

Development Variance Permit Information Package

File Number: 3090-20/20190033

Electoral Area: E

Date of Referral: July 16, 2019

Date of Application: June 27, 2019

Property Owner's Name(s): Peter and Karen Benisch

Applicant's Name: Phil Harrison

SECTION 1: Property Summary

Legal Description(s): Lot 19, District Lot 8832, Cariboo District, Plan 10237

Area of Application: 0.14 ha (0.344 ac)

Location: 2108 Grebe Drive

Current Zoning: Residential 2 (R 2) – Williams Lake Fringe and 150 Mile House Area Zoning Bylaw, 3502, 1999

Refer to: Adjacent Land Owners, Area "E" APC, FLNRO, MoTI, CRD Chief Building Official, Interior Health Authority

Variance Requested: The applicant has requested a variance to section 5.13.2 (b) (i) and (ii) of the Williams Lake Fringe and 150 Mile House Area Zoning Bylaw 3502, 1999 as follows:

That the minimum required front yard setback be reduced from 7.6m (24.93ft) to 5.4m (18ft) and that the exterior side yard setback be reduced from 7.6m (24.93ft) to 2.44m (8ft).

Proposal/Reasons in support: To legalize existing deck setback and build a new garage.

Existing Buildings: House, small garage and deck to be replaced.

Proposed Buildings: Deck, garage addition.

SECTION 2: Planning Report

Background:

The applicant has requested that the minimum required front yard setback be reduced from 7.6m (24.93 ft) to 5.4m (18 ft), and that the exterior side yard setback be reduced from 7.6m (24.93 ft) to 2.44m (8 ft) to legalize the existing deck setback and build a new garage extension. The requested variance is a relaxation in Section 5.13.2 (b) (i) and (ii) respectively of the Williams Lake Fringe and 150 Mile House Area Zoning Bylaw 3502, 1999.

The subject property is zoned Residential 2 (R 2) in the Williams Lake Fringe and 150 Mile House Area Zoning Bylaw No. 3502, 1999 and is designated Lakeshore Residential in the Williams Lake Fringe Area

Official Community Plan Bylaw No. 4782, 2012. The property has an existing single-family dwelling on site with a deck and small garage to be replaced as shown in Appendix B.

Location and Surroundings:

The subject property is 0.14 ha (0.344 ac) in size and is located at the intersection of Grebe Drive and Siskin Road with Williams Lake to the far north of the property as shown in Appendix A. Currently, the property is covered in grassland and it lies within a slight slope grid range of 0% - 20%. There are mostly single-family dwellings surrounding the subject property.

Past Relevant Applications:

A similar Variance Permit application for reducing the minimum front yard setback was approved in 2005. The property is situated to the far east of the subject property within the same neighborhood.

CRD Regulations and Policies:

3502- Williams Lake Fringe and 150 Mile House Area Zoning Bylaw, 1999

5.13 RESIDENTIAL 2 (R 2) ZONE

5.13.2 ZONE PROVISIONS

- (b) REQUIRED YARDS (minimum):
 - i) Front Yard – Setback = 7.6 metres (24.93 feet)
 - ii) Exterior Side Yard – Setback = 7.6 metres (24.93 feet)

Rationale for Recommendations:

The proposed variances have minimal impact on neighboring properties. Further, the Ministry of Transportation and Infrastructure has no concerns over the requested setback variances. Therefore, planning staff supports this variance proposal.

However, the property owners will be required to submit a Structure Setback Permit Application to the Ministry of Transportation and Infrastructure ensuring legality of the setback to accommodate the two-car garage.

Recommendation:

That the application for a Development Variance Permit pertaining to Lot 19, District Lot 8832, Cariboo District, Plan 10237 be approved. Further, that a Development Variance Permit be issued to vary the following:

1. Section 5.13.2 (b) (i) of the Williams Lake Fringe and 150 Mile House Area Zoning Bylaw No. 3502, 1999 as follows:
 - i) That the minimum required front yard setback be reduced from 7.6m (24.93 ft) to 5.4m (18 ft) to legalize the existing deck.

2. Section 5.13.2 (b) (ii) of the Williams Lake Fringe and 150 Mile House Area Zoning Bylaw No. 3502, 1999 as follows:

- i) That the minimum required exterior side yard setback be reduced from 7.6m (24.93 ft) to 2.44m (8 ft) to allow the construction of a garage extension.

SECTION 3: Referral Comments

Chief Building Official: -

Health Authority: - July 23, 2019

See comments attached.

Ministry of Transportation and Infrastructure: - July 16, 2019

Ministry of Transportation and Infrastructure has reviewed the application details and completed a site visit of the property. Due to having ample snow storage locations, the low volume of travelling public on Siskin Road and Grebe Drive and the improbability of needing to widen Siskin Road for further development, MoTI has no objections in principle to the proposed development variance to reduce the front yard setback from 7.6m to 5.4m and to reduce the exterior side yard setback from 7.6m to 2.44m to legalize existing deck and build a garage.

July 18, 2019

It should be noted that although the Ministry of Transportation and Infrastructure has no objection in principle to the proposed setback reduction, the Ministry requires a condition of approval of the Development Variance permit stating that under Section 62 and Section 90 of the Transportation Act, the applicant must apply to MoTI and be approved for a Setback Structure Permit.

Ministry of Forests Lands and Natural Resource Operations: -

Adjacent Property Owners:

Advisory Planning Commission: August 2, 2019

Supported, see comments attached.

SECTION 4: Board Action

Date of Meeting:

ATTACHMENTS

Appendix A: General Map

Appendix B: Specific Map

Appendix C: Orthographic Map

Other: Applicant's Supporting Documentation

Interior Health Comments

Advisory Planning Commission Response Form

Structure Setback Permit from Ministry of Transportation and Infrastructure

Appendix A: GENERAL MAP



LEGEND



SUBJECT PROPERTY



DVP19033



WILLIAMS LAKE

SUBJECT PROPERTY
LOT 19, DL 8832,
C.D., PL 10237

DL 8832

South Lakeside Dr

Grebel Dr

Kinglet Rd

DL 8838

DL 8838

Bluff View Dr

DL 12566

UNSURVEYED CROWN LAND

Appendix B: SPECIFIC MAP



LEGEND



SUBJECT PROPERTY

0 2.25 4.5 9 ALL MEASUREMENTS
mMETRIC

DVP19033



Grebe Dr

DL

Lot 18
PL 10237

8832

Lot 20
PL 10237

Lot 19
PL 10237
0.14 ha

+/- 3.05

+/- 30.48

+/- 5.4

+/- 8.12

PROPOSED
DECK

+/- 3.90

+/- 1.63

1.25

.37

+/- 5.39

DWELLING

+/- 12.23

+/- 9.57

PROPOSED
GARAGE

+/- 9.91

+/- 8.29

+/- 2.44

+/- 45.72

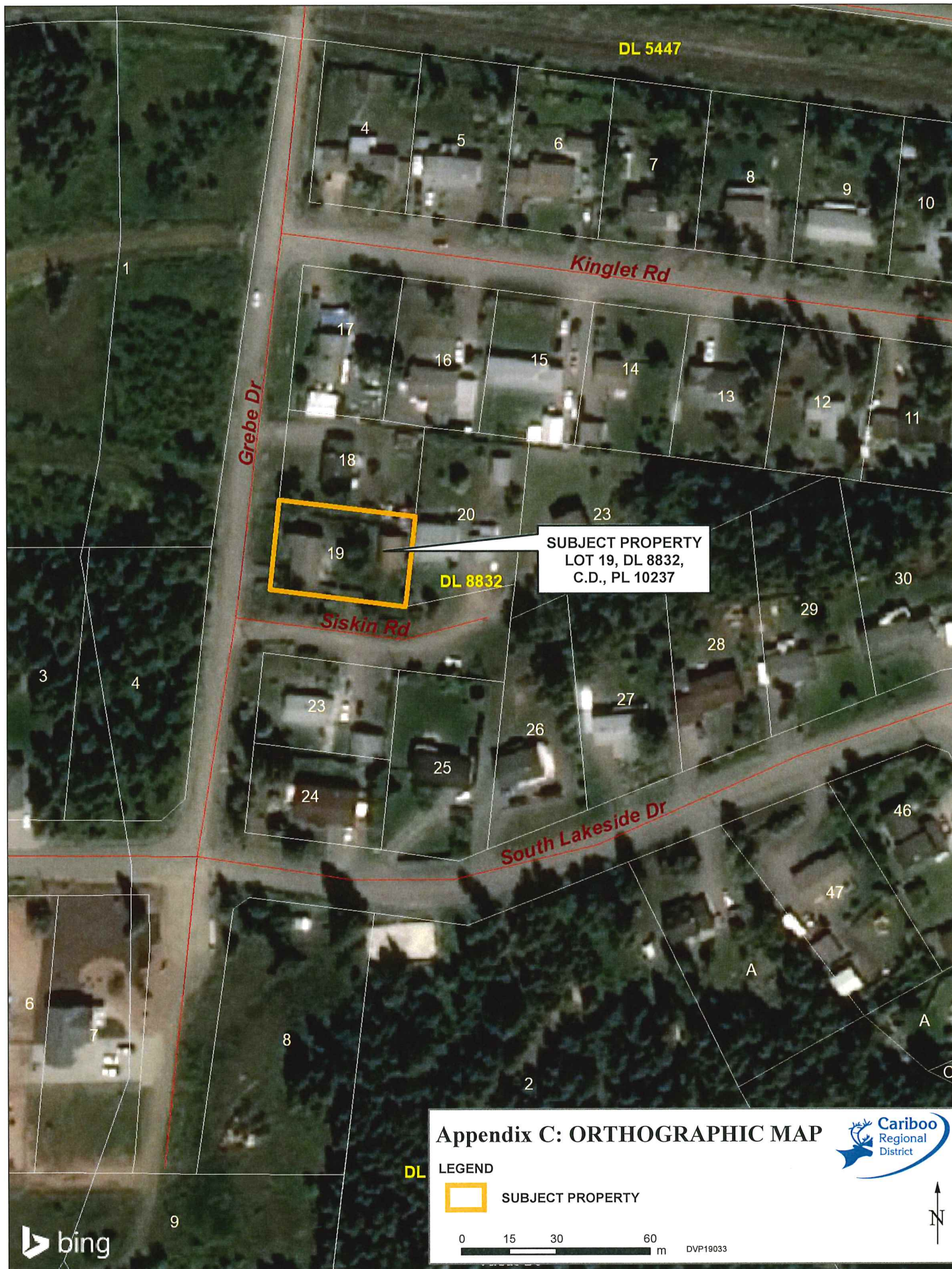
+/- 30.48

To reduce front yard setback from 7.6 m to 5.4 m and that the exterior side yard setback be reduced from 7.6m to 2.44m. For the construction of a proposed garage and deck.

Siskin Rd

Lot 23
PL 10237

Lot 25
PL 24623



Appendix C: ORTHOGRAPHIC MAP



DL

LEGEND



SUBJECT PROPERTY

0 15 30 60 m

DVP19033



Describe the existing use of the subject property and all buildings:

a family home, yard
& garage

Describe the proposed use of the subject property and all buildings:

a family home
yard & garage.

Describe the reasons in support for the application:

to allow covered parking
for home owners vehicles & a mud room for storage
of personal items such as winter & summer outdoor clothing

Provide a general description of vegetation cover (i.e. treed, grassland, forage crop etc.):

grass land & family yard

Provide general geographical information (i.e. existing lakes, streams, physical features etc.):

treed yard with house, garage, lawn, driveway and
front porch

Services Currently Existing or Readily Available to the Property (check applicable area)

* Readily Available means existing services can be easily extended to the subject property.

Services	Currently Existing?		Readily Available?*	
	Yes	No	Yes	No
Hydro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Telephone	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community Water System	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community Sewer System	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sewage Disposal System	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Well	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

27 June 2019

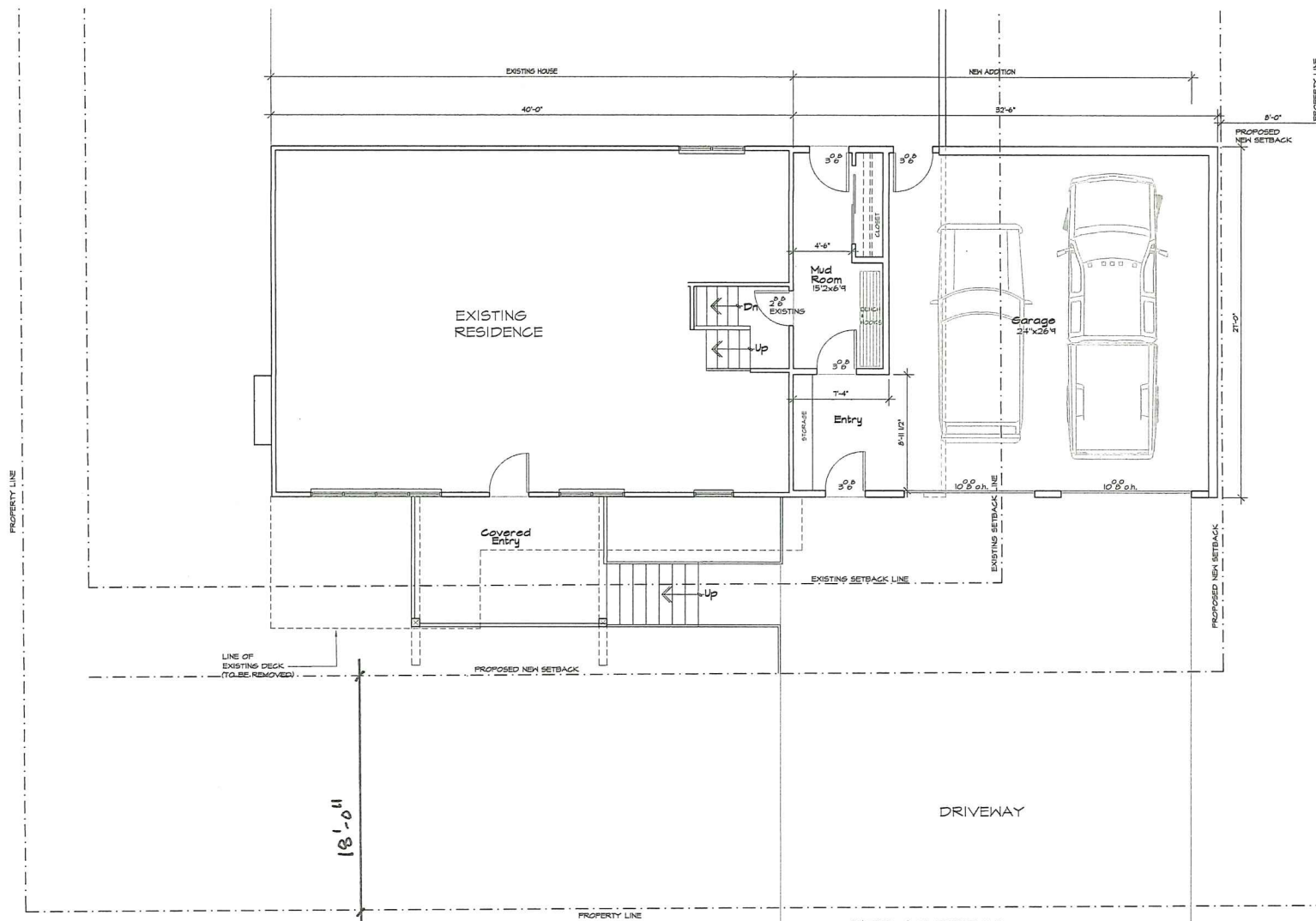
2108 Grebe Drive , Williams Lake – Variance Application, CRD

Supplementary Information

1) Application for Variance to the Front Lot set back facing Grebe Drive to 18 feet for the provision of a Covered Entry Porch and steps up to the porch from the driveway.

Existing Deck is non-conforming and will be removed.

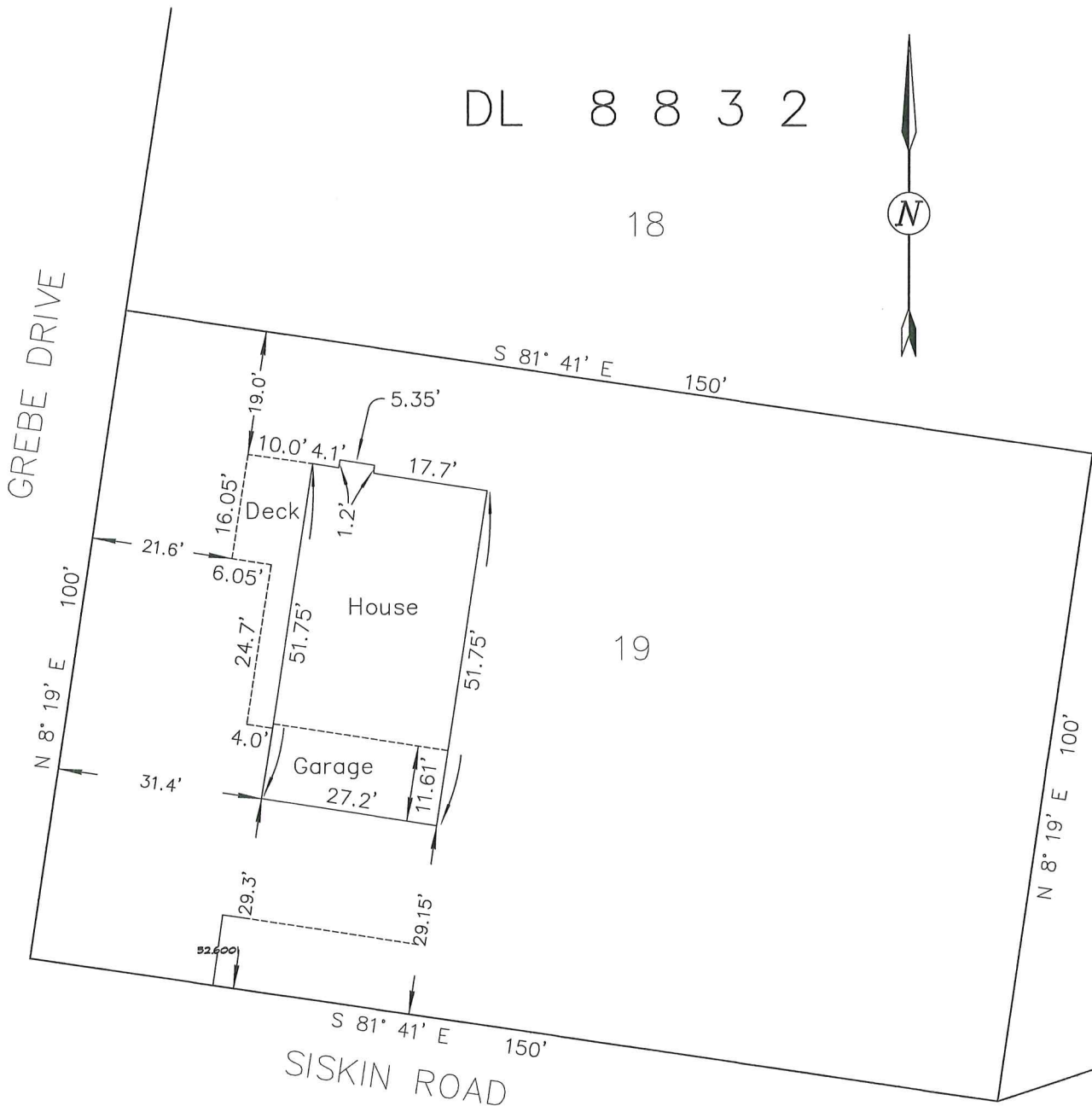
2) Application for Variance to the Front-Side lot line to Siskin Road cul-de sac to 8 feet to allow for the building of an attached 2 car garage and mudroom area. Garage will be buried in to the existing bank approximately 6' on the Siskin Road side.- see attached renderings.



○ SITE/ FLOOR PLAN
SCALE: 1/8"=1'-0"

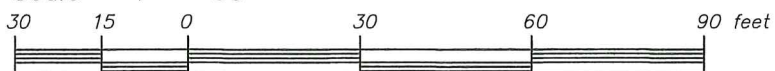
BENISCH ADDITION
2108 GREBE DR., WILLIAMS LAKE, B.C.
PRELIMINARY PLAN 26 JUNE 2019

SITE ADDRESS:
2108 GREBE DR., WILLIAMS LAKE, B.C.
LEGAL ADDRESS:
LOT 19, DL 8832, CARIBOO DISTRICT, PLAN 10231.



BRITISH COLUMBIA LAND SURVEYOR'S CERTIFICATE OF LOCATION
OF BUILDING ON LOT 19, DL 8832, CARIBOO DISTRICT, PLAN 10237.

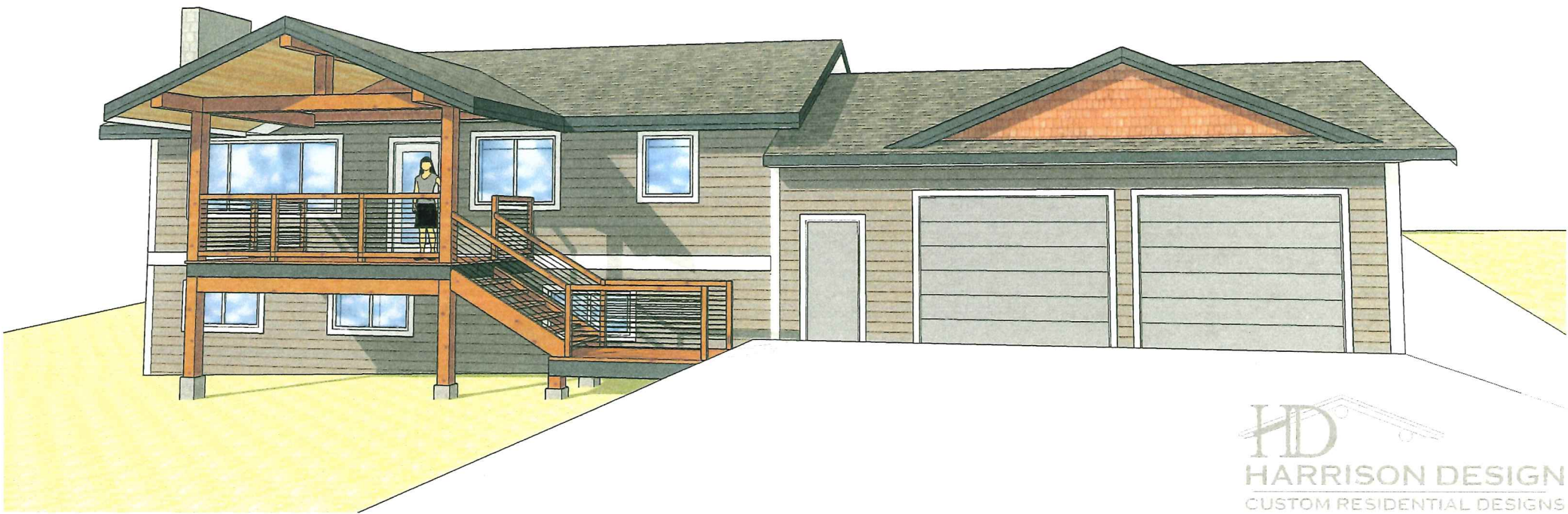
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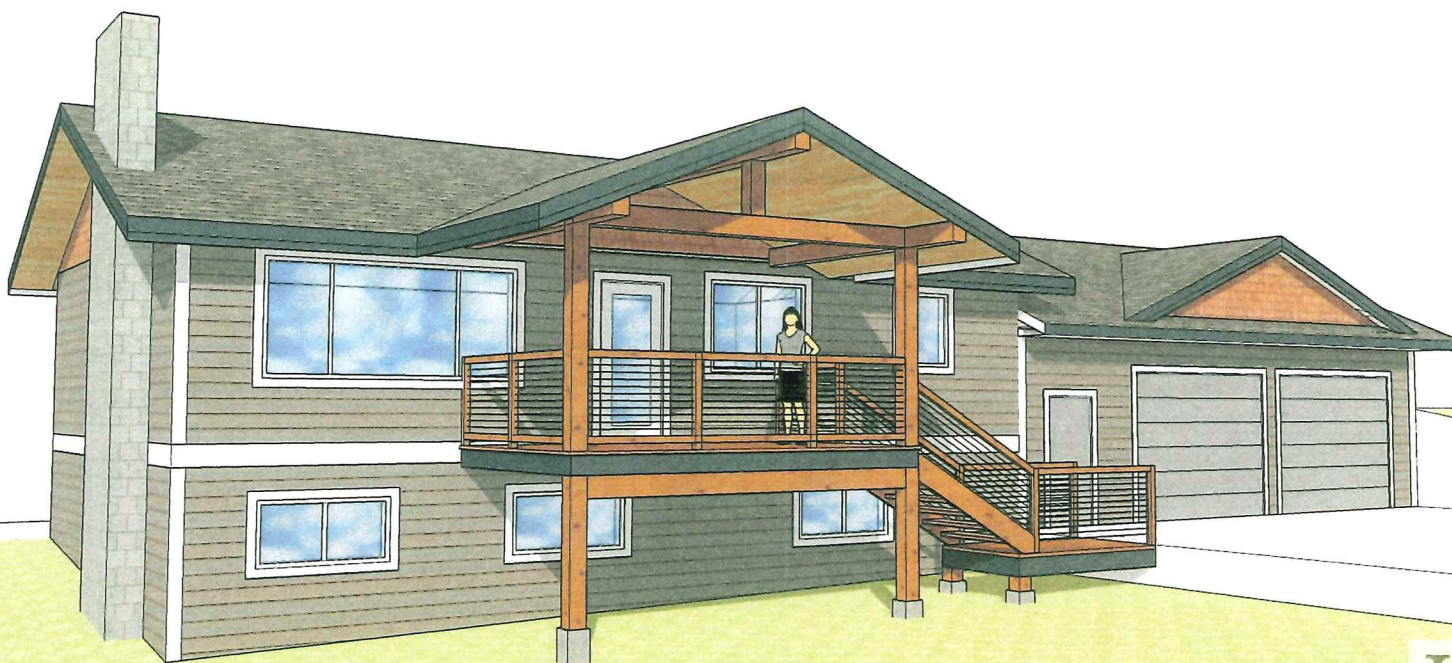


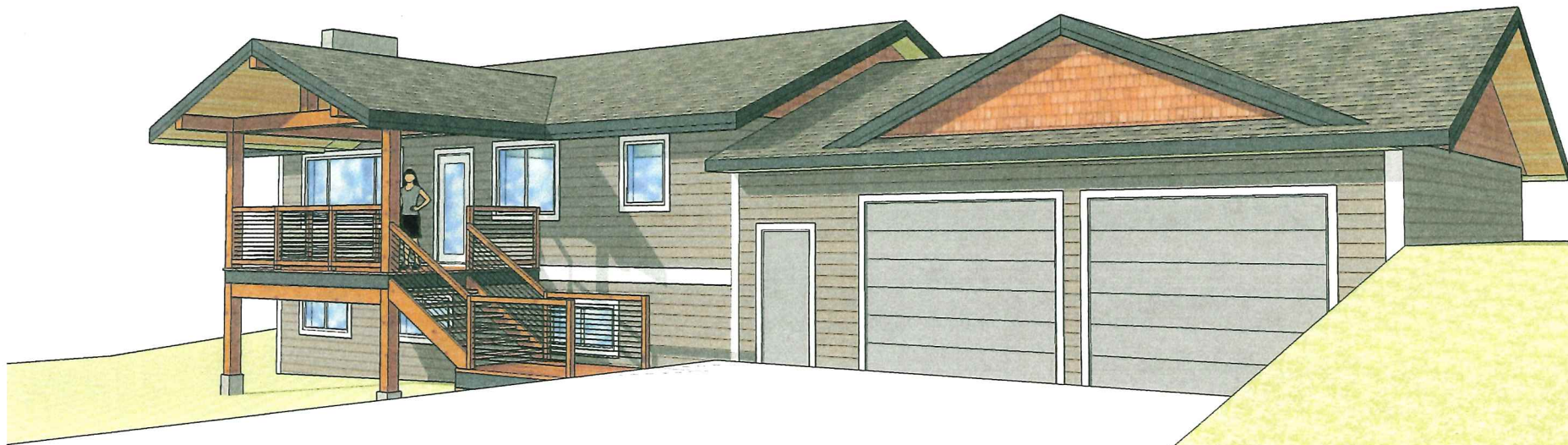
ADDRESS :

2108 Grebe Drive
Williams Lake, B.C.

EXTON AND DODGE
LAND SURVEYING INC.
133 BORLAND STREET
WILLIAMS LAKE, B.C.
V2G 1R1
(250) 392-7111
FILE No. 19543-C








HARRISON DESIGN
CUSTOM RESIDENTIAL DESIGNS



Interior Health
Every person matters

July 23, 2019

Nyree Alexander
Cariboo Regional District
Suite D, 180 North 3rd Avenue
Williams Lake BC V2G 2A4
nalexander@cariboord.ca

Dear Ms. Alexander:

RE: File #: DVPI933
Our interests are unaffected

The IH Healthy Built Environment (HBE) Team has received the above captioned referral from your agency. Typically we provide comments regarding potential health impacts of a proposal. More information about our program can be found at [Healthy Built Environment](#).

An initial review has been completed and no health impacts associated with this proposal have been identified. As such, our interests are unaffected by this proposal.

However, should you have further concerns, please return the referral to hbe@interiorhealth.ca with a note explaining your new request, or you are welcome to contact me directly at 1-855-744-6328 then choose HBE option.

Sincerely,

Mike Adams, CPHI(C)
Team Leader, Healthy Communities
Interior Health Authority

ADVISORY PLANNING COMMISSION RESPONSE FORM

Minutes of the meeting of the Electoral Area 'E' advisory planning commission held on 01.08.19 @ 12:05 hr in the CRD building, located at Williams Lake, BC, commencing at

PRESENT: Chair Angie Delainey
Members Bette McLennan, John Dressler
Dave Stafford, Bernd Eisele

Recording Secretary Bernd Eisele

Owners/Agent, or Peter Benisch, Phil Harrison
☐ Contacted but declined to attend

ABSENT: Henry Van Soest, Susan Tritt, Kerry Chelsea

ALSO PRESENT: Electoral Area Director Angie Delainey
Staff support (if present)

Agenda Items

DVP APPLICATION – 3090-20/20190033 (LOT 19, DISTRICT LOT 8832, CARIBOO DISTRICT, PLAN 10237)

Moved by: Bernd Eisele Seconded by: Dave Stafford

: "THAT the application to vary the front yard setback from 7.6m (24.93ft) to 5.4m (18ft) and the exterior side yard setback from 7.6 m (24.93 ft) to 2.44 m (8ft) for property located at 2108 GREBE DRIVE, be SUPPORTED for the following reasons:

i)

ii)

For: 4 Against: 0

CARRIED

Termination

Moved by: Seconded by: : That the meeting terminate.

☐ CARRIED

Time: 12:35

Recording Secretary

Chair



PERMIT TO REDUCE BUILDING SETBACK LESS THAN 4.5 METRES FROM THE PROPERTY LINE FRONTING A PROVINCIAL PUBLIC HIGHWAY

PURSUANT TO TRANSPORTATION ACT AND/OR THE INDUSTRIAL ROADS ACT AND/OR THE
MOTOR VEHICLE ACT AND/OR AS DEFINED IN THE NISGA'A FINAL AGREEMENT AND THE
NISGA'A FINAL AGREEMENT ACT.

BETWEEN:

The Minister of Transportation and Infrastructure

Cariboo District
301-640 Borland Street
Williams Lake, British Columbia V2G 4T1
Canada

("The Minister")

AND:

Karen and Peter Benisch
45 Country Club Boulevard
Williams Lake, British Columbia V2G 3T3
Canada

("The Permittee")

WHEREAS:

A. The Minister has the authority to grant permits for the auxiliary use of highway right of way, which authority is pursuant to both the Transportation Act and the Industrial Roads Act, the Motor Vehicle Act, as defined in the Nisga'a Final Agreement and the Nisga'a Final Agreement Act;

B. The Permittee has requested the Minister to issue a permit pursuant to this authority for the following purpose:

The construction of a building, the location of which does not conform with British Columbia Regulation 513/04 made pursuant to section 90 of the Transportation Act, S.B.C. 2004, namely; to allow the reduction of the side yard setback from Siskin Road to 2.44m to accommodate a two car garage located at 2108 Grebe Drive, as shown on drawing File No. 19543-C (attached).

C. The Minister is prepared to issue a permit on certain terms and conditions;

ACCORDINGLY, the Minister hereby grants to the Permittee a permit for the Use (as hereinafter defined) of highway right of way on the following terms and conditions:

1. This permit may be terminated at any time at the discretion of the Minister of Transportation and Infrastructure, and that the termination of this permit shall not give rise to any cause of action or claim of any nature whatsoever.
2. This permit in no way relieves the owner or occupier of the responsibility of adhering to all other legislation, including zoning, and other land use bylaws of a municipality or regional district.
3. The Permittee shall indemnify and save harmless the Ministry, its agents and employees, from and against all claims, liabilities, demands, losses, damages, costs and expenses, fines, penalties, assessments and levies made against or incurred, suffered or sustained by the Ministry, its agents and employees, or any of them at any time or times, whether before or after the expiration or termination of this permit, where the same or any of them are based upon or arise out of or from anything done or omitted to be done by the Permittee, its employees, agents or Subcontractors, in connection with the permit.
4. The Ministry of Transportation & Infrastructure is not responsible for any costs associated with the construction, placement, or maintenance of the permitted structure.
5. This permit is granted by the Ministry of Transportation & Infrastructure to the applicant and does not include any permitting that



may be required from the Cariboo Regional District.

6. The Ministry of Transportation and Infrastructure and/or the Maintenance Contractor shall not be held accountable for any damage(s) to the said structure, however caused.
7. No additions or improvements shall be made to the said structure without prior consent of the Ministry of Transportation and Infrastructure.
8. No portion of the structure shall encroach upon the Highway right-of-way.
9. Should the said structure be destroyed, removed or dismantled, this permit is automatically cancelled and another permit will not necessarily be granted for a new similar structure.
10. The Permittee shall be responsible for replacing any survey monuments that may be disturbed or destroyed by the Use. Replacement must be by a British Columbia land surveyor at the Permittee's expense.
11. Any damage to the Ministry of Transportation and Infrastructure's right-of-way as a direct result of the permitted works, shall be repaired and maintained by the permittee in perpetuity.
12. The Permittee may not assign any part of this Agreement without the consent, in writing, of the Minister.

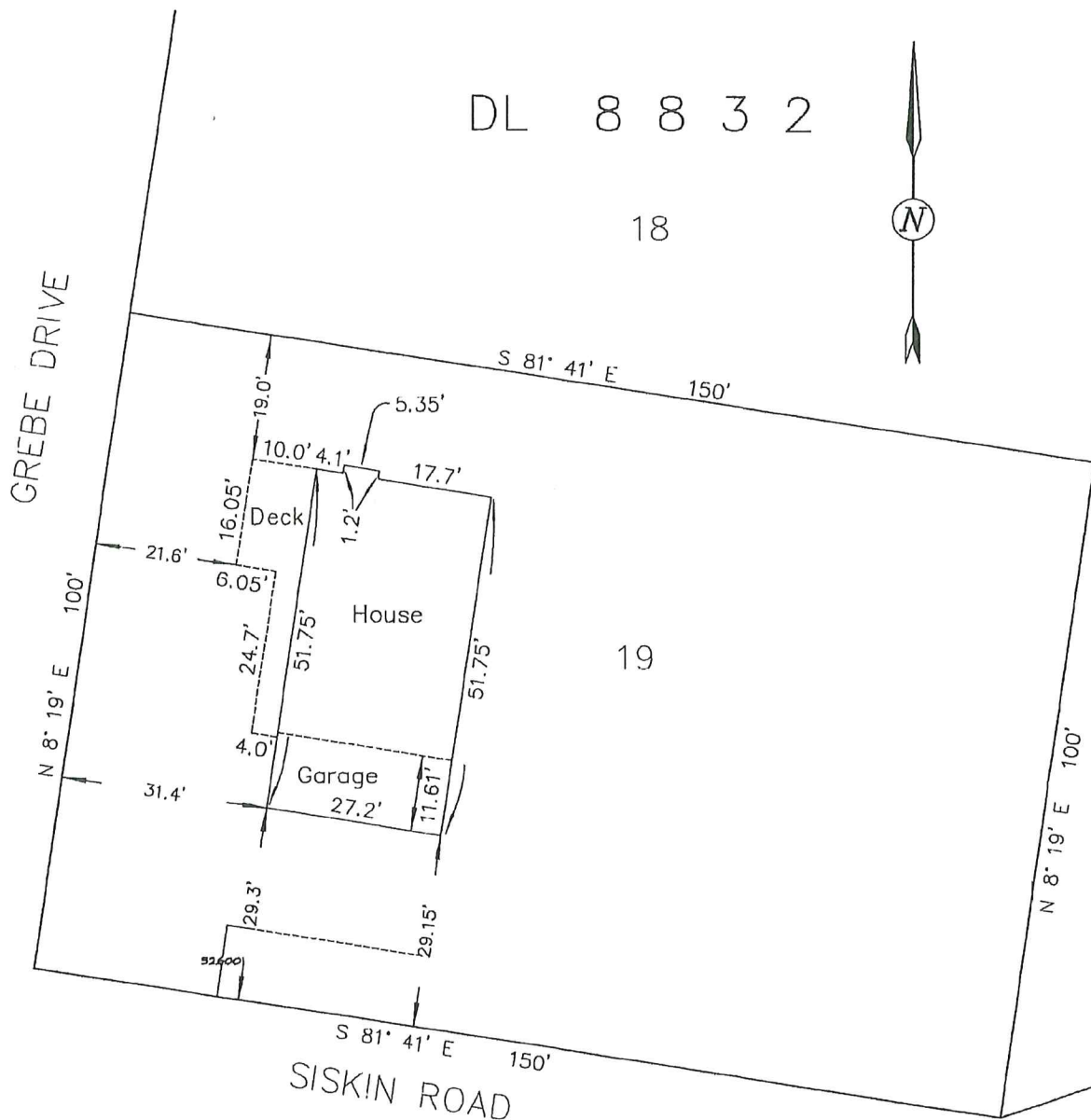
The rights granted to the Permittee in this permit are to be exercised only for the purpose as defined in Recital B on page 1.

Dated at Williams Lake, British Columbia, this 25 day of July, 2019

On Behalf of the Minister



LOT 19, DL 8532, CARIBBO DISTRICT, PLAN 10237.



BRITISH COLUMBIA LAND SURVEYOR'S CERTIFICATE OF LOCATION
OF BUILDING ON LOT 19, DL 8832, CARIBOO DISTRICT, PLAN 10237.

Scale - 1" = 30'



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