

The applicant is proposing to build an addition to the existing single family dwelling to provide an enclosure for a pool area at the rear of the dwelling. The subject property is zoned RU1 – Large Lot Housing.

3.0 BACKGROUND

3.1 The Proposal

The subject property is located within the Southwest Mission Sector Plan Area. The area is predominantly single detached dwellings that are designed to utilize the view of the lake.

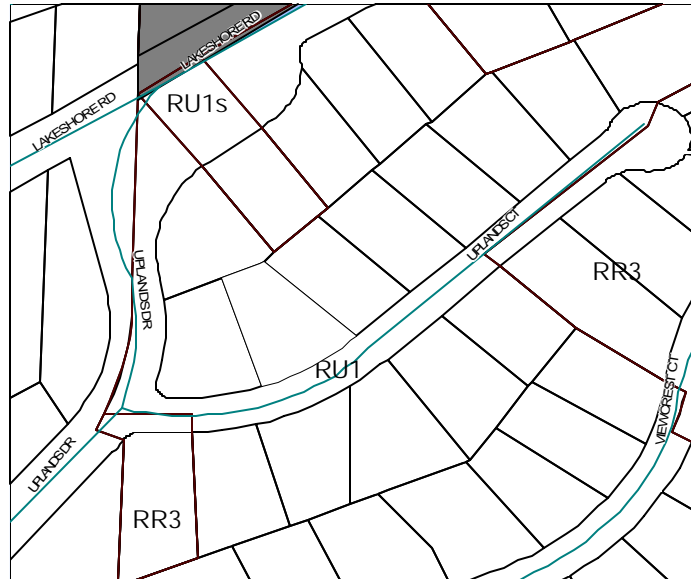
The single detached dwelling on the subject property is similar in design and size to others in the area and utilizes the sloping lot by having a walk out basement. The property is sloping downward toward the rear property line. The western portion of the property has a right of way registered against the title. The proposal does not affect the right of way and the building will remain outside of the area. Further west on the adjoining properties is an access easement of approximately 7.5 metres in width. Due to the sloping lot the building may appear slightly higher than a one storey building; however, the zone permits a maximum of 9.5 m or 2 ½ storeys and the building is well below the maximum height at 3.65 m at the roofline and sloping down to approximately 5 m from grade at the rear. The applicant has chosen a flat roof line to ensure the view is maintained from the music/parlour room located on the main floor of the dwelling. The roof of the pool area will remain as a roof rather than a deck to allow for the use of skylights in the pool area to provide natural lighting.

The proposed project as compared to the RU1s zone is as follows:

CRITERIA	PROPOSAL	RU1 ZONE REQUIREMENTS
Site Area (m ²)	1361 m ²	550 m ²
Site Depth (m)	49.086 m	30 m
Site Width (m)	37.32 m	16.5 m
Site Coverage (%)	37.5 %	40 %
Building at Grade (m ²)	512.9 m ²	
Storeys (#)	1 Storeys with walk out basement	2 ½ Storeys
Setbacks (m)		
- Front	6.01 m	4.5 m and 6.0 m from a garage
- Rear	5 m Note 1	7.5 m
- Southwest Side	3.03 m	2.3 m
- Northeast Side	3.11 m	2.3 m
Parking Stalls (#)	2 parking stalls	2 parking stalls

Note 1: A variance to the rear yard is required for the proposed building addition.

3.2 Site Context



The subject property is located in southwest Mission in a newer subdivision. The adjacent zones and uses are as follows:

- North - RU1 – Large Lot Housing and RU1s – Large Lot housing with secondary suite
- 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

The subject property is designated as Single / Two Family Residential in the OCP. The proposed addition to the existing single family dwelling to provide an enclosure for a pool area at the rear of the dwelling would be consistent with the OCP.

3.3.2 City of Kelowna Strategic Plan (1992)

The proposal is generally consistent with the Strategic Plan objective of developing a “more compact urban form by increasing densities through infill and redevelopment with in existing urban areas...”

3.3.3 Southwest Mission Sector Plan

This proposal is consistent with the Single / Two Family designation of the Sector Plan as well as with the policy to develop a comprehensive supply of a new housing to satisfy a range of lifestyle needs.

4.0 TECHNICAL COMMENTS

The application has been circulated to various technical agencies and City departments and the following comments were received from:

Works and Utilities Department

In order for the Works and Utilities Department to support the requested variance, the following items would need to be satisfied:

1. No compromise of the statutory right of way, ie: cut or fill in the statutory right of way, unless authorized by the City.
2. Provide detailed cross sections (at least one at each corner), showing the existing and proposed ground elevations, the footing elevations, pipe depths and locations of the statutory right of way and property lines with the Building Permit.
3. The footing, usually wider than the foundation/retaining wall, must be constructed outside the statutory right of way. This may affect the wall location.
4. A Structural or Geotechnical Engineer will need to determine the depth of the footing to ensure that if the City needed to dig up the pipes for repair or replacement, a safe sloping trench would not compromise the footing structure at Building Permit.

5.0 PLANNING AND DEVELOPMENT SERVICES COMMENTS

The Planning and Development Services Department have reviewed the application. The unique topography and use of access roads in the area lessens the impact of the location of the building. The addition to the principal dwelling eliminates the need for stairs and provides year round access to the amenity. The option of turning the pool in an east-west direction was reviewed and not chosen as it would have blocked existing

exits and windows on the lower floor. Overall, the applicant has attempted to minimize the impact of the building on the neighbours. It should be noted that the applicant has approached the immediate neighbours and they have provided their support to the proposal.

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

- | | | |
|-----|---|--|
| 1. | APPLICATION NO.: | DVP01-10,046 |
| 2. | APPLICATION TYPE: | Development Variance Permit |
| 3. | OWNER: | Keith Yap and Mandy Wong |
| | · ADDRESS | 376 Uplands Ct |
| | · CITY | Kelowna, BC |
| | · POSTAL CODE | V1W 4J7 |
| 4. | APPLICANT/CONTACT PERSON: | As above |
| | · TELEPHONE/FAX NO.: | 868-0366 |
| 5. | APPLICATION PROGRESS: | |
| | Date of Application: | June 20, 2001 |
| | Date Application Complete: | July 3, 2001 |
| | Servicing Agreement Forwarded to Applicant: | N/A |
| | Servicing Agreement Concluded: | N/A |
| | Staff Report to Council: | July 4, 2001 |
| 6. | LEGAL DESCRIPTION: | Lot 7 Section 23 Township 28 SDYD
Plan KAP53665 |
| 7. | SITE LOCATION: | South on Pandosy to Lakeshore
continue south to east on Upland,
north on Uplands Crt. |
| 8. | CIVIC ADDRESS: | 376 Uplands Court |
| 9. | AREA OF SUBJECT PROPERTY: | |
| 10. | TYPE OF DEVELOPMENT PERMIT AREA: | Not Applicable |
| 11. | EXISTING ZONE CATEGORY: | RU1 – Large Lot Housing |
| 12. | PURPOSE OF THE APPLICATION: | To vary the rear yard setback to
permit the construction of an
enclosed lap pool |
| 13. | VARIANCE UNDER DEVELOPMENT PERMIT: | <u>Section 13.1.5(e) Development
Regulations, Rear Yard Setback:</u> a
2.5 m variance to the required rear
yard setback of 7.5 m to 5.0 m as
proposed. |
| 14. | DEVELOPMENT PERMIT MAP 13.2
IMPLICATIONS | Not Applicable |

ATTACHMENTS

Floor Plan
Elevation and Site Plan
Survey Certificate