



REPORT

To: Chair and Directors

Report Number: DS-BRD-129

From: Kathy Suggitt, General Manager of Development Services

Date: March 25, 2021

Subject: Temporary Use Permit No. 21-001

RECOMMENDATION: [Corporate Unweighted]

That the Regional Board approve the renewal of Temporary Use Permit No. 17-214, to permit the continuation of a laydown area for light industrial storage on a ± 5.9 hectare portion of the property identified as PID 014-907-852, for a three year term expiring April 26, 2024.

BACKGROUND/RATIONALE:

Proposal

Pursuant to PRRD File No. 17-214, the applicant has an existing temporary use permit on a ± 5.9 ha (± 14.7 ac) portion of the subject property that permits a laydown area for light industrial storage that expires on April 26, 2021.

The applicant is seeking to renew the existing temporary use permit for a laydown area for light industrial storage for a period of three years. The *Local Government Act*, section 497 permits one extension only of a temporary use permit, for a maximum of three years. If approved, this will be the first and only extension allowed of this existing temporary use permit.

File Details

Owner: Curtis & Elizabeth Brewster
Agent: Aspen Grove Property Services
Area: Electoral Area E
Location: Chetwynd
Legal: District Lot 1912 Peace River District Lot
PID: 014-907-852
Lot Size: ± 83.52 ha (± 206.39 ac)

Site Context

The subject property is located immediately west of the District of Chetwynd's boundary, southwest of the Chetwynd Airport. The Pine River is directly south of the subject property and smaller residential lots are north of the subject property along the Hart Highway (97S).

Site Features

Land

Under the current temporary use permit, the footprint of the area being used for the laydown area is completely levelled and graveled and would continue as such under an extension if granted. However, the remainder of the subject property is a mix of forested and cultivated lands.

Structures

There are no existing structures on the subject property.

Access

Site access is from 50th Street SW (Water Treatment Plant Road). This road is in the jurisdiction of the District of Chetwynd.

Canada Land Inventory Soil Rating

Soils on the proposed TUP area have a CLI designation of 5c.

Class 5 soils have very severe limitations that restrict their capability in producing perennial forage crops, and improvement practices are feasible. Subclass C indicates adverse climate.

Comments & ObservationsAgricultural Land Commission (ALC)

The temporary use permit area is located outside the Agricultural Land Reserve.

Official Community Plan

Pursuant to PRRD West Peace Official Community Plan No. 2312, 2018 (OCP), the subject property is designated Agriculture Resource. The predominant use of land within the Agriculture Resource designation is agricultural or resource extraction. Policy 3.1.3.1 acknowledges that resource extraction activities are regulated by provincial and federal legislation, however, the outdoor storage of materials is not outlined in the OCP.

Section 6.1.2, policy 1 states temporary use permits will be considered throughout the area covered by the OCP. In reviewing a temporary use permit application, the following conditions will be considered:

Policy 6.1.2 Conditions of a Temporary Use Permit	Applicability
<i>a. Whether site remediation will be required;</i>	Very minimal site remediation will be required.
<i>b. Whether on-site servicing can be achieved;</i>	Not applicable.
<i>c. Whether the site is adjacent to a major road or railway track</i>	The site is not adjacent to a major road (50th Street SW).
<i>d. Whether the impacts to existing agricultural land and settlement areas will be kept to a minimum;</i>	The impacts to existing agricultural land and settlement areas will be kept to a minimum.
<i>e. Whether landscaping and buffering will be required in order to minimize affects to surrounding lands;</i>	As per the conditions in the existing temporary use permit, appropriate landscaping and buffering will be maintained around the property.

<i>f. Whether all the policies for the proposed land use have been met based on the relevant designation, as outlined in this Official Community Plan and,</i>	The subject lands are designated Agricultural Resource. Although this designation pertains to resource extraction, the use of the land for a laydown yard for light industrial storage is not outlined in the OCP.
<i>g. Whether the use is truly temporary in nature.</i>	Yes.

Table 1. Policy 6.1.2 Conditions of a Temporary Use Permit.

Therefore, based on the policies outlined in policy 6.1.2.1, the extension of a temporary use permit for a laydown yard for light industrial storage is permitted in the OCP.

Land Use Zoning

Pursuant to PRRD Zoning Bylaw No. 1343, 2001, the subject property is zoned A-2 (Large Agricultural Holdings Zone), which does not list a laydown yard as a permitted use.

In 2020, the landowner applied to the PRRD to rezone the subject property from A2 (Large Agricultural Holdings Zone) to I1 (Light Industrial) pursuant to Peace River Regional District Zoning Bylaw No. 1343, 2001. During the referral process, the District of Chetwynd indicated support for the proposed rezoning, however on the condition that access would be via a new access road or directly from Highway 97S. Through discussions between the applicant and District of Chetwynd, the applicant chose not to pursue the rezoning.

Therefore, the applicant is seeking to renew the existing temporary use permit which will allow the temporary use to continue for only another three years rather than on a permanent basis as would have been the case if it was rezoned. No additional renewals of the permit beyond this three year extension are permitted under the *Local Government Act*, Section 497.

Fire Protection Area

The subject property is located inside the Chetwynd Rural Fire Protection area.

Mandatory Building Permit Area

The subject property is inside the Mandatory Building Permit Area. However, the TUP does not require the construction of any structures, therefore, a building permit is not required.

Development Permit Area

The subject property is outside the Development Permit Areas.

Impact Analysis

Context

The subject property is directly west of the District of Chetwynd surrounded by agricultural parcels and the Pine River to the south.

Population & Traffic

The renewal of the existing proposed temporary use permit will not increase the existing volume of local traffic.

Sewage & Water

Sewage and water will not be required for the uses outlined in the proposed TUP.

Waiver/Security

The applicant has a private lease agreement in place for the use of the subject property, and the applicant must comply with all of the provisions of the lease, which specifies that upon completion of the temporary use permit, the land will be left in the condition that it was found in prior to the start of the original temporary use permit. As an agreement is already in place and no structures will be erected on the subject property, the PRRD did not request a security or waiver for this temporary use permit.

Comments Received from Municipalities & Provincial AgenciesDistrict of Chetwynd

At the Regular Council meeting held March 1, 2021, District of Chetwynd Mayor and Council adopted the following resolution:

“That Council advise the Peace River Regional District (PRRD) that it has no objections to PRRD File No. 21-001 TUP for Curtis and Elizabeth Brewster for District Lot 1912 PRD, PID 014-907-852 subject to the following:

- A tree buffer must maintain between the subject property and all water courses including the Pine River
- No servicing of vehicles or storage of fuel to take place on the subject property”

Ministry of Transportation and Infrastructure

The Ministry of Transportation and Infrastructure has no concerns with the proposal.

Northern Health

No comments on this application.

ALTERNATIVE OPTIONS:

1. That the Regional Board respectfully refuse the renewal of Temporary Use Permit No. 17-214, to allow a parking lot and laydown area for light industrial storage on a 5.9 hectare (14.7 acre) portion of the property identified as PID 014-907-852, with an expiry date of April 26, 2024.
2. That the Regional Board provide further direction.

STRATEGIC PLAN RELEVANCE:

- ☒ Not Applicable to Strategic Plan.

FINANCIAL CONSIDERATION(S):

None at this time.

COMMUNICATIONS CONSIDERATION(S):

The Regional Board’s decision will be communicated to the agent.

OTHER CONSIDERATION(S):

None at this time.

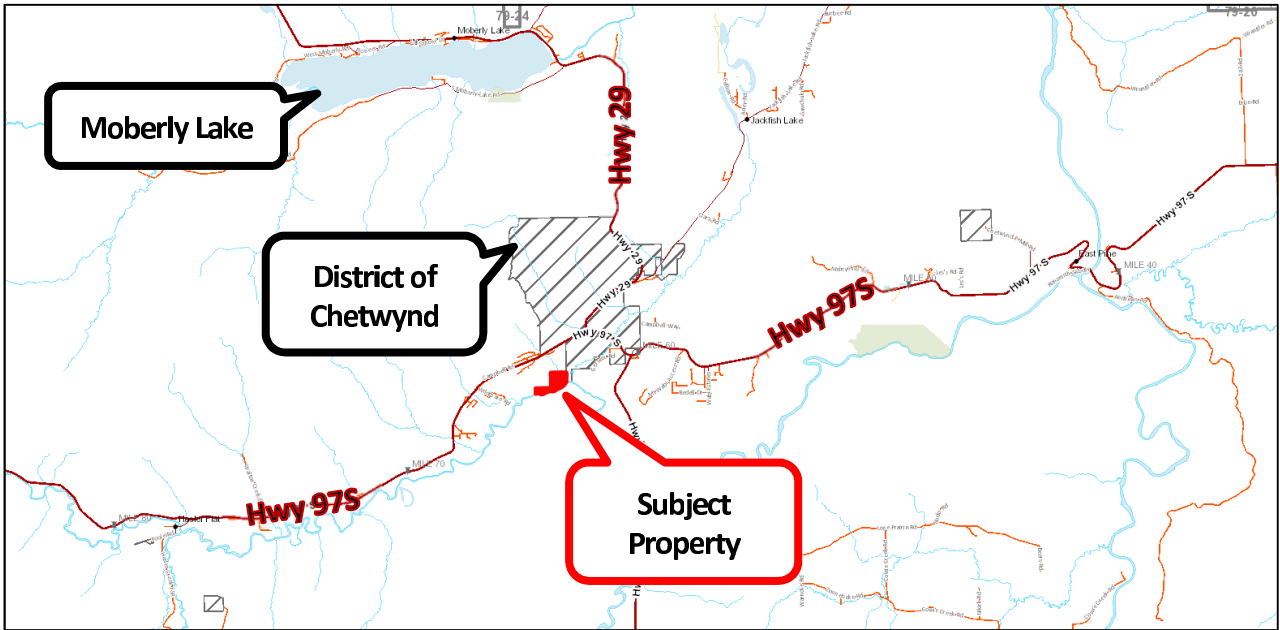
Attachments:

1. Maps
2. Application
3. Municipality and Provincial Agency Comments
4. Comments from Electoral Area Director
5. Draft of Temporary Use Permit No. 21-001

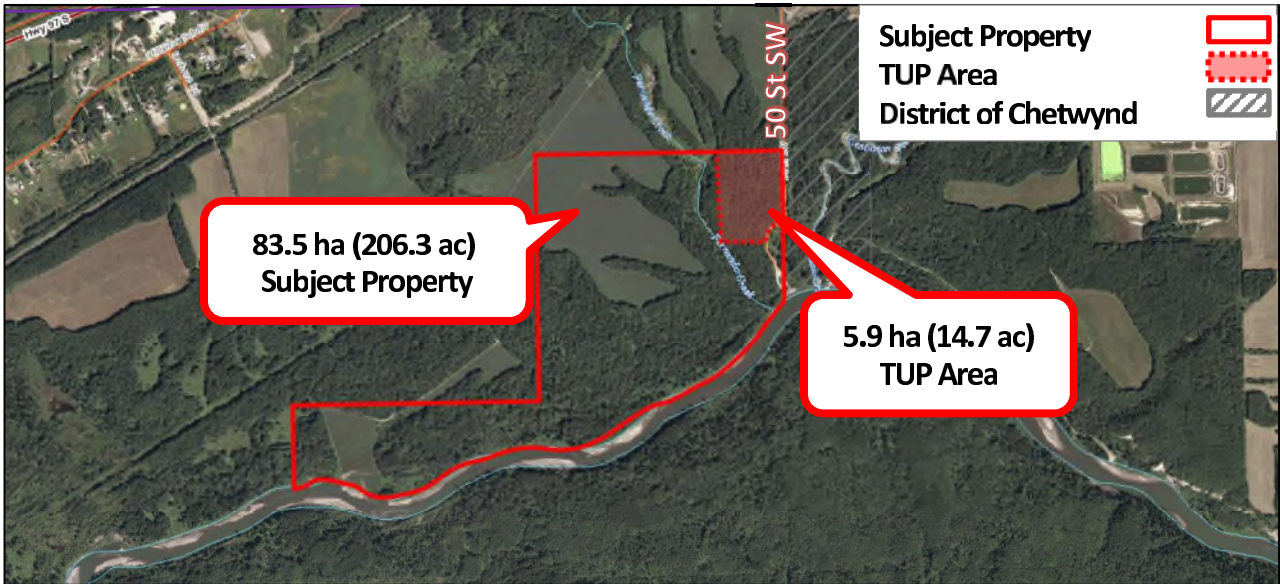
External Links:

1. [Temporary Use Permit 17-214](#)

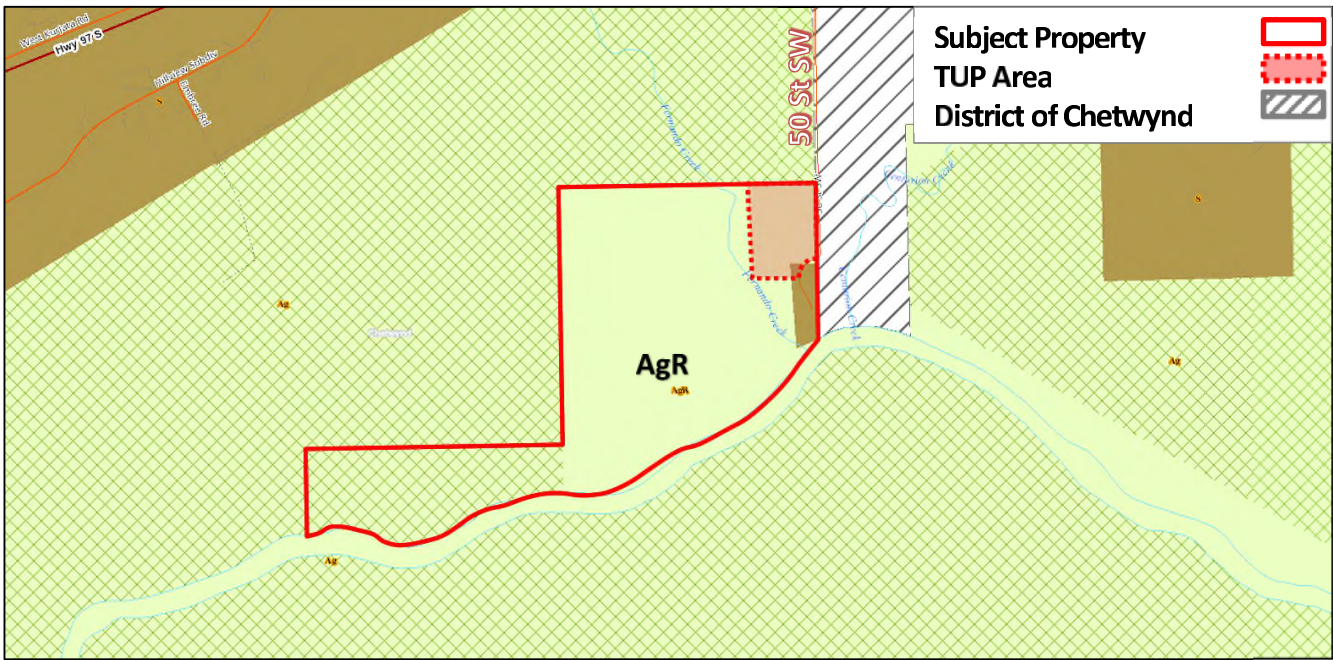
Location: Chetwynd



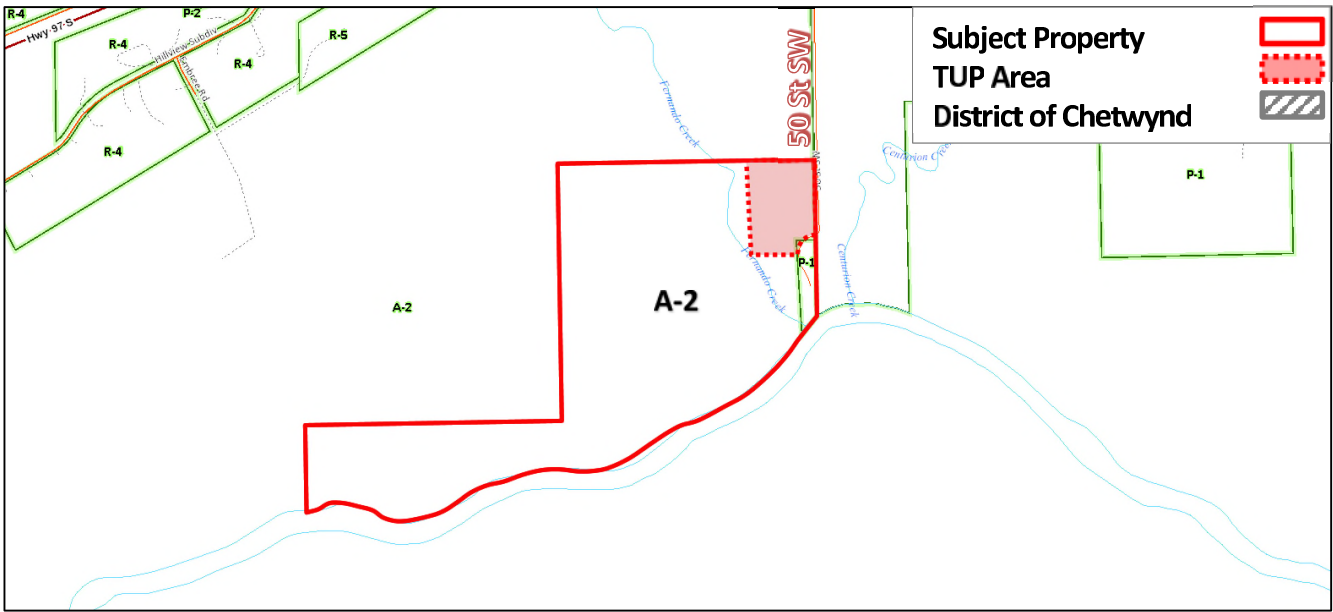
Aerial imagery



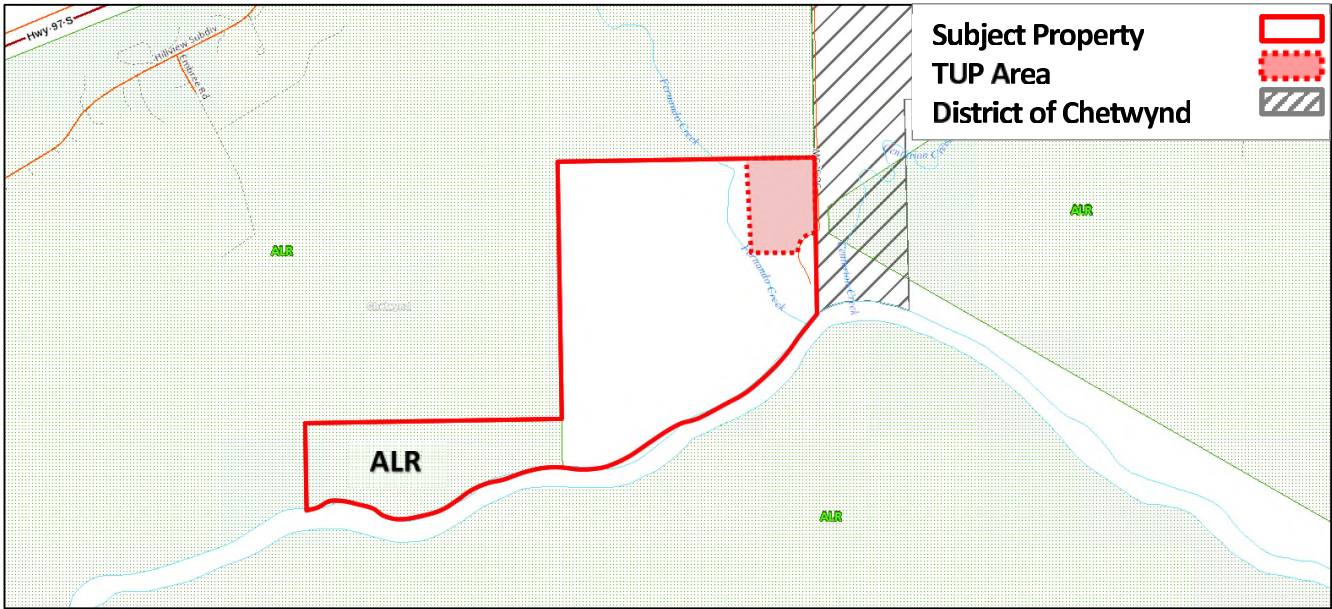
West Peace Fringe Area OCP Bylaw No. 2312, 2018: Agriculture Resource (AgR)



PRRD Zoning Bylaw No. 1343, 2001: Large Agricultural Holdings Zone (A-2)



Agricultural Land Reserve: Partially within





PEACE RIVER REGIONAL DISTRICT

DAWSON CREEK 1981 Alaska Avenue (Box 810), Dawson Creek, BC (T) 250-784-3200..(F) 250-784-3201
FORT ST. JOHN 9505 100TH Street, Fort St. John, BC V1J 4N4 (T) 250-785-8084 (F) 250-785-1125
[Toll Free: 1-800-670-7773]

Receipt # _____

Application for Development

1. TYPE OF APPLICATION

	FEE
☐ Official Community Plan Bylaw Amendment	\$ 1,000.00
☐ Zoning Bylaw Amendment	650.00
☐ Official Community Plan / Zoning Bylaw Amendment combined	1,050.00
☒ Temporary Use Permit	350.00
☐ Development Permit	165.00
☐ Development Variance Permit	165.00
☒ Sign requirement	150.00

In regard to applications for:

- i) an official community plan and/or zoning bylaw amendment;
- ii) temporary use permit;

Sign provided by the PRRD and sign posted pursuant to Section 8 of Bylaw No. 2165, 2016, **attached**.

2. PLEASE PRINT

Property Owner's Name Curtis Brewster & Elizabeth Brewster	Authorized Agent of Owner (if applicable) Aspen Grove Property Services
Address of Owner [REDACTED]	Address of Agent [REDACTED]
City/Town/Village [REDACTED]	City/Town/Village [REDACTED]
Postal Code [REDACTED]	Postal Code [REDACTED]
Telephone Number: [REDACTED]	Telephone Number: [REDACTED]
Fax Number: [REDACTED]	Fax Number: [REDACTED]
E-mail: [REDACTED]	E-mail: [REDACTED]

3. PROPERTY DESCRIPTION

Full legal description of each property under application	Area of each lot
District Lot 1912 Peace River District PID 014-907-852	14.7 acres out of 206.4 acres ha./acres
	ha./acres
	ha./acres
	TOTAL AREA 14.7 acres ha./acres

Notice of collection of personal information:

Personal information on this form is collected for the purpose of processing this application. The personal information is collected under the authority of the *Local Government Act* and the bylaws of the PRRD. Documentation/Information submitted in support of this application can be made available for public inspection pursuant to the *Freedom of Information and Protection of Privacy Act*.

4. Civic Address or location of property: Water Treatment Road, Chetwynd

5. PARTICULARS OF PROPOSED AMENDMENT

Please check the box(es) that apply to your proposal:

☐ Official Community Plan (OCP) Bylaw amendment:

Existing OCP designation: _____

Proposed OCP designation: _____

Text amendment: _____

☐ Zoning Bylaw amendment:

Existing zone: _____

Proposed zone: _____

Text amendment: _____

☐ Development Variance Permit – describe proposed variance request:

☒ Temporary Use Permit – describe proposed use:

Laydown yard for light industrial purposes

☐ Development Permit: Bylaw No. _____ Section No. _____

6. Describe the existing use and buildings on the subject property:

Existing TUP for laydown yard for Light Industrial storage purposes. PRRD TUP File No 17-214

7. Describe the existing land use and buildings on all lots adjacent to and surrounding the subject property:

(a) North Applicant's home quarter and residence

(b) East Vacant - Crown Land and District of Chetwynd Land - unuseable terrain

(c) South Remainder of parent parcel and Pine River

(d) West Remainder of parent parcel and applicant's other holdings

8. Describe the proposed development of the subject property. Attach a separate sheet if necessary:

The subject property has been cleared, leveled and graveled and currently, there is an operating Temporary laydown yard for Light Industrial storage purpose. The applicants are requesting a 3 year extension for their current TUP.

9. Reasons and comments in support of the application. Attach a separate sheet if necessary:

There is need for Light Industrial land in and bordering the District of Chetwynd. This property has an existing TUP - issued April 26, 2018 - PRRD File No 17-214. The present activities and land use, including all attached conditions, will remain the same, as specified in the existing TUP. (see attached TUP)

10. Describe the means of sewage disposal for the development:

Not applicable - this is a passive industrial site.

11. Describe the means of water supply for the development:

Not applicable.

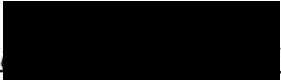
THE FOLLOWING INFORMATION IS REQUIRED. FAILURE TO PROVIDE MAY DELAY YOUR APPLICATION.

12. Proof of ownership of the subject property or properties. (For example: Certificate of State of Title, BC Land Title Office Property Title Search or recent Property Tax Notice.)
13. A Sketch Plan of the subject property or properties, showing:
- (a) the legal boundaries and dimensions of the subject property;
 - (b) boundaries, dimensions and area of any proposed lots (if subdivision is being proposed);
 - (c) the location of existing buildings and structures on the subject property, with distances to property lines;
 - (d) the location of any proposed buildings, structures, or additions thereto, with distances to property lines;
 - (e) the location of any existing sewage disposal systems;
 - (f) the location of any existing or proposed water source.

ADDITIONAL OR MORE DETAILED INFORMATION MAY BE REQUESTED BY THE PEACE RIVER REGIONAL DISTRICT FOLLOWING REVIEW OF YOUR APPLICATION.

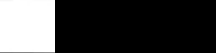
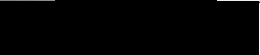
If it is necessary for the property boundaries and the location of buildings and structures to be more accurately defined, a plan prepared by a British Columbia Land Surveyor may be required.

15. I / We the undersigned hereby declare that the information provided in this application is complete and is, to the best of my / our knowledge, a true statement of the facts related to this application.

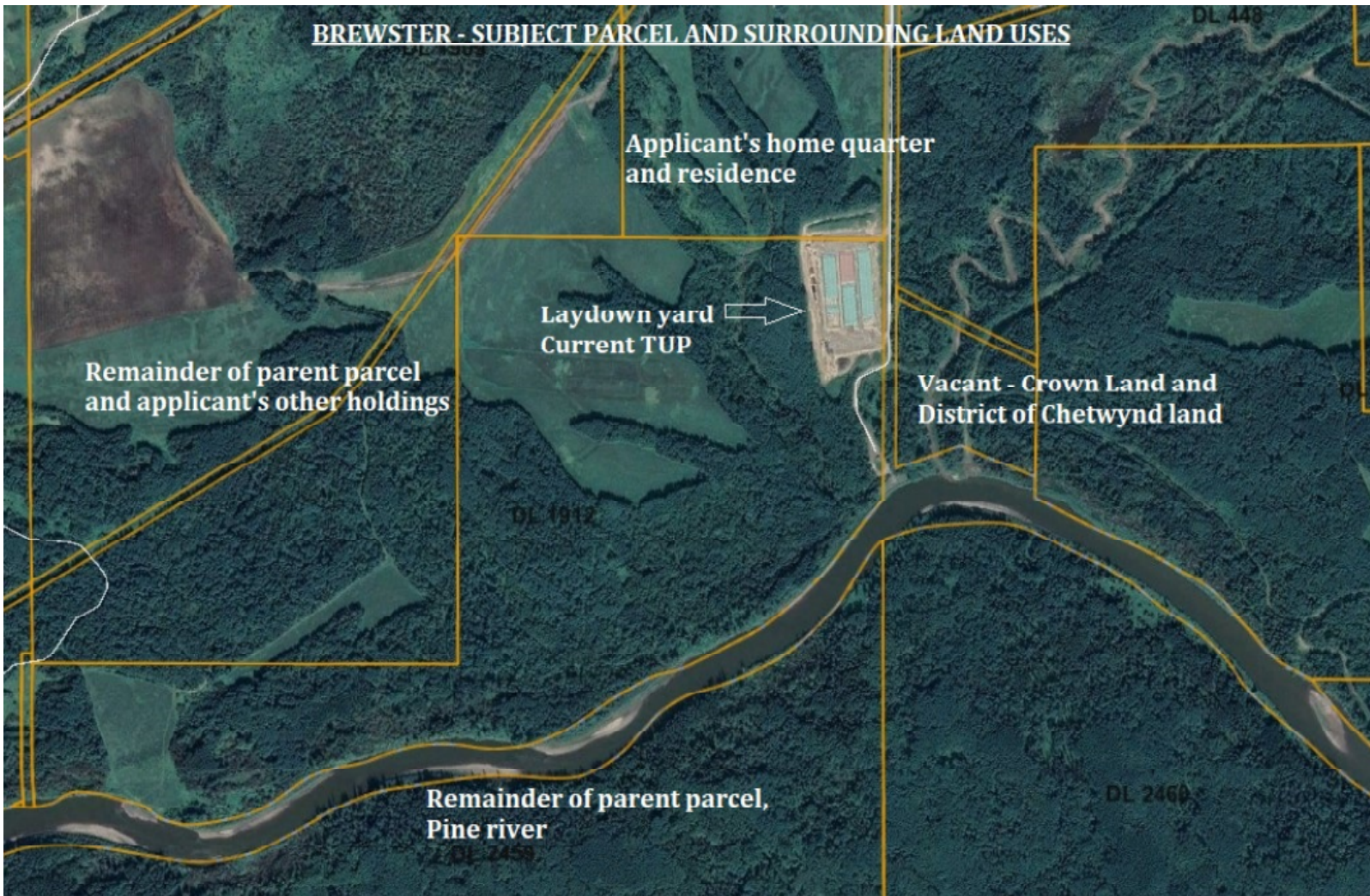
	January 27, 2021
Signature of Owner	Date signed
	January 27, 2021
Signature of Owner	Date signed

16. **AGENT'S AUTHORIZATION**

If you have an agent act on your behalf in submission of this application, the following authorization **MUST** be signed by **ALL** property owners.

I / We authorize	Curtis Brewster	and	Elizabeth Brewster	hereby
(name)	Sheila Murray or Anne Clayton of Aspen Grove Property Services	to act on my/our behalf regarding this TUP application		
Agent address:				
Telephone:		Fax:		Email: 
Signature of Owner:		Date:	January 27, 2021	
Signature of Owner:		Date:	January 27, 2021	

BREWSTER - SUBJECT PARCEL AND SURROUNDING LAND USES





District of Chetwynd

Box 357
Chetwynd, BC
Canada V0C 1J0

tel: (250) 401-4100
fax: (250) 401-4101
email: d-chet@gochetwynd.com

March 2, 2021

Peace River Regional District
P.O. Box 810
Dawson Creek, BC V1G 4H8
By email: jack.peckham@prrd.bc.ca

Attention: Jack Irving-Peckham, South Peace Land Use Planner

Dear Mr. Peckham:

Re: PRRD File #21-001 TUP for District Lot 1912 PRD, PID 014-907-852 (Brewster Referral)

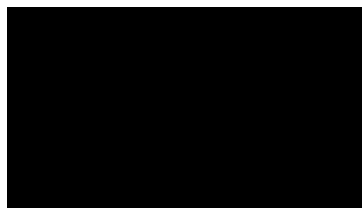
At the Regular Council meeting held March 1, 2021, District of Chetwynd Mayor and Council adopted the following resolution:

“THAT Council advise the Peace River Regional District (PRRD) that it has no objections to PRRD File No. 21-001 TUP for Curtis and Elizabeth Brewster for District Lot 1912 PRD, PID 014-907-852 subject to the following:

- A tree buffer must be maintained between the subject property and all water courses including the Pine River;
- No servicing of vehicles or storage of fuel to take place on the subject property.”

Thank you for this opportunity to participate in the referral process.

Yours Truly,



Vision Statement

Chetwynd exists in order that area residents have sustainable opportunities for
Security, Health, Safety and Prosperity
in surroundings that display the best of our natural environment.

BOARD - March 23, 2021

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Peace River Regional District
PO Box 810
1981 Alaska Avenue
Dawson Creek, BC V1G 4H8

Attention: Jack Peckham, South Peace Land Use Planner

The Ministry of Transportation and Infrastructure (MoTI) has received and reviewed your referral dated February 18, 2021 to extend an existing temporary use permit (PRRD File No. 17-214) to continue the uses of a parking lot and laydown yard for light industrial storage for another three year within DISTRICT LOT 1912 PEACE RIVER DISTRICT.

The Ministry of Transportation and Infrastructure has no concerns with the proposal.

Thank you for the opportunity to comment. If you or the proponent have any questions or concerns, please contact [REDACTED] or by email at [REDACTED].

Sincerely,

[REDACTED]



PEACE RIVER REGIONAL DISTRICT

Memorandum

TO: Dan Rose, Director of Electoral Area E
FROM: Development Services Department
DATE: February 18, 2021
RE: **Application for Temporary Use Permit (PRRD File No. 21-001)**

Pursuant to the following resolution:

RD/15/04/26 (23)

That a two-week period be added to the development application review process to allow time for the appropriate Electoral Area Director to review applications prior to them going to the Regional Board for consideration.

The application and bylaw are provided for your review. As instructed at the November 21, 2019 EADC meeting, referrals to Directors will be done earlier in the application review process, at the same time as external agency referrals. As a result, this referral does not include external agency comments or a staff report.

COMMENTS

Response requested by March 4, 2021

No comment ☐

What is the zoning of the District of Chetwynd property to the North. Is it possible to subdivide the Tup area from the larger parcel as this is a renewal as per our policy of asking that rezoning be attempted. Is the proponent interested a rezoning. Is the district of Chetwynd opposed to a subdivision and a rezoning.

Dan Rose
Director/Municipality

Feb 19, 2021
Date

diverse. vast. abundant.

PLEASE REPLY TO:

☒ Box 810, 1981 Alaska Ave, Dawson Creek, BC V1G 4H4 Tel: (250) 785-8084 Fax: (250) 784-3201 Email: prrd.dc@prrd.bc.ca
☐ 9905 100 St, Fort St John, BC V1J 4N4 Tel: (250) 785-8084 Fax: (250) 785-1129 Email: prrd.fsj@prrd.bc.ca

BOARD - March 25, 2021

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PEACE RIVER REGIONAL DISTRICT

TEMPORARY USE PERMIT NO. 21-001

PART A – PERMIT HOLDER

1. **Issued to:** Curtis & Elizabeth Brewster
2. **Address:** P.O Box 1542
Chetwynd, BC
V0C 1J0

PART B – PROPERTY INFORMATION

1. **Property affected**
 - i. **Legal Description:** DISTRICT LOT 1912 PEACE RIVER DISTRICT
 - ii. **PID:** 014-907-852
 - iii. **Landowner:** Curtis N. Brewster; Elizabeth L. Brewster
 - iv. **Landowner Address:** P.O Box 1542
Chetwynd, BC, V0C 1J0
2. **Official Community Plan**
 - i. **Bylaw:** West Peace Fringe Area OCP Bylaw No. 2312, 2018
 - ii. **Designation:** Agricultural Resource
3. **Zoning Bylaw**
 - i. **Bylaw:** PRRD Zoning Bylaw No. 1343, 2001
 - ii. **Zone:** A-2 (Large Agricultural Holdings Zone)

PART C – PERMIT SPECIFICATIONS

Development upon the land referenced in this permit shall conform to the following specifications and terms:

1. This Temporary Use Permit is valid up to and including the April 26, 2024, at which time it shall expire and the property affected by this permit will be subject to the applicable zoning regulations.
2. The 5.9 ha (14.7 ac) portion of the property referenced in Item B (1) above and shown on Schedule A may be used for the following temporary purposes in addition to those permitted by the zoning applicable to the property for the duration of the permit:
 - i. Laydown yard for light industrial storage (as indicated on Schedule 'B');
3. The conditions of the Temporary Use Permit are as follows:

- i. Permit to be posted on site for its duration.
 - ii. Compliance with all statutory and bylaw requirements.
 - iii. The temporary use may occur on the noted area of the property as shown on Schedule 'A' attached to and forming a part of this permit.
 - iv. That a natural landscape buffer a minimum of 6 metres in width be retained around the perimeter of the subject property.
 - v. That no servicing of any vehicle(s) or equipment be performed within the light industrial storage yard.
 - vi. Throughout the duration of this temporary use permit, all conditions detailed in the lease agreement between the landowner and the applicant must be adhered to.
 - vii. Upon the expiration of this temporary use permit, the site must be restored to conditions compliant with the applicable zoning in the Peace River Regional District Zoning Bylaw No. 1343, 2001 and cleared of materials used during the temporary use permit.
4. All terms and specifications referred to above are subject to any changes required by the Building Inspector or other officials of the Peace River Regional District where such terms and specifications do not comply with any duly enacted law or bylaw and such noncompliance is not specifically permitted by this Temporary Use Permit.
5. THIS IS **NOT** A BUILDING PERMIT.

Issued this _____ day of _____, 20__.

This permit is authorized by Peace River Regional District Board Resolution No. _____ passed on the DAY of MONTH, 2021.

Authorized Signatory

Schedule 'A' (Temporary Use Permit Map) is attached to and forms part of Temporary Use Permit No. 21-001.



Peace River Regional District
SCHEDULE "A"
Temporary Use Permit
No. 21-001

