
CITY OF KELOWNA
MEMORANDUM

Date: April 14, 2005
To: City Manager
From: Planning and Corporate Services Department
Subject:

APPLICATION NO. DVP05-0053 **OWNER:** Michael Platt
Nichola Platt
AT: 369 Braeloch Road **APPLICANT:** Mike Platt

PURPOSE: TO VARY THE SIDE YARD SETBACK FROM 3.0M REQUIRED TO 1.8M PROPOSED TO ACCOMMODATE AN EXISTING ADDITION TO THE EAST SIDE OF THE FIRST STOREY OF THE EXISTING BUILDING

TO VARY THE SIDE YARD SETBACK FROM 3.0M REQUIRED TO 2.8M PROPOSED TO ACCOMMODATE A SECOND FLOOR ADDITION TO THE EASTERN SIDE OF THE EXISTING SINGLE FAMILY DWELLING.

EXISTING ZONE: RR2 – RURAL RESIDENTIAL 2

REPORT PREPARED BY: RYAN SMITH

1.0 RECOMMENDATION

THAT Council authorize the issuance of Development Variance Permit No. DVP05-0053; Lot 2, Section 23, Township 28, SDYD Plan 17017 except Plan 22996, located on Braeloch Road, Kelowna, B.C.;

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

Section 12.2: RR2 – Rural Residential 2: Subsection: 12.2.6(d):

To vary the side yard setback from 3.0m required to 1.8m proposed to accommodate an existing addition to the east side of the first storey of the existing building

Section 12.2: RR2 – Rural Residential 2: Subsection: 12.2.6(d):

To vary the side yard setback from 3.0m required to 2.8m proposed to accommodate a second floor addition to the eastern side of the existing single family dwelling.

2.0 SUMMARY

The applicant is seeking a development variance permit for additions to a single family dwelling in the RR2- Rural Residential 2 zone.

3.0 THE PROPOSAL

The subject property is located on the eastern corner of Braeloch Road, north of Lockett Court. The applicants are proposing to add a second storey to the existing single family dwelling. The siting of the existing single family dwelling is non-conforming with regard to the side yard setback requirements of Zoning Bylaw No.8000. The non-conforming portion of the building was completed without permits by previous owners and is illegal.

The applicant is seeking to vary the side yard setback from 3.0m required to 1.8m proposed to accommodate an existing addition to the east side of the first storey of the existing building. In addition the applicants are also seeking to vary the side yard setback from 3.0m required to 2.8m proposed to accommodate the second floor addition to the eastern side of the existing single family dwelling.

The application meets the requirements of the proposed RU1s – Large Lot Housing with Secondary Suite zone as follows:

CRITERIA	PROPOSAL	RR2 ZONE REQUIREMENTS
Lot Area (m ²)	1875m ²	1.0Ha
Lot Width (m)	29m (approx.)	36.0m
Lot Depth (m)	50m (approx.)	30.0m
Setbacks-House (m)		
-Front	9.8m	6.0m
-Rear	22.3m	9.0m
-East Side	1.8m/2.8m❶	3.0m
-West Side	5.7m	4.5m

❶Note: The applicant is seeking to vary the side yard setback from 3.0m required to 1.8m proposed to accommodate an existing addition to the east side of the first storey of the existing building

The applicant is seeking to vary the side yard setback from 3.0m required to 2.8m proposed to accommodate a second floor addition to the eastern side of the existing single family dwelling.

3.2 Site Context

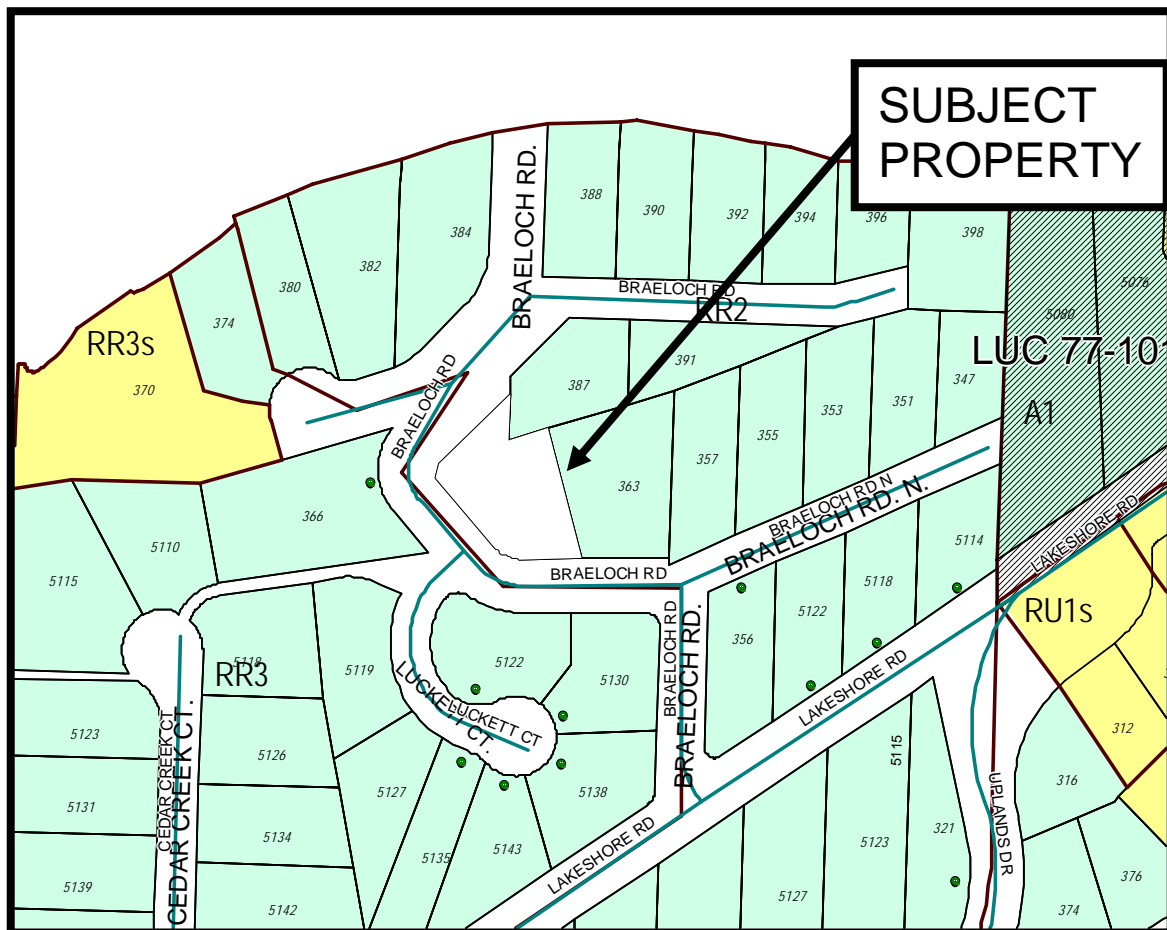
The subject property is located on the eastern corner of Braeloch Road, north of Luckett Court.

Adjacent zones and uses are:

- North - RR2 – Rural Residential 2 – Single Family Dwelling
- East - RR2 – Rural Residential 2 – Single Family Dwelling
- South - RR2 – Rural Residential 2 – Single Family Dwelling
- West - RR2 – Rural Residential 2 – Single Family Dwelling

Site Location Map

Subject Property: 369 Braeloch Road



5.0 TECHNICAL COMMENTS

5.1 Inspection Services

Proposed addition must meet BCBC and applicant must apply for permit for portions of the building which were added illegally.

5.2 Works and Utilities

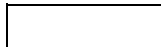
No concerns.

6.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

The Planning and Corporate Services Department have no concerns with the proposed development variance permit. The abutting neighbour to the east has indicated support by way of written submission and the applicant has applied for a building permit which includes not only the new addition but also the area constructed without permits.

As there are not technical concerns, nor neighbourhood concerns relating to the proposal staff are recommending that Council support this development variance permit.

Andrew Bruce
Manager of Development Services



R.L. (Ron) Mattiussi, ACP, MCIP
Director of Planning & Corporate Services

RM/AB/rs
Attach.

ATTACHMENTS

(not attached to the electronic version of the report)

- Subject property map
- Site plan and floor plans
- Elevations
- Pictures