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**CITY OF KELOWNA**

**MEMORANDUM**

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**Date:** October 12, 2001

**File No.:** DVP01-10,071

**To:** City Manager

**From:** Planning and Development Services Department

**Subject:**

APPLICATION NO. DVP01-10,071      OWNER: ORACLE INVESTMENTS  
INC.

AT: 4801 PARKRIDGE DRIVE      APPLICANT: MARK GIDDEN

PURPOSE: TO VARY THE REQUIRED FRONT YARD FROM 6.0M TO 4.5M AND  
THE REQUIRED REAR YARD FROM 7.5M TO 2.6M

EXISTING ZONE: RR3 – RURAL RESIDENTIAL 3

REPORT PREPARED BY: KIRSTEN G. BEHLER

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**1.0    RECOMMENDATION**

THAT Council authorize the issuance of a Development Variance Permit No. DVP01-10,071; Mark Gidden, Lot 17, Section 29, Township 29, S.D.Y.D., Plan KAP69522, located on Parkridge Drive, Kelowna, BC;

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

12.3.5 (c) Minimum front yard: A variance for the minimum front yard from 6.0 m to 4.5 m;

12.3.5. (e) Minimum rear yard: A variance for the minimum rear yard from 7.5 m to 2.6 m.

**2.0    SUMMARY**

The subject property is a corner lot with frontage onto Elridge Court and Parkridge Drive. Per definition, the cul-de-sac frontage at Elridge Court is the front lot line of the property. To be able to orient his house onto Parkridge Drive, the applicant has asked for permission to vary the required front yard setback from 6.0m to 4.5m and the required rear yard setback from 7.5m to 2.6m.

**3.0    BACKGROUND**

**3.1    The Proposal**

The subject property is located in Crawford, on the corner of Parkridge Drive and Elridge Court. Per definition in Zoning Bylaw No. 8000, the front lot line is at Elridge Court, since this is the

narrower of the two street frontages. However, the applicant wishes to orient the main entrance of his house onto Parkridge Drive, with access to his three-car garage from Elridge Court. In order to be able to do so, he is asking for permission to vary the setback at Elridge Court from 6.0m to 4.5m, and his setback at the south property line from 7.5m to 2.6m.

The owner of the subject property contacted his neighbour to the south on Parkridge Drive, as well as the owner of the three remaining vacant lots on Elridge Court to inform them about the proposed variance. Both were in support of the variances.

The application meets the requirements of the RR3 – Rural Residential 3 as follows:

| CRITERIA                    | PROPOSAL             | RR3 ZONE REQUIREMENTS          |
|-----------------------------|----------------------|--------------------------------|
| Site Area (m <sup>2</sup> ) | 1638m <sup>2</sup> ❶ | 1 ha (without community sewer) |
| Site Width (m)              | 35.0m                | 18.0m                          |
| Site Depth (m)              | 40.0m                | 30.0m                          |
| Site Coverage (%)           | 19%                  | 30%                            |
| Storeys (#)                 | 2                    | 2 ½                            |
| Setbacks (m)                |                      |                                |
| - Front                     | 4.5m ❷               | 6.0m                           |
| - Rear                      | 2.6m ❷               | 7.5m                           |
| - West Side                 | 10.8m                | 2.3m                           |
| - East Side                 | 6.0m                 | 2.3m                           |
| Parking Stalls (#)          | 3                    | 2                              |

Notes:

- ❶ The application for subdivision was in-stream during the adoption of Zoning Bylaw No. 8000, and the undersized lot is therefore legal non-conforming.
- ❷ The applicant wishes to vary the front yard requirement from 6.0m to 4.5m and the rear yard requirement from 7.5m to 2.6m under this Development Variance application.

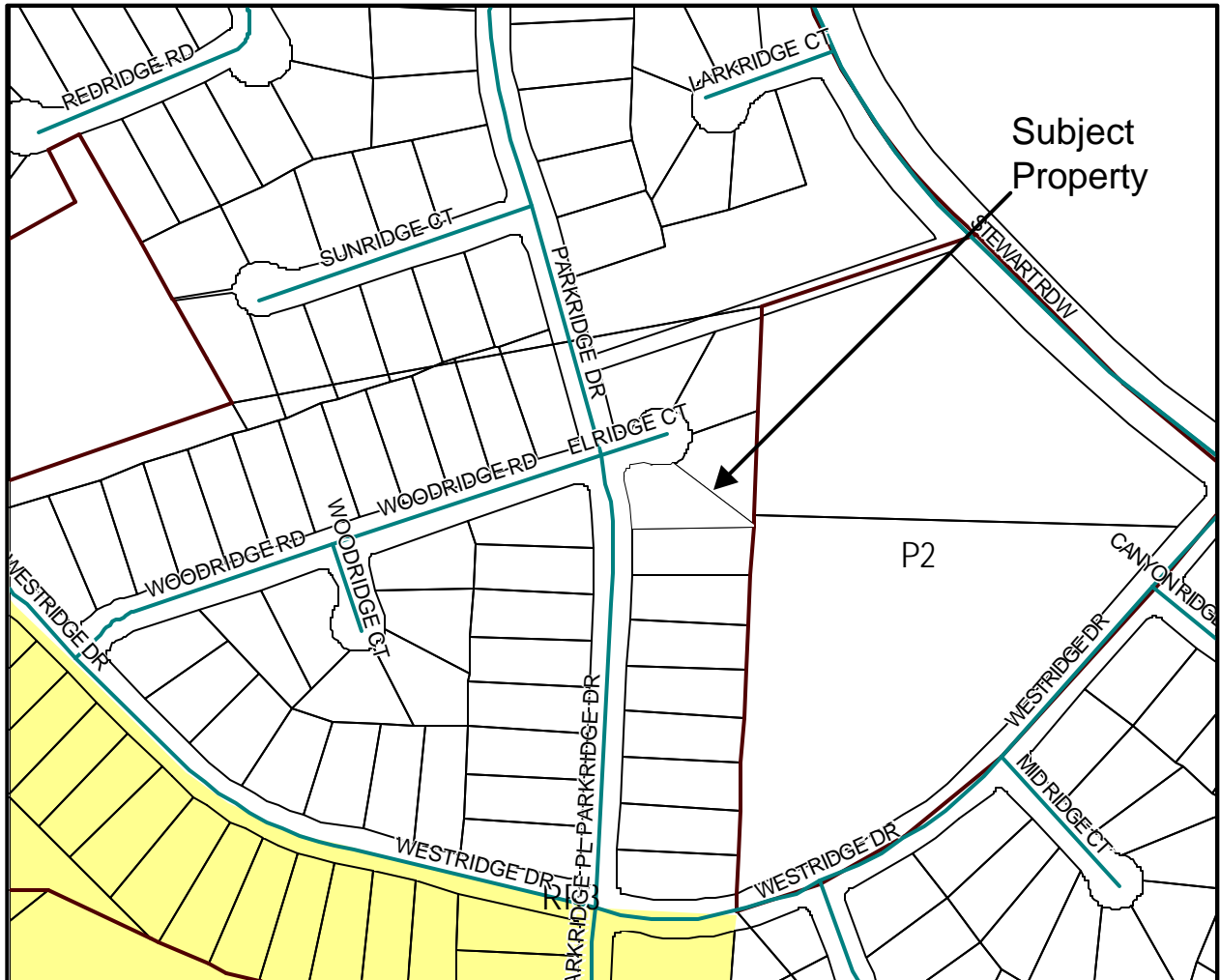
### 3.2 Site Context

The property is located in Crawford, on the corner of Parkridge Drive and Elridge Court. The area is predominantly zoned RR3 – Rural Residential 3, a zone intended for country residential development on smaller lots in areas of high natural amenity and limited urban services.

Adjacent zones and uses are, to the:

- North - RR3 – Rural Residential 3 – vacant lot
- East - RR3 – Rural Residential 3 – vacant lot
- South - RR3 – Rural Residential 3 – single family dwelling
- West - RR3 – Rural Residential 3 – single family dwelling

### Location Map



### 3.3 Existing Development Potential

The subject property is zoned RR3 – Rural Residential 3, a zone intended for country residential development on smaller lots, and complementary uses, in areas of high natural amenity and limited urban services.

### 3.4 Current Development Policy

#### 3.4.1 Kelowna Official Community Plan

The Official Community Plan designated this property Single Family /Two Family Residential, and the application is consistent with this designation.

#### 3.4.2 North Mission/Crawford Sector Plan

This plan also designates the subject property as Single/Two Family Residential.

#### 4.0 TECHNICAL COMMENTS

The application has been submitted to various technical agencies and City departments, none of which had any concerns with the proposed variances.

#### 5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning and Development Services Department has no concerns regarding the proposed variance for the front and rear yard setbacks on the subject property. Per definition in the City of Kelowna Zoning Bylaw No. 8000, the front lot line of the irregularly shaped lot is at Elridge Court. However, practically the lot fronts onto both Elridge Court and Parkridge Drive, and the applicant would like to orient the main entrance to his house onto Parkridge Drive. The variances are not expected to have a negative impact on the neighbourhood, although the three car garage will certainly impact the visual appeal of the streetscape on Elridge Court. However, the applicant has contacted the owner of the remaining lots in the cul-de-sac, as well as the existing neighbours to the south on Parkridge Drive, and recently submitted letters indicate that both are supportive of the variances.

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Andrew Bruce  
Current Planning Manager

Approved for inclusion

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

KGB  
Attach.

**FACT SHEET**

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| 1.  | <b>APPLICATION NO.:</b>   | DVP01-10,071   |
| 2.  | <b>APPLICATION TYPE:</b>  | Development Variance Permit                                  |
| 3.  | <b>OWNER:</b>   | Oracle Investment  |
|     | . ADDRESS   | 147 Park Rd.   |
|     | . CITY  | Kelowna, BC  |
|     | . POSTAL CODE   | V1X 4K5  |
| 4.  | <b>APPLICANT/CONTACT PERSON:</b>                                      | Mark Gidden  |
|     | . ADDRESS   | 1199 Gregory Rd.   |
|     | . CITY  | Kelowna, BC  |
|     | . POSTAL CODE   | V1Z 3P2  |
|     | . TELEPHONE/FAX NO.:  | (250) 860-4300   |
| 5.  | <b>APPLICATION PROGRESS:</b>  |  |
|     | Date of Application:  | September 19, 2001   |
|     | Date Application Complete:  | October 9, 2001  |
|     | Servicing Agreement Forwarded to Applicant:                           | N/A  |
|     | Servicing Agreement Concluded:  | N/A  |
|     | Staff Report to Council:  | October 12, 2001   |
| 6.  | <b>LEGAL DESCRIPTION:</b>   | Lot 17, Section 29, Twp. 22, SDYD, Plan KAP69522             |
| 7.  | <b>SITE LOCATION:</b>   | Crawford, on the corner of Parkridge Drive and Elridge Court |
| 8.  | <b>CIVIC ADDRESS:</b>   | 4801 Parkridge Drive<br>Kelowna, BC                          |
| 9.  | <b>AREA OF SUBJECT PROPERTY:</b>                                      | 1638m"   |
| 10. | <b>EXISTING ZONE CATEGORY:</b>  | RR3 – Rural Residential 3                                    |
| 11. | <b>PURPOSE OF THE APPLICATION:</b>                                    | To vary the required front and rear yards                    |
| 12. | <b>MIN. OF TRANS./HIGHWAYS FILES NO.:</b>                             | N/A  |
|     | <b>NOTE: IF LANDS ARE WITHIN 800 m OF A CONTROLLED ACCESS HIGHWAY</b> |  |
| 13. | <b>DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS</b>                       | N/A  |

**ATTACHMENTS**

**(not attached to the electronic version of the report)**

- Location of subject property
- Site plan
- Elevations
- Photos of lot and adjacent properties