

# REPORT TO COUNCIL



**Date:** January 21<sup>st</sup>, 2020

**To:** Council

**From:** City Manager

**Department:** Development Planning (TC)

**Application:** DVP19-0207

**Owner:** Bob & Wendy Pollock

**Address:** 3596 Lakeshore Road

**Applicant:** Bill Frame (Frame Custom Homes Ltd.)

**Subject:** Development Variance Permit

**Existing OCP Designation:** Single/Two Unit Residential (S2RES)

**Existing Zone:** RU<sub>1</sub> – Large Lot Housing

## 1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP19-0207 for Lot A, District Lot 134, Osoyoos Division Yale District, Plan 15007, located at 3596 Lakeshore Road, Kelowna, BC;

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

### **Section 6.11.1: Okanagan Lake Sight Lines**

To vary the Okanagan Lake Sight Line regulation from 60 degrees permitted to 38 degrees proposed along the north side;

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 consider a Development Variance Permit to vary the Okanagan Lake Sight Line regulation from 60 degrees required to 38 degrees proposed along the north side.

## 3.0 Development Planning

Development Planning is recommending support for the requested variance to the Okanagan Lake Sight Line regulations. The applicant is seeking to reduce the Okanagan Lake Sight Line requirements from 60 degrees to 38 degrees on the north property line. The applicant is proposing to demolish the existing house and build a new one farther back from the lake, improving the sight line compared to the location of the

existing house. If Council approves the application, before the Development Variance Permit can be issued, restrictive covenants must be registered on title to prohibit construction and disturbance along the Okanagan Lake foreshore.

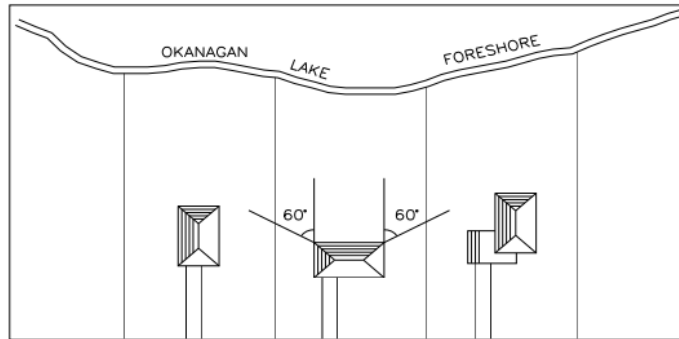


Diagram 6.2: Okanagan Lake 120° Panoramic Sight Line

#### 4.0 Proposal

##### 4.1 Project Description

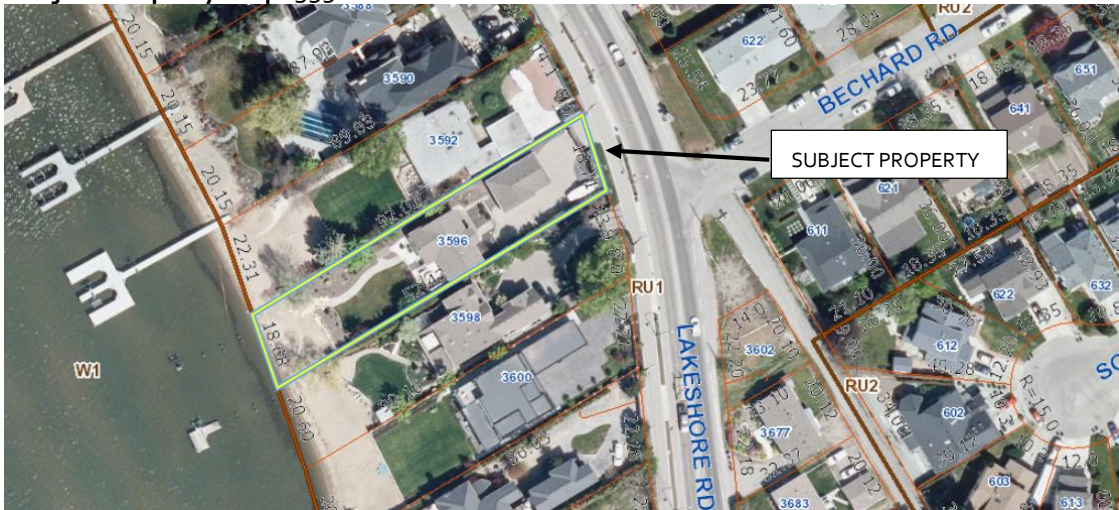
The proposal is to vary the Okanagan Lake Sight Line from 60 degrees permitted to 38 degrees proposed on the north property line. The variance is to accommodate the construction of a new two-storey house. The existing house will be demolished, and the new foundation will be farther away from the lake.

##### 4.2 Site Context

The subject property is zoned RU<sub>1</sub> – Large Lot Housing and has a future land designation of S<sub>2</sub>RES – Single/Two Unit Residential. The property is located on Lakeshore Road near the intersection with Bechard Road. The property is on the lakefront between Boyce-Gyro Beach Park and Rotary Beach Park. Much of the surrounding neighbourhood is zoned RU<sub>1</sub>. Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU <sub>1</sub> – Large Lot Housing	Single-Family Dwelling
East	RU <sub>1</sub> – Large Lot Housing	Lakeshore Rd & Single-Family Dwelling
South	RU <sub>1</sub> – Large Lot Housing	Single-Family Dwelling
West	W <sub>1</sub> – Recreational Water Use	Okanagan Lake

**Subject Property Map: 3596 Lakeshore Road**



**4.3 Zoning Analysis Table**

Zoning Analysis Table		
CRITERIA	RU <sub>1</sub> ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	500m <sup>2</sup>	980.97m <sup>2</sup>
Min. Lot Width	16.5m	18.71m
Min. Lot Depth	30.0m	52.43m
Development Regulations		
Max. Site Coverage (buildings)	40%	21.67%
Max. Height	9.5m	8m
Min. Front Yard	6m	15.56m
Min. Side Yard (south)	2.3m	2.08m
Min. Side Yard (north)	2.3m	2.12m
Min. Rear Yard	7.5m	37.74m
Other Regulations		
Min. Okanagan Lake Sightlines	60°	38° <span style="color: red;">❶</span>
❶ Indicates a requested variance to section 6.11.1 Okanagan Lake Sightlines.		

**5.0 Application Chronology**

Date of Application Received: October 18<sup>th</sup>, 2019  
 Date Public Consultation Completed: December 9<sup>th</sup>, 2019

**Report prepared by:** Tyler Caswell, Planner I  
**Reviewed by:** Laura Bentley, Urban Planning & Development Policy Manager  
**Approved for Inclusion:** Terry Barton, Development Planning Department Manager

**Attachments:**

Attachment A: Draft Development Permit DVP19-0207