

MEMORANDUM

DEVELOPMENT SERVICES DEPARTMENT



DATE: October 7, 2026
TO: Christopher Garrish, Senior Manager of Planning
FROM: Jerri Cloney, Planner I
RE: Development Variance Permit (DVP) — Electoral Area “E”

FILE NO.: E2026.024-DVP

Owner: Lori Gritten Agent: Adam Klein Folio: E-00654.005
Civic: 3965 4th Street, Naramata Legal: Parcel C (KV96796) Block 59 District Lot 210 SDYD Plan 519

Proposed Development:

This application is seeking a variance to the front parcel line setback that applies to the subject property in order to undertake the construction of a single detached dwelling.

Specifically, it is being proposed to vary the minimum front parcel line setback for buildings and structures from 7.5 metres to 4.6 metres.

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

- *Having a modular with these dimensions (27' x 50'/56') within a setback of 7.5 metres from the property line off of Gladys Avenue isn't proportionate to the site and wastes good backyard space.*
- *... the current regulation would put the home 40' off the Edge of Pavement on Gladys, which is a large distance.*
- *The proposed project includes site coverage of 26%, and 1 storey.*

Site Context:

The subject property is approximately 836 m² in area and is situated on the west side of 4th Street, approximately 80 metres north- east from the boundary with Naramata Village Centre Zone. The property is understood to contain one (1) accessory building.

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

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on July 8, 1908, while BC Assessment has classified the property as “Residential” (Class 01).

Available Regional District records indicate that a demolition permit for a single-family dwelling (2003) was previously issued for the property.

Under the Electoral Area “E” Official Community Plan (OCP) Bylaw No. 3010, 2023, the subject property is currently designated Low Density Residential (LR), and objective of which is to “generally

support the use of lands designated Low Density Residential (LR) ... for single detached dwellings, ... and other uses that fit with the low density residential character of the designation.”

Under the Okanagan Valley Zoning Bylaw No. 2800, 2023, the property is currently zoned Low Density Residential Two (RS2) which requires a minimum front parcel line setback of 7.5 metres for buildings and structures.

Public Process:

In accordance with Section 2.4 of Schedule 4 (Application for a Development Variance Permit) of the Regional District’s Development Procedures Bylaw No. 2500, 2011, adjacent residents and property owners were notified of this DVP application on September 10, 2026, and provided 15 working days to submit comments electronically or in-person to the Regional District.

As of October 2, 2026, being 15 working days from the date of notification, approximately zero (0) representations have been received electronically or by submission at the Regional District office.

Delegated Authority:

Under Section 498.1(2) of the *Local Government Act*, a local government that has delegated authority to an officer or employee to issue a development variance permit (DVP) must include “criteria for determining whether a proposed variance is minor.”

Under Section 3.21 of the Regional District’s *Chief Administrative Officer Delegation Bylaw No. 3033, 2023*, “the CAO or their designate shall ... be delegated authority to issue a development variance permit under Section 498.1 of the *Local Government Act* ...”

Under Section 3.22 of the Regional District’s Chief Administrative Officer Delegation Bylaw No. 3033, 2023, staff are to consider if the variance would be “minor and would have no significant negative impact on the use of immediately adjacent or nearby properties” through the use of the following criteria:

1. *degree or scope of the variance relative to the regulation from which a variance is sought;*
2. *proximity of the building or structure to neighbouring properties; and*
3. *character of development in the vicinity of the subject property.*

With regard to the scope of the requested variance it is considered that a 38% decrease in the minimum front parcel line setback is not minor due to the significant difference in setback reduction from the existing regulation.

With regard to the proximity of the proposed single detached dwelling to neighbouring properties, the nearest front parcel line facing the subject development is approximately 19.8 metres to the north. This distance includes the width of Gladys Avenue, (15.2 metres) which borders the subject property’s north parcel line, and where such a distance is anticipated to mitigate concerns that could arise from an encroaching building or structure being placed within a front parcel line setback.

Further, the siting of the proposed development is also noted as being compliant with all other parcel line setbacks, and where, resultingly, the proximity of the proposed dwelling is anticipated to have minimal adverse on all other neighbouring properties.

With regard to the final criteria and the character of development in the vicinity of the subject property, Administration notes that the subject parcel, along with many of the surrounding parcels, were created by a plan by a plan of subdivision that predates any previous iteration of the current Zoning Bylaw, and where applying the RS2 setback requirements applied to these smaller residential lots within the 'Naramata Village' can be seen to somewhat limit the developable area on these parcels.

As a result of these limitations, historic development patterns reflect numerous examples of encroachments into various parcel line setbacks for both principal and accessory structures, and where the proposed variance to the front parcel line setback is seen to be consistent with the current "mixed and varied" development pattern in this area.

For the reasons stated above, the proposed variance is deemed to be minor, and consideration by staff of whether to issue a development variance permit (DVP) under delegation may proceed.

Analysis:

When considering a "minor" variance request, and in accordance with Section 498.1(2) of the *Local Government Act*, the Regional District Board requires that staff consider the following guidelines when deciding whether to issue a DVP:

- 1. is the proposed variance consistent with the general purpose and intent of the zone;*
- 2. is the proposed variance addressing a physical or legal constraint associated with the site (e.g. unusual parcel shape, topographical feature, statutory right-of-way, etc.);*
- 3. is strict compliance with the zoning regulation unreasonable or un-necessary; and*
- 4. Would the proposed variance unduly impact the character of the streetscape or surrounding neighbourhood.*

In this instance, and with regard to the first guideline, Administration notes that the proposed variance is considered consistent with the general purpose and intent of the RS2 Zone as it accommodates a permitted single detached dwelling without altering the intended low density residential use or character of the property. The proposed siting is also consistent with the varied setback pattern exhibited by existing residential development in the surrounding area.

With regard to the second criteria, Administration notes that while 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), the aforementioned discussion pertaining to the creation of the lot prior to the current setback regulations could be considered to place a disproportionate limitation on development on the subject lot, and where such setback standards have been inconsistently adhered to on surrounding parcels.

With regard to the third guideline, strict compliance with the current setback regulation would result in limiting development on this parcel not seen to be necessary in relation to the size of the lot, and in consideration of the minimal negative impacts the proposed variance previously discussed, strict compliance is seen to be unnecessary.

With regard to the fourth guideline, Administration notes the that proposed single detached dwelling is seen to be largely consistent with the existing built form and current streetscape of the surrounding neighbourhood.

Summary:

For these reasons, it is recommended that the requested variances be approved.

Recommendation:

THAT Development Variance Permit No. E2026.024-DVP, to allow for the construction of a single detached dwelling at 3965 4th Street, be approved.

Respectfully submitted:

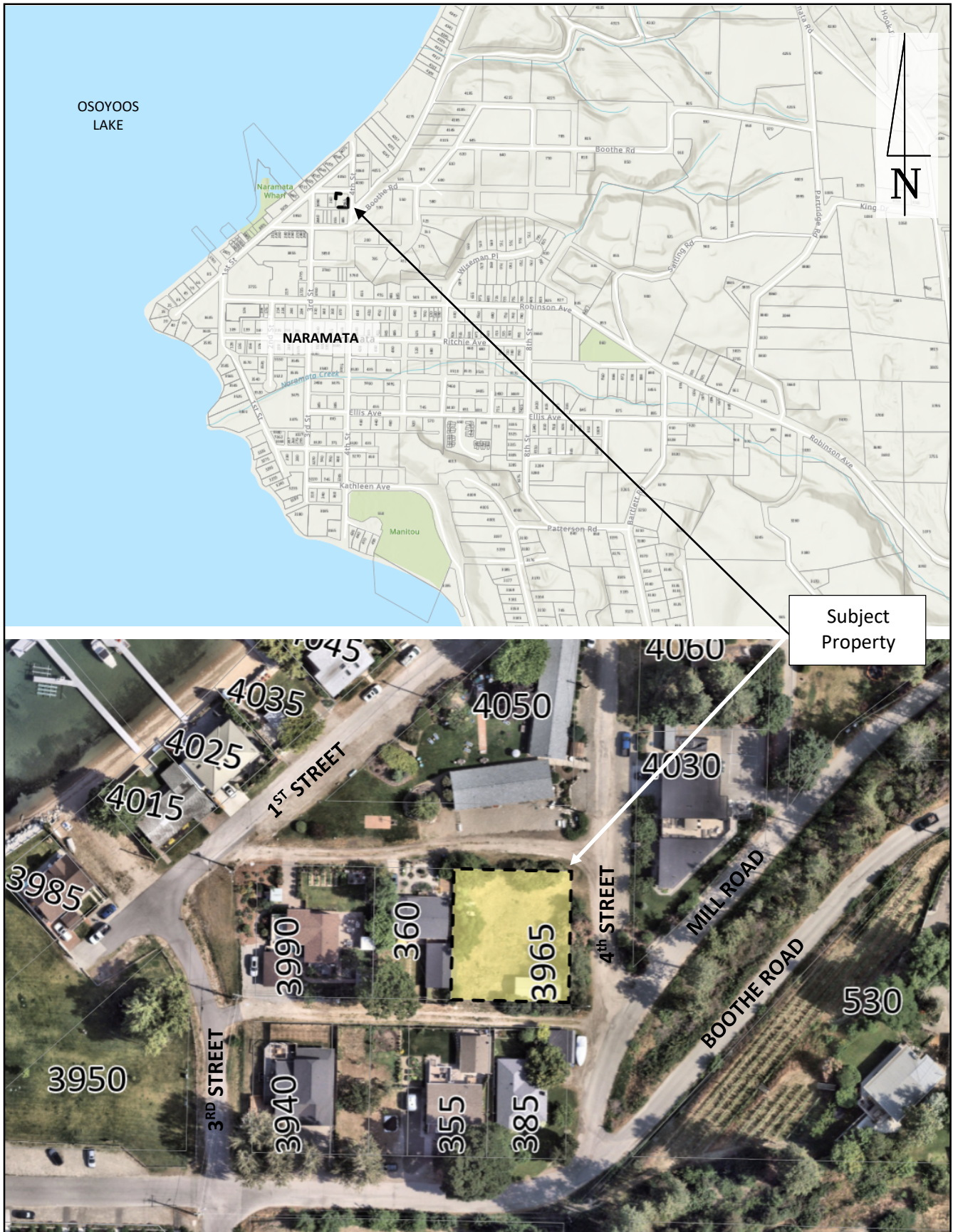
*Jerritt Cloney*_____

Jerritt Cloney
Planner I

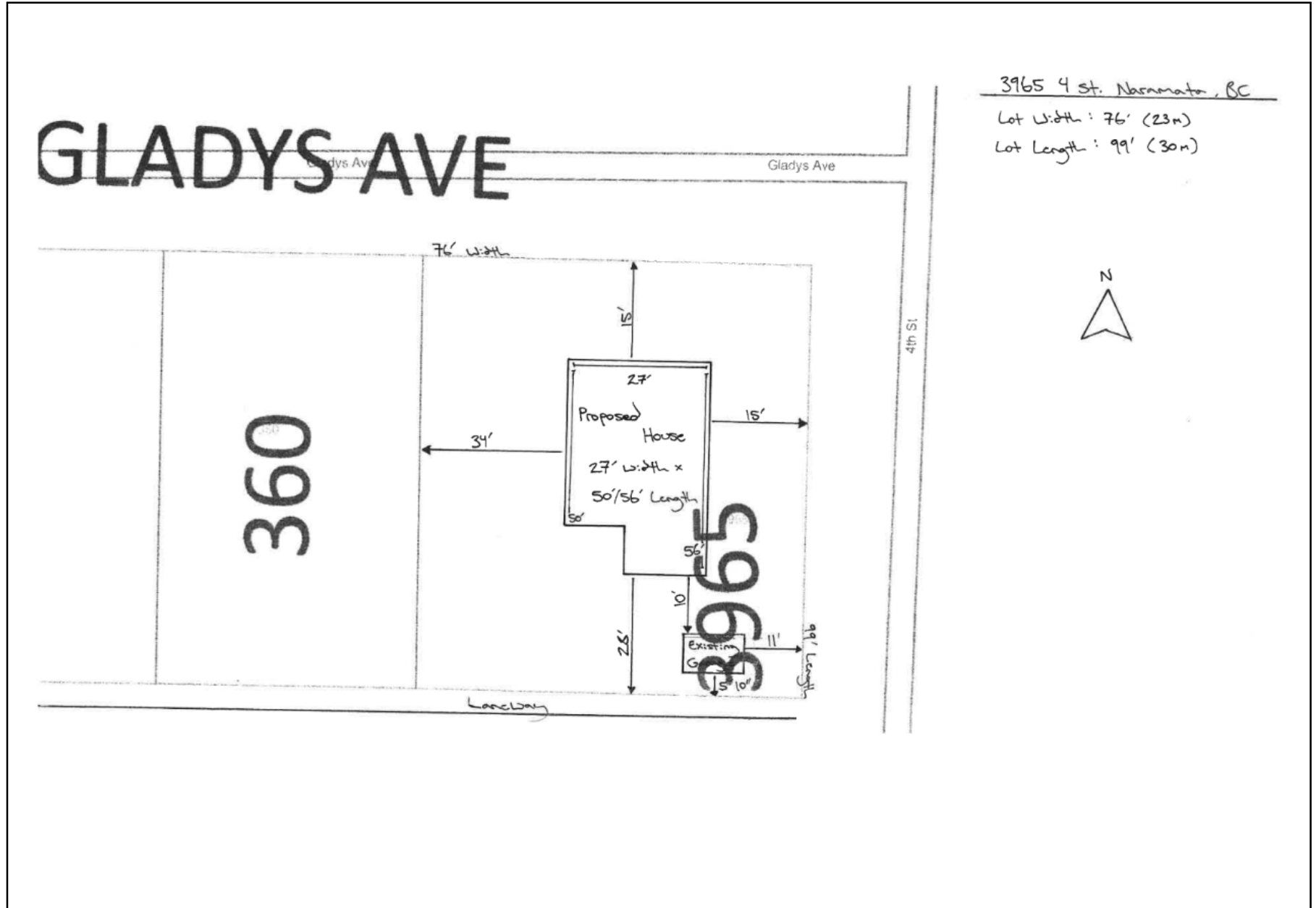
Attachments:

- No. 1 — Context Maps
- No. 2 — Applicant's Site Plan
- No. 3 — Aerial Photo (2017)
- No. 4 – Site Photo (Google Streetview)

Attachment No. 1 – Context Maps



Attachment No. 2 – Applicant's Site Plan



Attachment No. 3 – Aerial Photo (2017)



Attachment No. 4 – Site Photo (Google Streetview)

