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## CITY OF KELOWNA

### MEMORANDUM

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**Date:** June 29, 2005  
**To:** City Manager  
**From:** Planning and Corporate Services Department  
**Subject:**

**APPLICATION NO.** DVP05-0107      **OWNER:** Darcy and Mary Weston

**AT:** 2180 Burnett Street      **APPLICANT:** Darcy and Mary Weston

**PURPOSE:** TO VARY THE SOUTHERN SIDE YARD SETBACK FROM 2.3M  
REQUIRED TO 2.16M EXISTING (PROPOSED) TO  
ACCOMMODATE THE ADDTION OF 1 STOREY TO THE  
SINGLE FAMILY DWELLING

TO VARY THE NORTHERN SIDE YARD SETBACK FROM 2M  
REQUIRED TO 1.76M PROPOSED (EXISTING)

**EXISTING ZONE:** RU6 – TWO DWELLING HOUSING

**REPORT PREPARED BY:** RYAN SMITH

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**SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS**

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#### 1.0 RECOMMENDATION

THAT Council authorize the issuance of Development Variance Permit No. DVP05-0107; Lot 10, Section 19, Township 26, District Lot 136, ODYD Plan 11811, located on Burnett Street, Kelowna, B.C.;

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

Section 13.6.6(d): Two Dwelling Housing:

Vary the southern side yard setback from 2.3m required to 2.16m proposed.

Vary the northern side yard setback from 2m required to 1.76m proposed.

## 2.0 SUMMARY

The applicant's are planning to renovate the existing one-storey single family dwelling by raising the building to add an additional floor. The added building height triggers larger setback requirements under Zoning Bylaw No.8000 and therefore a development variance permit is required. The applicants are seeking to vary the southern side yard setback from 2.3m required to 2.16m proposed and the northern side yard setback from 2m required to 1.76m proposed. The northern side yard setback is an existing legal non-conformity which the applicants are proposing to address through this application process. The applicant's neighbours on the south side (2188 Burnett) have indicated their support for the proposal by way of written submission. The applicant have also indicated on the plans that carport access which is from Burnett Street will be reversed to allow access from the lane and thus comply with the provisions of Zoning Bylaw No. 8000.

The application meets the requirements of the proposed RU6 – Two Dwelling Housing zone as follows:

CRITERIA	PROPOSAL	RU6 ZONE REQUIREMENTS
Lot Area (m <sup>2</sup> )	750m <sup>2</sup>	400m <sup>2</sup>
Lot Width (m)	20.42m	13.0m
Lot Depth (m)	36.58m	30.0m
Setbacks-House (m)		
-Front	8.10m	4.5m
-Rear	19.5m	7.5m
-North Side❶	1.76m(existing)	2.0m
-South Side❷	2.16m(existing)	2.3m

❶Note: The applicant is seeking to vary the northern side yard setback from 2.0m required to 1.76m proposed (existing).

❷Note: The applicant is seeking to vary the southern side yard setback from 2.3m required to 2.16m proposed.

### 3.2 Site Context

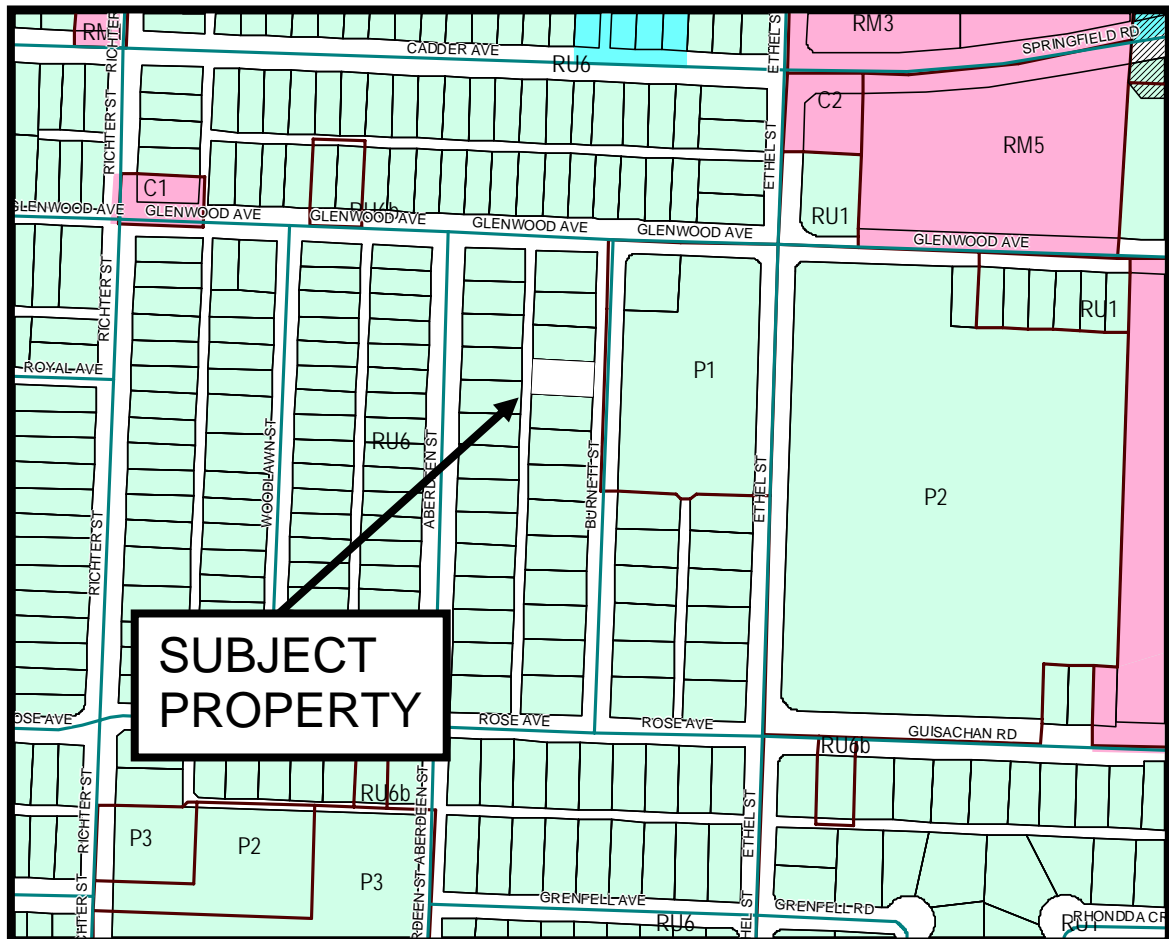
The subject property is located on the west side of Burnett Street between Glenwood Avenue and Rose Avenue.

Adjacent zones and uses are:

- North - RU6 – Two Dwelling Housing – Single Family Dwelling
- East - P1 – Major Institutional – Interior Health Authority
- South - RU6 – Two Dwelling Housing – Single Family Dwelling
- West - RU6 – Two Dwelling Housing – Single Family Dwelling

### Site Location Map

Subject Property: 2180 Burnett Street



4.0 TECHNICAL COMMENTS

4.1 **Works and Utilities**

No concerns.

4.2 **Inspection Services**

Must comply with BC Building Code. Full plan check at building permit stage.

5.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

The Planning and Corporate Services Department has no concerns with the proposed development variance permit. The affected neighbours on the southern side of the subject property have indicated their support for the variance by way of written submission and have also proposed to relocate the driveway access to the lane in order to comply with the provisions of Zoning Bylaw No.8000. The side yard setback on the northern side of the subject property is an existing legal non-conformity and is being included as housekeeping.

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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