

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: J. Zaffino, Chief Administrative Officer

DATE: June 19, 2025

RE: Development Variance Permit Application — Electoral Area “H” (H2025.010-DVP)

Administrative Recommendation:

THAT Development Variance Permit No. H2025.010-DVP, to allow for the construction of an accessory building at 247 Missezula Lake Road, be denied.

Legal: Lot 10, Plan KAP23747, District Lot 1909, KDYD Folio: H-01034.145

OCP: Low Density Residential (LR) Zone: Low Density Residential One (RS1)

Variance Request: To increase the maximum height for an accessory building from 4.5 metres to 7.0 metres.

Proposed Development:

This application is seeking a variance to the maximum height of an accessory building that applies to the subject property in order to undertake the construction of an accessory building.

Specifically, it is being proposed to increase the maximum height of an accessory building from 4.5 metres to 7.0 metres.

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

- *The garage is located at the back of our lot and additional setback is provided,*
- *The variance height is less than the 16.1.6(c) allowance of 8.0 metres,*
- *The variance height does not impact any neighbours, and*
- *Adjacent neighbours have provided letters accepting the variance.*

Site Context:

The subject property is approximately 1,371 m² in area and is situated on the east side of Missezula Lake Road, approximately 31 km north from the boundary with Town of Princeton. The property is understood to be vacant.

The surrounding pattern of development is generally characterised by similar low density 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 March 12, 1973, while available Regional District records indicate that no building permits have previously been issued for this property.

Under the Electoral Area “H” Official Community Plan (OCP) Bylaw No. 2497, 2012, the subject property is currently designated Low Density Residential (LR).

Under the Electoral Area “H” Zoning Bylaw No. 3065, 2024, the property is currently zoned Low Density Residential One (RS1) which allows for accessory structures as a permitted accessory use.

Under Section 10.0 (Floodplain Regulations) of the Zoning Bylaw, the subject property may be within the floodplain associated with Missezula Lake and/or Dillard Creek and future development may require compliance with Section 10.0.

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, 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 May 16, 2025. All comments received are included as a separate item on the Board’s Agenda.

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.

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 instance, the 4.5 metre maximum building height for accessory buildings is generally to ensure that these structures remain “subordinate, customarily incidental, and exclusively devoted to” the residential use of the parcel.

The maximum building height in the RS1 zone is lower than in other rural residential zones in recognition that the development of these lands with tall structures is more likely to impact the use and amenity of adjacent properties due to smaller parcel sizes and closer proximity between uses.

While the requested 7.0 metre building height is smaller than permitted heights for principal buildings (11.0 metres) and accessory dwellings (8.0 metres), Administration notes that these heights were recently increased in response to Provincial legislation aimed at facilitating housing construction (SSMUH) and that similar increases to accessory building heights were not contemplated by this legislation.

Accordingly, Administration considers that the requested building height *may* be more suitable to the rural residential zones (i.e. Small Holdings or Large Holdings), where larger parcel sizes provide separation between uses.

Administration also notes that there are no physical or legal constraints on the property that preclude development in accordance with the bylaw, and for this reason, alternative options are seen to be available to the applicant (i.e. reducing the roof pitch).

Alternative:

Conversely, Administration recognizes that a 7.0 metre building height is smaller than the maximum principal dwelling height of 11.0 metres, and as such it satisfies the general residential intent of the RS1 zone.

While the proposed structure is approximately three (3) metres from the nearest parcel line, Administration notes that the presence of a number of large trees as well as the relatively large size of the subject property and neighbouring lots for the RS1 zone may help to reduce privacy and other concerns related to structures near the parcel line.

A single detached dwelling is proposed to be built in front of the proposed garage. The dwelling is required to be erected simultaneously or before the accessory structure. The single detached dwelling may further aid in reducing sightlines from the road to the proposed garage.

Summary:

For these reasons, Administration does not support the requested variances and is recommending denial.

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.

Alternative:

1. That the Board approve Development Variance Permit No. H2025.010-DVP.

Will a PowerPoint presentation be presented at the meeting? No

Respectfully submitted

Colin Martin

Colin Martin
Planner I

Endorsed by:



A. Fillion
Managing Director, Dev. & Infrastructure

Attachments: No. 1 – Aerial Photo (Google Earth)

Attachment No. 1 – Aerial Photo (Google Earth)

