REGIONAL DISTRICT OF BULKLEY-NECHAKO

Planning Department Referral Report
File No. TUP F-01-26
Written By: Danielle Patterson, Senior Planner

APPLICATION SUMMARY

Name of Agent / Owner: Van-Con Enterprises (Agent) / C. Hill and H. Hill (Owners)

Electoral Area: Electoral Area F (Vanderhoof Rural)

Subject Property: 10075 Geernaert Road, legally described the North ½ of Section 9, Township 19, Range 5, Coast District, Except the Most Westerly 25 Metres Thereof and Except Plan 9764 (PID 015-665-895)

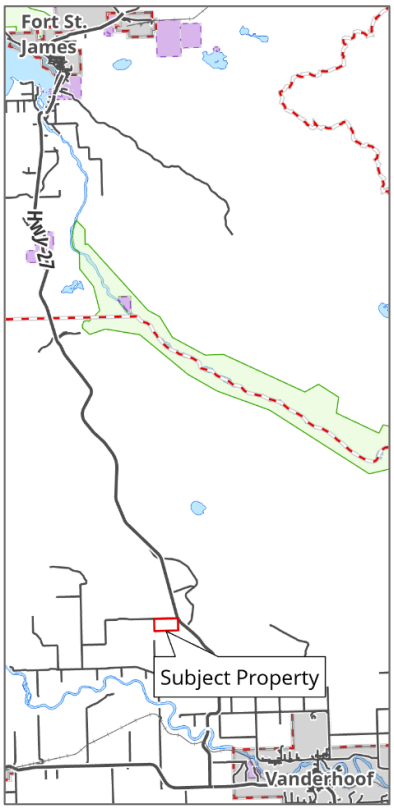
Property Size: ~127.17 ha (~314.12 ac)

OCP Designation: Agriculture (AG) pursuant to the "Vanderhoof Rural Official Community Plan, Bylaw No. 1963, 2021" (the OCP)

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

Existing Land Uses: Forage lands / gravel pit / single family dwelling

Location: Approximately 12 km northwest of the District of Vanderhoof; approximately 32 km south of the District of Fort St. James; adjacent to Highway 27.



TUP Area: 900.6 m^2

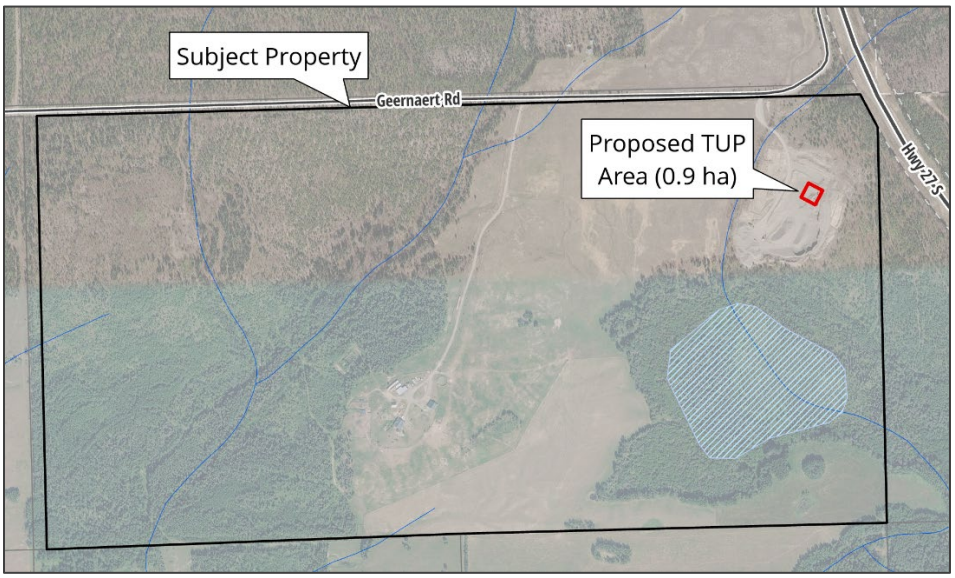
PROPOSAL

The applicant is requesting a Temporary Use Permit (TUP) for three years to screen and crush aggregate over a 900 m^2 (30 m by 30 m) area of land as part of a proposed expansion of an existing aggregate pit. The applicant intends to use a screener, crusher, wheel loader, an excavator, and a rock truck to haul and stockpile the materials. The aggregate is intended for road subbase, pavement, and concrete preparation.

The applicant wants to intermittently process aggregate from 7:00 am to 7:00 pm, Monday to Saturday, from May to November each year. The applicant states they have consulted with neighbours. Based on that consultation and given the existing trees and berm, the applicant does not believe the hours of operation will create a nuisance for neighbouring properties.

The subject property is zoned Agricultural (Ag1). Aggregate processing is not a permitted use in the Ag1 Zone; therefore, a TUP is required.

Subject Property Map with Temporary Use Area



DISCUSSION

Site Details

Of the 34 known dwellings within 3 km of the site, 12 are within 1 km of the site and the nearest residence is approximately 375 metres from the extraction area. The proposed TUP area for crushing and screening is in the northeast corner of the property, situated between Eden Creek, Geernaert Road, and Highway 27, near the centre of the existing aggregate pit (see area outlined in red in map above). It is accessed via an established gravel driveway off Geernaert Road. Due to topography and trees, the site is not visible from Highway 27.

Official Community Plan

The subject property is designated Agriculture (AG) under the OCP. The intent of the AG 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 policies that may be relevant to the application:

"(1) Agriculture, grazing, and other compatible uses of land provided within the Agricultural Land Commission Act and Regulations will be permitted."

(2) The responsible Provincial Ministry should ensure that agricultural lands used for aggregate extraction and silviculture practices are adequately restored for agricultural purposes. Reserve (ALR)."

Section 4.1.2 of the OCP contains the following general mineral and aggregate resources policies related to this application:

"(1) The Provincial government is recognized as being responsible for the administration of the Province's mineral and aggregate resources under various pieces of legislation.

(3) Soil removal and deposit within the ALR is recognized as being subject to the Agricultural Land Commission Act.

(4) The Regional District encourages the Ministry of Energy, Mines and Low Carbon Innovation to give due consideration to the impact of extraction and processing activities on surrounding land uses and developments.

(5) The Regional District encourages the Ministry of Energy, Mines and Low Carbon Innovation not to issue new surface permits for sand and gravel/quarry processing near residential areas unless the applicant demonstrates how mitigation measures will minimize or nullify the effects of the proposed activity.

6) The Regional District encourages the Ministry of Energy, Mines and Low Carbon Innovation to require appropriate reclamation of gravel pits and mine sites and to ensure that adequate bonding is secured, and that the reclamation is undertaken in a timely manner."

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 Section 6.2 of the OCP, which allows for the issuance of a TUP 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 need for security in the form of an irrevocable letter of credit with an automatic extension clause has been considered to ensure that the required decommissioning and reclamation is complete;

(d) the proposed temporary use will not have adverse affects on neighbouring land uses or property owners;

(e) the proposed temporary use does not require a significant amount of capital investment in a particular location; and,

(f) the proposed temporary use has the support of the Agricultural Land Commission if the land is within the ALR."

Approvals and Application History

- 2012: ALC issued a Notice of Intent approval for aggregate extraction from 2012 to 2017 (ALC File 52285).
- 2013: Approval of *Mines Act* Permit (file #G-13-041/ Approval# 13-1641174-0528). Valid until 2022.
- 2014: Aggregate extraction started on subject property.
- 2019: The Inspector of Mines ordered an updated mine plan and Notice of Work.
- 2020: The *Mines Act* Permit was amended and extended to January 12, 2025.
- 2024: In preparation for a new Notice of Work application, the Ministry of Energy and Mines required the applicant to apply for approval from the ALC.
- 2025: The ALC application ALR 1284 for Removal of Soil (Extraction) was submitted to RDBN; owner placed it on hold until early 2026.
- 2026: ALR Application No. 1284 was considered by the RDBN Board in May and submitted to the ALC. Details below.
- 2026: Applicant has stated a Notice of Work has been submitted for a *Mines Act* permit. To date, the RDBN has not received this referral.

Related ALC Application

The ALC application for the aggregate operations on the subject property was considered by the RDBN Board in May 2026 and forwarded to the ALC recommending approval with a request that the ALC ensure that, "*adequate weed management plan, and adequate noise and dust mitigation measures, are in place to protect agricultural values in the area.*" The applicant stated the ALC has communicated they anticipates deciding on the application before the end of 2026.

Public Notice and Referral Process

Notice of this application will be published on the Regional District's website, the Regional District's Official Facebook page, and in the Vanderhoof Omineca Express 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.

The application is being referred to the District of Vanderhoof, the District of Fort St. James, and the Electoral Area F Advisory Planning Commission (APC) for comment regarding the proposed crushing and screening. This application is also being referred to the Ministry of Transportation and Transit regarding any potential access permits that may be required for the proposed use.

Referral Responses to ALC Removal of Soil (Extraction) (ALR 1284)

In April 2026 the Ministry of Agriculture and Food and the RDBN's Agricultural Coordinator provided referral responses ALC Removal of Soil (Extraction) application (ALR 1284) associated with property.

The **Ministry of Agriculture and Food** provided a letter responding that the site has the potential to be reclaimed to a suitable agricultural standard if the reclamation plan report is carefully followed. The letter makes recommendations for strengthening the weed management plan and notes that the report lacks reference to mitigation plans for noise and dust that may affect nearby agricultural activities (see Attachments for letter contained in Board Report dated May 28, 2026). These recommendations were provided to the proponent and the ALC.

The **RDBN Agriculture Coordinator** responded, *"[b]ased on the information in your report, my only comment is that [preventing the] introduction and spread of invasive species should be prioritized in order to protect the nearby forage fields."*. These comments were provided to the proponent and the ALC.

ATTACHMENTS

- Applicant TUP Area Submission (link)
- Ministry of Agriculture and Food Referral Letter dated April 22, 2026 (link)
- May 28, 2026 RDBN Board Report for ALR Application No. 1284 (link)