

REPORT TO COUNCIL



Date: July 25, 2017

RIM No. 0940-50

To: City Manager

From: Community Planning Department (LB)

Application: DVP17-0109 **Owner:** Armin & Helena Gottschling

Address: 328 Poplar Point Drive **Applicant:** Hugh Bitz

Subject: Development Variance Permit Application

Existing OCP Designation: Single / Two Unit Residential – S2RES

Existing Zone: RU1 – Large Lot Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP17-0109 for Lot 1 District Lot 219 ODYD Plan 9404, located at 328 Poplar Point Drive, Kelowna, BC:

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

Section 13.1.6(c): RU1 – Large Lot Housing Development Regulations

To vary the required minimum front yard from 4.5 m permitted to 1.0 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 minimum front yard from 4.5 m permitted to 1.0 m to facilitate an addition to the existing single detached house.

3.0 Community Planning

Staff support the requested variance to reduce the minimum front yard from 4.5 m to 1.0 m. The variance allows small additions to the existing house to modernize it and improve livability, including the addition of a single car garage, while limiting the impacts on steep slopes.

While staff typically prefer to see front yard setbacks adhered to in order to maintain the streetscape pattern, allow space for landscaping, and ensure sufficient driveway length, each scenario must be considered on its own merits. In this instance, staff are favourable to the reduced front yard primarily to protect the steep slopes, and the potential visual impacts are mitigated through the site context. The property slopes down from the road to the Lake, with grades in excess of 45% towards the rear of the

property. To avoid impact this hillside area, the applicant proposes building the additions towards the front of the property. This meets City policies and guidelines regarding siting buildings to protect steep slopes.

The visual impact of the garage being located closer to the road is minimal because of the property's grade being lower than that of the road in this location. The property drops by approximately 2 m from the road to the area where the garage would be, making it less visually prominent from the road. Furthermore, the applicant is proposing to fence and landscape the area between the garage and the property line.



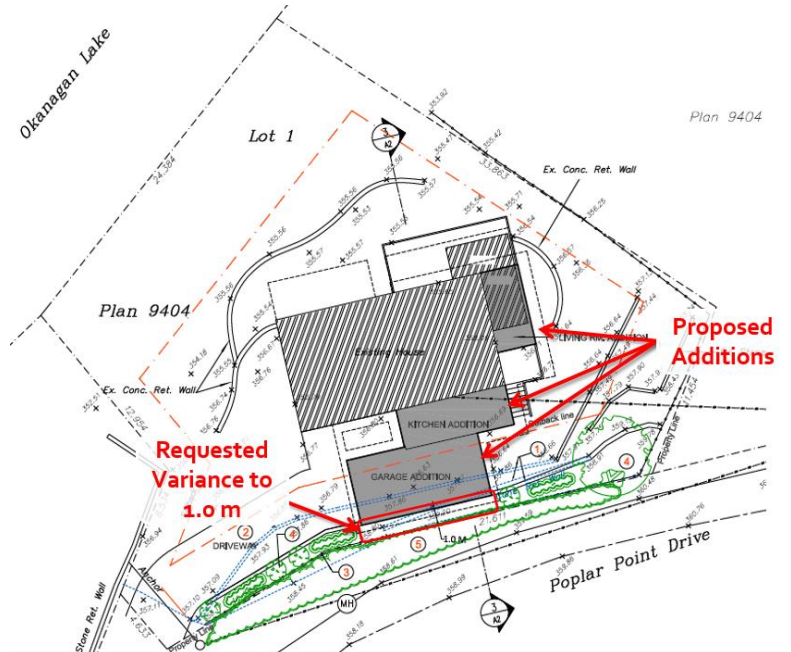
Staff considered the impact of the variance on the road right-of-way. The City does not currently have any plans to widen Poplar Point Drive, therefore staff did not see it reasonable to prevent this property owner from proceeding with this project. The existing driveway access from the side of the property would be maintained and the driveway would be well over the minimum length of 6.0 m to avoid impeding traffic.

The applicant completed neighbourhood consultation in accordance with Council Policy No. 367. At the time of writing, staff has not been contacted with any questions or concerns.

4.0 Proposal

4.1 Project Description

The application is to add a single car garage and some living space onto an existing house. The house is and would continue to be modest in size, with a proposed gross floor area of 166 m² (1,787 ft²). No garage currently exists on the subject property, and the additions are proposed at the front and side of the house to maintain the existing driveway access and to avoid impacting the hillside. The existing front yard setback is approximately 7.7 m, and the proposed additions require a variance to reduce the front yard to 1.0 m along the side of the garage.



4.2 Site Context

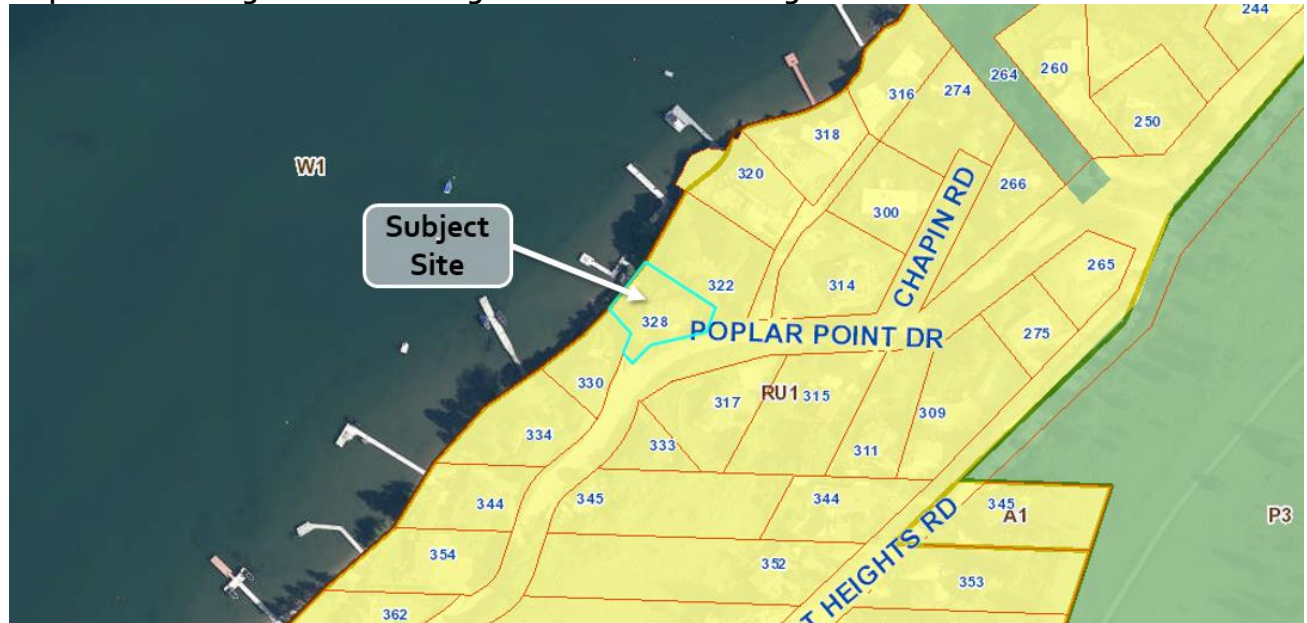
The subject property is in Kelowna's Central City Sector on the west side of Poplar Point Drive. The property drops from the road to the building platform before sloping steeply down towards Okanagan Lake, which the property backs onto. Poplar Point Drive is a narrow hillside road that serves the residential

neighbourhood and provides several beach access points. The surrounding area is designated for Single / Two Unit Residential and zoned RU1 – Large Lot Housing, and is characterized by single family dwellings.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single dwelling housing
East	RU1 – Large Lot Housing	Single dwelling housing
South	RU1 – Large Lot Housing	Single dwelling housing
West	W1 – Recreational Water Use	Okanagan Lake

Map 1: Surrounding Context – Zoning & Future Land Use Designations



Map 2: Subject Property



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU ₁ ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Maximum Site Coverage	40%	17%
Maximum Site Coverage (with driveways & parking)	50%	24%
Maximum Height	9.5 m / 2 ½ storeys	7.5 m
Minimum Front Yard	4.5 m	1.0 m ❶
Minimum Side Yard (south)	2.3 m	~5.3 m
Minimum Side Yard (north)	2.3 m	~8.2 m
Minimum Rear Yard	7.5 m	~12.2 m
Other Regulations		
Minimum Parking Requirements	2 spaces	2 spaces
❶ Indicates a requested variance to reduce the minimum front yard from 4.5 m permitted to 1.0 m proposed.		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5: Development Process

Policy 5.15-.12 Steep Slopes. Prohibit development on steep slopes (+30% or greater for a minimum distance of 10 metres) except where provided for in ASPs adopted or subdivisions approved prior to adoption of OCP Bylaw 10500.

Chapter 14: Urban Design Development Permit Guidelines – D. Intensive Residential – Hillside Design Guidelines

Objectives:

- Promote development that respects the terrain, vegetation, drainage courses and constraints related to the hillside environment of the site;
- Promote the siting of buildings and designs that are compatible with the steep slope context;
- Minimize visual impact on the hillside through appropriate siting, finishes, materials and colours;
- Preserve the natural, hillside character and avoid scarring;
- Ensure compatibility with existing neighbourhood or streetscape;
- Promote a high standard of design, construction and landscaping; and
- Ensure road design and anticipated use (e.g. parking) provides for a safe environment and ease of ongoing maintenance.

6.0 Technical Comments

6.1 Development Engineering Department

- The variance does not compromise any municipal services.

6.2 Real Estate Department

- Please ensure future road widening requirements are not compromised by the proposed variance.

7.0 Application Chronology

Date of Application Received: May 4, 2017

Date Public Consultation Completed: May 4, 2017

Report prepared by: Laura Bentley, Planner II

Reviewed by: Todd Cashin, Subdivision, Suburban and Rural Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Proposed Plans

Draft Development Variance Permit No. DVP17-0109

Schedule "A": Site Plan