

Request for Decision



To: Regular Meeting
From: **Development and Engineering**
Date: April 23, 2018
Subject: Licence of Occupation and Zoning Compliance for Grand Forks Wildlife Association Rifle Range
Recommendation: **THAT Council receive the report on the requested Licence of Occupation; and further**

THAT Council direct Staff to prepare the Licence of Occupation for the Grand Forks Wildlife Association for a rifle and trap range on the property legally described as Portion of District Lot 495 shown on Plan B2093 SDYD excluding plans B5146 B5147 B6314 7267 27381 KAP61265 KAP64475 KAP67245 & KAP67367.

Background

The Grand Forks Wildlife Association presented a request to Committee of the Whole on April 9, 2018, to grant a Licence to Occupy a portion of City-owned property west of the RDKB Landfill for their existing rifle range.

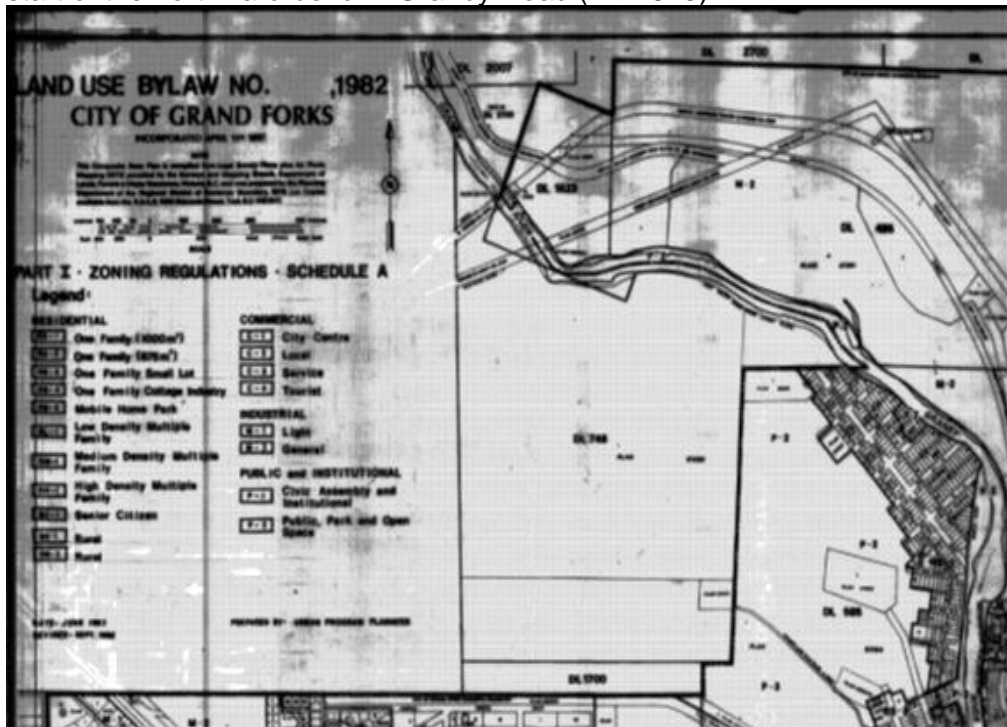
The subject area occupies approximately 0.291 ha in the northeast corner of the property zoned Value Added Industrial (I3), legally described as Portion of District Lot 495 shown on Plan B2093 SDYD excluding plans B5146 B5147 B6314 7267 27381 KAP61265 KAP64475 KAP67245 & KAP67367, and identified as PID 014-780-739.



As part of their requirements for continuing compliance under the Shooting Clubs and Shooting Ranges Regulations, clubs must document tenure of land and compliance with zoning bylaws.

The Wildlife Association has been operating on the property for many decades.¹ Other shooting sites have included the old Wildlife Hall at top of 2nd St and old trap shooting location in the 'moto' area south of Valley Heights and north of Morrissey Creek Road.

The parcel has been within the City of Grand Forks since the 1966 amendment to the City's Letters Patent that provided for the addition from lands east of the Granby River (District Lot 494) and north from Valley Heights to the landfill (DL 495) and west to the start of the northward bend in Granby Road (DL 1623).



Despite their long-term existence, rifle ranges or gun clubs have not been a permitted use in General Industrial (original zone) or the current I3 Value Added Industrial over time in Zoning bylaws. In the earliest available land use map since the boundary extension, the area is designated M-2 General Industrial, consistent with the I-2 General Industrial of the 1971 Zoning Bylaw no. 846. The land use is also designated Heavy Industry in the Official Community Plan.

However, as use existed adjacent the landfill since before it was within City limits, and prior to 1998 the area north of Granby Road was one continuous parcel (Plan B2093), the

¹ Grand Forks Sun, 1912, only 200 yards from smelter; Kettle River Valley Rifle Association Minutes Book 1911-1925; newspaper report from May 10, 1972 regarding the 'near the City dump', 1971 lease from the Province, and 1979 building permit from the RDKB.

demonstrably continuous use of the property as a rifle range means that it is an 'existing non-conforming' use and therefore compliant with the Zoning Bylaw. The noise generated is also considered consistent with heavy industry, landfill and mineral processing activities near by. Council could proceed to grant the Licence of Occupation to the Wildlife Association and enable this use of the site to continue.

Concern has been expressed by residents at the end of Riverside Drive about the incompatibility of the rifle range with the residential use. In the past, the physical barrier of the slag piles likely reduced the noise impact of the range, but as these piles have shrunk and the number of residential occupants increased, concerns over the noise have increased.

The Noise Control Amendment Bylaw No. 1963 A-1, 2015, exempts "any business or industry established in accordance with the City of Grand Forks Zoning Bylaw... in any area designated as approved for that type of operation, provided that all precautions are taken... for abating, controlling or limiting noise..." Due to the interaction with the rifle range and area residents, the Department recommends that the Wildlife Association continues to communicate with affected parties and continues measures to mitigate impacts of their use, such the amended hours of operation recently undertaken.

Benefits or Impacts

Policy/Legislation

Local Government Act; Zoning Bylaw 2039 (and previous); Official Community Plan; Noise Control Bylaw.

Attachments

Delegation attachments demonstrating historical use.

Recommendation

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Options

1. RESOLVED THAT Council accepts the report.
2. RESOLVED THAT Council does not accept the report.
3. RESOLVED THAT Council refers the matter back to staff for further information.

Report Approval Details

Document Title:	20180409-RMC-RFD-DevEng-RifleRangeLicenceToOccupy.docx
Attachments:	- Grand Forks Wildlife Association.pdf
Final Approval Date:	Apr 16, 2018

This report and all of its attachments were approved and signed as outlined below:

Dolores Sheets - Apr 16, 2018 - 1:34 PM

Diane Heinrich - Apr 16, 2018 - 1:42 PM