

To: CAO for the Electoral Area Services Committee

Date: 2019-06-11

From: Julie Mundy, Planning Technician

File No: 3090-20 2019-15

**Subject: Application for Development Variance Permit 2019-15 to reduce the front lot line setback at 58161 Fancher Road, Electoral Area B**

## RECOMMENDATION

**THAT** the Fraser Valley Regional District Board issue Development Variance Permit 2019-15 for 58161 Fancher Road, Electoral Area B to reduce the front lot line setback from 25 feet (7.6 metres) to 10 feet (3.05 metres), clear to sky, to facilitate the construction of a residence and a residential accessory building, 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 owners have applied for a Development Variance Permit to reduce the front lot line setback for a residence and residential accessory building (workshop) as outlined in *Zoning Bylaw for Electoral Area 'C', 1977 of the Regional District of Fraser-Cheam*.

PROPERTY DETAILS			
Electoral Area	B		
Address	58161 Fancher Road		
PID	023-616-148		
Folio	732.06218.600		
Lot Size	2.152 acres		
Owner	Marius & Catharina Van De Pol	Agent	
Current Zoning	Agricultural (Ag-1)	Proposed Zoning	No change
Current OCP	Agricultural (Ag)	Proposed OCP	No change
Current Use	Vacant	Proposed Use	No change
Development Permit Areas	5-BC Riparian Area		
Hazards	Wahleach Creek Alluvial Fan, Fraser River Floodplain		
Agricultural Land Reserve	No		

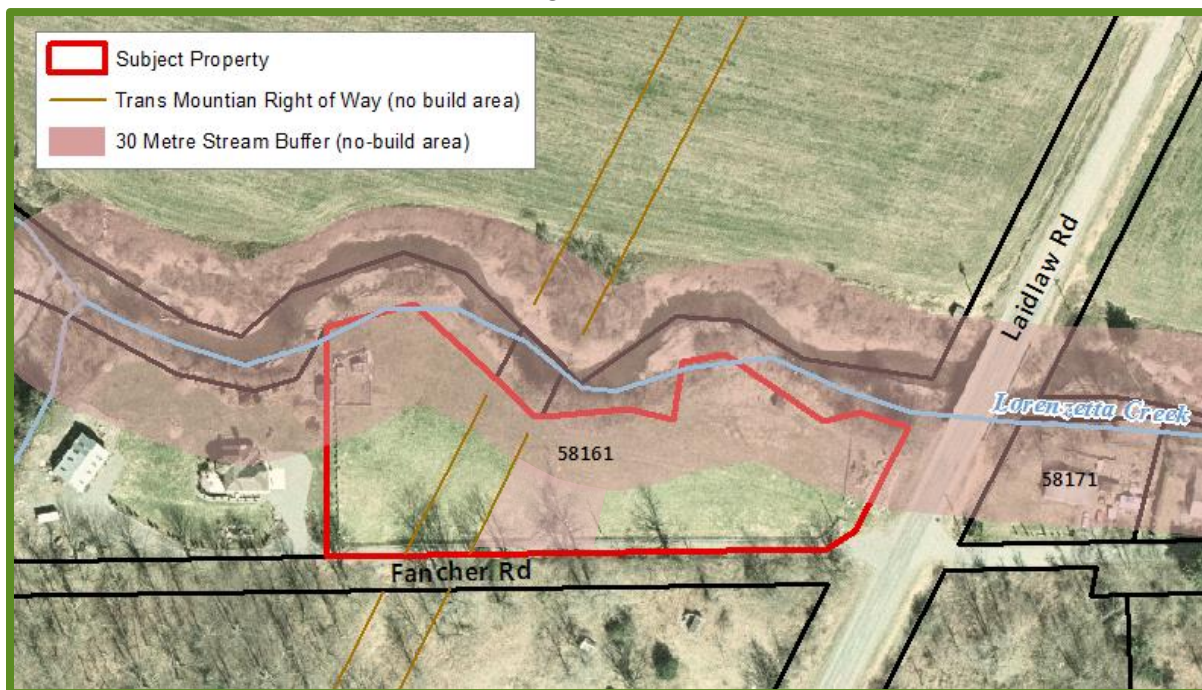
## ADJACENT ZONING & LAND USES

North	^	Agricultural (Ag-1); Agriculture
East	>	Agricultural (Ag-1); Creek, Forest
West	<	Agricultural (Ag-1); Agriculture, Single-family Dwelling
South	v	Campground Holiday Park (CHP); Agriculture, Forest

### NEIGHBOURHOOD MAP



### PROPERTY MAP



### DISCUSSION

The property owner is planning to construct a single family residence and an associated workshop at 58161 Fancher Road, Electoral Area B. The property is located to the south of Lorenzetta Creek and is currently bare land.

#### Property Description & Reasons for the Variance

Although the property is 2.1 acres in size, there is a relatively small building envelope due to required setbacks and an existing right-of-way.

*The Fraser Valley Regional District Floodplain Management Bylaw 0681, 2005* requires all construction to be setback 30.0 metres from the natural boundary of Lorenzetta Creek. This setback greatly reduces the buildable area of the property area. The property is also constrained by a Trans Mountain right-of-way. The map above shows the approximate location of the creek setback and the right-of-way.

#### Variance Request

The applicant is seeking a relaxation of 15 feet (4.57 metres) from the required front lot line setback, reducing the setback requirements from 25 feet (7.62 metres) to 10 feet (3.05 metres).

Front Lot Line Setback	
Required (zoning)	25 feet (7.62 metres)
Proposed	10 feet (3.05 metres)
<b>Requested Variance</b>	<b>15 feet (4.57 metres)</b>

The applicant advises the variance will enable the construction of house (approximately 2,160 square feet) and a 1000 square foot shop / garage outside of the Lorenzetta Creek setback, while adhering to FVRD Floodplain Management Bylaw requirements.

If the variance is not granted, the applicant could construct a smaller house, however, the building size will be limited. Appendix A shows the proposed site plan, with the requested 3.05 metre setback, and the established 7.62 metre setback.

#### Ministry of Transportation and Infrastructure

The subject property can be accessed via Laidlaw Road and Fancher Road. As there is secondary road access to the property, the *Transportation Act* allows for a setback of 3.0 metres from the road right-of-way. The Ministry of Transportation and Infrastructure (MOTI) has confirmed a 3.0 metre setback from Fancher Road is acceptable to them, and no additional MOTI permits are required.

#### Hazard Assessment & Building Permit Requirements

The property is located within the Wahleach Creek Alluvial Fan and the Fraser River Floodplain. As part of the building permit application process, the property owners have obtained a site specific geohazard assessment to address any hazards on the property. The report includes building recommendations for

flood and scour protection that will be reviewed as part of the building permit application process. Building permit applications have been submitted for the construction of the house and shop (BP14632 and BP014674).

### **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 \$350 application fee has been paid by the applicant.

### **CONCLUSION**

The property owners are attempting to site their buildings in a safe location that complies with the FVRD floodplain management bylaw. Staff recommend that the FVRD Board issue Development Variance Permit 2019-15 to reduce the front lot line setback.

#### **Option 1 – Issue (Staff Recommendation)**

Staff recommend that the Fraser Valley Regional District Board issue Development Variance Permit 2019-15 to reduce the front lot line setback from 25 feet (7.62 metres) to 10 feet (3.05 metres), clear to sky, to facilitate the construction of a residence and a residential accessory building at 58161 Fancher Road, Electoral Area B, subject to the consideration of any comments or concerns raised by the public.

#### **Option 2 – Refuse**

If the Board wishes to refuse the application, the following motion would be appropriate:

MOTION: THAT the Fraser Valley Regional District Board refuse Development Variance Permit 2019-15 for the property at 58161 Fancher Road, Electoral Area B.

#### **Option 3 – Refer to Staff**

If the Board wishes to refer the application back to staff to address outstanding issues, the following motion would be appropriate:

MOTION: THAT the Fraser Valley Regional District Board refer the application for Development Variance Permit 2019-15 for the property at 58161 Fancher Road, Electoral Area B to FVRD Staff.

**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 comment.

**Jennifer Kinneman, Acting Chief Administrative Officer:** Reviewed and supported.

## Appendix A Site Plan

