

# ADMINISTRATIVE REPORT



**TO:** Advisory Planning Commission  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** December 13, 2021  
**RE:** Development Variance Permit Application — Electoral Area “E”

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Purpose: To allow for the construction of a new dwelling. Folio: E-00588.001  
Legal: Lot A, Block 7, District Lot 210, SDYD, Plan EPP104165 Civic: 136 Ritchie Avenue  
OCP: Low Density Residential (LR) Zone: Residential Single Family One (RS1)  
Variance reduce the eastern interior side parcel line setback from 3.0 metres to 1.4 metres;  
Requests: reduce the rear parcel line setback from 7.5 metres to 4.5 metres; and  
increase the maximum parcel coverage from 35% to 39.3%.

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## **Proposed Development:**

This application is seeking variances to the interior side and rear setbacks, maximum building height, and maximum parcel coverage that applies to the subject property in order to construct a new two-storey dwelling with a secondary suite.

Specifically, it is being proposed to:

- reduce the eastern interior side parcel line setback from 3.0 m to 1.4 m;
- reduce the rear parcel line setback from 7.5 m to 4.5 m; and
- increase the maximum parcel coverage from 35% to 39.3%.

In support of this request, the agent has stated that “the proposed home will replace an existing cabin that has been used by the current owners for over 15 years. The deteriorating septic field will be replaced by an engineered ‘type 3’ system”. The applicants have also stated that they “...are looking to build a multi-generational legacy home for [themselves], [their] soon to be adult children, the parents of [one of the applicants] and any future additions to [their] family”.

## **Site Context:**

The subject property is approximately 590 m<sup>2</sup> in area and is situated on the south side of Ritchie Avenue. The property is currently developed with a single detached dwelling with a carport.

The surrounding pattern of development is generally characterised by similarly sized residential parcels zoned RS1.

## **Background:**

The current boundaries of the subject property were created by a plan subdivision deposited on August 4, 2020, while available Regional District records indicate that building permits have not previously been issued for this property.

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Under the Electoral Area “E” Official Community Plan (OCP) Bylaw No. 2458, 2008, the subject property is currently designated Low Density Residential (LR).

Under the Electoral Area “E” Zoning Bylaw No. 2459, 2008, the property is currently zoned Residential Single Family One (RS1) which allows for “single detached dwellings” as a principal use and “secondary suites, subject to Section 7.12” as a secondary use.

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

**Analysis:**

In considering this proposal, Administration notes that the proposal is being requested in order to replace an existing single family residence and carport to accommodate a multi-generational residence for the property owner.

Interior Side and Rear Parcel Line Setbacks

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.

With respect to the requested variance to the interior side parcel line setback, Administration notes that the RDOS is currently reviewing Residential (RS) and Small Holdings (SH) zones within a number of Electoral Areas (i.e., the Residential Zone Update) as part of a project to create a single zoning bylaw for the South Okanagan Electoral Areas (i.e., the Okanagan Electoral Area Zoning Bylaw Consolidation project). If associated zoning amendment bylaws are adopted by the Regional Board, the interior side parcel line setback for principal buildings would be reduced from 3.0 m to 1.5 m.

Administration recognizes that much of the proposed eastern building wall requires a 2.0 m setback which would be consistent with the 1.5 m interior side parcel line setback proposed as part of the Residential Zone Update. While the proposed cantilevered section of the second-storey of the residence would require a 1.4 m setback, Administration notes that the request is minor in nature, representing a 0.1 m deviation from the 1.5 m interior side parcel line setback proposed as part of the Residential Zone Update.

Conversely, Administration notes that the reduced eastern interior side parcel line setback may have a negative impact on the privacy and shading of the easterly adjacent parcel.

With respect to the requested variance to the rear parcel line setback, Administration notes that the rear parcel line of the subject property abuts an existing laneway. The laneway acts as a spatial buffer from the parcel to the south; as such, Administration is generally unconcerned with the impacts of the proposed variance to the rear parcel line setback on privacy or residential use of the parcel to the south.

Parcel Coverage

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The purpose of establishing a maximum parcel coverage is to limit the proportion of any lot that can be built on in order to, amongst other things, provide outdoor space for residents, to protect the amenity and character of neighbourhoods and to leave more open space between buildings.

It is understood that the additional lot coverage is to allow for the construction of a larger single detached dwelling on the property for multi-generational housing for the property owners and their family.

Administration notes that the application requests a 4.3% increase in maximum parcel coverage on the subject property, and finds that the request is minor in nature.

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

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**Administrative Recommendation:**

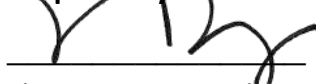
**THAT the APC recommends to the RDOS Board that the subject development application be approved.**

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**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**



Shannon Duong, Planner I

**Endorsed by:**

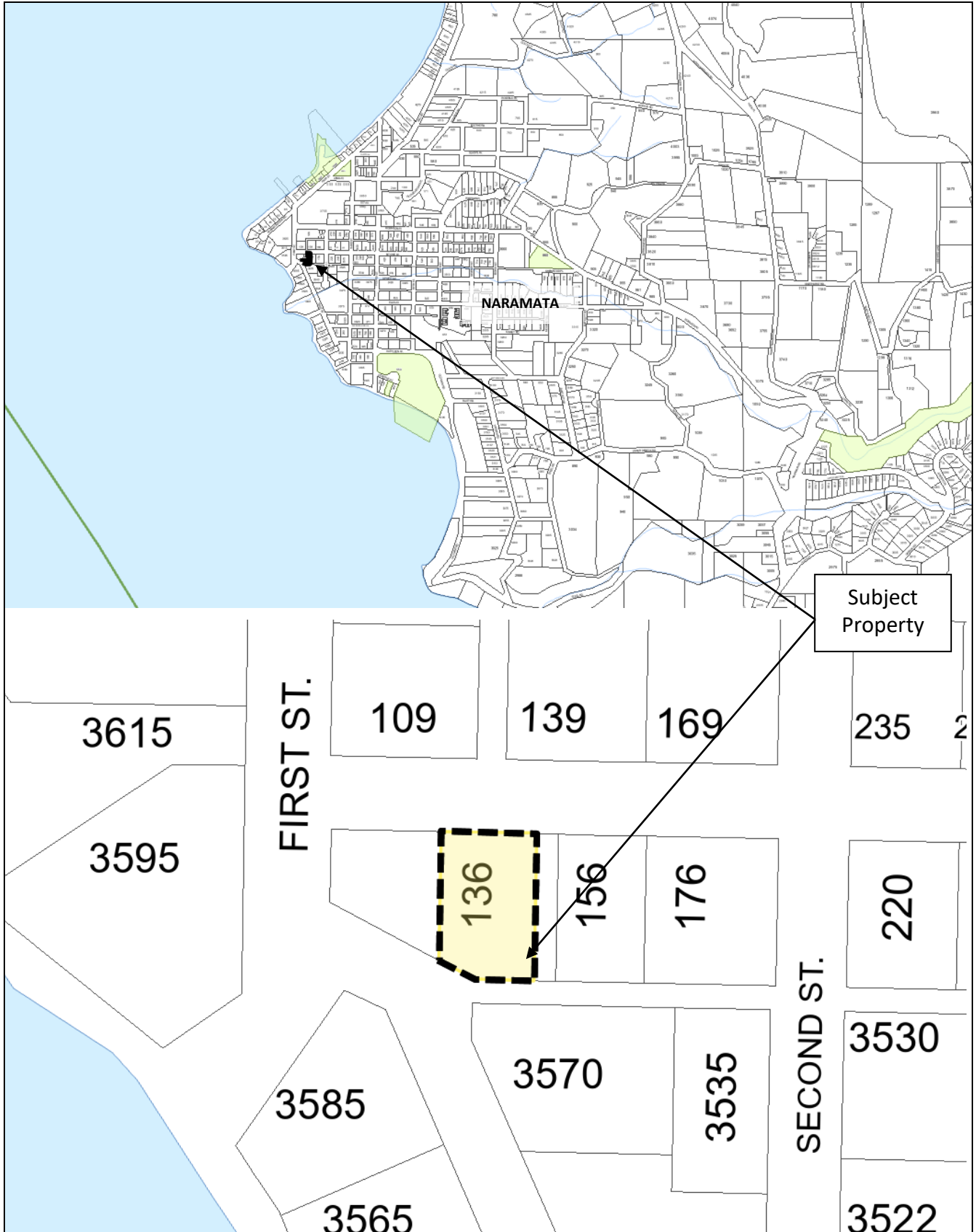


C. Garrish, Planning Manager

**Attachments:**

- No. 1 – Context Maps
- No. 2 – Site Photo (Google Streetview – 2012)
- No. 3 – Aerial Phot
- No. 4 – Proposed Variances
- No. 5 – Elevations (North & South)
- No. 6 – Elevations (West & East)

Attachment No. 1 – Context Maps





Attachment No. 2 – Site Photo (Google Streetview - 2012)

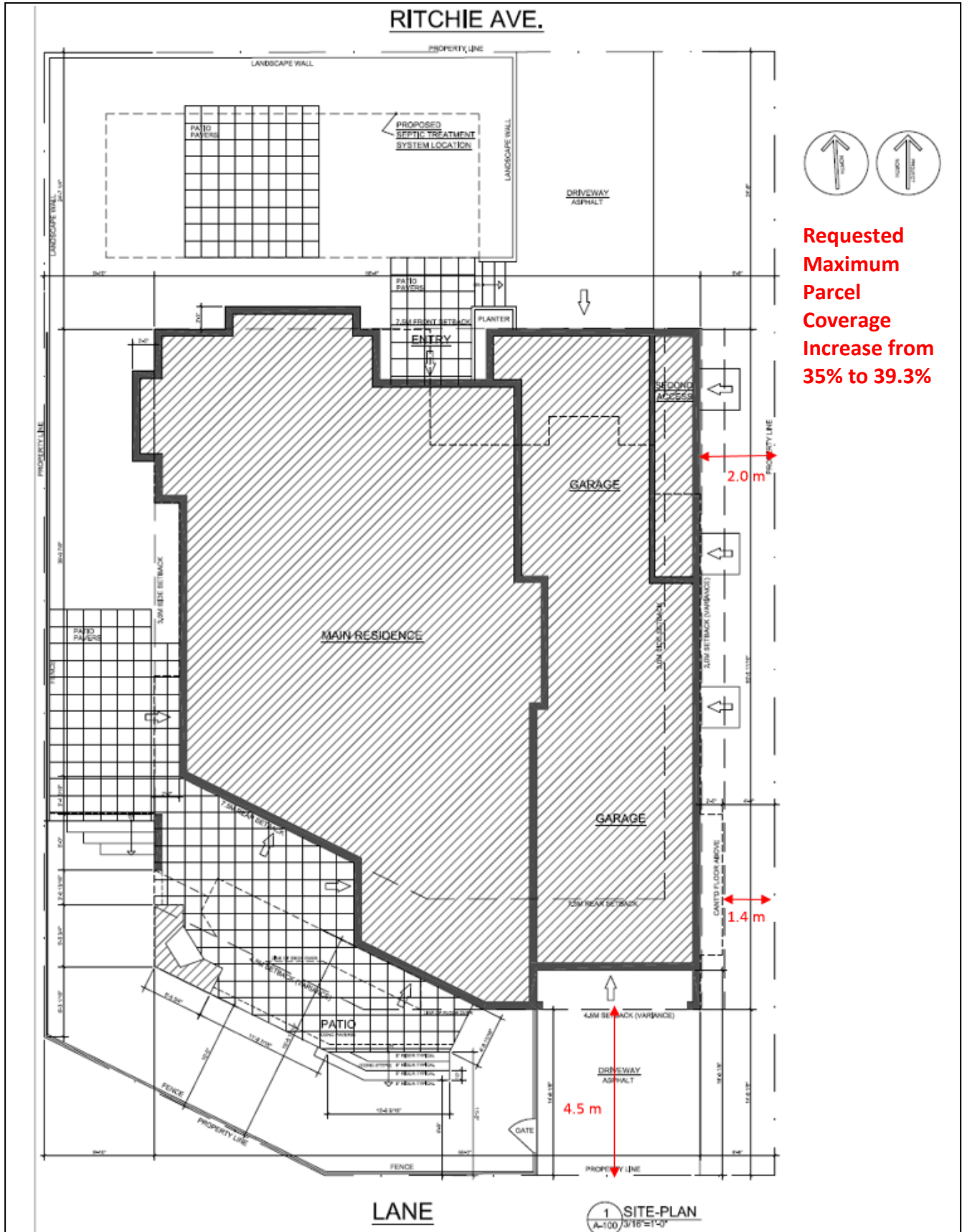




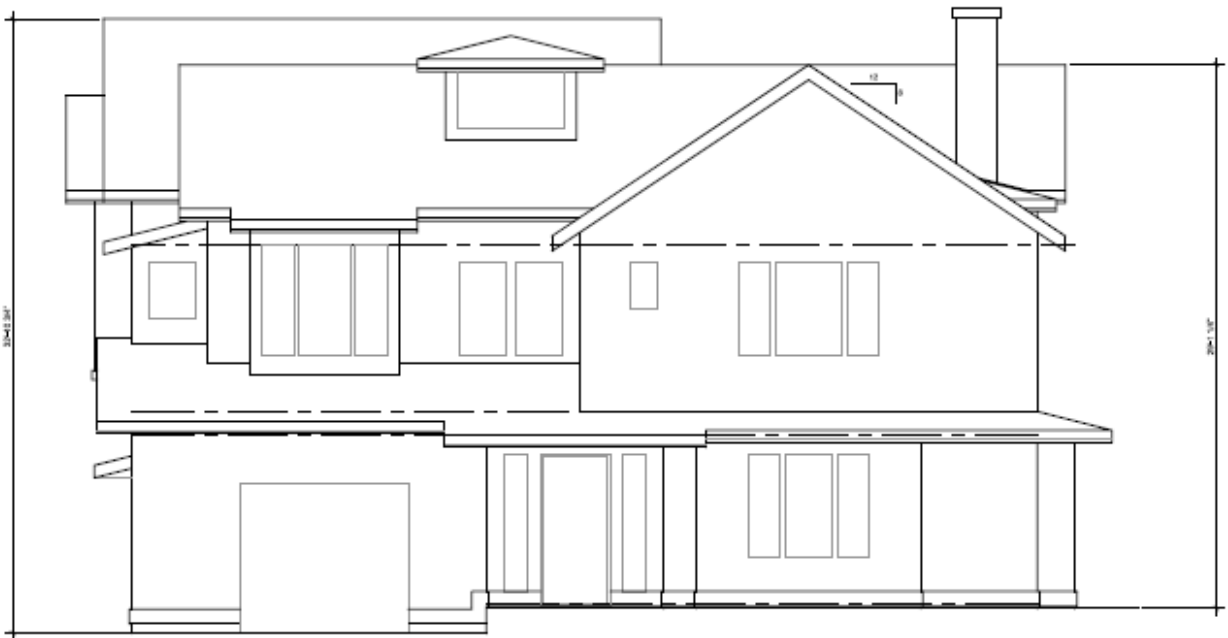
Attachment No. 3 – Aerial Photo



Attachment No. 4 – Proposed Variances



Attachment No. 5 – Elevations (North & South)



1 NORTH-ELEVATION  
A-200 1/4" = 1'-0"



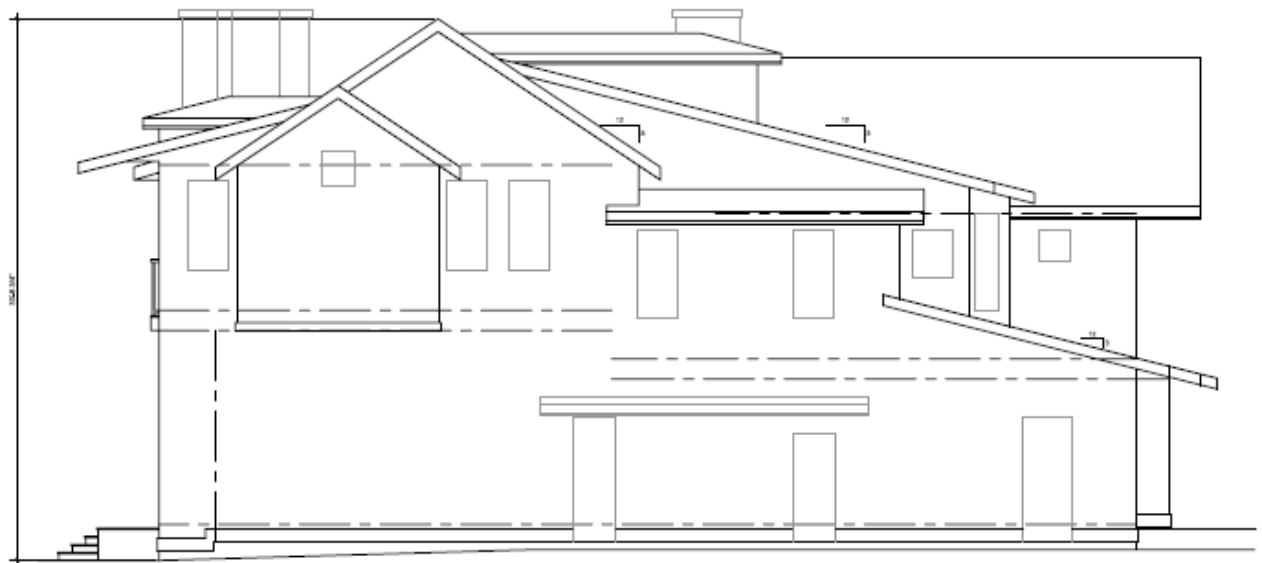
2 SOUTH-ELEVATION  
A-200 1/4" = 1'-0"



Attachment No. 6 – Elevations (West & East)



1 WEST-ELEVATION  
A-201 1/4"=1'-0"



2 EAST-ELEVATION  
A-201 1/4"=1'-0"