

TO: Board of Directors

FROM: J. Zaffino, Chief Administrative Officer

DATE: September 3, 2026

RE: Development Variance Permit Application – Electoral Area “F” (F2026.021-DVP)

Administrative Recommendation:

THAT Development Variance Permit No. F2026.021-DVP, to allow for the construction of an accessory building) at 607 West Bench Hill Road, be approved.

Alternative:

1. THAT Development Variance Permit No. F2026.021-DVP, to allow for the construction of an accessory building at 607 West Bench Hill Road, be denied.
-

Legal: Lot 1, Plan KAP16979, District Lot 5076, ODYD Folio: F-07302.000

OCP: Small Holdings (SH) Zone: Small Holdings West Bench (SH5)

Variance Request: to reduce the minimum front parcel line setback from 9.0 metres to 4.65 metres

Purpose:

This application is seeking a variance to the front parcel line setback that applies to the subject property in order to undertake the construction of an accessory building in the form of a carport.

Specifically, it is being proposed to reduce the minimum front parcel line setback for an accessory building from 9.0 metres to 4.65 metres on the subject property.

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

- *The current residence sits well below street level (9'-0" or 2.75m), and with the access drive sloping into the front yard (Photo 2) through the roadway setback, there is limited possibilities for placement of a covered structure for the client's vehicles within the front of the property and at a level consistent with the main floor of the residence.*
 - *The area that is being proposed for the new double car carport is the current uncovered paved parking area that the clients use ...*
 - *The new structure would be built below the maximum allowable height of 4.5m (14'7") (Drawing 2, A-303 of the attached submission), and partially sunken into the topography of the West and South slopes of the property.*
 - *The new structure will be less conspicuous as it will slope in the same direction as the main residence and flow over it.*
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Strategic Priorities: Operational

Background & Analysis:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on February 28, 1967, while available Regional District records indicate that a building permits for renovations to a single detached dwelling (2012) and an addition to a single detached dwelling (1990) have 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), and is not subject to any Development Permit Area designations.

Under the Okanagan Valley Zoning Bylaw No. 2800, 2022, the property is currently zoned Small Holdings West Bench (SH5) which allows for “accessory building and structure, subject to Section 7.1” as a permitted accessory use.

The property is located within the West Bench Soil Deposition Service Area; as such, a Soil Permit is required where any associated soil removal and/or deposition exceeds 25.0 m³ within a calendar year.

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

Analysis:

In considering this proposal, Administration notes that, generally, the use of setback regulations in a zoning bylaw is varied and can relate to such considerations as physical separation between neighbouring properties (e.g. privacy and appearances of overcrowding) or to maintain adequate sightlines for vehicle traffic movements when adjacent a roadway.

From an urban design and streetscape perspective, a front parcel line setback regulation can also contribute to the visual and functional character of a street by creating a clear and coherent building line, which contributes to a visually organized and orderly streetscape (e.g. making neighbourhoods feel more intentionally designed rather than haphazard).

In this case, the proposed location of the carport is not seen to impact vehicle traffic movements or sightlines or the character of the neighbourhood or the road network.

Specifically, Administration notes that the elevation of the property is lower than the road and the southerly adjacent parcel closest to the proposed structure. Additionally, there is an access driveway which exists within the road right-of-way between the front parcel line and the paved portion of West Bench Hill Road, which acts as a fairly substantive physical buffer from vehicle traffic on the road. These factors are ultimately seen to reduce the overall potential for negative traffic-related or visual impacts.

It is recognized that the siting of accessory buildings within a front parcel line setback is not common in the vicinity along West Bench Hill Road; however, there is understood to be several parcels north of the subject property along Moorpark Drive which appear to have been developed with accessory buildings within the front parcel line setback. This includes the northerly adjacent property where a DVP was recently issued to allow for an accessory building within the front parcel line setback.

Administration also understands that the property is limited by physical constraints; specifically, the property’s septic system occupies much of the northwestern corner of the parcel (see Attachment No. 3). Further, a Geotechnical Report completed by Amber LeComte, P. Eng, for Ground FX Geotechnical

Inc. dated April 14, 2026 states that, “GFX recommends that any new, habitable structures on the property, be sited west of the recommended building setback line as shown on the attached Figure 2 – Site Plan with Cross Section Locations” (see Attachment No. 4).

Lastly, it is noted that the applicant has provided supportive letters from neighbouring property owners, with respect to the proposed variance.

In light of the comments above, Administration finds that the proposed variance is unlikely to have substantial negative impacts on vehicle traffic, the enjoyment of adjacent parcels, or the established streetscape in the area, and its siting is appropriate given the physical constraints on the property.

Alternative:

Conversely, Administration recognises that there may be other options, albeit, limited, to locate the proposed carport on the property, these options may reduce the ability to site other structures on the property, and may be financially burdensome.

Summary:

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

Financial Implications:

Financial implications have been considered and none were found.

Communication Strategy:

The proposed variance has been notified in accordance with the requirements of the *Local Government Act* as well as the Regional District’s Development Procedures Bylaw No. 2500, 2011.

Site Context:

The subject property is approximately 2,674 m² in area and is situated on the east side of West Bench Hill Road, approximately 285 metres west from the boundary with City of Penticton. The property is understood to contain one (1) single detached dwelling and an accessory building.

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

Public Process:

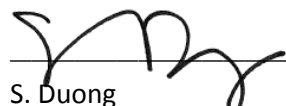
Adjacent property owners will have received notification of this application with written comments regarding the proposal being accepted, in accordance with Section 2.10 of Schedule ‘4’ of the Regional District’s Development Procedures Bylaw No. 2500, 2011, until 4:30 p.m. on August 5, 2026. All comments received are included as a separate item on the Board’s Agenda.

Will a PowerPoint presentation be presented at the meeting? No

Respectfully submitted

Colin Martin
Colin Martin
Planner I

Endorsed by:


S. Duong
Acting Senior Manager of Planning

Endorsed by:

Allen Fillion
A. Fillion
Managing Director, Dev. & Infrastructure

Attachments: No. 1 – Aerial Photo

No. 2 – Site Photos (Google Streetview; from West Bench Hill Drive)

No. 3 – Applicant's Site Plan

No. 4 – Site Plan with Cross Section Locations

Attachment No. 1 – Aerial Photo



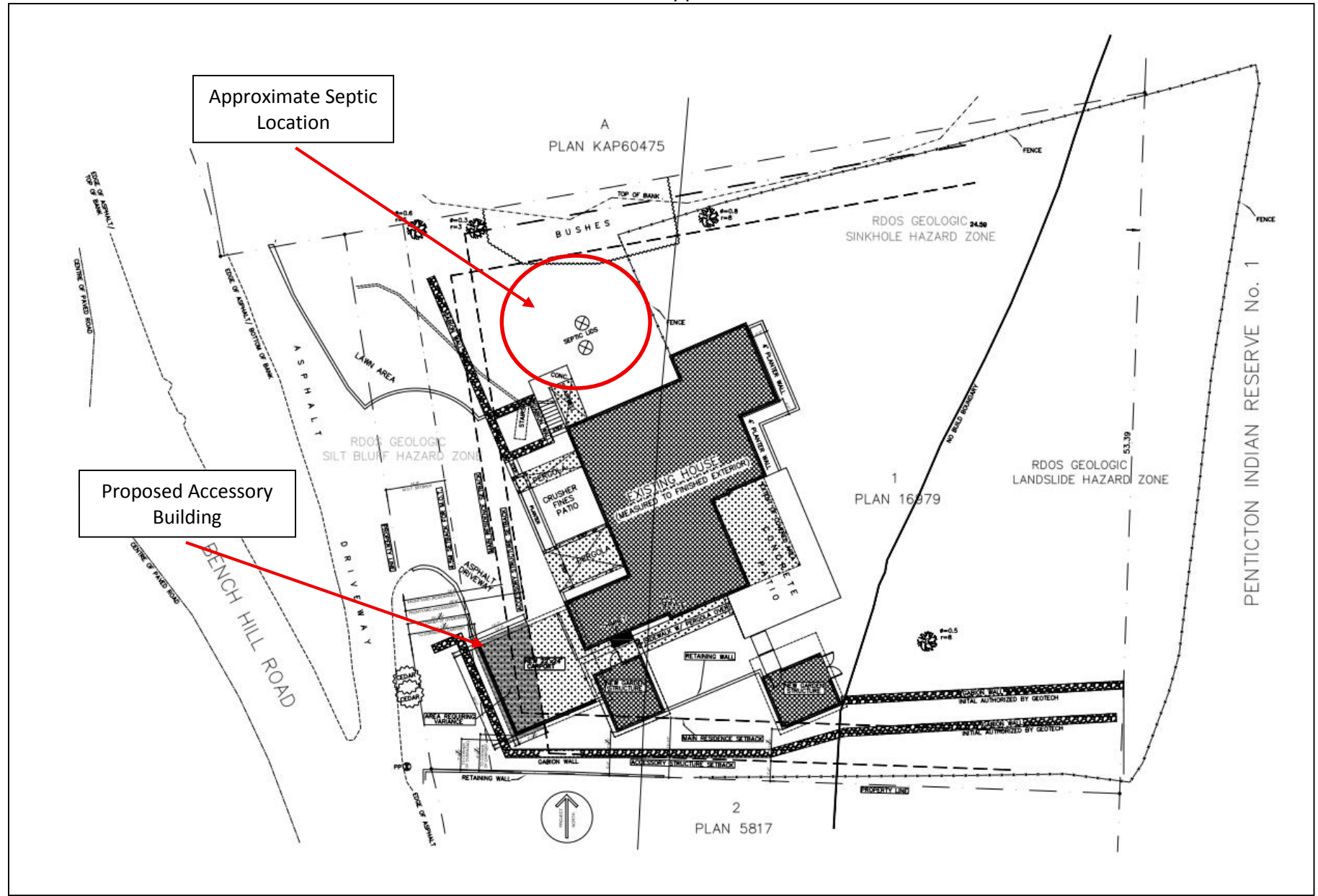
File No: F2026.021-DVP

Attachment No. 2 – Site Photos (Google Streetview; from West Bench Hill Drive)



File No: F2026.021-DVP

Attachment No. 3 – Applicant's Site Plan



File No: F2026.021-DVP

Attachment No. 4 – Site Plan with Cross Section Locations



File No: F2026.021-DVP