
CITY OF KELOWNA

MEMORANDUM

Date: April 11, 2002

File No.: DVP02-0016 (3060-20/3090-20)

To: City Manager

From: Planning & Development Services Department

Purpose: To vary the side yard setback requirement in order to facilitate a proposed carport structure

Owner: Karl Schoene (Prince Karl August of Sayn-Wittgenstein) **Applicant/Contact Person:** Reiner Teschinsky

At: 1283 Bernard Avenue

Existing Zone: RM3 – Low Density Multiple Housing

Prepared by: Shelley Gambacort

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 **RECOMMENDATION**

THAT Municipal Council authorize the issuance of Development Variance Permit No. DVP02-0016; Reiner Teschinsky for Karl Schoene (Prince Karl August of Sayn-Wittgenstein); for Lot 10, Block 1, District Lot 137, ODYD, Plan 427 except: (1) Plans 11823 and 11824 (2) Shown as a 39/1000 acre parcel on Plan A2371, located on Bernard Avenue, Kelowna, BC;

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

1. Section 13.9.5(e) – vary the side yard setback requirement of 4.0 m to 0.0 m in order to facilitate a carport structure over the parking area for a length of 71.1 m.

2.0 **SUMMARY**

The applicant is proposing to cover the existing surface parking along the west property line with a carport structure. The carport structure will be sited on the west property line, which necessitates a Development Variance Permit as the required side yard setback is 4.0 and the rear wall of the carport structure will be sited on the property line.

3.0 BACKGROUND

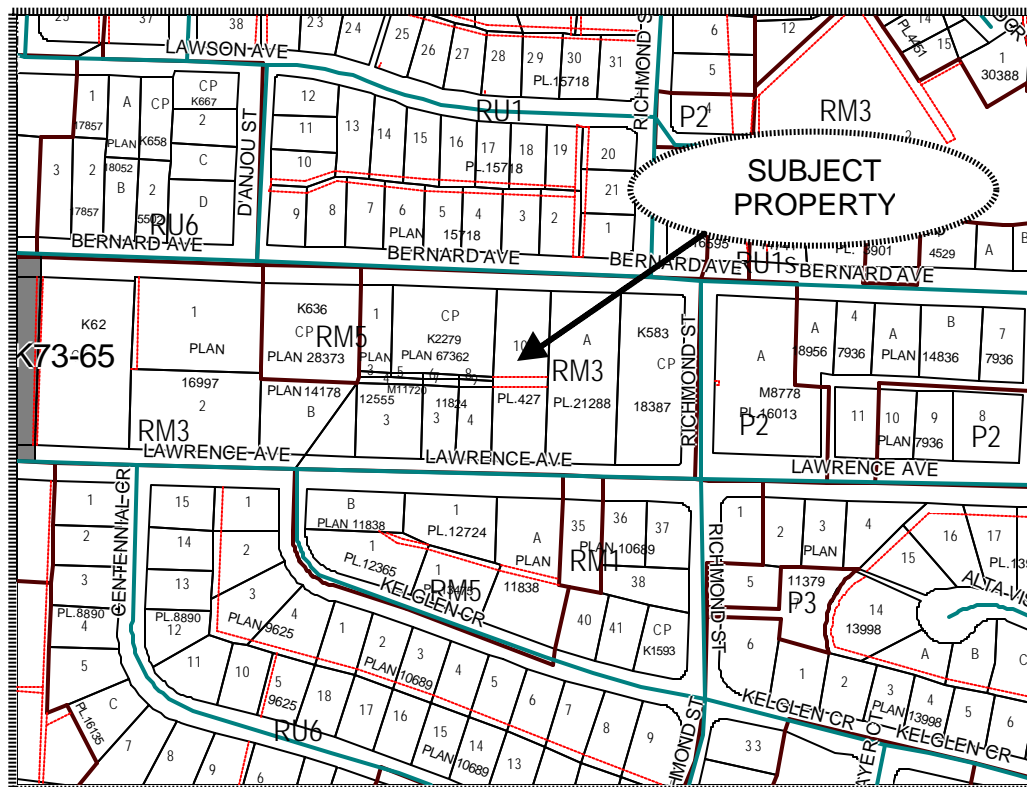
3.1 The Proposal

Currently there is a 13 unit multi-family development with 26 surface parking stalls located on the subject property. The applicant is proposing to cover the existing 26 surface parking stalls with a carport structure that will be constructed along the side lot line.

The proposed 71.7 m long carport structure will consist of a metal roof, a concrete block wall along the south property line and metal posts spaced every 5.48 m for a carport height of 2.4 m at the front of the carport and ~2.2 m at the rear. The proposed carport structure will cover all existing 26 surface stalls. The requested variance is a result of the proposed siting of the rear wall of the carport structure along the west property line rather than being setback the required 4.0 m.

3.2 Site Context

The property is located between Bernard Avenue and Lawrence Avenue 100 m west of Richmond Street.



The adjacent zone uses are as follows:

- North - RU1 – Large Lot Housing ; single family dwellings
- East - RM3 - Low Density Multiple Housing; multi-family low density development
- South - RM5 – Medium Density Multiple Housing; multi-family developments
- West - RM3 – Low Density Multiple Housing; multi-family low density and single family

3.3 Current Development Policy

3.3.1 Kelowna Official Community Plan (1995 –2013)

The Official Community Plan Future Land Use designation of the subject property is Multiple Family Residential – Low Density.

3.4 Crime Prevention Through Environmental Design Guidelines (CPTED)

The CPTED guidelines state that property lines should be defined by landscaping or fencing which does not create a visual barrier and that blank walls should be avoided but can be improved (i.e. vertical landscaping, non-paintable surfaces).

4.0 TECHNICAL COMMENTS

4.1 Works & Utilities

The Works & Utilities Department have the following requirements associated with this development application.

1. Domestic Water and Fire Protection

No requirements.

2. Sanitary Sewer

No requirements.

3. Storm Drainage

Storm drainage service is not available for this parcel.

4. Road Improvements

No road upgrading is requested for this application.

5. Road Dedication and Subdivision Requirements

It is permissible for this owner to quit claim the existing sanitary sewer right-of-way Plan A2371, as it is not required by the City of Kelowna, and the existing building and proposed carport are built over it anyway.

6. Monuments and Iron Pins

If any legal survey monuments or property iron pins are removed or disturbed during construction, the developer will be invoiced a flat sum of \$1,200.00 per incident to cover the cost of replacement and legal registration. Security bonding will not be released until restitution is made.

4.2 Inspection Services

Ensure roof drainage remains onsite.

4.3 Fire Department

No objections.

5.0 PLANNING COMMENTS

The applicant has provided letters from all affected property owners stating that they have no objections to the zero sideyard setback proposed by the applicant. Considering the amount of existing landscaping on the adjacent properties, along the affected sideyard, and the provision of the letters in support of the variance, this department is prepared to recommend in support of the requested variance.

Andrew Bruce
Current Planning Manager

Approved for inclusion ☐

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

AB/SG/sg

Attachments

FACT SHEET

- | | |
|---|--|
| 1. APPLICATION NO.: | DVP02-0016 |
| 2. APPLICATION TYPE: | Development Variance Permit |
| 3. OWNER: | Karl Schoene (Prince Karl August of Sayn-Wittgenstein) |
| . ADDRESS | 3 rd Floor 1675 Abbott Street |
| . CITY/ POSTAL CODE | Kelowna, BC V1Y 8S3 |
| 4. APPLICANT/CONTACT PERSON: | Reiner Teschinsky |
| . ADDRESS | 1531 Lawrence Avenue |
| . CITY | Kelowna, BC V1Y 6M8 |
| . TELEPHONE/FAX NO.: | 763-3088/763-3088 |
| 5. APPLICATION PROGRESS: | |
| Date of Application: | February 25, 2002 |
| Date of report to Council: | April 11, 2002 |
| 6. LEGAL DESCRIPTION: | Lot_10, Block 1, District Lot 137, ODYD, Plan 427 except: (1) Plans 11823 and 11824 (2) Shown as a 39/1000 acre parcel on Plan A2371 |
| 7. SITE LOCATION: | 100 m west of Richmond Street, between Bernard and Lawrence Avenues |
| 8. CIVIC ADDRESS: | 1283 Bernard Avenue |
| 9. AREA OF SUBJECT PROPERTY: | 2,945 m ² |
| 10. TYPE OF DEVELOPMENT PERMIT AREA: | Multi-family Residential |
| 11. EXISTING ZONE CATEGORY: | RM3 – Low Density Multiple Housing |
| 12. PURPOSE OF THE APPLICATION: | To vary the side yard setback requirement in order to facilitate a proposed carport structure |
| 13. DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS | None |

Attachments

(Not attached to the electronic copy of the report)

Location Map
Site Plan & Elevation