Development Variance Permit Information Package

File Number: 3090-20/20200003
Electoral Area: A
Date of Referral: January 27, 2020 – **Re-Referral:** April 1, 2020 (to Adjacent Property Owners)
Date of Application: January 17, 2020
Property Owner's Name(s): Derek and Beverlee Barr
Applicant's Name: Derek and Beverlee Barr

SECTION 1: Property Summary

Legal Description(s): Lot 10, District Lot 3965, Cariboo District, Plan 10211

Area of Application: 0.06 ha (0.15 ac)

Location: 1902 Crystal Street

Current Zoning: Residential 2 (R 2)

Refer to: Adjacent Land Owners, Area "A" APC, MoE, MoTI, CRD Chief Building Official, Northern Health Authority

Variance Requested: The applicants have requested a variance to section 5.12.2 (b) (i) of the Quesnel Fringe Area Zoning Bylaw 3504, 1999 as follows:

That the minimum Front Yard setback be reduced from 7.6 m (24.9 ft) to 4.57 m (15 ft) to allow for a proposed addition to the existing dwelling.

Proposal/Reasons in support: To allow for a proposed addition to the house.

Existing Buildings: House – 78 sqm (840 sqft)
Shed – 9 sqm (97 sqft)

Proposed Buildings: Addition to front of House – 23.5 sqm (253 sqft)

SECTION 2: Planning Report

Background:

The applicants have requested that the minimum required front yard setback be reduced from 7.6 m (24.93 ft) to 4.57 m (15 ft) to allow for a proposed addition to the existing house. The requested variance is a relaxation in Section 5.12.2 (b) (i) of the Quesnel Fringe Area Zoning Bylaw 3504, 1999.

The subject property is zoned Residential 2 (R 2) in the Quesnel Fringe Area Zoning Bylaw No. 3504, 1999 and is designated Single Family Residential (Serviced) in the Quesnel Fringe Area Official

Community Plan Bylaw No. 4844, 2014. The property has an existing single-family dwelling on site with a deck and porch along with a non-conforming, non-permanent shed as shown in Appendix B.

Location and Surroundings:

The subject property is 0.06 ha (0.15 ac) in size and is located at 1902 Crystal Street with Dragon Lake to the east of the property as shown in Appendix A. Currently, the property lies within the geotechnical moderate hazard area of steep slope. There are mostly single-family dwellings surrounding the subject property.

Past Relevant Applications:

Similar Development Variance Permit applications for reducing the minimum front yard setback were approved in 2012 (File #4270-20-2012043) and 2006 (File #4270-20-335). These properties are situated to the north and south of the subject property within the same neighborhood at 1872 Crystal Street and 1912 Crystal Street respectively.

CRD Regulations and Policies:

3504- Quesnel Fringe Area Zoning Bylaw, 1999

5.12 RESIDENTIAL 2 (R 2) ZONE

5.12.2 ZONE PROVISIONS

(b) REQUIRED YARDS (minimum):
i) Front Yard – Setback = 7.6 metres (24.93 feet)

Rationale for Recommendations:

Being adjacent to a property with similar varied front yard setback, the proposal has minimal impact on the surrounding properties. Further, the Ministry of Transportation and Infrastructure has no concerns over the requested variance as it complies with the minimum required public road setback of 4.5 meters. Therefore, planning staff supports this variance proposal.

However, issuance of a Building Permit may be subject to a Development Permit with a Geotechnical Report from a qualified professional as the subject property lies within the moderate risk of Steep Slope Geotechnical Hazard Development Permit Area. This will help in mitigating potential hazards and ensure safe development.

Based on the opposing comments and concerns from public in regard to legalizing the existing shed, the initial plans have been revised by removing the shed legalization from the setback variance proposal.

Recommendation:

That the application for a Development Variance Permit pertaining to Lot 10, District Lot 3965, Cariboo District, Plan 10211 be approved. Further, that a Development Variance Permit be issued to vary the following:

1. Section 5.12.2 (b) (i) of the Quesnel Fringe Area Zoning Bylaw No. 3504, 1999 as follows:

i) That the minimum front yard setback be reduced from 7.6 m (24.93 ft) to 4.57 m (15 ft) to allow the construction of a proposed addition to the existing dwelling.

SECTION 3: Referral Comments

Chief Building Official:
No concerns. Permit required for proposed addition.

Health Authority: -

Ministry of Transportation and Infrastructure: - February 5, 2020
The Ministry of Transportation and Infrastructure does not support the proposed Development Variance application for the relaxation on the setback distance for 1902 Crystal Street. Please be advised that 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 any public road right of way. This would include the right of way on Crystal Road and on the access to water. This variance would not meet this minimum setback.

March 31, 2020

The Ministry of Transportation and Infrastructure does not have any objection in principle to the proposed Development Variance application.

Please be advised there is a **4.5 metre minimum setback** from any public road under this Ministry's jurisdiction for any improvements.

Ministry of Environment: -

Adjacent Property Owners:
See attached.

Advisory Planning Commission: February 20, 2020
See attached.

SECTION 4: Board Action

Date of Meeting:

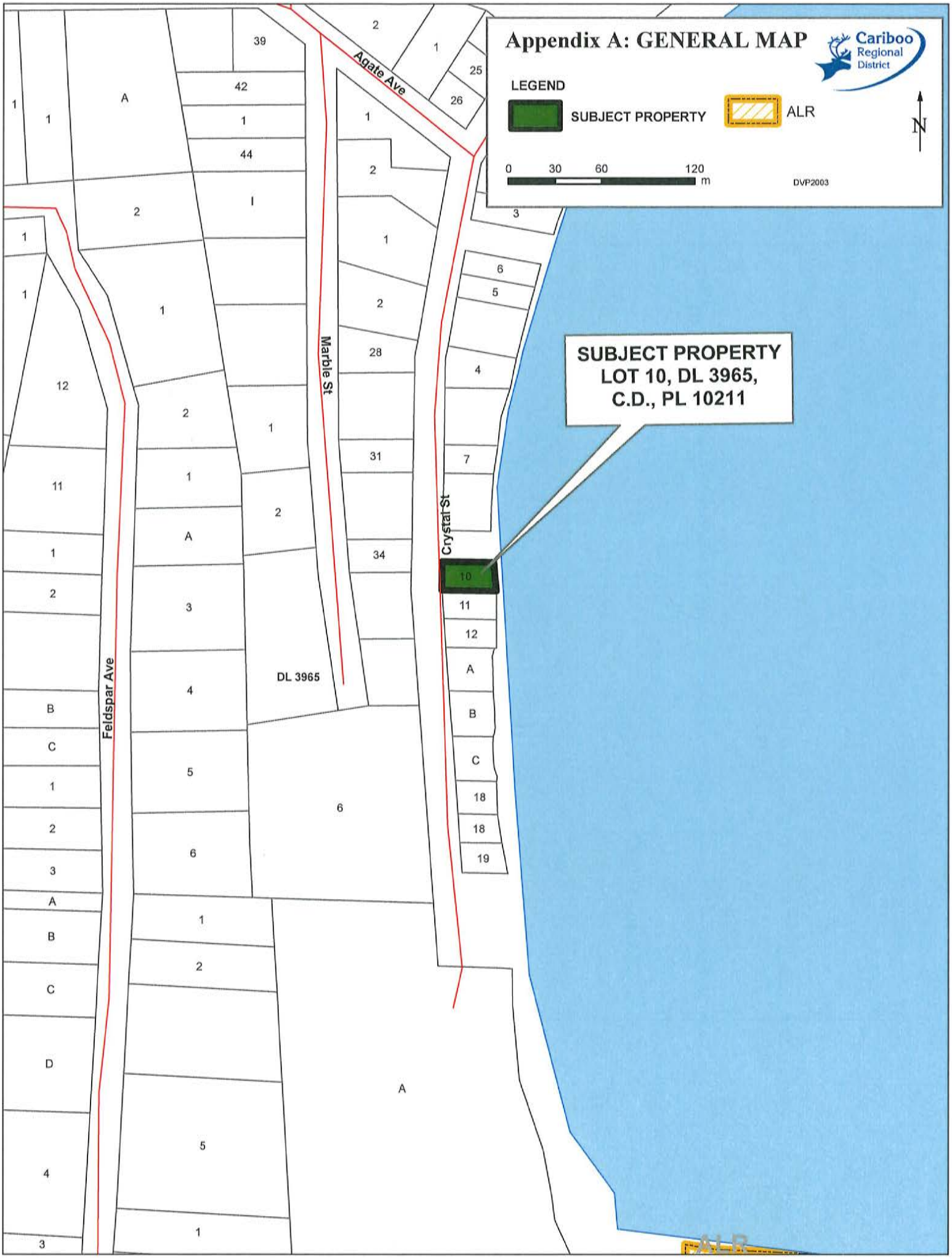
ATTACHMENTS

Appendix A: General Map

Appendix B: Specific Map

Appendix C: Orthographic Map

Other: Applicant's Supporting Documentation
Adjacent Property Owner Comments
Advisory Planning Commission Comments


Appendix A: GENERAL MAP
Cariboo Regional District
LEGEND
SUBJECT PROPERTY
ALR
N
0 30 60 120 m
DVP2003
SUBJECT PROPERTY
LOT 10, DL 3965,
C.D., PL 10211
Agate Ave
Marble St
Crystal St
Feldspar Ave
DL 3965
ALR

Appendix B: SPECIFIC MAP

Cariboo Regional District

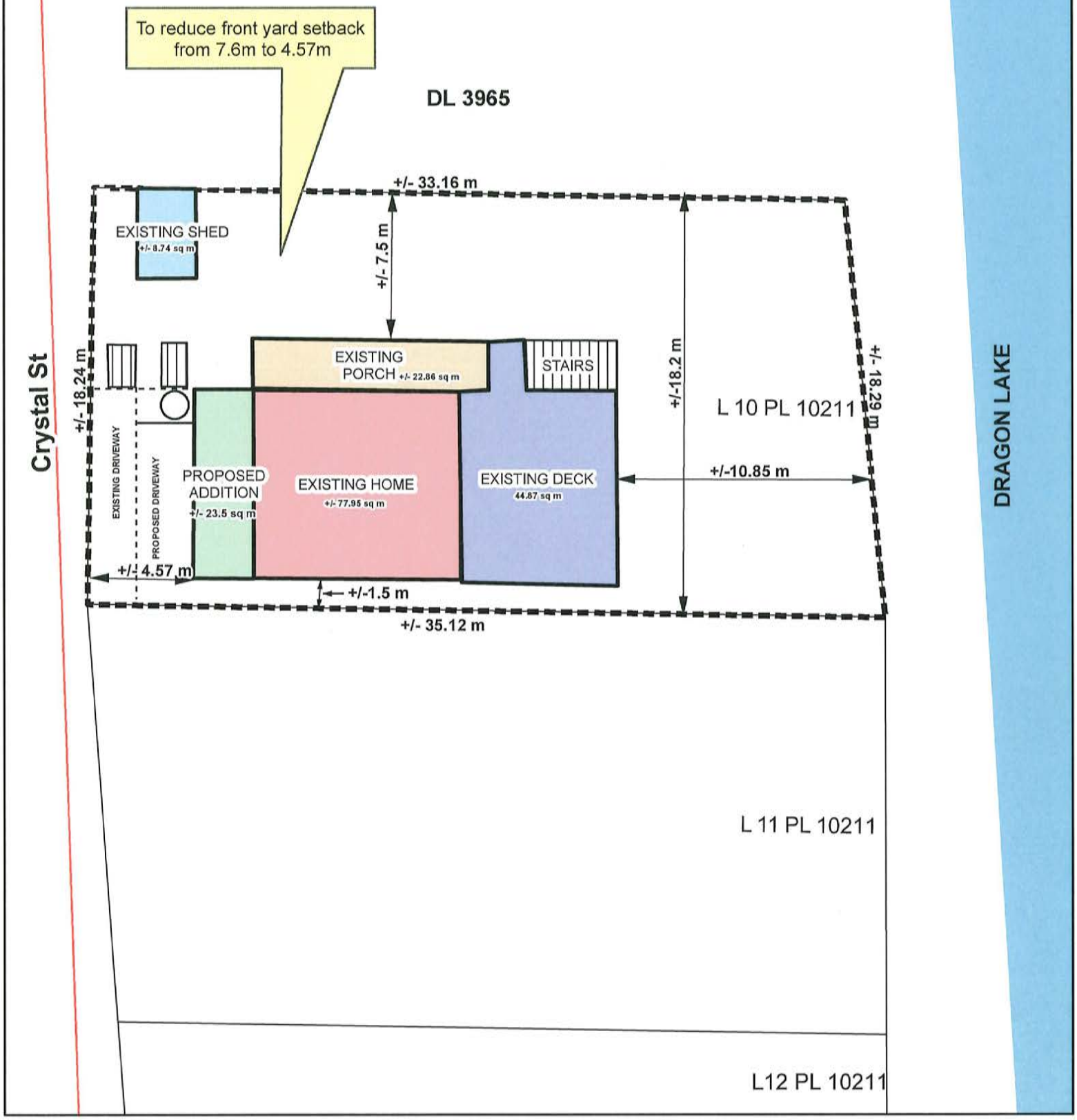
SUBJECT PROPERTY

5 2.5 0 5 m

MEASUREMENTS ARE METRIC

DVP2003

N



Appendix C: GENERAL MAP
Cariboo Regional District
LEGEND
SUBJECT PROPERTY
ALR
N
0 15 30 60 m
DVP2003
DL 3965
Marble St
Crystal St
SUBJECT PROPERTY
LOT 10, DL 3965,
C.D., PL 10211
1
2
28
1
31
7
1
2
A
34
10
3
11
12
A
4
B
C
5
6
18
18
6
bing
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Describe the existing use of the subject property and all buildings:

Single family dwelling - owner occupied

Plus non-permanent tool shed on NW corner of lot

Describe the proposed use of the subject property and all buildings:

Same; single family dwelling - owner occupied

Describe the reasons in support for the application:

Increase size of dwelling, and reduce roadside setback to 15 ft. Matches precedent set by neighbours on both sides.

Additionally, have variance on file for shed that came with the property when we purchased it

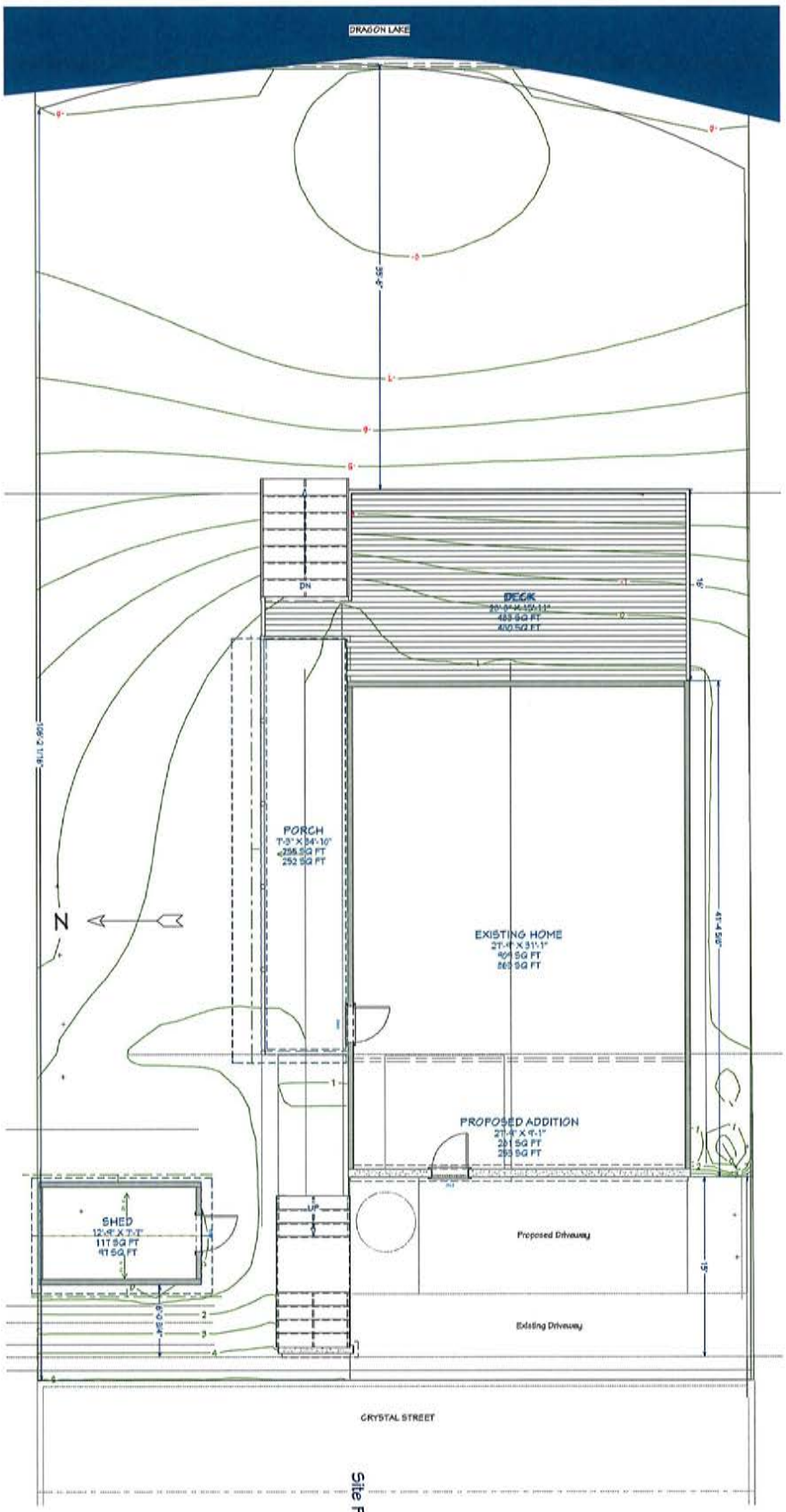
Provide a general description of vegetation cover (i.e. treed, grassland, forage crop etc.):

Provide general geographical information (i.e. existing lakes, streams, physical features etc.):

Services Currently Existing or Readily Available to the Property (check applicable area)

** Readily Available means existing services can be easily extended to the subject property.*

Services	Currently Existing?		Readily Available?*	
	Yes	No	Yes	No
Hydro	☒	☐	☐	☐
Telephone	☒	☐	☐	☐
Community Water System	☐	☒	☐	☐
Community Sewer System	☒	☐	☐	☐
Sewage Disposal System	☐	☒	☐	☐
Well	☒	☐	☐	☐
Other (please specify)	☐	☐	☐	☐

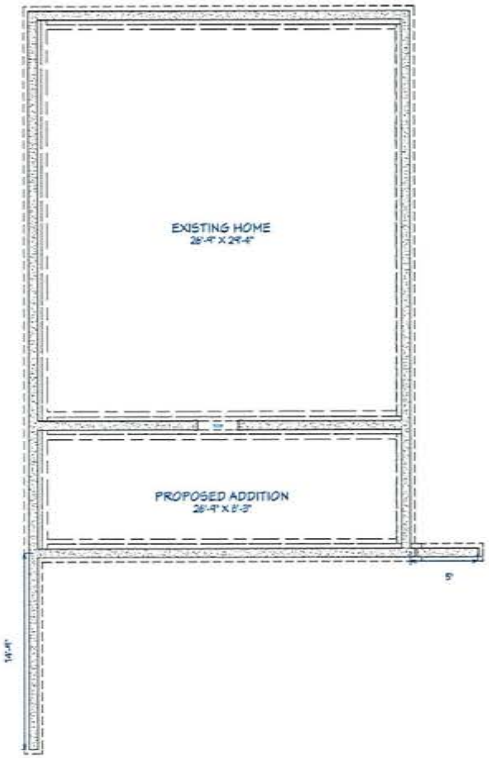


Site Plan

	SHEET:		SCALE:	1/19/2020	DATE:	DRAWINGS PROVIDED BY:	1902 Crystal St Derek & Beverlee Barr 1 250 991 9999		

REVISION TABLE

NUMBER	DATE	REVISED BY	DESCRIPTION



Foundation

REVISION TABLE		
NUMBER	DATE	REVISION DESCRIPTION

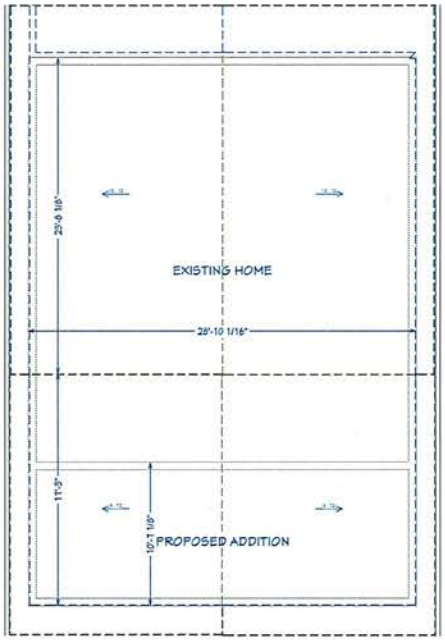
1902 Crystal St
Derek & Beverlee Barr
1 250 991 9999

DRAWINGS PROVIDED BY:

DATE:
1/19/2020

SCALE:

SHEET:
P-1



LIVING AREA
1177 SQ FT

Roof

REVISION TABLE			
NUMBER	DATE	REVISED BY	DESCRIPTION

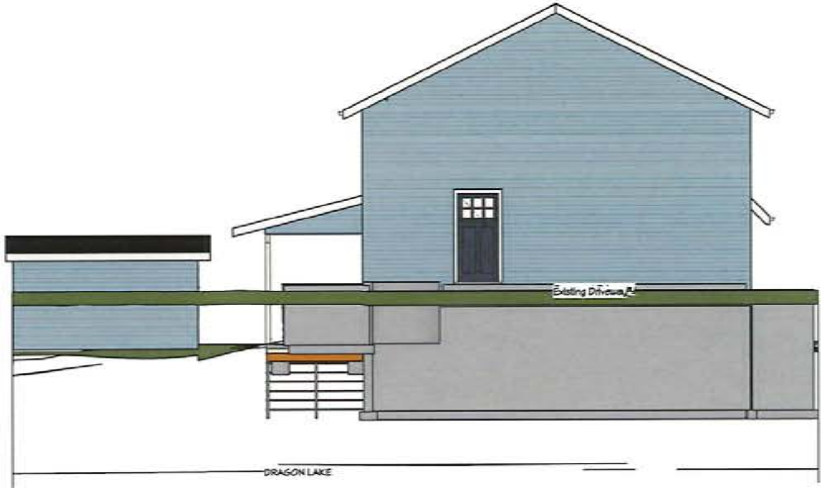
1902 Crystal St
Derek & Beverlee Barr
1 250 991 9999

DRAWINGS PROVIDED BY:

DATE:
1/19/2020

SCALE:

SHEET:



East Facing

REVISION TABLE

REVISION DATE	REVISION DESCRIPTION

1902 Crystal St
Derek & Beverlee Barr
1 250 991 9999

DRAWINGS PROVIDED BY:

DATE:
1/19/2020

SCALE:

SHEET:

South Facing

REVISION TABLE			
NUMBER	DATE	REVISION BY	DESCRIPTION

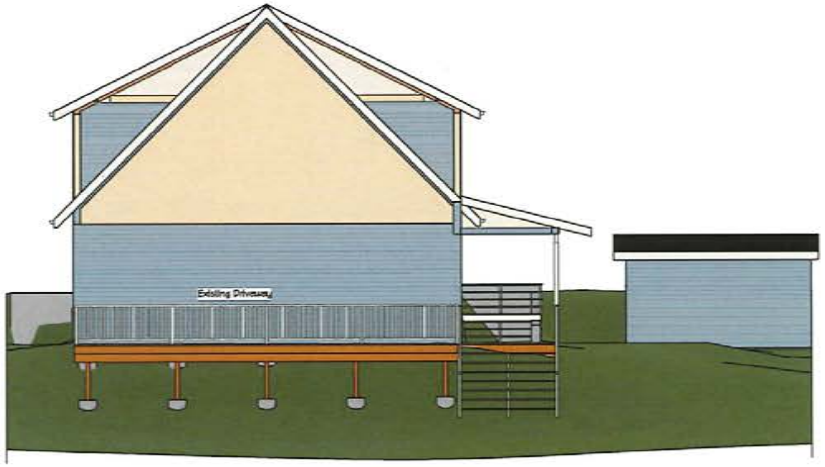
1902 Crystal St
Derek & Beverlee Barr
1 250 991 9999

DRAWINGS PROVIDED BY:

DATE:
1/19/2020

SCALE:

SHEET:



West Facing

REVISION TABLE			
NUMBER	DATE	REVISED BY	DESCRIPTION

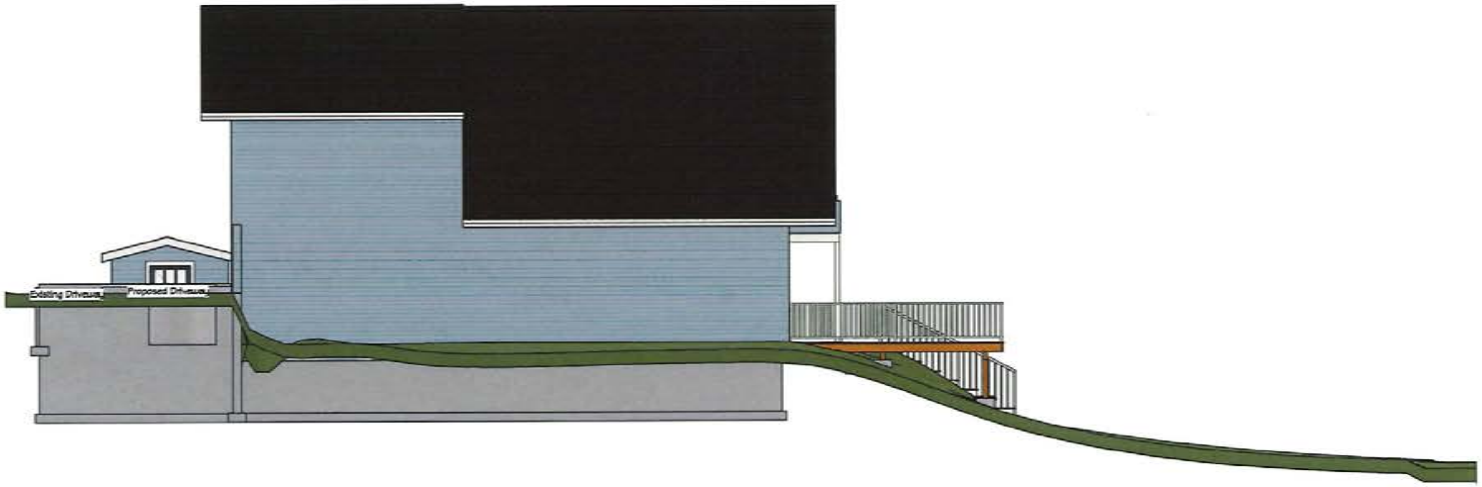
1902 Crystal St
Derek & Beverlee Barr
1 250 991 9999

DRAWINGS PROVIDED BY:

DATE:
1/19/2020

SCALE:

SHEET:



North Facing

REVISION TABLE		
NUMBER	DATE	DESCRIPTION

1902 Crystal St
Derek & Beverlee Barr
1 250 991 9999

DRAWINGS PROVIDED BY:

DATE:
1/19/2020

SCALE:

SHEET:

1890 Feldspar Avenue
Quesnel, BC
V2J 4P3
Telephone: 250 747-1279

Cariboo Regional District
File No. 3090-20/20200003
FEB 11 2020
Referred To .....

February 4, 2020

Shivani Sajwan, MCP, B.Arch
Planning Officer
Cariboo Regional District
Suite D, 180 N. Third Avenue
Williams Lake, BC
V2G 2A4

Dear Sirs,

RE: Application for a Development Variance Permit -
Lot 10, District Lot 3965, Cariboo District, Plan 10211

This is in response to the letter from you dated January 27, 2020, which we received last week.

In the 1950's and 1960's, the Lust Farm was subdivided in 3 stages. My parents bought a lot in the 1950's on Crystal Street, which is close to the lot in question. These lots were for summer use only and every tenth lot was set aside as "public access", so property owners on the benches behind e.g. Marble Street, Agate, Feldspar, Flint, etc. had access to Dragon Lake, not to mention other people from all over who come to use these accesses. This access brought use and dollar value to these properties.

I bought a lot on Feldspar in 1972 and built our house in 1975. These public accesses allowed my family and others year-round access to the lake for fishing, canoeing, kayaking, windsurfing, paddle boarding, swimming and kids playing at the lake shore during the summer months. In winter, the accesses are used for ice-fishing, ski-dooing, cross country skiing, etc.

When sewer arrived in 1985, the cabins on Crystal Street began to increase in size, dwarfing the small lots. Adjacent lots, eg. On Crystal Street, lots 3 and 6 encroached on the access between them, as did lots 9 and 10 to the lot between them. These accesses

were used as parking lots and storage areas by the owners adjacent to the public access lot. Enclosed are four pictures (1a-1d) showing the current parking and storing of wharfs on the 1st access lot on Crystal Street and three pictures (2a-2c) of encroachments with wharfs on the second public access adjacent to lot 10, which is the lot in question. By enlarging the current house and reducing the set-back to zero, there will be less space on lot 10 for storage of the owners' wharfs etc., on their own property. The storage on this property camouflages the fact that this is a public access. As a result, few people will be able to use this public access.

By allowing this variance to proceed, it would lead to further encroachments and hide this access from public use. In fact, the CRD has neglected these accesses and allowed the encroachments to continue unabated. These accesses should be maintained and marked so that nearby residents and others can make use of these public accesses and not have to go several kilometers to the boat launch on the opposite side of the lake.

Please consider the needs of the many people who live nearby and others and had access to this lake for up to 70 years and reject the "Application for a Development Variance Permit – Lot 10, District Lot 3965, Cariboo District, Plan 10211.

In closing, we want to emphasize that we strongly oppose the above mentioned Variance to be allowed.

Sincerely,

W J Trueman Elisabeth Trueman

William and Elisabeth Trueman

The following resident is also opposed to the above mentioned Variance and the reduction of set backs. We all feel that this Variance would reduce our enjoyment of these public accesses.

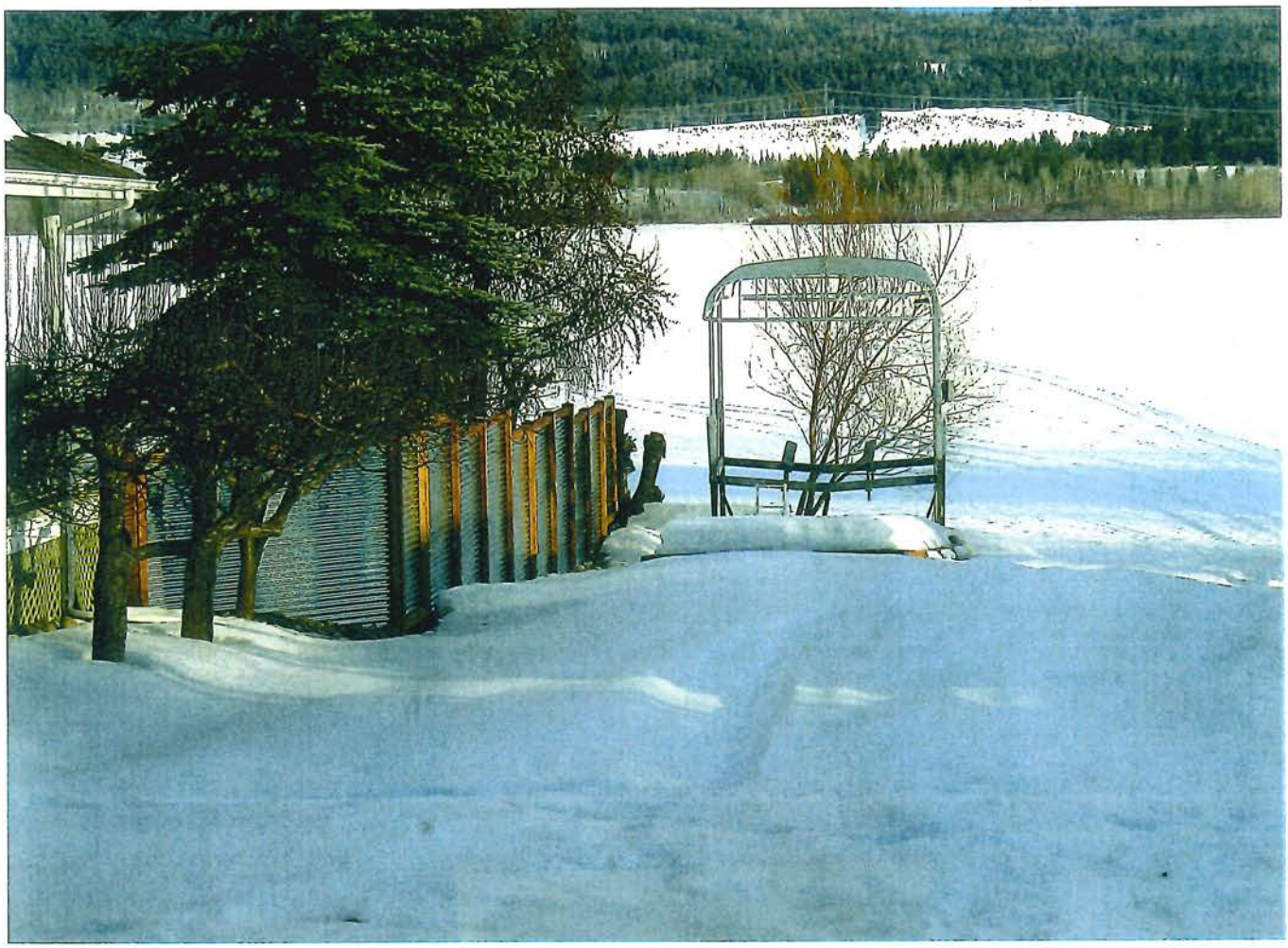
Ilene Patricia Chesley
1681 Flint Street
Quesnel, BC
V2J 4L9
Telephone: 250 747-1059

Ilene Patricia Chesley
Signature

a

1b

c



1d.

2a

2b

2c

2d.

1996 Marble Rd.
Quesnel, BC V2J 4M4
February 11, 2020

Cariboo Regional District
File No. .....
FEB 19 2020
Referred To .....
.....

Mr. Shivani Sajwan, MCP, B.Arch
Planning Officer
Cariboo Regional District

Re. File 3090-20/20200003

Dear Mr. Shivani

We object to the Variance Permit requested by Derek and Beverlee Barr on Crystal Street. Both the front yard setback and the exterior side yard setback to legalize an existing shed is unnecessary. As a shed is a small structure, usually without a foundation, it can be easily legalized by simply moving it into a location in keeping with the required setback. We have often used the public accesses on Crystal Street for launching our kayaks and for bringing our dog to the lake for a swim. I feel the setback of 7.6 m provides some privacy from adjacent homeowners for people using the access for swimming, paddling, boarding or throwing a ball for their dog to fetch.

We also object to a reduction of the setback to allow for an addition to the house as we feel it detracts from the esthetic value of Crystal Street.

Sincerely

Joan and Kas Jochim

File No: 3090-20/20200003

ADVISORY PLANNING COMMISSION RESPONSE FORM

Minutes of the meeting of the Electoral Area 'A' advisory planning commission held on Feb 20/2020 in the CRD office, located at Quesnel, BC, commencing at

PRESENT: Chair Dave Moffatt

Members Ted Armstrong, Mary Sales, Caroline Mitchell

Recording Secretary Doug SERVICE

Owners/Agent, or

☐ Contacted but declined to attend

ABSENT: Vinie Berlinguette

ALSO PRESENT: Electoral Area Director

Staff support (if present) Mary Systrom

Agenda Items

DVP APPLICATION – 3090-20/20200003 (LOT 10, DISTRICT LOT 3965, CARIBOO DISTRICT, PLAN 10211)

/ : "THAT the application to vary the Front ~~Yard Setback~~ and the Exterior Side Yard Setback for property located at 1902 CRYSTAL STREET be supported/rejected for the following reasons:

i) section 5.12.2 zero clearance be grandfathered for the shed.

ii) No Objections to the set back

For: Against:

CARRIED/DEFEATED

Termination

/ : That the meeting terminate.

CARRIED

Time:

Recording Secretary

Chair