

## ADMINISTRATIVE REPORT



**TO:** Board of Directors

**FROM:** J. Zaffino, Chief Administrative Officer

**DATE:** April 17, 2025

**RE:** Development Variance Permit Application — Electoral Area “F” (F2025.003-DVP)

---

### Administrative Recommendation:

**THAT Development Variance Permit No. F2025.003-DVP, to allow for the construction of an accessory building at 365 Callan Road, be approved.**

---

Legal: Lot A, Plan EPP5204, District Lot 2695, ODYD Folio: F-06709.050

OCP: part Commercial Tourist (CT) and part Small Holdings (SH)

Zone: part Tourist Commercial Site-Specific (CT1s) and part Small Holdings 4 (SH4)

Variance Request: to increase the maximum height of an accessory building from 4.5m to 7.8m

---

### Proposed Development:

This application is seeking a variance to the maximum permitted height that applies to the subject property in order to undertake the construction of an accessory building (“garage”).

Specifically, it is being proposed to vary the maximum permitted building height of an accessory building from 4.5 metres to 7.8 metres. The other dimensions of the proposed building are an approximate width of 15.24 metres by 42.67 metres in length.

In support of this request, the applicant has stated that “the intended use is for storage of property such as, boat, recreational vehicle’s, seadoo’s, that exceed the requirements ... [that] this is our only option due to height of boat ... [and that] we feel our proposal is reasonable as it will not exceed the height of the current house or garage, or obstruct any views from neighbours, or tourists stopping to look at [the] beautiful view.”

### Site Context:

The subject property is approximately 13 ha in area and is situated on the east side of Highway 97, approximately 150 metres to the north and 700 metres to the east from the boundary with the District of Summerland. The property is understood to contain one single detached dwelling and one accessory building.

The surrounding pattern of development is generally characterised by similar rural-residential development.

### Background:

---

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on November 30, 2009, while available Regional District records indicate that a building permit(s) for detached garage (2004); single family dwelling (2004); suite with no kitchen over garage (2008); Add kitchen & family room to guest house.

Under the Electoral Area “F” Official Community Plan (OCP) Bylaw No. 2790, 2018, the subject property is currently designated Commercial Tourist (CT) and Small Holdings (SH) and is the subject of a Watercourse Development Permit (WDP) and Environmentally Sensitive Development Permit (ESDP) Area designations.

Under the Okanagan Valley Zoning Bylaw No. 2800, 2022, the property is currently zoned Tourist Commercial Site-Specific (CT1s) and Small Holdings 4 (SH4) which lists accessory buildings as permitted accessory uses.

The proposed structure is located in the portion of the property designated Commercial Tourist (CT) in the OCP, and Commercial Site-Specific (CT1s) in the zoning bylaw.

Under Section 10.0 (Floodplain Regulations) of the Zoning Bylaw, the subject property is within the floodplain associated with Okanagan Lake and would be required to adhere to all applicable floodplain regulations at the time of submitting a building permit application for the proposed accessory building.

BC Assessment has classified the property as part “Residential” (Class 01), and part “Business and Other (Class 06).”

#### **Public Process:**

Adjacent property owners will have received notification of this application with written comments regarding the proposal being accepted, in accordance with Section 2.10 of Schedule ‘4’ of the Regional District’s Development Procedures Bylaw No. 2500, 2011, until 4:30 p.m. on March 4, 2025.

All comments received are included as a separate item on the Board’s Agenda.

#### **Analysis:**

In considering this proposal, Administration notes that regulating the height of accessory structures through the Zoning Bylaw is done to ensure, amongst other things, that a consistent built form is maintained and that an accessory building does not overwhelm primary structures or disrupt the character of residential and commercial areas.

Accordingly, when assessing variance requests a number of factors are taken into account, including the intent of the regulation; the presence of any potential limiting physical features on the subject property; established streetscape characteristics; and whether the proposed development would have a detrimental impact upon the amenity of the area and/or adjoining uses.

In this instance, Administration notes that, due to the size of the subject property and surrounding topography, there are few neighbouring parcels whose use would be impacted by an over-height accessory structure (as proposed).

Of the proposed 7.8 metre height, only approximately 1.3 metres is seen to protrude above the existing topography, while the remainder of the structure is seen to be located below the existing grade of the highway and adjacent rest-top (see Attachment No. 2).

---

Alternative:

Conversely, Administration recognises that Highway 97 is the primary highway corridor providing access to the South Okanagan and informs the initial impression that visitors arriving by vehicle have of the area.

Accordingly, it is generally considered important, from a design perspective, to ensure that development within the highway corridor – especially at a visually prominent location such as the subject property – presents an attractive appearance.

This can generally be done by ensuring that buildings are constructed at a scale that does not dominate the landscape. A way to achieve this can include the use of design elements such as varied rooflines, high-quality materials, and facade articulation (e.g. avoid the use of large expanses of utilitarian materials in favour of masonry, wood, or architectural panels with texture and color).

Landscaping and screening can also be used to soften the visual impact of over-height structured while setbacks and setbacks and orientation are also important (e.g. placing buildings further from the highway or angling them to reduce their dominance in the view corridor).

In this instance, it is understood that the applicant is proposing the erection of a large structure clad in metal sheeting at a visually prominent location on the property (vis-à-vis Highway 97) and that no mitigation measures are being proposed.

Administration further considers that other options are available to the applicant, such as locating on the proposed structure elsewhere on the property where it will not be as visually prominent, or reducing the height of the structure.

Summary:

For these reasons, Administration supports the requested variances and is recommending approval.

**Financial Implications:**

Financial implications have been considered and none were found.

**Communication Strategy:**

The proposed variance(s) have been notified in accordance with the requirements of the *Local Government Act* as well as the Regional District's Development Procedures Bylaw No. 2500, 2011.

**Alternative:**

1. That Development Variance Permit No. F2025.003-DVP be denied.

**Respectfully submitted**

Jerritt Cloney

Jerritt Cloney  
Planner I

**Endorsed by:**



C. Garrish  
Senior Manager of Planning

**Endorsed by:**



A. Fillion  
Managing Director, Dev. & Infrastructure

Will a PowerPoint presentation be presented at the meeting?      No

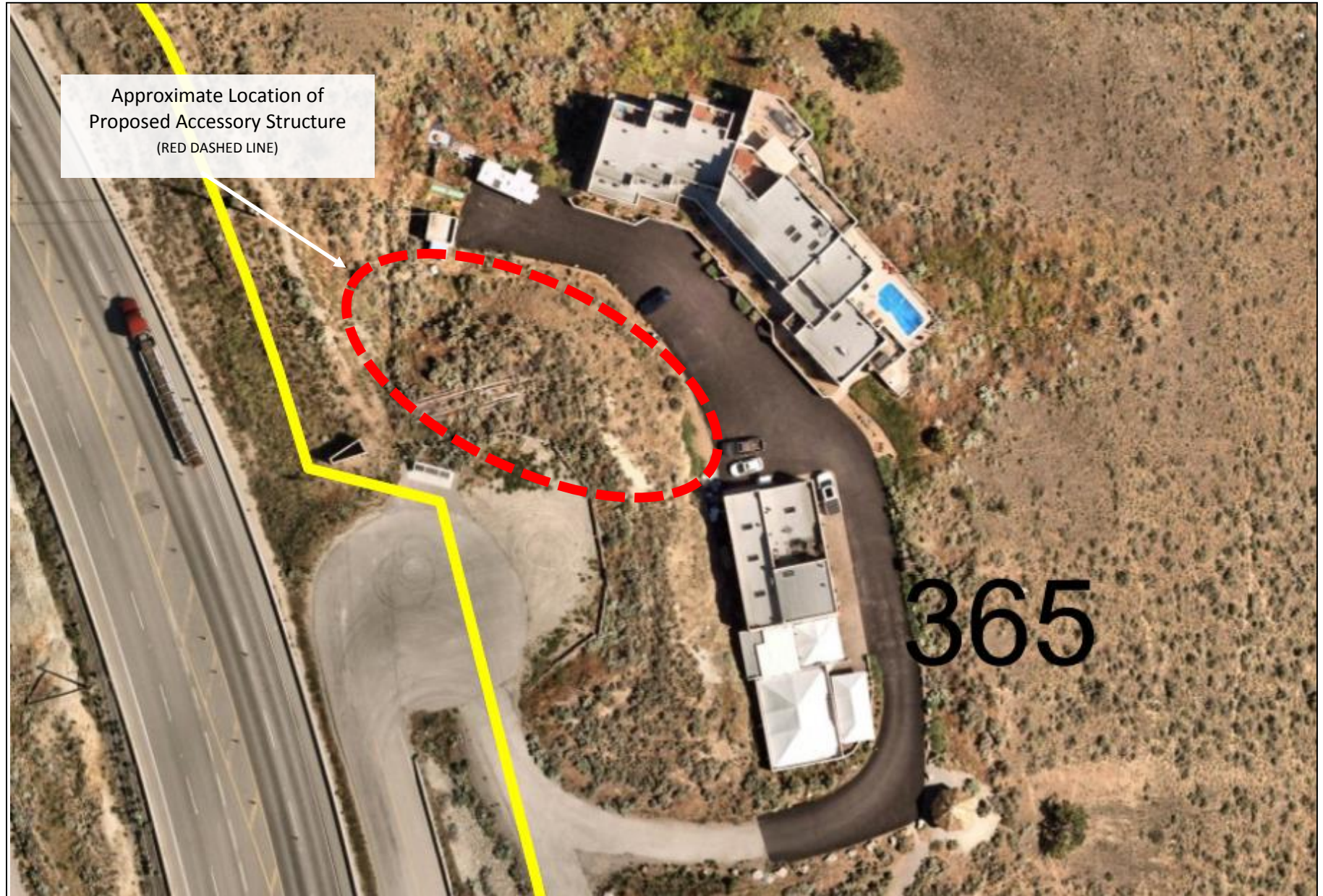
---

Attachments: No. 1 – Aerial Photo

No. 2 – Site Photo



Attachment No. 1 – Aerial Photo





## Attachment No. 2 – Site Photos

