
CITY OF KELOWNA
MEMORANDUM

Date: August 26, 2004
File No.: DVP04-0081

To: City Manager

From: Planning and Corporate Services Department

Subject:

APPLICATION NO. DVP04-0081 **OWNER:** John & Evelyn Carr

AT: 2160 Bennett Road, Kelowna, BC **APPLICANT:** Simson Construction
Management & Design Ltd.

PURPOSE: TO OBTAIN A DEVELOPMENT VARIANCE PERMIT TO ALLOW A
REAR YARD SETBACK OF 2.06 METRES WHERE 7.5 METRES IS
REQUIRED.

EXISTING ZONE: RR3 – RURAL RESIDENTIAL 3

REPORT PREPARED BY: KEIKO NITTEL

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

3.0 RECOMMENDATION

THAT Council authorize the issuance of Development Variance Permit No. DVP04-0081 for Lot 16, Section 17, Township 23, ODYD, Plan 16573 located on Bennett Road, Kelowna, B.C.

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

Section 12.3.6(e) - Rural Residential 3

- A variance to allow a rear yard setback of 2.06 metres where 7.5 metres is required.

AND THAT the issuance of the Development Variance Permit be subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
3. The applicant be required to submit a Structural Engineer's assessment and certificate of the retaining wall at the time of Building Permit application.

AND FURTHER THAT the applicant be required to complete the above-noted conditions within 180 days of Council approval of the development permit application in order for the permit to be issued.

2.0 SUMMARY

In order to facilitate the construction of a carport at the rear of the subject property, a development variance permit is required.

3.0 BACKGROUND

The applicant is proposing to construct an attached carport at the rear of the subject property. Access to the property is via a rear lane. A driveway from the lane will lead to the proposed carport. With the exception of the rear yard setback, development on the property will meet the requirements of the Zoning Bylaw.

3.1 The Proposal

The application compares to the requirements the City of Kelowna Bylaw No. 8000 for RR3 zone as follows:

CRITERIA	PROPOSAL	RR3 ZONE REQUIREMENTS
Site Coverage (%)	12%	30%
Height	<4.5,	9.5m
Setbacks:		
-Front	>15.0m	6.0m
- Rear	2.06m	7.5m
- Side	4.08m to proposed carport 2.85 m to existing house	2.0m
- Side	>10.0m	2.0m
Parking Spaces	5+ spaces	2

Notes:

❶ The applicant is seeking to a development variance permit to allow a rear yard setback of 2.06 metres where 7.5 metres is required.

3.2 Site Context

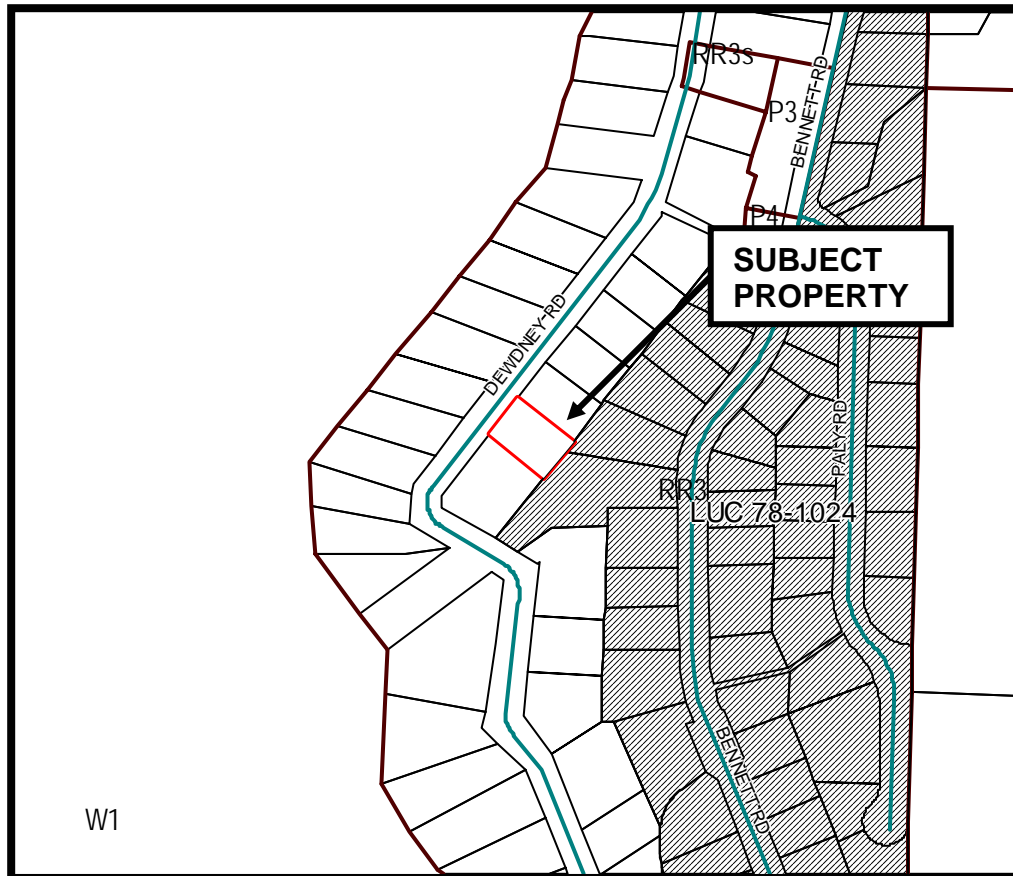
The subject property is located.

Adjacent zones and uses are:

North - RR3 – Rural Residential 3
 East - RR3 – Rural Residential 3
 South - RR3 – Rural Residential 3
 West - RR3 – Rural Residential 3

3.3 Location Map

Subject Property: 2160 Bennett Road



3.4 Existing Development Potential

The purpose is to provide a zone for country residential development on smaller lots, and complementary uses, in areas of high natural amenity and limited urban services.

3.5 Current Development Policy

3.5.1 Kelowna Official Community Plan

The proposal is consistent with the designation of Single/Two Family Residential in the Official Community Plan future land use designation. The Single/Two Family Residential designation covers single detached homes for occupancy by one family, single detached homes with a secondary suite, semi-detached buildings used for two dwelling units, and complementary uses (OCP, Chapter 15).

5.0 TECHNICAL COMMENTS

The application has been submitted to various technical agencies and City departments and the following comments or concerns were expressed:

5.1 Works and Utilities

The requested variance does not compromise Works & Utilities requirements.

5.2 Inspections Services

The applicant is proposing the use of the existing retaining wall as foundation for the carport. In this case, a structural assessment and certificate of the wall from a structural Engineer is to be submitted.

5.3 Fire Department

No comment.

6.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

The Department has no concerns regarding the proposed rear yard setback variance. It does not appear that the proposed one storey addition will impact neighbours privacy and views. The existing landscaping will buffer the view of the new carport. The applicant has also submitted letters of support from the adjacent property owners. As part of the building permit application, the applicant will be required to submit a structural assessment and certificate from an Engineer in order to use the existing retaining wall as part of the foundation of the carport.

Andrew Bruce
Development Services Manager

Approved for inclusion

☐

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

KN
Attach.

FACT SHEET

- | | |
|---|--|
| 1. APPLICATION NO.: | DVP04-0081 |
| 2. APPLICATION TYPE: | Development Variance Permit |
| 3. OWNER: <ul style="list-style-type: none">• ADDRESS• CITY• POSTAL CODE | John & Evelyn Carr
2160 Bennett Road
Kelowna, BC
V1Z 1T5 |
| 4. APPLICANT/CONTACT PERSON: <ul style="list-style-type: none">• ADDRESS• CITY• POSTAL CODE• TELEPHONE/FAX NO.: | Simson Construction Management &
Design Ltd. (Sherri Simson)
2684 Casa Loma Road
Kelowna, BC
V1Z 1T5
769-0821 |
| 5. APPLICATION PROGRESS: <ul style="list-style-type: none">Date of Application:Date Application Complete:Servicing Agreement Forwarded to Applicant:Servicing Agreement Concluded:Staff Report to APC: | July 13, 2004
July 13, 2004
n/a
n/a
n/a |
| 6. LEGAL DESCRIPTION: | Lot 16, Section 17, Township 23,
ODYD, Plan 16573 |
| 7. SITE LOCATION: | Between Bennett Road and Dewdney
Road |
| 8. CIVIC ADDRESS: | 2160 Bennett Road |
| 9. AREA OF SUBJECT PROPERTY: | n/a |
| 10. EXISTING ZONE CATEGORY: | RR3 – Rural Residential 3 |
| 11. PURPOSE OF THE APPLICATION: | To obtain a development variance permit
to allow a rear yard setback of 2.06
metres where 7.5 metres is required. |
| 12. MIN. OF TRANS./HIGHWAYS FILES NO.:
NOTE: IF LANDS ARE WITHIN 800 m OF A
CONTROLLED ACCESS HIGHWAY | n/a |
| 13. DEVELOPMENT PERMIT MAP 13.2
IMPLICATIONS | n/a |

ATTACHMENTS

(not attached to the electronic version of the report)

- Location of subject property
- Site Plan
- Elevations