
CITY OF KELOWNA
MEMORANDUM

DATE: October 23, 2008
TO: City Manager
FROM: Community Sustainability Division

APPLICATION NO. DVP08-0192 **OWNER:** Paula Craig
AT: 1870 Maple St **APPLICANT:** K. Kingston

PURPOSE: To vary the northern minimum side yard setback for a secondary suite in an accessory building from 2.0 m to 1.0 m and to vary the minimum number of off-street parking required from 3 stalls to 2 stalls.

OCP DESIGNATION: S2RES – Single/Two Unit Residential
EXISTING ZONE: RU1 – Large Lot Housing
PROPOSED ZONE: RU1s – Large Lot Housing with Secondary Suite
REPORT PREPARED BY: Andrew Browne

1.0 RECOMMENDATION

THAT Final Adoption of Zone Amending Bylaw No.10113 be considered by Council;

THAT Council authorize the issuance of Development Variance Permit No. DVP08-0192 for Lot 19 Block B District Lot 14 ODYD Plan 2220, located at 1870 Maple Street, Kelowna BC;

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

Section 13.1.6(d) Minimum Side Yard Setback – To vary the required minimum side yard setback from 2.0 m required to 1.0 m for the proposed secondary suite in an accessory building.

Section 8.1.2 Minimum Number of Off-Street Parking Spaces – To vary the required minimum number of off-street parking spaces from 3 required to 2 proposed.

2.0 SUMMARY

The applicant proposes to rezone the subject property from RU1 – Large Lot Housing to RU1s – Large Lot Housing with Secondary Suite in order to establish a secondary suite within an accessory building recently built in conjunction with a Heritage Alteration Permit.

3.0 BACKGROUND

3.1 Site Context

The subject property is located in the city centre at 1870 Maple Street. The area is predominantly zoned for single family dwellings, with a wide variety of uses and densities within walking distance.

The immediately adjacent land uses are as follows:

North RU1 – Large Lot Housing
 South RU1 – Large Lot Housing
 East RU1 – Large Lot Housing
 West RU1 – Large Lot Housing

3.2 Aerial Photo



3.3 The Proposal

The applicant proposes to rezone the subject property from RU1 – Large Lot Housing to RU1s – Large Lot Housing with Secondary Suite in order to establish a secondary within an accessory building recently built in conjunction with a Heritage Alteration Permit.

The table below shows this application’s compliance with the requirements of the RU1s zone.

Zoning Bylaw No. 8000		
CRITERIA	PROPOSAL	RU1s ZONE REQUIREMENTS FOR SECONDARY SUITE
Development Regulations		
Secondary Suite size	35.8 m ²	90.0 m ²
Rear yard	1.83 m	1.5 m

Side yard	1.0 m *	2.0 m
Side yard	8.12 m	2.0 m
Other Regulations		
Distance between dwellings	9.2 m	4.5 m
Parking stalls	2 *	3
Private open space	Meets requirements	30 m2 per dwelling
* Indicates that a variance is required		

4.0 **TECHNICAL COMMENTS**

4.1 **Fire Department**

Exit and exit stairs from upstairs residence and exit door way from downstairs garage to meet BCBC 2006 requirements.

4.2 **Inspections Department**

No concerns.

4.3 **Works & Utilities Department**

Refer to City file HAP08-0002 for works and utilities initial comments. The application to rezone from RU1 to RU1s does not compromise works and utilities servicing requirements.

4.4 **Ministry of Transportation**

No objections.

5.0 **LAND USE MANAGEMENT DEPARTMENT COMMENTS**

The applicants have provided letters of support from the affected neighbours for the requested variances, and as such referral to APC was not necessary.

The proposed conversion of the recently-built accessory structure to a secondary suite requires a side yard setback variance, as a secondary suite in an accessory building has a more onerous side yard setback requirement than an accessory building. Land Use Management considers this requested variance to be minor in nature and with minimal impact to neighbouring properties.

The request to vary the off-street parking requirement from 3 spaces to 2 spaces has also received support from affected neighbours. The accessory building, accessed from the rear lane, accommodates two vehicles. No area exists on the site for a third parking stall as the backyard contains the pool and accessory building and as lane access is available the zoning bylaw does not permit parking in the front yard. The area residents typically use the on street parking as their primary parking and as a result the impact by allowing this parking variance will likely be minimal.



Shelley Gambacort
Director of Land Use Management

ATTACHMENTS

Location map
Site plan
Rear yard landscape plan
Secondary suite floor plan

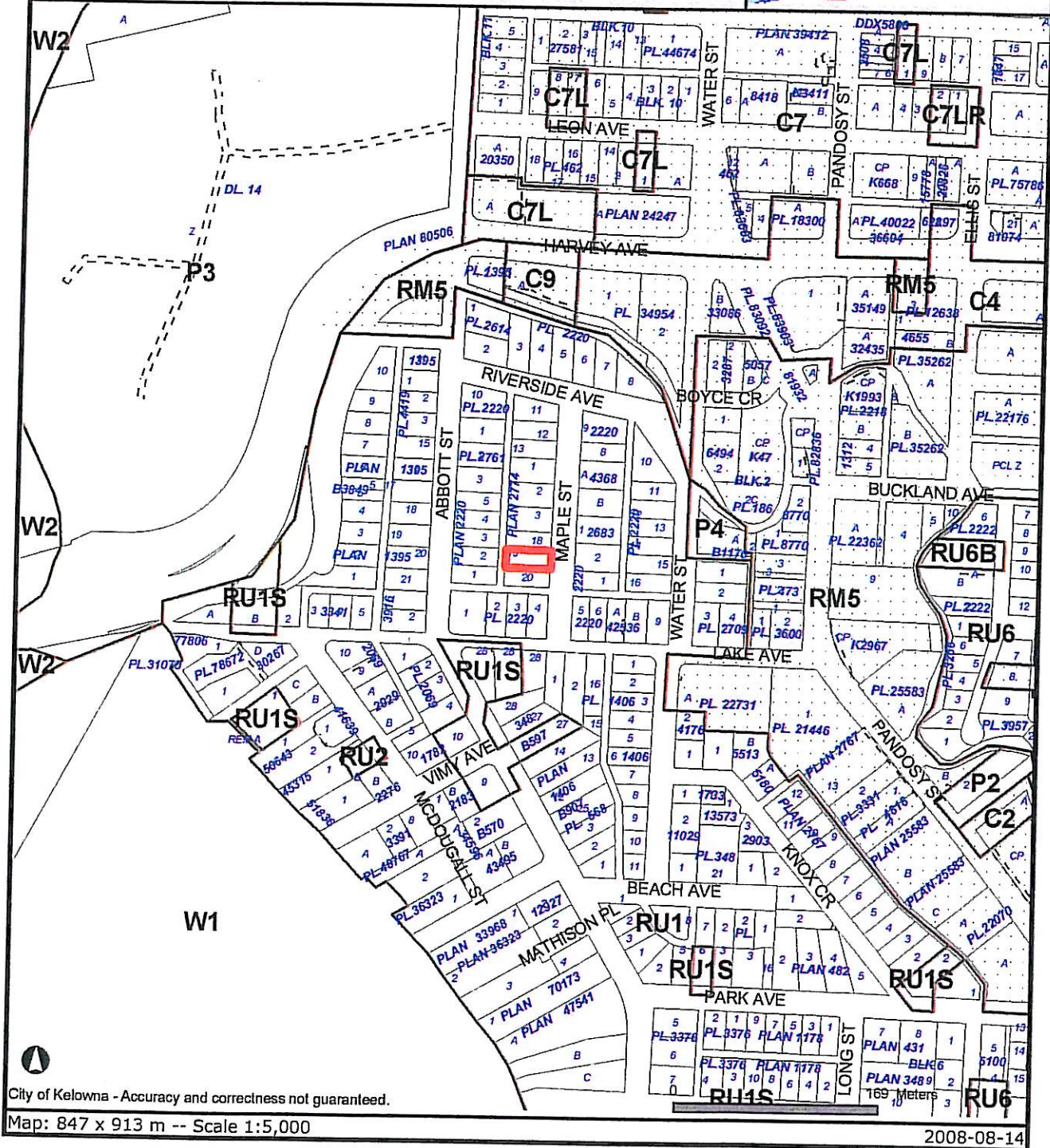
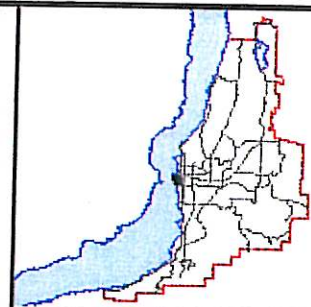
Application

Z08-0075

DVP08-0192



Subject Property



City of Kelowna - Accuracy and correctness not guaranteed.

Map: 847 x 913 m -- Scale 1:5,000

2008-08-14

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.

LOT 18

MAPLE STREET

15.24 m

LOT 19

LOT 20

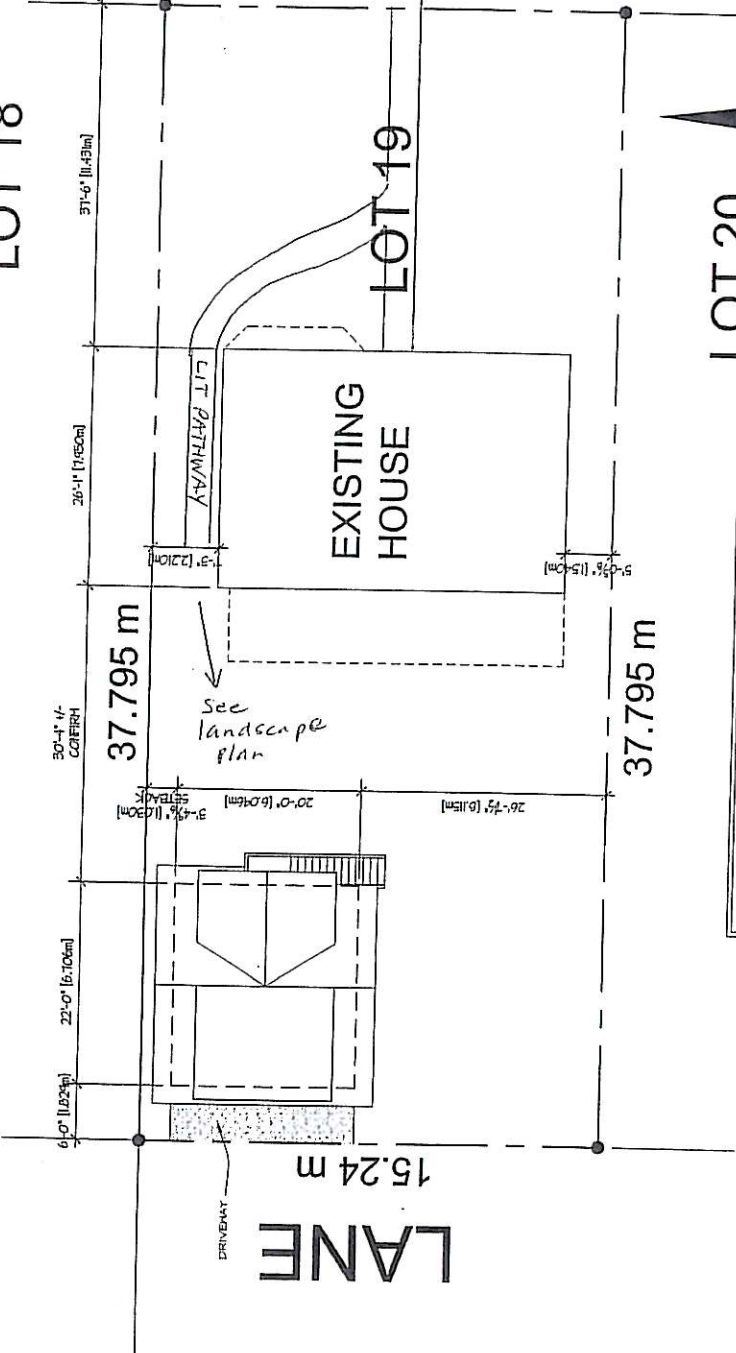
EXISTING HOUSE

37.795 m

37.795 m

LANE

15.24 m



NOTE:
 EXACT BUILDING LOCATION &
 ELEVATION TO BE DETERMINED
 ON SITE. CONFIRM ALL SETBACKS
 AND LOT LINES WITH REGISTERED
 LOT PLAN PRIOR TO CONSTRUCTION.

BAXTER DESIGN
 1700 K.L.O. Road
 Kelowna, B.C.
 V1W 3P3
 ph: (250) 862-9662
 email: baxterdesign@shaw.ca

PROPOSED ACCESSORY BLDG.
 1870 MAPLE STREET
 KELOWNA, B.C.

DRAWING SCALE: 1/8" = 1'-0"
 DATE: MARCH 5 / 08
 REV. DATE(S):
 DRN. BY: S.H.B.

1/4

REVISED PLANS

ERRORS AND OMISSIONS

BAXTER DESIGN & ENGINEERING INC. AND ITS CONSULTANTS ARE NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS PLAN OR ANY OTHER DOCUMENTS PREPARED BY OR FOR THE CLIENT. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CLIENT IS RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL INFORMATION PROVIDED TO THE CONSULTANTS. THE CONSULTANTS ACCEPT NO LIABILITY FOR ANY ERRORS OR OMISSIONS IN THIS PLAN OR ANY OTHER DOCUMENTS PREPARED BY OR FOR THE CLIENT. THE CONSULTANTS ACCEPT NO LIABILITY FOR ANY ERRORS OR OMISSIONS IN THIS PLAN OR ANY OTHER DOCUMENTS PREPARED BY OR FOR THE CLIENT.

LANDSCAPE PLAN

15.24 m

Fence

EMVAT

fence

Note 1:

all areas not in flower beds/ planters are in concrete/stone

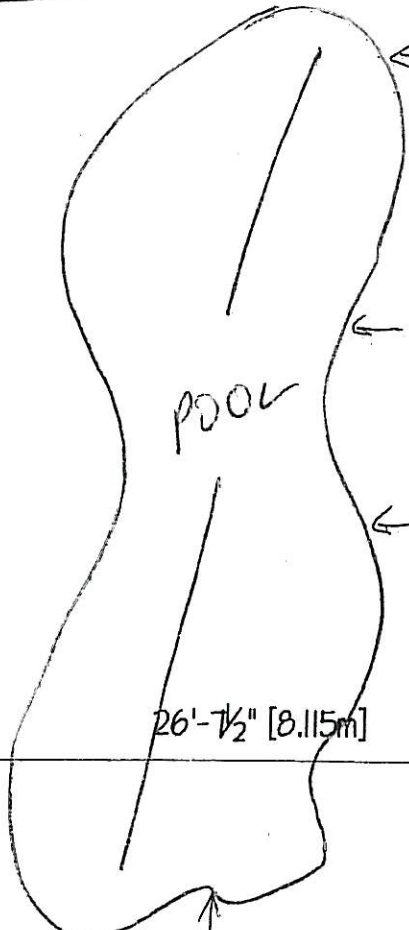
Note 2:

all exteriors of building are white stucco

Note 3:

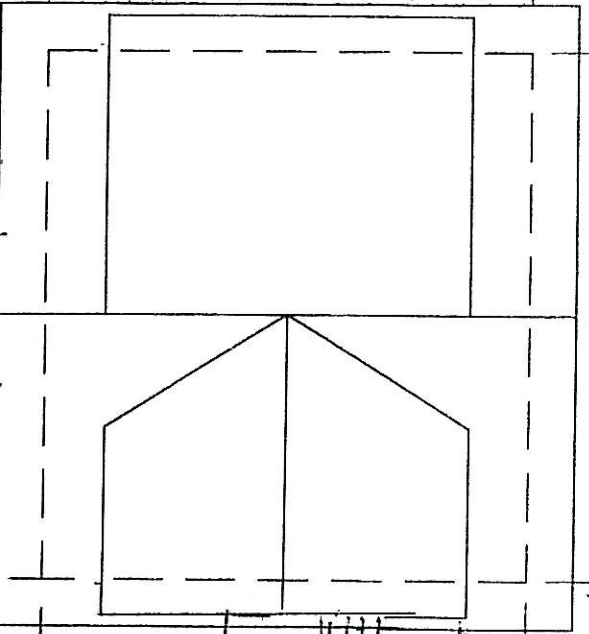
1 (one) designated parking space in garage for suite

POOL EQUIP SHED



POOL

26'-7 1/2" [8.115m]



Suite Area

20'-0" [6.096m]

3'-4 9/16" [1.030m] SETBACK

flowerbeds

18

16

11 FT

18

styrax

paper-bark maple

magnolia

maple

dogwood

37.795 m

5'-0 5/8" [1.540m]

gate

7'-3" [2.210m]

gate

EXIST HOUSES

variance

