

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: March 17, 2022
RE: Development Variance Permit Application — Electoral Area “E” (E2022.007-DVP)

Administrative Recommendation:

THAT Development Variance Permit No. E2022.007-DVP, to allow for the construction of a detached garage at 3990 Third Street, Naramata, be approved.

Legal: Lot 9, Block 59, District Lot 210, SDYD, Plan 519 Folio: E-00652.000

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

Variance Request: to reduce the minimum exterior side parcel line setback from 4.5 metres to 1.19 metres.

Proposed Development:

This application is seeking a variance to reduce the minimum exterior side parcel line setback from 4.5 metres to 1.19 metres to facilitate the construction of a detached garage.

In support of this request, the applicant has stated that “[there is] no other place to build. Existing parking is and has been in this location since [the] time we have lived at [the] address.” Further, “[the proposal] addresses [the] parking issue keeping cars off [the] street. With extreme temperature and climates swings, offers protection and safety of vehicles”.

Site Context:

The subject property is approximately 836 m² in area and is situated on the corner of Gladys Ave and Third St. The property is currently developed to a single detached dwelling.

The surrounding pattern of development is characterised by small lot residential development. The Royal Anchor Resort is located north of the subject property.

Background:

The current boundaries of the subject property were created on July 8, 1908, while available Regional District records indicate that building permits for a renovation to a garage (1978), renovation to a single family dwelling (2016) and an addition of a roof over a deck (2020) have been issued for the property.

This is a Low Density Residential area zoned Low Density Residential Two (RS2) which permits “accessory building and structures” as a secondary use.

The Ministry of Transportation and Infrastructure (MoTI) requires a minimum setback of 4.5 m from all highway right-of-ways or the issuance of a permit for the construction of structures within the minimum setback. The applicant has been issued a permit by the MoTI for the proposed construction.

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The Regional District has received written complaints regarding vacation rental use of the subject property. Bylaw Enforcement staff advised the property owners that a Temporary Use Permit (TUP) is required for vacation rentals. The Regional District has not received a TUP application for vacation rental use to date.

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 March 10, 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.

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.

Setbacks also play a role in influencing the perception of a streetscape and establishing the character of a street by providing a consistent building line.

In reviewing the available aerial imagery of the properties located along the laneway to the rear of the parcel, it is noted that several parcels contain accessory structures which are sited a short distance from the lane. It is further noted that several parcels along Third Street also contain structures sited a short distance from the associated exterior side parcel lines.

In this regard, the proposal would be in keeping with the currently established streetscape along both the laneway and on Third St. and would not impact the established streetscape or the use of other properties as the requested variance is not adjacent to other lots.

The applicant has indicated that the septic system is located in the southeastern portion of the parcel (see Attachment No. 4) which limits the siting options on the subject property.

The previous 1978 building permit was issued for the conversion of a garage which was located on the west side of the existing residence; more specifically, to “build bedrooms in garage area”.

Although the location of the septic system limits the siting of the garage in the southeastern portion of the property, other options are available to the applicant, such as restoring the original garage or siting the garage in the northern portion of the property.

Alternative:

1. That the Board approve Development Variance Permit No. E2022.007-DVP.

Respectfully submitted



Shannon Duong, Planner I

Endorsed by:



C. Garrish, Planning Manager

Attachments: No. 1 – Aerial Photo (2017)

No. 2 – Aerial Photo (2017)

No. 3 – Aerial Photo

No. 4 – Site Photo (Google Streetview – 2012)

No. 5 – Septic Location

Attachment No. 1 – Aerial Photo (2017)



Attachment No. 2 – Aerial Photo (2017)



Attachment No. 3 – Aerial Photo

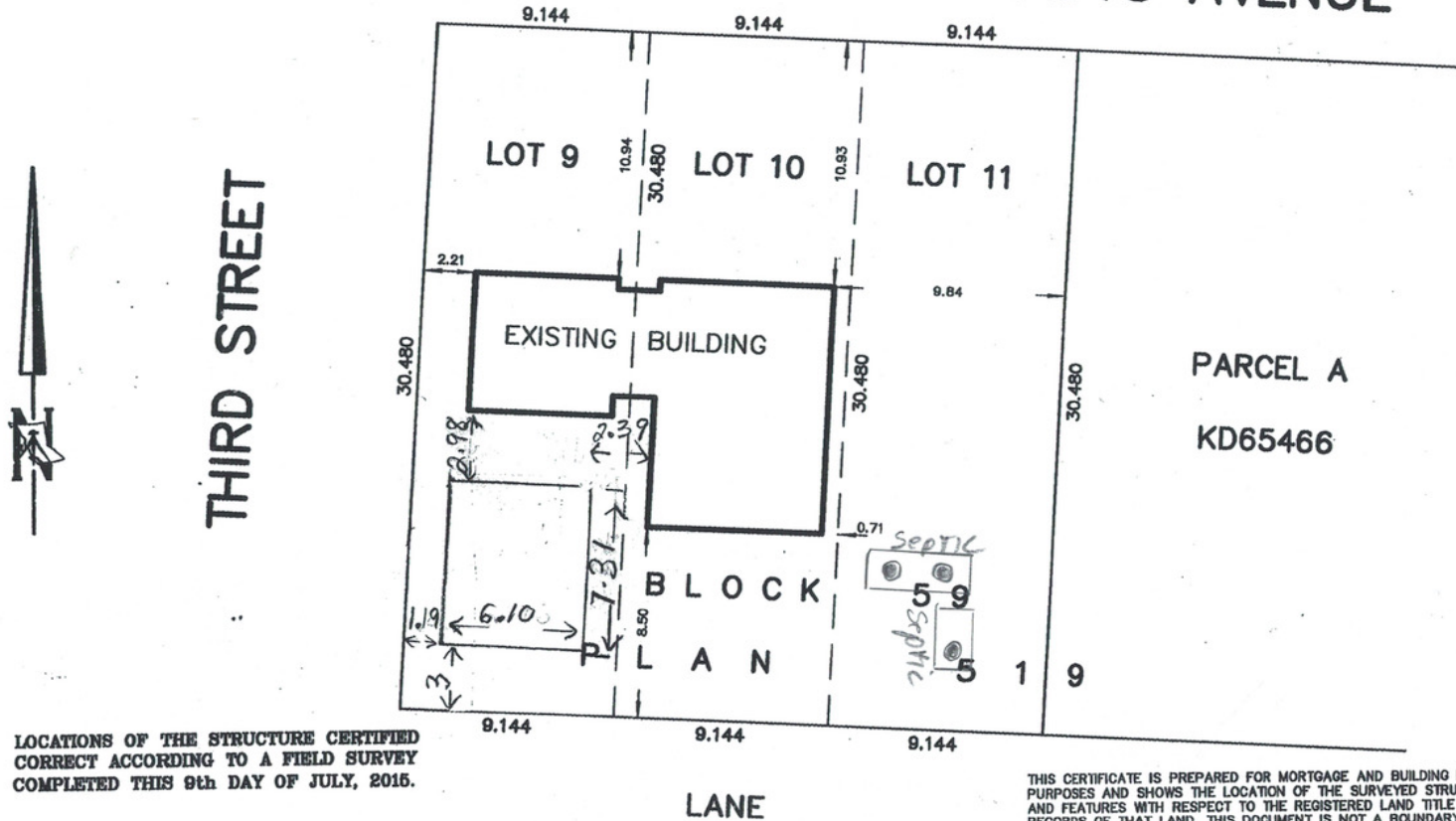


Attachment No. 4 – Site Photo (Google Streetview – 2012)



Attachment No. 5 – Septic Location

BRITISH COLUMBIA LAND SURVEYOR'S CERTIFICATE OF LOCATION ON
LOTS 9, 10 & 11 ALL OF Bk 59, DL 210, SDYD, PLAN 519
 CIVIC ADDRESS: 3990 3rd STREET, NARAMATA, B.C. **GLADYS AVENUE**



LOCATIONS OF THE STRUCTURE CERTIFIED
 CORRECT ACCORDING TO A FIELD SURVEY
 COMPLETED THIS 9th DAY OF JULY, 2015.

THIS CERTIFICATE IS PREPARED FOR MORTGAGE AND BUILDING INSPECTION
 PURPOSES AND SHOWS THE LOCATION OF THE SURVEYED STRUCTURES
 AND FEATURES WITH RESPECT TO THE REGISTERED LAND TITLE OFFICE
 RECORDS OF THAT LAND. THIS DOCUMENT IS NOT A BOUNDARY SURVEY AND
 MAY NOT BE USED TO DEFINE PROPERTY CORNERS OR PROPERTY LINES
 AND NO RESPONSIBILITY IS ACCEPTED FOR MIS-USE.

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 SIGNED IN RED AND BEARING THE ORIGINAL SEAL

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ALL DIMENSIONS ARE METRIC
 SCALE 1 : 250
 FILE: 15-125CE

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