

MEMORANDUM

DEVELOPMENT SERVICES DEPARTMENT



DATE: July 30, 2026 **FILE NO.:** H2026.017-DVP

TO: Shannon Duong, Acting Senior Manager of Planning Services

FROM: Mariane Frizzi, Planning Technician

RE: Development Variance Permit (DVP) — Electoral Area “H”

Civic: 156 Towers Road Legal: Lot 13, Plan KAP12149, District Lot 902, YDYG Folio: H-00810.000

Proposed Development:

This application is seeking a variance to the front parcel line setback that applies to the subject property in order to enclose an existing carport.

Specifically, it is being proposed to vary the front parcel line setback from 7.5 metres to 3.25 metres.

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

- *Enclosing an existing carport to provide safe and dry storage for our fire suppression equipment.*
- *We would like to complete the build of this storage area as soon as possible as fire season is upon us.*
- *The outermost edge of the proposed structure will be well within the existing roofline.*
- *There will be no new roofing or architectu[r]al projections extending past the existing carport roofline.*
- *The closest edge of the roofline is 3.25 m from the front property line. We have been granted MoTT approval for the setback.*
- *The enclosure will not change the existing view near our neighbours near our property.*

Site Context:

The subject property is approximately 1,352 m² in area and is situated on the west side of Towers Road, approximately 0.2 km east from the Highway 3 and 80.0 metres west of the Similkameen River. The property is understood to contain one (1) single detached dwelling and accessory buildings.

The surrounding pattern of development is generally characterised by similar rural 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 21, 1962, while available Regional District records indicate that a building permits for an attached carport (2016), an unheated garage (2023), and the enclosure of a storage area for the structure that is subject to this application (2026) 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 Small Holdings (SH).

Under the Electoral Area “H” Zoning Bylaw No. 3065, 2024, the property is currently zoned Small Holdings Two (SH2) which includes single detached dwelling a permitted principal use.

Under Section 7.1.1 of the Zoning Bylaw, a building or structure attached to a principal building by a common wall and roof is deemed to be a portion of the principal building. As the existing carport is attached to the dwelling, the proposed enclosure is considered part of the principal building rather than an accessory building or structure.

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

On July 7, 2016, a Development Variance Permit was issued to reduce the minimum front parcel line setback from 7.5 metres to 3.81 metres, as measured to the outermost projection, to allow for the construction of a carport addition to the existing dwelling. This carport is the same structure that is the subject of the current proposal.

Additionally, on June 16, 2026, the Ministry of Transportation and Transit (MoTT) granted the applicant a permit for the construction of “a storage facility within [the] 4.5 [metre] setback”.

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 June 25, 2026, and provided 15 working days to submit comments electronically or in-person to the Regional District.

As of July 16, 2026, being 15 working days from the date of notification, one (1) representation has been received electronically at the Regional District office.

Delegated Authority:

Under Section 498.1(2) of the *Local Government Act*, a local government that has delegated authority to an officer or employee to issue a development variance permit (DVP) must include “criteria for determining whether a proposed variance is minor.”

Under Section 3.21 of the Regional District’s *Chief Administrative Officer Delegation Bylaw No. 3033, 2023*, “the CAO or their designate shall ... be delegated authority to issue a development variance permit under Section 498.1 of the *Local Government Act* ...”

Under Section 3.22 of the Regional District’s Chief Administrative Officer Delegation Bylaw No. 3033, 2023, staff are to consider if the variance would be “minor and would have no significant negative impact on the use of immediately adjacent or nearby properties” through the use of the following criteria:

1. *degree or scope of the variance relative to the regulation from which a variance is sought;*
2. *proximity of the building or structure to neighbouring properties; and*
3. *character of development in the vicinity of the subject property.*

With regard to the degree of the requested variance, Administration recognizes that the proposed 56.7% reduction in the minimum front parcel line setback is substantial relative to the Zoning Bylaw

requirement. However, because the same setback variance was previously approved for the subject carport and the proposal is limited to enclosing that structure without increasing the encroachment, Administration considers the variance to be minor in impact.

With regard to the proximity of the proposed carport enclosure to neighbouring properties, the nearest parcel line is approximately 7.0 metres to the southwest. However, as the carport structure has been in place since 2016, and the requested variance is solely facilitating the enclosure of the carport with no further encroachment, it is considered minor and is unlikely to further adversely impact the use of adjacent properties through loss of privacy or overshadowing.

With regard to the final criteria and the character of development in the vicinity of the subject property, the placement of a building within 3.25 metre of the front parcel line setback is not common in this area.

For these reasons, the proposed variance is deemed to be minor, and consideration by staff of whether to issue a development variance permit (DVP) under delegation may proceed.

Analysis:

When considering a “minor” variance request, and in accordance with Section 498.1(2) of the *Local Government Act*, the Regional District Board requires that staff consider the following guidelines when deciding whether to issue a DVP:

1. *is the proposed variance consistent with the general purpose and intent of the zone;*
2. *is the proposed variance addressing a physical or legal constraint associated with the site (e.g. unusual parcel shape, topographical feature, statutory right-of-way, etc.);*
3. *is strict compliance with the zoning regulation unreasonable or un-necessary; and*
4. *Would the proposed variance unduly impact the character of the streetscape or surrounding neighbourhood.*

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, and with regard to the first guideline, Administration notes that accessory buildings and structures are a permitted use in the Small Holdings Two (SH2) zone, which commonly include storage buildings such as sheds and shops. These types of structures are a typical feature of residential properties and support the principal residential use of the parcel. Therefore, the proposal is considered consistent with the general purpose and intent of the zone.

With regard to the second guideline, the cul-de-sac that was created at the front of the lot has not been used functionally as the road was extended further south. If the front lot line continued straight rather than curving inward for the road allowance for the cul-de-sac, the proposed structure would meet the required front setback of 7.5 metres.

With regard to the third guideline, strict compliance with the zoning regulation may be considered unnecessary in this instance, as the existing carport previously received approval for the same setback variance. The current proposal does not increase the extent of the approved encroachment but instead encloses the existing structure within the previously authorized setback area.

With regard to the fourth guideline, Administration does not anticipate that the proposed carport enclosure will detract from the established streetscape character or adversely affect the amenity of the surrounding area or neighbouring properties. As the enclosure is proposed within the footprint of the existing carport, the proposal is unlikely to impact the existing streetscape.

Summary:

For these reasons, it is recommended that the requested variances be approved.

Recommendation:

THAT Development Variance Permit No. H2026.017-DVP, to enclose an existing carport at 156 Towers Road, be approved.

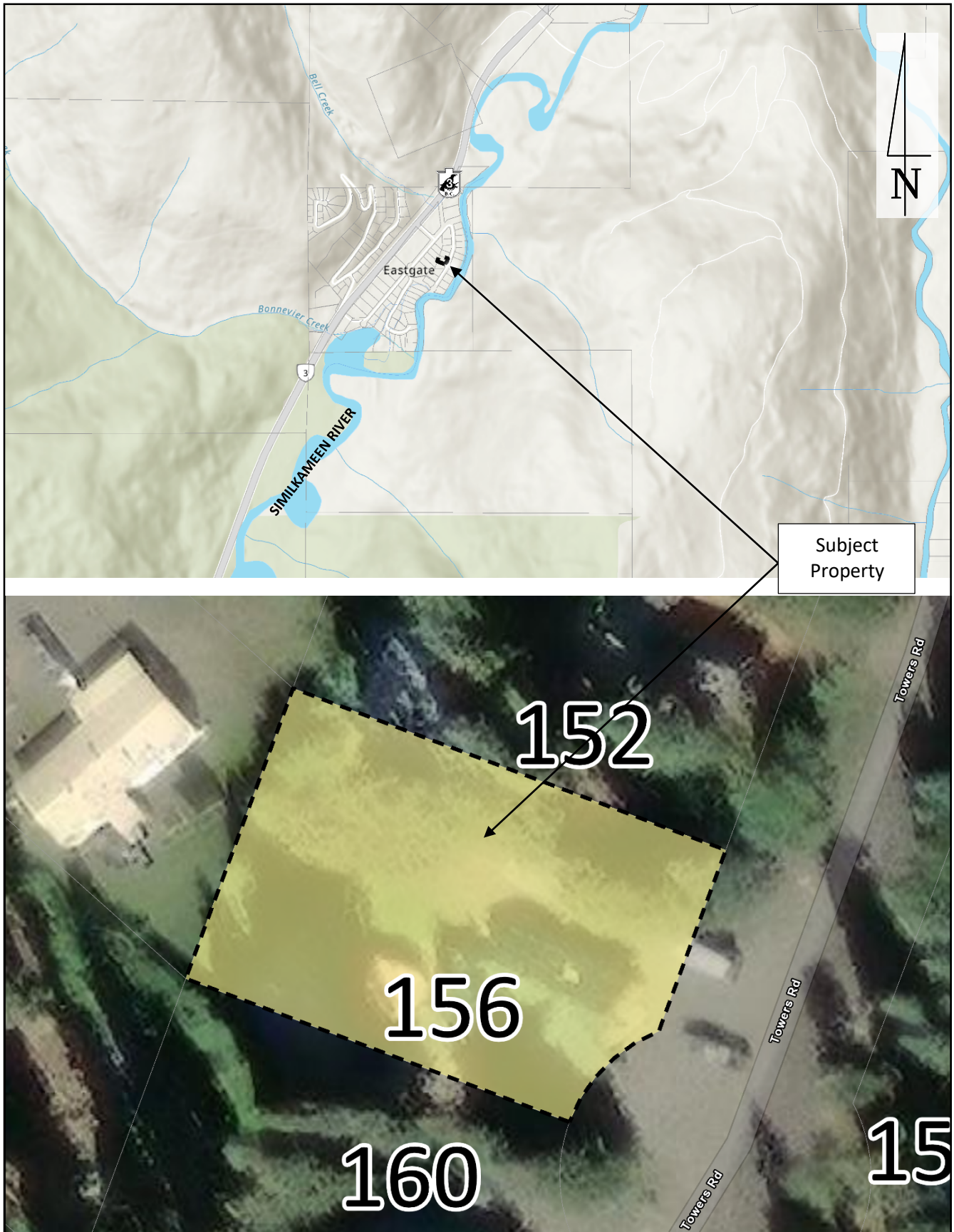
Respectfully submitted:

Mariane Frizzi

Mariane Frizzi, Planning Technician

Attachments: No. 1 — Context Maps
 No. 2 — Applicant's Site Plan

Attachment No. 1 – Context Maps



Attachment No. 2 – Applicant's Site Plan

