

To: CAO for the Electoral Area Services Committee

Date: 2019-02-12

From: Julie Mundy, Planning Technician

File No: 3090-20 2019-02

**Subject: Application for Development Variance Permit 2019-02 to vary the rear setback requirement for an accessory structure at 47052 Snowmist Place, Electoral Area C**

## RECOMMENDATION

**THAT** the Fraser Valley Regional District issue Development Variance Permit 2019-02 to vary the rear setback for an accessory building at 47502 Snowmist Place in Electoral Area C from 5.0 metres to 1.5 metres, subject to consideration of any comments or concerns raised by the public.

## STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

## BACKGROUND

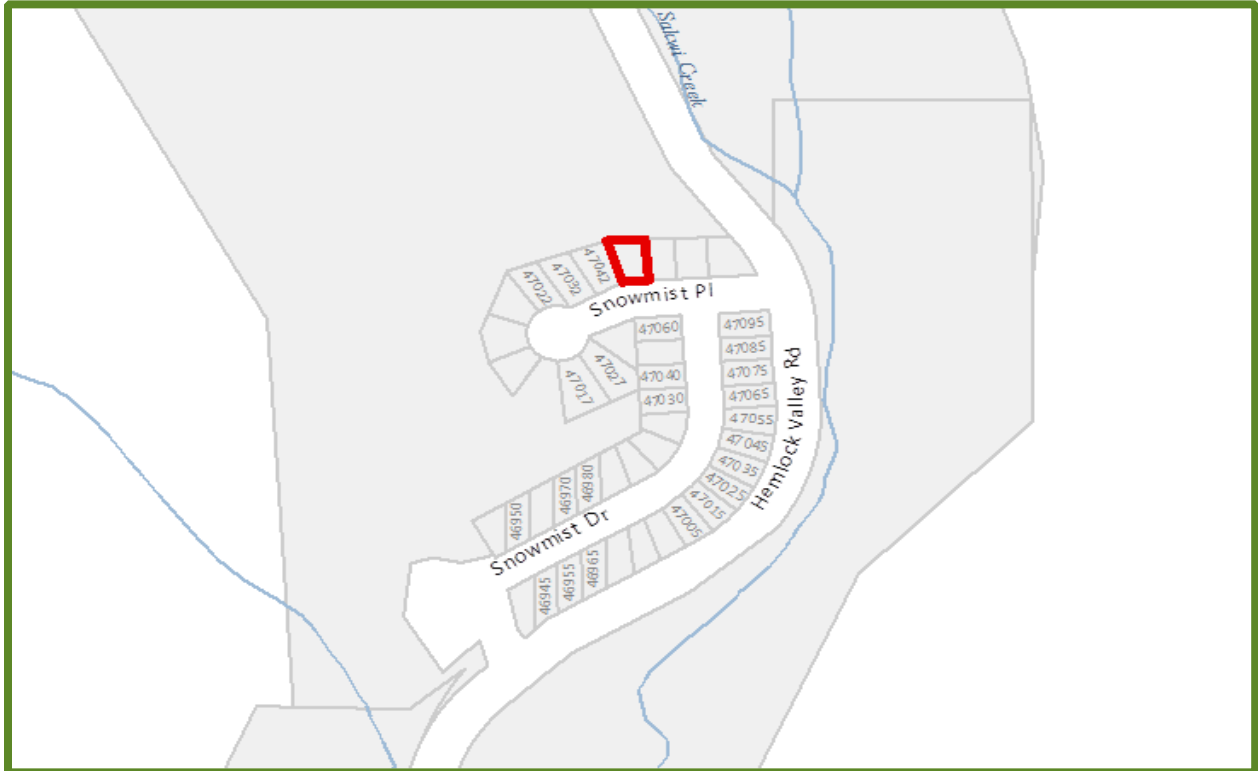
The property owners have made an application for a Development Variance Permit (DVP) to reduce the rear lot line setback for an accessory building (garage) as outlined in *Zoning By-law for Electoral Area "F", 1978, of the Regional District of Fraser Cheam*.

PROPERTY DETAILS			
Electoral Area	C		
Address	47052 Snowmist Place		
PID	003-631-842		
Folio	776.01457.870		
Lot Size	0.165 acres (7187 square feet)		
Owner	Wotherspoon	Agent	n/a
Current Zoning	Resort Residential (RST-3)	Proposed Zoning	No change
Current OCP	Country Residential (CR)	Proposed OCP	No change
Current Use	Vacant Land	Proposed Use	Residential
Development Permit Areas	n/a		
Hazards	Flood proofing requirements		
Agricultural Land Reserve	n/a		

**ADJACENT ZONING & LAND USES**

North	^	Limited Use (L-1), Ski Resort Land
East	>	Resort Residential (RST-3), Single Family Homes
West	<	Resort Residential (RST-3), Single Family Homes
South	v	Resort Residential (RST-3), Single Family Homes

**NEIGHBIURHOOD MAP**



## PROPERTY MAP



## DISCUSSION

The owners of the subject property are proposing to construct a single family dwelling and detached garage at 47052 Snowmist Place. The lot is currently bare land and is located at the base of Sasquatch Mountain Resort. The property backs on to Crown land and has undeveloped residential lots on either side. The property owners have applied for a Development Variance Permit to reduce the rear lot line setback for the proposed garage.

### Variance Request – DVP 2019-02

#### Application rationale

The applicant advises the reason for the variance is to allow for a house design with a side entrance. A garage meeting the rear property line setback would interfere with the house deck and entrance stairs. While the placement of an entrance/exit is largely a design consideration, creating an efficient house layout on a small lot (0.165 acres / 7187 square feet) poses some challenges.

The reduced setback will additionally create a greater area for snow to accumulate on the property.

#### Rear Lot Line Setback Variance

The owners are seeking a variance of 3.5 metres (11.5 feet) to reduce the required rear lot line setback from 5.0 metres (16.4 feet) to 1.5 metres (5 feet) measured clear to sky.

Rear Lot Line Setback	
Permitted (zoning)	5.0 metres (16.4 feet)
Proposed	1.5 metres (5 feet)
<b>Requested Variance</b>	<b>3.5metres (11.5 feet)</b>

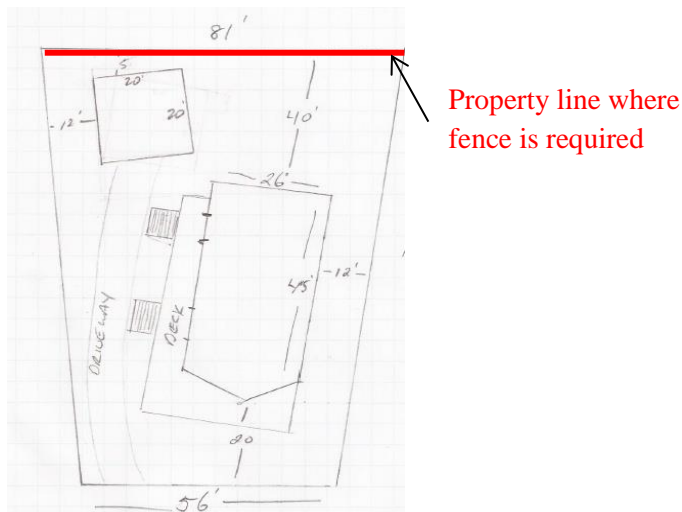
### Snow Shedding Impacts

Buildings in Hemlock are prone to accumulating large amounts of snow which results in snow shedding from roofs. Setback requirements within the zoning bylaw are designed to account for snow accumulation and aim to accommodate snow shedding. The relaxation of the rear property line is not anticipated to increase snow shedding impacts to adjacent properties provided the roof is angled towards interior property lines. Interior setbacks are proposed to be in compliance with zoning bylaw requirements. To further control snow shedding impacts, the garage will be limited to a single storey.

### Condition of Development Variance Permit

A condition of the Development Variance Permit will be for the owner to install a permanent fence along the rear property line which is behind the proposed garage. The installation of a fence will prevent any encroachment onto adjacent Crown land. Additional conditions relating to garage design include:

- The rear wall of the garage is to meet at BC Building Code requirements, and
- The garage will be limited to a single storey and the roof will be designed to avoid shedding snow towards the rear lot line



### Building Permits

Two building permit applications (for the garage and house) were submitted on October 12, 2018 and are currently on hold pending the receipt of revised construction drawings. A detailed review of the drawings and other legal requirements will be conducted during the building permit process. At the

Building Permit review stage, it will be determined if additional fire rating will be required for the rear wall of the garage if the rear lot line variance is approved. The building inspector will determine an appropriate fire rating based on the BC Building Code as part of the building permit file review.

### **Neighbourhood Notification and Input**

All property owners within 30 metres of the property will be notified by FVRD of the Development Variance Permit application and will be given the opportunity to provide written comments or attend the Board meeting to state their comments. FVRD staff encourage the applicant to advise neighbouring property owners and residents of the requested variance in advance of the mail-out notification. To date no letters of support or objection have been submitted.

### **COST**

The application fee of \$350 has been paid by the applicant.

### **CONCLUSION**

The property owners have applied for a Development Variance Permit to reduce the rear lot line setback for a detached garage. Staff recommend the FVRD Board issue the permit. The variance is not anticipated to negatively impact the neighbours as the land to the rear of the property is Crown land.

#### **Option 1 – Issue (Staff Recommendation)**

Staff recommend that the FVRD Board issue Development Variance Permit 2019-01 for the property located at 47052 Snowmist Place, Electoral Area C to vary the rear lot line setback from 5 metres to 1.5 metres, subject to consideration of any comments or concerns raised by the public.

#### **Option 2 – Refuse**

If the Board wishes to refuse the application, the following motion would be appropriate:

MOTION: THAT the Fraser Valley Regional District Board refuse Development Variance Permit 2019-02 for the property located at 47052 Snowmist Place, Electoral Area C.

#### **Option 3 – Refer to Staff**

If the Board wishes to refer the application back to staff to address outstanding issues, the following motion would be appropriate:

MOTION: THAT the Fraser Valley Regional District Board refer the application for Development Variance Permit 2019-02 for the property located at 47052 Snowmist Place, Electoral Area C to FVRD Staff.

**COMMENTS BY:**

<b>Graham Daneluz, Deputy Director of Planning &amp; Development:</b>	reviewed and supported
<b>Margaret Thornton, Director of Planning &amp; Development:</b>	reviewed and supported
<b>Mike Veenbaas, Director of Financial Services:</b>	No further financial comment.
<b>Paul Gipps, Chief Administrative Officer:</b>	Reviewed and supported

Appendix A  
Site plan

