
CITY OF KELOWNA

MEMORANDUM

Date: June 19, 2003
File No.: DVP03-0059

To: City Manager

From: Planning & Corporate Services Department

Subject:

APPLICATION NO. DVP03-0059 **OWNER:** Kirk and Tami Kiewitz

LOCATION: 4557 Gordon Drive **APPLICANT:** Kirk and Tami Kiewitz

PURPOSE: TO VARY THE REAR YARD SETBACK FROM 7.5M REQUIRED TO 3.0M PROPOSED TO ACCOMMODATE AN ADDITION TO A SINGLE FAMILY DWELLING

EXISTING ZONE: RU1 – LARGE LOT HOUSING

REPORT PREPARED BY: RYAN SMITH

1.0 RECOMMENDATION

THAT Council authorise the issuance of Development Variance Permit No. DVP03-0059 for Lot B, District Lot 358, ODYD, Plan 28756, located on Gordon Drive, Kelowna, B.C.;

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

Section 13: RU1-Large Lot Housing: Subsection 13.1.5 (e):

Vary the rear setback from 7.5m required to 3m proposed;

2.0 SUMMARY

The applicant is seeking to vary the rear yard setback from 7.5m required to 3m proposed.

3.0 BACKGROUND

The single-family dwelling that occupies the subject property is legally non-conforming with regards to its rear yard setback. A setback of 3.0m exists.

3.1 The Proposal

The applicant is seeking to vary the rear yard setback from 7.5m required to 3m proposed. The applicant is pursuing the variance in order to accommodate a proposed addition to the rear of the existing single family dwelling. The proposed addition will increase the non-conformity however will not extend further into the existing 3m rear yard. Due to the floor layout of the existing house the applicants feel that it is necessary to locate the addition in the area proposed in schedule "A". The addition will accommodate two new bedrooms.

The application compares to the requirements the City of Kelowna Bylaw No. 8000 for RU1 – Large Lot Housing zones as follows:

CRITERIA	PROPOSAL	RU1 ZONE REQUIREMENTS
Site Area (m ²)	972m ²	550m ²
Lot Width	21m (approx.)	16.5m
Lot Depth	48m	30.0m
Setbacks		
Side Yard (north)	2m	2.5m
Side Yard (south)	4.87m	2.0m
Rear Yard	3m	7.5m
Front Yard	36m (approx.)	4.5m

❶Note: The applicant is seeking to vary the rear yard setback.

Site Context

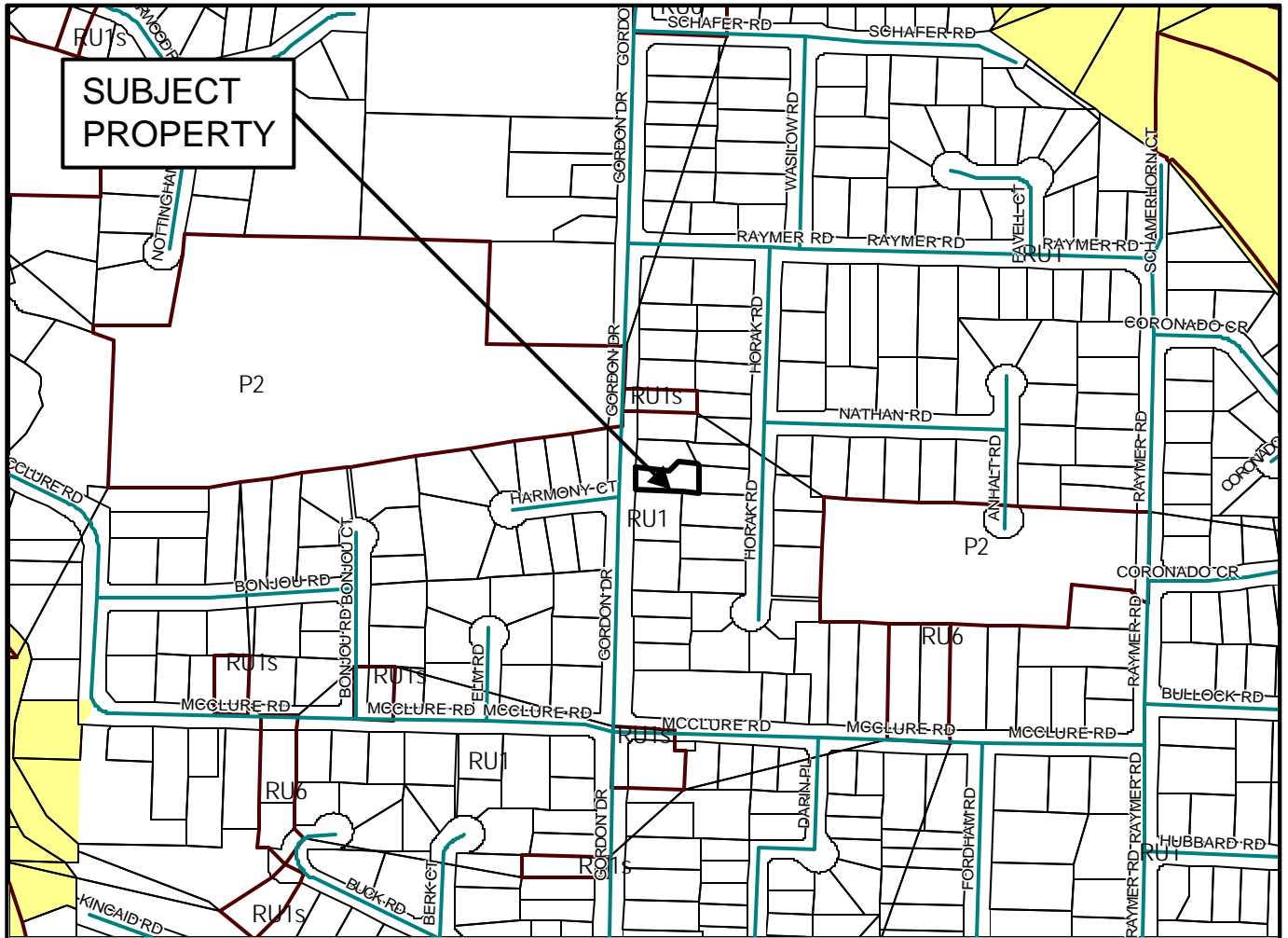
The subject property is located on the east side of Gordon between Raymer Road and McClure Road.

Adjacent zoning and existing land uses are to the:

- North - RU1 – Large Lot Housing – Single Family Dwelling
- East - RU1 – Large Lot Housing – Single Family Dwelling
- South - RU1 – Large Lot Housing – Single Family Dwelling
- West - RU1 – Large Lot Housing – Single Family Dwelling

Site Map

Subject Property: 4557 Gordon Drive



4.0 TECHNICAL COMMENTS

4.1 Inspection Services Department

No concerns with the variance. The roof design shown does not conform to building code. The insulation shall be R28 and additional ventilation is required when using roof joists.

4.2 Works and Utilities Department

The requested side yard setback does not compromise W & U servicing requirements.

5.0 PLANNING AND CORPORATE SERVICES COMMENTS

The Planning and Development Services Department has no concerns with the proposed variance. The variance is relatively minor in nature and does not encroach further into the existing (non-conforming) 3.0m rear yard setback. The applicant has reviewed the proposal with several neighbours who have provided written approval. These neighbours are located at 4553 Gordon Drive, 4542 Horak Road, 4563 Gordon Drive, 694 Harmony Crescent, and 4548 Horak Road.

Andrew Bruce
Development Services Manager

Approved for inclusion ☐

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

RWS
Attach.

FACT SHEET

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| 15. APPLICATION NO.: | DVP03-0059 |
| 15. APPLICATION TYPE: | Development Variance Permit |
| 3. OWNER: | Kirk and Tami Kiewitz |
| . ADDRESS | 4557 Gordon Drive |
| . CITY | Kelowna, BC |
| . POSTAL CODE | V1W 1T3 |
| 4. APPLICANT/CONTACT PERSON: | Kirk and Tami Kiewitz |
| . ADDRESS | 4557 Gordon Drive |
| . CITY | Kelowna, BC |
| . POSTAL CODE | V1W 1T3 |
| . TELEPHONE/FAX NO.: | 862-6184 |
| 5. APPLICATION PROGRESS: | |
| Date of Application: | June 3, 2003 |
| Date Application Complete: | June 3, 2003 |
| Servicing Agreement Forwarded to Applicant: | N/A |
| Servicing Agreement Concluded: | N/A |
| Staff Report to APC: | N/A |
| Staff Report to Council: | |
| 15. LEGAL DESCRIPTION: | Lot B, District Lot 358, ODYD, Plan 28756 |
| 15. SITE LOCATION: | The subject property is located on the east side of Gordon between Raymer Road and McClure Road. |
| 15. CIVIC ADDRESS: | 4557 Gordon Drive |
| 15. AREA OF SUBJECT PROPERTY: | 972m ² |
| 15. EXISTING ZONE CATEGORY: | RU1 – Large Lot Housing |
| 15. TYPE OF DEVELOPMENT PERMIT AREA: | N/A |
| 15. PURPOSE OF THE APPLICATION: | Vary rear yard setback. |
| 15. MIN. OF TRANS./HIGHWAYS FILES NO.: | N/A |
| NOTE: IF LANDS ARE WITHIN 800 m OF A CONTROLLED ACCESS HIGHWAY | |
| 15. DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS | N/A |

ATTACHMENTS

(not attached to the electronic version of the report)

- Subject Property Map
- Site Plan Showing Proposed Variance
- Pictures of the Site