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**CITY OF KELOWNA  
MEMORANDUM**

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**DATE:** July 3, 2007  
**TO:** City Manager  
**FROM:** Planning & Development Services Department  
**APPLICATION NO.** DVP07-0152      **APPLICANT:** Stan White & Lynn Pinkney  
**AT:** 355 Leathead Rd.      **OWNER:** Stan White & Lynn Pinkney  
**PURPOSE:** TO OBTAIN A DEVELOPMENT VARIANCE PERMIT TO ALLOW A  
REDUCTION IN THE SIDE YARD SETBACK FROM 2.3 M TO 1.036 M.  
**EXISTING ZONE:** RU1 – LARGE LOT HOUSING ZONE  
**REPORT PREPARED BY:** DANIELLE NOBLE

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**1.0 RECOMMENDATION**

THAT Council authorize the issuance of Development Variance Permit No. DVP07-0152 for the Westerly ½ of Lot 9, Measured along the northerly boundary of said Lot by the full depth thereof; Sec 26, Twp 26, ODYD, Plan 4739 Except Plan A12943, located on Leathead Road, Kelowna, BC.

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

**Section 13.1.6 (d) Side Yard Setback**

A variance to the side yard setback requirement for a 2 or 2½ storey portion of a building, allowing a setback of 1.036 m on the west side of the property where 2.3 m is required.

**2.0 SUMMARY**

This application seeks to allow a variance to the RU1 development regulations of the Zoning Bylaw. The variance being sought proposes to:

1. Vary the west side yard setback from 2.3 m to 1.036 m.

**3.0 BACKGROUND**

There is an existing single family home on the subject property. The applicant intends to remove the existing home and construct a new home in the centre of the property. The proposed side yard setback is necessary to facilitate a 3 meter side yard set back on the East side of the property to allow for vehicular access to the rear end of the yard at a future date. Notably, this residential lot is exceptionally narrow in its lot frontage, only having 12.6m of width in comparison to the required 16.5m for the RU1 zone requirements.

#### 4.0 Site Context

The subject property is located on the south side of Leathead Road. Adjacent zones and land uses are:

North-	RU1 – Large Lot Housing Zone
East	RU1 – Large Lot Housing Zone
South	RU1 – Large Lot Housing Zone
West	RU6 – Two Dwelling Housing

#### Site Location Map

Subject property: 355 Leathead Rd.



**4.1 Existing Development Potential**

The purpose is to provide a zone for single detached housing, and compatible secondary uses, on larger serviced urban lots.

**5.0 TECHNICAL COMMENTS**

The application has been submitted to various technical agencies and City departments, and the following relevant comments have been submitted:

**5.1 Inspection Services Department**

Demolition permit/bond required for existing home. Code analysis required with spatial separation calculations and fire rating requirements for west elevation of proposed residence.

**5.2 Works & Utilities**

- a) The requested variance application to reduce the side yard setback does not compromise Works and Utilities servicing requirements

**6.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS**

The Planning and Development Services Department is generally supportive of the proposed sideyard setback variance to accommodate the new home construction. Given the unique property configuration and narrow lot frontage, the siting of the new house is considered restrictive. The applicant has submitted a letter of support from the adjacent neighbours, indicating that they do not object to the proposed variance.



Shelley Gambacort

Current Planning Supervisor

Approved for inclusion



Ron Dickinson

Inspection Services Manager

SG/dn

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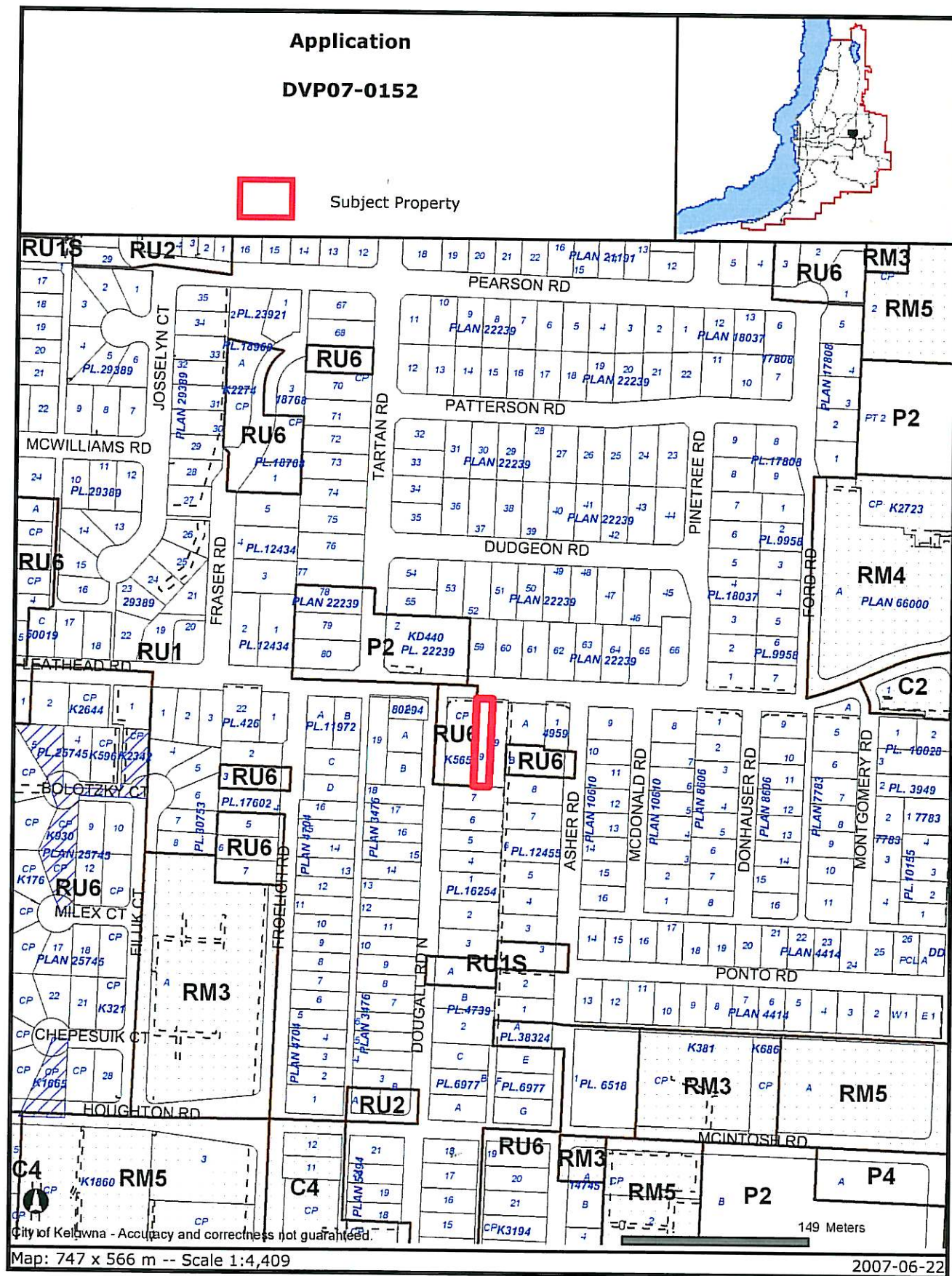
**ATTACHMENTS**

Location of subject property

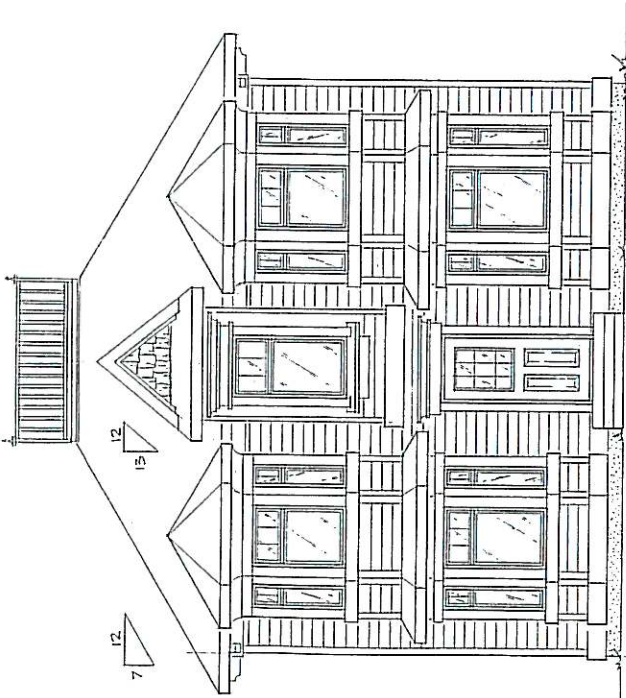
Site Plan of Existing and Proposed Residences

Building Elevations



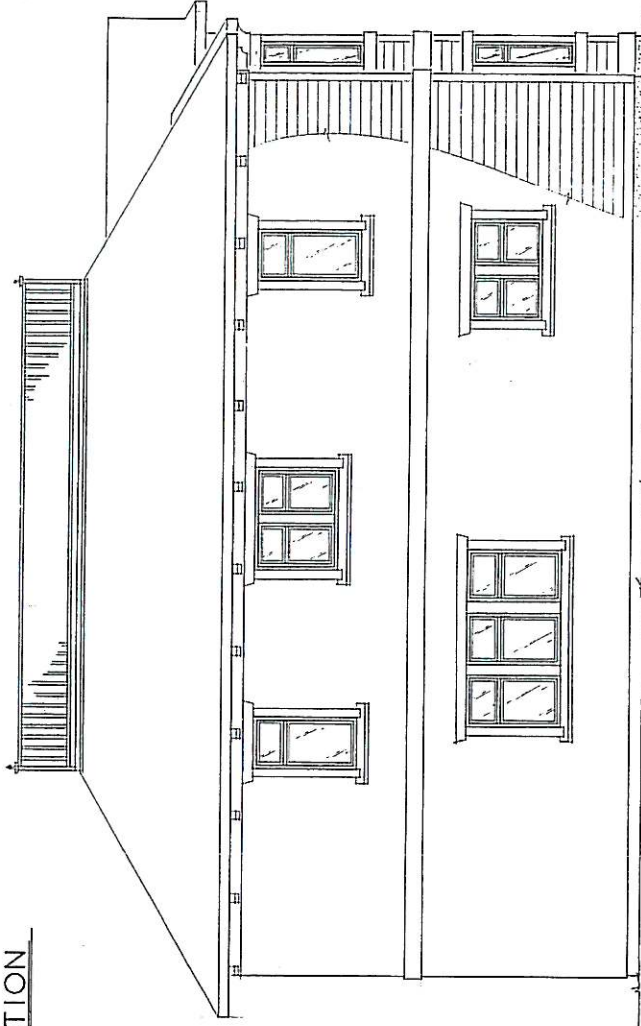


Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
The City of Kelowna does not guarantee its accuracy. All information should be verified.

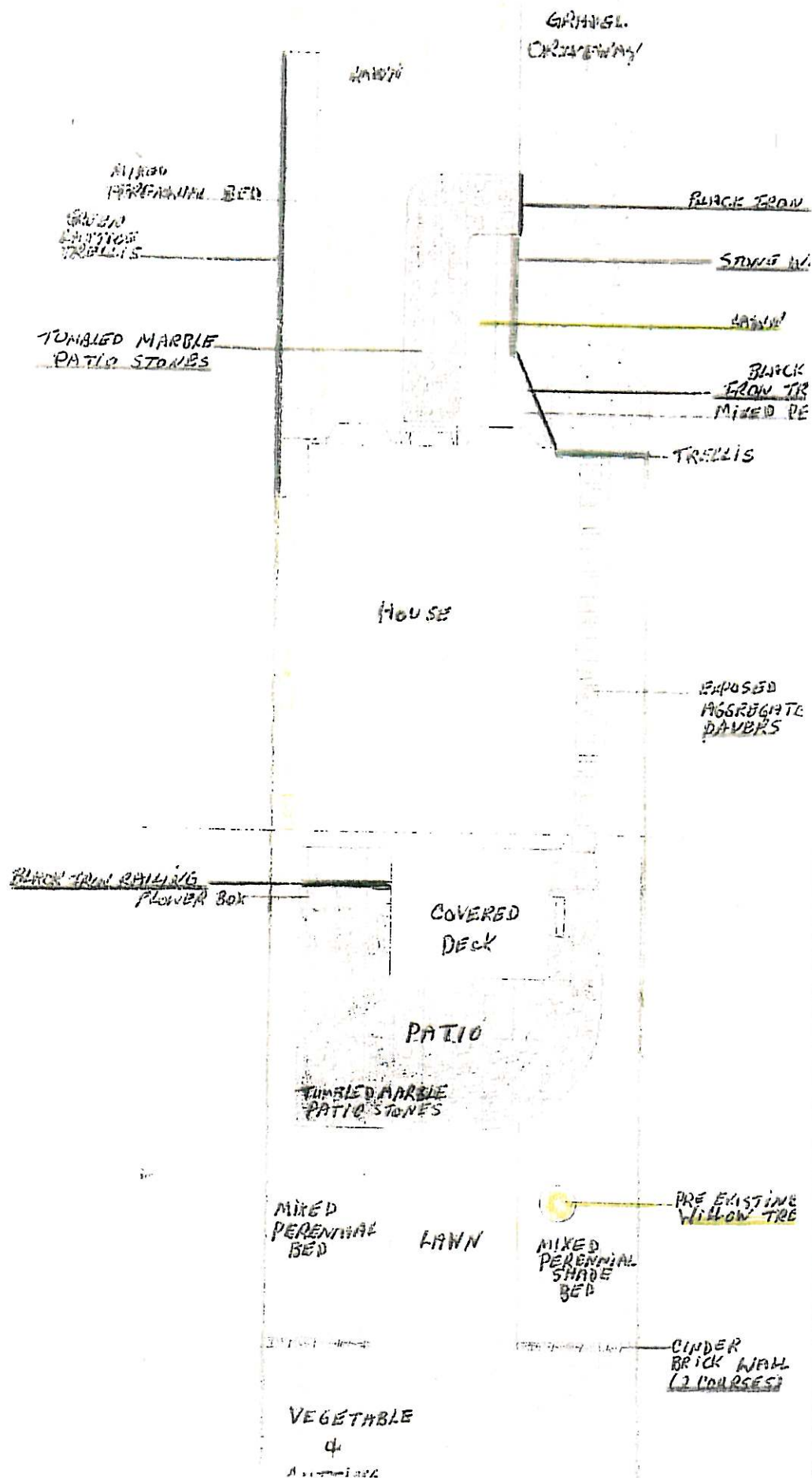


FRONT ELEVATION

SCALE :  $\frac{1}{4}" = 1'-0"$

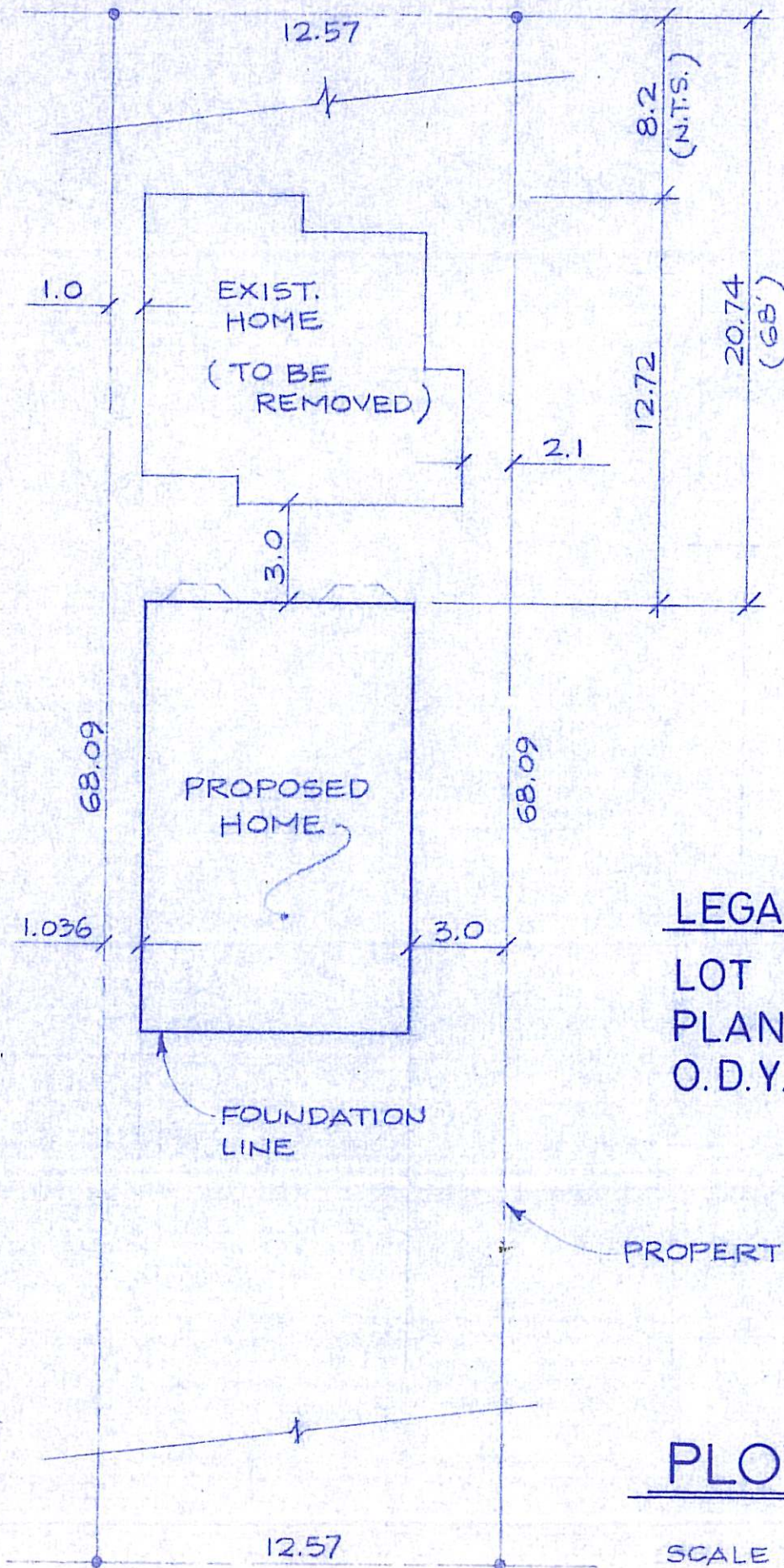


LEFT ELEVATION





LEATHEAD RD.



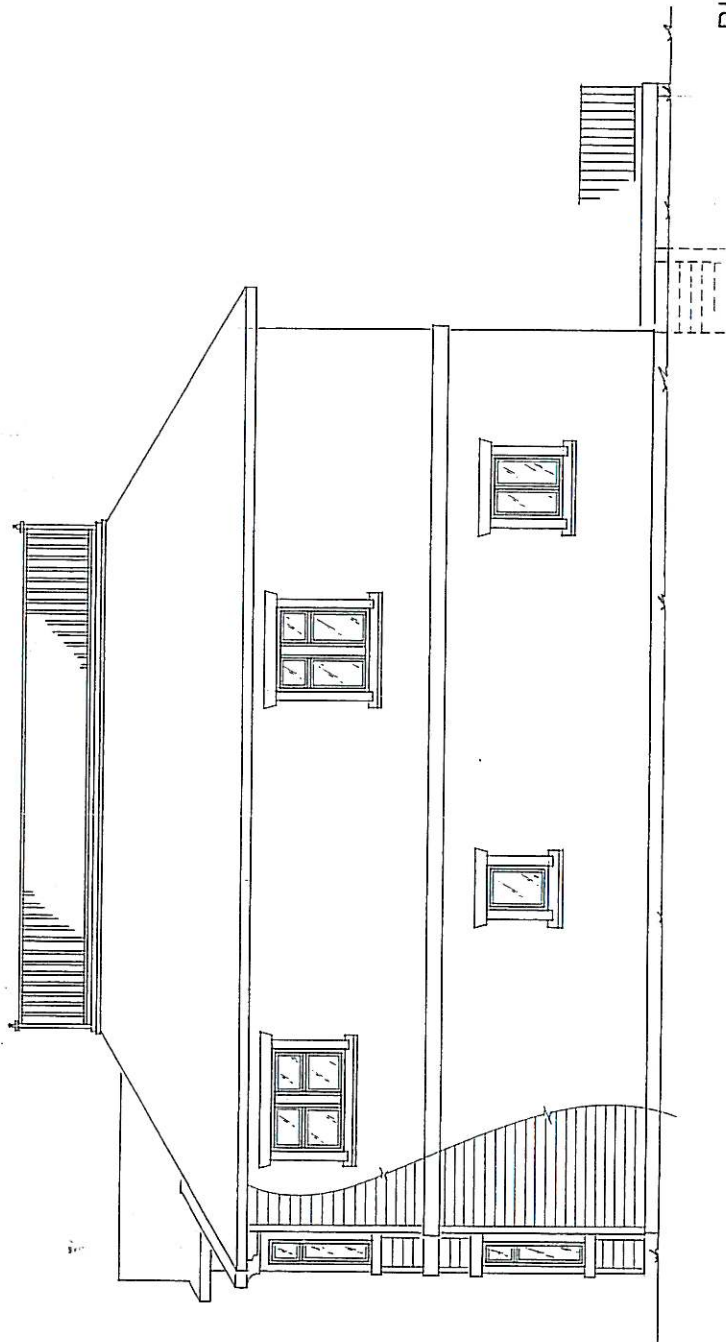
LEGAL DESCRIPTION

LOT W 1/2 LOT 9  
PLAN 4739  
O.D.Y.D.

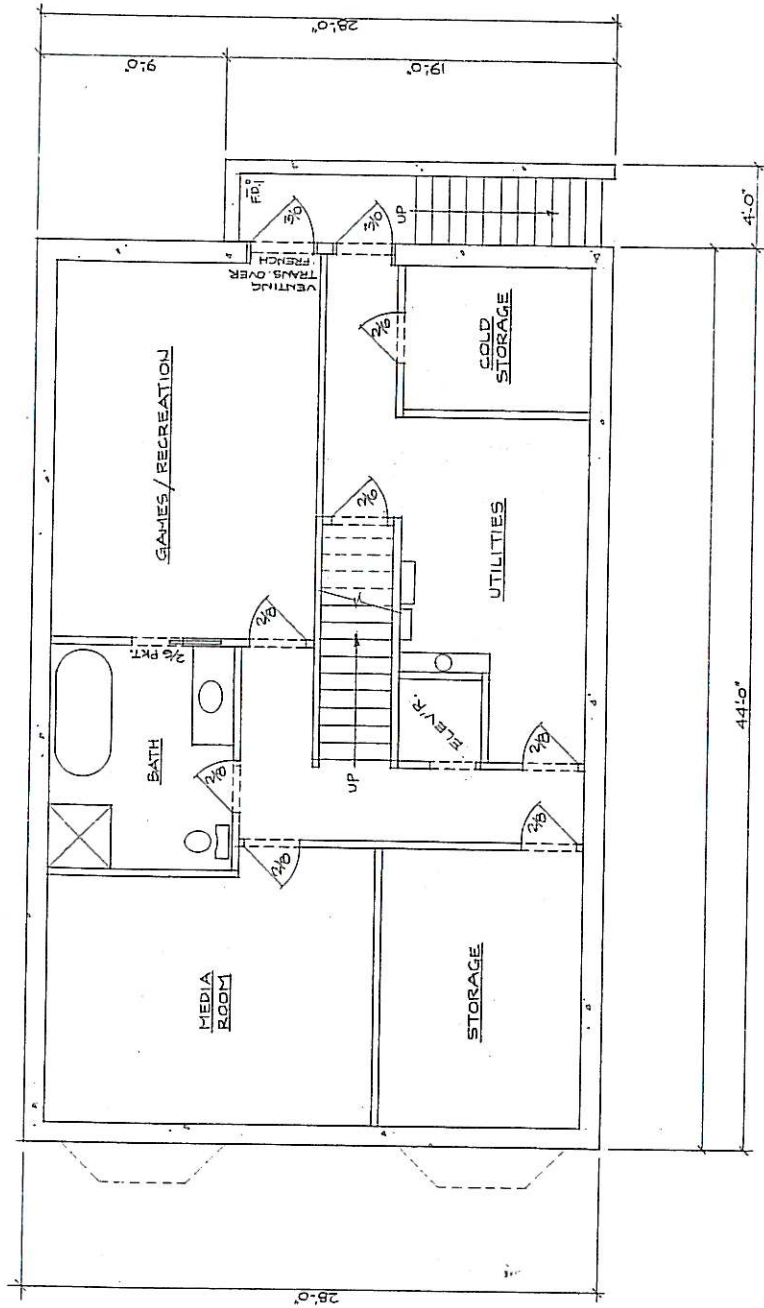
PLOT PLAN

SCALE = 1:200 (METRIC)

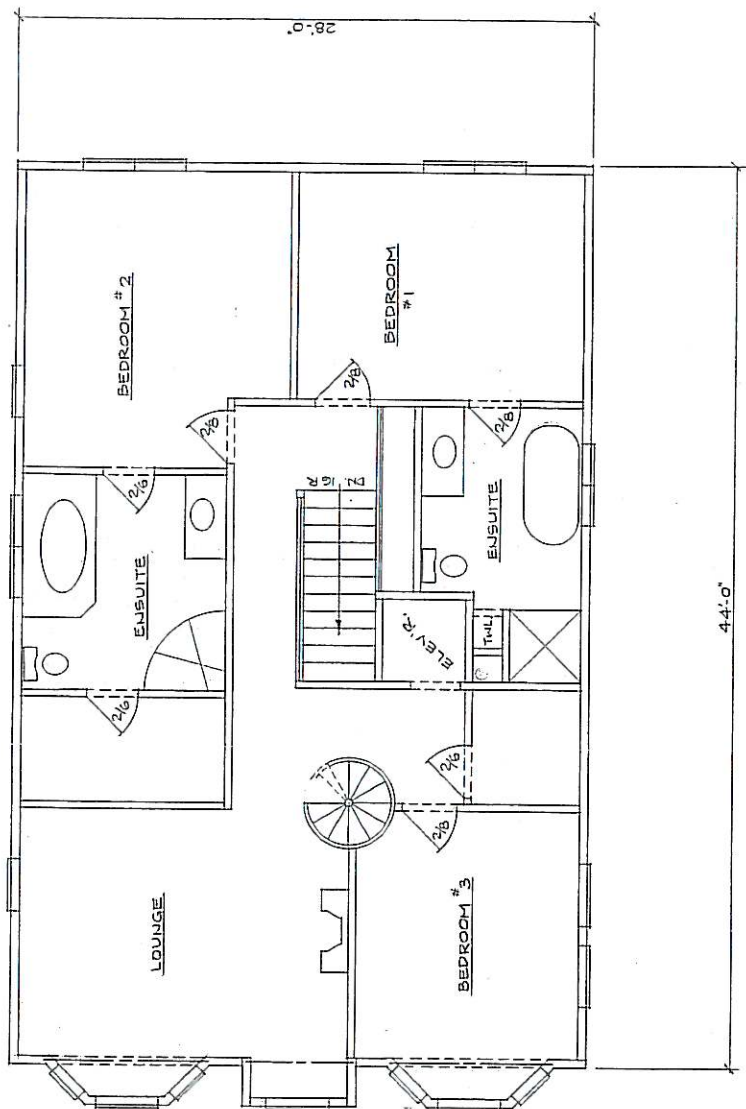
RIGHT ELEVATION







**BASEMENT / FOUNDATION PLAN**  
1232 SQ. FT.  
SCALE : 1/4" = 1'-0"



SECOND FLOOR PLAN

SCALE : 1/4" = 1'-0" 1256 SQ.FT.



