



# REGIONAL DISTRICT OF CENTRAL KOOTENAY

## Committee Report

**Date of Report:** April 26, 2021  
**Date & Type of Meeting:** May 19, 2021 Rural Affairs Committee  
**Author:** Eileen Senyk, Planner  
**Subject:** DEVELOPMENT VARIANCE PERMIT  
**File:** V2101J-01489.000-GRANT-DVP00207

### SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is for the Board to consider an application for a Development Variance Permit in Electoral Area 'J'. The applicant wishes to vary the maximum gross floor area of an accessory building in the Suburban Residential (R1) zone from 100 m<sup>2</sup> to 125 m<sup>2</sup> and to vary the maximum building height from 6m to 7m.

Given that (a) there has been no opposition to the application; (b) the proposed increased size is suitable for the character of the property and the surrounding area; and (c) the proposed variance would enable the property owner to accommodate their storage needs in a single building, thereby removing three existing temporary storage buildings onsite, Staff recommend that the Board SUPPORT the application.

### SECTION 2: BACKGROUND / ANALYSIS

#### GENERAL INFORMATION

**Property Owner:** Jeff Grant

**Property Address:** 1030 Gleboff Road, Robson, Electoral Area 'J'

**Legal Description:** LOT A DISTRICT LOT 301A KOOTENAY DISTRICT PLAN 11549 (PID 012-728-764)

**Property Size:** 0.3 hectares (.73 acres)

**Zoning Designation:** Suburban Residential (R1)

**OCP Designation:** Suburban Residential (SR1)

#### Site Context and Development Proposal

The property is located in the unincorporated community of Robson. There is a single-family dwelling located on the property and several small accessory buildings. The intent of the proposal is to build one accessory building and remove three temporary structures. One accessory building that is not on a permanent foundation will be re-sided and relocated. There is a small greenhouse and a chicken coop that will remain.

The property is flat and there are no natural hazards present. The surrounding area is residential. There is an un-developed road right of way (Upper Levels Road) adjacent to the north property line.

The building plans indicate that the height of the building will be 6 metres. Per communication with the Building Official for the area, at times, truss design can require structural hardware to connect the truss

together at the location where the truss sits on the top plate. This can potentially push the building up to 30 cm higher than the building plans indicate in the early stages. To account for this 'wobble room', and to avoid the requirement for a survey, the applicant has applied for a maximum building height of 7 metres.

The property is 0.3 hectares (3000 m<sup>2</sup>) in size. Table 1 summarizes the development regulations for the zone, and how they compare the proposal.

Table 1: Development Regulations

<b>Development Regulation</b>	<b>Maximum Allowable in R1 Zone</b>	<b>Proposed</b>
Maximum height for accessory structure	6 m	7 m
Maximum gross floor area for any accessory building	100 m <sup>2</sup>	125 m <sup>2</sup>
Maximum cumulative gross floor area of all accessory buildings	200 m <sup>2</sup>	168 m <sup>2</sup>
Maximum site coverage	50%	15%
Maximum area that buildings and structures will cover	33%	11%

The applicant is proposing to remove three temporary storage structures. The accessory structures that would remain would be a greenhouse (13 m<sup>2</sup>) a chicken coop (10 m<sup>2</sup>) and an older wooden shed, not on a permanent foundation (20 m<sup>2</sup>). Once these are accounted for, the maximum area covered by these and the proposed new building is still significantly less than the maximum 200 m<sup>2</sup> allowed in the development regulations. The site coverage is also significantly less than that allowed in the development regulations.



Figure 1: Overview Map

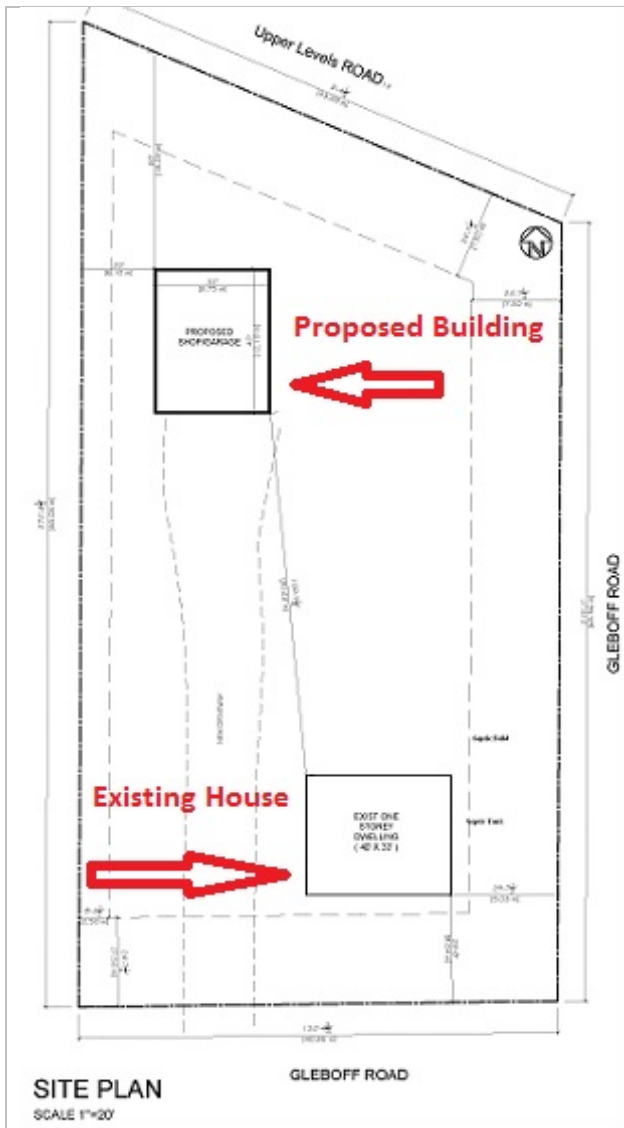


Figure 2: Site Plan



*Figure 3: Proposed Building Location*



*Figure 4: North East Corner of Property*



*Figure 5: Accessory building in foreground to be relocated, green and white sheds in background to be removed*



*Figure 6: Temporary accessory building to be removed*

SECTION 3: DETAILED ANALYSIS			
<b>a. Financial Considerations – Cost and Resource Allocations:</b>			
<b>Included in Financial Plan:</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<b>Financial Plan Amendment:</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
<b>Debt Bylaw Required:</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<b>Public/Gov’t Approvals req’d:</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
Pursuant to the Planning Fees and Procedures Bylaw, the \$500 application fee was paid in full.			
<b>b. Legislative Considerations (Applicable Policies and/or Bylaws):</b>			
This application proposes to vary Section 701.7 and 701.8 of RDCK zoning bylaw No. 1675, 2004.			
<b>c. Environmental Considerations:</b>			
None anticipated.			
<b>d. Social Considerations:</b>			
None anticipated.			
<b>e. Economic Considerations:</b>			
None anticipated.			
<b>f. Communication Considerations:</b>			
The application was referred to relevant government agencies, internal departments as well as neighboring property owners within 100 metres of the subject property. No concerns were raised.			
<b>g. Staffing/Departmental Workplan Considerations:</b>			
Should the Board approve the Development Variance Permit, staff will register the permit on the property’s title.			
<b>h. Board Strategic Plan/Priorities Considerations:</b>			
Not applicable.			
SECTION 4: OPTIONS			
<b><u>Planning Discussion</u></b>			
<p>The applicant seeks to build an accessory building that is 25 m<sup>2</sup> over the allowable gross floor area for the zone. If successful, the new building will eliminate the need for three temporary structures that are currently on the property. The proposed site coverage will still be significantly less than the 33% enabled by the zoning bylaw. If the current application was unsuccessful, the applicant would be able to build two accessory building, each with less than 100 m2 gross floor area. The current proposal is less intensive than this alternative. Therefore, staff recommend that the Regional Board approve the Development Variance Permit.</p>			

**Option 1**

That the Board APPROVE the issuance of Development Variance Permit V2101J to Jeff Grant for the property located at 1030 Gleboff Road, Robson, Electoral Area 'J' and legally described as LOT A DISTRICT LOT 301A KOOTENAY DISTRICT PLAN 11549 (PID 012-728-764) to vary Section 701.7 of RDCK Zoning Bylaw No. 1675, 2004: FROM 6 metres TO 7 metres and Section 701.8 of RDCK Zoning Bylaw No. 1675, 2004 from 100 square metres to 125 square metres.

**Option 2**

That the Board NOT APPROVE the issuance of Development Variance Permit V2101J to Jeff Grant for the property located at 1030 Gleboff Road, Robson, Electoral Area 'J' and legally described as LOT A DISTRICT LOT 301A KOOTENAY DISTRICT PLAN 11549 (PID 012-728-764) to vary Section 701.7 of RDCK Zoning Bylaw No. 1675, 2004: FROM 6 metres TO 7 metres and Section 701.8 of RDCK Zoning Bylaw No. 1675, 2004 from 100 square metres to 125 square metres.

**SECTION 5: RECOMMENDATION(S)**

That the Board APPROVE the issuance of Development Variance Permit V2101J to Jeff Grant for the property located at 1030 Gleboff Road, Robson, Electoral Area 'J' and legally described as LOT A DISTRICT LOT 301A KOOTENAY DISTRICT PLAN 11549 (PID 012-728-764) to vary Section 701.7 of RDCK Zoning Bylaw No. 1675, 2004: FROM 6 metres TO 7 metres and Section 701.8 of RDCK Zoning Bylaw No. 1675, 2004 from 100 square metres to 125 square metres.

Respectfully submitted,

Signature:

Originally signed by

Name: Eileen Senyk

**CONCURRENCE**

**Initials:**

Planning Manager – Digitally approved by Nelson Wiaht.

General Manager of Development and Community Sustainability – Digitally approved by Sangita Sudan.

Chief Administrative Officer – Digitally approved by Stuart Horn.



**ATTACHMENTS:**

**Attachment A – Draft Development Variance Permit**

**Attachment B – R1 Excerpt from Zoning Bylaw**



**REGIONAL DISTRICT OF CENTRAL KOOTENAY**

**DEVELOPMENT VARIANCE PERMIT**

**Planning File No. V2101J01489.000-Grant-DVP00207**

Date: May 5, 2021

Issued pursuant to Section 498 of the *Local Government Act*

TO: Jeff Grant

**ADMINISTRATION**

1. This Development Variance Permit (DVP) is issued subject to compliance with all of the bylaws of the Regional District of Central Kootenay (RDCK) applicable thereto, except as specifically varied or supplemented by this Permit.
2. The land described shall be developed strictly in accordance with the terms and conditions and provisions of this DVP, and any plans and specifications attached to this Permit that shall form a part thereof.
3. This DVP is not a Building Permit.

**APPLICABILITY**

4. This DVP applies to and only to those lands within the RDCK described below, and any and all buildings, structures and other development thereon, substantially in accordance with Schedules '1' and '2':

Address: 1030 Gleboff Road, Robson, Electoral Area 'J'  
Legal: LOT A DISTRICT LOT 301A KOOTENAY DISTRICT PLAN 11549  
(PID 012-728-764)

**CONDITIONS**

5. Development Variance

RDCK Zoning Bylaw No. 1675, 2004, Section 701.7 is varied as follows:

From: The maximum height of any accessory building or structure shall not exceed 6 metres.

To: The maximum height of any accessory building or structure shall not exceed 7 metres, as shown on Schedule '3' and/or measured from the roofline.

And that RDCK Zoning Bylaw No. 1675, 2004, Section 701.8 is varied as follows:

From: The maximum gross floor area of any accessory building or structure shall not exceed 100 square metres.

To: The maximum gross floor area of any accessory building or structure shall not exceed 125 square metres.

## 6. Schedule

If the holder of the DVP does not substantially start any construction or does not register the subdivision with respect to which the permit was issued within two years after the date it is issued, the permit lapses.

Authorized resolution [*enter resolution number*] passed by the RDCK Board on the day of \_\_\_\_\_, 20\_\_\_\_.

The Corporate Seal of  
THE REGIONAL DISTRICT OF CENTRAL KOOTENAY  
was hereunto affixed in the presence of:

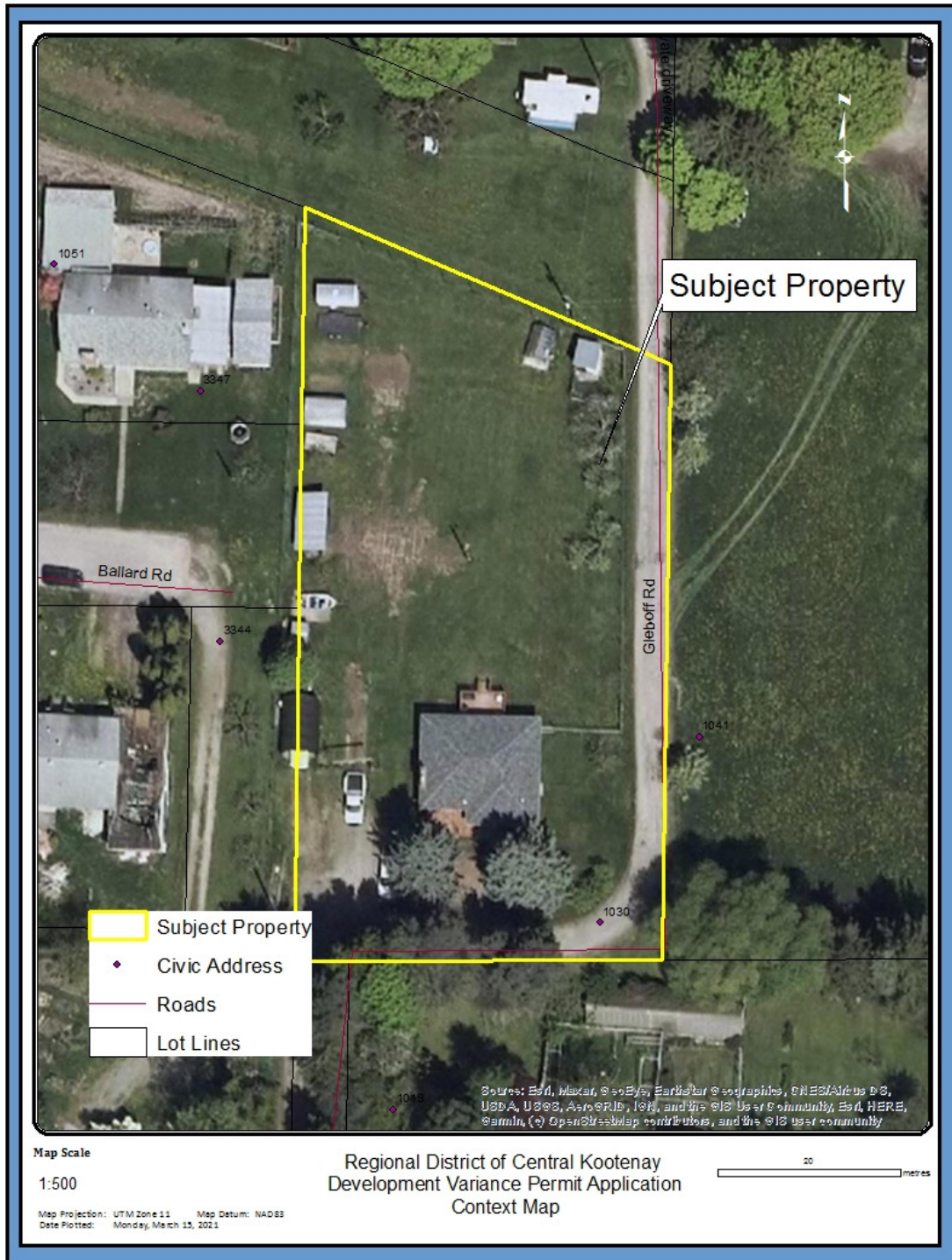
---

Aimee Watson, Board Chair

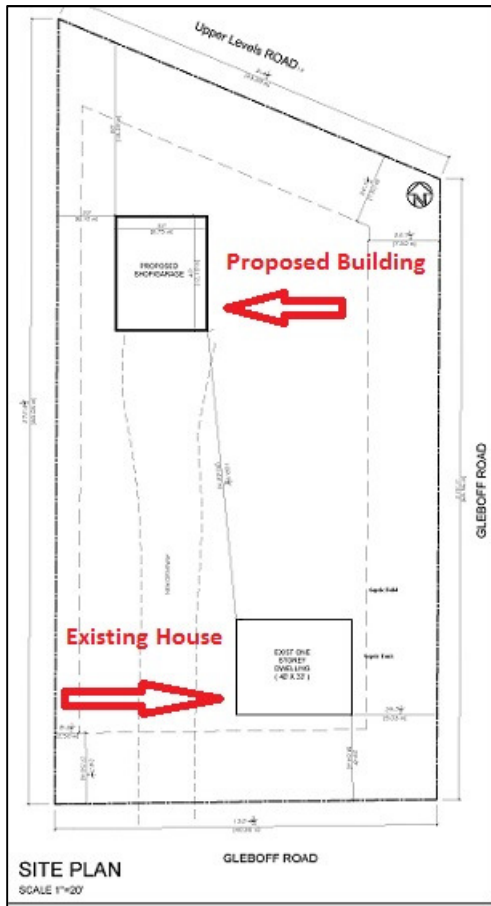
---

Mike Morrison, Corporate Officer

Schedule 1: Subject Property



Schedule 2: Site Plan



Schedule 3: Building Plans

**NOTES**

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE NATIONAL BUILDING CODE OF CANADA (NBC) AND THE ONTARIO BUILDING CODE (OBC).
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY.
3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
4. THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND STRUCTURES.
5. THE CONTRACTOR SHALL MAINTAIN THE EXISTING CURB AND SIDEWALKS.
6. THE CONTRACTOR SHALL MAINTAIN THE EXISTING DRIVEWAY AND GARAGE.
7. THE CONTRACTOR SHALL MAINTAIN THE EXISTING LANDSCAPE AND TREES.
8. THE CONTRACTOR SHALL MAINTAIN THE EXISTING FENCE.
9. THE CONTRACTOR SHALL MAINTAIN THE EXISTING DRIVEWAY AND GARAGE.
10. THE CONTRACTOR SHALL MAINTAIN THE EXISTING LANDSCAPE AND TREES.
11. THE CONTRACTOR SHALL MAINTAIN THE EXISTING FENCE.
12. THE CONTRACTOR SHALL MAINTAIN THE EXISTING DRIVEWAY AND GARAGE.
13. THE CONTRACTOR SHALL MAINTAIN THE EXISTING LANDSCAPE AND TREES.
14. THE CONTRACTOR SHALL MAINTAIN THE EXISTING FENCE.
15. THE CONTRACTOR SHALL MAINTAIN THE EXISTING DRIVEWAY AND GARAGE.
16. THE CONTRACTOR SHALL MAINTAIN THE EXISTING LANDSCAPE AND TREES.
17. THE CONTRACTOR SHALL MAINTAIN THE EXISTING FENCE.
18. THE CONTRACTOR SHALL MAINTAIN THE EXISTING DRIVEWAY AND GARAGE.
19. THE CONTRACTOR SHALL MAINTAIN THE EXISTING LANDSCAPE AND TREES.
20. THE CONTRACTOR SHALL MAINTAIN THE EXISTING FENCE.

**FLOOR PLAN**

**SITE PLAN**  
SCALE 1:50

**SUMMARY OF WORK**

REVISIONS:

NO.	DATE	DESCRIPTION
1	01/15/2020	ISSUED FOR PERMIT
2	02/10/2020	REVISED PER PERMIT COMMENTS
3	03/05/2020	REVISED PER PERMIT COMMENTS
4	04/01/2020	REVISED PER PERMIT COMMENTS
5	05/01/2020	REVISED PER PERMIT COMMENTS
6	06/01/2020	REVISED PER PERMIT COMMENTS
7	07/01/2020	REVISED PER PERMIT COMMENTS
8	08/01/2020	REVISED PER PERMIT COMMENTS
9	09/01/2020	REVISED PER PERMIT COMMENTS
10	10/01/2020	REVISED PER PERMIT COMMENTS
11	11/01/2020	REVISED PER PERMIT COMMENTS
12	12/01/2020	REVISED PER PERMIT COMMENTS
13	01/01/2021	REVISED PER PERMIT COMMENTS
14	02/01/2021	REVISED PER PERMIT COMMENTS
15	03/01/2021	REVISED PER PERMIT COMMENTS
16	04/01/2021	REVISED PER PERMIT COMMENTS
17	05/01/2021	REVISED PER PERMIT COMMENTS
18	06/01/2021	REVISED PER PERMIT COMMENTS
19	07/01/2021	REVISED PER PERMIT COMMENTS
20	08/01/2021	REVISED PER PERMIT COMMENTS
21	09/01/2021	REVISED PER PERMIT COMMENTS
22	10/01/2021	REVISED PER PERMIT COMMENTS
23	11/01/2021	REVISED PER PERMIT COMMENTS
24	12/01/2021	REVISED PER PERMIT COMMENTS
25	01/01/2022	REVISED PER PERMIT COMMENTS
26	02/01/2022	REVISED PER PERMIT COMMENTS
27	03/01/2022	REVISED PER PERMIT COMMENTS
28	04/01/2022	REVISED PER PERMIT COMMENTS
29	05/01/2022	REVISED PER PERMIT COMMENTS
30	06/01/2022	REVISED PER PERMIT COMMENTS
31	07/01/2022	REVISED PER PERMIT COMMENTS
32	08/01/2022	REVISED PER PERMIT COMMENTS
33	09/01/2022	REVISED PER PERMIT COMMENTS
34	10/01/2022	REVISED PER PERMIT COMMENTS
35	11/01/2022	REVISED PER PERMIT COMMENTS
36	12/01/2022	REVISED PER PERMIT COMMENTS
37	01/01/2023	REVISED PER PERMIT COMMENTS
38	02/01/2023	REVISED PER PERMIT COMMENTS
39	03/01/2023	REVISED PER PERMIT COMMENTS
40	04/01/2023	REVISED PER PERMIT COMMENTS
41	05/01/2023	REVISED PER PERMIT COMMENTS
42	06/01/2023	REVISED PER PERMIT COMMENTS
43	07/01/2023	REVISED PER PERMIT COMMENTS
44	08/01/2023	REVISED PER PERMIT COMMENTS
45	09/01/2023	REVISED PER PERMIT COMMENTS
46	10/01/2023	REVISED PER PERMIT COMMENTS
47	11/01/2023	REVISED PER PERMIT COMMENTS
48	12/01/2023	REVISED PER PERMIT COMMENTS
49	01/01/2024	REVISED PER PERMIT COMMENTS
50	02/01/2024	REVISED PER PERMIT COMMENTS
51	03/01/2024	REVISED PER PERMIT COMMENTS
52	04/01/2024	REVISED PER PERMIT COMMENTS
53	05/01/2024	REVISED PER PERMIT COMMENTS
54	06/01/2024	REVISED PER PERMIT COMMENTS
55	07/01/2024	REVISED PER PERMIT COMMENTS
56	08/01/2024	REVISED PER PERMIT COMMENTS
57	09/01/2024	REVISED PER PERMIT COMMENTS
58	10/01/2024	REVISED PER PERMIT COMMENTS
59	11/01/2024	REVISED PER PERMIT COMMENTS
60	12/01/2024	REVISED PER PERMIT COMMENTS
61	01/01/2025	REVISED PER PERMIT COMMENTS
62	02/01/2025	REVISED PER PERMIT COMMENTS
63	03/01/2025	REVISED PER PERMIT COMMENTS
64	04/01/2025	REVISED PER PERMIT COMMENTS
65	05/01/2025	REVISED PER PERMIT COMMENTS
66	06/01/2025	REVISED PER PERMIT COMMENTS
67	07/01/2025	REVISED PER PERMIT COMMENTS
68	08/01/2025	REVISED PER PERMIT COMMENTS
69	09/01/2025	REVISED PER PERMIT COMMENTS
70	10/01/2025	REVISED PER PERMIT COMMENTS
71	11/01/2025	REVISED PER PERMIT COMMENTS
72	12/01/2025	REVISED PER PERMIT COMMENTS
73	01/01/2026	REVISED PER PERMIT COMMENTS
74	02/01/2026	REVISED PER PERMIT COMMENTS
75	03/01/2026	REVISED PER PERMIT COMMENTS
76	04/01/2026	REVISED PER PERMIT COMMENTS
77	05/01/2026	REVISED PER PERMIT COMMENTS
78	06/01/2026	REVISED PER PERMIT COMMENTS
79	07/01/2026	REVISED PER PERMIT COMMENTS
80	08/01/2026	REVISED PER PERMIT COMMENTS
81	09/01/2026	REVISED PER PERMIT COMMENTS
82	10/01/2026	REVISED PER PERMIT COMMENTS
83	11/01/2026	REVISED PER PERMIT COMMENTS
84	12/01/2026	REVISED PER PERMIT COMMENTS
85	01/01/2027	REVISED PER PERMIT COMMENTS
86	02/01/2027	REVISED PER PERMIT COMMENTS
87	03/01/2027	REVISED PER PERMIT COMMENTS
88	04/01/2027	REVISED PER PERMIT COMMENTS
89	05/01/2027	REVISED PER PERMIT COMMENTS
90	06/01/2027	REVISED PER PERMIT COMMENTS
91	07/01/2027	REVISED PER PERMIT COMMENTS
92	08/01/2027	REVISED PER PERMIT COMMENTS
93	09/01/2027	REVISED PER PERMIT COMMENTS
94	10/01/2027	REVISED PER PERMIT COMMENTS
95	11/01/2027	REVISED PER PERMIT COMMENTS
96	12/01/2027	REVISED PER PERMIT COMMENTS
97	01/01/2028	REVISED PER PERMIT COMMENTS
98	02/01/2028	REVISED PER PERMIT COMMENTS
99	03/01/2028	REVISED PER PERMIT COMMENTS
100	04/01/2028	REVISED PER PERMIT COMMENTS

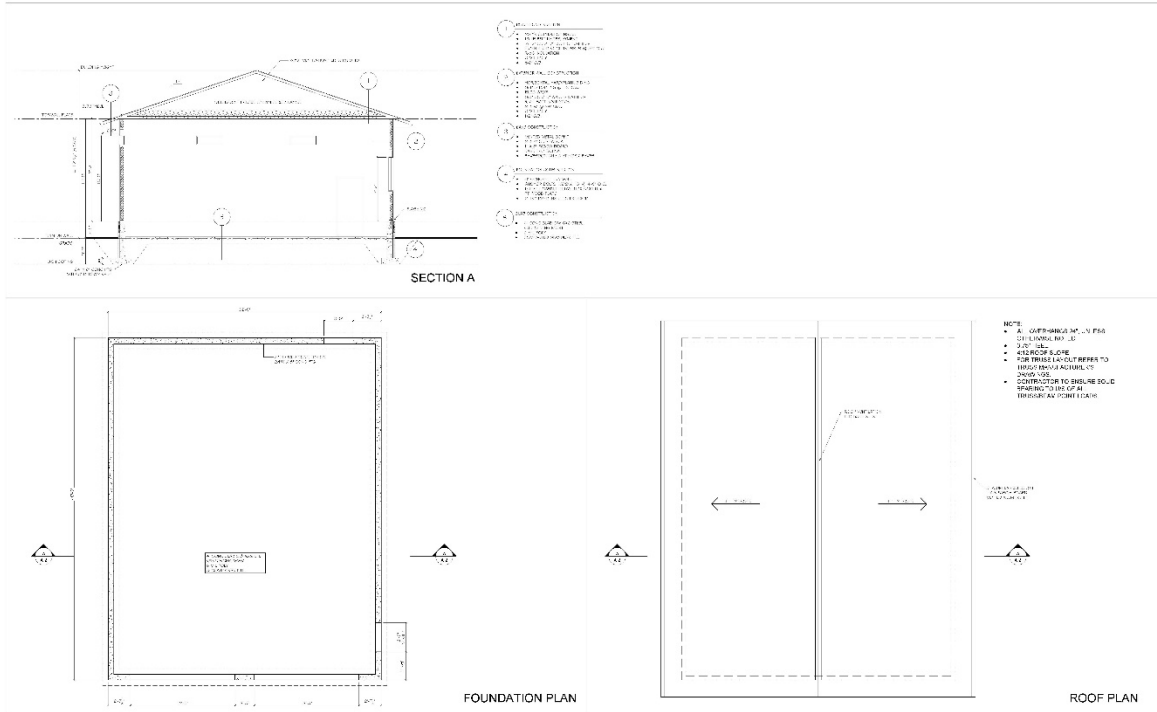
R. PIVA  
DRAFTING SERVICES

HORVATH  
CUSTOM CARPENTRY

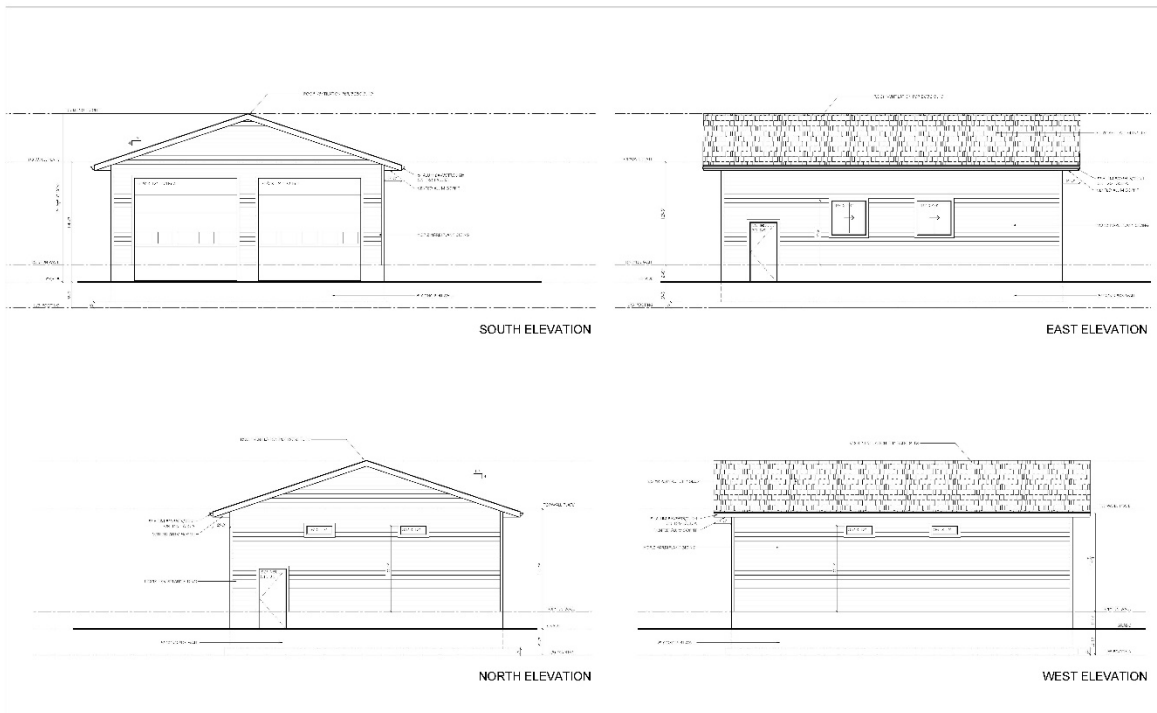
PROJ. NO. 2020-01489-000  
300 GLEBOFF ROAD  
BAYVIEW, ON

SITE PLAN, 1ST FLOOR  
PLAN & DIMENSIONS  
SCALE: 1/8" = 1'-0"

**A-1**



<table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>		NO.	DATE	DESCRIPTION										<b>H. HVA DRAFTING SERVICES</b> 1111 1/2 ST. N WILSONVILLE, OR 97148	<b>HORVATH CUSTOM CARPENTRY</b> 1111 1/2 ST. N WILSONVILLE, OR 97148	PROJECT NO. 2020-001 133 CLEGG ROAD, ROSSDALE, BC	<b>FOUNDATION &amp; ROOF PLANS, &amp; SECTION A</b> SHEET NO. <b>A-2</b>
NO.	DATE	DESCRIPTION															



<table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>		NO.	DATE	DESCRIPTION										<b>H. HVA DRAFTING SERVICES</b> 1111 1/2 ST. N WILSONVILLE, OR 97148	<b>HORVATH CUSTOM CARPENTRY</b> 1111 1/2 ST. N WILSONVILLE, OR 97148	PROJECT NO. 2020-001 133 CLEGG ROAD, ROSSDALE, BC	<b>ELEVATIONS</b> SHEET NO. <b>A-3</b>
NO.	DATE	DESCRIPTION															

**DIVISION 7 SUBURBAN RESIDENTIAL (R1)**

**Permitted Uses**

700 Land, buildings and structures in the Suburban Residential (R1) zone shall be used for the following purposes only:

Dwellings:

One-Family

Two-Family

Accessory Uses:

Accessory Buildings and Structures

Accessory Tourist Accommodation

Home Based Business

Horticulture

Keeping of Farm Animals

Sale of Site Grown Farm Products

**Development Regulations**

701

1 The minimum site area for the following uses shall be required as follows:

	Community Water Supply and Community Sewer System	Community Water Supply Only	On-Site Servicing Only
One-Family Dwelling	700 square metres	0.2 hectare	1.0 hectare
Two-Family Dwelling	1,000 square metres	0.4 hectare	1.0 hectare

- 2 The maximum site coverage is 50 percent of the site area.
- 3 Buildings and structures shall not cover more than 33 percent of the site area.
- 4 The keeping of farm animals shall comply with the requirements of section 613 except that under all circumstances swine shall not be kept on any lot.
- 5 Farm animals and poultry shall be caged, fenced or housed at all times.
- 6 No principal building may exceed ten (10) metres in height.
- 7 The maximum height of any accessory building or structure shall not exceed 6 metres.
- 8 The maximum gross floor area of any accessory building or structure shall not exceed 100 square metres.



- 9 The cumulative gross floor area of all accessory buildings or structures shall not exceed 200 square metres.
- 10 Buildings and structures in the case of a lot that may be further subdivided shall be sited so as to facilitate the further subdivision of the lot or adjacent lots.
- 11 Landscape screens or fences not exceeding a height of one (1) metre may be sited on any portion of a lot.
- 12 Fences not exceeding a height of two (2) metres may be sited to the rear of the front lot line setback or exterior side setback on a lot.