

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: May 4, 2023
RE: Development Variance Permit Application — Electoral Area “I” (I2023.010-DVP)

Administrative Recommendation:

THAT Development Variance Permit No. I2023.010-DVP, to allow for the construction of a duplex at 144 Clearview Crescent, Apex, be approved.

Legal: Lot 13, District Lot 395S, SDYD, Plan KAP65691 Folio: I-02798.060

OCP: Low Density Residential (LR) Zone: Low Density Residential Apex Duplex (RD2)

Variance Request: to increase the maximum building height for a principal building from 10.0 m to 12.01 m.

Proposed Development:

This application is seeking a variance to the maximum building height that applies to the subject property in order to construct a duplex.

Specifically, it is being proposed to increase the maximum height for a principal building from 10.0 metres to 12.01 metres.

In support of this request, the applicant has stated that “the proposed height increase of 2.01 m would allow the addition of 2 covered garage parking spaces that would be in addition to on site parking for a lot total of 6 parking spots. The 2.01 m height increase will not impede surrounding buildings and would fit in with the overall design and buildings on Clearview [Crescent]...the added 2.01 m is still below the max height of surrounding lots that carry a RM2 zoning and max height of 15 m.”

Site Context:

The subject property is approximately 558 m² in area and is situated on the east side of Clearview Road and the west side of Clearview Crescent approximately 21 km from the boundary of the Village of Keremeos. The property is understood to be vacant.

The surrounding pattern of development is generally characterised by similarly sized parcels zoned Low Density Residential Apex Duplex (RD2) and Medium Density Residential Apex (RM2) containing multi-family 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 November 22, 1999. No building permits have been issued for this property.

Under the Electoral Area “1” Official Community Plan (OCP) Bylaw No. 2683, 2016, the subject property is currently designated Low Density Residential (LR).

Under the Okanagan Valley Zoning Bylaw No. 2800, 2022, the property is currently zoned Low Density Residential Apex Duplex (RD2) which permits “duplex” as a principal use. Section 11.2 of the Zoning Bylaw stipulates that 2 parking spaces must be provided per dwelling unit within a duplex (i.e., 4 total parking spaces).

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 March 17, 2023, and provided 15 working days to submit comments electronically or in-person to the Regional District.

As of April 11, 2023, being 15 working days from the date of notification, approximately three (3) representations have been received electronically or by submission at the Regional District office.

Analysis:

The applicant has submitted that the purpose of the variance request is to allow for the provision of six total on-site parking spaces (two within the proposed garage area and four within the driveway). The provision of parking and snow storage is a concern at Apex, and this matter was addressed through amendments made during the Apex Zone Review (2020), including the increase of minimum parcel line setback requirements.

The proposal to increase building height is seen to provide for an alternative to a setback reduction to facilitate the provision of increased parking; however, consideration should be given to any potential consequences of increasing building height.

Regulating building height 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.

The nearest parcel line is approximately 3.01 metres to the north. Given that the proposed development would otherwise meet the associated interior side parcel line setback requirement, the requested variance is unlikely to adversely impact the use of adjacent properties as it relates to loss of privacy. It is noted, however, that overshadowing may be an issue as a result of the increase in height.

Parcels to the west across Clearview Road are zoned RM2 and are permitted to construct buildings to a maximum height of 15.0 metres. The adjacent parcels to the north (developed) and south (vacant)

are zoned RD2 and held to a 10.0 metre maximum height requirement. Lands to the east across Clearview Crescent are a mix of RD2 and RM2 parcels.

The construction of a building with a height of 12.01 metres is not seen to deviate substantially from the established character of development in the general vicinity.

An increase in height is not seen to further exacerbate the previously identified parking and snow storage concerns on the site which would otherwise be exacerbated through the reduction of parcel line setbacks.

Alternative:

1. That the Board deny Development Variance Permit No. I2023.010-DVP.

Respectfully submitted



Shannon Duong, Planner II

Endorsed by:



C. Garrish, Planning Manager

Attachments: No. 1 – Aerial Photo

Attachment No. 1 – Aerial Photo

