



Request for Decision Development Variance Permit Application

File No: P 719 359
Reference: DVP 44-19
Date: December 17, 2019

Subject: DVP 44-19 (Cranbrook North / Marlow)
Applicant: Tracey and Katherina Marlow
Location: 4201 Kahn Road, North of Cranbrook
Legal: Lot 17, District Lot 10352, Kootenay District Plan 7892

Proposal: Application to waive section 1.08 (2)(a) of the Electoral Area C South Zoning & Floodplain Management Bylaw to permit the temporary external placement of up to three boats in association with a home based business.

Options:

1. THAT Development Variance Permit No. 44-19 (Cranbrook North / Marlow) be granted.
2. THAT Development Variance Permit No. 44-19 (Cranbrook North / Marlow) be refused.

Recommendation: **Option #1**
The area identified for the temporary placement of the boats is in a location that is not visible from the road. The proposed maximum number of boats allowed at one time will not overwhelm the property and the home based business will continue to operate in a way that is accessory to the residential nature of the property.

Property Information: **OCP Designation:** MH, Medium Holding, which supports rural residential development with a parcel size of 2.0 ha.

OCP Policies:

- Home based businesses will be permitted within residential areas through the zoning bylaw. However, the business must remain accessory to the residential use and must not disrupt the residential character of the neighbourhood.

Zoning Designation: RR-2, Rural Residential (Small Holding) Zone (minimum parcel size: 2.0 ha)

Parcel Size: 1.1 ha (2.8 ac)

Density: One Single Family Dwelling

ALR Status: Not within the ALR

Interface Fire Hazard Rating: Low to high, within the Cranbrook Rural fire protection area

BC Assessment: Residential (SFD)

**Property
Information -
cont'd:**

Water and Sewer Services: Onsite

Flood Hazard Rating: The subject property is not identified as being within in an area with a flood hazard rating.

**Additional
Information:**

- The owners operate a boat and ATV repair and maintenance business. The accessory shop on the property is part of the home based business. On parcels less than 2 ha no external storage and no exterior evidence of the home based business is permitted.
- The application states that the boats would not be placed long term, just while they are waiting for parts. The boats would be placed outside, to the west of the shop.

Consultation:

Advisory Commissions:

APC Area C: Support.

Response(s) to Notice: 13 notices were mailed on November 25, 2019 to all property owners within 100 m of the subject property. No notices were returned as undeliverable. Five letters of support have been received.

**Documents
Attached:**

- Permit
- Location Map
- Land Use Map
- Proposal

**RDEK
Contact:**

Krista Gilbert, Planning Technician
Phone: 250-489-0314
Email: kgilbert@rdek.bc.ca