



BOARD REPORT

TO: Chair and Directors

File No: DVP701-80
PL20180000045

SUBJECT: Electoral Area C: Development Variance Permit No. 701-80 (Miles)

DESCRIPTION: Report from Erica Hartling, Development Services Assistant, dated May 30, 2018.
3401 Roncastle Road, MacArthur Heights.

RECOMMENDATION: THAT: in accordance with Section 498 of the Local Government Act Development Variance Permit No. 701-80 for Lot 3, Section 30, Township 22, Range 10, West of the 6th Meridian, Kamloops Division Yale District, Plan KAP92908, varying South Shuswap Zoning Bylaw No. 701 as follows:

Section 7.2.4 Maximum height for principal buildings and structures from 10 m to 10.6 m only for a single family dwelling and attached garage.

be considered for issuance this 21st day of June, 2018.

SHORT SUMMARY:

The subject property is located in the Reedman Point/MacArthur Heights area of Electoral Area C, at 3401 and 3404 Roncastle Road and is subject to South Shuswap Zoning Bylaw No. 701 and Electoral Area C Official Community Plan Bylaw No. 725. The owner is proposing to construct a new single family dwelling and attached garage on the subject property. This project requires a variance to the maximum height of the single family dwelling and attached garage from 10 m to 10.6 m.

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

REGISTERED OWNER(S):
Edward and Dawn Miles

AGENT:
Copper Island Fine Homes Inc. c/o Greg Vistisen

ELECTORAL AREA:
C

LEGAL DESCRIPTION:
Lot 3, Section 30, Township 22, Range 10, West of the 6th Meridian,
Kamloops Division Yale District, Plan KAP92908

PID:

029-008-204

CIVIC ADDRESS:

3401 & 3404 Roncastle Road

SURROUNDING LAND USE PATTERN:

North = Rural residential

South = Roncastle Road/Vacant Residential

East = CSRD waterworks buildings (3404 Roncastle Road), Vacant Residential

West = Rural residential

CURRENT USE:

Vacant land on the west portion of the subject property at 3401 Roncastle Road. East portion of the subject property contains a BC Hydro and TELUS statutory right of way and also a CSRD statutory right of way for the Utilities reservoir and water treatment plant at 3404 Roncastle Road.

PROPOSED USE:

Construct a new single family dwelling and attached garage on the southwest side of the subject property. The dwelling will be constructed on a slope and the building design includes a vault ceiling, bringing the building's height 0.6 m over the permitted maximum height for a principal building.

PARCEL SIZE:

1.18 ha (2.92 acres)

DESIGNATION:

Electoral Area C Official Community Plan Bylaw No. 725

RR2 - Rural Residential 2

ZONE:

South Shuswap Zoning Bylaw No. 701

RR1 - Rural Residential (.4ha)

SITE COMMENTS:

See "Maps_Plans_Photos_DVP701-80.pdf" attached.

The subject property is located adjacent to and north of the Roncastle Road cul-de-sac. The subject property currently has a CSRD Utilities reservoir and water treatment plant on the eastern portion of the lot. The vacant western portion of the subject property contains 10 - 50% slopes and the proposed dwelling will be located in an area with 10 – 35% slopes. The subject property is part of an eight lot subdivision registered in 2013. As conditions of approval of the subdivision a number of charges were registered on the title of the new lots.

Charges on title include:

1. Statutory Right of Way (SRW) P59145 / LB183010 – Plan A14515 - grants CSRD waterline and ancillary apparatus over the eastern portion of the subject property;
2. SRW LB383658/9 - grants BC Hydro/Telus works over the eastern portion of the subject property;

3. SRW - LB389891 Plan KAP90911 – grants CSRD reservoir and water treatment plant over the eastern portion of the subject property;
4. Covenant CA4015832 - registered on all lots in the subdivision, this appears to be a means of controlling the aesthetics of the built form within the subdivision. Transferees are the developer/agent applying on behalf of the owner of the subject property. The CSRD does not enforce this type of covenant.

SERVICING:

CSRD MacArthur Heights / Reedman Heights Waterworks and onsite sewage disposal system.

ACCESS:

See "Maps_Plans_Photos_DVP701-80.pdf" attached.

Driveway accessed directly from Roncastle Road. The proposed driveway splits off from the shared BC Hydro/Telus/CSRD access.

POLICY:**Electoral Area C Official Community Plan Bylaw No. 725****Section 3.4 - Residential**

Residential development is subject to the following land use designations, housing forms and maximum densities:

RR2 shall have detached or semi-detached housing form and a maximum density of 1 unit per 5 acres (2 ha).

12.1 Hazardous Lands Development Permit Areas (Steep Slope)*Purpose and Justification*

The Hazardous Lands (Steep Slope) Development Permit Area (DPA) is designated under the Local Government Act for the purpose of protecting development from steep slope hazardous conditions. Whereas steep slopes pose a potential landslide risk, a Steep Slope DPA is justified so that Development Permit (DP) guidelines and recommendations from qualified engineering professionals are utilized prior to development in steep slope areas in order to provide a high level of protection from ground instability and/or slope failure.

Area

All properties, any portion of which, contain slopes 30% or greater are designated as a Steep Slope DPA. The CSRD requires a slope assessment of slope conditions as a condition of development permit issuance. Provincial 1:20,000 TRIM mapping, using 20 m (66 ft) on tour information, may provide preliminary slope assessment; however, a more detailed site assessment may be required.

*A Steep Slope DP is required for the proposed development due to slopes on the property in excess of 30%. Staff are processing Development Permit No. 725-136 concurrently with the Development Variance Permit No. 701-30. Approval of technical Development Permits such as these has been delegated to the Manager of Development Services.

South Shuswap Zoning Bylaw No. 701

RR1 – Rural Residential Zone (4000 m²)

Permitted Uses

7.1 The following uses are permitted in the RR1 zone:

- .1 single family dwelling;
- .2 cottage, permitted only on parcels greater than 4,000 m²
- .3 bed and breakfast;
- .3 home business;
- .4 accessory use.

7.2 Regulations

- | | | |
|----|---|-----------------|
| .1 | Minimum parcel size for new subdivisions | 1 ha |
| .2 | Maximum number of single family dwellings per parcel | 1 |
| .3 | Maximum number of cottages per parcel | 1 |
| .4 | Maximum height for: | |
| | Principal buildings and structures | 10 m (32.81 ft) |
| | Accessory buildings | 6 m (19.69 ft) |
| .5 | Minimum setback from: | |
| | front parcel line | 5 m |
| | exterior parcel line | 4.5 m |
| | interior parcel line | 2 m |
| | rear parcel line | 5 m |
| .5 | Maximum coverage on parcels less than 4000 m ² | 40% |

FINANCIAL:

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

KEY ISSUES/CONCEPTS:

The owner is proposing to construct a new single family dwelling and attached garage on the subject property. The proposed dwelling complies with the RR1 zone permitted uses and setbacks and will be located outside the registered SRWs; however, the building is 0.6 m over the permitted maximum height of 10 m. The application proposes varying South Shuswap Zoning Bylaw No. 701 as follows:

- Section 7.2.4 Maximum height for principal buildings and structures from 10 m to
- 10.6 m only for a single family dwelling and attached garage.

The subject property contains steep slopes northwest of Roncastle Road, the most level area is located at the front of the subject property and to the eastern portion where the existing CSRD Waterworks Buildings are located. The lands on the west and east side of Roncastle are sloped, therefore there should be no impacts with regard to views from existing or future single family dwellings due to construction of the proposed over height single family dwelling. Majority of the neighbouring properties off of Roncastle Road are undeveloped and the adjacent neighbouring residences off of Duncan Road and McBride Road are downslope and currently face away from the subject property looking west and northwest.

Height is measured from the lowest point to highest point of a building or structure. As such, when a building is to be constructed on a slope this measurement is taken from the most exposed face of the building. When viewed from the front, the proposed dwelling's main level is 7.24 m in height. However, the rear elevation of the dwelling is built down slope facing west and has a walkout lower floor and the height from this side of the building is 10.6 m, which is 0.6 m over height. The proposed 0.6 m over height variance is requested by the agent to accommodate the building's design (walkout lower floor and main floor vaulted ceiling) constructed on a sloped lot.

SUMMARY:

The application proposes to vary:

- Section 7.2.4 Maximum height for principal buildings and structures from 10 m to
- 10.6 m only for a single family dwelling and attached garage.

Development Services staff are recommending that the Board consider issuance of Development Variance Permit No. 701-80 for the following reasons:

- The front elevation view of the single family dwelling is 7.24 m in height and the dwelling is situated down slope and at the end of the Roncastle Road cul-de-sac. The residential and vacant lands on the west and east side of Roncastle Road and the subject property are sloped, therefore there should be no impacts with regard to views from existing or future single family dwellings due to construction of the proposed over height single family dwelling; and,
- The requested variance is relatively minor at only 0.6 m.

IMPLEMENTATION:

If Development Variance Permit 701-80 is approved by the Board, staff will prepare a notice to be sent to the Land Title and Survey Authority of British Columbia (LTSA) for registration on title. The agent will be able to begin construction following issuance of both the Development Variance Permit and the Steep Slope Development Permit.

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. 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 May 28, 2018 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.*

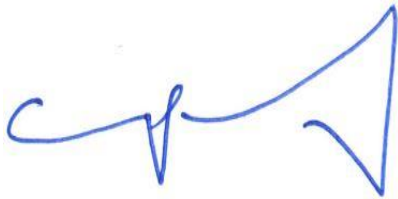
LIST NAME OF REPORT(S) / DOCUMENT(S) AVAILABLE FROM STAFF:

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 May 28, 2018

Report Approval Details

Document Title:	2018-06-21_Board_DS_DVP701-80_Miles.docx
Attachments:	- DVP701-80.pdf - Maps_Plans_Photos_DVP701-80.pdf
Final Approval Date:	Jun 8, 2018

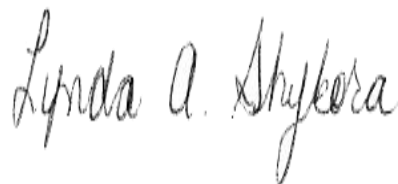
This report and all of its attachments were approved and signed as outlined below:



Corey Paiement - Jun 8, 2018 - 9:19 AM



Gerald Christie - Jun 8, 2018 - 12:06 PM



Lynda Shykora - Jun 8, 2018 - 1:56 PM

No Signature - Task assigned to Charles Hamilton was completed by assistant Lynda Shykora

Charles Hamilton - Jun 8, 2018 - 1:57 PM