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**CITY OF KELOWNA**  
**MEMORANDUM**

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**Date:** February 22, 2005  
**File No.:** DVP05-0007

**To:** City Manager

**From:** Planning and Corporate Services Department

**Subject:**

**APPLICATION NO.** DVP05-0007      **OWNER:** Katherine Block & Katherine Van Kampen  
**AT:** 443 Cascia Drive, Kelowna, BC      **APPLICANT:** Rykon Construction Management

**PURPOSE:** TO OBTAIN A DEVELOPMENT VARIANCE PERMIT TO ALLOW MECHANICAL EQUIPMENT TO BE LOCATED WITH A SETBACK OF 1.37 METRES WHERE 2.00 METRES IS REQUIRED.

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

**REPORT PREPARED BY:** KEIKO NITTEL

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**1.0    RECOMMENDATION**

THAT Council authorize the issuance of Development Variance Permit No. DVP05-0007 for Lot 4, DL 167, ODYD, Plan KAP70756 located on Cascia Drive, Kelowna, B.C.:

1. The dimensions and siting of the mechanical equipment to be constructed on the land be in general accordance with Schedule "A";

AND THAT a variance to the following section of Zoning Bylaw No. 8000 be granted:

Section 6.5.8 (c) Accessory Development

To allow mechanical equipment to have a side yard setback of 1.37 m where 2.00 m is required.

**2.0    SUMMARY**

The applicant is seeking a variance to mechanical equipment (an air conditioning unit) to be located with a side yard setback of 1.37 m. The Zoning Bylaw stipulates that that mechanical equipment shall be located to comply with the side yard setback for the principal building. A side yard setback of 2.00m is therefore required.

### 3.0 BACKGROUND

#### 3.1 The Proposal

The application compares to the requirements the City of Kelowna Bylaw No. 8000 for RU1 zones as follows:

CRITERIA	PROPOSAL	REQUIREMENTS
Site Area	978m <sup>2</sup>	550m <sup>2</sup>
Site Coverage	28%/ 32%	40%/ 50%
Mechanical Equipment Setback	1.37m	2.00m

#### 3.2 Site Context

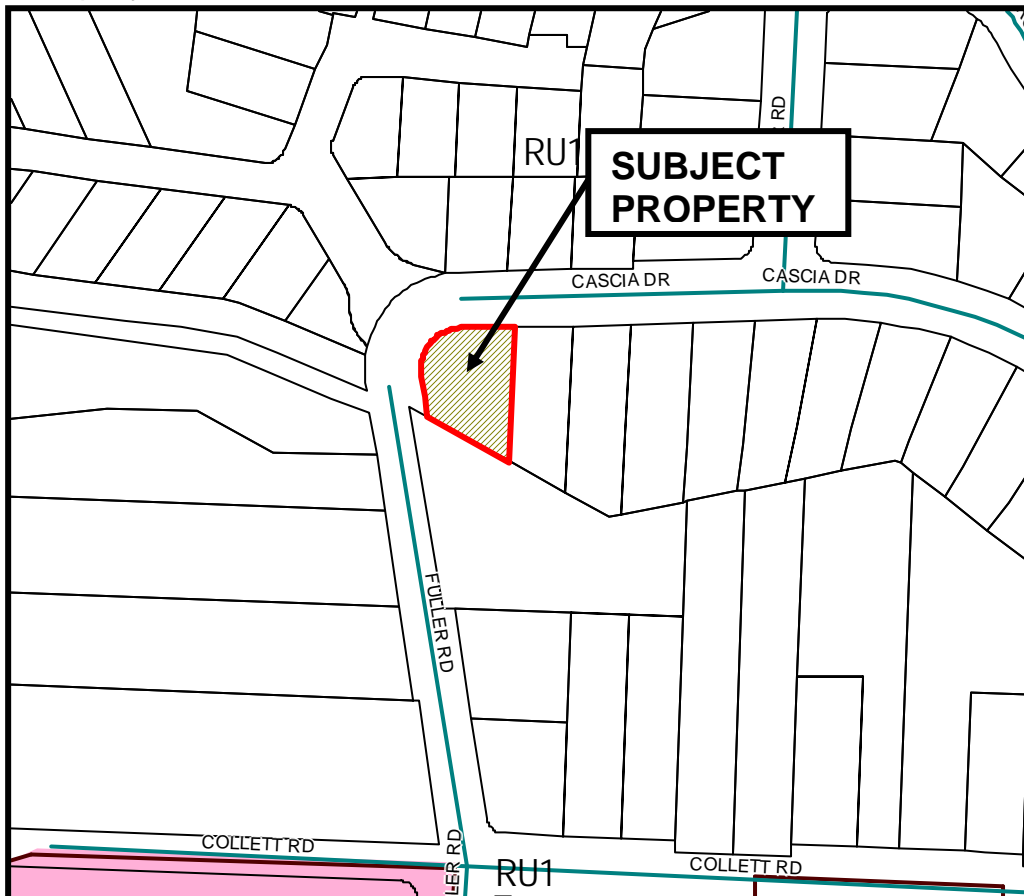
The subject property is located on the south-west corner of Cascia Drive and Fuller Road.

Adjacent zones and uses are:

- North - RU1 – Large Lot Housing
- East - RU1 – Large Lot Housing
- South - RU1 – Large Lot Housing
- West - RU1 – Large Lot Housing

#### 3.3 Location Map

Subject Property: 443 Cascia Drive



### 3.4 Existing Development Potential

The intent of the zone is to provide for single detached housing, and compatible secondary uses, on medium sized serviced urban lots.

### 3.5 Current Development Policy

#### 3.5.1 Kelowna Official Community Plan

The subject property is designated as Single/Two Family. The property is currently zoned RU1 which supports the existing use as a single family dwelling. The application to allow an air conditioning unit would be consistent with the residential zoning and use of the property.

### 5.0 TECHNICAL COMMENTS

The application has been submitted to various technical agencies and City departments and the following comments or concerns were expressed:

#### 5.1 Works and Utilities

The proposal does not compromise Works & Utility servicing requirements.

#### 5.2 Inspection Services

No concerns.

#### 5.3 Fire Department

No comment.

### 6.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

Staff has no concerns with the proposal to construct an air conditioning unit within the required side yard setback. The a/c unit is to be located in an interior side yard and significantly setback from the front street. Furthermore, the placement of the mechanical equipment does not significantly impede access around the principal structure. The adjacent property owner has submitted a letter of support of the proposed variance application.

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Andrew Bruce  
Current Planning Manager

Approved for inclusion

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

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Attach.

**ATTACHMENTS**

**(not attached to the electronic version of the report)**

- Location of subject property
- Photographs
- Site Plans
- Elevations