
CITY OF KELOWNA

MEMORANDUM

Date: August 17, 2005
File No.: **DVP05-0102**

To: City Manager

From: Planning & Corporate Services Department

Subject:

DEVELOPMENT VARIANCE PERMIT OWNER: ABRAHAM JEROME
APPLICATION NO. DVP05-0102

AT: 2662 MONFORD ROAD APPLICANT: REINER TESCHINSKY

PURPOSE: TO SEEK A DEVELOPMENT VARIANCE PERMIT TO VARY
THE MAXIMUM PERMITTED BUILDING HEIGHT OF AN
ACCESSORY BUILDING FROM 4.5 M PERMITTED TO 6.0 M
PROPOSED.

EXISTING ZONE: RR2 – RURAL RESIDENTIAL 2

REPORT PREPARED BY: PAUL McVEY

1.0 RECOMMENDATION

THAT Municipal Council authorize the issuance of Development Variance Permit No. DVP05-0102; Reiner Teschinsky; Lot 1, Sec. 34, Tp. 26, O.D.Y.D., Plan 43988, located on Monford Road, Kelowna, B.C.;

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

Section 12.2.6(b), Development Regulations - be varied from maximum height of 4.5 m for accessory buildings or structures permitted to 6.0 m proposed.

2.0 SUMMARY

The applicant has an issued building permit (BP27188) for a single storey accessory building, which is currently under construction. During construction, it became apparent that the building structure projected below ceiling height, and that the interior clear-height of the accessory building was inadequate.

The applicant increased the building height to a 4.9 m (16 foot) to the underside of roof trusses. However, this increased the actual building height to 6.0m, when measured from grade at the low side of the building. This application seeks a variance to the building height from the 4.5 m permitted to the 6.0m building height proposed.

3.0 BACKGROUND

3.1 The Proposal

The applicant received a building permit (BP27188) for a 15.24m x 12.2m (50' x 40'), single storey accessory building on May 31, 2004. The proposed accessory building is located in a ravine below both the level of Monford Road and the dwelling located on the subject property. The proposed accessory building is designed to be constructed into the bank such that the rear wall of the building is 2.4 m shorter than the front wall of the accessory building.

During construction, it became apparent that a beam of the building structure projected below ceiling height, and that the interior clear-height of the accessory building was inadequate. The applicant increased the building height to a 4.9m (16 foot) to the underside of roof trusses. However, this increased the actual building height to 6.0m, when measured from grade at the low side of the building. This application seeks a variance to the building height from the 4.5 m permitted to the 6.0m building height proposed.

This application has not been presented to the Advisory Planning Commission as the applicant provided signed forms indicating that the affected neighbours did not have issues with the proposed variance under application.

The proposal as compared to the RR2 zone requirements is as follows:

CRITERIA	PROPOSAL	RR2 ZONE REQUIREMENTS
Site Area (m ²)	6,099 m ² existing non-conform'g	1 Ha 4,000m ² if connected to sewer
Site Coverage (%)	7.75%	20% max.
Storeys (#)	6.0m❶	9.5 m or 2 ½ storeys 4.5 m for accessory buildings
Setbacks (m)		
- Front	58m	6.0 m
- Rear	25m	9.0 m 3.0 m for accessory buildings
- West Side	3.0m	3.0 m
- East Side	68m	3.0 m

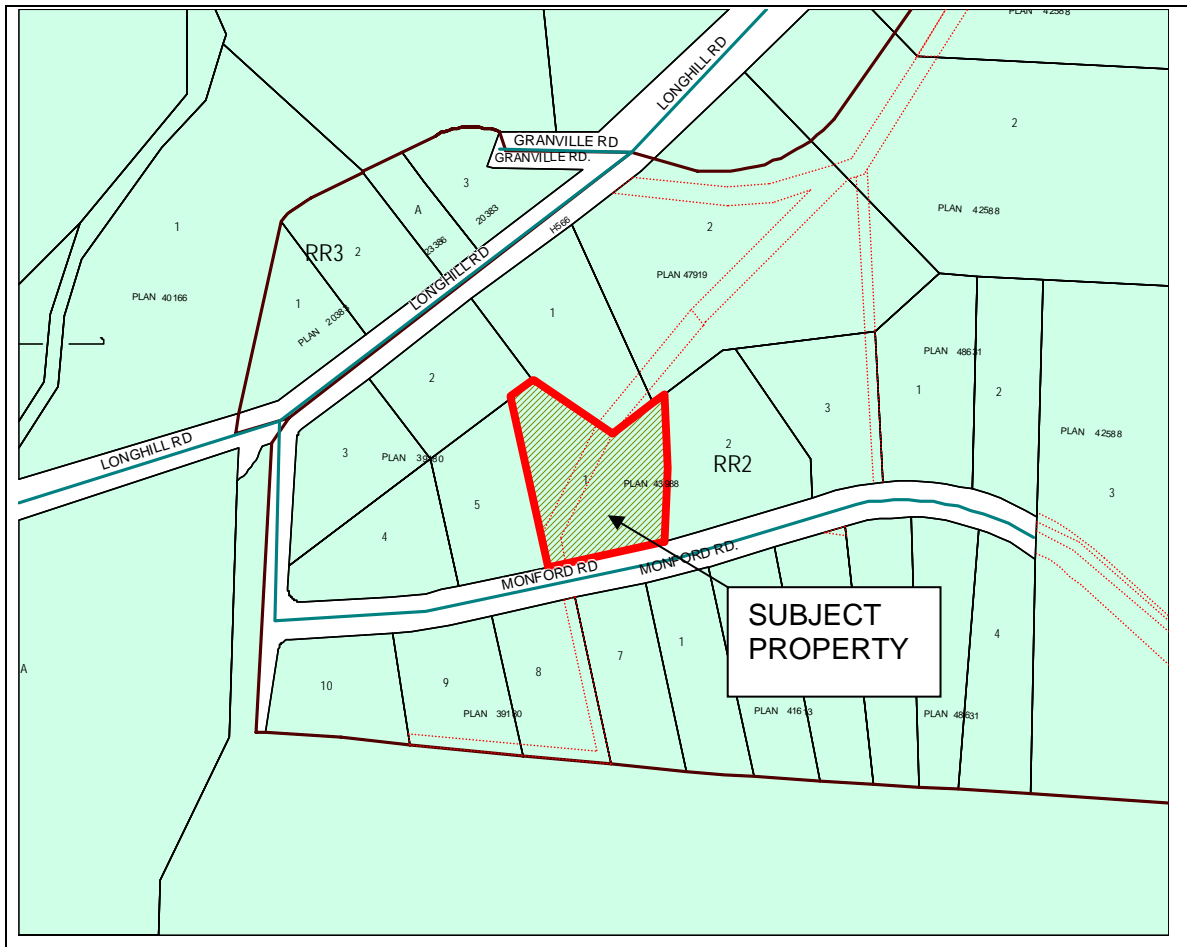
Note:

❶ variance required for the accessory building height from 4.5m permitted to 6.0m proposed

3.2 Site Context

The subject property is located in a neighbourhood of large lot single unit dwellings. The subdivisions were registered in the late 1980's or early 1990's. The development is developed to a rural standard.

SUBJECT PROPERTY MAP



The adjacent zone uses are as follows:

- North - RR2 – Rural Residential 2 / single dwelling residential uses
 East - RR2 – Rural Residential 2 / single dwelling residential uses
 South - RR2 – Rural Residential 2 / Monford Road - single dwelling residential uses
 West - RR2 – Rural Residential 2 / single dwelling residential uses

3.3 Current Development Policy

3.3.1 Kelowna Official Community Plan

This proposal is consistent with the Official Community Plan which designates the subject property as Single / Two Unit Residential.

3.3.2 City of Kelowna Strategic Plan (2004)

The City of Kelowna Strategic Plan 2004 describes a vision of what residents hope Kelowna will be like in the future and has identified as one of the themes that overall, residents aspire to live in a community that:

- Fosters the social and physical well-being of residents and visitors

The City of Kelowna Strategic Plan 2004 also states as an Objective;

- Realize construction of housing forms and prices that meet the needs of Kelowna Residents.

4.0 TECHNICAL COMMENTS

The application has been circulated to various technical agencies and City departments and the following relevant comments have been submitted:

4.1 Fire Department

Fire Dept access, fire flows, and hydrants as per BC Building Code and City of Kelowna Subdivision Bylaw

4.2 Inspection Services Department

No Comment of Concerns

4.3 Works and Utilities Department

Does not compromise W & U servicing requirements.

5.0 PLANNING AND CORPORATE SERVICES DEPARTMENT COMMENTS

The Planning and Corporate Service Department does not have concerns with the proposed accessory building height variance. The affected neighbours have been contacted by the applicant and they have indicated that they do not have concerns with the proposed variance.

The location of the garage building is set into a sloped area of the subject property such that the wall of the building facing the neighbour is only 2.4 m high. The 4.9m high building elevation faces the existing dwelling located on the subject property. As well, the accessory building location is approximately 6m below the level of Monford road, which restricts the visibility of the building from Monford Road.

In light of the above, the Planning and Development Services Department supports this application, and recommends for positive consideration by Council.

Andrew Bruce
Manager of Development Services

Approved for inclusion
R.L. (Ron) Mattiussi, ACP, MCIP
Director of Planning and Corporate Services

PMc/pmc
Attach.

Attachments

(Not attached to the electronic copy of the report)

Subject Property Map

5 pages of site elevations / diagrams