

# Memo



Date: October 06, 2010

To: City Manager

From: Land Use Management, Community Sustainability

Application: DVP10-0127

Owner: Ronald Seich

Address: 4160 Mahonia Drive S

Applicant: Ronald Seich

Subject: Development (Variance) Permit

Existing Zone: RR2 Rural Residential 2

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## 1.0 Recommendation

THAT Council authorize the issuance of Development Variance Permit No. DVP10-0127, Lot 7, Section 2, Township 26, ODYD Plan KAP58554, located on Mahonia Drive South, Kelowna, BC;

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

Section 12.2.6(f): To vary the minimum rear yard set back for accessory buildings from 3.0m permitted to 1.4m proposed.

## 2.0 Purpose

This application seeks to vary the rear yard set back to legalize the placement of an existing garage and permit the expansion of this garage.

## 3.0 Land Use Management

The applicant has submitted signatures of neighbours indicating they do not object to the proposed variance. Given the neighbourhood support, the large size of the subject property and that the applicant is correcting a non-conforming situation, this variance request is considered modest.

## 4.0 Proposal

### Project Description

This application seeks to legalize the existing placement of the current garage and facilitate the expansion of the garage to the north by 9.18m along the rear property line to accommodate vehicle/equipment storage.

A single family dwelling and an accessory building are located on the rear portion of the site. The construction of the garage was approved in 2005 and was to be located 4.57m (15 feet) from the rear lot line. When the current owner began planning to expand the garage, it was realized that the siting of the garage did not meet the bylaw. A recent site survey confirmed this discrepancy.

### Site Context

The subject property is located in an area of large rural lots in South East Kelowna. All adjacent properties are zoned RR2 - Rural Residential 2.

Subject Property: 4160 Mahonia Drive S.



## 5.0 Technical Comments

- 5.1 Building & Permitting Department - No comment
- 5.2 Development Engineering Department - This development variance permit application to vary the side yard setback from 3.0 to 1.4m does not compromise City of Kelowna municipal services.
- 5.3 Bylaw Services - N/A
- 5.4 Fire Department - No concerns
- 5.5 Interior Health Authority -N/A
- 5.6 Irrigation District -N/A
- 5.7 School District No. 23 -N/A

## 6.0 Application Chronology

Date of Application Received: September 23, 2010

Advisory Planning Commission N/A

Report prepared by:

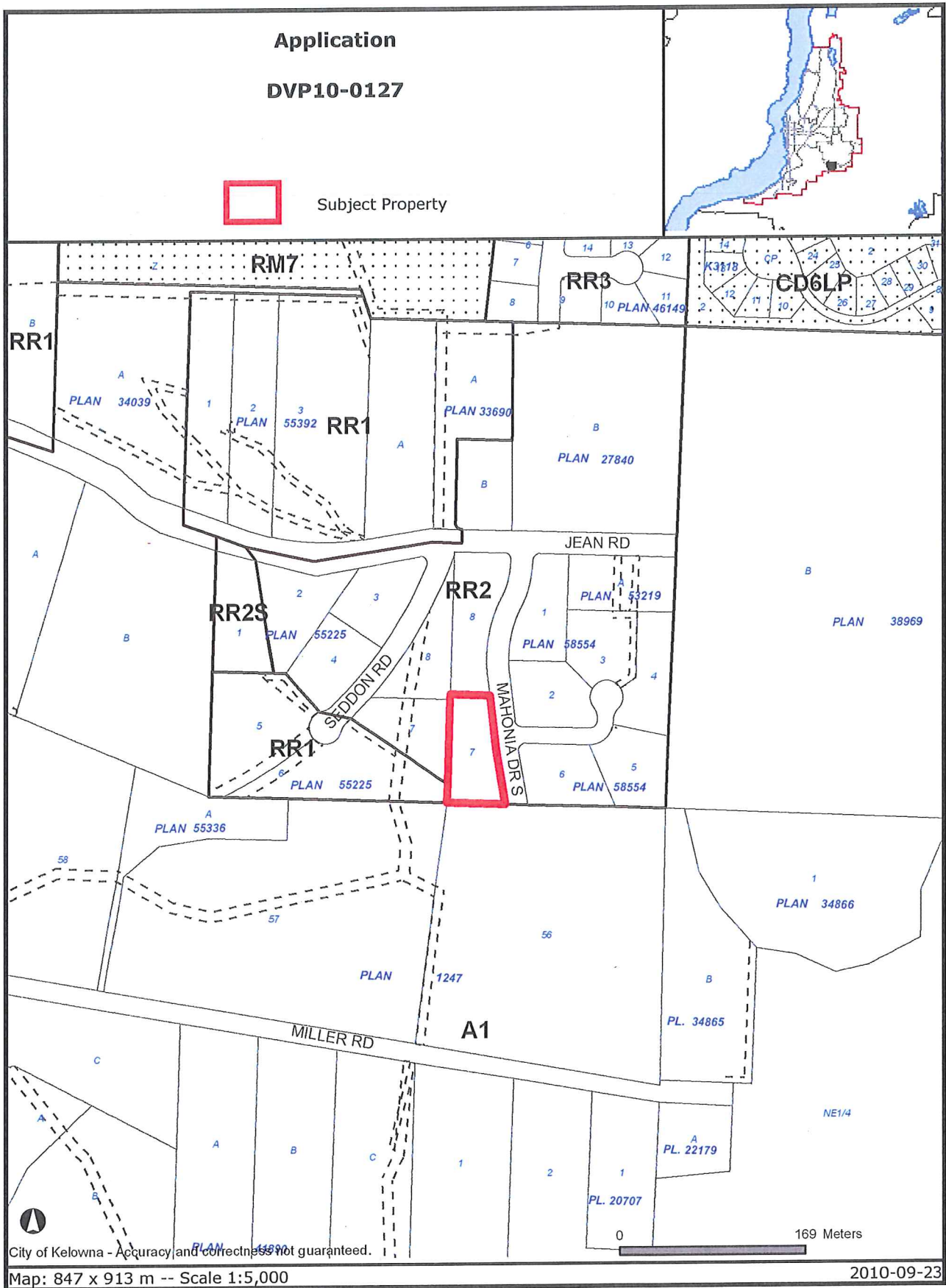
Birte Decloux, Urban Land Use Planner

Reviewed by:  Danielle Noble Manager, Urban Land Use Management

Approved for inclusion:  Shelley Gambacort Director, Land Use Management

### Attachments:

Site Plan



City of Kelowna - Accuracy and correctness not guaranteed.

Map: 847 x 913 m -- Scale 1:5,000

2010-09-23

Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.



ACTUAL

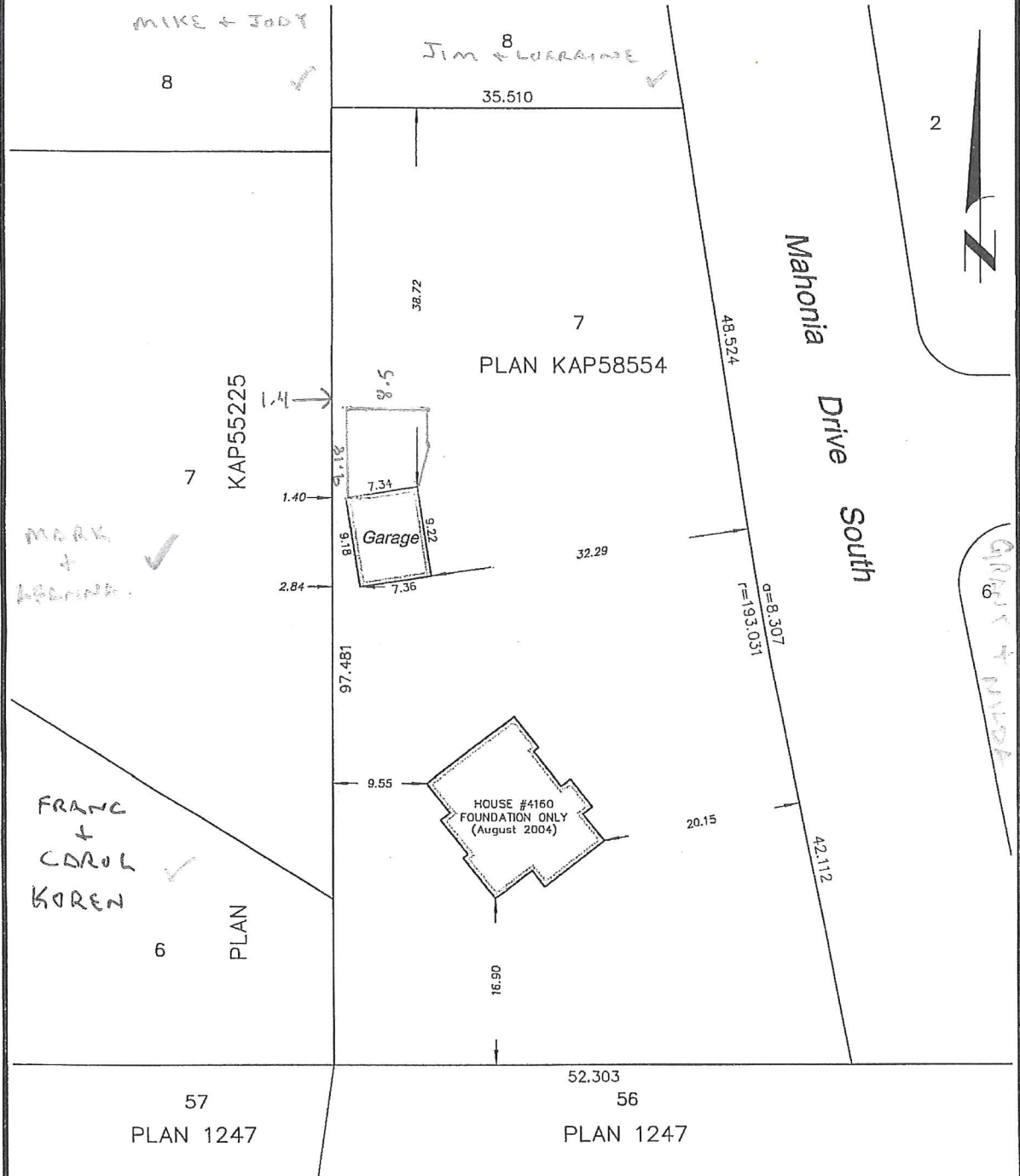
ATTACHMENT #2

# B.C. LAND SURVEYOR'S CERTIFICATE

ON LOT 7, SECTION 2, TOWNSHIP 26,  
O.D.Y.D., PLAN KAP58554

SCALE 1:500 All distances are in metres.

CIVIC ADDRESS: 4160 Mahonia Drive South



Certified correct this 23rd day of August, 2010

NEIL R. DENBY

B.C.L.S.

CLIENT : SEICH  
FILE No: 13239  
FB/PG : IN FILE

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THE DIMENSIONS SHOWN ON THIS CERTIFICATE ARE NOT TO BE USED TO DEFINE PROPERTY BOUNDARIES.

**RUNNALLS DENBY**

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