

Request for Decision Development Variance Permit Application

File No: P 725 545
Reference: DVP 19-25
Date: June 24, 2025

Subject: DVP No. 19-25 (Panorama / Martin)
Applicant: Craig and Logan Martin
Location: 2178 Trappers Way, Panorama
Legal: Lot 5 District Lot 17108 Kootenay District Plan EPP19561
(PID: 029-208-882)

Proposal: Application to reduce the exterior side yard setback from 4.5 m to 1.15 m for an existing deck and to increase the maximum parcel coverage from 35 to 37.7% for construction of an addition to the existing single family dwelling.

Options:

1. THAT Development Variance Permit No. 19-25 (Panorama / Martin) be granted.
2. THAT Development Variance Permit No. 19-25 (Panorama / Martin) be refused.
3. THAT Development Variance Permit No. 19-25 (Panorama / Martin) to reduce the exterior side yard setback for the existing deck be granted and the increase in maximum parcel coverage for construction of an addition be refused.

Recommendation: **Option #3**

The adjacent portion of the road right of way is unlikely to be developed and the Ministry of Transportation & Transit (MOTT) has issued a relaxation permit for the existing deck. The proposed addition is larger than the existing dwelling and being constructed to the 35% parcel coverage. This could be reduced which would allow the covered patio addition and still meet the parcel coverage requirement outlined in the zoning bylaw.

Property Information: **OCP Designation:** R-SF, Residential Low Density which supports single family residential subdivisions, duplexes and zoning that supports secondary suites.

OCP Objectives and Policies:

- Identify development nodes for residential accommodation and limit development to these areas.
- Support a range of housing types and densities within the plan area to reflect both resident and non-resident property owners.
- New residential development is directed to the development nodes within land use designations that support residential development and employee housing as designated on Schedules C, C1 and C2.

	Zone Designation: R-1(D), Single Family Residential (Resort) Zone
Property Information - cont'd:	Parcel Size: 0.07 ha (0.18 ac) Density: One single family dwelling and one secondary suite within the single family dwelling is permitted per parcel ALR Status: Not within the ALR Interface Fire Hazard Rating: Moderate, within the Panorama Fire Protection Area BC Assessment: Residential (SFD) Water and Sewer Services: Corix Community Water and Sewer Systems. Flood Hazard Rating: RDEK mapping indicates a seasonal drainage or unnamed creek may run through the subject property. Floodplain management provisions apply to the development if applicable.
Professional Studies:	None.
Additional Information:	<ul style="list-style-type: none">▪ A Minor Development Variance Permit application has also been applied for and approved. The Minor DVP is to reduce the exterior side yard setback from 4.5m to 2.8m for construction of the proposed addition to the existing dwelling.▪ The Minor DVP did not include the covered hot tub patio addition. The location of the patio addition is not adjacent to an MOTT right of way, unlike the dwelling addition, therefore the side yard setback does not need a variance.▪ The application states that the existing house and deck were constructed inside the MOTT setback by the original owner. At the time the original building permit was reviewed, RDEK staff did not identify that part of the side parcel line as adjacent to a road right of way and therefore a smaller exterior side yard setback requirement was applied.▪ The applicant is proposing to build a 138 m² addition to the existing 123 m² dwelling. The applicant identifies that the 2.7% parcel coverage over the permitted 35% is for a roof to cover the hot tub patio to keep snow off. If the patio was not covered, the deck would not be considered in the parcel coverage calculations.▪ A restrictive covenant is registered on the property that requires a site-specific geotechnical investigation prior to construction. The investigation is required to confirm the soil and groundwater conditions of the building site.
Consultation:	APC Area F: Support, subject to registration of a covenant stating that the patio area cannot become a liveable indoor space.

Ministry of Transportation & Transit: A relaxation permit has been issued by the MOTT for the existing deck.

Response(s) to Notice: 21 notices were mailed on May 26, 2025 to all property owners within 100 m. No notices were returned as undeliverable and two responses have been received expressing support for the setback variance for the existing deck but opposition for the variance to increase the parcel coverage for the addition. The responses also expressed concern about the mailing process and a drainage issue on the property.

**Documents
Attached:**

- Permit
- Location Map
- Land Use Map
- Zone Designation Map
- Site Plan
- Building Elevations
- Aerial Photo
- Google Street View
- Notice Responses

**RDEK
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