

-BOARD OF VARIANCE

Agenda for the Board of Variance Meeting of the Village of Pemberton to be held *Thursday, January 17, 2019 at 5:30 PM* at 7400 Prospect Street.

	Report Total Pages
1. CALL TO ORDER	
2. GENERAL UPDATE	
3. MINUTES	3
• Minutes of the April 4 th , 2018 BoV Meeting	
4. 1776 Pinewood Drive (Strata Lot 60, DL 211, Plan KAS 1994)	
To reduce a portion of the front setback from 5 meters to 3.14 meters (a difference of 1.86 m) to facilitate the siting of an attached garage.	14
• Report to BoV	
5. NEW BUSINESS	
6. NEXT MEETING	
7. ADJOURNMENT	

BOARD OF VARIANCE MINUTES

Minutes for the Board of Variance (BoV) of the Village of Pemberton April 04, 2018 at 10:30am at 7400 Prospect Street, Pemberton, B.C.

IN ATTENDANCE:	Niki Vankerk Drew Meredith Al Leblanc
STAFF IN ATTENDANCE:	Lisa Pedrini, Senior Planner Suzanne Bélanger, Operations & Development Services Coordinator
APPLICANT/PUBLIC:	James Robertson-Applicant/1927 Carpenter Road Shelley Robertson-Applicant/1927 Carpenter Road Brenden Martin-Owner/1931 Carpenter Road

1) **CALL TO ORDER**

At 10:32 the BoV meeting was called to Order.

2) **MINUTES**

Moved/Seconded

THAT the minutes of the BoV meeting held December 4, 2017 be approved as circulated.

CARRIED

3) **LOT 28, PLAN KAP73972 - FRONT & EXTERIOR LOT LINE SETBACK VARIANCE REQUEST (1927 Carpenter Road)**

The Village Senior Planner and the applicant provided an overview of the variance request. An unnamed ditch that drains into Grandmother Slough runs through the subject property. The applicant succeeded in having the riparian area setback and the Dyking District's right of way reduced from 24 meters to 12 meters through an application to the Ministry of Environment and the Dyking District. However, the adjusted riparian setback still dictates that 30% of the property cannot be used for development; therefore the applicant is seeking a relaxation of both the front and exterior lot line setback in order to site his industrial building.

DISCUSSION

- A member questioned if the water channel should not be culverted in its entirety.
- Village staff informed the BoV that the Dyking District supported the addition of a culvert on several properties within the last few years; however, it is the Village's understanding that the Dyking District will not permit any new culverts to be installed in order to allow for channel maintenance.
- Discussion on the building orientation and façade was discussed. The members were reminded that the Village no longer regulates the design of developments at the Industrial Park since the Development Permit Area was removed from the M-1 zone; therefore siting within the setbacks and design aspects of development are solely the landowner's decision.
- A small modification of the site plan was provided by the applicant to demonstrate an adjustment to the siting of the first floor corner of the building (that corner closest to the intersection of Carpenter and Old Mill Road) to allow for sufficient sightline clearance for safety issues. The variance request remains the same as the second floor may cantilever over this section.

RESOLUTION

Moved/Seconded

THAT the Board of Variance approves the request for 1927 Carpenter Road, as presented, to vary the front lot line setback from 7.5 meters to 1.5 meters and to vary the exterior lot line setback from 3 meters to 1.5 meters due to hardship.

CARRIED OPPOSED: One member

4) **STRATA LOT 48, PLAN KAS1994, DL 211, LLD - REAR LOT LINE SETBACK VARIANCE REQUEST (1765 Pinewood Street)**

Village staff provided clarification on an error in the information provided to the Board of Variance on a previous application for the same property.

Previously, it was incorrectly calculated by staff that the variance request was to reduce the rear lot line setback from 5 meters to 3.5 meters to accommodate a deck. However, the variance request was actually to reduce the setback from 5 meters to 2.8 meters (a reduction of 2.2 meters); therefore 0.70 meters more than originally communicated.

The subject property is located on steep terrain with road surrounding three sides.

DISCUSSION

The Board members recommended that applicants present clearer information on their submission with respect to their variance requests in the future, so that staff does not have to make calculations using a scale.

RESOLUTION

Moved/Seconded

THAT the Board of Variance approves the request for 1765 Pinewood Street, as presented, to vary the rear lot line setback from 5 meters to 2.8 meters due to hardship.

CARRIED

5) NEW BUSINESS

No new business.

6) NEXT MEETING

TBA

7) ADJOURNMENT

Moved/Seconded

THAT the Board of Variance meeting be adjourned.

CARRIED

At 11:15am the meeting was adjourned.

This is a true and correct copy of a meeting of the Board of Variance of the Village of Pemberton, held April 04, 2018.

Chair

Date: January 17, 2019

From: Lisa Pedrini, Senior Planner

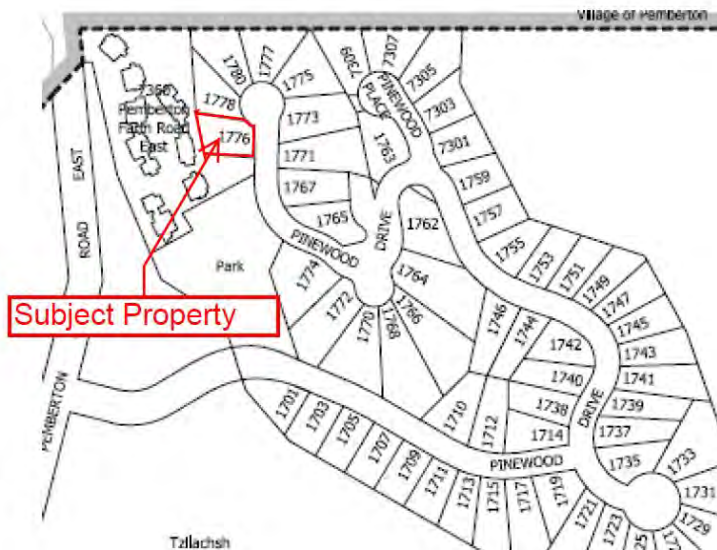
Subject: 1776 Pinewood Drive – Front Setback Variance Request

**Owner/
Agent:** Dinny Corcoran

PURPOSE

This report provides an overview for the Board of Variance of an application submitted by the owner of the property located at 1776 Pinewood (Lot 60, Strata Plan KAS1994, DL 211, LLD), requesting a relaxation from the permitted front yard setback in the Zoning Bylaw. A location plan is shown below.

LOCATION PLAN



BACKGROUND

Lots along Pinewood Drive above Pinewood Place are challenged due to the rocky, steep and varying topography of the sites.

1776 Pinewood Drive (Lot 60) is located near the top of the hill on steep, sloping terrain. The property is zoned R-1 as per the Village of Pemberton Zoning Bylaw No. 832, 2018 and has minimum building setbacks of 5 m for front and rear lot lines, and 3 m for exterior and 1.5 m for interior lot lines.

When the owners first applied for their Building Permit in 2017, they were under the impression that the garage should be considered a separate detached accessory building, that would be subject to the lot line setbacks of an accessory (detached) building or structure. However, staff explained to them that since their proposed garage is attached to/shares common walls with the principal building; it cannot be considered an accessory building or structure, and therefore must abide by the lot line setbacks of a principal building.

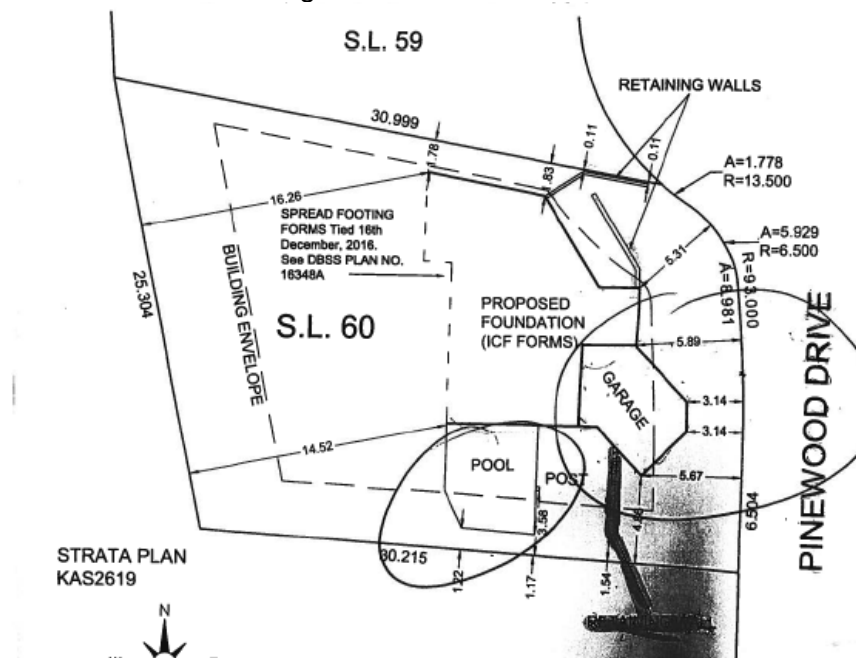
At the time the owners were advised that the siting of their principal building did not meet the lot line setback requirements, we could not proceed with the issuance of a building permit. To rectify this and in order to not delay issuance of their Building Permit, they were given two (2) options:

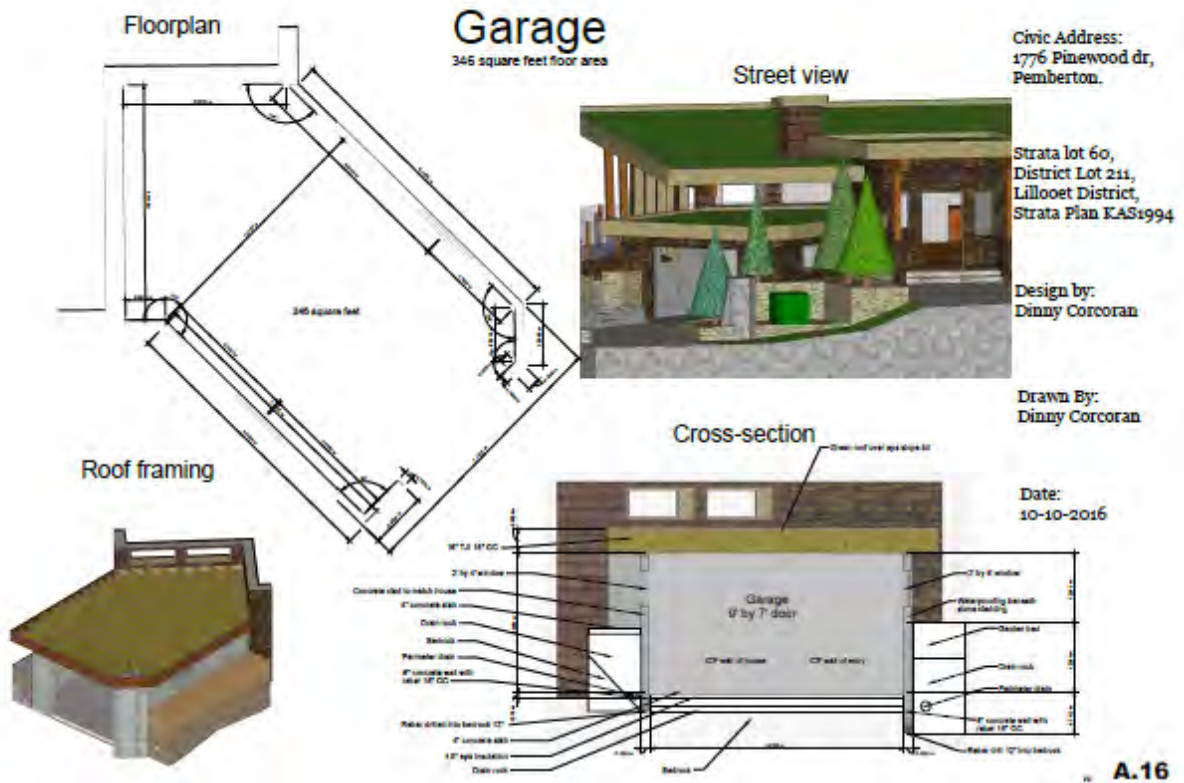
- (1) Remove the garage from the building permit plans, and plan to remove the foundation and choose to not have a garage in this location; or
- (2) Remove the garage from the building permit plans, and apply either for a Development Variance Permit (DVP) or to the Board of Variance (BOV) for a relaxation of the Front Lot Line Setback from 5 m to 3.14 m.

The applicants chose to cross out the foundation portion of the garage and make a note (“pending approval of variance”), and were given a building permit for their single family home (minus the attached garage) allowing them to begin construction in 2017.

At this time, they are now seeking a relaxation from the Board of Variance due to the topography of their lot (steeply sloping downhill from front to back) for the siting of their garage. The relaxation they are seeking is for the front lot line setback, for a principal building, from 5 m to 3.14 m for the one corner of the garage that protrudes into the required minimum setback.

Please see the drawings below.





A notice regarding this application has been mailed to all neighbouring properties within 100 m of the property lines. At the time of writing this report, the Village had not received any comments from neighbours, either for or against the requested relaxation.

OPTIONS

The Board of Variance in their consideration of this revision for 1776 Pinewood Drive has the following options:

- (i) Approve the relaxation;
- (ii) Approve the relaxation with certain conditions;
- (iii) Reject the relaxation and request a 5 m setback as required.

The decision of the majority of the membership shall be the decision of the Board. Village Staff 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. Village staff shall, within seven (7) days of the decision, enter that decision in the record maintained at the local government office.

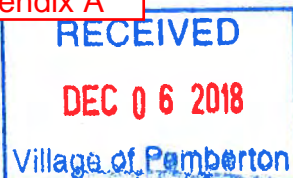
Appendices:

Board of Variance
1776 Pinewood Drive – Front Yard Setback Variance
January 17, 2019
Page 4 of 4

Appendix A – Application & Applicant’s Rationale

Appendix B – Landscape Plan

Appendix C - Photos



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Pemberton BC V0N 2L0
P: 604.894.6135 | F: 604.894.6136
Email: admin@pemberton.ca
Website: www.pemberton.ca

BOARD OF VARIANCE APPLICATION

Date of Application: 06/12/2018

VOP File Number: BP 1618

APPLICANT INFORMATION:

Name: DINNY CORCORAN

Postal Address:

Phone: 604 907 2599

1776 PINEWOOD DR,

Fax: _____

PEMBERTON, BC, V0N 2L3

Cel: 604 907 2579

Email: dinnycorcoran@hotmail.com

REGISTERED OWNER INFORMATION:

Name: DINNY CORCORAN

Postal Address:

Phone: 604 907 2599

1776 PINEWOOD DR,

Fax: _____

PEMBERTON, BC, V0N 2L3

Cel: 604 907 2599

Email: dinnycorcoran@hotmail.com

PROPERTY INFORMATION:

Civic Address:

1776 PINEWOOD DR

Legal Description: Strata lot 60, District lot 211

Zoning Designation: R-1

PEMBERTON, BC,
V0N 2L3

Section in Bylaw to be varied: 11-1-4 Building Regulations
Minimum front setback

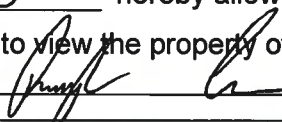
DESCRIPTION OF VARIANCE REQUESTED:

RELAXATION OF FRONT LOT LINE SET-BACK
FROM 5m to 3.14m DUE TO HARDSHIP AND LOT
CONSTRAINTS.

APPLICATION CHECKLIST:

Certificate of Title	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Site Plan	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	
Application Fee	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Property Within Agricultural Land Reserve	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> N/A	
Authorization Form	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	Property Subject to Riparian Area Regulations	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> N/A
Rationale for Variance	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	Property Adjacent to Residential Properties	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A

I, DINNY CORCORAN hereby allow for the purposes of this application, any member(s) of the Board of Variance to view the property of the proposed variance upon request.


Signature

For Office Use Only

Roll No.: _____ Prospero No.: _____
Related Files: _____ Fee Submitted: \$ _____ Receipt No.: _____

Dear Board of Variance members,

My name is Dinny Corcoran. Me and my common-law partner Marie-Claude Baron are building our own house at 1776 Pinewould drive, in the Plateau subdivision.

We have been advised that we need to get a variance for "the relaxation of the front lot line setback from 5m to 3.14m" as one corner of our proposed garage protrudes into the front setback.

For our lot we were allowed a detached double garage with suite above to sit 3m from front lot line, but because our half-buried, single car garage shares a wall with the house it technically becomes part of the main structure and thus requires a variance.

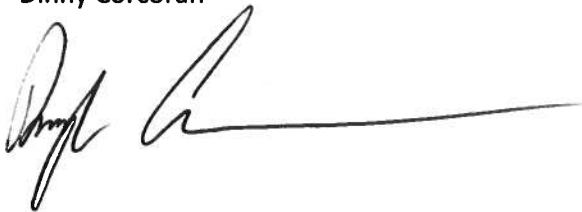
The foundation for the garage currently sits 3.14m from the front lot line, which is itself 3.5m from the street. This means the garage will sit over 6.5 meters (21'6") from the street, which is further away than half the other houses in the neighborhood, let alone their garages.

Due to the topography of our lot (more than 90% of the building setback is 20+ feet below street level), this was the only possible location to site the garage, short of building it into the third floor of the structure.

I was under the misconception that because our garage is outside the main building envelope, has a separate roof line, and is fire-separated from house, I thought it could be deemed as a separate structure and thus fall under the 3m setback requirement. I went to great pains to squeeze it into this 3m setback and keep it as low profile as possible. All but one wall will be 50% buried and edged with gardens. Its roof too will be hidden by foliage (a green roof) and any exposed walls will be clad in stone.

We thank you for your time and are more than willing to provide any further information that is required.

Dinny Corcoran

A handwritten signature in black ink, appearing to read 'Dinny Corcoran', followed by a long horizontal line extending to the right.

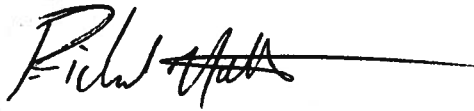
Pemberton Plateau Strata KAS1994
Box 0
Pinewood Drive
Pemberton, BC
V0N 2L3

Dinny Corcoran
1776 Pinewood Drive
Pemberton, BC
V0N 2L3

Dinny,

The Strata Council of the Pemberton Plateau Strata Plan KAS1994 approves your variance application for 1776 Pinewood Drive. If you require anything further, please let me know.

Best regards,

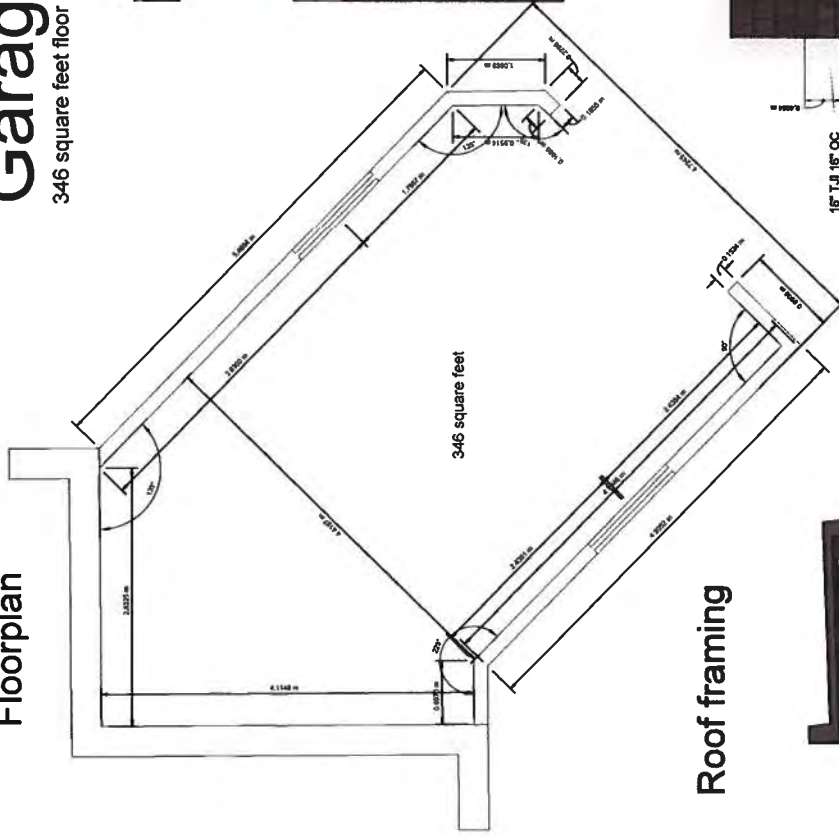
A handwritten signature in black ink, appearing to read "Richard Nott", with a long horizontal line extending to the right.

Richard Nott
on behalf of Pemberton Plateau Strata Council KAS1994

Garage

346 square feet floor area

Floorplan



Street view



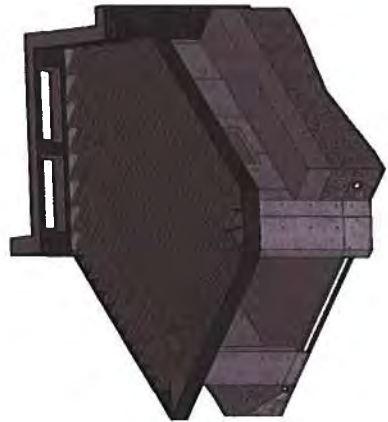
Civic Address:
1776 Pinewood dr,
Pemberton.

Strata lot 60,
District Lot 211,
Lillooet District,
Strata Plan KAS1994

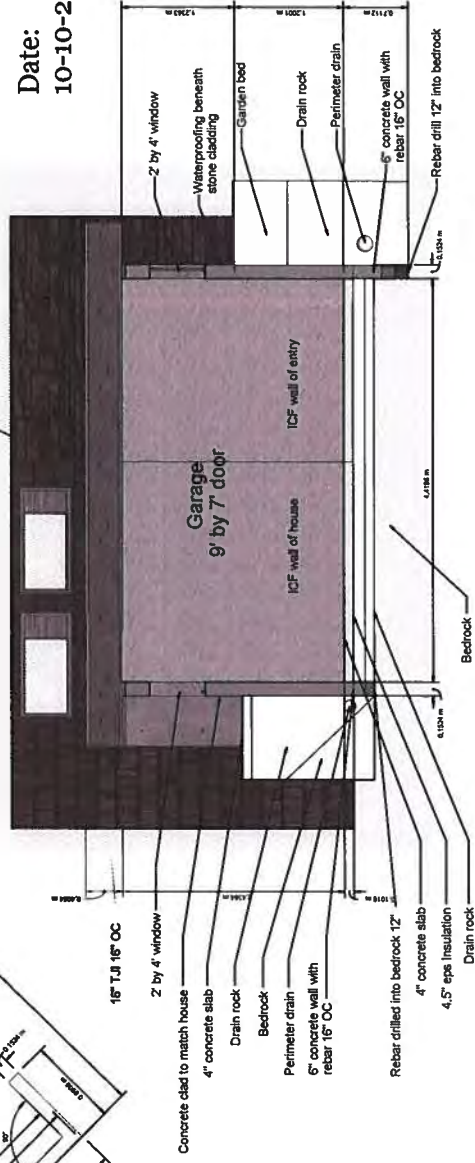
Design by:
Dinny Corcoran

Drawn By:
Dinny Corcoran

Roof framing



Cross-section



Date:
10-10-2016

Landscape/site plan

Height Calculations

(Height from top of grade to highest point on structure excluding chimney.)

A: 35' 9"

B: 44' 8"

C: 42' 6"

D: 26' 10"

E: 23' 11"

F: 16' 9"

G: 16' 9"

H: 16' 9"

I: 16' 9"

J: 26' 7"

K: 29' 9"

Average: 24' 10" from max roof height to average grade.

Area Calculations

Lot size: 7777 square feet
House coverage: 1224 square feet
Garage coverage: 311 square feet
Deck coverage: 1178 square feet
Grotto coverage: 382 square feet
Total coverage: 3095 square feet
Allowable coverage (40% of 7777): 3110.8 square feet

Civic Address:

1776 Pinewood dr,
Pemberton.

Strata lot 60,
District Lot 211,
Lillooet District,
Strata Plan KAS1994

Design by:
Dinny Corcoran

Drawn By:
Dinny Corcoran

Date:
02-08-2017



Appendix C



Looking North at the front elevation



Foundation Looking East with Site Office on left



Front Elevation looking Northwest - foundation of garage marked with orange cones



Front Elevation looking Northeast with garage foundation outline in foreground



Building Inspection Photo – showing rock outcrop intruding into front setback (proof of hardship)