



RD-6

COUNCIL AGENDA REPORT

DATE:	August 30, 2016	COUNCIL MEETING DATE:	September 6, 2016
DEPARTMENT:	Administration		
SUBJECT:	Development Variance Permit Application for Steve and Rebekah Hallaert		

PURPOSE:

The District of Chetwynd's Development Procedures Bylaw No. 917, 2010 establishes procedures for the issuance of Development Variance Permits by Council.

SUMMARY/BACKGROUND:



An application for a Development Variance Permit has been received from Steve and Rebekah Hallaert to permit an accessory building that exceeds the square footage permitted for accessory buildings in the Rural 2 (RU2) Zone. Zoning Bylaw No. 1035, 2016 stipulates that the combined maximum floor area of all accessory buildings on a property in the Rural 2 Zone not exceed 232.0 m² (2,500 ft²); the Hallaerts' proposed additional accessory building would, combined with the existing accessory building on their property, equal 300.3 m² (3,232 ft²). The Hallaerts have applied to have their two lots (Lot 5, Peace River District Plan 17616, DL 1809 and the North 31.699 metres of Lot 5) consolidated.

PAST PRACTICE/PREVIOUS ACTION TAKEN:

Development Variance Permit applications have been submitted to Council for review and approval or denial.

RECOMMENDATION(S):

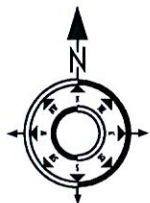
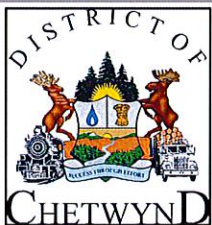
THAT Pursuant to Section 498 of the *Local Government Act* RS2015 and subject to confirmation of property consolidation, Council of the District of Chetwynd give notice that it will be receiving an application from Steve and Rebekah Hallaert requesting approval of a Development Variance Permit application to allow construction of an accessory building that, combined with an existing accessory building on the property located at 5317 45A Street, Chetwynd, BC, would equal a total of 300.3 m² (3,232 ft²).

<p>SUBMITTED BY:</p>  <p>Department Head</p>	<p>REVIEWED AND APPROVED FOR SUBMISSION TO COUNCIL BY:</p>  <p>Chief Administrative Officer</p>
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Attachments:

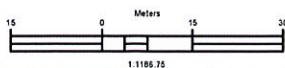
Attachment "A" – DVP Application

Attachment "B" – Proposed DVP Notice



5317 45A ST SE

31/08/2016



REVISIONS

NO.	BY	DATE	DESCRIPTION

Contact:	District of Chetwynd Engineering	1 of 1
Phone:	250-401-4100	
Email:	d-chet@gochetwynd.com	

**DISTRICT OF CHETWYND
DEVELOPMENT PROCEDURES BYLAW NO. 917, 2010**

SCHEDULE "B"

APPLICATION FOR A DEVELOPMENT VARIANCE PERMIT

I/We hereby make application for a Development Variance Permit.

1. Name of Applicant(s): Steve Hallaert
2. Address: 5317 45A Street Folio # _____
3. Telephone Number: Business: 250 788 5476 Residence: 250 788 3839
4. Name of Owner(s): Steve Hallaert / Rebekah Hallaert
(If different from Applicant)
5. Address: 5317 45A Street Box 682 Chetwynd BC
6. Legal Description of Property: PID 017067944
PID 006063250 (Cancellation of interior lot lines in process)
7. Street Address of Property: 5317 45A Street
8. Existing Use of Subject Property: Residential
9. Existing Use of Adjacent Property: North: Residential
South: Residential
East: Vacant
West: Crown land
10. Official Community Plan Map Designation: _____
11. Present Zoning: Rural Residential Rv2
12. The Development Variance(s) requested vary the provisions of the following District Bylaws:

<u>District Bylaw</u>	<u>Variance Requested</u>	<u>Applicable Sections</u>
Zoning	<u>(accessory) Outbuilding Size</u>	<u>8.2</u>
Subdivision Control And Servicing	_____	_____

13. Detailed Description of Variance:

Attach two (2) Site Plans. Site plan should illustrate legal information, setbacks, parking, access, outer perimeter of buildings and structures, topographic features, water courses, proposed elevations, cross sections or relevant detail drawings.

I wish to construct a 2400ft² shop on my property,
there is already a smaller accessory building
on the property so I will be over the maximum
floor space allowed. The total floor area for
both buildings will be 3,232

14. The following items are attached:

- Application Fee of \$350.00
- Current, date stamped State of Title Certificate
- Letter of Consent from the Owner (if the Applicant is not the Owner)

I/WE HEREBY DECLARE THAT THE ABOVE STATEMENTS AND THE INFORMATION CONTAINED IN THE MATERIAL SUBMITTED IN SUPPORT OF THIS APPLICATION ARE TO THE BEST OF MY/OUR BELIEF TRUE AND CORRECT IN ALL RESPECTS.

Dated this 21 day of July, 2016.

Steve Hallaert
Print Name of Applicant

[Signature]
Signature of Applicant

Rebekah Hallaert
Print Name of Applicant

[Signature]
Signature of Applicant

NOTE:

1. The Local Government Act states that a development permit shall not vary:
 - (a) The use or density of land from that specified in the Bylaw; or
 - (b) A flood plain specification
2. Prior to the issuance of a Development Variance Permit, the Village may require, as a condition of issuing the Permit, security to guarantee the performance of obligations under the Permit.

45A St.

Currently PID
017067944

Residence
5317 45A St.

Currently PID
006063250

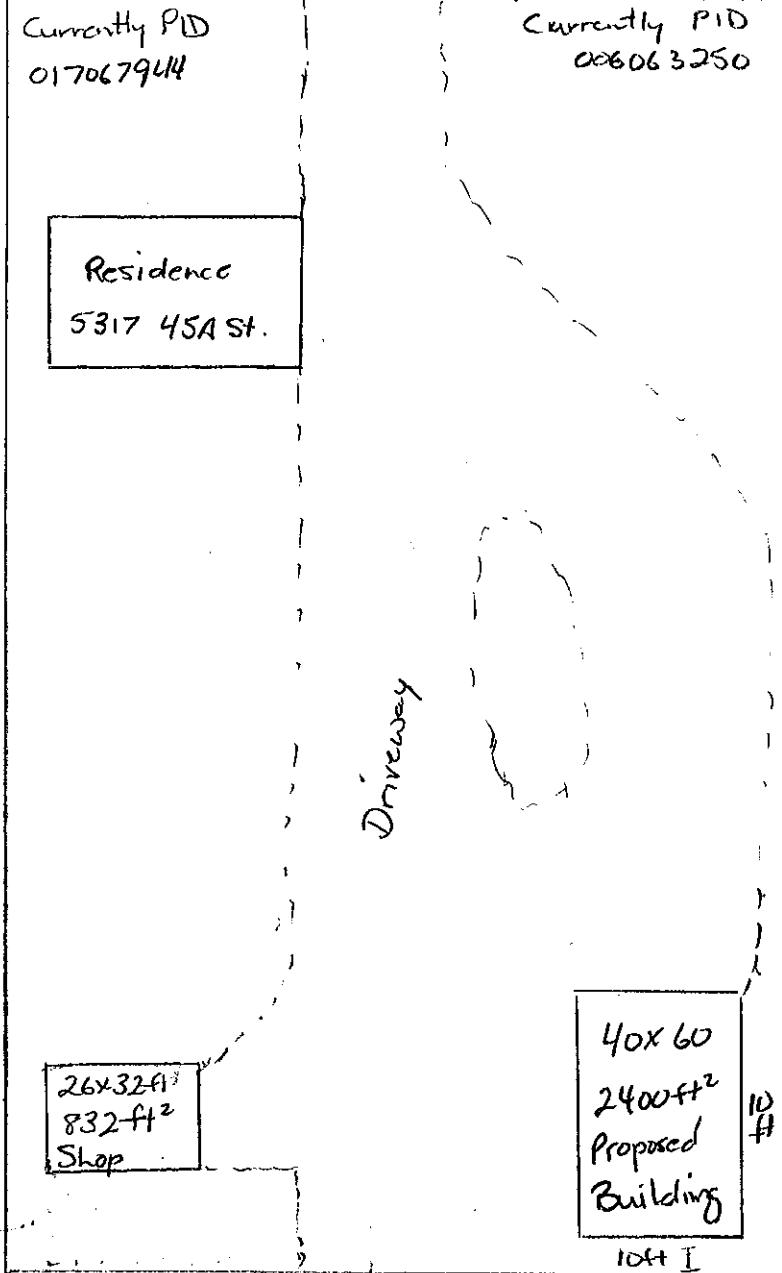
Driveway

26x32ft
832-ft²
Shop

40x60
2400-ft²
Proposed
Building
10ft I

10ft

45A St.



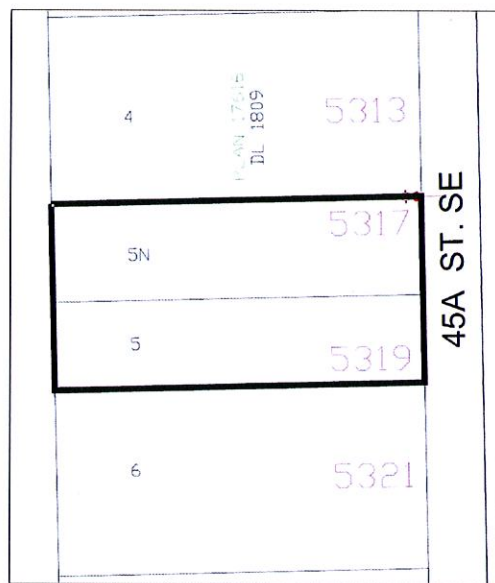


DISTRICT OF CHETWYND NOTICE
of
DEVELOPMENT VARIANCE PERMIT APPLICATION

Pursuant to Section 499 of the *Local Government Act* RS2015, the Council of the District of Chetwynd gives notice that it will be receiving an application at its Regular Council meeting from Steve and Rebekah Hallaert requesting approval for a Development Variance Permit to allow:

- a) An increase in floor area of total accessory buildings on the subject property in the Rural 2 (RU2) Zone to 300.3 m² (3,232 ft²) from the total permitted 232.0 m² (2,500 ft²) (Section 8.2.1 of the District of Chetwynd Zoning Bylaw)

in order to construct an additional accessory building on property located at 5317 45A Street (Lot 5, Peace River District Plan 17616, DL 1809) as outlined in heavy black on the drawing below.



Property owners who believe interest in their property may be affected by the proposed Development Variance Permit may view the application and all other written information pertaining to this matter in detail at the Chetwynd District Centre located at 5400 Hospital Road, between the hours of 8:00 a.m. to 4:30 p.m., Monday to Friday, excluding statutory holidays.

Any inquiries should be referred to Carol Newsom, Director of Corporate Administration, Telephone: (250) 401-4100, Fax: (250) 401-4101, email: d-chet@gochetwynd.com or by writing the District of Chetwynd, P.O. Box 357, Chetwynd, BC, V0C 1J0.

Dated this 7th day of September, 2016.

C. Newsom

Director of Corporate Administration

**DISTRICT OF CHETWYND
DEVELOPMENT PROCEDURES BYLAW NO. 917, 2010**

SCHEDULE "F"

DEVELOPMENT VARIANCE PERMIT

DATE: _____ **DEVELOPMENT VARIANCE PERMIT NO.** 02-2016

This Development Variance Permit is hereby issued by the Council for the District of Chetwynd to:

Steve and Rebekah Hallaert

to permit a variance to Zoning Bylaw No. 1035, 2016, Section 8.0 Rural 2 (RU) subsection 8.2.1, stipulating that the combined maximum floor area of all accessory buildings on a property in the Rural 2 (RU2) Zone not exceed 232.0 m² (2,500 ft²), to permit construction of an additional accessory building at 5317 45A Street, Chetwynd, BC (Lot 5, Peace River District Plan 17616, DL 1809) that would, combined with the existing accessory building on their property, equal 300.3 m² (3,232 ft²).

Subject to the following conditions:

1. This Development Variance Permit is issued subject to compliance with all of the Bylaws of the District of Chetwynd applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Variance Permit applies to, and only to, those lands within the District described below, and to any and all buildings, structures and other development thereon:

Legal Description: Lot 5, Peace River District Plan 17616, DL 1809

Municipal P.I.D.: 006-063-250

Address: 5317 45A Street, Chetwynd BC

To permit: construction of a 222.96 m² (2400 ft²) accessory building

3. The sequence and timing of construction shall be as follows:

Construction to be commenced within one year

4. The Development Variance(s) requested vary the provisions of the following District Bylaws:

a) To permit total maximum floor area of accessory building from a maximum of 232.0 m² (2,500 ft²) to 300.3 m² (3,232 ft²).

Detailed Description of Variance:

Attach two (2) Site Plans. Site plan should illustrate legal information, setbacks, parking, access, outer perimeter of buildings and structures, topographic features, water courses, proposed elevations, cross sections or relevant detail drawings.

(See attached)

5. As per Section 498 of the *Local Government Act*, a development variance permit shall not vary:

- a. the use or density of land from that specified in the Bylaw; or
- b. a flood plain specification

6. As a condition of the issuance of this Permit, as per Section 502 of the *Local Government Act*, the District is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit.

Security Deposit Amount: \$ n/a

Should any interest be earned upon the security, it shall accrue to the Permittee and be paid to the Permittee if the security is returned. The condition of the posting of the security is that, should the Permittee fail to carry out the development hereby authorized according to the terms and conditions of this Permit within the time provided, the District may use the security to carry out the work by its employees, agents or contractors, and any surplus shall

be paid over to the Permittee, or should the Permittee carry out the development permitted by this Permit within the times set out above, the security shall be returned to the Permittee.

There is filed accordingly: N/A

- An Irrevocable Letter of Credit in the amount of \$_____; or
- Cash in the amount of \$_____.

7. As per Section 502 of the *Local Government Act*, if the District considers that:
- a. A condition in a permit respecting landscaping and including paving has not been satisfied;
 - b. An unsafe condition has resulted as a consequence of contravention of a condition in the permit; or
 - c. Damage to the natural environment has resulted as a consequence of a contravention of a condition in a permit; or
 - d. A condition in the permit has not been met;

the District will:

- (a) Undertake, at the expense of the holder of the permit, the works, construction or other activities required to satisfy the landscaping condition, correct the unsafe condition or correct the damage to the environment;
 - (b) Apply the security in payment of the cost of the works, construction or other activities, with any excess to be returned to the holder of the permit; and
 - (c) Consider any shortfall in funds to complete the works, construction or other activities as an amount due and payable by the holder of the permit.
8. The land described within shall be developed strictly in accordance with the terms and conditions and provisions of this permit and any plans and specifications attached to this Permit shall form part hereof.
9. This permit is not a Building Permit.
10. If the Permittee does not commence the development permitted by this within one (1) year of the date of issuance of this Permit, this permit shall lapse.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL THIS _____ DAY OF
, 2016.

~~APPROVED BY THE MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE ON
THE DAY OF 2016.~~

ISSUED THIS TH DAY OF , 2016.

Chief Administrative Officer

*** R E P R I N T O F ***
R E C E I P T R E C O R D

DISTRICT OF CHETWYND
PO BOX 357
CHETWYND, BC V0C 1J0
Phone No. : (250)401-4100
Fax No. : (250)401-4101

--- Item ID #0001 ---
DREV-N : DISTRICT OFFICE REV
Ref: VARIANCE PERMIT

1@	350.00	350.00
Payment Subtotal		350.00
PST		0.00
GST/HST107021206 R		0.00

Payment Total 350.00

=====
MASTERCARD 350.00

NAME: STEVE HALLAERT TRUCKING LTD
ADDRESS: VARIANCE PERMIT
CONFIRMATION #: 07533S
Change 0.00

30-Aug-16 11:10:06
D:0000009406 B:2016083001
BELINDA R:0000078662