

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: J. Zaffino, Chief Administrative Officer
DATE: March 20, 2025
RE: Development Variance Permit Application — Electoral Area “E” (E2025.004-DVP)

Administrative Recommendation:

THAT Development Variance Permit No. E2025.004-DVP, to allow for the construction of a carport at 2401 Workman Place, be denied.

Legal: Lot 18, Plan EPP71589, District Lot 206, SDYD Folio: E-02025.270

OCP: Low Density Residential (LR) Zone: Low Density Residential Site Specific (RS3s)

Variance Requests: to reduce the minimum front parcel line setback from 4.5 metres to 1.5 metres

Proposed Development:

This application is seeking a variance to the front parcel line setback that applies to the subject property in order to undertake an addition of a “carport” to the existing principal dwelling.

Specifically, it is being proposed to vary the minimum front parcel line setback from 4.5 metres to 1.5 metres.

In support of this request, the applicant has stated, among other factors, that “a carport will provide... protection from the elements... Increased property value and functionality, and ... will reduce the amount of water and debris that washes into storm drains from vehicles.”

Site Context:

The subject property is approximately 1,033 m² in area and is situated on the west side of Workman Place, approximately 1.8 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 along Workman Place to the north, as well as an agricultural parcel (crown land) to the south, and parks and recreation (Kettle Valley Trail) parcel to the east.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on March 30, 2017,

Available Regional District records indicate that a building permit was previously issued for single family dwelling with a secondary suite (2021), while BC Assessment has classified the property as Residential” (Class 01).

Under the Electoral Area “E” Official Community Plan (OCP) Bylaw No. 3010, 2023, the subject property is currently designated Low Density Residential (LR), and is not subject to any development permit area designations.

Under the Okanagan Valley Zoning Bylaw No. 2800, 2022, the property is currently zoned Low Density Residential Site Specific (RS3s) which lists “single detached dwelling” as a principal use and establishes an approved building envelope (e.g. setbacks, height and parcel coverage).

The site specific regulation dates to 2019 and an amendment bylaw adopted by the Board in order to reduce the front parcel line setback from 7.5 metres to 4.5 metres while simultaneously increasing the rear parcel line setback from 7.5 metres to 10.5 metres to offset the reduced front setback.

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 6, 2025. All comments received are included as a separate item on the Board’s Agenda.

Analysis:

In considering this proposal, Administration notes that the current setbacks that apply to the property were introduced by the Board in order to address the placement of a significant amount of fill on 18 parcels situated on the west side of Workman Place at the time of subdivision.

This fill resulted in the suitable building envelope for these parcels being situated closer to the front parcel line to Workman Place than was permitted by the minimum parcel line setbacks for the RS3 Zone.

Since this time, approximately nine (9) dwelling units have been constructed in accordance with the 4.5 metre front setback, and this includes the dwelling on the subject property.

Generally speaking, 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.

In this instance, the Board has already applied a lesser front setback to the subject property and the request to further reduce this by another 3.0 metres is seen to be excessive and uncharacteristic of other development on the street – development which has generally complied with the 4.5 metre setback established in 2019.

Other options are seen to be available to the applicant, such as constructing the proposed garage with a roof overhang (e.g. “carport”) that does not extend into the front setback area.

Alternative:

Conversely, Administration recognises that the subject property is situated at the terminus of Workman Place, that the edge of the constructed roadway — being a cul-de-sac — is approximately 14 metres from the edge of the proposed “carport”, and that this significantly exceeds the 4.5 metre front setback requirement (see Attachment No. 1).

Moreover, the adjacent parcel to the south is Crown land and is unlikely to ever be developed (due, in part, to topographical constraints), meaning Workman Place is *also* unlikely to be extended south and that the road edge associated with the cul-de-sac will not be moved closer to the proposed “carport”.

Accordingly, the reduced setback proposed for the “carport” is unlikely to ever adversely impact traffic movements on this section of Workman Place, or adversely impact adjacent development to the south.

Administration also recognizes that the topography of the site limits the ability to place an accessory structure for parking vehicles (e.g. “garage”) elsewhere on the property.

Summary:

In summary, and for the reasons outlined above, Administration does not support the requested variance.

Financial Implications:

Financial implications have been considered and none were found”.

Communication Strategy:

The proposed variance(s) have been notified in accordance with the requirements of the *Local Government Act* as well as the Regional District’s Development Procedures Bylaw No. 2500, 2011.

Alternative:

1. That the Board approve Development Variance Permit No. E2025.004-DVP.

Respectfully submitted

Endorsed by:

Endorsed by:

Jerritt Cloney _____



Jerritt Cloney
Planner I

C. Garrish
Senior Manager of Planning

A. Fillion
Managing Director, Dev. & Infrastructure

Attachments: No. 1 – Aerial Photo

No. 2 – Site Photo

No. 3 – Site Photo (Realtor.ca from 2019)

No. 4 – Applicant’s 3D Renderings of Proposed “Carport”

Attachment No. 1 – Aerial Photo



Attachment No. 2 – Site Photo



Attachment No. 3 – Site Photo (Realtor.ca from 2019)



Attachment No. 4 – Applicant’s 3D Renderings of Proposed “Carport”

