



REGIONAL DISTRICT of Fraser-Fort George

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 Toll Free: 1-800-667-1959 / <http://www.rdffg.bc.ca>

REPORT FOR CONSIDERATION

TO: Chair and Directors

File No.: TUP 7366/24362/8

FROM: Richard Buchan, Planner II

DATE: November 2, 2021

SUBJECT: Temporary Use Permit No. 251
 SUMMARY: Purpose: For Consideration
 Location: 1600 Coyote Road – Electoral Area 'H'
 Owner: 0820758 B.C Ltd.
 Agent: Shawn and Diane Fowler

Previous Reports: Item No. 6.7 and 6.7A, March 21, 2019

Attachments:

1. Letter and Site Plan Received September 14, 2021 from Diane and Shawn Fowler
2. Schedule 'A'
3. Letter dated October 18, 2021 from Diane and Shawn Fowler
4. Sewerage Information dated April 17, 2020 by Livio Pierodon
5. Temporary Use Permit No. 251

RECOMMENDATION(S):

1. THAT the report and all written comments from persons, organizations and authorities be received.
2. THAT Temporary Use Permit No. 251 be issued to 0820758 B.C LTD., INC. NO. 0820758 to permit an Employee Accommodation use on Lot 8 District Lot 7366 Cariboo District Plan 24362 for a three-year period.

ENTITLEMENT	HOW VOTE COUNTED
All 1 Director/1 vote	Majority
All 1 Director/1 vote	Majority

ISSUE(S):

A second Temporary Use Permit (TUP) application has been made to allow for the continuation of an Employee Accommodation use on the subject property for up to a three-year period. Existing TUP No. 219 expires on April 15, 2022 and only permits up to two Employee Accommodation uses.

The applicants have applied to increase the number of Employee Accommodation use permitted through a TUP from two to five units. Employee Accommodation means a commercial use providing a temporary dwelling unit for the accommodation of employees or workers.

The Regional District Board is being asked to consider issuance of Temporary Use Permit No. 251.

RELEVANT POLICIES:

1. Robson Valley – Canoe Upstream Official Community Plan (OCP) Bylaw No. 2290:
 - **proposal is not consistent with OCP land use designation policies**
 - the subject property is designated Heavy Industrial (H/IND)
 - temporary use permits may be considered throughout the plan area

2. Zoning Bylaw No. 2892:
 - **the proposal does not comply with current zoning**
 - the subject property is zoned Industrial 3 (M3)
 - the M3 zone does not permit an Employee Accommodation use
 - a temporary use permit or zoning bylaw amendment is required
3. *Local Government Act*:
 - outlines the regulations for issuance of a temporary use permit
 - requires a notification of Board consideration to be placed in one edition of a local newspaper
 - Section 496 allows a local government to collect a security to guarantee the performance of the terms of a temporary use permit.
4. Development Applications Procedures Bylaw No. 2776:
 - specifies requirements for a public consultation, public notice mail-out and notification of application sign
 - delegates approval of notification requirements to the General Manager of Development Services

STRATEGIC ALIGNMENT:

- Climate Action
 Economic Health
 Indigenous Relations
 Strong Communities
 None – Statutory or Routine Business

SERVICE RELEVANCE:

Regional District Land Use Services is a region wide service and fulfils the obligations of land use planning under Part 14 of the *Local Government Act*.

FINANCIAL CONSIDERATION(S):

N/A

OTHER CONSIDERATION(S):

A notice of application sign was installed on the property on October 21, 2021. Notice of proposed Temporary Use Permit No. 251 was posted in the local newspaper on November 4th and November 12th and mailed to applicable landowners requesting comments by 12:00pm on November 16, 2021. Any correspondence received will be forwarded to Board as additional agenda items.

DECISION OPTIONS:

1. Approve recommendations.
 - issuance of Temporary Use Permit No. 251 will allow the proposed Employee Accommodation use for another three-year period

Other Options:

- a. amend the Permit prior to approval
 - Permit conditions could be added or amended as Board deems appropriate
 - Schedule 'A' provides example amendments for Board consideration
- b. postpone consideration of Temporary Use Permit No. 251
 - consideration may be postponed if additional information is required
- c. defeat issuance of Temporary Use Permit No. 251
 - up to two Employee Accommodation uses will be permitted on the subject property until April 15, 2022.

COMMENTS:

A second Temporary Use Permit (TUP) application has been made to allow for the continuation of an Employee Accommodation use on the subject property for up to three years. The applicants have applied to increase the number of Employee Accommodation use permitted through a TUP from two to five units.

The property is approximately 0.89 hectares (2.21 acres) in size and is zoned Industrial 3 (M3) which permits residential and limited industrial uses. The property is also located within the Cedarside Industrial Area, which is envisioned as a key area for further heavy industrial development. The property is designated Heavy Industrial (H/IND) by the Robson Valley-Canoe Upstream Official Community Plan (OCP).

Public consultation for a TUP is currently being undertaken with an opportunity for the public to provide written comments. Any correspondence received will be forwarded to Board as additional agenda items.

Referral agency comments have been received and the Ministry of Transportation and Infrastructure outlined their requirement for a controlled access highway permit. Any further correspondence received from referral agencies will be forwarded to Board as additional agenda items.

The applicants provided a \$4,000.00 security deposit (\$2,000.00 for each temporary structure) with their previous Temporary Use Permit (No. 219) in 2019 which permitted two units of Employee Accommodation and two structures. The purpose of the \$4,000.00 security deposit is to incentivize the landowner to remove the building/structures once the TUP expires (security deposit then returned to the landowner) or used by the Regional District to undertake the necessary works to remove and store the temporary structures and restore the lands if the landowner fails to do so.

For the proposed TUP (No. 251) the applicants have indicated that they would like the Board to cap the security deposit at \$4,000.00. While this does provide some incentive for the applicants to carry out the removal of the temporary buildings and restoration of the lands, it may not cover the Regional District's costs to undertake this work in the event that the applicants do not.

If the Board is concerned the requested \$4,000 security deposit by the applicants is too low, the Board may amend the proposed temporary use permit to require \$2,000.00 for each structure (up to \$8,000.00 based on applicants proposal). This would align with the requirements of the existing TUP 219. If the Board would like further information prior to considering the applicants request of maintaining the security deposit at \$4,000, the Board could require the applicants to provide information regarding the estimated cost from a qualified professional, of removing the temporary buildings/structures and restoring the lands.

Proposed Temporary Use Permit No. 251 is attached the report and is proposed for a three-year term. Schedule 'A' is attached to the report and includes additional conditions that the Board may wish to include by amending Temporary Use Permit No. 251 (Other Decision Option a.).

Should the Board issue the Permit, next steps would be the landowner obtaining any necessary permits from external agencies to establish the use. Should the Permit not be issued, the use will not be permitted on the property.

Respectfully submitted,

Richard Buchan

Richard Buchan
Planner II

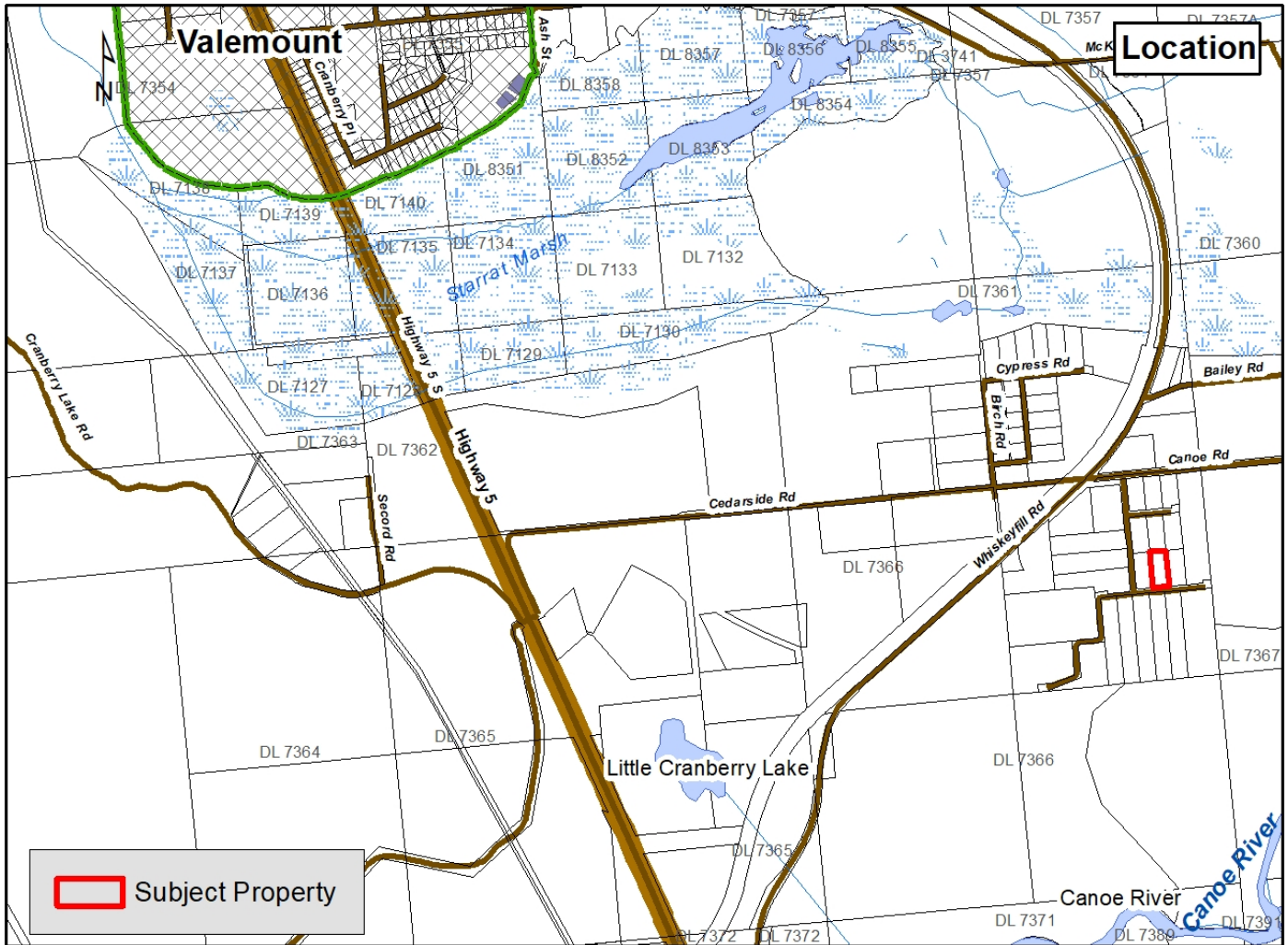
RB

BACKGROUND

Owner: 0820758 BC Ltd. (Attn: Shawn and Diane Fowler)

Location: 1600 Coyote Rd., South of Valemount

Legal Description: Lot 8 District Lot 7366 Cariboo District Plan 24362 – 0.89 ha (2.21 acres)



Proposal: A temporary use permit application has been made to extend and expand a temporary Employee Accommodation use on the property located at 1600 Coyote Rd. The owners secured a Temporary Use Permit (No. 219) in 2019 which permits up to two structures and two units of Employee Accommodation and will expire on April 15, 2022. The owners are now requesting that the Regional Board consider authorizing temporary approvals for up to four structures and five units of Employee Accommodation. The owners have provided a letter of rationale (attached) detailing their proposal.

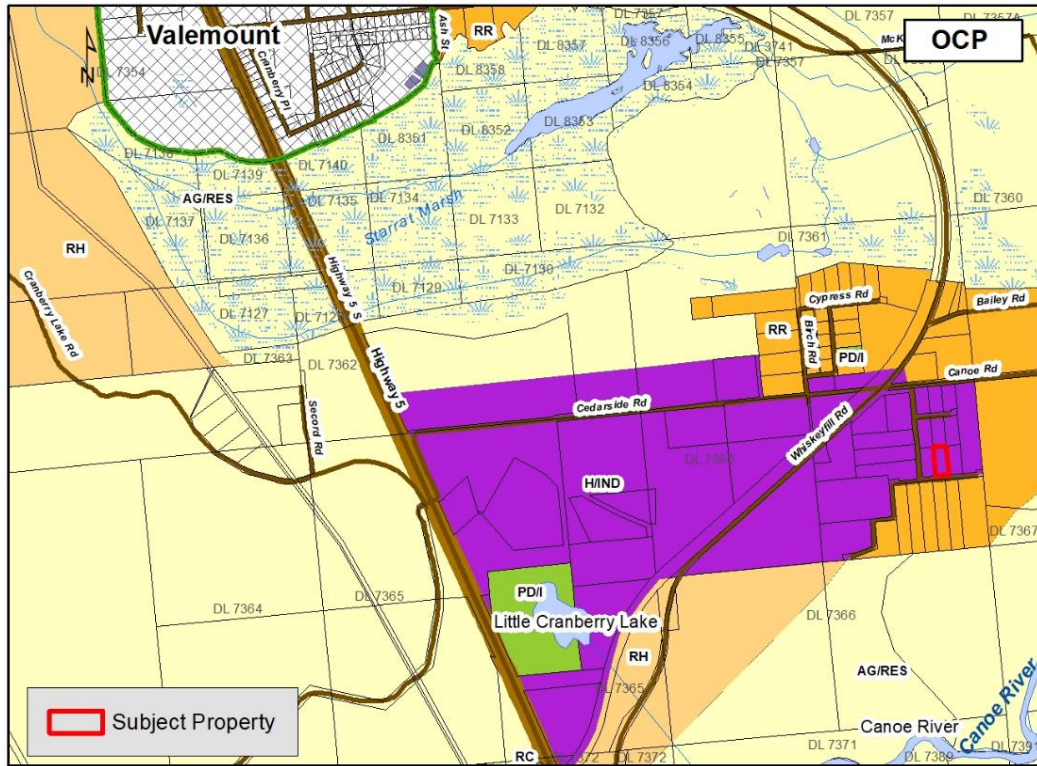


Official
Community
Plan:

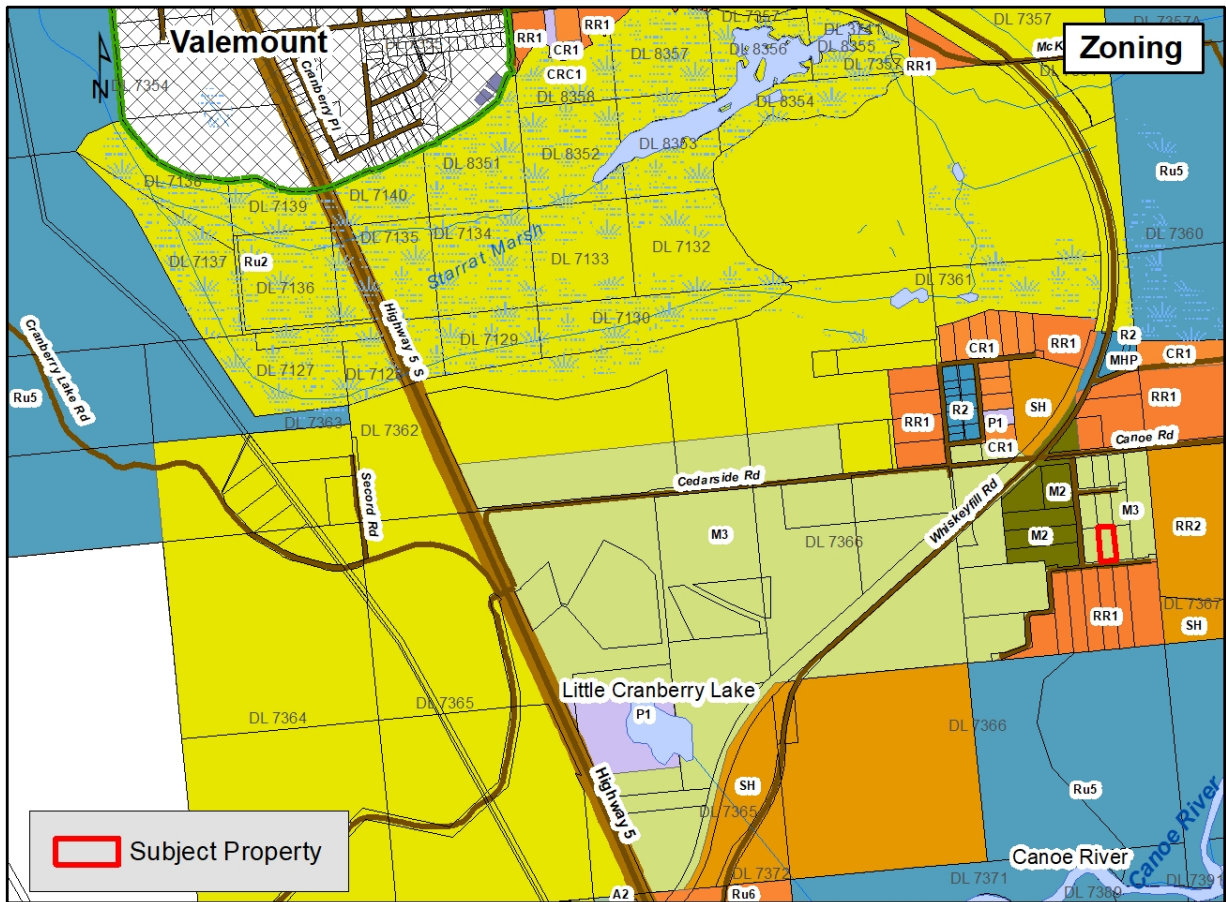
The property is designated Heavy Industrial (H/IND) by the Robson Valley-Canoe Upstream Official Community Plan (OCP). The subject property is also contained within the Cedarside Industrial Area. The Cedarside Area is envisioned as a key area for further industrial development.

The H/IND designation was established in clusters for areas with existing and potential future industrial sites. A primary purpose of this designation was to require that industrial uses be generally located so as to avoid conflicts with residential and other established land uses. Additional accommodation on Heavy Industrial sites is supported for staff if the use is relatively remote from residential settlement areas.

A TUP does not require an OCP amendment. Regional Board consideration of TUPs is supported throughout the plan area.



- Zoning: The subject property is zoned Industrial 3 (M3) by Zoning Bylaw No. 2892. The M3 zone does not permit an employee accommodation use.
- Previous Applications: Temporary Use Permit (No. 219) included a security deposit requirement of \$2,000.00 per structure (for a total of \$4,000.00). The purpose of this security is to help ensure that the temporary buildings and structures associated with the Employee Accommodation use are removed should the permit expire.
- Proposed TUP: The owners are seeking to add an additional two structures with a separate accommodation unit on each side (2 units, 1 on each side). If approved, the TUP will authorize up to four structures and five units of Employee Accommodation would be established. The owners have also advised Administration that they would prefer to cap the security deposit at \$4,000.00.



Sewage: The applicant has advised that an engineered system has been installed in conjunction with the two structures and two units of Employee Accommodation associated with their current Temporary Use Permit (No. 219) and have suggested that the existing system will be sufficient for the additional units of accommodation.

ALR: The land is not within the Agricultural Land Reserve.

Fire Protection: The subject land is within a volunteer fire department fire protection area.

Future RDFFG Applications: If the application is approved, a building permit will be required for the buildings. The Regional District will require proof of sewerage from a qualified Engineer or Registered Onsite Wastewater Practitioner (ROWP) at time of building permit application.

Referral Agency Comments: **BC Hydro:** BC Hydro has no objection to the proposed rezoning as our works are not affected. For a new electrical service connection, please contact 1-877-520-1355 or complete an online application form available at: www.bchydro.com/youraccount

*Kristi Morin
Property Coordinator, Property Rights Services*

TELUS
I have reviewed the attached file and determined that TELUS has no objection to this proposal. Please feel free to contact us for any questions or if you require additional information.

Wayne Hornak

Ministry of Transportation and Infrastructure (MoTI)

The Ministry of Transportation & Infrastructure (MoTI) has received the above noted referral from the Regional District of Fraser-Fort George regarding the Temporary use permit. The application has been reviewed, and MoTI has the following comments for your consideration:

- No storm drainage shall be directed to Ministry of Transportation and Infrastructure drainage systems. This includes but is not limited to collection and run-off of the internal road system.
- Ministry setback requirements to be followed as per Section 12 of the Provincial Public Undertakings Regulation.

Solangel Chavez

RDFFG – Building

The landowner will be required to submit a complete building permit package with plans, any engineering schedules and a updated sewerage report stating the system can handle the increased volume and be registered with Northern Health prior to being issued a permit.

Dana Ferguson
Building Inspector

Applicant's Letter

Currently in the Valemount & area there are no available accommodations for workers, employees, etc. The pipelining in our area has definitely impacted the vacancy rates in our valley. The Transmountain camp is full to capacity and the demand for accommodations is high especially with winter approaching. We have 4 dump trucks and we can not bring in drivers as we have no where for them to live or stay.

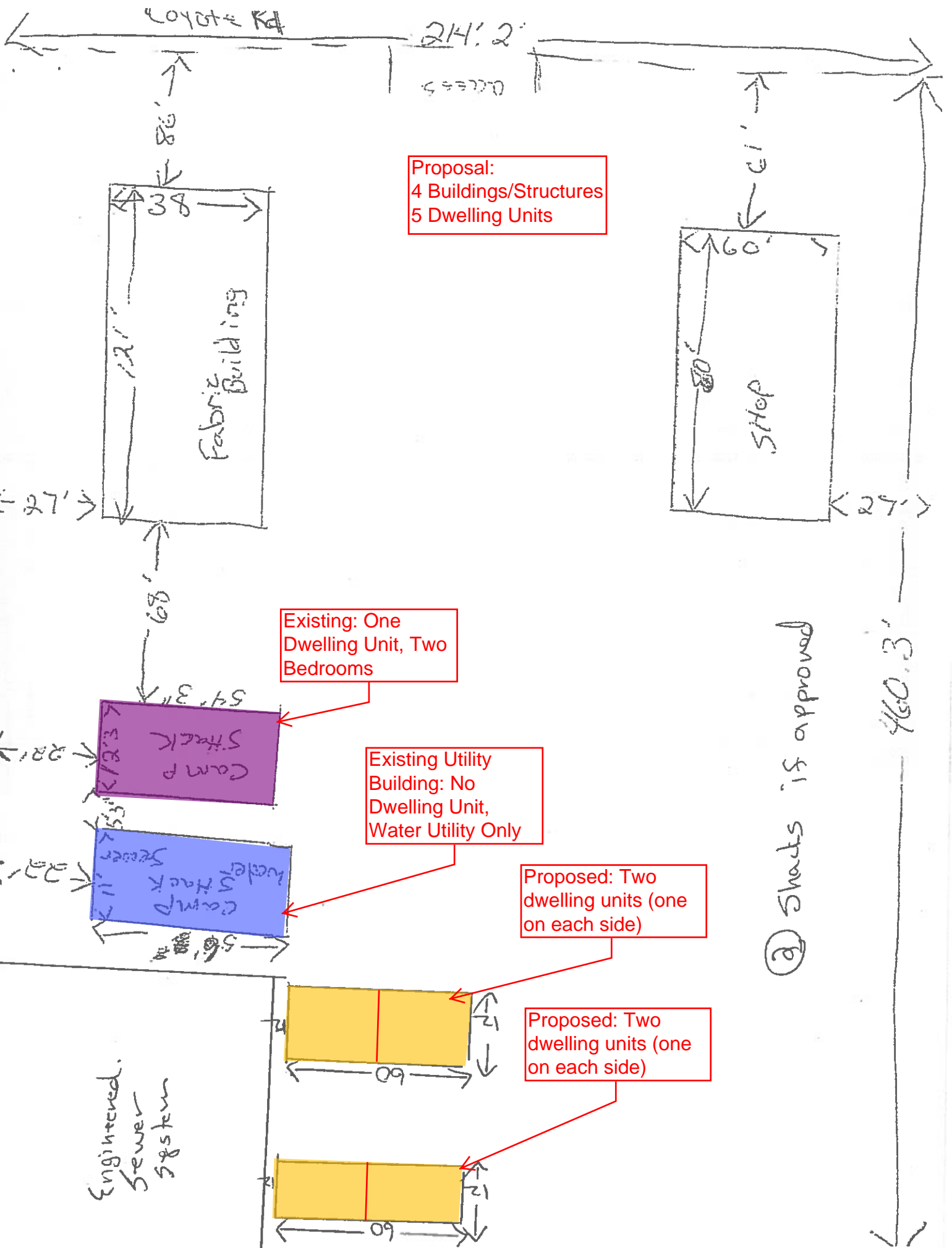
We currently have 1 campshack on our property at 1600 Coyote Rd and it is occupied with 1 person only. Due to the pandemic, no one wants to share a kitchen or an accommodation. This existing campshack was to be used for a foreign worker but with Covid hitting us, this process was put on the back burner. There was too much uncertainty with the pandemic.

Recently the Village of Valemount approved a temporary solution for the housing shortages, thus any existing residence will be allowed to apply to have a holiday trailer or portable accommodation on there property.

We are looking to apply for 1 or 2 more campshacks (2 additional at the most) to put on this property at 1600 Coyote RD as a temporary measure to assist with housing/accommodation shortages. We have an engineered sewer system in place at 1600 Coyote Rd and it is fully operational and functioning with the 1 existing campshack. We haul potable water from the Village and have posted signs in the campshack stating that it is potable water not for drinking. A bottled water dispenser is supplied along with water jugs for drinking, etc.

I have started the procedure once again for a foreign worker, who will need accommodations. As well, as mentioned earlier, in order to hire a driver/drivers for our dump trucks, we will also need to have some sort of accommodations available.

WE are requesting permission to have 2 additional campshacks, in addition to the existing one on this property for a 3 year period of time so we can operate our business efficiently and effectively.



Proposal:
 4 Buildings/Structures
 5 Dwelling Units

Existing: One Dwelling Unit, Two Bedrooms

Existing Utility Building: No Dwelling Unit, Water Utility Only

Proposed: Two dwelling units (one on each side)

Proposed: Two dwelling units (one on each side)

② Sheds is approved

Engineered Sewer System

Coyote Rd

241.2'

460.3'

38'

Fabric Building

27'

86'

61'

60'

SHOP

27'

68'

CAMP Stack

CAMP Stack

60'

60'

12'

12'

22'

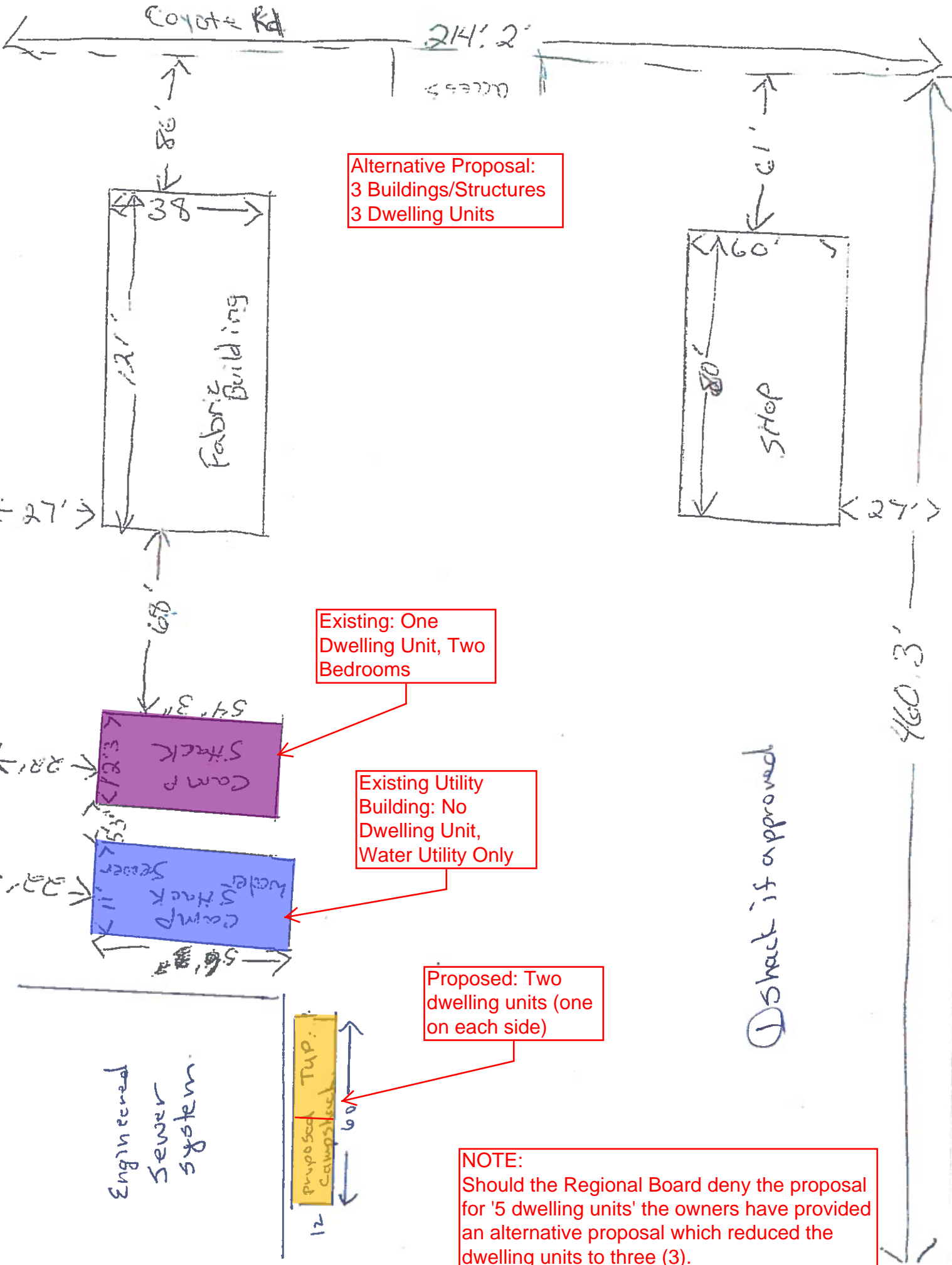
27'

54.3'

53'

56'

Access



Alternative Proposal:
3 Buildings/Structures
3 Dwelling Units

Existing: One
Dwelling Unit, Two
Bedrooms

Existing Utility
Building: No
Dwelling Unit,
Water Utility Only

Proposed: Two
dwelling units (one
on each side)

NOTE:
Should the Regional Board deny the proposal
for '5 dwelling units' the owners have provided
an alternative proposal which reduced the
dwelling units to three (3).

Shack if approved

Engineered
Sewer
System

October 18, 2021

Attention: Regional District of Fraser-Fort George

Reference: Temporary Use Permit Application (1600 Coyote Rd)

Dear Regional District Board:

Thank you for the opportunity to provide a letter in support of our Temporary Use Permit (TUP) application for the above referenced property. In 2019 the Board issued a Temporary Use Permit (No. 219) for our property which permitted two Employee Accommodation structures. This permit is set to expire early next year (April 2022). We are now asking that the Regional District consider supporting our proposal to expand the temporary employee accommodation use on our property at 1600 Coyote Road for an additional three years. We are also seeking permission to establish 1 or 2 more accommodation structures on a temporary basis.

The Current TUP (No. 219) was unable to support our business as due to pandemic, we were not able to move forward with the foreign worker procedure. It is 1 shared accommodation and no wants to share a kitchen or accommodation with Covid still being a steady concern.

We would like to continue the temporary use for an additional three years because there is 1 worker in the accommodation and he has been there since Feb 2020. The other shack is just a water storage shack (for non-potable water). We did not use this accommodation until that date as the plan was to use it for a foreign worker. There was too much uncertainty with the Covid arrival, so we used it to accommodate a subcontractor. He is still in this accommodation today. Thus, we are also seeking flexibility to expand our operations to include an additional two Employee Accommodation structures (for a total of 4) because we cannot accommodate any new drivers within our area as there are no accommodations and there is a lack of housing in the Village of Valemount area. We have also started the procedure once again for a foreign worker, who will need accommodations as well.

We provided the Regional District with a \$4,000.00 security deposit for the two structures as a condition of a Temporary Use Permit (No. 219). For our new Temporary Use Permit we are asking that the Board consider holding onto the existing \$4,000.00 deposit for the two existing structures, and not requiring security for the additional buildings and structures. We feel that the \$4,000.00 cap on security is appropriate because that would be sufficient to remove any structures if necessary.

We believe the following merits of our proposal should be considered by the Regional Board:

- The lack of accommodations and housing is a serious issue in our area and the demands for housing/accommodations are steadily growing
- We have an engineered septic system already on the property that is sufficient in size to accommodate 2 more campshacks.

We have also reviewed the Regional Board's Strategic Priorities (2019 - 2023) and believe that our proposed TUP would compliment the following goals:

1. **Economic Health:** The impact on our communities and businesses with the Covid 19 protocols has been a huge adjustment. It has impacted several different sized businesses and employee shortages as well. In particular, the businesses have had to decrease their hours and are unable to find staff due to lack of accommodations and employees in the area.
2. **Strong Communities:** There is a growing demand for housing and accommodations in our area. We are hoping to assist by offering this type of accommodation that is quick, liveable, fully operational, safe and accessible fairly quickly. Please note that the Village of Valemount recently approved a temporary solution for the housing shortages in this area thus allowing existing residences to allow a holiday trailer or portable accommodation on there property.

Sincerely

A black rectangular redaction box covers the signature. A blue ink flourish extends from the right side of the box.

Diane/Shawn Fowler

Filing #	Folio or PID # <u>008-262-659</u>	Date (YYYY-MM-DD)
Street (civic) address		<u>2020-04-17</u>
<u>1600 COYOTE RD</u>		
Legal land description (plan, lot, district lot, block, range, section, township)		
<u>LOT 8, PLAN RGP 24362</u>		
Date the construction of the proposed sewerage system on the above property was completed on (YYYY-MM-DD)		

This system was installed:





<input type="checkbox"/> By or under the supervision* of a professional	Name	Registration #
<input type="checkbox"/> By a registered on-site wastewater practitioner (ROWP) installer	Name	Registration #
<input checked="" type="checkbox"/> By the property owner under the supervision* of an authorized person	Name	Registration #
	<u>LIVIO PIEROBON</u>	<u>OW0300</u>

I am an 'authorized person' as defined in the Sewerage System Regulation BC Reg. 326/2004. The signature and seal of the undersigned certifies that:

- The owner has been provided with:
 - A copy of the sewerage system plans and specifications as filed with the Health Authority
 - A maintenance plan for the sewerage system that is consistent with standard practice
 - A copy of this Letter of Certification as filed with the Health Authority
- The sewerage system has been constructed in accordance with standard practice as indicated in the sewerage system filing form filed on (YYYY-MM-DD):
Date: 2019/10/20
- The sewerage system has been constructed substantially in accordance with the plans and specifications filed with the Health Authority
- The estimated daily domestic sewage flow through the sewerage system will be less than 22,700 litres.
- If operated and maintained as set out in the maintenance plan, the sewerage system will not cause or contribute to a health hazard.

*Where the authorized person is a professional, 'supervision' means conducting field reviews of the construction of the above system that the professional in his or her professional discretion considers necessary to ascertain whether the construction substantially complies with the plans and specifications filed with the Health Authority.

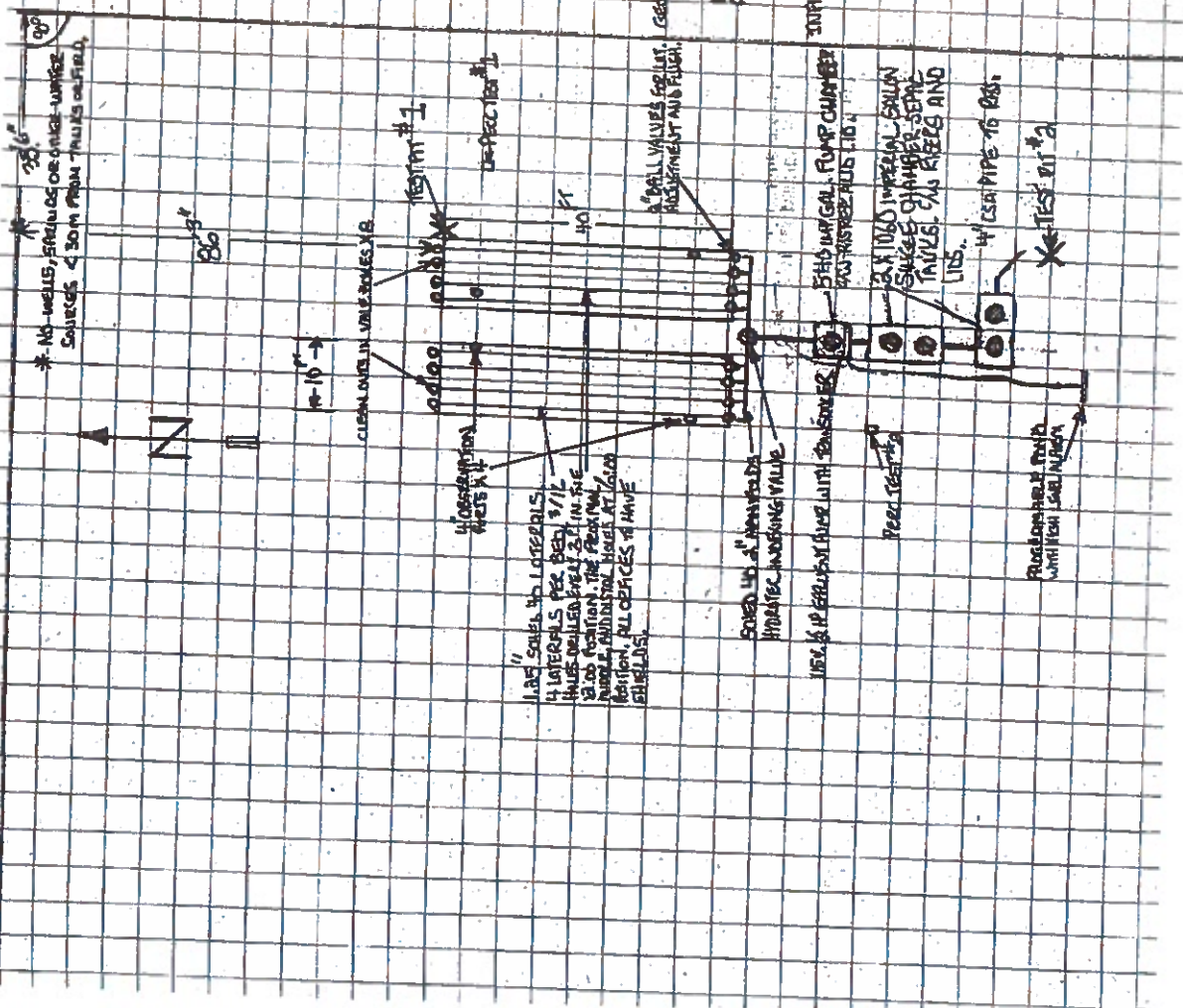
Appended to this document is a plan of the sewerage system as it was built and a copy of the maintenance plan.

Name (please print)	Signature	Health Authority use only
<u>LIVIO PIEROBON</u>		<div style="border: 2px solid black; padding: 5px; text-align: center;"> <p>ACCEPTED</p> <p>Date: <u>04/17/20</u></p> <p>Signature: </p> <p></p> </div>
		

Clear Form Print



* No wells, shafts or other water sources $< 30m$ from tanks or field.



1.5" SLOPE TO LATERALS
 4" INTERVALS PER BEY 3/16
 HUBS DRILLED 2" IN THE
 18" O.D. POSITION. THE PEAKING
 TUBES, INDUSTRIAL TUBES AT 18" O.D.
 POSITION, ALL OTHERS TO HAVE
 1.5" SLOPE

FORCED 1/2" NEW 1/2" DIA
 HYDRA-TEC HOUSING VALVE
 1.5" x 1/2" IP BALL VALVE WITH 2" HOUSING

5" HD IMPERIAL PUMP CHAMBER
 2" x 1/2" IP HOUSING

2" x 1/2" IP IMPERIAL BALL
 VALVE CHANGER SEPAR
 TUBES 1/2" x 1/2" AND
 1/2" x 1/2"

1" CS PIPE TO BS
 * TEST AT 2"

PROTECTED TANK
 WITH 150# SAND BED

PERFORATED 1/2" OSSERWATER PAPER
 1" TO 2" SAND DECK
 ROCK

1/4" SLOPE TO LATERALS 2" x 1/2" IP
 PIPE

3" BALL VALVES FOR LIFT
 REGULATION AND FLUSH

10' x 10' TANK

12' x 12' TANK

12' x 12' TANK

12' x 12' TANK

PERFORATED 1/2" OSSERWATER PAPER

10' x 10' TANK

12' x 12' TANK

12' x 12' TANK

12' x 12' TANK

CONCRETE FIELD FOR TREATMENT
 OF SURFACE WATER

TANK (GRASSY LAWN)

12' x 12' TANK

12' x 12' TANK

12' x 12' TANK

12' x 12' TANK

12' x 12' TANK



TEMPORARY USE PERMIT No. 251

ISSUED TO: 0820758 B.C LTD., INC. NO. 0820758

WITH RESPECT TO THE FOLLOWING LAND:

Lot 8 District Lot 7366 Cariboo District Plan 24362
PID: 008 – 262 – 659

1. This Temporary Use Permit is issued pursuant to the *Local Government Act*.
2. The general purpose of this Permit is to allow an Employee Accommodation use on the subject parcel for a three (3) year period
3. Notwithstanding that Zoning Bylaw No. 2892 does not allow for an Employee Accommodation use on the subject parcel, this Temporary Use Permit specifically allows the following uses on Lot 8 District Lot 7366 Cariboo District Plan 24362:
 - Employee Accommodation

Subject to the following:

- a) Employee Accommodation means a commercial use providing a temporary dwelling unit for the accommodation of employees or workers.
 - b) Operating hours of the Employee Accommodation use are 24 hours per day, 7 days a week.
 - c) The maximum number of units of accommodation for an Employee Accommodation use is five (5).
 - d) The combined maximum total floor area of an Employee Accommodation use is 300.0 m².
 - e) Deposit of security of \$4,000.00 will be required to be received by the Regional District before issuance of this Permit pursuant to Section 496 of the *Local Government Act*
 - f) Security will be refunded once, to the satisfaction of the Regional District, all buildings, structures and utilities associated with the Employee Accommodation use are removed and lands associated are restored to an equivalent or better standard that existed prior to the Employee Accommodation use.
 - g) Security is forfeited to the Regional District in the event of default under this Permit for the cost of demolition, removal, storage of buildings, structures or utilities for and associated with Employee Accommodation use.
 - h) All parking is to be on the subject property.
 - i) All buildings, including new or pre-fabricated buildings, placed or constructed for the Employee Accommodation use must be built in accordance with BC Building Code, Regional District Building Bylaw and inspection requirements.
 - j) All buildings or structures must meet minimum building setbacks in accordance with Zoning Bylaw No. 2892.
 - k) Should the Temporary Use Permit expire, and a new temporary use permit or zoning bylaw amendment application not be approved, all buildings, structures and utilities associated with the Employee Accommodation use are to be removed and the land must be restored to an equivalent or better standard that existed prior to the Employee Accommodation use.
4. This Permit does not relieve an owner or occupier from obtaining any other approvals required by the Regional District or any other jurisdiction, or from meeting any other applicable regulations.
 5. This Permit is not a building permit.
 6. This Permit shall expire three (3) years after the date of issuance.
 7. The land shall be developed strictly in accordance with this Permit.

Temporary Use Permit No. 251

[The zoning on this property at date of issuance of this Permit is Industrial 3 (M3) pursuant to Zoning Bylaw No. 2892]

TEMPORARY USE PERMIT No. 251 ISSUED BY RESOLUTION OF THE REGIONAL BOARD ON THE __ DAY OF _____, 2021.

K. Jensen, General Manager of Legislative and Corporate Services

Schedule 'A'

Should the Board wish to amend Temporary Use Permit No. 251 the following are additional conditions for consideration:

1. Amend Section 3(e) to require additional security in the amount of \$2,000.00 per temporary structure.
 - This condition would be rewritten as follows: *“Deposit of security of \$2000.00 per structure will be required to be received by the Regional District before issuance of this Permit pursuant to Section 496 of the Local Government Act.”*
 - This condition would result in approximately \$8,000.00 which would likely cover the bulk of the Regional District costs associated with removing and storing the temporary structures should the landowners fail to remediate the property following the expiry of TUP 251.

2. Amend condition Section 6. to reduce the Permit length from 3 years to a specified lesser term.