
CITY OF KELOWNA

MEMORANDUM

Date: August 12, 2003
File No.: DVP03-0087

To: City Manager

From: Planning & Corporate Services Department

Subject:

APPLICATION NO. DVP03-0087 **OWNER:** Ronnie and Beverly-Joan Robinson

LOCATION: 831 Royal Pine Drive **APPLICANT:** Ronnie and Beverly-Joan Robinson

PURPOSE: VARY SIDE YARD SETBACK FROM 2.3M PERMITTED TO 0.75M PROPOSED

EXISTING ZONE: RU1 – LARGE LOT HOUSING

REPORT PREPARED BY: RYAN SMITH

SEE ATTACHED FACTS SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Council authorise the issuance of Development Variance Permit No. DVP03-0087, Lot 15, Section 30, Township 26, ODYD, Plan 40293 except Plan KAP71723, located on Royal Pine 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 (d):

Vary southern side yard setback from 2.3m permitted to 0.75m proposed.

2.0 SUMMARY

The applicant is seeking to vary the side yard setback from 2.3m required to 0.75m proposed to accommodate an addition to the deck and an open access stairway.

3.0 BACKGROUND

The applicant began construction of an open access stairway and small deck area to create an exterior means of access to his deck. At the time the construction began the applicant was unaware that a development variance permit/building would be required for construction of this scale. After being informed by City of Kelowna Bylaw Enforcement that at Development Variance Permit and Building Permit were requirements for this particular case the applicant made application for both immediately.

3.1 The Proposal

The applicants are seeking to vary the side yard setback from 2.3m required to 0.75m proposed to accommodate an addition to the deck and an open access stairway. Before the applicant began construction on the stairs, there was no exterior means of egress from the second storey of the single-family dwelling.

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

CRITERIA	PROPOSAL	RU1 ZONE REQUIREMENTS
Site Area (m ²)	1258m ²	550m ²
Lot Width	25m	16.5m
Lot Depth	45m	30.0m
Setbacks		
Front Yard	10.7m	6.5m
Rear Yard	19.6m	7.5m
Northern Side Yard	11.05m	2.3m
Southern Side Yard	0.75m ^❶	2.3m

❶Note: The applicant is seeking to vary the southern side yard setback from 2.3m required to 0.75m permitted.

Site Context

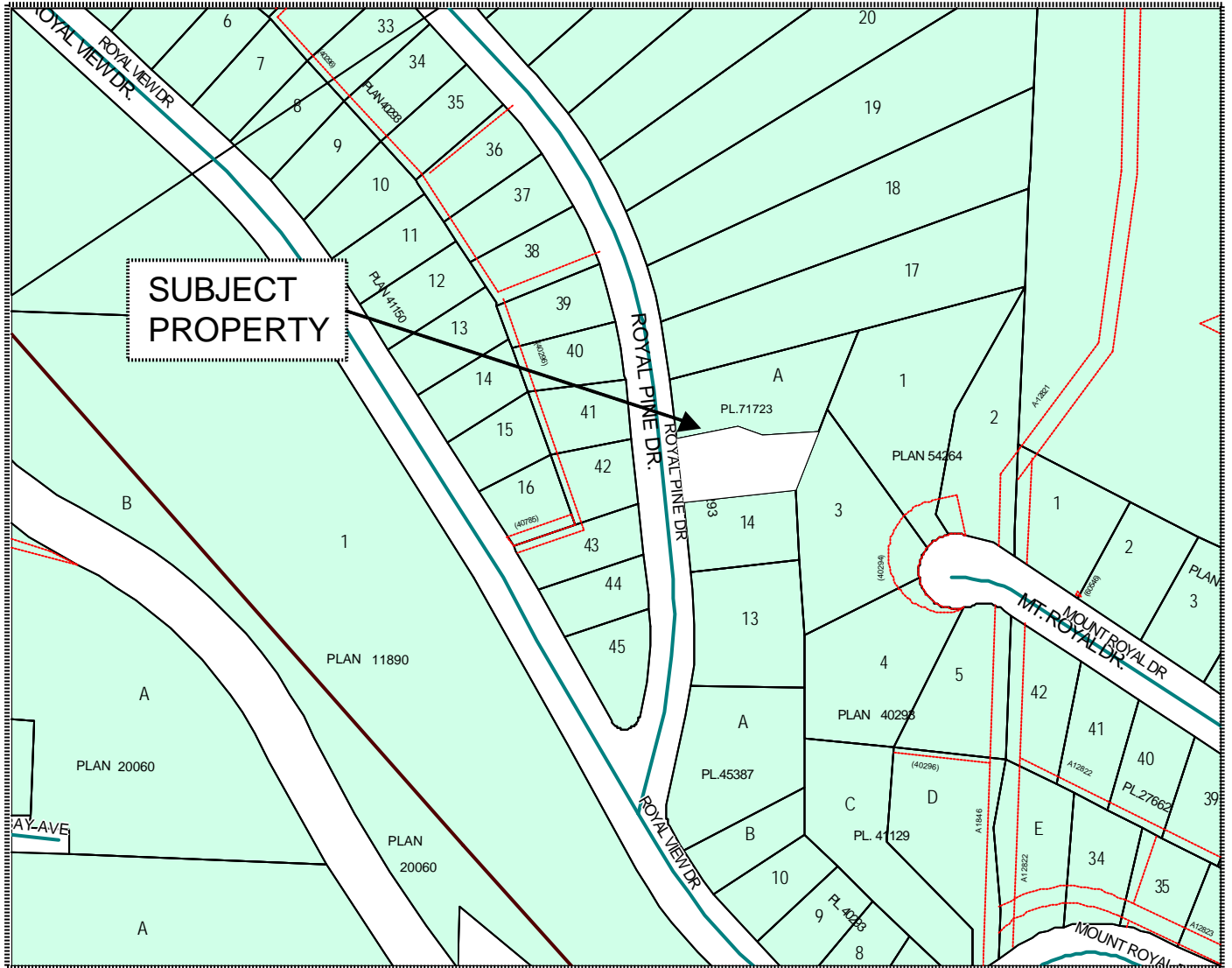
The subject property is located on the east side of Royal Pine Drive, north of its intersection with Royal View Drive.

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: 831 Royal Pine Drive



4.0 TECHNICAL COMMENTS

4.1 Inspection Services Department

No concerns.

4.2 Works and Utilities Department

No concerns.

5.0 PLANNING AND CORPORATE SERVICES COMMENTS

The Planning and Corporate Services Department has no concerns regarding the proposed variance. The property owners at 821 and 841 Royal Pine Drive have indicated support for the proposed variances by way of written submission.

Andrew Bruce
Development Services Manager

Approved for inclusion ☐

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

RM/AB/rs
Attach.

FACT SHEET

- | | |
|---|--|
| 15. APPLICATION NO.: | DVP03-0087 |
| 15. APPLICATION TYPE: | Development Variance Permit |
| 3. OWNER: | Ronnie and Beverly-Joan Robinson |
| . ADDRESS | 831 Royal Pine Drive |
| . CITY | Kelowna, BC |
| . POSTAL CODE | V1Y 9G3 |
| 4. APPLICANT/CONTACT PERSON: | Ronnie and Beverly-Joan Robinson |
| . ADDRESS | 831 Royal Pine Drive |
| . CITY | Kelowna, BC |
| . POSTAL CODE | V1Y 9G3 |
| . TELEPHONE/FAX NO.: | 763-1119 |
| 5. APPLICATION PROGRESS: | |
| Date of Application: | July 23, 2003 |
| Date Application Complete: | July 23, 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 15, Section 30, Township 26, ODYD, Plan 40293 except Plan KAP71723 |
| 15. SITE LOCATION: | The subject property is located on the east side of Royal Pine Drive, north of its intersection with Royal View Drive. |
| 15. CIVIC ADDRESS: | 831 Royal Pine Drive |
| 15. AREA OF SUBJECT PROPERTY: | 1258m ² |
| 15. EXISTING ZONE CATEGORY: | RU1 – Large Lot Housing |
| 15. TYPE OF DEVELOPMENT PERMIT AREA: | N/A |
| 15. PURPOSE OF THE APPLICATION: | Vary Side 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
- Pictures showing location of proposed variance
- Survey Plan of site