



**PEACE RIVER REGIONAL DISTRICT
DEVELOPMENT SERVICES
TEMPORARY INDUSTRIAL USE PERMIT REPORT
TIUP No. 147/2009**

Part 26 Participants.
Includes all except
Districts of Tumbler
Ridge and Taylor.

R-2

OWNER: Frank Jadowski, Darren Clark, & Suzanne Allen **DATE:** September 18, 2009.
AGENT: Frank Jadowski
AREA: Electoral Area C
LEGAL: 1) Parcel 1, Block 2, Plan PGP36709, Section 2, Township 84, Range 19, W6M, PRD; and
 2) Lot 11, Block 2, Plan 9723, Section 2, Township 84, Range 19, W6M, PRD
LOT SIZE: 1) 0.4 ha (1 ac)
 2) 0.4 ha (1 ac)
LOCATION: ~1.5 km west of the City of Fort St. John

PROPOSAL
 To renew the Temporary Industrial Use Permit to allow for the storage of vehicles associated with a towing business.

RECOMMENDATION: OPTION 1
THAT the Regional Board support the issuance of Temporary Industrial Use Permit No. 147/2009 for a 3-month term or until a resolution is issued regarding proposed Zoning Bylaw 1862, 2009, which would amend the uses allowed within the I-1 Zone (Light Industrial Zone) of PRRD Zoning Bylaw No. 1343, 2001 by adding “AUTOMOTIVE TOWING AND STORAGE”.

OPTIONS

- OPTION 1: THAT the Regional Board support the issuance of Temporary Industrial Use Permit No. 147/2009 for a 3-month term or until a resolution is issued regarding proposed Zoning Bylaw 1862, 2009, which would amend the uses allowed within the I-1 Zone (Light Industrial Zone) of PRRD Zoning Bylaw No. 1343, 2001 by adding “AUTOMOTIVE TOWING AND STORAGE”.
- OPTION 2: THAT the Regional Board support the issuance of Temporary Industrial Use Permit No. 147/2009, for a 2-year term.
- OPTION 3: Refuse the application.

LAND USE POLICIES AND REGULATIONS

OFFICIAL COMMUNITY PLAN (OCP): Service Industrial - Bylaw No. 820, 1993
ZONING: I-1 (Light Industrial), Bylaw No. 1343, 1996
AGRICULTURAL LAND RESERVE (ALR): Outside
BUILDING INSPECTION AREA: Within
COMPREHENSIVE DEVELOPMENT PLAN: Not within a designated area

SITE CONTEXT

The subject properties are located ~400 m south of Highway 97, just west of the City of Fort St. John. The subject properties border both industrial and residential uses, which are predominantly 1-acre lots. Industrial uses in the immediate area include sandblasting, piling & anchoring, hotline servicing, water services, and trucking. Many of the residential lots in the area appear to have home-based trucking businesses.

Bruce Simard

Department Head

Sharon Eden

CAO

SITE FEATURES

- LAND:** The subject properties are level and cleared.
- STRUCTURES:** Parcel 1 contains a house, 1 garage, and 3 sheds. Lot 11 contains 1 garage and two sheds.
- ACCESS:** Access to Parcel 1 is from Alder Road (paved); access to Lot 11 is from 269 Road (paved).
- SOIL RATING:** The subject property has a CLI Soil Classification Rating of 2C.
- FIRE:** The subject properties are within the Charlie Lake Fire Protection Area.

COMMENTS AND OBSERVATIONS

APPLICANT: The owners currently have a valid Temporary Industrial Use Permit (TIUP) that allows them to run First Choice Towing until October 12, 2009. In order to legally continue the business after the permit expires, the owners have applied for a zoning amendment to allow for towing and storage within the I-1 zone. However, as the zoning amendment process is taking longer than expected, the owners wish to renew their current permit until a decision is reached regarding the zoning amendment, thereby ensuring the continued legal operation of the business.

Note: A renewal of a Temporary Industrial Use Permit is for any duration up to a maximum of two years and is permitted only once. If a permit is re-issued, applicants have the following options available to them at the expiry date:

- a) discontinue the operation;
- b) apply for a new Temporary Industrial Use Permit; or
- c) apply for a zoning amendment.

ALR: The subject properties are not with the ALR.

OCP: The subject properties are designated as “Service Industrial” within the North Peace Official Community Plan (OCP) By-law No. 890, 1996, wherein storage for the purpose of “industrial and related commercial activities” is a permitted use, and is, therefore, consistent with the OCP. In addition, Temporary Use Permits are allowed as per Policy 12, under section 2.15 of this bylaw, which states: “The Regional Board may by resolution issue temporary use permits throughout the Plan area, with specific conditions for commercial and industrial uses up to a maximum of two years, with a maximum two year extension, upon application for commercial and industrial uses, without contravening the policies and objectives of this Plan”.

ZONING: The subject properties are zone I-1(Light Industrial Zone) within the Peace River Regional District Zoning By-law No.1343, 2001, wherein the operation of a towing business is not permitted [See attached: Zoning By-Law No. 1343, 2001, Section 45 (Light Industrial Zone)]. The applicant is applying for a Temporary Industrial Use Permit which would allow for the proposed temporary industrial use for a period up to two years. Should a Temporary Industrial Use Permit be issued, a zoning amendment will NOT be required.

OTHER: The applicants are involved in an active Bylaw Enforcement Investigation No. 36/2008, where the conditions of TIUP No. 174/2007 are being violated. Specifically, vehicles are being sold and improperly stored (uncontained; unpermitted location) on Lot 11. On June 11, 2009 the applicants were notified of the permit violations and were presented possible options for compliance, including a zoning amendment. The applicants subsequently have made a zoning amendment application. The complaint which activated the bylaw enforcement investigation was made by a complainant from outside the immediate area.

IMPACT ANALYSIS

CONTEXT: The proposed use would be consistent with neighbouring light industrial uses, which include sandblasting, piling & anchoring, hotline servicing, water services, and trucking. Many of the residential lots in the area appear to have home-based trucking businesses. No complaints have been received from immediate area businesses or residents.

TRAFFIC: During regular business hours, the amount of traffic generated from the proposed industrial use is unlikely to be noticed due to the already existing industrial uses in the area. This proposal could potentially increase the level of off-hour and weekend traffic. However, the current towing business has been in operation for almost two years and staff have received no complaints regarding traffic problems.

COMMENTS RECEIVED FROM MUNICIPALITIES AND PROVINCIAL AGENCIES

None received yet as of the date of this report. Any comments received will be placed on the Chair's list.

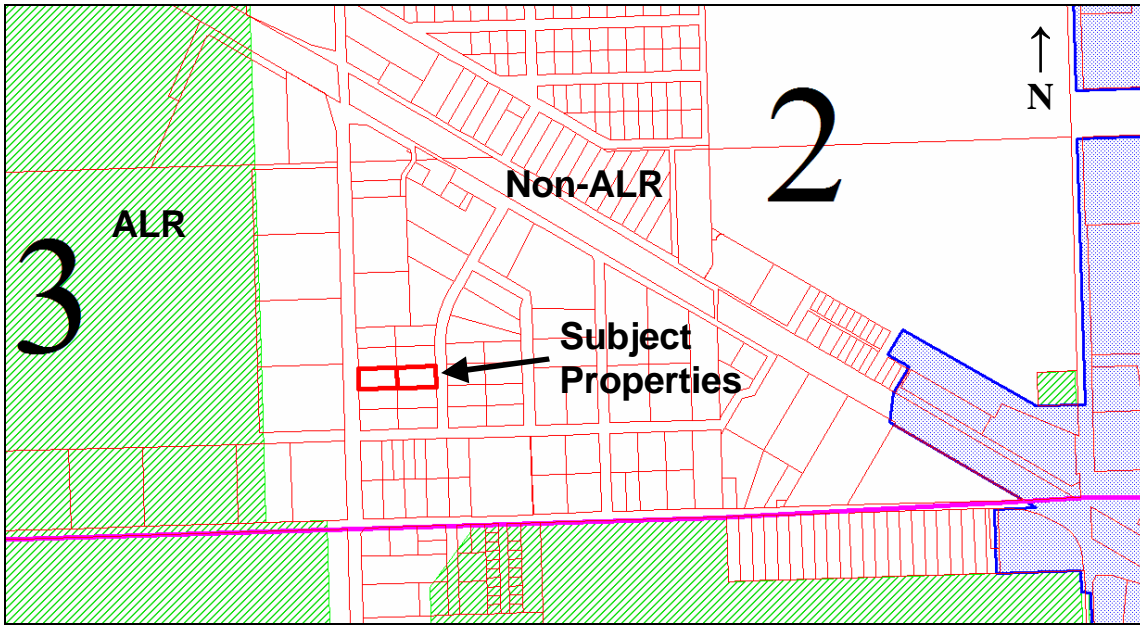
NOTIFICATION

Pursuant to Section 921 of the Local Government Act, public notification was required for the issuance of TIUP No. 174/2007, but is not required for this single renewal application.

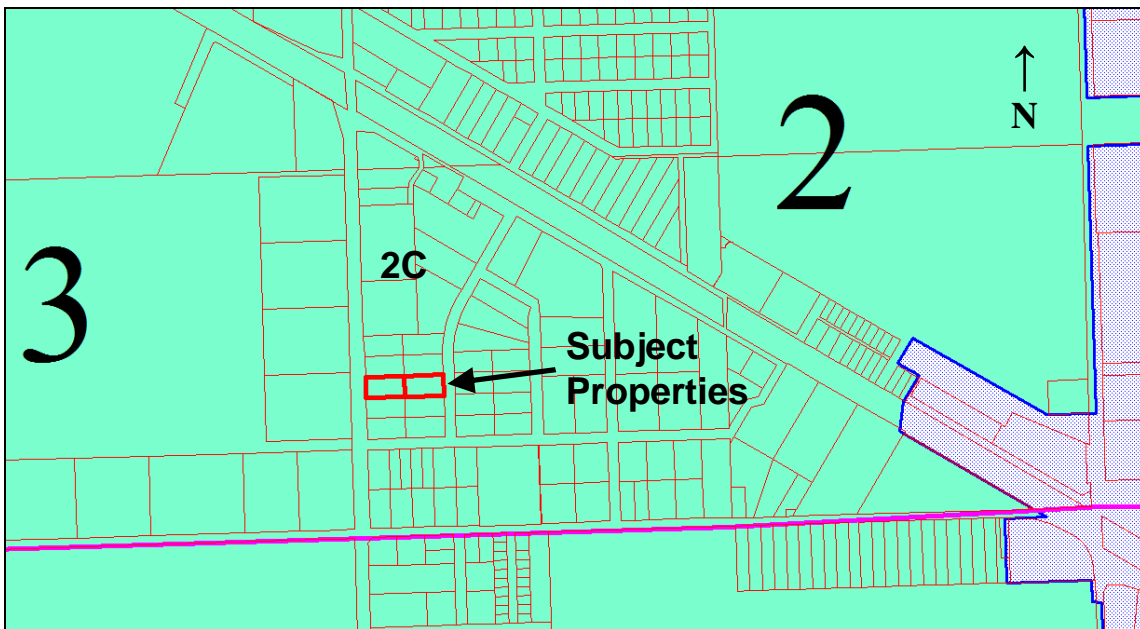


ZONING REPORT – JADOWSKI
MAPS
FILE NO. 147/2009

Agricultural Land Reserve (Map #94A.026)



CLI-Soil Classification (Map #94-A-2)





PEACE RIVER REGIONAL DISTRICT
TEMPORARY INDUSTRIAL USE
PERMIT NO. 147/2009

R-2

ISSUED TO:

Applicants: Frank Jadowski, Darren Clark, and Suzanne Allen

Address: 10150 Alder Road, Fort St. John, BC V1J 4M7
10296 269 Road, Fort St. John, BC V1J 4M7

- A. 1. Properties affected: Parcel 1, Blk 2, Plan PGP36709, Sec. 2, Twp 84, Rge 19; And Lot 11, Blk 2, Plan 9723, Sec. 2, Twp 84, Rge 19.
2. Official Community Plan: North Peace Official Community Plan – Service Industrial
3. Zoning By-law: Peace River Regional District Zoning Bylaw No. 1343, 2001 – I-1 (Light Industrial) Zone

B. Development upon the land referenced in this permit shall conform to the following specifications and terms:

- 1. This Temporary Industrial Use Permit is valid up to and including the ___ day of ___, 20___, at which time it shall expire and the properties affected by this permit will be subject to the applicable zoning regulations.
2. The properties referenced in Item A(1) above may be used for the following industrial purposes in addition to those permitted by the zoning applicable to the properties:
i) the storage of vehicles associated with a towing business.
3. The conditions under which the Temporary Use must be carried out are as follows:
i) permit to be posted on site for its duration;
ii) compliance with all statutory and by-law requirements;
iii) no salvage, wrecking, parts or vehicle sales to occur from the properties;
iv) the storage of vehicles is to be within two compounds (one on each property) enclosed with chain-link fencing;
v) the compounds are to measure approximately 27.5 m x 30.5 m (90 ft x 100 ft) to be located not within 3 m (10 ft) of the southern property lines of either property; and
vi) any and all required environmental clean-up resulting from the towing and storage of vehicles is to be the sole responsibility of the applicants pursuant to applicable provincial regulations.
4. All terms and specifications referred to above are subject to any changes required by the Building Inspector or other officials of the Peace River Regional District where such terms and specifications do not comply with any duly enacted law or by-law and such non-compliance is not specifically permitted by this Temporary Use Permit.
5. THIS IS NOT A BUILDING PERMIT.

Issued this ___ day of ___, 2009.

Authorizing Resolution No. ___ passed by the Regional Board this ___ day of ___, 2009.

Authorized Signatory

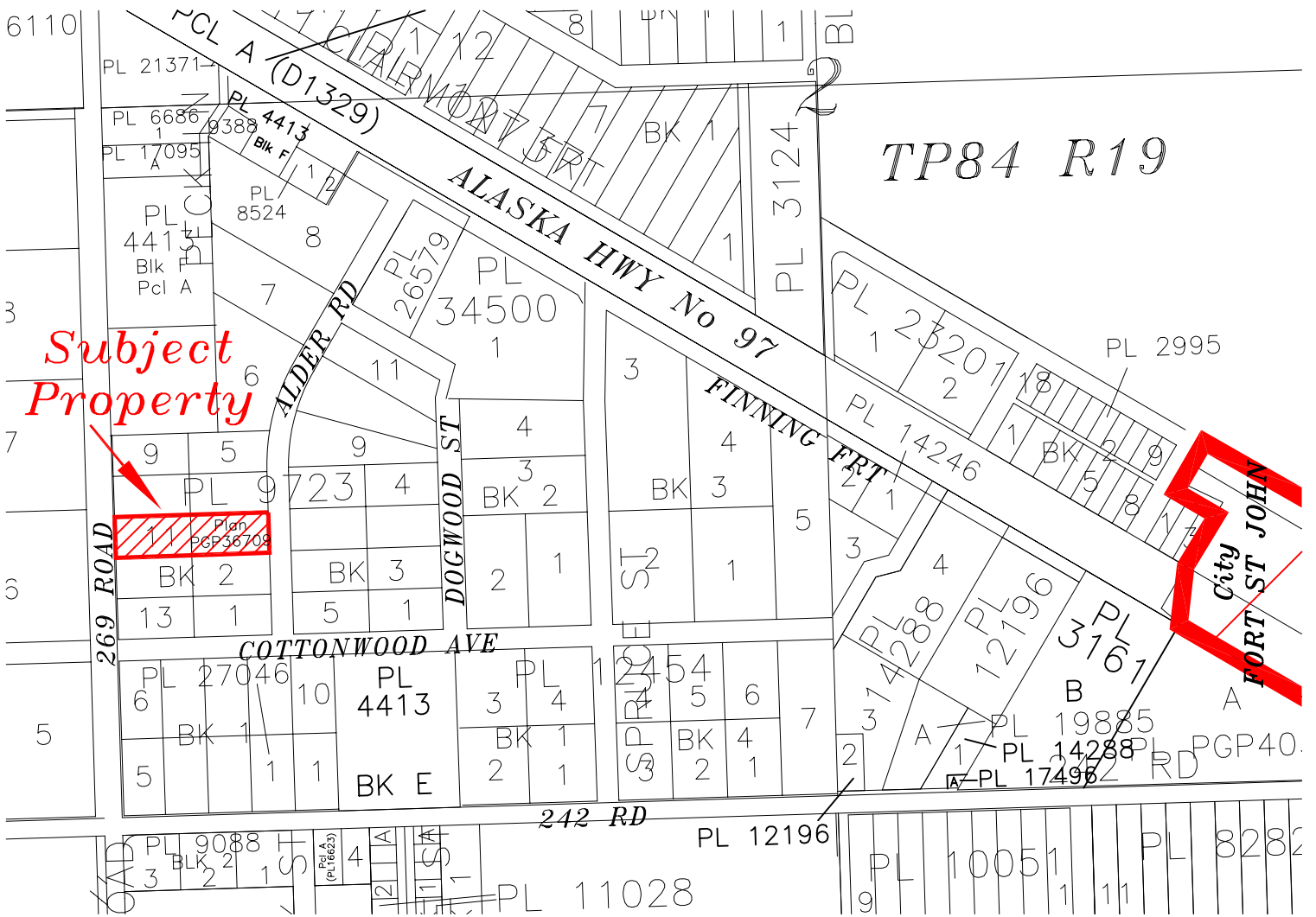
Schedule attached to and forming part of this Temporary Commercial Use / Temporary Industrial Use Permit: Site Plan "A"

Oct 8 2009

Peace River Regional District
SCHEDULE "A"
 Temporary Industrial Use Permit
 No. 147/2009

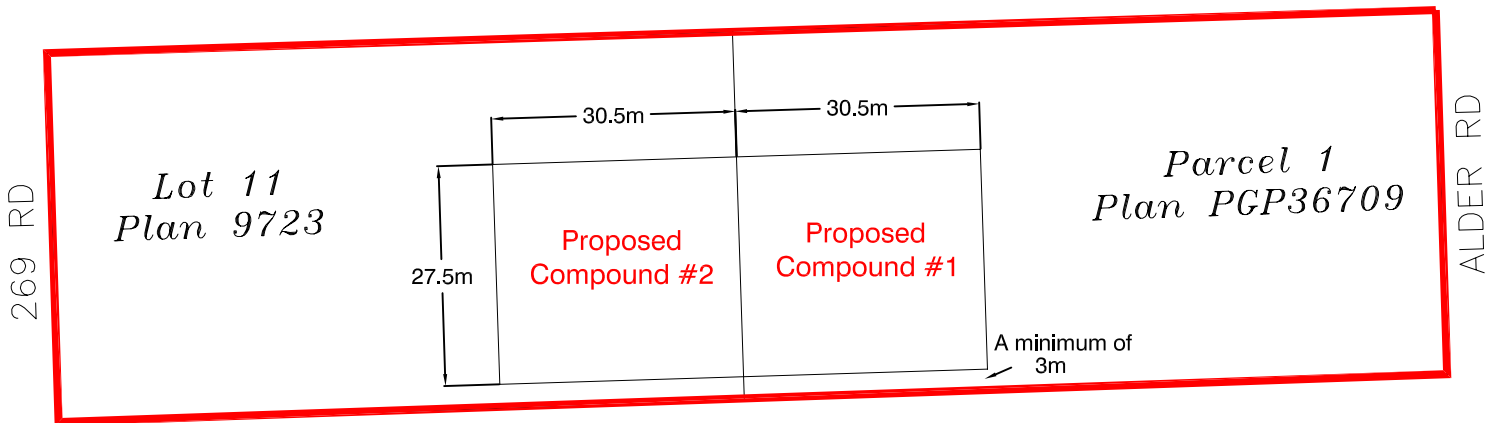


R-2



Detail Map

*Parcel 1, Plan PGP36709 & Lot 11, Plan 9723,
 all of Blk 2, Sec 2, Twp 84, Rge 19*

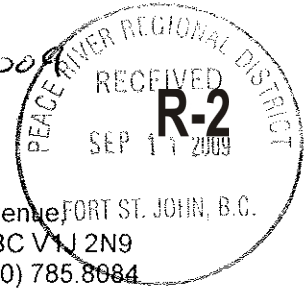


Oct 8 2009



#147/2009

Renewal



Box 810, 1981 Alaska Avenue,
Dawson Creek, BC V1G 4H8
Telephone: (250) 784.3200
Fax: (250) 784.3201

Toll Free: 1.800.670.7773

9912 - 106th Avenue, FORT ST. JOHN, B.C.
Fort St. John, BC V1J 2N9
Telephone: (250) 785.8084
Fax: (250) 785.1125

Receipt #: 2795

Application for Development

1.		FEES
	• • Official Community Plan Amendment	\$1,000.00
	• • Zoning Amendment	\$ 650.00
	• • Official Community Plan and Zoning Amendment combined	\$1,050.00
	• • <u>Temporary Commercial Use / Temporary Industrial Use Permit</u>	\$ 350.00
	• • Development Permit	\$ 165.00
	• • Development Variance Permit	\$ 165.00

2. Please print

Property Owner's Name Frank Jedowski, Darren Clark / Sue Allen.	Authorized Agent of Owner (if applicable): Same
Address of Owner 10150 Alder Rd Lot 11	Address of Agent 10150 Alder Rd
City / Town / Village Fort St John.	City / Town / Village
Postal Code V1J 4M7	Postal Code
Telephone Number: 250 785-2271	Telephone Number:
Fax Number: 250-785-0478	Fax Number:
e-mail address: <u>firstchoicetow@gmail.com</u>	e-mail address:

3.

Full legal description of each property under application	Area of each lot
Parcel 1, Block 2, Plan PGP36709, Section 2.	ha./ acres
Township 84, Range 19, Meridian W6, Peace River Land District	① ha./ <u>acres</u>
Lot 11 Block 2 Plan 9723 Section 2 Town 84	① ha./ <u>acres</u>
84 RG, 19 W6m Meridian W6.	Total area 2. ha./ <u>acres</u>

4. Civic address or location of property: 10150 Alder Rd Lot 11 269 RD **R-2**

5. **Particulars of proposed amendment**

Please "check" the box(es) that apply(ies) to your proposal.

- • Official Community Plan (OCP) amendment:
 Existing OCP designation: _____
 Proposed OCP designation _____
 Text amendment: _____

- • For a Zoning amendment:
 Existing zone: _____
 Proposed zone _____
 Text amendment: _____

- • Development Variance Permit: - describe proposed variance request:

- • Temporary Commercial Use Permit (describe proposed use):

- • Temporary Industrial Use Permit: (describe proposed use):
Renewal of TIVP #174/2007 (Storage for towing)

- • For a Development Permit: By-law No. _____ Section: _____

6. Describe the existing use and buildings on the subject property:
House / Shop for Rent to Trucks.

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

- a) North Shop
- b) East Shop
- c) South House
- d) West Parking

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

To use property for temporary use to store cars disabled by mechanical or accident

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

To Improve Business

R-2

The following information is required. Failure to provide any of the following may delay the application.

1. A copy of the **proof of ownership**. [For example: Certificate of Title or recent Tax Assessment] for the subject property or properties.
2. A **Sketch Plan** of the subject property, showing:
 - • the legal boundaries and dimensions of the subject property;
 - • boundaries, dimensions and area of any proposed lots (if subdivision is being proposed);
 - • the location of permanent buildings and structures on the subject property, with distances to property lines;
 - • the location of any proposed buildings, structures, or additions thereto, with distances to property lines;
 - • the location of any existing sewage disposal systems;
 - • the location of any existing or proposed water source; and
3. Additional or more detailed information may be requested by the Regional District following review of your application.

If the Regional District believes it to be 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.

I / We hereby declare that the information provided in this application is, to the best of my / our knowledge, true and correct in all respects, and I / we enclose the required fee with this application.

Signature of Owner/s:	<i>[Handwritten Signature]</i>
Signature of Owner/s:	<i>[Handwritten Signature]</i>
Date:	<i>Sept 10/09</i>

Agent's Authorization

Should the property owners elect to have someone act on their behalf in submission of this application, the following must be signed by **all property owners**.

I (We) <i>Frank Jedowski</i>	and <i>Darren Clark / Sue Allen</i> , hereby authorize
(name) <i>Frank Jedowski</i>	to act on my/our behalf in respect of this application.
Address of agent: <i>10150 Alder Rd M/A 552 Site 14 Comp 5</i>	
Telephone: <i>250-785-2271</i> Fax: <i>250-785-0478</i> Email: <i>First Choice tow@gmail.com</i>	

[Handwritten Signature]
Signature of Owner/s

Sept 10/09
Date

[Handwritten Signature]
Signature of Owner/s

Sept 10 2009
Date

Suzanne Allen

Oct 8 2009

Sept 10/09