

# REPORT TO COUNCIL

## DEVELOPMENT VARIANCE PERMIT



**Date:** June 17, 2025  
**To:** Council  
**From:** City Manager  
**Address:** 491 Sheila Cr  
**File No.:** DVP25-0069  
**Zone:** RU1 – Large Lot Housing

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### 1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP25-0069 for Lot 36 Section 24 Township 28 SDYD Plan 21834, located at 491 Sheila Cr, Kelowna, BC;

AND THAT variances to the following section of Zoning Bylaw No. 12375 be granted as shown on Schedule "A":

#### **Section 11.4: Suburban Residential Zones – Subdivision Regulations**

To vary the minimum lot depth from 30.0 m required to 15.1 m proposed

AND FURTHER THAT this Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

### 2.0 Purpose

To issue a Development Variance Permit to vary the required lot depth from 30.0 m required to 15.1 m proposed to facilitate a two-lot subdivision.

### 3.0 Development Planning

Staff support the proposed Development Variance Permit to reduce the required lot depth from 30.0 m to 15.1 m. The existing property is a large, irregularly shaped lot, and the proposed subdivision plan indicates that both proposed lots meet the minimum 450 m<sup>2</sup> lot size. The proposed new lot would be considered double fronting, allowing both frontages on Sheila Cr and Chute Lake Cr to utilize the 3.0 m front yard setback. The lot is sufficiently large to accommodate a single detached dwelling.

The proposed site plan shows that the new dwelling will comply with all development regulations. The existing dwelling will remain on the remainder lot and will continue to meet all development regulations. If the property is successfully subdivided, the owners will be able to apply for a Building Permit, ensuring that minimum parking, setbacks, drive aisles, and other development regulations are met.

#### 4.0 Subject Property & Background

##### 4.1 Subject Property Map



The subject property is located on Sheila Cr near the intersection with Chute Lake Cr. The surrounding area is primarily zoned RU1 – Large Lot Housing and RR2 – Small Lot Rural Residential and is primarily single detached housing.

##### 4.2 Background

Section 498.1 of the *Local Government Act (LGA)* provides the authority for delegation of Development Variance Permits (DVPs) and it lists the sections regulated by the *LGA* that may be delegated to be varied. The ability to regulate lot dimensions is found in Section 479(d) of the *LGA*, and is not included in this list. Therefore, it is not possible to have lot dimensions to be considered by the delegate.

#### 5.0 Zoning Bylaw Regulations Summary

SUBDIVISION REGULATIONS (REMAINDER LOT)		
CRITERIA	RU <sub>1</sub> ZONE	PROPOSAL
Min. Lot Area	450 m <sup>2</sup>	1,260 m <sup>2</sup>
Min. Lot Width	16.5 m	33.87 m
Min. Lot Depth	30.0 m	41.61 m
SUBDIVISION REGULATIONS (NEW LOT)		
CRITERIA	RU <sub>1</sub> ZONE	PROPOSAL
Min. Lot Area	450 m <sup>2</sup>	671.6.6 m <sup>2</sup>
Min. Lot Width	16.5 m	37.1 m
Min. Lot Depth	30.0 m	15.1 m <span style="color: red;">❶</span>
<span style="color: red;">❶</span> Indicates a requested variance to Section 11.4 – Subdivision Regulations for the required lot depth.		

## 6.0 Application Chronology

Application Accepted: March 21, 2025  
Neighbour Notification Received: April 4, 2025

**Report prepared by:** Tyler Caswell, Planner Specialist  
**Reviewed by:** Carla Eaton, Development Planning Manager  
**Reviewed by:** Nola Kilmartin, Development Planning Department Manager  
**Approved for Inclusion:** Ryan Smith, Divisional Director, Planning, Climate Action & Development Services

### Attachments:

Attachment A: Draft Development Variance Permit DP25-0069  
Schedule A: Subdivision Plan / Site Plan  
Attachment B: Project Rationale

For additional information, please visit our Current Developments online at [www.kelowna.ca/currentdevelopments](http://www.kelowna.ca/currentdevelopments).