



**REPORT**

TO: Referral Agencies

FROM: Richard Buchan, Planner II

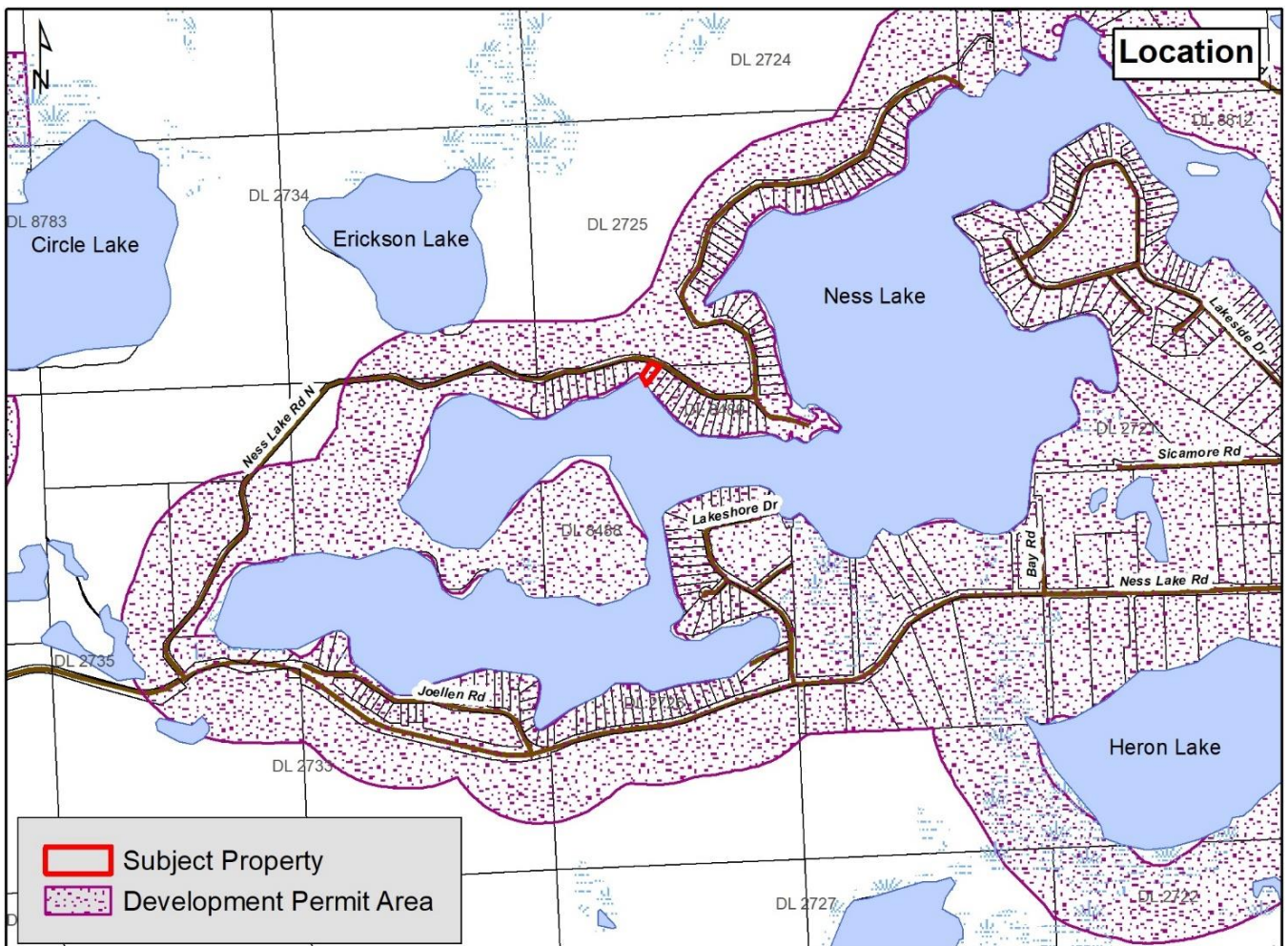
DATE: March 21, 2022

**SUBJECT: Application for Development Permit with Variance No. 1379 – Morris**

Owner: Cameron Morris and Gwen Morris

Location: 27385 Ness Lake Road North

Legal Description: Lot 13 District Lots 2725 and 8489 Cariboo District Plan 16947 – 0.18 ha (0.45 acres)



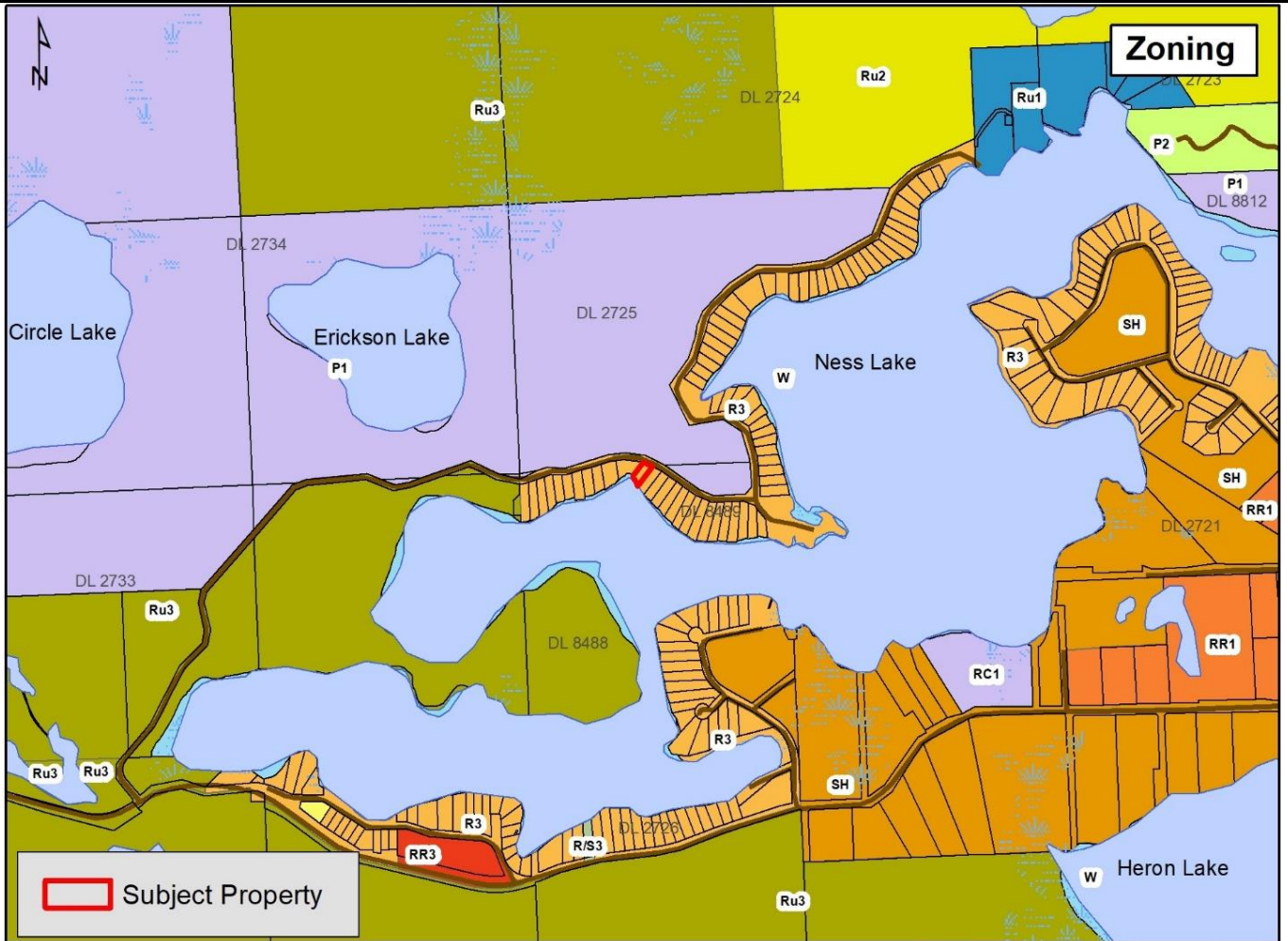
Proposal: The subject property is currently used as a seasonal recreation property. The property is partially cleared and features a parking area, lawn, accessory buildings, and lake access.

The owners have indicated that they have long term plans to either develop a home or pursue rezoning approvals for a recreation cabin. In the interim, they are seeking a variance is to allow a 60.0m<sup>2</sup> pole barn to remain on the property. The pole barn was built without permits and exceeds the permitted combined maximum floor area limit for accessory buildings on the property. The owners are seeking vary the combined maximum floor area of one or more accessory buildings from 50.0m<sup>2</sup> to 80.0m<sup>2</sup>.



Official Community Plan:	The subject property is designated Lakeshore Settlement (LS) by the Salmon River-Lakes Official Community Plan (OCP) Bylaw No. 1587. The LS designation supports residential uses (either seasonal or permanent). The OCP designates the Ness Lake Development Permit Area.
Development Permit Area:	The objective of the Ness Lake Development Permit Area is to protect the natural environment and aesthetic quality of lake resources. The OCP states that development will be evaluated with respect to the distance and visibility of buildings from the lakeshore to minimize any detrimental visual impact and to maintain the integrity of riparian vegetation. To achieve these objectives development of buildings and structures should be setback at least 15 m (50 ft) from the lakeshore.
Previous Permits:	A development permit was issued in 2011 to allow for the demolition of a recreation cabin. The property owner has indicated that when the cabin was demolished a pole barn was constructed to shelter their recreational vehicle.
Proposed Development Permit with Variance:	<p>Normally a development permit for a residential property would be delegated to administration; however, Board approval is required for a development permit that includes a variance.</p> <p>If approved, the proposed development permit with variance would:</p> <ul style="list-style-type: none"> <li>• vary Section 31.0 (7)(iii) of Zoning Bylaw No. 2892, by increasing the combined maximum total floor area of one or more accessory buildings from 50.0m<sup>2</sup> to 80.0m<sup>2</sup>.</li> <li>• allow construction of a retaining wall, accessory building (pole barn) and lake access stairs in the development permit area.</li> </ul>
Zoning:	The subject property is zoned Residential 3 (R3) by Zoning Bylaw No. 2892. The R3 zone permits accessory buildings and structures; however, the combined maximum floor area of all buildings/structures is limited to 50m <sup>2</sup> until a permitted use is established such as a Residential-Single Family dwelling.





ALR: The land is not within the Agricultural Land Reserve.

Fire Protection: The subject land is within a volunteer fire department protection area.

Future RDFFG Applications: If the application is approved, a building permit will be required for the proposed retaining wall and for the existing pole barn.

Referral Agency comments would be appreciated.



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**DEVELOPMENT PERMIT WITH VARIANCE No. 1379**

ISSUED TO: Cameron Morris and Gwen Morris

WITH RESPECT TO THE FOLLOWING LAND:

Lot 13 District Lots 2725 and 8489 Cariboo District Plan 16947  
PID: 011 – 742 – 551

1. This Development Permit with Variance is issued pursuant to the *Local Government Act*.
2. The general purpose of this Permit is to vary the combined maximum total floor area of accessory buildings and to allow for the construction of a pole barn, retaining wall, and a lake access path/stairs.
3. This Permit recognizes the location of the existing vegetation, accessory building (pit privy), accessory building (storage shed), driveway, 1.0m tall retaining wall, and deck.
4. This Permit specifically varies Section 31.0 (7)(iii) of Schedule 'A' to Regional District of Fraser-Fort George Zoning Bylaw No. 2892, as amended, by increasing the combined maximum total floor area of one or more accessory buildings from 50.0m<sup>2</sup> to 80.0m<sup>2</sup>.
5. This Permit is in addition to and amends Development Permit No. 866 with respect to the construction of an accessory building (pole barn), retaining wall, lake access path, and new gravel/lawn areas.
6. This Development Permit with Variance specifically permits the following development and alteration of land within the Ness Lake Development Permit Area, as designated in the Salmon River-Lakes Official Community Plan Bylaw No. 1587 pursuant to the *Local Government Act*:
  - a) Construction of an accessory building (pole barn) with a maximum footprint of 60.0m<sup>2</sup>.
  - b) Construction of a retaining wall adjacent to the side and front property lines with a maximum height of 3.1m.
  - c) Earthworks and vegetation removal associated with the construction of the retaining wall and new gravel/lawn areas.
  - d) Construction of a maximum 3.5m wide lake access path/stairs.
7. All work is to be substantially as shown on Appendix 'A' attached to and forming part of the Permit and is **subject to the following**:
  - a) All earthworks and vegetation removal shall be strictly limited to that which is required to accommodate development authorized in Section 6 of this Permit.
  - b) Exposed soils on the lower side of the retaining wall shall be retained by depositing gravel and/or be re-seeded.
  - c) Exposed slopes on the upper side of the retaining wall shall be replanted with deep rooting native vegetation and be re-seeded.
  - d) Exposed soils associated with the construction of the lake access shall be graded, replanted, and re-seeded.