

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: J. Zaffino, Chief Administrative Officer

DATE: September 4, 2025

RE: Development Variance Permit Application — Electoral Area “D” (D2025.021-DVP)

Administrative Recommendation:

THAT Development Variance Permit No. 2025.021-DVP, to allow for the construction of an accessory dwelling 4812 Bassett Avenue, be denied.

Legal: Lot 4, Plan KAP13408, District Lot 374, SDYD Folio: D-00998.037

OCP: Low Density Residential (LR) Zone: Low Density Residential Two (RS2)

Variance Request: To increase the maximum height of an accessory dwelling from 4.5 metres to 7.5 metres.

Purpose:

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

Specifically, it is being proposed to increase the height of an accessory building from 4.5 metres to 7.5 metres.

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

- The design goal is to construct a two-bedroom accessory dwelling over a garage to provide parking and storage, arranging the building in a typical “carriage house” style which is very efficient and familiar approach.
- It minimizes the building footprint and frontage presented to the street.
- The intent is to reduce the sprawl/coverage of the lot and preserve as much yard and amenity space as possible.
- The intent is to avoid siting the two buildings too close together for reasons of privacy, fire safety.
- The building will be no taller than any neighbouring residences and will be a similar height to at least one nearby accessory building in the neighbourhood.
- The natural topography greatly reduces the impact on neighbours in terms of obstruction of light and views.
- keeping with the purpose of the residential zone (RS2), increasing the density of this relatively large lot (compared to its neighbours) makes a lot of sense in the current housing market and gaining opportunity for multi generational living on the property is very meaningful.

Strategic Priorities:

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 July 26, 1963, while available Regional District records indicate that a building permits for an aluminum patio cover over the existing Deck (2015) and a workshop (1976) have previously been issued for this property.

Under the Electoral Area “D” Official Community Plan (OCP) Bylaw No. 2603, 2013, the subject property is currently designated Low Density Residential (LR), and is the subject of a Multi Family Development Permit Area (MFDP) designations.

Under the Okanagan Valley Zoning Bylaw No. 2800, 2022, the property is currently zoned Low Density Residential Two (RS2) which allows accessory dwellings, subject to Section 7.1.

The property is not within the Agricultural Land Reserve (ALR) and has been classified as “Residential” (Class 01) by BC Assessment.

Analysis:

In considering this proposal, Administration notes that regulating the height of accessory structures through a zoning bylaw is done to ensure that a building remains secondary or incidental in use and form and a lower height allowance reinforces the visual and functional hierarchy, allowing a principal building to remain dominant on a parcel.

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.

Overly tall accessory structures can be associated with unpermitted uses, particularly in residential zones, where a second floor can be associated with unregulated dwelling units, or an increased ceiling allowance will facilitate industrial or commercial businesses. Height limitations can discourage this by making upper floors or greater roof clearances less feasible.

Finally, Administration is aware that the Board has previously expressed concern regarding the maximum allowable building height in residential zones and that these may currently be too great.

For instance, building height was a predominant consideration in the abandonment of the initial zoning amendments in 2024 intended to ensure compliance with the Small-Scale Multi-Unit Housing (SSMUH) provisions of the *Local Government Act*, and would have increased the maximum height of accessory structure from 4.5 metres to 8.0 metres when an accessory dwelling was to comprise part of the structure.

Similarly, a proposed review of zoning regulations for accessory structures in the West Bench of Electoral Area “F” has been prompted by a variance request seeking to increase the height of such a structure.

In light of these considerations, Administration does not support the requested variance request and notes that over height accessory structures / dwellings are not common in this area. While the property consists of a gentle slope, there do not appear to be any topographical constraints that would prevent the construction of an accessory dwelling in compliance with zoning regulations.

More importantly, other options *may* be available to the applicant, such as pursuing a subdivision of the property in order to facilitate additional density that would benefit from the 10.0 metre height allowance provided for principal residential dwellings in the RS2 Zone.

Alternative:

Conversely, and despite previous direction provided by the Board on this subject, Administration maintains its support for greater building height allowances in the residential zones in accordance with the direction contained in the Provincial Policy Manual for SSMUH (e.g. 11.0 metres for principal buildings and 8.0 metres for accessory dwellings).

On this basis, a height variance will facilitate the construction of an additional housing unit on under-utilized land in Okanagan Falls and is generally consistent with the direction from the province on encouraging such housing.

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 1,458 m² in area and is situated on the northwest corner of Bassett Avenue and Maple Street, in Okanagan Falls, approximately 8.5 km south from the boundary with the City of Penticton. The property is understood to contain one (1) singled detached dwelling.

The surrounding pattern of development is generally characterised by similar 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 8, 2025. All comments received are included as a separate item on the Board's Agenda.

Alternative:

1. That the Board approve Development Variance Permit No. D2025.021-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 – Site Photo (Google Streetview)

Attachment No. 1 – Site Photo (Google Streetview)

