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## CITY OF KELOWNA

### MEMORANDUM

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**Date:** May 19, 2006  
**File No.:** DVP06-0084

**To:** City Manager

**From:** Planning and Corporate Services Department

**Subject:**

**APPLICATION NO.** DVP05-00084      **OWNER:** Deborah Fay Bailey

**AT:** 107 -440 Cascia Dr, Kelowna, BC      **APPLICANT:** Carl Scholl Design

**PURPOSE:** TO OBTAIN A DEVELOPMENT VARIANCE PERMIT TO ALLOW A  
FRONT YARD SETBACK OF 1.0 M WHERE 4.5 M 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. DVP06-0084 for Strata Lot 6, D.L 16, ODYD, District Strata Plan KAS2393 located on Cascia Drive, Kelowna, B.C. subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
2. The existing turn-around fronting this property be maintained as an approved fire access.

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

Section 13.1.6 (c) RU1 – Large Lot Housing

A variance to allow a front yard setback of 1.0 m where 4.5 m is required.

AND FURTHER THAT the applicant be required to complete the above-noted conditions within 180 days of Council approval of the development permit application in order for the permit to be issued.

#### 2.0 SUMMARY

The applicant is in the process of constructing a single detached dwelling in the Southbay Landing development. The applicant is seeking a variance to allow a front yard setback of 1.0 m where a 4.5 m is required.

#### 2.0 BACKGROUND

## 2.1 The Proposal

The subject property is located at the end of one of the internal roads within the Southbay Landing development. In order to facilitate a turnaround, required to provide emergency access, a significant portion of the front of the lot was reduced relative to the adjacent properties. The applicant has therefore applied for a development variance permit to allow a reduced front yard setback. A previous variance for the overall development was approved allowing a front yard setback of 4.5 m where typically 6.0 m is required. The approved turnaround, however, may not be compromised.

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

CRITERIA	PROPOSAL	RU1 ZONE REQUIREMENTS
Lot Area (m <sup>2</sup> )	560m <sup>2</sup>	400.0m <sup>2</sup>
Lot Width (m)	18.9m	13.0m
Lot Depth (m)	30.0m	30.0m
Site Coverage (%)	38.7% 47.0%	40% (buildings) 50% (with driveway and parking)
Height	2 storeys/7.6m	2.5 storeys or 9.5m
Setbacks		
-Front	1.0 m to house / 4.5 to garage	4.5m
-Rear	7.5m	7.5m
- Side (north)	2.0m to 1 storey portion 2.3m to 2 storey portion	2.0m to 1 storey portion & 2.3m to 2 storey
- Side (south)		
Parking Spaces (Total)	2	2

### Notes:

❶ The applicant is seeking to a development variance permit to allow a front yard setback of 1.0 m where 4.5 m is required.

## 3.2 Site Context

The subject property is located on Cascia Drive within the Southbay Landing Development

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: 107- 440 Cascia Drive

## 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 Works & utilities Department comments and requirements regarding this application are as follows:

Providing the existing turn-around fronting this property is left in place, the requested front yard setback variance will not compromise Works and Utilities servicing requirements.

### 5.2 Inspections Services

No objections.

### 5.3 Fire Department

Section 3.2.5.6. (f) of the BC Building Code says in part “shall have turnaround facilities for any dead end portion of the access route more than 90M long”. It appears that section of access route is approximately 116M long. The approved turnaround area, established at the time of subdivision may not be compromised.

## 6.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning and Development Services Department has no concerns regarding the proposed variance to allow a reduced front yard building setback provided that the fire access turn-around area in front of the property is not compromised. Letters of support have been submitted by the neighbours. The applicant has indicated that they would like to move the curb away from the house (into the existing turnaround), in line with the adjacent property. Staff notes, however, that in order to reconfigure the internal roads, the applicant would be required to submit a technical subdivision to adjust the existing lot lines. The applicant would require approval from the strata to make the application. In addition, the applicant would be required to demonstrate that the new proposed turnaround meets the minimum requirement of the Fire Department for fire access.

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Andrew Bruce  
Development Services Manager

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

**ATTACHMENTS**

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

- Location of subject property
- Site Plan
- Floor Plans
- Elevations