



REPORT

To: Chair and Directors

Report Number: DS-BRD-367

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

Date: January 11, 2024

Subject: Development Variance Permit No. 23-008

RECOMMENDATION: [Corporate Unweighted]

That the Regional Board authorize the issuance of Development Variance Permit No. 23-008, to vary the parcel line setbacks within PRRD Zoning Bylaw No. 1343, 2001, for the property identified as PID 012-589-659 as follows:

- a) Reduce the Front Parcel Line setback from 7.0 m to 3.5m; and
- b) Reduce the Rear Parcel Line from 5.0 m to 3.0m

to allow a standard size manufactured home to be placed onto the property.

BACKGROUND/RATIONALE:

Proposal

The applicant is seeking to reduce the front and rear parcel line setbacks on the subject property to allow the placement of a standard sized manufactured home.

Rationale

Staff are recommending support for this application as a manufactured home is considered a single-detached dwelling and is a permitted use within PRRD Zoning Bylaw No. 1343, 2001. The subject property and many of the adjacent properties are undersized parcels. While the applicant could construct a conventional dwelling in conformance with zoning regulations, in order to place a standard size manufactured home this variance is required.

File Details

Owner: Mike Bacon
Agent: Conquer Assets Inc.
Area: Electoral Area C
Location: Fort St. John
Legal: Lot E Block 1 Section 35 Township 83 Range 19 West of the 6th Meridian
Peace River District Plan 11028
PID: 012-589-659
Civic Address: 9924 Maple Street
Lot Size: 0.06 ha (0.15 ac)

Background

October 5, 2023 The applicant was issued a demolition permit for the existing buildings on the subject property. Subject property is currently vacant.

Site Context

The subject property is in the Northwest fringe area of the City of Fort St. John. The subject property is partially cleared of trees and is vacant of any structures. The adjoining land parcels are zoned as Residential 3 (R-3).

Official Community Plan (OCP)

Pursuant to the North Peace Fringe Area Official Community Plan Bylaw No. 2460, 2021, the subject property is designated Rural Residential (RR). Land within this designation should be used for residential housing.

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 3 (R-3). Land within this zone may be used for residential and agriculture. The minimum parcel size is 0.9 ha (2.2 ac). The parcel is existing-undersized; however, no subdivision is proposed.

Setbacks - The required Front Parcel Line setback is 7.0 m and the required Rear Parcel Line setback is 5.0 m. The applicant seeks to place the manufactured home 3.5 m from the Front Parcel Line and 3 m from the Rear Parcel Line. This encroaches on the front setback by 3.5 m and the rear setback by 2.0 m.

Therefore, the proposal is not consistent with the zoning bylaw and this Development Variance Permit is required for the applicant to place a manufactured home on the subject property.

Impact AnalysisContext

The proposed land use is consistent with the surrounding land uses.

Population & Traffic

There is no anticipated changes to traffic or personnel on the subject property.

Sewage & Water

Sewage is not proposed, water will be supplied by owner.

Site FeaturesLand

The property is mainly cleared of trees.

Structures

Subject property is currently vacant.

Access

The property is accessed from Maple Street on the west side of the parcel.

Comments & ConsiderationsApplicant

Most other lots in the immediate area seem to encroach on the current 7.0 m front setback due to the small size of the parcels on Maple Street. Many of the neighboring lots also have mobile homes on them. This variance would not disregard or be out of place with the existing surrounding neighborhood.

Agricultural Land Reserve

The subject property is within the Agricultural Land Reserve.

Fire Protection Area

The subject property is within the Charlie Lake Fire Protection Area.

Mandatory Building Permit Area

The subject property is within the Mandatory Building Permit Area.

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.

Comments Received from Municipalities & Provincial AgenciesBylaw Enforcement Officer

Approval recommended but the applicant should submit a building location certificate to ensure placement according to proposal.

Charlie Lake Fire Department

Interests unaffected.

PRRD GIS

Interests unaffected.

BC Hydro

BC Hydro has no objection in principle to the Development Variance Permit application as BC Hydro's work do not physically cross the property nor is there a Right of Way Agreement registered on Title.

1. 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.
2. 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 WorkSafe BC (WSBC). The CEC, CSA and WSBC stipulate minimum clearances of powerlines and equipment from buildings for safety and safe working clearances (Limits of Approach).
3. If the Developer or Property Owner requires any additional electrical connections, or wishes to relocate any existing powerlines or equipment, please call BC Hydro's Electric Service Coordination Centre at 1-877-520-1355 and ask to speak to a Distribution Designer.

Ministry of Transportation and Infrastructure

See attached response.

Northern Health

Interests unaffected.

ALTERNATIVE OPTIONS:

1. That the Regional Board respectfully refuse to issue Development Variance Permit No. 23-008, to allow a reduction in parcel line setbacks, for the property identified as PID 012-589-659, as it is not consistent with 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.

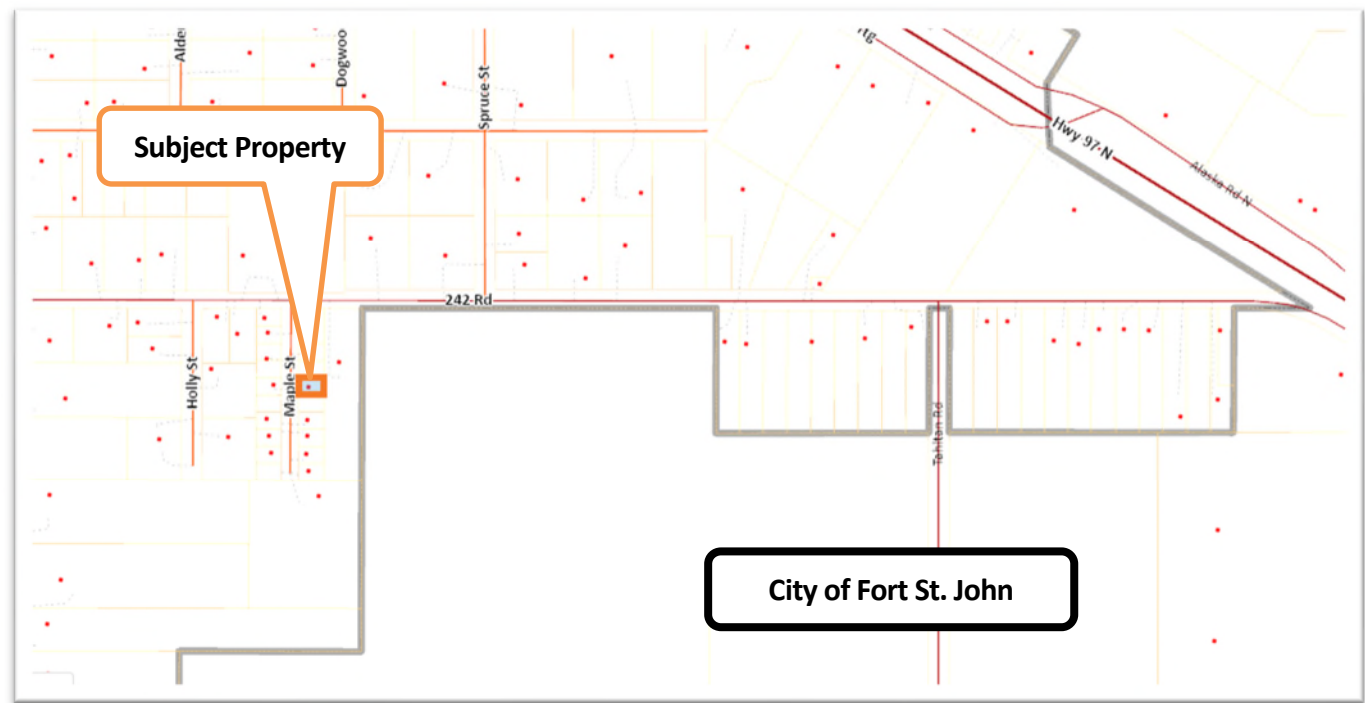
OTHER CONSIDERATION(S):

None at this time.

Attachments:

1. Maps, PRRD File No. 23-008 DVP
2. Application, PRRD File No. 23-008 DVP
3. Comments Received from Municipalities & Provincial Agencies, PRRD File No. 23-008 DVP

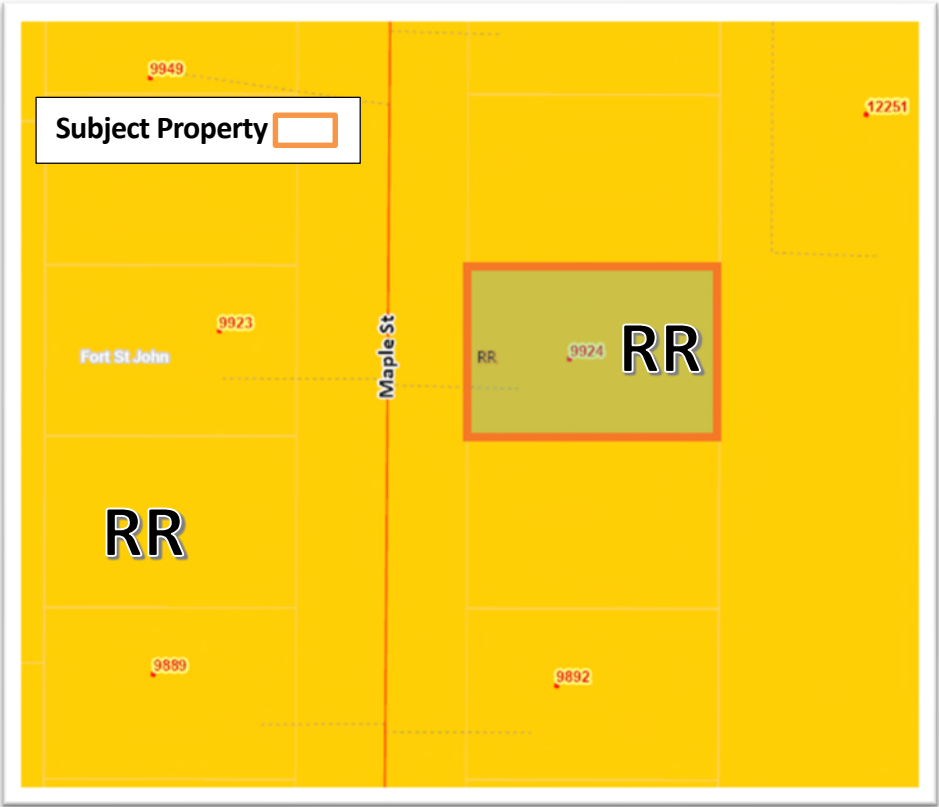
Location: Fort St. John



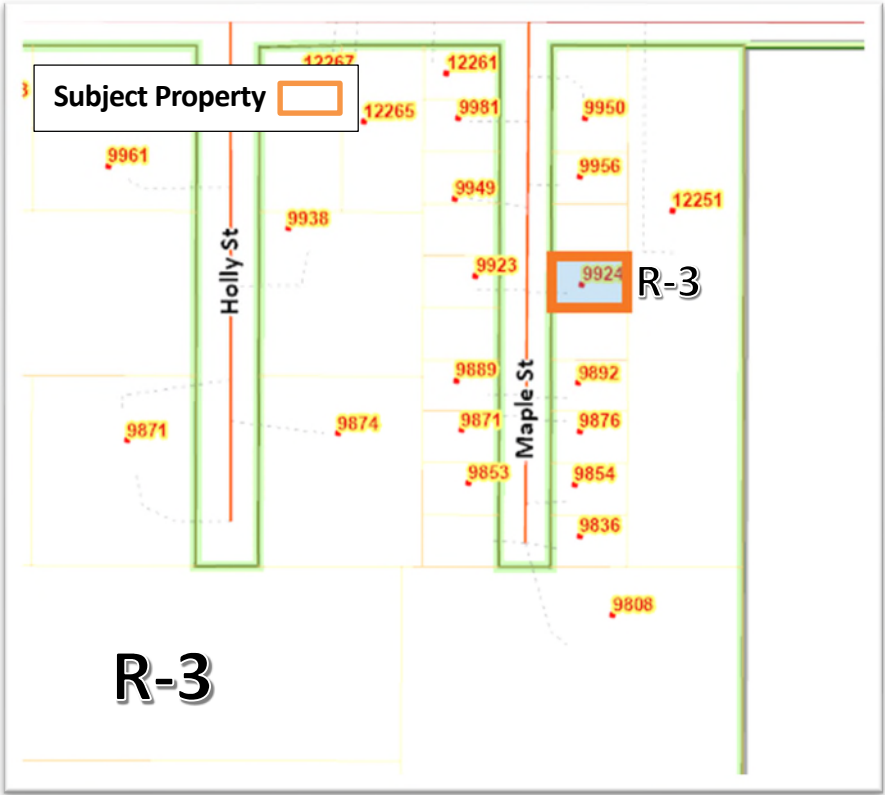
Aerial Imagery



PRRD North Peace Fringe Area Official Community Plan No. 2460, 2021: Rural Residential (RR)



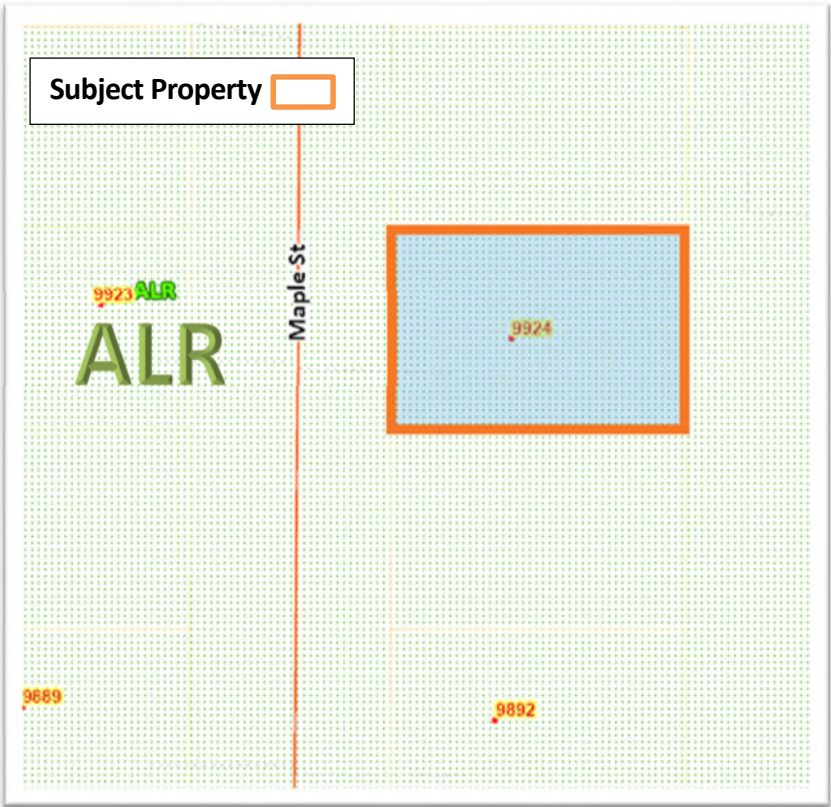
PRRD Zoning Bylaw No. 1343, 2001: Residential 3 Zone (R-3)



CLI Soil Classification: 2c



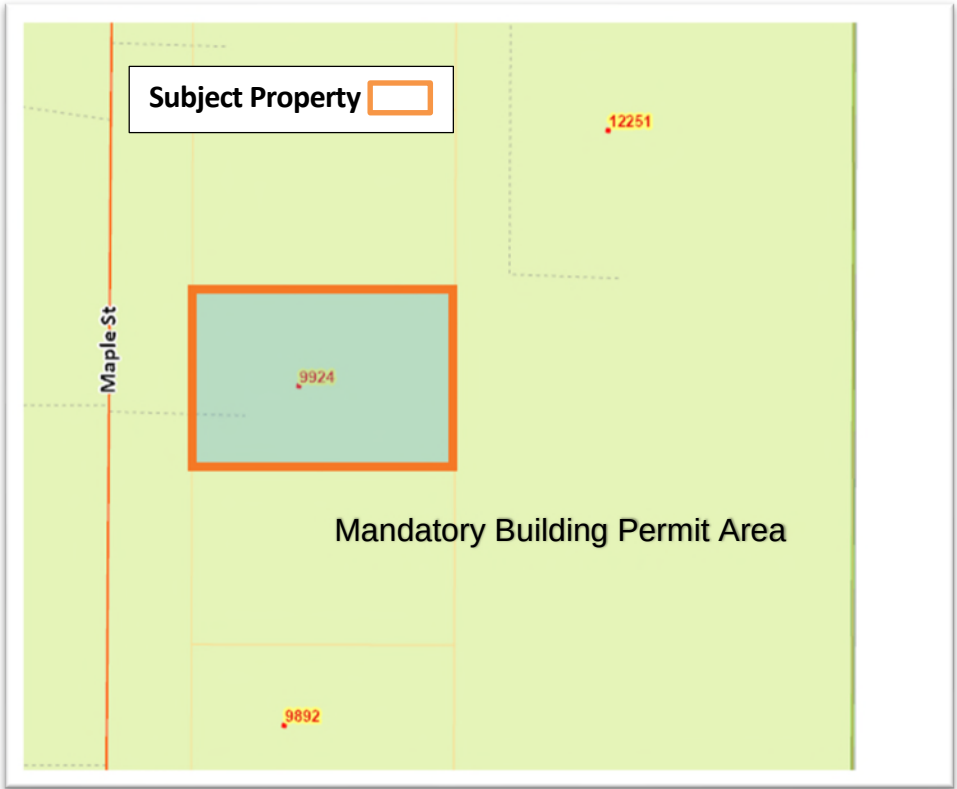
Agricultural Land Reserve: Within



Fire Protection Area: Charlie Lake Fire Protection Area



Mandatory Building Permit Area: Within





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 # 9156.
Date Received _____
File No. 23-008 DVP
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 Conquer Assets Inc.	Authorized Agent of Owner (if applicable) <u>Mike Bacon</u>
Address of Owner [REDACTED]	Address of Agent [REDACTED]
City/Town/Village: [REDACTED]	City/Town/Village: [REDACTED]
Postal Code: [REDACTED]	Postal Code: [REDACTED]
Telephone Number: [REDACTED]	Telephone Number: [REDACTED]
E-mail: [REDACTED]	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 E, BLOCK 1, PLAN PGP1002, PART RURAL, SECTION 35, TOWNSHIP 01, RANGE 01, MERIDIAN 106	0.15 acres ha./acres
PEACE RIVER LAND DISTRICT	ha./acres
PID: 012-589-659	ha./acres
	TOTAL AREA 0.15 ha./acres

4. Civic Address or location of property: 9924 Maple Street Fort St. John Rural

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:

Front setback variance to allow standard sized mobile home (up to 76ft nominal length) to be placed
onto lot with the structure long dimensions parallel to the long dimension of lot.

☐ Temporary Use Permit – describe proposed use:

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

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

Residential, vacant lot

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

(a) North Residential, Vacant lot

(b) East Residential, House and Garage

(c) South Residential, Vacant lot

(d) West Residential, mobile home

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

Allow a mobile home of nominal 76ft (generic mobile size) length dimension to be permitted on the property.

Setbacks on the rear and sides of parcel at 3m would be maintained. Front setback would be reduced.

The lot and area is zoned to allow mobile homes but given the size and front setback, many standard mobiles will not fit without a variance.

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

Most other lots in the immediate area seem to encroach on the current 7m front setback due to the small size

of the parcels on Maple Street. Many of the neighboring lots also have mobile homes on them.

This variance would not disregard or be out of the place with the existing surrounding neighborhood.

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

Holding tank

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

Cistern

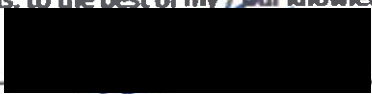
THE FOLLOWING INFORMATION IS REQUIRED DEPENDING ON THE PROPOSAL/APPLICATION:

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.



Signature of Owner

Nov 3 2023

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 <u>Conquer Assets Inc.</u> and _____ hereby authorize (name of landowner) (name of landowner)	
<u>Mike Bacon</u> to act on my/our behalf regarding this application. (name of agent)	
Signature of Owner: 	Date: <u>Nov 3 / 2023</u>
Signature of Owner:	Date:



PEACE RIVER REGIONAL DISTRICT

CONTAMINATED SITE DECLARATION FORM

I, Conquer Assets Inc., hereby acknowledge that the
Environmental Management Act, 2003, as amended, is effective as of February 1, 2021.

Legal Description(s):

LOT E, BLOCK 1, PLAN PGP11028, PART NW1/4, SECTION 35, TOWNSHIP 83,
RANGE 19, MERIDIAN W6, PEACE RIVER LAND DISTRICT

PID: 012-589-659

Please check only one:

☒ I have read [Schedule 2](#) and based on my personal knowledge of the property in question, I do not believe that it is or has been used for any of the industrial or commercial purposes and activities specified in [Schedule 2](#) of the regulations. Accordingly, I elect not to complete and submit a 'site disclosure statement', as outlined in Section 40.(1) of the *Act*.

☐ I have read [Schedule 2](#) and one or more of the identified purposes or activities is or has occurred on the land(s) legally described above.

*Please contact staff to submit a "site disclosure statement" at planning@prrd.bc.ca

I further acknowledge that this declaration does not remove any liability, which may otherwise be applicable under the legislation.

[Redacted Signature]

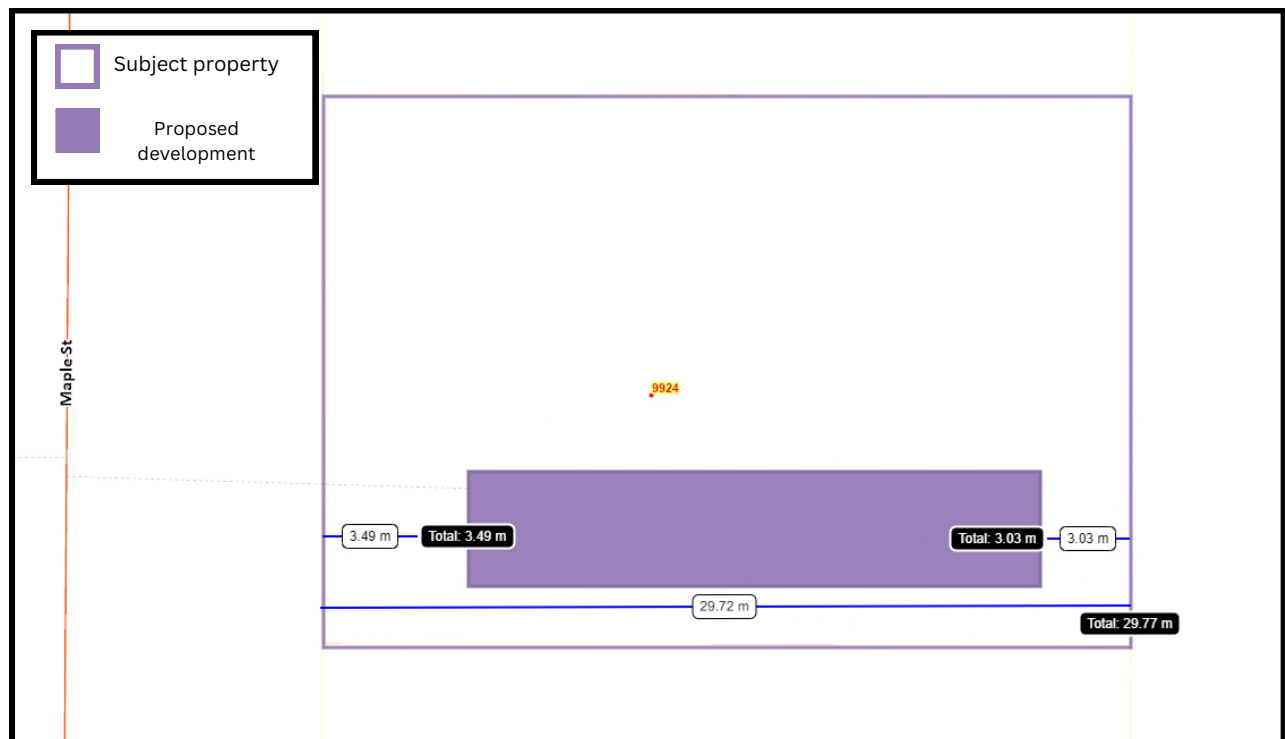
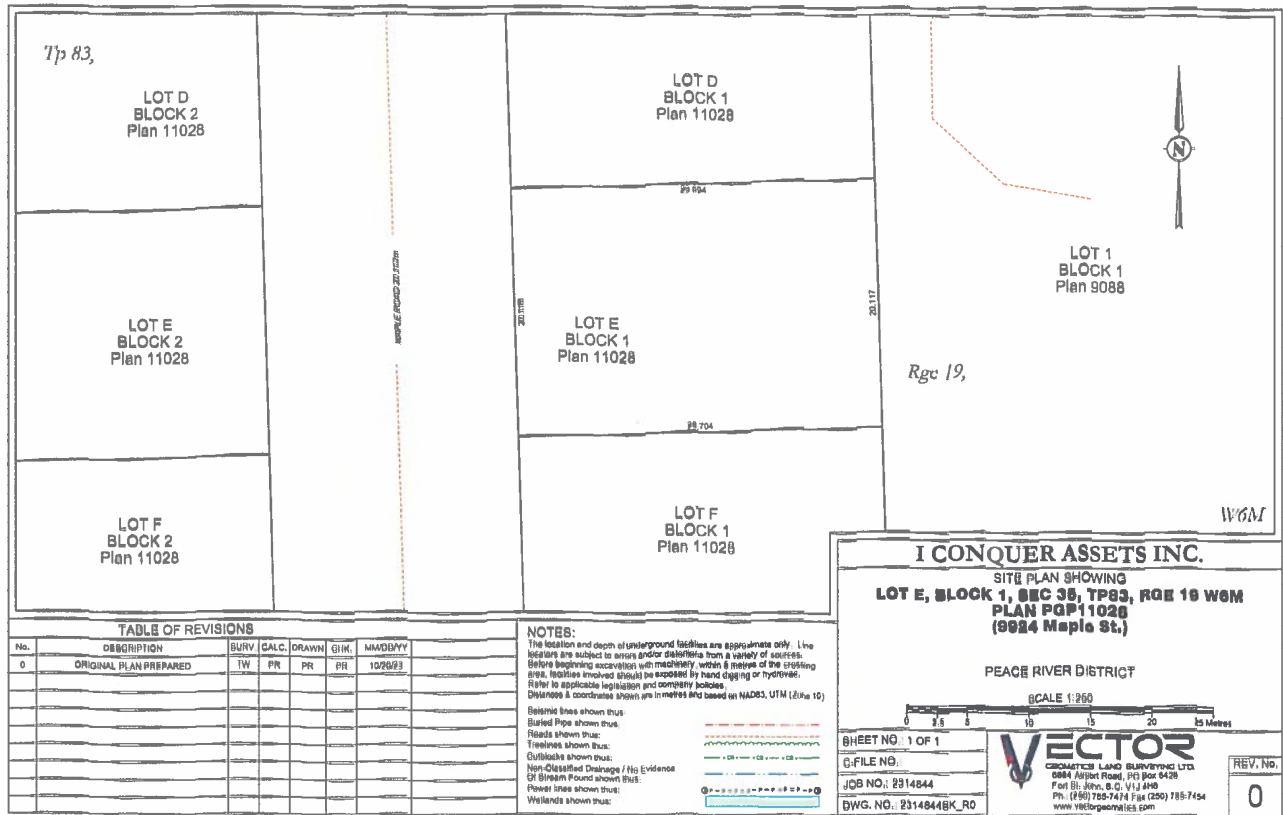
Owner/Agent

03 / 11 / 2023 /
dd mm yyyy

Owner/Agent

 / / /
dd mm yyyy

For more information, please visit the ministry's Identification of Contaminated Sites webpage or e-mail SiteID@gov.bc.ca





Ministry of
Transportation
and Infrastructure

Our file: 2023-05640
Your file: 23-008 – Development Variance
Permit
Date: December 8, 2023

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

Attention: Adam Morton, Planner II

The Ministry of Transportation and Infrastructure (MoTI) has received and reviewed your referral of November 30, 2023, for a Development Variance Permit for subject lot located at PID: 012-589-659, LOT E BLOCK 1 SECTION 35 TOWNSHIP 83 RANGE 19 WEST OF THE 6TH MERIDIAN PEACE RIVER DISTRICT PLAN 11028. Section 505 of the Local Government Act does not apply and will not require MoTI formal approval however, MoTI has the following condition that must be met prior to formal approval of the Development Variance Permit:

1. Buildings or structures adjacent to a highway or lane must be set back from the property line, a minimum of 4.5 meters. If buildings or structures are proposed within the 4.5 meter set back from Maple Street and subject lot PID 012-985-058, the landowner is required to obtain a set back permit from MoTI. The owner is to apply online for a “Structure: Setback” permit to MoTI here: [Highway Use Permits - Province of British Columbia \(gov.bc.ca\)](https://gov.bc.ca/highway-use-permits)

Thank you for the opportunity to comment. If you or the proponent has any questions, please contact me at [REDACTED].

Sincerely,

[REDACTED]

Pearl Canaday, Development Services Officer