

REPORT TO COUNCIL



Date: February 20, 2018

RIM No. 0940-00

To: City Manager

From: Community Planning Department (CD)

Application: DVP17-0254 **Owner:** Darlene Ramsay

Address: 380 Poplar Point Drive **Applicant:** Darlene Ramsay

Subject: Development Variance Permit

Existing OCP Designation: Single/Two Unit Residential

Existing Zone: RU₁ – Large Lot Housing

1.0 Recommendation

That Council authorize the issuance of Development Variance Permit No. DVP17-0254 for Lot 5, District Lot 219, ODYD, Plan 6511, located on 380 Poplar Point Drive, Kelowna, BC;

AND THAT a variance to the following section of Zoning Bylaw No. 8000 be granted:

Section 6.11.1 – Okanagan Lake Sight Lines – To vary the required Okanagan Lake 120° Panoramic Sight Lines to 87° 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 obtain approval for a Development Variance Permit to vary the Okanagan Lake Sight Lines Regulation to allow for construction of a new house on the subject property.

3.0 Community Planning

Staff support the requested variance to allow construction of a new house, which is proposed to be located within the required Okanagan Lake Sight Line of a neighbouring home to the north. The proposed house would be located approximately 12 metres further from the lake than the existing house, which would allow the affected neighbour a greater panoramic view of the lake than they currently have. Additionally, the new house will be relocated outside the required 15 metre Okanagan Lake Riparian Area setback, since the existing house is currently within the Riparian Area.

The variance to the sight line requirement would result in the unobstructed sight line for the home on the northern property being reduced from 60° required to 27° proposed.

4.0 Proposal

4.1 Background

The subject property is an urban residential lot located adjacent to Okanagan Lake. As a result of the proximity to the lake, the property is subject to the Okanagan Lake Sight Lines constraints. The applicant proposes construction of a new house, which does not conform to the current zoning requirements for Okanagan Lake Sight Lines.

The intent of Section 6.11 of the Zoning Bylaw with respect to Okanagan Lake sight lines is to "*not obstruct views of the lake from the established abutting development*". This policy places the onus on the proponent of a new development to ensure adjacent occupants are afforded a reasonable panoramic view and are provided an opportunity to be consulted when the proposed development does not conform.

4.2 Project Description

The proposed new home will be two stories high and located approximately 12 metres further upland from the lake than the existing house. The house that currently resides on the subject property will be demolished. The placement of the new home would allow the affected neighbour a greater panoramic view of the lake than they currently have. Additionally, it is important to note that the new house will be relocated outside the required 15 metre Okanagan Lake Riparian Area setback, since the existing house is currently located within the Riparian Area.

4.3 Site Context

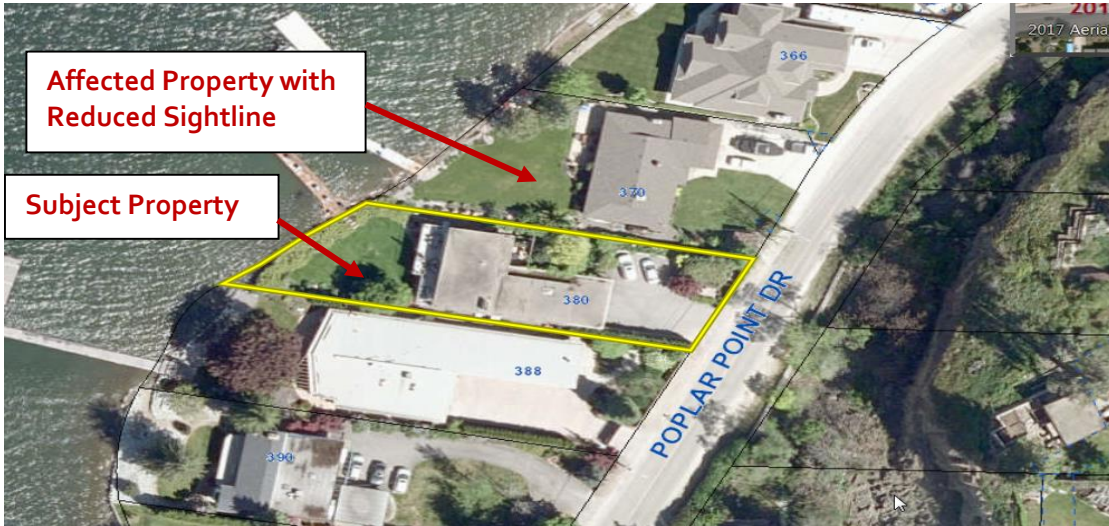
The proposed new home is located within a single family residential area on Poplar Point Drive adjacent to Okanagan Lake.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU ₁ – Large Lot Housing	Residential
East	RU ₁ – Large Lot Housing	Residential
South	RU ₁ – Large Lot Housing	Residential

Subject Property Map: 380 Poplar Point Drive

¹ City of Kelowna Official Community Plan, Chapter 14, Section 15.0 (Urban Design DP Guidelines Chapter)



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	ZONE REQUIREMENTS	PROPOSAL
Minimum Okanagan Lake Sightlines	120°	87°

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)
Lakeside Development. ¹

- Provide and enhance natural open spaces related to the lakeside context of the development;
- Minimize the obstruction of lake views;
- Preserve inland views to the lake by reducing the height of lakeside development in relation to development height permitted inland;
- Design lakeside developments to act as a transition between the lake and inland development (i.e., incorporate lake inspired themes, unique features to take advantage of the lakeside setting, etc.);
- Incorporate distinctive massing articulation, architectural treatment, and appropriate materials on the lakeside frontage.

6.0 Technical Comments

6.1 Building & Permitting Department

No comment

6.2 Development Engineering Department

No comment

7.0 Application Chronology

¹ City of Kelowna Official Community Plan, Chapter 14, Section 15.0 (Urban Design DP Guidelines Chapter)

Date of Application Received: November 24, 2017

Report prepared by: Corey Davis, Environmental Coordinator
Reviewed by: Terry Barton, Urban Planning Manager
Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Site Plan/Conceptual Elevations
Development Variance Permit

¹ City of Kelowna Official Community Plan, Chapter 14, Section 15.0 (Urban Design DP Guidelines Chapter)