
CITY OF KELOWNA

MEMORANDUM

Date: July 19, 2001
File No.: DVP01-10,053

To: City Manager

From: Planning & Development Services Department

Subject:
DEVELOPMENT VARIANCE PERMIT OWNER: Alan Perrott & Brenda Perrott
APPLICATION NO. 01-10,053

AT: 2184 Chilcotin Crescent APPLICANT: as above

PURPOSE: TO VARY THE SETBACKS AS ESTABLISHED IN BYLAW 4500 AS SITED WITHIN LAND USE CONTRACT #74-57 FOR DILWORTH MOUNTAIN TO PERMIT A ONE CAR GARAGE AND AN ENTRANCE CANOPY TO BE WITHIN THE 6 M FRONT YARD SETBACK

EXISTING ZONE: LUC 74-57 AND SCHEDULE 3, R1A SINGLE FAMILY RESIDENTIAL- MEDIUM DENSITY ZONE

REPORT PREPARED BY: Barb Watson

1.0 RECOMMENDATION

THAT Municipal Council authorize the issuance of Development Variance Permit No. DVP01-10,053; Al Perrott & Brenda Perrott; Lot 25 Section 28 Township 26 ODYD Plan KAP66626, located on Chilcotin Crescent, Kelowna, B.C.;

AND THAT variances to the following sections of Schedule 3 of Land Use Contract 74-57 be granted:

Schedule 3 R1a Single Family Residential Medium Density Section 3E, Front Yard Setback: a 1.4 m variance to the required front yard setback of 6.1 m to 4.7 m as proposed.

2.0 SUMMARY

The applicant has designed a dwelling for the subject property with a unique custom rear elevation to take full advantage of the view. Due to the shape of the proposed building, the Dilworth Homes design review authority has requested that the applicant shift the house forward to keep the rear elevations consistent along Chilcotin Crescent and thus protect the view corridors of existing dwellings. To facilitate this, the applicant is requesting that Council consider a variance to the front yard setback to permit the encroachment of one garage bay by 0.7 m and the entrance canopy by 1.4 m. All other dimensions conform to the setback requirements of Schedule 3 of LUC 74-57.

3.0 BACKGROUND

3.1 The Proposal

The property is located on a new cul de sac on Dilworth Mountain in an area of new residential dwellings. The property is governed by a Land Use Contract rather than zoning guidelines as stated within the Land Use Contract “Neighbourhoods shall be used and developed in accordance with the provisions set out in Schedule “3” hereto and in no other way an for no other purpose.” The use of the property is consistent with Land Use Contract # 74-57.

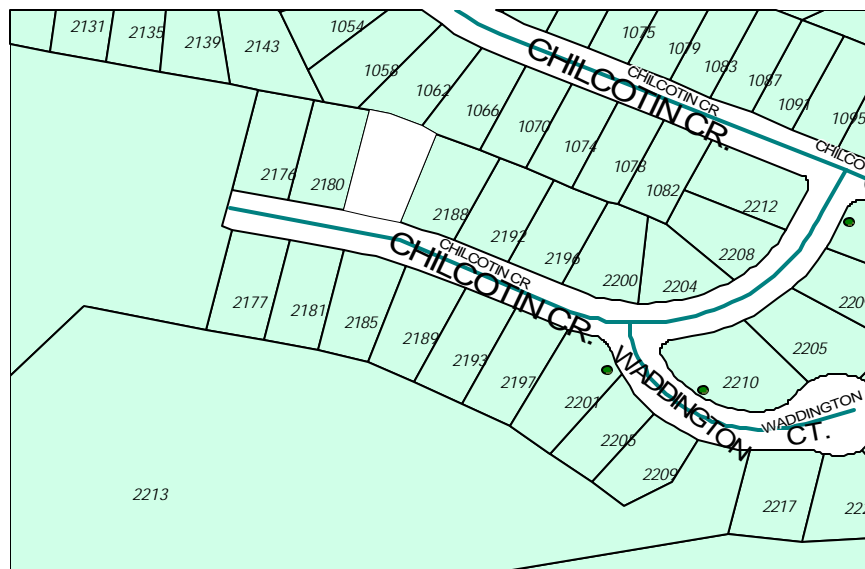
The applicant is requesting a variance to the front yard setback to position the rear of the house in line with the existing dwellings. The lot has a great deal of depth with the proposed location of the house: 14.65 m from the rear property line and set back from the building envelop by 8.55 m. It is noted that there is a slope on the lot and a sewer right of way that runs across the lower section of the property. The variance is for one garage bay, which is .7 m longer than the average garage to permit the parking of a long box truck within the garage. The entrance canopy comes forward to add roofline articulation and an appealing streetscape. The setback of 4.7 m for the entrance canopy is within the setback requirements set forth in Zoning Bylaw 8000, where the Bylaw encourages a more forward projection of the house to soften the effect of the garage. However, Zoning Bylaw 8000 does not apply to the subject property as it is within an active Land Use Contract area.

The subject property as it compares to the R1a Single Family Medium Density zone is as follows:

CRITERIA	PROPOSAL	R1a ZONE REQUIREMENTS (as per Schedule 3 of LUC 74-57)
Site Area (m ²)	832 m ²	669.15 m ²
Site width	+/- 19.5 m	18.29 m
Storeys (#)	1 storey with a walkout basement	2 storey
Setbacks (m)		
- Front	4.7 m Note 1	6.1 m
- Rear	14.65 m	6.1 m
- West Side	1.8 m	1.52 m
- East Side	3.4 m	1.52 m
Parking Stalls (#)	2 stalls	1 stall

Note 1: The applicant has requested a variance to the front yard to permit a front entry and an extended garage bay. Although there is room within the rear yard, the sighting of the house is being proposed to minimize the impact on neighbours and view corridors.

3.2 Site Context



The property is located on Dilworth Mountain and the adjacent zones and uses are as follows:

- North - LUC 74-57 with siting of the buildings in accordance to the R1a Single Family Residential- Medium Density Zone
- East - LUC 74-57 with siting of the buildings in accordance to the R1a Single Family Residential- Medium Density Zone
- South - LUC 74-57 with siting of the buildings in accordance to the R1a Single Family Residential- Medium Density Zone
- West - LUC 74-57 with siting of the buildings in accordance to the R1a Single Family Residential- Medium Density Zone

3.3 Current Development Policy

3.3.1 Kelowna Official Community Plan

The Land Use Contract was established prior to the Official Community Plan and therefore is not affected. However, Map 15.1 has been amended to reflect the land uses within the Land Use Contract 74-57.

4.0 TECHNICAL COMMENTS

The application has been circulated to various technical agencies and City departments and no comments or concerns were received.

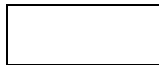
5.0 PLANNING AND DEVELOPMENT SERVICES

The Planning and Development Services Department has reviewed the above noted application to vary the front yard setback. The variance for the entrance canopy is supportable as the siting would be consistent with Zoning Bylaw 8000 where the front yard setback for the principal dwelling is 4.5 m. The variance for the reduction of the front yard setback for the garage is supported, as there is a considerable width to the boulevard. The reduction in the setback, therefore, does not compromise the intent of the 6.1 m setback to permit a car to park in front of the garage and not extend into the sidewalk or street.

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.: | DVP01-10,053 |
| 2. APPLICATION TYPE: | Development variance Permit |
| 3. OWNER:
· ADDRESS
· CITY
· POSTAL CODE | Alan Perrott and Brenda Perrott
2184 Chilcotin Cr
Kelowna, BC
V1V 1H9 |
| 4. APPLICANT/CONTACT PERSON:
· TELEPHONE/FAX NO.: | As above
763-5333/763-5659 |
| 5. APPLICATION PROGRESS:
Date of Application:
Date Application Complete:
Servicing Agreement Forwarded to Applicant:
Servicing Agreement Concluded:
Staff Report to Council: | July 16, 2001
July 19, 2001
N/A
N/A
July 19, 2001 |
| 6. LEGAL DESCRIPTION: | Lot 25 Section 28 Township 26 ODYD
Plan KAP66626 |
| 7. SITE LOCATION: | Summit to Chilcotin Cr |
| 8. CIVIC ADDRESS: | 2184 Chilcotin Cr |
| 9. AREA OF SUBJECT PROPERTY: | 832 m2 |
| 10. TYPE OF DEVELOPMENT PERMIT AREA: | N/A |
| 11. EXISTING ZONE CATEGORY: | LUC 74-57 siting under R1 Single
Family Residential- Low Density Zone |
| 12. PURPOSE OF THE APPLICATION: | To permit the construction of a single
family dwelling and minimize the
impact of the neighbours view
corridors |
| 13. DEVELOPMENT VARIANCE PERMIT
VARIANCES: | <u>Schedule 3 R1a Single Family
Residential Medium Density
Section 3E, Front Yard Setback:</u> a
1.4 m variance to the required front
yard setback of 6.1 m to 4.7 m as
proposed. |
| 14. VARIANCE UNDER DEVELOPMENT
PERMIT: | DVP01-10053 |
| 15. DEVELOPMENT PERMIT MAP 13.2
IMPLICATIONS | Not applicable |

ATTACHMENTS