
CITY OF KELOWNA

MEMORANDUM

Date: January 26, 2004

File No.: DVP03-0125

To: City Manager

From: Planning & Corporate Services Department

Subject:

APPLICATION NO. DVP03-0125 **OWNER:** Robert Gaspari

LOCATION: 447 Cascia Drive **APPLICANT:** Robert Gaspari

PURPOSE: TO VARY THE FRONT YARD SETBACK SETBACK FROM 6.0M
REQUIRED (TO A GARAGE OR CARPORT) TO 4.5M

EXISTING ZONE: RU1 – LARGE LOT HOUSING

REPORT PREPARED BY: RYAN SMITH

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Council not authorise the issuance of Development Variance Permit No. DVP03-0125; Lot 6, District Lot 167, ODYD Plan KAP70756, located on Cascia Drive, Kelowna, B.C.;

2.0 SUMMARY

The applicant is seeking to vary the front yard setback from 6.0m required (to a garage or carport) to 4.5m proposed to accommodate the construction of a new single family dwelling on the subject property.

3.0 ADVISORY PLANNING COMMISSION

At the regular meeting of January 19, 2004 it was resolved:

THAT the Advisory Planning Commission not support application DVP03-0125 the applicant is seeking to vary the front yard setback from 6.0 m required to 4.5 m proposed for the construction of a new single family dwelling.

4.0 BACKGROUND

4.1 The Proposal

The applicant is seeking to vary the front yard setback to accommodate the construction of a new single family dwelling. Due to a right of way that bisects the subject property; the applicant is limited as to the depth the house may extend towards the rear of the lot. The applicant is

seeking to vary to the front yard setback (for garages/carports) from 6.0m required to 4.5m proposed.

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)	1066m ²	550m ²
Lot Width	18.53m	16.5m
Lot Depth	53.39	30.0m
Lot Coverage	30% (Buildings/Driveways)	50% (Buildings/Driveways)
Setbacks		
Front Yard	4.5m ^❶	6.0m
Side Yard West	2.0m	2.0m
Side Yard East	2.0m	2.0m
Rear Yard (Bellevue Creek)	15.4m	15.0m

❶Note: Applicants are seeking to vary the front yard setback from 6.0m required to 4.5m proposed.

Site Context

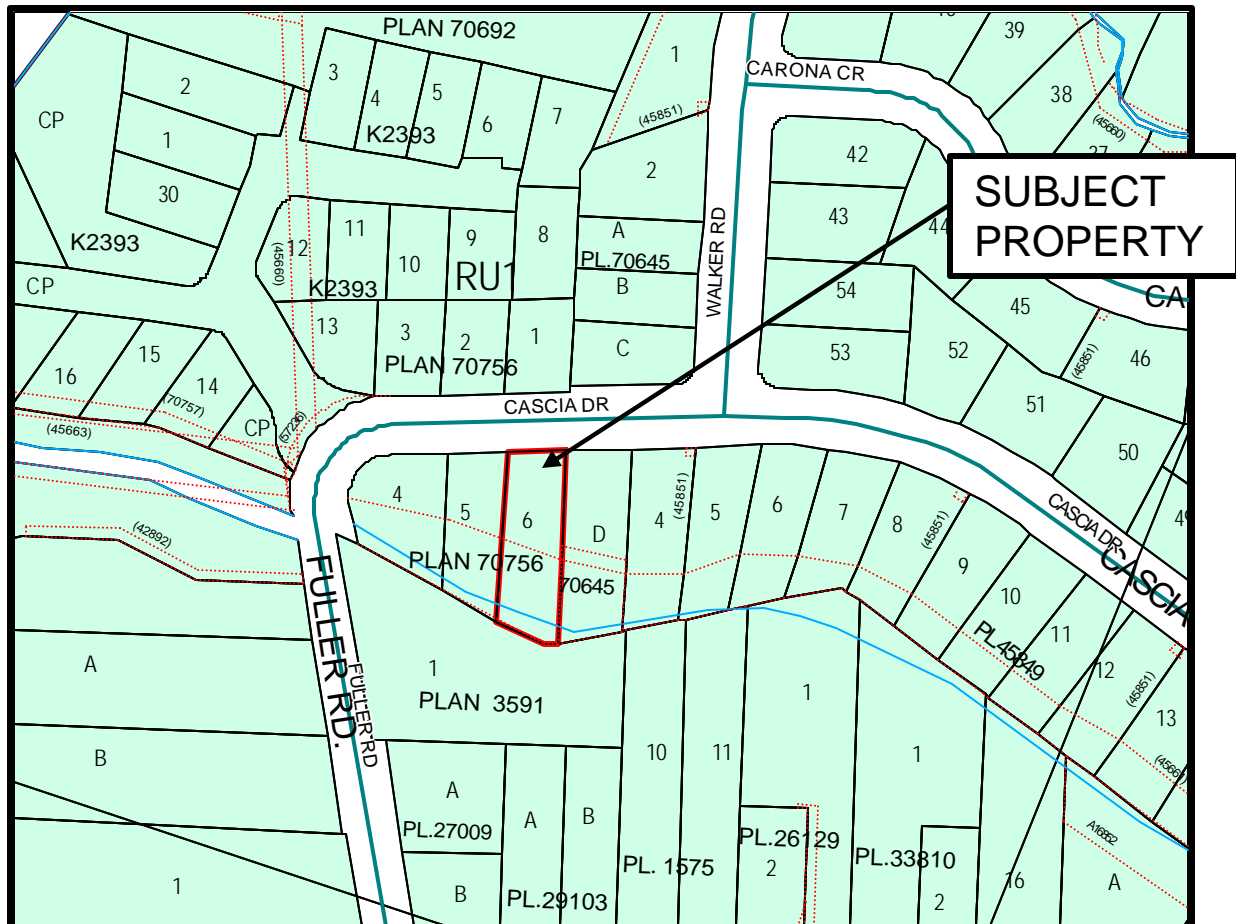
The subject property is located on the south side of Cascia Drive, east of its intersection with Fuller Road.

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: 447 Cascia Drive



5.0 TECHNICAL COMMENTS

5.1 Works and Utilities Department

a) The requested front yard setback variance does not compromise W & U servicing requirements.

b) A ground recharge will be needed for site and pool drainage disposal. A design is required for the disposal method (i.e. trench drain/drywell). The building plans must show the design and location of this system.

5.2 Inspection Services Department

Must provide 6 m from garage to back of curb (9m exists).

6.0 PLANNING AND CORPORATE SERVICES COMMENTS

The Planning and Corporate Services Department has concerns with the proposed variance. Staff is of the opinion that there is an adequate building envelope outside of the Riparian Management Area and required front yard setback. This area measures approximately 446m². The applicant is seeking to construct a large house on the property which would not be out of character with other houses in the area. Staff have determined that, should the variance ultimately be supported, there is adequate stacking distance between the proposed garage and the curb-line.

7.0 ALTERNATE RECOMMENDATION

THAT Council authorise the issuance of Development Variance Permit No. DVP03-0125; Lot 6, District Lot 167, ODYD Plan KAP70756, located on Cascia Drive, Kelowna, B.C.;

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

Section 13.1: RU1 – Large Lot Housing: Subsection: 13.1.5(c):

Vary front yard setback from 6.0m required to 4.5m proposed.

Andrew Bruce
Development Services Manager

Approved for inclusion

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

RM/AB/rs

FACT SHEET

- | | |
|-----------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|
| 15. APPLICATION NO.: | DVP03-0125 |
| 15. APPLICATION TYPE: | Development Variance Permit |
| 3. OWNER: | Robert Gaspari |
| . ADDRESS | 744 Patterson Avenue |
| . CITY | Kelowna, BC |
| . POSTAL CODE | V1Y 5C8 |
| 4. APPLICANT/CONTACT PERSON: | Robert Gaspari |
| . ADDRESS | 744 Patterson Avenue |
| . CITY | Kelowna, BC |
| . POSTAL CODE | V1Y 5C8 |
| . TELEPHONE/FAX NO.: | 712-1074 |
| 5. APPLICATION PROGRESS: | |
| Date of Application: | October 08, 2003 |
| Date Application Complete: | October 08, 2003 |
| Servicing Agreement Forwarded to Applicant: | N/A |
| Servicing Agreement Concluded: | N/A |
| Staff Report to APC: | January 20, 2003 |
| Staff Report to Council: | |
| 15. LEGAL DESCRIPTION: | Lot 6, District Lot 167, ODYD Plan KAP70756 |
| 15. SITE LOCATION: | The subject property is located on the south side of Cascia Drive, east of its intersection with Fuller Road. |
| 15. CIVIC ADDRESS: | 447 Cascia Drive |
| 15. AREA OF SUBJECT PROPERTY: | 1066m ² |
| 15. EXISTING ZONE CATEGORY: | RU1 – Large Lot Housing |
| 15. TYPE OF DEVELOPMENT PERMIT AREA: | Env.DP.Area |
| 15. PURPOSE OF THE APPLICATION: | TO VARY THE FRONT YARD SETBACK SETBACK FROM 6.0M REQUIRED (TO A GARAGE OR CARPORT) TO 4.5M |
| 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
- Floor plans
- Elevations