

ADMINISTRATIVE REPORT



TO: Advisory Planning Commission
FROM: B. Newell, Chief Administrative Officer
DATE: December 15, 2021
RE: Development Variance Permit Application — Electoral Area “I”

Purpose: To allow for the construction of an attached garage within the front parcel line setback

Civic: 150 Tamarac Avenue

Legal: Lot 42, Plan KAP719, District Lot 105, SDYD

Folio: I-01474.000

Zone: Residential Single Family Two (RS2)

Variance Request: to reduce the minimum front parcel line setback from 7.5 metres to 0.9 metres

Proposed Development:

his application is seeking a variance to the front parcel line setback that applies to the subject property in order to undertake the development of an attached garage to the principal single family dwelling.

Specifically, it is being proposed to vary the front parcel line setback for a principal building in the Residential Single Family Two (RS2) zone from 7.5 metres to 0.9 metres to the outermost projection.

In support of this request, the applicant has stated that [it will] “not impede visual aspects for neighbours... visible setback from roadway not visible until at the upper drive area...this structure attached will meld with the current structure seamlessly...[this is the] only option based on house position and main road access.”

Site Context:

The subject property is approximately 7,101 m² in area and is situated on the west side of Tamarac Ave. The property is currently developed to contain a single family dwelling.

The surrounding pattern of development is characterised by similar residential development to the east and larger agriculture parcels to the west.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on March 12, 1910, while available Regional District records indicate that building permits for garage (1982), addition to a single family dwelling (SFD) (1998), addition to SFD (2002), fireplace installation (2003), SWN alterations to single family dwelling and roof over deck (2021) have previously been issued for this property.

Under the Electoral Area “I” Official Community Plan (OCP) Bylaw No. 2683, 2016, the subject property is currently designated Low Density Residential (LR).

Under the Electoral Area "I" Zoning Bylaw No. 2457, 2008, the property is currently zoned Residential Single Family Two Zone (RS2) which allows for accessory buildings and structures.

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

The north/north eastern half of the property is identified under the GG Runka Soil Stability report as having hazards of slumps and slides

On September 29, 2021, MoTI issued a permit to reduce building setback less than 4.5 metres from the property line fronting a provincial public highway. The permit allows a 91.23 m² garage to be located no closer than 1.5 metres from Tamarac Avenue.

At its meeting of November 18, 2021, the RDOS Board of Directors resolved to defer the application to the Electoral Area "I" Advisory Planning Commission.

Analysis:

In considering this proposal, Administration notes that due to the topography of the area, the dwellings on the abutting parcels are located above or below the location of the proposed garage, therefore it will not negatively impact the privacy, sunlight or views of neighbouring parcels.

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.

Administration notes that the parcel is subject to steep slopes on the western portion of the property in addition to challenges related to road alignment and the parcel boundaries. The septic field is located on the north side of the house. These topographical constraints limit the area suitable for construction.

Conversely, administration notes that in the past there was an accessory structure located on the north eastern side of the property. It is possible that the property owner could construct a detached garage in this location that meets zoning regulations, if the location of the septic field allows.

For these reasons, Administration supports the requested variances and is recommending approval.

Administrative Recommendation:

THAT the APC recommends to the RDOS Board that the subject development application be approved.

Options:

1. THAT the APC recommends to the RDOS Board that the subject development application be approved.

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2. THAT the APC recommends to the RDOS Board that the subject development application be approved with the following conditions:
 - i) *TBD*
 3. That the APC recommends to the RDOS Board that the proposed development application be denied.

Respectfully submitted

Fiona Titley

Fiona Titley, Planner I

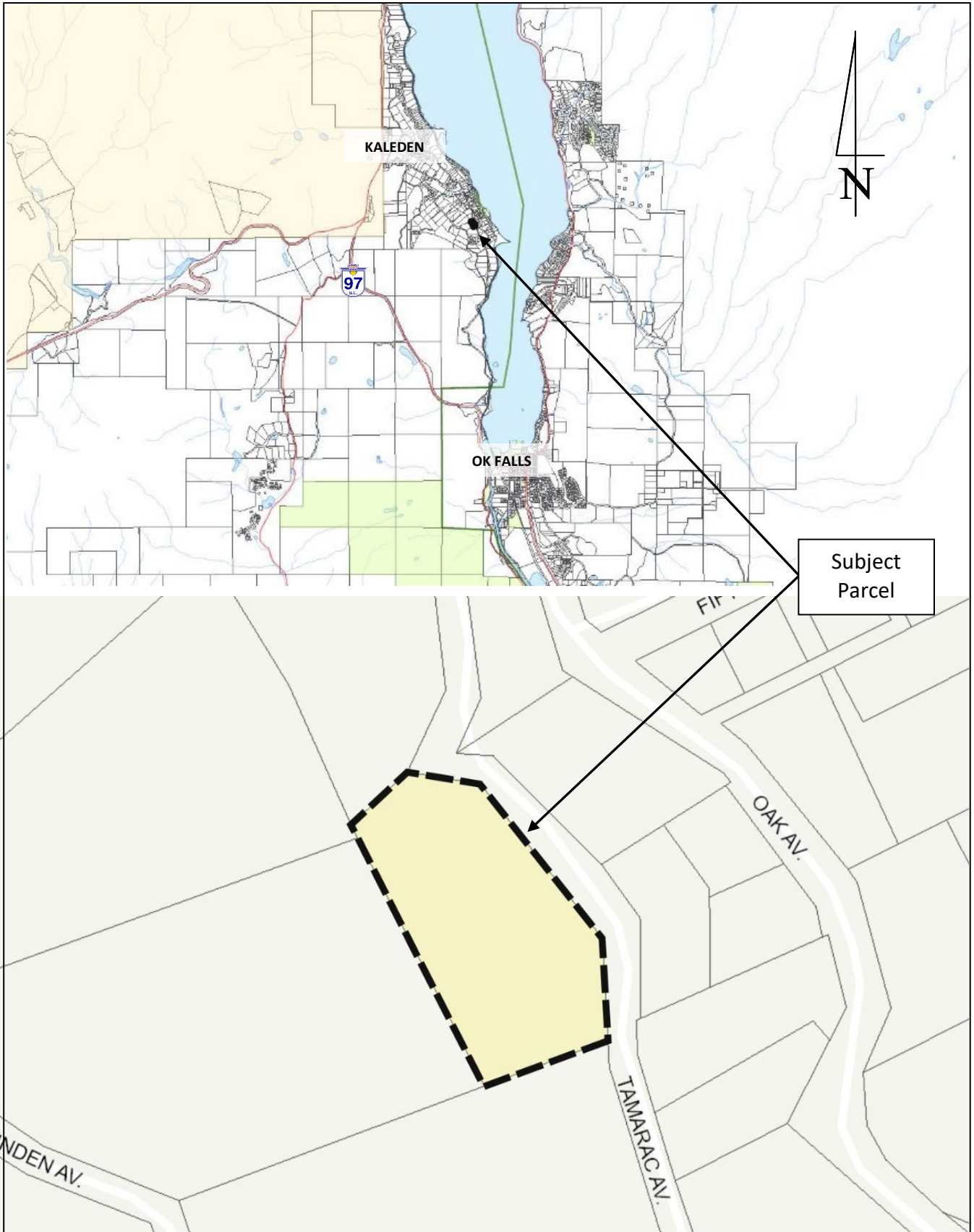
Endorsed by:



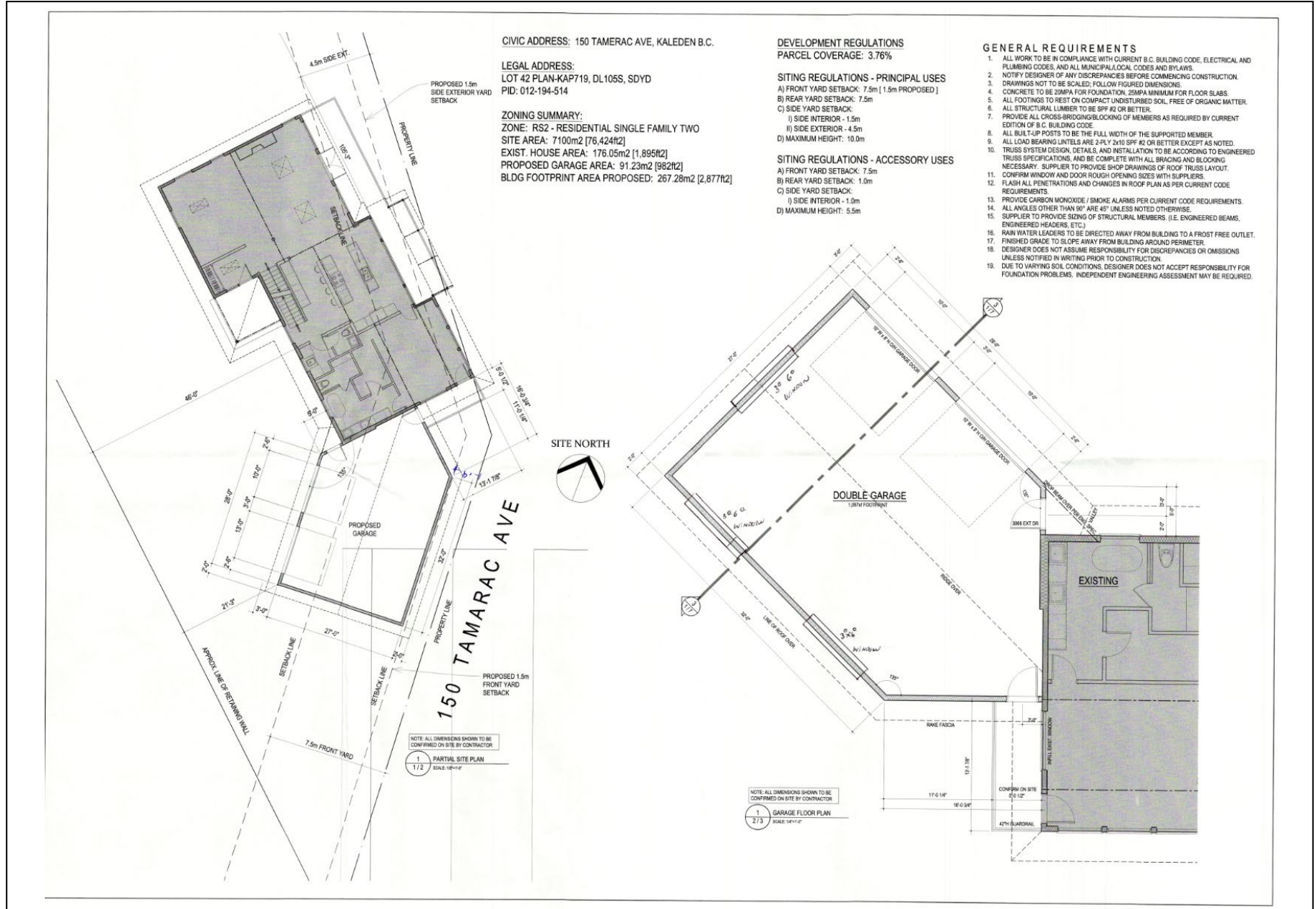
C. Garrish, Planning Manager

- Attachments:
- No. 1 – Context Maps
 - No. 2 – Applicant’s Site Plan
 - No. 3 – Applicant’s Floor Plan
 - No. 4 – Applicant’s Building Elevations
 - No. 5 – Site Photo (2021)

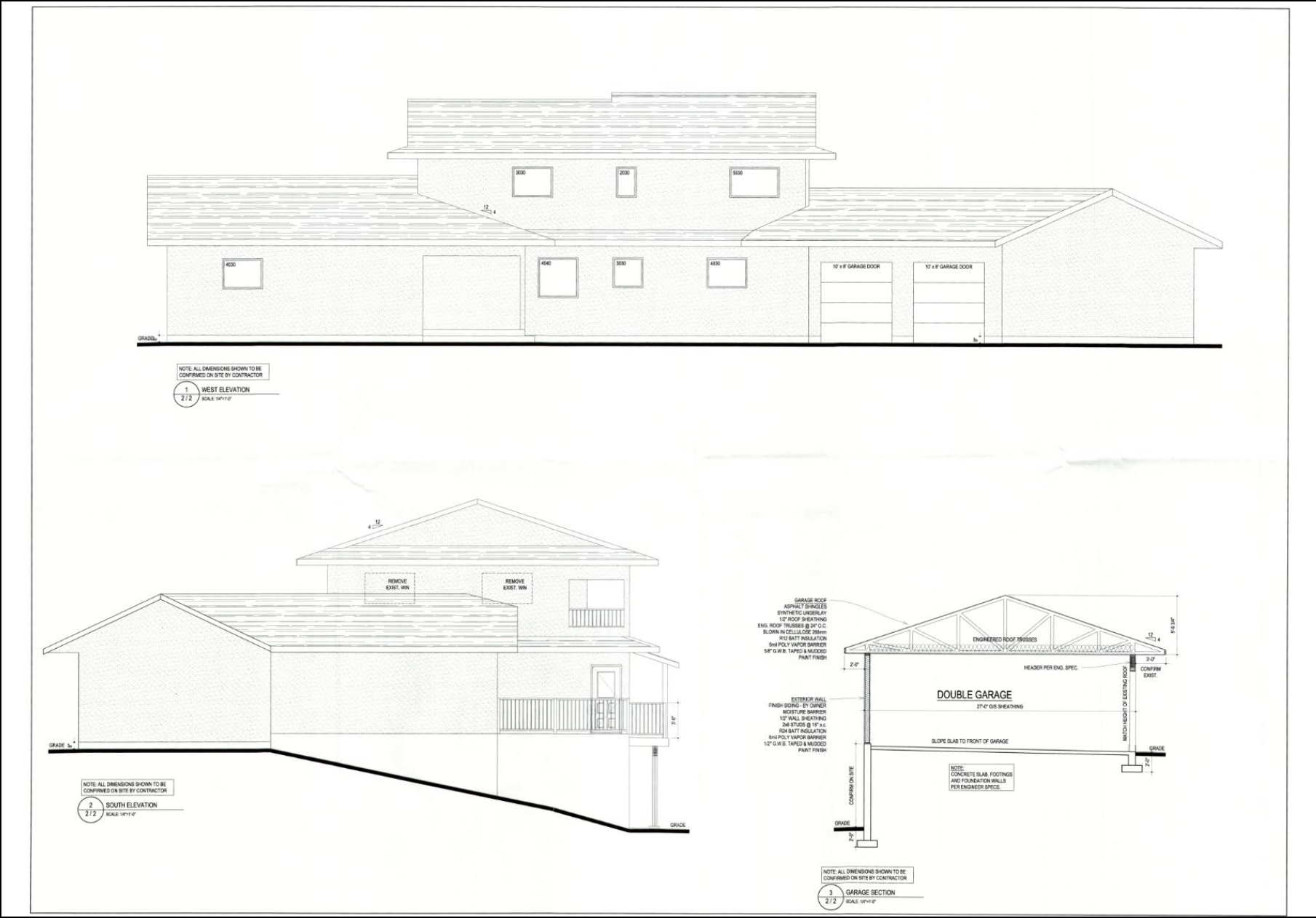
Attachment No. 1 – Context Maps



Attachment No. 3 – Applicant’s Floor Plan



Attachment No. 4 – Applicant’s Building Elevations



Attachment No. 4 – Site Photo (2021)

