
CITY OF KELOWNA

MEMORANDUM

Date: September 10, 2003
File No.: DVP03-0089

To: City Manager

From: Planning & Corporate Services Department

Subject:

APPLICATION NO. DVP03-0089 **OWNER:** Laura Laharty and Stacy Rintou

LOCATION: 886 Fuller Avenue **APPLICANT:** Laura Laharty and Stacy Rintou

PURPOSE: VARY THE LOT WIDTH REQUIREMENT FOR DUPLEX HOUSING IN THE RU6 ZONE FROM 20.0M REQUIRED (CORNER LOT) TO 19.26M EXISTING TO ALLOW THE CONSTRUCTION OF A SECOND SINGLE FAMILY DWELLING

EXISTING ZONE: RU6 – TWO DWELLING HOUSING

REPORT PREPARED BY: RYAN SMITH

SEE ATTACHED FACTS SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Council authorize the issuance of Development Variance Permit No. DVP03-0089; Lot 11, District Lot 138, ODYD Plan 947, located on Fuller Avenue, Kelowna, B.C.;

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

Section 13.6: RU6-Two Dwelling Housing: Subsection 13.6.4(b):

Vary the minimum permitted lot width for duplex housing from 20.0m to 19.26m proposed.

Section 13.6: RU6-Two Dwelling Housing: Subsection 13.6.6(f):

Vary rear lane site access requirement.

2.0 SUMMARY

The applicant is seeking to vary the minimum permitted lot width for duplex housing from 20.0m to 19.26m proposed in order construct a second single family dwelling on the subject property as a principal dwelling. The applicant is also seeking to vary the requirement that a lane be used to access a development when one exists.

3.0 BACKGROUND

At the present time there is one single-family dwelling located on the subject property. The existing house measures 106.6m² in size and is 1.5 storeys in height.

3.1 The Proposal

The applicant is proposing to vary the minimum required lot width to allow for the construction of a second single family dwelling on the subject property which is zoned RU6-Two Dwelling Housing. The applicant is also seeking to vary the rear lane access requirement for lots with access to a rear lane.

The RU6-Two Dwelling Housing zone calls for a lot width of 20.0m (corner lots) for duplex housing. The applicants are proposing to vary the minimum lot width requirements to 19.26m. The new single family dwelling proposed by the applicants would measure 108m² and be 1.5 storeys in height. The required parking would be accommodated with a single car garage and one space stacked behind in the driveway. The proposed garage will be located on the opposite side of the proposed house than shown in the plans provided to accommodate a joint access on Fuller Avenue (for both houses) as requested by the City's Works and Utilities Department.

The application compares to the requirements the City of Kelowna Zoning Bylaw No. 8000 for the RU6 – Two Dwelling Housing zone as follows:

CRITERIA	PROPOSAL	RU6 ZONE REQUIREMENTS
Site Area (m ²)	930m ²	800m ²
Lot Width	19.26❶	20.0m
Lot Depth	48.31	30.0m
Setbacks		
Front Yard	3m	N/A
Rear Yard	7.53m	7.5m
Northern Side Yard	2.3m	2.0m
Southern Side Yard (flanking)	6.03	6.0m
Parking	4	4 (2 per dwelling)

❶Note: Applicant is seeking to vary the minimum required lot width for duplex housing in this development variance permit.

Site Context

The subject property is located on the north-west corner of Fuller Avenue and Ethel Street.

Adjacent zoning and existing land uses are to the:

North - RU6 – Two Dwelling Housing – Single Family Dwelling
 East - RU6 – Two Dwelling Housing – Single Family Dwelling
 South - RU6 – Two Dwelling Housing – Single Family Dwelling
 West - RU6 – Two Dwelling Housing – Single Family Dwelling

Site Map

Subject Property: 881 Fuller Avenue



4.0 TECHNICAL COMMENTS

4.1 Inspection Services Department

- The new home shall be at least 1.2 m from an imaginary line between the homes. The location of the line will be determined by the existing elevation.

4.2 Works and Utilities Department

Road Dedication Requirements

By registered plan to provide the following:

- (a) Provide a corner rounding dedication of 6.0m radius at the intersection.

Development Permit and Site Related Issues

- (a) Mirror the new building plan and construct a common driveway access to Fuller Avenue. Additional off-street parking can also be provided from the lane.
- (b) The proposed driveway access to Ethel Street will need to be eliminated
- (c) Site access and egress changes must be submitted for approval by the City Works & Utilities Department. This is required to guarantee that the requirements and the limitations of access and egress required by the City have been addressed to the City's satisfaction.
- (d) The variance permit application to reduce the lot width from 20.0m to 19.26m does not compromise Works and Utilities servicing requirements.
- (e) This property is currently serviced by the municipal water main. The existing 19mm-diameter copper water service may not be adequate for the proposed additional building. The water service issues will be reviewed when a building permit application is submitted.
- (f) The existing 100mm-diameter sanitary sewer service will be adequate for the proposed additional building and can be retained.

5.0 PLANNING AND CORPORATE SERVICES COMMENTS

The Planning and Corporate Services Department is generally supportive of the proposed variances however had several initial concerns with this proposal.

The applicants had originally proposed two driveway access, one on Fuller Avenue to the proposed second dwelling and one on Ellis to service the existing single-family dwelling. This proposal conflicted with Zoning Bylaw No.8000, which requires that where a development has access to a rear lane, all access to the development must be via the lane.

The Works and Utilities Department has recommended that the applicants consolidate their proposed driveway accesses and create a single access on Fuller Avenue. Though Planning staff would prefer that the applicant adhere to the applicable bylaws it will support the recommendation of the Works and Utilities Department.

The applicants' neighbours located at 1346 Ethel Street and 860 Fuller Avenue have indicated their support for this proposed 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.:	DVP03-0089
15.	APPLICATION TYPE:	Development Variance Permit
3.	OWNER:	Laura Laharty and Stacy Rintou
	. ADDRESS	886 Fuller Avenue
	. CITY	Kelowna, BC
	. POSTAL CODE	V1Y 6X3
4.	APPLICANT/CONTACT PERSON:	Laura Laharty and Stacy Rintou
	. ADDRESS	886 Fuller Avenue
	. CITY	Kelowna, BC
	. POSTAL CODE	V1Y 6X3
	. TELEPHONE/FAX NO.:	861-4901
5.	APPLICATION PROGRESS:	
	Date of Application:	July 30, 2003
	Date Application Complete:	July 30, 2003
	Servicing Agreement Forwarded to Applicant:	N/A
	Servicing Agreement Concluded:	N/A
	Staff Report to APC:	N/A
	Staff Report to Council:	October 14, 2003
15.	LEGAL DESCRIPTION:	Lot 11, District Lot 138, ODYD Plan 947
15.	SITE LOCATION:	The subject property is located on the north-west corner of Fuller Avenue and Ethel Street.
15.	CIVIC ADDRESS:	886 Fuller Avenue
15.	AREA OF SUBJECT PROPERTY:	930m ²
15.	EXISTING ZONE CATEGORY:	RU6 – Two Dwelling Housing
15.	TYPE OF DEVELOPMENT PERMIT AREA:	N/A
15.	PURPOSE OF THE APPLICATION:	Vary Lot Width and Lane access
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 of existing site
- Survey Plan of site
- Proposed Building Elevations
- Proposed Site Plan