



BOARD REPORT

TO: Chair and Directors

File No: DVP 701-85
PL20190003

SUBJECT: Electoral Area C: Development Variance Permit No. 701-85 (Hardy)

DESCRIPTION: Report from Erica Hartling, Planner I, dated March 29, 2019.
14 - 6421 Eagle Bay Road, Wild Rose Bay

RECOMMENDATION: THAT: in accordance with Section 498 of the Local Government Act Development Variance Permit No. 701-85 for Strata Lot 14, Section 18, Township 23, Range 8, West of the 6th Meridian, Kamloops Division Yale District, Strata Plan KAS1797, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form 1, varying South Shuswap Zoning Bylaw No. 701 as follows:

- Section 15.2.5 minimum setback from the front parcel line from 5 m to 0 m and from the side parcel line from 2 m to 0.03 m only for a shed with a floor area up to and no more than 8 m².

be issued this 18th day of April, 2019.

SHORT SUMMARY:

The subject property is located at 14 - 6421 Eagle Bay Road in Wild Rose Bay of Electoral Area C. The property has an existing cabin and the owners are proposing to construct a shed in the south east corner of the lot. The proposed shed is 7.43 m² (80 ft²) and within the front parcel line setback and side parcel line setback and requires a variance to the South Shuswap Zoning Bylaw No. 701 from 5 m to 0 m for the front parcel boundary and 2 m to 0.03 m for the side parcel boundary, prior to construction.

VOTING:	Unweighted Corporate <input type="checkbox"/>	LGA Part 14 (Unweighted) <input checked="" type="checkbox"/>	Weighted Corporate <input type="checkbox"/>	Stakeholder (<i>Weighted</i>) <input type="checkbox"/>
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BACKGROUND:

REGISTERED OWNER(S):
Steven and Christine Hardy

ELECTORAL AREA:
C

LEGAL DESCRIPTION:
Strata Lot 14, Section 18, Township 23, Range 8, West of the 6th Meridian, Kamloops Division Yale District, Strata Plan KAS1797, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form 1.

PID:
023-518-332

CIVIC ADDRESS:

14 - 6421 Eagle Bay Rd

SURROUNDING LAND USE PATTERN:

North = Common property, Shuswap Lake

South = Common Road and Residential Strata Lots

East = Common Lake Access Road

West = Residential Strata Lots

CURRENT USE:

Cabin (i.e. single family dwelling)

PROPOSED USE:

Construct a 7.43 m² (80 ft²) shed (non-permanent structure) within the front and side parcel line setbacks.

PARCEL SIZE:

0.06 ha (0.14 acres)

DESIGNATION:

Electoral Area C Official Community Plan Bylaw No. 725

MD – Medium Density Residential

ZONE:

South Shuswap Zoning Bylaw No. 701

LH – Large Holding

Lakes Zoning Bylaw No. 900

FM2 - Foreshore Multifamily 2, site specific (Wild Rose Bay Properties)

SITE COMMENTS:

See "Maps_Plans_Photos_DVP701-85.pdf" attached.

The subject property is part of the Strata Plan KAS1797 and Wild Rose Bay Properties Ltd. The strata lot does not contain steep slopes and is located south of a small strip of common property adjacent to Shuswap Lake. The property currently contains an existing cabin located away from the lake and towards the south end of the lot. The proposed building site for the shed is at the southeast corner of the lot, setback away from Shuswap Lake and will be located outside the designated floodplain and riparian area.

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

See "BL701_Excerpts_BL701-85.pdf" attached.

LH – Large Holding

15.2 Regulations

.5	Minimum setback of Principal and Accessory Buildings from:	
	front parcel line	5 m
	exterior parcel line	4.5 m
	interior parcel line	2 m
	rear parcel line	5 m

FINANCIAL:

There are no financial implications for the CSRD as a result of this application.

KEY ISSUES/CONCEPTS:

See site plan in the attached "Maps_Plans_Photos_DVP701-85.pdf".

The owners are proposing to vary South Shuswap Zoning Bylaw No. 701, as follows:

- Section 15.2.5 minimum setback from the front parcel line from 5 m to 0 m and from the side parcel line from 2 m to 0.03 m only for a shed with a floor area up to and no more than 8 m².

The owners have proposed to locate a non-permanent 8 ft x 10 ft storage shed in the front and southeast corner of the property; locating the shed completely outside the Riparian Area Regulation Development Permit Area. The shed brings the total buildout on the property to approximately 170 m²; as the total footprint is less than 200 m² the development is exempt from requiring a Lakes 100 m Development Permit. The proposed shed will not require a CSRD Building Permit, as the Building Regulation Bylaw No. 660 and the BC Building Code do not apply to structures under 9.94 m² (107 ft²).

The location of the proposed shed should have minimal impact on surrounding properties, as it will be constructed behind the subject property's existing chain link fence, which is next to the common lake access road. The common lake access road contains a boat launch (motorized and non-motorized) and a walkway to the group moorage facility. The shed is a small non-permanent structure and it will be screened by the existing trees located in the common area between the front parcel boundary and the road.

The owners have also made an application to their building committee and Strata Council, for the proposed location of the shed. as there is currently a building scheme registered over the subject property that is regulated by the Strata and not the CSRD.

SUMMARY:

The application proposes to vary South Shuswap Zoning Bylaw No. 701, as follows:

- Section 15.2.5 minimum setback from the front parcel line from 5 m to 0 m and from the side parcel line from 2 m to 0.03 m only for a shed with a floor area up to and no more than 8 m².

Development Services staff are recommending that the Board consider issuance of Development Variance Permit No. 701-85, as the proposed location and size of the shed should have minimal impact on surrounding properties.

IMPLEMENTATION:

If Development Variance Permit No. 701-85 is approved, the notice of permit will be registered on subject property's title. The proposed shed is 7.43 m² (80 ft²) and will not require a CSRD Building Permit, as the Building Regulation Bylaw No. 660 and the BC Building Code do not apply to structures under 9.94 m² (107 ft²).

If the variance is approved, the owner will require a separate approval from the Strata Council before constructing the shed.

COMMUNICATIONS:

Property owners and tenants in occupation within 100 m of the subject property will be given notification a minimum of 10 days prior to the CSRD Board of Directors considering this application. The Strata Council will receive a copy of the notice because there is common property along the north, east, south parcels lines of the subject property. All interested parties will have the opportunity to provide comments regarding this application prior to the Board meeting. Copies of the written submissions are provided to the Board of Directors.

Referrals have been sent to the following:

- Area C APC

The Electoral Area C Advisory Planning Commission reviewed the application at their March 25, 2019 meeting and passed a resolution in support of the application.

DESIRED OUTCOMES:

That the Board endorse the staff recommendation.

BOARD'S OPTIONS:

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

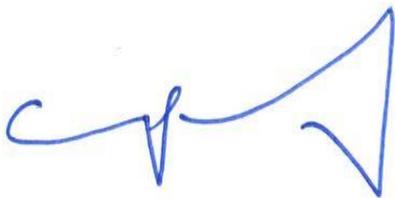
LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:

1. South Shuswap Zoning Bylaw No. 701
2. Electoral Area C Official Community Plan Bylaw No. 725
3. Electoral Area C Advisory Planning Commission Minutes March 25, 2019

Report Approval Details

Document Title:	2019-04-18_Board_DS_DVP701-85_Hardy.docx
Attachments:	- DVP701-85.pdf - BL701_Excerpts_DVP701-85.pdf - Maps_Plans_Photos_DVP701-85.pdf
Final Approval Date:	Apr 8, 2019

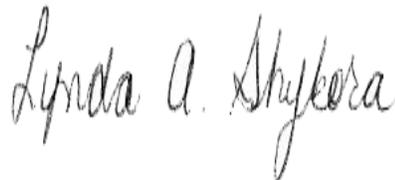
This report and all of its attachments were approved and signed as outlined below:



Corey Paiement - Apr 4, 2019 - 1:43 PM



Gerald Christie - Apr 5, 2019 - 8:35 AM



Lynda Shykora - Apr 8, 2019 - 11:48 AM



Charles Hamilton - Apr 8, 2019 - 1:53 PM