

Request for Decision Development Variance Permit Application

File No: P 725 110
Reference: DVP 13-25
Date: April 30, 2025

Subject: DVP No. 13-25 (Fernie-North / Narachard Holdings)
Applicant: Narachard Holdings
Agent: Shane Stothert
Location: 6135 Brenners Road, Fernie
Legal: Lot 12 District Lot 4139 Kootenay District Plan 802 (PID: 016-016-891)

Proposal: Application to reduce the eastern interior side yard setback from 1.5 m to 0.03 m, from the parcel line to the eave, for placement of an accessory structure.

Options:

1. THAT Development Variance Permit No. 13-25 (Fernie-North / Narachard Holdings) be granted.
2. THAT Development Variance Permit No. 13-25 (Fernie-North / Narachard Holdings) be refused.

Recommendation: **Option 2**

The subject property is level and has room to meet the required 1.5 m setback. The current siting of the eave of the sea can structure is 0.03 m (0.1') and the wall of the structure is 0.63 m (2.1'), from the property line. The siting has the potential to negatively impact the neighbouring property as it may restrict work along the property line (e.g. maintaining and/or construction of livestock/wildlife fencing) and deposition of snow from the roof.

Property Information: **OCP Designation:**

- LH, Large Holdings supports rural residential development and rural resource land uses on parcels sizes in the range of 2.0 ha to 8.0 ha and UE, Urban Expansion Area supports such land uses for the expansion of the City of Fernie's boundaries for residential, serviced commercial, recreation or other land uses.

OCP Policies:

- Development is encouraged to be compatible with the character of the surrounding parcels in order to maintain the rural nature of the Dicken Road Subarea.
- Maintain the rural and agricultural nature of the plan area by only considering new residential proposals if they are appropriately located and compatible with adjacent land uses so as not to compromise environmental and agricultural values.

Zone Designation: RR-2, Rural Residential (Small Holding); minimum parcel size of 2 ha.

Property Information Cont'd:	<p>Parcel Size: 2.02 ha (5 ac).</p> <p>Density: Single Family Dwelling.</p> <p>ALR Status: Not within the ALR.</p> <p>Interface Fire Hazard Rating: Moderate, within the Hosmer fire protection area.</p> <p>BC Assessment: Single family dwelling.</p> <p>Water and Sewer Services: Onsite.</p> <p>Flood Hazard Rating: The property is within a flood fringe area as identified in the 2019 Elk River Floodplain Mapping Report prepared by Northwest Hydraulic Consultants.</p>
Professional Studies:	N/A
Additional Information:	<ul style="list-style-type: none">• A Notice on Title has been registered for failure to comply with the regulations outlined in the bylaw.• The DVP is necessary to comply with the bylaw and potentially have the Notice on Title removed. Inspections and compliance with the Building Code would still be necessary.
Consultation:	<p>APC Area A: Not Supported</p> <p>Response(s) to Notice: 11 notices were mailed on April 7, 2025, to all property owners within 100 m. No notices were returned as undeliverable, and one comment has been received in opposition to DVP 13-25.</p>
Documents Attached:	<ul style="list-style-type: none">• Permit• Location and Land Use Map• Aerial Map• Zone Regulations• Site Plan• Site Photo• Comment Email
RDEK Contact:	<p>Jenn MacDonald, Planning Technician Phone: 250-489-6903 Email: jmacdonald@rdek.bc.ca</p>