



Planning Application Information Sheet

Application Type: Temporary Use Permit

File Number: 3070-20/20210051

Electoral Area: A

Date of Referral: September 08, 2021

Date of Application: August 26, 2021

Property Owner's Name(s): 1171479 B C LTD

Applicant's Name: Keith Evans - 0822198 BC Ltd.

SECTION 1: Property Summary

Legal Description(s): Lot 16, District Lot 3140, Cariboo District, Plan 19778

Property Size(s): 0.2 ha (0.5 ac.)

Area of Application: 0.2 ha (0.5 ac.)

Location: 1265 Sam Toy Avenue

Current Designation:

Heavy Industrial

Min. Lot Size Permitted:

N/A

Current Zoning:

Special Exception General Industrial (M 2-3)

Min. Lot Size Permitted:

1,600 sq. m (17,223 sq. ft.)

Proposal: Temporary restaurant and distillery with a patio for dining.

Existing Buildings: Warehouse

Proposed Buildings: Renovations to the existing building

Road Name: Sam Toy Avenue

Road Type: Paved

Within the influence of a Controlled Access Highway: Cariboo HWY 97 S

Services Available: Hydro, Telephone, Community Sewer System, Well

Within the confines of the Agricultural Land Reserve: No

Required to comply with the Shoreland Management Policy:

Name of Lake/Contributing River: N/A

Within Development Permit Area: Yes

Development Permit Area Name: Highway 97 Corridor Development Permit Area

Adjoining Properties: (Source: B.C.A.A.)

	Land Use:	Lot Sizes:
(a) North	038 Manufactured Home (Not In Manufactured Home Park)	0.2 ha (0.49 ac.) - 0.32 ha (0.79 ac.)
(b) South	200 Store(S) And Service Commercial	0.4 ha (0.99 ac.) - 1.21 ha (2.99 ac.)
(c) East	000 Single Family Dwelling	0.17 ha (0.42 ac.) - 0.4 ha (0.99 ac.)
	001 Vacant Residential Less Than 2 Acres	0.17 ha (0.42 ac.)
(d) West	200 Store(S) And Service Commercial	0.63 ha (1.56 ac.)

PLANNING COMMENTS

Background:

A temporary use has been proposed on a 0.2 ha (0.5 ac.) property at 1265 Sam Toy Avenue in South Quesnel to allow for a distillery and restaurant. The proposal includes a 98.8 sq. m (1,063.5 sq. ft.) patio for outdoor dining. The distillery and restaurant will be located within an existing 115.9 sq. m (1,247.5 sq. ft.) building. Adequate parking spaces will be supplied for customers and staff of the restaurant. These plans are shown in Appendix C.

Currently, the subject property is designated Heavy Industrial in the Quesnel Fringe Area Official Community Plan Bylaw No. 4844, 2014 and the subject property is currently zoned Special Exception M 2-3 in the Quesnel Fringe Area Zoning Bylaw No. 3504, 1999. This zone does not permit for food or beverages to be prepared or served. Therefore, the applicants have requested a temporary use permit to allow for a restaurant and distillery.

Location and Surrounding:

The subject property is located at 1265 Sam Toy Avenue in Quesnel, located within the influence of Cariboo Highway 97 S as shown in Appendix B. The property is mostly gravel and is surrounded by commercial uses on the properties adjacent to it on Sam Toy Avenue and Chew Road fronting the Cariboo Highway 97 S towards the south and west. Residential uses occur immediately east across Sam Toy Avenue from the property.

Previous Applications

A rezoning and official community plan amendment bylaw was started for the same project earlier in 2021 and received first reading before the applicants chose to withdraw and apply for a temporary use permit. This path was taken to retain the existing special exception zone and provide the landowners flexibility in their long-term planning for the site.

The special exception zone on the property was adopted in 2018 to legalize the existing use as a scrap metal and salvage material recycling depot. This recycling processing use was added as an additional use to the existing General Industrial (M 2) zone of the site. (3360-20/20170036)

CRD Regulations and Policies:

Quesnel Fringe Area Official Community Plan Bylaw No. 4844, 2014

13.4 TEMPORARY USE PERMITS

13.4.1 The Regional District will consider issuing temporary use permits throughout the plan area.

13.4.2 The Regional District requires an applicant for a temporary use permit to adhere to the following general conditions.

- the use must be clearly temporary or seasonal in nature;
- does not cause undesirable health, safety or environmental impacts;
- does not have a negative impact on adjacent lands;
- has a low demand for water and sewer services;
- does not permanently alter the site upon which it is located, and
- complies with all conditions specified by the Board in the Temporary Use Permit.

13.4.3 The Regional District may require as a condition of issuing the permit that the owner of the land provides security to guarantee the performance of the terms of the permit.

Rationale for Recommendations:

Planning staff have no objections to the requested temporary use application, with conditions. Much of the surrounding properties are designated Highway Service Commercial and provides precedent for this use in the area. The Quesnel Fringe Area Official Community Plan is supportive of food service uses which complement the residential neighbourhoods to the east of the subject property, as well as hotel uses located along the Highway 97 Corridor both in Cariboo Regional District Electoral Area 'A' and in the City of Quesnel.

Planning staff recognize that the property has a history of scrap metal and salvage metal recycling. This use is not compatible with the food service uses proposed. Approval of the temporary use permit will require a cessation of non-compatible industrial uses until the permit expires or is removed from the property.

Planning staff note that the proposal will be connected to the Cariboo Regional District Red Bluff Sewer System. Cariboo Regional District Environmental Services reports that current practices within the fermentation sector are a concern because of high-strength organic waste generation. Some potential fermentation waste factors can include the following: chemical (or biochemical) oxygen demand (COD or BOD), total suspended solids or total dissolved solids, salts such as sodium, calcium, magnesium, and potassium, salinity (electrical conductivity), nutrients such as nitrogen and phosphorus, acidity or alkalinity, or dissolved oxygen levels. Approval is recommended subject to conditions. The applicant must conduct a hydraulic analysis to assure future capacity of the Red Bluff Sewer System to handle physical flows and potential chemical occurrences associated with fermentation. The applicant must ensure connection to the Red Bluff Sewer System.

The Advisory Planning Commission (APC) was unable to meet quorum, but the attending members did support the application.

The Ministry of Transportation and Infrastructure (MOTI) has no objection in principle to the temporary permit but requires the following conditions be met. MOTI requires that all structures, including patios, must be placed at least 4.5 metres (15 feet) from the road right of way, that a Commercial Access Permit is required to be submitted to the Ministry, and that a Traffic Impact Study be required if the applicant anticipates the proposed development generates more than 100 trips/visits per day.

The Northern Health Authority has also provided comments and has no objection to the approval of this temporary use permit.

Further, the subject property is located within the Highway 97 Corridor Development Permit (DP) Area under the Quesnel Fringe Area OCP which regulates the form and character of commercial and light industrial developments along the highway. Therefore, a Development Permit will be required for external modifications, including landscaping the site, and constructing the patio

area. It is noted that the property is within a Cariboo Regional District Building Inspection Service Area and will require a building permit for applicable improvements.

Recommendation:

That the application pertaining to Lot 16, District Lot 3140, Cariboo District, Plan 19778 requesting the issuance of a Temporary Permit to allow the subject land and buildings thereon be used for a restaurant and distillery with a patio for dining, be considered for approval in principle as per Appendix “B”, subject to the following:

- 1) The Temporary Use on the property, a restaurant and distillery, must not occur in combination with any other permitted non-residential use contained within the M 2-3 zone.
- 2) An approved Commercial Access Permit must be received from the Ministry of Transportation and Infrastructure.
- 3) Distillery use must not occur until a satisfactory report is received from a qualified professional assuring that the physical and chemical occurrences associated with distilling and fermentation will not negatively impact the Red Bluff Sewer System, including sewage treatment facilities.
- 4) Any construction and facilities associated with the restaurant use, including commercial kitchen, distilling equipment, and patio must be removed prior to the expiry of this permit.

Further, that Section PL 6.1 of the Cariboo Regional District Policy Manual be waived with respect to a security deposit and undertaking of a rezoning application prior to permit expiry.

And, that a public information meeting be scheduled.

REFERRAL COMMENTS

Health Authority: September 9, 2021

Northern Health has no objections to this proposal.

Ministry of Transportation and Infrastructure: September 9, 2021

EDAS: 2021-04910

Thank you for providing the above noted referral package for a Temporary Use Permit of a restaurant/distillery with patio and giving the Ministry an opportunity to provide comments.

The Ministry of Transportation and Infrastructure have no objections in principle to the proposed temporary use permit for a restaurant/distillery with patio located at 1265 Sam Toy Avenue subject to conditions outlined below.

- All structures must be placed at least 4.5 metres from the road right of way, including patios.
- Commercial Access Permit application is required to be submitted to the Ministry of Transportation & Infrastructure.
- Traffic Impact Study may be required if the applicant anticipates the proposed development to generate more than 100 trips/visits per day.

Advisory Planning Commission: September 23, 2021

See attached.

Ministry of Environment and Climate Change Strategy:

No response

CRD Environmental Services Department: September 16, 2021

See attached.

CRD Chief Building Official: October 13, 2021

Building permit required for proposed renovations. All requirements of the BCBC will apply to the temporary restaurant, distillery, and patio. BP plan review has been completed and is ready for issuance.

BOARD ACTION

October 22, 2021:

That the application pertaining to Lot 16, District Lot 3140, Cariboo District, Plan 19778, requesting the issuance of a Temporary Permit to allow the subject lands and buildings thereon be used for a restaurant and distillery with a patio for dining, be approved, in principle, as per Appendix "B" Site Plan, subject to the following:

1. The Temporary Use on the property, a restaurant and distillery, must not occur in combination with any other permitted non-residential use contained within the M 2-3 zone.
2. An approved Commercial Access Permit must be received from the Ministry of Transportation and Infrastructure.
3. Distillery use must not occur until a satisfactory report is received from a qualified professional assuring that the physical and chemical occurrences

associated with distilling and fermentation will not negatively impact the Red Bluff Sewer System, including sewage treatment facilities.

4. Any construction and facilities associated with the restaurant use, including commercial kitchen, distilling equipment, and patio must be removed prior to the expiry of this permit.

Further, that Section PL 6.1 of the Cariboo Regional District Policy Manual be waived with respect to a security deposit and undertaking of a rezoning application prior to permit expiry.

Further, that a public information meeting be scheduled.

ATTACHMENTS

Appendix A: General Map

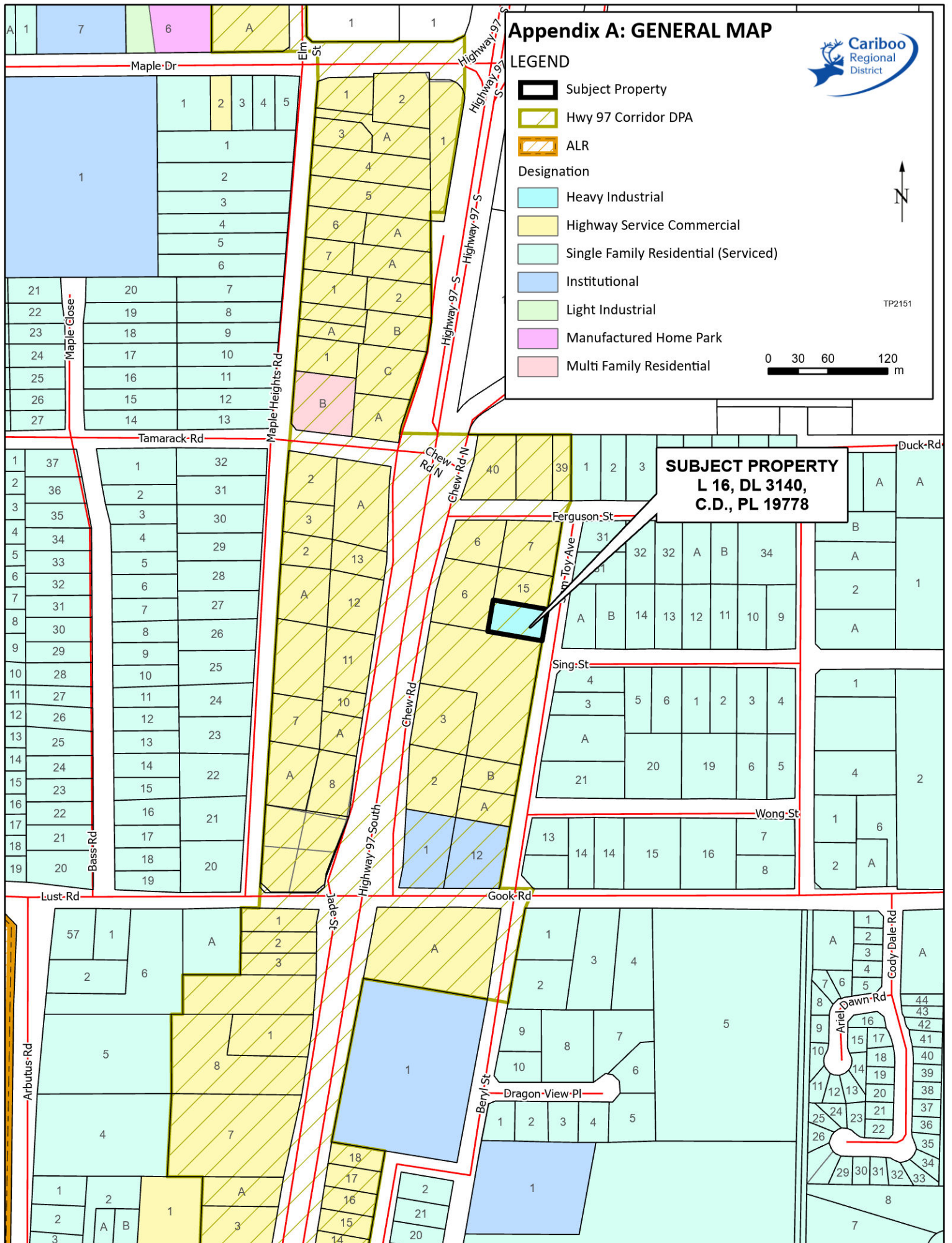
Appendix B: Specific Map

Appendix C: Orthographic Map

Other: Applicant's Supporting Documentation

Advisory Planning Commission Comments

CRD Environmental Services Department Comments



Appendix B: SPECIFIC MAP



LEGEND

Subject Property



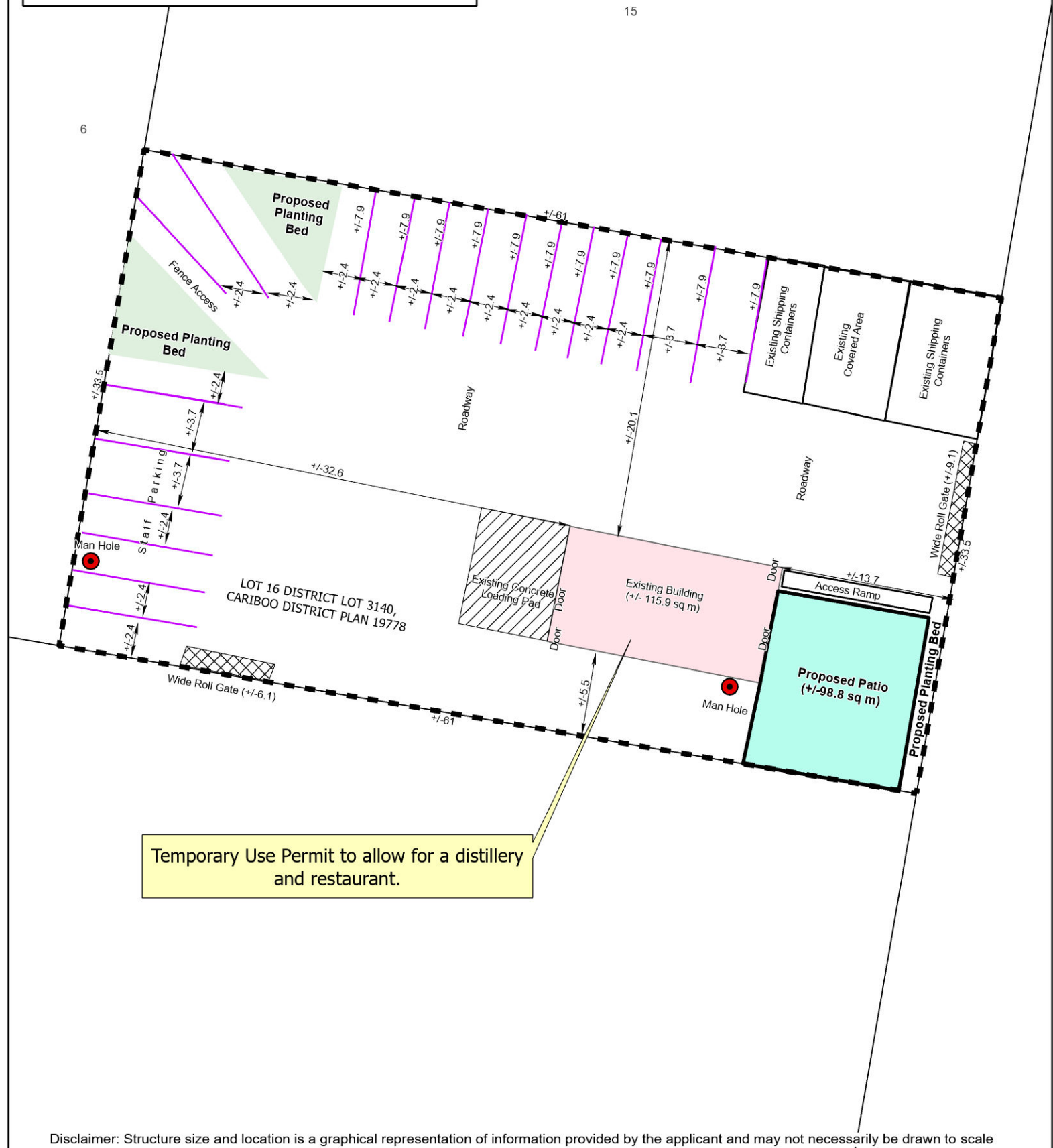
0 30 60 120
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MEASUREMENTS
ARE METRIC

TP2151

15

6



Temporary Use Permit to allow for a distillery and restaurant.



SUBJECT PROPERTY
L 16, DL 3140,
C.D., PL 19778

Appendix C: GENERAL MAP ORTHO

LEGEND

 Subject Property

0 30 60 120
m



TP2151

Describe the existing use of the subject property and all buildings: Currently not in use
Past use was processing Metals for
recycling.

Describe the proposed use of the subject property and all buildings: Distillery +
restaurant

Describe the reasons in support for the application: Gives Entrepreneurs a
chance to try a new business. Quebec
currently does not have a distillery

Provide a general description of vegetation cover (i.e. treed, grassland, forage crop etc.): gravel

Provide general geographical information (i.e. existing lakes, streams, physical features etc.): N/A

Services Currently Existing or Readily Available to the Property (check applicable area)

* Readily Available means existing services can be easily extended to the subject property.

Services	Currently Existing?		Readily Available?*	
	Yes	No	Yes	No
Hydro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Telephone	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community Water System	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community Sewer System	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sewage Disposal System	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Well	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Dolly's Reach
North side of
Building







Dolly's Ranch
East side of
Building



ADVISORY PLANNING COMMISSION RESPONSE FORM

Minutes of the meeting of the Electoral Area 'A' advisory planning commission held on Sept. 23, 2021 in the via tele-conference, located at , BC, commencing at 11am

PRESENT: Chair
Members Ted Armstrong and Simon Turner

Recording Secretary Doug Service

Owners/Agent, or
☐ Contacted but declined to attend

ABSENT: Vince Berlinguette, Dave Moffatt, Roy Josephy and Marj Sales

ALSO PRESENT: Electoral Area Director Mary Sjostrom
Staff support (if present)

Agenda Items

TEMPORARY USE PERMIT APPLICATION – 3070-20/20210051 LOT 16, DISTRICT LOT 3140, CARIBOO DISTRICT, PLAN 19778)

Ted Armstrong / Simon Turner: "THAT the application for a temporary use permit to allow for a temporary restaurant and distillery with a patio for dining for property located at 1265 SAM TOY AVENUE be supported for the following reasons:

i)

ii)

For: Against:

CARRIED

Doug Service _____
Recording Secretary Chair _____

RESPONSE SUMMARY BY THE CRD

RE: Lot 16, District Lot 3140, Cariboo District, Plan 19778; 1265 Sam Toy Avenue, Quesnel, BC

Approval Recommended Subject to Conditions listed Below:

1. General Comments:

- a. Current waste management practices within the fermentation sector are a concern because they generate large volumes of high-strength organic wastes, often containing caustics and acids, which end up being discharged into the sanitary sewer system.
- b. The "high-strength" winery process wastewater (i.e. having more than 7,000 mg/L of BOD, with a TSS of over 3,000 mg/L) has unique characteristics that differ significantly from other food processing wastewaters. Some factors to watch for in winery wastewater are:
 - i. Chemical (or Biochemical) Oxygen Demand (COD and BOD)
 - ii. Total suspended solids (TSS) and total dissolved solids (TDS)
 - iii. Salts such as sodium (Na), calcium (Ca), magnesium (Mg), and potassium (K)
 - iv. Salinity (electrical conductivity)
 - v. Nutrients such as nitrogen and phosphorus
 - vi. Acidity or alkalinity (pH)
 - vii. Dissolved oxygen levels (DO)

2. General Conditions:

- a. Discharge rates c/w the type of discharges (some of which are mentioned above) must be provided prior to any approvals given.
- b. That the completed works be conducive with the Red Bluff Sewer System and similar sewer systems in the area and in accordance to all pertinent codes and standards.
- c. A hydraulic analysis may be required in order to assure future capacity within the Red Bluff Sewer System exists for this proposed new development.
- d. Backwater valves shall be part of the design, to prevent backups to the future homes being built.
- e. Extraneous flows are not permitted to enter the system, such as groundwater, rainwater or any other extraneous source.

3. Application to the CRD to connect to the existing Red Bluff Sewer Mains must be completed.

- a. Notice of connection to our Main Sewer must be given 2 weeks prior to the work being conducted in the field. This notice will include specifications and drawings on how the connection is to be made.

4. The CRD shall have the right to inspect any / all works pertaining to the sewer system during construction and we reserve the right to stop construction of the sewer system if it is not in accordance with the CRD Environmental Services Dept. standards.

- a. The CRD shall be provided with all necessary documents, plans and drawings needed to complete our review of the sewer system prior to and during construction.
- b. The CRD shall be provided with Record drawings and photos taken of the sewer system at the end of construction.

Signed By:



Title:

Manager of Environmental Services

Print Name: Charles Boulet

Dept.:

Environmental Services Dept.

Date: May 6, 2021

Org.:

CRD – Cariboo Regional District