

ADMINISTRATIVE REPORT



TO: Advisory Planning Commission
FROM: B. Newell, Chief Administrative Officer
DATE: May 1, 2023
RE: Development Variance Permit Application — Electoral Area “I”

Purpose: To allow a two-storey garage addition.

Civic: 431 Lakehill Road

Legal: Lot A, Plan KAP20027, District Lot 104S, SDYD

Folio: I-01551.000

Zone: Low Density Residential Two (RS2)

Variance Requests: to increase the maximum height of an accessory building from 4.5 metres to 6.73 metres

Proposed Development:

This application is seeking a variance to the maximum height of an accessory building regulation that applies to the subject property in order to undertake a two-storey addition to an existing garage.

Specifically, it is being proposed to increase the maximum height of an accessory building from 4.5 metres to 6.73 metres.

In support of this request, the applicant has stated that

- *the proposed variance addresses the physical constraint of flat reasonably accessed area for a garage while also combining with the existing garage. The second floor maximizes the sq ft without its footprint sprawling and impacting old trees on the property.*
- *subject to neighbourhood approval the height zoning regulation may prove to be un-necessary as the existing house is taller than the proposed garage and only slightly adjacent to it.*

Site Context:

The subject property is approximately 2,980m² in area and is situated on the north side of Lakehill Road. The property is understood to contain one (1) singled detached dwelling and an accessory building.

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 February 26, 1970, while available Regional District records indicate that building permits for a chimney (1987), a garage (1987) and a single detached dwelling (1997) 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 Low Density Residential (LR).

Under the Okanagan Valley Zoning Bylaw No. 2800, 2022, the property is currently zoned Low Density Residential Two (RS2) which lists accessory building or structure as a permitted accessory use, subject to a maximum height of 4.5 metres.

BC Assessment has classified the property as “Residential” (Class 01).

RDOS Board Consideration:

At its meeting of April 20, 2023, the RDOS Board resolved to defer the application to the Electoral Area “I” Advisory Planning Commission (APC) for a recommendation.

Analysis:

Regulating the height of accessory structures through the Zoning Bylaw is generally done to ensure that a building does not impact the shade and outdoor privacy of adjacent properties. 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.

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.

In this instance, there do not appear to be limiting features on the subject property that would unduly restrict the construction of an accessory building. While the applicant has indicated that one reason for requested variance is to retain mature trees on the property, there appears to be adequate space on the parcel to accommodate an accessory building without contravening the height regulation.

The proposed addition would be sited approximately 1.8 metres from the nearest property line. Such an increase in height in this location has greater potential to impact adjacent properties.

The proposed addition is not located between the principal dwelling and the front parcel line, and is therefore unlikely to adversely impact established streetscape characteristics.

For these reasons, Administration does not support the requested variance and is recommending denial.

Administrative Recommendation:

THAT Development Variance Permit No. I2023.008-DVP, to allow for the construction of an accessory building at 431 Lakehill Road, Kaelden, be denied.

Options:

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

3. That the APC recommends to the RDOS Board that the proposed development application be denied.

Respectfully submitted

Ben Kent

Ben Kent, Planner I

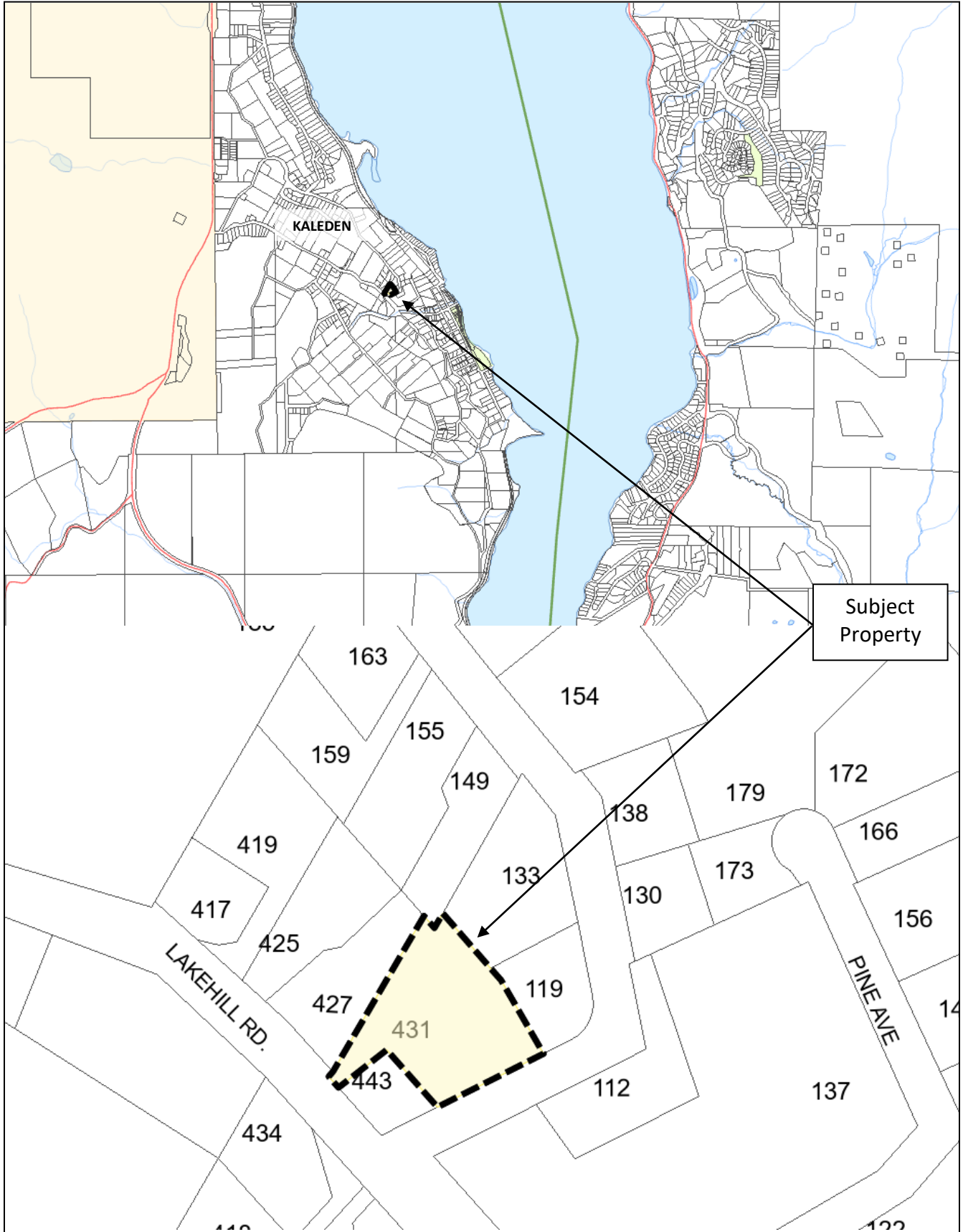
Endorsed by:



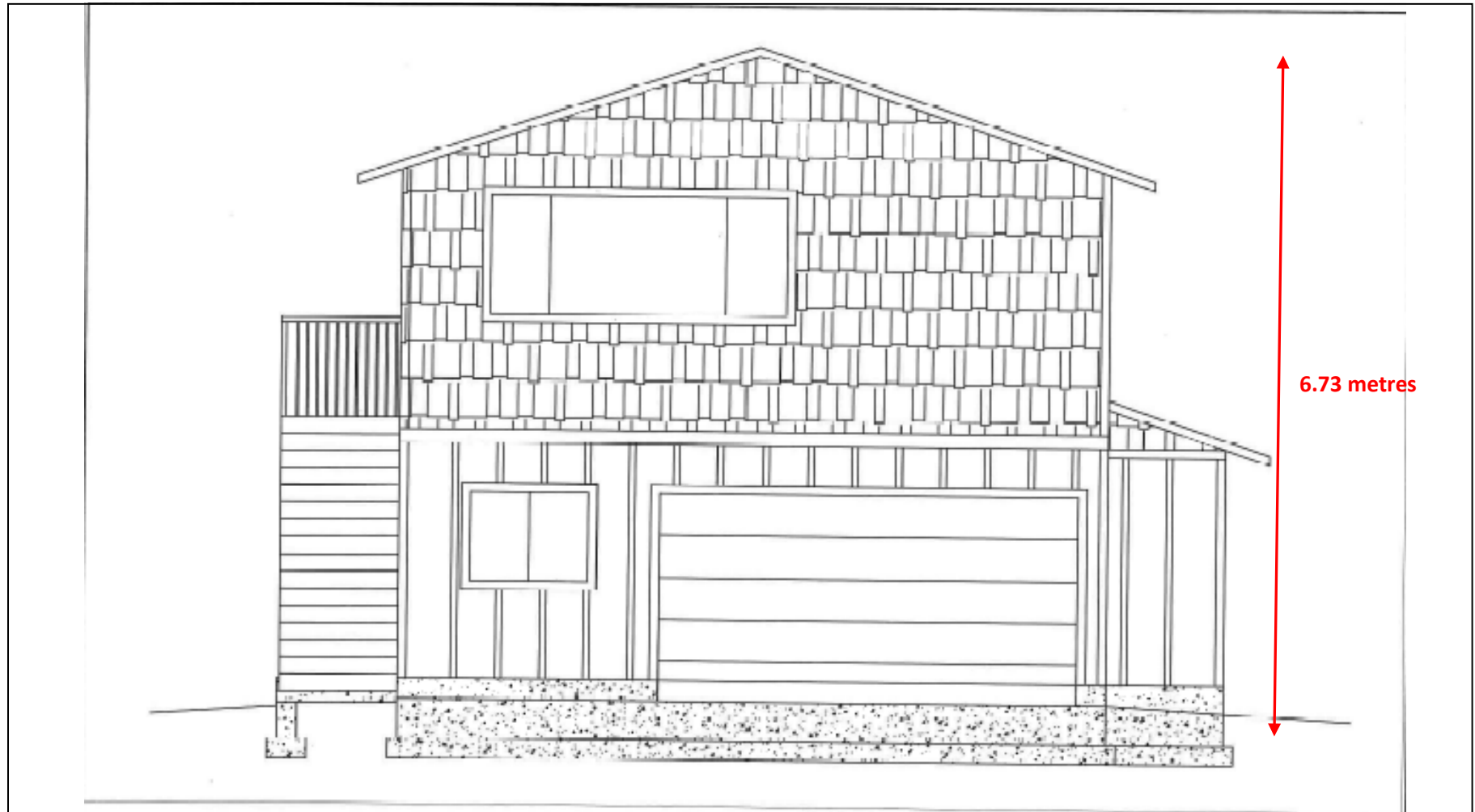
C. Garrish, Planning Manager

Attachments: No. 1 – Context Maps
No. 2 – Applicant’s Elevation Drawings
No. 3 – Applicant’s Elevation Drawings
No. 4 – Applicant’s Elevation Drawings
No. 5 – Applicant’s Floor Plan
No. 6 – Applicant’s Site Plan
No. 7 – Aerial Photo
No.8 – Aerial Photo

Attachment No. 1 – Context Maps



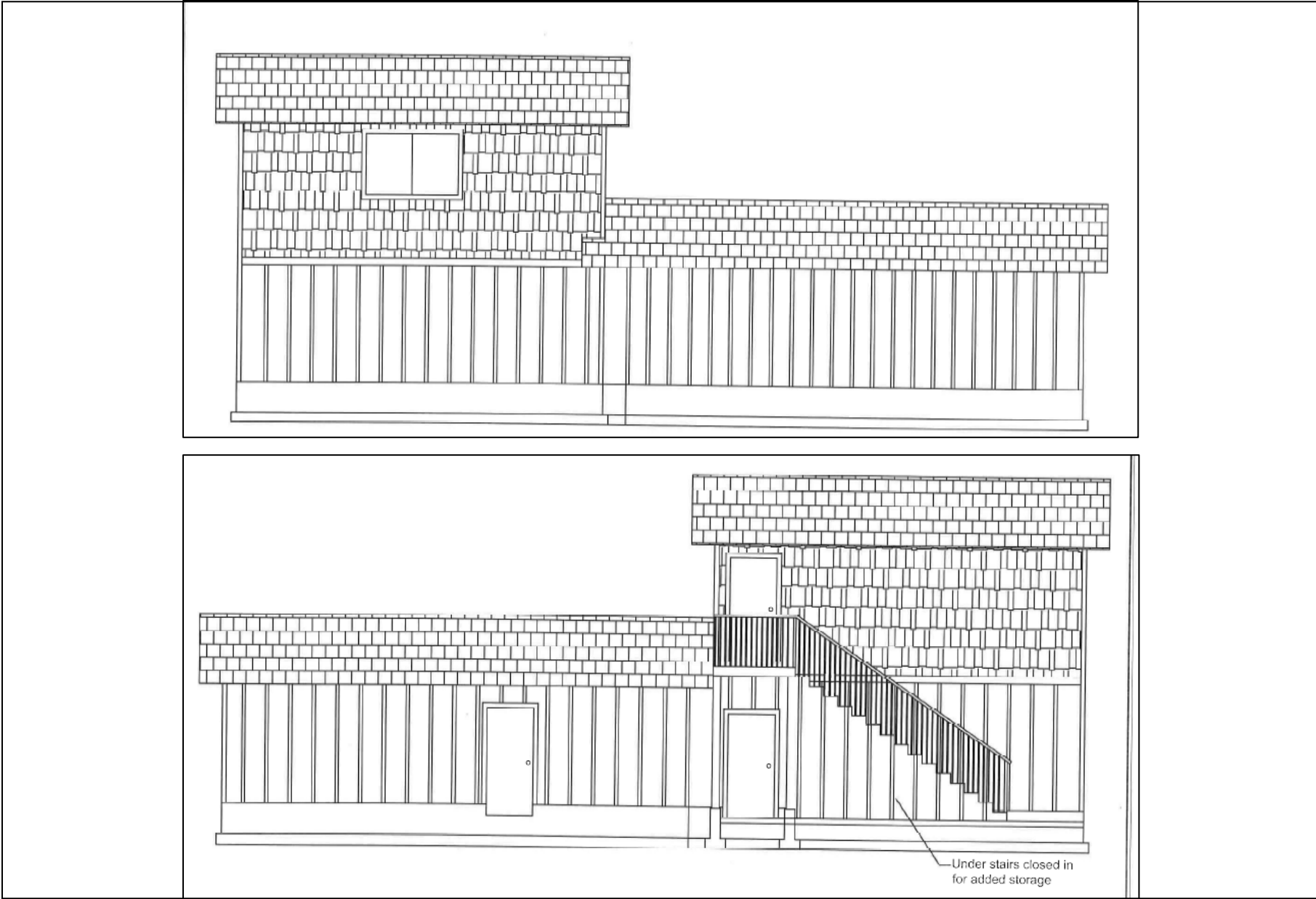
Attachment No. 2 – Applicant’s Elevation Drawings



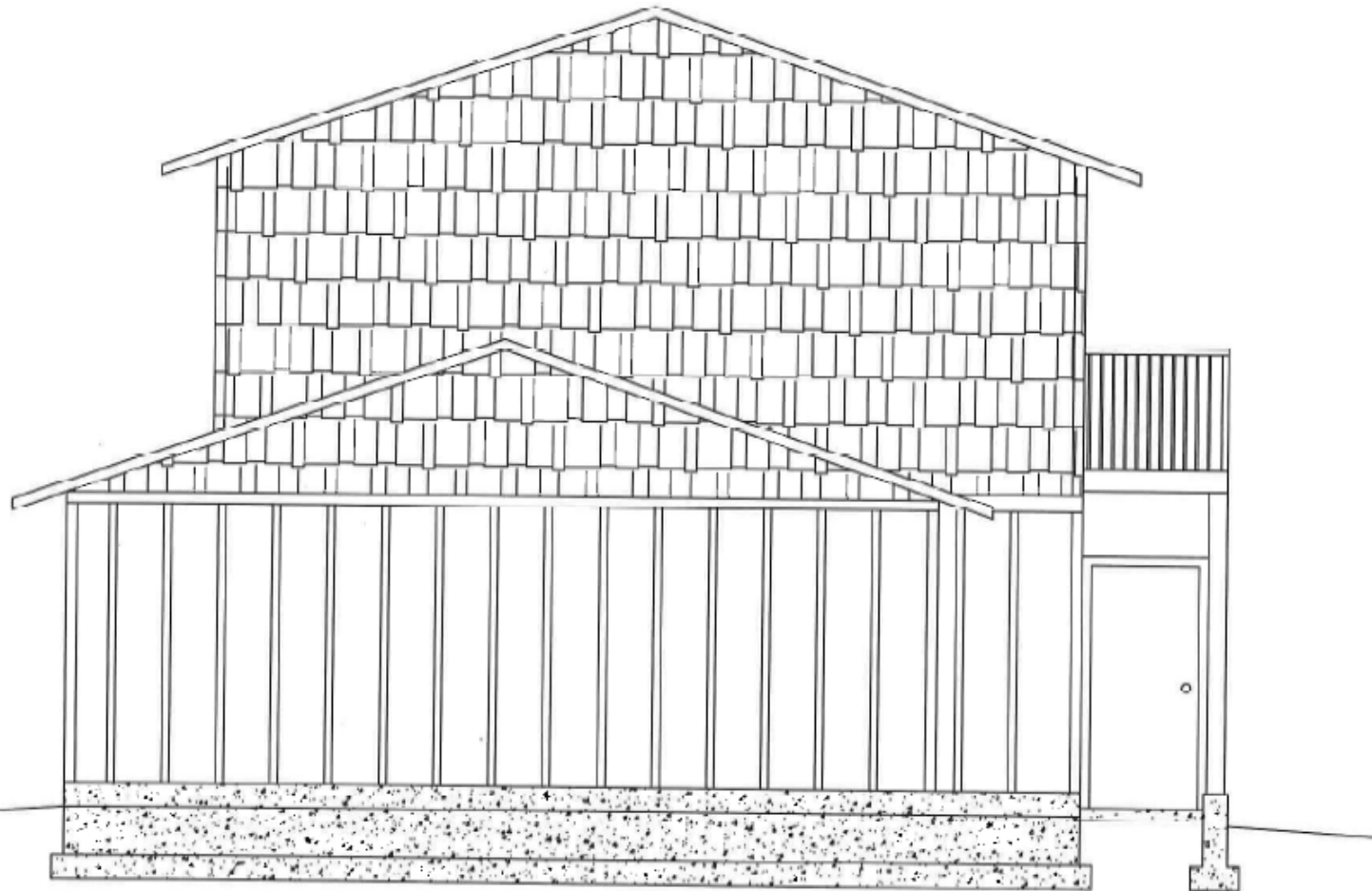
6.73 metres

SITE:		DRAWING NO.		PROJECT NO.	DATE	REV.	DESCRIPTION:	BY:	DATE:
431 lakehill road - Kaleden		006.2		1003	02/26/23				
TITLE:		SCALE AT A4.		CHECKED:	REVISION	AMENDMENTS:			
Garage - North Elevation no porch		N/A SV				Maven Dynamics Summerland BC 250 328 4637 Mavendynamics22@gmail.com			

Attachment No. 3 – Applicant’s Elevation Drawings



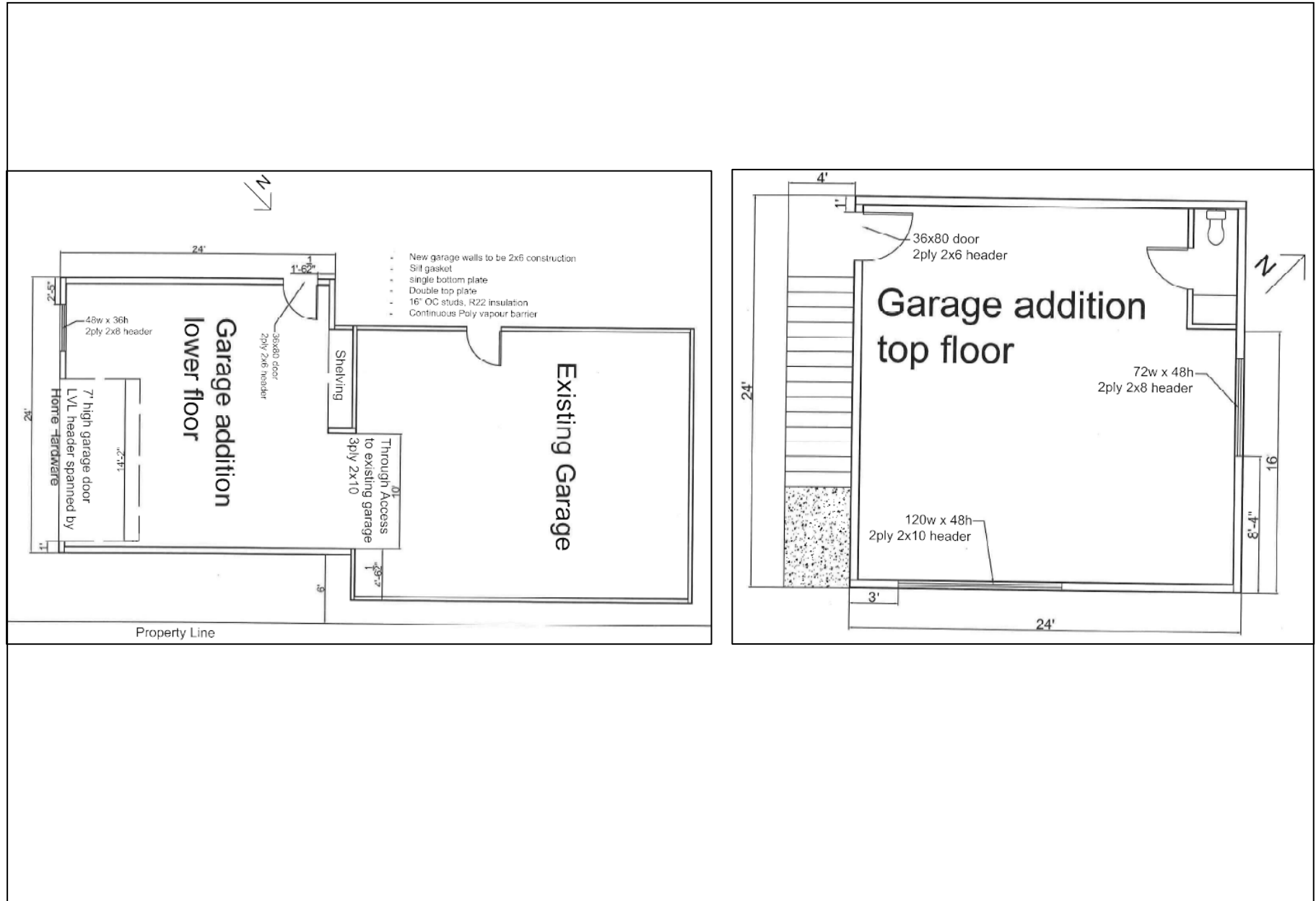
Attachment No. 4 – Applicant’s Elevation Drawing



REV:	DESCRIPTION:	BY:	DATE:
AMENDMENTS:			

SITE:	431 lakehill road - Kaleden	007	1003	02/26/23	Maven Dynamics Summerland BC 250 328 4637 Mavendynamics22@gmail.com
TITLE:	Garage - South Elevation	N/A	SV		
	SCALE AT A4.	DRAWN.	CHECKED.	REVISION.	

Attachment No. 5 – Applicant’s Floor Plan



Attachment No. 6 – Applicant’s Site Plan



Attachment No. 7 – Aerial Photo



Attachment No. 8 – Aerial Photo

