

# ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** December 16, 2021  
**RE:** Development Variance Permit Application — Electoral Area “C” (C2021.048-DVP)

---

## **Administrative Recommendation:**

**THAT Development Variance Permit No. C2021.048-DVP, to allow for the placement of a mobile home at 1888 Willowbrook Road, be approved.**

---

Legal: Lot 4, Section 25, Township 54, SDYD, Plan 31653 Folio: C-07938.040

OCP: Large Holdings (LH) Zone: Large Holdings One (LH1)

Variance Requests: to reduce the minimum interior side parcel line setback from 4.5 metres to 2.78 metres.

---

## **Proposed Development:**

This application is seeking a variance to the minimum interior side parcel line setback that applies to the subject property in order to retain a mobile home which has already been placed on the property. Specifically, it is being proposed to reduce the minimum interior side parcel line setback from 4.5 metres to 2.78 metres.

In support of this request, the applicant has stated that “the variance will not affect nearby properties as the adjacent homes both north and south are approximately 250-450 feet from where [the] mobile is situated”. The applicant also notes that “this location already has all services at [the] site” and that “any other location was too close to the creek or too far from power and septic”.

## **Site Context:**

The subject property is approximately 4.05 ha in area and is situated on the east side of Willowbrook Rd. The property is currently developed to a single detached dwelling and the mobile home which is the subject of this application.

The surrounding pattern of development is characterised by rural residential development to the north and south. Parcels to the east and west are zoned Resource Area and appear to be predominantly undeveloped.

## **Background:**

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on January 12, 1981 while available Regional District records indicate that a building permit(s) for the construction of a single family dwelling and demolition of an existing auxiliary dwelling (1996), and the completion of the works under the 1996 building permit (1999, 2001, and 2004).

---

Under the Electoral Area “C” Official Community Plan (OCP) Bylaw No. 2452, 2008, the subject property is currently designated Resource Area (RA), and is the subject of Watercourse Development Permit (WDP) and Environmentally Sensitive Development Permit (ESDP) Area designations. The mobile home is not within the WDP or ESDP Areas on the property.

Under the Electoral Area “C” Zoning Bylaw No. 2453, 2008, the property is currently zoned Large Holdings One (LH1) which permits an accessory dwelling as a permitted secondary use on the subject property. Section 7.11.7 states that “on a parcel greater than 4.0 ha in area, an accessory dwelling may be in the form of a mobile home”.

BC Assessment has classified the property as “Residential” (Class 01) and the property has been the subject of a Stop Work Notice by the Regional District for the placement of the existing mobile home without the issuance of a valid building permit.

At its meeting of December 2, 2021, the Regional District Board resolved to defer consideration of this application and refer it to the Electoral Area “C” Advisory Planning Commission (APC) for comment.

**Public Process:**

Adjacent property owners will have received notification of this application with written comments regarding the proposal being accepted, in accordance with Section 2.10 of Schedule ‘4’ of the Regional District’s Development Procedures Bylaw No. 2500, 2011, until 4:30 p.m. on November 25, 2021. All comments received are included as a separate item on the Board’s Agenda.

The Electoral Area “C” Advisory Planning Commission (APC) is scheduled to consider this application at its meeting of December 9, 2021. Due to the proximity of this meeting to the Board’s meeting of December 16, 2021, a verbal update of the APC’s resolution will be provided.

**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.

Administration understands that, based on a historical site plan from 1994, the property previously contained a modular home which had encroached onto the southerly adjacent property. It is also noted that the mobile home — which has already been sited on the property — is located on approximately the same site as the previous modular home and utilizes an existing concrete pad.

Administration also notes that a retaining wall is located immediately north of the existing mobile home and would restrict the applicants’ ability to site the mobile home further north.

In this instance, Administration finds that the requested variance represents a deviation of approximately 1.7 metres, which is relatively minor in nature.

Conversely, Administration recognises that the current siting of the mobile home may present privacy issues with respect to the adjacent property to the south.

---

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

**Alternatives:**

1. That the Board deny Development Variance Permit No. C2021.048-DVP.
2. That the Board defer consideration of the application and it be referred to the Electoral Area "C" Advisory Planning Commission.

**Respectfully submitted**



Shannon Duong, Planner I

**Endorsed by:**



C. Garrish, Planning Manager

Attachments: No. 1 – Site Photo (Google Streetview; 2012)

No. 2 – Site Photo – Existing Mobile Home (2021)

Attachment No. 1 – Site Photo (Google Streetview; 2012)



Attachment No. 2 – Site Photo - Existing Mobile Home (2021)

