



## **PUBLIC NOTICE**

### **APPLICATION FOR TEMPORARY USE PERMIT**

TAKE NOTICE THAT an application has been made for a Temporary Use Permit (TUP).

TAKE NOTICE ALSO THAT the application affects the property and land within the REGIONAL DISTRICT OF KITIMAT-STIKINE SHOWN IN HEAVY OUTLINE ON THE ACCOMPANYING DRAWING and located at **3446 Edlund Avenue, Thornhill, BC.**

The property is legally described as **Lot A District Lot 351 Range 5 Coast District Plan 12152.**

#### **PURPOSE:**

The purpose of the proposed Temporary Use Permit is to allow a temporary use on property that is not otherwise permitted in the Low Density Rural (Ru1) zone of *Regional District of Kitimat-Stikine Thornhill Zoning Bylaw No. 194* for a period of up to three years, with option for a one-time renewal of an additional three years. The MU zone presently allows low density residential uses, hobby farms, agricultural production, timber harvesting, and parks and open spaces.

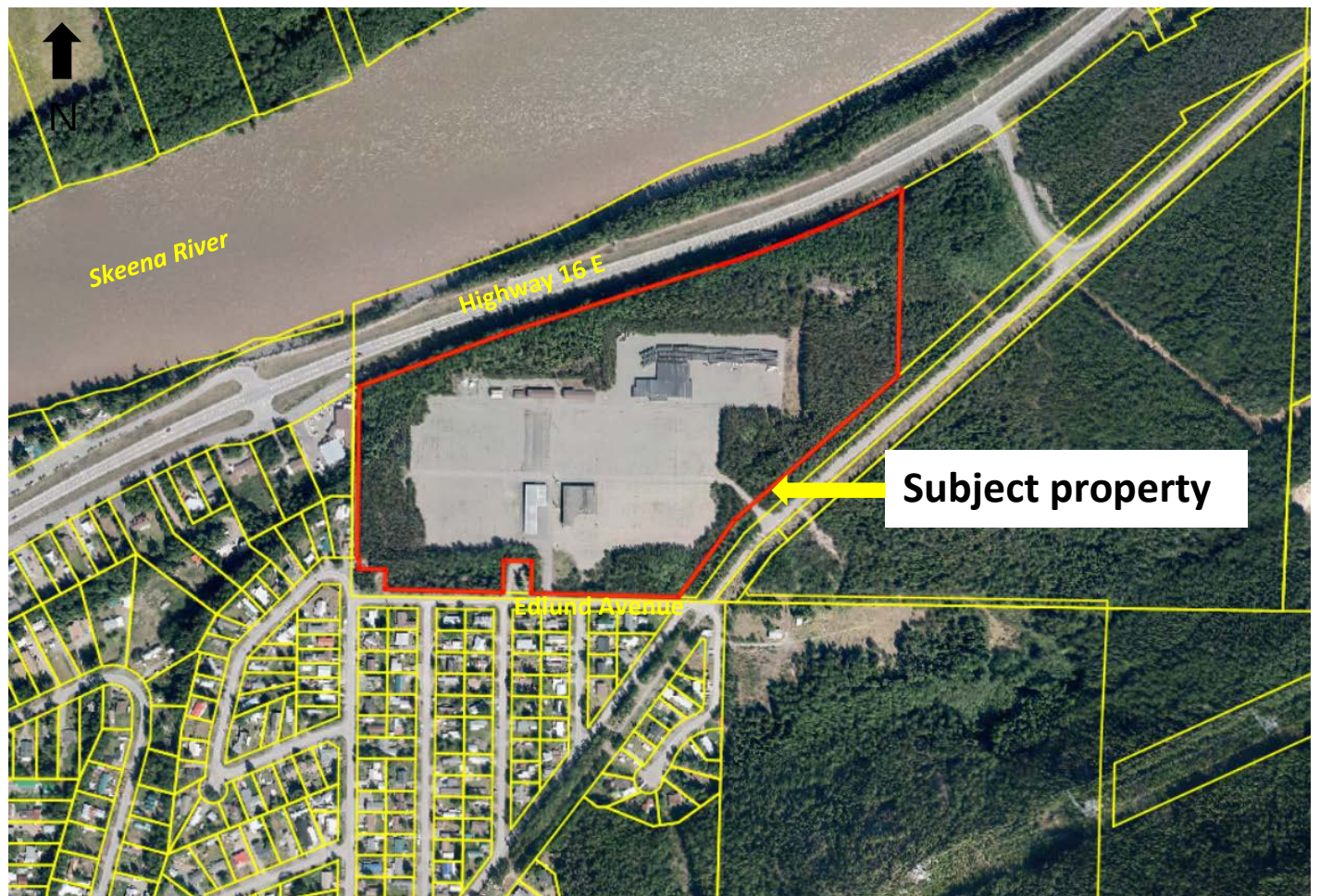
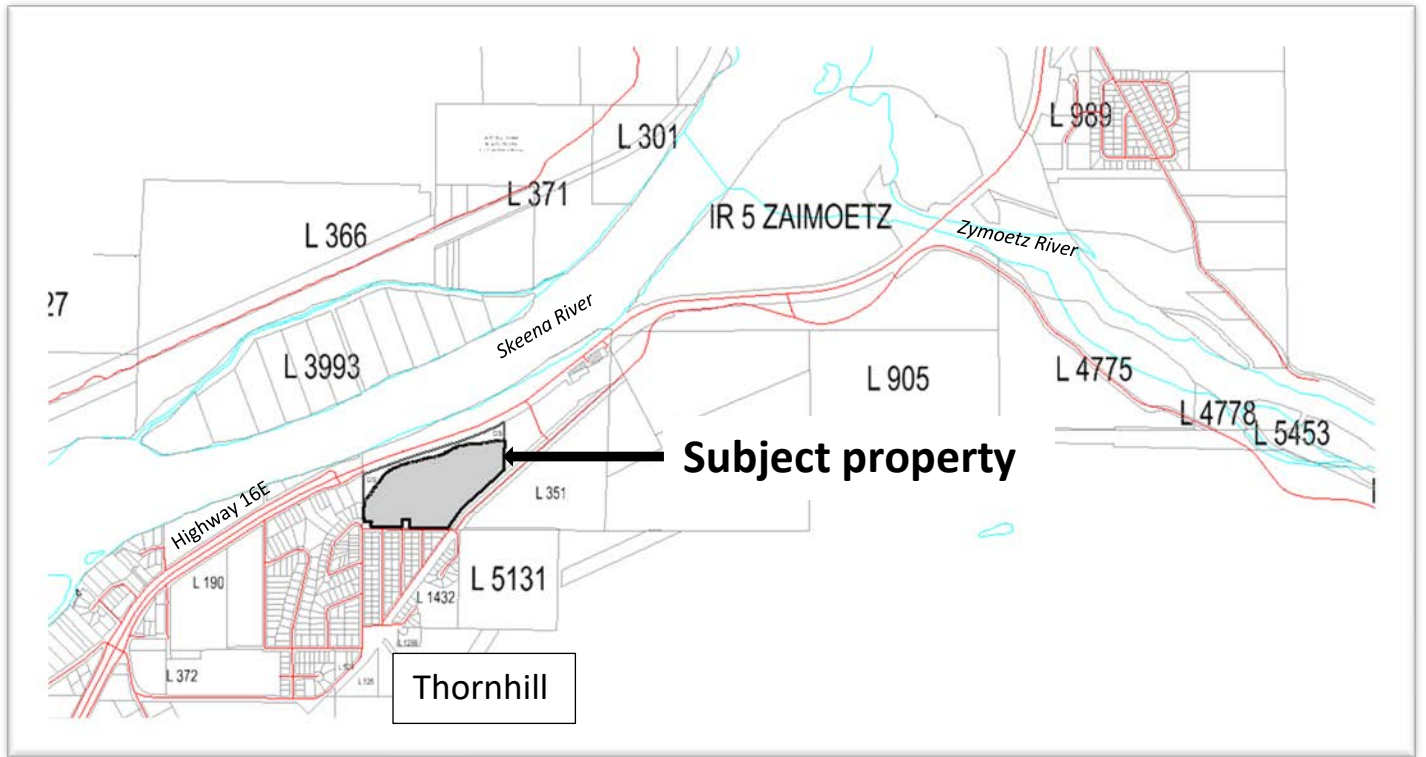
The purpose of the application for **Temporary Use Permit No. 011** is to also allow indoor and outdoor commercial/industrial storage, marshalling and handling of equipment and materials.

The proposed Temporary Use Permit may be inspected between the hours of 8:30 a.m. and 4:30 p.m., Monday to Friday, excluding holidays, in the office of the Regional District of Kitimat-Stikine, 300 - 4545 Lazelle Avenue, Terrace, B.C. For enquiries concerning this application, contact the Development Services department at 250-615-6100 or by email at [planning@rdks.bc.ca](mailto:planning@rdks.bc.ca).

The Temporary Use Permit application will first be reviewed at the Planning Committee meeting of the Regional District Board at 3:30 p.m., Thursday, April 21, 2022. The Temporary Use Permit application will then be considered for approval by the Regional District Board at its regular meeting commencing at 7:00 p.m., Thursday, April 21, 2022. Any person(s) wishing to voice their opinions regarding this application may do so in writing to the Regional District Board via email at [planning@rdks.bc.ca](mailto:planning@rdks.bc.ca) or by letter, mailed or delivered to 300-4545 Lazelle Avenue, Terrace, B.C., V8G 4E1 no later than 4:30 p.m., Wednesday, April 20, 2022 and please quote "TUP No. 011, 2022" in your written submission. Requests to provide a submission to the Planning Committee in-person or virtually should be directed to the Development Services department no later than Wednesday, April 20, 2022. If you wish to observe the Planning Committee Meeting at 3:30 p.m. and/or the Regional District Board Meeting at 7:00 p.m., the links to the webcast can be found at [https://www.rdks.bc.ca/government/board/board\\_meeting\\_webcasts](https://www.rdks.bc.ca/government/board/board_meeting_webcasts).

THIS NOTICE IS GIVEN IN ACCORDANCE WITH THE LOCAL GOVERNMENT ACT, R.S.B.C 2015, c.1, as amended.  
DIRECTOR, DEVELOPMENT SERVICES, REGIONAL DISTRICT OF KITIMAT-STIKINE

**NOTE: Site drawing is on the back of this page**





Schedule F – Temporary Use Permit Application

Application/File No. 3070 20011

Regional District of Kitimat-Stikine  
Application for a Temporary Use Permit

I/We hereby make application under the provisions of Part 26 of the Local Government Act for a Temporary Commercial and Industrial Use Permit.

1. Property Information:

a. Legal Description: Lot A, District Lot 351, Range 5, Coast District, Plan PRP 12152

\_\_\_\_\_

b. PID No.: 011 828 412 c. Folio No.: \_\_\_\_\_

c. Location (Street address of property, or general description) 3446 Edlund Avenue

\_\_\_\_\_

2. Applicant and Registered Property Owner:

a. Applicant's Name: Greybook Holdings Ltd. - Darrell Smith

Address: [REDACTED] Postal Code: [REDACTED]

Telephone: Business: [REDACTED] Home: \_\_\_\_\_

\_\_\_\_\_ Date Applicant's Signature

b. Registered Property Owner's Name: As above.

Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Telephone: Business: \_\_\_\_\_ Home: \_\_\_\_\_

*This application is made with my full knowledge and consent.*

JAN 21 2022 \_\_\_\_\_  
Date Applicant's Signature

**\*\*Where the Applicant is NOT the REGISTERED OWNER, the application must be signed by the REGISTERED OWNER or his/her solicitor.\*\***

**Notice of Collection of Personal Information:**  
The information collected on this form will be used to process the application and for the purposes of administration and enforcement. The personal information is collected under the authority of the *Local Government Act* and the bylaws of the Regional District of Kitimat-Stikine. Information submitted may be made available for public inspection pursuant to the *Freedom of Information and Protection of Privacy Act*. Contact the Regional District of Kitimat-Stikine's Freedom of Information Officer if you have any questions regarding the use of this information.

3. Proof of Ownership:

A copy of a State of Title Certificate or a copy of a Certificate of Indefeasible Title, dated no more than thirty (30) days prior to submission of the application must accompany the application as proof of ownership.

Proof of Ownership received

4. Application Fee:

An Application Fee of \_\_\_\_\_ as set out in the REGIONAL DISTRICT OF KITIMAT-STIKINE DEVELOPMENT APPROVAL AND NOTIFICATION PROCEDURES BYLAW NO. 613 2012, shall accompany the application and be made payable to the: **Regional District of Kitimat-Stikine.**

5. Subject Property and Development Information

a. Applicable Zoning Bylaw: Thornhill Zoning Bylaw No. 194, 1983, Amendment No. 642, 2014

b. Present zoning: Low Density Rural (Ru1) for TUP, Open Space (OS) for unusable land

c. Located in ALR:  YES  NO

d. Are there any restrictive covenants registered on the property?  YES  NO

e. Are there any easements or rights-of-way over the property?  YES  NO

f. Description of existing use / development on the property: \_\_\_\_\_  
Currently office space and some inside storage. There are a number of ATCO style trailers stored in the northeast corner of the property.

g. Description of proposed temporary use of the land and buildings: \_\_\_\_\_  
Indoor and outdoor commercial/industrial storage, marshalling and handling of non-hazardous solid materials within the TUP designated zone.

h. Describe the time period required for the temporary use: \_\_\_\_\_  
Three years plus an option for an additional 3 years per TUP guidelines.

i. Describe the reasons for the temporary use: \_\_\_\_\_  
This land area can provide a safe, well graded, easily accessed site suitable for dry/solid goods to be stored temporarily for laydown to support logistics for mining and LNG activities in the area without any changes to property and with low risk.



- j. Clearly describe any conditions that the proposed use will be limited to such as floor area, affected land area, buildings to be used, parking, hours of operation, etc...  
The conditions for this TUP will mirror those from the RDKS Bylaw 649 and include, but are not limited to: 1) shall not be used for any storage or handling of dangerous goods, 2) no new buildings or structures, 3) monthly audit of all materials into and out of the site to be kept and supplied to the RDKS upon request, 4) limited to the are designated, 5) Bi-annual compliance audit by a qualified professional and annual Environmental Compliance Audit, 6) RDKS access for inspection, 7) All access from Wade Road, etc.
- k. Is this permit requested for a development already existing or under construction?
- YES       NO

**6. Cessation of Temporary use:**

**A Temporary Use Permit is not a substitute for an application to rezone the property. A Temporary Use Permit is only intended to allow for an activity over a limited period of time. At the conclusion of the Permit, it is intended that the temporary use will:**

- Cease
- Be moved to an appropriately zoned site for that use
- During the time that the Permit is in effect, a rezoning application will be applied for in order to change the zoning of the subject property to allow the use. If that application is unsuccessful, upon expiration of the Permit, the temporary use will be removed
- Other (explain)

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**7. Attachments:**

The following information is required before the permit may be processed:

- a. A Sketch Plan with dimensions, drawn to scale, showing the location of proposed and existing buildings, structures, property access, utilities and sewage disposal systems, etc.

REQUIRED: YES  NO

- b. A Surveyor's Certificate showing the extent of the property and location of the buildings/structures for which the permit is requested. (Elevation to the underside of the floor system may be required if building in a flood plain)

REQUIRED: YES  NO

- c. A Contour Map (plan) drawn to scale with contour intervals of \_\_\_\_\_, of the subject site.

REQUIRED: YES  NO  RDKS Mapping shows the site contours

- d. A Site Development Plan with dimensions, drawn to scale, of the proposed subdivision, where subdivision (small or large) is contemplated.

REQUIRED: YES  NO  No Subdivision required

- e. Technical information or reports and other information required to assist in the preparation of the permit are listed below:

**Specific Reports:**

Site Specific Environmental Management Plan, Environmental Audit of Property Current State.

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**\*\*ALL APPLICATIONS MUST BE COMPLETED IN FULL AND SUBMITTED AT LEAST 21 DAYS PRIOR TO THE NEXT SCHEDULED BOARD MEETING.\*\***

**\*\*ALL PERMIT RELATED CONSTRUCTION MUST BE COMPLETED WITHIN 1 CALENDAR YEAR.\*\***

<b>For Office Use Only:</b>		
Application Fee: \$ <u>700<sup>00</sup></u>	Received: _____	Receipt No.: <u>10148</u>
Date: <u>01.28.22</u>	Signature of Official: <u><i>Junda</i></u>	



3446 Edlund Temporary  
Use Permit  
Site Plan - January 2022



Regional District of Kitimat-Stikine

Map data ©2022 Google | Terms of Use | Rep...





Site looking east



Loading Bay





Interior storage area



Interior Storage Area





Suite 300 - 4545 Lazelle Avenue  
Terrace BC  
V8G 4E1  
Tel (250) 615-6100  
Fax (250) 635-9222

File No. 3070 20 011

## TEMPORARY USE PERMIT NO. 011, 2022 REGIONAL DISTRICT OF KITIMAT-STIKINE

1. This Temporary Use Permit applies only to the lands within the Regional District of Kitimat-Stikine in the unincorporated community of Thornhill, and legally described as:

Legal Description: **Lot A District Lot 351 Range 5 Coast District Plan 12142; PID: 011-828-412**  
Civic Address: **3446 Edlund Avenue, Terrace, BC**

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

Name: **Greybrook Holdings Ltd., Inc. No. BC0707060**  
Mailing  
Address: **PO Box 1017 Stn Main, Terrace BC, V8G 4M2**

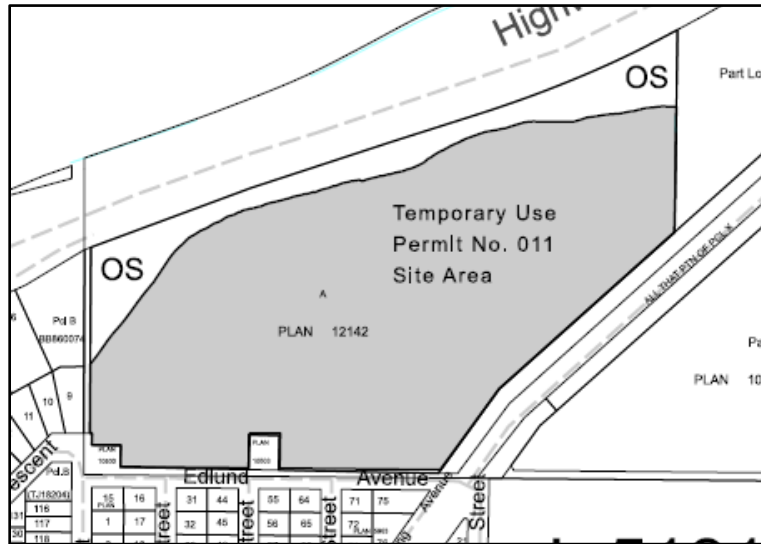
And all persons who acquire an interest in the land as described in Section 1.

3. This 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 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 portion of the property, described in Section 1, zoned Ru1 as highlighted below:



## DEFINITIONS

8. In this Temporary Use Permit:
- “Dangerous Goods” means:
    - Any product, substance or organism defined as “dangerous goods” under the *Transportation of Dangerous of Goods Act* (Canada) or the *Transportation of Dangerous Goods Act* (British Columbia).
    - Any “waste” as defined under the *Environmental Management Act* (British Columbia) including but not limited to any hazardous waste as defined under that statute.
  - “Damage to the Natural Environment” includes but is not limited to contamination or pollution of the aquifer.
  - “Qualified Professional” means a person who is a member in good standing of an organization whose members are bound by a code of ethics such as professional engineers or geoscientists, professional biologist or technologists, who is at arm’s length and is independent of the Owner or any authorized user or occupier of the Land, and whose qualifications are acceptable to the Regional District.
  - “Unsafe Condition” includes but is not limited to contamination of one or more of the aquifer, the wellheads and the Regional District’s Thornhill drinking water system, and also includes a condition that may reasonably be expected to lead to or result in contamination of one or more of the aquifer, the wellheads and the Regional District’s Thornhill drinking water system.
  - “Wellheads” means the three wellheads operated by the Regional District that are situated in the areas shown on the plan attached to and forming part of this Temporary Use Permit as Temporary Use Permit 011 Site Area Map, and “aquifer” means the aquifer that lies under the Lands, the Wellheads and adjoining lands and that is a source of drinking water for the Thornhill community.



## TEMPORARY USE AUTHORIZATION

9. This permit authorizes the following temporary uses:
  - a. Indoor and outdoor commercial/industrial storage, marshalling and handling of equipment and materials on the TUP Area (the “Temporary Use”) subject to the terms, conditions and other provisions of this Temporary Use Permit.

## TERM OF THE PERMIT

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

## CONDITIONS

12. The Temporary Use is authorized and may be carried on within the TUP Area subject to the following conditions, which shall be carried out and fulfilled at the sole cost of the Owner:
  - a. The Temporary Use may be carried out only while the Land is owned by Greybrook Holdings Ltd., Inc. No. BC0707060.
  - b. The forested areas of the site shall remain as a forested buffer except for those areas that need to be brushed for a security fence.
  - c. The TUP Area shall not be used for the import, storage or handling of Dangerous Goods.
  - d. No additional building or structures may be constructed upon the TUP Area except for a temporary access management kiosk at the east entrance off Furlong Avenue. This structure shall not be hooked up to water or septic and shall be removed at the end of the TUP.
  - e. A monthly audit shall be completed of the cargo manifest and of all other records of all equipment and materials transported to, stored or handled on the TUP Area, which shall be made available to the Regional District for inspection promptly upon written request. Those records shall be held in confidence by the Regional District in accordance with the *Freedom of Information and Protection of Privacy Act*.
  - f. An onsite inspection shall be conducted twice each calendar year by a Qualified Professional and a report by the Qualified Professional confirming compliance with the terms and conditions of this Temporary Use Permit shall be submitted to the Regional District promptly upon completion of each inspection.
  - g. The Land shall be subjected to an Environmental Compliance Audit (ECA) completed by a third-party Qualified Professional in accordance with Canadian Standards Association (CSA) protocol, Environmental Compliance Auditing, every 12 months from the issuance of this Temporary Use Permit. The results of that audit shall be submitted to the Regional District promptly upon completion of the audit.
  - h. The Regional District retains the right to enter the property where there are reasonable grounds to believe a violation of the TUP has occurred and engage a Qualified Professional to assist with a site inspection.
  - i. Prior to the commencement of the Temporary Use, a Quality, Safety, Health, Environmental & Security Site Management Plan (QSHE) governing operations on the TUP Area and for the purpose of ensuring compliance with the terms and conditions of this Temporary Use Permit shall be prepared by a Qualified Professional and submitted to the Regional District for its approval.





- j. All operations on the TUP Area shall be conducted in accordance with the QSHE as approved by the Regional District.
- k. No oils, fuels, lubricants or chemicals in any quantities shall be stored or handled on any part of the TUP Area that is within 100 meters of the Wellheads.
- l. Road salting using conventional sodium chloride or calcium chloride compounds shall not occur on any part of the TUP Area that is within 300 meters of the Wellheads.
- m. All traffic to and from the subject property and the TUP Area shall be from Highway 16 via Furlong Avenue and the road known as Wade Road, with the exception of light vehicles and in the event of an emergency.
- n. The Owner shall obtain and maintain all required road use and access permits from the province.
- o. Equipment used on the TUP Area shall be well maintained and kept free of leaks and spills of any deleterious substances.
- p. The hours of operation shall be limited to 6:00 am to 6:00 pm, Monday to Saturday. All commercial/industrial noises and use of exterior lights will take place during these hours of operation only.
- q. The Owner shall maintain in place a pollution liability insurance policy in respect of all operations on the Land with a minimum limit of \$5 million per occurrence and shall provide the Regional District with a certificate of insurance issued by the insurer prior to the commencement of the Temporary Use and thereafter at any time upon request.
- r. All equipment and materials transported to, stored or handled on the TUP Area shall be removed prior to the expiry of this Temporary Use Permit.
- s. Onsite safety training must include discussion pertinent to the Environmental Management Plan as it applies to soil and groundwater protection.
- t. The property is within the Thornhill Fire Protection Area and the Fire Chief or Deputy Chief may at any time attend the property to ensure that any fire related issues are addressed

## **SECURITY AND DEFAULT**

- 13. As a condition of the issuance of the Temporary Use Permit and prior to the commencement of the Temporary Use, the Owner shall provide the Regional District with security, either in the form of an irrevocable letter of credit in the amount of \$250,000 issued by a Canadian financial institution that is acceptable to the Regional District, or by the deposit of such other securities that are acceptable to the Regional District, which security the Regional District may use as authorized by the *Local Government Act* in the event that:
  - a. An unsafe condition has resulted as a consequence of a contravention of a condition in this Temporary Use Permit;
  - b. Damage to the natural environment has resulted as a consequence of a contravention of a condition in this Temporary Use Permit.
- 14. As a condition of the issuance of the Temporary Use Permit and prior to the commencement of the Temporary Use, the Owner shall provide the Regional District with security in the form of an irrevocable letter of credit in the amount of \$25,000 issued by a Canadian financial institution that is acceptable to the Regional District, to guarantee the performance of the terms of this Temporary Use Permit (the "Performance Security"). Without limiting the remedies that are available to the Regional District under the *Local Government Act*, if a term or provision of this permit is contravened or not met, or if the Owner or any other person who enters upon, uses or occupies the Land suffers or permits any act or thing to be done in contravention of or in violation of any term or provision of this permit, or refuses, omits or neglects to fulfill, observe, carryout or perform a duty, obligation, matter or thing prescribed or imposed or required by this permit, the Regional District may hold the Owner in default of this permit and the Performance Security shall be forfeited to the Regional District.



AUTHORIZING RESOLUTION NO. \_\_\_\_\_

PASSED BY THE REGIONAL BOARD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

ISSUED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

\_\_\_\_\_  
**Chief Administrative Officer (CAO)**

I/We, **Greybrook Holdings Ltd., Inc. No. BC0707060** the holder of a Licence of Occupation agreement for the lands hereinbefore described, do hereby agree and consent to all of the terms and conditions herein expressed.

\_\_\_\_\_  
**Permit Holder Signature**

\_\_\_\_\_  
**Name, Title (print)**  
**Greybrook Holdings Ltd., Inc. No. BC0707060**

\_\_\_\_\_  
**Date**