REGULAR AGENDA

A. ADOPTION OF MINUTES


RECOMMENDATION 1
That the minutes of the May 30, 2012 regular meeting of the Advisory Planning Commission Electoral Area “C” be adopted as circulated.

B. PETITIONS AND DELEGATIONS

C. NEW BUSINESS

1. Development Permit with Variance Application
   P. & J. Lett c/o R. Lett
   [File No. 12-0188-CSS-DP / 12-0189-CSS-DVP]

2. Development Permit with Variance Application
   D. & P. Couch c/o S. Hembling Construction
   [File No. 12-0263-CSS-DP / 12-0217-CSS-DVP]

D. ADJOURNMENT
REGIONAL DISTRICT OF NORTH OKANAGAN

MINUTES of a REGULAR meeting of the ADVISORY PLANNING COMMISSION ELECTORAL AREA ‘C’ of the REGIONAL DISTRICT OF NORTH OKANAGAN held in the Conference Room at the Regional District Office on Wednesday, May 30, 2012

Members:  Cliff Day
    Ray Ivey
    Randy McDermid
    Paul Williamson

Staff:  Ashley Bevan    Executive Assistant (taking minutes)

Other:  Michael Macnabb    Director, Electoral Area “C”
        One member of the Public

CALL MEETING TO ORDER

The Chair called the meeting to order at 7:02 p.m.

ADOPTION OF MINUTES

Advisory Planning Commission Electoral Area “C” – Regular Meeting of February 29, 2012

It was moved and seconded by Cliff Day and Randy McDermid
That the minutes of the February 29, 2012 regular meeting of the Advisory Planning Commission Electoral Area “C” be adopted as circulated.

CARRIED

NEW BUSINESS

OCP/Rezoning Application
Coughlin
[File No. 12-0023-C-OR]

The Commission reviewed the staff report and made comments regarding:
- Slope
- Riparian area setbacks
- Wildfire area
- Road setbacks
- That Parks would be afforded an opportunity to purchase land for future trail

The Commission noted that they are in support of the RDNO purchasing land for a trail.

The Commission requested a plan for the potential trail for the next meeting.
It was moved and seconded by Cliff Day and Ray Ivey
That the Advisory Planning Commission Electoral Area ‘C’ support the recommendations contained in the Planning Department Report dated May 8, 2012. That it be recommended to the Board of Directors that the application to amend the Rural Vernon Official Community Plan land use designation and the zoning of a 1.0 ha portion of the property legally described as Lot 2, Sec 20, Twp 5, ODYD, Plan KAP81991 and located at 7125 Tillicum Road, Electoral Area ‘C’ from Country Residential to Small Holdings be supported in principle and staff be directed to prepare an Official Community Plan Amendment Bylaw for First Reading only; and further

That a Public Hearing not be held until the applicant has:
1. held a Public Information Meeting in accordance with the Public Information Meeting Guide;
2. provided a report prepared by a professional hydrogeologist or a professional engineer having a knowledge of groundwater hydrology or groundwater geology verifying that water of sufficient quantity and quality is available year round to service the proposed lots and that the extraction of water from the proposed water supply will not deplete the water supply of neighbouring wells; and further,

That Greater Vernon Parks, Recreation and Culture be strongly encouraged to cooperate with the property owner for extension of a trail through the subject property. 

CARRIED

The Commission noted the reduced building envelope because of wildfire, riparian area and floodplain setbacks.

OTHER ITEMS

Director Macnabb advised that Mike Randell is now the Alternate Director for Electoral Area “C”.

Director Macnabb advised that the Terms of Reference for the OCP Review for Electoral Areas “B” and “C” have been drafted and are in the very early stages. Members of the APC and various community associations will be involved and there will be meetings available to the public. Some topics the review will include are:
- Secondary suites
- Building envelope on ALR land
- Water zoning
- Scope and scale of home occupation regulations
- Silver Star Road corridor (preventing it from becoming a commercial thoroughfare to the mountain)

An update on the Parks Service Review was discussed as well as the Memorandum of Understanding for the operation and delivery of water within Greater Vernon.

Discussion ensued regarding BX Park and dogs. The park is not actually a dog park, but a public park that allows dogs.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:54 p.m.

Certified Correct:

__________________________  _____________________________
Chair                          Recording Secretary
June 19, 2012

[X] Director Macnabb
[X] Advisory Planning Commission, Area ‘C’

Re: Development Permit with Variance Application for the property legally described as Lot 13, DL 1355, ODYD, Plan KAP44937 and located at 9876 Pinnacles Road, Electoral Area ‘C’ (Lett)

We enclose a copy of the above application for review and comments from the Advisory Planning Commission. The Commission is requested to review the application at their earliest convenience and advise Laura Frank at this office of any concerns they may have with respect to the proposed development. Also enclosed is the Information Report, which contains the Planning Department recommendation concerning the application.

The application will be considered by the Board of Directors at their meeting to be held on Wednesday, July 18, 2012 at 4:00 p.m.

Yours truly,

[Signature]
Ashley Bevan
Executive Assistant

Enclosures
FOR OFFICE USE ONLY:

APPLICATION FOR PERMIT

APPLICATION FEE OF $800 RECEIVED BY:

RECEIPT NO.:

DATE:

PRELIMINARY REVIEW BY:

I/we hereby make application under the provisions of Part 26 of the Local Government Act for:

a: (check where applicable)

- Development Variance Permit
- Development Permit – circle one or more of the following: Form & Character; Wildfire; Floodplain; or Protection of the Natural Environment
- Temporary Commercial and Industrial Permit
- Temporary Use Permit

To permit the proposed development as described in the attached form upon (legal description of property):

TIMBER FRAME SINGLE FAMILY HOME

WEIN ATTACHED GARAGE, WITH REQUESTING A NEGATIVE VARIANCE OF 37.4 FEET

and located at (street address or general location):

9876 PINNICAL WAY, VERNON, B.C.

Lot 13, Plan KAP44937, DL 1855

May 1, 2012

Applicant's Signature

Date

THIS APPLICATION IS MADE WITH MY FULL KNOWLEDGE AND CONSENT:

May 1, 2012

Registered Owner's Signature

May 1, 2012

Registered Owner's Signature

Where the applicant is NOT the REGISTERED OWNER(S), the Application must be signed by the REGISTERED OWNER(S), or his AUTHORIZED AGENT (use a separate sheet if necessary)
PERMIT INFORMATION FORM

THE INFORMATION REQUESTED IN THIS FORM IS REQUIRED TO EXPEDITE THE APPLICATION AND ASSIST THE STAFF IN PREPARING A RECOMMENDATION.

The form is to be completed in full and submitted with all requested information, Permit Application, Application Fee, and Title Search or Certificate of Indefeasible Title for the subject property.

1. Applicant and Registered Owner(s)

Applicant’s Name(s): RALPH LETT

Address: 9623 WHITE POINT RD

VERNON B.C. Postal Code: BC V1H 1K8

Phone No. (home): 250 307 7257 Phone No. (work): 250 545-7117

Fax No.: Email: LETTRALPH@YAHOO.CA

Registered Owner’s Name(s): PAT LETT

Address: 9623 WHITE POINT RD

VERNON B.C. Postal Code: V1H 1K8

Phone No. (home): 250 545 7114 Phone No. (work): 250 545-7117

Fax No.: Email:

A copy of a Title Search, or a copy of a Certificate of Indefeasible Title, dated no more than thirty (30) days prior to submission of the application, must accompany the application as a proof of ownership.

Agent Authorization (if applicable) must accompany this application form.

2. Subject Property and Development

a. Size of property (area, number of parcels): 1345 m²

b. Present Zoning: R1

c. Description of Existing Use/Development (use a separate sheet if necessary):

SKI CABIN
d. Full Description of the Proposed Use/Development (use separate sheet if necessary):

BUILD SINGLE FAMILY HOUSE
DETACHED GARAGE


e. Proposed Variation and/or Supplementation to Existing Regulations (use separate sheet if necessary)

W O U L D L I K E T O V E R T H E H E I G H T O F T H E H O U S E


3. Reasons in Support of Application

Reasons and comments in support of the application (use separate sheet if necessary):

W E W O U L D L I K E T O B E H I G H E R

M a y 1 2 0 1 2

Date

Applicant's Signature
4. **Required documents to accompany application form**

At the time of providing Application and Information Form to the applicant, the Regional District of North Okanagan Development Services Department shall indicate which of the following attachments are required or not required for this application. The Development Services Department may also require additional information.

a. A copy of a Title Search, or a copy of a Certificate of Indefeasible Title, dated no more than thirty (30) days prior to submission of the application.

   REQUIRED: ☑

b. A dimensioned Sketch Plan showing the parcel(s) or part of the parcel(s) to be developed and the location of existing buildings, structures, and uses.

   REQUIRED: ☐ ☑

c. A dimensioned Site Development Plan showing the proposed use, buildings and structures, highway access, parking, etc.

   REQUIRED: ☐ ☑

d. A Contour Map (Plan), if warranted by the topographic condition of the subject site.

   REQUIRED: ☐ ☑

e. A dimensioned Sketch Plan of the proposed subdivision, where subdivision (small or large) is contemplated.

   REQUIRED: ☐ ☑

**FOR OFFICE USE ONLY:**

a. Water course/body within 30 metres:

   Yes ☐ ☑  No ☐

b. Within the Agricultural Land Reserve:

   Yes ☐ ☑  No ☐

c. Affected by Controlled Access Highway:

   Yes ☐ ☑  No ☐

d. Major Grid Road other than Controlled Access Highway:

   Yes ☐ ☑  No ☐

e. Consent of Ministry of Transportation Required* for Development Permit:

   Yes ☑  No ☐

*Yes, if proposed building is larger than 4500 m²
f. Referral to:

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FORMS DULY COMPLETED, RECEIVED: ____________________________

DATE: ____________________________ (signature)

Consolidated Copy: amended by Bylaw:
No. 2454, 2010 – September 1, 2010
SILVER STAR MOUNTAIN
DEVELOPMENT PERMIT WITH VARIANCE APPLICATION
SUBJECT PROPERTY MAP

File: 12-0188-CSS-DP / 12-0189-CSS-DVP
Applicant: Pat & Joyce Lett c/o Ralph Lett
Location: 9876 Pinnacles Road
LEGEND

× 98.56 denotes spot elevation

NOTES
- Distances are in metres.
- Elevations are in metres.
  Assumed datum: Elevation 100.00 @ top of iron survey post, westerly corner of Lot 13.
- Contour interval 1.0 m
APPLICATION FOR REGISTRATION RECEIVED ON: 04 SEPTEMBER, 1998
ENTERED: 09 SEPTEMBER, 1998

REGISTERED OWNER IN FEE SIMPLE:
PATRICK JAMES LETT, CHARTERED ACCOUNTANT
JOYCE LETT, HOMEMAKER
3105 - 37TH AVE.
VERNON, BC
V1T 2Y3
AS JOINT TENANTS

DESCRIPTION OF LAND:
PARCEL IDENTIFIER: 017-295-815
LOT 13 DISTRICT LOT 1355 OSOYOOS DIVISION YALE DISTRICT PLAN KAP44937

LEGAL NOTATIONS:
THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 29, MUNICIPAL ACT
SEE DF X191494
MUNICIPAL ACT PART 29 DF X191494 IS AMENDED BY DF X256078

CHARGES, LIENS AND INTERESTS:
NATURE OF CHARGE
CHARGE NUMBER DATE TIME
COVENANT
X92932 1986-03-20 14:24
REGISTERED OWNER OF CHARGE:
HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA
X92932
REMARKS: INCLUDES INDEMNITY UNDER SECTION 215(2)(A) LTA
INTER ALIA

UNDERSURFACE RIGHTS
X92933 1986-03-20 14:24
REGISTERED OWNER OF CHARGE:
HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA
X92933
REMARKS: SECTION 47 LAND ACT INTER ALIA

"CAUTION - CHARGES MAY NOT APPEAR IN ORDER OF PRIORITY. SEE SECTION 20, L.T.A."

DUPLICATE INDEFEASIBLE TITLE: NONE OUTSTANDING

TRANSACTIONS: NONE
PENDING APPLICATIONS: NONE

Date: 01-May-2012 Requestor: (PU15617) Folio: CUSTOMER PD
TITLE SEARCH PRINT DISTRICT OF NORTH OKANAGAN TITLE - KM87865
Time: 15:00:42
Page 002 of 002

*** CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN ***
# Regional District Of North Okanagan

## Property Information Management System

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**Site Address:**
9876 PINNACLES RD
RDNO Assigned Address:

**Legal Description:**
LOT BLK SEC TWP RGE MER DL PLAN
13 1355 KAP44937

**Property ID#:** 017-295-815  Land District: Osoyo

**Land Use Designation(s):**

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**Planning Applications:**

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<td>A</td>
<td>5/3/2012</td>
<td>017-295-815</td>
</tr>
</tbody>
</table>

**BCAA DATA:**

School District: 22
Neighbourhood: 316
Land Use:  
Actual Use: SINGLE FAMILY DWELLING

**Property Values**

- Land: $175,000.00
- Improvements: $48,700.00
- Total: $223,700.00

---

**NOTICE OF COLLECTION OF PERSONAL INFORMATION**

Personal information collected on this form is collected for the purpose of processing this application and for administration and enforcement. The personal information is collected under the authority of the Municipal Act and the Regional District's bylaws.
DEVELOPMENT PERMIT WITH VARIANCE APPLICATION

Date: June 18, 2012

File No.: 12-0188-CSS-DP / 12-0189-CSS-DVP

Applicant: Pat and Joyce Lett c/o Ralph Lett

Legal Description: Lot 13, DL 1355, ODYD, Plan KAP44937

P.I.D.# 017-295-815

Civic Address: 9876 Pinnacles Road

Property Size: 0.13 ha

Servicing: Silverhawk Utilities & RDNO Water Utility

Zoning: Residential Single Dwelling (R.1)

O.C.P. Designation: Residential Low Density

Proposal: Construction of a single dwelling and detached garage.

Proposed Variance(s): Height restrictions relating to the single dwelling and garage.

PLANNING DEPARTMENT RECOMMENDATION:

That, upon consideration of input from adjacent landowners, a Development Permit with Variance be issued for the property legally described as Lot 13, DL 1355, ODYD, Plan KAP44937 and located at 9876 Pinnacles Road, Electoral Area ‘C’ to allow variances to the following Sections of the Silver Star Zoning Bylaw No. 1926, 2004:

1. Section 501.9 by increasing the height of a single dwelling from 9 m to 11.38 m as shown on the site plan and building elevations attached to the report from the Planning Department dated June 18, 2012;

2. Section 501.10 by increasing the height of a detached garage from 5 m to 6.92 m as shown on the site plan and building elevations attached to the report from the Planning Department dated June 18, 2012; and further

That a Development Permit with Variance be issued for the property legally described as Lot 13, DL 1355, ODYD, Plan KAP44937 and located at 9876 Pinnacles Road, Electoral Area ‘C’ subject to the following:
Development Permit with Variance Application
12-0188-CSS-DP / 12-0189CSS-DVP (Joy and Pat Lett c/o Ralph Lett)

1. the dimensions and siting of the buildings, parking, driveway and snow storage areas to be constructed on the land be in general accordance with the site plan attached to the report from the Planning Department dated June 18, 2012;
2. the exterior design and finish of the buildings to be constructed on the land be in general accordance with the building elevations attached to the report from the Planning Department dated June 18, 2012;
3. trees be retained on the property in general accordance with the tree plan attached to the report from the Planning Department dated June 18, 2012.

BACKGROUND:

This report relates to an application for a Development Permit with Variance for the property located at 9876 Pinnacles Road. The applicant is proposing to construct a 258 m² (2775 ft²) single dwelling and a 65 m² (770 ft²) detached garage, both of which require a variance to the height restrictions of the Silver Star Zoning Bylaw. The proposal does not require variances to any other provisions of the Zoning Bylaw. The subject property is designated in the Silver Star Official Community Plan (OCP) as Residential Low Density and as being within the Cabin Colony. The property is also designated as being within a Development Permit Area for intensive residential development and for the protection of the natural environment. As such, a Development Permit with Variance is required prior to the alteration of land and the issuance of a Building Permit for the proposed development.

Site Context

The subject property is located on the east side of Pinnacles Road. A gravel driveway extends from Pinnacles Road to the rear or east side of the property and provides access to an existing 167 m² (1800 ft²) single dwelling. To the rear or east of the existing A-frame dwelling is a hot tub with a roof shelter. The subject property is largely forested and slopes downwards from Pinnacles Road to the rear of the property with a gradient change of approximately 10 m. The following orthophoto of the subject and surrounding properties was taken in the year 2010:
Properties to the north, east, south and west of the subject property are designated in the OCP as Residential Low Density and are zoned Residential Single Dwelling (R.1).

The Proposal

The applicant is proposing to remove the existing dwelling and to construct a three story 258 m² (2775 ft²) single dwelling in its place. The applicant has indicated that owners wish to construct the new dwelling in the same location as the existing one and that due to the lower elevation at the rear of the property they are requesting to build a taller single dwelling so they can receive more natural light and not have the entire dwelling beneath the tree canopy. The applicant also notes that the proposed design will provide for good snow shedding and storage. The applicant is requesting a height variance of 2.38 m for the proposed single dwelling.

The applicant is also proposing to construct a 65 m² (770 ft²) detached two-bay garage which is to be located mid way between the single dwelling and Pinnacles Road. The proposed garage would be a one story building with gable dormers built into all four sides of the roof structure. The applicant has indicated that due to the substantial change in slope it was not feasible for the garage to be attached to the house as it would require significant grading to enable vehicular access. The owners desire to have the form and character of the garage match that of the proposed single dwelling and are requesting a 1.92 m height variance for the garage.

The proposed single dwelling and detached garage contain design elements and architectural features characteristic of the craftsman style. The windows would have divided panes with black trim. The buildings would be clad with sage green and taupe horizontal and shingle HardiPlank siding. Grey stone work is proposed on the lower elevations and main entrance to the buildings. Overall the dwelling would contain a number of dormers and associated facades which project out providing variation in form. The dormers and overhangs would be supported by pillars characteristic of the craftsman style; the steeply pitched rooflines would contain timber frames (natural wood finish) and black asphalt shingles. The second story would contain two balconies which are located on either side of the main entrance. The dwelling would contain three designated bedrooms with the potential for the games room and TV room being utilized as additional bedrooms.

The applicant has submitted a tree retention plan which identifies all trees with a diameter greater than 6". Three trees would be removed to accommodate the proposed development. In addition the applicant has submitted a snow storage plan which proposes to store the snow associated with the driveway and parking area directly to the north, south and west of these areas. Additional snow storage is located to the west of the proposed single dwelling along the south property line.

SILVER STAR ZONING BYLAW:

The subject property is zoned Residential Single Dwelling (R.1). Uses permitted in the R.1 zone include one single dwelling, one accessory residential building, home occupations, short-term rental accommodations and retaining wall structures. The proposal meets all of the following requirements of the R.1 zone, with the exception of the building height provisions:
CRITERIA | PROPOSAL | ZONE REQUIREMENTS
--- | --- | ---
Lot Area (min.) | 1300 m² | 560 m²
Lot Width (min.) | 18 m (11%) | 10% of the perimeter of the lot
Lot Depth | 58.3 m | N/A
Lot Coverage (max.) | 15 % | 35%
Dwelling Height (max.) | 11.38 m | 9 m
Garage Height (max.) | 6.92 m | 5 m
Dwelling Setbacks (min.)
- Front | ± 33 m | 8 m
- Rear | 9.41 m | 8 m
- North Side | 3 m | 3 m
- South Side (Dwelling) | 3 m | 3 m
Garage Setbacks (min.)
- Front | 21.26 m | 8 m
- Rear | ± 31 m | 8 m
- North Side | 3 m | 3 m
- South Side | ± 7.5 m | 3 m
Parking Stalls (min.) | 4 | 2

Snow Storage

Section 501.12 states that building setbacks must be provided with sufficient depth whereby all snow shed from the roof will be retained on the subject property.

Parking Requirements

Section 801.1 of the Zoning Bylaw states that where any building being erected, enlarged or increased in capacity, off-street parking spaces must be provided in accordance with the Parking provisions of the Zoning Bylaw.

Section 803.1 of the Zoning Bylaw requires that 2 parking spaces be provided for up to 4 sleeping units (bedrooms) and that an additional 0.5 space be provided for each additional sleeping unit (bedroom). Parking spaces for single dwellings may be provided either end-to-end or side-to-side and each space must be no less than 5.8 m long and 2.8 wide.

Section 803.10 states that snow storage areas for snow removed from an outdoor parking area for single dwellings must be located within 10 m of the parking area and equal 50% of the size of the parking area.

Section 803.3 states that driveways must have a maximum finished grade of 10%.

Accessory Residential Building

An accessory residential building is defined as a building accessory to an existing dwelling located on the subject property. The maximum size for an accessory residential building is 66.0 m². Except for hot tubs and similar bathing facilities, an accessory building may not have plumbing fixtures. An accessory residential building may not be used as a dwelling unit.
Retaining Walls

Retaining wall structures not exceeding 1.2 m in height are permitted to be constructed at any location within the boundaries of each property, provided that such structures are separated from each other by a minimum of 1.5 m distance measured horizontally from the face of each retaining wall structure.

Building Height

The height of buildings is defined as the greatest vertical distance of a building from the finished grade to the highest point on a structure attached to a building, or a building.

SILVER STAR OFFICIAL COMMUNITY PLAN:

The Silver Star Official Community Plan designates the land use of the subject property as Residential Low Density and as being within the Cabin Colony Neighbourhood. The following Cabin Colony Policies are applicable to the application:
1) Encourage redevelopment to maintain the existing scale of the Cabin Colony through innovative design incorporating setbacks, hillside development techniques, and Architectural Design.
2) Secondary suites shall be supported where current building code requirements and zoning requirements can be satisfied.
3) Re-development of the existing cabins for these allowed uses may be considered where the developer can show that the buildings would be at a scale that is in character with the surrounding buildings and would not impact neighbouring properties.
4) To realize the unique features of the neighbourhood a new zone together with amendments to the current R1 zone, which is unique to this area in the Silver Star community, should be considered to include such items as increased setbacks, on-site parking, limited site coverage or screening as, required.
5) To ensure that development guidelines are met, every proposed re-development or addition to an existing building will be considered a Development Permit Area in accordance with policies D.4 and D.5 of the Silver Start Official Community Plan.
6) Encourage development to respect the original Development Variance Permit (87-0004-C-DVP) by not encroaching into already relaxed yard setback areas.

The following Residential Policies are also applicable to the application:
1) All existing 'Residential' neighbourhoods and new 'Residential' development areas within the Plan area which includes all multi-family development areas, as shown on map Schedule B are considered part of the intensive residential development of the Silver Star community; and are hereby designated within a Development Permit Area to set conditions respecting the 'form and character' of development as outlined in Section J of this Plan.
2) The development of new 'Residential' development areas where a Development Permit is required respecting the 'form and character' of development shall include a consideration of ski-in / ski-out access whereby such access on existing nearby properties shall not be negatively impacted with possible extensions of a ski-in / ski-out access into new development areas: and the Regional District may require that a professional consultant with experience in ski hill development be retained to evaluate the suitability of the proposed ski-in/ski-out access.
3) The Regional District considers that snow management and snow storage on ‘Residential’ properties to be a priority; therefore, a minimum frontage of 15 m should apply for all new parcels where parking areas will access directly to the frontage road and all new buildings should maintain a minimum 3 m or 5 m side yard setback as outlined in the Zoning Bylaw.

The following Variances Policies are also applicable to the application:
1) Building heights for new residential developments are outlined in the “Zoning Bylaw”; however, the Regional District recognizes that a variance could be considered, but not necessarily approved, where a building height increase could:
   a) Reduce the visual massing of the residential area;
   b) Mask a negative visual feature;
   c) Provide visual variety for the residential area;
   d) Enhance the objectives of this Official Community Plan; or
   e) Otherwise provide a benefit for the community.
2) The Regional District recognizes that new building height and setback regulations in the “Zoning Bylaw” have not been adequately tested by new developments and that some variances may be appropriate for consideration based on site specific circumstances.

Cabin Colony Development Permit Guidelines- Form and Character

The Cabin Colony is designated as a Development Permit Area for intensive residential development. As such, the following guidelines are to be considered for this application:
1) Support development at a scale that is in character with the Cabin Colony buildings, or designed in a manner that reduces the impression of massing and scale.
2) Support development that more closely aligns with the existing Cabin Colony style. Encourage steeply pitched roofs and building heights limited to 2 to 2.5 storeys.
3) Encourage owners to maintain a one lot one building philosophy through attaching proposed additions to the principal building on the site.
4) Support development that incorporates the use of natural color schemes and materials. Vinyl siding and bright or vibrant colours are only to be used as very limited accents if at all.
5) Encourage a modified craftsman architectural style for re-development.
6) Encourage the use of stone accent features on building facades.
7) Support development that incorporates the use of fire retardant materials.
8) Support development that maintains maximum site coverage of 15%.
9) Encourage development that involves surface parking rather than enclosed parking.
10) Encourage the installation of a front covered entry to the structure.
11) Flat roofs do not fit with the craftsman theme or the arch-rafter designs and therefore are not encouraged.
12) Require a landscaping plan to be provided showing all trees on site and indentifying all trees over 6” diameter proposed to be removed. Proposed plants and trees, retaining walls with dimensions and materials, proposed walkways and driveways including materials, drainage plan and exterior lighting are required to be shown.

Cabin Colony Development Permit Guidelines - Natural Environment

The Cabin Colony is also designated as a Development Permit Area for the protection of the natural environment. As such, the following guidelines are to be considered for this application:
1) Require identification of significant trees and natural features prior to development.
2) Encourage preservation of significant trees and natural features wherever possible.
3) Encourage reclamation and natural landscaping wherever possible to reduce water demands and maintain the unique rural nature of the Cabin Colony.
4) Eliminate ladder fuels on trees over 10 m.

PLANNING ANALYSIS:

The OCP states that height variances may be considered, but not necessarily approved, where it reduces the visual massing of the residential area and where it provides visual variety. The Planning Department suggests that the proposal is in keeping with the OCP in this regard as the design of the buildings reduces their massing and provides visual interest.

As it relates to the impact the height of the buildings may have on the use and enjoyment of neighbouring properties, it is noted that there would be sufficient spatial separation between the buildings and the neighbouring properties and that the applicant proposes to retain the majority of the mature trees located between the buildings and the adjacent properties. Also, the placement and dimensions of the windows on the top story of the single dwelling have been designed to respect the privacy of adjacent property owners. Finally, due to the sloping nature of the property and the proposed placement of the buildings, it does not appear that the height of the buildings would obstruct the views of adjacent landowners.

In addition to the above, it is noted that all other residential zones within the Silver Star Zoning Bylaw permit single dwellings with a height of 12 m; therefore, the proposed height of this development would not be out of context with other developments in the area. The maximum height of the proposed single family dwelling is 11.37 m which relates to the roofline of a single dormer, the maximum height of the majority of the proposed single dwelling is 10.45 m.

Overall, the proposed development incorporates design elements that are encouraged by the Cabin Colony Development Permit guidelines. Specifically, the building design reduces their massing and reflects a craftsman architectural style. The building design incorporates steeply pitched roofs, front covered entries, stone accents features, natural colour schemes and materials and fire retardant materials. The applicant has submitted a tree retention plan and notes that only three trees with a diameter of 6" or larger will be removed to accommodate the proposed development.

The Planning Department raises no objections to the requested Development Permit with Variances and recommends that it be given favourable consideration.

SUMMARY:

The applicant is proposing to construct a single dwelling and detached garage on the property located at 9876 Pinnacles Road. A Development Permit with Variance is required prior to the issuance of a Building Permit for the proposed development as the property is designated in the Silver Star Official Community Plan as being within a Development Permit Area for intensive residential development (the Cabin Colony) and the protection of the natural environment. The applicant is also requesting a variance to the Silver Star Zoning Bylaw height restrictions relating to single dwellings and detached garages.
It is recommended that, subject to receiving comments from adjacent land owners, the Board authorize the issuance of the subject Development Permit with Variance as it does not appear that the proposed development would negatively impact the use and enjoyment of the subject and neighbouring properties and overall, is in keeping with the applicable development permit guidelines.

REFERRALS:

The application was referred for comments to the:

1. Electoral Area ‘C’ Director
2. Electoral Area ‘C’ Advisory Planning Commission
3. Electoral Area Advisory Committee
4. Building Inspection Department
   The Building Inspector has advised that this development will require a snow shed design plan compliant to the Building Bylaw due to the sloping roofs.

5. Silverhawk Utilities (Silver Star)
   Silverhawk Utilities Inc. has advised that it does not have capacity available within their sewer system to accommodate a home of this size in the “Cabin Colony” neighbourhood. Further to these comments, Silverhawk Utilities advised the applicant that based on the plans provided, an additional 6.5 pillows will need to be paid as a condition of a connection application, which must be approved at the building permit stage.

6. Silverhawk Utilities (Calgary)
   No comments received.

7. Community Protective Services Manager
   No comments received.

8. Engineering Department
   The following information is required for water service prior to development approval.
   1) All water supplies are subject to the Regional District of North Okanagan (RDNO) Water bylaws, rules and regulations. Copies of all RDNO bylaws are available at the RDNO office and on the RDNO website at www.rdno.ca
   2) RDNO records indicate that this property is currently served with a 12mm water service. This service is marginal to provide adequate flows for the proposed construction. RDNO recommends that this water service be upgraded to a standard 19mm water service.

   RDNO will prepare a cost estimate of the construction costs and a deposit of this amount will be required prior to issuance of the building permit.
Development Permit with Variance Application
12-0188-CSS-DP / 12-0189CSS-DVP (Joy and Pat Lett c/o Ralph Lett)

9. Silver Star Fire Department
   No comments received.

Submitted by:
Laura Frank, MA (Plan)
Sustainability Coordinator

Endorsed by:
Rob Smailes, MCIP
General Manager, Planning and Building

Approved For Inclusion:
Traford Hall, Administrator
SILVER STAR MOUNTAIN
DEVELOPMENT PERMIT WITH VARIANCE APPLICATION
SUBJECT PROPERTY MAP

File: 12-0188-CSS-DP / 12-0189-CSS-DVP
Applicant: Pat & Joyce Lett c/o Ralph Lett
Location: 9876 Pinnacles Road
LEGEND
× 98.56 denotes spot elevation

NOTES
- Distances are in metres.
- Elevations are in metres.
  Assumed datum: Elevation 100.00 @
  top of iron survey post, westerly corner of Lot 13.
- Contour interval 1.0 m

SITE PLAN OF LOT 13,
PLAN KAP44937, D.L. 1355, O.D.Y.D.

SCALE: 1 : 400
DATE: 11 Aug. 97
DRAWN: RB

Patrick Lett C.A.

WILLIAM E. MADDOX
B. C. Land Surveyor
3500 - 30th Street, Vernon, B. C. V1T 5E8
NOT TO BE USED FOR RE-ESTABLISHMENT OF PROPERTY BOUNDARIES.
ALL DISTANCES ARE IN METRES.

Certified correct this 6th day of August, 1997.

B.C.L.S.

© WILLIAM E. MADDOX B.C.L.S. 1997

THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED.

SURVEY CERTIFICATE SHOWING BUILDING LOCATION ON LOT 13, PLAN KAP44937, DL. 1355, O.D.Y.D.

WILLIAM E. MADDOX
B.C. LAND SURVEYOR
3500 - 30th STREET
VERNON, B.C. V1T 5E8
TELEPHONE (250)642-4849
LOT 13
DL 1355
Plan KAP44937
Property ID 017 295 815
Parcel size .332 acres
Zoning R1
9876 Pinnacles Road

1345 m² lot
65 m² garage
169 m² home
17.4% coverage

ALL DISTANCES ARE IN METERS.
A New Alpine Meadows Cottage for:
Terry & Julie THIES

EAST ELEVATION

BRITISH COLUMBIA TIMBERFRAME CO.
(604) 892-1088
WWW.TIMBERFRAMEBC.COM

SCALE: N.T.S. 30 APRIL 2012
A New Alpine Meadows Cottage for:
Terry & Julie THIES
NORTH ELEVATION

BRITISH COLUMBIA TIMBERFRAME CO.
(604) 892-1088
WWW.TIMBERFRAMEBC.COM

SCALE: N.T.S. 30 APRIL 2012
A New Silver Star Mountain Residence for:
Ralph & Kari LETT
SOUTH ELEVATION
A New Silver Star Mountain Residence for:
Ralph & Kari LETT
GROUND FLOOR PLAN

BRITISH COLUMBIA TIMBERFRAME CO.
(604) 892-1088
WWW.TIMBERFRAMEBC.COM

SCALE: N.T.S. 25 MAY 2012
A New Silver Star Mountain Residence for:
Ralph & Kari LETT

BRITISH COLUMBIA TIMBERFRAME CO.
(604) 892-1088
WWW.TIMBERFRAMEBC.COM

UPPER FLOOR PLAN

SCALE: N.T.S. 25 MAY 2012
A New Silver Star Mountain Residence for:
Ralph & Kari LETT
GARAGE - ELEVATIONS

BRITISH COLUMBIA TIMBERFRAME CO. LTD
BRITISH COLUMBIA TIMBERFRAME CO.
(604) 892-1088
WWW.TIMBERFRAMEBC.COM

SCALE: N.T.S.  30 APRIL 2012
Tree map of property

- House
- Garage
- Trees
  - O - retained
  - X - removed
- Pinclops Lane
June 19, 2012

[X]  Director Macnabb
[X]  Advisory Planning Commission, Area ‘C’

Re: Development Permit with Variance Application for the property legally described as Strata Lot D, DL 1355, ODYD, Strata Plan KAS1259, Together With an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1 and located at 139 Silver Lode Lane, Electoral Area ‘C’ (Couch c/o Stu Hembling Construction)

We enclose a copy of the above application for review and comments from the Advisory Planning Commission. The Commission is requested to review the application at their earliest convenience and advise Laura Frank at this office of any concerns they may have with respect to the proposed development. Also enclosed is the Information Report, which contains the Planning Department recommendation concerning the application.

The application will be considered by the Board of Directors at their meeting to be held on Wednesday, July 18, 2012 at 4:00 p.m.

Yours truly,

Ashley Bevan
Executive Assistant

Enclosures
APPLICATION FOR PERMIT

FOR OFFICE USE ONLY:

APPLICATION FEE OF $100 - RECEIVED BY:

RECEIPT NO.:  

DATE:  

PRELIMINARY REVIEW BY:  

I/We hereby make application under the provisions of Part 26 of the Local Government Act for:

(a) Development Variance Permit  

Development Permit – circle one or more of the following:

Form & Character; Wildfire; Floodplain; or Protection of the Natural Environment  

Temporary Commercial and Industrial Permit Temporary Use Permit

To permit the proposed development as described in the attached form upon (legal description of property):

Lot D, DL 1355, Plan KAS1259

and located at (street address or general location):

139-Silver Lode Lane, Silver Star  

Vernon, BC

Date  

Applicant's Signature

THIS APPLICATION IS MADE WITH MY FULL KNOWLEDGE AND CONSENT:

May 11/12  

Date  

Registered Owner’s Signature

May 11/12  

Date  

Registered Owner’s Signature

Where the applicant is NOT the REGISTERED OWNER(S), the Application must be signed by the REGISTERED OWNER(S), or his AUTHORIZED AGENT (use a separate sheet if necessary)
PERMIT INFORMATION FORM

THE INFORMATION REQUESTED IN THIS FORM IS REQUIRED TO EXPEDITE THE
APPLICATION AND ASSIST THE STAFF IN PREPARING A RECOMMENDATION.

The form is to be completed in full and submitted with all requested information, Permit
Application, Application Fee, and Title Search or Certificate of Indefeasible Title for the subject
property.

1. Applicant and Registered Owner(s)

Applicant's Name(s): Stu Humbling Construction
Address: 6465-L A Rd. Vernon, BC
Postal Code: V1B-3T8
Phone No. (home): 250-542-9896 Phone No. (work): 250-309-3803
Fax No.: 250-542-6899 Email: SSIHumbling@Tdu.net

Registered Owner's Name(s): Donald & Patricia Couch
Address: 8137-Okanagan Landing Rd. Vernon, BC
Postal Code: V1H-1J4
Phone No. (home): 250-542-7830 Phone No. (work): 250-309-7830
Fax No.: Email:

A copy of a Title Search, or a copy of a Certificate of Indefeasible Title, dated no more
than thirty (30) days prior to submission of the application, must accompany the
application as a proof of ownership.

Agent Authorization (if applicable) must accompany this application form.

2. Subject Property and Development

a. Size of property (area, number of parcels): 0.16 acres
b. Present Zoning: R1
c. Description of Existing Use/Development (use a separate sheet if necessary):

       Ski cabin
d. Full Description of the Proposed Use/Development (use separate sheet if necessary):

Sky cabin

---

e. Proposed Variation and/or Supplementation to Existing Regulations (use separate sheet if necessary)

Relocation of cabin on property

Rear setback variance - house to 5.16m (4.87 to 4.53), as shown on attached plan

---

3. Reasons in Support of Application

Reasons and comments in support of the application (use separate sheet if necessary):

The proposed location of cabin will only be rotated from existing location (approx. 20°)

---

Date: 11/05/22

Applicant's Signature: [Signature]

[Signature]
4. Required documents to accompany application form

At the time of providing Application and Information Form to the applicant, the Regional District of North Okanagan Development Services Department shall indicate which of the following attachments are required or not required for this application. The Development Services Department may also require additional information.

a. A copy of a Title Search, or a copy of a Certificate of Indefeasible Title, dated no more than thirty (30) days prior to submission of the application.

REQUIRED: Yes ☑

b. A dimensioned Sketch Plan showing the parcel(s) or part of the parcel(s) to be developed and the location of existing buildings, structures, and uses.

REQUIRED: Yes □ No □

c. A dimensioned Site Development Plan showing the proposed use, buildings and structures, highway access, parking, etc.

REQUIRED: Yes □ No □

d. A Contour Map (Plan), if warranted by the topographic condition of the subject site.

REQUIRED: Yes □ No □

e. A dimensioned Sketch Plan of the proposed subdivision, where subdivision (small or large) is contemplated.

REQUIRED: Yes □ No □

FOR OFFICE USE ONLY:

a. Water course/body within 30 metres:

Yes □ No □

b. Within the Agricultural Land Reserve:

Yes □ No □

c. Affected by Controlled Access Highway:

Yes □ No □

d. Major Grid Road other than Controlled Access Highway:

Yes □ No □

e. Consent of Ministry of Transportation Required* for Development Permit:

Yes □ No □

*Yes, if proposed building is larger than 4 500 m²
f. Referral to:

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<th>No</th>
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<td>Director</td>
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<td>Interior Health Authority</td>
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<td>Ministry of Transportation and Infrastructure</td>
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<td>Other</td>
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</tbody>
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FORMS DULY COMPLETED, RECEIVED: ___________________________ (signature)

DATE: ________________________________

Consolidated Copy: amended by Bylaw:
No. 2454, 2010 – September 1, 2010
APPLICATION FOR REGISTRATION RECEIVED ON: 01 NOVEMBER, 2004
ENTERED: 12 NOVEMBER, 2004

REGISTERED OWNER IN FEE SIMPLE:
DONALD GEORGE COUCH, FORRESTER
PATRICIA JEAN COUCH, TEACHER
8137 OKANAGAN LANDING ROAD
VERNON, BC
V1H 1J4
AS JOINT TENANTS

TAXATION AUTHORITY:
VERNON ASSESSMENT AREA

DESCRIPTION OF LAND:
PARCEL IDENTIFIER: 018-292-631
STRATA LOT D DISTRICT LOT 1355 OSOYOOS DIVISION YALE DISTRICT
STRATA PLAN KAS1259 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY
IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON
FORM 1

LEGAL NOTATIONS:
THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 29, MUNICIPAL ACT
SEE DF X191494

MUNICIPAL ACT PART 29 DF X191494 IS AMENDED BY DF X256078

CHARGES, LIENS AND INTERESTS:
NATURE OF CHARGE

COVENANT
X92932 1986-03-20 14:24
REGISTERED OWNER OF CHARGE:
HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA
X92932
REMARKS: INCLUDES INDEMNITY UNDER SECTION 215(2)(A) LTA
INTER ALIA

UNDERGROUND RIGHTS
X92933 1986-03-20 14:24
REGISTERED OWNER OF CHARGE:
HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA
X92933
REMARKS: SECTION 47 LAND ACT INTER ALIA

STATUTORY RIGHT OF WAY
KG104999 1993-10-25 14:06
REGISTERED OWNER OF CHARGE:
REGIONAL DISTRICT OF NORTH OKANAGAN
KG104999
Date: 02-May-2012  
Requestor: (SC19812)  
Folio:  

REMARKS: INTER ALIA

EASEMENT
KG105007 1993-10-25 14:07
REMARKS: PART ON PLAN KAP50725 APPURTE'NANT TO LOTS 1, 2, 4 AND 5 PLAN 36603

MORTGAGE
KW154195 2004-11-01 12:13
REGISTERED OWNER OF CHARGE:
THE BANK OF NOVA SCOTIA
KW154195

"CAUTION - CHARGES MAY NOT APPEAR IN ORDER OF PRIORITY. SEE SECTION 28, L.T.A."

DUPLICATE INDEFEASIBLE TITLE: NONE OUTSTANDING

TRANSFERS: NONE

PENDING APPLICATIONS: NONE

*** CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN ***
# Property Information Management System

**Roll Number:** 722 13570.784  
**Jurisdiction:** ELECTORAL Area C  

**Site Address:**  
139 SILVER LODE LANE  
RDNO Assigned Address:  

**Legal Description:**  
LOT BLK SEC TWP RGE MER DL PLAN D 1355 KAS1259  

**Property ID#:** 018-292-631  
**Land District:** Osoyo  

**Land Use Designation(s):**  
- O.C.P. 0.070 ha.  
- O.C.P. Area RLD 0.070 ha.  
- Zoning R1 0.070 ha.  
- Zoning Area DPA  

**Bylaw Enforcement**  
- Open Date: 11/14/2002  
- Closed Date:  
- File Type: Notice On Title  
- STATUS: A  
- File#: 02-0362-C-NT  

**Notes:**  
Comments:  

**Planning Applications:**  
- FILE NUMBER: 12-0217-CSS-DVP  
- STATUS: A  
- OPEN DATE: 11/14/2002  
- NOTES: 018-292-631  

**Building Permits:**  
- Permit Number: 03-0514-CSS-BP  
- Issue Date: 05 Sep 2003  
- Permit Status: Final  
- Const. Value: $6,000.00  
- Description: ACCESSORY BUILDING  

**BCAA DATA:**  
- School District: 22  
- Neighbourhood: 316  
- Land Use:  
- Actual Use: SINGLE FAMILY DWELLING  
- Special Lot:  

**Property Values**  
- Land: $196,000.00  
- Improvements: $131,000.00  
- Total: $327,000.00  

---

**NOTICE OF COLLECTION OF PERSONAL INFORMATION**  
Personal information collected on this form is collected for the purpose of processing this application and for administration and enforcement. The personal information is collected under the authority of the Municipal Act and the Regional District's bylaws.
DEVELOPMENT PERMIT WITH VARIANCE APPLICATION

Date: June 18, 2012
File No.: 12-0217-CSS-DVP / 12-0263-CSS-DP
Applicant: Donald & Patricia Couch c/o Stu Hembling Construction
Legal Description: Strata Lot D, DL 1355, ODYD, Strata Plan KAS1259, Together With an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1
P.I.D.# 018-292-631
Civic Address: 139 Silver Lode Lane
Property Size: 0.07 ha
Servicing: Silverhawk Utilities & RDNO Water Utility
Zoning: Residential Single Dwelling (R.1)
O.C.P. Designation: Residential Low Density
Proposal: Construct a lower floor addition to an existing single dwelling.
Proposed Variance: Rear yard setback requirement related to a single dwelling.

PLANNING DEPARTMENT RECOMMENDATION:

That, upon consideration of input from adjacent landowners, a Development Permit with Variance be issued for the property legally described as Strata Lot D, DL 1355, ODYD, Strata Plan KAS1259, Together With an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1 and located at 139 Silver Lode Lane, Electoral Area 'C' to allow a variance to Section 501.15.a of the Silver Star Zoning Bylaw No. 1926, 2004 by reducing the rear yard setback of a single dwelling from 8 m to 4.52 m as shown on the site plan attached to the report from the Planning Department dated June 18, 2012; and further

That a Development Permit with Variance be issued for the property legally described as Strata Lot D, DL 1355, ODYD, Strata Plan KAS1259, Together With an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1 and located at 139 Silver Lode Lane, Electoral Area 'C' subject to the following:

P:\3000-3699 LAND ADMIN\3063 AREA C\3063 - APPLICATIONS\DP\201212-0263-CSS-DP - COUCH - HEMBLING\12-0263-CSS-DP - COUCH - HEMBLING - DP Info Sheet.docx
1. the dimensions and siting of the building to be constructed on the land be in general accordance with the site plan attached to the report from the Planning Department dated June 18, 2012;
2. the exterior design and finish of the building to be constructed on the land be in general accordance with the building elevations attached to the report from the Planning Department dated June 18, 2012;
3. trees be retained on the property in general accordance with the tree plan attached to the report from the Planning Department dated June 18, 2012.

BACKGROUND:

This report relates to an application for a Development Permit with Variance for the property located at 139 Silver Lode Lane. The applicant is proposing to lift an existing single dwelling and to construct a lower floor addition. The applicant is also proposing to rotate the dwelling, which requires a variance to the rear yard setback provisions of the Silver Star Zoning Bylaw. The proposal does not require variances to any other provisions of the Zoning Bylaw. The subject property is designated in the Silver Star Official Community Plan (OCP) as Residential Low Density and as being within the Cabin Colony. The property is also designated as being within a Development Permit Area for intensive residential development and protection of the natural environment. As such, a Development Permit with Variance is required prior to the alteration of land and the issuance of a Building Permit for the proposed development.

Site Context

The subject property is located on the northwest facing side of Silver Load Lane. A 45 m² (484 ft²) A-Frame dwelling is located near the west-central portion of the property. To the east of the dwelling is a 19.5 m² (210 ft²) accessory building which is attached via a deck to the single dwelling. The subject property is largely forested and slopes upward from Silver Load Lane to the rear property line. The following orthophoto of the subject and surrounding properties was taken in the year 2010:
Access to the buildings is gained via a foot path that connects to Silver Load Lane, which forms part of a common property area that is associated with strata lots located in the Cabin Colony, including the subject property. On the north side of the common property and adjacent to the subject property is a 3 m wide easement which grants the owners of the subject property the right to park vehicles in the easement area.

An easement and statutory right-of-way in favour of the Regional District and Silver Star Mountain Resorts Ltd. crosses through the east half of the property in a north to south direction. The transferees are permitted to use the right-of-way for the conveyance of water. A right-of-way in favour of BC Hydro crosses through the north side of the property in an east to west direction. The owner is prohibited from building within the right-of-way areas.

Properties to the north, east and west are all designated in the OCP as Residential Low Density and are zoned Residential Single Dwelling (R.1). Properties to the south are designated as Commercial and Service Utility and are zoned Village Commercial and Service Utility.

The Proposal

The applicant is proposing to lift an existing 45 m² (484 ft²) single dwelling and to construct a 73.66 m² (792 ft²) lower floor addition. The applicant is also proposing to rotate the A-Frame dwelling so that it would be parallel to and setback 3.1 m from the southwest facing side lot. The dwelling is currently setback 5.47 m from the rear lot line and relocating it as proposed would place it 5.16 m from the rear lot line. An external stairwell would project from the building and would be setback 4.52 m from the rear lot line.

The upper floor of the building would contain two bedrooms. The middle floor would contain a kitchen, bathroom and living area. The applicant has not identified the use of the lower floor addition. The lower floor would have an external door. Internal stairs would connect the middle floor to both the lower and upper floors.

The applicant is proposing to clad the lower floor addition in Hardi-Plank siding and to retain the existing colour pallet of forest green (Minister, General Paint) with a dark purple trim (Attitude, General Paint). The lower floor addition would have windows on the front and sides of the addition. The middle and upper floors would have windows at the front and rear of the building. The metal roof structure over the upper and middle floor would remain as is. The windows and roofline would be trimmed with smart trim accents. A patio would be constructed above the front portion of the addition and in front of the middle floor. Access to the patio would be gained from a door the leads to the middle floor of the dwelling and from external stairwells.

Parking for the subject property is to remain as is; accommodated within the easement area on the adjacent common property (adjacent to Silver Lode Lane).

The applicant has submitted a tree retention plan which identifies all trees with a diameter greater than 6"; since the applicants are proposing to build within the existing footprint only one tree will be removed to accommodate the proposed development.
SILVER STAR ZONING BYLAW:

The subject property is zoned Residential Single Dwelling (R.1). Uses permitted in the R.1 zone include one single dwelling, one accessory residential building, home occupations, short-term rental accommodations and retaining wall structures. The proposal meets all of the following requirements of the R.1 zone, with the exception of the rear year setback provision:

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<tr>
<th>CRITERIA</th>
<th>PROPOSAL</th>
<th>ZONE REQUIREMENTS</th>
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<tbody>
<tr>
<td>Lot Area (min.)</td>
<td>700 m²</td>
<td>560 m²</td>
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<td>Lot Width (min.)</td>
<td>22.31 m (21 %)</td>
<td>10% of the perimeter of the lot</td>
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<td>Lot Depth</td>
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<td>Lot Coverage (max.)</td>
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<td>Dwelling Height (max.)</td>
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<td>9 m</td>
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<tr>
<td>Accessory Building Height (max)</td>
<td>&lt;5m</td>
<td>5 m</td>
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<td>Dwelling Setbacks (min.)</td>
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</tr>
<tr>
<td>- Front</td>
<td>8.2 m</td>
<td>8 m</td>
</tr>
<tr>
<td>- Rear</td>
<td>4.52 m</td>
<td>8 m</td>
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<tr>
<td>- Northeast Side</td>
<td>12.86 m</td>
<td>3 m</td>
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<tr>
<td>- Southwest Side</td>
<td>3.10 m</td>
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<td>Accessory Building Setbacks (min)</td>
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<tr>
<td>- Front</td>
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<td>- Southwest Side</td>
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<tr>
<td>Parking Stalls (min.)</td>
<td>2</td>
<td>2</td>
</tr>
</tbody>
</table>

Snow Storage

Section 501.12 states that building setbacks must be provided with sufficient depth whereby all snow shed from the roof will be retained on the subject property.

Parking Requirements

Section 801.1 of the Zoning Bylaw states that where any building being erected, enlarged or increased in capacity, off-street parking spaces shall be provided in accordance with the Parking provisions of the Zoning Bylaw.

Section 803.1 of the Zoning Bylaw requires that 2 parking spaces be provided for up to 4 sleeping units (bedrooms) and that an additional 0.5 space be provided for each additional sleeping unit (bedroom). Parking spaces for single dwellings may be provided either end-to-end or side-to-side and each space must be no less than 5.8 m long and 2.8 wide.

Section 803.8 states that parking areas may be provided on an adjacent parcel where an easement has been registered to favour the parking use and a legal instrument such as a covenant is provided to the Regional District to prevent the discharge of this agreement.
Section 803.10 states that snow storage areas for snow removed from an outdoor parking area for single dwellings must be located within 10 m of the parking area and equal 50% of the size of the parking area.

Accessory Residential Buildings

An accessory residential building is defined as a building accessory to an existing dwelling located on the subject property. The maximum size for an accessory residential building is 66.0 m². Except for hot tubs and similar bathing facilities, an accessory building may not have plumbing fixtures. An accessory residential building may not be used as a dwelling unit.

Retaining Walls

Retaining wall structures not exceeding 1.2 m in height are permitted to be constructed at any location within the boundaries of each property, provided that such structures are separated from each other by a minimum of 1.5 m distance measured horizontally from the face of each retaining wall structure.

Setback and Exceptions

Setback means a horizontal distance from a lot line to a building or structure. Steps may project into front and rear yard setback areas by up to 1 m.

SILVER STAR OFFICIAL COMMUNITY PLAN:

The Silver Star Official Community Plan designates the land use of the subject property as Residential Low Density and as being within the Cabin Colony Neighbourhood. The following Cabin Colony Policies are applicable to the application:

1) Encourage redevelopment to maintain the existing scale of the Cabin Colony through innovative design incorporating setbacks, hillside development techniques, and Architectural Design.
2) Secondary suites shall be supported where current building code requirements and zoning requirements can be satisfied.
3) Re-development of the existing cabins for these allowed uses may be considered where the developer can show that the buildings would be at a scale that is in character with the surrounding buildings and would not impact neighbouring properties.
4) To realize the unique features of the neighbourhood a new zone together with amendments to the current R1 zone, which is unique to this area in the Silver Star community, should be considered to include such items as increased setbacks, on-site parking, limited site coverage or screening as required.
5) To ensure that development guidelines are met, every proposed re-development or addition to an existing building will be considered a Development Permit Area in accordance with policies D.4 and D.5 of the Silver Star Official Community Plan.
6) Encourage development to respect the original Development Variance Permit (87-0004-C-DVP) by not encroaching into already relaxed yard setback areas.¹

¹ In 1987 the Regional Board approved a DVP that relaxed the setback, lot frontage and lot area provisions for some of the existing cabins within the Cabin Colony. These variances do not apply to the subject application.
The following Residential Policies are also applicable to the application:
1) All existing 'Residential' neighbourhoods and new 'Residential' development areas within the Plan area which includes all multi-family development areas, as shown on map Schedule B are considered part of the intensive residential development of the Silver Star community; and are hereby designated within a Development Permit Area to set conditions respecting the 'form and character' of development as outlined in Section J of this Plan.
2) The development of new 'Residential' development areas where a Development Permit is required respecting the 'form and character' of development shall include a consideration of ski-in / ski-out access whereby such access on existing nearby properties shall not be negatively impacted with possible extensions of a ski-in / ski-out access into new development areas: and the Regional District may require that a professional consultant with experience in ski hill development be retained to evaluate the suitability of the proposed ski-in/ski-out access.
3) The Regional District considers that snow management and snow storage on 'Residential' properties to be a priority; therefore, a minimum frontage of 15 m should apply for all new parcels where parking areas will access directly to the frontage road and all new buildings should maintain a minimum 3 m or 5 m side yard setback as outlined in the Zoning Bylaw.

The following Variances Policies are also applicable to the application:
1) The Regional District recognizes that new building height and setback regulations in the "Zoning Bylaw" have not been adequately tested by new developments and that some variances may be appropriate for consideration based on site specific circumstances.

Cabin Colony Development Permit Guidelines- Form and Character

The Cabin Colony is designated as a Development Permit Area for intensive residential development. As such, the following guidelines are to be considered for this application:
1) Support development at a scale that is in character with the Cabin Colony buildings, or designed in a manner that reduces the impression of massing and scale.
2) Support development that more closely aligns with the existing Cabin Colony style. Encourage steeply pitched roofs and building heights limited to 2 to 2.5 storeys.
3) Encourage owners to maintain a one lot one building philosophy through attaching proposed additions to the principal building on the site.
4) Support development that incorporates the use of natural color schemes and materials. Vinyl siding and bright or vibrant colours are only to be used as very limited accents if at all.
5) Encourage a modified craftsman architectural style for re-development.
6) Encourage the use of stone accent features on building facades.
7) Support development that incorporates the use of fire retardant materials.
8) Support development that maintains maximum site coverage of 15%
9) Encourage development that involves surface parking rather than enclosed parking
10) Encourage the installation of a front covered entry to the structure.
11) Flat roofs do not fit with the craftsman theme or the arch-rafter designs and therefore are not encouraged.
12) Require a landscaping plan to be provided showing all trees on site and indentifying all trees over 6" diameter proposed to be removed. Proposed plants and trees, retaining walls with dimensions and materials, proposed walkways and driveways including materials, drainage plan and exterior lighting are required to be shown.
Cabin Colony Development Permit Guidelines - Natural Environment

The Cabin Colony is also designated as a Development Permit Area for the protection of the natural environment. As such, the following guidelines are to be considered for this application:

1) Require identification of significant trees and natural features prior to development.
2) Encourage preservation of significant trees and natural features wherever possible.
3) Encourage reclamation and natural landscaping wherever possible to reduce water demands and maintain the unique rural nature of the Cabin Colony.
4) Eliminate ladder fuels on trees over 10 m.

PLANNING ANALYSIS:

The owners of the subject property are proposing to replace the existing foundation of their A-Frame dwelling and in doing so, are proposing to lift the dwelling and to add a lower floor. The owners are also proposing to rotate the A-Frame dwelling so that it would be parallel to and setback 3.1 m from the southwest facing side lot. The dwelling is currently setback 5.47 m from the rear lot line and relocating it as proposed would place it 5.16 m from the rear lot line. An external stairwell would project from the building and would be setback 4.52 m from the rear lot line. The Zoning Bylaw requires a rear yard setback of 8 m, and so the owners have requested that this requirement be varied as proposed.

The Planning Department raises no objections to the proposed variance and acknowledge that the options related to the placement of the dwelling are limited by the easement which traverses the property in a north to south direction and the steeply sloping front portion of the property. Retaining the existing footprint lessens the impact on the natural vegetation and remaining trees on site.

As it relates to the impact the setback of the building may have on the use and enjoyment of neighbouring properties, it is noted that there would be sufficient spatial separation between the building and the buildings on the neighbouring properties and that the applicant proposes to retain all but one of the mature trees located between the building and the adjacent properties. Also, the placement and dimensions of the windows on the top story of the single dwelling have been designed to respect the privacy of adjacent property owners. Finally, due to the sloping nature of the property and the proposed placement of the building, it does not appear that the setback of the buildings would obstruct the views of adjacent landowners.

Overall, the proposed development incorporates design elements that are encouraged by the Cabin Colony Development Permit guidelines. Specifically, the building design retains the existing A-Frame form and character. The building addition incorporates a modified craftsman architectural style, front covered entries, natural colour schemes and materials and fire retardant materials. The applicant has submitted a tree retention plan and notes that only one tree with a diameter of 6" or larger will be removed to accommodate the proposed development.

The Planning Department raises no objections to the requested Development Permit with Variances and recommends that it be given favourable consideration.
SUMMARY:

The applicant is proposing to lift, relocate and construct an addition to the existing single dwelling located at 139 Silver Lode Lane. A Development Permit with Variance is required prior to the issuance of a Building Permit for the proposed development as the property is designated in the Silver Star Official Community Plan as being within a Development Permit Area for intensive residential development (the Cabin Colony) and the protection of the natural environment. The applicant is requesting a variance to the rear yard setback requirements relating to the single dwelling. It is recommended that, subject to receiving comments from adjacent land owners, the Board authorize the issuance of the subject Development Permit with Variance as it does not appear that the proposed development would negatively impact the use and enjoyment of the subject and neighbouring properties and overall, is in keeping with the applicable development permit guidelines.

REFERRALS:

The application has been referred to the following for their review and comment:

1. Electoral Area ‘C’ Director
2. Electoral Area ‘C’ Advisory Planning Commission
3. Electoral Area Advisory Committee
4. Building Inspection Department
   This building will require a snow shed plan prepared by a professional engineer prior to issuance of a building permit.
5. Silverhawk Utilities (Silver Star)
   No comments received.
6. Silverhawk Utilities (Calgary)
   No comments received.
7. Community Protective Services Manager
   No comments received.
8. Engineering Department
   The RDNO does not foresee any fees or conditions necessary for water service to this development. If an increase in water volume and or water flow is required, please contact RDNO for a list of conditions necessary for water service upgrades.
9. Silver Star Fire Department
   No comments received.
10. Silver Star Resort
    No Comments received.
Submitted by:

Laura Frank, MA (Plan)
Sustainability Coordinator

Endorsed by:

Rob Smailes, MCIP
General Manager, Planning and Building

Approved For Inclusion:

Trafford Hall, Administrator
SILVER STAR MOUNTAIN
DEVELOPMENT PERMIT W/VARIANCE APPLICATION
SUBJECT PROPERTY MAP

File: 12-0263-CSS-DP / 12-0217-CSS-DVP
Applicant: Donald & Patricia Couch c/o Stu Hembling Construction
Location: 139 Silver Lode Lane

Subject Property Map
B.C. LAND SURVEYOR'S CERTIFICATE OF LOCATION

To:  G.A. Schrij & Assoc.
c/o Gary Schrij
P.O. Box 1959
Salmon Arm, B.C.  V1E 4P9

Re:  S.L. D, Strata Plan KAS1259,
     D.L. 1355,
     O.D.Y.D.
     Civic Address: Silver Lode Lane, Silver Star.
     Your File:  

Plan KAS1259

Cabin

Right of Way
Plan 39341

Easement

S.L. D

Plan KAS1259

DECK

old
deck

22.31

2.90

2.85

2.95

5.47

4.96

4.96

8.10

3.01

6.40

3.05

12.84

12.84

9.83

9.83

common Property
Foundation Plan

Cross Section

16'-3"
9'-7"
3'-7"
...
...

Typical Door & Window Detail With Drip Flashing Over
Wall:
- Siding on Tyvek Paper on
- 3/8" Plywood on
- 2x6 Framing
- 6 Mil Poly
- 3" Drywall Point
- Peel & Stick under lower window corner
R-20 Insulation
8" Anchor Bolts @ 6" D/C
Sil Gasket Under Wall

42" Hall

4" Concrete Deck on
- 3/8" Ply-Wood on
- Slotted Sleepers on
- Engineered Floor System Filled with Sprayed Foam Insulation (R-28 Min.)

Engineered Beam

4" Min. Frost Depth

4" Drain With Drain Rock Over

Thermal Break
2"x24" Rigid Insulation

4" Slab on 6 mil Poly

Foundation Designed By Others

Compacted Granular Fill

Existing Cabin

20'-0"
20'-0"
...
...

Foundation Plan

Cross Section
ALL DISTANCES ARE IN METRES.

LOT 14
PLAN
KAP44937

SL D
STRATA PLAN
KAS1259

SCALE: 1 : 250
DATE: 10 May 2012
DRAWN: RB

WILLIAM E. MADDOX
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