

To: Electoral Area Services Committee

Date: 2020-12-08

From: Julie Mundy, Planner 1

File No: 3090-20 2019-31

Subject: Development Variance Permit application to vary size requirements for an accessory building at 9966 Llanberis Way, Electoral Area D

RECOMMENDATION

THAT the Fraser Valley Regional District issue Development Variance Permit 2019-31 for 9966 Llanberis Way to increase the maximum area of an accessory building from 45 square meters to 57.6 square metres, subject to consideration of any comments or concerns raised by the public.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

BACKGROUND

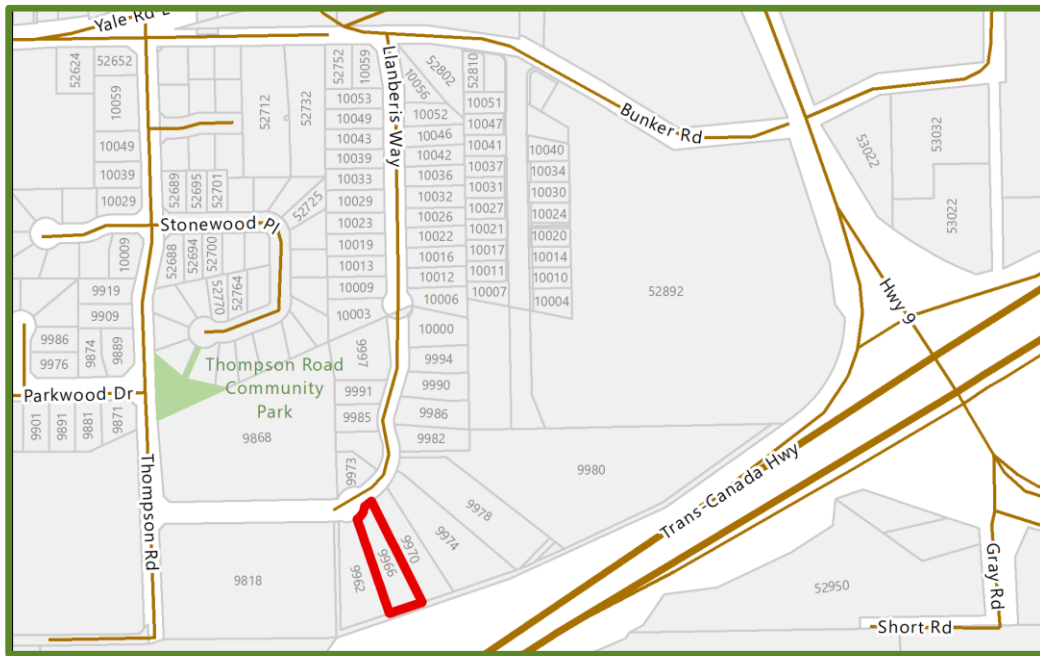
The property owners of 9966 Llanberis Way have applied for Development Variance Permit (DVP) to increase the maximum permitted area of an accessory building (garage) as outlined in *Zoning Bylaw for Electoral Area "D", 1976 of Regional District of the Fraser-Cheam*.

PROPERTY DETAILS			
Electoral Area	D		
Address	9966 Llanberis Way		
PID	025-259-091		
Folio	733.06436.030		
Lot Size	0.706 acres		
Owner	Paul & Gina Karr	Agent	n/a
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	No change
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	>	Suburban Residential 2 (SBR-2), Single Family Dwelling
West	<	Suburban Residential 2 (SBR-2), Single Family Dwelling
South	v	Suburban Residential 2 (SBR-2), BC Hydro ROW, Trans-Canada Hwy

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

The applicant wishes to construct a detached shop with a covered timber frame patio which exceeds the maximum allowable area for an accessory building under Zoning Bylaw 75 for Electoral Area D. Within the SBR-2 Zone, the maximum size of an accessory building is 45 metres² (484 feet²).

The proposed structure has:

- An enclosed area of 500 square feet (20 x 25 feet),
- A covered patio area of 120 square feet (10x 12 feet), and
- A total size of 620 square feet (57.6 square metres).

Permitted Size	Requested Size	Variance
45.0 m ² (484.4 feet ²)	57.6 m ² (620 feet ²)	12.6 m ² (135.6 feet ²)

This request represents a variance of 136 square feet (12.6 square meters) which is 28% larger than is permitted in the zoning bylaw.



The applicant advises the reasons for the variance are 1) to increase enjoyment of the backyard, and 2) to add privacy and cover from the sun. Additionally, the open roof area (covered patio) will face towards the applicants yard in order to reduce any conflict with the nearest adjacent neighbour.

If the size variance is not granted, the applicant could reduce the building length by one foot to construct a 20 x 24 foot structure which adheres to the zoning regulation. The applicant could additionally construct the patio cover as a stand alone structure which would not require a development variance permit.

Septic Covenant

The lots on Llanberis Way have a covenant on the property titles reserving a portion of each lot for sewage disposal and backup disposal systems. No construction or parking is permitted within the reserved area.

Over the last year, the owners of 9966 Llanberis Way worked with Ministry of Health to amend their covenant so that it reflects the actual location of their septic system. The goal of this work was to have a building site for the proposed structure. The structure appears to be completely outside the new designated septic field area; this will be confirmed when new construction drawings are submitted prior to issuance of a building permit.

Building Permit Application

A building permit for the construction of the shop/covered patio was applied for in September 2019. The applicants have received a letter from the Building Department listing the outstanding requirements for the permit.

Zoning Bylaw Review

There have been a number of DVP applications relating to the size of accessory buildings in Popkum. The maximum allowable area for an accessory structure in the Popkum residential zones is being reviewed as part of the Electoral Area Zoning Bylaw Consolidation project. This review includes analysis of recent development variance permits to determine if revised zoning bylaw provisions, including maximum height and area restrictions for accessory structures, are warranted.

DVP Summary – Size of Accessory Structures in Electoral Area D

The following table summarizes past DVP applications in Electoral Area D (SBR-2 and SBR-3 zones) to increase the allowable size of an accessory residential building. The information in the tables is provided for context only. Each application is considered on its own merits, and previous DVP approvals/refusals do not set precedence.

DVP for Size of Accessory Buildings			
Civic Address	Permit #	Variation	Status
10-10200 Gray Rd	DVP 1995-10	Increase size to 98 m ² (117% increase)	Approved
6-10200 Gray Rd	DVP 1996-05	Increase size to 66.9 m ² (48.6% increase)	Approved
18-10200 Gray Rd	DVP 1998-04	Increase size to 76.2 m ² (69% increase)	Approved
11-10200 Gray Rd	DVP 2002-01	Increase size to 80.27 m ² (72% increase)	Approved
4-10200 Gray Rd	DVP 2002-04	Increase size to 125.4 m ² (179% increase)	Approved
3-10200 Gray Rd	DVP 2003-06	Increase size to 74.3 m ² (65% increase)	Approved
10211 Parkwood Dr	DVP 2012-02	Increase size to 50m ² (11% increase)	Approved
10391 Parkwood Dr	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 Rd	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 Dr	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 Dr	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 Rd	DVP 2019-05	Increase size to 53.5m ² (19% increase)	Approved
10395 Wildrose Dr	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
10394 Parkwood Dr	DVP 2019-14	Increase size to 107m ² (138% increase)	Approved
10146 Royalwood Blvd	DVP 2020-20	Increase size to 58m ² (29% 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 virtually attend the Board meeting to state their comments. FVRD staff encourage applicants 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 property owners applied for the Development Variance Permit in September 2019. This was prior to the adoption of the new FVRD Development Application Fees Establishment Bylaw 1560, 2019. The application fee of \$350 has been paid.

CONCLUSION

Staff recommend the FVRD Board issue Development Variance Permit 2019-31 to vary the size requirements for an accessory building at 9966 Llanberis Way for the following reasons:

- The request is relatively minor, and it appears to align with community expectations of accessory buildings as indicated by past variance approvals;
- A Development Variance Permit is needed primarily because of the integration of the shop and the patio cover. The applicant wishes to integrate the structures, but each could be constructed independently without a variance;
- The structure is outside the covenanted septic disposal area, and no adverse health or safety impacts are anticipated.

Option 1 – Issue (Staff Recommendation)

MOTION: THAT the FVRD Board issue Development Variance Permit 2019-31 for 9966 Llanberis Way, Electoral Area D to increase the maximum area of an accessory building from 45 square meters to 57.6 square metres, subject to consideration of any comments or concerns raised by the public.

Option 2 – Refuse

MOTION: THAT the Fraser Valley Regional District Board refuse Development Variance Permit 2019-31 for 9966 Llanberis Way, Electoral Area D

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.

Appendix A Site Plan

The maximum area of the proposed shop and covered patio area will be 57.6 metres² (620 feet²)

