

To: CAO for the Electoral Area Services Committee

Date: 2019-06-11

From: Julie Mundy, Planning Technician

File No: 3090-20 2019-14

Subject: Application for Development Variance Permit 2019-14 to vary the maximum height and size requirements for an accessory building at 10394 Parkwood Drive, Electoral Area D

RECOMMENDATION

THAT the Fraser Valley Regional District Board issue Development Variance Permit 2019-14 to increase the maximum permitted area of an accessory building from 45 square metres to 107 square metres and to increase the maximum permitted height of an accessory building from 5.0 metres to 7.5 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 increase the maximum permitted area and height of an accessory building (garage) as outlined in *Zoning Bylaw for Electoral Area "D", 1976 of Regional District of the Fraser-Cheam*.

PROPERTY DETAILS			
Electoral Area	D		
Address	10394 Parkwood Drive		
PID	027-327-621		
Folio	733.06754.000		
Lot Size	0.272 acres (11,848 sq ft)		
Owner	Chris Murphy/Karla Haynes	Agent	
Current Zoning	Suburban Residential 2 (SBR-2)	Proposed Zoning	No change
Current OCP	Suburban Residential (SR)	Proposed OCP	No change
Current Use	Residential	Proposed Use	Accessory Residential
Development Permit Areas	DPA 6-D – Riparian areas		
Agricultural Land Reserve	No		

ADJACENT ZONING & LAND USES		
North	^	Suburban Residential 2 (SBR-2), Single Family Dwelling
East	>	Country Residential (CR); Single Family Dwelling
West	<	Suburban Residential 2 (SBR-2), Single Family Dwelling
South	v	Suburban Residential 2 (SBR-2), Single Family Dwelling

The map displays a residential neighborhood with the following streets and house numbers:

- Old Yale Rd** (top left, purple area)
- Weymouth Rd** (top left, purple area)
- Parkwood Dr** (vertical street, left side): 10421, 10411, 10401, 10391, 10381, 10371, 10361, 10351, 10341, 10331, 10321, 10311, 10301, 10291, 10281, 10271, 10261, 10251, 10241, 10231. A red box highlights 10394.
- Rutley Rd** (diagonal street, center): 10434, 10424, 10414, 10404, 10394, 10384, 10374, 10364, 10356, 10346, 10336, 10326, 10316, 10306, 10296, 10286, 10276, 10266, 10256, 10246, 10236, 10226, 10216, 10206, 10196, 10186, 10176, 10166, 10156, 10146, 10136, 10126, 10116, 10106, 10096, 10086, 10076, 10066, 10056, 10046, 10036, 10026, 10016, 10006, 9996, 9986, 9976, 9966, 9956, 9946, 9936, 9926, 9916, 9906, 9896, 9886, 9876, 9866, 9856, 9846, 9836, 9826, 9816, 9806, 9796, 9786, 9776, 9766, 9756, 9746, 9736, 9726, 9716, 9706, 9696, 9686, 9676, 9666, 9656, 9646, 9636, 9626, 9616, 9606, 9596, 9586, 9576, 9566, 9556, 9546, 9536, 9526, 9516, 9506, 9496, 9486, 9476, 9466, 9456, 9446, 9436, 9426, 9416, 9406, 9396, 9386, 9376, 9366, 9356, 9346, 9336, 9326, 9316, 9306, 9296, 9286, 9276, 9266, 9256, 9246, 9236, 9226, 9216, 9206, 9196, 9186, 9176, 9166, 9156, 9146, 9136, 9126, 9116, 9106, 9096, 9086, 9076, 9066, 9056, 9046, 9036, 9026, 9016, 9006, 8996, 8986, 8976, 8966, 8956, 8946, 8936, 8926, 8916, 8906, 8896, 8886, 8876, 8866, 8856, 8846, 8836, 8826, 8816, 8806, 8796, 8786, 8776, 8766, 8756, 8746, 8736, 8726, 8716, 8706, 8696, 8686, 8676, 8666, 8656, 8646, 8636, 8626, 8616, 8606, 8596, 8586, 8576, 8566, 8556, 8546, 8536, 8526, 8516, 8506, 8496, 8486, 8476, 8466, 8456, 8446, 8436, 8426, 8416, 8406, 8396, 8386, 8376, 8366, 8356, 8346, 8336, 8326, 8316, 8306, 8296, 8286, 8276, 8266, 8256, 8246, 8236, 8226, 8216, 8206, 8196, 8186, 8176, 8166, 8156, 8146, 8136, 8126, 8116, 8106, 8096, 8086, 8076, 8066, 8056, 8046, 8036, 8026, 8016, 8006, 7996, 7986, 7976, 7966, 7956, 7946, 7936, 7926, 7916, 7906, 7896, 7886, 7876, 7866, 7856, 7846, 7836, 7826, 7816, 7806, 7796, 7786, 7776, 7766, 7756, 7746, 7736, 7726, 7716, 7706, 7696, 7686, 7676, 7666, 7656, 7646, 7636, 7626, 7616, 7606, 7596, 7586, 7576, 7566, 7556, 7546, 7536, 7526, 7516, 7506, 7496, 7486, 7476, 7466, 7456, 7446, 7436, 7426, 7416, 7406, 7396, 7386, 7376, 7366, 7356, 7346, 7336, 7326, 7316, 7306, 7296, 7286, 7276, 7266, 7256, 7246, 7236, 7226, 7216, 7206, 7196, 7186, 7176, 7166, 7156, 7146, 7136, 7126, 7116, 7106, 7096, 7086, 7076, 7066, 7056, 7046, 7036, 7026, 7016, 7006, 6996, 6986, 6976, 6966, 6956, 6946, 6936, 6926, 6916, 6906, 6896, 6886, 6876, 6866, 6856, 6846, 6836, 6826, 6816, 6806, 6796, 6786, 6776, 6766, 6756, 6746, 6736, 6726, 6716, 6706, 6696, 6686, 6676, 6666, 6656, 6646, 6636, 6626, 6616, 6606, 6596, 6586, 6576, 6566, 6556, 6546, 6536, 6526, 6516, 6506, 6496, 6486, 6476, 6466, 6456, 6446, 6436, 6426, 6416, 6406, 6396, 6386, 6376, 6366, 6356, 6346, 6336, 6326, 6316, 6306, 6296, 6286, 6276, 6266, 6256, 6246, 6236, 6226, 6216, 6206, 6196, 6186, 6176, 6166, 6156, 6146, 6136, 6126, 6116, 6106, 6096, 6086, 6076, 6066, 6056, 6046, 6036, 6026, 6016, 6006, 5996, 5986, 5976, 5966, 5956, 5946, 5936, 5926, 5916, 5906, 5896, 5886, 5876, 5866, 5856, 5846, 5836, 5826, 5816, 5806, 5796, 5786, 5776, 5766, 5756, 5746, 5736, 5726, 5716, 5706, 5696, 5686, 5676, 5666, 5656, 5646, 5636, 5626, 5616, 5606, 5596, 5586, 5576, 5566, 5556, 5546, 5536, 5526, 5516, 5506, 5496, 5486, 5476, 5466, 5456, 5446, 5436, 5426, 5416, 5406, 5396, 5386, 5376, 5366, 5356, 5346, 5336, 5326, 5316, 5306, 5296, 5286, 5276, 5266, 5256, 5246, 5236, 5226, 5216, 5206, 5196, 5186, 5176, 5166, 5156, 5146, 5136, 5126, 5116, 5106, 5096, 5086, 5076, 5066, 5056, 5046, 5036, 5026, 5016, 5006, 4996, 4986, 4976, 4966, 4956, 4946, 4936, 4926, 4916, 4906, 4896, 4886, 4876, 4866, 4856, 4846, 4836, 4826, 4816, 4806, 4796, 4786, 4776, 4766, 4756, 4746, 4736, 4726, 4716, 4706, 4696, 4686, 4676, 4666, 4656, 4646, 4636, 4626, 4616, 4606, 4596, 4586, 4576, 4566, 4556, 4546, 4536, 4526, 4516, 4506, 4496, 4486, 4476, 4466, 4456, 4446, 4436, 4426, 4416, 4406, 4396, 4386, 4376, 4366, 4356, 4346, 4336, 4326, 4316, 4306, 4296, 42

An aerial photograph of a residential neighborhood with property boundaries outlined in black. The property at address 10394 is highlighted with a red rectangular border. To the left of 10394 is a vertical road labeled 'Parkwood Dr'. To the right is a diagonal road labeled 'Rutley Rd', and further right is a highway labeled 'Hwy 9'. Other visible addresses include 10414, 10404, 10384, 10374, 10401, 10391, 10381, 10371, 10435, and 10425. The area includes houses, lawns, and some commercial buildings in the distance.

DISCUSSION

The property owners are proposing to construct a detached accessory building which exceeds 1) the maximum allowable size and 2) the maximum allowable height for an accessory building under the Zoning Bylaw for Electoral Area D. The property is approximately 11,800 square feet (0.27 acres) in size, and has a single family dwelling and a partially constructed accessory building on the property.

Height and Size Variance

The proposed building will be 36 x 32 feet with a total area of 1152 square feet (107 square metres). The owners are seeking a size variance of 667.6 square feet (62 square metres), which is 138% larger than is permitted in the zoning bylaw.

Maximum Size of Accessory Buildings	
Permitted (zoning)	45.0 square metres (484.4 sq feet)
Proposed	107 square metres (1152 sq feet)
Requested Variance	62 square metres (667.6 sq feet)

The proposed garage will have a total height of 7.5 metres (24.6 feet). The owners are seeking a height variance of 2.5 metres (8.2 feet), which is 50% taller than is permitted in the zoning bylaw.

Height of Accessory Buildings	
Permitted (zoning)	5.0 metres (16.4 feet)
Proposed	7.5 metres (24.6 feet)
Requested Variance	2.5 metres (8.2 feet)

Reasons for variance

The applicant advises the reason for the variance is to enable the construction of a building with sufficient room to accommodate hobbies. The property owners are car racing enthusiasts who have multiple vehicles (2 drag race cars, 2 classic cars, and 1 motorcycle) that require indoor storage. The building will enable the vehicles to be stored out of sight, and will accommodate an oversize hoist for working on the vehicles.

The garage will be located at the rear of the property which looks primarily onto an unconstructed Ministry of Transportation and Infrastructure right-of-way, and the raised side of Highway 9. The applicant states the building will help to provide greater privacy and to block noise from the highway.

If the size and height variance is not granted, the applicant could construct a smaller, shorter, structure that complies with the zoning regulation.

Bylaw Enforcement & Planning Requirements

Construction on the building (foundation and framing) was started without the benefit of a building permit. Consequently, the property is in bylaw contravention. The property owners are working with FVRD on this matter, and have advised they will submit a building permit application pending the outcome of the Development Variance Permit.

Commercial automotive repair is not a permitted use on the property. A condition of the development variance permit will be to prohibit commercial uses within the accessory building.

All access to the property will be from Parkwood Drive. There is to be no vehicular access to Highway 9 from the unconstructed road allowance. The proposed structure will meet both the property line setbacks for an accessory building and the site coverage requirements set out in the zoning bylaw.

Zoning Bylaw Review

There have been a number of DVP applications relating to the size of accessory sheds in Popkum. The maximum allowable area for an accessory building in the Popkum residential zones is being reviewed as part of the Electoral Areas Zoning Bylaw Consolidation project. Staff anticipate drafting a memo to the Electoral Area Services Committee about acceptable community standards for accessory buildings to help inform this work.

DVP Summary for Electoral Area D for the Size of Accessory Structures

Although, the size variance request is among the largest of all variance requests in Electoral Area D, several larger accessory buildings have been approved in the past. The height request is the largest variance request in Electoral Area D to date.

The following tables summarize past DVP applications in Electoral Area D (SBR-2 and SBR-3 zones) to increase the allowable size and the allowable height of an accessory residential building.

DVP for Size of Accessory Buildings			
Civic Address	Permit Number	Conditions of Permit	Approved/ Denied
10-10200 Gray Road	DVP 1995-10	Increase size to 98 m ² (117% increase)	Approved
6-10200 Gray Road	DVP 1996-05	Increase size to 66.9 m ² (48.6% increase)	Approved
18-10200 Gray Road	DVP 1998-04	Increase size to 76.2 m ² (69% increase)	Approved
11-10200 Gray Road	DVP 2002-01	Increase size to 80.27 m ² (72% increase)	Approved
4-10200 Gray Road	DVP 2002-04	Increase size to 125.4 m ² (179% increase)	Approved
3-10200 Gray Road	DVP 2003-06	Increase size to 74.3 m ² (65% increase)	Approved
10211 Parkwood Drive	DVP 2012-02	Increase size to 50m ² (11% increase)	Approved
10391 Parkwood Drive	DVP 2013-05	Increase size to 60m ² (33% increase)	Approved
9974 Llanberis Way	DVP 2013-13	Increase size to 111m ² (147% increase)	Approved
16-10200 Gray Road	DVP 2014-17	Increase size to 89.2 m ² (98% increase)	Approved
52672 Parkrose Wynd	DVP 2016-13	Increase size to 116.129 m ² (158% increase)	Denied
52672 Parkrose Wynd	DVP 2016-15	Increase size to 81.941 m ² (82 % increase)	Denied
10094 Parkwood Drive	DVP 2017-01	Increase size to 53.14m ² (18% increase)	Approved
52671 Parkrose Wynd	DVP 2017-09	Increase size to 76 m ² (69% increase)	Approved
10338 Wildrose Drive	DVP 2017-19	Increase size to 56.4m ² (25% increase)	Approved
52725 Parkrose Wynd	DVP 2017-20	Increase size to 53.1m ² (18% increase)	Approved
10191 Caryks Road	DVP 2019-05	Increase size to 53.5m ² (19% increase)	Approved
10395 Wildrose Drive	DVP 2019-10	Increase size to 58 m ² (29% increase)	Approved
10163 Royalwood Blvd	DVP 2019-12	Increase size to 76m ² (69% increase)	Approved

DVP for Height of Accessory Buildings			
Civic Address	Permit Number	Conditions of Permit	Approved/ Denied
10-10200 Gray Road	DVP 1995-10	Increase height to 5.8m (16% increase)	Approved
6-10200 Gray Road	DVP 1996-05	Increase height to 5.4 m (8% increase)	Approved
18-10200 Gray Road	DVP 1998-04	Increase height to 7.4m (48% increase)	Approved
11-10200 Gray Road	DVP 2002-01	Increase height to 5.3 m (7% increase)	Approved
4-10200 Gray Road	DVP 2002-04	Increase height to 5.8m (16% increase)	Approved
9949 Parkwood Drive	DVP 2004-05	Increase height to 5.28m (6% increase)	Approved
10391 Parkwood Drive	DVP 2013-05	Increase height to 5.8 m (16% increase)	Approved
9974 Llanberis Way	DVP 2013-13	Increase height to 7.0 m (40% increase)	Approved
52622 Woodgrove Place	DVP 2014-12	Increase height to 5.9 m (18% increase)	Approved
16-10200 Gray Road	DVP 2014-17	Increase height to 7.3 m (46% increase)	Approved
52672 Parkrose Wynd	DVP 2016-13	Increase height to 6.5 m (30% increase)	Denied
52672 Parkrose Wynd	DVP 2016-15	Increase height to 6.35 m (27% increase)	Denied
10104 Parkwood Drive	DVP 2016-19	Increase height to 6.0 m (20 % increase)	Approved
10161 Parkwood Drive	DVP 2017-05	Increase height to 6.1 m (22% increase)	Approved
10338 Wildrose Drive	DVP 2017-19	Increase height to 5.7 m (14% increase)	Approved
52725 Parkrose Wynd	DVP 2017-20	Increase height to 6 m (20% increase)	Approved
10191 Caryks Road	DVP 2019-05	Increase height to 7.3 m (46% increase)	Approved
10395 Wildrose Drive	DVP 2019-10	Increase height to 5.2 m (4% increase)	Approved
10163 Royalwood Blvd	DVP 2019-12	Increase height to 5.3 m (6% increase)	Approved

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 have encouraged the applicant to advise neighbouring property owners and residents of the requested variance in advance of the mail-out notification. To date, the applicant has submitted four (4) letters of support from adjacent property owners. The letters of support do not include details about the size and height of the proposed building, however, the size of the finished building is currently visible to the neighbours.

COST

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

CONCLUSION

Staff recommend Development Variance Permit 2019-14 be issued by the Fraser Valley Regional District Board, subject to any further comments or concerns raised by the public.

Several letters of support have been submitted with DVP application indicating there is neighbourhood acceptance of the proposed structure.

Option 1 – Issue (Staff Recommendation)

Staff recommend that the Fraser Valley Regional District Board issue Development Variance Permit 2019-14 to increase the size of an accessory building from the maximum permitted area of 45 square metres to 107 square metres, and to increase the height of an accessory building from 5.0 metres to 7.5 metres for a detached garage at 10394 Parkwood Drive, Electoral Area "D", subject to the 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 2019-14 for the property at 10394 Parkwood Drive, Electoral Area D.

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 2019-14 for the property at 10394 Parkwood Drive, Electoral Area D to FVRD Staff.

COMMENTS BY:

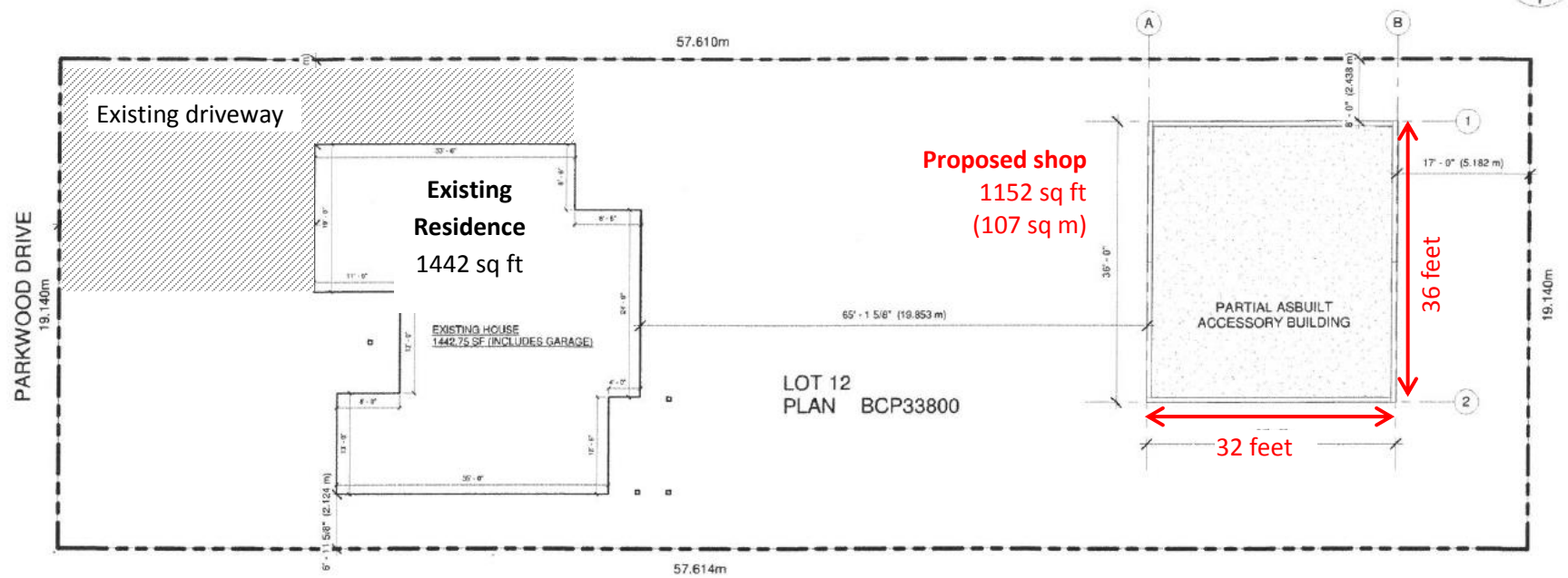
Graham Daneluz, Deputy Director of Planning & Development: Reviewed & supported

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

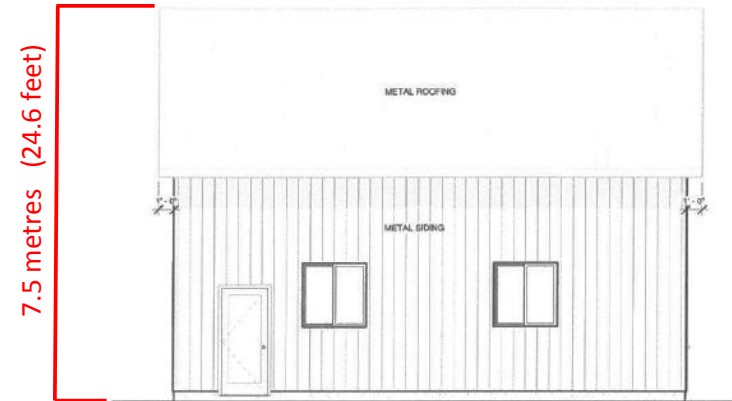
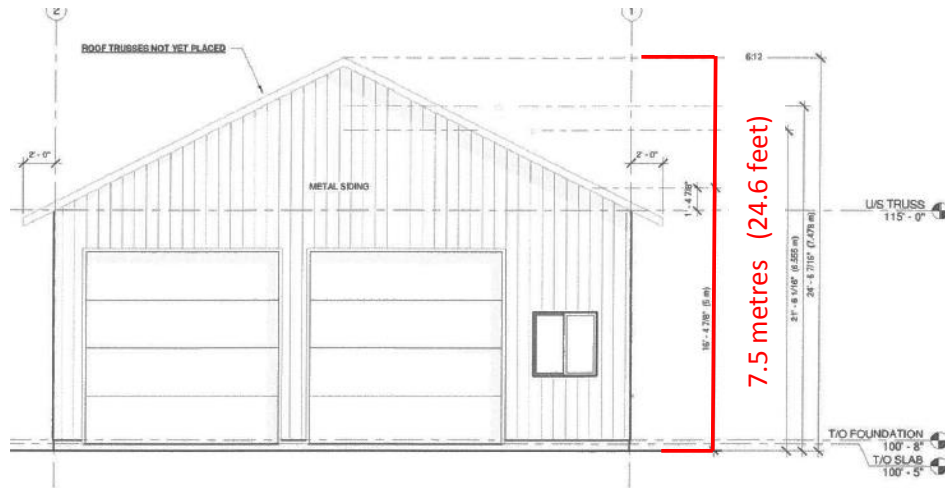
Mike Veenbaas, Director of Financial Services: No further financial comment.

Jennifer Kinneman, Acting Chief Administrative Officer: Reviewed and supported.

Appendix A –
Site Plan



Appendix B – Proposed Building Plans



**Appendix C –
Letters of Support**

To our neighbours of 10394 Parkwood Dr.

March 19, 2016 10:05 AM

Re: Intent to build a shop.

We have applied to the District to build a shop in our backyard. The shop will be used for hobbies and housing our race car and Jr dragster.

Due to the size of the shop we have been asked to notify our neighbours and get approval from you by signing this letter of our intent.

If you would please sign the letter and also list your address we would be grateful.

Thank-you for your consideration,

Karla Haynes & Chris Murphy

Mike Chamberlin

Printed Name

[Signature]

Signature

10391 Parkwood dr

Address

VOX 141

To our neighbours of 10394 Parkwood Dr.

March 19, 2016 10:05 AM

Re: Intent to build a shop.

We have applied to the District to build a shop in our backyard. The shop will be used for hobbies and housing our race car and Jr dragster.

Due to the size of the shop we have been asked to notify our neighbours and get approval from you by signing this letter of our intent.

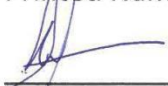
If you would please sign the letter and also list your address we would be grateful.

Thank-you for your consideration,

Karla Haynes & Chris Murphy

Willem Jan Kersten

Printed Name



Signature

10435 Rutley RD

Address

Rosedale BC

V0X1X1

To our neighbours of 10394 Parkwood Dr.

March 19, 2016 10:05 AM

Re: Intent to build a shop.

We have applied to the District to build a shop in our backyard. The shop will be used for hobbies and housing our race car and Jr dragster.

Due to the size of the shop we have been asked to notify our neighbours and get approval from you by signing this letter of our intent.

If you would please sign the letter and also list your address we would be grateful.

Thank-you for your consideration,

Karla Haynes & Chris Murphy

John Giesbrecht

Printed Name

JG Giesbrecht

Signature

10401 Parkwood dr

Address

Box 286 Rosedale Bc

Vox - 1x0

To our neighbours of 10394 Parkwood Dr.

March 19, 2016 10:05 AM

Re: Intent to build a shop.

We have applied to the District to build a shop in our backyard. The shop will be used for hobbies and housing our race car and Jr dragster.

Due to the size of the shop we have been asked to notify our neighbours and get approval from you by signing this letter of our intent.

If you would please sign the letter and also list your address we would be grateful.

Thank-you for your consideration,

Karla Haynes & Chris Murphy

Maurizio + Christine Caselli

Printed Name

Chris Caselli M. Caselli

Signature

10404 Parkwood Dr

Address

Rosedale, BC

V0X1X1