



REPORT

To: Chair and Directors

Report Number: DS-BRD-129

From: Kathy Suggitt, General Manager of Development Services

Date: March 25, 2021

Subject: Renewal of Temporary Use Permit No. 17-214

RECOMMENDATION: [Corporate Unweighted]

That the Regional Board approve the renewal of Temporary Use Permit No. 17-214, to permit the continuation of a laydown area for light industrial storage on a ± 5.9 hectare portion of the property identified as PID 014-907-852, for a three year term expiring April 26, 2024.

BACKGROUND/RATIONALE:

Proposal

Pursuant to PRRD File No. 17-214, the applicant has an existing temporary use permit on a ± 5.9 ha (± 14.7 ac) portion of the subject property that permits a laydown area for light industrial storage that expires on April 26, 2021.

The applicant is seeking to renew the existing temporary use permit for a laydown area for light industrial storage for a period of three years. The *Local Government Act*, section 497 permits one extension only of a temporary use permit, for a maximum of three years. If approved, this will be the first and only extension allowed of this existing temporary use permit.

File Details

Owner: Curtis & Elizabeth Brewster
Agent: Aspen Grove Property Services
Area: Electoral Area E
Location: Chetwynd
Legal: District Lot 1912 Peace River District Lot
PID: 014-907-852
Lot Size: ± 83.52 ha (± 206.39 ac)

Site Context

The subject property is located immediately west of the District of Chetwynd's boundary, southwest of the Chetwynd Airport. The Pine River is directly south of the subject property and smaller residential lots are north of the subject property along the Hart Highway (97S).

Site Features

Land

Under the current temporary use permit, the footprint of the area being used for the laydown area is completely levelled and graveled and would continue as such under an extension if granted. However, the remainder of the subject property is a mix of forested and cultivated lands.

Structures

There are no existing structures on the subject property.

Access

Site access is from 50th Street SW (Water Treatment Plant Road). This road is in the jurisdiction of the District of Chetwynd.

Canada Land Inventory Soil Rating

Soils on the proposed TUP area have a CLI designation of 5c.

Class 5 soils have very severe limitations that restrict their capability in producing perennial forage crops, and improvement practices are feasible. Subclass C indicates adverse climate.

Comments & ObservationsAgricultural Land Commission (ALC)

The temporary use permit area is located outside the Agricultural Land Reserve.

Official Community Plan

Pursuant to PRRD West Peace Official Community Plan No. 2312, 2018 (OCP), the subject property is designated Agriculture Resource. The predominant use of land within the Agriculture Resource designation is agricultural or resource extraction. Policy 3.1.3.1 acknowledges that resource extraction activities are regulated by provincial and federal legislation, however, the outdoor storage of materials is not outlined in the OCP.

Section 6.1.2, policy 1 states temporary use permits will be considered throughout the area covered by the OCP. In reviewing a temporary use permit application, the following conditions will be considered:

Policy 6.1.2 Conditions of a Temporary Use Permit	Applicability
<i>a. Whether site remediation will be required;</i>	Very minimal site remediation will be required.
<i>b. Whether on-site servicing can be achieved;</i>	Not applicable.
<i>c. Whether the site is adjacent to a major road or railway track</i>	The site is not adjacent to a major road (50th Street SW).
<i>d. Whether the impacts to existing agricultural land and settlement areas will be kept to a minimum;</i>	The impacts to existing agricultural land and settlement areas will be kept to a minimum.
<i>e. Whether landscaping and buffering will be required in order to minimize affects to surrounding lands;</i>	As per the conditions in the existing temporary use permit, appropriate landscaping and buffering will be maintained around the property.

<i>f. Whether all the policies for the proposed land use have been met based on the relevant designation, as outlined in this Official Community Plan and,</i>	The subject lands are designated Agricultural Resource. Although this designation pertains to resource extraction, the use of the land for a laydown yard for light industrial storage is not outlined in the OCP.
<i>g. Whether the use is truly temporary in nature.</i>	Yes.

Table 1. Policy 6.1.2 Conditions of a Temporary Use Permit.

Therefore, based on the policies outlined in policy 6.1.2.1, the extension of a temporary use permit for a laydown yard for light industrial storage is permitted in the OCP.

Land Use Zoning

Pursuant to PRRD Zoning Bylaw No. 1343, 2001, the subject property is zoned A-2 (Large Agricultural Holdings Zone), which does not list a laydown yard as a permitted use.

In 2020, the landowner applied to the PRRD to rezone the subject property from A2 (Large Agricultural Holdings Zone) to I1 (Light Industrial) pursuant to Peace River Regional District Zoning Bylaw No. 1343, 2001. During the referral process, the District of Chetwynd indicated support for the proposed rezoning, however on the condition that access would be via a new access road or directly from Highway 97S. Through discussions between the applicant and District of Chetwynd, the applicant chose not to pursue the rezoning.

Therefore, the applicant is seeking to renew the existing temporary use permit which will allow the temporary use to continue for only another three years rather than on a permanent basis as would have been the case if it was rezoned. No additional renewals of the permit beyond this three year extension are permitted under the *Local Government Act*, Section 497.

Fire Protection Area

The subject property is located inside the Chetwynd Rural Fire Protection area.

Mandatory Building Permit Area

The subject property is inside the Mandatory Building Permit Area. However, the TUP does not require the construction of any structures, therefore, a building permit is not required.

Development Permit Area

The subject property is outside the Development Permit Areas.

Impact Analysis

Context

The subject property is directly west of the District of Chetwynd surrounded by agricultural parcels and the Pine River to the south.

Population & Traffic

The renewal of the existing proposed temporary use permit will not increase the existing volume of local traffic.

Sewage & Water

Sewage and water will not be required for the uses outlined in the proposed TUP.

Waiver/Security

The applicant has a private lease agreement in place for the use of the subject property, and the applicant must comply with all of the provisions of the lease, which specifies that upon completion of the temporary use permit, the land will be left in the condition that it was found in prior to the start of the original temporary use permit. As an agreement is already in place and no structures will be erected on the subject property, the PRRD did not request a security or waiver for this temporary use permit.

Comments Received from Municipalities & Provincial AgenciesDistrict of Chetwynd

At the Regular Council meeting held March 1, 2021, District of Chetwynd Mayor and Council adopted the following resolution:

“That Council advise the Peace River Regional District (PRRD) that it has no objections to PRRD File No. 21-001 TUP for Curtis and Elizabeth Brewster for District Lot 1912 PRD, PID 014-907-852 subject to the following:

- A tree buffer must maintain between the subject property and all water courses including the Pine River
- No servicing of vehicles or storage of fuel to take place on the subject property”

Ministry of Transportation and Infrastructure

The Ministry of Transportation and Infrastructure has no concerns with the proposal.

Northern Health

No comments on this application.

ALTERNATIVE OPTIONS:

1. That the Regional Board respectfully refuse the renewal of Temporary Use Permit No. 17-214, to allow a parking lot and laydown area for light industrial storage on a 5.9 hectare (14.7 acre) portion of the property identified as PID 014-907-852, with an expiry date of April 26, 2024.
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 agent.

OTHER CONSIDERATION(S):

None at this time.

Attachments:

1. Maps
2. Application
3. Municipality and Provincial Agency Comments
4. Comments from Electoral Area Director
5. Draft of Renewal Temporary Use Permit No. 17-214

External Links:

1. [Temporary Use Permit 17-214](#)