CITY OF KELOWNA **MEMORANDUM**

DATE:

October 18, 2007

TO:

City Manager

FROM:

Planning & Development Services Department

APPLICATION NO. DVP07-0225

APPLICANT:

Clarence & Silvia Roberts

AT:

3565 Rose Road

OWNERS:

Clarence & Silvia Roberts

PURPOSE:

TO OBTAIN A DEVELOPMENT VARIANCE PERMIT TO VARY THE HEIGHT OF THE PROPOSED SINGLE FAMILY DWELLING FROM 2.5 STOREYS REQUIRED TO 3.0

STOREYS PROPOSED.

EXISTING ZONE:

A1 – Agridulture 1

REPORT PREPARED BY: Alec Warrender

1.0 RECCOMENDATION

THAT Council NOT authorize the issuance of Development Variance Permit No. DVP07-0225 for Lot A, Sec. 10, Twp. 26, ODYD, Plan 38325, located at 3565 Rose Road, Kelowna, B.C,

2.0 SUMMARY

The applicant has applied for a Development Variance Permit to vary the height of the proposed single family dwelling from 2.5 storeys required to 3.0 storeys proposed. The applicant has indicated that the height (m) of the proposed single family dwelling is 8.83m

3.0 THE PROPOSAL

The subject property is 4.89ha and the proposed single family dwelling will be 481.6 m². There are presently two existing single family dwellings on the subject property. An additional pickers cabin burned down in 2004, the applicant has proposed to replace the picker's cabin with a 481.6m² single family dwelling. An existing shed and shop are currently located on the subject property.

3.1 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

A1 – Agriculture 1 - Agriculture

East

A1 - Agriculture 1 - Agriculture

South

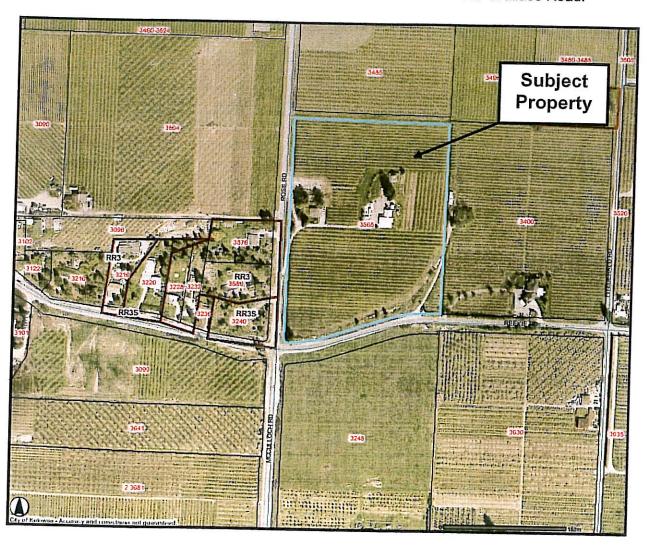
A1 - Agriculture 1 - Agriculture

West

RR3 - Rural Residential 3 - Single Family Residences

3.2 Site Location Map:

187 Wallace Road.



4.0 <u>TECHNICAL COMMENTS</u>

4.1 <u>Inspections Services</u>

A delayed demolition permit must be applied for to remove the kitchen and bath tub from the existing single family dwelling at the same time as an application is made for the building permit.

4.2 Works & Utilities

No Concerns.

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

Staff is concerned with this proposal. Under normal circumstances the applicant would not be permitted to build an additional single family dwelling on the subject property. Staff have been cooperative with the applicant and have agreed an additional single family dwelling could be constructed as long as one of the existing single family dwellings is decommissioned and turned into an accessory structure. The requirement to forward this application to the ALC has

DVP07-0225

been waived and permission to construct an additional home to replace the old picker's cabin has been granted. Staff recognizes that the home is located on a 4.89ha agricultural parcel, has large setbacks and has the support of nine neighbouring residents, however Staff believes that the Zoning Bylaw should have been adhered to when the proposed single family dwelling was designed.

Application Received: 2007-09-18

6.0 <u>ALTERNATE RECCOMENDATION</u>

THAT Council authorize the issuance of Development Variance Permit No. DVP07-0225 for Lot A, Sec. 10, Twp. 26, ODYD, Plan 38325, located at 3565 Rose Road, Kelowna, B.C, subject to:

A delayed demolition permit must be applied for to remove the kitchen and bath tub
from an existing dwelling at the same time as an application is made for the building
permit.

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

Section 11.1.6 (b) <u>Development Regulations – Height</u>
Vary the height of the proposed single family dwelling from 2.5 storeys required to 3 storeys proposed.

Shelley Gambacort

Current Planning Supervisor

SG/aw

ATTACHMENTS

Location of subject property Site Plan

Elevations