



# BOARD REPORT

**TO:** Chair and Directors

**File No:** DVP 701-81  
PL2018080

**SUBJECT:** Electoral Area C: Development Variance Permit No. 701-81

**DESCRIPTION:** Report from Candice Benner, Development Services Assistant, dated October 1, 2018.  
#3-6581 Eagle Bay Road, Wild Rose Bay

**RECOMMENDATION:** THAT: in accordance with Section 498 of the Local Government Act, Development Variance Permit No. 701-81 for the fractional northwest ¼ of Section 17, Township 23, Range 8, W6M KDYD Except Plan H16001, varying South Shuswap Zoning Bylaw No. 701, as follows:

Section 13.2.3 Minimum Setback From the rear parcel line from 5 m to 4.1 m for the existing single family dwelling and from 5 m to 2.5 m for the existing deck attached to the dwelling on Share Lot #3 only, be approved for issuance this 18<sup>th</sup> day of October, 2018.

## SHORT SUMMARY:

The subject property is located within a shared interest parcel at #3-6581 Eagle Bay Road. The owners want to build a loft onto the existing single family dwelling located on the property; the proposed works trigger the requirement for a Development Variance Permit (DVP) for the rear parcel line from 5 m to 4.1 m for the existing single family dwelling and from 5 m to 2.5 m for the existing deck attached to the dwelling. The rear parcel line is the parcel line adjacent to Shuswap Lake.

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**VOTING:** Unweighted Corporate  LGA Part 14 (Unweighted)  Weighted Corporate  Stakeholder (Weighted)

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## BACKGROUND:

**OWNERS:**  
Glenwood Beach Properties Ltd.

**AGENT:**  
Cameron Mathewson

**ELECTORAL AREA:**  
C (Wild Rose Bay)

**CIVIC ADDRESS:**  
#3-6581 Eagle Bay Road

**LEGAL DESCRIPTION:**

The fractional northwest ¼ of Section 17, Township 23, Range 8, W6M KDYD Except Plan H16001

**PID:**

013-857-177

**SIZE OF PROPERTY:**

2.979 ha

**SURROUNDING LAND****USE PATTERN:**

NORTH: Shuswap Lake

SOUTH: vacant, densely treed

EAST: residential

WEST: residential

**DESIGNATION:**

Electoral Area C Official Community Plan Bylaw No. 825

RR2- Rural Residential 2

**UPLAND ZONE:**

South Shuswap Zoning Bylaw No. 701

CH1 –Cluster Housing 1

**FORESHORE ZONE:**

Lakes Zoning Bylaw No. 900

FM1 –Foreshore Multifamily 1

**CURRENT USE:**

Single family dwelling

**PROPOSED USE:**

Single family dwelling

**SITE COMMENTS:**

The parent parcel is a shared interest development. The subject property is waterfront and currently has a single family dwelling located near the high water mark of Shuswap Lake.

**POLICY:****South Shuswap Zoning Bylaw No. 701**

Section 13 CH1 –Cluster Housing 1 zone

**13.1 Permitted Uses:**

.1 Single family dwelling;

.2 home business;

.3 accessory use.

**13.2 Regulations:****(e) Maximum height for:**

Principal buildings and structures: 10 m (32.81 ft.)

Accessory buildings: 6 m (19.69 ft.)

**.3 Minimum setback from:**

front parcel line 5 m

exterior side parcel line 4.5 m

interior side parcel line 2 m

rear parcel line 5 m

**.4 Maximum parcel coverage: 70%**

13.3.2 The maximum density permitted on that portion of the West ½ of Section 17, Township 23, Range 8, W6M KDYD which lies within the CH1 zone is 2.6 dwellings unit/ha.

**Development Variance Permit**

The applicant is proposing to vary:

Section 13.2.3 Minimum Setback From the rear parcel line from 5 m to 4.1 m for the existing single family dwelling and to 2.5 m for the existing deck attached to the dwelling, for Share Lot #3 only.

**FINANCIAL:**

There are no financial implications for this application; it is not the result of bylaw enforcement.

**KEY ISSUES/CONCEPTS:**

The owners wish to renovate their existing single family dwelling, which was built in 1963, to include a loft; the dwelling footprint does not change but the roofline of the dwelling will change. The new height of the dwelling will be 8 m which is less than the permitted 10 m in the zone.

There is an existing deck attached to the single family dwelling; it is 2.5 m from the rear parcel line and requires a variance.

The subject property is a shared interest; it appears that the lots have been surveyed to delineate individual lots for internal use by the share owners of Glenwood Beach Properties Ltd. From the site plan submitted, the existing single family dwelling on lot #3 has a 0.0 m setback from the west "side parcel line", however, this setback is not recognized legally by the CSRD as it is not defined in the zoning bylaw and therefore, a variance to the zoning bylaw is not required.

The single family dwelling is located 2.77 m and the deck 0.33 m from the mean annual high water mark of Shuswap Lake; due to the proximity to the lake, the proposed development triggers a RAR Development Permit (DP) and floodplain exemption. The owners also intend to upgrade their septic system which triggers a Lakes 100 m DP. The Manager of Development Services has been delegated the approval authority from the Board for these types of technical DPs and floodplain exemptions.

Staff is in receipt of a flood risk assessment by Onsite Engineering Ltd, August 14, 2018, that addresses the floodplain regulation and exemption requirements in Bylaw No. 701. The professional indicates that upon completing an assessment it is their professional opinion that there is a low risk with respect to

flooding hazards or landslides occurring regarding both the existing single family dwelling, attached deck, and proposed loft renovation and that can be considered safe for their intended use.

Staff is in receipt of a RAR assessment by High Country Consulting, October 15, 2018, that indicates that the proposed loft development will not create a HADD.

Staff have not yet received a professional report for the Lakes 100 m DP.

**SUMMARY:**

The owners of Share Lot #3 want to build a loft on the existing single family dwelling which is located within the rear parcel line setback and therefore the proposed works require a DVP to reduce this setback from 5 m to 4.1m for the single family dwelling. At this time it is also appropriate to consider a variance from 5 m to 2.5 m for the existing deck attached to the dwelling.

Development Services Staff recommends approval of DVP 701-81 for the following reasons:

1. Staff are in receipt of a floodplain assessment that indicates that the single family dwelling and deck in its current location may be safely used for its intended purpose;
2. The proposed loft will be constructed within the existing single family dwelling footprint and will not encroach further into the rear parcel line setback; and
3. The variance should have minimal to no impact on surrounding properties.

**IMPLEMENTATION:**

If this DVP is approved, the owners may begin their renovation once the DPs and floodplain exemption have been issued by the Manager of Development Services.

**COMMUNICATIONS:**

Notice of the proposed Development Variance Permit was sent to all owners of properties lying within 100 m of the subject property in accordance with Section 499 of the Local Government Act advising of the opportunity to comment on the proposed variances.

Advisory Planning Commission for Electoral Area C supported the variance for the rear parcel setback variance for the single family dwelling and deck.

**DESIRED OUTCOMES:**

That the Board support the staff recommendation to approve issuance of DVP 701-81.

**BOARD'S OPTIONS:**

1. *Endorse the Recommendation.*
2. *Deny the Recommendation.*
3. *Defer.*
4. *Any other action deemed appropriate by the Board.*

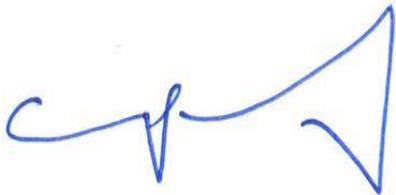
**LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:**

1. Electoral Area C Official Community Plan Bylaw No. 725
2. South Shuswap Zoning Bylaw No. 701
3. Onsite Engineering Flood Hazard Assessment, August 14, 2018

**Report Approval Details**

Document Title:	2018-10-18_Board_DS_DVP701-81_Glenwood_Beach_Properties.docx
Attachments:	- DVP701-81.pdf - Maps_Plans_Photos_DVP701-81.pdf
Final Approval Date:	Oct 4, 2018

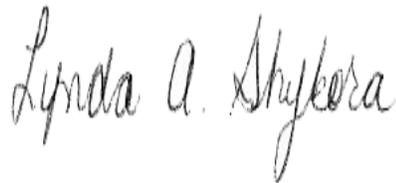
This report and all of its attachments were approved and signed as outlined below:



**Corey Paiement - Oct 4, 2018 - 11:31 AM**



**Gerald Christie - Oct 4, 2018 - 1:34 PM**



**Lynda Shykora - Oct 4, 2018 - 4:13 PM**



**Charles Hamilton - Oct 4, 2018 - 4:18 PM**