

To: Electoral Area Services Committee

Date: 2018-05-08

From: Graham Daneluz, Deputy Director of Planning & Development File No: 3090-20-2018-10

Subject: Development Variance Permit 2018-10 for 3655 Vance Road, Electoral Area H

RECOMMENDATION

THAT the Fraser Valley Regional District Board consider the following options respecting the application for Development Variance Permit 2018-10:

OPTION 1 (Issue) THAT the FVRD Board issue Development Variance Permit 2018-10 to reduce the rear setback for 3655 Vance Road, Electoral Area H from 6 metres to 3 metres to facilitate construction of a single family dwelling, or

OPTION 2 (Refuse) THAT the FVRD Board refuse the application for Development Variance Permit 2018-10 for 3655 Vance Road, Electoral Area H.

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BACKGROUND

The owners of 3655 Vance Road have applied to subdivide the 0.43 hectare parcel in to two parcels of 2,027m² and 2,273m² each. In anticipation of the subdivision approval, they have applied for a Development Variance Permit to facilitate the construction of a new single family dwelling on the proposed Lot 2.

The Development Variance Permit would vary the rear setback from 6 m to 3 m to accommodate a deck, stairs and posts associated with construction of a new single family dwelling.

DVP 2018-10 was considered by the Electoral Area Services Committee on March 13, 2018. Notice of the DVP application was mailed to surrounding property owners on March 15, 2018. Several public submissions were received; they were considered along with the DVP application by the FVRD Board on March 27, 2018. At that time, the Board resolved to refer the application back to staff to provide the applicant with an opportunity to address the community concerns.

Details about the application and the subject property are provided in the Staff Report dated March 13, 2018. The March, 2018, staff report and the public submissions are attached hereto as Appendix 1 and Appendix 2 respectively.

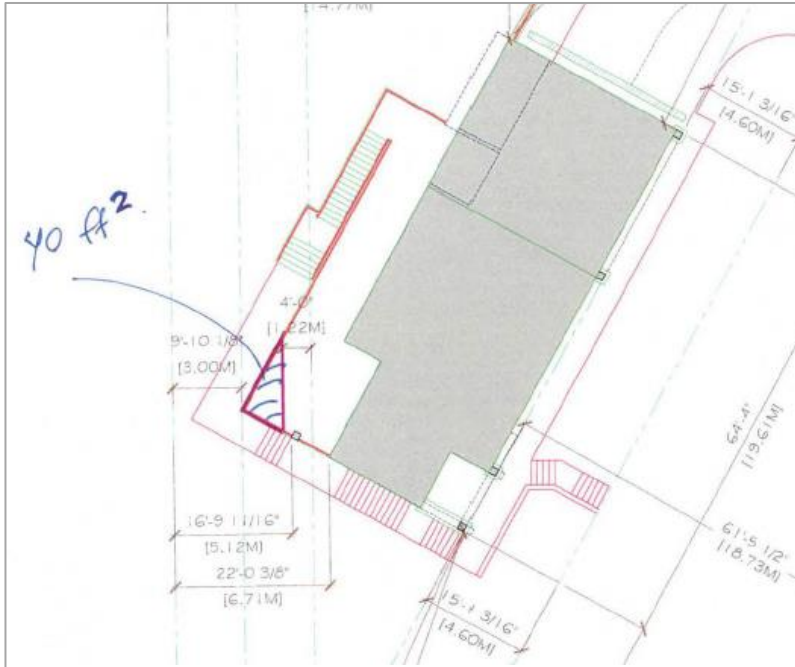
DISCUSSION

The Notice of Permit mailed out to surrounding property owners attracted four submissions in opposition to the proposed variance. The submissions are attached as Appendix 2. The concerns expressed in the submissions include:

- Loss of privacy and value;
- Increased noise;
- Transfer of impacts to neighbouring properties;
- A variance prior to the subdivision approval may be premature;
- Potential for slope stability issues; and,
- Potential to construct on the property in a manner that meets setbacks.

The applicant has provided additional comments to respond to these concerns. They are attached hereto as Appendix 3. Essentially, the applicant states that:

- The subdivision application process is proceeding and he is submitting plans for a building permit on the proposed Lot 2 in anticipation of subdivision approval;
- A geotechnical engineer will be retained during the Building Permit process to address slope stability;
- The building footprint on the proposed lot is small compared to neighbouring properties;
- The owner is attempting to building 'with the lot' rather than against it;
- The application is opposed only by a minority of neighbours and concerns will be discussed directly with them; and,
- The proposed variance is for 40 ft² of deck and associated stairs and posts only as shown on the site plan below:



The matter at hand is an application by the property owner requesting a variance that would reduce the rear setback from 6.0 metres to 3.0 metres for the construction of a single family dwelling. The key issues for the Board to consider are qualitative issues raised by neighbours – potential impacts related to noise, privacy, and value. The Board should consider these concerns in conjunction with the materials submitted by the applicant in support of his request.

The subject property slopes steeply downward from Vance Road. This slope certainly constrains the building envelope. However, as the site plan submitted by the applicant shows, it would be possible to construct a house on the property in a manner that meets the setbacks, though it may require a reduction in the rear deck by about 40 ft².

The subdivision of the land and geotechnical slope stability will be addressed through separate processes.

COST

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

CONCLUSION

It is now appropriate for the FVRD Board to consider the application, public submissions and the additional comments from the applicant and decide whether to approve or refuse the application for Development Variance Permit 2018-10.

OPTIONS

Option 1 – Issue

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

MOTION: THAT the FVRD Board issue Development Variance Permit 2018-10 to reduce the rear setback for 3655 Vance Road, Electoral Area H from 6 metres to 3 metres to facilitate construction of a single family dwelling

Option 2 - Refuse

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

MOTION: THAT the FVRD Board refuse the application for Development Variance Permit 2018-10 for 3655 Vance Road, Electoral Area H.

COMMENTS BY:

Margaret Thornton, Director of Planning & Development

Reviewed and supported.

Mike Veenbaas, Director of Financial Services

Not available for comment.

Paul Gipps, Chief Administrative Officer

Reviewed and supported