
CITY OF KELOWNA

MEMORANDUM

Date: March 7, 2002
File No.: (3090-20) **DVP02-10,013**

To: City Manager

From: Planning & Development Services Department

Subject:

DEVELOPMENT VARIANCE PERMIT OWNER: DARRELL & CYNTHIA
APPLICATION NO. DVP02-10,013 HUDSON

AT: 1536 SONORA DRIVE APPLICANT: DARRELL HUDSON

PURPOSE: TO SEEK A DEVELOPMENT VARIANCE PERMIT TO REDUCE
THE REAR YARD SET BACK TO AN ACCESSORY BUILDING
FROM 1.5 M REQUIRED TO 0.6 M PROPOSED

EXISTING ZONE: RU1 – LARGE LOT HOUSING

REPORT PREPARED BY: PAUL McVEY

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Municipal Council authorize the issuance of Development Variance Permit No. DVP02-10,013; Darrell & Cynthia Hudson; Lot 12, Sec. 29, Twp. 26, O.D.Y.D., Plan KAP49263, located on Sonora Drive, Kelowna, B.C.;

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

Section 13.1.5(e) Development Regulations minimum rear yard set back for an accessory building be varied from 1.5 m required to the 0.6 m set back proposed

2.0 SUMMARY

The applicant wishes to build an accessory building to provide a garage for a modified van for their handicapped son. They wish to construct the building as close as possible to the east property line in order to provide the maximum amount of room between the house and garage to permit manoeuvring for the handicapped person. As the minimum setback to the accessory building of 1.5 m is not met, this application for a Development Variance Permit has been made.

3.0 BACKGROUND

3.1 The Proposal

The applicant wishes to construct a garage to provide shelter for the modified van they own to move their handicapped son. They wish to have this building located as far away from the house as possible in order to provide the maximum amount of room between the house and garage to manoeuvre wheelchair and to provide the maximum amount of daylight to the house.

The applicant had discussed this proposal with the abutting and adjacent residents, and provided documentation of their support for this variance. As well, the use of the property closest to the garage is for a neighbourhood park (Sonora Park), and it is not anticipated that there will be any building proposed adjacent to the subject property.

The proposal as compared to the RU1 zone requirements for an accessory building, is as follows:

CRITERIA (Access. Bldg,)	PROPOSAL	RU1 ZONE REQUIREMENTS
Site Area (m ²)	879 m ²	550 m ²
Site Coverage (%)	35.9%	40%
Total Floor Area (m ²)	316.2 m ²	351.6 m ²
Separation from Princ. Building	1.52 m	1.0 m
Setbacks (m)		
- Front	31.4 m	18 m
- Rear	0.6 m ❶	1.5 m
- North Side	10.74 m	1.0 m
- South Side (flanking)	6.7 m	4.5 m
Accessory Bldg Area	49 m ²	14% of site up to 90 m ²

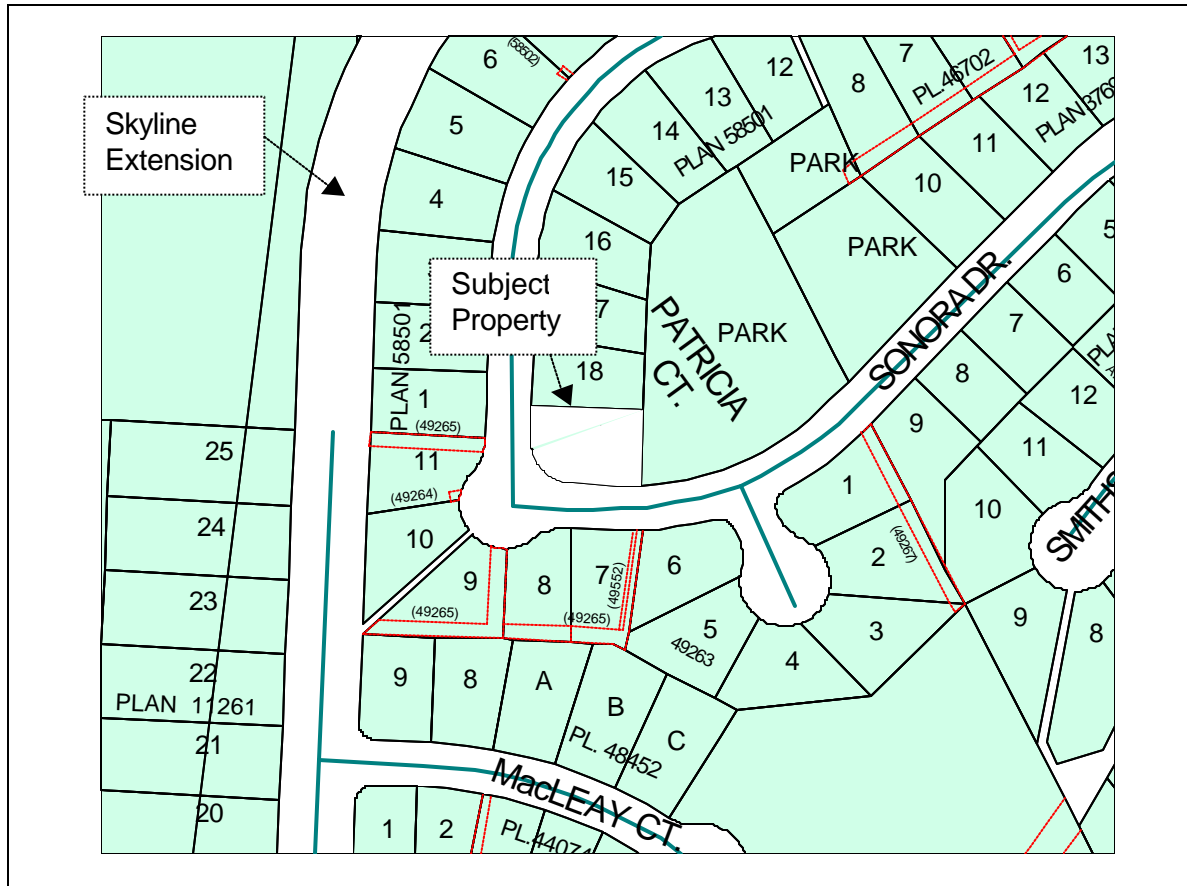
❶ Variance required for rear yard set back to an accessory building from 1.5 m required to 0.6 m proposed.

3.2 Site Context

The adjacent zone uses are as follows:

North - RU1 – Large Lot Housing – Single Family residential uses
 East - RU1 – Large Lot Housing – Neighbourhood Park
 South - RU1 – Large Lot Housing – Sonora Dr./Single Family residential uses
 West - RU1 – Large Lot Housing – Lindsay Dr./Single Family residential uses

Subject Property Map



3.3 Current Development Policy

3.3.1 Kelowna Official Community Plan

This proposal is consistent with the "Single/Two Family Residential" designation of the Official Community Plan.

3.3.2 City of Kelowna Strategic Plan (1992)

The proposal is consistent with the intent of the Strategic Plan which states:

"The City will, in its plans and policies concerning future urban development, place an emphasis on more efficiently using serviced land within existing urban areas through infill and will provide for an increased

density of development within established urban areas through re-development of areas which are in transition.

3.3.3 Rutland Sector Plan

This proposal is consistent with the "Single/Two Family Residential" designation of the Rutland Sector Plan.

4.0 TECHNICAL COMMENTS

The application has been circulated to various technical agencies and City departments and the following relevant comments have been submitted:

4.1 Fire Department

This department has no objection to this application.

4.2 Inspection Services Department

What is setback from road? No concerns. (note; setback from Sonora is 6.7 m)

4.3 Works and Utilities Department

No engineering requirements but questions amount of room to building or maintain structure so close to property line.

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

The Planning and Development Services Department does not have concerns with this application. The applicant has discussed the proposed garage building and the associated variance to the required rear yard set back with the affected neighbours, and has not received any negative response.

The proposed location of the new garage seems a reasonable compromise. The resulting .6 m setback to the east property line provides adequate room for maintenance of the exterior of the garage and maintains adequate spatial separation from the neighbouring property, while maximizing the available room between the existing dwelling and the proposed garage. Since the adjacent property is designated for a park use (Sonora Park) it is not likely that there will ever be any building located adjacent to the proposed garage structure. The applicant is encouraged to use building materials that will compliments the existing principal building.

In light of the above, the Planning and Development Services Department supports this application, and recommends for positive consideration by Council.

Andrew Bruce
Current Planning Manager

Approved for inclusion

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

PMc/pmc
Attach.

FACT SHEET

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|-----|---|--|
| 1. | APPLICATION NO.: | DVP02-10,013 |
| 2. | APPLICATION TYPE: | Development Variance Permit |
| 3. | OWNER: | Darrell & Cynthia Hudson |
| | · ADDRESS | 1536 Sonora Dr |
| | · CITY/POSTAL CODE | Kelowna BC V1Y 8Z2 |
| 4. | APPLICANT/CONTACT PERSON: | Darrell Hudson |
| | · ADDRESS | 1536 Sonora Dr |
| | · CITY/POSTAL CODE | Kelowna BC V1Y 8Z2 |
| | · TELEPHONE/FAX NO.: | 765-1444/765-1495 |
| 5. | APPLICATION PROGRESS: | |
| | Date of Application: | February 18, 2002 |
| | Date Application Complete: | February 19, 2002 |
| | Servicing Agreement Forwarded to Applicant: | N/A |
| | Servicing Agreement Concluded: | N/A |
| | Staff Report to Council: | March 7, 2002 |
| 6. | LEGAL DESCRIPTION: | Lot 12, Sec. 29, Twp. 26, O.D.Y.D.,
Plan KAP49263 |
| 7. | SITE LOCATION: | North East Corner of Lindsay Dr. and
Sonora Dr. |
| 8. | CIVIC ADDRESS: | 1536 Sonora Drive |
| 9. | AREA OF SUBJECT PROPERTY: | 879 m ² |
| 10. | TYPE OF DEVELOPMENT PERMIT AREA: | N/A |
| 11. | EXISTING ZONE CATEGORY: | RU1 – Large Lot Housing |
| 12. | PURPOSE OF THE APPLICATION: | To Seek a Development Variance
Permit to Reduce the Rear Yard Set
Back to an Accessory Building from
1.5 m required to 0.6 m Proposed |
| 13. | DEVELOPMENT VARIANCE PERMIT
VARIANCES: | That variances to the following
sections of Zoning Bylaw No. 8000 be
granted:

<u>Section 13.1.5(e) Development
Regulations</u> minimum rear yard set
back for an accessory building be
varied from 1.5 m required to the 0.6
m set back proposed |
| 15. | DEVELOPMENT PERMIT MAP 13.2
IMPLICATIONS | N/A |

Attachments

Subject Property Map

2 pages of site plan / building elevations