

# ADMINISTRATIVE REPORT



**TO:** Board of Directors  
**FROM:** J. Zaffino, Chief Administrative Officer  
**DATE:** June 13, 2024  
**RE:** Development Variance Permit Application — Electoral Area “E” (E2024.014-DVP)

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## **Administrative Recommendation:**

**THAT Development Variance Permit No. E2024.014-DVP, to allow for the construction of a single detached dwelling at 2543 Kettle Ridge Way, be approved.**

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Legal: Lot 31, Plan EPP88322, District Lot 207, SDYD Folio: E-02025.400

OCP: Low Density Residential (LR) Zone: Low Density Residential Three (RS3)

Variance Request: to reduce the minimum interior side parcel line setback from 1.5 metres to 0.75 metres.

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## **Proposed Development:**

This application is seeking a variance to the interior side parcel line setback that applies to the subject property in order to undertake the construction of a single detached dwelling.

Specifically, it is being proposed to reduce the interior side parcel line setback from 1.5 metres to 0.75 metres.

In support of this request, the applicant has stated that “To heavily save on costs, as we are over-budget, we are asking to use wood instead of concrete near the secondary-unit’s entrance area. This would require us to request a variance of 0.75m of setback as the change in material (from concrete to wood) has changed compliance with bylaws pertaining to property setback regulations.”

## **Site Context:**

The subject property is approximately 1,205 m<sup>2</sup> in area and is situated on the west side of Kettle Ridge Way, approximately 2 km north 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.

## **Background:**

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on November 9, 2020, while available Regional District records indicate that a building permit for a single family dwelling with secondary suite (2021) has previously been issued for this property.

Under the Electoral Area “E” Official Community Plan (OCP) Bylaw No. 3010, 2023, the subject property is currently designated Low Density Residential (LR).

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Under the Okanagan Valley Zoning Bylaw No. 2800, 2024, the property is currently zoned Low Density Residential Three (RS3) which includes “single detached dwelling” as a permitted principal use.

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 26, 2024.

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

**Analysis:**

In considering this proposal, Administration notes that the variance is for a structure that is already being constructed on the property, and due changes made during construction requires a variance.

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.

The Provincial Policy Manual & Site Standards for the recently introduced Small-Scale, Multi-Unit Housing requirements, recommends reductions in setbacks in order to help facilitate the construction of additional suites and accessory dwellings.

Furthermore the reduction of 0.75 metres is not seen to be substantial and will be unlikely to obstruct.

Alternative:

Conversely, Administration recognises that since construction has started the structure has varied from the originally approved plans that indicated the structure would be 3.05 metres from the interior side parcel line.

Summary:

For these reasons, Administration supports the requested variances and is recommending approval.

**Alternative:**

1. That Development Variance Permit No. E2024.014-DVP be denied.

**Respectfully submitted**

*Colin Martin*

Colin Martin, Planner I

**Endorsed by:**



C. Garrish, Senior Manager of Planning

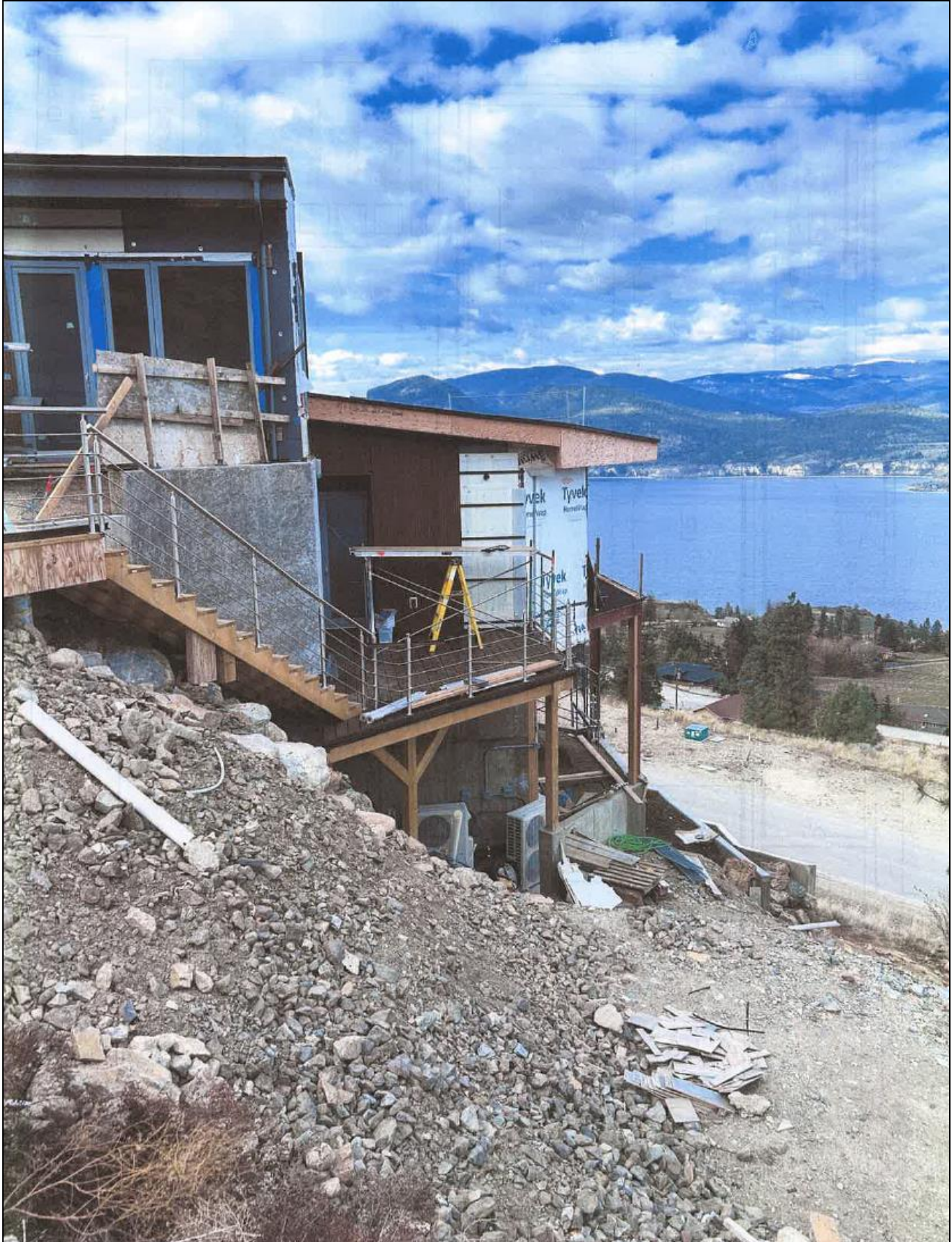
Attachments:

No. 1 – Site Photo

No. 2 – Aerial Photo (Google Earth)



Attachment No. 1 – Site Photo





Attachment No. 2 – Aerial Photo (Google Earth)

