

To: Electoral Area Services Committee
 From: Tracey Heron, Planning Technician

Date: 2020-11-10
 File No: 3090-20 2020-17

Subject: Application for Development Variance Permit 2020-17 to vary the maximum height requirement for an accessory building at 3900 Columbia Valley Road, Electoral Area H

RECOMMENDATION

THAT the Fraser Valley Regional District issue Development Variance Permit 2020-17 to increase the maximum permitted height of an accessory building from 5.0 metres to 6.8 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 height of an accessory building (workshop) as outlined in *Zoning Bylaw for Electoral Area "E", 1976 of the Regional District of Fraser-Cheam*. The original workshop burned down in May 2020, and the owners are looking to rebuild the shop and have it match the form and character of the recent house renovation which was completed February 28, 2020.

PROPERTY DETAILS			
Electoral Area	H		
Address	3900 Columbia Valley Rd		
PID	001-900-889		
Folio	733.03820.142		
Lot Size	0.463 acres		
Owner	Lyon, David & Tara	Agent	n/a
Current Zoning	Urban Residential (RS-1)	Proposed Zoning	No Change
Current OCP	Suburban Residential (SR)	Proposed OCP	No Change



DISCUSSION

The owners of the subject property are proposing to construct a new accessory building (workshop) to replace their old workshop which burned down in May 2020. The proposed structure exceeds the maximum allowable height for an accessory building under the *Zoning Bylaw for Electoral Area "E", 1976 of the Regional District of Fraser-Cheam*.

The applicant advises the reason for the variance is to have the workshop match the form and character of a recent house renovation, which was completed February 28, 2020. The loft area would be used for the storage of seasonal items, and other infrequently used goods.

Height Variance for House Renovation (2019)

In 2019, the property owners obtained Development Variance Permit 2018-34 to increase the maximum permitted height of a house from 7.75 metres (25.43 feet) to 9.0 metres (29.5 feet). The owners' reasoning for this variance was to provide a pleasing building design that would modernize the existing house and bring the residence up to current architectural design standards, and to also provide additional family living space. This 1.25 metre (4.1 feet) height variance was approved by the Fraser Valley Regional District Board on January 23, 2019.



Figure 1: Image of the newly renovated house.

Height Variance for Accessory Building (Workshop)

When the applicants originally submitted their development variance permit application for the proposed workshop, the plans included a full-height second storey, and exterior deck that provided access to the upper floor, and a request to increase the maximum height by 2.7 metres (from 5.0 m to 7.7 m).

As a result of discussions with staff, the applicants revised their plans to reduce the overall height of the building, remove the exterior deck and entrance to the upper floor, decrease the ceiling height of the second floor, and a reduce the roof pitch.

The revised Development Variance Permit application is to vary the maximum height requirement for an accessory building from 5.0 metres (16.4 feet) to 6.8 metres (22.3 feet). This is a height variance request of 1.8 metres, or a 36% increase. This revised request will maintain a reasonable match of the form and character of the renovated house, and will also allow for the storage of goods in the loft area.

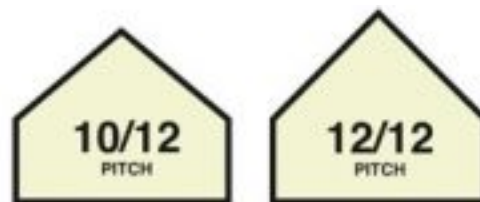
The proposed garage is 28 x 32 feet with a total area of 896 square feet (83.2 square metres) and meets all the zoning setbacks as outlined in *Zoning Bylaw for Electoral Area "E", 1976 of the Regional District of Fraser-Cheam*. The proposed construction drawings in Schedule B show the first floor will have a ceiling height of 10 feet (3.0 metres) and the second floor will have a ceiling height of 6.0 feet (1.8 metres). Access to the second floor would be through a pull-down folding ladder.

With the design changes made, staff are satisfied that approval of the variance to increase the height of the proposed shop will not result in an increased likelihood that the building will be used for a non-

permitted use (such as a second residence or accommodation rentals). The owners have been clear that their intention is to use the building as a workshop and storage area.

Rationale for the Variance

A key objective of the owners is to have the garage match the form and character of their newly renovated house, which has a steep-pitched roof (12/12 pitch). To reduce the garage height and still maintain the form and character of the house, the owners reduced the roof pitch to a 10/12 pitch roof.



Height of Accessory Building	
Permitted (zoning)	5.0 metres (16.4 feet)
Proposed	6.8 metres (22.3 feet)
Requested Variance	1.8 metres (5.9 feet)

If the variance is not issued, the applicant would have to alter the design of the accessory building again to meet the permitted height requirement. This could be achieved by removing the second-floor storage area and further reducing the pitch of the roof (6/12). A further height reduction could be achieved by reducing the ceiling height from 10 feet to 8 feet.



History of Similar Variances in the Neighbourhood

In the past six years, there have been four height variance requests for accessory buildings within a 500 metre radius of the subject property. Three of the four variances received approval.

The table below shows the history of past development variance permit applications in the area where the applicant lives. This information is only provided to give context to neighbourhood developments. Each application is considered based on its own merits, and previous DVP approvals/refusals do not set precedence.

Height of Accessory Building		
Address	Variance Request	Status
45652 Elizabeth Drive (DVP 2014-22)	To increase the height from 5.0 metres (16.4 feet) to 5.6 metres (18.5 feet)	Approved September 30, 2014
3833 Karen Drive (DVP 2016-07)	To increase the height from 5.0 metres (16.4 feet) to 6.858 metres (22.5 feet)	Approved June 28, 2016
45703 Elizabeth Drive (DVP 2019-01)	To increase the height from 5.0 metres (16.4 feet) to 6.4 metres (21.0 feet)	Approved February 26, 2019
45713 Elizabeth Drive (DVP 2020-18)	To increase the height from 5.0 metres (16.4 feet) to 6.4 metres (21.0 feet)	Refused October 27, 2020

Some of the concerns with Development Variance Permit 2020-18, which was refused by FVRD Board on October 27, 2020, related to:

- The prospect of the accessory structure being turned into a secondary dwelling in the future;
- The added height enabling overlook and shadowing into neighbouring yards;
- Secondary access to the structure from Vance Road.

Staff are satisfied the applicant has addressed these issues by amending the design of the building to:

- Remove the deck in the rear of the accessory structure;
- Remove exterior access to the second floor area;
- Reduce the overall height of the building;
- Reduce the ceiling height of the 2nd floor loft to 6 feet;
- Access the loft via pull-down stairs from the interior of the building; and,
- Remove second floor windows on the sides and rear of the structure.

The site plan also shows that there is only one access to the property via Columbia Valley Road, and the structure is to be situated in the rear of the property at the same location as the garage that burned down. Mature trees surround the property and the site location of the proposed accessory structure. The property is bordered at the rear by a treed area about 50 m wide which will buffer the proposed shop from the neighbouring mobile home park to the north. Both neighbours to each side of the subject property have submitted letters of support.

Neighbourhood Notification and Input

All property owners within 30 metres of the property will be notified by the FVRD of the Development Variance Permit application and will be given the opportunity to provide written comments or attend the Board meeting virtually or in-person to state their comments. FVRD staff have encouraged the applicant to advise neighbouring property owners and residents of the DVP application in advance of the mail-out notification.

To date, the applicant has submitted two (2) letters of support from adjacent property owners. The letters of support do not include details about the height of the proposed building, however, the applicant stated the proposed building plans and height specifications were shown to the neighbours.

COST

The application fee of \$1,300 has been paid by the applicant.

CONCLUSION

The applicant has applied for a Development Variance Permit to vary the maximum height requirement from 5.0 metres (16.4 feet) to 6.8 metres (22.3 feet) to allow for the construction of a new accessory building which will match the form and character of the recent house renovation.

Original construction plans were revised after staff review, and staff are satisfied that the new plans have addressed concerns with the accessory structure becoming a non-permitted use and creating negative impacts on neighbouring properties.

Maintaining the same form and character as the house is important to the applicant, and the applicant has worked with staff by decreasing the building height and modifying the roof pitch to closely resemble, but not completely match, the steep roof pitch of their house.

Staff are satisfied the revised plans are consistent with previous DVP applications and pose no negative effects on neighbouring properties. We recommend Development Variance Permit 2020-17 be issued by the FVRD Board, subject to any comments or concerns raised by the public.

OPTIONS

Option 1 – Issue (Staff Recommendation)

Staff recommend that the FVRD Board issue Development Variance Permit 2020-17 to vary the maximum height requirement from 5.0 metres (16.4 feet) to 6.8 metres (22.3 feet) to permit the construction of an accessory building, subject to the consideration of any comments or concerns raised by the public.

Option 2 – Refuse

The proposed variance represents an increase in the height of the proposed building by 1.8 m over the allowable height of 5.0 m. This is a 36% increase. It is at the upper limit of what staff would be willing to recommend. If this variance exceeds the sensibilities of the neighbourhood or the Board about

acceptable height for accessory buildings, the Board may wish to refuse to issue DVP 2020-17. In this case, the following motion would be appropriate:

MOTION: THAT the Fraser Valley Regional District Board refuse Development Variance Permit 2020-17.

Option 3 – Refer to Staff

The proposed variance is at the upper limit of previous height variance for accessory buildings in the neighbourhood. If the Board wishes to consider a lesser variance, it would be appropriate to refer this application back to staff to explore with the applicant opportunities to reduce the height of the building. In this case, the follow motion would be appropriate:

MOTION: THAT the Fraser Valley Regional District Board refer the application for Development Variance Permit 2020-17 to FVRD Staff.

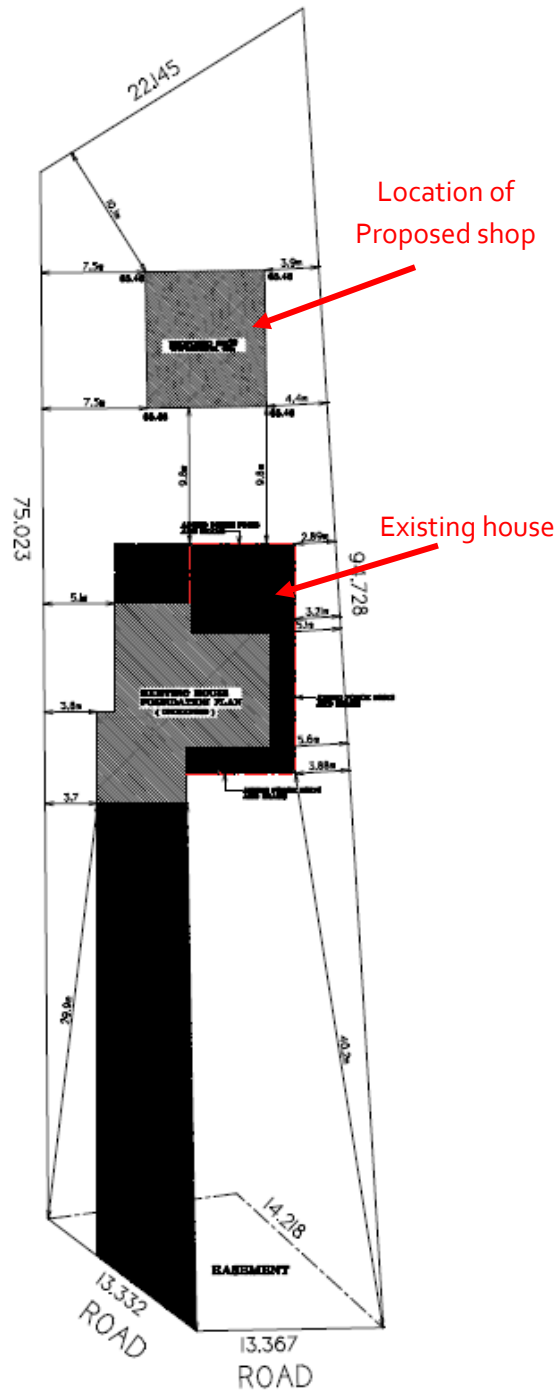
COMMENTS BY:

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

Kelly Lownsbrough, Chief Financial Officer/ Director of Finance: Reviewed and supported.

Jennifer Kinneman, Chief Administrative Officer: Reviewed and supported.

SCHEDULE "A" Site Plan

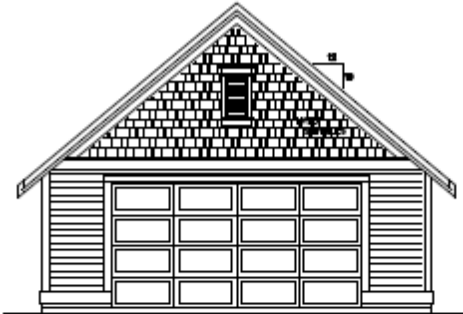


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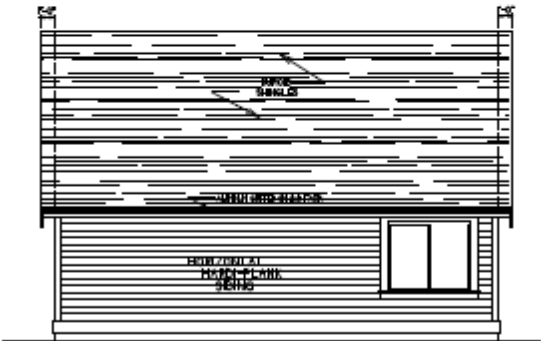
SCHEDULE "C"
Elevation Drawings



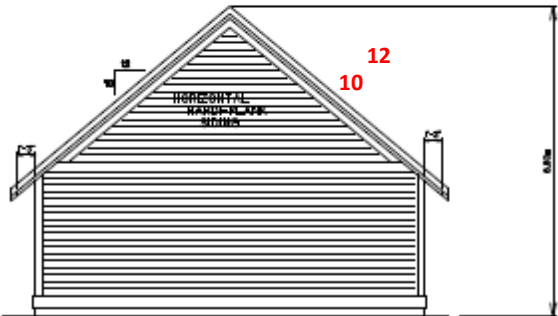
LEFT ELEVATION



FRONT ELEVATION



RIGHT ELEVATION



REAR ELEVATION

SCHEDULE "D"

Letters of Support

Letter of Support of Request For Variance
3900 Columbia Valley Road, Cultus Lake, B.C.

I, PETER SAUNDERS, of 45621 SLACKY HOLLOW RD fully support the request for height variance for the shop being built at 3900 Columbia Valley road. I currently reside as next door neighbour of the applicants. The owners, Scott and Tara Lyon, have shown me the building plans and height specifications and I support the variance application.

Additional Comments:

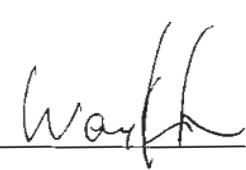
Signature: 

Date: 10/23/20

Letter of Support of Request For Variance
3900 Columbia Valley Road, Cultus Lake, B.C.

I, WAYNE HELMER 3910 COLUMBIA VALLEY fully support the request for height variance for the shop being built at 3900 Columbia Valley road. I currently reside as next door neighbour of the applicants. The owners, Scott and Tara Lyon, have shown me the building plans and height specifications and I support the variance application.

Additional Comments:

Signature: 

Date: OCT 23/2020