



Date: 2018-03-13
File No: 3090-20-2018-12

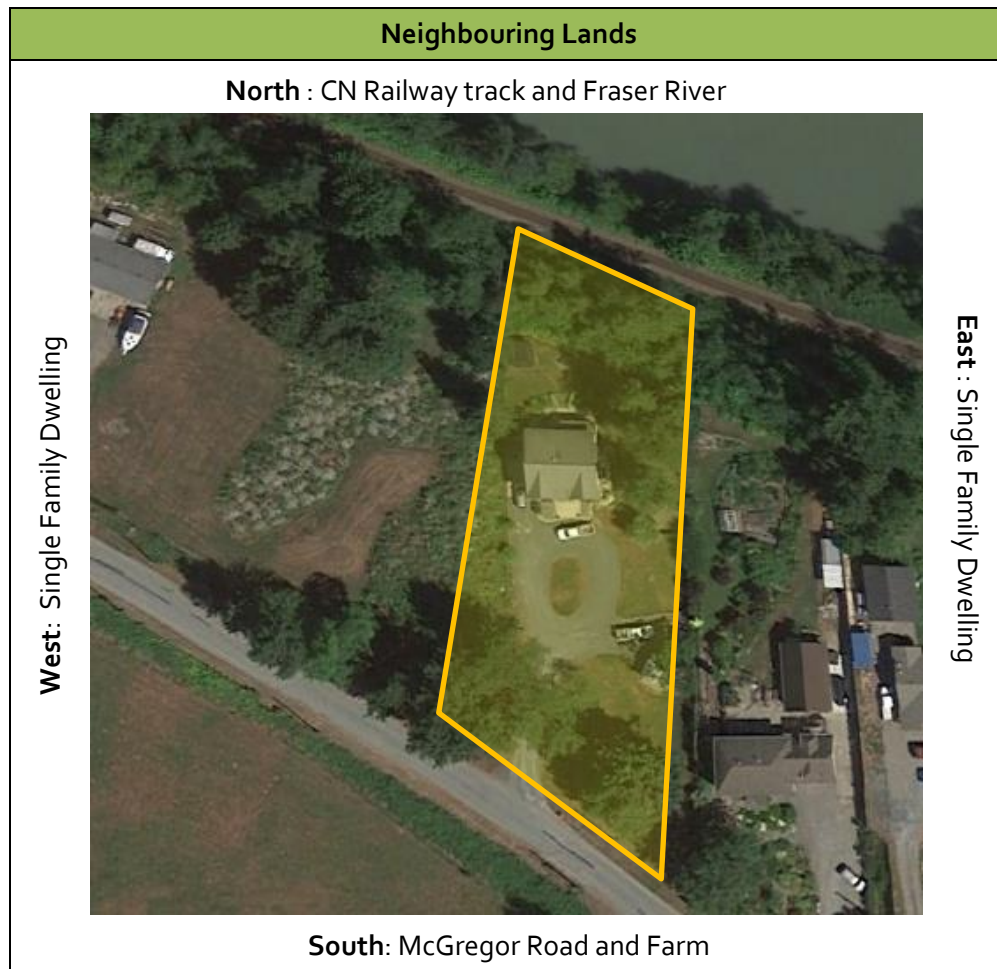
Subject: Application for Development Variance Permit 2018-12 to vary the side lot line setback requirements for a proposed shop at 53709 McGregor Road, Electoral Area D.

THAT the Fraser Valley Regional District issue Development Variance Permit 2018-12 to vary the side lot line setback from 25 feet (7.62 m) to 5 feet (1.524 m) clear to sky to permit the construction of an accessory structure, subject to consideration of any comments raised by the public.

Provide Responsive & Effective Public Services

The owner of the property has made an application for a Development Variance Permit (DVP) in order to decrease the side lot line setback set out in *Zoning Bylaw for Electoral Area "D", 1976 of the Regional District of Fraser-Cheam*. The following table highlights the details of the subject property.

Address:		
	Owner	Wood
	Agent	N/A
	EA	D
	Zoning	Rural (R)
	OCP	Suburban Residential
	DPA	RAR DPA 6-D
	ALR	No



DISCUSSION

The owner is proposing to construct an accessory structure (shop) at 53709 McGregor Road. The shop is intended to be 11 metres squared (1200 square feet). The owner has made an application to vary the side lot line setback from 7.62 metres to 1.52 metres to facilitate the construction of the shop. The siting of the proposed shop is illustrated on Appendix A – site plan. The size and siting require a substantial variance request totalling an 80% reduction. A building permit for the proposed shop has not yet been submitted, nor have any construction drawings been received.

Setback of Proposed Structure	
Required	25 feet (7.6 m)
Proposed	5 feet (1.53 m)
Variance	20 feet (6.07 m) - 80% reduction

The subject property is 0.57 acres and is zoned Rural (R) as per *Zoning Bylaw for Electoral Area "D", 1976 of the Regional District of Fraser-Cheam*. The Rural zone requires a 25 foot setback from all property lines for residential and accessory residential buildings and structures. Given the relatively narrow

dimensions of the subject parcel and existing configuration of the driveway, this requirement presents a difficulty in siting the proposed shop.

The siting of the proposed shop aligns with the existing driveway and single family dwelling. The dwelling was issued a variance in 2010 (DVP 2010-07), which varied the side lot line setback from 25 feet to 10 feet. The size of the shop (1200 square feet) and the proposed siting on the lot mean that a greater setback variance to the side lot line is requested than was requested for the house. The size and siting of the proposed shop requires a greater variance than what may be necessary.

Previous Development Variance Permits

Although the requested variance would reduce the setback by 80%, the variance request is reasonably consistent with DVP's issued in the past. The issuance of a development variance permits is not intended to set a precedent; however, the relatively large side lot setback requirement and narrow lots within the McGregor Road subdivision establish a rationale for a relaxation in side lot line setback (SLL). The following table summarizes past DVP applications issued on McGregor Road to decrease the side lot line setback requirement.

Civic Address	Permit Number	Conditions of Permit
53509 McGregor Road	1987-06	Decrease SLL setback requirement to 14.9 feet for SFD
53709 McGregor Road	2010-07	Decrease SLL setback requirement to 10 feet for SFD
53719 McGregor Road	2003-03	Decrease SLL setback requirement to 12 feet for SFD
53719 McGregor Road	2014-14	Decrease SLL setback requirement to 12 feet for SFD
53739 McGregor Road	2005-05	Decrease SLL setback requirement to 11 feet for shop
53739 McGregor Road	2001-07	Decrease SLL setback requirement to 9 feet for garage
53769 McGregor Road	2010-10	Decrease SLL setback requirement to 4 feet for shed

Zoning Bylaw Review

A comprehensive review of all zoning bylaws in the Electoral Areas is currently underway. This review will include analysis of recent development variance permit to determine if revised zoning bylaw provisions, including side lot line setbacks, are warranted.

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 has been paid by the property owner.

CONCLUSION

The subject property is a narrow lot which creates some difficulty in meeting the side lot line setback requirement. Considering this staff recommend Development Variance Permit 2018-12 be issued by the Fraser Valley Regional Board, subject to any comments 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 comments.

Paul Gipps, Chief Administrative Officer Reviewed and supported

Site Plan

