



# REPORT

To: Chair and Directors

Report Number: DS-BRD-226

From: Kathy Suggitt, RPP, General Manager of Development Services

Date: April 21, 2022

**Subject: Zoning Amendment Bylaw No. 2468, 2022, PRRD File No. 21-012 ZN**

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## **RECOMMENDATION: [Corporate Unweighted]**

That the Regional Board give Zoning Amendment Bylaw No. 2468, 2022, which amends Part II Section 3 of Zoning Bylaw No. 1343, 2001 by adding the new definition of “composting” and provides a site-specific amendment in the Light Industrial (I-1) zone to permit the use “manufacturing, fabricating and processing facility (for the purposes of manufacturing wood pellets), and composting (restricted to the composting of rig mats and other waste wood materials only),” and the associated accessory use “storage of wood shavings not to exceed an area greater than 10% of the parcel area,” on a ±5.03 ha subject property identified as PID: 024-372-587, first and second readings; and further

That the Regional Board authorize a public hearing to be held pursuant to *Local Government Act* Section 464(1), delegated to the Director of Electoral Area C and that public notification be authorized pursuant to *Local Government Act* Section 466.

## **BACKGROUND/RATIONALE:**

### **Proposal**

The applicant is seeking a site-specific amendment in the Light Industrial (I-1) zone of Zoning Bylaw No. 1343, 2001 that would permit the manufacturing of wood pellets (manufacturing, fabricating and processing facility), associated accessory storage of wood shavings and in-vessel composting of rig mats and other waste wood materials to produce soil amender on the ±5.03 ha subject property.

### **Background**

The subject property has been operating in non-compliance with the PRRD’s bylaws on and off since prior to 2011, and as outlined below, is the subject of a bylaw enforcement file. A history of the use occurring on the property is provided below:

- In January 2011, the Peace River Regional District (PRRD) staff issued a stop work notice to the landowner following a Fort St. John Fire Department complaint of a potential fire event at the site. At that time it was indicated that the manufacturing of wood pellets occurring on the subject property was in violation of the PRRD’s bylaws.
- In February 2011, the PRRD received a letter regarding noise generated by an activity on the subject property.
- In March 2011, the applicant applied for an OCP and Zoning amendment in addition to a development permit to allow a wood pellet manufacturing plant as a principal use on the subject property and comply with the PRRD’s bylaws.

In July 2011, the Board resolved to refuse the OCP and Zoning amendment application and gave the owner one year to find an alternate, appropriately zoned heavy industrial location and regulated the operation of the business within that one year to one 8 hour shift, on weekdays only. As such, the associated development permit application could not proceed.

- In November 2012, the applicant applied for a Temporary Use Permit (TUP) to permit the development and operation of a mill to compress planer shavings into pellets and the storage of shavings on site, which included the placement of two coverall buildings and sea cans for the storage of pellets and the mill on the subject property.
- In March 2013 the Board resolved to issue a TUP for three years, which expired in 2016.
- Bylaw Enforcement received a complaint in 2021 regarding shavings blowing onto a neighbouring residential property and upon investigation found the subject property to be in non-compliance with the current zoning regulations.
- In October 2021, to resume the manufacturing of wood pellets and storage of wood shaving on the subject property, the applicant applied for a zoning amendment to address the uses on the property and a development permit to bring the Quonset buildings, which are existing on the subject property, into compliance with the PRRD Zoning Bylaw No. 1343, 2001.
- On January 13, 2022 a zoning bylaw amendment report was presented to the Board in addition to a memo indicating an additional complaint regarding the subject property had been received on January 11, 2022. Staff therefore requested that the Board defer the report to give staff additional time to investigate the new complaint and additional non-compliant uses occurring on the subject property.
- On January 13, 2022, staff issued a notice (Bylaw Notice Warning No. PRRD 00214) to the applicant to immediately stop processing of wood fiber and remove all piles of composted soil, wood fibers and the wood chipper from the subject property by January 31, 2022.
- Between January and March of 2022, staff worked with the applicant to cease any additional non-compliant use of the property, provide an acceptable compliance plan and provide updated application information which clearly indicated all proposed uses for the subject property.
- On March 1, 2022, staff confirmed that the applicant had met all outstanding requirements and that a bylaw enforcement report would be presented to the Board.
- March 10, 2022, staff presented the bylaw enforcement report to the Board with a recommendation to allow PRRD File No. 21-012 ZN (Zoning Amendment Bylaw No. 2468, 2022) to proceed as the prohibited uses on the property have ceased. The Board authorized the zoning amendment file to proceed (Board Resolution # RD/22/03/28).

Since the complaint was received in 2021, staff have been working with the applicant, and municipal and provincial agencies on the proposal presented in this report.

### **Rationale**

A site-specific amendment is being recommended as an appropriate option to address the proposed uses on the subject property. The current zoning of the subject property will remain as Light Industrial (I-1). The proposed amendment would allow the manufacturing of wood pellets (i.e., manufacturing, fabricating, and processing facility) and the associated accessory use of “storage of wood shavings on up to 10% of the subject property”, in addition to in-vessel composting of rig mats and other waste wood materials to produce soil amender, as additional permitted uses within Light Industrial (I-1) Zone, on the subject property only. The manufacturing of wood pellets would fall under the existing use of

“manufacturing, fabricating and processing facility,” which currently is only permitted in the General Industrial (I-2) Zone. A new use, “composting” is also being proposed along with a new definition, as it is currently not listed as a permitted use in any zone.

Staff were not supportive of rezoning the property to the General Industrial (I-2) zone as the list of permitted uses would not be compatible with the adjacent residential and agricultural uses. Staff understand that the wood pellets are an important bio-fuel for northern communities and soil amender can help the farming communities within and outside of the PRRD to improve the soil quality of agricultural lands and increase agricultural productivity.

This site specific amendment is intended to permit the proposed uses within reason and address any potential land use conflict concerns to the neighbouring residential properties. It is noted that during the term of the Temporary Use Permit issued in 2013, no complaints regarding the property or the use occurring were received. Therefore, staff are of the opinion that the uses can be permitted on the subject property and ensure proper controls are in place through the zoning and subsequent development permit that will be required. Staff are in support of this amendment.

Staff are also recommending that this application proceed requiring a public hearing, so that any additional concerns from neighbouring properties may be considered in the review of this amendment application.

#### **File Details**

Owner: Shane Rogers  
Agent: Mcelhanney Associates Land Surveys Ltd.  
Area: Electoral Area C  
Location: Fort St. John  
Legal: Lot 1 Except: Part Subdivided by Plan BCP20054, Section 4 Township 84 Range 18 W6M  
PRD Plan PGP43544  
PID: 024-372-587  
Civic Address: 6414 Airport Road  
Lot Size: ±5.03 ha (±4.45 ac)

#### **Site Context**

The subject property is located to the east of the City of Fort St. John, near the airport, and is bordered by Airport Road to the north. The property is surrounded by industrial uses in the west and south, agricultural in the north, airport in the east and by residential uses in the south-east.

#### **Site Features**

##### Land

Based on the aerial imagery, and confirmed by way of a site visit, the subject property is partially cleared and treed on the east, south-east and south-west boundary of the lot.

##### Structures

The subject property has a residential dwelling, shed and two non-complying Quonset buildings. The applicant has applied for a development permit to bring the Quonset buildings in compliance with the Zoning Bylaw.

Access

The subject property is accessed via Airport Road.

Canada Land Inventory Soil Rating

The soil on the property is classified as 2c. Class 2 soils “have very moderate limitations that restrict the range of crops or require moderate conservative policies. Subclass C denotes a significant adverse climate for crop production.

**Comments & Observations**Applicant

The applicant is seeking a zoning amendment, to allow specific use of manufacturing wood pellets, storage of shavings, and in-vessel composting of rig mats and other waste wood materials to produce soil amender on the subject property.

Agricultural Land Reserve (ALR)

The subject property is outside the Agricultural Land Reserve.

Official Community Plan (OCP)

Pursuant to the North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009, the subject property is designated Light/Service Industrial (LSI). Section 8.3.1, Policy 4 states that the principal use of land within this designation will be for industrial uses, including but not limited to trucking and construction trade contractors, etc., subject to zoning regulations. Policy 5 states that all Light/Service Industrial designated lands are subject to Industrial Development Permit Area No. 2 guidelines as described within Section 13.5 of the OCP.

Therefore, the proposal is consistent with the OCP, and if approved, two non-compliant Quonset buildings and any new development on the subject property will require a Development Permit.

Land Use Zoning

Pursuant to the PRRD Zoning Bylaw No. 1343, 2001, the subject property is zoned I-1 (Light Industrial Zone). Section 45.1 states that uses such as a restaurant, automotive service station, etc. are permitted uses within I-1 zone. However, manufacturing, storage and processing facilities are not permitted uses within the I-1 Zone.

Therefore, a site specific zoning amendment will be required to allow the applicant to begin the manufacturing of wood pellets (manufacturing, fabricating and processing facility), the associated accessory storage of wood shavings, and in-vessel composting of rig mats and other waste wood materials to produce soil amender on the subject property.

The subject property has existing berms to mitigate the impacts of the proposed use, however, staff are working with the applicant through the development permit process to require that these berms be finished and hydro-seeded and that a vegetative buffer be installed on the southern parcel line. Staff is working with the applicant to make sure that all the concerns related to manufacturing of wood pellets and soil amender are addressed through the development permit application process.

Fire Protection Area

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

Mandatory Building Permit Area

The subject property is within the Mandatory Building Permit Area.

Development Permit Area

The subject property is within the Industrial Development Permit Area No.2 pursuant to the North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009. A Development Permit will be required to bring two Quonset buildings into compliance with the Zoning Bylaw or prior to any new construction.

The applicant has submitted a Development Permit application to bring the existing structures on the subject property into compliance with the Zoning Bylaw to facilitate the manufacturing of wood pellets on the subject property. Staff are working separately on the development permit application and addressing the potential impacts of the proposed uses on the adjacent properties.

Development Cost Charge Area

The subject property is outside of all the Development Cost Charge Area.

School District 60 School Site Acquisition Charge Area

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

**Impact Analysis**Context

The subject property is zoned Light Industrial (I-1) and is compatible with industrial uses in the west and south. There is agricultural land to the north and residential to the south-east. The proposed zoning amendment will allow manufacturing of wood pellets, storage of shavings (manufacturing, fabricating and processing facility), and in-vessel composting of rig mats and other waste wood materials to produce soil amender on the subject property which are not consistent with the permitted uses in the I-1 Zone. Staff notes that there were complaints received by the PRRD previously related to activities on subject property, and if approved, there could be potential conflict arising from activities on the subject property. Staff have tried to address any potential land use conflicts through the requirement to limit the amount of wood shavings allowed on the property, in addition to landscaping and screening requirements which will be addressed through the development permit.

The applicant has applied for a development permit to bring the two Quonset buildings in compliance with the Zoning Bylaw and any potential conflict arising from the proposed use will be addressed through the development application process separately.

Population & Traffic

The property is currently owned and operated by a trucking company, so increase to the intensity of traffic is anticipated to be marginal. No population increase is anticipated as the proposed use is industrial.

Sewage & Water

There is an existing residential water and sewer system on site. No additional water or sewer is required to facilitate the proposed use at this time. Prior to any further development on the subject property the applicant will be required to seek appropriate approvals from Northern Health.

**Comments Received from various PRRD Departments, Municipalities & Provincial Agencies**Ministry of Environment

Ministry has requested following conditions:

- A notification to the Ministry is required.
- An application may be required.
- Applicant must contact the Ministry for additional information.

Agricultural Land Commission

The northern and eastern boundaries of the property are adjacent to the ALR lands. However, in this case, the proposed new use will be in existing buildings and the storage area will be beyond 15 m from the ALR boundaries. No further comments.

Ministry of Transportation and Infrastructure

Ministry has no record of an access permit issued to this property for industrial activity. The owner is required to apply to MoTI for an industrial access permit online.

Northern Health

Northern Health has some questions related to these topics while also recognizing the potential benefits of a sustainability-minded project.

- Has there been any assessment of potential air quality impacts related to these activities?
- Have any mitigation been proposed to address the air emissions anticipated from the 'in vessel composting' process?
- Has the location of the nearest residence and drinking water wells been identified? Are any conflicts anticipated?
- How is the composting leachate disposed? Does it eventually evaporate?

Northern Health interests include minimizing any potential public health impacts from the project.

Including, but not limited to:

- Proper storage and spills response for any fuels or chemicals stored and used on site (groundwater source protection). This would be also extend to a spills response plan if the composting was breached.
- Gravel road and parking lot dust suppression.
- Odour control.
- Noise control.
- A complaints resolution process.

BC Hydro

No Objections.

Fort St. John Fire Department

No objections provided that a fire code analysis be done by a design professional to ensure adherence to the BC Fire Code and that the site can support the proposed operations.

North Peace Airport Services LTD.

No objections with the condition that this property is height restricted by federal airport zoning regulations to 724 m ASL and no structure on this property may be above this height. Land Use appears to be compatible with airport operations in accordance with Transport Canada TP1247. North Peace Airport Services LTD. has requested to be further consulted on any development plans on the subject property.

Bylaw Enforcement Officer

There will be a Development Permit, Building Permit and survey requirement regardless of the outcome of this application.

Protective Services Department

A non-combustible perimeter be maintained around the compost and wood pellet storage areas to prevent the spread of fire should the compost self-combust or the wood waste materials catch fire.

PRRD GIS

No concerns.

**ALTERNATIVE OPTIONS:**

1. That the Regional Board respectfully refuse to give Zoning Amendment Bylaw No. 2468, 2022, to amend the Part II Section 3 of the Zoning Bylaw No. 1343, 2001 by adding the definition of *composting* and provide a site-specific amendment in the Light Industrial (I-1) zone of the Zoning Bylaw 1343, 2001, to permit the use “manufacturing, fabricating and processing facility (for the purposes of manufacturing wood pellets), and composting (restricted to the composting of rig mats and other waste wood materials only)”, and the associated accessory use “storage of wood shavings not to exceed an area greater than 10% of the parcel area”, on a ±5.03 ha subject property identified as PID: 024-372-587, first and second readings.
2. That the Regional Board provide further direction.

**STRATEGIC PLAN RELEVANCE:**

- ☒ Not Applicable to Strategic Plan.

**FINANCIAL CONSIDERATION(S):**

None at this time.

**COMMUNICATIONS CONSIDERATION(S):**

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

Staff are recommending that a Public Hearing be held for this application to ensure all neighbouring property owners have a chance to provide comments on the application, as there is an active bylaw enforcement file relating to the proposed use.

**OTHER CONSIDERATION(S):**

Should the Board decide to give the Zoning Amendment Bylaw No. 2468, 2022 first and second readings, a public hearing will be scheduled. Staff will hold off on the report for the 3<sup>rd</sup> reading until the applicant meets the requirement requested by staff, and demonstrates how they will address the municipal and provincial agencies' comments to facilitate the proposed uses on the subject property.

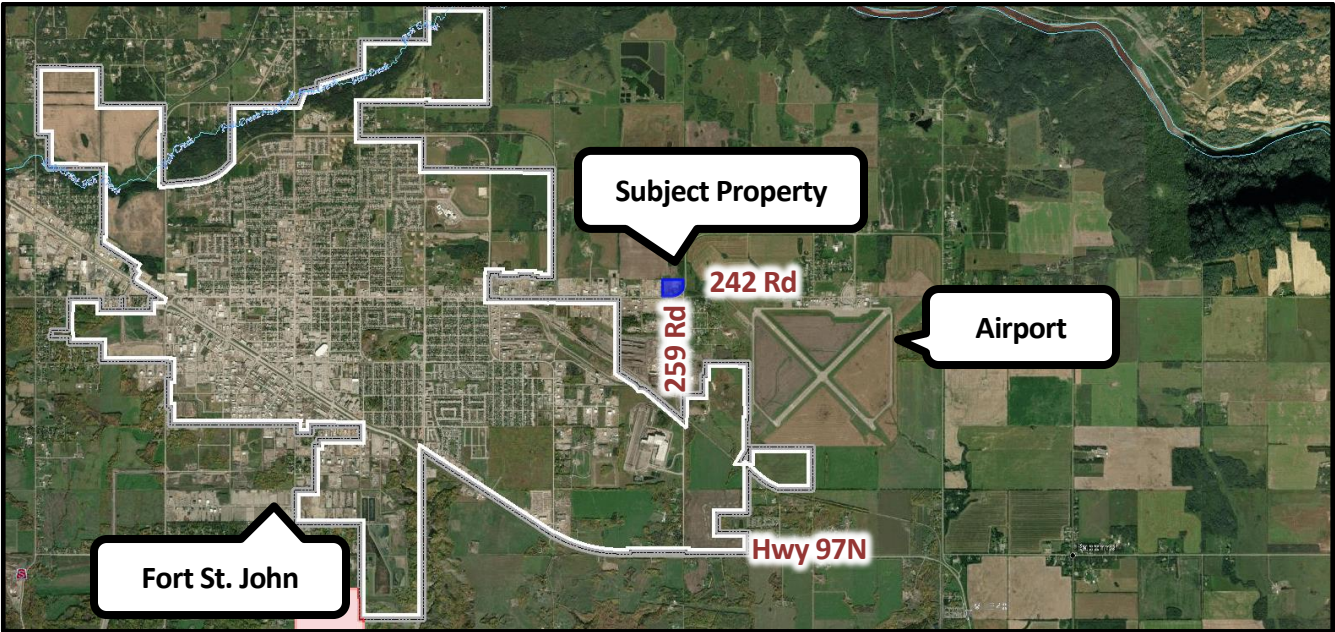
The applicant has applied for a development permit to bring the existing structures on the property into compliance with the Zoning Bylaw, which facilitate the manufacturing of wood pellets on the subject property. Landscaping and buffering requirements will be addressed through that process.

**Attachments:**

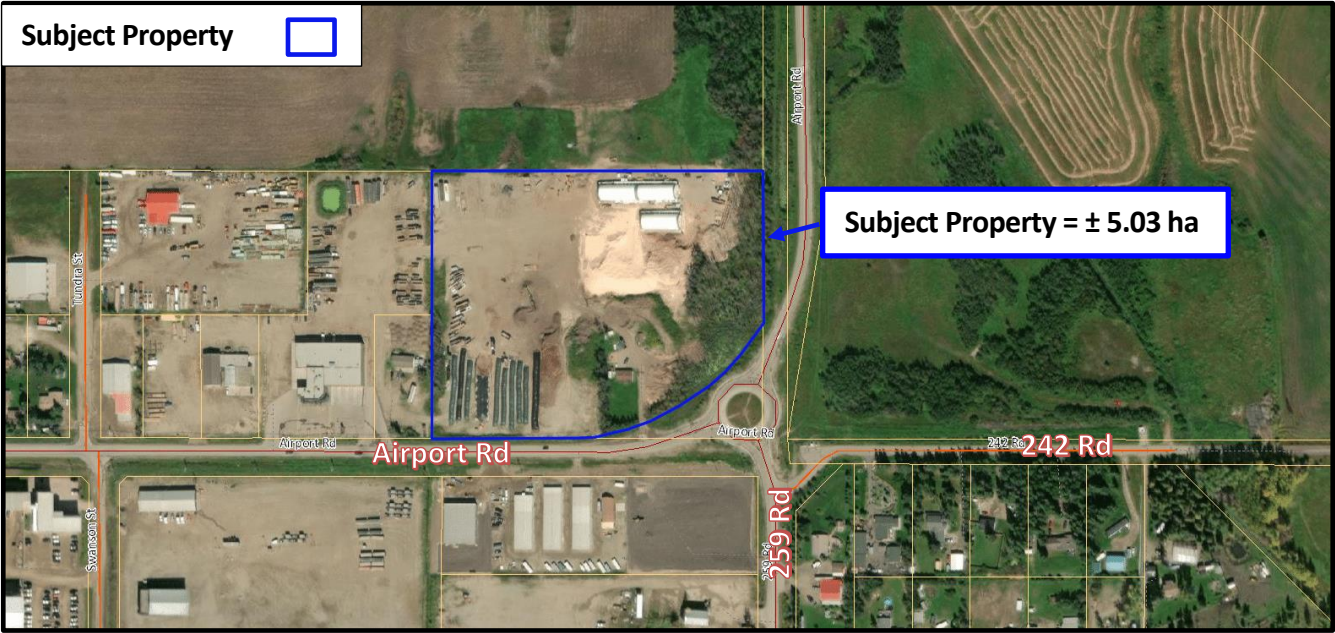
1. Maps (PRRD File No. 21-012 ZN)
2. Application (PRRD File No. 21-012 ZN)
3. Draft Zoning Amendment Bylaw No. 2468, 2022



Location: Fort St. John



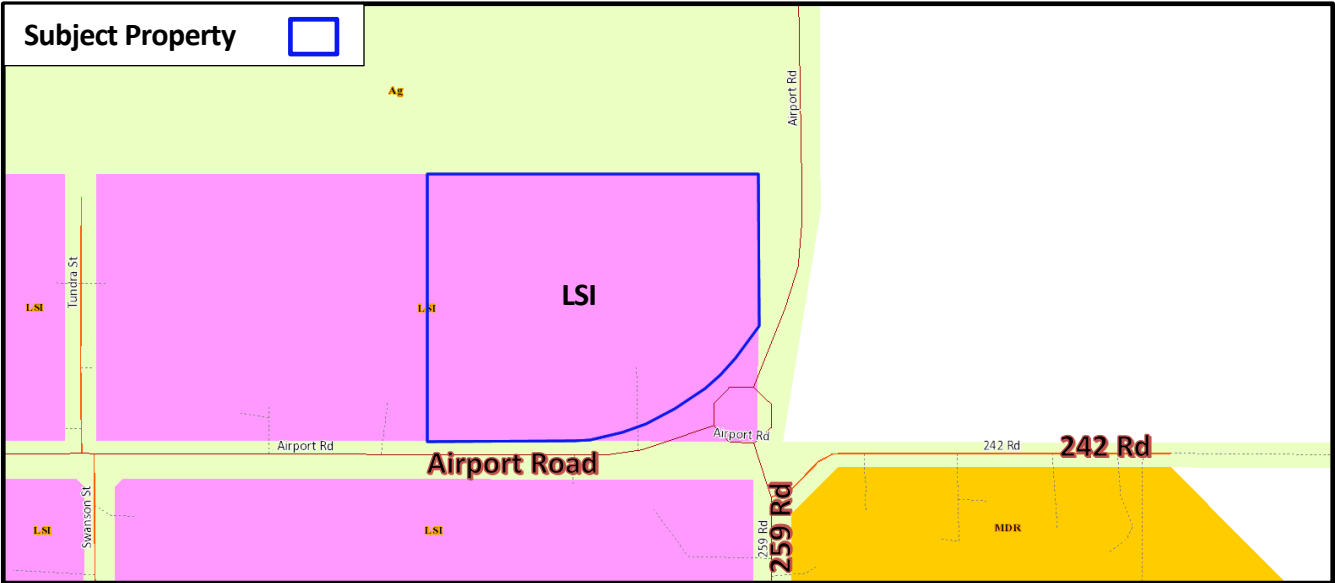
Aerial imagery



Proposal

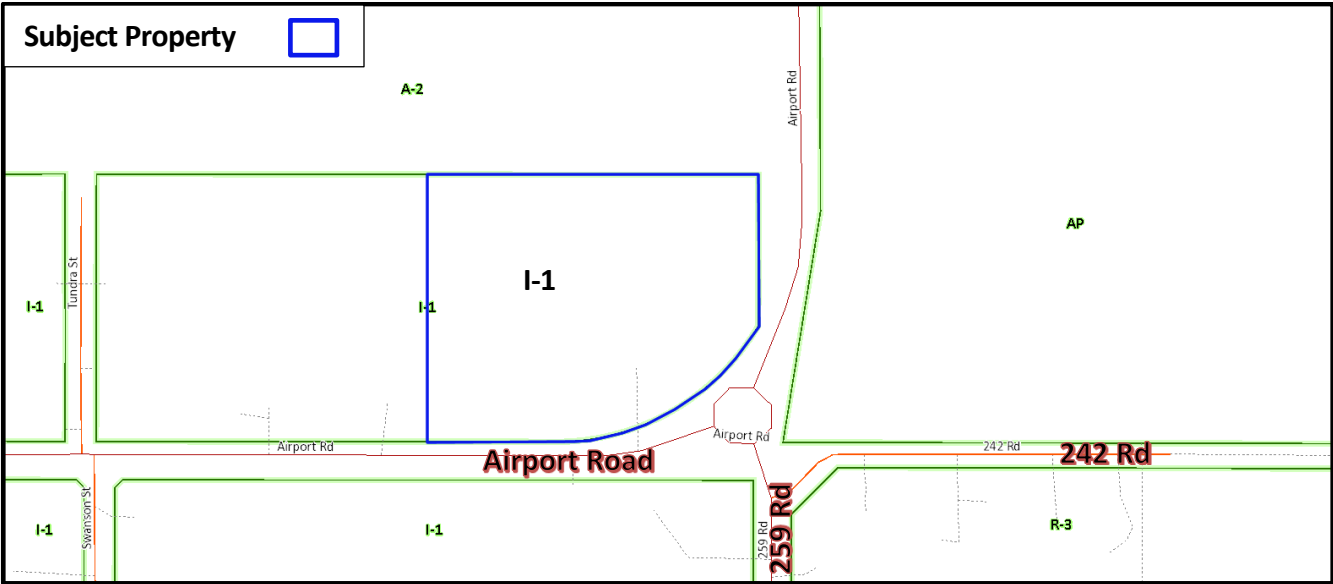


North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009: Light/Service Industrial (LSI)

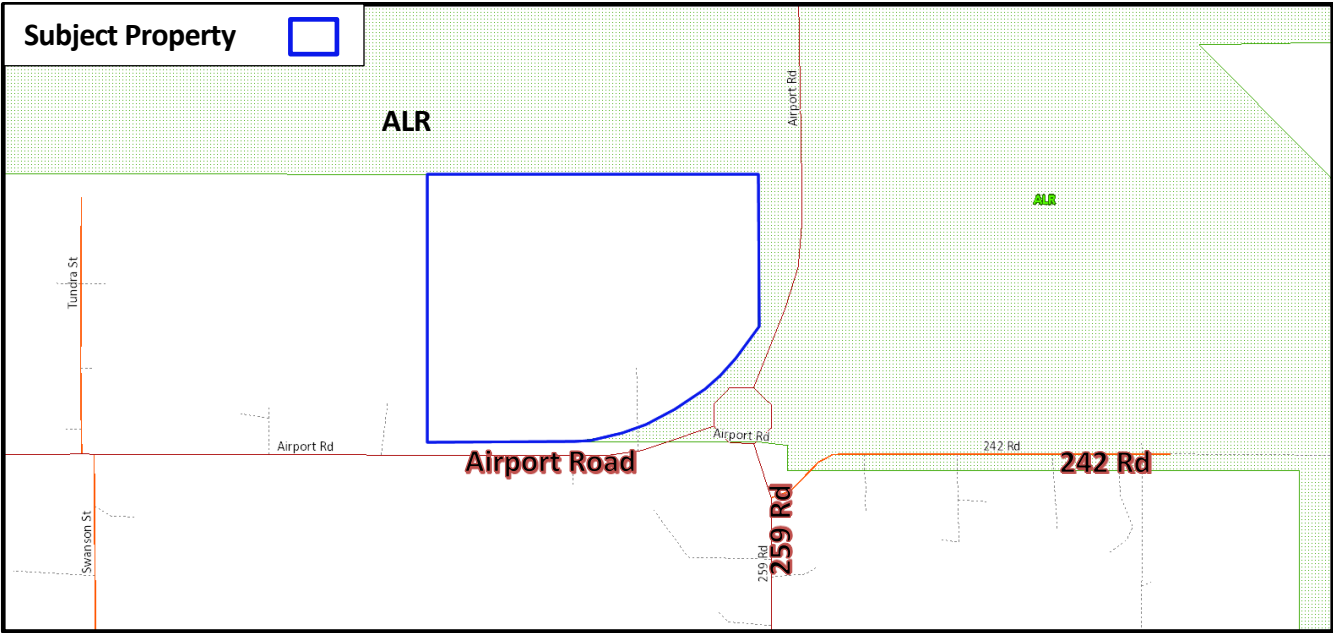




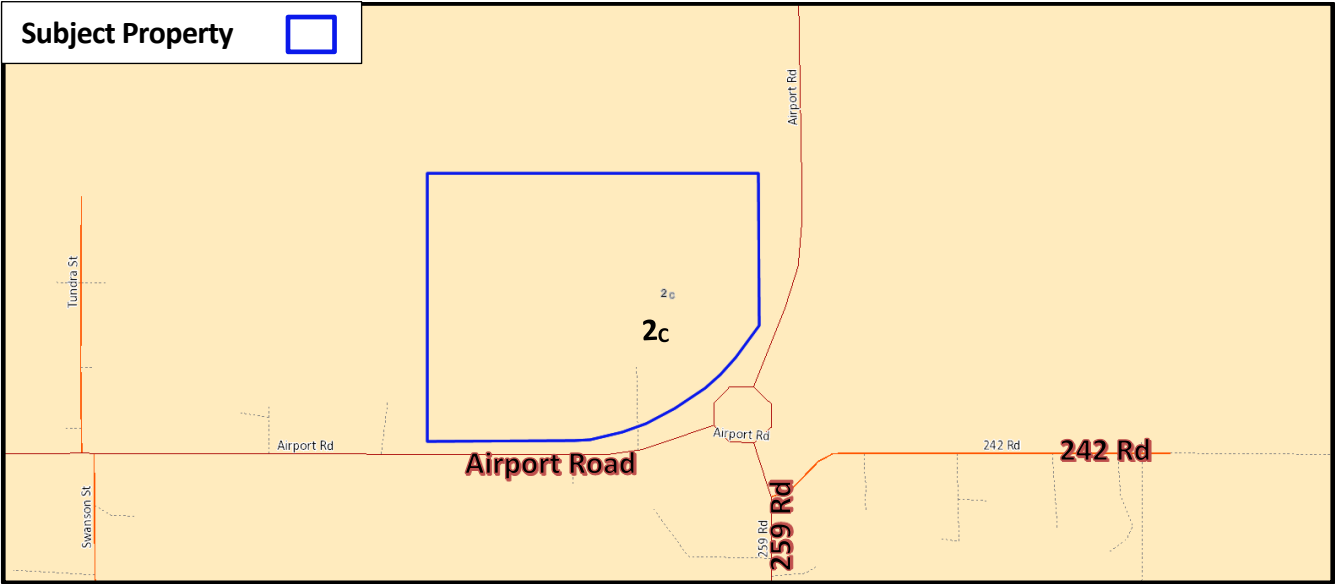
**PRRD Zoning Bylaw No. 1343, 2001: Light Industrial Zone (I-1)**



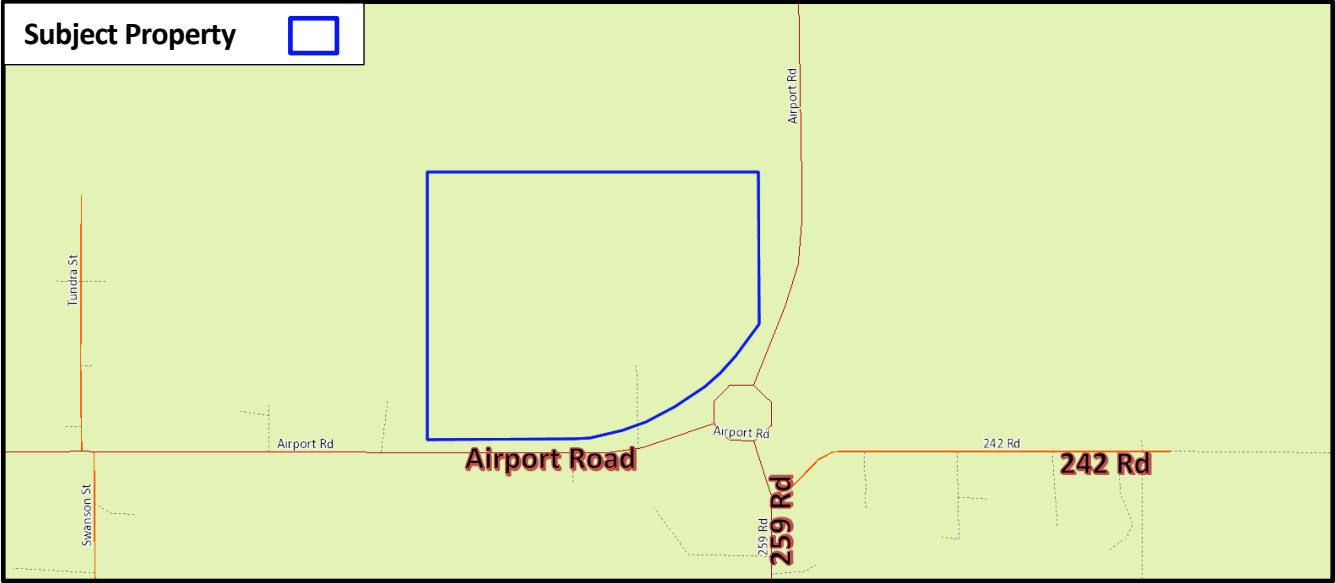
**Agricultural Land Reserve: Outside**



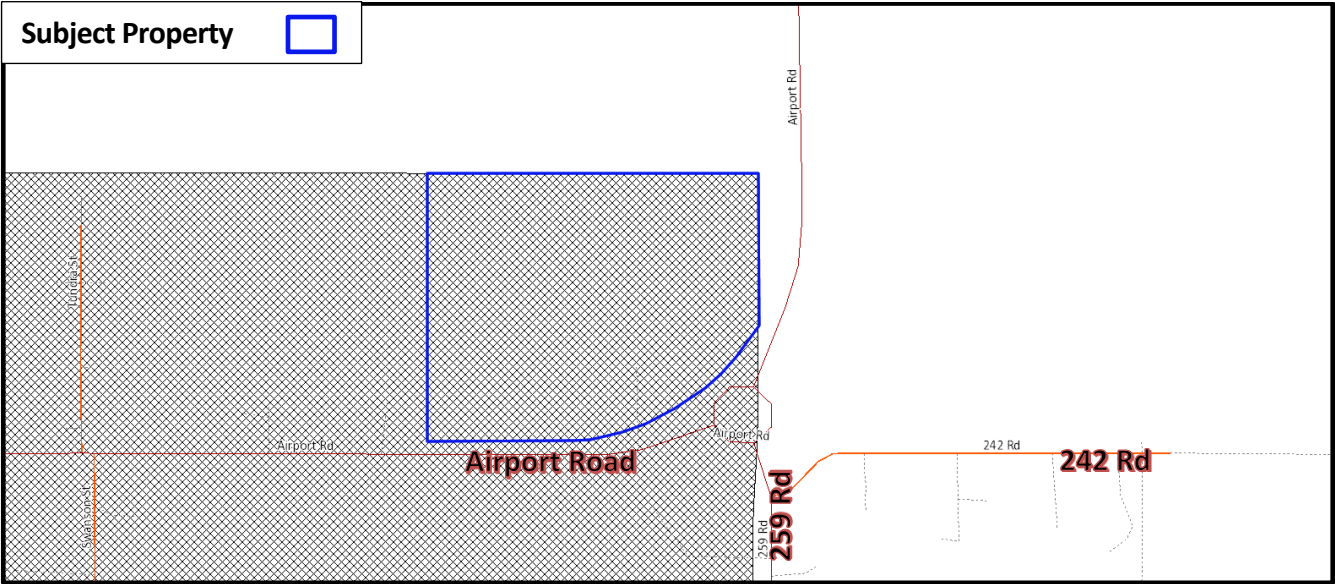
Canada Land Inventory Soil Classification: 2c



Mandatory Building Permit Area: Within



Development Permit Area: Within





PEACE RIVER REGIONAL DISTRICT

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

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

For Office Use:  
Receipt # 8468  
Date Received Oct. 15 '21  
File No. 21-012 ZN  
Sign Issued: Yes ☒ No ☐ N/A ☐

## Application for Development

### 1. TYPE OF APPLICATION

<input type="checkbox"/> Official Community Plan Bylaw Amendment*	FEE \$ 1,150.00
<input checked="" type="checkbox"/> Zoning Bylaw Amendment* #	\$ 800.00
<input type="checkbox"/> Official Community Plan / Zoning Bylaw Amendment combined* #	\$ 1,200.00
<input type="checkbox"/> Temporary Use Permit*	\$ 500.00
<input type="checkbox"/> Temporary Use Permit Renewal	\$ 350.00
<input checked="" type="checkbox"/> Development Permit #	\$ 165.00
<input type="checkbox"/> Development Variance Permit	\$ 165.00

\* Sign is required for this application type.

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

# Contaminated Site Declaration Form required for this application type.

<input type="checkbox"/> Exclusion from the Agricultural Land Reserve (Applicant responsible for additional costs associated with the advertisements, signage, and facility rental, if applicable)	\$ 1,500.00
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### 2. PLEASE PRINT

Property Owner's Name <b>SHANE ROGERS</b>	Authorized Agent of Owner (if applicable) <b>Mcelhanney Associates Land Surveys Ltd (Evan Hsiao)</b>
Address of Owner [REDACTED]	Address of Agent [REDACTED]
City/Town/Village: [REDACTED]	City/Town/Village: [REDACTED]
Postal Code: [REDACTED]	Postal Code: [REDACTED]
Telephone Number: [REDACTED]	Telephone Number: [REDACTED]
E-mail: [REDACTED]	E-mail: [REDACTED]

#### 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: 6414 Airport Road

**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: To allow specific use of processing ,manufacturing, storing wood shaving /  
rig mats as described in Sec 8

☐ Development Variance Permit – describe proposed variance request:

\_\_\_\_\_  
\_\_\_\_\_

☐ Temporary Use Permit – describe proposed use:

\_\_\_\_\_  
\_\_\_\_\_

☐ Development Permit: Bylaw No. \_\_\_\_\_ Section No. \_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

(a) North Farm land A2

(b) East empty land airport industrial (AP)

(c) South U-haul Yard I-1

(d) West Rogers' trucking I-1

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

1. to allow processing, manufacturing, storage of wood shaving on site for the purpose of making solid bio-fuels such as wood pellets as well as use as moisture absorbent on oil and gas access road , animal bedding and other environmental friendly applications.

2. to allow processing, manufacturing, storage of rig mats and other waste wood materials for making "soil amender". A letter is also attached to describe the process of in-vessel composting of rig mats.

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

see attached  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Date signed

Signature of Owner

Date signed

16. **AGENT'S AUTHORIZATION**

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

I / We <u>Shane Rogers</u> and <u>Curtis Rogers</u> hereby authorize	
(name of landowner) (name of landowner)	
McElhanney Associates land Surveying Ltd (Evan Hsiao)	
(name of agent) to act on my/our behalf regarding this application.	
Signature of Owner	Date: <u>OCT 12 2021</u>
Signature of Owner:	Date: <u>OCT 12 /21</u>



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

Pellets provides clean biomass energy to customers around the peace river region and can be used in many different areas. It is an essential product for some residence to keep their house warm and can be used for stoves, furnaces, boilers in a residential area and can also be used for horses and animals bedding

There was no company producing wood Pellets for residential/industrial use in the peace region prior to the establishment of Canfor pallet plants in 2016. We had the operations since 2012 to serve the communities in this region and we wish to continue the operation to better serve our communities in the peace region by providing environmental friendly and competitive products.



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## **AgBag In-Vessel Composting**

### RE: Solution to eliminate the burning and burial of wood waste

With resource development comes impact – it is unavoidable. It is our responsibility to be good stewards of the land and employ innovative approaches to achieve maximum sustainability, and minimize our overall impact.

As such, Rogers offers a unique, sustainable solution for handling woody debris which are normally just piled and burned or hauled to a landfill as part of the right of way clearing and/or logging operations. The woody debris waste is ground and placed inside completely enclosed AG-BAG vessel units which eliminate odour and leachate from escaping into the local environment. The woody forest debris is then composted under positive aeration with continuous temperature monitoring as required under the Organic Material Recycling Regulation of BC (OMRR).

The finished organic product from the in-vessel process can be utilized to re-establish site revegetation in areas of related logging disturbance minimizing soil erosion, sediment transport and assisting in slope stabilization.

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**Rogers Trucking Inc.**

“innovating naturally”

1-866-785-3647 | 250-785-3647 | fax 250-785-7036

[info@rogerstrucking.ca](mailto:info@rogerstrucking.ca) | [www.rogerstrucking.ca](http://www.rogerstrucking.ca)

## In-Vessel Composting of Rig Mats

### Process:

- Grind mats to 2" minus removing all metal hardware
- Combine ground mats with water and nitrogen (and possibly selected microbes to improve the process)
- Bag product in sealed 140ft long, 14ft diameter poly pods (Ag Bag) which includes installation of aeration tubes and bag vents

*Note:* Approximately 800 yds of ground material per bag creates 680 yds of the final product when cured. On average 10hr production/day is required to create 3 bags.

- Attach blower fans to each bag and cycle airflow for composting cycle of 2 to 3 months
- Monitor bag air temps for duration of bag composting cycle
- *Note:* The bagging process requires water during initial installation and 24-7 power for 2 to 3 months to run ½ to ¾ hp blower fans during cycling of air into the bags. A level flat area for bag production is also required (approximately 22' wide x 160' long per bag)

### Product:

- "Growmedia" which classifies as Type A Compost

### Pros:

- Used mats can be "repurposed" close to installation/collection sites rather than burned or dumped at a landfill site.
- Material is "weed-free" and stays as such during storage until required for use
- Can remain in sealed storage out of the weather for several years without affecting the product quality
- Can be utilized on sites to suppress existing invasive species propagation
- An excellent medium for restoration of OGC dormant well sites improving growth and survival of native plant species (ecologically suitable plants)
- Deployed as erosion control product on slope cut and fills

### Cons:

- Not yet cheaper than straight burning of mats. As the use of Growmedia for erosion control and reclamation of disturbed industrial sites increases, the repurposing approach will be more economical.

