
CITY OF KELOWNA

MEMORANDUM

Date: March 18, 2004
File No.: DVP04-0007
To: City Manager
From: Planning & Corporate Services Department
Subject:
APPLICATION NO. DVP04-0007 **OWNER:** Charles Delorme
AT: 752 Raymer Ave. **APPLICANT:** Charles Delorme

PURPOSE: VARY MAXIMUM AREA FROM 90 M² TO 114.1 M² FOR AN ACCESSORY BUILDING IN A RESIDENTIAL URBAN ZONE
EXISTING ZONE: RU6 – TWO DWELLING HOUSING
REPORT PREPARED BY: NELSON WIGHT

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 **RECOMMENDATION**

THAT Council authorize the issuance of Development Variance Permit No. DVP04-0007 for Lot F, District Lot 135, ODYD Plan 12249, located at 752 Raymer Ave., Kelowna, B.C.;

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

Section 6.5 – Accessory Development, Subsection 6.5.7,

Vary the maximum area from 90 m² to 114.1 m² for an accessory building in a Residential Urban zone.

2.0 **SUMMARY**

The Applicant is developing a secondary suite in an accessory building on this site. The desired accessory building size exceeds that permitted by under Section 6.5 of the Zoning Bylaw No. 8000. This application, therefore, seeks to vary the maximum area for the accessory building from 90 m² to 114.1 m².

Construction has already begun on this accessory building under a previously issued Building Permit (BP) #25370. Unfortunately, there was some confusion over the Bylaw requirements with regard to this BP, resulting in this development variance permit (DVP) application being required, in order that the Applicant may pursue the original building design.

3.0 **BACKGROUND**

3.1 **The Proposal**

The maximum allowable area for accessory buildings in this zone is 90 m². The desired size for the proposed accessory building on this property is 114.1 m², thereby exceeding the 90 m² maximum area allowed.

This application compares to the requirements of the City of Kelowna Bylaw No. 8000 for RU6 – TWO DWELLING HOUSING as follows:

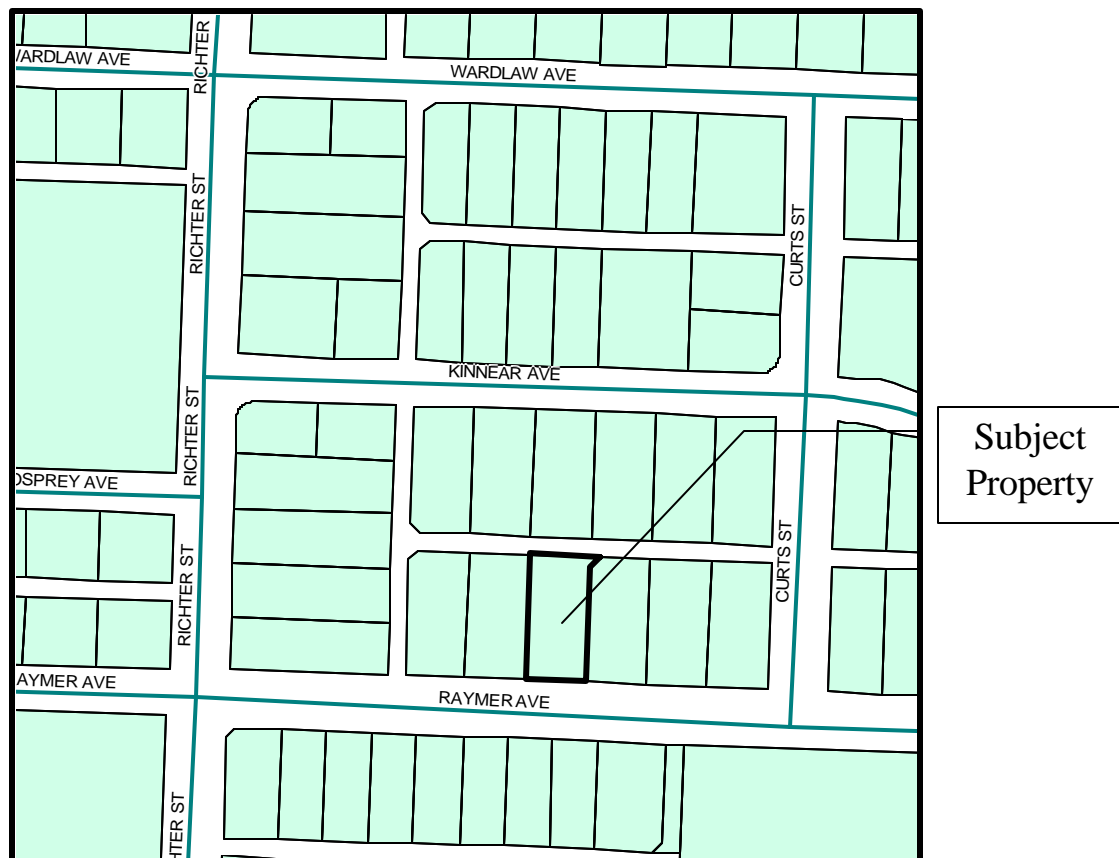
CRITERIA	PROPOSAL	RU6 ZONE REQUIREMENTS
Site Area (m ²)	850 m ²	400 m ²
Lot Width	20.0 m	13.0 m

CRITERIA (continued)	PROPOSAL	RU6 ZONE REQUIREMENTS
Lot Depth	42.0 m	30.0 m
Existing dwelling	120.1 m ²	
Proposed accessory bldg.	114.1 m ² ❶	90.0 m ²
Site coverage – proposed accessory building	13%	14%
Site coverage – existing dwelling and proposed accessory building	28%	40%
Site coverage – all buildings plus parking & driveways	38%	50%
Setbacks		
Front Yard	8.5 m	4.5 m
Side yard (west)	4.6 m	2.0 m
Side yard – acc. bldg. (west)	7.0 m	1.0 m
Rear yard	1.93 m	1.5 m
Side yard (east)	4.3 m	2.0 m
Side yard – acc. bldg (east)	5.5 m	1.0 m
Other Requirements		
Separation distance between accessory building and existing dwelling	6.4 m	5.0 m

❶ Note: Applicant is seeking to vary the maximum allowable area for accessory buildings.

3.2 Site Context

Subject Property: 752 Raymer Avenue



The subject property is located on Raymer Avenue, east and north of Raymer Elementary, as well as being north and west of the wastewater treatment facility and the Okanagan University-College (OUC) KLO campus. Surrounding lands are developed almost exclusively for residential purposes, with RU6 – Two Dwelling Housing being the predominant zone for the immediate area.

Adjacent zoning and existing land uses are as follows:

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

4.0 TECHNICAL COMMENTS

4.1 Fire Department

No concerns.

4.2 Inspection Services

No concerns.

4.3 Policy Research and Strategic Planning

The Applicant should incorporate landscaping/screening that would provide private outdoor living space for the tenants of the secondary suite and a well-lit pathway between Raymer Avenue and the suite entrance.

4.4 Parks Manager

No concerns.

4.5 Works and Utilities Department

- a) The requested additional building site coverage variance does not compromise Works and Utilities servicing requirements.
- b) The subject lot is serviced with a 13-mm diameter water service. The Inspection Services Department must determine if the existing service is of sufficient size to provide adequate water for the proposed dwelling units. If a larger service is required, it can be provided by the city at the owner's cost. The existing meter pit shall be removed and the meter relocated within the building.
- c) This property is currently serviced by the municipal sanitary sewer system. The existing 100mm-diameter service will be adequate for the proposed development. An inspection chamber (IC) must be installed on the service at the owner's cost as required by the sewer-use bylaw.
- d) Direct the carriage house roof drain splash pads away from the rear lane or into an on-site rock pit. This will help dissipate the roof drain water and prevent additional concentrated flow onto the lane.

5.0 PLANNING AND CORPORATE SERVICES COMMENTS

The proposed site design is adequate, although not ideal. The orientation of the accessory building would have made more efficient use of the lot, were it to face the lane, as opposed to facing west. Staff also advises the Applicant to incorporate landscaping buffering features to

define private outdoor living space for the tenants of the secondary suite, in addition to a well-lit pathway between Raymer Avenue and the suite entrance.

It should also be noted that the lot is sufficient in size and dimension to allow duplex housing. However, as the Applicant has chosen to pursue a secondary unit in an accessory building, the requested variance is necessary to permit the proposed siting of the accessory structure.

Under normal circumstances, a variance of this nature would not be supported, due to non-compliance with Zoning Bylaw No. 8000. In this instance, Staff considers that the proposed accessory building should be permitted, despite the floor area exceeding 90 m², largely because the Applicant received conflicting direction through the BP application process. Secondly, the additional 24 m² of accessory building floor area would not appear to pose significant impacts on the subject property, nor on adjacent lands. The Applicant has supplied letters from the adjacent landowners, indicating their support of the application (see attached letters). Consequently, Staff is supportive of this application.

Andrew Bruce
Development Services Manager

Approved for inclusion

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

RM/AB/nw

FACT SHEET

APPLICATION NO.:	DVP04-0007
APPLICATION TYPE:	Development Variance Permit
OWNER:	Charles Delorme
. ADDRESS	752 Raymer Ave.
. CITY	Kelowna, BC
. POSTAL CODE	V1Y 4Z8
. TELEPHONE/FAX NO.:	(250) 317-7760
APPLICANT:	Charles Delorme
. ADDRESS	752 Raymer Ave.
. CITY	Kelowna, BC
. POSTAL CODE	V1Y 4Z8
. TELEPHONE/FAX NO.:	(250) 317-7760
Servicing Agreement Forwarded to Applicant:	N/A
Servicing Agreement Concluded:	N/A
Staff Report to APC:	N/A
Staff Report to Council:	March 2, 2004
LEGAL DESCRIPTION:	Lot F, District Lot 135, ODYD Plan 12249
SITE LOCATION:	The subject property is located on Raymer Road, north and west of the wastewater treatment facility and the Okanagan University-College (OUC) downtown campus
CIVIC ADDRESS:	752 Raymer Road
AREA OF SUBJECT PROPERTY:	850 m ²
EXISTING ZONE CATEGORY:	RU6 – TWO DWELLING HOUSING
TYPE OF DEVELOPMENT PERMIT AREA:	N/A
PURPOSE OF THE APPLICATION:	VARY MAXIMUM AREA OF ACCESSORY BUILDINGS FROM 90 M ² REQUIRED TO 114.1 M ² PROPOSED
MIN. OF TRANS./HIGHWAYS FILES NO.:	N/A
NOTE: IF LANDS ARE WITHIN 800 m OF A CONTROLLED ACCESS HIGHWAY	
DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS	N/A

ATTACHMENTS

(not attached to the electronic version of the report)

- Subject Property Map
- Site Plan
- Floor Plan
- Elevations