

REPORT TO COUNCIL



Date: September 6, 2016

RIM No. 0940-50

To: City Manager

From: Community Planning Department (TB)

Application: DVP16-0147

Owner: Joan Marie Richter
David Edward Richter

Address: 2296 Dewdney Road

Applicant: Garth Dirksen
Steve Lea

Subject: Development Variance

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. DVP16-0147 for Lot 1 Section 20 Township 23 ODYD Plan EPP32546, located at 2296 Dewdney Road, Kelowna, BC;

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

Section 12.3.6(b): RR3 - Rural Residential 3

To vary the maximum height of an accessory building from 4.5m required to 7.5m proposed;

Section 6.5.8(a): Accessory Development

To vary the minimum front yard setback from 18.0m required to 0.32m proposed for an accessory building;

AND THAT a variance to the following schedule of the Subdivision, Development, and Servicing Bylaw No. 7900 be granted:

Schedule 4: Design Standards - Highways: Section 4.6 Curb and Gutter, Sidewalks and Bike Lanes

To vary the maximum driveway width from 6.0m required to 13.0m 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 maximum height and front yard setback for an accessory building, and to vary the maximum driveway width on the subject property to facilitate the development of a carport.

3.0 Community Planning

Community Planning staff support the proposed variances for the development of a 3 stall carport on the subject property.

The subject property is located on a steep slope along Okanagan Lake and therefore there are natural and environmental conditions that prevent the carport from being sited so as not to require variances. The impact on the neighbourhood will be minimal as the highest portion of the carport faces Okanagan Lake and is not visible from the road.

The driveway is located on a rural road with no sidewalks, curbs, or gutters, and there is limited traffic on this street as it ends in a cul-de-sac.

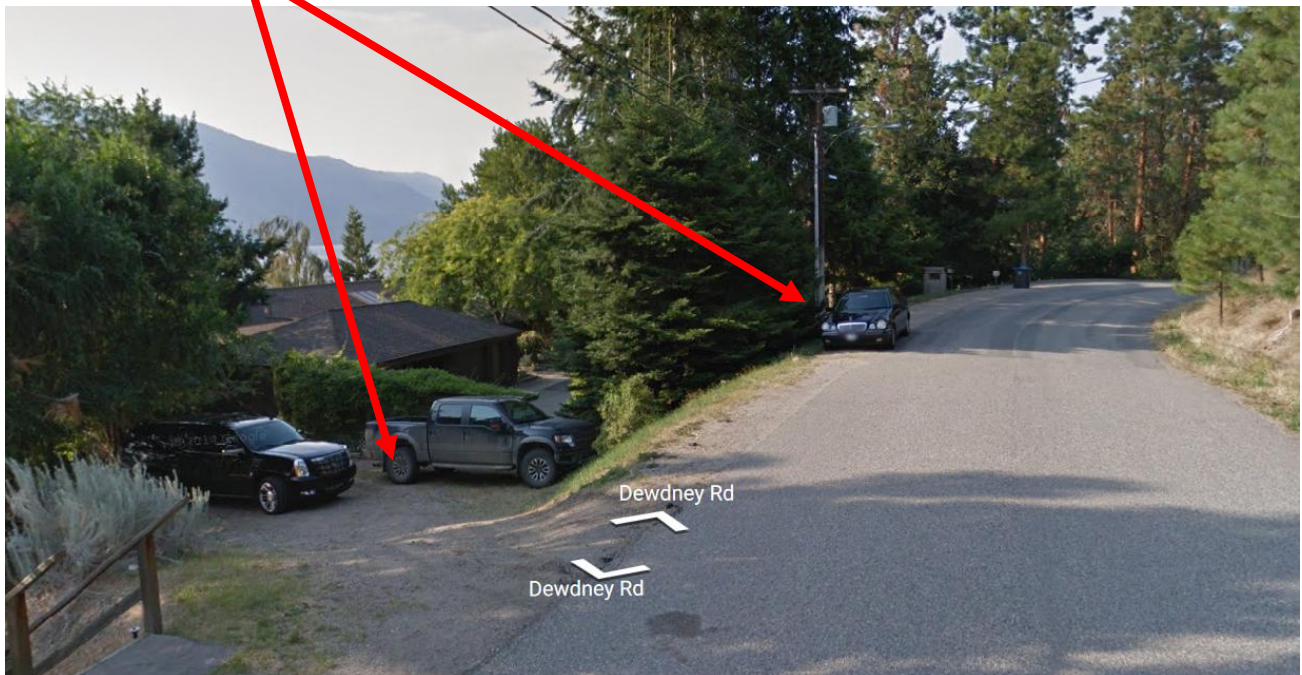
In accordance with Council Policy #367 regarding neighbourhood consultation, the applicant completed consultation on July 13th, 2016 by hand delivering drawings to all neighbours within 50m.

4.0 Proposal

4.1 Background

The subject property is located on the shore of Okanagan Lake on the west side of Dewdney Road. The majority of the property is steeply sloped from the road down to the lake with the lower portion of the property protected by a riparian zone.

In 1963 the home was constructed on one of the only buildable areas without a garage, just outside the riparian zone. Currently, the owners park along the side of the road, or on a gravel pad located next to the road.



4.2 Project Description

The proposed carport will provide 2 covered parking stalls and 1 uncovered. Underneath the parking area is an unfinished storage area with no windows and a side entrance. The entrance to the carport will be at the grade of the road and the height of the peak of the roof measured from this grade is 2.81m as visible from the road. As the property slopes towards the lake, the height of the peak of the roof measured from the west (lakeside) elevation is 7.5m which requires a height variance (4.5m required). This variance will have minimal impact on adjacent properties as the maximum height is not visible from the road and faces toward the home and the lake on the subject property.

The proposal includes rock finish and tiered retaining walls with landscaping to beautify the building and provide minimal impact on adjacent neighbours (*image below is an example of the proposed materials and finishes from a nearby address*).



Although the road frontage is along Dewdney Road, the houses in this area are situated to face the lake, therefore siting the carport in the front yard setback is consistent with the use of the property and ensures there is no impact on Okanagan Sight-Lines from adjacent properties.

Due to the close proximity of the carport to the front property line, there is no opportunity to have a taper in the driveway to reduce the width to the required 6.0m while providing 3 parking stalls. Dewdney Road ends in a cul-de-sac therefore the amount of traffic and speed of traffic on this portion of the road is low. There is no curb, sidewalk, or gutter on Dewdney Road that would require any civic works for the 13.0m driveway. It is anticipated that by providing parking on the property, the need for parking on the side of the road will be eliminated.

4.3 Site Context

The subject property is located on the shore of Okanagan Lake on the west side of Dewdney Road. The access to this neighbourhood is through McKinley Landing, and Dewdney Road ends in a cul-de-sac. The majority of homes in this area are older homes and cabins and are mostly used for vacationing rather than full-time dwellings.

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		Okanagan Lake

Subject Property Map:



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RR3 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	1 ha	1238 m ²
Lot Width	18.0 m	18.23 m
Lot Depth	30.0 m	~49.5 m
Development Regulations		
Floor Area	173 m ²	121.7 m ²
Site Coverage of Accessory Building	14%	9.8%
Height	4.5 m	7.5 m ❶
Front Yard	18.0 m	0.32 m ❷
Side Yard (south)	1.2 m	1.2 m
Side Yard (north)	1.2 m	4.32 m
Other Regulations		
Minimum Parking Requirements	2 stalls	3 stalls
Maximum Driveway Width	6.0 m	13.0 m ❸

- ① Indicates a requested variance to maximum height.
- ② Indicates a requested variance to front yard setback.
- ③ Indicates a requested variance to maximum driveway width.

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 12.5.1 Natural Environment DP - Urban Development: Require that development take place outside riparian management areas.¹

6.0 Technical Comments

6.1 Building & Permitting Department

- A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications

6.2 Development Engineering Department

Please see Attachment "A" dated June 29, 2016

6.3 FortisBC Electric

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Dewdney Road. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.

Otherwise, FBC(E) has no concerns with this circulation.

In order to initiate the design process, the customer must call 1-866-4FORTIS (1-866-436-7847). It should be noted that additional land rights issues may arise from the design process but can be dealt with at that time, prior to construction

6.4 Glenmore Ellison Improvement District

Please see Attachment "B" dated June 9, 2016

7.0 Application Chronology

Date of Application Received:	May 31, 2016
Date Public Consultation Completed:	July 13, 2016

Report prepared by:

Trisa Brandt, Planner I

¹ City of Kelowna Official Community Plan Chapter 12.5.1

Reviewed by:



Terry Barton, Urban Planning Manager

Approved for Inclusion:



Ryan Smith, Community Planning Department Manager

Attachments:

Attachment "A" dated June 29, 2016

Attachment "B" dated June 9, 2016

Draft Development Variance Permit DVP16-0147

Schedule "A": Site Plan and Floor Plans

Schedule "B": Conceptual Elevations