



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