
CITY OF KELOWNA
MEMORANDUM

Date: June 26, 2002

File No.: DVP02-0035

To: City Manager

From: Planning & Development Services Department

APPLICATION NO. DVP02-0035 OWNER: Bellevue Creek Ltd. Partnership

AT: 440 Cascia Drive & 4566 Fuller Road APPLICANT: Same

PURPOSE: To attain a development variance permit to vary the required minimum front yard building setback from 6.0 m to 4.5 m for the 30 lot bareland strata subdivision.

EXISTING ZONE: RU1 – Large Lot Housing

PROPOSED ZONE: RU1 – Large Lot Housing

REPORT PREPARED BY: Josephine Duquette

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Council authorize the issuance of Development Variance Permit No. DVP02-0035; Lot 7, DL 167, 5284 and 5285, ODYD, Plan 70756, except Strata Plan KAS2393 (Phase 1) and Strata Lots 1 to 13, DL 167, ODYD, Strata Plan KAS2393, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V; located on Cascia Drive, Kelowna, B.C.;

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

Section 13.1.5 (c): Development Regulations, Minimum front yard from a garage or carport having vehicular entry from the front from 6.0 m to 4.5 m for each of the 30 strata lots within the bareland strata subdivision.

AND FURTHER THAT the applicant be required to complete the above-noted conditions within 180 days of Council approval of the development permit application in order for the permit to be issued.

2.0 SUMMARY

The applicant is requesting a variance to the RU1 – Large Lot Housing development regulation relating to the front yard building setback for a RU1 30 lot bareland strata subdivision. The minimum required front yard building setback is 6.0 m measured from property line. The applicant is proposing to reduce the minimum front yard setback to 4.5 m measured from property line. However the applicant will maintain a front yard building setback of approximately 7.0 to 8.0 m measured from the back of curb of the private road to the garage building face.

3.0 ADVISORY PLANNING COMMISSION

The subject application was reviewed by the Advisory Planning Commission at the meeting of May 21, 2002 and the following recommendation was passed:

That the Advisory Planning Commission supports Development Variance Permit Application No. 02-0035, 4566 Fuller Road & 440 Cascia Drive, Lot 7, Plan 70756 and Lots 1 to 13, Plan K2393, Sec. 36, Twp. 28, ODYD, Bellevue Creek Limited Partnership (Adrian Block) to vary the required yard setback from a garage or carport from the 6.0 m required to the 4.5 m proposed for the 30 lots within the bareland strata development.

4.0 BACKGROUND

4.1 The Proposal

The applicant is proposing to construct 30 single unit residential dwellings within a bareland strata subdivision at the corner of Fuller Road and Cascia Drive. The individual bareland strata lots will be accessed from a private road within the common property. The applicant is requesting a variance to the front yard building setback when a garage is fronting onto the proposed private road. The applicant is proposing a minimum of 4.5 m measured from the front property line and a range of 7.0 m to 8.0 m measured from the back of curb of the private road to the garage building face.

CRITERIA	PROPOSAL	RU1 ZONE REQUIREMENTS
Site Area (m ²)	551 to 1,150	550
Site width	(14.79)16.5 to 27.28	16.5 or 17.0 for a corner lot
Site depth	(27 & 28.9) to 37.8	30.0
Setbacks (m)		
- Front	4.5 & 4.5 to garage or carport	4.5 & 6.0 to garage or carport
- Rear	7.5 to 10.0	7.5
- West Side	2.0 or 2.3	2.0 or 2.3
- East Side	2.0 or 2.3	2.0 or 2.3

Lot 24 is deficient in lot width, Lot 9 & 10 are deficient in lot depth

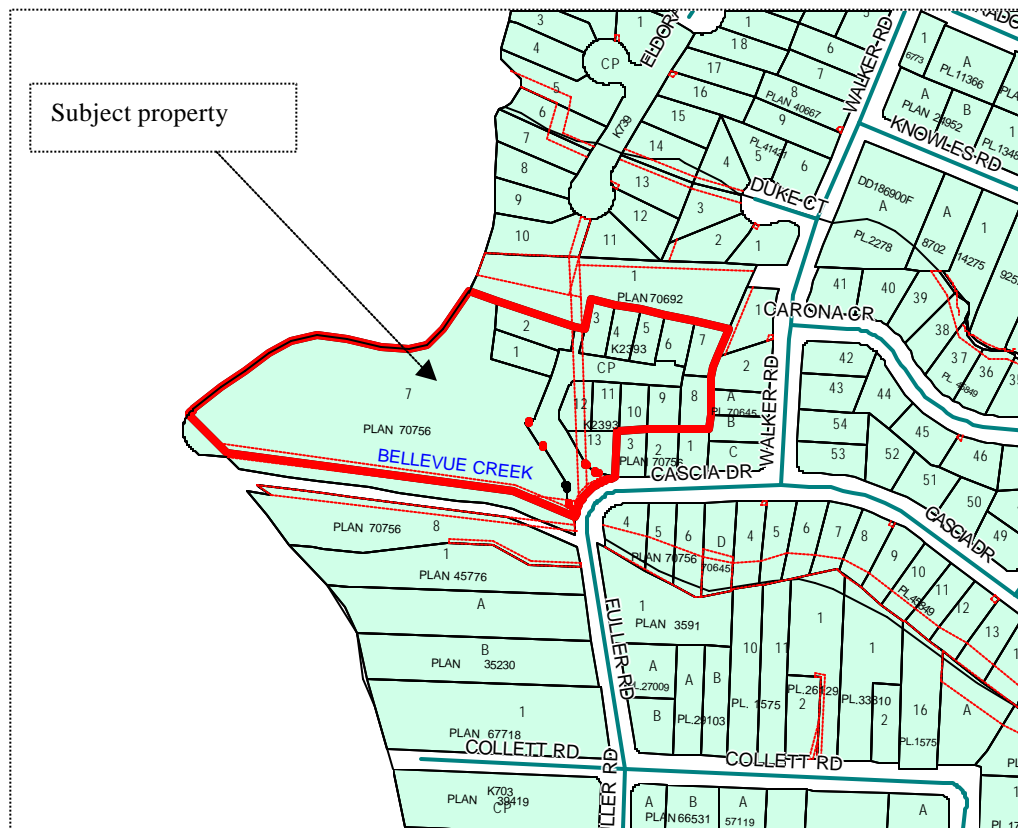
4.2 Site Context

The property is located in the North Mission / Crawford Sector area of the city and the corner of Fuller Road and Cascia Drive. Bellevue Creek and Okanagan Lake bound the property to the south and west, respectively.

The adjacent zone uses are as follows:

- North - RU1 – Large Lot Housing; Single unit residential housing
- East - RU1 – Large Lot Housing; Single unit residential housing
- South - RU1 – Large Lot Housing; Bellevue Creek and Single unit residential housing
- West - Okanagan Lake

The subject property is located on the map below.



4.3 Existing Development Potential

The existing development potential is for Large lot urban residential and related uses.

4.4 Current Development Policy

4.4.1 City of Kelowna Strategic Plan (1992)

The strategic plan encourages the development of a more compact urban form and to preserve important natural features.

4.4.2 Kelowna Official Community Plan

The future land use identified for the subject property is single / two unit residential on map 19.1 of the official community plan. The plan identifies

several housing policies such as; achieving a more efficient use of land, encourage a variety of housing and encourage sensitive integration into the neighbourhood.

4.4.3 North Mission / Crawford Sector Plan

The future land use identified for the subject property is multi-family residential (medium density – 70 units). The plan supports the creation of a linear park along Bellevue Creek and Okanagan Lake.

5.0 TECHNICAL COMMENTS

5.1 Utility and Civic Departments

The technical and utility comments are identified in the Preliminary Layout Review letter issued with the current subdivision application. However, the Works & Utilities Department advised that a reduction in the required front yard will affect the area available for ground discharge from the roof drains.

5.2 Planning & Development Services Department Comments

A conventional RU1 – Large Lot Housing subdivision requires a 6m front yard building setback from the front property line to the garage building face. The applicant has received approval for an RU1 – Large Lot housing bareland strata development form. A typical RU5 – Bareland Strata Housing form allows for a private road rather than a public road in a conventional subdivision and allows a minimum 6 m front yard building setback from the back of curb of the private road, to the garage building face.

The applicant is requesting this variance to make better utilization of the building envelopes together with the provision of more useable rear yard open space.

R.G. Shaughnessy
Subdivision Approving Officer

Approved for inclusion ☐

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

RGS/JD/jd
Attachments

FACT SHEET

1. **APPLICATION NO.:** DVP02-0035
2. **APPLICATION TYPE:** Development Variance Permit
3. **OWNER:** Bellevue Creek Limited Partnership
· **ADDRESS** 3762 Lakeshore Road
· **CITY/POSTAL CODE** Kelowna / V1W 3L4
4. **APPLICANT/CONTACT PERSON:** Adrian Block
· **ADDRESS** 764-5017 / 764-5018
· **CITY/POSTAL CODE**
· **TELEPHONE/FAX NO.:** 764-5017 / 764-5018
5. **APPLICATION PROGRESS:**
 Date of Application: May 2, 2002
 Date Application Complete: May 5, 2002
 Servicing Agreement Forwarded to Applicant:
 Servicing Agreement Concluded:
 Staff Report to Council:
6. **LEGAL DESCRIPTION:** Lot 7, Plan 70756, and Lots 1-13, Plan K2393, Sec. 36, Twp. 28, ODYD
7. **SITE LOCATION:** East of Okanagan Lake and north of Bellevue Creek at the intersection of Fuller Road and Cascia Drive
8. **CIVIC ADDRESS:** Units 1 to 13 - 440 Cascia Drive and 4566 Fuller Road
9. **AREA OF SUBJECT PROPERTY:** 2.52 ha
10. **AREA OF PROPOSED REZONING:** Natural Environment
11. **EXISTING ZONE CATEGORY:** RU1 – Large Lot Housing
12. **PROPOSED ZONE:** To attain a development variance permit to vary the front yard setback from 6.0 m to 4.5 m.
13. **PURPOSE OF THE APPLICATION:** To vary Section 13.1.5 (c) of the Zoning Bylaw 8000 - the minimum front yard is 6.0m from a garage or carport having vehicular entry from the front.
14. **DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS** Not Applicable

Attachments that are missing from the Electronic Version

Subject Property Map
Proposed Building Envelopes