

REPORT TO COUNCIL



Date: April 18, 2023

To: Council

From: City Manager

Department: Development Planning

Application: DVP23-0022

Owner: Ryan Fugger

Address: 372 Clifton Rd N

Applicant: Robert Tissington

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. DVP23-0022 for Lot 40 Section 8 Township 23 ODYD Plan 20895, located at 372 Clifton Rd N, Kelowna, BC;

AND THAT variances to the following section of Zoning Bylaw No. 12375 be granted as shown on Schedule "A":

Section 11.5: RU1 – Large Lot Housing Development Regulations

To vary the required minimum side yard setback from 2.1 m permitted to 0.95 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.

Purpose

To issue a Development Variance Permit to vary the required minimum side yard setback from 2.1 m permitted to 0.95 m proposed.

2.0 Development Planning

Staff recommend support for the Development Variance Permit to the side yard setback. The applicant is proposing a small addition in order to connect an existing accessory building to the existing single detached dwelling. Through the connection, the use of the existing structure will change from an accessory building to a principal dwelling, which requires larger setbacks. A variance is triggered to the existing accessory building side setback to the North property line.

3.0 Proposal

3.1 Background

A Building Permit to construct the accessory building on the subject property was issued in August 1994.

3.2 Project Description

The applicant is proposing to construct a mudroom to attach the existing accessory building to the single detached dwelling. The attachment of the accessory building to the single detached house triggers the need for a variance from 2.1 m required to 0.95 m as the required setback for a single detached house is greater than the required setback of an accessory structure.

3.3 Site Context

The subject property is located on Clifton Road North between two parallel roads, Clifton Road North and Prince Edward Drive. The parcel has a Future Land Use Designation of S-RES – Suburban Residential. The surrounding area is primarily zoned RU1 – Large Lot Housing and RR1 – Large Lot Rural Residential.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single Detached Housing
East	RR1 – Large Lot Rural Residential	Single Detached Housing
South	RU1 – Large Lot Housing	Single Detached Housing
West	RR1 – Large Lot Rural Residential	Single Detached Housing

Subject Property Map: 372 Clifton Rd N



3.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU ₁ ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Max. Site Coverage (buildings)	40 %	20.4 %
Max. Height	10.0 m	3.68 m
Min. Front Yard	4.5 m	4.7 m
Min. Side Yard (south)	2.1 m	4.35 m
Min. Side Yard (north)	2.1 m	0.96 m ❶
Min. Rear Yard	7.5 m	20.9 m
❶ Indicates a requested variance to the side yard setback, Section 11.5 Development Regulations		

4.0 **Application Chronology**

Date of Application Received: January 27, 2023

Date Public Consultation Completed: February 18, 2023

Report prepared by: Jason Issler, Planner I
Reviewed by: Lydia Korolchuk, Urban Planning 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 DVP23-0022

Schedule A: Site Plan

Attachment B: Applicants Rationale