

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: J. Zaffino, Chief Administrative Officer

DATE: September 18, 2025

RE: Development Variance Permit Application — Electoral Area “D” (D2025.019-DVP)

Administrative Recommendation:

THAT Development Variance Permit No. D2025.019-DVP, to allow for the construction of an addition to the principal dwelling and to formalize multiple buildings and structures at 4813 Barten Place, Okanagan Falls, be denied.

Legal: Lot 4, Plan KAP29239, District Lot 374, SDYD Folio: D-00998.166

OCP: Low Density Residential (LR) Zone: Low Density Residential Two (RS2)

Variance to reduce the minimum front parcel line setback from 7.5 metres to 5 metres; and

Requests: to increase the maximum parcel coverage from 40.0% to 42.5%.

Purpose:

This application is seeking variances to the minimum front parcel line setback and maximum parcel coverage regulations that apply to the subject property in order to undertake the construction of a front entryway as well as to formalize the following structures:

- a partially covered rear deck;
- an existing, unpermitted, addition to the rear of the principal dwelling; and
- three (3) accessory buildings.

Specifically, it is being proposed to vary the front parcel line setback from 7.5 metres to 5.0 metres, and to increase the maximum parcel coverage from 40% to 42.5%.

In support of this request, the applicant has stated that:

- *The proposed variance is consistent with the general purpose and intent of the zone.*
- *Strict compliance with the zoning regulation is unreasonable and un-necessary.*
- *The proposed variance does not unduly impact the character of the streetscape or surrounding neighbourhood.*

Strategic Priorities: Operational

Background & Analysis:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on September 7, 1978, while BC Assessment has classified the property as “Residential” (Class 01).

Available Regional District records indicate that building permits issued on the subject property include a single family dwelling (1980), an storage building (1984), and an addition to the single family dwelling (2025).

Under the Electoral Area “D” Official Community Plan (OCP) Bylaw No. 2603, 2013, the subject property is currently designated Low Density Residential (LR) and is the subject of a Multiple Family Development Permit Area designation.

Under the Okanagan Valley Zoning Bylaw No. 2800, 2022, the property is currently zoned Low Density Residential Two (RS2) which requires a minimum front parcel line setback for buildings and structures of 7.5 metres, as well as a maximum parcel coverage of 40%.

Analysis:

In considering this proposal, Administration notes that the subject development variance permit is comprised of two variances, that will each be considered separately.

Front Parcel Line Setback:

Generally, the use of setback regulations in a zoning bylaw is varied and can relate to such considerations as physical separation between neighbouring properties (e.g. privacy and appearances of overcrowding) or to maintain adequate sightlines for vehicle traffic movements when adjacent a roadway.

From an urban design and streetscape perspective, a front parcel line setback regulation can also contribute to the visual and functional character of a street by creating a clear and coherent building line, which contributes to a visually organized and orderly streetscape (e.g. making neighbourhoods feel more intentionally designed rather than haphazard).

In this instance, it is noted that no structures appear to have previously been sited within the front setback of Barten Place and the current proposal is out of character and unrepresentative of development on this street.

Administration further notes that the subject property does not appear to be limited by any physical or other constraints (e.g. legal restrictions such as easements or right of ways) that would warrant a reduced front setback.

Other options are also seen to be available to the applicant, such as complying with prescribed setbacks and constructing the requested floor area to the rear of the existing principal dwelling.

Finally, it is noted that the Board considered possible amendments to the setbacks applied in the residential zones as part of Small-Scale Multi-Unit Housing (SSMUH) Implementation and resolved to maintain the current 7.5 metre requirement.

Conversely, it is understood that the proposed front entry way is largely decorative in nature and will not be enclosed and that this “openness” may minimize the impact of the structure on the existing streetscape and building line on the south side of Barten Place.

Parcel Coverage:

The purpose of establishing a maximum parcel coverage is to limit the proportion of any lot that can be built on in order to, amongst other things, provide outdoor space for residents, to protect the amenity and character of neighbourhoods and to leave more open space between buildings.

In this case, Administration notes that the proposed increase in maximum parcel coverage from 40.0% to 42.5%. is somewhat minor in nature and is unlikely to have substantial negative impacts on the amenity and character of the neighbourhood, nor it is seen to result in the overdevelopment of the site.

Conversely, there does not appear to be any physical or legal constraints preventing compliance with the parcel coverage requirements in the Zoning Bylaw. In addition, there is a concern that approving an increased parcel coverage may result in overcrowding on residential lots.

Summary:

Due to concerns regarding the proposed front setback variance request, Administration is recommending that this application be denied.

Financial Implications:

Financial implications have been considered and none were found.

Communication Strategy:

The proposed variance(s) have been notified in accordance with the requirements of the *Local Government Act* as well as the Regional District's Development Procedures Bylaw No. 2500, 2011.

Site Context:

The subject property is approximately 695 m² in area and is situated on the south side of Barten Place, approximately 15 km north from the boundary with the Town of Oliver. The property is understood to contain one (1) singled detached dwelling and several accessory buildings.

The surrounding pattern of development is generally characterised by similar residential development.

Public Process:

Adjacent property owners will have received notification of this application with written comments regarding the proposal being accepted, in accordance with Section 2.10 of Schedule '4' of the Regional District's Development Procedures Bylaw No. 2500, 2011, until 4:30 p.m. on September 4, 2025. All comments received are included as a separate item on the Board's Agenda.

Alternatives:

1. THAT Development Variance Permit No. D2025.019-DVP, to allow for the construction of an addition to the principal dwelling and to formalize multiple buildings and structures at 4813 Barten Place, Okanagan Falls, be approved.

Will a PowerPoint presentation be presented at the meeting? No

Respectfully submitted

Jerritt Cloney_____

Jerritt Cloney
Planner I

Endorsed by:

_____

C. Garrish
Senior Manager of Planning

Endorsed by:

_____

A. Fillion
Managing Director, Dev. & Infrastructure

Attachments: No. 1 – Aerial Photo

No. 2 - Site Photo (Google Streetview)

Attachment No. 1 – Aerial Photo



Attachment No. 2 – Site Photo (Google Streetview)

