

To: Electoral Area Services Committee
 From: Gavin Luymes, Planning Technician

Date: 2020-07-14
 File No: 3090-20 2020-07

Subject: Application for Development Variance Permit 2020-07 to reduce the front and side lot line setbacks at 58261 Fancher Road, Electoral Area B

RECOMMENDATION

THAT the Fraser Valley Regional District Board issue Development Variance Permit 2020-07 to reduce the front lot line setback from 25 feet (7.62 metres) to 9.84 feet (3.0 metres) clear-to-sky and side lot line setback from 25 feet (7.62 metres) to 8 feet (2.43 metres) clear-to-sky to facilitate construction of an agricultural machine shop and storage building at 58261 Fancher Road, Electoral Area B, subject to the 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 and side lot line setbacks for an agricultural building (machine and hay storage) as prescribed in *Zoning Bylaw for Electoral Area "C", 1977 of the Regional District of Fraser-Cheam*.

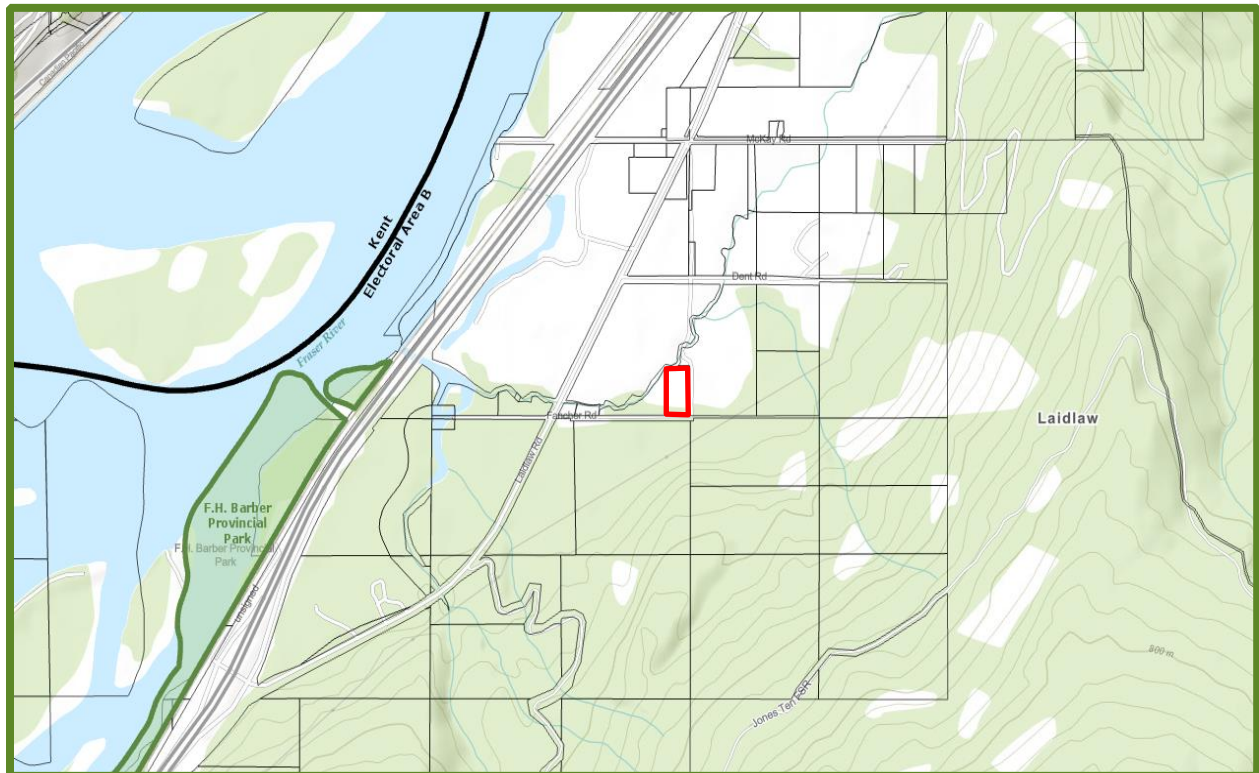
| PROPERTY DETAILS | | | |
|--------------------------|---------------------------|-----------------|-----------|
| Electoral Area | B | | |
| Address | 58261 Fancher Rd | | |
| PID | 023-616-164 | | |
| Folio | 732.06218.800 | | |
| Lot Size | 2.52 acres | | |
| Owner | Darrin & Sheri Williamson | Agent | n/a |
| Current Zoning | Agricultural (AG-1) | Proposed Zoning | No change |
| Current OCP | Agricultural (AG) | Proposed OCP | No change |
| Current Use | Agricultural | Proposed Use | No change |
| Development Permit Areas | 6-BC - Riparian | | |

| | |
|---------------------------|-----|
| Agricultural Land Reserve | Yes |
|---------------------------|-----|

ADJACENT ZONING & LAND USES

| | | |
|-------|---|--|
| North | ^ | Agricultural (AG-1); Lorenzetta Creek, Agricultural |
| East | > | Agricultural (AG-1); Agricultural |
| West | < | Agricultural (AG-1); Single-family Residence, Agricultural |
| South | v | Agricultural (AG-1); Fancher Rd, Forest |

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

The applicants are planning to construct an agricultural machine shop and storage building at 58261 Fancher Road, Electoral Area B (Appendix A: Site Plan). The property is located south of Lorenzetta Creek. Covenant BK378963 requires a 15.0-metre setback from the bank of Lorenzetta Creek. The property is within the ALR. The applicants have informed FVRD staff that they intend to develop a hobby farm with a horse paddock and riding ring to the rear of the property in the future. The proposed use of the building and the land is consistent with the AG-1 zone.

Variance Request

The applicants have requested relaxation of the front lot line setback from 25.0 feet (7.62 metres) to 9.84 feet (3.0 metres) clear-to-sky and relaxation of the side lot line setback from 25.0 feet (7.62 metres) to 8.0 feet (2.43 metres) clear-to-sky. This would accommodate a proposed agricultural building for storage of farm machinery, horse trailers, hay, and grain. The applicants have confirmed this use and stated that no livestock will be stored in the building (Appendix B: Confirmation of Use).

| | Front Lot Line Setback | Side Lot Line Setback |
|--------------------|-------------------------|-------------------------|
| Permitted (Zoning) | 25.0 feet (7.62 metres) | 25.0 feet (7.62 metres) |
| Proposed | 9.84 feet (3.0 metres) | 8.0 feet (2.43 metres) |
| Requested Variance | 15.2 feet (4.6 metres) | 17.0 feet (5.2 metres) |

Rationale for Variance

The applicants have requested relaxation of the front lot line setback to avoid disturbing or impeding access to their septic field. Previous building permits and Fraser Health septic approval documents show that the septic field is 36.0 to 40.5 metres from the property line (Appendix C: Septic and Well Location). This variance would allow 5.8 to 10.3 metres of separation between the proposed building and septic field. Were the variance denied this would decrease to between 1.2 and 5.7 metres. The variance provides greater separation between the proposed building and septic field.

The applicants have also requested relaxation of the side setback. The applicants wish to construct a drain pit for the proposed building and require more space to do this given the location of their driveway. They also hope to retain their willow tree and could not do so if the variance were denied because of the building envelope and space required to operate and position machinery (Figure 1). The variance would also ensure access between the house and proposed building to the septic field. Fraser Health documents further show that the onsite well limits vehicle or equipment access to the rear of the property along the eastern lot line (Appendix C: Septic and Well Location). The proposed building is screened from the neighbouring property by trees and a hedgerow (Figure 2).



Figure 1: The proposed building site from Fancher Road and the tree the applicants wish to retain.



Figure 2: Screening separating the neighbouring property from the proposed building site.

If the variance were denied the applicants could reduce the building in size or seek to relocate elsewhere on the property. This would be difficult given setback requirements from Lorenzetta Creek, limited access throughout the property for equipment, the location of the septic field and well, and future farming plan of the applicants.

Ministry of Transportation and Infrastructure

The subject property is accessed via Fancher Road. The Ministry of Transportation and Infrastructure (MOTI) stated that a 3.0-metre front lot line setback is acceptable given the low volume of traffic on Fancher Road and rationale of the applicants. MOTI confirmed that the 3.0-metre setback meets provincial legislation and does not require a highway setback permit (Appendix D: MOTI Referral).

Building Department

The FVRD Building Department has expressed no issue with the requested variance. A building permit application has not yet been received.

Neighbourhood Notification and Input

All property owners within 30 metres of the property will be notified by the FVRD of the variance application and be given the opportunity to provide written comments or attend the Board meeting to state their comments. FVRD staff encourage the applicants to advise neighbouring property owners and residents of the requested variance in advance of the mail-out notification.

To date one letter of support has been received. This individual owns property neighbouring the applicants north and east (58251 Laidlaw Road) (Appendix E: Letter of Support).

COST

The \$1,300.00 application fee has been paid by the applicants.

CONCLUSION

The requested variance is appropriate for constructing the proposed building given the rationale of septic separation, drainage, tree retention, access, and screening. The proposed building could not simply be located elsewhere on the property due to the septic field, well location, access, setback requirements from Lorenzetta Creek, and future farming plans of the applicants. MOTI has stated that the requested 3.0-metre setback from Fancher Road is acceptable and would meet provincial legislation. Staff recommend that the FVRD Board issue Development Variance Permit 2020-07 to reduce the front and side lot line setback.

Option 1 – Issue (Staff Recommendation)

Staff recommend that the Fraser Valley Regional District Board issue Development Variance Permit 2020-07 to reduce the front lot line setback from 25.0 feet (7.62 metres) to 9.84 feet (3.0 metres) clear-to-sky and side lot line setback from 25.0 feet (7.62 metres) to 8.0 feet (2.43 metres) clear-to-sky to facilitate construction of an agricultural machine shop and storage building at 58261 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 2020-07 for the property at 58261 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 identified by the Board, the following motion would be appropriate:

MOTION: THAT the Fraser Valley Regional District Board refer Development Variance Permit 2020-07 for the property at 58261 Fancher Road, Electoral Area B to FVRD staff.

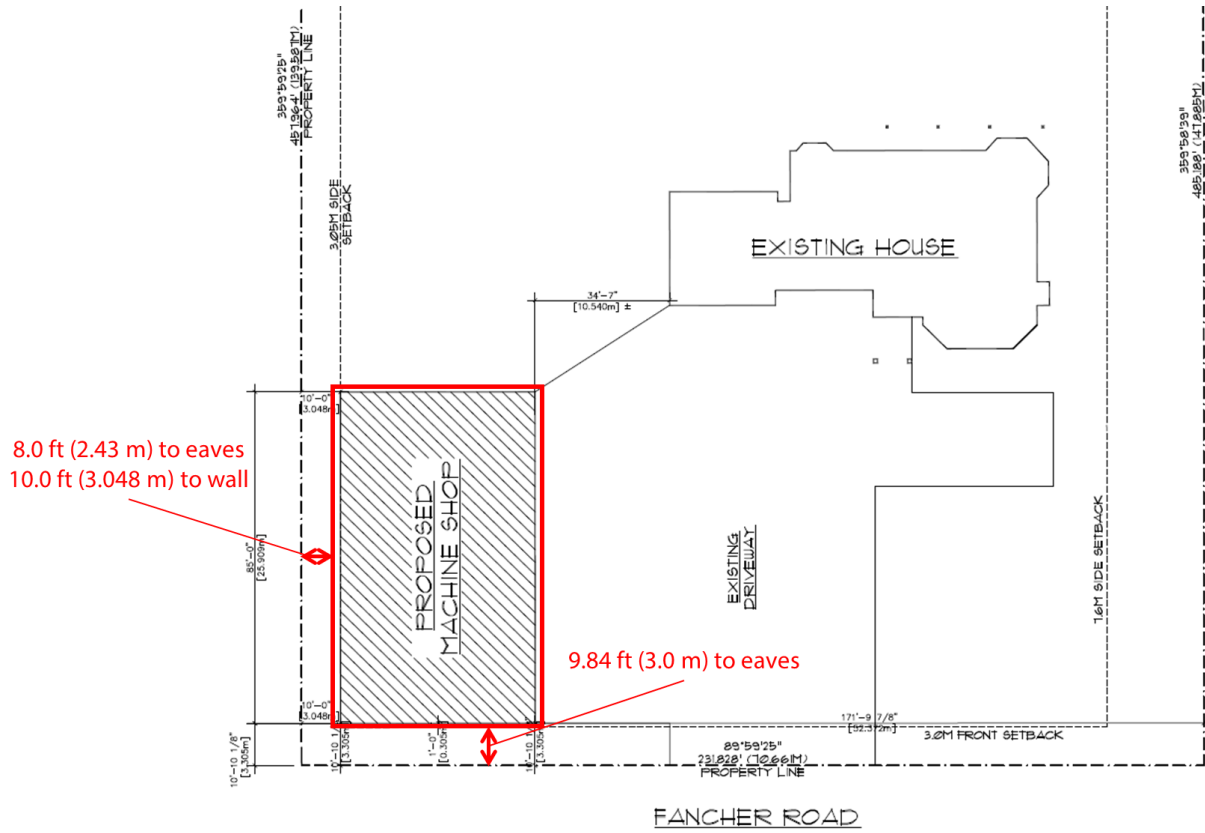
COMMENTS BY:

Graham Daneluz, Director of Planning & Development: Reviewed and supported.

Kelly Lownsbrough, CFO/ Director of Financial Services: Reviewed and supported.

Jennifer Kinneman, Chief Administrative Officer: Reviewed and supported.

APPENDIX A: SITE PLAN



APPENDIX B: CONFIRMATION OF USE



Fri 2020-06-12 11:19 AM

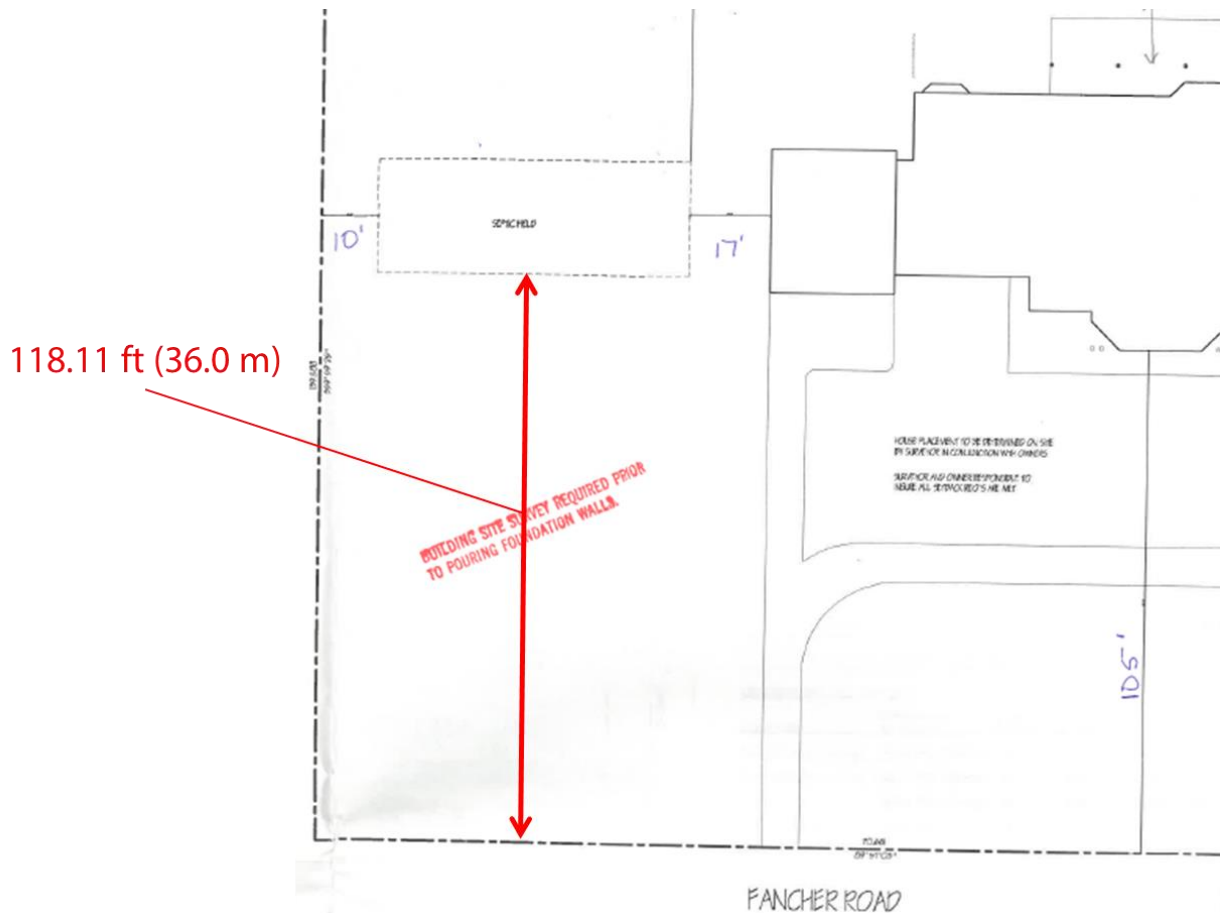
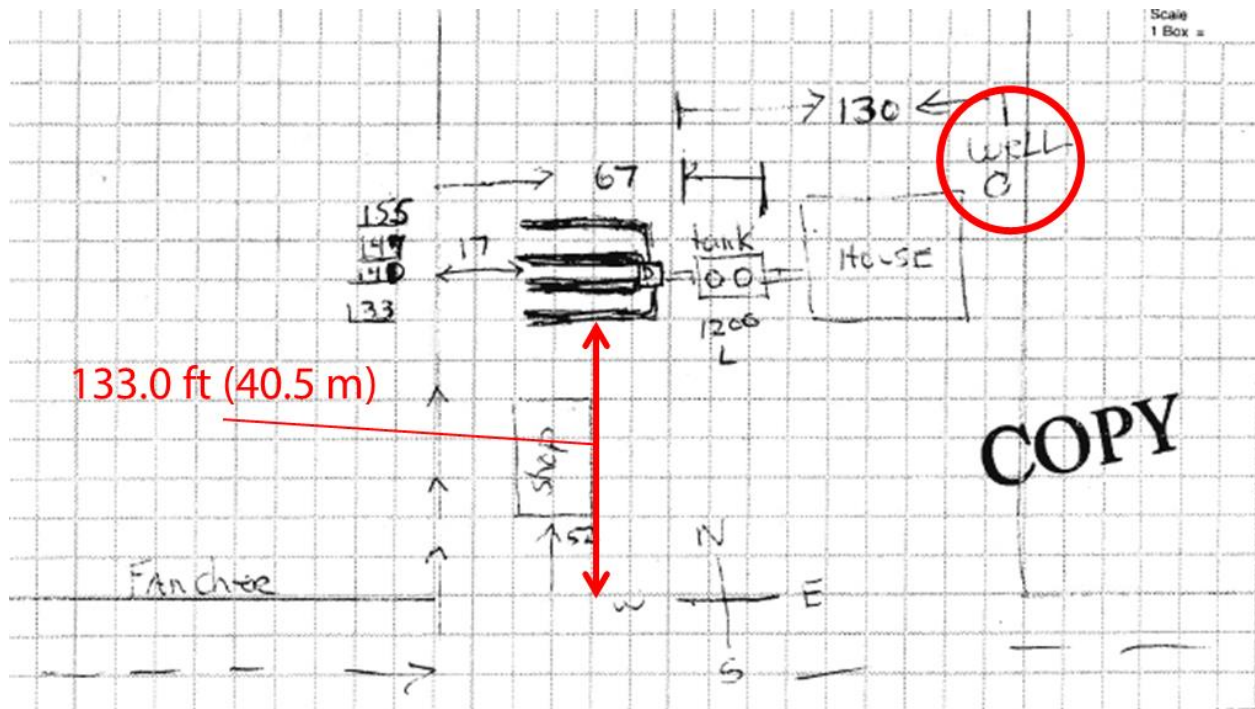
Darrin Williamson

RE: 58261 Fancher Rd Variance

To Gavin Luymes

Hi Yes the building is for storage of Farm equipment eg Tractors and attachments, as well as other farm equipment, horse trailers, hay and grain. There will be no live stock in building. Thanks

APPENDIX C: SEPTIC AND WELL LOCATION



APPENDIX D: MOTI REFERRAL



Mon 2020-06-15 9:32 AM

McGowan, Kevin TRAN:EX

RE: 58261 Fancher Road Highway Setback Variance

To Gavin Luymes

Hi Gavin –

Yes, as long as he meets the 3.0m he is meeting the prescribed legislation and will not require a permit.

Regards,

APPENDIX E: LETTER OF SUPPORT

From: John Klop

Sent: Thursday, June 18, 2020 10:13:10 PM

To:

Subject: Variance

To whom it may concern

This is regarding a variance to build shop,

This is John klop , a neighbor to Darrin and Sheri Williamson for the past 5 yrs or so , to my understanding they are looking for approval to build , on Fancher rd Hope BC v0x112 ,

We as neighbors have no concern in them doing this

John klop