



**PUBLIC HEARING  
JANUARY 26, 2009  
6:00 P.M.  
COUNCIL CHAMBERS**

**PRESENT:** Mayor Bruce Lantz  
Councillor Lori Ackerman  
Councillor Trevor Bolin  
Councillor Bruce Christensen  
Councillor Dan Davies  
Councillor Larry Evans  
Councillor Don Irwin

**ALSO PRESENT:** Dianne Hunter, City Manager  
Fred Burrows, Fire Chief  
Joanne Caldecott, Deputy City Clerk  
Don Demers, Director of Public Works  
Grace Fika, Manager of Human Resources  
Janet Prestley, Director of Legislative and Administrative Services  
Jim Rogers, Director of Protective Services  
Laura Sanders, Director of Finance  
Victor Shopland, Director of Infrastructure and Public Works

**1. Call to Order**

The meeting was called to order at 6:00 p.m.

**2. Proposed Amendments:**

**Zoning Amendment Bylaw No. 1992, 2009**

City Initiative

Proposed Changes in C3, M1 and M2 Zones (Hazardous Materials)

Mayor Lantz explained the public hearing process to the audience and invited the City Manager to outline the proposed zoning amendment.

The City Manager indicated that Zoning Amendment Bylaw No. 1992, 2008 was the initiative of the City, undertaken at the request of Council, to leave the storing of hazardous chemicals in close proximity to residential areas within commercial zones and adjacent to highways that experienced volumes of heavy traffic.

Due to the fire that took place in the Formula Powell building in February 2008 and the significant cost in damages borne by the Fire Department due to the combination of chemicals stored on the subject land, and the real hazard represented to the neighboring properties, Council requested that staff carry out a study to potentially modify the permitted land uses in C3 Zones and/or impose restrictions and controls related to the storage of hazardous materials in the C3, M1 and M2 Zones.

2. **Proposed Amendments:**

**Zoning Amendment Bylaw No. 1992, 2009 (continued)**

City Initiative

Proposed Changes in C3, M1 and M2 Zones (Hazardous Materials)

The City Manager reported that all 368 property owners within the C3, M1 and M2 zones received a letter from the City explaining the changes with the proposed bylaw, and that businesses currently operating would be handled in a grandfathered system. The City had received one letter of opposition from Ms. Lona Hirtz which was read by the City Manager. The Director of Legislative and Administrative Services reported that comments were not required from the utility companies.

Mayor Lantz thanked Deputy Fire Chief Redpath for making himself available to provide relevant background and rationale for the bylaw amendment and invited members of the public to address Council.

**Lita Powell**

Li-Car Management

Ms. Powell requested clarification regarding definitions of words and terms used in the proposed bylaw; specifically for "storage" and "materials for oilfields". In her opinion if these definitions were not clarified, many problems would result if this bylaw were adopted by the City.

The City Manager confirmed that these definitions were not in the bylaw and this was a valid concern which would be addressed.

Ms. Powell enquired whether the grandfathering clause applied to the owner or the resident/occupants of the building, indicating that their building consisted of 16 bays rented by different companies and that some stored electrical items which were used only in the oil patch and wondered how the proposed bylaw would affect them. She enquired what would happen when existing tenants change and if it would be possible to find new tenants if this bylaw prevents the oil companies from storing their materials. Further, what would happen to her investment if the building were destroyed by fire, or if the building can't be rented or sold to an oilfield company? Ms. Powell indicated her understanding of the concerns with hazardous materials stored on zones bordering residential areas, however pointed out that Super 8 has many trucks carrying hazardous materials parked on the bypass road right alongside a hotel and very close to a major highway. Lastly, Ms. Powell asked the City to consider the impact of driving business out of Fort St. John, and into the regional district and the possible impact of this change on property taxes.

**Calvin Church**

Formula Powell

Mr. Church indicated that his concerns were similar to those of Ms. Powell regarding definitions of "material" and "storage" of goods. He requested that "volumes" also be defined clearly in the bylaw and enquired whether businesses affected by the new bylaw would be at a disadvantage to those not affected by the bylaw.

Mayor Lantz indicated that the City's intention was primarily to prevent combinations of chemicals stored together. Mayor Lantz then asked whether there were any other members of the public who wished to speak. Seeing that there were none, the proponent was asked to address the above concerns.

2. **Proposed Amendments:**

**Zoning Amendment Bylaw No. 1992, 2009 (continued)**

City Initiative

Proposed Changes in C3, M1 and M2 Zones (Hazardous Materials)

The City Manager clarified that certain zones were considered gateway commercial zones in the City and that only C3 Zones allow the storage of large volumes of hazardous chemicals. She clarified further that existing businesses would only be impacted if they wished to rebuild or develop, and subsequently approached the City for a development or building permit.

Since new owners require a business license when a property is purchased, the City would check for compliance with the bylaw or building permit at that time. A permit would only be issued if the property was found to be in order with the current bylaw. Likewise, if a building burnt down, the current bylaw that is in force applies. Existing buildings would therefore not be affected by the bylaw amendment.

The City Manager expressed appreciation to the public for their input regarding definitions and confirmed that although it was clearly intended that vehicles were not intended to be included under storage, further work would be completed with input from the Fire Department. An exhaustive list of chemicals would be impossible to provide, but staff would work to clarify these definitions to ensure the intent of the bylaw is achieved. Some businesses will be affected and may need to relocate to an industrial area more appropriate to their operations for the safety of the public.

3. **Resolution to Close Public Hearing and Rise with Report:**

MOVED/SECONDED

"THAT, City Council closes the Public Hearing with respect to Zoning Amendment Bylaw No. 1992, 2009 and rise with report to City Council."

CARRIED

The public hearing adjourned at 6:24 p.m.

**Confirmed by Council this 9th day of February, 2009**

**CERTIFIED CORRECT IN ACCORDANCE  
WITH SECTION 124 OF THE COMMUNITY CHARTER**

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BRUCE LANTZ, MAYOR

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JANET PRESTLEY, DIRECTOR OF LEGISLATIVE AND ADMINISTRATIVE SERVICES