

MEETING TYPE: Regular Council Meeting
MEETING DATE: October 1, 2024
AUTHOR: Sheeja Vimalan
DEPARTMENT: Planning and Development
ITEM TITLE: Development Variance Permit | DVP00409 | 5150 Finch Road
DESCRIPTION: Development Variance Permit to authorize construction of a secondary suite

PURPOSE

To consider a Development Variance Permit for a secondary suite greater than 90m².

RECOMMENDATION

THAT Development Variance Permit DVP00409 for the property located at 5150 Finch Road, (Attachment A to the Report to Council dated October 1, 2024) (Roll 218.048; PID: 005-670-128) to allow construction of a secondary suite be approved.

EXECUTIVE SUMMARY

The applicant proposes an addition to an existing single-family dwelling. The addition includes a 155.2 m² secondary suite. As the Zoning Bylaw limits the size of secondary suites to 90 m², Council would be required to authorize the construction of the secondary suite, as proposed. Staff support the proposed variance.

BACKGROUND/HISTORY

The applicant proposes renovating the existing dwelling by adding a bonus room, a new garage on the main level, and a secondary suite above the new additions.

TABLE 1: PROPERTY INFORMATION

Civic Address:	5150 FINCH RD		
Roll Number:	2189048		
Legal Description:	PID: 005-670-128; LOT 10 AND AN UNDIVIDED 1/13 SHARE IN LOT 14 SECTION 4 TOWNSHIP 20 OSOYOOS DIVISION YALE DISTRICT PLAN 25111 (SEE PLAN AS TO LIMITED ACCESS)		
Applicant:	CM Designs Ltd.	Owner(s):	Sandra Champagne Broad, Izaak Broad
OCP Designation:	Rural Residential		
Existing Zoning Designation:	RR3 – Rural Residential 3		
Proposed Zoning:	N/A		
Land Use Contract:	N/A		
ALR:	N/A		
Parcel Size:	0.6 ha (1.37 ac)		
DP Area(s):	Natural Environment		
Water Supply:	Private		
Sewer:	Private		
Site Context:	Zoning:	Use:	
North:	RR3 – Rural Residential 3	Residential	
East:	RR3 – Rural Residential 3	Residential	

<i>South:</i>	RR3 – Rural Residential 3	Residential
<i>West:</i>	Waterfront – Okanagan Lake	Waterfront

SITE CONTEXT

The subject property falls within the Rural Residential Designation of the Official Community Plan (OCP). The parcel is outside of the District’s Urban Containment Boundary. The parcel is split into thirds by a common lot Attachment B), with a portion of the lot fronting Finch Road, a portion of the lot on which the existing dwelling is located, and a portion of the lot fronting Okanagan Lake.

This Development Variance Permit application focuses on the central portion of the subject property, where the existing house is located. The site is currently zoned as RR3 – Rural Residential.

TABLE 2: FILE CHRONOLOGY

Date	Event
2023-08-31	Application Submission
2024-08-21	Internal Referrals
2024-09-11	Revised Site Plan from the applicant

DISCUSSION/ANALYSIS

As part of renovating the existing house, the applicant is adding a bonus room and garage to the main level. The proposal is to construct a secondary suite above the new addition to the existing single-family dwelling. The proposed maximum floor area of the secondary suite is 155.2m², which exceeds the maximum requirement (90m²) of the Zoning Bylaw. The applicant requests a variance of 65.2m² to construct the secondary suite, as proposed.

The construction of the proposed secondary suite would accommodate a family member. The proposed construction would comply with other regulations of the Zoning Bylaw. Staff supports the proposed variance.

APPLICABLE LEGISLATION, BYLAWS AND POLICIES

- Local Government Act -Section 498: Development Variance Permits
- Official Community Plan (2018-2038) Bylaw 1065,2 018 – Section 13.2: Rural Residential Designation
- Zoning Bylaw 561, 2007 – Section 10.7: Secondary Suites

IMPACT ON INFRASTRUCTURE, SERVICES AND STAFF CAPACITY

The construction of the proposed secondary suite will require the staff review of a Building Permit application.

FINANCIAL IMPLICATIONS

None Budget Previously Approved Other (see below)

CONSULTATION

Internal referrals were sent out on August 21, 2024. The referral comments came back with no concerns.

COMMUNICATIONS

As per the requirements of the Development Approval Procedure Bylaw 1227, 2024, the applicants are required to complete neighborhood consultation and post development notice signs at the property.

ALIGNMENT WITH COUNCIL STRATEGIC PRIORITIES

Create and Support Opportunities for a Healthy, Active and Inclusive Community

ALIGNMENT WITH MASTER PLANS

Official Community Plan

OPTIONS

- A. THAT Development Variance Permit DVP00409 for the property located at 5150 Finch Road, (Attachment A to the Report to Council dated October 1, 2024) (Roll 218.048; PID: 005-670-128) for a secondary suite be approved.
- B. THAT Development Variance Permit DVP00409 for the property located at 5150 Finch Road, (Attachment A to the Report to Council dated October 1, 2024) (Roll 218.048; PID: 005-670-128) for a secondary suite not be approved.
- C. THAT Development Variance Permit DVP00409 for the property located at 5150 Finch Road, (Attachment A to the Report to Council dated October 1, 2024) (Roll 218.048; PID: 005-670-128) for a secondary suite not be approved pending receipt of additional information as identified by Council.

Collaborators: *(each individual collaborator to add name and date reviewed)*

Name	Date Reviewed

Respectfully Submitted,
Sheeja Vimalan, Planner
Planning and Development

Report Approval Details

Document Title:	Development Variance Permit - DVP00409.docx
Attachments:	<ul style="list-style-type: none"> - Attachment A-DVP00409-Draft DVP.pdf - Attachment B-DVP00409-LOCATION MAP.pdf - Attachment C-DVP00409-ORTHOPHOTO.pdf - Attachment D-DVP00409-SITE PLAN.pdf - Attachment E-DVP00409-SITE PHOTOS.pdf
Final Approval Date:	Sep 26, 2024

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

Brian Zurek, Manager of Planning - Sep 19, 2024 - 3:39 PM

Steven Gubbels, Development Engineering Manager - Sep 19, 2024 - 4:03 PM

Jeremy Frick, Director of Planning & Development - Sep 19, 2024 - 4:41 PM

Reyna Seabrook, Director of Corporate Services - Sep 19, 2024 - 5:13 PM

Paul Gipps, Chief Administrative Officer - Sep 26, 2024 - 9:37 AM