



Committee Report

Date of Report: 09-07-2021
Date & Type of Meeting: 09-22-2021, Rural Affairs Committee
Author: Eileen Senyk
Subject: DEVELOPMENT VARIANCE PERMIT
File: V2106J-07289.338-RDCK-DVP00212
Electoral Area/Municipality: Electoral Area 'J'

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is for the Board to consider an application for a Development Variance Permit at the Ootischenia Fire Hall. The requested variance is a setback reduction from 7.5 metres from a front lot line to 1 metre from the front lot line in order to build an additional vehicle bay. The property is located at 119 Ootischenia Road in Electoral Area 'J'.

There has been no opposition to this application and the Ministry of Transportation and Infrastructure has issued a structure setback permit. Staff recommend that the Board approve the variance to RDCK Zoning Bylaw No. 1675, 2004.

SECTION 2: BACKGROUND/ANALYSIS

Background Information:

GENERAL INFORMATION

Property Owner: Regional District of Central Kootenay
Property Location: 119 Ootischenia Road, Electoral Area 'J' (PID 030-363-586)
Legal Description: Lot A, Plan EPP78088, DL 4598, Kootenay Land District
Property Size: 2.5 hectares

SURROUNDING LAND USES

North: Industrial and Airport (City of Castlegar)
South: Industrial and Residential (RDCK)
East: Residential (R1A – RDCK)
West: Commercial (C2 - RDCK)

Site Context and Development Proposal

The subject property is the Ootischenia Fire Hall. It is located in Ootischenia near the junction of Ootischenia Road and Highway 3A. It is adjacent to the Fortis BC operations facility and the Castlegar Regional Airport runway. To the south is Highway 3A and West Arm trucking. Most of the surrounding area is residential. The Ootischenia Improvement District has offices on the same property.

Currently, one of the vehicle bays at the fire hall is sub-standard for the purpose due to its small size and limited security. It is stored under a deck that is currently not in use as it requires renovations for safety purposes. The proposal is for a 5.5 x 12.2 metre addition to the fire hall, which would create a third vehicle bay to store a rescue vehicle for emergency call outs. The new bay would also provide storage for equipment used by Ootischenia Fire Services. The proposed addition is 66.9 sq/m and would increase the fire hall building floor area to 460.8 sq/m.

An analysis done by RDCK project managers has identified the north side of the building as the most advantageous and cost effective solution in terms of location. However, a variance to Section 605.1 of RDCK Zoning Bylaw 1675 is required. The proposed setback distance is 1 metre from the Ootischenia Road Right of Way.

The proposed reduction of the setback is not anticipated to change parking capacity or snow removal in winter.

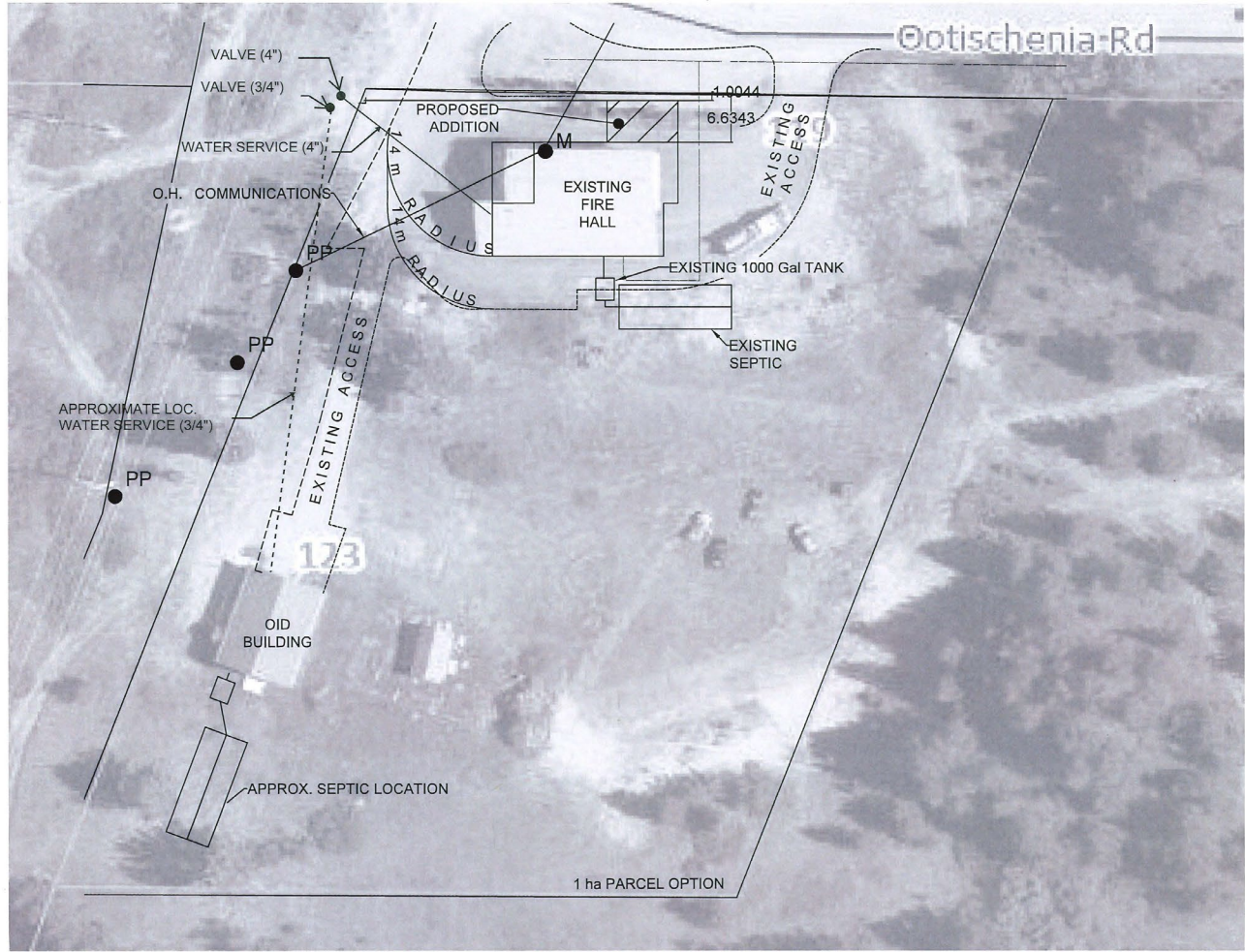


Figure 2: Site Plan



Figure 3: Proposed location of addition



Figure 4: 7.5 metre setback pin from Ootischenia Road



Figure 5: Rescue truck parking under old deck

Planning Policy

Kootenay Columbia River Official Community Plan Bylaw No. 1157 identifies the following objectives, which are relevant to this application:

2.8 Servicing

Section 2.8.3: To provide for an adequate level of fire protection within the Plan Area.

3.9 Community Service Policies

3.9.4 The Board of the Regional District will continue to maintain and enhance fire protection throughout the Plan Area.

The subject property is zoned Institutional pursuant to RDCK Zoning Bylaw No. 1675. This zone does not define a maximum building height. Maximum site coverage is 50% of the lot. The site coverage on the lot is currently less than 10% so this is not a concern.

Section 605 of the zoning bylaw defines setback requirements:

1. Unless otherwise stated, no principal or accessory building or structure except a fence may be located within 7.5 metres of a front or exterior side lot line or within 2.5 metres of any other lot line.

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan: Yes No Financial Plan Amendment: Yes No
Debt Bylaw Required: Yes No Public/Gov't Approvals Required: Yes No

The \$500.00 application fee was paid pursuant to the Planning Fees and Procedures Bylaw.

3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

The RDCK has obtained a Structure Setback Permit from the Ministry of Transportation and Infrastructure.

3.3 Environmental Considerations

None anticipated.

3.4 Social Considerations:

If successful, the additional vehicle bay would improve operations at the Ootischenia Fire Hall. The Oostichenia Fire Department serves a large area and was instrumental in quickly containing the Merry Creek wildfire in July of 2021. Supporting operations for this fire service contributes to the safety of many RDCK and City of Castlegar residents.

3.5 Economic Considerations:

None anticipated.

3.6 Communication Considerations:

The application was referred to 23 neighboring property owners as well as relevant government agencies and internal RDCK departments. No comments were received from neighboring property owners.

The following comments were received from government agencies:

Interior Health Authority - Environmental Health Officer - July 7, 2021

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.

If you have any questions, please feel free to contact me directly via hbe@interiorhealth.ca

RDCK Building Department – Building Official – August 30, 2021

Building department comments:

- *All new work is to comply with BC Building Code 2018*
- *New Fire Hall addition/building is considered to be a 'post-disaster building', to be designed by registered professionals under Part 3 of BC Building Code.*
- *Building Construction to comply with requirements of BCBC 3.2.2*
- *Construction of exposed building face at 1.0m from property line to comply with spatial separation and exposed building face requirements under BCBC 3.2.3 including no openings and non-combustible construction.*

Ministry of Transportation and Infrastructure - Development Officer - September 2, 2021

The conditions in this location of Ootischenia Road, including layout, snow load and drainage will allow for the proposed reduced setback. The Ministry has also recently approved and issued a setback permit to the RDCK for the same layout.

3.7 Staffing/Departmental Workplace Considerations:

If the Development Variance Permit is approved, staff will register the permit on the property's title and the building permit process will begin.

3.8 Board Strategic Plan/Priorities Considerations:

Not applicable.

SECTION 4: OPTIONS

Planning Discussion

This application is for a variance to the setback distance from a front lot line. The configuration of the building in relation to Ootischenia Road is such that there is ample space between the proposed location of the addition and the road right of way. The Ministry of Transportation and Infrastructure has issued a structure setback permit for the proposed addition. Existing planning policy in the Official Community Plan directs that the Board of the Regional District will continue to maintain and enhance fire protection throughout the Plan Area. Enabling the addition to the Ootischenia Fire Hall would enhance operations and thereby achieve this objective.

There has been no opposition to this application and the Ministry of Transportation and Infrastructure has issued a structure setback permit. Staff recommend that the Board approve the variance to RDCK Zoning Bylaw No. 1675, 2004.

Option 1

That the Board APPROVE the issuance of a Development Permit V2106J-07289.338-RDCK-DVP00212 to the Regional District of Central Kootenay for the property located at 119 Ootischenia Road, Castlegar Electoral Area 'J' and legally described as Lot A, Plan EPP78088, DL 4598, Kootenay Land District with the following Development Variance under Section 605.1 of Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004: FROM 7.5 metres of a front or exterior lot line TO 1 metre for a front or exterior lot line.

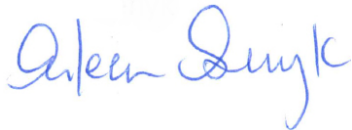
Option 2

That the Board NOT APPROVE the issuance of a Development Permit V2106J-07289.338-RDCK-DVP00212 to the Regional District of Central Kootenay for the property located at 119 Ootischenia Road, Castlegar Electoral Area 'J' and legally described as Lot A, Plan EPP78088, DL 4598, Kootenay Land District with the following Development Variance under Section 605.1 of Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004: FROM 7.5 metres from a front or exterior lot line TO 1 metre for a front or exterior lot line

SECTION 5: RECOMMENDATIONS

That the Board APPROVE the issuance of a Development Permit V2106J-07289.338-RDCK-DVP00212 to the Regional District of Central Kootenay for the property located at 119 Ootischenia Road, Castlegar Electoral Area 'J' and legally described as Lot A, Plan EPP78088, DL 4598, Kootenay Land District with the following Development Variance under Section 605.1 of Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004: FROM 7.5 metres TO 1 metre.

Respectfully submitted,



Eileen Senyk, Planner

CONCURRENCE

Planning Manager – Nelson Wight

General Manager of Development and Community Sustainability – Sangita Sudan

Chief Administrative Officer – Stuart Horn

ATTACHMENTS:

Attachment A – Draft Permit



REGIONAL DISTRICT OF CENTRAL KOOTENAY

DEVELOPMENT VARIANCE PERMIT

Planning File No. V2106J-07289.338-RDCK-DVP00212

Date: September 22, 2021

Issued pursuant to Section 498 of the *Local Government Act*

TO: The Regional District of Central Kootenay

ADMINISTRATION

1. This Development Variance Permit (DVP) is issued subject to compliance with all of the bylaws of the Regional District of Central Kootenay (RDCK) applicable thereto, except as specifically varied or supplemented by this Permit.
2. The land described shall be developed strictly in accordance with the terms and conditions and provisions of this DVP, and any plans and specifications attached to this Permit that shall form a part thereof.
3. This DVP is not a Building Permit.

APPLICABILITY

4. This DVP applies to and only to those lands within the RDCK described below, and any and all buildings, structures and other development thereon, substantially in accordance with Schedules '1' and '2':

Address: 119 Ootischenia Road, Castlegar Electoral Area 'J'
Legal: Lot A, Plan EPP78088, DL 4598, Kootenay Land District
PID (030-363-586)

CONDITIONS

5. Development Variance
Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004, Section 605.1 is varied as follows:

From: 7.5 metres from a front or exterior lot line

To: 1 metre from a front or exterior lot line, as shown on Schedule '1' and '2'.

6. Schedule

If the holder of the DVP does not substantially start any construction or does not register the subdivision with respect to which the permit was issued within two years after the date it is issued, the permit lapses.

7. Other

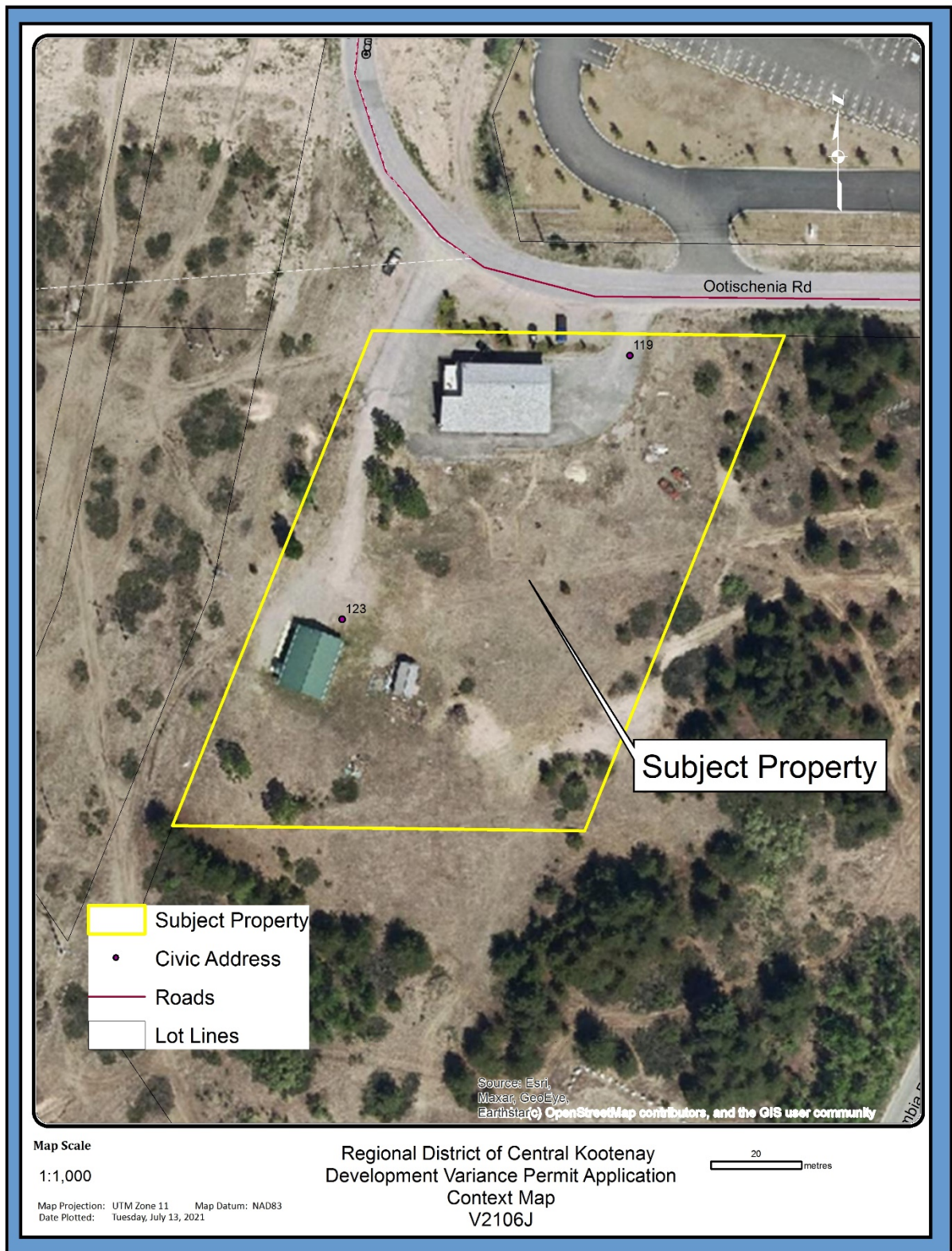
Authorized resolution [*enter resolution number*] passed by the RDCK Board on the day of _____, 20____.

The Corporate Seal of
THE REGIONAL DISTRICT OF CENTRAL KOOTENAY
was hereunto affixed in the presence of:

Aimee Watson, Board Chair

Mike Morrison, Corporate Officer

Schedule 1: Subject Property



Schedule 2: Site Plan

