
CITY OF KELOWNA

MEMORANDUM

DATE: June 5, 2007
TO: CITY MANAGER
FROM: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT
APPLICATION NO. DVP07-0116 **OWNER:** Cheryll Hopkins & Roger Hopkins
AT: 409 Sarsons Road **APPLICANT:** Same as Above
PURPOSE: TO VARY THE RESTRICTIONS REGARDNG SWIMMING POOLS WITHIN THE REQUIRED FRONT YARD SETBACK.
EXISTING ZONE: RU1 – LARGE LOT HOUSING ZONE
REPORT PREPARED BY: ALEC WARRENDER

1.0 RECOMMENDATION

THAT Council authorize the issuance of Development Variance Permit No. DVP07-0116 for Lot 14, District Lot 167, ODYD, Plan 8049, located at 409 Sarsons Road, Kelowna, B.C.

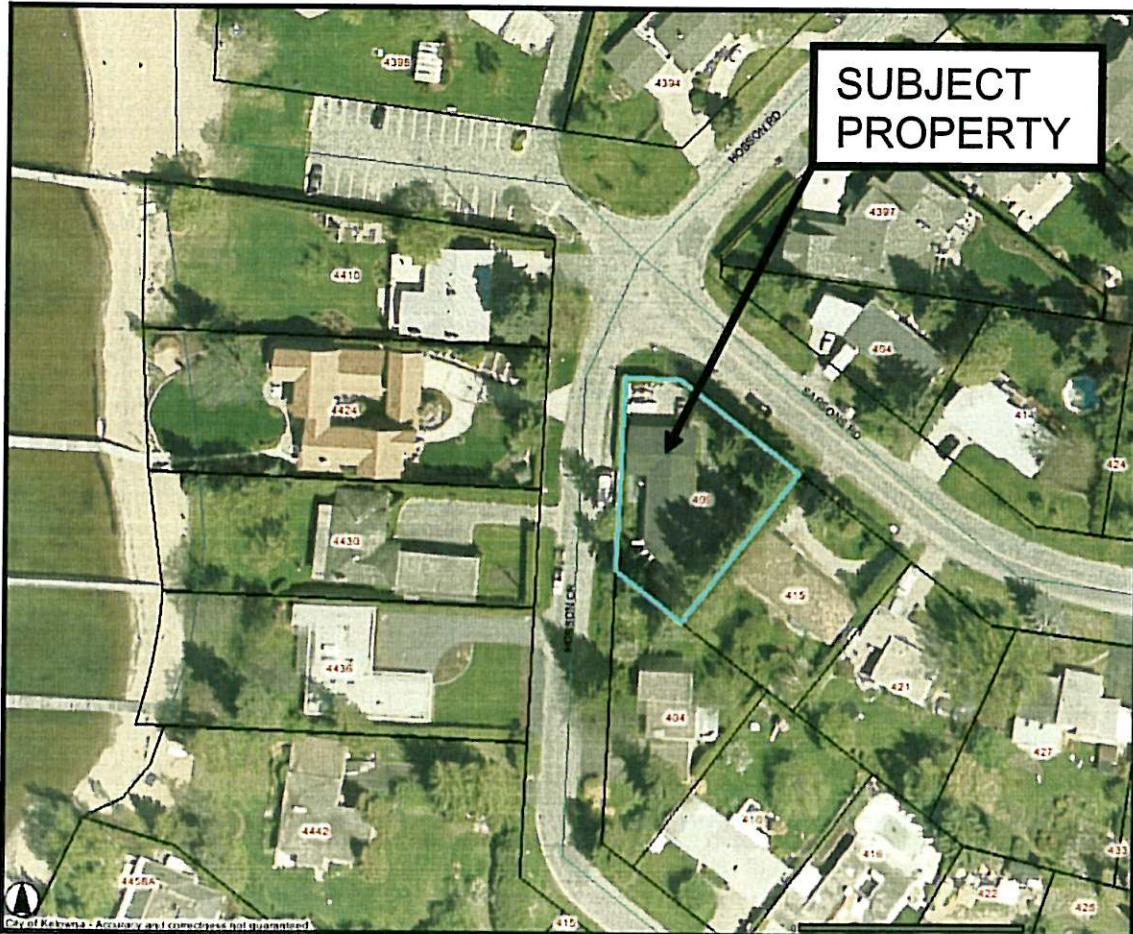
AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted:

Section 6.2.1 – General Development Regulations – Swimming Pools
Vary the requirements for swimming pools located in the required front yard

Section 13.1.6(c) - RU1 – Large Lot Housing - Development Regulations
Vary the front yard setback from 4.5 m to 2.87 m.

2.0 SUMMARY

There is an existing swimming pool located within the required front yard setback of the subject property. The applicant is applying for a variance as the existing pool does not conform with the City's Zoning Bylaw.



The application meets the development regulations of the RU1 – Large Lot Housing zone as follows:

CRITERIA	PROPOSAL	RU1 ZONE REQUIREMENTS
Lot Area (m ²)	>550m ²	550m ²
Lot Width (m)	18.6m	17.0m
Lot Depth (m)	36.9m	30.0m
Setbacks		
Front Yard	2.87m (pool setback) ^a	4.5m
Side Yard (W)	>2.51m (pool setback)	2.0m
Building Height	1½ storeys	2.5 storeys

^aThe applicant is requesting a variance for an existing pool that is located in the front yard and the required front yard setback.

5.0 TECHNICAL COMMENTS

5.1 Inspections Department

Pool built prior to current building permit application. Fencing required to building bylaw, notice was placed on the applicant's property taxes relating to not having inspection approvals during construction, the pool was built without a permit.

6.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

Although the pool was built without the required inspections and permits, the applicant has 8 letters from neighbouring property owners declaring that there are no concerns with the location of the pool. The applicant should landscape the property in order to screen the pool from the public. In conclusion, the City's Planning and Development Services supports this application for variances regarding the location of the pool within the front yard and the required front yard setback.

Shelley Gambacort
Current Planning Supervisor

Approved for Inclusion

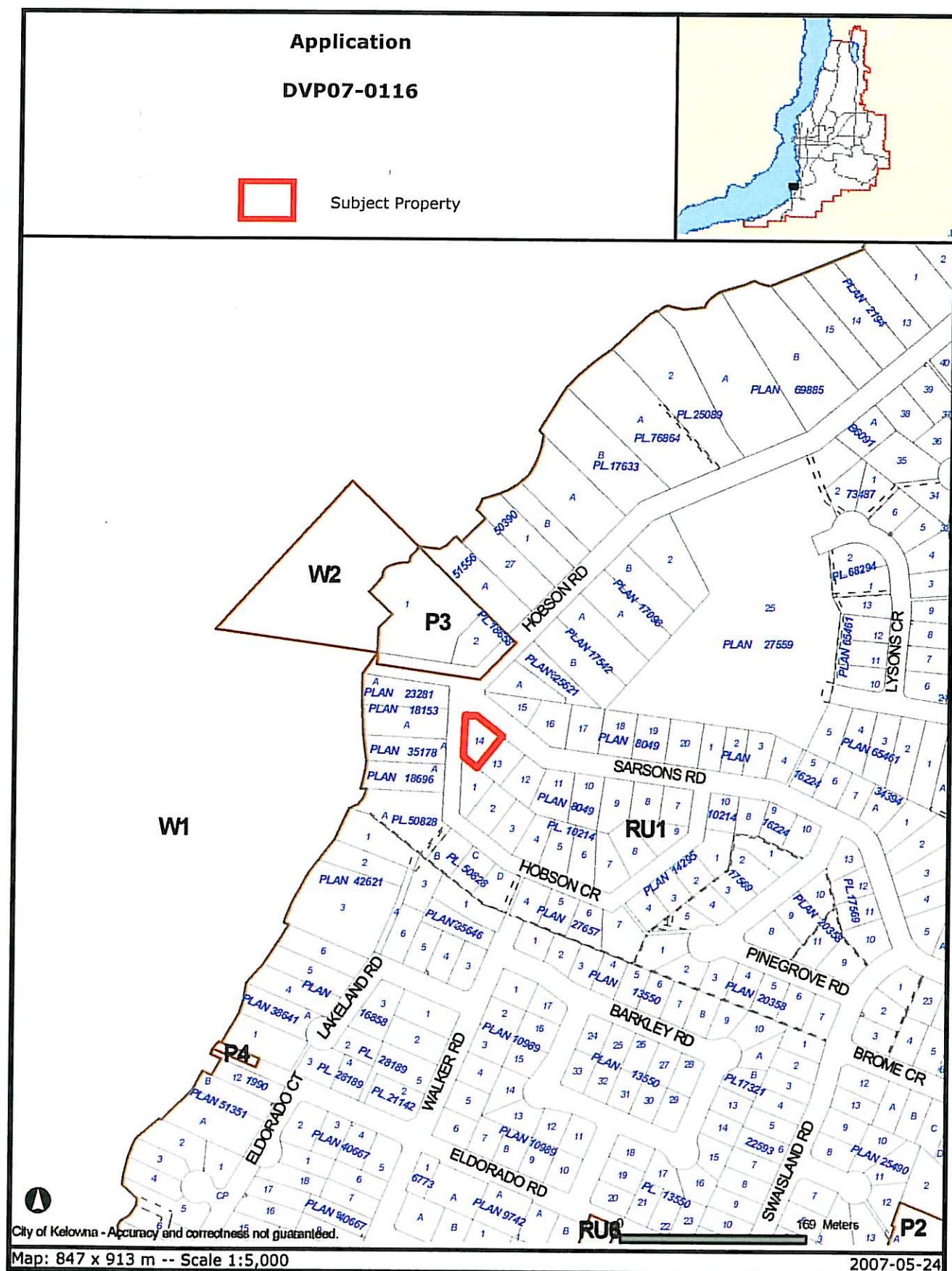


Mary Pynenburg
Director of Planning & Development Services

MP/SG/aw

ATTACHMENTS:

- Location Map
- Site Plan with Landscaping
- Photographs (2)
- Land Title



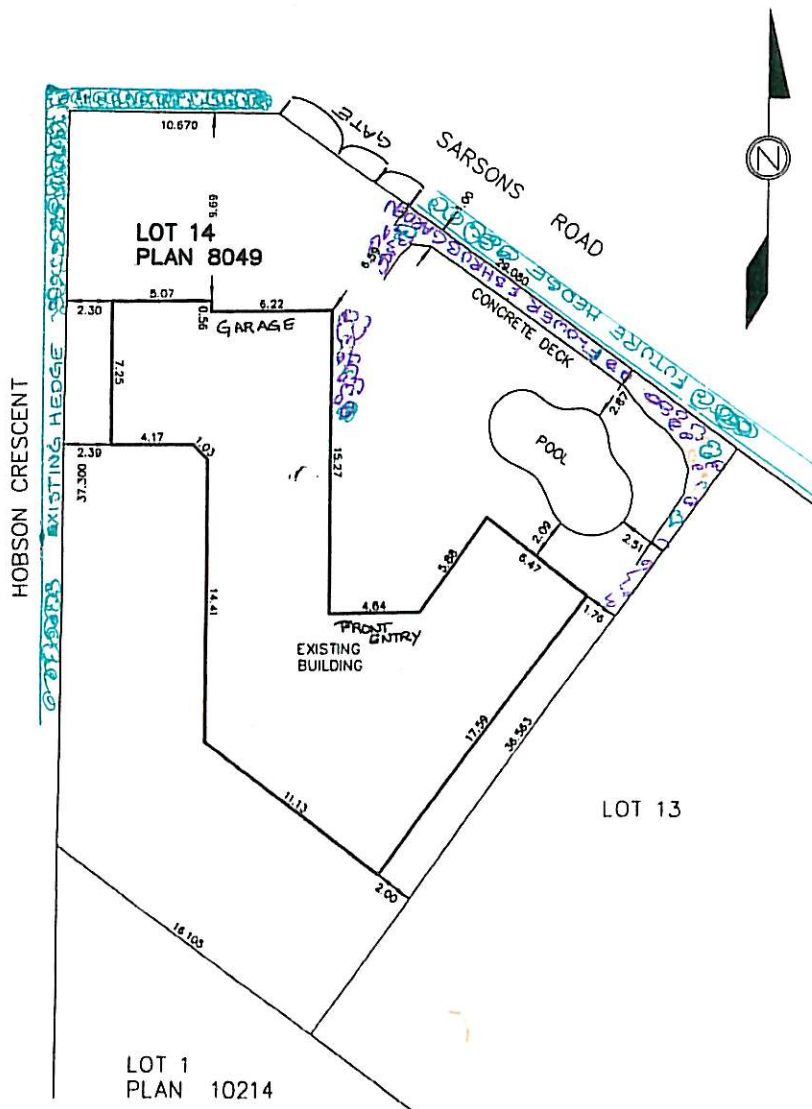
Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.
The City of Kelowna does not guarantee its accuracy. All information should be verified.

B.C. LAND SURVEYOR'S CERTIFICATE

ON LOT 14, PLAN 8049,
DISTRICT LOT 167, O.D.Y.D.

SCALE 1:250 ALL DISTANCES ARE IN METRES.

CIVIC ADDRESS: 409 SARSONS ROAD



Certified correct this 4th day of January, 2007.

Net R. Denby B.C.L.S.

RUNNALLS DENBY
british columbia land surveyors

#2-1470 Water Street
Kelowna, B.C.
V1Y 1J5

Phone: (250)763-7322
Fax: (250)763-4413
Email: denby@telus.net

CLIENT : GILLESPIE
FILE No: 12266 SC 14
FB/PG : 374/45

THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED
AND SEALED.

© THIS PLAN IS PROTECTED BY COPYRIGHT.

NO PERSON MAY COPY OR ALTER THIS CERTIFICATE WITHOUT
PRIOR CONSENT OF RUNNALLS DENBY.

THE DIMENSIONS SHOWN ON THIS CERTIFICATE ARE NOT TO
BE USED TO DEFINE PROPERTY BOUNDARIES.



