

REPORT TO COUNCIL



Date: March 6, 2018

RIM No. 0940-00

To: City Manager

From: Community Planning Department (KB)

Application: DVP18-0001 **Owner:** Daniel Mark Sandberg
Jo-Ann Lyn Sandberg

Address: 434 Sands Court **Applicant:** Daniel Mark Sandberg

Subject: Development Variance Permit

Existing OCP Designation: S2RES – Single / Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP18-0001 for Lot 2 Section 26 Township 26 Osoyoos Division Yale District Plan 30432, located at 434 Sands Court, Kelowna, BC;

AND THAT variances to the following section of Zoning Bylaw No. 8000 be granted in accordance with Attachment "A":

Section 13.1.6(e): RU1 – Large Lot Housing Development Regulations

To vary the required minimum rear yard from 7.5 m permitted to 3.45 m proposed.

AND FURTHER THAT this Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

2.0 Purpose

To vary the minimum rear yard on the subject property.

3.0 Community Planning

Community Planning recommends support for the requested variance to the rear yard set-back to allow for an addition on the single family dwelling. Staff feel that the variance request is minor in nature due to the fact that the proposed addition is only for a portion of the rear yard representing approximately 38% of the rear elevation. Further, the addition is small in nature at 13.4 sq.m and one storey in height. There are no proposed rear windows and so privacy to neighbouring properties should not be an issue as seen on the Elevations in Attachment "A".

The applicant, at the request of Staff, did consider alternative locations on-site for the proposed addition, but they did not prove to be feasible due to the house configuration and layout.

The applicant has confirmed the completion of public notification in accordance with Council Policy No. 367.

4.0 Proposal

4.1 Background

There is an existing 1 ½ storey single family dwelling on the subject property that received an occupancy permit in 1981.

4.2 Project Description

The proposal is to construct a 144 ft² addition in the rear yard, off an existing enclosed deck, shown in Image 1.

Image 1: Area of Proposed Addition in the Rear Yard

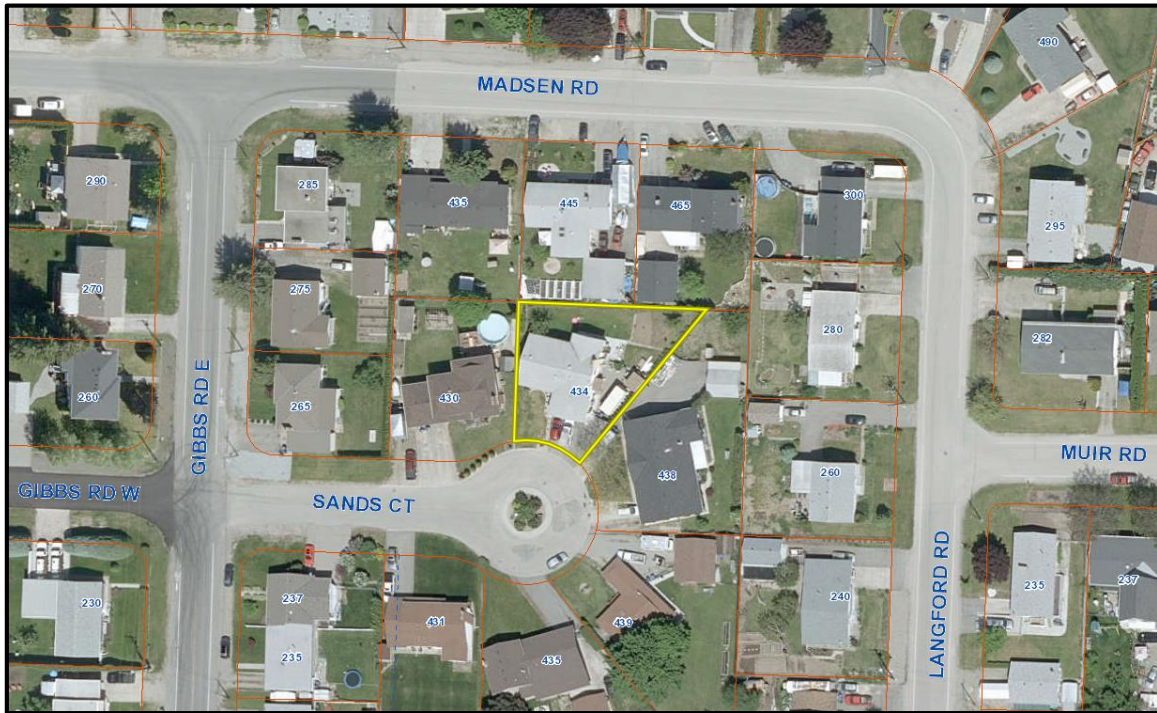


4.3 Site Context

The subject property is located on Sands Court in the City's Rutland Sector. It is approximately 0.21 acres (850 m²) in area and currently has one single detached house. The surrounding area is characterized by single family dwellings.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single Dwelling Housing
East	RU1 – Large Lot Housing	Single Dwelling Housing
South	RU1 – Large Lot Housing	Single Dwelling Housing
West	RU1 – Large Lot Housing	Single Dwelling Housing

Subject Property Map: 434 Sands Court**4.4 Zoning Analysis Table**

Zoning Analysis Table		
CRITERIA	RU ₁ ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Maximum Site Coverage	40 %	< 40 %
Maximum Height	9.5 m / 2 ½ storeys	< 9.5 m / 1 ½ storeys
Minimum Front Yard	6.0 m	7.02 m
Side Yard (east)	2.0 m	< 2.19 m
Side Yard (west)	2.0 m	< 4.51 m
Minimum Rear Yard	7.5 m	3.45 m ❶
❶ Indicates a requested variance to vary the required minimum rear yard from 7.5 m permitted to 3.45 m proposed		

5.0 Technical Comments**5.1 Development Engineering Department**

This Development Variance Permit application does not compromise any municipal services.

6.o Application Chronology

Date of Application Received: December 22, 2017

Date Public Consultation Received: February 7, 2018

Report prepared by: Kimberly Brunet, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Draft Development Variance Permit No. DVP18-0001

Attachment "A" – Site Plan, Floor Plans and Elevations