

Please Note:

THAT Council defer its decision regarding Development Variance Permit Application No. DVP07-0162 to the October 2, 2007 Council Meeting.

See planning report below.

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**CITY OF KELOWNA  
MEMORANDUM**

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**DATE:** August 24, 2007

**TO:** City Manager

**FROM:** Planning & Development Services Department

**APPLICATION NO.** DVP07-0162      **APPLICANT:** James & Lorraine McNish  
**AT:** 187 Wallace Road      **OWNERS:** James & Lorraine McNish

**PURPOSE:** TO OBTAIN A DEVELOPMENT VARIANCE PERMIT TO VARY  
THE EXISTING NON-CONFORMING REAR YARD FROM 6.0M  
PROPOSED TO 3.7M REQUIRED.

**EXISTING ZONE:** RU1 – LARGE LOT HOUSING  
**PROPOSED ZONE** RU6 – TWO DWELLING HOUSING ZONE

**REPORT PREPARED BY:** Alec Warrender

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**1.0**    **RECCOMENDATION**

THAT Final Adoption of Zone Amending Bylaw No. 9856 be considered by Council;

AND THAT Council authorize the issuance of Development Variance Permit No. DVP07-0162 for Lot 2, Section 35, Twp. 26, ODYD, Plan 24575, located at 187 Wallace Road, Kelowna, B.C;

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

Section 13.6.6 (e) Development Regulations – Rear Yard Setback  
Vary the existing non-conforming rear yard from 6.0 m required to 3.7 m proposed.

**2.0**    **SUMMARY**

The applicant has applied for a Development Variance Permit to vary the existing non-conforming rear yard from 6.0 m required to 3.7 m proposed. A Development Permit for the proposed semi-detached housing has also been provided.

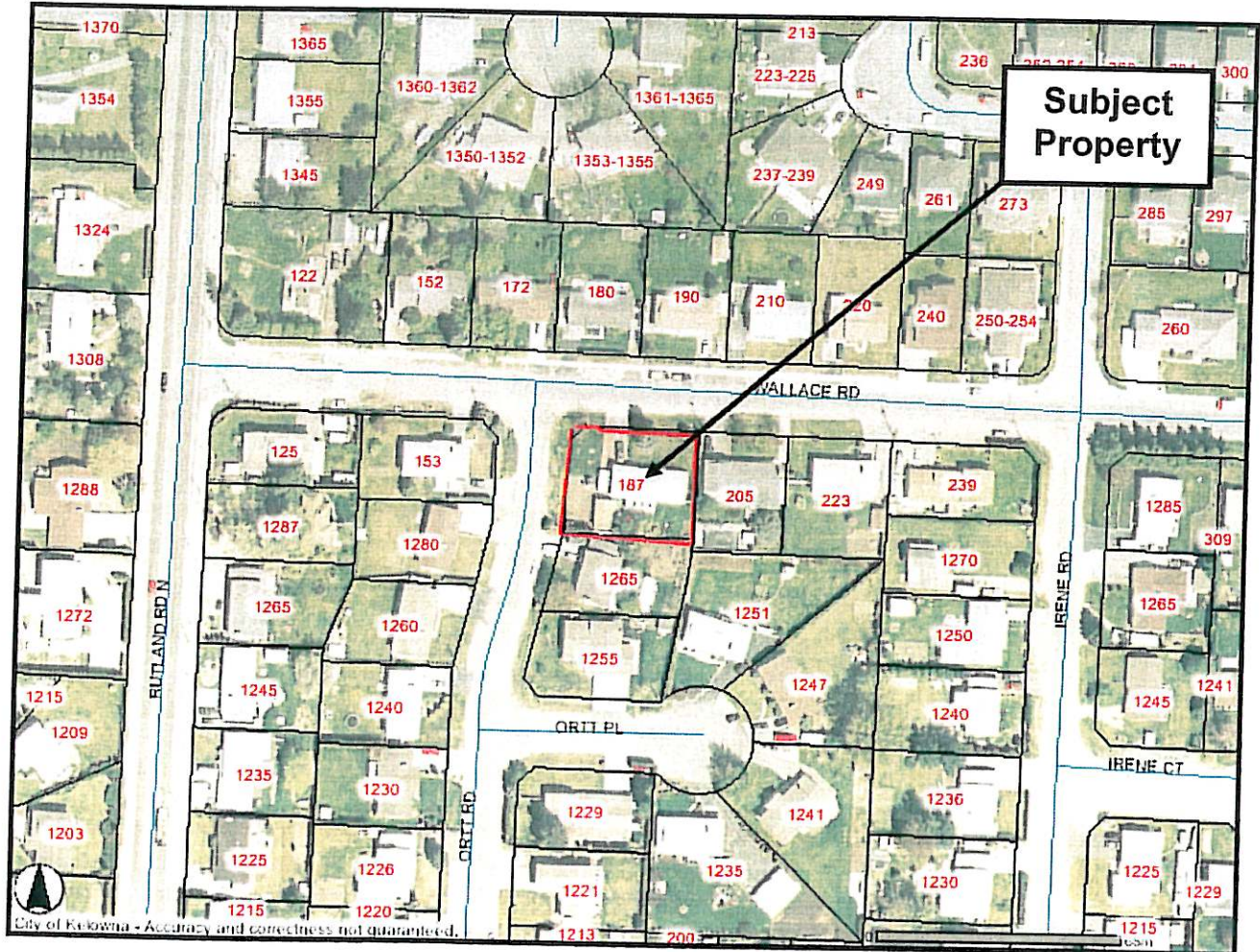
**3.0**    **THE PROPOSAL**

There is an existing single-family dwelling on the subject property. The applicant is proposing to construct a second single-family dwelling as an addition to the existing dwelling. This development will result in semi-detached housing. Vehicle access to the existing house is from Wallace Road, and the proposed second dwelling would also gain access from this road. A variance has been applied for in order to deal with the existing non-conforming rear yard.

Plans provided by the applicant show that the proposed second dwelling is to have a main floor area of 493 m<sup>2</sup> while the basement will have a floor area of 372.8 m<sup>2</sup>. The basement level is proposed as a 2.7m (8.7ft.) living space.

3.1 Site Location Map:

Subject Property: 187 Wallace Road.

3.2 Site Context

The surrounding area has been developed primarily as a single/two-family neighbourhood. More specifically, the adjacent land uses are as follows:

North	RU1 – Large Lot Housing – Single family residence
East	RU1 – Large Lot Housing – Single family residence
South	RU1 – Large Lot Housing – Single family residence
West	RU1 – Large Lot Housing – Single family residence

3.3 Development Analysis

CRITERIA	PROPOSAL	RU6 ZONE REQUIREMENTS
<b>Subdivision Regulations</b>		
Lot Area	1.140 m <sup>2</sup>	700 m <sup>2</sup> for two principal dwellings
Lot Width	25.91 m	20.0 m for two principal dwellings /corner lot
Lot Depth	32.01 m	30.0 m

<b>Development Regulations</b>		
Site Coverage (buildings)	30%	40%
Height	Meets requirements	2 ½ storeys / 9.5 m
Front Yard (Orrt Road)	4.5 m	4.5 m or 6.0 m to a garage
Side Yard (south)	2.38 m	2.0 m (1 or 1 ½ storey portion) 2.3 m (2-storey portion)
Side Yard (north)	8.76 m	4.5 m from flanking street
Rear Yard (east)	3.7 m <sup>1</sup>	6.0 m (1 or 1 ½ storey portion) 7.5 m (2 or 2 ½ storey portion)
<b>Other requirements</b>		
Parking Stalls (#)	4 spaces	4 spaces
Private Open Space	Meets requirements	30 m <sup>2</sup> of private open space per dwelling

<sup>1</sup> Vary the existing non-conforming rear yard from 6.0 m required to 3.7 m proposed.

4.0 TECHNICAL COMMENTS4.1 Inspections Services

Location of proposed driveway relative to intersection of two roads could be of concern. Provide 3/4 fire separation between units/garages as required by BCBC. Building permit to decommission the existing illegal suite required at the same time as the application to construct the proposed semi-detached housing. Occupancy Permit will for proposed semi-detached housing will not be issued prior to complete decommissioning of existing illegal suite.


4.2 Works & Utilities

Requirements of the rezoning application no. Z07-0052 must be satisfied before the Issuance of this Development Permit. Provide easements and right of way as required.



5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

Staff has no concerns with this proposal, the lot is well suited for the RU6 zone and the proposed development conforms to the City's Zoning Bylaw No. 8000. A petition in support of the proposed re-zoning was signed by five neighbours and included as part of this application.

*for*   
Shelley Gambacort  
Current Planning Supervisor  
DS/SG/aw

Approved for Inclusion



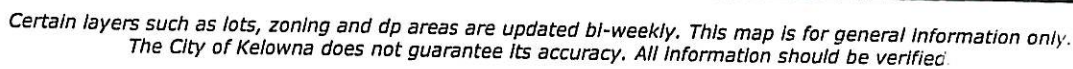
*for*  
David L. Shipclark  
Acting Director of Planning & Development Services

RD/SG/aw

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**ATTACHMENTS**

Location of subject property  
Site Plan  
Elevations and Floor Plans  
Photographs



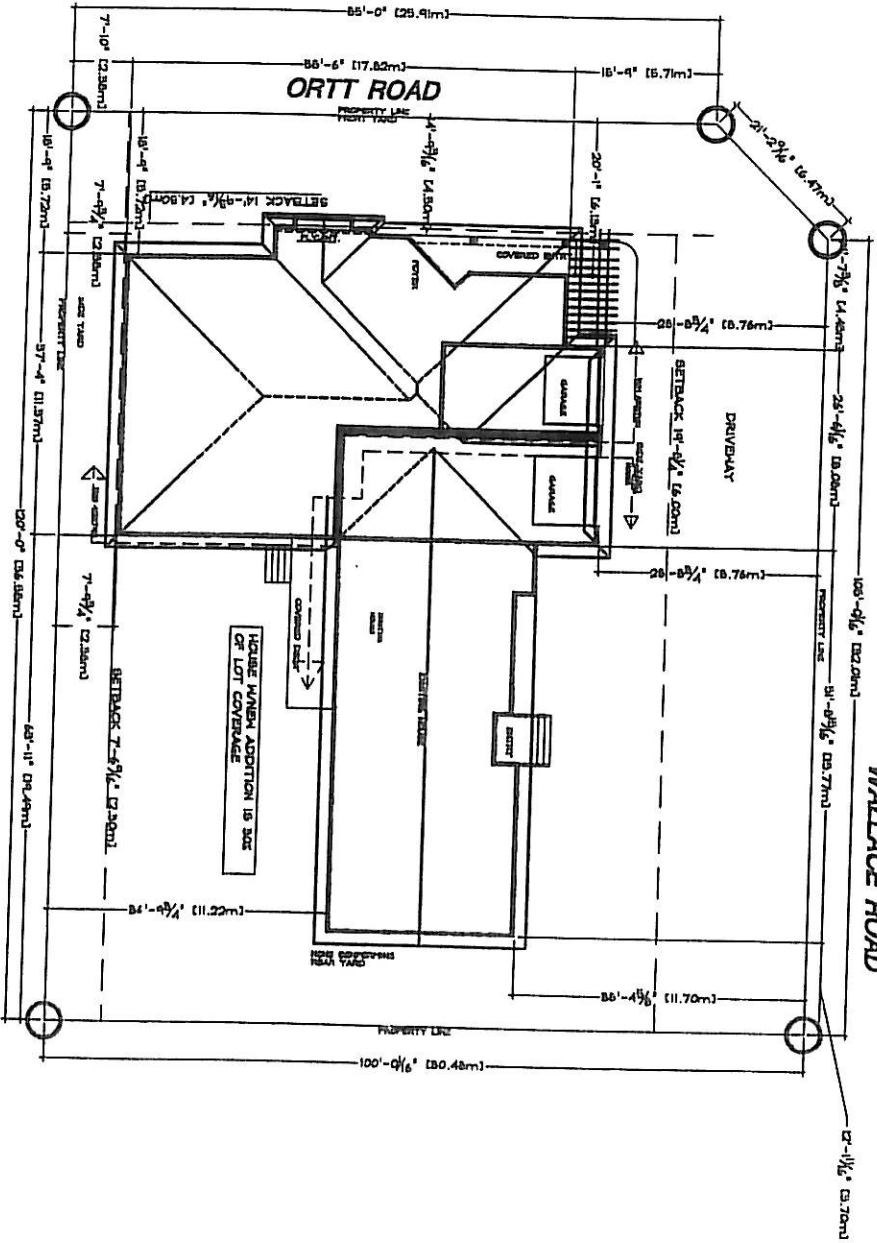
# LOT# 2

PLAN 24575

SEC.35,TP.26,OD.Y.D.

CIVIC ADDRESS: 187 WALLACE ROAD

WALLACE ROAD

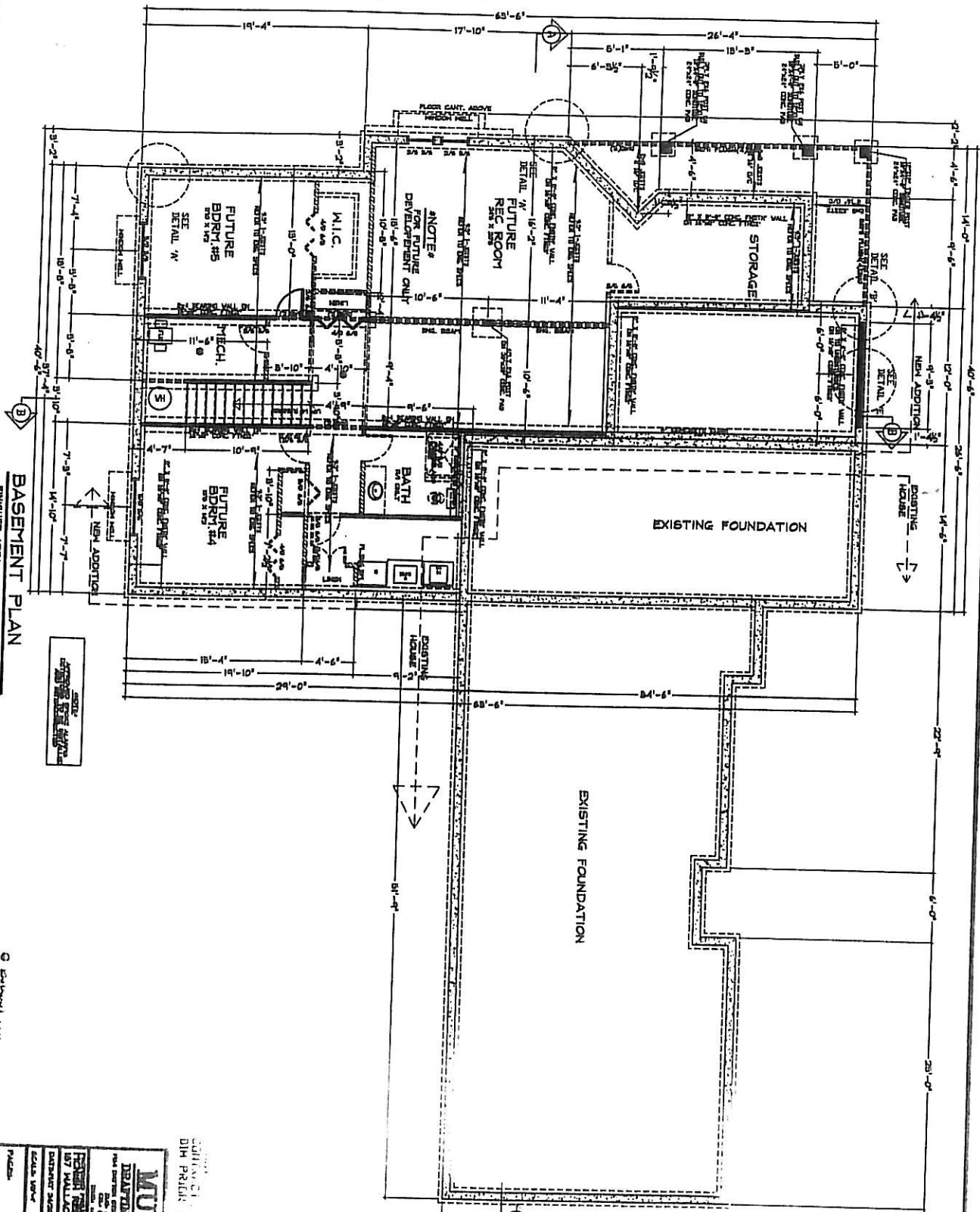
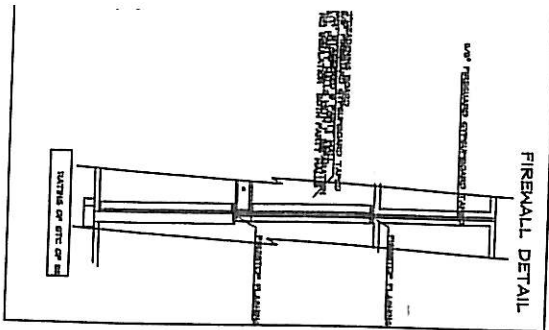


LOT PLAN

SCALE 1/8" = 1'-0"

CONSTRUCTION OF LOT PLAN  
DIN PRIOR TO 1900

**MORTIMER**  
DRAWING & DESIGN  
187 WALLACE ROAD  
DARTMOUTH, N.S.  
B01 1A0A0  
SCALE 1/8" = 1'-0"  
PAGE 5 OF 5



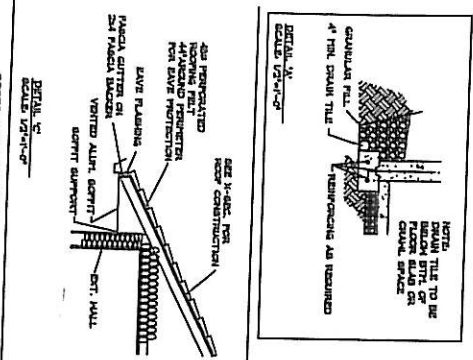
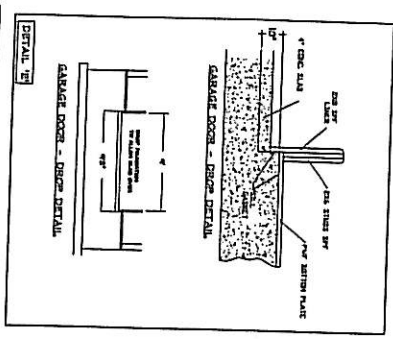
**BASMENT PLAN**  
FINISHED AREA 1223 SQ/FT  
WHEN DEVELOPED



© 2000  
S. J. L. L. L.





[illegible]

# DETAIL NO. 12-1-10

## ROOFING MEMBRANE

### CONCRETE & FOOTING

1. CONCRETE: 12" thick, minimum, with a minimum compressive strength of 3,000 psi. Reinforced with #4 bars at 18" o.c. in both directions. Footings: 12" thick, minimum, with a minimum compressive strength of 3,000 psi. Reinforced with #4 bars at 18" o.c. in both directions.

### ABOVE GRADE MAZAROTY

1. MAZAROTY: 1/2" thick, minimum, with a minimum compressive strength of 3,000 psi. Reinforced with #4 bars at 18" o.c. in both directions.

### CAPITRENTY

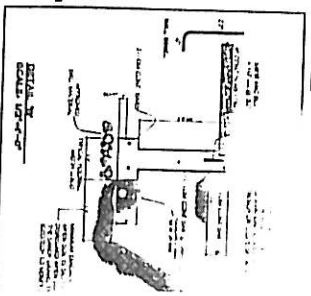
1. CAPITRENTY: 1/2" thick, minimum, with a minimum compressive strength of 3,000 psi. Reinforced with #4 bars at 18" o.c. in both directions.

### INSULATION / VENTILATION

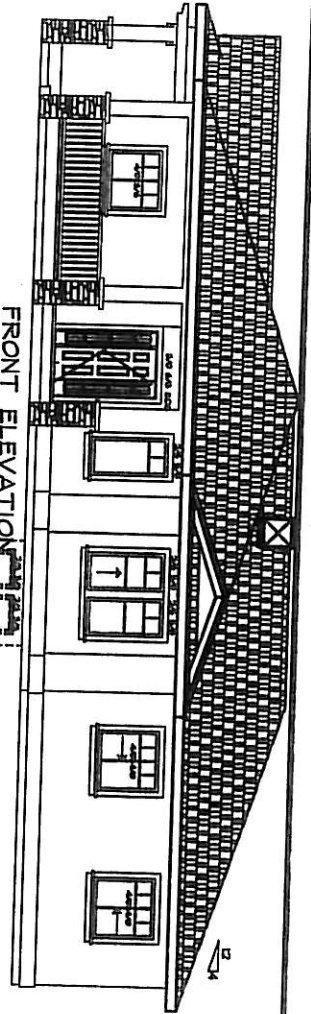
1. INSULATION: 2" thick, minimum, with a minimum compressive strength of 3,000 psi. Reinforced with #4 bars at 18" o.c. in both directions.

### RECELS AND ROOFS

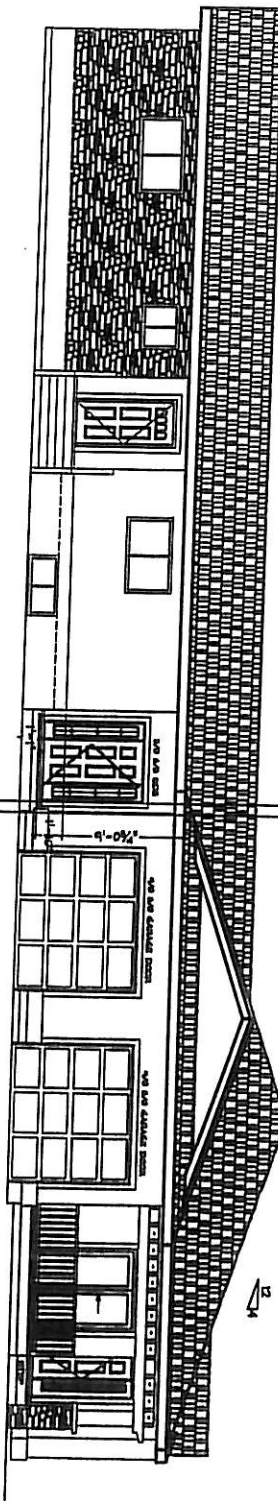
1. RECELS AND ROOFS: 1/2" thick, minimum, with a minimum compressive strength of 3,000 psi. Reinforced with #4 bars at 18" o.c. in both directions.



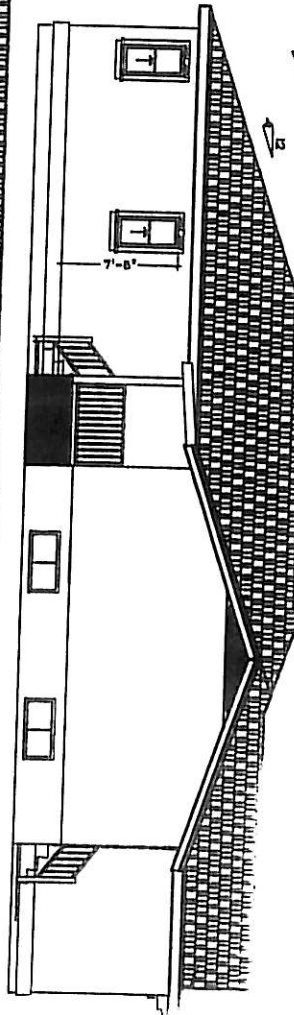
**MULLIN**  
DYEING & DESIG.  
704 DARTON STREET, NASHVILLE, T.C.  
Phone BR 4-3346  
Cable BR 4-3346  
Nashville, Tennessee  
FEDERAL RESERVE BANK  
187 WALLACE ROAD  
DARTON SQUARE  
NASHVILLE, TENN.



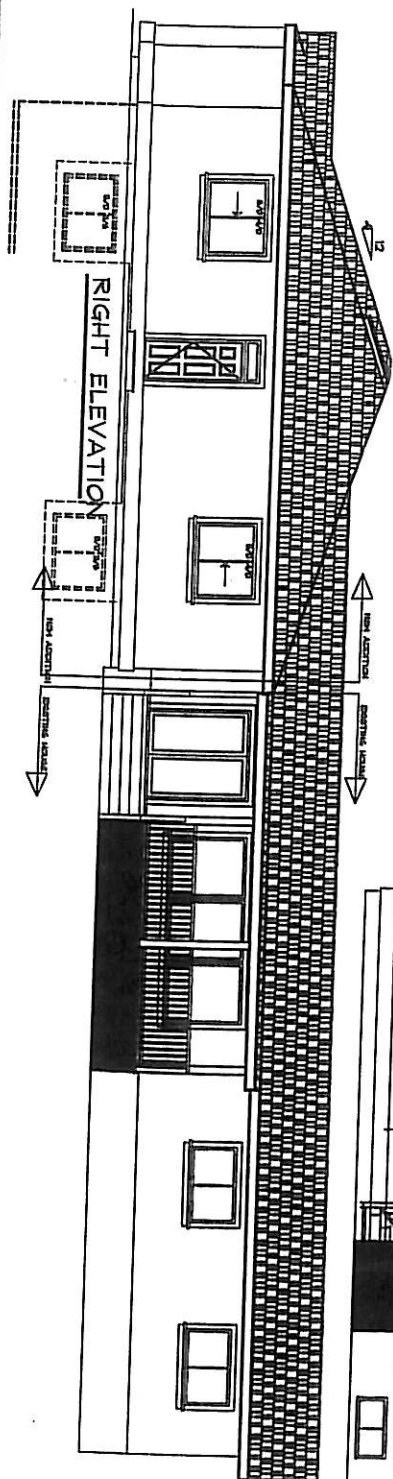
FRONT ELEVATION  
ORTT RD.



LEFT ELEVATION  
WALLACE RD.



REAR ELEVATION



RIGHT ELEVATION

GENERAL NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE CURRENT EDITION OF THE B.C. BUILDING CODE AND ALL LOCAL LAWS AND BYLAWS.
2. BEFORE CONSTRUCTION COMMENCES IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITY AND TO ASSURE THEM AND NO DISCREPANCIES.
3. IT IS THE RESPONSIBILITY OF THE CONTRACTOR FOR THE CORRECT SITING OF THE BUILDING TO CONFORM WITH NECESSARY ATTACHED.
4. ALTHOUGH EVERY EFFORT HAS BEEN MADE TO PROVIDE COMPLETE INFORMATION, THE CONTRACTOR IS ADVISED THAT THE POSSIBILITY OF OMISSIONS FROM THESE DRAWINGS IS NOT ELIMINATED. THE CONTRACTOR WILL BE LIABLE FOR ANY ERRORS IN DIMENSIONS & DESIGN.

NOTE

UNLESS SPECIFIED TO BE OTHERWISE, ALL DIMENSIONS ARE TO FACE, UNLESS OTHERWISE NOTED TO THE CONTRARY.

NOTE

PERIODIC INSPECTION SHALL BE ALLOWED DURING CONSTRUCTION.

RENDERED  
CONTRACTOR'S SIGNATURE  
DATE: PRIOR TO CONSTRUCTION

**MULLINS**  
DESIGN & CONSTRUCTION  
2000-2001  
100 WALLACE ROAD  
PORTER, BC V2Y 1A1  
TEL: 250-251-1111  
FAX: 250-251-1112



68-12 0 157

