
CITY OF KELOWNA

MEMORANDUM

Date: March 21, 2001
File No.: (3060-20/3090-20) DVP00-10,007

To: City Manager

From: Planning & Development Services Department

Subject:
DEVELOPMENT VARIANCE PERMIT OWNER: RAMONA SCHIERER
APPLICATION NO. 00-10,007

AT: 660 SPARROW RD APPLICANT: AS ABOVE

PURPOSE: TO PERMIT THE ENCLOSURE OF A PATIO UNDERNEATH AN
EXISTING DECK AT THE REAR OF A SINGLE FAMILY
DWELLING.

EXISTING ZONE: RU1 – LARGE LOT HOUSING

REPORT PREPARED BY: BARB WATSON

1.0 RECOMMENDATION

THAT Municipal Council authorize the issuance of Development Variance Permit No. DVP00-10,007, Ramona Schierer; Lot 83, Sec. 22, Twp. 26, O.D.Y.D., Plan 19162, located on Sparrow Road, Kelowna, B.C.;

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

Section 13.1.5(e) Development Regulations, rear yard setback: a 1.1 m variance to the required rear yard setback of 7.5 m to 6.4 m as proposed.

2.0 SUMMARY

The applicant has enclosed the patio under an existing deck to be used as a common storage area. The deck is a permitted encroachment into the rear yard, however, under Zoning Bylaw 8000 the enclosing of the lower level is required to meet the rear yard setback of 7.5 metres. The applicant has applied for a variance to allow for a decrease in the minimum rear yard requirement.

3.0 BACKGROUND

3.1 The Proposal

The subject property is located in the Rutland area along Springfield Road between Ziprick Road and Gerstmar Road. The property is currently zoned RU1 – Large Lot Housing and is designated single/two family residential in the Official Community Plan.

The dwelling is single family residential with a legal non conforming secondary suite that was built prior to amalgamation when suites were permitted within the Regional District zoning for the site.

The applicant has applied for a Building Permit to construct the enclosed lower level beneath a deck. The building is located at the end of a cul de sac on a large pie shaped lot. The original construction is cape cod in styling and blends well into the cul de sac.

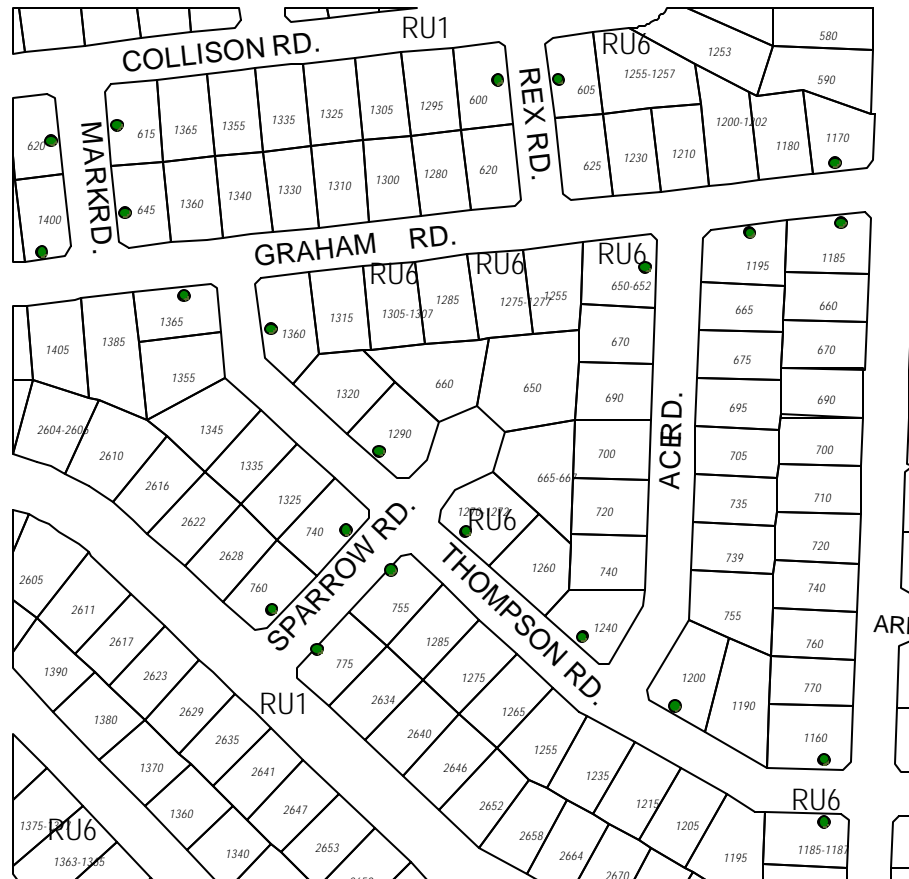
The variance is required to permit the enclosure of the patio beneath an existing deck. The deck is permitted to encroach into a rear yard setback; however, areas that contain roofs are considered part of the principal dwelling and must conform to the setbacks for the principal dwelling.

The subject property as compared to the RU1 – Large Lot Housing zone is as follows:

CRITERIA	PROPOSAL	RU1 ZONE REQUIREMENTS
Site Area (m ²)	1276 m ²	550 m ²
Site Depth (m)	31.7 m	30 m
Site Width (m)	18.58 m	16.5 m
Site Coverage (%)	12 %	40 %
Building at Grade (m ²)	144 m ²	
Storeys (#)	1 ½ storeys	2 Storeys
Setbacks (m)		
- Front	8.05 m	4.5 m and 6.0 m from a garage
- Rear	6.4 m Note 1	7.5 m
- East Side	3.76	2.0 m single stories
- West Side	2.53 m	4.5 m to the Flanking Street
Parking Stalls (#)	2 parking stalls	2 parking stalls

Note 1: A variance is requested for the rear yard setback of 7.5 metres to the 6.4 metres as proposed.

3.2 Site Context



The subject property is located in an established area of Rutland on the end of a quiet cul de sac. The adjacent zone uses are as follows:

- North - RU6 – Two Dwelling Housing, RU1 – Large Lot Housing
- East - RU1 – Large Lot Housing
- South - RU1 – Large Lot Housing
- West - RU1 – Large Lot Housing

3.3 Current Development Policy

3.3.1 Kelowna Official Community Plan

This proposal is consistent with the designation of single/two family residential and associated uses, which includes uses such as local commercial, childcare, churches and parks.

4.0 TECHNICAL COMMENTS

The application has been circulated to various technical agencies and City departments and all comments have been addressed by the applicant.

5.0 PLANNING AND DEVELOPMENT COMMENTS

The non-conforming suite does not require a rezoning at this time as the use is continuing and the area of the suite is not being enlarged. The applicant has been in contact with the neighbours and no negative comments have been received to date. The Planning and Development Services Department supports the application subject to the input of the neighbourhood.

In light of the above, the Planning and Development Services Department requests Council's favourable consideration for this application.

Andrew Bruce
Current Planning Manager

Approved for inclusion

R.L. (Ron) Mattiussi, ACP, MCIP
Director of Planning and Development Services

BW/hb
Attach.

FACT SHEET

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| 1. APPLICATION NO.: | DVP00-10,007 |
| 2. APPLICATION TYPE: | Development Variance Permit |
| 3. OWNER: | Ramona Schierer |
| - ADDRESS | 660 Sparrow Road |
| - CITY | Kelowna, B.C. |
| - POSTAL CODE | V1x 4E1 |
| 4. APPLICANT/CONTACT PERSON: | As above |
| - TELEPHONE/FAX NO.: | 212-2390 |
| 5. APPLICATION PROGRESS: | |
| Date of Application: | January 31, 2000 |
| Date Application Complete: | February 15, 2001 |
| Servicing Agreement Forwarded to Applicant: | N/A |
| Servicing Agreement Concluded: | N/A |
| Staff Report to Council: | March 7, 2001 |
| 6. LEGAL DESCRIPTION: | Lot 83, Section 22, Township 26 |
| 7. SITE LOCATION: | ODYD Plan 19162 |
| 8. CIVIC ADDRESS: | Springfield Road passed Ziprick Road |
| 9. AREA OF SUBJECT PROPERTY: | north on Sparrow |
| 10. TYPE OF DEVELOPMENT PERMIT AREA: | 660 Sparrow Road |
| 11. EXISTING ZONE CATEGORY: | 1276 m2 |
| 12. PURPOSE OF THE APPLICATION: | N/A |
| 13. DEVELOPMENT VARIANCE PERMIT VARIANCES: | RU1 – Large Lot Housing |
| 14. DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS | To enclose the patio under a partially covered deck.
<u>Section 13.1.5(e) Development Regulations, rear yard setback:</u> a 1.1-m variance to the required rear yard setback of 7.5 m to 6.4 m as proposed.
N/A |

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Attachments
(missing from electronic version)

Subject Property Map
Site Elevations / Diagrams