



REPORT

To: Chair and Directors

Date: February 7, 2020

From: Kevan Sumner, General Manager of Development Services

Subject: Development Variance Permit No. 19-165

RECOMMENDATION: *[Corporate Unweighted]*

That the Regional Board authorize Development Variance Permit No. 19-165, to vary the permitted maximum accessory building floor area for a parcel greater than 4 ha in the R-5 (Residential 5) Zone of *PRRD Zoning Bylaw No. 1343, 2001* from 300 m² to 301 m² for the property identified as PID 027-930-505.

BACKGROUND/RATIONALE:

Proposal

To vary the permitted maximum accessory building floor area regulation as stated in *PRRD Zoning Bylaw No. 1343, 2001* Section 13.2 for the subject property from 300 m² to 301 m², an increase of 1 m², to build a new 54 ft by 60 ft storage and work shop.

File Details

Owner: Wayne & Laura Fibich
 Area: Electoral Area C
 Location: Charlie Lake
 Legal: Lot 4 Section 13 Township 84 Range 20 W6M Peace River District Plan BCP41040
 PID: 027-930-505
 Civic Address: 13210 Old Hope Road
 Lot Size: 4.04 ha (9.98 ac)

Site Context

The property is in the Charlie Lake area, approximately 10 kilometres northwest of Fort St. John, west of Highway 97N. The area has a mix of rural residential acreages and agricultural properties.

Site Features

Land

The property is cleared of trees.

Structures

There is one home and five accessory structures currently on the property. Two structures are less than 11 m² in size and thus do not count towards the limitation on floor area of accessory structures. One additional building is less than 20 m² and also does not count towards the limitation on floor area. Two accessory structures are larger in size and the applicant has indicated they will be removed before a building permit is issued for this new structure, to ensure that the floor area limit is not exceeded.

Staff Initials: *MS*

Dept. Head: *KS*

CAO: *[Signature]*

Page 1 of 3

February 27, 2020

Access

The property is accessed from Old Hope Road.

Canada Land Inventory Soil Classification

The Canada Land Inventory classifies the property's soil as 5⁶T4⁴X. Class 5 soils have very severe limitations that restrict their capability in producing perennial forage crops, and improvement practices are feasible. Class 6 soils are capable only of producing perennial forage crops, and improvement practices are not feasible. Class 4 soils have severe limitations that restrict the range of crops or require special conservation practices. Subclass T indicates topography and Subclass X indicates multiple adverse characteristics.

Comments & ObservationsApplicant

The applicant intends to build a 54 ft by 60 ft shop to keep vehicles out of the elements, store recreational vehicles, and work on hobbies. The applicant states this shop will help keep his yard clean and uncluttered.

Agricultural Land Reserve (ALR)

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

Official Community Plan (OCP)

Pursuant to *PRRD North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009*, the subject property is designated Low Density Rural Residential. The use is residential in nature and is consistent with this designation. The Official Community Plan does not address accessory building size.

Land Use Zoning

Pursuant to *PRRD Zoning Bylaw No. 1343, 2001*, the subject property is zoned R-5 (Residential 5 Zone). The use is residential in nature and complies with the R-5 Zone. However, Section 13 of the Zoning Bylaw restricts the floor area of accessory buildings to 300 m² for properties over 4 ha.

Therefore, a Development Variance Permit is required.

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. A building permit is required prior to construction of the shop.

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 proposed storage and work shop is in keeping with nearby residential uses. The proposed 1 m² variance is not anticipated to negatively affect nearby properties.

Population & Traffic

No increase to population or traffic are anticipated.

Sewage & Water

No changes to sewage and water are proposed.

Comments Received from Municipalities & Provincial Agencies

Charlie Lake Fire Department

No concerns.

Fort St. John

Interests unaffected.

Ministry of Transportation and Infrastructure & Agricultural Land Commission

No objections.

ALTERNATIVE OPTIONS:

1. That the Regional Board respectfully refuse Development Variance Permit No. 19-165, to vary the permitted maximum accessory building floor area for a parcel greater than 4 ha in the R-5 (Residential 5) Zone of *PRRD Zoning Bylaw No. 1343, 2001* from 300 m² to 301 m² for the property identified as PID 027-930-505.
2. That the Regional Board provide further direction.

STRATEGIC PLAN RELEVANCE:

- ☒ Not Applicable to Strategic Plan.

FINANCIAL CONSIDERATION(S):

None.

COMMUNICATIONS CONSIDERATION(S):

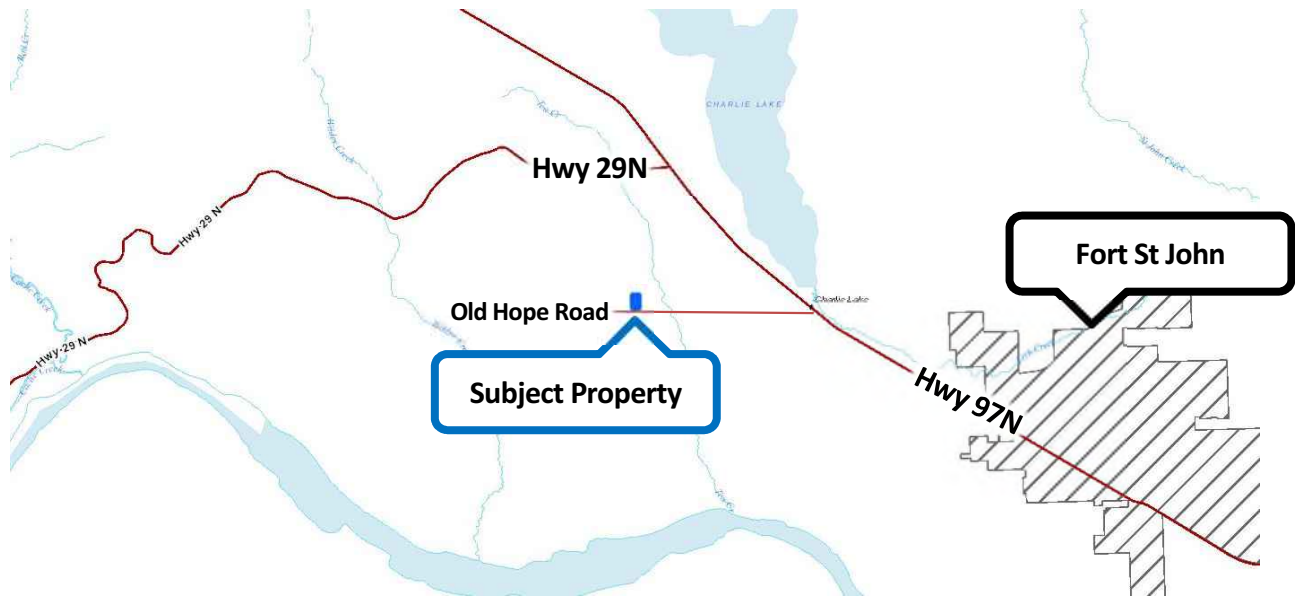
The decision of the Regional Board will be communicated to the applicant.

OTHER CONSIDERATION(S):

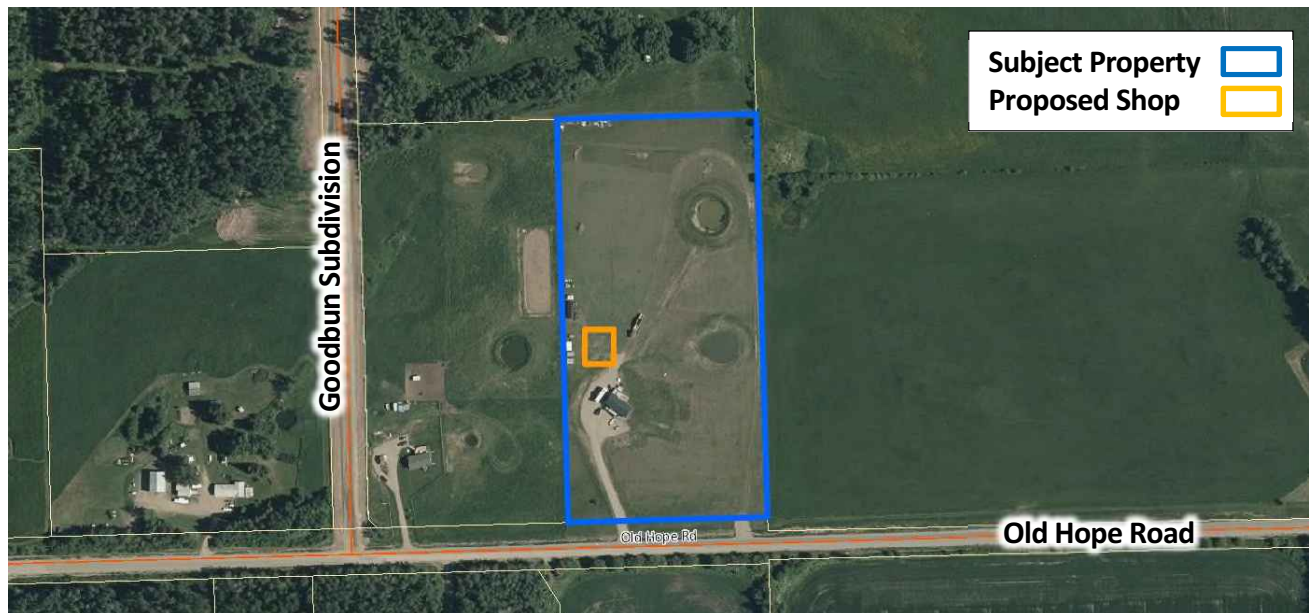
Attachments:

1. Maps
2. Application
3. Comments Received from Municipalities & Provincial Agencies
4. Section 13 of *PRRD Zoning Bylaw No. 1343, 2001*
5. Draft Development Variance Permit No. 19-165

Location: Charlie Lake area



Aerial Imagery



PRRD North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009:

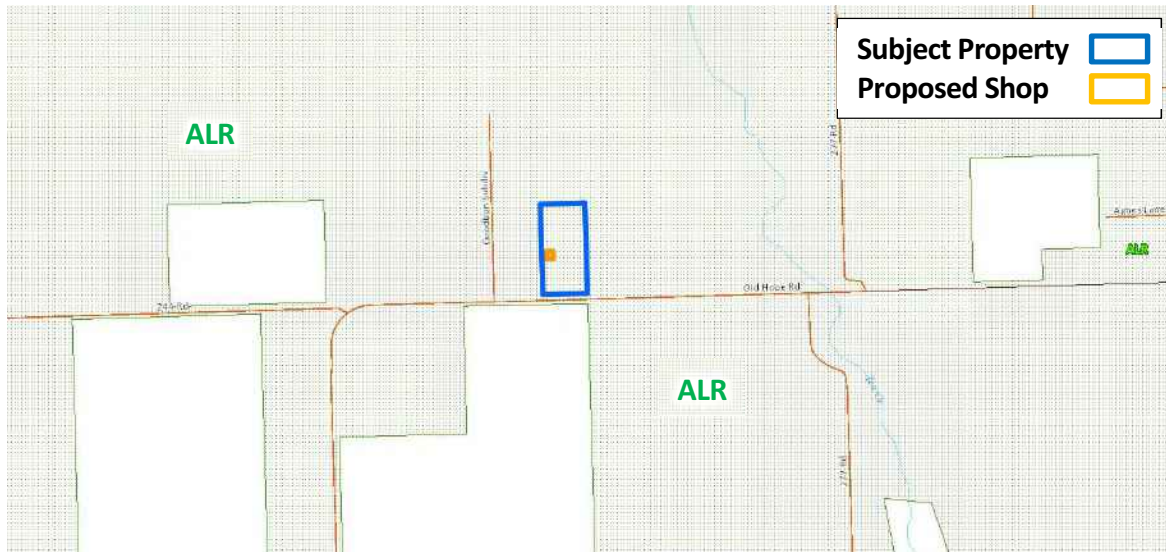
Low Density Rural Residential (LDR)

**PRRD Zoning Bylaw No. 1343, 2001:**

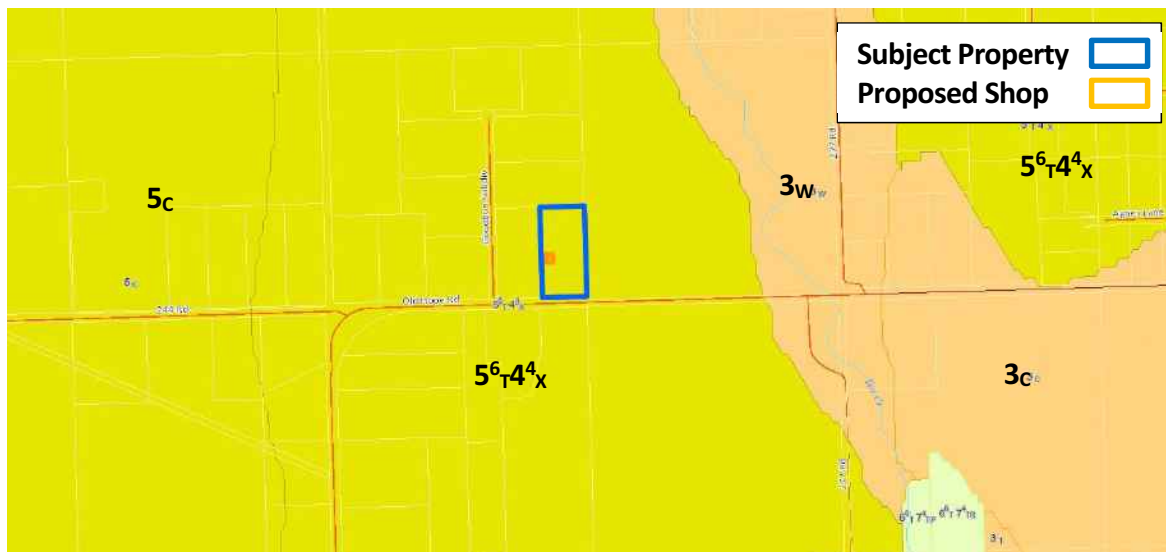
Residential 5 (R-5) Zone



Agricultural Land Reserve: Within



CLI Soil Classification: 5⁶T⁴X





PEACE RIVER REGIONAL DISTRICT

DAWSON CREEK 1981 Alaska Avenue (Box 810), Dawson Creek, BC
 FORT ST. JOHN 9505 100TH Street, Fort St. John, BC V1J 4N4

(T) 250-784-3200..(F) 250-784-3201

(T) 250-785-8084 (F) 250-785-1125

[Toll Free: 1-800-670-7773]

Receipt # 7636Application for Development

1. TYPE OF APPLICATION

FEE

- | | |
|--|-------------|
| ☐ Official Community Plan Bylaw Amendment | \$ 1,000.00 |
| ☐ Zoning Bylaw Amendment | 650.00 |
| ☐ Official Community Plan / Zoning Bylaw Amendment combined | 1,050.00 |
| ☐ Temporary Use Permit | 350.00 |
| ☐ Development Permit | 165.00 |
| ☒ Development Variance Permit | 165.00 |
| ☐ Sign requirement | 150.00 |

In regard to applications for:

i) an official community plan and/or zoning bylaw amendment;

ii) temporary use permit;

Sign provided by the PRRD and sign posted pursuant to Section 8 of Bylaw No. 2165, 2016, **attached**.

2. PLEASE PRINT

Property Owner's Name WAYNE Fibich	Authorized Agent of Owner (if applicable)
	Address of Agent
	City/Town/Village
	Postal Code
	Telephone Number:
	Fax Number:
	E-mail:

3. PROPERTY DESCRIPTION

Full legal description of each property under application	Area of each lot
L 4 SEC 13 TP 84 R 20 WGM Peace River Plan BCP41040	4.04 ha / 9.98 acres
	ha./acres
	ha./acres
	ha./acres
	TOTAL AREA
	ha./acres

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*.

4. Civic Address or location of property: 13210 Old Hope Rd

5. PARTICULARS OF PROPOSED AMENDMENT

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

☐ 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 3240 sqft accessory building
154' x 60' which is 744 sqft over
the permitted floor area

☐ Temporary Use Permit – describe proposed use:

This is an error - the proposed floor area is 1 sq m or 10 sq ft over the permitted accessory building floor area

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

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

HOUSE AND TOO MANY SHEDS

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

- (a) North SHOP + YARD
- (b) East Farm Land
- (c) South Farm Land
- (d) West House.

8. Describe the proposed development of the subject property. Attach a separate sheet if necessary:

TO HAVE A PLACE TO HOUSE REC VEHICLES, WORK ON
LAWN MOWERS, KEEP VEHICLES OUT OF THE ELEMENTS

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

Reason IT IS NEEDED IS TO KEEP YARD Clean AND
Clear of Clutter. Have a Warm Safe Place TO
Work on Rec Vehicles. Also A Safe Place for me
TO go when I HAVE mad my wife mad.

10. Describe the means of sewage disposal for the development:

Exit Existing Lagoon

11. Describe the means of water supply for the development:

Cistern.

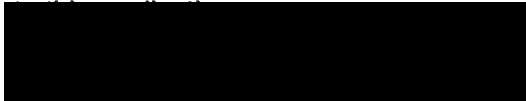
THE FOLLOWING INFORMATION IS REQUIRED. FAILURE TO PROVIDE MAY DELAY YOUR APPLICATION.

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:
- (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 of existing buildings and structures on the subject property, with distances to property lines;
 - (d) the location 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 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



Signature of Owner

Aug 26 / 19
Date signed

Signature of Owner

Date signed

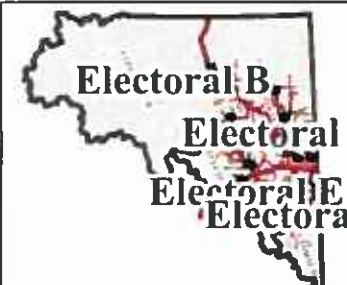
16. **AGENT'S AUTHORIZATION**

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 authorize	and	hereby
(name) application.	to act on my/our behalf regarding this	
Agent address:		
Telephone:	Fax:	Email:
Signature of Owner:	Date:	
Signature of Owner:	Date:	



Peace River Regional District



Legend

- Hwy Mile Marker
- Rural Community
- 911 Civic Address Rural
- 911 Civic Address Municipal
- Regional Park
- Parcels
- Highway
- Municipal Road
- Hard Surface
- Gravel
- Rural Road >1:250k
- Hard Surface
- Gravel
- Seasonal
- Driveway
- PRRD_Sewer_Systems
- Sewer Line
- Water Line
- Streams/Rivers
- DC City
- Red: Band_1
- Green: Band_2
- Blue: Band_3
- North Peace Fringe
- Red: Band_1
- Green: Band_2
- Blue: Band_3
- South Peace Rural
- Red: Band_1
- Green: Band_2

1: 2,500



127.0 0 63.50 127.0 Meters

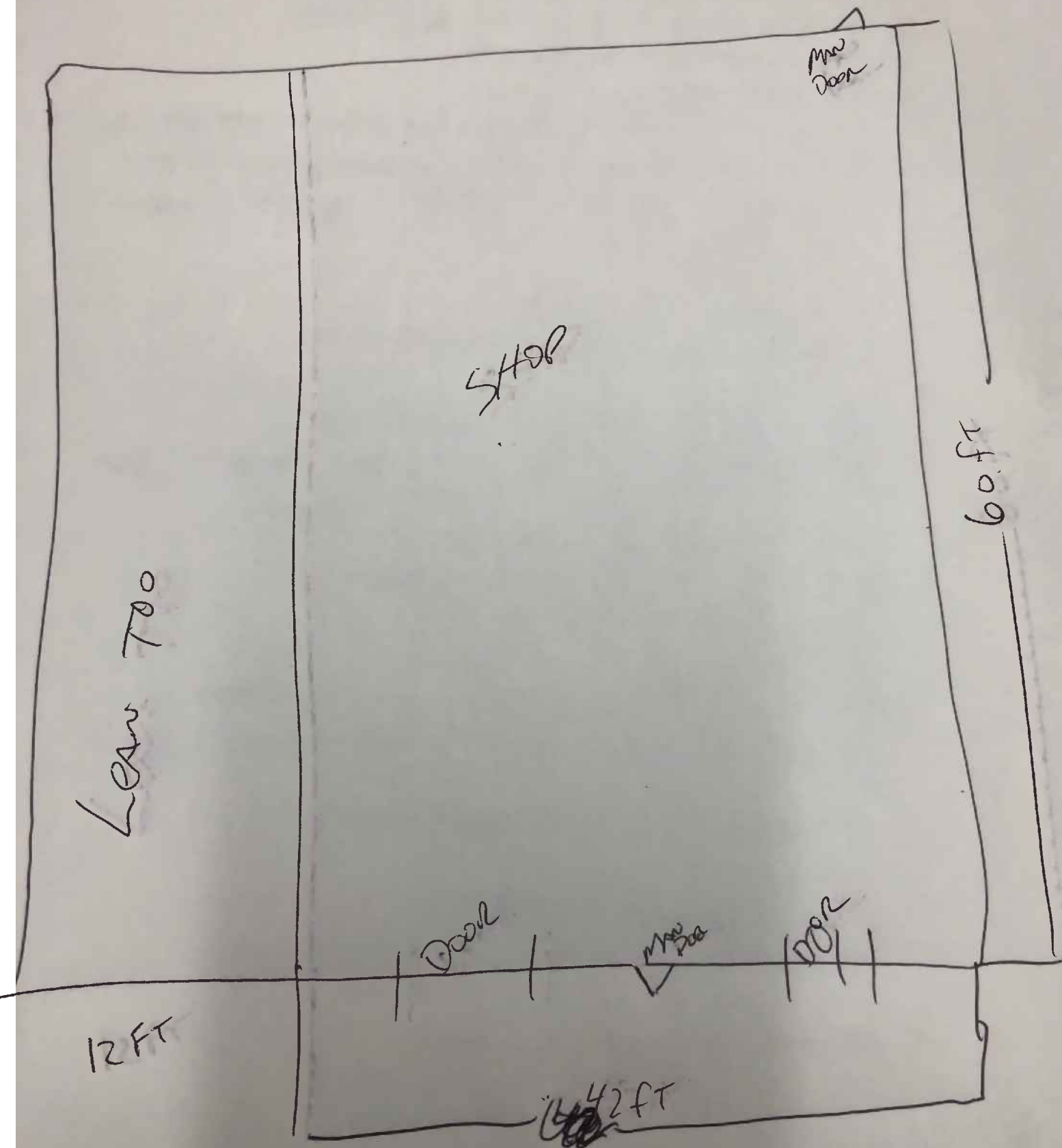
NAD_1983_UTM_Zone_10N
© Latitude Geographics Group Ltd.

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

February 27, 2020





REFERRAL FORM

R-10
Peace River Regional District
Box 810, 1981 Alaska Avenue,
Dawson Creek, B.C. V1G 4H8
Telephone: (250) 784-3200
Fax: (250) 784-3201

Peace River Regional District	Development Variance Permit 19-165	Date: January 15, 2020									
You are requested to comment on the attached APPLICATION for potential effect on your agency's interests. We would appreciate your response within 21 days (February 5, 2020). If no response is received within that time, it will be assumed that your agency's interests are unaffected.											
PURPOSE OF APPLICATION: To vary the permitted maximum accessory building floor area from 300 sq m (3200 sq ft) to 301 sq m (3240 sq m), an increase of 1 sq m (40 sq ft), to build a storage shop.											
GENERAL LOCATION: Charlie Lake BC											
LEGAL DESCRIPTION: Lot 4 Section 13 Township 84 Range 20 W6M Peace River District Plan BCP41040 PID: 027-930-505											
AREA OF PROPERTY 4.04 ha (9.97 ac)	ALR STATUS: Within	OCP DESIGNATION: Low Density Rural Residential									
Land Owner: Wayne & Laura Fibich											
Please fill out the Response Summary on the back of this Form. If your agency's interests are unaffected, no further information is required. In all other cases, we would appreciate receiving additional information to substantiate your position and, if applicable, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this bylaw.											
Name: <u>Michael Blatz</u> Title: <u>North Peace Land Use Planner</u>											
This referral has also been forwarded to the following agencies: ✓ Northern Health Authority ✓ Ministry of Transportation & Infrastructure via eDAS ✓ Ministry of Forests, Lands, Natural Resources Operations and Rural Development ✓ Agricultural Land Commission											
Other: <table border="0"><tr><td>✓ District of Chetwynd</td><td>✓ District of Hudson's Hope</td><td>✓ District of Taylor</td></tr><tr><td>✓ City of Dawson Creek</td><td>✓ Village of Pouce Coupe</td><td>✓ District of Tumbler Ridge</td></tr><tr><td>✓ City of Fort St. John</td><td>✓ School District 60</td><td>✓ Charlie Lake Fire Department</td></tr></table>			✓ District of Chetwynd	✓ District of Hudson's Hope	✓ District of Taylor	✓ City of Dawson Creek	✓ Village of Pouce Coupe	✓ District of Tumbler Ridge	✓ City of Fort St. John	✓ School District 60	✓ Charlie Lake Fire Department
✓ District of Chetwynd	✓ District of Hudson's Hope	✓ District of Taylor									
✓ City of Dawson Creek	✓ Village of Pouce Coupe	✓ District of Tumbler Ridge									
✓ City of Fort St. John	✓ School District 60	✓ Charlie Lake Fire Department									
(As per the Management of Development Function)											

February 27, 2020



PEACE RIVER REGIONAL DISTRICT

CHARLIE LAKE FIRE DEPARTMENT
13065 FIRE HALL ROAD
BOX 250, CHARLIE LAKE, BC, V0C-1H0
250-785-1424



From: The Officer of Fire Chief, Charlie Lake Fire Department

Date: Jan.15, 2020

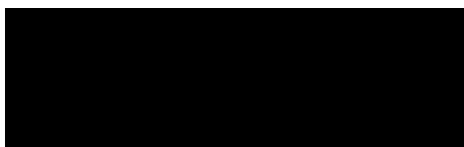
Re: PID: 027-930-505

Hello Michael,

Charlie Lake Fire Department has no concerns with purposed changes to this property.

Understanding the re-zone request, this should have very little impact to our services.

Regards,



Fire Chief Edward Albury
Charlie Lake Fire Department

February 27, 2020



Ministry of
Transportation
and Infrastructure

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

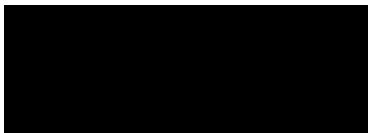
Attn: Michael Blatz, North Peace Land Use Planner

The Ministry of Transportation and Infrastructure has received and reviewed your referral dated January 15, 2020 to vary the permitted maximum accessory building floor area from 300 sq m (3200 sq ft) to 301 sq m (3240 sq m), an increase of 1 sq m (40 sq ft), to build a storage shop for the subject property (PID 027-930-505), Lot 4, Sec 13, Twp 84, Rge 20, W6M, Peace River, Plan BCP41040. 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.

Thank you for the opportunity to comment. If you or the proponent have any questions, please contact me at (250) 261-5745.

Sincerely,



Raj Chopra – District Development Technician

February 27, 2020

**Agricultural Land Commission**

201 – 4940 Canada Way
 Burnaby, British Columbia V5G 4K6
 Tel: 604 660-7000 | Fax: 604 660-7033
www.alc.gov.bc.ca

February 6, 2020

Reply to the attention of Sara Huber
 ALC Issue: 51679
 Local Government File: 19-165

Michael Blatz
 Land Use Planner, Peace River Regional District
Michael.Blatz@prrd.bc.ca

Delivered Electronically**Re: Peace River Regional District Development Variance Permit 19-165**

Thank you for forwarding a draft copy of Peace River Regional District (PRRD) Development Variance Permit 19-165 (the “DVP”) for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the DVP is consistent with the purposes of the Agricultural Land Commission Act (ALCA), the Agricultural Land Reserve General Regulation, (the “General Regulation”), the Agricultural Land Reserve Use Regulation (the “Use Regulation”), and any decisions of the ALC.

The DVP proposes to vary the permitted maximum accessory building floor area from 300 m² to 301 m² to build a storage shop for recreational vehicles on the property identified as 13210 Old Hope Road; PID: 027-930-505 (the “Property”).

Given the small increase beyond the permitted accessory building floor area, ALC staff has no objection to the proposed DVP.

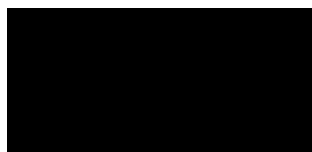
The ALC strives to provide a detailed response to all bylaw referrals affecting the ALR; however, you are advised that the lack of a specific response by the ALC to any draft bylaw provisions cannot in any way be construed as confirmation regarding the consistency of the submission with the ALCA, the Regulations, or any Orders of the Commission.

This response does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

If you have any questions about the above comments, please contact the undersigned at 604-660-7019 or by e-mail (Sara.Huber@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION



February 27, 2020

Sara Huber, Regional Planner

Enclosure: Referral of PRRD DVP 19-165

CC: Ministry of Agriculture – Attention: Lori Vickers

51679m1



PEACE RIVER REGIONAL DISTRICT
Zoning Bylaw No. 1343, 2001

PART IV GENERAL REGULATIONS

SECTION 12 APPLICATION OF GENERAL REGULATIONS

1. Except as otherwise provided, Sections 12 to 29 apply to all zones established under this bylaw.

SECTION 13 ACCESSORY BUILDING FLOOR AREA

1. This section shall apply only to the following zones of this bylaw:
 - (a) Section 32 A-1 "Small Holding zone", when parcels are 8 ha or less
 - (b) Section 33 A-2 "Large Holding zone", when parcels are 8 ha or less
 - (c) Section 34 R-1 "Residential 1 zone"
 - (d) Section 35 R-2 "Residential 2 zone"
 - (e) Section 36 R-3 "Residential 3 zone"
 - (f) Section 37 R-4 "Residential 4 zone"
 - (g) Section 38 R-5 "Residential 5 zone"
 - (h) Section 39 R-6 "Residential 6 zone"
2. 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:

[Bylaw No. 1739, 2007]

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.)

3. Despite Section 13.2 the following are excluded from the calculation of aggregate FLOOR AREA of all ACCESSORY buildings;
 - (a) FARM BUILDINGS on land within the Agricultural Land Reserve;
 - (b) Buildings less than 11 sq. metres (118 sq. ft.) in FLOOR AREA;
 - (c) One garden shed, tool shed or greenhouse having a FLOOR AREA not exceeding 20 sq. metres (215 sq. ft.);



PEACE RIVER REGIONAL DISTRICT DEVELOPMENT VARIANCE PERMIT NO. (19-165 DVP)

ISSUED TO: Wayne & Laura Fibich
Name

Address: Box 913
Charlie Lake BC
V0C 1H0

1. Property affected: Lot 4 Section 13 Township 84 Range 20 W6M
Peace River District Plan BCP41040 PID: 027-930-505

(legal description)

2. Official Community Plan: North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009:
Low Density Rural Residential

(name plus note designation)

3. Zoning Bylaw: Zoning Bylaw No. 1343, 2001: R-5 (Residential 5 Zone)

(name plus note 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 for **(specifically state)**
To vary the permitted maximum accessory building floor area regulation as stated in PRRD Zoning Bylaw No. 1343, 2001 Section 13.2 for the property identified as PID 027-930-505 from 300 square metres to 301 square metres.
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 _____, 20____.

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

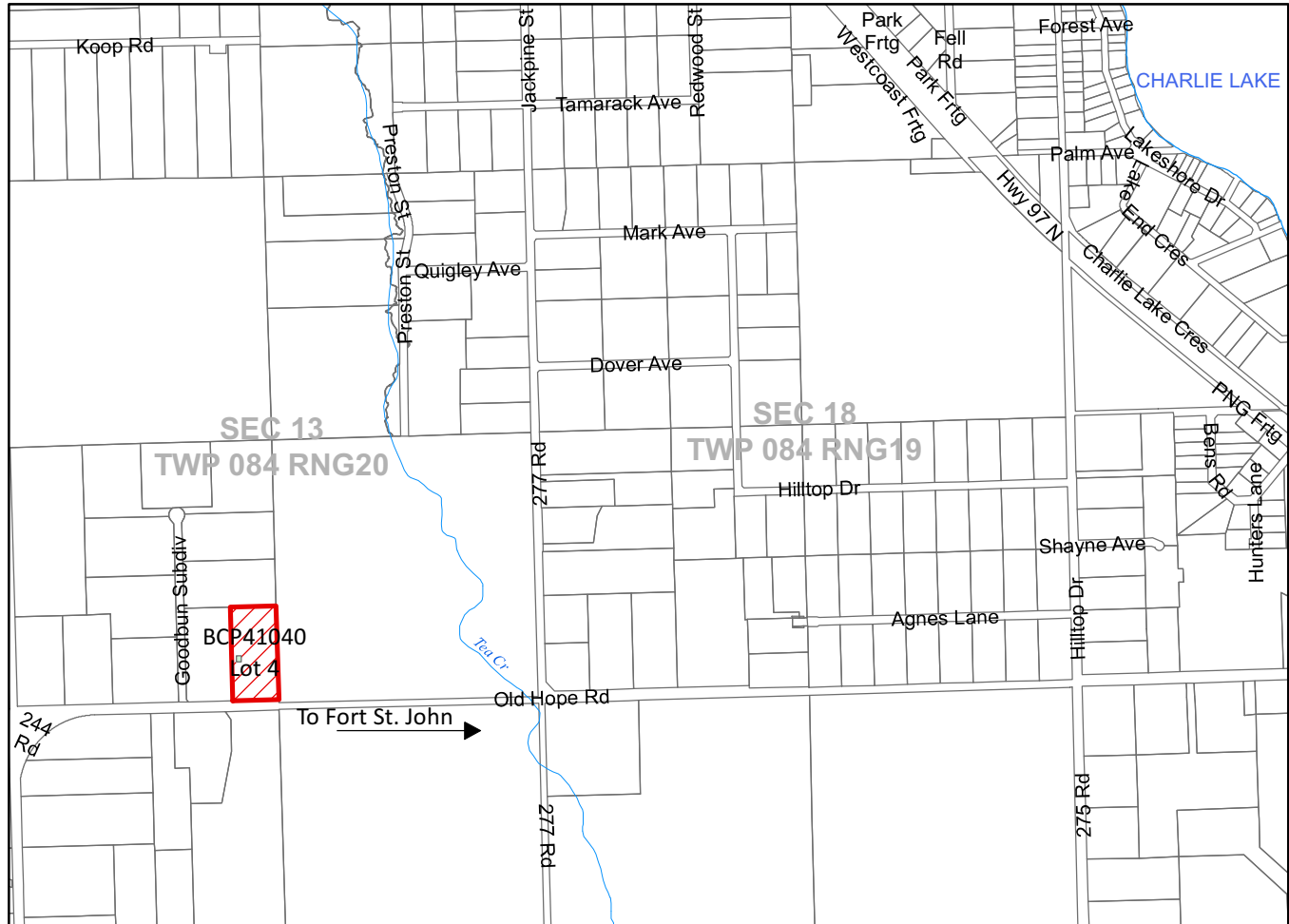
passed on the _____ day of _____, 20____.

Authorized Signatory

February 27, 2020



Peace River Regional District
SCHEDULE "A"
 Development Variance Permit
 No. 19-165



Detail Map

