

REPORT TO COUNCIL



Date: May 10, 2022

To: Council

From: City Manager

Department: Development Planning

Application: DVP22-0007 **Owner:** Alfonso Reda & Cheryl Elaine Reda

Address: 1786 Crosby Road **Applicant:** Protocol Home Planning & Design – Les Csolle

Subject: Development Variance Permit

Existing OCP Designation: S-RES – Suburban Residential

Existing Zone: RU2 – Medium Lot Housing

1.0 Recommendation

THAT Council NOT authorize the issuance of Development Variance Permit No. DVP22-0007 for Lot 8, Section 5, Township 23, ODYD, Plan EPP63600, located at 1786 Crosby Road, Kelowna, BC.

2.0 Purpose

To review a Staff recommendation to NOT issue a Development Variance Permit to vary the maximum site coverage and the minimum rear yard for a deck addition to a single detached house.

3.0 Development Planning

Staff are not supportive of the proposed Development Variance Permit to vary the maximum site coverage and the minimum rear yard for the deck addition to a single detached house. The siting of the deck within the required rear yard setback has the potential to negatively impact adjacent properties. The subject property is located uphill of the rear neighbour on Ranchhill Court causing the deck to overlook the neighbouring property. The elevated nature of the deck above the ground level may further affect the privacy of adjacent lots.

4.0 Proposal

4.1 Project Description

The applicant has constructed a new deck addition to a single detached house on the subject property without a Building Permit. Construction of the deck was brought to the attention of the City through a

Bylaw complaint in December 2021. The new deck is located within the required rear yard and exceeds the maximum permitted site coverage on the subject property. The applicant has submitted a letter from a Geotechnical Engineer indicating that the deck and associated site coverage will not increase runoff from the subject property.

4.2 Site Context

The subject property is located near the end of Crosby Road, west of Moubray Road. It contains a single detached house. The surrounding area is designated S-RES – Suburban Residential, NAT – Natural Areas and C-NHD – Core Area Neighbourhood and is zoned RU₂ – Medium Lot Housing and P₃ – Parks and Open Space.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU ₂ – Medium Lot Housing	Single detached house
East	RU ₂ – Medium Lot Housing	Single detached house
South	RU ₂ – Medium Lot Housing	Single detached house
West	P ₃ – Parks and Open Space	Knox Mountain Park

Subject Property Map: 1786 Crosby Road



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU ₂ ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	400 m ²	406 m ²
Min. Lot Width	13 m	13.51 m
Min. Lot Depth	30 m	30.06 m
Development Regulations		

Max. Site Coverage (buildings)	40%	44% ^①
Min. Front Yard	4.5 m	4.5 m
Min. Side Yard (south)	1.5 m	1.5 m
Min. Side Yard (north)	1.5 m	1.5 m
Min. Rear Yard	6 m	2.64 m ^②
^① Indicates a requested variance to the maximum site coverage. ^② Indicates a requested variance to the minimum rear yard.		

5.0 Application Chronology

Date of Application Received: January 20, 2022

Date Public Consultation Completed: March 6, 2022

6.0 Alternate Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP22-0007 for Lot 8, Section 5, Township 23, ODYD, Plan EPP63600, located at 1786 Crosby Road, Kelowna, BC;

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

Section 13.2.6(a): RU2 – Medium Lot Housing Development Regulations

To vary the required maximum site coverage from 40% permitted to 44% proposed.

Section 13.2.6(e): RU2 – Medium Lot Housing Development Regulations:

To vary the required minimum rear yard setback from 6.0 m permitted to 2.6 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.

Report prepared by: Mark Tanner, Planner II

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 Variance Permit DVP22-0007

Schedule A: Drawing Package

Attachment B: Site Photos