



PUBLIC HEARING AGENDA

Kitimat-Stikine Temporary Use Permit Bylaw No. 770, 2022

- 1. Call To Order**
- 2. Introductions**
- 3. Advertising Requirements**
- 4. Purpose and Intent of Proposed Bylaw**
- 5. Agency Submissions Received**
- 6. Public Submissions** (written submissions received prior to the Public Hearing)
- 7. Submissions from the Floor**
- 8. Any Final Submissions**
- 9. Adjournment of the Public Hearing**

Please Note that the Provincial Local Government Act requires that no further submissions (either verbal or written) can be received from the applicant, their agent or the public following adjournment of this Public Hearing

Bylaw No. 770, 2022
September 14, 2022
Commencing at 6:00 PM
In-person and virtual (Microsoft Teams)

Procedure to be Followed by the Chair of the Public Hearing

To maintain order and to ensure that everyone has an opportunity to be heard, our rules of procedure are as follows:

To address the Public Hearing Committee, please proceed to the podium if you are attending in-person, or raise your hand in the virtual Microsoft Teams meeting, and begin your remarks when directed to do so by the Chair by clearly stating your name and address.

If you are speaking on behalf of an organization or another person, please identify the name and address of that organization or person. If you are speaking from prepared remarks, we would appreciate a copy.

Please limit remarks to 5 minutes and to matters contained in the proposed bylaw only.

After everyone has spoken once, those wishing to speak again will have an opportunity.

Members of the Hearing Committee may ask questions of speakers to clarify what has been said, however no other replies, rebuttals or additional submissions will be heard without the Chair's permission.



BYLAW NO. 770

A bylaw to authorize the issuance of a Temporary Use Permit under
Section 493(1)(b) of the Local Government Act

WHEREAS the Board of a Regional District may, by bylaw adopted under Section 493(1)(b) of the *Local Government Act*, authorize the issuance of a temporary use permit in relation to land that is within an area for which an Official Community Plan is not in effect.

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

Title:

1. This Bylaw may be cited as the “Kitimat-Stikine Temporary Use Permit Bylaw No. 770, 2022.”

Administration

2. The Regional District hereby issues a temporary use permit to Mark Graydon, operating as Granite Creek Contracting Limited with respect to those Provincial Crown Lands legally described as Portions of District Lot 1729 & 1730, Range 5 District, Exc. Blk A & Exc. Plans 7454, 8970, 8971 & 10762, as shown on the attached Schedule “A”.
3. The temporary use permit shall be issued in the form and on the terms and conditions attached on Schedule “B”.
4. The Chairperson and Chief Administrator Officer of the Regional District is hereby authorized to sign the said permit on behalf of the Regional District.

READ a first time this _____ 19 _____ day of _____ August _____, 2022.

READ a second time this _____ 19 _____ day of _____ August _____, 2022.

A Public Hearing with respect to this bylaw was held on the _____ day of _____, 2022.

READ a third time this _____ day of _____, 2022.

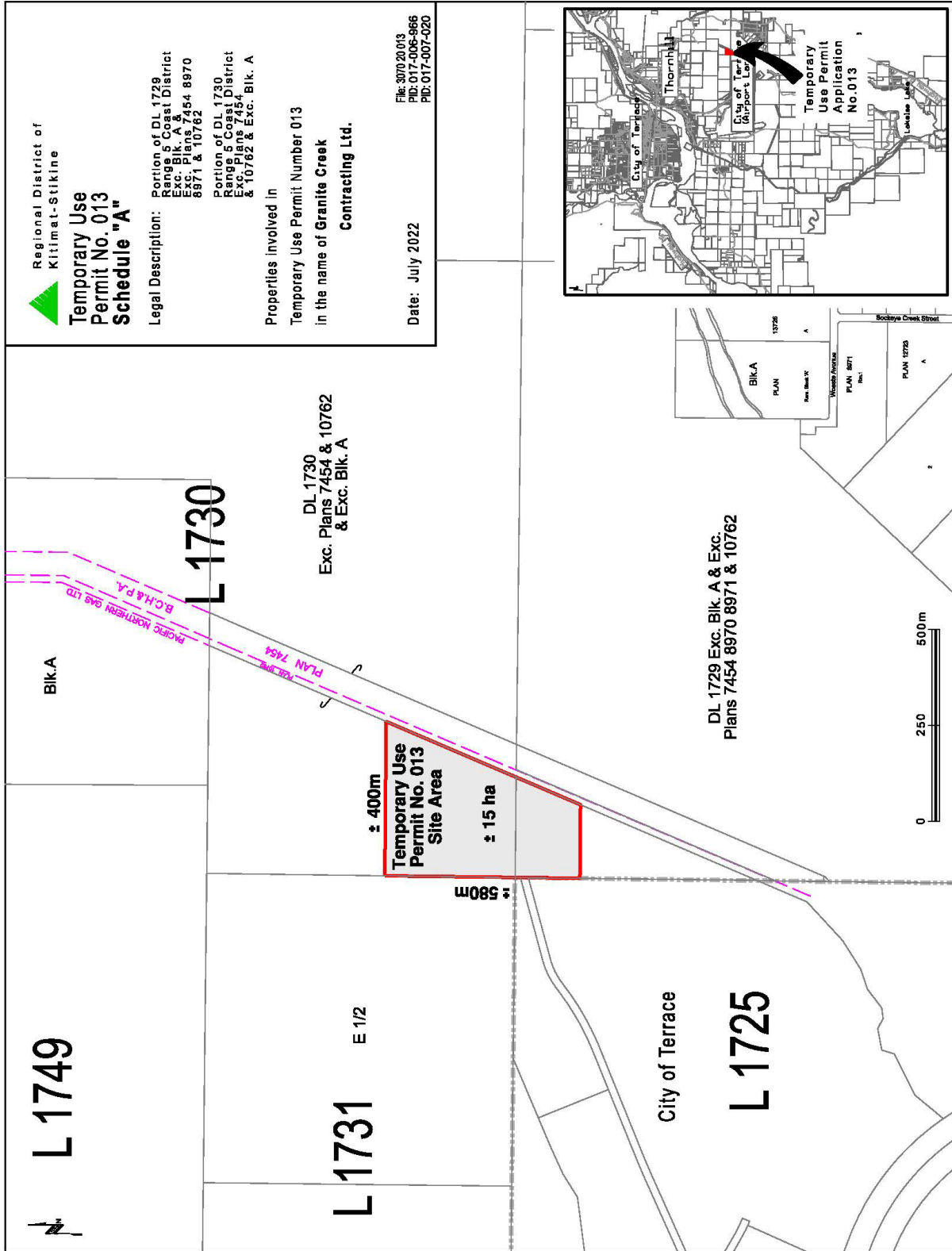
ADOPTED this _____ day of _____, 2022.

Chair

Chief Administrative Officer



Schedule "A"



Suite 300 - 4545 Lazelle Avenue
Terrace BC
V8G 4E1
Tel (250) 615-6100
Toll Free 1-800-663-3208
Fax (250) 635-9222

File No. 3070 20 013

TEMPORARY USE PERMIT NO. 013, 2022 REGIONAL DISTRICT OF KITIMAT-STIKINE

Schedule "B"

1. This Temporary Use Permit applies only to the lands within Electoral Area C, and legally described as:

Legal Description: **Portions of District Lot 1729 & 1730, Range 5 District, Exc. Blk A & Exc. Plans 7454, 8970, 8971 & 10762**
PID: **017006966, 017007020**

2. This Permit is binding upon the current owner(s) of the land described in Section 1 above and any authorized renters or leaseholders, and occupiers hereinafter referred to as the permit holder:

Applicant: **Mark Graydon (Granite Creek Contracting Limited)**
Mailing Address: **4801 Graham Avenue, Terrace, BC V8G 1A9**

And all persons who acquire an interest in the land as described in Section 1.

3. This Temporary Use Permit is issued in accordance with the **Local Government Act**.
4. This Temporary Use Permit is issued subject to compliance with all Regional District of Kitimat-Stikine Bylaws, except as specifically varied or supplemented by this Permit.
5. The land described herein shall be developed or used strictly in accordance with the terms and conditions, and provisions of this Temporary Use Permit.
6. This Temporary Use Permit is not a Building Declaration and Siting Approvals Permit or Development Permit. Nothing in this Permit relieves the owner from the requirements of any other bylaws of the Regional District of Kitimat-Stikine applicable to the use of the lands described in Section 1 or with the requirements of any other statute or regulation concerning the use of the land or the protection of the environment.
7. The Temporary Use Permit Site Area is the property as described in Section 1 and identified in the attached Schedule A.

TEMPORARY USE AUTHORIZATION

8. This Permit authorizes the following temporary uses:

Gravel extraction and processing, clearing, stockpiling, screening, crushing, temporary equipment storage, asphalt plant operation, and reclamation on the TUP area (the "Temporary Use") subject to the terms, conditions, and other provisions of this Temporary Use Permit.

TERM OF THE PERMIT

9. This Temporary Use Permit expires on the day that is three (3) years following the date of resolution passed by the Regional District Board.
10. If a renewal is required, the holder shall make an application no later than 30 days before the expiry of the current permit.

CONDITIONS

11. The Temporary Use is authorized and may be carried out within the TUP Area subject to the following conditions, which shall be carried out and fulfilled at the sole cost of the Applicant:
- a. The Temporary Use may be carried out only while the land is occupied by and used for the operations of the applicant, operating as Granite Creek Contracting Limited.
 - b. Activities mentioned in Section 8 are only to be carried out on the TUP Area identified in the attached Schedule A.
 - c. The applicant shall be responsible to obtain and maintain all necessary permits required from the province.
 - d. The applicant shall be responsible to maintain the access road, ensure that the access road is not degraded by their activity, and ensure that the activity does not adversely impact use of the road by other user groups.
 - e. The applicant shall have a valid Provincial Licence of Occupation for the TUP Area.
 - f. The applicant shall have a valid Energy and Mines Act Permit from Ministry of Energy, Mines and Low Carbon Innovation.
 - g. The applicant shall be responsible to comply with all air emission testing requirements as required by the provincial government.
 - h. Equipment used on the TUP Area shall be well maintained and kept free of leaks and spills of any deleterious substances.
 - i. The asphalt plant operation as permitted by Section 8 is only to be carried out on the TUP Area identified in the attached Schedule A from May to October 7 days a week between the hours of 7am and 7pm.
 - j. The applicant is required to comply with all provincial and local government regulations, including reclamation and safety standards.
 - k. No permanent buildings will be permitted on site.