



REPORT

To: Chair and Directors

Report Number: DS-BRD-155

From: Kathy Suggitt, General Manager of Development Services

Date: May 27, 2021

Subject: Development Variance Permit, PRRD File No. 21-003 DVP

RECOMMENDATION: [Corporate Unweighted]

That the Regional Board approve Development Variance Permit No. 21-003, for the property identified as PID 011-919-175 to allow an increase in the maximum permitted accessory building floor area from 187 m² to 197.4 m².

BACKGROUND/RATIONALE:

Proposal

The applicant is requesting to allow an increase of 10.4 m² in the maximum permitted accessory building floor area within PRRD Zoning Bylaw No. 1343, 2001, in order to construct an addition to the existing accessory structure (shop) on the subject property.

File Details

Owners: Grant Adams
Area: Electoral Area C
Location: Fort St. John
Legal: Lot 7 Block 3 Section 3 Township 84 Range 19 W6M Peace River District Plan 15982
PID: 011-919-175
Civic Address: 12455 Ash Ave
Lot Size: 0.81 ha (2 acre)

Site Context

The subject property is situated approximately 5 km west of the City of Fort St. John. Residential uses surround the property to the north, south, east, and west.

Site Features

Land

Based on the aerial imagery, the subject property is mostly cleared.

Structures

The subject property had one residence and an accessory building.

Access

The subject property can be accessed by either Ash Ave to the north or Blueberry Ave to the south.

Comments & Observations

Applicant

The applicant is seeking approval to allow an increase in the maximum permitted accessory building floor area to get additional space to work in and for storage. The additional 10.4 m² over and above the allowable maximum floor area will include a utility room and bathroom (please refer to sketch in the application).

Agricultural Land Reserve (ALR)

The subject property is outside of the ALR.

Official Community Plan (OCP)

Pursuant to the North Peace Fringe Area Official Community Plan (NPFA OCP) Bylaw No. 1870, 2009, the subject property is designated Medium Density Rural Residential (MDR). Within this designation, the principal use of land will generally be limited to residential and home based businesses. The NPFA OCP does not address accessory building floor areas.

Section 1.5.2, Policy 10 of the NPFA OCP states that when reviewing and considering amendments to zoning regulations for Home Based Business (HBB), scale, type, and location of the allowable businesses must be taken into account, including, but not limited to, the following principles:

	Principles	Planning Analysis
i.	The HBB use does not impact neighbouring residents.	There is an existing shop on the subject property, which can be expanded up to 187 m ² . The requested variance of an additional 10.4 m ² is not likely to impact the neighbouring residents given where it is situated on the property away from other residential dwellings on adjacent parcels.
ii.	The HBB use does not potentially create noise, odors, unsightliness or noxious fumes, high traffic volumes or safety issues within the community.	There would be a continuation of the existing activities in the proposed expansion of the existing shop.
iii.	The HBB is clearly incidental and subordinate to the principal use of the property.	The existing dwelling on the subject property has a larger footprint than the total floor area of the proposed expanded shop.

Therefore, the proposal complies with the OCP.

Land Use Zoning

Pursuant to the PRRD Zoning Bylaw No. 1343, 2001, the subject property is zoned R-3 (Residential 3 Zone). Section 13.2 states that the maximum permitted aggregate floor area of all accessory buildings for a parcel size greater than 0.2 ha but less than 1.8 ha is 187 m² (2016 ft²). There is an existing

accessory building (shop) on the subject property and the applicant is proposing to construct an addition to it, bringing the total accessory building floor area to 197.4 m² (2125 ft²), which is 10.4 m² in excess of what is permitted.

Therefore, the applicant requires a variance for the additional 10.4 m².

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 and a Building Permit will be required prior to construction.

Development Permit Areas

The subject property is outside of all Development Permit Areas.

Development Cost Charge Area

The subject property is outside of the Development Cost Charge Area.

School District 60 School Site Acquisition Area

The subject property is within the School District 60 School Site Acquisition Charge Area. However, the charge is not applicable at this time as no new residential structures or lots are proposed.

Impact Analysis

Context

The subject property is surrounded by residential uses and is bordered by roads on the northern and southern edges. There are residential uses on the properties to the east and west. Given the location of the dwellings on the adjacent properties, the proposed increase in the accessory building floor area is not anticipated to have adverse impacts on the residential uses and surrounding context.

Population & Traffic

Overall traffic and population are not anticipated to increase.

Sewage & Water

An existing septic tank is used for sewage disposal. A cistern is used for water supply.

Comments Received from Municipalities & Provincial Agencies

Ministry of Transportation and Infrastructure

No objections.

Charlie Lake Fire Department

Interests unaffected. Encourage to maintain a clear access around the structure.

Agricultural Land Commission

No objections.

Chetwynd, Dawson Creek, Hudson's Hope, Pouce Coupe, Taylor, Tumbler Ridge, Fort St. John, Front Counter BC & School District 60, Northern Health

No response received.

Comments Received from the Public

Public notification was completed in accordance with *Local Government Act* section 499, alerting the public and adjacent property owners that the variance was to be considered at the May 27, 2021, Regional Board Meeting. At the time of preparing the report, no comments from the public had been received. Should any be submitted prior to the May 27, 2021 Board meeting, they will be reported verbally and attached as late items to the report as an addendum to the agenda.

ALTERNATIVE OPTIONS:

1. That the Regional Board respectfully refuse Development Variance Permit No. 21-003, for the property identified as PID 011-919-175 to allow an increase in the maximum permitted accessory building floor area from 187 m² to 197.4 m².
2. That the Regional Board provide further direction.

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

Attachments:

1. Maps
2. Application
3. Referral responses from agencies
4. Area C Director's response – DVP 21-003
5. Draft Development Variance Permit No. 21-003