



floor of the dwelling allows the design of the house to work with the natural sloped topography of the parcel.

The subject parcel has a Future Land Use of S2RES - Single / Two Unit Residential, therefore the application meets the guidelines of the Official Community Plans (OCP). The OCP supports the densification of neighbourhoods through appropriate infill development and utilization of existing infrastructure.

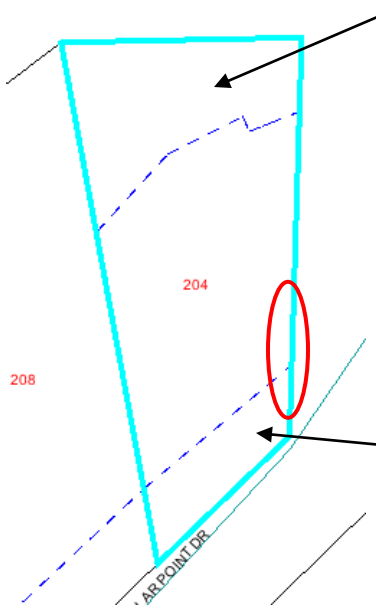
## 4.0 Proposal

### 4.1 Background

In 2009, DVP09-0048 was approved to vary the Okanagan Lake Sight Lines. The application lapsed after two years. In 2014, DVP14-0233 was applied for and approved the same previously approved variance. A no-build covenant was registered on the parcel at the time of the original application. The covenant is for the area adjacent to Okanagan Lake to protect the slope and reduce any potential impact to the foreshore of the lake.

### 4.2 Project Description

The applicant is proposing to build a new single detached dwelling on the subject lake front parcel. The parcel slopes significantly from the roadway down to the foreshore and therefore a large 'no build' covenant area exists. A private access easement runs along the south of the parcel to provide access to the adjacent parcels. This limits the buildable area of the parcel and brings about the two requested variances.



The retaining wall variance is required along the east side of the parcel (location indicated in red). The height of the retaining wall is 4.88 m. By allowing this variance, the design is providing additional parking on the site. While the proposed house does have a front attached garage, the Zoning Bylaw requires that the front setback to a garage be a minimum of 6.0 m. The house is setback over 11.50 m from the front property line. Generally, this would allow an additional vehicle to be parked on the driveway without the vehicle blocking a sidewalk or encroaching into the roadway. Due to the private access easement road that is required across the front of the parcel, the driveway and parking area is very limited. The proposed retaining wall allows for an additional flat parking area to be built out in an area that is otherwise very steeply sloped and unusable.

This will ensure that any parked vehicles do not block access to the roadway. The parcel is at the end of the public road and the adjacent parcel to the north houses a substation which is City owned with a gated access. Therefore, the visibility of the wall is limited to those with access to this site.

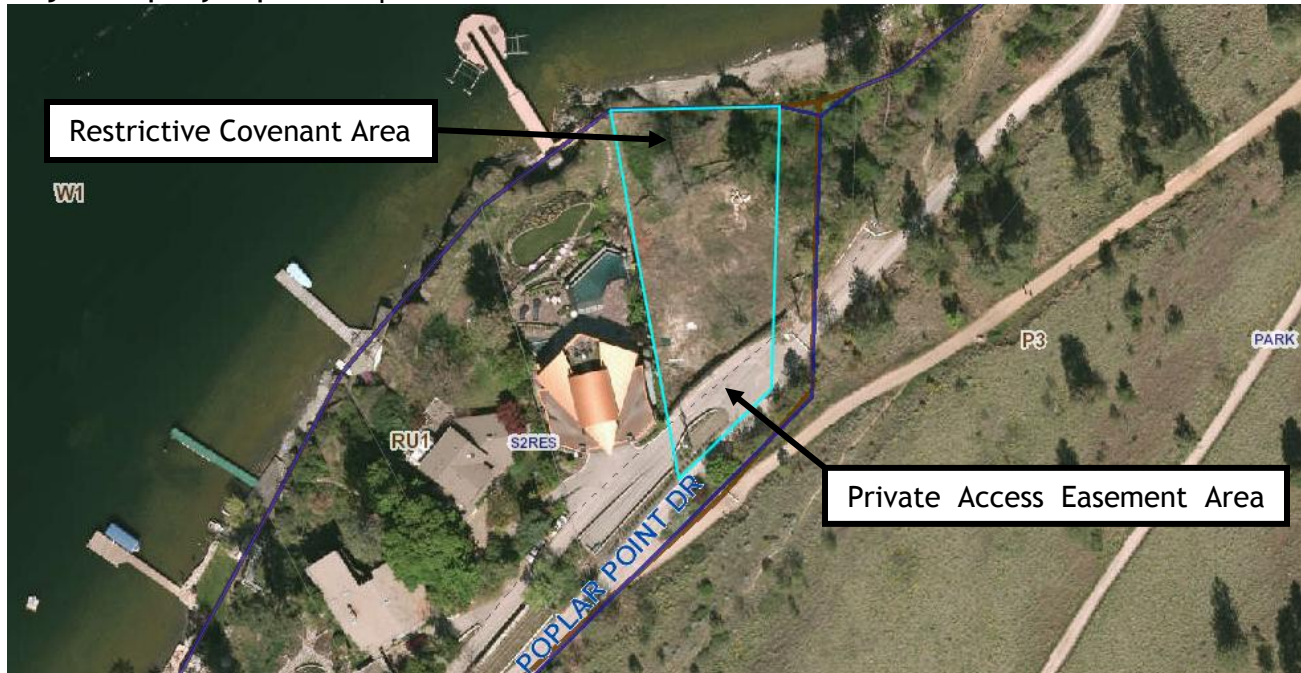
The second variance is for the height of a walkout basement on the rear elevation. This variance is due to the topography of the parcel. The height and location of Poplar Point Road along with the access easement roadway determines the main floor height. As the parcel slopes downward, the site provides a natural bench and in building at this elevation, the lower level of the house will be at a similar level to the adjacent house. This eliminates the requirement of any retaining walls along the shared property line to the adjacent dwelling. As this variance is not visible by anyone from the street level, the effects will be minimal.

### 4.3 Site Context

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	W1 - Recreational Water Use	Okanagan Lake
East	P3 - Parks & Open Space	Knox Mountain Park
South	P3 - Parks & Open Space	Knox Mountain Park
West	RU1 - Large Lot Housing	Single Detached Dwelling

Subject Property Map: 204 Poplar Point Drive



### 4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU1 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Minimum Lot Area	550 m <sup>2</sup>	1760 m <sup>2</sup>
Minimum Lot Width	16.5 m	25.83 m
Minimum Lot Depth	30 m	74.75 m
Development Regulations		
Maximum Site Coverage (buildings)	40%	28%
Maximum Site Coverage (buildings, driveways and parking)	50%	31%
Maximum Height	9.5 m or 2 ½ storeys	m
Minimum Front Yard	4.5 m	11.57 m
Minimum Side Yard (east)	2.3 m	2.23 m
Minimum Side Yard (west)	2.3 m	2.10 m
Minimum Rear Yard	7.5 m	+15 m
Other Regulations		

Maximum Height of Walkout Basement at Rear Elevation	3.6 m	4.88 m
Maximum Retaining Wall Height	1.2 m	4.88 m
Minimum Private Open Space	m <sup>2</sup>	m <sup>2</sup>
Minimum Okanagan Lake Sightlines	120°	86° *
<p>● Indicates a requested variance to the height of a walkout basement at the rear elevation.</p> <p>● Indicates a requested variance to the height of a retaining wall.</p> <p>* Indicates a previously approved variance to the Okanagan Lake Sight Line.</p>		

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Development Process

**Compact Urban Form.**<sup>1</sup> Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

## 6.0 Technical Comments

### 6.1 Development Engineering Department

- See attached Schedule "A"

## 7.0 Application Chronology

Date of Application Received: August 6, 2015  
Date Public Consultation Completed: August 14, 2015  
Date Amended Plans Received: September 1, 2015

### Report prepared by:

Lydia Korolchuk, Planner

Reviewed by:

Lindsey Ganczar, Planning Supervisor

Approved for Inclusion:

Ryan Smith, Community Planning Department Manager

### Attachments:

Site Context Map

Schedule "A" - Development Engineering Memorandum Dated September 3, 2015

<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

Schedule "B" - Site Plan & Floor Plans  
Schedule "C" - Conceptual Elevations  
Draft Development Variance Permit - DVP15-0185