

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: April 21, 2022
RE: Development Variance Permit Application — Electoral Area “D” (D2022.011-DVP)

Administrative Recommendation:

THAT Development Variance Permit No. D2022.011-DVP, to allow for the construction of a principle dwelling at 449 Hody Road, be approved.

Legal: Lot 1, Plan KAP47247, District Lot 337, SDYD Folio: D-00796.110

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

Variance to reduce the minimum front parcel line setback from 7.5 metres to 6.7 metres; and

Requests: to reduce the minimum rear parcel line setback from 7.5 metres to 3.6 metres.

Proposed Development:

This application is seeking a variance to the front and rear parcel line setbacks that applies to the subject property build a principle dwelling given the site constraints.

Specifically, it is being proposed to reduce the front parcel line setback to 6.7 metres and the rear parcel line setback to 3.6 metres.

In support of this request, the applicant has stated that “449 Hody Drive is one of the smallest and least deep lots on the street... This results in a north lot line ... that is only 20.5m in total length. Once the existing bylaw setbacks (7.5m x 2) are applied, it leaves only 5.5m of potentially buildable depth on the north edge...Further, as the entire ...lot is much smaller than the neighbouring lots (607m²), and is further limited by a surface right of way on the south edge of the lot, the entire building footprint is significantly constrained by the existing bylaw setbacks..”

Site Context:

The subject property is approximately 588 m² in area and is situated on the east side of Hody Road. The property is currently vacant.

The surrounding pattern of development is characterised by small residential properties (RS2) to the north, south, and west and agricultural to the rear.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on May 27, 1992, while available Regional District records indicate that building permits have not 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 not the subject of any development permit areas.

Under the Electoral Area “D” Zoning Bylaw No. 2455, 2008, the property is currently zoned low density residential two (RS2) which allows the principle use of single family dwelling.

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 April 13, 2022. All comments received are included as a separate item on the Board’s Agenda.

Analysis:

In considering this proposal, Administration notes that 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.

There are significant design constraints on the property due to the size and shape of the property. The property owners are siting a modestly sized home of 190 m² which is permissible in the zoning bylaw. The siting is compliant with the side and front setbacks, with the exception of the roof over hang, and is located toward the back of the property to avoid impacts to the streetscape. The agricultural lot behind the property is large and not impacted by the siting of the single detached dwelling.

Alternatives:

1. That the Board deny Development Variance Permit No. D2022.011-DVP; OR
2. That the Board defer consideration of the application and it be referred to the Electoral Area “D” Advisory Planning Commission.

Respectfully submitted



Danielle DeVries, Planner 1

Endorsed by:



C. Garrish, Planning Manager

Attachments: No. 1 – Site Photo (Google Streetview)

Attachment No. 1 – Site Photo (Google Streetview)



Approximate location of
single detached dwelling
YELLOW DASHED AREA