



# REGIONAL DISTRICT of Fraser-Fort George

Main Office: 155 George Street, Prince George, BC V2L 1P8  
 Telephone: (250) 960-4400 / Fax: (250) 563-7520  
 Toll Free: 1-800-667-1959 / <http://www.rdffg.bc.ca>

## REPORT FOR CONSIDERATION

TO: Chair and Directors

File No.: TUP 5682

FROM: Daniel Burke, Planner II

DATE: April 5, 2022

SUBJECT: Temporary Use Permit No. 253  
 SUMMARY: Purpose: For Consideration  
 Location: Highway 5 N – Tête Jaune Cache – Electoral Area ‘H’  
 Owner: Province of British Columbia  
 Agent: 0820758 B.C. LTD.  
 Attachment: Temporary Use Permit No. 253

Previous Reports:  
 Item No. 6.8 and 6.8A, March 2019 (see Agenda for link)

### RECOMMENDATION(S):

1. THAT the report and all written comments from persons, organizations and authorities be received.
2. THAT Temporary Use Permit No. 253 be issued to 0820758 B.C. LTD. to permit Preliminary Resource Processing Use on Part of Lot 1, District Lots 480, 5682, Plan 8448, Except Plan 17811, Plan 25095 and Part of District Lot 5682, Cariboo District for a three-year period.

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

### ISSUE(S):

The applicant has applied for a new Temporary Use Permit (TUP) to continue the operation of Preliminary Resource Processing use (gravel crushing and screening) on the subject area for a three-year period. TUP No. 220 has expired as of March 2022 and had allowed the use for a three-year period.

The Regional District Board is being asked to consider issuance of Temporary Use Permit No. 253.

### RELEVANT POLICIES:

1. Robson Valley-Canoe Upstream Official Community Plan (OCP) Bylaw No. 2290
  - **proposal is consistent with OCP policies**
  - the subject area is designated Agriculture/Resource (AG/RES)
  - AG/RES supports resource extraction uses, including Preliminary Resource Processing
  - issuance of TUPs is supported throughout the Plan area
  - an OCP amendment is not required
2. Zoning Bylaw No. 2892:
  - **proposal does not meet zoning bylaw regulations**
  - the subject area is zoned Rural 5 (Ru5)
  - Preliminary Resource Processing is not permitted in Ru5 zone
  - a TUP 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

## 4. Development Applications Procedures Bylaw No. 2776:

- specifies requirements for a public consultation, public notice mail-out and Notification 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 requirement was waived by the General Manager of Development Services. Notice of proposed Temporary Use Permit No. 253 with a written comment period was published in the local newspaper and mailed to applicable landowners. The Regional District requested written comments by 12:00 pm on April 19, 2022. No submissions have been received to date. Any additional correspondence received will be forwarded to Board as additional agenda items.

**DECISION OPTIONS:**

1. Approve recommendations.
  - issuance of Temporary Use Permit No. 253 will allow Preliminary Resource Processing use for a three-year period

Other Options:

- a. amend the Permit prior to approval
  - permit conditions could be added or amended as Board deems appropriate
- b. postpone consideration of Temporary Use Permit No. 253
  - consideration may be postponed if additional information is required
- c. defeat issuance of Temporary Use Permit No. 253
  - the proposed Preliminary Resource Processing use will not be permitted on the subject land

**COMMENTS:**

The applicant has applied for a new Temporary Use Permit (TUP) to continue the operation of Preliminary Resource Processing use (gravel crushing and screening) on the subject area for a three-year period. TUP No. 220 has expired as of March 2022 and allowed the use for a three-year period. The subject area is approximately 1.38 ha (3.4 acres) of Crown land.

The Robson Valley-Canoe Upstream OCP supports Preliminary Resource Processing use within the AG/RES designation and supports the issuance of TUPs throughout the Plan area. The subject area is zoned Ru5 by Zoning Bylaw No. 2892. Ru5 does not permit Preliminary Resource Processing use. The zoning bylaw defines Preliminary Resource Processing to mean *the crushing, screening, washing, storing, packaging or other processing of rock, sand, gravel, aggregate or soil, originating on the same site and does not include asphalt plants or concrete plants.*

During the referral process, no objections were received. All referral comments have been forwarded to the applicant and are available in full in the Backgrounder to the report.

Public consultation for TUP No. 253 includes an opportunity for the public to provide written comments. No submissions have been received to date. Any additional correspondence received will be forwarded to Board as additional agenda items.

The proposed conditions of TUP No. 253 are similar to previous TUP 220. The hours of hours of operation are limited to 7:00 a.m. to 7:00 p.m., Monday – Saturday from March 1 – November 30 of each calendar year. The number of employees is restricted to three and the permit is proposed for a three-year term. On expiry of the TUP, the applicant may apply for another TUP or attempt to rezone the property.

Respectfully submitted,

"Daniel Burke"

Daniel Burke  
Planner II

DB:dk

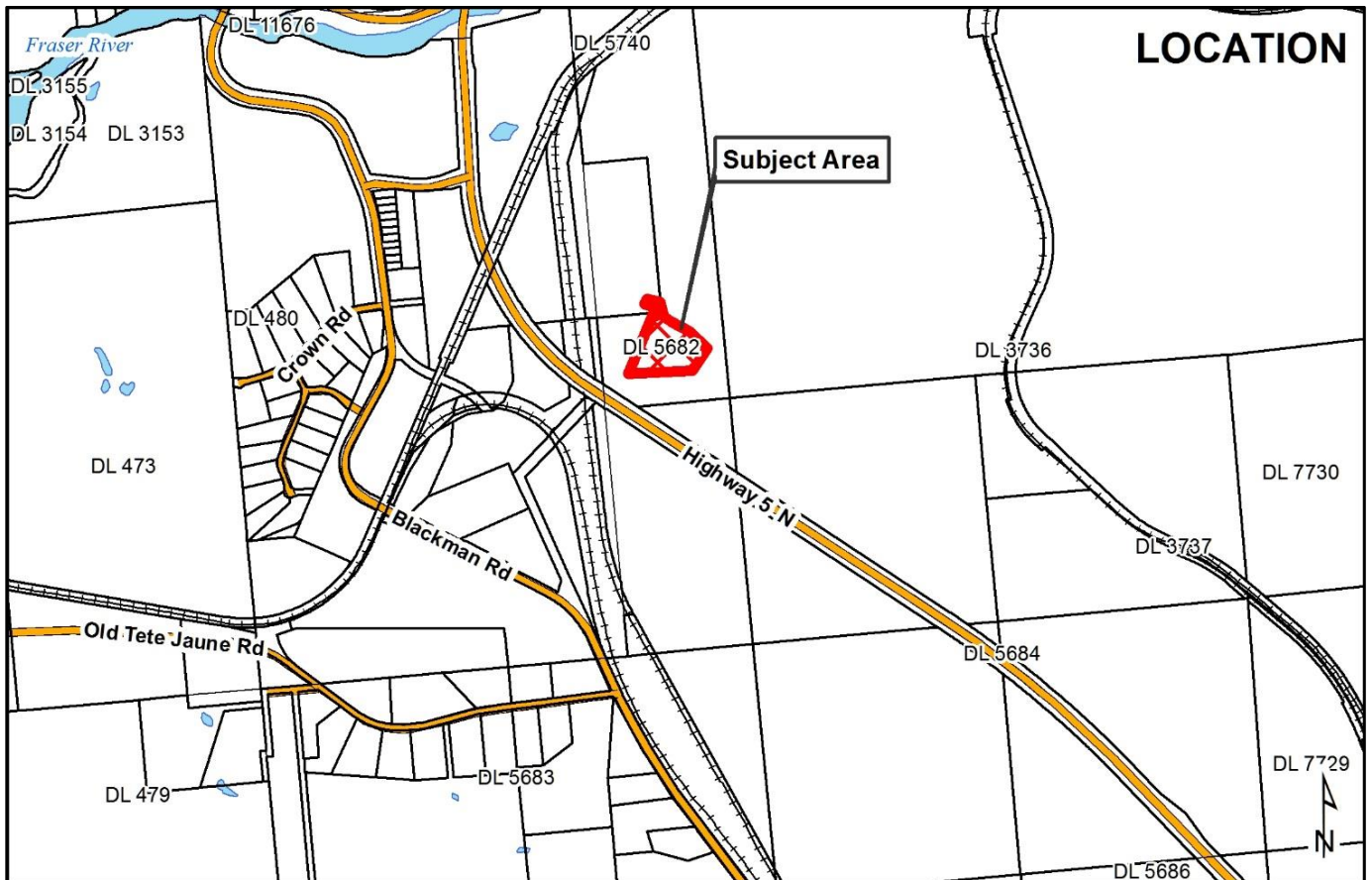
**BACKGROUNDER**

Owner: Province of British Columbia

Agent: 0820758 B.C. LTD.

Location: Highway 5 N – Tête Jaune Cache – Electoral Area ‘H’

Legal Description: Part of Lot 1, District Lots 480, 5682, Plan 8448, Except Plan 17811, Plan 25095 and Part of District Lot 5682, Cariboo District - approximately 1.38 ha (3.4 acres)



Proposal: The applicant has applied for a new Temporary Use Permit (TUP) to continue the operation of Preliminary Resource Processing use (gravel crushing and screening) on the subject area for a three-year period. TUP No. 220 has expired as of March 2022 and allowed the use for a three-year period.

The applicant holds a Licence of Occupation No. 7410007 for the subject area (Crown Land) from the Ministry of Forests, Lands, Natural Resource Operations and Rural Development. Further, the applicant holds a Sand and Gravel Permit No. G-13-076 from the Ministry of Energy, Mines and Low Carbon Initiatives.



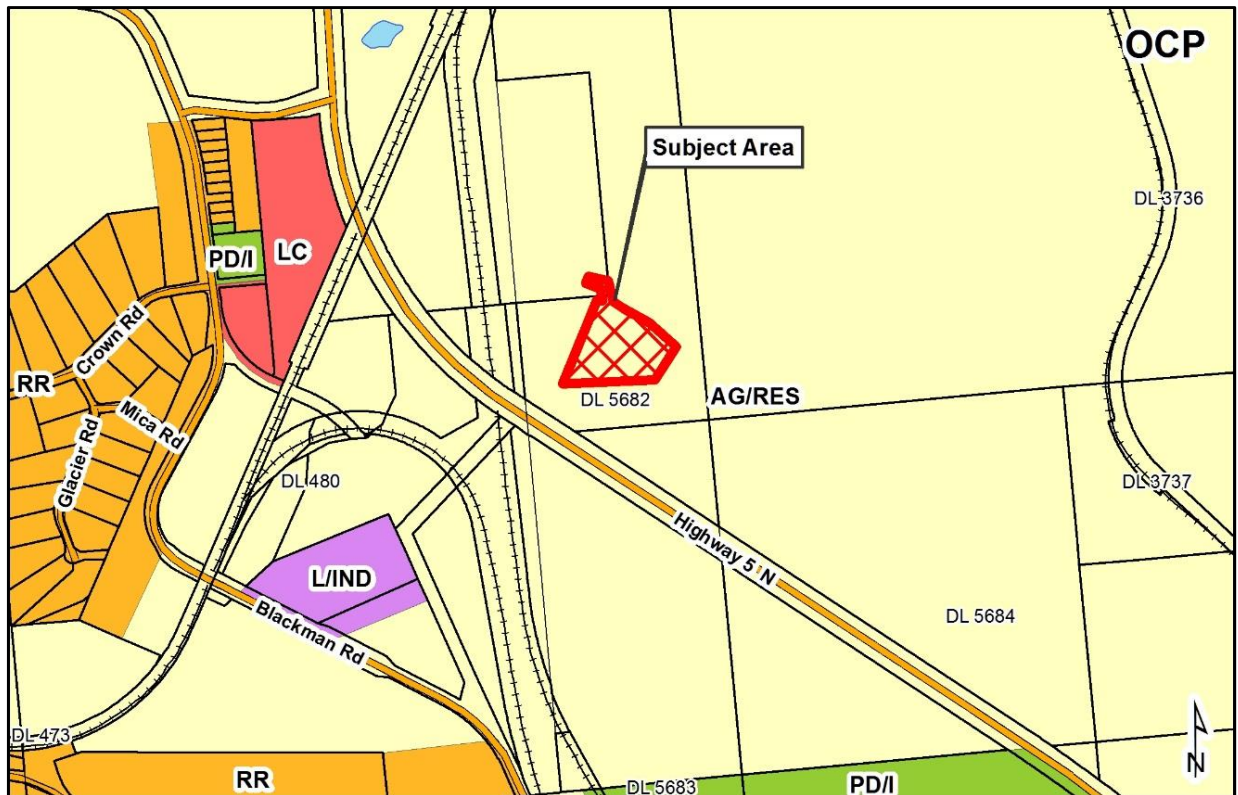


Agricultural Land Reserve (ALR):

The subject property is not within the Agricultural Land Reserve (ALR).

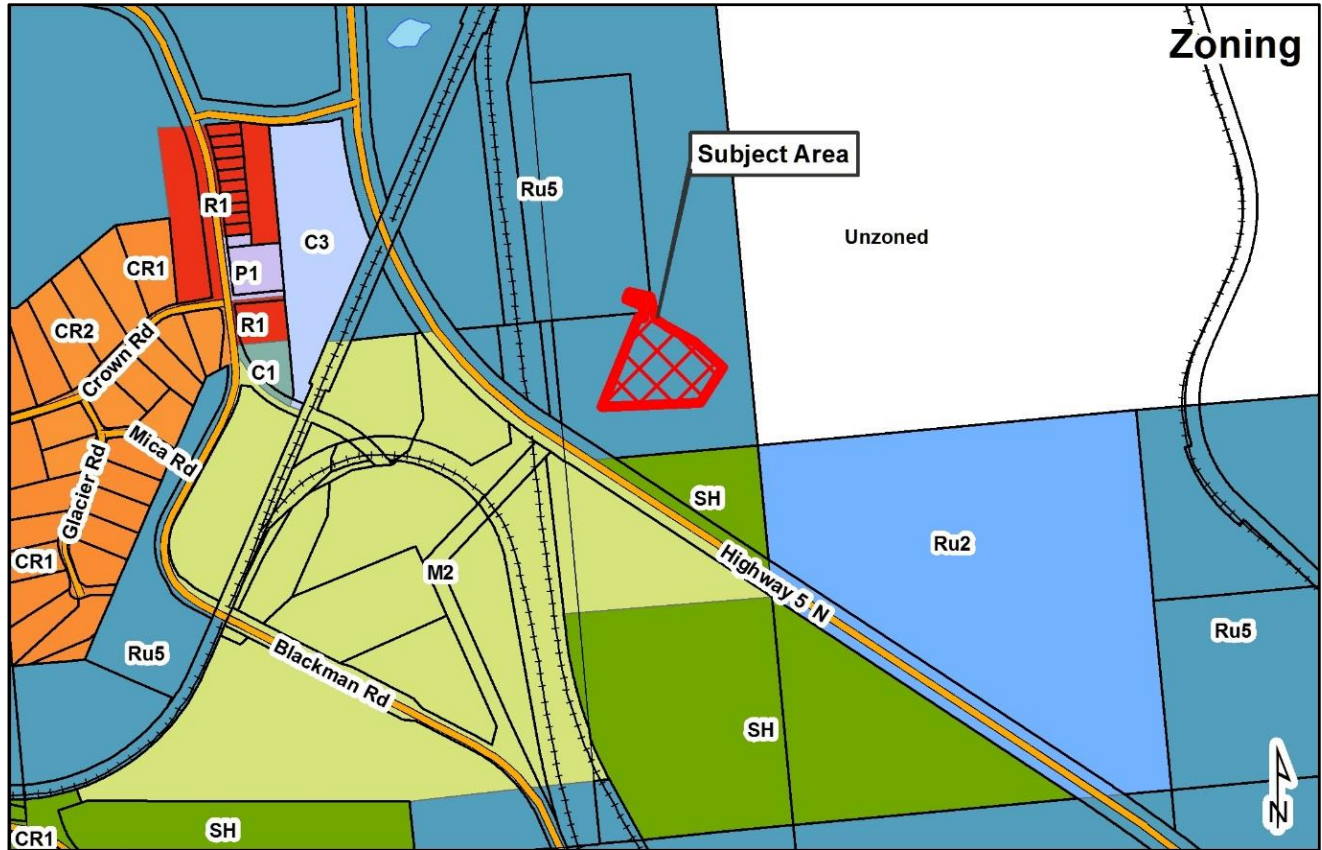
Official Community Plan (OCP):

The Robson Valley-Canoe Upstream Official Community Plan (OCP) designates the subject area as Agriculture/Resource (AG/RES). The AG/RES designation supports resource extraction uses, including preliminary resource processing. The OCP also supports issuance of TUPs throughout the Plan area. Should the applicant wish to operate permanently, an OCP amendment may be required.



**Zoning Bylaw:** The subject property is currently zoned Rural 5 (Ru5) by Zoning Bylaw No. 2892. The Ru5 zone does not permit Preliminary Resource Processing use, therefore, a TUP is required to allow the proposed use to continue.

For reference, Zoning Bylaw No. 2892 defines Preliminary Resource Processing as:  
*“the crushing, screening, washing, storing, packaging or other processing of rock, sand, gravel, aggregate or soil, originating on the same site and does not include asphalt plants or concrete plants.”*



**Fire Protection:** The subject area is not within a volunteer fire protection zone.

**Access:** The subject area is accessed by Highway 5 N.

**Temporary Use Permit:** The proposed TUP would allow the proposed uses on the subject property for up to a three year period. Hours of operations, number of employees, etc. can be regulated by a TUP. Upon expiry of the TUP, the applicant may apply for another TUP, apply for a zoning bylaw amendment, or discontinue the use. The conditions of the Permit are similar to TUP No. 220.

**Crown License of Occupation:** The applicant has applied to the province to increase the size of the existing licence of occupation (LoO) for the sand and gravel quarrying from the current 3.26 ha to 30.26 ha (Crown Land File: 7410007). The application is under review. The Regional District during the referral process advised should the applicant want to perform any Preliminary Resource Processing use in the area within the new LoO. A land use application will be required to permit preliminary use. TUP No. 253 would not encompass to the proposed expanse of the LoO.

**Future Applications:** If a Temporary Use Permit is issued, no further land use application will be required to establish this use.

Referral  
Agency  
Comments:

**Regional District Building Inspection**

No concerns. All buildings will require building permits.

*Dana Ferguson  
Senior Building Inspector*

**BC Hydro**

After reviewing our records regarding this application for the property located as noted above, BC Hydro has no objection to this proposal at this time.

**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 A.Sc.T.  
TELUS – Outside Plant Engineering*

**Ministry of Transportations and Infrastructure**

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.
- MoTI setback requirements to be followed as per Section 12 of the Provincial Undertakings Regulation ( here )

**Restriction on placement of buildings or other structures**

*12 An owner, occupier or lessee of land must not, without the consent of the minister, place or cause or allow to be placed any building, trailer, mobile home or other structure within the following distance from the property line fronting on any arterial highway within a municipality or on any highway in unorganized territory:*

- (a) if a public lane or alley provides secondary access to the property, 3 m;*
- (b) in any other case, 4.5 m.*

*Sydney Mellett  
Development Technician  
Fort George District*





---

**TEMPORARY USE PERMIT No. 253**

ISSUED TO: 0820758 B.C. LTD. and the Province of British Columbia

WITH RESPECT TO THE FOLLOWING LAND:

Part of Lot 1, District Lots 480, 5682, Plan 8448, Except Plan 17811, Plan 25095 And Part Of District Lot 5682, Cariboo District – Ministry of Forests, Lands, Natural Resource Operations & Rural Development Licence of Occupation #7410007  
PID:N/A

1. This Temporary Use Permit is issued pursuant to the *Local Government Act*.
2. The general purpose of this Permit is to allow a Preliminary Resource Processing use for a three-year period.
3. Notwithstanding that Zoning Bylaw No. 2892 does not allow for industrial uses on the subject area, this Temporary Use Permit specifically allows the following use on Part of Lot 1, District Lots 480, 5682, Plan 8448, Except Plan 17811, Plan 25095 And Part Of District Lot 5682, Cariboo District as shown on Appendix 'A' attached to and forming part of this permit:

Preliminary Resource Processing as defined by Zoning Bylaw No. 2892, means the crushing, screening, washing, storing, packaging or other processing of rock, sand, gravel, aggregate or soil, originating on the same site and does not include asphalt plants or concrete plants.

Subject to the following:

- a) Preliminary Resource Processing hours of operation: 7:00 a.m. – 7:00 p.m. Monday-Saturday.
- b) Operation Season: March 1 – November 30, each calendar year.
- c) In addition to the owners, three (3) employees are permitted.
- d) No drainage may be allowed to migrate off site.
- e) The processing of asphalt/bitumen/concrete, or any form of paving plant, is prohibited.
- f) All parking is to be on the subject area.
- g) All Preliminary Resource Processing is to take place within the established gravel pit.
- h) All operations, including reclamation, must be in accordance with the requirements of the sand and gravel permit issued by the Ministry of Energy, Mines and Low Carbon Innovation.
- i) Dust originating from the gravel operation, including onsite roads, shall be controlled at the source using equipment such as water sprayers and sprinkler trucks.
- j) Excessive noise shall be controlled at the source. Adequate mufflers shall be utilized on equipment to eliminate excessive noise.
- k) Upon completion of this project and should the Temporary Use Permit not be renewed, all screening and crushing machinery on the subject property for the use allowed by this Permit shall be removed.



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 years after the date of issuance.
7. The land shall be developed strictly in accordance with this Permit.

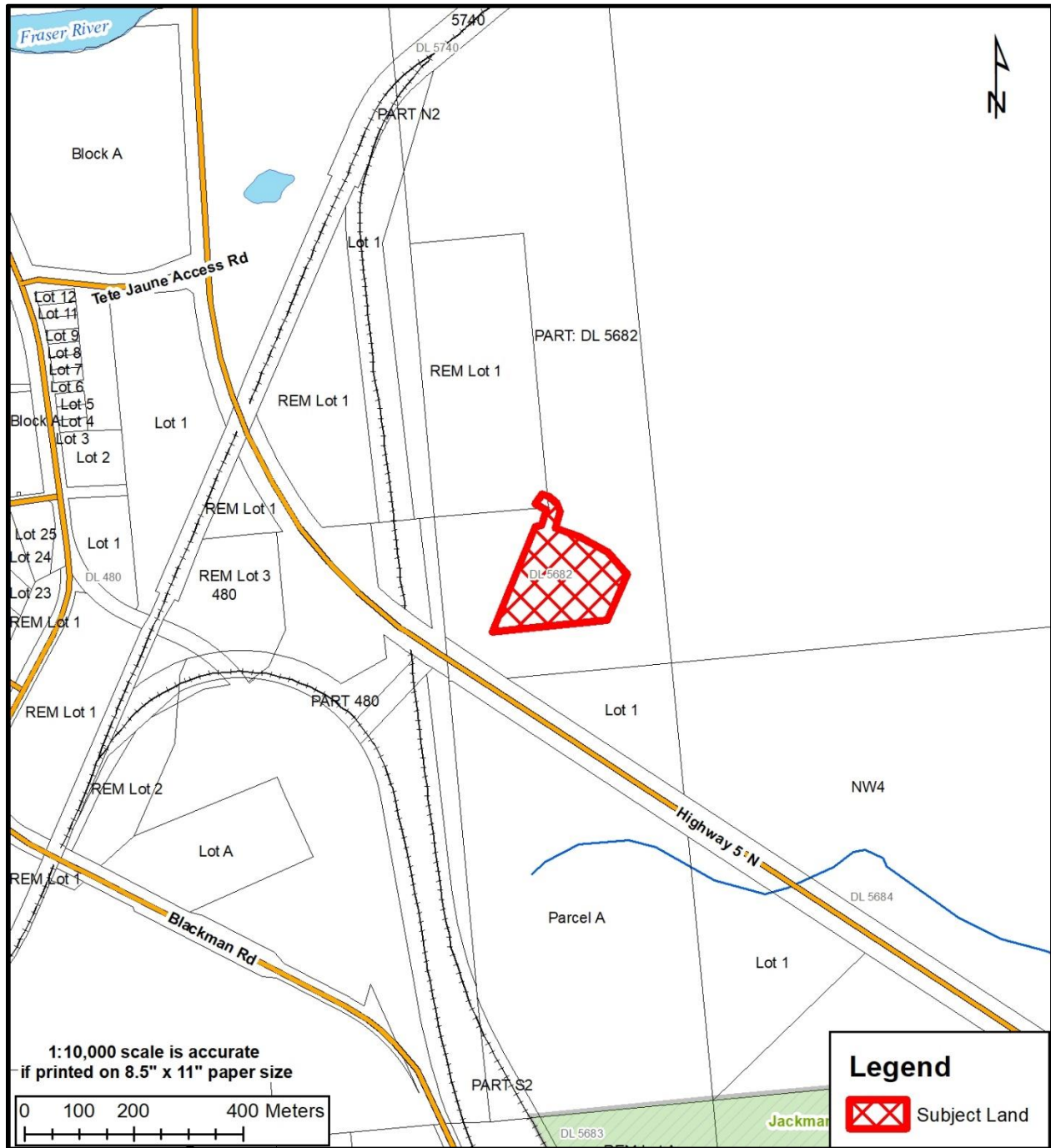
[The zoning on this property at date of issuance of this permit is Rural 5 (Ru5) pursuant to Zoning Bylaw No. 2892]

TEMPORARY USE PERMIT NO. 253 ISSUED BY RESOLUTION OF THE REGIONAL BOARD ON THE DAY OF , 2022.

---

K. JENSEN, GENERAL MANAGER OF  
LEGISLATIVE AND CORPORATE SERVICES

**APPENDIX 'A' ATTACHED TO TEMPORARY USE PERMIT No. 253**



APPENDIX 'A' ATTACHED TO AND FORMING PART OF TEMPORARY USE PERMIT No. 253

K. Jensen, General Manager of Legislative and Corporate Services