
CITY OF KELOWNA
MEMORANDUM

Date: March 11, 2009

To: City Manager

From: Community Sustainability Division

APPLICATION NO. DVP07-0259

OWNER: Gurmail & Manjit Dhillon

AT: 269 Kneller Road

APPLICANT: Gurmail & Manjit Dhillon

PURPOSE: TO VARY THE REAR YARD SETBACK FROM 7.5 M REQUIRED TO 6.0 M PROPOSED IN ORDER TO ENCLOSE AN EXISTING DECK.

EXISTING ZONE: RU2 – Medium Lot Housing

REPORT PREPARED BY: Birte Decloux

1.0 **RECOMMENDATION**

THAT Council authorize the issuance of Development Variance Permit No. DVP07-0259 for Lot 2, Section 26 and 27, Township 26, Osoyoos Division Yale District Plan KAP61888 located at Kneller Road, Kelowna, B.C.

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

Section 13.2.6 (e) – Development Regulations

To vary the required rear yard set back from 7.5m required to 6.0m proposed.

2.0 **SUMMARY**

The applicant is seeking to vary the rear yard set back from 7.5m required to 6.0m proposed due to the enclosure of an existing deck on the second storey of the dwelling.

3.0 **BACKGROUND**

The applicant had made application to the Building and Inspection Services Department to enclose an existing deck and build a new deck on the northwest side of the dwelling. In reviewing the building application, it was determined that the enclosure of the existing deck creates new habitable space which must meet the requirements of the Zoning Bylaw. The new deck addition is not covered, and therefore does not conflict with the zoning bylaw regulations.

3.1 Site Context

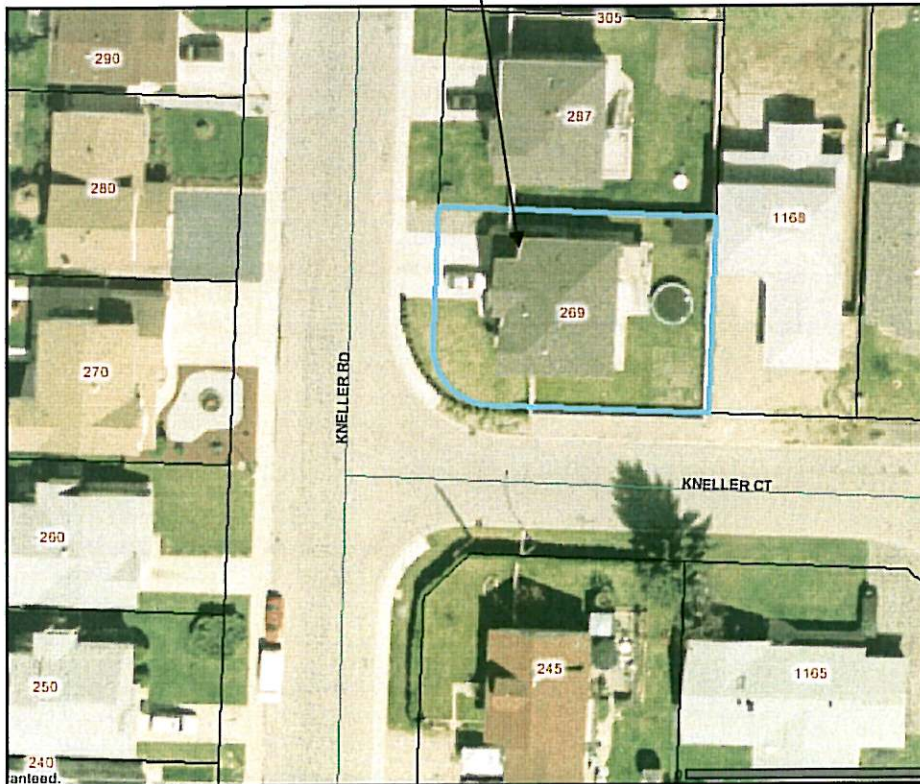
The subject property is located on the east side of the Kneller Road in Rutland.

Adjacent zones and uses are:

- North - RU2 – Medium Lot Housing
- East - RU2 – Medium Lot Housing
- South - RU1 – Large Lot Housing
- West - RU2 – Medium Lot Housing

Site Location Map

Subject Property: 269 Kneller Road



4.0 TECHNICAL COMMENTS

The application has been submitted to various technical agencies and City departments, and the following relevant comments have been submitted:

4.1 Works and Utilities

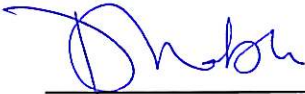
On-site related variances do not compromise Works and Utilities servicing requirements.

4.2 Building and Inspection Services

No concerns.

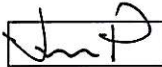
5.0 LAND USE MANAGEMENT DEPARTMENT

The proposed enclosure of the deck creates no hardship or siting issues for the abutting properties. Accordingly, the applicant has submitted a letter of support from the adjacent neighbours, indicating that they do not object to the proposed setback variance. Given the neighbourhood support and the minimal (if any) impact on the rear abutting property, the Land Use Management Department is supportive of the proposed rear yard setback variance to facilitate an enclosed deck.



Danielle Noble
Urban Land Use Manager

Approved for Inclusion



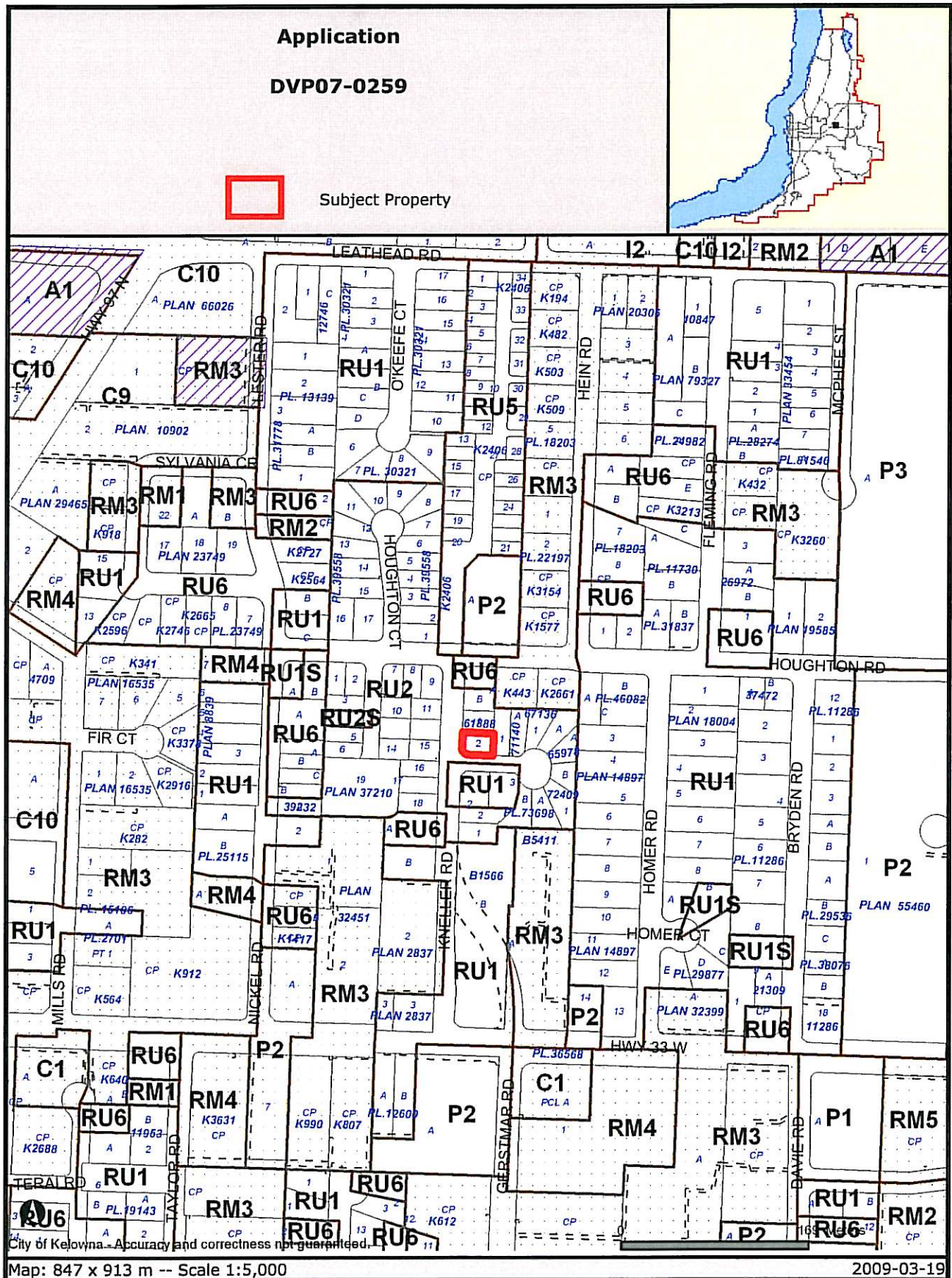
~~F~~/Shelley Gambacort
Director of Land Use Management

SG/DN/bcd

Attachments:

Location of Subject property
Site Map
Survey Certificate

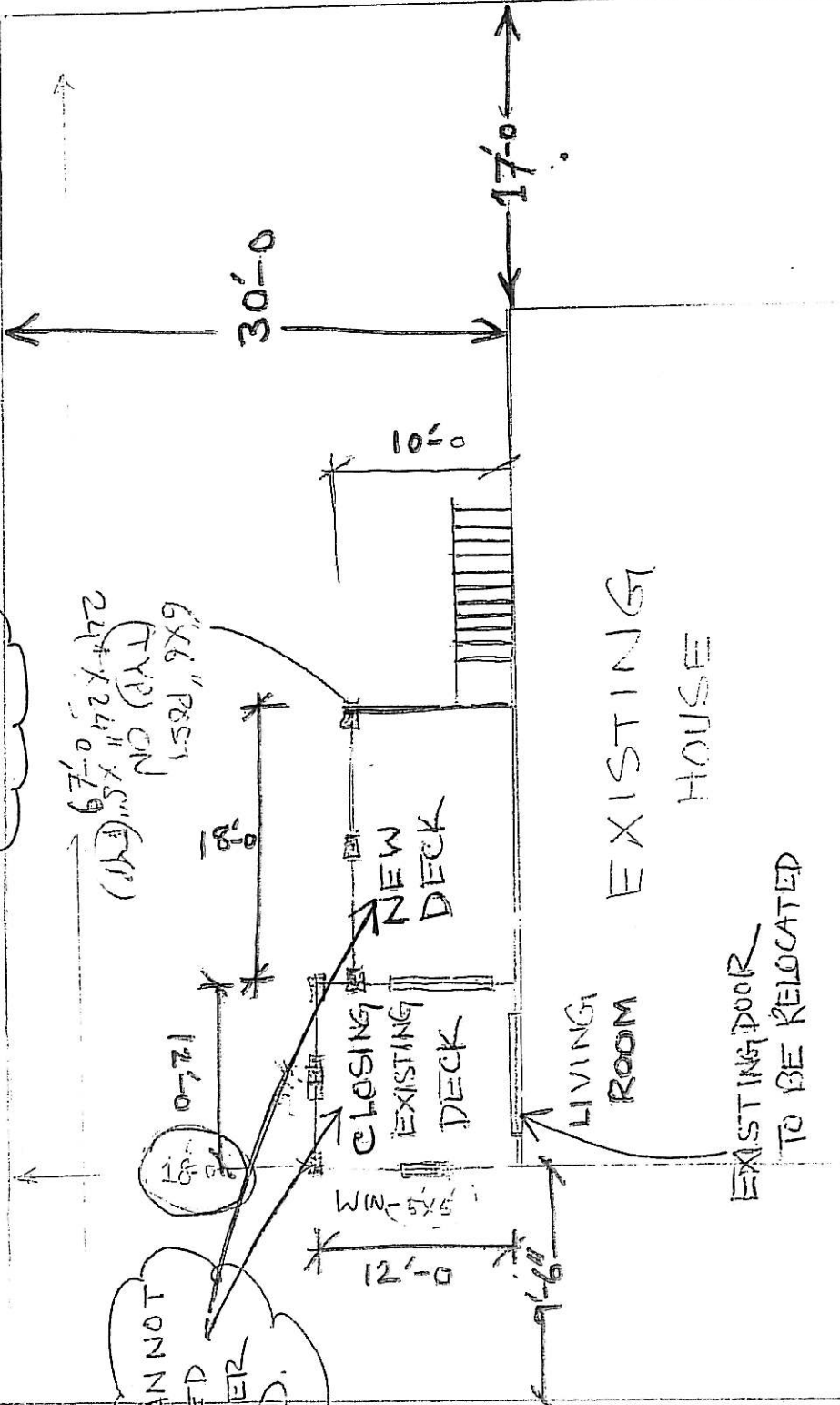




Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.
The City of Kelowna does not guarantee its accuracy. All information should be verified.

KNELLER CT

REAR



DECKS CANNOT
BE CLOSED
SEE LETTER
ATTACHED.

EXISTING
HOUSE

EXISTING DOOR
TO BE RELOCATED

269 KNELLER Rd

REVIEWED BY CITY OF KELOWNA INSPECTIONS SERVICES
FORMING PART OF BUILDING PERMIT # 34773 THESE
DRAWINGS SHALL REMAIN ON SITE AVAILABLE TO CITY BUILDING
INSPECTORS
DATE AUG 16/07 PLAN CHECKER TAKER

FRONT

* KNIFER ROAD

Building(s) erected on the said property is (are) wholly within the boundaries thereof, and does (do) not encroach on adjoining properties. The accompanying sketch shows within acceptable tolerances the size of the said property, and their relative positions. This sketch is not to be used for the establishment of property lines.

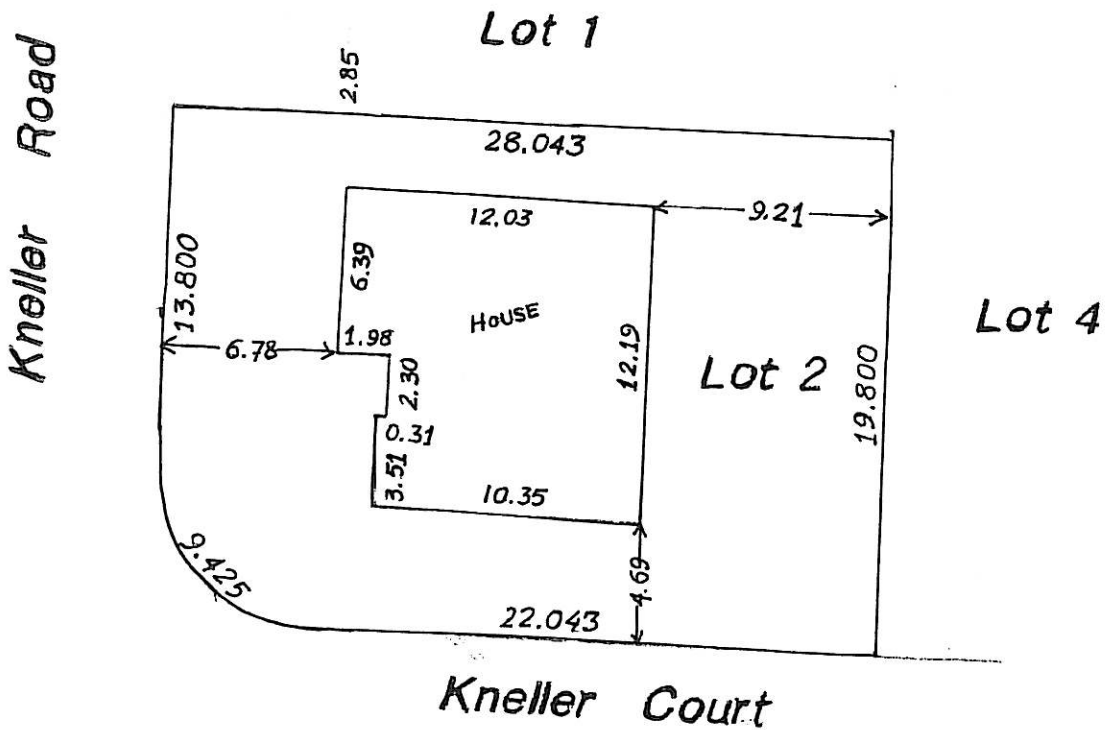
Established area is hereby the best of the

dimensions shown on the

plan and field records.

Concrete elevation is 124.0

100' Metric



SCH LAND SURVEYING INC.
 & Engineering Survey Consultants

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This document is not valid unless originally signed and sealed.

[Signature]

British Columbia Land Surveyor

The 24th of August, 1999

99230(158.4)

Rec'd Oct 27/99

