

## Development Variance Permit Information Package

**File Number:** 3090-20/20190036

**Electoral Area:** C

**Date of Referral:** July 23, 2019

**Date of Application:** July 9, 2019

**Property Owner's Name(s):** Inland Natural Gas Co. Ltd., c/o FortisBC Energy Inc.

**Applicant's Name:** Kelly Lang

### SECTION 1: Property Summary

**Legal Description(s):** Parcel 1, Plan PGP29745, District Lot 7283, Cariboo Land District, STATION 017, *and* Parcel A (E2256), District Lot 7283, Cariboo Land District, Except Plan 19465; 20905; *and* Lot 1, District Lot 7283, Cariboo Land District, Plan PGP17519, Except Plan 29745

**Area of Application:** 0.04 ha (0.12 ac)

**Location:** 770 Quesnel Canyon Road

**Current Zoning:** Resource/Agricultural (RA 1) – Quesnel Fringe Area Zoning Bylaw, 3504, 1999

**Refer to:** Adjacent Land Owners, Area "C" APC, FLNRO, MoTI, CRD Chief Building Official, Northern Health Authority

**Variance Requested:** The applicant has requested a variance to section 5.20.2 (b) of the Quesnel Fringe Area Zoning Bylaw 3504, 1999 as follows:

That the minimum required setbacks for the interior sides and for the rear side yards for all structures involved with the use of a public utility be reduced from 7.6m (24.93ft) to 1 m (3.28ft) and that the minimum required front yard setback be reduced from 7.6m (24.93ft) to 4.57m (15 ft)

**Proposal/Reasons in support:** To legalize existing gas utility structures and allow new structures to be constructed as needed.

**Existing Buildings:** Odorizer (to be replaced), Spill Response Shed, Spectra Energy Meter station

**Proposed Buildings:** RTU building, replacement Odorizer

### SECTION 2: Planning Report

#### Background:

The applicant has requested that the minimum required interior sides and rear yard setbacks for the structures involved with the use of a public utility be reduced from 7.6m (24.93 ft) to 1m (3.28ft) and that the minimum required front yard setback be reduced from 7.6m (24.93 ft) to 4.57m (15 ft) to legalize the existing gas utility structures and allow new structures to be constructed as needed. The

requested variance is a relaxation in Section 5.20.2 (b) (i), (iii) and (iv) of the Quesnel fringe Area Zoning Bylaw 3504, 1999.

The subject property is zoned Resource/Agricultural (RA 1) in the Quesnel Fringe Area Zoning Bylaw No. 3504, 1999 and is designated Agricultural and Resource in the Quesnel Fringe Area Official Community Plan Bylaw No. 4844, 2014. There are few gas utility structures existing on the property including Spill response Shed, Spectra Energy Meter Station and an Odorizer to be replaced as shown in Appendix B.

Location and Surroundings:

The subject property is 0.04 ha (0.12 ac) in size and is located on Quesnel Canyon Road. Currently, the property owners are in process to extend their Right of Way to legalize the existing gas utility structure by proposing acquisition of neighbor's piece of land (Lot 1) to the north as shown in Appendix A. The subject property lies within the Agricultural Land Reserve (ALR) and is mostly surrounded by single-family dwellings with some farm activities.

CRD Regulations and Policies:

*3504- Quesnel Fringe Area Zoning Bylaw, 1999*

**5.20 RESOURCE/AGRICULTURAL (RA 1) ZONE**

**5.20.2 ZONE PROVISIONS**

- (b) REQUIRED YARDS (minimum):
  - i) Front Yard – Setback = 7.6 metres (24.93 feet)
  - iii) Interior Side Yard – Setback = 7.6 metres (24.93 feet)
  - iv) Rear Yard – Setback = 7.6 metres (24.93 feet)

Rationale for Recommendations:

The proposed variances have minimal impact on neighboring properties as the subject property is surrounded by large resource/agricultural parcels. Further, the requested front yard setback variance complies with the standard minimum highway right of way setback of 4.5 m from the Ministry of Transportation and Infrastructure. Therefore, planning staff supports this variance proposal.

However, amalgamation of the parcels will be required through Ministry of Transportation and Infrastructure once the proposed acquisition of Lot 1 is finalized.

Recommendation:

That the application for a Development Variance Permit pertaining to Parcel 1, Plan PGP29745, District Lot 7283, Cariboo Land District, STATION 017, and Parcel A (E2256), District Lot 7283, Cariboo Land District, Except Plan 19465; 20905; and Lot 1, District Lot 7283, Cariboo Land District, Plan PGP17519, Except Plan 29745 be approved. Further, that a Development Variance Permit be issued to vary the following:

1. Section 5.20.2 (b) (i), (iii) and (iv) of the Quesnel Fringe Area Zoning Bylaw No. 3504, 1999 as follows:

- i) That the minimum required interior sides and rear yard setbacks for the structures involved with the use of a public utility be reduced from 7.6m (24.93 ft) to 1m (3.28ft) to legalize the existing gas utility structures and allow new structures to be constructed as needed.
- ii) That the minimum required front yard setback be reduced from 7.6m (24.93 ft) to 4.57m (15 ft) to legalize the existing gas utility structures.

### SECTION 3: Referral Comments

**Chief Building Official:** -

**Northern Health Authority:** -

**Ministry of Transportation and Infrastructure:** - August 8, 2019

The Ministry of Transportation and Infrastructure has no objection in principle to the proposed variance application with the following condition:

- 1) Please be advised there is a 4.5 metre minimum setback from any public road under this Ministry's jurisdiction. Pursuant to section 12 of the Provincial Public Undertakings Regulation BC Reg. 513/2004, all structures must be placed at least 4.5 metres back from the road right of way.

**Ministry of Forests Lands and Natural Resource Operations:** -

**Adjacent Property Owners:**

**Advisory Planning Commission:** July 29, 2019

Supported, see comments attached.

### SECTION 4: Board Action

Date of Meeting:

### ATTACHMENTS

Appendix A: General Map

Appendix B: Specific Map

Appendix C: Orthographic Map

Other: Applicant's Supporting Documentation  
Advisory Planning Commission Response Form

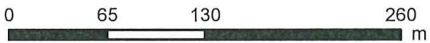
Appendix A: GENERAL MAP



LEGEND



SUBJECT PROPERTY



DVP19036



DL 3137

DL 7285

Barkerville Hwy

LOT 1

LOT 1  
Pcl 1

SUBJECT PROPERTY  
Pcl 1, PL PGP29745 &  
Part of Lot1, PI 17519,  
EXC PL 29745DL 7283, C. D.

DL 5051

DL 7283

Quesnel Canyon Rd

Trembley Rd



# Appendix B: SPECIFIC MAP



## LEGEND

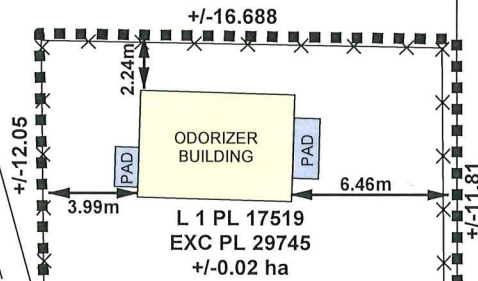


SUBJECT PROPERTY



DVP19036

L 1 PL 17519  
EXC PL 29745

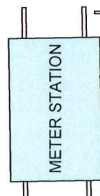


$\pm 16.475$

RTU BUILDING

RTU BUILDING  
(TO BE REMOVED)

PCL 1 PL 29745  
 $\pm 0.048$  ha



$\pm 58.33$

SPECTRA

DL 7283

ENERGY

TRANSMISSION

FENCE

That the minimum required setbacks for the interior sidesand for the rear side yards for all structures involved with the use of a public utility be reduced from 7.6m to 1m and that the minimum required front yard setback be reduced from 7.6m to 4.57m.

Quesnel Canyon Rd

DL 5051

PCL A DD E2256  
EXC PLS 19465 & 20905



# Appendix C: ORTHOGRAPHIC MAP



## LEGEND



SUBJECT PROPERTY



0 40 80 160 m

DVP19036

DL 3137

Barkerville Hwy

LOT1

Pcl 1

SUBJECT PROPERTY  
Pcl 1, PL PGP29745 &  
Part of Lot1, PI 17519,  
EXC PL 29745DL 7283, C. D.

Quesnel Canyon Rd

DL 7283



## Jonathan Reitsma

---

**From:** Lang, Kelly <Kelly.Lang@fortisbc.com>  
**Sent:** July 18, 2019 1:38 PM  
**To:** Jonathan Reitsma  
**Cc:** Havan Surat  
**Subject:** Homeowner's Permissions

Hello Jonathan,

Sorry for the late response, I've been out in the field for a few days here. We have the surveyor working on the plan layout to extend our Right of Way which we will present to the homeowners. To this point, the only contact with the home owners has been through a few phone conversations. Both have been receptive to our plans, so we aren't anticipating any issues on this. Once we have the new plan layout we can present to them and get an agreement in place. We didn't find out about this issue until we had started down the path of the station upgrade. Once I receive the new plan from the surveyor I will forward on.

As for the RTU spill response shed, this is an older tin building, I think the best plan moving forward is to just remove it from the site. This should eliminate the 1 meter clearance issue.

If you have any more questions/comments please let me know,

Thanks,

Kelly Lang  
Pressure Control Manager Zone 4  
250-961-1622



**From:** Jonathan Reitsma <jreitsma@cariboord.ca>  
**Sent:** Thursday, July 18, 2019 9:47 AM  
**To:** Lang, Kelly <Kelly.Lang@fortisbc.com>  
**Cc:** Havan Surat <hsurat@cariboord.ca>  
**Subject:** [External Email] - Homeowner's Permissions

**\*\* THIS IS AN EXTERNAL EMAIL \*\*** Use caution before opening links / attachments.

Hi Kelly,

I have just a few requests regarding your file.

Currently we are making plans to create a variance that will reduce the required setbacks for the buildings and structures within the Fortis Compound but this will require a variance that will overlap the adjacent neighbouring two properties. Do you have any current correspondence with those homeowners that grants the permission of the works



on their property in the ROW which we can add to the file? If you are also able to obtain correspondence regarding the intention of the acquisition from the adjacent property to the north that would be most helpful.

The second request is regarding the RTU spill response shed. From my understanding this is just a small enclosure, possibly on skids or slats, but it is within 0.3m of the property line. We are currently planning on a 1 m setback from all property lines. If it's a relatively easy structure to drag up a few feet to meet that proposed 1 m setback that would be much appreciated.

Regards,

**Jonathan Reitsma**  
*Associate Planner*  
[jreitsma@cariboord.ca](mailto:jreitsma@cariboord.ca)



**Cariboo Regional District**  
Suite D, 180 North 3<sup>rd</sup> Avenue  
Williams Lake, BC V2G 2A4  
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## Shivani Sajwan

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**From:** Zoning  
**Sent:** July 16, 2019 3:51 PM  
**To:** Lang, Kelly  
**Cc:** Havan Surat; Shivani Sajwan; Nigel Whitehead  
**Subject:** RE: FortisBC DVP Application

Hi Kelly,

Thanks for the update! We are moving forward with the application with the understanding of the acquisition. We will end up creating the variance for both parcels that are currently being used for the site. As of right now our intent is to bring all the setbacks down to 1 m from all the property lines except for the front which will be brought to the Ministry of Transportation's minimum of 4.57 m.

The one problem we are facing is the RTU building which is straddling the current property line. Because it is straddling over it, and a new parcel would be created should the parcel be subdivided and acquired it would not meet the variance of 1m. However if we can get a letter stating an intent to amalgamate the parcels that would be a great help!

If you have any questions from our side please let us know,

Regards,

**Jonathan Reitsma**  
*Associate Planner*  
[jreitsma@cariboord.ca](mailto:jreitsma@cariboord.ca)



**Cariboo Regional District**  
Suite D, 180 North 3<sup>rd</sup> Avenue  
Williams Lake, BC V2G 2A4  
**Phone: 250.392.3351 Ext. 298**  
Fax: 250.392.2812  
TF: 1.800.665.1636



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**From:** Lang, Kelly <Kelly.Lang@fortisbc.com>  
**Sent:** July 16, 2019 12:47 PM  
**To:** Zoning <Zoning@cariboord.ca>  
**Subject:** RE: FortisBC DVP Application

Hello Jonathan,

Sorry for the delay, I was just making sure I had everything figured out. So, Fortis's plan moving forward is to increase our Statuary Right of Way to include our full station. We have made contact with the land owner and are moving down this path. So, the current plan attached which shows Fortis's SRW would now be extended out and we wouldn't be acquiring any more land. The current fence line would remain the same as well as the current property ownerships.

If we could move forward with the DVP based on this that would be best. Once I get the new plan from the surveyor showing the larger SRW proposal I can forward this on if required.

If you have any other questions please let me know, thanks,

Kelly Lang  
Pressure Control Manager Zone 4  
250-961-1622



**From:** Zoning <[Zoning@cariboord.ca](mailto:Zoning@cariboord.ca)>  
**Sent:** Tuesday, July 16, 2019 11:48 AM  
**To:** Lang, Kelly <[Kelly.Lang@fortisbc.com](mailto:Kelly.Lang@fortisbc.com)>  
**Subject:** [External Email] - RE: FortisBC DVP Application

**\*\* THIS IS AN EXTERNAL EMAIL \*\*** Use caution before opening links / attachments.

Hi Kelly,

I am just following up on our conversation from last week. Were you able to provide some more information regarding the future acquisition and what that means for the site?

Regards,

**Jonathan Reitsma**  
*Associate Planner*  
[jreitsma@cariboord.ca](mailto:jreitsma@cariboord.ca)



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TF: 1.800.665.1636



Please think about the environment before you print

**From:** Lang, Kelly <[Kelly.Lang@fortisbc.com](mailto:Kelly.Lang@fortisbc.com)>  
**Sent:** July 8, 2019 7:49 AM  
**To:** Zoning <[Zoning@cariboord.ca](mailto:Zoning@cariboord.ca)>  
**Subject:** FortisBC DVP Application

Hello,



Please accept our application for a DVP for the building construction at 770 Quesnel Canyon Road. I've included a recent survey which was completed which shows the difficulty we have in adhering to the required setbacks. For payment I can call in with a VISA number or if you require an in person payment I can make arrangements to have a FortisBC employee visit the Williams Lake or Quesnel office to make payment.

If you have any questions please let me know,

Thanks,

Kelly Lang  
Pressure Control Manager Zone 4  
250-961-1622



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In the matter of:

British Columbia Land Surveyor's As-Built Location Plot of Facilities in the Vicinity of Parcel 1, District Lot 7283, Cariboo District, Plan 29745.

BCGS 936.008

Scale 1:100

All distances shown are metric.

The intended plot size of this plan is 560mm in width by 864mm in height when plotted at a scale of 1:100 (see D size sheet).

- Legend:
- Indicates subject property boundaries
  - Indicates Standard Copper Iron Post Found
  - Indicates Standard Iron Post Found
  - Indicates survey monument found
  - Indicates Identifier of buried transmission line
  - Indicates wooden reference post
  - Indicates offset
  - Indicates nothing found
  - Indicates obliterated survey post

Boundary dimensions are derived from plan(s), field measurements(m) and calculated(c). The accuracy of this survey and plan is adequate for the purpose of verifying the locations of certain proposed property boundaries for the client's purposes.

This plan was prepared for the exclusive use of our client. All rights reserved. No person may copy, reproduce, transmit, or otherwise use this document in whole or in part without the consent of the signatory.

The signatory accepts no responsibility or liability for any damages that may be suffered by a third party as a result of any decisions made, or actions taken based on this document.

I have inspected the property shown at 770 Quesnel Canyon Road and hereby certify that the said corners are situated with respect to perimeter boundaries as shown on this sketch. This document is prepared in accordance with the standard of practice manual. Prepared for CID building development variance application. Field survey completed the 28th day of June, 2019.

*[Signature]*

B.R. Wiles, B.C.L.S. • Copyright 2014 ©  
Dated this 23rd day of January, 2014.  
This document is not valid unless  
originally signed and sealed.

Remainder Parcel A (E2256)

No.	Description	No.	Description
1	10 Ø lightning suppression ground cable	30	15 Ø lightning suppression ground cable
2	45 Ø communication steel mast	31	20 Ø cable above ground
3	10 Ø lightning suppression ground cable	32	20 Ø instrumentation cable above ground
4	junction box 300 with 300 high 1A deep	33	20 Ø AC lighting supply cable above ground
5	25 Ø cable above ground	34	20 Ø AC power supply cable above ground
6	35 Ø cable above ground	35	15 Ø lightning suppression ground cable
7	20 Ø cable above ground	36	20 Ø cable above ground
8	20 Ø cable above ground	37	25 Ø gasline above ground
9	10 Ø lightning suppression ground cable	38	25 Ø gasline above ground
10	10 Ø lightning suppression ground cable	39	25 Ø gasline above ground
11	250 Ø can with ground plate	40	25 Ø gasline above ground
12	45 Ø cable above ground	41	35 Ø hydro pole with meter feed cable
13	45 Ø cable above ground	42	SW corner spill prevention tub 4.0x1.83
14	45 Ø cable above ground	43	NE corner spill prevention tub
15	10 Ø lightning suppression ground cable	44	NE corner spill prevention tub
16	250 Ø can with ground plate	45	SE corner spill prevention tub
17	45 Ø antenna	46	10 Ø vessel steel line
18	10 Ø lightning suppression ground cable	47	10 Ø vessel steel line with pressure gauge
19	35 Ø cable above ground	48	5 Ø vessel monitor wire
20	50 Ø jacket disjuncted cable above ground	49	7 Ø vessel steel pipe
21	40 Ø jacket disjuncted cable above ground	50	7 Ø vessel steel pipe
22	15 Ø jacket disjuncted cable above ground	51	7 Ø vessel steel pipe
23	30 Ø jacket protected cable above ground		
24	30 Ø jacket protected cable above ground		
25	30 Ø jacket protected cable above ground		
26	30 Ø jacket protected cable above ground		
27	250 Ø can with ground plate		
28	10 Ø lightning suppression ground cable		
29	10 Ø lightning suppression cable		

ADVISORY PLANNING COMMISSION RESPONSE FORM

Minutes of the meeting of the Electoral Area 'C' advisory planning commission held on July 29 2019 in the CRD Building, located at Quesnel, BC, commencing at 6:00pm

**PRESENT:** Chair Charlene Lawrence - Alternate  
Members Dennis Asher, John Reichart,

Recording Secretary Charlene Lawrence

Owners/Agent, or

☐ Contacted but declined to attend

Tom Maxwell

**ABSENT:**

Lorne Walker - sent map support by email.

**ALSO PRESENT:** Electoral Area Director John Massier  
Staff support (if present)

Agenda Items

**DVP APPLICATION – 3090-20/20190036 PARCEL 1, PLAN PGP29745, DISTRICT LOT 7283, CARIBOO LAND DISTRICT, STATION 017, AND PARCEL A (E2256), DISTRICT LOT 7283, CARIBOO LAND DISTRICT, EXCEPT PLAN 19465; 20905; AND LOT 1, DISTRICT LOT 7283, CARIBOO LAND DISTRICT, PLAN PGP17519, EXCEPT PLAN 29745)**

John Reichart, Dennis Archer: "THAT the application to vary the minimum required setbacks for the interior sides and for the rear side yards for all structures involved with the use of a public utility be reduced from 7.6m (24.93ft) to 1 m (3.28ft) and that the minimum required front yard setback be reduced from 7.6m (24.93ft) to 4.57m (15 ft) for property located at 770 QUESNEL CANYON ROAD be supported rejected for the following reasons:

- i) minimal impact on the public
- ii) No new structures being constructed

For: 4

Against: 0

CARRIED/DEFEATED

Termination

Dennis Archer / John Reichart: That the meeting terminate.

CARRIED

Time: 6:25pm

Charlene Lawrence  
Recording Secretary

John Massier  
Chair