



REPORT

To: Chair and Directors

Report Number: DS-BRD-333

From: Ashley Murphey, RPP, MCIP, GM of Development Services

Date: September 14, 2023

Subject: Development Variance Permit No. 23-002, PRRD File No 23-002

RECOMMENDATION: [Corporate Unweighted]

That the Regional Board respectfully refuse the issuance of Development Variance Permit 23-002 to build a 353.03 m² (3800 ft²) accessory building on the property identified as PID: 028-324-200, as it is not consistent with zoning.

BACKGROUND/RATIONALE:

Proposal

The applicant is seeking a Development Variance Permit to build a 353.03 m² (3800 ft²) shop which exceeds the current permitted accessory building floor area of 232m² (2496 ft²) by 121.03m² (a 65.71% increase) on the property identified as PID: 028-324-200. The applicant has stated that the shop will be for recreational vehicles.

File Details

Owner: Curtis York, Catharine York
Agent: Sasha Bodie
Area: Electoral Area D
Location: Pouce Coupe
Legal: Lot 12 Section 25 Township 77 Range 15 West of the Sixth Meridian Peace River District Plan Epp7799
PID: 028-324-200
Civic Address: 952 Elk Ridge Trail
Lot Size: 1.82 ha (4.50 ac)

Site Context

The subject parcel is located approximately 3km southwest of the Village of Pouce Coupe. The subject parcel is cleared of trees for development. The adjoining land uses are residential in nature, as neighbouring lots are zoned Residential 4 zone (R-4).

Rationale

Refusal for this application is being recommended as the proposal seeks to increase the maximum accessory building floor area on the parcel by 65.71%, which is not consistent with the Peace River Regional District Zoning Bylaw 1343, 2001.

Site Features

Land

The subject parcel is cleared for development.

Structures

There are no structures on the subject parcel.

Access

The property is accessed from the south via Elk Ridge Trail.

Comments & ObservationsApplicant

The applicant is seeking to build a larger shop to store their large RV, side by side, and cars.

Agricultural Land Reserve (ALR)

The subject property is outside the Agricultural Land Reserve.

Official Community Plan (OCP)

Pursuant to the North Peace Fringe Area Official Community Plan Bylaw No. 2048, 2012, the subject property is designated Rural Neighbourhood (RN). Land within this designation shall be used to provide a rural residential lifestyle while allowing for development and infilling of new spaces. The minimum parcel size of a RN parcel should be 1.8 ha (4.50 ac). The applicant is seeking to build a residential shop.

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 as a Residential 4 zone (R-4). The minimum parcel size of an R-4 parcel is 1.80 ha (4.45 ac). Land within this zone may be used for residential housing, agriculture, and market gardens along with additional accessory uses.

Shops are a permitted accessory building use on an R-4 parcel. Pursuant to PRRD Zoning Bylaw 1343, 2001, Section 13.2 the maximum permitted accessory building floor area on this parcel is 232 m² (2496 ft²). The applicant is seeking to build a 353.03 m² (3800 ft²) shop which exceeds the current permitted accessory building floor area by 121.03 m², which is a 65.71% increase in allowable accessory building floor area.

Therefore the proposal is not consistent with the zoning bylaw.

Fire Protection Area

The subject property is within the Dawson Creek Rural Fire Protection Area.

Mandatory Building Permit Area

The subject property is within the Mandatory Building Permit Area. The applicant has applied for a building permit for a residential dwelling unit.

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.

Impact AnalysisContext

The proposed use of this parcel is residential in nature and is consistent with the surrounding land uses.

Population & Traffic

There are anticipated changes to population or traffic on this parcel as a new residential dwelling is being proposed.

Sewage & Water

The proposed sewage system will be an engineered septic system to service the new shop.

Comments Received from Internal Departments & Provincial AgenciesPRRD Bylaw Enforcement Officer

There are no concerns from the Bylaw Enforcement Department.

PRRD GIS Department

No concerns.

PRRD Building Inspector

Interest unaffected.

Canada Post

No Concerns from Canada Post.

Ministry of Transportation

Interests unaffected.

BC Hydro

BC Hydro has no objection in principle to the proposed. BC Hydro has an SRW registered on title.

Charge BB710481 is a Blanket Tripartite Agreement with standard terms ST20098 for Overhead and Undergrounds works. The "Area of the Works" means that portion of the Land located within 6 metres of either side of the centre of the alignment of the Works.

The following comments are for the property owner's information:

1. As you know, BC Hydro has a registered right of way on the property. Please be guided by the terms of the right of way agreement.
2. If there is a proposed subdivision of the property with road dedication, please submit the final version of the subdivision to our office via properties.helpdesk@bchydro.com. BC Hydro will reserve comments following a further review of the final subdivision plan when submitted. Reviews can take 4-6 weeks and has a fee of \$315.00 (\$300+tax). BC Hydro's signature is required before the plan can be registered.
3. Obtain separate written approval from this office for any intended use or development on the right of way before construction takes place. Submit applications to this office via properties.helpdesk@bchydro.com.

4. No building encroachment is permitted within the right of way.
5. Open space/parks must be assigned a lot number so that Hydro's rights are retained.
6. For new construction, BC Hydro wishes to ensure that building permits do not get issued that allow for encroachment of buildings into the safety clearance zones required around existing bare utility conductors, including those utility works installed within road allowance adjacent to the property.
7. It is the responsibility of the Architect and Electrical Engineer of Record (EEOR) to ensure compliance with the Canadian Electrical Code (CEC), Canadian Safety Association (CSA) and WorkSafeBC (WSBC). The CEC, CSA and WSBC stipulate minimum clearances of powerlines and equipment from buildings for safety and safe working clearances (Limits of Approach)

ALTERNATIVE OPTIONS:

1. That the regional board authorize the issuance of Development Variance Permit 23-002 to build a 353.03 m² (3800 ft²) accessory building on the Parcel Identified as PID: 028-324-200.
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):

Staff will communicate the Regional Board decision to the applicant.

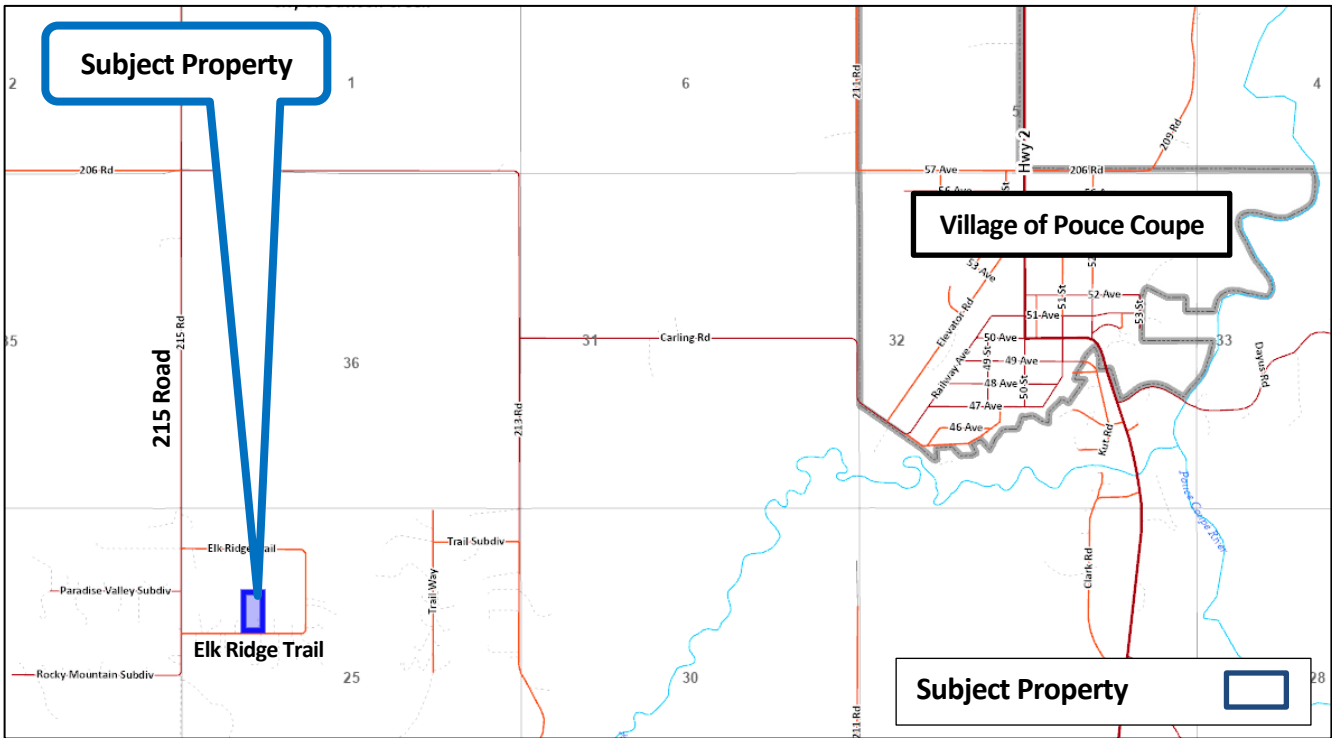
OTHER CONSIDERATION(S):

None at this time.

Attachments:

1. Maps, PRRD File No. 23-002 DVP
2. Application, PRRD File No. 23-002 DVP

Location: Pouce Coupe Area



Aerial Imagery of Subject Parcel



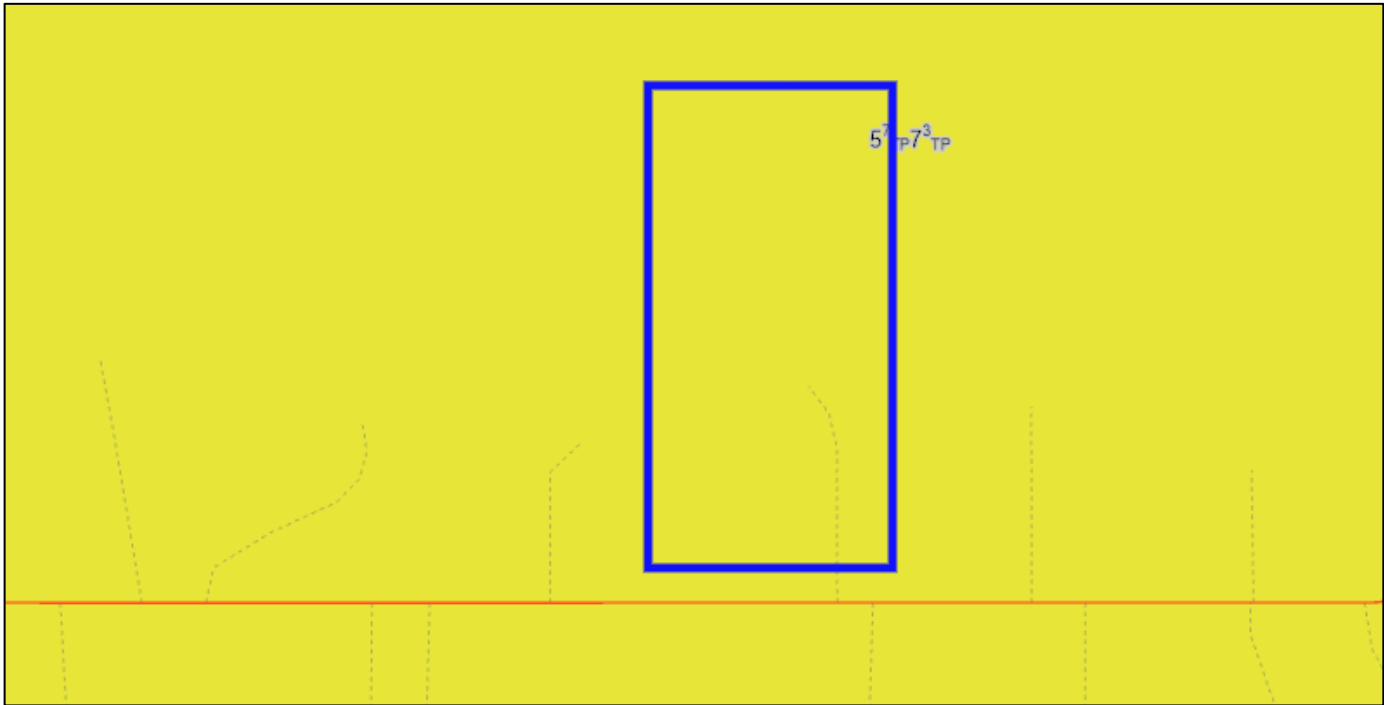
PRRD South Peace Fringe Area Official Community Plan Bylaw No. 2048, 2012: Rural Neighbourhood (RN)



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



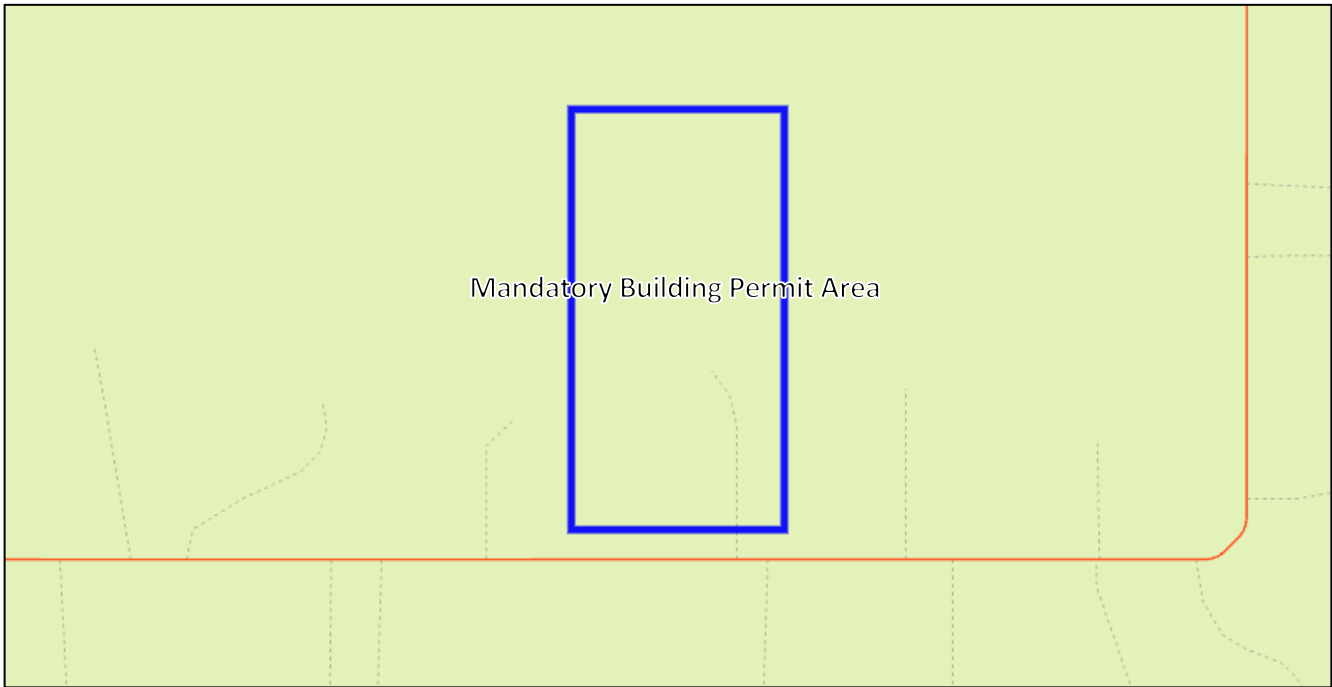
CLI Soil Classification: 5⁷_{TP} 7³_{TP} (Soil has Severe Limitations)



Within the Dawson Creek Rural Fire Protection Area



Within the Mandatory Building Permit Area





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

Application for Development

1. TYPE OF APPLICATION

	FEE
☐ Official Community Plan Bylaw Amendment*	\$ 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 Curtis & Catharine York	Authorized Agent of Owner (if applicable) Sasha Bodie (Tryon Engineering Inc.)
Address of Owner [REDACTED]	Address of Agent 10201 - 17 Street
City/Town/Village: [REDACTED]	City/Town/Village: Dawson Creek, BC
Postal Code: [REDACTED]	Postal Code: V1G 4C3
Telephone Number: [REDACTED]	Telephone Number: 250-793-1658
E-mail [REDACTED]	E-mail: sbodie@tryongroup.ca

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/Parcel 12 Plan EPP7799 Section 25 Township 77 Range 15 Meridian 6 PID 028-324-200	4.5 Acres ha./acres
	ha./acres
	ha./acres
	TOTAL AREA 4.5 Acres ha./acres

4. Civic Address or location of property: 952 Elk Ridge Trail

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:

To Build a Shop (Accessory Building) - 3800 Sq Ft

☐ Temporary Use Permit – describe proposed use:

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

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

No existing buildings, land is bare but building a new house and shop

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

(a) North Vacant Lot

(b) East Large house with detached garage

(c) South House

(d) West Large house with detached garage

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

Accessory Building exceeds 2496 Sq Ft but client is wanting a 3800 Sq Ft Accessory Building

Accessory building will be properly engineered and to BCBC Building code as well as siding to match the house siding

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

Client needs a bigger accessory building to store his Large RV and other toys (Side by side, cars, etc.)

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

Proposed septic field to tie into house and shop (engineered septic field) House and shop will have separate holding tanks.

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

Cistern will be installed onto property

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 to the best of our knowledge, a true statement of the facts related to this application.

Signature of Owner

Signature of Owner

June 29/23
Date signed

June 29/23
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 <u>Curtis York</u> and <u>Catharine York</u> hereby authorize	
(name of landowner) (name of landowner)	
Sasha Bodie (Tryon Engineering Inc.) to act on my/our behalf regarding this application.	
(name of agent)	
Signature of Owner:	Date: <u>June 29/23</u>
Signature of Owner:	Date: <u>June 29/23</u>

LOT 18
PLAN EPP55292

LOT 19
PLAN EPP55292

LOT 20
PLAN EPP55292

EPP55294

R/W

PLAN

87°40'07"

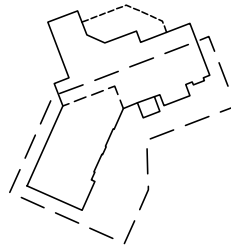
96.56

5m SETBACK



LOT 12
PLAN EPP7799

UNCONSTRUCTED HOUSE
with Garage, Deck, and
Raised Pad



LOT 11
PLAN EPP7799

LOT 13
PLAN EPP7799

177°42'03"

3m SETBACK

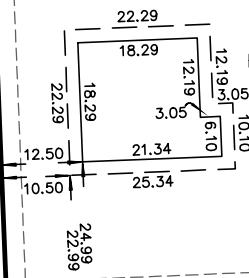
188.61

177°42'10"

3m SETBACK

188.61

PROPOSED SHOP
Structure: 353m² (3800ft²)
Raised Pad: 527.5m² (5678.3ft²)



DRIVEWAY

7m SETBACK

87°40'09"

96.55

ELK RIDGE TRAIL

PROPOSED HOUSE LAYOUT WITHIN LOT 12
SECTION 25 TOWNSHIP 77 RANGE 15 W6M
PEACE RIVER DISTRICT PLAN EPP7799

BCGS 93P.080

JDS
CONSTRUCTION

0 1:750 25

Tryon Land Surveying Ltd.
Dawson Creek 250-782-5868
Fort St John 250-262-0031
www.tryongroup.ca



TRYON FILE:
2022-0509