



REGIONAL DISTRICT OF BULKLEY-NECHAKO

Planning Department Referral Report

File No. ALR 1277

Written By: Cameron Kral, Planner

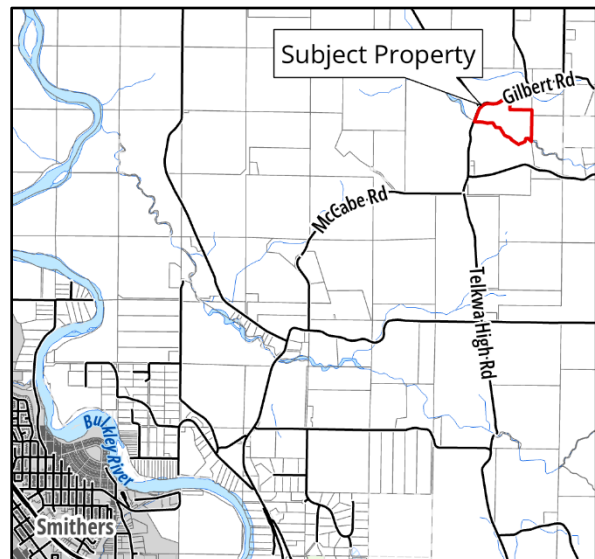
APPLICATION SUMMARY

Name of Agent / Owner:	Leigh Purnell, Agent. 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)
Property Size:	≈23.97 ha (≈59.23 ac)
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)
Existing Land Uses:	Aggregate Extraction
Location:	Approximately 6 km northeast of the Town of Smithers (see Location Map below). To the east is a mix of small to medium sized rural residential parcels, to the south is Driftwood Creek and a small farm on its southern side; to the west is an undeveloped parcel between Driftwood Creek and Telkwa High Road and a larger farm on the west side of the creek; and to the north is a forested parcel that is partially farmed along Telkwa High Road.
Non-Farm Use Area:	9.55 ha (23.60 ac)

PROPOSAL

The applicant is requesting Agricultural Land Commission (ALC) approval for a Non-Farm Use - Removal of Soil (NFU) application to renew operations at an existing sand/gravel pit on the subject property.

The applicant is proposing to extract and process approximately 125,000 m³ of material from a NFU area of 9.55 ha (23.60 ac) over a 25-year period. The purpose of the NFU is to supply material for concrete manufacturing.

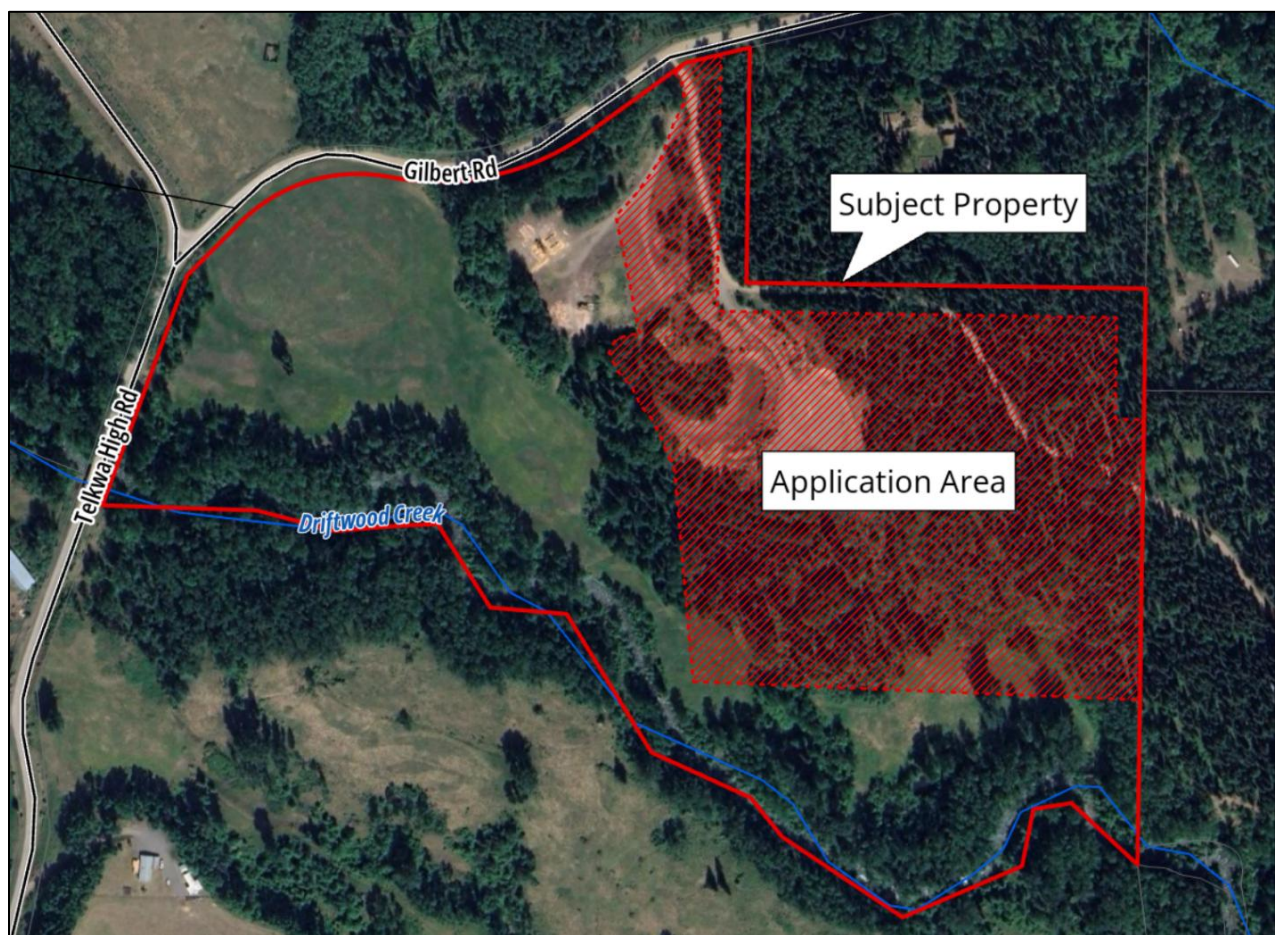


Based on the applicant's description to staff, it appears operations will include an excavator, loader, screening plant and one or more trucks. Excavated material will be fed into the screening plant and stockpiled using a loader. Stockpiled material will then be hauled offsite by truck.

Operations are expected to occur intermittently between May to October with hours of operation between 7:00 AM to 3:00 PM, Monday to Friday. No operations are expected on Saturday or Sunday and the applicant emphasized the pit would be operating on an intermittent basis as material is needed.

DISCUSSION

Site and Location Details



The proposed NFU area covers and expands upon an existing sand/gravel pit known as Gilbert Pit/Tugnum Pit (see above map). The applicant stated the existing pit was inactive when they purchased the property in 2023 and no agricultural uses, improvements, or other structures are located on the property. RDBN records indicate the existing pit had been active since the 1950s and did not previously require ALC approval as it predated the Agricultural Land Reserve (ALR).

The application states the previous property owner was operating a log home construction business on the property. Staff note the RDBN Board issued a Temporary Use Permit (TUP) and the ALC gave Non-Farm Use approval for a log home construction business located in the “Existing Sawmill Area” marked on the applicant’s site plan (see attachments). The TUP expired in 2018 and the ALC approval is not transferrable to a new owner. When asked for more details and whether the applicant wished to have this area included in their ALC application, the applicant stated:

“We wont [sic] be using this area for anything other than stockpiling material. We are not in the sawmill or log home construction business”.

The nearest residence is located approximately 125 m (410 ft) northeast from the application area. The nearest watercourse is Driftwood Creek with its closest section located approximately 43 m (141 ft) southwest 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.*

Staff note the Driftwood Creek high, medium and low bench floodplains are designated as a sensitive ecosystem for Black Cottonwood, Red Osier Dogwood and Prickly Rose under Schedule C of the OCP.

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 a permitted use in the Ag1 Zone. Staff have informed the applicant that Aggregate Processing cannot legally occur on the subject property prior to the issuance of a Temporary Use Permit (TUP) from the RDBN.

Reclamation and Agricultural Capability

The applicant provided a reclamation plan prepared by a Professional Agrologist to reclaim the proposed NFU area for an end land use of grazing for agriculture. Reclamation activities include stockpiling topsoil; recontouring the final pit walls to a 3:1 slope; using an excavator for soil decompaction; and applying 30 cm of salvaged topsoil over the decompacted area. The plan includes measures for invasive plant management (see attachments for more details).

Regarding mitigation measures for dust, noise and sightlines, the applicant stated the perimeter of the property is screened by trees and the pit is hidden behind existing vegetation; minimal equipment and limited operating hours will be used; preventative maintenance programs for equipment will be used; and operations will cease on very hot, dry days.

Both Canada Land Inventory mapping and the applicant's Reclamation Report indicate the subject property currently has an agricultural capability ranging from Class 4-5, limited by stoniness, and soil moisture deficiency; and the applicant's Reclamation Plan indicates a limitation of excess groundwater. The applicant's Reclamation Plan indicates the agricultural capability of the application area is improvable to Class 3AD, limited by soil moisture deficiency and undesirable soil structure.

Referrals

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

ATTACHMENTS

- Appendix A – Agriculture Capability
- Appendix B – Surrounding ALR Applications
- [Applicant ALC Submission](#) (Link)
- [Reclamation Plan](#) (Link)

Appendix A

Agricultural Capability based on Canada Land Inventory Mapping

55% of the subject lands are Class 5PI (limited by stoniness and inundation)

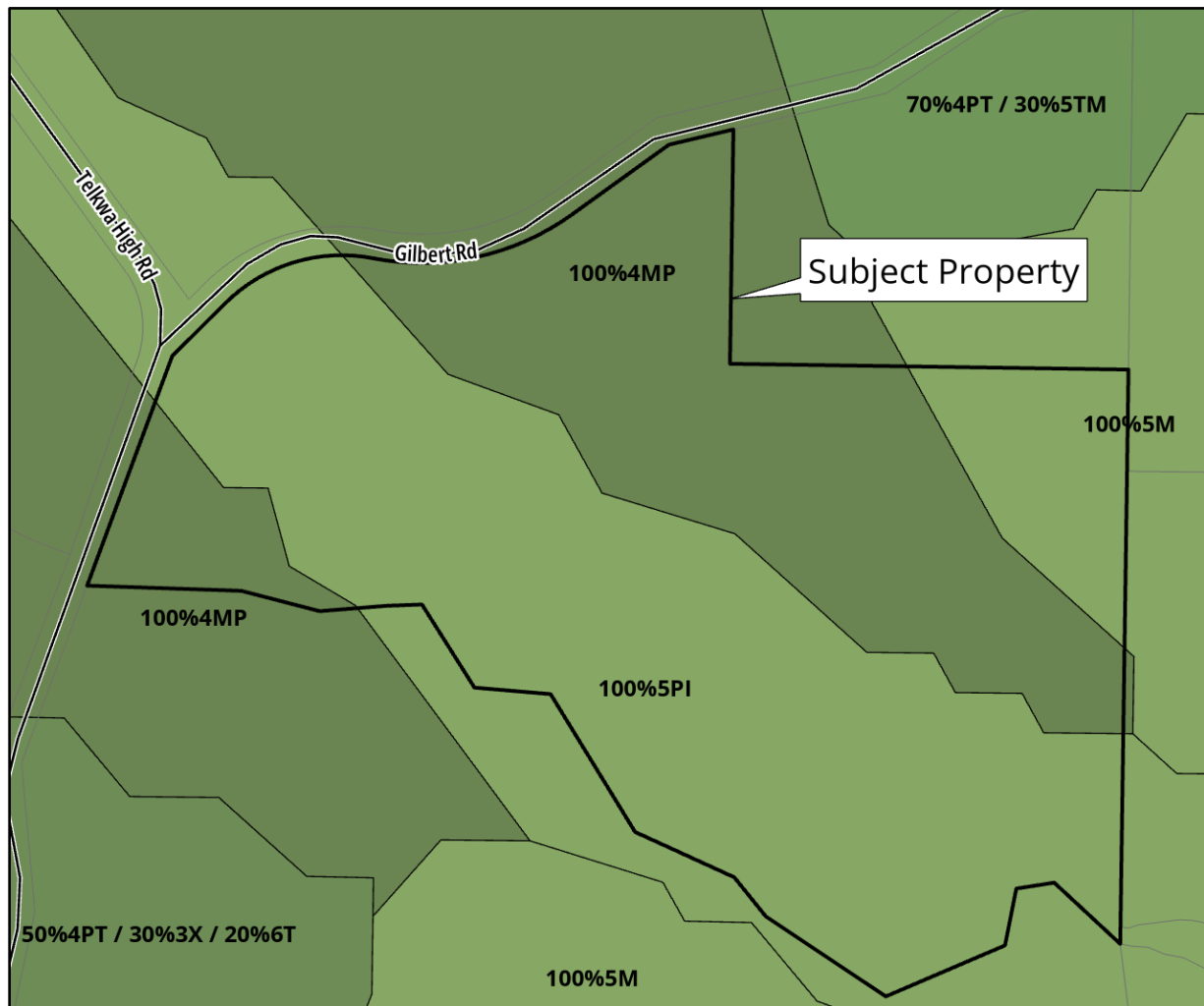
38% of the subject lands are Class 4MP (limited by soil moisture deficiency and stoniness)

7% of the subject lands are Class 5M (limited by soil moisture deficiency)

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

Class 5 Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

Agricultural Capability Map



Appendix B

Surrounding Applications

ALR Application	Legal Description	Summary	Recommendation
2	E 1/2, District Lot 844, Range 5 Coast District.	Application to subdivide property into 5 ac parcels.	Staff: Denial
			Board: Denial
			ALC: Denied
53	Fractional parts SW 1/4, District Lot 847, lying west of Adams Road.	Application to subdivide property.	Staff: Denial
			Board: Approval
			ALC: Approved
55	Fractional SE 1/4, Section 15, Township 2A, Coast Range 5	Application to subdivide the 40.87 ac into two parcels of ± 20 acres each.	Staff: Approval
			Board: Approval
			ALC: Approved
130	Lots 1 and 2, Plan 6469, NE 1/4, District Lot 844 and Fractional NW 1/4 Section 22, Township 2A, Range 5 Coast District	Application for boundary adjustment between two properties to better align with terrain.	Staff: Approval
			Board: Approval
			ALC: Approval
163	Lot 851	Application to subdivide a 5.3 \pm ac parcel from 320 ac.	Staff: Approval
			Board: Approval
			ALC: Approved
170	District Lot 1196, Range 5, Coast District.	Application to subdivide a 5 ac lot, subject to the consolidation of the five acres with the South 1/2 of District Lot 1997.	Staff: Approval
			Board: Approval
			ALC: Approved
185	SW 1/4, of District Lot 846, Range 5, Coast District.	Application for exclusion from ALR.	Staff: Denial
			Board: Denial
			ALC: Denied
225	SE 1/4, Section 23, Township 2A, Range 5 Coast District	Application to subdivide the property into two lots of ± 16 ha and ± 48.5 ha.	Staff: Denial
			Board: Denial
			ALC: Denied
279	Fractional SW 1/4, Section 4, Township 2A, Range 5, Coast District	Application to subdivide subject property.	No need for approval
389	District Lot 847, Range 5 Coast District except Plans 4051 and 8793	Application to subdivide the property into three lots of ± 2.02 ha, ± 4.04 ha, and ± 46.54 ha	Staff: Denial
			Board: Denial
			ALC: Denied
420	District Lot 846, except Plans 4840, 7446, 7903 and		Staff: Denial
			Board: Approval

	7914, Range 5 Coast District	Application to subdivide one parcel of \pm 2 ha from 124.25 ha subject property.	ALC: Denied
425	E 1/2 District Lot 1195, Coast Range 5.	Application to subdivide one parcel of 16 ha from 64 ha subject property.	Staff: Denial
			Board: Denial
			ALC: Approved
440	Fractional SW 1/4 of Section 4, Township 2A except part included in Plan 4085, Range 5, Coast District	Application to subdivide two parcels of 2 ha and one parcel of 12.7 ha from 16.7 ha.	Staff: Denial
			Board: Denial
			ALC: Denied
441	Section 15 except Plans 5934 and 8253, Township 2A, Coast Range 5 Land District	Application to subdivide one, 2 ha parcel from \pm 12.5 ha.	Staff: Denial
			Board: Approval
			ALC: Denied
449	E 1/2 of the SW 1/4 Section 13 except Plans 4806, 7094 & 7422, Township 2A, Range 5, Coast District	Application to subdivide off and exclude from the ALR one 21.45 ha parcel.	Staff: Denial
			Board: Approval
			ALC: Denied
478	Fractional SW 1/4 Section 4, Township 2A, Range 5, Coast District	Application to subdivide 16.73 ha into one parcel of 5.26 ha and one parcel of 11.46 ha.	Staff: Denial
			Board: Denial
			ALC: Denied
504	Lot 2, Plan 7359, Section 1, Township 2A, Range 5, Coast District	Application to subdivide 2.08 ha into two parcels of 1.04 ha.	Staff: Denial
			Board: Denial
			ALC: Denied
519	NE 1/4 Section 8, Township 2A, Range 5 Coast District.	Application to build a permanent residence, instead of a mobile home as a second dwelling.	Staff: Denial
			Board: Approval
			ALC: Approved
536	Lot B, Plan 6208, Section 5, Township 2A, Range 5, Coast District.	Application to exclude 13.22 ha from the ALR to subdivide into six lots of \pm 2 ha.	Staff: Denial
			Board: Approval
			ALC: Denied
538	S 1/2 of Section 2, Township 2A, Range 5, Coast District.	Application to subdivide 129.5 ha into two parcels	Staff: Approval
			Board: Approval
			ALC: Denied
541	Fractional SW 1/4 of Section 4, Township 2A except part included in Plan 4085, Range 5, Coast District	Application to exclude the 16.96 ha, for the purpose of dividing the property into two parcels; one of	Staff: Denial
			Board: Denial
			ALC: Denied

		5.261 ha and one of 11.699 ha.	
563	N 1/2 of the NE 1/4 Section 11, Township 2A, Range 5, Coast District.	Application to subdivide one parcel of 2 ha from 32.4 ha.	Staff: Denial
			Board: Approval
			ALC: Denied
577	S 1/2 Section 2, Township 2A, Range 5, Coast District	Application to subdivide aforementioned into two parcels of ±64 ha	Staff: Approval
			Board: Denial
			ALC: Approved
647	SE 1/4 of Section 13, except Plan 4806, Township 2A, Range 5, Coast District.	Application to subdivide one parcel of ± 0.89 ha from 57.76 ha	Staff: Denial
			Board: Denial
			ALC: Denied
740	NW 1/4 Section 4, Township 2A, Range 5, Land District 14 (64.7 ha); Part West 1/2 except Plan 6801 and except southerly 41.52 acres District Lot 1195, Range 5, Land District 14 (46.1 ha)	Application to subdivide the NW 1/4, Section 4 into two parcels of 32.35 ha and to subdivide the W 1/2 of District Lot 1195, into two lots of 23.05 ha.	Staff: Denial
			Board: Denial
			ALC: Denied
758	SW 1/4 District Lot 844, Range 5, LD 14, Coast District.	Application to subdivide one 2 ha parcel from 64.75 ha.	Staff: Denial
			Board: Denial
			ALC: Conditional Approval (must consolidate DL 1151 and 1154)
782	N 1/2 of the Northeast 1/4 of Section 11, Township 2A, Range 5.	Application to subdivide 32.38 ha into two parcels of 16 ha.	Staff: Denial
			Board: Denial
			ALC: Denied
797	Lot 1, Section 13, Township 2A, Range 5, Coast District, Plan 7094.	Application to subdivide one ±0.5 ha parcel from ±2.0 ha subject property.	Staff: Denial
			Board: Denial
			ALC: Denied
801	S 1/2, NW 1/4, Section 11, Township 2A, Range 5, Coast District	Application to subdivide property into two parcels of 26 ha and 6 ha respectively.	Staff: Denial
			Board: Denial
			ALC: Denied
811	Part NW 1/4, Section 22, Township 2A, Range 5 Coast District, Except Plan 6469	Application to subdivide 0.26 ha from the ±16 ha property	Staff: Denial
			Board Denial
			ALC: Denied
847			Staff: Approval

	Part South 1/2 of District Lot 1190, Range 5, Coast District	Application to develop and operate a 372 m2 guest lodge on the subject property.	Board: Approval
			ALC: Approved
869	Part NE 1/4 Section 8, Township 2A, Range 5, Coast District.	Application to subdivide subject property into two parcels to meet Ministry of Health requirements.	Staff: Denial
			Board: Denial
			ALC: Approved
889	SE 1/4 of Section 24, Township 2A, Range 5, Coast District	Application to operate a small-scale wilderness recreational resort on the subject property.	Staff: Denial
			Board: Denial
			ALC: Denied
978	Lot A, Plan 5900, District Lot 847, Range 5, Coast District, and Lot 1, Plan 4051, District Lot 847, Range 5 Coast District, except Plan 5900.	Application is to allow a boundary adjustment between the properties resulting in two lots of ±3.25 ha and ±4.84 ha.	Staff: Approval
			Board: Approval
			ALC: Approved
1025	Part W ½ of District Lot 1195, Range 5 Coast District, except Parcel A (See J10999) & except Plan 6801	Application to subdivide a ±2.56 ha parcel from a ±44 ha parent property under the Agricultural Land Commission's Homesite Severance Policy.	Staff: Approval
			Board: Approval
			ALC: Approved
1074	S 1/2 of the NW 1/4 of Section 11, Township 2A, Range 5 Coast District	Application to subdivide subject property into three lots of ±11 ha, ± 9 ha and ±10 ha.	Staff: Denial
			Board: Approval
			ALC: Approved
1089	District Lot 1188, Range 5, Coast District.	Application to subdivide subject property into two ±32.5 ha parcels.	Staff: Denial
			Board: Approval
			ALC: Approved
1101	District Lot 179, Range 5, Coast District	Application to subdivide subject property into two parcels.	Staff: Approval
			Board: Approval
			ALC: Approved
1104	NE 1/4 of Section 5, Township 2A, Range 5, Coast District, Except Plans 6605, 12742 and PRP13673	Application to subdivide subject property into two parcels.	Staff: Approval
			Board: Approval
			ALC: Conditional Approval (Must covenant to prevent residential development on remainder, and adjust subdivision)
			Reconsideration: Covenant condition removed

1119	District Lot 857, Range 5, Coast District	Application for Homesite Severance to subdivide off ±17 ha resulting in a ±111 ha remainder.	Staff: Approval
			Board: Approval
			ALC: Approved
1126	Fractional NW 1/4 of Section 22, Township 2A, Range 5 Coast District Except Plan 6469	Application to subdivide subject property into two parcels.	Staff: Approval
			Board: Approval
			ALC: Denied
1137	Lot 2, Plan PRP13968, Section 2, Township 2A, Range 5 Coast District	Application to subdivide subject property into two parcels.	Staff: Denial
			Board: Denial
			ALC: Withdrawn by applicant
1147	Part of the Fractional NE1/4 of Section 10, Township 2A, Range 5 Coast District, Except Plan 6536 and 6537	Application to subdivide subject property into two parcels as divided by Driftwood Creek.	Staff: Approval
			Board: Approval
			ALC: Approved
1149	District Lot 4765, Range 5, Coast District	Application to subdivide subject property into two parcels	Staff: Approval
			Board: Approval
			ALC: Approved
1151	Lot A, Except Part in Plan BCP16335, District Lots 1190, 1191, and 1192, Range 5, Coast District, Plan PRP41664	Application to subdivide subject property into two parcels	Staff: Approval
			Board: Approval
			ALC: Approved
1177 (Subject Property)	Lot 3, Section 10, Township 2A, Range 5 Coast District Plan 6536 except Plan 7543	Application for Non-Farm Use to operate a log house construction business on a 0.8 ha portion of the property.	Staff: Approval
			Board: Approval
			ALC: Conditional Approval (15-year period, compliance with plan, and non-transferable)
1184	S 1/2 of Section 11 Township 2A, Range 5 Coast District EXC THEREOUT A STRIP OF LAND BEING THE MOST ELY 20 M IN PARL WIDTH	Application to subdivide subject property into two 1/4 section parcels	Staff: Denial
			Board: Denial
			ALC: Withdrawn
1195	The Southwest 1/4 of District Lot 844, Range 5, Coast District, Except Plan PRP13319	Application to remove a restrictive covenant on the titles of DL 1151 & 1154 to allow for boundary adjustment.	Staff: Denial
			Board: Approval
			ALC: Approved
			Reconsideration: Denied

1206	Lot A, Section 15, Township 2A, Range 5, Coast District, Plan 5934, Excl Plan 6431	Application to subdivide the 6.68 ha into 4.7 ha and 2.0 ha parcels.	Staff: Denial
			Board: Not authorized to the ALC
			ALC: N/A
1208	DL 1195, W 1/4, R 5, CD, Except Parcel A (see J10999) and Except Plan 6801, BCP24965, BCP32740 and EPP1500 and Lot B, Sec4 and 5, Twp 2A, R5, C, Plan EPP3487	Application to subdivide the two properties to create 3 parcels of 10.27 ha, 14.58 ha and 14.17 ha.	Staff: Not authorized to send to the ALC
			Board: Not authorized to send to the ALC
			ALC: N/A
1218	Lot A DL 844 R5C PL EPP52063	Non-Adhering Residential Use Application to allow new construction of an addition to pre-existing additional residence	Staff: Approval
			Board: Approval
			ALC: Approved
1220	Lot A, Except Part In Plan BCP16335, District Lots 1190, 1191 and 1192	Withdrawn	Staff: N/A
			Board: N/A
			ALC: N/A
1222	Lot A DL 844 R5C PL EPP52063	Non-Farm Use application to continue the operation of an existing Wildlife Shelter operated by Northern Lights Wildlife Society	Staff: Approval
			Board: Approval
			ALC: Approved
1260	Parcel A, Sections 2 and 3, Township 2A, Range 5, Coast District, Plan PRP46267	Application to subdivide subject property into two parcels.	Staff: Approval
			Board: Approval
			ALC: Denied

Surrounding Applications Map

