
CITY OF KELOWNA
MEMORANDUM

Date: April 27, 2009

To: City Manager

From: Community Sustainability Division

APPLICATION NO. DVP07-0259 **revised** **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 4.64 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 4.64 m proposed.

2.0 **SUMMARY**

The applicant is seeking to vary the rear yard set back from 7.5m required to 4.64m proposed to facilitate the enclosure of an existing deck on the second storey of the dwelling.

3.0 **BACKGROUND**

Council considered a variance for this subject property on April 21, 2009. Unfortunately, an error was made and the incorrect drawings were used. Given that the variance is greater than originally approved, it is necessary to re-consider the rear yard variance proposal from 7.5 m required to 4.64m proposed.

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



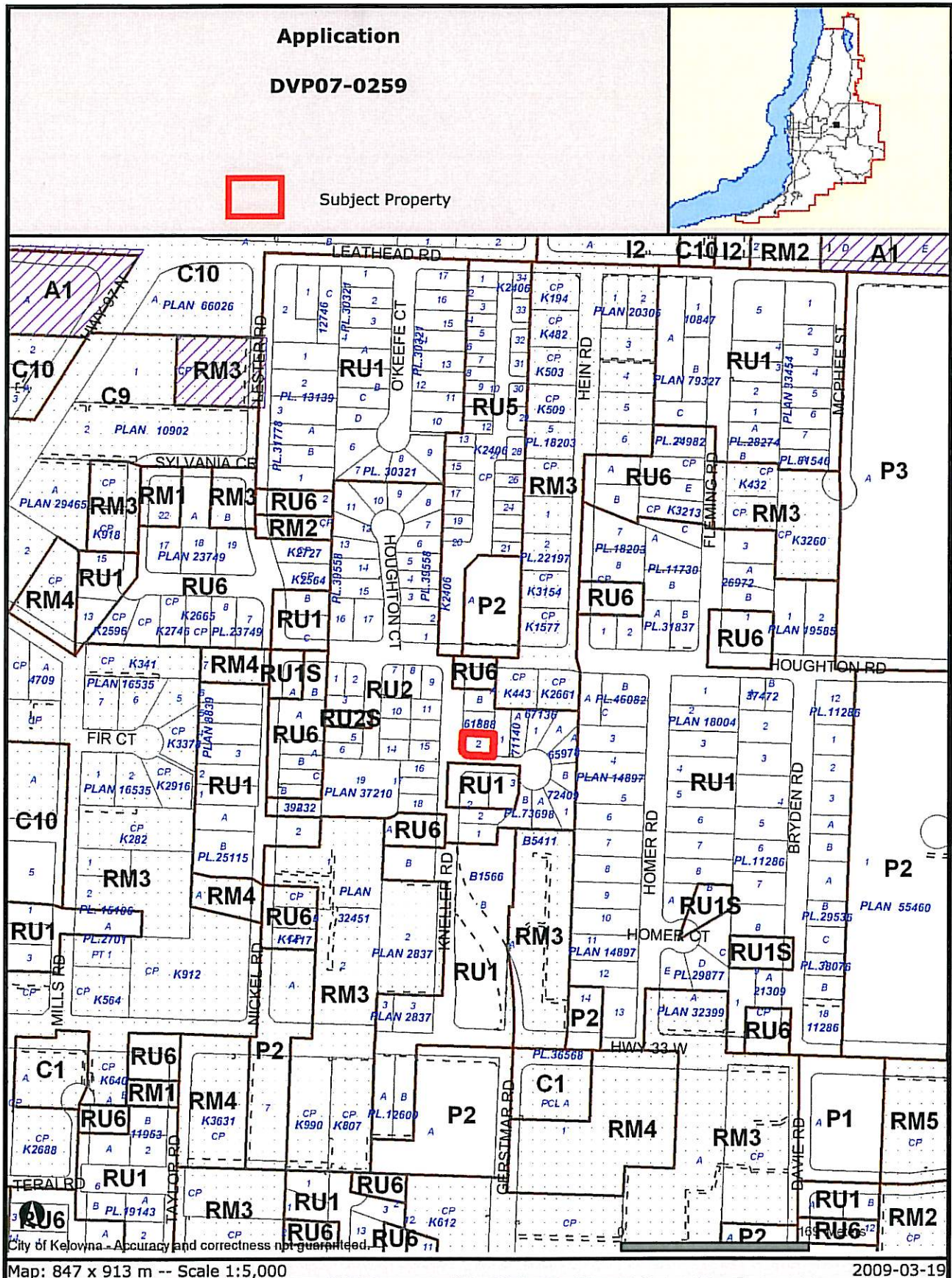
Shelley Gambacort
Director of Land Use Management

SG/DN/bcd

Attachments:

- Location of Subject property
- Site Map
- Survey Certificate





City of Kelowna - Accuracy and correctness not guaranteed.

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

2009-03-19

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.

... 20 & 21, P. 20, ODTL, Plan KAP518-3

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

...
 ...
 ...

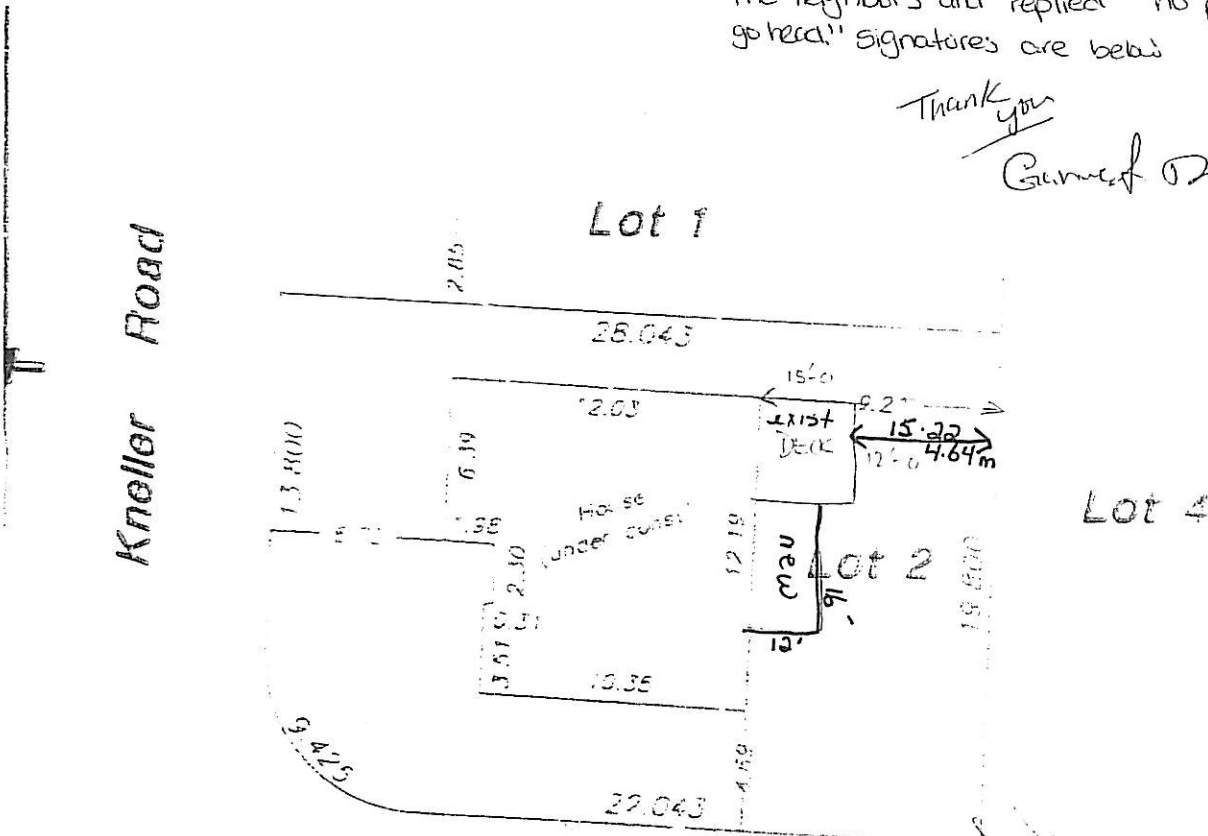
Hi! May who concern

My name is Gurnail Dhillon, I will be
~~make~~ making a new room (12 x 15), and a
 new deck (12 x 16). I already asked all
 the neighbors and replied "no problem,
 go ahead." Signatures are below

Thank you

Gurnail D

Concrete Elevation = 105.5
 1000 Metres



Kneller Court

JANG BHATTI
 JANG BHATTI

RAJ BHATTI
 Raj Bhatti
 387 KNELLER CRT
 718 65 77

GREG LANG
 1168 KNELLER CRT
 763 4246

SCH LAND SURVEYING INC.
 & Engineering Survey Consultants

© No part of this drawing may be reproduced, stored in a retrieval
 or transmitted, in any form or by any means, electronic, mechanical,
 ying recording, or otherwise, without the prior written permission of
 and Surveying Inc.
 document is not valid unless originally signed and sealed.

[Signature]
 British Columbia Land Surveyor
 The 24th of August, 1999

09230(138.4)

Rec'd Sept 27/99

