



REPORT

To: Chair and Directors

Report Number: DS-BRD-395

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

Date: April 4, 2024

Subject: Development Variance Permit Application, PRRD File No. 24-002 DVP

RECOMMENDATION: [Corporate Unweighted]

That the Regional Board authorize the issuance of Development Variance Permit No. 24-002 to increase the maximum permitted aggregate accessory building floor area from 232 m² to 445.9 m² (a difference of ±213.9 m²) to construct a two-level shop on the subject property identified as PID: 027-300-170, within PRRD Zoning Bylaw No. 1343, 2001.

BACKGROUND/RATIONALE:

Proposal

The applicant is seeking to construct a two level 12.19m x 18.29m (40ft x 60ft) shop equalling ±445.9 m² (4,800 ft²) on the property identified as PID: 027-300-170. The intent of constructing a two-story shop is to minimize the overall building footprint while maximizing the useable space in the building. Due to topographical constraints on the property, the shop will be built into the side of the existing hill.

Rationale

Support for this proposal is recommended, as the building's footprint is proposed to be ±223 m² (2,400 ft²) which is consistent with the maximum permitted accessory building floor area for this zone and parcel size, of 232 m² (2,496 ft²). However, pursuant to the Zoning Bylaw "Floor Area" is defined as "the total floor area of all floors, measured to the outside surface of the exterior walls of the building(s)". Therefore, the proposed shop will have a total accessory building floor area of 445.9 m² (4,800 ft²) which is inclusive of the proposed 223 m² (2,400 ft²) main floor, and 232 m² (2,400 ft²) second floor.

File Details

Owner: David Deihl and Cheryl Diehl
Area: Electoral Area C
Location: Charlie Lake
Legal: Lot 1 Section 16 Township 84 Range 19 West of the 6th Meridian Peace River District Plan BCP33550
PID: 027-300-170
Civic Address: 13111 Sunnyside Drive
Lot Size: 2.01ha (4.97 ac)

Site Context

The subject parcel is located approximately 3km northwest of the City of Fort St. John within the Charlie Lake area. To the north, west, and south of the parcel are residential properties zoned as R-2 zone, to the east is an agricultural property zoned A-1.

Official Community Plan (OCP)

Pursuant to the North Peace Fringe Area Official Community Plan Bylaw No. 2460, 2021, the subject property is designated Community Residential. Land within this designation should be used for residential development. As the proposal is a residential shop, it is consistent with the Official Community Plan.

Land Use Zoning

Pursuant to Zoning Bylaw No. 1343, 2001, the subject property is zoned R-2 (Residential 2 Zone). Land within this zone may be used for dwelling units, market gardens, and agriculture, with accessory buildings being a permitted accessory use. The minimum parcel size is 0.4ha for parcels connected to sewer.

The proposed accessory building use is consistent with the Zoning Bylaw, however the maximum aggregate floor area of an accessory building permitted on this parcel is 232 m² (2,496 ft²). Pursuant to the definitions section of the bylaw, Floor Area means “the total floor area of all floors, measured to the outside surface of the exterior walls of the building(s)”. Based on this definition the proposed accessory building will have a total aggregate floor area of 445.93 m² (4,800 ft²), therefore this development variance permit is required.

As the building footprint of 223 m² (2,400 ft²) is consistent with the typical floor area of existing shops in the surrounding area, staff is supportive of this variance.

Impact Analysis**Context**

The proposal is consistent with the surrounding land use, no conflicts are anticipated.

Population & Traffic

No change to traffic is anticipated from this development.

Sewage & Water

A 2,000-gallon holding tank will be installed for sewage and a water cistern will service the shop.

Site Features**Land**

The parcel is cleared of all trees, the topography of the parcel slopes downhill towards the residential dwelling on the western side of the parcel. The applicant is proposing to build the subject shop into the slope to reduce the amount of digging, and to make use of a two-level drive-in design that will be integrated into the topographical constraints of the property.

Structures

There is currently one residential dwelling located on the parcel.

Access

The property is accessed from the east via Sunnyside Drive.

Comments & Considerations

Applicant

The applicant is seeking to construct a two level 4,800 ft² accessory building with a footprint of 2,400 sq ft. Since the parcel is sloped, the applicant would like to make use of a two-level building to make use of the grade change of the parcel given the limited flat areas to build. Engineer plans have been submitted proving that the building will only have a footprint of 2,400 ft². The lower level of the building will be used to securely store vehicles, quads, and other costly items. And the upper level will be used as a woodworking and welding hobby shop for personal use.

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 within the Development Cost Charge Area; however, the charge does not apply at this time as there is no new residential dwelling proposed.

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 Agencies

Charlie Lake Fire Department

Interest unaffected. Request (voluntary), upon completion of the structure. Please inform the fire department of any high hazards that may be associated with this structure (welding equipment type & amount).

GIS

No concerns.

Building Inspector

No concerns.

Environmental Services

Applicant must submit an application for sewer connection.

BC Hydro

BC Hydro Property Rights has no objection in principle to the proposed. 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 written below.
2. No building encroachment is permitted within the right of way.
3. 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).

Terms of Right of Way BB647047

Type of Works: Blanket, Triparty, Overhead, Underground, Distribution

Area of Works means that a portion of the Land located within 6 meters of either side of the center of the alignment of the Works. Right of Way Area: Land as shown approximately in heavy black outline on Drawing No. 1002 (621)-2, included in document BB647047. Access Rights Described: enter, work, pass and repass on, and along the Area of the Works; have reasonable unobstructed access over the Land to and from the Area of the Works for all purposes relating to this Agreement.

Special notes: This right of way charge references the standard terms ST020098.

ALTERNATIVE OPTIONS:

1. That the Regional Board respectfully refuse to issue Development Variance Permit No. 24-002 DVP, to increase the maximum permitted aggregate accessory building floor area from 232 m² to 445.9 m² (a difference of ±213.9 m²) to construct a two-level shop on the subject parcel identified as PID: 027-300-170
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.

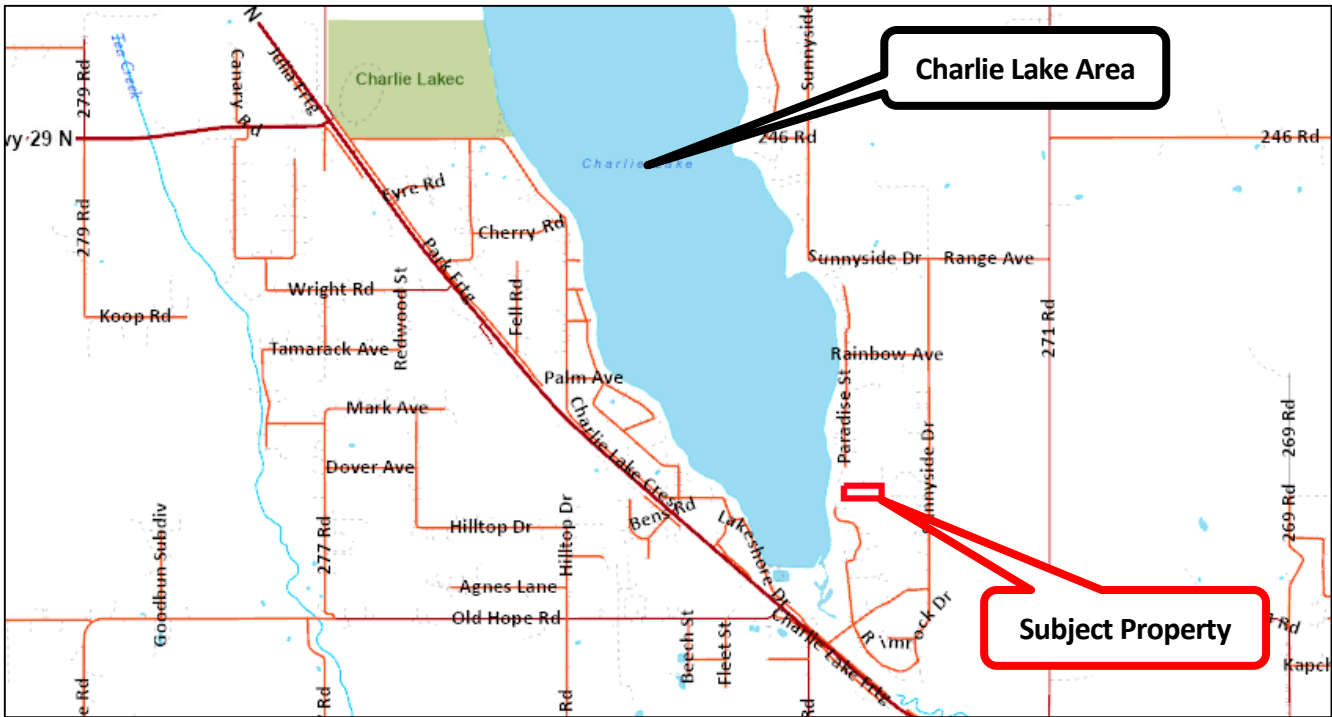
OTHER CONSIDERATION(S):

None at this time.

Attachments:

1. Maps, PRRD File No. 24-002 DVP
2. Application, PRRD File No. 24-002 DVP

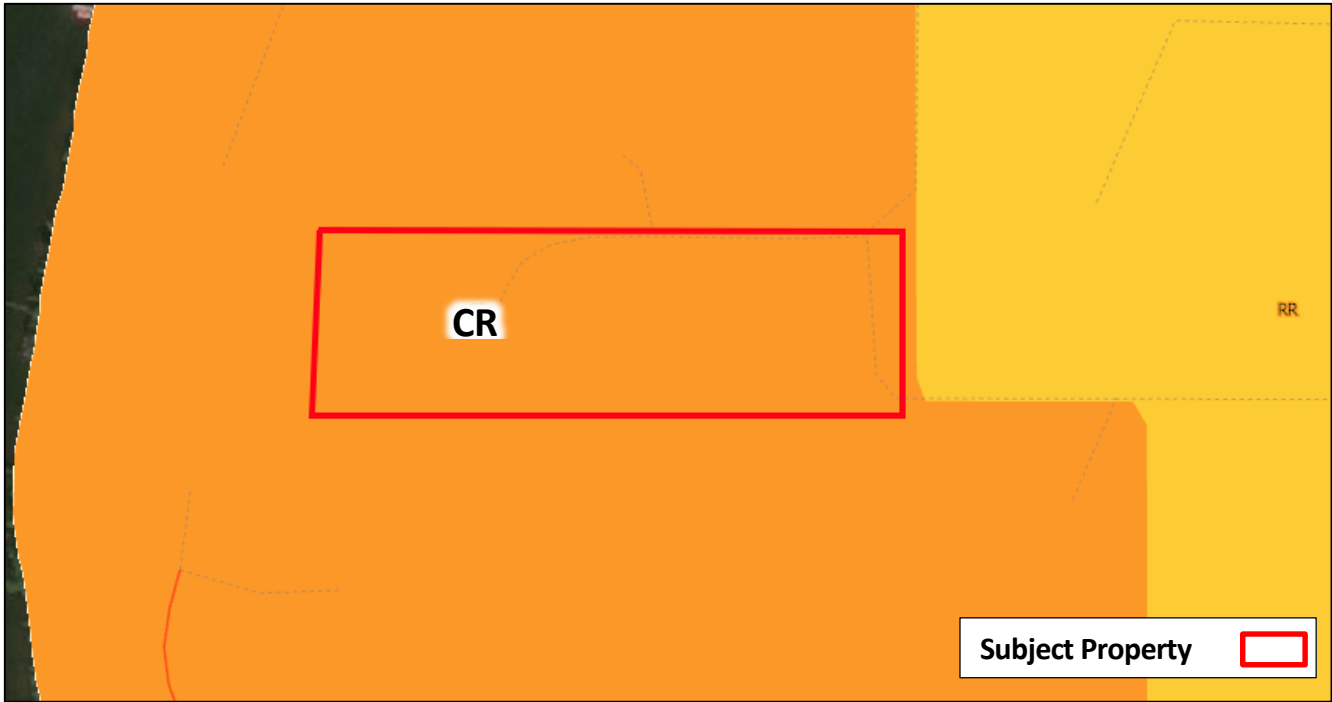
Location: Charlie Lake area



Aerial imagery



PRRD North Peace Fringe Area Official Community Plan Bylaw No. 2460, 2021: Community Residential



PRRD Zoning Bylaw No. 1343, 2001: Residential 2 Zone



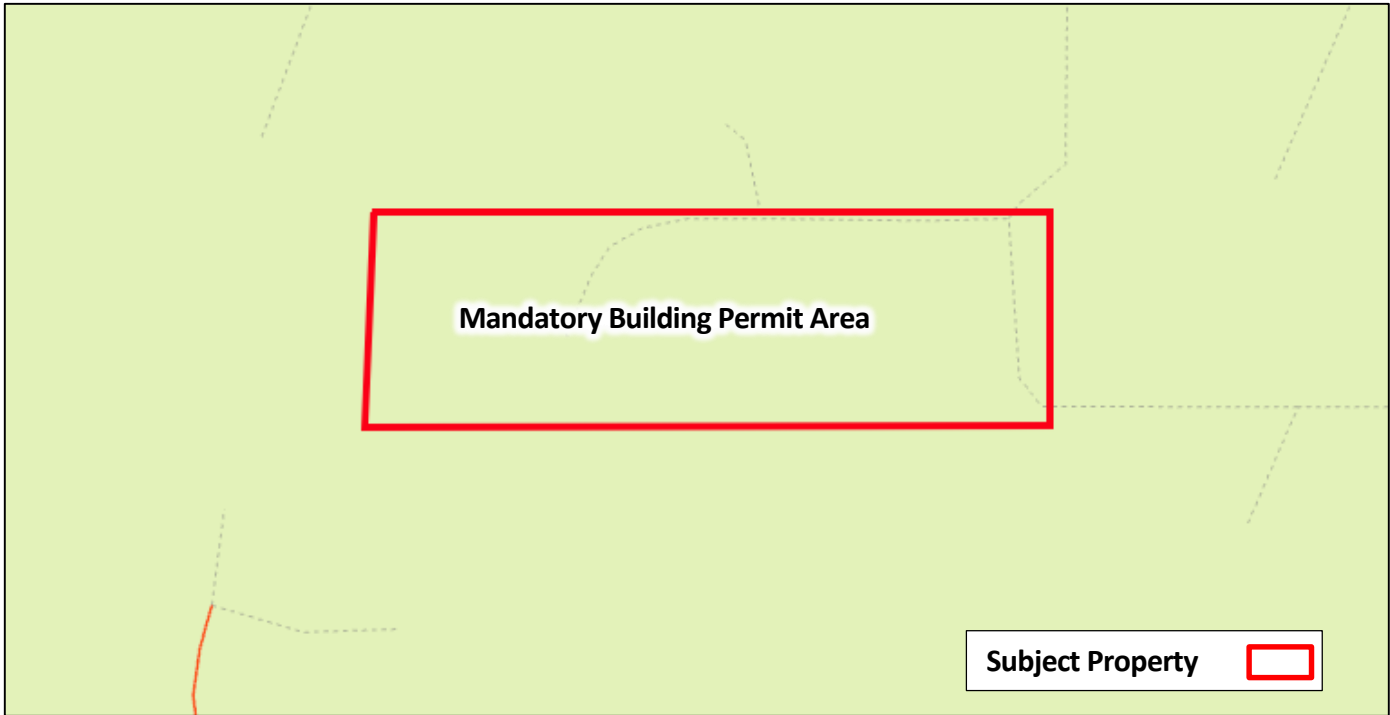
Agricultural Land Reserve: Outside



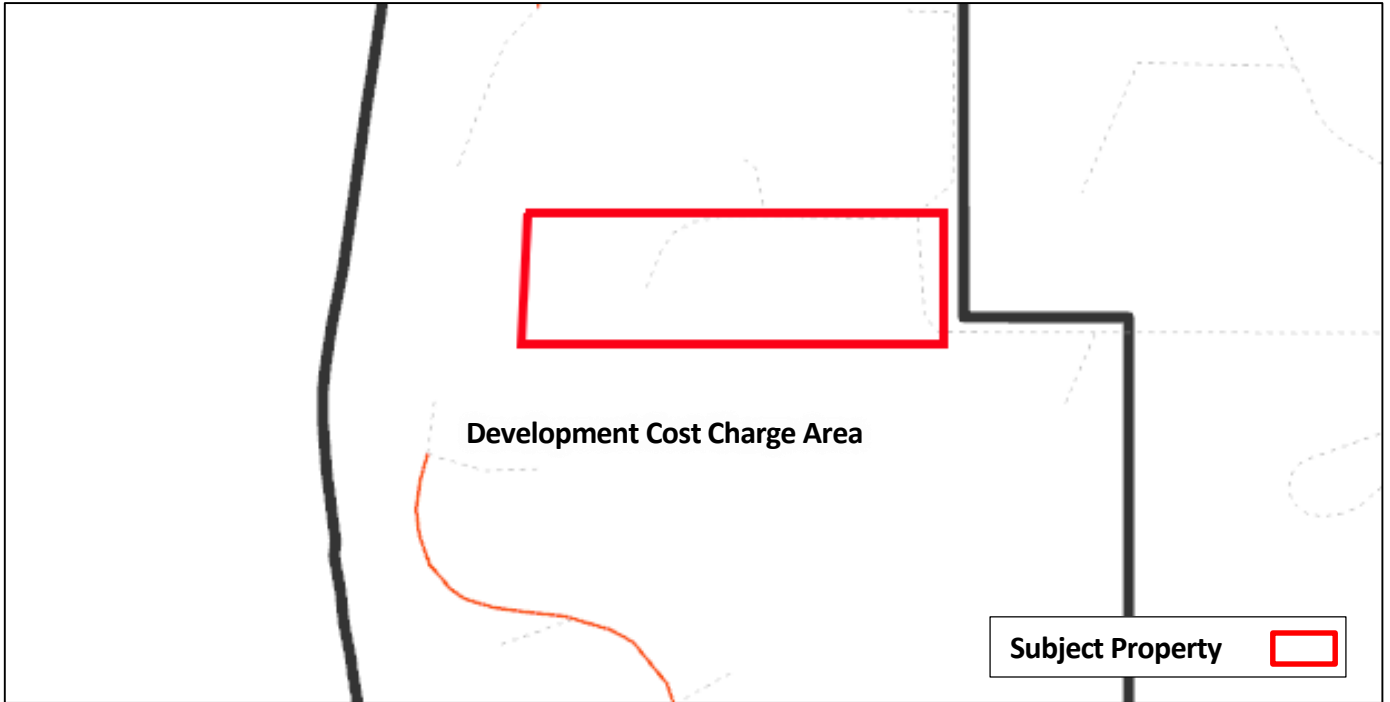
Charlie lake Fire Protection Area: Within



Mandatory Building Permit Area: Within



Development Cost Charge 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.fsj@prrd.bc.ca

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	<u>\$ 165.00</u>

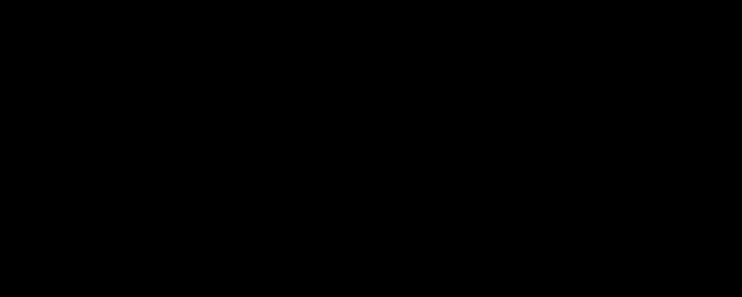
* Sign is required for this application type.

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 DAVID K. DIEHL	Authorized Agent of Owner (if applicable)
Address of Owner	Address of Agent
	Village: _____

	Number: _____

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
PID: 027-306-170	ha./acres
	ha./acres
	ha./acres
	TOTAL AREA
	ha./acres

4. Civic Address or location of property: _____

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:

40x60 shop foot print includes basement for storage security and
top floor is a personal hobby wood working/welding shop

☐ Temporary Use Permit – describe proposed use:

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

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

Residential

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

(a) North _____
(b) East _____
(c) South _____
(d) West _____

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

40x60 foot print shop with basement security storage has been engineered by McElhanney, and is fully paid. Purpose of basement is to put ATVs, trailers & such out of sight to prevent theft. Top floor is to accommodate a personal hobby woodshop for my retirement as I am 65.

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

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

2000 Gal holding tank

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

Pump from the house or trucking in the water - Custer.

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.



Feb 13 2024
Date signed

Feb 13/24
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 _____ hereby authorize (name of landowner) (name of landowner)	
_____ to act on my/our behalf regarding this application. (name of agent)	
Signature of Owner:	Date:
Signature of Owner:	Date:



PEACE RIVER REGIONAL DISTRICT

CONTAMINATED SITE DECLARATION FORM

I, DAVID K. DIEHL, hereby acknowledge that the
Environmental Management Act, 2003, as amended, is effective as of February 1, 2021.

Legal Description(s):

LOT 1 SECTION 16 TOWNSHIP 84 RANGE 19 West of the
6th Meridian Peace River District Plan BCP33550

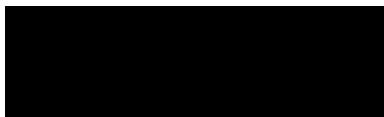
Please check only one:

☒ 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.



15/02/24
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

REFERENCE PLAN OF A PORTION OF
LOT 1 AND LOT 2 PLAN BCP33550
BOTH OF SECTION 16 TOWNSHIP 84 RANGE 19 W6M
PEACE RIVER DISTRICT

PLAN EPP112

Pursuant to Section 99(1)(e) of the Land Title Act,
For access purposes
B.C.G.S. 94A.026

0 1:750 25

The intended plot size of this plan is 560mm in width by
432mm in height (C size) when plotted at a scale of 1:750

LOT B PLAN POP44662

Fd RP 'B'
Datum... NAD 83(CSRS) 2002.0, UTM Zone 10
UTM Northing... 6239704.11
UTM Easting... 627224.05
Estimated absolute accuracy achieved is 0.05
metres

LOT 3
PLAN BCP33550

LOT 2
PLAN BCP33550

LOT 1
PLAN BCP33550

LOT B
PLAN PGP44662



LEGEND

The UTM co-ordinates and estimated absolute accuracy achieved are derived from CSRS-PPP (Precise Point Positioning) GNSS observations.

This plan shows horizontal ground-level distances, unless otherwise specified. To compute grid distances, multiply ground-level distances by the average combined factor of 0.9996852. The average combined factor has been determined based on an ellipsoidal elevation of 723 metres.

Grid bearings are derived from GNSS observations and are referred to the central meridian of UTM Zone 10 (123° west longitude).

Found Set
Fd RP RP Denotes reference post
Denotes standard iron post
(b) Denotes buried
W Denotes witness

NOTES:
All distances are horizontal ground level distances in metres and decimals thereof.
This plan shows one or more witness posts which are not set on the true corner(s).

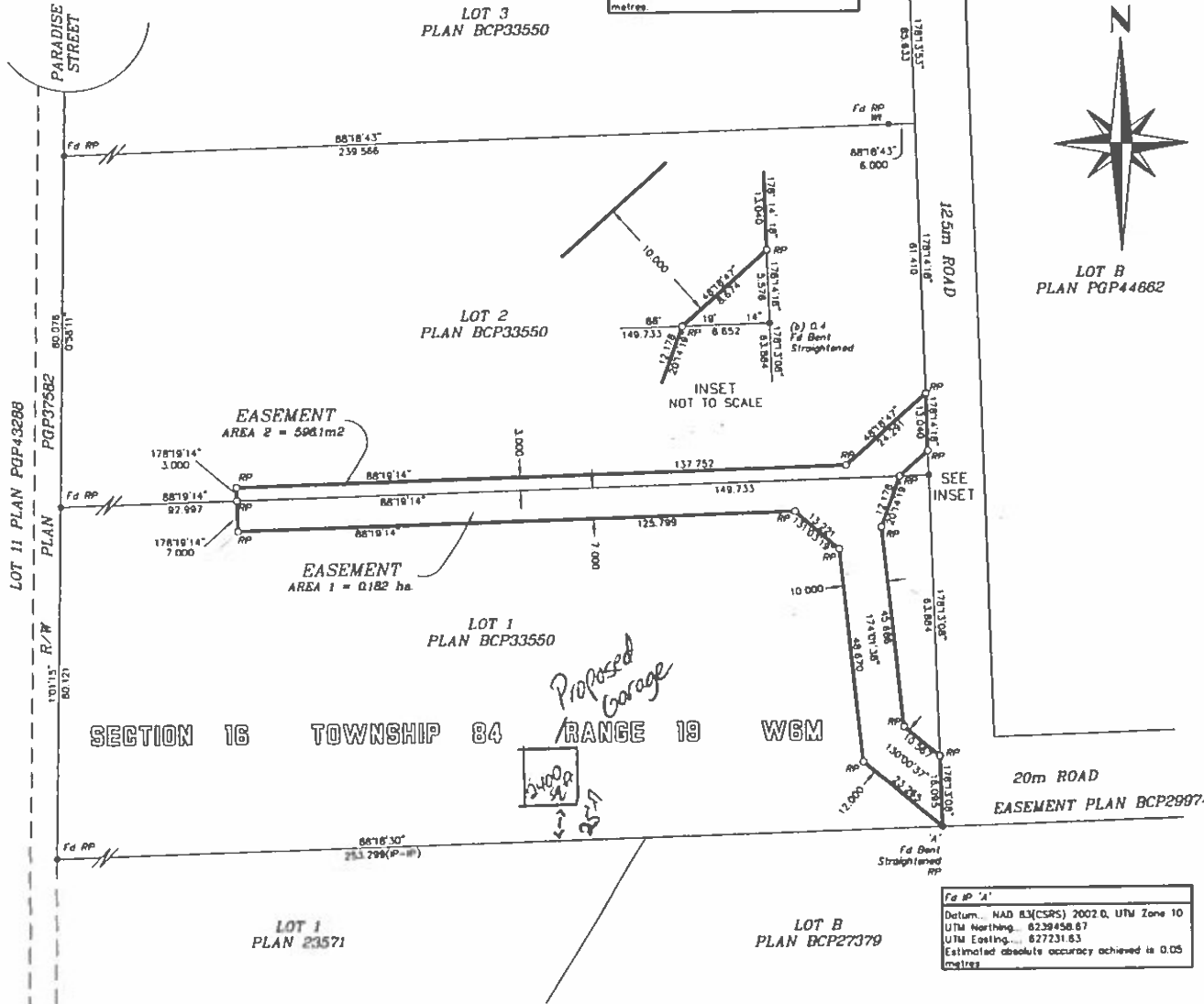
BOOK OF REFERENCE

DESCRIPTION	AREA	P.I.D. / FILE
EASEMENT AREA 1	0.182 ha	027-300-170
EASEMENT AREA 2	596.1 m ²	027-300-186
TOTAL	0.242 ha	

This plan lies within the Peace River Regional District.

The field survey represented by this plan was completed on the 11th day of June, 2021, Brian Elliott, B.C.L.S. #838.

TRYON LAND SURVEYING LTD.			File No.
DAWSON CREEK 10201 17 STREET V1G 4C3 250-782-5868	FORT ST JOHN 11320 100 AVENUE V1J 1Z9 250-262-0031		2021-0177



8:25 AM Mon Jan 22

94%



40 m

Approximate
Proposed Shop
Location



25' Setback
from the
Parcel Line