



REPORT

To: Chair and Directors

Report Number: DS-BRD-476

From: Development Services

Date: March 20, 2025

Subject: Development Variance Permit No. 24-012

RECOMMENDATION: [Corporate Unweighted]

That the Regional Board respectfully refuse the issuance of Development Variance Permit No. 24-012 to increase the maximum permitted accessory building floor area on the property identified as PID: 012-355-267 from 187 m² to ±312 m² (for the existing 5 m wide lean-to additions on the existing 156 m² shop), as the proposal exceeds the maximum permitted accessory building floor area by ±125 m² (±66.8%).

BACKGROUND/RATIONALE:

Proposal

The applicant is requesting to increase the maximum accessory building floor area for their property from 187 m² (2012 ft²) to ±312 m² (3358 ft²), an increase of ±125 m² (1345 ft²) or ±66.8%.

This increase is to accommodate two existing 5 m (17 ft) wide lean-to additions, constructed without permits, on the existing 156 m² (1679 ft²) shop. The lean-to additions provide an additional 156 m² of floor area, bringing the total shop size to 312 m².

Rationale

Refusal is recommended because the existing lean-to additions exceed the maximum accessory building floor area of 187 m² by ±125 m² or ±66.8% as set out in the PRRD Zoning Bylaw No. 1343, 2001.

File Details

Owner:	Shawn & Mary-Beth Roste
Area:	Electoral Area C
Location:	Fort St. John
Legal:	Lot 1 Block 1 Section 3 Township 84 Range 19 West Of The 6th Meridian Peace River District Plan 12243
PID:	012-355-267
Civic Address:	10205 271 Rd
Lot Size:	0.81 ha (2 ac)

Background

February 8, 2021 The applicant submitted a Building Permit application (File No. 21-009 BP) to construct a walkway from the existing 78 m² (840 ft²) garage to the principal dwelling and to construct a 179 m² (1,925 ft²) shop.

- March 15, 2021 A site inspection found the applicant omitted a 30 m² barn and two 30 m² sea cans from the Building Permit application. The total accessory building floor area would have been 269 m², exceeding the permitted maximum floor area by 82 m². Therefore, the application was withdrawn.
- October 5, 2021 Building Permit No. 21-082 was issued for the construction of a 156 m² (1679 ft²) shop. The shop brought the property's total accessory building floor area to 186 m² by the following:
- An attachment was constructed between the 78 m² garage and the principal dwelling. Therefore, the garage was not an accessory building and was excluded from the total accessory building floor area. The attachment was constructed without the mandatory Building Permit.
 - The two 30 m² sea cans were to be removed after the 156 m² shop was constructed.
 - The 30 m² barn was to remain on the property and would be included in the total accessory building floor area.
- June 24, 2022 The PRRD Building Official completed a Final Inspection on BP 21-082. The principal dwelling was attached to the 78 m² garage, and no lean-to additions were present.
- October 2024 The PRRD became aware of the following infractions:
- The attachment between the 78 m² garage and the principal dwelling was removed and a 38.6 m² addition had been added to the garage without a mandatory Building Permit.
 - Two 5 m wide lean-to additions were constructed on the side and rear of the 156 m² shop without a mandatory Building Permit, bringing the total floor area of the shop to 312 m².
 - The two 30 m² sea cans were not removed.
- November 8, 2024 The PRRD requested for a legal survey showing the size and setback distances for all buildings and structures. The legal survey was not provided.
- November 27, 2024 The Bylaw Enforcement Officer requested that the property be brought into compliance with PRRD Zoning Bylaw No. 1343, 2001 by bringing the total accessory building floor area on the subject property down to 187 m² or applying for a Development Variance Permit.
- December 6, 2024 The applicant submitted Development Variance Permit application No. 24-012 to increase the maximum accessory building floor area for the existing 5 m wide lean-to additions. The applicant also proposed the following to bring the property into compliance:
- Removing the 30 m² barn;
 - Removing the two 30 m² sea cans.

- Re-attaching the ± 116.6 m² garage to the principal dwelling with the mandatory building permit.

At this time, the applicant has re-attached the ± 116.6 m² garage without the mandatory Building Permit but has provided the PRRD with engineering design reports confirming the structure garage addition is safe for its intended use. The remaining accessory structure on the subject property would be the 156 m² shop with the two 5 m wide lean-to additions, bringing the total accessory building floor area on the subject property to 312 m².

Site Context

The subject property is 2.7 km west of the City of Fort St. John boundary and Highway 97 N. The subject property is located within a rural residential neighborhood and is adjacent to actively farmed agricultural land to the west.

Official Community Plan (OCP)

Pursuant to the *NPFA Official Community Plan Bylaw No. 2460, 2021* the subject property is designated Rural Residential (RR). Section 6.1 states land within this designation is intended to provide large lot residential housing options where the principal use of land will be residential, subject to zoning regulations.

Therefore, the proposal is consistent with the Official Community Plan.

Land Use Zoning

Pursuant to *PRRD Zoning Bylaw No. 1343, 2001*, the subject property is zoned Residential 3 (R-3). Section 36.1 states dwelling unit is a permitted principal use and accessory buildings are a permitted accessory use. Section 36.2 states the minimum parcel size is 1.8 ha (4.5 ac). Section 13 states the maximum accessory building floor area is 187 m² (2016 ft²).

The subject property currently has the following accessory structures:

- 312 m² shop
 - Building Permit No. 21-082 was issued for the construction of a 156 m² shop.
 - Two 5 m wide lean-to additions were constructed on the side and rear of the shop without a building permit, increasing the floor area to 312 m².
 - The shop is used for storing vehicles, holiday trailer, boat, etc.
- 30 m² barn
 - The structure is proposed to be demolished to reduce the property's total accessory building floor area.
- Two 30 m² sea cans
 - One sea can is placed under the lean-to additions of the 312 m² shop and the second sea can is placed on the north-east corner of the property. Both sea cans are proposed to be removed from the property.

Currently, the property has a total of 402 m² of accessory build floor area. Removing the 30 m² barn and the two 30 m² sea cans would bring the total floor area down to 312 m². As the maximum accessory

building floor area permitted is 187 m², a Development Variance Permit is needed to increase the building floor area by ±125 m² or ±66.8%.

Impact Analysis

Context

The maximum accessory building floor area ensures consistent land uses in rural residential areas. Accessory structures that greatly exceed maximum floor area may allow for home-based businesses to be conducted at a larger scale that conflict with neighboring properties. A variance to increase the accessory building floor area by ±66.8% is not consistent with the intended intensity of land uses in rural residential areas.

Population & Traffic

No change with population or traffic is anticipated with the proposed variance.

Sewage & Water

The property has on-site sewer and water services.

Site Features

Land

The subject property is mostly cleared for residential use and is treed along Blueberry Ave and 271 Road.

Structures

The subject property has one dwelling unit, a 312 m² shop, a ±116.6 m² attached garage, a 30 m² barn and two 30 m² sea cans.

Access

The subject property is accessed by an existing driveway off Blueberry Avenue.

Canada Land Inventory Soil Rating

According to the Canada Land Inventory, soils on the subject property are classified as 2c. Class 2 soils have moderate limitations that restrict the range of crops or require moderate conservation practices. Subclass c denotes adverse climate.

Comments & Considerations

Applicant

The two 5 m wide lean-to additions are for personal storage (vehicles, holiday trailer, boat etc.).

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 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 because no new residential lots are proposed.

Comments Received from Municipalities & Provincial Agencies

Pacific Northern Gas (PNG)

PNG's gas meter is located on the south side of the 312 m² shop under the lean-to addition. PNG has no concerns provided that the lean-to is never enclosed with walls and doors installed. If the lean-to additions were to be enclosed, the landowner would have to relocate the meter outside the enclosure. See attached PNG map.

MOTT

See attached letter.

Comments Received from Internal Departments

Building Inspector

The construction of the two 5 m wide lean-to additions was completed without the mandatory building permit. The structure will require engineering design and certification prior to a building permit being issued. As the construction has already been completed, the Building Official will rely on the comprehensive engineer review that the construction is safe for its intended use.

Bylaw Enforcement Officer

This application is the result of an enforcement file. There is a 40 ft sea can east of the barn that has not been shown on the site plan. Unless the sea can is removed, it should be included in the request for additional accessory building floor area.

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. Application, PRRD File No. 24-012 DVP
2. Maps, PRRD File No. 24-012 DVP
3. Comments Received from Municipalities & Provincial Agencies, PRRD File No. 24-012 DVP
4. Development Variance Permit No. 24-012

Deferred from March 20, 2025 Regional Board Meeting