Fraser Valley Regional District

CORPORATE REPORT

To: CAO for the Electoral Area Services Committee
From: Julie Mundy, Planning Technician

Date: 2019-05-08
File No: 3090-20 2019-09

Subject: Application for Development Variance Permit 2019-09 to reduce the front lot line setback to permit the re-construction of a residential porch at 35103 North Sward Road, Electoral Area F

RECOMMENDATION

THAT the Fraser Valley Regional District Board issue Development Variance Permit 2019-09 for 35103 North Sward Road, Electoral Area F, to reduce the front lot line setback from 6.0 metres (19.7 feet) to 2.1 metres (6.9 feet), to facilitate the re-construction of a residential porch, subject to the issuance of an Encroachment Permit from the BC Ministry of Transportation and Infrastructure, and subject to consideration of any comments or concerns raised by the public.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

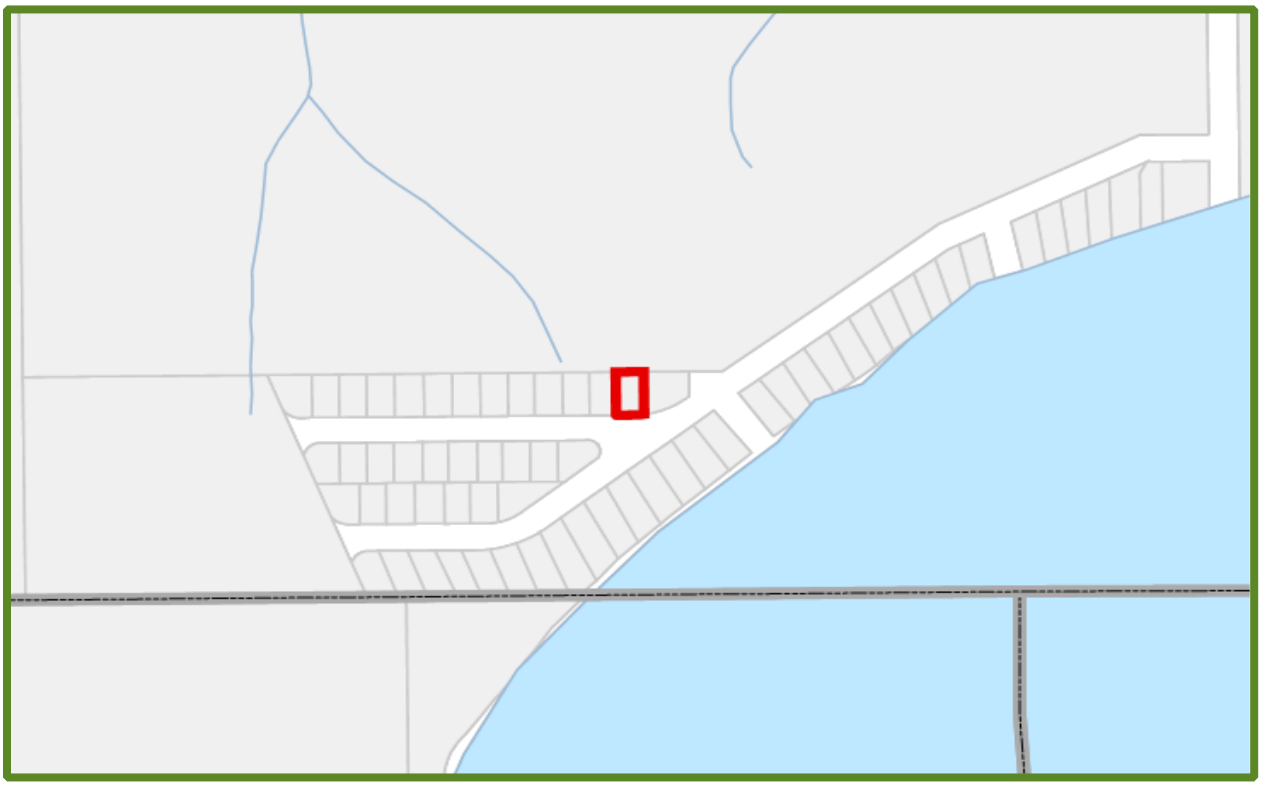
BACKGROUND

The property owner has applied for a Development Variance Permit (DVP) to reduce the front lot line setback for a residence as outlined in *Dewedney-Alouette Regional District Land Use and Subdivision Regulation Bylaw No. 559-1992*. The proposed works are closer than 4.5 metres to the road right of way and, therefore, will require approval from the BC Ministry of Transportation and Infrastructure.

PROPERTY DETAILS			
Electoral Area	F		
Address	35103 North Sward Road		
PID	008-059-292		
Folio	775.02202.099		
Lot Size	6000 sq ft (0.13 acres)		
Owner	Susan Quinn	**Agent**	P to P Contracting
Current Zoning	Rural 1 (R-1)	**Proposed Zoning**	No change
Current OCP	Suburban Residential (SR)	**Proposed OCP**	No change
Current Use	Residential	**Proposed Use**	No change
Agricultural Land Reserve	No		

ADJACENT ZONING & LAND USES		
North	^	Floodplain Agriculture (A-2), Farm
East	>	Rural 1 (R-1), Residential / Single family residence
West	<	Rural 1 (R-1), Residential / Single family residence
South	v	Rural 1 (R-1), Residential / Single family residence

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

The property owner is conducting structural repairs and building an addition to an existing residence at 35103 North Sward Road. The works include rebuilding a porch at the front of the house which was previously removed to allow for foundation repairs. The existing house is small at 53.5 square metres (608 square feet) with the porch adding an additional 7.4 square metres (79.4 square feet) of covered outdoor space.

Application Rationale

The owner advises that the porch will enable greater enjoyment of the natural view as well as provide an outdoor space for relaxing and visiting with family. The owner additionally notes that the house and porch are aligned with other houses on the street and will not look out of place.



Image 1 – Demonstrates the alignment of the house with neighbouring houses.

Front Lot Line Setback Variance Request

In order to rebuild the porch in its previously existing location, the property owner is seeking a 3.9 metre (12.8 foot) relaxation from the front lot line setback. This will reduce the setback requirement from 6.0 metres (19.7 feet) to 2.1 metres (6.9 feet) measured clear to sky. The 2.1 metre setback accounts for porch roof overhang.

Front Lot Line Setbacks	
Permitted (zoning)	6 metres (19.7 feet)
Proposed	2.1 metres (6.9 feet)
Requested Variance	**3.9 metres (12.8 feet)**

Ministry of Transportation & Infrastructure Requirements

All construction within 4.5 metres of a road right of way requires approval from the BC Ministry of Transportation and Infrastructure (MOTI). MOTI has indicated to FVRD staff that they are working on issuing an encroachment permit for the subject property. The development variance permit will not be issued until MOTI officially grants approval for the works.

Bylaw Enforcement & Building Requirements

Construction on the house was started without the benefit of a building permit. Consequently, the property is in bylaw contravention. All outstanding bylaw fines have been paid, and the property owner is taking steps to remedy the contravention. The property owner has applied for all necessary permits including a development variance permit, a MOTI encroachment permit and a building permit (BP 014593).

The building permit application is currently under review by FVRD staff to ensure the plans meet all BC Building Code requirements as well as any flood construction level requirements.

Neighbourhood Notification and Input

All property owners within 30 metres of the property will be notified by the FVRD of the development variance permit application and be given the opportunity to provide written comments or attend the Board meeting to state their comments. FVRD staff encourage the applicant to advise neighbouring property owners and residents of the requested variance in advance of the mail-out notification. To date no letters of support or objection have been submitted.

COST

The application fee of $350 has been paid by the applicant

CONCLUSION

Staff recommend that Development Variance Permit 2019-09 be issued by the Fraser Valley Regional District Board, subject to the issuance of a Ministry of Transportation and Infrastructure Encroachment Permit, and subject to any comment or concerns raised by the public.

COMMENTS BY:

Graham Daneluz, Deputy Director of Planning & Development:	Reviewed & supported
Margaret Thornton, Director of Planning & Development:	Reviewed & supported
Mike Veenbaas, Director of Financial Services:	No further financial comments.
Jennifer Kinneman, Acting Chief Administrative Officer:	Reviewed and supported.

Appendix A: Site Plan

Site Plan

