



REPORT

To: Chair and Directors

Report Number: DS-BRD-308

From: Ashley Murphey, RPP, MCIP, Planning Services Manager

Date: May 18, 2023

Subject: Temporary Use Permit No. 23-001

RECOMMENDATION: *[Corporate Unweighted – excluding Pouce Coupe]*

That the Regional Board respectfully refuse Temporary Use Permit No. 23-001, to allow an asphalt plant on the property identified as PID: 009-937-072 for a term of 3 years, as the subject property is within the Geotechnical Study Area of the North Peace Fringe Area Official Community Plan, Bylaw 2460, 2021 wherein further analysis is required with regards to slope stability being undertaken by the Ministry of Transportation, prior to other land uses being considered.

BACKGROUND/RATIONALE:

Proposal

To operate a 150 tonne asphalt plant within the existing gravel quarry, to support local construction projects for Knelsen Sand and Gravel.

File Details

Owner: Deasan Holdings Ltd.
Agent: Knelsen Sand & Gravel Ltd. c/o Joe Hustler
Area: Electoral Area C
Location: Fort St. John
Legal: LOT 1 SECTION 19 TOWNSHIP 83 RANGE 18 WEST OF THE 6TH MERIDIAN PEACE RIVER DISTRICT PLAN 20464
PID: 009-937-072
Civic Address: 9909 240 Road
Lot Size: 20.91 ha

Site Context

The subject property is located south of the City of Fort St. John and immediately north of Old Fort. The immediately adjacent parcels to the north and east are zoned I-1 (Light Industrial), while the parcels to the west and south are zoned A-2 (Large Agricultural Holdings). There are numerous Residential 3 (R-3) zoned parcels a bit further north and west of the subject property.

Background

There is an existing covenant on title which restricts development of the property within ± 172 m of the southern parcel line. The covenant was registered on title through an OCP and Zoning Amendment process in 2017, noted below. A copy of the covenanted buffer area plan is attached to this report.

July 8, 2015: The PRRD received Zoning Amendment application No. 141/2015 for Zoning Amendment Bylaw No. 2214, 2015 to rezone the subject properties from A-2

Large Agricultural Holdings Zone to I-2 General Industrial Zone to allow for the development of a shop and storage yard.

- February 25, 2016: The Regional Board refused Zoning Amendment Bylaw No. 2214, 2015.
- July 15, 2016: The PRRD received OCP and Zoning Amendment application No. 168/2016 for OCP Amendment Bylaw No. 2213, 2016 and Zoning Amendment Bylaw No. 2271, 2016 to re-designate the subject properties from Medium Density Residential (MDR) to Light Service Industrial (LSI) and to rezone them from Large Agricultural Holdings Zone (A-2) to Light Industrial (I-1) Zone to permit the development of a truck shop, office and equipment storage site.
- March 9, 2017: The PRRD gave OCP & Zoning Amendment Bylaws No. 2213 & 2271, 2016 3rd reading and required that a no-build covenant be registered on the subject properties prior to adoption.
- July 13, 2017: The PRRD adopted OCP & Zoning Amendment Bylaw No. 2213 & 2271, 2016.
- August 31, 2022: The PRRD received a complaint regarding the operation of a campground and asphalt plant at 9911 and 9909 240 Road.
- December 5, 2022: The PRRD closed the enforcement file as the campground had been removed and the asphalt plant had ceased operations.

Site Features

Land

The subject property is cleared and is an active gravel quarry. The quarry operations span onto the property to the north.

Structures

There are no permanent structures located on the subject property.

Access

The subject property is accessed via the 240 Road. The applicant has submitted a plan which shows the existing haul route that would be used to transport asphalt.

Comments & Observations

Applicant

The property is being used as a gravel pit. There is a scale house and scale on site for the gravel operations. Activities on site include excavation, aggregate crushing, materials hauling, and reclamation. The asphalt plant is proposed to be located so as not to conflict with the sand and gravel operation.

Agricultural Land Reserve (ALR)

The subject property is outside the Agricultural Land Reserve.

Official Community Plan (OCP)

Pursuant to the North Peace Fringe Area Official Community Plan Bylaw No. 2460, 2021, the subject property is designated Geotechnical Hazard Study Area. These lands are intended to have further analysis completed with regards to geotechnical hazards and rely upon work being conducted by other agencies such as the Ministry of Transportation and Infrastructure before determining final land use designations and permitted uses. This analysis has yet to commence and is anticipated to begin in 2023.

Until such time as the Geotechnical Hazard Study Area analysis has been completed, staff are not in support of the issuance of this Temporary Use Permit, as no new uses should be considered within this area without the benefit of more information to help make an informed recommendation to the Board.

Land Use Zoning

Pursuant to Zoning Bylaw No. 1343, 2001, the subject property is zoned I-1 (Light Industrial). Land within this zone may be used for automotive service station, mining including gravel extraction and processing facilities. The minimum parcel size is 1.8 ha.

An asphalt plant is not a permitted use within the I-1 zone; therefore, this Temporary Use Permit is required.

An asphalt plant is a permitted use within the A-2 (Large Agricultural Holdings) and A-1 (Small Agricultural Holdings) zones; however, they can operate for a maximum period of eight (8) months at a time, otherwise requiring an application for rezoning.

An asphalt plant is also a permitted use within the I-2 (General Industrial) zone. Typically because of the nature of I-2 uses being more noxious and impactful based on things such as odour and noise, properties zoned I-2 are intended to be situated further away from more sensitive land uses such as residential.

There are numerous alternative properties within the PRRD that could support the proposed asphalt plant without requiring a Temporary Use Permit. Therefore, staff are not in support of the proposal.

Fire Protection Area

The subject property is within the Fort St. John Rural Fire Protection Area.

Mandatory Building Permit Area

The subject property is within the Mandatory Building Permit Area. A building permit is not required for the proposed temporary asphalt plant as no structure is being erected.

Development Cost Charge Area

The subject property is outside the Development Cost Charge Area.

School District 60 School Site Acquisition Charge Area

The subject property is within the School District 60 School Site Acquisition Charge Area. However, the charge is not applicable at this time because no new residential lots are proposed.

Impact AnalysisContext

The proposed use of asphalt plant is a more intensive use than currently permitted in the Light Industrial Zone due to the noxious odours produced. The prevailing winds in this area come from the south-east which has the potential to direct noxious odours towards the existing residences to the north.

The proposed asphalt plant is located within the Geotechnical Hazard Study Area Lands. It is staff's understanding that the Ministry of Transportation is continuing studies within this area to determine slope stability with regards to the Old Fort Road.

A slope stability report relied upon by the proponent for the resumption of their quarry activities through the Ministry has indicated that a minimum setback of 160 m must be maintained from the boundary of the lower pit. The proposed location of the asphalt plant complies with this setback.

Population & Traffic

Population is not anticipated to increase as a result of the proposed Temporary Use Permit, however traffic is anticipated to increase as trucks transport asphalt from the site.

Sewage & Water

The applicant is proposing portable toilets on site.

Comments Received from Municipalities & Provincial AgenciesPRRD GIS:

No Concerns.

Bylaw Enforcement

A gravel pit zoned I-1 is an appropriate location for an asphalt plant. The current zoning bylaw allows an asphalt plant for 8 continuous months per year in an A-1 or A-2 zone. The future region wide zoning bylaw is likely to include this use as a permitted use on a property such as this. Although this land is within the Geotechnical Study Area, the applicants have already had a Geotechnical Study done and no permanent structures are proposed. The type of traffic and activity on this property is not going to change as a result of this use.

Fort St. John Fire

Adequate water supply is an issue. Access will need to be maintained at all times to support emergency apparatus response. A fire safety plan may be required.

Comments Received from the Public

In advance of notifications being sent, the PRRD received comments from a neighbouring property owner expressing opposition to the proposed temporary use permit application. Once formal notice was sent out, the PRRD received three other comments, one from the same property owner as the first comment, and two others. The comments received are provided as an attachment to this report.

ALTERNATIVE OPTIONS:

1. That the Regional Board authorize the issuance of Temporary Use Permit No. 23-001, to allow an asphalt plant on the property identified as PID: 009-937-072 for a term of 3 years.
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 applicant.

OTHER CONSIDERATION(S):

The *Local Government Act* would allow for the consideration of a one-time only renewal of a Temporary Use Permit by the Regional Board for an additional three year period if the TUP is approved.

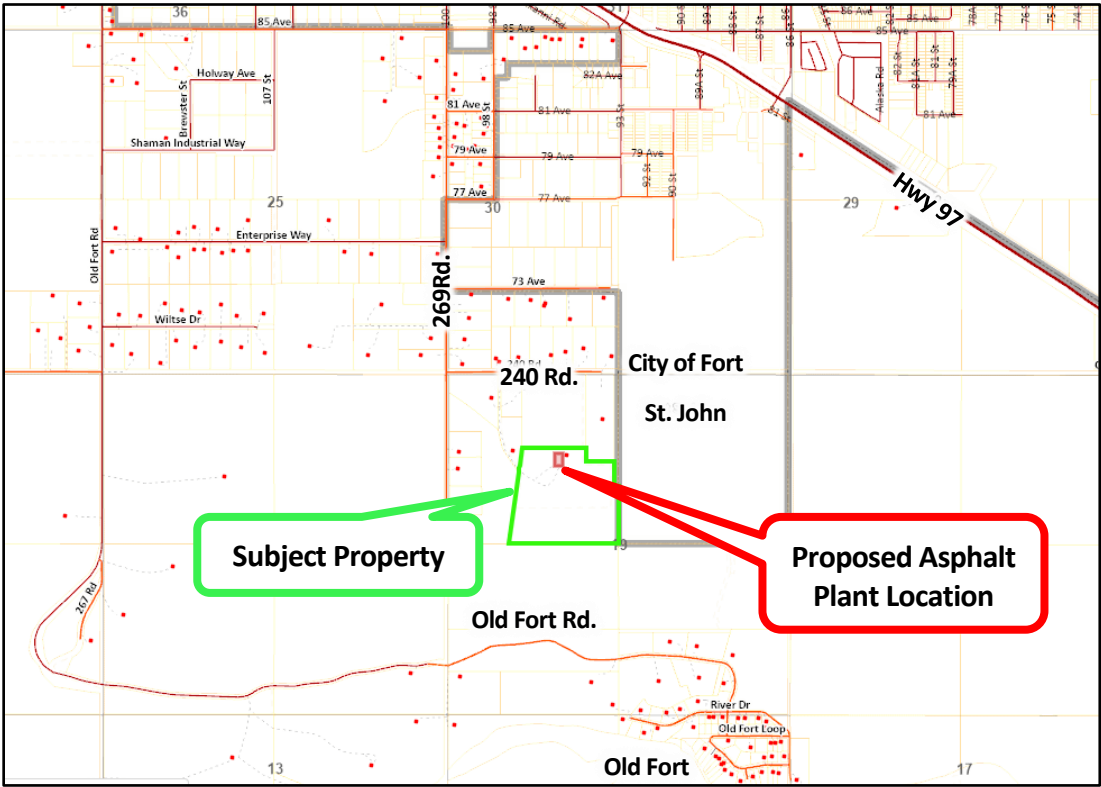
Attachments:

1. Maps, PRRD File No. 23-001 TUP
2. Covenanted Buffer Plan, PRRD File No. 23-001 TUP
3. Application, PRRD File No. 23-001 TUP
4. Public Comments Received for 23-001
5. Temporary Use Permit No. 23-001

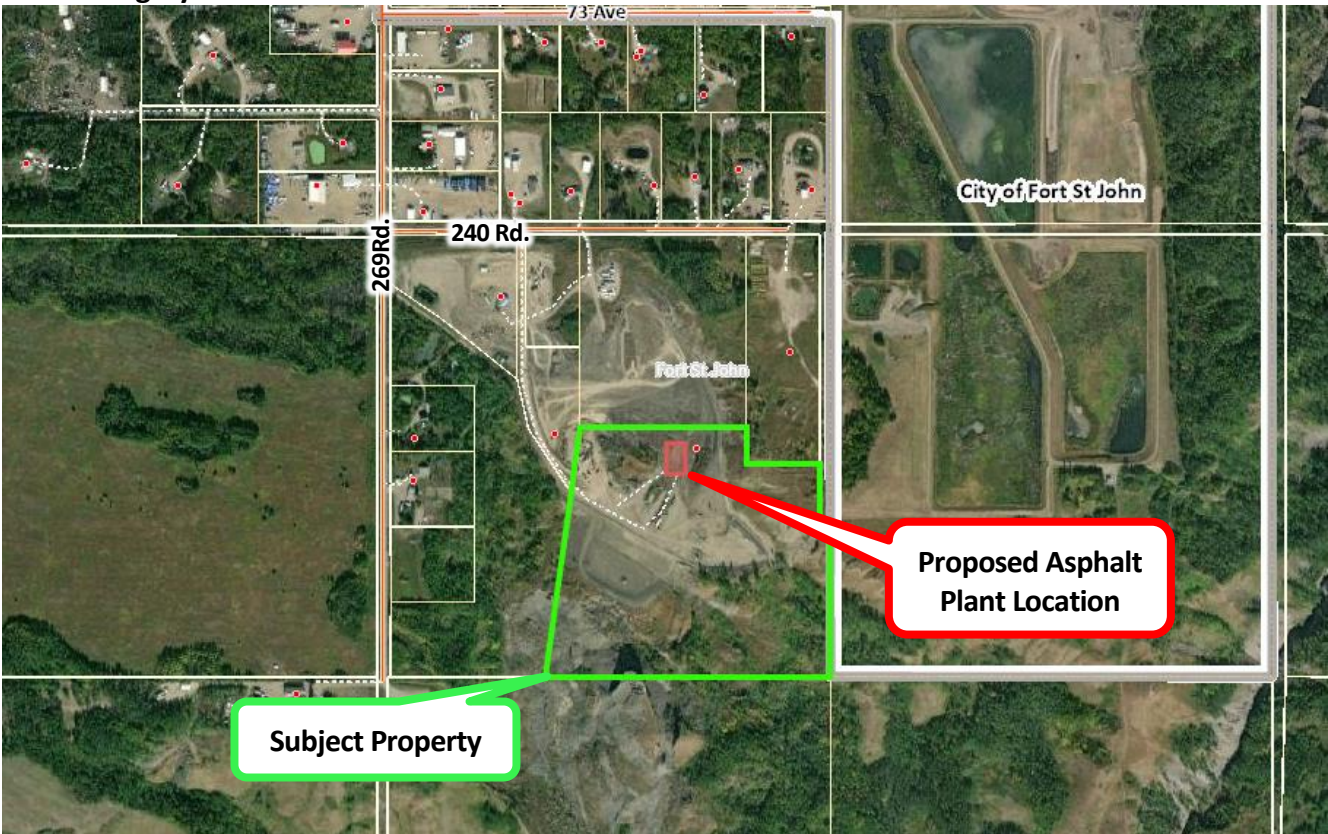
External Links:

1. [Zoning Amendment Bylaw No. 2214, 2015 \(Blair's Sand and Gravel Ltd.\)](#) Refusal Report – See Item 11 (B-2)
2. [Official Community Plan Amendment Bylaw No. 2213, 2016 and Zoning Amendment Bylaw No. 2271, 2016 \(Blair's Sand and Gravel Ltd.\)](#) Third Reading Report – See Item 11 (B-2)
3. [Official Community Plan Amendment Bylaw No. 2213, 2016 and Zoning Amendment Bylaw No. 2271, 2016 \(Blair's Sand and Gravel Ltd.\)](#) Adoption Report – See Item 11 (B-3)

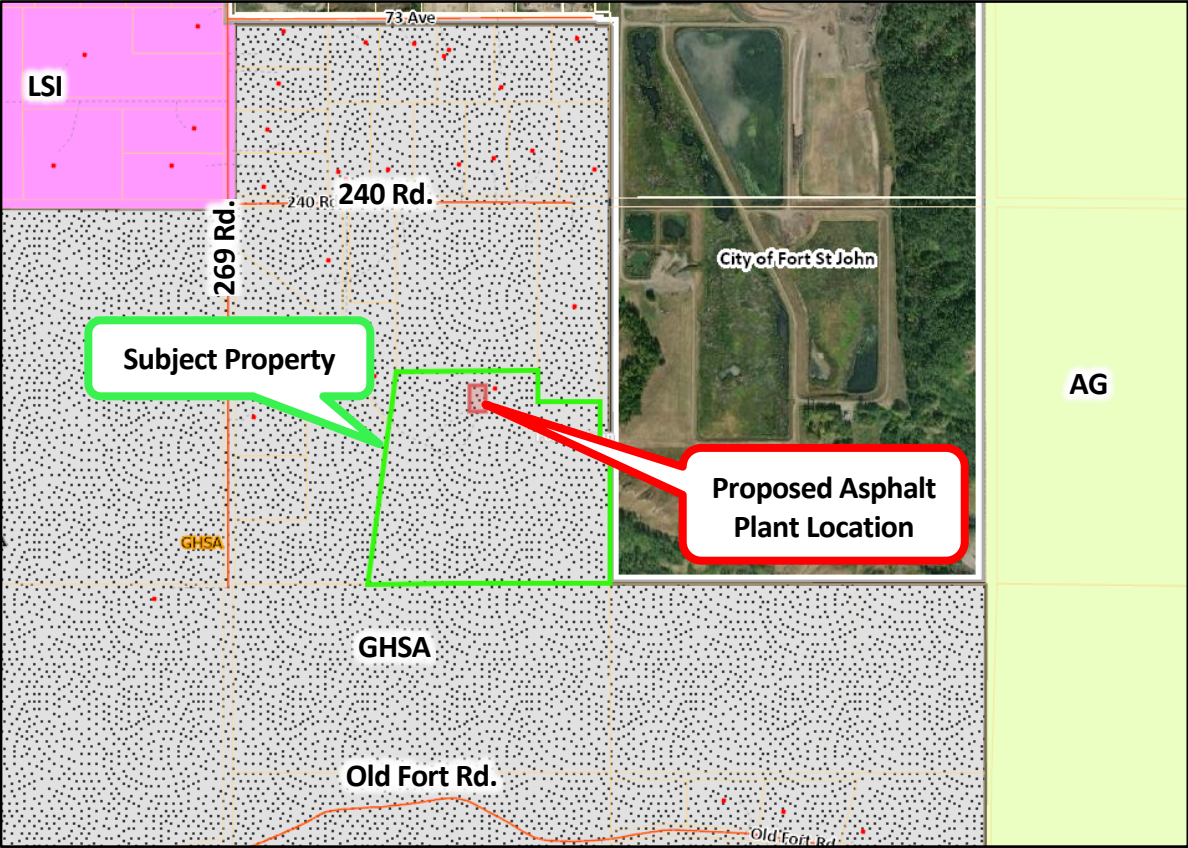
Location: Fort St. John Area



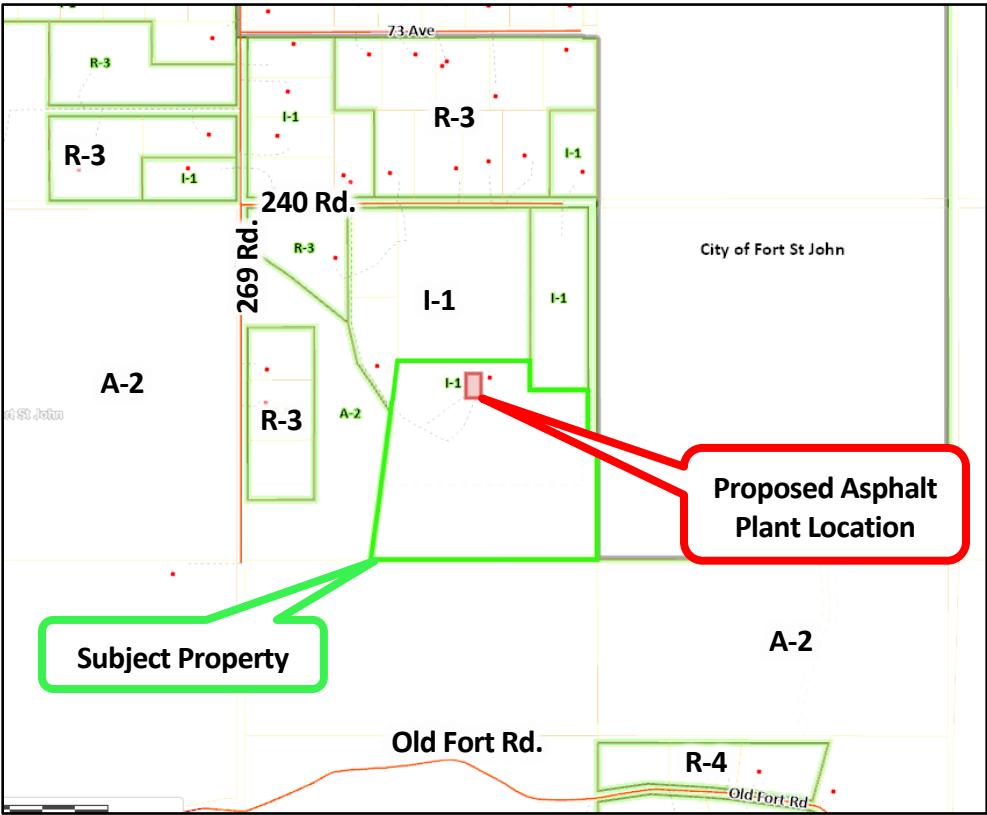
Aerial Imagery



PRRD NPFA Official Community Plan Bylaw No. 2460, 2021: Geotechnical Study Area (GHSA)

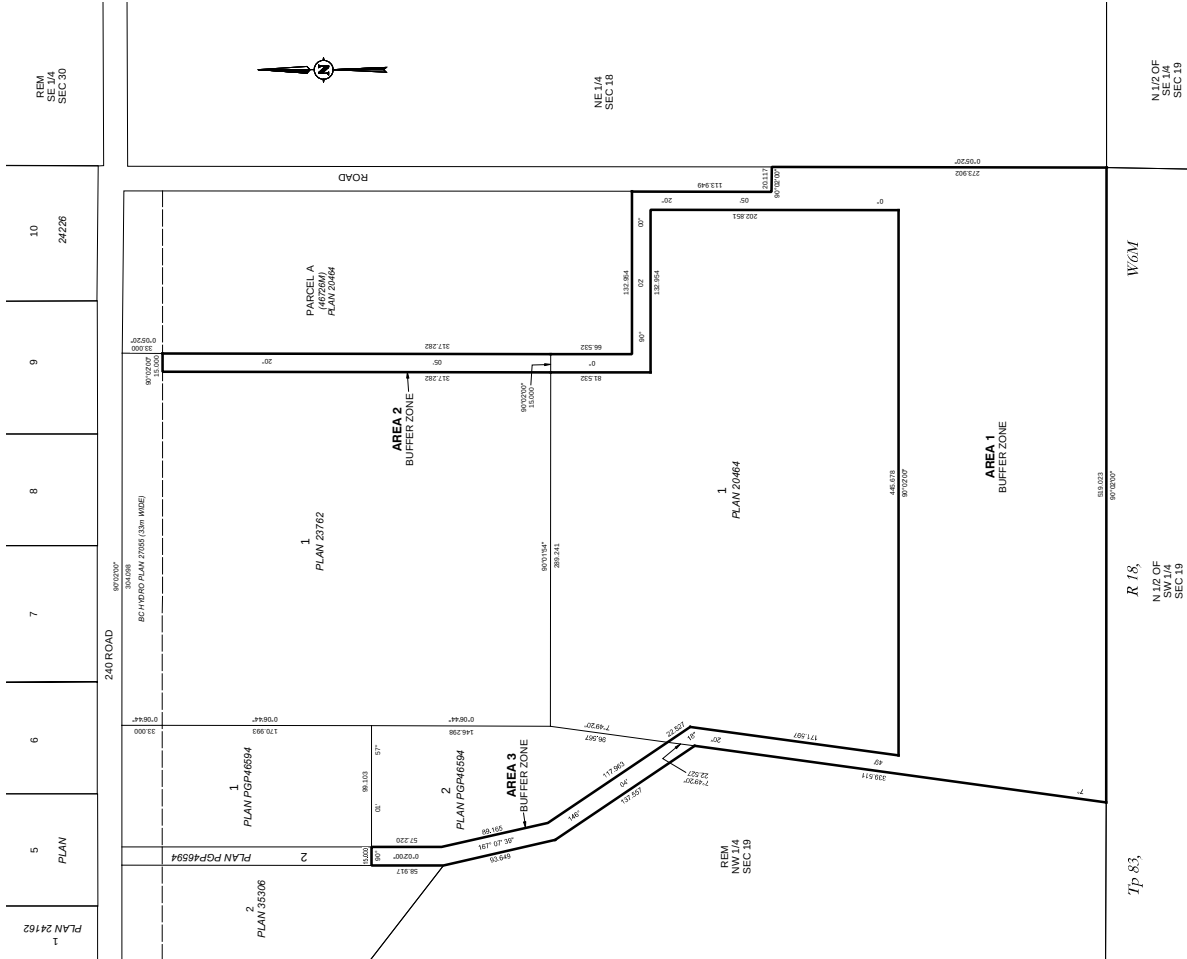


PRRD Zoning Bylaw No. 1343, 2001: Light Industrial Zone (I-1)



Existing Covenant Buffer Area: White dashed line denotes no-build, no-development area.





EXPLANATORY PLAN OF
BUFFER ZONE THROUGH
PARTS OF LOT 1 PLAN 20464, LOT 1 PLAN 23762
AND LOT 2 PLAN PGP46594
ALL WITHIN SEC 19 TP 83 R 18 W6M
PEACE RIVER DISTRICT
PURSUANT TO SEC 99(1)(b) OF THE LAND TITLE ACT
BCOS 844 026



THE INTENDED LOT SIZE OF THIS PLAN IS 500m N 100m E BY
450m IN HEIGHT (C-SIZE) WHEN PLOTTED AT A SCALE OF 1:2500

CEC SECTION	FILE #	CEC DATE/TIME	FILE #
LOT 1 50m N 100m E 450m W PLAN 20464	008 22 07 02	2004.1	8 7/04
LOT 1 50m N 100m E 450m W PLAN 23762	008 22 07 02	2004.1	8 7/04
LOT 2 50m N 100m E 450m W PLAN PGP46594	008 22 07 02	2004.1	8 7/04

THIS PLAN IS BASED ON THE FOLLOWING LAND TITLE
AND SURVEY AUTHORITY RECORDS:
PLAN 20464, LOT 1 PLAN 23762 AND PLAN PGP46594
RICHARD E. GOOK BCL 598
20th DAY OF JUNE, 2017

THIS PLAN LIES WITHIN THE PEACE RIVER REGIONAL DISTRICT.

Bearings are astronomic and derived from Plan 20464
The bearings and distances are given in metres and decimals thereof.
All dimensions are in metres and decimals thereof.

CHECKLIST #20008 CHECKLIST DATE: JUNE 20, 2017

VECTOR
GEOMATICS LAND SURVEYING LTD.
1000 West 10th Ave. Suite 100
V6Z 1G1
Phone: 250-634-1111
Fax: 250-634-1112
www.vectorgeomatics.com

File No.:
Project No.:
Drawing No.: 1709FREP
DATE: June 20th, 2017



PEACE RIVER REGIONAL DISTRICT

Dawson Creek | Box 810, 1981 Alaska Avenue BC, V1G 4H8
(T): (250) 784-3200 prrd.dc@prrd.bc.ca

Fort St. John | 9505 100 Street BC, V1J 4N4
(T): (250) 785-8084 prrd.fsj@prrd.bc.ca

For Office Use:
Receipt # _____
Date Received _____
File No. _____
Sign Issued: Yes ☐ No ☐ N/A ☐

Application for Development

1. TYPE OF APPLICATION

	FEE
☐ Official Community Plan Bylaw Amendment*	\$ 1,150.00
☐ Zoning Bylaw Amendment* #	\$ 800.00
☐ Official Community Plan / Zoning Bylaw Amendment combined* #	\$ 1,200.00
☒ Temporary Use Permit*	\$ 500.00
☐ Temporary Use Permit Renewal	\$ 350.00
☐ Development Permit #	\$ 165.00
☐ Development Variance Permit	\$ 165.00

* Sign is required for this application type.

Sign provided by the PRRD and posted pursuant to Section 6 of Bylaw No. 2449, 2021, attached.

Contaminated Site Declaration Form required for this application type.

- | | |
|--|-------------|
| ☐ Exclusion from the Agricultural Land Reserve | \$ 1,500.00 |
| (Applicant responsible for additional costs associated with the advertisements, signage, and facility rental, if applicable) | |

2. PLEASE PRINT

Property Owner's Name Deasan Holdings Ltd.	Authorized Agent of Owner (if applicable) Knelsen Sand and Gravel Ltd. - Joe Hustler
Address of Owner Box 6958	Address of Agent 9801 156 Avenue
City/Town/Village: Fort St. John	City/Town/Village: Grande Prairie, Alberta
Postal Code: V1J 4J3	Postal Code: T8V 6T6
Telephone Number: 250-793-7767	Telephone Number: 780-876-2614
E-mail: sandy@drsenergy.ca	E-mail: jhustler@knelsen.com

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*.

3. PROPERTY DESCRIPTION

Full legal description and PID of each property under application	Area of each lot	
Lot 1 Section 19 Twp 83 Rge 18 W6M, PID: 9937072	20.91/51.68	ha./acres
		ha./acres
		ha./acres
	TOTAL AREA 20.91/51.68	ha./acres

4. Civic Address or location of property: 9913 240 Rd

5. PARTICULARS OF PROPOSED AMENDMENT

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

☐ 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:

A 150 tonne asphalt plant to support local construction projects for Knelsen Sand and Gravel

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

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

The property is being used as a gravel pit. There is a scale house and scale on site for the gravel operations. Activities on site include excavation, aggregate crushing, materials hauling, reclamation. Plant has been located to not conflict with the sand and gravel operation.

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

(a) North Gravel Pit, Bridge Storage, farther north residences and industrial

(b) East City of Ft. St. John - Water lagoons

(c) South Mostly vacant land

(d) West Forested land, farther west residences

8. Describe your proposal. Attach a separate sheet if necessary:

Relocate the 150 tonne asphalt plant to a location further south just north of the scale within the gravel pit.

The asphalt plant will only run as needed. the last couple years the plant run for less than a month each summer.

The asphalt trucks will follow the same access route as the other gravel trucks.

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

This location is 400 meters further south, provides a larger buffer on residences and business and meets BC asphalt regulation requirements.

Fort St. John needs asphalt plants to support construction and keep the market competitive.

Gravel pits are good locations for asphalt plants as they already have truck traffic, noise and dust to manage.

10. Describe the proposed and/or existing means of sewage disposal for the property:

Use of portable toilets

No camp proposed

11. Describe the proposed and/or existing means of water supply for the property:

Any water needed will be brought from off site

THE FOLLOWING INFORMATION IS REQUIRED DEPENDING ON THE PROPOSAL/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 the following:

- (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 and size of existing buildings and structures on the subject property, with distances to property lines;
- (d) the location and size 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 survey 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.


Signature of Owner

March 23, 2023

Date signed

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 <u>Deasan Holdings Ltd.</u> and _____ hereby authorize (name of landowner) (name of landowner)	
<u>Joe Hustler</u> to act on my/our behalf regarding this application. (name of agent)	
	Date: <u>March 23, 2023</u>
Signature of Owner:	Date:



PEACE RIVER REGIONAL DISTRICT

CONTAMINATED SITE DECLARATION FORM

I, Deasan Holdings Ltd., hereby acknowledge that the *Environmental Management Act*, 2003, as amended, is effective as of February 1, 2021.

Legal Description(s):

Lot 1 Section 19 Twp 83 Rge 18 W6M, PID: 9937072

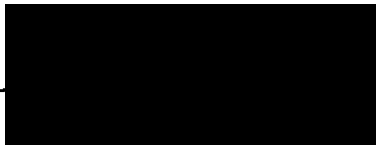
Please check only one:

☒ I have read Schedule 2 and based on my personal knowledge of the property in question, I do not believe that it is or has been used for any of the industrial or commercial purposes and activities specified in Schedule 2 of the regulations. Accordingly, I elect not to complete and submit a 'site disclosure statement', as outlined in Section 40.(1) of the *Act*.

☐ I have read Schedule 2 and one or more of the identified purposes or activities is or has occurred on the land(s) legally described above.

*Please contact staff to submit a "site disclosure statement" at planning@prrd.bc.ca

I further acknowledge that this declaration does not remove any liability, which may otherwise be applicable under the legislation.



22 / 03 / 2023 /
dd mm yyyy

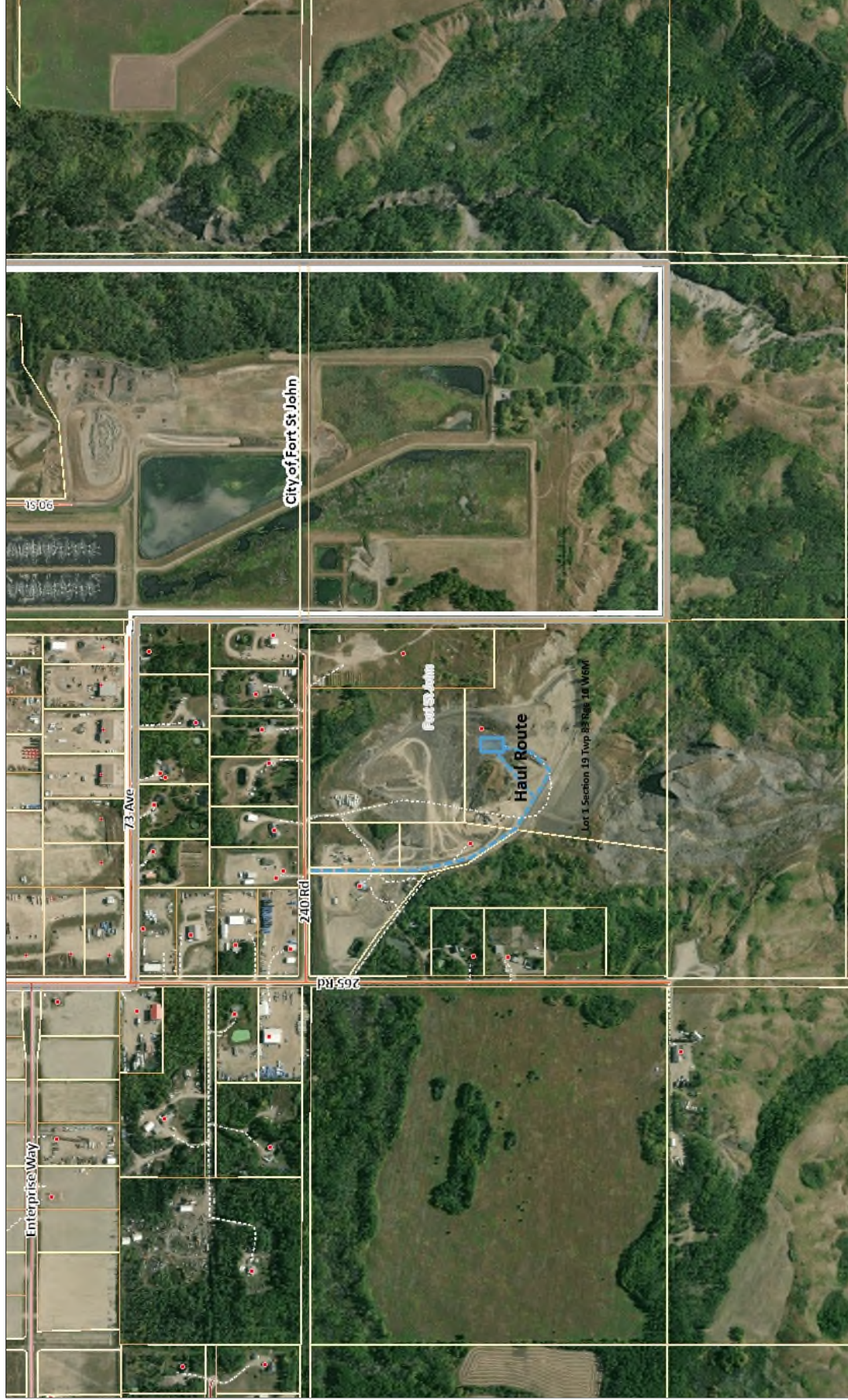
Owner/Agent

 / / /
dd mm yyyy

For more information, please visit the ministry's Identification of Contaminated Sites webpage or e-mail SiteID@gov.bc.ca



TUP - Asphalt Plant Truck Haul Route



788.9 0 394.43 788.9 Meters

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© Latitude Geographics Group Ltd.



- Legend**
- Evacuation Orders Currently is
- Alert
 - Order
 - Regional District Boundary
 - Hwy Mile Marker
 - Rural Community
 - 911 Civic Address Rural
 - 911 Civic Address Municipal
 - Parcels
 - PRRD Electrical Utility
 - PRRD Sewer Utility
 - Sewer Line
 - Storm Water Drainage
 - PRRD Water Utility
 - Highway
 - Municipal Road
 - Hard Surface
 - Gravel
 - Rural Road >1.250k
 - Hard Surface
 - Gravel
 - Seasonal
 - Driveway
 - Rivers/Creeks
 - Regional Park
 - Locality
 - Other Jurisdictional Boundary
 - Municipal
 - First Nation
 - World Imagery
 - Low Resolution 15m Imagery
 - High Resolution 60cm Imagery
 - High Resolution 30cm Imagery
 - Citations
 - 4.8m Resolution Metadata

1:15,529



Notes

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



TUP Application - Asphalt plant



Legend

Evacuation Orders Currently Is



Regional District Boundary

Hwy Mile Marker

Rural Community

911 Civic Address Rural

911 Civic Address Municipal

Parcels

PRRD Electrical Utility

PRRD Sewer Utility

Sewer Line

Storm Water Drainage

PRRD Water Utility

Highway

Municipal Road

Hard Surface

Gravel

Rural Road >1:250k

Hard Surface

Gravel

Seasonal

Driveway

Rivers/Creeks

Regional Park

Locality

Other Jurisdictional Boundary

Municipal

First Nation

1:17,762

902.3

902.3 Meters

451.15

0

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Notes

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TUP - Asphalt Plant



229.3 0 114.66 229.3 Meters

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Legend	
Evacuation Orders Currently / is	
Alert	
Order	
Regional District Boundary	
Hwy Mile Marker	
Rural Community	
911 Civic Address Rural	
911 Civic Address Municipal	
Parcels	
PRRD Sewer pits	
Air Valve	
Blow Off	
Curb Stop	
End Cap	
Flow Meter	
Lift Station	
Main Valve	
Manhole	
Shut Off	
PRRD Water pits	
Flow Meter Chamber	
Pit	
Shut Off	
Shut Off - Gate Valve	
Tree	
PRRD Electrical Utility	
PRRD Sewer Utility	
Sewer Line	
Storm Water Drainage	
PRRD Water Utility	
Highway	
Municipal Road	
Hard Surface	
Gravel	
Rural Road >1.250k	
Hard Surface	
Gravel	
Seasonal	
Driveway	
Rivers/Creeks	
Regional Park	
Locality	
Other Jurisdictional Boundary	
Municipal	
First Nation	
World Imagery	
1: 4,514	

Notes



TUP Application - Asphalt Plant



Legend

- Evacuation Orders Currently Is
- Alert
 - Order
- Regional District Boundary
- Hwy Mile Marker
- Rural Community
- 911 Civic Address Rural
- 911 Civic Address Municipal
- Parcels
- PRRD Sewer pts
- Air Valve
 - Blow Off
 - Curb Stop
 - End Cap
 - Flow Meter
 - Lift Station
 - Main Valve
 - Cleanout
 - Manhole
 - Shut Off
- PRRD Water pts
- Flow Meter Chamber
 - Plug
 - Shut Off
 - Shut Off - Gate Valve
 - Tee
- PRRD Electrical Utility
- PRRD Sewer Utility
- Sewer Line
 - Storm Water Drainage
 - PRRD Water Utility

1: 4,440

Notes

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225.6

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112.79

225.6 Meters

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Jacqueline Burton

From: Cam Peters [REDACTED]
Sent: Thursday, April 13, 2023 2:59 PM
To: Planning Department
Cc: [REDACTED]
Subject: Concerns about temporary permit for Deasan Gravel Pit asphalt plant operation.

CAUTION: This email originated from outside of the organization.

Good Day

I live across the Road from Deasan Sand and Gravel Pit. The property was rezoned about 7 years ago with the understanding that a truck shop was to be built in the pit old gravel pit with minimal disturbance to existing gravel pit walls. There never was any truck shop built and next you know they are mining gravel, we could feel the low frequency vibrations of the processing equipment at our house. Soon after there was a land slide at the Old Fort community that forced hundreds of people out of their homes and the residents lost millions in property value. Last summer at the Deasan Sand and Gravel pit they started operating an Asphalt plant. The prevailing winds blow the emissions directly up the hill to our acreage. The smoke settles our yard, the wife, kids and grandparents leave our property until the wind direction changes or the asphalt plant is turned off. The nasty smoke that the plant emits is terrible!

I first contacted Sandy Beech the gravel pit owner to see what is going on, he stated the asphalt plant was to code and they had a permit to operate. His request is that I don't make a problem about the issue, he would bring me some gravel and be a good neighbor. I was a little offended! If I needed gravel I would go buy some, what I do need is fresh air for my family to live safely! Next, I contacted Knutson Sand and Gravel as they owned the asphalt plant to see what they had to say. The site manager out of Grand Prairie confirmed Knutson Sand and Gravel owned the plant operating at Deasan Sand and Gravel and they had a permit. Both Sandy and the manager from Knutson stated they would contact me before they start Asphalt plant again. I never heard from them again.

The next time the asphalt plant started, the wife called me at work and I came home and took pictures and documented smoke direction and proximity to residents. I contact PRRD and alerted them to the asphalt plant operating near residences. PRRD informs me that the property is zoned for light industrial, the operation of asphalt plant is not allowed and the work camp of holiday trailers that had been there the last few years was also not allowed. It sounded like PRRD was going to shut down the Asphalt plant and the work camp. Then to my surprise last fall the Asphalt plant started again. I contacted PRRD and they said that they were informed of a small paving job for the city of Fort St John. It was also stated that PRRD had concerns that they couldn't enforce the zoning violations because the Asphalt permit was issued by the Provincial Government. After I did more digging, I found out that the city of Fort St John bought the cheap asphalt to pave the new police station being built. Now I needed to dig deeper to resolve this.

Next, I contacted the provincial ministry of environment and climate change strategy. This is the department that issued this Asphalt permit. After about two months the ministry of environment and climate change strategy replied to my questions. I received a copy of the Asphalt plant regulations that Knutson Sand and Gravel signed, it clearly states all zoning infractions are enforceable by the Regional District. It also states in the Provincial legislation that the plant shall not be operated withing 400 meters of and residence. I have google map photos that clearly show that the plant is about 200 meters from the closest resident. I notified the ministry of environment and climate change strategy about the infraction and have not heard anything back.

After all this digging I present my finding to PRRD, after they consulted their legal team, it was decided that they would enforce the zoning infraction and shutdown the asphalt plant. After many hours digging thru Municipal, Regional and Provincial Governments I put the pieces together and ensure fresh air for my family. It seems odd, an Alberta company receiving permission to operate Asphalt in BC by the ministry of environment and climate change strategy, while disregarding the Asphalt regulations and zoning infractions. Then they receive support from the city of Fort St John to buy cheap asphalt for new Police Station! Why am I needed to police all these infractions and my family gets to breath tar?!

Now last week a sign was placed at the entrance of the Gravel Pit stating they are applying for land use change with PRRD. Today I contacted PRRD to find out what the application is regarding. It turns out now Deasan Sand and Gravel are applying for a temporary use permit to allow them to operate the asphalt plant again because they are not currently zoned to operate the asphalt plant. Why would you allow them the temporary permit when they have a history of not following the regulations? It is like rewarding somebody for breaking the law and if the application is approved the health of my family is impacted while law breakers are lining their pockets with big dollars.

If the application is approved maybe one stipulation is the Gravel Pit can purchase surrounding affected properties at inflated prices and we can relocate to a location with clean air. If the asphalt plant is permitted to operate again this summer then I may consult a lawyer and fight for my right to breath.

Thanks

I'm a law abiding, business owning citizen who pays significant taxes and needs to enforce the fight for the right to breath fresh air.

Thanks

Cam

Jacqueline Burton

From: Cam Peters [REDACTED]
Sent: Friday, April 14, 2023 9:14 AM
To: Planning Department
Cc: Director Brad Sperling
Subject: Information to consider regarding temporary permit to allow asphalt plant in Deasan Sand and Gravel Pit
Attachments: Deason Gravel pit Quarry-Construction Aggregate 0900011202001_application_package.pdf

CAUTION: This email originated from outside of the organization.

Good Day

I reviewed the temporary permit application by Deasan Holdings Ltd. on the PRRD website. A page on the temporary use permit application there is a detailed map illustrating the exact distance to the proposed new location of the Asphalt plant to our house. The exact distance is 467.97 meters, but if you look on the Gravel Pit Quarry application from Deason Holding (see attachment) on page 3 under impact Minimization, they clearly state that they will not be mining within 1000 meters of a residence or water supply. This is an obvious lie as they claim with the temporary permit application it is 467.97 meters. Now by Deasan Holdings own admission they admit they are violating the Impact Minimization parameters of the permit they are holding from the Provincial Government. Over the last year they have knowingly violated Zoning bylaws, Asphalt regulations and broken the Impact Minimization parameters of their Provincial permit. I'm providing this information to help give PRRD an understanding of what I'm finding by searching public records and how the truth is bent so big business can profit at the expense of local residences.

Thanks

Cam



Notice of Work

Quarry - Construction Aggregate

Application ID:7643

0900011-202001

APPLICANT COMPANY/ORGANIZATION CONTACT INFORMATION

Name DEASAN HOLDINGS LTD.

Contact Name Sandy Beech

Phone

Fax

Email

Mailing address



2020-10-06

TECHNICAL INFORMATION

APPLICATION INFORMATION

Type of notice of work: Quarry - Construction Aggregate

Is this a New Permit or an Amendment to an existing permit for this property? Amendment

MINE INFORMATION

Do you have an existing mine number? Yes

Mine Number: 0900011

Name of the Property: Deasan Holdings Ltd

Tenure Numbers:

Crown Grant / District Lot numbers:

Detailed directions to the site: from Fort St John, BC when travelling south on highway 97 turn right on 265 road for 4 km and then turn left on the 240 road for 300m and right into property

Geographic Coordinates of Mine: Latitude: 56.21164
Long: -120.84016

Maximum Annual Tonnage Extracted: 0

PROPOSED ACTIVITIES

Activities to be undertaken: Sand and Gravel Quarry Operations

FIRST AID

Proposed First Aid equipment on site: first aid kit on site

Level of First Aid Certificate held by attendant: Occupational First Aid Level 1

DESCRIPTION OF WORK PROGRAM

see attached document

TIME OF PROPOSED ACTIVITIES

Proposed start and end date: Aug 07 2018 to Aug 07 2023

Please remember that you need to give 10 days notice to the Inspector of Mines of your intention to start work, and 7 days notice of your intention to stop work.

ACCESS

Is access presently gated?	Yes
Key provided to the Inspector?	No

Be sure to provide the inspector with a key to the gate.

PRESENT STATE OF THE LAND

Present condition of the land:	gravel pit
Type of vegetation:	n/a
Physiography:	gravel pit, sand and gravel throughout
Current means of access:	roadway into property
Old equipment or buildings:	weigh scale
Recreational trails/use:	none

ACCESS TO TENURE

Do you need to build a road, create stream crossings or other surface disturbance that will not be on your tenure?	No
--	----

LAND OWNERSHIP

Application area in a community watershed:	No
Proposed activities on private land:	Yes
Notice served to all parties on private lands:	Yes
Legal description of land:	Lot 2 Sec 19 TWP 83 RNG 18 W6M PRD Plan 46594 PID#024-970-239 Lot 1 Sec 19 TWP 83 RNG 18 W6M PRD Plan 46594 PID#024-970-221 Lot 1 Sec 19 TWP 83 RNG 18 W6M PRD Plan 23762 PID#008-464-243 Lot 1 Sec 19 TWP 83 RNG 18 W6M PRD Plan 20464 PID#009-937-072 Lot 2 Sec 19 TWP 83 RNG 18 W6M PRD Plan 35306 PID#017-292-697
Any proposed activities on Crown land:	No
Activities in a park:	No

CULTURAL HERITAGE RESOURCES

Are you aware of any protected archaeological sites that may be affected by the proposed project?	No
---	----

FIRST NATIONS ENGAGEMENT

Have you shared information and engaged with First Nations in the area of the proposed activity?	No
--	----

SAND & GRAVEL / QUARRY OPERATIONS

SOIL CONSERVATION

Average depth of overburden (m):	20
Average depth of topsoil (m):	0.3
Measures to stabilize soil overburden stockpiles and control noxious weeds:	spray weeds as required, overburden will be stockpiled with appropriate slopes so as to drain appropriately

LAND USE

Is the site within the Agricultural Land Reserve?	No null
Local government has a Soil Removal Bylaw?	No
Current land use zoning for the site is:	Light Industrial

Activities

Activity	Disturbed Area (ha)	Merchantable timber volume (m ³)
Crushing	0.50	0.00
Excavation of Pit Run	2.00	0.00
Mechanical Screening	0.50	0.00
Total	3.00	0.00

Is the work year round or only seasonal?

Seasonal

Brief description of operation, including proposed work schedule

gravel pit operation Monday- Friday 8:00AM-6:00PM. There is proposed crushing and screening of gravel. The gravel pit will be mined in phases with ongoing reclamation. The anticipated area disturbed each year will be approximately 2 acres. Process will involve digging gravel out with loader bucket and putting into crushing or screening plant. Once material is processed it will then be stockpiled by hauling to designated areas with rock trucks. The various material will be weighed at scale house before leaving property.

RECLAMATION PROGRAM

Reclamation and timing for this specific activity:

Reclamation will be done on a continual basis, removal of overburden off gravel will be used to fill in low lying areas with rock trucks and loaders as suitable. Any areas where gravel has already been extracted will be filled in as appropriate. Areas will be levelled with cat or grader as required maintaining slopes and drainage. Overburden will be used as able to fill in pits if material is appropriate, clay will be used for compaction and sealing purposes

If backfilling of pits or pit slopes is proposed in the final configuration for reclamation, details of materials to be used and placement procedures:

Will progressive reclamation be carried out?

Yes

Estimated cost of reclamation of activities described above:

\$500,000.00

GROUNDWATER PROTECTION

Average depth to the high groundwater table at the proposed excavation (m):

0.00

Elevation of the groundwater table was determined from:

Other

Measures proposed to protect groundwater from potential impacts of the proposed mining activity:

gravel pit daylight to the banks of the peace river

IMPACT MINIMIZATION

Shortest distance between proposed excavation to nearest residence (m):

1,000.00

Shortest distance between proposed excavation to nearest residential water source (m):

1,000.00

Measures to prevent inadvertent access of unauthorized persons to the mine site:

signs, gates on entrances, fencing and berms

Measures to minimize noise impacts of the operation:

berms, hours of operation as listed above

Measures to minimize dust impacts of the operation:

dust control

Measures to minimize visual impacts of the operation:

berms

TIMBER CUTTING

Total merchantable timber volume (m³): 0.00

EQUIPMENT

Quantity	Type	Size/Capacity
1	Bulldozer / Crawler Tractors	D7
1	Bulldozer / Crawler Tractors	D10
1	Excavator	330
1	Loader	980
2	Loader	760
1	Other Grader	16
3	Other Rock trucks	25 tonne
5	Other Scrapers	22yds
1	Crusher	48" cone

SUMMARY OF RECLAMATION

Activity	Total Affected Area (ha)	Estimated cost of reclamation (\$)
Sand and Gravel etc.	3.00	\$500,000.00
Subtotal:	3.00	\$500,000.00
Unreclaimed disturbance from previous year:	1.00	
Disturbance planned for reclamation this year	1.00	
Total	3.00	\$500,000.00

OTHER CONTACTS**Contact Info**

Type of Contact: Site Operator
Mine Manager
Referral Point

Name: Sandy D Beech

Phone:

Fax:

Email:

Mailing Address:

Contact Info

Type of Contact: Tenure Holder
Permittee

Company/Organization: Deasan Holdings Ltd

Contact First Name: Sandy

Contact Last Name: Beech

Doing Business As: Deasan Holdings Ltd

Contact Phone:

Contact Fax:

[REDACTED]

Contact Email:

[REDACTED]

BC Incorporation Number:

BC1076058

Contact Address:

[REDACTED]

LOCATION

MAPS

Description	Filename
Emergency Response Plan	Deasan Holdings Ltd Emergency Response Plan May 2019 -Version 2.pdf
Deasan Mine Plan Figures June 27 19	DEASAN MINE PLAN FIGURES JUNE27_19.pdf
Arya Geotechnical Report including detailed mine plan and maps	Geotechnical Assessment Report_Feb2020_For Seal.pdf
Arch Chance Find Procedure	Archaelolgical Chance find Procedure.doc
Robert Gardner Court File	Robert Gardner court file.pdf

Privacy Declaration

PRIVACY NOTE FOR THE COLLECTION, USE AND DISCLOSURE OF PERSONAL INFORMATION

Personal information is collected under the legal authority of section 26 (c) and 27 (1)(a)(i) of the *Freedom of Information and Protection of Privacy Act (the Act)*.

The collection, use, and disclosure of personal information is subject to the provisions of the Act. The personal information collected will be used to process your inquiry or application(s). It may also be shared when strictly necessary with partner agencies that are also subject to the provisions of the Act. The personal information supplied in the application package may be used for referrals or notifications as required. Personal information may be used for survey purposes.

For more information regarding the collection, use, and/or disclosure of your personal information, please contact FrontCounter BC at 1-877-855-3222 or at

FrontCounter BC Program Director
FrontCounter BC, Provincial Operation
441 Columbia Street
Kamloops, BC V2C 2T3

☒ **This check indicates that you have read and agree to the privacy declaration stated above.**

REFERRAL INFORMATION

Some applications may be passed on to other agencies, ministries or other affected parties for referral or consultation purposes. A referral or notification is necessary when the approval of your application might affect someone else's rights or resources or those of the citizens of BC. An example of someone who could receive your application for referral purposes is a habitat officer who looks after the fish and wildlife in the area of your application. This does not apply to all applications and is done only when required.

Name:

Sandy D Beech

Phone:

[REDACTED]

Fax:

[REDACTED]

Email:

[REDACTED]

Mailing Address:

[REDACTED]

☒ **I hereby grant permission for the public release of the information provided above. This information will be used to fulfill, if required, the referral and advertising requirements of my application.**

IMPORTANT NOTICES

DECLARATION

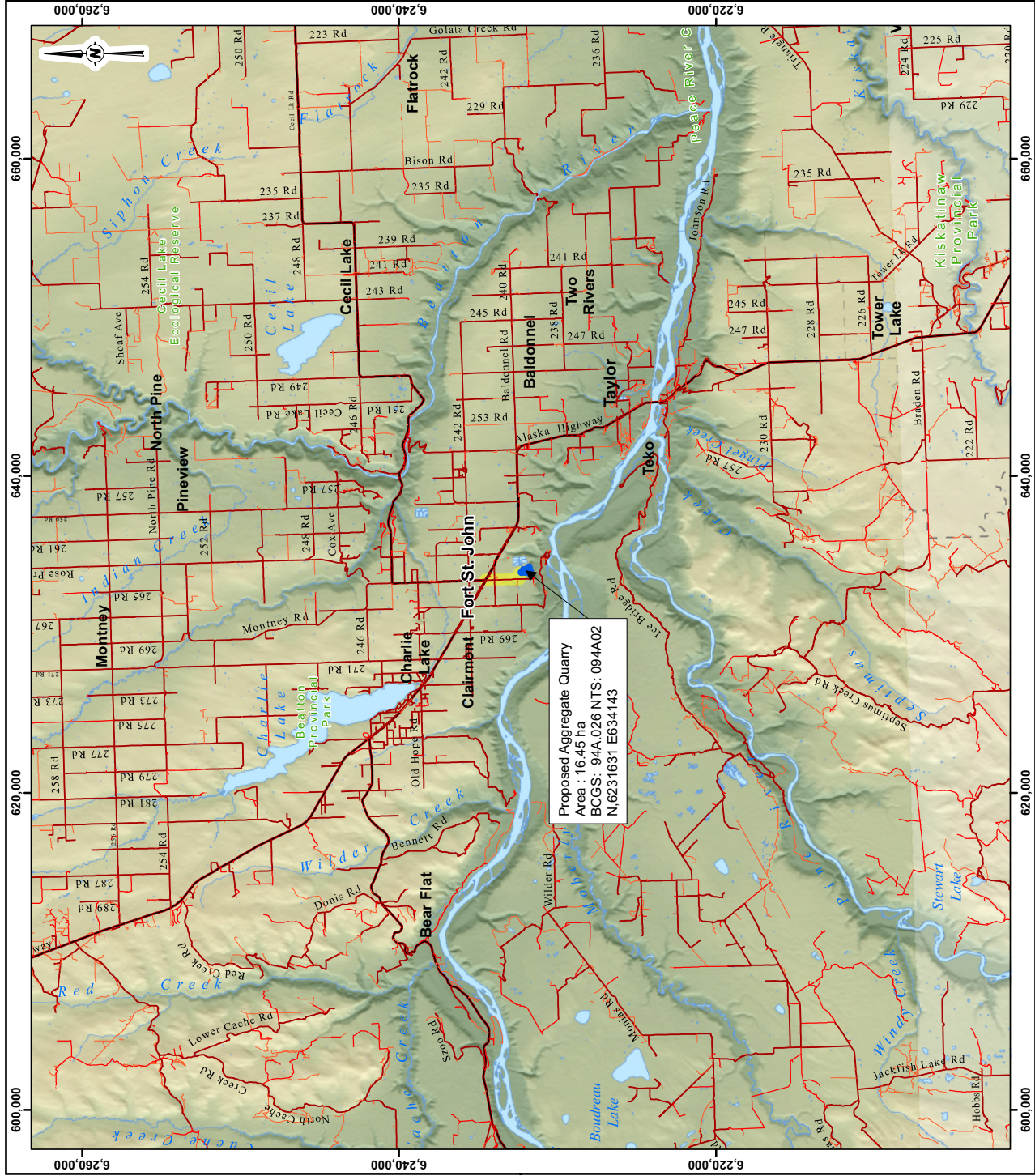
☒ By submitting this application form, I, declare that the information contained on this form is complete and accurate.

OFFICE

Office handling the application: Fort St. John

PROJECT INFORMATION

Authorization Request Type: Mines Notice of Work



DRS ENERGY SERVICES INC.

PROPOSED AGGREGATE QUARRY
FOR SITE LOCATED WITHIN
DISTRICT LOT 1 PLAN 20464, LOT 1 PLAN 23762
AND LOT 2 PLAN PGP46594
ALL WITHIN SEC 19 TP 83 R 18 W6M
PEACE RIVER DISTRICT
- REGIONAL MAP -

BCGS: 94A.026 NTS: 094A02

0 2 4 6 8 10 km

1:250,000

Projection UTM Zone 10 NAD 83
Map to scale when plotted on a page 280mm x 432mm (B size)

Proposed Area

Highway or Regional Main

Paved or Highgrade

Unpaved or Lowgrade

Resource or Recreation

Winter

Guide Outfitter Area

Grazing Tenure

Trapper Boundary

Route From Hwy 29

Project Name:
Client File:

Date: 2017/12/06 Revision: 0

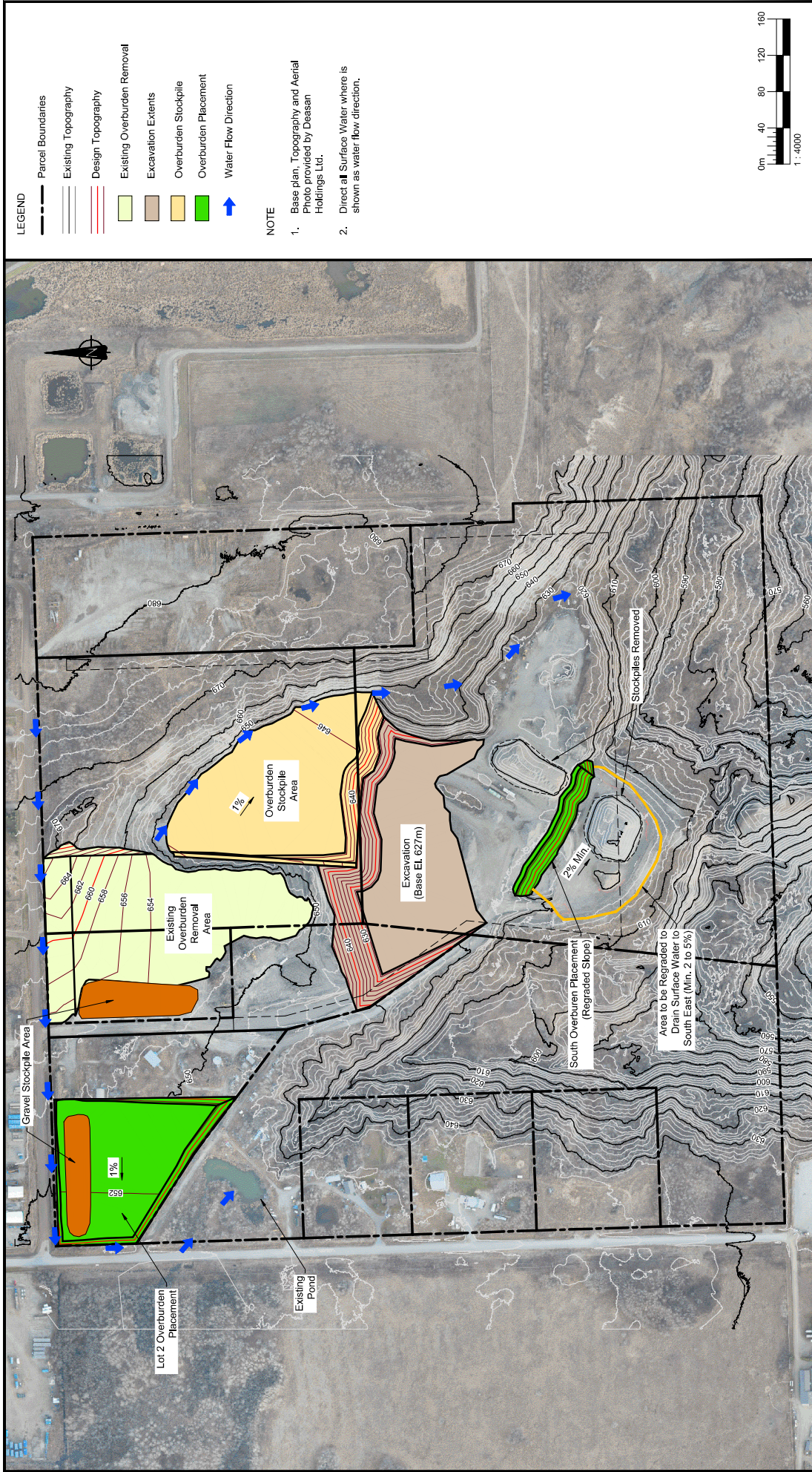
TRYON LAND SURVEYING LTD.
www.TryonGroup.ca
Fort St John
250-262-0031

Dawson Creek
250-782-5868

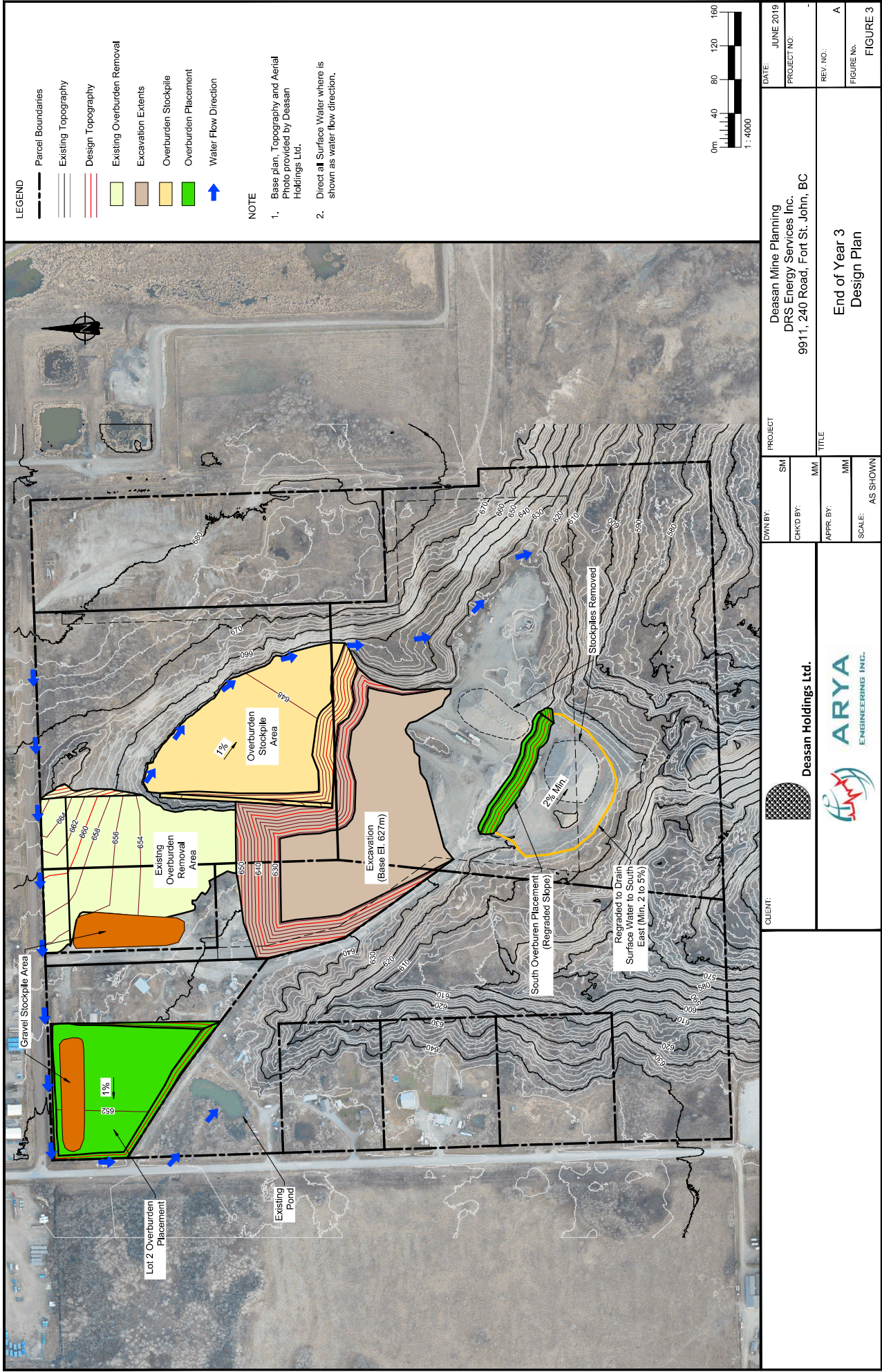
Job: 170392_1-0

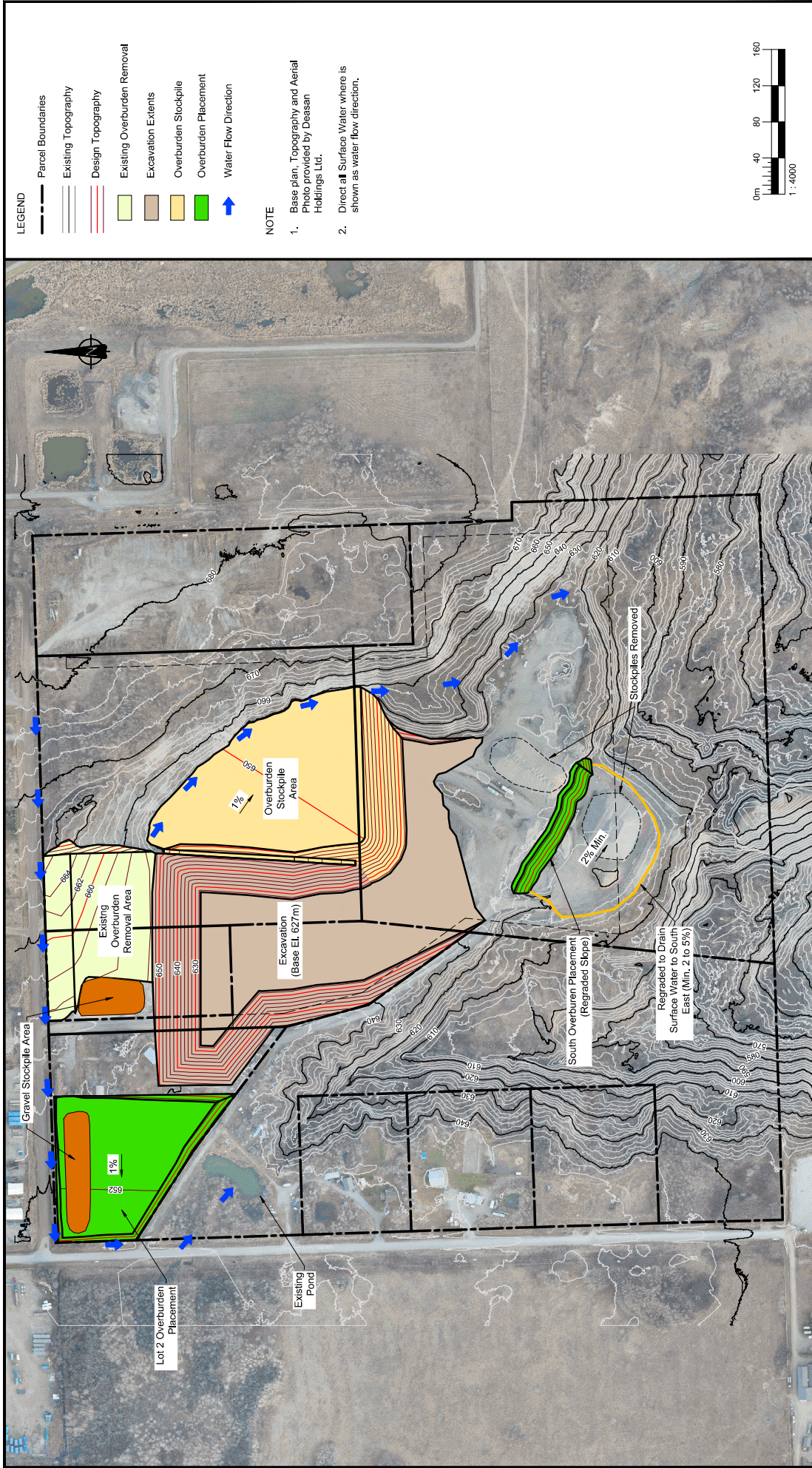


CLIENT:	 Deasan Holdings Ltd.	OWN BY:	SM	PROJECT	Deasan Mine Planning DRS Energy Services Inc. 9911, 240 Road, Fort St. John, BC	DATE: JUNE 2019		
		CHKD BY:	MM				PROJECT NO.	
		APPR BY:	MM					REV. NO.: A
		SCALE:	AS SHOWN					
		TITLE		Existing Site Plan				
 ARYA ENGINEERING INC.								



CLIENT:	 Deasan Holdings Ltd.	OWN BY:	SM	PROJECT	Deasan Mine Planning DRS Energy Services Inc. 9911, 240 Road, Fort St. John, BC		DATE:	JUNE 2019
		CHKD BY:				PROJECT NO:		
		APPR BY:	MM	TITLE	0 to 2 Years Design Plan		REV. NO.:	A
		SCALE:	AS SHOWN			FIGURE No:	FIGURE 2	



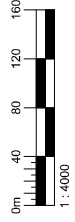


LEGEND

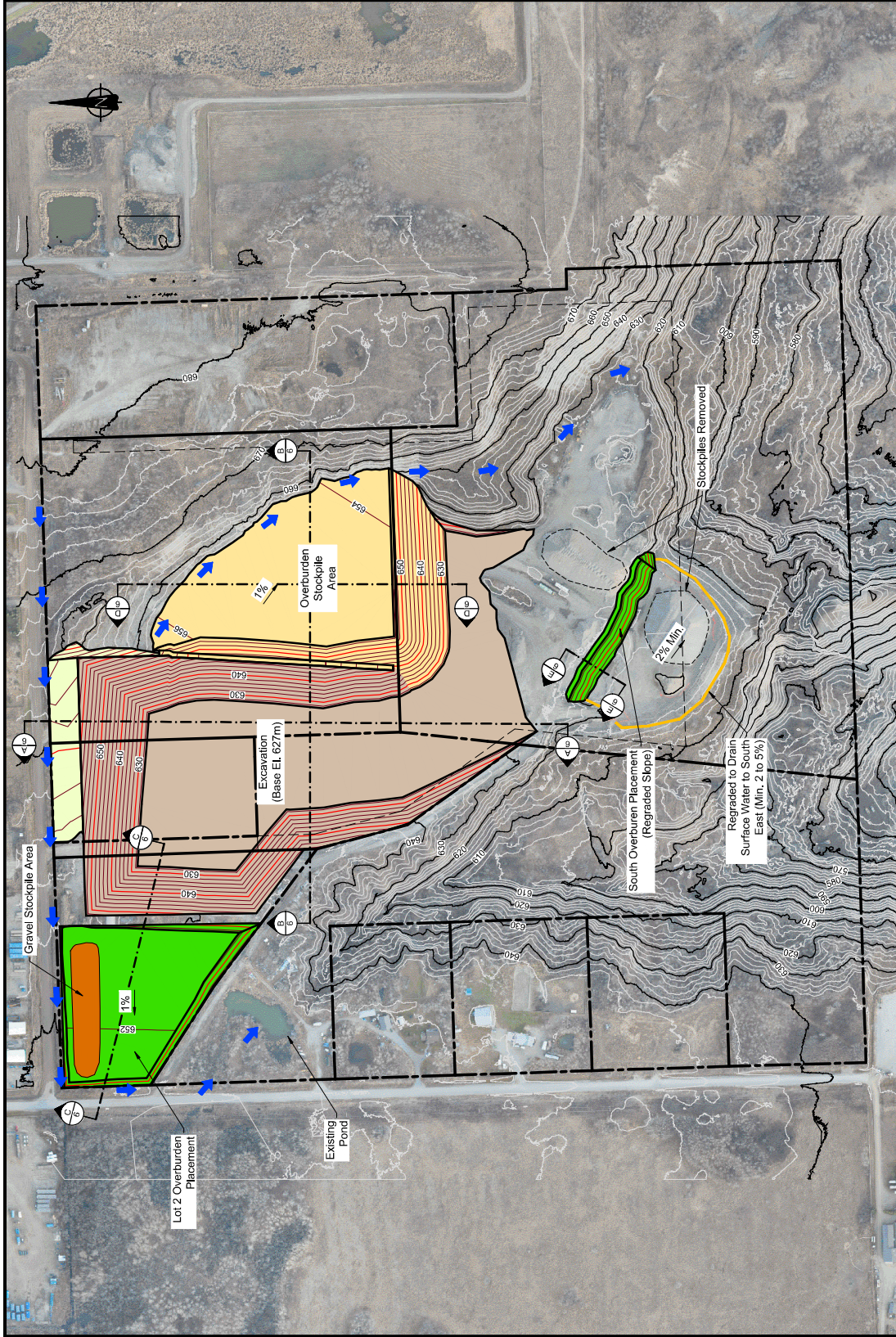
- Parcel Boundaries
- Existing Topography
- Design Topography
- Existing Overburden Removal
- Excavation Extents
- Overburden Stockpile
- Overburden Placement
- Water Flow Direction

NOTE

1. Base plan, Topography and Aerial Photo provided by Deascan Holdings Ltd.
2. Direct all Surface Water where is shown as water flow direction.



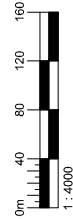
CLIENT:	Deascan Holdings Ltd.			Deascan Mine Planning DRS Energy Services Inc. 9911, 240 Road, Fort St. John, BC		
	DWN BY:	SM	PROJECT	DATE:	JUNE 2019	
	CHKD BY:	MM		PROJECT NO:		
	APPR BY:	MM		REV NO:	A	
ARYA ENGINEERING INC.			End of Year 7 Design Plan			FIGURE No.
			AS SHOWN			FIGURE 4



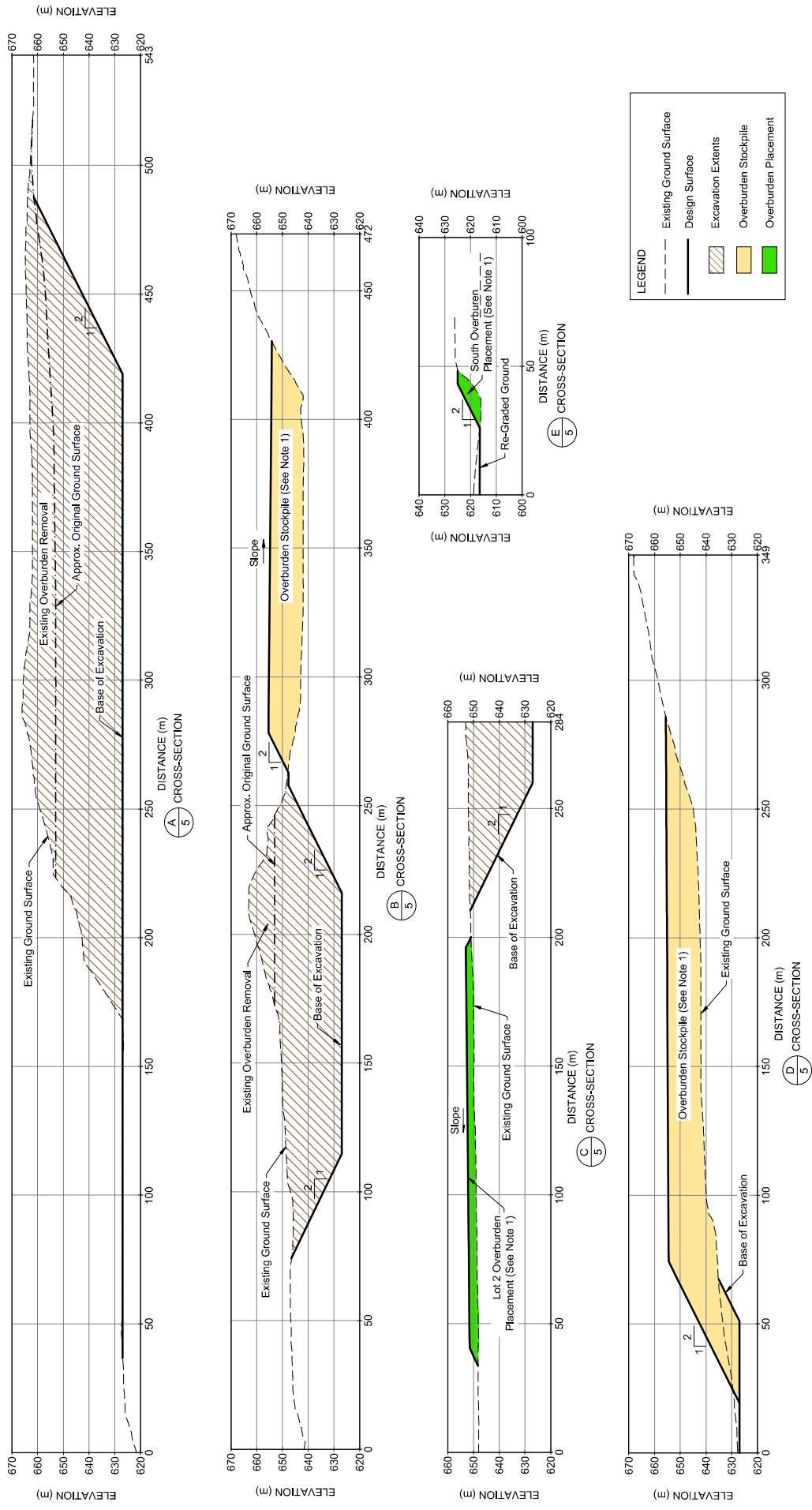
- LEGEND**
- Parcel Boundaries
 - Existing Topography
 - Design Topography
 - Existing Overburden Removal
 - Excavation Extents
 - Overburden Stockpile
 - Overburden Placement
 - Water Flow Direction

NOTE

1. Base plan, Topography and Aerial Photo provided by Deasan Holdings Ltd.
2. Direct all Surface Water where is shown as water flow direction.



CLIENT:	Deasan Holdings Ltd.			Deasan Mine Planning DRS Energy Services Inc. 9911, 240 Road, Fort St. John, BC		
	 			Final Design Plan		
PROJECT	DWN BY:	SM	CHKD BY:	MM	DATE:	JUNE 2019
	APPR BY:	MM	SCALE:	AS SHOWN	PROJECT NO.:	
				TITLE	REV. NO.:	A
				FIGURE No.	FIGURE 5	



NOTES: 1. Clay fill placed in layers and compacted to 98% standard compaction. 2. Hydrosseed all fill slopes for erosion protection.	CLIENT:  Deascan Holdings Ltd.  ARYA ENGINEERING INC.	DWN BY: SM CHKD BY: MM APPR BY: MM SCALE: AS SHOWN	PROJECT: Deascan Mine Planning DRS Energy Services Inc. 9911, 240 Road, Fort St. John, BC	DATE: JUNE 2019
				PROJECT NO.: REV. NO.: A FIGURE NO.: FIGURE 6

Final Design Sections

Active Development Permit Applications - Submit a Comment

File No. / Applicant:

23-001 TUP Deasan Holdings Ltd.

Comments or Concerns:

My name is Ruperta Labor, I live at [REDACTED], I requested my daughter to write for me to relay my concerns with the current temporary work permit application of Deasan Holdings.

I am a senior citizen, born on March 1951, 72 years of age. My husband, who is also a senior Citizen, 67 years of age are currently living with my daughter and her family.

Given the above-mentioned facts that we are already senior citizen, it is a concern for us, in terms of health, for Deasan holdings to continue their asphalt plant.

We have to close all our windows or go to town to escape the polluted air caused by the asphalt plant. We cannot continue to live like that in our own house. It causes me and my husband to cough. Please! Please! do not allow the plant to continue running.

Name:

Ruperta Labor

Date:

04/26/2023

Address:

[REDACTED]

Email (optional):**Phone Number (optional):**

Active Development Permit Applications - Submit a Comment

File No. / Applicant:

23-001 TUP Deasan Holdings Ltd.

Comments or Concerns:

Good day,

I would like to voice out my concerns about the asphalt plant operated by Deasan Holdings.

We are family who loves to enjoy outdoor activities especially during summer. My kids, 6 years old and 10 years old always played outside before the asphalt plant existed, but since it started operation we have to go inside the house and close all the windows and doors to avoid the unbearable smell coming from the smoke; However, we can still smell the smoke from inside the house so I have to call my husband to inform him that we (me, my kids, and elderly parents) have to go to town to escape the pollution and nasty smell caused by the operation of the asphalt plant. Sometimes, my dad (67years old) is immobile so he cannot easy to get him in and out the car so he has to stay home and endure the smell.

We would like to enjoy our place and smell fresh air, we cannot enjoy the acreage if the asphalt plant continue to operate. Fresh air is more important than money.

Name:

Joy Peter

Date:

04/26/2023

Address:

[REDACTED]

Email (optional):**Phone Number (optional):**

PEACE RIVER REGIONAL DISTRICT

TEMPORARY USE PERMIT NO. 23-001

ISSUED TO: Deasan Holdings Ltd. Inc. No. BC1076058
c/o Joe Hustler – Knelsen Sand and Gravel Ltd.
9801 156 Avenue
Grande Prairie, Alberta T8V 6T6

1. Property affected: 9909 240 Road, Fort St. John
Legal Description: LOT 1 SECTION 19 TOWNSHIP 83 RANGE 18 WEST OF THE 6TH
MERIDIAN PEACE RIVER DISTRICT PLAN 20464
PID: 009-937-072
2. Official Community Plan: North Peace Fringe Area OCP Bylaw No. 2460, 2021
Designation: Geotechnical Hazard Study Area (GHSA)
3. Zoning Bylaw: 1343, 2001
Zone: Light Industrial (I-1)
4. This Temporary Use Permit is issued subject to compliance with all of the bylaws of the Peace River Regional District applicable thereto, except as specifically varied or supplemented by this Permit. The provisions of this Temporary Use Permit shall prevail over any other provisions of Peace River Regional District bylaws in the event of a conflict.
5. The Temporary Use Permit is valid up to and including _____, 20____, at which time it shall expire and the property affected by the permit will be subject to the applicable zoning regulations.
6. This Temporary Use Permit is for an asphalt plant within a 35 m x 55 m area, as shown on Schedule A, which is attached to and forms part of this permit.
7. The conditions of this Permit are as follows:
 - a. The Permit is to be posted on site for its duration.
 - b. The temporary use may occur on the noted area of the property as shown on Schedule A, which is attached to and forms a part of this permit.
 - c. The applicant must ensure compliance with all provincial legislation throughout the duration of the Temporary Use Permit.



- d. Upon expiration of this Temporary Use Permit, the site must be restored to pre-existing conditions compliant with the applicable zoning in the PRRD Zoning Bylaw No. 1343, 2001, and cleared of materials used during the Temporary Use Permit.
8. 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 non-compliance is not specifically permitted by this Temporary Use Permit.
9. This Permit is **NOT** a building permit.

ISSUED THIS _____ day of _____, 20____.

This permit is authorized by Peace River Regional District Board Resolution No. RDXXXXXX passed on the _____ of _____, 20____.

Authorized Signatory

Schedule A is attached to, and form part of, this permit.



PEACE RIVER REGIONAL DISTRICT

SCHEDULE "A"

Temporary Use Permit

No. 23-001

diverse. vast. abundant.



TUP - Asphalt Plant



229.3 0 114.66 229.3 Meters

WGS_1984_Web_Mercator_Auxiliary_Sphere
© Latitude Geographics Group Ltd.

Legend	
Evacuation Orders Currently / is	
Alert	
Order	
Regional District Boundary	
Hwy Mile Marker	
Rural Community	
911 Civic Address Rural	
911 Civic Address Municipal	
Parcels	
PRRD Sewer pits	
Air Valve	
Blow Off	
Curb Stop	
End Cap	
Flow Meter	
Lift Station	
Main Valve	
Manhole	
Shut Off	
PRRD Water pits	
Flow Meter Chamber	
Pit	
Shut Off - Gate Valve	
Tree	
PRRD Electrical Utility	
PRRD Sewer Utility	
Sewer Line	
Storm Water Drainage	
PRRD Water Utility	
Highway	
Municipal Road	
Hard Surface	
Gravel	
Rural Road >1.250k	
Hard Surface	
Gravel	
Seasonal	
Driveway	
Rivers/Creeks	
Regional Park	
Locality	
Other Jurisdictional Boundary	
Municipal	
First Nation	
World Imagery	
1:4,514	

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION