

REPORT TO COUNCIL



Date: April 23, 2019

RIM No. 0940-00

To: City Manager

From: Community Planning Department (AJ)

Application: DVP19-0039 **Owner:** Monika Klanyi-Nebojsza & Zoltan Nebojsza

Address: 4675 Parkridge Drive **Applicant:** Monika Klanyi-Nebojsza

Subject: Development Variance Permit Application

Existing OCP Designation: S2RES

Existing Zone: RR3

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP19-0039 for Lot 17 Section 29 Township 29 ODYD Plan 34978, located at 4675 Parkridge Drive, Kelowna, BC;

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

Section 12.3.6(c): RR3 – Rural Residential 3 Development Regulations

To vary the required minimum front yard from 6.0 m permitted to 5.8 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 vary the minimum front yard from 6.0m to 5.8m on the subject property.

3.0 Community Planning

Community Planning is supportive of varying the minimum front yard requirement from 6.0m to 5.8m on the subject property.

4.0 Proposal

4.1 Background

The applicants initially applied for a Building Permit to build a garage addition on an existing single family dwelling and to convert the existing garage into a shop. The Building Permit drawings that were provided

and approved state that addition was to be setback from the front property line by 6.1m (BP 59421, approved on October 11, 2018).

Framing of the addition was completed based on measurements provided in the approved building permit drawings. During building inspection in late November, the front of the addition was determined to be too close to the front property line, and a stop work order was placed on the project. A new site survey was conducted which determined that the addition is 5.83m from the front property line. As the minimum required front yard for the RR3 zone is 6.0m, a Development Variance Permit application was required.

4.2 Project Description

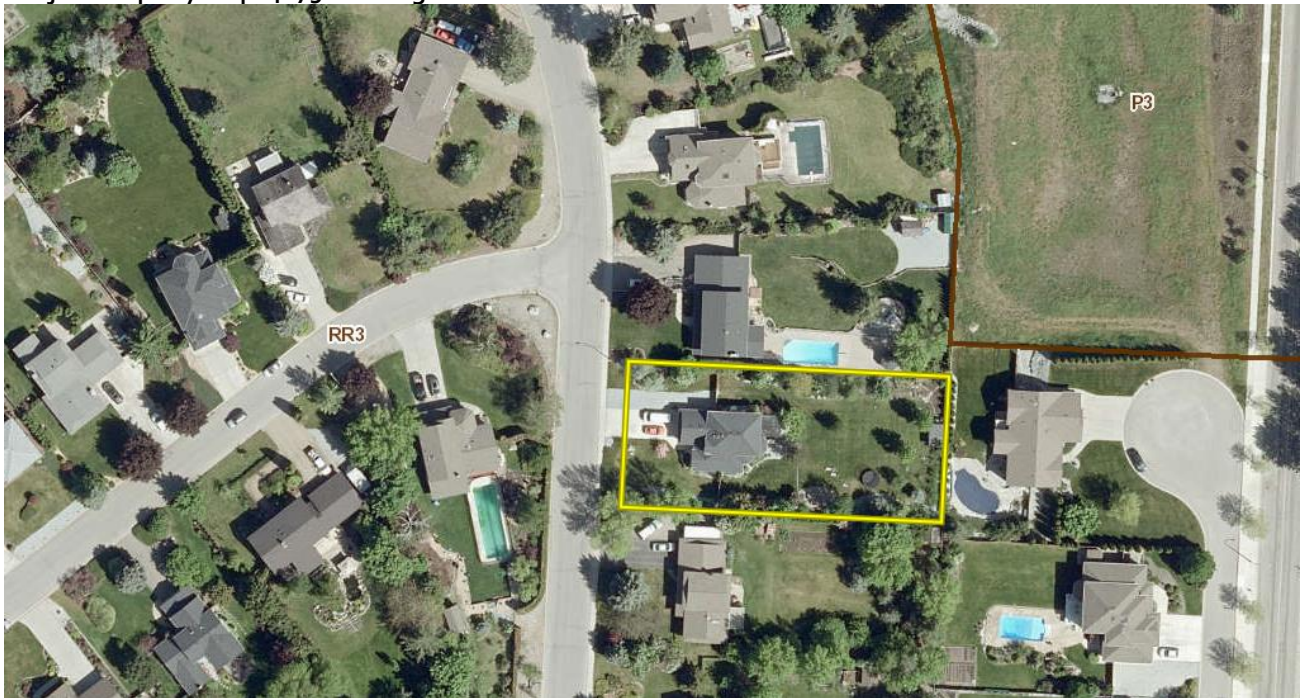
Overall, this Development Variance Permit application was needed due to the incorrect information regarding the front yard setback provided on the initial Building Permit drawings. It would have been highly preferable if accurate information was provided at the Building Permit stage. However, given the relatively minor nature of the variance and that the applicant would be required to demolish and rebuild part of their addition without support for the Development Variance Permit, staff is a willing to provide support for this application. The variance will have limited impact on the established street pattern, and the project meets all other zoning regulations including height, floor area, site coverage, and side and rear yard setbacks.

4.3 Site Context

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RR3	Single Family Dwelling
East	RR3	Single Family Dwelling
South	RR3	Single Family Dwelling
West	RR3	Single Family Dwelling

Subject Property Map: 4675 Parkridge Drive



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RR ₃ ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	1600m ²	2044m ²
Lot Width	18.0m	30.5m
Lot Depth	30.0m	67.05m
Development Regulations		
Front Yard	6.0m	5.83m ❶
Side Yard (south)	2.0m	8.68m
Side Yard (north)	2.0m	2.27m
Rear Yard	7.5m	>7.5m
❶ Indicates a requested variance to the required minimum front yard from 6.0m to 5.83m.		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Single/Two Unit Residential (S2RES).¹ Single detached homes for occupancy by one family, single detached homes with a secondary suite or carriage house, semi-detached buildings used for two dwelling units, modular homes, bareland strata, and those complementary uses (i.e. minor care centres, minor public services/utilities, convenience facility and neighbourhood parks), which are integral components of urban neighbourhoods. Suitability of non-residential developments within the neighbourhood environment will be determined on a site-specific basis. Non-residential developments causing increases in traffic, parking demands or noise in excess of what would typically be experienced in a low density neighbourhood would not be considered suitable.

6.0 Technical Comments

6.1 Building & Permitting Department

- No comment.

6.2 Development Engineering Department

- See attached Development Engineering Memorandum.

6.3 Fire Department

- Requirements of section 9.10.19 Smoke Alarms and Carbon Monoxide alarms of the BCBC 2012 are to be met.
- Provide separations in accordance with BCBC at the rear of the structure.
- Provisions to be made for the protection of adjacent structure(s) during construction.

7.0 Application Chronology

Date of Application Received: December 11, 2018

Date Neighbourhood Notification Completed: February 8, 2019

Report prepared by: Arlene Janousek, Planner

¹ City of Kelowna Official Community Plan, Chapter 4.

Reviewed by: Dean Strachan, Suburban and Rural Planning Manager

Reviewed by
Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment A: Development Engineering Memo
Schedule A: Site Plan
Schedule B: Elevations
Draft Development Variance Permit DVP19-0039