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**CITY OF KELOWNA**

**MEMORANDUM**

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**Date:** January 12, 2005  
**File No.:** DVP04-0163  
**To:** City Manager  
**From:** Planning & Corporate Services Department

**Subject:**

**APPLICATION NO.** DVP04-0163                      **OWNER:** Celia Marie Randhawa

**LOCATION:** 4234 Hobson Road                      **APPLICANT:** Encore Developments Ltd.

**PURPOSE:** TO VARY THE OKANAGAN LAKE SIGHTLINES REQUIREMENT FROM 60° REQUIRED TO 40° PROPOSED FOR THE CONSTRUCTION OF A NEW SINGLE FAMILY DWELLING

**EXISTING ZONE:** RU1 – LARGE LOT HOUSING

**REPORT PREPARED BY:** RYAN SMITH

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1.0 RECOMMENDATION

THAT Council authorize the issuance of Development Variance Permit No. DVP04-0163; Lot B, District Lot 167 ODYD Plan 27956, located on Hobson Road, Kelowna, B.C.;

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

Section 6.11 – Okanagan Sightlines: 6.11.1:

Vary the Okanagan Sightlines from 60° required on the northern side of the property to 40° proposed;

2.0 SUMMARY

The applicant is seeking to vary the Okanagan Lake Sight Lines which would affect the neighbour to the north. The required line of sight is 60° and the applicant is proposing to reduce this to 40° to allow the construction of a new single family dwelling on the subject property.

3.0 BACKGROUND

A single family dwelling currently occupies the subject property. The existing dwelling is situated far enough to the west that it currently infringes upon the sight lines of both the neighbour to the north and south.

### 3.1 The Proposal

The applicant is seeking to construct a new single family dwelling on the subject property. Although larger in size than the existing dwelling the proposed dwelling will be setback further from the lake. This additional setback will provide the lot to the south with the required 60° sight line; however, the development of a covered patio on the northwest side of the subject property will continue to block the a portion of the required 60° sight line from the neighbour to the north.

The application compares to the requirements the City of Kelowna Bylaw No. 8000 for the RU1 – Large Lot Housing zones as follows:

CRITERIA	PROPOSAL	RU1 ZONE REQUIREMENTS
Site Area (m <sup>2</sup> )	2640m <sup>2</sup>	550m <sup>2</sup>
Lot Width	25.04m	16.5m
Lot Depth	107.18m	30.0m
<b>Setbacks</b>		
Side Yard (North)	2.3m	2.3m
Side Yard (South)	2.3m	2.3m
Rear Yard (15m Lake Setback)	15m	1.5m
Front Yard	4.5m	9.1m
Okanagan Lake Sight Lines – North Side	40° ❶	60°
Okanagan Lake Sight Lines – South Side	60°	60°

❶ Note: The required line of sight is 60° and the applicant is proposing to reduce this to 40° to allow the construction of a new single family dwelling on the subject property.

### Site Context

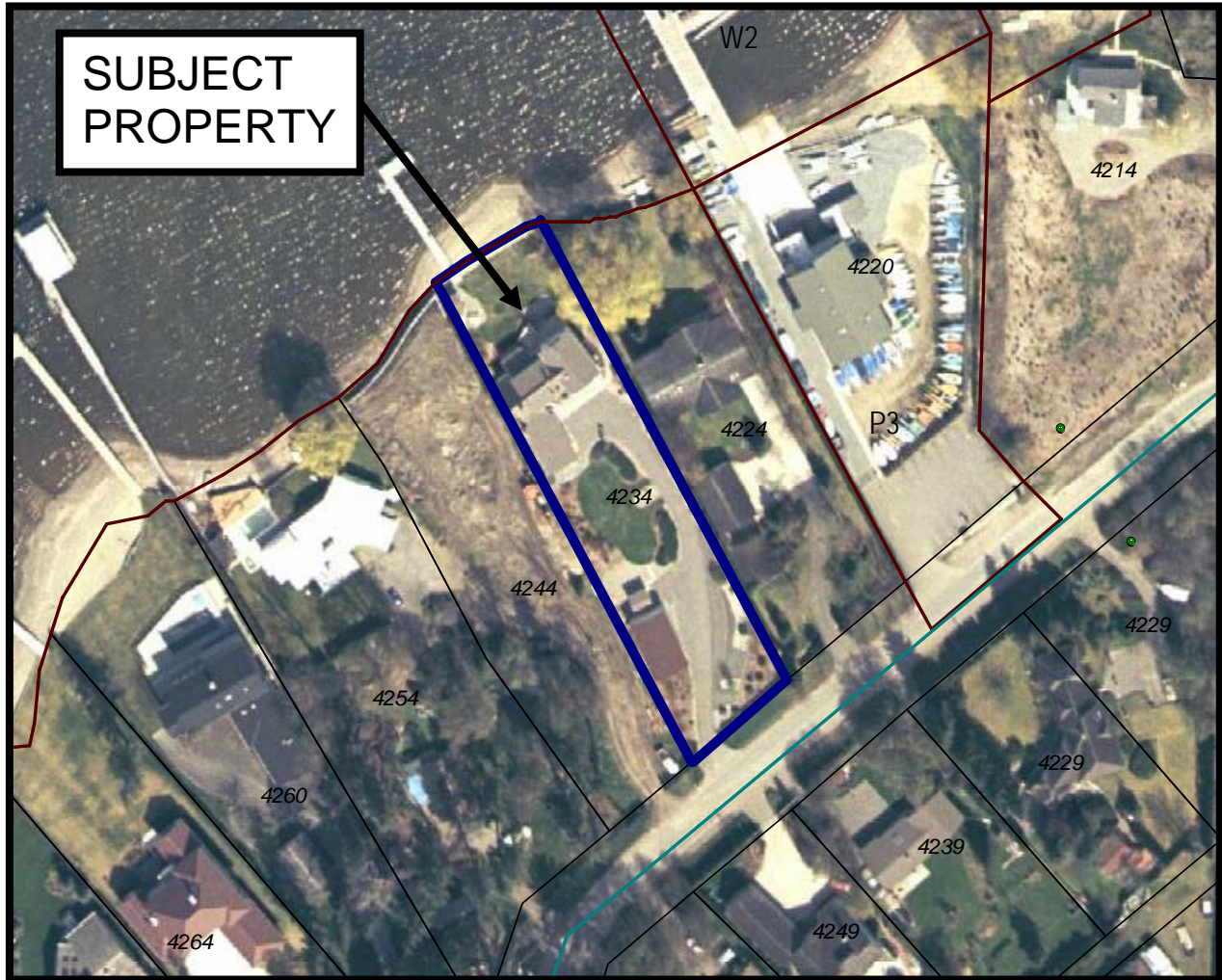
The subject property is located on the Lakeside (west) of Hobson Road, 2 lots south of the Central Okanagan Small Boat Association

Adjacent zoning and existing land uses are to the:

North - RU1 – Large Lot Housing – Single Family Dwelling  
 East - RU1 – Large Lot Housing – Single Family Dwelling  
 South - RU1 – Large Lot Housing – Single Family Dwelling  
 West - Okanagan Lake

Site Map

Subject Property:



4.0 TECHNICAL COMMENTS

4.1 Inspection Services Department

No concerns.

4.2 Works and Utilities Department

The requested Okanagan Lake Sight Lines Variance does not compromise Works and Utilities servicing requirements.

## 5.0 PLANNING AND CORPORATE SERVICES COMMENTS

The Planning and Corporate Services Department has no concerns with the proposed Okanagan Lake sightline variance as the placement of the proposed new home is an improvement over the existing neighbouring sightlines which are currently obstructed by the existing home and landscaping on the subject property. The proposed location of the new dwelling will not further impact the sightlines of the property to the north and will actually improved the Okanagan Lake Sight Lines for the neighbour to the south. Furthermore, the portion of the proposed building that encroaches into the sight line is limited to one storey in height.

The neighbours to the north of the subject property (4224 Hobson Road) have indicated their support for the proposed variance by way of written submission.

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Andrew Bruce  
Development Services Manager

Approved for inclusion

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

RM/AB/rs  
Attach.

**ATTACHMENTS**

**(not attached to the electronic version of the report)**

- Subject Property Map
- Site Plan Showing Proposed Variance
- Survey Plan of Site