



PUBLIC INFORMATION PACKAGE

REZONING APPLICATION

RZ A-08-21

Rezoning Bylaw 1965, 2021

Board Resolution

(All/Directors/Majority)

CARRIED UNANIMOUSLY

Rezoning Application

Moved by Director Fisher

RZ- A-08-21 – 1st and 2nd

Seconded by Director McGuire

Reading Rezoning Bylaw

No. 1965, 2021

- Electoral Area “A”

-

2021-14-7

1. “That Regional District of Bulkley-Nechako Rezoning Bylaw No. 1965, 2021 be given first and second reading this 18th day of November, 2021 and subsequently be taken to Public Hearing.

2. That the Public Hearing for Regional District of Bulkley-Nechako Rezoning Bylaw No. 1965, 2021 be delegated to the Director or Alternate Director for Electoral Area A.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

-

Bylaws for 3rd Reading and Adoption

-

Vanderhoof Rural Official

Moved by Director Petersen

Community Plan Bylaw

Seconded by Director Parker

No. 1963, 2021 – Third Reading
and Adoption - Electoral Area “F”

-

2021-14-8

1. “That the Board receive the Report of the Public Hearing held on November 8, 2021 for Vanderhoof Rural Official Community Plan Bylaw No. 1963, 2021.

2. That Vanderhoof Rural Official Community Plan Bylaw No. 1963, 2021 be given third reading and adoption this 18th day of November, 2021.”

(All/Directors/Majority)

CARRIED UNANIMOUSLY

-

OTHER

-

Official Community Plan (OCP)
Review for Electoral Area C

Moved by Director Greenaway

Seconded by Director Motion

-

2021-14-9

1. “That the Board approve the work plan and consultation checklist for the Area C OCP review.

2. That the Board authorize staff to enter into a contract with the District of Fort St James (Appendix C) to review the District’s OCP, on a cost recovery basis, at the same time as the RDBN reviews the OCP for Electoral Area C.

3. That the Board direct staff to approach Nak’azdli Whut’en

Newspaper Advertisements



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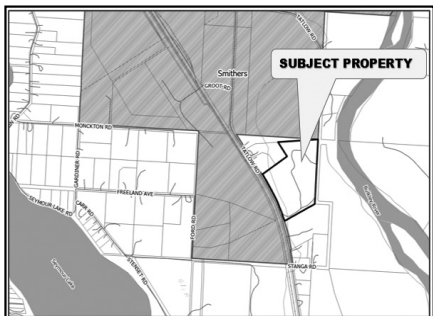
NOTICE OF PUBLIC HEARING

Notice is hereby given that an electronic/telephone Public Hearing affecting "Regional District of Bulkley-Nechako Zoning Bylaw No. 1800, 2020" will be held on Wednesday, December 8, 2021 at 7:00 PM regarding Bylaw No. 1965, 2021.

"Regional District of Bulkley-Nechako Zoning Bylaw No. 1800, 2020" is proposed to be amended by Bylaw 1965, 2021 which would rezone the subject property from the Small Holdings (H1) and Agricultural (AG1) Zones to the Light Industrial (M1) Zone to allow for the permitted uses in the M1 Zone.

The subject property is located on Tatlow Road (no street address), abutting the southern boundary of the Town of Smithers, near the CN Rail line and is legally described as "Lot 1, Section 18, Township 4, Range 5, Coast District, Plan 4997, Except Plans 5915 and 7409." The subject property is shown outlined in black and labelled "Subject Property" on the map below.

LOCATION MAP FOR BYLAW NO. 1965, 2021



At the Public Hearing all persons who believe that their interests are affected by the proposed bylaw shall be afforded a reasonable opportunity to be heard.

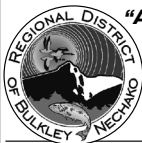
Any person wanting to participate in the Public Hearing must contact the RDBN Planning Department no later than Wednesday, December 8, 2021 at 1:00 PM to receive instructions regarding video conferencing or telephone participation at the Public Hearing.

Written submissions to the Public Hearing must be sent by mail to P.O. Box 820, Burns Lake, BC, V0J 1E0; by fax to (250) 692-3305; or by e-mail to planning@rdbn.bc.ca and must be received by the Regional District of Bulkley-Nechako no later than Wednesday, December 8, 2021 at 1:00 PM to be ensured of consideration at the Public Hearing.

The Public Hearing on Bylaw No. 1965, 2021 will be Chaired by the Director or Alternate Director for Electoral Area A as a delegate of the Board. A copy of the Board resolution making the delegation, copies of the proposed bylaw, and other relevant information, including written submissions to the Public Hearing, may be inspected from Wednesday, November 24, 2021 through Wednesday, December 8, 2021 at the office of the Regional District of Bulkley-Nechako or the Town of Smithers Municipal Office, and online at www.rdbn.bc.ca/departments/planning/public-meetings.

For further information or to receive instructions regarding video conferencing or telephone participation please call the Regional District of Bulkley-Nechako Planning Department at 250-692-3195 or toll free at 1-800-320-3339.

This is the second of two publications.



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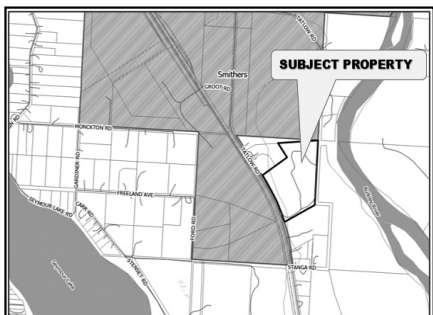
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The subject property is located on Tatlow Road (no street address), abutting the southern boundary of the Town of Smithers, near the CN Rail line and is legally described as "Lot 1, Section 18, Township 4, Range 5, Coast District, Plan 4997, Except Plans 5915 and 7409." The subject property is shown outlined in black and labelled "Subject Property" on the map below.

LOCATION MAP FOR BYLAW NO. 1965, 2021



At the Public Hearing all persons who believe that their interests are affected by the proposed bylaw shall be afforded a reasonable opportunity to be heard.

Any person wanting to participate in the Public Hearing must contact the RDBN Planning Department no later than Wednesday, December 8, 2021 at 1:00 PM to receive instructions regarding video conferencing or telephone participation at the Public Hearing.

Written submissions to the Public Hearing must be sent by mail to P.O. Box 820, Burns Lake, BC, V0J 1E0; by fax to (250) 692-3305; or by e-mail to planning@rdbn.bc.ca and must be received by the Regional District of Bulkley-Nechako no later than Wednesday, December 8, 2021 at 1:00 PM to be ensured of consideration at the Public Hearing.

The Public Hearing on Bylaw No. 1965, 2021 will be Chaired by the Director or Alternate Director for Electoral Area A as a delegate of the Board. A copy of the Board resolution making the delegation, copies of the proposed bylaw, and other relevant information, including written submissions to the Public Hearing, may be inspected from Wednesday, November 24, 2021 through Wednesday, December 8, 2021 at the office of the Regional District of Bulkley-Nechako or the Town of Smithers Municipal Office, and online at www.rdbn.bc.ca/departments/planning/public-meetings.

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This is the first of two publications.

First and Second Reading Staff Report



REGIONAL DISTRICT OF BULKLEY-NECHAKO
STAFF REPORT

TO: Chair Thiessen and Board of Directors
FROM: Danielle Patterson, Planner
DATE: November 18, 2021
SUBJECT: Rezoning Application RZ A-08-21
1st and 2nd Reading for Rezoning Bylaw 1965, 2021

RECOMMENDATION

1. That “Regional District of Bulkley-Nechako Rezoning Bylaw No. 1965, 2021” be given 1st and 2nd reading and subsequently be taken to Public Hearing.
2. That the Public Hearing for “Regional District of Bulkley-Nechako Rezoning Bylaw No. 1965, 2021” be delegated to the Director or Alternate Director for Electoral Area A.

VOTING

All / Directors / Majority

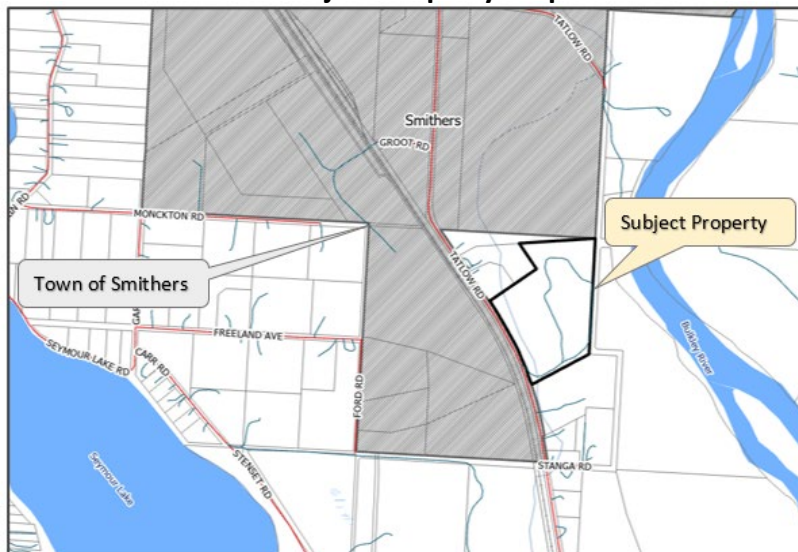
EXECUTIVE SUMMARY

The proposed rezoning of the property from the Agricultural (Ag1) and Small Holdings (H1) Zones to the Light Industrial (M1) Zone will allow the property to be used for any of the uses permitted in the M1 Zone. The applicant indicates that their plan is to construct a heavy equipment storage building and bring the equipment storage and aggregate processing uses into compliance with the zoning. Staff recommend that Rezoning Bylaw No. 1965, 2021 be given 1st and 2nd Reading.

APPLICATION SUMMARY

Name of Agent/Owner:	Murray Vetsch, Westwind Enterprises Ltd./ Jadie's Contracting
Electoral Area:	A
Subject Property:	Lot 1, Section 18, Township 4, Range 5, Coast District, Plan 4997 Except Plans 5915 and 7409
Property Size:	12.42 ha (30.69 ac)
OCP Designation:	Industrial (I) in "Smithers Telkwa Rural Official Community Plan Bylaw No. 1704, 2014"
Zoning:	Portions of the property are zoned Agricultural (AG1) and portions are zoned Small Holdings (H1) in RDBN Zoning Bylaw No. 1800, 2020 (the Zoning Bylaw)
ALR Status:	Not in the ALR
Existing Land Use:	Aggregate extraction and processing/Heavy Equipment Storage
Location:	The subject property is on Tatlow Road, abutting the southern boundary of the Town of Smithers, near the CN Rail line (see Subject Property Map)

Subject Property Map



Proposed Rezoning

The application is to rezone the subject property from the Agricultural (AG1) and Small Holdings (H1) Zones to the Light Industrial (M1) Zone to allow the property to be used for any of the uses permitted in the M1 Zone. The subject property is used for unenclosed heavy equipment storage

and aggregate extraction and processing. The proposed rezoning to the M1 Zone would permit heavy equipment storage and aggregate processing. The only structure on the property is a 7.4 m² (80 ft²) power shed to supply power to the property.

DISCUSSION

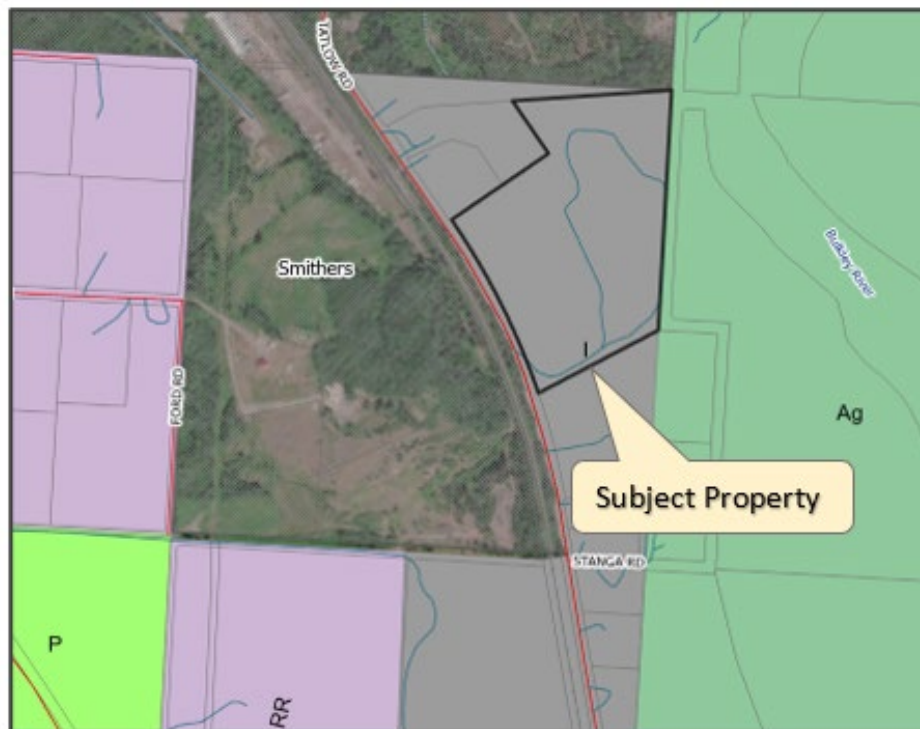
Official Community Plan and Zoning

The subject property is designated Industrial (I) in the “Smithers Telkwa Rural Official Community Plan Bylaw No. 1704, 2014” (OCP). To the north, west, and south of the subject property are lands designated for future Industrial land use. Both the Regional District and the Town of Smithers have concentrated industrial designations and zoning along Tatlow Road. Only a limited amount of land in the OCP area is designated for industrial development.

OCP Policy 3.3.2(2) states “[n]ew industrial uses will be encouraged to establish within the Industrial (I) designation in the Tatlow Road area”. The proposed zoning amendment aligns with the Industrial land use designation of the subject property.

OCP Map

Grey = Industrial Designation; Dark Green = Agricultural Designation

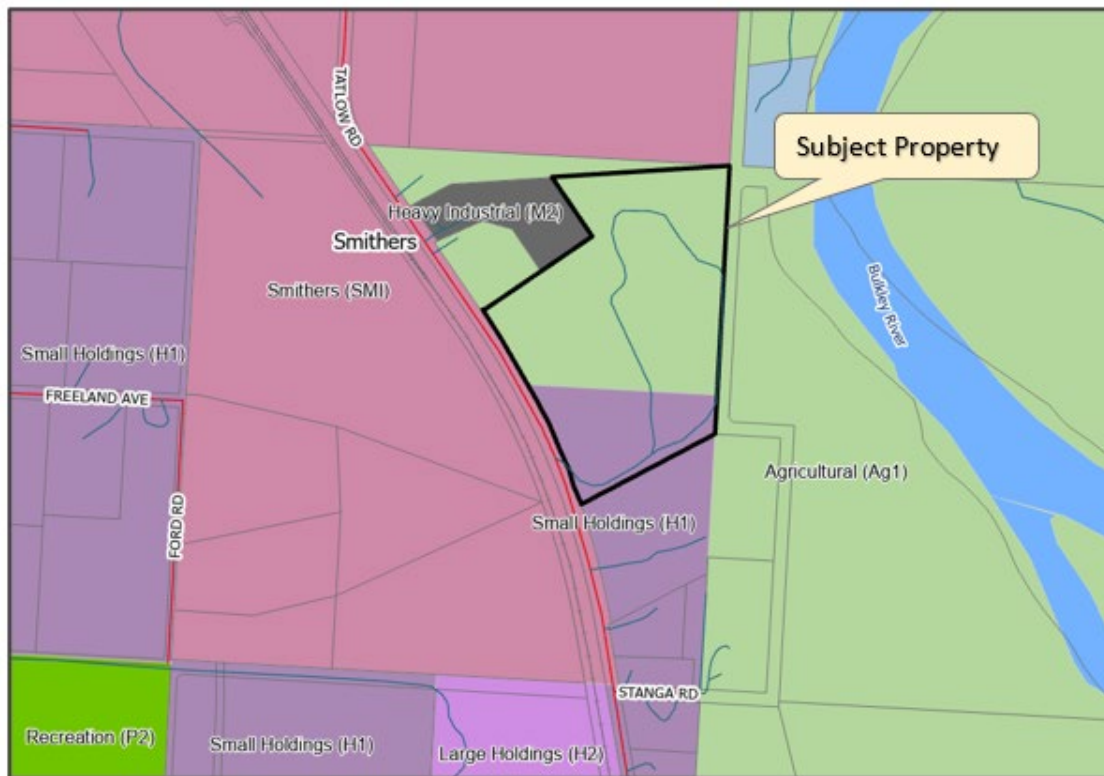


The applicant wants to build a heavy equipment storage space on the subject property, which also has a history of aggregate processing. These are both permitted uses in the Light Industrial (M1) Zone and a property to the north of the proposal area is zoned M2 in the Zoning Bylaw. The full list of permitted principal uses in the M1 Zone are as follows:

Permitted Principal Uses in M1 Zone	
<ul style="list-style-type: none"> • Aggregate Processing • Agriculture • Contracting • Crematorium • Heavy Equipment Repair and Sales • Light Manufacturing • Motor Vehicle Repair • Recreational Vehicle Storage • Transportation Terminal 	<ul style="list-style-type: none"> • Agricultural Feed Store • Building and Garden Supplies • Light Equipment Repair and Sales • Motor Vehicle Wash • Service Station • Veterinary Clinic • Utility • Warehousing

Zoning Map

Green = Agricultural (AG1) Zone; Purple = Small Holdings (H1) Zone

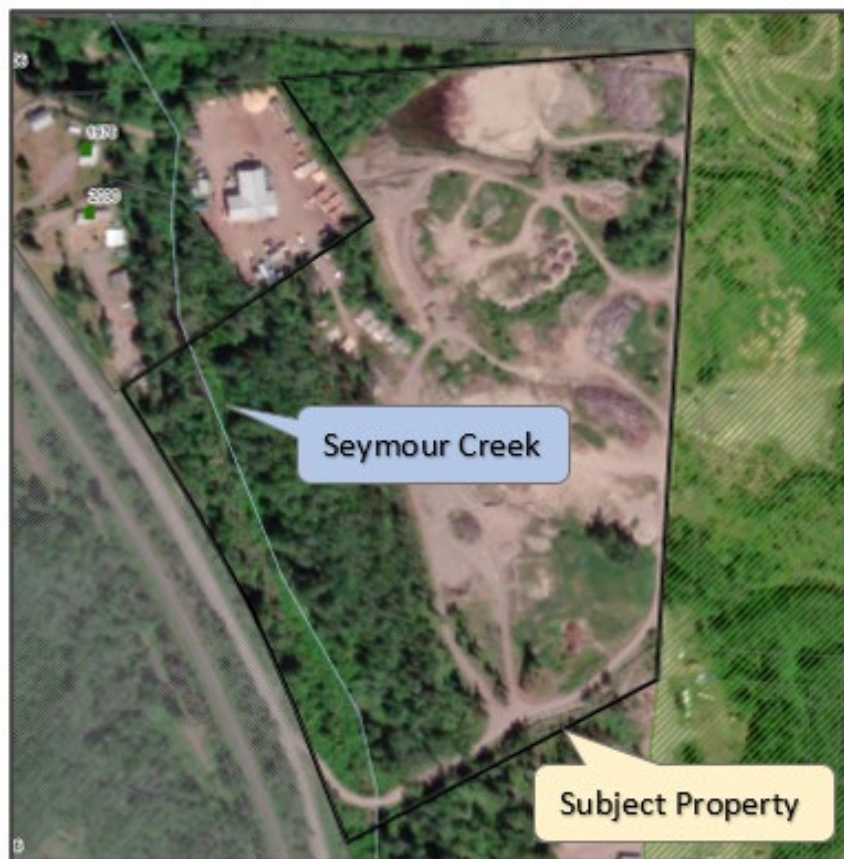


Seymour Creek

OCP Policy 4.6.2(6) states “[w]hen rezoning to allow [...] development in area known to have potential hazards, the proper scientific assessments are to be required at the rezoning or subdivision stage to ensure the area is appropriate for development and to mitigate safety concerns and the potential damage to property”.

The only known potential hazard on the subject property is Seymour Creek, which runs near the western boundary of the subject property, parallel to Tatlow Road (see map below). Seymour Creek appears to be a minor hazard without a history of flooding. The Zoning Bylaw does not allow the construction of a building or structure within 15 m of Seymour Creek. The Floodplain Bylaw has construction elevation and setback requirements that must be met. In staff's opinion these regulations adequately protect any future development from flood damage.

Staff asked the property owner if they would be interested in offering to register a covenant on title of the subject property restricting vegetation removal adjacent to Seymour Creek. The applicant stated they are familiar with the Ministry of Environment and Climate Change Strategy's regulations and do not want to add a covenant to their title.



Land Use Conflict

Staff note the potential for land use conflict as this area transitions to increased Industrial land uses as directed by the OCP. These impacts could include increased noise levels and traffic, and reduced air quality. These impacts were considered during the OCP review process when the lands received their Industrial Designation in 2012. There are a number of dwellings in the area;

however, a number of these properties contain a variety of home occupations and industrial uses and the proposed industrial activity is not out of character with the area.

Referral Comments

The Electoral Area A Advisory Planning Commission supported the application.

Referral comments from Northern Health; the Town of Smithers; the Ministry of Agriculture, Food and Fisheries, the Agricultural Land Commission; and the Ministry of Transportation and Infrastructure were not received at the time of the writing of this report. Any comments received in time for the Board meeting will be included on the supplementary agenda.

ATTACHMENTS

- Bylaw 1965, 2021
- Applicant Submission



REGIONAL DISTRICT OF BULKLEY-NECHAKO
BYLAW NO. 1965

A Bylaw to Amend "Regional District of
Bulkley-Nechako Zoning Bylaw No. 1800, 2020"

The Board of the Regional District of Bulkley-Nechako in open meeting enacts as follows:

That "Regional District of Bulkley-Nechako Zoning Bylaw No. 1800, 2020" be amended such that the following land is rezoned from the "Small Holdings (H1)" Zone and "Agricultural (AG1)" Zone to the "Light Industrial (M1)" Zone.

Lot 1, Section 18, Township 4, Range 5, Coast District, Plan 4997 Except Plans 5915 and 7409 as shown on Schedule "A", which is incorporated in and forms part of this bylaw.

This bylaw may be cited as the "Regional District of Bulkley-Nechako Rezoning Bylaw No. 1965, 2021".

READ A FIRST TIME this ____ day of ____

READ A SECOND TIME this ____ day of ____

PUBLIC HEARING HELD this ____ day of ____

READ A THIRD TIME this ____ day of ____

I hereby certify that the foregoing is a true and correct copy of "Regional District of Bulkley-Nechako Rezoning Bylaw No. 1965, 2021".

DATED AT BURNS LAKE this ____ day of ____

Corporate Administrator

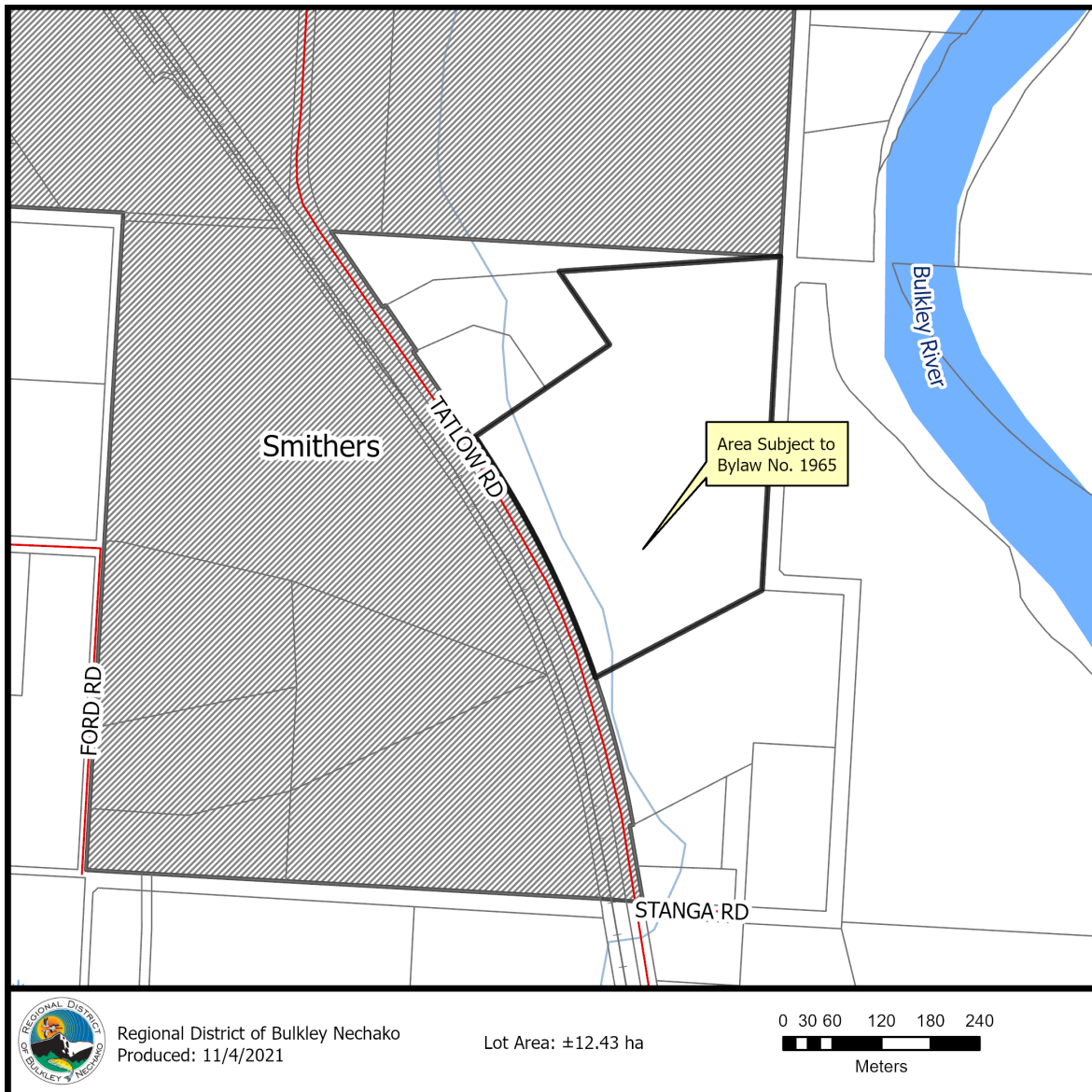
ADOPTED this ____ day of ____

Chairperson

Corporate Administrator

SCHEDULE "A" BYLAW NO. 1965

Lot 1, Section 18, Township 4, Range 5, Coast District, Plan 4997 Except Plans 5915 and 7409', comprising ± 12.4 ha, rezoned from the "Small Holdings (H1)" Zone and the "Agricultural (AG1)" Zone to the "Light Industrial (M1)" Zone.



hereby certify that this is Schedule "A" of Bylaw No. 1965, 2021.

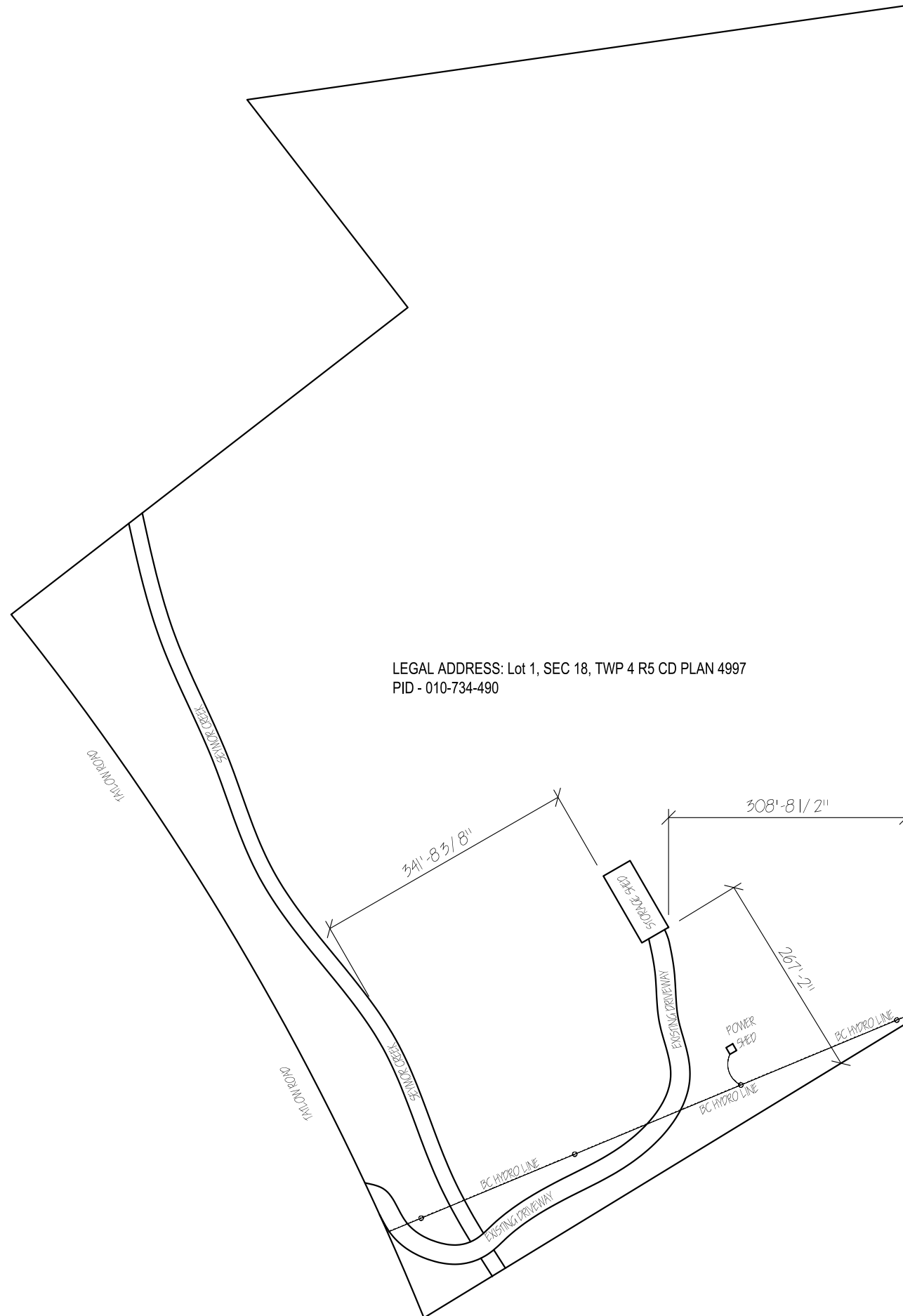
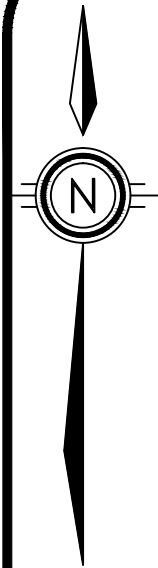
Corporate Administrator

September 12, 2021

To Whom It May Concern,

The following are the rational/reasons why we would like to have the subject property rezoned from AG1 and H1 to M2

- 1) The land owner would like to build an equipment storage building to be able to store his heavy equipment and supplies throughout the year
- 2) The parcel to the north of the subject parcel is already zoned M2
- 3) This parcel is situated on a gravel deposit and has been used for gravel extraction in the past. The parcel is not well suited to typical agriculture as it has limited topsoils required for grazing or cropping
- 4) The subject parcel has traditionally been used for aggregate extraction and processing even though the zoning did not allow it. This application would bring the parcel into compliance with the zoning bylaw.
- 5) Other neighbouring parcels are currently being used for industrial activities so this application is in line with adjacent properties and will have minimal impact on them.
- 6) The current OCP designation for this area is Industrial (I) so this brings the zoning inline with the OCP



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General Notes

Endorsements

No.	Revision/ Issue	Date



250-643-0534
Telkwa, BC
westwind.murray@gmail.com

Jadies Storage Shed
Tatlow Road, Smithers

Drawn Site Plan	Sheet 1/1
Date October 22, 2021	
Scale N.T.S.	

Referral Report



ADVISORY PLANNING COMMISSION REFERRAL FORM

October 26, 2021

Application No: RZ A-08-21

Your APC is requested to review the attached application. The Area A APC Meeting will be on Monday, November 1, 2021 at 7:00 pm via Zoom. The Planning Department will contact the Applicant.

Purpose of the Application

The applicant is requesting a rezoning of the subject property from Agricultural (AG1) and Small Holdings (H1) to the Light Industrial (M1) Zone to allow the construction of a heavy equipment storage building.

General Location

The subject property is on Tatlow Road, abutting the southern municipal boundary of the Town of Smithers, near the CN Rail line.

Applicant (Agent)

Murray Vetsch Westwind Enterprises Ltd.

Attachment

Referral Report

Referral Sent to

- | | |
|---|--|
| <input checked="" type="checkbox"/> Northern Health | <input checked="" type="checkbox"/> Ministry of Agriculture, Food & Fisheries |
| <input checked="" type="checkbox"/> Ministry of Transportation and Infrastructure | <input type="checkbox"/> Forests, Lands, Natural Resource Operations & Rural Development |
| <input type="checkbox"/> Ministry of Environment & Climate Change Strategy | <input type="checkbox"/> Ministry of Energy, Mines & Low Carbon Innovation |
| <input type="checkbox"/> Ministry of Tourism, Arts, Culture and Sport | <input type="checkbox"/> Agricultural Land Commission |
| <input type="checkbox"/> BC Parks | <input checked="" type="checkbox"/> Advisory Planning Commission |
| <input checked="" type="checkbox"/> Municipality – Town of Smithers | <input type="checkbox"/> RDBN Agriculture Coordinator (West) |

Regional District of Bulkley-Nechako
37 3rd Ave, PO Box 820
Burns Lake, BC V0J 1E0
250-692-3195



REGIONAL DISTRICT OF BULKLEY-NECHAKO
PLANNING DEPARTMENT REFERRAL REPORT
FILE No. RZ A-08-21

APPLICATION SUMMARY

Name of Agent/Owner: Murray Vetsch Westwind Enterprises Ltd.

Electoral Area: A

Subject Property: Lot 1, Section 18, Township 4, Range 5, Coast District, Plan 4997 Except Plans 5915 And 7409

Property Size: 12.42 ha (30.69 ac)

OCP Designation: Industrial (I) in "Smithers Telkwa Rural Official Community Plan Bylaw No. 1704, 2014"

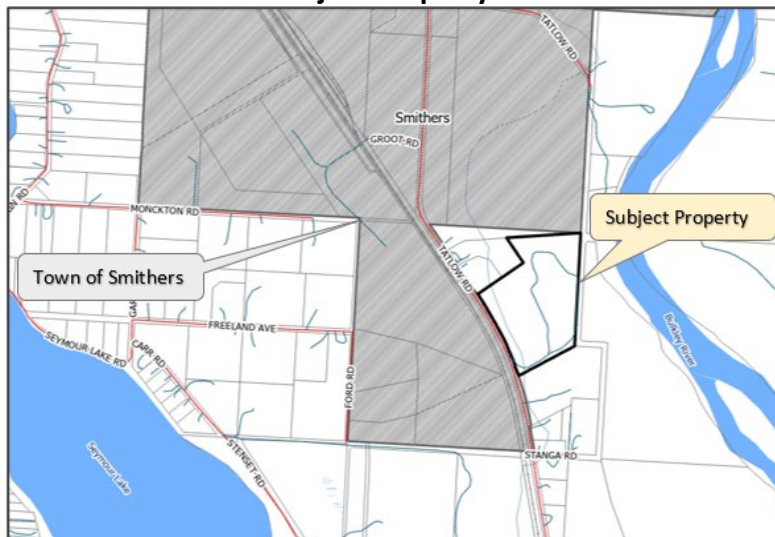
Zoning: Portions of the property are zoned Agricultural (AG1) and portions are zoned Small Holdings (H1) in RDBN Zoning Bylaw No. 1800, 2020 (the Zoning Bylaw)

ALR Status: Not in the ALR

Existing Land Use: Aggregates/Heavy Equipment Storage

Location: The subject property is on Tatlow Road, abutting the southern municipal boundary of the Town of Smithers, near the CN Rail line (see Subject Property Map)

Subject Property



Proposed Rezoning

The applicant requests a rezoning of the subject property from the Agricultural (AG1) and Small Holdings (H1) Zones to the Light Industrial (M1) Zone to allow the construction of a heavy equipment storage building. The subject property is used for unenclosed heavy equipment storage and aggregate extraction/processing. The proposed rezoning to the M1 Zone would permit heavy equipment storage and aggregate /processing. The only structure on the property is a 7.4 m² (80 ft²) power shed to supply power to the property.

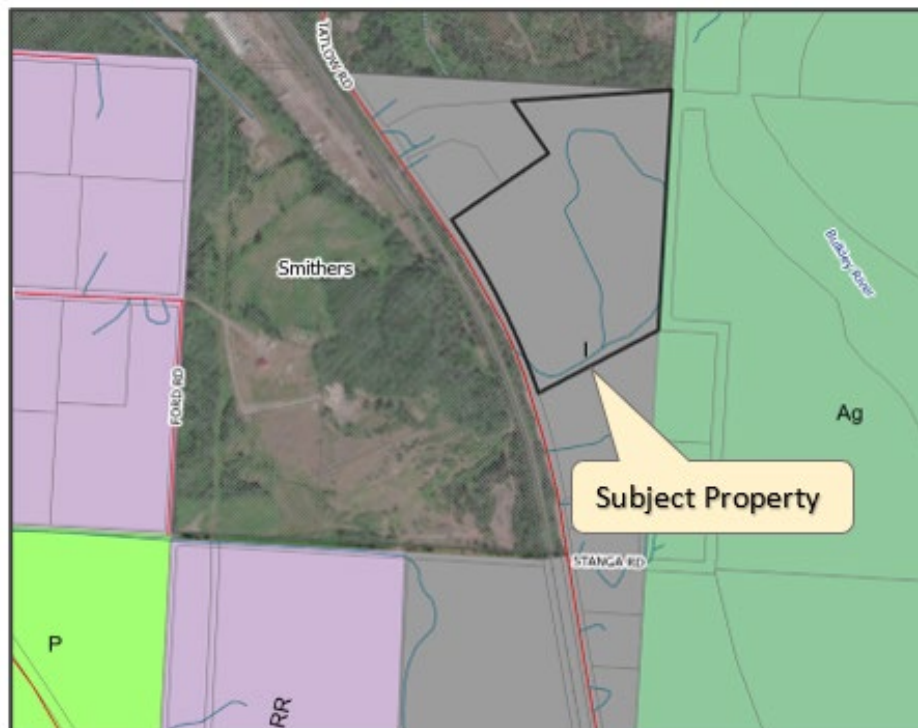
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OCP Policy 3.3.2(2) stating “[n]ew industrial uses will be encouraged to establish within the Industrial (I) designation in the Tatlow Road area”. The proposed zoning amendment aligns with the Industrial land use designation of the subject property.

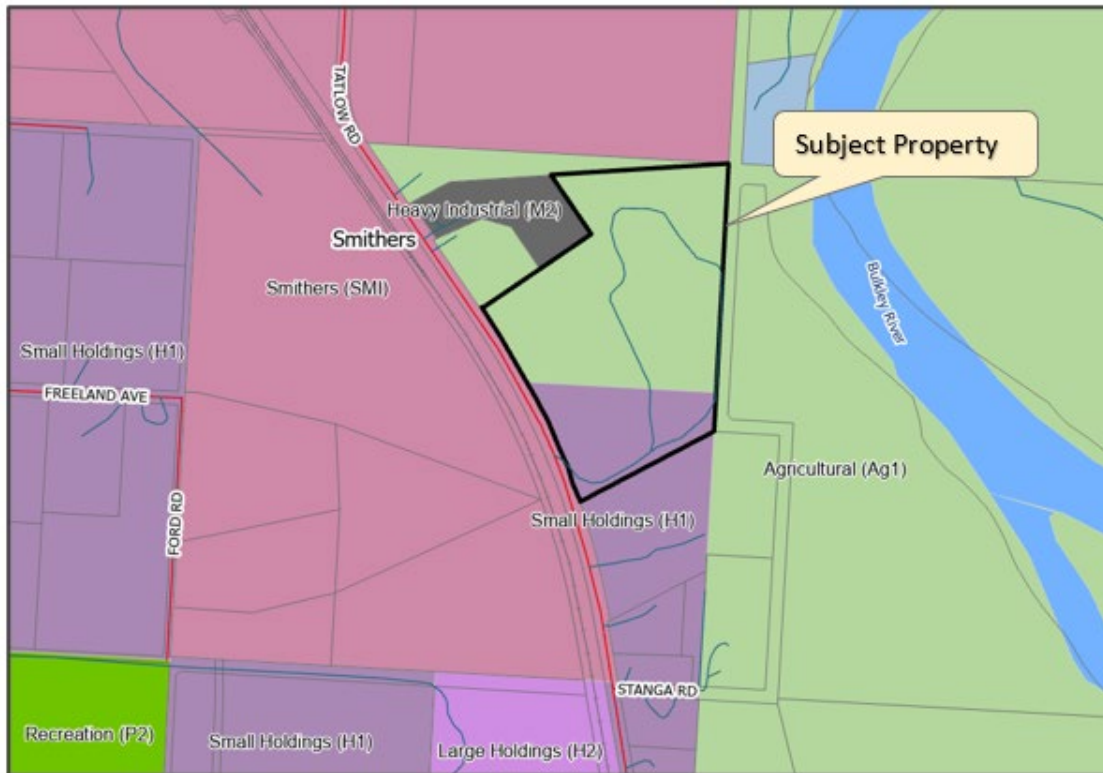
OCP Map

Grey = Industrial Designation; Dark Green = Agricultural Designation



Zoning Map

Green = Agricultural (AG1) Zone; Purple = Small Holdings (H1) Zone



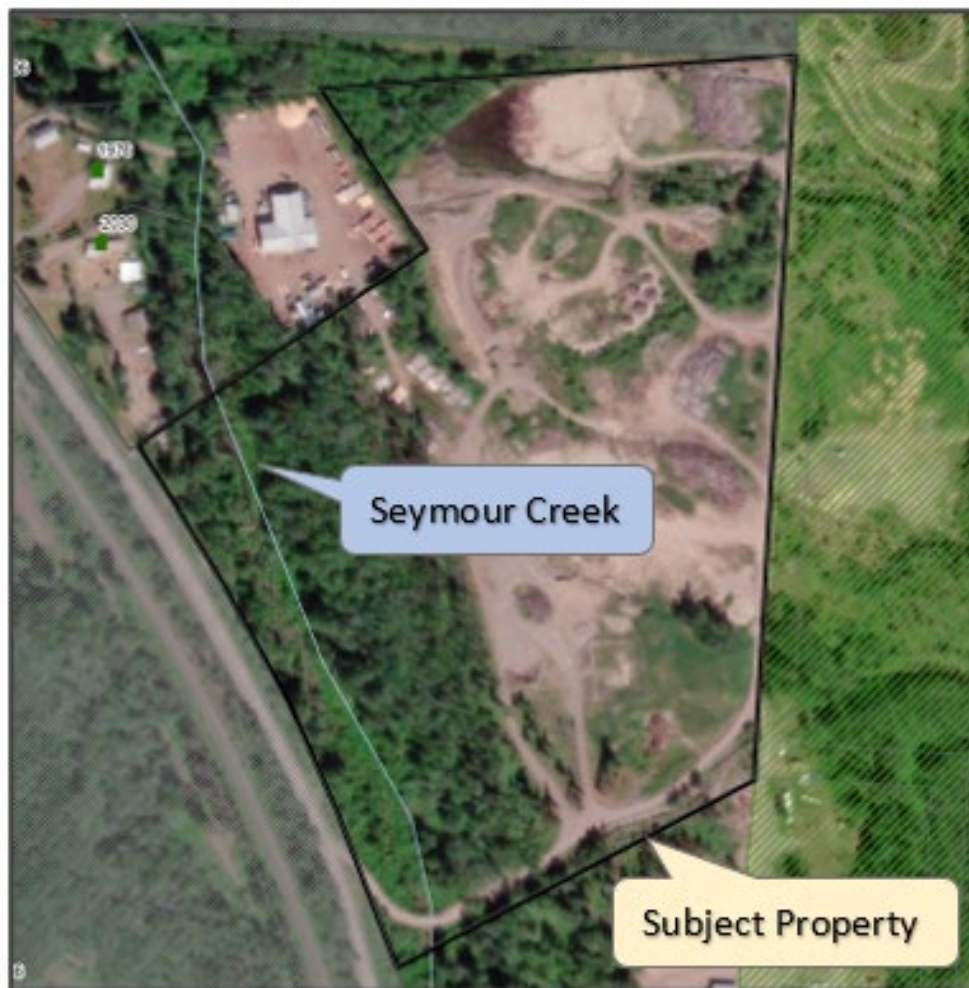
Heavy equipment storage and aggregate processing are permitted uses in the Light Industrial (M1) and Zones. A property to the north of the proposal area is zoned M2 in the Zoning Bylaw. The permitted principal uses in the M1 Zone are as follows:

Permitted Principal Uses in M1 Zone	
<ul style="list-style-type: none"> • Aggregate Processing • Agriculture • Contracting • Crematorium • Heavy Equipment Repair and Sales • Light Manufacturing • Motor Vehicle Repair • Recreational Vehicle Storage • Transportation Terminal 	<ul style="list-style-type: none"> • Agricultural Feed Store • Building and Garden Supplies • Light Equipment Repair and Sales • Motor Vehicle Wash • Service Station • Veterinary Clinic • Utility • Warehousing

Planning Department Comments

Seymour Creek runs through the subject property's western property boundary, parallel to Tatlow Road. The Zoning Bylaw does not allow the construction of a building or structure within 15 m of Seymour Creek. It is not known if Floodplain Bylaw setback or construction elevation requirements will apply to the area.

Staff asked the property owner if they would be interested in offering to register a covenant on title of the property restricting vegetation removal adjacent to Seymour Creek. The applicant stated they are familiar with the Ministry of Environment and Climate Change Strategy's regulations and do not want to add a restrictive covenant to their title. In addition, the applicant noted no works are planned near Seymour Creek.



Staff note the potential for land use conflict as this area transitions to increased Industrial uses as directed by the OCP. These impacts could include increased noise levels and traffic, and reduced air quality. These impacts were considered during the OCP review process when the land received their Industrial Designation in 2012. This rezoning process is an opportunity to

consider the need for mitigation measures to ease the transition to increased industrial use. RDBN records indicate dwellings located within 200 metres of the subject property, as shown on the above map.

Referral

This application is being referred to the Electoral Area “A” Advisory Planning Commission Northern Health; the Town of Smithers; the Ministry of Agriculture, Food and Fisheries, the Agricultural Land Commission; and the Ministry of Transportation and Infrastructure.

ATTACHMENT

- Applicant Submission

2. AGENT AUTHORIZATION

If the applicant is not the sole registered owner of the subject property, ALL owners of the subject property must sign the application below, or provide a signed letter, authorizing the applicant to act as agent on their behalf in regard to the application.

As owner(s) of the land described in this application, I/we authorize (please print) Murray Vetsch
to act as Applicant, and as our agent in regard to this application.

Daniel Johnson
Owner Name (print)


Signature

5/13/2021
Date

Owner Name (print)

Signature

Date

Owner Name (print)

Signature

Date

3. PROPERTY INFORMATION

Legal Description(s) of the land which is the subject of this Application (subject property):
Lot 1, Sec 18, Twp 4, Range 5, CD Plan 4997 (PID-010-734-490)

Civic Address (House No., Street Name):
None Assigned

Size of
Property: 30.68 ac (Hectares/Acres)

Existing Land Use:

(Describe the uses that currently occur on the land under application. List each building and the use of that building.)

LAND IS CURRENTLY USED FOR AGGREGATE EXTRACTION, STORAGE, AND PROCESSING AS WELL AS HEAVY EQUIPMENT STORAGE & PARKING.

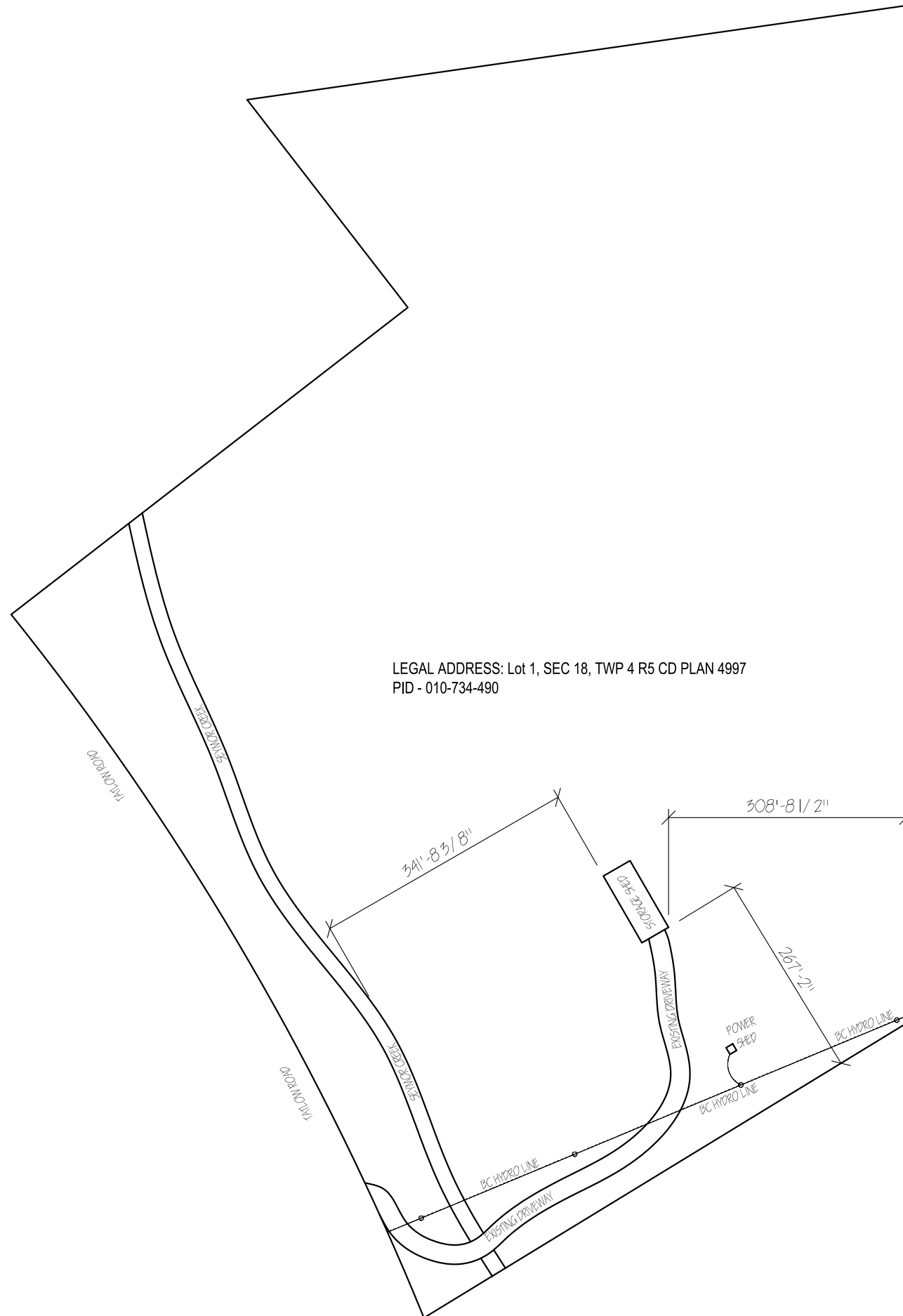
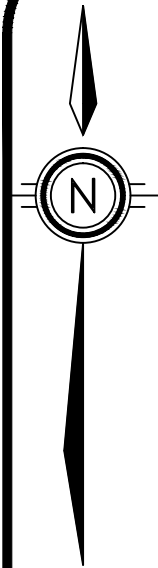
THE ONLY STRUCTURE ON THE PARCEL IS A SMALL SHED (8x10) USED FOR POWER DISTRIBUTION + SUPPLY TO THE PARCEL

September 12, 2021

To Whom It May Concern,

The following are the rational/reasons why we would like to have the subject property rezoned from AG1 and H1 to M2

- 1) The land owner would like to build an equipment storage building to be able to store his heavy equipment and supplies throughout the year
- 2) The parcel to the north of the subject parcel is already zoned M2
- 3) This parcel is situated on a gravel deposit and has been used for gravel extraction in the past. The parcel is not well suited to typical agriculture as it has limited topsoils required for grazing or cropping
- 4) The subject parcel has traditionally been used for aggregate extraction and processing even though the zoning did not allow it. This application would bring the parcel into compliance with the zoning bylaw.
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General Notes

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Jadies Storage Shed
Tatlow Road, Smithers

Drawn Site Plan	Sheet 1/1
Date October 22, 2021	
Scale N.T.S.	

Official Community Plan (OCP) Designation

3.3. Industrial (I) Designation

Only a limited amount of industrial development has been designated within the Plan area in an attempt to focus industrial activity within the Town of Smithers and the Village of Telkwa. Opportunities for new industrial development may be accommodated within the Plan area subject to the following Industrial objectives and policies.

3.3.1. Objectives

- (1) To provide opportunities for heavy and light industrial uses, in suitable locations.
- (2) To minimize land use incompatibility and conflicts between industry and surrounding land uses.
- (3) To ensure industrial uses do not have an unacceptable impact on the natural environment.

3.3.2. Policies

- (1) New industrial uses will be encouraged to establish within the Boundaries of the Town of Smithers and the Village of Telkwa.
- (2) New industrial uses will be encouraged to establish within the Industrial (I) designation in the Tatlow Road area.
- (3) A Industrial Designation and rezoning application to allow industrial uses may be only be considered under the following circumstances.
 - (a) The proposed use is:
 - (i) necessary at or near the location of harvesting or extraction of an agricultural crop, mineral, or soil including gravel;
 - (ii) a large scale industrial operation that is not appropriately located in an incorporated area; or
 - (iii) is a small scale light industrial activity.
 - (b) The proposed industrial use will not create an amount of traffic, noise or other impact that will adversely affect the rural character of the area.
 - (c) The proposed industrial use will not have an unacceptable negative impact on the environment.
 - (d) The proposed industrial use will not have an unacceptable negative impact on neighbouring land uses.

- (e) Traffic management issues will be considered and addressed appropriately.
 - (f) And, a proposed industrial use, that could lead to environmental impact in the event of flooding, is not located in a floodplain.
- (4) The establishment of permanent greenbelt buffers, or other screening method along parcel boundaries to provide a physical separation between industrial uses of land and adjacent land uses shall be considered as part of any application review process.
 - (5) Clean-up and restoration of areas negatively affected by past and existing industrial uses will be encouraged.
 - (6) Rezoning applications for industrial uses that will have an unacceptable impact on the environment, adjacent land use, or the community as a whole, shall not be supported.



Zoning

SECTION 14.0 - SMALL HOLDINGS ZONE (H1)**14.0.1** Permitted Uses

1. Principal Uses
 - a) Agriculture
 - b) Single Family Dwelling
 - c) Two Family Dwelling
 - d) Recreational Vehicle Storage in a building with a maximum Gross Floor Area of 149 square metres only on the Parcel legally described as District Lot 2022A, Range 5, Coast District, Except Plans 1152, 6141 and 9568.
 - e) Recreational Vehicle Storage in buildings with a total maximum Gross Floor Area of 1,400 square metres only on the Parcel legally described as Lot 2, District Lot 1141, Cariboo District, Plan 25405.
2. Secondary Uses
 - a) Kennel on a Parcel that has an area equal to or greater than 2 hectares (4.94 acres) and a Single Family or Two Family Dwelling is the Principal Use.
 - b) Taxidermy Shop on the Parcel legally described as Lot A, Section 2, Township 1A Range 5, Coast District, Plan PRP43278 provided that a Single Family or Two Family Dwelling is the Principal Use.

14.0.2 Density

1. Not more than one Single Family Dwelling or one Two Family Dwelling shall be located on a Parcel which is less than 4 hectares (9.88 acres) in area.
2. Notwithstanding Section 14.0.2 (1) two Single Family Dwellings are permitted on the Parcel legally described as Lot 3, Plan 5124, District Lot 4163, Range 5, Coast District provided that one of the Dwelling Units does not exceed Gross Floor Area of 100 square metres (1,076 square feet).
3. Not more than two Single Family Dwellings, or one Two Family Dwelling shall be located on a Parcel which is 4 hectares (9.88 acres) in area or greater.

14.0.3 Parcel Area

1. The minimum Parcel area that may be created by subdivision is 2 hectares (4.94 acres).

14.0.4 Setback

1. No Structure or part thereof, shall be located within the setback prescribed below:
 - a) 7.5 metres (24.60 feet) from the Front and Rear Parcel Lines;
 - b) 5 metres (16.40 feet) from each Side Parcel Line which does not abut a Highway;
 - c) 7.5 metres (24.60 feet) from any Parcel Line which abuts a Highway.

SECTION 16.0 - AGRICULTURAL ZONE (AG1)

16.0.1 Permitted Uses

1. Principal Uses
 - a) Agriculture
 - b) Farmers' Market
 - c) Intensive Agriculture
 - d) Large Kennel
 - e) Portable Sawmill
 - f) Primitive Campground
 - g) Rural Retreat
 - h) Single Family Dwelling
 - i) Veterinary Clinic
 - j) Notwithstanding Section 16.0.1(1), a maximum of 3 Guest Cabins, 1 Resort Lodge and a Primitive Campsite are permitted on the land legally described as Parcel A of the Fractional NW ¼ of Section 7, Township 2A, Range 5, Coast District, Plan 9922.
 - k) Community Care Facility on the Parcel legally described as The Fractional NW ¼ of Section 12, Township 4, Range 4, Coast District.
2. Secondary Uses
 - a) Guest Ranch only on a Parcel where Agriculture or Intensive Agriculture is a Principal Use.

16.0.2 Density

1. Not more than one Single Family Dwelling shall be located on a Parcel unless additional dwellings are permitted pursuant to the *Agricultural Land Commission Act*.
2. The combined maximum number of sites for Camping Vehicles or tents in a Primitive Campground is 10 per hectare.

16.0.3 Parcel Area

1. The minimum Parcel area that may be created by subdivision is 16 hectares (39.5 acres).

16.0.4 Setback

1. No Structure or part thereof, shall be located within 7.5 metres (24.60 feet) of any Parcel Line.
2. No Building or portion thereof used for Intensive Agriculture shall be located within:
 - a) 60 metres (196.85 feet) of a Parcel line;
 - b) 30 metres (98.42 feet) of a domestic well, spring or the Natural Boundary of a lake or Watercourse.

SECTION 22.0 - LIGHT INDUSTRIAL ZONE (M1)**22.0.1** Permitted Uses1. Principal Uses

- a) Aggregate Processing
- b) Agriculture
- c) Agricultural Feed Store
- d) Building and Garden Supplies
- e) Contracting
- f) Crematorium
- g) Heavy Equipment Repair and Sales
- h) Large Kennel
- i) Light Manufacturing
- j) Light Equipment Repair and Sales
- k) Motor Vehicle Repair
- l) Motor Vehicle Wash
- m) Recreational Vehicle Storage
- n) Service Station
- o) Transportation Terminal
- p) Utility
- q) Veterinary Clinic
- r) Warehousing

2. Secondary Uses

- a) Dwelling Unit in a building containing a Principal Use
- b) Single Family Dwelling

22.0.2 Density

- 1. Not more than one Dwelling Unit shall be located on a Parcel.

22.0.3 Parcel Area

- 1. The minimum Parcel area that may be created by subdivision is 1 hectare (2.47 acres).

22.0.4 Parcel Coverage

- 1. Structures shall not cover more than forty percent of the area of a Parcel.

22.0.5 Setback

- 1. No Structure or part thereof, shall be located within:
 - a) 7.5 metres (24.60 feet) of any Parcel Line which does not abut a Residential Zone;
 - or
 - b) 15 metres (49.21 feet) of any Parcel Line which abuts a Residential Zone.

22.0.6

Screening

1. All industrial activity and associated materials not being displayed for retail sale shall be enclosed by a [Landscape Screen](#) not less than 2 metres (6.56 feet) high.

Zoning Amendment Application



Application Form

Official Community Plan (OCP) / Zoning Bylaw Amendment

Applicants are advised to consult with Planning Staff before submitting an application.

- 1. APPLICANT** If you are an agent applying on behalf of the property owner, fill out the applicant and property owner sections. If you are the property owner and the applicant only fill out the applicant section.

Applicant:

Name Murray Vetsch

Signature [REDACTED]

Mailing Address: [REDACTED]
[REDACTED]
[REDACTED]

Phone: (Home) [REDACTED]
(Cell) [REDACTED]

E-mail: [REDACTED]

Property Owner(s):

Name(s) Jadies Contracting Ltd

Signature(s) [REDACTED]

Mailing Address: [REDACTED]
[REDACTED]
[REDACTED]

Phone: (Home) [REDACTED]
(Cell) [REDACTED]

E-mail: [REDACTED]

2. AGENT AUTHORIZATION

If the applicant is not the sole registered owner of the subject property, All owners of the subject property must sign the application below, or provide a signed letter, authorizing the applicant to act as agent on their behalf in regard to the application.

As owner(s) of the land described in this application, I/we authorize (please print) Murray Vetsch
to act as Applicant, and as our agent in regard to this application.

Daniel Johnson
Owner Name (print)



Signature

SEP 13 2021
Date

Owner Name (print)

Signature

Date

Owner Name (print)

Signature

Date

3. PROPERTY INFORMATION

Legal Description(s) of the land which is the subject of this Application (subject property):
Lot 1, Sec 18, Twp 4, Range 5, CD Plan 4997 (PID-010-734-490)

Civic Address (House No., Street Name):
None Assigned

Size of
Property: 30.68 ac (Hectares/Acres)

Existing Land Use:

(Describe the uses that currently occur on the land under application. List each building and the use of that building.)

LAND IS CURRENTLY USED FOR AGGREGATE EXTRACTION, STORAGE, AND PROCESSING AS WELL AS HEAVY EQUIPMENT STORAGE & PARKING.

THE ONLY STRUCTURE ON THE PARCEL IS A SMALL SHED (8x10) USED FOR POWER DISTRIBUTION + SUPPLY TO THE PARCEL

4. REQUESTED AMENDMENT

Proposed

Amendment to

Zoning Bylaw: Change from AG1 and H1 to M2

Proposed

Amendment to

OCP: Current OCP designation is Industrial and we would like that designation to remain.

Reason for Application:

(Describe the reason for the application. If the application is to allow a proposed new land use or development, describe that use and / or development. Also discuss why you consider the proposed use and / or development to be appropriate for the land under application. Attach separate pages to the application, or a letter as necessary.)

SEE ATTACHED

5. APPLICATION FEES

An application fee as set out in Schedule A to the Regional District of Bulkley-Nechako Development Procedures Bylaw No. 1898, 2020 must accompany this application. An application is not considered complete and cannot be processed until the required application fee and information has been received by the Regional District.

Fees can be paid by cheque, interact debit card, or cash.

- Cheques should be made to the Regional District of Bulkley-Nechako and delivered to the attention of the Planning Department by mail to Box 820, Burns Lake, BC, V0J 1E0; or at the RDBN office, 37-3rd Ave, Burns Lake, BC.
- Interact debit card or cash payments can be made at the RDBN office, 37 3rd Avenue, Burns Lake, BC.

The following fees are required: Check the box that applies to your application

- | | |
|--|---------|
| <input type="checkbox"/> Official Community Plan (OCP) Amendment | \$1,000 |
| <input checked="" type="checkbox"/> Zoning Bylaw Amendment | \$1,000 |
| <input type="checkbox"/> Combined OCP and Zoning Bylaw Amendment | \$1,500 |

*Please note that the fee for an application to legalize an existing bylaw contravention is increased by an additional 50%.

6. SIGN NOTIFICATION REQUIREMENTS

Certain applications require that a sign be posted on the property to advise the community of the application. The sign can be provided by the property owner, or it can be rented from the Regional District of Bulkley-Nechako office (37-3rd Ave, Burns Lake) for a fee of \$25 plus a security deposit of \$75. The \$100 fee and deposit can be included with your application fee.

Do you wish to pay the signage fee now?

☒ Yes

☐ No

7. FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY

Personal information requested on this form is collected under the *Freedom of Information and Protection of Privacy Act* section 26(c) and will be used for the purpose of processing your application. Any information relating to the use and development of the land provided to the RDBN for consideration and in support of the application may be made available for review by any member of the public. If you have any questions about the collection and use of this information, please contact the RDBN Information and Privacy Coordinator at 1-800-320-3339.

8. SITE DISCLOSURE STATEMENT

A Site Disclosure Statement is required when applying to rezone a property. Please fill out Schedule 1 attached to this application.

9. DECLARATION

I, the undersigned, hereby declare that the attached information, provided with respect to this application is a true statement of facts, and authorize RDBN staff to conduct site inspections of the subject property for the purpose of confirming information submitted as part of this application, and for the purpose of processing this application.


Owner/Agent Signature

September 12, 2021
Date

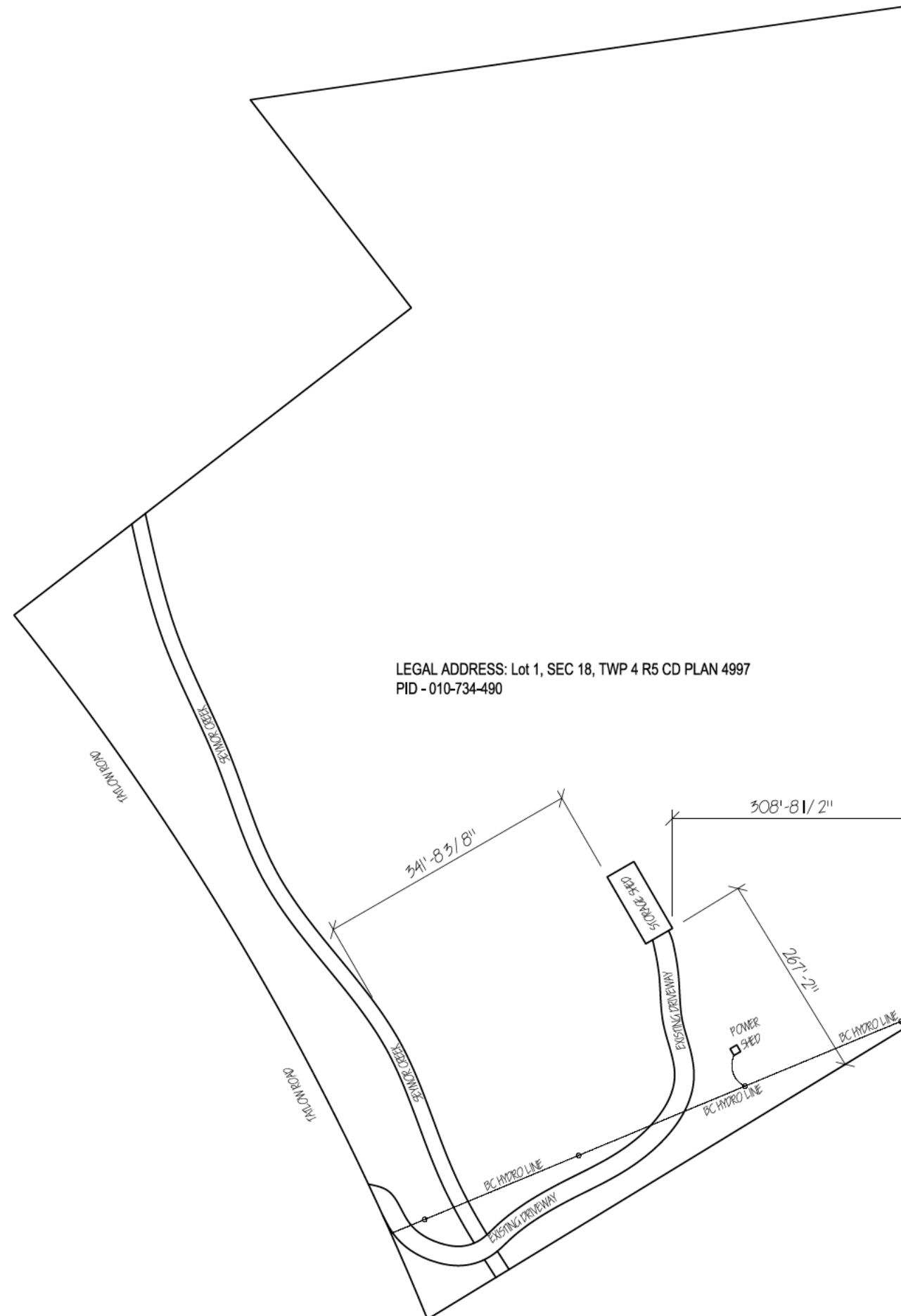
***To ensure your application is complete and that all items have been included with your application, see page 3 of the Official Community Plan & Zoning Amendment brochure for the application checklist.**

September 12, 2021

To Whom It May Concern,

The following are the rational/reasons why we would like to have the subject property rezoned from AG1 and H1 to M2

- 1) The land owner would like to build an equipment storage building to be able to store his heavy equipment and supplies throughout the year
- 2) The parcel to the north of the subject parcel is already zoned M2
- 3) This parcel is situated on a gravel deposit and has been used for gravel extraction in the past. The parcel is not well suited to typical agriculture as it has limited topsoils required for grazing or cropping
- 4) The subject parcel has traditionally been used for aggregate extraction and processing even though the zoning did not allow it. This application would bring the parcel into compliance with the zoning bylaw.
- 5) Other neighbouring parcels are currently being used for industrial activities so this application is in line with adjacent properties and will have minimal impact on them.
- 6) The current OCP designation for this area is Industrial (I) so this brings the zoning inline with the OCP



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General Notes

Endorsements

No.	Revision/ Issue	Date



250-643-0534
Telkwa, BC
westwind.murray@gmail.com

Jadies Storage Shed
Tatlow Road, Smithers

Drawn Site Plan	Sheet 1/1
Date October 22, 2021	
Scale NYS	

From: [Murray Vetsch](#)
To: [Danielle Patterson](#)
Subject: [EXTERNAL]: Re: M2 to M1 confirmation: Application RZ A-08-21 (Jadies Contracting Ltd)
Date: Friday, October 22, 2021 1:58:02 PM
Attachments: [Jadies Site Plan 20211022.pdf](#)

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Hi Danielle,

Yes, amending the application to M1 from M2 is acceptable if that has a higher likelihood for success. All of my clients plans for the property fit within the M1 zoning.

Also, please see the attached site plan for the location of the approximate location of the power shed, BC Hydro line and proposed storage shed.

Thank you for staying on top of this and have a good day,

Murray

On Fri, Oct 22, 2021 at 1:37 PM Danielle Patterson <danielle.patterson@rdbn.bc.ca> wrote:

Good afternoon Murray,

Thank you for chatting with me and clarifying the intended uses for your client's property and the reason for rezoning.

Can you confirm for me that you would like to amend this application to request a rezoning to M1 (Light Industrial) instead of M2 (Heavy Industrial)?

If that is correct, I can update the RDBN's records.

Sincerely,

Danielle

Danielle Patterson, BA, BPl

Planner

(she/her)

Planning Department

Regional District of Bulkley-Nechako

Phone: (250) 692-3195 or Toll Free: 1-800-320-3339

Website: www.rdbn.bc.ca



Referral Comments



Your File #: RZ A-08-21
eDAS File #: 2021-05705
Date: Nov/09/2021

Murray Vetsch Westwind Enterprises Ltd.;
c/o Regional District of Bulkley-Nechako
Danielle Patterson

Attention: Danielle Patterson, Planner

**Re: Proposed Zoning Bylaw Approval Application for:
Lot 1, Section 18, Township 4, Range 5, Coast District, Plan 4997 Except
Plans 5915 And 7409**

As per section 52 of the Transportation Act the Ministry has no comments on the proposal as the development is outside of the 800m radius to a controlled access highway intersection that would require Ministry approval. The Ministry will not need to sign the final zoning amendment.

https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/04044_01#section52

If you have any questions, please feel free to call Amber Olson at (778) 702-0027.

Yours truly,

Amber Olson
Development Services Officer

Local District Address
Bulkley-Stikine District Bag 5000 3726 Alfred Avenue Smithers, BC V0J 2N0 Canada Phone: (250) 847-7403 Fax: (250) 847-7219



Agricultural Land Commission
201 – 4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000 | Fax: 604 660-7033

November 18, 2021

Reply to the attention of Michael McBurnie
ALC Issue: 52432
Local Government File: RZ A-08-21

Danielle Patterson
Planner, Regional District of Bulkley-Nechako
danielle.patterson@rdbn.bc.ca

Re: RDBN Application No: RZ A-08-21

**Property: Lot 1, Section 18, Township 4, Range 5, Coast District, Plan 4997
Except Plans 5915 And 7409**

Thank you for forwarding a draft copy of RDBN Application No: RZ A-08-21 for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the bylaw is consistent with the purposes of the *ALC Act*, the Agricultural Land Reserve (ALR) General Regulation, the ALR Use Regulation, and any decisions of the ALC.

Application No: RZ A-08-21 proposes to rezone property from the Agricultural (AG1) and Small Holdings (H1) Zones to the Light Industrial (M1) Zone to allow the construction of a heavy equipment storage building.

The ALC recognizes that the Property is not within the ALR; however, the eastern boundary of the Property is directly adjacent to ALR lands.

Part 3 of the Ministry of Agriculture's [Guide to Edge Planning](#) (2015) describes urban-side edge planning tools to promote urban/rural compatibility. With the construction of a heavy equipment storage building adjacent to the ALR, there may be potential for complaints about farm noise and smells, as well as potential impacts to agriculture, such as dust, trespass, litter, theft, etc.

For this reason, ALC staff recommend considering the setback and buffer requirements outlined in the [Guide to Edge Planning](#), including up to a 15 m industrial building setback from the ALR boundary, and an associated 8 m vegetated buffer to reduce the potential for urban/agricultural conflicts. At minimum, ALC staff recommend fencing along the Property boundary with the ALR, in order to prevent encroachment of industrial uses on to ALR land.

The ALC strives to provide a detailed response to all referrals affecting the ALR; however, you are advised that the lack of a specific response by the ALC to any draft provisions cannot in any way be construed as confirmation regarding the consistency of the submission with the ALCA, the Regulations, or any decisions of the Commission.

This response 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.

If you have any questions about the above comments, please contact the undersigned at 236-468-3246 or by e-mail (michael.mcburnie@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

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


Michael McBurnie, Regional Planner

Enclosure: Referral of RDBN Application No: RZ A-08-21

CC: Ministry of Agriculture – Attention: Gregory Bartle (Gregory.Bartle@gov.bc.ca)

52432m1

Advisory Planning Commission Meeting Minutes

Electoral Area A	Meeting Date: November 1	Meeting Location: Virtually via Zoom
<u>APC Members</u> <input checked="" type="checkbox"/> Brian Atherton <input checked="" type="checkbox"/> Natalie Trueit <input checked="" type="checkbox"/> Bob Posthuma <input checked="" type="checkbox"/> Sandra Hinchcliffe <input type="checkbox"/> Janik Heer <input checked="" type="checkbox"/> Stoney Stoltenberg <input type="checkbox"/> Andrew Watson <input checked="" type="checkbox"/> Alan Koopman		Attendance <u>Electoral Area Director</u> <input checked="" type="checkbox"/> Director Mark Fisher Jason Llewellyn Danielle Patterson <u>Other Attendees</u> Lauren Menzel Colin Bruntjes Kathryn Johnson Danny Johnson Murray Vetsch
Chairperson: Sandra Hinchcliffe		Secretary: Natalie Trueit
Call to Order: 7pm		
Agenda 7:00 – 7:15 RZ A-07-21 (West-End Ventures) 7:15-7:30 RZ A-08-21 (Jadie's Contracting)		
Applications (Include application number, comments, and resolution) RZ A-07-21 – APC supports the application RZ A-08-21 – APC supports the application		
Meeting Adjourned 7:46pm	Secretary Signature 	

Public Submissions