



## Planning Application Information Sheet

**Application Type:** Development Variance Permit

**File Number:** 3090-20/20220061

**Electoral Area:** L

**Date of Referral:** October 25, 2022

**Date of Application:** September 26, 2022

**Property Owner's Name(s):** MARY VAN DE WETERING  
BERT VAN DE WETERING

**Applicant's Name:** Michael Kidston Land Surveying

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### SECTION 1: Property Summary

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**Legal Description(s):** The Southwest 1/4 of District Lot 4037, Lillooet District, Except Plans 24102, 27650, 28095, 29152 and KAP57847

**Property Size(s):** 8.54 ha (21.1 ac.)

**Area of Application:** 8.54 ha (21.1 ac.)

**Location:** 5916 Highway 24

**Current Designation:**  
Rural Residential

**Min. Lot Size Permitted:**  
4 ha (9.88 ac.)

**Current Zoning:**  
Rural 1 (RR 1)

**Min. Lot Size Permitted:**  
4 ha (9.88 ac.)

**Variance Requested:** The applicants have requested a variance to 5.18.2 (b) (iii) of the South Cariboo Area Zoning Bylaw No. 3501, 1999 as follows:

That the minimum required Interior Side Yard Setback be reduced from 7.6 m (24.9 ft.) to 0.17 m (0.56 ft.) to legalize the existing 125.33 sq. m. (1,350 sq. ft.) ancillary structure.

**Proposal:** To legalize the existing 125.33 sq. m (1,350 sq. ft.) Quonset shed.

**Existing Buildings:** Ancillary Structure (Quonset) - 125.33 sq. m (1,350 sq. ft.)  
Pumphouse/electrical shed - 9 sq. m (96.88 sq. ft.)

**Proposed Buildings:** Building Permit #PR20190532 for Mobile Home - 160.5 sq. m (1,728 sq. ft.)

**Services Available:** Hydro 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:** 93 Mile Creek

**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	060 2 Acres Or More (Single Family Dwelling, Duplex)	5.06 ha (12.5 ac.)
	070 2 Acres Or More (Outbuilding)	4.49 ha (11.1 ac.)
(b) South	060 2 Acres Or More (Single Family Dwelling, Duplex)	4.04 ha (9.98 ac.)
	061 2 Acres Or More (Vacant)	258.99 ha (640 ac.)
	061 2 Acres Or More (Vacant)	4.07 ha (10.06 ac.)
(c) East		4.88 ha (12.08 ac.)
	060 2 Acres Or More (Single Family Dwelling, Duplex)	4.09 ha (10.1 ac.)
	060 2 Acres Or More (Single Family Dwelling, Duplex)	4.05 ha (10 ac.)
	063 2 Acres Or More (Manufactured Home)	4.05 ha (10 ac.)

	060 2 Acres Or More	18 ha (44.48 ac.)
(d) West	202 Store(S) And Living Quarters	2.83 ha (7 ac.)
	063 2 Acres Or More (Manufactured Home)	4.06 ha (10.03 ac.)

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## PLANNING COMMENTS

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### Background:

The applicant has requested that the minimum required interior side yard setback be reduced from 7.6 m (24.9 ft.) to 0.17 m (0.56 ft.) to legalize the location of the existing 125.33 sq. m (1,350 sq. ft.) ancillary structure (Quonset shed) on the subject property as shown in Appendix B. The requested variance is a relaxation of Section 5.18.2 (b) (iii) of the South Cariboo Area Zoning Bylaw No. 3501, 1999.

The subject property is 8.54 ha (21.1 ac.) in size and is zoned Rural 1 (RR 1) in the South Cariboo Area Zoning Bylaw No. 3501, 1999. It is also designated Rural Residential in the South Cariboo Area Official Community Plan Bylaw No. 5171, 2018. Along with the 125.33 sq. m (1,350 sq. ft.) Quonset shed, the property has an existing 9 sq. m (96.88 sq. ft.) pumphouse/electrical shed and a valid building permit (#PR20190532) for a proposed 160.5 sq. m (1,728 sq. ft.) mobile home.

There is an ongoing rezoning application (File #3360-20/20200044) to subdivide the subject property into four smaller residential lots and create opportunity for more affordable rural housing in the neighbourhood.

### Location and Surroundings:

The subject property is located at 5916 Little Fort Highway 24 in the Lone Butte neighbourhood as shown in Appendix A. It is mostly covered in second growth trees and grass/shrubs with highly sensitive 93 Mile Creek that flows through the southern portion of the property. In terms of topography, there is a gradual slope towards 93 Mile Creek. The property is also within the Aquatic Habitat Development Permit Area that extends 15 m (49.2 ft.) from the natural boundary of watercourse. The proposal is well outside of this area. It is mostly surrounded by rural residential lots with a commercial lot to the west and a large vacant crown land to the south of the subject property.

CRD Regulations and Policies:

*3501 South Cariboo Area Zoning Bylaw, 1999*

**5.18 RURAL 1 (RR 1) ZONE**

5.18.2 ZONE PROVISIONS

(b) REQUIRED YARDS (minimum):

iii) Interior Side Yard – Setback = 7.6 metres (24.9 feet)

Rationale for Recommendations:

Planning staff recommend rejection of the proposed variance application.

The Electoral Area 'L' Advisory Planning Commission (APC) recommends rejection of the proposal as the requested variance is significantly large. The APC has noted that the subject property appears to have adequate alternative locations for the Quonset shed that is likely movable. Further, the current location of the shed limits future use of the adjacent property, including perimeter fencing.

The Ministry of Transportation and Infrastructure (MOTI) has no objection in principle to the proposed interior side yard setback reduction. The Interior Health Authority has completed their initial review and have identified no health impacts associated with the proposal. As such, their interests are unaffected by the proposal.

The CRD Chief Building Official (CBO) has responded and provided comments of concern. Although there is a building permit (#PR20190533) approved for this Quonset shed, it has not passed the final inspection. The construction of the wall at the reduced setback will have to meet all requirements of the BC Building Codes regarding spatial separation and combustible construction. This wall will likely have to be constructed of non-combustible construction and cladding and have a 2-hour Fire Resistance Rating. The building department will provide a formal review of the construction requirements and inform the applicant prior to finaling the active building permit.

Taking all the comments into consideration, planning staff recommends rejection of the proposed variance. As indicated by the APC in their referral comments, the Quonset shed is placed on a concrete slab and could be disassembled which should allow the shed to be relocated to maintain the required setback.

Recommendation:

That the application for a Development Variance Permit pertaining to the Southwest 1/4 of District Lot 4037, Lillooet District, Except Plans 24102, 27650, 28095, 29152 and KAP57847 to reduce the minimum required interior side yard setback from 7.6 m (24.9 ft.) to 0.17 m (0.56 ft.) be rejected due to impact of the structure on the neighbouring lot.

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**REFERRAL COMMENTS**

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Health Authority: November 2, 2022

The IH Healthy Community Development Team has received the above captioned referral from your agency. Typically we provide comments regarding potential health impacts of a proposal. More information about our program can be found at Healthy Built Environment. An initial review has been completed and no health impacts associated with this proposal have been identified. As such, our interests are unaffected by this proposal.

Please note and feel free to pass on to the applicants that wells must be located 6 m from any private dwelling, according to Section 8 of the B.C. Health Hazard Regulations.

Ministry of Transportation and Infrastructure: October 26, 2022

2022-05467

The Ministry of Transportation and Infrastructure has no objection in principle to the proposed side yard setback being reduced from 7.6 metres to 0.17 metres.

Advisory Planning Commission: November 14, 2022

See attached.

Ministry of Environment and Climate Change Strategy: Terrestrial, Aquatic Habitat and Wildlife:

November 22, 2022:

The terrestrial habitat section does not have any comments or concerns with this referral.

CRD Chief Building Official: November 24, 2022

The building department is in agreement with approving the variance. However, the construction of the wall at the reduced setback will have to meet all requirements of the BCBC in regards to spatial separation and combustible construction. This wall will likely have to be constructed of non combustible construction and cladding and have a 2 hour Fire Resistance Rating. The building department will provide a formal review of the construction requirements and inform the applicant prior to finaling the active building permit.

Adjacent Property Owners:

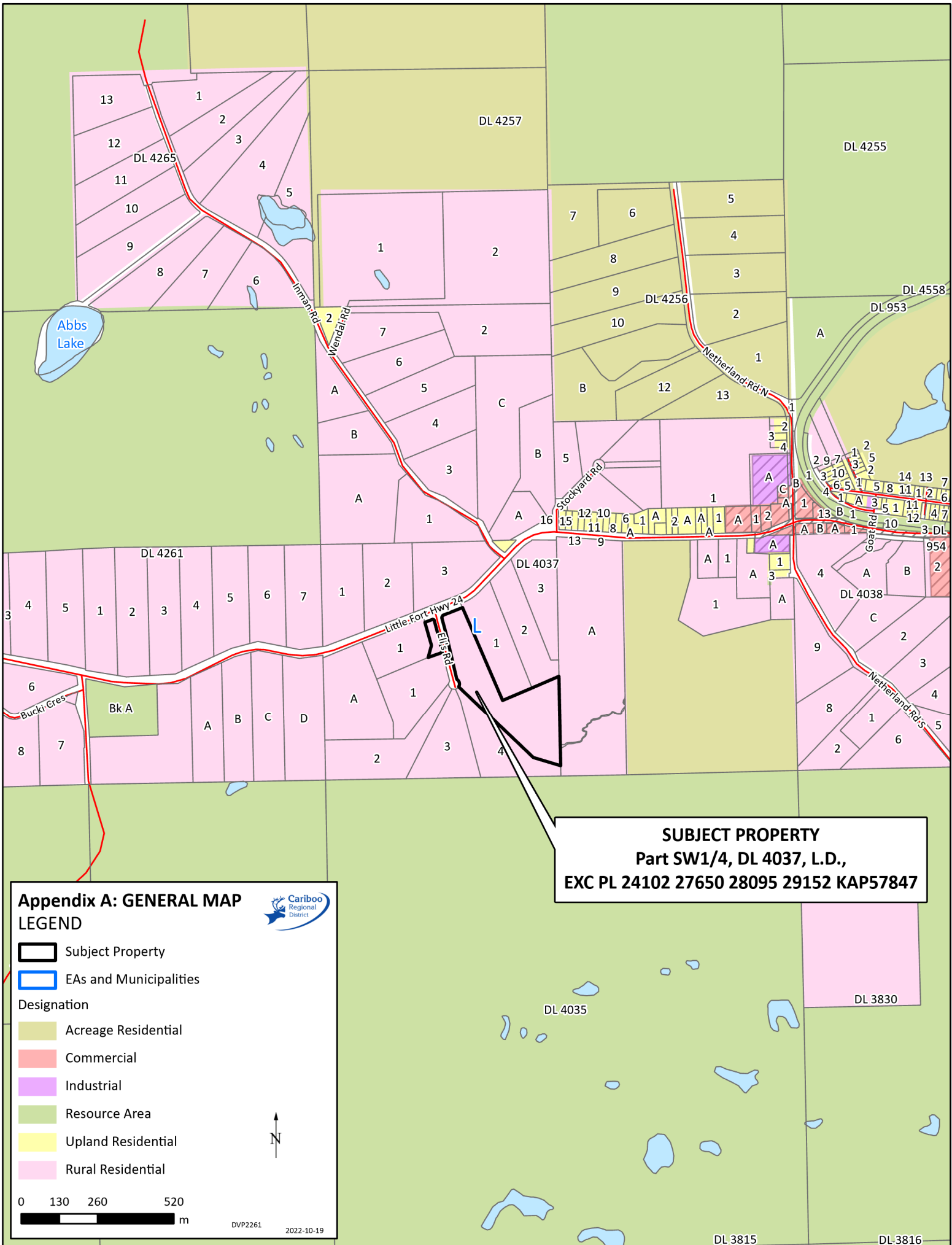
None received.

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## ATTACHMENTS

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

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

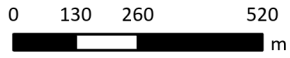


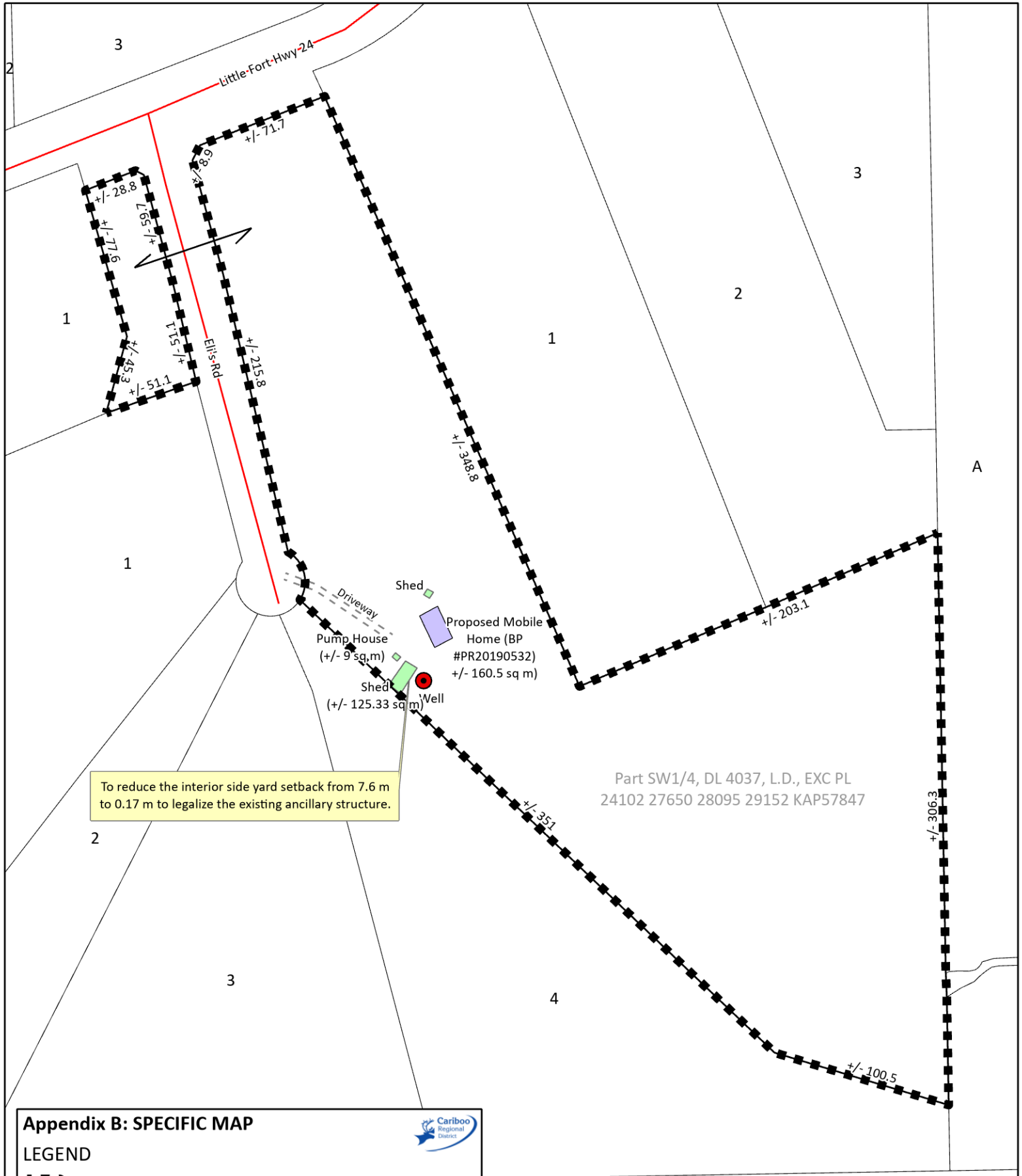
**SUBJECT PROPERTY**  
 Part SW1/4, DL 4037, L.D.,  
 EXC PL 24102 27650 28095 29152 KAP57847

**Appendix A: GENERAL MAP**

**LEGEND**

-  Subject Property
-  EAs and Municipalities
- Designation
  -  Acreage Residential
  -  Commercial
  -  Industrial
  -  Resource Area
  -  Upland Residential
  -  Rural Residential





Part SW1/4, DL 4037, L.D., EXC PL  
24102 27650 28095 29152 KAP57847

To reduce the interior side yard setback from 7.6 m to 0.17 m to legalize the existing ancillary structure.

**Appendix B: SPECIFIC MAP**

**LEGEND**

Subject Property

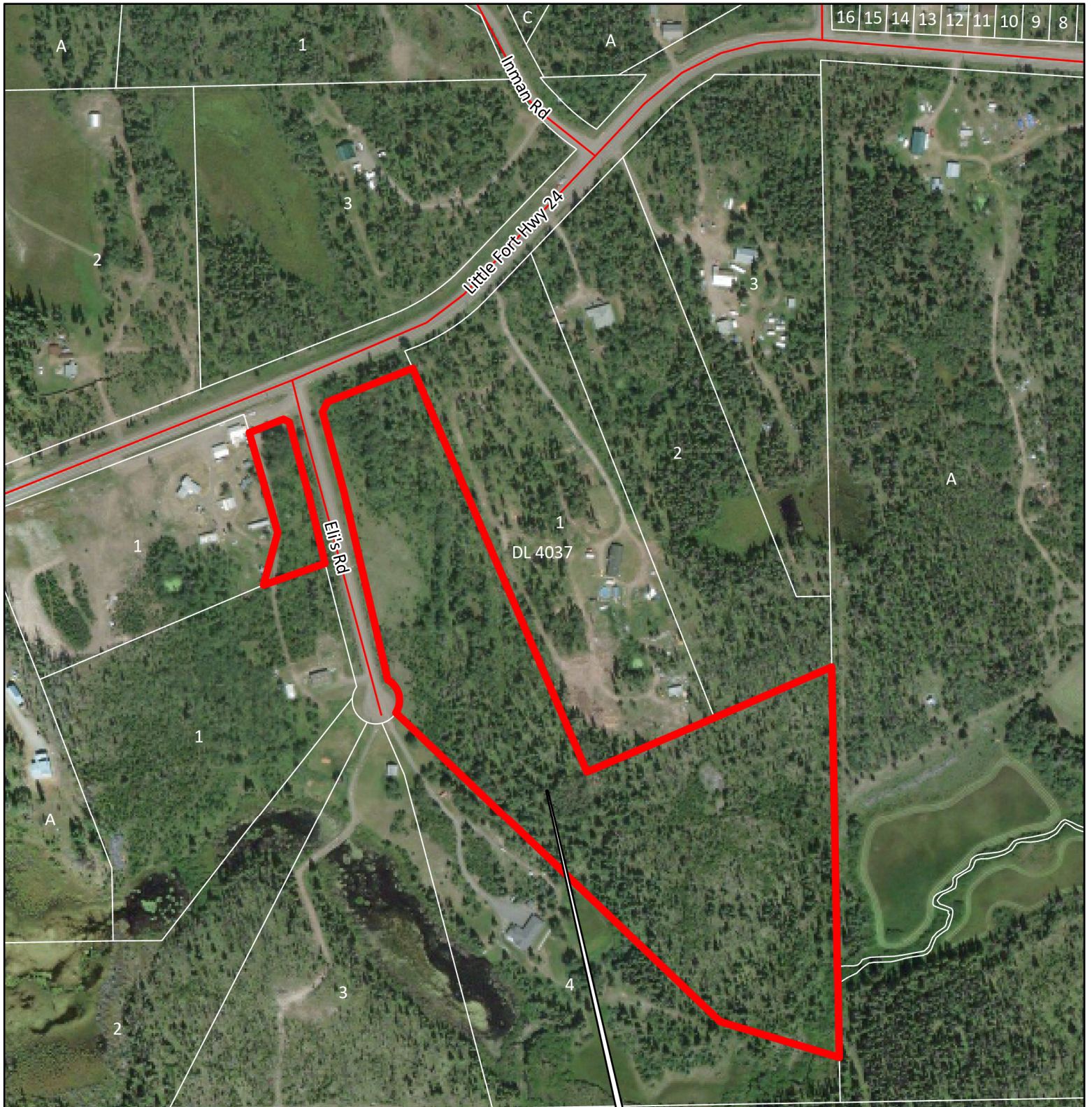
MEASUREMENTS ARE METRIC

0 25 50 100 m

DVP2261 2022-10-21

Disclaimer: The Cariboo Regional District does not warrant or guarantee the accuracy or completeness of the information.





**SUBJECT PROPERTY**  
 Part SW1/4, DL 4037, L.D.,  
 EXC PL 24102 27650 28095 29152 KAP57847

**Appendix C: GENERAL MAP ORTHO**  
**LEGEND**



 Subject Property



0 30 60 120  
 m

DVP2261

2022-10-19

DL 4035

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 Airbus DS

**Reasons to support variance application – Re. SW 1/4, DL 4037**

The owners acquired this property in 2018, and in 2019 they engaged Allan Jensen, who lived three driveways over on Eli's Road cul-de-sac, to construct the storage shed so that they could begin using the property and planning their future homesite.

Alan Jensen made application to the CRD, obtained a Building Permit, and constructed the Quonset building on a concrete slab. Everything seemed fine until a survey was conducted in December 2021 as part of their rezoning application. The survey showed the location of the buildings, and the owners were horrified – they had the building permit papers, and believed that the building was in full compliance of all regulations.

The Quonset shed is screened from adjoining property by quite dense vegetation, and all ingress/egress is from well within the subject property. This shed is never intended for habitation, but is well finished with electrical circuitry and shelving to accommodate storage and keep electrical equipment running and out of harms way.

The applicant's have met with the owner of Lot 4 adjoining, and she is aware of this application. She indicated that she was not opposed, but that any modification to, or replacement of, the building should be in compliance with the zoning setback.

ADVISORY PLANNING COMMISSION RESPONSE FORM

Minutes of the meeting of the Electoral Area 'L' advisory planning commission held on November 14, 2022  
in the via teleconference, located at S. Cariboo, BC, commencing at 7:06 pm

**PRESENT:**

Chair Sharron Woloshyn

Members Inga Udluft, Barb Matfin, Ursula Hart

Recording Secretary Sharron Woloshyn

Owners/Agent, or (Michael Kidston)

Contacted but declined to attend - did not call in as expected.

**ABSENT:** Steve Brown

**ALSO PRESENT:** Electoral Area Director

Eric deVries

Staff support (if present) none

Agenda Items

**DVP APPLICATION – 3090-20/20220061 (THE SOUTHWEST 1/4 OF DISTRICT LOT 4037, LILLOOET DISTRICT, EXCEPT PLANS 24102, 27650, 28095, 29152 AND KAP57847)**

Ursula Hart / Inga Udluft : "THAT the application to vary the interior side yard setback for property located at 5916 HIGHWAY 24 be supported/rejected for the following reasons:

- i) Due diligence was not done at the Quonset building permitting stage.
- ii) Quonset location limits future use of Lot 4, including Perimeter fencing.
- iii) Proposed variance is deemed excessive.
- iv) Property appears to have adequate alternative locations for the Quonset.
- v) Quonset is erected on a concrete slab only, and is designed for disassembly.
- vi) No supporting documentation of meeting with Lot 4 owner.

For:                      Against:

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CARRIED/DEFEATED

Termination

Barb Matfin / Inga Udluft : That the meeting terminate.

CARRIED

Time: 7:45 pm

Sharron Woloshyn  
Recording Secretary

Sharron Woloshyn  
Chair