
**CITY OF KELOWNA
MEMORANDUM**

DATE: January 22, 2008

TO: City Manager

FROM: Planning & Development Services Department

APPLICATION NO. DVP07-0251 **APPLICANT:** Ed & Wendy Rush
AT: 1395 Wilmot Ave **OWNERS:** Ed & Wendy Rush

PURPOSE: TO VARY THE EXISTING FRONT YARD SETBACK FROM 4.5M TO 3.0 PROPOSED

EXISTING ZONE: RU1 – LARGE LOT HOUSING

REPORT PREPARED BY: Damien Burggraeve

1.0 RECCOMENDATION

THAT Council authorize the issuance of Development Variance Permit No. DVP07-0251 for Lot 11, Sec 13, Twp 26, ODYD, Plan KAP82241, located at 1395 Wilmot Ave, Kelowna, B.C.:

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

Section 13.1.6(c) Development Regulations – Front Yard Setback
Vary the front yard setback from 4.5m required to 3.0m proposed.

2.0 SUMMARY

The applicant is proposing to vary the front yard set back in order to accommodate the construction of a single family dwelling at 1395 Wilmot Avenue. The applicant has requested a relaxation of the front yard setback requirement from 4.5m to 3.0m to allow for a small back yard. The subject property is geographically challenged due to the steep slope located at the rear (See attached photos) The applicant indicated that the property should be zoned RU1h given the geography of the site and that the front yard setback would then be 3m. The applicant has provided a site plan clearly showing the proposed dwelling sited in accordance with the RU1 setbacks and shown sited with the requested variance.

Planning and Building Inspection staff were concerned with the building footings being so close to the top of bank at the rear of the proposed dwelling. The applicant provided a geotechnical report to address this specific issue. The geotechnical engineer provided specific recommendations to ensure the footings are safe and the Inspection Services Department has no concerns based on this geotechnical report.

3.1 Development Analysis

CRITERIA	PROPOSAL	RU1 ZONE REQUIREMENTS
Subdivision Regulations		
Lot Area	662 m ²	550 m ²
Lot Width	18.2 m	16.5 m
Lot Depth	30.36 m	30.0 m

Development Regulations		
Site Coverage	22%	40%
Height	Meets requirements	2 ½ storeys / 9.5 m
Front Yard	3.0m ¹	4.5 m or 6.0 m to a garage
Side Yard (east)	2.0m	2.0 m (1 or 1 ½ storey portion) 2.3 m (2-storey portion)
Side Yard (west)	2.0m	2.0 m (1 or 1 ½ storey portion) 2.3 m (2-storey portion)
Rear Yard	9.0m	7.5 m or 1.5 m for accessory buildings

3.2 Site Context

The surrounding area has been developed primarily as a single/two-family neighbourhood. More specifically, the adjacent land uses are as follows:

North	RU1 – Large Lot Housing – Single family residence
East	RU1 – Large Lot Housing – Single family residence
South	RU1 – Large Lot Housing – Single family residence
West	RU1 – Large Lot Housing – Single family residence


3.3 Site Location Map:

See attachment

¹ To vary the existing front yard from 4.5m required to 3.0m proposed

4.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

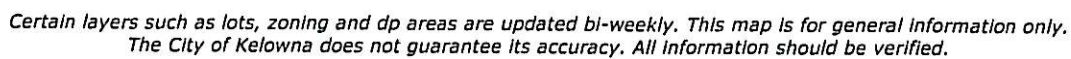
This application has not been circulated to the Advisory Planning Commission, as the applicant has received a Home Design Approval Form from the developer and signed letters from the abutting property owners with no objections to the proposed variance. The Planning and Development Services Department supports this application for variances to the front yard setback and recommends this application be supported.


Shelley Gambacort
Current Planning Supervisor

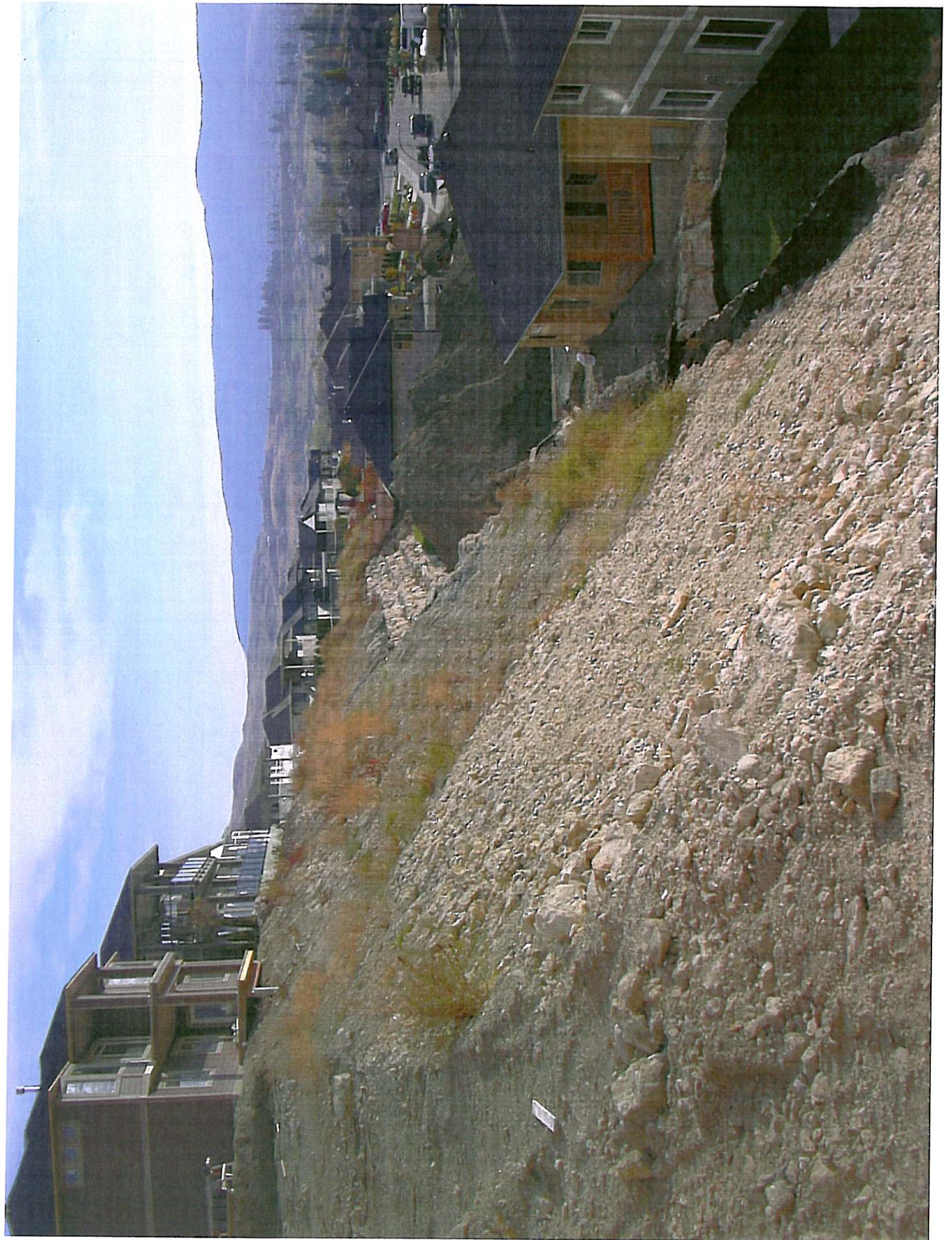
PM/SG/db

ATTACHMENTS:

- Location Map
- Site plan showing
- Building elevations
- Site photos









Proposed

WILMOT AVE.

Proposed
variances.

LOT 11
RU1h

DATE _____
 BY _____
 OFFICE _____
 DIVISION _____

WILMOT AVE.

LOT 11
RU1

