MEMORANDUM

DEVELOPMENT SERVICES DEPARTMENT

DATE: October 21, 2026 **FILE NO.:** H2026.026-DVP

TO: Christopher Garrish, Senior Manager of Planning

FROM: Jerritt Cloney, Planner I

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

Owner: Gordon & Sherry Schimpf Folio: H-01033.535

Civic: 100 Missezula Lake Road Legal: Lot 48, Plan KAP28645, District Lot 1909, SDYD

Proposed Development:

This application is seeking a variance to the rear parcel line setback that applies to the subject property in order to undertake the addition of a carport to an existing single detached dwelling.

Specifically, it is being proposed to vary the rear parcel line setback for a principal building or structure from 6.0 metres to 3.81 metres.

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

- *It is our intention to match the appearance of the east side of the home to make it visually appealing*
- *We would like this addition to keep snow off the side entry of (the) house to it is useable in the winter months and also have a safe sheltered parking area of our vehicle.*
- *The site from the west side of (the) house to Lot 104 and from Missezula Lake Road to South property 3832 is on a flat level ground with a crusher chip.*

Site Context:

The subject property is approximately 1371 m^2 in area and is situated on the south side of Missezula Lake Road, approximately 31 km north from the boundary with the Town of Princeton. The property is understood to contain one (1) singled detached dwelling.

The surrounding pattern of development is generally characterised by similar 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 January 13, 1978, while available Regional District records indicate that building permits previously issued for the property include the construction of a recreational cabin (1998, 2001, 2003). BC Assessment has classified the property as "Residential" (Class 01).

Under the Electoral Area "H" Official Community Plan (OCP) Bylaw No. 2497, 2012, the subject property is currently designated Low Density Residential (LR), and is not subject to any Development Permit Area designations.

Under the Electoral Area "H" Zoning Bylaw No. 3065, 2024, the property is currently zoned Low Density Residential One (RS1) which lists the minimum rear parcel line setback for buildings and structures as 6.0 metres.

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

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 September 22, 2026, and provided 15 working days to submit comments electronically or in-person to the Regional District.

As of October 19, 2026, being 15 working days from the date of notification, approximately zero (0) representations have been received electronically or by submission 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 it is considered that a 36.5% decrease in the minimum rear parcel line setback from 6.0 metres to 3.81 metres is not minor due to the relative difference between the proposed variance and the regulation from which the variance is sought.

With regard to the proximity of the proposed addition (carport) to neighbouring properties, the nearest parcel line is approximately 3.81 metres to the west. Moreover, the nearest neighbouring dwelling is approximately 11.25 metres from the proposed addition. For this reason, the requested variance is seen to be minor and unlikely to 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, while the placement of a carport addition within a rear parcel line setback is not common in this area, there are several examples of detached buildings and structures located within those

property's respective rear parcel line setbacks, and where as a result, the proposed development is seen to be consistent with the existing built form in the vicinity of the subject parcel.

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.*

In this instance, and with regard to the first guideline,

Administration notes that the proposed variance is considered consistent with the general purpose and intent of the RS1 Zone as it accommodates an addition (carport) to a permitted single detached dwelling without altering the intended low density residential use or character of the property. The proposed siting is also consistent with the varied setback pattern exhibited by existing residential development in the surrounding area.

With regard to the second guideline, the proposed variance is not seen to be addressing a physical or legal constraints known to be associated with the site. However, the specific location of the carport could arguably be impacted by the limited amount of space available between the existing dwelling and the rear parcel line, relative to the width of the carport that results in an encroachment into the setback.

It also noted that as a result of the orientation of the house (where the proposed carport would be provide cover over one of the existing entrances to the dwelling), siting the carport in an alternative location on the property would not be desirable.

With regard to the third guideline, is it is noted that strict compliance with the existing regulation is somewhat unreasonable, due to the limited adverse affects anticipated from the carport on surrounding parcels, as well as considering that had the carport been proposed to be detached from the existing dwelling, it would be compliant with the minimum 1.0 metre rear parcel line setback requirement for accessory buildings or structures in the RS1 zone.

With regard to the fourth guideline, the proposed carport is seen to be consistent with the character of the neighbourhood, where there are several examples of buildings and structures found in various setbacks in this area. In addition, the proposed carport is not proposed to be any closer to the Misseuzla Lake Road than the existing dwelling, which should limit negative impacts on the current streetscape.

<u>Summary:</u>

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

Recommendation:

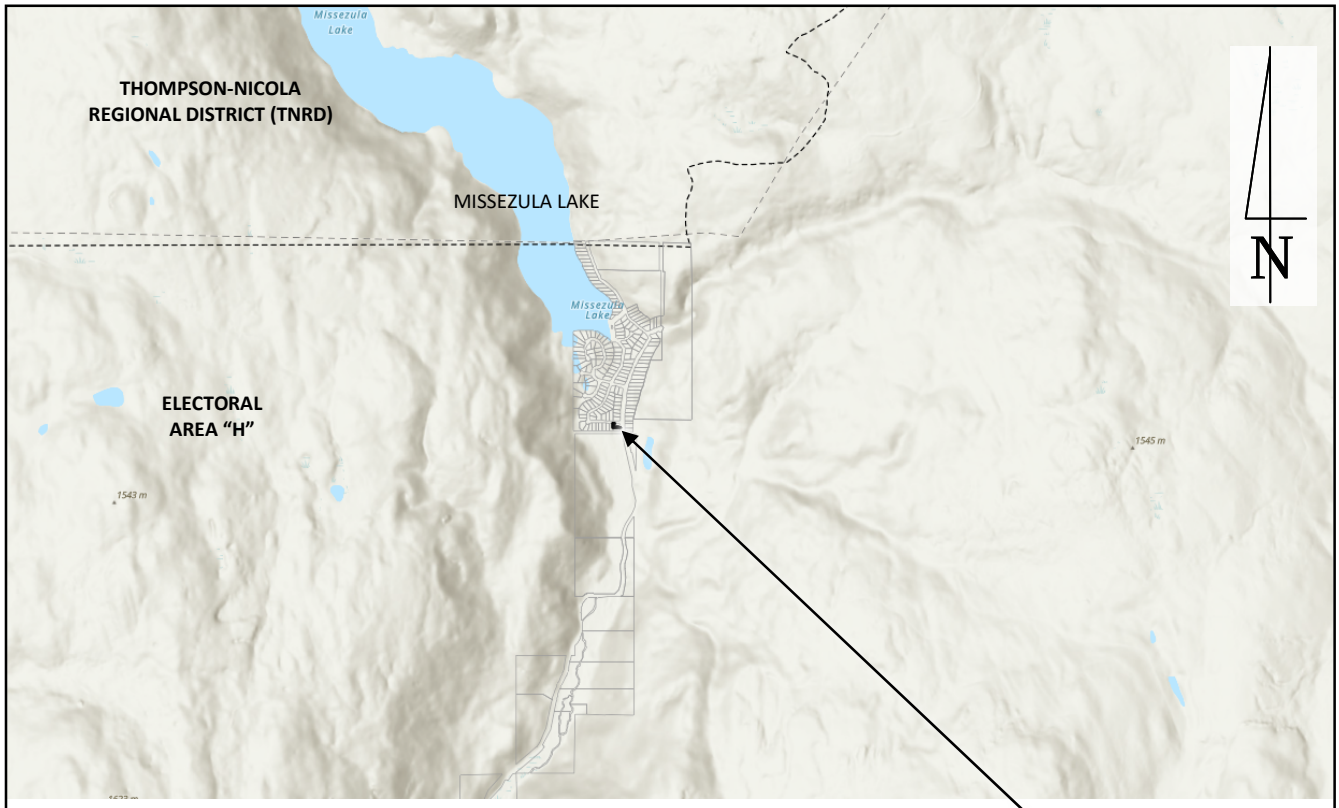
THAT Development Variance Permit No. H2026.026-DVP, to allow for the construction of a carport at 100 Missezula Lake Road, be approved.

Respectfully submitted:

Jerritt Cloney
Jerritt Cloney, Planner I

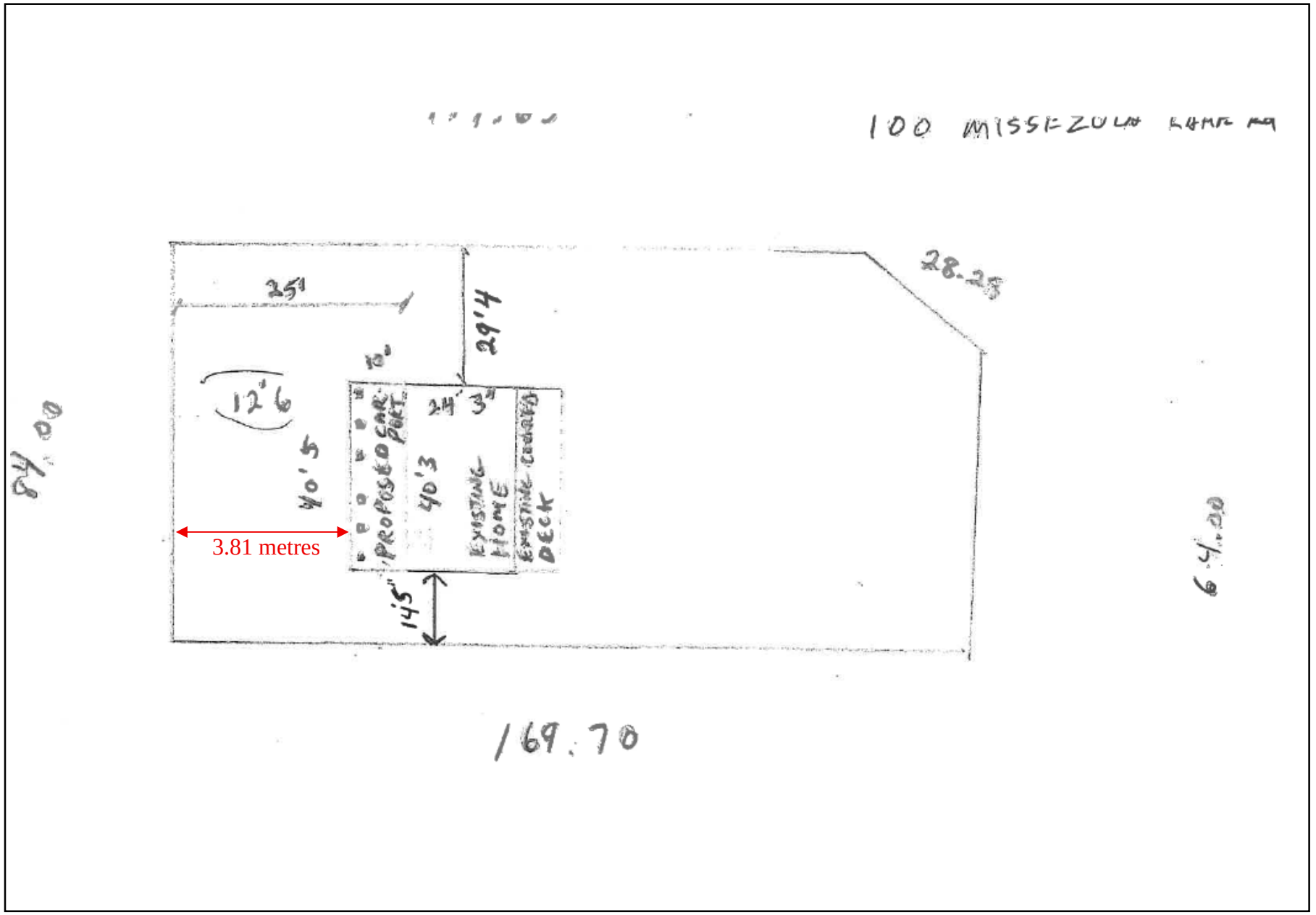
Attachments: No. 1 — Context Maps
No. 2 — Applicant's Site Plan
No. 3 – Aerial Imagery (Google Earth – 2024)

Attachment No. 1 – Context Maps





Attachment No. 2 – Applicant's Site Plan



Attachment No. 3 – Aerial Imagery (Google Earth – 2024)

