



Planning Application Information Sheet

Application Type: Development Variance Permit

File Number: 3090-20/20210012

Electoral Area: A

Date of Referral: March 04, 2021

Date of Application: February 18, 2021

Property Owner's Name(s): SCOTT E BACKER
CARLENE A BACKER

Applicant's Name: 0970169 BC Ltd. DBA SCS Contracting

SECTION 1: Property Summary

Legal Description(s): Parcel 1, District Lot 3971, Cariboo District, Plan PGP36470

Property Size(s): 0.178 ha (0.44 ac.)

Area of Application: 0.178 ha (0.44 ac.)

Location: 1653 Beach Crescent

Current Designation:
Single Family Residential (Serviced)

Min. Lot Size Permitted:
1,114 sq. m (11,991 sq. ft.)

Current Zoning:
Residential 2 (R 2)

Min. Lot Size Permitted:
1,114 sq. m (11,991 sq. ft.)

Variance Requested: The applicants have requested a variance to Section 5.12.2 (b) (iv) of the Quesnel Fringe Area Zoning Bylaw No. 3504, 1999 as follows:

That the minimum required Rear Yard Setback be reduced from 3 m (9.84 ft.) to 1.5 m (4.92 ft.) to allow the construction of a carriage house with garage.

Proposal: To allow the construction of a 70.0 sq. m (753.3 sq. ft.) carriage house with garage.

Existing Buildings: Single-Family Residential Dwelling - 222.97 sq. m (2,400 sq. ft.)
Shed - 20.07 sq. m (216 sq. ft.)

Proposed Buildings: Carriage house with garage - 70.0 sq. m (753.3 sq. ft.)

Services Available: Hydro, Telephone, Community Sewer System and Well.

Within the confines of the Agricultural Land Reserve: No

Required to comply with the Shoreland Management Policy: N/A

Name of Lake/Contributing River: Dragon Lake

Lake Classification: High

Within Development Permit Area: Yes

Development Permit Area Name: Aquatic Habitat Development Permit Area

Adjoining Properties: (Source: B.C.A.A.)

	Land Use:	Lot Sizes:
(a) North	000 Single Family Dwelling	0.15 ha (0.37 ac.)
	000 Single Family Dwelling	0.19 ha (0.47 ac.)
(b) South	Dragon Lake	---
(c) East	000 Single Family Dwelling	0.166 ha (0.41 ac.)
	000 Single Family Dwelling	0.174 ha (0.43 ac.)
(d) West	001 Vacant Residential Less Than 2 Acres	0.299 ha (0.741 ac.)
	001 Vacant Residential Less Than 2 Acres	0.147 ha (0.36 ac.)

PLANNING COMMENTS

UPDATE:

Planning staff initially recommended rejection, but the Board decided to defer this application for six months on April 16th, 2021, to resolve the easement conflict with the neighbouring property at 1629 Beach Crescent. Due to some unavoidable reasons, the process of acquiring

the neighbouring property owner's agreement and signatures to revise the easement got delayed. Therefore, as per the applicant's request, a further six-month extension was granted at the October 1st, 2021 Board meeting.

As of January 24th, 2022, the applicants have purchased the relevant neighbouring property that shares the water easement, making their plans to re-route the existing water pipeline around the proposed building feasible. However, planning staff still recommends rejection of this variance application based on several concerns expressed by the community that includes the Dragon Lake view obstruction, parking congestion on the adjacent lake access and disruption of the sense of spaciousness between surrounding properties, thus contributing to a negative impact on the neighbourhood.

Recommendation:

That the application for a Development Variance Permit pertaining to Parcel 1, District Lot 3971, Cariboo District, Plan PGP36470 to vary the minimum required rear yard setback from 3 m (9.84 ft.) to 1.5 m (4.92 ft.) be rejected because of the multiple objections received from the neighbouring property.

Background:

The applicants have requested that the minimum required rear yard setback of 3 m (9.84 ft.) be reduced to 1.5 m (4.92 ft.) to allow the construction of a 70 sq. m (753.3 sq. ft.) carriage house with a garage. The requested variance is a relaxation in Section 5.12.2 (b) (iv) of the Quesnel Fringe Area Zoning Bylaw No. 3504, 1999.

The subject property is 0.178 ha (0.44 ac.) in size and is zoned Residential 2 (R 2) in the Quesnel Fringe Area Zoning Bylaw No. 3504, 1999. The property is also designated as Single Family Residential (Serviced) in the Quesnel Fringe Area Official Community Plan Bylaw No. 4844, 2014. It has an existing 222.97 sq. m (2,400 sq. ft.) residential dwelling with attached garage, and a 20.07 sq. m (216 sq. ft.) shed as shown in Appendix B.

Location and Surroundings:

The subject property is located at 1653 Beach Crescent, adjacent to Dragon Lake with a highly sensitive classification. The property is covered in grass with a lakefront riparian area. It is mostly surrounded by single-family dwellings in all directions except for Dragon Lake to the south. The property is within the service area of the CRD Red Bluff Sewer.

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):
 - iv) Rear Yard – Setback = 3 metres (9.84 feet)

Rationale for Recommendations:

There is an existing easement for the water pipeline in the ground belonging to a neighbouring property at 1629 Beach Crescent. As per the easement document, no buildings or structures can be built on the easement area. The applicants have proposed to re-route the existing water pipeline around the requested building, and they are currently working towards acquiring the neighbouring property owner's agreement and signatures to revise the easement. Unfortunately, the CRD cannot proceed further until the easement is revised.

The proposal has received a substantial number of opposition letters from the community raising concerns mostly regarding the view of Dragon Lake being obstructed by the proposed building height, thus, decreasing property value. The developer of the Stoney Park Subdivision adjacent to the subject property has also expressed concerns with the reduced setback as it would break the sense of spaciousness between the residences in the neighbourhood and disrupt the intent of having quality dwellings in the community with a potential view of Dragon Lake. In addition, the neighbours are concerned about the current overflow of vehicles on the subject property and parking on the adjacent lake access. An additional carriage house would potentially result in increased congestion of the lake access. The Advisory Planning Commission (APC) has also recommended rejection of this variance application for all the same reasons listed above.

Although the Ministry of Transportation and Infrastructure (MOTI) and the Health Authority have no objections with the proposal, planning staff does not support the proposed building as it currently interferes with the existing waterline easement by being built directly over the waterline, obstructing reasonable access to the neighbouring property's water pipeline.

Should the Board wish to consider this proposal, they could defer the application until the easement is revised by re-routing the waterline around the proposed building.

Recommendation:

That the application for a Development Variance Permit pertaining to Parcel 1, District Lot 3971, Cariboo District, Plan PGP36470 to vary the minimum required rear yard setback from 3 m (9.84 ft.) to 1.5 m (4.92 ft.) be rejected because the proposal interferes with an existing easement for a neighbour's water pipeline.

REFERRAL COMMENTS

Health Authority: March 5, 2021

No objections to the above noted development variance permit.

Ministry of Transportation and Infrastructure: March 4, 2021

Thank you for submitting the above referenced development variance permit referral and information package – MoTI file number 2021-01248.

The Ministry of Transportation and Infrastructure has no objection with the proposed variance requested as the setback proposed is for the rear yard and not adjacent to the highway right of way.

Advisory Planning Commission: March 23, 2021

See attached.

Adjacent Property Owners:

See attached.

Ministry of Environment and Climate Change Strategy:

No response.

CRD Chief Building Official: March 16, 2021

Permit required for proposed work. Limiting distance calculations to be completed at plan review stage. Outcome of limiting distance calculations will determine construction type and amount of allowable unprotected openings.

BOARD ACTION

April 16, 2021:

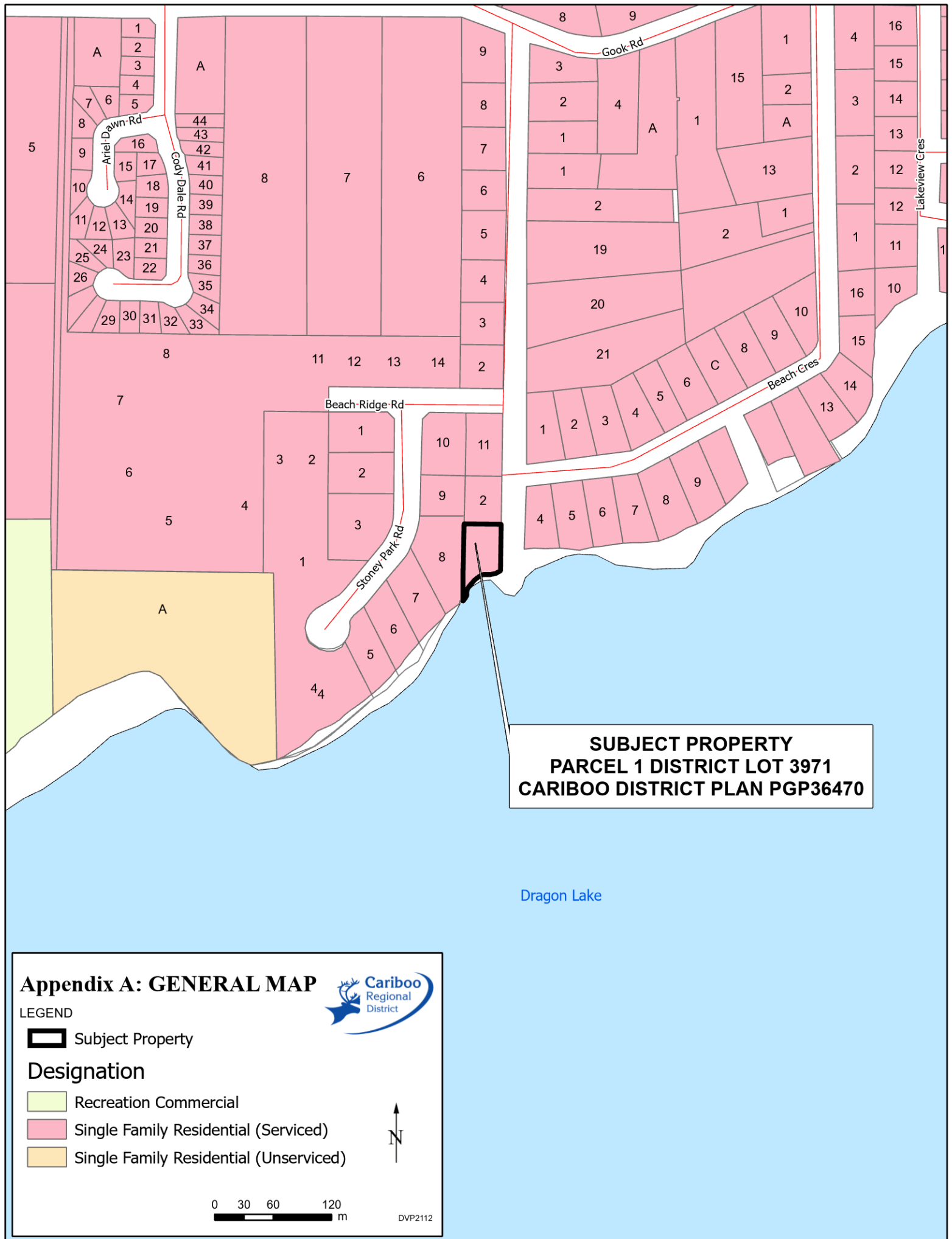
That the application for a Development Variance Permit pertaining to Parcel 1, District Lot 3971, Cariboo District, Plan PGP36470 be deferred for up to six months.

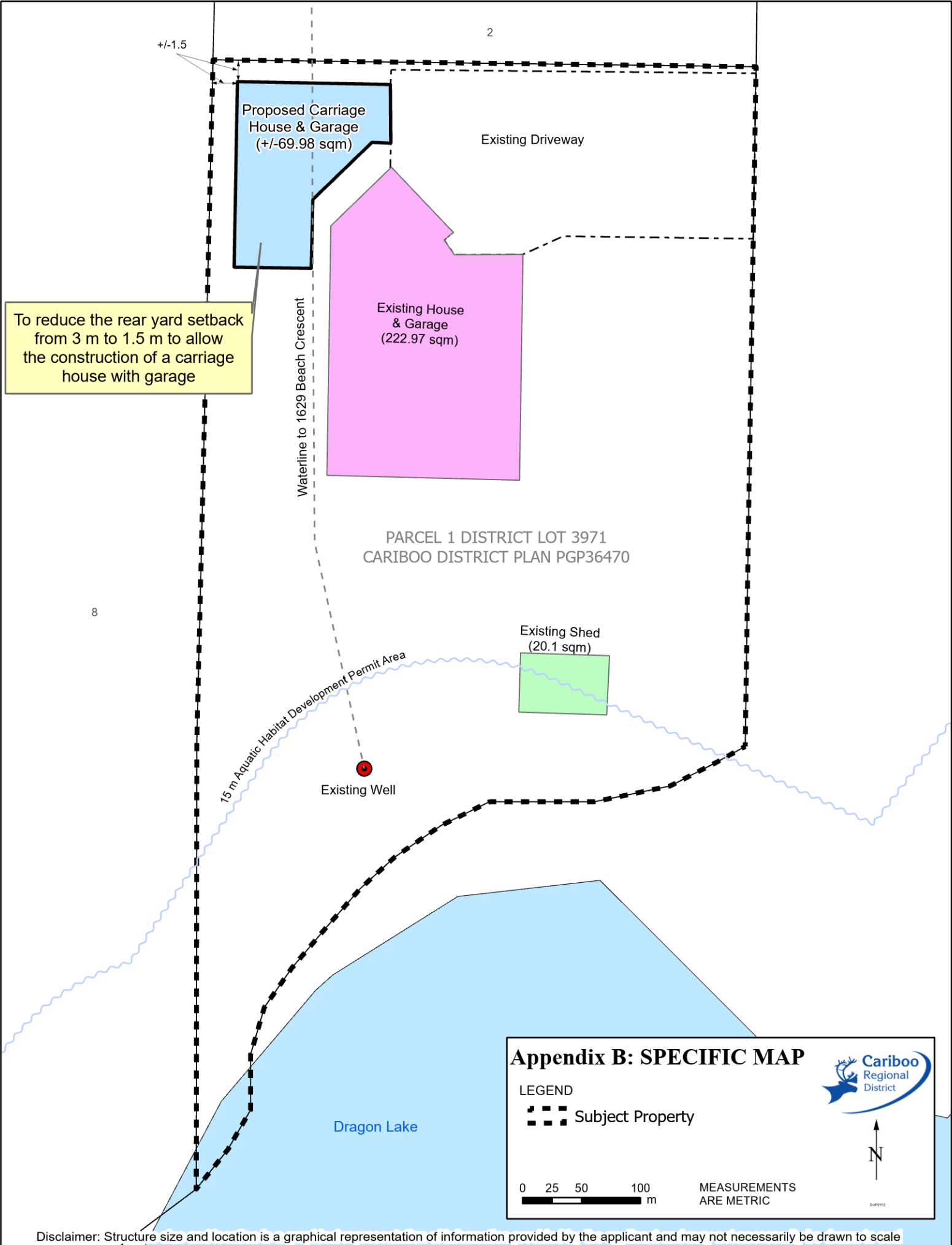
October 1, 2021:

That the agenda item summary from Nigel Whitehead, Manager of Planning Services, dated September 22, 2021 regarding a deferral extension request from the applicant, be received. Further, that the Development Variance Permit application for Parcel 1, District Lot 3971, Cariboo District, Plan PGP36470 be deferred for a further period of up to six months to allow more time for the neighbouring property's probate to complete.

ATTACHMENTS

Appendix A: General Map
Appendix B: Specific Map
Appendix C: Orthographic Map
Other: Applicant's Supporting Documentation
Advisory Planning Commission Comments
Adjacent Property Owner Comments





Appendix B: SPECIFIC MAP

LEGEND

Subject Property

0 25 50 100 m

MEASUREMENTS ARE METRIC

Cariboo Regional District

N

01/20/22

Disclaimer: Structure size and location is a graphical representation of information provided by the applicant and may not necessarily be drawn to scale



Appendix C: GENERAL MAP ORTHO



LEGEND

 Subject Property

0 30 60 120
m



DVP2112

Describe the existing use of the subject property and all buildings: Residential home +
garden shed.

Describe the proposed use of the subject property and all buildings: Secondary suite,
residential home + garden shed.

Describe the reasons in support for the application: To apply for a 5' setback
on both sides on proposed secondary suite. Looking to
bring rear lot line from 3m (9.84ft) down to approx 1.5m (4.92ft)
to match side setback.

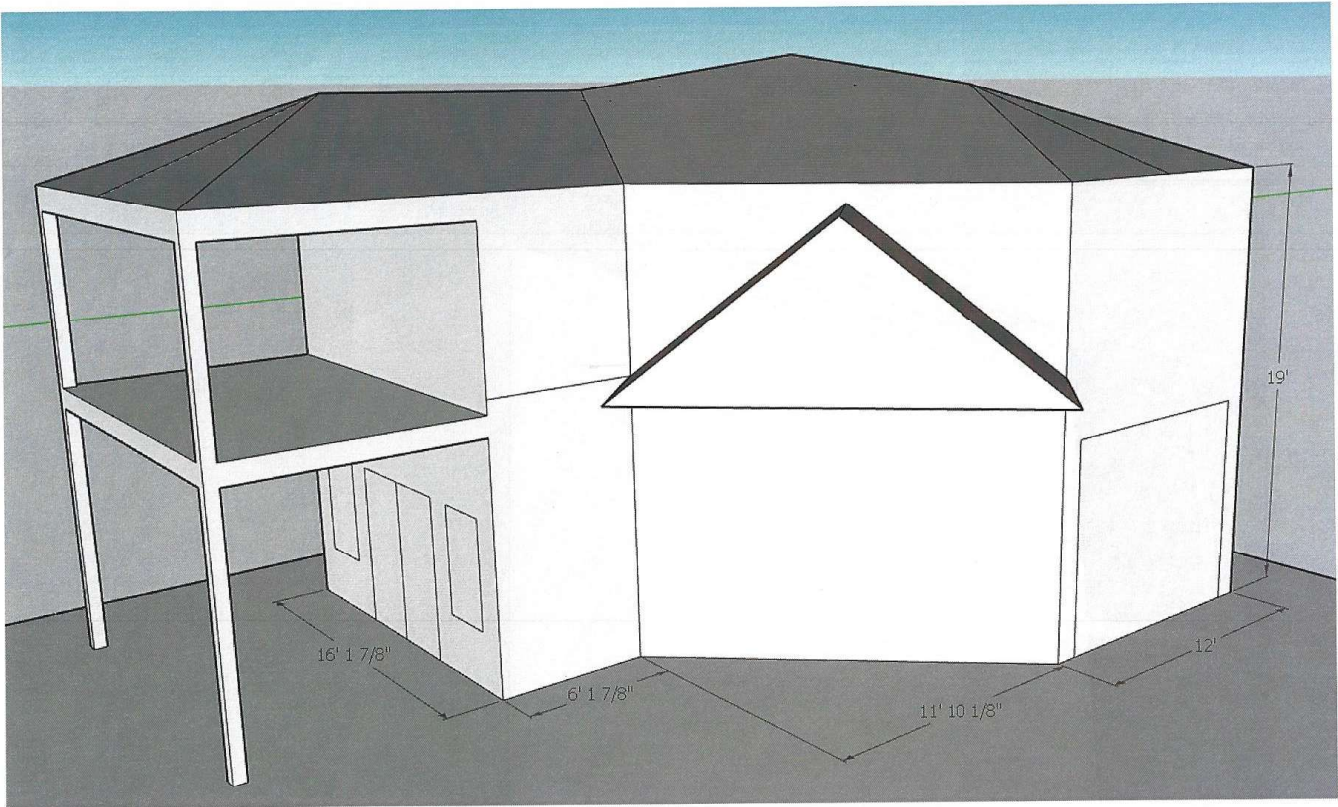
Provide a general description of vegetation cover (i.e. treed, grassland, forage crop etc.): Grassland,
lake front

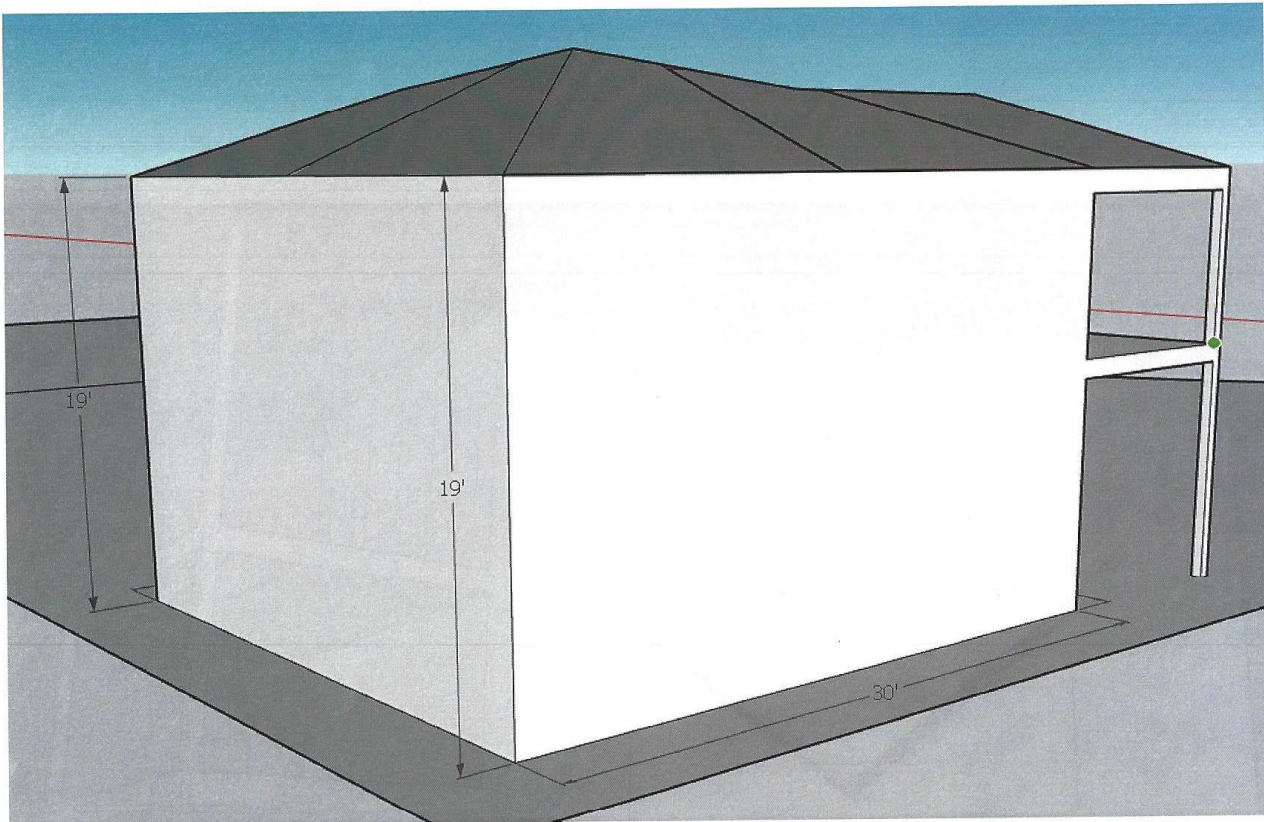
Provide general geographical information (i.e. existing lakes, streams, physical features etc.):
lake front - Dragon Lake

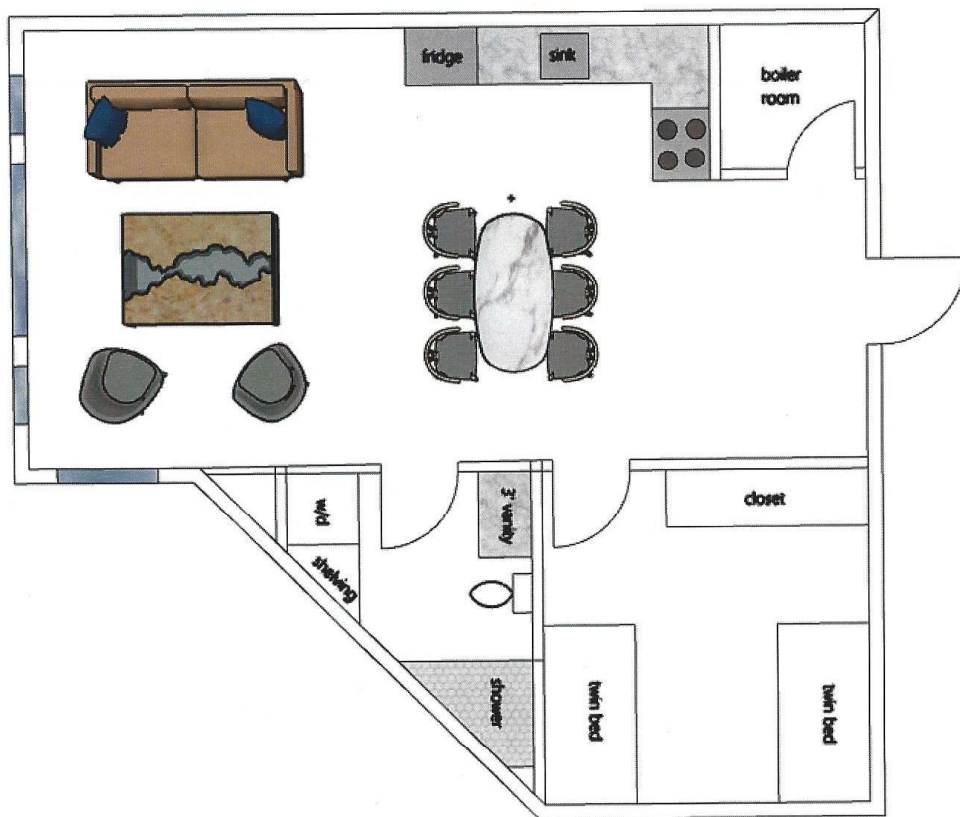
Services Currently Existing or Readily Available to the Property (check applicable area)

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

Services	Currently Existing?		Readily Available?*	
	Yes	No	Yes	No
Hydro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Telephone	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Community Water System	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community Sewer System	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sewage Disposal System	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Well	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>







ADVISORY PLANNING COMMISSION RESPONSE FORM

Minutes of the meeting of the Electoral Area 'A' advisory planning commission held on March 23/2021 in the tele conference, located at _____, BC, commencing at _____

PRESENT:

Chair

Vinie Berlinguette

Members

~~Doug SERVICE~~ Dave Maffatt,
 Mary Seles, Roy Josephy, Ted
 Armstrong

Recording Secretary

Doug SERVICE

Owners/Agent, or

☐ Contacted but declined to attendScott & Carlin Backer.**ABSENT:**~~Vinie Berlinguette~~**ALSO PRESENT:** Electoral Area DirectorMary Seestrom

Staff support (if present)

Nigel WhiteheadAgenda Items

DVP APPLICATION – 3090-20/20210012 (PARCEL 1, DISTRICT LOT 3971, CARIBOO DISTRICT, PLAN PGP36470)

/ : "THAT the application to vary the rear yard setback for property located at 1653 BEACH CRESCENT be supported/rejected for the following reasons:

i) View/heightii) Parkingii i) Empty lot would

For:

Against:

be concerned because ofTerminationthe proposed building.

: That the meeting terminate.

CARRIED/DEFEATED**CARRIED**

Time:

[Signature]
 Recording Secretary

 Chair

Genny Hilliard

From: Kathy Orwick <orwick4@gmail.com>
Sent: March 8, 2021 5:39 PM
To: CRD Planning
Subject: Objections to Variance Permit FILE: 3090-20/20210012

Dear Shivani Sajwan,
Planning Officer
Cariboo Regional District

Re: Application for a Development Variance Permit – Parcel 1, District Lot 3971, Cariboo District Plan
PGP36470 FILE: 3090-20/20210012

Please be advised that I have some objections to this application as it stands.

The information package I received appears to show that the owner of Lot 1 is asking for a variance between his property and mine in order to build a Carriage House. The variance is to reduce the setback from 3 m to 1.5 m. The map shows arrows pointing to where Lot 1 touches Lot 2 and Lot 8. I have no interest in Lot 8 as I do not own it.

I contacted your office on Monday, March 8, 2021, and Jonathan returned my call. He told me that the setback that would relate to our property (Lot 2) is already set at 1.5 m by the bylaws. I tried to locate these bylaws online, but I was not able to find them. Please provide a link or copy of the appropriate bylaw(s). If the 1.5 m setback is already the case, please clarify why I am receiving this request for a variance, if there is no variance occurring.

Also, I have other objections based on the floor plan that was included. It appears there is a plan for a door that would be facing Lot 2. Does the variance to 1.5 m include the swing of the door and its landing or just the placement of the wall? A normal door is about 1 metre wide. This would leave less than 0.5 m between the open door and my fence.

It would be reasonable to assume that the reason for a setback of 3 m (in the first place) would be to allow for things such as (but not limited to) doors, awnings, stairs, roof overhang, fire exits, and eaves. This exterior door on the floor plan appears to be leading directly into the suite, which is on the second floor. This means there must be a staircase on the outside of the building to get to that door. A staircase and its landing have to be wider than the door swing, so this puts the staircase even closer to my property than a simple door would. If the wall is built 1.5 m away from my property, AND a staircase is added between that wall and my property, then it is far too close.

I need clarification in writing as to where the wall is to be built and how close any part of this building will be to my property line before I can remove my objections.

Thank you.

Kathy Orwick
Executrix of the estate of Gordon Van De Mark

March 17, 2021

Cariboo Regional District
Suite D, 180 N Third Avenue
Williams Lake, B.C.
V2G 2A4

Attention **Shivani Sajwan, Planning Officer** (planning@cariboord.ca)

RE: File: 3090-20/20210012

**Application for a Development Variance Permit –Parcel 1, District Lot
3971, Cariboo District, Plan PGP36470 –Scott and Carlene Backer**

We are writing in objection to the above mentioned application based on the following points.

The adjacent property to the immediate north of the subject property is currently vacant and apparently in probate. Therefore the question is who is able to represent this property and if sold in the near future, the property value would quite possibly be a negative on this property's overall value.

- We are located on a view lot west of the subject property. Based on the proposed building construction, it appears the proposed garage with a carriage house would have a similar height to the existing residence. This would definitely obstruct a portion of our view, decreasing property value. We purchased this lot and planned our dwelling to take advantage of the lake view.
- We have two vacant lots below us, however we have been assured by the developer (Peter Renyard), that all plans have to be approved by him and he will monitor all plans making sure that views on our lot and other lake view lots will be protected.
- The subject property already has an overflow of personal vehicles and recreation area on the undeveloped crown land/lake access adjacent to it. An additional residence would quite likely increase this situation. As a neighborhood, we currently have a petition being presented to have this lake access developed so we as a neighborhood can have a safe access to Dragon Lake.

We hope you will recognize our concerns and not allow this variance/construction.

Sincerely,

Tony & Colleen Vander Vegte
1577 Stoney Park Road
Quesnel, B.C. V2J 0B9
colleen.vandervegte@gmail.com

March 18, 2021

Cariboo Regional District Suite D, 180 N Third Avenue Williams Lake, B.C. V2G 2A4
Attention: Shivani Sajwan, Planning Officer (planning@cariboord.ca)

RE: File: 3090-20/20210012

Application for a Development Variance Permit -Parcel 1, District Lot 3971, Cariboo District, Plan PGP36470 Scott and Carlene Backer (outlined in yellow on attached map)

We are writing in objection to the above mentioned application based on the following points.

The adjacent property to the immediate north of the subject property is currently vacant and apparently in probate. Therefore the question is who is able to represent this property and if sold in the near future?

We are located on a view lot north west of the subject property. Lot #9 DL3971 Cariboo District Plan EPP33897 (outlined in orange on attached map).

Based on the proposed building construction, it appears the proposed garage with a carriage house would have a similar height to the existing residence. This would definitely obstruct a portion of our view. We purchased this property based on it being a view lot, and the City of Quesnel is taxing it as such. We purchased this lot and are planning our dwelling to take advantage of the lake view.

We have one vacant lot below us however we have been assured by the developer (Peter Renyard), that all plans have to be approved by him and he will monitor all plans making sure that views on our lot and other lake view lots will be protected.

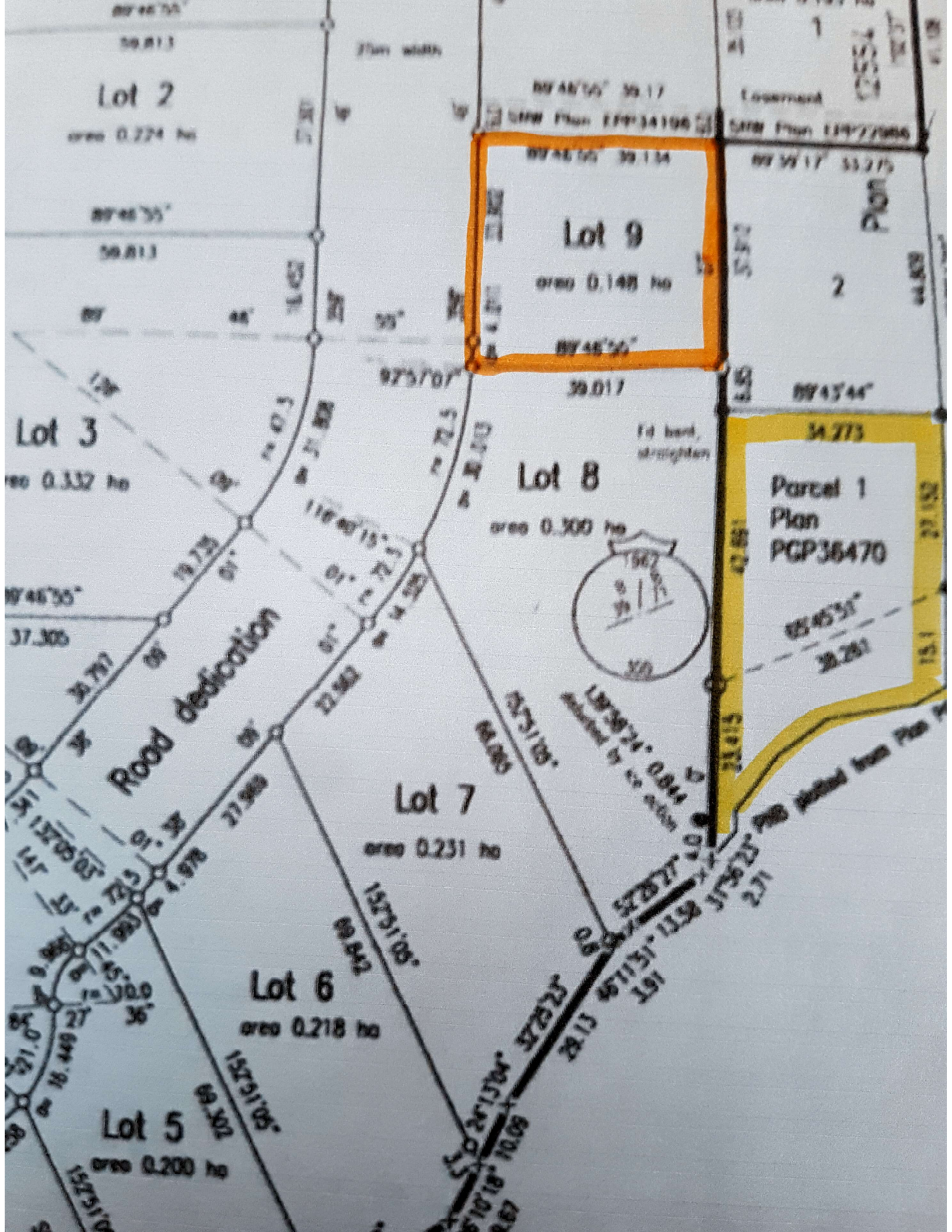
The subject property already has an overflow of personal vehicles and recreation area on the undeveloped crown land/lake access adjacent to it. It is being used as a campground. An additional residence would quite likely increase this situation.

As a neighborhood, we currently have a petition being presented to have this lake access developed so we as a neighborhood can have safe unobstructed access to Dragon Lake.

We hope you will recognize our concerns and not allow this variance/construction.

Sincerely,

Reg Meisner and Cynthia Wheeler,
1604 Stoney Park Road, Quesnel, B.C. V2J OB9
Regmeisner7@gmail.com



file # 3090-20/20210012 BACKER



Brenda and Fred <f-b@telus.net>
To CRD Planning

 You forwarded this message on 2021-04-01 8:02 AM.

 Reply  Reply All  Forward 

Wed 2021-03-31 8:45 PM

Dear Shivanie Sajwan,

Regarding the development variance permit application.

Our concerns for this development are as follows?

- 1) We are unclear as to the final height of this new structure and how it will impede the lake view of our home and surrounding homes. When we purchased in this area we paid for the view, and were required to develop in a way as not to block any neighbouring properties view of the lake.
- 2) Will this be rental property? If so, the concern is the entrance to the lake access is often blocked by this family with vehicles and RV's, basketball hoops, etc. already. If you are adding more people or another family then parking will become more of an issue for everyone/neighbourhood, as well as making the access to the lake even less accessible.
- 3) One final concern that does not impact us personally, but should be considered, is the view and water line on the property directly bordering to the north. This adjacent property is vacant and in probate as far as we understand, (and we don't know if anyone is being a voice for this property). The well for this property appears to be on crown land, and runs across the Backer's property, (from the information you have provided), and the new structure will be built directly over the line to their well. Is this a problem? From what we can gather, the new structure will have a huge impact on this particular neighbouring property because it will block the view from several windows & patios.

Thank you
Fred and Brenda Paulson
1595 Stoney Pk Rd

Fwd: Variance File # 3090-20/20210012

PR

Pete Renyard <renyardp@telus.net>
To CRD Planning

You forwarded this message on 2021-04-01 4:13 PM.

↩ Reply

↩ Reply All

→ Forward

⋮

Thu 2021-04-01 3:59 PM

Subject: Variance File # 3090-20/20210012

Shivani Sajwan
Ref: Development Variance Permit File #3090-20/20210012

I am opposed to the Rear Yard Setback Variance Requested by Scott and Charlene Backer.


When I developed and sold the Lots in the Stoney Park Subdivision adjacent to the Backers property, the purchasers of the Lots did so with the intent of building a quality home in a new subdivision with a potential view of Dragon Lake.


All of the Stoney Park Subdivision Lots were purchased before the Zoning Bylaws were changed to allow for Carriage Homes. It would be an injustice to allow for a 2 Storey Carriage Home to be constructed closer to the rear property line at the cost of potentially decreasing the view of Dragon Lake from numerous lot owners.

I am not opposed to the Carriage Home being constructed on their property as per the current property building setbacks allowed by the CRD.


Regards
Peter Renyard
Renyard Holdings Inc.
1670 Stoney Park Rd
Quesnel BC.

Variance File # 3090-20/20210012

 r.rief@shaw.ca
To CRD Planning

 Reply

 Reply All

 Forward



Sun 2021-04-04 11:18 AM

 You forwarded this message on 2021-04-07 8:46 AM.

Shivani Sajwan
Ref: Development Variance Permit File #3090-20/20210012

I am opposed to the Rear Yard Setback Variance requested by Scott and Charlene Backer.

When I purchased a lot in the Stoney Park development I did so before the Zoning Bylaws were changed to allow for Carriage Homes. I do not feel that there should be a further allowance made to have structures built even closer to lot lines. If you allow structures to be built too close to the lot lines, the appearance of having open space between the homes will be broken. The primary reason for purchasing property in this location was to enjoy the views of Dragon Lake and the spaciousness that was part of not only the design of this subdivision, but the surrounding neighborhood.

Sincerely,
Rita Rief