

### **REPORT**

To: Chair and Directors Date: March 17, 2020

From: Tyra Henderson, Corporate Officer

Subject: Development Variance Permit, PRRD File No. 20-001 DVP

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

That the Regional Board authorize Development Variance Permit No. 20-001, for the property identified as PID 013-013-742, to reduce the rear yard setback from 5 m to 3 m within PRRD Zoning Bylaw No. 1343, 2001.

#### **BACKGROUND/RATIONALE:**

#### **Proposal**

To reduce the subject property's rear yard setback from 5 m (17 ft) to 3 m (10 ft) within PRRD Zoning Bylaw No. 1343, 2001, to accommodate siting of a proposed attached garage for solar access for the dwelling unit.

#### **File Details**

Owners: Jayson and Kara Strate

Area: Electoral Area C Location: Fort St John

Legal: Lot 1 Block 6 Section 7 Township 84 Range 18 W6M Peace River District Plan 8871

PID: 013-013-742 Civic Address: 9346 120 Avenue Lot Size: 0.30 ha (0.73 ac)

#### **Site Context**

The subject property is adjacent to the City of Fort St John's boundaries, on the northern edge of the city. Residential uses surround the property to the north, east, and south. Fish Creek and a public park within Fort St. John surround the property to the west.

#### **Site Features**

#### <u>Land</u>

Based on information from the applicants and aerial photos, the subject property is residential, vacant and tree-covered, with some area cleared.

#### Structures

The subject property is currently vacant. The applicant intends to have a single-family house and an attached garage on the property.

Staff Initials: JR Dept. Head: 74 Henderson CAO: Page 1 of 4

#### **Access**

The subject property is accessed via 120 Avenue.

#### **CLI Soil Rating**

The subject property has a soil rating of  $2_c$ . Class 2 soils have moderate limitations that restrict a range of crops or require moderate conservation practices. Subclass C denotes adverse climate.

#### **Comments & Observations**

#### **Applicant**

The applicant intends to build a Passive Home with an attached garage, with solar access.

#### Agricultural Land Reserve (ALR)

The subject property is outside the ALR.

#### Official Community Plan (OCP)

The subject property is designated High Density Residential (HDR), pursuant to the PRRD North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009 (NPFA OCP). The NPFA OCP does not address setbacks.

#### Land Use Zoning

Pursuant to the PRRD Zoning Bylaw No. 1343, 2001 (zoning bylaw), the subject property is zoned R-3 (Residential 3 Zone). Section 36.2 (g) states that in the R-3 zone, no principal building or structure shall be located within 5 m of a rear parcel line. The proposed structure is located within 5 m of the rear parcel line. Therefore, this Development Variance Permit is required.

#### Fire Protection Area

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

#### Mandatory Building Permit Area

The subject property is within the Mandatory Building Permit Area.

#### Development Permit Areas

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 Area

The subject property is within the School District 60 School Site Acquisition Charge Area. The School District 60 School Site Acquisition Charge is to be paid when the applicant pursues a PRRD Building Permit.

#### **Impact Analysis**

#### Context

The proposed structure would have the greatest impact on the parcel immediately north of the subject property, where the reduced setback is proposed.

#### **Population & Traffic**

The property is currently vacant, so construction of a residential dwelling unit will increase the population and traffic in the area. The approval of a setback variance will not impact population or traffic.

#### Sewage & Water

The applicants intend to use a holding tank for sewage disposal, and a holding tank for water supply.

#### **Comments Received from Municipalities & Provincial Agencies**

City of Fort St John

No comments.

#### MoTI

No objections.

#### Northern Health

No objections subject to the following conditions:

- the applicants must not cause a health hazard during construction or demolition activities;
- the proposed dwelling unit must be connected to permitted sewer and drinking water systems;
- the applicants must obtain permit(s) for Drinking Water System(s) if building their own water system other than the City of Fort St John; and
- the applicants must obtain permit(s) or approval from Northern Health if dwelling unit intended for opening a home based business such as a Personal Service or preparation and sale food.

#### **Comments Received from the Public**

Public notification was completed in accordance with *Local Government Act* Section 499. The notices indicated that the DVP was to be considered at the March 26<sup>th</sup> meeting, in Tumbler Ridge. When the meeting location was changed, an updated notice was sent property owners in the notification area, and the Engage page for this file was updated. Notice regarding the meeting location change was posted to the PRRD website as well. No comments were received upon finalization of this report. Any comments received after report finalization, but before the Regional Board considers the application, will be reported verbally.

#### **ALTERNATIVE OPTIONS:**

- 1. That the Regional Board respectfully refuse Development Variance Permit No. 20-001, for the property identified as PID 013-013-742, to reduce the rear yard setback from 5 m to 3 m within PRRD Zoning Bylaw No. 1343, 2001, as submitted.
- 2. That the Regional Board provide further direction.

#### STRATEGIC PLAN RELEVANCE:

#### FINANCIAL CONSIDERATION(S):

None at this time.

#### **COMMUNICATIONS CONSIDERATION(S):**

The Regional Board's decision will be communicated to the applicant.

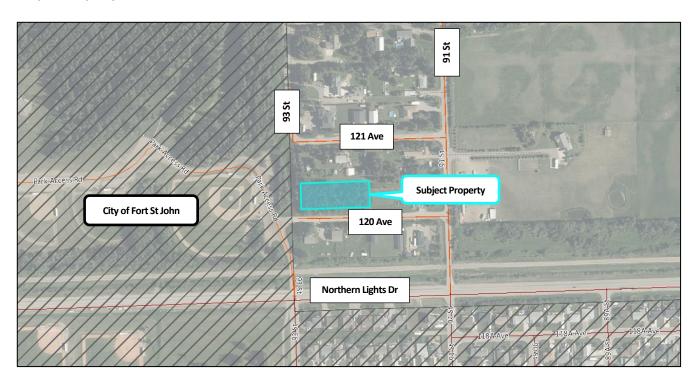
#### OTHER CONSIDERATION(S):

None at this time.

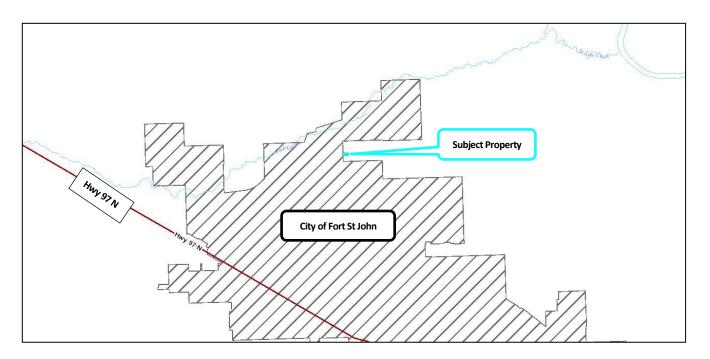
#### Attachments:

- 1. Maps
- 2. Application
- 3. Referral responses from agencies
- 4. Development Variance Permit No. 20-001

#### **Subject Property**



Location: Fort St John



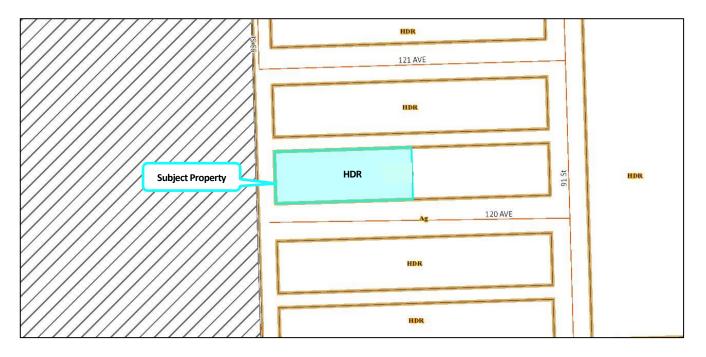
#### **Aerial Imagery**



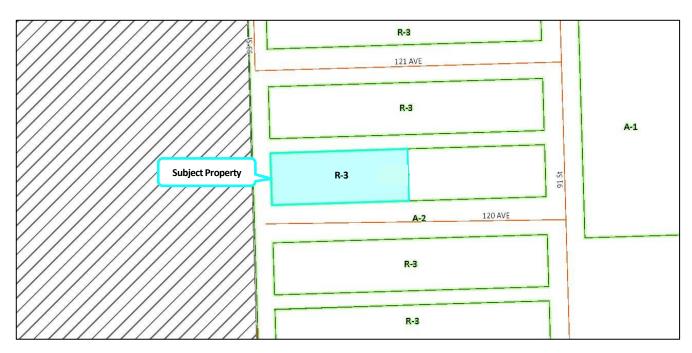
Attachment: Maps

#### Attachment: Maps

#### PRRD North Peace Fringe Area OCP Bylaw No. 1870, 2009: High Density Residential (HDR)

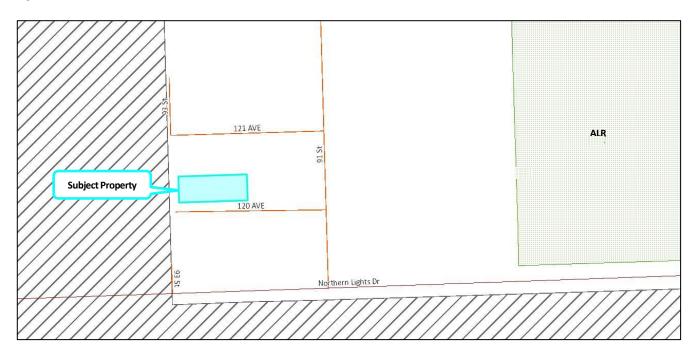


#### PRRD Zoning Bylaw No. 1343, 2001: R-3 (Residential 3 Zone)

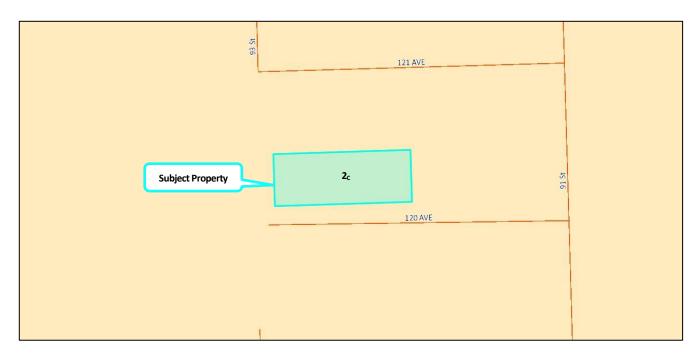


#### Attachment: Maps

#### Agricultural Land Reserve: Outside



#### CLI Soil Classification: $2_{\text{C}}$



20 001 DVP

Bylaw No. 2165, 2016 Schedule A – Application for Development



#### PEACE RIVER REGIONAL DISTRICT

DAWSON CREEK 1981 Alaska Avenue (Box 810), Dawson Creek, BC FORT ST. JOHN 9505 100<sup>TH</sup> Street, Fort St. John, BC V1J 4N4

(T) 250-784-3200..(F) 250-784-3201 (T) 250-785-8084 (F) 250-785-1125

[Toll Free: 1-800-670-7773]

#### **Application for Development**

1. TYPE OF APPLICATION	FEE
[ ] Official Community Plan Bylaw Amendment	\$ 1,000.00
[ ] Zoning Bylaw Amendment	650.00
[ ] Official Community Plan / Zoning Bylaw Amendment combined	1,050.00
[ ] Temporary Use Permit	350.00
[ ] Development Permit	165.00
[X] Development Variance Permit	165.00
[ ] Sign requirement	150.00
In regard to applications for:	
<ul> <li>i) an official community plan and/or zoning bylaw amendment;</li> </ul>	
ii) temporary use permit;	
Sign provided by the PRRD and sign posted pursuant to Section 8 of	f Bylaw No. 2165,
2016 attached	

#### 2. PLEASE PRINT

Property Owner's Name	Authorized Agent of Owner (if applicable)
Jayson and Kara Strate	
Address of Owner	Address of Agent
City/Town/Village	City/Town/Village
Postal Code	Postal Code
Telephone Number:	Telephone Number:
5 and Normalia and	FNovel
Fax Number:	Fax Number:
E-mail:	E-mail:

#### 3. PROPERTY DESCRIPTION

Full legal description of each property under application	Area of each lot	
LOT 1 BLOCK 6 SECTION 7 TOWNSHIP 84 RANGE 18 WEST OF THE 6TH MERIDIAN PEACE RIVER DISTRICT PLAN 8871	.30/.73	ha,/acres
		ha./acres
		ha./acres
	TOTAL AREA	ha./acres

#### Notice of collection of personal information:

Personal information on this form is collected for the purpose of processing this application. The personal information is collected under the authority of the *Local Government Act* and the bylaws of the PRRD. Documentation/Information submitted in support of this application can be made available for public inspection pursuant to the *Freedom of Information and Protection of Privacy Act*.

4.		Civic Address or location of property: 120 Ave, PID 013-013-742
5.	Ple	RTICULARS OF PROPOSED AMENDMENT  case check the box(es) that apply to your proposal:  Official Community Plan (OCP) Bylaw amendment:  Existing OCP designation:  Proposed OCP designation:  Text amendment:
	[]	Zoning Bylaw amendment:  Existing zone:  Proposed zone:  Text amendment:
	[x]	Development Variance Permit – describe proposed variance request:  Reduce rear yard setback for attached garage from primary building setback to accessory building setback
	[]	Temporary Use Permit – describe proposed use:
	[]	Development Permit: Bylaw No Section No
6.		scribe the existing use and buildings on the subject property: rrently vacant, proposed single family house and attached garage.
7.	(a) (b) (c)	scribe the existing land use and buildings on all lots adjacent to and surrounding the oject property:  North Residential buildings and accessory buildings East Residential buildings and accessory buildings South Residential buildings and accessory buildings West vacant road access easement
8.	De	scribe the proposed development of the subject property. Attach a separate sheet if cessary: posed single family home with attached garage and home office/workshop. See attached site plan and other drawings
9.	Re	asons and comments in support of the application. Attach a separate sheet if necessary:
	_	ezeway connecting garage to house causes garage to be considered part of primary building, which pushes
		ole building to the south. Given very thick walls and need for solar access as a Passive House, pushing the project
	up '	to the accessory building setback will improve the siting and performance of the project.

Holding tank.	
Describe the means of water supply for the development:	322
Holding tank.	

### THE FOLLOWING INFORMATION IS REQUIRED. FAILURE TO PROVIDE MAY DELAY YOUR APPLICATION.

- 12. Proof of ownership of the subject property or properties. (For example: Certificate of State of Title, BC Land Title Office Property Title Search or recent Property Tax Notice.)
- 13. A Sketch Plan of the subject property or properties, showing:
  - (a) the legal boundaries and dimensions of the subject property;
  - (b) boundaries, dimensions and area of any proposed lots (if subdivision is being proposed);
  - (c) the location of existing buildings and structures on the subject property, with distances to property lines;
  - (d) the location of any proposed buildings, structures, or additions thereto, with distances to property lines;
  - (e) the location of any existing sewage disposal systems;
  - (f) the location of any existing or proposed water source.

ADDITIONAL OR MORE DETAILED INFORMATION MAY BE REQUESTED BY THE PEACE RIVER REGIONAL DISTRICT FOLLOWING REVIEW OF YOUR APPLICATION.

If it is necessary for the property boundaries and the location of buildings and structures to be more accurately defined, a plan prepared by a British Columbia Land Surveyor may be required.

complete and is, to the best of my / our knowledg to this application	ge, a true statement of the facts related
Signature of Owner /	Date signed  Jan 16 2020
Signature of Comer	Date signed

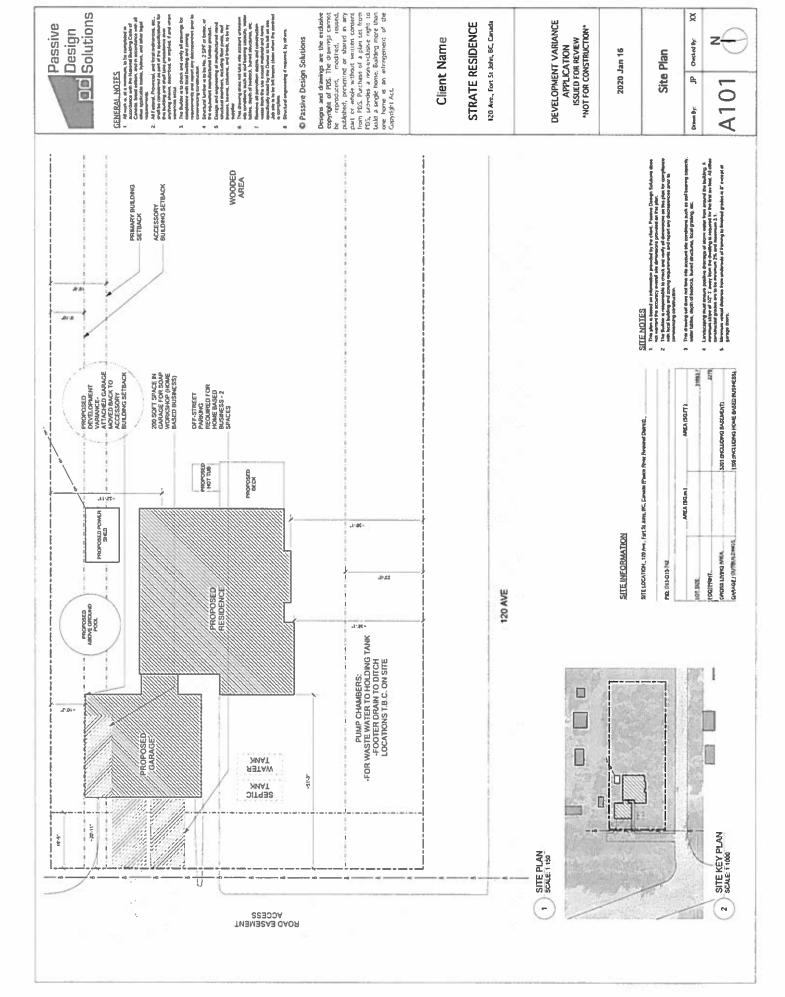
I / We the undersigned hereby declare that the information provided in this application is

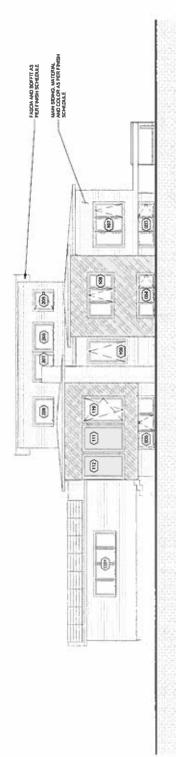
#### 16. AGENT'S AUTHORIZATION

15.

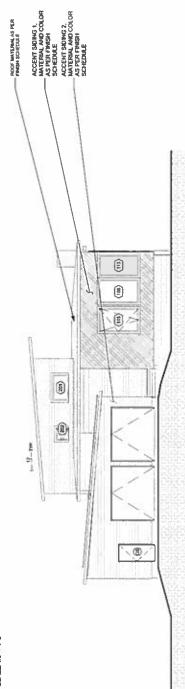
If you have an agent act on your behalf in submission of this application, the following authorization <u>MUST</u> be signed by <u>ALL</u> property owners.

I / We	aı	nd hereby	
authorize		<u> </u>	
(name)		to act on my/our behalf regarding this	
application.			
Agent address:			
Telephone:	Fax:	Email:	
Signature of Owner:		Date:	
	2		
Signature of Owner:		Date:	





1 SOUTH ELEVATION SCALE IN 1'4"



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Passive Design Solutions

STRATE RESIDENCE 120 Ave., Fort St John, BC, Canada

Client Name

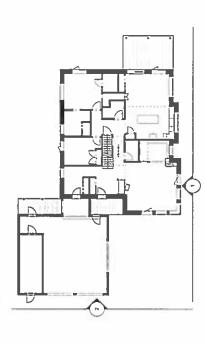
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Go Solutions

GENERAL MOTES

Passive Design

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5 ELEVATION KEY PLAN

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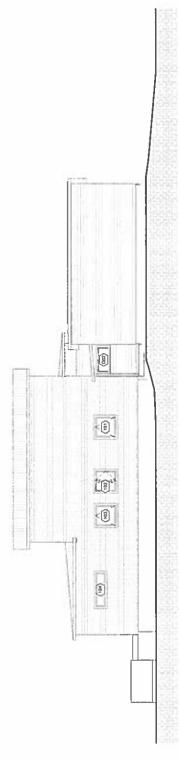
DEVELOPMENT VARIANCE

APPLICATION ISSUED FOR REVIEW \*NOT FOR CONSTRUCTION\*

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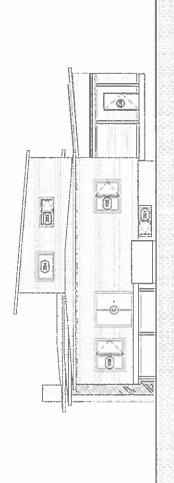
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GENERAL NOTES

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1 NORTH ELEVATION



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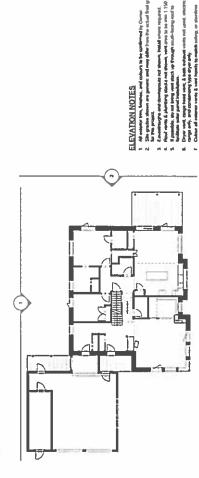
O Passive Design Solutions

STRATE RESIDENCE

Client Name

120 Ave., Fort St John, BC, Canada

EAST ELEVATION



5 ELEVATION KEY PLAN

# EXTERIOR FINISH SCHEDULE

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# DEVELOPMENT VARIANCE APPLICATION ISSUED FOR REVIEW \*NOT FOR CONSTRUCTION\*

2020 Jan 16

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### BYLAW AMENDMENT REFERRAL FORM

Peace River Regional District Box 810, 1981 Alaska Avenue, Dawson Creek, B.C. V1G 4H8 Telephone: (250) 784-3200 Fax: (250) 784-3201

**RESPONSE SUMMARY** Development Variance Permit #20-001 ☐ Approval recommended for reasons outlined below Interests unaffected by bylaw ☐ Approval recommended subject to conditions below ☐ Approval NOT recommended due to reasons outlined below Title: Planning Manager Signed: Agency: Date:



Our file: 2020-00887 Your file: 20-001 DVP Date: February 25, 2020

Peace River Regional District PO Box 810 1981 Alaska Avenue Dawson Creek, BC V1G 4H8

Attn: Jessica Russell - Junior Planner

The Ministry of Transportation and Infrastructure has received and reviewed your referral dated February 19, 2020 to reduce the rear yard setback from 5 metres to 3 metres for the proposed principal structure. Section 505 of the Local Government Act does not apply and will not require Ministry of Transportation and Infrastructure formal approval.

The Ministry has no objections to the development variance permit.

Thank you for the opportunity to comment. If you or the proponent has any questions, please contact me at (250) 787-3237.

Sincerely,



Raj Chopra – District Development Technician

Telephone: (250) 787-3237 Facsimile: (250) 787-3279



24 February, 2020

Jessica Russell | Junior Planner Peace River Regional District

### RE: Application for development variance (Permit #20-00)- Lot 1 Block 6 Section 7 Township 84 Range 18 W6M Peace River District Plan 8871

I have reviewed the application for a development variance to reduce the rear yard setback from 5 metres to 3 metres for the proposed principal structure (Single family home with attached garage and home/office workshop).

Based on the intent of the proposal, Northern Health has no objections, subject to the following conditions:

- As per the Public Health Act [SBC 2008] Ch. 28, the proponent must not cause a health hazard during any demolition or construction activities.
- The proposed "Single family home with attached garage and home/office workshop" must be connected to permitted sewer and drinking water systems as per the requirements of Drinking Water System Protection Act and regulation made under it and Sewerage System Regulations.
- The applicant must apply and obtain permit (s) for Drinking Water System (s) if building own water system other than the City of Fort St John.
- The applicant must apply and obtain permit (s) or approval from Northern Health if the home/office is meant for opening home based businesses such as Personal Services (eg. Massage; Pedicure Manicure, etc.) and preparation and sale of food.

Please do not hesitate to contact me if you have any questions at 250-719-6500 or seyoum.gebeyehu@northernhealth.ca.

#### Sincerely



Seyoum Gebeyehu, BSc, MSc, BASc, MPH, CPHI (C) Environmental Health Officer, Health Protection and Disease Prevention, Northern Health



## PEACE RIVER REGIONAL DISTRICT DEVELOPMENT VARIANCE PERMIT NO. 20-001

Issued to: Jayson and K			ara Strate			
		8935 1118A A Fort St John, E V1J 6H5				
1.	Property affect	cted:	Lot 1 Block 6 Section 7 Township 84 Range 18 W6M Peace River District Plan 8871			
2.	Official Community Plan:		PRRD North Peace Fringe Area Official Community Plan Bylaw No. 1870, 2009; High Density Residential (HDR)			
3.	Zoning Bylaw:		PRRD Zoning Bylaw No. 1343, 2001; R-3 (Residential 3 Zone)			
4.	This Development Variance Permit is issued subject to compliance with all of the bylaws of the Regional District applicable thereto, except as specifically varied or supplemented by this Permit. The provisions of this Development Variance Permit shall prevail over any other provisions of the bylaws in the event of a conflict.					
5.	primary dwelli as Lot 1 Block	ng in the R-3 z	Permit allows a reduction in the minimum rear lot setback for a one from 5.0 metres to 3.0 metres for the property legally described ownship 84 Range 18 W6M Peace River District Plan 8871, as permit.			
6.	conditions and		shall be developed strictly in accordance with the terms, this permit and any plans and specifications attached to this rt thereof.			
7.	This Permit is	s <b>NOT</b> a buildin	g permit.			
ISSUE	D THIS	day of	, 20			
This pe	ermit is authori	zed by Peace F	River Regional District Board Resolution No.			
passed	d on the	day of	, 20			
Author	ized Signatory					
Schodul	'e Δ is attached to	and forms part of	this Davalonment Variance Permit			



## Peace River Regional District SCHEDULE "A"

Development Variance Permit No. 20-001



