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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.** DVP06-0186

**OWNER:** Tyler Van Nice

**AT:** 674 Armour Crescent

**APPLICANT:** Owner

**PURPOSE:** TO VARY THE SETBACK REQUIREMENTS OF ZONING BYLAW 8000 AS FOLLOWS: 1) THE FRONT YARD SETBACK IN SECTION 13.1.6 (c) FOR A GARAGE FROM 6.0 m TO 3.8 m; AND 2) THE SIDE YARD SETBACK IN SECTION 13.1.6 (d) FROM 2.0 m TO 1.5 m TO ALLOW THE ENCLOSURE OF AN EXISTING CARPORT.

**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. DVP06-0186 for Lot 8 Section 6 Township 26 Osoyoos Division Yale District Plan 18510 located at 674 Armour Crescent, Kelowna, B.C.

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

- 1) Section 13.1: RU1 – Large Lot Housing: 13.1.6(c): Vary the front yard setback of a garage from 6.0m required to 3.8 m;
- 2) Section 13.1: RU1 – Large Lot Housing: 13.1.6(d): Vary the side yard setback from 2.0 m to 1.5 m.

2.0 SUMMARY

The applicant proposes to enclose the existing carport as a garage. The existing setbacks to property lines are insufficient and must be varied prior to issuance of a building permit for the proposed construction. Written support from neighbouring property owners has been provided with the application submission. Staff has investigated the existing non-conforming use of the property and can confirm that the

existence of a “four room suite” within the subject residence since its construction in 1971 has been recognized by the City since April 4, 1985. Given that, the existence of the suite has been deemed existing non-conforming.

### 3.0 THE PROPOSAL

#### 3.1 Site Context

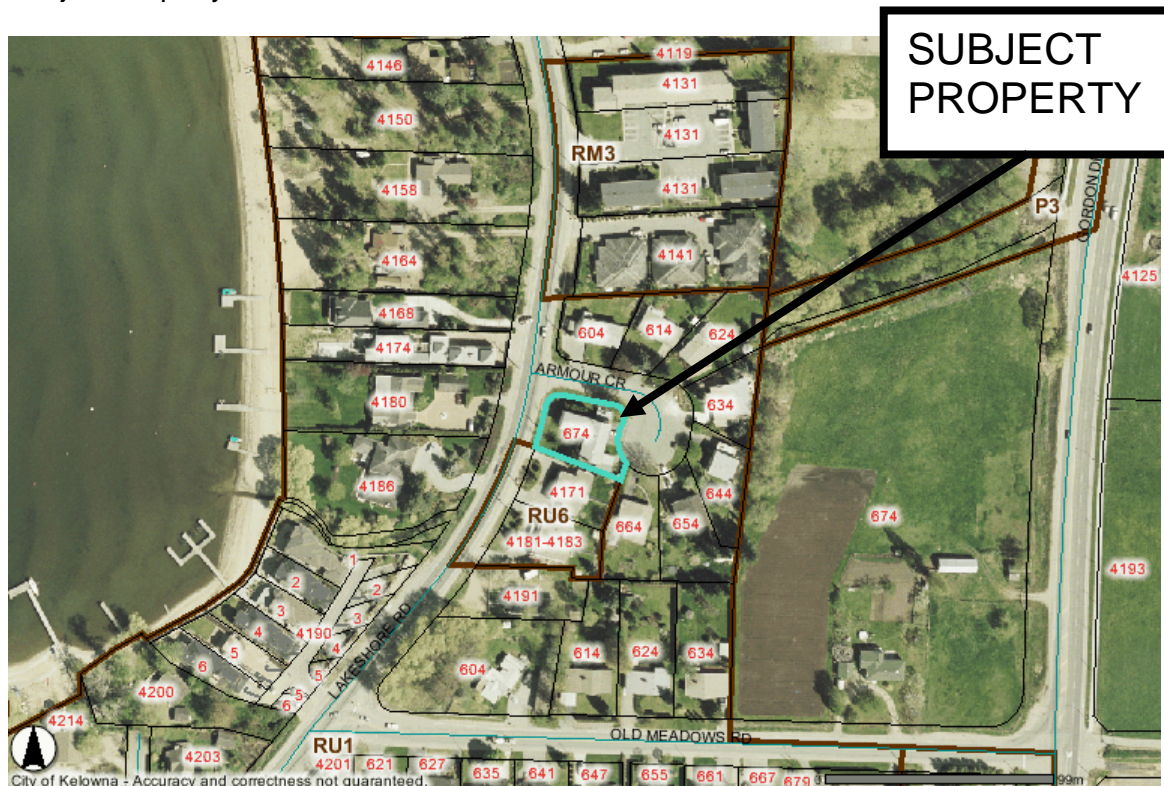
The subject property is a double-fronting lot with access from Armour Crescent. Lakeshore Road runs along the length of the rear property line. Enclosure of the existing carport will increase the security of and screen from view, the contents of the existing structure. The 3.8 m measurement is the shortest distance from the corner of the carport to the front property line. The 6.0 m parking space length requirement must be maintained for any parking space. There are ample parking spaces available on the property to accommodate three parking spaces as per the bylaw requirement for a single family dwelling with a secondary suite.

Adjacent zones and uses are:

- North - RU1 – Large Lot Housing
- East - RU1 – Large Lot Housing
- South - RU6 – Two Dwelling Housing
- West - RU1 – Large Lot Housing

#### 3.2 Site Location Map:

Subject Property: 674 Armour Crescent



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> )	971 m <sup>2</sup>	550m <sup>2</sup>
Lot Width (m)	18.26+ m	17.0m
Lot Depth (m)	> 30 m	30.0m
Setbacks		
Front Yard	6.6 m/3.8 m to corner of carport/garage	4.5m except 6.0m to a garage or carport
Side Yard (W)	4.9 m	4.5m
Side Yard (E)	1.5 m	2.0m
Rear Yard	7.1 m (no change)	7.5m
Building Height	2 storeys (2 change)	2.5 storeys

#### 4.0 CURRENT DEVELOPMENT POLICY

##### 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.”

#### 5.0 TECHNICAL COMMENTS

##### 5.1 Inspection Services

Building permit required to enclose carport, construction of existing structure to be upgraded to meet requirements of BC Building Code 1998.

##### 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

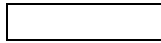
The requested variance to reduce the front yard setback from the required 6.0 m to 3.8 m, and the side yard setback from the required 2.0 m to 1.5 m, do not compromise Works and Utilities servicing requirements.

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

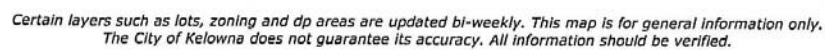
Attach.

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

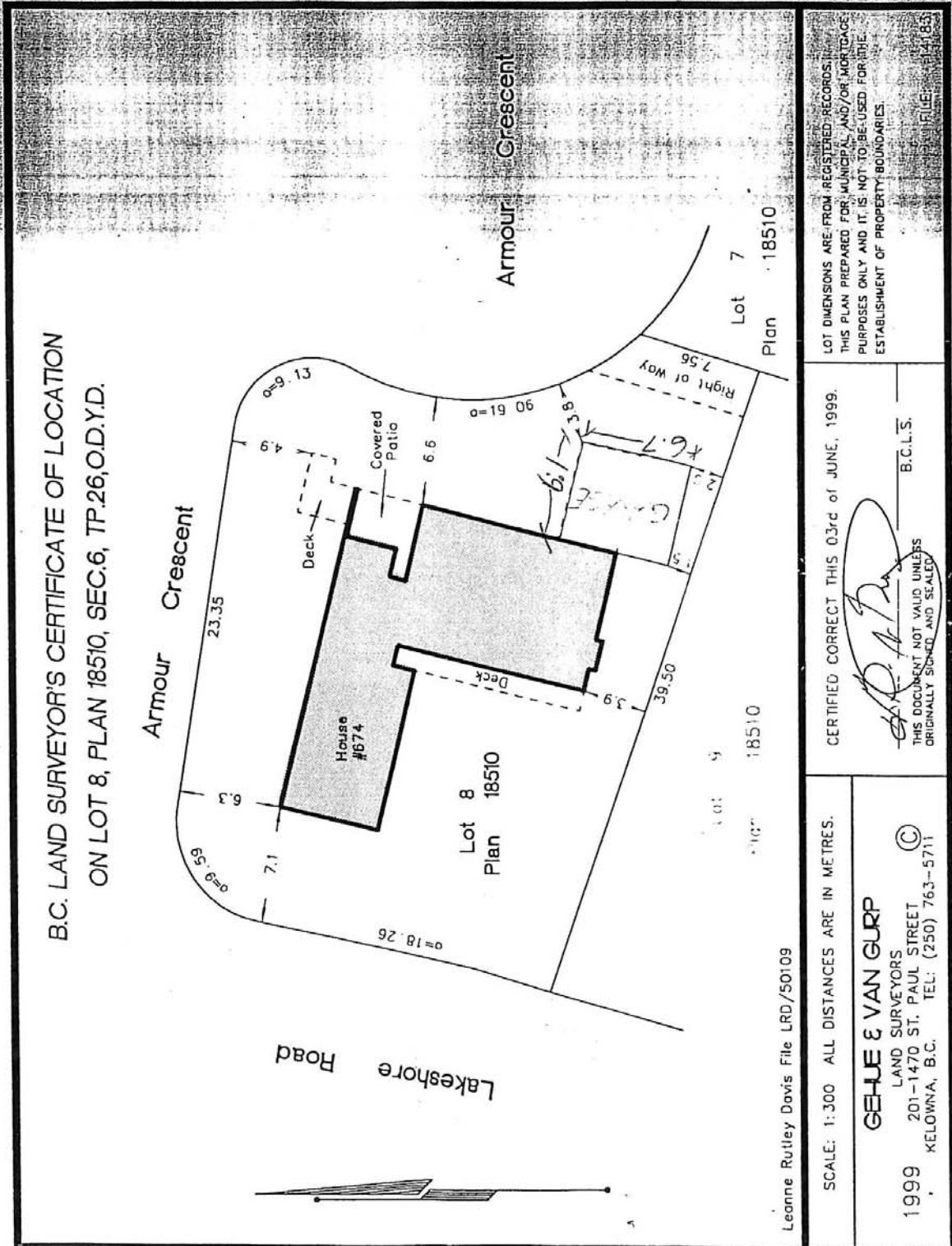
**ATTACHMENTS**

- Location Map
- Site Plan
- Elevations (4)
- Photographs (5)

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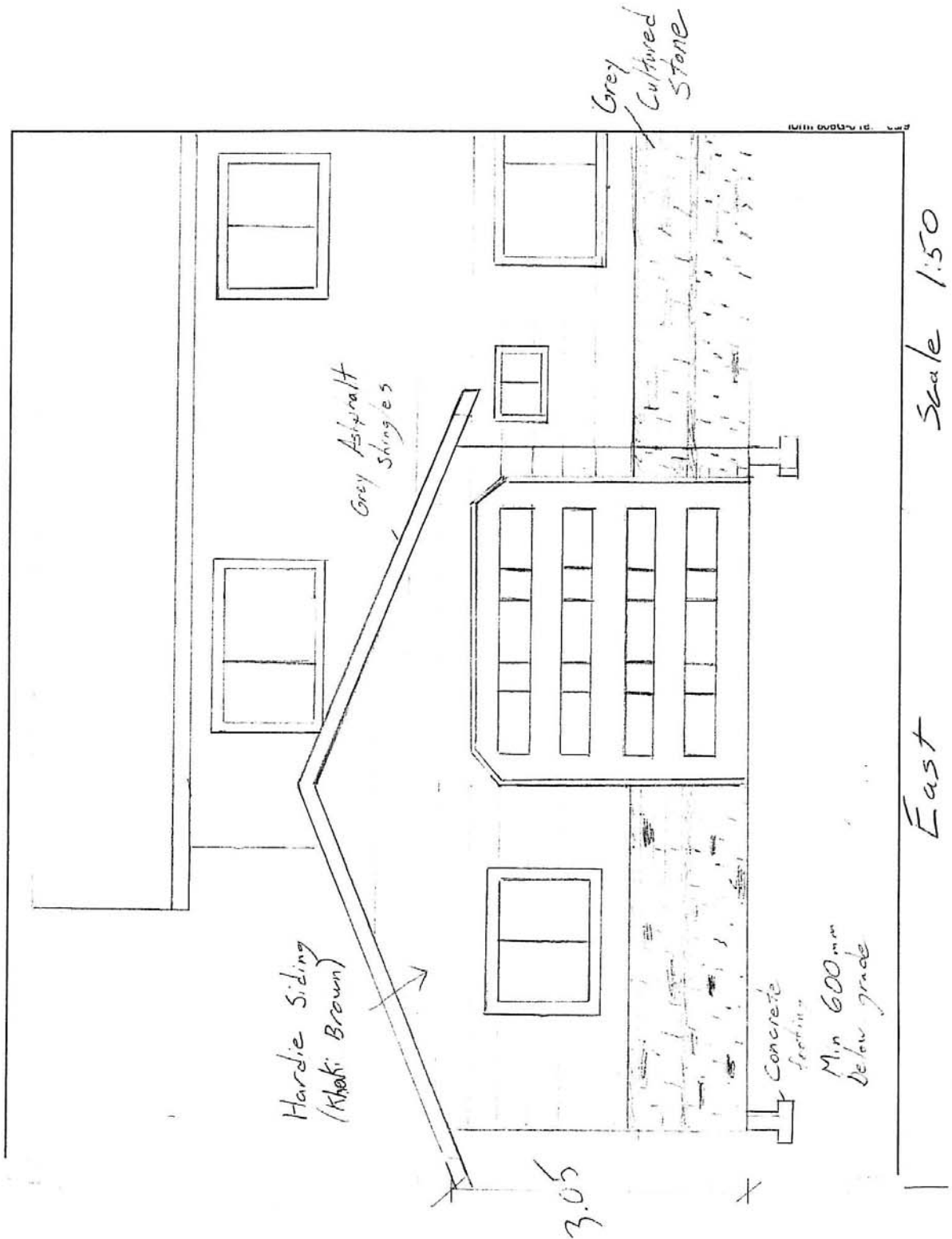


Site Plan

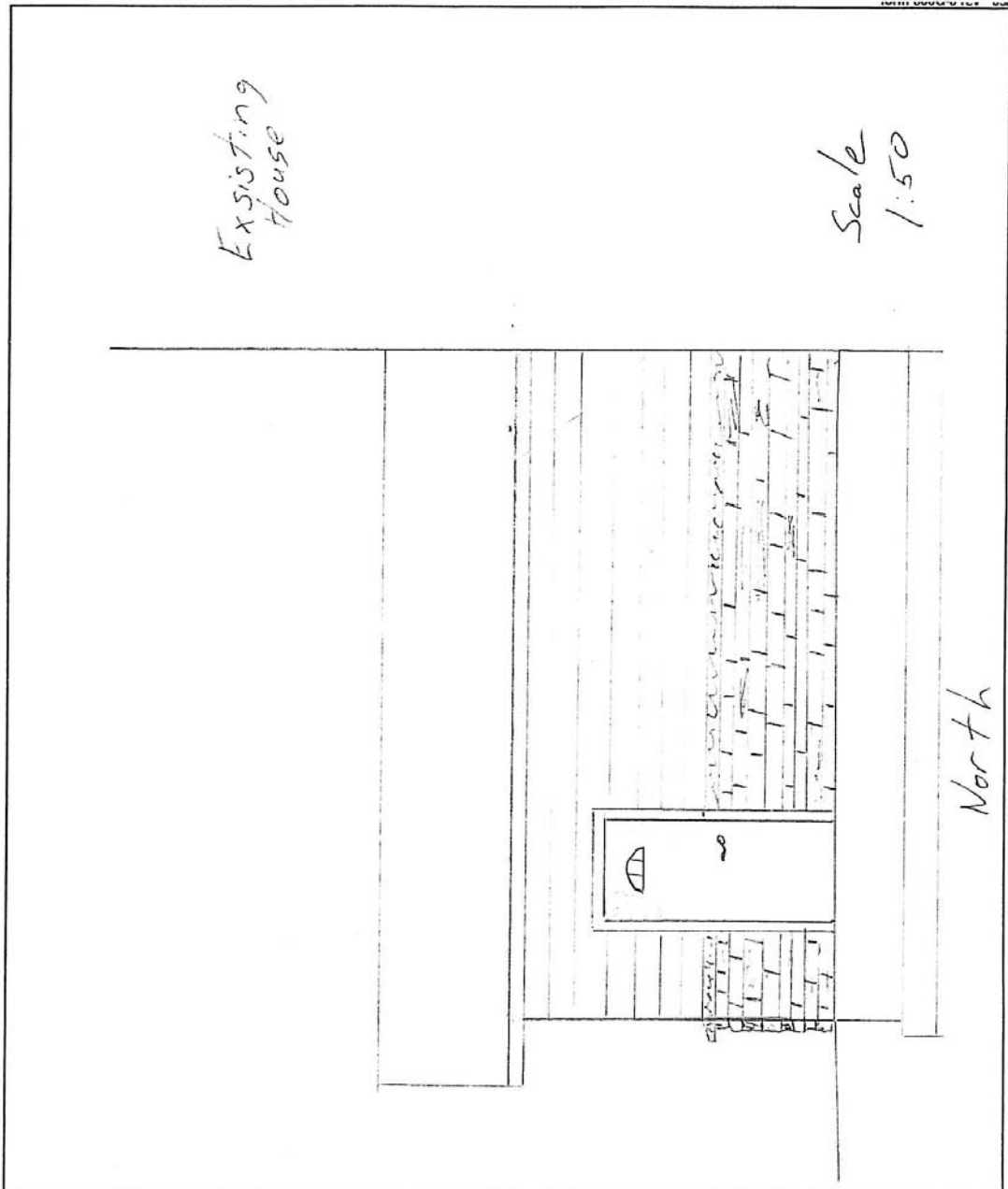




Front Elevation



# North Elevation



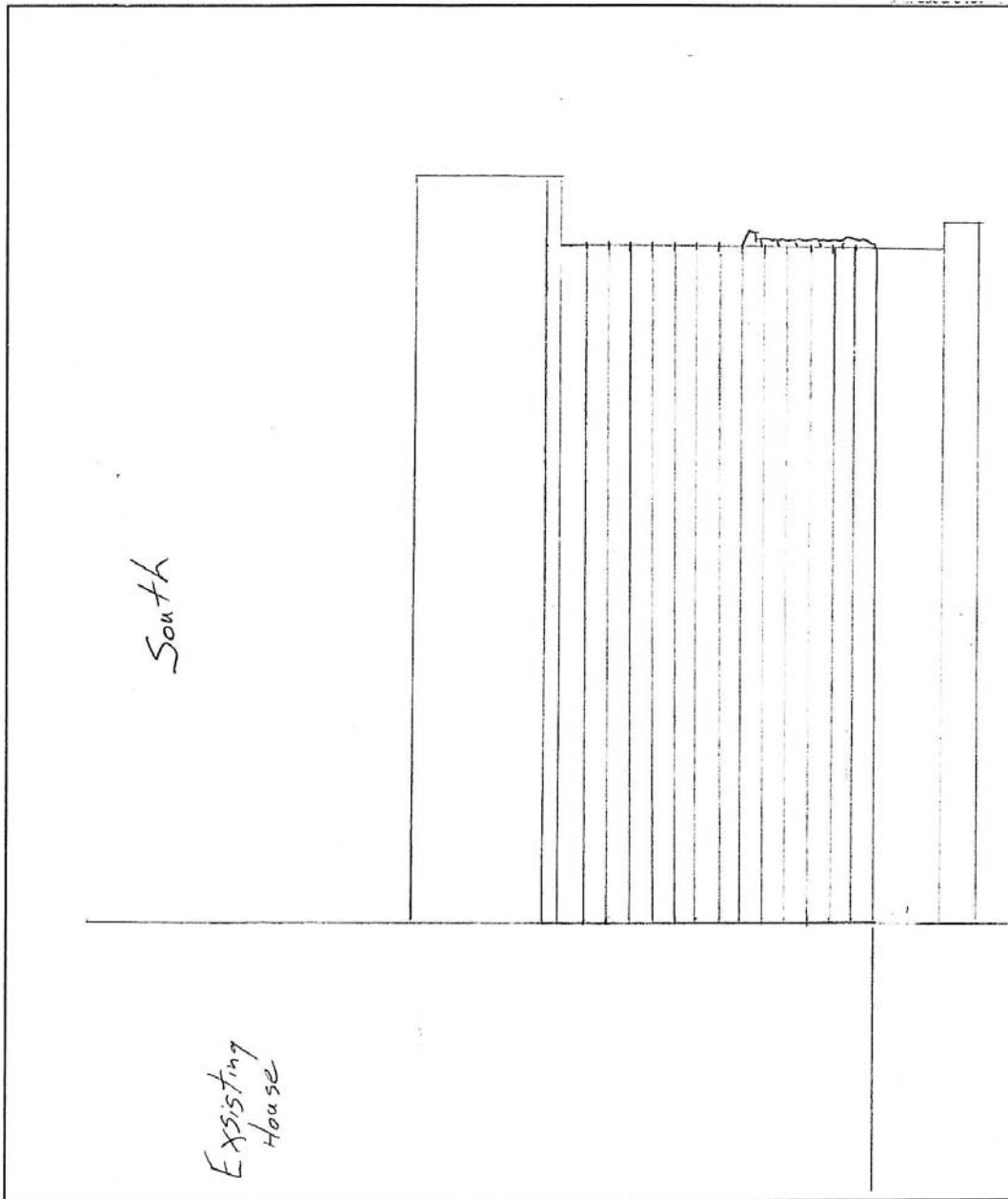
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# South Elevation

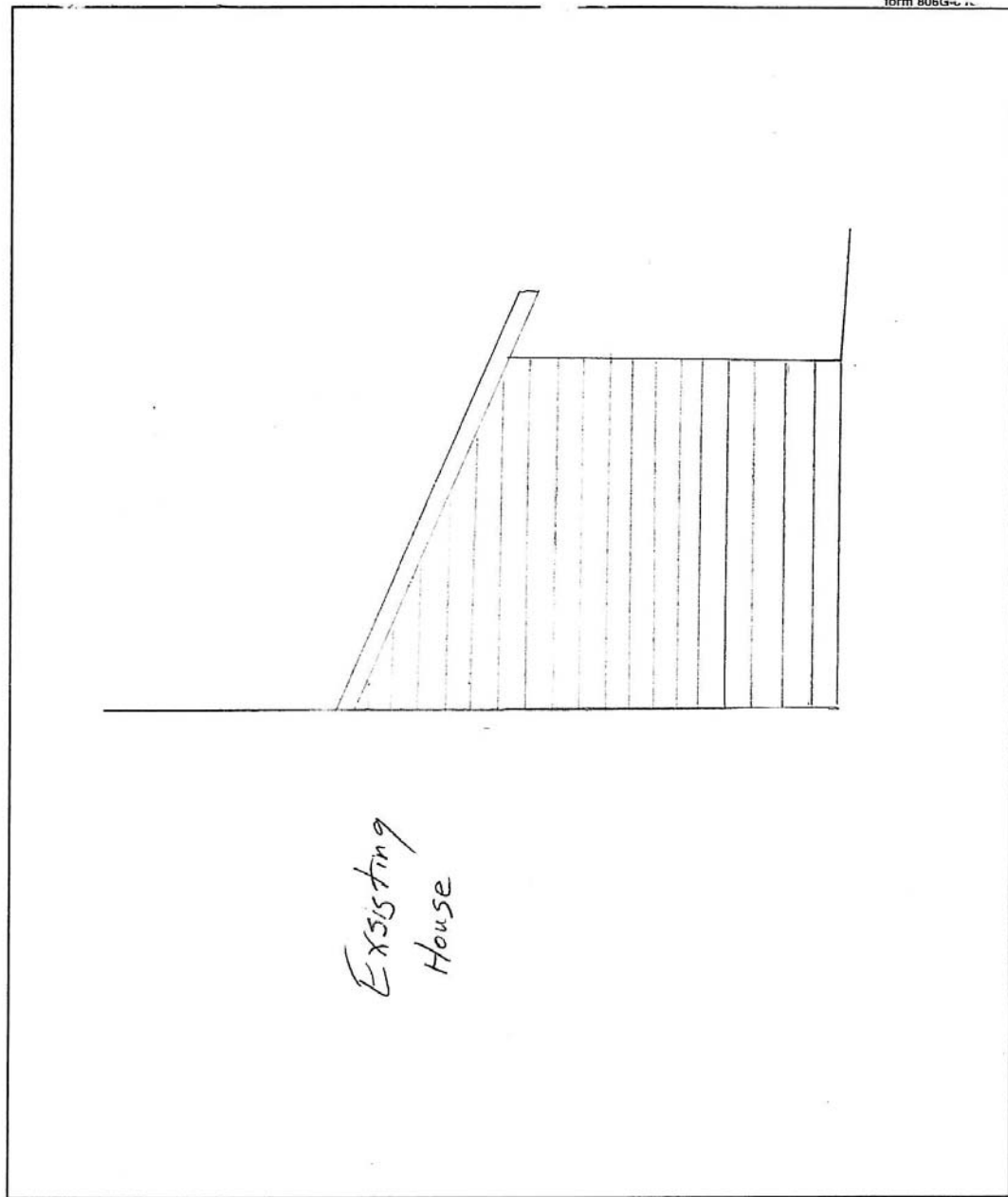


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West Side Elevation



Scale 1:50

West

Existing  
House

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Photographs:  
Front



Existing Carport



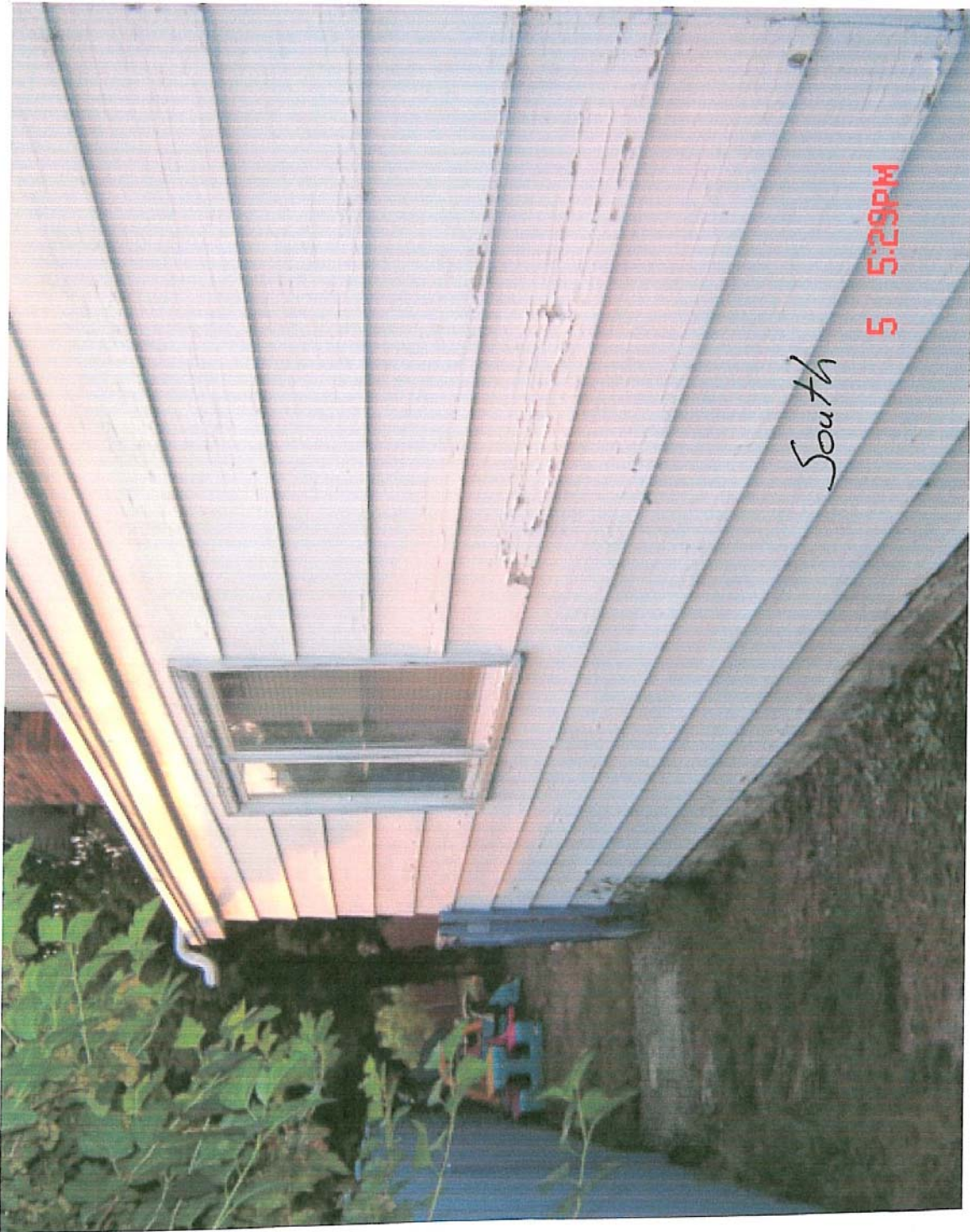


Side of Existing Carport





South Side





West Side

