



# Request for Decision Development Variance Permit Application

File No: P 719 554  
Reference: DVP 45-19  
Date: December 23, 2019

**Subject:** DVP No. 45-19 (Windermere / Kachur and Stringer)  
**Applicant:** Kenneth Kachur and Terry-Lynn Stringer  
**Agent:** Craig @ Craig Design Ltd.  
**Location:** Windermere Rd in Windermere  
**Legal:** Strata Lot 10, District Lot 8, KD, Plan NES3319

**Proposal:** To increase the maximum permitted height for a principal building from 9.0 m to 9.5 m to permit construction of a single family.

**Options:**

1. THAT Development Variance Permit No. 45-19 (Windermere / Kachur and Stringer) be granted.
2. THAT Development Variance Permit No. 45-19 (Windermere / Kachur and Stringer) be refused.

**Recommendation: Option #1**

A bylaw housekeeping amendment has been drafted to amend how mono-pitch roof styles are measured for height and this change is being included in the rewrite of the Upper Columbia Valley Zoning Bylaw. A similar bylaw amendment regarding mono-pitched roof height has been adopted in other RDEK Zoning Bylaws. If the proposed roof was able to be considered under the pending new bylaw, it would comply.

Contrary to the agent's submission stating that staff are subjectively applying the bylaw, the measurement of height is being applied consistently on all four elevations of the building. The agent's submission is correct in that the current definition of height in the bylaw penalizes more modern forms of architectural design, which is why it is being amended.

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**Property Information:** **OCP Designation:** R-SF, Residential Low Density, which supports single family residential subdivisions, duplexes and manufactured home parks.

**OCP Policy:**

- To support a range of housing types and densities within the plan area reflective of the diverse needs of both resident and non-resident homeowners that make up the plan area.

**Zone Designation:** R-1, Single Family Residential Zone

**Parcel Area:** 900 m<sup>2</sup> (9687 ft<sup>2</sup>)

**Density:** One single family dwelling is permitted per lot

**ALR Status:** Not within the ALR

**BC Assessment:** Residential (vacant)

**Property  
Information  
– cont'd:**

**Flood Hazard Rating:** The property is within the floodplain of Lake Windermere and is within a special policy area for flood hazard from Jane Creek. The hazard rating is 'F' which means, "Flooding by moderate velocity flows possible; may include the stable areas of alluvial and debris fans of moderate size streams, small streams with steeper slopes, or the stable transition zone of larger alluvial and debris flow fans." Any building must meet a minimum elevation of 1.0 m above the natural ground surface and 0.6 m above any obstruction that could cause ponding, appropriate scour protection and siting of habitable areas by a suitably qualified professional and minimum FPS distances from all watercourses, lakes, ponds, marsh areas and reservoirs applied.

**Water / Sewer Services:** East Side Lake Windermere Water, private community sewer

**Interface Fire Hazard Rating:** Low; within the Lake Windermere fire protection area.

**Additional  
Information:**

The RDEK is currently working on a housekeeping amendment to change how mon-pitch roof designs are measured for height and, if this change is adopted for the Columbia Valley area, this residence will comply.

**Consultation:**

**Advisory Commissions:**

**APC Area F & G:** Support recommended

**Response(s) to Notice:** Notices were mailed on December 3, 2019 to all property owners within 100 m of the subject property. No notices were returned as undeliverable and no letters have been received.

**Documents  
Attached:**

- Permit
- Location Map
- Land Use Map
- Proposal

**RDEK  
Contact:**

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