

-BOARD OF VARIANCE

Agenda for the Board of Variance Meeting of the Village of Pemberton to be held Wednesday, January 20, 2016, 2015 at **9:30am** at 7400 Prospect Street.

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• Draft Minutes of the July 22, 2015 BoV Meeting	
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BORD OF VARIANCE MINUTES -

Minutes for the Board of Variance of the Village of Pemberton held July 22, 2015 at 10:00am at 7400 Prospect Street, Pemberton, BC.

IN ATTENDANCE:	Niki Vankerk Alan Leblanc Drew Meredith
STAFF IN ATTENDANCE:	Lisa Pedrini, Village Planner Suzanne Bélanger, Project Coordinator
APPLICANT:	0
PUBLIC:	1

1) **CALL TO ORDER**

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

2) **ELECTION OF CHAIR**

The Election of Chair was held as there was a quorum in attendance.

Moved/Second

THAT Niki Vankerk be elected as the Chairperson and Drew Meredith as Co-Chair of the Board of Variance

CARRIED

3) **MINUTES**

Moved/Seconded

THAT the minutes of the BoV meeting held July 14, 2014 be approved as circulated

CARRIED

4) **LOT 25-SETBACK VARIANCE REQUEST (7456 DOGWOOD STREET)**

Lisa Pedrini gave an overview of the application.

- A Board of Variance was approved for the adjacent land of lot 25 (Lot 30) in July 2014, to vary the rear (west) lot line from 5 metres to 1.5 metres due to rocky and varying topography on the site.
- Lot 25 is requesting a variance to reduce the rear (east) yard setback from five to 3 metres for the same topographic issues.
- The Village has notified the affected adjacent property owners and no comments have been received.

- Staff presented some drawings that were provided by email by the applicant half an hour prior to the meeting showing a site plan with a potential layout of a house on Lot 25.
- The change is mostly affecting one other property (Lot 25) which was sold to a private party following the 2014 variance as noted previously.

At 10:15, a member of the public (Resident of the Benchlands Neighbourhood) joined the meeting and requested some clarification on the variance.

- Is the variance affecting the side exterior set-back (Dogwood Frontage).
The Village Planner explained that the variance does not affect the northern setback of the property.
- The maximum elevation of a home on the property was also discussed.
Staff explained that the elevation is legislated by the zoning bylaw for lot coverage and elevation (maximum of 10.5m).

The Board of Variance members discussed the application.

- Will the variance affect the neighboring properties negatively? It was determine that Lot 30 would be the most affected land but the new owner was familiar with the intent having gone through the same hardship. The land purchase was based on his variance being permitted. As previously noted no comments had been received following the mailed notification.
- The drawings presented to the BoV members was confusing as it did not demonstrated the hardship where a 1.5m set-back would be required on the east side.
- Members agreed that the encumbrance of the rock formation was a major difficulty and that the drawing provided with the application were sufficient in reviewing the variance request.

At 10:30, the member of the public left the meeting.

RESOLUTION

Moved/Second

THAT the Board of Variance approve the variance to reduce the east set-back from 5mere to 1.5metre.

CARRIED

5) NEW BUSINESS

The Board of Variance members discussed that is would be beneficial to receive more details on the site layout to get a better understanding of the hardship.

Moved/Seconded

THAT the Village request from future applicant more details relating to the home layout and proposed site plan.

6) **NEXT MEETING**

TBA

7) **ADJOURNMENT**

Moved/Second

THAT the Advisory Land Use Commission meeting be adjourned.

CARRIED

At 10:45 the meeting was adjourned.

This is a true and correct copy of a meeting of the BoV of the Village of Pemberton, held July 22, 2015.

Chair

Date: January 08, 2016

From: Lisa Pedrini, Village Planner
Suzanne Bélanger, Project Coordinator

Subject: 1349 Greenwood Street – Setback Variance Request

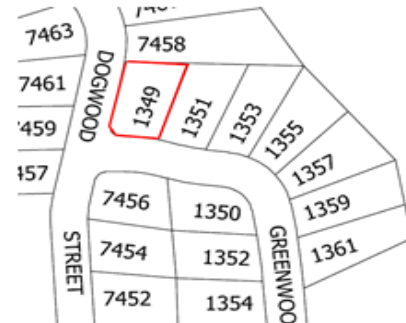
**Owner/
Agent:** Joanne Molinaro, Sabre Holdings Corp.

PURPOSE

This report provides an overview for the Board of Variance of an application submitted by the owner of the property located at 1349 Greenwood Street (Lot 7, DL 202, KAP76833, LLD), requesting a relaxation rear 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 7 (1349 Greenwood Street) is located at the north east 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 Greenwood on the south end of the lot, which is not ideal due to the nature of the rock wall in place and the high cost of drilling and blasting. Additionally the rock acts as a natural buffer for sightlines. Furthermore, there are safety concerns at the Dogwood/Greenwood intersection. The landowners would like to gain driveway access from the west side of the lot, off Dogwood Street. The frontage change proposed would require the setbacks to be as follow:

- Front yard (off Dogwood Street)= minimum 5.0m setback required
- North side= minimum 1.5m setback required
- South side (Greenwood Street side) = minimum 3.0 m setback required.
- Rear setback= minimum 5.0m setback

The variance request is to modify the following:

- Rear setback= from 5m as to 1.5m. This is the same setback distance should the driveway access remain off Greenwood Street.

The south setback would be extended from the required 3.0m to 5.0m in exchange of the rear setback reduction.

No variance is required for this change. Please see **Appendix B** for visual details.

A variance was approved by the Board of Variance in July, 2015 for a similar lot located across the street, 7456 Dogwood Street, reducing the rear (east) yard setback from 5.0 m to 3.0 m.

As well a variance was approved by the Board of Variance in July, 2014 for 1350 Greenwood to vary the rear (west) lot line from 5.0 m to 1.5 m for similar reasons.

DESCRIPTION

The proposed variance is to change the driveway/frontage to be off Dogwood Street and allow for the rear setback to be 1.5m instead of 5.0m. as required by the Village Zoning Bylaw.

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. The neighbouring properties were notified (**Appendix D**) of the variance application.

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

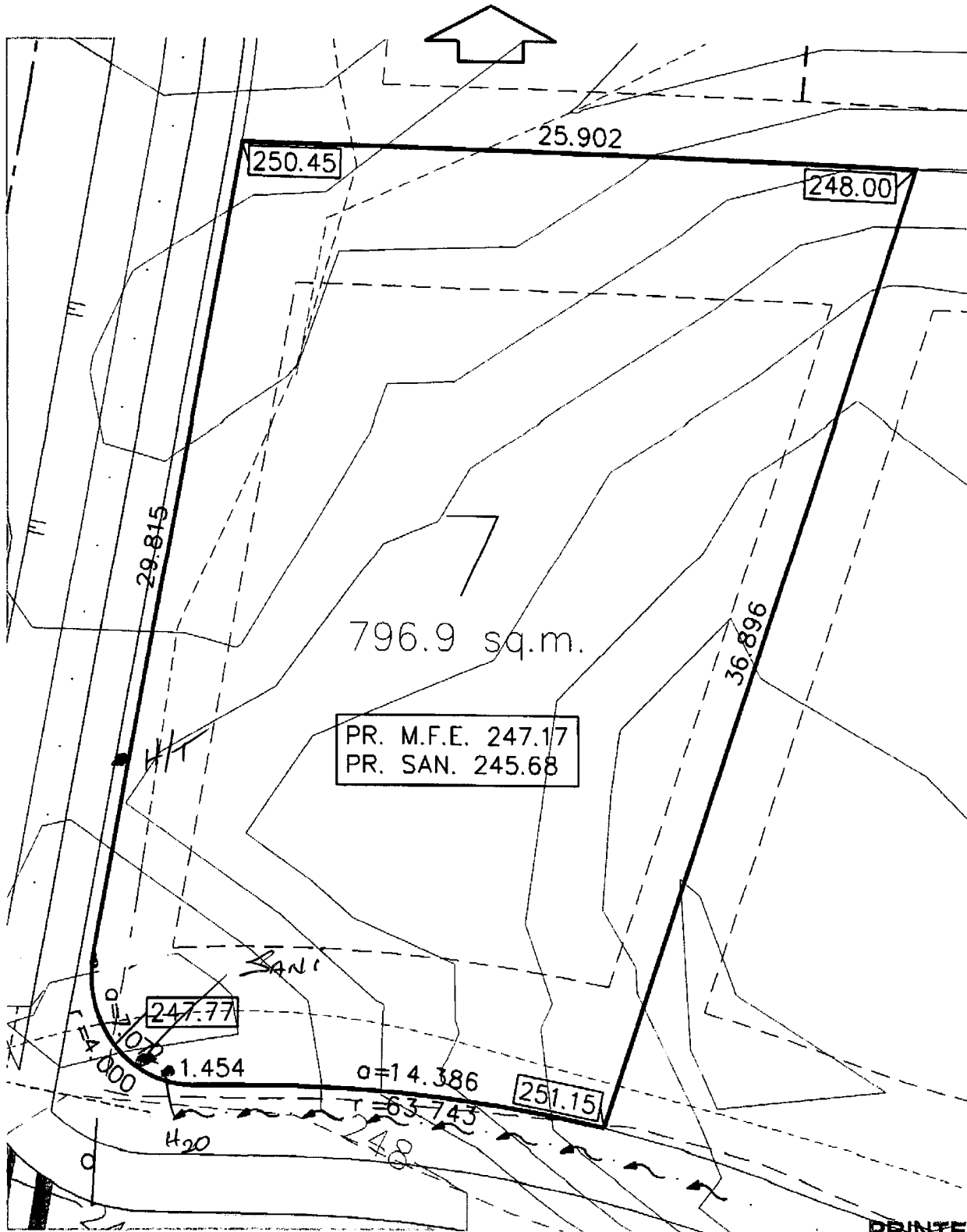
The decision of the majority of the membership shall be the decision of the Board. As per the Board of Variance Bylaw No. 678, 2011, the Village of Pemberton Board of Variance Secretary shall, within seven (7) days of a decision, send by mail or otherwise deliver the written decision of the Board to 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, Village Planner

Appendices:

- Appendix A – Existing Site Plan
- Appendix B – Proposed set-backs & Photos
- Appendix C – Letter of Intent
- Appendix D – Public Notice



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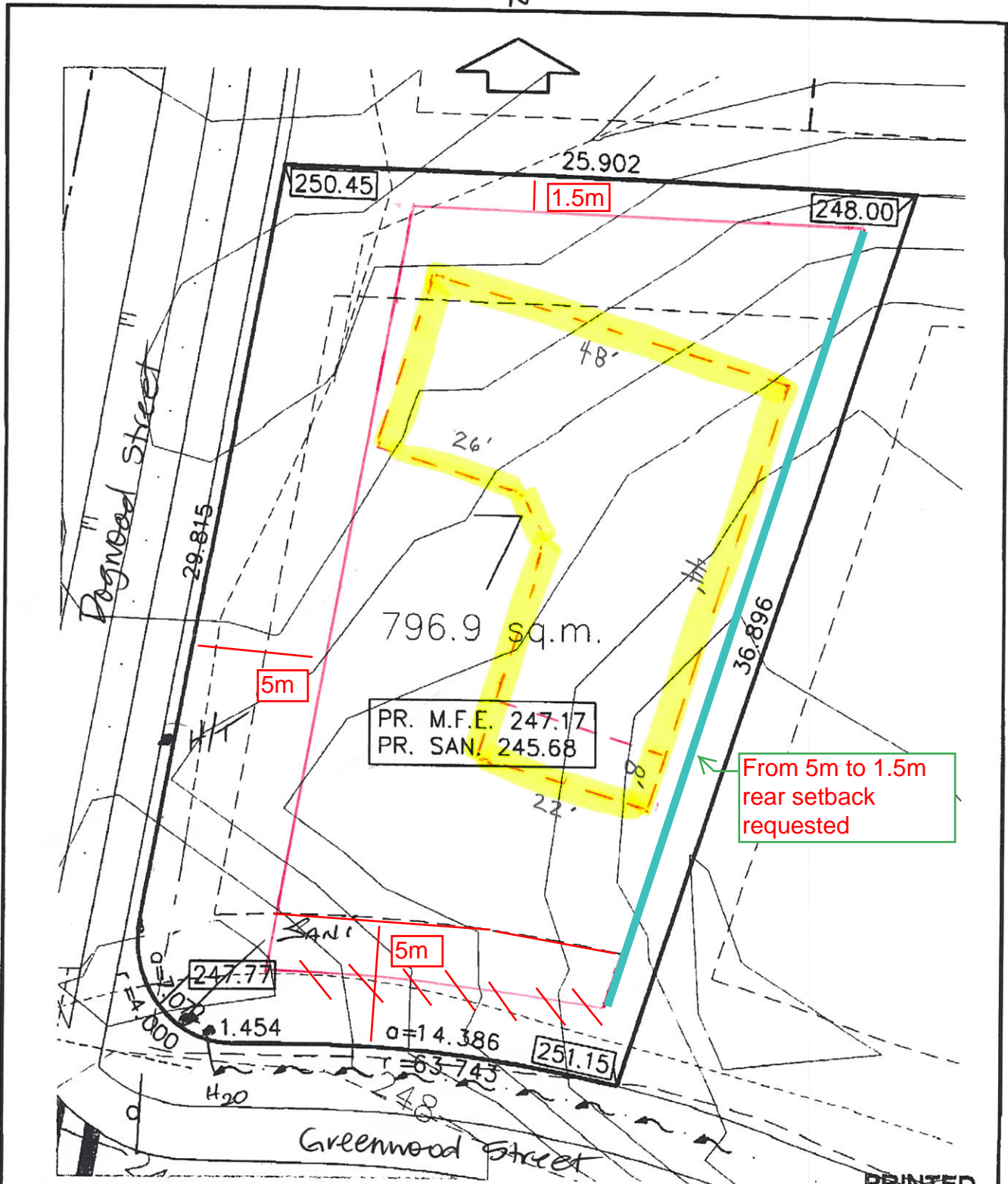
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PEMBERTON BENCHLANDS HOUSING CORPORATION
PROPOSED LOT 7 KEYPLAN

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

Appendix B - Variance Request

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PEMBERTON BENCHLANDS HOUSING CORPORATION
PROPOSED LOT 7
KEYPLAN

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

S

GREENWOOD STREET/LOOKING NORTH



DOGWOOD STREET/LOOKING EAST-SOUTH



DOGWOOD STREET/LOOKING EAST





December 11, 2015

Board of Variance
c/o Village of Pemberton
via email: lpedrini@pemberton.ca

RE: Lot 7 – 1349 Greenwood Street – Setback Variance Request

Dear Board of Variance Members:

The purpose of this variance request is to obtain a variance of the east/rear set back from 5.0 metres to 1.50 meters as indicated on the attached keyplan (Appendix B).

Lot 7 is located at the uphill intersection of Dogwood and Greenwood Streets, causing the lot to be surrounded by road on two (west and south) of the four sides of the lot. Appendix A, the attached keyplan, shows a front yard on Greenwood. This presents a hardship in that the proposed front yard is unsafe off of Greenwood Street, given its proximity to the intersection. Village of Pemberton bylaws determine a driveway needs to be 5.0 meters from an intersection. The existing rock of the neighbouring properties as well as the curve in Greenwood Street to the east create poor sightlines. Additionally, to accommodate off street parking for the suite and house, a large or two driveways would be required, which is challenging given the limited usable area due to the intersection.

Appendix B outlines our request for variance. We would like to gain driveway access from the West (or Dogwood) side of the lot. Driveway access is best suited from the west, due to this being the longer side of the lot, as well as for safety and sightlines. Additionally, with the driveway being proposed off of Dogwood, there is more distance from the intersection and the existing headwall should remain intact. In changing the front yard to Dogwood Street, the rear setback of 5.0 meters is extremely restrictive, essentially reducing the lot depth from 25.9 to 15.9 meters.

We kindly request that you consider our request a variance of the rear setback from 5.0 m to 1.50 m, to accommodate the proposed building and enhance traffic flow and safety of the intersection. Reducing the rear setback continues to maintain 302.3 (b) wherein the total of the two interior lot line setbacks shall not be less than 4.5 meters, as well as leaving the bulk of the natural topography intact and maintaining the integrity of the headwall and enhancing intersection safety. It is anticipated that there will be an improved impact on the roadway or no impact to the neighbouring properties.

One item that has come to light is the house numbers, should access be granted from Dogwood Street. Currently lot 7 has a civic address of 1349 Greenwood Street. We would propose that lot 25's current civic of 7456 Dogwood Street be changed to 1348 Greenwood Street, as access has been permitted from Greenwood as per previous variance request. Subsequently, lot 7 could be given the civic 7456 Dogwood Street. Please see Appendix C.

Thank you for your consideration,
SABRE HOLDINGS CORP.

Joanne Molinaro
Director

Questions?
We're
Listening.



Phone
(604) 894.6135



Email
admin@
pemberton.ca



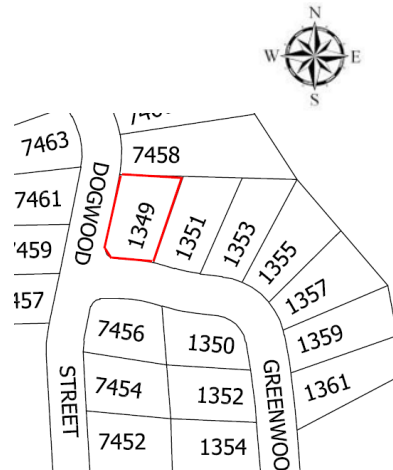
Website
www.pemberton.ca

BOARD OF VARIANCE MEETING

RE: 1349 GREENWOOD STREET

Wednesday January 20, 2016

Meeting Time/Location: 9:30 A.M. 7400 Prospect Street, Pemberton, BC



The landowners of 1349 Greenwood Street have requested a variance to change the designated property frontage to be off Dogwood Street. The frontage change proposed would require the setbacks to be as follow:

- Front yard (off Dogwood Street)= minimum 5.0m setback required
- North side= minimum 1.5m setback required
- South side (Greenwood Street side) = minimum 3.0 m setback required.
- Rear setback= minimum 5.0m setback

The variance request is to modify the following:

- Rear setback= from 5m as to 1.5m. This is the same setback distance should the driveway access remain off Greenwood Street.

The south setback would be extended from the required 3.0m to 5.0m in exchange of the reduction. No variance is required for this change.

The intent of the variance is to allow the construction of a house that would better respond to the natural topography, reduce the amount of blasting required to remove the rock outcrop and create a safer Dogwood/Greenwood Intersection

How do I get more information?

A copy of the staff report may be inspected at the Village of Pemberton website (www.pemberton.ca) or their office at 7400 Prospect Street from Monday January 11, 2016 to Wednesday January 20, 2016 during the office hours of 8:30 a.m. to 4:30 p.m., Monday through Friday (statutory holidays excluded). For more information contact Tim Harris, Manager of Operations and Development Services at 604-894-6135 or tharris@pemberton.ca