

REPORT TO COUNCIL



Date: 9/29/2015
RIM No. 0940-40
To: City Manager
From: Community Planning Department (AC)
Application: DVP15-0162 **Owner:** Gary & Tina Gaspari
Address: 774 Barnaby Rd **Applicant:** Gary Gaspari
Subject: Development Variance Permit
Existing OCP Designation: S2RES - Single / Two Unit Residential
Existing Zone: RR3 - Rural Residential 3

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP15-0162 for the property legally known as Lot B, District Lot 357, SDYD, Plan KAP65931, located on 774 Barnaby Road, Kelowna, BC;

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

Section 7.5.9 - Fencing and Retaining Walls Regulations

To vary the height of a retaining wall from 1.2 metres to 1.5 metres in accordance with the drawings attached to the Development Variance Permit described in Schedule "A".

2.0 Purpose

To vary the height of a retaining wall on the subject property.

3.0 Community Planning

Staff supports the proposed variance. Permitting a variance after a building or structure is built is always discouraged; however, the retaining wall is not disproportionately large or high on this size of lot (1.34 acres).

In fulfillment of Council Policy No. 367 respecting public consultation, the applicant undertook neighbour consultation by individually contacting the neighbours within a 50 metre radius. Staff has not fielded any objections or correspondence from the neighbours.

4.0 Proposal

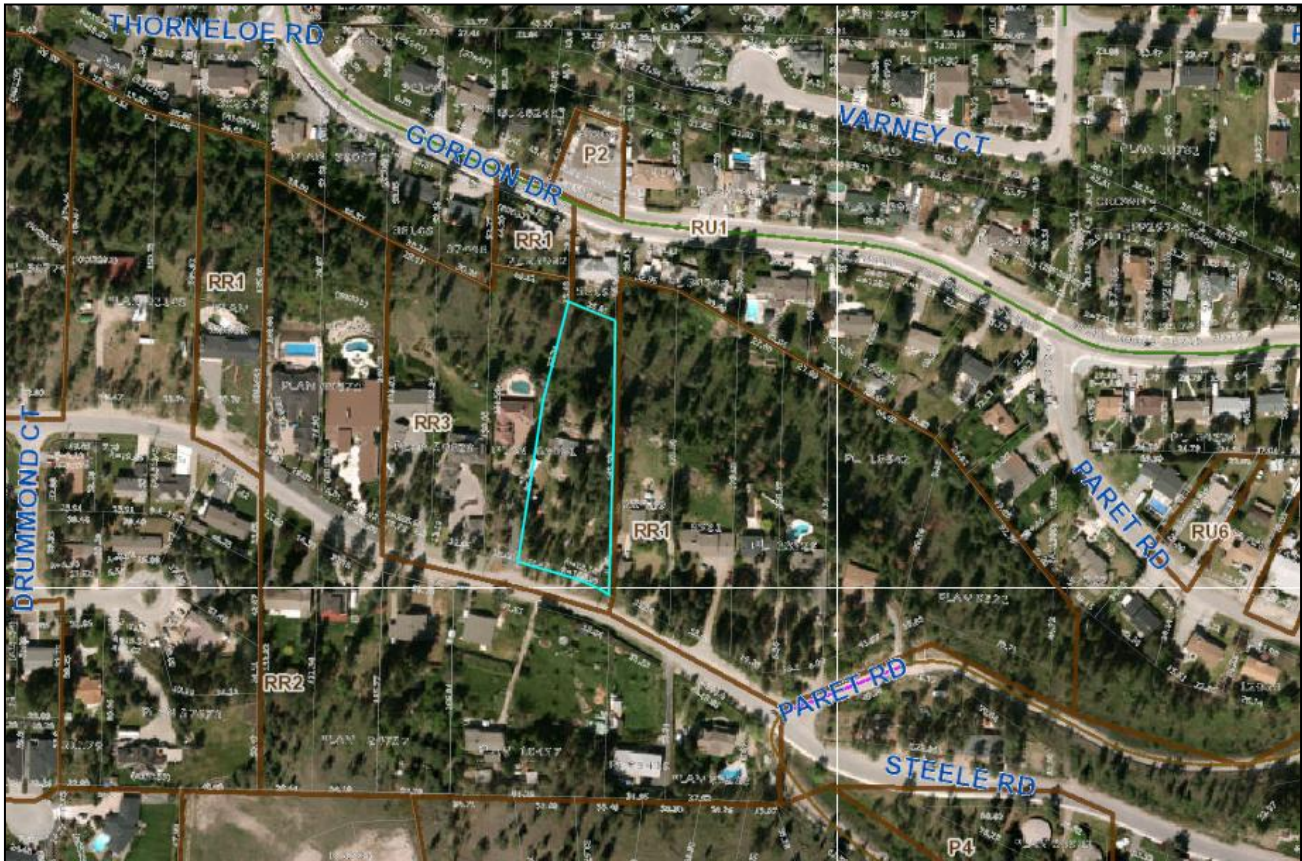
4.1 Project Description

The applicant has installed an over height retaining wall on their property and is seeking a height variance.

4.2 Site Context

The subject property is located in the Upper Mission area and is designated as S2RES - Single Two Unit Residential. All the surrounding properties are large single family lots and zoned rural residential.

Subject Property Map: 774 Barnaby Road



5.0 Zoning Analysis Table

| Zoning Analysis Table | | |
|---|-----------------------|----------|
| CRITERIA | RR3 ZONE REQUIREMENTS | PROPOSAL |
| Development Regulations | | |
| Maximum Retaining Wall Height | 1.2 m | 1.5 ● |
| ● Indicates a requested variance to increase the maximum retaining wall height. | | |

6.0 Current Development Policies

6.1 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.¹ Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

Sensitive Infill.² Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height and siting.

7.0 Technical Comments

7.1 Building & Permitting Department

- No comments.

7.2 Development Engineering Department

- No comments.

8.0 Application Chronology

Date of Application Received: July 10, 2015

Date Public Consultation Received: July 14, 2015

Report prepared by:

Adam Cseke, Planner

Reviewed by:



Lindsey Ganczar, Urban Planning Supervisor

Attachments:

Subject Property Map
Site Plan and Site Photos
DVP15-0162

¹ City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

² City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).