

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: January 21, 2021
RE: Development Variance Permit Application — Electoral Area “D”

Administrative Recommendation:

THAT the Board of Directors approve Development Variance Permit No. D2020.019-DVP

Purpose: To allow for a new single detached dwelling.

Owners: Rosanne and Wesley Thompson Agent: n/a Folio: D-06752.220

Legal: Lot 13, Plan 23178, District Lot 2710, SDYD, Except Plan EEP33790 Civic: 162 Saliken Drive

OCP: Large Holdings (LH) Zone: Site Specific Large Holdings One (LH1s)

Variance to reduce the minimum front parcel line setback from 7.5 metres to 3.0 metres; and

Request: to reduce the minimum interior side parcel line setback from 4.5 metres to 3.0 metres.

Proposed Development:

This application is seeking a variance to the minimum front parcel line setback and interior side parcel line setback that applies to the subject property in order to facilitate construction of a new single detached dwelling.

Specifically, it is being proposed to reduce the minimum front parcel line setback from 7.5 metres to 3.0 metres, and to reduce the minimum interior side parcel line setback from 4.5 metres to 3.0 metres.

In support of this request, the applicant has stated that “the lot being 12 acres only allows a build on approximately 0.15 acres with intense slope around 50% of the lot. For better stability and maximization of the lot we need to build our 1,400 square foot footprint as far from bank as possible.”

Site Context:

The subject property is approximately 5.27 ha in area and is situated approximately 380 metres east of the City of Penticton boundary in the Upper Carmi area. It is on the south side of Saliken Drive. The property is currently vacant.

The surrounding pattern of development is characterised by large, rural residential parcels to the north, east and west and undeveloped parkland to the south.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on October 17, 1972, while available Regional District records

indicate that a building permit for a single detached dwelling (2015) has previously been issued for this property.

Under the Electoral Area “D” Official Community Plan (OCP) Bylaw No. 2603, 2013, the subject property is currently designated Large Holdings (LH), and is the subject of a Watercourse Development Permit (WDP), Environmentally Sensitive Development Permit (ESDP) Area and Hillside Development Permit (HDP).

Under the Electoral Area “D” Zoning Bylaw No. 2455, 2008, the property is currently zoned Site Specific Large Holdings One (LH1s) which permits a single detached dwelling.

Under Section 8.0 (Floodplain Regulations) of the Zoning Bylaw, the subject property is within the floodplain associated with a creek and no building or structure shall be located within 15.0 metres of the natural boundary and shall not be located lower than the flood construction level of 1.5 metres above the natural boundary of the watercourse.

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

Public Process:

Adjacent property owners will have received notification of this application with written comments regarding the proposal being accepted until the commencement of the regular Board meeting. Any comments will be on the agenda as separate item.

Analysis:

In considering this proposal, Administration notes that the parcel is encumbered by steep slopes and a watercourse bisecting the parcel.

As such, the most appropriate siting of a dwelling is towards the northern parcel line abutting Saliken Drive, where the proposed dwelling can be sited on the most accessible, flattest portion of the parcel, furthest away from the top of a steep embankment.

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.

In this instance, Administration notes the rural nature of the surrounding area where dwelling locations are more defined by topography and building sites are varied to take advantage of either the highest, flattest portion or most accessible portion of the parcel resulting in a varied streetscape.

In response to providing physical separation between neighbouring properties, the nearest building is located on the neighbouring parcel to the east on the opposite site of the creek, approximately 90 metres from the proposed building site.

Further, due to the angle of the dwelling in relation to the interior parcel line, only the southeast corner of the dwelling encroaches into the setback minimizing the overall encroachment.

Administration has concerns that the proposed variance does not provide sufficient distance on the parcel for vehicle parking in front of the dwelling or adequate distance for backing out of the garage prior to entering public right-of-way.

However, the distance between the public right of way and the garage is extended due to the angled driveway and the angled position of the dwelling of which the western corner is 5.71 metres from the front property line.

The edge of pavement of Saliken Drive is a further 3.0 metres from the property line, providing additional driveway length and mitigating the perception of a reduced setback.

Conversely, Administration recognises that there is opportunity through engineering and building design to construct a dwelling that meets setback requirements and provides more room for parking and maneuvering on-site.

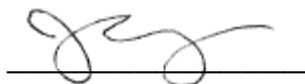
However, the reduced setbacks allows for use of the most accessible portion of the property furthest away from a steep embankment and reduces the need for extensive engineered retaining walls or site excavation on an environmentally sensitive hillside.

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

Alternatives:

1. That the Board deny Development Variance Permit No. D2020.019-DVP.
2. That the Board defer consideration of the application and it be referred to the Electoral Area "D" Advisory Planning Commission.

Respectfully submitted



JoAnn Peachey, Planner I

Endorsed by:

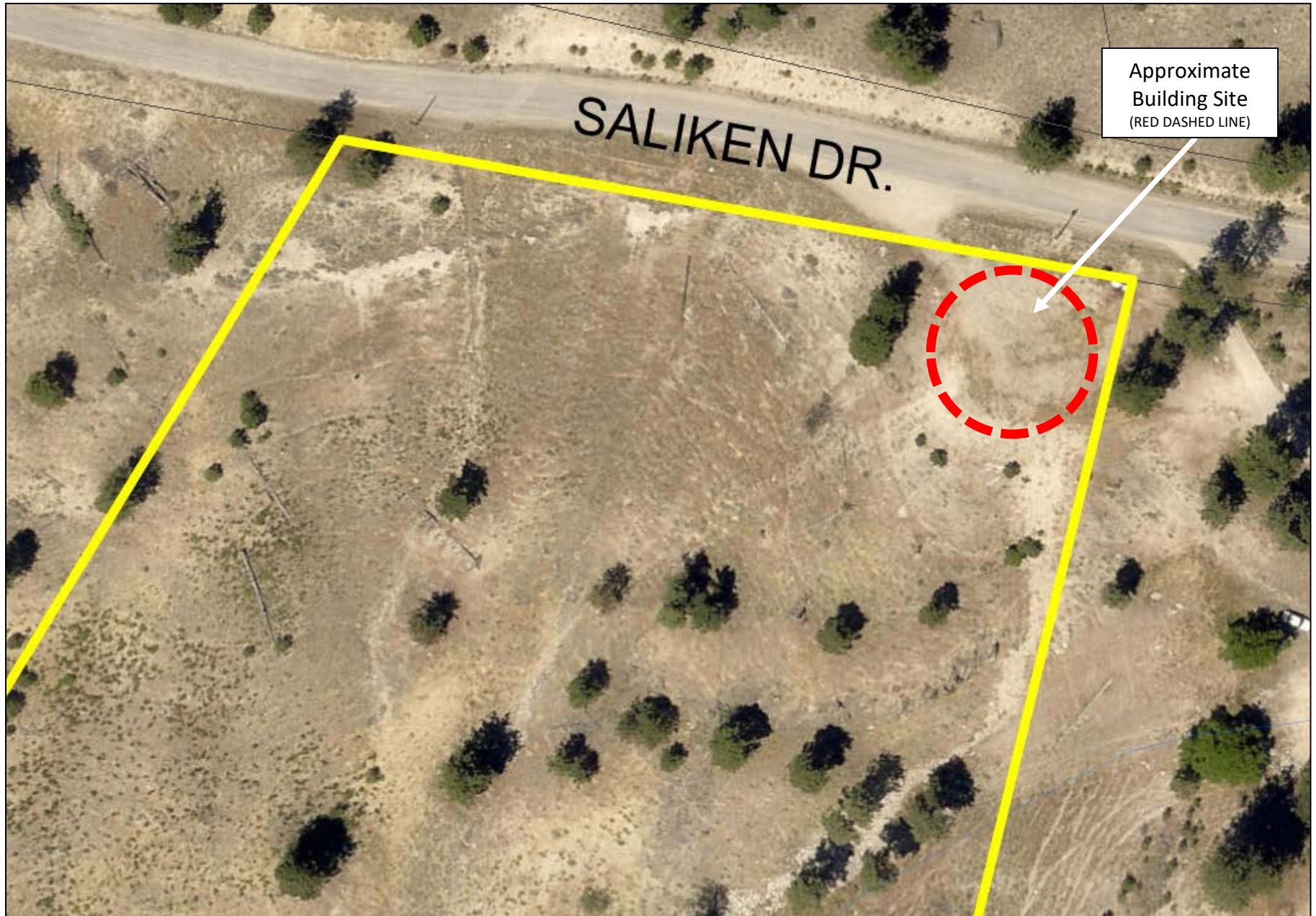


C. Garrish, Planning Manager

Attachments: No. 1 – Aerial Photo

No. 2 – Site Photo (Google Earth)

Attachment No. 1 – Aerial Photo



Approximate
Building Site
(RED DASHED LINE)

Attachment No. 2 – Site Photo (Google Earth)

