



PLANNING DEPARTMENT INFORMATION REPORT

DEVELOPMENT VARIANCE PERMIT APPLICATION

DATE: March 18, 2022

FILE NO.: 22-0109-CSS-DVP

OWNER/APPLICANT: Mark Fraser c/o BTE Construction Ltd.

LEGAL DESCRIPTION: Lot 92, DL 1355, ODYD, Plan KAP44119

P.I.D.#: 016-735-803

CIVIC ADDRESS: 190 Odin Road

PROPERTY SIZE: 0.10 ha

ZONING: Residential Single Dwelling and Suite (R.4)

O.C.P. DESIGNATION: Residential Low Density

PROPOSAL: Internal alterations to extend the existing kitchen and create a mudroom within a portion of an existing garage

PROPOSED VARIANCE: Reduce size of indoor parking space

PLANNING DEPARTMENT RECOMMENDATION:

That upon consideration of input from adjacent landowners, a Development Variance Permit not be issued for the property legally described as Lot 92, DL 1355, ODYD, Plan KAP44119 and located at 190 Odin Road, Electoral Area "C" to permit a variance to Section 802.1 of the *Silver Star Zoning Bylaw No. 1926, 2004* by decreasing the width of an indoor parking space from 3.0 m to 2.87 m, and length from 5.5 m to 4.01 m as shown on the plans attached to the Planning Department report dated March 18, 2022.

SUMMARY:

This report relates to an application for a Development Variance Permit for the property located at 190 Odin Road. The subject property contains a single dwelling with a two bay garage. The applicant is proposing to alter the two bay garage by extending the existing kitchen into it, and creating a mud room within a remaining portion of the existing garage. The alterations would eliminate one stall within the garage, and reduce the length and width of the remaining stall to 4.01 m and 2.87 m respectively. The proposal requires a variance to the Zoning Bylaw as it would not comply with the 3.0 m width and the 5.5 m length requirements for an indoor parking space.

The Planning Department recommends that the proposed variance not be supported as the Silver Star Zoning Bylaw requires a minimum of one indoor space for a dwelling in a residential zone, and the remaining garage space proposed is not sufficient to allow for the storage of most motor vehicles. While the applicant can demonstrate space for three parking spaces (and associated snow storage) in front of the dwelling, allowing for this variance may set a precedent that would lead owners of other properties at Silver Star to request similar variances to reduce indoor parking supply.

Overall, it is suggested that the proposed variance is not minor in nature and approval of the variance may have a potential negative impact on the use and enjoyment of the subject or surrounding properties with more vehicles parking outside.

BACKGROUND:

Site Context

The following orthophoto of the subject and surrounding properties was taken in 2018:



The subject property is located on the eastern side of Odin Road, near to the top of the Silver Woods chairlift. The property contains an existing 6 bedroom dwelling with a two bay garage which was built in 1992. An 8.4 m wide driveway connects the dwelling and garage with Odin Road. The subject property is designated Residential Low Density in the Silver Star Official Community Plan (OCP) and zoned Residential Single Dwelling and Suite (R.4) in the Silver Star Zoning Bylaw. Adjacent properties to the north, south, and west are designated Residential Low Density and zoned R.4. The property immediately east is part of the ski way, and is designated and zoned Resort Use (R.U).

The Proposal

As shown on the attached plans, the applicant is proposing to alter the existing dwelling by extending the existing kitchen and creating a mud room within a portion of the existing garage. The alterations would reduce the number of indoor parking spaces from two to one, and decrease the size of the remaining indoor parking space to 4.01 m long by 2.87 m wide. The applicant has indicated that he does not use the existing garage to store cars, instead parking vehicles in front of the dwelling, and using the garage space for storage of bikes, snow removal equipment, etc.

The proposal requires a variance to the Zoning Bylaw as it would not comply with the required dimensions for an indoor parking space. The applicant proposes to provide three side-by-side outdoor parking spaces on the existing driveway.

PLANNING ANALYSIS:

The Planning Department recommends that the proposed indoor parking space variance not be supported for the following reasons:

- It is acknowledged that the applicant is providing three parking spaces, which is the required amount that must be provided for a 6-bedroom dwelling in accordance with the Zoning Bylaw. However, these are all outdoor spaces, and the bylaw specifically requires an indoor space to be provided. While a portion of the existing garage is being retained, it would not be long enough to accommodate most motor vehicles.
- The requirement that an indoor parking space be provided is consistent across all of the Silver Star area, except for Alpine Meadows, and has been in place since 2005. Therefore allowing this proposal to effectively not provide adequate indoor parking may then set a precedent for requests for other residential developments to not provide indoor parking.

Overall, it is suggested that the proposed variance is not minor in nature and approval of the variance may have a negative impact on the use and enjoyment of the subject or surrounding properties with more vehicles parking outside, and could set a precedent for others to request reductions in parking supply for other residential development.

ALTERNATE RECOMMENDATION:

However, if the Board is desirous to support the variances after consideration of comments from adjacent landowners, the recommendation could be amended by removing the word “not”.

If the Board is supportive of reducing indoor parking requirements generally, staff could be directed to undertake a review and analysis of the parking provisions of the Silver Star Zoning Bylaw.

ZONING BYLAW:

The subject property is zoned Residential Single Dwelling and Suite (R.4). The uses permitted in the R.4 zone include single dwellings (one per lot), suites (one per lot), accessory residential buildings (one per lot), home occupations, and short-term rental accommodation.

Section 802.1 of the Zoning Bylaw requires indoor parking spaces to be not less than 5.5 m long and 2.5 m wide. Parking spaces must be increased to not less than 3.0 m wide where the space is adjacent to a wall.

Section 802.2 requires outdoor parking spaces to be not less than 5.8 m long and 2.8 m wide.

Section 803.3 requires 2 parking spaces for single dwellings with 4 sleeping units plus ½ space for each additional sleeping unit. 1 space must be provided for a suite.

Section 803.4 allows parking spaces for single dwellings to be provided end to end or side to side.

Section 803.5 requires a minimum of 1 indoor parking space for a dwelling in a residential zone.

Section 803.10 requires snow storage areas for outdoor parking areas to be located within 10 m of the parking area and to equal 50% of the size of the parking area.

OFFICIAL COMMUNITY PLAN:

The Official Community Plan designates the land use of the subject property as Residential Low Density. The following OCP Policies are applicable to the application:

Residential Policies – General

1. Land for current and future residential uses is designated as 'Residential'.
2. Lands designated as 'Residential' includes low and medium density residential uses as further outlined in the Zoning Bylaw.

Residential Policies – The Knoll

16. The Knoll neighbourhood as shown on map Schedule C is designated as a mix of 'Low Density Residential' and 'Medium Density Residential' where residential uses may be developed as outlined in the "Zoning Bylaw".
17. The Regional District recognizes that The Knoll neighbourhood is forested where the integration of new development into the natural environment should include the preservation of this forested area where feasible and practical and the area is also within a wildfire interface area; therefore, The Knoll neighbourhood is designated within a Development Permit Area to set conditions for the 'protection of the natural environment' and for the 'protection of development from hazardous conditions' as outlined in Section J of this Plan.

Development Permit Areas

The OCP designates the subject property as being within a Development Permit Area for the form and character of low residential development, protection of development from hazardous conditions (wildfire) and protection of the natural environment. The OCP gives opportunity for

exemption of a form and character Development Permit if authorization for the proposal is granted by the holder of a registered Building Scheme registered on title. Additionally, the OCP exempts applicants from the hazardous conditions and protection of the natural environment Development Permit requirements if they have received an exemption from a form and character Development Permit. In this case, the holder of the Building Scheme is no longer involved in the subdivision and therefore the OCP directs that the Silver Star Design Panel review development proposals for compliance with the Building Scheme. The Silver Star Design Panel reviewed and supported the initial proposal (removing the garage door and replacing with matching siding) in October 2019 as part of the Building Permit application. The Building Permit for the alteration expired in 2021 and was renewed until October 2022.

REFERRAL COMMENTS:

The application was referred for comments to the following:

- 1. Building Inspection Department**
- 2. Community Services Department**
- 3. Silver Star Fire Department**
- 4. Silver Star Resort**
- 5. Ministry of Transportation and Infrastructure**

As no structures are proposed within 4.5 m of the road boundary, the Ministry of Transportation and infrastructure have indicated that they have no jurisdiction to comment on the application, and no permits are required.

Submitted by:



Heather Shannon
Planner

Endorsed by:



Rob Smailes, RPP, MCIP
General Manager, Planning and Building

Reviewed by:



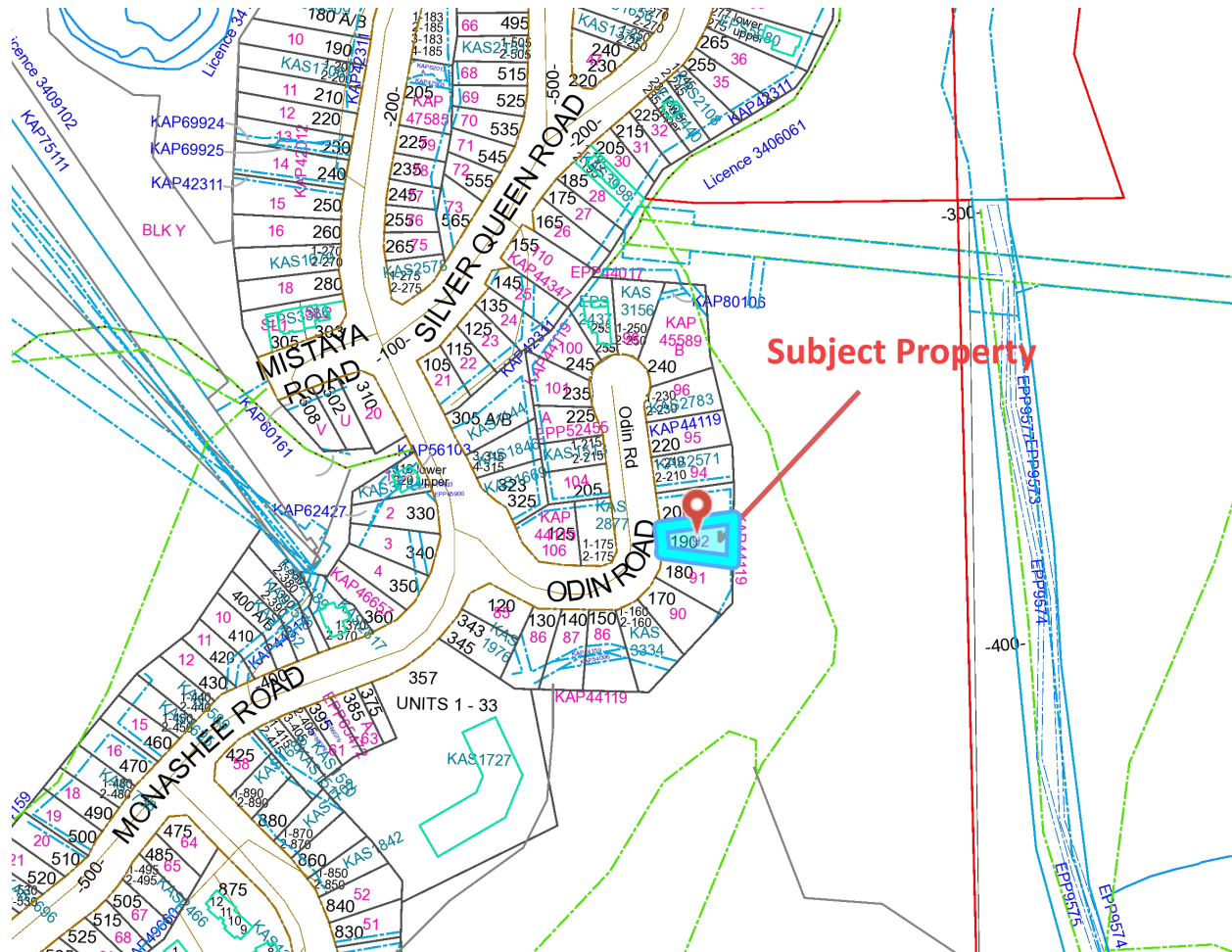
Greg Routley
Deputy Planning Manager

Approved for Inclusion:

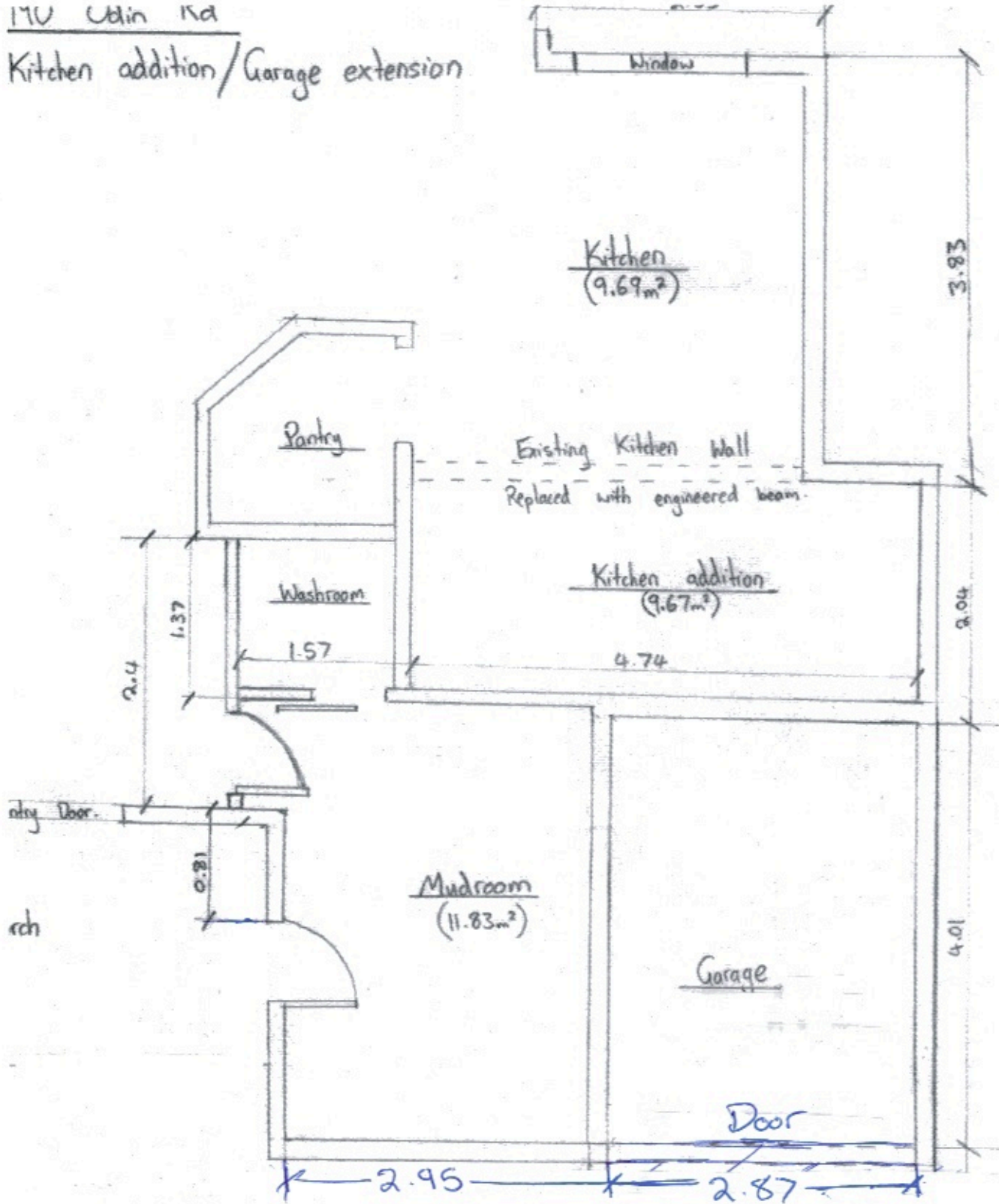


David Sewell
Chief Administrative Officer

File: 22-0109-CSS-DVP
Location: 190 Odin Road



Kitchen addition/Garage extension



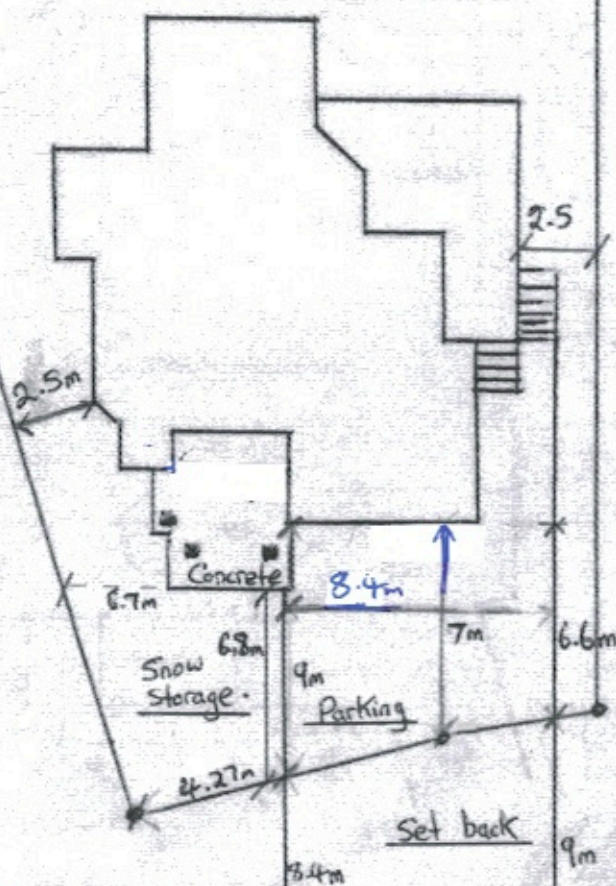
190 Odin Rd

Site plan - Property pins

Parking sqmeters = $62.4m^2$
Snow storage = $45.5m^2$

Property line

Property line



SITE PLAN

Odin Rd

V.D. CROSBY RESIDENCE

Site plan- Parking
Snow Storage.

Property line

Snow Storage
 $8m \times 4.27m = 29m^2$
 $8m \times 2.43m = 16.52m^2$

Parking
 1 - 2.8×5.8
 2 - 2.8×5.8
 3 - 2.8×5.8

Total = 48.72
 50% = 24.35

Property line

Snow Storage
 $(45.5m^2)$

Porch

Concrete
 6.7m

Parking
 #1

Garage

2.87

8.4m

Parking
 #2

Parking
 #3

2.8

2.8

2.8

N

6.6m

4.27m

8m

9m

Odin Rd

Sun deck

2.5m

4.01