

---

**CITY OF KELOWNA**

**MEMORANDUM**

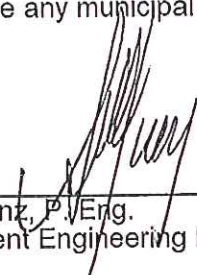
---

**Date:** July 20, 2015  
**File No.:** DVP15-0166  
**To:** Community Planning (LB)  
**From:** Development Engineer Manager (SM)  
**Subject:** #15 – 2368 Abbott St

---

The Development Engineering comments and requirements regarding this Development Variance Permit application are as follows:

This development variance permit application to vary the side yard setback does not compromise any municipal services.



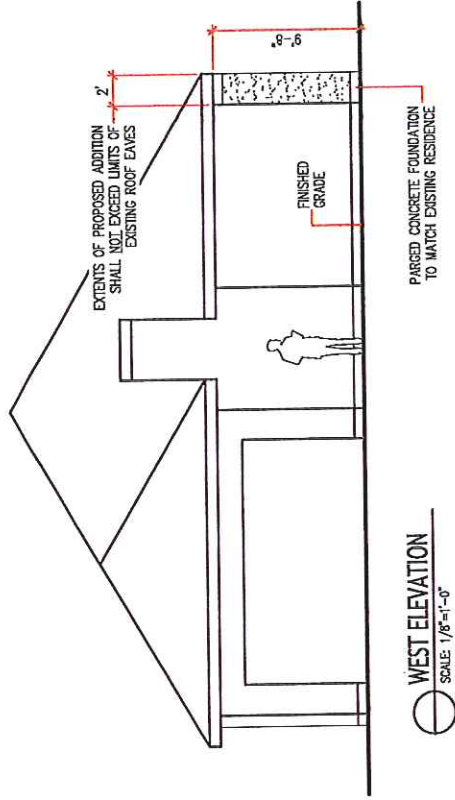
---

Steve Muenz, P. Eng.  
Development Engineering Manager

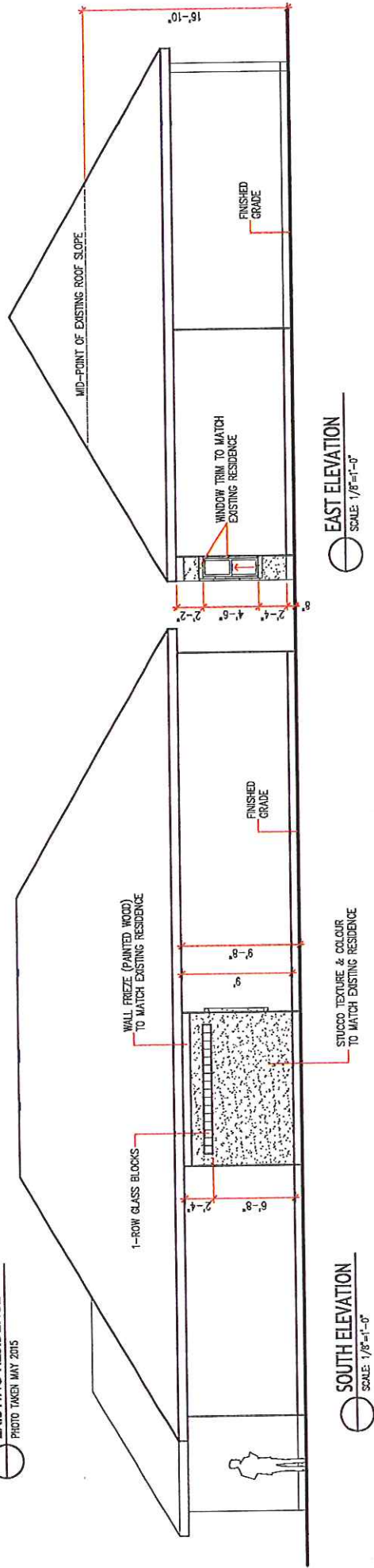
SS



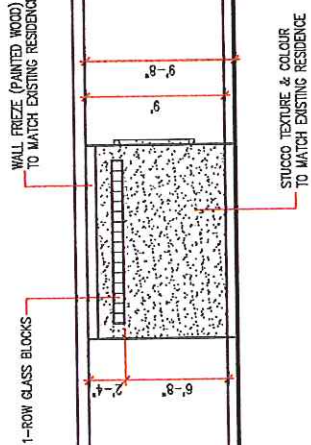
EXISTING RESIDENCE  
PHOTO TAKEN MAY 2015



WEST ELEVATION  
SCALE: 1/8"=1'-0"



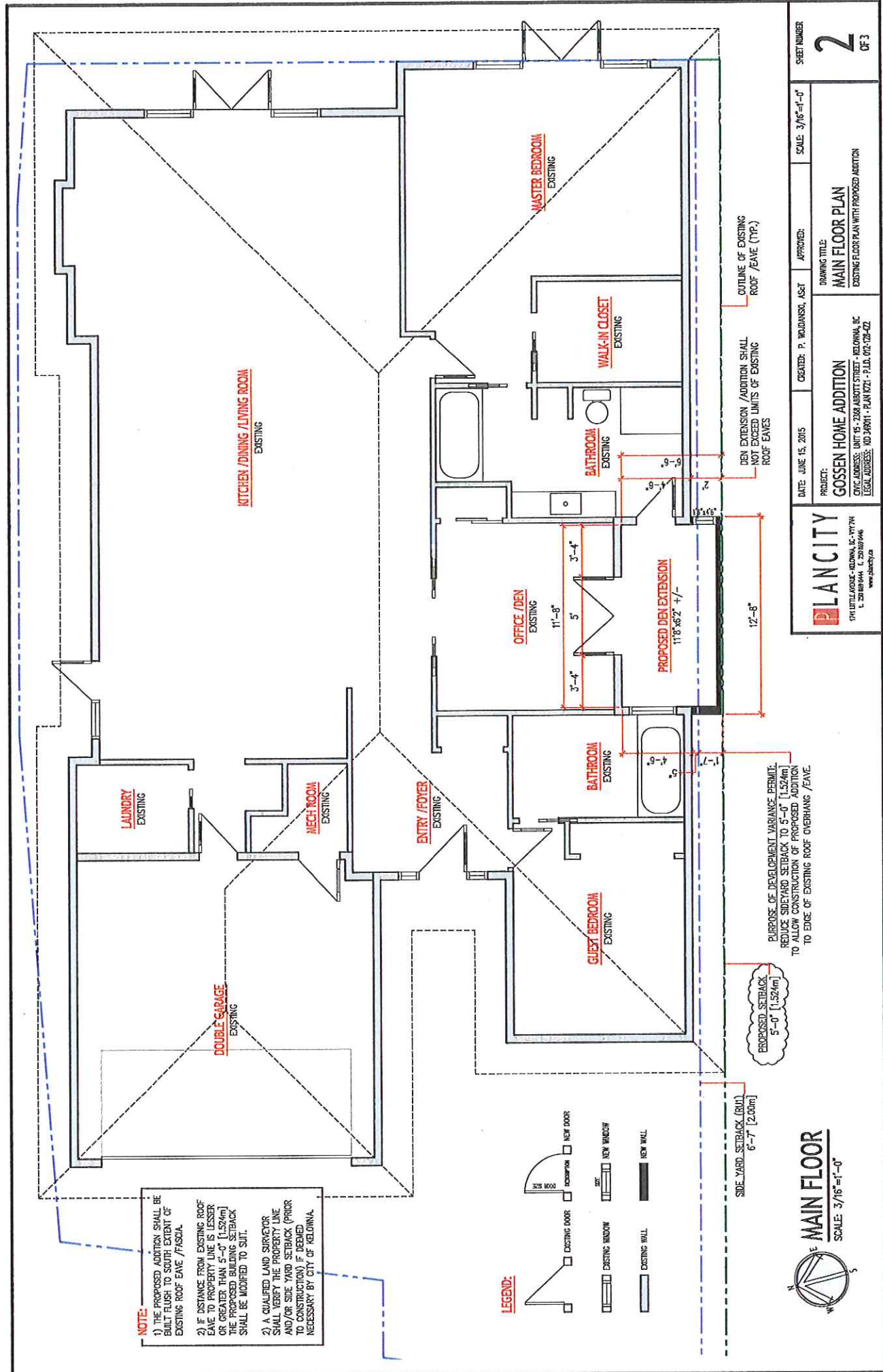
EAST ELEVATION  
SCALE: 1/8"=1'-0"



SOUTH ELEVATION  
SCALE: 1/8"=1'-0"

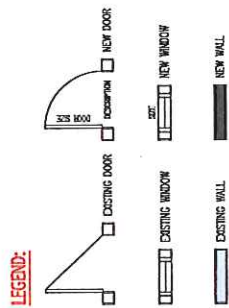
<p><b>PLANCITY</b></p> <p>174 LITTLE AVENUE - KESLOW, BC V8Y 1W4 C. 250.884.0444 C. 250.884.0446 www.plancity.ca</p>	<p>DATE: JUNE 15, 2015</p>	<p>CREATED: P. MOJANIS, ASCT</p>	<p>APPROVED:</p>	<p>SCALE: 1/8"=1'-0"</p>	<p>SHEET NUMBER</p>
<p>PROJECT:</p> <p><b>GOSSEN HOME ADDITION</b></p> <p>CITY ADDRESS: UNIT 15 - 2368 ABBOTT STREET - KESLOW, BC LEGAL ADDRESS: RD 246011 - PLAN 021 - P.L.D. 072-029-422</p>	<p>DRAWING TITLE</p> <p><b>EXTERIOR ELEVATIONS</b></p> <p>+ EXISTING FRONT FACADE</p>	<p>3</p>	<p>OF 3</p>		





**NOTE:**

- 1) THE PROPOSED ADDITION SHALL BE BUILT FLUSH TO SOUTH EXTENT OF EXISTING ROOF EAVE /FASCIA.
- 2) IF DISTANCE FROM EXISTING ROOF EAVE TO PROPERTY LINE IS LESSER OR GREATER THAN 5'-0" (1.524m) THE PROPOSED BUILDING SETBACK SHALL BE MODIFIED TO SUIT.
- 3) A QUALIFIED LAND SURVEYOR SHALL VERIFY THE PROPERTY LINE AND/OR SIDE YARD SETBACK (PRIOR TO CONSTRUCTION) IF DEEMED NECESSARY BY CITY OF KELOWNA.



SIDE YARD SETBACK (SUI)  
6'-7" (2.00m)

PROPOSED SETBACK  
5'-0" (1.524m)

PURPOSE OF DEVELOPMENT VARIANCE PERMIT:  
REDUCE SIDEYARD SETBACK TO 5'-0" (1.524m)  
TO ALLOW CONSTRUCTION OF PROPOSED ADDITION  
TO EDGE OF EXISTING ROOF OVERHANG /EAVE.



**MAIN FLOOR**

SCALE: 3/16"=1'-0"

<b>PLANCITY</b> 131 LITTLEDALE - KELOWNA, BC V1Y 7H4 T: 250.869.0444 F: 250.869.0446 www.plancity.ca	DATE: JUNE 15, 2015 PROJECT: <b>GOSSEN HOME ADDITION</b> CIVIC ADDRESS: UNIT 15 - 2304 ASBOTT STREET - KELOWNA, BC LEGAL ADDRESS: RD 349H1 - PLAN K21 - P.L.D. 072-728-422	DRAWING TITLE: <b>MAIN FLOOR PLAN</b> EXISTING FLOOR PLAN WITH PROPOSED ADDITION	SCALE: 3/16"=1'-0" SHEET NUMBER: <b>2</b> OF 3
	CREATED: P. WOLANSKI, AS-ET APPROVED:		

# CITY OF KELOWNA

## APPROVED ISSUANCE OF A:

☐ Development Variance Permit No.: DVP15-0166

EXISTING ZONING DESIGNATION:	RU1 - Large Lot Housing
DEVELOPMENT VARIANCE PERMIT:	To vary the minimum side yard from 2.0 m permitted to 1.5 m proposed.

ISSUED TO:	Randall and Cecilia Gossen
LOCATION OF SUBJECT SITE:	15-2368 Abbott Street

	STRATA LOT	SECTION	D.L.	TOWNSHIP	DISTRICT	STRATA PLAN
LEGAL DESCRIPTION:	15	-	14	-	ODYD	K721

### SCOPE OF APPROVAL

- ☐ This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.
- ☐ This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below.
- ☐ Applicants for Development and Development Variance Permit should be aware that the issuance of a Permit limits the applicant to be in strict compliance with regulations of the Zoning Bylaw or Subdivision Control Bylaw unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations which are inconsistent with bylaw provisions and which may not have been identified as required Variances by the applicant or City staff.

#### 1. TERMS AND CONDITIONS:

THAT a variance to the following section of Zoning Bylaw No. 8000 be granted, as shown on Schedule "A":

**Section 13.1.6(d): RU1 - Large Lot Housing Development Regulations**  
To vary the minimum side yard from 2.0 m permitted to 1.5 m proposed.

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

#### 2. PERFORMANCE SECURITY:

None required.

#### 3. DEVELOPMENT:

The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part hereof.



If the Permittee does not register the subdivision Permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

This Permit is not transferable unless specifically permitted by the Municipality. The authorization to transfer the Permit shall, if deemed acceptable, be granted by Council resolution.

**THIS Permit IS NOT A BUILDING Permit.**

4. APPLICANT'S AGREEMENT:

I hereby declare that all the above statements and the information contained in the material submitted in support of this Permit are to the best of my belief, true and correct in all respects. Upon issuance of the Permit for me by the Municipality, then in such case, I covenant and agree to save harmless and effectually indemnify the Municipality against:

- (a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality granting to me the said Permit.
- (b) All costs, expenses, claims that may be incurred by the Municipality if the construction by me of engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

I further covenant and agree that should I be granted a Development Permit or Development Variance Permit, the Municipality may withhold the granting of any occupancy Permit for the occupancy and/or use of any building or part thereof constructed upon the hereinbefore referred to land until all of the engineering works or other works called for by the Permit have been completed to the satisfaction of the Municipal Engineer and Divisional Director of Community Planning & Real Estate.

Should there be any change in ownership or legal description of the property, I undertake to notify the Community Planning & Real Estate Department immediately to avoid any unnecessary delay in processing the application.

**I HEREBY UNDERSTAND AND AGREE TO ALL THE TERMS AND CONDITIONS SPECIFIED IN THIS PERMIT.**

\_\_\_\_\_  
Signature of Owner/Authorized Agent

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name in Bold Letters

\_\_\_\_\_  
Telephone No.

5. APPROVALS:

DEVELOPMENT VARIANCE PERMIT AUTHORIZED BY THE COUNCIL ON THE \_\_\_\_ DAY OF \_\_\_\_\_ 2015.  
ISSUED BY THE COMMUNITY PLANNING DEPARTMENT OF THE CITY OF KELOWNA THE \_\_\_\_ DAY OF \_\_\_\_\_ 2015,  
BY THE COMMUNITY PLANNING DEPARTMENT MANAGER.

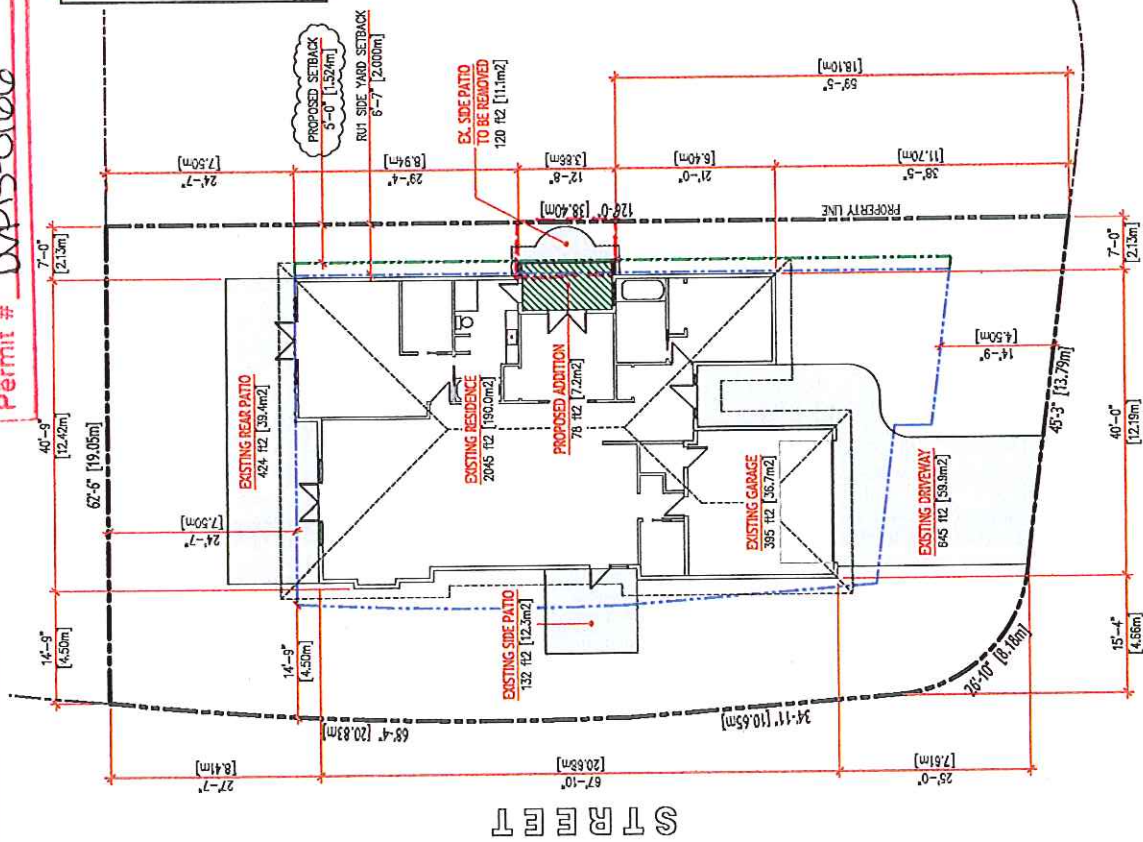
\_\_\_\_\_  
Ryan Smith, Community Planning Department Manager  
Community Planning & Real Estate



# SCHEDULE A

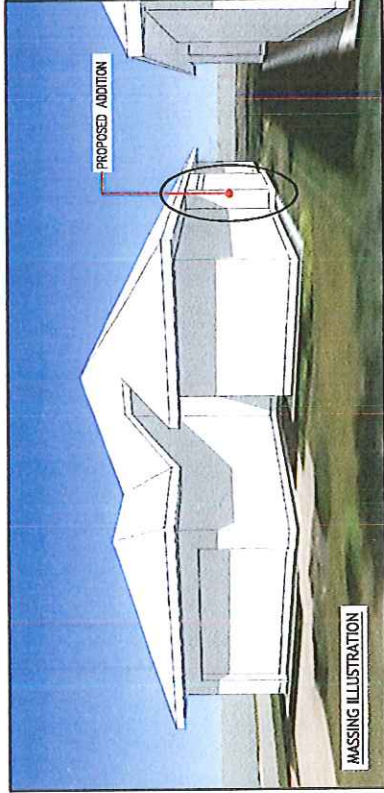
This forms part of development

Permit # **DP15-0106**



**NOTE:**

- 1) THE PROPOSED ADDITION SHALL BE BUILT FLUSH TO SOUTH EXTENT OF EXISTING ROOF EAVE /FASDA.
- 2) IF DISTANCE FROM EXISTING ROOF EAVE TO PROPERTY LINE IS LESSER OR GREATER THAN 5'-0" [1.524m] THE PROPOSED BUILDING SETBACK SHALL BE MODIFIED TO SUIT.
- 2) A QUALIFIED LAND SURVEYOR SHALL VERIFY THE PROPERTY LINE AND/OR SIDE YARD SETBACK (PRIOR TO CONSTRUCTION) IF DEEMED NECESSARY BY CITY OF KELLOWA.



**PLANCITY**

PHIL LALANDE - KELLOWA, BC - WITH  
1. 250 WARDEN STREET, KELLOWA, BC  
www.plancity.ca

EXISTING RUL LOT  
0.179 ACRES [728.4m²]

**STREET**

**SITE PLAN**

SCALE: 1/16"=1'-0"

DRAWING TITLE  
**SITE PLAN**

MASSING ILLUSTRATION  
+ EXISTING PHOTOS

PROJECT:  
**GOSSEN HOME ADDITION**

CIVIC ADDRESS: UNIT 15 - 2388 ALBERT STREET - KELLOWA, BC  
LEGAL ADDRESS: RD 300M1 - PLAN VZ1 - P.L.D. 012-028-022

APPROVED:

DATE: JUNE 15, 2015

CREATED: P. WOLANSKI, ASST

SCALE: 1/16"=1'-0"

SHEET NUMBER

**1**

OF 3