

To: CAO for the Electoral Area Services Committee

Date: 2019-01-09

From: Andrea Antifaeff, Planner I

File No: 3090-20-2017-25

**Subject: Application for Development Variance Permit 2017-25 to reduce the front lot line setback to facilitate the construction of two cow barns at 10205 Tremblay Road, Area G**

## RECOMMENDATION

**THAT** the Fraser Valley Regional District Board issue Development Variance Permit 2017-25 to reduce the setback from the front lot line (Tremblay Road) from 30 metres to 6 metres, clear to sky, to facilitate the construction of two cow barns at 10205 Tremblay Road, Area "G", subject to consideration of any comments or concerns raised by the public and the submission of complete building permit applications for structures built without permits.

## STRATEGIC AREA(S) OF FOCUS

Provide Responsive & Effective Public Services

Foster a Strong & Diverse Economy

## BACKGROUND

The owners of the property have made an application for a Development Variance Permit (DVP) in order to reduce the required setback to 6 metres (19.7 feet) as outlined in *Dewdney-Alouette Regional District Land Use and Subdivision Regulation Bylaw No, 559-1992*.

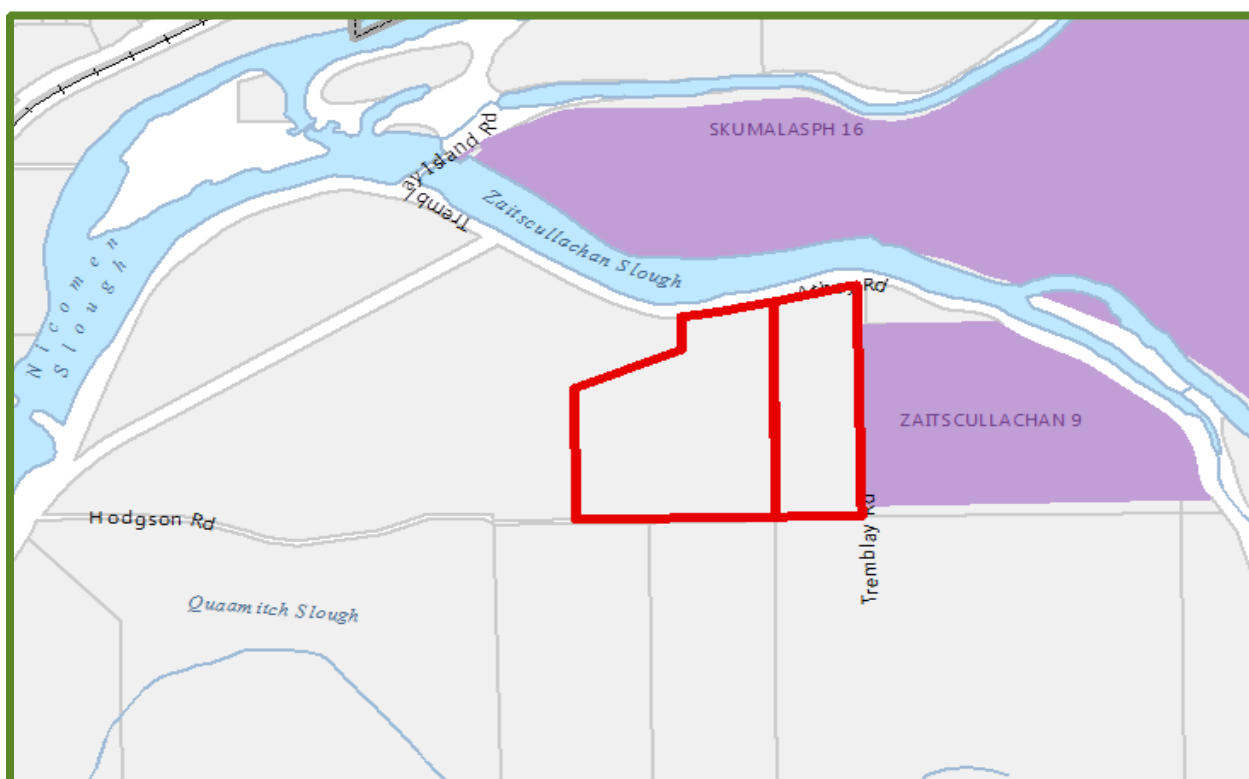
PROPERTY DETAILS			
<b>Electoral Area</b>	G		
<b>Address</b>	10205 Tremblay Road		
<b>PID</b>	011-109-912		
<b>Folio</b>	775.03605.400		
<b>Lot Size</b>	61.063 acres		
<b>Owner</b>	Postma Farms Ltd., Inc. No 258090	<b>Agent</b>	N/A
<b>Current Zoning</b>	Floodplain Agriculture(A-2)	<b>Proposed Zoning</b>	No change
<b>Current OCP</b>	Agricultural (AG)	<b>Proposed OCP</b>	No change
<b>Current Use</b>	Dairy Farm	<b>Proposed Use</b>	No change

<b>Development Permit Areas</b>	DPA 2-G (RAR)
<b>Agricultural Land Reserve</b>	Yes

#### ADJACENT ZONING & LAND USES

<b>North</b>	^	Zaitscullachan Slough
<b>East</b>	>	Leq'a:mel (Zaitscullachan 9 - Reserve), Floodplain Agriculture (A-2)/ Dairy Farm (2 properties – 1 owned by applicant)
<b>West</b>	<	Floodplain Agriculture (A-2)/Dairy Farm (owned by applicant)
<b>South</b>	v	Floodplain Agriculture (A-2)/Dairy Farm

#### NEIGHBOURHOOD MAP



## PROPERTY MAP



## DISCUSSION

The owner of the property proposes to construct two new barns for their dairy operation (barn #1 – wet cow barn and barn #2 – dry cow barn). The property is located within the Agricultural Land Reserve and is currently used as dairy farm. The applicant is proposing locations for the two new cow barns which efficiently utilizes the existing dairy farm operation. The two new proposed barns will replace two older barns that are currently located in relatively the same locations as the new proposed barns.

The owner is aware that that all National Farm Building Code of Canada regulations will be required to be met. This will include a two-hour fire-rated wall on the exterior walls facing Tremblay Road for both proposed buildings (cow barns), as well as any restrictions that may apply to openings.

### Bylaw Enforcement

In 2011, the FVRD completed a site inspection of the property and a bylaw enforcement officer confirmed the presence of a machine storage building built without a building permit. Consequently, the property has been in bylaw contravention since then for construction without a permit. In 2017, the FVRD completed another site inspection and a bylaw enforcement officer confirmed the presence of two bunker silos built without permits. The property owner has applied for building permits for the structures built without permits, however none of these permits have been completed. The staff

recommendation is to resolve the building permit matters prior to the issuance of the Development Variance Permit. Building permits still need to be issued/completed for the following:

Permit No.	Building	Status
013867	Bunker Silo #2	Issued – May 4, 2017 (Not Completed)
013898	Machine Storage	Application Received – Permit Not Issued – April 18, 2017
013899	3 Bay Bunker Silo	Application Received – Permit Not Issued – April 18, 2017

Building permits are required by the Building Bylaw to encourage property owners to comply with minimum standards established by the British Columbia Building Code, as well as other enactments which relate to health, safety and use of land. For matters of safety, overall risk to buildings and property compliance staff wish to resolve the outstanding building permits prior to the issuance of the Development Variance Permit.



## **Variance Requested – DVP 2017-25**

### Application Rationale

The applicant advises that the reason in support of the variance is: due to the setup of the existing milking barn and constraints due to the house location, the proposed location of the new buildings are the best to ensure the most efficient functionality of the current milking facilities.

### Front Lot Line Setback Variance

The owners are seeking a 24 metre (78.7 foot) relaxation to the required front lot line setback, reducing the setback requirement from 30 metres (98.4 feet) to 6 metres (19.7 feet), clear to sky.

## **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 an 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**

Staff recommend that the FVRD Board issue the Development Variance Permit to reduce the front lot line setback for the two proposed cow barns at 10205 Tremblay Road, subject to the submission of complete building permit applications for the buildings built without permits.

The variance is not anticipated to negatively affect the surrounding properties as there is already a dairy farm operation occurring on the property and two of the four surrounding properties are owned by the property owner of 10205 Tremblay Road.

## **OPTIONS**

**Option 1 – Issue subject to the submission of complete building permit applications for outstanding building permits (Staff Recommendation)**

Staff recommend that the Fraser Valley Regional District Board issue Development Variance Permit 2017-25 for the property located at 10205 Tremblay Road, Electoral Area G to reduce the required 30 metre setback from the front lot line (Tremblay Road) from 30 metres (98.4 feet) to 6 metres (19.7 feet) feet, clear to sky, to facilitate the construction of two (2) cow barns subject to consideration of any comments or concerns raised by the public and the submission of complete building permit applications for structures built without permits.

#### **Option 2 – Issue**

Staff recommend that the Fraser Valley Regional District Board issued Development Variance Permit 2017-25 for the property located at 10205 Tremblay Road, Electoral Area G to reduce the required 30 metre setback from the front lot line (Tremblay Road) from 30 metres (98.4 feet) to 6 metres (19.7 feet) feet, clear to sky, to facilitate the construction of two (2) cow barns subject to consideration of any comments or concerns raised by the public.

#### **Option 3 – 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 2017-25 for the property located at 10205 Tremblay Road, Electoral Area G.

#### **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