

# Development Variance Permit

## DVP22-0061



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

**1150 Raymer Avenue**

and legally known as

**Lot 2 District Lot 135 Osoyoos Division Yale District Plan 10079**

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

**Single Dwelling Housing  
Accessory Building**

**ATTACHMENT** A

This forms part of application

# DVP22-0061



Planner  
Initials

GA

City of  
**Kelowna**  
DEVELOPMENT PLANNING

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

Date of Council Decision July 26<sup>th</sup>, 2022

Decision By: COUNCIL

Existing Zone: RU1 – Large Lot Housing

Future Land Use Designation: C-NHD – Core Area Neighbourhood

### **This is NOT a Building Permit.**

In addition to your Development Variance 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: Robert Newton Clerke and Donna Ray Clerke

Applicant: Urban Options Planning Corp.

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Terry Barton  
Development Planning Department Manager  
Planning & Development Services

\_\_\_\_\_  
Date

## 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.

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

## 2. CONDITIONS OF APPROVAL

That variances to the following section of the Zoning Bylaw No. 8000 be granted:

### **Section 6.5.3(a): RU1 – Accessory Buildings in Residential Zones**

To vary the maximum site coverage for accessory buildings from 14% with a footprint 90 m from to 7.66% with a footprint 106.84 m<sup>2</sup>.

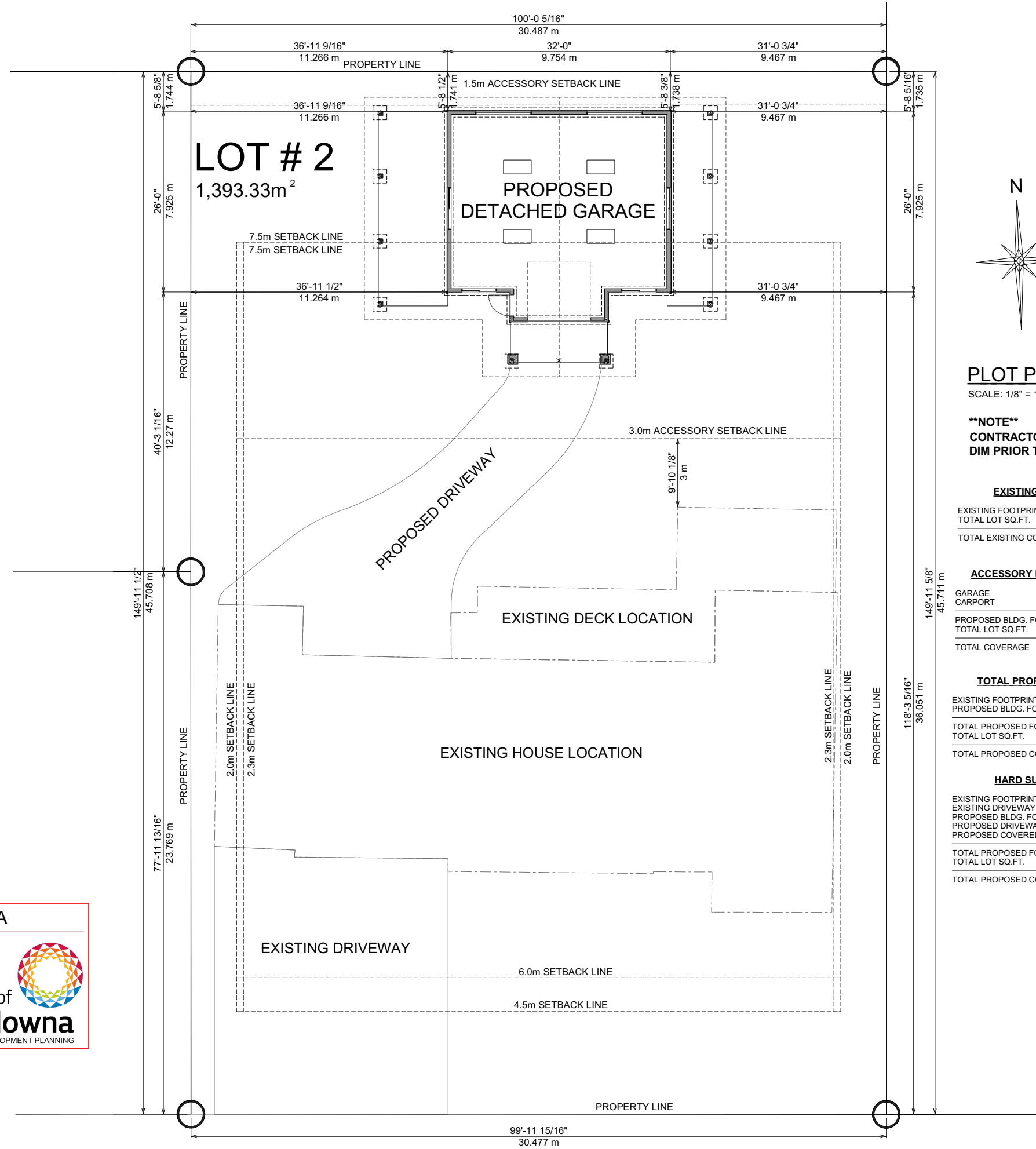
## 3. INDEMNIFICATION

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.**



**PLOT PLAN**

SCALE: 1/8" = 1'

**\*\*NOTE\*\***  
CONTRACTOR TO CONFIRM  
DIM PRIOR TO CONST.

**EXISTING LOT COVERAGE**

EXISTING FOOTPRINT	=	3,660 SQ.FT.
TOTAL LOT SQ.FT.	=	14,997.65 SQ.FT.
TOTAL EXISTING COVERAGE	=	24.4%

**ACCESSORY BLDG. LOT COVERAGE**

GARAGE	=	890 SQ.FT.
CARPORT	=	260 SQ.FT.
PROPOSED BLDG. FOOTPRINT	=	1,150 SQ.FT.
TOTAL LOT SQ.FT.	=	14,997.65 SQ.FT.
TOTAL COVERAGE	=	7.67%

**TOTAL PROPOSED LOT COVERAGE**

EXISTING FOOTPRINT	=	3,660 SQ.FT.
PROPOSED BLDG. FOOTPRINT	=	1,150 SQ.FT.
TOTAL PROPOSED FOOTPRINT	=	4,810 SQ.FT.
TOTAL LOT SQ.FT.	=	14,997.65 SQ.FT.
TOTAL PROPOSED COVERAGE	=	32.07%

**HARD SURFACE COVERAGE**

EXISTING FOOTPRINT	=	3,660 SQ.FT.
EXISTING DRIVEWAY	=	1,254 SQ.FT.
PROPOSED BLDG. FOOTPRINT	=	1,150 SQ.FT.
PROPOSED DRIVEWAY	=	1,003 SQ.FT.
PROPOSED COVERED PATIO	=	169 SQ.FT.
TOTAL PROPOSED FOOTPRINT	=	7,236 SQ.FT.
TOTAL LOT SQ.FT.	=	14,997.65 SQ.FT.
TOTAL PROPOSED COVERAGE	=	48.25%

**SCHEDULE A**

This forms part of application  
# DVP22-0061

Planner Initials **GA**



City of Kelowna  
DEVELOPMENT PLANNING

RAYMER AVE



**ATTACHMENT** B

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Planner Initials GA

City of Kelowna  
DEVELOPMENT PLANNING



City of Kelowna  
**Urban Planning Department**  
1435 Water Street, V1Y 1J4  
Kelowna, BC

Development Variance Permit Application at 1150 Raymer Ave.

Dear Planner,

The purpose of this application is to secure a Development Variance Permit to allow for an accessory building which exceeds the permitted accessory site coverage as per Section 6.5.3(a). The property is zoned RU1 – Large Lot Housing with an OCP Future Land Use of Core Area – Neighbourhood. The lot size is very large at 1,394.3m<sup>2</sup> and can easily support an accessory building.

This proposal does not exceed the total site coverage permitted on the property for buildings, driveways, and parking. As shown on the attached site plan, the footprint of the proposed building is 82.68m<sup>2</sup> which is under the permitted site coverage for accessory buildings. However, the landowner wishes to add a carport to the garage which is 24.15m<sup>2</sup> in size, therefore the structure will exceed the accessory site coverage permitted in an urban residential zone. A covered patio and an overhang will also extend from the garage; however, these extensions do not contribute to site coverage.

Urban Options is comfortable with the proposed variance due to the size of the property and the proximity of the garage to neighbouring properties. Despite the accessory development exceeding 90m<sup>2</sup>, the site coverage of the structure is 7.66% which is nearly half of the maximum permitted site coverage for accessory buildings (14%). The building will only exceed the bylaw by 16.84m<sup>2</sup> or 1.2%. In addition, the structure is not visible by any neighbours. The neighbours to the west and north are blocked by trees and the neighbour to the east does not have a direct sight line to the garage. Preliminary conversations were had with the neighbours and no concerns were raised. In the neighbourhood within a 30m radius, two properties have a large accessory structure in the rear yard.

The landowner plans to build this garage for a workshop and storage of equipment such as a boat. To access the proposed building with vehicles, the landowner plans to add a rear door to the existing garage. The drive-through garage doors are 2.74m in height. In conclusion, we believe this variance will benefit the landowner and will have minimal impact on the neighbourhood.

For any questions, please contact Birte at 250.575.6707 or email [birte@urbanoptions.ca](mailto:birte@urbanoptions.ca).

Regards,

Urban Options Planning Corp.  
By its Authorized Signatory; Birte Decloux RPP MCIP