

ADMINISTRATIVE REPORT



TO: Advisory Planning Commission
FROM: B. Newell, Chief Administrative Officer
DATE: March 16, 2022
RE: Zoning Bylaw Amendment – Electoral Area “I”

Purpose: to allow a duplex containing one secondary suite in each principal dwelling unit. **Folio:** I-02798.055

Civic: 134 & 135 Clearview Cres **Legal:** Lot 12, District Lot 395S, SDYD, Plan KAP65691

OCP: Low Density Residential (LR) **Zone:** Low Density Residential Duplex Apex (RD2)

Proposed Development:

This application is seeking to amend the zoning of the subject property in order to construct a duplex containing one secondary suite within each of the two principal dwelling units.

In order to accomplish this, the applicant is proposed to amend the zoning of the property under the Electoral Area “I” Zoning Bylaw No. 2457, 2008, from Low Density Residential Duplex Apex (RD2) to Low Density Residential Duplex Apex Site Specific (RD2s) with the site specific regulation to permit secondary suites as a secondary use within a duplex.

In support of the rezoning, the applicant has stated that:

We are two local families that are building a duplex for our growing families that love the outdoors all year round. Allowing a suite to the main level of our duplex will provide the privacy and comfort for our adult children. As well as accommodations for our out of town guests who love to visit and support the mountain.

This suite in the future may also be used to help support the extreme shortage for accommodations for the staff of the mountain. As you may be aware there is an ongoing shortage of long term and or seasonal rentals.

Site Context:

The subject property is approximately 681 m² in area and is situated on the west side of Clearview Crescent. The property is currently vacant.

The surrounding pattern of development is characterised by similarly sized residential parcels zoned RD2 and Medium Density Residential Apex Zone (RM2).

Background:

Site Development History

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on November 22, 1999 while available Regional District records indicate that building permit(s) have not previously been issued for this property.

Land Use Designations and Classification

Under the Electoral Area "1" Official Community Plan (OCP) Bylaw No. 2683, 2016, the subject property is currently designated Low Density Residential (LR).

Under the Electoral Area "1" Zoning Bylaw No. 2457, 2008, the property is currently zoned Low Density Residential Duplex Apex zone (RD2) which allows for "duplex" as a principal use, and "one (1) secondary suite in a single detached dwelling".

BC Assessment has classified the property as "Business and Other" (Class 06).

Land Use Application History

The property owners have previously submitted a Development Variance Permit application in 2021 for the development of a duplex on the property. The application was withdrawn by the applicants following discussions with Administration regarding the inclusion of a secondary suite within the building plans that were submitted as part of the application, as a secondary suite within a duplex would require a zoning bylaw amendment.

Future Variance Requirements

Administration notes that, based on the plans submitted with the subject application, the proposed development would require multiple variances to increase the front, rear, and interior side parcel line setbacks, as well as the parcel coverage if the rezoning is approved by the Board and the property owners choose to move forward with the design as is.

The property owners would need to pursue these variances through a Development Variance Permit (DVP) application, which would require Board approval.

Analysis:

In considering this proposal, Administration notes that when the subject parcel was created by subdivision in 1999, the zoning in place at that time stipulated that parcels less than 1,010 m² in area could *only* be developed to either a single detached dwelling or duplex.

This is generally in recognition of the larger land area requirements associated with medium density residential developments such as townhouses or apartment buildings, including the provision of vehicle parking spaces and amenity areas. (NOTE: the Medium Density Residential One (RM1) Zone requires a minimum parcel size for subdivision of 1,000 m² in order to accommodate the density being proposed by the applicant).

In addition, the Regional District completed an Apex Zone Update in 2020 which, amongst other things, increased the setbacks for principal buildings from 5.0 metres (front) and 3.0 metres (rear) to 7.5 m in order to provide additional space for snow shedding, storage and vehicle parking.

Currently, the Zoning Bylaw requires two (2) off-street parking spaces per dwelling whereas secondary suites require one (1) space per suite. In this regard, the proposal would increase the required number of parking spots from four (4) spaces (for the duplex, with no secondary suites) to six (6) spaces.

Administration notes that public transit options to and from the Apex Mountain Resort are limited and that residents and visitors are likely to be dependent on the use of private vehicles, which will require adequate parking spaces.

Given the relatively small lot size (681 m²) and the previous concerns regarding snow shedding, storage and vehicle parking in Apex, Administration finds that the proposed increase in density on the property through the introduction of secondary suites in each duplex unit would further exacerbate these issues and would not be in keeping with the intent of the previous setback increases.

Alternative:

Conversely, Administration recognises that Apex Mountain is designated as a Rural Growth Area under the Regional Growth Strategy (RGS) Bylaw and that higher density forms of development are to be encouraged at the resort, subject to the provision of community water and sewer infrastructure.

Conclusion

In summary, in consideration of the proposal to increase the density on the subject property in tandem with the previously identified concerns surrounding snow storage and vehicle parking, Administration does not support the application and is recommending denial.

Administrative Recommendation:

THAT the APC recommends to the RDOS Board of Directors that the subject development application be denied.

Options:

1. THAT the APC recommends to the RDOS Board of Directors that the subject development application be approved.
2. THAT the APC recommends to the RDOS Board of Directors that the subject development application be approved with the following conditions:
 - i) *TBD*
3. THAT the APC recommends to the RDOS Board of Directors that the subject development application be denied.

Respectfully submitted:


Shannon Duong, Planner I

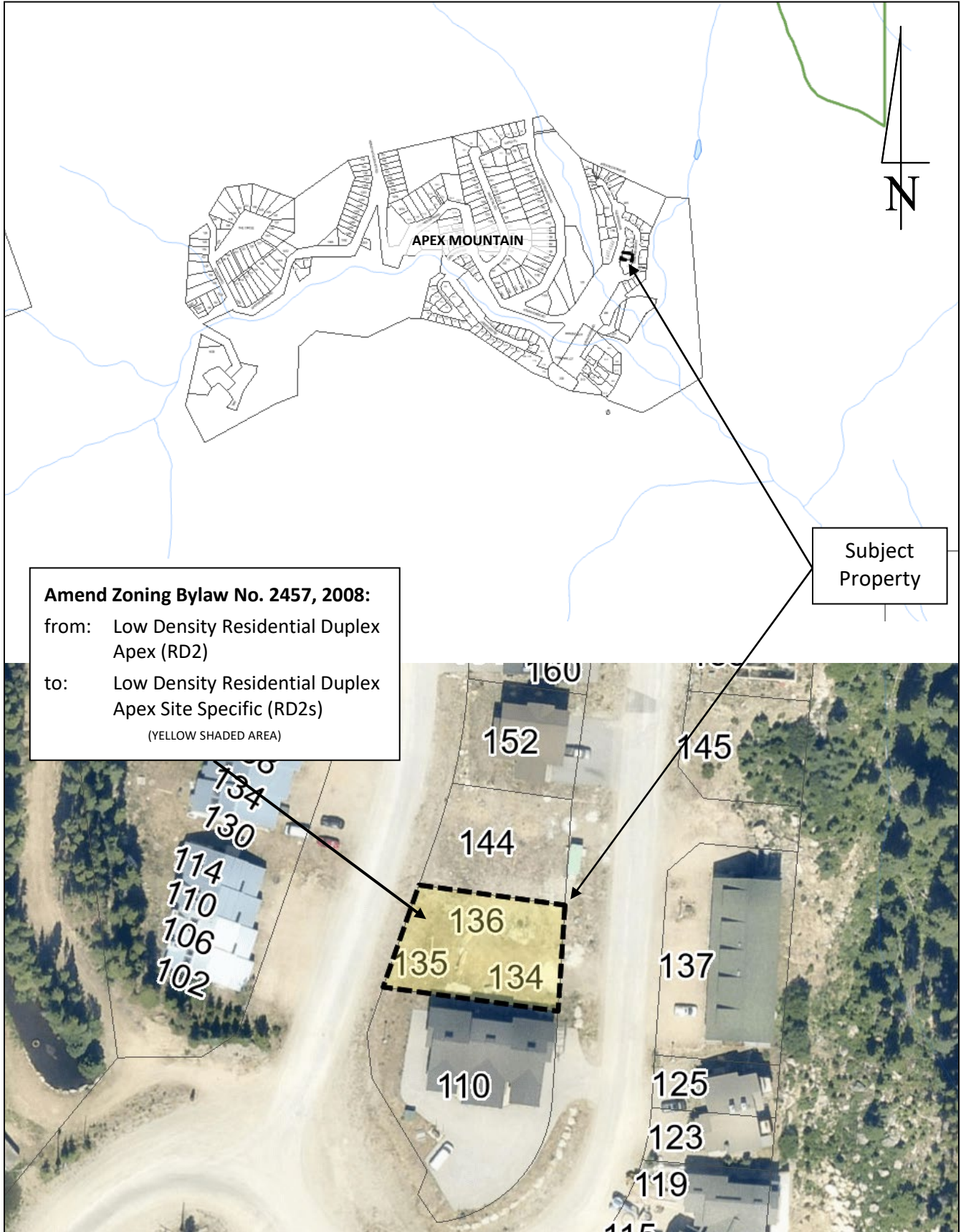
Endorsed By:


C. Garrish, Planning Manager

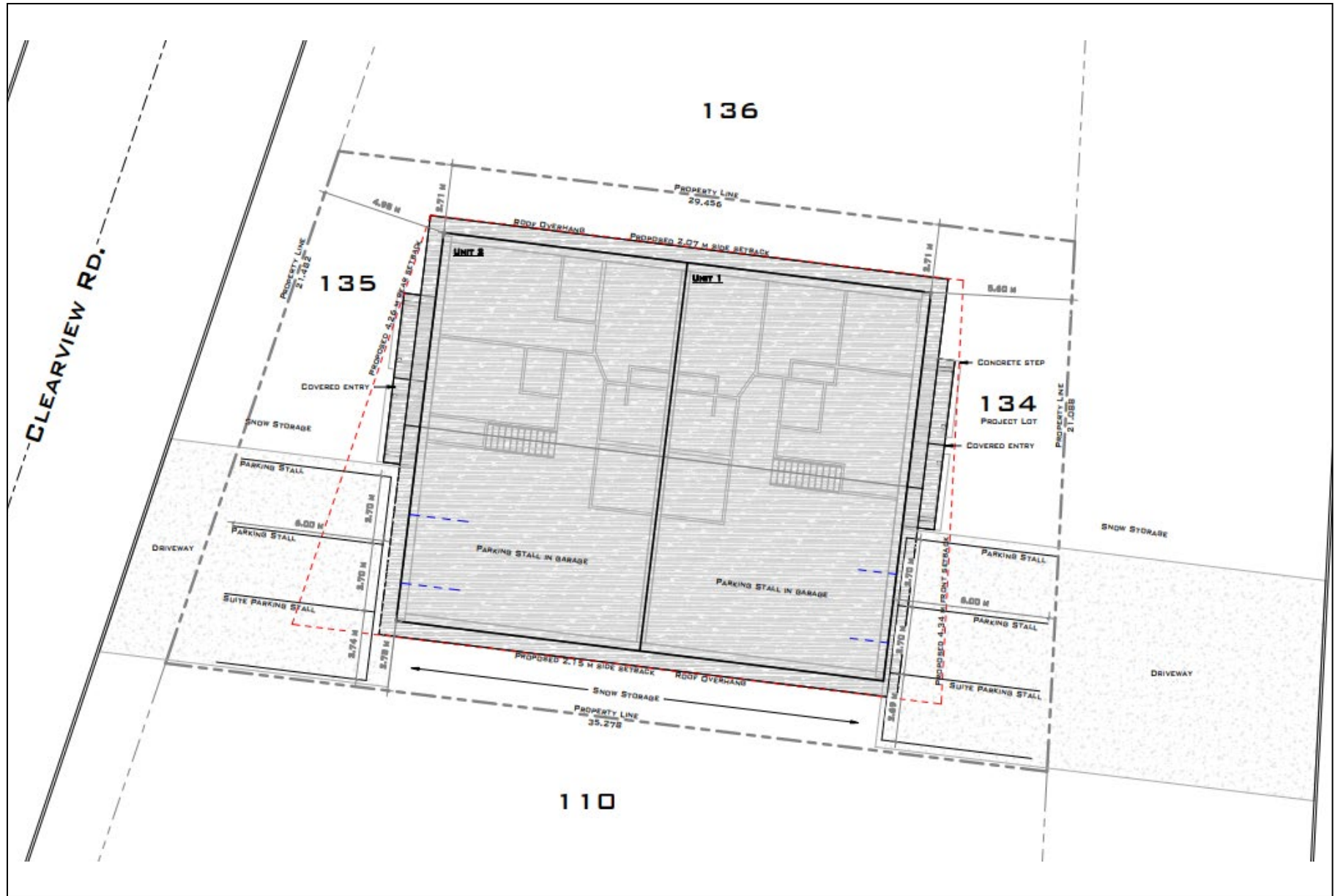
Attachments:

- No. 1 – Context Maps
- No. 2 – Applicant’s Site Plan
- No. 3 – Applicant’s Building Elevations
- No. 4 – Lower Floor Plan
- No. 5 – Upper Floor Plan
- No. 6 – Applicant’s Building Elevations
- No. 7 – Applicant’s Building Elevations
- No. 8 – Site Photo (Google Streetview)

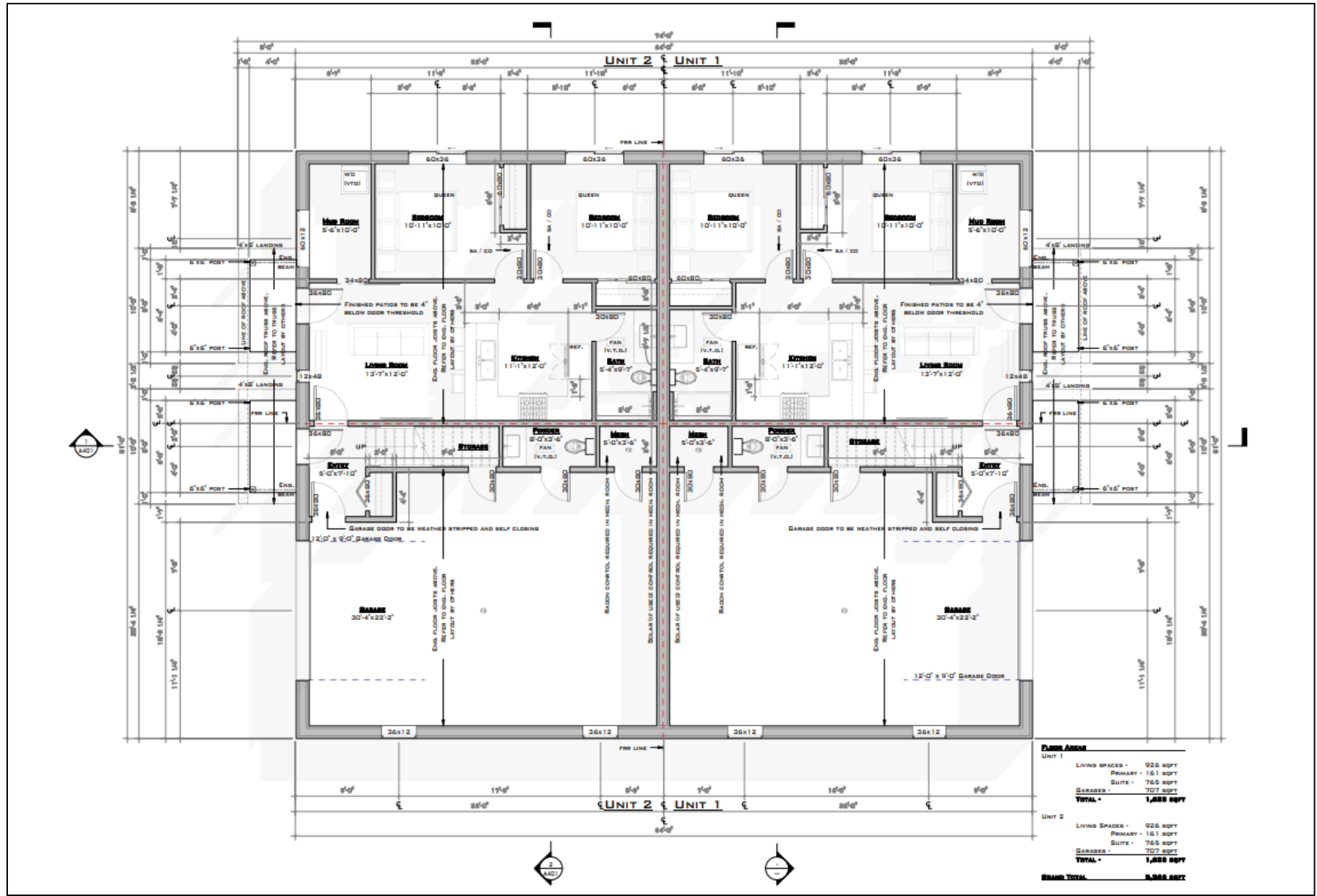
Attachment No. 1 – Context Maps



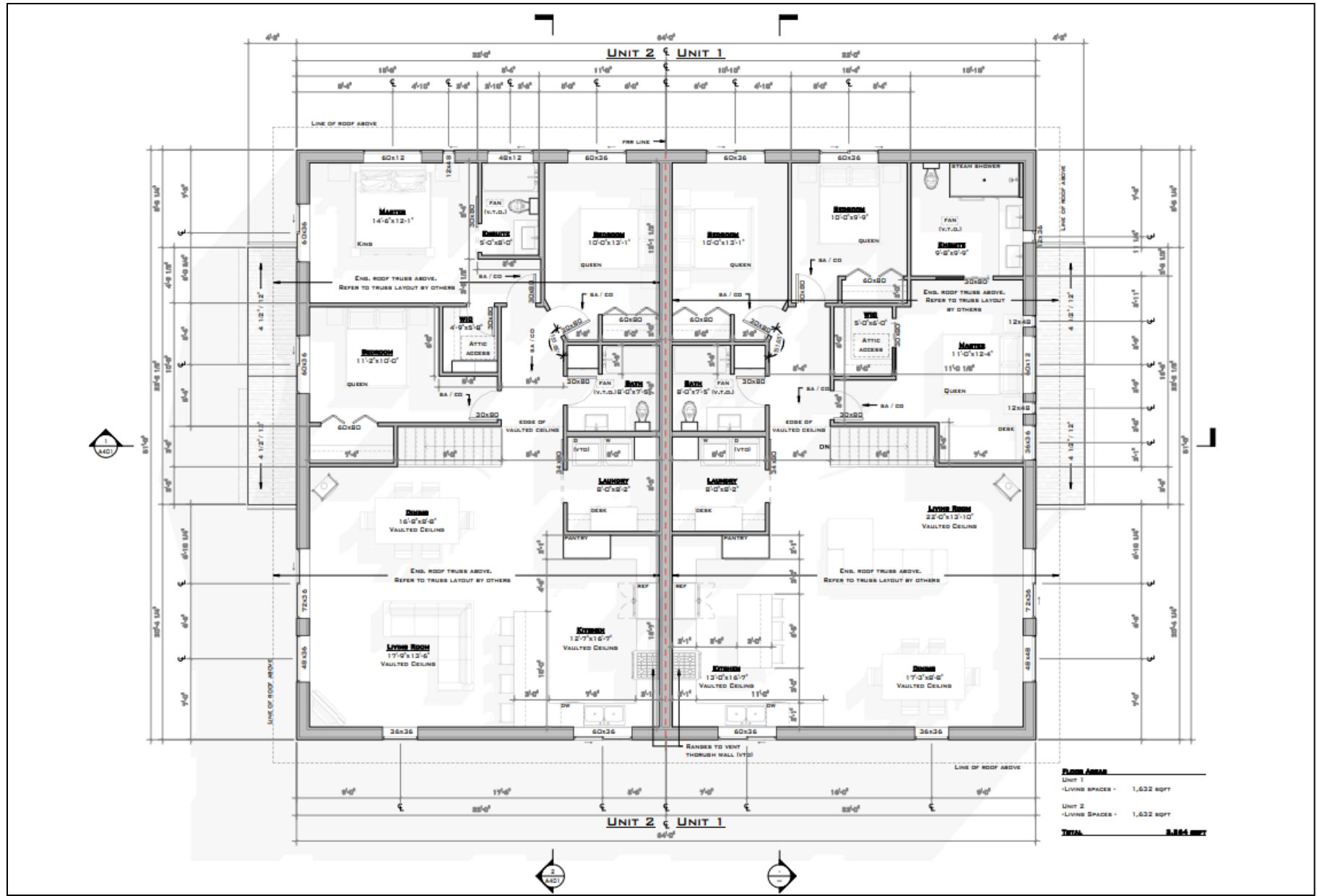
Attachment No. 2 – Applicant’s Site Plan



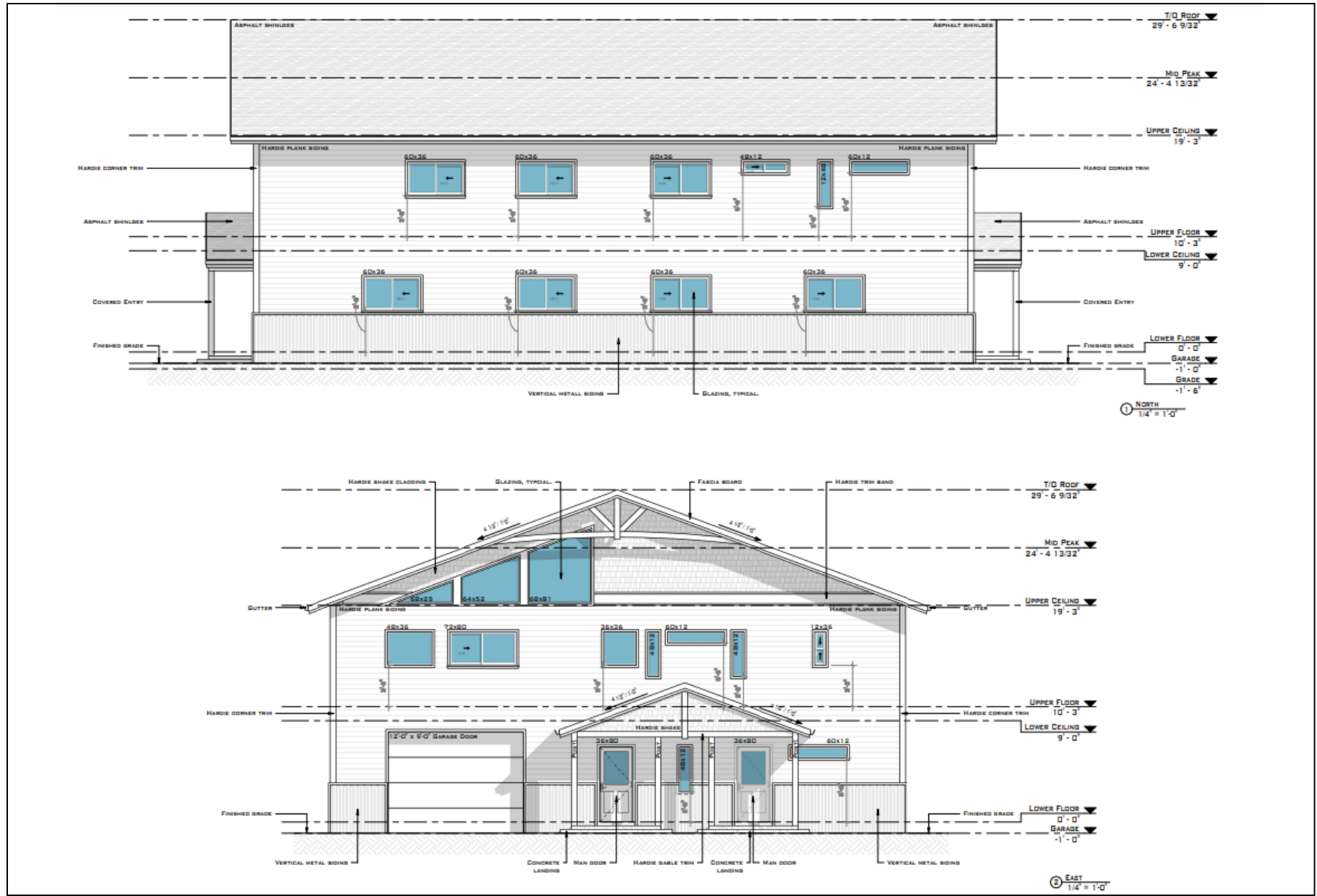
Attachment No. 4 – Lower Floor Plan



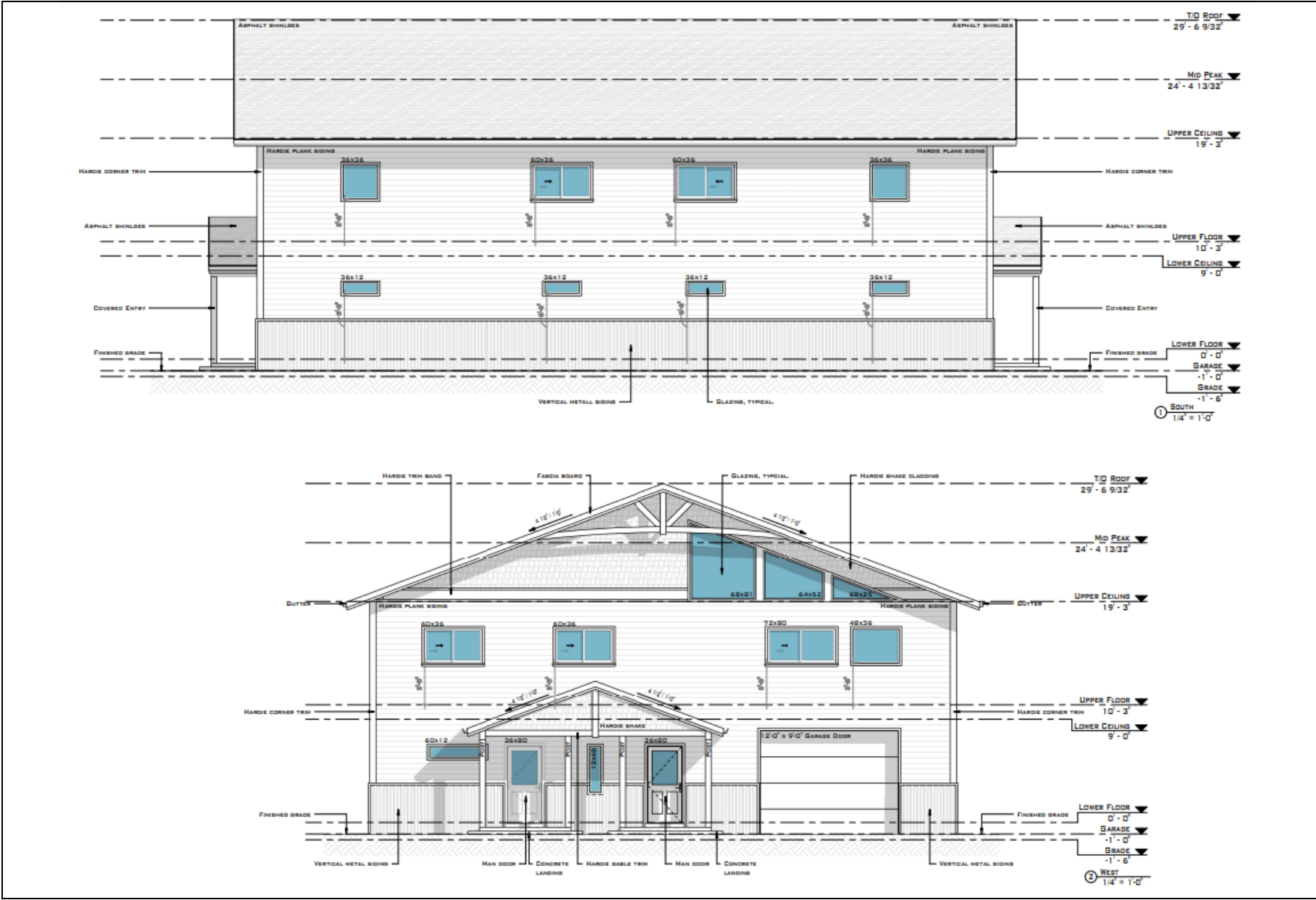
Attachment No. 5 – Upper Floor Plan



Attachment No. 6 – Applicant’s Building Elevations (East & North)



Attachment No. 7 – Applicant’s Building Elevations (South & West)



Attachment No. 8 – Site Photo (Google Streetview - 2012)

