
CITY OF KELOWNA
MEMORANDUM

DATE: JANUARY 26, 2007

TO: CITY MANAGER

FROM: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

APPLICATION NO. DVP06-0215

OWNER: LEIGH GARWOOD

AT: 380 BRAELOCH ROAD

APPLICANT: WORMAN RESOURCES
INC.

PURPOSE: TO VARY THE RESTRICTION OF ACCESSORY BUILDINGS WITHIN THE FRONT YARD SETBACK TO ALLOW AN ACCESSORY BUILDING IN THE REQUIRED FRONT YARD

TO VARY THE FRONT YARD SETBACK FROM 18.0M REQUIRED TO 3.32M PROPOSED FOR THE CONSTRUCTION OF AN ACCESSORY BUILDING ON THE SUBJECT PROPERTY

EXISTING ZONE: RR2 – RURAL RESIDENTIAL 2

REPORT PREPARED BY: RYAN SMITH

1.0 **RECOMMENDATION**

THAT Council authorize the issuance of Development Variance Permit No. DVP06-0215; Lot A, Sec.23, Twp.28, SDYD Plan 26731, located on Braeloch Road, Kelowna, B.C.;

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted in accordance with Schedule "A" attached to this report:

Section 6.5.4:

Vary the restriction of accessory buildings within the front yard setback to allow an accessory building in the required front yard.

Section 6.5.8 (a):

Vary the front yard setback from 18.0m required to 3.32m proposed to allow for the construction of an accessory building.

AND THAT the applicant be required to register a restrictive covenant on title to the effect that “No vehicular garage doors can be added to the south (street) side of the garage at any point in the future”.

2.0 SUMMARY

The applicant is seeking Council support for a development variance permit that would allow the placement of an accessory building (three car garage) within the front yard setback which contravenes placement requirements for accessory buildings in Section 6 of Zoning Bylaw No.8000. The proposed garage is oriented so that vehicle entry and turn-around movements occur within the property (between the garage and house).

The applicant is proposing to finish the exterior elevations of the garage with materials/colours to match the existing house.

The application meets the requirements of the RR2 – Rural Residential 2 zone as follows:

CRITERIA	PROPOSAL	RR2 ZONE REQUIREMENTS
Lot Area (m ²)	1383m ²	1.0Ha
Lot Depth (m)	63m(approx.)	30.0m
Lot Width (m)	21.13m	18.0m
Site Coverage (%) (Buildings)	29%	30%
Parking Spaces	3	3
Setbacks(m)(existing house)		
Front	17m	6.0m
Rear	15.0m	15.0m
Side (e)	2.0m	3.0m
Side (w)	1.65m	3.0m
Accessory Development		
Size of proposed accessory building	96m ²	N/A
Front Yard Setback	3.32m❶	18m
Eastern Side Yard Setback	2.0m	1.0m
Western Side Yard Setback	8m	1.0m
Site Coverage	7%	14%

❶Note: The applicant is seeking to vary the front yard setback from 18.0m required to 3.32m proposed to allow for the encroachment of an accessory building.

3.0 SITE CONTEXT

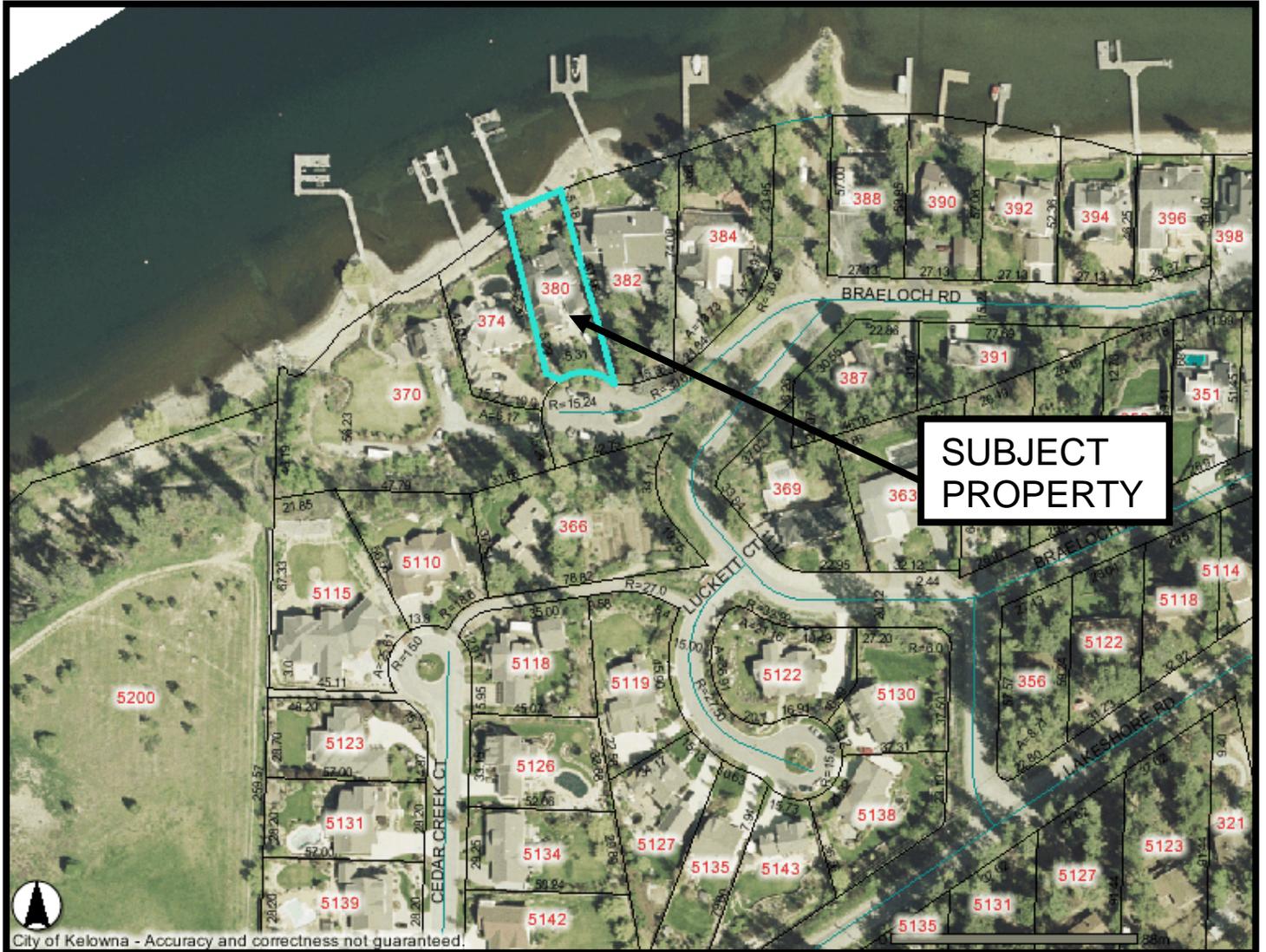
The subject property is located on the eastern corner of Braeloch Road, north of Lockett Court.

Adjacent zones and uses are:

- North - Okanagan Lake
- East - RR3 – Rural Residential 3 - Single Family Dwelling
- South - RR3 – Rural Residential 3 - Single Family Dwelling
- West - RR2 – Rural Residential 2 - Single Family Dwelling

4.0 SITE LOCATION MAP

Subject Property: 380 Braeloch Road



5.0 TECHNICAL COMMENTS

5.1 Inspection Services

No shower/bath permitted in accessory building.

5.2 Works and Utilities

The application to vary the front yard setback from 18.0m to 3.32m does not compromise Works & Utilities servicing requirements, however we ask that a covenant on title be added to the effect that No Vehicular garage doors can be on the south (street) side of the garage.

6.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning and Development Services Department have no concerns with the proposed development variance permit. The abutting neighbour to the south has indicated support by way of written submission and there is vegetative buffer which will help to mitigate the impact of the variance to the streetscape in this cul-de-sac.

As there are neither significant technical concerns, nor neighbourhood concerns relating to the proposal staff are recommending that Council support this Development Variance Permit.

Shelley Gambacort
Acting Manager of Development Services



Mary Pynenburg, MRAIC MCIP
Director of Planning & Development Services

MP/SG/rs
Attach.