



REGIONAL DISTRICT of Fraser-Fort George

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REPORT FOR CONSIDERATION

TO: Chair and Directors

File No.: DL 5682 REM

FROM: Justin Kim, Planner I

DATE: February 6, 2025

SUBJECT Proposed Temporary Use Permit No. 290
 SUMMARY: Purpose: Consider Application
 Location: Highway 5 N - Electoral Area H
 Owner: Valemount Sand and Gravel Ltd.

Attachments:

1. Backgrounder
2. Summary of Public Consultation Meeting held January 28, 2025
3. Proposed Temporary Use Permit No. 290

Previous Reports: Item 6.2, April 2022

RECOMMENDATION(S):

1. THAT the report dated February 6, 2025 regarding the proposed “Temporary Use Permit No. 290” be received for information.

Declaration by the Public Consultation Chair as to the accuracy and fairness of the summary of the Public Consultation Meeting held on January 28, 2025, regarding Temporary Use Permit No. 290.

2. THAT the summary of the Public Consultation held on January 28, 2025 regarding Temporary Use Permit No. 290 be received for information.
3. THAT Temporary Use Permit No. 290 be issued to Valemount Sand and Gravel Ltd. to allow Preliminary Resource Processing use on Part of Lot 1, District Lots 480, 5682, Cariboo District, Plan 8448, Except Plan 17811, Plan 25095 and Part of District Lots 480 and 5682, Cariboo District for a three-year period.

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

SUMMARY OF APPLICATION:

Location:	East of Tête Jaune Cache- Electoral Area H
Legal Description and PID:	Part Of Lot 1, District Lots 480, 5682, Cariboo District, Plan 8448, Except Plan 17811, Plan 25095 and Part of District Lots 480 and 5682, Cariboo District - 13.88 ha - Crown Lands File # 7410007 - PID: N/A
Applicant(s):	Valemount Sand and Gravel Ltd.
Existing Uses:	The southern section of the subject land contains an aggregate extraction operation (gravel pit) and is utilized for preliminary resource processing.
Application Type:	Temporary Use Permit (TUP)

Proposal:	A TUP application has been made to continue to allow Preliminary Resource Processing use on the subject land previously allowed by TUP No. 253. TUP No. 253 is set to expire on April 21, 2025.
Content of Permit:	TUP No. 290 would continue to permit Preliminary Resource Processing use on the subject land for a three-year period. TUP No. 290 would be a 7-day/year-round operation of the entire subject land. TUP No. 253 permitted a 6-day/seasonal operation on a portion of the subject land. TUP 290 otherwise follows the same conditions laid out by TUP No. 253.

BOARD CONSIDERATION:

Board is being asked to consider the issuance of Temporary Use Permit No. 290. Full options and corresponding motions are detailed under the Decision Options section of the report.

RELEVANT POLICIES:

Official Community Plan:	The proposed use is <u>consistent</u> with the Robson Valley-Canoe Upstream Official Community Plan Bylaw No. 2290. A Temporary Use Permit does not require an OCP amendment. Temporary Use Permits may be considered throughout the Plan area.
Zoning Bylaw:	The proposal is <u>inconsistent</u> with current Zoning Bylaw No. 2892. A zoning amendment or TUP is required.
<i>Local Government Act:</i>	Outlines requirements for consideration of issuance of a Temporary Use Permit.
<i>Community Charter:</i>	Outlines requirements to publish public notice and allows a local government to adopt a bylaw to publish public notice by alternative means.
Applications Procedures Bylaw:	Development Applications Procedures Bylaw No. 3268, 2022 outlines requirements for processing TUP applications.
Public Notice Bylaw:	Public Notice Bylaw No. 3316, 2023 outlines the requirements for public notice to be published.

STRATEGIC PRIORITIES ALIGNMENT:

- Indigenous and Intergovernmental Partnerships
- Organizational Strength and Adaptability
- Quality Community Services
- Environmental Stewardship and Climate Action
- Awareness and Engagement
- Statutory or Routine Business

SERVICE RELEVANCE:

Regional District Land Use Planning 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):

N/A

DECISION OPTIONS:

1. Approve recommendations

- Issuance of Temporary Use Permit No. 290 will allow Preliminary Resource Processing use on the entire subject land for a three-year period.

Other Options:

DIRECTION	ACTIONS THAT WILL BE TAKEN	MOTIONS REQUIRED
A. Revise the Permit prior to approval.	Permit conditions could be added or revised as the Board seems appropriate.	<i>THAT Temporary Use Permit No. 290 be issued to Valemount Sand and Gravel Ltd. to allow Preliminary Resource Processing use on Part Of Lot 1, District Lots 480, 5682, Cariboo District, Plan 8448, Except Plan 17811, Plan 25095 and Part of District Lots 480 and 5682, Cariboo District as <u>amended</u> [insert requirement].</i>
B. Defeat Issuance of Temporary Use Permit No. 290.	The Permit will not be issued, and a Preliminary Resource Processing use will not be permitted on the subject land. The permit cannot be considered further if the motion to issue is defeated .	<i>THAT Temporary Use Permit No. 290 be issued to Valemount Sand and Gravel Ltd. to allow Preliminary Resource Processing use on Part Of Lot 1, District Lots 480, 5682, Cariboo District, Plan 8448, Except Plan 17811, Plan 25095 and Part of District Lots 480 and 5682, Cariboo District for a three-year period.</i>
C. Postpone consideration of Temporary Use Permit No. 290 if further information is required.	The Permit will return for consideration when the additional information requested by the Board is available.	<i>THAT consideration of issuance of Temporary Use Permit No. 290 be postponed pending receipt of [insert requirement].</i>

SUMMARY COMMENTS:

The Robson Valley-Canoe Upstream Official Community Plan states that the general conditions that will be considered by the Board in issuing a temporary use permit includes those issues considered in the rezoning process. Section 16.9 of the OCP lists the issues to be considered by the Board where a proposed use may be permitted subject to evaluation through a rezoning or Temporary Use Permit process:

- I. *Consistency with the objectives, policies, and land use designations of this Plan;*
 - The subject land is currently designated as Agriculture/Resource (AG/RES) by the OCP. Within the AG/RES designation, resource extraction is a permitted use, which includes preliminary resource processing.

- II. *Consistency with the provisions or policies of the Agricultural Land Commission for lands within the Agricultural Land Reserve;*
 - The subject land is not within the Agricultural Land Reserve.

- III. *The extent of agricultural development and potential for impact upon neighbouring agricultural use;*
 - Properties immediately south of the subject land are designated as Agricultural Land Reserve.
 - Administration’s review of aerial imagery appeared that this Temporary Use Permit will not impact neighbouring agricultural uses.

- IV. *The level of potential land use impact on the subject property and potential conflict with uses in the immediate proximity;*
- TUP No. 290 will continue to permit Preliminary Resource Process use allowed under TUP No. 253.
 - Regional District Bylaw Enforcement mentioned no contraventions during TUP No. 253.
 - TUP No. 290 will introduce a 7-day/year-round operation compared to the seasonal operation currently permitted by TUP No. 253.
 - During the referral process, Simpcw First Nation determined that a Field Assessment will be required.
 - The Simpcw First Nation's comments were forwarded to the applicant. The applicant has initiated contact to proceed with the Field Assessment.
 - Administration will also forward Simpcw First Nation's referral comments to the Ministry of Mining and Critical Minerals as they have jurisdiction over aggregate extraction.
- V. *Public opinion as received through the public information and hearing requirements of the Local Government Act;*
- A public consultation meeting was held on January 28, 2025, at the Canoe Valley Recreation Centre. No members of the public attended the public consultation meeting.
 - One submission from the applicants was received as they were unable to attend the meeting. There were no submissions from the public prior to the public consultation meeting.
 - The summary of the meeting is attached to this report.
- VI. *The availability of existing services to the site, including but not limited to, fire protection, roads, potable and sufficient water supply, electricity, sewage disposal, or the ability to provide the services to the site;*
- The subject land is not within a Volunteer Fire Protection Area.
 - No concerns were raised from agencies during the referral process of proposed TUP No. 290.
- VII. *Impact on the transportation network;*
- The subject land is accessed from Highway 5 North.
 - The Ministry of Transportation and Transit had no concerns regarding TUP No. 290.
- VIII. *Environmental impact and potential for hazardous conditions;*
- The subject land is not within a mapped BC Floodplain or within the extent of any natural hazard studies commissioned by the Regional District.
- IX. *Any other issue that may be relevant to a specific proposal;*
- No additional issues were identified.

It may be reasonable for the Board to consider issuance of TUP No. 290 as the use is supported by the Official Community Plan and the owner has operated Preliminary Resource Processing use under TUP No. 253 on the subject land with no contraventions identified by the Regional District. Further details pertaining to the application can be found in the Backgrounder attachment.

Respectfully submitted,

"Justin Kim"

Justin Kim
Planner I

JK:dk