

**To:** Mayor and Council  
**From:** Paul Gipps, CAO

**Meeting Date:** August 19, 2025  
**Meeting Type:** Regular Council Meeting

**Prepared by:** Jason Tran, Planner

**Department:** Planning and Development

**Title:** Development Variance Permit | DVP00412 | 14710 Carrs Landing Rd  
**Description:** To authorize construction of an accessory building with variances to the allowable maximum floor area of an accessory suite and maximum height.

### RECOMMENDATION

THAT Development Variance Permit DVP00412 (Attachment A to the Report to Council dated August 19, 2025) for the property located at 14710 Carrs Landing Rd, legally described as Lot 1 Section 5 Township 14 Osoyoos Division Yale District Plan 41484 (PID: 014-461-951), to vary the allowable maximum floor area of an accessory suite and maximum height of an accessory building, be approved.

### EXECUTIVE SUMMARY

The subject property is a previously developed residential lot located within the District of Lake Country, currently containing a single-family dwelling and detached garage. The applicant proposes to demolish the existing garage and construct a new garage in the same location, with an attached residential dwelling (accessory suite). The new structure would be tiered to follow the natural slope of the hillside, accommodating the existing topography.

To proceed with the proposed development, the applicant is requesting two variances to Zoning Bylaw No. 561, 2007:

1. An increase in the maximum allowable floor area of an accessory suite to 105.63 m<sup>2</sup>.
2. An increase in the maximum permitted height of the accessory building to 11 metres.

The proposal aligns with the objectives and policies outlined in the Official Community Plan (OCP). Staff are in support of the requested variances.

### BACKGROUND INFORMATION

**Table 1: Application Information**

Application Information			
<b>Application Type</b>	Development Variance Permit	<b>Application Date:</b>	2025-04-14
<b>Applicant:</b>	JEFF GAGNON OKANAGAN DEVELOPMENT CONSULTANTS	<b>Owner:</b>	HOUGHTON, LARRY R HOUGHTON, MARIE C
<b>Application Description</b>	Request to allow construction of an accessory suite with a variance to the allowable maximum floor area and maximum height requirement		
<b>Variances</b>	❶ Indicates requested variance to the maximum floor area of an accessory suite requirement the lesser of 90 m <sup>2</sup> or 75% to <b>105.63 m<sup>2</sup></b> .		
	❷ Indicates requested variance to the maximum building height of the Accessory Building requirement from 8 m to <b>11 m</b> .		

**Table 2: Property Information: General**

Property Information: General	
<b>Folio/Roll #:</b>	01751.090
<b>Legal Description</b>	LOT 1 SECTION 5 TOWNSHIP 14 OSOYOOS DIVISION YALE DISTRICT PLAN 41484
<b>PID</b>	014-461-951
<b>Civic Address:</b>	14710 Carrs Landing Rd

**Table 3: Property Information: Land Use**

Property Information: Land Use		
<b>OCP Designation:</b>	Rural Residential	
<b>Zoning Designation:</b>	RR3 – Rural Residential 3	
<b>Land Use Contract</b>	n/a	
<b>ALR:</b>	n/a	
<b>Parcel Size:</b>	~ 1.177 ha/ 2.908 ac	
<b>Development Permit Areas:</b>	Natural Environment	
<b>Adjacent Land Summary:</b>	<b>Zoning:</b>	<b>Use:</b>
<i>North:</i>	P1 – Public Park and Open Space	Community Recreation Services
<i>East:</i>	Carrs Landing Rd, A1 – Agriculture 1	Road & Agricultural
<i>South:</i>	RR3 – Rural Residential 3	Residential
<i>West:</i>	W1 – Recreational Water Use	Recreational Water Activities

**Table 4: Property Information: Infrastructure And Development Engineering**

Property Information: Infrastructure and Development Engineering	
<b>Road Network</b>	Minor connector
<b>Driveway Access</b>	Driveway access permit required upon successful BP application
<b>Water Supply:</b>	Private (Source: Okanagan Lake)
<b>Sewer:</b>	On-site septic (with connection to municipal sewer)
<b>Drainage / Stormwater</b>	Ditch drainage
<b>Comments:</b>	Special consideration to be taken pertaining to storm drainage and erosion and sediment control due to close proximity to Okanagan Lake

## ANALYSIS

The subject property, located at 14710 Carrs Landing Road (see Attachment B), contains a single-family dwelling, a cellar, and a detached garage (Attachment E – Site Plan). The applicant proposes to demolish the existing garage and cellar (Attachment C – Existing Buildings) and construct a new larger accessory building (~320m<sup>2</sup>) in the same location (Attachment E – Project Area). The new structure would include a garage at the lower level and an accessory suite above.

To facilitate this development, the applicant is requesting two variances to the Zoning Bylaw No. 561, 2007:

1. **Floor Area:** An increase in the maximum allowable floor area for an accessory suite from 90 m<sup>2</sup> to 105.6 m<sup>2</sup> (Attachment F – Suite Plan). The RR3 zone does not have a maximum size for an accessory building, except for site coverage, which is not an issue with this proposal.
2. **Height:** An increase in the maximum permitted height for an accessory building from 8 m to 11 m (Attachment G – Cross Section).

This proposed renovation aims to address the applicant's family housing needs during the ongoing housing crisis. The existing dwelling lacks sufficient space to accommodate the applicant's extended family, specifically their children and grandchildren who visit frequently. The current home does not provide enough bedrooms, amenities, or living space. With the garage requiring reconstruction, the applicant sees this as an ideal opportunity to incorporate an accessory suite (Attachment D – Rationale Letter).

### Servicing Information

The existing principal dwelling is currently serviced by an onsite septic tank which is connected to the DLC Carrs Landing Sewer System. The applicant proposes to connect the accessory suite to the same sewer line that services the principal dwelling, ensuring consistency with existing infrastructure and compliance with DLC servicing standards.

### Official Community Plan (OCP)

The property is designated Rural Residential under the District's OCP. The proposal aligns with the objectives and policies outlined in Section 12 – Rural Residential, which support low-density development on large lots. Staff consider the proposed variances consistent with the intent of the OCP.

### Zoning Bylaw 561, 2007

The property is zoned **RR3 – Rural Residential 3**. To proceed with the proposed accessory building and suite, the applicant seeks the following variances (see *Table 1*):

1. **Maximum Floor Area** - Section.10.8.5:  
Increase from **90 m<sup>2</sup>** (968 ft<sup>2</sup>) to **105.63 m<sup>2</sup>** (1,136.99 ft<sup>2</sup>), a variance of **15.63 m<sup>2</sup>**.
2. **Maximum Height** - Section.14.3.6.b):  
Increase from **8 m** to **11 m**, a variance of **3 m**.

### Staff Rationale for Supporting Variance Application

District staff recommend approval of the requested variances based on the following considerations:

- Outdated Zoning Bylaw Regulation: The 90 m<sup>2</sup> minimum floor area requirement for accessory suites was established under earlier versions of the BC Building Codes. Although the Building Codes were updated in 2018 to remove this requirement, the DLC Zoning Bylaw was not amended to reflect this change.
- Support for Housing Objectives: Approving the variance supports the District's broader housing goals by facilitating the development of additional accessory suites in a variety of building types. This contributes to increasing the local housing supply while maintaining acceptable standards of health and fire safety.
- Precedent and Future Applications: This is not the first variance application related to the 90 m<sup>2</sup> regulation, and staff anticipate similar applications in the future. Supporting this variance is consistent with past decisions and reflects evolving housing needs.
- Building Design Consideration: The accessory building exceeds the permitted height in the bylaw due to the applicant's intent to connect it to the garage as a single structure. If constructed as two separate buildings, a height variance would not be required.
- Limited Visual Impact: The proposed building site is situated at a lower elevation and will not be visible from Carrs Landing Road, minimizing its visual impact on the surrounding area.

Staff are of the opinion that the proposed development supports the District's objectives for housing diversity and affordability. Furthermore, the proposal complies with all other applicable regulations under the Zoning Bylaw.

**Table 5: Development Regulations**

DEVELOPMENT REGULATIONS		
CRITERIA	RR3 ZONE REQUIREMENTS	PROPOSAL
Accessory Suite	Section 10.8.5. When the accessory suite is located in an accessory building, the maximum floor area of the accessory suite shall not exceed the lesser of 90 m <sup>2</sup> or 75% of the total floor area of the principal building.	❶ 105.63 m <sup>2</sup> floor area
Minimum Lot Area	2500 m <sup>2</sup> for subdivision minimum lot area to have a suite 1.0 ha	11,840 m <sup>2</sup> (1.18 ha)

Maximum Height	Section 14.3.6. b) Accessory Buildings and Structures: The maximum height is the lesser of <u>8.0 m</u> or 2 storeys for accessory buildings and 13.0 m for accessory structures.	② 11 m Accessory Building Height
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#### FINANCIAL IMPLICATIONS

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

#### COMMUNICATION

- This application was referred to internal departments and had no comments.
- Neighbour Consultation was completed and the applicant noted that no comments were received by the neighbours consulted.
- Staff completed Statutory Notification requirements where properties within 100m were notified, and a Development Notice Sign was placed on the subject property.

#### ALTERNATE RESOLUTION OPTION(S)

1. THAT Development Variance Permit DVP00412 (Attachment A to the Report to Council dated August 19, 2025) for the property located at 14710 Carrs Landing Rd, legally described as Lot 1 Section 5 Township 14 Osoyoos Division Yale District Plan 41484 (PID: 014-461-951), to vary the allowable maximum floor area of an accessory suite and maximum height of an accessory building, not be approved.
2. THAT Development Variance Permit DVP00412 (Attachment A to the Report to Council dated August 19, 2025) for the property located at 14710 Carrs Landing Rd, legally described as Lot 1 Section 5 Township 14 Osoyoos Division Yale District Plan 41484 (PID: 014-461-951), to vary the allowable maximum floor area of an accessory suite and maximum height of an accessory building, be deferred pending receipt of additional information as identified by Council.

Respectfully Submitted,  
**Jason Tran, Planner**

## Report Approval Details

Document Title:	Development Variance Permit - DVP00412 - 14710 Carrs Landing Rd.docx
Attachments:	<ul style="list-style-type: none"> <li>- Attachment A - DVP00412 - Draft DVP.pdf</li> <li>- Attachment B - DVP00412 - Location Map.pdf</li> <li>- Attachment C - DVP00412 - Existing Buildings.pdf</li> <li>- Attachment D - DVP00412 - Rationale Letter.pdf</li> <li>- Attachment E - DVP00412 - Site Plan Project Area.pdf</li> <li>- Attachment F - DVP00412 - Suite Plan.pdf</li> <li>- Attachment G - DVP00412 - Cross Sections.pdf</li> </ul>
Final Approval Date:	Aug 13, 2025

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

**Carie Liefke, Manager of Current Planning - Aug 7, 2025 - 1:44 PM**

**Steven Gubbels, Development Engineering Manager - Aug 8, 2025 - 10:25 AM**

**Jeremy Frick, Director of Development Approvals - Aug 13, 2025 - 2:52 PM**

**Reyna Seabrook, Director of Corporate Services - Aug 13, 2025 - 4:07 PM**

**Paul Gipps, Chief Administrative Officer - Aug 13, 2025 - 4:30 PM**

**Makayla Ablitt, Manager of Corporate Administration - Aug 13, 2025 - 4:46 PM**