

relaxation of 1.0m;

of 2.0m.

a relaxation of 1.6m; and

# **Board of Variance AGENDA**

# -BOARD OF VARIANCE-UPDATED AGENDA PACKAGE

**Agenda** for the Board of Variance Meeting of the Village of Pemberton to be held Thursday, December 17, 2020 at 5:00 PM via ZOOM Webinar ID: 867 9888 8684

1.	CALL TO ORDER	Page
	In honour of the Lil'wat7ul, the Village of Pemberton acknowledges that we are meeting within the unceded territory of the Lil'wat Nation.	1
2.	APPROVAL OF AGENDA	
	Recommendation: THAT the agenda be approved as presented.	
3.	MINUTES	
	a) Board of Variance Meeting, Thursday, November 26, 2020	3
	<b>Recommendation: THAT</b> the minutes of the Board of Variance meeting held November 26, 2020 be adopted as circulated.	
4.	1348 Greenwood Street – Lot 24 District Lot 211 Lillooet District Plan EPP88381  This application has been updated with revised building plans provided on December 15, 2020 found in Appendix C to reflect a reduction in building height.	6
	Report to Board of Variance: The Applicant is requesting variances to the front lot line, exterior side lot line and rear lot line setbacks to facilitate the development of a single detached residential dwelling. The following variances from Section 11.1.4 of Residential 1 (R-1) of Zoning Bylaw No. 832, 2018 are requested:	
	• To reduce the minimum front west lot line setback from 6.0m to 5.0m, a	

To reduce the minimum exterior north side lot line setback from 4.6m to 3.0m,

To reduce the minimum rear east lot line setback from 5.0m to 3.0m, a relaxation

- 5. NEW BUSINESS
- 6. NEXT MEETING
- 7. ADJOURNMENT



# **BoV MINUTES**

### **BOARD OF VARIANCE MINUTES**

**Minutes** for the Board of Variance Meeting of the Village of Pemberton held Thursday, November 26, 2020 at 5:00 PM via ZOOM Webinar ID: 874 8566 5846

IN ATTENDANCE: Niki Vankerk, Chair

Drew Meredith Alan LeBlanc

**STAFF IN ATTENDENCE:** Joanna Rees, Planner

Chris Derouin, Building Official

Gwendolyn Kennedy, Building & Planning Clerk

**APPLICANT/PUBLIC:** Brian Dorgelo (Applicant)

Maya Wassberg (Applicant)

9

# 1. CALL TO ORDER

At 5:01 p.m. the meeting was called to order.

In honour of the Lil'wat7ul, the Village of Pemberton acknowledges that we are meeting within the unceded territory of the Lil'wat Nation.

### 2. AGENDA

Moved/Seconded

**THAT** the agenda be amended to remove item 4.

**CARRIED** 

# 3. MINUTES

Moved/Seconded

THAT the minutes of the Board of Variance meeting held October 28, 2020, be amended to reflect that a motion was put on the table to deny the variance, and that the motion was not seconded.

# **CARRIED**

Moved/Seconded

**THAT** the minutes of the Board of Variance meeting held October 28, 2020 be approved as corrected.

**CARRIED** 

### 3. 7671 Cerulean Drive - Lot 27 District Lot 211 Lillooet District Plan EPP88381

Planner Joanna Rees presented a report summarizing the variance request. The Applicants are requesting variances to allow for an existing retaining wall structure. The following variances from Sections 4.13 and 7.21 of Zoning Bylaw No. 832, 2018 are requested:

- 1. To vary Section 4.13(a) viii. to vary the height of one retaining wall, from 1.2 metres as required to a maximum of 3.91 meters, a relaxation of 2.71 metres, to be sited on the lot in general compliance with location and height on the Site Plan completed by MW Design Studio dated October 2<sup>nd</sup> 2020 or in a location approved by Building Permit; and
- 2. To vary Section 7.21 9 (a) i. to relax the maximum height of a retaining wall, from 1.2 to a maximum of 3.91 metres, a relaxation of 2.71 metres. Joanna Rees, Planner, presented a brief report summarizing the variance request application. A notice regarding this application was mailed to owners of all properties within 100 metres of the subject lands. The Village received no correspondence in response to this notification.

A notice regarding this application was mailed to owners of all properties within 100 metres of the subject lands. The Village received no correspondence in response.

Ms. Rees invited questions from Board members. The Board requested clarification from Building Official Derouin regarding whether other solutions were available that might render a wall of this size unnecessary.

Chair Niki Vankerk offered the applicants the opportunity to speak.

Maya Wassberg, Architect, MW Design Studio, spoke on behalf of the Applicant, Brian Dorgelo. Ms. Wassberg stated that the applicant had requested guidance from Village Staff regarding permitting requirements and had understood that the retaining wall did not require a permit, and that it had been included under the building permit issued for construction of a single family dwelling on the same lot. Ms. Wassberg contended that the wall does not create a negative impact on adjacent properties and that all lots in the neighborhood require retention due to the steep topography.

Brian Dorgelo, Applicant, reiterated Ms. Wassberg's statement that he had thought that construction of the wall was included in the building permit for the single family dwelling.

Chair Niki Vankerk invited members of the public to speak for or against the application.

Kate Coles, owner of the subject lands, addressed the Board, stating that the retaining wall is necessary to ensure accessibility of the house for her aging parents and to create a backyard for her young children.

Chair Niki Vankerk asked for further submissions from the public. Hearing none, Chair Vankerk closed the floor and referred the matter to the Board for discussion.

The Board members discussed the merits of the application in relation to Section 542 (1) of the Local Government Act.

# Moved/Seconded

**THAT** the application for the following variances from Zoning Bylaw 832, 2018, in accordance with the attached drawing submitted with the Board of Variance application:

- To vary Section 4.13(a) viii. to vary the height of one retaining wall, from 1.2 metres as required to a maximum of 3.91 meters, a relaxation of 2.71 metres, to be sited on the lot in general compliance with location and height on the Site Plan completed by MW Design Studio dated October 2<sup>nd</sup> 2020 or in a location approved by Building Permit; and
- 2. To vary Section 7.21 9 (a) i. to relax the maximum height of a retaining wall, from 1.2 to a maximum of 3.91 metres, a relaxation of 2.71 metres.

be approved on condition of general compliance with BV-3 Landscape Plan completed by MW Studio Design Studio, dated October 15<sup>th</sup>, 2020.

# **DEFEATED**

### Moved/Seconded

**THAT** the application for the following variances from Zoning Bylaw 832, 2018, in accordance with the attached drawing submitted with the Board of Variance application:

- 3. To vary Section 4.13(a) viii. to vary the height of one retaining wall, from 1.2 metres as required to a maximum of 3.91 meters, a relaxation of 2.71 metres, to be sited on the lot in general compliance with location and height on the Site Plan completed by MW Design Studio dated October 2<sup>nd</sup> 2020 or in a location approved by Building Permit; and
- 4. To vary Section 7.21 9 (a) i. to relax the maximum height of a retaining wall, from 1.2 to a maximum of 3.91 metres, a relaxation of 2.71 metres.

does not constitute a minor variance and therefore falls outside the mandate of the Board of Variance.

CARRIED OPPOSED: Chair Niki Vankerk

# 4. NEW BUSINESS

There was no new business for consideration.

# 5. NEXT MEETING

The next meeting has been tentatively scheduled for December 17<sup>th</sup> at 5:00 p.m. Details will be confirmed by Ms. Rees.

# 6. ADJOURNMENT

Moved/Seconded **THAT** the Board of Variance meeting be adjourned. **CARRIED** 

At 6:00 p.m. 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 November 26, 2020.

Chair			



# MEMO BOARD OF VARIANCE

Date: December 17, 2020

From: Joanna Rees, Planner

Subject: 1348 Greenwood Street

Agent: Phil Harrison

#### **PURPOSE**

This report provides an overview of an application submitted by Phil Harrison (the "Applicant"), on behalf of Pacific Columbia Holdings LTD. the owner of the subject property located at 1348 Greenwood Street. The location of the subject lands is shown on Map 1 of **Appendix A**.

The Applicant is requesting variances to the front lot line, exterior side lot line and rear lot line setbacks to facilitate the development of a single detached residential dwelling. The following variances from Section 11.1.4 of Residential 1 (R-1) of Zoning Bylaw No. 832, 2018 are requested:

- To reduce the minimum front west lot line setback from 6.0m to 5.0m, a relaxation of 1.0m;
- To reduce the minimum exterior north side lot line setback from 4.6m to 3.0m, a relaxation of 1.6m; and
- To reduce the minimum rear east lot line setback from 5.0m to 3.0m, a relaxation of 2.0m.

#### **BACKGROUND**

The subject lands have received an updated municipal address, they were previously referred to as 7456 Dogwood Street. The subject lands received a variance to the rear east lot line setback in 2015.

The following resolution regarding the subject lands was granted by the Board of Variance on July 22, 2015:

Moved/Second

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

#### Carried

The meeting minutes of the Board of Variance Meeting held on July 22, 2015 are attached as **Appendix B**.

As per Section 542(3) of the *Local Government Act*, the default time frame is that construction must start within two (2) years from the date of the order, unless otherwise stated by the Board

of Variance in their decision. As construction has not started within two (2) years of the date of the resolution, the previous variance is no longer applicable.

# **DESCRIPTION OF PROPOSAL**

The subject lands legally described as Lot 24 District Lot 211 Lillooet District Plan EPP88381, are known municipally as 1348 Greenwood Street. The subject lands have a varying topography with a large rock formation along the westerly front lot line, as shown below in Figure 1. The dwelling has been designed to keep the rock bluff intact along Dogwood Street and to position the entrance from Greenwood Street.



Figure 1 : Photo of the subject lands taken from Dogwood Street - 11.12.2020

The subject lands are designated Residential in the Official Community Plan and are zoned Residential 1 (R-1) as per Village of Pemberton Zoning Bylaw No. 832, 2018. Adjacent land uses are residential.

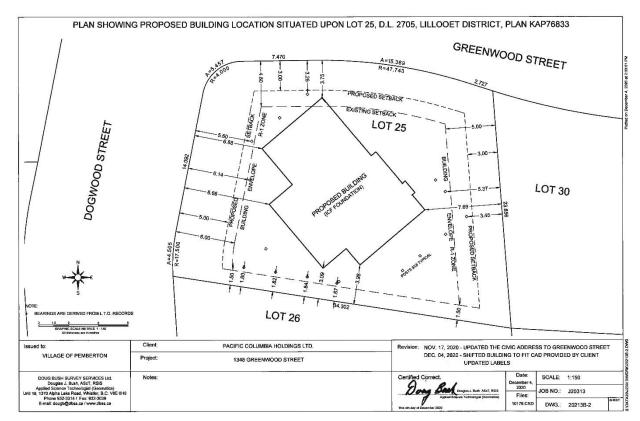


Figure 1: Site Plan Completed by Doug Bush Survey Services Ltd, December 4, 2020

The Village of Pemberton Zoning Bylaw was updated in 2018 and the minimum front yard setback was increased from five (5) metres to six (6) metres in the R-1 Zone to provide additional space for parking.

A rationale for the application was submitted by the Applicants and is attached within the application package, attached as **Appendix C**.

#### **ZONING BYLAW NO. 832, 2018**

The following setbacks apply to the subject lands as per the Residential 1, (R-1) Zone:

- b) Minimum Front Setback: 6 m
- c) Minimum Rear Setback: 5 m
- d) Minimum Interior Side Setback: 1.5 m
- e) Minimum Exterior Side Setback: 4.6 m

The application is requesting variances from b), d), and e) of Section 11.1.4. of Zoning Bylaw No. 832, 2018.

# THE LOCAL GOVERNMENT ACT, R.S.B.C. 2015

The following Section 542(1) of the Local Government Act is relevant to the decision making of the Board of Variance and the under this subsection is final:

**542** (1)On an application under section 540, the board of variance may order that a minor variance be permitted from the requirements of the applicable bylaw, or that the applicant be exempted from section 531 (1) [alteration or addition while non-conforming use continued], if the board of variance

- a) has heard the applicant and any person notified under section 541,
- b) finds that undue hardship would be caused to the applicant if the bylaw or section 531 (1) is complied with, and
- c) is of the opinion that the variance or exemption does not do any of the following:
  - i. result in inappropriate development of the site;
  - ii. adversely affect the natural environment;
  - iii. substantially affect the use and enjoyment of adjacent land;
  - iv. vary permitted uses and densities under the applicable bylaw;
  - v. defeat the intent of the bylaw;
  - vi. vary the application of an applicable bylaw in relation to residential rental tenure.

#### **COMMUNICATIONS**

A notice regarding this application has been mailed and hand delivered to all properties within 100 metres of the subject lands on Tuesday December 8<sup>th</sup> 2020, satisfying Section 541 of the *Local Government Act* and the Village of Pemberton Board of Variance Bylaw No. 678, 2011. At the time of writing this report, five (5) letters from the public have been received that are unsupportive of this application, attached as **Appendix D**. If any additional submissions are received before 12pm on December 17<sup>th</sup>, they will be shared with the Board of Variance as received by Staff.

#### **VARIANCE REQUEST**

To vary Section 11.1.4 of Residential 1 (R-1) of Zoning Bylaw No. 832, 2018, the following variances are being requested:

- To reduce the minimum front west lot line setback from 6.0m to 5.0m, a relaxation of 1.0m;
- To reduce the minimum exterior side north lot line setback from 4.6m to 3.0m, a relaxation of 1.6m; and
- To reduce the minimum rear east lot line setback from 5.0m to 3.0m, a relaxation of 2.0m.

# **OPTIONS**

The Board of the Variance has the following options for the variance requested:

- (i) Approve the variance;
- (ii) Approve the variance with conditions; or
- (iii) Reject the variance.

#### **NOTICE OF DECISION**

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 Village of Pemberton Building Inspector. Village Staff shall, within seven (7) days of the decision, enter that decision in the record maintained at the local government office.

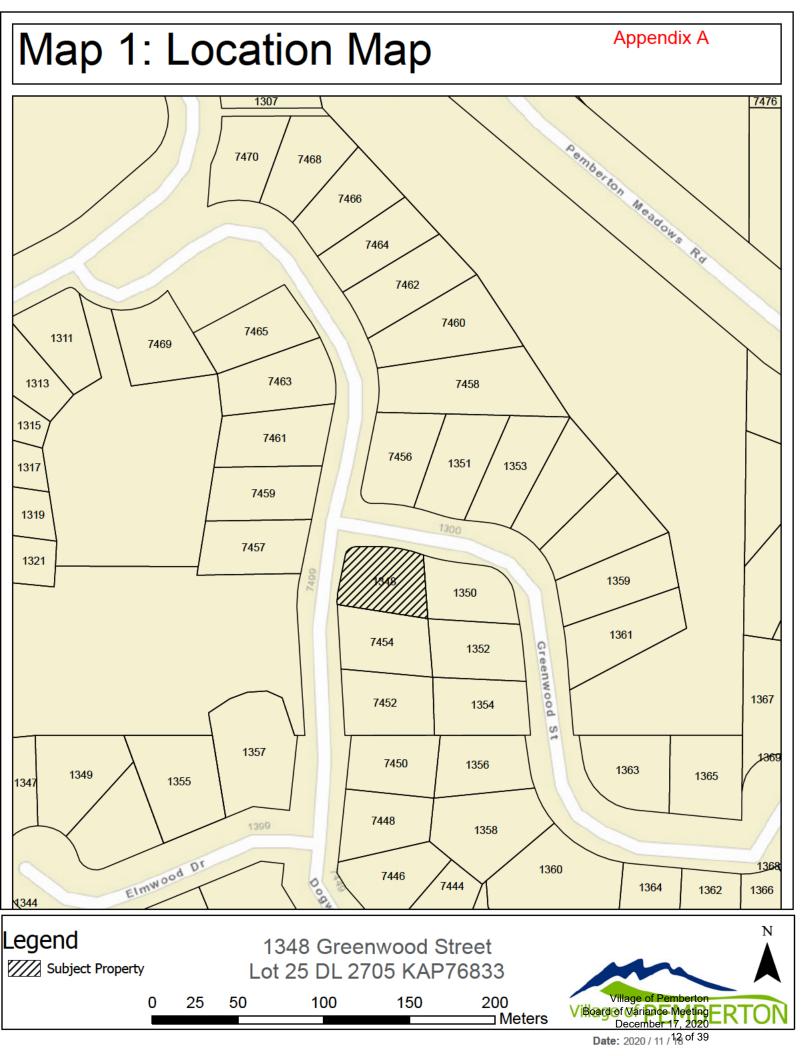
# **ATTACHMENTS:**

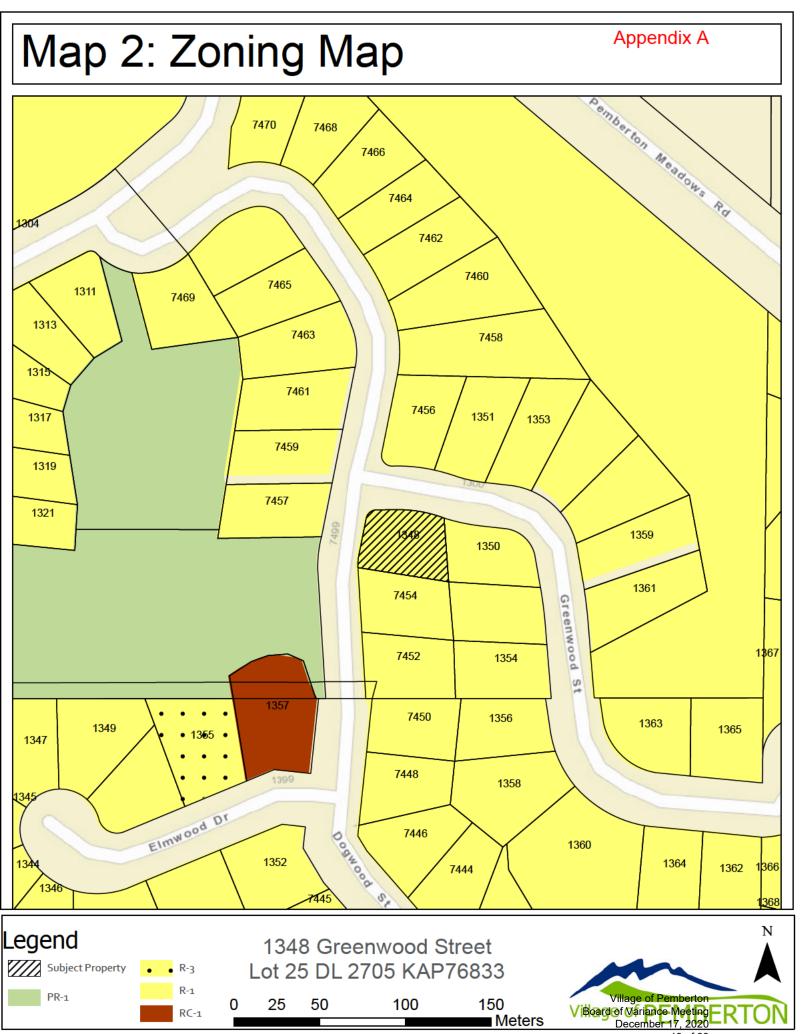
**Appendix A:** Maps 1-2

**Appendix B:** Board of Variance Meeting Minutes – July 22, 2015

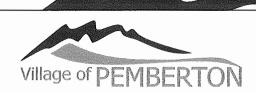
**Appendix C:** Application Package

**Appendix D:** Public Submissions received to date





Date: 2020 / 11 / 1/3 of 39



# **BoV MINUTES**

#### **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 ATTENDENCE:

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 Board of Variance 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

# HARRISON **DESIGN**

**Building Design & Consulting Services** 

P.O. Box 4474 Williams Lake, B.C. V2G 2V5 Ph/Fax (250) 398 5659

Email: harrisondesign@shaw.ca

3 December, 2020

Board of Variance c/o Village of Pemberton P.O. Box 100 Pemberton, B.C. V0N 2L0

# Re: 1348 Greenwood Street (previously listed as 7456 Dogwood Street), Pemberton B.C. – Setback variance request

To whom it may concern,

The purpose of this variance request is to obtain a variance of :

- 1. The East side setback (Lot 30 side) from 5.0m to 3.0m To allow for the corner of the proposed deck to be accommodated.
- The North side setback on Greenwood Street from 4.0m to 3.0m
   To allow for the corner of the building and the Covered Walkway Roof (access to the suite) to be accommodated.
- 3. The West side setback on Dogwood Street from 6.0m to 5.0m, To allow for the corner of the Covered Walkway Roof (access to the suite)

Lot 25 or 1348 Greenwood Street (previously listed as 7456 Dogwood Street), is a corner lot at the junction with Dogwood Street. The site is challenging due to the fact that it is mostly an elevated Rock Bluff and access from the Dogwood side (front Lot) would be difficult due to the height of the rock and the expense of drilling and blasting required as well as the difficulty of making a driveway work with the challenging grade on that side.

In order to maintain the character of the site and keep the rock bluff intact on the Dogwood side we have designed the house to be accessed off Greenwood street – (north side) which offers more favorable topography for Driveway and Garage access.

We have taken advantage for the driveway/garage access and Main Entry access off Greenwood Streetthis requires significant excavation to the existing rock bluff on that side- the intention is to create a quiet, fairly private entry area off the street.

The Rock bluff on the Dogwood side will be maintained with the 2 levels of the house on top of it.

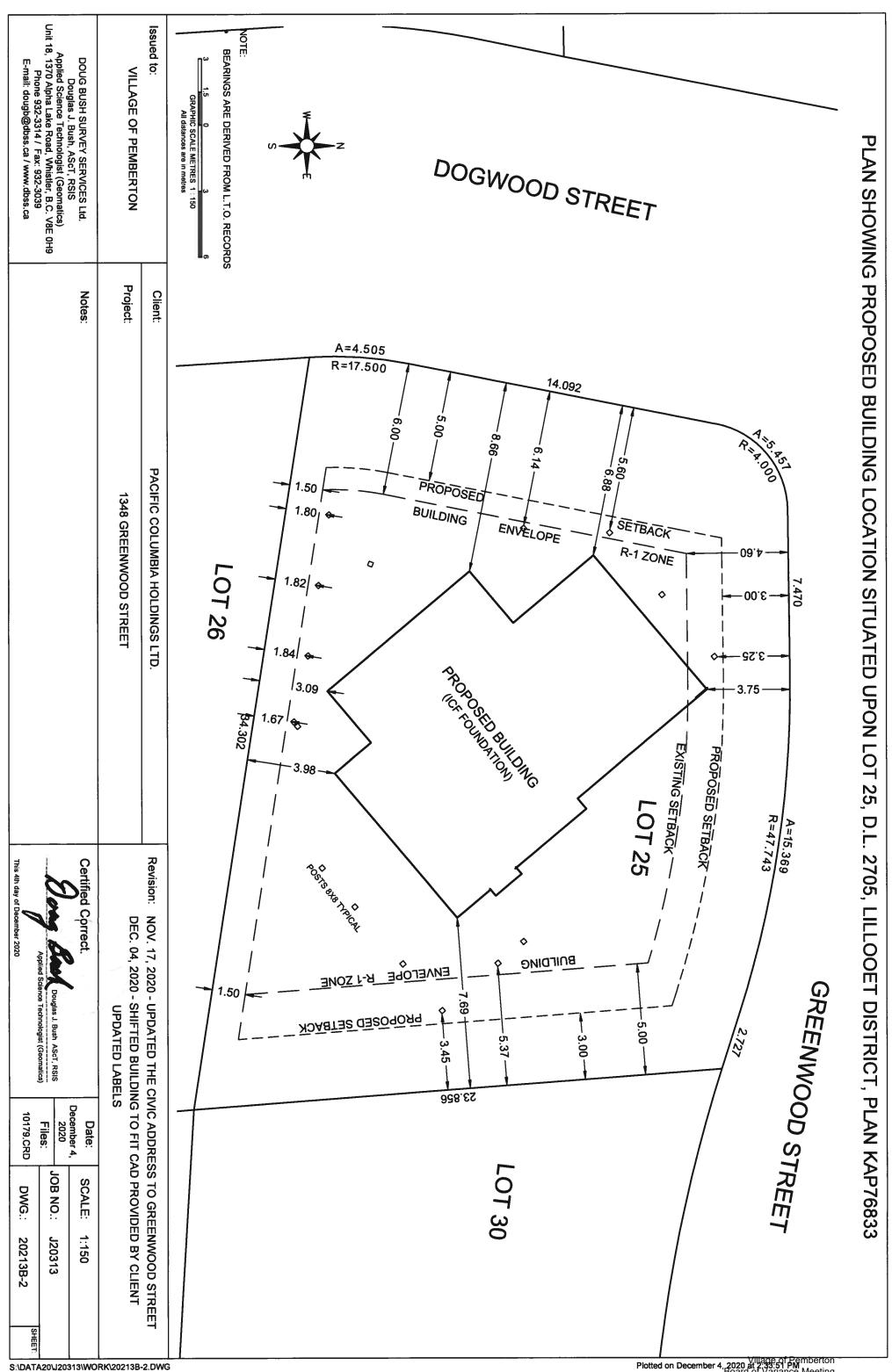
The current elevation of the top of the existing rock being approximately the level of the Main floor. The Lower level being buried into the existing rock to create the Entry & Garage Areas. We have turned the house to avoid site lines to adjacent properties and maximize the view to Mount Currie

This puts the extremities of the house and deck closer to the Lot lines and but also gives us some length to the driveway in order to make the slope of the driveway acceptable from the road. There will no impact on the Dogwood side which is the busier side for traffic.

We appreciate your consideration in this matter.

Sincerely,

Phil Harrison BA Arch Harrison Design Agent





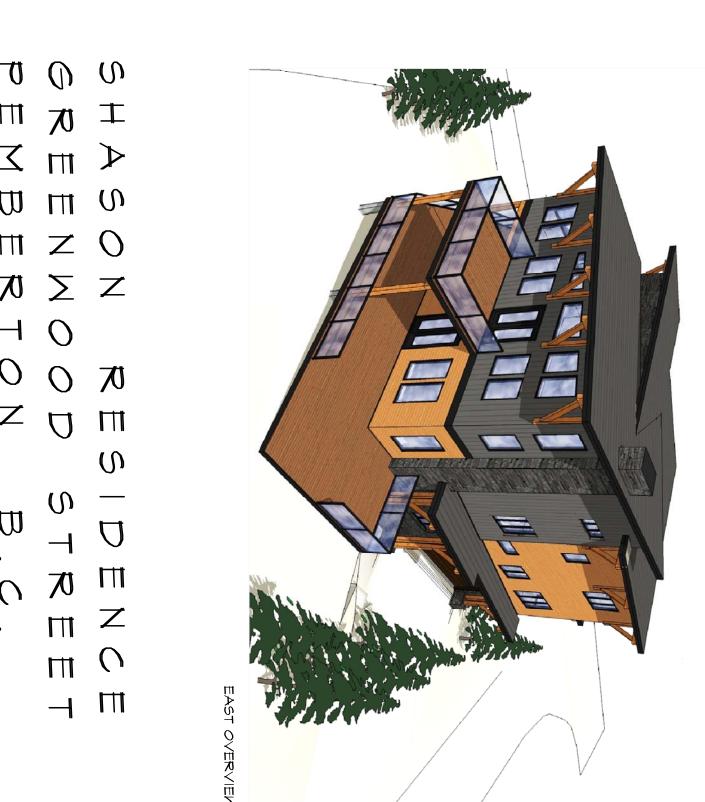






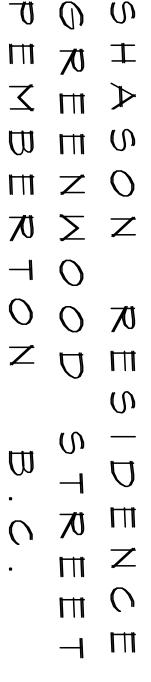




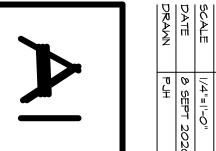


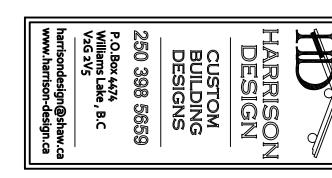




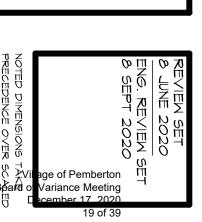


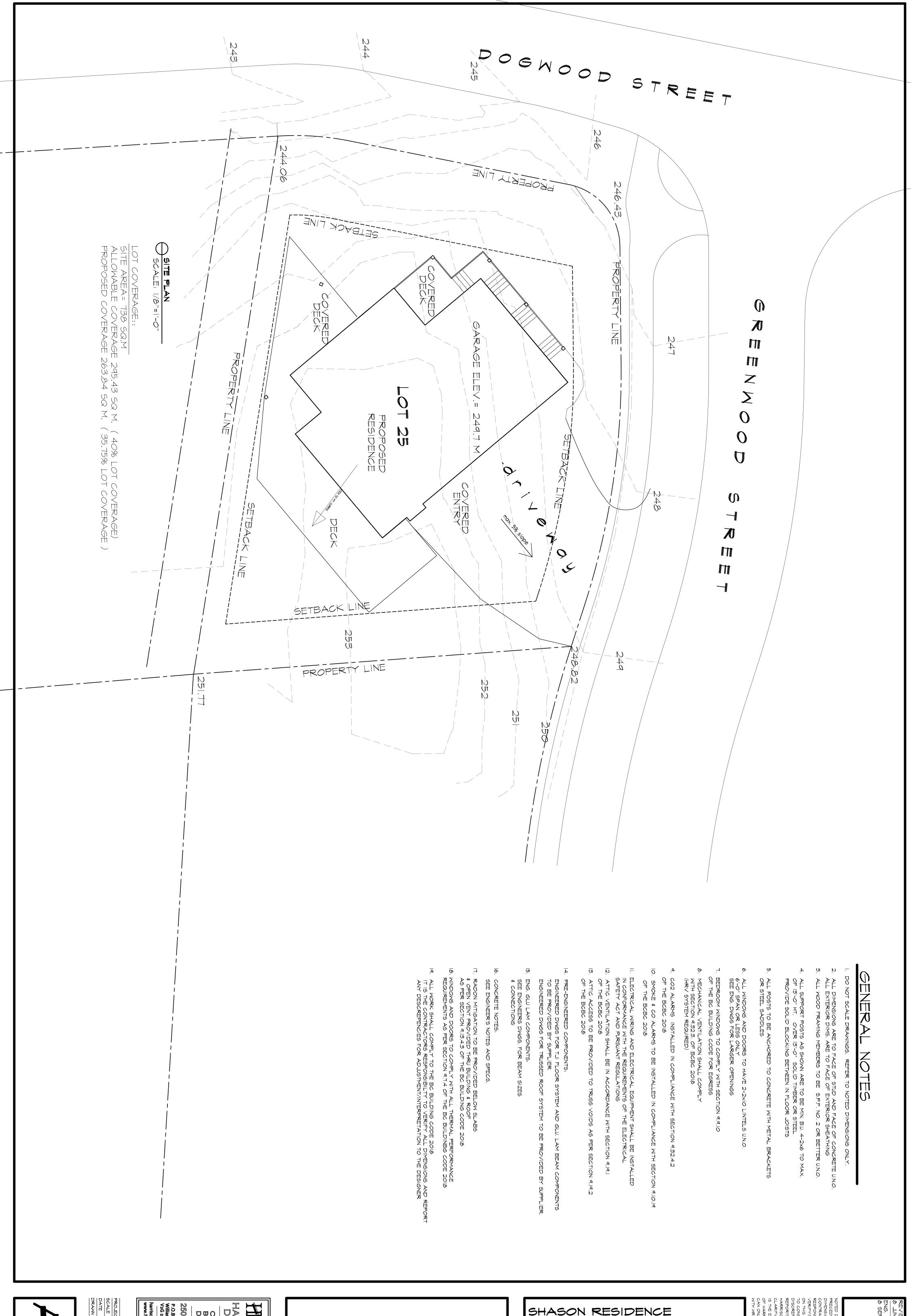




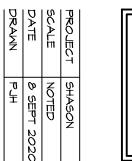


EXTERIOR VIEWS











PRELIMINARY SITE PLAN

SHASON RESIDENCE GREENWOOD STREET PEMBERTON, B.C. REVIEW SET

B JUNE 2020

ENG. REVIEW SET

B SEPT 2020

ENG. REVIEW SET

B SEPT 2020

INOTED DIMENSIONS TAKED

PRECEDENCE OVER SCAPED

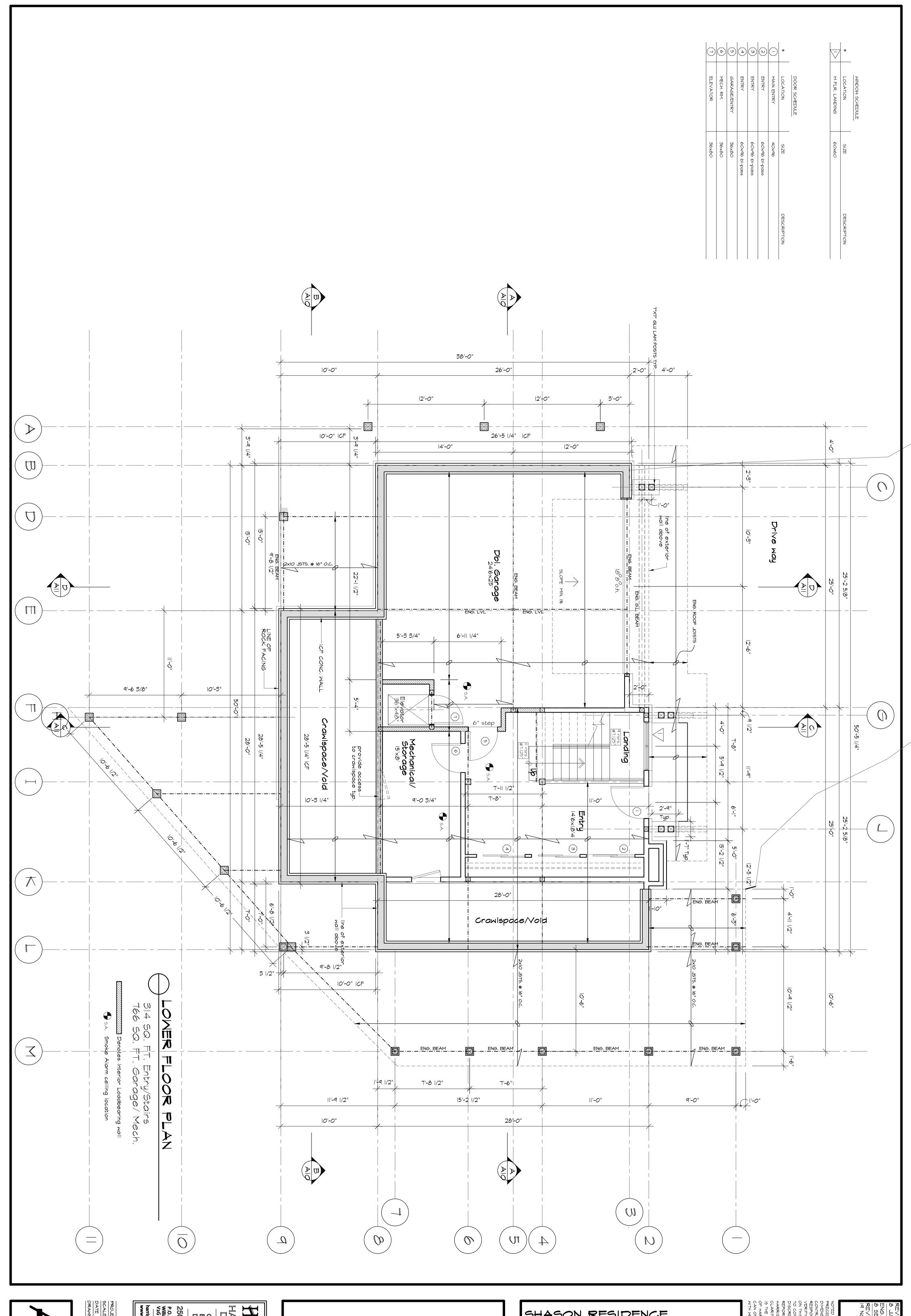
DIMENSIONS. THE BUILDER

CONTRACTOR SHALL BE

RESPONSIBLE FOR

VERIFYING ALL INFORMATION
ON THIS DRAWING PRIOR
TO CONSTRUCTION. ANY
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REPORTED TO THE OFFICE OF
HARRISON DESIGN FOR
CLARIFICATION. THIS DRAWING
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OF HARRISON DESIGN, AND
CAN ONLY BE REPRODUCED

WITH WRITTEN PERMISSION.

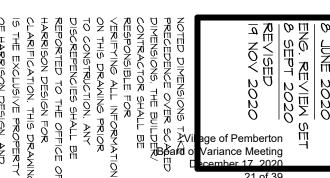


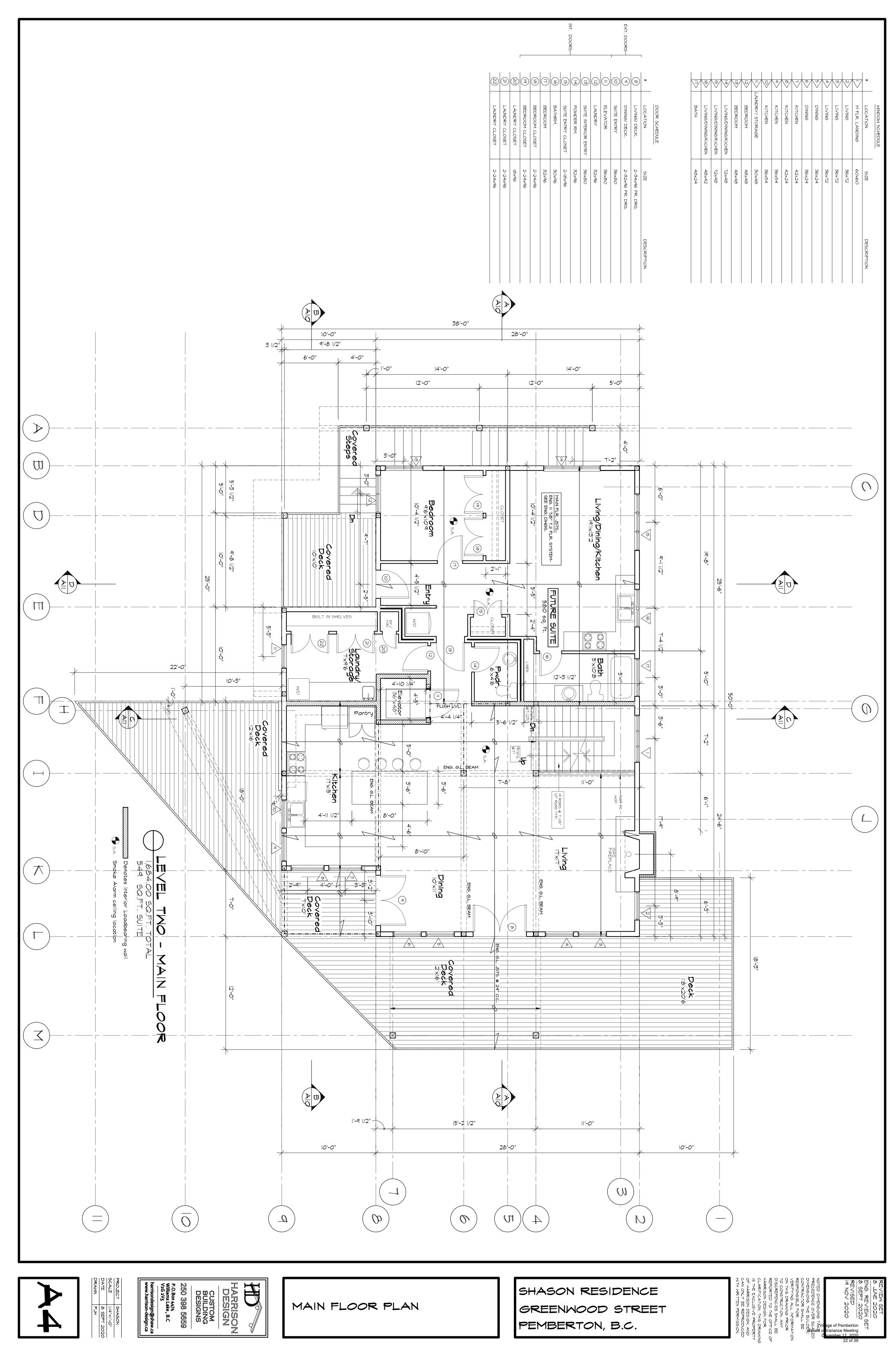


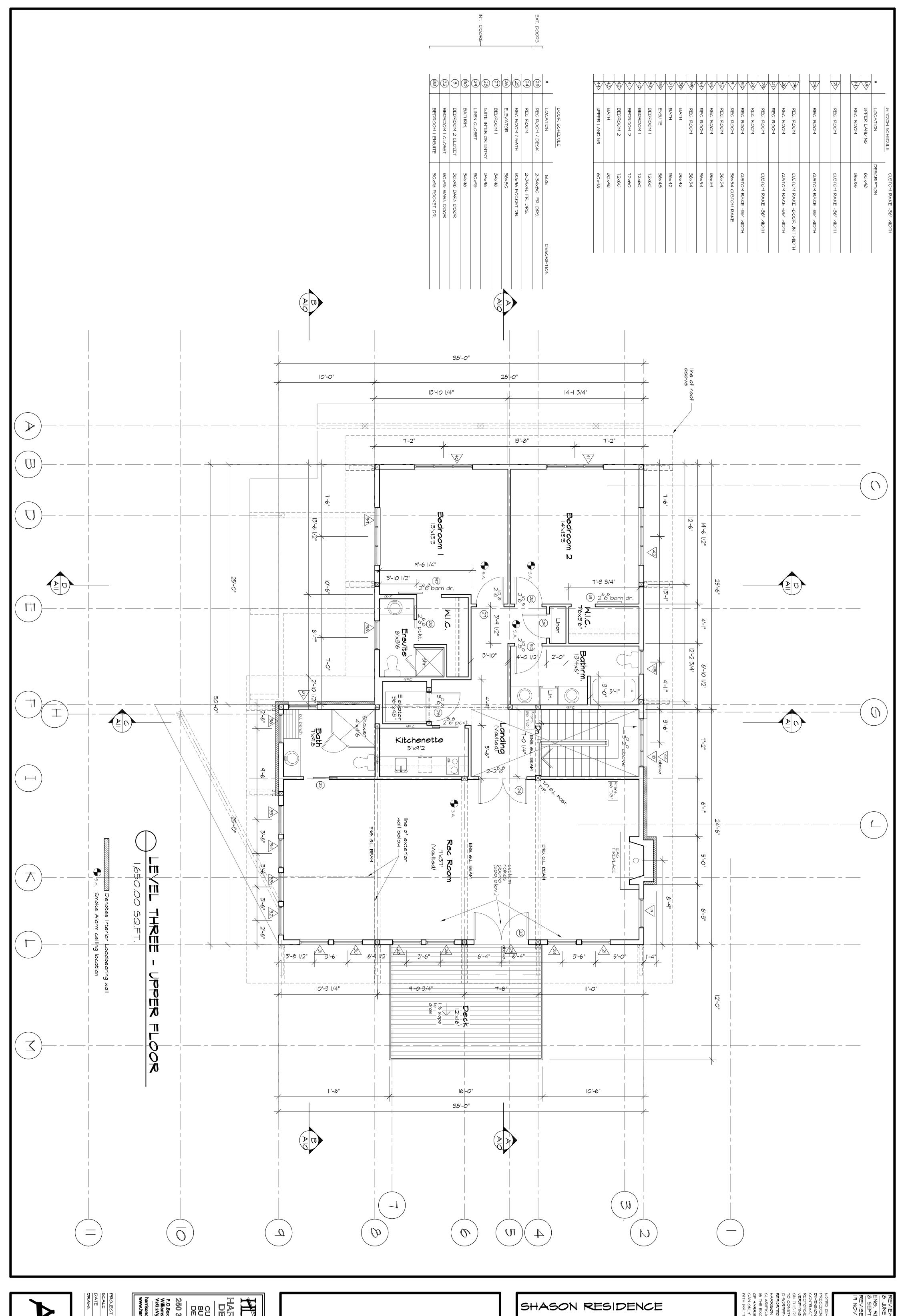




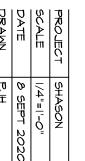
MAIN FLOOR PLAN













UPPER FLOOR PLAN

SHASON RESIDENCE GREENWOOD STREET PEMBERTON, B.C. REVISED

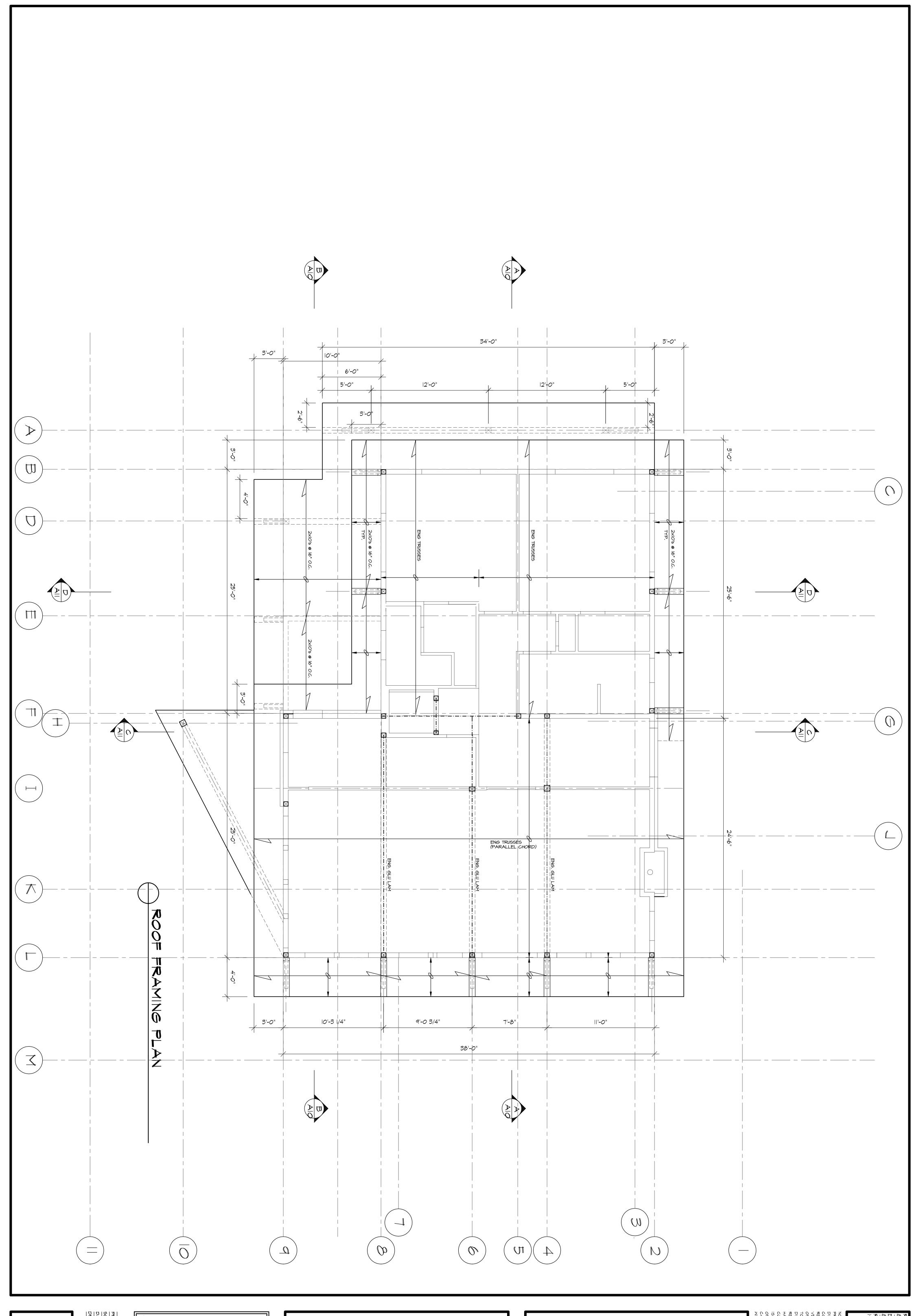
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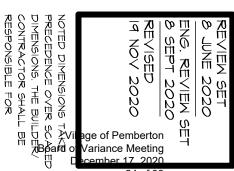


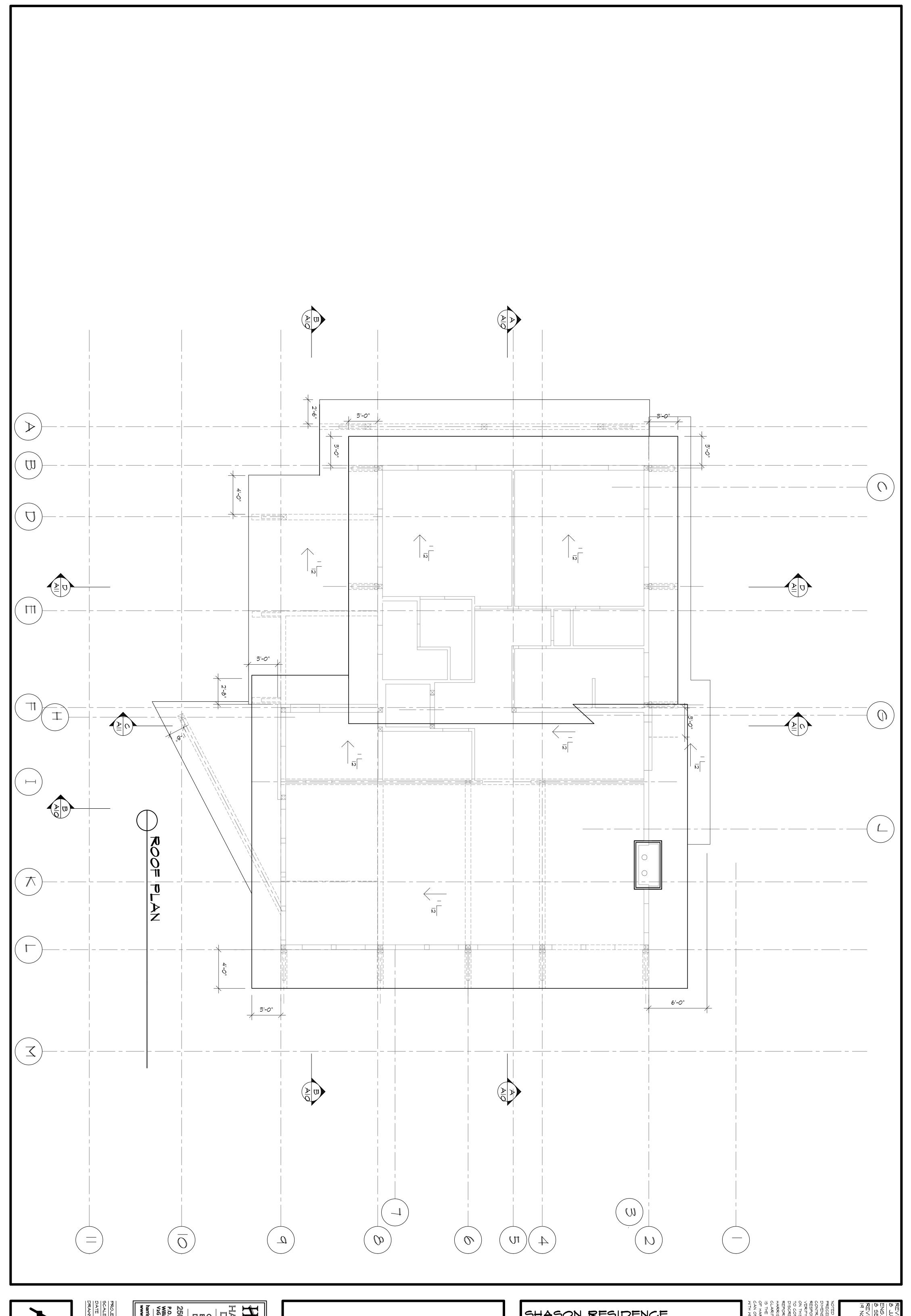






ROOF FRAMING PLAN



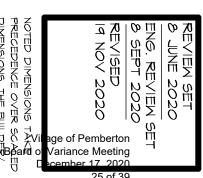








ROOF PLAN



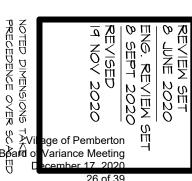




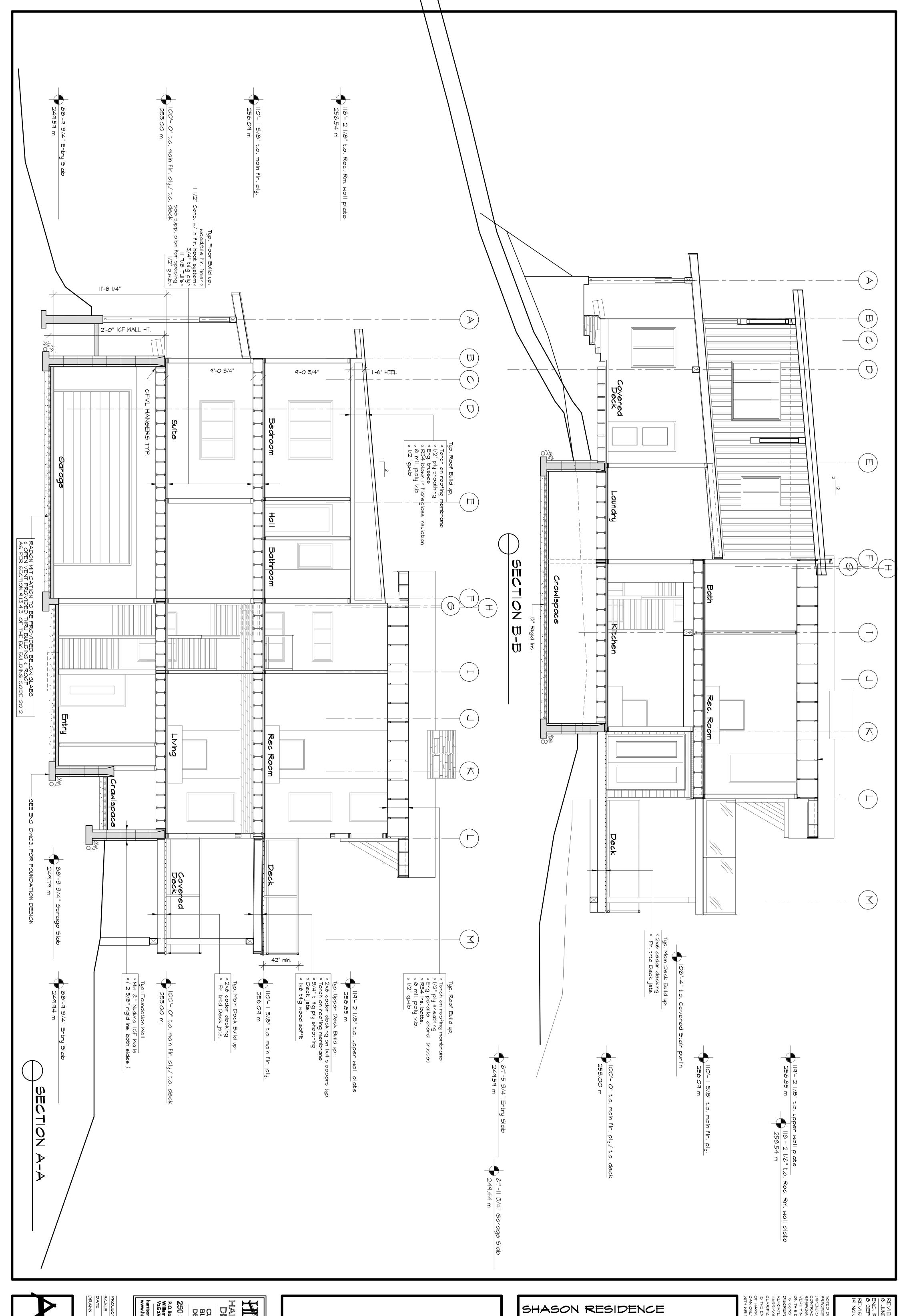


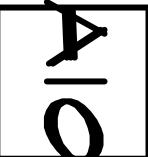


ELEVATIONS





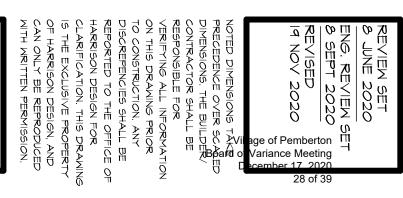


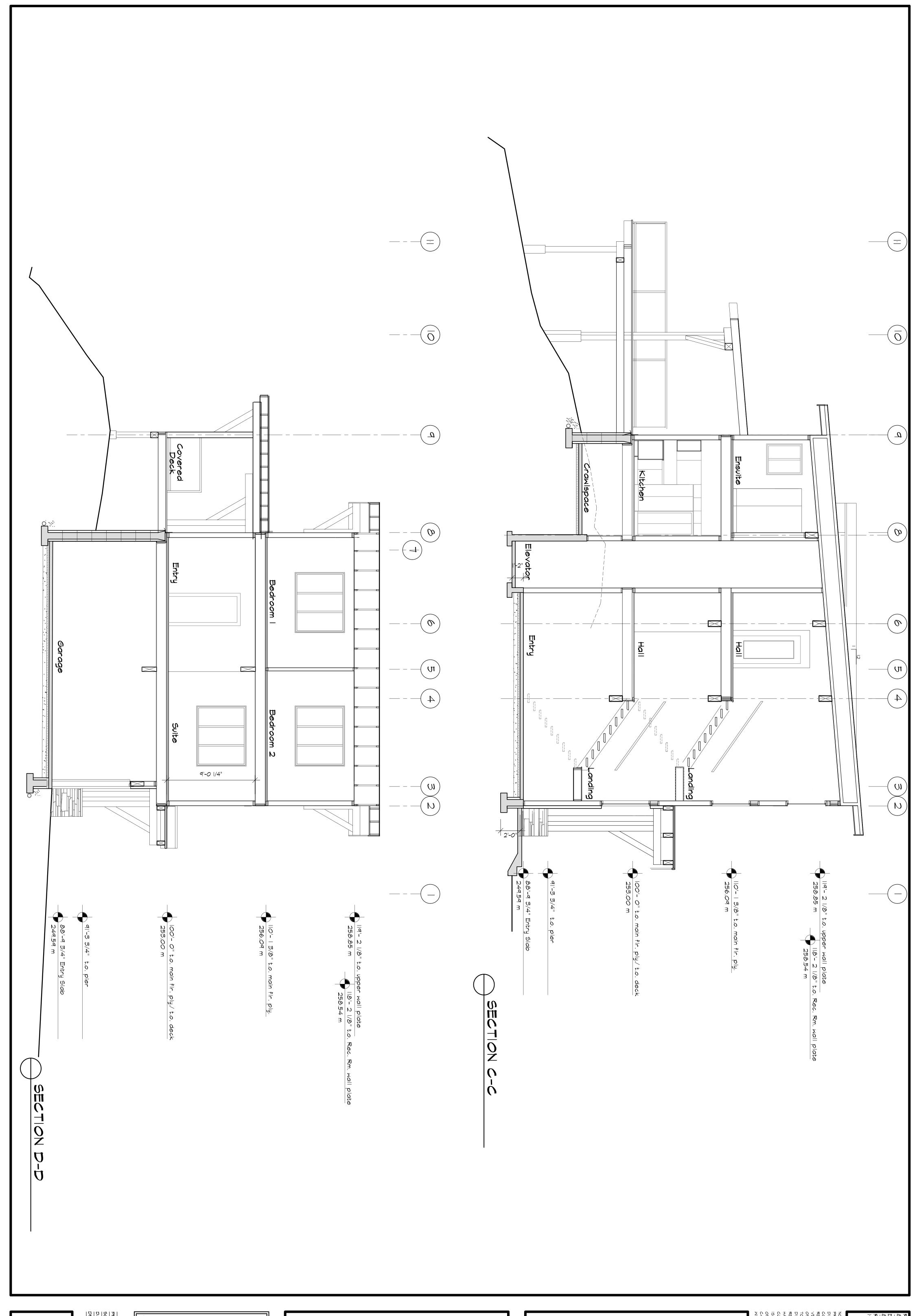


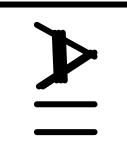


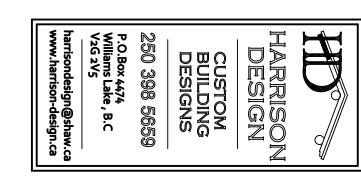


BUILDING SECTIONS

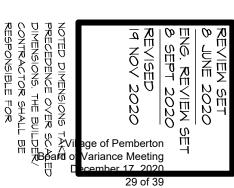








BUILDING SECTIONS



**TITLE SEARCH PRINT** 2020-10-16, 09:03:08

File Reference: Requestor: Phil Harrison

Declared Value \$180000

\*\*CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN\*\*

Land Title District KAMLOOPS
Land Title Office KAMLOOPS

**Title Number** CA4603563 From Title Number CA4380182

**Application Received** 2015-08-13

**Application Entered** 2015-08-17

**Registered Owner in Fee Simple** 

Registered Owner/Mailing Address: PACIFIC COLUMBIA HOLDINGS LTD., INC.NO. BC0374502

328 WEST CORDOVA VANCOUVER, BC

V6B 1E8

**Taxation Authority** North Shore - Squamish Valley Assessment Area

**Description of Land** 

Parcel Identifier: 026-109-328

Legal Description:

LOT 25 DISTRICT LOT 2705 LILLOOET DISTRICT PLAN KAP76833

**Legal Notations** NONE

**Charges, Liens and Interests** 

Nature: STATUTORY RIGHT OF WAY

Registration Number: X12432

Registration Date and Time: 1985-03-08 12:57

Registered Owner: CANADIAN BROADCASTING CORPORATION

Remarks: INTER ALIA

PART ON PLAN C18487

CHARGE ADDED BY WAY OF CORRECTION, SEE KW15616

Nature: UNDERSURFACE RIGHTS

Registration Number: KV141323

Registration Date and Time: 2003-11-14 14:38

Registered Owner: THE CROWN IN RIGHT OF BRITISH COLUMBIA

Remarks: INTER ALIA

SEE KV141322 SEC 50 LAND ACT

TITLE SEARCH PRINT 2020-10-16, 09:03:08

File Reference: Requestor: Phil Harrison

Declared Value \$180000

**COVENANT** Nature: Registration Number: KV141327

Registration Date and Time: 2003-11-14 14:38

Registered Owner: THE CROWN IN RIGHT OF BRITISH COLUMBIA

Remarks: **INTER ALIA** 

Nature: STATUTORY BUILDING SCHEME

Registration Number: KV141328

Registration Date and Time: 2003-11-14 14:38

Remarks: **INTER ALIA** 

**Duplicate Indefeasible Title** NONE OUTSTANDING

**Transfers NONE** 

**Pending Applications NONE** 

Village of Pemberton Board of Variance Meeting Page 2 of 2 December 17, 2020 Title Number: CA4603563 TITLE SEARCH PRINT

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**TITLE SEARCH PRINT** 2020-10-16, 09:03:08

File Reference: Requestor: Phil Harrison

Declared Value \$180000

\*\*CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN\*\*

Land Title District KAMLOOPS
Land Title Office KAMLOOPS

**Title Number** CA4603563 From Title Number CA4380182

**Application Received** 2015-08-13

**Application Entered** 2015-08-17

**Registered Owner in Fee Simple** 

Registered Owner/Mailing Address: PACIFIC COLUMBIA HOLDINGS LTD., INC.NO. BC0374502

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Village of Pemberton Board of Variance Meeting Page 2 of 2 December 17, 2020 Title Number: CA4603563 TITLE SEARCH PRINT

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From: Nicole Brink

Sent: Wednesday, November 25, 2020 4:35 PM

**To:** Joanna Rees **Subject:** 1348 Greenwood

# Good afternoon,

I would like to register my strong objection to the variance request AND also request a delay in the hearing. I check my mail every day and did not receive the notice until today November 25th. The notice says written feedback must be provided by today which seems very unreasonable.

Thank you! Nicole

Sent from my iPhone

From: Sent: To: Subject:	Nicole Brink Monday, December 7, 2020 3:32 PM Joanna Rees Re: 1348 Greenwood
Yes thanks.	
It's Nicole Bi 1354 Green	rink wood Street.
or are pushe setback, in p	to add to the record the fact that there are at least 10 children under the age of 10 that either walk to school ed in a stroller around that corner every weekday. Please bear that in mind when considering reducing the particular this is quite treacherous in the winter as the side walk ends somewhere a bit down the road on a r some unfathomable reason.
Thanks, Nicole	
Sent from m	y iPhone
On I	Dec 7, 2020, at 2:42 PM, Joanna Rees <jrees@pemberton.ca> wrote:</jrees@pemberton.ca>
Hi N	icole,
134 prov	just following up on the comments you provided regarding the Board of Variance Application for 8 Greenwood Drive. If you would like to submit written comments for the public record, please vide your comments including your full name and address to myself prior to noon on Thursday ember 17 <sup>th</sup> .
Kinc	regards,
<im< th=""><td>age003.jpg&gt;</td></im<>	age003.jpg>

Date: November 26, 2020

From: Jay Robertson, Robertson Architecture

Owner 7454 Dogwood

To: Village of Pemberton Board of Variance

7400 Prospect St. Pemberton BC

To Whom it may Concern,

I understand that this is essentially a reapplication for a variance that was previously approved and has since expired. The Pemberton Benchlands neighborhood has changed significantly in the time that has passed since the originl variance application was approved in 2015. When the variance was initially granted, the two lots adjacent to 1348 Greenwood were empty and still owned by the developer. Therefore, there was minimal community engagement. The reapplication provides a great opportunity for the community that has grown in the Benchlands over the past five years to provide feedback based directly on the current context and growth of the neighborhood.

I am in opposition to the proposed variance at 1348 Greenwood for the following reasons:

#### Life Safety:

One of the functions of building setbacks is to ensure adequate spatial separation between structures. This separation is intended to reduce the spread of fire. Therefore, when setback distances are reduced and houses are built closer together, the likelihood of fire spreading between houses becomes more higher. In a neighborhood like the Pemberton Benchlands with a significant forest interface, and risk of wildfire, reducing setbacks becomes particularly risky.

#### Neighborhood scale:

Reducing setbacks will result in the construction of a home that is significantly larger than the surrounding homes and is out scale for the neighborhood.

#### Direct impact on neighbors:

Reducing the rear yard (East) setback will result in significant overlook from the proposed house at 1348 Greenwood to the rear yards of 1350 Greenwood, 1352 Greenwood and 7454 Dogwood. This will directly affect the neighbors use and enjoyment of their own properties.

Reducing the front yard (West) setback will result in significant overlook from the proposed house at 1348 Greenwood to the front yard of 7454 Dogwood. This will directly affect the neighbors use and enjoyment of their own property. Reducing the front setback also allows the proposed house to be located in a manner that it not consistent with the existing character of the neighborhood.

#### Precedent:

Reducing setbacks for no other reason than to allow developers build larger homes sets a dangerous precedent and significantly erodes the validity of the existing VOP zoning bylaw.

Since the proposed house is still in its early stages of design and the majority of the proposed building is within the allowable zoning envelope, it seems that by simply reducing the size of some of the exterior decks, the project would conform with the existing VOP Bylaw. This solution would result in no measurable hardship for the property owner and alleviate any of the concerns listed above.

Thanks for your time.

Sincerely,

Jay Robertson Architect AIBC Robertson Architecture

# ROBERTSON ARCHITECTURE

7454 Dogwood St. Pemberton BC V0N 2L1

From: Nicola Jones

Sent: Wednesday, December 2, 2020 2:47 PM

To: Joanna Rees
Cc: Stefan Miller

**Subject:** Variance 1348 Greenwood

Follow Up Flag: Follow up Flag Status: Flagged

Many thanks and best wishes,

Hello. I live at 1351 Greenwood, across the street from 1348, where a variance is currently being requested. I understand I am writing to you after the original deadline but I believe discussion of this issue was deferred to 17 Dec so perhaps there is still time.

I see from the plans that the proposed home is being angled at about 45 degrees to the lot lines, and this is the reason why the decks on 3 sides extend past the recommended setbacks and a variance is being requested to accommodate that.

I am opposed to this request for the following reasons:

- 1. It will look odd for this house to be at 45 degrees to the other homes on the street, and I am unclear as to why that might be deemed desired or necessary by the lot owners... presumably this is to allow for less rock blasting or for better views??? There does not seem to be any hardship in the lot to prevent them from building at the usual angle (ie parallel to other homes on the street) and thus within the normal set-backs. There is a lot of rock there, but the same is/was true for most of the other lots on this street, and it won't come as a surprise to the owners since it was there when they bought it:)
- 2. If the planned angle is to prevent rock blasting, then this will perpetuate the problem already with this corner that it is a fairly tight/blind corner for cars and kids walking on the road. There is no sidewalk in this area (even though there is a park nearby). If a sidewalk is planned for future, there should be sufficient room to put one in (or at least sufficient room for safely walking by the side of the road).
- 3. Given the plans as presented, I am confused as to how this can sit within allowed height limitations... but I understand that's beyond the remit of the variance committee. Is there someone else I can ask about that?

In general, I believe that the set-backs are there for a reason and should only be amended when necessary (ie when the lot won't accommodate a house in any other way). There doesn't seem to be any necessity in this case.

Nicola Jones.			
Ms. Nicola Jones			

Freelance science reporter and editor, Pemberton BC Canada

From: Claire Fuller

Sent: Friday, December 4, 2020 1:44 PM

To: Nicola Jones

**Cc:** Joanna Rees; Stefan Miller **Subject:** Re: Variance 1348 Greenwood

Hi Joanna,

I'm also unsure if we have a chance to submit in writing but I want to point out that this junction is already very hazardous. It is a direct route to the playground for all the kids on Greenwood Street, dog walking route to the trails and village access for all residents. There are currently no clear sidewalks and it's tight enough as it is. The rock creates a blind corner, vehicles can hurtle in and out of Greenwood street taking people by surprise, and this is further compromised with vehicles parking on the street. I feel the village setbacks safeguard dangerous junctions like this for residents and users, and I object to the proposed variance.

Kind regards,

Claire Fuller 1360 Greenwood Street

Claire Fuller

Pemberton, BC

From: Donna Hasan

Sent: Sunday, December 6, 2020 8:46 PM

To: VoP Admin; Joanna Rees

**Subject:** Board of Variance meeting 1348 Greenwood

Follow Up Flag: Follow up Flag Status: Flagged

To: Village of Pemberton Board of Variance

#### **SUB: 1348 GREENWOOD VARIANCE REQUEST**

We refer to the notice requesting feedback on the above by Nov 25, 2020. Please note we received the notice in the mail on Nov 26th and are subsequently pleased that the meeting was delayed until Dec 17, 2020, which allows us time to submit our comments.

Essentially we are opposed to the application as we believe an owner should design the house appropriate to the plot they purchased. It should not be a surprise and nor should it lead to "wild west" type of village planning. Our understanding of the plans is that the house will be three (3) stories high on top of a really high bluff. Close to the lot in concern is another existing house, and when taking into consideration the height gain from Al Staehli Park to the house already built, and potentially the height of the new house, the neighbourhood is in danger of being disproportionately dominated by these structures.

In our opinion variances are more appropriate when the owners are clearly doing their best to design within the constraints, working with the lot they bought, and just requiring a minor variance here or there to make it work. In this case it appears the owners are taking a two (2) storey house design and erecting it on a lot that is too small for their design and now require variances to make it work. It is an awkward lot but the buyer had to be fully aware of this upon purchase. Intentionally purchasing a lot to then expect the neighbourhood to support variances for a structure that it is too large for the lot is indeed presumptuous at best. A more modest approach that requires some small concessions would be easier for us to support.

In addition we are concerned that these variances may lead to pedestrian safety issues as the lot is on a blind corner.

Kind regards,

Donna Hasan

1357 Elmwood Drive