

**CITY OF ENDERBY
DEVELOPMENT VARIANCE PERMIT APPLICATION**

AGENDA

File No: 0030-20-DVP-END

January 5, 2021

APPLICANT: Eric Borhaven

OWNER: Jim's Finishing Ltd., 633176 Alberta Ltd., Case Holdings Ltd.

LEGAL DESCRIPTION: LOT 2 SECTION 27 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN
KAMLOOPS DIVISION YALE DISTRICT PLAN KAP92074

PID #: 028-605-454

LOCATION: 31 Preston Drive West, Enderby BC

PROPERTY SIZE: 517 m² (0.128 acres)

ZONING: Residential Single Family (R.1-A)

O.C.P DESIGNATION: Residential Low Density

PROPOSAL: Construct a single-family dwelling

PROPOSED VARIANCE: Vary Sections 602.10.b and 602.10.d of Zoning Bylaw No. 1550, 2014 by reducing the minimum front yard setback area from 6 m (19.68 feet) to 5.59 m (18.34 feet) and reducing the minimum rear yard setback area from 6 m (19.68 feet) to 3.9 m (12.80 feet), respectively.

RECOMMENDATIONS:

THAT Council authorize the issuance of a Development Variance Permit for the property legally described as LOT 2 SECTION 27 TOWNSHIP 18 RANGE 9 WEST OF THE 6TH MERIDIAN KAMLOOPS DIVISION YALE DISTRICT PLAN KAP92074 and located at 31 Preston Drive West, Enderby B.C. to permit variances to the following Sections of the City of Enderby Zoning Bylaw No. 1550, 2014:

- Section 602.10.b by reducing the minimum front yard setback area from 6 m (19.68 feet) to 5.59 m (18.34 feet), as shown on the attached Schedule 'A'; and
- Section 602.10.d by reducing the minimum rear yard setback area from 6 m (19.68 feet) to 3.9 m (12.80 feet), as shown on the attached Schedule 'A'.

BACKGROUND:

This report relates to a Development Variance Permit application for the property located at 31 Preston Drive West, Enderby BC. The applicant is proposing to construct a single-family dwelling and in order to accommodate this proposed siting of the dwelling, the applicant is requesting variances to Sections 602.10.b and 602.10.d of Zoning Bylaw No. 1550, 2014 by reducing the minimum front yard setback area from 6 m (19.68 feet) to 5.59 m (18.34 feet) and reducing the minimum rear yard setback area from 6 m (19.68 feet) to 3.9 m (12.80 feet), respectively.

Site Context

The 517 m² (0.128 acre) subject property is undeveloped and is located on the eastern side of Preston Drive West. The property slopes in an easterly direction, with the lower eastern portion of the lot having a relatively flat bench. The property is located adjacent to a multi-use walkway to the north, which provides access to an unconstructed road off of Preston Crescent that the neighbourhood self-maintains as an enhanced open space amenity.

The subject property and surrounding properties are all zoned Residential Single Family (R.1-A) and are designated in the Official Community Plan (OCP) as Residential Low Density.

The following figure shows the zoning designations of the subject and surrounding properties:

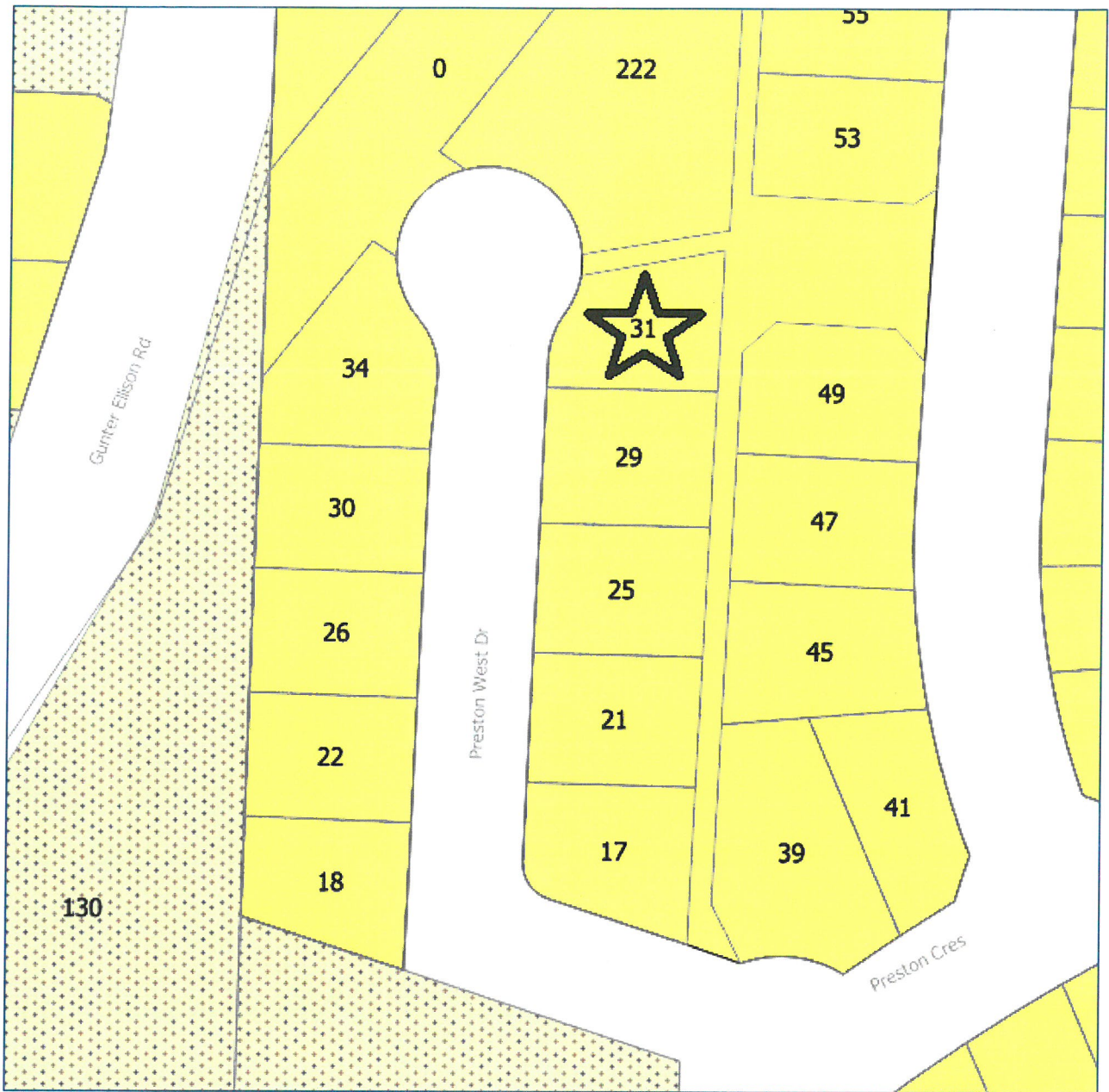


Figure 1: Zoning Map

Yellow - Residential Single Family (R.1-A) Zone
Dotted - Country Residential (C.R) Zone

The following orthophoto of the subject and surrounding properties was taken in 2019:



Figure 2: Orthophoto

The Proposal

The applicant is proposing to construct a single-family dwelling on the subject property and is proposing variances to the Zoning Bylaw in order to reduce the minimum front yard setback area from 6 m (19.68 feet) to 5.59 m (18.34 feet) and reduce the minimum rear yard setback area from 6 m (19.68 feet) to 3.9 m (12.80 feet).

ZONING BYLAW:

The subject property is zoned Residential Single Family (R.1-A) and the permitted uses within this zone include accessory residential buildings, single-family dwellings, secondary suites, bed and breakfasts, civic and public service use, and restricted agricultural use. The proposal as compared to the Zoning Bylaw requirements for the R.1-A zone is as follows (highlighted items require a variance):

CRITERIA	R.1-A ZONE REQUIREMENTS	PROPOSAL
Floor Area (min.)	60 m ² (645.8 square feet)	> 60 m ² (645.8 square feet)
Building Height (max.)	9 m (29.53 feet) or two (2) storeys except where the average natural slope of the lot exceeds five percent (5%), in which case the height of residential dwellings on the downhill side of a road shall not exceed a height of 8 m (26.25 feet) above the centre line of the road immediately adjacent to the center of the front of the residence and residential dwellings located on the uphill side of the road shall not exceed a height of 8 m (26.25 feet) above the midpoint of the rear property line on which the residence is located	< 9 m (29.53 feet) or 8 m (26.25 feet) above the centre line of the road immediately adjacent to the center of the front of the residence
Lot Area (min.)	450 m ² (4,844 square feet)	517 m ² (5,565 square feet)
Lot Coverage (max.)	50%	< 50%
Lot Frontage (min.)	15 m (49.21 feet)	19.08 m (62.6 feet)
Setbacks (min.)		
Front Yard	6 m (19.68 feet)	5.59 m (18.34 feet)
Rear Yard	6 m (19.68 feet)	3.9 m (12.80 feet)
Side Yard	1.2 m (3.94 feet)	1.85 m (6.07 feet)
Other buildings	3 m (9.842 feet)	N/A

OFFICIAL COMMUNITY PLAN:

Policies contained within the Official Community Plan which apply to this development include:

- Policy 2.2.b - To maintain and enhance the City of Enderby as a sustainable, diverse, vibrant, unique and attractive community.
- Policy 2.2.c - To maintain and enhance the social well-being, development, and the quality of life for all citizens of Enderby.

- Policy 2.2.f - To respect and preserve a process of open, flexible and participatory decision making in the ongoing planning and day-to-day decisions of the City.
- Policy 3.3.c - Council recognizes that development of land has social impacts and will act through the approval process to minimize negative and maximize positive impacts.

REFERRAL COMMENTS:

The subject application was referred to the City of Enderby Public Works Manager, Building Inspector, and Fire Chief. No comments were received in response to the referral.

PLANNING ANALYSIS:

The City of Enderby Planner raises no objections to the applicant's request to vary Sections 602.10.b and 602.10.d of Zoning Bylaw No. 1550, 2014 by reducing the minimum front yard setback area from 6 m (19.68 feet) to 5.59 m (18.34 feet) and reducing the minimum rear yard setback area from 6 m (19.68 feet) to 3.9 m (12.80 feet), respectively. Upon consideration of input from adjacent land owners, it is recommended that Council authorize the issuance of the Development Variance Permit for the following reasons:

- The proposed setback reductions are relatively minor in nature (i.e. 0.41 m reduction in front, 1.1 m reduction in rear), and thus the proposed dwelling will be sited in a manner similar to the neighbouring dwellings and will not detract from the built form of the neighbourhood;
- Given the subject property's location at the terminus of a cul-de-sac, the curvature of the road gives the property an irregular front lot line such that it significantly reduces the ability to construct a dwelling without requiring variances to the front and/or rear yard setbacks;
- The proposed siting would only involve the northeast corner of the dwelling encroaching into the required front yard setback area;
- A reduced rear yard setback will not impact the use and enjoyment of the residential property to the east, given that there is a 3 m (9.842 feet) wide dedication between the properties which acts as a buffer;
- A portion of the rear of the property is adjacent to an unconstructed road off of Preston Crescent that the neighbourhood self-maintains as an enhanced open space amenity, which will not be impacted by a reduced rear yard setback; and
- It is not anticipated that the proposed variances would negatively affect the use and enjoyment of the subject or neighbouring properties.

SUMMARY

This is an application for a Development Variance Permit for the property located at 31 Preston Drive West, Enderby BC. The applicant is proposing to construct a single-family dwelling and in order to accommodate this proposed siting of the dwelling, the applicant is requesting variances to Sections 602.10.b and 602.10.d of Zoning Bylaw No. 1550, 2014 by reducing the minimum front yard setback

area from 6 m (19.68 feet) to 5.59 m (18.34 feet) and reducing the minimum rear yard setback area from 6 m (19.68 feet) to 3.9 m (12.80 feet), respectively.

The City of Enderby Planner is supportive of the proposed variances and is recommending that Council authorize the issuance of a Development Variance Permit.

Prepared By:



Kurt Inglis, MCIP, RPP
Planner and Deputy Corporate Officer

Reviewed By:



Tate Bengtson
Chief Administrative Officer

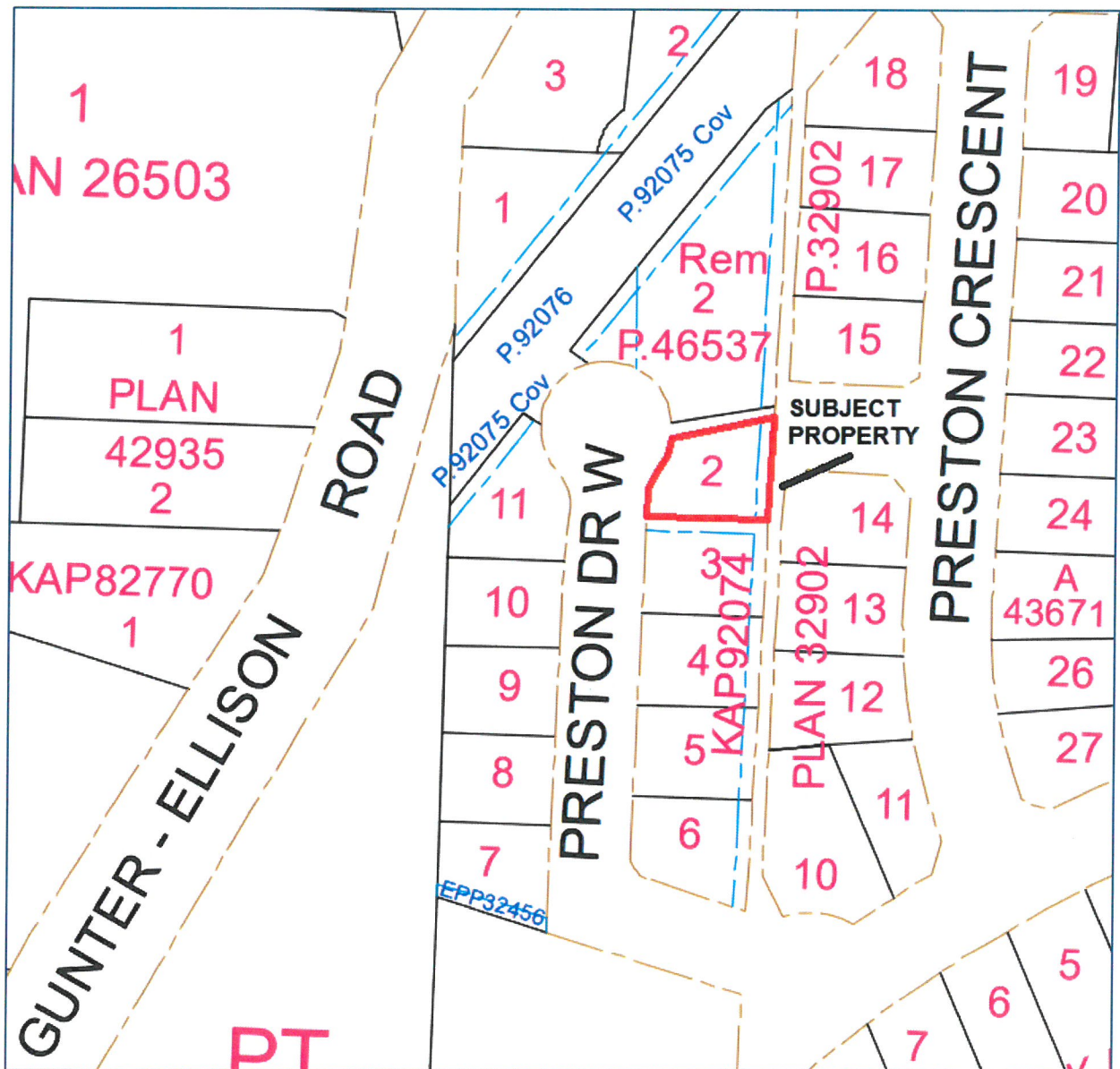
THE CORPORATION OF THE CITY OF ENDERBY
DEVELOPMENT VARIANCE PERMIT APPLICATION
SUBJECT PROPERTY MAP

File: 0030-20-DVP-END

Applicant: Eric Borhaven

Owner(s): Jim's Finishing Ltd., 633176 Alberta Ltd., Case Holdings Ltd.

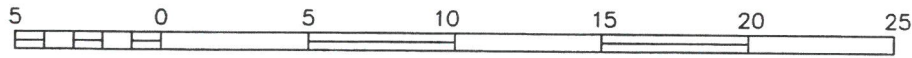
Location: 31 Preston Drive West, Enderby BC



Schedule 'A'

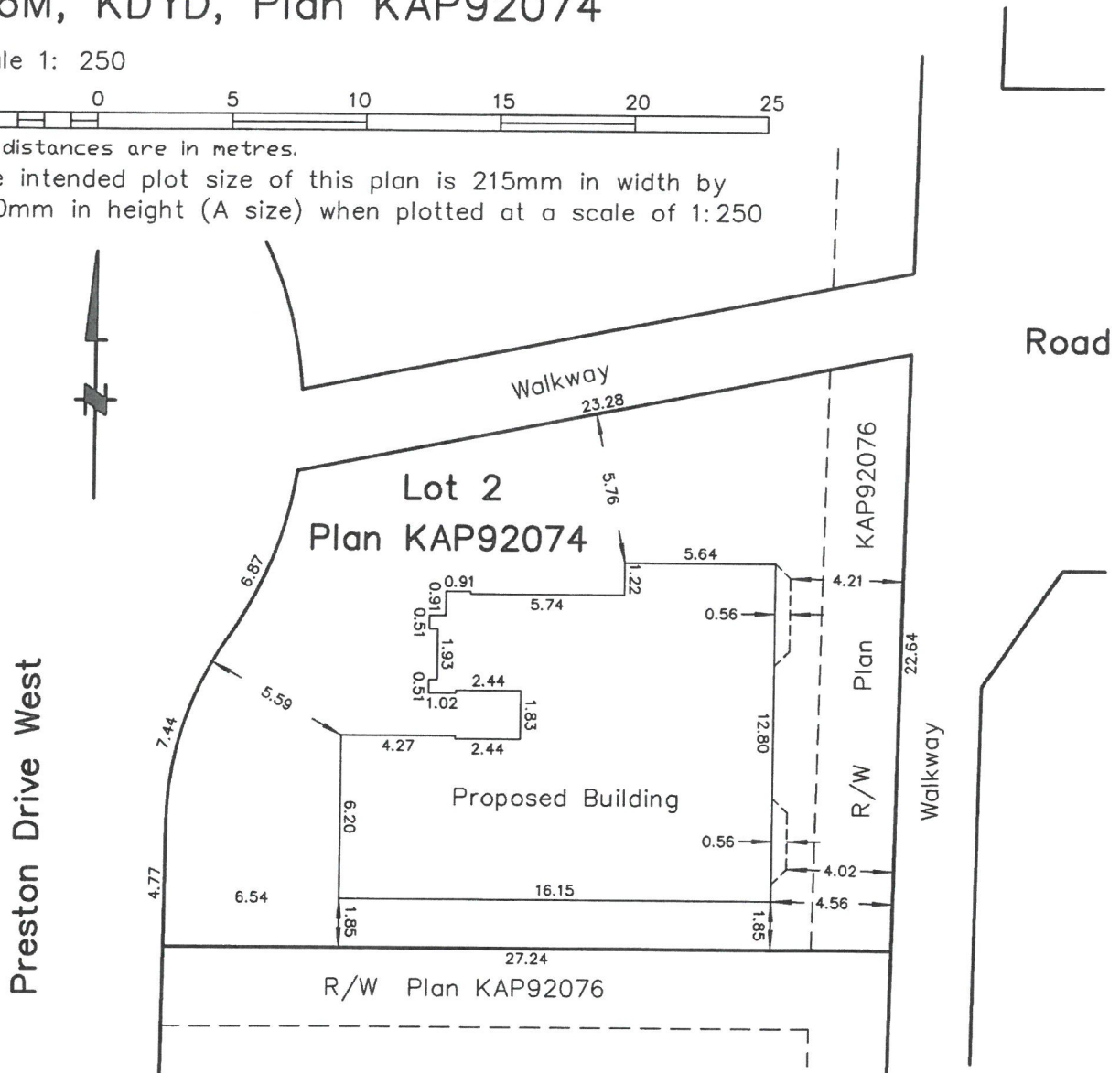
Plan Showing Proposed Building
on Lot 2, Sec 27, Tp 18, Rge 9,
W6M, KDYD, Plan KAP92074

Scale 1: 250



All distances are in metres.

The intended plot size of this plan is 215mm in width by 280mm in height (A size) when plotted at a scale of 1:250



- Date of Plan December 10, 2020
- Dimensions derived from Plan KAP92074

Civic Address: 31 Preston Drive West, Enderby

Parcel Identifier(PID): 028-605-454

List of documents registered on title which may affect the location of improvements:
Statutory Building Scheme LB465516
Statutory Right of Way LB465515
Permit under Part 26 of the LGA LB240036

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