

To: Electoral Area Services Committee
 From: Julie Mundy, Planning Technician

Date: 2018-10-11
 File No: 3090-20 2018-31

Subject: Application for Development Variance Permit DVP 2018-31 to vary the requirements of a proposed Accessory Family Residential Use for the property at 41360 Bovington Road, Electoral Area G

RECOMMENDATION

THAT the Fraser Valley Regional District Board issue Development Permit 2018-31 to vary the definition of Accessory Residential Family Use to allow for a double-width manufactured home and to permit a broader range of immediate family members to occupy the Accessory Family Residential Use at 41360 Bovington Road, Electoral Area G, subject to consideration of comments from the public.

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

STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services
 Support Healthy & Sustainable Community

BACKGROUND

The property owners have made an application for a Development Variance Permit (DVP) to vary the definition of Accessory Family Residential Use as outline in *Dewdney-Alouette Regional District Land Use and Subdivision Regulation Bylaw No. 559-1992*.

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

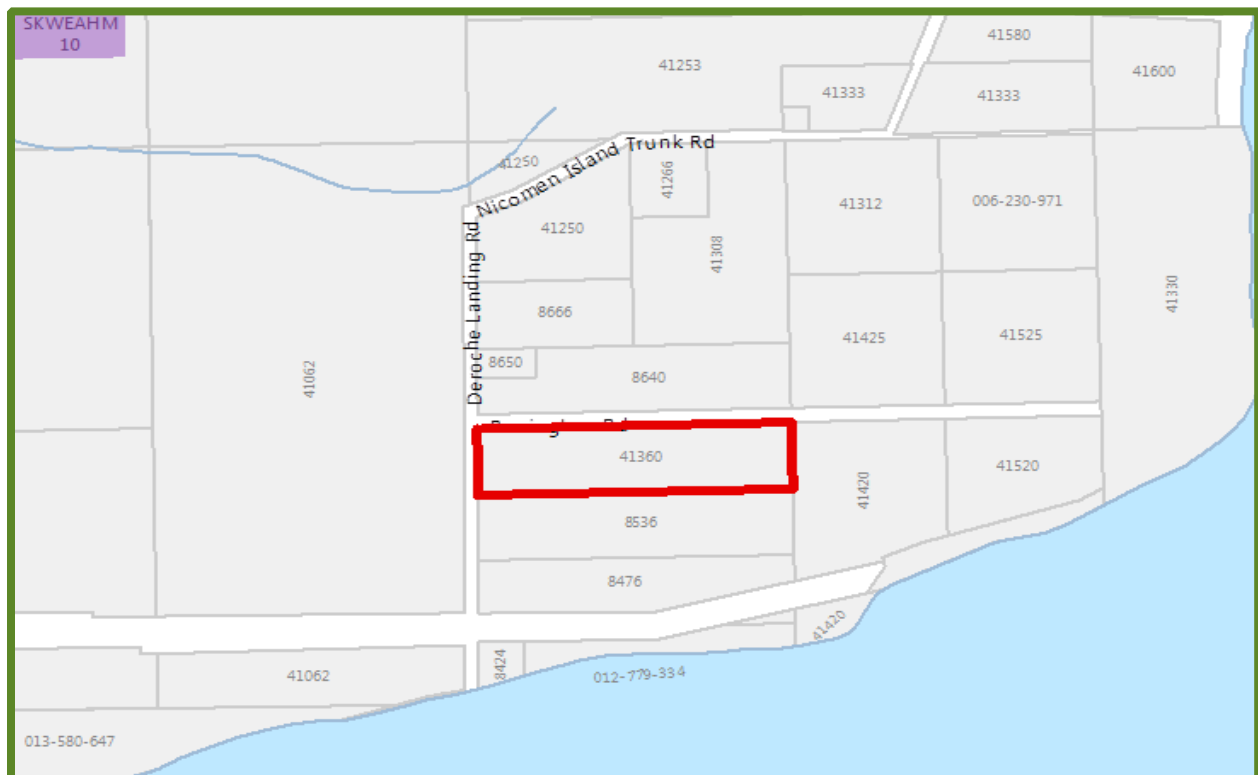
PROPERTY DETAILS

Electoral Area	G		
Address	41360 Bovington Road		
PID	006-231-055		
Folio	775.03512.000		
Lot Size	9.57 acres		
Owner	Wunderlich, John & Janice	Agent	Aaron Wunderlich
Current Zoning	Floodplain Agriculture (A-2)	Proposed Zoning	No change
Current OCP	Agriculture (AG)	Proposed OCP	No change
Current Use	Residential	Proposed Use	Residential
Development Permit Areas	DPA 2-G		
Other Hazards	Floodplain		
Agricultural Land Reserve	Yes		

ADJACENT ZONING & LAND USES

North	^	Floodplain Agriculture (A-2) / Residential
East	>	Floodplain Agriculture (A-2) / Residential
West	<	Floodplain Agriculture (A-2) / Residential
South	v	Floodplain Agriculture (A-2) / Residential

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

The property owners have applied for a Development Variance Permit to alter the definition of an Accessory Residential Family Use to facilitate the placement of a mobile home which will provide a residence for their son and grandchildren. The requested variance will alter the Accessory Residential Family Use:

- 1) to allow for a double-width manufactured home, and
- 2) to permit a broader range of immediate family members to occupy the Accessory Family Residential Use.

The applicant advises the reasons in support of the variance are to allow the owner's son and grandchildren to live close by, and to provide a space of sufficient size to allow the grandchildren to play. The intent is for the owner of the property to reside in an existing single family dwelling and the owner's child and grandchild to reside in the proposed mobile home.

The subject property is located at 41360 Bovington Road and is 9.57 acres in size. The property is zoned Floodplain Agriculture (A-2) under the *Dewdney-Alouette Regional District Land Use and Subdivision*

Regulation Bylaw No. 559-1992. Accessory Family Residential Use is permitted within the A-2 zone provided the owner of the parcel resides on the land, the parcel does not contain more than one dwelling unit, and the parcel is not less than 0.5 hectares (1.2 acres). The proposed use meets the requirements outlined in Zoning Bylaw 559. A building permit application of the mobile home has not yet been submitted.

Agricultural Land Reserve (ALR)

The subject property is within Zone 1 of the ALR. The *Agricultural Land Reserve Use, Subdivision and Procedures Regulation* allows for an additional dwelling of a manufactured home to be placed on ALR parcels provided the manufactured home has a maximum width of 9 metres (to accommodate a double-width mobile home), and is for an immediate family member. The definition of an immediate family member includes children, and grandchildren. The proposed mobile home meets all ALR Regulation requirements.

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.

FVRD Requirements

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 manufactured home not placed on a permanent foundation but rather supported by blocking placed on a concrete slab.

The subject property is within the Fraser River Floodplain and is required to have a Flood Construction Level of 10.5 metres above the Geodetic Survey of Canada. The elevation of the property is not currently known.

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 the Fraser Valley Regional District Board issue Development Variance Permit 2018-31 subject to any comments or concerns raised by the public, and subject to the review of elevation information.

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