regional District Office Boardroom, Dawson Creek, BC  
PRESENT:

DIRECTORS: Karen Goodings, Electoral Area 'B' and Meeting Chair  
Brad Sperling, Electoral Area 'C'  
Leonard Hiebert, Electoral Area 'D'  
Dan Rose, Electoral Area 'E' (via telephone)

STAFF: Chris Cvik, Chief Administrative Officer  
Trish Morgan, General Manager of Community Services  
Bruce Simard, General Manager of Development Services  
Deborah Jones-Middleton, Protective Services Manager  
Fran Haughian, Communication Manager  
Aden Fulford, GIS Coordinator  
Ronda Wilkins, Executive Assistant

CALL TO ORDER Chair Goodings called the meeting to order at 10:00 a.m.

ADOPTION OF AGENDA:

March 16, 2017 Agenda MOVED by Director Rose, SECONDED by Director Hiebert,  
That the Electoral Area Directors' Committee agenda for the April 20, 2017 meeting be adopted,;

CALL TO ORDER: Director Goodings to Chair meeting

DIRECTOR'S NOTICE OF NEW BUSINESS:

ADOPTION OF AGENDA:

ADOPTION OF MINUTES:

M-1 Electoral Area Directors' Committee Minutes of March 16, 2017

BUSINESS ARISING FROM THE MINUTES:

BA-1 Deborah Jones-Middleton, Protective Services Manager, Digital Road Atlas

DELEGATIONS

D-1 Stu Garland and Ian Campbell, Moberly Lake Community Association - Moberly Lake Shoreline  
Condition Assessment (10:30 a.m.)

CORRESPONDENCE:

REPORTS:

R-1 March 2, 2017 - Bruce Simard, General Manager of Development Services - Consultation with  
Municipalities Regarding Municipal Participation in and Voting on Electoral Area Planning

R-2 March 31, 2017 - Erin Price, Bylaw Enforcement Officer - Enforcement File Quarterly Update.

NEW BUSINESS:

NB-1 Boards from the Chetwynd Arena [Director Goodings]

COMMUNICATIONS:

DIARY:

ADJOURNMENT:

CARRIED.

BUSINESS ARISING FROM THE MINUTES:

Digital Road Atlas

Staff prepared maps in response to the resolution to review the Digital Road Atlas (DRA) map and consider amending the existing Provincial DRA Locality Boundaries to better represent community boundaries and that the amended maps be brought back to the Electoral Area Directors' Committee for final review and recommendation to the Board.

The Electoral Area Directors asked staff to expand (zoom in) the maps of each of the electoral areas to show the residences and to make the Charlie Lake area a priority.

**June 15, 2017**

ADOPTION OF MINUTES:

M-1  
EADC meeting minutes of  
March 16, 2017

MOVED by Director Hiebert, SECONDED by Director Rose,  
"That the Electoral Area Directors' Committee Meeting minutes of March 16, 2017 be adopted."  
CARRIED.

Vary the Agenda

MOVED by Director Rose, SECONDED by Director Sperling,  
"That the agenda be varied to deal with item D-1."  
CARRIED

DELEGATION:

Moberly Lake Community  
Association

Stu and Linda Garland present their report to the Committee on the Moberly Lake Shoreline Condition Assessment. Mr. Garland noted concerns that information needs to be provided to residents in regards to the Lakeshore Guidelines and that information be provided to the realtors within the area.

Director Rose suggested that there may be an opportunity to provide more information to residents by including the Lakeshore Guidelines within the Building Permit package.

REPORTS:

R-1  
Municipalities Participation  
in and Voting on Electoral  
Area Planning

MOVED by Director Rose, SECONDED by Director Hiebert,  
"That the Electoral Area Directors' Committee recommends to the Regional Board that staff prepare four packages for each electoral area and Electoral Area Director, for presentation to all of the municipal councils within the region on options for participating in and voting on the Electoral Area Planning function."  
CARRIED.

It was noted that a further option of not participating be included within the packages.

The Committee recessed the meeting at 11:25 p.m.

The Committee reconvened the meeting at 11:51 p.m.

R-2  
March 31, 2017  
Erin Price, BEO –  
Enforcement File Quarterly  
Update

MOVED by Director Sperling, SECONDED by Director Rose,  
"That the Electoral Area Directors' Committee recommends to the Regional Board

- a) That immediate enforcement be initiated against 11040 271 RD - NE 1/4, S4, TP84, R19, W6M, Peace River (WALTER, Peter and Agnes) for using the property for industrial purposes including trucking, oil tanks and industrial washing which are not permitted uses in the A-2 Zone applicable to the property, and:
- b) That staff be directed to prepare a detailed report regarding the case including options and recommendations for enforcement to be presented to the next appropriate Board meeting, after advising the landowner of the Board's consideration to proceed with enforcement."

CARRIED.

Adjournment:

The Chair adjourned the meeting at 12:12 p.m.

**June 15, 2017**



---

**POLICY NO. 11.06**

**FEBRUARY 9, 2016**

**TITLE: BEAVER MANAGEMENT PROGRAM**

---

**POLICY STATEMENT:**

Westlock County's Beaver Management Program provides beaver management or beaver dam removal on private and public land. Beaver management will be done on a request basis only on private land. Beaver management will be done on Public and County owned land as required.

This policy provides the guidelines to ensure the management of beavers and the removal of beaver dams on private and public land is undertaken in an as efficient and effective manner as possible; giving consideration to human safety, municipal liabilities and the mitigation of non-target animal capture.

**PURPOSE:**

- To protect the County road infrastructure and public safety by removing beavers and dams that are or will cause flooding on County road allowances,
- To provide flood prevention and relief on agricultural lands by removing beaver dams,
- To provide a contract service of beaver management and/or beaver dam removal for other levels of government.

**DEFINITIONS:**

**Contractor** means the person or company the County hires to perform the tasks outlined in this policy.

**County** means the municipal corporation of Westlock County.

**County road allowance or road allowance** refers to land that is

- owned and set aside by the Province of Alberta for roads,
- under the direction, control and management of Westlock County, and
- either has or doesn't have a road constructed on it.

## 1. AUTHORIZATION AND RESPONSIBILITIES:

- 1.1. The County is granted the authorization to remove beaver dams and trap on County controlled lands and public and private lands to which it has access, under the authority of the *Wildlife Act* by way of a Damage Control License from Alberta Environment and Parks, Fish and Wildlife Division.
- 1.2. The Manager of Agricultural Services / Agricultural Fieldman is responsible for conducting and supervising the Beaver Management Program outlined in this policy.
- 1.3. The Contractor hired by the County is responsible for securing a Damage Control License when such a license is required by law. The Manager of Agricultural Services / Agricultural Fieldman is responsible for securing any necessary licenses, permits and infrastructure required for the transportation, storage, and the use of explosives.
- 1.4. The Manager of Agricultural Services / Agricultural Fieldman is responsible for ensuring all beaver management work is conducted according to the Department of Fisheries and Oceans under the *Fisheries Act* (Schedule B), and in compliance with Alberta's *Water Act*. The County has a guiding document for Beaver Control, attached as Schedule A.
- 1.5. The Contractor is responsible for ensuring his/her safety as well as the public's safety (including property, buildings, infrastructure, et cetera) when conducting beaver management work and has the authority to refuse to carry out any work if conditions are not safe.
- 1.6. The Contractor is responsible to take into consideration the characteristics of the site and the consequences of the control work.

## 2. BEAVER CONTROL ON MUNICIPAL ROAD ALLOWANCES:

- 2.1. The Contractor or designate is authorized to manage beaver and/or remove beaver dams within County road allowances.
- 2.2. Beaver management work will be carried out on County road allowances as required. The intent is to prevent flooding problems and damage to the road

infrastructure before they occur.

- 2.3.** If the beaver and/or dams are located off of the County road allowance, notification must be given to the landowner and written permission to enter upon lands must be obtained from the landowner.
- 2.4.** If a landowner will not authorize the County to carry out beaver management work on their land the matter will be referred to Alberta Environment and Parks for investigation under the *Water Act*, the *Wildlife Act*, or any Act of Alberta that bestows powers to the County for the protection of County road infrastructure and public safety.
- 2.5.** The Contractor or designate may use explosives to remove blockages to culverts located on County road allowances, provided they first receive permission from the Director of Transportation and Infrastructure, or the Chief Administrative Officer.

### **3. BEAVER MANAGEMENT ON PRIVATE LANDS:**

- 3.1.** Beaver management work will be done on a complaint basis in situations affecting private agricultural land.
- 3.2.** When manpower or resources are limited, the County has the right to refuse service. Beaver problems affecting County infrastructure will have priority.
- 3.3.** The landholder must sign a "Permission to Enter Upon Lands for Problem Wildlife Control Form" (Schedule C) prior to any beaver management work being done.
- 3.4.** There will be a service charge applied for beaver control work when it is performed on private land as per section 2 of Schedule A.
- 3.5.** A landholder who requests services for beaver management work on land other than theirs (beaver on neighbouring land affecting the landholder's land) will be responsible for the service charges, notifying the landowner and gaining the landowner's permission for entry upon said lands upon where the dam is located.
- 3.6.** Trapping to remove beavers will be conducted in a fashion that reduces the risk of non-target animal capture and takes into consideration the safety of the public.

**3.7.** The County will not remove any blockages manually or with dynamite, to culverts, bridges or other infrastructure located on private land. The responsibility for removal of such blockages rests with the landholder.

**4. PROCEDURES FOR REMOVAL OF BEAVER DAMS:**

**4.1.** The County will not remove beaver lodges using dynamite given the limited value of such an exercise.

**4.2.** The County will remove only the necessary section of the beaver dams as required to facilitate the flow of water. Removal of the entire dam structure could result in severe downstream flooding and an increased risk to people and property from a larger blast zone.

**4.3.** Where explosives cannot be safely detonated, or the use of explosives will have limited or no effect on breaching the beaver dam, the landholder will be responsible for utilizing alternative methods to remove the dam.

**4.4.** Removal of blast debris is the responsibility of the landholder.

**5. DISCHARGE OF FIREARMS:**


**5.1.** The Contractor and/or his designate may discharge a firearm in the performance of their duties under this policy.

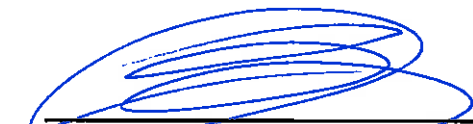
**6. DISPOSAL OF CARCASSES:**

Carcasses will be removed and disposed of in an appropriate manner by the contractor or designate.

MOTION: #57116

DATE: February 9, 2016

  
\_\_\_\_\_  
Peter Kelly  
Chief Administrative Officer

  
\_\_\_\_\_  
Bud Massey  
Reeve

**Guidelines for Beaver Dam Control  
Schedule A**

1. Removal or breaching of beaver dams should be carried out in a manner that minimizes downstream sediment load. Only a small portion of a dam should be removed at one time to allow the water from the beaver pond to be released slowly. As water levels decrease, the size of the opening may be increased to allow drainage to the desired level in the upstream pond. The water should be drained such that the sediment contained in the bottom of the pond is not released. This may require the removal to be conducted over a period of a few days depending on the size of the dam and the amount of water that needs to be released to alleviate flooding.
2. There will be a service charge of \$60.00 per call for removal of dams using explosives, and a \$30.00 charge to set traps and \$10.00 daily charge to check traps. The County will not perform any hand removal of beaver dams.
3. Areas downstream of the beaver dam should be monitored during removal/breaching activities to determine whether impacts are occurring to the channel and adjacent properties receiving additional water volumes. If damage is occurring, the rate of breaching may be slowed to prevent further damage.
4. If more than one dam is to be removed in a section of stream, dams should be breached and removed in order starting at the downstream dam and working in an upstream direction.
5. Disturbance to aquatic and riparian vegetation should be minimized and any areas disturbed should be stabilized and re-vegetated upon completion of the work.
6. Spoil materials removed from the beaver dam should be deposited in an area separated from the water course by a well-vegetated area and stabilized such that they do not re-enter the water course. Spoil includes any material associated with the beaver dam removed from the channel such as sediment, rocks, vegetation, and woody debris.
7. Fish that become trapped in isolated pools as a result of beaver pond de-watering or stranded in newly flooded areas below the dam may be relocated unharmed to the main channel of the water course.
8. No instream work should occur outside of the footprint of the beaver dam or outside of a road right-of-way where woody debris is being removed.



9. Appropriate precautions should be taken to ensure that deleterious substances do not enter any water course.
  - a. There should be no instream use of tracked or wheeled equipment or excavation of the streambanks. Equipment should be operated in dry weather conditions from the banks or road.
  - b. The cleaning, fueling and servicing of equipment should be conducted in an area from which spills or wash water will not enter fish habitat.
  - c. Equipment operating near any water course should be properly maintained in sound mechanical condition and free of any fuel, oil, and hydraulic fluid or coolant leaks.
  - d. Any spilled materials should be cleaned up as soon as possible and disposed of in an environmentally safe manner. Spilled material should not be left where it may enter any water course.
  - e. If these measures are insufficient for effective control, it is the responsibility of the proponent to implement alternative measures as required for effective deleterious substance control.
10. Where explosives are used, the following measures should also be employed:
  - a. No more than 1 kilogram of explosive should be detonated at any one time. If more than 1 kilogram is required to achieve an effective breach, subsequent charges should be detonated separately allowing sufficient time between charges to ensure breaching occurs slowly and downstream sedimentation, debris load and scour to the streambed is minimized.
  - b. Charges should be set into the upstream side of the dam at a location above the natural streambed so that the detonation of the explosives does not alter the profile of the streambed.

Providing that the criteria in these guidelines are followed, and the aforementioned mitigation measures are implemented, the proposed works will not likely result either in a harmful alteration, disruption or destruction of fish habitat, nor in the killing of fish by means other than fishing. As such, authorization under subsection 35(2) or section 32 of the *Fisheries Act* will not be necessary. Any harmful alteration, disruption, or destruction of fish habitat occurring as a result of failing to implement the prescribed mitigation measures may result in contravention of the *Fisheries Act*.

**Regional Beaver Dam Removal Plan  
Schedule B**

The plan outlines the use of explosives or mechanical devices for the removal of beaver dams that are causing flooding or damage on private or municipal properties. The plan covers most dam removals; however, there may still be situations when we will contact the Federal Government's Department of Fisheries and Oceans for a site-specific assessment on Class C watercourses.

Legal land descriptions of Westlock County:

TWP 57-64 RGE 23-27 W4, 1-2 W5

Named Class C watercourses in Westlock County as stated in the Code of Practice Map from Alberta Environment and Parks, available on their website [aep.alberta.ca](http://aep.alberta.ca).

French Creek	Bolloque Creek	Wabash Creek	Red Water River
Shoal Creek	Dapp Creek	Wiesel Creek	Tawatinaw River
Cedar Creek	Bear Creek	Smela Ditch	

And any tributary within 2 kilometres of a designated Class C watercourse.

Beaver dams will be breached when the dam is causing flooding of private land or when road infrastructure is in danger of being damaged. The breaching of the dam will be done slowly so as not to disturb or have a downstream effect.

Beaver dams will be removed by three means:

1. Explosives will be used in situations where equipment is not able to get close enough to be used to breach the dam. Where ever possible charges will not be used within 30 metres of a spawning bed.
2. Equipment such as backhoes, rubber wheeled grad-all, or a track hoe will be used where ever possible to breach the dam.
3. Manual methods will be used in situations where there is a danger of damaging power lines, gas lines, or where other means are not feasible.

Explosives will be used if it is the only feasible means of removing or breaching the dam causing damage.

Up to 1 kilogram charges of explosives will be used.

The charges will be placed 30 centimetres above the bed when practical, the charges will be placed in the centre of the dam on the upstream side to cause a breach in the dam material and not disturb the profile of the streambed.

If more than one dam is to be removed on the watercourse, the down stream dams shall be removed first.

Small portions of the dam will be removed at a time to prevent the disturbance of the downstream sediment.

Dams on Class C watercourses will not be breached during the spawning period of April 16 to June 30.

Upstream disturbance will be done prior to detonation of the explosive.

Downstream inspection will take place to investigate any fish-bearing habitat prior to detonation.

Downstream effects will be monitored during the breach of the dam.

If any fish are trapped downstream or stranded by the breaching they will be relocated into the main stream of the watercourse.

Residents will be encouraged to leave dams which are not causing flooding.

Prior to the blasting of any dam on a Classic C watercourse during the restricted activity period, Westlock County will contact the regional Department of Fisheries and Oceans office and make them aware of the location and the time of the blasting. If it is a Class D, unmapped or un-coded watercourse Westlock County does not need to contact Department of Fisheries and Oceans; however, Westlock County will consult with Department of Fisheries and Oceans on how to proceed.

<http://www.mywildalberta.com/trapping/regulations/control-of-problem-wildlife.aspx>  
[mywildalberta.com](http://www.mywildalberta.com)

# Control of Problem Wildlife | AEP

4-5 minutes

---

Regulations allow landholders (residents only) to take immediate action to control some problem wildlife. The following privileges are beyond those permitted under fur management licences.

Contact your Fish and Wildlife field office when furbearers other than the species shown in this section are destroying property, as a damage control licence may be necessary:

**Note:** Section 40 of the Wildlife Act specifies that no person shall hunt wildlife or discharge firearms on or over occupied lands, or enter on such lands for the purpose of doing so, without the consent of the owner or occupant.

## Beaver

- May be hunted and trapped, without a licence and during all seasons, on privately owned land by the owner or occupant of the land, or by a resident with written permission from the owner or occupant of the land.

## Wolf

- May be hunted — but not trapped — without a licence during all seasons, as follows:
  - On privately owned land by the owner or occupant of the land, or by a resident with permission from the owner or occupant.
  - On public land by a person authorized to keep livestock on that land, or by a resident who has written permission from that authorized person.

**Note:** The above authorities to hunt wolves extend to lands within 8 km (5 mi.) of the land described above, provided the authorized person or resident has right of access.

## Coyote

- May be hunted — but not trapped — at all times of the year throughout the province:
  - By a resident who has right of access to hunt on the lands that are not public lands within the Green Area.
  - By the owner or occupant of privately owned land, on the privately owned land.
  - By a person maintaining livestock on public land, on that public land.
  - On lands described in the point above that are in the Green Area, by a resident who is authorized in writing by the person described in the point above.

**June 15, 2017**

**Red Fox**

- May be hunted — but not trapped — without a licence and during all seasons, by a resident on privately owned land to which the resident has the right of access.

**Badger**

- May be hunted, without a licence and during all seasons, by a resident on privately owned land to which the resident has the right of access.

**Skunk and Raccoon**

- May be hunted or trapped during all seasons by the owner or occupant of land, or by a person authorized by the owner or occupant, or by the holder of a licence authorizing the trapping of furbearing animals.

**Rabbit or Hare**

- May be hunted by a resident without traps, throughout the province at any time of year, without a licence. A resident may use snares to take rabbit or hare, provided the snare meets the requirements set out in the Alberta Guide to Trapping Regulations.

**Bobcat**

- May be hunted — but not trapped — by a resident in WMUs 102, 104, 106, 108, 112, 116, 118 and 119 and that part of WMU 110 east of Highway 2 and south of Highway 3.

**For further information on wolf and coyote hunting, including seasons, refer to:**

Updated: Jul 23, 2015

---

**June 15, 2017**



Field1.jpg

Object 1 & 2     Slough  
Object 3 & 4     Hay Field

What has happens over the last 7 years is that the beaver have continually increased the size of the slough into what is now a small lake. The level has now risen now to where it is spilling over the edge and the water is now flowing into my field (Object 4).

Note: The slough is higher than my field. Since this is the latest Google image which is a couple years old the slough is much larger now.

Since the field (Object 4) slopes toward the other slough (Object 2). The beaver have also dammed it to where the water is now spilling into the other hay field.

**June 15, 2017**





Field2.jpg

Object 1 & 2 Hay Field

Object 3 Bush which is flooded

Object 4 & 5 Pasture

The beaver have dammed the Tate Creek to where both hay fields (Object 3 & 4) are impassable.

This spring pasture #5 was starting to flood as the creek water was backing up in the ditch.

Pasture (Object 4) I am unable to use as pasture as the creek level as risen to where it is now flooded.

Note: The 213 road was under water most of 2015 because of the Creek rising. So what CRS did was raise the road by about 18 inches.

Since this is the latest Google image which is a couple years old, Tate Creek is much higher and wider then normal.

June 15, 2017



## Ministry of Forests, Lands and Natural Resource Operations (MFLNRO) – Ecosystems Section

### Guidance for Nuisance Beaver and Beaver Dam Removal – Northeast Region

This document has been developed as guidance for landowners to provide insight as to the regulatory requirements around the removal of nuisance beaver and their dams. This document also provides best management practices (BMP's) to facilitate removal of dams and has suggestions how to manage these areas frequented by beavers over the long term.

#### Removing dams

Typically a permit would be required to remove a beaver dam, however, the prohibition against removing beaver dams is excused under the following three circumstances as stated in Section 9 of the Provincial Wildlife Act<sup>1</sup>:

- 1) Section 9 (2) (a) provides the lawful authority to a licensed trapper to remove beaver dams. This is not limited to the licensed trapper who holds the registered trap line in an area. A licensed trapper (s. 11(8) of the Act) or an Indian residing in British Columbia (s. 11(9)) may also remove the beavers.
- 2) Section 9 (2) (b) provides for beaver dam removal if taken to provide irrigation or drainage under lawful authority for the protection of property. The test for lawful authority is quite low and goes to ownership of the property in question. If the *landowner* wants to remove the beaver dam to provide irrigation or drainage for the protection of property, the lawful authority extends to designating another person to do it on the *landowner's* behalf, for example, an excavator operator. *Property* includes any right, title, interest, estate or claim to or in property (Interpretation Act).
- 3) Section 9(2)(c) excuses the prohibition by obtaining a permit (if 1 or 2 don't apply).

Please note that the above does not exempt a person from other provincial (e.g. Water Sustainability Regulation<sup>2</sup>), federal (e.g. Fisheries Act) or municipal legislation and activities are still subject to the requirements of the other applicable Acts. For example, removing beaver dams either by hand or with a machine is considered by DFO to be a project that does not require their review<sup>3</sup>. A person is still required to avoid causing serious harm to fish or contravening Species at Risk Act prohibitions<sup>4</sup>.

<sup>1</sup> [http://www.bclaws.ca/EPLibraries/bclaws\\_new/document/ID/freeside/00\\_96488\\_01](http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96488_01)

<sup>2</sup> [http://www.bclaws.ca/civix/document/id/complete/statreg/36\\_2016](http://www.bclaws.ca/civix/document/id/complete/statreg/36_2016)

<sup>3</sup> <http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>

<sup>4</sup> <http://laws.justice.gc.ca/eng/acts/S-15.3/page-4.html#h-14>





Following best practices such as those described in the measures to avoid harm will help to avoid causing harm and aid in complying with the Fisheries Act and Species at Risk Act<sup>5</sup>.

Beaver dam removals require that a notification be submitted to the province prior to the commencement of project works. Notifications are used for low risk changes in and about a stream, specified in Part 3 of the Water Sustainability Regulation that have minimal impact on the environment or third parties. The work must meet the requirements of the Water Sustainability Regulation, and comply with any conditions set out by a Habitat Officer in response to a notification.

An applicant must submit notification of proposed work to FrontCounter BC<sup>6,7</sup> a minimum of 45 days before beginning work. Submitting more than 45 days ahead of time is recommended. If an applicant does not hear back from a Habitat Officer with Ministry of Forests, Lands and Natural Resource Operations (MFLNRO) within 45 days (or by the proposed start date, if submitted more than 45 days in advance), the applicant may proceed with the changes provided the applicant ensures that proposed works meet the terms and conditions described in the Water Sustainability Regulation and any terms and conditions specific to the Northeast region<sup>8</sup>. One of the conditions is working within the 'Least-risk Timing Window' for beavers, which in the Northeast Region is from July 15<sup>th</sup> to September 14<sup>th</sup>. If planned dam removal works are proposed to occur outside this window, or if the proposed works will not meet the other terms and conditions, then the works would require a change approval.

A change approval is a written authorization by a Habitat Officer to make changes in and about a stream. Change approvals are granted with terms and conditions attached. The terms and conditions may relate to the time of year in which works may be undertaken, or undertake other measures that protect the aquatic ecosystem, the hydraulic integrity of the stream channel and the rights of water users and landowners downstream. Applications for change approvals are typically referred to other provincial and federal regulatory agencies for comment during the adjudication process. Consultation with First Nations, other water users, community groups or other parties may be required if existing rights could be affected by an application. Once the application has been reviewed by these other stakeholders, the Water Manager will notify the applicant when a decision has been made.

<sup>5</sup> <http://www.dfo-mpo.gc.ca/pnw-ppe/measures-mesures/measures-mesures-eng.html>

<sup>6</sup> <http://www.frontcounterbc.gov.bc.ca/index.html>

<sup>7</sup> <http://www2.gov.bc.ca/gov/content/environment/air-land-water/water/water-licensing-rights/water-licences-approvals/apply-for-a-change-approval-or-submit-notification-of-instream-work>

<sup>8</sup> [http://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/working-around-water/terms\\_and\\_conditions\\_northeast\\_region\\_sept\\_2016.pdf](http://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/working-around-water/terms_and_conditions_northeast_region_sept_2016.pdf)



Recommended practices<sup>9</sup> for the removal of beaver dams:

- 1) Machinery used to remove the dam must work from the stream bank or naturally dry channel rather than within the wetted perimeter of a stream. Only the digging bucket from machinery should enter a stream.
- 2) Where two or more dams in succession will be modified or removed, the dam furthest downstream must be modified or removed first, and its associated pond allowed to drain to the target level, before the next dam upstream can be modified or removed.
- 3) Dam removal must occur slowly, a bit at a time, in order to minimize scouring and the addition of silt to downstream areas. Water flowing through a dam breach should normally not exceed 0.2 square metres in area (i.e., a typical breach could measure 1.0 metre x 20 centimetres in size).
- 4) All material removed from a beaver dam must be side-cast in such a manner that it cannot re-enter the stream.
- 5) All reasonable care must be exercised to avoid damaging any riparian areas during the course of beaver dam modification or removal.

### Removing beavers

#### *Trapping:*

Trapping beavers is the most common control method, with the following options available:

- 1) Contacting a licenced trapper to remove the animals. Please note that a landowner is not obliged to contact the registered area trapline holder; any licenced trapper can remove beavers on private land. MFLNRO can provide contact information for trappers in the region, including the registered trap line holder.
- 2) Involving First Nations trappers – there may be potential to bring in novice First Nations trappers and have them trap beavers as training. MFLNRO can provide contact information for First Nations that may want to participate.
- 3) Completing the trappers course and getting a licence to trap beavers. The course currently costs \$390 and takes three days, but in the long term this may be the most viable option for

<sup>9</sup> <http://www.env.gov.bc.ca/wld/documents/bmp/iswstdsbpsmarch2004.pdf>



interested landowners as far as cost reduction. With this permit, a person could trap in season only unless a 'nuisance permit' under Section 2(b) of the Permit Regulations was acquired.

### *Shooting :*

Section 2(b) of the Wildlife Act Permit Regulation<sup>10</sup> gives authority to a regional manager to issue a permit (nuisance permit) for a resident of BC to hunt, trap or kill wildlife during the open or closed season for the purpose of (i) agricultural crop protection or (ii) controlling wildlife populations. These permits are subject to consultation with First Nations, which takes approximately 30 days, however the process can be expedited at the discretion of the regional manager.

A resident can obtain a permit under the Regulations (2(b)) to shoot the beavers, however that person is still bound by other legislation (e.g. Hunting Regulations<sup>11</sup> – cannot shoot beaver when animal is swimming).

### Long term Solutions

Maintaining flow in the stream once dam(s) have been removed can be very onerous for a landowner<sup>12</sup>; it is highly likely that beavers will return to an area if the habitat is suitable. Once the dams have initially been removed, the area needs to be monitored to ensure that the animals don't return and the trapping/dam removal cycle starts again.

An effective beaver control device called a 'beaver buster' or 'beaver deceiver' can be constructed at existing dams using PVC pipe and steel post (Figure 1). This device allows water to flow through a dam without the beavers attempting to block the pipes. With this solution, beavers can exist in a stream while allowing drainage to be maintained, thus protecting land and infrastructure.

---

<sup>10</sup> [http://www.bclaws.ca/EPLibraries/bclaws\\_new/document/ID/freeside/253\\_2000](http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/253_2000)

<sup>11</sup> <http://www.env.gov.bc.ca/fw/wildlife/hunting/regulations/>

<sup>12</sup> [http://www.lrconline.com/Extension\\_Notes\\_English/pdf/bvr.pdf](http://www.lrconline.com/Extension_Notes_English/pdf/bvr.pdf)

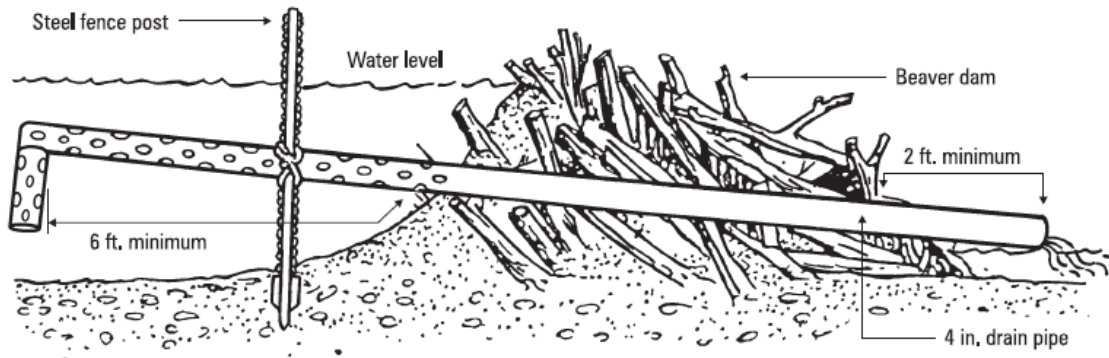


Figure 1. Beaver dam reservoir drainage device. Photo taken from Government of Alberta Agri-Facts technical note Agdex 681-1.



# Peace River Regional District REPORT

R-1

To: Chair and Directors

Date: May 30, 2017

From: Tyra Henderson, Corporate Officer

Subject: Old Fort/Hudson's Bay Cemetery

---

## RECOMMENDATION(S): *[All Directors - Corporate Unweighted]*

1. That the report from the Corporate Officer regarding cemetery designation status of the Old Fort/Hudson's Bay Cemetery be received for information and referred to the Electoral Area Directors' Committee.

## BACKGROUND/RATIONALE:

In November of 2011, then Director Hadland requested that staff apply for cemetery designation for the Old Hudson Bay (Old Fort) Cemetery site. At the April 27, 2017 Board meeting, staff were asked to continue to investigate options for obtaining cemetery status for the Old Fort Site – Hudson's Bay Cemetery.

Staff have reviewed the research done to date regarding the status of the Old Fort/Hudson's Bay Cemetery and can report the following:

- The property is owned by the Crown.
- The property is designated P – Parks, Open Space and Natural Environment in the NP Fringe OCP Bylaw No. 1870. The relevant section of the OCP Bylaw is attached, which outlines the goals and objectives for land carrying this designation. Policy 1 identifies cultural and heritage sites as a principal uses, and Policy 6 speaks to working with various stakeholders to identify and protect sites of scenic, heritage, cultural, and historical significance.
- The property is zoned P-1 Parks and Open Space Zone in Zoning Bylaw 1343, 2001. The relevant section of the Zoning bylaw is attached, which lists a cemetery as a permitted use in the P-1 zone.
- Registered on the title to the property under Charge # BB69638 is a 'Certificate of Public Interest' which means that the property is protected as a cemetery "forever", regardless of ownership, as this certificate is registered against the title and runs with the land, even if sold or otherwise disposed of. (There is an additional application process required to actually operate a cemetery or apply for a place of internment.)

Staff spoke with Heather Hopkins, Senior Portfolio Administrator, FLNRO regarding the property. She was not certain whether or not any internments had actually taken place in the cemetery, or if they had, if there were records. Staff visited the site recently and observed only a large cairn which lists the names of approximately 50 people though there are not any individual headstones.

Ms. Hopkins advised that the PRRD could apply for a licence of occupation for the property through Front Counter BC. Once a licence of occupation was granted, a process that typically takes about 140 days, the cemetery could be fenced, a new larger monument could be installed, and the site could be maintained (mowed). All of these items would require allocation of funding, so it is suggested that this

Staff Initials:

Dept. Head:

June 15, 2017

CAO:

Page 1 of 2

report be referred to the Electoral Area Directors Committee for a determination about whether the PRRD wishes to take on this project and subsequently the Rural Budgets Administration Committee for funding approval.

### **OPTIONS:**

This report is provided for information only, with further decisions regarding whether to pursue the operation of a cemetery at this location the responsibility of the Electoral Area Directors Committee (EADC). Should EADC decide to include the cemetery in the cemetery function, they would need to first determine the desired level of service (fencing, signage, summer mowing and maintenance only or winter as well) and then determine the cost of providing that service. Once service costs were known, the Rural Budgets Administration Committee would need to provide funding approval as the cemetery function funding is delegated to them through Rural Budgets Administration Committee Bylaw No. 1166, 1998, as amended.

### **STRATEGIC PLAN RELEVANCE:**

This project can be characterized as supportive of the Regional Recreation objective to work with Peace River Region residents to have continued access to facilities for recreational and **cultural** purposes.

### **FINANCIAL CONSIDERATION(S):**

The institutional application fee for a licence of occupation is \$200.00 and the process is anticipated to take up to 140 days. Cemetery Services Establishment Bylaw No. 839, 1993 establishes as an extended service, the operation, development, and maintenance of cemeteries in Electoral Areas B, C, D, and E. The bylaw specifies that the costs for the service shall be borne by the electoral area for which the cemetery services are provided, which in this case, is Area C.

Unallocated funding in the amount of \$10,000 exists in the 2017 Cemeteries Budget line item (5160) for Area C, made up of an annual \$5,000 allocation and carry forward funds from the Old Fort Cemetery Sign and Fencing Project. In 2015, funding was approved through a grant in aid to the North Peace Historical Society to install a fence, however, the Society decided not to pursue obtaining the licence to the Crown land and therefore did not complete the fence. They did install road signs marking the cemetery. The cost to fence the property with 5 ft. high chain link fencing, including access gates, is approximately \$25,000. No estimates were sought regarding weekly mowing and garbage removal services. This service could be provided by an interested community group, if any, through a Grant In-Aid, or could be advertised for a contractor to provide the service. Depending on the desired frequency of mowing, PRRD staff may be able to add this task to the Field Services work schedules.

### **COMMUNICATIONS CONSIDERATION(S):**

### **OTHER CONSIDERATION(S):**

#### **Attachments:**

PRRD Property Report and Title Search  
Cemetery Services Establishment Bylaw No. 839, 1993  
North Peace Fringe Area OCP Bylaw 1870, 2009 excerpt (P section)  
Zoning Bylaw 1343, 2001 excerpt (P-1 section)

**June 15, 2017**





# Peace River Regional District

18-May-2017

PID: 010-496-581

Roll Number: 760-007984.013

Legal Description: L 9 BK 1 SEC 19 TP 83 R 18 W6M PEACE RIVER PL 14194

### Parcel Size

0.37 Hectares

0.91 Acres



This map is a user-generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. Peace River Regional District should be contacted for information regarding other conditions such as easements, rights-of-way or covenants.

**June 15, 2017**

**TITLE SEARCH PRINT**

File Reference:

2017-05-23, 10:53:01

Requestor: Barb Coburn

**\*\*CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN\*\*****R-1**

<b>Title Issued Under</b>	SECTION 172 LAND TITLE ACT
<b>Land Title District</b> Land Title Office	PRINCE GEORGE PRINCE GEORGE
<b>Title Number</b> From Title Number	E5607 85453M
<b>Application Received</b>	1970-05-19
<b>Application Entered</b>	1970-06-08
<b>Registered Owner in Fee Simple</b> Registered Owner/Mailing Address:	HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA NO ADDRESS ON FILE FOR THIS OWNER
<b>Taxation Authority</b>	Peace River Assessment District
<b>Description of Land</b> Parcel Identifier: Legal Description:	010-496-581 LOT 9 BLOCK 1 SECTION 19 TOWNSHIP 83 RANGE 18 WEST OF THE 6TH MERIDIAN PEACE RIVER DISTRICT PLAN 14194
<b>Legal Notations</b>	FOR RESTRICTIONS ON DEALINGS, SEE CREMATION, INTERMENT AND FUNERAL SERVICES ACT, <b>SEE BB696938</b>
<b>Charges, Liens and Interests</b>	NONE
<b>Duplicate Indefeasible Title</b>	NONE OUTSTANDING
<b>Transfers</b>	NONE
<b>Pending Applications</b>	NONE



11 AUG 2008 11 10

BB0696938

**BPCPA**

**BUSINESS PRACTICES &  
CONSUMER PROTECTION AUTHORITY**  
OF BRITISH COLUMBIA

**IN THE MATTER OF THE  
*CREMATION, INTERMENT AND FUNERAL SERVICES ACT***

AND

LN 08/08/11 11:10:19 02 LM  
DOC FILE853718  
\$21.75

**IN THE MATTER OF  
THE HUDSON'S BAY COMPANY CEMETERY IN FORT ST JOHN, B.C.**

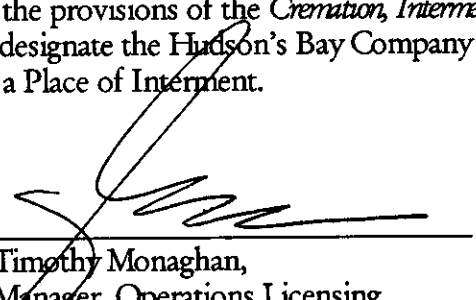
**CERTIFICATE OF PUBLIC INTEREST**

**WHEREAS** the BUSINESS PRACTICES & CONSUMER PROTECTION AUTHORITY, in Victoria, British Columbia has applied for a Certificate of Public Interest to designate the Hudson's Bay Company Cemetery in Fort St. John, B.C., as a Place of Interment on the land, namely:

**Parcel Identifier - 010-496-581**  
Lot 9, Block 1 Section 19 Township 83,  
Range 18 West of the 6<sup>th</sup> Meridian  
Peace River District Plan 14194

**AND WHEREAS THE DIRECTOR** has approved the designation as a place of interment and is satisfied from the evidence submitted in accordance with the terms and regulations made pursuant to the *Cremation, Interment and Funeral Services Act* and is in the public interest;

**IT IS HEREBY CERTIFIED THAT** pursuant to the provisions of the *Cremation, Interment and Funeral Services Act*, it is in the public interest to designate the Hudson's Bay Company Cemetery in Fort St. John, B.C. as a Place of Interment.

  
Timothy Monaghan,  
Manager, Operations Licensing  
Business Practices and Consumer  
Protection Authority of British Columbia

May 14, 2008

**June 15, 2017**

## PEACE RIVER REGIONAL DISTRICT

BY-LAW NO. 839, 1993

A by-law to convert the function of Cemetery Grants-In-Aid for Electoral Areas B and C to an extended service and include Electoral Areas D and E as participants

WHEREAS pursuant to Section 767(4) of the Municipal Act, a regional district exercising a power to provide a service other than a general service, may adopt a by-law respecting that service which:

- a) meets the requirements of section 794 for a by-law establishing a service, and
- b) is adopted in accordance with the section 802 as if it were a by-law amending a by-law establishing a service;

AND WHEREAS the Board of the Peace River Regional District was granted the function of Cemetery Grants-In-Aid by supplementary letters patent dated October 29, 1987 with Electoral Areas B and C as participating members;

AND WHEREAS the Board of the Peace River Regional District wishes to convert its Cemetery Grants-In-Aid function to an extended service;

AND WHEREAS pursuant to section 790 of the Municipal Act, R.S.B.C 1979, c. 290, as amended, the Lieutenant Governor in Council has, by B.C. regulation #10/93, granted to the Peace River Regional District the additional powers of:

- a) Section 885 of the Municipal Act to operate, develop, and maintain cemeteries, as an extended service with electoral areas B, C, D, and E as participating members, and
- b) Contributing financial aid toward the cost of operating, developing and maintaining cemeteries, as an extended service with Electoral Areas B, C, D, and E as participating members;

AND WHEREAS pursuant to section 800 of the Municipal Act the Board of the Peace River Regional District has waived the electoral assent requirement for Electoral Areas B, C, D, and E and the Directors of Electoral Areas B, C, D, and E have consented in writing to the adoption of this by-law;

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

Service Being Established

1. The function of Cemetery Grants-In-Aid, granted by supplementary letters patent dated October 29, 1987 is hereby established as the extended service of Cemetery Services.

Participating Areas

2. The participants in the extended service, established under section 1, are Electoral Areas B, C, D, and E.

**June 15, 2017**

Cost Recovery

3. The annual costs of the service shall be recovered by requisition under Section 809.1 of the Municipal Act to be collected by a property value tax to be levied and collected under Section 810.1(1) on improvements only.

Apportionment of costs

4. The annual net cost attributable to this service shall be borne directly by that electoral area for which the cemetery services are provided.

Citation

5. This by-law may be cited as "Cemetery Services Establishment By-Law No. 839, 1993".

READ A FIRST TIME this 28th day of January, 1993.

READ A SECOND TIME this 28th day of January, 1993.

READ A THIRD TIME this 28th day of January, 1993.

ELECTORAL ASSENT requirement for Electoral Areas B, C, D, and E waived by the Regional Board this 28th day of January, 1993.

CONSENT in writing to the adoption of this by-law by the Directors of Electoral Areas B, C, D, and E obtained this 28th day of January, 1993.

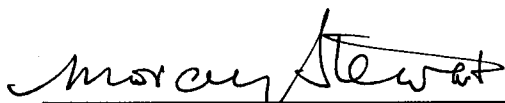
APPROVED by the Inspector of Municipalities this 18th day of February, 1993.

RECONSIDERED, FINALLY PASSED AND ADOPTED this 25th day of February, 1993.


FILED with the Inspector of Municipalities this 4th day of March, 1993.

CERTIFIED a true and correct copy of  
"Cemetery Services Establishment By-Law  
No. 839, 1993".

THE CORPORATE SEAL of the Peace  
River Regional District was hereto affixed  
in the presence of:


  
Moray Stewart, Administrator

  
Ben Knutson, Chairperson

  
Moray Stewart, Administrator

I HEREBY CERTIFY the foregoing to be a true and correct copy of By-Law No. 839, 1993, cited as "Cemetery Services Establishment By-Law No. 839, 1993", as read a third time by the Regional Board of the Peace River Regional District on the 28th day of January, 1993.

DATED at <sup>Chetwynd</sup>~~Dawson Creek~~, British Columbia, this 28th day of January, 1993.

  
Moray Stewart, Administrator

June 15, 2017

## SECTION 10 PARK, OPEN SPACE AND NATURAL ENVIRONMENT (P)

### 10.1 Goal

To support and work collaboratively with all levels of government, First Nations, community organizations, public interest groups, and all members of the community to provide a diverse range of recreational opportunities that may be enjoyed by residents and visitors of the area, while protecting the natural environment which all area residents enjoy.

### 10.2 Objectives

1. To foster an awareness of the need for environmental protection and the importance of preserving wildlife and habitat connectivity in this Plan area, by directing development away from such areas.
2. To recognize the importance of the existing recreational amenities and ensure that areas are identified to meet future needs of the NPFA in co-ordination with provincial agencies.
3. To discourage development that would adversely affect the quality of surface and groundwater sources for present and future users and to collaborate with the provincial government in water protection.
4. To support the availability of public access to lakes and watercourses within the NPFA for all residents to enjoy.
5. To recognize the importance of protecting air quality throughout the Plan area.
6. To encourage the creation of a Parks Management Plan that will support development of recreation opportunities, such as public parks, open space, non-motorized trail network systems and should also address 'all terrain recreational vehicle use'.
7. To recognize provincial policy to reduce future Green House Gas Emissions.

### 10.3 Policies – Park, Open Space, Natural Environment (P)

**Policy 1** Within the Park designation the principal uses of land will generally include but are not limited to: public parks, outdoor recreational uses such as campgrounds, golf courses, cultural and heritage sites of all residents of the area, and agriculture. Such facilities are delineated on Map No. 8, Schedule B.

**Policy 2** Public Parks, ecological reserves, fish and wildlife habitat areas are permitted throughout the Plan area.

**Policy 3** Within the Parks designation the minimum parcel size will not be less than:

- a) **0.8 ha (2 acres)** for lands;
  - i) connected to a community sewage system, or;
  - ii) where soil conditions are suitable for on-site sewage disposal and a system authorized by the agency having jurisdiction regarding sewage disposal;
- d) **1.6 ha (4 acres)** for lands not connected to a community sewage system.;
- e) For those park and open space uses that do not require any sewage disposal, the parcel size may be less than 0.8 ha (2 acres) with a covenant restricting development, unless connected to a community sewage system.

June 15, 2017

### 10.3 Policies – Park, Open Space, Natural Environment (P) (continued)

- Policy 4** To continue involvement in regional park facilities that contributes to the broader interest of parks and recreational opportunities for the local area residents.
- Policy 5** To work with member municipalities and provincial agencies in identifying issues of air quality and work collaboratively towards managing development in such a manner to minimize impacts.
- Policy 6** To work with the general public, committees, societies, organizations, First Nations and provincial agencies in identifying and protecting features and sites of scenic, heritage, cultural, historical, paleontological, or archaeological significance within the Plan area.
- Policy 7** This Plan encourages the Province to enact and maintain an effective groundwater regulation, which emphasizes protection of aquifers, and private and public water sources.
- Policy 8** Within this Plan area the Ministry of Environment is the agency having jurisdiction regarding any works or alterations to a watercourse or within the Charlie Lake Watershed Reserve No. 0288651 and should be contacted directly for requirement details. See Charlie Lake Watershed Reserve referenced on Map No. 10, Sch. B.
- Policy 9** To work collaboratively with the stakeholders and agencies having jurisdiction to discourage damage caused by all terrain vehicles.
- Policy 10** To support future trail network proposals with safety, public interests and agriculture protection as priorities, in the Plan area, inclusive of trails paralleling tributaries such as, Fish Creek, Wilder or Tea Creek for the use and enjoyment of the general public. Trail systems must be in conjunction with the consent and agreement of the private landowners.
- Policy 11** To support local area interest and work that aims at developing watershed plans, such as the Charlie Lake Integrated Watershed Management Plan, based on the importance of protecting these water sources and ecosystems.
- Policy 12** To support and encourages public or private initiatives and organizations that are committed to conservation and preservation of the region's habitat, wildlife connectivity, environment and water protection, such as Ducks Unlimited, Charlie Lake Conservation Society, First Nations or Peace Habitat and Conservation Endowment Trust (PHACET). Further it is important that these activities are sensitive to impacts that may affect agriculture and other surrounding land uses.
- Policy 13** To consider future Plan amendments that work toward establishing targets, policies and actions to reduce green house gas emissions.



- Policy 14** As areas become known or verified as environmentally sensitive, the necessity to protect such areas may be considered, due to their biological diversity and key importance as habitat and wildlife connectivity, and alternative sites for future land use development should be a priority.
- Policy 15** To recognize that the Peace River is one of 20 rivers in BC proclaimed as a 'BC Heritage River' in order to provide greater emphasis on river related values during land use planning processes, to raise awareness of the importance of a healthy river system, to help protect the special values of the river and to build a stronger public support for and involvement in stewardship of the river\*.

**\*Footnote** Provincial Proclamation - Ministry of Environment (BC Parks), British Columbia Heritage Rivers Program. Retrieved on Nov. 25, 2009  
[www.env.gov.bc.ca/bcparks/heritage\\_rivers\\_program/bc\\_rivers.html](http://www.env.gov.bc.ca/bcparks/heritage_rivers_program/bc_rivers.html)



**SECTION 51 P-1 (Park and Open Space Zone - 1.8 ha)**

**1. Permitted Uses**

The following PRINCIPAL USES and no others are permitted in a P-1 zone subject to Part IV of this bylaw and subject to Sub-Section 2 of this Section 51;

- (a) PUBLIC PARK;
- (b) Cemetery;
- (c) Solid waste disposal site;
- (d) Heritage site;
- (e) CAMPGROUND;
- (f) AGRICULTURE;

The following ACCESSORY uses and no others are permitted in a P-1 zone, subject to Part IV of this bylaw and Sub-Section 2 of this Section 51:

- (g) ACCESSORY building and ACCESSORY structure.

**2. Regulations**

Minimum Parcel Size

- (a) The minimum parcel size is 1.8 hectares (4.5 acres).

Height

- (b) No building or structure shall exceed 15 metres (50 ft.) in HEIGHT.

Setbacks

- (c) Except as otherwise specifically 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.

Additional Uses

- (d) The following additional ACCESSORY uses are permitted on lands legally described as:  
Part of Block 1, Plan 3342, Part Southeast 1/4, Section 17, Township 84, Range 19, W6M.
  - (iv) i) Recreation Equipment Rentals; and
  - (v) ii) Mobile Food and Beverage Vendor.

[Bylaw No. 1503, 2004]





# Peace River Regional District REPORT

R-2

To: Electoral Area Directors Committee

Date: June 9, 2017

From: General Manager of Development Services

**Subject: Bylaw Enforcement Policy Update Regarding Development Applications Submitted as a Remedy for Bylaw Contravention**

---

## RECOMMENDATION(S):

**THAT EADC recommends acceptance of proposed changes to the Bylaw Enforcement Policy as proposed in the report date June 9, 2017 by the General Manager of Development Services.**

## BACKGROUND/RATIONALE:

RD/17/04/22

MOVED Director Goodings, SECONDED Director Hiebert,

That staff be requested to draft options to the "PRRD Bylaw Enforcement Policy" on the handling of land use applications brought forward by property owners that are in non-compliance, resulting from a complaint, with zoning or the Official Community Plan, including options for bylaw enforcement on same, for consideration by the Electoral Area Directors' Committee.

**CARRIED.**

The current Bylaw Enforcement Policy is attached. Section 5 & 10 provide direction if a development application is made in response to an enforcement action. It is these section that need to be addressed in regard to this recent resolution of the Board to propose additional options.

Draft revisions have been suggested in an updated version of the policy (shown in red), for consideration of EADC.

## OPTIONS:

## STRATEGIC PLAN RELEVANCE:

## FINANCIAL CONSIDERATION(S):

## COMMUNICATIONS CONSIDERATION(S):

## OTHER CONSIDERATION(S):

Attachments:

1. Current Bylaw Enforcement Policy
2. Draft Bylaw Enforcement Policy Update

**June 15, 2017**

Staff Initials:

Dept. Head:

*Bruce Simard*

CAO:

*Chibrik*

Page 1 of 1





## BYLAW ENFORCEMENT

### PURPOSE

The purpose of the policy is to ensure economy and uniformity of administration and enforcement of the Regional District's bylaws and resolutions; to reduce the Regional District's potential liability; to ensure that staff provide consistent information to the public and to the Board about Regional District regulations; and to reinforce the need for cooperation among departmental staff in solving bylaw enforcement problems.

### APPLICATION

This policy will apply to the investigation of violations and enforcement of all Regional District bylaws as well as the self-help provisions of the *Local Government Act* and any other statutes which apply to the Regional District.

1. (i) Staff are authorized to react to infractions identified through the complaint process and shall not seek out infractions, for the following bylaws:
  - a. zoning bylaws; except as provided by section 2 below;
  - b. unsightly premises bylaw;
  - c. mobile home park bylaw;
  - d. noise bylaw.(ii) For all other existing regulatory bylaws, staff is authorized to react to infractions when observed during working hours.
2. Notwithstanding section 1(i)(a), staff are directed and authorized to investigate bylaw contraventions that may exist after a development application has been denied by the Regional Board or if a permit has expired.
3. When complaints are received that are not in contravention of PRRD regulations but may be in contravention of another agency, staff will direct the complainant to the other agency.
4. When complaints are received that are in contravention of PRRD regulations and another agency staff will advise the landowner and the other agency by way of copy.
5. When a complaint has been received and the landowner makes an application to the Regional Board as a way to remedy the contravention, enforcement will be suspended while the application is in progress, except:
  - (i) if the applicant unreasonably delays the progress of the application, enforcement will commence.

Note: applications that are a result of a bylaw contravention will be noted in the development application report.

6. Staff will first attempt to resolve bylaw infractions by providing information to all interested parties. A mutually agreeable timeframe for compliance will be established and confirmed by staff in writing. Failing a reasonable attempt by the interested parties to comply, the matter will proceed to the Board. Approval of the Board to proceed with enforcement is required. Self-help provisions of the *Local Government Act* may be invoked. Alternatively, the Board may be asked to approve legal assistance and court proceedings.
7. Complainants are required to provide their concerns in writing and under signature, including their name and address to the Regional District. Individuals laying a complaint should be made aware they may be required to provide a legal statement if the matter proceeds to court.
8. Where ever possible, anonymity will be maintained between the complainant and the alleged violator.
9. Staff will apply standard enforcement procedures in all electoral areas unless specifically varied by a Board resolution. Area Directors will be advised in advance where difficult cases have arisen.
10. Where rezoning or other changes are brought to the Board for approval as the result of enforcement actions, the Board report must include comments concerning the enforcement problem so that the Regional Board is fully aware of all the reasons for the proposed rezoning or other changes under the bylaws and the public concern initiating the enforcement action.
11. Enforcement shall be progressive and may include the following remedies:
  - a) Direct enforcement without the involvement of a court generally includes:
    - (i) various attempts at resolution with the interested parties;
    - (ii) if compliance cannot be achieved, report to the Board outlining the contravention with recommendations;
    - (iii) the interested parties are sent a copy of the Regional Board's Report and invited to make a presentation for public consideration at a Regional Board meeting; and
    - (iv) after the public consideration, the Board considers appropriate action to be taken.
  - b) Injunction proceedings, both interlocutory and final, in Supreme Court.
  - c) Quasi criminal proceedings (prosecution) in the Provincial Court.
  - d) Municipal Ticketing Information (MTI)
  - (e) Bylaw Notice Enforcement
12. That correspondence is conveyed by registered mail when dealing with time sensitive requirements.

**BYLAW ENFORCEMENT****PURPOSE**

The purpose of the policy is to ensure economy and uniformity of administration and enforcement of the Regional District's bylaws and resolutions; to reduce the Regional District's potential liability; to ensure that staff provide consistent information to the public and to the Board about Regional District regulations; and to reinforce the need for cooperation among departmental staff in solving bylaw enforcement problems.

**APPLICATION**

This policy will apply to the investigation of violations and enforcement of all Regional District bylaws as well as the self-help provisions of the *Local Government Act* and any other statutes which apply to the Regional District.

- 1) a) Staff are authorized to react to infractions identified through the complaint process and shall not seek out infractions, for the following bylaws:
  - i) zoning bylaws; except as provided by section 2 below;
  - ii) unsightly premises bylaw;
  - iii) mobile home park bylaw;
  - iv) noise bylaw.
- b) For all other existing regulatory bylaws, staff is authorized to react to infractions when observed during working hours.
- 2) Notwithstanding section 1 (a) (i), staff are directed and authorized to investigate bylaw contraventions that may exist after a development application has been denied by the Regional Board or if a permit has expired.
- 3) When Complaints are received that are not in contravention of PRRD regulations but may be in contravention of another agency, staff will direct the complainant to the other agency.
- 4) When complaints are received that are in contravention of PRRD regulations and another agency staff will advise the landowner and the other agency by way of copy.
- ~~5) When a complaint has been received and the landowner makes an application to the Regional Board as a way to remedy the contravention, enforcement will be suspended while the application is in progress, except:
  - a) If the applicant unreasonably delays the progress of the application, enforcement will commence.~~

~~Note: Applications that are a result of a bylaw contravention will be noted in the development application report.~~

**June 15, 2017**

- 5) Staff will first attempt to resolve bylaw infractions by providing information to all interested parties. A mutually agreeable timeframe for compliance will be established and confirmed by staff in writing. Failing a reasonable attempt by the interested parties to comply, the matter will proceed to the Board. Approval of the Board to proceed with enforcement is required. Self-help provisions of the Local Government Act may be invoked. Alternatively, the Board may be asked to approve legal assistance and court proceedings.
- 6) Complainants are required to provide their concerns in writing and under signature, including their name and address to the Regional District. Individuals laying a complaint should be made aware they may be required to provide a legal statement if the matter proceeds to court.
- 7) Where ever possible, anonymity will be maintained between the complainant and the alleged violator.
- 8) Staff will apply standard enforcement procedures in all electoral areas unless specifically varied by a Board resolution. Area Directors will be advised in advance where difficult cases have arisen.
- 9) Where rezoning or other **development** changes are brought to the Board for approval as the result of enforcement actions, the Board report must include comments concerning the enforcement problem so that the Regional Board is fully aware of all the reasons for the proposed rezoning or other changes under the bylaws and the public concern initiating the enforcement action.
  - a) Information about the enforcement action shall be provided in the report before discussion of the development application.
  - b) Recommended options for the development application shall include consideration of the enforcement action.
    - i) The development application may be deferred or refused for consideration until any bylaw contravention is resolved, or;
    - ii) The development application may be considered and proceed to review, which would then suspend enforcement action while such review is in progress, except if the applicant unreasonably delays the progress of the application, enforcement will commence.
- 10) Enforcement shall be progressive and may include the following remedies:
  - a) Direct enforcement without the involvement of a court generally includes:
    - (i) various attempts at resolution with the interested parties;

**June 15, 2017**

- (ii) if compliance cannot be achieved, report to the Board outlining the contravention with recommendations;
  - (iii) the interested parties are sent a copy of the Regional Board's Report and invited to make a presentation for public consideration at a Regional Board meeting; and
  - (iv) after the public consideration, the Board considers appropriate action to be taken.
- a) Injunction proceedings, both interlocutory and final, in Supreme Court.
  - b) Quasi criminal proceedings (prosecution) in the Provincial Court.
  - c) Municipal Ticketing Information (MTI)
  - d) Bylaw Notice Enforcement
- 11) That correspondence be conveyed by registered mail when dealing with time sensitive requirements

**June 15, 2017**

# Handout EADC

## NB-2

From: kgooding [<mailto:kgooding@pris.bc.ca>]  
Sent: Tuesday, June 13, 2017 12:50 PM  
To: Paulo Eichelberger; Director Karen Goodings  
Cc: Chris Cvik <[Chris.Cvik@prrd.bc.ca](mailto:Chris.Cvik@prrd.bc.ca)>  
Subject: Re: North Pine TV

This creates a concern as we are still taxing for this service. I hope we have a bit of time to discuss any options. Please put this on the EDAC agenda and from there a possible motion to the board.

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

From: Paulo Eichelberger <[Paulo.Eichelberger@prrd.bc.ca](mailto:Paulo.Eichelberger@prrd.bc.ca)>  
Date: 06-13-2017 10:34 AM (GMT-07:00)  
To: Director Karen Goodings <[karen.goodings@prrd.bc.ca](mailto:karen.goodings@prrd.bc.ca)>  
Cc: Chris Cvik <[Chris.Cvik@prrd.bc.ca](mailto:Chris.Cvik@prrd.bc.ca)>  
Subject: North Pine TV

Good morning, again, Director,

Following up on my phone message, I've been working on a forthcoming change that a branch of the Federal Government (the Department of Innovation, Science, and Economic Development Canada (ISED)) has been in the process of issuing to Broadcasters over the last couple of months. We fall into the broadcaster list as we supply two analog channels currently to a couple of people in the area.

In a nutshell, this is what is coming forward:

- The government will be terminating their analog frequencies as of August 31, 2017 and switching completely to digital frequencies. I did renew our certificate for now, pending further information from **ISED**.
- ISED has indicated that they would provide us 2 digital versions of the existing channels but to do this, they require us to perform additional works on the tower to make the system compliant with the new digital channels. Based on staff's review of what is required, these works are way beyond our scope and require the services of a consultant.

Given that the budget for this entire function is \$6,000, I'm thinking that our best course of action is to notify the folks on this service that they will no longer be receiving any analog channels after the end of August. I understand that we only have a couple of remaining users of these two TV channels but do not know who they are.

The tower is still used in providing internet service to the rural area through PRiS.

When you have chance, let me know your thoughts on this.

Much thanks,

**Paulo Eichelberger** | General Manager of Environmental Services  
Direct: 250-784-3226 | [paulo.eichelberger@prrd.bc.ca](mailto:paulo.eichelberger@prrd.bc.ca)

**June 15, 2017**



**Briefing Notes - North Pine TV, budget page 118-119 (attached)**

**Current status:**

North Pine Tower is located on a private property through a lease agreement. The tower originally provided a way to relay 2 analog TV Channels to rural residents. Other users have rented or are looking into renting space on the tower for other services:

- Peace River Internet Society (PRiS) currently provides internet to rural residents (this is an ongoing service).
- A public radio station is looking to rent space beginning in the fall to broadcast to rural residents.

The TV analog channels are now being used by very few residents. Whenever the system has an outage, the PRRD office usually receives a complaint from one user.

**Issue:**

- a branch of the Federal Government (the Department of Innovation, Science, and Economic Development Canada (ISED)) has been notifying broadcasters that as of **August 31, 2017**, all remaining analog TV frequencies will be terminated and switched to digital frequencies. In our case, the two existing TV channels will be moved to 2 new digital channels (same programs, but on new digital frequencies).
- We have renewed our certification for the channels, pending information from ISED. We now know that should we keep the re-certification, we will need to provide a report verifying Health Canada's Safety Code 6 Radio frequency exposure guidelines.
- Staff from Env Services and IT Management agree that performing the verification would require an outside consultant, which would be costly given that the North Pine function only runs on a \$6000 budget, part of which includes a \$4,542 tax requisition (based on the 2017 Financial Plan)

**What it means:**

- If the RD chooses to make the conversion:
  - there will be a cost to verifying compliance under the new digital frequencies with Health Canada that has not budgeted for.
  - the new channels will likely not be picked up by users unless they put in some kind of digital converter.
- Whether the RD chooses to proceed with the conversion or not, the few remaining users should be contacted regarding the upcoming change. Staff will look to see who is still paying into the function and contact them via mail-out/phone, depending on the number.
- The tower can still remain, providing Internet usage via PRiS's rental agreement with us. That system is unaffected by the upcoming change.

**June 15, 2017 diverse. vast. abundant.**

**PLEASE REPLY TO:**

☒ Box 810, 1981 Alaska Ave, Dawson Creek, BC V1G 4H8 Tel: (250) 784-3200 or (800) 670-7773 Fax: (250) 784-3201 Email: prrd.dc@prrd.bc.ca  
☐ 9505 100 St, Fort St. John, BC V1J 4N4 Tel: (250) 785-8084 Fax: (250) 785-1125 Email: prrd.fs@prrd.bc.ca



Service Fund Category Defined General Operating - 01 Portfolio Staff Requisition Exhibit 28 Electoral Area B GM of Environmental Services

7512 North Pine TV

Adopted 23 March 2017

(Used same, 2% inflation, or actual)

2017	Acct	See		2016	2016	2016	2017	2018	2019	2020	2021
Category	#	Note	Account Name	Budget	Actual	Variance	Budget	Budget	Budget	Budget	Budget
<b>REVENUE</b>											
<b>7512 North Pine TV</b>											
01-1-7512-	110		Requisition - electoral	3,492	3,492		4,542	4,910	5,022	5,137	5,253
01-1-7512-	116	4	Interest on Reserve		329	329					
01-1-7512-	120		Grant-in-Lieu								
01-1-7512-	157	2	Recovered costs-Tower Rental	1,200	1,200		1,200	1,200	1,200	1,200	1,200
01-1-7512-	190		Appr. Surplus - North Pine TV	1,318	1,318		258				
01-1-7512-	191	5	Transfer from Operating Reserve								
<b>Total Category Revenue</b>				6,010	6,339	329	6,000	6,110	6,222	6,337	6,453
Tax Rates (based on current year assessments)>>				0.007	Change from LY	0.002	0.010	0.010	0.011	0.011	0.011
<b>Total Amount to Requisition:</b>				3,492	Requisition/Parcel Tax		4,542	4,910	5,022	5,137	5,253
4,542					Grants						
<b>Prior Year Requisition:</b>					Borrowing Proceeds						
3,492					Trsf. From Reserves						
<b>Change from Prior Year</b>				1,318	Prior Year Surplus		258				
1,050				1,200	Other		1,200	1,200	1,200	1,200	1,200
				6,010			6,000	6,110	6,222	6,337	6,453

**EXPENDITURES****7512 North Pine TV**

01-2-7512-	260		Insurance	300	285	-15	300	306	312	318	325
01-2-7512-	261		Administration Fees	500	500		500	500	500	500	500
01-2-7512-	500	1	Operations	5,200	4,957	-243	5,200	5,304	5,410	5,518	5,629
01-2-7512-	605	3	Trsf to "Green" Carbon Reserve	10	10						
01-2-7512-	610	4	Transfer Interest on Reserve		329	329					
<b>Total Category Expenditures</b>				6,010	6,081	71	6,000	6,110	6,222	6,337	6,453
<b>Surplus (deficit) carry forward</b>					258		(10)				
					Change from LY Budget		-0.17%	<b>Operating Reserve: Dec 31</b>			
								41,713			

Maximum \$50 000

**Budget Notes:**

- 1 Includes: Right of Way payment (\$2,500 until 2018) / Shaw Satellite Services / BC Hydro / Snowplowing.
- 2 Rental of Tower to PRIS - \$100 per month (started Sept. 2008).
- 3 No longer required to contribute to Carbon Reserve since achieved "Carbon Neutral"
- 4 Accounting requirement to show interest earned on reserves (In/Out) with no tax effect. Recording purposes only - no budget.
- 5 RBAC approved transfer of \$5K reserves for 2015 to cover unexpected costs to tower upgrades/repairs.

June 15, 2017



## EXHIBIT 28

North Pine TV  
Defined Area of Electoral Areas B & C

Category  
1-7512

Basis of Apportionment: Converted Hospital Assessments - Improvements ONLY

**Adopted 23 March 2017**

## Tax Rate or Other Limitations:

*Bylaw No. 823, 1992*

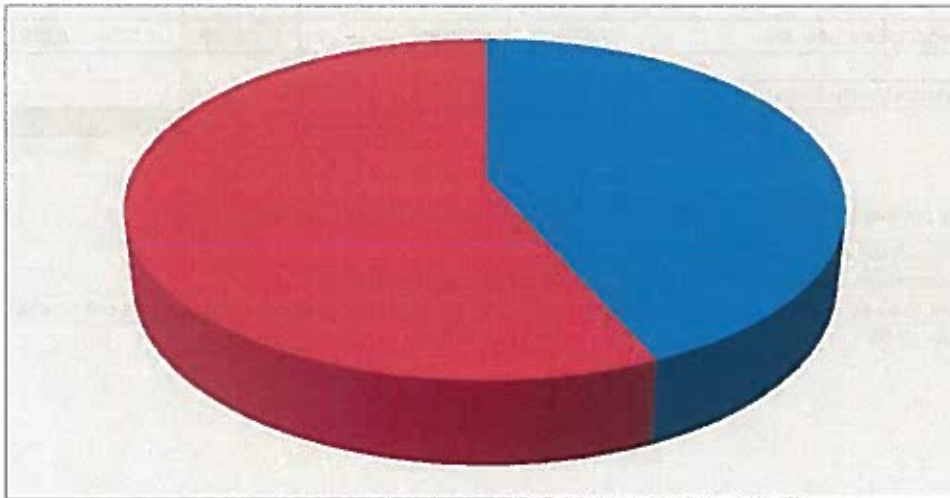
Greater of \$ 120,000  
Or, the product of \$ 2.34 per \$1,000 taxable value (L&I)

Max. Product \$ 872,335

	Requisition Amount	Tax Rate Per 1000	Figures for Apportionment	Percent
Areas B & C - Defined Areas	4,542	0.010	47,414,528	100.00%
<b>Total</b>	<b>4,542</b>		<b>47,414,528</b>	<b>100.00%</b>

	<u>Last Year</u>	<u>Change %</u>	<u>Change \$</u>
Requisition	3,492	30.1%	1,050
Assessment	48,741,795	-2.7%	(1,327,267)
Tax Rate	0.007	33.7%	0.002

Class 1 - Residential    Total All Other Classes



June 15, 2017

## ELECTORAL AREA DIRECTORS' COMMITTEE

### DIARY ITEMS

<u>Item</u>	<u>Status</u>	<u>Notes</u>	<u>Diarized</u>
1. STARS Patient Transportation in BC	on-going	<ul style="list-style-type: none"><li>- needs authorization from Patient Transport Coordination Centre (PTCC) which is part of BC Ambulance Service to pick up BC patients</li><li>- STARS won't leave first responders in a lurch; if unable to contact PTCC, will respond and sort out the admin details later</li><li>- follow what is going on and keep updating</li></ul>	March 16, 2017