

AGENDA ITEM NO: 7.8

MEETING DATE: August 6, 2024

**STAFF REPORT – COVER SHEET**

SUBJECT: Bruce Hoch  
Development Permit / 10164 Williams  
Road DATE: July 22, 2024

DEPARTMENT: Planning Department  
DP001729 PREPARED BY: Krista Goodman /mb


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**1. SUMMARY OF ISSUE:**

The applicant wishes to amend a previously approved Development Permit (DP001423) to approve the form and character of a deck addition oriented towards the rear lot line (RLL) instead of the principal dwelling.

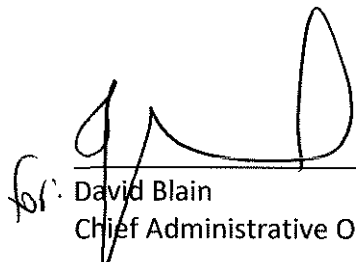
**2. RECOMMENDATION:**

Recommendation that Council deny the issuance of Development Permit DP001729 with respect to property located at 10164 Williams Road. (Presentation)

  
\_\_\_\_\_  
Gillian Villeneuve  
Director of Planning

**3. CHIEF ADMINISTRATIVE OFFICER'S  
RECOMMENDATION/COMMENTS:**

Supports recommendation.

  
\_\_\_\_\_  
for: David Blain  
Chief Administrative Officer

## STAFF REPORT ON DEVELOPMENT PERMIT DP001729

PREPARED BY: Krista Goodman DATE: July 22, 2024

POSITION: Planner I DEPARTMENT: Planning Department

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### 1. BACKGROUND:

In August 2021, a Development Permit (DP001423) was issued to construct a 59m<sup>2</sup> coach house with an exterior stair access on the subject property. The associated Building Permit (BP033102) was subsequently issued in accordance with the approved DP and was completed on April 3, 2023. A bylaw enforcement complaint was received in May 2023 concerning the unauthorized construction of a large deck attached to the rear of the coach house on the subject property. In response to the call, a stop work order was issued and the applicant was instructed to apply for a Development Permit Amendment to allow for the construction of a coach house deck addition. Should the requested application be approved, a Building Permit application will be required to legitimize the work completed without an issued Building Permit.

### 2. PROPOSAL:

The applicant is seeking approval for a second storey deck with an enclosed storage area below, currently under construction on the coach house. The proposed deck is approximately 19m<sup>2</sup> in size and faces the adjacent property to the east. The proposed deck currently has wood railing and stairs however, the applicant intends to replace these with aluminum railings and glass panels as shown in elevations attached within Schedule "A" of the draft permit. Furthermore, the applicant advises the enclosed storage space below the deck is associated with an Accessory Home Occupation for *Northwest Prestige Building & Contracting Ltd.*

#### Proposed Deck & Storage Area (currently under construction)



Previously Approved Elevations as per DP001423

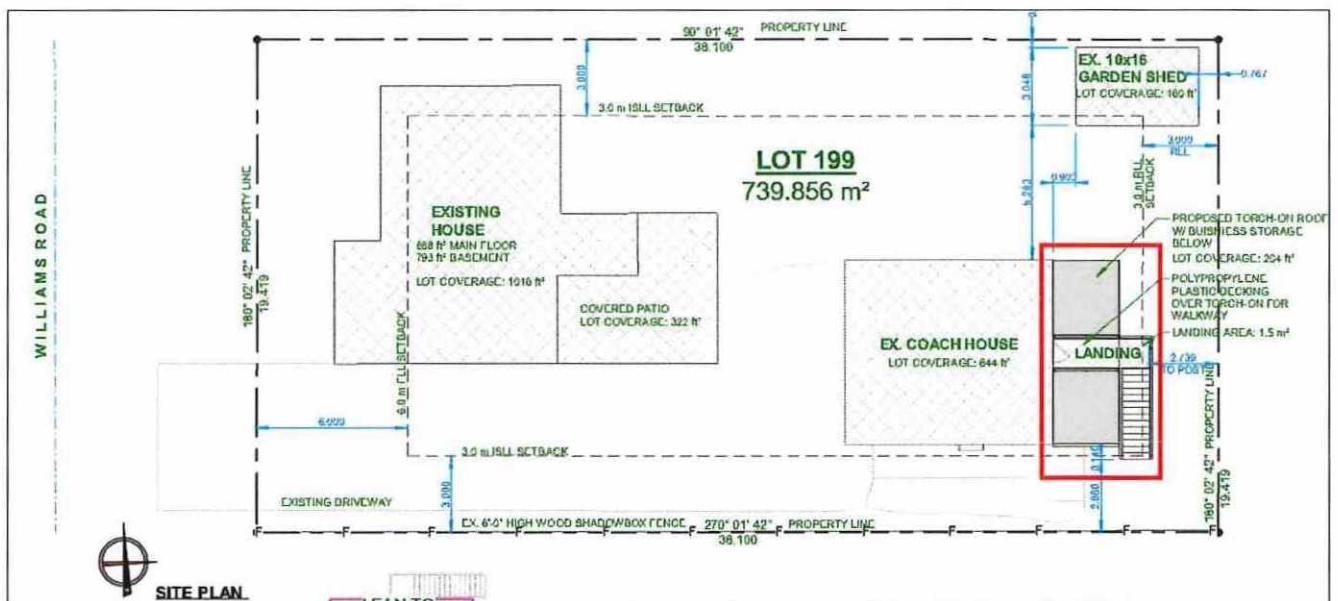


As detailed in the attached checklist and Section 4 of this report, the applicant is requesting a departure to the DPA10 Design Guidelines to allow the deck to be oriented toward the rear lot line instead of the principal dwelling. As this application diverges from Design Guideline requirements, consideration by Council is required.

Staff are not supportive of the application, as detailed below. The applicant is aware and has requested to proceed to Council for consideration.

3. DISCUSSION REGARDING DEVELOPMENT PERMIT CONSIDERATIONS:

The applicant is requesting a departure to the Design Guidelines through the Development Permit application process. The Guidelines specify that coach house decks are to be oriented towards the principal dwelling unit to protect the privacy of adjacent properties. The applicant is in the process of constructing a deck and enclosed storage area oriented towards the rear lot line and away from the existing principal dwelling, as shown in red below. While the original approved design included a staircase entry at the rear of the building, the size and scale of the recent construction are not consistent with the previous approval and have the potential to negatively impact the adjacent property.



Originally, the applicant proposed to utilize the entire addition as a large deck area; however, the applicant now proposes to relocate the railings to create a landing area and reduce the impact on the property to the east. Although the applicant has minimized the deck space by relocating the railings, there remain privacy concerns and overlooking of the adjacent property. Given the departure from the design guidelines, staff are not supportive of this request and recommend that Council deny the issuance of the draft Development Permit.

#### 4. OPTIONS

With respect to the proposed Development Permit DP001729, Council may wish to consider one of the following options:

**A. Deny the application as presented (staff recommendation).**

**B. Approve the application, as requested, subject to the following conditions:**

*That Council approve the issuance of the draft Development Permit, subject to the following conditions:*

- 1. Development shall be in accordance with the previously issued Development Permit (DP001423) except the portions amended here within;*
- 2. A Building Permit is required to legitimize the work completed without an issued Building Permit;*
- 3. That development be in accordance with the approved site plan and elevations attached within the Schedule "A"; and,*
- 4. Specifications of Development Permit Area No. 10 (Coach Houses or Garden Suites) of the City of Chilliwack Official Community Plan.*

#### 5. RECOMMENDATION & SUBSTANTIATION:

##### **Recommendation:**

Recommendation that Council deny the issuance of Development Permit (DP001729) with respect to the property located at 10164 Williams Road. (Presentation)

##### **Substantiation:**

The proposed deck addition was constructed without the benefit of a Building Permit, departs from Design Guidelines for DPA 10, and the privacy of the adjacent property to the east is anticipated to be negatively impacted.

**6. DEVELOPMENT PERMIT AREA NO. 10 DESIGN GUIDELINES CHECKLIST**

	Design Guidelines	Yes/No	Comments
<b>1</b>	<b>Design</b>		
	Roofline matches architecturally with principal dwelling	Yes	The existing coach house and principal dwelling include a peaked roofline.
	Massing matches architecturally with principal dwelling.	No	The roof line and shape of the existing coach house and principal dwelling are consistent. However, the proposed deck results in disproportionate massing that is not considered appropriate given the coach house's ancillary status relative to the principal dwelling.
	Shape matches architecturally with principal dwelling	Yes	As above
	Scale and proportion match architecturally with principal dwelling	No	As above.
	Exterior finishes match architecturally with principal dwelling.	Yes	Exterior finishes match architecturally with the principal dwelling
	Colours match the principal dwelling.	Yes	As above.
	Coach houses shall be designed as a single-level apartment unit, with all services and rooms forming part of the unit located on the same floor	Yes	All services and rooms are on a single-level within the coach house.
	Coach houses accessed by an interior staircase shall meet setback requirements, be located within an entrance foyer with a maximum area of 2m <sup>2</sup> and designed for exterior access only.	N/A	The coach house is accessed by an exterior staircase
	Oriented to the internal lot, laneway or flanking street.	No	The entrance to the coach house is on the second floor at the rear of the building and accessed by an external staircase. Furthermore, the deck, currently under construction, is also oriented towards the neighbouring property to the east
	Windows facing garden and side yards modestly sized	Yes	Windows facing the garden and side yards are modestly sized.
	Use of frosting and/or clerestory windows on walls facing neighbouring properties	Yes	Windows facing the north, south, and east neighboring properties are modestly sized. A condition in the previously issued amendment to the original Development Permit requires the rear window on the second storey to be frosted
	Skylights used	N/A	None proposed
	Design reflects and incorporates natural terrain in areas with steep slopes	N/A	None to incorporate.
	Balcony and/or deck is oriented towards principal dwelling and is less than 3.0m in height.	No	Deck is oriented towards the neighboring property to the east. The deck is 2.7m in height
	Single garage doors or double garage doors with windows or other architectural elements are used.	Yes	A single garage door is proposed with windows
	<b>2 Siting</b>		
	Coach house or garden suite is located behind or beside the principal dwelling	Yes	Coach house is located behind the principal dwelling.
	Coach houses and garden suites accessed off of a lane include a recessed, covered landing or "stoop"	N/A	The coach house is not accessed via a lane.

	Front door is oriented to the adjacent right-of-way, in the case of a corner lots with laneway access	N/A	Same as above.
<b>3</b>	<b>Access</b>		
	Shared driveway access or from laneway or flanking street.	Yes	Driveway is shared with principal dwelling
	Address signs provided.	Yes	At time of Planning Department final inspection, an additional address was confirmed to be placed at the street entrance in order to clearly identify the unit for visitors, deliveries and emergency responders
	Pedestrian access provided from front street to coach house or garden suite.	Yes	Pedestrian access provided via driveway
<b>4</b>	<b>Outdoor Space</b>		
	15m <sup>2</sup> semi-private outdoor space clearly associated with coach house or garden suite	Yes	Outdoor space is available adjacent to the coach house
	View obstructing screen (berm, fence, masonry wall or vegetation screen), with a minimum height of 1.5m, provided between structure and neighbouring properties	Yes	The property is screened from its neighbours at a minimum of 1.5m through a variety of methods, including fencing and vegetation
<b>5</b>	<b>Outdoor Lighting</b>		
	Lighting is oriented to the unit and not intruding on neighbouring properties	No	A condition of the previously approved Development Permit included that any lighting provided at entrances of the building must be down-cast
	Pathway lighting, non-glare down cast LED lights for entrance feature and other lighting features complement the architectural and landscape style of the unit	No	Same as above.
<b>6</b>	<b>Landscaping</b>		
	Landscaping on rear lane provided to enhance visual amenity and break up solid lines of fencing.	N/A	Coach house is not accessed via rear lane.
	Landscaping does not impede visibility for vehicle movement within the lane.	N/A	Same as above.

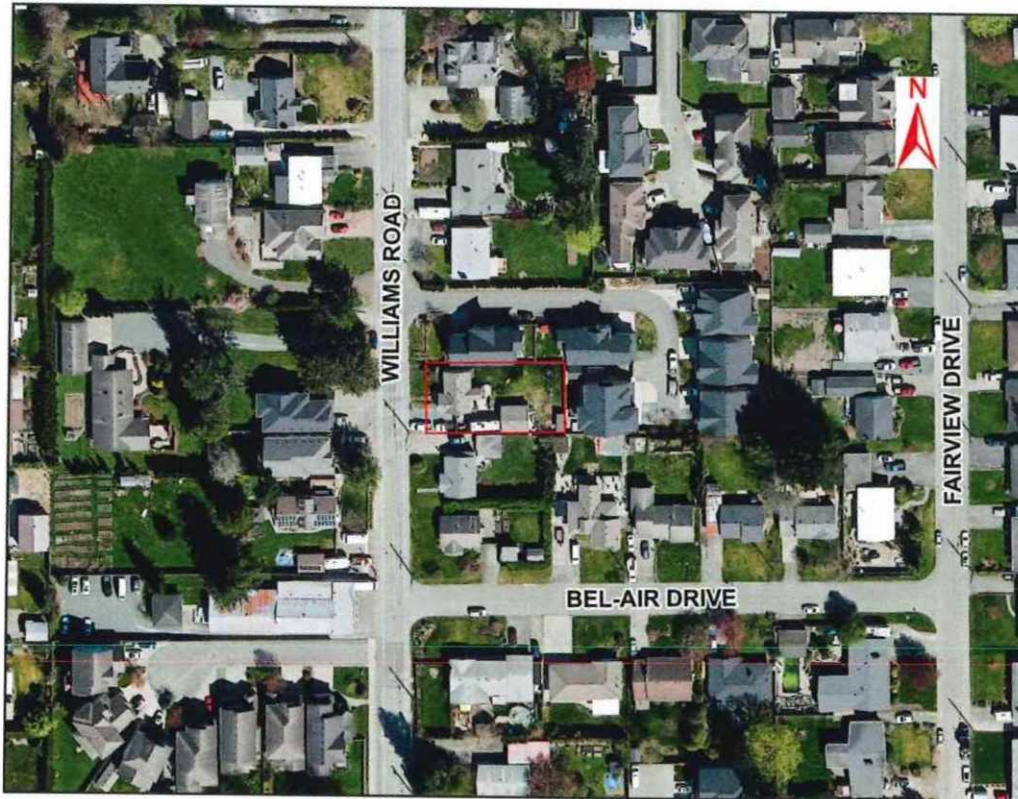
**7. SOURCES OF INFORMATION:**

- Building Permit (BP033102) – April 3, 2023
- Development Variance Permit Application (DVP001372) – July 20, 2023
- Development Permit Application (DP001729) – July 20, 2023
- Development Permit (DP001423) – August 16, 2021

Location Map



Ortho Photo




To whom it may concern

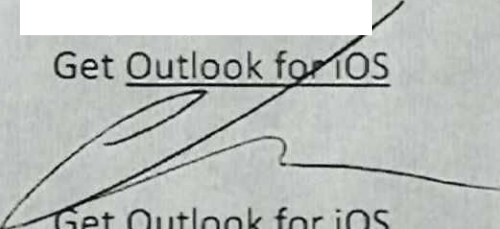
My name is Christopher Eliot Swansen .I am the previous owner of 10164 Williams rd. Chilliwack b.c v2p5h4.

Before the sale of the home to Mr Hoch . I had tenants that built a small shed in the back corner of the yard also the deck attached to the house was always a part of the house .

If you have any questions or concerns, please let me know

Regards Chris Swanson

  
Get Outlook for iOS

  
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Date Received: February 26, 2024  
Received From: Bruce Hoch  
Folder Number: DVPO1372/DPC001729  
Subject Property: 10164 Williams Road  
Council Date: TBD





CITY OF CHILLIWACK

DEVELOPMENT PERMIT NO. DP001729, 2024

(Portion of Development Permit Area No. 10 of the Official Community Plan)

1. This Development Permit applies to the following property:

**Parcel Identifier No.** 005-309-174

**Legal Description:** LOT 199 DISTRICT LOT 372 GROUP 2 NEW WESTMINSTER  
DISTRICT PLAN 54732

**Address:** 10164 Williams Road

2. Development of the subject property shall be substantially in conformance to the following:

- Development shall be in accordance with the previously issued Development Permit (DP001423) except the portions amended here within;
- A Building Permit is required to legitimize the work completed without an issued Building Permit;
- Development shall be in accordance with the approved site plan and elevations attached within the Schedule "A"; and,
- Specifications of Development Permit Area No. 10 (Coach Houses or Garden Suites) of the City of Chilliwack Official Community Plan.

**N.B. The above technical information is retained on file in the Planning Department.**

3. This Development Permit is not a Building Permit and does not constitute approval of any proposed subdivision.
4. Pursuant to Section 504 of the *Local Government Act*, if the permittee does not substantially start any construction permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

APPROVED BY COUNCIL ON THE \_\_\_ DAY OF \_\_\_, 2024.

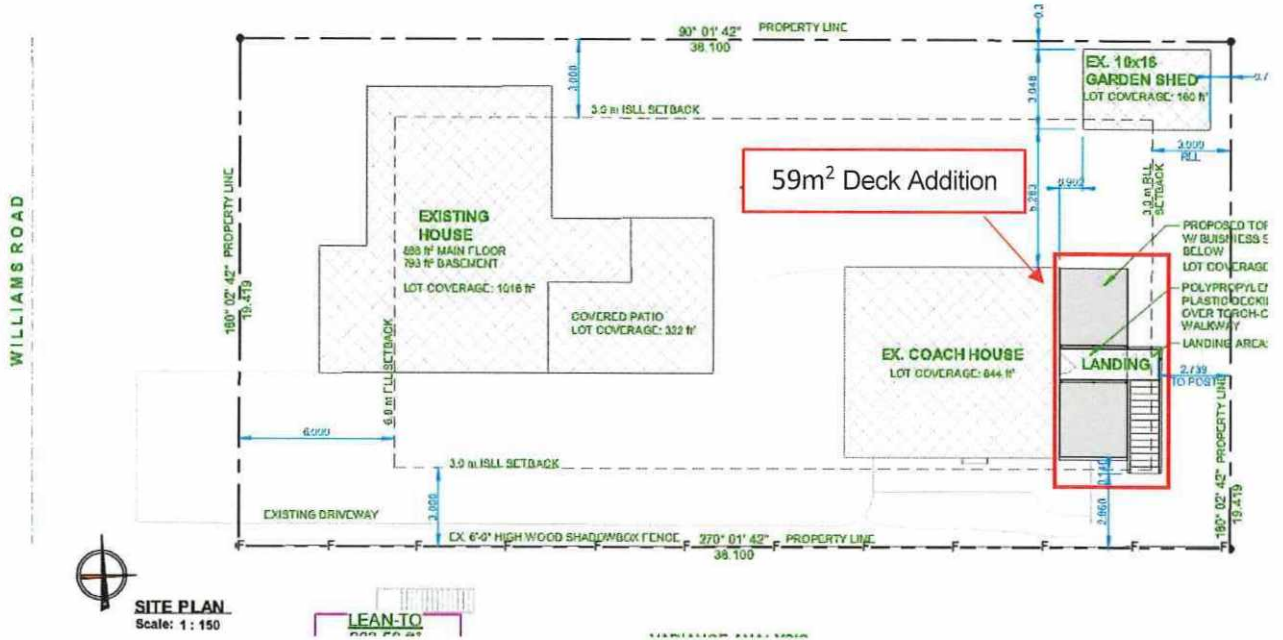
ISSUED THIS \_\_\_ DAY OF \_\_\_, 2024.

\_\_\_\_\_  
CORPORATE OFFICER

**DRAFT**

Schedule "A"

Site Plan



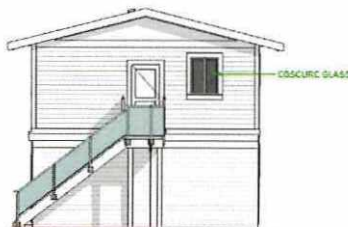
Elevations



REAR PERSPECTIVE



RIGHT ELEVATION  
Scale: 1/8" = 1'-0"



REAR ELEVATION  
Scale: 1/8" = 1'-0"



LEFT ELEVATION  
Scale: 1/8" = 1'-0"

**DRAFT**