

STAFF REPORT TO COUNCIL

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

DATE: December 4, 2020

TO: MAYOR AND COUNCIL

NAME AND TITLE: Ian Wells, Acting Deputy City Manager

SUBJECT: Soil Removal and Deposit Designation Application No. SR000019 (Bylaw No. 9102)

Applicant: R.Radloff & Associates for Coyote Transport Ltd., Inc. No. 0795252
Location: 4117 Northwood Pulpmill Road

ATTACHMENT(S): Location and Existing Zoning Map
Appendix "A" to Bylaw No. 9102
Haul Route Mapping

RECOMMENDATION(S):

THAT Council:

1. GIVES First and Second Reading to "City of Prince George Soil and Removal Deposit Bylaw No. 9030, 2019, Amendment Bylaw No. 9102, 2020" to designate a portion of the NW ¼ of District Lot 4041, Cariboo District, Except Plans 14790, 15755, 16737, 17194, 19160, 24178 and PGP39029, as shown on Appendix "A" to Bylaw No. 9102, 2020; and
2. PERMITS that consideration of Final Reading of proposed Bylaw No. 9102, 2020 BE WITHHELD until the following requirements have been met to the satisfaction of Administration:
 - a. Receipt of a No Build and No Disturbance Section 219 Covenant on the legal title of NW ¼ of District Lot 4041, Cariboo District, Except Plans 14790, 15755, 16737, 17194, 19160, 24178 and PGP39029.

PURPOSE:

The property owner would like to amend Schedule "A" of the Soil Removal and Deposit Bylaw No. 9030, 2019 to include a 12.5 ha portion at 4117 Northwood Pulpmill Road (subject property), as shown on Appendix "A" to Bylaw No. 9102, 2020. This application would facilitate the property owner to apply for a long term soil removal permit for removal of approximately 687,500 m³ of material from this site.

Site Characteristics

Location	4117 Northwood Pulpmill Road
Legal Description	NW ¼ of District Lot 4041 Cariboo District, Except Plans 14790, 15755, 16737, 17194, 19160, 24178 and PGP39029
Current Use	AG: Greenbelt zoned property
Site Area	43.9 ha

Zoning (see Appendix “A” to Bylaw No. 9102)

Current Zoning	AG: Greenbelt
----------------	---------------

Official Community Plan No. 8383, 2011

Future Land Use	Rural Resource
Growth Management Class	Rural Resource
Aggregate Resources	Conditional and Prohibited
Development Permit Area	Riparian Protection Development Area

Surrounding Land Use Table

North	AG: Greenbelt zoned property
South	Noranda Road; C4I: Local Commercial zone and AF: Agricultural and Forestry zoned properties
East	Northwood Pulpmill Road and AF: Agriculture and Forestry zoned properties
West	AG: Greenbelt zoned property and RS1m: Suburban Residential zoned property

POLICY / REGULATORY ANALYSIS:

Soil Removal and Deposit Bylaw No. 9030, 2019 (Soil Bylaw)

Soil removal and deposit activities within Prince George are regulated by the Soil Removal and Deposit Bylaw No. 9030, 2019. Schedule “A” of the bylaw identifies properties where long term soil removal and deposit operations are permitted. These lands are referred to as a designated Soil Removal or Deposit Area, which permits the extraction or deposit of 25,000 m³ or more in volume under a long-term permit.

Areas designated as Soil Removal and Deposit Areas, on Schedule “A” of the Soil Bylaw require a Soil Removal or Deposit Permit. During the permitting stage, Administration would review site access, hauling routes, buffer between the subject property and residential uses, sediment and erosion control, drainage, dust and noise abatement, site reclamation and operating conditions (i.e. hours of operation).

Official Community Plan Bylaw No. 8383, 2011

Schedule B-6: Future Land Use

The subject property is designated as ‘Rural Resource’ in Schedule B-6: Future Land Use of the Official Community Plan. This designation includes area used for agriculture, forestry and resource extraction activities that are important in the long-term health of the regional economy. It also encompasses natural open spaces, environmentally sensitive areas and natural areas in which development is restricted or prohibited. The City should restrict residential, commercial and industrial except resource extraction growth in the rural resource areas (Policy 8.1.19).

The proposed Soil Removal and Deposit Designation is consistent with the Rural Resource designation. Typically, areas that have resource extraction or deposit activities have a long term focus on preparing the land for another use in the future (e.g. residential). In order to facilitate future uses on the subject property, an OCP amendment and Rezoning application would be required for the subject property.

Schedule B-7: Aggregate Resources

Schedule B-7 of the OCP indicates the approximate location and area of aggregate deposits that are suitable for removal (i.e. permitted, conditional and prohibited). The objectives of the schedule is to ensure responsible aggregate removal and deposit, work toward a coordinated approach to aggregate removal and deposit regulation (e.g. Province of British Columbia, stakeholders and local residents). The subject property is split designated as “Conditional” and “Prohibited” for aggregate resource as per Schedule B-7.

Aggregate Resource Conditional

As indicated above, the 12.5 ha portion proposed for soil removal and deposit operation of the subject property is designated as ‘Conditional’ for aggregate resource extraction. The ‘Conditional’ designation may be considered for aggregate operations provided the applicant submits an assessment that demonstrates that impacts can be practically alleviated until adequate mitigation measures are in place and the aggregate operations are permitted by a Soil Removal and Deposit permit issued under the Soil Bylaw (Policy 8.4.5).

The applicant has submitted an evaluation by McElhanney Ltd. and Triton Environmental Consultants that outlines mitigation measures for the potential impacts soil removal activities may have on the riparian area adjacent to McMillan Creek. The implementation of the mitigation measures will be reviewed and detailed further at the soil permit stage.

Aggregate Resource Prohibited

In addition to the area identified above as ‘Conditional’ for aggregate resource, there is a portion of the subject property that is designated as ‘Prohibited’ for aggregate resource extraction. This area matches the Riparian Protection Development Permit area (shown on Appendix “A” to Bylaw No. 9102). This designation identifies that future aggregate removal and deposit areas should not occur on lands designated as “Prohibited”. “Prohibited” areas are typically within 500 metres of existing and future urban land uses, groundwater protection areas and other environmentally sensitive areas (Policy 8.4.4).

Schedule D-2: Riparian Protection Development Permit Area

Schedule D-2 of the OCP indicates a portion of the subject property is within the Riparian Protection Development Permit area. Riparian Protection Development Permit areas are areas of land and vegetation adjacent to watercourses that provide a range of important functions, including fish and wildlife habitat, erosion and sediment control, flood protection and overall stream bank stability. Soil removal and deposit is prohibited within Riparian Protection Development Permit areas. The portion of the subject property that is proposed to be designated for soil removal is outside of the Riparian Protection Development Permit area.

Zoning Bylaw No. 7850, 2007

The subject property is zoned as AG: Greenbelt, the intent of the AG zone is 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 limited range of uses with regulations that maintain lot sizes of at least 15.0 ha within rural areas.

The applicant has identified a 12.5 ha specific area of the subject property, they wish to have included under the Soil Removal and Deposit Designation (see Appendix “A” to Bylaw No. 9102).

Land Use Impacts

The subject property is in close proximity to residential uses along Noranda Road, Bellamy Road and Northwood Pulpmill Road. Aggregate removal and deposit operations are often associated with negative impacts such as noise and vibration, traffic, visual impacts, drainage and eco systems impacts.

Noise and Vibration

The subject property is located approximately 100 m from residential uses to the south and east of the proposed Soil Designation area. In order to mitigate potential impacts from noise and vibration, the Soil Bylaw regulates a buffer of 50 metres shall be maintained around the subject property and construction of a berm on the subject property. The above regulations are to ensure that the noise and vibration impacts are mitigated through the use of a 50 metre buffer from the property boundaries and a berm to screen the operations from residential uses.

Traffic Impacts

As part of the designation process, the applicant has provided that the haul route will be Northwood Pulpmill Road and Highway 97, as shown on the attached Haul Route Mapping. The applicant has confirmed that there will be no truck traffic on Noranda Road.

OTHER CONSIDERATIONS:

Public Consultation

As of the date of this report, the applicant is conducting public consultation to the surrounding neighbourhood properties within 250 metres of the subject property by mail outs. The consultation period is expected to conclude by December 11, 2020. The comments received through the applicants public consultation will be provided to Council prior to the Public Hearing.

Referrals

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

Section 219 Covenant

The applicant has offered to provide a Section 219 Covenant for a No Build and No Disturbance on the subject property until a Soil Removal Permit issued as per Soil Removal and Deposit Bylaw No. 9030, 2019. In addition, the Riparian Protection Development Permit area is to remain undisturbed and no encroachment of soil operations will be permitted for the proposed soil removal activities and land alteration.

Administration recommends that Final Reading of Bylaw No. 9102 be withheld until a Section 219 Covenant is submitted to Administration's satisfaction and is registered on the title of the subject property.

Soil Removal and Deposit Permit

If Council approves this application, an application for a Long Term Soil Removal and Deposit Permit will be required. Through the permit application process, a more detailed assessment of the soil removal operations will be required from the applicant to ensure consistency and compliance with the Soil Bylaw.

ALTERNATIVES:

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

Administration recommends that Bylaw No. 9102, 2020 be approved.

SUMMARY AND CONCLUSION:

The applicant has applied to amend Schedule “A” to Soil Removal and deposit Bylaw No. 9030, 2019 to designate a 12.5 ha portion of the subject property as an area for a Soil Removal and Deposit designation. As the application is consistent with the Official Community Plan, Administration is supportive of this application.

RESPECTFULLY SUBMITTED:

Ian Wells, Acting Deputy City Manager

APPROVED:

Walter Babicz, Acting City Manager

Meeting Date: 2020/12/21