



# A G E N D A

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Thursday, July 19, 2018

in the Regional District Office Boardroom, 1981 Alaska Avenue, Dawson Creek, BC

Immediately Following the Rural Budgets Administration Committee Meeting

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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 July 21, 2018

5. BUSINESS ARISING FROM THE MINUTES:

6. DELEGATIONS

7. CORRESPONDENCE:

8. REPORTS:

R-1 June 30, 2018 - Erin Price, Bylaw Enforcement Officer - Bylaw Enforcement Quarterly Update

R-2 July 3, 2018 - Trish Morgan, GM Community Services and Claire Negrin, Acting GM of  
Development Services - North Peace Fall Fair Improvements

9. DISCUSSION ITEMS:

10. NEW BUSINESS:

11. COMMUNICATIONS:

12. DIARY:

13. ADJOURNMENT:



## ELECTORAL AREA DIRECTORS' COMMITTEE MEETING MINUTES

DATE: June 21, 2018  
PLACE: Regional District Office Boardroom, Dawson Creek, BC  
PRESENT:

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

STAFF: Shawn Dahlen, Acting CAO  
Crystal Brown, Electoral Area Manager  
Claire Negrin, Acting General Manager of Development Services  
Fran Haughian, Communications Manager  
Kelsey Bates, Executive Assistant

DELEGATIONS: Tamara Danshin, Regional Economic Development Manager, Northeast Region, Ministry of FLNRO  
Dwain McRae, Manager of Operations, PNG

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

NEW BUSINESS:

Director Sperling Board appointment to the Fort St. John Library – Area C.  
Director Sperling Mile 28 boat launch – request for gate.  
Director Rose Meeting with Deputy Minister of Energy, Mines and Petroleum Resources – June 29, 2018.

ADOPTION OF AGENDA:

June 21, 2018 Agenda MOVED by Director Rose, SECONDED by Director Hiebert,  
That the Electoral Area Directors' Committee agenda for the June 21, 2018 meeting be adopted, including items of New Business:

1. CALL TO ORDER: Director Goodings to Chair the meeting
2. DIRECTOR'S NOTICE OF NEW BUSINESS:  
Board appointment to the Fort St. John Library – Area C.  
Mile 28 launch, request for gate.  
Meeting with Deputy Minister of Energy, Mines and Petroleum Resources June 29, 2018.
3. ADOPTION OF AGENDA:
4. ADOPTION OF MINUTES:  
M-1 Electoral Area Directors' Committee Minutes of May 17, 2018
5. BUSINESS ARISING FROM THE MINUTES:
6. DELEGATIONS  
D-1 10:30 a.m. - Tamara Manshin - Regional Economic Development Manager, Northeast Region - Ministry of Forests, Lands and Natural Resource Operations and Rural Development  
D-2 11:30 a.m. - Dwain McRae - Manager of Operations, PNG - Update on PNG Activity in the PRRD

ADOPTION OF AGENDA (CONTINUED):

7. CORRESPONDENCE:
8. REPORTS:  
R-1 June 11, 2018 - Claire Negrin, Acting General Manager of Development Services -  
Production Facility Regulations within Zoning Bylaws
9. DISCUSSION ITEMS:  
DI-1 Municipal Participation in Planning Update
10. NEW BUSINESS:
11. COMMUNICATIONS:
12. DIARY:
13. ADJOURNMENT:

CARRIED.

ADOPTION OF MINUTES:

M-1  
EADC meeting minutes of  
May 17, 2018

MOVED by Director Rose, SECONDED by Director Sperling,  
That the Electoral Area Directors' Committee May 17, 2018 Minutes be adopted.  
CARRIED.

Vary the Agenda                      The Chair varied the Agenda at 10:05 a.m.

REPORTS:

R-1  
Zoning Bylaws -  
Production Facility

MOVED by Director Hiebert, SECONDED by Director Sperling,  
That item R-1 be tabled until 1 p.m.  
CARRIED.

DISCUSSION ITEMS:

DI-1  
Municipal Participation in  
Planning Update

The Committee provided the Planning Services Manager and the Electoral Area  
Manager of with feedback on the presentation thus far. Providing handouts with  
additional information was discussed.

Vary the Agenda                      The Chair varied the Agenda to hear the scheduled Delegation at 10:30 am.

DELEGATIONS:

D-1  
Tamara Danshin, Ministry  
of FLNRORD

Tamara Danshin, Regional Economic Development Manager, Northeast Region -  
Ministry of Forests, Lands and Natural Resource Operations and Rural Development  
attended to discuss the BC Rural Dividend program. Ms. Danshin explained highlights  
of the program:

- Beneficial for smaller communities
- Opportunity to partner with other communication for larger amounts of funding
- Economic Development and community development initiatives
- Design phases of projects are applicable under this grant
- The PRRD could apply for various projects in multiple communities
- An outreach session will be held at Community Futures on June 26<sup>th</sup> and the  
PRRD's grant writer will be in attendance.
- A good fit for not-for profit organizations

The Committee suggested that Ms. Danshin attend the 2019 April Grant-in-Aid  
meeting to provide the information to community groups.

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DELEGATION (CONTINUED):

D-1 (continued)  
Tamara Danshin, Ministry  
of FLNRORD

MOVED Director Sperling, SECONDED Director Hiebert,  
That the Electoral Area Director's Committee recommends that the Regional Board send a letter to the Hon. Doug Donaldson, Minister of Forests, Lands, Natural Resource Operations and Rural Development, advising that the Electoral Area Directors were pleased with the presentation on the Rural Dividend Grant Program from Tamara Danshin, Regional Economic Development Manager, Northeast Region, Ministry of Forests, Lands and Natural Resource Operations and Rural Development, and further that the Board would like the ministry to continue to support the grant program in the future.

CARRIED.

Vary the Agenda

The Chair varied the Agenda at 10:54 a.m. to New Business.

NEW BUSINESS:

NB-1  
FSJ Library Appointment

MOVED Director Sperling, SECONDED Director Hiebert,  
That the Electoral Area Director's Committee recommends that the Regional Board appoint Karlene Duncan as the Area C representative to the Fort St. John Public Library Board.

CARRIED.

NB-2  
Mile 58 Boat Launch

MOVED Director Sperling, SECONDED Director Rose,  
That the Electoral Area Director's Committee recommends that the Regional Board send a letter to Natasha Ewing, Community Liaison Officer for the local BC Parks office requesting that a gate be installed at the Mile 58 boat launch on Charlie Lake.

CARRIED.

NB-3  
Meeting with the  
Minister of Energy, Mines  
and Petroleum Resources

The Committee discussed the purpose of Director Sperling and Director Rose's meeting with the BC Oil and Gas Commission and the Deputy Minister of Energy, Mines and Petroleum Resources on June 29, 2018.

COMMUNICATIONS:

The Committee discussed the upcoming summer parades and other summer events.

DIARY:

MOVED Director Sperling, SECONDED Director Hiebert,  
That North Pine TV be removed from the Diary, as the General Manger of Environmental Services has taken on the task.

CARRIED.

The Committee updated the wording in "Tour for Water Advisory Committee Members" to add a ribbon cutting and grand opening event, upon completion of the water station.

Vary the Agenda

The Chair varied the Agenda to hear the scheduled delegation at 11:26 a.m.

DELEGATION (CONTINUED):

- D-2  
Dwain McRae, PNG
- Dwain McRae - Manager of Operations, Pacific Northern Gas attended to provide the Committee with an update on PNG Activity in the PRRD, as follows:
- Two senior level staff members have moved on from PNG, and Mr. McRae is in the process of familiarizing himself with their projects (i.e Wonowon, Tomslake)
  - Wonowon – PNG is revisiting the area from a construction standpoint to identify costs for providing services and will reach out to the Board when that is complete.
  - Mr. McRae advised that he will look up information on the Progress/Groudbirch/Upper Cutback area to see if servicing the area is feasible.
  - Discussion ensued on tapping into private company pipelines to bring services to residents. Further, how the Province may be able to offer incentives to companies who allow a tap for PNG to utilize, meter and distribute gas to residents, as seen with Fortis BC.
  - Mr. McRae noted that PNG's goal is to service as many residents as possible, while remaining economically stable. Natural Gas is a clean and sustainable energy.
  - The use of contractors by PNG was discussed, Mr. McRae advised that PNG has had discussion about expanding their Fort St. John in house staff.

DIARY: The Committee removed the word "June" for the Notes portion of "Electoral Area D Water Referendum".

Recess The Chair recessed the meeting at 11:53 a.m.

Reconvene The Chair reconvened the meeting at 1 p.m.

REPORTS (CONTINUED):

R-1  
June 11/18 - Production  
Facility Regulations within  
Zoning Bylaws

The Chair lifted R-1 from the table

The Electoral Area Directors Committee discussed the Zoning Bylaw No. 1343, 2001, specifically Production Facilities in the A-2 zones.

MOVED by Director Sperling, SECONDED by Director Hiebert,  
That the Electoral Area Directors Committee recommend to the Regional Board that staff be directed to prepare a report on options for production facility regulations in zoning bylaws; further, that the report be reviewed by the Electoral Area Directors' Committee prior to Board's review.

CARRIED.

ADJOURNMENT: The Chair adjourned the meeting at 2 p.m.



# REPORT

To: Electoral Area Directors' Committee  
From: Erin Price, Bylaw Enforcement Officer  
Subject: Bylaw Enforcement Quarterly Update

Date: June 30, 2018

## RECOMMENDATION(S):

THAT the Electoral Area Directors' Committee receive the June 30, 2018 Bylaw Enforcement Quarterly Update for information.

THAT, in response to recent ALC enforcement on the land, the Electoral Area Directors' Committee recommend to the Regional Board that staff be directed to close bylaw enforcement file 10-107 on land legally described as Lot 16, St John IR #172, Township 85, Range 18, W6M, PRD, PL 3986 EXC PL 18648 & PL EPP713 and locally known as Samuel Ranch. (*See attached report*)

## BACKGROUND/RATIONALE:

Attached is a table summarizing the enforcement files; current to June 30, 2018 and a report regarding Bylaw Enforcement File No. 10-107. To date, there are 35 Bylaw Enforcement Files in total (Active and Inactive).

### Active Files - shaded blue:

There are 31 active enforcement files.

- There are 6 new files since the last report.
- A report is attached regarding a file from 2010 (10-107 Samuel Ranch).
- An entry warrant has been sought for a demolition to commence August 7, 2018 (16-213 Williams).

### Inactive or On Hold Files- shaded green:

There are 4 inactive or "on hold" files.

- File 11-194 Ward – At the June 14, 2018 Regional Board meeting, the TUP was approved pending receipt of confirmation of ALC security and reclamation plan. We have confirmation that the security has been paid. The applicant is working with the ALC to provide the reclamation plan. The reclamation plan required by the ALC was for the gravel extraction area, not the work camp.
- File 16-111 Aitchison - has applied to the Board of Variance.
- File 16-097 Haney - has applied for re-zoning and variances; although a meeting to address the remaining contraventions that are not covered in the application was cancelled. The planning report is moving ahead without further input from the landowner.
- File 15-103 Gardner - Received 3<sup>rd</sup> reading for rezoning at the May 24<sup>th</sup> RB meeting, with final consideration pending driveway re-location and a restrictive covenant being registered on title re: landscaping. A site inspection on July 5, 2018 found the property to be mostly clear of storage.

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Staff Initials: 

Dept. Head: 

CAO: 

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Closed Files - shaded orange:

10 files have been closed this quarterly period.

**ALTERNATIVE OPTIONS:**

N/A

**STRATEGIC PLAN RELEVANCE:**

- ☐ Ensure that the Solid Waste Management Plan is operating on a fiscally defensible basis.
- ☐ Ensure effective execution of Public Safety and Emergency Services initiatives.
- ☐ Foster Collaboration on services with municipalities and electoral areas.
- ☐ Establish a strategy for coordinated advocacy on identified issues.
- ☐ Manage parks and trails in the region.
- ☐ Support the agricultural industry within the regional district.
- ☒ Not Applicable to Strategic Plan.

**FINANCIAL CONSIDERATION(S):**

N/A

**COMMUNICATIONS CONSIDERATION(S):**

N/A

**OTHER CONSIDERATION(S):**

N/A

**Attachments:**

1. Enforcement Summary- June 30, 2018 (6 pages)
2. Report dated June 29, 2018 regarding Enforcement File No. 10-107

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# ACTIVE FILES

## Bylaw Enforcement File Summary June 30, 2018

R-1

	YEAR	FILE NO.	LAND OWNER	DATE OPEN	COMPLAINT DESCRIPTION	STATUS	CIVIC ADDRESS LEGAL DESCRIPTION	ELECTORAL AREA
1	2007	91	WHITFORD, Jerry	27-Apr-07	Junkyard in residential zone	Met Mr. Whitford at property on Apr. 28, 2017. No Change. Will contact him with more information.	12498 256 RD Lot 1 & 2, Plan 27341, Part SW-15-86-19	B
2	2007	203	CLAY, Martin & Wendy	17-Apr-07	Concern regarding a recycling and salvage yard operating in Rolla not in compliance with zoning	Aug. 31. 17- clean up has started on the property with huge improvements.	5209 Rolla RD Parcel A (\$22581), Blk 1, Plan 10648, 32-79-14; and Parcel B (T18682), Blk 1, Plan 10648, 32-79-14; and Lots 5, 6, 7 & 10, Bk1, Pl 10648, 32-79-14	D
3	2010	64	LEFFERSON, Allan	12-Apr-10	Salvage yard in A-2	March 13, 2015- I spoke to Tammy from Richmond Steel. They are planning to go when it dries up- March 2016 activity on property however not likely to be completely cleaned or remain cleaned up. On April 20/17 EADC requested followup on this property.	13492 & 13522 Old Edmonton Hwy Lot 1, PL 28960, 21-77-14	D
4	2010	107	SAMUEL RANCH LTD	19-Jul-10	3 homes	ALC has opened a C&E file and will advise of any steps they're taking. Report attached recommending the closure of PRRD Bylaw File No. 10-107	13805 Rose Prairie RD Lot 16, Plan 3986	B
5	2011	207	LUNDQUIST, Lanny	15-Nov-11	Unightly Premises, 20-30 vehicles and junk yard	There has been some improvement, Mr. Lundquist has sold the tractor that was outside the fence.	9336 Willow RD Lot 2 & 3, Blk 4, 35-83-19 Plan 14402	C
6	2012	210	MARTIN, Brian	12-Oct-12	Salvage yard in A-2	Sent new owner a letter. Will follow up after May 23, 2017 to confirm arrangements made for compliance.	15927 Prespatou RD NE 1/4 30-86-19	B
7	2013	91	SHEARS, John	23-May-13	unsightly premises	noticeable improvement, lots 7 & 8 are clean, lot 6 has a renter and is a work in progress. Oct. 3/17- driving by noticed may be much cleaner. Need to plan a site visit	7617 269 RD Lot 6, 7 & 8 PL 13235, 26-83-19	C

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## ACTIVE FILES

	YEAR	FILE NO.	LAND OWNER	DATE OPEN	COMPLAINT DESCRIPTION	STATUS	CIVIC ADDRESS LEGAL DESCRIPTION	EL <b>R-1</b> AREA
8	2013	102	NORNBERG, Neil	3-Jun-13	Salvage yard in R-4 Zone	Aug.31.17-Owner is going to Edmonton for lung specialist. Will call salvage company when he returns. I will follow up around Sept. 15,2017	1728 210 RD Lot 2, Plan BCP30608 28-78-15	D
9	2013	206	MAXWELL, Joe	4-Nov-13	Storage of many old vehicles	RCMP reported a person, impersonating a PRRD Bylaw Officer, went to Mr. Maxwells place of employment and complained to his supervisor that buses could not turn around on Fell Rd. I reported that it was not a PRRD employee.	13305 Fell RD Lot 2, Plan BCP38667 19-84-19	C
10	2013	207	WESTERGAARD, William	4-Nov-14	Storage of many old vehicles	have not looked at file yet	12937 Cherry RD Lot 1, Plan BCP 38667 19-84-19	C
11	2014	219	BLAIR, Roxann	17-Sep-14	Junk yard in R-4 zone	Report going to March 8, 2018 RB meeting for extension request	3992 Blair RD DL 2083	E
12	2014	245	EVENSON, David	20-Oct-14	Junk yard in R-4 zone	ABC Recycling left a "metal only" container which Mr. Evenson filled. Mr. Evenson told ABC not to bring another bin for the garbage.- Sept.29/15 sent warning ticket and letter. On April 20/17 EADC requested followup on this property.	1372 210 RD Lot 5, 27-78-15 Plan 11473	D
13	2015	251	KILFOYLE, Robert	6-Nov-15	3 Sheds located within Interior Side Parcel Setbacks	1 shed moved, DVP issued requiring the drainage plan and removal of 2 sheds by Oct. 31, 2018	12278 Oak Ave. Lot 7, Block 5, S2, T84, R19, W6M, PRD, PL 15012	C
14	2015	265	Dr. BADENHORST	24-Nov-15	2 structures in side setback	DVP refused at Dec. 9, 2016 RB Meeting. BP issued for the 2 structures, site plan shows they will be moved out of the setback.	8931 Old Fort Loop Lot 7, Bk 2, DL 418, Cariboo Situated in the PRD, PL 18222	C
15	2016	99	BASTION HOLDINGS LTD	12-May-16	3 dwellings in R-4 zone	A Bylaw Notice Ticket will be issued	5979 Hillview Sub. PCL B, DL 1910, PL PGP35656	E
16	2016	213	WILLIAMS, Darrell	9-Sep-16	Disobey SWN, Restrictive Covenant and Consent Order	RFQ awarded to Haab Contracting Ltd. work to be done by Aug. 15, 2018	9813 River Drive Lot 1, BK 2, S18, TP83, R18, W6M, PR, PL 14194	C
17	2016	253	PUTRUS, Peter	21-Nov-16	too many dwellings, building in setback, garbage	did a site visit with the local rep for the owner, will follow up with letter. Owner will send a plan for compliance	2016 Taylor Frtg. RD PCL A (PJ28394), S24, TP82, R18, W6M, PRD, Plan 3039	D

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## ACTIVE FILES

	YEAR	FILE NO.	LAND OWNER	DATE OPEN	COMPLAINT DESCRIPTION	STATUS	CIVIC ADDRESS LEGAL DESCRIPTION	EL <b>R-1</b> AL AREA
18	2017	79	CAMPBELL, Mary	18-Apr-17	no BP, too many dwellings, shop/suites too close to property line	had discussion with agent, will follow up	9473 River Drive Lot A, S18, TP83, R18, W6M, PRD PL EPP 14982	C
19	2017	87	REIMER, William & Anna	26-Apr-17	too many dwellings, garbage and old vehicles	letters sent to complainants and a message left for owner for an update	13097 260 RD NE1/4, S31, TP86, R19, W6M, PRD	B
20	2017	116	FI PORTFOLIO INC.	12-Jun-17	No BP	waiting for engineered drawings	10755 Finning Ftg. Rd Lot 1, S2, TP 84, R19, W6M, PRD, PL 34500	C
21	2017	128	CNL RESOURCES LTD	22-Jun-17	Hazardous waste facility licensed to accept leachable toxic waste and specializing in Naturally Occurring Radioactive Material management and decontamination operating on I-1 land	March 29, 2018- sent reply to land owners letter requesting bylaw info	9676 Swanson Street Lot 8, S33, TP83, R18, W6M, PR, PL 23652	C
22	2017	235	HAAB, Michael	25-Sep-17	Industrial trucking business on A-2 land within ALR- no dwelling	met on April 5, 2018 will follow up on Apr. 30, 2018	5740 242 Rd. SE 1/4, S12, TP84, R18, W6M, PRD	C
23	2018	36	KILFOYLE, Robert	30-Jan-18	shed in front setback	site inspection conducted. Owners working with Claire to submit a DVP App	12278 Oak Ave. Lot 7, Block 5, S2, TP84, R19, W6M, PRD, PL 15012	C
24	2018	46	PIZZEY, Doug	2-Feb-18	automobile wrecking yard	opened file, conducted site inspection, researching zoning history	13392 Park Ftg. Rd Lot 12, Bk 1, S19, TP84, R19, W6M, PR, PL 12852	C
25	2018	56	WOLSEY, Thomas	6-Feb-18	chemical storage in I-1 zone	Warning ticket issued. Contact made, landowner requested some information-gathering	8317 219 Rd Lot 1, S28, TP 78, R15, W6M, PR, PL BCP 30608	D
26	2018	125	LOISELLE Investments Ltd.	24-Apr-18	worker camp longer than 6 months	Acting General Manager of Development Services in charge of file	Loiselle Sub. Block B, S33, TP77, R15, W6M, PRD	D
27	2018	159	MACKAY, Mickey	30-May-18	unsightly premises	file opened, need to do a site inspection	13302 244 Rd. Lot 1, S14, TP84, R20, W6M, PRD, PL EPP 26850	C
28	2018	160	STEWART, Bernie	30-May-18	dumping construction waste on A-2 property	Site inspection planned for July 15/18 should be cleaned up by then	13705 211 Rd NE1/4 S18, TP77, R14, W6M, PRD	D
29	2018	161	KLEIN, Scott	30-May-18	paving company moving onto R-4 land	spoke to landowner, requested information by July 3, 2018. No contravention currently exists	No Civic Lots 1 & 2, S27, TP83, R18, W6M, PRD, PL EPP 41962	C

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## ACTIVE FILES

	YEAR	FILE NO.	LAND OWNER	DATE OPEN	COMPLAINT DESCRIPTION	STATUS	CIVIC ADDRESS LEGAL DESCRIPTION	EL <b>R-1</b> AL AREA
30	2018	164	WHITING, David	5-Jun-18	unsightly premises	file opened, initial letters sent, site inspection conducted	13346 Charlie Lake Cres. PCL A, S19, TP84, R19, W6M, PRD, PL 31112	C
31	2018	172	MACELHEREN, Daniel	13-Jun-18	partially demolished dwelling	deadline to obtain a Demo. Permit is July 10, 2018	8155 Harper Dr Lot 11, S28, TP78, R15, W6M, PRD, PL 12614	D

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# INACTIVE FILES

## Bylaw Enforcement File Summary June 30, 2018

**R-1**

	YEAR	FILE NO.	LAND OWNER	DATE OPEN	COMPLAINT DESCRIPTION	STATUS	LEGAL DESCRIPTION	ELECTORAL AREA	DATE PLACED ON INACTIVE LIST
1	2011	194	GOERTZ, Howard-sold to WARD	7-Dec-11	Worker Camp	June 14, 2018 RB resolution No. RD/18/06/41 TUP authorized until Dec. 21, 2020 once submission of proof of ALC reclamation plan and security	Block A, District Lot 1307	B	11-Mar-15
2	2016	111	AITCHISON, Kevin	31-May-16	building in setback	Applied to the Board of Variance on Jan.10, 2017	8931 River Dr Lot 8, Bk 4, S18, TP83, R18, W6M, PRD, PL14194	C	10-Jan-17
3	2016	97	HANEY, Darryl	9-May-16	HBB, BP, and Zoning contraventions on 3 parcels	Rezoning and DVP applications have been received and paid for.	8340, 8306 Micro Sub & 1080 210 RD Lots 1&2, S26, TP 78, R15, PL PGP46412 & PCL A (BNG a Consolodation of Lots 3&4 See BB1974913) S 26, TP 78, R15, PL 12184	D	17-Mar-17
4	2015	103	GARDNER, Robert	6-May-15	Oilfield equipment storage on A2 land	3rd reading on May 24, 2018, deferred pending restrictive covenant on title re: landscaping buffer and driveway relocation.	9819 240 RD PCL A (46726M), 19-83-18, W6M PR, EXC PL 20464	C	5-Oct-17

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# CLOSED FILES

## Bylaw Enforcement File Summary June 30, 2018

# R-1

	YEAR	FILE NO.	LAND OWNER	DATE OPEN	COMPLAINT DESCRIPTION	STATUS	LEGAL DESCRIPTION	ELECTORAL AREA	DATED CLOSED
1	2018	44	LAST, Lydia	2-Feb-18	accessory building contrary to zoning	BP issued for dwelling	3788 206 Rd Lot 2, S3, TP 78, R16, W6M, PR, PL BCP33466	D	4-Apr-18
2	2017	189	BOUTILIER, Eric	11-Aug-17	Construction without building permit	DP and BP issued. SWN lifted	13323 Charlie Lake Crescent Lot 1, S20, TP 84, R19, W6M, PRD, PL EPP 72551	C	23-Apr-18
3	2018	127	KOBASUIK, Yohan	25-Apr-18	4 complaints related to B & B and total accessory bldg. floor area	complaints had been dealt with in 2015. Nothing new or different has occurred. Closed as per CAO	9780 & 9792 Jones Sub. Lot 2, S18, TP84, R18, W6M, PRD, PL 19460	C	25-Apr-18
4	2018	18	KILFOYLE, Robert	19-Jan-18	A shed in the interior side parcel line setback (a 4th shed)	no contravention	12278 Oak Ave. Lot 7, Block 5, S2, TP84, R19, W6M, PRD, PL 15012	C	25-Apr-18
5	2018	133	1865367 AB Ltd.	2-May-18	tanks stored on I-1 zoned property	no contravention	7375 265 Rd Lot 4, S30, TP 83, R18, W6M, PRD, PL 24162	C	2-May-18
6	2015	250	SMITH, Frank & John (both deceased)	6-Nov-15	Dangerous buildings & contents. Vacant land & buildings- owners both deceased. Strangers dump garbage and vandalize	Buildings have been demolished and the property has been cleaned up	7114 Jorgensen Sub Lots 20-23, S31, T78, R15, W6M, PR, PL 13534	D	22-May-18
7	2018	156	SCHNELL, Curtiss	22-May-18	Unsecure load going to landfill	Driver secured the load with a tarp before continuing the drive	on Hwy 97 N and 212 Road	D	25-May-18
8	2018	55	DESJARLAIS, Randolph	8-Mar-18	trucking business contrary to registered covenant	equipment was on property to complete landscaping, removal of danger trees and drainage for the residential use.	13672 Golf Course Rd Lot 1, S36, TP84, R20, W6M, PRD, PL EPP35284	C	6-Jun-18
9	2018	163	TERRIEN, Cory	31-May-18	welding company in R-4 zone	file opened, initial letters sent, site inspection conducted	132 Diamond Willow Sub Lot 2, S13, TP78, R14, W6M, PRD, PL 25711	D	13-Jun-18
10	2018	158	MIKYRA VENTURES LTD	30-May-18	piles of contaminated dirt/trucking business	land is zoned I-1, trucking permitted, PRRD does not regulate fill	6511 Wildmare Sub Block F of DL 2702	E	15-Jun-18

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# REPORT

To: Electoral Area Directors Committee  
From: Erin Price, Bylaw Enforcement Officer  
Subject: Bylaw Enforcement File No. 10-107

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Date: June 29, 2018

## RECOMMENDATION #1:

THAT, in response to recent ALC enforcement on the land, the Electoral Area Directors Committee recommend to the Regional Board that staff be directed to close bylaw enforcement file 10-107 on land legally described as Lot 16, St John IR #172, Township 85, Range 18, W6M, PRD, PL 3986 EXC PL 18648 & PL EPP713 and locally known as Samuel Ranch.

## BACKGROUND/RATIONALE:

### File History

Aug. 5, 2010- PRRD Bylaw Enforcement File No. 10-107 was opened. The property (Samuel Ranch) has three permanent dwellings, and PRRD Zoning Bylaw 1000, 1996 permits only two.

Oct. 27, 2010- Applications for a zoning text amendment to allow 3 homes (PRRD File No. 10-153) and for an Agricultural Land Commission (ALC) Non-Farm Use (PRRD File No. 10-154) were received.

Feb. 10, 2011- The Regional Board authorized the Non-Farm Use application to proceed to the ALC (Resolution No. RD/11/02/13).

Feb. 24, 2011- The RB referred the re-zoning application to a future meeting pending the results of the ALC Non-Farm Use application.

Apr. 21, 2011- The ALC copied the PRRD in a letter to the landowner informing them that Non-Farm Use Application No. 52192 was refused, as proposed. This letter stated that the ALC was prepared to approve the extra dwellings following the *"consolidation of the subject property, by survey, with the adjoining property (S ½ of Lot 15) to the North"*. A deadline of three years for consolidation was set by the commissioners. This was recorded as ALC Resolution #162/2011. A copy of this letter is attached. The application as proposed was: to allow the 3 homes for family to live in as they all help with the farm.

June 23, 2011- The Regional Board made the following resolutions:  
*RD/11/06/11 (23)*

*a) that "Peace River Regional District Zoning Amendment By-law No. 1924, 2011" be given first reading to allow a third single-family dwelling on Lot 16, Plan 3986, St. John Indian Reserve #172, Township 85, Range 18, W6M, PRD, except Plans 18648 and Plan EPP713; and*

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Staff Initials:

Dept. Head:

CAO:

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*b) that prior to consideration of final reading, the owner register a restrictive covenant preventing any subdivision on Lot 16, Plan 3986, St. John Indian Reserve #172, Township 85, Range 18, W6M, PRD, except Plans 18648 and Plan EPP713, including the parcel required to be consolidated by the Agricultural Land Commission.*

*RD/11/06/12 (23)*

*a) that the Regional Board waive the holding of a public hearing for "Peace River Regional District Zoning Amendment By-law No. 1924, 2011" pursuant to Section 890 (4) of the Local Government Act, and authorize performance of public notification pursuant to Section 893 of the Local Government Act.; and  
b) that consideration of final reading be subject to the owner meeting the conditions of ALC Resolution #162/2011.*

Oct. 27, 2011- The Regional Board made the following resolutions:

*RD/11/10/21 (27)*

*That "Peace River Regional District Zoning Amendment By-law No. 1924, 2011" be given second and third readings to allow a third single-family dwelling on Lot 16, Plan 3986, St. John Indian Reserve #172, Township 85, Range 18, W6M, PRD, except Plans 18648 and Plan EPP713.*

*RD/11/10/22 (27)*

*That notification be forwarded to Samuel Ranch Ltd. stating that the Regional Board expects them to meet the specified conditions within six months, to achieve final adoption.*

May 17, 2012- The 6 month timeframe, set by the Regional Board, to register the restrictive covenant expired.

Nov. 8, 2012- The ALC sent a letter to the landowner, dated Nov. 8, 2012, regarding a decision made at a September 20, 2012 meeting where the ALC decided not to reconsider their decision as requested by the landowner.

Feb. 12, 2013- A letter was sent from the PRRD to the landowner that indicated the RB extended the deadline for the restrictive covenant to May 19, 2013 due to the length of time taken by the ALC to respond to the landowner's reconsideration request.

Jan. 30, 2014- Letter to the Regional Board received from Samuel Ranch asking for a communal farm zone on Lot 16 and to be relieved of the requirement for consolidation and restrictive covenant.

2014-2015- Some communication occurred between the PRRD and lawyers on behalf of Samuel Ranch, but no indications that there was any more action other than written correspondence.

June 21, 2016- EADC made the following recommendation:

*That the Electoral Area Directors' Committee recommends to the Regional Board that a letter be forwarded to the Agricultural Land Commission to enquire what alternate action can be taken, rather than amalgamation of the two pieces of property, to rectify issues in regards to the Samuel Ranch application.*

August 11, 2016- The Regional Board made the following resolution:

*RD/16/08/27*

**July 19, 2018**

*That, in order to rectify issues in regards to "Zoning Amendment Bylaw No. 1924 (Samuel Ranch Ltd.), 2011", a letter be forwarded to the Agricultural Land Commission to enquire as to what alternate action can be taken, rather than amalgamation of the two pieces of property.*

There is no indication in the file that a letter asking this specific question was sent to the ALC.

June 26, 2017- Bruce Simard, General Manager of Development Services, sent a letter (see attached) to the ALC asking:

*To respond to the Board's request for information [from an April 13, 2017 resolution] can the ALC please provide the following information:*

- 1. Summary of all outstanding ALR non-compliance issues within the Peace River Regional District, including location;*
- 2. Status report of each issue including date of last action taken;*
- 3. Any action plans for obtaining compliance, for each issue.*

June 27 - July 24, 2017- An email trail between Bruce Simard and the ALC discusses the Samuel Ranch file in particular and ends with the ALC stating that a new non-farm use application will be required for the 3 dwellings and advised that the ALC has opened C & E File #61557 (see attached).

July 27, 2017- A report, dated July 19, 2017, from Bruce Simard went to the Regional Board (see attached). The resolution from the Regional Board was:

*RD/17/07/15 (27)*

*That the report dated July 19, 2017 from Bruce Simard, General Manager of Development Services, regarding ALR Non-Compliance Issues, be received for information.*

June 26, 2018- Claire Negrin, Acting General Manager of Development Services contacted the ALC asking if there were any updates. The ALC forwarded a letter to the landowner dated June 11, 2018.

The letter requires the landowner to remove 2 of the dwellings and to rehabilitate the land to an acceptable agricultural capability. Further, the letter requires a response by July 11, 2018 (see attached).

June 29, 2018- The PRRD received a new ALR Non-Farm Use application (File No. 18-188).

#### PRRD Enforcement Options

The property remains in contravention of Peace River Regional District Zoning Bylaw No. 1000, 1996. As the conditions of the proposed Zoning Bylaw amendment were not met by the applicant by the timeline imposed by the Regional Board, the Zoning Amendment application file will be closed as per the Development Services File Closure Policy. The closure of the Zoning file will make the Bylaw Enforcement file active.

The PRRD has little recourse available to enforce the current contravention aside from ticketing. We are unable to register a notice on title as the authority to do so under Section 57 of the Community Charter is specific to Building Regulations. This property is, and was at the time of construction, outside of the Mandatory Building Permit Area. This means a building permit was not required and PRRD Building Bylaw No. 2131, 2014 is not enforceable on the land.



In order to require the removal of the third dwelling, the Regional Board would have to declare that the contravening building creates an unsafe condition or contravenes a building regulation, which is not the case. Therefore, a Remedial Action Requirement is not a remedy available to the PRRD.

In addition, although the PRRD permits two dwellings on the property, the ALC has indicated that only one of the dwellings meets their regulations. Therefore, any action that the PRRD could require would not bring the property fully into compliance with all regulatory agencies.

The recent letter of June 11, 2018 from the ALC to the landowner states the Commission is taking significant enforcement action. With this recent information, it is recommended that the ALC, with more stringent regulations, be the only agency to enforce the current contravention, and that the PRRD close bylaw enforcement file No. 10-107.

#### ALTERNATIVE OPTIONS:

Option 1: Keep bylaw enforcement file No. 10-107 open, and begin ticketing the property owner on a daily, weekly or monthly basis.  
Daily = \$39,000 per year (based on ticketing Monday-Friday only)  
Weekly = \$7,800 per year  
Monthly = \$1,800 per year

Option 2: Begin legal proceedings that, if successful, would require the property owner to remove the third dwelling.

*Comments: Neither of these options would make the property compliant with ALC regulations.*

#### STRATEGIC PLAN RELEVANCE:

- ☐ Ensure that the Solid Waste Management Plan is operating on a fiscally defensible basis.
- ☐ Ensure effective execution of Public Safety and Emergency Services initiatives.
- ☐ Foster Collaboration on services with municipalities and electoral areas.
- ☐ Establish a strategy for coordinated advocacy on identified issues.
- ☐ Manage parks and trails in the region.
- ☐ Support the agricultural industry within the regional district.
- ☒ Not Applicable to Strategic Plan.

#### FINANCIAL CONSIDERATION(S):

Ticketing would take staff resources away from other files. Each ticket could take up to an hour of staff time.

Legal proceedings could incur significant legal fees with no guarantee of success.

#### COMMUNICATIONS CONSIDERATION(S):

A letter, to the landowner, would be required to ensure that the landowner understands that the closure of a PRRD Bylaw Enforcement File No. 10-107 has no bearing on the status of the ALC Compliance & Enforcement File No. 61557.

**OTHER CONSIDERATION(S):**

N/A

**Attachments:**

1. Letter from the ALC to the landowner dated April 21, 2011
2. Letter from Bruce Simard to the ALC dated June 26, 2017
3. Email trail between Bruce Simard and the ALC dated June 27 – July 24, 2017
4. Report to the Regional Board dated July 19, 2017
5. ALC letter to the landowner dated June 11, 2018

**July 19, 2018**



Attachment #1

**Agricultural Land Commission**

133-4940 Canada Way  
Burnaby, British Columbia V5G 1R-1  
Tel: 604 660-7000  
Fax: 604 660-7033  
www.alc.gov.bc.ca

April 21, 2011

Reply to the attention of Martin Collins  
ALC File: 52220

Paul Walter  
Samuel Ranch  
PO Box 6802  
Fort St John, B.C.  
V1J 4J2



Dear Sir:

**Re: Application for Additional Dwellings in the Agricultural Land Reserve**

Please find attached the Minutes of Resolution #162/2011 and a sketch plan outlining the Commission's decision as it relates to the above noted application.

Other approvals may be necessary. Prior to proceeding, the Commission suggests you contact the Peace River Regional District.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

Per:

Brian Underhill, Executive Director

Enclosure: Minutes/Sketch Plan

cc: Peace River Regional District File # 154/2010 ✓

**July 19, 2018**

A meeting was held by the Provincial Agricultural Land Commission on April 14<sup>th</sup>, 2011 at Fort St John, B.C.

<b>PRESENT:</b>	Richard Bullock	Chair
	Denise Dowswell	Commissioner
	Jim Collins	Commissioner
	Martin Collins	Staff

### For Consideration

Application: 52192  
 Applicant: Samuel Ranch  
 Agent: Paul Walter  
 Proposal: To permit three permanent dwellings on the 245 ha parcel  
 Legal: PID 006-853-943 Lot 16, Twp 85, R . 18, W6M, PRD, Plan 3986, Except Plan 18646 and Plan EPP 713  
 Location: Former I.R. #172. North of Fort St John.

### Site Inspection

The Commissioners and staff noted above met with Paul Walter and Arthur Grass on the property and noted that two of the three dwellings were completed and inhabited, and that a third dwelling was more than half complete. A small greenhouse was also under construction.

The applicants confirmed that they received the staff report and no errors or omissions were noted. No information was provided indicating that three families are necessary to use the farm parcel for agriculture.

### Context

The proposal was weighed against the purposes of the Commission as stipulated in section 6 of the *Agricultural Land Commission Act* (the "Act"). They are:

1. to preserve agricultural land
2. to encourage farming on agricultural land in collaboration with other communities of interest, and
3. to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

### Discussion

#### **Assessment of Agricultural Capability**

In assessing agricultural capability, the Commission refers in part to agricultural capability mapping and ratings. The ratings are interpreted using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system;

The agricultural capability of the soil affected by the dwellings is 50% 3C and 50% 8:2C 2:3T:

- Class 2 – Land in this class has minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.
- Class 3 – Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.

The limiting subclasses are a severe climate and topography. The subject property has very good capability for agriculture.

### **Assessment of Agricultural Suitability**

The Commission assessed whether external factors such as encroaching non-farm development have caused or will cause the land to become unsuitable for agriculture. The Commission does not believe there are external factors that render the land unsuitable for agricultural use. Although there are two adjoining rural residential properties to the east of the three homes, parcel sizes are generally large and farm uses predominate.

### **Assessment of Impact on Agriculture**

The Commission also assessed the impact of the proposal against the long term goal of preserving agricultural land. The Commission noted that the three large houses alienated 3 - 4 ha of arable land that was formerly cultivated. In addition the Commission does not believe that three dwellings are necessary for farm labour. The Commission was concerned about both the alienation of agricultural land, and the use of this active agricultural property for multiple residences which are not directly related to agriculture.

### **Assessment of Other Factors**

The Commission understands that the applicants also own the adjoining ~130 ha farm parcel to the north (S ½ of Lot 15) and that the two properties are cultivated as a single unit. In addition there is no evidence (as per the airphoto) that there is a residence on Lot 15. The Commission believes that consolidating Lot 15 with the subject property represents a benefit for agriculture which balances the erosive impacts of the three dwellings. Consolidation would ensure that additional dwellings could not be constructed on Lot 15, thereby reducing the overall potential density of dwellings as permitted by the zoning bylaw (two per parcel).

### **Conclusions**

1. That the land under application has very good agricultural capability and is appropriately designated as ALR, and is suitable for agricultural use.
2. That the existing three homes are not necessary for agriculture proposes and have potential to negatively impact agricultural activity.
3. That the proposal is not consistent with the goals of the ALC Act.

**July 19, 2018**

**IT WAS**

**MOVED BY:** Commissioner R. Bullock

**SECONDED BY:** Commissioner D. Dowswell

THAT the application for three houses be refused as proposed.

However, the Commission has allowed the three homes subject to the following conditions:

- The consolidation of the subject property, by survey, with the adjoining property (S ½ of Lot 15) to the north.
- the application must be concluded within three (3) years from the date of this decision.

AND THAT the applicant be advised of the provisions of Section 33 of the *Agricultural Land Commission Act* which provides an applicant with the opportunity to submit a request for reconsideration.

- S.33 (1) *On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that*
- (a) evidence not available at the time of the original decision has become available,*
  - (b) all or part of the original decision was based on evidence that was in error or was false.*
- (2) *The commission must give notice of its intention to reconsider a decision under subsection (1) to any person that the commission considers is affected by the reconsideration.*

AND THAT the applicant be advised that a revised proposal does not constitute new information and will not be considered as a basis for reconsideration, that the time limit for submitting a request for reconsideration is one (1) year from the date of the decision letter, and that if the applicant sells or transfers the property within one (1) year of the decision the new owner is not eligible to submit a request for reconsideration.

This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government. This includes zoning, subdivision, or other land use bylaws, and decisions of any authorities that have jurisdiction under an enactment.

**CARRIED**

**Resolution #162/2011**

July 19, 2018





## PEACE RIVER REGIONAL DISTRICT

June 26, 2017

Provincial Agricultural Land Commission  
133-4940 Canada Way  
Burnaby, BC, Canada  
V5G 4K6

Sent by e-mail:

[Sharon.Henderson@gov.bc.ca](mailto:Sharon.Henderson@gov.bc.ca)

[Kim.Grout@gov.bc.ca](mailto:Kim.Grout@gov.bc.ca)

Attn: Sharon Henderson, Compliance and Enforcement Coordinator

**Re: Outstanding ALR Non-compliance Issues**

At their meeting on April 13, 2017 the Regional Board asked that the Agriculture Land Commission be contacted to inquiry about outstanding ALR non-compliance issues:

*Resolution No. RD/17/04/24*

*That a letter be forwarded to the Agricultural Land Commission to express concerns regarding outstanding non-compliance issues in the region and inquire what remedies are planned to encourage compliance.*

This arose from particular regard to concern about a long outstanding issue for a property referred to as 'Samuel Ranch' (ALC File# 52192). This is an example and the Board's concern is not limited to this particular property.

To respond to the Board's request for information can the ALC please provide the following information:

1. Summary of all outstanding ALR non-compliance issues within the Peace River Regional District, including location;
2. Status report of each issue including date of last action taken;
3. Any action plans for obtaining compliance, for each issue.

Since some of these ALR non-compliance issues might also be associated with or require PRRD regulatory amendments, we will be most appreciative for your assistance and cooperation to identify these outstanding matters, so that actions can be taken toward resolution.

Please contact me if you have any questions. I look forward to receiving your information on a timely basis.

Yours truly,

*Bruce Simard*

Bruce Simard, MCIP, RPP  
General Manager of Development Services

cc. Brad Sperling, PRRD Chair  
Kim Grout, ALC CEO

**July 19, 2018**

**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](mailto:prrd.dc@prrd.bc.ca)  
☐ 9505 100 St, Fort St. John, BC V1J 4N4 Tel: (250) 785-8084 Fax: (250) 785-1125 Email: [prrd.fsj@prrd.bc.ca](mailto:prrd.fsj@prrd.bc.ca)

**Erin Price**

**From:** Bruce Simard  
**Sent:** Monday, July 24, 2017 4:40 PM  
**To:** Sundher, Avtar S ALC:EX  
**Cc:** Director Karen Goodings; Chris Cvik; PRRD\_Internal; Claire Negrin; Erin Price; Allison, Noel ALC:EX  
**Subject:** RE: Outstanding ALR Non-compliance Issues

Thanks for the assistance and quick response. It would be appreciated to get updates as appropriate because we have a rezoning application hanging in limbo on this.

Cheers

**Bruce Simard** | General Manager of Development Services  
 Direct: **250-784-3204** | Cell: **250-219-0447** | [bruce.simard@prrd.bc.ca](mailto:bruce.simard@prrd.bc.ca)  
 PEACE RIVER REGIONAL DISTRICT | Box 810, 1981 Alaska Highway Avenue, Dawson Creek, BC V1G 4H8  
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PEACE RIVER REGIONAL DISTRICT



**From:** Sundher, Avtar S ALC:EX [<mailto:Avtar.Sundher@gov.bc.ca>]  
**Sent:** Monday, July 24, 2017 4:26 PM  
**To:** Bruce Simard <[Bruce.Simard@prrd.bc.ca](mailto:Bruce.Simard@prrd.bc.ca)>  
**Cc:** Director Karen Goodings <[karen.goodings@prrd.bc.ca](mailto:karen.goodings@prrd.bc.ca)>; Chris Cvik <[Chris.Cvik@prrd.bc.ca](mailto:Chris.Cvik@prrd.bc.ca)>; PRRD\_Internal <[prrd.internal@prrd.bc.ca](mailto:prrd.internal@prrd.bc.ca)>; Claire Negrin <[Claire.Negrin@prrd.bc.ca](mailto:Claire.Negrin@prrd.bc.ca)>; Erin Price <[Erin.Price@prrd.bc.ca](mailto:Erin.Price@prrd.bc.ca)>; Allison, Noel ALC:EX <[Noel.Allison@gov.bc.ca](mailto:Noel.Allison@gov.bc.ca)>  
**Subject:** RE: Outstanding ALR Non-compliance Issues

Hi Bruce

We have opened C&E file 61557 and will be following up on this particular non-compliance issue. Thanks for advising and will ensure that you are copied on any correspondence sent to the property owner.

Avtar

**From:** Bruce Simard [<mailto:Bruce.Simard@prrd.bc.ca>]  
**Sent:** Friday, July 21, 2017 4:51 PM  
**To:** Sundher, Avtar S ALC:EX; Allison, Noel ALC:EX  
**Cc:** Director Karen Goodings; Chris Cvik; PRRD\_Internal; Claire Negrin; Erin Price  
**Subject:** RE: Outstanding ALR Non-compliance Issues

Hi Avtar,

Yes, The three homes were built in 2010 which precipitated enforcement actions and attempts to remedy the problem through ALC applications and rezoning amendments. Not meeting ALC requirements also prevents any potential rezoning remedies and puts the whole matter in limbo until the ALC aspect is dealt with.

**July 19, 2018**



**Bruce Simard** | General Manager of Development Services  
Direct: **250-784-3204** | Cell: **250-219-0447** | [bruce.simard@prrd.bc.ca](mailto:bruce.simard@prrd.bc.ca)



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PEACE RIVER REGIONAL DISTRICT

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**From:** Sundher, Avtar S ALC:EX [<mailto:Avtar.Sundher@gov.bc.ca>]  
**Sent:** Friday, July 21, 2017 4:38 PM  
**To:** Bruce Simard <[Bruce.Simard@prrd.bc.ca](mailto:Bruce.Simard@prrd.bc.ca)>; Allison, Noel ALC:EX <[Noel.Allison@gov.bc.ca](mailto:Noel.Allison@gov.bc.ca)>  
**Cc:** Director Karen Goodings <[karen.goodings@prrd.bc.ca](mailto:karen.goodings@prrd.bc.ca)>; Chris Cvik <[Chris.Cvik@prrd.bc.ca](mailto:Chris.Cvik@prrd.bc.ca)>; PRRD\_Internal <[prrd.internal@prrd.bc.ca](mailto:prrd.internal@prrd.bc.ca)>; Claire Negrin <[Claire.Negrin@prrd.bc.ca](mailto:Claire.Negrin@prrd.bc.ca)>; Erin Price <[Erin.Price@prrd.bc.ca](mailto:Erin.Price@prrd.bc.ca)>  
**Subject:** RE: Outstanding ALR Non-compliance Issues

Hi Bruce

We are still reviewing this file and contemplating a C&E path forward. Have the 3 homes already been built?

*Avtar S. Sundher*

Director of Operations  
Agriculture Land Commission  
#133-4940 Canada Way, Burnaby V5G 4K6  
[avtar.sundher@gov.bc.ca](mailto:avtar.sundher@gov.bc.ca) Tel: 604-660-7014

**From:** Karen Goodings [<mailto:kgooding@pris.bc.ca>]  
**Sent:** Friday, July 21, 2017 4:26 PM  
**To:** 'Bruce Simard'; Allison, Noel ALC:EX  
**Cc:** Sundher, Avtar S ALC:EX; 'Director Karen Goodings'; 'Chris Cvik'; 'PRRD\_Internal'; 'Claire Negrin'; 'Erin Price'  
**Subject:** RE: Outstanding ALR Non-compliance Issues

Very unclear to me as to who has the responsibility of the follow-up on this?

**From:** Bruce Simard [<mailto:Bruce.Simard@prrd.bc.ca>]  
**Sent:** July-20-17 4:42 PM  
**To:** Allison, Noel ALC:EX  
**Cc:** Sundher, Avtar S ALC:EX; Director Karen Goodings; Chris Cvik; PRRD\_Internal; Claire Negrin; Erin Price  
**Subject:** RE: Outstanding ALR Non-compliance Issues  
**Importance:** High

Hi Noel and Avtar,

**July 19, 2018**

So does that mean it should now go back on the non-compliance list for C & E, because it is a matter that the Commission is aware of and which has not been resolved pursuant to Commission requirements?

**R-1**

**Bruce Simard** | General Manager of Development Services  
Direct: **250-784-3204** | Cell: **250-219-0447** | [bruce.simard@prrd.bc.ca](mailto:bruce.simard@prrd.bc.ca)



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PEACE RIVER REGIONAL DISTRICT

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**From:** Allison, Noel ALC:EX [<mailto:Noel.Allison@gov.bc.ca>]  
**Sent:** Thursday, July 20, 2017 3:01 PM  
**To:** Bruce Simard <[Bruce.Simard@prrd.bc.ca](mailto:Bruce.Simard@prrd.bc.ca)>  
**Cc:** Sundher, Avtar S ALC:EX <[Avtar.Sundher@gov.bc.ca](mailto:Avtar.Sundher@gov.bc.ca)>  
**Subject:** FW: Outstanding ALR Non-compliance Issues  
**Importance:** High

Hi Bruce,

I've looked into Application ID 52192 (Ranch) – The ALC refused the three houses as proposed and allowed the three homes subject to:

1. The consolidation of the subject property, by survey, with the adjoining property (S ½ of lot 15) to the north.
2. The application must be concluded within three years from April 2011.

We have yet to receive any documents that confirm this consolidation has taken place and the application has expired.

I have been informed that the applicants will have to submit a new non-farm use application to have these additional dwellings on the property, prior to the bylaw amendment process.

Regards,

Noel

**From:** Sundher, Avtar S ALC:EX  
**Sent:** Wednesday, July 19, 2017 4:29 PM  
**To:** Allison, Noel ALC:EX; Pellett, Tony ALC:EX  
**Subject:** FW: Outstanding ALR Non-compliance Issues  
**Importance:** High

Noel/Tony

We do not have a C&E file on this issue....I note there was an application #52192 and sounds like non-compliance with application conditions. Is this something that you would respond too?

Thanks

**July 19, 2018**

Avtar

R-1

**From:** Bruce Simard [<mailto:Bruce.Simard@prrd.bc.ca>]  
**Sent:** Wednesday, July 19, 2017 11:04 AM  
**To:** Sundher, Avtar S ALC:EX  
**Cc:** PRRD\_Internal  
**Subject:** RE: Outstanding ALR Non-compliance Issues  
**Importance:** High

Hi Avtar,

I have now reviewed the list you provided and there is a question about a specific property.

It is ALC File #52192 decided by Resolution #162/2011 (Samuel Ranch) - PRRD File #154/2010. The Regional District has a lingering enforcement action and zoning amendment application that we cannot move forward on because the landowner refuses to abide by the conditions of the ALC conditional approval in Resolution #162/2011. Since the land owner has not (will not) come into compliance with the ALC, the PRRD cannot proceed with any bylaw changes that might fix the bylaw contravention.

**Can you please look into the status of this specific file and let me know what the ALC intent is to deal with this continuing contravention ALC.**

Thanks

**Bruce Simard** | General Manager of Development Services  
Direct: 250-784-3204 | Cell: 250-219-0447 | [bruce.simard@prrd.bc.ca](mailto:bruce.simard@prrd.bc.ca)



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PEACE RIVER REGIONAL DISTRICT

IMPORTANT

**From:** Sundher, Avtar S ALC:EX [<mailto:Avtar.Sundher@gov.bc.ca>]  
**Sent:** Friday, July 14, 2017 11:37 AM  
**To:** Bruce Simard <[Bruce.Simard@prrd.bc.ca](mailto:Bruce.Simard@prrd.bc.ca)>  
**Subject:** RE: Outstanding ALR Non-compliance Issues

Hi Bruce

Response to your June 26 letter attached.

Please contact me if you have any questions. I am also interested in meeting with you to discuss any further concerns in the PRRD involving ALR or if you want to discuss our policies and legislation.

Regards

*Avtar S. Sundher*

Director of Operations

July 19, 2018  
4

**From:** Bruce Simard [<mailto:Bruce.Simard@prrd.bc.ca>]  
**Sent:** Tuesday, June 27, 2017 2:30 PM  
**To:** Sundher, Avtar S ALC:EX  
**Cc:** PRRD\_Internal; Claire Negrin; Chris Cvik  
**Subject:** Outstanding ALR Non-compliance Issues

Hello Avtar,

I see that Sharon Henderson is away until July 6. In her absence would you be able to begin addressing the attached request from our Regional Board?

Thanks

**Bruce Simard** | General Manager of Development Services  
Direct: **250-784-3204** | Cell: **250-219-0447** | [bruce.simard@prrd.bc.ca](mailto:bruce.simard@prrd.bc.ca)



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PEACE RIVER REGIONAL DISTRICT

VIADUCT

July 19, 2018



# Peace River Regional District REPORT

R-1

To: Chair and Directors

Date: July 19, 2017

From: Bruce Simard, General Manager of Development Services

Subject: Regional Board Inquiry Regarding ALR Non-compliance Issues

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

For information as requested by Regional Board.

## BACKGROUND/RATIONALE:

On the April 13, 2017 meeting, the Regional Board asked that the Agriculture Land Commission be contacted to inquire about outstanding ALR non-compliance issues:

*Resolution No. RD/17/04/24*

*That a letter be forwarded to the Agricultural Land Commission to express concerns regarding outstanding non-compliance issues in the region and inquire what remedies are planned to encourage compliance.*

The Agriculture Land Commission has responded with the attached letter.

Regarding the two matters that are also noted as PRRD enforcement actions the PRRD status is shown below:

2016	80	<b>PID 004-347-358</b> WALTER, Peter & Agnes	6-Apr-16	industrial use in A-2 Zone- Commercial trucks, oil tanks, industrial washing	RB passed resolution at June 22, 2017 meeting to proceed with court proceedings if not in compliance within 14 days of receipt of the notice of the resolution.  Owner is constructing new building on Enterprise Way in an I-1 (Light Industrial Zone)	<b>11040 271 RD</b> NE 1/4, S4, TP84, R19, W6M, Peace River	C
------	----	---	----------	--	---	--	---

**July 19, 2018**

Staff Initials:

Dept. Head:

*Bruce Simard*

CAO:

*Chibrik*

Page 1 of 2  
Page 29 of 72

2016	97	<b>PID 024-932-680</b> HANEY, Darryl	9-May-16	HBB, BP, and Zoning contraventions on 3 parcels	Rezoning and DVP applications have been received and paid for.  Applications under review.	<b>8340, 8306 Micro Sub &amp; 1080 210 RD</b> Lots 1&2, S26, TP 78, R15, PL PGP46412 & PCL A (BNG a Consolodation of Lots 3&4 See BB1974913) S 26, TP 78, R15, PL 12184	D
------	----	---	----------	---	--	--	---

At the April 13, 2017 meeting, particular interest in the “Samuel Ranch” file was noted by a Board member. This was noted in initial PRRD correspondence to the ALC but no information was provided. A recent e-mail sent after receipt of the ALC response has been sent to again inquire about this property (see attached).

**OPTIONS:**

**STRATEGIC PLAN RELEVANCE:**

**FINANCIAL CONSIDERATION(S):**

**COMMUNICATIONS CONSIDERATION(S):**

**OTHER CONSIDERATION(S):**

Attachments:

- ALC letter dated July 14, 2017
- PRRD e-mail dated July 19, 2017
- Property maps
- ALC letter dated July 14, 2017



**Agricultural Land Commission**

133 – 4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604 660-7000  
Fax: 604 660-7033  
www.alc.gov.bc.ca

**R-1**

July 14, 2017

**Via Email (bruce.simard@prrd.bc.ca)**

Peace River Regional District  
Box 810, 1981 Alaska Ave  
Dawson Creek, BC  
V1G4H8

**Attn: Bruce Simard, General Manager of Development Services**

Dear Mr. Simard,

**Re: Active Compliance and Enforcement Files in the Peace River Regional District (PRRD)**

This letter is in response to your information request dated June 26, 2017 addressed to the Agricultural Land Commission Compliance and Enforcement (C&E) Coordinator, Sharon Henderson.

At this time, the Agricultural Land Commission (ALC) C&E department only responds to instances of alleged misuse of agricultural land as a result of incoming referrals from other government bodies or complaints from the general public.

Our resources are allocated using a priority-based approach to mitigate the damage occurring to agricultural land throughout British Columbia. While our C&E Management Framework does provide guidance for enforcing ALC legislation, each file is evaluated individually by a C&E Officer to determine what actions are appropriate for the specific circumstances.

In the PRRD the ALC C&E department has four active files summarized on Table 1 (attached).

If you have any questions about our on-going enforcement activities within the PRRD please do not hesitate to contact the undersigned.

Sincerely,

Avtar S. Sundher  
Director of Operations

**July 19, 2018**



**Agricultural Land Commission**

133 – 4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604 660-7000  
Fax: 604 660-7033  
www.alc.gov.bc.ca

**R-1****Table 1: Summary of Active Compliance and Enforcement Files in the Peace River Regional District**

File No.	Address	PID	Contravention	Status	Planned Enforcement Actions
50267	NW 1/4 SEC 29 TP 81 R 17	014-637-791	Commercial Activity: Water storage tanks erected on ALR.	Consult with North-Panel Vice-Chair. Non-Farm Use (NFU) application required.	Notice of Contravention: Owner to submit subsequent application, or removal of the tanks.
50303	DL 2900 Wildfire Cattle Co	014-638-380	Commercial Activity: Work camp encroaching on ALR	Awaiting ALC NFU application decision.	None – Pending NFU decision
50400	11114 271 Road	004-347-358	Commercial Activity: Unauthorized business on ALR land	PRRD Bylaw Dept. enforcing.	None
50508	8340 Micro Subdivision	024-932-680	Commercial Activity: Unauthorized business on ALR land	Property Owner preparing NFU application.	None – pending application submission & decision

**July 19, 2018**



Bruce Simard

---

From: Bruce Simard  
Sent: Wednesday, July 19, 2017 11:04 AM  
To: 'Sundher, Avtar S ALC:EX'  
Cc: PRRD\_Internal  
Subject: RE: Outstanding ALR Non-compliance Issues

Importance: High

Hi Avtar,

I have now reviewed the list you provided and there is a question about a specific property.

It is ALC File #52192 decided by Resolution #162/2011 (Samuel Ranch) - PRRD File #154/2010. The Regional District has a lingering enforcement action and zoning amendment application that we cannot move forward on because the landowner refuses to abide by the conditions of the ALC conditional approval in Resolution #162/2011. Since the land owner has not (will not) come into compliance with the ALC, the PRRD cannot proceed with any bylaw changes that might fix the bylaw contravention.

Can you please look into the status of this specific file and let me know what the ALC intent is to deal with this continuing contravention ALC.

Thanks

Bruce Simard | General Manager of Development Services

Direct: 250-784-3204 | Cell: 250-219-0447 | [bruce.simard@prrd.bc.ca](mailto:bruce.simard@prrd.bc.ca)

PEACE RIVER REGIONAL DISTRICT | Box 810, 1981 Alaska Highway Avenue, Dawson Creek, BC V1G 4H8

Toll Free: (24 hrs): 1-800-670-7773 | Office: 250-784-3200 | Fax: 250-784-3201 | [www.prrd.bc.ca](http://www.prrd.bc.ca)



PEACE RIVER REGIONAL DISTRICT



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---

From: Sundher, Avtar S ALC:EX [mailto:[Avtar.Sundher@gov.bc.ca](mailto:Avtar.Sundher@gov.bc.ca)]

Sent: Friday, July 14, 2017 11:37 AM

To: Bruce Simard <[Bruce.Simard@prrd.bc.ca](mailto:Bruce.Simard@prrd.bc.ca)>

Subject: RE: Outstanding ALR Non-compliance Issues

Hi Bruce

Response to your June 26 letter attached.

Please contact me if you have any questions. I am also interested in meeting with you to discuss any further concerns in the PRRD involving ALR or if you want to discuss our policies and legislation.

Regards

*Avtar S. Sundher*

Director of Operations

**July 19, 2018**

---

From: Bruce Simard [<mailto:Bruce.Simard@prrd.bc.ca>]  
Sent: Tuesday, June 27, 2017 2:30 PM  
To: Sundher, Avtar S ALC:EX  
Cc: PRRD\_Internal; Claire Negrin; Chris Cvik  
Subject: Outstanding ALR Non-compliance Issues

Hello Avtar,

I see that Sharon Henderson is away until July 6. In her absence would you be able to begin addressing the attached request from our Regional Board?

Thanks

Bruce Simard | General Manager of Development Services  
Direct: 250-784-3204 | Cell: 250-219-0447 | [bruce.simard@prrd.bc.ca](mailto:bruce.simard@prrd.bc.ca)  
PEACE RIVER REGIONAL DISTRICT | Box 810, 1981 Alaska Highway Avenue, Dawson Creek, BC V1G 4H8  
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PEACE RIVER REGIONAL DISTRICT



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---

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[Report as Not Spam](#)  
[Forget previous vote](#)

July 19, 2018



## Peace River Regional District

19-Jul-2017

PID: 014-637-791

Roll Number: 759-006657.000

Legal Description: NW 1/4 OF SEC 29 TP 81 R 17 W6M PEACE RIVER EXC PL A938

### Parcel Size

62.04 Hectares      153.32 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.

July 19, 2018



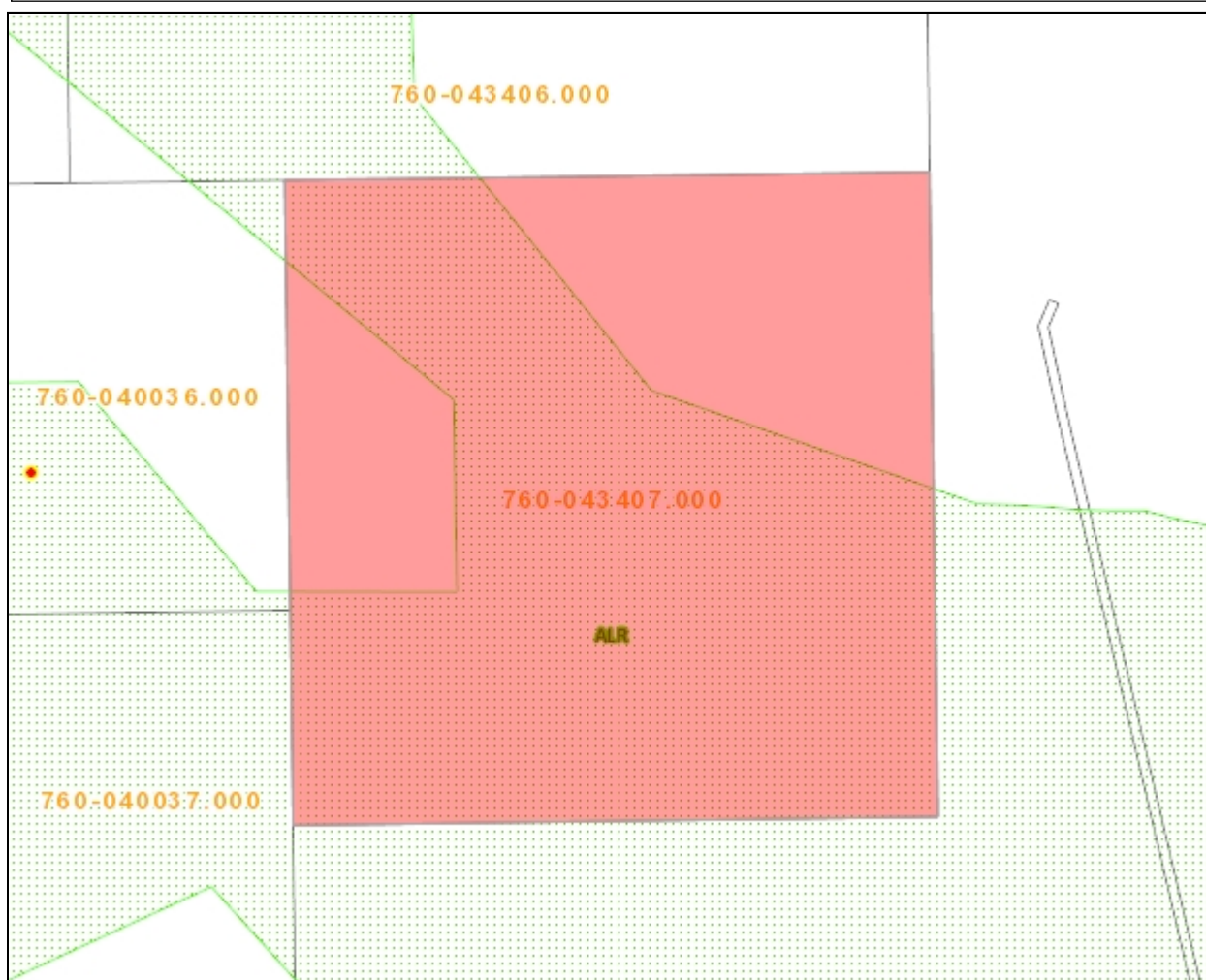
# Peace River Regional District

19-Jul-2017

PID: 014-638-380  
Roll Number: 760-043407.000  
Legal Description: DL 2900 PEACE RIVER

## Parcel Size

145.68 Hectares      359.99 Acres

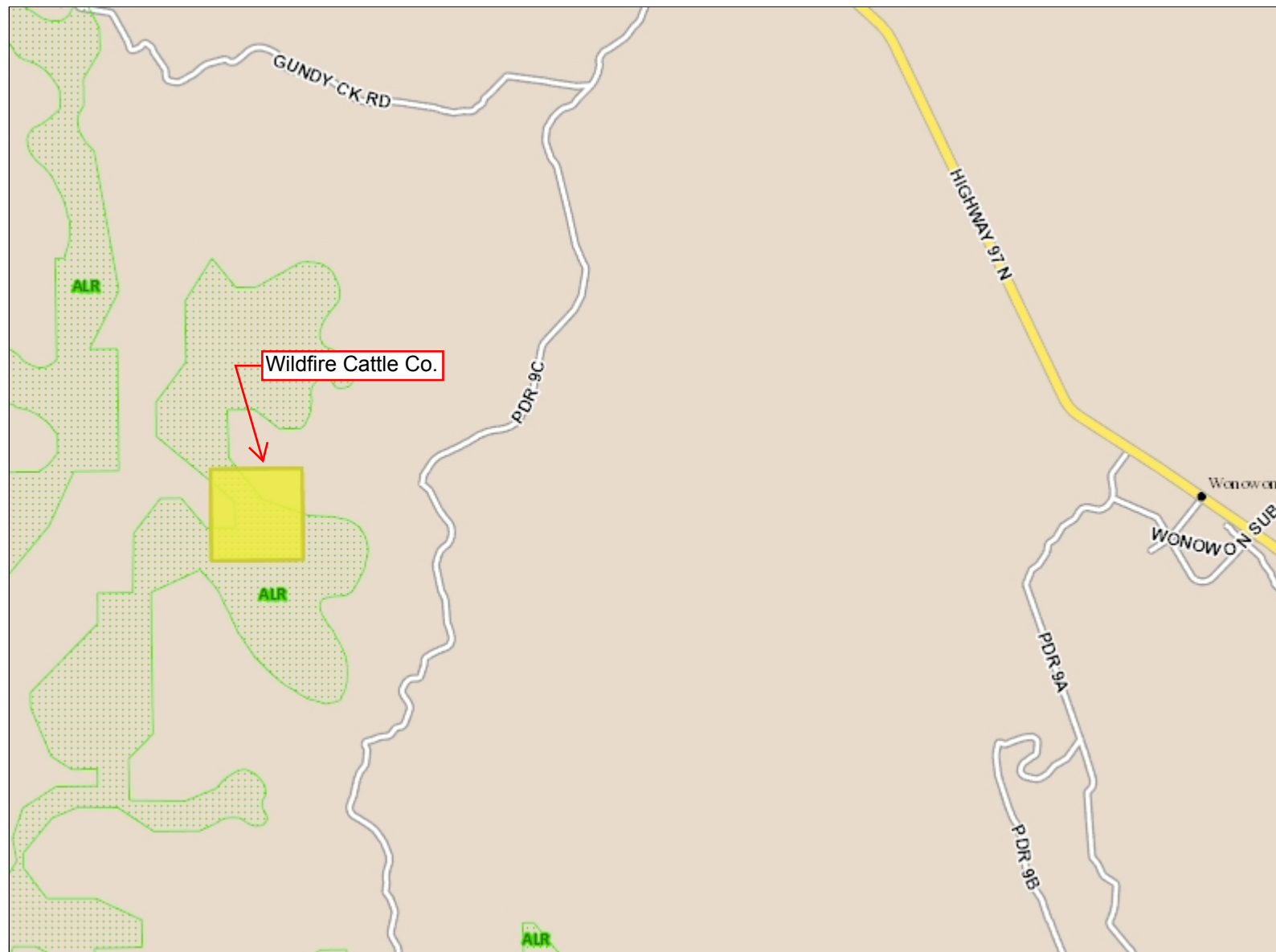
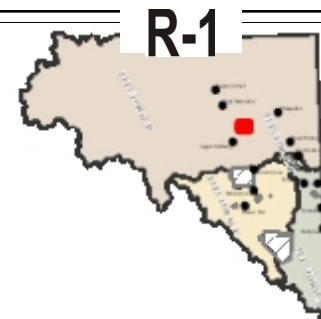


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**July 19, 2018**



# Peace River Regional District



## Legend

- Highway Mile Marker
- Rural Community
- ALR
- Main Roads (1:50000- 1:10000)
- Minor Roads (1:50000 - 1:10000)
- Water Bodies
- Regional District Boundary
- Municipal Boundaries
- Electoral Area Boundaries
  - Electoral B
  - Electoral C
  - Electoral D
  - Electoral E

1: 80,000



4,064.0 0 2,032.00 4,064.0 Meters

NAD\_1983\_UTM\_Zone\_10N  
© Latitude Geographics Group Ltd.

July 19, 2018

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

## Notes





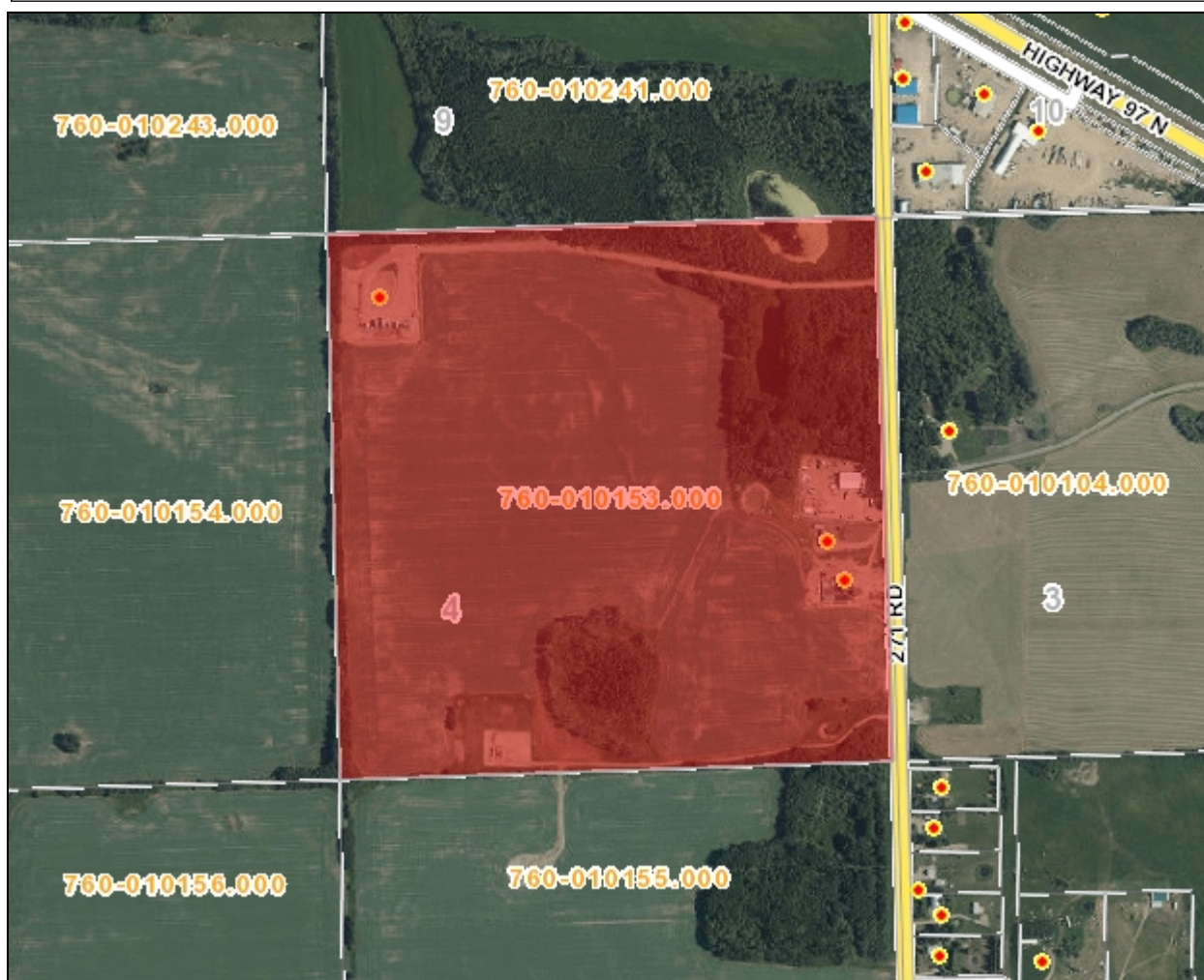
# Peace River Regional District

19-Jul-2017

PID: 004-347-358  
Roll Number: 760-010153.000  
Legal Description: NE 1/4 OF SEC 4 TP 84 R 19 W6M PEACE RIVER

## Parcel Size

65.37 Hectares 161.52 Acres



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July 19, 2018



# Peace River Regional District

19-Jul-2017

PID: 024-932-680

Roll Number: 759-003802.010

Legal Description: L 1 SEC 26 TP 78 R 15 W6M PEACE RIVER PL PGP46412

## Parcel Size

0.81 Hectares

2.00 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.

July 19, 2018





**Agricultural Land Commission**  
 133-4940 Canada Way  
 Burnaby, British Columbia V5G 4K6  
 Tel: 604 660-7000  
 Fax: 604 660-7033  
[www.alc.gov.bc.ca](http://www.alc.gov.bc.ca)

July 14, 2017

ALC File: 55860

Roy Northern Land and Environmental  
 207, 10139 100 Street  
 Fort St. John, BC V1J 3Y6

Attention: Aaron Mackay

**Re: Application to Conduct a Non-Farm Use in the Agricultural Land Reserve (ALR)**

Please find attached the Reasons for Decision of the North Panel (Resolution #195/2017) as it relates to the above noted application. A sketch plan depicting the decision is also attached. As agent, it is your responsibility to notify the applicant accordingly.

**Reconsideration of a Decision as Directed by the ALC Chair**

Please note that pursuant to [s. 33.1 of the Agricultural Land Commission Act](#), the Chair may direct the Executive Committee to reconsider any panel decision if, within 60 days from the date of this decision, he considers that the decision may not fulfill the purposes of the commission as set out in s. 6, or does not adequately take into consideration s. 4.3.

You will be notified in writing if the Executive Committee is directed to reconsider your decision. The Commission advises you to take this 60 day period into consideration prior to proceeding with any actions upon this decision.

**Reconsideration of a Decision by an Affected Person**

We draw your attention to [s. 33\(1\) of the Agricultural Land Commission Act](#) which provides a person affected the opportunity to submit a request for reconsideration.

- 33(1) On the written request of a person affected or on the commission's own initiative, the commission may reconsider a decision of the commission under this Act and may confirm, reverse or vary it if the commission determines that:
- (a) evidence not available at the time of the original decision has become available,
  - (b) all or part of the original decision was based on evidence that was in error or was false.

For further clarity, s. 33.1 and s. 33(1) are separate and independent sections of the *Agricultural Land Commission Act*.

Further correspondence with respect to this application is to be directed to Noel Allison at (Noel.Allison@gov.bc.ca).

**July 19, 2018**



Page 2 of 2

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in black ink, appearing to read 'Noel Allison', written in a cursive style.

Noel Allison, Land Use Planner

Enclosures: Reasons for Decision (Resolution #195/2017)  
Sketch plan

cc: Peace River Regional District (File: # 240/2016)

55860d1

**July 19, 2018**



**AGRICULTURAL LAND COMMISSION FILE 55860**

**REASONS FOR DECISION OF THE NORTH PANEL**

**Application submitted pursuant to s. 20(3) of the *Agricultural Land Commission Act***

**Applicant:** Wildfire Land and Cattle Co.  
Ltd  
(the “Applicant”)

**Agent:** Aaron Mackay of  
Roy Northern Land and  
Environmental  
(the “Agent”)

**Application before the North Regional Panel:** Dave Merz, Panel Chair  
Ross Ravelli

**July 19, 2018**

**THE APPLICATION**

- [1] The legal description of the property involved in the application is:
- Parcel Identifier: 014-746-701
- The North East ¼ of District Lot 41, Peace River District
- (the “Property”)
- [2] The Property is 64.8 ha (24.7 ha ALR).
- [3] The Property is generally described as being located on Gundy Creek Road, west of Wonowon, BC.
- [4] The Property is partially located within a designated agricultural land reserve (“ALR”) as defined in s. 1 of the *Agricultural Land Commission Act* (the “ALCA”).
- [5] The Property is located within Zone 2 as defined in s. 4.2 of the ALCA.
- [6] Pursuant to s. 20(3) of the ALCA, the Applicant is applying to use 1.83 ha of ALR land to operate a temporary work camp for equipment operators, construction workers, forestry personnel and oil and gas workers (the “Proposal”). The Proposal along with supporting documentation is collectively the application (the “Application”).

**RELEVANT STATUTORY PROVISIONS**

- [7] The Application was made pursuant to s. 20(3) of the ALCA:
- 20(3) An owner of agricultural land or a person with a right of entry to agricultural land granted by any of the following may apply to the commission for permission for a non-farm use of agricultural land.
- [8] The Panel considered the Application pursuant to its mandate in s. 4.3 of the ALCA:



4.3 When exercising a power under this Act in relation to land located in Zone 2, the commission must consider all of the following, in descending order of priority:

- (a) the purposes of the commission set out in section 6;
- (b) economic, cultural and social values;
- (c) regional and community planning objectives;
- (d) other prescribed considerations.

[9] The purposes of the Agricultural Land Commission (the “Commission”) set out in s. 6 are as follows:

6 The following are the purposes of the commission:

- (a) to preserve agricultural land;
- (b) to encourage farming on agricultural land in collaboration with other communities of interest; and
- (c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

#### **EVIDENTIARY RECORD BEFORE THE PANEL**

[10] The Panel considered the following evidence:

- 1. The Application
- 2. Local government documents
- 3. Previous application history
- 4. Agricultural capability map, ALR context map, and satellite imagery

[11] At its meeting on January 12, 2017, the Peace River Regional District Board resolved to “support ALR Non-Farm Use Application 240/2016 (Wildfire Land & Cattle Co. Ltd.) and authorize the application to proceed to the Agricultural Land Commission as a temporary worker camp and to be considered through a Temporary use Permit within the Official Community Plan”.



[12] The Panel reviewed one previous application relating to the application:

Application ID: 53974  
(Maundrell, 2015)

To operate a seasonal borrow pit to service the oil and gas industry on 1.8 ha portion of the Property, 0.3 ha of which is in the ALR. The Panel found that the existing 0.3 ha impact on the ALR was negligible. The application was approved by Resolution #230/2015.

## **FINDINGS**

### Section 4.3(a) and Section 6 of the ALCA: First priority to agriculture

[13] The southeast corner of the Property which lies outside of the ALR, has been developed as a temporary work camp and associated uses. During construction of the temporary work camp, it was discovered that a portion of the camp was within the ALR. The Application was submitted subsequent to the ALC confirming that the work camp had encroached onto ALR land without approval of the Commission.

[14] In assessing agricultural capability, the Panel referred to agricultural capability mapping and ratings. The ratings are identified using the Canada Land Inventory (CLI). The improved agricultural capability ratings identified on CLI map sheet 94B/09 for the mapping units encompassing the ALR portion of the Property are Class 6:4W - 4:3C.

Class 3 - land is capable of producing a fairly wide range of crops under good management practices. Soil and/or climate limitations are somewhat restrictive.

Class 4 - land is capable of a restricted range of crops. Soil and climate conditions require special management considerations.

The limiting subclasses associated with this parcel of land are C (adverse climate) and W (excess water).

**July 19, 2018**



- [15] The CLI ratings indicate that the ALR portion of the Property has moderate agricultural capability for a fairly wide range of agricultural crops and that this portion of the Property is currently used for grain production.

Section 4.3(b) of the ALCA: Second priority to economic, cultural and social values

- [16] In its review, the Panel gave consideration to the economic value of the Proposal to both the Applicant and local community. The Panel reviewed the Agent's comment:

*The continued operation of this camp is supporting agriculture in that it is providing financial security to the landowners which they are partially reinvesting into the farm. It is allowing for the purchase of additional equipment and cattle and is allowing the landowners to clear and break land they might otherwise be unable to develop.*

The Panel accepts that some of the revenue generated from the existing temporary work camp may help support the farm's operations. Further, the Panel believes that the temporary work camp may encourage employment within the region and further compliments the economic values of the local community.

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Section 4.3(c) of the ALCA: third priority to regional and community planning objectives

- [17] The Property is designated Agricultural Rural within the Peace River Regional District Official Community Plan Bylaw No. 1940, 2011. This designation allows for temporary uses and as such that the proposal is consistent with the OCP.

- [18] The Property is zoned A-2 (Large Agricultural Holdings Zone) within the Peace River Regional District Zoning Bylaw No. 1000, 1996 (the Zoning Bylaw). A temporary use permit (TUP) was issued in July 2013 to allow for an increase from 30 to 300 people at the work camp. The Applicant has now applied for an amendment to the TUP to allow up to 500 people and to increase the footprint of the camp.



Weighing the factors in priority

[19] Following its review of the Proposal, the Panel finds that the 1.83 ha temporary work camp area within the ALR is minimal and that the majority of the ALR portion of the Property remains available for agricultural use. That said, the Panel does not support any further expansion of this non-farm use onto the ALR portion of the Property. Any further expansion of the work camp would require a new non-farm use application to the Commission. The outcome of this decision does not incite any future approvals.

**DECISION**

[20] For the reasons given above, the North Panel approves the use of 1.83 ha to operate a temporary work camp and is subject to the following conditions:

- a. The non-farm use is approved for 20 years;
- b. Siting of the non-farm use conforms to the dimensions of the attached sketch plan and does not exceed the 1.83 ha portion within the ALR; and
- c. A final report submitted to the ALC upon completion of the project. The report must be completed by a qualified registered professional, with specific knowledge of soils and land reclamation. The final report must include, but is not limited to the following:
  - A written description of the completed project;
  - Evidence that the site is reclaimed to a standard that matches the agricultural capability of the site prior to its disturbance;
  - Photographs of the reclaimed area accompanied by a map that indicates the location and direction the photos were taken;

[21] This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

[22] These are the unanimous reasons of the North Panel of the Agricultural Land Commission.





[23] A decision of the Panel is a decision of the Commission pursuant to s. 11.1(5) of the *Agricultural Land Commission Act*.

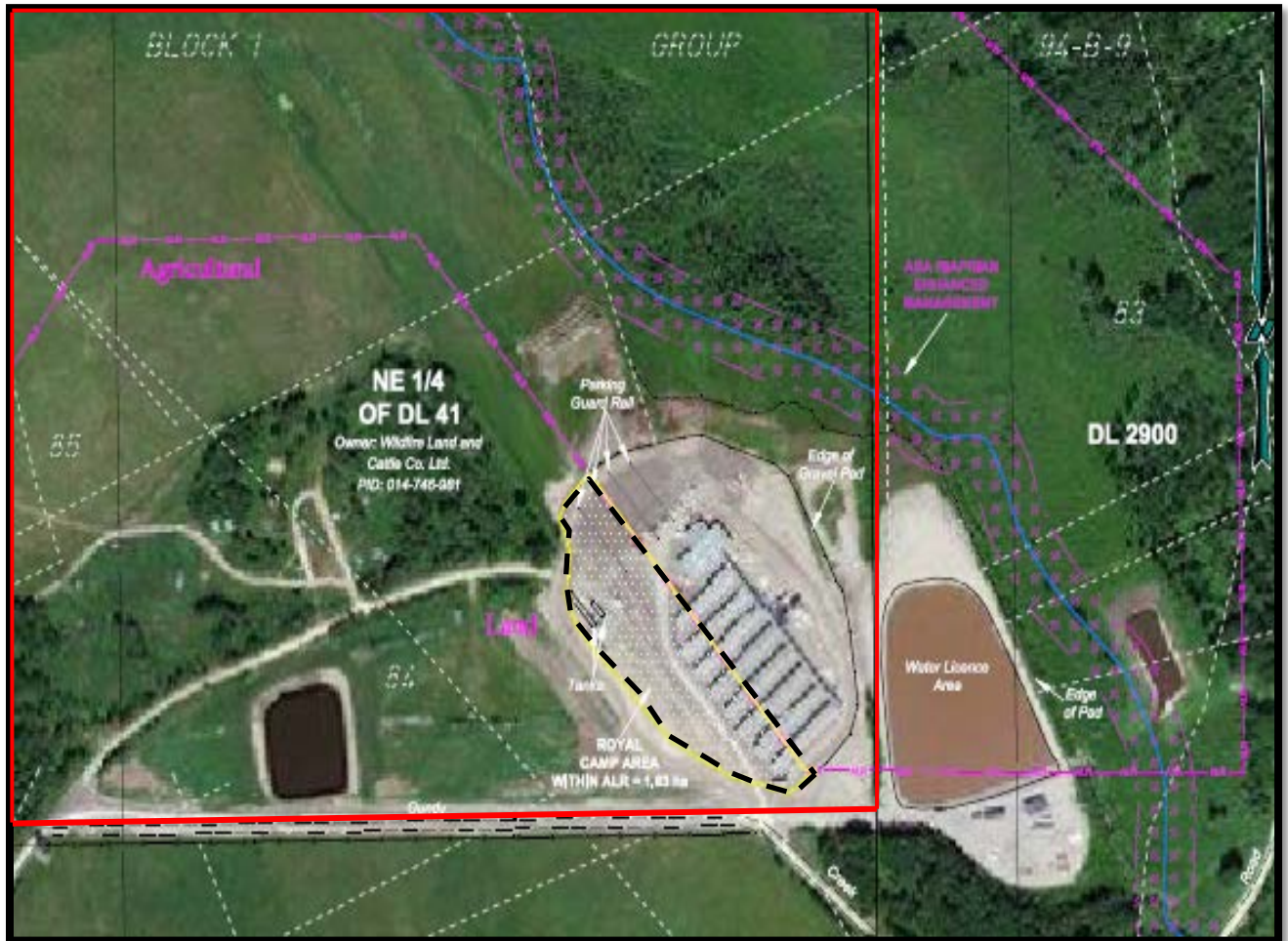
[24] This decision is recorded as Resolution #195/2017 and is released on July 14, 2017.

**CERTIFICATION OF DECISION**

A handwritten signature in black ink, appearing to read 'D. Merz', is written over a horizontal line.

Dave Merz, Panel Chair, on behalf of the North Panel

**END OF DOCUMENT****July 19, 2018**



	Conditionally Approved Non-Farm Use (1.83 ha)
	The Property
	Agricultural Land Reserve (ALR) Boundary

July 19, 2018

**From:** Sundher, Avtar S ALC:EX [<mailto:Avtar.Sundher@gov.bc.ca>]  
**Sent:** Monday, July 24, 2017 4:26 PM  
**To:** Bruce Simard <[Bruce.Simard@prrd.bc.ca](mailto:Bruce.Simard@prrd.bc.ca)>  
**Subject:** RE: Outstanding ALR Non-compliance Issues

Hi Bruce

We have opened C&E file 61557 and will be following up on this particular non-compliance issue. Thanks for advising and will ensure that you are copied on any correspondence sent to the property owner.

Avtar

**From:** Bruce Simard [<mailto:Bruce.Simard@prrd.bc.ca>]  
**Sent:** July-20-17 4:42 PM  
**To:** Allison, Noel ALC:EX  
**Subject:** RE: Outstanding ALR Non-compliance Issues  
**Importance:** High

Hi Noel and Avtar,

So does that mean it should now go back on the non-compliance list for C & E, because it is a matter that the Commission is aware of and which has not been resolved pursuant to Commission requirements?

**Bruce Simard** | General Manager of Development Services  
Direct: 250-784-3204 | Cell: 250-219-0447 | [bruce.simard@prrd.bc.ca](mailto:bruce.simard@prrd.bc.ca)



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PEACE RIVER REGIONAL DISTRICT

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July 19, 2018

**From:** Allison, Noel ALC:EX [<mailto:Noel.Allison@gov.bc.ca>]  
**Sent:** Thursday, July 20, 2017 3:01 PM  
**To:** Bruce Simard <[Bruce.Simard@prrd.bc.ca](mailto:Bruce.Simard@prrd.bc.ca)>  
**Subject:** FW: Outstanding ALR Non-compliance Issues  
**Importance:** High

Hi Bruce,

I've looked into Application ID 52192 (Ranch) – The ALC refused the three houses as proposed and allowed the three homes subject to:

1. The consolidation of the subject property, by survey, with the adjoining property (S ½ of lot 15) to the north.
2. The application must be concluded within three years from April 2011.

We have yet to receive any documents that confirm this consolidation has taken place and the application has expired.

I have been informed that the applicants will have to submit a new non-farm use application to have these additional dwellings on the property, prior to the bylaw amendment process.

Regards,

Noel

**From:** Bruce Simard [<mailto:Bruce.Simard@prrd.bc.ca>]  
**Sent:** Wednesday, July 19, 2017 11:04 AM  
**To:** Sundher, Avtar S ALC:EX  
**Subject:** RE: Outstanding ALR Non-compliance Issues  
**Importance:** High

Hi Avtar,

I have now reviewed the list you provided and there is a question about a specific property.

It is ALC File #52192 decided by Resolution #162/2011 (Samuel Ranch) - PRRD File #154/2010. The Regional District has a lingering enforcement action and zoning amendment application that we cannot move forward on because the landowner refuses to abide by the conditions of the ALC conditional approval in Resolution #162/2011. Since the land owner has not (will not) come into compliance with the ALC, the PRRD cannot proceed with any bylaw changes that might fix the bylaw contravention.

**Can you please look into the status of this specific file and let me know what the ALC intent is to deal with this continuing contravention ALC.**

Thanks

**Bruce Simard** | General Manager of Development Services  
 Direct: 250-784-3204 | Cell: 250-219-0447 | [bruce.simard@prrd.bc.ca](mailto:bruce.simard@prrd.bc.ca)

**July 19, 2018**

**Agricultural Land Commission**

201 – 4940 Canada Way  
 Burnaby, British Columbia V5G 4K6  
 Tel: 604 660-7000  
 Fax: 604 660-7033  
 www.alc.gov.bc.ca

**R-1**

June 11 2018

ALC C&amp;E File 61557

**REGISTERED LETTER**

Samuel Ranch LTD  
 Paul Walter  
 PO Box 6802 Stn Main  
 Fort St. John, BC V1J4J2

Dear Property Owner

**Notice of Contravention**

**CIVIC ADDRESS:** 13801/13805 Rose Prairie Road  
**LEGAL:** Lot 16, Plan PGP3986, Township 85, Range 18, Meridian W6, Peace River Land District, Except Plan PGP18648 EPP713, ST JOHN IND RESERVE 172 PETROLEUM FACILITIES LOCATED HEREON (WA 04010), (WA 04848), (WA 05636), (WA 06413), (WA 06414), (WA 04383) & (WA 04010.015) SUBJECT TO STAT R/W PGP38712  
**PID:** 006-853-943  
**(the "Property")**

This letter serves to inform you that the *Agricultural Land Commission* (the "ALC") has information that indicates you have multiple dwellings on the Property that are in contravention of the Agricultural Land Commission Act (the "Act") and BC Regulation 171/2002 Agricultural Land Reserve Use, Subdivision and Procedures Regulation (the 'Regulation').

Upon review of information provided by the Peace River Regional District and a review of aerial images, it has been determined that two unauthorized dwellings are present on the Property.

Upon review of ALC records it was noted that on April 21, 2011 Application #52192 was refused as proposed. However, the Commissioners were prepared to approve the extra dwellings following the "*consolidation of the subject property, by survey, with the adjoining property (S ½ of Lot 15) to the north*". A due date of April 21, 2014 was set by the commissioners.

On November 08, 2012 the Commission decided not to reconsider the decision.

At this time Land Title documents show that no consolidation occurred before or after the due date. Therefore, the conditional approval for the additional dwellings has expired.

**July 19, 2018**



Based on the above information I have determined that a contravention is occurring on the Property. In order to bring the Property into compliance the Owner must:

**Remove the unauthorized dwellings from the Property and rehabilitate the land to an acceptable agricultural capability**

A lack of response to this letter may result in further action which may include the recommendation of a monetary penalty and/or an order to rehabilitate the Property to a suitable agricultural standard.

Please reply to this letter no later than **July 11, 2018** to discuss the above alleged contravention. I can be reached at 604-219-1947 and look forward to working with you to resolve this matter.

*This letter does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.*

Sincerely,

PROVINCIAL AGRICULTURAL LAND COMMISSION



David Assels  
Compliance and Enforcement Officer

**July 19, 2018**





# REPORT

To: Chair and Directors

Date: July 3, 2018

From: Trish Morgan, General Manager of Community Services; and  
Claire Negrin, Acting General Manager of Development Services

Subject: North Peace Fall Fair Improvements

## **RECOMMENDATION #1: [All Directors – Corporate Weighted]**

- 1) That the Regional Board direct staff to hire a qualified person or firm to provide a danger tree assessment for the North Peace Fall Fair Grounds; further, that staff be authorized to contract a qualified person or firm to remove any trees identified as dangerous in addition to the trees located in the parking area at the North Peace Fall Fair Grounds, and finally, that the cost of the assessment and removal of the trees be funded through the Regional Parks function.

## **RECOMMENDATION #2: [All Directors – Corporate Unweighted]**

- 1) That the Regional Board authorize the North Peace Fall Fair Society to remove all tree stumps from North Peace Fall Fair Grounds and require the Society to level and grade the disturbed ground where tree stumps are removed within a year of removal.

## **RECOMMENDATION #3: [All Directors – Corporate Unweighted]**

- 1) That the Regional Board approve construction of a deck for the kettle corn booth on the North Peace Fall Fair Grounds, subject to the North Peace Fall Fair Society applying for and being issued a building permit from the Regional District; further, that building permit fees be waived for this project as the property and facility is owned by the Regional District.

## **RECOMMENDATION #4: [All Directors – Corporate Unweighted]**

- 1) That the Regional Board approve the construction of bleachers for use on the North Peace Fall Fair Grounds subject to the North Peace Fall Fair Society applying for and being issued a building permit from the Regional District, such application to include submission of engineered drawings; further, that the North Peace Fall Fair Society submit a stamped signed Schedule B and C-B from a qualified engineer that verifies that the bleachers have been constructed as per the engineered drawings and are safe for use by the public upon completion of construction; and finally that the building permit fees be waived for this project as it is for a Regional District owned facility.

## **BACKGROUND/RATIONALE:**

The Peace River Regional District owns the North Peace Fall Fair Grounds which is licensed to the North Peace Fall Fair Society by way of a Use and Occupancy Agreement. The current agreement, signed in 2014, states that:

Staff Initials:

Dept. Head:

*T. Morgan*

CAO:

*[Signature]*

Page 1 of 4

**IMPROVEMENTS**

7. *All buildings, structures and improvements located on or constructed on the Lands are the property of the Regional District, whether placed on the Lands before or after the commencement of this License.*

**DEVELOPMENT**

8. *The Society shall obtain the prior written consent of the Regional District before commencing any land clearing, paving, construction, alteration or other development on the Lands and all such work shall be done in accordance with structural drawings and development plans approved by the Regional District.*

**MAINTENANCE**

9. *The Society shall repair and maintain the Lands in a safe, clean and sanitary condition befitting buildings and lands used by the public and shall make safe, clean and sanitary any portion of the Lands or any improvement that the Regional District may direct by notice in writing to the Society.*

Staff met with the Society on June 12, 2018 to discuss the Agreement and their plans for development of the site. Since that meeting the Society has provided the Regional District with a list of projects that they plan to complete. Many of these projects include maintenance tasks, however, there are a few items that require approval from the Regional District as follows:

1. Danger tree removal and removal of trees in parking lot
  - The Society wishes to remove both danger trees and trees growing back into the parking area.
  - This activity would be categorized as “land clearing” and although some of this work is necessary for the safety of the public, it does require approval from the Board.
  - Staff is recommending that due to potential liability of clearing danger trees that Regional District staff coordinate hiring a professional danger tree assessment and removal company to be paid for through the Regional Parks function from the “Safety/Danger Tree Removal” line item. In this way an assessment will be completed by a professional and any trees that are required to be removed (danger or not) will be performed by professionals meeting the WCB standards.
  - Under the Regional Parks Bylaw No. 860, 1994, the North Peace Fall Fair is considered a “regional park.”
2. Stump removal
  - This activity would be categorized as “land clearing” and requires approval from the Board.
3. Deck for kettle corn booth
  - This activity would be categorized as “construction” and depending on the height of the deck may require handrails and steps.
  - If the Board approves construction of the deck, the Society will need to apply for a building permit.
  - Staff recommend that the Board waive the building permit application fee as the structure is for PRRD-owned facility.

#### 4. Bleachers

- Although the Society is planning to construct these in a fashion that they can be moved on and off-site, they have the potential to be a safety risk if not constructed with the correct occupancy to weight ratio.
- If the Board approves construction of the bleachers, the Society will need to apply for a building permit. Even if the structures are intended to be moved off site after an event, a temporary building permit would still be required.
- Staff recommend that due to the safety risk associated with these bleachers, that the Society have an engineer sign-off on the design and construction of the bleachers.
- Staff recommend that the Board waive the building permit application fee as the structure is for PRRD-owned facility.

#### **Development Services Comments**

The subject property is currently within the 'Voluntary Building Permit area' as per the PRRD Building Bylaw No. 2131, 2014 (the Building Bylaw). This means that a property owner, in this case the PRRD, can decide whether or not they want/need a building permit.

As per Section 2.4.1 of the Building Bylaw, all structures *must* conform with the requirements of the Building Code; and as per Section 2.3.1 (a) of the Building Bylaw, it is the landowner's responsibility to ensure that the work is carried out in accordance with the Building Code.

As such, it is strongly recommended by the Development Services Department (Building Inspection) that the Regional District obtain building permits for all structures proposed on the PRRD owned land. As the property owner, the Regional District is responsible for the safety of the public entering into, on, or using the proposed facilities.

The Regional District should be leading by example, and ensuring that all publicly used facilities owned by the Regional District meet the Building Code, and have been properly reviewed and inspected. Without a Building Permit, the Regional District cannot review, approve, or inspect the proposed structures.

#### **ALTERNATIVE OPTIONS:**

##### **Tree Removal**

- 1) That the Regional Board approve the removal of danger trees and trees growing in the parking area at the North Peace Fall Fair subject to the North Peace Fall Fair Society hiring a danger tree assessment and removal company and that all pre and post inspection reports be provided to the Regional District and that the cost of tree identification and removal be borne by the Society.

##### **Stump Removal**

- 1) That the Regional Board deny the North Peace Fall Fair Society's request to remove stumps on the North Peace Fall Fair Grounds.

##### **Deck for Kettle Corn Booth**

- 1) That the Regional Board deny the North Peace Fall Fair Society's request to build a deck for the kettle corn booth on the North Peace Fall Fair Grounds.

**ALTERNATIVE OPTIONS: (continued)****Bleachers**

- 1) That the Regional Board deny the North Peace Fall Fair Society's request to build bleachers for the North Peace Fall Fair Grounds.
- 2) That the Regional Board deny the North Peace Fall Fair Society's request to build bleachers for the North Peace Fall Fair Grounds and recommend that the Society purchase professionally engineered, fabricated and inspected bleachers.
- 3) That the Regional Board provide direction to staff.

**STRATEGIC PLAN RELEVANCE:**

- ☐ Ensure that the Solid Waste Management Plan is operating on a fiscally defensible basis.
- ☒ Ensure effective execution of Public Safety and Emergency Services initiatives.
- ☐ Foster Collaboration on services with municipalities and electoral areas.
- ☐ Establish a strategy for coordinated advocacy on identified issues.
- ☒ Manage parks and trails in the region.
- ☐ Support the agricultural industry within the regional district.
- ☐ Not Applicable to Strategic Plan.

**FINANCIAL CONSIDERATION(S):**

\$50,000 is budgeted in the Regional Parks function for safety/ danger tree removal, with a current available balance of \$39,800.

The cost of a building permit is \$100 for construction valued under \$20,000 and a separate permit is required for each structure.

**COMMUNICATIONS CONSIDERATION(S):**

If approved by the Board, staff will provide information back to the North Peace Fall Fair Society on the process to apply for a building permit. Staff will also work with them to coordinate the assessment and removal of trees on the property.

**OTHER CONSIDERATION(S): N/A****Attachments:**

1. Letter from Bruce Christensen, President, North Peace Fall Fair
2. [North Peace Fall Fair Meeting Minutes, May 8, 2018](#) (link)
3. North Peace Fall Fair Use & Occupancy Agreement 2014



Peace River Regional District

Dawson Creek, B.C.

Attn Board

Ladies and Gentlemen

First of all, on behalf of the members and volunteers of the North Peace Fall Fair Society, I want to say thank you for the great relationship, support and partnership that we have enjoyed for many years. Without the support of the Regional district the very successful North Peace Fall Fair would not have been able to do the things we have been able to do.

This year marks 71 years that the fair has been happening. And I would have to say that with the support and desire of our volunteers, it will continue to be one of the best "Fall Fairs" in the province.

We try and do something every year to enhance and improve the experience of anyone attending the fair. This requires a lot of maintenance and upgrading of facilities and in some cases building new facilities. We strive to fulfill our obligations of the arrangement between the Peace River Regional district and the Fall Fair Society.

We thank the board and in particular, Director Goodings for recognizing the value and importance of the Fall Fair.

Attached you will see a list of some of the things we would like to tackle this year. We are not sure we will be able to complete them all but want to let you know our intentions.

Sincerely and respectfully

Bruce D. Christensen

President

## Fair chores

Fix Stove  
 Kitchen roof  
 Bathroom walk trim  
 Horse shoe bordèr  
 Danger trees  
 Clean up downed trees  
 Paint stage bleachers, white  
 Broom closet 24+  
 Moffat stove  
 Mod 80fl-74  
 Sn. 6f943L  
 Terry Davidson 7948439  
 Latch heavy horse. Chain?  
 Recycle barrel lids  
 Hat sale rack  
 Bathroom door latches  
 Gate for Bruce field  
 Heating table  
 Toilet number 2 men's  
 Deck for kettle corn both

Build bleachers – steel pipe. These are on skids to be portable  
 Remove stumps of old downed trees  
 Some tree's have grown back and are infringing on parking area, remove.  
 Complete horse wash rack  
 Move small building to rabbit area. On skids





## PEACE RIVER REGIONAL DISTRICT

Office of: Corporate Officer

December 17, 2014

Mr. D. Davidson  
President  
North Peace Fall Fair Society  
RR#1, Site 16, Comp. 56,  
Fort St. John, BC V1J 4M6

Dear Mr. Davidson:

**Re: License Agreement**

We are pleased to enclose a signed original of the License Agreement between the Peace River Regional District and North Peace Fall Fair Society.

As noted in Clause 17 of the agreement, we look forward to receiving a copy of liability insurance policy, said policy to indicate the Regional District as an additional insured.

Please feel free to contact me if you have any questions.

Yours truly,

Jo-Anne Frank  
Corporate Officer

attach.

cc. Director Karen Goodings, Electoral Area 'B'  
Trish Morgan, Manager of Community Services

PLEASE REPLY TO:

☒ 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<sup>th</sup> Street, Fort St. John, BC V1J 4N4 Telephone: (250) 785-8084 Fax: (250) 785-1125

EMAIL: prrd.fsj@prrd.bc.ca

July 19, 2018



THIS AGREEMENT dated for reference the 1st day of June, 2014.

BETWEEN:

PEACE RIVER REGIONAL DISTRICT  
Box 810, 1981 Alaska Avenue,  
Dawson Creek, BC V1G 4H8

(the "Regional District")

AND:

NORTH PEACE FALL FAIR SOCIETY  
a society incorporated under the *Society Act*  
under incorporation no. S-0014739  
RR #1, Site 16, Comp. 56  
Fort St. John, BC V1J 4M6

(the "Society")

WHEREAS the Regional District is the registered owner in fee simple of those lands and premises located in the Peace River Assessment District in the Province of British Columbia and more particularly known and described as:

Lot 1, Section 6, Township 86, Range 18,  
West of the 6<sup>th</sup> Meridian, Peace River District,  
Plan 31310

(the "Lands")

as shown outlined with a black border on the Plan attached hereto as Schedule 'A';

AND WHEREAS the Society is a non-profit society which wishes to use the Lands for community recreational purposes;

AND WHEREAS the Regional District wishes to grant a license of the Lands to the Society on the terms and conditions contained in this Agreement;

NOW THEREFORE this Agreement witnesses that in consideration of the premises and mutual covenants hereinafter contained and other good and valuable consideration, the receipt and sufficiency of which is acknowledged by the parties, the parties hereto covenant and agree each with the other as follows:

#### **GRANT OF LICENSE**

1. The Regional District, on the terms set forth herein, hereby grants to the Society a license (the "License") to enter on the Lands for the purposes set out herein.

**PURPOSE**

2. The Society shall use the Lands only for recreational and social events for the benefit of the Community.
3. Notwithstanding the generality of the foregoing section, the Society shall not use the Lands contrary to any purpose for which it was incorporated.

**LICENSE FEE**

4. The Society shall pay to the Regional District a fee of One (\$1.00) Dollar for each year that this License is in effect (the "License Fee").

**DURATION**

5. This License and the rights granted by it shall commence on the 1<sup>st</sup> day of June, 2014 and shall continue for five (5) years from that date (the "Term"), unless terminated earlier in accordance with the terms of this License.

**RENEWALS**

6. If the Society is not in default under this License, the Society has the option to renew the License for one further five (5) year term, which option may be exercised by the Society giving notice to the Regional District, in the manner provided herein, at least six (6) months prior to the expiration of the License, of its intention to renew the License.

**IMPROVEMENTS**

7. All buildings, structures and improvements located on or constructed on the Lands are the property of the Regional District, whether placed on the Lands before or after the commencement of this License.

**DEVELOPMENT**

8. The Society shall obtain the prior written consent of the Regional District before commencing any land clearing, paving, construction, alteration or other development on the Lands and all such work shall be done in accordance with structural drawings and development plans approved by the Regional District.

**MAINTENANCE**

9. The Society shall repair and maintain the Lands in a safe, clean and sanitary condition befitting buildings and lands used by the public and shall make safe, clean and sanitary any portion of the Lands or any improvement that the Regional District may direct by notice in writing to the Society.

**EXPENSES**

10. The Society shall be responsible for the payment of all costs and expenses associated with the Lands, including, without limiting the generality of the foregoing, all government taxes, levies, charges and assessments, permit and license fees, repair and maintenance costs, salaries and wages of employees, administration and service fees, and telephone, electrical, gas, water, sewage disposal and other utility charges, payments for work and materials and discharge of builder's liens.

**INDEMNITY**

11. The Society hereby releases, saves harmless and indemnifies the Regional District, its officers, employees, agents, contractors and others, from and against all losses, damages, costs, expenses, liabilities, suits, claims, fees and other harm, including the actual fees of solicitors and other professional advisors, arising out of

- a) any breach, violation or non-performance of any covenant, condition or agreement in this License, or
- b) any personal injury, death, or property loss or damage occurring on the Lands or happening by virtue of the Society's occupation of the Lands,

and the Regional District may add the amount of such losses, damages, costs, expenses, liabilities, suits, claims, fees and other harm to the License Fee and the amount so added shall be payable to the Regional District immediately.

**PROPERTY INSURANCE**

12. Each year of the Term of this License, the Society shall pay to the Regional District, upon receipt of invoice, the cost of the annual insurance premiums for insuring the improvements on the Lands and their contents against damage or loss by fire or other perils to the full replacement value of the improvements.
13. The Regional District shall not be responsible for insuring any equipment, goods or chattels stored on the Lands by any person using the Lands pursuant to a Facility Rental Agreement (as hereinafter defined) and the Regional District shall not be responsible for any loss or damage to such goods.
14. The Society shall give to the Regional District immediate notice by telephone in case of fire, accident or other damage to the Lands, and that notice shall be confirmed in writing within seven (7) days of the loss.

**LIABILITY INSURANCE**

15. The Society shall obtain and keep in force during the Term insurance naming the Regional District as an additional insured and protecting the Regional District and

the Society (without any rights of cross-claim or subrogation against the Regional District) against claims by any person, including members of the Society and participants and any member of the public using the Lands, for personal injury, death, property loss or damage, and third party liability or public liability claims arising from any accident or occurrence on the Lands or other loss relating to the Society's use of the Lands to an amount of not less than Two Million (\$2,000,000.00) Dollars per occurrence (the "Insurance Policy").

16. The Insurance Policy shall provide that it is not terminable or alterable without the giving of 30 days' written notice to the Regional District.
17. At the time of execution of this License, and then every year thereafter during the Term of this Agreement, the Society shall deliver to the Regional District proof that the Society has obtained the Insurance Policy on the terms set out herein.
18. At any time during the Term of this License the Regional District may require the Society to provide evidence to it that the Insurance Policy is valid and in full effect.

#### **COMPLIANCE WITH LAWS**

19. The Society shall observe, abide by and comply with all applicable laws, bylaws, orders, directions, ordinances and regulations of any governmental authority in any way affecting the Lands and improvements situated thereon, or their use and occupation.

#### **NUISANCE**

20. The Society shall not commit or suffer any wilful or voluntary waste, spoil or destruction on the Lands or do or suffer to be done thereon anything that may be or become a nuisance or annoyance to the owners or occupiers of adjoining land.

#### **RIGHT OF ENTRY**

21. The Regional District or its authorized representative may enter upon the Lands or any improvement on the Lands at any time to examine its condition.

#### **RETURN OF LANDS**

22. Upon the expiration or earlier termination of this License, the Society shall
  - a) quit peaceably and deliver possession of the Lands to the Regional District, and
  - b) leave the Lands in a safe, clean and sanitary condition satisfactory to the Regional District,

and the agreements in this section shall survive the expiration or termination of this License.



**ASSIGNMENT**

23. The Society shall not assign its interest in this License or any rights hereunder.
24. Notwithstanding section 23 of this License, the Society may, without the consent of the Regional District, enter into facility rental agreements substantially in the form attached hereto as Schedule 'B' (the "Facility Rental Agreement"), so long as the term of each Facility Rental Agreement is less than 15 days of each calendar month.

**TERMINATION**

25. In the event that
- a) the Society should default in the payment of the License Fee or other sum payable under this License and the default continues for 30 days after the giving of written notice by the Regional District to the Society; or
  - b) the Society fails to perform or observe any of the covenants, agreements, conditions or provisos contained in this License, other than the payment of money, and the failure continues for 60 days after the giving of written notice by the Regional District to the Society;
  - c) the Society ceases to be a non-profit society in good standing in the records of the Registrar of Companies.

the Regional District may cancel this License and all rights granted under it.

26. The Society shall not be entitled to any compensation, whether for damages or otherwise, in respect of a cancellation of this License.

**NOTICE**

27. Whenever it is required or desired that either party shall deliver or serve a notice on the other, delivery or service shall be deemed to be satisfactory if and deemed to have occurred when:
- a) a director of the Society or the Corporate Officer of the Regional District has been served personally, on the date of service; or
  - b) mailed by prepaid registered mail, on the date received or on the sixth day after receipt of mailing by any Canada Post office, whichever is earlier, so long as the notice is mailed to the party at the address provided herein or to whatever address the party may from time to time provide.

**WAIVER**

28. Waiver of any default by either party shall not be deemed to be a waiver of any subsequent default by that party.

**REMEDIES NOT EXCLUSIVE**

29. No remedy conferred upon or reserved to the Regional District is exclusive of any other remedy herein or provided by law, but such remedy shall be cumulative and shall be in addition to any other remedy herein or hereafter existing at law, in equity or by statute.

**ENUREMENT**

30. The terms and provisions of this License shall extend to, be binding upon and enure to the benefit of the parties hereto and their successors and permitted assigns.

**TIME OF ESSENCE**

31. Time is of the essence in this Agreement.

**NO JOINT VENTURESHIP**

32. Nothing in this Agreement shall constitute the Society, the agent, joint venturer or partner of the Regional District or give the Society any authority or power to bind the Regional District in any way.

**NO OTHER WARRANTIES**

33. There are no other agreements, warranties or representations of the Regional District, its servants or agents, affecting the Land or the development of it, whether verbal or written, except as specifically set out in this Agreement.

**NO INTEREST IN LAND**

34. The Society acknowledges that the License herein granted does not constitute an interest in the Lands and is merely a personal right.

**INTERPRETATION**

35. In this Agreement, unless the context otherwise requires, the singular includes the plural and the masculine includes the feminine gender and a corporation.

**SEVERABILITY**

36. In any section of this Agreement or any part of a section is found to be illegal or unenforceable, that part or section, as the case may be, shall be considered separate and severable and the remaining parts or sections, as the case may be, shall not be affected thereby and shall be enforceable to the fullest extent permitted by law.

**POWERS PRESERVED**

37. Nothing in the Agreement affects the right of the Regional District to exercise its powers within its jurisdiction.

IN WITNESS WHEREOF the parties hereto have duly executed this Agreement as of the  
day and year first above written.

The Corporate Seal of the Peace River  
Regional District was hereunto  
affixed in the presence of:

[Signature]  
Chair

[Signature]  
Administrator

C/S

Signed by the authorized signatories of the  
North Peace Fall Fair Society in the  
Presence of:

[Signature]  
Witness (Signature)

GAIL PETERS  
Witness (Name)

RR#1 STEEL COMP  
Witness (Address)

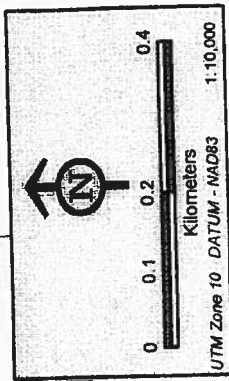
FORT ST. JOHN, BC  
V1J-4M6

D. Davidson Pres.  
Authorized Signatory

[Signature] V Pres.  
Authorized Signatory



SCHEDULE "A"



Twp 086 R 1

Twp 086 R 18 Sec 5

Twp 086 R 18 Sec 7

Twp 086 R 18 Sec 6

ROSE PRAIRIE RD

1 SEC 6 TWP 86 R 18 W6M  
PEACE RIVER PL 31310

Indian Creek

15271

15198

15177

15128

15127

	Civic Address	Roads	Hard Surface
	Parcel of Interest	Gravel	Non Moth
GRDSECTIONS	Seasonal		

## SCHEDULE 'B'

**NORTH PEACE FALL FAIR FACILITY RENTAL AGREEMENT**  
**Rules Governing the Use of Facilities**

1. The Applicant must sign and date this Facility Use Agreement before deemed to have been granted permission to use the facilities.
2. The Applicant agrees to use the Lands only for the purpose listed and for no purposes other than public recreation. No firearms, paintball guns or archery equipment allowed.
3. The Applicant agrees that the North Peace Fall Fair Society (the "Society") may terminate this agreement if the Applicant fails to comply with this Agreement or any of the Rules Governing Use of Facilities.
4. The Applicant will provide evidence of liability insurance in the amount of Two Million Dollars (\$2,000,000) naming the Peace River Regional District (the "District") and Society as additional insureds.
5. The Applicant will not permit liquor on the premises, unless prior approval has been granted by the Society and a valid liquor license is in effect, and a copy of the liquor license has been presented to the District.
6. The Applicant is responsible for pick-up of litter and debris during and after the event and shall leave the Lands and surrounding areas in a clean, tidy and undamaged condition.
7. The Applicant (including friends or spectators using the facilities) is expected to act in a considerate and sportsmanlike manner. Abusive language or inconsiderate behavior which is found to be objectionable may result in the cancellation of your facility use.
8. The District or the Society reserve the right to cancel or alter facility usage should conditions arise that necessitate scheduling changes.
9. The District or the Society reserve the right to deny any rental application.
10. It is the responsibility of the Licensee to ensure the facilities are in good condition and free from hazards (glass, obstructions, etc.) If a hazard does exist please notify the Peace River Regional District at 250-784-3200.

**Waiver and Indemnity Clause**

The Applicant accepts and will use the premises at its own risk and agrees that the District and the Society has made no warranties or representations respecting the suitability or condition of the premises. The Applicant further agrees that it will indemnify and save harmless the District and the Society, and their officers, employees, servants, agents, heirs, successors and assigns from and against any and all claims whatsoever, including all damages, liabilities, expense, costs, including legal or other fees, incurred in respect of any such claim(s) or any action(s) or proceeding(s) brought thereon arising directly or indirectly from or in connection with the granting of this agreement and use of the facility.

\_\_\_\_\_  
 Applicant Signature

\_\_\_\_\_  
 Date

## SCHEDULE 'B'

## FACILITY USE AGREEMENT

LOCATION: North Peace Fall Fair (the "Lands")

APPLICANT INFORMATION	
Organization:	Representative Name:
Email:	Phone:
Mailing Address:	
City:	Postal Code:
FACILITY USE INFORMATION	
Event Name (if applicable)	No. of Participants:
Dates Requesting Use:	
Event Start Time:	Event End Time:
Provide a brief description of event:	
Map/Sketch of Location and Layout of Use (if applicable) ATTACHED <input type="checkbox"/> Yes	
Damage Deposit Paid: \$ _____	Date of Damage Deposit
INSURANCE & LICENSES	
Minimum \$2,000,000 Liability Insurance: ATTACHED <input type="checkbox"/> Yes	
Party Alcohol Liability Insurance <input type="checkbox"/> Yes <input type="checkbox"/> Not Applicable	
Special Occasion or Beer Garden Liquor License <input type="checkbox"/> Yes <input type="checkbox"/> Not Applicable	
# of Individuals with Serving It Right <input type="checkbox"/>	# of Licensed First Aid Attendants On Site <input type="checkbox"/>
Emergency Plan ATTACHED <input type="checkbox"/> Yes	Security Plan ATTACHED <input type="checkbox"/> Yes <input type="checkbox"/> Not Applicable

## RENTAL FEES

	Fee	Total
Damage Deposit	\$2,500 flat fee deposit	_____
Fairgrounds Use Fee	\$150/day x _____ days =	_____
Kitchen Use Fee	\$50/day x _____ days =	_____
Washroom Use Fee	\$50/day x _____ days =	_____
TOTAL FEES OWED:		_____

All costs for damages and repairs will be deducted from the damage deposit. The following fees will be deducted from the damage deposit if not cleaned by the renter at the end of use:

- Washroom Cleaning Charge \$200 flat fee
- Kitchen Cleaning Charge \$500 flat fee
- Fairgrounds Cleaning Charge \$300 flat fee

## North Peace Fall Fair Grounds

As I mentioned at the Board meeting last Thursday I would like to bring forward an option for consideration.

A bit of history and discussion needs to happen before I can take a motion forward to the Board for discussion and hopefully action.

I think there is a full history of the North Pine fall fair grounds and how they became the North Peace fair grounds somewhere in our files. The original property (about 5 acres) was, I believe, donated to the society of the day in order to have a permanent home for the fair to take place. Up until then the fair moved from area to area and at one time was held at the site where the Robert Ogilvie school is located today. I'm not sure if it was ever surveyed or just a hand shake. Nor do I know if there was some agreement to amalgamate with the purchase of the additional land. That question has come up from time to time.

Many years ago (30+) the PRRD, under the electoral area "B" director of the day, Shirley Pomeroy, purchased additional land for the fall fair. Since that time I believe the dollars to support the fair grounds have been done through GIA; Fair Share; NDIT; and PRA. That is no different from most of our not for profit societies in the north peace who receive support for their capital purchases. The difference is we (PRRD) are not involved in the day to day operations of those societies.

This begs the question of why are we involved in the NPFF grounds? Is because we purchased the land? If so then I think we could resolve the issue by selling it to the Society for legal tender. \$1-\$10.

I believe within the Societies Act there is provision that if a society becomes defunct for whatever reason they must turn their property and goods over to a "like" society. I expect we would need to have a legal opinion on how that might happen or if there would be a clause that returns it to the PRRD if such an occurrence was to happen.

I took this idea to the last fall fair meeting and received unanimous support to proceed. They are fully aware that this means that many of the projects they would have undertaken this year will be on hold pending a final decision of the board. This is the 71<sup>st</sup> anniversary of our Fair and the volunteers take great pride in putting on the Fair. Their only compensation is the enjoyment of seeing the people return year after year.

Any recommendation of this committee will need to go back to the PRRD. Do I have the support of the staff and EA directors to do this? What would the next steps be?

## ELECTORAL AREA DIRECTORS' COMMITTEE

### DIARY ITEMS

<u>Topic</u>	<u>Notes</u>	<u>Diarized</u>
1. North Pine TV Tower		August 17, 2017
2. Internet		November 16, 2017
3. Tour for the Water Advisory Committee Members	Arrange a final meeting 6 to 8 months after operation begins; to close the loop	November 16, 2017
4. Meetings with Ministers and MLA's		November 16, 2017
5. Cell Towers within the Region		December 14, 2017
6. Electoral Area D Water Referendum	To be discussed at the June EADC meeting	February 14, 2018