



## REGIONAL DISTRICT OF BULKLEY-NECHAKO

### Planning Department Referral Report

File No. TUP A-01-26

Written By: Cameron Kral, Planner

#### APPLICATION SUMMARY

**Name of Agent / Owners:** Leigh Purnell, West Fraser Concrete Ltd.

**Electoral Area:** A (Smithers/Telkwa Rural)

**Subject Property:** 3901 Gilbert Road, legally described as Lot 3 Section 10 Township 2A District Lot 850 Range 5 Coast District Plan 6536 Except Plan 7543 (PID: 009-943-528)

**OCP Designation:** Agriculture (AG) in "Regional District of Bulkley-Nechako Smithers Telkwa Rural OCP Bylaw No. 1704, 2014" (the OCP)

**Zoning:** Agricultural (Ag1) in "Regional District of Bulkley-Nechako Zoning Bylaw No. 1800, 2020" (the Zoning Bylaw)

**Building Inspection** Within the Building Inspection Area

**Fire Protection** Not within a Fire Protection Area

**Existing Land Uses:** Aggregate Extraction (inactive)

**Property Size:** 23.97 ha (59.23 ac)

**Proposed TUP Area:** 5,224 m<sup>2</sup> (45,467 ft<sup>2</sup>)

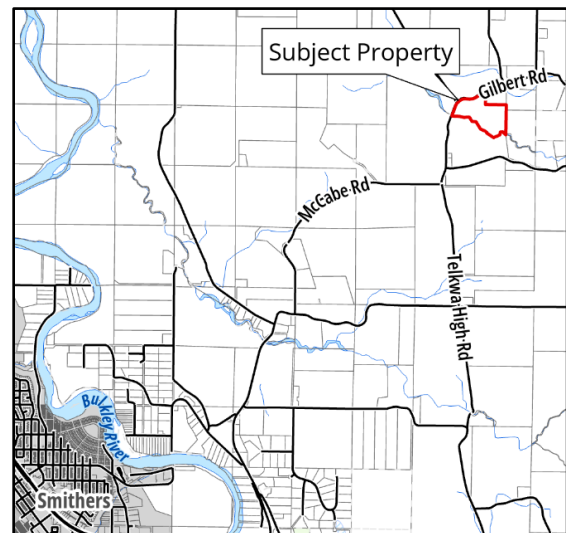
**Location:** Approximately 6 km northeast of the Town of Smithers.

#### Location Map:

#### PROPOSAL

The applicant is requesting the issuance of a Temporary Use Permit (TUP) for three years to allow the operation of a portable crusher and screener on a 5,224 m<sup>2</sup> (45,567 ft<sup>2</sup>) area of the subject property. The applicant is in the process of reactivating an existing sand and gravel pit owned and managed by the previous property owner.

The applicant is proposing to extract and process approximately 50,000 tonnes of material (5,000 tonnes per year) between 2025 to 2035. Operations would involve mining, crushing and screening using a dump truck, loader, excavator, dozer, and crushing and screening equipment. The material will be transported offsite along Telkwa High Road and

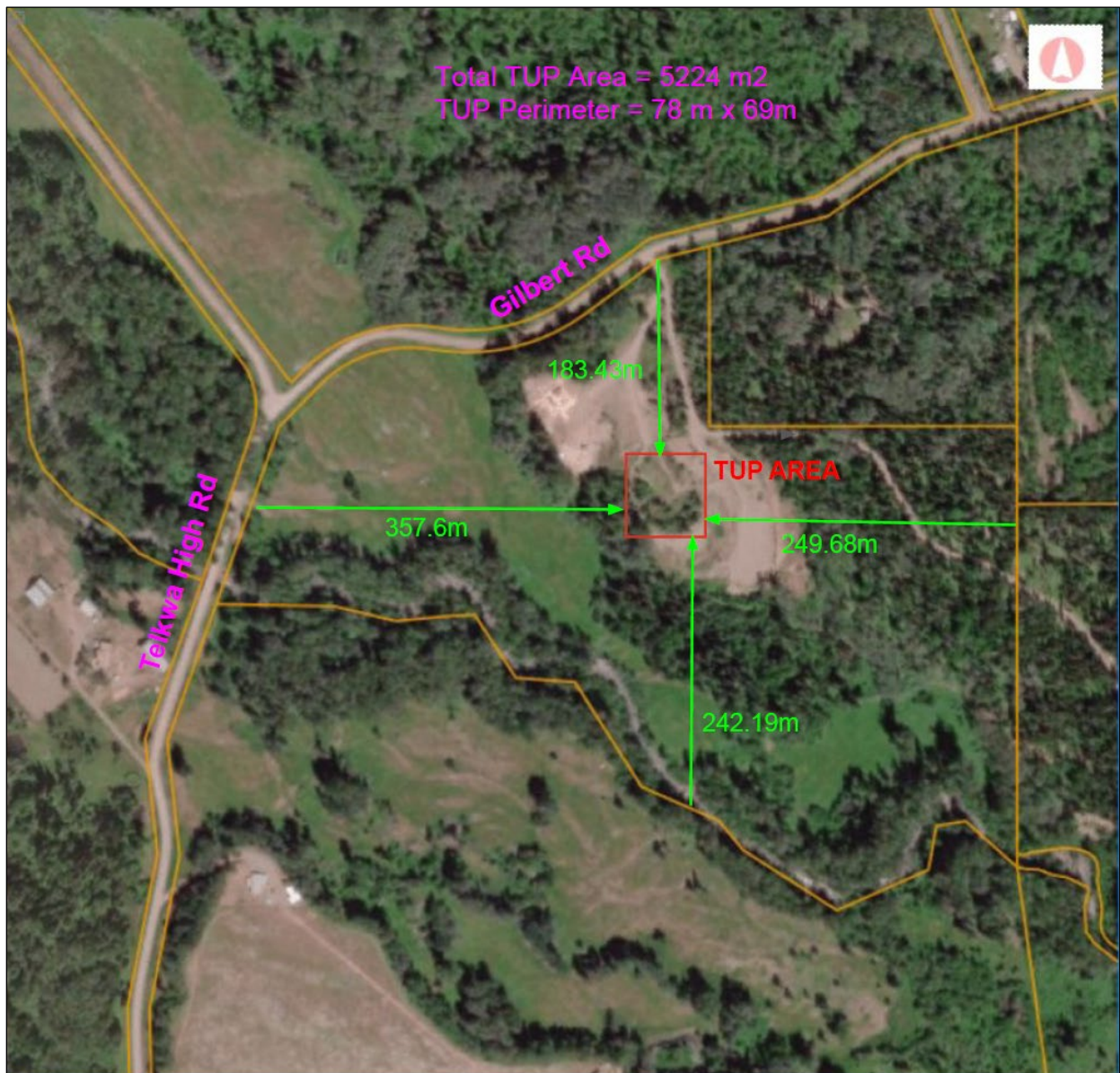


Highway 16. The temporary use is proposed to operate intermittently depending on demand from May to October, Monday to Friday, 7:00 am to 6:00 pm.

The applicant provided the attached Mine Plan and Reclamation Plan. The applicant also provided staff with copies of their application for a *Mines Act* Permit amendment and Ministry of Transportation and Transit Access Permit application which are available from staff upon request.

The subject property is zoned Agricultural (Ag1) which does not permit aggregate processing, including crushing and screening. Therefore, a TUP is required. Aggregate extraction cannot be regulated by the RDBN.

### Proposed TUP Area



## **DISCUSSION**

### **Site Details**

Staff visited the site in 2025 as part of the applicant's ALR application (see Attachments for 2025 Site Visit Photos).

The proposed application area is located within the footprint of an inactive sand and gravel pit which was operated by the previous property owner. The previous owner had also operated a log home construction business on the property which has since been deactivated. No buildings or structures are located on the subject property, and the application states no activities are currently occurring. The proposed TUP area is screened from surrounding properties and roads by vegetation, and the perimeter of the pit is heavily treed to the north, east and south. Driftwood Creek runs along the southern boundary of the property, approximately 125 m from the proposed TUP area.

Six dwellings are located within approximately half a kilometre (1,640 ft) from the application area. The nearest dwelling is located approximately 200 m (656 ft) northeast. The Driftwood Community Hall is located approximately 650 m (2,132 ft) southwest. Staff note the access road for the mine appears to also serve as the driveway for a residence at 3985 Gilbert Pit Road, approximately 500 m (1,640 ft) to the southeast. The applicant stated to staff the proposal will not impact access to this property.

### **Official Community Plan and ALR Application**

The subject property is designated Agriculture (AG) under the OCP. The intent of this designation is to preserve the land for the purposes of farming and other related activities. Section 3.1.2 of the OCP states:

*(1) Agriculture and other compatible uses of land may be permitted.*

On June 19, 2025, the RDBN Board considered the applicant's Agricultural Land Commission (ALC) Non-Farm Use application for aggregate extraction and processing on the subject property (see attachments for ALR 1277 Board Report). The Board recommended ALC approval and requested the ALC ensure appropriate remediation throughout the life of the pit. The Board also requested the ALC and the Ministry of Mining and Critical Minerals ensure that an adequate vegetation buffer be maintained around the perimeter of the site and that any sensitive ecosystems along Driftwood Creek are preserved.

### **Temporary Use Permits Explained**

A TUP allows a use not permitted by zoning to occur for up to three years, with the option for the applicant to request that the Board consider renewing the TUP for a maximum of three additional years. After the renewed TUP expires, the applicant can submit a new application to allow the use to continue.

The TUP must be in accordance with the policies identified in the Section 6.2 of the OCP, which allow for the issuance of a Temporary Use Permit on the following basis:

- a) *The proposed temporary use will not create an amount of traffic that will adversely affect the natural environment, or rural character of the area;*
- b) *The environment would not be negatively affected by the proposed temporary use.*
- c) *The proposed temporary use will not have adverse effects on neighbouring land uses or property owners.*
- d) *The applicant has provided, for consideration as part of the application process, a decommissioning and reclamation plan, if the temporary use requires a significant amount of capital investment in a particular location, or otherwise results in the need for site reclamation.*
- e) *The need for security in the form of an irrevocable letter of credit with an automatic extension clause has been considered to ensure that required decommissioning and reclamation is completed.*
- f) *The proposed temporary use has the support of the Agricultural Land Commission if the land is within the Agricultural Land Reserve (ALR).*

### **Referral and Approval Process**

This application is being referred to the Electoral Area A Advisory Planning Commission, the Town of Smithers, and the Ministry of Transportation and Transit.

Notice of this application will be published on the Regional District's website, the Regional District's official Facebook page, and in the Interior News informing the public of the time and location of the Board's consideration of the application, and their ability to provide input to the Board in writing. Property owners and tenants within 100 metres of the subject property will be sent a similar notice. A sign must be placed on the subject property at least 10 days before the Board considers the permit. Comments received from the public or referral agencies will be presented to the Board for consideration.

### **ATTACHMENTS**

- [Applicant Submission](#) (Link)
- [ALR 1277 Board Report](#) (Link)
- [2025 Site Visit Photos](#) (Link)