

REPORT TO COUNCIL



Date: February 12, 2019
RIM No. 0949-00
To: City Manager
From: Community Planning Department (LKC)

Application: DVP18 - 0245
Owner: Jason, Schindel
Amanda, Schindel

Address: 4663 Fuller Rd
Applicant: Gary, Schrik

Subject: Development Variance Permit

Existing OCP Designation: S2RES – Single/Two Unit Residential

Existing Zone: RU1 – Large Lot Residential

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP18 - 0245 for Lot B, Section 25, Township 28, SDYD Plan EPP 81401, located at 4663 Fuller Rd, Kelowna, BC;

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

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

To vary the required minimum north side yard set-back from 2.0m required to 1.5m proposed.

Section 7.6.1(e): Minimum Landscape Buffers

To vary the required combined south side yard setback (2.0m) and landscape buffer (3.0m) from a total of 5.0m required to 3.0m proposed.

AND THAT Council's consideration of this Development Permit be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated February 12, 2019;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Variance Permit Application in order for the permits to be issued;

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 consider a Development Variance Permit application to reduce the north side yard set-back from 2.0m to 1.5m, and to reduce the combined south side yard setback and landscape buffer from 5.0m to 3.0m in order to construct a single family dwelling.

3.0 Community Planning

Community Planning supports the proposed Development Variance Permit as the variances are anticipated to have a minimal impact on any adjacent neighbours. The property to the south at 4669 Fuller Rd, is located in the ALR, however, this property is not an agriculturally active farm. The proposed variance allows for a 3.0m landscape buffer in case the adjacent property were to become an active farm. A landscape security will be collected to ensure the applicant fulfills the landscaping requirements on the subject property. The proposed variance to the north property line would allow for a minor encroachment into the regular set-back.

4.0 Proposal

4.1 Background

The subject property is a vacant lot zoned RU1 – Large Lot Residential and is located at the south terminus of Fuller Rd. The subject property is located next to 4669 Fuller Rd which is located within the ALR. The zoning bylaw requires that the subject property provide a 3.0m landscape buffer in addition to the required 2.0m side yard set-back which means any development on the lot would have to maintain a 5.0m setback from the south property line. The lot is 16.62m wide. In order to build a house that is 11.7m wide the owners have applied to reduce the combined setback/buffer to 3.0m. The property owner has also applied to vary the set-back on the north property line from 2.0m to 1.5m for a proposed attached garage.

4.2 Project Description

Two variances are proposed. The proposal requests a variance to reduce the north side yard set-back from 2.0m required to 1.5m. This variance is requested to allow for a portion of the attached garage. The second variance the applicant has proposed is to vary the south side yard set-back from 5.0m required to 3.0m. The ALR requires a 3.0m landscaping buffer which this proposal conforms to, however the 2.0m required setback from the Zoning Bylaw will be varied to allow for a total south side set-back of 3.0m. In addition, the applicant has promised to maintain the mature landscaping that exists along the south side of the property. The remainder of the building does meet the required setbacks of the Zoning Bylaw.

4.3 Site Context

Subject Property Map:



5.0 Application Chronology

Date of Application Received: October 3, 2018
Date Public Consultation Completed: January 6, 2019

Report prepared by: Levan King Cranston

Reviewed by: Dean Strachan, Suburban and Rural Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

- Attachment 1: Development Variance Permit
- Schedule A: Site Plan
- Schedule B: Landscape Plan
- Schedule C: Application Letter