



BOARD OF VARIANCE AGENDA

Tuesday, November 16, 2021
7:00 P.M.
Remote Video / Teleconference

This meeting will be conducted by electronic means. For information on how to attend this meeting please visit the Committees & Task Group's webpage of the City's website Langleycity.ca

	Pages
1. <u>CALL TO ORDER</u>	
2. <u>MINUTES</u> Adoption of the September 22, 2021 Board of Variance minutes.	1
3. <u>APPLICATION No: BoV00026</u> Application No: BoV00026 Civic Address: 20566 51A Avenue Owner: Kevin & Naomi Kroeker Applicant: Kevin & Naomi Kroeker <ul style="list-style-type: none">• Application Form• Staff Report• Excerpt from the City's Zoning Bylaw• List of Adjacent Property Owners• Map of Adjacent Property Owners• Notice Sent to Adjacent Property Owners	4
4. <u>ADJOURNMENT</u>	



MINUTES OF THE BOARD OF VARIANCE MEETING

Wednesday, September 22, 2021

7:03 p.m.

Remote Video / Teleconference

Present: Andrew Evindsen, Board Member, Acting Chair
Kurtis Williams, Board Member
Jim Wuest, Board Member
Evan Williams, Board Member
Darin Jefferies, Applicant

Absent: John Meagher, Board Member

Staff Present: Paula Kusack, Deputy Corporate Officer
Bev Endersby, Manager of Building & Licensing

1. **CALL TO ORDER**

The Acting Chair called the meeting to order at 7:03pm

The Acting Chair explained the procedures of the hearing.

2. **MINUTES**

Adoption of the December 9, 2020 Board of Variance minutes.

It was MOVED and SECONDED

THAT the minutes of the December 9, 2020 Board of Variance meeting be adopted as circulated.

CARRIED

3. **APPLICATION No: BoV00025**

Application No: BoV00025
Civic Address: 19920 46 Avenue
Owner: Darin Jefferies
Applicant: Darin Jefferies

The Acting Chair invited the applicant to present the application.

Mr. Jefferies thanked everyone for the opportunity to address the board and proceed to explain the reason for the request. He has lived at 19920 46 Ave for 4 years and is asking that the east and rear lot lines be reduced by 30cm to allow the door to his garage to align with the driveway. If he built the garage within the

setbacks in the zoning bylaw it would require him to drive around the corner of his house to access the door. It would be difficult to navigate and a safety issue driving around the blind corner of the home. The rear setback request is to enable the garage to be built long enough to accommodate the length of one small car behind a closed door. He noted the rear setback relaxation would allow enough room between the house and the front of the garage to access the backyard. He welcomed questions from the board members.

The board members had the following questions:

To the building inspector Mr. Wuest asked for clarification about whether the request is 1.2m from the property line to the wall of the building or the roof of the building.

The building inspector advised that it is from the property line to the foundation wall and that the building department does not have concern about the roofline.

Mr. K. Williams asked if the applicant explored any other options to accomplish the desired outcome, were there other options to consider?

Mr. Jefferies advise that he considered adding on to the existing garage but that would cut of access to the back yard. He noted that there is only 25 feet from the back of the house to the rear lot line and that there is 50 feet from the front of the house to the front lot line. He would like to maintain the small backyard that he currently has.

In response to a question about the possibility of extending the garage toward the front yard instead, Mr. Jefferies noted he would have to eliminate trees and resurface the driveway to accommodate that. He didn't want to lose the trees and it would be a further expense.

The building inspector noted that if the garage was detached, as proposed, the Zoning Bylaw requires accessory buildings to be to the rear of the principle residence, so it would not be permitted.

Mr. Evindsen noted that it could have been extended forward if it was attached, however agreed that could be cost prohibitive.

Mr. E. Williams felt the request was minimal and agreed that if the driveway did not align with the garage door it would be an impediment and very difficult, if not impossible, to navigate without hitting the house, creating a hardship. He further noted that there is no impact to the neighbouring properties and felt he could support the request.

Mr. Wuest noted that to build the garage within the setbacks would bring it so close to the existing building that it would be difficult to walk between the buildings. He considered that a hardship. He further noted that adjacent neighbours have not submitted any correspondence objecting to the application and therefore assumes that the variance would not affect the use or enjoyment of the adjacent lands. The neighbours have been notified of the opportunity to

comment and seeing as there was not input received, he concluded no substantial effect.

Mr. E. Williams agreed that the variance has no effect on anyone else. He noted that city council can change setbacks and when the lots were subdivided they made this lot difficult to build on. He felt the addition of a new garage was beneficial for everyone.

There were no further questions or comments and no public in attendance.

The Board further deliberated and noted the following:

Mr. E. Williams clarified with staff that because one member of the board is not in attendance there could be a tie, and if so, the application fails. Staff confirmed that is the case. Mr. E. Williams noted he is in favour of the variance application for reasons he stated earlier.

It was MOVED and SECONDED

THAT Board of Variance application BoV 00025 to reduce the rear and side lot line accessory building setbacks from 1.5m (4'11") to 1.2m (3'11") to allow for the construction of a single car garage at the rear of the single family dwelling located at 19920 46 Avenue be approved

CARRIED

Staff advised Mr. Jefferies that his application passed and he would receive a formal letter stating that. He was advised to contact the building department to start the building permit process.

4. ADJOURNMENT

It was MOVED and SECONDED

THAT the meeting adjourn at 7:27pm

CARRIED

ACTING CHAIR

DEPUTY CORPORATE OFFICER

BOARD OF VARIANCE APPLICATION

BUILDING DIVISION inspections@langleycity.ca 604-514-2804

PRIOR TO ACCEPTING A BOARD OF VARIANCE APPLICATION, A COMPLETE BUILDING PERMIT APPLICATION SUBMISSION IS REQUIRED

PROPERTY INFORMATION

Address: 20566 51a Ave, Langley, BC, V3A 7A5
 Legal Description: LT 263 DL86 NWD PL NWD S2928
 Lot #: 263 PID: _____ Folio: _____

PEOPLE INFORMATION

Applicant Name: Kevin Kroeker **Contact Person Name:** Kevin Kroeker
Phone: 22 (1) **Cell:** _____ **email:** 22 (1)
Address: 20566 51a Ave **City:** Langley **Province:** BC **Postal:** V3A 7A5
Owner Name: Same as above **Contact Person Name:** _____
Phone: _____ **Cell:** _____ **email:** _____
Address: _____ **City:** _____ **Province:** _____ **Postal:** _____

VARIANCE REQUEST DETAILS

DESCRIPTION OF PROPOSED VARIANCE:

Applying for variance of building on the property
& proposed addition being over the property
setback.

APPLICATION CHECKLIST:

The following are to be submitted at the time of this application

- Application Fee \$ 2501.00
- Completed Board of Variance Application Form
- Written statement, signed by the owner, setting out in detail the grounds upon which the Application is based and the relief sought due to undo hardship.
- Two complete sets of construction drawings for presentation at the board hearing plus one set reduced to 11 X 17
- BCLS Site Survey - ~~1~~ applicable ✓
- Letter of Authorization (if applicant is not Registered Owner)

I/We have attached to this application the attachments required along with the application fee and hereby agree to submit further information deemed necessary for processing this application. Further, I hereby agree that all information, including personal information, contained on this document may be made available to the public.

Name of Applicant: Kevin Kroeker **Signature:**  **Date:** Sept 15, 2021

RECEIVED

FOR OFFICE USE ONLY

Application Reviewed By _____
 Zone: _____ DP: _____ Land Use Contract _____ Folio No.: _____

Date: SEP 27 2021 Application No: B060026
CITY OF LANGLEY
BUILDING DEPARTMENT

Barb0026

Re: Kroeker's Residence @ 20566 51a Ave, Langley, BC (Lot 263, Plan 52928)

Hello. My name is Kevin Kroeker. I am writing this letter on behalf of myself and my wife, Naomi Kroeker, to the board for variance consideration with regards to multiple items of our home. We would like to do an addition and renovation to our home for the purpose of creating more space in our home so that we may be able to have my mother in-law come to live with us ^{22 (1)}

^{22 (1)} After having plans drawn up as well as structural plans we have encountered multiple items that will require your approval in order for our plans to come to fruition. The items in question are as follows.

RECEIVED

SEP 27 2021

CITY OF LANGLEY
BUILDING DEPARTMENT

- 1) We currently have a front porch that is approximately 4' out from the house and 8' long. The setback at the front of our property is right along the front of our home. As a result the entire porch is over the setback. During the rainy months as well as winter this porch and the steps up to it become quite slippery and dangerous as it does not have any kind of roof covering. As we will have my elderly mother in-law living with us we would like to have a roof covering in order to maintain a safer entry way for her.
- 2) The second item to address is our garage. The renovation that we are planning involves adding a second level onto our home. In order to do this it requires us to rebuild our garage as it was not originally built with a proper foundation for the structure. We would like to demolish it in order to rebuild it correctly to today's standards and to be able to adequately handle a second floor above it. The concern we have is that we have recently learned that the garage was never built with any permits and is also built over the setback at the rear of our property. We intend to build the new garage in the exact same location as the current one. Without the ability and approval to rebuild the garage in this location over the setback, we will not be able to follow through with any of our renovation plans as we do not have the ability to live without a garage due to my tools and equipment needed for my work. Not being approved would mean that we would need to sell and move in order to have the room that we need for our household, however buying a different home will cost us more than this

renovation and there for it will not be possible for us as we have limited funding. Please consider allowing us the ability to rebuild in the same location. I have included a current survey report in this package.

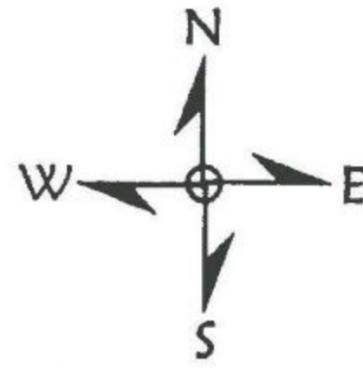
- 3) The next item for consideration is the addition of the second floor space above the garage. This part of the addition is also effected by the set back on that side of the property. If you allow for the variance of the garage in its current location we would like to have the upper floor also extend to the same footprint. We had plans drawn up that had the second floor pulled back to not cross the setback at first, however after having our engineer go through the plans, in order to make that work it would require extensive beam and foundation work to carry the floor joists and exterior wall for the second floor. It also would add extensive complexity to our roof line. If we are required to stay back from the setback on the second floor this will cost us a considerable amount extra funding to make it work compared to being able to just match the second floor exterior walls with the garage walls. Approximately \$20,000-\$30,000 worth of extra work.

Once again, we are needing to move forward with this renovation in order to make more room for our family and the cost to our family for this renovation will be less than if we sell and repurchase a larger home which unfortunately is not an option for us at the current time. If you do not consider allowing us the variance of the garage and second floor then we will not be able to do any of this renovation at all.

We thank you very much for your consideration and hope that you will be understanding of our circumstances and our family needs.

Keivn and Naomi Kroeker

A handwritten signature in black ink, appearing to read 'Keivn and Naomi Kroeker', with a long horizontal stroke extending to the right.



- Scope of BOV appeal
- 2) Reconstruction of existing garage.
 - 3) 2nd floor addition over garage

19' 7"
5.96m
Proposed
Setback

Scope of BOV Appeal
1) Proposed
Covered Entry Porch

Proposed 2nd floor addition
will cover entire main floor
foot print

LOT 263
667.69 sqm. OR 7,187.00 sqft.

LOT 262

LOT 256



REPORT TO BOARD OF VARIANCE

Subject: 20566 51A Ave.

Report #: BOV00026

Date: October 21, 2021

File #:

Doc #:

From: Beverly Endersby, RBO, CRBO
Manager of Building & Licensing

PURPOSE OF REPORT:

To consider an application by Mr. Kevin Kroeker to: 1) reduce the front lot line principal building setback from 7.5m (24.61') to 5.96m (19.58') to allow for a covered front entry porch, 2) reduce the rear lot line principle building setback from 7.5m (24.61ft) to 4.3m (14.10 ft) for a portion of a garage that was constructed without a building permit (by previous property owner), 3) reduce the rear lot line principal building setback as stated above to allow for a second storey addition, all for the single-family dwelling located at 20566 51A Avenue.

COMMENTS/ANALYSIS:

Background Information:

Registered Owners: Kevin and Naomi Kroeker

Applicant: Kevin and Naomi Kroeker

Legal Description: LT 263 DL 36 NWD PL NWP52928
LOT 263 DISTRICT LOT 36 NEW WEST DISTRICT PLAN NWP52928

Zoning: RS1 – Single Family Residential Zone

O.C.P. Designation: Urban Residential

Surrounding Land Uses N: RS1 – Single Family Zone;
S: RS1 – Single Family Zone;
E: RS1 – Single Family Zone;
W: RS1 – Single Family Zone;

Discussion:

The applicant and owner, Mr. Kevin Kroeker has applied to the Board of Variance to reduce the rear lot line principal building setback for a portion of an existing attached garage to the Single Family Dwelling that was constructed without a building permit by the previous owner. With the garage being permitted to be reconstructed in its original location, Mr. Kroeker is requesting the reduction of the rear lot line principal building setback for a portion of a proposed second storey addition to the dwelling.

Zoning Bylaw 2100 requires the *Principal Building* minimum lot line setback from the *rear lot line* to be 7.5m (24.61 ft.). The variance request is to reduce the rear yard setback from 7.5m (24.61 ft) to 4.30m (14.10 ft).

The applicant and owner, Mr. Kevin Kroeker has applied to the Board of Variance to reduce the front lot line principal building setback for a proposed covered front entry porch.

Zoning Bylaw 2100 requires the *Principal Building* minimum lot line setback from the *front lot line* to be 7.5m (24.61 ft.). The variance request is to reduce the rear yard setback from 7.5m (24.61 ft) to 5.96m (19.58 ft).

The subject property had been marked by a surveyor to illustrate where the proposed rear yard setback and the front yard setback for the proposed additions.

A building permit cannot be considered until the Board of Variance decides on the proposed relaxation to the rear and front yard setbacks.

Prepared by:



Beverly Endersby, RBO, CRBO
Manager of Building & Licensing.

PART II – RESIDENTIAL ZONES

6. Siting of Buildings and Structures

Building Type	Minimum Lot Line Setback			
	<i>Front</i>	<i>Rear</i>	<i>Interior</i>	<i>Exterior</i>
<i>Principal Building</i>	7.5 m [24.61 ft]	7.5 m [24.61 ft]	1.5 m [4.92 ft]	4.5 m [14.76 ft]
<i>Accessory Buildings and Structures</i>	7.5 m [24.61 ft]	1.5 m [4.92 ft]	1.5 m [4.92 ft]	4.5 m [14.76 ft]

7. Off-Street Parking

Off-street parking shall be provided and maintained in accordance with Section I.E. of this Bylaw.

8. Landscaping

Not applicable to this Zone.

9. Special Regulations

Not applicable to this Zone.

10. Other Regulations

In addition, land use regulations including the following are applicable:

- (a) General provisions on use are set out in Section I.D. of this Bylaw.
- (b) Building Permits shall be subject to the City of Langley Building and Plumbing Bylaw and the Development Cost Charge Bylaw.
- (c) Subdivisions shall be subject to the City of Langley Subdivision Control Bylaw and the Development Cost Charge Bylaw.
- (d) Development Permits may be required in accordance with the *Official Community Plan*.
- (e) Sign Permits shall be subject to the City of Langley Sign Bylaw.
- (f) *Secondary Suites* shall comply with Section I.D.4.(c) of this Bylaw.

B. RS2 SINGLE FAMILY ESTATE RESIDENTIAL ZONE

1. Intent

This Zone is intended to accommodate and regulate the development of single family housing on large *Suburban Residential* lots.

2. Permitted Uses

Land, buildings and structures shall be used for the following uses only, or for a combination of such uses:

- (a) *Single Family Residential.*
- (b) *Accessory Uses* limited to *Home Occupation* and *Secondary Suite.*

3. Lot Dimensions

The minimum size and width of lots which may be created by subdivision in this Zone are as follows:

Minimum	
Lot Size	Lot Width
930 m ² [10,010.76 ft ²]	18.0 m [59.05 ft]

4. Size of Buildings and Structures

Building Type	Maximum	
	# Units	Height
<i>Principal Building</i>	1 plus 1 Secondary Suite	9.0 m [29.53 ft]
<i>Accessory Buildings and Structures</i>	n/a	4.6 m [16.09 ft]

5. Lot Coverage

All buildings and structures combined shall not cover more than thirty-three (33) percent of the lot area.

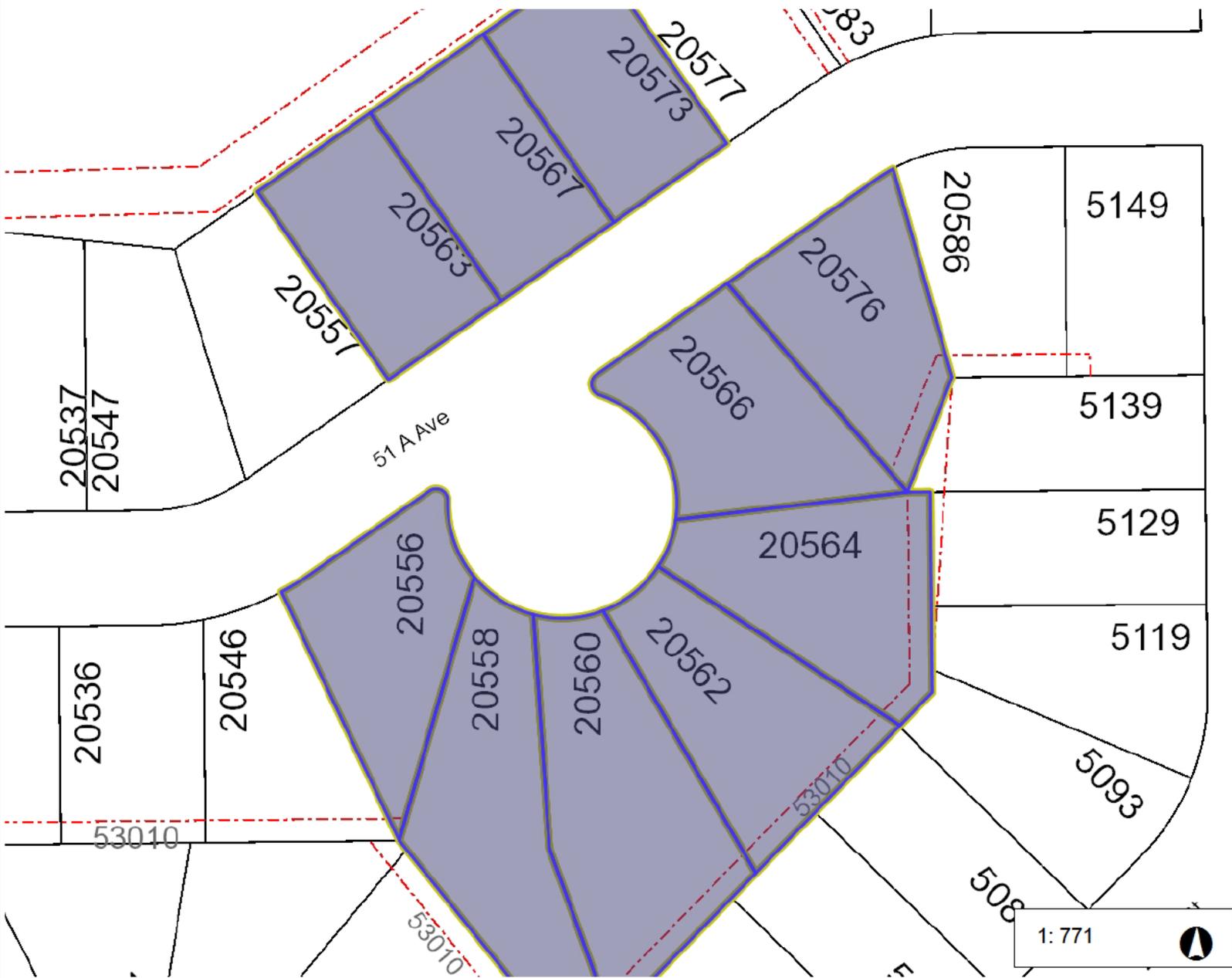
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BoV00026

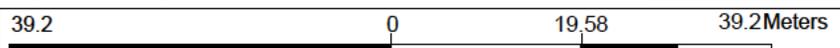


Legend

- + Railway
- Watercourses
 - Class A or A(O)
 - Class B or C
- - - Right-of-Way
- ▣ City Boundary
- Property



1:771



NAD_1983_UTM_Zone_10N
 © Latitude Geographics Group Ltd.

The City of Langley does not guarantee the accuracy or completeness of this information. Consequently, the City will not accept any responsibility for costs incurred as a result of errors, deficiencies, and/or omissions from this drawing/print. Lot sizes, legal descriptions and encumbrances must be confirmed at the Land Title Office. All as-built utility information must be confirmed with signed and sealed P. Eng. drawings.

Notes

Adjacent Property Map



CITY OF LANGLEY

NOTICE OF HEARING

BOARD OF VARIANCE - APPLICATION NO. BOV00026

November 16, 2021, 7pm, by Video Conference

Notice is hereby given to property owners and tenants in occupation of the land that is adjacent to 20566 51A Avenue, that an application for a variance to City of Langley Zoning Bylaw, 1996, No. 2100 has been received from the owner of the subject property.

Civic Address: 20566 51A Avenue

Legal Description: LOT 263, DL 36, NWD PL NWP52928

The applicant seeks to:

1. Reduce the rear lot line principle building setback from 7.5m (24.61ft) to 4.3m (14.10 ft) for a portion of a garage that was constructed without a building permit by a previous property owner.
2. Reduce the rear lot line principal building setback as stated above to allow for a second storey addition.
3. Reduce the front lot line principal building setback from 7.5m (24.61') to 5.96m (19.58') to allow for a covered front entry porch.

Due to the COVID-19 pandemic, until further notice, Board of Variance meetings will be held virtually using Zoom meeting software, and although the meeting is not in person, opportunities for public input are available. Property owners who deem themselves to be affected by the application can share their views with the Board either in writing by email, Canada Post mail, or by appearing before the board at the virtual meeting on Tuesday, November 16 at 7:00pm to be held via Zoom.

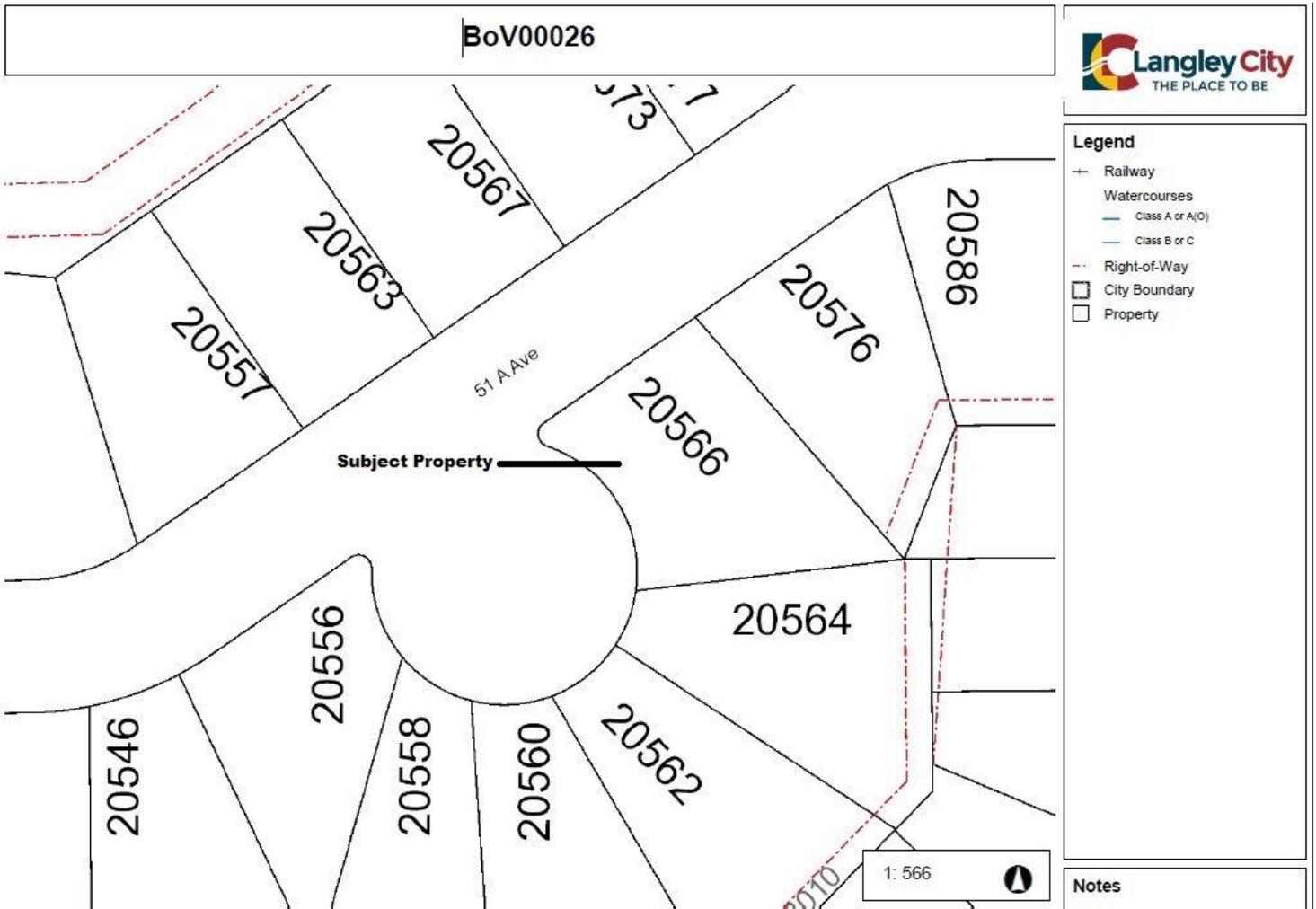
Written submissions may be sent to Paula Kusack, Deputy Corporate Officer via email to pkusack@langleycity.ca, or by mail, c/o Langley City Hall, 20399 Douglas Crescent, Langley, BC V3A 4B3. If you wish to attend the virtual Zoom meeting, you can participate either by computer or smart phone and can email pkusack@langleycity.ca to receive a link to the meeting.

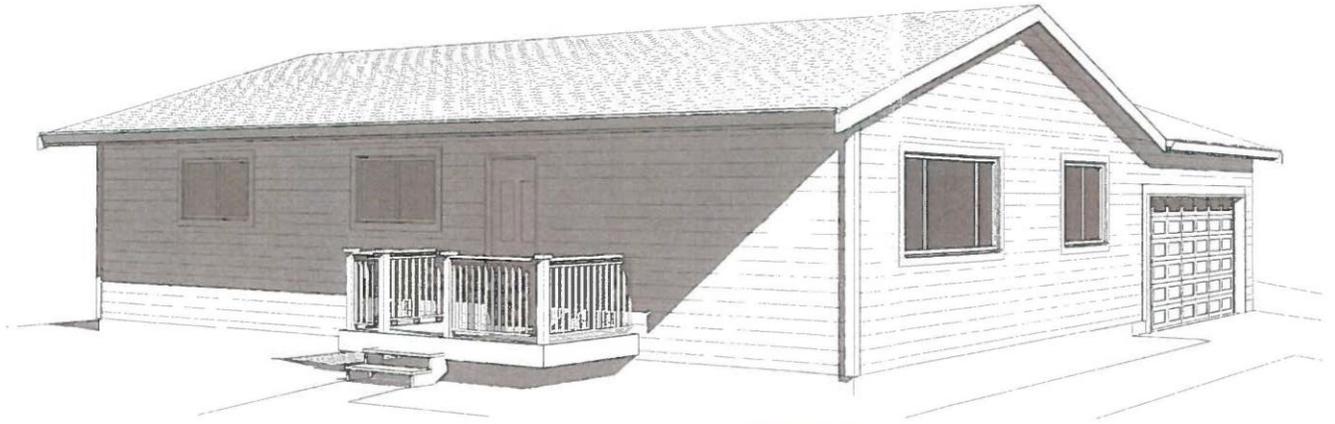
All written submissions and virtual meeting participation requests must be received no later than 12:00pm on Tuesday, November 16, 2021. All participants in the meeting will have their names and addresses recorded as part of the official record.

If you require information of a technical nature regarding this application please contact Beverley Endersby, Chief Licensing Inspector at 604-514-2816 or bendersby@langleycity.ca

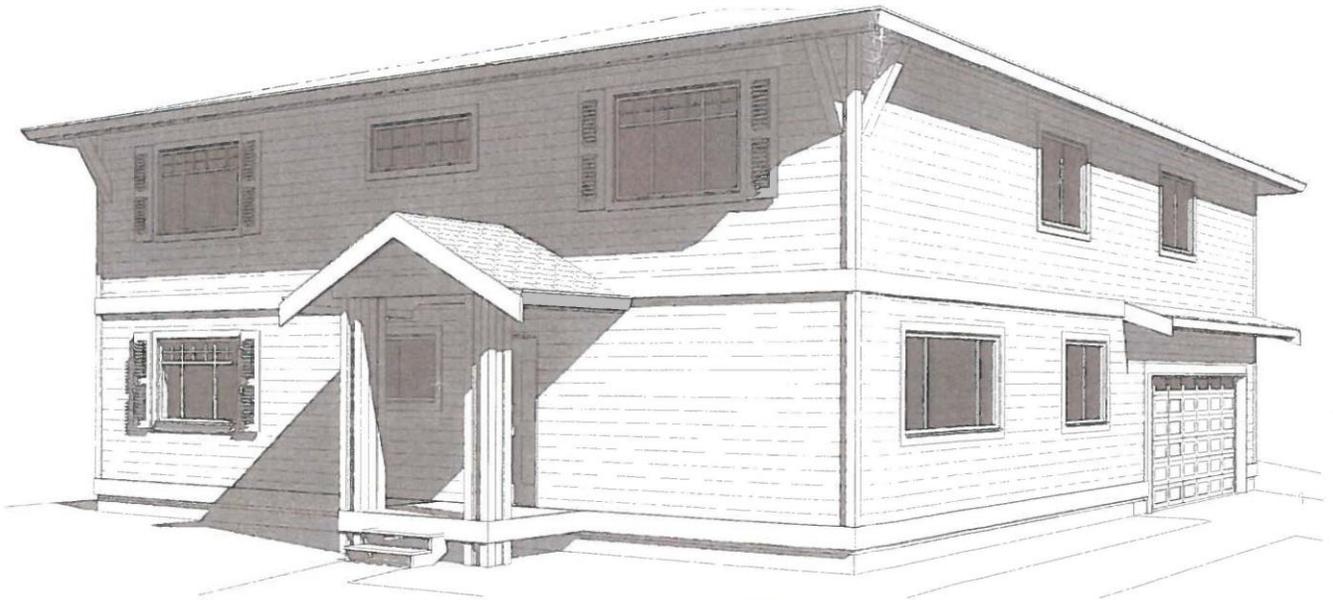
Paula Kusack, Deputy Corporate Officer
Langley City

20566 51A Avenue





3D EXTERIOR - EXISTING



3D EXTERIOR - PROPOSED