

REGIONAL DISTRICT OF BULKLEY-NECHAKO PLANNING DEPARTMENT REFERRAL REPORT

ALR FILE No. 1291

Written By: Trevor Moffat

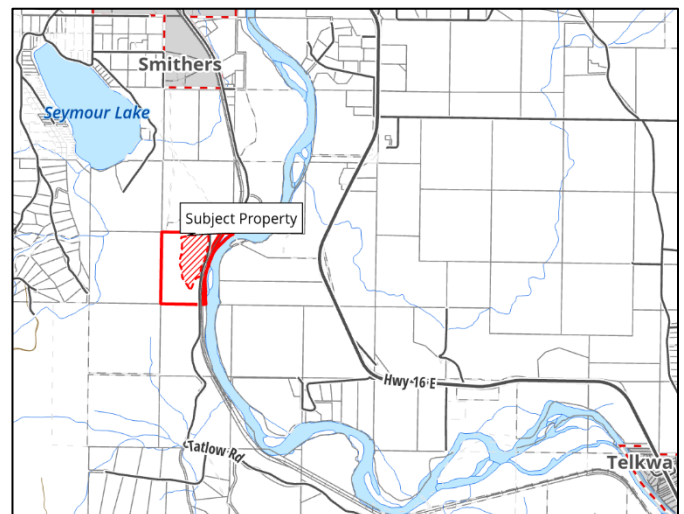
APPLICATION SUMMARY

Name of Agent/Owner:	Randy Fraser, Vihar Construction Ltd
Electoral Area:	A (Smithers/Telkwa Rural)
Subject Property:	4245 Tatlow Rd Smithers, legally described as part of fractional Southeast 1/4 Section 7 Township 4 Range 5 Coast District which lies West of Bulkley River Except the Grand Trunk Pacific Railway Right-Of-Way as Shown on Plan 1232, and Plan EPP1326 (PID: 007313241)
Property Size:	Approximately 42.61 ha ($\approx$ 105.29 ac)
OCP Designation:	(Ag) Agriculture in "Regional District of Bulkley-Nechako Smithers Telkwa Rural OCP Bylaw No. 1704, 2014" (the OCP)
Zoning:	(Ag1) Agricultural in "Regional District of Bulkley-Nechako Zoning Bylaw No. 1800, 2020" (the Zoning Bylaw)
Existing Land Use:	Farm Use
Location:	Approximately 1.5 km south of Smithers and 4.9 km northwest of Telkwa (see location map below). To the west is a residential subdivision. To the east, the parcel abuts the Bulkley River. To the south is a hay field and a residential property. To the north is a residential property.
Non-Farm Use Area:	13 ha (32.12 ac)

PROPOSAL

The applicant is requesting Agricultural Land Commission (ALC) approval for a Non-Farm Use – Removal of Soil (NFU) application to start a sand and gravel pit on the subject property.

The applicant is proposing to extract 360,000 cubic metres of aggregate over an area of 13 ha for a 25-year period. The purpose of the NFU is to crush 10 ha of material and excavate

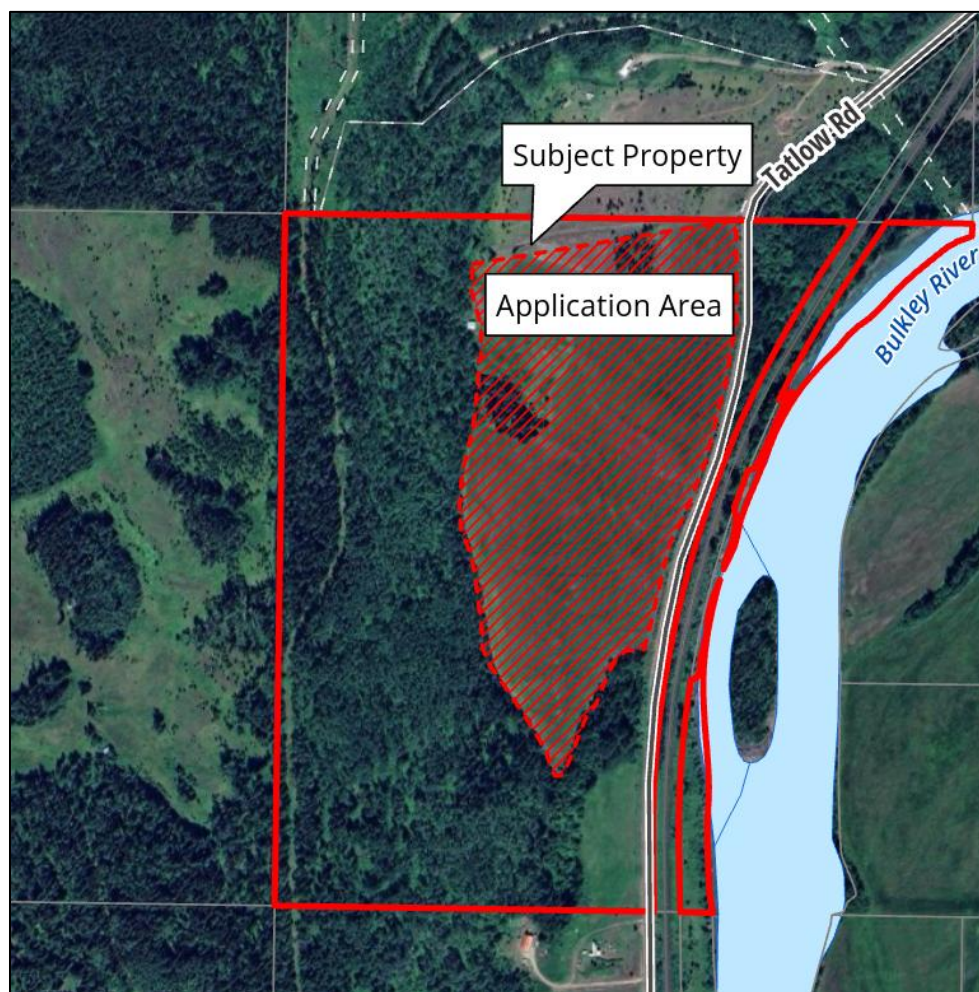


three ha of sandy gravel. Based on the applicant's description to staff, it appears operations will include two loaders, two crushers, and a screening plant. A portion of the proposed NFU area covers an existing hay field.

Extraction operations and related activities will take place between May 15 to September 30. Loading and hauling of stockpiled materials will take place between May 15 to November 30.

DISCUSSION

Site and Location Details



The nearest residence is located approximately ~188 m (~616 ft) south of the application area. The nearest watercourse is the Bulkley River with its closest section being ~60 m (~197 ft) east of the application area.

Official Community Plan and Zoning

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 contains the following policy relevant to the application.

- (6) *Non-farm use of agricultural land shall be avoided. Applications for exclusions, subdivisions, and non-farm uses within the Agricultural Land Reserve may only be considered under the following circumstances.*
 - a) *There is limited agricultural potential within the proposed area.*
 - b) *Soil conditions are not suitable for agriculture.*
 - c) *Neighbouring uses will not be compromised.*
 - d) *Adequate provisions for fencing are provided, where a proposed development is adjacent to an existing agricultural use.*
 - e) *The application is in the best interest of the community.*
 - f) *The proposed development considers and addresses potential impacts and potential improvements to recreational features and the environment, including wildlife habitat.*
 - g) *And, traffic management issues will be considered and addressed appropriately.*

Zoning

The subject property is zoned Agricultural (Ag1) pursuant to the Zoning Bylaw. The Zoning Bylaw cannot regulate the removal or deposit of soil. However, Aggregate processing, which includes screening, washing, and crushing is not permitted use in the Ag1 Zone. Applicant will be required to get a Temporary Use Permit (TUP) from the Regional District of Bulkley Nechako to screen, wash, and crush materials.

Agricultural Impacts

The applicant provided a reclamation plan prepared by a Professional Agrologist to reclaim the proposed NFU area to a slightly improved state of soil moisture capability as before. Topsoil will be removed and placed as a berm parallel to Tatlow Road. The berm is proposed to be four to five metres high and eight to ten metres wide, with a 1:2 slope.

The applicant proposes that dust will be mitigated with water spray during dry conditions; noise will be limited to the operational hours of 8 am to 5 pm.

The Agricultural Land Commission Inventory mapping indicates the proposed NFU area has both Class 3 and 6 soils limited by the proposed NFU area. The Class 3 soil is limited by adverse climate conditions, which is not improvable. The Class 6 soil is limited by the topographical features present. The applicant's Reclamation Report indicates that the soil class post end of life reclamation will be Class 4 limited by climate conditions with a slight improvement of water availability to crops.

REFERRAL

This application is being referred to the Area A Advisory Planning Commission, the Ministry of Agriculture Food, the RDBN Agriculture Coordinator, and the Town of Smithers.

ATTACHMENTS

- Appendix A – Agricultural Capability
- Appendix B – Surrounding ALR Applications
- [ALR 1291 Applicant Submission \(Link\)](#)
- [ALR 1291 Reclamation Plan \(Link\)](#)

Appendix A

Agricultural Capability based on Canada Land Inventory Mapping

39.83% of the subject lands are Class 4TP (limited by topography and stoniness)

38.55% of the subject lands are Class 6T (limited by topography)

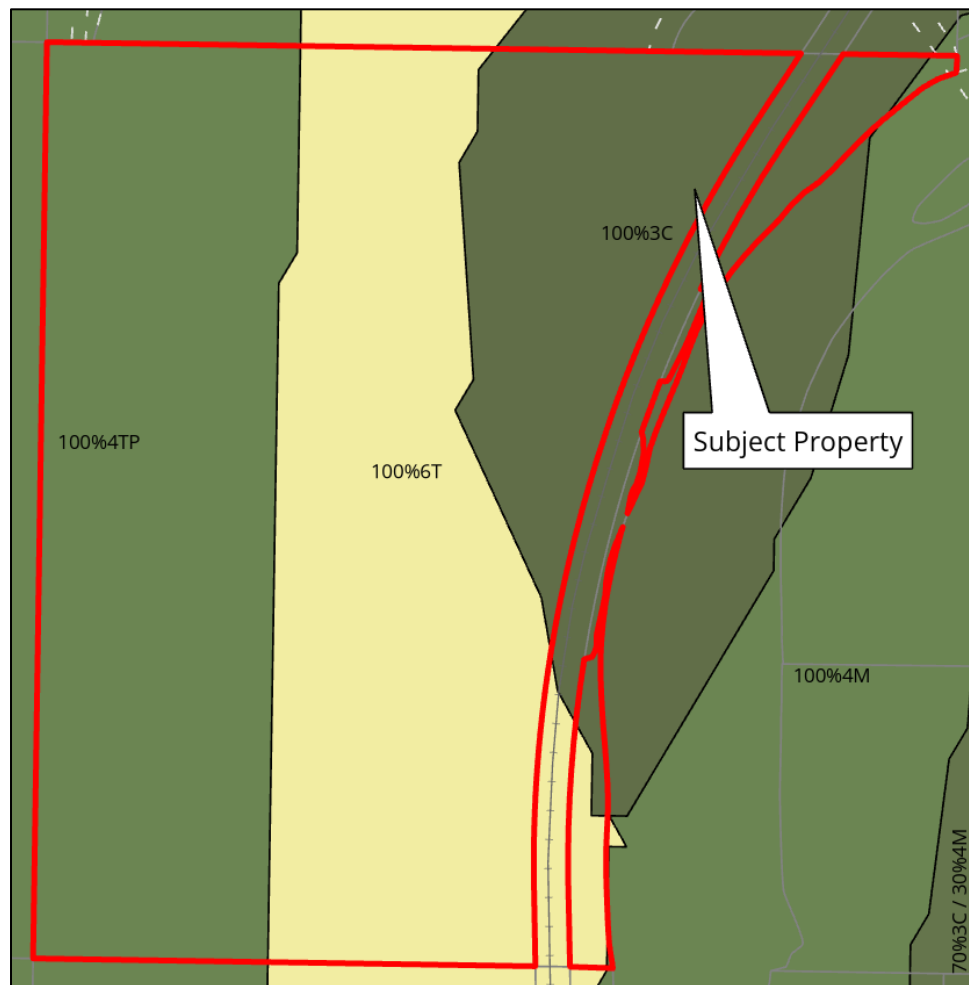
21.39% of the subject lands are Class 3C (limited by adverse climate)

Class 3 Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.

Class 4 Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.

Class 6 Land in this class is nonarable but is capable of producing native and or uncultivated perennial forage crops.

Agricultural Capability Map



Appendix B

Surrounding Applications

ALR Application	Legal Description	Summary	Recommendation
13	Lot 2, Plan 7322, SE 1/4 Sec. 5, Township 4, R5 Coast District.	Request to remain within the ALR but to establish a Trailer Court	Staff: Denial
			Board: Denial
			ALC: Denied
58	NE ¼, Section 5, Township 4, Range 5, Coast District.	Application to subdivide a 5 acre parcel from the subject property.	Staff: Approval
			Board: Approval
			ALC: Approved
63	Lot 2 Plan 7322 SE 1/4 Section 5 Township 4, Range 5 Coast District.	Application to subdivide the parcel into 4 approximately 5 acre lots.	Staff: Denial
			Board: Approval
			ALC: Denied
114	NE ¼, Section 5, Township 4, Range 5, Coast District.	Application to use land as an auto wrecking storage facility.	Staff: Denial
			Board: Denial
			ALC: Denied
203	Lot 3, Plan 4027, Section 8, Township 4, Range 5 Coast District.	Application to operate a repair shop in the buildings existing on the property.	Staff: Denial
			Board: Denial
			ALC: Approval
213	Fractional NW ¼, Section 8, Township 4, Range 5 Coast District, lying north and west of the Bulkley River.	Application to subdivide a ±8 ha parcel from the subject property	Staff: Approval
			Board: Approval
			ALC: Approved
214	Lot 1 Plan 6930, NE 1/4, Section 6, Township 4, Range 5, Coast District.	Application to construct a permanent secondary dwelling on the above described property.	Staff: Approval
			Board: Denial
			ALC: Denied
328	SE ¼, Section 17, Township 4, Range 5 Coast District except Plans 1299, 6996 and 7016.	Application to subdivide a ±2 ha parcel of the subject property to be used for a veterinary clinic.	Staff: Approval with Conditions
			Board: Approval
			ALC: Approved
336	Fractional NW ¼, Section 8, Township 4, Range 5 Coast District, lying	Application to use a ±8 ha parcel of the subject property as a sawmill site.	Staff: Denial
			Board: Approval
			ALC: Approved

	north and west of the Bulkley River		
393	Part NE ¼ of Section 6, Township 4, Range 5, Coast District, lying west of the Bulkley River, except Plan 6930.	Application to subdivide the ±33 ha property into two lots, one of ±2 ha and one of ±31 ha.	Staff: Denial
			Board: Approval
			ALC: Denied
452	Lot 2. Plan 7322, SE 1/4, Section 5, Township 4, Range 5, Coast District	Application to subdivide ±9.0 ha into ± 2 ha parcels.	Staff: Approval
			Board: Approval
			ALC: Denied
513	Fractional SE 1/4 Section 5, Township 4 except Plans 7322 and 9089 Coast Range 5 Land District; Fractional NE 1/4 Section 32, Township 5 except G.T.P. Rly R/W 27 55/100acs. As shown on R/W Plan 1096 Coast Range 5 Land District.	Application to subdivide one parcel of 3.7 ha from 48.6 ha (Frac. NE 1/4 Section 32).	Staff: Approval
			Board: Approval
			ALC: Denied
649	Part SE ¼ of Section 6, Township 4, Range 5 Coast District, except Plans 1157, 9237 and 11572. The subject property is ±60.2 ha (±150 acres).	Application to subdivide the property into two parcels along a deep ravine that creates a natural boundary through the property.	Staff: Denial
			Board: Denial
			ALC: Denied
668	Fractional SW 1/4 of Section 5, except all that portion lying south of the Bulkley River, Township 4, Range 5, Coast District.	Application to subdivide a parcel of approximately 2.02 ha for a homesite from the aforementioned property.	Staff: Denial
			Board: Denial
			ALC: Denied
698	SE 1/4, Section 6, Township 4, Range 05, Coast District except Plans 1157 and 9237.	Application to subdivide subject property.	Staff: Denial
			Board: Denial
			ALC: Denied
731	SW 142 acres of Section 17, Township 4, Range 5, Coast District.	Application to subdivide the 57.5 hectare property into one parcel	Staff: Approval subject to conditions

		of 12.7 hectares and one parcel of 44.8 hectares (June 1989).	Board: Approval subject to conditions
			ALC: Approved subject to consolidation with an adjoining parcel.
738	Lot A, Plan 10073, Section 17, Township 4, Range 5, Coast District.	Application to construct a second dwelling on the subject property.	Staff: Approval
			Board: Approval
			ALC: Approved
739	NE ¼, Section 8, Township 4, Range 5 Coast District, NE 1/4 OF SEC 5 TP 4 R5C EXC PLS 8393 & PRP14394.	Application to subdivide a ±2.1 ha parcel.	Staff: Approval
			Board: Approval
			ALC: Approved
744	Lot 3, Section 5, Township 4, Range 5, Coast District, Plan 7322.	Application to subdivide one parcel of 2.43 from 6.03 ha.	Staff: Approval
			Board: Approval
			ALC: Denied
789	Lot 2, Plan 7322, Southeast 1/4 Section 5, Township 4, Range 5, Coast District.	Application to subdivide 9.19 ha into four lots for single family homesites.	Staff: Denial
			Board: Denial
			ALC: Denied
971	Part NE ¼, Section 8, Township 4, Range 5 Coast District, except Plans 1264, 3293, 3546, 3855, 4027, 6040 and 12521. The subject property is ±55 ha (±136 acres).	Application to create an additional dwelling on property.	Staff: Denial
			Board: Denial
			ALC: Denied
974	Part SE ¼ of Section 6, Township 4, Range 5 Coast District, except Plans 1157, 9237 and 11572. The subject property is ±60.2 ha (±150 acres).	Application to subdivide into two properties. One at ±16 ha and another at ±43.5 ha.	Staff: Denial
			Board: Denial
			ALC: Denied
1005	Lot A, Plan PRP43710, Section 8, Township 4, Range 5 Coast District. The subject property is	Application to subdivide property into two parcels. One at ±2.02 ha another at ±5.76 ha.	Staff: Approval
			Board: Approval
			ALC: Approved

	±7.78 ha (±19.22 acres) in size.		
1082	Lot A, Plan 10073, Section 17, Township 4, Range 5 Coast District.	Non-farm use in ALR.	Staff: Approval
			Board: Approval
			ALC: Approved
1087	NE 1/4 of Section 5 Township 4 Except Plans 8393 & PRP14394, Range 5, Coast District.	To allow the removal of sand and gravel and to operate a temporary asphalt plant on the property.	Staff: Approval
			Board: Approval for sand and gravel removal
			ALC: Approved subject to 15 conditions including: Fill material must remain on property and not be imported; weed control must take place on disturbed areas; soil stockpiles must be seeded for erosion control.
1098	NW 1/4 of Frac Section 6 Township 4 Range 5, Coast District except thereout a strip of land being the most Southerly 20 meters in parallel width thereof.	To exclude the property from the Agricultural Land Reserve to allow its subdivision into 2 ha. (5 acre) residential parcels.	Staff: Denial
			Board: Denial
			ALC: Denied
1107	Lot 3, Section 5, Township 4, Range 5, Cost District, Plan 7322.	To subdivide a 6 ha property into two parcels, one 3.5 ha and one 2.5 ha.	Staff: Approval on condition of section 57 being placed on title.
			Board: Approval on condition of section 57 being placed on title.
			ALC: Approved
1109			Staff: Approval

	Lot B, Section 5, Township 4, Range 5, Coast District Plan EPP660.	Expansion of current guest ranch use.	Board: Approval ALC: Approved on condition of development being restricted.
1152	Lot 2, Section 8, Township 4, Range 5 Coast District Plan 4027.	To allow non-farm use on the property.	Staff: Approval Board: Approval ALC: Denied
1237	NE 1/4 of Section 5 Township 4 Except Plans 8393 & PRP14394, Range 5, Coast District.	Renew existing ALC non- farm use approval for gravel pit operation.	Staff: Approval Board: Approval ALC: Approval with conditions.
1244	The Fractional Southeast 1/4 Of Section 6 Township 4 Range 5 Coast District Except: Plans 1157, 9237, 11572, and EPP1327.	Subdivision application to divide subject property in to two parcels.	Staff: Denial Board: Approval ALC: Denied
1258	The Southeast ¼ of Section 17, Township 4, Range 5, Coast District, Except Plans 1299, 6996, 7016, 10073, and PRP14226.	Non-Farm Use – Removal of Soil (NFU) to operate a sand and gravel pit on the subject property until 2053.	Staff: Approval Board: Approval ALC: Approval with conditions.
1281	Lot 2, Section 5, Township 4, Range 5 Coast District, Plan 7322.	Approval to allow the 11 dwelling units on the property.	Staff: Not applicable Board: Resolution passed to not submit application to ALC ALC: Not applicable

Surrounding Applications Map

