

TO: Board of Directors

FROM: J. Zaffino, Chief Administrative Officer

DATE: August 7, 2025

RE: Development Variance Permit Application — Electoral Area “I” (I2025.0016-DVP)

Administrative Recommendation:

THAT Development Variance Permit No. I2025.016-DVP, to allow for the construction of an accessory building at 185 Range Road, be denied.

Purpose:

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

Specifically, it is being proposed to reduce the front parcel line setback from 7.5 metres to 5.7 metres for an accessory building and to increase the maximum height allowance from 4.5 metres to 5.36 metres for an accessory building.

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

- Not able to build at the side of the house due to setbacks.
- Building to go with current house design and fits in with the neighbouring housing.
- Required as both of us are still working and long winters clearing snow and ice off cars.
- The carport is to match the current house roof pitch.

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 May 12, 1961, and BC Assessment has classified the property as “Residential” (Class 01).

Available Regional District records indicate that building permits for closing in a garage (2006) and a single detached dwelling (1998) have previously been issued for this property.

Under the Electoral Area “I” Official Community Plan (OCP) Bylaw No. 2683, 2016, the subject property is currently designated Small Holdings (SH).

Under the Okanagan Valley Zoning Bylaw No. 2800, 2022, the property is currently zoned Low Density Residential Three (RS3) which includes accessory building or structures, subject to Section 7.1 as a permitted accessory use.

Analysis:

As this application involves two (2) separate variances requests, these will be assessed individually below:

Setback Variance:

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).

When carports or garages are located within the front setback, they often become the most visible element from the street, dominating the view and diminishing the visual appeal of the neighbourhood.

In this instance, it is noted that no carports or garages have previously been sited within the front setback of Range Road and the current proposal is out of character and unrepresentative of development on this street.

Administration further notes that the subject property does not appear to be limited by any physical or other constraints (e.g. legal restrictions such as easements or right of ways) that would warrant a reduced front setback.

Other options are also seen to be available to the applicant, such as comply with prescribed setbacks and constructing a carport to the rear of the existing principal dwelling (NOTE: rear and interior side parcel line setbacks for an accessory structure in the RS3 Zone are currently 1.0 metre).

Finally, it is noted that the Board considered possible amendments to the setbacks applied in the residential zones as part of Small-Scale Multi-Unit Housing (SSMUH) Implementation and resolved to maintain the current 7.5 metre requirement.

Height Variance:

Restricting the height of accessory structures is generally done to ensure that such structures remain “subordinate, customarily incidental, and exclusively devoted to” the residential use of the parcel. Other considerations can also include impact the shade and outdoor privacy of adjacent properties, or views to significant landmarks, water bodies or other natural features.

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.

There are no instances of accessory buildings over 4.5 metres in height within the neighbourhood making the proposed height inconsistent with the character of the neighbourhood.

The added height to a building located closer to the front parcel exacerbates the intensity of the proposed development effects of on the streetscape, emphasizing the uncharacteristic nature of the structure in the area.

Alternative:

Conversely, the option to approve an over-height carport within a front parcel line setback area is available to the Board and could be justified on the following grounds:

- the proposed carport will be open on all four sides, mitigating its visual impact on streetscape characteristics (but carports can be enclosed);
- existing landscaping and mature vegetation along this frontage may provide some screening and mitigate the impact of the reduced setback and increased height (but vegetation is dynamic and can be removed in future without any approvals required); and
- the requested setback is unlikely to adversely impact any vehicle site lines at this location and the use of adjacent parcels.

Summary:

For the reasons outlined above, 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(s) have 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 1,860 m² in area and is situated on the south side of Range Road, approximately 15 km southwest from the boundary with the City of Penticton. The property is understood to contain one (1) singled detached dwelling and one (1) accessory building.

The surrounding pattern of development is generally characterised by similar residential development and the Twin Lakes Golf Course and an RV Park.

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 July 17, 2025. All comments received are included as a separate item on the Board's Agenda.

Alternative:

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1. That the Board approve Development Variance Permit No. I2025.016-DVP.


Will a PowerPoint presentation be presented at the meeting? No

Respectfully submitted

Colin Martin

Colin Martin
Planner I

Endorsed by:



C. Garrish
Senior Manager of Planning

Endorsed by:

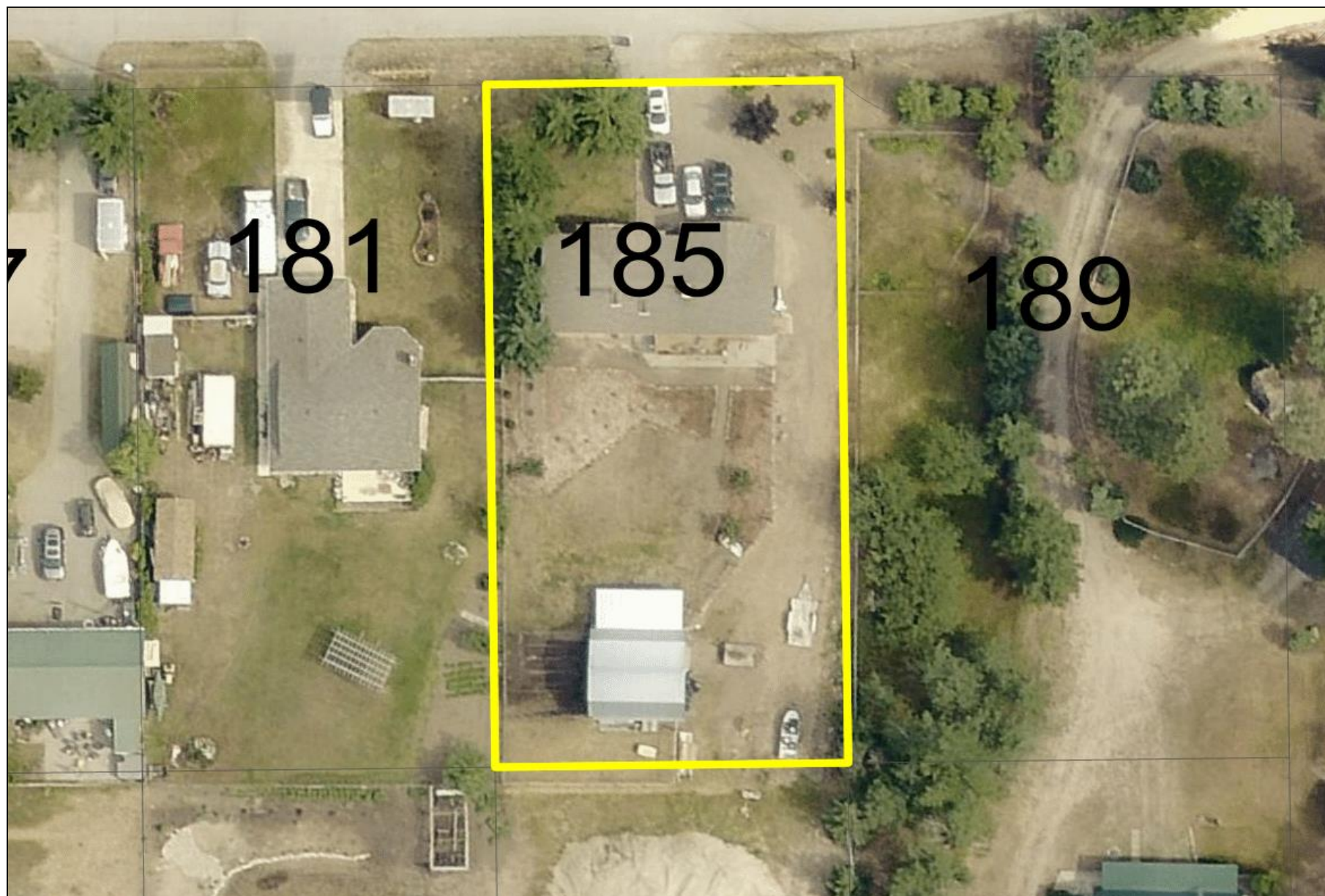


A. Fillion
Managing Director, Dev. & Infrastructure

Attachments: No. 1 – Aerial Photo

No. 2 – Site Photo (Google Streetview)

Attachment No. 1 – Aerial Photo



Attachment No. 2 – Site Photo (Google Streetview)

