

REPORT TO COUNCIL



Date: September 15, 2020

To: Council

From: City Manager

Department: Development Planning

Application: DVP20-0134

Owner: Gregory Paul & Barbara Rene Pitura

Address: 2106 Bennett Road

Applicant: Gregory Paul & Barbara Rene Pitura

Subject: Development Variance Permit

Existing OCP Designation: S2RES – Single / Two Unit Residential

Existing Zone: RR3 – Rural Residential 3

1.0 Recommendation

That Council authorizes issuance of Development Variance Permit No. DVP20-0134 for Lot 6 Section 17 Township 23 ODYD Plan 33033, located at 2106 Bennett Road, Kelowna, BC;

AND THAT variances to the following section of Zoning Bylaw No. 8000 be granted as described in the proposed Site Plan in Schedule "A";

Section 6.5.3(d): General Development Regulations - Accessory Development - Accessory Buildings in Residential Zones:

To vary the minimum front yard setback for an accessory building from 12.0 m required to 9.0 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 front yard setback for an accessory building from 12.0 m required to 9.0 m proposed to accommodate a detached accessory garage.

3.0 Development Planning

Development Planning Staff are recommending support for the proposed variance to reduce the required front yard setback for an accessory building in a rural residential zone from 12.0 m required to 9.0 m

proposed. The applicant is seeking to construct a single new accessory building adjacent to Bennett Road and near the eastern property boundary to replace a number of smaller existing accessory structures located in the same portion of the site and has requested a 3.0m reduction to the front yard setback for an accessory building to accommodate the proposed structure.

The setback variance has been proposed to help maximize the size of the building that could be constructed while maintaining open driveway space in between the existing residence and the proposed accessory structure. The structure is to be located to the east of the existing home and adjacent to Bennett Road at a grade that is located well below the height of the road which will subsequently lessen the impact the structure will have to the road and adjacent neighbours across the street. Additionally, the eastern portion of the property located in between Bennett Road and the proposed structure is fairly well established with mature vegetation located both on private property and within the Right-of-Way which will help to screen the proposed building from the road.

The property is irregular shaped and currently comprises a large number of titled agreements such as easements and restrictive 219 covenants which limit where permanent structures or buildings can be placed on site. The proposed location for the new accessory building is not in conflict with any legal agreements listed on title and is expected to integrate well into the site.

Staff are anticipating the proposed building location to have a very minimal impact to adjacent residents along Bennet Rd and are recommending support for the proposed variance.

4.0 Proposal

4.1 Background

The property currently contains a single-family dwelling located near the centre of the site with a number of existing accessory structures located to the east of the dwelling and near the eastern property line which abuts Bennett Rd.

4.2 Project Description

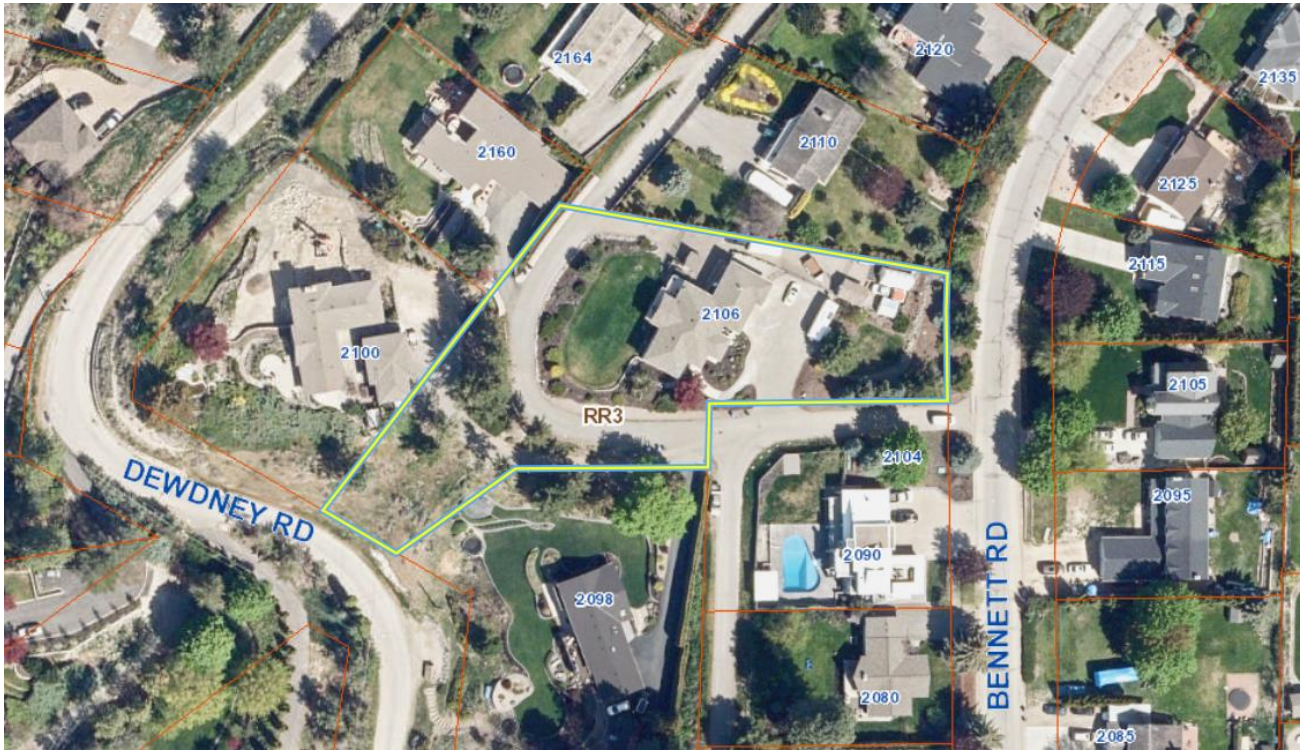
The applicants are seeking to construct a one-storey accessory building in the front yard that is expected to be approximately 114m² in total size.

4.3 Site Context

The subject property is located within the McKinley City Sector near the intersection of McKinley Road and Glenmore Road North, and just south of McKinley Landing Park. The surrounding neighbourhood is largely comprised of Rural Residential single-family homes with a few institutionally zoned parcels for park use.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RR3 – Rural Residential 3	Residential
East	RR3 – Rural Residential 3	Residential
South	RR3 – Rural Residential 3	Residential
West	RR3 – Rural Residential 3	Residential

Subject Property Map: 2106 Bennett Road**4.4 Zoning Analysis Table**

Zoning Analysis Table		
CRITERIA	RR ₃ ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Front Yard Setback for an Accessory Building	12.0 m	9.0 m ❶
❶ Indicates a requested variance to Section 6.5.3.(d) of Zoning Bylaw No. 8000.		

5.0 Current Development Policies**5.1 Kelowna Official Community Plan (OCP)****Chapter 5: Development Process*****Objective 5.22 Ensure context sensitive housing development***

Policy .6 Sensitive Infill. Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character or the neighbourhood with respect to building design, height and siting.

6.0 Application Chronology

Date of Application Received: May 1, 2020
 Date Public Consultation Completed: July 14, 2020

Report prepared by: Andrew Ferguson, Planner II

Reviewed by: Dean Strachan, Community Planning & Development Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Attachment A: Draft Development Permit DP20-0134

Attachment B: Applicant's letter of Rationale