



PEACE RIVER REGIONAL DISTRICT
DEVELOPMENT SERVICES
ZONING AMENDMENT REPORT
BYLAW No. 2323, 2018
3rd Reading & Adoption

B-5 a)

OWNER: Brothers Industrial Services Ltd. **DATE:** November 27, 2018
AREA: Electoral Area D **FILE NO.** 18/077
LEGAL: Lot 5, Section 28, Township 78, Range 15, W6M, PRD Plan PGP9915
LOT SIZE: 0.54 ha (1.4 ac)
LOCATION: Dawson Creek Area

PROPOSAL:

To amend the zoning of the property by adding a text amendment applicable only to Lot 5, Section 28, Township 78, Range 15, W6M, PRD, Plan 9915 to allow a TANK FARM of not more than one tank, which is not more than 3.5 metres above grade and where the volume in the tank is not greater than 30m³ of Liquid CO₂.

RECOMMENDATION: [ALL DIRECTORS – CORPORATE WEIGHTED]

1. THAT Peace River Regional District Zoning Amendment Bylaw No. 2323, 2018 be read for a third time.
2. THAT the Regional Board adopt Zoning Amendment Bylaw No. 2323, 2018.

ALTERNATIVE OPTIONS

1. THAT the Regional Board refuse the application as submitted.

SUMMARY OF APPLICATION PROCEDURE

Application received.	February 21, 2018
Application and draft bylaws circulated to municipalities and provincial agencies.	June 15, 2018
PRRD Board gives bylaw 1 st & 2 nd Reading and authorizes Public Hearing.	September 27, 2018
Public Hearing Notification published as follows: • Posted to the PRRD website (November 5) • Mailed to landowners within notification area (November 7) • Advertised in the Mirror (November 8 & 15) • Advertised in the Northern Horizon newspaper (November 9) • Advertised on Energetic City website (November 9 – 21)	November 2018
Public Hearing takes place at the Kiwanis Performing Arts Centre (Calvin Kruk Centre for the Arts), Dawson Creek, B.C	November 21, 2018

PUBLIC HEARING

A Public Hearing was held on November 21, 2018, at the Kiwanis Performing Arts Centre (Calvin Kruk Centre for the Arts), Dawson Creek, B.C. *The minutes of the Public Hearing are attached to this report.*

COMMENTS RECEIVED FROM THE PUBLIC

No comments were received from the public.

LAND USE POLICIES AND REGULATIONS

OFFICIAL COMMUNITY PLAN (OCP):	'Light Industrial', SPFA OCP Bylaw No. 2048, 2012.
ZONING:	I-1 (Light Industrial Zone), PRRD Zoning Bylaw No. 1343, 2001.
AGRICULTURAL LAND RESERVE (ALR):	Outside
BUILDING INSPECTION AREA:	Within the Mandatory Building Permit Area
FIRE PROTECTION AREA:	Dawson Creek Rural Fire Protection Area

SITE CONTEXT

The subject property is located west of the City of Dawson Creek, along Haddow Subdivision just off the Alaska Highway (97 N). The subject property is located east of the Louisiana Pacific plant.

SITE FEATURES

LAND:	The property is industrial developed land.
STRUCTURES:	There is an existing 1,850 sq.ft. shop and a 240 sq.ft temporary shelter on the property.
ACCESS:	Property is accessed from Haddow Subdivision.
CLI SOIL	Class 2 _c soils. Class 2 soils have moderate limitations that restrict the range of crops or
RATING:	require moderate conservation practices. Subclass t denotes adverse climate.
FIRE:	Within the Dawson Creek Fire Protection Area.
BUILDING	Within the Mandatory Building Permit Area.
INSPECTION	
AREA:	

COMMENTS AND OBSERVATIONS

APPLICANT:	The applicant is wanting to install the CO ² tank to create dry ice for their cleaning servicing business. The applicant provided the following rationale to support the proposal: • <i>Allows the company to be more successful in Dawson Creek, which in turn supports Dawson Creek.</i> • <i>Reduces the risk of dry ice transportation from outside sources.</i> • <i>Allows the company to be more cost effective and provide better service to the area.</i> • <i>Increases the company's capabilities.</i> • <i>The tank will be neatly tucked away between two buildings which will be out of sight.</i>
ALR:	The subject property is outside the ALR.

OCP: South Peace Fringe Area Official Community Plan Bylaw No. 2048, 2012

The subject property is designated as 'Industrial' within the South Peace Fringe Area OCP Bylaw No. 2048, 2012. The policies within this designation state that the predominant land use is for industrial uses including but not limited to: trucking, logging, construction trade, or oil and gas field service contractors; automotive, recreation vehicle, machinery or equipment servicing, repair and sales; fuel retail sales; manufactured home sales; recycling centre; building material or gardening supplies outlet; wholesale or warehousing establishments, subject to zoning regulations.

Parcels within the Industrial designation should have a minimum parcel size of 1.6 ha (4 acres) unless:

- i. the lands are connected to a community sewage system in which case the parcel should be at least 0.4 ha (1 acre); or
- ii. soil conditions are suitable for on-site sewage disposal and a system authorized by the agency having jurisdiction regarding sewage disposal, in which case the parcel should be at least 0.8 ha (2 acres).

This property was created in 1958 so it is currently an existing non-conforming lot.

Therefore this portion of the property that is designated 'Industrial' will not require an Official Community Plan amendment.

ZONING: Peace River Regional District Zoning Bylaw No. 1343, 2001

The subject property is partially zoned I-1 (Light Industrial Zone) pursuant to Zoning Bylaw No. 1343, 2001, which includes the following definition for tank farm:

"Means a facility housing a container or containers that extend more than 2m above grade and where the volume in all of the tanks are greater than 10m³, used for storage and distribution of products that contain petroleum or other organic gases or materials"

However, a tank farm or chemical storage is not a permitted use within this zone and therefore a zoning amendment is required.

WATER & SEWER: The application states that the lot currently houses a holding septic tank and cistern.

IMPACT ANALYSIS

AGRICULTURE: The proposal may have minor impacts to agriculture, as the property is adjacent to an agricultural field.

CONTEXT:

- Close proximity to the City of Dawson Creek.
- The subject property is in proximity to a few residential properties and agricultural parcels.
- The property is also adjacent to similar Industrial lots.
- No major increase to Industrial traffic is foreseen in result to the proposal.

The property is currently being used as an Industrial use.

POPULATION & TRAFFIC The proposal is not foreseen to permanently increase the local population as no residences are proposed; however local temporary population numbers may fluctuate depending on the scale of the proposed construction and operation of the proposal.

There may be a minor increase to traffic as the proposal is associated with transportation of the CO² use. The subject property is closely adjacent to a major highway corridor.

COMMENTS RECEIVED FROM MUNICIPALITIES AND PROVINCIAL AGENCIES

DAWSON CREEK:	Interests unaffected by bylaw.
DAWSON CREEK FIRE DEPARTMENT:	Mostly looks good, the only thing that I do not see on the plans is tank protection, from vehicle damage. This would be a requirement.
FORT. ST. JOHN:	Interests unaffected by bylaw.
TAYLOR:	Interests unaffected by bylaw.
MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE:	<i>December 4, 2018</i> The Ministry of Transportation and Infrastructure has received and reviewed your referral of June 15, 2018 to amend the zoning by adding a text amendment to Lot 5, Section 28, Township 78, Range 15, W6M, PRD, Plan 9915 to allow a tank farm, of not more than one tank, to which is not more than 3.5 metres above grade and where the volume in the tank is not greater than 30m³ of Liquid CO₂. The Ministry of Transportation and Infrastructure has no objections to the zoning text amendment. <i>July 4, 2018</i> The Ministry of Transportation and Infrastructure has received and reviewed your referral of June 15, 2018 to amend the zoning by adding a text amendment to Lot 5, Section 28, Township 78, Range 15, W6M, PRD, Plan 9915 to allow a TANK FARM of not more than one tank, to which is not more than 3.5 metres above grade and where the volume in the tank is not greater than 30m³ of Liquid CO₂. The Ministry of Transportation and Infrastructure has no concerns with the proposal.
MINISTRY OF FLNORD	See attached letter. (as part of Public Hearing Minutes)
NORTHERN HEALTH:	This letter is in regards to the Bylaw Amendment Application located at the above noted location in Dawson Creek. The intent of the application is to amend the zoning by adding a text amendment to Lot 5, Section 28, Township 78, Range 15, W6M, PRD, Plan 9915 to allow a TANK FARM of not more than one tank, to which is not more than 3.5 metres above grade and where the volume in the tank is not greater than 30m³ of Liquid CO₂. Based on the intended use of the Bylaw Amendment Application, Northern Health has no objections to the bylaw amendment subject to the conditions below: • As per the <i>Public Health Act</i> [SBC 2008] Ch. 28, the property owner must not create a health hazard. • As per the <i>Public Health Act</i> [SBC 2008] Ch. 28, if the operator is required by regulation to have a licence or permit to engage in a regulated activity, the operator must obtain such licence or permit by submitting the appropriate application to the health officer prior to construction or operation of the regulated activity. • As per the <i>Public Health Act</i> [SBC 2008] Ch. 28, an operator who engages in a regulated activity must comply with any requirement or duty set out in a regulation respecting the regulated activity.

- As per the *Drinking Water Protection Act* [SBC 2001] Ch. 9, the owner must not cause or allow contamination of a drinking water source, a well recharge zone, or an area adjacent to a drinking water source.

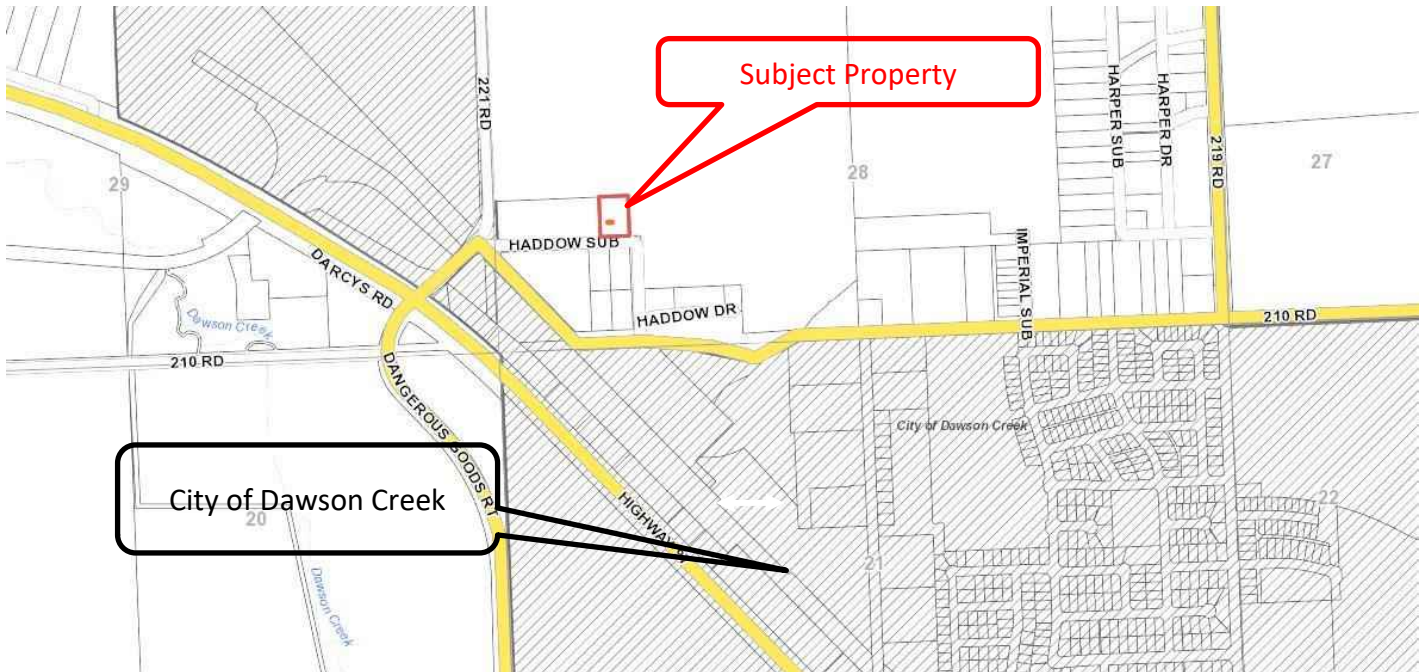
If you have any additional questions regarding this matter please contact me at 250-719-6500.

ATTACHMENTS:

1. Maps
2. Zoning Application
3. Public Hearing Notice
4. Public Hearing Minutes
 - a. Ministry of Forests, Land, Natural Resource operations, and Rural Development
Referral letter, Date: June 21, 2018
5. MoTI approval letter
6. Bylaw



Context Photo



Air Photo

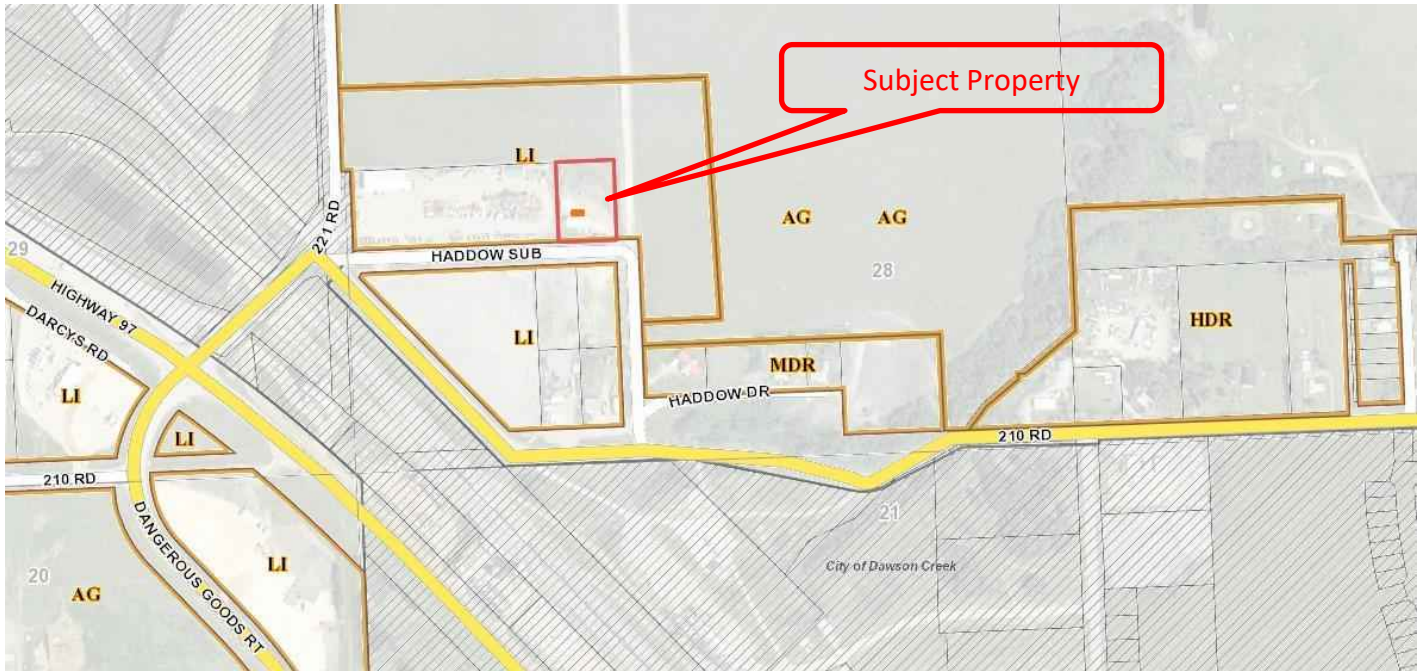




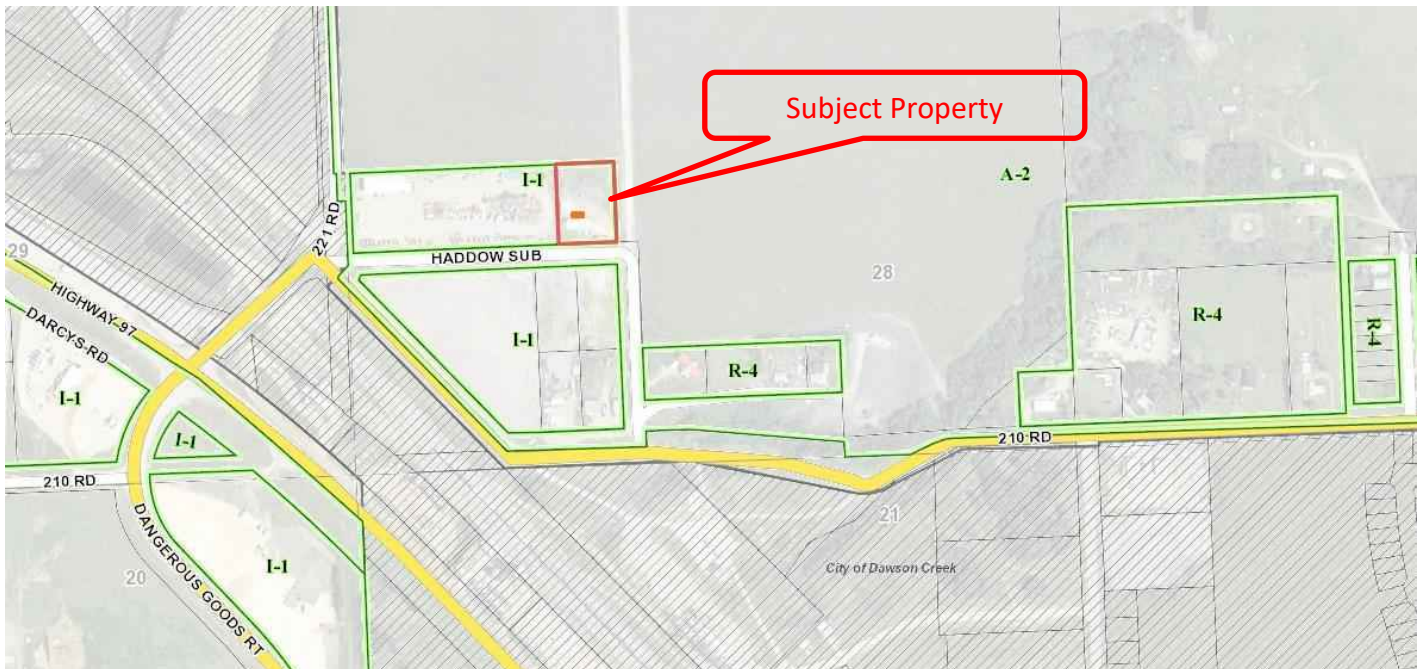
MAPS

FILE No. 18/077 (Brothers Industrial Ltd.)

South Peace OCP Bylaw No. 2048, 2012 (Schedule B Map 2)



PRRD Zoning Bylaw No. 1343, 2001 (Schedule B Map 3)

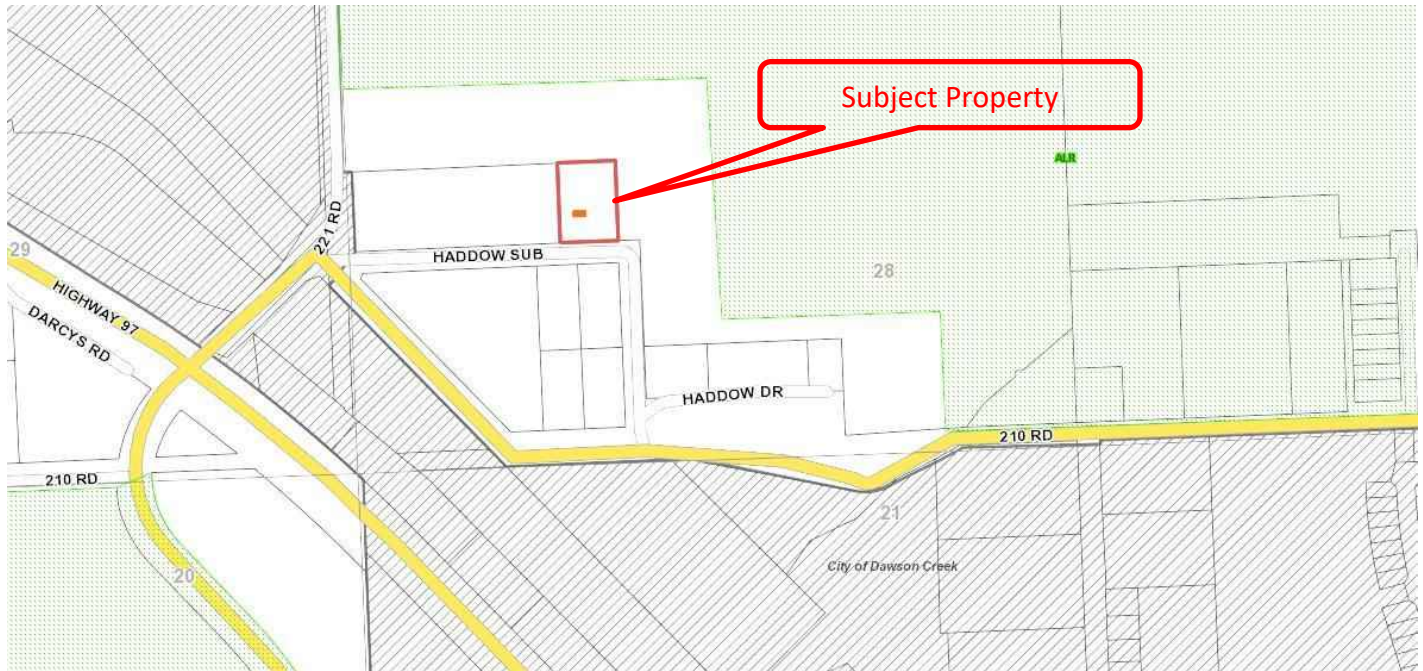




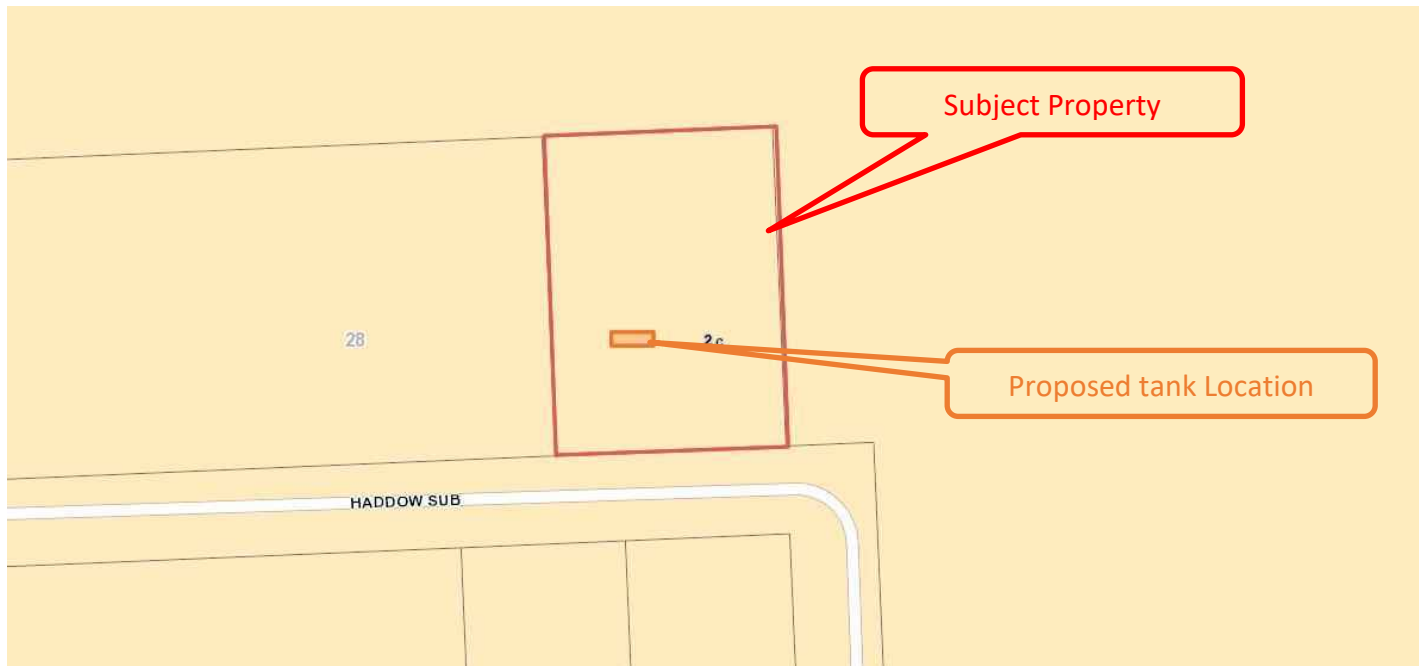
MAPS

FILE NO. 18/077 (Brothers Industrial Ltd.)

Agricultural Land Reserve



Soil Classification





PEACE RIVER REGIONAL DISTRICT

DAWSON CREEK 1981 Alaska Avenue (Box 810), Dawson Creek, BC (T) 250-784-3200..(F) 250-784-3201
 FORT ST. JOHN 9505 100TH Street, Fort St. John, BC V1J 4N4 (T) 250-785-8084 (F) 250-785-1125
 [Toll Free: 1-800-670-7773]

Receipt # _____

Application for Development**1. TYPE OF APPLICATION****FEE**

- | | |
|--|-------------|
| ☐ Official Community Plan Bylaw Amendment | \$ 1,000.00 |
| ☒ Zoning Bylaw Amendment | 650.00 |
| ☐ Official Community Plan / Zoning Bylaw Amendment combined | 1,050.00 |
| ☐ Temporary Use Permit | 350.00 |
| ☐ Development Permit | 165.00 |
| ☐ Development Variance Permit | 165.00 |
| ☒ Sign requirement | 150.00 |

In regard to applications for:

- i) an official community plan and/or zoning bylaw amendment;
- ii) temporary use permit;

Sign provided by the PRRD and sign posted pursuant to Section 8 of Bylaw No. 2165, 2016, attached.

2. PLEASE PRINT

Property Owner's Name BROTHERS INDUSTRIAL SERVICES LTD.	Authorized Agent of Owner (if applicable) N/A
Address of Owner P.O. Box 4364	Address of Agent N/A
City/Town/Village PODOKA, ALBERTA	City/Town/Village N/A
Postal Code T4J 1R7	Postal Code N/A
Telephone Number: 403-598-1918	Telephone Number: N/A
Fax Number: N/A	Fax Number: N/A
E-mail: darcy@brothersindustrial.com	E-mail: N/A

3. PROPERTY DESCRIPTION

Full legal description of each property under application	Area of each lot
2456 - HADLOW DRIVE, RURAL DAWSON CREEK, BC	1.405 ha./acres
LOT 5, PLAN PG9915, SECTION 28, TWP 78, RG 15, W6M	ha./acres
	ha./acres
	TOTAL AREA
	ha./acres

Notice of collection of personal information:

Personal information on this form is collected for the purpose of processing this application. The personal information is collected under the authority of the *Local Government Act* and the bylaws of the PRRD. Documentation/Information submitted in support of this application can be made available for public inspection pursuant to the *Freedom of Information and Protection of Privacy Act*.

4. Civic Address or location of property: 2456 HADDON DRIVE, RURAL DAWSON CREEK, BC

5. PARTICULARS OF PROPOSED AMENDMENT

Please check the box(es) that apply to your proposal:

☐ Official Community Plan (OCP) Bylaw amendment:

Existing OCP designation: _____

Proposed OCP designation: _____

Text amendment: _____

☒ Zoning Bylaw amendment:

Existing zone: _____

Proposed zone: _____

Text amendment: PLEASE SEE ATTACHMENT 1

☐ Development Variance Permit – describe proposed variance request:

☐ Temporary Use Permit – describe proposed use:

☐ Development Permit: Bylaw No. _____ Section No. _____

6. Describe the existing use and buildings on the subject property:

PROPERTY CONSISTS OF A 1850 SQUARE FOOT SHOP + 240 SQUARE FOOT TEMP SHELTER.
OUR COMPANY OPERATES A SMALL OILFIELD SERVICE COMPANY FROM THE SHOP. ALL SERVICES
ARE PROVIDED IN THE FIELD WITH VERY LITTLE ACTIVITY IN SHOP/YARD. SERVES
MORE OF A HOME BASE TO STORE TRUCKS & EQUIPMENT.

7. Describe the existing land use and buildings on all lots adjacent to and surrounding the subject property:

(a) North FARMERS FIELD

(b) East FARMERS FIELD

(c) South VACANT LOT WITH SOME JUNK CARS ON IT

(d) West EARTHMOVING CONSTRUCTION COMPANY

8. Describe the proposed development of the subject property. Attach a separate sheet if necessary:

JUST NEED TO BE ABLE TO HAVE A CO₂ STORAGE TANK ON-SITE
SO WE CAN MAKE DRY ICE IN THE SHOP TO USE FOR OUR CLEANING
SERVICES - DRY ICE CURRENTLY COMES FROM CENTRAL ALBERTA.

9. Reasons and comments in support of the application. Attach a separate sheet if necessary:

- ALLOWS US TO BE MORE SUCCESSFUL IN DAWSON, MAKING DAWSON MORE SUCCESSFUL
- REDUCES RISK / IMPROVED SAFETY NOT HAVING PEOPLE TRAVELLING TO GET DRY ICE.
- ALLOWS US TO BE MORE COST EFFECTIVE - BETTER SERVICING THE AREA.
- INCREASES OUR CAPABILITIES NOT WAITING ON DRY ICE FROM ALBERTA
- VESSEL WILL BE NEATLY TUCKED IN-BETWEEN SHOP & TEMP SHOP MOSTLY HIDDEN FROM SIGHT

10. Describe the means of sewage disposal for the development:

HOLDING TANK

11. Describe the means of water supply for the development:

CISTERN

THE FOLLOWING INFORMATION IS REQUIRED. FAILURE TO PROVIDE MAY DELAY YOUR APPLICATION.

12. Proof of ownership of the subject property or properties. (For example: Certificate of State of Title, BC Land Title Office Property Title Search or recent Property Tax Notice.)
13. A Sketch Plan of the subject property or properties, showing:
 - (a) the legal boundaries and dimensions of the subject property;
 - (b) boundaries, dimensions and area of any proposed lots (if subdivision is being proposed);
 - (c) the location of existing buildings and structures on the subject property, with distances to property lines;
 - (d) the location of any proposed buildings, structures, or additions thereto, with distances to property lines;
 - (e) the location of any existing sewage disposal systems;
 - (f) the location of any existing or proposed water source.

ADDITIONAL OR MORE DETAILED INFORMATION MAY BE REQUESTED BY THE PEACE RIVER REGIONAL DISTRICT FOLLOWING REVIEW OF YOUR APPLICATION.

If it is necessary for the property boundaries and the location of buildings and structures to be more accurately defined, a plan prepared by a British Columbia Land Surveyor may be required.

15. I / We the undersigned hereby declare that the information provided in this application is complete and is, to the best of my / our knowledge, a true statement of the facts related to this application.

Signature of Owner

Date signed

Signature of Owner

Date signed

16. **AGENT'S AUTHORIZATION**

If you have an agent act on your behalf in submission of this application, the following authorization **MUST** be signed by **ALL** property owners.

I / We	and	hereby
authorize		
(name)		to act on my/our behalf regarding this
application.		
Agent address:		
Telephone:	Fax:	Email:
Signature of Owner:		Date:
Signature of Owner:		Date:

ATTACHMENT 1;

Current bylaw verbiage regarding permitted uses

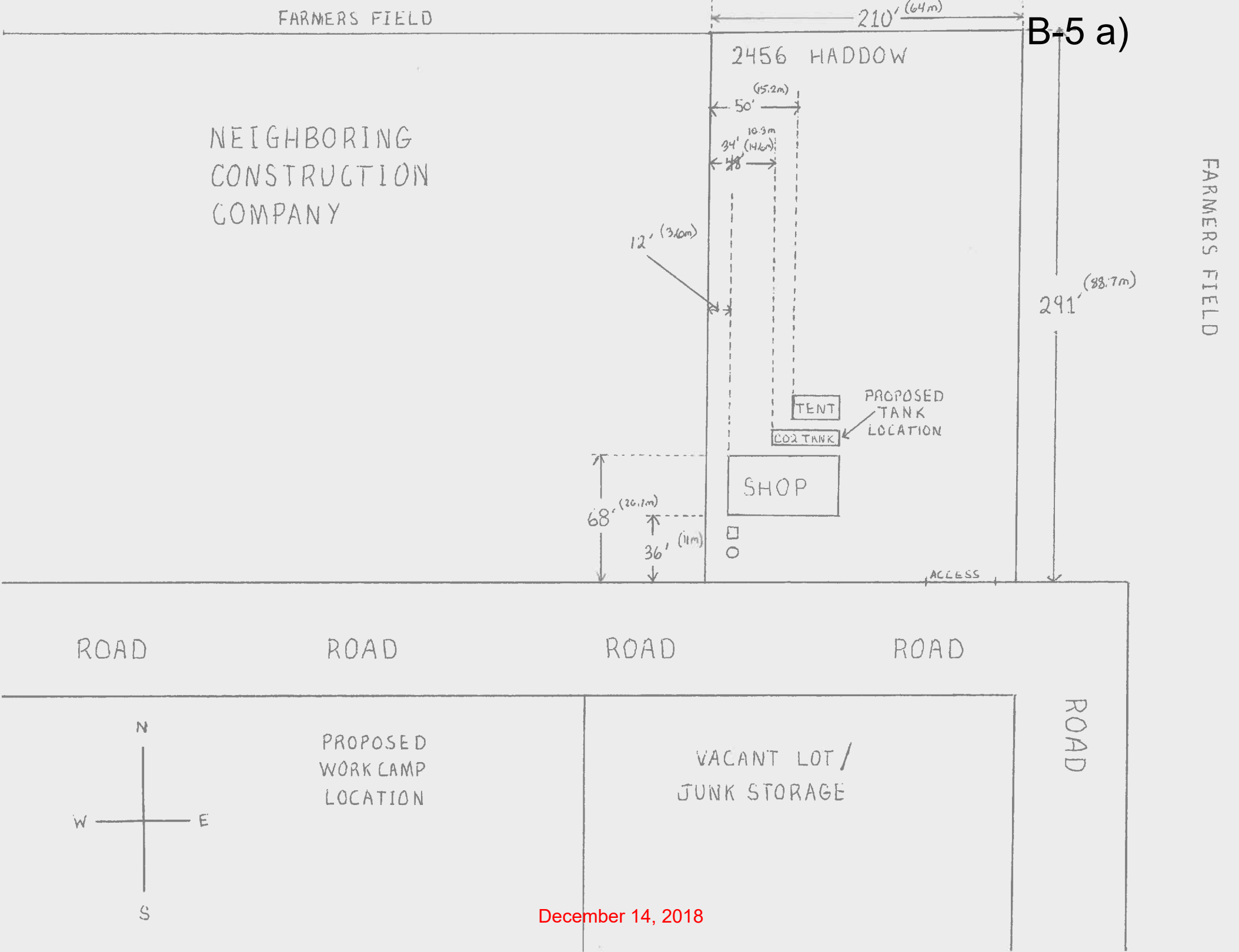
(aa) Oil and Gas Field Services contractor, except tank farm and chemical storage, steamer wash bay facility, or storage of well servicing, cementing, stimulation, or scrubber systems equipment. [Bylaw No. 1921, 2011]

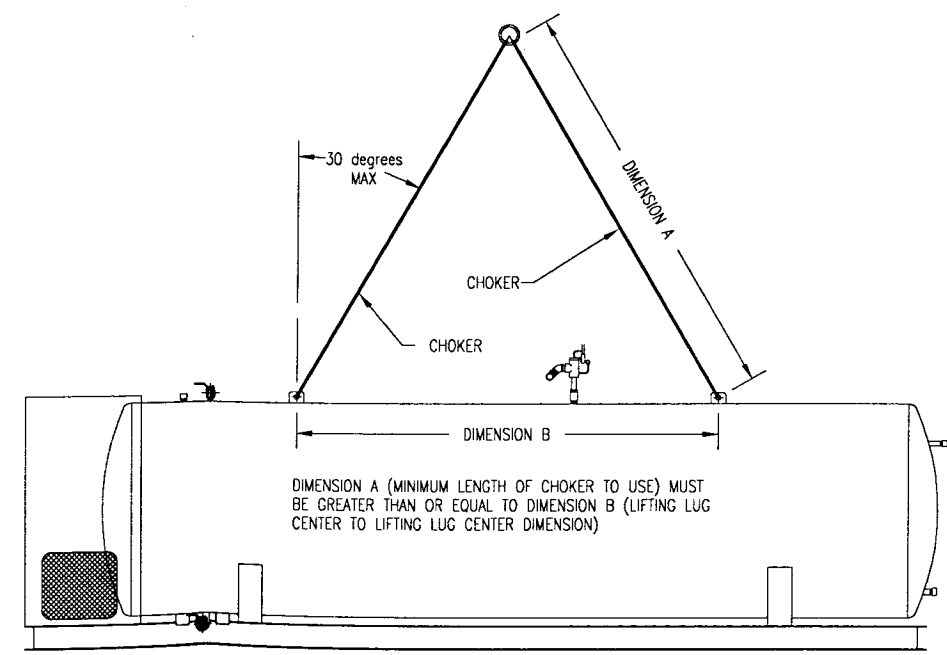
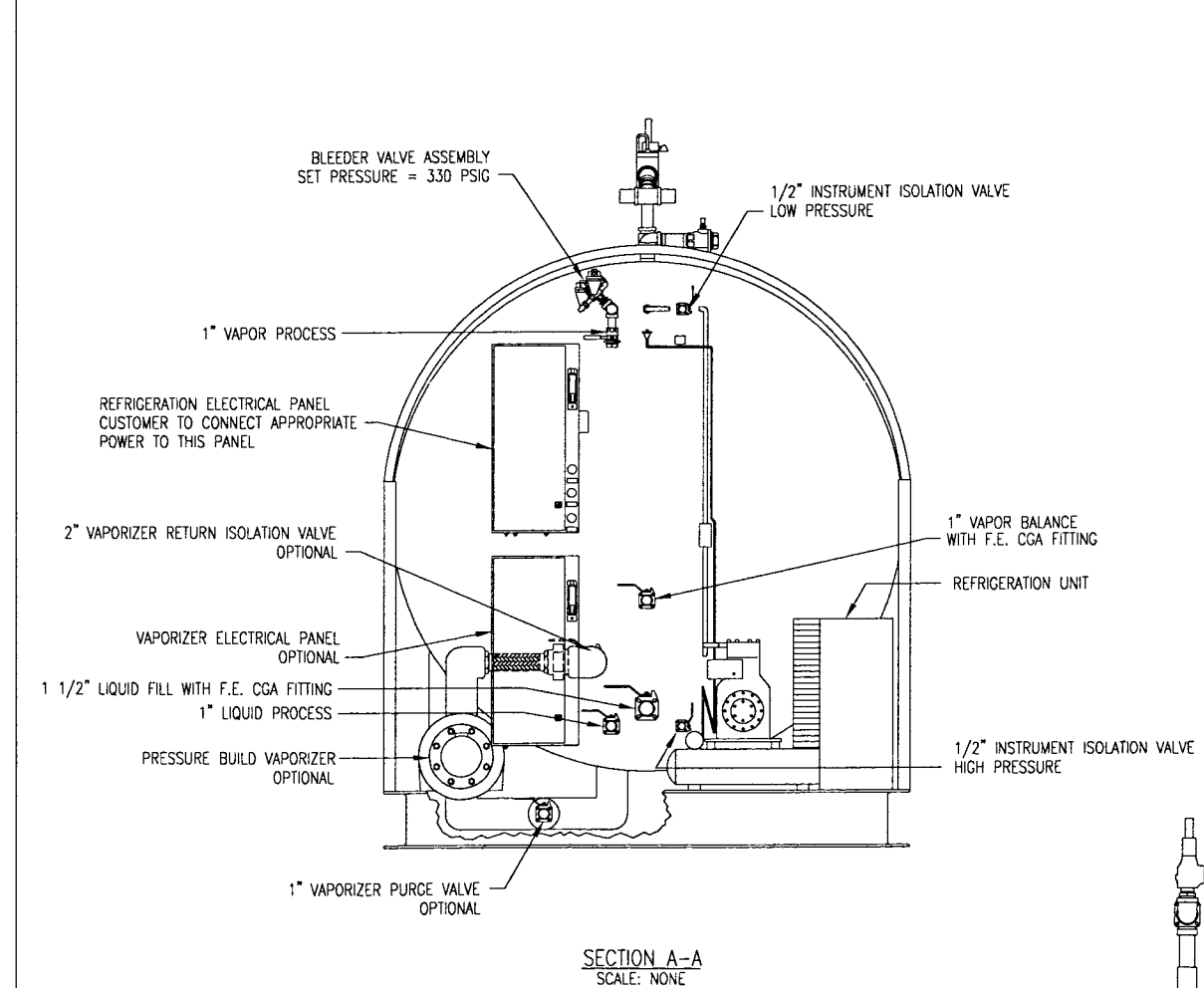
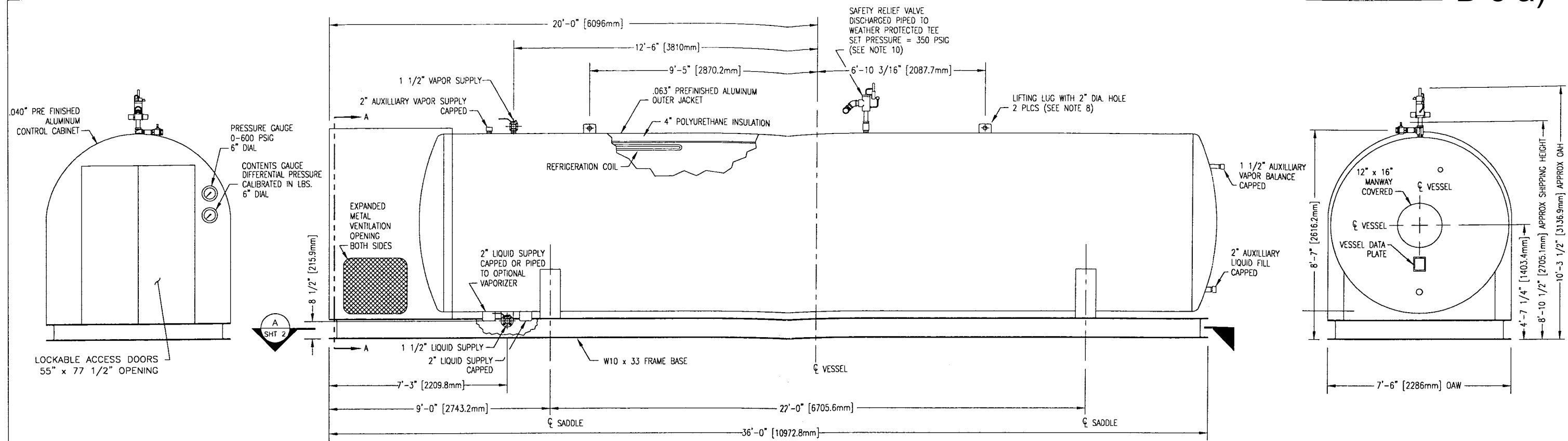
TANK FARM [Bylaw No. 1921, 2011] means a facility housing a container or containers that extend more than 2m above grade and where the volume in all of the tanks are greater than 10m³, used for storage and distribution of products that contain petroleum or other organic gases or materials;

Bylaw Text Amendment

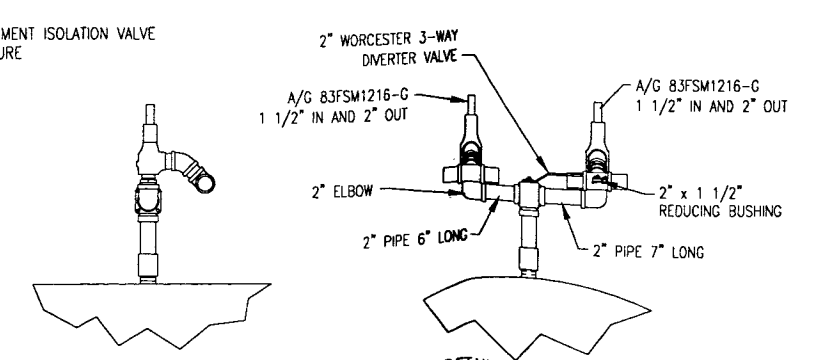
We will only have one vessel in the yard containing liquid CO₂, which has no potential to spill (instantly sublimates if it gets out of the tank). The vessel will be approximately 3 Meters in diameter and 11 meters long elevated approximately 0.5 Meters off ground on screw piles for safety and support. The vessel will hold approximately 30M³ of liquid CO₂.

I would not consider us a tank farm, but if we would be labeled as a tank farm I'd like the amendment to accommodate that size of tank.





DETAIL LIFTING CHOKERS



- GENERAL NOTES:
1. WEIGHT EMPTY: 30,000 lb [13,607.8 kg] (APPROXIMATE)
 2. NOMINAL WEIGHT CONTENTS (FULL): 60,000 lb [27,215.5 kg]
 3. TOTAL VOLUME: 1,012 cu ft [28.6 cu m] - 7,570 gal [28,673.6 l]
 4. MAXIMUM ALLOWABLE WORKING PRESSURE OF VESSEL: 350 PSIG @ 200° F
 5. MINIMUM DESIGN METAL TEMPERATURE OF VESSEL: -40° F @ 350 PSIG
 6. NOTE: VESSEL NOT INTENDED TO BE FILLED WITH LIQUID CO₂ COLDER THAN -20° F.
 7. CORROSION ALLOWANCE = 0"
 8. LIFTING LUGS ARE TO BE USED ONLY WHEN VESSEL IS EMPTY.
 9. PRIOR TO STORAGE TANK INSTALLATION AND OPERATION, THOROUGHLY READ AND COMPLY WITH ALL INSTRUCTIONS IN THE INSTALLATION AND SERVICE MANUAL.
 10. THE SAFETY RELIEF VALVE ASSEMBLY IS REMOVED FOR SHIPMENT. THE ASSEMBLY MUST BE INSTALLED PRIOR TO THE INITIAL FILLING AND OPERATION OF THE TANK.
 11. REFERENCE DRAWINGS - PIPING SCHEMATIC: C-3075SCH-Z4-03
REFRIGERATION SCHEMATIC: C-REFRIG-Z4-03
WIRING SCHEMATIC: C-WIRING-Z4-03
- (NOTES CONTINUED ON SHEET 2)

			SEE NOTE 11.	TOMCO₂ EQUIPMENT SYSTEMS COMPANY					
			REFERENCE DRAWINGS	LOGANVILLE, GEORGIA					
2	REVISED SRV VALVE ASSY	06.30.06	"CONFIDENTIAL-TRADE SECRETS"	GENERAL OUTLINE MODEL 3075CA					
1	REVIEWED AND REVISED	03.15.04		SEISMIC ZONE 4 I=1.0					
0	INITIAL ISSUE	08.22.03		LIQUID CARBON DIOXIDE STORAGE TANK					
NO.	DESCRIPTION	DATE	THE ORIGINAL OF THIS DRAWING IS THE EXCLUSIVE PROPERTY OF THE TOMCO EQUIPMENT COMPANY. THE ACCEPTANCE OF THIS PRINT CONSTITUTES AN AGREEMENT THAT IT SHOULD BE TREATED AS A STRICTLY CONFIDENTIAL DOCUMENT. TO BE USED FOR NO PURPOSE OTHER THAN TO AID IN THE ASSEMBLY OR OPERATION OF UNITS FURNISHED BY THE TOMCO EQUIPMENT COMPANY OR AS EXPRESSLY AUTHORIZED IN WRITING BY THE TOMCO EQUIPMENT COMPANY AND THAT IT IS NOT TO BE COMMUNICATED, OR DISCLOSED OR COPIED EXCEPT AS EXPRESSLY AUTHORIZED IN WRITING BY THE TOMCO EQUIPMENT COMPANY.						
REVISIONS			ENGR. BY: TAF	DRN. BY: JMM	DATE: 08.22.03	REV. 2			
			SCALE: NONE	DRAWING NO. C-03075GO-Z4-03 OF 2	FILE NO. C03024GO	JOB NO. STD/SEISMIC			

December 14, 2018



PEACE RIVER REGIONAL DISTRICT

Notice of Public Hearing

Zoning Amendment Bylaw No. 2323, 2018

When:

Wednesday, November
21, 2018 | 7:00 pm

Where:

Kiwanis Performing Arts
Centre
(Calvin Kruk Centre for the Arts)
10401 – 10th Street,
Meeting Room #3
Dawson Creek, BC

For More Information:

Contact:
Development Services

Tel: 250-784-3200
Toll Free: 1-800-670-7773
Email: prrd.dc@prrd.bc.ca



prrd.bc.ca | f

Dawson Creek Area

Lot 5, Section 28, Township 78, Range 15, W6M, PRD, Plan PGP9915

The Peace River Regional District is hosting a meeting to discuss the proposed Zoning Amendment.

Proposal: To amend the zoning by adding a text amendment to allow a TANK FARM of not more than one tank, to which is not more than 3.5 metres above grade and where the volume in the tank is not greater than 30m³ of Liquid CO₂.



This notice is in general form only. Relevant background documents may be inspected from Monday through Friday, excluding holidays, between the hours of 8:30am – 4:30pm at the PRRD Dawson Creek office (1981 Alaska Avenue, Dawson Creek, BC) or 8:30am – Noon and 1:00pm – 4:30pm at the PRRD Fort St. John office (9505-100th Street, Fort St. John, BC). Written comments or concerns accepted.

Shawn Dahlen, Acting Chief Administrative Officer

diverse. vast. abundant.

December 14, 2018



PEACE RIVER REGIONAL DISTRICT

PUBLIC HEARING – MINUTES

Proposed Zoning Amendment Bylaw No. 2323, 2018

November 21, 2018 @ 7:00 p.m.

Kiwanis Performing Arts Centre (Calvin Kruk Centre for the Arts)

10401 – 10th Street, Meeting Room #3, Dawson Creek, BC

ATTENDANCE:

Peace River Regional District: Leonard Hiebert, Director of Electoral Area 'D' (Chair)
Kole Casey, South Peace Land Use Planner
Michael Blatz, North Peace Land Use Planner

Applicant/Owner: Darcy Cornelssen, Brothers Industrial Services

Public: 0 members of the public

1. CALL TO ORDER

Director Hiebert called the meeting to order at 7:00 pm.

2. STATEMENT OF PUBLIC HEARING

Director Hiebert stated the procedural rules in place to govern the conduct of the public hearing.

3. INTRODUCTION TO PROPOSAL

Kole Casey introduced Zoning Amendment Bylaw No. 2323, 2018 and summarized the proposal to amend the zoning by adding a text amendment to Lot 5, Section 28, Township 78, Range 15, W6M, PRD, Plan 9915 to allow a TANK FARM of not more than one tank, to which is not more than 3.5 metres above grade and where the volume in the tank is not greater than 30m³ of Liquid CO₂.

Kole Casey provided a summary of the application procedure and timeline to all present.

4. COMMENTS FROM AGENCIES AND MUNICIPALITIES RECEIVED

Kole Casey read and summarized comments received from the following agencies and municipalities: (*Discussion in Italics*)

City of Fort St. John:

Interests unaffected by bylaw.

District of Taylor:

Interests unaffected by bylaw.

City of Dawson Creek:

Interests unaffected by bylaw.

Dawson Creek Fire Department:

Mostly looks good, the only thing that I do not see on the plans is tank protection, from vehicle damage. This would be a requirement.

- *Mr. Darcy Cornelssen stated that there will be vehicle barriers for tank protection.*

Ministry of Transportation and Infrastructure:

The Ministry of Transportation and Infrastructure has received and reviewed your referral of June 15, 2018 to amend the zoning by adding a text amendment to Lot 5, Section 28, Township 78, Range 15, W6M, PRD, Plan 9915 to allow a TANK FARM of not more than one tank, to which is not more than 3.5 metres above grade and where the volume in the tank is not greater than 30m³ of Liquid CO₂. The Ministry of Transportation and Infrastructure has no concerns with the proposal.

The Ministry has no objections to the development permit.

Ministry of Forests, Lands, Natural Resource Operations, and Rural Development

See attached letter.

Northern Health:

This letter is in regards to the Bylaw Amendment Application located at the above noted location in Dawson Creek. The intent of the application is to amend the zoning by adding a text amendment to Lot 5, Section 28, Township 78, Range 15, W6M, PRD, Plan 9915 to allow a TANK FARM of not more than one tank, to which is not more than 3.5 metres above grade and where the volume in the tank is not greater than 30m³ of Liquid CO₂.

Based on the intended use of the Bylaw Amendment Application, **Northern Health has no objections** to the bylaw amendment subject to the conditions below:

- As per the Public Health Act [SBC 2008] Ch. 28, the property owner must not create a health hazard.
- As per the Public Health Act [SBC 2008] Ch. 28, if the operator is required by regulation to have a licence or permit to engage in a regulated activity, the operator must obtain such licence or permit by submitting the appropriate application to the health officer prior to construction or operation of the regulated activity.
- As per the Public Health Act [SBC 2008] Ch. 28, an operator who engages in a regulated activity must comply with any requirement or duty set out in a regulation respecting the regulated activity.
- As per the Drinking Water Protection Act [SBC 2001] Ch. 9, the owner must not cause or allow contamination of a drinking water source, a well recharge zone, or an area adjacent to a drinking water source.

If you have any additional questions regarding this matter please contact me at 250719-6500.

5. WRITTEN COMMENTS RECEIVED FROM PUBLIC

December 14, 2018

Director Hiebert asked if there were any comments received from the public. No written comments were received from the Public in response to this application at the time of this public hearing.

6. COMMENTS FROM APPLICANT(S)

Director Hiebert asked Mr. Darcy Cornelssen if he had any comments. No comments from the applicant.

COMMENTS FROM PUBLIC

Director Hiebert asked if there were any additional comments from the members of the public. There were no comments from the public.

7. FINAL COMMENTS FROM APPLICANT(S)

Director Hiebert asked Mr. Darcy Cornelssen if he had any final comments. No final comments from the applicant.

TERMINATION OF PUBLIC HEARING

Director Hiebert terminated the Public Hearing at 7:07 pm.



Kole Casey, Recorder



Director Leonard Hiebert, Chair



June 21 2018

Kole A. Casey
 South Peace Land Use Planner
 Peace River Regional District
 Box 810, Dawson Creek BC, V1G 4H8

Re: Bylaw Amendment #18/077 (Brothers Industrial Services Ltd.)

Dear Kole,

Thank you for the opportunity to provide comment on the above noted referral. The Ministry of Forests, Lands, Natural Resource Operations and Rural Development – Ecosystems Section (MFLNRORD-ES), Northeast Region has reviewed this Bylaw Amendment and has determined that this project poses a low risk to environmental values mainly to rare plant species. These values need to be considered during the application review process. Please note that some direction is meant specifically to pertain to Crown Land rather than private land within the PRRD. Please see the following comments for details.

Rare Plants

Spike-oat

The project overlaps with a Conservation Data Centre (CDC) rare plant occurrence record for spike-oat *Avenula hookeri* (Occurrence ID: 3799 and Shape ID: 3836). This vascular plant occurs in the BWBSmw – Boreal White and Black Spruce – Moist Warm Biogeoclimatic Unit in the Peace Region and may exist in the area. The last observation was recorded in 1989. All but one has been reported in the vicinity of the Peace River. More information about this species and the others below can be found on the provincial Conservation Data Centre websiteⁱ

From a conservation status perspective, spike-oat:

- recently changed from provincially blue-listed species to yellow-listed (2018),
- ranked as S3S4 (special concern, vulnerable to extirpation or extinction and apparently secure) by the Conservation Data Centre,

Prairie Buttercup

The project overlaps with a Conservation Data Centre (CDC) rare plant occurrence record for prairie buttercup *Ranunculus rhomboideus* (Occurrence ID: 2763 and Shape ID: 2308). This vascular plant occurs in the BWBSmw – Boreal White and Black Spruce – Moist Warm Biogeoclimatic Unit in the Peace Region and may exist in the area. The last observation was recorded in 1932. They have only been reported in the Peace Region of BC.

From a conservation status perspective, prairie buttercup:

- provincially blue-listed species,
- ranked as S2S3 (imperiled and special concern, vulnerable to extirpation or extinction) by the Conservation Data Centre,

Purple Rattlesnake-Root

The project overlaps with a Conservation Data Centre (CDC) rare plant occurrence record for purple rattlesnake-root *Prenanthes racemosa* (Occurrence ID: 5955 and Shape ID: 1796). This vascular plant occurs in the BWBSmw – Boreal White and Black Spruce – Moist Warm Biogeoclimatic Unit in the Peace Region and may exist in the area. The last observation was recorded in 1946. They have only been reported in this region of BC.

From a conservation status perspective, purple rattlesnake-root:

- provincially red-listed species,
- ranked as SH (historical (species)/possibly extirpated (communities) by the Conservation Data Centre,

Heart-Leaved Buttercup

The project overlaps with a Conservation Data Centre (CDC) rare plant occurrence record for heart-leaved buttercup *Ranunculus cardiophyllus* (Occurrence ID: 4871 and Shape ID: 2300). This vascular plant occurs in the BWBSmw – Boreal White and Black Spruce – Moist Warm Biogeoclimatic Unit in the Peace Region and may exist in the area. The last observation was recorded in 1938. They have only been reported in this region of BC.

From a conservation status perspective, heart-leaved buttercup:

- provincially red-listed species,
- ranked as S2? (imperiled) by the Conservation Data Centre,

Since this project overlaps with several CDC rare plant occurrence records, the MFLNRORD-ES recommends that the proponent retain a qualified professional with knowledge of, and experience with, rare plant identification, to undertake a field survey, to confirm the species occurrence, abundance and distribution and if necessary, develop relevant mitigation plans to avoid/minimize impacts to the subject plant species. Ideally, this survey and mitigation plan development (if required) should occur prior to construction activities.

Timing of Activities

To reduce the risk of adverse impacts that the proponent's activities may have on fish and wildlife species during sensitive life requisite periods (e.g. breeding bird nesting, fish spawning, caribou calving) and to avoid contraventions under relevant pieces of provincial and/or federal legislation (e.g. provincial *Wildlife and Water Sustainability Act*, federal *Fisheries Act.*), it is advisable that activities occur within the appropriate least risk window. The below mentioned Regional Guideline and BMP web link provides a "Least Risk Windows.pdf" for reference and planning use.

Vegetation removal, if occurring during a critical window can negatively impact a number of fish and wildlife species, in particular, birds species. Birds in Canada are protected under provincial and territorial statute (i.e. *Wildlife Act*), in addition to the federal *Migratory Birds Convention Act (MBCA)* and it's *Migratory Birds Regulations (MBR)*.

Section 34 of the BC *Wildlife Act* stipulates:

34 *A person commits an offence if the person, except as provided by regulation, possesses, takes, injures, molests or destroys*

(a) a bird or its egg,

(b) the nest of an eagle, peregrine falcon, gyrfalcon, osprey, heron or burrowing owl, or

(c) the nest of a bird not referred to in paragraph (b) when the nest is occupied by a bird or its egg.

The *MBCA* and *MBR* also have *general prohibitions against the disturbance and destruction of nests, eggs and the depositing of harmful substances into areas frequented by migratory birds*. Migratory birds, the nests of migratory birds and/or their eggs can be inadvertently harmed or disturbed (often referred to as incidental take) as a result of many activities – including, but not limited to, clearing trees and other vegetation and draining or flooding land. As such, to minimize the possibility of contravening this federal law, the proponent is advised to exhibit due diligence in regards to the proponent's responsibilities under the *MBCA* and *MBR* and review the direction on the following Environment Canada website: <http://www.ec.gc.ca/paom-itmb/default.asp?lang=En&n=C51C415F-1>.

In the event that working within a critical window for any species is unavoidable, the proponent should contact an appropriate qualified professional (e.g. Registered Professional Biologist with BC accreditation) to discuss alternatives and develop/implement potential mitigation and monitoring plans as required.

Environmental Mitigation Policy

The Environmental Mitigation Policy for BC is intended to support decision-making in the natural resource sector. The purpose is to provide a consistent approach and guidance for provincial staff, decision-makers and proponents in all areas of the natural resource sector. The policy and associated procedures provide details on the mitigation hierarchy and corresponding types of mitigation measures: all measures should be considered and applied before moving to the next level on the hierarchy. These levels are: 1) Avoid: preferable to avoid any impacts on the ecosystem value; 2) Mitigate: minimize

impacts to value; 3) Restore: restore on-site the values that have been impacted; and 4) Offset: offsetting impacts is a last resort. This component of the mitigation hierarchy is currently being built out. The EMP also provides a standardized approach to assessing impacts to a value. The policy is available at: <http://www2.gov.bc.ca/gov/content/environment/natural-resource-stewardship/policy-legislation/environmental-mitigation-policy>.

Wildlife Habitat Features

The proponent is advised that there could be wildlife habitat features such as natural mineral licks, bear dens, etc., that from a stewardship perspective, should try to be managed for. If habitat features are encountered, guidance for the features management can be sought from the document entitled 'A Compendium of Wildlife Guidelines for Industrial Development Projects in the North Area, British Columbia - Interim Guidance' available at: <http://a100.gov.bc.ca/pub/eirs/finishDownloadDocument.do?subdocumentId=9921>

Works In and Around Watercourses

For proposed work in and around watercourses (e.g. wetlands, seasonal or dry creeks, streams, rivers, lakes), the proponent *must* comply with all applicable federal, provincial and municipal enactments (e.g. federal *Fisheries Act*, provincial *Water Sustainability Act* {WSA} etc.).

One of the most important pieces of legislation regarding the conservation and protection of fish and fish habitat in Canada is the federal *Fisheries Act*. The *Fisheries Act* requires that projects avoid causing serious harm to fish unless authorized by the Minister of Fisheries and Oceans Canada. This applies to work being conducted in or near waterbodies that support fish that are part of a commercial, recreational or Aboriginal fishery, or to fish that support such a fishery. Prior to commencing work, it is the proponents responsibility to determine whether or not their project needs to be reviewed by the Department of Fisheries and Oceans Canada. More information about this matter is available on-line at: <http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>.

Information to determine what works require a *Water Sustainability Act* Notification or application for an Approval is available at:

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

To help inform the proponent of fish and fish habitat values in their project area, they can consult HabitatWizard, which is accessible at: <http://www.env.gov.bc.ca/habwiz/>

Rare and Endangered Species

The distribution of rare and endangered plant and animal species can change over time. To ensure the proponent's activities in the project area do not adversely impact a rare and endangered species, it is advisable that the proponent consult the Conservation Data Centre (<http://www.env.gov.bc.ca/cdc/>) to

determine other occurrences. If the activities are deemed to physically overlap with a rare and endangered species occurrences (other than the ones listed above) or are in close proximity to such an occurrence to have an indirect project effect on the species, it is recommended that a qualified professional undertake appropriate field studies (as required), prior to commencement of on-the-ground activities, to confirm the species occurrence, abundance and distribution and if necessary, develop relevant mitigation plans to avoid/minimize impacts to subject animal or plant species.

Land and Resource Management Plan (LRMP)

The project falls within the Dawson Creek LRMP area and one Resource Management Zone (RMZ). The LRMP itself outlines a strategic planning framework for resource development while providing for the protection of environmental and recreation resource values through the creation and implementation of objectives and strategies to manage and maintain these values over the planning area. The proponent is advised to review the relevant LRMP and consider that guidance in their planning of activities. It is available at: <https://www.for.gov.bc.ca/tasb/slrp/>

Guidelines and Best Management Practices

A variety of other wildlife species (e.g. other ungulates, bears) not discussed in this referral potentially use habitat within and/or proximal to the project area. As such, other useful regional and provincial guidelines/BMP documents available at:

Regional Guideline and BMP documents are available at:

<http://www2.gov.bc.ca/gov/content/environment/plants-animals-ecosystems/wildlife/regional-wildlife/northeast>

Provincial Guideline and BMP documents are available at:

<http://www.env.gov.bc.ca/wld/BMP/bmpintro.html>

In addition, a variety of sector specific invasive plant BMP's are available on the Peace River Regional Districts (PRRD) website at: <http://prrd.bc.ca/services/invasive-plants/>.

Please note that these sites are routinely updated. Prior to commencing work, it is recommended that the proponent check the links above to see if relevant Guideline or BMP document(s) have been revised or added.

Environmental protection and stewardship is the responsibility of all British Columbians and utilizing the above noted information will support this undertaking. If you or the proponent has any questions and/or require clarification on any of the points expressed above, please do not hesitate to contact me to discuss.

Sincerely,



Linda Takahashi, M.Sc., R.P.Bio.

Ecosystems Biologist

Ministry of Forests, Lands, Natural Resource Operations and Rural Development

Northeast Region (Fort St. John)

Phone: (250) 787-3508

ⁱ <http://a100.gov.bc.ca/pub/eswp/>



Ministry of
Transportation
and Infrastructure

Peace River Regional District
PO Box 810
1981 Alaska Avenue
Dawson Creek, BC V1G 4H8

Attn: Kole Casey, South Peace land Use Planner

The Ministry of Transportation and Infrastructure has received and reviewed your referral of June 15, 2018 to amend the zoning by adding a text amendment to Lot 5, Section 28, Township 78, Range 15, W6M, PRD, Plan 9915 to allow a tank farm, of not more than one tank, to which is not more than 3.5 metres above grade and where the volume in the tank is not greater than 30m³ of Liquid CO₂. The Ministry of Transportation and Infrastructure has no objections to the zoning text amendment.

Thank you for the opportunity to comment. If you or the proponent has any questions, please contact Kristy Prothman at 250-787-3237.

Sincerely,



Kristy Prothman, Sr. District Development Tech
Ministry of Transportation and Infrastructure, Peace District

PEACE RIVER REGIONAL DISTRICT
Bylaw No. 2323, 2018
A bylaw to amend Peace River Regional District
Zoning Bylaw No. 1343, 2001."

B-5 b)

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

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

1. This by-law may be cited for all purposes as "Peace River Regional District Zoning Amendment Bylaw No. 2323, 2018."
2. "Peace River Regional District Zoning Bylaw No. 1343, 2001" is hereby amended by adding the following text amendment to Part VI, Section 45 I-1 (Light Industrial Zone) 2. Regulations – Additional Uses:
 - (i) The following additional use is permitted as a **Principle Use** on lands legally described as: Lot 5, Section 28, Township 78, Range 15, W6M, PRD, Plan PGP9915
 - ii) A **TANK FARM** of not more than one tank, which is not more than 3.5 metres above grade and where the volume in the tank is not greater than 30m³ of Liquid CO₂.

READ A FIRST TIME THIS	27	day of	September	, 2018.
READ A SECOND TIME THIS	27	day of	September	, 2018.
Public notification published on	8 & 15 th	day of	November	, 2018.
Notification mailed on the	7		November	, 2018.
Public Hearing held on the	21	day of	November	, 2018.
Ministry of Transportation approval received this	04		December	, 2018.
READ A THIRD TIME THIS		day of		, 2018.
ADOPTED THIS		day of		, 2018.

Kristy Prothman
(Highways designate)

Chair

(Corporate Seal has been
affixed to the original bylaw)

Corporate Officer

I hereby certify this to be a true and correct copy of "PRRD
Zoning Amendment Bylaw No. 2323, 2018 as adopted
by the Peace River Regional District Board
on _____, 20__.

Corporate Officer

December 14, 2018