



REPORT

To: Chair and Directors

Report Number: DS-BRD-241

From: Ashley Murphey, RPP, MCIP, Planning Services Manager

Date: June 9, 2022

Subject: Development Variance Permit No. 18-318

RECOMMENDATION: *[Corporate Unweighted]*

That the Regional Board authorize the issuance of Development Variance Permit No. 18-318 to increase the maximum accessory building floor area from 232 m² to 373.72 m², a difference of 141.72 m², for the subject property, identified as PID: 024-899-283.

BACKGROUND/RATIONALE:

File Details

Owner: S&S Turbine Services
Agent: Nathan LeClerc
Area: Electoral Area C
Location: Baldonnel
Legal: Lot a Section 36 Township 83 Range 18 West of the 6th Meridian Peace River District Plan PGP46205
PID: 024-899-283
Civic Address: 5953 242 Road
Lot Size: 2.41 ha

Proposal

The applicant is seeking to increase the maximum accessory building floor area permitted by 141.72 m² on the subject property, to bring the existing buildings into compliance with the zoning bylaw.

This variance, if granted, will replace the existing Development Variance Permit No. 30-00-VP, currently registered on title.

Background

November 23, 2000 - the Regional Board authorized a Development Variance Permit (No. 30-00-VP) for the subject property to increase the maximum allowable building area from 225 m² to 300 m² to bring the existing shop into compliance.

November 23, 2018 – Initial building permit and development variance permit applications were received to permit the construction of an additional shop on the subject property.

November 2018 to November 2019 – the Bylaw Enforcement Officer and planner attempted to, but were unsuccessful in obtaining the required information from the applicant to proceed with the applications.

November 1, 2019 – A site visit was conducted which determined that the buildings proposed in the applications received had already been constructed. It was also noted that there was an additional dwelling on the subject property and several seacans, none of which had building permits on file.

June 25, 2020 – The Board authorized a Section 57 to be placed on title of the subject property.

October 4, 2021 – Most of the unpermitted accessory buildings had been removed from the property.

April 4, 2022 – The revised development variance permit application was received.

Site Context

The subject property is located east of the North Peace Regional Airport in Baldonnel. The surrounding parcels consist of a mixture of residential and agricultural uses.

Site Features

Land

Based on aerial imagery, the property has trees around the entire perimeter and is generally flat.

Soil Classification

The subject property is class 2c soils. Class 2 soils have moderate limitations that restrict the range of crops or require moderate conservation practices. Subclass c denotes significant adverse climate for crop production as 'median' climate which is defined as one with sufficiently high growing-season temperatures to bring crops to maturity.

Structures

The subject property has a dwelling, several small sheds, a greenhouse and two shops.

Access

The subject property is accessed off the 242 Road.

Comments & Observations

Applicant

The applicant is seeking to increase the maximum total accessory building floor area in order to bring the existing buildings into compliance with the zoning bylaw.

Agricultural Land Reserve (ALR)

The subject property is partially within the ALR and therefore the provisions of the *Agricultural Land Commission Act* apply.

Official Community Plan (OCP)

The subject property is designated Medium Density Residential (MDR) pursuant to the North Peace Fringe Area OCP Bylaw No. 1870, 2009. Land within this designation should be used for residential purposes. The minimum parcel size should be 1.4 ha.

Therefore, the proposal is consistent with the Official Community Plan.

Land Use Zoning

Pursuant to Zoning Bylaw No. 1343, 2001, the subject property is zoned Residential 4 Zone (R-4). Land within this zone may be used for dwelling unit, market garden and agriculture. Permitted accessory uses include bed and breakfast and home based business. The minimum parcel size is 1.8 ha.

Section 13 states that the maximum floor area of all accessory buildings on the subject property shall not exceed 232 m². The existing structures total 373.72 m², which is 141.72 m² more than what the bylaw permits, therefore this variance is required.

Fire Protection Area

The subject property is within the Fort St. John Rural Fire Protection Area.

Mandatory Building Permit Area

The subject property is within the Mandatory Building Permit Area. There is a Section 57 registered on title of the subject property in relation to the shop in the south-east corner of the subject property, as it was constructed without a permit.

Development Permit Area

The subject property is outside all Development Permit Areas.

Development Cost Charge Area

The subject property is outside the Development Cost Charge Area.

School District 60 School Site Acquisition Charge Area

The subject property is within the School District 60 School Site Acquisition Charge Area. However, the charge is not applicable at this time because no new residential lots are proposed.

Impact Analysis**Context**

The subject property is surrounded by residential and agricultural land uses. The buildings are already in existence and buffered from the adjacent parcels by trees. Therefore no impacts are anticipated to the adjacent properties.

Population & Traffic

The buildings are existing, therefore no additional population or traffic is anticipated.

Sewage & Water

The property has an existing cistern and lagoon.

Comments Received from Municipalities & Provincial AgenciesNorth Peace Airport Services

As the buildings are existing and they comply with airport zoning regulations, North Peace Airport Services has no objection to the proposal.

City of Fort St. John Fire Department

Interests unaffected.

PRRD Bylaw Enforcement Officer

There is a Section 57 registered on title for the construction of the existing building without a permit, which caused the property to exceed the maximum permitted accessory building floor area previously authorized by DVP 30-00, of 300 m².

PRRD GIS

No concerns.

ALTERNATIVE OPTIONS:

1. That the Regional Board respectfully refuse the issuance of Development Variance Permit No. 18-318 to increase the maximum accessory building floor area from 232 m² to 373.72 m², a difference of 141.72 m², for the subject property PID: 024-899-283, as it is not supported by zoning.
2. That the Regional Board provide further direction.

STRATEGIC PLAN RELEVANCE:

- ☒ Not Applicable to Strategic Plan.

FINANCIAL CONSIDERATION(S):

None at this time.

COMMUNICATIONS CONSIDERATION(S):

The Regional Board's decision will be communicated to the applicant.

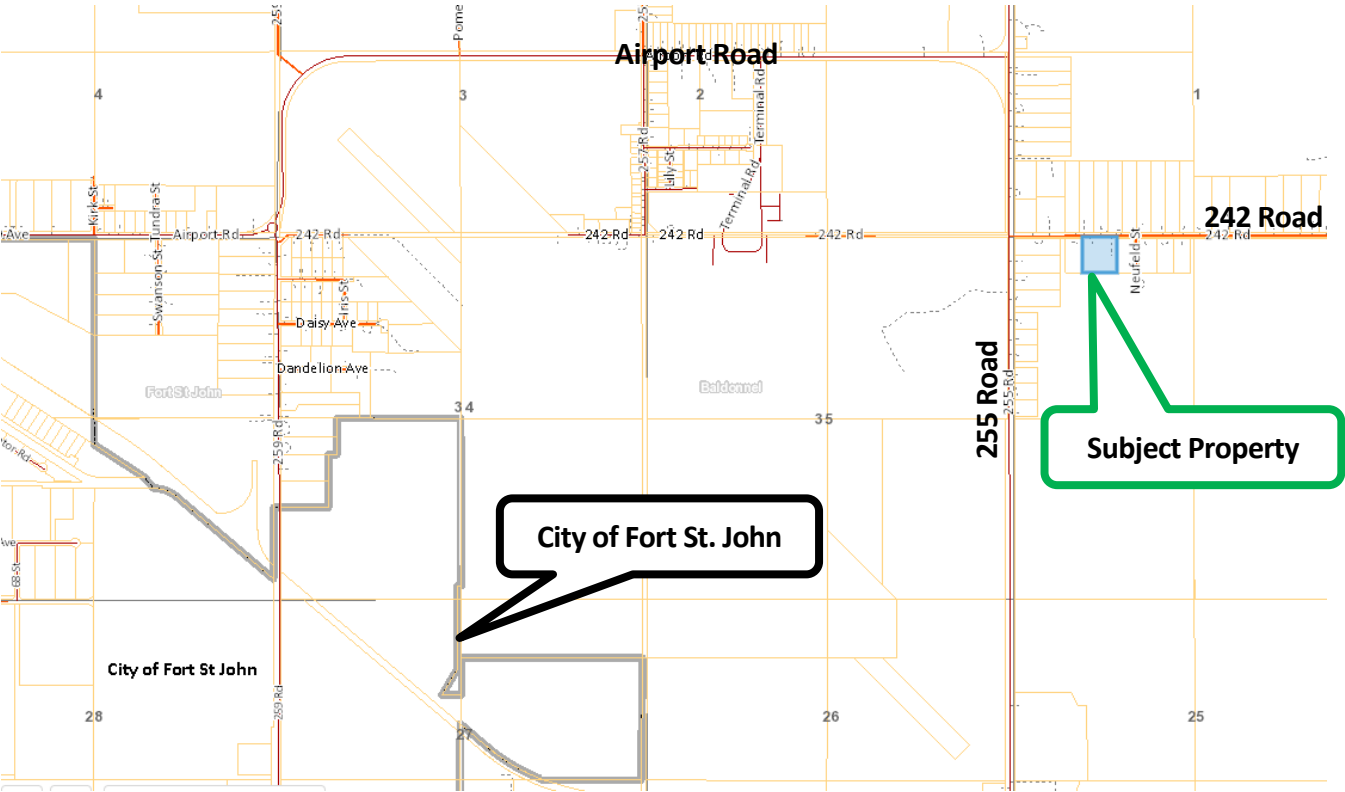
OTHER CONSIDERATION(S):

Should the Board authorize DVP No. 18-318, application will be made to the Land Title Office to replace the existing DVP No. 30-00 currently registered on title with the new DVP No. 18-318.

Attachments:

1. Maps
2. Application
3. Development Variance Permit No. 18-318

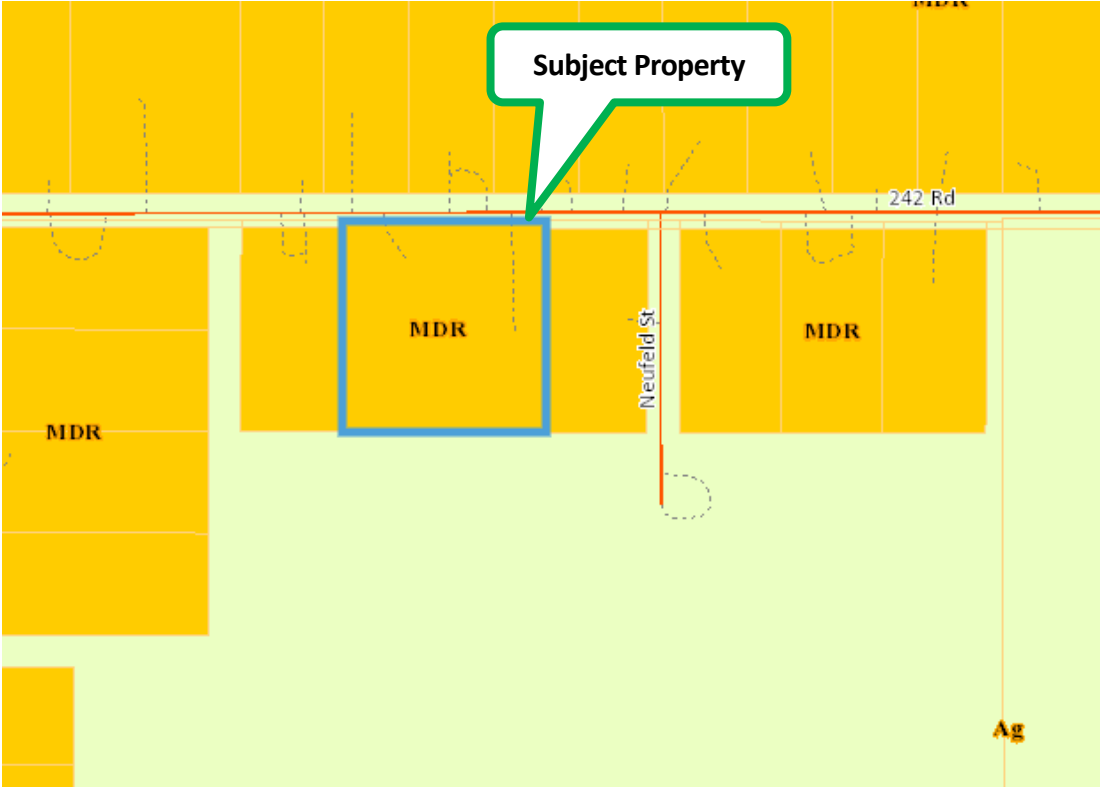
Location: Baldonnel area



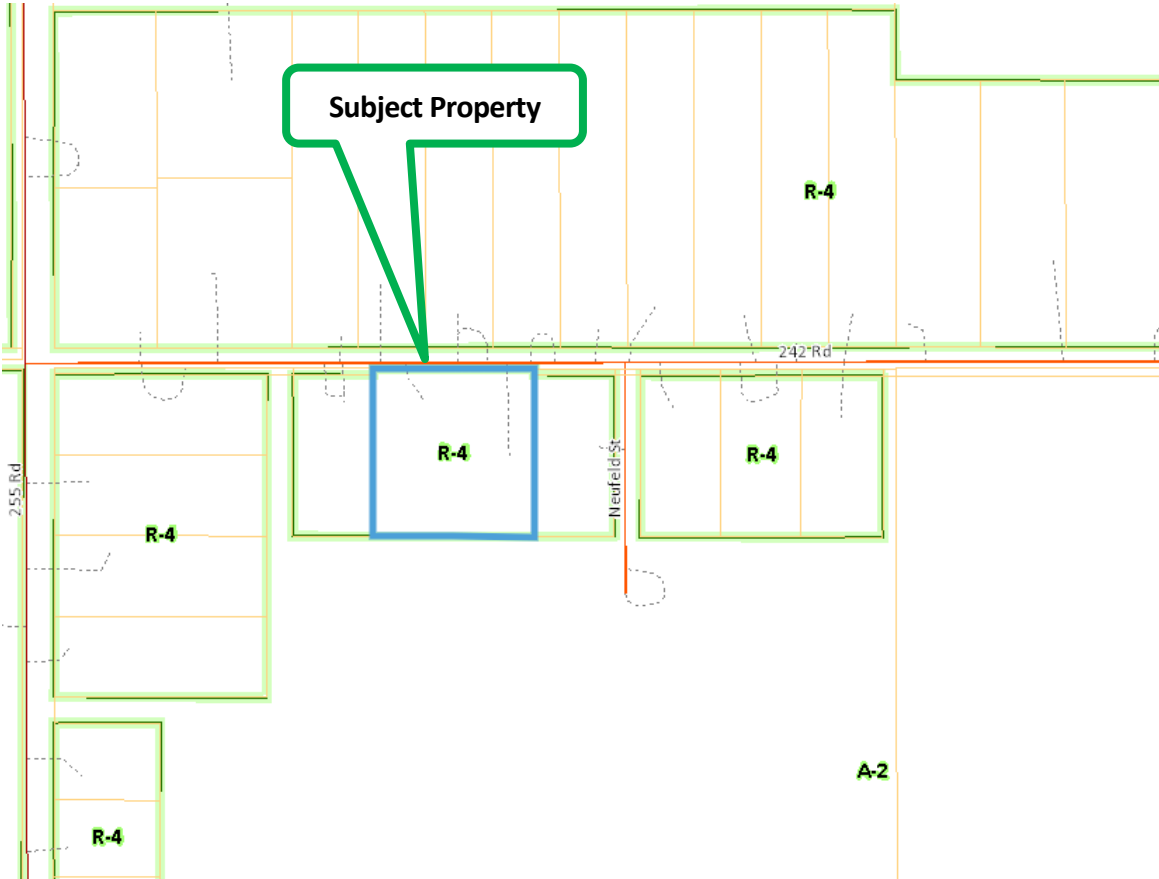
Aerial imagery



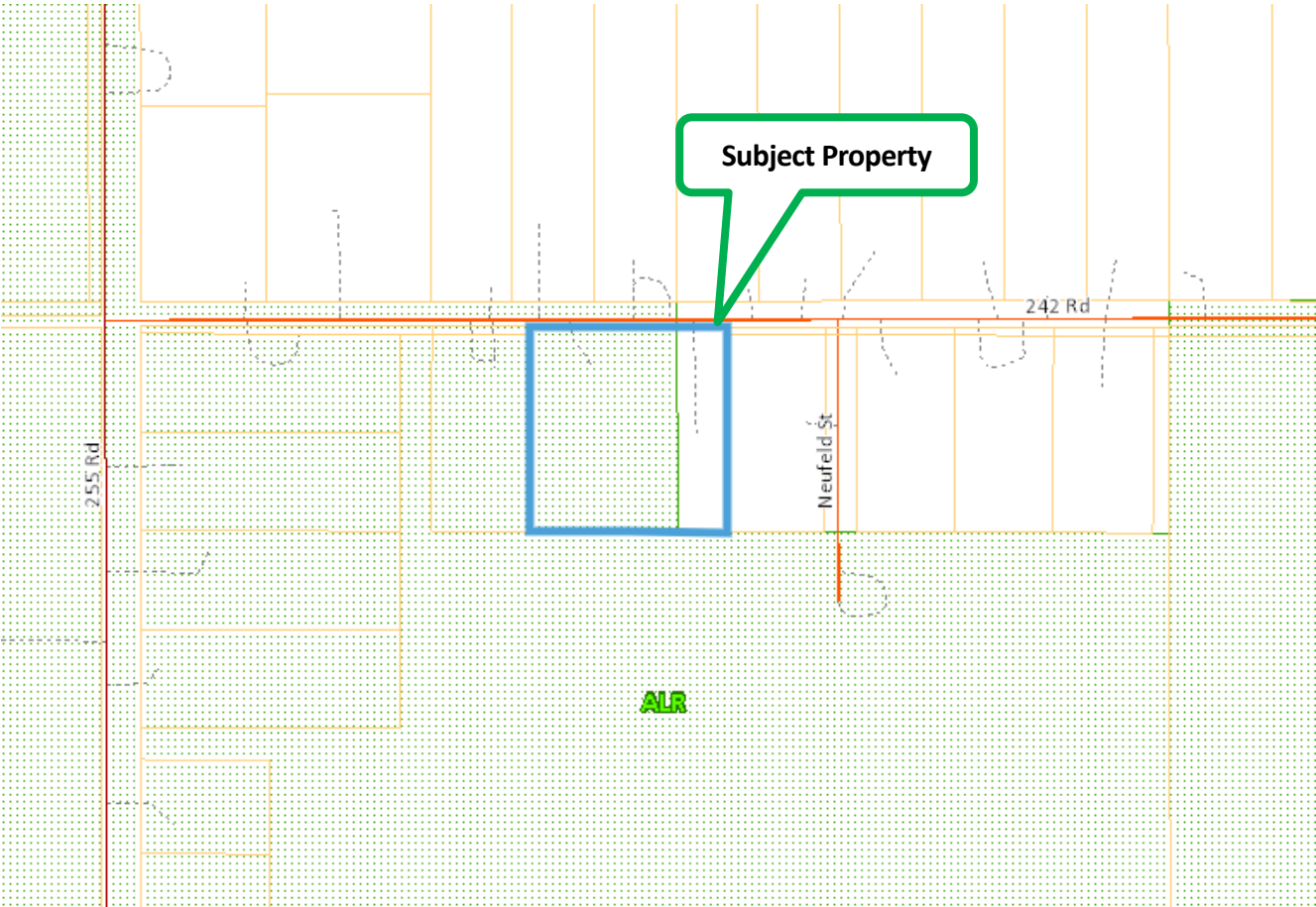
PRRD NPFA Official Community Plan Bylaw No. 1870, 2009: Medium Density Residential



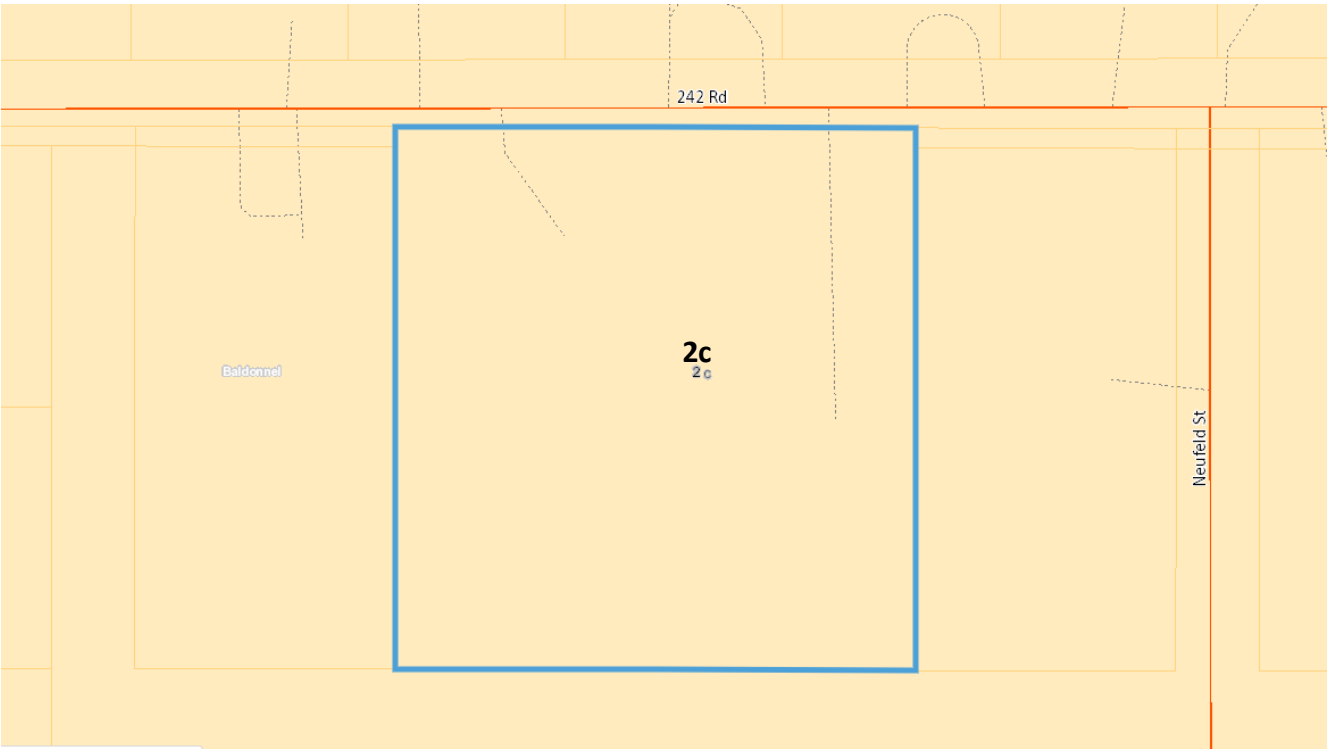
PRRD Zoning Bylaw No. 1343, 2001: R-4 (Residential 4 Zone)



Agricultural Land Reserve: Partially Within



CLI Soil Classification: 2c





PEACE RIVER REGIONAL DISTRICT

Dawson Creek | Box 810, 1981 Alaska Avenue BC, V1G 4H8
(T): (250) 784-3200 prrd.dc@prrd.bc.ca

Fort St. John | 9505 100 Street BC, V1J 4V4
(T): (250) 785-8084 prrd.fs@prrd.bc.ca

For Office Use:

Receipt # _____

Date Received _____

File No. 18-318 DVP

Sign Issued: Yes ☐ No ☐ N/A ☐

Updated
Application for Development



1. TYPE OF APPLICATION

☐ Official Community Plan Bylaw Amendment*	FEE \$ 1,150.00
☐ Zoning Bylaw Amendment* *	\$ 800.00
☐ Official Community Plan / Zoning Bylaw Amendment combined* *	\$ 1,200.00
☐ Temporary Use Permit*	\$ 500.00
☐ Temporary Use Permit Renewal	\$ 350.00
☐ Development Permit *	\$ 165.00
☒ Development Variance Permit	\$ 165.00

* Sign is required for this application type.

Sign provided by the PRRD and posted pursuant to Section 6 of Bylaw No. 2449, 2021, attached.

Contaminated Site Declaration Form required for this application type.

- ☐ Exclusion from the Agricultural Land Reserve \$ 1,500.00
(Applicant responsible for additional costs associated with the advertisements, signage, and facility rental, if applicable)

2. PLEASE PRINT

Property Owner's Name <u>S.S. TURNING SERVICES LTD.</u>	Authorized Agent of Owner (if applicable) [REDACTED]
Address of Owner <u>RR 1 SITE #5 CAMP 16</u>	Address of Agent [REDACTED]
City/Town/Village: <u>FORT ST. JOHN B.C.</u>	City/Town/Village: <u>FORT ST. JOHN B.C.</u>
Postal Code: <u>V1J 4M6</u>	Postal Code: <u>V1J 4M6</u>
Telephone Number: <u>250 262 5801</u>	Telephone Number: [REDACTED]
E-mail: <u>rsipe@bluenova.ca</u>	E-mail: [REDACTED]

Notice of collection of personal information:

Personal information on this form is collected for the purpose of processing this application. The personal information is collected under the authority of the *Local Government Act* and the bylaws of the PRRD. Documentation/Information submitted in support of this application can be made available for public inspection pursuant to the *Freedom of Information and Protection of Privacy Act*.

3. PROPERTY DESCRIPTION

Full legal description and PID of each property under application	Area of each lot
LOT A SECT 36 TOWNSHIP 83 RANGE 18	2-3232 / 5.7411 ha./acres
PLAN PGP 46205	ha./acres
	ha./acres
	TOTAL AREA ha./acres

4. Civic Address or location of property: 5953 242 RD.

5. PARTICULARS OF PROPOSED AMENDMENT

Please check the box(es) that apply to your application type:

☐ Official Community Plan (OCP) Bylaw amendment:

Existing OCP designation: _____

Proposed OCP designation: _____

Text amendment: _____

☐ Zoning Bylaw amendment:

Existing zone: _____

Proposed zone: _____

Text amendment: _____

☒ Development Variance Permit – describe proposed variance request:

ADDITION OF 2 BUILDINGS THAT WERE BUILT PREVIOUSLY
ADDITIONAL (72.57 M²)

☐ Temporary Use Permit – describe proposed use:

☐ Development Permit: Bylaw No. _____ Section No. _____

6. Describe the existing use and buildings on the subject property:

30x20 GARAGE SHOP → STORAGE & MAINTENANCE OF VEHICLES, YARD EQUIPMENT (149.94 M²)
SHOP → SIS TURBINE SHOP (222.65 M²) WILL BECOME I²R ELECTRIC

7. Describe the existing land use and buildings on all lots adjacent to and surrounding the subject property:

(a) North RESIDENTIAL

(b) East AGRICULTURE

(c) South AGRICULTURE

(d) West AGRICULTURE

8. Describe your proposal. Attach a separate sheet if necessary:

GARAGE WILL CONTINUE TO BE USED TO STORE & MAINTAIN
VEHICLES & YARD / GARDENING EQUIPMENT
IIR (HOME BASED) WILL MOVE INTO OLD S&S SHOP

9. Reasons and comments in support of the application. Attach a separate sheet if necessary:

WE ARE JUST TRYING TO MAKE THE BEST USE OF EXISTING STRUCTURES
BASED ON NEW INFORMATION & TRYING TO KEEP OUR CARBON FOOTPRINT
TO A MINIMUM

10. Describe the proposed and/or existing means of sewage disposal for the property:

SEPTIC TANK INSTALLED DURING PREVIOUS (DVP 30-00)

11. Describe the proposed and/or existing means of water supply for the property:

CISTERN WAS INSTALLED DURING PREVIOUS (DVP 30-00)

THE FOLLOWING INFORMATION IS REQUIRED DEPENDING ON THE PROPOSAL/APPLICATION:

12. Proof of ownership of the subject property or properties. (For example: Certificate of State of Title, BC Land Title Office Property Title Search or recent Property Tax Notice.)
13. A Sketch Plan of the subject property or properties, showing the following:
- (a) the legal boundaries and dimensions of the subject property;
 - (b) boundaries, dimensions and area of any proposed lots (if subdivision is being proposed);
 - (c) the location and size of existing buildings and structures on the subject property, with distances to property lines;
 - (d) the location and size of any proposed buildings, structures, or additions thereto, with distances to property lines;
 - (e) the location of any existing sewage disposal systems;
 - (f) the location of any existing or proposed water source.

ADDITIONAL OR MORE DETAILED INFORMATION MAY BE REQUESTED BY THE PEACE RIVER REGIONAL DISTRICT FOLLOWING REVIEW OF YOUR APPLICATION.

If it is necessary for the property boundaries and the location of buildings and structures to be more accurately defined, a survey plan prepared by a British Columbia Land Surveyor may be required.

15. I / We the undersigned hereby declare that the information provided in this application is complete and is, to the best of my / our knowledge, a true statement of the facts related to this application.

X

Signature of Owner

Signature of Owner

Nov 21 2018

Date signed

Date signed

16. AGENT'S AUTHORIZATION
If you have an agent act on your behalf in submission of this application, the following authorization MUST be signed by ALL property owners.

I / We	and	heraby
authorize	S's Tybena Spicella	
(name)		to act on my/our behalf regarding this
application.		
Agent address:		
Telephone:	Fax:	
Signature of Owner:		Date: Nov 21 2018
Signature of Owner:		Date:

X

SEC 36

TP 83

RGE 18

W6M

SKETCH PLAN SHOWING
EXISTING IMPROVEMENTS ON
LOT A SEC 36 TP83 RGE 18 W6M PLAN PGP46205
PEACE RIVER DISTRICT

242 Road

REM Lot 4
Block 2
Plan PGP12215

Lot A
Plan PGP46205

LEGEND
Red- to be included in DVP App.
Green- Exempt from Accessory Building Floor Area Calculation
Blue- To be removed as part of Bylaw Enforcement File

REM Lot 1
Block 2
Plan PGP12215

CIVIC ADDRESS:
5943 & 5953 242 RD
BAL DONNEL, BC
PID: 024-899-283

PARCEL MAY BE AFFECTED BY THE FOLLOWING
CHARGES APPEARING ON THE CERTIFICATE OF TITLE:

BYLAW CONTRAVENTION NOTICE,
COMMUNITY CHARTER, SECTION 57
SEE: CACS2197
ZONING REGULATION AND PLAN UNDER THE
AERONAUTICS ACT (CANADA) FILED
19/07/1982 UNDER NO. S3024 (PLAN 28487)

RE: HIGHWAY SEE PLAN 21958
THIS TITLE MAY BE AFFECTED BY A PERMIT
UNDER PART 26 OF THE LOCAL
GOVERNMENT ACT, SEE P527675

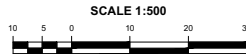
ALL DIMENSIONS ARE IN METRES AND DECIMALS THEREOF, AND ARE
DERIVED FROM PLAN 12115
ALL BUILDING DIMENSIONS ARE TO EXTERIOR WALLS.
THIS DOCUMENT SHOWS THE RELATIVE LOCATION OF THE SURVEYED
STRUCTURES AND FEATURES WITH RESPECT TO THE BOUNDARIES OF
THE PARCEL DESCRIBED ABOVE. THIS DOCUMENT SHALL NOT BE USED
TO DEFINE PROPERTY LINES OR CORNERS.

THIS PLAN WAS PREPARED FOR MUNICIPAL PURPOSES AND
IS FOR THE EXCLUSIVE USE OF OUR CLIENT.
NO PERSON MAY COPY OR ALTER THIS CERTIFICATE WITHOUT PRIOR
CONSENT OF McELHANNY GEOMATICS.
© THIS PLAN IS PROTECTED BY COPYRIGHT.

THIS BUILDING CERTIFICATE IS CERTIFIED CORRECT ACCORDING TO
LAND TITLE AND SURVEY AUTHORITY RECORDS AND FIELD SURVEYS.
UNREGISTERED INTERESTS HAVE NOT BEEN INCLUDED OR CONSIDERED
THIS 10TH DAY OF AUGUST, 2010.

 EVAN HSIAO, BCLS
THIS DOCUMENT IS NOT VALID UNLESS
ORIGINALLY SIGNED AND SEALED.

THE SIGNATORY ACCEPTS NO RESPONSIBILITY OR LIABILITY FOR ANY
DAMAGES THAT MAY BE SUFFERED BY A THIRD PARTY AS A RESULT OF
ANY DECISIONS MADE, OR ACTIONS TAKEN BASED ON THIS DOCUMENT.



JOB: 3111-26326 DD/MM/YY: 10/08/20

DRAFTED BY: EH	McElhannay Associates Land Surveying Ltd. 8808 - Northern Lights Drive Fort St John, BC Phone: (250) 787-0366
SURVEYED BY: DB	
CHECKED BY: EH	
REVISION: 0	





PEACE RIVER REGIONAL DISTRICT

DEVELOPMENT VARIANCE PERMIT NO. 18-318 DVP

Issued to:

Address:

1. Property affected: LOT A SECTION 36 TOWNSHIP 83 RANGE 18 WEST OF THE 6TH MERIDIAN PEACE RIVER DISTRICT PLAN PGP46205

PID: 024-899-283

Address: 5953 242 Road
2. Official Community Plan: North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009; Medium Density Rural Residential
3. Zoning Bylaw: PRRD Zoning Bylaw No. 1343, 2001; Residential 4 Zone
4. This Development Variance Permit is issued subject to compliance with all of the bylaws of the Regional District applicable thereto, except as specifically varied or supplemented by this Permit. The provisions of this Development Variance Permit shall prevail over any other provisions of the bylaws in the event of a conflict.
5. This Development Variance Permit allows an increase in the maximum permitted accessory building floor area from 232 m² to 373.72 m², an increase of 141.72 m², as shown in Schedule A of this permit.
6. The land described herein, shall be developed strictly in accordance with the terms, conditions and provisions of this permit and any plans and specifications attached to this Permit which shall form a part thereof.
7. This Permit is NOT a building permit.

ISSUED THIS day of .

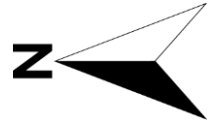
This permit is authorized by Peace River Regional District Board Resolution No. _____
passed on the day of , .

Authorized Signatory

Schedule A is attached to and forms part of this Development Variance Permit.



Peace River Regional District
SCHEDULE "A"
Development Variance Permit
No. 18-318



SKETCH PLAN SHOWING
EXISTING IMPROVEMENTS ON
LOT A SEC 36 TP83 RGE 18 W6M PLAN PGP46205
PEACE RIVER DISTRICT

242 Road

SEC 36

TP 83

RGE 18

W6M

LEGEND
Red - to be indicated in DVP App.
Green - Exempt from Accessory Building Floor Area Calculation
Blue - To be removed as part of Bylaw Enforcement File

REM Lot 1
Block 2
Plan PGP12215

CIVIC ADDRESS:
6943 & 6943-243 RD
BALDWIN, BC
T9C 0A1 694-283

PARCEL MAY BE AFFECTED BY THE FOLLOWING CHARGES APPEARING ON THE CERTIFICATE OF TITLE:
RYLAW CONTRAVENTION NOTICE;
COMMUNITY CHARTER SECTION 37;
RYLAW CONTRAVENTION NOTICE;
ZONING BYLAW 1000 AND R1 MALINOR THE AFFRONATIS ACT (CANADA) FILED 1997196 UNDER NO. 30948 (PLAN 24467)
RE: HIGHWAY SEPT PLAN 2169
THE PLAN WAS PREPARED BY A PRIVATE INDIVIDUAL AND IS NOT A PUBLIC DOCUMENT UNDER PART 24 OF THE LOCAL GOVERNMENT ACT, SFP 152765.

ALL DIMENSIONS ARE IN METRES AND DECIMALS THEREOF AND ARE DERIVED FROM PLAN 1215
ALL BUILDING DIMENSIONS ARE TO EXTERIOR WALLS.

THIS DOCUMENT SHOWS THE RELATIVE LOCATION OF THE SURVEYED PARCEL DESCRIBED ABOVE. THIS DOCUMENT SHALL NOT BE USED TO DEFINE PROPERTY LINES OR CORNERS.

THIS PLAN WAS PREPARED FOR MUNICIPAL PURPOSES AND NO PERSON MAY COPY OR ALTER THIS CERTIFICATE WITHOUT PRIOR CONSENT OF McElhanney Geomatics.

© THIS PLAN IS PROTECTED BY COPYRIGHT.

THIS BUILDING CERTIFICATE IS CERTIFIED CORRECT ACCORDING TO THE INFORMATION PROVIDED BY THE SURVEYOR AND FIELD SURVEYS. UNLESS OTHERWISE SPECIFIED, THE INFORMATION HAS NOT BEEN INCLUDED OR SANCTIONED THIS 10TH DAY OF AUGUST, 2012.

E.H.
E.H. McElhanney
REGISTERED PROFESSIONAL SURVEYOR
ORIGINALY SIGNED AND SEALED

THE SIGNATORY ACCEPTS NO RESPONSIBILITY OR LIABILITY FOR ANY DAMAGES THAT MAY BE SUFFERED BY A THIRD PARTY AS A RESULT OF ANY DECISIONS MADE OR ACTIONS TAKEN BASED ON THIS DOCUMENT.

Lot A
Plan PGP46205

REM Lot 4
Block 2
Plan PGP12215

SCALE 1:500



JOB: 311-143326 DDMMYY: 1008/20

DRAFTED BY: EH
SURVEYED BY: EH
CHECKED BY: EH
REVISION: 0

McElhanney Associates
10000 Highway 101
8000 - Northgate Drive
Fort St. John, BC
Phone: 250-919-0366

