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**CITY OF KELOWNA**

**MEMORANDUM**

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**Date:** August 23, 2001

**File No.:** **DVP01-10,060**  
(3060-20/3090-20)

**To:** City Manager

**From:** Planning & Development Services Department

**Purpose:** To Vary the City of Kelowna Zoning Bylaw maximum height requirement for a single detached house in the RU1 zone

**Owner:** Derek & Shannon Scherk      **Applicant/Contact Person:** Dilworth Quality Homes Inc. / Mike Jacobs

**At:** 743 South Crest Drive

**Existing Zone:** RU1 – Large Lot Housing

**Prepared By:** Shelley Gambacort

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**SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS**

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**1.0**    **RECOMMENDATION**

THAT Municipal Council authorize the issuance of Development Variance Permit No. 01-10,060; Dilworth Quality Homes Inc. (Mike Jacobs); Lot 50, DL 1688S, SDYD, Plan KAP68647; located on South Crest Drive, Kelowna, BC;

AND THAT the variance to the following section of Zoning Bylaw No. 8000 be granted:

1.    Section 13.1.5(b) – RU1 – Large Lot Housing maximum height

The maximum height for a single detached house be increased from the lessor of 9.5 m or 2 ½ storeys to 3 storeys at 9.1 m for a variance of ½ a storey.

**2.0**    **SUMMARY**

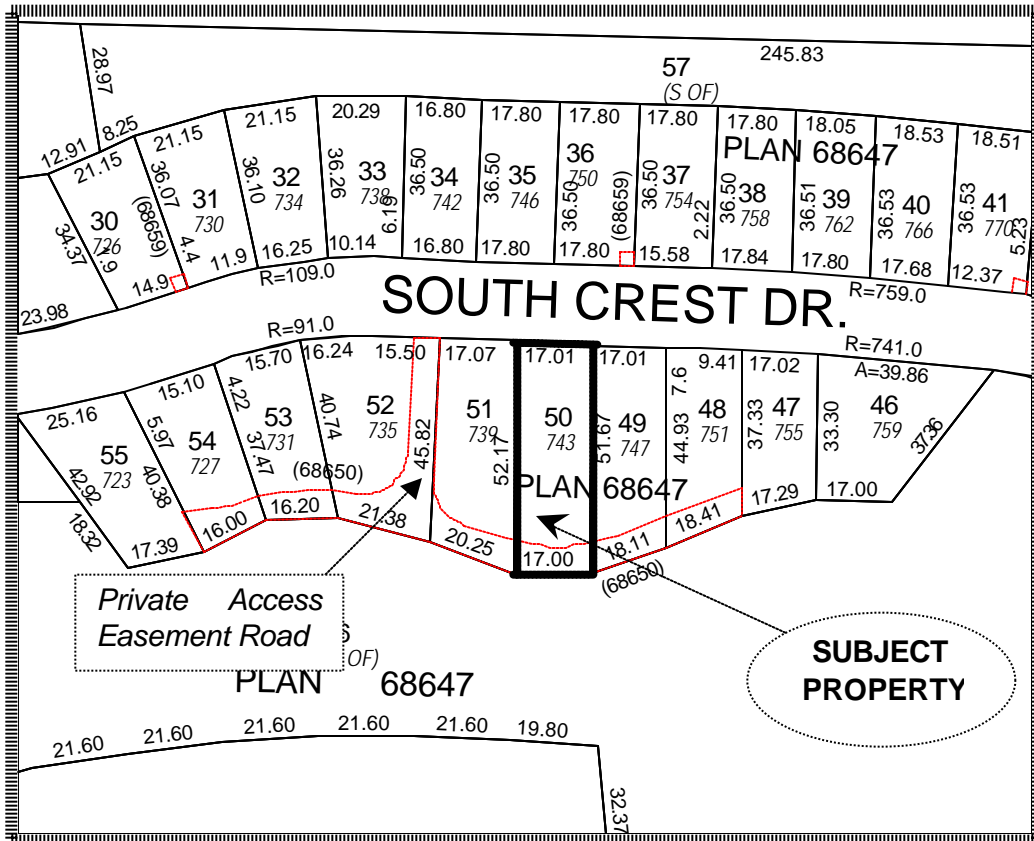
The applicant is requesting a Development Variance Permit in order to vary the maximum height requirement for the RU1 – Large Lot Housing Zone in the City of Kelowna Zoning Bylaw No. 8000. This variance is required in order to facilitate the construction of a single detached house with a walk out basement facing South Crest Drive.

Under the current Zoning Bylaw, walk out basements oriented to the rear yard shall not be considered in determining height for single detached housing. The subject property fronts onto South Crest Drive however, due to topographic constraints, the property's driveway access is from a private access easement road in the rear of the property, therefore, the walk out basement is facing South Crest Drive in the front yard.

### 3.0 BACKGROUND

#### 3.1 The Proposal

The subject property fronts onto South Crest Drive, however the property rises up ~6 metres over a distance of ~25m from the road level to the centre of the property. The driveway access to the property is by way of a private access easement road at the rear of the property as shown on the following diagram.



The variance being requested is to allow for 3 storeys facing the front yard. The RU1 zoning regulations stipulate that the maximum height allowed for a single detached house is the lessor of 9.5 m or 2 ½ storeys. The applicant is proposing 3 storeys at a 9.1 m height for a variance of ½ a storey.

Had the 3 storey portion of the single detached house been facing the rear property line a variance would not be necessary as walkout basements oriented to the rear yard are not considered for the purpose of determining height in single detached housing.

#### 3.2 Site Context

The adjacent zone uses are as follows:

- North - RU1 – Large Lot Housing; single detached housing subdivision
- East - RU1 – Large Lot Housing; Single detached housing subdivision

South - P4 – Utilities; Stormwater detention  
West - RU1 – Large Lot Housing; Single detached housing subdivision

4.0 TECHNICAL COMMENTS

4.1 Works & Utilities

No comment.

4.3 Inspection Services

No objections as the third storey is setback from the second storey and is not a full third storey.

4.4 Fire Department

No objections to this application.

4.5 Parks Manager

No comments or concerns.

5.0 PLANNING COMMENTS

The Planning & Development Services Department, is prepared to support this application based on the proposed building design. The 3<sup>d</sup> storey utilizes only half of the 1<sup>st</sup> and 2<sup>nd</sup> storey building footprint and is architecturally incorporated into the overall roofline. The 3<sup>rd</sup> storey front elevation is setback 1.2 m in from the 2<sup>nd</sup> storey and there is a 2<sup>nd</sup> storey balcony extending out 2.4 m from the 1<sup>st</sup> storey, as shown on the Side Elevation Plan attached to this report, which provides a stepped back building feature.

R. G. Shaughnessy  
Subdivision Approving Officer

Approved for inclusion

Andrew Bruce  
Current Planning Manager

RGS/SG/sg

Attachments

**FACT SHEET**

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|---|---|
| <b>1. APPLICATION NO.:</b>                          | DVP01-10,060  |
| <b>2. APPLICATION TYPE:</b>                         | Development Variance Permit   |
| <b>3. OWNER:</b>                                    | Derek & Shannon Scherk  |
| . <b>ADDRESS</b>                                    | 576 Sprucemont Ct.  |
| . <b>CITY/ POSTAL CODE</b>                          | Kelowna, BC V1V 1P8   |
| <b>4. APPLICANT/CONTACT PERSON:</b>                 | Dilworth Quality Homes Inc./  |
| . <b>ADDRESS</b>                                    | Mike Jacobs   |
| . <b>CITY</b>                                       | 907 Ethel Street  |
| . <b>TELEPHONE/FAX NO.:</b>                         | Kelowna, BC V1Y 2W1   |
| <b>5. APPLICATION PROGRESS:</b>                     | 762-9999/762-6171   |
| Date of Application:                                | August 3, 2001  |
| Date of report to Council:                          | August 23, 2001   |
| <b>6. LEGAL DESCRIPTION:</b>                        | Lot 50, DL 1688S, SDYD, Plan KAP68647   |
| <b>7. SITE LOCATION:</b>                            | South side of South Crest Drive, 225 m east of South Ridge Drive  |
| <b>8. CIVIC ADDRESS:</b>                            | 743 South Crest Drive   |
| <b>9. AREA OF SUBJECT PROPERTY:</b>                 | 883 m <sup>2</sup>  |
| <b>10. EXISTING ZONE CATEGORY:</b>                  | RU1 – Large Lot Housing   |
| <b>12. PURPOSE OF THE APPLICATION:</b>              | To Vary the City of Kelowna Zoning Bylaw maximum height requirement for a single detached house in the RU1 zone |
| <b>13. DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS</b> | Not Applicable  |

**Attachments**

*(Not attached to the electronic copy of the report)*

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Location Map  
Front/Rear Elevations and Cross Section  
Side Elevations and Site Plan