

REPORT TO COUNCIL



Date: September 21st, 2021

To: Council

From: City Manager

Department: Development Planning

Application: DVP21-0165 **Owner:** EJF Holdings Ltd., Inc.No. BC0778933

Address: 160 Swick Road **Applicant:** Urban Options Planning Corp.

Subject: Development Variance Permit

Existing OCP Designation: REP – Resource Protection Area

Existing Zone: RR2 – Rural Residential 2

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP21-0165 for Lot 1 Section 16 Township 28 SDYD Plan 39170, located at 160 Swick Road, Kelowna, BC;

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

Section 12.2.6(d): RR2 – Rural Residential 2 – Development Regulations:

To vary the side yard setback of the principal dwelling from 3.0m required to 2.38m 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 side yard setback of the principal dwelling from 3.0m permitted to 2.38m proposed to facilitate the construction of a new addition.

3.0 Development Planning

Staff support the proposed Development Variance Permit for the side yard setback for the principal dwelling to facilitate a new addition. The existing building was constructed in 1993 and met all the setbacks of the former Zoning Bylaw. The property currently has an existing side yard setback of 1.90m, which is considered legal non-conforming. The applicant is proposing an addition for a new garage and gym on the second floor with a setback of 2.38m. Although they are moving the structure further back from the existing setback, they are required to apply for a variance. The steep grade and environmentally sensitive

areas make this area the most appropriate area for a house addition. No neighbourhood impacts are anticipated with the proposed location of the detached garage.

4.0 Proposal

4.1 Project Description

The applicant is seeking a Development Variance Permit to facilitate a new addition to the existing single-family dwelling. The proposal is to build an addition for a new garage, which will be on the main floor and a gym on the second floor. The existing building was built with a 1.9m setback and the applicant is proposing to move the building further back to 2.38m. The applicant has indicated that all other regulations of the Zoning Bylaw can be met.

4.2 Site Context

The subject property is zoned RR2 – Rural Residential 2 and has a Future Land Use Designation of REP – Resource Protection Area. The property is located on Swick Road in the Southwest Mission OCP Sector. The surrounding area is primarily zoned RR2 – Rural Residential 2, RR1 – Rural Residential 1 and A1 – Agriculture 1.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	W1 – Recreational Water Use	Okanagan Lake
East	RR2 – Rural Residential 2	Single-Family Home
South	RR2 – Rural Residential 2	Single-Family Home
West	N/A	City of Kelowna Pumphouse

Subject Property Map: 160 Swick Road



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RR ₂ ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	1.0ha	6,250m ² (0.625ha)
Min. Lot Width	36.0m	54.51m
Min. Lot Depth	30.0m	109.66m
Development Regulations		
Max. Site Coverage (buildings)	20%	7.3%
Max. Height	9.5m	7.32m
Min. Front Yard	6.0m	29.6mm
Min. Side Yard (East)	3.0m	9.66m
Min. Side Yard (West)	3.0m	2.38m ❶
❶ Indicates a requested variance to Section 12.2.6d : Rural Residential 2 – Development Regulations – Side Yard setbacks		

5.0 **Application Chronology**

Date of Application Received: June 29, 2021

Date Public Consultation Completed: July 14, 2021

Report prepared by: Tyler Caswell, Planner I

Reviewed by: Dean Strachan, Community Planning & Development Manager

Reviewed by: Terry Barton, Development Planning Department Manager

Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachment A: Draft Development Permit DVP21-0165

Attachment B: Applicant’s Rationale

Attachment C: Conceptual Elevations

Schedule A: Drawing Package / Site Plan