
CITY OF KELOWNA
MEMORANDUM

Date: July 16, 2001
File No.: **DVP99-10,022**

To: City Manager

From: Planning & Development Services Department

Subject:

DEVELOPMENT VARIANCE PERMIT OWNER: BIRGIT GOEDECKE
APPLICATION NO. 99-10,022

AT: 619 BUCK ROAD APPLICANT: AS ABOVE

PURPOSE: TO ALLOW THE PLACEMENT OF AN EXISTING ACCESSORY
BUILDING IN CONJUNCTION WITH A REZONING OF
PROPERTY TO RU1s

EXISTING ZONE: RU1 – LARGE LOT HOUSING

REPORT PREPARED BY: BARB WATSON

1.0 RECOMMENDATION

THAT Final Adoption of Zone Amending Bylaw No. 8575 be considered by the Municipal Council;

THAT Municipal Council authorize the issuance of Development Variance Permit No. DVP99-10,022; Birgit Goedecke; Lot A DL 357 S.D.Y.D., Plan 40158, located on Buck Road, Kelowna, B.C.;

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

Section 6.14.1 Stream Protection Leave Strips: A 4.0 m variance to vary the leave strip setback from the 10 metres as required to 6.0 m as proposed.

2.0 SUMMARY

The applicant is proposing to vary the leave strip setback to Bellevue Creek to permit the rezoning of the property from the existing RU1 – Large Lot Housing zone to the

proposed RU1s – Large Lot Housing with Secondary Suite zone. The rezoning is being dealt with under application Z99-1016 that was considered by Council at a Public Hearing on August 15, 2000 and received 2nd and 3rd reading. Final reading was held pending the completion of works required to bring the secondary suite up to current Building Code. The work has now been completed.

3.0 BACKGROUND

3.1 The Proposal

The subject property is located in the Okanagan Mission along Bellevue Creek. The area is predominantly single family homes. The subject property consists of a principal dwelling that is an A-frame and an accessory dwelling which was originally constructed as a garage. A Building Permit was taken out for the garage and it was built conforming to the setbacks of the day. Since that time, the garage was converted to a secondary suite and required upgrading to meet Building Code standards including the sewer connection to the suite. These upgrades are now complete. There is a current Bylaw Enforcement file in relation to the use of the existing suite.

The subject property as it compares to the proposed RU1s zone is as follows:

CRITERIA	PROPOSAL	RU1s ZONE REQUIREMENTS
Site Area (m ²)	1500 m ²	550 m ²
Site Depth (m)	40.22 m	30 m
Site Width (m)	25 m	16.5 m
Site Coverage (%)	14%	40 %
Building at Grade (m ²)	88 m ²	
Total Area of Dwelling	133.78 m ²	
Total Area of Suite	36.3 m ²	40% (53.5 m ²)
Storeys (#) Principal Accessory	2 storeys 1 storey	2 Storeys 2 storey
Setbacks (m) Principal Dwelling		
- Front	12 m	4.5 m
- Rear	19 m to top of bank	10 m from to of Bank Leave strip
- East Side	2 m	2.3 m
- West Side	12 m	2.3 m
Setbacks (m) Accessory Dwelling		
- Front	30 m	4.5 m
- Rear	6 m to top of bank Note 1	10 m to top of Bank Leave strip
- East Side	2.3 m	2.0 m
- West Side	23 m	2.0 m
Parking Stalls (#)	3 parking stalls	3 parking stalls

Note 1: A variance has been requested under this application to vary the leave strip for the existing location of the garage. The garage was built respecting an existing

covenant registered on title at the time of subdivision; however, the creek setbacks have changed since that time.

3.2 Site Context

The subject property is located in the Mission off Bellevue Creek. The adjacent zones and uses are, to the:

North - RU1 Large Lot Housing
East - RU1 Large Lot Housing
South - RU1 Large Lot Housing
West - RU1 Large Lot Housing

3.3 Current Development Policy

3.3.1 Kelowna Official Community Plan

This proposal is consistent with the designation of single/two family residential and associated uses, which includes uses such as local commercial, childcare, churches and parks. However, the location of the accessory building does not meet the leave strip provisions for Bellevue Creek as identified by Section 2.10 of the OCP, or more specifically, Table 2.2 Stream Corridor Leave Strip setback.

3.3.2 City of Kelowna Strategic Plan (1992)

The proposal is generally consistent with the Strategic Plan objective of developing a “more compact urban form by increasing densities through infill and redevelopment within existing urban areas...”

3.3.3 North Mission/Crawford Sector Plan

This proposal is consistent with the designation of single/two family residential in the North Mission Sector Plan.

4.0 PLANNING AND DEVELOPMENT SERVICES COMMENTS

The applicant has met all the outstanding Building Code issues and the Planning and Development Services Department requests that Council consider the variance application in addition to the final reading of Bylaw # 8575. The applicant has received a Natural Environment/Hazardous Condition Development Permit Waiver as the accessory building was built according to a valid Building Permit for its original use.

Andrew Bruce
Current Planning Manager

Approved for inclusion

R.L. (Ron) Mattiussi, ACP, MCIP
Director of Planning and Development Services

BW/hb
Attach.

FACT SHEET

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| 1. | APPLICATION NO.: | DVP99-10,022 |
| 2. | APPLICATION TYPE: | Development Variance Permit |
| 3. | OWNER: | Birgit Goedecke |
| | · ADDRESS | 619 Buck Road |
| | · CITY | Kelowna, BC |
| | · POSTAL CODE | V1W 1N6 |
| 4. | APPLICANT/CONTACT PERSON: | As above |
| | · TELEPHONE/FAX NO.: | 862-4208 |
| 5. | APPLICATION PROGRESS: | |
| | Date of Application: | March 29, 1999 |
| | Date Application Complete: | July 5, 2001 |
| | Servicing Agreement Forwarded to Applicant: | N/A |
| | Servicing Agreement Concluded: | N/A |
| | Staff Report to Council: | July 16, 2001 |
| 6. | LEGAL DESCRIPTION: | Lot A District Lot 357 SDYD Plan 40158 |
| 7. | SITE LOCATION: | Gordon Drive south to east on Buck Rd. |
| 8. | CIVIC ADDRESS: | 619 Buck Road |
| 9. | AREA OF SUBJECT PROPERTY: | 1500 m2 |
| 10. | AREA OF PROPOSED REZONING: | 1500 m2 |
| 11. | EXISTING ZONE CATEGORY: | RU1 – Large Lot Housing |
| 12. | PROPOSED ZONE: | RU1s – Large Lot Housing with Secondary Suite |
| 13. | PURPOSE OF THE APPLICATION: | To permit a |
| 14. | MIN. OF TRANS./HIGHWAYS FILES NO.: | N/A |
| | NOTE: IF LANDS ARE WITHIN 800 m OF A CONTROLLED ACCESS HIGHWAY | |
| 15. | DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS | N/A |

ATTACHMENTS

Location map
Survey certificate
Elevations of converted garage