

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

**Meeting Date:** March 18, 2025  
**Meeting Type:** Regular Council Meeting

**Prepared by:** Steven Gubbels, Development Engineering Manager  
**Department:** Infrastructure & Development Engineering

**Title:** Development Variance Permit | DVP00411 | 5617 Oyama Lake Road  
**Description:** To vary the Permitted Lot Configurations in the RLPO zone (Schedule A to RLPO) as defined in the Zoning Bylaw 561, 2007.

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### RECOMMENDATION

THAT Development Variance Permit DVP00411 (Attachment A in the Report to Council dated March 18, 2025) for the property at 5617 Oyama Lake Road, legally described as Lot 2 Section 31 ODYD KAP84855 Township 21; PID 027-227-120, be approved.

### EXECUTIVE SUMMARY

The owners of 5617 Oyama Lake Road have applied to subdivide their parcel into two parcels. The parcel is located in the RLPO zone. Permitted lot configurations in the RLPO zone are specified in "Schedule A to RLPO" in Zoning Bylaw 561, 2007 (Attachment B). The owners would like their subdivision to have a different lot configuration than the one permitted in the Zoning Bylaw to avoid bisecting an existing business on the property. The proposed lot configuration would keep the business confined to one lot, and both new parcels would meet the minimum lot area of 4.0 ha as specified in the RLPO zone of Zoning Bylaw 561.

### DISCUSSION/ANALYSIS

The lot in question is the home of a local business, the Oyama Zipline Adventure Park. The owners would like to subdivide the property into two lots to allow for the business to remain on one lot, and to create a new lot. The lot configuration is restricted by Zoning Bylaw 561 Figure 13.1 (Attachment B); and the lot configuration for subdivision is represented by the lots labelled C1 and C2. If the lot configuration were to meet the Zoning Bylaw, the new lot line would bisect the structures and accesses of the existing business. The subdivision would not be approvable if the business remained, as it would create two non-conforming lots. The owners have stated that a subdivision approval with the Zoning bylaw configuration would mean having to close the business.

The owners request approval of a modified lot configuration as shown in Attachment C – Proposed Site Plan. This variance would allow the property to be subdivided without interfering with the current business and residence. The owners understand that if they are successful with this variance application and subsequent subdivision application for two lots in their preferred configuration, the remainder of the property would not be further subdividable [unless a future zoning amendment were to be applied for and approved by Council]. It is not typical for lot configurations to be specified in Zoning Bylaws, and staff have researched the origins of "Figure 13.1, Schedule A to RLPO" and can find no stated rationale for these specific configurations. Varying the "Figure 13.1, Schedule A" would not increase the density permitted within the RLPO zone and therefore would be permissible by the *Local Government Act*. Staff have no objections to the proposed lot configuration as shown in Attachment C, and would support this configuration to facilitate the subdivision.

If Council approves the variance, the owner would proceed with their subdivision application with the preferred lot configuration. The subdivision application would be reviewed by the District Approving Officer following the usual subdivision process.

**FINANCIAL IMPLICATIONS**

None                       Budget Previously Approved     Other (see below)

If the variance is approved and the subdivision application proceeds, a condition of subdivision approval would be a cash in lieu payment for future improvements to Oyama Lake Road.

**COMMUNICATION**

This application was referred concurrently with the subdivision application to internal departments and external agencies for comment. Notifications for the DVP were completed as per the specifications in the Development Approval Procedures Bylaw 1227, 2024.

**ALTERNATE RECOMMENDATION(S)**

1. THAT Development Variance Permit DVP00411 (Attachment A in the Report to Council dated March 18, 2025) for the property at 5617 Oyama Lake Road, legally described as Lot 2 Section 31 ODYD KAP84855 Township 21; PID 027-227-120, not be approved.
2. THAT Development Variance Permit DVP00411 (Attachment A in the Report to Council dated March 18, 2025) for the property at 5617 Oyama Lake Road, legally described as Lot 2 Section 31 ODYD KAP84855 Township 21; PID 027-227-120, be deferred pending receipt of additional information as identified by Council.

Respectfully Submitted.

**Steven Gubbels, Development Engineering Manager**

## Report Approval Details

Document Title:	DVP00411 – Variance to RLPO Zone for 5617 Oyama Lake Road.docx
Attachments:	<ul style="list-style-type: none"> <li>- Attachment A - Draft DVP00411</li> <li>- Attachment B - Permitted Lot Configurations in RLPO Zones</li> <li>- Attachment C - Proposed Site Plan</li> </ul>
Final Approval Date:	Mar 13, 2025

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

**Carie Liefke, Manager of Current Planning - Mar 12, 2025 – 10:51 AM**

**Jeremy Frick, Director of Development Approvals - Mar 12, 2025 – 4:35 PM**

**Reyna Seabrook, Director of Corporate Services - Mar 12, 2025 - 5:26 PM**

**Paul Gipps, Chief Administrative Officer - Mar 13, 2025 - 7:41 AM**

**Makayla Ablitt, Legislative & FOI Coordinator - Mar 13, 2025 - 10:08 AM**