
CITY OF KELOWNA
MEMORANDUM

Date: January 31, 2005
File No.: **DVP05-0013**

To: City Manager

From: Planning and Corporate Services Department

Subject:

APPLICATION NO. **DVP05-0013** **OWNER:** Gary Gaspari

AT: 441 Knowles Road **APPLICANT:** Gary Gaspari

PURPOSE: TO VARY THE REAR YARD SETBACK FROM 7.5M REQUIRED
TO 2.3M PROPOSED

EXISTING ZONE: RU1 – Large Lot Housing

REPORT PREPARED BY: RYAN SMITH

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Council authorize the issuance of Development Variance Permit No. DVP05-0013; for Lot 1, ODYD Plan 77280 located on Knowles Road, Kelowna, B.C.;

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

Section 13.1.6(e): Development Regulations:

Vary the rear yard setback from 7.5m required to 2.3m proposed.

2.0 SUMMARY

The applicant is seeking to vary the rear yard setback from 7.5m required to 2.3m proposed.

3.0 BACKGROUND

The subject property was formerly part of a larger parcel of land that was recently subdivided, creating two lots.

3.1 The Proposal

The applicant recently purchased the subject property and is seeking to construct a new single family dwelling oriented towards Knowles Road. The proposed orientation of the new house would not accommodate the required rear yard setback of 7.5m as required by the zoning bylaw which defines Walker Road as the front yard. When the applicants purchased the property they which is address off of Knowles Road, they did not realize that from a bylaw perspective, the Walker Road frontage is considered the front yard and are therefore seeking to vary the rear yard setback.

The application meets the requirements of the proposed RU1s – Large Lot Housing with Secondary Suite zone as follows:

CRITERIA	PROPOSAL	RU1s ZONE REQUIREMENTS
Lot Area (m ²)	913m ²	550m ²
Lot Width (m)	27.52m	17.0m
Lot Depth (m)	33.22m	30.0m
Setbacks-House (m)		
-Front	5.05m	4.5m
-Rear	2.3m❶	7.5m
-North Side	6.0m	4.5m to House or 6.0m to Garage or Carport
-South Side	10.13m	2.3m

❶Note: The applicant is seeking to vary the rear yard setback from 7.5m required to 2.3m proposed.

3.2 Site Context

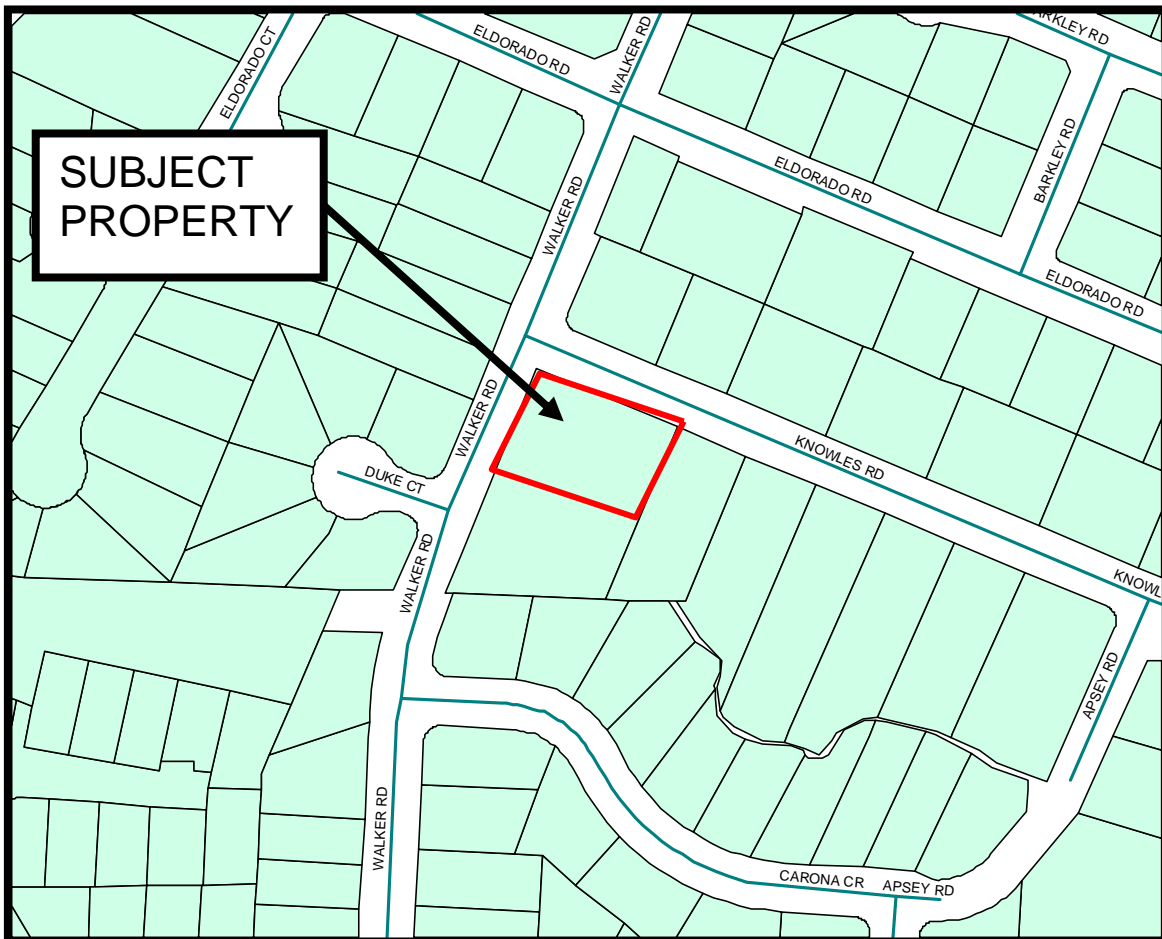
The subject property is located on the south east corner of the intersection of Knowles Road and Walker Road.

Adjacent zones and uses are:

- North - RU1 – Large Lot Housing – Single Family Dwelling
- East - RU1 – Large Lot Housing – Single Family Dwelling
- South - RU1 – Large Lot Housing – Vacant
- West - RU1 – Large Lot Housing – Single Family Dwelling

Site Location Map

Subject Property: 441 Knowles Road



4.0 TECHNICAL COMMENTS

4.1 **Works and Utilities**

No concerns. A review was performed at the time of subdivision and the Works and Utilities Department has no additional concerns at this time.

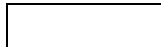
4.2 **Inspection Services**

Must comply with BC Building Code.

5.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

The Planning and Corporate Services Department has no concerns with the proposed development variance permit. Staff feel that the size of the southern side yard setback (10.13m) will serve to mitigate the lack of a larger rear yard in what the Bylaw considers the “rear yard” of the subject property.

Andrew Bruce
Manager of Development Services



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

RM/AB/rs
Attach.

ATTACHMENTS

(not attached to the electronic version of the report)

- Subject property map
- Site plan and floor plans
- Pictures