

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: J. Zaffino, Chief Administrative Officer

DATE: October 2, 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 increase in parcel coverage at 4813 Barten Place, 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 a variance to the minimum front parcel line setback and maximum parcel coverage regulations that apply to the subject property in order to undertake the addition of a front entry way for the existing single detached dwelling.

Specifically, it is being proposed to reduce the front parcel setback from 7.5 metres to 5.0 metres and to increase the maximum parcel coverage from 40.0% 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, and BC Assessment has classified the property as “Residential” (Class 01).

Available Regional District records indicate that a building permits for a deck replacement and mudroom (2025), an addition to a single detached dwelling (1984), and a single detached dwelling (1980) have previously been issued for this property.

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 includes single detached dwellings as a permitted principal use and accessory building or structure as a permitted accessory use.

Board Consideration:

The application was considered by the RDOS Board at its meeting on September 18, 2025, where it was referred to the Electoral Area “D” Advisory Planning Commission (APC) for comments.

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:

The Zoning Bylaw’s use of setback regulations is generally to provide physical separation between neighbouring properties in order to protect privacy and prevent the appearance of overcrowding. When a parcel is also adjacent a roadway, setbacks are further employed to maintain adequate sightlines for vehicle traffic movements.

Minimum setbacks from parcel lines are used to maintain a minimum space between houses in a residential neighbourhood to allow access to sunlight, to provide separation for fire safety or to mitigate nuisances (like noise) that might come from an adjacent building.

In this instance, Administration notes that there are no existing variances for reduced front parcel line setbacks for a single detached dwelling along Barten Place. Therefore, the proposed variance is seen to be inconsistent with the existing streetscape and character of the low-density neighbourhood.

The property is generally flat and does not indicate the presence of any physical or legal constraints that would limit the ability to develop the property while remaining consistent with the Bylaw.

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.

Administration notes that the proposed increase in maximum parcel coverage from 40.0% to 42.5% is minor in nature and is unlikely to negatively impact the amenity and character of the neighbourhood, nor is it seen to result in the over development 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 and approximately 9 km south of the boundary with the City of Penticton. The property is currently developed to include a single 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.

The Electoral Area "D" Advisory Planning Commission (APC) was scheduled to consider this application at its meeting of September 29, 2025. Due to the proximity of this meeting to the Board's meeting of October 2, 2025, a verbal update of the APC's resolution will be provided (if required).

Alternatives:

1. THAT Development Variance Permit No. D2025.019-DVP, to allow for the construction of an addition to the principal dwelling, and increase in parcel coverage at 4813 Barten Place, be approved.

Will a PowerPoint presentation be presented at the meeting? No

Respectfully submitted

Colin Martin

Colin Martin
Planner I

Endorsed by:



C. Garrish
Senior Manager of Planning

Endorsed by:

"Allen Fillion"

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)

