



STAFF REPORT

To: Electoral Area Services Committee
From: Ray Schipper, Planning Technician

Date: 2025-05-15

Subject: Development Variance Permit 2025-03 to vary setbacks for a detached staircase at 20962 Sakwi Creek Road, Area C

Reviewed by: Katelyn Hipwell, Manager of Planning
Bill Ozeroff, Manager of Inspection Services
Graham Daneluz, Director of Planning & Development and Emergency Management
Jennifer Kinneman, Chief Administrative Officer

RECOMMENDATION

THAT the Fraser Valley Regional District Board issue Development Variance Permit 2025-03 to reduce the interior side setback (north) from 3.5 metres to 0.0 metres and the rear setback from 5.0 metres to 1.2 metres for construction of a detached staircase, at 20962 Sakwi Creek Road, Area C, subject to consideration of any comments or concerns raised by the public.

BACKGROUND

The property owners of 20962 Sakwi Creek Road have an active building permit application (BP015816) to construct a four-unit multi-family residential building that will be utilized for residential use and temporary tourist accommodation. The property has an approved variance, DVP 2024-04, that varies setbacks for only the principal building, not any detached structure. The plans propose a staircase that would be used as emergency egress from the bottom floor of the four dwellings to Sakwi Creek Road. The proposed staircase encroaches into two setbacks, so the applicant seeks a Development Variance Permit (DVP) to reduce the interior side setback (north) and rear setback to allow a staircase structure. This variance application applies only to the galvanized steel staircase and not other development aspects.

PROPERTY DETAILS

Address	20962 Sakwi Creek Road	Area	C
PID	032-157-550	Owner	Eleanor James Holdings Ltd.
Folio	776.01431.140	Applicants	Beniamin & Diana Cobaschi
Lot Size	624.78 square metres (0.06 hectares)	Agent	

PROPERTY MAP



DISCUSSION

20962 Sakwi Creek Road was previously a four-unit building strata from 1982 and was eventually cleared after a fire several years ago. The vacant property slopes down from Sakwi Creek Road at a significant grade. There is another multi-unit dwelling on the opposite side of an unconstructed public lane to the southeast.

The subject property is zoned Alpine Residential 4 (ALP-4) in the *Fraser Valley Regional District Zoning Bylaw No. 1638, 2021*. In this zone, Medium-Density Multi-Family Residential Use is permitted and allows for up to six (6) dwelling units on a lot in a single building. The applicant proposes constructing a four-dwelling unit townhouse and has applied for a building permit (BP015816).

As part of the planning review for the building permit application, staff noted that the proposed staircase would encroach on the interior and rear lot line setbacks. Under zoning bylaw regulations, this structure must meet setbacks, as there are no setback exemptions or reductions for detached staircases.

The property previously received a variance (DVP 2024-04) that reduced setbacks for the principal building and varied the minimum required maneuvering aisle width. DVP 2024-04 included a condition that snow storage be contained in designated areas as shown in the site plan attached in

the permit’s schedule. However, at the time of that variance, the building plans did not include a detached staircase, and no setback reductions were granted for that structure.

Since then, the applicant’s building plans have changed to include a detached staircase. The current variance application (DVP 2025-03) seeks to reduce setbacks specifically for this staircase. The staircase is now proposed to be located within a previously designated snow storage area under DVP 2024-04.

Variance Request

ALP-4 zoning requires an interior-side setback of 3.5 metres (m) and a rear setback of 5.0 m for the furthest projection of a building or structure. The applicant requests to vary the following requirements to allow the construction of a galvanized steel staircase.

- 1. Reduce the minimum rear setback from 5.0 m to 1.2 m.
- 2. Reduce the minimum interior side setback (north) from 3.5 m to 0.0 m.

Setback Type	Required (ALP-4)	Proposed	Reduction Requested
Rear	5.0 m	1.2 m	3.8 m
Interior Side	3.5 m	0.0 m	3.5 m

The applicant has stated the following in support of their variance request:

- The staircase structure allows access to the bottom floor of the four dwellings, which can be used as an emergency access route from the rear to the front of the property, providing an additional safety measure for residents and visitors.
- A galvanized steel staircase will help with snow shedding and reduce snow accumulation.

Considerations for a 0.0 m Lot Line Setback

The proposed variance requests reducing the north interior lot line to 0.0 m. Several issues can arise when a structure is permitted to be built directly on a property line, as there is little room for error. With no setback, there is an increased risk that construction activities or the structure could encroach on the neighbouring property. This may increase the potential for trespass during construction and disputes with the adjacent property owners. In this case, the neighbouring property owner most affected by the proposed reduced setback has provided a letter of support for the variance.

To address potential concerns, staff have included specific stipulations in the special terms and conditions of the permit. A legal survey must be completed before construction to confirm the exact location of all property boundaries. This would ensure that the proposed structure remains entirely **within the applicant’s property**. Additionally, **temporary fencing** must be erected along the affected property line before and during construction to delineate the property line and help prevent trespass or encroachment onto neighbouring properties.

Implementing these measures will minimize the risk of boundary disputes and construction-related trespass, ensure compliance with the variance permit, and maintain good neighbour relations.

Safety

The Manager of Inspection Services has reviewed and supported the setback variance for a galvanized steel staircase. The construction will assist with snow shedding and provide an additional egress from the rear of the property. A site survey will be required to ensure the staircase is within the property lines.

Snow Shedding

Hemlock Valley is known for significant winter snowfall, which makes snow shedding and accumulation factors in building design and setback variances. Setback requirements in the zoning bylaw are intended to accommodate snow accumulation, reducing risks to safety and property.

The proposed principal building will have a flat roof to retain snow rather than shed suddenly. The BC Building Code has snow load requirements based on different climate zones, including Hemlock Valley. These code requirements will be addressed and verified during the building permit application for the principal building. The flat roof constructed to withstand snow loads of Hemlock Valley will reduce the likelihood that the staircase will accumulate snow originating from the roof of the principal building.

The proposed staircase will be constructed of galvanized steel, which is commonly used in regions with heavy snowfall. The open design allows snow to fall through, minimizing snow buildup and reducing maintenance concerns. The applicant maintains that there is adequate space for snow piling and that snow can be stored beneath the staircase.

Given **the staircase's open, galvanized steel construction and the principal building's flat roof**, the risk of snow shedding onto the stairs or into the reduced setback is minimal. Staff do not anticipate additional snow shedding from the galvanized steel staircase to neighbouring properties. Snow storage is the property owner's responsibility, and the applicant is aware that snow management must be accommodated on site and cannot impact neighbouring properties or road rights-of-way.

NEIGHBOURHOOD NOTIFICATION AND INPUT

The FVRD will notify all property owners within 30 metres of the property of the application and allow them to provide written comments or attend the Board meeting to state their comments. In May 2025, there is one week between the Electoral Area Services Committee (EASC) and Board meetings. The notification mail-out must be conducted prior to EASC to ensure the notification meets the legislated notice requirements in the *Local Government Act* and *Community Charter*. This mailout will be sent by Friday, May 9, 2025.

The applicant provided one (1) letter of support from the neighbouring property owner to the north (20964 Sakwi Creek Rd.) as part of the application package. This property borders the affected interior lot line of this variance application.

COST

The application fee of \$1,650 has been received.

CONCLUSION

In summary, the property owners of 20962 Sakwi Creek Road have applied for a setback variance to allow a detached galvanized steel staircase, which would provide additional emergency egress from the basements of the proposed multi-family residential building. The applicant has demonstrated that snow shedding and accumulation have been addressed in the design, minimizing potential impacts on neighbouring properties. The applicant must complete a legal survey and erect temporary construction fencing to avoid encroachment and trespass. Adjacent property owners affected by the interior lot line setback reduction have provided a letter of support, which has been reviewed by staff.

Based on the information **provided and staff's review, there are no outstanding concerns regarding** the variance request. Approval of this variance will support emergency egress from the building to the road while ensuring snow accumulation is managed. The staff recommendation is to issue the development variance permit, subject to consideration of any comments from the neighbourhood and members of the public.

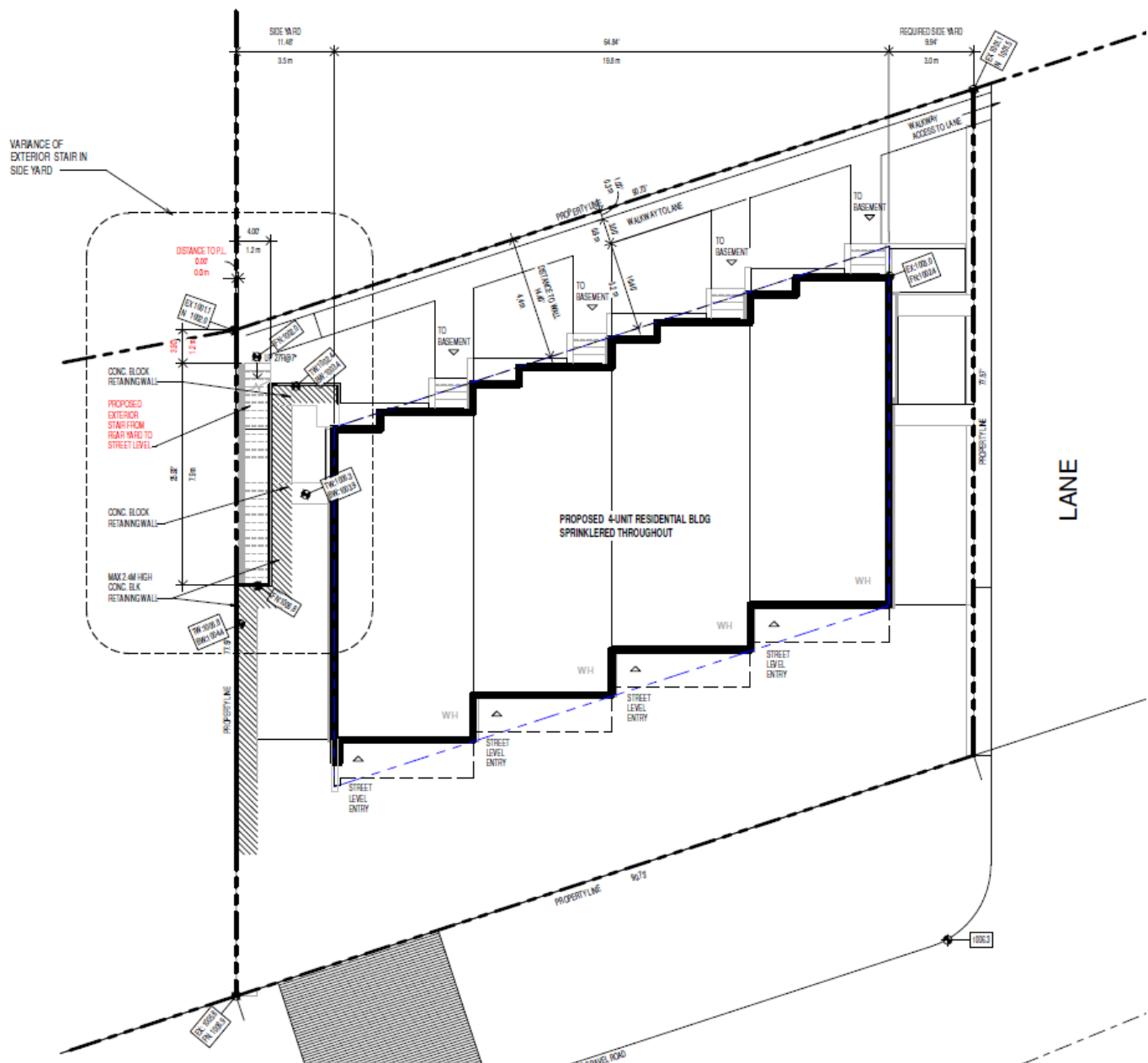
Option 1: Issue (Staff Recommendation)

MOTION: THAT the Fraser Valley Regional District Board issue Development Variance Permit 2025-03 to reduce the interior side setback (north) from 3.5 metres to 0.0 metres and the rear setback from 5.0 metres to 1.2 metres for construction of a detached staircase, at 20962 Sakwi Creek Road, Area C, 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 2025-03 for 20962 Sakwi Creek Road, Area C.

Appendix A
Site Plan



VARIANCE OF
EXTERIOR STAIR IN
SIDE YARD

