

**SCHEDULE A-4**

**Permit Application**

I / We hereby apply under Part 14 of the *Local Government Act* for a;

☒ Development Variance Permit

☐ Temporary Use Permit

☐ Development Permit

An Application Fee in the amount of \$ 350 as stipulated in FVRD Application Fees Bylaw No. 1231, 2013 must be paid upon submission of this application.

Civic

Address 155 FIRST AVENUE, CULTUS LAKE, PID                       
FOLIO 733 007001.155 V2R 4Z2

Legal Lot            Block            Section            Township            Range            Plan           

Description LOT 155, NEW WESTMINSTER LAND DISTRICT, LEASE CULTUS LAKE  
PARK

The property described above is the subject of this application and is referred to herein as the 'subject property.' This application is made with my full knowledge and consent. I declare that the information submitted in support of the application is true and correct in all respects.

Owner's  
Declaration

Name of Owner (print)	Signature of Owner	Date
GWYLLYN S. GODDARD		MAY 21/19
Name of Owner (print)	Signature of Owner	Date

Owner's  
Contact  
Information

Address	City
155 FIRST AVENUE	CULTUS LAKE
	Postal Code
	V2R 4Z2
Cell	Fax

Office Use Only	Date	File No.
	MAY 22, 2019	3090-20 2019-17
	Received By	Folio No.
		733.07001.155
	Receipt No.	Fees Paid: \$ 350.00
	8735/7	

**Agent**

I hereby give permission to FRANCIS WALLACE to act as my/our agent in all matters relating to this application.

Only complete this section if the applicant is NOT the owner.

Signature of Owner 	Date MAY 21, 2019
Signature of Owner	Date

Agent's contact information and declaration

Name of Agent FRANCIS WALLACE, MCIP, RPP		Company WOOD TIGER ADVISING
Address 5454 STEELHEAD LANE		City CHILLIWACK
Email		Postal Code V2R 0X7
Phone	Cell SAME	Fax

I declare that the information submitted in support of this application is true and correct in all respects.

Signature of Agent 	Date 21 MAY 2019
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**Development Details**

PLEASE SEE ATTACHED 'ADDENDUM A'

Property Size \_\_\_\_\_ Present Zoning \_\_\_\_\_

Existing Use \_\_\_\_\_

Proposed Development \_\_\_\_\_

Proposed Variation / Supplement \_\_\_\_\_

Reasons in Support of Application \_\_\_\_\_

(use separate sheet if necessary)

SEE ATTACHED  
ADDENDUM A

**Riparian  
Areas  
Regulation**

Please indicate whether the development proposal involves residential, commercial, or including vegetation removal or alteration; soil disturbance; construction of buildings and structures; creation of impervious or semi-pervious surfaces; trails, roads, docks, wharves, bridges and, infrastructure and works of any kind – within:

yes  
☒

no  
☐

30 metres of the high water mark of any water body

yes  
☐

no  
☒

a ravine or within 30 metres of the top of a ravine bank

"Water body" includes; 1) a watercourse, whether it usually contains water or not; 2) a pond, lake, river, creek, or brook; 3) a ditch, spring, or wetland that is connected by surface flow to 1 or 2 above.

Under the *Riparian Areas Regulation* and the *Fish Protection Act*, a riparian area assessment report may be required before this application can be approved.

**Contaminated  
Sites Profile**

Pursuant to the *Environmental Management Act*, an applicant is required to submit a completed "Site Profile" for properties that are or were used for purposes indicated in Schedule 2 of the *Contaminated Sites Regulations*. Please indicate if:

yes  
☐

no  
☒

the property has been used for commercial or industrial purposes.

If you responded 'yes,' you may be required to submit a Site Profile. Please contact FVRD Planning or the Ministry of Environment for further information.

**Archaeological  
Resources**

Are there archaeological sites or resources on the subject property?

yes  
☐

no  
☒

I don't know  
☐

If you responded 'yes' or 'I don't know' you may be advised to contact the Archaeology Branch of the Ministry of Tourism, Sport and the Arts for further information.



## Required Information

When providing Application Forms to the applicant, Regional District staff shall indicate which of the following attachments are required for this application. **Additional information may also be required at a later date.**

	Required	Received	Details
<b>Location Map</b>			Showing the parcel (s) to which this application pertains and uses on adjacent parcels
<b>Site Plan</b>			Reduced sets of metric plans
At a scale of:			North arrow and scale
1: _____			Dimensions of property lines, rights-of-ways, easements
			Location and dimensions of existing buildings & setbacks to lot lines, rights-of-ways, easements
			Location and dimensions of proposed buildings & setbacks to lot lines, rights-of-ways, easements
			Location of all water features, including streams, wetlands, ponds, ditches, lakes on or adjacent to the property
			Location of all existing & proposed water lines, wells, septic fields, sanitary sewer & storm drain, including sizes
			Location, numbering & dimensions of all vehicle and bicycle parking, disabled persons' parking, vehicle stops & loading
			Natural & finished grades of site, at buildings & retaining walls
			Location of existing & proposed access, pathways
			Above ground services, equipment and exterior lighting details
			Location & dimensions of free-standing signs
			Storm water management infrastructure and impermeable surfaces
			Other:
<b>Floor Plans</b>			Uses of spaces & building dimensions
			Other:
<b>Landscape Plan</b>			Location, quantity, size & species of existing & proposed plants, trees & turf
Same scale as site plan			Contour information (_____ metre contour intervals)
			Major topographical features (water course, rocks, etc.)
			All screening, paving, retaining walls & other details
			Traffic circulation (pedestrian, automobile, etc.)
			Other:
<b>Reports</b>			Geotechnical Report
			Environmental Assessment
			Archaeological Assessment
			Other:

The personal information on this form is being collected in accordance with Section 26 of the *Freedom of Information and Protection of Privacy Act, RSBC 1996 Ch. 165* and the *Local Government Act, RSBC 2015 Ch. 1*. It will only be collected, used and disclosed for the purpose of administering matters with respect to [planning](#), [land use management](#) and related [services delivered](#), or proposed to be delivered, by the FVRD. Questions about the use of personal information and the protection of privacy may be directed to the FVRD Privacy Officer at 45950 Cheam Avenue, Chilliwack, BC V2P 1N6, Tel: 1-800-528-0061 [FOI@fvr.ca](mailto:FOI@fvr.ca).

## LETTER OF AUTHORIZATION

### Registered Authority

Please be advised that I/we, Gwynlyn Goddard  
(Print names of ALL Registered Owners or Corporate Director)

Representing, \_\_\_\_\_  
(Corporate name - if applicable)

am/are the registered owner(s);

### Site Civic Address:

155 FIRST AVENUE, CULTUS LAKE

Lot# \_\_\_\_\_ Block \_\_\_\_\_ Plan \_\_\_\_\_ PID# \_\_\_\_\_  
FOLIO 733 007001-155  
TAX ACCOUNT RPT-1092-2763

### Appointed Authorized Agent

Name of Authorized Agent

DOUGLAS WILLIAMS

Company Name

WBW CONSTRUCTION

Mailing Address

383 ALDER ST

City: CULTUS LAKE Postal Code: V2R-4Z1

Email: \_\_\_\_\_

Phone \_\_\_\_\_

Fax: \_\_\_\_\_

Signature of Authorized Agent

X 

### Permission to act:

As my/our Authorized Agent in the matter of the following:

- ☒ to view and obtain copies of all plans and permits  
☒ to apply for and obtain building permits for proposed construction to the above reference Civic Address  
☒ to apply for Planning File: Development Permit ☐ Development Variance Permit ☒ Subdivision ☐  
☐ other: \_\_\_\_\_

### Authorized Signature (Registered Owner or Corporate Director)

This document shall serve to notify the Fraser Valley Regional District that I am/we are the legal owner(s) of the property described above and do authorize the person indicated above ("Authorized Agent") to act on my/our behalf on all matters indicated above ("Permission to act") for the above referenced property. In addition, I/we have read and understand the above application and authorize the Authorized Agent to sign the above on my/our behalf.

X 

Sign

Gwynlyn S. Goddard

Print

Date: MAY 21, 2019

X \_\_\_\_\_

Sign

Print

Date: \_\_\_\_\_

The personal information on this form is being collected in accordance with Section 27 of the *Freedom of Information and Protection of Privacy Act, RSBC 1996 Ch. 165* and the *Local Government Act, RSBC 2015 Ch. 1*. It will only be collected, used and disclosed for the purpose of administering matters with respect to planning, land use management and related services delivered, or proposed to be delivered, by the FVRD. Questions about the use of personal information and the protection of privacy may be directed to the FVRD Privacy Officer at 45950 Cheam Avenue, Chilliwack, BC V2P 1N6, Tel: 1-800-528-0061 [FOI@fvrd.ca](mailto:FOI@fvrd.ca).

## Addendum A: Minor Variance Application Supplemental Information

**Date:** May 21, 2019

### **Property**

**Folio** 733 007001.155  
**Tax Account** RPT-1092-2763  
**Legal Description** Lot 155, NEW WESTMINSTER DISTRICT,  
LEASE CULTUS LAKE PARK

### **Development Details**

**Property Size** 24'10.5" X 65'  
**Property Zoning** R-3 Waterfront Residential  
**Existing Use** Residential  
**Proposed Development** New residential home with minor variances

### **Proposed Minor Variation/Supplement**

#### **1. Parking**

##### **a. Current Bylaw:**

- i. Parking space dimensions are specified in Section 3.13 of Zoning Bylaw No. 1375, 2016
  1. Two off-street parking spaces are required.

##### **b. Minor Variance Request:**

- i. We request a minor variance to build two side-by-side external parking spaces located in the front yard, with a total depth of 18 feet from the road right-of-way (*see building plans*).

##### **c. Reasons in Support of Minor Variance Application:**

- i. Appropriate outdoor parking is required on this property, and therefore we request a minor variance to build two side-by-side exterior off-street parking spaces at the front of the home.
- ii. R-3 Waterfront properties offer reduced property dimensions and have very small footprints to build on relative to the adjacent R-2 Urban Residential properties. To satisfy the required parking requirement, the main floor living space would need to be reduced by the area of two parking spaces, resulting in a disproportionately cramped main floor.



- iii. Health Canada recommends that vehicle parking should not be built within the footprint of a residential home to ensure residents are not exposed to dangerous benzene (carcinogen) vehicle emissions:
  - 1. The report from Health Canada can be found here:  
<https://www.canada.ca/en/health-canada/services/publications/healthy-living/guidance-benzene-residential-indoor-air.html>

**d. Existing Examples of this Minor Variance:**

- i. The majority of R-3 Waterfront properties exhibit identical parking examples, with external parking located in the front yard.

**2. Basement**

**a. Current Bylaw:**

- i. Clause 5.3.5.3 of Zoning Bylaw No. 1375, 2016
  - 1. The "Primary Uses" shall not be lower than 45.5 metres based on the Geodetic Survey of Canada.

**b. Variance Request:**

- i. We request a minor variance to build at 44.55 metres based on the Geodetic Survey of Canada a Geotechnically- and Structurally-Engineered Waterproofed Basement System (+/- covenants).
  - 1. The proposed Waterproofed Basement System has been used for many years in elevator pits and is time-tested to be durable and effective.

**c. Reasons in Support of Minor Variance Application:**

- i. R-3 Waterfront properties offer reduced property dimensions and have very small footprints to build on relative to the adjacent R-2 Urban Residential properties. To maximize living space and to accommodate storage, we request a minor variance to build a basement.

**d. Existing Examples of this Variance:**

- i. Within the past 11 years, five homes were built by our builder (WBW Construction) with Waterproof Basement Systems located below 45.5 metres elevation with no reported water leakages. The following properties were built with Waterproof Basement Systems below 45.5 metres in elevation:
  - 1. 110 First Avenue, Cultus Lake,
  - 2. 113 First Avenue, Cultus Lake.
  - 3. 143 First Avenue, Cultus Lake,
  - 4. 181 First Avenue, Cultus Lake, and
  - 5. 186 First Avenue, Cultus Lake,
- ii. Another builder is currently constructing a home designed with a Waterproof Basement System below 45.5 metres in elevation:

1. 172 First Avenue, Cultus Lake.

### **3. Storage, Basement Access & Setback Extension**

#### **a. Current Bylaw:**

- i. Clause 5.3.4.5 of Zoning Bylaw No. 1375, 2016
  1. The underground portions of the basement walls are required to meet the setbacks for the dwelling (1.8m from the front lot line and 3.0m from the rear lot line).
  2. In-ground structures are permitted to be 0.3m from the property line.

#### **b. Variance Request:**

- i. We request a variance to build Basement Access & Storage similar to multiple other homes in the neighbourhood.

#### **c. Reasons in Support of Minor Variance Application:**

- i. Storage
  1. Generator Storage
    - a. Power outages are common at Cultus Lake especially in the winter when weather can be harsh.
    - b. Limited vehicular access to the Cultus Lake community occurs during winter ice storms, or other inclement weather conditions, causing undrivable roadways due to downed trees, snow, ice, etc.
    - c. We request a minor variance to build an accessible, sheltered storage area for an electric generator to provide power to the home during power outages.
    - d. The proposed gasoline-powered generator will be located in an outside, out-of-sight, sound-resistant, underground storage space.
    - e. This space will also allow for extra storage for daily living.
- ii. Storage & Access to the Basement
  1. The proposed basement space allows for some outdoor, covered storage with access to the home from the back (waterfront).

#### **d. Existing Examples of this Minor Variance:**

- i. In the past 11 years our builder (WBW Construction) has built two R-3 Waterfront homes with the above-referenced setback parameters:
  1. 143 First Avenue, Cultus Lake;
    - a. The basement exterior storage / basement access is located 5-feet from the property line.



- b. The lower covered area is located 1-foot (at grade) from property line.
    - 2. 186 First Avenue, Cultus Lake;
      - a. The basement exterior storage / basement access is located 1-foot from the property line.
  - ii. Several other R-3 Waterfront homes were built by other builders with the above-referenced setback parameters:
    - 1. 125 First Avenue, Cultus Lake;
      - a. The basement exterior storage / basement access is located 5-feet from the property line.
      - b. The lower covered area is located 1-foot (at grade) from property line.
    - 2. 136 First Avenue, Cultus Lake;
      - a. The basement exterior storage / basement access is located 5-feet from the property line.
    - 3. 172 First Avenue, Cultus Lake;
      - a. The basement exterior storage / basement access is located 1-foot from the property line.
  - iii. Other properties within the R-2 Urban Residential area (not waterfront) are found to have the same type of basement exterior storage / basement access:
    - 1. 217 First Avenue, Cultus Lake:
      - a. The basement exterior storage / basement access is located 1-foot from the property line.
    - 2. 248 First Avenue, Cultus Lake:
      - a. The basement exterior storage / basement access is located 1-foot from the property line.
    - 3. 260 Fir Street, Cultus Lake:
      - a. The basement exterior storage / basement access is located 1-foot from the property line.
    - 4. 263 Fir Street, Cultus Lake:
      - a. The basement exterior storage / basement access is located 1-foot from the property line.
    - 5. 304 Second Avenue, Cultus Lake:
      - a. The basement exterior storage / basement access is located 1-foot from the property line.
    - 6. 373 Cedar Street, Cultus Lake:
      - a. The basement exterior storage / basement access is located 1-foot from the property line.

- iv. Other examples of this basement building technique are found in some older homes in the neighbourhood but were excluded to highlight examples of homes built in the past 11 years.

**Concluding remarks:**

1. Until recently, the past interpretation of the building bylaws allowed for R-3 Waterfront structures to incorporate the above-mentioned building elements; variances were not necessary.
2. We respect the variance application process and also the authority of Cultus Lake Parks Board and the FVRD. We feel these minor variances are in keeping with the established built form at Cultus Lake, and believe these requests represent reasonable building practice.
3. This proposed home will improve taxation revenue and is designed to bring aesthetic beauty and functional value to the community.

We are very happy to meet with the authorities and present the variance application details in person. Thank you for your consideration.

Sincerely,

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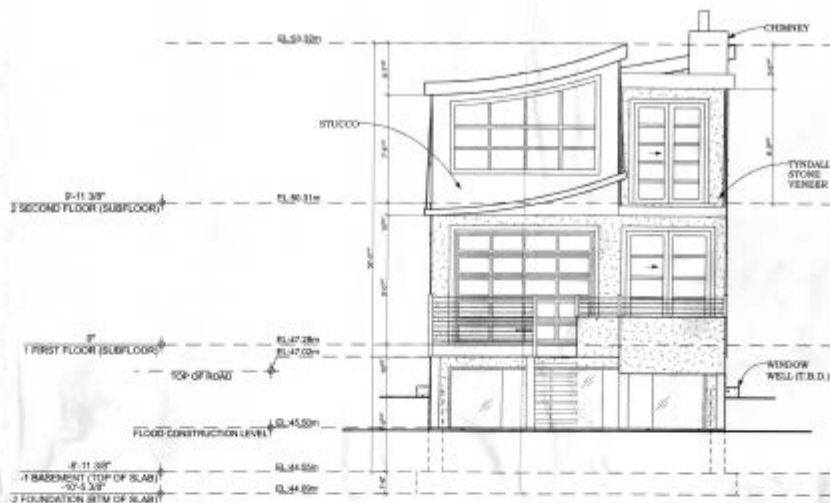
Gwyllyn S. Goddard



LOT COVERAGE:  
BUILDING FOOTPRINT: 76.59m<sup>2</sup>  
SITE AREA: 150.24m<sup>2</sup>  
TOTAL COVERAGE = 51.0%

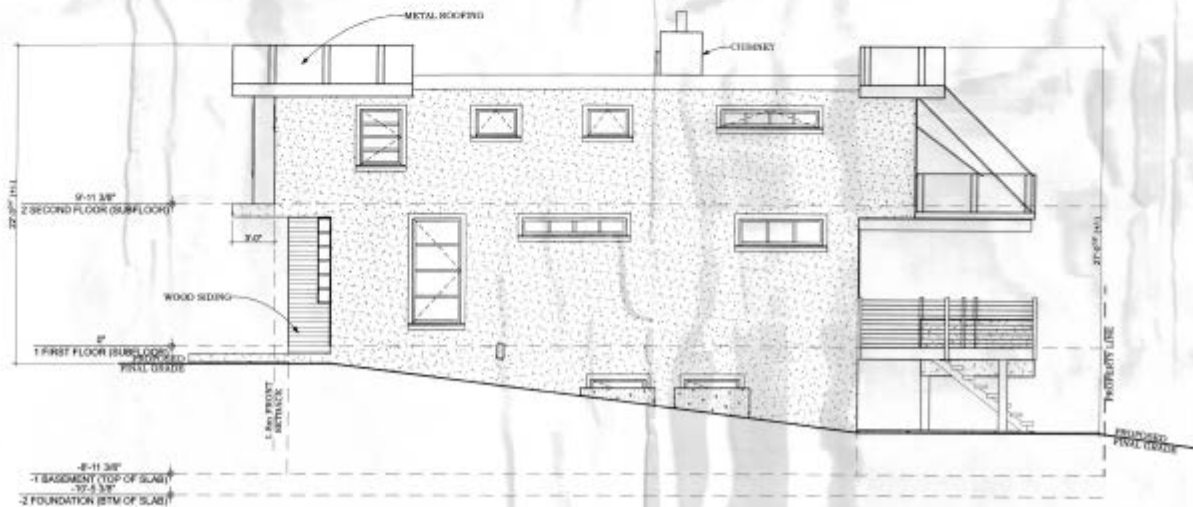
## SITE PLAN

SCALE: 1/4" = 1'-0"



# BACK ELEVATION

SCALE: 1/4" = 1'-0"



# EAST ELEVATION

SCALE: 1/4" = 1'-0"



