

Request for Decision Development Variance Permit Application

File No: P 722 212
Reference: DVP 16-22
Date: May 3, 2022

Subject: DVP No. 16-22 (Sweetwater / Loren Feyter Financial Ltd)
Applicant: Loren Feyter Financial Ltd.
Location: Marina Estates Road, Sweetwater
Legal: Lot 3 and an undivided 1/21 share in Lot 22, District Lot 10348, KD, Plan EPP109367 (see plan as to limited access)

Proposal: To increase the maximum total floor space of a secondary suite within a detached garage from 70 m² to 88.9 m².

Options:

1. THAT Development Variance Permit No. 16-22 (Sweetwater / Loren Feyter Financial Ltd) be granted.
2. THAT Development Variance Permit No. 16-22 (Sweetwater / Loren Feyter Financial Ltd) be refused.

Recommendation: Option #2

Secondary suites are intended to be an accessory dwelling unit. The requested variance would increase the size of the suite by more than 25% of what is currently permitted, resulting in a structure that is larger than a typical accessory structure. This is particularly relevant considering the compact nature of the small residential lots in this area and would be noticeable to surrounding neighbours. The maximum floor space should remain the same to be in keeping with the intention of regulations.

Property Information: **OCP Designation:** R-SF, Residential Low Density which supports single family residential subdivisions, duplexes and manufactured home parks.

OCP Objectives and Policies:

- Maintain the rural and agricultural nature of the plan area by only considering new residential proposals if they are appropriately located and compatible with adjacent land uses so as not to compromise environmental and agricultural values.
- Support the build out of the Sweetwater Subarea; direct proposals for multifamily and other high density developments to the Sweetwater Subarea.
- Multifamily development (duplexes, triplexes and larger) within the plan area is directed to the Sweetwater development where community water and sewer services are available and increased density is supported.

**Property
Information
– cont'd:**

Zone Designation: R-1(B), Single Family Residential – Medium Lot Zone, minimum parcel size: 570 m²

Parcel Area: 0.1 ha (0.26 ac)

Density: One single family dwelling and one secondary suite is permitted per parcel

ALR Status: Not within the ALR

BC Assessment: Residential (Vacant)

Flood Hazard Rating: The subject property is approximately 15 m away from the marina fed from Lake Koocanusa. Development must comply with floodplain management regulations.

Water / Sewer Services: Community Water & Sewer

Interface Fire Hazard Rating: Moderate; not within a fire protection area.

**Additional
Information:**

- See attached letter from applicant.

Consultation:

Advisory Commissions:

APC Area B: Support recommended.

Response(s) to Notice: 18 notices were mailed on April 14, 2022 to all property owners within 100 m. No notices were returned as undeliverable and one response has been received expressing opposition for the application stating that the proposed structure is not a garage with suite but a small house with a single garage bay, thereby having two significant houses on the lot, and the layout impedes views of others.

**Documents
Attached:**

- Permit
- Location Map
- Land Use Map
- Bylaw Regulations
- Letter from the Applicant
- Site Plan
- Proposal

**RDEK
Contact:**

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