
CITY OF KELOWNA

MEMORANDUM

Date: NOVEMBER 20, 2006

To: CITY MANAGER

From: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

Subject:

APPLICATION NO. DVP06-0224

OWNER: Theodore G. Taylor

AT: 883 Kuipers Crescent

APPLICANT: Sierra West Homes and
Construction Corporation

PURPOSE: TO VARY THE REAR YARD SETBACK FROM 7.5M REQUIRED
TO 3.04M PROPOSED

EXISTING ZONE: RU1H – LARGE LOT HOUSING (HILLSIDE AREA)

REPORT PREPARED BY: RYAN SMITH

1.0 RECOMMENDATION

THAT Council authorize the issuance of Development Variance Permit No. DVP06-0224; Lot 1, District Lot 1688s, SDYD Plan KAP79204, located on Kuipers Crescent, Kelowna, B.C.;

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

Section 13.1.6(e) – RU1 – Large Lot Housing Zone – Development Regulations:

Vary the rear yard setback from 7.5m required to 3.04m proposed.

2.0 SUMMARY

The subject property is located on the east side of Kuipers Crescent opposite its intersection with Dougherty Avenue. The applicant is constructing a single family dwelling on the subject property in a hillside area. The subject property is accessed from the rear via an access easement. As the property is accessed from the rear, the garage is located in this area but does not meet the required rear yard setback. Staff is planning to forward a text amendment addressing this issue for Council's consideration in the near future; however, at this point a Development Variance Permit application was the most expedient way to help the applicant continue with construction on-site. The proposed text amendment would allow the application of RU1H front yard setback rules

access easements. At the present time they may only be applied in situations where a lane exists.

The application meets the development regulations of the RU1H – Large Lot Housing (Hillside Area) zone as follows:

CRITERIA	PROPOSAL	RU1H ZONE REQUIREMENTS
Lot Area (m ²)	846m ²	550m ²
Lot Width (m)	20.3m (approx.)	16.5m
Lot Depth (m)	40.5m	30.0m
Setbacks		
Front Yard (Kuipers Cr.)	3.04m❶	7.5m
Side Yard (n)	2.02m	2.0m
Side Yard (s)	2.01m	2.0m
Rear Yard	12.73m	4.5m

❶ The applicant is seeking to vary front yard setback on a hillside lot accessed from a lane from 7.5m required to 3.04m proposed.

3.0 SITE CONTEXT

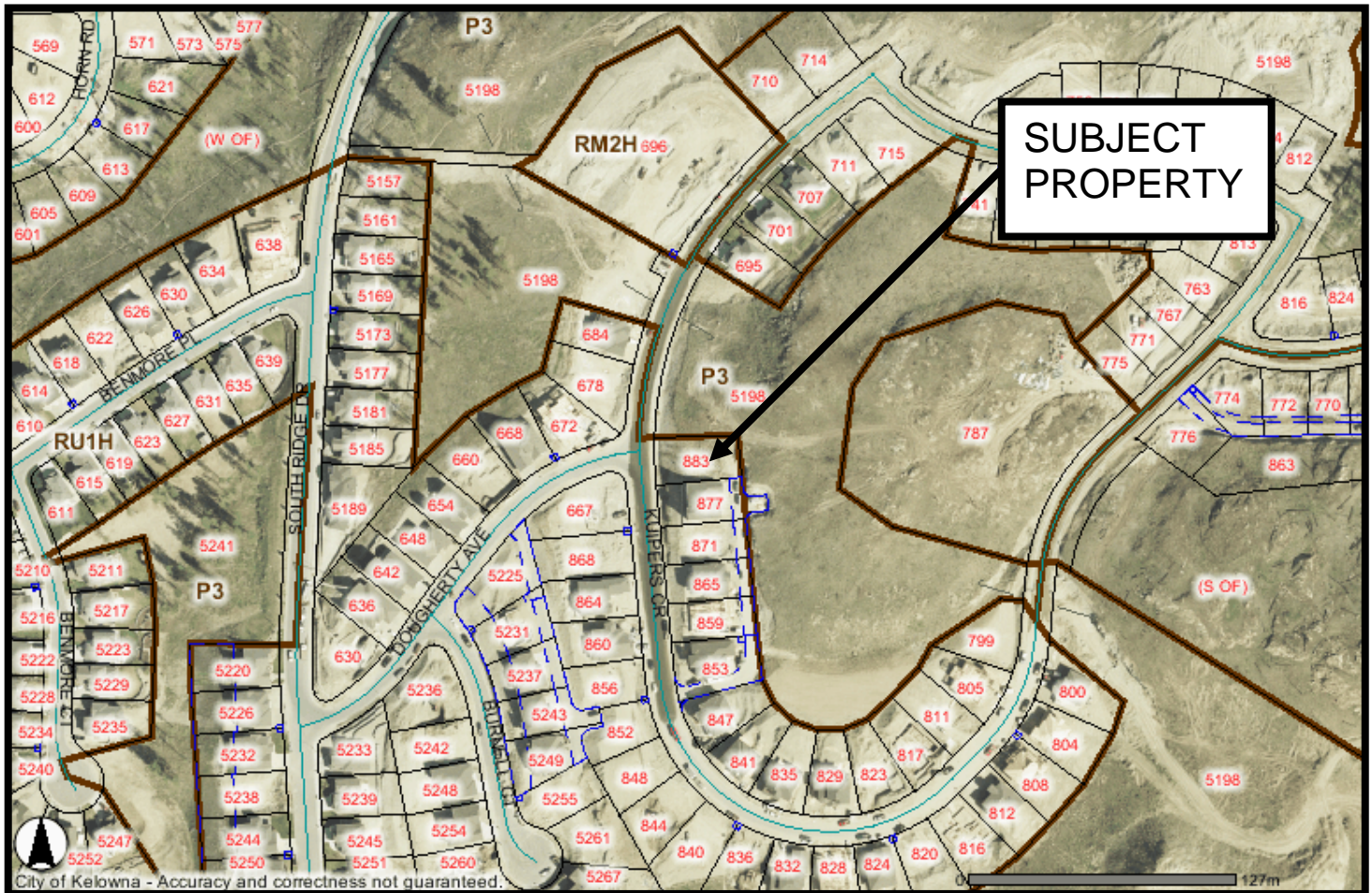
The subject property is located on the east side of Kuipers Crescent opposite its intersection with Dougherty Avenue.

Adjacent zones and uses are:

- North - P3 – Major Parks and Open Space
- East - P3 – Major Parks and Open Space
- South - RU1H – Large Lot Housing (Hillside Area)
- West - RU1H – Large Lot Housing (Hillside Area)

4.0 SITE LOCATION MAP

Subject Property: 883 Kuipers Crescent



5.0 DEVELOPMENT POLICY

Official Community Plan: Chapter 7.1

In hillside areas effects to be minimized may include cuts and fills, tree cutting, regrading, and the visual impact in general of urban development on hillsides.

6.0 TECHNICAL COMMENTS

6.1 Works and Utilities

Does not comprise Works and Utilities requirements.

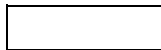
6.2 Inspection Services

The Inspection Services Department supports this Development Variance Permit application and has been collaborating with staff on a package of Text Amendments to help provide greater flexibility with regard to the Zoning Bylaw.

7.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

Staff has initiated this Development Variance Permit application on behalf of the applicant. Staff will be amending the Zoning Bylaw in the near future with a Text Amendment which will help to better recognize the unique access arrangements that have been adopted in Kelowna's hillside developments.

Shelley Gambacort
Acting Manager of Development Services



Mary Pynenburg, MRAIC MCIP
Director of Planning & Development Services

MP/SG/rs
Attach.

ATTACHMENTS

(not attached to the electronic version of the report)

- Subject property map
- Site plan