

-BOARD OF VARIANCE

Agenda for the Board of Variance Meeting of the Village of Pemberton to be held Wednesday, July 22, 2015 at **10:00am** at 7400 Prospect Street.

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1. CALL TO ORDER	
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• Draft Minutes of the July 14, 2014 BoV Meeting	
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5. NEXT MEETING	
6. ADJOURNMENT	

BORD OF VARIANCE MINUTES -

Minutes for the Board of Variance of the Village of Pemberton held July 14, 2014 at 10:00am at 7400 Prospect Street, Pemberton, BC.

IN ATTENDANCE:	Niki Vankerk Rob Meilleur
ABSENT:	Drew Meredith
STAFF IN ATTENDANCE:	Caroline Lamont, Development Services Manager Suzanne Bélanger, Project Coordinator
APPLICANT:	Joanne Molinaro, Benchlands Housing Corporation

1) CALL TO ORDER

At 10:05am the meeting was called to Order.

2) MINUTES

Moved/Seconded

THAT the minutes of the BoV meeting held May 28, 2014 be approved as circulated
CARRIED

3) MEMBERS UPDATE

Board of Variance membership advertising and appointments will be done following the municipal election this fall. Current members will be contacted to seek out their interest in renewing,

4) 1350 GREENWOOD (FRONT SETBACK VARIANCE REQUEST)

Caroline Lamont gave an overview of the application.

- The propose variance is to reduce the front west yard setback from 5.0m to 1.5m.
- Staff concurs in favor of hardship due to the challenging topography of the lot.
- The Village has notified the affected adjacent property owners and no comments have been received.
- The change is mostly affecting one other property (Lot 25) which is also owned by the Benchlands Housing Corporation.

The applicant commented on the land's topography and explained that purchasers are encouraged to work with the topography by preserving the natural feature as much as possible. The current variance request was triggered by a land purchase offer. Potentially, another variance request may also be needed for the adjacent lot 25 as well to accommodate the driveway but even though the application could have been brought forward at the same time, it was decided to wait until there is a clear offer for the property.

The Board Committee members discussed the application.

- Will lot 25 be negatively affected by the variance application. The natural rock formation between the property will help maintain privacy and minimum required set-back of 4.5m between the two property
- Members agreed that the encumbrance of the rock formation was a major difficulty.

RESOLUTION

Moved/Second

THAT the Board of Variance approve the variance to reduce the west set-back to 1.5m.

CARRIED

5) NEW BUSINESS

- Staff mentioned that it is not unusual for Board members to visit the property prior to the meeting; either on their own or to feel free to contact Village Staff to arrange a site visit.

6) NEXT MEETING

TBA

7) ADJOURNMENT

Moved/Second

THAT the Advisory Land Use Commission meeting be adjourned.

CARRIED

At 10:25 the meeting was adjourned.

This is a true and correct copy of a meeting of the BoV of the Village of Pemberton, held July 14, 2014.

Chair

Date: July 22, 2015

From: Lisa Pedrini, Contract Planner

Subject: 7456 Dogwood Street – Setback Variance Request

**Owner/
Agent:** Roger Molinaro, Sabre Holdings Corp.

PURPOSE

This report provides an overview for the Board of Variance of an application submitted by the owner of the property located at 7456 Dogwood Street (Lot 25), 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**.

Lot 25 is located at the corner of Dogwood Street and Greenwood Street, surrounded by road on two of the four sides of the lot. The original plan proposed a front yard off Dogwood on the west, which is not ideal due to the nature of the rockwall in place and the high cost of drilling and blasting. Additionally the rock acts as a natural buffer for sightlines. The landowners would like to gain driveway access from the north side of the lot, off Greenwood Street, maintaining the three (3.0) meter exterior setback as shown. The photos attached as **Appendix B** provide a visual context of the property.



A variance was approved by the Board of Variance in July 14, 2014 for the adjacent lot, 1350 Greenwood Street, to vary the rear (west) lot line from 5 m to 1.5 m for similar reasons.

DESCRIPTION

The proposed variance is to reduce the rear (east) yard setback from five (5.0) m to three (3.0) m. The exterior (north) side setback would remain as 3.0 m.

DISCUSSION

A Board of Variance has the ability to vary certain provisions in 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 development originally approved in 2004. The intent is to construct a house that would better respond to the natural topography and reduce the amount of blasting. The landowner has informed the Village that there is a potential purchaser for the lot and that time is of the essence.

Front Lot Line – The Zoning Bylaw defines the front lot line as being 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 lot line. 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, as the homes would most likely be built to take advantage of the views to the south, not east/west. 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 7456 Dogwood 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.



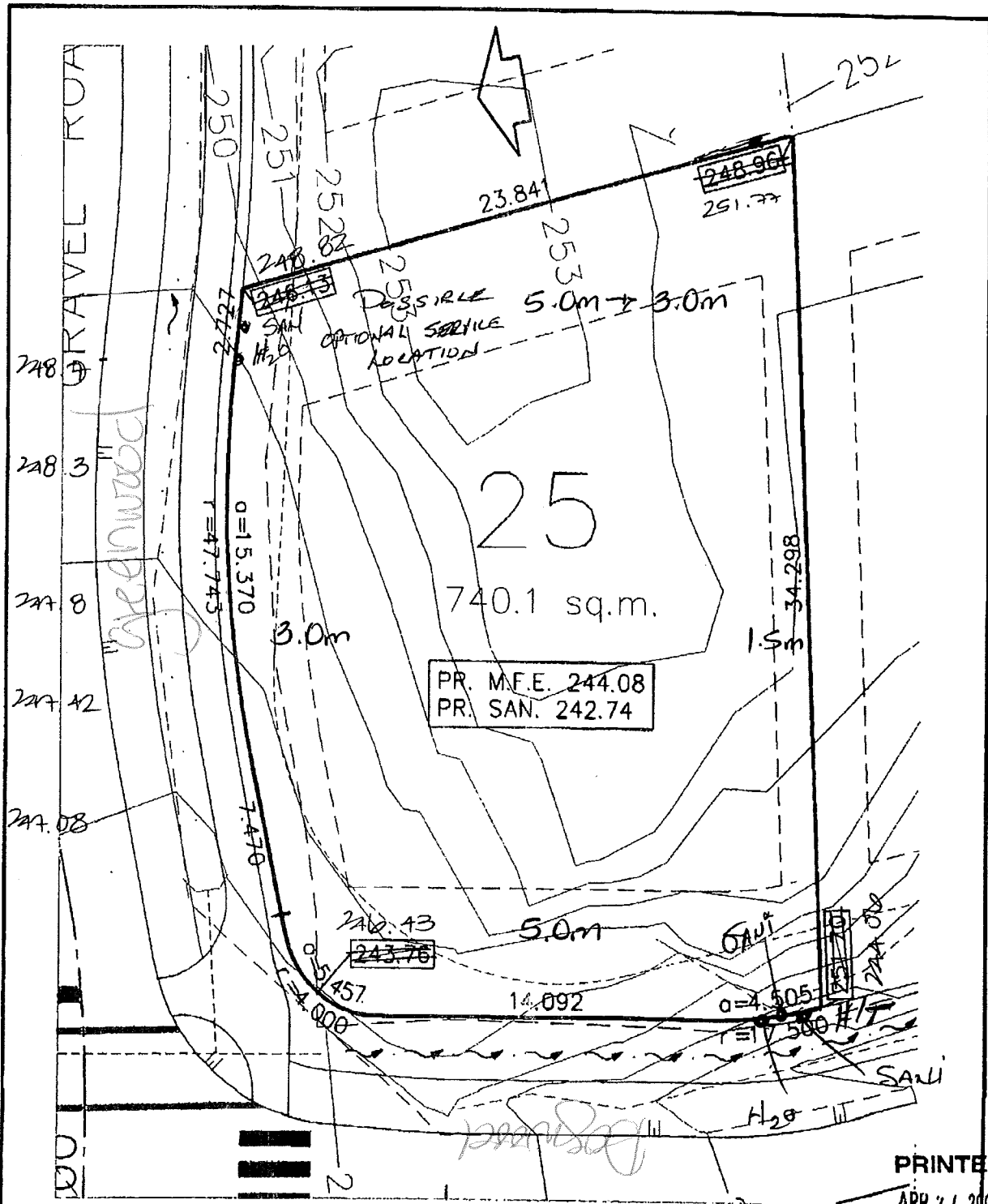
Lisa Pedrini, Contract Planner

Appendices:

Appendix A – Site Contour Plan

Appendix B – Photos

Appendix C – Letter of Intent



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PEMBERTON BENCHLANDS HOUSING CORPORATION
PROPOSED LOT 25
KEYPLAN

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

PHOTOS

APPENDIX B

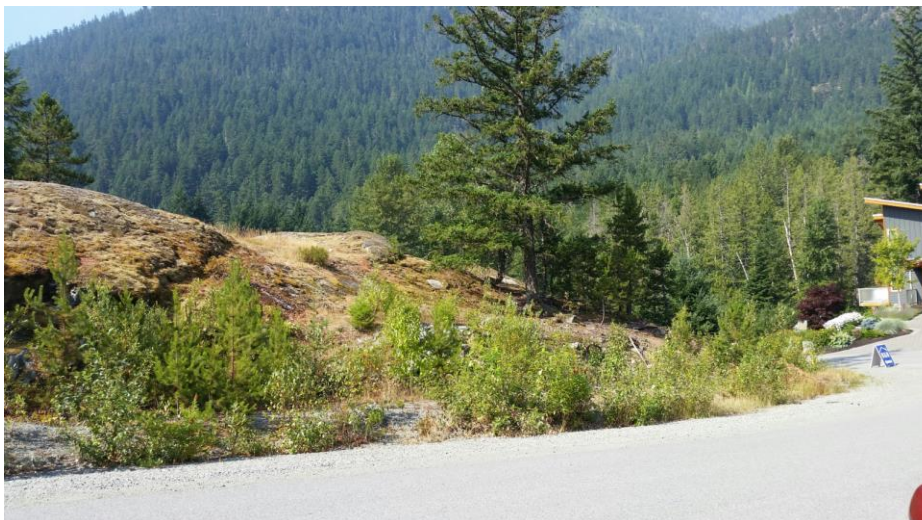
Looking South at front (West) and side exterior (North lot line)



Looking South at Exterior Side (North) lot line (along Greenwood Street)



Looking East at Exterior Side Lot Line (along Greenwood Street)



Looking West at the corner of Front Lot Line and Exterior Side Lot Line (corner of Dogwood Street and Greenwood Street)



Looking West at Front Lot Line (along Dogwood Street)



Looking North at Front Lot Line (Notice the Hydro Service Box in front – the servicing for this line runs along Dogwood Street)



June 26, 2015

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

RE: 7456 Dogwood Street – Setback Variance Request

To whom it may concern:

The purpose of this variance request is to obtain a variance of the east set back from 5.0 metres to 3.0 meters and to grant the existing setbacks as shown on the attached keyplan.

Lot 25 or 7456 Dogwood Street is located in the bend of Dogwood 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 Dogwood Street on the West, 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 West (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 east side from 5.0 meters to 3.0 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,

SABRE HOLDINGS CORP.



Roger Molinaro
Agent