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**To:** Mayor and Council  
**From:** Paul Gipps, CAO  
**Meeting Date:** June 17, 2025  
**Meeting Type:** Regular Council Meeting

**Prepared by:** Sheeja Vimalan, Planner  
**Department:** Planning and Development

**Title:** Development Variance Permit | DVP00407 | 9710 Okanagan Centre Rd E  
**Description:** To authorize construction of a proposed addition to the existing single-family dwelling with variance to the minimum side yard setback regulations.

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### RECOMMENDATION

THAT Development Variance Permit DVP00407 (Attachment A to the Report to Council dated June 17, 2025) for the property located at 9710 Okanagan Centre Rd E, legally described as LOT 18 SECTION 10 OSOYOOS DIV OF YALE LAND DISTRICT PLAN KAP23474 TOWNSHIP 20; (PID: 006-413-293), to reduce the side yard setback requirements to the south side for the development of an addition to the existing single-family dwelling, be approved.

### EXECUTIVE SUMMARY

The subject property is a previously developed residential lot within the District of Lake Country. The applicant proposes an addition to the south side of the existing single-family dwelling. The proposed addition (~23 m<sup>2</sup>) would provide dry storage of materials and a trailer that is used for a small excavation business run by the applicant. To construct the proposed addition to the south side of the property, the applicant requests a variance to the minimum side yard setback requirement (from 2.0 m to 0.0 m) of Zoning Bylaw #561, 2007.

The application is in accordance with the Official Community Plan's (OCP) associated objectives and policies.

Staff supports the proposed Development Variance Permit.

**TABLE 1: APPLICATION INFORMATION**

Application Information			
<b>Application Type</b>	Development Variance Permit	<b>Application Date:</b>	2025-06-17
<b>Applicant:</b>	Davis Todosichuk	<b>Owner:</b>	Davis Todosichuk
<b>Application Description</b>	Request to allow an addition to the south side of the existing single-family dwelling with a variance to the minimum side yard setback requirement on the property.		
<b>Variances</b>	① Indicates requested variance to the minimum side yard setback requirement to the south side from 2.0m to 0.0m.		

**TABLE 2: PROPERTY INFORMATION & LAND USE**

Property Information: General	
<b>Folio/Roll #:</b>	02391.192
<b>Legal Description</b>	LOT 18 SECTION 10 OSOYOOS DIV OF YALE LAND DISTRICT PLAN KAP23474 TOWNSHIP 20
<b>PID</b>	006-413-293
<b>Civic Address:</b>	9710 Okanagan Centre Rd E
Property Information: Land Use	
<b>OCP Designation:</b>	Urban Residential

<b>Zoning Designation:</b>	RU1- Small-Scale Multiple Housing	
<b>Land Use Contract</b>	n/a	
<b>ALR:</b>	n/a	
<b>Parcel Size:</b>	~ 0.11 ha/0.27 ac	
<b>Development Permit Areas:</b>	n/a	
<b>Adjacent Land Summary:</b>	<b>Zoning:</b>	<b>Use:</b>
<i>North:</i>	RU1 – Small-Scale Multiple Housing	Residential
<i>East:</i>	C11 – Highway Commercial	Commercial
<i>South:</i>	RU1 – Small-Scale Multiple Housing	Residential
<i>West:</i>	RU1 – Small-Scale Multiple Housing	Residential

**TABLE 3: SERVICING INFORMATION**

Property Information: Infrastructure and Development Engineering	
<b>Road Network</b>	Existing Minor Connector
<b>Driveway Access</b>	No permit required
<b>Water Supply:</b>	Municipal (source: Okanagan Lake/Beaver Swallow Lake)
<b>Sewer:</b>	Private – on-site septic
<b>Drainage / Stormwater</b>	Open ditch
<b>Comments:</b>	None

**ANALYSIS**

The subject property is located at 9710 Okanagan Centre Rd E (Attachment B). The applicant, with no knowledge of the prerequisites required before the construction of a structure, built a skeleton for the proposed addition to the single-family dwelling. The applicant's proposal is to have an addition (Attachment C) to the south of the existing dwelling and have it attached to the existing retaining wall (on the south property line). This addition would provide dry storage for materials and a trailer that is used for a small excavation business. Site photos (Attachment D) have been added for context.

**Official Community Plan**

The subject property is designated Urban Residential under the District's OCP and is in accordance with the associated objectives and policies (s.16).

**Zoning Bylaw 561, 2007**

The subject property is zoned RU1 – Small-Scale Multiple Housing; development regulations of the zone in comparison to the proposal are presented in Table 4, below.

To complete construction of the proposed addition to the south side of the existing dwelling (Attachment C), the applicant has requested a variance (Table 1) to the minimum side yard setback requirement [s.15.1.6 (d)(i)] of Zoning Bylaw #561, 2007. The requested variance would reduce the south side yard setback from 2.0m to 0.0m.

District staff are supportive of the proposed development as it would enhance curb appeal and would clean up the driveway, which is currently occupied with business material.

**TABLE 4: DEVELOPMENT REGULATION SUMMARY**

DEVELOPMENT REGULATIONS		
CRITERIA	RU1 Zone	PROPOSAL
Site Coverage	40%	6.7%
Site Coverage (Building, Driveways, Parking)	50%	12.26%
Height	9.5 m	3.01m

<b>Setbacks</b>		
Min. Front Yard (East)	6.0 m	15.0 m
Min. Side Yard (North)	2.0 m	8.0 m
Min. Side Yard (South)	<b>2.0 m</b>	<b>0.0 m</b>
Min. Rear Yard (West)	6.0 m	18.0 m

#### FINANCIAL IMPLICATIONS

☒ None
 ☐ Budget Previously Approved
 ☐ Other (see below)

#### COMMUNICATION

- This application was referred to internal departments and comments were provided and shared with the applicant.
  - The Building Department provided comments regarding the proximity of the building to the property line and the requirement of having non-combustible construction. The addition could not extend across the property line. The addition would need to meet BC Building Code Part 9 requirements.
- The Planning Department prepared the appropriate letter/signage and landowner notifications prior to approval (as required).

#### ALTERNATE RECOMMENDATION(S)

1. THAT Development Variance Permit DVP00407 (Attachment A to the Report to Council dated June 17, 2025) for the property located at 9710 Okanagan Centre Rd E, legally described as LOT 18 SECTION 10 OSOYOOS DIV OF YALE LAND DISTRICT PLAN KAP23474 TOWNSHIP 20; (PID: 006-413-293), to reduce the side yard setback requirements to the south side for the development of an addition to the existing single-family dwelling, not be approved.
2. THAT Development Variance Permit DVP00407 (Attachment A to the Report to Council dated June 17, 2025) for the property located at 9710 Okanagan Centre Rd E, legally described as LOT 18 SECTION 10 OSOYOOS DIV OF YALE LAND DISTRICT PLAN KAP23474 TOWNSHIP 20; (PID: 006-413-293), to reduce the side yard setback requirements to the south side for the development of an addition to the existing single-family dwelling, be deferred pending receipt of additional information as identified by Council.

Respectfully Submitted,  
**Sheeja Vimalan, Planner**

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**Report Approval Details**

Document Title:	Development Variance Permit – DVP00407 – 9710 Okanagan Centre Road East.docx
Attachments:	
Final Approval Date:	Jun 11, 2025

This report and all of its attachments were approved and signed as outlined below:

**Steven Gubbels, Development Engineering Manager – Jun 6, 2025 – 4:44 PM**

**Greg Price, Manager of Building and Bylaw Services – Jun 9, 2025 – 4:40 PM**

**Carie Liefke, Manager of Current Planning – Jun 9, 2025 – 4:43 PM**

**Jeremy Frick, Director of Development Approvals – Jun 10, 2025 - 1:19 PM**

**Reyna Seabrook, Director of Corporate Services - Jun 10, 2025 - 1:41 PM**

**Paul Gipps, Chief Administrative Officer - Jun 11, 2025 – 7:04 AM**

**Makayla Ablitt, Legislative & FOI Coordinator - Jun 11, 2025 – 9:54 AM**