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

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**Date:** February 3, 2006

**To:** City Manager

**From:** Planning and Corporate Services Department

**Subject:**

**APPLICATION NO. DVP06-0009**

**OWNER:** Brian and Donna Widrick

**AT:** 136 Clifton Road

**APPLICANT:** Brian Widrick

**PURPOSE:** TO VARY THE FRONT YARD SETBACK FROM 12.0M REQUIRED TO 10.96M PROPOSED FOR THE CONSTRUCTION OF AN ACCESSORY BUILDING ON THE SUBJECT PROPERTY

TO VARY THE SIDE YARD SETBACK FROM 2.0M REQUIRED TO 1.52M PROPOSED FOR THE CONSTRUCTION OF AN ACCESSORY BUILDING ON THE SUBJECT PROPERTY

**EXISTING ZONE:** RR3 – RURAL RESIDENTIAL 3

**REPORT PREPARED BY:** RYAN SMITH

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**1.0 RECOMMENDATION**

THAT Council authorize the issuance of Development Variance Permit No. DVP06-0009; Lot 3, Sec.6, Twp.23, ODYD Plan 30121, located on Clifton Road, Kelowna, B.C.;

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted in accordance with Schedule "A" attached to this report:

**Section 6.5.8 (a):**

Vary the front yard setback from 12.0m required to 10.96m proposed to allow for the encroachment of an accessory building.

**Section 6.5.8 (b):**

Vary the required side yard setback from 2.0m required to 1.52m proposed to allow for the encroachment of an accessory building.

**2.0 SUMMARY**

The applicant is seeking Council support for a development variance permit to reduce the required front and side yard setbacks to accommodate the construction of a new accessory building which will house a single car garage.

### 3.0 PROPOSAL

The applicant is seeking Council support for a development variance permit that would allow the placement of an accessory building (single car garage) within the front/side yard setbacks which contravene placement requirements for accessory buildings in Section 6 of Zoning Bylaw No.8000.

The proximity to the street front is mitigated by established landscaping which will serve to hide the view of the building from the street.

The application meets the requirements of the RR3 – Rural Residential 3 zone as follows:

CRITERIA	PROPOSAL	RR3 ZONE REQUIREMENTS
Lot Area (m <sup>2</sup> )	2087m <sup>2</sup> ❶	1.0Ha
Lot Depth (m)	88m	30.0m
Lot Width (m)	24.11m	18.0m
Site Coverage (%) (Buildings)	17%	30%
Parking Spaces	2	2
<b>Setbacks(m)(existing house)</b>		
Front	27.43m	6.0m
Rear	35.62m	7.5m
Side (n)	1.52m ❷	2.3m
Side (s)	1.52m ❷	2.3m
<b>Accessory Development</b>		
Size of proposed accessory building	73.6m <sup>2</sup>	N/A
Front Yard Setback	10.96m ❸	12.0m [2x Front Yard setback according to 6.5.8(b)]
Southern Side Yard Setback	1.52m ❹	2.0m
Site Coverage	14%	30%

❶Note: The subject property is legally non-conforming with regard to the minimum lot size requirement for RR3 lots.

❷Note: The subject property is legally non-conforming with regard to the minimum side yard setback requirement for RR3 lots.

❸Note: The applicant is seeking to vary the front yard setback from 12.0m required to 10.96m proposed to allow for the encroachment of an accessory building.

❹Note: The applicant is seeking to vary the side yard setback from 2.0m required to 1.52m proposed to allow for the encroachment of an accessory building.

### 3.1 Site Context

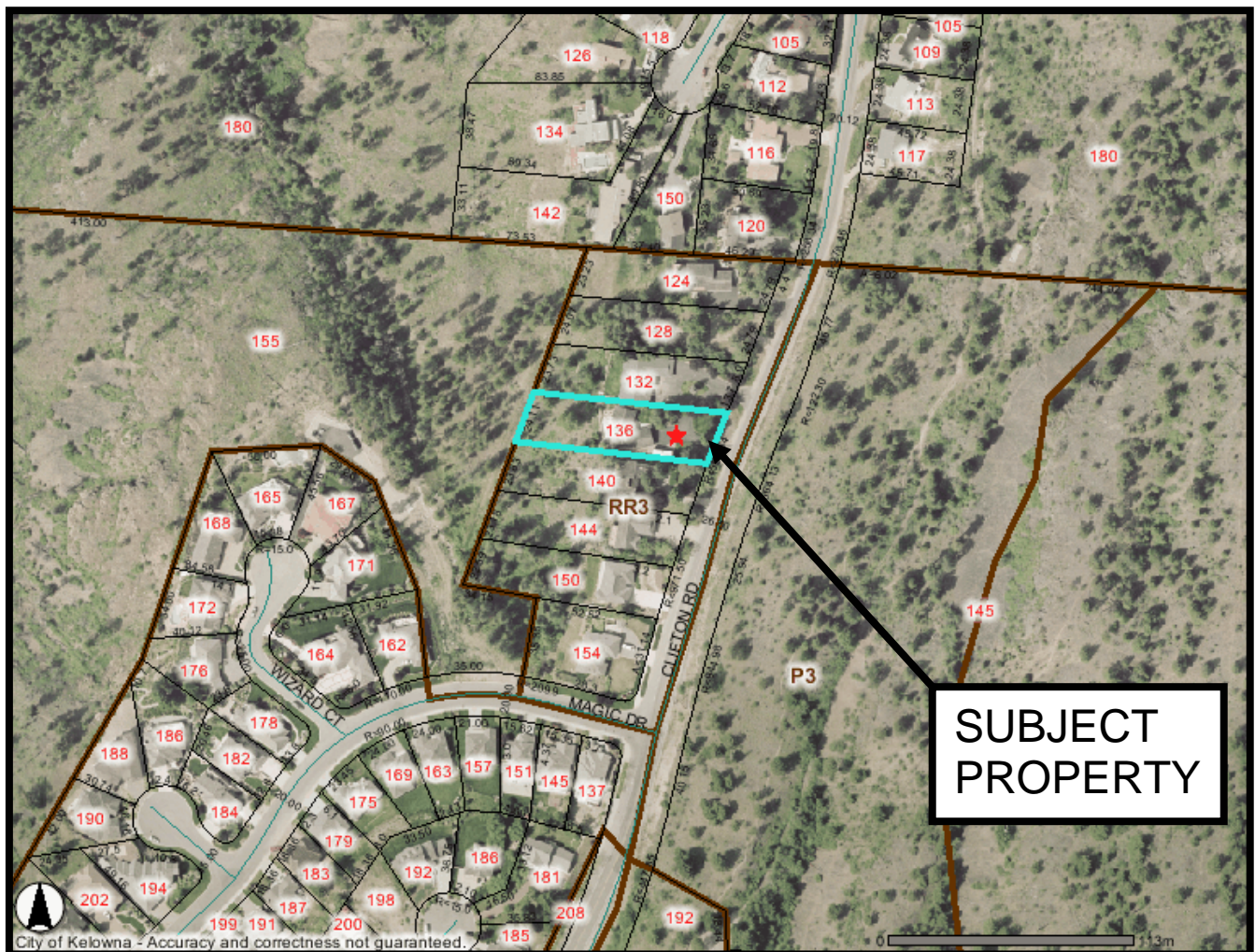
The subject property is located on the west side of Clifton Road between Magic Drive and Boppart Court.

Adjacent zones and uses are:

- North - RR3 – Rural Residential 3 – Single Family Dwelling
- East - P3 – Parks and Open Space
- South - RR3 – Rural Residential 3 – Single Family Dwelling
- West - P3 – Parks and Open Space

### 3.2 Site Location Map

Subject Property: 136 Clifton Road



4.0 TECHNICAL COMMENTS

4.1 Works and Utilities

The application to front and side yard setbacks for the construction of an accessory building does not comprise Works & utilities servicing requirements.

4.2 Inspection Services

No objections.

4.3 Fire Department

No objections.

5.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

Staff has no concerns with the proposed setback variances. The applicant has solicited the support of the abutting neighbors located at 132 Clifton Road and 140 Clifton Road. Given the support of the neighbors and due to natural landscape screening which exists on-site staff recommend that this application be supported by Council.

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Andrew Bruce  
Development Services Manager

Approved for inclusion

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

RM/AB/rs

**ATTACHMENTS**

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

- Location of subject property
- Site plan
- Building Elevations