

MEETING TYPE: Regular Council Meeting
MEETING DATE: June 4, 2024
AUTHOR: Trevor Empey, Senior Planner
DEPARTMENT: Planning and Development
ITEM TITLE: Development Variance Permit | DVP00404 | 14650 Carrs Landing Road
DESCRIPTION: Development Variance Permit to increase the permitted storeys of an accessory building

PURPOSE

To consider a Development Variance Permit for an accessory building proposed with an additional half storey.

RECOMMENDATION

THAT Development Variance Permit DVP00404 (Attachment A to the Report to Council dated June 4th, 2024) for property at 14650 Carrs Landing Road (Roll: 01751.124; PID: 016-351-240) to allow a two-storey accessory building, requiring a half-storey variance, be approved.

EXECUTIVE SUMMARY

The applicant proposes a two storey accessory building on the subject property. The Zoning Bylaw limits the height of accessory buildings in the RR3 – Rural Residential 3 zone (RR3) to the lesser of 8 metres or 1 ½ storeys. The proposed accessory building height (6.60 metres) would meet the height requirement of the zone, but not the number of storeys; therefore, the proposed accessory building would require a ½ storey Zoning Bylaw variance.

Properties in the area slope from east to west. The proposed accessory building would be located uphill of the existing dwellings on adjacent parcels. No building sites are located directly east of the subject property along Carrs Landing Road.

Staff support the proposed variance.

BACKGROUND/HISTORY

The applicant submitted a Development Permit (DP) application to authorize the proposed accessory building. Staff will evaluate the proposed development against the DP Area guidelines as required by OCP policy.

There is an existing single family dwelling on the subject property.

TABLE 1: PROPERTY INFORMATION

PROPERTY INFORMATION			
Civic Address:	14650 Carrs Landing Road		
Roll Number:	01751.124		
Legal Description:	PID: 016-351-240 LOT D SECTION 5 OSOYOOS DIV OF YALE LAND DISTRICT PLAN KAP43601 TOWNSHIP 14		
Applicant:	Fawdry Homes Ltd.	Owner(s):	Peter and Charlene Janson
OCP Designation:	Rural Residential		
Existing Zoning Designation:	RR3 – Rural Residential 3		
Proposed Zoning:	N/A		
Land Use Contract:	N/A		

ALR:	N/A	
Parcel Size:	0.27 Hectares (0.67 Acres)	
DP Area(s):	Agricultural, Hillside, Natural Environment, Greenhouse Gas Reduction	
Water Supply:	Private	
Sewer:	Municipal	
Site Context:	Zoning:	Use:
North:	RR3 – Rural Residential	Single family dwelling
East:	A1 – Agricultural	Agricultural
South:	RR3 - Rural Residential	Single family dwelling
West:	W1 – Recreational Water Use	Okanagan Lake

SITE CONTEXT

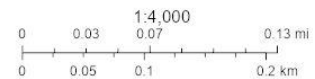
The rural residential property is located in the Carrs Landing Ward of the District of Lake Country. Agricultural lands are located to the east. The subject property is sloped downwards to the Okanagan Lake and the proposed building location would be in a sloped area of the parcel and uphill from the existing dwelling. An accessory building and single-family residence are located on the neighbouring property to the south and a single-family dwelling exists on the parcel to the north which is separated by a small vegetative buffer.

MAP 1: LOCATION MAP



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- Building
- Easements
- Lakes
- Parcels
- Streets
- Lake Country Boundary
- Street

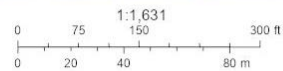


MAP 2: ORTHOPHOTO



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- Parcels (On Ortho)
- Streets
- Lakes
- Lake Country Boundary
- Easements
- Street Names 502-1001



District of Lake County Online Mapping System
District of Lake Country

FIGURE 1: CONCEPTUAL SITE PLAN

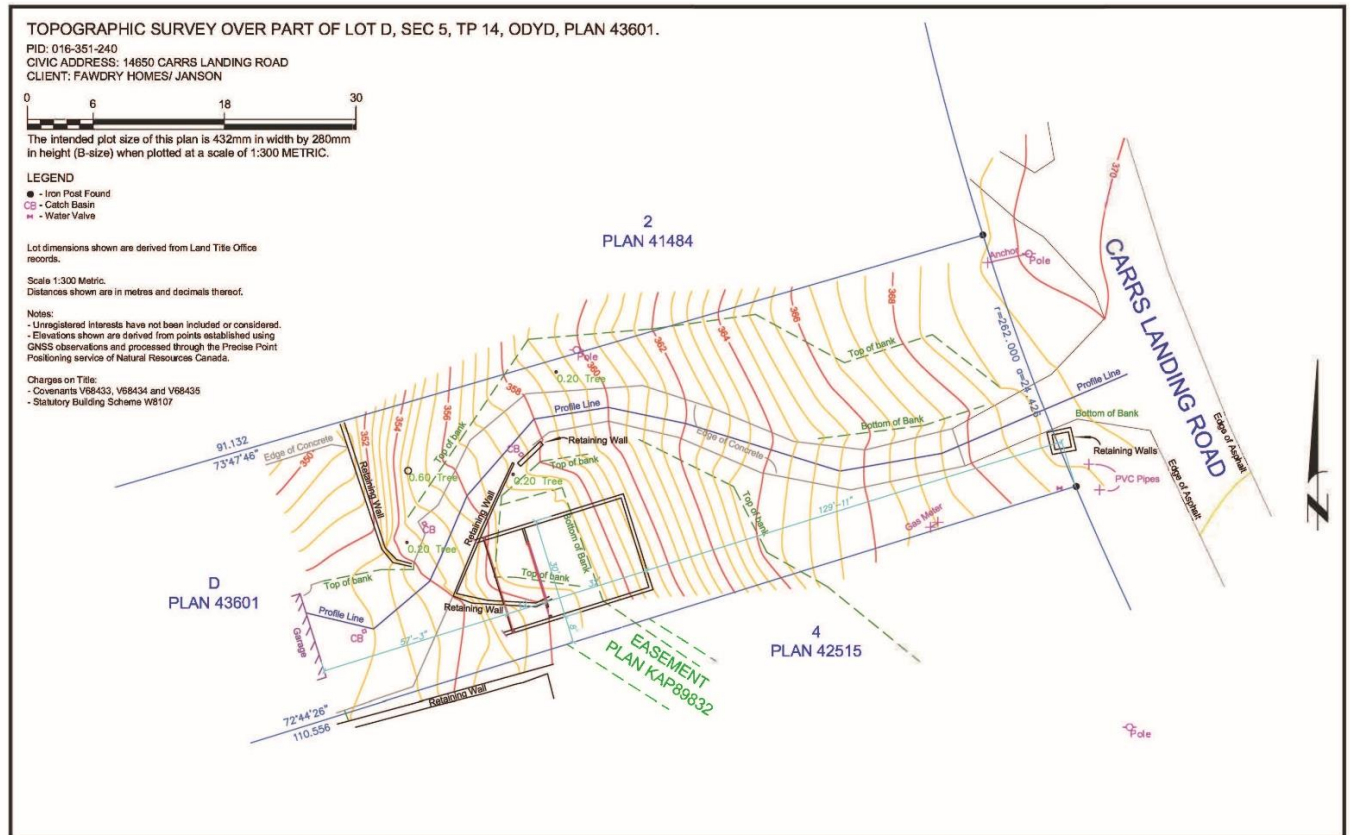


FIGURE 2: ACCORY BUILDING ELEVATIONS

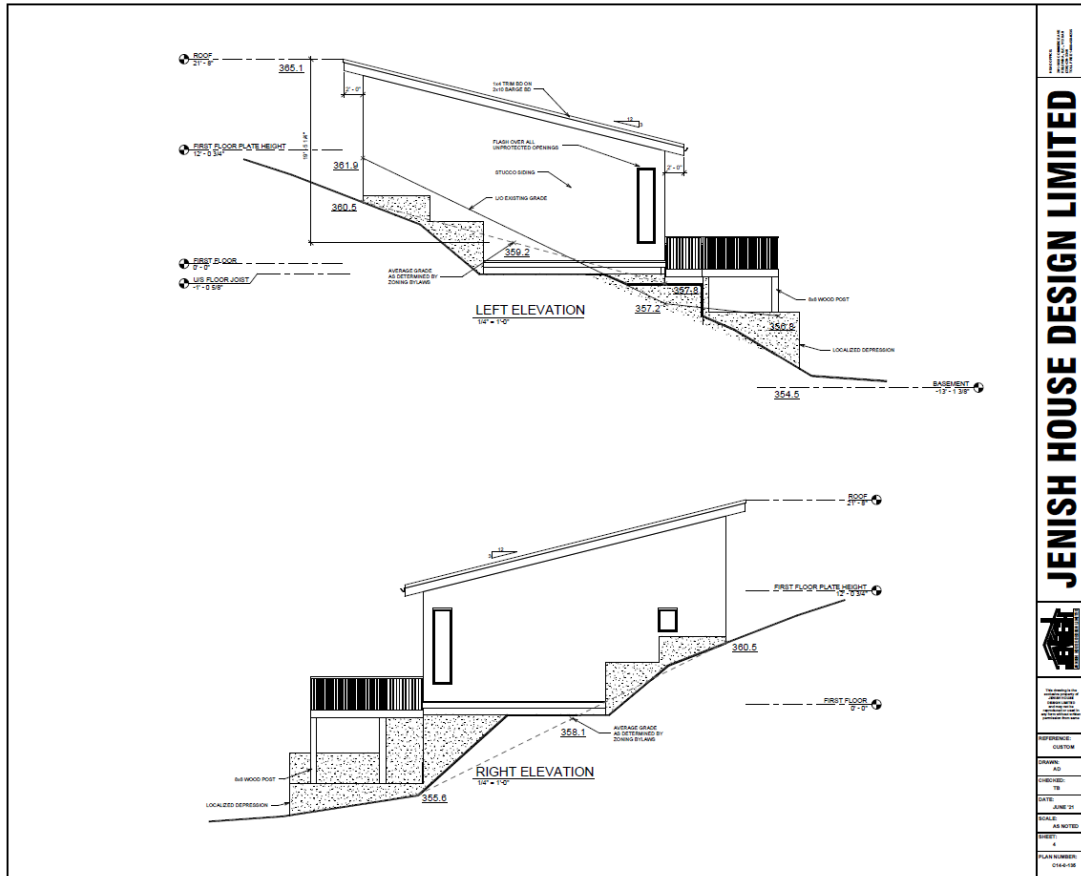
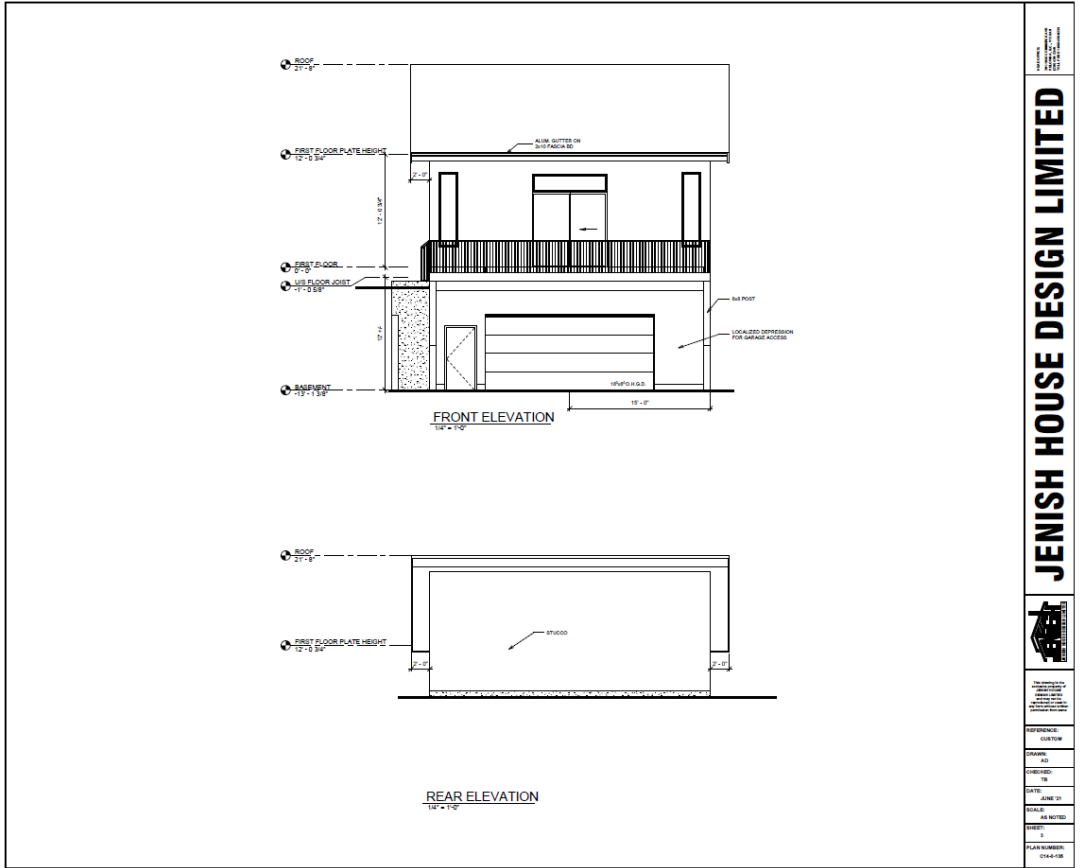


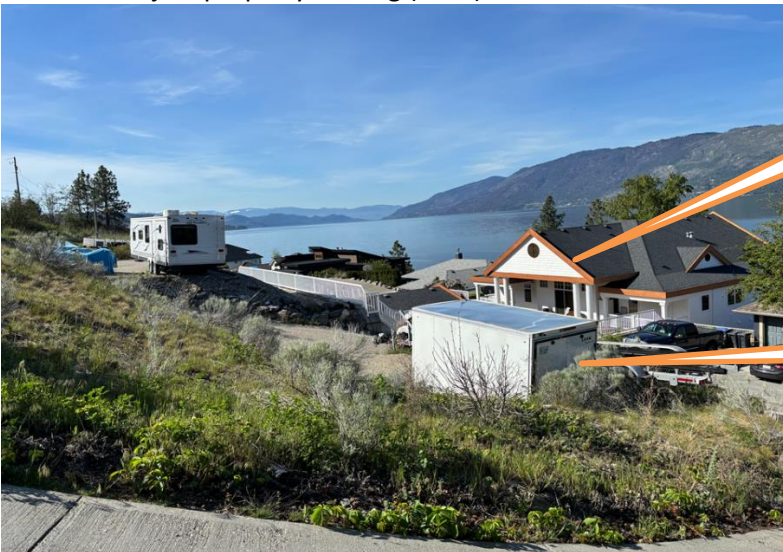
FIGURE 3: SITE PHOTOS



Photo 1: Subject property looking (west)



Photo 2: Agricultural land east of the subject property



Neighbouring parcel and single-family dwelling

Proposed development location

Photo 3: Proposed accessory building location and neighbouring parcel (south)



Photo 4: Proposed accessory building location (looking northeast)

TABLE 2: FILE CHRONOLOGY

Date	Event
2022-01-28	Application submission
2024-03-05	Referrals
2024-04-16	External Referral
2024-04-11	Variance Application

DISCUSSION/ANALYSIS

Through review of the associated Technical Development Permit application, staff noted that the proposed accessory building height would not conform to height requirements of the RR3 zone which permits the lesser of 8.0 metres or 1 ½ storeys. Although the proposed height (6.60 metres) of the accessory building would conform to the Zoning Bylaw, the permitted number of storeys (2) would not, requiring a ½ storey Zoning Bylaw variance.

Staff also evaluated the Hillside Development Sightlines regulations under section 7.13 of the Zoning Bylaw and note that they would not apply in this case, as the RR3 zoning regulations are more restrictive in terms of the permitted height. Staff note that the accessory building would conform to all other applicable development regulations under the Zoning Bylaw. As such the applicant is requesting a variance to the RR3 Development Regulations (s.14.3.6) as follows:

From: The maximum height is the lesser of 9.5 m or 2½ storeys, except it is the lesser of 8.0 m or 1½ storeys for accessory buildings and 13.0 m for accessory structures.

To: The maximum height is the lesser of 9.5 m or 2½ stories, except it is the lesser of 8.0 m or 2.0 storeys, a ½ storey variance, for accessory buildings and 13.0 m for accessory structures.

Staff note the proposed accessory building would be located near structures on the adjacent parcel (14630 Carrs Landing); however, as the subject property slopes downwards significantly, the proposed building would be integrated into the existing slope and the height in metres of the proposed accessory building would conform to permitted height of the RR3 zone. Staff support this variance.

APPLICABLE LEGISLATION, BYLAWS AND POLICIES

Local Government Act s.498

Zoning Bylaw 561, 2007

IMPACT ON INFRASTRUCTURE, SERVICES AND STAFF CAPACITY

Anticipated impacts on service infrastructure and staff capacity consistent with the development of an accessory structure are expected.

FINANCIAL IMPLICATIONS

None Budget Previously Approved Other (see below)

CONSULTATION

As this application is for a Development Variance Permit, statutory notification is required in the form of:

- Neighbourhood Consultation
- Development Variance Permit sign posted on the subject property.

Public notification (mail out) occurred to five properties within 50m of the subject property and one DVP sign was posted in the front yard on the subject property. Staff will provide a summary of any feedback received at the scheduled Council meeting.

COMMUNICATIONS

N/A

ALIGNMENT WITH COUNCIL STRATEGIC PRIORITIES

- Create and Support Opportunities for a Healthy, Active and Inclusive Community
- Create Infrastructure That Meets Community Needs
- Encourage Growth of the Downtown Core
- Ensure Sustainable Water Service Delivery for the Community
- Explore Opportunities to Engage with Regional Local Governments for the Betterment of the Community
- Honour Reconciliation by Strengthening Relationships and Inclusiveness with Our Indigenous Partners
- Identify and support improvements to the Development Process
- Implement the Agricultural Plan
- Preserve, Protect and Enhance Our Natural Environment
- Secure long term wastewater service delivery for our community
- Support Opportunities to Diversify Lake Country's Tax Base

ALIGNMENT WITH MASTER PLANS

- | | |
|--|--|
| <input type="checkbox"/> Agricultural Plan | <input checked="" type="checkbox"/> Official Community Plan |
| <input type="checkbox"/> Climate Action Charter | <input type="checkbox"/> Parks & Recreation Master Plan 2019 |
| <input type="checkbox"/> Housing Needs Report | <input type="checkbox"/> Sanitary Sewer System Map |
| <input type="checkbox"/> Liquid Waste Management Plan Stage 1/2 Report | <input type="checkbox"/> Transit Future Plan-Central Okanagan Region-DRAFT |
| <input type="checkbox"/> McCoubrey Plateau Area Structure Plan | <input type="checkbox"/> Transportation for Tomorrow |
| <input type="checkbox"/> Mobility Master Plan | <input type="checkbox"/> Water Master Plan |

OPTIONS

- A. THAT Development Variance Permit DVP00404 (Attachment A to the Report to Council dated June 4th, 2024) for property at 14650 Carrs Landing Road (Roll: 01751.124; PID: 016-351-240) to allow a two-storey accessory building, requiring a half-storey variance, be approved.
- B. THAT Development Variance Permit DVP00404 (Attachment A to the Report to Council dated June 4th, 2024) for property at 14650 Carrs Landing Road (Roll: 01751.124; PID: 016-351-240) to allow a two-storey accessory building, requiring a half-storey variance, not be approved.
- C. THAT Development Variance Permit DVP00404 (Attachment A to the Report to Council dated June 4th, 2024) for property at 14650 Carrs Landing Road (Roll: 01751.124; PID: 016-351-240) to allow a two-storey accessory building, requiring a half-storey variance, be deferred pending receipt of additional information as identified by Council.

Collaborators: *(each individual collaborator to add name and date reviewed)*

Name	Date Reviewed

Respectfully Submitted,
Trevor Empey, Senior Planner
MCIP, RPP

Report Approval Details

Document Title:	DVP00404 - 14650 Carrs Landing Road .docx
Attachments:	- Attachment A - DVP00404 - Draft Permit.pdf - Attachment B - Site Plan and Renderings.pdf
Final Approval Date:	May 27, 2024

This report and all of its attachments were approved and signed as outlined below:

Reyna Seabrook, Director of Corporate Services - May 27, 2024 - 3:22 PM

Paul Gipps, Chief Administrative Officer - May 27, 2024 - 3:31 PM