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**CITY OF KELOWNA**

**MEMORANDUM**

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**Date:** August 11, 2003  
**File No.:** DVP03-0080

**To:** City Manager

**From:** Planning and Development Services Department

**Subject:**

**APPLICATION NO.** DVP03-0080      **OWNER:** Rancar Services Ltd.

**AT:** 644 Lequime Road      **APPLICANT:** Randy Villeneuve  
Rancar Services Ltd.

**PURPOSE:** VARY SIDE YARD SETBACK FROM 4.5M REQUIRED TO 2M  
EXISTING

**EXISTING ZONE:** RU1 – LARGE LOT HOUSING

**PROPOSED ZONE:** RM3 – LOW DENSITY MULTIPLE HOUSING

**REPORT PREPARED BY:** RYAN SMITH

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1.0 RECOMMENDATION

THAT Council authorize the issuance of Development Variance Permit No. DVP03-0080; Lot A, Plan 24496, Sec. 6, Twp. 26, ODYD , located on Lequime, Kelowna, B.C.;

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

- Section 13: RM3 – Low Density Multiple Housing: Subsection 13.9.5(e):**  
▪ **Vary side yard setback from 4.5m required to 2m existing**

2.0 SUMMARY

The applicant is proposing to rezone the subject property to the RM3- Low Density Multiple Housing zone in order to accommodate a group home, major. The applicant currently operates a group home, minor in an RU1-Large Lot Housing zone. The eastern portion of the existing house does not meet the required side yard setback in the RM3 zone and is therefore the subject of a proposed variance.

### 3.0 BACKGROUND

The applicant has operated a group home, minor in the single-family dwelling located at 644 Lequime for 15 years.

#### 3.1 The Proposal

The applicant is licensed under the Community Care and Health act to provide care for up to 8 persons however the RU1 –Large Lot Housing zone only allows for a group home, minor (up to 6 persons). The applicant is proposing to rezone the subject property to the RM3 – Low Density Multiple Housing zone in order to accommodate up to eight residents.

The applicant is not proposing any new construction on the subject property. The two additional residents will be accommodated in the existing dwelling. The existing dwelling is a two storey house with eight bedrooms.

The applicant has also applied for a variance in order to vary the eastern side yard setback which does not conform to the 4.5m setback that is required in the RM3 zone.

The application meets the requirements of the RM3 – Low Density Multiple Housing zone as follows:

| CRITERIA                   | PROPOSAL           | RM3 ZONE REQUIREMENTS |
|----------------------------|--------------------|-----------------------|
| Lot Area (m <sup>2</sup> ) | 3124m <sup>2</sup> | 900m <sup>2</sup>     |
| Lot Width (m)              | 43m (approx.)      | 30.0m                 |
| Lot Depth (m)              | 71m (approx.)      | 30.0m                 |
| Parking Spaces             | 5                  | 3 (1 per 3 beds)      |
| Storeys (#)                | 2 storeys          | 2.5 storeys           |
| Setbacks (m)               |                    |                       |
| - Front                    | 7.0m               | 6.0m                  |
| - Rear                     | 38m (approx.)      |                       |
| - Side (e)                 | 2m❶                | 4.5m                  |
| - Side (w)                 | 10m                | 4.5m                  |

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

#### 3.2 Site Context

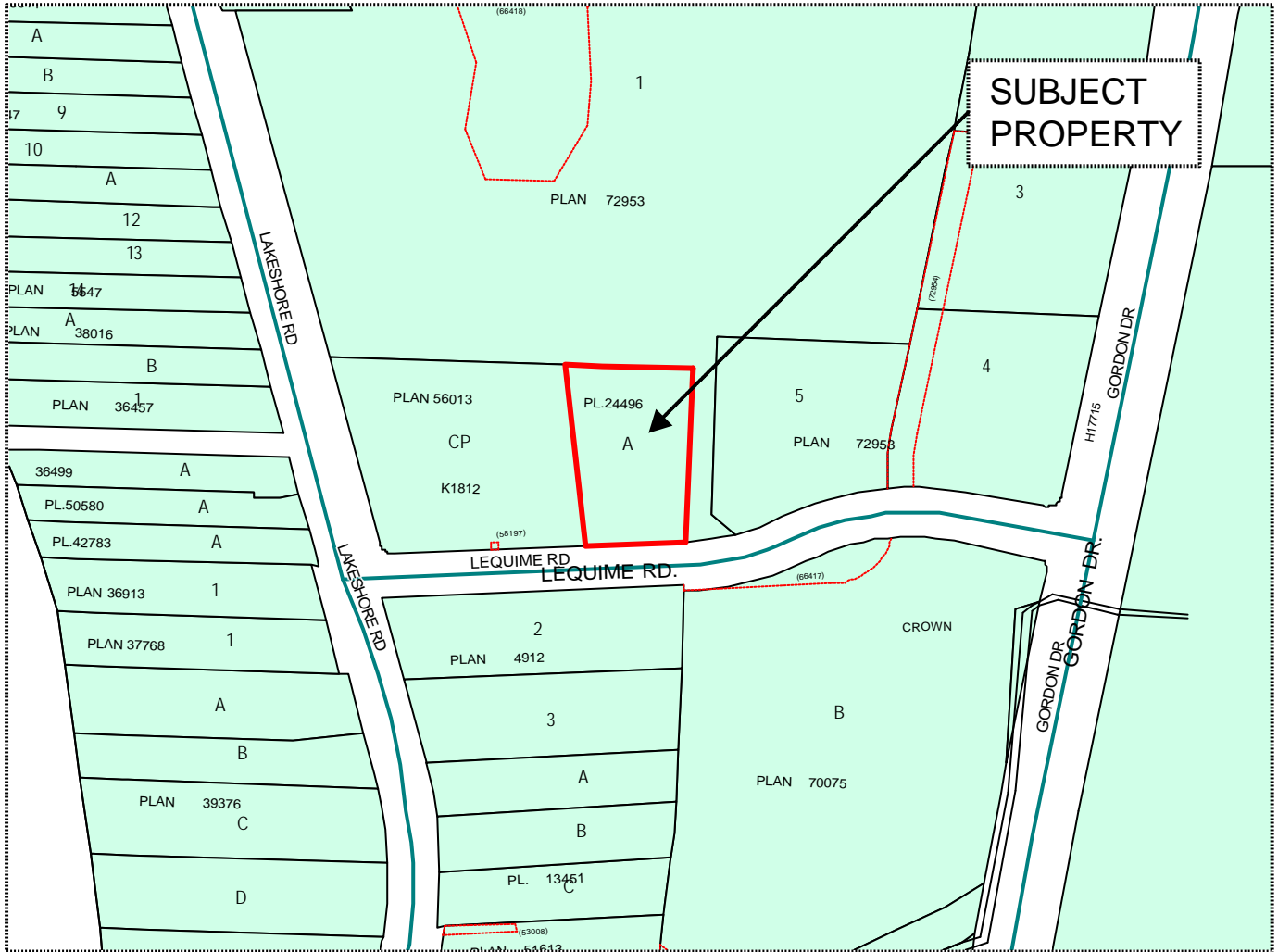
The subject property is located on the north side of Lequime Road between Lakeshore Road and Gordon Drive.

Adjacent zones and uses are:

- North - P2 – Education and Minor Institutional
- East - RM3 – Low Density Multiple Housing
- South - RU1 – Large Lot Housing
- West - RM3 – Low Density Multiple Housing

### 3.3 Site Location Map

Subject Property: 644 Lequime Road



### 3.4 Existing Development Potential

The subject property is currently zoned RU1 – Large Lot Housing. A Group Home, minor is a permitted use in the RU1 zone. A group home, minor allows for up to six residents with physical, mental, social or behavioral problems that require professional care.

3.5 Current Development Policy

3.5.1 Kelowna Official Community Plan

The future land used designation for the subject property identified in the Official Community Plan is Low Density Multiple Family. The proposal is consistent with this designation.

3.5.2 North Mission/Crawford Sector Plan

The North Mission/Crawford Sector Plan encourages the provision of community institutional uses to serve the needs of the community.

3.5.3 Kelowna Strategic Plan (1992)

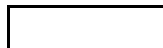
The strategic plan encourages the provision of an adequate supply of housing for people with special needs (Part 4, Section 7, Strategy 7.2).

3.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning and Development Services Department supports the proposed rezoning and associated development variance permit. The proposed rezoning is consistent with the future land use designation identified in the Official Community Plan. The existing use is also consistent with policies from the North Mission/Crawford Sector Plan and the Kelowna Strategic Plan. Staff are of the view that the proposed variance is minor in nature and does not effect the adjacent property owners. The applicant is not proposing any new construction or a change in use on the subject property at this time and therefore a development and servicing agreement are not required. Both will be required at such time as the subject property redevelops.

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Andrew Bruce  
Development Services Manager



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

RM/AB/rs  
Attach.

## FACT SHEET

1. **APPLICATION NO.:** Z03-0038/DVP03-0080
2. **APPLICATION TYPE:** Rezoning/Development Variance Permit
3. **OWNER:** Rancar Services Ltd. (Randy Villeneuve)
  - . **ADDRESS** 644 Lequime Street
  - . **CITY** Kelowna, BC
  - . **POSTAL CODE** V1W 2A4
4. **APPLICANT/CONTACT PERSON:** Rancar Services Ltd. (Randy Villeneuve)
  - . **ADDRESS** 644 Lequime Street
  - . **CITY** Kelowna, BC
  - . **POSTAL CODE** V1W 2A4
  - . **TELEPHONE/FAX NO.:** 764 7897 / 764 7894
5. **APPLICATION PROGRESS:**
  - Date of Application:** July 9, 2003
  - Date Application Complete:** July 9, 2003
  - Servicing Agreement Forwarded to Applicant:** N/A
  - Servicing Agreement Concluded:** N/A
  - Staff Report to APC:** July 29, 2003
  - Staff Report to Council:**
6. **LEGAL DESCRIPTION:** Lot A, Plan 24496, Sec. 6, Twp. 26, ODYD
7. **SITE LOCATION:** Located on the north side of Lequime Road betw Lakeshore Road and Gordon Drive
8. **CIVIC ADDRESS:** 644 Lequime Street
9. **AREA OF SUBJECT PROPERTY:** 3124 m<sup>2</sup>
10. **AREA OF PROPOSED REZONING:** 900 m<sup>2</sup>
11. **EXISTING ZONE CATEGORY:** RU1 – Large Lot Housing
12. **PROPOSED ZONE:** RM3 – Low Density Multiple Housing
13. **PURPOSE OF THE APPLICATION:** To rezone the subject property from the RU1 - Large Lot Housing zone to the RM3 – Low Density Multiple Housing Zone in Order to accommodate a group home, major
14. **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)**

- Location of subject property
- Site plan
- Floor plans
- Elevations