

REPORT

To: Chair and Directors

Date: November 22, 2019

From: Kevan Sumner, General Manager of Development Services

Subject: Temporary Use Permit No. 19-129

RECOMMENDATION: [Corporate Unweighted]

That the Regional Board respectfully refuse issuance of Temporary Use Permit No. 19-129 for the property identified as PID 011-407-999, for a pipe and maintenance material storage site, in accordance with Section 18.0, Policy 7 of the *PRRD Rural Official Community Plan, Bylaw No. 1940, 2011*.

BACKGROUND/RATIONALE:

Proposal

To allow for a pipe and maintenance material storage site on a 4.14 ha (10.2 ac) area of the subject property for a three year period.

File Details

Owners: Kosick Holdings Inc.
 Agent: Roy Northern Land Service Ltd.
 Area: Electoral Area D
 Location: South Taylor
 Legal: Section 32 Township 80 Range 17 W6M PRD Except Part Lying East of Plan A938 & Except Plans A938 PGP45537 & BCP38517
 Civic Address: 5542 Braden Road
 PID: 011-407-999
 Lot Size: 205.38 ha (507.51 ac)

Site Context

The location for the proposed temporary use (the site) is on the subject property, located in South Taylor along Highway 97, approximately 4.90 km southwest of the rural community of Tower Lake. The west portion of the subject property is bordered by cleared land. The north and south portions of the subject property are bordered by trees and bush. The subject property is bordered on the east by Highway 97. On the eastern side of Highway 97, there are a number of small lots comprising the rural community of Farmington (Old Alaska Highway). The proposed temporary use of the site is a pipe and maintenance material storage site.

File History

In 2012 a previous landowner received a Temporary Use Permit for the site from the Regional Board for three years, for oil and gas equipment storage. In 2016, the current landowner received a Temporary Use Permit renewal from the Regional Board until late 2017. In 2017, a Temporary Use Permit was issued to the landowner from the Regional Board until late 2018. The *PRRD Rural*

Official Community Plan, Bylaw No. 1940, 2011 states, “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”.

Site Features

Land

Based on the applicant’s site plan, the site is stripped and graveled. There is a buffer of trees between the site and Braden Road, Highway 97, and the remainder of the subject property. The site is located on the north portion of the subject property.

Structures

The site does not presently contain any structures, however it is fenced and has electrical service.

Access

The site is accessed via Braden Road.

CLI Soil Rating

Soil on the site is class 4x. Class 4 soils have severe limitations restricting crop ranges or require special conservation practices. Subclass X denotes soils with limitations resulting from cumulative effects of two or more adverse characteristics

Comments & Observations

Applicant

The applicant intends to use the site for a pipe and maintenance material storage site. The applicant states the site was previously stripped and gravelled, serviced with electricity, and fenced. The applicant further states no new development is required.

Agricultural Land Reserve (ALR)

The site is within the ALR and is therefore subject to the provisions of the *Agriculture Land Commission Act*.

In 2012 a previous landowner received a Non-Farm Use permit from the ALC for five years with the potential for renewal, for oil and gas equipment storage. In 2017, the landowner received an extension for the Non-Farm Use from the ALC until late 2018. In September of 2019, the landowner received ALC approval for a new Non-Farm Use application for the site for six years.

Official Community Plan (OCP)

The site is designated as Agriculture-Rural within the *PRRD Rural Official Community Plan, Bylaw No. 1940, 2011*. Section 18.0 Policy 1 states “the entire Rural OCP is designated as an area where temporary uses may be allowed,” pursuant to the *Local Government Act*. Section 18.0 Policy 11 states, “issuance of a temporary use permit is subject to approval of a non-farm use by the ALC,” where temporary use is proposed within the ALR.

Section 18.0 Policy 7 states, “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”.

Therefore the proposal does not align with the OCP.

Land Use Zoning

The site is zoned A-2 (Large Agricultural Holdings Zone) pursuant to *PRRD Zoning Bylaw No. 479, 1986* (Zoning Bylaw). Within this zone, storage facilities are not a permitted use.

Therefore, the proposed use does not comply with the Zoning Bylaw, and requires either rezoning or a Temporary Use Permit.

Fire Protection Area

The site is outside all Fire Protection Areas.

Mandatory Building Permit Area

The site is outside all Mandatory Building Permit Areas

Development Permit Area

The site is outside all Development Permit Areas.

Impact Analysis

Context

The proposed temporary use would result in similar activities to what has been undertaken on the subject property in the past, when the site operated under a Temporary Use Permit for storage activities from 2012 to 2018. See File History, above.

Neighbouring Properties

PRRD staff has calculated there are forty-five (45) 911 addresses within a 1.5 km radius of the subject property where the site is located. The identified addresses are mostly within the community of Farmington (Old Alaska Highway).

Sewage & Water

There is no sewage disposal or water supply proposed.

Agriculture

The site is expected to have minimal impact on the agricultural productivity of the remainder of the subject property.

Population & Traffic

The proposed use would not increase the local population, however it has potential to increase traffic (service vehicles associated with the proposed storage site) in the area. The traffic increase is expected to be similar to what was experienced under the previous Temporary Use Permit.

Comments Received from Municipalities & Provincial Agencies

ALC

1. Conditionally approved with conditions, by Resolution #337/2019 (See Attachments 4).
2. No objections.

Charlie Lake Fire Department

No concerns.

City of Fort St. John

Interests unaffected.

MoTI

No objections.

Northern Health

Approval recommended subject to conditions (see Attachments 4).

ALTERNATIVE OPTIONS:

1. That the Regional Board authorize issuance of Temporary Use Permit No. 19-129 for the property identified as PID 011-407-999, for a pipe and maintenance material storage site.
2. That the Regional Board provide further direction.

STRATEGIC PLAN RELEVANCE:

- ☒ Not Applicable to Strategic Plan.

FINANCIAL CONSIDERATION(S):**COMMUNICATIONS CONSIDERATION(S):**

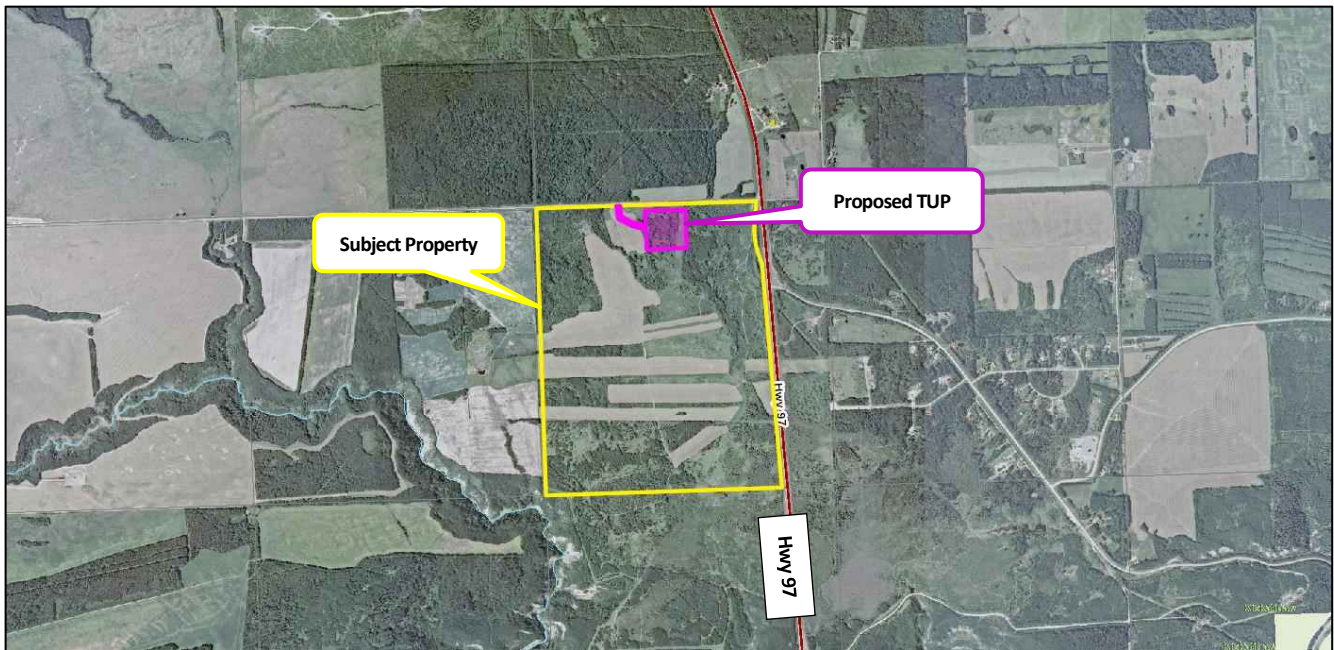
The outcome of the Board's decision will be communicated to the applicant.

OTHER CONSIDERATION(S):**Attachments:**

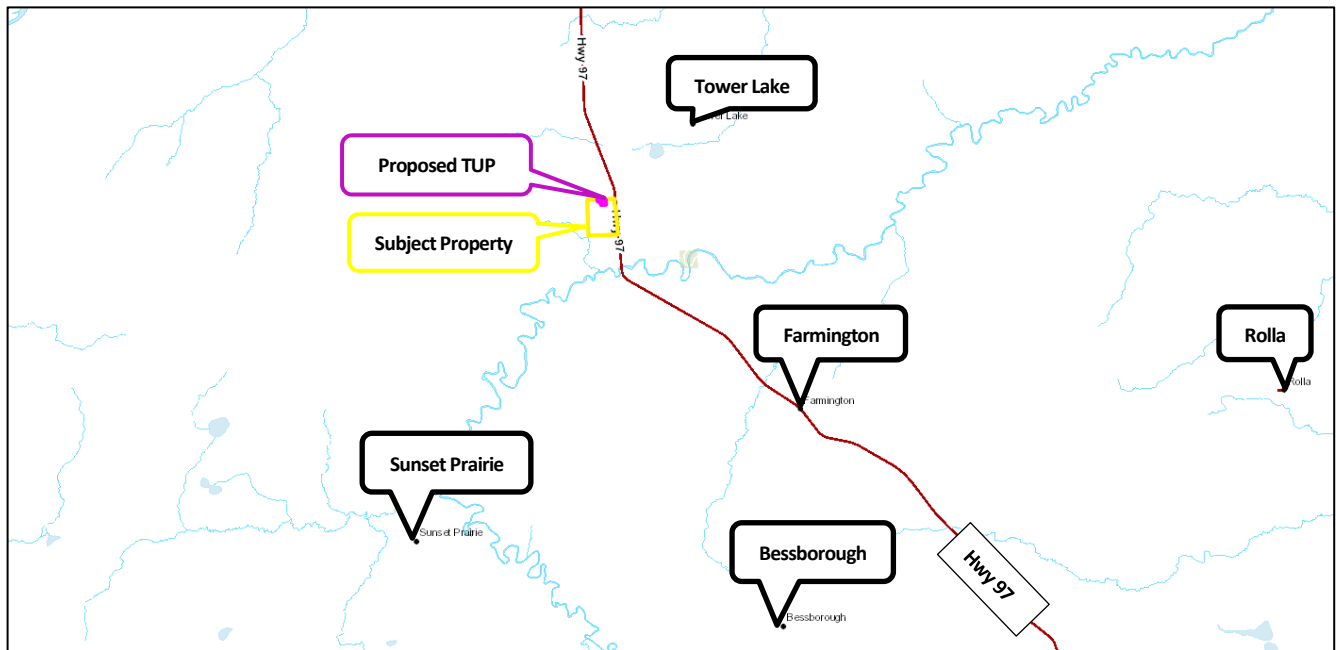
1. Maps
2. Site Photos
3. Application
4. Referral responses from agencies
5. Director comments
6. Draft Temporary Use Permit
7. Schedule A

External Links:

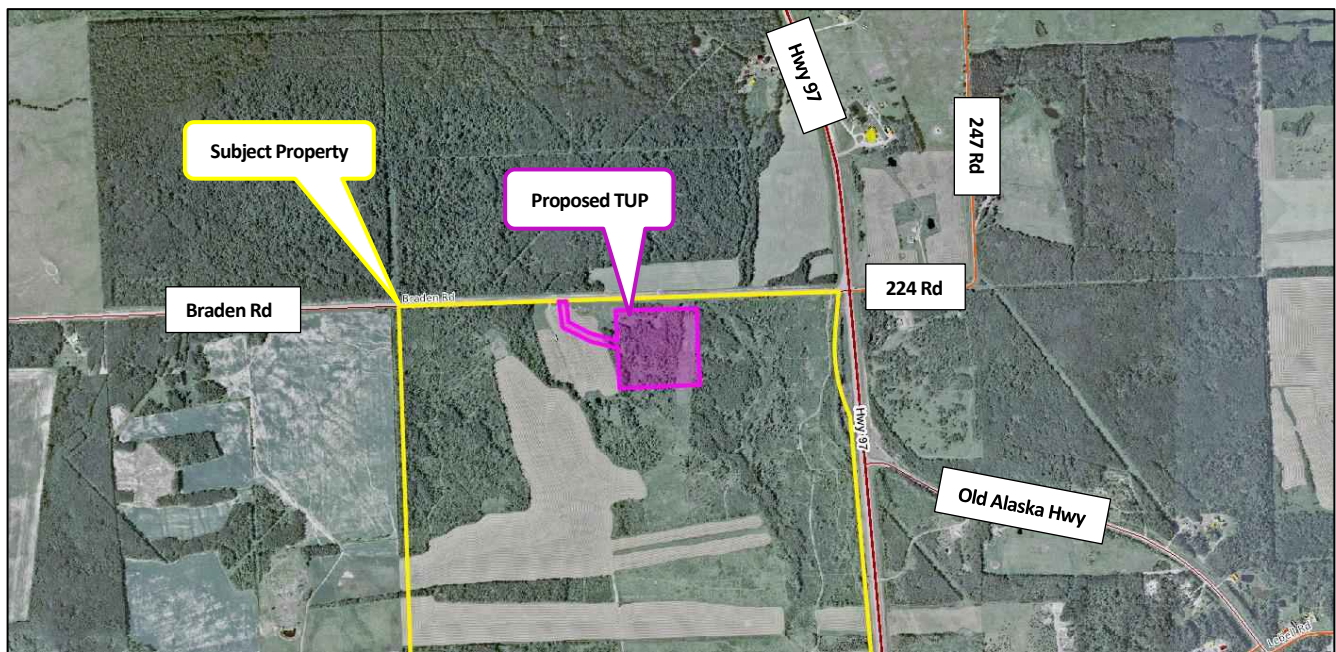
1. [June 22, 2017 Staff Report for Temporary Use Permit, File No. 033/2017](#)
2. [March 24, 2016 Staff Report for Temporary Use Permit, File No. 020/2016](#)
3. [December 7, 2012 Staff Report for Temporary Use Permit, File No. 228/2012](#)

Temporary Use Proposal

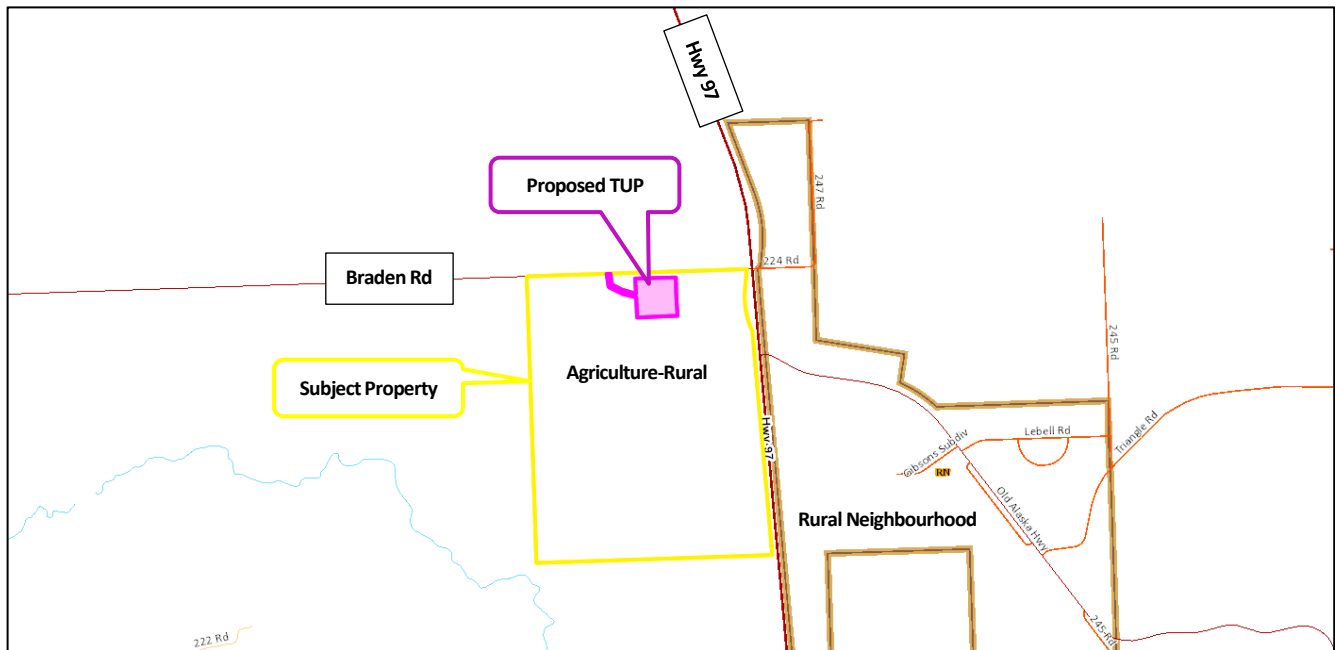
Location: South Taylor



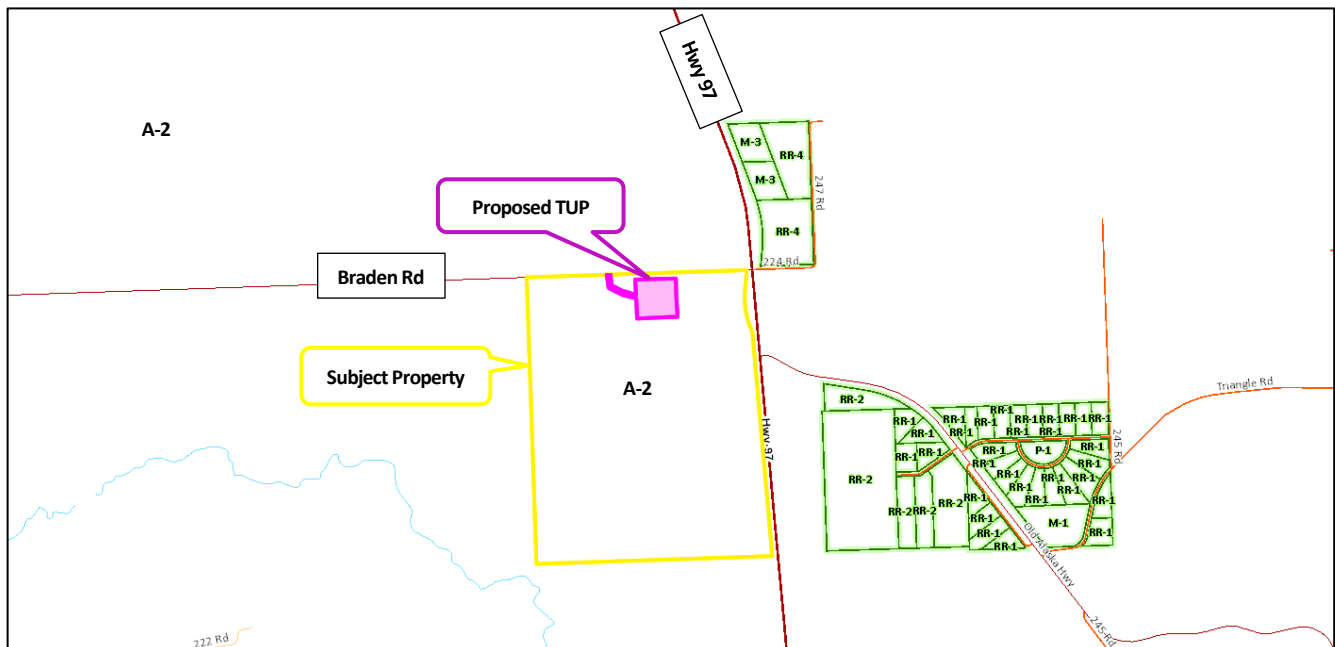
Aerial Imagery



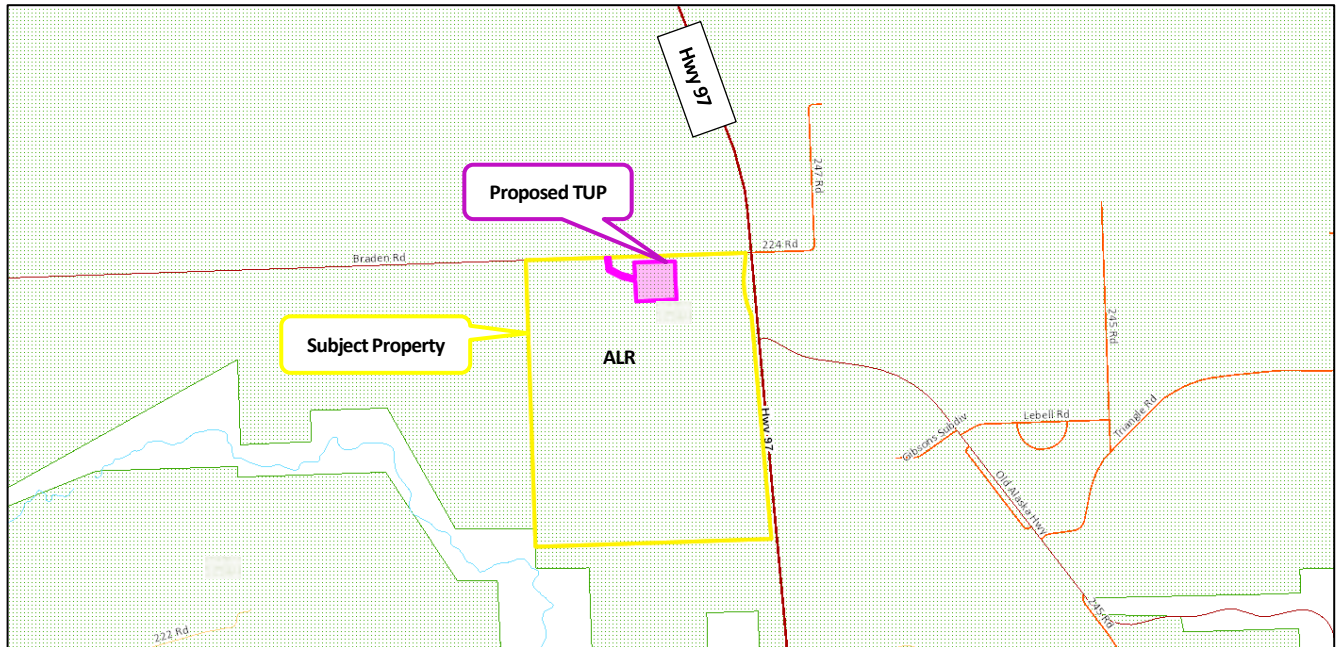
PRRD Rural OCP Bylaw No. 1940, 2011: Agriculture-Rural



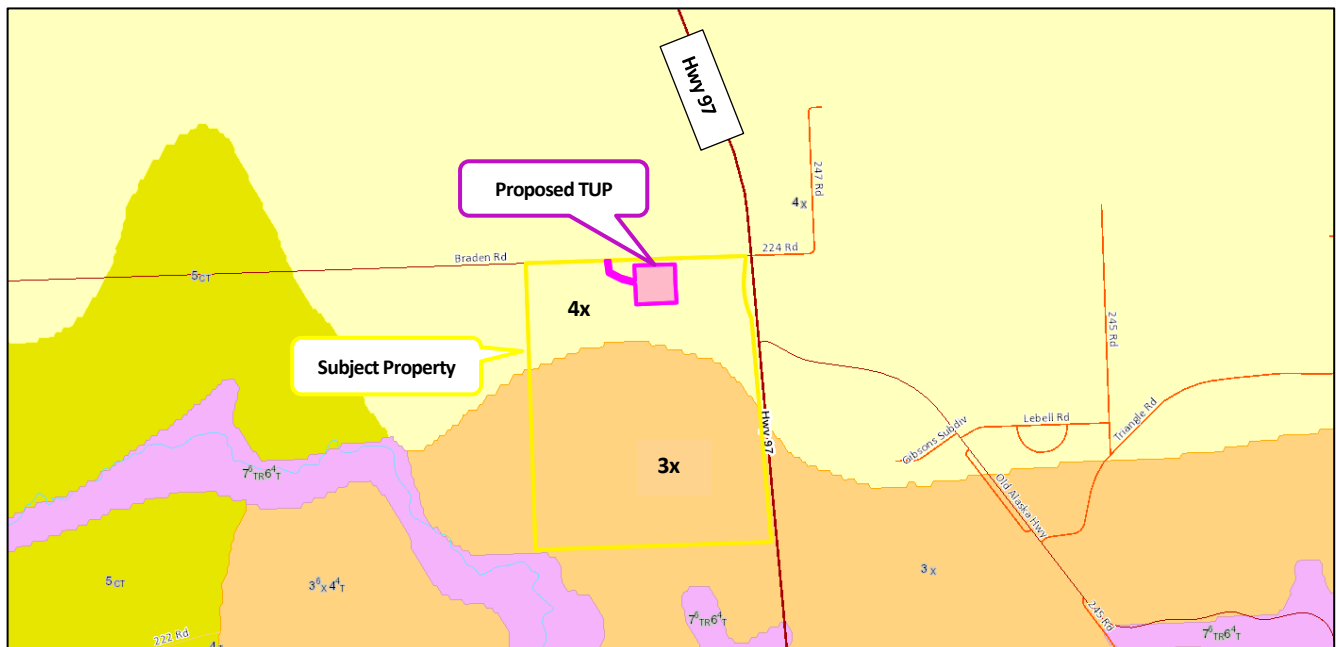
PRRD Zoning Bylaw No. 479, 1986: A-2 (Large Agricultural Holdings)



Agricultural Land Reserve: Within



CLI Soil Classification: 4x











ALBERTA

Box 847 10912 - 100 Ave.
Fairview, AB T0H 1L0
Phone 780.835.2682 Fax 780.835.2140
Toll Free 888.835.6682



ROYNORTHERN
Land and Environmental

BRITISH COLUMBIA

207, 10139 - 100 St.
Fort St. John, BC V1J 3Y6
Phone 250.261.6644 Fax 250.261.6915

July 9, 2019

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

Attn: Kole Casey

Re: Kosick Holdings Inc. – Temporary Use Permit Application
NW 32-80-17 W6M (Kosick Holdings Inc.)
RNLS File: 170502



On behalf of our client Kosick Holdings Inc., we are submitting a temporary use application to the Peace River Regional District (PRRD) for review and decision. Please find enclosed the following documents:

1. Application for Development;
2. Application for Development cheque payable to the PRRD;
3. Certificate of Title and Corporate Search (copy);
4. Ministry of Transportation and Infrastructure Permit;
5. Sketch Plan; and
6. PRRD Final Letter in support of ALR Non-Farm Use Application 19-080 (ALC File 59002).

Should you require additional information regarding this matter please contact me at 780-835-7015 or via email at Sandy.Sohlbach@roynorthern.com.

Thank you.

Yours truly,



Sandy Sohlbach
Sr. Surface Land Administrator
Roy Northern Land Service Ltd.

SS/
Enclosure(s): as stated

WWW.ROYNORTHERN.COM

December 13, 2019



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 Kosick Holdings Inc.	Authorized Agent of Owner (if applicable) Roy Northern Land Service Ltd.
Address of Owner [REDACTED]	Address of Agent [REDACTED]
City/Town/Village [REDACTED]	City/Town/Village [REDACTED]
Postal Code [REDACTED]	Postal Code T0H 1L0
Telephone Number: [REDACTED]	Telephone Number: [REDACTED]
Fax Number: N/A	Fax Number: [REDACTED]
E-mail: [REDACTED]	E-mail: [REDACTED]

3. PROPERTY DESCRIPTION

Full legal description of each property under application	Area of each lot
NW 32-80-17 W6M	4.14 / 10.23 ha./acres
	ha./acres
	ha./acres
	TOTAL AREA 4.14 / 10.23 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: NW 32-80-17 W6M

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:

Storage Site for pipe storage and maintenance material

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

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

The site has previously been used as storage location for oil & gas industry to store pipe as well as maintenance material and field office trailers.

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

(a) North bush land

(b) East bush land

(c) South bush land

(d) West Land is farmed

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

The site is already stripped and graveled, power is also added and the site is fenced. No new development required.

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

The site will support industry as storage and maintenance storage location within close proximity to Infrastructure.

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

No sewage disposal necessary, pipe and maintenance material only.

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

No water supply necessary, pipe and maintenance material only.

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.

[Redacted Signature]

Signature of Owner

June 17/ 2019

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 Tyler Kosick of Kosick Holdings Inc. and		hereby
authorize		
(name) Roy Northern Land Service Ltd.		to act on my/our behalf regarding this application.
Agent address: [Redacted]		
Telephone: 1-780-835-7015	Fax: 1-780-835-2140	Email: [Redacted]
Signature of Owner: [Redacted]	Date: June -2019	
Signature of Owner:	Date:	



BRITISH
COLUMBIA

Ministry of Transportation
and Infrastructure

Permit/File Number: 2019-03317

Office: Peace District

PERMIT TO CONSTRUCT, USE, AND MAINTAIN ACCESS TO A PROVINCIAL PUBLIC HIGHWAY

PURSUANT TO TRANSPORTATION ACT AND/OR THE INDUSTRIAL ROADS ACT AND/OR THE MOTOR VEHICLE ACT AND/OR AS DEFINED IN THE NISGA'A FINAL AGREEMENT AND THE NISGA'A FINAL AGREEMENT ACT.

BETWEEN:

The Minister of Transportation and Infrastructure

Peace District
300 --10003 110th Avenue
Fort St John, BC V1J 6M7
Canada

("The Minister")

AND:

Kosick Holdings Inc.
PO Box 6924
Fort St. John, British Columbia V1J 4J3
Canada

("The Permittee")

WHEREAS:

- A. The Minister has the authority to grant permits for the auxiliary use of highway right of way, which authority is pursuant to both the Transportation Act and the Industrial Roads Act, the Motor Vehicle Act, as defined in the Nisga'a Final Agreement and the Nisga'a Final Agreement Act;
- B. The Permittee has requested the Minister to issue a permit pursuant to this authority for the following purpose:

The installation, operation, and maintenance of one (1) permanent access on the south side of Braden Road, approximately 825m west of the intersection with the Alaska Highway, to serve SEC 32 TP 80 R 17 W6M PEACE RIVER, as shown on the attached drawing, as submitted by Roy Northern Land Service Ltd. (170502).

- C. The Minister is prepared to issue a permit on certain terms and conditions;

ACCORDINGLY, the Minister hereby grants to the Permittee a permit for the Use (as hereinafter defined) of highway right of way on the following terms and conditions:

1. The Minister shall designate an official ("the Designated Ministry Official") who shall act as the Minister's agent in the administration of this permit in the manner hereinafter set out.
2. The Use shall be carried out according to the reasonable satisfaction of the Designated Ministry Official.
3. The Permittee shall indemnify and save harmless the Ministry, its agents and employees, from and against all claims, liabilities, demands, losses, damages, costs and expenses, fines, penalties, assessments and levies made against or incurred, suffered or sustained by the Ministry, its agents and employees, or any of them at any time or times, whether before or after the expiration or termination of this permit, where the same or any of them are based upon or arise out of or from anything done or omitted to be done by the Permittee, its employees, agents or Subcontractors, in connection with the permit.
4. The Permittee shall make diligent attempts to determine if there are other users of the right of way in the vicinity of the Permittee's location whose use may be affected. It shall be the responsibility of the Permittee to contact any such users before exercising any of the rights granted hereunder and to attempt to reach an accommodation.
5. The Minister shall take reasonable care to do as little damage or interference, as possible, to any Use authorized by this permit in the carrying out of the construction, extension, alteration improvement, repair, maintenance or operation of any work adjacent



BRITISH
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Ministry of Transportation
and Infrastructure

Permit/File Number: 2019-03317

Office: Peace District

thereto, but the Minister shall not be responsible for any damage regardless.

6. The Minister at the absolute discretion of the Minister may, at any time, cancel this permit for any reason upon giving reasonable notice; provided, however, that in the case of default by the Permittee or in the case of an emergency no notice shall be necessary. The Minister shall not be liable for any loss incurred as a result of permit cancellation.
7. Placing of speed arresters on the access (or accesses) or in the Permittee's property without the prior consent in writing of the Designated Ministry Official shall render the permit void.
8. The Permittee shall be responsible for replacing any survey monuments that may be disturbed or destroyed by the Use. Replacement must be by a British Columbia land surveyor at the Permittee's expense.
9. The Permittee shall remove any mud, soil, debris, or other foreign material tracked onto the highway from the access authorized herein. Such removal shall be at the Permittee's expense and shall be done at any time the material unduly inconveniences traffic and, in any event, daily.
10. The Permittee acknowledges that the issuance of this permit by the Minister is not a representation by the Minister that this permit is the only authority needed to carry out the Use. The Permittee shall give deference to any prior permission given for use of the right of way in the vicinity of the permit area, shall obtain any other permission required by law, and shall comply with all applicable laws regardless of their legislative origin.
11. At the end of the term of this permit, or when the permit is cancelled or abandoned, the Permittee shall, if so requested by the Minister, remove all installations and shall leave the site as near as reasonably possible in the condition it was in before this permit was issued or such other condition as shall reasonably be required by the Designated Ministry Official. If the Permittee refuses to comply with these obligations, the Minister may perform them as required and the Permittee shall be liable to the Minister for the costs of doing so.
12. The rights granted to the Permittee in this permit are not assignable without the consent of the Minister.
13. As a condition of this permit, the permittee unconditionally agrees with the Ministry of Transportation and Infrastructure that the permittee is the prime contractor or will appoint a qualified prime contractor, as described in Section 118 of the Workers Compensation Act, for the purposes of the work described by this permit, at the work location described in this permit, and that the permittee or designated prime contractor will observe and perform all of the duties and obligations which fall to be discharged by the prime contractor pursuant to the Workers Compensation Act and the Occupational Health and Safety Regulation.
14. The permittee is advised and acknowledges that the following hazards may be present at the work location and need to be considered in co-ordinating site safety: overhead hazards, particularly electrical or telecommunications lines; buried utilities, particularly electrical, telecommunication, and gas lines; traffic, danger trees, falling rocks, and sharp or infectious litter.
15. Any works within the Ministry right-of-way that fall within the scope of "engineering" under the Engineers and Geoscientists Act will be performed by a Professional Engineer, and shall comply with this Ministry's "Engineer of Record and Field Review Guidelines". The Guidelines can be viewed on the Ministry's website at <http://www2.gov.bc.ca/assets/gov/driving-and-transportation/transportation-infrastructure/engineering-standards-and-guidelines/technical-circulars/2009/t06-09.pdf>
16. The permittee is responsible for preventing the introduction and spread of noxious weeds on the highway right-of-way as defined by the British Columbia Weed Control Act and Weed Control Regulation.
17. The Use shall be carried out according to the following drawings and specifications, which are attached and shall be considered to be part of this permit:
HERE DESCRIBE THE ATTACHMENTS
18. **(a) The rights granted under this permit shall not be exercised before June 28, 2019.**
(b) The Construction and Installations must be completed on or before June 28, 2021.
Exceptions: HERE DESCRIBE ANY CONSTRUCTION OR INSTALLATIONS, WHICH NEED NOT BE COMPLETED BY THAT DATE.
19. The field supervisor for the Permittee and Contractor is to have a copy of this permit on site during field operations and be aware of all Permittee conditions.
20. The Permittee shall ensure that any subcontractor performing works covered by this permit shall adhere to all conditions specified herein.
21. Should the project as proposed generate more than 100 trips per day, a Traffic Impact Study may be required at the Ministry's discretion.
22. **The rights granted under this permit are for an indefinite period.**
23. This permit in no way grants exclusive use to the Permittee for any portion of the right of way.



24. The Permittee must contact the Maintenance Contractor, Caribou Road Services (South Peace) at 250-786-5440, or Dawson Road Maintenance (North Peace) at 250-262-2600 at least 48 hours prior to works.
25. The terms of the permit are applicable to the Permittee. Any change of ownership must be submitted to the Ministry in writing complete with company name, incorporation number, contact information, and the Ministry of Transportation and Infrastructure file number.
26. The Permittee is to contact DevApps.FSJ@gov.bc.ca a minimum of one (1) week prior to the commencement of the work to notify the start date.

Whenever possible, the Permittee shall ensure that employees and contractors do not park within the highway right of way or load/unload equipment within the highway right of way. If the work affects the travelled portion of the highway right of way, a Traffic Control Plan is required as per below.

The Permittee is to ensure that the construction area is properly signed in accordance with the current MoTI Traffic Control Manual for Work on Roadways and certified traffic control persons provided during construction, where warranted.

Necessary lane or road closures shall require Ministry approval prior to public advertisement. All necessary traffic control shall be the responsibility of the Permittee.

Properly equipped trained and experienced traffic control person(s) are required to control traffic during periods of alternating traffic or at any time where equipment, work crews, or materials interfere with the traffic flow.
27. Permittee is responsible for ensuring that all works are contained to the highway right of way. Any works located within private property must have the owner's permission.
28. The Permittee is to ensure that no damage is done to any existing underground or overhead services and must contact the electrical, telephone, and natural gas utility and any private landowner having works under permit to verify the location of utility works that may be affected prior to opening up any portion of the public road right of way.
29. Permittee is to call BC OneCall at 1-800-474-6886 or by cellular at *6886 prior to the commencement of work.
30. It is the Permittee's responsibility to obtain permission from the Ministry of Environment, pursuant to Section 11 of the Water Sustainability Act for works in and around any natural watercourse, as and if required.
31. It is the Permittee's responsibility to obtain permission from the Ministry of Forests, Lands, and Natural Resource Operations, pursuant to the Forest Act to harvest merchantable Crown timber within highway right of way prior to the commencement of the permitted work, as and if required.
32. This Permit in no way relieves the owner or occupier of the responsibility from adhering to all other legislation, including zoning, and other land use bylaws of a municipality or regional district.
33. Affected property owners must be notified at least 48 hours in advance before excavating a driveway.
34. Reinstatement in a timely and professional manner of drainage, roadway, and roadside facilities is required within two (2) days of disturbing the facilities.
35. No storage or staging of equipment within highway right of way or gravel reserves.
36. The Permittee shall be held responsible for any damage to the highway resulting from the permitted work. All highway drainage works are to be restored to their original or better condition.
37. Where the said works are in the proximity of any bridge, culvert, ditch or other existing work, such work shall be properly maintained and supported in such manner as not to interfere with its proper function, and on the completion of the said works any bridge, culvert, ditch, or other existing work interfered with shall be completely restored to its original or better condition.
38. Machines with steel tracks or flat steel pads are not allowed within the public road right of way at any time.
39. It is the responsibility of the Permittee to ensure that all equipment and vehicles crossing Provincial highways or side roads have the proper approvals and insurance as required and issued by the Commercial Vehicle Safety and Enforcement Division. For permits or inquiries please contact the Provincial Permit Centre at 1-800-559-9688.
40. Permittee is to adhere to all seasonal load restrictions, where applicable. Current seasonal load restrictions can be viewed at <http://www.th.gov.bc.ca/bchighways/loadrestrictions/loadrestrictions.htm>
41. No gates are to be placed within Ministry of Transportation and Infrastructure public road right of way.
42. This permit is for access only and does not include any permanent or temporary utilities in Provincial road right of way.
43. The Ministry of Transportation and Infrastructure may upon giving reasonable notice, require removal of the access from the right of way for any reason and solely at the Permittee's expense.

The Minister may order the removal or alteration of installations if necessary, for the protection of the highway or highway users. If the Permittee does not respond to an order to remove or alter an access installation, the Ministry of Transportation and



Infrastructure may carry out that work and recover costs from the Permittee.

44. The Permittee shall ensure all equipment working on, or hauling material onto and from the site, does not damage or deposit material onto any part of an existing roadway. Materials spilled onto the public road right of way or driveways opened to public traffic shall be cleaned up immediately. The Permittee has the full responsibility to repair any damage to existing highways, local roads, and driveways caused by its construction equipment and/or operations.
45. Permittee is responsible for the supply of all labour, equipment, and materials in connection with the work.
46. Permittee is responsible for all future maintenance of the work for the duration of permit. This permit is not transferable and valid only for the Permittee.
47. Installation and removal of the access shall not occur during hours of darkness or during periods of severe weather.

The Permittee must ensure that all works are safely visible to traffic and appropriate measures are in place as per the current MoTI Traffic Control Manual for Work on Roadways.

The public road must be clear of any equipment or activity that may impede winter road maintenance on Ministry maintained roads during winter snowstorms.
48. The access is not to cause any detriment to the surrounding infrastructure or drainage courses. If it is determined that the access is causing settlement or erosion issues, the Permittee may be required to repair the infrastructure to its original condition, or better as deemed necessary by the District Official.
49. Access shall be constructed as per Section 730 of the BC Supplement to TAC Geometric Design Guide.
50. The access shall be constructed with a minimum 600 mm culvert pipe manufactured to CSA or ASTM standards and laid at ditch invert elevation. Maintenance and periodic cleaning of the culvert and access is the responsibility of the Permittee.
51. Access to be constructed at 90 degrees to the public road for a distance of 15m from the highway shoulder.
52. The finished grade of the access at the ditch line shall be 15 cm below the highway shoulder elevation.
53. The profile of the accesses shall not exceed 2 % grade from the ditch line for a distance of at least 15 metres as measured away from the public road along the centreline of the access.
54. Access shall be no wider than 20 meters, including corner cut offs.
55. The Permittee shall sufficiently excavate the profile of the ditch along the road below and above the access point for proper installation of the access and culvert.
56. The access shall be graveled to an extent satisfactory to the Designated Ministry Official to prevent the tracking of mud and soil onto the public road surface.
57. Access to be constructed in such a manner so as not to interfere with drainage from existing cross-culverts.
58. A stop sign (R-001) must be erected at the access to the public road in accordance with the Ministry of Transportation and Infrastructure Manual of Standard Traffic Signs and Pavement Markings.
59. Advance warning Truck Turning signs (W-317 -1L & W-317 Industrial Vehicles - 1R OR W-316-1L & W-316-1R Logging Vehicles) are to be erected on either side of the access and installed in accordance with the Ministry of Transportation and Infrastructure Manual of Standard Traffic Signs and Pavement Markings at the following link
http://www.th.gov.bc.ca/publications/eng_publications/electrical/MoST_PM.pdf

The Truck Turning signs must be removed prior to the expiration date of this permit.

When project is not in operation, "Truck Turning" signs are to be either removed or covered up in such a manner so as not to be visible to the traveling public.

The letters "H.D." and the permit number shall be displayed on the lower right-hand corner of the sign in letters one-half inch high, minimum size, in order that the permit number is always readily visible on the sign.

Maintenance of the signs shall be in accordance with the Manual of Standard Traffic Signs & Pavement Markings.
60. If the access is constructed under winter conditions, the Permittee shall ensure the access is removed prior to spring freshet or April 15th, whichever comes first, and properly installed with the appropriate culvert in dry conditions.
61. Brushing of the right of way may be required, in order to ensure maximum sight distance. The Permittee to ensure the access has a minimum of 200 metre sight distance either direction.
62. No frozen material or clay shall be used in backfill.
63. Any erosion/damage to the highway or highway right of way caused from temporary winter accesses during freeze/thaw cycles is the responsibility of the Permittee.



BRITISH
COLUMBIA

Ministry of Transportation
and Infrastructure

Permit/File Number: 2019-03317

Office: Peace District

64. This permit authorizes construction of part of the road right-of-way that is not now maintained by the Ministry. Maintenance is entirely the responsibility of the Permittee. Co-operation among neighbouring permit holders in maintaining such undeveloped roads is strongly encouraged. The Ministry shall only assume maintenance of such roads if constructed to acceptable standards.
65. The Permittee shall ensure that a minimum ground clearance at minimum sag is maintained for all overhead utility lines according to the Utility Policy Manual.
66. No dirt, sand, or liquid/solid waste materials to be stored on the road, road shoulder, or ditch. Any road debris shall be removed, washed/swept from the road daily and to Ministry standards.
67. All debris, logs, slash, and refuse created by the works are to be cleaned up to the satisfaction of the District Official, Ministry of Transportation and Infrastructure and right of way shall be leveled and reseeded to the satisfaction of the District Official, Ministry of Transportation and Infrastructure.
68. Any area of right of way disturbed during the permitted works including road shoulders, fill slopes, cut slopes, ditch, and the utility corridor, is to be restored to their original grade and compaction and left in a neat, tidy, and free draining condition. All slash, logs, or brushing debris is to be burned or hauled clear of the right of way. All rocks or debris greater than 5cm in size are to be disposed of clear of the right of way and areas where the soil has been disturbed are to be restored and re-seeded with a pre-approved grass mixture to reduce the potential of erosion and the growth of noxious weeds. Sites are to be reseeded to standards set out in Section 757, Standard Specifications for Highway Construction. All unsuitable material and inorganic debris shall be removed from the project area.
69. The layout shown on the attached drawing is a condition of this permit, and any change in layout without the prior consent in writing of the Designated Ministry Official shall render the permit void. Any change in land use shall render this permit void.
70. All work is to be carried out to the satisfaction of the District Manager, Ministry of Transportation and Infrastructure. The Ministry reserves the right to have repairs carried out (if the Permittee fails to comply with the clauses above) and to bill the applicant for the full cost of any such repairs or clean up if found necessary.
71. Where the Ministry and a regulator both set a standard or requirement in a particular area, the highest or most stringent of the two will apply to any installation on highway right of way.
72. Where existing codes and statutes indicate a more conservative design than the above permit conditions, those codes and statutes shall govern.
73. The Permittee must contact the Archaeology Branch immediately at (250) 953-3334 if archaeological site deposits are encountered on the subject property. In the event that any item of archaeological, heritage, historical, cultural, or scientific interest is found on the project site, the Permittee shall have a Chance Find Procedure in place and utilize it when required.

The rights granted to the Permittee in this permit are to be exercised only for the purpose as defined in Recital B on page 1.

Dated at Fort St John, British Columbia, this 28 day of June, 2019

On Behalf of the Minister



**Sec 32 Tp 80 Rg 17 W6M EXCEPT PART
LYING EAST OF PLAN A938 AND EXCEPT
PLANS A938 PGP45537 AND BCP38517**

AREA REQUIRED:

STOCKPILE SITE:	3.60 ha. (8.90 ac.)
TEMP. ACCESS	0.54 ha. (1.33 ac.)
TOTAL AREA:	4.14 ha. (10.23 ac.)

OWNER(S): KOSJCK HOLDINGS INC
TITLE No.: CA4648100
PID: 011407999

LEGEND

Stockpile Site and Access Road referred to shown thus: 

ac. Acre	R/W. Right-of-way
ha. Hectare	Sec. Section
M. Mound or Meridian	Tp. Township
P/L. Pipeline	TWS. Temporary Work Space
R. Range	W. West
Distances are in metres and decimals thereof.	



PEACE RIVER REGIONAL DISTRICT

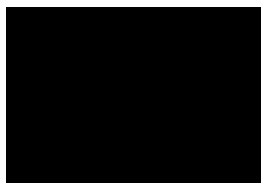
July 8, 2019

To Whom It May Concern:

The following is hereby CERTIFIED a true and correct copy of Peace River Regional District Board Resolution No. RD/19/06/14 (27) endorsed by the Board at its June 27, 2019 meeting:

"That the Regional Board support ALR Non-Farm Use Application 19-080 (ALC File 59002) for the property legally described as Section 32, Township 80, Range 17, W6M, PRD, Except part lying East of Plan A938 and Except Plans A938, PGP45537, and BCP38517, to permit the use of a 4.14 hectare (10.23 acre) portion of the property for an oil and gas laydown yard, and authorize the application to proceed to the Agricultural Land Commission."

Yours truly,



Tyra Henderson
Corporate Officer

diverse. vast. abundant.

PLEASE REPLY TO:



Box 810, 1981 Alaska Ave, Dawson Creek, BC V1G 4H8 Tel: (250) 784-3200 or (800) 670-7773 Fax: (250) 784-3201 Email: prrd.dc@prrd.bc.ca



9505 100 St, Fort St. John, BC V1J 4N4 Tel: (250) 785-8084 Fax: (250) 785-1125 Email: prrd.fsj@prrd.bc.ca

December 13, 2019



REFERRAL FORM

R-2
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 #19-129	Date: October 9, 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 (October 30, 2018). If no response is received within that time, it will be assumed that your agency's interests are unaffected.														
PURPOSE OF PERMIT: Use of a previously developed site for pipe and maintenance material storage site of a 4.14 ha (10.23) portion of an agriculture site. The site was previously stripped and graveled, and no new development is required.														
GENERAL LOCATION: South Taylor														
LEGAL DESCRIPTION: Section 32 Township 80 Range 17 W6M, PRD Except Part East of Plan A938 and Except Plans A938 PGP46064 and BCP38517														
AREA OF PROPERTY 205.38 ha (507.51 ac)	ALR STATUS: Within	OCP DESIGNATION: Agriculture-Rural												
Land Owner: Kosick Holdings Inc.		Agent: Roy Northern Land Service Ltd.												
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>Jessica Russell</u>		Title: <u>Junior Planner</u>												
This referral has also been forwarded to the following agencies: ☒ Northern Health Authority ☒ Ministry of Transportation & Infrastructure ☒ Oil & Gas Commission ☒ Ministry of the Environment and Climate Change ☒ Ministry of Forests, Lands, Natural Resources Operations and Rural Development ☒ Agricultural Land Commission														
Other: <table border="0"><tr><td>☒ District of Chetwynd</td><td>☒ District of Hudson's Hope</td><td>☒ District of Taylor</td></tr><tr><td>☒ City of Dawson Creek</td><td>☒ Village of Pouce Coupe</td><td>☒ District of Tumbler Ridge</td></tr><tr><td>☒ City of Fort St. John</td><td>☒ District of Taylor Fire Rescue</td><td>☒ Charlie Lake Fire Dept.</td></tr><tr><td>☒ Fort St. John Fire Rescue</td><td>☒ School District 59</td><td></td></tr></table>			☒ 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	☒ District of Taylor Fire Rescue	☒ Charlie Lake Fire Dept.	☒ Fort St. John Fire Rescue	☒ School District 59	
☒ 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	☒ District of Taylor Fire Rescue	☒ Charlie Lake Fire Dept.												
☒ Fort St. John Fire Rescue	☒ School District 59													
(As per the Management of Development Function)														

December 13, 2019

Jessica Russell

From: ALC North Land Use ALC:EX <ALC.North@gov.bc.ca>
Sent: Friday, October 18, 2019 11:23 AM
To: Jessica Russell
Cc: Collins, Martin J ALC:EX
Subject: RE: PRRD Referral for PRRD Temporary Use Permit Application No. 19-129
Attachments: 59002d1 (Kosick).pdf

CAUTION: This email originated from outside of the organization.

Hi Jessica,

Thanks for getting in touch. The ALC has conditionally approved the use of 4.1 ha of the property for storage of materials, equipment, and parking related to oil and gas construction, by Resolution #337/2019. I've attached the decision. The ALC's conditions are outlined on pages 6 and 7.

One note: the map on page 20 (Schedule A of the TUP) looks accurate, but the zoning maps (pages 3-6 of the TUP) are a little off. The overlay on those maps show more than 4 ha and are east of the proposed area.

Michael

From: Jessica Russell [<mailto:Jessica.Russell@prrd.bc.ca>]
Sent: Wednesday, October 9, 2019 10:44 AM
To: FrontCounter BC FLNR:EX; Collins, Martin J ALC:EX; Huber, Sara ALC:EX; ALC North Land Use ALC:EX; scott.wagner@bcogc.ca; sbo_reception@sd59.bc.ca; php@northernhealth.ca; resource.development@northernhealth.ca; Renee Jamurat; Charlene Jackson; clerk@hudsonshope.ca; pnielsen@dawsoncreek.ca; XT:PouceCoupe, Village ENV:IN; XT:Muni Chetwynd, General CITZ:IN; lford@districtoftaylor.com; XT:TumblerRidge, District ENV:IN; Edward Albury; Ron Schildroth; fire@fortstjohn.ca; sbyford@districtoftaylor.com
Cc: PRRD_Internal
Subject: PRRD Referral for PRRD Temporary Use Permit Application No. 19-129

To whom it may concern,

Please find attached PRRD referral for a proposed Temporary Use Permit No. 19-129 (Roy Northern Land Services Ltd.) for your review. Please review the application in accordance to your policies and regulations.

Please forward any questions or comments to me by October 30, 2019.

Thank you,
 Jessica Russell

Jessica Russell | Junior Planner

Direct: 250-784-4845 | jessica.russell@prrd.bc.ca



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

September 25, 2019

ALC File: 59002

Sandy Sohlbach
Roy Northern Land Service Ltd.
DELIVERED ELECTRONICALLY

Dear Sandy Sohlbach:

Re: Application 59002 to conduct a non-farm use in the Agricultural Land Reserve

Please find attached the Reasons for Decision of the North Panel for the above noted application (Resolution #337/2019). As agent, it is your responsibility to notify the applicant accordingly.

Review of Decisions by the Chair

Under section 33.1 of the *Agricultural Land Commission Act* (ALCA), the Chair of the Agricultural Land Commission (the "Commission") has 60 days to review this decision and determine if it should be reconsidered by the Executive Committee in accordance with the ALCA. You will be notified in writing if the Chair directs the reconsideration of this decision. The Commission therefore advises that you consider this 60 day review period prior to acting upon this decision.

Request for Reconsideration of a Decision

Under section 33(1) of the ALCA, a person affected by a decision (e.g. the applicant) may submit a request for reconsideration. The request must be received within one (1) year from the date of this decision's release. For more information, refer to *ALC Policy P-08: Request for Reconsideration* available on the Commission website.

Please direct further correspondence with respect to this application to Michael McBurnie at ALC.North@gov.bc.ca.

Yours truly,

Michael McBurnie, Land Use Planner

Enclosures: Reasons for Decision (Resolution #337/2019)
 Schedule A: Decision Map
 Schedule B: Criteria for Technical Reports Submitted By Consultants

cc: Peace River Regional District (File: ALC NFU 19-080). Attention: Kole Casey



**AGRICULTURAL LAND COMMISSION FILE 59002
REASONS FOR DECISION OF THE NORTH PANEL**

Non-Farm Use Application Submitted Under s.20(2) of the Agricultural Land Commission Act

Applicant: Kosick Holdings Inc

Agent: Sandy Sohlbach, Roy Northern Land Service Ltd

Property: Parcel Identifier: 011-407-999
Legal Description: Section 32, Township 80, Range 17, West of the 6th Meridian, Peace River District, Except Part Lying East of Plan A938 and Except Plans A938, PGP45537, and BCP38517
Civic: 5542 Braden Road, Farmington, BC
Area: 205.4 ha

Panel: Janice Tapp, North Panel Chair
Garnet Berge
Ross Ravelli
Andrew Adams



OVERVIEW

- [1] The Property is located within the Agricultural Land Reserve (ALR) as defined in s. 1 of the *Agricultural Land Commission Act* (ALCA).
- [2] In 2012, Application ID 52920 was submitted to the Commission to use 4.1 ha of the 205.4 ha Property for storage of oil and gas drilling equipment. The Commission considered that the proposed site had previously been debilitated by site preparation for a wellsite which was never completed. By Resolution #324/2012, the Commission approved the use of 4.1 ha of the Property for storage for a period of 5 years. In 2017, the ALC granted a one-year extension to Resolution #324/2012, which expired on December 31, 2018.
- [3] Pursuant to s. 20(2) of the ALCA, the Applicant is applying to the Agricultural Land Commission (the "Commission") to continue using 4.1 ha of the 205.4 ha Property for storage of materials, equipment, and parking to support oil and gas construction activities in the area.
- [4] The issue the Panel considered is whether the Proposal would impact the agricultural utility of the Property.
- [5] The Proposal was considered in the context of the purposes of the Commission set out in s. 6 of the ALCA. These purposes are:
- (a) to preserve the agricultural land reserve;
 - (b) to encourage farming of land within the agricultural land reserve in collaboration with other communities of interest; and,
 - (c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of land within the agricultural land reserve and uses compatible with agriculture in their plans, bylaws and policies.

**EVIDENTIARY RECORD**

- [6] The Proposal along with related documentation from the Applicant, Agent, local government, and Commission is collectively referred to as the “Application”. All documentation in the Application was disclosed to the Agent in advance of this decision.

BACKGROUND

- [7] The Agent submits that the Applicant intended to apply for another extension to Resolution #324/2012 to continue using the site to support oil and gas construction activities, but did not submit an extension request before the resolution expired on December 31, 2018. As the expiration date had passed, the Applicant decided to submit a new application.
- [8] The Agent submits that once Resolution #324/2012 expired, the non-farm use of the Property ceased.
- [9] One of the conditions of Resolution #324/2012 was the submission of an Irrevocable Letter of Credit (ILOC) to the Commission in the amount of \$50,000 to ensure reclamation of the 4.1 ha site upon conclusion of the non-farm use. As the Property has yet to be reclaimed and the Applicant has submitted another application to continue the non-farm use, the Commission still holds the \$50,000 ILOC.
- [10] Resolution #324/2012 also required the construction of a chain link fence around the 4.1 ha site and the stripping and storing of topsoil from the 4.1 ha site for future reclamation. Both conditions were completed.

EVIDENCE AND FINDINGS

Issue: Whether the Proposal would impact the agricultural utility of the Property.

- [11] The Panel considered that the site had originally been debilitated by site preparation for a wellsite, which was an allowed use in the Peace River Region, as per the ALC-



Oil and Gas Delegation Agreement, and that the site had been previously used for storage and parking for oil and gas activities. The Panel also considered that the ALC holds an ILOC to ensure reclamation of the site once the non-farm use ceases.

- [12] The Application submits that the remainder of the Property is seasonally cultivated for hay and pasture. The Panel considered the existing agricultural use of the Property and finds that the non-farm use of 4.1 ha of the Property does not discourage farming on the remainder.
- [13] The Panel finds that due to the historic use of the Proposal site and the ongoing agricultural activities on the Property, temporary use of the site for storage and parking would not negatively affect the agricultural utility of the Property. Further, the Panel finds that the fencing, topsoil stripping, and an ILOC should remain in effect for the continuance of the non-farm use. As the Commission already holds a \$50,000 ILOC from ALC Resolution #324/2012 the Applicant may choose to transfer the existing ILOC to the current decision or provide a new ILOC and the Commission will release the existing ILOC.
- [14] At its meeting of June 27, 2019, the Peace River regional District (PRRD) Board resolved to support the Proposal and authorized it to proceed to the Agricultural Land Commission. The PRRD noted that the Proposal was inconsistent with the Official Community Plan (OCP) designation of "Agriculture-Rural" and the "A-2 (Large Agricultural Holdings)" zoning for the parcel, therefore the Proposal would require either a Temporary Use Permit or an amendment to the OCP and zoning bylaws. The Applicants submit that if the non-farm use application is approved by the ALC, they intend to pursue a Temporary Use Permit with the PRRD. A Temporary Use Permit from the PRRD is valid for 3 years and can be extended once for 3 another years. The Panel finds that the duration of a non-farm use should not exceed the maximum duration of a Temporary Use Permit. The Panel is not amenable to permanent rezoning of the Property to accommodate the temporary non-farm use.



DECISION

[15] For the reasons given above, the Panel approves the use of 4.1 ha of the Property for storage of materials, equipment, and parking related to oil and gas construction subject to the following conditions:

- a. The non-farm use is permitted for six years from the date of this decision (September 25, 2019).
- b. The continued upkeep of the existing chain link fence around the 4.1 ha site;
- c. Continued erosion and weed control for the existing topsoil stockpile from the 4.1 ha site for future reclamation;
- d. Reclamation of the site to the original, or better agricultural standard upon completion of the use, as per attached Schedule B;
- e. To ensure that the Proposal is reclaimed in accordance with the conditions of this decision, a financial security in the form of an Irrevocable Letter of Credit (the "ILOC") in the amount of \$50,000 made payable to the Minister of Finance c/o the Agricultural Land Commission is required. For greater clarity, the Applicant will forfeit some or all of the ILOC upon failure to comply with any or all aspects of the conditions of approval contained herein;
- f. Written confirmation of the Applicant's preference to either:
 - i. Transfer the ILOC from ALC Resolution #324/2012 to this decision, or
 - ii. provide a new ILOC for this decision and cancel the existing ILOC for ALC Resolution #324/2012;
- g. Release of the ILOC will be dependent on receipt of evidence that the non-farm use area has been reclaimed to a standard deemed satisfactory by the Commission, including a reclamation report prepared by a qualified registered professional.
 - i. The reclamation report must be submitted by March 25, 2026. Forfeiture of the ILOC will take place 30 days after a failure to provide the required reclamation report;
- h. Reclamation must be overseen by a qualified registered professional agrologist with specific knowledge of soils, drainage, fill placement, and land reclamation.



- i. Prior to commencement of reclamation, the Commission must review and approve the qualified registered professional agrologist who will be responsible for oversight of the reclamation;
- ii. If the approved qualified registered professional agrologist associated with the Proposal is to be replaced by any other qualified registered professional, the Commission must be immediately notified and have the opportunity to review and approve the change;
- iii. The approved qualified registered professional agrologist must ensure that all activities are conducted in substantial compliance with the conditions set out in this decision.

[16] This decision 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.

[17] These are the unanimous reasons of the Panel.

[18] A decision of the Panel is a decision of the Commission pursuant to s. 11.1(5) of the ALCA.

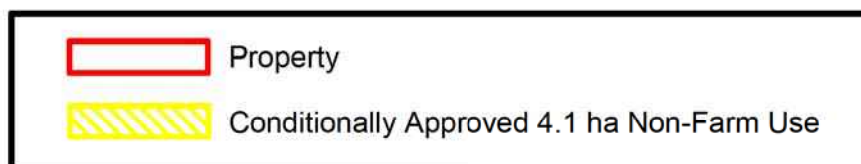
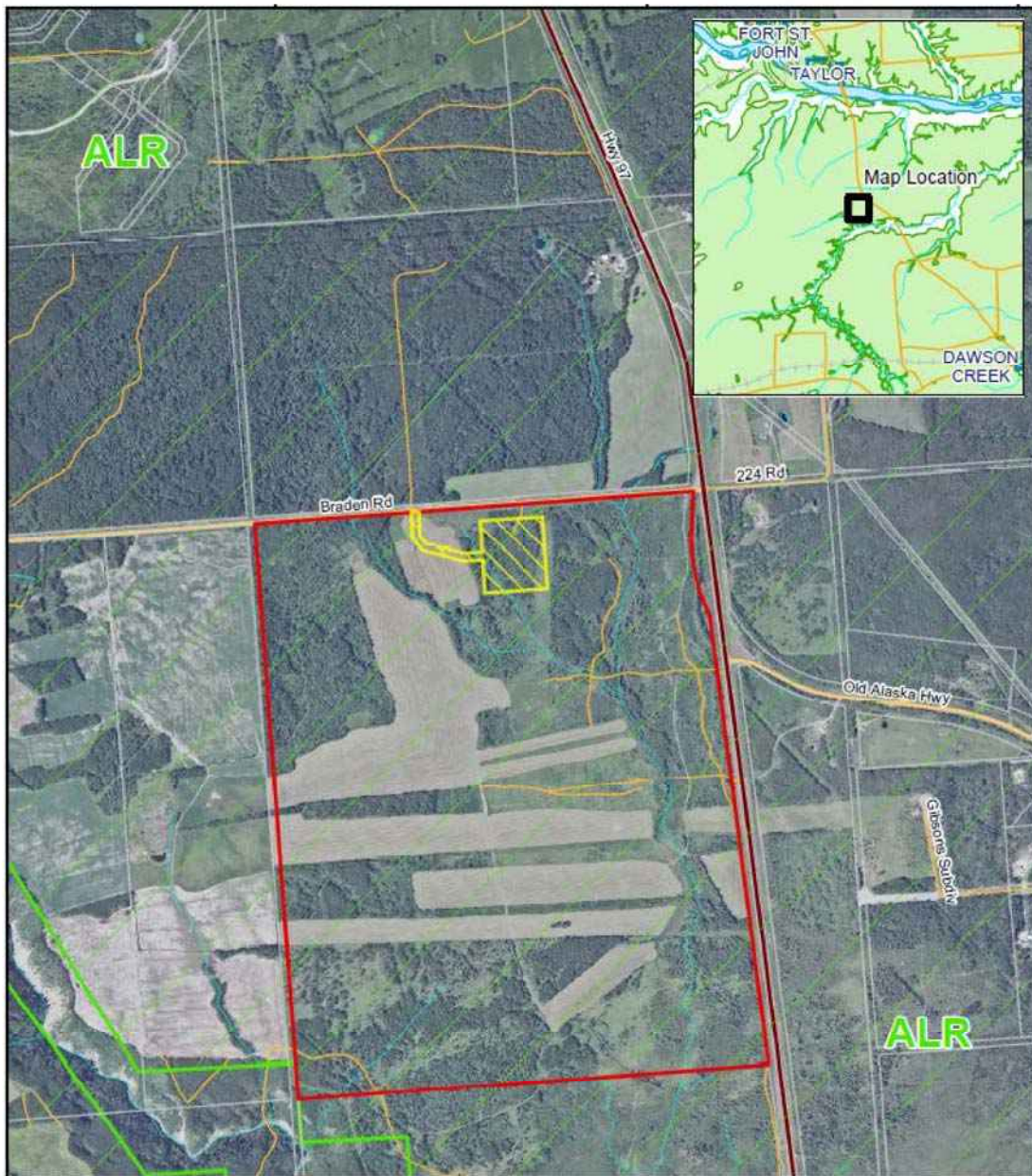
[19] Resolution #337/2019

Released on September 25, 2019



Janice Tapp, Panel Chair

On behalf of the North Panel



PROVINCIAL AGRICULTURAL LAND COMMISSION

REMOVAL AND/OR FILL PLACEMENT PROPOSALS CRITERIA FOR TECHNICAL REPORTS SUBMITTED BY CONSULTANTS

The Agricultural Land Commission (ALC) requires consistency in the quality and format of technical reports submitted to the Commission by applicants (owners) and their agent(s). The ALC requires a technical report containing the following information for all resource extraction and/or fill placement proposals.

All reports must follow the criteria for field work and reporting as established in Policy P-10 Criteria for Agricultural Capability Assessments (attached).

LAND REHABILITATION REPORTS FOR SOIL REMOVAL OR FILL PLACEMENT

All technical reports submitted in support of applications and/or notices of intent involving land rehabilitation must meet the general requirements listed above and contain the following:

- A detailed soil survey and agricultural capability analysis of the land(s) under application, including potential soil bound crop options, and any affected or potentially affected neighbouring properties at an appropriate scale (see Policy P-10).
- All existing resource information such as government soil survey and agricultural capability mapping must be included and discussed in the context of the detailed survey.
- An inventory and description of existing land use on the subject land(s) and surrounding lands must be included.
- An assessment of existing surface and subsurface drainage conditions on the subject land(s) and surrounding lands should be included. In particular, possible drainage improvements apart from the proposed works must be assessed.
- A detailed operating and reclamation plan must be prepared and include, but not be limited to, the following elements:
 - a) plans and cross-sections showing existing conditions, interim and final grades, and slope gradient (%) drawn at an appropriate scale and prepared by a Professional Engineer or Registered BC Land Surveyor;
 - b) a topsoil management plan addressing stripping, storage and replacement issues;
 - c) an operating, phasing and rehabilitation plan for the interim non-farm use activity;
 - d) fill certification procedures and site control measures to ensure that only clean soil material is accepted at any site proposed for import of soil from off site;
 - e) erosion control measures;
 - f) weed management plan;
 - g) plan for crop/vegetation establishment;
 - h) detailed drainage plans for the rehabilitated site to ensure optimum surface and subsurface drainage conditions;
 - i) schedule of monitoring procedures and reporting;

- j) final proposed agricultural capability; and
 - k) closure procedures and certification of the work.
- 1.2 A discussion of any agricultural improvement to the land, or any loss of opportunity, which might be attributable to the proposed works described in the report.


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

November 5, 2019

Reply to the attention of Sara Huber
ALC Issue: 51586
Local Government File: 19-129

Jessica Russell, Junior Planner
Peace River Regional District
Jessica.Russell@prrd.bc.ca

Delivered Electronically
Re: Peace River Regional District Temporary Use Permit 19-129

Thank you for forwarding a copy of Peace River Regional District (PRRD) Temporary Use Permit 19-129 (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.

Current Proposal:

The TUP proposes to use a 4.14 ha portion of a previously developed site for pipe and maintenance material storage on the property identified as 5442 Braden Road, Farmington; PID: 011-407-999 (the “Property”). The site was previously used as a storage location for the oil and gas industry to store pipe as well as material and field office trailers and has been stripped and graveled. No new development is proposed.

Previous Applications:

In 2012, the Commission approved the use of 4.1 ha of the Property for storage of oil and gas drilling equipment for a period of five years, as the site had previously been debilitated by site preparation for a wellsite which was never completed (Application 52920; Resolution #324/2012).

In 2017, the ALC granted a one-year extension to Resolution #324/2012, which expired on December 31, 2018.

In 2019, the Commission approved the use of the same 4.1 has for the storage of materials, equipment, and parking related to oil and gas construction for an additional six years, subject to a number of conditions (Application 59002; Resolution #337/2019).

ALC Staff Comments:

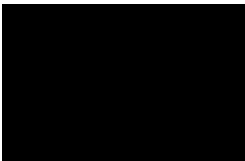
ALC staff recognizes that the TUP is proposing to enable the Property to be used for the storage of materials, equipment and parking, as previously approved by the Commission (Resolution #337/2019). For this reason, the Commission has no objection to the issuance of the TUP.

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.

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 Temporary Use Permit 19-129

CC: Ministry of Agriculture – Attention: Lori Vickers

51586m1

Jessica Russell

From: Edward Albury
Sent: Thursday, October 10, 2019 10:54 AM
To: Jessica Russell
Subject: RE: PRRD Referral for PRRD Temporary Use Permit Application No. 19-129

Hi Jessica,

I have no concerns with this property.

Thanks
 Ed

Edward Albury | Fire Chief

Direct: 250-785-1424 | Email Address: edward.albury@prrd.bc.ca
 PEACE RIVER REGIONAL DISTRICT | Box 250, Charlie Lake, V0C-1H0



PEACE RIVER REGIONAL DISTRICT



IMPORTANT: The information transmitted herein is confidential and may contain privileged or personal information. It is intended solely for the person or entity to which it is addressed. Any review, re-transmission, dissemination, taking of any action in reliance upon, or other use of this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please notify the sender and delete or destroy all digital and printed copies.

From: Jessica Russell
Sent: Wednesday, October 9, 2019 10:44 AM
To: frontcounterbc@gov.bc.ca; martin.collins@gov.bc.ca; Huber, Sara ALC:EX <Sara.Huber@gov.bc.ca>; alc.north@gov.bc.ca; scott.wagner@bcogc.ca; sbo_reception@sd59.bc.ca; php@northernhealth.ca; resource.development@northernhealth.ca; Renee Jamurat <RJamurat@fortstjohn.ca>; Charlene Jackson <CJackson@fortstjohn.ca>; clerk@hudsonshope.ca; pnlsen@dawsoncreek.ca; admin@poucecoupe.ca; d-chet@gochetwynd.com; lford@districtoftaylor.com; tradmin@dtr.ca; Edward Albury <Edward.Albury@prrd.bc.ca>; Ron Schildroth <Ron.Schildroth@prrd.bc.ca>; fire@fortstjohn.ca; sbyford@districtoftaylor.com
Cc: PRRD_Internal <prrd.internal@prrd.bc.ca>
Subject: PRRD Referral for PRRD Temporary Use Permit Application No. 19-129

To whom it may concern,

Please find attached PRRD referral for a proposed Temporary Use Permit No. 19-129 (Roy Northern Land Services Ltd.) for your review. Please review the application in accordance to your policies and regulations.



REFERRAL FORM

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 #19-129	Date: October 9, 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 (October 30, 2018). If no response is received within that time, it will be assumed that your agency's interests are unaffected.														
PURPOSE OF PERMIT: Use of a previously developed site for pipe and maintenance material storage site of a 4.14 ha (10.23) portion of an agriculture site. The site was previously stripped and graveled, and no new development is required.														
GENERAL LOCATION: South Taylor														
LEGAL DESCRIPTION: Section 32 Township 80 Range 17 W6M, PRD Except Part East of Plan A938 and Except Plans A938 PGP46064 and BCP38517														
AREA OF PROPERTY 205.38 ha (507.51 ac)	ALR STATUS: Within	OCP DESIGNATION: Agriculture-Rural												
Land Owner: Kosick Holdings Inc. Agent: Roy Northern Land Service Ltd.														
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>Jessica Russell</u> Title: <u>Junior Planner</u>														
This referral has also been forwarded to the following agencies: ☐ Northern Health Authority ☐ Ministry of Transportation & Infrastructure ☐ Oil & Gas Commission ☐ Ministry of the Environment and Climate Change ☐ Ministry of Forests, Lands, Natural Resources Operations and Rural Development ☐ Agricultural Land Commission														
Other: <table style="width: 100%;"> <tr> <td>☐ District of Chetwynd</td> <td>☐ District of Hudson's Hope</td> <td>☐ District of Taylor</td> </tr> <tr> <td>☐ City of Dawson Creek</td> <td>☐ Village of Pouce Coupe</td> <td>☐ District of Tumbler Ridge</td> </tr> <tr> <td>☐ City of Fort St. John</td> <td>☐ District of Taylor Fire Rescue</td> <td>☐ Charlie Lake Fire Dept.</td> </tr> <tr> <td>☐ Fort St. John Fire Rescue</td> <td>☐ School District 59</td> <td></td> </tr> </table>			☐ 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	☐ District of Taylor Fire Rescue	☐ Charlie Lake Fire Dept.	☐ Fort St. John Fire Rescue	☐ School District 59	
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☐ Fort St. John Fire Rescue	☐ School District 59													
<i>(As per the Management of Development Function)</i>														

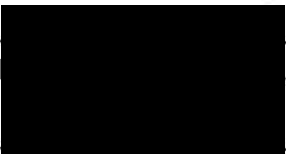


REFERRAL FORM

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

Coastal Gas Link Pipeline Ltd.	RESPONSE SUMMARY	Temporary Use Permit #19-129
☐ Approval recommended for reasons outlined below	☒ Interests unaffected by bylaw	
☐ Approval recommended subject to conditions below	☐ Approval NOT recommended due to reasons outlined below	

None.

Signed: 	<i>Renée Jamurat</i>	Title: <i>Planning Manager</i>
Date: <i>November 4, 2019</i>	Agency: <i>City of Fort St. John</i>	



Ministry of
Transportation
and Infrastructure

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

Attn: Jessica Russell

The Ministry of Transportation and Infrastructure has received and reviewed your referral of October 9, 2019 for the temporary use of stockpiling of pipe, and storage of equipment and maintenance materials on SEC 32 TP 80 R 17 W6M PEACE RIVER EXC PT LYING E OF PL A938 & EXC PLS A938 PGP45537 & BCP38517. The Ministry has no objections to the proposal.

Thank you for the opportunity to comment. If you or the proponent has any questions, please contact Beth Bahm at (250) 787-3445.

Sincerely,



Beth Bahm
Development Officer, Peace District

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

December 13, 2019

NH comments for By-Law Referral from PRRD

Re: PRRD Referral for PRRD Temporary Use Permit Application No. 19-129 dated October 9th 2019

Approval recommended subject to conditions below:

- Owner/Operator/ Applicant must follow the *Public Health Act [SBC 2008] Chapter 28* and its applicable regulations including not limited to Sewerage System Regulations, *Drinking Water Act [SBC 2001] Chapter 9* and its applicable regulations.
- The Owner/Operator/ Applicant must not create or cause a health hazard.
- The Owner/Operator/ Applicant must not cause or allow contamination of a drinking water source, a well recharge zone, or an area adjacent to a drinking water source.
- Must have appropriate sewerage system installed and all the requirements met as applicable.
- Northern Health recommend the Owner/Operator/ Applicant to plan vehicle movement and traffic to reduce noise pollution as much as possible and help maintain the air quality by reducing dust levels. If dust level are high, proper dust control measures should be in place.
- Any chemical storage should include appropriate mitigation and response planning for leaks and spills.

Thanks,



Madhu Nair. CPHI (C), B. Tech, DFT, DHRM
Environmental Public Health Officer

Health Protection and Disease Prevention

Northern Health

10115-110th Avenue, Fort St. John, BC V1J 6M9

Tel: (250) 263-6000

Fax: (250) 263-6086



PEACE RIVER REGIONAL DISTRICT

Memorandum

TO: Leonard Hiebert, Director of Electoral Area D
 FROM: Development Services
 DATE: November 4, 2019
 RE: **Application for a Temporary Use Permit**

Pursuant to the following resolution:

RD/15/04/26 (23)

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

The application and report are provided for your review.

Please find attached a copy of a zoning bylaw text amendment application (**File # 19-129**) concerning an application for a Temporary Use Permit.

COMMENTS

Response requested by November 18, 2019

No comment

☐

Hello,
 What is the term for the TUP?
 I don't see the length of the TUP in th recommendation.

Leonard Hiebert

Director/Municipality

November 21/19

Date

diverse. vast. abundant.

PLEASE REPLY TO:

☐

Box 810, 1981 Alaska Ave, Dawson Creek, BC V1G 4H8 Tel: (250) 784-3200 or (800) 670-7773 Fax: (250) 784-3201 Email: prrd.dc@prrd.bc.ca

☒

9505 100 St, Fort St. John, BC V1J 4N4 Tel: (250) 785-8084 Fax: (250) 785-1122 Email: prrd.fsj@prrd.bc.ca

December 13, 2019

Jessica Russell

From: Jessica Russell
Sent: Thursday, November 21, 2019 10:18 AM
To: Director Leonard Hiebert
Subject: RE: 19-129

Hi Director Hiebert,

The agent has asked for a three year Temporary Use Permit. I will add the TEP length into the report.

Thank you,
Jessica

From: Director Leonard Hiebert <leonard.hiebert@prrd.bc.ca>
Sent: Thursday, November 21, 2019 9:54 AM
To: Kevan Sumner <kevan.sumner@prrd.bc.ca>
Cc: Crystal Brown <Crystal.Brown@prrd.bc.ca>; Shawn Dahlen <Shawn.Dahlen@prrd.bc.ca>
Subject: 19-129

Hello Kevan,
Here are my comments.

Thanks,

Leonard Hiebert
Director Area "D"
leonard.hiebert@prrd.bc.ca
250-219-8098



PEACE RIVER REGIONAL DISTRICT TEMPORARY USE PERMIT NO. 19-129

ISSUED TO: Name: Kosick Holdings Inc.
Address: 5542 Braden Road,

- A. 1. Property affected: Section 32 Township 80 Range 17 W6M, PRD Except Part East of Plan A938 and Except Plans A938 PGP46064 and BCP38517
PID: 015-969-711
2. Official Community Plan: 'Agriculture-Rural' PRRD Rural OCP Bylaw No. 1940, 2011
3. Zoning Bylaw: A-2 (Large Agricultural Holdings Zone) PRRD Zoning Bylaw No. 479, 1986
- 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 **X day of [month], 20XX**, 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) Operation of a pipe and maintenance material storage site for Kosick Holdings Inc.
3. The conditions under which the Temporary Use must be carried out are as follows:
i) Permit to be posted on site for its duration;
ii) Compliance with all statutory and bylaw requirements;
iii) Install insulated sound barriers on all generators on-site; alternatively, connect the property to electrical utilities.
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 non-compliance is not specifically permitted by this Temporary Use Permit.
5. THIS IS **NOT** A BUILDING PERMIT.

December 13, 2019

Issued this _____ day of _____, 20XX.

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

Authorized Signatory

Schedule attached to and forming part of this Temporary Use Permit: Site Plan 'A'

DRAFT



Peace River Regional District
SCHEDULE "A"
 Temporary Use Permit
 No. 19-129

