

To: Electoral Area Services Committee
From: Amy Hsieh, Planning Technician

Date: 2023-03-09
File No: 3090-20 2022-15

Subject: Development Variance Permit 2022-15 to increase the maximum size for an accessory building at 10371 Parkwood Drive, Area D

RECOMMENDATION

THAT the Fraser Valley Regional District Board issue Development Variance Permit 2022-15 for 10371 Parkwood Drive, Area D to increase the maximum height of an accessory building from 5.0 metres to 5.9 metres, and to increase the maximum gross floor area of an accessory building from 45 square metres to 107.2 square metres, subject to consideration of comments or concerns raised by the public.

BACKGROUND

The property owners at 10371 Parkwood Drive have applied for a Development Variance Permit (DVP) to increase the maximum permitted gross floor area and maximum permitted height of a residential accessory building.

A single-family residence was built on the property in 2015. The owners wish to construct a detached accessory building at the rear of the property for the storage of multiple vehicles on site. The property is zoned Suburban Residential 2 (SBR-2) under the *Fraser Valley Regional District Zoning Bylaw No. 1638, 2021* (Consolidated Zoning Bylaw). A detached shop is permitted as an accessory residential use on the lot. Consolidated Zoning Bylaw establishes the following regulations for an accessory building in the SBR-2 zone:

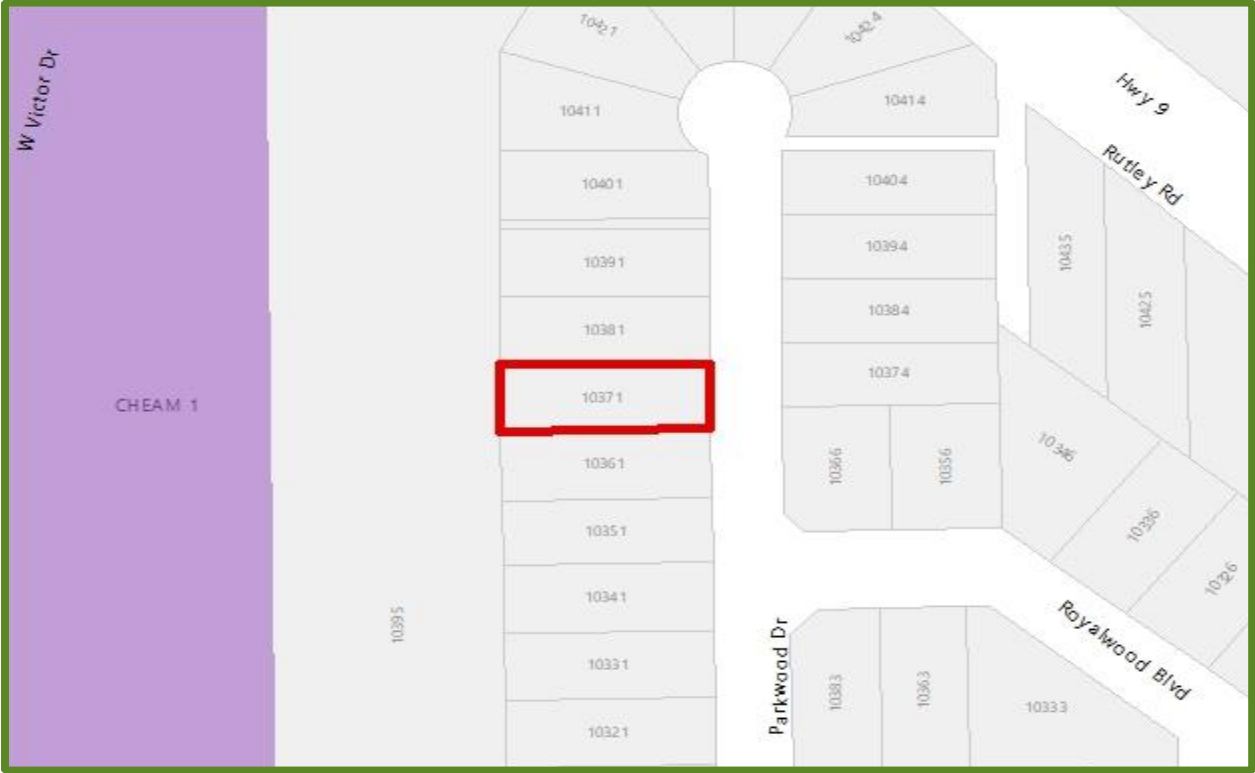
	REQUIRED	PROPOSED	COMPLIES
Maximum lot coverage	25%	24%	✓
Minimum lot line setbacks	Front – 7.6 m Sides – 0.9 m Rear – 3.0 m	29.2 m 0.9m 13.7 m	✓
Maximum height	5.0 m (16.4 ft)	5.9 m (19.3 ft)	✗
Maximum gross floor area for accessory buildings	45 m ² (484.3 ft)	107.2 m ² (1153.8 ft ²)	✗

The proposed building will adhere to lot line setbacks but does not adhere to maximum height and maximum area requirements. The application is to increase the maximum allowable area from 45 m² (484.3 ft²) to 107.2 m² (1153.89 ft²), and the maximum allowable height from 5.0 m (16.4 ft) to 5.9 m (19.35 ft). That is an increase of 62.2 m² (669.5 ft²) and 0.9 m (2.95 ft) respectively.

PROPERTY DETAILS			
Electoral Area	D		
Address	10371 Parkwood Drive		
PID	027-327-515		
Folio	733.06743.000		
Lot Size	0.272 Acres		
Owner	Adam Hulbert, Vera Mort, Tabitha Hulbert, Ron Sewid	Agent	Jesse Rayner, JCR Design Ltd.
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	Riparian Areas Development Permit Area 5-D		
Agricultural Land Reserve	No		

ADJACENT ZONING & LAND USES		
North	^	Suburban Residential 2 (SBR-2); Residential subdivision
East	>	Suburban Residential 2 (SBR-2); Residential subdivision
West	<	Suburban Residential 2 (SBR-2); BC Hydro ROW
South	v	Suburban Residential 2 (SBR-2); Residential subdivision

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

The applicant is proposing to construct a detached shop that exceeds 1) the maximum allowable area and 2) the maximum allowable height for an accessory building in the SBR-2 zone.

	GROSS FLOOR AREA	HEIGHT
Permitted (zoning)	45 m ² (484.3 ft)	5 m (16.4 ft)
Proposed	107.2 m ² (1152.89 ft ²)	5.9 m (19.35 ft)
Requested Variance	62.2 m ² (669.5 ft ²)	0.9 m (2.95 ft)

Maximum Area Variance

The applicant is seeking a variance of 62.2 m² (669.5 ft²) or a 138% increase to the maximum allowable gross floor area, which is 45 m² (484.4 ft). The requested variance is to have room to store the property **owners'** collection of cars. The applicant has stated that this will protect the cars from potential crime and keep the property looking tidy and secure. Additionally, the applicant states that keeping the vehicles out of sight will maintain the appearance of the neighbourhood as it is now.

Section 9.17.3 of the Consolidated Zoning Bylaw allows maximum lot coverage for all buildings and structures to be 25%. Besides the single-family dwelling, there is an existing shed on the property. The proposed shop accounts for 9.7% of that allowance and would bring lot coverage to 24%, which is within the maximum allowable lot coverage.

Height Variance

The applicant is seeking a building height increase of 0.9 m (2.95 ft) which is an 18% increase to the total allowable building height. The proposed structure also includes a 150 ft² mezzanine that is approximately 8.6 ft at the highest point. The mezzanine is noted as a storage space. The applicant has stated that the height variance is requested as the owners plan to store a portion of their car collection on lifts. The proposed siting will meet the required setbacks.

Maximum building requirements for an accessory building aim to ensure accessory buildings are used for purposes related to residential use and fit unobtrusively into the neighbourhood. Staff are aware the existing regulations may not be meeting community expectations and standards for accessory buildings due to the large number of variances that have been received for building height and size.

Drainage considerations

There is a covenant on the title (**BB611432**) registered at the time of subdivision that requires owners to consider engineered on-site drainage as new buildings are constructed. On-site drainage was originally designed when the single-family dwelling was constructed.

An internal referral was sent to the FVRD Building Department to review this proposal and its potential impact on the drainage system. Building staff responded by recommending that an engineer should

comment on whether the existing drainage system has sufficient capacity to support the proposed shop. There were concerns over whether there would be sufficient space on the property to site additional rock pits if the existing drainage was determined to be insufficient.

The applicant was informed of these concerns and has submitted a sealed memorandum from a professional engineer in response. The engineer states that in their professional opinion, the existing rock pit can handle the additional flow from the proposed shop. Should the variance requested be granted, the applicant would have to demonstrate adequate on-site drainage as part of the building permit application process.

DVP Summary Accessory Structures in Electoral Area D

The Board has considered several size variances for accessory buildings in the SBR-2 and the SBR-3 zones in Popkum, Area D. They are summarized in the table below. The Board considers each variance application on its own merits. While past decisions do not set precedents, an increasing number of similar variance requests may create community expectations of future approvals.

Development Variance Permits for Accessory Structure <u>Area</u>			
Civic Address	Permit Number	Requested Size Bylaw = 45m ² max.	Approved/Denied
1. 16-10200 Gray Rd	DVP 2014-17	89.2m ² (98% increase)	Approved
2. 52672 Parkrose Wynd	DVP 2016-13	116m ² (158% increase)	Denied
3. 52672 Parkrose Wynd	DVP 2016-15	62m ² (38% increase)	Denied
4. 10094 Parkwood Dr	DVP 2017-01	53.1m ² (18% increase)	Approved
5. 52671 Parkrose Wynd	DVP 2017-09	76m ² (69% increase)	Approved
6. 10338 Wildrose Dr	DVP 2017-19	56.4m ² (25% increase)	Approved
7. 52725 Parkrose Wynd	DVP 2017-20	53.1m ² (18% increase)	Approved
8. 10191 Caryks Rd	DVP 2019-05	53.5m ² (19% increase)	Approved
9. 10180 Royalwood Blvd	DVP 2019-07	64m ² (42% increase)	Approved
10. 10395 Wildrose Dr	DVP 2019-10	58m ² (29% increase)	Approved
11. 10163 Royalwood Blvd	DVP 2019-12	76m ² (69% increase)	Approved
12. 10394 Parkwood Dr	DVP 2019-14	107m ² (138% increase)	Approved
13. 9966 Llanberis Way	DVP 2019-31	57.6m ² (28% increase)	Approved
14. 10146 Royalwood Pl	DVP 2020-20	58m ² (29% increase)	Approved
15. 10394 Woodrose Pl	DVP 2021-05	58m ² (29% increase)	Approved
16. 10325 Caryks Rd	DVP 2021-18	69m ² (153.3% increase)	Approved
17. 10427 Woodrose Pl	DVP 2022-01	89m ² (98% increase)	Approved
18. 10356 Royalwood Blvd	DVP 2022-03	56 m ² (24% increase)	Approved
19. 10307 Woodrose Pl	DVP 2022-13	67 m ² (49% increase)	Approved

Development Variance Permits for Accessory Structure <u>Height</u>			
Civic Address	Permit Number	Requested Height Bylaw = 5.0m max. height	Approved/Denied
1. 52622 Woodgrove Pl	DVP 2014-12	5.9m (18% increase)	Approved

2. 16-10200 Gray Rd	DVP 2014-17	10.0 m (100% increase)	Approved
3. 52672 Parkrose Wynd	DVP 2016-13	6.35m (27% increase)	Denied
4. 52672 Parkrose Wynd	DVP 2016-15	6.5m (30% increase)	Denied
5. 10104 Parkwood Dr	DVP 2016-19	6.0m (20% increase)	Approved
6. 10161 Parkwood Dr	DVP 2017-05	6.1m (22% increase)	Approved
7. 10338 Wildrose Dr	DVP 2017-19	6.0m (20% increase)	Approved
8. 52725 Parkrose Wynd	DVP 2017-20	6.1m (22% increase)	Approved
9. 10191 Caryks Rd	DVP 2019-05	7.3m (46% increase)	Approved
10. 10395 Wildrose Dr	DVP 2019-10	5.2m (4% increase)	Approved
11. 10163 Royalwood Blvd	DVP 2019-12	5.3m (6% increase)	Approved
12. 10394 Parkwood Dr	DVP 2019-14	7.5m (50% increase)	Approved
13. 10146 Royalwood Pl	DVP 2020-20	5.2m (4% increase)	Approved
14. 10006 Jade Pl	DVP 2021-08	5.7m (14% increase)	Approved
15. 10394 Woodrose Pl	DVP 2021-05	7.25 m (45% increase)	Approved
16. 10427 Woodrose Pl	DVP 2022-01	7.72 m (54% increase)	Approved
17. 10307 Woodrose Pl	DVP 2022-13	5.4 m (8% increase)	Approved

Over the past 8 years, the Board has considered numerous DVP applications in Popkum that seek to vary the maximum height or the size of accessory structures. In the absence of a framework that these decisions can be based on, it is hard to provide recommendations that consider the merit of these requests. Over the years, these decisions have also become somewhat arbitrary. As a result, we are seeing an increased number of similar applications. The applications mostly demonstrate the desire of property owners to construct larger accessory buildings than allowed by the bylaw rather than the presence of siting constraints (such as environmentally significant features or topographical limitations). Staff believe continuing to approve similar variances discourages property owners from identifying building types and locations within the property that would better conform to the zoning regulations.

Accordingly, staff is planning to bring a DVP application evaluation policy in front of the Board in 2023. The DVP application evaluation policy will aim to establish guidelines for reviewing and evaluating DVP applications. A review of the zoning regulations regarding accessory buildings in Popkum (Area D) is also recommended.

Neighbourhood Notification and Input

All property owners within 30 metres of the property will be notified of the application and will be given the opportunity to provide written comments or to attend the Board meeting to state their comments.

COST

The application fee of \$1,300.00 has been received.

CONCLUSION

Staff are receiving an increased number of variance permit applications to vary the building size and **dimension regulations in Popkum. The applications mostly demonstrate the property owner's desire** rather than an acceptable land use justification, such as environmentally significant features and topographical constraints. Staff believe continuing to approve similar variances discourages property owners from identifying building envelopes within the property that would better conform to the zoning regulations. A review of the relevant Zoning Bylaw regulations in Area D along with a Board policy to evaluate DVP applications is recommended.

Staff are not opposed to the Development Variance Permit application to increase the maximum size of the proposed shop for 10371 Parkwood Drive as:

- The proposal meets the required lot line setback minimums
- Preliminary confirmation was received from a qualified professional that the existing drainage can support the proposal

The staff recommendation to issue the development variance permit is subject to consideration of any comments from the neighbourhood.

Option 1: Issue (Staff Recommendation)

MOTION: THAT the Fraser Valley Regional District Board issue Development Variance Permit 2022-15 for 10371 Parkwood Drive, Area D to increase the maximum height of an accessory building from 5.0 metres to 5.9 metres, and to increase the maximum gross floor area of an accessory building from 45 square metres to 107.2 square metres, subject to consideration of comments or concerns raised by the public.

Option 2: Refuse

MOTION: THAT the Fraser Valley Regional District Board refuse Development Variance Permit 2022-15 for 10371 Parkwood Drive, Area D.

Option 3: Refer to Staff

MOTION: THAT the Fraser Valley Regional District Board refer Development Variance Permit 2022-15 for 10371 Parkwood Drive, Area D, back to staff.

COMMENTS BY:

Hasib Nadvi, Manager of Planning: Reviewed and supported. Significant staff time is expended in processing similar variance permit applications every year. This application is the 37th DVP application from the Popkum residents since 2014. With the adoption of the Consolidated Zoning Bylaw, Staff

suggest amending the Suburban Residential zones in Popkum to be more reflective of the variance trends, subject to community consultation and Board consideration.

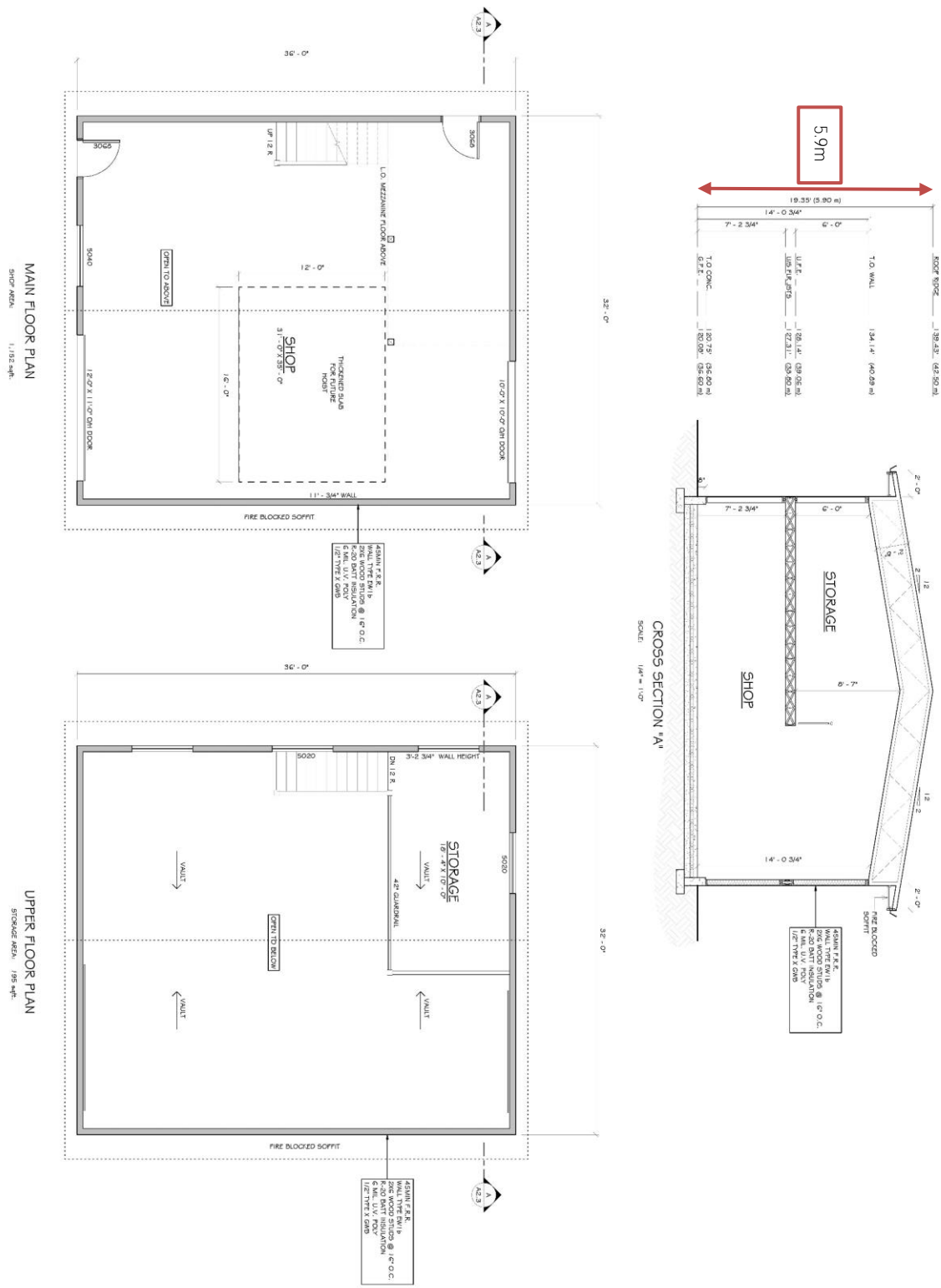
Graham Daneluz, Director of Planning & Development: reviewed and supported

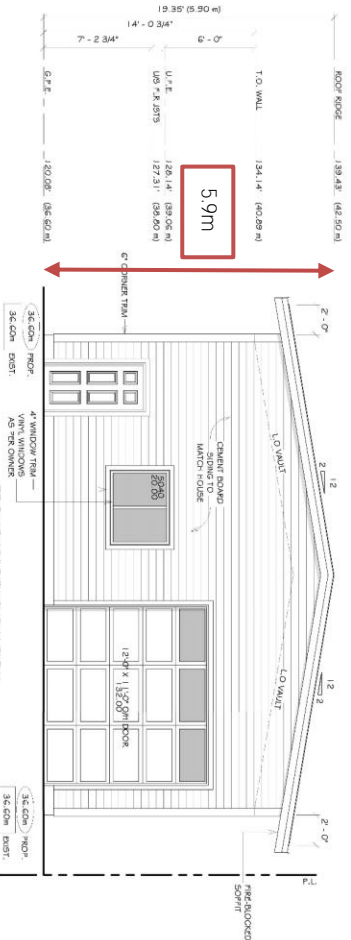
Kelly Lownsborough, Director of Corporate Services/CFO: Reviewed and supported.

Jennifer Kinneman, Chief Administrative Officer: Reviewed and supported.

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APPENDIX B – Preliminary floor and elevation plans

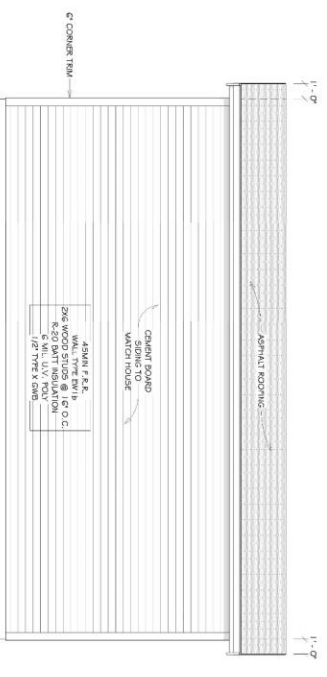




FRONT (EAST) ELEVATION

SPATIAL CALCULATION - FRONT

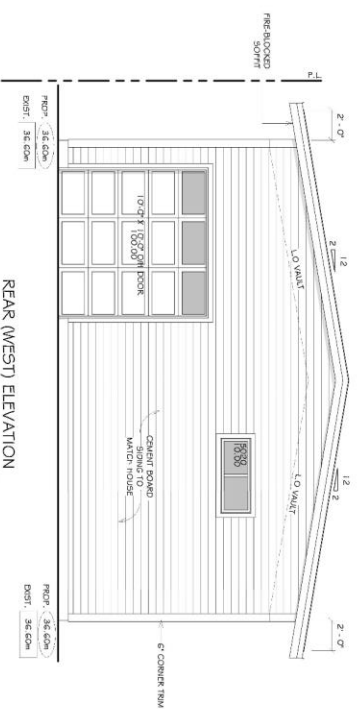
WALL AREA	467.68 sqft.	OK	43.45 sqm
UNITING DIST.	29.75 ft/2	=	14.66 m
MAX U.P.O.	100.00 %	OK	467.68 sqft.
PROG U.P.O.	32.50 %	OK	152.00 sqft.
CODE 201.8 TABLE 9.10.15.4			



RIGHT (NORTH) ELEVATION

SPATIAL CALCULATION - RIGHT

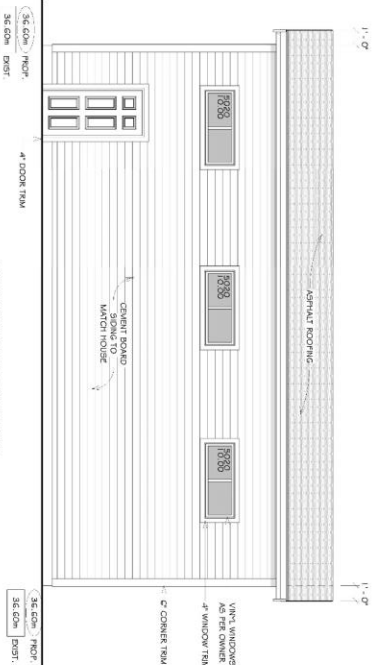
WALL AREA	479.63 sqft.	OK	44.56 sqm
UNITING DIST.	1.31 ft/2	=	0.76 m
MAX U.P.O.	0.00 %	OK	0.00 sqft.
PROG U.P.O.	0.00 %	OK	0.00 sqft.
CODE 201.8 TABLE 9.10.15.4			



REAR (WEST) ELEVATION

SPATIAL CALCULATION - REAR

WALL AREA	467.68 sqft.	OK	43.45 sqm
UNITING DIST.	14.26 ft/2	=	7.13 m
MAX U.P.O.	61.29 %	OK	300.18 sqft.
PROG U.P.O.	23.52 %	OK	110.00 sqft.
USING CODE 201.8 TABLE 9.10.15.4			



LEFT (SOUTH) ELEVATION

SPATIAL CALCULATION - LEFT

WALL AREA	479.63 sqft.	OK	44.56 sqm
UNITING DIST.	8.74 ft/2	=	4.37 m
MAX U.P.O.	33.36 %	OK	160.02 sqft.
PROG U.P.O.	6.29 %	OK	30.00 sqft.
USING CODE 201.8 TABLE 9.10.15.4			

APPENDIX C – P.Eng memo

FVEL FRASER VALLEY ENGINEERING LTD. 101 – 33465 Maclure Road Abbotsford, B.C. V2S 0C4
CIVIL - STRUCTURAL - GEOTECHNICAL E: info@fvel.com O: 604.850.0364 F: 604.557.0390

February 1st, 2023

Our file: 22-0456

Fraser Valley Regional District
Attn.: Amy Hsieh, Planning Technician
1 – 45950 Cheam Avenue
Chilliwack, BC V2P 1N6

Re: SMP feasibility for Proposed Shop at 10371 Parkwood Drive, Rosedale BC

Fraser Valley Engineering Ltd. (FVEL) has completed an assessment to evaluate the feasibility for a Proposed Shop construction in the property with Civic Address 10371 Parkwood Drive, Rosedale BC.

FVEL completed a SMP for a house in the same property back in 2013. Following is our rationale to verify if the existing Rock-Pit can handle the additional flow from the proposed shop.

We Calculated the Rock-Pit Volume that is able to hold a 1:100 years rainfall event using the rational method with the Equation:

$$Q = RAIN$$

This equation has the following Definitions and Values:

Q; Outcome water flow in cubic meters per second
R; Run-off Coefficient. For our calculation, we used 0.95 as per the maximum compared to every by-law.
A; Area of the Existing House plus Proposed Shop. In our case we used 283 square meters
I; Rainfall intensity. It was evaluated for different tc's
N; Constant for the equation

The total Rock-Pit volume capable to hold a 1:100 year rain event is 8.82 cubic meters, and the Existing Rock-Pit is 10.8 cubic meters.

Based on the above information and the Stormwater Management Plan completed by our office, it is our professional opinion that the proposed Shop could be built free of moisture infiltration using the existing Rock-Pit assessed by FVEL back in 2016.

Just in case you need any information including the Calculation Spreadsheet, please, do not hesitate to contact us

Yours truly,

Fraser Valley Engineering Ltd.



Jairo Prada, M.Sc., P.Eng.
Principal