

To: Electoral Area Services Committee

Date: 2020-09-09

From: David Bennett, Planner II

File No: 3090-20-2020-11

Subject: The developer of "The Gardens," a single-family residential subdivision located on the site of the former Minter Gardens in Electoral Area D, applied to increase the maximum height of new homes within the development.

RECOMMENDATION

THAT the Fraser Valley Regional District Board refuse the requested Development Variance Permit for all lots backing on to Llanberis Way and issue the Development Variance Permit for the remainder of the lots within the development.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

Foster a Strong & Diverse Economy

Support Healthy & Sustainable Community

BACKGROUND

The developer of "The Gardens," a single-family residential subdivision located on the site of the former Minter Gardens in Electoral Area D, applied to increase the maximum height of new homes within the development.

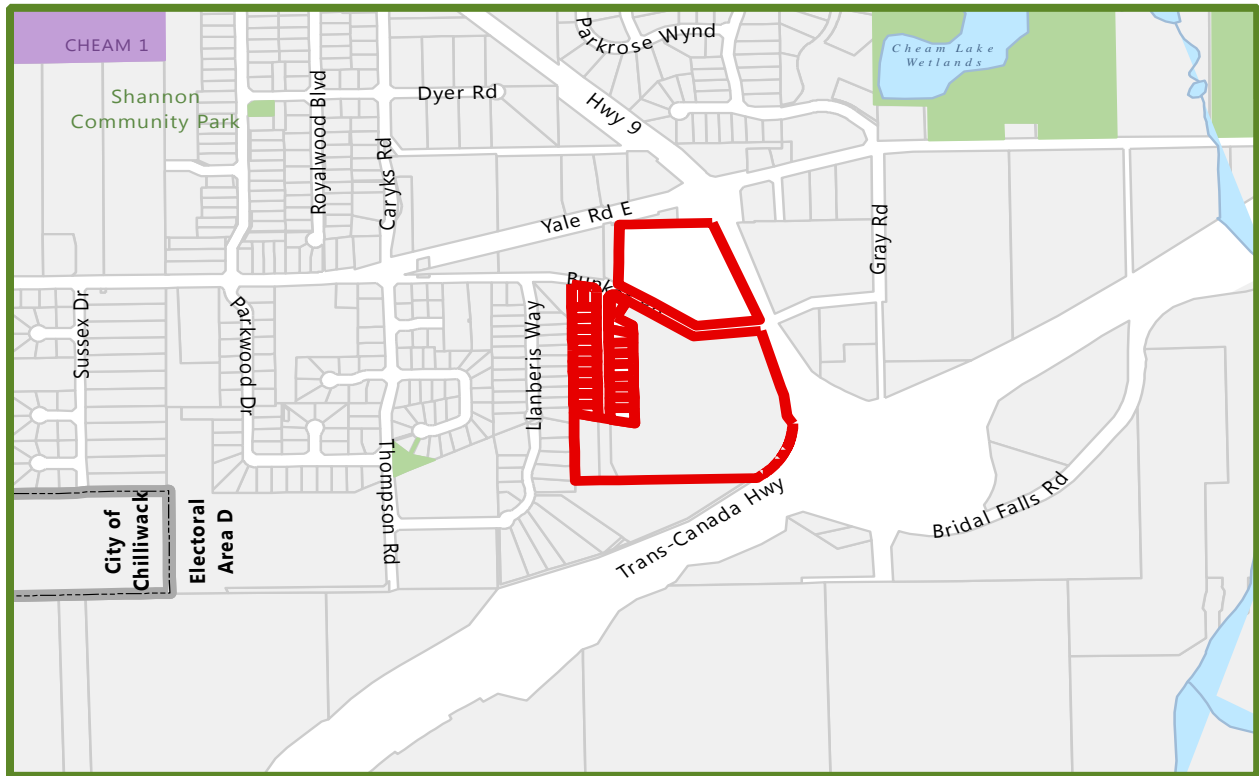
The Variance request is to increase the maximum permitted height from 10m to 11m for certain lots that back onto existing homes on Llanberis Way and to increase the maximum height from 10m to 12m on the other lots in the development. No variance is requested for lots 1 through 4 in Phase 1.

The reason that the developer has made this request is to accommodate walk-out basements on sloping lots.

PROPERTY DETAILS			
Electoral Area	D		
Address	52892 Bunker Road		
PID	005-649-668		
Folio	733.06434.009		
Lot Size	2.304 Hectares		
Owner	Bunker Road Developments, Platin Homes, 0677306 B.C LTD	Agent	Precision Building Design (Ryan Hoxie)
Current Zoning	Suburban Residential (SBR-3)	Proposed Zoning	No change
Current OCP	Suburban Residential (SR)	Proposed OCP	No change
Current Use	Residential	Proposed Use	No change
Development Permit Areas	5-D, 6-D		
Agricultural Land Reserve	No		

ADJACENT ZONING & LAND USES		
North	^	Country Residential (CR); Yale Road E
East	>	Gateway Commercial (C-5); Gas Station, Country Residential (CR); SFD, Hwy 9
West	<	Suburban Residential (SBR-2); Single Family Dwellings
South	v	Suburban Residential (SBR-3); Empty Lot, Trans-Canada Hwy

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

"The Gardens," a single-family home residential development, is being built on the site of the former Minter Gardens, a site with a relatively hilly terrain compared to the surrounding neighbourhood. The developer has chosen to cut and fill parts of the development to accommodate new home sites. Many of the lots in the development slope down and away from the centre line of the new roads. Sloping lots provide builders with opportunities to expose portions of basements and accommodate walk-out basements.

In the Electoral Area D zoning bylaw, height is measured from the lowest point on a lot within 6m of a structure to the highest point on that structure. The maximum height of a house is 10m.

In the neighbouring subdivision of Rosegarden Estates, a blanket height variance was issued to measure grade within 2m of the base of a structure to address the sloping lots in that subdivision. However, some lots in Rosegarden Estates requested additional variances to measure from the grade adjacent to the home and to increase the overall height to 11.59m in one instance.

On a level lot, a below-grade basement would not impact the height of a home. However, when a basement is exposed on a sloping lot, the measurement of height is taken from that exposed portion of the basement and is measured to the peak of the roof. The 10m height maximum in the SBR-3 zone makes a three-storey home possible, but the roofs must have a lower pitch.

The developer is requesting this height variance in order to avoid lower-pitched roof designs.

The first phase of the development is on a road now named Magnolia Place. This road crosses the Trans-Mountain pipeline. The pipeline's elevation dictated the grade of Magnolia Place as well as the depths of the infrastructure in the road, including water lines, sewer lines and storm drainage. The pipeline is the reason for the road's elevation. The elevation of the road means that the lots on Magnolia Place slope down and away from the centre of the road. These sloping lots provide opportunities to have walk-out basements.

Neighbourhood Engagement

FVRD staff encouraged the developer to provide advanced notice of the requested variance to the 18 neighbouring properties that back onto the project. The developer originally proposed a full 12m height maximum on all lots in "The Gardens" subdivision. The developer provided neighbours with a description of the variance and an example drawing.

Initial feedback: The neighbours did not provide support for the 12m variance adjacent to the lots that back onto Llanberis Way.

The developer then revised their variance request. The revised request did not seek any height variance on lots 1 through 4 that back onto Llanberis Way and reduced the height request from 12m to 11m for

the rest of the lots that back onto Llanberis way. A maximum height of 12m is requested (a 2m variance) for all of the other lots in the development (no other lots back onto any other existing lots in the surrounding neighbourhood).

Feedback on the revised request: Neighbours are still opposed to the variance request for the lots that back onto Llanberis way.

Developer Options:

The alternative to the requested variance is to construct homes with lower roof pitches or to construct homes without walk-out basements.

Raising the grade of the rear yards is also an option. The developer provided an alternative grading plan (attached) to show how raising the rear grade would look. In this option, the developer has chosen not to lower the roof pitch, and the basements do not have walk-outs. Raising the rear yard grade and only having 'daylight' basements without entries does not change the final elevation of proposed homes. The impact on the neighbours on Llanberis Way would be same. However, raising the rear yard grades is more challenging for the builders as it requires retaining walls and attention to drainage. If every rear yard is not filled to the same elevation, it will lead to varying rear yard elevations. Lot owners may also choose alternative home designs and may choose single- or two- storey homes instead of the three-storey designs. For example, building permit plans for Lot 6 are for a rancher with a walk-out basement; this design is well below the maximum height of 10m.

The following images illustrate the proposed Variances and grading options.

12m Variance Request

This elevation shows the full 12m variance request. This variance allows for pitched roofs, and full walk-out basements on sloping lots.

11m Variance Request

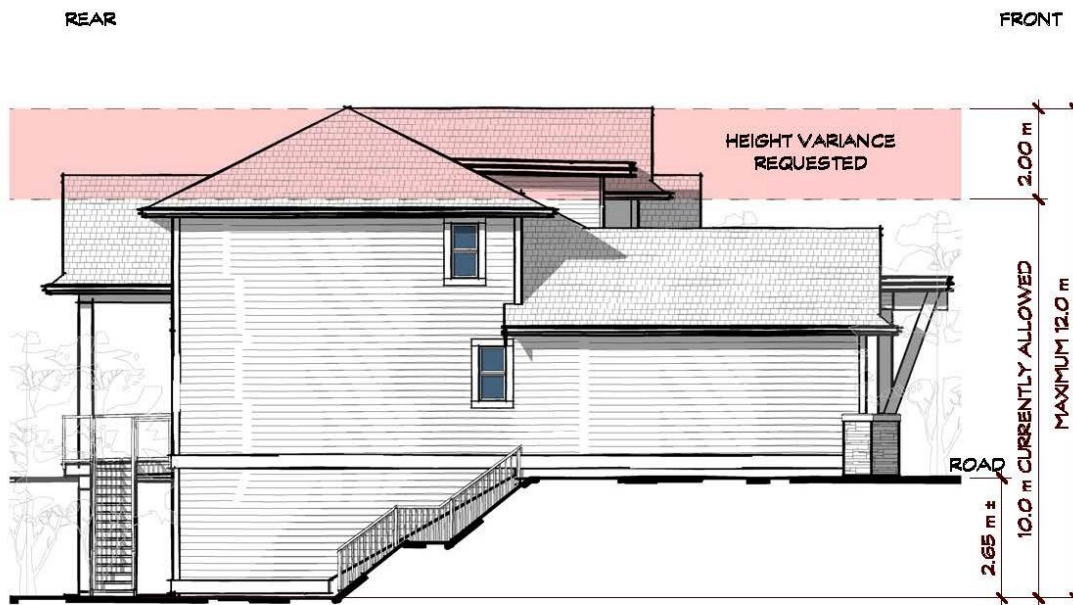
This elevation shows the 11m variance request for just the lots adjacent to Llanberis Way. This variance allows for pitched roofs, and full walk-out basements on sloping lots.

Raising the Rear Grade

This elevation shows a 'daylight' basement and compliance with the current 10m height maximum.

12m Variance Request (+2m)

EXAMPLE OF HEIGHT VARIANCE



SIDE ELEVATION

11m Variance Request (+1m)

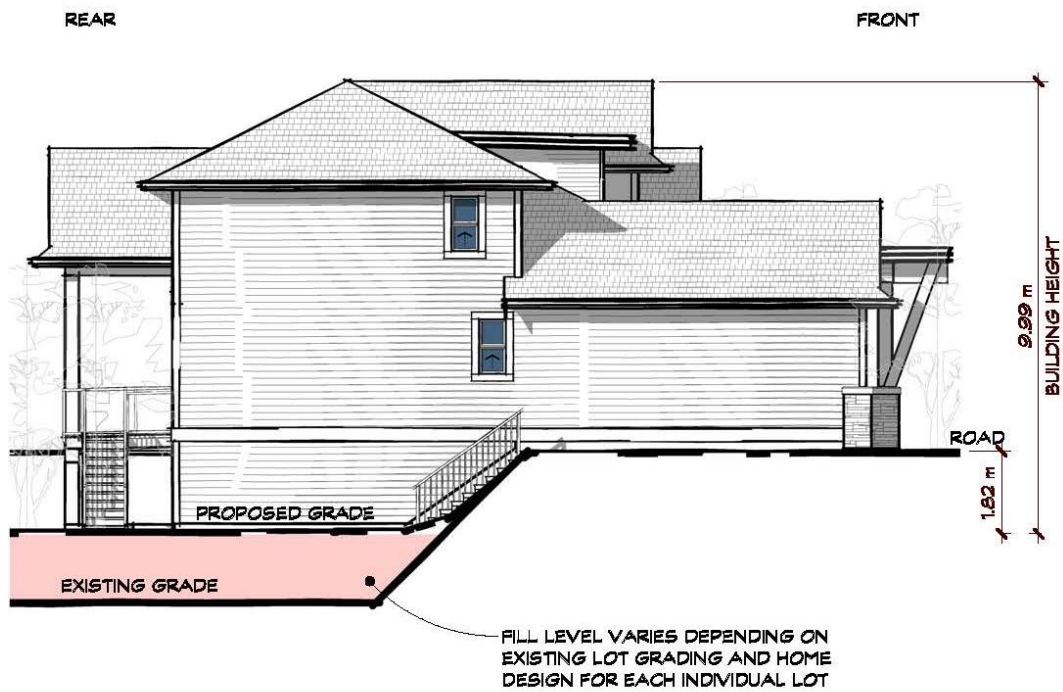
EXAMPLE OF HEIGHT VARIANCE



SIDE ELEVATION

Raising the Rear Grade (no variance required)

EXAMPLE OF HOME WITH BUILT UP REAR GRADE



SIDE ELEVATION

FVRD Board Options:

The FVRD Board may consider the following options:

- 1) **THAT** the Fraser Valley Regional District Board **issue** the requested Development Variance Permit.

This option increases the maximum height from 10m to 11m on the lots that back onto Llanberis Way, and increases the maximum height to 12m in the rest of the development. No variances would apply to lots 1-4 on Magnolia Place.

- 2) **THAT** the Fraser Valley Regional District Board **refuse** the requested Development Variance Permit for all lots adjacent to Llanberis Way and **issue** the Development Variance Permit for the remainder of the development.

This option maintains the current maximum height for the lots backing onto neighbours and the developer will have to redesign homes with lower roof pitches to accommodate walk-out basements on those lots. The rest of the lots in the development would have a different maximum height.

- 3) **THAT** the Fraser Valley Regional District Board **refuse** the requested Development Variance Permit.

This option maintains the current maximum height and the developer will have to redesign homes with lower roof pitches to accommodate walk-out basements.

COST

Development Variance Request for 24 lots with three separate owners- \$3,900.00

CONCLUSION

The current zoning bylaw's height definition makes construction of walk-out basements on sloping lots possible, but the roof pitches must be low, and ceiling heights may not be able to exceed a standard eight feet. The developer is requesting this height variance in order to avoid lower-pitched roof designs. Neighbouring developments in Popkum, such as Rosegarden Estates, also requested and received variances for increased height to address the challenges of building on sloping lots.

For this application, the developer solicited feedback from the immediate neighbours and revised their proposal based on that feedback. The neighbours have not provided support for any maximum height increases for any lots that back onto Llanberis Way. Concerns about height in the rest of the development have not been raised.

Consideration should be given to the interface between the existing community and this new development project. The scale of new homes adjacent to existing homes should be in keeping with the existing scale. The remainder of the lots within the development site have no existing neighbours, and a height increase on those lots would not impact the adjacent neighbourhood.

It is recommended **THAT** the Fraser Valley Regional District Board **refuse** the requested Development Variance Permit for all lots adjacent to Llanberis Way and **issue** the Development Variance Permit for the remainder of the lots within the development.

This option maintains the current maximum 10m height for the lots backing onto neighbouring lots on Llanberis Way. The developer will have to redesign homes with lower roof pitches to accommodate walk-out basements on those lots. The rest of the lots in the development would have a different maximum height, 12m increased from 10m and measured at the lowest grade adjacent to a structure. This option may lead to the developer filling in the rear yards on some of the lots, but this will not allow for walk-out basements, only daylight basements. Raising the rear yard grades also means that the impact on the neighbours on Llanberis Way would be the same as if the variance were to be issued, but not every lot may be filled, and future lot owners may choose alternative home designs (single storey or two-storey for example).

COMMENTS BY:

Graham Daneluz, Director of Planning & Development

Reviewed & supported.

Kelly Lownsbrough, Chief Financial Officer/ Director of Financial Services Reviewed & supported.

Jennifer Kinneman, Chief Administrative Officer:

Reviewed and supported.