FROM:	B. Newell, Chief Administrative Officer
DATE: RE:	July 22, 2021 Development Variance Permit Application — Electoral Area "F"

#### Administrative Recommendation:

THAT Development Variance Permit No. F2021.031-DVP to allow for a new accessory building garage/workshop at 2636 Forsyth Drive in Electoral Area "F" be approved.

Purpose:	to allow for a new accessory building garage/workshop.		
<u>Civic</u> :	2636 Forsyth Drive	Legal: Lot 1, Plan 31947, District Lot4947, ODYD	
<u>Folio</u> :	F-07298.205	Zone: Small Holdings Six (SH6)	
<u>Variance</u> <u>Requests</u> :	to reduce the minimum side parcel line setback from 1.5 metres to 0.43 metres; and to increase the maximum height for an accessory building from 4.5 metres to 6.48 metres.		

#### **Proposed Development:**

This application is seeking a development variance permit to reduce the minimum interior side parcel line setback and increase the maximum height for an accessory building to accommodate a 145m<sup>2</sup>, 4.68m tall, two-storey detached garage and workshop.

Specifically, it is being proposed to reduce the interior side parcel line setback for an accessory building in the SH6 Zone from 1.5 meters to 0.43 meters and to increase the maximum height of an accessory building in the SH6 Zone from 4.5 meters to 6.48 meters.

In support of this request, the applicant has stated that "the requrest for the variance is due to the flow for the parking area and access to the existing carport. There are rock outcroppings and severe slope to the property which makes this site the only reasonable option. The new garage will replace two existing sheds and the garage will not affect the neighbour's usage or sight lines."

#### Site Context:

The subject property is approximately 7,154 m<sup>2</sup> in area and is situated on the north side of Forsyth Drive. The property is currently developed to a single detached dwelling and 2 small accessory buildings.

The surrounding pattern of development is characterised by similar rural residential.

#### Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on May 20, 1981, while available Regional District records indicate that a building permit was issued for a single family dwelling (1981).

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Under the Electoral Area "F" Official Community Plan (OCP) Bylaw No. 2790, 2018, the subject property is currently designated Small Holdings (SH), and is shown on Schedule "H" (ESDP Areas) as comprising Important Ecosystem Areas (IEA), but has not been designated as an Environmentally Sensitive Development Permit (ESDP) Area.

Under the Electoral Area "F" Zoning Bylaw No. 2461, 2008, the property is currently zoned Small Holdings Six (SH6) which allows for single detached dwellings as a principal us and accessory buildings, among other uses, as a secondary use.

BC Assessment has classified the property as "Residential" (Class 01) and is rated high in the Community Wildfire Protection Plan, with a small portion in the northeast corner rated as moderate.

# **Public Process:**

Adjacent property owners will have received notification of this application with written comments regarding the proposal being accepted until the commencement of the regular Board meeting. Any comments will be on the agenda as separate item.

## Analysis:

In considering this proposal, Administration notes that the Zoning Bylaw's use of setback regulations is generally to provide physical separation between neighbouring properties in order to protect privacy and prevent the appearance of overcrowding. When a parcel is also adjacent a roadway, setbacks are further employed to maintain adequate sightlines for vehicle traffic movements.

Minimum setbacks from parcel lines are used to maintain a minimum space between houses in a residential neighbourhood to allow access to sunlight, to provide separation for fire safety or to mitigate nuisances (like noise) that might come from an adjacent building.

Regulating the height of accessory structures through the Zoning Bylaw is done to ensure that a building does not impact the shade and outdoor privacy of adjacent properties, or views to significant landmarks, water bodies or other natural features.

Building height is also an important component of the built form of a neighbourhood and, depending upon the location of an accessory structure (i.e. near a street frontage) an excessive height can have an impact upon established streetscape characteristics.

Accordingly, when assessing variance requests a number of factors are taken into account, including the intent of the regulation; the presence of any potential limiting physical features on the subject property; established streetscape characteristics; and whether the proposed development would have a detrimental impact upon the amenity of the area and/or adjoining uses.

Administration recognizes the purposes of interior parcel line setbacks and height restrictions, but notes that the proposed building is located behind the principal dwelling and will not be visible from Forsyth Drive. The topography immediately rises at the edge of the eastern property line, which mitigates the potential impacts to privacy or overshadowing of the neighbour parcel.

In this instance, although there area sever slopes in some locations, Administration notes that there are reasonable alternative locations to site an accessory building that would compy with the setback regulation.

For these reasons listed above, Administration supports the variance request to reduce the minimum interior side parcel line setback and increase the maximum height.

### Alternatives:

- 1. That the Board approve Development Variance Permit No. F2021.031-DVP.
- 2. That the Board deny Development Variance Permit No. F2021.031-DVP.

**Respectfully submitted** 

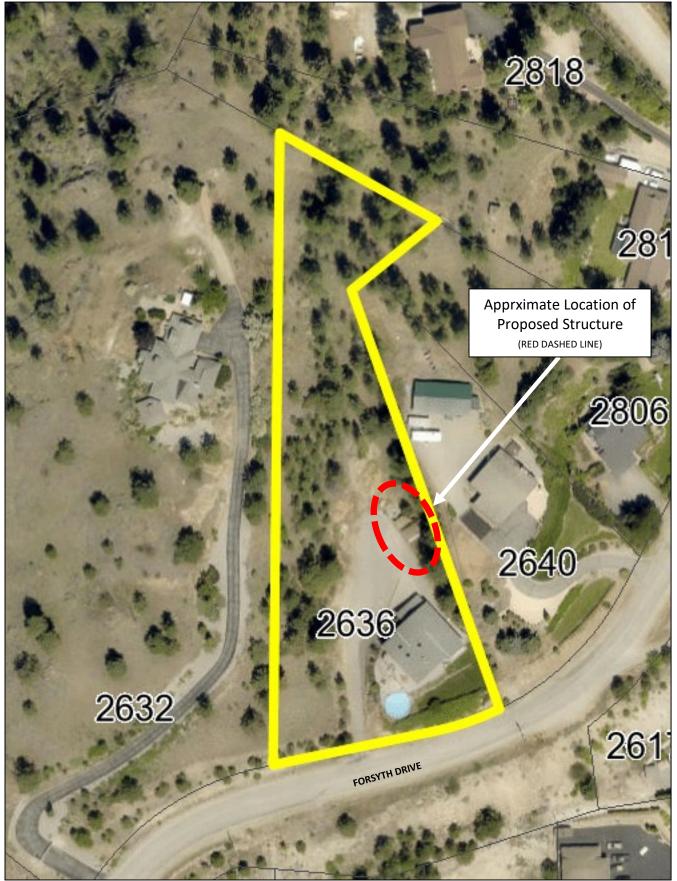
Endorsed by:

<u>Colín Martín</u>

Colin Martin, Planning Student

C. Garrish, Planning Manager

Attachments: No. 1 – Site Photo (Google Streetview)



File No: F2021.031-DVP



Attachment No. 2 – Site Photo (Google Streetview)