



REPORT

To: Chair and Directors

Report Number: DS-BRD-196

From: Kathy Suggitt, RPP, MCIP, General Manager of Development Services

Date: November 4, 2021

Subject: Development Variance Permit No. 21-007

RECOMMENDATION: [Corporate Unweighted]

That the Regional Board refuse Development Variance Permit No. 21-007, to increase the maximum permitted accessory building floor area from 232m² to 297.28m² (a difference of ±65.28m²) to permit the development of a 40' x 80' (12 m x 24 m) shop, totaling 297.28m² (3200 ft²), for the property identified as PID 028-841-069.

BACKGROUND/RATIONALE:

Proposal

The applicant is seeking a variance to allow an increase in the maximum permitted accessory building floor area from 232m² to 297.28m² (a difference of ±65.28m²) to permit the development of a proposed 40' x 80' (12 m x 24 m) shop, totaling 297.28m² (3200 ft²), for the property identified as PID 028-841-069, within PRRD Zoning Bylaw No. 1343, 2001.

Rationale

The subject property is 3.4 ha (8.5 ac) in size. PRRD Zoning Bylaw 1343, 2001 regulates the maximum size of accessory building floor area for properties zoned as agricultural or residential. Pursuant to Section 13.2 of PRRD Zoning Bylaw No. 1343, 2001:

“The aggregate FLOOR AREA of all ACCESSORY buildings must not exceed the FLOOR AREA set out in the following table in which Column I sets out Parcel Size and Column II sets out the Maximum ACCESSORY building FLOOR AREA:

Column I	Column II
Parcel Size	Maximum Accessory Building Floor Area
less than or equal to 0.2 ha (½ acre)	100 sq. meters (± 1076 sq. ft.)
greater than 0.2 ha (½ acres) but ≤ to 1.8 ha (4.5 acres)	187 sq. meters (± 2016 sq. ft.)
greater than 1.8 ha (4.5 acres) but ≤ to 4 ha (10 acres)	232 sq. meters (± 2496 sq. ft.)
greater than 4 ha (10 acres)	300 sq. meters (± 3200 sq. ft.)

Therefore, the maximum permitted floor area for all accessory buildings on the subject parcel as permitted by the bylaw is 232 m² (2496 ft²) or a 40' x 60' (12.2 m x 18.3 m) shop. The bylaw specifies that accessory buildings such as the proposed shop of this size are permitted only on parcels 4 ha (10 acres) or greater.

The applicant has already commenced construction of the shop by clearing and levelling of the land and piles have been installed. PRRD Bylaw Enforcement staff attended the property on September 2, 2021 as part of the building permit application process and noted that the subject property was not in compliance with

current zoning regulations with regards to use. A follow up visit on September 23, 2021 confirmed that the non-conforming uses have been brought into compliance with the home based business regulations.

Staff do not recommend issuance of the Development Variance Permit for the proposed shop as the proposed accessory building floor area is not permitted on parcels smaller than 4 ha (10 acres) within PRRD Zoning Bylaw No. 1343, 2001. The applicant has not provided any compelling rationale for the requested size of the accessory building, aside from the length of the truck and trailer that they would like to park inside the building that would support the need for a shop of this size. No other land use rationale is available within the currently enacted bylaws that would support the proposal.

Staff do note that the subject property is proposed to be designated as Light Service Industrial within the draft new North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009; however, that bylaw is not yet in force and thus staff cannot rely upon those policies as a means of support for this application.

File Details

Owner: Graeme Thomas
Area: Electoral Area C
Location: Fort St. John
Legal: Lot 2 Section 34 Township 83 Range 18 W6M Peace River District Plan EPP18396
PID: 028-841-069
Civic Address: 6337 Daisy Ave
Lot Size: ±3.4 ha (±8.5 ac)

Site Context

The subject property is zoned residential and located on the fringe of Fort St. John, adjacent to the North Peace Regional Airport. Lands to the west and south of the subject property are predominantly residential, transitioning to light industrial closer to the City of Fort St. John boundary. Lands to the north of the subject property are zoned A-2 Large Agricultural Holdings Zone and are within the ALR.

Site Features

Land

Based on information from the applicant, aerial imagery and a site visit, the subject property is flat with little manicured grass. The subject property has an unpaved ring driveway from Daisy Avenue to the existing residential dwelling.

Structures

There is one residential dwelling on the property.

Access

The subject property has an access from Daisy Avenue.

Comments & Observations

Applicant

The proposed shop will be used to park a 22.2 m (73 foot) long truck and trailer for the applicant's trucking business. Construction has already commenced on the proposed building as pilings are installed.

Agricultural Land Reserve (ALR)

The subject property is outside the Agricultural Land Reserve.

Official Community Plan (OCP)

Pursuant to North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009, the subject property is designated as Medium Density Rural Residential. The North Peace Fringe Area Official Community Plan does not regulate accessory building floor area.

The draft new North Peace Fringe Area Official Community Plan Bylaw No. 2460, 2021 does propose that the subject property and surrounding residential parcels be designated as LSI – Light Service Industrial. Staff note that as this bylaw is not yet in force, the proposed designation can be cited for information purposes only relative to this analysis.

Land Use Zoning

Pursuant to PRRD Zoning Bylaw No. 1343, 2001, the subject property is zoned Residential 3 Zone. Section 13 states the maximum accessory building floor area for a property zoned residential with a parcel size greater than 1.8 ha but less than 4 ha is 232m². The applicant wishes to develop a shop on the northern side of the subject property having an accessory building floor area of 297.28m² (3200 ft²). The proposed building floor area of the shop exceeds the permitted maximum accessory building floor area by 65.28 m² (702 ft²).

Home Based Business Regulations

Section 19.1 (b) of PRRD Zoning Bylaw No. 1343, 2001 permits trucking contractor, construction contractor, including repair and maintenance of heavy trucks and equipment, repair and servicing of light trucks, etc. as a home based business on the parcel sizes equal to or greater than 1.8 ha.

As noted above, the bylaw does permit the development of a shop up to 232 m² (2496 ft²) to accommodate the home based business.

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. The applicant has submitted a building permit application for a 40ft x 60ft (12.19m x 18.29m) shop with the intent of updating the application to a 40ft x 80ft (12.19m x 24.38m) shop should the requested variance be granted.

Development Permit Area

The subject property is outside of 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 or dwellings are being proposed.

Impact AnalysisContext

The proposed shop with an increased accessory floor area on the subject property is expected to have a minimal impact on the surrounding area as it is intended for parking a truck and trailer only. The property is adjacent to the airport on the east, residential on the west and north, and an agricultural lot in the south.

Population & Traffic

Population and traffic will not be impacted by the increase in accessory floor area.

Sewage & Water

Sewage and water will not be impacted by the increase in accessory floor area for the subject property.

Comments Received from PRRD Departments, Municipalities & Provincial AgenciesMinistry of Transportation

No objections. Storm drainage shall be directed toward Daisy Ave. See letter attached.

PRRD Environmental Services

The current property is not located within the service function area for PRRD sewer or water. Any sewer changes to the wastewater system should be addressed through Northern Health to ensure regulated requirements are met.

PRRD Building Inspection

Interests unaffected.

City of Fort St. John

Interests unaffected.

ALTERNATIVE OPTIONS:

1. That the Regional Board authorize Development Variance Permit No. 21-007, to increase the maximum permitted accessory building floor area from 232m² to 297.28m² (a difference of ±65.28m²) to permit the development of a proposed 40' x 80' (12 m x 24 m) shop, totaling 297.28m² (3200 ft²), for the property identified as PID 028-841-069, within PRRD Zoning Bylaw No. 1343, 2001.
2. That the Regional Board defer consideration of Development Variance Permit No. 21-007 until after adoption of the North Peace Fringe Area Official Community Plan.
3. 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):

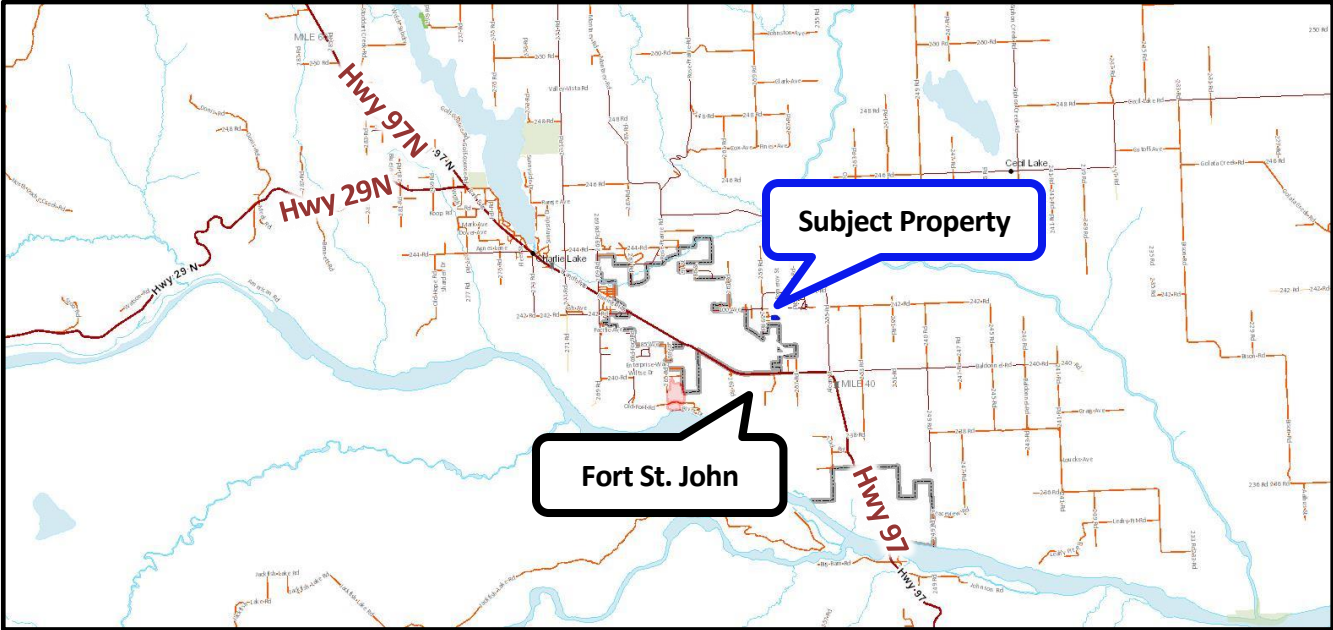
Electoral Area C Director Comments:

- Please Proceed.

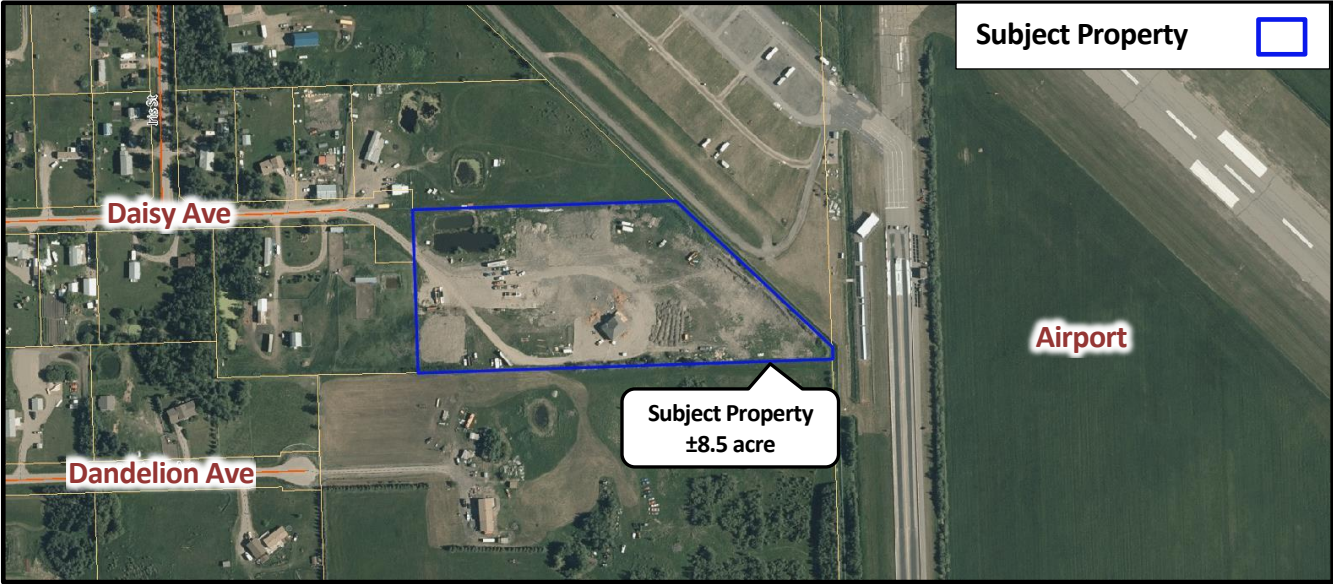
Attachments:

1. Maps (PRRD File No. 21-007 DVP)
2. Application (PRRD File No. 21-007 DVP)
3. MoTI Referral Response (PRRD File No. 21-007 DVP)
4. Development Variance Permit No. 21-007

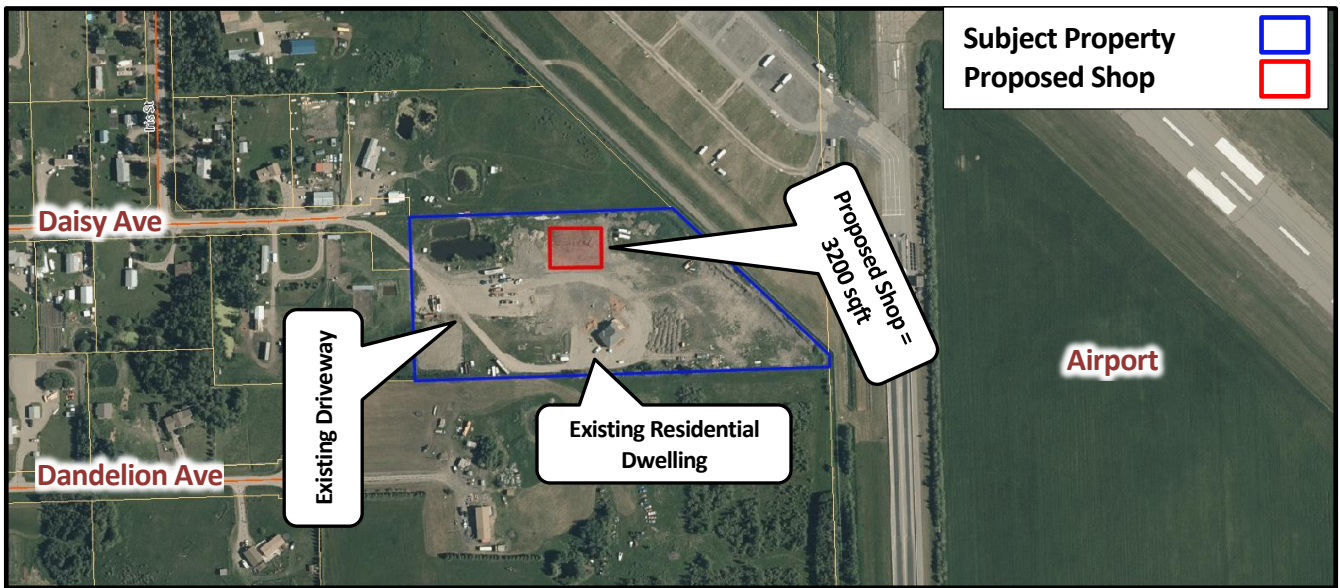
Location: Fort St. John



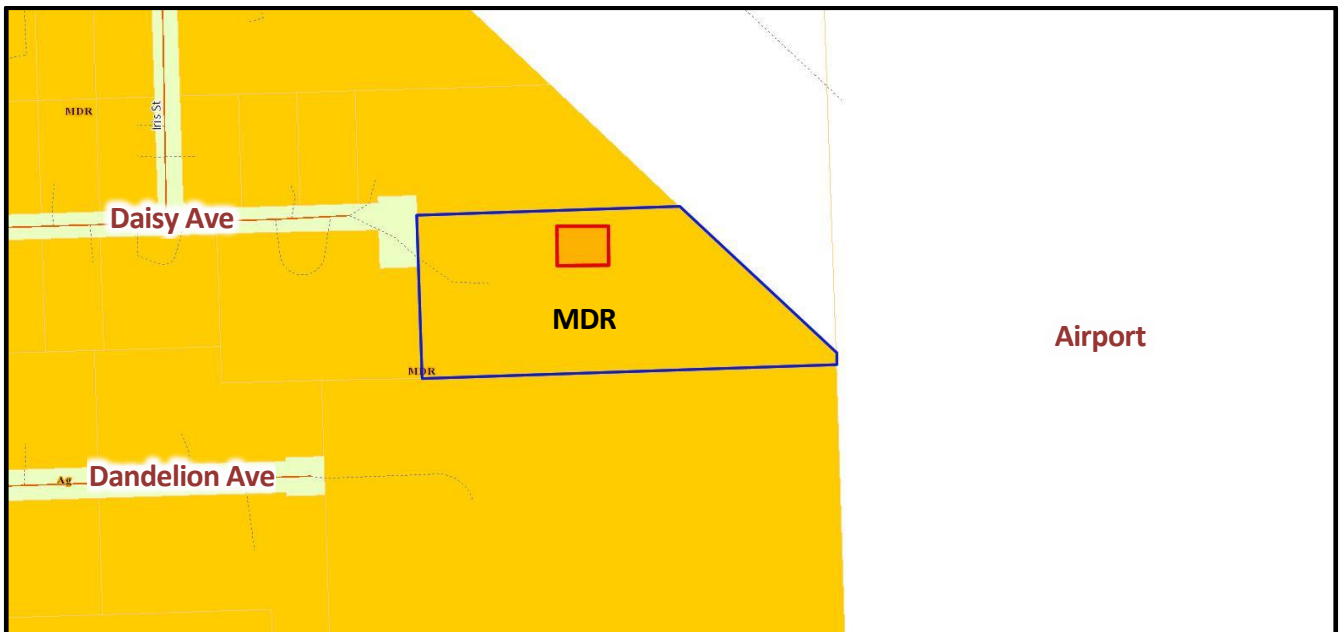
Aerial imagery



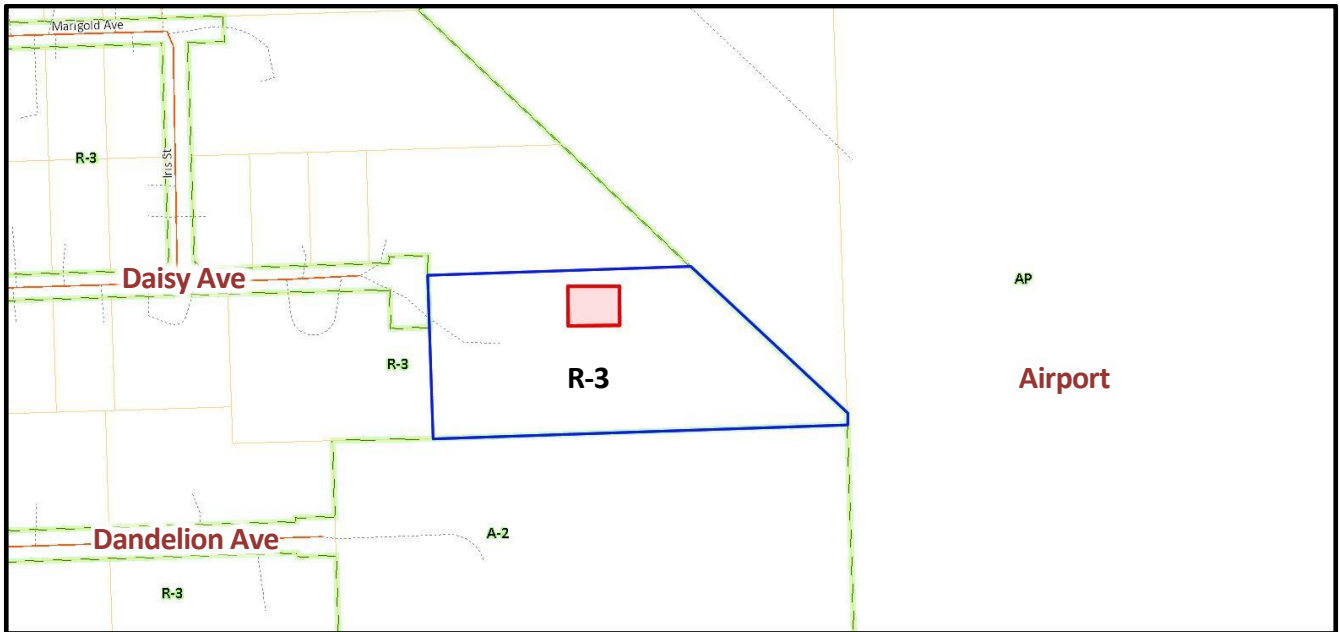
Proposal



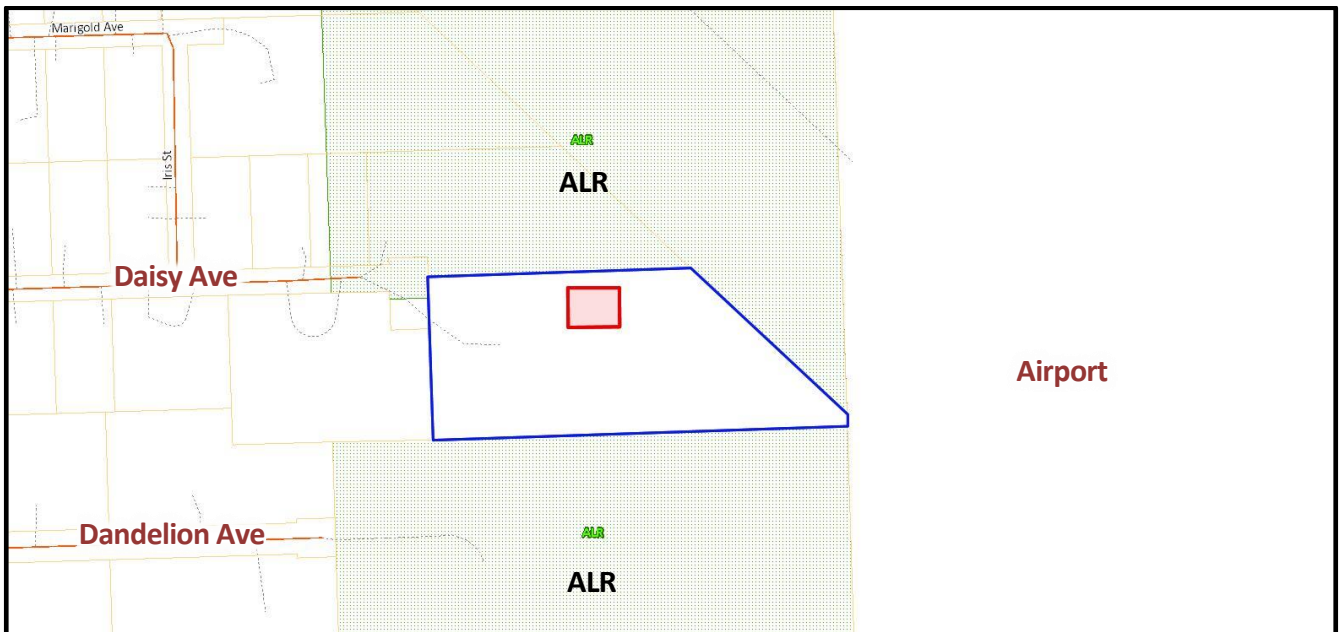
PRRD North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009: Medium Density Rural Residential (MDR)



PRRD Zoning Bylaw No. 1343, 2001: Residential 3 Zone (R-3)



Agricultural Land Reserve: Outside





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 4N4
(T): (250) 785-8084 prrd.fs@prrd.bc.ca



For Office Use:
 Receipt # _____
 Date Received _____
 File No. _____
 Sign Issued: Yes No N/A

Application for Development

1. TYPE OF APPLICATION

- | | | |
|---|-----|-------------|
| <input type="checkbox"/> Official Community Plan Bylaw Amendment* # | FEE | \$ 1,150.00 |
| <input type="checkbox"/> Zoning Bylaw Amendment* # | | \$ 800.00 |
| <input type="checkbox"/> Official Community Plan / Zoning Bylaw Amendment combined* # | | \$ 1,200.00 |
| <input type="checkbox"/> Temporary Use Permit* | | \$ 500.00 |
| <input type="checkbox"/> Temporary Use Permit Renewal | | \$ 350.00 |
| <input type="checkbox"/> Development Permit # | | \$ 165.00 |
| <input checked="" type="checkbox"/> 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 <i>Graeme Thomas</i>	Authorized Agent of Owner (if applicable)
Address of Owner [REDACTED]	Address of Agent
City/Town/Village: [REDACTED]	City/Town/Village:
Postal Code: [REDACTED]	Postal Code:
Telephone Number: [REDACTED]	Telephone Number:
E-mail: [REDACTED]	E-mail:

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 2 Sec 34 Tship 83 Rng 18	8.4	ha./acres
		ha./acres
		ha./acres
	TOTAL AREA	ha./acres

4. Civic Address or location of property: [REDACTED]

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:

40 x 80 shop

Temporary Use Permit – describe proposed use:

Development Permit: Bylaw No. _____ Section No. _____

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

no outbuildings just a house

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

(a) North 5 acres with modular

(b) East air port

(c) South 32 acres with house

(d) West 5 acres with modular & barn

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

40x80 shop

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

40x80 shop so I can drive my truck & trailer in without having to unhook trailer everytime I go into shop

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

existing lagoon

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

hauled water

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.

[Redacted Signature]

Signature of Owner

Aug 2 2021

Date signed

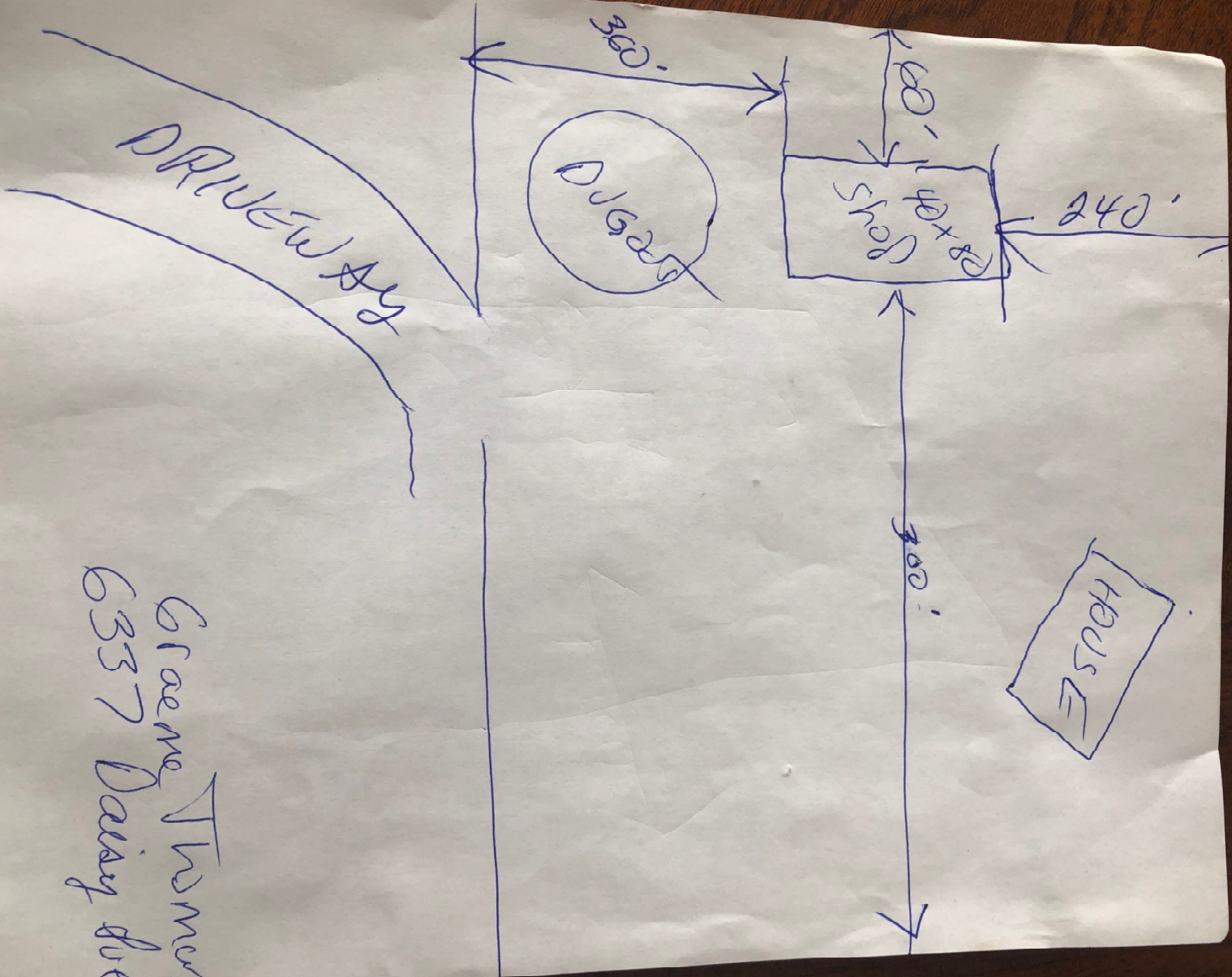
Signature of Owner

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	[Redacted]	and	_____	hereby authorize
	(name of landowner)		(name of landowner)	
_____ to act on my/our behalf regarding this application.				
(name of agent)				
Signature of Owner	[Redacted]	Date:	<i>Aug 2 2021</i>	
Signature of Owner:		Date:		



6337 Daisy Ave
 Graeme Thomas



Peace River Regional District
PO Box 810
1981 Alaska Avenue
Dawson Creek, BC V1G 4H8

Attn: Planning Department

The Ministry of Transportation and Infrastructure has received and reviewed your referral of September 21, 2021 to allow an increase in the maximum permitted accessory building floor area from 232 m² to 297.28m² (a difference of ±65.28m²) to permit the development of a proposed 40' x 80' (12 m x 24 m) shop totalling 297.28m² (3200 ft²) on LOT 2 SECTION 34 TOWNSHIP 83 RANGE 18 WEST OF THE 6TH MERIDIAN PEACE RIVER DISTRICT PLAN EPP18396. Section 505 of the Local Government Act does not apply and will not require Ministry of Transportation and Infrastructure formal approval.

The Ministry has no objections to the development variance permit; however, has the following comment:

No storm drainage shall be directed toward Daisy Avenue 618B. This would include but is not limited to collection/run-off of the internal road system or development run-off. All surface and subsurface drainage/storm water from the development is to be dealt with onsite.

The applicant should be aware that there is a chance that the area may contain previously unrecorded archaeological material that is protected under the Heritage Conservation Act. Please contact the Archaeology Branch immediately at (250) 953-3334 if archaeological site deposits are encountered on the subject property.

Thank you for the opportunity to comment. If you or the proponent has any questions, please contact Erlina Pieper at (778) 576-1184.

Sincerely,

Erlina Pieper, Development Officer

Ministry of
Transportation and
Infrastructure

Peace District

District Office Address:
300-10003, 110th Avenue
Fort St John, BC V1J 6M7
Telephone: (250) 787-3237
Email: DevApps.FSJ@gov.bc.ca

Area Office Locations:
1201-103 Ave, 3rd floor
Dawson Creek, BC V1G 4J2
4744-52 Street
Chetwynd, BC V0C 1J0



**PEACE RIVER REGIONAL DISTRICT
DEVELOPMENT VARIANCE PERMIT NO. 21-007**

Issued to: Graeme Thomas
6337 Daisy Avenue
Fort St. John, BC
V1J 4M6

1. Property affected: Lot 2 Section 34 Township 83 Range 18 W6M Peace River District Plan EPP18396
2. PID: 028-841-069
3. Official Community Plan: North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009; Medium Density Rural Residential
4. Zoning Bylaw: PRRD Zoning Bylaw No. 1343, 2001; Residential 3 Zone
5. 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.
6. This Development Variance Permit allows an increase in the maximum permitted accessory building floor area from 232m² to 297.28m² (a difference of ±65.28m²) to permit the development of a proposed 40' x 80' (12 m x 24 m) shop totalling 297.28m² (3200 ft²) on the northern side of the property, as illustrated in Schedule A, for the property legally described as Lot 2 Section 34 Township 83 Range 18 W6M Peace River District Plan EPP18396.
7. 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.
8. This Permit is **NOT** a building permit.

ISSUED THIS day of , 2021.

This permit is authorized by Peace River Regional District Board Resolution No.

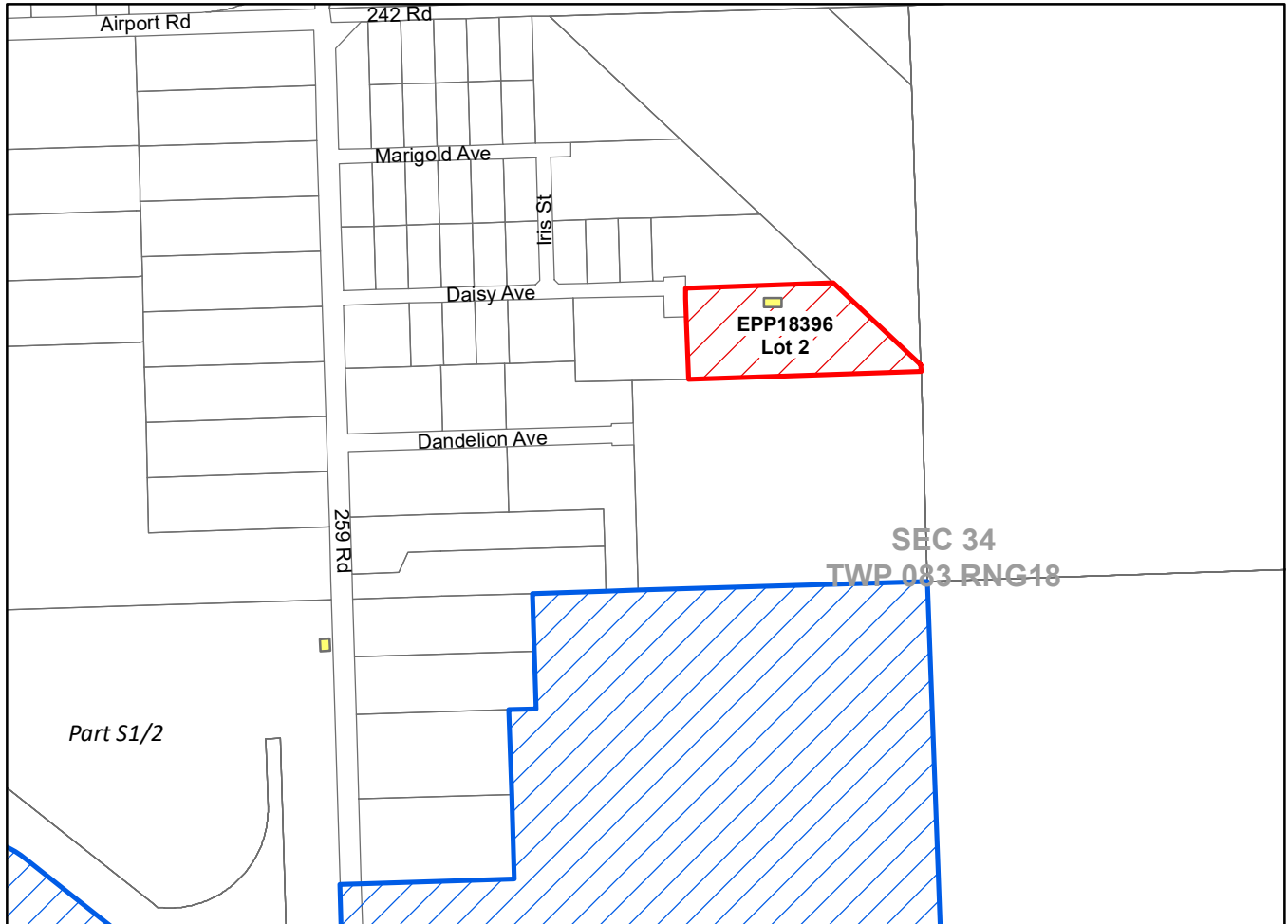
passed on the _____ day of _____, 2021.

Authorized Signatory

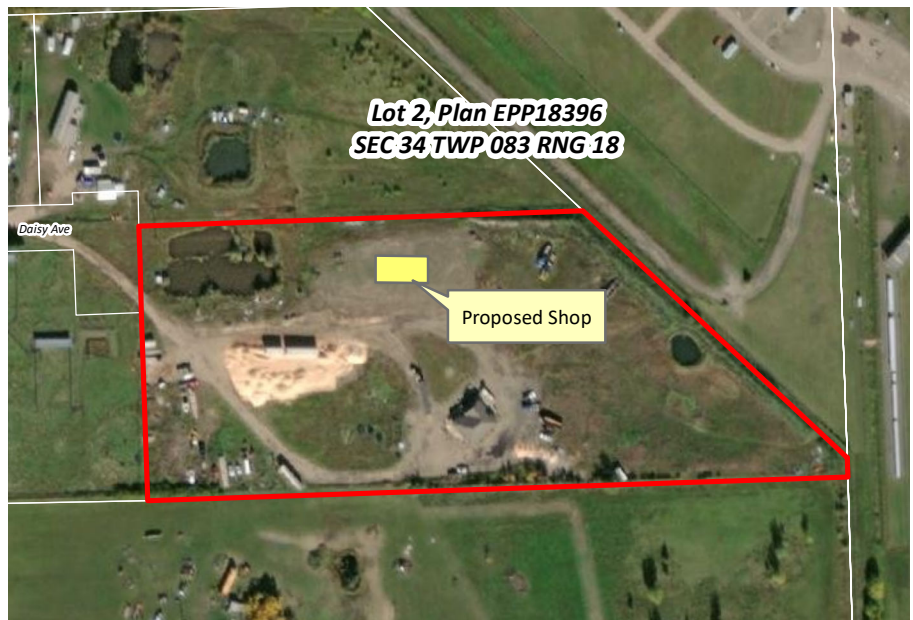
Schedule A is attached to and forms part of this Development Variance Permit.



Peace River Regional District
SCHEDULE "A"
 Development Variance Permit
 No. 21-007



Detail Map



Legend

- Subject Property
- Proposed Shop
- City of Fort St John
- Parcels