



REPORT

To: Chair and Directors

Report Number: DS-BRD-161

From: Kathy Suggitt, General Manager of Development Services

Date: June 10, 2021

Subject: Development Variance Permit No. 17-057

RECOMMENDATION: [Corporate Unweighted]

That the Regional Board authorize Development Variance Permit No. 17-057, to allow a front parcel line setback reduction from the required 7 metres to 5.66 metres for the two existing residential dwellings for the lifetime of the two structures in their existing state and size, on the property identified as PID 028-642-627.

BACKGROUND/RATIONALE:

Proposal

To allow a reduction on the subject property's front parcel line setback from the required 7 m to 5.66 m to address the encroachment of the two existing dwelling units, only for the lifetime of the aforementioned structures in their current state and size.

On December 11, 2020, the Regional Board passed the following resolution:

MOVED, SECONDED, and CARRIED

That the Regional Board require that adoption of Zoning Amendment Bylaw No. 2295, 2019 be deferred pending:

1. The applicant submit copies of Northern Health operating permit(s) for the water supply system(s) and sewage system(s) on the property; and
2. Approval of a Development Variance Permit to address the front parcel line setback infringement; further,

That the Regional Board receive an additional progress report no later than June 30, 2021.

This Development Variance Permit No. 17-057 intends to satisfy number 2 of the December 11, 2020 resolution.

File Details

Owner: Darryl Haney
Area: Electoral Area D
Location: Briar
Legal: Parcel A (being consolidation of lots 3 and 4, see BB1974913) Section 26 Township 78 Range 15 West of the 6th Meridian Peace River District Plan 12184
Civic Address: 1080 & 1086 210 Road
PID: 028-642-627
Lot Size: 0.79 ha (1.95 ac)

Site Context

The subject property is located northeast of the City of Dawson Creek. The subject property has frontage onto the 210 Road, abuts a residential property to the west, farmland to the east, and a residential property to the north. Residential dwellings are scattered intermittently along 210 Road but the surrounding land use is predominantly agriculture.

Site FeaturesLand

The subject property is a residential lot with two existing dwellings. There is moderate tree coverage along the property line and manicured grass.

Structures

The subject property contains two residential dwellings with the civic addresses of 1080 & 1086 210 Road. 1080 210 Road is a structure with a concrete foundation and 1086 210 Road is a mobile home.

Access

The subject property is accessed via 210 Road.

CLI Soil Rating

The subject property has a soil rating of 3c. Class 3 soils have moderately severe limitations that restrict a range of crops or require special conservation practices. Subclass C denotes adverse climate.

Comments & ObservationsApplicant

No Comment.

Agricultural Land Reserve

The subject property is located within the Agricultural Land Reserve.

Official Community Plan

Pursuant to South Peace Fringe Area Official Community Plan, No. 2048, 2012, the subject property is designated as Medium Density Residential. The Official Community Plan does not address setbacks.

Land Use Zoning

Pursuant to PRRD Zoning Bylaw No. 1343, 2001, the subject property is designated Residential 4 Zone (R-4). Section 37.2 (f) of the Residential 4 Zone permits a front parcel line setback of 7 m. The building at 1080 210 Road encroaches 1.34 m into the front parcel line setback and the building at 1086 210 Road encroaches 0.43 m into the front parcel line setback.

Therefore, a development variance permit is required to address the deficiency in the existing front parcel line setback.

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.

On February 13, 2020, the Regional Board resolved to place a Notice on Title to this property, as per Section 57 of the *Community Charter* and Section 302 of the *Local Government Act*, regarding construction and renovation of dwellings without a building permit and in contravention of the BC Building Code and the PRRD Building Bylaw.

Development Permit Area

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.

Impact Analysis**Context**

The existing structures encroach into the required front parcel line setback.

Population & Traffic

The approval of a setback variance will not impact population or traffic.

Sewage & Water

The subject property's sewage and water will not be impacted by the development variance permit.

Comments Received from Municipalities & Provincial Agencies**City of Fort St John**

No comments.

Ministry of Transportation and Infrastructure

The Ministry of Transportation and Infrastructure has no objections to the development variance permit.

Agricultural Land Commission

The Agricultural Land Commission staff have no objection to the DVP given the minor reduction to the setback.

Comments Received from the Public

None prior to the June 4th publication of the report to the June 10th Board meeting agenda. Any comments received after publication and prior to the Board's consideration of the DVP on June 10th will be reported verbally.

ALTERNATIVE OPTIONS:

1. That the Regional Board respectfully refuse Development Variance Permit No. 17-057, to allow a reduced front parcel line setback on the property identified as PID 028-642-627 from the required 7 metres to 5.66 metres for the lifetime of the two existing residential dwellings in their current state and size, as submitted.
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
2. Application
3. Survey
4. Area D Director Comments DVP 17-057
5. External Agency Comments
6. Development Variance Permit No. 17-057