

Development Variance Permit DVP21-0165



This permit relates to land in the City of Kelowna municipally known as

160 Swick Road

and legally known as

Lot 1 Section 16 Township 28 SDYD Plan 39170

and permits the land to be used for the following development:

Single-Family Dwelling (RR2 – Rural Residential 2)

The present owner and any subsequent owner of the above described land must comply with any attached terms and conditions.

Date of Council Decision September 21st, 2021

Decision By: COUNCIL

Existing Zone: RR2 – Rural Residential 2

Future Land Use Designation: REP – Resource Protection Area

This is NOT a Building Permit.

In addition to your Development Permit, a Building Permit may be required prior to any work commencing. For further information, contact the City of Kelowna, Development Services Branch.

NOTICE

This permit does not relieve the owner or the owner's authorized agent from full compliance with the requirements of any federal, provincial or other municipal legislation, or the terms and conditions of any easement, covenant, building scheme or agreement affecting the building or land.

Owner: EKF Holdings Ltd., Inc.No. BC0778933

Applicant: Urban Options Planning Corp.

Terry Barton
Development Planning Department Manager
Planning & Development Services

Date

ATTACHMENT	A
This forms part of application # DVP21-0165	
Planner Initials	TC
City of Kelowna DEVELOPMENT PLANNING	

1. SCOPE OF APPROVAL

This Development Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.

This Development Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this permit, noted in the Terms and Conditions below.

The issuance of a permit limits the permit holder to be in strict compliance with regulations of the Zoning Bylaw and all other Bylaws unless specific variances have been authorized by the Development Permit. No implied variances from bylaw provisions shall be granted by virtue of drawing notations that are inconsistent with bylaw provisions and that may not have been identified as required Variances by the applicant or Municipal staff.

2. CONDITIONS OF APPROVAL

That variances to the following section of the Zoning Bylaw No. 8000 be granted in accordance with Schedule "A":

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.

This Development Permit is valid for two (2) years from the date of approval, with no opportunity to extend.

3. INDEMNIFICATION

Upon commencement of the works authorized by this Permit the Developer covenants and agrees to save harmless and effectually indemnify the Municipality against:

- a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.

All costs, expenses, claims that may be incurred by the Municipality where the construction, engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

**The PERMIT HOLDER is the CURRENT LAND OWNER.
Security shall ONLY be returned to the signatory of the
Landscape Agreement or their designates.**

ATTACHMENT		A
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# DVP21-0165		
Planner Initials	TC	 City of Kelowna DEVELOPMENT PLANNING



June 18, 2021

City of Kelowna
Urban Planning Department
1435 Water Street
Kelowna, BC

ATTACHMENT		B
This forms part of application # DVP21-0165		
Planner Initials	TC	 City of Kelowna DEVELOPMENT PLANNING

Development Variance Permit Application to Construct a Garage Addition at 160 Swick Road

Dear Planning Staff,

The purpose of this application is to secure a Development Variance Permit to allow for an addition to the existing house, containing a garage on the lower storey and a gym on the upper storey. The property at 160 Swick Road has existed since before the 1960's, and the house was originally constructed in 1962. Due to the age of the house, the landowner wishes to upgrade while maintaining the original design and character of the façade. As many mid-century modern homes in Kelowna have been demolished, it is important to preserve the existing house on the subject property, as it provides a sense of character and historical significance to the neighbourhood. Structurally, the existing carport is beginning to fracture and therefore needs to be replaced.

Under the previous and current configuration of the property, the driveway access to the carport encroaches onto the land designated as Swick Road, which was once part of the subject property. Although undeveloped as a road, this land was taken from the subject property by the City as part of a previous subdivision. This portion of Swick Road is currently used as a path for City Staff or Water Technologist to access the water pump station at the foreshore. As shown on the attached drawings, the proposed garage has been designed to take direct access from the driveway, therefore any encroachment onto Swick Road will no longer occur. In addition, the ALR land on the west side of the property will not be affected by the proposal.

Before the Building Permit application can occur, a DVP application will be necessary to reduce the side yard setback from 4.5m to 2.38m to allow for the addition. Although a Variance is being requested, the proposal provides less of an encroachment than the existing carport, which is legal non-conforming and located 1.90m from the east property line. The Swick Road pathway is separated from the subject property by trees, this Development Variance application will allow for a greater separation of structures and vehicles on the subject property from the Swick Road pathway. Since this portion of land has already been developed, no further land disturbance will occur.

On the east edge of the subject property, there is an underground water drainage line which runs parallel to the Swick Road pathway from the cul-de-sac to the lake. However, after conversation with the City's Environmental Technician, we have confirmed that the proposed setback will not impact the area nor require an Environmental DP.

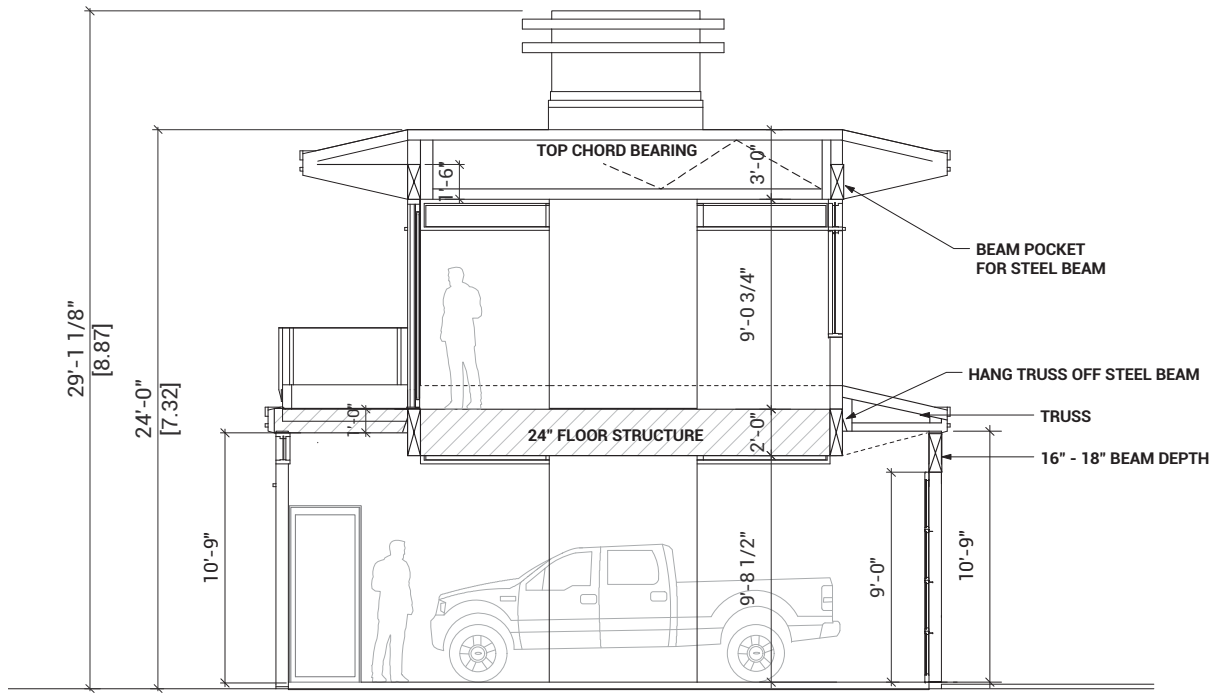
In conclusion, we believe this Development Variance Permit application will benefit the landowners, the neighbourhood, and the City of Kelowna by allowing for the upgrade and preservation of a beautiful mid-century modern home. In addition, the driveway access will be modified, therefore removing the existing encroachment onto the Swick Road pathway and bringing the property into conformance.

Regards,



Birte Decloux, RPP MCIP
Urban Options Planning Corp.

ATTACHMENT	B
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 City of Kelowna DEVELOPMENT PLANNING	



SECTION AA

SCALE: 3/16" = 1'-0"

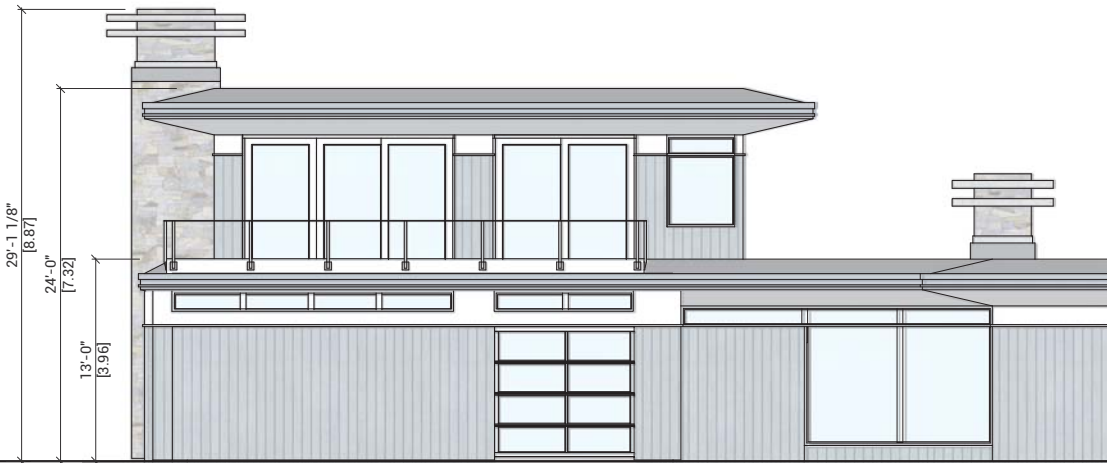
ATTACHMENT C

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 # DVP21-0165

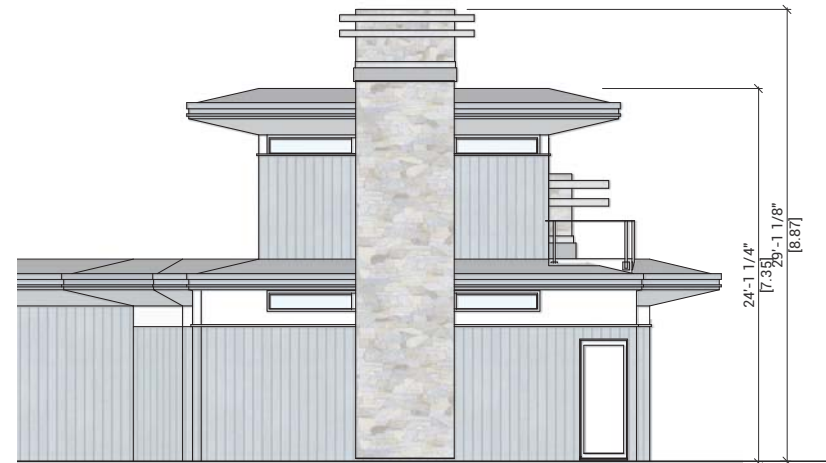
Planner Initials TC




SOUTH ELEVATION
 SCALE: 1/8" = 1'-0"



NORTH ELEVATION
 SCALE: 1/8" = 1'-0"



EAST ELEVATION
 SCALE: 1/8" = 1'-0"

ATTACHMENT C

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ATTACHMENT

C

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SCHEDULE

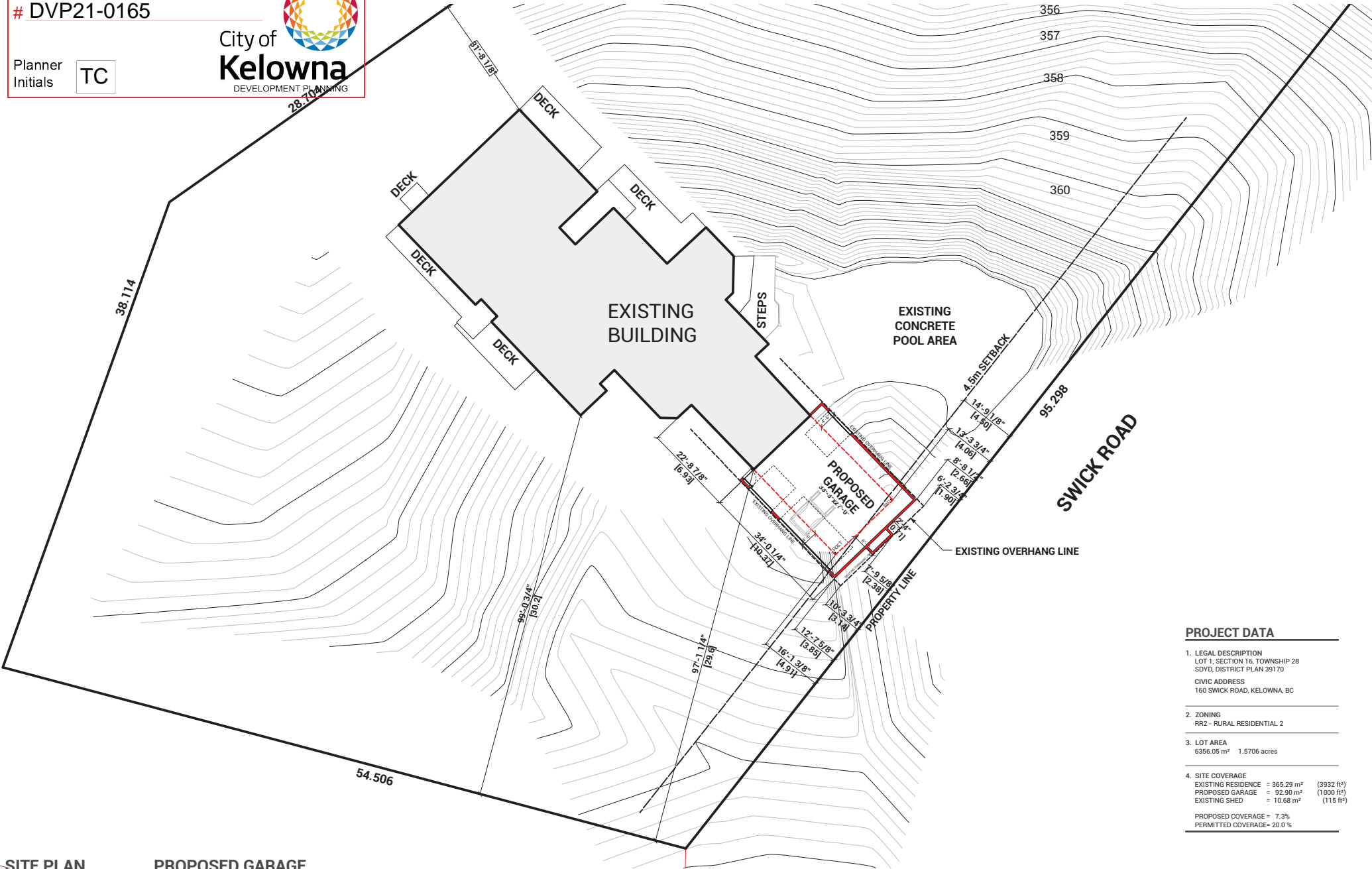
A

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DVP21-0165

Planner
Initials

TC



PROJECT DATA

- LEGAL DESCRIPTION
LOT 1, SECTION 16, TOWNSHIP 28
SDVD, DISTRICT PLAN 33170
CIVIC ADDRESS
160 SWICK ROAD, KELOWNA, BC
- ZONING
RR2 - RURAL RESIDENTIAL 2
- LOT AREA
6356.05 m² 1.5706 acres
- SITE COVERAGE
EXISTING RESIDENCE = 365.29 m² (3932 ft²)
PROPOSED GARAGE = 92.90 m² (1000 ft²)
EXISTING SHED = 10.68 m² (115 ft²)
PROPOSED COVERAGE = 7.3%
PERMITTED COVERAGE= 20.0%

SITE PLAN

PROPOSED GARAGE

SCALE: 1:250

160 SWICK RD

JUN 16, 2021

WEST COAST DESIGN

SCHEDULE A

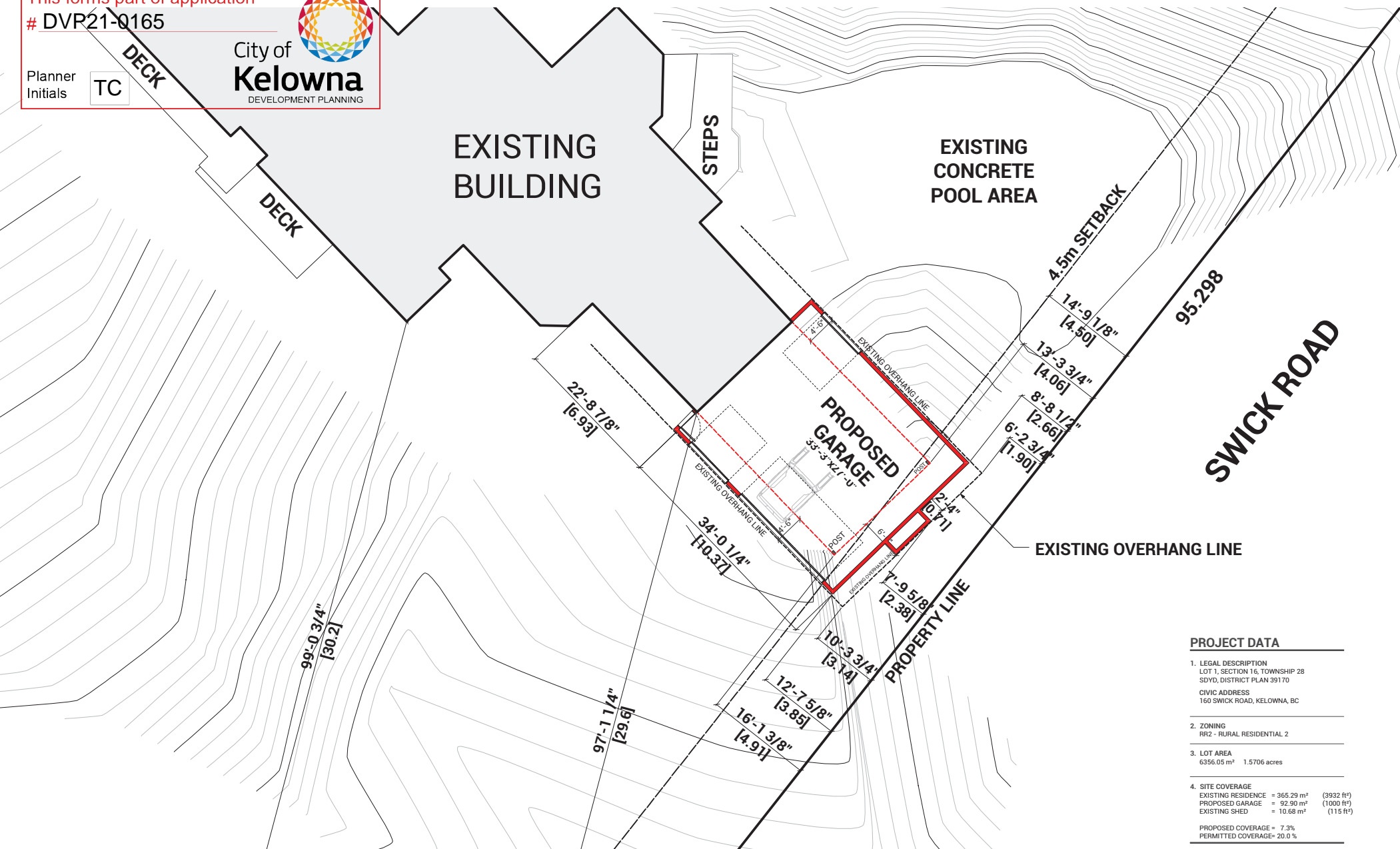
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DVR21-0165



Planner Initials

TC



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SITE PLAN

PROPOSED GARAGE

SCALE: 1:150

160 SWICK RD

JUN 16, 2021

WEST COAST DESIGN

SCHEDULE

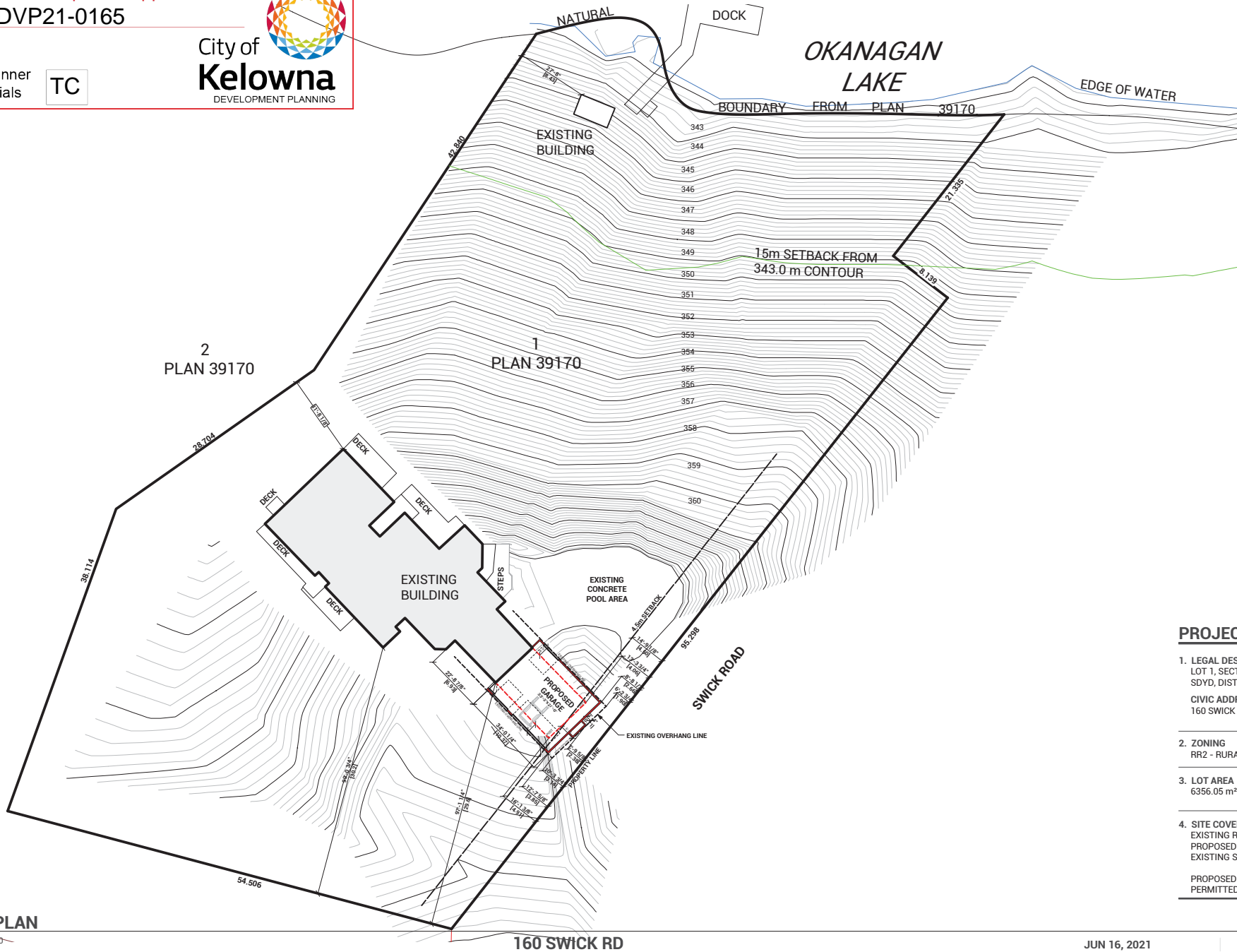
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City of
Kelowna
DEVELOPMENT PLANNING

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Initials **TC**



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SITE PLAN

SCALE: 1:400

160 SWICK RD

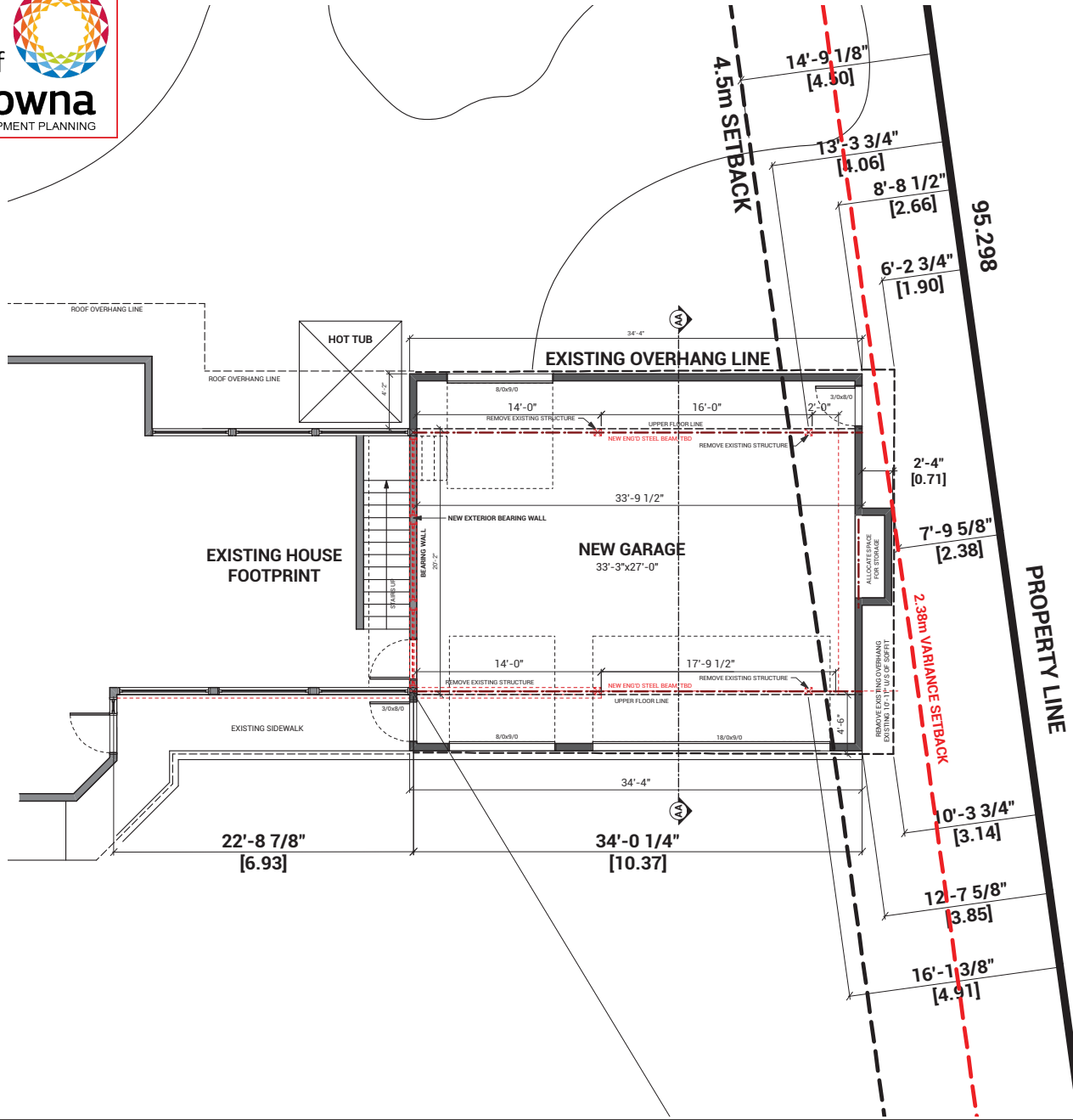
JUN 16, 2021

WEST COAST DESIGN

SCHEDULE A

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GARAGE LEVEL PLAN

SCALE: 3/16" = 1'-0"

160 SWICK RD

JUN 16, 2021

WEST COAST DESIGN