

# **PUBLIC DOCUMENTS**

Temporary Use Permit A-01-23

Application



# Application Form

## Temporary Use Permit

Applicants are advised to consult with Planning Staff before submitting an application.

- 1. APPLICANT** If you are an agent applying on behalf of the property owner, fill out the applicant and property owner sections. If you are the property owner and the applicant only fill out the applicant section.

### Applicant:

Name

Signature

Mailing Address:

Phone:

(Home)

(Cell)

E-mail:

### Property Owner(s):

Name(s)

Signature(s)

Mailing Address:

Phone:

(Home)

(Cell)

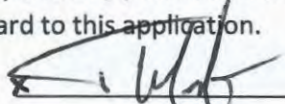
E-mail:

## 2. AGENT AUTHORIZATION

If the applicant is not the sole registered owner of the subject property, ALL owners of the subject property must sign the application below, or provide a signed letter, authorizing the applicant to act as agent on their behalf in regard to the application.

As owner(s) of the land described in this application, I/we authorize (please print) Paul Meckler  
to act as Applicant, and as our agent in regard to this application.

Trevor Meerdink  
Owner Name (print)

  
Signature

08Mar23  
Date

\_\_\_\_\_  
Owner Name (print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner Name (print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## 3. PROPERTY INFORMATION

Legal Description(s) of the land which is the subject of this Application (subject property):

PID NO: 004-310-128 - Lot A Section 4 Township 4 Range 5 Coast District Plan 11348 Except Plan PRP 14965

Civic Address (House No., Street Name):

Size of  
Property: 22.687 ha (Hectares/Acres)

### Existing Land Use:

(Describe the uses that currently occur on the land under application. List each building and the use of that building.)

- *A large portion of the property has historically has been used as the Regional District landfill site for the*
- *Smithers/Telkwa population, which was deactivated several years ago.*
- *The Site "A" on the attached mapping was developed to provide aggregate resource cover for the*
- *historical landfill. Following completion of the landfill cover, additional aggregate resources were*
- *removed until 2022. At which the site was exhausted of aggregate and is currently being reclaimed.*
- *As for Site "B" the proposed location the temporary crushing unit, it was utilized by the Regional District*
- *as a scrap yard, which was cleaned up in 2013 (?).*
- *Over the last couple of years, Site "B" has been cleared of trees, and is being prepared for new*
- *aggregate extraction area.*
- *The are no buildings or other structures on-site.*

## Reason for Application:

- The length of time the use is expected to occur.
- The activities proposed to occur on the property.
- Any buildings or structures proposed on the property.

This image shows a full page of blank white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page, providing a template for writing or drawing. There are no margins, text, or other markings present.

An application fee as set out in Schedule A to the Regional District of Bulkley-Nechako Development Procedures Bylaw No. 1898, 2020 must accompany this application. An application is not considered complete and cannot be processed until the required application fee and information has been received by the Regional District.

- Cheques should be made to the Regional District of Bulkley-Nechako and delivered to the attention of the Planning Department by mail to Box 820, Burns Lake, BC, V0J 1E0; or at the RDBN office, 37-3rd Ave, Burns Lake, BC.
- Interact debit card or cash payments can be made at the RDBN office, 37 3<sup>rd</sup> Avenue, Burns Lake, BC.

☐ Temporary Use Permit    \$700

Page 3 of 4



## 6. SIGN NOTIFICATION REQUIREMENTS

Certain applications require that a sign be posted on the property to advise the community of the application. The sign can be provided by the property owner, or it can be rented from the Regional District of Bulkley-Nechako office (37-3rd Ave, Burns Lake) for a fee of \$25 plus a security deposit of \$75. The \$100 fee and deposit can be included with your application fee.

Do you wish to pay the signage fee now?

☐ Yes

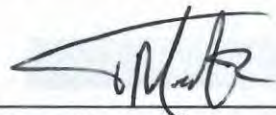
X ☒ No

## 7. FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY

Personal information requested on this form is collected under the *Freedom of Information and Protection of Privacy Act* section 26(c) and will be used for the purpose of processing your application. Any information relating to the use and development of the land provided to the RDBN for consideration and in support of the application may be made available for review by any member of the public. If you have any questions about the collection and use of this information, please contact the RDBN Information and Privacy Coordinator at 1-800-320-3339.

## 8. DECLARATION

I, the undersigned, hereby declare that the attached information, provided with respect to this application is a true statement of facts, and authorize RDBN staff to conduct site inspections of the subject property for the purpose of confirming information submitted as part of this application, and for the purpose of processing this application.



Owner/Agent Signature

08Mar23

Date

**\*To ensure your application is complete and that all items have been included with your application, see page 3 of the Temporary Use Permit brochure for the application checklist.**

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March 8, 2023

Regional District of Bulkley Nechako  
PO Box 820  
Burns Lake, BC V0J 1E0

Attention: Planning

Email: [inquiries@rdbn.bc.ca](mailto:inquiries@rdbn.bc.ca)

**Re: Temporary Use Permit Application for Crushing – Meerdink: Landfill Pitt**

This application is in regards to a request for a **crushing temporary use permit** for the existing sand and gravel (aggregate) operation located on Lot A, Sec 4, Township 4, R5, Coast District, Plan 11348, except Plan PRP 14965, PID No. 004310128, having an area of approximately 22.69 ha. The location of the site is at 54.7157 N and 127.0985 W (see Figure A).

Additional mapping is as well provided for further clarification.

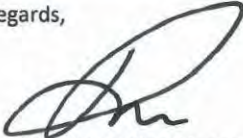
West Fraser Concrete (WFC) is providing through this notification, all pertinent information relating to the Temporary Use Application.

WFC, requests the right to use a "temporary portable crusher", to crush for a period of up to twenty-one (21) days, in short durations (3 to 4 days) over the period of April 1 to October 31, each year. The period of crushing would be from 7:00 am to 6:00 pm during the crushing time period.

All mining of materials for the crusher will comply with the **Mines Act** and **Health Safety and Reclamation Code for Mines in BC, 2021**.

If you have any questions, please contact the undersigned at [safety@westfraserconcrete.com](mailto:safety@westfraserconcrete.com) or (250) 877-0408.

Regards,



Paul Meckler, Mine Manager/Agent  
West Fraser Concrete Ltd.

Attachments



West Fraser Concrete Ltd  
3520 Victoria Dr Smithers BC  
(T) 250-846-5657

March 13, 2025

Re: Amendment to TUP A-01-23

To whom it may concern:

I am writing this letter to update the original application file TUP A-01-23 which is currently outlining the proposed crushing operations; however, it did not include the processing operation that has previously operated on the North section of the property. The attached map shows the South section of the property with the area outlined for the proposed crushing operation. This now highlights the area that has housed the wash plant for many years and has been previously permitted by mines. The wash plant will not relocate from its current position and is properly equipped with sediment ponds and is surrounded by reclaimed area from its previously mined area.

West Fraser Concrete is applying to have the current application amended to include the area outlined in the attached map for screening operations. If there are any questions or more information is required please let me know.

Thank you,

A handwritten signature in blue ink, appearing to read 'Leigh Purnell', followed by a series of overlapping loops.

Leigh Purnell  
Health & Safety Coordinator



# Meerdink: Landfill Pit - TUP Crushing - Crusher Setup Site Plan



Site A. MPA ~5.58 ha  
(Pink Polygon)

Lot A, Sec 4, Township 4,  
R5, Coast District, Plan  
11348, except Plan PRP  
14965, PID No.  
004310128 (Light Blue  
Polygon)

Site B. MPA ~7.94  
ha (Green Polygon)

TUP Permit Area

Proposed  
Aggregate Washing  
Operation

# Meerdink: Landfill Pit - TUP Crushing - Crusher Setup Site Plan







## West Fraser Concrete

### Meerdink Pit

### Location Map

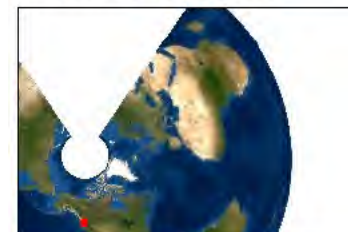
#### Legend

- ★ Mine Location
- Access Route
- Permitted Mine Area

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CAUTION: Maps obtained using this site are not designed to assist in navigation. These maps may be generalized and may not reflect current conditions. Uncharted hazards may exist. DO NOT USE THESE MAPS FOR NAVIGATIONAL PURPOSES.



1: 50,000



Base Data: BC Geographic Warehouse

Map produced in iMapBC

Datum: WGS 1984 Web Mercator

Map Date: 10Oct22

Prepared By: PM

Created for 8.5 x 11 inch paper size







Frontier Steelhead Experience



Yellowhead Hwy

Donaldson Rd

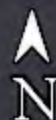
Smithers/Telkwa Waste Transfer

Bulkley Nechako Smithers

Bulkley River

Google Earth

Image © 2022 CNES / Airbus



400 m



PROVINCE OF BRITISH COLUMBIA  
MINISTRY OF ENERGY AND MINES

**AMENDED SAND AND GRAVEL PERMIT  
APPROVING WORK SYSTEM AND RECLAMATION PROGRAM**  
(Issued pursuant to Section 10 of the **Mines Act** R.S.B.C. 1996, C.293)

Permit: **G-2-131**

Mine No.: **0200455**

Issued to: **West Fraser Concrete  
Box 406  
Telkwa BC V0J 2X0**

for work located at the following property:

**Meerdink Landfill Pit  
Lot A, Sec. 4, Twnp. 4, R5, Coast District, Plan 11348, except Plan PRP 14965**

This approval and permit is subject to the appended conditions.

Issued this **22nd** day of **May** in the year **2002**.  
Amended this **5th** day of **June** in the year **2014**.

  
\_\_\_\_\_  
**Bruce Graff, P. Eng.**  
**Contract Permitting - Inspector of Mines**

## PREAMBLE

A Notice of Work dated **November 2, 2012** for this existing sand and gravel project was filed with the Inspector of Mines. This included a mine plan of the proposed work system and a program for the protection and reclamation of the surface of the land and watercourses affected by the Notice of Work. The requirements for Notice of Filing as per **Part 10.2.1** of the Health, Safety and Reclamation Code for Mines in BC, 2008 have been waived by the Ministry of Energy and Mines.

This amended permit contains the requirements of the Ministry of Energy and Mines for reclamation. It is also compatible, to the extent possible, with the requirements of other provincial ministries for reclamation issues. The amount of security required by this permit, and the manner in which this security may be applied, will also reflect the requirements of those ministries. Nothing in this permit, however, limits the authority of other provincial ministries to set other conditions, or to act independently, under their respective permits and legislation.

Decisions made by staff of the Ministry of Energy and Mines will be made in consultation with other ministries.

### Approved Work Program:

**Annual Extraction:** 5,000 m<sup>3</sup>/yr

**Activities:** Excavation of pit run and screening is approved with the understanding that you have received an ALC approval for a non-farm use of agricultural land. **Note:** ALC application has been in process for last several months!!

**Note:** Crushing is not approved by MEM, authorization on AG1 land is through issuance of a Temporary Use Permit by the RBNB.

No washing of gravel is approved

No removal of topsoil is approved

No transport of unauthorized fill into site is approved

## CONDITIONS

The Chief Inspector of Mines (Chief Inspector) hereby approves the work plan and the program for protection and reclamation of the land surface and watercourses subject to compliance with the following conditions:

### 1. Reclamation Security

- (a) The owner, agent or manager (herein called the Permittee) shall maintain with the Minister of Finance securities in the amount of **Ten Thousand Dollars (\$10,000)**. The security will be held by the Minister of Finance for the proper performance of the approved program and all the conditions of this permit in a manner satisfactory to the Chief Inspector.

- (b) The Permittee shall conform to all forest tenure requirements of the Ministry of Forests, Lands and Natural Resources. Should the Permittee not conform to these requirements then all or part of the security may be used to cover the costs of these requirements, and
- (c) The Permittee shall conform to all the Ministry of the Environment approvals, licenses and permit conditions, as well as requirements under the **Wildlife Act**. Should the Permittee not conform to these conditions, then all or part of the security may be used to fulfill these requirements.

2. Land Use

The surface of the land and watercourses shall be reclaimed to the following end land use: **Agriculture**.

3. Land Capability

Excluding lands that are not to be reclaimed, the average land capability to be achieved on the remaining lands shall not be less than the average that existed prior to mining, unless the land capability is not consistent with the approved end land use.

4. Revegetation

Land shall be re-vegetated to a self-sustaining state using appropriate plant species.

5. Use of Suitable Growth Medium

On all lands to be revegetated, the growth medium shall satisfy land use, productivity, and water quality objectives. Topsoil and overburden (to rooting depth) shall be removed from operational areas prior to any disturbance of the land and stockpiled separately on the property for use in reclamation programs, unless the Permittee can provide evidence which demonstrates, to the satisfaction of the Chief Inspector, that reclamation objectives can otherwise be achieved.

6. Buffer Zones and Berms

A 5m buffer zone and/or berm shall be established between the mine and the property boundary unless exempted in writing by the Inspector of Mines. The buffer cannot be impeded by resloping for remediation.

7. Treatment of Structures and Equipment

Prior to abandonment, and unless the Chief Inspector has made a ruling otherwise, such as heritage project consideration or industrial use,

- (a) all machinery and equipment shall be removed, and
- (b) all scrap material shall be disposed of in a manner acceptable to the Inspector.

8. Watercourses

- (a) Watercourses shall be reclaimed to a condition that ensures
  - (1) long-term water quality is maintained to a standard acceptable to the Chief Inspector,
  - (2) drainage is restored either to original watercourses or to new watercourses which will sustain themselves without maintenance, and
  - (3) use and productivity objectives are achieved and the level of productivity shall not be less than existed prior to mining unless the Permittee can provide evidence which demonstrates, to the satisfaction of the Chief Inspector, the impracticality of doing so.
- (b) Water which flows from disturbed areas shall be collected and diverted into settling ponds, unless water is effectively ex-filtrating through gravels.

9. Roads

All roads shall be reclaimed in accordance with land use objectives unless permanent access is required to be maintained by Crown Land branch of the Ministry of Forests, Lands and Natural Resources Operations.

10. Disposal of Fuels and Toxic Chemicals

Fuels, chemicals or reagents which cannot be returned to the manufacturer/supplier are to be disposed of as directed by the Chief Inspector in compliance with municipal, regional, provincial and federal statutes.

11. Temporary Shutdown

If this sand and gravel project ceases operation for a period longer than one year the Permittee shall either continue to carry out the conditions of the permit or apply for an amendment setting out a revised program for approval by the Chief Inspector.

12. Safety Provisions

All safety and other provisions of the *Mines Act* shall be complied with to the satisfaction of the Chief Inspector.



13. Monitoring

No monitoring is required at this time; this may change if the Inspector of Mines deems it necessary.

14. Alterations to the Program

Substantial changes to the program must be submitted to the Inspector of Mines for approval.

15. Notice of Closure

Pursuant to **Part 10.6.1 of the Health, Safety and Reclamation Code for Mines in British Columbia**, a notice of intention to stop work shall be filed with the Inspector of Mines not less than seven (7) days prior to cessation of work.

16. Annual Report

- a) No annual reports are required at this time; this may change should the Inspector of Mines deem it necessary, and
- b) An updated Mine Plan and Notice of Work must be submitted by **June 5, 2019**.

17. Site Stability

- a) The inspector shall be advised in writing at the earliest opportunity of any unforeseen conditions that could adversely affect the extraction of materials, site stability, erosion control or the reclamation of the site.
- b) The stability of the slopes shall be maintained at all times and erosion shall be controlled at all times.
- c) The discovery of any significant subsurface flows of water, seeps, substantial amounts of fine textured, soils, silts and clays, as well as significant adverse geological conditions shall be reported to the inspector as soon as possible and work shall cease until the inspector advises otherwise.

18. Cultural Heritage Values

To protect Cultural Heritage Resources, an Archaeological Chance Fined Procedure is required and must be implemented by all persons working on the sand and gravel project.








**SPECIAL CONDITIONS:**





Mine #: 0200455  
Property: Landfill Gravel Pit

 PERMIT AREA

-  Community
-  Roads
-  Highway
-  Wetlands
-  Lakes / Rivers
-  Streams
-  Contour Lines

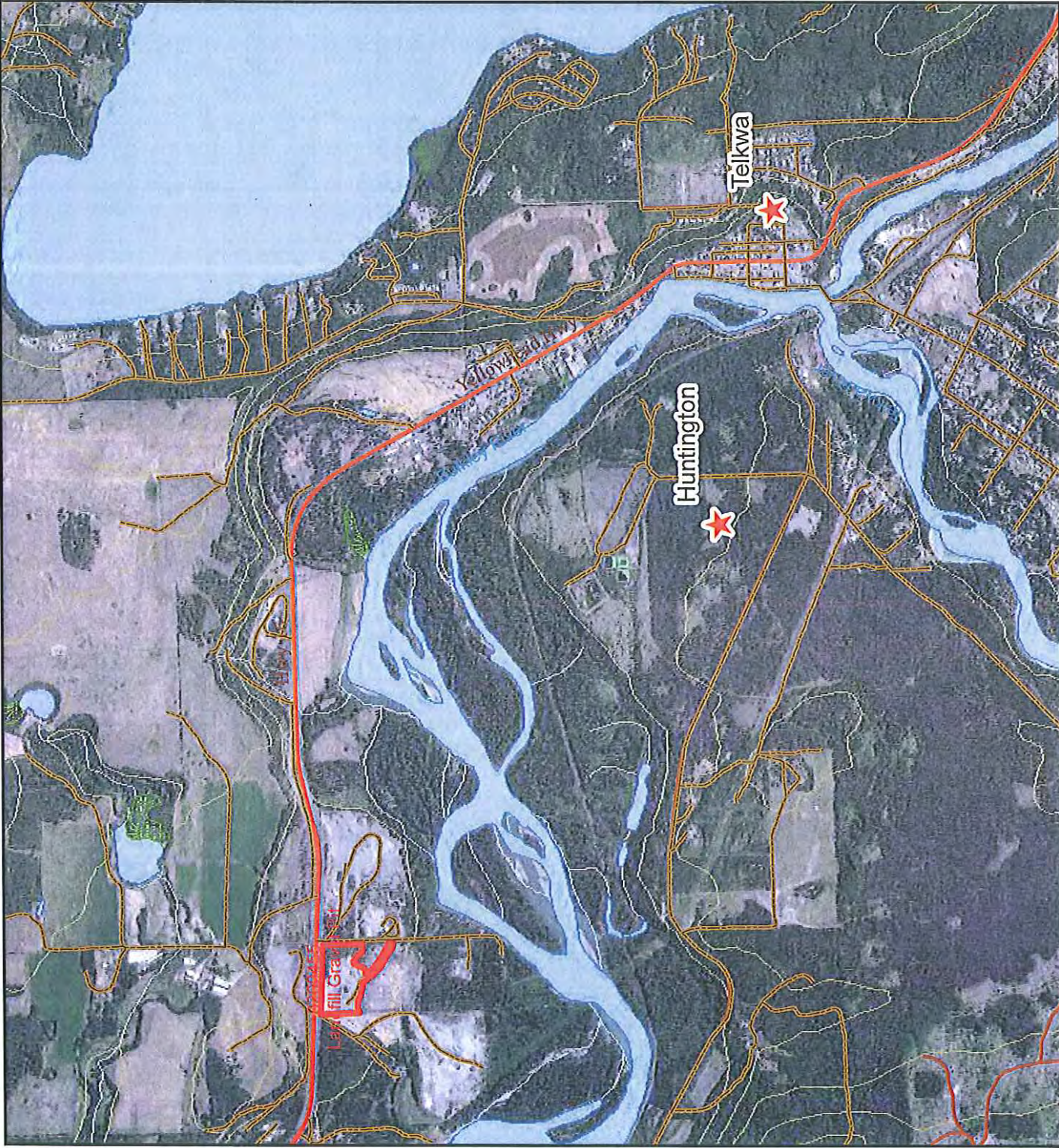
Base Data: BC Geographic Warehouse

1:25,000



0 0.2 0.4  
Kilometers

Prepared by: CBardon  
MEW: Smithers







Mine #: 0200455  
Property: Landfill Gravel Pit



- Community
- Roads
- Highway
- Wetlands
- Lakes / Rivers
- Streams
- Contour Lines

Base Data: BC Geographic Warehouse

1:5,000



Prepared by: CBarden  
MEM: Smithers























# Draft Temporary Use Permit



**REGIONAL DISTRICT OF BULKLEY-NECHAKO  
TEMPORARY USE PERMIT NO. A-01-23**

ISSUED TO: West Fraser Concrete Ltd.  
PO Box 406  
Telkwa, BC V0J 2X0

WITH RESPECT TO THE FOLLOWING LANDS:

**Lot A, Section 4, Township 4, Range 5, Coast District, Plan 11348 Except  
Plan PRP14965; PID 004-310-128**

1. This Temporary Use Permit authorizes the following temporary use:  
  
Aggregate processing, which is limited to the operation of a temporary crushing unit, a wash plant, an excavator, and a loader in association with aggregate processing.
2. The temporary use identified in Section 1 may occur only in substantial accordance with the terms and provisions of this permit and the plans and specifications attached hereto as Schedule A.
3. The permit holder shall, as a condition of this permit, ensure the following:
  - a. Operations shall be limited to between March and December.
  - b. Hours of operation shall be limited to 8:00 am to 6:00 pm.
  - c. The temporary crushing unit shall operate for a maximum of 21 days per calendar year.
  - d. The wash plant days of operation shall be limited to Monday through Saturday, for a maximum 150 days per year.
  - e. The existing vegetation buffer bordering Highway 16 and Donaldson Road shall be maintained.
  - f. No permanent structures associated with Temporary Use shall be built or placed within the TUP Areas.
  - g. Gravel processing equipment shall not be set up on a permanent foundation.
  - h. The wash plant shall be limited to "Site A TUP Area" as identified in Schedule A.
  - i. Screening and crushing shall be limited to "Site B TUP Area" as identified in Schedule A.

***Please note: the applicant has requested the Board consider hours of 7:00 am to 6:00 pm when the temperature is forecasted to be at least 25 degrees Celsius rather than 8:00 am to 6:00 pm proposed in the draft permit.***



4. This Permit authorizes the temporary use identified in Section 1 of this permit to occur only for a term of three years from the date of issuance of this permit.

If a term or provision of this permit is contravened or not met, or if the Applicant or property owner suffers or permits any act or thing to be done in contravention of or in violation of any term or provision of this permit, or refuses, omits, or neglects to fulfill, observe, carry out or perform any duty, obligation, matter or thing prescribed or imposed or required by this permit the Applicant and / or property owner are in default of this permit, and the permit shall be void and of no use or effect.

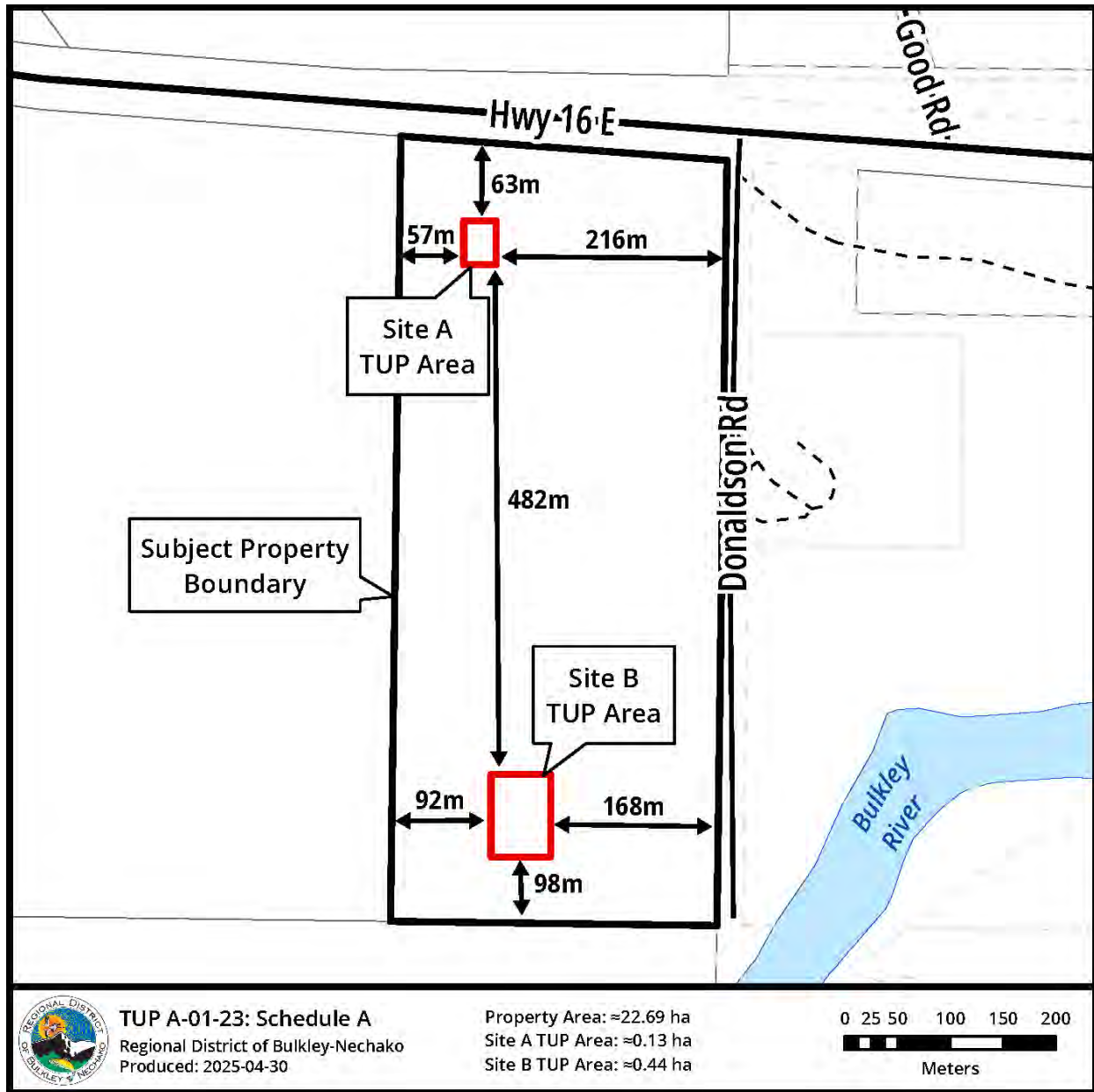
5. As a term of this permit the owner of the land must remove the wash plant and crushing unit from the land upon which the temporary use is occurring or has occurred within two months of the expiration date of this permit unless this permit is renewed by the Board.
6. This permit is not a building permit, nor does it relieve the owner or occupier from compliance with all other bylaws of the Regional District of Bulkley-Nechako applicable thereto, except as specifically varied or supplemented by this permit.

AUTHORIZING RESOLUTION passed by the Regional Board on the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

PERMIT ISSUED on the \_\_\_\_ day of \_\_\_\_\_, 2025.

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Corporate Administrator



# RDBN Board Report





## Regional District of Bulkley-Nechako Board of Directors

**To:** Chair and Board  
**From:** Danielle Patterson, Senior Planner  
**Date:** May 22, 2025  
**Subject:** Temporary Use Permit A-01-23

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### RECOMMENDATION:

(all/directors/majority)

That the Board approve the issuance of Temporary Use Permit A-01-23 to allow aggregate processing at 6165 Donaldson Road for a three-year duration, with operational hours from 8:00 am to 6:00 pm.

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### EXECUTIVE SUMMARY

Proposed Temporary Use Permit (TUP) A-01-23 would allow aggregate processing, including crushing, screening, and washing aggregate, for a three-year duration on the subject property according to the terms outlined in the TUP.

The applicant has requested that the Board consider approving their TUP with hours of operation from 7:00 am to 6:00 pm (or alternatively proposes hours of operation from 8:00 am to 6:00 pm, with 7:00 am operational starts times on days when the temperature is forecasted to be at least 25 degrees Celsius). However, should these hours not be acceptable to the Board they are willing to accept a TUP with hours of operation from 8:00 am to 6:00 pm.

Given concerns related to noise affecting nearby properties and properties across the Bulkley River, and the lack of a berm around the processing equipment, staff are not prepared to support the requested 7:00 am start time. Therefore, staff recommend the Board approve TUP A-01-23 with hours of operation from 8:00 am to 6:00 pm.

The Agricultural Land Commission (ALC) conditionally approved the aggregate processing. The TUP is not anticipated to create an adverse amount of traffic and includes decommissioning requirements from provincial agencies. The proposed temporary use will provide an important source of aggregate for concrete projects in the area, while utilizing a parcel of land previously used for aggregate processing. Staff do not recommend requiring security for site reclamation given the security requirements of the Agricultural Land Commission (ALC) and Ministry of Mines and Critical Minerals (MMCM).

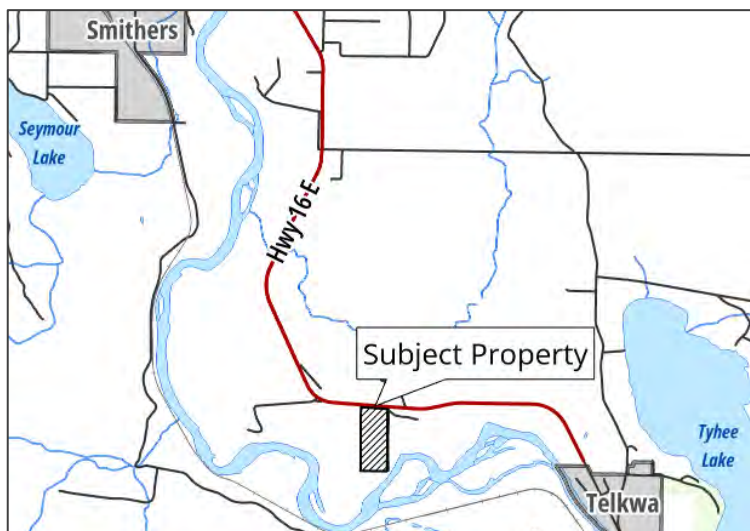
## APPLICATION SUMMARY

<b>Name of Agent/Owner:</b>	Leigh Norton, West Fraser Concrete Ltd.
<b>Electoral Area:</b>	A (Smithers/Telkwa Rural)
<b>Subject Property:</b>	6165 Donaldson Road, Lot A, Section 4, Township 4, Range 5, Coast District, Plan 11348 Except Plan PRP14965 (PID 004-310-128)
<b>OCP Designation:</b>	Agriculture (AG) in the Smithers Telkwa Rural Official Community Plan, Bylaw No. 1704, 2014 (the OCP)
<b>Zoning:</b>	Agricultural (Ag1) in the Regional District of Bulkley-Nechako Zoning Bylaw No 1800, 2020 (the Zoning Bylaw)
<b>ALR Status:</b>	Within the ALR
<b>Existing Land Use:</b>	Gravel Pit
<b>Location:</b>	Corner of Highway 16 and Donaldson Road, approximately 2.3 km from the Village of Telkwa and 3.7 km from the Town of Smithers. To the north is Highway 16 and a dairy farm. To the south is vacant land and the Bulkley River. To the west is a gravel pit and to the east is the Smithers/Telkwa Transfer Station and Recycling Depot.
<b>Property Area:</b>	22.69 ha (56.06 ac)
<b>TUP Areas:</b>	<p><u>Proposed Site A:</u> approximately 1,300 m<sup>2</sup> (~13,995 ft<sup>2</sup>)</p> <p><u>Proposed Site B:</u> approximately 4,400 m<sup>2</sup> (~4,7360 ft<sup>2</sup>)</p> <p><u>Combined:</u> Approximately 5,700 m<sup>2</sup> (~6,140 ft<sup>2</sup>)</p>

### Proposal:

The applicant is requesting a three-year Temporary Use Permit (TUP) to continue aggregate processing on two separate sites on the subject property, referred to as "Site A TUP Area" and "Site B TUP Area". The TUP sites have a combined area of approximately 5,700 m<sup>2</sup> (approximately 1,300 m<sup>2</sup> for Site A and 4,400 m<sup>2</sup> for Site B).

According to the applicant, aggregate extraction and processing has occurred on the subject property for at least 20 years. The applicant plans to remove





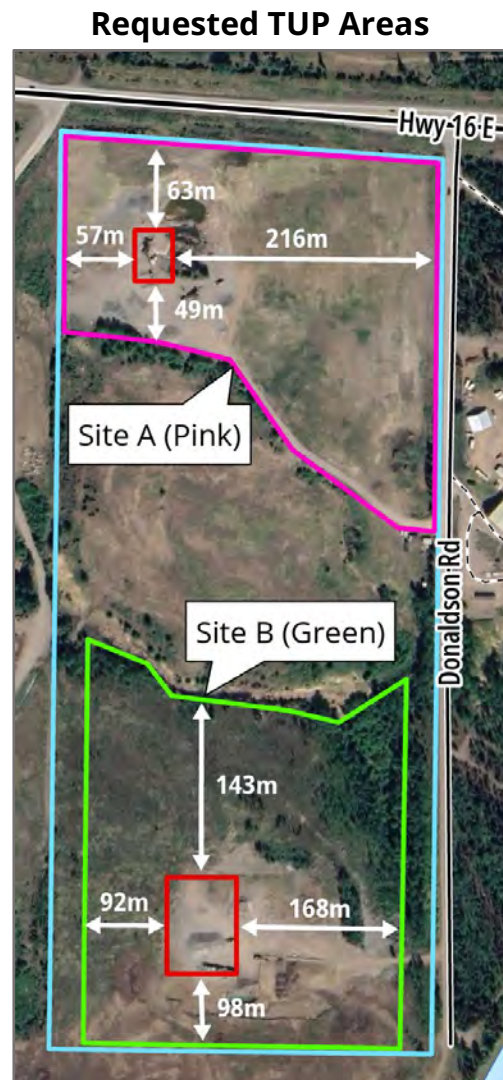
up to 6,000 m<sup>3</sup> (~7,850 yd<sup>3</sup>) of material from the subject property. The applicant is requesting a TUP for three years for aggregate processing, including crushing, screening, and washing aggregate. The lands are in the Agricultural Zone (Ag1), which does not permit aggregate processing; therefore, a TUP is required. Aggregate extraction cannot be regulated by the RDBN.

The proposed TUP is summarized as follows.

- Aggregate crushing, screening, and washing from March to December of each year.
- A wash plant and wash pit on the Site A TUP Area, operating Monday to Saturday, for a maximum of 150 days per calendar year.
- The operation of a temporary crushing unit on the Site B TUP Area for up to 21 days per calendar year.
- The use of an excavator and loader in association with the aggregate processing.
- Hours of operation from 8:00 am to 6:00 pm

**Note #1:** The applicant requested a 7:00 am operation start time, with a willingness to reduce that to a 7:00 am start time on days when the temperature is forecasted to be at least 25 degrees Celsius to allow work crews to start early and an 8:00 am start time on all other days. Given concerns about noise being carried across the Bulkley River and no berm proposed for the project, staff recommend an 8:00 am start time with no special considerations for hot weather. This is reflected in the drafted permit (see Attachments for TUP A-01-23). The applicant has been informed the Board can amend the terms of the permit to incorporate the applicant's requested start time and while not ideal, can move forward with 8:00 am start times. The applicant does not wish to build a berm for this proposal.

**Note #2:** The applicant requested a change to the number of permitted wash plant operation days from 21 to 150 per calendar year after the referral process concluded. No referral agencies were aware of the increased request from 21 to 150 days for wash plant



- Two TUP sites (shown in red)
- Combined TUP area of 0.57 ha

operations. Given that the majority of noise and dust associated with these types of aggregate processing operations is typically associated with the temporary crushing unit rather than the wash plant, staff were comfortable including the additional wash plant operation dates in the permit without sending a third set of referrals for this proposal.

## **DISCUSSION**

### **Site Details**

Planning staff performed a site visit of the Site B TUP Area at the south end of the property in 2024 (see [link](#) for Site Visit Photos – Site B). The proposed processing area is level and sits at a lower elevation from the lands to the north containing a former landfill site. The Site B TUP Area is reasonably well screened by trees, except to the south towards the Bulkley River and some thinning of trees along the northwest side of the parcel. The south parcel boundary has some earthworks that act as an informal low berm. The Site B TUP Area is not visible from Highway 16 and has limited visibility from Donaldson Road.

The applicant provided photos of the existing wash pit and the wash plant for the Site A TUP Area situated at the north end of property (see [link for Applicant Photos](#)). Staff took additional photos of the Site A TUP Area from Highway 16 and the surrounding side roads (see [link for Site Visit Photos – Site A](#)). While the wash plant has some tree coverage, the site is mostly visible from Highway 16 and the side roads.

To the west of the subject property is a gravel pit. A total of four properties, including the Smithers/Telkwa Transfer Station and Recycling Depot are accessed from Donaldson Road. The nearest dwelling is approximately 400 m (1,312 ft) from the permit area. There are four dwellings within 500 m (1,640 ft), and approximately 20 dwellings within 1 km.

### **Official Community Plan**

The subject property is designated Agriculture (AG) under the OCP. The intent of the AG designation is to preserve and encourage the utilization of land for agricultural purposes. OCP Policy 3.1.2(2) states “[t]he Provincial Ministry should ensure that agricultural lands used for aggregate extraction are adequately restored for agricultural purposes”. Additionally, OCP policies 3.1.2(6) states:

*“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”.*

### **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 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).”*

### **ALC Process and Conditional Approval**

In June 2023, the RDBN Board considered ALC Non-Farm Use (NFU) application 1253 for aggregate extraction and processing on the subject property (see [link](#) to ALR 1253 Board report). The Board recommended ALC approval and requested the ALC ensure appropriate phased remediation throughout the life of the gravel pit.

In 2024, planning staff sent the the applicant’s TUP request out for referral. At the time, the applicant had requested a 2.64 ha TUP area on the south end (Site B TUP Area) of the subject property for crushing and screening only. The property owner had a history of processing aggregate on the north end (Site A TUP Area) of the property. Regardless, the applicant wanted to move all aggregate processing to the south end of the property due to

its remote location; its proximity to the property owner's local concrete plant; and ongoing site remediation on the north end of the subject property.

In December 2024, the ALC approved an alternative site plan for the applicant's NFU application request, summarized as follows, with conditions:

- 10-year conditional approval requiring \$66,200 security to the ALC for reclamation.
- Reduced aggregate processing area.
- The applicant is required to keep the wash plant sited on the already disturbed lands at the north end (Site A TUP Area) of property.
- Every two years the owner must submit status reports to the ALC.
- Reclamation work is required to be overseen by a qualified registered professional.

Given this ALC approval, the applicant has modified their TUP request to include a wash plant at the Site A TUP Area and reduced the size of the Site B TUP Area. Given the prominent location of the proposed Site A TUP Area along Highway 16 and the addition of a wash plant to the proposal, planning staff re-referred the proposal in 2025.

### **Ministry of Mines and Critical Minerals Process**

An amended Sand and Gravel Permit from the Ministry of Mining and Critical Minerals (MMCM) (Permit Number G-2-131; Mine Number 0200455) was issued to the property owner in 2014 for the north end of the subject property. The applicant will need a new permit to operate on the south end of the property at the Site B TUP Area. As of the writing of this report, the applicant has applied for a new permit and is waiting for permit issuance from MMCM.

The existing permit requires a maintenance of a 5 m (16.4 ft) vegetative buffer, remediation of lands to an "agriculture" standard, and gives direction on working around watercourses. There appears to be coverage gaps in the existing vegetation buffer that was required in the 2014 permit. Staff do not know if the vegetation buffer will be a condition of a new MMCM permit. The wash plant pit is regulated through the MMCM permitting process.

The applicant's existing reclamation plan includes mitigation measures for noise, dust, groundwater, invasive plants, erosion, and sediment control. Final reclamation use shall be for agriculture, examples including livestock grazing or crops such as alfalfa.

### **Staff Comments**

Given concerns related to noise affecting nearby properties and properties across the Bulkley River, and the lack of a berm around the processing equipment, staff are not prepared to support the requested 7:00 am start time. Therefore, staff recommend the Board approve TUP A-01-23 with hours of operation from 8:00 am to 6:00 pm.



The Agricultural Land Commission (ALC) conditionally approved the aggregate processing. The TUP is not anticipated to create an adverse amount of traffic and includes decommissioning requirements from provincial agencies. The proposed temporary use will provide an important source of aggregate for concrete projects in the area, while utilizing a parcel of land previously used for aggregate processing. Staff do not recommend requiring security for site reclamation given the security requirements of the Agricultural Land Commission (ALC) and Ministry of Mines and Critical Minerals (MMCM).

## **APPROVAL PROCESS**

Notice of this application was published on the Regional District's website, the Regional District's Official Facebook page, the RDBN's Public Notice Posting Place, and in the Interior News. The notices inform 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 m (328 ft) of the subject property were sent a similar notice. A sign was placed on the subject property on May 9, 2025. Comments received from the public or referral agencies will be presented to the Board for consideration.

## **REFERRAL RESPONSES**

### October 2024 - Original TUP proposal

At their October 7, 2024, meeting, the Electoral Area A (Smithers/Telkwa Rural) **Advisory Planning Commission (APC)** recommended the proposal for approval.

The **Town of Smithers** stated they have no concerns with the proposal, given its distance from Town boundaries and that *"the proposed project's impact on the residents [of Smithers] (arising from factors such as air quality, noise, traffic etc.) will be minimal."*

### April 2025 – Re-Referral of Modified Request

Given the addition of the second "Site A" TUP area for a wash plant near Highway 16, the application was re-referred to the Village of Telkwa, the Town of Smithers, and the Electoral Area A Advisory Planning Commission in April 2025.

At their April 7, 2025 meeting, the Electoral Area A (Smithers/Telkwa Rural) **Advisory Planning Commission (APC)** recommended the proposal for approval, if amended to have operations start at 8:00 am rather than the applicant's requested 7:00 am start time (see Attachments for meeting minutes). There were discussions at the APC meeting about the impact of sound carrying across the Bulkley River at this location.

The **Town of Smithers** stated they have no concerns with the proposal and suggest requiring additional vegetation where there are gaps in the existing vegetation buffer for dust mitigation (see Attachments for letter).

### 2023 NFU Application 1253

Below are the referral responses for the associated ALC NFU application 1253 for aggregate extraction and processing.

The **Ministry of Agriculture and Food** provided the attached referral letter (see Attachments for link).

The **Regional District Agriculture Coordinator** stated, *“this property has already been fundamentally altered from it’s [sic] natural state as a function of the activities that have already occurred (the reclaimed landfill site and existing gravel removal operation). A portion of Site B has already been prepared for mining (i.e., logged and the topsoil stripped off and piled); prioritizing both the monitoring of invasive plant species establishment and spread, and protecting ground water quality from deleterious substances should be considered as both environmental impacts could affect the future agricultural use of this property.”*

#### **ATTACHMENTS:**

- Draft permit TUP A-01-23
- [July 22, 2023 ALC 1253 Board report \(link\)](#)
- [Site visits photos \(link\)](#) for Site B (near Bulkley River)
- [Applicant photos for Site A \(link\)](#)
- [Site visit photos \(link\) for Site A \(near Hwy 16\)](#)
- [Ministry of Agriculture and Foods referral letter \(link\)](#)
- APC minutes
- Town of Smithers April 2025 referral response letter





**REGIONAL DISTRICT OF BULKLEY-NECHAKO  
TEMPORARY USE PERMIT NO. A-01-23**

ISSUED TO: West Fraser Concrete Ltd.  
PO Box 406  
Telkwa, BC V0J 2X0

WITH RESPECT TO THE FOLLOWING LANDS:

**6165 Donaldson Road, legally described as Lot A, Section 4, Township 4,  
Range 5, Coast District, Plan 11348 Except Plan PRP14965; PID 004-310-128**

1. This Temporary Use Permit authorizes the following temporary use:  
  
Aggregate processing, which is limited to the operation of a temporary crushing unit, a wash plant, an excavator, and a loader in association with aggregate processing.
2. The temporary use identified in Section 1 may occur only in substantial accordance with the terms and provisions of this permit and the plans and specifications attached hereto as Schedule A.
3. The permit holder shall, as a condition of this permit, ensure the following:
  - a. Operations shall be limited to between March and December.
  - b. Hours of operation shall be limited to 8:00 am to 6:00 pm.
  - c. The temporary crushing unit shall operate for a maximum of 21 days per calendar year.
  - d. The wash plant days of operation shall be limited to Monday through Saturday, for a maximum of 150 days per calendar year.
  - e. The existing vegetation buffer bordering Highway 16 and Donaldson Road shall be maintained.
  - f. No permanent structures associated with Temporary Use shall be built or placed within the TUP Areas.
  - g. Gravel processing equipment shall not be set up on a permanent foundation.
  - h. The wash plant shall be limited to "Site A TUP Area" as identified in Schedule A.
  - i. Screening and crushing shall be limited to "Site B TUP Area" as identified in Schedule A.

4. This Permit authorizes the temporary use identified in Section 1 of this permit to occur only for a term of three years from the date of issuance of this permit.

If a term or provision of this permit is contravened or not met, or if the Applicant or property owner suffers or permits any act or thing to be done in contravention of or in violation of any term or provision of this permit, or refuses, omits, or neglects to fulfill, observe, carry out or perform any duty, obligation, matter or thing prescribed or imposed or required by this permit the Applicant and / or property owner are in default of this permit, and the permit shall be void and of no use or effect.

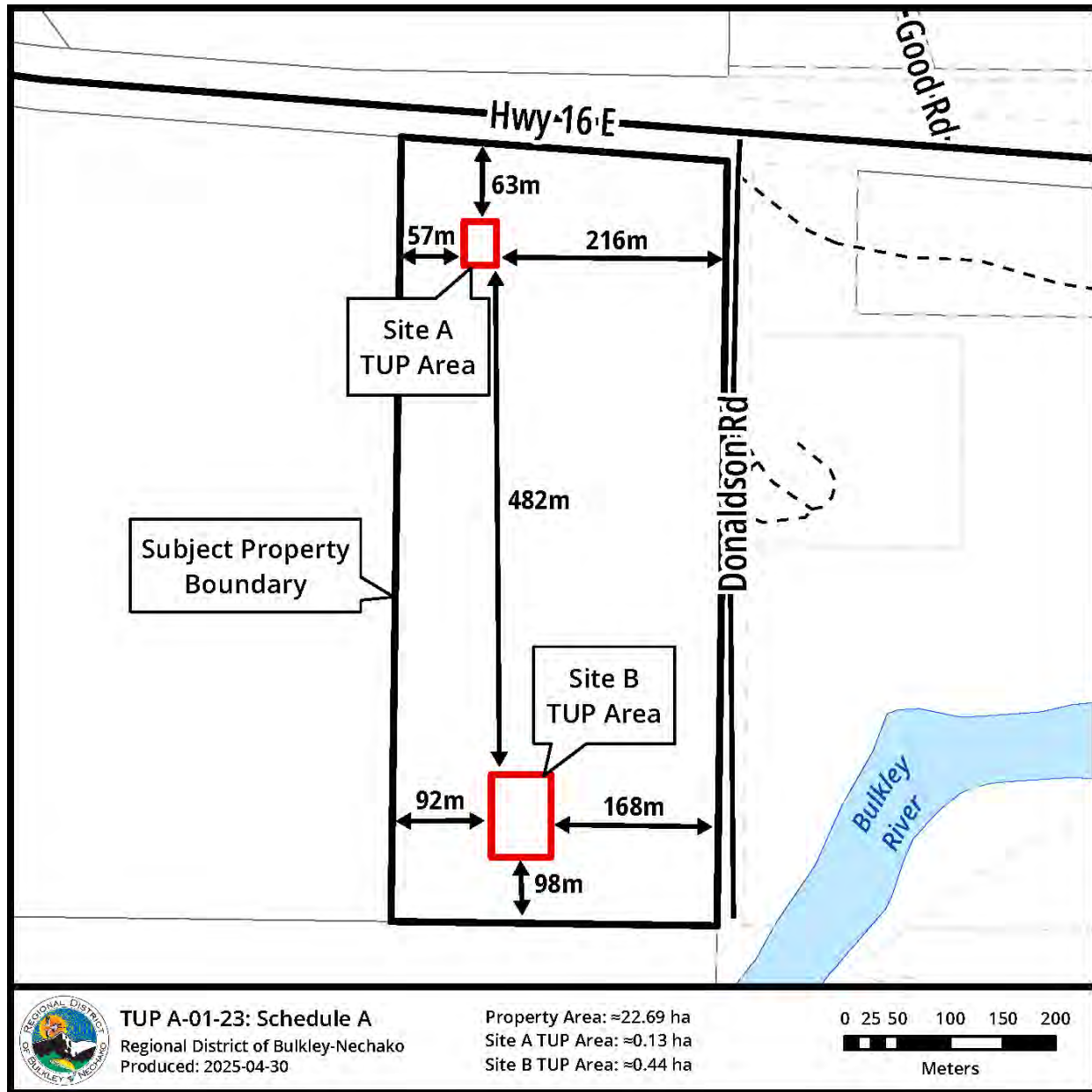
5. As a term of this permit the owner of the land must remove the wash plant and crushing unit from the land upon which the temporary use is occurring or has occurred within two months of the expiration date of this permit unless this permit is renewed by the Board.
6. This permit is not a building permit, nor does it relieve the owner or occupier from compliance with all other bylaws of the Regional District of Bulkley-Nechako applicable thereto, except as specifically varied or supplemented by this permit.

AUTHORIZING RESOLUTION passed by the Regional Board on the \_\_\_\_\_ day  
of \_\_\_\_\_, 2025.

PERMIT ISSUED on the \_\_\_\_ day of \_\_\_\_\_, 2025.

---

Corporate Administrator





**Advisory Planning Commission  
Meeting Minutes**

<b>Electoral Area A</b>	<b>Meeting Date: Monday April 7, 2024</b>	<b>Meeting Location: Virtually via Zoom</b>		
<b>Attendance</b>				
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <u>APC Members</u>  <input checked="" type="checkbox"/> Natalie Trueit-MacDonald  <input checked="" type="checkbox"/> Bob Posthuma  <input checked="" type="checkbox"/> Sandra Hinchliffe  <input type="checkbox"/> <del>Andrew Watson</del>  <input checked="" type="checkbox"/> Alan Koopman  <input type="checkbox"/> <del>Darren Jakubec</del> </td> <td style="width: 50%; vertical-align: top;"> <u>Electoral Area Director</u>  <input checked="" type="checkbox"/> Director Stoney Stoltenberg  <input type="checkbox"/> <del>Alternate Trevor Krisher</del>  <u>Other Attendees</u>  <input checked="" type="checkbox"/> Danielle Patterson, Senior Planner, RDBN  <input checked="" type="checkbox"/> Leigh Purnell (7:15pm)  <input type="checkbox"/>  <input type="checkbox"/> </td> </tr> </table>			<u>APC Members</u> <input checked="" type="checkbox"/> Natalie Trueit-MacDonald <input checked="" type="checkbox"/> Bob Posthuma <input checked="" type="checkbox"/> Sandra Hinchliffe <input type="checkbox"/> <del>Andrew Watson</del> <input checked="" type="checkbox"/> Alan Koopman <input type="checkbox"/> <del>Darren Jakubec</del>	<u>Electoral Area Director</u> <input checked="" type="checkbox"/> Director Stoney Stoltenberg <input type="checkbox"/> <del>Alternate Trevor Krisher</del> <u>Other Attendees</u> <input checked="" type="checkbox"/> Danielle Patterson, Senior Planner, RDBN <input checked="" type="checkbox"/> Leigh Purnell (7:15pm) <input type="checkbox"/> <input type="checkbox"/>
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Chairperson: Sandra Hinchliffe		Secretary: Natalie Trueit-MacDonald		
Call to Order: 7pm				
<b><u>Agenda</u></b>  7:00 pm            ALR 1278 7:15 pm            TUP A-01-23 (2 <sup>nd</sup> Referral) 7pm				
<p>Applications (Include application number, comments, and resolution)</p> <p>TUP A-01-23 The APC supports the application with an amendment to the crushing not beginning before 8am</p> <p>ALR1278 The APC supports the application. The APC especially supportive of the applicant preserving the historically high quality, high yielding hay field where they are permitted to erect two homes and wanting to build on the portion of the property that is not practicable for agricultural purposes.</p>				
Meeting Adjourned: 7:30pm		Secretary Signature: <i>NCTM-MacDonald</i>		

May 02, 2025

File: TUP-1-01-23

**EMAIL:** [Jason.llewellyn@rdbn.bc.ca](mailto:Jason.llewellyn@rdbn.bc.ca)

Jason Llewellyn, RPP, MCIP  
Director of Planning  
Regional District of Bulkley-Nechako,  
37 3<sup>rd</sup> Avenue / PO Box 820,  
Burns Lake, BC, V0J 1E0

Dear Jason Llewellyn,


**Re: Referral Response for Temporary Use Permit Application TUP A-01-23**

Thank you for the opportunity to provide comment on the Temporary Use Permit application TUP A-01-23, initiated by Leigh Norton, West Fraser Concrete Ltd., for the property legally described as Lot A, Section 4, Township 4, Range 5, Coast District, Plan 11348 Except Plan PRP14965 (PID 004-310-128).

Based on the referral request and the staff report shared with the Town, the Town has no concerns regarding the subject TUP application. With an intent to control dust and to limit the view of Site A from the highway, the Town suggest that the Applicant add vegetation along those areas of the property line abutting Highway 16 where it fails to meet the vegetation buffer requirements as required by the Sand and Gravel Permit from MEMLCI (Permit Number G-2-131; Mine Number 0200455) issued in 2014.

Should you have any questions on this letter, please contact the undersigned at 250-847-1600 or [dchandran@smithers.ca](mailto:dchandran@smithers.ca).

Sincerely,



Deepa Chandran  
Planner, Town of Smithers

CC: Mark Allan, Director of Development Services, Town of Smithers, [mallen@smithers.ca](mailto:mallen@smithers.ca)  
Danielle Patterson, Senior Planner, RDBN, [danielle.patterson@rdbn.bc.ca](mailto:danielle.patterson@rdbn.bc.ca)

## Referral Reports (2)





Planning Department Referral Report

File No. TUP A-01-23

Written By: Danielle Patterson, Senior Planner

**APPLICATION SUMMARY**

**Name of Agent/Owner:** Leigh Norton, West Fraser Concrete Ltd.

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

**Subject Property:** Lot A, Section 4, Township 4, Range 5, Coast District, Plan 11348 Except Plan PRP14965 (PID 004-310-128)

**OCP Designation:** Agriculture (AG) in the Smithers Telkwa Rural Official Community Plan, Bylaw No. 1704, 2014 (the OCP)

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

**ALR Status:** Within the ALR

**Existing Land Use:** Gravel Pit

**Location:** Near the intersection of Hwy 16 and Donaldson Road, about 2.3 km from the Village of Telkwa and 3.7 km from the Town of Smithers. To the north is Hwy 16 and a dairy farm. To the south is vacant land and the Bulkley River. To the west is a gravel pit and to the east is the Smithers/Telkwa Transfer Station and Recycling Depot.

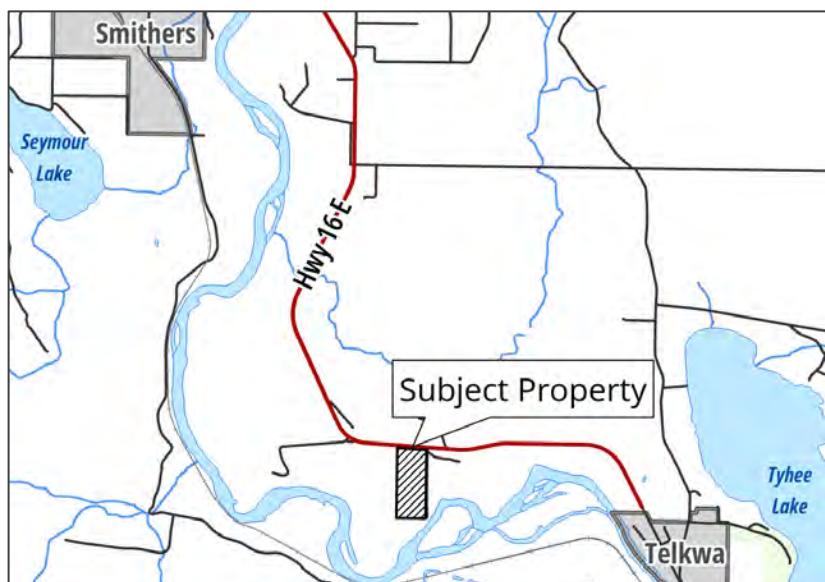
**Property Area:** 22.69 ha (56.06 ac)

**TUP Area:** Approximately 2.64 ha (~ 6.52 ac)

**Proposal:**

The applicant is requesting a three-year Temporary Use Permit (TUP) to the continued processing of aggregate on approximately 2.64 ha of the subject property.

The applicant proposes removing 6,000 m<sup>3</sup> (~7,8 50 yd<sup>3</sup>) of material from the subject property from March to December of each year. As



part of those operations, they want to operate a temporary crushing unit for up to 21 days per year between the hours of 7:00 am and 6:00 pm. No additional buildings or other structures are proposed to be constructed.

The property owner previously processed aggregate on the northern end of the subject property, which is now in the process of being reclaimed. The applicant states the new aggregate processing on the south end of the property is appropriate due to its location within a remote property and proximity to the property owner's local concrete plant, which would utilize this aggregate.

The lands are in the Agricultural Zone (Ag1), which does not permit aggregate processing, including crushing and screening; therefore, a TUP is required. Aggregate extraction cannot be regulated by the RDBN.

The mining proposal requires Agricultural Land Commission (ALC) approval and an amended Ministry of Energy, Mines and Low Carbon Innovation (MEMLCI) permit to continue operations.



## DISCUSSION

### Site Details

Planning staff performed a site visit of the TUP area, which has recently been cleared of trees in preparation for aggregate processing (see [link](#) for Site Visit Photos). The proposed processing area is level and sits at a lower elevation from the lands to the north, where a ridge forms at the boundary of the former landfill site. The TUP area lies within an area reasonably well screened by trees, except to the south towards the Bulkley River and some thin sections in the trees along the northwest side of the parcel. The south parcel boundary has some earthworks that act as a low berm. The TUP area is not visible from Highway 16 and has limited visibility from Donaldson Road. There is one gate for entering and exiting the subject property. There is a small storage structure on site and the applicant has been referred to Building Inspection to confirm whether the structure requires a building permit.

To the west of the subject property is a gravel pit. A total of four properties, including the application property and the Smithers/Telkwa Transfer Station and Recycling Depot are accessed from Donaldson Road. The nearest dwelling is approximately 400 m from the permit area, with four dwellings within 500 metres, and approximately 20 dwellings within 1 km.

### **Official Community Plan**

The subject property is designated Agriculture (AG) under the OCP. The intent of the designation is to preserve and encourage the utilization of land for agricultural purposes. OCP Policy 3.1.2(2) states “[t]he Provincial Ministry should ensure that agricultural lands used for aggregate extraction are adequately restored for agricultural purposes”. Additionally, OCP policies 3.1.2(6) states:

*“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”.*

### **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 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)."*

### **ALC and MEMCLI Processes**

In June 2023 the RDBN Board considered ALC Non-Farm Use (NFU) application 1253 for aggregate extraction and processing on the subject property (see [link](#) to ALR 1253 Board report). The Board recommended ALC approval and requested the ALC ensure appropriate phased remediation throughout the life of the gravel pit. The applicant informed staff that they have been working with the ALC to finalize the details of their application before final consideration by the ALC for their proposed use. While the proposed TUP area may need refined depending on the outcome of the ALC's decision, Planning Staff are comfortable moving the application to the referral stage as the general TUP location is not anticipated to change.

The property owner had an Amended Sand and Gravel Permit from MEMLCI (Permit Number G-2-131; Mine Number 0200455) issued in 2014 for the north end of the subject property, which is not part of the TUP proposal. Given this, the applicant requires an amendment to the permit to operate on the south end of the property, which includes the TUP area.

The existing permit requires a 5 m buffer to be maintained, lands to be remediated to an "agriculture" standard, and direction on working around watercourses. The applicant's existing reclamation plan includes mitigation measures for noise, dust, groundwater, invasive plants, erosion, and sediment control. Final reclamation use shall be for agriculture, examples including livestock grazing or crops such as alfalfa.

### **Referral and approval process**

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.

This application is being referred to Witset First Nation and the Office of the Wet'suwet'en, the Village of Telkwa, the Town of Smithers, and the Electoral Area A Advisory Planning Commission. Below are referral responses received for the associated ALC NFU application 1253 for aggregate extraction and processing.

The **Ministry of Agriculture and Food** provided the attached referral letter (see link).

The **Regional District Agriculture Coordinator** stated, *"this property has already been fundamentally altered from it's [sic] natural state as a function of the activities that have already occurred (the reclaimed landfill site and existing gravel removal operation). A portion of Site B has already been prepared for mining (i.e., logged and the topsoil stripped off and piled); prioritizing both the monitoring of invasive plant species establishment and spread, and protecting ground water quality from deleterious substances should be considered as both environmental impacts could affect the future agricultural use of this property."*

## **ATTACHMENTS**

- [Site visits photos \(link\)](#)
- [July 22, 2023 ALC 1253 Board report \(link\)](#)
- [Ministry of Agriculture and Foods referral letter \(link\)](#)



## REGIONAL DISTRICT OF BULKLEY-NECHAKO

Referral Report 2 of 2

### Planning Department Referral Report

File No. TUP A-01-23

Written By: Danielle Patterson, Senior Planner

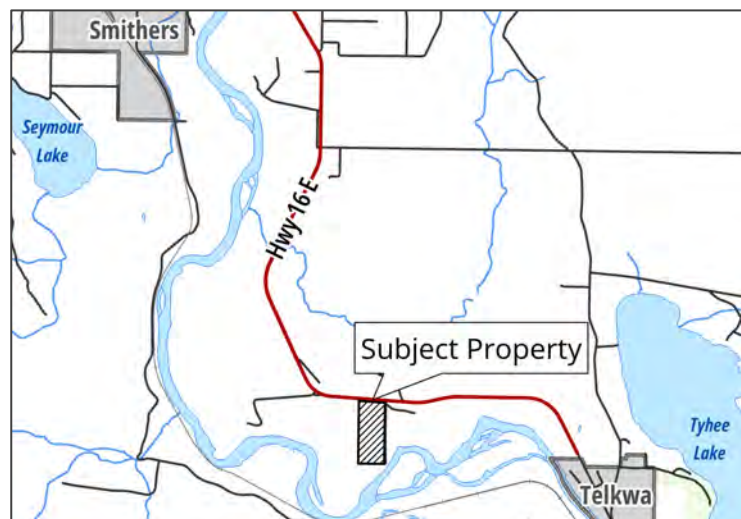
#### APPLICATION SUMMARY

<b>Name of Agent/Owner:</b>	Leigh Norton, West Fraser Concrete Ltd.
<b>Electoral Area:</b>	A (Smithers/Telkwa Rural)
<b>Subject Property:</b>	Lot A, Section 4, Township 4, Range 5, Coast District, Plan 11348 Except Plan PRP14965 (PID 004-310-128)
<b>OCP Designation:</b>	Agriculture (AG) in the Smithers Telkwa Rural Official Community Plan, Bylaw No. 1704, 2014 (the OCP)
<b>Zoning:</b>	Agricultural (Ag1) in the Regional District of Bulkley-Nechako Zoning Bylaw No 1800, 2020 (the Zoning Bylaw)
<b>ALR Status:</b>	Within the ALR
<b>Existing Land Use:</b>	Gravel Pit
<b>Location:</b>	Near the intersection of Hwy 16 and Donaldson Road, approximately 2.3 km from the Village of Telkwa and 3.7 km from the Town of Smithers. To the north is Hwy 16 and a dairy farm. To the south is vacant land and the Bulkley River. To the west is a gravel pit and to the east is the Smithers/Telkwa Transfer Station and Recycling Depot.
<b>Property Area:</b>	22.69 ha (56.06 ac)
<b>TUP Areas:</b>	<u>Proposed Site A:</u> approximately 1,300 m <sup>2</sup> (~13,995 ft <sup>2</sup> ) <u>Proposed Site B:</u> approximately 4,400 m <sup>2</sup> (~4,7360 ft <sup>2</sup> ) <u>Total:</u> Approximately 5,700 m <sup>2</sup> (~6,140 ft <sup>2</sup> )

#### Proposal:

The applicant is requesting a three-year Temporary Use Permit (TUP) to continue aggregate processing on two sites with areas of approximately 1,300 m<sup>2</sup> (shown as Site A) and 4,400 m<sup>2</sup> (shown as Site B) on the subject property. The combined areas are 5,700 m<sup>2</sup> (0.57 ha).

The applicant proposes removing 6,000 m<sup>3</sup> (~7,850 yd<sup>3</sup>) of material from the subject property during

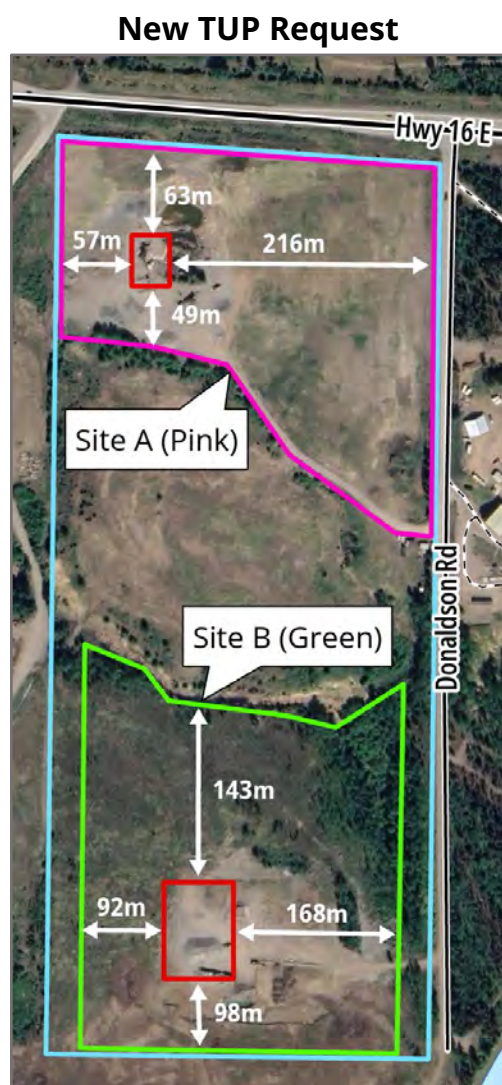




March to December of each year. As part of the operations, they want to operate a temporary crushing unit, a wash plant, and loader for up to 21 days per year between the hours of 7:00 am and 6:00 pm. No additional buildings or other structures are proposed to be constructed. This is a re-referral as the TUP area (location and size) has changed since the original 2024 referral request (see Discussion below for details).

The lands are in the Agricultural Zone (Ag1), which does not permit aggregate processing, including crushing, screening, and washing; therefore, a TUP is required. Aggregate extraction cannot be regulated by the RDBN.

The mining proposal recently received conditional Agricultural Land Commission (ALC) approval. An amended Ministry of Energy, Mines and Low Carbon Innovation (MEMLCI) permit to continue operations is an outstanding requirement.



- Two TUP sites (shown in red)
- Smaller total TUP area (0.57 ha)



- One TUP site (shown in red)
- Larger total TUP area (2.64 ha)

## DISCUSSION

### Site Details

Planning staff performed a site visit of the south end (Site B) TUP area in 2024. Site B is cleared of trees (see [link](#) for Site Visit Photos – Site B). The proposed processing area is level and sits at a lower elevation from the lands to the north containing a former landfill site. The Site B TUP area is reasonably well screened by trees, except to the south towards the Bulkley River and some thinning of trees along the northwest side of the parcel. The south parcel boundary has some earthworks that act as a low berm. The Site B TUP area is not visible from Highway 16 and has limited visibility from Donaldson Road. There is one gate for entering and exiting the subject property. There is a small storage structure on site.

The applicant provided photos of the existing wash pit and the wash plant of the north end (Site A) TUP area ([see link for Applicant Photos](#)). Staff took photos of Site A from Hwy 16 the surround side roads ([see link for Site Visit Photos – Site A](#)). While the wash plant has some tree coverage, the site is mostly visible from Highway 16 and the side roads.

To the west of the subject property is a gravel pit. A total of four properties, including the Smithers/Telkwa Transfer Station and Recycling Depot are accessed from Donaldson Road. The nearest dwelling is approximately 400 m from the permit area. There are four dwellings within 500 m, and approximately 20 dwellings within 1 km.

### Official Community Plan

The subject property is designated Agriculture (AG) under the OCP. The intent of the designation is to preserve and encourage the utilization of land for agricultural purposes. OCP Policy 3.1.2(2) states “[t]he Provincial Ministry should ensure that agricultural lands used for aggregate extraction are adequately restored for agricultural purposes”. Additionally, OCP policies 3.1.2(6) states:

*“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”.*

### **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 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).”*

### **ALC Process and Conditional Approval**

In June 2023 the RDBN Board considered ALC Non-Farm Use (NFU) application 1253 for aggregate extraction and processing on the subject property (see [link](#) to ALR 1253 Board report). The Board recommended ALC approval and requested the ALC ensure appropriate phased remediation throughout the life of the gravel pit.

In 2024 the applicant’s TUP request for the same property was sent out for referral. At the time, the applicant had requested a 2.64 ha TUP area on the south end (Site B) of the subject property for crushing and screening only. The property owner had a history of processing aggregate on the north end (Site A) of the property. Regardless, the applicant wanted to move all aggregate processing to the south end of the property due to its relatively remote location; its proximity to the property owner’s local concrete plant; and due to ongoing site remediation on the north end (Site A) of the subject property.

In December 2024, the ALC approved an alternative site plan for the applicant’s NFU application request, summarized as follows, with conditions:



- 10-year conditional approval requiring \$66,200 security to the ALC for reclamation.
- Reduced aggregate processing area.
- The applicant is required to keep the wash plant at the north end (Site A) of property, as the land is already disturbed at this site.
- Status reports to the ALC required every two years.
- Reclamation work is required to be overseen by a qualified registered professional.

Given this ALC approval, the applicant has modified their TUP request to include the wash plant and to include two smaller TUP areas rather than one larger TUP area. Planning staff are sending the proposal out for a limited re-referral given the proximity and visibility of proposed Site A from Highway 16 and the addition of the wash plant.

### **MEMCLI Process**

The property owner had an Amended Sand and Gravel Permit from MEMLCI (Permit Number G-2-131; Mine Number 0200455) issued in 2014 for the north end of the subject property, not include Site A. Given this, the applicant requires an amendment to the permit to operate on the south end of the property.

The existing permit requires a 5 m buffer to be maintained, lands to be remediated to an “agriculture” standard, and direction on working around watercourses. The wash pit used for aggregate processing is regulated through the MEMCLI permitting process.

The applicant’s existing reclamation plan includes mitigation measures for noise, dust, groundwater, invasive plants, erosion, and sediment control. Final reclamation use shall be for agriculture, examples including livestock grazing or crops such as alfalfa.

### **REFERRAL AND APPROVAL PROCESS**

#### **Approval Process**

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.

#### **Referral Responses**

##### Original TUP proposal in 2024

At their October 7, 2024 meeting, the Electoral Area A (Smithers/Telkwa Rural) Advisory Planning Commission (APC) recommended the proposal for approval.

The **Town of Smithers** stated they have no concerns with the proposal, given its distance from Town boundaries and that *“the proposed project’s impact on the residents [of Smithers] (arising from factors such as air quality, noise, traffic etc.) will be minimal.”*

### 2023 NFU Application 1253

Below are the referral responses for the associated ALC NFU application 1253 for aggregate extraction and processing.

The **Ministry of Agriculture and Food** provided the attached referral letter (see Attachments for link).

The **Regional District Agriculture Coordinator** stated, *“this property has already been fundamentally altered from it’s [sic] natural state as a function of the activities that have already occurred (the reclaimed landfill site and existing gravel removal operation). A portion of Site B has already been prepared for mining (i.e., logged and the topsoil stripped off and piled); prioritizing both the monitoring of invasive plant species establishment and spread, and protecting ground water quality from deleterious substances should be considered as both environmental impacts could affect the future agricultural use of this property.”*

### **Re-Referrals**

Given the addition of a TUP area at “Site A” for a washing plant close to Highway 16, the application is being re-referred to the Village of Telkwa, the Town of Smithers, and the Electoral Area A Advisory Planning Commission.

### **ATTACHMENTS**


- [July 22, 2023 ALC 1253 Board report \(link\)](#)
- [Site visits photos \(link\)](#) for Site B (near Bulkley River)
- [Applicant photos for Site A \(link\)](#)
- [Site visit photos \(link\) for Site A \(near Hwy 16\)](#)
- [Ministry of Agriculture and Foods referral letter \(link\)](#)

# Newspaper Advertisement



## Interior News

March 15, 2025 edition




"A WORLD OF OPPORTUNITIES WITHIN OUR REGION"

### Notice of Application for Temporary Use Permit

Notice is hereby given that the Board of Directors of the Regional District of Bulkley-Nechako (the Board) will be considering the issuance of a Temporary Use Permit (TUP) at a meeting to be held during business hours on Thursday, May 22, 2025 in the Regional District of Bulkley-Nechako Board Room, 37 3<sup>rd</sup> Avenue, Burns Lake, BC. Pursuant to Section 493 of the *Local Government Act*, the Board may allow temporary uses for a period of three years or less, renewable for up to another three years, through the issuance of a TUP by Board resolution.

The purpose of the TUP is to allow aggregate processing, including the use of a wash plant, on the subject property in accordance with the terms outlined in the TUP. The subject property, legally described as Lot A, Section 4, Township 4, Range 5, Coast District, Plan 11348 Except Plan PRP14965 is located approximately 2 km west of the Village of Telkwa, at the corner of Donaldson Road and Highway 16, across from the Smithers/Telkwa Transfer Station, as shown on the location map.

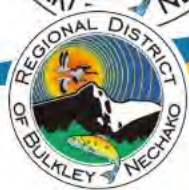
#### Location Map



All persons who deem their interests to be affected by this application may submit written submissions to the RDBN Office at 37 3<sup>rd</sup> Avenue, Burns Lake BC; by mail to PO Box 820 Burns Lake, BC V0J 1E0; or by e-mail to [planning@rdbn.bc.ca](mailto:planning@rdbn.bc.ca). Written submissions must be received by the RDBN no later than 4:30 pm on Tuesday, May 20, 2025 to ensure consideration by the Board.

A copy of the proposed TUP and additional information may be inspected at the RDBN office at 37 3<sup>rd</sup> Avenue, Burns Lake, between the hours of 8:30 am - 4:30 pm from Monday, May 12 to Thursday, May 22, 2025 (excluding weekends and statutory holidays) and online at [www.rdbn.bc.ca/departments/planning/public-meetings](http://www.rdbn.bc.ca/departments/planning/public-meetings). You may also call the Regional District of Bulkley-Nechako Planning Department at 250-692-3195 or toll free at 1-800-320-3339.

WWW.RDBN.BC.CA 1-250-692-3195  
INFO@RDBN.BC.CA 1-800-320-3339  
37 3RD AVE, PO BOX 820 BURNS LAKE, BC V0J 1E0



# Regional District of Bulkley-Nechako

1.3K followers • 62 following

Posted to Facebook 8:30 am  
May 12, 2025

Posts About Photos Videos

## Intro

A World of Opportunities Within Our Region

- Page · Government organization
- 37 3rd Avenue, Burns Lake, BC, Canada, British Columbia
- (250) 692-3195
- <https://www.youtube.com/@regionaldistrictofbulkley-6124>
- [rdbn.bc.ca](http://rdbn.bc.ca)

## Photos

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Regional District of Bulkley-Nechako

54m ·

## NOTICE OF CONSIDERATION

TUP A-01-23 to permit a Temporary Use Permit on subject property in accordance with the terms outlined in the TUP for up to three years.

Subject Property: Lot A, Section 4, Township 4, Range 5, Coast District, Plan 11348 Except Plan PRP14965, approx. 2 km west of the Village of Telkwa, at the corner of Donaldson Road and Highway 16 (not addressed).... See more



A WORLD OF OPPORTUNITIES WITHIN OUR REGION

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WWW.RDBN.BC.CA | 250-692-3195  
RDBN@RDBN.BC.CA | 1-800-320-3339  
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Like

Comment



Regional District of Bulkley-Nechako limited who can comment on this post.

# Referral Responses

In response to Referral Report 2 of 2

(last updated March 12, 2025)



**Advisory Planning Commission  
Meeting Minutes**

<b>Electoral Area A</b>	<b>Meeting Date: Monday April 7, 2024</b>	<b>Meeting Location: Virtually via Zoom</b>
<b>Attendance</b>		
<div style="display: flex; justify-content: space-between;"><div style="width: 48%;"><u>APC Members</u> <input checked="" type="checkbox"/> Natalie Trueit-MacDonald <input checked="" type="checkbox"/> Bob Posthuma <input checked="" type="checkbox"/> Sandra Hinchliffe <input type="checkbox"/> <del>Andrew Watson</del> <input checked="" type="checkbox"/> Alan Koopman <input type="checkbox"/> <del>Darren Jakubec</del></div><div style="width: 48%;"><u>Electoral Area Director</u> <input checked="" type="checkbox"/> Director Stoney Stoltenberg <input type="checkbox"/> <del>Alternate Trevor Krisher</del> <u>Other Attendees</u> <input checked="" type="checkbox"/> Danielle Patterson, Senior Planner, RDBN <input checked="" type="checkbox"/> Leigh Purnell (7:15pm) <input type="checkbox"/> <input type="checkbox"/></div></div>		
Chairperson: Sandra Hinchliffe		Secretary: Natalie Trueit-MacDonald
Call to Order: 7pm		
<b><u>Agenda</u></b>  7:00 pm      ALR 1278 7:15 pm      TUP A-01-23 (2 <sup>nd</sup> Referral) 7pm		
<p>Applications (Include application number, comments, and resolution)</p> <p>TUP A-01-23 The APC supports the application with an amendment to the crushing not beginning before 8am</p> <p>ALR1278 The APC supports the application. The APC especially supportive of the applicant preserving the historically high quality, high yielding hay field where they are permitted to erect two homes and wanting to build on the portion of the property that is not practicable for agricultural purposes.</p>		
Meeting Adjourned: 7:30pm	Secretary Signature: <i>NCTM-MacDonald</i>	



May 02, 2025

File: TUP-1-01-23

**EMAIL:** [Jason.llewellyn@rdbn.bc.ca](mailto:Jason.llewellyn@rdbn.bc.ca)

Jason Llewellyn, RPP, MCIP  
Director of Planning  
Regional District of Bulkley-Nechako,  
37 3<sup>rd</sup> Avenue / PO Box 820,  
Burns Lake, BC, V0J 1E0

Dear Jason Llewellyn,

**Re: Referral Response for Temporary Use Permit Application TUP A-01-23**

Thank you for the opportunity to provide comment on the Temporary Use Permit application TUP A-01-23, initiated by Leigh Norton, West Fraser Concrete Ltd., for the property legally described as Lot A, Section 4, Township 4, Range 5, Coast District, Plan 11348 Except Plan PRP14965 (PID 004-310-128).

Based on the referral request and the staff report shared with the Town, the Town has no concerns regarding the subject TUP application. With an intent to control dust and to limit the view of Site A from the highway, the Town suggest that the Applicant add vegetation along those areas of the property line abutting Highway 16 where it fails to meet the vegetation buffer requirements as required by the Sand and Gravel Permit from MEMLCI (Permit Number G-2-131; Mine Number 0200455) issued in 2014.

Should you have any questions on this letter, please contact the undersigned at 250-847-1600 or [dchandran@smithers.ca](mailto:dchandran@smithers.ca).

Sincerely,

Deepa Chandran  
Planner, Town of Smithers

CC: Mark Allan, Director of Development Services, Town of Smithers, [mallen@smithers.ca](mailto:mallen@smithers.ca)  
Danielle Patterson, Senior Planner, RDBN, [danielle.patterson@rdbn.bc.ca](mailto:danielle.patterson@rdbn.bc.ca)

# Public Submissions

(last updated March 20, 2025)



**From:** [RDBN Planning](#)  
**To:** [Danielle Patterson](#)  
**Cc:** [Jason Llewellyn](#)  
**Subject:** FW: Notice of application for TUP for aggregate processing facility at Donaldson Road  
**Date:** May 20, 2025 7:57:59 AM

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-----Original Message-----

From: [REDACTED]  
Sent: May 19, 2025 4:40 PM  
To: RDBN Planning <[planning@rdbn.bc.ca](mailto:planning@rdbn.bc.ca)>; RDBN Planning <[planning@rdbn.bc.ca](mailto:planning@rdbn.bc.ca)>  
Cc: Raymond Chipeniuk [REDACTED]  
Subject: Notice of application for TUP for aggregate processing facility at Donaldson Road

[EXTERNAL EMAIL] Please do not click on links on open attachments from unknown sources.

Board of Directors  
Regional District of Bulkley-Nechako  
PO Box 820  
Burns Lake, B.C. V0J 1E0

Dear Directors:

My wife Sonia Sawchuk and I write in response to your legal notice "Notice of Application for Temporary Use Permit" published in the Smithers Interior News on May 15. We live at 9483 Tatlow Road, on the SW1/4 of Section 33, directly across the Bulkley River and within a few hundred metres of the proposed aggregate processing operations. "R" on the Google Earth image marks our residence.

We are strongly opposed to the granting of any TUP for an aggregate processing facility on this site UNLESS CRUSHING IS ENCLOSED WITHIN A SOUND-REDUCTION STRUCTURE of the kind in place in Hinton, Alberta and other sensitive locations in B.C. and Alberta. We are both nearing 80 years old and even the existing gravel crushing near the proposed site wakes us up at 6:00 AM, destroys our peace and quiet throughout the working day, and prevents us from entertaining guests. Several years ago we had contractors install special soundproofing in our walls, but Donaldson area mining and aggregate crushing noise still penetrates our entire house. As Directors are probably well aware, noise harms human health and industrial noise lowers property values.

We realize the Regional District is in a difficult position, since it was the Government of British Columbia which permitted aggregate mining near the Donaldson Road site in the first place. We made representations to the ministry at the time the mining permit was about to be issued, but they went nowhere because the "planning" officials were geologists with not the least understanding of regional planning or rural residential economics.

Directors may wish to ask the proponents what measures they have considered for masking the noise of their operations. Some options are quite cheap compared with the costs imposed on nearby residents.

Thank you for your attention.

Raymond Chipeniuk  
(and for Sonia Sawchuk)

Ph. [REDACTED]





Yellowhead Hwy

Bulkley River

Bulkley River

Tatlow

R

Image © 2025 Airbus

3229 ft

Google Earth

1985

Imagery Date: 5/26/2023 54°42'33.20" N 127°06'08.31" W elev 1615 ft eye alt 15969 ft