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CITY OF KELOWNA

**MEMORANDUM**

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**DATE:** DECEMBER 12, 2006

**TO:** CITY MANAGER

**FROM:** PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

**APPLICATION NO.** DVP06-0182

**OWNER:** Christine Nicholls

**AT:** 880 Paret Road

**APPLICANT:** Owner

**PURPOSE:** TO VARY THE SETBACK REQUIREMENT OF ZONING BYLAW 8000 SECTION 13.1.6 (e) FROM 7.5 m TO 4.3 m FOR AN EXISTING HOUSE TO ALLOW SUBDIVISION OF THE PROPERTY INTO TWO LOTS; ONE FRONTING PARET ROAD AND ONE FRONTING GORDON DRIVE.

**EXISTING ZONE:** RU1 –Large Lot Housing Zone

**REPORT PREPARED BY:** Corine (Cory) Gain, MCIP, CPT

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1.0 RECOMMENDATION

THAT Council authorize the issuance of Development Variance Permit No. DVP06-0182 for Lot 2 District Lot 579 Similkameen Division Yale District Plan 17060 except Plan KAP78324 located at 880 Paret Road; Kelowna, B.C.

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

Section 13.1: RU1 – Large Lot Housing: 13.1.6(e):  
Vary the rear yard setback from 7.5m required to 4.3 m proposed for the existing house to allow subdivision of the property into two lots; one fronting Paret Road and one fronting Gordon Drive.

2.0 SUMMARY

The applicant is seeking to subdivide the subject property into two lots. As the existing house cannot conform to the setback requirements to the new property line while achieving the minimum lot depth for the proposed new lot a variance is required.

### 3.0 THE PROPOSAL

#### 3.1 Site Context

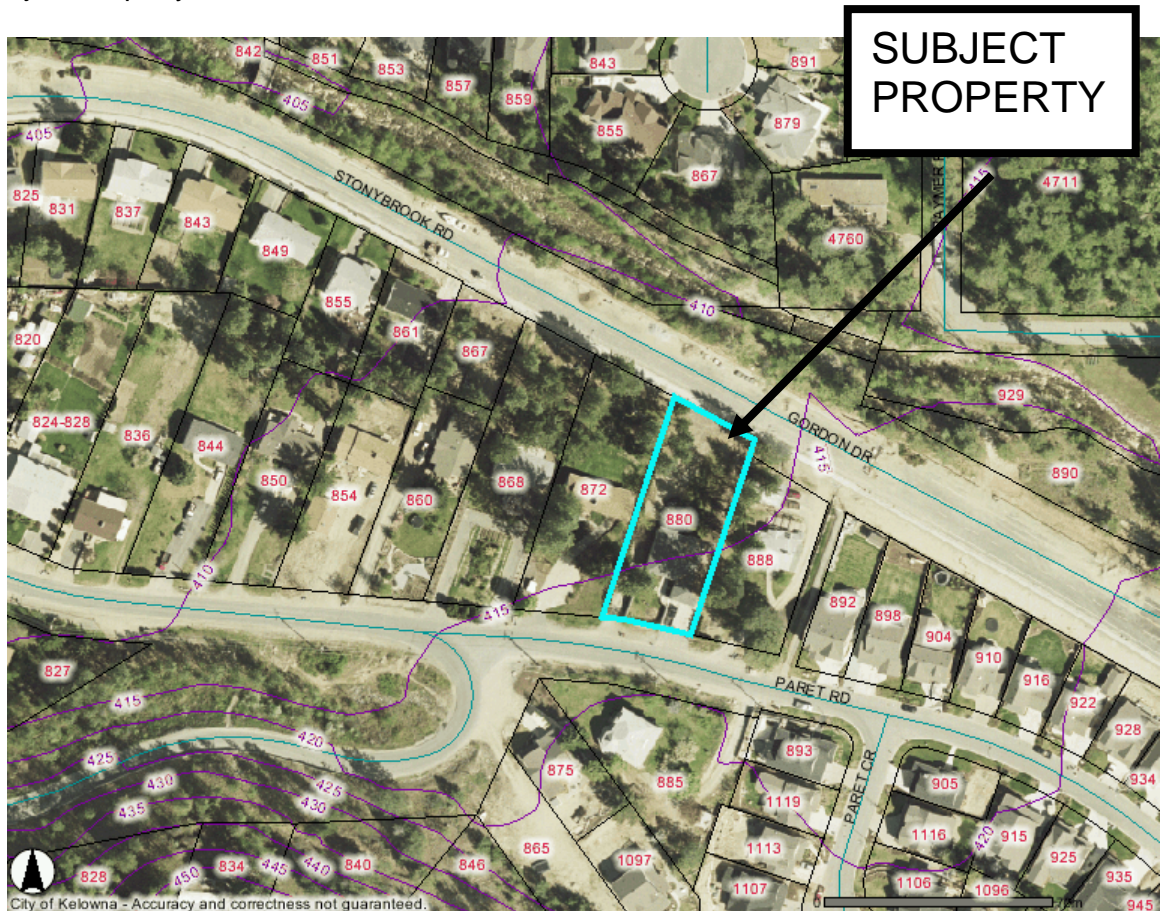
The subject property is a double fronting lot facing Paret Road and Gordon Drive.

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

#### 3.2 Site Location Map

Subject Property: 880 Paret Road



The proposed subdivision will create two lots, one with the existing home fronting onto Paret Road and the other fronting onto Gordon Drive. A copy of the proposed subdivision plan showing the location of the existing home and elevation drawings for all four elevations of the existing house are attached for reference. The new proposed rear yard setback to the existing house would be 4.3 m where 7.5 m is required. The

reduced setback is required because the subject property was reduced in size by the road dedication required to create the extension of Gordon Drive.

The application meets the development regulations of the RU1 – Large Lot Housing zone as follows:

CRITERIA	PROPOSAL	RU1 ZONE REQUIREMENTS
Lot Area (m <sup>2</sup> )	827.46 m <sup>2</sup>	550m <sup>2</sup>
Lot Width (m)	~ 27.5 m	17.0m
Lot Depth (m)	32.18 m/30 m	30.0m
Setbacks		
Front Yard	9.22	4.5m
Side Yard (W)	6.90 m	4.5m except 6.0m to a garage or carport
Side Yard (E)	3.55 m	2.0m
Rear Yard	4.3 m	7.5m
Building Height	1 storey	2.5 storeys

#### 4.0 CURRENT DEVELOPMENT POLICY

##### 4.1 Kelowna Official Community Plan (2000-2020)

The proposal is consistent with OCP considerations in reviewing development application Section 8.1.34 that states, "Land Utilization within Single Detached Areas: Work towards achieving more efficient use of land within developed single-detached neighbourhoods by encouraging rezoning, subdivision and building permit applications that would allow for smaller lot sizes, secondary suites, minor boarding facilities, minor group homes, duplexes etc. that are sensitively integrated into a neighbourhood."

##### 4.2 City of Kelowna Strategic Plan (2004)

Objectives of the Strategic Plan include: to realize construction of housing forms and prices that meet the needs of Kelowna residents; to achieve accessible, high quality living and working environments; to sensitively integrate new development with heritage resources and existing urban, agricultural and rural areas.

#### 5.0 TECHNICAL COMMENTS

##### 5.1 Inspection Services

No building code concerns related to proposed reduced rear yard setback.

##### 5.2 Parks Department

The City of Kelowna Boulevard Maintenance Bylaw No. 5708-84 requires the residents to be responsible to weed, water and mow the boulevards adjacent to

their properties. They will also be responsible for maintaining the boulevard in a reasonably tidy condition, free and clear of garbage, litter or debris.

5.3 Works and Utilities

The requested variance to reduce the rear yard setback from the required 7.5 m to 4.3 m does not compromise Works and Utilities servicing requirements.

5.4 Fire Department

Fire Department access, fire flows and hydrants as per the BC building Code and City of Kelowna Subdivision Bylaw.

6.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning & Development Services Department has no concerns with the proposed variance. The proposed subdivision is consistent with the uses currently existing surrounding the site. The neighbour to the immediate east of the subject property has submitted written verification of support for the variance application.

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Shelley Gambacort  
Acting Manager of Development Services



Mary Pynenburg  
Director of Planning & Development Services

MP/SG/cg

Attach.

*P:\Planning\General\DVP\DVP Files\2006\DVP06-0182 CG 880 Paret Rd\DVP06-0182 Report Dec 12.Doc*

**ATTACHMENTS**

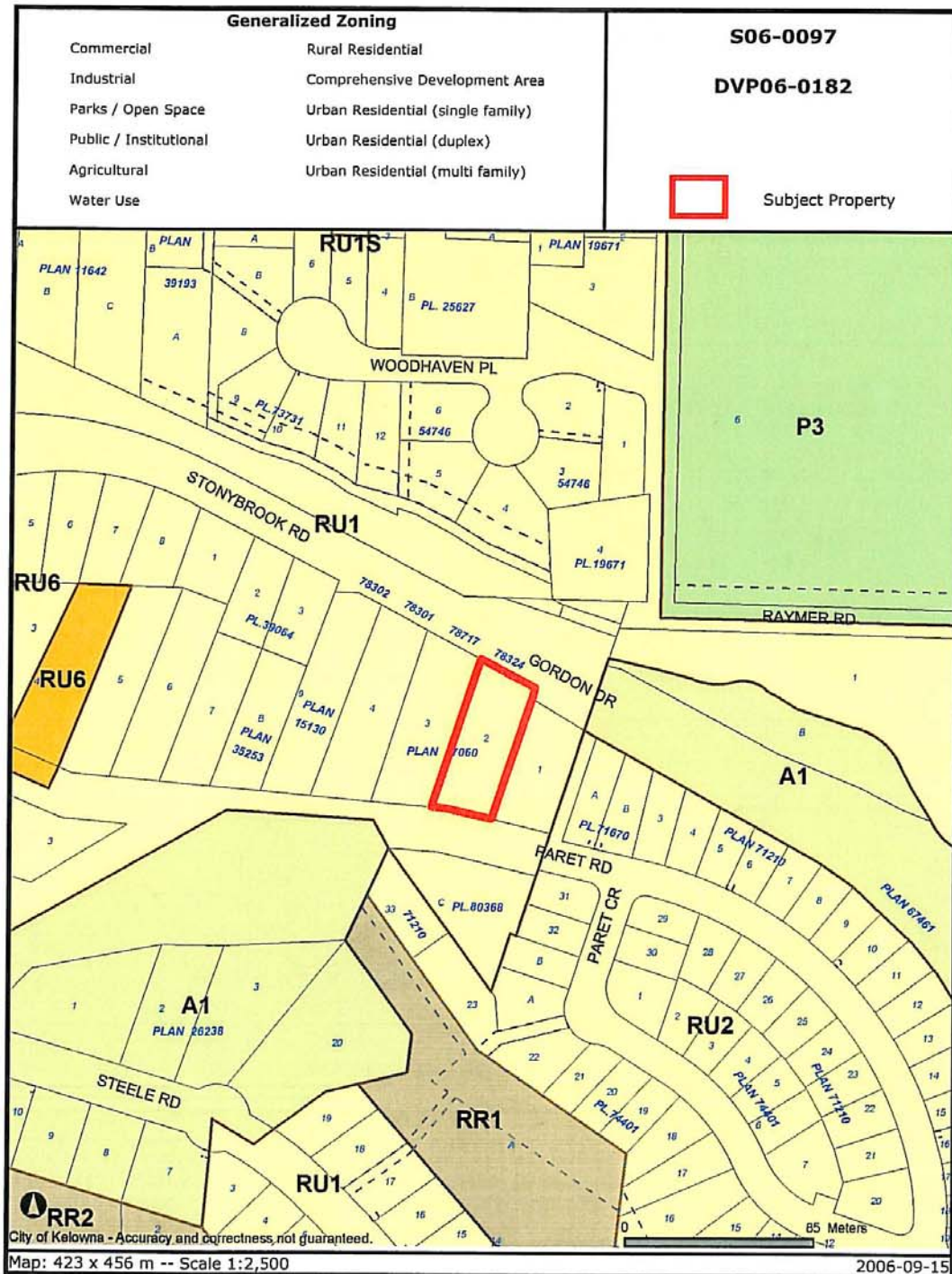
- Generalized Zoning Map
- Proposed Subdivision Plan
- Front, Rear, Left and Right Elevation Drawings of the existing single family dwelling



## Generalized Zoning Map

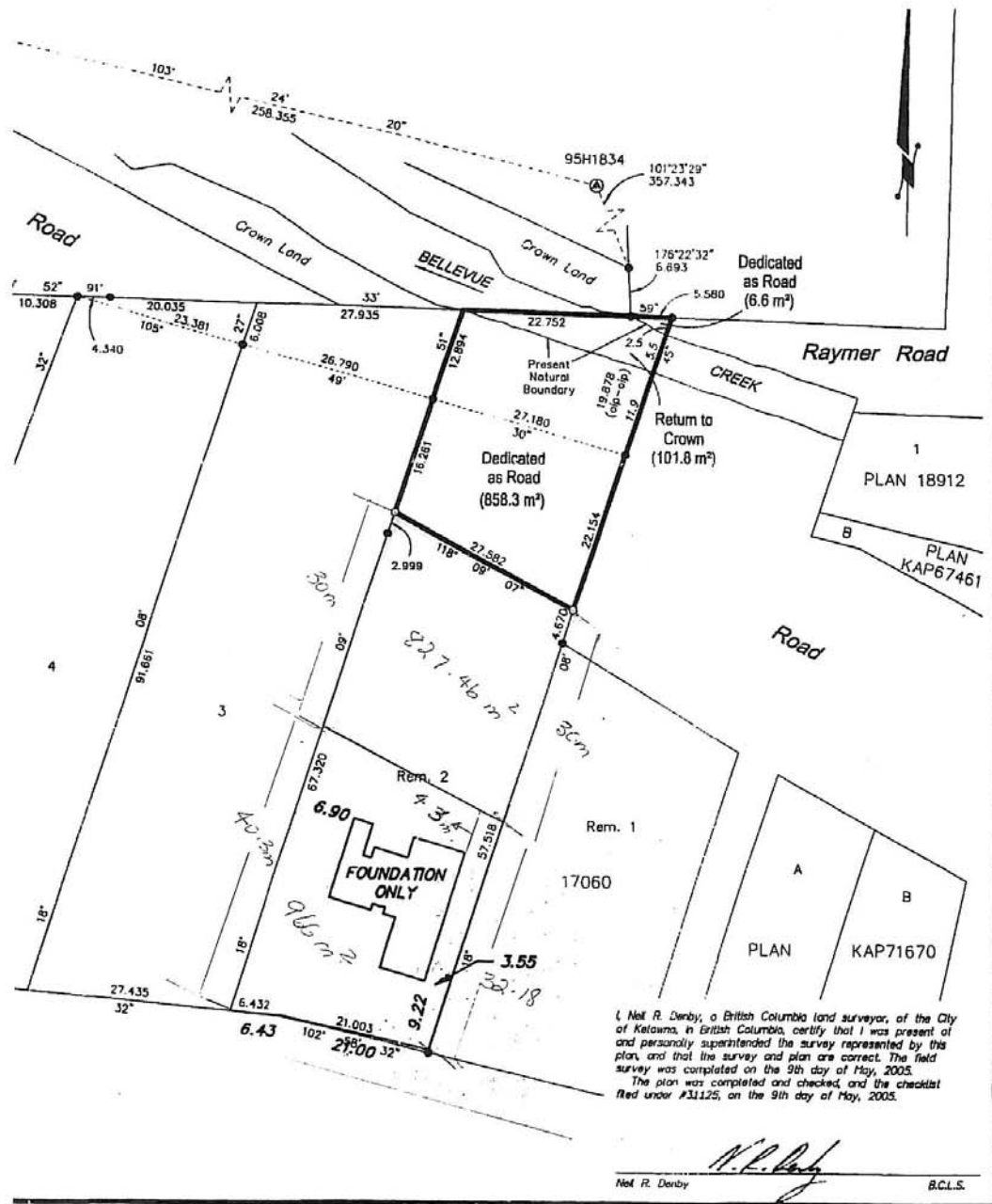
Map Output

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Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
The City of Kelowna does not guarantee its accuracy. All information should be verified.

## Proposed Subdivision Plan



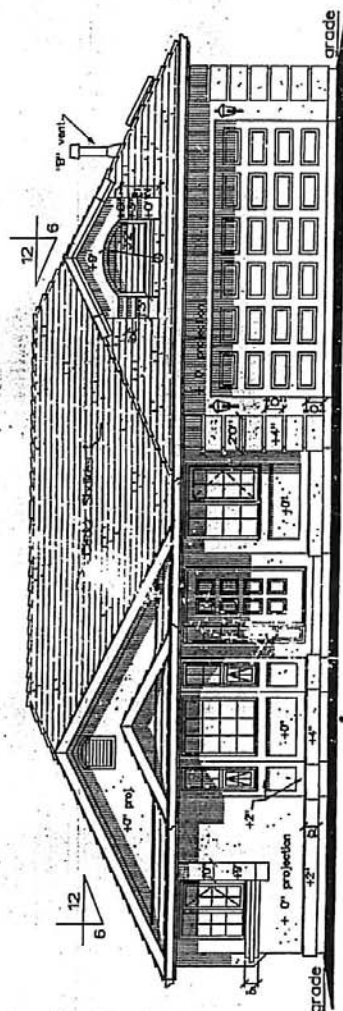
**STER HOME DESIGN**

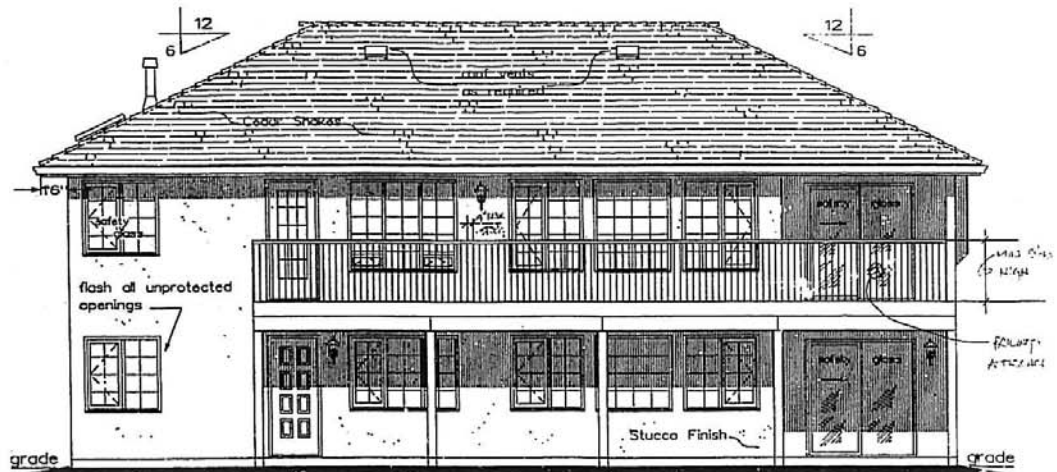
**THIS STAMP MUST APPEAR IN  
EACH ORDER COLOR INDICATES THIS  
DRAWING HAS BEEN DUPLICATED  
UNLAWFULLY**  
**VERMILION HOME DESIGN**

**FRONT ELEVATION**

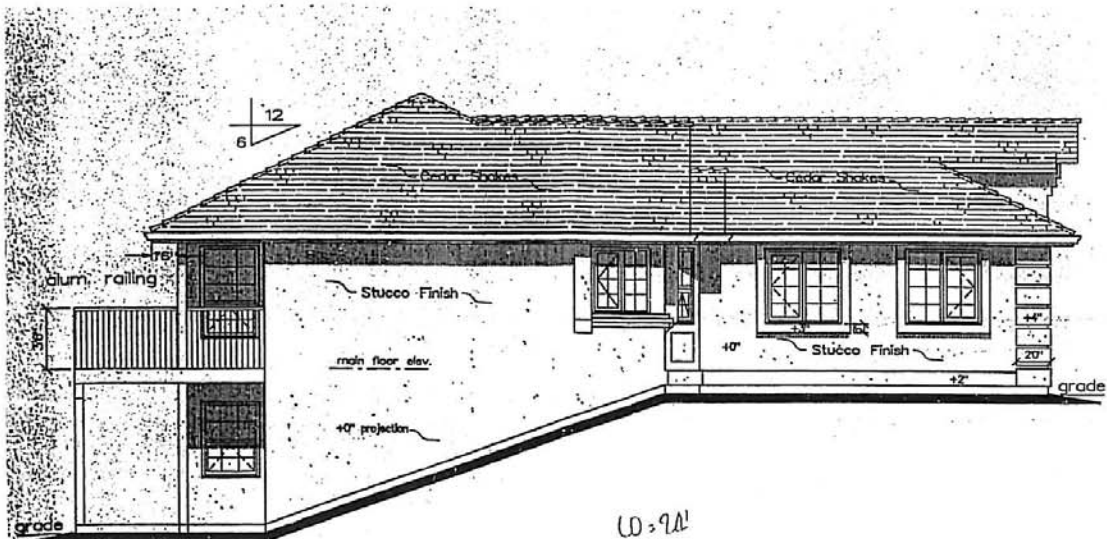
ALL CONSTRUCTION SHALL COMPLY WITH PART NINE OF THE BRITISH COLUMBIA BUILDING CODE (CURRENT EDITION)

stucco projections and stucco corbeling to be constructed from 2x4 on flat with 3/4" plywood over corner bead, wire mesh, stucco wire, stucco finish over exposed horizontal projections to be sloped a minimum of 15 degrees for drainage





**REAR ELEVATION** scale = 1/4" = 1' 0"



**LEFT ELEVATION** scale = 1/4" = 1' 0"



