

REPORT TO COUNCIL



Date: April 12, 2022

To: Council

From: City Manager

Department: Development Planning

Application: DVP22-0012

Owner: Toby Lyle McCabe & Carleigh
Elizabeth Durette

Address: 704 Young Road

Applicant: Toby Lyle McCabe

Subject: Development Variance Permit

Existing OCP Designation: S-Res – Suburban Residential

Existing Zone: RU1 – Large Lot Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP22-0012 for Lot B District Lot 358 Osoyoos Division Yale Plan 30370, located at 704 Young Road, Kelowna, BC;

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

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

To vary the required minimum side yard setback from 2.3 m permitted to 2.18 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 issue a Development Variance Permit to vary the required minimum side yard setback to facilitate the construction of an addition to the existing house.

3.0 Development Planning

Staff recommend support for the Development Variance Permit for the construction of an addition to the existing house. Staff support the requested variance because the application is for a minor addition to an existing house that conforms to the site regulations of the RU1 zone. The foundation of the addition was accidentally poured 0.12m into the sideyard. Staff do not believe the variance would have any significant impact on neighbouring properties. The variance is being requested so construction can continue on the existing foundation.

4.0 Proposal

4.1 Project Description

The applicant is requesting a variance to reduce the side yard setback from 2.3m to 2.18m to accommodate a 2-storey addition to the existing single detached house. The proposed addition is on the east side of the existing house, and is required by the RU1 zone to be sited a minimum of 2.3m from the side yard as a 2-storey addition. The variance is being requested due to the addition's foundation mistakenly being poured 0.12m into the sideyard setback.

4.2 Site Context

This site is zoned RU1 and has a Future Land Use Designation of S-RES – Suburban - Residential. The property is located within the permanent growth boundary. The surrounding area primarily zoned RU1 – Large Lot Housing.

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:



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU ₁ ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Min. Front Yard	6.0m	6.39m
Min. Side Yard (East)	2.3m	2.18m ❶
Min. Side Yard ()	2.0m	3.39m
Min. Rear Yard	7.5m	>7.5m
❶ Indicates a requested variance to side yard setback in the RU ₁ – Large Lot Housing zone		

5.0 Application Chronology

Date of Application Received: January 19, 2022

Date Public Consultation Completed: March 5, 2022

Report prepared by: Graham Allison, Planner I

Reviewed by: Dean Strachan, Community Planning & Development Manager

Reviewed by: Terry Barton, Development Planning Department Manager

Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments

Attachment A: Draft Development Variance Permit

Schedule A: Site Plan

Attachment B: Development Engineering Memo

Attachment C: Applicant's Rationale