

REPORT TO COUNCIL



Date: February 8, 2022

To: Council

From: City Manager

Department: Development Planning

Application: DVP21-0216

Owner: Mark J. Walker & Francine C. Walker

Address: 5147 Lakeshore Road

Applicant: Urban Options Planning Corp

Subject: Development Variance Permit

Existing OCP Designation: S-RES – Suburban - Residential

Existing Zone: RR2 – Rural Residential 2

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP21-0216 for Lot 7 Section 23 Township 28 SDYD Plan 8976, located at 5147 Lakeshore Road, Kelowna, BC

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

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

To vary the required minimum side yard from 3.0 m permitted to 1.7 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 3.0m permitted to 1.7m proposed to facilitate the construction of an addition to the existing house .

3.0 Development Planning

Staff recommends support for the Development Variance Permit for the construction of an addition to the existing house. The application is for a minor addition to an existing house that is legal non-conforming, the dwelling was constructed with an east side yard setback of 1.4m from the property line. The proposed addition will be sited 1.71m from the same side yard, which incorporates a 0.3m step in from the existing building wall.

4.0 Proposal

4.1 Project Description

The applicant is seeking a Development Variance Permit to allow for a 36.6m² addition to the front of the dwelling, located at the east side of the house. This single storey addition is to provide space for a jewellery studio and a painting studio, as well as a reconfiguration of the front entry. The existing dwelling was constructed in 1964. The dwelling was constructed with an east side yard setback of 1.4m from the property line. The dwelling is now legal non-conforming, as the current RR2 – Rural Residential 2 zone requires a 3.0m sideyard setback. The proposed addition would be located 1.7m from the same side yard, which would incorporate a 0.3m step in from the existing building wall.

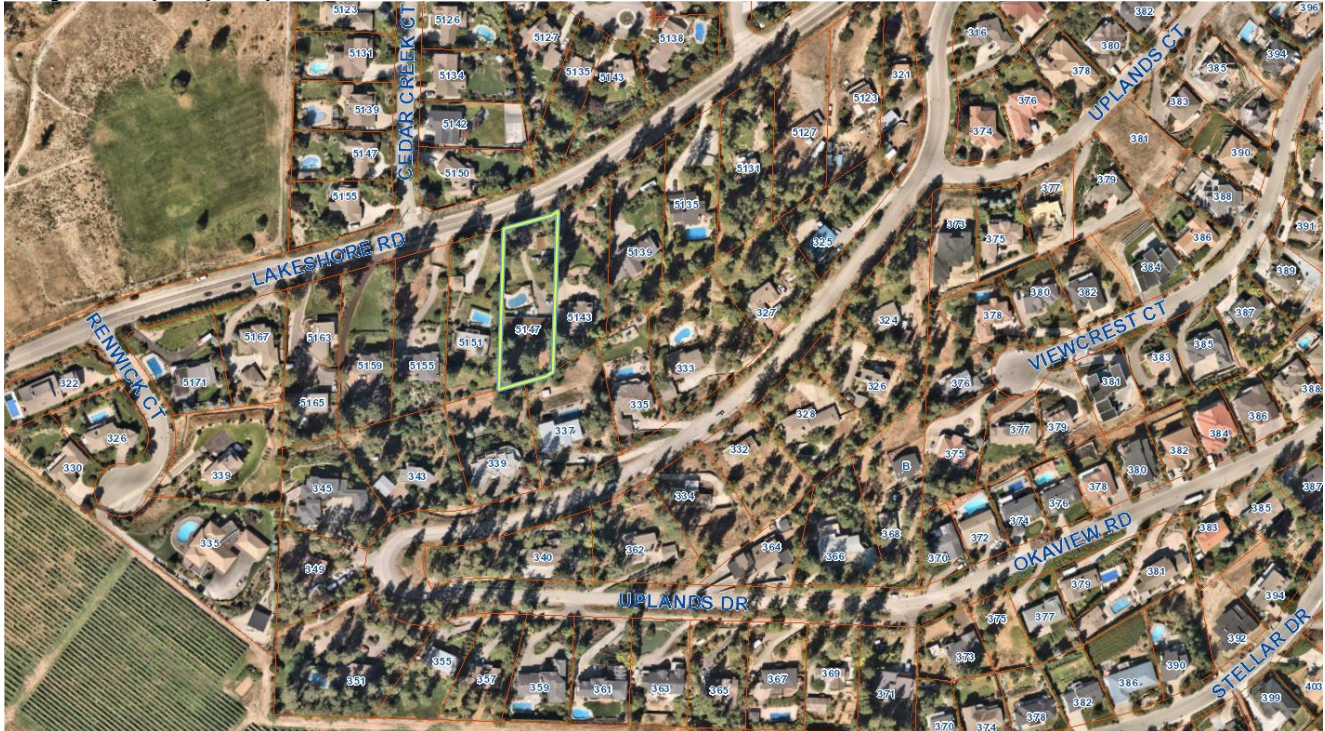
4.2 Site Context

This site is zoned RR2 and has a Future Land Use Designation of S-RES – Suburban - Residential. The property is located on Lakeshore Road in the Southwest Mission OCP Sector. The surrounding area primarily zoned RR2 – Rural Residential 2.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RR2 – Rural Residential 2	single dwelling housing
East	RR2 – Rural Residential 2	single dwelling housing
South	RR2 – Rural Residential 2	single dwelling housing
West	RR3 – Rural Residential 3	single dwelling housing

Subject Property Map: 5147 Lakeshore Road



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RR ₂ ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	1.0 ha	0.295ha (2,954.2m ²)
Min. Lot Width	36.0m	32.52m
Min. Lot Depth	30.0m	91.44m
Development Regulations		
Max. Height	9.5m or 2 storeys	3.7m or 1 storey
Min. Front Yard	6.0m	49.7m to existing dwelling 43.3m to proposed addition
Min. Side Yard (west)	3.0m	3.0m
Min. Side Yard (east)	3.0m	1.7m●
Min. Rear Yard	9.0m	18.0m
● Indicates a requested variance to side yard setback		

5.0 Application Chronology

Date of Application Received: September 7, 2021

Date Public Consultation Completed: October 3, 2021

Report prepared by: Graham Allison, 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

Attachments

Attachment A: Draft Development Permit DVP21-0216

Schedule A: Site Plan

Attachment B: Applicant's Rationale