



REPORT

To: Chair and Directors

Report Number: DS-BRD-085

From: Shawn Dahlen, Chief Administrative Officer

Date: October 26, 2020

Subject: OCP & Zoning Amendments, Bylaws 2413 & 2414, 2020, PRRD File No. 20-007

RECOMMENDATION #1: [Corporate Unweighted]

Whereas the Regional Board has considered the requirements of s. 475 of the *Local Government Act* and has provided opportunity for early and ongoing consultation with those persons, organizations and authorities the Board considers will be affected by an application proposing to redesignate and rezone land in the Wonowon area for an industrial landfill, further;

That the Regional Board give Official Community Plan Amendment Bylaw No. 2413, 2020 to amend the designation of 234.67 ha of unsurveyed Crown Land within Units 14, 15, 23, 24, 25, 33, 34 and 35, Block J, Group 94-A-12, from Agricultural Rural to Heavy Industrial, first and second readings.

RECOMMENDATION #2: [Corporate Unweighted]

That the Regional Board give Zoning Amendment Bylaw No. 2414, 2020, to rezone 234.67 ha of unsurveyed Crown Land within Units 14, 15, 23, 24, 25, 33, 34 and 35, Block J, Group 94-A-12 from A-2 (Large Agricultural Holdings Zone) to I-4 (Oil and Gas Production Zone) and add a site specific text amendment to allow 'secure landfill and oilfield waste management' as a permitted use in this location, first and second readings, and finally;

That a public hearing, delegated to the Director of Electoral Area B, be held at a future date, subject to confirmation that the applicant has obtained the necessary approvals from the provincial Environmental Assessment Office and a signed agreement between the applicant and Canfor for use of the Mile 96 Rd to access the site for the proposal, and provided them to the PRRD.

BACKGROUND/RATIONALE:

Proposal

To redesignate and rezone the property from Agricultural to Industrial land uses, and add a site specific text amendment that allows 'secure landfill and oilfield waste management' as a permitted use on this particular site. The applicant intends to use the site as a landfill facility which will include four landfill cells, a field office, small waste quality control lab, garage, monitoring wells, and three control ponds.

File Details

Owner: Crown Land
Agent: Secure Energy
Area: Electoral Area B
Location: Wonowon
Legal: Within Units 14, 15, 23, 24, 25, 33, 34 and 35 Block J, Group 94-A-12
Lot Size: 234.67 ha (579.88 ac)

Site Context

The subject site is located in an agricultural rural area, 11 km southeast of Wonowon, east of Highway 97. Areas to the north, south, east, and west of the site include an access road, undeveloped forested crown land and a pipeline right-of-way.

Site FeaturesLand

The site is approximately 70% logged and cleared.

Structures

There are no structures on the site.

Access

The site is proposed to be accessed from Mile 96 Rd, east of Highway 97. Mile 96 Rd is currently used by Canfor for forestry purposes and the applicant will negotiate an agreement with them about access and any potential road improvements that may be required. In addition, Ministry of Transportation and Infrastructure may have additional comments and/or requirements, which will be provided after first and second readings.

Canada Land Inventory Soil Rating

According to the Canada Land Inventory, soils on the subject property are classified as 5_{TW}. Class 5 soils have very severe limitations that restrict their capability in producing perennial forage crops. Subclass TW denotes topography and excess water.

Comments & ObservationsApplicant

The applicant has proposed an oilfield waste landfill 11 km south of Wonowon, intended to provide a facility for the disposal of oilfield and industrial wastes for northeast British Columbia. The site will have four landfill cells and will also include a scale, field office, small waste quality control lab, garage, stockpile areas, monitoring wells and three control ponds to collect water that doesn't encounter waste. The proposed facility is a Class II landfill that will accept non-hazardous solid wastes such as drill cuttings and drilling muds, residual solids from spill cleanups, residual solids from treatment processes, and spill materials.

The applicant also requires an Environment Assessment Certificate from the BC Environmental Assessment Office (EAO) and a Permit to Operate from the BC Ministry of Environment, for which they are at the pre-application stage and intend to apply between late 2020 and early 2021. The applicant states they submitted a Draft Application Information Requirements to the EAO in April 2020, with a

public comment period open from May 27 to July 11, 2020. The applicant states that they have also been engaged in conversations with Blueberry River First Nations since 2016.

Agricultural Land Reserve (ALR)

The subject property is outside the Agricultural Land Reserve.

Official Community Plan (OCP)

The subject site is designated as Agricultural Rural (Ag-rural) within the PRRD Rural Official Community Plan Bylaw No. 1940, 2011. Section 7, Policy 2 states the principal use of land within this designation will generally be limited to agriculture, agri-tourism, residential use, and businesses directly compatible or complementary to the agricultural industry. The minimum parcel size is 63 hectares (155 acres).

While the parcel size is consistent, the proposed uses are not. Therefore, an OCP amendment is required.

Land Use Zoning

Pursuant to Zoning Bylaw No. 1000, 1996, the site is zoned A-2 (Large Agricultural Holdings Zone). Section 36 states the permitted uses are agriculture, temporary worker camps, and oil and gas activities. The minimum parcel size is 63 ha (155 ac).

While the parcel size is consistent, the proposed uses are not. Therefore, a zoning amendment is required.

Fire Protection Area

The subject property is outside all fire protection areas.

Mandatory Building Permit Area

The subject site is outside the Mandatory Building Permit Area.

Development Permit Area

The subject property is outside all Development Permit Areas.

Development Cost Charge Area

The subject property is outside the Development Cost Charge Area.

School District 60 School Site Acquisition Charge Area

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

Impact Analysis

Context

The proposed secure landfill will be consistent with surrounding areas as the site is located in a rural area, approximately 11 km south of Wonowon, with no residential development in close proximity.

Population & Traffic

The applicant anticipates an increase in traffic along Highway 97 of about 20 inbound trucks per day.

Sewage & Water

The sewage is proposed to be trucked to an approved facility for disposal. Drinking water will be trucked to the site as well.

Comments Received from Municipalities & Provincial Agencies

Ministry of Environment & Climate Change, School District 60, Chetwynd, Dawson Creek, Fort St. John, Hudson's Hope, Pouce Coupe, Taylor, Tumbler Ridge

No response.

Northern Health

No objections provided that the applicant follows Northern Health's prescribed regulations.

Ministry of Transportation & Infrastructure

The Ministry will provide a response once the application receives 1st and 2nd readings.

ALTERNATIVE OPTIONS:

1. That the Regional Board respectfully refuse Official Community Plan Amendment Bylaw No. 2413, 2020 to amend the designation of 234.67 ha of unsurveyed Crown Land within Units 14, 15, 23, 24, 25, 33, 34 and 35 Block J, Group 94-A-12 from Agricultural Rural to Heavy Industrial, as submitted.
2. That the Regional Board respectfully refuse Zoning Amendment Bylaw No. 2414, 2020 to rezone the same site from A-2 (Large Agricultural Holdings Zone) to I-4 (Oil and Gas Production Zone) and add a site specific text amendment, as submitted.
3. That the Regional Board provide further direction.

STRATEGIC PLAN RELEVANCE:

- ☒ Not Applicable to Strategic Plan.

FINANCIAL CONSIDERATION(S):

None at this time.

COMMUNICATIONS CONSIDERATION(S):

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

OTHER CONSIDERATION(S):

The Regional Board does not have the option to waive the public hearing on this application. Current direction from the Province under Division 5 of Ministerial Order M192 and subsequently, Bill 19, allows for local governments to conduct public hearings by electronic or other communication facilities, or to hold public hearings electronically, in person, or a combination of both.

To date, Electoral Area Directors have requested the scheduling of public hearings be deferred until in person public hearings are permitted. In person meetings of up to fifty people are currently permitted, if proper physical distancing and other safety protocols are in place, however, the public cannot be

denied access to a public hearing and there are few venues available that will accommodate fifty people properly physically distanced. Residents would be encouraged to submit comments in writing and asked to register in advance to attend a public hearing, to allow for advance planning for the anticipated number of guests. (Attendance at public hearings cannot be staggered in the same way that staff have been managing public attendance at Board meetings as the intent of a public hearing is to allow all attendees a chance to be heard, and to hear submissions from others.) This file would be on hold until either a safety plan allowing an in person or hybrid (ie: livestreamed to allow participation in the entire hearing by any interested member of the public, with provision for either audio or video participation electronically) public hearing could be implemented.

At this time, no files in Area B are waiting for a public hearing.

Attachments:

1. Maps
2. Application
3. Comments Received from Municipalities & Provincial Agencies
4. Comments Received from Electoral Area Director
5. Section 11 of PRRD Rural OCP Bylaw No. 1940, 2011
6. Section 47 of PRRD Zoning Bylaw No. 1000, 1996
7. Draft Official Community Plan Amendment Bylaw No. 2413, 2020
8. Draft Zoning Bylaw No. 2414, 2020