

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

Date: 2018-09-05
 File No: 3090-20-2018-28

Subject: Application for Development Variance Permit 2018-28 to reduce the rear setback to permit the construction of an accessory structure (shed) at #129-14500 Morris Valley Road, Area C

RECOMMENDATION

THAT the Fraser Valley Regional District Board issue Development Variance Permit 2018-28 for the property located at #129-14500 Morris Valley Road, Electoral Area C, to reduce the rear lot line setback from 7.6 metres (24.9 feet) to 5.0 metres (16.4 feet), clear to sky, to facilitate the construction of an accessory structure (shed), subject to consideration of any comments or concerns raised by the public.

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

BACKGROUND

The owners of the property have made an application for a Development Variance Permit (DVP) in order to reduce the rear lot line setback for an accessory structure (shed) as outlined in *Zoning By-law for Electoral Area "F", 1978, of the Regional District of Fraser-Cheam*.

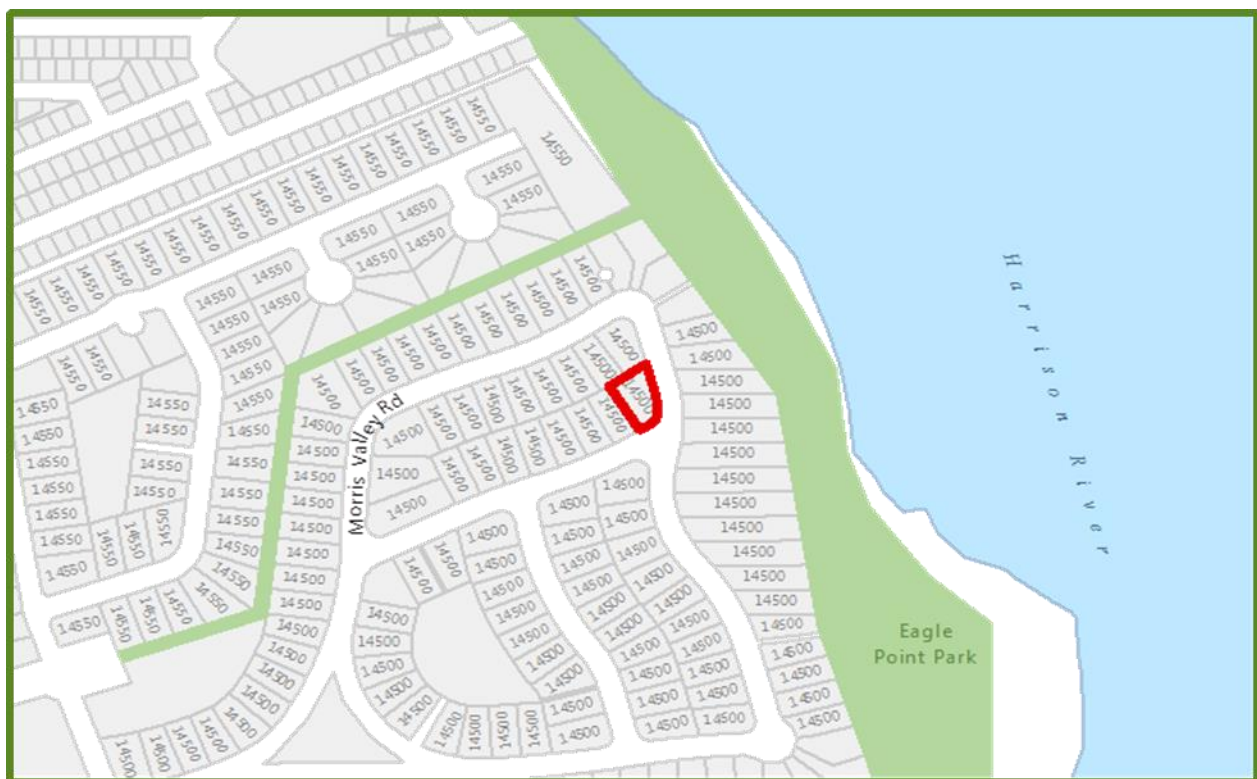
PROPERTY DETAILS			
Electoral Area	C		
Address	129-14500 Morris Valley Road		
PID	026-412-063		
Folio	776.06731.429		
Lot Size	0.172 acres		
Owner	Karen Sidhu & Matthew Thomas	Agent	n/a
Current Zoning	Private Resort Residential (PRD-1)	Proposed Zoning	No change
Current OCP	Resort Residential (RR)	Proposed OCP	No change
Current Use	Residential	Proposed Use	Accessory Structure (Shed)

Development Permit Areas	DPA 1-C and 2-C
Agricultural Land Reserve	No

ADJACENT ZONING & LAND USES

North	^	Private Resort Residential (PRD-1) / Residential
East	>	Private Resort Residential (PRD-1) / Residential
West	<	Private Resort Residential (PRD-1) / Residential
South	v	Private Resort Residential (PRD-1) / Residential

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

The owners of the property have made an application to allow an accessory structure (shed) at #129-14500 Morris Valley Road to be sited on the property. The subject property is located in the Eagle Point Estates residential development in Morris Valley.

Building staff have reviewed the site plan and there are no Building Code concerns regarding the separation distances between the single family dwelling and the accessory structure (shed). As the shed has a floor area not exceeding 20 square metres (215 square feet) a building permit is not required.

Bylaw Enforcement

In January 2018, the FVRD received a complaint of an accessory structure (shed) sited in contravention of the Zoning Bylaw. At a subsequent inspection of the property a bylaw enforcement officer confirmed the presence of an accessory structure (shed) sited in contravention of the Zoning Bylaw (exterior side and rear setbacks and the overhang of the shed roof encroached over the fence and on the strata road property). The applicant has decided to move the location of the shed which would require a variance (reduction) to only the required rear lot line setback. Obtaining a Development Variance Permit and relocating the accessory structure (shed) will rectify the bylaw enforcement. Figures 1 & 2 show the existing and proposed shed locations.



Figure 1. Existing shed location

Figure 2. Proposed shed location

Variance Requested – DVP 2018-28

Application Rationale

The applicant advises that the reasons in support of the variance are: 1. the 7.6 metre rear setback is unattainable on a lot once the house has been placed; 2. the shed will have a similar appearance to the house and compliment the house and neighbourhood; and, 3. all drainage from the shed will drain into the same drainage for the house.

Rear Lot Line Setback Variance

The owners are seeking a 2.6 metre (8.52 foot) relaxation to the required rear lot line setback, reducing the setback requirement from 7.6 metres (24.9 feet) to 5.0 metres (16.4 feet).

Neighbourhood Notification and Input

All property owners within 30 metres of the property and the Strata 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, residents and the Strata of the requested variance in advance of the mail-out notification. To date no letters of support or objection have been submitted. No comments from the Strata have been provided to date.

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 rear lot line setback for an accessory structure (shed). Staff recommend that the FVRD Board issue the permit, subject to community and Strata input, as the proposed variance will address the existing Bylaw Enforcement action and the existing encroachment onto the Strata road property; the shed is less than 20 sq.m and does not require a building permit; and the property is fenced and the shed should not be visible from the Strata road. The variance is not anticipated to negatively affect the surrounding properties.

OPTIONS

Option 1 – Issue (Staff Recommendation)

Staff recommend that the FVRD Board issue Development Variance Permit 2018-28 for the property located at #129-14500 Morris Valley Road, Electoral Area C to reduce the rear lot line setback from 7.6 metres (24.9 feet) to 5.0 metres (16.4 feet), clear to sky, to facilitate the construction of an accessory structure (shed), 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 2018-28 for the property located at #129-14500 Morris Valley Road, Electoral Area C.

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 2018-28 for the property located at #129-14500 Morris Valley Road, Electoral Area C 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

