

-BOARD OF VARIANCE

Agenda for the Board of Variance Meeting of the Village of Pemberton to be held Monday, July 14, 2014 at **10:00am** at 7400 Prospect Street.

	Report Total Pages
1. CALL TO ORDER	
2. MINUTES	2
• Draft Minutes of the May 28, 2012 BoV Meeting (7431 Dogwood-Setback Variance)	
3. MEMBERS UPDATE	
4. 1350 GREENWOOD-SETBACK VARIANCE REQUEST	7
• Report to BoV	
5. NEW BUSINESS	
6. NEXT MEETING	
7. ADJOURNMENT	

Date: 14 July 2014
From: Caroline Lamont, Manager of Development Services
Subject: Variance Request – 1350 Greenwood Street

Owner/

Agent: Joanne Molinaro, Sabre Group

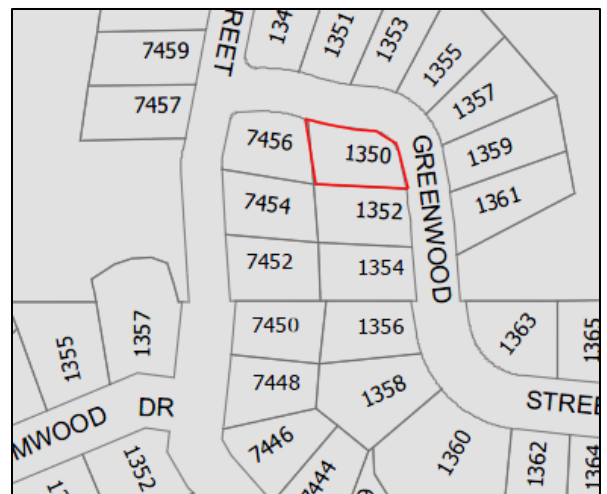
PURPOSE

This report provides an overview for the Board of Variance of an application submitted by the owner of the property located at 1350 Greenwood Street, requesting a relaxation from the side yard setback in the Zoning Bylaw. A location plan is below.

BACKGROUND

For the past several years the developers of the Benchlands' subdivision have been in discussions with staff with regard to the lots between Dogwood and Greenwood Streets as they are challenged due to the rocky and varying topography on the site. The site contours are identified on Appendix A.

The landowners have a prospective purchaser for 1350 Greenwood but are having difficulty designing a dwelling within the existing setbacks without significant drilling and blasting. The photos attached as Appendix "B" provide a visual context of the property.



DESCRIPTION

The proposed variance is to reduce the front (East) yard setback from 5.0 M to 1.5 M. The exterior (North) side setback would remain at 3.0 M.

DISCUSSION

A Board of Variance has the ability to vary the Zoning Bylaw whereby they agree that undue hardship would be caused if the variance was not granted. The variance, however, shall not:

- result in inappropriate development of the site;
- adversely affect the natural environment;
- substantially affect the use and enjoyment of adjacent land;
- vary permitted uses and densities under the applicable bylaw; or
- defeat the intent of the bylaw.

Staff has reviewed the submission with the Letter of Intent (Appendix “C”) and concur with the following arguments in favour of hardship:

Lot Topography – The site is at the top of the very rocky Benchlands or the “Snob Hill” development originally approved in 2004. During the past five (5) years many prospective purchasers have approached the Village regarding the considered building their home on the lot, but due to the challenging topography the development was difficult.

The intent is to construct a house that would better respond to the natural topography rather than

Front Lot Line – The Zoning Bylaw defines the front lot line as being is common to the lot and an abutting street. Where there is more than one lot line abutting a street, the shortest of these lines shall be considered the front. The bylaw does not require driveways to access a house through the front lot line.

IMPACT

Staff has reviewed the Letter of Intent and agree that there appears to be minimal negative impacts if the proposed variance was granted. The Public Works Department has indicated that no servicing corridors will be compromised.

ALTERNATIVE OPTIONS

The Board of Variance in their consideration of the application to vary the setback on 1350 Greenwood Street, has the following options:

- (i) Approve the variance
- (ii) Approve the variance with certain conditions
- (iii) Reject the variance

The decision of the majority of the membership shall be the decision of the Board. The Secretary (Suzanne Belanger) shall, within seven (7) days of a decision, send by mail or otherwise deliver the written decision of the Board to the applicant, all persons who made representation at the hearing, and the local government Building Inspector. The Secretary shall, within seven (7) days of the decision, enter that decision in the record maintained at the local government office.



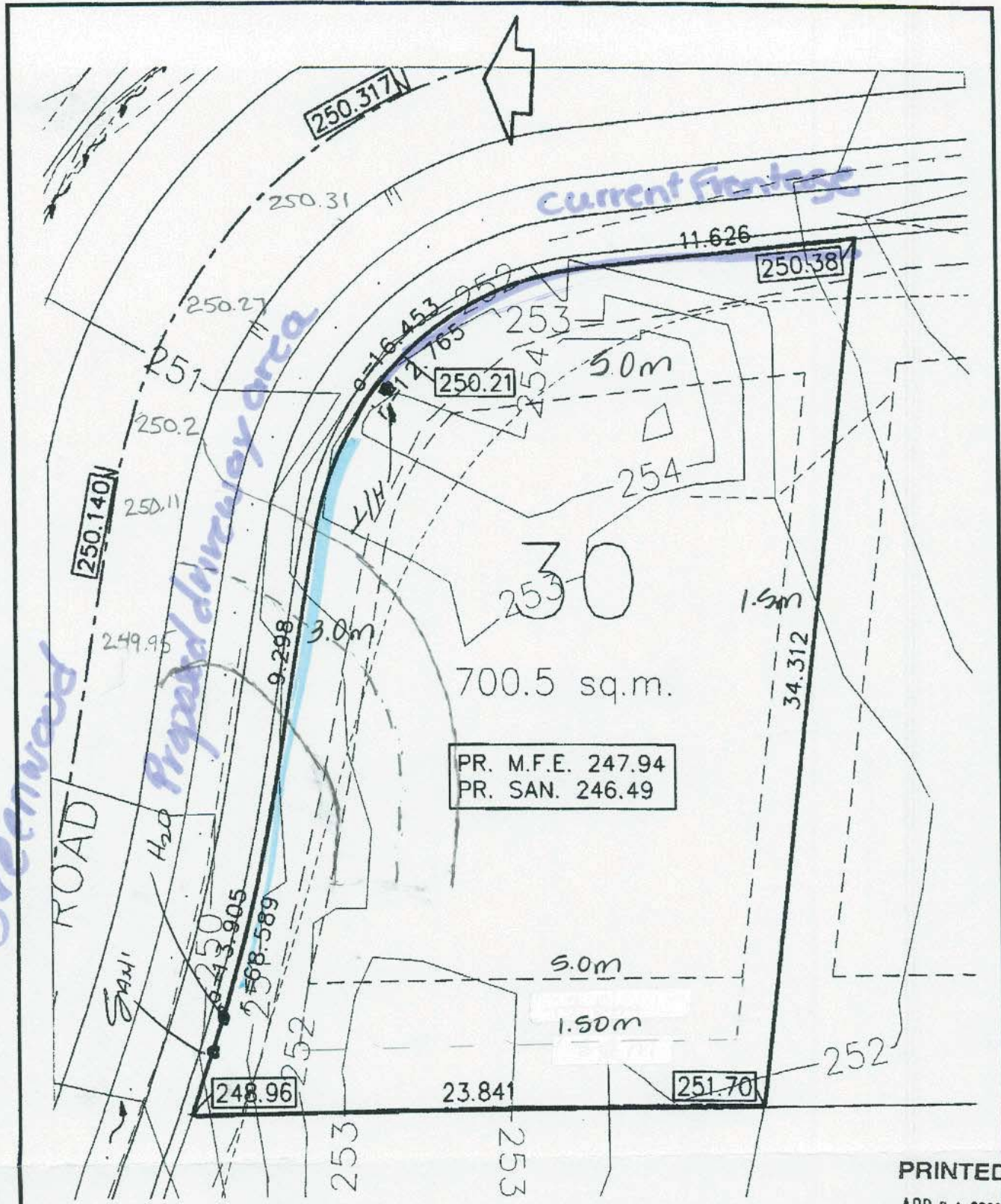
Caroline Lamont, Manager of Development Services

Appendices:

Appendix A – Site Contour Plan

Appendix B – Photos

Appendix C – Letter of Intent



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PEMBERTON BENCHLANDS HOUSING CORPORATION
PROPOSED LOT 30
KEYPLAN

DRAWING No: 03-097
DRAWN BY: SM
DATE: 08-04-17
SCALE: 1:200

PHOTOS

APPENDIX B

North property line looking south west (exterior side yard)



Looking west along north property line (exterior side yard)



Looking south along front (west) property line



Looking west along north (exterior side yard) property line



Looking east at south (interior side yard) property line.



June 10, 2014

Board of Variance
c/o Village of Pemberton
PO Box 100,
Pemberton, BC V0N 2L0

RE: 1350 Greenwood Street – Setback Variance Request

To whom it may concern:

The purpose of this variance request is to obtain a variance of the west set back from 5.0 metres to 1.50 meters and to grant the existing setbacks as shown on the attached keyplan.

Lot 30 or 1350 Greenwood Street is located in the bend of Greenwood Street, causing the lot to be surrounded by road on two of the four sides of the lot. The attached keyplan proposal indicates a front yard off of Greenwood Street on the East, which is not ideal due to the nature of the rock in place and the high cost of drilling and blasting. Additionally the rock acts as a natural buffer for sightlines.

We would like to gain driveway access from the North side of the lot, maintaining the 3.0 metre setback as shown. Driveway access is best suited from the North side, due to favourable topography and the nature of the rock on the East (please see keyplan topography).

Due to the nature of the curve in the road and existing rock on site, a request of variance on the west side from 5.0 meters to 1.50 meters would allow for a home to be situated on the lot to take advantage of the natural benefits of the property. The neighbouring properties would still maintain the minimum 4.5 meter combined setback (1.5 m interior and 3.0 m exterior).

It is anticipated that there will be no impact on the roadway or on the neighbouring properties. The geography of the land make any other choices extremely costly and detract from the natural benefits of the property.

Thank you for your consideration,

PEMBERTON BENCHLANDS HOUSING CORP.



Joanne Molinaro
Director