

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: December 1, 2022
RE: Development Variance Permit Application — Electoral Area “F” (F2022.043-DVP)

Administrative Recommendation:

THAT Development Variance Permit No. F2022.043-DVP, to allow for the construction of an accessory building, at 913 Sunglo Drive, be approved.

Legal: Lot 1, District Lot 5076, ODYD, Plan 18848

Folio: F-07320.000

OCP: Small Holdings (SH)

Zone: Small Holdings West Bench (SH5)

Variance Request: to increase the maximum height of an accessory building from 4.5 metres to 6.58 metres.

Proposed Development:

This application is seeking a variance to the maximum height for accessory buildings that applies to the subject property in order to undertake the construction of a woodworking shop for personal use. Specifically, it is being proposed to increase the maximum height of an accessory building from 4.5 metres to 6.58 metres.

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

- *a woodworking shop necessitates overheight ceilings to manipulate materials such as plywood or long boards. In addition the roof is pitches, as designed has solar panels in mind, and this angle is desirable*
- *in order to have the shop floor level to existing parking, putting it on a six foot crawl and foundation wall seemed to make the most sense, which also impacts the overall height.*

Site Context:

The subject property is approximately 3,660 m² in area and is situated on the south side of Sunglo Drive, approximately 0.11 km west of the boundary with the City of Penticton. The property is understood to contain one singled detached dwelling and accessory building (i.e., a carport).

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

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on February 17, 1969, while available Regional District records indicate that building permits have not previously been issued for this property.

Under the Electoral Area “F” Official Community Plan (OCP) Bylaw No. 2790, 2018, the subject property is currently designated Small Holdings (SH).

Under the Okanagan Valley Zoning Bylaw No. 2800, 2022, the property is currently zoned Small Holdings West Bench (SH5) which permits “accessory dwelling or structure, subject to Section 7.1” as an accessory use.

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

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 September 9, 2022, and provided 15 working days to submit comments electronically or in-person to the Regional District.

As of September 29, 2022, being 15 working days from the date of notification, no representations had been received electronically or by submission at the Regional District office.

Analysis:

In considering this proposal, Administration notes that 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.

In this case, it is noted that the nearest neighbouring parcel line is approximately 5.2 metres to the south. Given the distance of the proposed shop from neighbouring properties, the increase in height is not seen to have substantial impacts with respect to overshadowing and privacy.

Additionally, given that the shop is proposed to be located towards the rear of the property, the proposed height variance is unlikely to impact the established streetscape in the area.

Conversely, Administration recognises that the proposed variance represents a fairly significant increase in maximum building height (approximately 46.2%), and that the Regional District reduced the maximum height for these types of structure to the current 4.5 metre limit in 2018 due to resident concerns about the number of over-sized garages/workshops being constructed in the West Bench area.

Other options are also seen to be available to the applicant, such as complying with the height requirements of the bylaw and forgoing a two story structure (NOTE: a crawl space cannot exceed 1.5 metres / 5 feet in height).

Despite this, as the proposal is unlikely to adversely impact neighbouring properties and the existing streetscape, Administration supports the requested variances and is recommending approval.

Alternative:

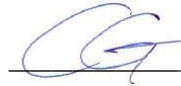
1. That Development Variance Permit No. F2022.043-DVP be denied.

Respectfully submitted



Shannon Duong, Planner II

Endorsed by:



C. Garrish, Planning Manager

Attachments: No. 1 – Aerial Map

Attachment No. 1 – Aerial Map

