

TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: April 6, 2023
RE: Development Variance Permit Application — Electoral Area “H” (H2023.006-DVP)

Administrative Recommendation:

THAT Development Variance Permit No. H2023.006-DVP, to allow for the construction of an accessory building) at 156 Towers Road, Eastgate, be approved.

Legal: LOT 13, PLAN KAP12149, DISTRICT LOT 902, YDYD Folio: H-00810.000

OCP: Small Holdings (SH) Zone: Small Holdings Four (SH4)

Variance to reduce the minimum rear parcel line setback from 4.5 metres to 1.0 metres; and
Requests: to reduce the minimum interior side parcel line setback from 4.5 metres to 1.0 metres.

Proposed Development:

This application is to reduce the minimum rear parcel line setback from 4.5 metres to 1.0 metres and to reduce the minimum interior side parcel line setback from 4.5 metres to 1.0 metres in order to construct a new garage.

In support of this request, the applicant has stated that:

- *The Garage will store our vehicles, fire fighting gear, pumps, water totes, hoses, sandbags, etc.*
- *This will be our retirement location. Safe storage and ready-to-go vehicle access in the winter months is important. We also need to respond quickly in a fire or flood evacuation alerts and orders.*
- *We need our vehicle stored inside; in case we need to go to the hospital in Princeton quickly.*
- *We are asking for a variance to the setbacks so the garage does not infringe on our septic system and to improve the vehicle access path into the garage.*

Site Context:

The subject property is approximately 1353m² in area and is situated on the west side of Towers Road, approximately 35 km south from the boundary with Town of Princeton. The property is understood to contain one (1) singled detached dwelling, and multiple accessory buildings.

The surrounding pattern of development is generally characterised by similar residential development.

Background:

The property was created March 21, 1962, while available Regional District records indicate that a building permit for a carport (2016) has previously been issued for this property.

The property is designated Small Holdings (SH) and zoned Small Holdings Four (SH4) which lists accessory buildings and structures as a permitted accessory use.

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 15, 2023. All comments received are included as a separate item on the Board’s Agenda.

Analysis:

The use of setback regulations is generally to provide physical separation between neighbouring properties in order to protect privacy and prevent the appearance of overcrowding. 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.

The location of the proposed garage addresses physical constraints on the property by avoiding conflict with the existing septic field and by providing access via the existing driveway. Although it may be possible to site the proposed garage elsewhere on the property, The existing lot configuration makes this impractical.

The proposed garage location would maintain an approximate 10 metre separation from the nearest adjacent dwelling, and is not seen to adversely impact adjacent properties through loss of privacy, nuisance or fire risk.

Conversely, the applicant’s site plan indicates that several accessory buildings currently exist on the subject property (i.e. a shed, a ‘bunk house’, and a utilities shed/ wood shed).

Although the number of accessory buildings may contribute to the appearance of overcrowding, these uses are not seen to be out of character with the surrounding rural land use pattern or to unduly impact adjacent properties.

Alternatives:

1. That the Board deny Development Variance Permit No. H2023.006-DVP.

Respectfully submitted

Ben Kent

Ben Kent, Planner I

Endorsed by:



C. Garrish, Planning Manager

Attachments: No. 1 – Aerial Photo (Google Earth – 2023)

No. 2 – Aerial Photo (Google Earth – 2023)

Attachment No. 1 – Aerial Photo (Google Earth – 2023)



Attachment No. 2 – Aerial Photo (Google Earth – 2023)



Approximate
location of
proposed garage