

To: Electoral Area Services Committee
 From: Melissa Geddert, Planning Technician

Date: 2018-02-15
 File No: 3090-20-2018-08

Subject: Development Variance Permit 2018-08 to vary the requirements related to a proposed Accessory Family Residence at the property located at 42095 Lougheed Highway, Area G

RECOMMENDATION

THAT the Fraser Valley Regional District Board issue Development Variance Permit 2018-08 to vary requirements regarding the relationship between property owner and occupant of an Accessory Family Residential Use at 42095 Lougheed Highway, Area G

AND THAT the Fraser Valley Regional District Board authorize FVRD signatories to execute all legal instruments associated with this application

STRATEGIC AREA(S) OF FOCUS

Support Healthy & Sustainable Community
 Provide Responsive & Effective Public Services

PRIORITIES

BACKGROUND

The property owners have made an application for a Development Variance Permit (DP 2018-08) to vary the definition of an Accessory Family Residential Use, as shown below, to permit the placement of an Accessory Family Residence for the accommodation of a child and grandchildren of the property owner. A building permit application has not yet been submitted.

Current Definition	Proposed Definition
<p>ACCESSORY FAMILY RESIDENTIAL USE means the use of a single-width manufactured home as a dwelling unit for the accommodation of the father, mother, father-in-law, mother-in-law or grandparent of an owner of the parcel</p>	<p>ACCESSORY FAMILY RESIDENTIAL USE means the use of a single-width manufactured home as a dwelling unit for the accommodation of any owner of the parcel and/or any relative of an owner of the parcel including: daughter, son, father, mother, father-in-law, mother-in-law, grandparent or grandchild.</p>

Address: 42095 Lougheed Highway

Owner	Dales
Agent	N/A
EA	G
Zoning	Rural 1 (R-1)
OCP	Rural (R)
DPA	DPG 1- G
ALR	No

Neighbouring Lands

North : Privately owned vacant land

42095 Lougheed Hwy

West: Single Family Dwelling

East: Single Family Dwelling

DISCUSSION

The property owners have applied for a Development Variance Permit to alter the definition of an Accessory Family Residential Use to facilitate the placement of a mobile home for the purpose of providing residence for their child and grandchildren. Recognizing the shortage of affordable housing, the property owners wish to provide a means of affordable housing for their child. The intent is for the owners of the property to reside in the existing single family dwelling and the owner's child and grandchildren to reside in the proposed mobile home. The Rural 1 zone (R-1) permits an Accessory Family Residential Use for the parents or grandparents of the registered property owner. The requested variance is to accommodate an Accessory Family Residential Use for the child of a registered property owner. The mobile home has not yet been placed on the property.

The subject property is located at 42095 Lougheed Highway and is 3.02 acres in size. The property is zoned Rural 1 under the *Dewdney-Allouette Regional District Land Use and Subdivision Regulation Bylaw No. 559, 1992*. Accessory Family Residential Use is permitted within the R-1 Zone provided that the owner of the parcel resides on the land, that the parcel does not contain more than one dwelling unit, and that the parcel is not less than 0.5 hectares. The application meets the minimum requirements outlined in the Zoning Bylaw 559.

The Accessory Family Residential Use is intended for the accommodation of family members residing on the same parcel as the owner of the property in a mobile home that is easily removed once the dwelling unit is no longer necessary. Accordingly, in order to permit an Accessory Family Residential Dwelling, Section 405(8) Zoning Bylaw 559 requires the following:

- that a covenant is registered on title ensuring that the dwelling is removed within 90 days when it no longer meets the terms and conditions of the bylaw,
- a security bond is provided to the Fraser Valley Regional District until the mobile home is removed,
- a sworn Statutory Declaration, duly notarized, which states the proposed accessory family residence will be occupied only by those occupants specified in the Statutory Declaration, and
- the accessory family residential use must be a single-width manufactured home not placed on a permanent foundation but rather placed on blocking placed on a concrete slab .

Zoning Bylaw Review

A comprehensive review of all zoning bylaws in the Electoral Areas is currently underway. This review includes analysis of the Accessory Family Residential Use. Zoning bylaws are a mechanism to regulate land use, and not the type of user. Thus, FVRD staff are analyzing the terms and conditions of the

Accessory Family Residential Use to determine if revised zoning bylaw provisions, including type of user, are warranted.

Development Permit Area

The subject property is within Geologic and Stream Hazard Development Permit Area 1-G. A development permit and site specific geo-hazard assessment stating the site is safe for the intended use will be required prior to issuance of a building permit.

Bylaw Enforcement

The subject property is in contravention of the FVRD building bylaw for construction without a permit. Construction of a covered deck commenced without the benefit of a building permit resulting in a stop work order. The property owner has been working with FVRD Staff to remediate the contravention; however, to date no application for a building permit has been received. The bylaw contravention does not relate to the proposed DVP application, but will be resolved with this application.

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 opposition have been submitted.

COST

The application fee of \$350.00 has been paid by the applicant.

CONCLUSION

Staff recommend that Development Variance Permit 2018-08 be issued by the Fraser Valley Regional District Board, subject to any comment or concerns raised by the public.

COMMENTS BY:

Graham Daneluz, Deputy Director of Planning & Development

Reviewed and Supported

Margaret Thornton, Director of Planning & Development

Reviewed and Supported

Mike Veenbaas, Director of Financial Services

No further financial comment.

Paul Gipps, Chief Administrative Officer

Not available for comment.