
CITY OF KELOWNA

MEMORANDUM

DATE: MAY 18, 2007
TO: CITY MANAGER
FROM: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

APPLICATION NO. DP07-0031
DVP07-0032 **OWNER:** Debra Scott

AT: 795 BERNARD AVENUE **APPLICANT:** Peter J. Chataway

PURPOSE: TO SEEK A DEVELOPMENT PERMIT TO ALLOW THE
CONVERSION OF THE EXISTING ACCESSORY BUILDING
INTO A SECONDARY SUITE

TO VARY THE SETBACK BETWEEN THE PRINCIPAL
DWELLING AND ACCESSORY BUILDING WITH SUITE FROM
5.0M REQUIRED TO 3.88M PROPOSED

EXISTING ZONE: RU6 – TWO DWELLING HOUSING

REPORT PREPARED BY: RYAN SMITH

1.0 RECOMMENDATION

THAT Council authorize the issuance of Development Permit No. DP07-0031 for Lot 19, Block 15, District Lot 138, ODYD Plan 262, located on Bernard Avenue, 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 exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
3. Landscaping to be provided on the land be in general accordance with Schedule "C";

AND THAT Council authorize the issuance of Development Variance Permit No. DVP07-0032; Lot 19, Block 15, District Lot 138, ODYD Plan 262, located on Bernard Avenue, Kelowna, B.C.;

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

Section 13.6 – Two Dwelling Housing: 13.6.7: Other Regulations: (c)

Vary the setback between a principal building and accessory building with secondary suite from 5.0m required to 3.88m proposed.

2.0 SUMMARY

The subject property is zoned RU6 – Two Dwelling Housing and is located on the south side of Bernard Avenue between Richter Street and Ethel Street.

The applicant is proposing to convert an existing accessory building at the rear of the subject property into a secondary suite. The accessory building houses a two car garage and workshop at grade and the proposed suite will be located above. The area of the suite measures 48m².

The applicant is seeking Council support for a Development Variance Permit to reduce the required setback between the accessory building with suite and primary dwelling from 5.0m required to 3.88m proposed.

4.0 LOCATION

See attached map.

5.0 ZONING ANALYSIS

The application compares to the RU6 – Two Dwelling Housing zone requirements as follows:

| CRITERIA | PROPOSAL | RU6 ZONE REQUIREMENTS |
|--------------------------------------|--------------------|-----------------------|
| Lot Area (m ²) | 634 m ² | 400m ² |
| Lot Depth (m) | 41.80m | 30m |
| Lot Width (m) | 15.24m | 13.0m |
| Area of Buildings at Grade | 209m ² | |
| Floor Area of Existing Dwelling | 151m ² | |
| Floor Area of Proposed Suite | 48m ² | 90m ² |
| Site Coverage (%) (Buildings) | 35.8% | 40% |
| Parking Spaces | 3 | 3 |
| Private Open Space (m ²) | 118m ² | 30m ² |
| Storeys (#) (accessory) | 1.5 | 1.5 |
| Setbacks(m)(Dwelling) | | |
| - Front | 8.39m | 4.5m |
| - Rear | 3.88m ^❶ | 5.0m |
| - Side (W) | 1.6m | 2.0m |
| - Side (E) | 1.6m | 2.0m |
| Setbacks(m)(Accessory) | | |
| - Front | 3.88m ^❶ | 5.0m |
| - Rear | 1.5m | 1.5m |
| - Side (W) | 3.0m | 2.0m |
| - Side (E) | 2.0m | 2.0m |

❶Note: The applicant is seeking to vary the setback between the primary dwelling and the secondary suite from 5.0m required to 3.88m proposed.

6.0 CURRENT DEVELOPMENT POLICY

The subject property is designated as Single / Two Unit Residential in the Official Community Plan and as such the provision of a suite in an accessory building would be in compliance and could be supported. .

7.0 TECHNICAL COMMENTS

This application was circulated to various city departments and technical agencies and the following feedback was received:

7.1 Works and Utilities

The Works & Utilities Department have the following requirements associated with this Development Variance Permit Application.

7.1.1 Domestic Water and Fire Protection

This property is currently serviced with a metered 19mm-diameter copper water service. The service is of sufficient size to provide adequate water for the existing house and accessory building.

7.1.2 Sanitary Sewer

Our records indicate that this property is serviced with a 100mm-diameter sanitary sewer service that should be adequate for the proposed application. An inspection chamber is in place.

7.1.3 Electric Power and Telecommunication Services

It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for service upgrades to these services which would be at the applicant's cost.

7.1.4 Variance and Site Related Issues

The requested variance to reduce the separation between the principal residence and the accessory building from the required 5.00m to 3.88m proposed, does not compromise Works and Utilities servicing requirements.

Access to the hard surface on-site parking area will be restricted to the rear lane.

8.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning and Development Services Department has no concerns with the proposed Development Permit and Development Variance Permit applications. The proposal will allow for the conversion of the accessory building into a secondary suite which will provide a potential rental unit.

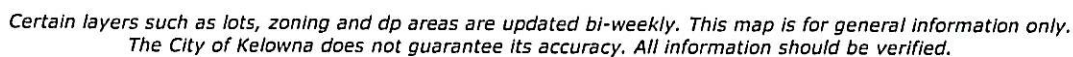

Shelley Gambacort
Acting Manager of Development Services

Approved for inclusion:



Mary Pynenburg, MRAIC MCIP
Director of Planning & Development Services

MP/SG/rs
Attach



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