

REPORT TO COUNCIL



Date: December 13, 2016

RIM No. 0940-00

To: City Manager

From: Community Planning Department (CD)

Application: DVP16-0257 **Owner:** Charles Watt

Address: 910 Manhattan Drive **Applicant:** Charles Watt

Subject: Development Variance Permit

Existing OCP Designation: Single/Two Unit Residential (S2RES)

Existing Zone: RU6 - Two Dwelling Housing

1.0 Recommendation

That Council authorize the issuance of Development Variance Permit No. DVP16-0257 for Lot E, District Lot 9, ODYD, Plan KAP39322, located on 910 Manhattan Drive, Kelowna, BC;

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

Section 6.11.1 - Okanagan Lake Sight Lines - To vary the required Okanagan Lake 120° Panoramic Sight Lines to 74.4° proposed.

2.0 Purpose

To obtain approval for a Development Variance Permit to vary the Okanagan Lake Sight Lines Regulation to facilitate a new house on the subject property.

3.0 Community Planning

Staff support the requested variance for a proposed house to be constructed within the Okanagan Lake Sight Line of their northern neighbour. The proposed house will be located in the general location of the old house on the property. Additionally, the new house will be oriented in general alignment with other homes along the lakeshore of Manhattan Drive and be well outside the 15 meter Okanagan Lake Riparian Area setback.

The proposed sight line reduction affects one neighbour located to the north whose home is set further back from Okanagan Lake than the majority of homes along Manhattan Drive. The variance to the sight line requirement would result in the unobstructed sight line for the northern property being reduced from 60° required to 14.4° proposed. The affected landowner has been contacted by the applicant and has noted that they are supportive of the proposed variance request.

3.1 Background

The subject property is an urban residential lot located in Kelowna's north end. The property is 0.10 hectares in size located on Okanagan Lake. As a result of the proximity to the lake, the property is subject to the Okanagan Lake Sight Lines constraints. The applicant proposes construction of a new house, which does not conform to the current zoning requirements for Okanagan Lake Sight Lines. The proposed house will be located in the general location of the old house on the property and be oriented in general alignment with other homes along the lakeshore of Manhattan Drive.

The intent of Section 6.11 of the Zoning Bylaw with respect to Okanagan Lake sight lines is to *"not obstruct views of the lake from the established abutting development"*. This policy places the onus on the proponent of a new development to ensure adjacent occupants are afforded a reasonable panoramic view and are provided an opportunity to be consulted when the proposed development does not conform.

3.2 Site Context

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 - Two Dwelling Housing	Residential
East	RU6 - Two Dwelling Housing	Residential
South	RU6 - Two Dwelling Housing	Residential

Subject Property Map: 910 Manhattan Drive



3.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	ZONE REQUIREMENTS	PROPOSAL
Minimum Okanagan Lake Sightlines	120°	74.4°

4.0 **Current Development Policies**

4.1 Kelowna Official Community Plan (OCP)

Lakeside Development.¹

- Provide and enhance natural open spaces related to the lakeside context of the development;
- Minimize the obstruction of lake views;
- Preserve inland views to the lake by reducing the height of lakeside development in relation to development height permitted inland;
- Design lakeside developments to act as a transition between the lake and inland development (i.e., incorporate lake inspired themes, unique features to take advantage of the lakeside setting, etc.);
- Incorporate distinctive massing articulation, architectural treatment, and appropriate materials on the lakeside frontage.

5.0 Technical Comments

5.1 Building & Permitting Department

- No comment

5.2 Development Engineering Department

- No comment

¹ City of Kelowna Official Community Plan, Chapter 14, 15.0 (Urban Design DP Guidelines Chapter).

6.0 Application Chronology

Date of Application Received: September 28, 2016

Report prepared by:

Corey Davis, Environmental Coordinator

Reviewed by:

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Terry Barton, Urban Planning Manager

Approved for Inclusion:

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Ryan Smith, Community Planning Department Manager

Attachments:

Site Plan (Schedule "A")

Conceptual Elevations

Landscape Plan N/A

Context/Site Photos N/A

Sustainability Checklist N/A