



# REPORT

To: Chair and Directors

Report Number: DS-BRD-417

From: Development Services

Date: July 18, 2024

**Subject: Development Variance Permit No. 24-007**

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## **RECOMMENDATION: [Corporate Unweighted]**

That the Regional Board respectfully refuse issuance of Development Variance Permit No. 24-007 DVP, to increase the maximum permitted accessory building floor area from 187m<sup>2</sup> to ±258.7m<sup>2</sup> (a difference of ±71.7m<sup>2</sup>) to construct a ±167.2m<sup>2</sup> Quonset, on the subject property identified as PID: 012-273-155.

## **BACKGROUND/RATIONALE:**

### **Proposal**

The applicant is proposing to increase the permitted maximum accessory building floor area by ±71.7m<sup>2</sup> (±38%) from 187m<sup>2</sup> to ±258.7m<sup>2</sup> to construct a new ±9.1m x ±18.3m (±167.2m<sup>2</sup>) accessory structure (Quonset) on the property.

### **Rationale**

Refusal of this proposal is being recommended as it exceeds the maximum permitted accessory building floor area of 187m<sup>2</sup> by ±71.7m<sup>2</sup> or ±38%.

### **File Details**

Owner: Joseph & Sandra Bueckert  
Area: Electoral Area C  
Location: Fort St. John  
Legal: LOT 2 BLOCK 2 SECTION 30 TOWNSHIP 83 RANGE 18 WEST OF THE 6<sup>TH</sup> MERIDIAN  
PEACE RIVER DISTRICT PLAN 13536  
PID: 012-273-155  
Civic Address: 9977 81 Avenue  
Lot Size: 0.4 ha (0.99 ac)

### **Site Context**

The property is approximately 115m away from the City of Fort St. John, just to the west of 98 Street. Surrounding properties are a mix of residential and industrial zoned parcels.

### Official Community Plan (OCP)

Pursuant to the PRRD North Peace Fringe Area Official Community Plan Bylaw No. 2460, 2021, the subject property is designated LSI (Light Service Industrial). Land within this designation should be used for industrial uses. Currently, there is existing residential use on the parcel. This proposal is for an accessory building that supports the existing residential use however it is not out of context for the surrounding industrial shops and could be transitioned to an industrial use in the future.

Land Use Zoning

Pursuant to PRRD Zoning Bylaw No. 1343, 2001, the subject property is zoned R-3 (Residential 3 Zone). Land within this zone may be used for a dwelling unit, market garden, and agriculture. Accessory buildings are permitted in this zone. The maximum accessory building floor area is 187m<sup>2</sup>. The proposed accessory building is 167.2m<sup>2</sup>. There are seven existing accessory buildings on the property:

<u>Structure</u>	<u>Floor Area</u>	<u>Floor Area Count</u>
<b>Shed #1</b>	<b>18.6m<sup>2</sup></b>	<b>YES</b>
<b>Shed #2</b>	<b>14.9m<sup>2</sup></b>	<b>YES</b>
Shed #3	18.6m <sup>2</sup>	EXEMPT
Greenhouse	5.6m <sup>2</sup>	EXEMPT
<b>Garage</b>	<b>58.0m<sup>2</sup></b>	<b>YES</b>
Sewer Utility Shed	3.3m <sup>2</sup>	EXEMPT
Water Utility Shed	8.9m <sup>2</sup>	EXEMPT
<b>EXISTING ACCESSORY BUILDING FLOOR AREA (EXCLUDING EXEMPTED BUILDINGS)</b>	<b>91.5m<sup>2</sup></b>	
<b>Proposed Quonset</b>	<b>167.2m<sup>2</sup></b>	<b>YES</b>
<b>TOTAL ACCESSORY BUILDING FLOOR AREA PROPOSED</b>	<b>258.7m<sup>2</sup></b>	

Section 13.3 of PRRD Zoning Bylaw No. 1343, 2001 provides exemptions for accessory buildings that are less than 11m<sup>2</sup> in floor area. The applicant's Greenhouse, Sewer Utility Shed and Water Utility Shed are all undersized structures that are excluded from the calculation of aggregate floor area for accessory buildings. Additionally, the Zoning Bylaw excludes one garden shed, tool shed or greenhouse having a floor area not exceeding 20m<sup>2</sup>. As a result, Shed #3 is also excluded from the calculation of aggregate floor area for accessory buildings.

With the proposed ±167.2m<sup>2</sup> structure, the total accessory building floor area on the parcel would be ±258.7m<sup>2</sup>. This is ±71.7m<sup>2</sup> or a ±38% increase from what is permitted by the Zoning Bylaw. Therefore, this variance is required.

**Impact Analysis**Context

The proposed variance is not consistent with the surrounding residential properties. It should be noted that this area is intended to transition to Light Industrial (I-1) zoning wherein such structures could be supported. However, this proposal is not intended for industrial use.

Population & Traffic

No change is anticipated for population or traffic.

Sewage & Water

There is an existing septic tank and cistern on the property. No changes are anticipated with this development.

**Site Features**Land

The land is cleared of trees. There are no significant topographical features.

Structures

There is one residence on the property with one detached garage, three sheds, a greenhouse and two utility sheds.

Access

The property is accessed off 81 Avenue.

**Comments & Considerations**Applicant

This proposal is cheaper and easier than building onto existing garage. This structure could be removable as well.

Fire Protection Area

The subject property is within the Fort St. John Fire Protection Area.

Mandatory Building Permit Area

The subject property is within the Mandatory Building Permit Area.

Development Permit Area

The subject property is within the Industrial Development Permit Area pursuant to the North Peace Fringe Area Official Community Plan Bylaw No. 2460, 2021. A Development Permit will be required prior to the issuance of a Building Permit for the accessory building.

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.

**Comments Received from Municipalities & Provincial Agencies**BC Hydro

BC Hydro has no objection in principle to the Development Variance Permit application.

The following comments are for the property owner's information:

1. For new construction, BC Hydro wishes to ensure that building permits do not get issued that allow for encroachment of buildings into the safety clearance zones required around existing bare utility conductors, including those utility works installed within road allowance adjacent to the property.
2. 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).

Ministry of Transportation and Infrastructure (MOTI)

See attached letter.

PRRD GIS Department

No concerns.

**ALTERNATIVE OPTIONS:**

1. 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. 24-007 DVP
2. Application, PRRD File No. 24-007 DVP
3. Comments Received From Municipalities and Provincial Agencies, PRRD File No. 24-007 DVP