

## Development Variance Permit Information Package

**File Number:** 3090-20/20190009

**Electoral Area:** L

**Date of Referral:** March 13, 2019

**Date of Application:** March 6, 2019

**Property Owner's Name(s):** Bruce and Loretta Findlay

**Applicant's Name:** Nigel Hemingway

### SECTION 1: Property Summary

**Legal Description(s):** District Lot 8300, Lillooet District, Except Plans 31567 and 33775

**Area of Application:** 27.33 ha (67.54 ac)

**Location:** 6288 Gibson Road

**Current Zoning:** Rural 1 (RR 1)

**Refer to:** Adjacent Land Owners, Area "L" APC, MoE, MoTI, CRD Chief Building Official, Interior Health Authority

**Variance Requested:** The applicants have requested a variance to Section 4.2(c)(iii) of the South Cariboo Area Zoning Bylaw No. 3501, 1999 as follows:

That the maximum floor area for secondary dwelling units be increased from 130 sq. m (1,400 sq. ft) to 372 sq. m (4,004 sq. ft).

**Proposal/Reasons in support:** Additional floor area to provide for care and mobility of a child with disabilities.

**Existing Buildings:** Residence 247 sqm (2,658 sqft)

**Proposed Buildings:** Second Residence 372 sqm (4,004 sqft)

### SECTION 2: Planning Report

#### Background:

The applicants are requesting that the maximum floor area for secondary dwelling unit be increased from 130 sq. m (1,400 sq. ft) to 372 sq. m (4,004 sq. ft) to allow the construction of a detached secondary dwelling designed especially for the wheelchair accessibility to accommodate severely handicapped family member. The requested variance is a relaxation in Section 4.26 (c)(iii) of the South Cariboo Area Zoning Bylaw No. 3501, 1999.



The subject property has an existing 247 sq. m (2,658 sq. ft) residential structure with septic field and a well, detached greenhouse of 19.8 sq. m in size, 134.6 sq. m Quonset building, and a shed of 25.5 sq. m in size as shown in Appendix B.

Location and Surroundings:

The subject property is located on Gibson Road with Bridge Creek that runs through the property as shown in Appendix A and B. It is mostly surrounded by unsurveyed crown land and vacant lands with few single-family dwellings to the north of the subject property. The property is 27.33 ha (67.54 ac) in size and is zoned as Rural 1 (RR 1) in South Cariboo Area Zoning Bylaw No. 3501, 1999.

CRD Regulations and Policies:

*3501-South Cariboo Area Zoning Bylaw, 1999*

**4.26 SECONDARY SUITES AND DETACHED ACCESSORY DWELLING UNITS**

**(c) SPECIFIC PROVISIONS**

**iii) Secondary Dwelling:**

1. Maximum total floor area of 130 sq. m (1,400 sq. ft.)

**5.18 RURAL 1 (RR 1) ZONE**

**5.18.1 USES PERMITTED**

No person shall, within any RR 1 zone, use any lot or erect, alter or use any building or structure for any purpose except one or more of the following RR 1 uses, namely:

**(a) RESIDENTIAL USES:**

- i) a single-family residential dwelling; or
- v) One (1) secondary dwelling and must be subordinate to a single-family residential dwelling.

Rationale for Recommendations:

Planning staff identifies the uniqueness of this proposal, as it is required to construct a dwelling with a large enough footprint to be fully wheelchair accessible for accommodating a severely handicapped child. Although the proposed variance is extremely large, the medical officer letter supports the proposed dwelling space. Therefore, planning staff support the variance proposal. Further, there will be minimal impact on the adjacent properties because of the large parcel size of the subject property.

Staff also identifies that there is a wetland around the Bridge Creek present on the property; but the applicants won't require any approval from FrontCounter BC as the proposed construction does not lie within the existing wetland. However, the proposed secondary dwelling is required to maintain the minimum standard setback of 15 metres from the proposed lagoon.



Recommendation:

That the application for a Development Variance Permit pertaining to District Lot 8300, Lillooet District, Except Plans 31567 and 33775 to increase the maximum floor area for secondary dwelling unit from 130 sq. m (1,400 sq. ft) to 372 sq. m (4,004 sq. ft) be approved.

**SECTION 3: Referral Comments**

Chief Building Official: -

Health Authority: -

Ministry of Transportation and Infrastructure: -

Ministry of Environment: -

Advisory Planning Commission: April 2, 2019

Supported. See attached.

**SECTION 4: Board Action**

Date of Meeting:

**ATTACHMENTS**

Appendix A: General Map

Appendix B: Specific Map

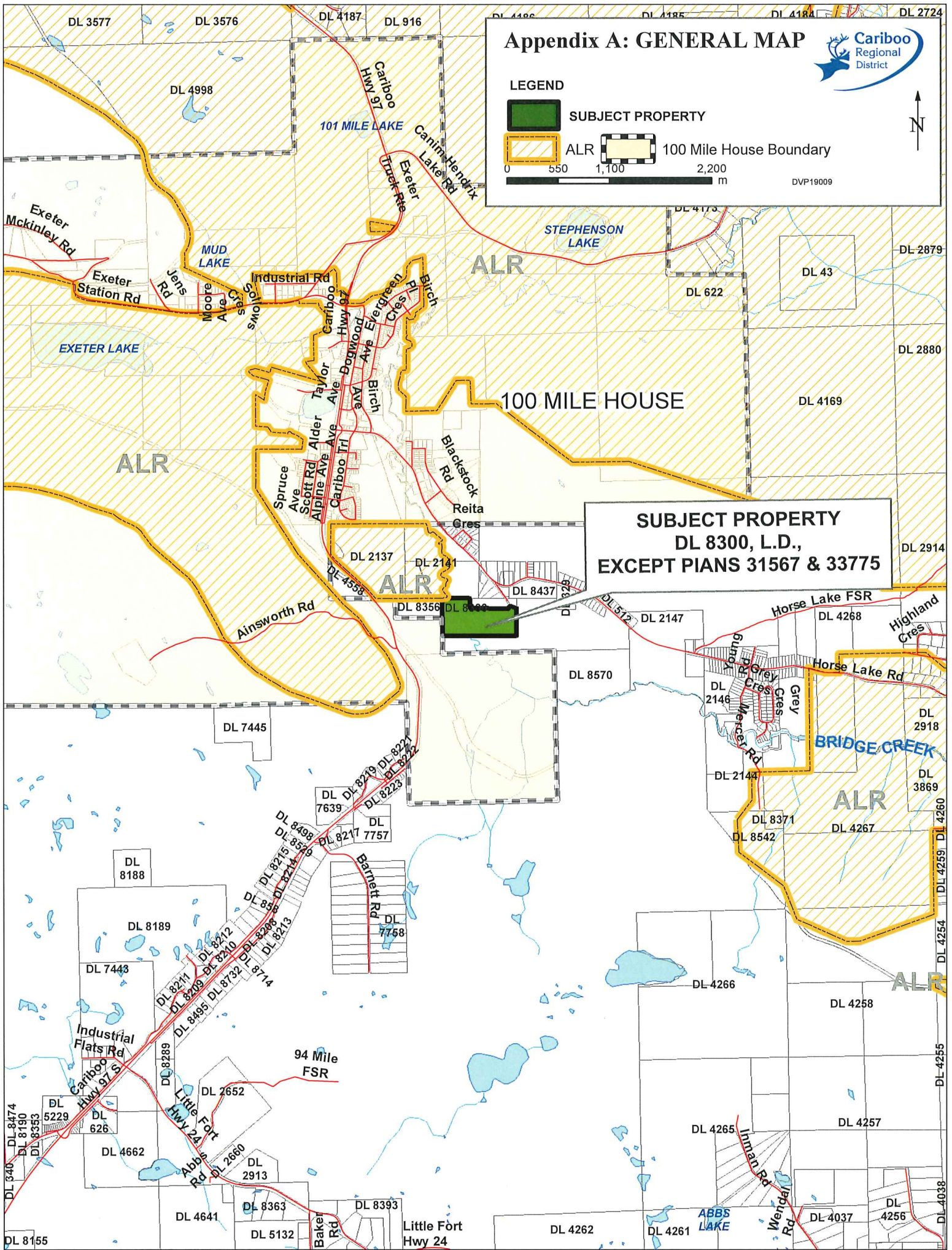
Appendix C: Orthographic Map

Other: Applicant's Supporting Documentation

Interior Health Letter of Support

APC Comments





## Appendix A: GENERAL MAP



### LEGEND



SUBJECT PROPERTY



ALR



100 Mile House Boundary

0 550 1,100 2,200 m

DVP19009



**SUBJECT PROPERTY**  
**DL 8300, L.D.,**  
**EXCEPT PIANS 31567 & 33775**



# Appendix B: SPECIFIC MAP



## LEGEND



SUBJECT PROPERTY

0 30 60 120 m ALL MEASUREMENTS METRIC DVP19009



BLOCK A  
DL 2141

Lot 1 PL KAP64077  
Lot 2 PL KAP64077  
Lot 15 PL 13267  
Lot 16 PL 13267  
Lot 17 PL 13267  
Lot 18 PL 13267  
Lot A PL 31148  
Lot C PL 35813  
Lot D PL 35813

EXISTING  
DWELLING  
Floor Area :  
247.0 sq. m

EXISTING  
SEPTIC  
FIELD

+/-302.6

WELL

EXISTING  
GREENHOUSE  
Floor Area :  
19.8 sq. m

Lot A  
PL 31567

+/-413.1

DRIVEWAY

Lot 1  
PL 33775

+/-17.0  
+/-85.0

EXISTING SHED  
Floor Area :  
25.5 sq. m

EXISTING QUONSET  
BUILDING  
Floor Area :  
134.6 sq. m

PROPOSED  
SECONDARY  
DWELLING UNIT  
Floor Area :  
372.0 sq. m

PROPOSED  
SEWAGE LAGOON

DL 8300, L.D.,  
Except Pls. 31567 & 33775  
(27.33 ha)

+/-279.2

To increase maximum floor area for  
secondary dwelling unit  
from 130 sq. m to 372 sq. m.

+/-803.7

UNSURVEYED CROWN LAND

DL 964



# Appendix C: ORTHOGRAPHIC MAP



## LEGEND



SUBJECT PROPERTY

0 60 120 240 m Z19009



DL 2141

DL 8437

DL 8356

DL 8300

**SUBJECT PROPERTY**  
**DL 8300, L.D.,**  
**EXCEPT PIANS 31567 & 33775**

DL 964

DL 4558



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Describe the existing use of the subject property and all buildings: \_\_\_\_\_

The property is used for residential purposes.

Describe the proposed use of the subject property and all buildings: The use will remain the same.

A second residence will be added.

Describe the reasons in support for the application: see attached sheet

Provide a general description of vegetation cover (i.e. treed, grassland, forage crop etc.): The property is lightly wooded, east of the creek, thick willows along the creek and heavily wooded west of the creek.

Provide general geographical information (i.e. existing lakes, streams, physical features etc.): Bridge Creek flows through the land in a flat valley. The land slopes up on either side. The house sites are on top of a hill and then the land slopes down and is relatively level out to the road.

Services Currently Existing or Readily Available to the Property (check applicable area)

*\* Readily Available means existing services can be easily extended to the subject property.*

Services	Currently Existing?		Readily Available?*	
	Yes	No	Yes	No
Hydro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Telephone	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Community Water System	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Community Sewer System	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sewage Disposal System	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Well	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other (please specify)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Natural Gas				



This application is requesting that a Development Variance Permit be issued to amend Section 4.2 (c)(iii) of Bylaw 3501. This section allows a second residence on the property and the variance is requested to increase the maximum total floor area allowed. Presently the Bylaw allows for a maximum of 130 square metres (1,400 square feet) and we are requesting this be increased to 372 square metres (4,004 square feet).

The land under application is located at 6288 Gibson Road which is approximately 2 kilometres from 100 Mile House off of Horse Lake Road. Gibson Road is a short dead end road ending in this property. The land under application is 27.3 hectares in size and has been owned by the applicants since 1976. There is Crown Land to the east, south and part of the west side. A large acreage residential property shares the rest of the west boundary and this land is on the opposite side of Bridge Creek. There are two properties sharing the north boundary, one is a large acreage vacant lot and the other is a 10 acre property that the applicants own and has been rented for many years to the same tenant.

The application is very unique and while the variance appears large it is necessary in this situation. Bruce and Loretta have a severely handicapped grandson, Connor DeJonghe, who needs constant care. Their daughter, Amanda (Mandy) DeJonghe is a single mother who last year had to sell her home of fourteen years because she could no longer care for Connor who is now nine in it. The layout of that home, the stairs and his specialized medical equipment, even with daily help from her parents' multiple times during the day, made it impossible to live in and provide the care that Connor needs. Since then she and her family have been living with her parents in their home. Her employer has given Amanda a leave of absence for the last seven months so she can provide for Connor with her parent's assistance.

Connor's disability was discovered at birth and he was air evacuated to Childrens Hospital in Vancouver. There they discovered that the front lobar part of his brain, his pituitary nerve and optic nerves had not developed. This has resulted in Connor being blind, he has Cerebral Palsey, Autism, cannot walk and is non-verbal. He receives medication two time a day, one of which is by injection and these must be delivered on time. He can't eat solid foods and is fed by a tube into his stomach.

Bruce and Loretta waited for the Bylaw change to allow a second residence on their property so they could build a home for Amanda, Connor and her other two daughters who are seven and eleven, to live in. Their idea was to build it close to their home so that the young family can live independently yet near enough, so Bruce and Loretta are there to help daily without having to drive somewhere else. Before Amanda sold her home, they were making on average three to four trips each day to help her with Connor.

Since the bylaw change Bruce, Loretta and Amanda have been helped by a local home designer to try and design a home that will work for Connor within the maximum allowable size but it just cannot be done. The design work has stopped until they know if this variance will be approved. It is their hope to build a rancher style home with a full basement under it. The main house will be a level entry home with no stairs other than the ones down to the basement.



The principles they need to accommodate into the design include but are not limited to:

- 1) All rooms need to be larger than normal to accommodate moving Connor around in his wheel chair.
- 2) The specialized equipment he needs. This includes things like a second waterproof wheel chair to be used in the bathroom, lifts for getting him out of bed and into the chairs, a standing frame so he isn't constantly laying down or sitting and walkers. Even Connor's bed is a specialized hospital bed which is large and needs to be accessed from three side.
- 3) The design has to work for many years to come. As Connor grows so does all the equipment.
- 4) The basement will only have one bedroom and bathroom for the eldest daughter. The rest of the basement will be used for the home's infrastructure and the storage of Connors medical supplies.

Connor will need care for the rest of his life and will permanently be in a wheel chair for his mobility. His physician at Children's Hospital has provided a letter (enclosed) outlining his condition, disability and needs. After looking at all possible options building this home for Amanda, Connor and the two girls is the best one. It will allow a close family to provide for Connor together, sharing the workload and supporting each other. The whole family is committed to providing the best possible care for Connor as they have for the last nine years. As Loretta said none of them will ever give up on Connor and by having her and Bruce so close it will help provide everyone with as normal a life as possible, help to reduce the overall expenses and allows Amanda to return to a job she loves.





# Interior Health

March 5<sup>th</sup> 2019

To whom it may concern:

**Re: Connor Dejonghe, D.O.B. 28/10/2009**

**Address: 6288 Gibson Rd. 100 Mile House, BC, V0K 2E1**

**Request for property variance approval.**

I am the Occupational Therapist in 100 Mile House and I have had the pleasure of working with Connor Dejonghe and his family, who are in need of a wheelchair accessible home. Connor is a 9 year old boy living with Cerebral Palsy, Autism, panhypopituitarism, a seizure disorder and optic nerve hypoplasia. He requires a manual tilt in space wheelchair, pushed by his family, to mobilize. His wheelchair is approximately 4 feet wide and very heavy due to the need for specialized seating. As Connor grows, so will the size and weight of his wheelchair. In his current home, Connor's family are not able to bring his wheelchair to the main floor, due to the stairs and the weight of the wheelchair. This results in his family having to carry Connor up and down the stairs to get him to the vehicle for appointments and outings; as Connor continues to grow, this will no longer be realistic. His hospital bed is in the living room, as this is the only space large enough for the bed to fit, so Connor is not able to have his own space. Furthermore, the home is not set up to have a ceiling lift installed, and a floor lift would be difficult to maneuver in the small space and on the plush carpet, again resulting in family having to carry Connor around his home. Lastly, Connor is not able to access the bathroom in his current home for bathing, due to small size and inability to have needed equipment installed.

**Recommendations:** Connor requires a fully wheelchair accessible home, with a safe ramp or level entry. Connor requires a home with a large enough footprint to be able to provide accessible hallways (at least 48 inch wide with caregiver), doorways (36-48 inch wide), and living spaces with adequate turning radius (at least 5-6 feet with caregiver helping to turn) and space for needed equipment. Connor and his family require a bathroom space large enough to install a ceiling lift track and wheelchair accessible shower. Connor's bedroom will need to be large enough to also install the ceiling lift track, and have space for his hospital bed (42X80 inches) with enough room around each side for caregivers to safely and efficiently provide care for Connor, and transfer him to his wheelchair.

Connor's family would also like the home to have enough space in shared areas (kitchen and living room) for Connor to be involved in all family activities. Connor's family would also benefit from their own spaces and individual bedrooms to rest and recuperate. In speaking with Connor's mother, I have heard her plans for the home and how she would like it to be set up based off of her experience in BC Children's hospital and the ease of use of this facility. I feel that this type of home set up would benefit Connor and his family, and I will be available to assist family in making this much needed accessible home a reality should the variance be approved.

Please contact myself at (250)395-7676, ext. 5056, should you have any questions regarding these recommendations.

Sincerely,

*Kaida Penney*  
Kaida Penney, O.T.

Community Rehabilitation, Interior Health

**Bus:** (250) 395-7676 (Ext. 5056)

**Fax:** (250) 395-7607

**Email:** kaida.penney@interiorhealth.ca

**Web:** interiorhealth.ca

Thompson Cariboo Shuswap

Bag 399

100 Mile House, BC V0K 2E0



ADVISORY PLANNING COMMISSION RESPONSE FORM

Minutes of the meeting of the Electoral Area '1' advisory planning commission held on \_\_\_\_\_  
in the \_\_\_\_\_, located at \_\_\_\_\_, BC,  
commencing at \_\_\_\_\_

PRESENT:

Chair PETER CRAWSHAY

Members

~~JINGA VIENNEAU~~ ~~CHRIS LANCE~~  
PETER CRAWSHAY  
CHRIS LANCE JINGA VIENNEAU  
Recording Secretary

Owners/Agent, or

☐ Contacted but declined to attend

ABSENT: JUSTIN GILMOUR (couldn't get A-1 held at time)

ALSO PRESENT: Electoral Area Director WILLIAM MACDONALD  
Staff support (if present)

Agenda Items

**DVP APPLICATION – 3090-20/20190009 (DISTRICT LOT 8300, LILLOOET DISTRICT, EXCEPT PLANS 31567 AND 33775)**

/ : "THAT the application to vary the maximum floor area for secondary dwelling units be increased from 130 sq. m (1,400 sq. ft) to 372 sq. m (4,004 sq. ft). for property located at 6288 GIBSON ROAD be supported/rejected for the following reasons:

i) PLEASE SEE ATTACHED

ii)

For:

Against:

CARRIED/DEFEATED

Termination

MOVED BY [unclear] / 2ND BY [unclear] : That the meeting terminate.

CARRIED

Time: 4:55

[Signature]  
Recording Secretary

[Signature]  
Chair



[All Inboxes](#)**2 Messages**  
Findlay DVP application

Present

Willow MacDonald   Peter Crawshay  
Chris Lance   Inga Udluft (Veienneau)

Moved by Peter Crawshay that the application be approved subject to the two homes being situated on separate lots if DL 8300, LD, Except Plans 31567 and 33775 is further subdivided in the future.

Seconded: Inga Udluft

In favour 4 Against 0

The motion is carried for the following reasons:

- 1 medical considerations
- 2 the increase in neighbourhood density will be minimal
- 3 this is a large acreage that can easily handle the extra dwelling
- 4 We are requesting that the “subject to” be formally covered by a covenant on the property or something of equal force.

[See More](#)