



REPORT

To: Chair and Directors

Date: February 3, 2020

From: Kevan Sumner, General Manager of Development Services

Subject: Temporary Use Permit No. 18-329

RECOMMENDATION: *[Corporate Unweighted]*

That the Regional Board authorize issuance of Temporary Use Permit No. 18-329 for the property identified as PID 014-501-325, for a period of three years ending February 13, 2023, for the purpose of locating three temporary dwellings for employee housing; further,

That issuance of Temporary Use Permit No. 18-329 be withheld until the receipt of security against the obligations for site restoration, as stated in the permit, in the amount of \$1,050; further,

That issuance of Temporary Use Permit No. 18-329 be withheld until the applicant is in receipt of an 'Access, to a Controlled Access Highway' permit from the Ministry of Transportation and Infrastructure for the proposed use, on the identified property; and finally,

That issuance of Temporary Use Permit No. 18-329 be withheld until PRRD receives confirmation that the conditions within ALC Resolution #357/2019 have been satisfied.

BACKGROUND/RATIONALE:

Proposal

Placement of three skidded well site shacks for occasional accommodation of employees, up to a maximum of 6 beds.

File /Site Details

Owners: Lyle and Starla Toews
 Agent: Rick Tullson
 Area: Electoral Area D
 Location: Farmington
 Legal: The Northeast ¼ of Section 1, Township 80, Range 17, W6M, PRD Except: Parcel A (P39008 and Plans A938, 18475 and BCP40976)
 Civic Address: 5036 Hwy 97
 PID: 014-501-325
 Lot Size: 14 ha (35 ac)

Site Context

The subject property is located within the community of Farmington, directly east of the Farmington Store. Surrounding properties are mostly larger ¼ section parcels; however, there are a few smaller rural

residential lots surrounding the property. Farmington Hall and Parkland School are located nearby, to the west on Parkland Road.

Bylaw Enforcement

There is an existing bylaw enforcement file for the property (File No. 19-300). The enforcement file was opened as of June 13, 2019 but is currently on hold pending the outcome of this application. The complaint was that there was a worker camp on the subject property that was not a permitted use within PRRD Zoning Bylaw No. 479, 1986.

Site Features

Land

The property is mostly cleared, with a forested area along Coal Creek, which runs through the southeast portion of the property. Highway 97 (Alaska Highway) is directly adjacent to the west side of the subject property.

Structures

There is an existing shop, garage, and residence on the subject property. There are 4 old granaries on the east side of the property. There are also 5 dismantled shacks on the northeast of the property awaiting sale and to be removed. There are also three skid shacks on the Non-ALR portion of the property that is currently under application.

Access

The subject property will be accessed via Highway 97 (Alaska Highway).

CLI Soil Rating

Soil on the property is a combination of 3_w, 7⁶_t, 6⁴_t.

- Class 3 soils have moderately severe limitations that restrict the range of crops or require special conservation practices.
- Class 6 soils are capable only of producing perennial forage crops, and improvement practices are not feasible.
- Class 7 have no capacity for arable culture or permanent pasture.
- Subclass w denotes excess water. Subclass t denotes topography. Subclass r denotes consolidated bedrock.

Comments & Observations

Applicant

The applicant intends to use the subject property for 3 double occupancy (6 occupants) skid shacks for the occasional stay of employees. These shacks will be placed within the Non-ALR portion of the property and 30 metres from Coal Creek.

Agricultural Land Reserve (ALR)

The subject property is partially within the ALR and is therefore subject to the provisions of the *Agriculture Land Commission Act*. Agricultural Land Commission Resolution #357/2019 approved the use of the driveway for access to the non-ALR portion of the Property for the purpose of accessing worker

accommodations outside of the ALR. The approval for the use of the driveway is subject to the following conditions:

1. Reclamation of worker camp site and RV sites on ALR land.
2. That the reclamation is overseen by a qualified registered professional agrologist who is approved by the ALC.
3. That the Agrologist prepare a reclamation plan for approval by the ALC.
4. That the Agrologist prepare a final report for the ALC's approval.
5. Non Farm Use of the driveway (to access the worker accommodation etc) is not permitted until the reclamation is complete and approved by the ALC.

Official Community Plan

The subject property is designated as 'Agricultural Rural' pursuant to the *Peace River Regional District Rural Official Community Plan, Bylaw No. 1940, 2011*. Worker camps are not permitted within the Agriculture-Rural designation and therefore requires a Temporary Use Permit, which is permitted throughout the OCP area.

Land Use Zoning

The subject property is zoned A-2 (Large Agricultural Holdings Zone) pursuant to *Dawson Creek Rural Area Zoning Bylaw No. 479, 1986*. A worker camp is not a permitted use within this zone. Therefore, the proposed use does not comply with the Zoning Bylaw and requires a Temporary Use Permit (TUP).

Fire Protection Area

The subject property is outside all Rural Fire Protection Areas.

Mandatory Building Permit Area

The subject property is outside the Mandatory Building Permit Areas

Development Permit Area

The subject property is outside all Development Permit Areas.

Impact Analysis

Context

This property is adjacent to a major highway corridor with increased traffic congestion as it is adjacent to the Farmington Store.

The Agricultural Land Commission is requesting that the temporary use permit be held until the ALC receives confirmation that the reclamation work on the ALR portion of the subject property, as specified within ALC Resolution #357/2019, is completed. The Ministry of Transportation has requested that approval be conditional on the applicant applying for an Access to a Controlled Access Highway Permit.

Sewage & Water

The applicants state that there will be no sewage disposal or water supply necessary for the proposed use.

Comments Received from Municipalities & Provincial AgenciesAgricultural Land Commission

ALC staff has not received confirmation from the applicant that these sites have been reclaimed. For this reason, ALC staff find it premature to issue the TUP, until such time that confirmation of site reclamation has been received.

Ministry of Transportation and Infrastructure

The Ministry is in support of the proposal but the *Transportation Act* still applies. The applicant must apply for an Access to a Controlled Access Highway Permit prior to final TUP approval.

Northern Health

No objections to the Temporary Use Permit, subject to the applicant adhering to the *Public Health Act* [SBC 2008] and *Drinking Water Protection Act* [SBC 2001].

ALTERNATIVE OPTIONS:

1. That the Regional Board respectfully refuse issuance of Temporary Use Permit No. 18-329, for the property identified as 014-501-325, for the purpose of locating three temporary dwellings for employee housing as submitted.
2. That the Regional Board provide further direction.

STRATEGIC PLAN RELEVANCE:

☒ Not Applicable to Strategic Plan.

FINANCIAL CONSIDERATION(S):

The applicant is required to provide security for the cost of reclaiming the site following expiration of the Temporary Use Permit. An estimate letter for reclamation was received on January 31, 2020 to the sum of \$1,050. Security has been not been received.

COMMUNICATIONS CONSIDERATION(S):

The decision of the Regional Board will be communicated to the applicant.

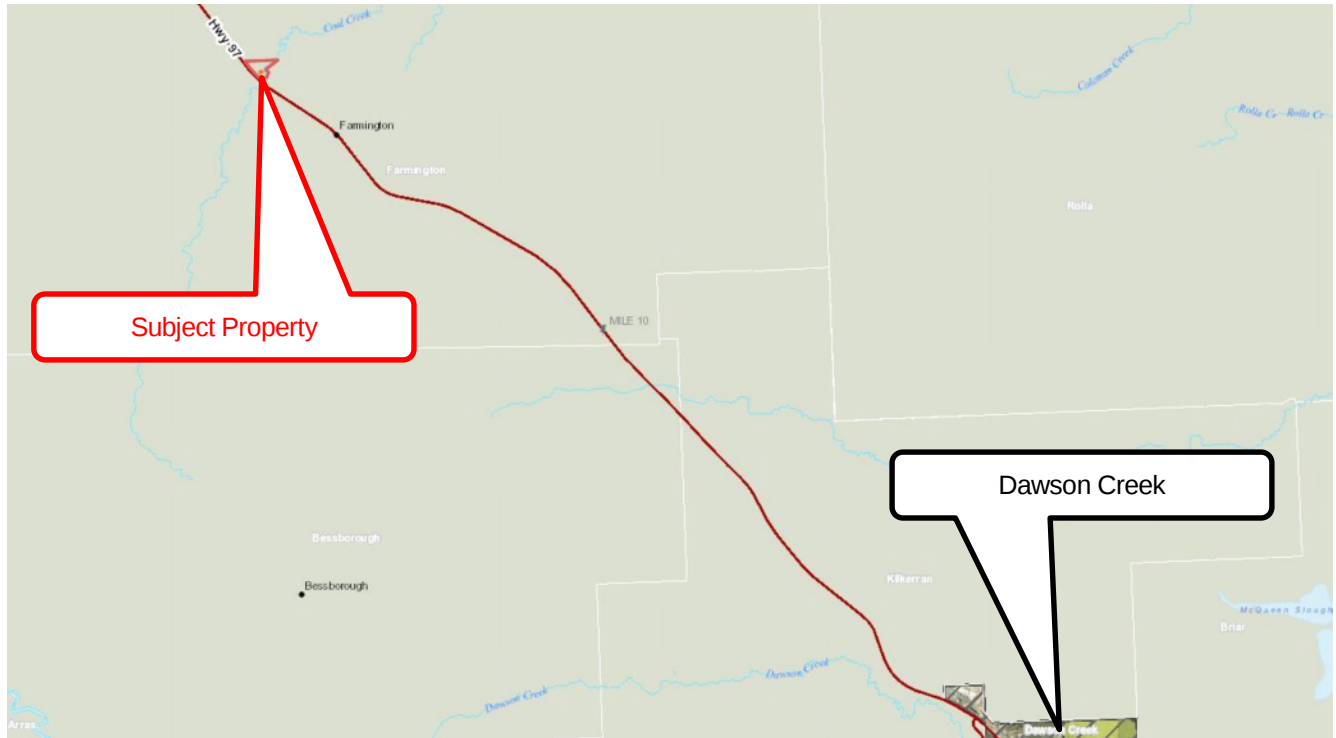
OTHER CONSIDERATION(S):

None.

Attachments:

1. Maps
2. Application
3. Section 7 & within PRRD Rural Official Community Plan Bylaw No.1940, 2011
4. Section 6.11 within Dawson Creek Rural Area Zoning Bylaw No. 479, 1986.
5. Referral comments from agencies
6. Draft Temporary Use Permit #18-329

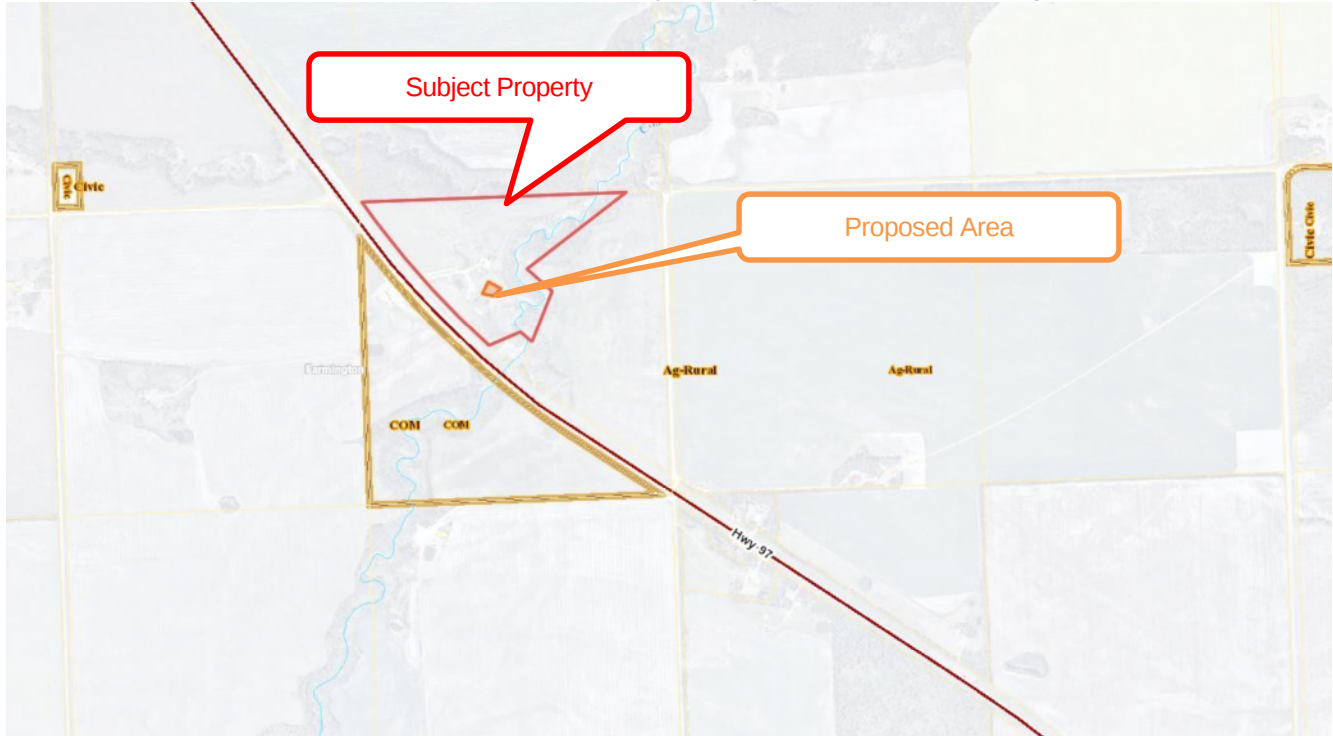
Context Photo



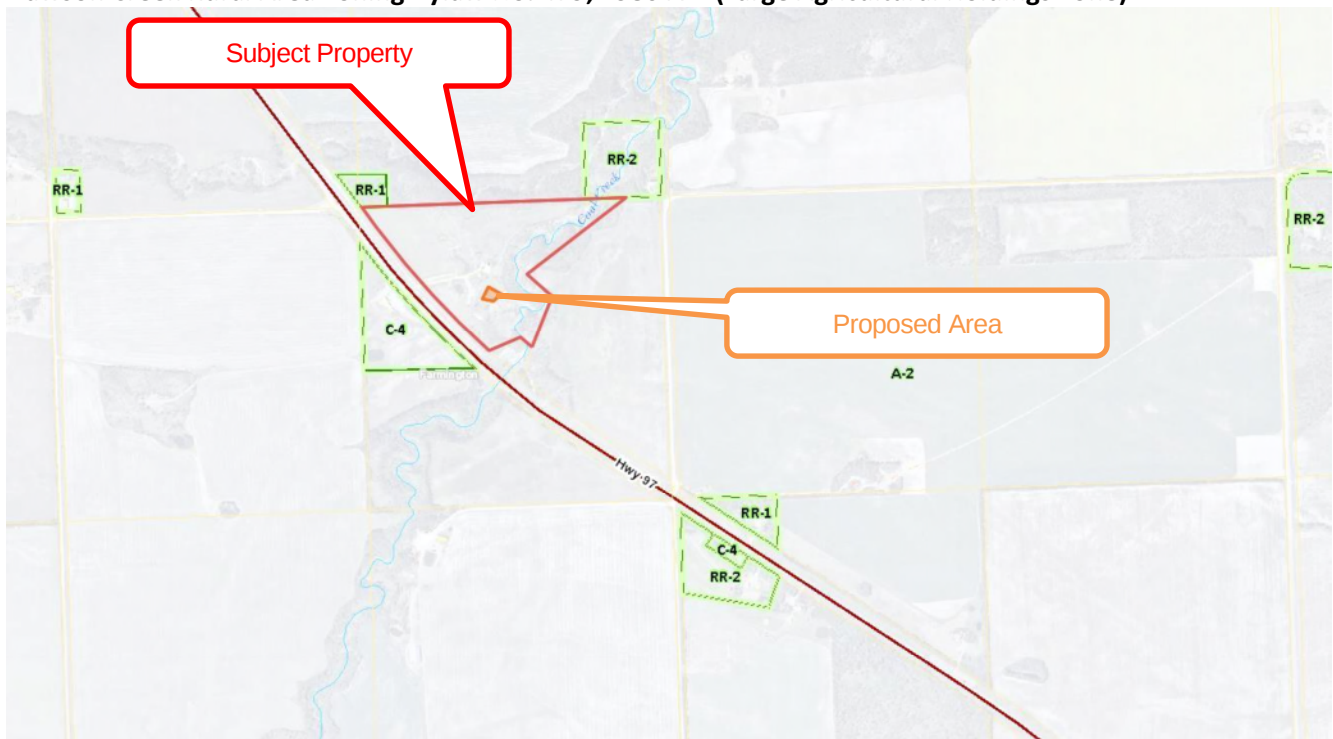
Air Photo:



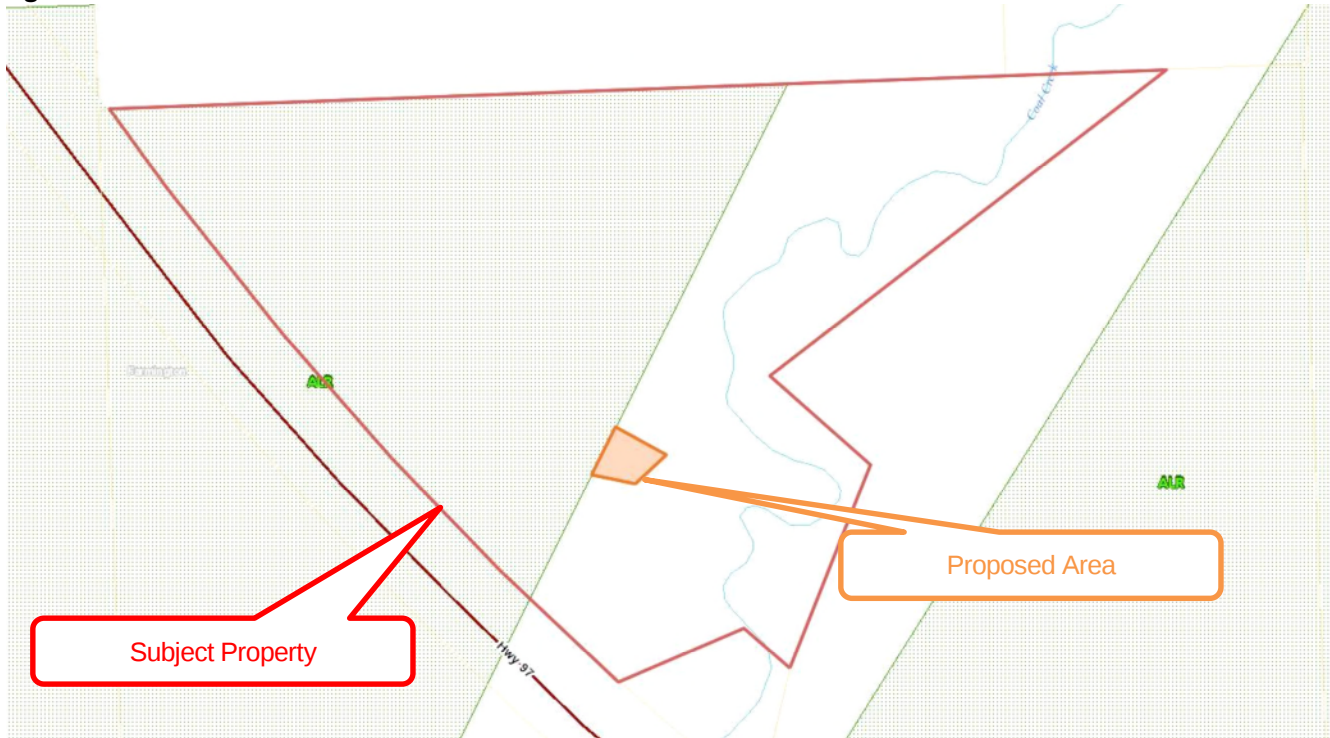
Peace River Regional District Rural Official Community Plan Bylaw No. 1940, 2011 (Ag-Rural)



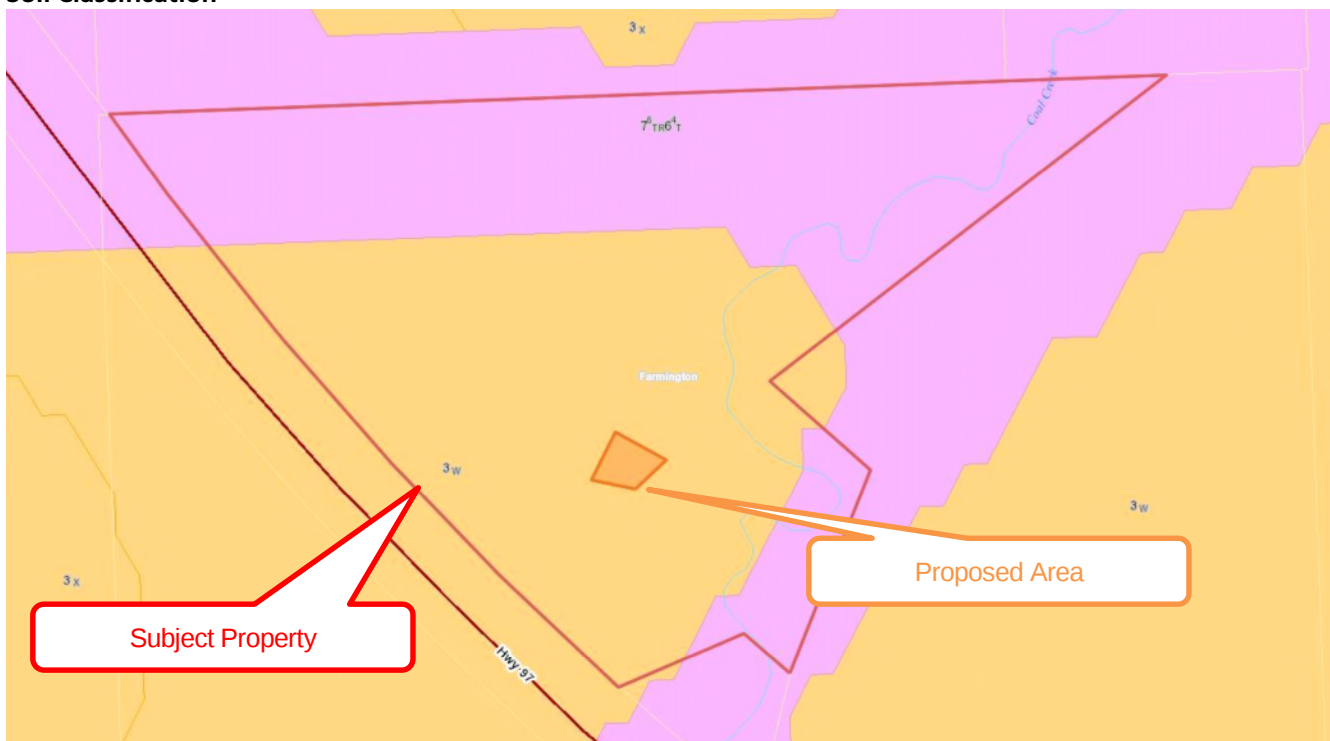
Dawson Creek Rural Area Zoning Bylaw No. 479, 1986 A-2 (Large Agricultural Holdings Zone)



Agricultural Land Reserve



Soil Classification





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 LYLE & STARLA TOEWS	Authorized Agent of Owner (if applicable) RICK TULLSON
Address of Owner [REDACTED]	Address of Agent [REDACTED]
City/Town/Village [REDACTED]	City/Town/Village [REDACTED]
Postal Code [REDACTED]	Postal Code T01H 3C0
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	
NE 1/4 - 1 - 80 - 17 W6M	34.9782	ha. <u>acres</u>
(* EXCEPT: Parcel A (P39008) & PLANS A938, 18475		ha./acres
AND BCP40976)		ha./acres
	TOTAL AREA	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: #5036 Alaska Highway, Farmington BC V0C 1N0

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:

Set up of 3, double occupancy, 12' x 60' skid shacks for occasional use of employees when working in the area

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

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

Previous owner ran a small trucking company out of property. Was used as a base and living quarters for workers. No other use of the land itself was evident at the time of purchase.

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

(a) North Field Crop

(b) East Hay Field

(c) South Hay Field

(d) West Farmington Store and RV Park

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

Place 3, double occupancy, skidded well site shacks within a small area on south edge of property between ALC boundary and 30M from Creek bank restriction area for occasional use of employees working in the area that may be required to remain in the area overnight. Accommodations for 6 employees at max capacity.

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

Employees occasionally run into "Hours of Service" issues after a full day of work in the surrounding area and can not always legally drive to the nearest town for accommodations. Also if employees are fatigued we try to avoid putting them and the public at risk of collision by providing these temporary accommodations close to their work area.

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

Working with an engineer to develop a modern waste system. Currently there is a lagoon system that was pre existing from the previous owner for his business purposes.

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

Water is to be trucked in by a local water hauler from Dawson Creek to a cistern on the property for basic non-potable use

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.

Signature of Owner

Sep 29 / 17
Date signed

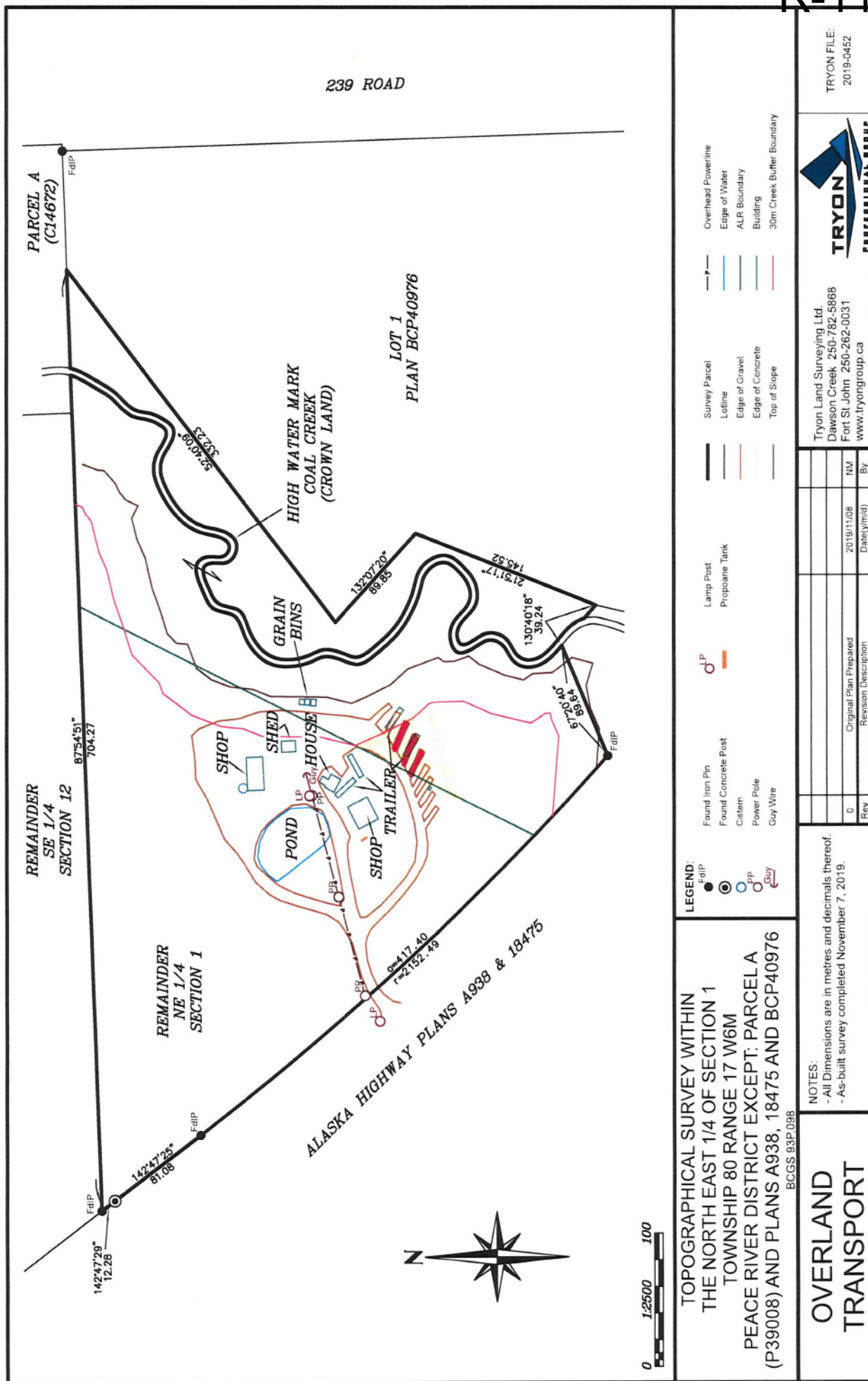
Signature of Owner

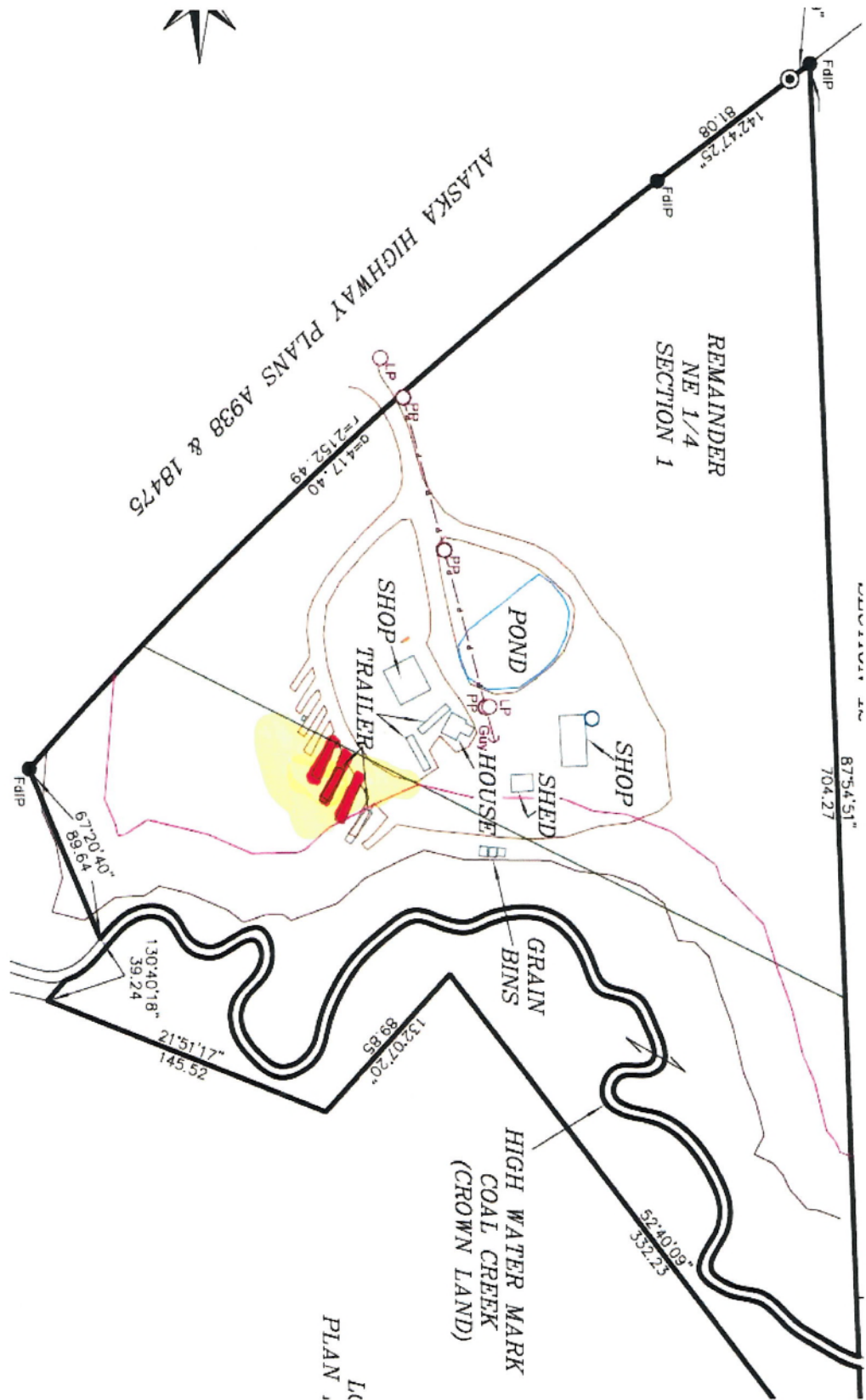
Sep 29 / 17
Date signed

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 <u>LYLE ROSS TOEWS</u> and <u>STARLA JANE TOEWS</u> hereby	
(name) application. <u>RICK TULLSON</u> to act on my/our behalf regarding this	
Agent address: _____	
Telephone: _____	Fax: _____ Email: <u>C.N.</u>
Signature of Owner: _____	Date: _____
Signature of Owner: _____	Date: _____





7.0 Agriculture – Rural

The vast majority of the plan area has low density population development with agricultural and resource extraction activity. This land between Rural Neighbourhoods and Rural Communities is valued for its food production and right-to-farm.

Objective: Within this designation, the Regional District supports agriculture as the principle use of land which is reinforced by the *Agricultural Land Commission Act* and the *Right-to-Farm Act*.

Policy 1 Lands designated as Agriculture – Rural are delineated on the Plan Maps.

Policy 2 Within the Agriculture – Rural designation the principal use of land will generally be limited to:

- (a) uses required for operating a farm; agriculture; agri-tourism; communal farm; residential use; home-based businesses; kennels; trapping, hunting, outfitting establishments; ecological reserves and work that supports ecological protection or restoration;
- (b) businesses directly compatible or complementary to the agricultural industry, such as a grain elevator, fertilizer distribution facility, or a feed and supply store, are permitted, through a re-zoning if required;

Policy 3 Within the Agriculture – Rural designation the minimum parcel size will not be less than 63 ha (155 acres) with the following exceptions:

- (a) where the land is within the Agricultural Land Reserve and the creation of the new parcel is in compliance with Agricultural Land Commission's Homesite Severance Policy;
- (b) where the proposed new parcel is separated from the remainder by a railway, road right-of-way, or significant topographical constraint;
- (c) where the parcel to be created is outside the Agricultural Land Reserve and the new parcel would be not less than 15 ha (37 acres);
- (d) where the parcel to be created has low agricultural capability based on soil rating in the Canada Land Inventory (Class 5 – excluding Class 5C – Class 6 and Class 7 rated soils) subject to the review under section 16 (Preservation Area and Safety) if applicable;
- (e) where the subdivision does not require a re-zoning except as limited by Section 7.0 Policy 3(g);
- (f) where the proposed lot uses an abandoned homesite on an agricultural parcel;
- (g) where the subdivision is being made for the purpose of providing residence to the landowner, or a relative of the landowner,
 - i. the subdivision is limited to not more than one lot per parent parcel,
 - ii. such a subdivision can be approved on a one time only basis per parent parcel,

- iii. the location and configuration of any parcel created should not negatively impact agriculture operations or increase the potential for conflict with adjoining parcels,
- iv. where the land is within the ALR, a farm business rationale is presented which involves a benefit for agriculture.

Policy 4 Subdivision or land use proposals will be examined and considered in areas designated Agriculture – Rural, subject to the factors as set out in Section 20.4.

Policy 5 Multiple lot subdivisions should be directed to areas designated as Rural Community or Rural Neighbourhood.

Policy 6 Commercial and light industrial uses should be directed to areas designated as Rural Community.

Policy 7 Only agricultural development should be encouraged on lands with a Canada Land Inventory soil rating of Class 1.

Policy 8 Development proposed on lands with a Canada Land Inventory soil rating of Class 2, 3, 4, or 5C should strive to disrupt as little agriculturally productive land as possible, and take measures to minimize, eliminate, and/or off-set impacts to the soil and agriculture.

Policy 9 When considering applications concerning land within the Agriculture – Rural designation, the Regional Board may seek the advice of the PRRD Agricultural Advisory Committee regarding the proposal's location, orientation, layout, and impact on agricultural land; the proposal's impact on existing agricultural operations; and the proposal's impacts or contributions to the sustainability of farming in general.

18.0 Temporary Use Permits

Economic opportunities sometimes arise that are temporary in nature for which permanent development is not desirable. At times, it is beneficial to test the potential of a use at one particular location before committing permanent development. Temporary use permits can cover a wide range of activities including weekend events, worker camps, storage, and many other land uses.

Objective: To permit flexibility and diversity in employment and economic opportunities.

Policy 1 Pursuant to the *Local Government Act* the entire Rural OCP area is designated as an area where temporary uses may be allowed.

Policy 2 The intent of temporary permits is to accommodate a time-limited use.

Policy 3 In addition to public notification requirements, a public meeting may be held at the discretion of the Regional Board concerning an application for a temporary use permit.

Policy 4 The Regional Board may refer an application for a temporary use to the PRRD Agricultural Advisory Committee for comment.

Policy 5 A temporary use permit for a use located adjacent to a Controlled Access Highway or other major roads may not be approved by the Regional Board where the Ministry of Transportation and Infrastructure indicates that it has an objection to the proposed use with reference to traffic safety.

Policy 6 An approved temporary use may continue in accordance with the provisions specified in the permit until the date the permit expires, or three years after the permit was issued, whichever occurs first.

Policy 7 Temporary use permits may be renewed only once and should be discouraged from re-application in favour of being considered through a re-zoning amendment process.

Policy 8 Proposals for temporary use permits will be examined and considered, subject to the factors as set out in Section 20.4.

Policy 9 In addition to Policy 8, temporary use permit proposals will be examined and considered, subject to factors including, but not limited to, the following:

- (a) plans for vehicle access, parking and circulation on the property;
- (b) distance to homesites and nearby Rural Places;
- (c) the siting, orientation, and layout of proposed structures and activities,
- (d) arrangements for the dismantling or removal of any buildings or structures that are part of the proposed use, and not otherwise permitted by zoning regulations,

- (e) arrangements for the restoration of the land to the condition of the land on the date that the permit's issuance;
- (f) propensity of the proposed use to emit dust, air emissions (including prevailing wind direction), noise, and light affecting neighbouring properties,
- (g) location, visibility, and security of outdoor storage areas.

Policy 10 Temporary uses should be oriented as to minimize or eliminate conflicts with agriculture.

Policy 11 Where a temporary use is proposed within the Agricultural Land Reserve, issuance of a temporary use permit is subject to approval of a non-farm use by the Agricultural Land Commission.

A-2 Large Agricultural Holdings Zone - 63 ha (155 acres)

Permitted Uses

6.11 (A) The following uses and no others are permitted in an A-2 zone except as provided for in Part 7 of this Bylaw:

- (i) agriculture, including intensive agriculture;
- (ii) oil or gas production, processing, storage, transmission and exploration;
- (iii) wood harvesting and forestry;
- (iv) livestock range;
- (v) fish and wildlife habitat;
- (vi) watershed protection and erosion control;
- (vii) kennel;
- (viii) public use;
- (ix) trapping, hunting, guiding, outfitting, guest ranch and ancillary accommodation;
- (x) airstrip;
- (xi) mining, including gravel extraction and processing facilities;
- (xii) two family dwelling;
- (xiii) farm dwelling;
- (xiv) single family dwelling;
- (xv) bed and breakfast accommodations; [Bylaw No. 1710, 2007]
- (xvi) home occupation;
- (xvii) home industry including storage yard; (xviii) accessory building.

Regulations

(B) On a parcel located in an A-2 zone.

Number of Family Dwellings

- (i) not more than two single family dwellings or a two family dwelling is permitted, but not both;

Additional Dwellings

- (ii) in addition to the dwellings permitted in Section 6.11 (B)(i):
 - (a) not more than one farm dwelling per quarter section (63 ha.) parcel of land is permitted in conjunction with an agricultural use;
 - (b) not more than three additional dwelling units per parcel are permitted for ancillary accommodation to trapping, hunting, guiding or guest ranch uses;

Height

- (iii) there are no height limitations in an A-2 zone;

A-2 Large Agricultural Holding Zone - 63 ha (155 acres) (continued)

Siting

(iv) no single family dwelling, two family dwelling or farm dwelling shall be located within:

- (a) 7 metres of the front parcel line;
- (b) 3 metres of an interior side parcel line;
- (c) 5 metres of an exterior side parcel line; or
- (d) 7 metres of the rear parcel line;

no accessory building shall be located within:

- (a) 7 metres of the front parcel line;
- (b) 3 metres of an interior side parcel line;
- (c) 5 metres of an exterior side parcel line; or
- (d) 3 metres of the rear parcel line;

Home Occupations and Home Industry

- (vi) (a) home occupations shall be conducted entirely within a building containing a single family dwelling or a two family dwelling or within a building accessory to a single family dwelling or a two family dwelling;
- (b) home industries shall be conducted entirely within a building accessory to a single family dwelling or a two family dwelling and may include a storage yard for products and materials utilized in the home industry;
- (c) storage yards for a home industry shall be limited to a maximum of twenty percent (20%) coverage of the parcel, or 1.0 hectare (2.5 acres), whichever is less;
- (d) Section 6.11 (B) (vi) (d) is deleted. [Bylaw No. 827, 1992]
- (e) retail sales of goods produced in the home occupation or home industry shall be permitted but shall be accessory to the principal home occupation or home industry use;

Off Street Parking and Loading

- (vii) off street parking and loading spaces shall be provided and maintained in accordance with Section 7.8 of this bylaw;

A-2 Large Agricultural Holding Zone - 63 ha (155 acres) (continued)

Minimum Parcel Size

- (viii) the minimum parcel size is 63 hectares (155 acres) except as noted below.
- (a) for oil and gas production, storage, transmission or exploration there is no minimum parcel size subject to the *Local Services Act*;
 - (b) for the remainder of a parcel zoned A-2, whereby a portion thereof has been rezoned and subdivided for an intensive agriculture use, the minimum parcel size is 40 hectares (100 acres);
 - (c) for those portions of a parcel which are situated on either side of a railway right-of-way, road right-of-way or a watercourse there is no minimum parcel size subject to the *Local Services Act* only so far as to permit subdivision along the railway right-of-way, road right-of-way or watercourse;
 - (d) for those fractional portions of a parcel that are the remainder of a quarter section as delineated by Quarter Section Boundaries, the minimum parcel size is 50 hectares (124 acres); [Bylaw No. 581, 1988]
- (ix) the provisions of the *Local Services Act* and regulations thereunder and Provincial regulations relating to sewage disposal, all of which enactments exist as of the date of the last publication of the notice for the Public Hearing for this bylaw, are hereby incorporated by reference as requirements under this bylaw in respect of subdivision approval;

Agricultural Land Reserve

- (x) refer to Section 4.6 for lands within the Agricultural Land Reserve.

Bed and Breakfast Accommodation

- (xi) regulations affecting the operation of bed and breakfast accommodations are provided in Section 7.10 of this bylaw. [Bylaw No. 1710, 2007]

Additional Uses

- (xii) WIND TURBINES on lands legally described as:
- Section 13 Township 81 Range 16 W6M PRD
 - Section 17 Township 81 Range 15 W6M PRD
 - Fractional Section 18 Township 81 Range 15 W6M PRD
 - Section 19 Township 81 Range 15 W6M PRD except Plan PGP40864 [Bylaw No. 2224, 2016]
 - N ½ of Section 15 Township 80 Range 18 W6M PRD except Plan BCP39885
 - S ½ of Section 22 Township 80 Range 18 W6M PRD except Part dedicated Road on Plan BCP39883
 - NW ¼ of Section 22 Township 80 Range 18 W6M PRD except Part dedicated Road on Plan BCP39882
 - W ½ of Section 34 Township 80 Range 18 W6M PRD except Plan BCP39887 [Bylaw No. 2225, 2016]
 - The Southeast ¼ of Section 5, Township 80, Range 15, W6M, PRD, Except Plan PGP44848
 - The Northeast ¼ of Section 5, Township 80, Range 15, W6M, PRD

A-2 Large Agricultural Holding Zone - 63 ha (155 acres) (continued)

Additional Uses (continued)

(xii) WIND TURBINES on lands legally described as:

The Northwest ¼ of Section 5, Township 80, Range 15, W6M, PRD

The Southeast ¼ of Section 17, Township 80, Range 15, W6M, PRD

The Northwest ¼ of Section 17, Township 80, Range 15, W6M, PRD

The Southwest ¼ of Section 17, Township 80, Range 15, W6M, PRD

[Bylaw No. 2292, 2017]



REFERRAL FORM

R-11
Peace River Regional District
Box 810, 1981 Alaska Avenue,
Dawson Creek, B.C. V1G 4H8
Telephone: (250) 784-3200
Fax: (250) 784-3201

Peace River Regional District	Temporary Use Permit #18-329	Date: November 29, 2019
You are requested to comment on the attached TUP for potential effect on your agency's interests. We would appreciate your response within 21 days (December 20, 2019). If no response is received within that time, it will be assumed that your agency's interests are unaffected.		
PURPOSE OF PERMIT: Placement of three skidded well site shacks for occasional accommodation of employees up to a maximum a 6 occupants.		
GENERAL LOCATION: Farmington		
LEGAL DESCRIPTION: The Northeast ¼ of Section 1, Township 80, Range 17, W6M, PRD Except: Parcel A (P39008 and Plans A938, 18475 and BCP40976		
AREA OF PROPERTY 14 ha (35 ac)	ALR STATUS: Partially Within	OCP DESIGNATION: Agriculture-Rural
Land Owner: Lyle and Starla Toews		
Please fill out the Response Summary on the back of this Form. If your agency's interests are unaffected, no further information is required. In all other cases, we would appreciate receiving additional information to substantiate your position and, if applicable, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this bylaw.		
Name: <u>Kole Casey</u> Title: <u>South Peace Land Use Planner</u>		
This referral has also been forwarded to the following agencies:		
✓ Northern Health Authority	✓ Ministry of Transportation & Infrastructure	✓ Oil & Gas Commission
✓ Ministry of Forests, Lands, Natural Resources Operations and Rural Development	✓ Peace River Regional District Community Services Department	✓ Ministry of Environmental and Climate Change
✓ School District #59	✓ Royal Canadian Mounted Police	✓ Agricultural Land Commission
Municipalities or Districts:		
✓ District of Chetwynd	✓ District of Hudson's Hope	✓ District of Taylor
✓ City of Dawson Creek	✓ Village of Pouce Coupe	✓ District of Tumbler Ridge
✓ City of Fort St. John		

February 13, 2020


Agricultural Land Commission

201 – 4940 Canada Way
 Burnaby, British Columbia V5G 4K6
 Tel: 604 660-7000 | Fax: 604 660-7033
 www.alc.gov.bc.ca

December 23, 2019

Reply to the attention of Sara Huber
 ALC Issue: 51632
 Local Government File: TUP 18-329

Kole Casey
 South Peace Land Use Planner, Peace River Regional District
 Kole.Casey@prrd.bc.ca

Delivered Electronically
Re: Peace River Regional District Temporary Use Permit 18-329

Thank you for forwarding a draft copy of Peace River Regional District (PRRD) Temporary Use Permit (TUP) 18-329 (the “TUP”) for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the TUP is consistent with the purposes of the Agricultural Land Commission Act (ALCA), the Agricultural Land Reserve General Regulation, (the “General Regulation”), the Agricultural Land Reserve Use Regulation (the “Use Regulation”), and any decisions of the ALC.

Application History

In December 2018, the applicant submitted a non-farm use application (Application 58391) to the Commission in order to retain the temporary accommodations on the property identified as 5036 Highway 97, Farmington; PID: 014-501-325 (the “Property”) for employees of Overland Transport Ltd. who worked off-site in the area, including the following:

- An existing five-unit modular temporary work camp accommodation with a capacity of 24 beds;
- Nine existing serviced RV stalls; and,
- Two existing single-unit temporary work camp accommodations (one located within the ALR and one on the non-ALR portion of the Property).

In October 2019, the Commission refused the application as proposed; however, approved the use of the driveway for access to the non-ALR portion of the Property for the purpose of accessing worker accommodations outside of the ALR. The approval for the use of the driveway was subject to a number of conditions, including but not limited to, reclamation of the ALR land that had been previously altered for non-farm use, including the work camp site, and RV sites within the ALR (Resolution #357/2019).

Current Proposal

The TUP is to allow the placement of three skidded well site shacks for occasional accommodation of employees (up to 6 occupants) on the Property. The well site shacks are located on the portion of the Property outside of the ALR, but are to be accessed through the driveway, which is in the ALR.

ALC Staff Comment

While the ALC does not regulate lands outside of the ALR, in its approval of the use of the driveway for accessing worker accommodations outside of the ALR, the Commission required that the sites that had been previously occupied for non-farm use be reclaimed. ALC staff has not received confirmation from the applicant that these sites have been reclaimed. For this reason, ALC staff finds it premature to issue the TUP, until such time that this confirmation has been received.

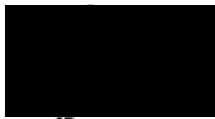
The ALC strives to provide a detailed response to all bylaw referrals affecting the ALR; however, you are advised that the lack of a specific response by the ALC to any draft bylaw provisions cannot in any way be construed as confirmation regarding the consistency of the submission with the ALCA, the Regulations, or any Orders of the Commission.

This response does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

If you have any questions about the above comments, please contact the undersigned at 604-660-7019 or by e-mail (Sara.Huber@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION



Sara Huber, Regional Planner

Enclosure: Referral of TUP 18-329

CC: Ministry of Agriculture – Attention: Lori Vickers

51632m1



Ministry of
Transportation
and Infrastructure

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

Attention: Kole Casey, South Peace Land Use Planner

The Ministry of Transportation and Infrastructure (MoTI) has received and reviewed your referral for the Temporary Use Permit (PRRD # 18-329) for the place placement of three skidded well site shacks for occasional accommodation of employees up to a maximum a 6 occupants, to serve PID 014-501-325, NE 1/4 of, Sec 1, Twp 80, Rge 17, W6M, Peace River EXC PCL A (P39008) & PLS A938 18475 & BCP40976.

The Ministry is in support of the proposal however the Transportation Act still applies and the following conditions must be met:

1. Applicant to apply online for an 'Access to a Controlled access Highway' permit to the Ministry of Transportation and Infrastructure prior to final TUP approval.

Permits can be applied for online here: <http://www.th.gov.bc.ca/permits/Apply.asp>.

Thank you for the opportunity to comment. If you or the applicant have any questions or concerns, please contact me at 250-261-5745.

Sincerely,



Raj Chopra – Development Technician

Ministry of
Transportation and
Infrastructure

Peace District

Mailing Address:
District Office Address:
#300, 10003 - 110th Avenue
Fort St John, BC V1J 6M7
Telephone: (250) 787-3237
Facsimile: (250) 787-3279

Area Office Locations:
1201 103 Ave, 3rd floor
Dawson Creek, BC
4744 – 52 Street
Chetwynd, BC V0C 1J0

February 13, 2020



Environmental Health
1001 110 Ave. Dawson Creek
BC V1G 4X3
Phone: 250-719-6500

December 17, 2019

Kole Casey
South Peace Land Use Planner
Peace River Regional District

Dear: Kole Casey

**Re: TUP #18-329 Northeast ¼ of Section 1, Township 80, Range 17, W6M, PRD
Except: Parcel A (P39008 and Plans A938, 18475 and BCP40976)**

This letter is in regards to the Temporary Use Permit application at the above noted location. The purpose of this permit is to place three skidded well site shacks for occasional accommodation of employees up to a maximum of 6 occupants.

Based on the intent of this application, Northern Health has no objections to the issuing of a Temporary Use Permit to the applicant subject to the applicant, hereafter referred to as the operator, adhering to the following conditions:

1. As per the [Public Health Act \[SBC 2008\] Ch. 28](#), the operator must not create a health hazard.
2. As per the *Public Health Act [SBC 2008] Ch. 28*, an operator who engages in a regulated activity must comply with any requirement or duty set out in a regulation respecting the regulated activity.
 - a) The application indicates that a new sewage disposal system is being developed. This must be done in accordance with the [Sewerage System Regulation](#).
3. As per the [Drinking Water Protection Act \[SBC 2001\] Ch. 9](#), the operator must obtain a Construction Permit and an Operating Permit for the water supply system and comply with the provisions of the *Drinking Water Protection Act* and [Regulation](#).

For more information on these requirements, please direct the applicant to contact the undersigned.

Sincerely,

Ali Moore
Environmental Health Officer

February 13, 2020



PEACE RIVER REGIONAL DISTRICT

TEMPORARY USE PERMIT NO. 18-329

ISSUED TO: Name: Lyle and Starla Toews
Address: RR#2, Site 1, Box 67
Sexsmith, Alberta
T0H 3C0

- A. 1. Property affected: The Northeast ¼ of Section 1, Township 80, Range 17, W6M, PRD
Except: Parcel A (P39008 and Plans A938, 18475 and BCP40976
PID: 014-501-325
2. Official Community Plan: PRRD Rural Official Community Plan, Bylaw No. 1940, 2011:
'Agriculture-Rural'
3. Zoning Bylaw: Dawson Creek Rural Zoning Bylaw No. 479, 2001; 'A-2' (Large Agricultural
Holdings Zone)
- B. 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 **DAY/MONTH/2022**, at which time it shall expire and the property affected by this permit will be subject to the applicable zoning regulations.
 2. The property referenced in Item A (1) above may be used for the following Temporary purposes in addition to those permitted by the zoning applicable to the property:
 - i. **Placement of three skidded well site shacks for occasional accommodation of employees up to a maximum a 6 beds.**
 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 by-law 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. Receipt of security to secure the condition of reclamation of the site in the amount of \$1,050 prior to issuance of the permit.
 - v. Site photos to document site conditions existing prior to development as permitted by this permit, must be submitted to the Peace River Regional District (PRRD) prior to the issuance of this Temporary Use Permit (TUP).
 - vi. Reclamation of the site to pre-TUP conditions, as per the photos submitted in accordance with v) above, or to a condition satisfactory to the owner and PRRD, must be completed within **90 days** of the expiration of the permit.
 - vii. Failure to comply with vi) above authorizes the PRRD to enter on the land and carry out the reclamation at the expense of the owner.
 - viii. The security is returned only after the PRRD receives a letter of approval from a qualified environmental professional that the remediation work has been

February 13, 2020

- completed as per vi) above.
- ix. Should the temporary use be required beyond the expiration date of this permit, a temporary use permit renewal application must be received by the Peace River Regional District 6 months prior to the expiration of this permit for consideration by the Regional Board.
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, 2023.

Authorized Signatory

Schedule 'A' (Map) is attached to and forms part of the Temporary Use Permit.