
**CITY OF KELOWNA
MEMORANDUM**

DATE: August 13, 2009
TO: City Manager
FROM: Community Sustainability Division

APPLICATION NO. DVP09-0088 **OWNER:** Bonnie Louise Olsen
AT: 996 Manhattan Dr **APPLICANT:** Ann Gladu & Serge Corbin

PURPOSE: To vary the required front yard setback for the accessory garage from 9.0 m required to 1.7 m proposed and to vary the required side yard setback for the accessory garage from 2.0 m required to 1.8 m proposed.

EXISTING ZONE: RU6 – Two Dwelling Housing

REPORT PREPARED BY: Andrew Browne

1.0 RECOMMENDATION

THAT Council authorize the issuance of Development Variance Permit No. DVP09-0088 for Lot A, District Lot 9, ODYD, Plan 39084, located at 996 Manhattan Drive, Kelowna, BC;

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

Section 13.6.6(c) Front Yard Setback – To vary the required front yard setback for the accessory garage from 6.0 m required to 1.7 m proposed.

Section 13.6.6(d) Side Yard Setback – To vary the required side yard setback for the accessory garage from 2.0 m required to 1.8 m proposed.

2.0 SUMMARY

The applicant proposes to construct an addition to the existing non-conforming garage located on the road side of the lakefront property. The proposed addition will extend from the existing garage toward the residence and will utilize the same side yard setback as the existing structure, but will not worsen the front yard setback nonconformity. The garage doors are to be relocated and the entire structure's exterior is to be refinished.

3.0 BACKGROUND

3.1 Site Context

The subject property is located at 996 Manhattan Drive. The surrounding neighbourhood is comprised of predominantly single detached residential dwellings, with a great diversity of land uses within walking distance (including industrial, commercial, tourist commercial and multi-family residential uses). Historically, lakefront homes oriented accessory garages toward the road as if it were a laneway. This has resulted over time in a unique street character.

The immediately adjacent zones/uses are as follows:

- North RU6 – Two Dwelling Housing
- South RU6 – Two Dwelling Housing
- East RU6 – Two Dwelling Housing & P3 – Parks and Open Space
- West RU6 – Two Dwelling Housing & Okanagan Lake

3.2 Aerial Photo



3.3 The Proposal

The table below shows this application's compliance with the requirements of the RU6 zone.

Zoning Bylaw No. 8000		
CRITERIA	PROPOSAL	RU6 ZONE REQUIREMENTS
Development Regulations		
Site Coverage for Accessory Buildings	7.6% and 66.9 m ²	Lesser of 14% or 90 m ² = 90 m ²
Separation from Residence	~ 5.2 m	1.0 m
Front Yard (Accessory Bldg.)	1.7 m *	9.0 m
Side Yard (Accessory Bldg.)	1.8 m *	2.0 m
* Indicates that a variance is required.		

4.0 TECHNICAL COMMENTS

4.1 **Building & Permitting**

No concerns.

4.2 **Development Engineering**

This development variance permit application for the Extension of an existing Garage does not compromise any municipal services and it does not trigger any offsite upgrades.

5.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS

The applicant has entered into a purchase agreement for the property and will be pursuing renovations. Changes proposed to the accessory garage are as follows:

- 10 foot addition toward the residence, expanding the garage from approximately 2-car to 3-car in size.
- Relocation of garage doors that currently face Manhattan Drive to face internally on the property.
- Complete exterior refinishing including Hardiplank siding (yellow w/ white trim) and a new fiberglass/asphalt shingled roof.

As the accessory building is located in the required front yard (defined as the area between the front lot line and the principal building), more stringent setbacks apply than would otherwise be applicable to accessory buildings. The structure is existing, non-conforming in its setback to the front and northern side yards. The front yard setback is not being worsened or changed and this setback is characteristic of the neighbourhood. The northern side yard setback is not being worsened but the same non-conforming setback is proposed for the addition (1.8 m versus 2.0 m), and a variance is required.

Land Use Management staff recommend support for the proposed variances as they are in character with the neighbourhood and adjacent neighbours have indicated written support.



Danielle Noble
Urban Land Use Manager

Approved for inclusion:

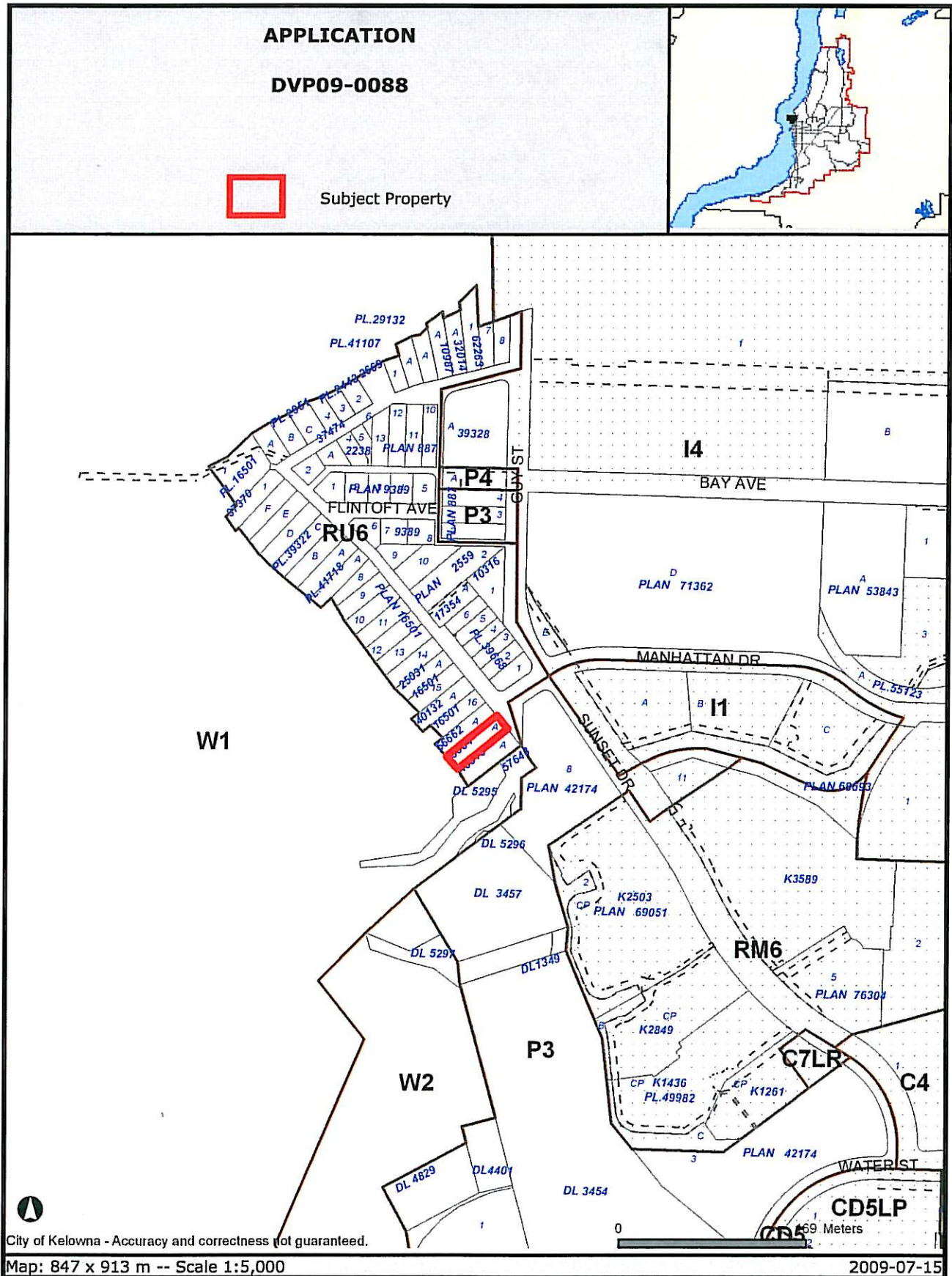


Shelley Gambacort
Director of Land Use Management

ATTACHMENTS

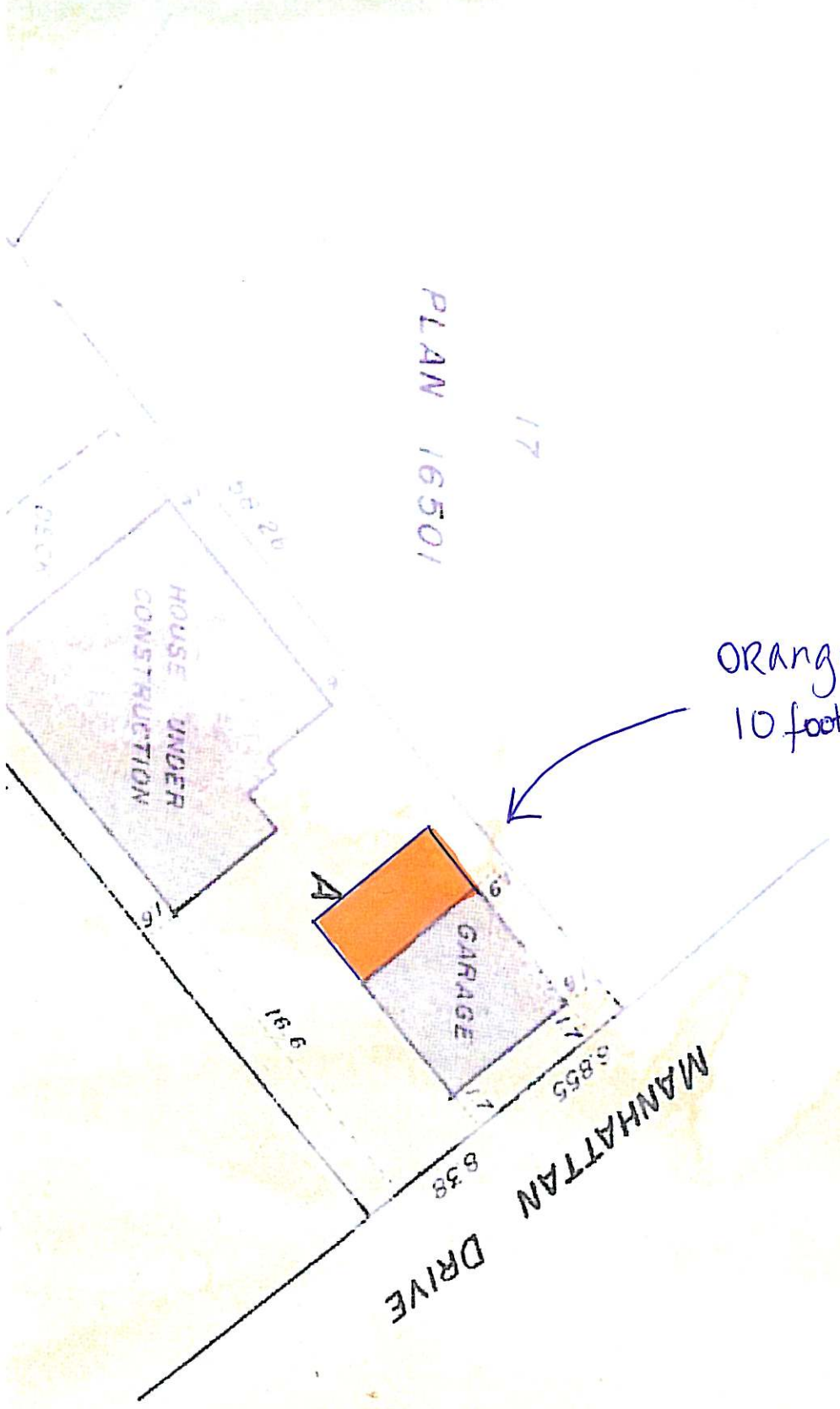
Location map
Partial survey plan w/ changes drawn
Partial site plan
Photographs and sketch renderings (4 pages)





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.

B. C. LAND SURVEYORS CERTIFICATE
ON LOT A, PLAN 39084, D.L. 9, O.D.Y.D.



Orange spot
10 foot extension

House
996 Manhattan Drive, Kelowna.

GRASS


17'
of grass

Sidewalk

* Extension *

Existing garage

2 new garage doors on this side
in the private parking.

10'
32'
22'

6'

Other Lot
lot land

22'6"

5'9"

5.5'

No more garage doors on this side

Public Street line

MANHATTAN DRIVE

