

To: Electoral Area Services Committee
 From: Andrea Antifaeff, Planning Technician

Date: 2018-07-10
 File No: 309-20-2018-24

Subject: Application for Development Variance Permit 2018-24 to reduce the parcel size and increase the gross floor area for an Accessory Cottage Industry Use at 35406 Durieu Road, Electoral Area F

RECOMMENDATION

THAT the Fraser Valley Regional District Board issue Development Variance Permit 2018-24 to reduce the parcel size required for an accessory cottage industry use from 2.0 hectares (4.94 acres) to 1.9 hectares (4.69 acres) and to increase the gross floor area for an Accessory Cottage Industry Use from 80m² (861 ft²) to 140m² (1500 ft²) at 35406 Durieu Road, Area "F", subject to consideration of any comments or concerns raised by the public.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services
 Foster a Strong & Diverse Economy

PRIORITIES

BACKGROUND

The owners of the property have made an application for a Development Variance Permit (DVP) in order to reduce the parcel size required and increase the maximum gross floor area for an Accessory Cottage Industry Use as outlined in *Dewdney-Alouette Regional District Land Use and Subdivision Regulation Bylaw No. 559-1992*.

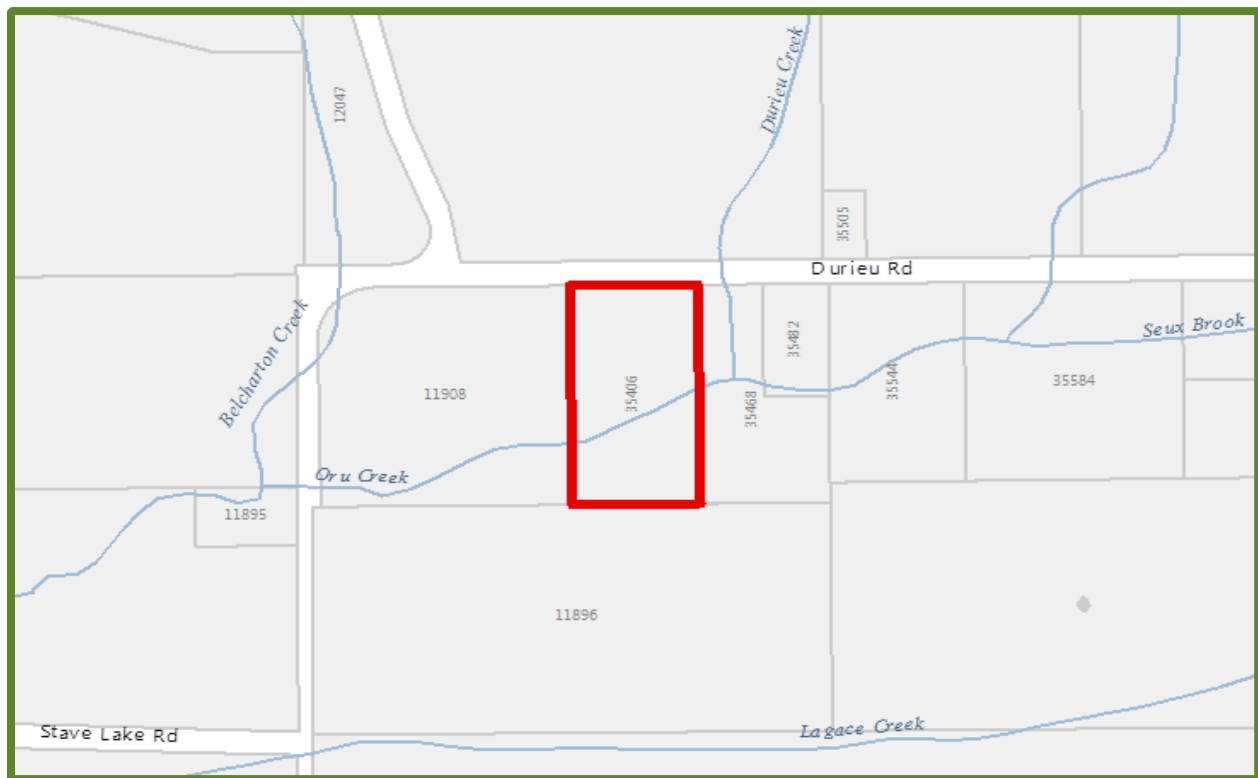
PROPERTY DETAILS			
Electoral Area	F		
Address	35406 Durieu Road		
PID	018-742-629		
Folio	775.02261.500		
Lot Size	4.74 acres		
Owner	Shylah Dobbin & Joel St-Ange	Agent	n/a
Current Zoning	Rural (R-1)	Proposed Zoning	n/a
Current OCP	Rural	Proposed OCP	n/a

Current Use	Residential	Proposed Use	Residential and Accessory Cottage Industry
Development Permit Areas	DPA 1-F and DPA 2-F		
Agricultural Land Reserve	No		

ADJACENT ZONING & LAND USES

North	^	Upland Agriculture (A-1), Farm
East	>	Rural 1 (R-1), Residential
West	<	Floodplain Agriculture (A-2), Farm
South	v	Floodplain Agriculture (A-2), Farm

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

The subject property, located at 35406 Durieu Road, is zoned Rural 1 (R-1), which permits an Accessory Cottage Industry Use. The *Dewdney-Alouette Regional District Land Use and Subdivision Regulation Bylaw No. 559-1992* defines Accessory Cottage Industry Use as an accessory use to a Residential Use where the resident of the parcel carries on a profession or occupation which use is incidental to the Residential Use on the parcel and is undertaken within a building separate from the dwelling unit. The Zoning Bylaw also states that an Accessory Cottage Industry Use shall not be permitted on a parcel of less than 2.0 hectares.

Staff have considered the parcel size restriction for Accessory Cottage Industry Use and determined that the restriction must have been established to prevent certain uses from creating nuisances to neighbours.

The Zoning Bylaw does not restrict the siting of Accessory Cottage Industry Uses beyond the setbacks generally required for buildings and structures. Accordingly, the use can be sited as close as 6.0 metres to the front and rear property lines and 3.0 metres from the interior property line. Appendix A illustrates the proposed site plan.

The Zoning Bylaw also specifies that the maximum gross floor area for Accessory Cottage Industry Use is 80m² (861ft²). The applicant is proposing to increase the gross floor area for the Accessory Cottage Industry Use from 80m² (861ft²) to 140m² (1500ft²). The increase in gross floor area is to allow the

Accessory Cottage Industry Use to take place in a portion of an existing detached garage already located on the property (see Figure 1).



Figure 1 Detached Garage already located at 35406 Durieu Road, Area F

As defined in the Zoning Bylaw, Accessory Cottage Industry Use provides for a very broad range of uses. The proposed Accessory Cottage Industry Use is for the storage and packaging of natural bath and body products for online orders. This type of use would be permitted as an Accessory Cottage Industry Use.

Application Rationale

The applicants advise that the reasons in support of the variance are: 1. the property size is close to the required size; 2. the Accessory Cottage Industry Use will be taking place in an existing structure that requires no alterations; and, 3. the Accessory Cottage Industry Use will be for the storage and packing of their online orders for natural bath and body products and will not cause a nuisance to neighbours.

Accessory Cottage Industry Use Variance

The owners are seeking a variance to reduce the minimum parcel size required for an Accessory Cottage Industry Use.

	Required Property Size	Current Property Size	Proposed Variance
Accessory Cottage Industry Use	2.0 hectares (4.94 acres)	1.9 hectares (4.69 acres)	0.1 hectares (0.25 acres)

(Note varying the minimum property size requirement is not varying density)

The owners are also seeking a variance to the maximum gross floor area permitted for an Accessory Cottage Industry Use.

	Maximum Gross Floor Area	Proposed Gross Floor Area
Accessory Cottage Industry Use	80 m ² (861 ft ²)	140 m ² (1500 ft ²)

Future Implications

This application is for a specific type of Accessory Cottage Industry Use. Staff recommend that the Development Variance Permit be worded such that the variance applies only to the uses proposed by the applicant. The reason is the current owners could sell this property in the future and any Accessory Cottage Industry Use would be permitted if a blanket variance were to be issued. The Development Variance Permit has been specifically drafted to only include these uses as being permitted and only in the building shown on the site plan. (Appendix A).

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 objection have been submitted.

COST

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

CONCLUSION

The property owners have applied for a DVP to reduce the parcel size required and increase the maximum gross floor area for an Accessory Cottage Industry Use. Staff recommend that the FVRD Board issue the permit. The variance is not anticipated to negatively affect surrounding properties, as the Accessory Cottage Industry Use will be occurring inside an existing building meeting setback requirements.

OPTIONS

Option 1 – Issue (Staff Recommendation)

Staff recommend that the FVRD Board issue Development Variance Permit 2018-24 for the property located at 35406 Durieu Road, Electoral Area F to reduce the parcel size required for an Accessory Cottage Industry Use from 2 hectares (4.94 acres) to 1.9 hectares (4.69 acres) and to increase the maximum gross floor area for an Accessory Cottage Industry Use from 80 m² (861 ft²) to 140 m² (1500 ft²) at 35406 Durieu Road, Area "F", subject to 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 2018-24 for the property located at 35406 Durieu Road, Electoral Area F.

Option 3 – Refer to Staff

If the Board wishes to refer the application back to staff to address outstanding issues, the following motion would be appropriate:

MOTION: THAT the Fraser Valley Regional District Board refer the application for Development Variance Permit 2018-24 for the property located at 35406 Durieu Road, Electoral Area F to FVRD staff.

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 Reviewed and supported

Appendix A

