

REPORT TO COUNCIL



Date: November 16, 2021

To: Council

From: City Manager

Department: Development Planning

Application: DVP21-0011 **Owner:** John Kovacic and Christine Kovacic

Address: 3521 Scott Road **Applicant:** John Kovacic

Subject: Development Variance Permit

Existing OCP Designation: S2RES – Single / Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP21-0011 for Lot 4 District Lot 134 ODYD Plan 30577, located at 3521 Scott Road, Kelowna, BC;

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

Section 13.1.6(d): RU1 – Large Lot Housing Development Regulations

To vary the required minimum side yard from 2.3 m permitted to 2.0 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 required minimum side yard from 2.3 m permitted to 2.0 m proposed to facilitate the construction of an addition to the existing house.

3.0 Development Planning

Staff recommend support for the Development Variance Permit for the construction of an addition to the existing house. Staff support the requested variance because the application is for a minor addition to an existing house that conforms to the site regulations of the RU1 zone, rather than a new non-conforming structure. The minimum side yard is 2.0 metres for a 1 or 1.5-storey portion of a building and 2.3 metres for a 2 or 2.5-storey portion of a building in the RU1 zone, the proposed addition would make the existing

house a 2-storey building. The variance is being requested so the proposed addition will be flush with the existing house.

Proposal

3.1 Project Description

The applicant is seeking a side yard variance from 2.3 metres to 2.0 metres for a proposed two-storey addition. The existing house was built in 1980 and is currently a 1.5-storey split level. The proposed addition will be at the front of the existing house, the first floor of the addition will be 64.6m² and will contain a rec room for the existing house, the second storey will be 59.3 m² and will be used as a secondary suite.

3.2 Site Context

This site is zoned RU₁ and has a Future Land Use Designation of S₂RES - Single / Two Unit Residential. The property is located on Scott Road in the South Pandosy OCP Sector. The surrounding area primarily zoned RU₁ – Large Lot Housing.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU ₁ – Large Lot Housing	Residential Dwelling
East	RU ₁ – Large Lot Housing	Residential Dwelling
South	RU ₁ – Large Lot Housing	Residential Dwelling
West	RU ₁ – Large Lot Housing	Residential Dwelling

Subject Property Map: 3521 Scott Road



3.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU ₁ ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Max. Height	9.5m	7.3m
Min. Front Yard	4.5m	4.5m
Min. Side Yard (south)	2.3m	2.0m ●
Min. Side Yard (north)	2.3m	2.0m ●
Min. Rear Yard	7.5m	7.5m
● Indicates a requested variance to side yard		

4.0 **Application Chronology**

Date of Application Received: January 19, 2021

Date Public Consultation Completed: July 11, 2021

Report prepared by: Graham Allison, Planner 1**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**Attachments**

Attachment A: Draft Development Permit DVP21-0011

Schedule A: Site Plan

Attachment B: Applicant's Rationale