

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: December 15, 2022
RE: Development Variance Permit Application — Electoral Area “H” (H2022.035-DVP)

Administrative Recommendation:

THAT Development Variance Permit No. H2022.035-DVP, to allow for the construction of an addition to an existing single detached dwelling at 2811 Coalmont Road, be approved.

Legal: Lot 2, District Lot 104, YDYD, Plan 10756 Except Part Lying South of a Line and the Easterly and Westerly Productions Thereof Drawn Parallel to Perpendicularly Distant 118 Feet From the Northerly Boundary of Said Lot. **Folio:** H-00642.000

OCP: Low Density Residential (LR) **Zone:** Residential Single Family One (RS1)

Variance Request: to reduce the minimum front parcel line setback from 7.5 metres to 2.2 metres.

Proposed Development:

This application is seeking a variance to the front parcel line setback that applies to the subject property in order to facilitate the construction of an addition to a single detached dwelling (i.e., an attached garage).

Specifically, it is being proposed to reduce the front parcel line setback from 7.5 metres to 2.2 metres.

In support of this request, the applicant has stated that:

- *Reduction of the front setback would allow for a new garage built to current building standards and connect to the current residence and proposed addition.*
- *The Environmental QEP could not reduce the 15m SPEA and therefore we cannot build to the south. Due to site grading and existing structures the proposed location best suits the connection to the existing dwelling for the addition and access to the garage for vehicle/boat storage from Coalmont Road.*
- *The proposed variance amendment [allows] for construction outside the 15m SPEA and moves the proposed addition further away from Otter Lake.*

Site Context:

The subject property is approximately 1,418 m² in area and is situated on the east side of Coalmont Rd, approximately 19.5 km northwest from the boundary with Town of Princeton. The property abuts Otter Lake to the east and is understood to contain a single detached dwelling, wood shed, and detached garage.

It is understood that the wood shed and detached garage are to be removed.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on July 22, 1960, while available Regional District records indicate that a building permit was issued for a wood shed (1984).

Under the Electoral Area "H" Official Community Plan (OCP) Bylaw No. 2497, 2012, the subject property is currently designated Low Density Residential (LR), and is the subject of a Watercourse Development Permit (WDP) Area designation.

Under the Electoral Area "H" Zoning Bylaw No. 2498, 2012, the property is currently zoned Low Density Residential One (RS1) which permits "single detached dwelling".

BC Assessment has classified the property as "Residential" (Class 01).

On August 15, 2022, the Ministry of Transportation and Infrastructure (MoTI) issued a setback permit to the property owner to allow for the construction of the subject garage 2.2 metres from the property line to Coalmont Road.

Public Process:

In accordance with Section 2.4 of Schedule 4 (Application for a Development Variance Permit) of the Regional District's Development Procedures Bylaw No. 2500, 2011, adjacent residents and property owners were notified of this DVP application on November 10, 2022, and provided 15 working days to submit comments electronically or in-person to the Regional District.

As of December 2, 2022, being 15 working days from the date of notification, no representations have been received electronically or by submission at the Regional District office.

Analysis:

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.

A front setback in particular can influence the perception of a streetscape and establish the character of the street by providing a consistent building line. In residential neighbourhoods, a front parcel line setback can also help provide privacy for the front of a house (i.e. distance is created between the house and passersby on an adjacent sidewalk) as well as space for landscaping.

In this instance, the proposal requests a 70.7% reduction in the front parcel line setback, which is deemed to be a significant variance.

However, a majority of the property is within a designated WDP area and the OCP Bylaw encourages the reduction of zoning setbacks on existing smaller lots to preserve a Streamside Protection and Enhancement Area (SPEA) (Section 22.3.6).

SPEAs are typically calculated by a Qualified Environmental Professional as part of a Riparian Areas Protection Regulation (RAPR) assessment, which is a required component of a WDP application.

The applicant has submitted a Riparian Setback Assessment prepared by Madrone Environmental Services Ltd. as a supporting document to the DVP application, as well as a WDP application for the proposed development. The Riparian Setback Assessment reports a 15 metre SPEA and setback horizontally from the natural boundary of Otter Lake (see Attachment 2).

The applicant was previously issued a DVP to reduce the front parcel line setback from 7.5 metres to 2.2 metres for the construction of an addition to the subject single detached dwelling on September 22, 2022. The applicant has submitted that their Qualified Environmental Professional was unable to reduce the 15 m Streamside Protection and Enhancement Area (SPEA) which was required to facilitate the development, therefore rendering the previously proposed siting of the addition infeasible.

Conversely, it is noted that the construction of garages within a front parcel line setback is typically considered to represent poor streetscape design. Further, the development of garages within a front setback is not a common feature amongst parcels within the general vicinity of the subject property.

Alternative:

1. That the Board deny Development Variance Permit No. H2022.035-DVP.

Respectfully submitted



Shannon Duong, Planner II

Endorsed by:

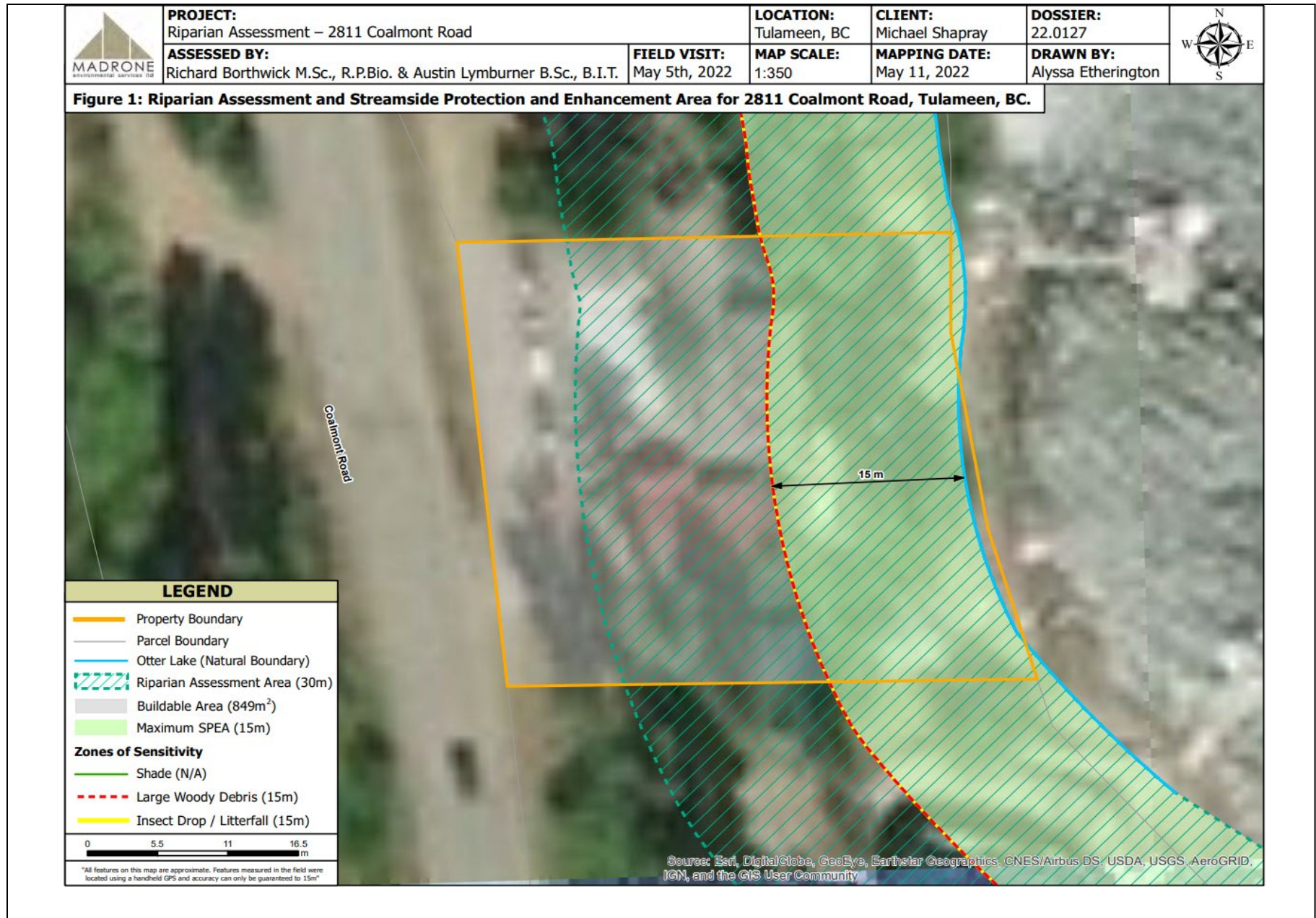


C. Garrish, Planning Manager

Attachments: No. 1 – Streamside Protection and Enhancement Area (SPEA) Map

No. 2 – Site Photo

Attachment No. 1 – Streamside Protection and Enhancement Area (SPEA) Map



Attachment No. 2 – Site Photo (Google Streetview – 2012)



Subject Property