

To: CAO for the Electoral Area Services Committee

Date: 2019-04-25

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 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 in order 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*.

The DVP was considered by the Regional Board on February 26, 2019 and was deferred until concerns from an adjacent property owner could be addressed.

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		



## 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

The DVP was considered by the Regional Board on February 26, 2019 and was deferred until comments from an adjacent property owner regarding log storage could be addressed. Staff have heard from the applicant and the adjacent property owner and are satisfied the matter has been addressed privately between the property owners.

### Application rationale

The applicant advises the reasons for the variance are 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 shed and pile 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>

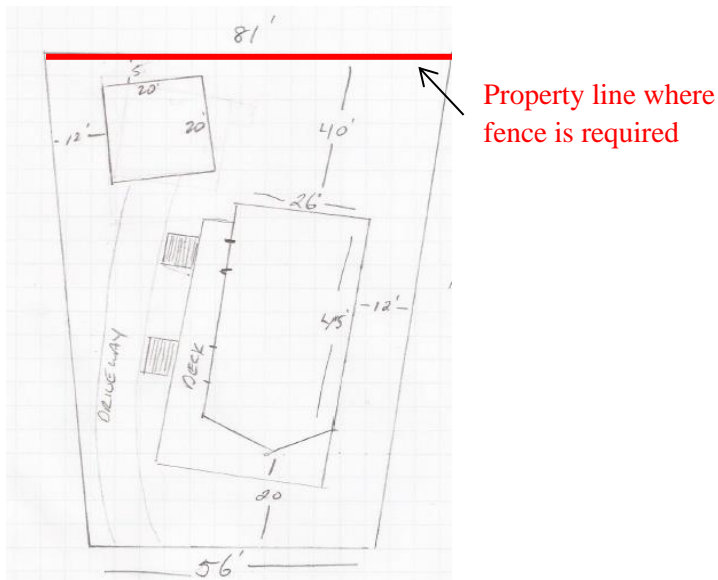
#### Snow Shedding Impacts

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 on to the Crown land. Additional conditions include:

- The rear wall of the garage is to meet BC Building Code requirements, and
- The garage will be limited to a single storey and the roof will be designed to avoid snow shedding 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. During the review, the building inspector will determine if an increased fire rating is required for the rear wall of the garage based on the BC Building Code.

### **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.

### **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 owned.

**COMMENTS BY:**

**Graham Daneluz, Deputy Director of Planning & Development:** Reviewed & supported

**Margaret Thornton, Director of Planning & Development:** Reviewed & supported

**Mike Veenbaas, Director of Financial Services:** No further financial comments.

**Paul Gipps, Chief Administrative Officer:** Reviewed and supported

Appendix A  
Site plan

