

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

Date: 2021-01-14
File No: 3090-20 2020-25

Subject: Development Variance Permit 2020-25 to reduce the front setback from 6.0 metres to 4.5 metres for a single-family dwelling at 10080 Mountainview Road, Electoral Area F

RECOMMENDATION

THAT the Fraser Valley Regional District Board issue Development Variance Permit 2020-25 to reduce the front setback from 6.0 metres to 4.5 metres for the proposed single-family dwelling at 10080 Mountainview Road, Electoral Area F, subject to the consideration of any comments or concerns raised by the public.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

PRIORITIES

Priority #3 Flood Protection & Management

BACKGROUND

The owner of 10080 Mountainview Road has applied for a Development Variance Permit to reduce the front setback for a single-family dwelling from 6.0 metres to 4.5 metres under *Dewdney-Alouette Regional District Land Use and Subdivision Regulation Bylaw No. 559-1992* (Appendix 1: Site Plan).

The property owner applied for a Building Permit (BP014960) to construct the dwelling on September 2, 2020. On review, staff noted that the proposed dwelling did not meet the required floodplain setback of 15.0 metres from the natural boundary of Hatzic Slough under *Fraser Valley Regional District Floodplain Management Bylaw 0681, 2005*. Staff advised the applicant to relocate the dwelling to a site where they were confident the floodplain setback would be met. The applicant is unable to do so because of the required front lot line setback. The applicant has therefore requested relaxation of the front setback to ensure the dwelling can be located 15.0 metres from Hatzic Slough.

PROPERTY DETAILS

Electoral Area	F		
Address	10080 Mountainview Rd		
PID	008-723-842		
Folio	775.02197.130		
Lot Size	8166 square feet		
Owner	Todd Davies	Agent	n/a
Current Zoning	Rural 1 (R-1)	Proposed Zoning	No change
Current OCP	Suburban Residential (SR)	Proposed OCP	No change
Current Use	Vacant	Proposed Use	SFD
Development Permit Areas	2-F Riparian		
Agricultural Land Reserve	No		

ADJACENT ZONING & LAND USES

North	^	Rural 1 (R-1); Single Family Dwelling
East	>	Hatzic Slough
West	<	Mountainview Rd, Rural 1 (R-1); Single Family Dwelling
South	v	Rural 1 (R-1); Single Family Dwelling

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

The property owner of 10080 Mountainview Road has applied to reduce the front setback on their property from 6.0 metres to 4.5 metres for construction of a single-family dwelling. This will ensure the floodplain setback of 15.0 metres from Hatzic Slough can be met, protect development from flood hazard, and create further separation between the proposed dwelling and riparian habitat along Hatzic Slough. The required floodplain and lot line setbacks reduce developable area on this property by approximately 67%. The requested variance is minor and not expected to negatively impact onsite septic, neighbouring properties, or the Mountainview Road right-of-way. There is strong land use rationale for this variance. For these reasons, staff recommend the requested variance be issued.

Variance Request

The applicant has requested the following development variance:

Required Setback	Requested Setback	Difference
6.0 metres (19.7 feet)	4.5 metres (14.8 feet)	1.5 metres (4.9 feet)

The site plan shows a setback of 5.0 metres, but the applicant is entitled to request a setback of 4.5 metres and the additional 0.5 metres does not materially affect analysis of this application.



View of the subject property from Mountainview Road (July 2016)

Variance Rationale

The applicant has provided the following rationale for the variance:

- The requested variance will ensure compliance with the floodplain setback of 15.0 metres from Hatzic Slough and protect the proposed dwelling from flood hazard;
- The variance will ensure the property can be developed despite the floodplain setback; and
- The variance will create further separation between the riparian habitat of Hatzic Slough and the proposed residence.

Staff have evaluated the rationale and support this variance for the following reasons:

- The proposed dwelling is 15.0 metres from the high water mark of Hatzic Slough according to Plan of Subdivision NWP25535 (Appendix 2: Plan of Subdivision). Without the requested variance, the proposed dwelling could not be located further than 14.0 metres from this point. Final siting of the dwelling will be determined during the building inspection process. The applicant is not confident that the floodplain setback would be met without this variance. Based on the available information, staff agree that the variance is necessary to ensure compliance with the floodplain setback of 15.0 metres from Hatzic Slough;
- The property is 8,166 square feet in area. The 15.0-metre floodplain setback and 6.0-metre front setback reduce the developable area to approximately 2,757 square feet, or 33% of the total property. Reduction of the front setback can alleviate this constraint;
- Hatzic Slough provides riparian habitat. The requested variance will increase separation between development and the riparian area. The proposed construction requires a riparian assessment and Development Permit for which the applicant has applied; and

- The requested variance of 1.5 metres is minor and not expected to negatively impact neighbouring properties. The requested variance does not require Ministry of Transportation and Infrastructure approval or negatively impact the Mountainview Road right-of-way.

There is compelling land use rationale for this variance. Staff recommend the variance be issued.



Boundary of Hatzic Slough on the subject property (October 2020)

Septic Management

As shown on the submitted site plan, the porch of the dwelling adjoins the proposed septic field. The foundations of the proposed dwelling are 1.3 metres from the proposed septic field. To ensure the proposed septic field would be viable if the requested variance is issued, staff requested that the applicant provide a letter from an Authorized Person confirming that the septic field could be constructed. The applicant provided a sealed letter from Rob Arden, P.Eng, stating that the septic field is acceptable on the following conditions (Appendix 3: Septic Confirmation Letter):

- The owner must construct a physical barrier around the dispersal area during construction;
- There will be no perimeter drains between the septic disposal area and house foundation; and
- Construction traffic must not travel between the septic dispersal area and house foundation.

Staff will ensure these conditions are met during the building inspection process. The sealed letter confirms that the proposed septic field could be viable if the variance is issued.

Internal Referrals

As part of the application review process, internal referrals were sent to the Fraser Valley Regional District departments of Building, Bylaw Enforcement, and Engineering.

The Manager of Inspection Services expressed concern over the septic field location and stated that the septic field must be approved before a Building Permit can be issued. Rob Arden, P.Eng, has submitted a Record of Sewerage System and letter confirming that the septic field could be viable if the variance is issued. This resolved staff concern over the impact of this variance on the proposed septic field, but the applicant must obtain all further septic and Building Permit approvals.

The Director of Engineering & Utilities stated that the applicant is required to connect to the Hatzic Prairie Water System during the building permit process.

The Bylaw Compliance & Enforcement Officer confirmed that there are no outstanding bylaw enforcement issues on the property.

Neighbourhood Notification and Input

All property owners within 30 metres of the property will be notified by FVRD of the variance application and given the opportunity to provide written comments or attend the Board meeting to state their comments. 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 opposition have been received.

COST

The application fee of \$1,300.00 has been received.

CONCLUSION

There is strong land use rationale for this variance. The applicant has requested this variance to ensure their proposed development complies with the 15.0-metre floodplain setback from Hatzic Slough. The requested variance will protect the property from flood hazard and reduce the impact of development on riparian habitat near Hatzic Slough. The subject property is relatively small and existing setback requirements significantly restrict buildable area. The requested variance is minor and not expected to negatively impact onsite septic, neighbouring properties, or the Mountainview Road right-of-way. For these reasons, staff recommend the Board issue Development Variance Permit 2020-25 to reduce the required front lot line setback from 6.0 metres to 4.5 metres at 10080 Mountainview Road.

If the requested variance is not granted, the applicant could reduce the size of the proposed dwelling to ensure compliance with the 15.0-metre floodplain setback. The applicant could also build where permitted and accept greater risk that the floodplain setback will not be met during the building inspection process. The applicant could seek a site-specific exemption to the required floodplain setback, but this would require Board approval and a significant hydrogeological study.

Option 1: Issue (Staff Recommendation)

Staff recommend the Fraser Valley Regional District Board issue Development Variance Permit 2020-25 to reduce the front lot line setback from 6.0 metres to 4.5 metres at 10080 Mountainview Road, Electoral Area F, subject to the consideration of any comments or concerns raised by the public.

Option 2: Refuse

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

MOTION: THAT the Fraser Valley Regional District Board refuse Development Variance Permit 2020-25 for the property at 10080 Mountainview Road, Electoral Area F.

Option 3: Refer to Staff

If the Board wishes to refer the application to staff so that outstanding issues identified by the Board can be addressed, the following motion would be appropriate:

MOTION: THAT the Fraser Valley Regional District Board refer the application for Development Variance Permit 2020-25 for the property at 10080 Mountainview Road, Electoral Area F to staff.

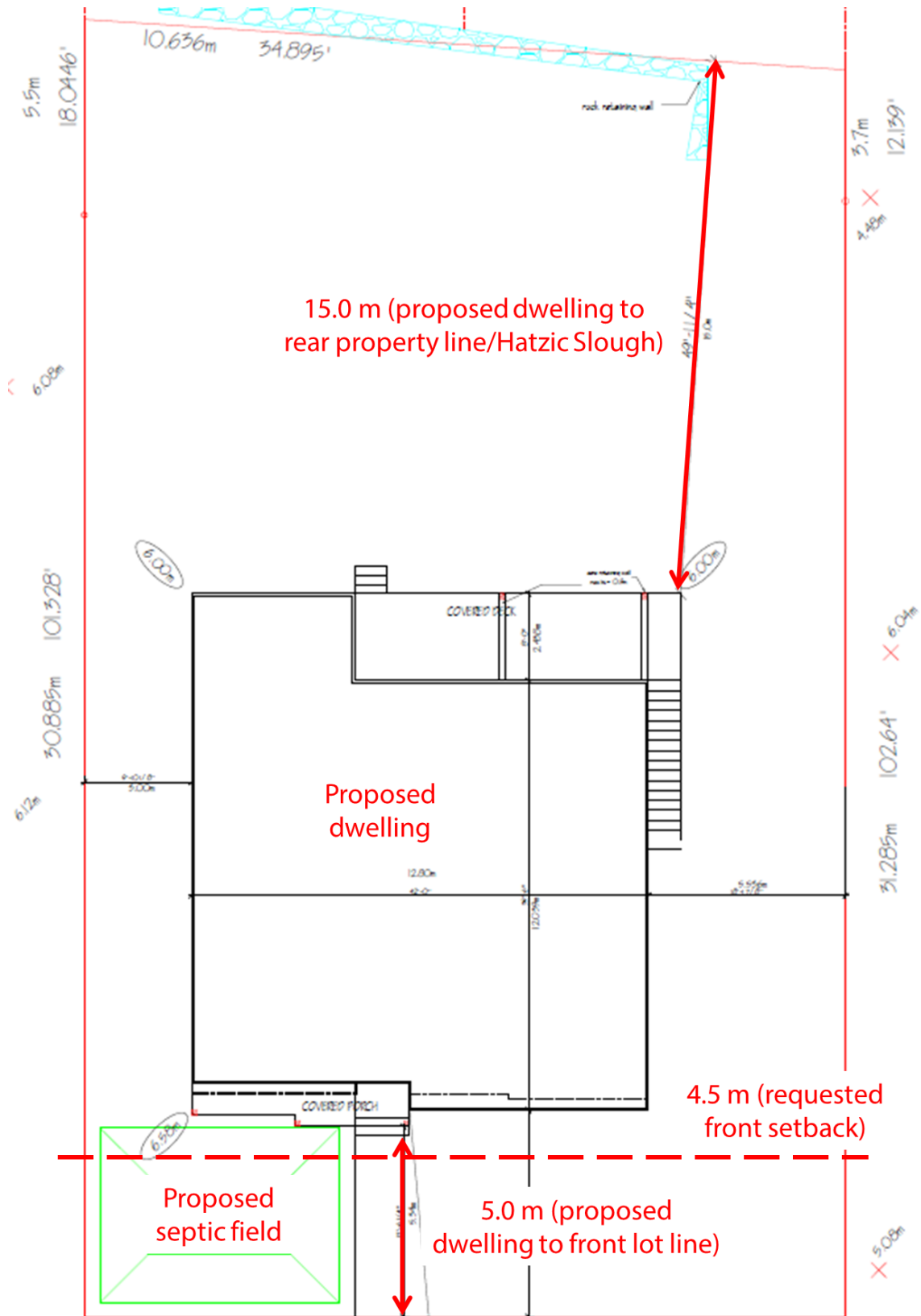
COMMENTS BY:

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

Kelly Lownsborough, Chief Financial Officer/ Director of Finance: Reviewed and supported.

Jennifer Kinneman, Chief Administrative Officer: Reviewed and supported.

Appendix 1: Site Plan



15

Plan 2872

13 Plan 2872

Subject property

2

Appendix 3: Septic Confirmation Letter



December 8, 2020

File 20-11

District of Mission
8645 Stave Lake Road
Mission BC
V2V 6B2

Attention: Building Permit Department

Re: 10080 Mountain View Road, Mission, BC

Arden Consulting Engineers Ltd. (ACE) has reviewed the August 3, 2020 site plan prepared by Columbus Projects for Mr. Todd Davies. The site plan shows the building foundation 1.3m from the edge of the sand mound toe. This is acceptable to ACE based on the following conditions:

- The contractor/owner erects and maintains a physical barrier around the perimeter of the septic dispersal area as shown on ACE site plan project file 20-11 page 1 prior to the onset, and for the duration of the construction period. Steel fencing is acceptable.
- There will be no perimeter drains around the house foundation between the septic dispersal area and house foundation
- Construction traffic shall not be permitted to travel between the septic dispersal area and house foundation except for the purpose of construction of the septic field

We trust that this provides the information you currently require. If you have any questions or require comment, please feel free to contact the undersigned.

Yours truly,

ARDEN CONSULTING ENGINEERS LTD.

PER:

Rob Arden, P.Eng



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