

# STAFF REPORT TO COUNCIL

1100 Patricia Blvd. | Prince George, BC, Canada V2L 3V9 | www.princegeorge.ca

**DATE:** September 19, 2019

**TO:** **MAYOR AND COUNCIL**

**NAME AND TITLE:** Ian Wells, General Manager of Planning & Development

**SUBJECT:** Temporary Use Permit Application No. TU000051

Applicant: PG Rock and Gravel Ltd., Inc. No. BC1204621  
Location: 5027 Sandberg Road

**ATTACHMENT(S):**

- Location and Existing Zoning Map
- Temporary Use Permit No. TU000051

**RECOMMENDATION:**

THAT Council APPROVE Temporary Use Permit No. TU000051 for the property legally described as Lot A, District Lot 4054, Cariboo District, Plan 15023.

**PURPOSE:**

The applicant, PG Rock and Gravel Ltd., has recently purchased 5027 Sandberg Road (subject property). In order to allow business operations to occur on the subject property, the applicant has applied for a Temporary Use Permit (TUP) to allow light industrial uses (i.e. fleet service, equipment major and contractor service major) for three (3) years. The property is currently zoned AG: Greenbelt and AF: Agricultural and Forestry, which does not permit light industrial uses. As per the *Local Government Act*, Temporary Use Permit (TUP) can allow a use not permitted by a Zoning Bylaw.

**Background**

Site Characteristics

Location	5027 Sandberg Road
Current Use	Gravel and Aggregate Extraction
Site Area	2.0 ha (4.96 acres)
Zoning	AG: Greenbelt and AF: Agriculture and Forestry

Official Community Plan Bylaw No. 8383, 2011

Future Land Use	Rural, Rural Resource
Growth Management Class	Rural Resource

Surrounding Land Use

North	Light Industrial (Timber West Construction Ltd. and CIF Construction Ltd.); Otway Road
South	Gravel Extraction
East	Heavy Industrial uses (Asphalt Plant) and Otway Road
West	Gravel Extraction

## POLICY/REGULATORY ANALYSIS:

A Temporary Use Permit (TUP) is a tool to allow a short-term use that does not comply with the Zoning Bylaw. As per the *Local Government Act*, a TUP may be issued for a maximum of three (3) years, and may only be renewed once for an additional three (3) years. Following the expiration of the proposed TUP, the applicant must apply for a Zoning Bylaw amendment, cease the use, or relocate to a property that supports the proposed uses.

### **Official Community Plan**

The subject property is designated as 'Rural Resource' on *Schedule B-6: Future Land Use* and 'Aggregate Resource' on *Schedule B-7: Aggregate Resources* as per the Official Community Plan (OCP). The Rural Resource designation includes areas used for agriculture, forestry and resource extraction activities that are important in the long-term health of the regional economy.

The issuance of Temporary Use Permits can be considered in all Official Community Plan designations within the city, and allows a short term use that does not comply with the Zoning Bylaw. The OCP also provides criteria for evaluating a temporary use proposal. Administration has considered these criteria in the "Zoning Bylaw" section below.

### **Zoning Bylaw**

The subject property is currently zoned AG: Greenbelt and AF: Agriculture and Forestry. The intent of the AG: Greenbelt zone is primarily to preserve sensitive lands in a natural state. This includes lands with characteristics such as steep slopes, poor drainage, flooding or other hazards, unique scenic values, significant vegetation, and wildlife habitat by providing for a limited range of uses with regulations that maintain lot sizes of at least 15.0 ha within rural areas.

The intent of the AF: Agriculture and Forestry zone is to conserve and manage agricultural and forestry land by providing for a compatible range of uses with regulations that maintain parcels of at least 15.0 ha. The applicant has applied for a TUP to allow fleet service, equipment major and contractor service major uses on the subject property located at 5027 Sandberg Road as these uses are not permitted in the AG and AF zones.

The applicant has applied for a TUP in order to facilitate light industrial uses on the subject property. Please see Administration's consideration of the proposed land use below:

#### Compatibility of Adjacent Uses

The subject property is located within an area of M1: Light Industrial and M7: Concrete and Asphalt zoned properties along Otway Road. The proposed TUP for industrial uses (i.e. fleet service, contractor, major and equipment major) are permitted in the M1 zone, which is already occurring north of the subject property. Further to this, there are heavier industrial uses (i.e. Asphalt Plant) occurring directly east of the subject property.

As this use is similar to other industrial related uses in the area, Administration believes this application will not impact the adjacent properties.

#### Impact on Natural Environment

A small portion (443 m<sup>2</sup>) of the property is located within the Groundwater Protection Development Permit area. The intent of the Groundwater Protection area is to protect well heads and aquifers from incompatible development that may lead to contamination of the City's potable water supply. By regulating development within capture zones the City may reduce the potential risk of contamination. Any new construction or development on the subject property within the Groundwater Protection area will trigger a development permit.

#### Intensity of Proposed Use

The subject property was previously used as a gravel and aggregate extraction operation. Aggregate removal operations are often associated with negative impacts such as noise and vibration, traffic, air quality, drainage and aesthetics. The applicant is working with Administration on a Soil Removal and Deposit Permit to ensure noise, vibration, traffic, air quality, drainage and aesthetics are mitigated through professional reporting.

The applicant will also apply for a future Rezoning and Official Community Plan amendment application. During the application process Administration will conduct public notification to surrounding property owners of the long-term use of this property for PG Rock and Gravel Ltd. Administration typically requests a Traffic Brief and other technical studies to help inform Council, Administration and residents on certain land use issues.

Moreover, the existing resource extraction use is already a permitted use on the subject property. The least impactful consideration of this business would be the storage and maintenance of fleet on-site, and establishing PG

Rock and Gravel Ltd. business administration on the subject property. Therefore, Administration is supportive of this application.

#### Inability to Conduct Proposed Use Elsewhere

The applicant has actively been working with Administration on bringing the property into compliance with City Bylaws (i.e. Zoning Bylaw and Soil Removal Permitting). The site has a 'purpose built' structure for light industrial uses, and the applicant has purchased the adjacent properties (south and west) to the subject property for aggregate extraction.

As the applicant will conduct resource extraction activities on the adjacent lots, the subject property is critical to the resource extraction operations for business administration and fleet storage. Therefore, Administration is supportive of this application.

#### **OTHER CONSIDERATIONS:**

##### **Referrals**

This application was referred to internal City divisions and external agencies for comments.

##### **Notification to Adjacent Property Owners**

As per the requirements set out in the *Local Government Act*, the City of Prince George will provide a delivery of notice to adjacent property owners whose interests may be affected by this temporary use.

#### **ALTERNATIVES:**

1. Approve the permit
2. Approve the permit as amended
3. Refuse the permit
4. Defer or otherwise deal with the permit

Administration recommends that Temporary Permit No. TU000051 be approved.

#### **SUMMARY AND CONCLUSION:**

Administration recommends that Council approve the applicant's request for a TUP allowing light industrial uses such as fleet service, contractor service, major and equipment, major use on subject property for up to three (3) years.

#### **RESPECTFULLY SUBMITTED:**



---

Fred Crittenden, Manager of Bylaw Services/  
Acting General Manager of Planning and Development

**PREPARED BY:** Melissa Nitz, Planner 1

#### **APPROVED:**



---

Kathleen Soltis, City Manager  
Meeting date: October 7, 2019