

**To:** Mayor and Council  
**From:** Paul Gipps, CAO

**Meeting Date:** March 18, 2025  
**Meeting Type:** Regular Council Meeting

**Prepared by:** Carie Liefke, Manager of Current Planning  
**Department:** Planning and Development

**Title:** Development Variance Permit |DVP00414 | 16166 Commonage Road  
**Description:** To vary the permitted storeys of a proposed single-family dwelling at 16166 Commonage Road

**RECOMMENDATION**

THAT Development Variance Permit DVP00414 (Attachment A in the Report to Council dated March 18, 2025) for the property at 16166 Commonage Rd, legally described as Lot 5 Sec 8 Twp 14 ODYD Plan KAP85591, PID 027-336-409, be approved.

**EXECUTIVE SUMMARY**

The applicant proposes a three storey single-family dwelling on the subject property. The Zoning Bylaw limits the height of single-family dwellings (SFD) in the RR2 – Rural Residential zone to the lesser of 9.5 metres or 2 ½ storeys. The proposed single-family dwelling building height (12.3 metres) would meet the measured height requirements due to the uphill slope of the property being in excess of 10%, but does not meet the limitation on the number of storeys. Therefore, the proposed single-family dwelling would require a ½ storey variance.

Properties in the area slope from west to east (uphill). The proposed single-family dwelling would be located in the middle of the subject property and would not impact the views from the uphill parcel. Staff support the proposed variance.

**BACKGROUND**

Property Information			
<b>Application Type</b>	Development Variance Permit	Application Date: 2025-01-31	
<b>Variances</b>	① increase permitted height of single-family dwelling <b>from</b> the ‘lesser of 9.5m or 2.5 storeys’ <b>to</b> the ‘lesser of 12.3m or 3 storeys’		
<b>Folio/Roll #:</b>	01760.070		
<b>PID &amp; Legal Description</b>	027-336-409; LOT 5 SECTION 8 TOWNSHIP 14 OSOYOOS DIVISION YALE DISTRICT PLAN KAP85591		
<b>Civic Address:</b>	16166 Commonage Rd.		
<b>Applicant:</b>	Lineage Homes	<b>Owner s):</b>	Jalinder and Sukh Kallu
<b>OCP Designation:</b>	Rural Residential		
<b>Zoning Designation:</b>	RR2 – Rural Residential		
<b>Land Use Contract</b>	NA		
<b>ALR:</b>	NA		
<b>Parcel Size:</b>	2.77 Acres / 1.13 Hectares		
<b>Development Permit Areas:</b>	<ul style="list-style-type: none"> <li>Natural Environment</li> <li>Drainage Hazard</li> </ul>		
<b>Water Supply:</b>	Municipal		
<b>Sewer:</b>	Private		

Site Summary:	Zoning:	Use:
North:	RR2 – Rural Residential	Single-family dwelling
East:		
South:	P1 – Public Park and Open Space	Parkland
West:	A1 – Agricultural	Agriculture

## ANALYSIS

The applicant has proposed to build a single-family dwelling on the subject property located at 16166 Commonage Road (Attachment B). The applicant originally submitted a Development Permit (DP) application to address natural environment and drainage considerations and through the review of the DP submission it was noted that the proposed SFD would not conform to the height requirement of the RR2 zone (the lesser of 9.5m or 2 ½ storeys). The dwelling is proposed to be 12.3m and 3.0 storeys (Attachment C).

The Zoning Bylaw currently measures the height of a building in several ways; for the RR2 zone this includes:

- a) a measured height for hillside development sight lines (bylaw section 7.13)
- b) a measured height in metres (maximum 9.5 metres),
- c) a measured height in storeys (maximum 2 ½ storeys), and

This proposal meets the requirements for the measured height in metres and for the hillside development sight lines, but a variance is necessary for the number of storeys proposed. Analysis of the height requirements are as follows:

- a) Hillside development sight lines: this regulation would apply to this proposal as the lot has a slope in excess of 10%. This regulation requires building height to not exceed a height which is 2.0m above the front property line of the uphill property. In this case the front lot line of the uphill property is at an elevation of ~495m, which thereby creates a maximum building height elevation of ~497m. The maximum height of the proposed building is at ~437.15m, which is an elevation difference of negative ~59.85m and therefore no views from the uphill property would be impacted. The proposal meets this regulation within the zoning bylaw.
- b) Measured height in metres: Based on the definition of height for a single detached dwelling on a lot that slopes upward from the road, *height means the vertical distance from the highest point on the building or structure to the average elevation of the rear property line*. The proposed top of roof is at an elevation of ~437.15m and the rear property line is at an elevation of ~448.24m (Attachment D) thereby providing a negative ~11.5m height clearance from rear property line elevation. Therefore, although the total building height would be 12.3m the proposed building would not exceed the elevation of the rear property line and therefore is in compliance with the definition.
- c) Measured height in storeys: based on the front elevation of the proposed dwelling the building is 3 storeys in height. As the RR2 zone only permits a 2 ½ storey building, a ½ storey variance would be required to permit the dwelling to be constructed.

The applicant has requested, and staff support the request to vary the RR2 zone height development regulations of section 14.2.6.(b) as follows:

From: The maximum height is the lesser of 9.5 m or 2½ storeys

To: The maximum height is the lesser of 12.3 m or 3.0 storeys

## FINANCIAL IMPLICATIONS

- None       Budget Previously Approved       Other (see below)

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**COMMUNICATION**

- This application was referred to internal departments and comments were provided and shared with the applicant. No concerns were raised regarding the proposed height of the building.
- Neighbour Consultation was completed and the applicant noted that supportive feedback was provided by neighbours consulted
- Staff completed Statutory Notification requirements where properties within 100m were notified and a Development Notice Sign was placed on the subject property

**ALTERNATE RECOMMENDATION(S)**

1. THAT Development Variance Permit DVP00414 (Attachment A in the Report to Council dated March 18, 2025) for the property at 16166 Commonage Rd, legally described as Lot 5 Sec 8 Twp 14 ODYD Plan KAP85591 PID 027-336-409, to allow a 3 storey single-family dwelling, not be approved.
2. THAT Development Variance Permit DVP00414 (Attachment A in the Report to Council dated March 18, 2025) for the property at 16166 Commonage Rd, legally described as Lot 5 Sec 8 Twp 14 ODYD Plan KAP85591 PID 027-336-409, to allow a 3 storey single-family dwelling, be deferred pending receipt of additional information as identified by Council.

Respectfully Submitted,

**Carie Liefke, Manager of Current Planning  
RPP, MCIP**

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**Report Approval Details**

Document Title:	DVP00414 - 16166 Commonage Rd .docx
Attachments:	- Attachment A - DVP00414 - Draft Permit.pdf - Attachment B - DVP00414 - Location Map.pdf - Attachment C - DVP00414 - Elevations.pdf - Attachment D - DVP00414 - Site Layout.pdf
Final Approval Date:	Mar 13, 2025

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

**Jeremy Frick, Director of Development Approvals - Mar 12, 2025 - 11:36 AM**

**Reyna Seabrook, Director of Corporate Services - Mar 12, 2025 - 5:22 PM**

**Paul Gipps, Chief Administrative Officer - Mar 13, 2025 - 7:36 AM**

**Makayla Ablitt, Legislative & FOI Coordinator - Mar 13, 2025 - 10:06 AM**