
**CITY OF KELOWNA
MEMORANDUM**

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

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.

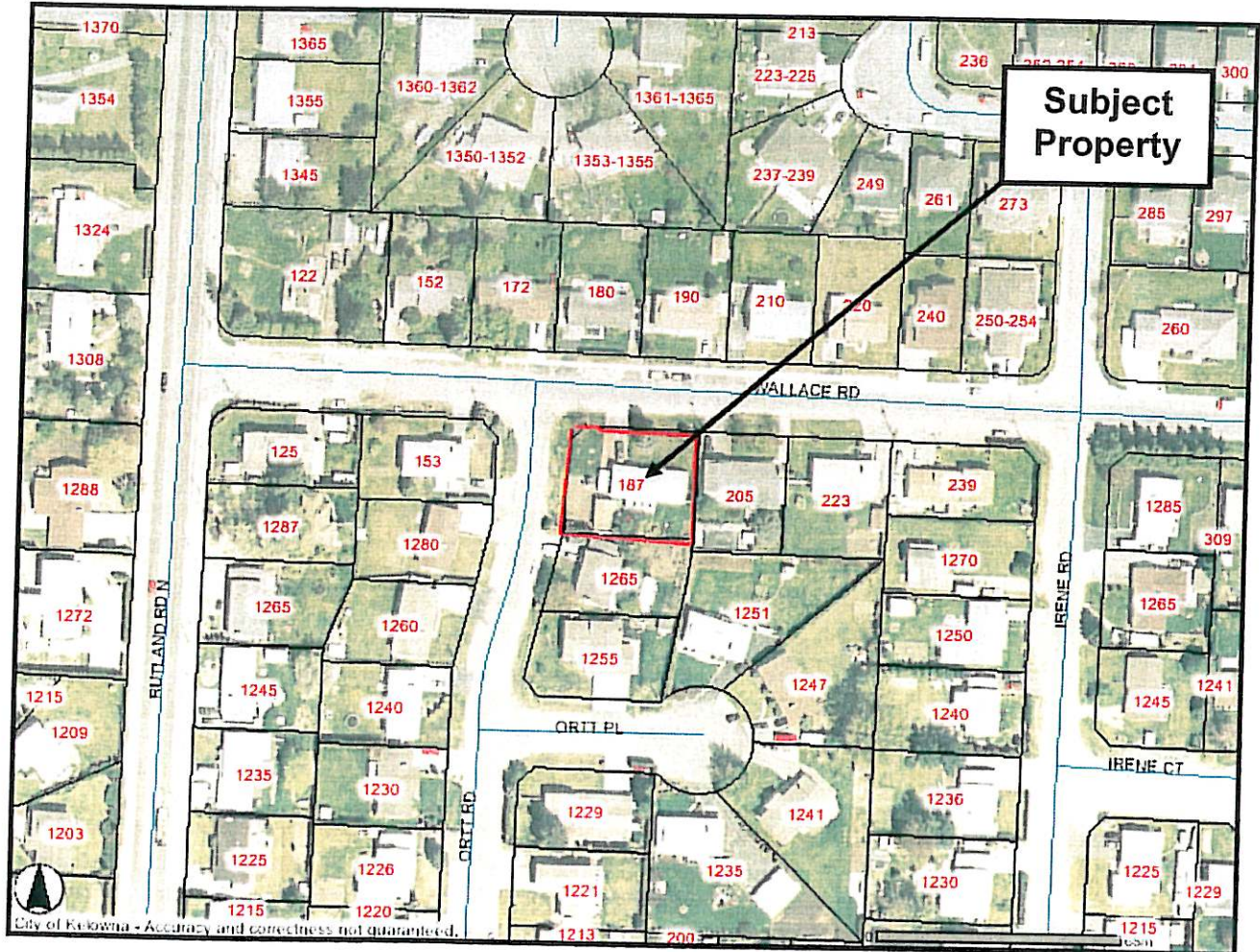
3.0 **THE PROPOSAL**

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 m² while the basement will have a floor area of 372.8 m². 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
Subdivision Regulations		
Lot Area	1.140 m ²	700 m ² 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

Development Regulations		
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 ¹	6.0 m (1 or 1 ½ storey portion) 7.5 m (2 or 2 ½ storey portion)
Other requirements		
Parking Stalls (#)	4 spaces	4 spaces
Private Open Space	Meets requirements	30 m ² of private open space per dwelling

¹ 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

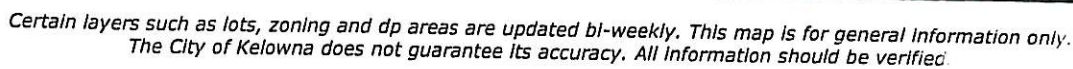


for
David L. Shipclark
Acting Director of Planning & Development Services

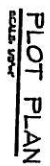
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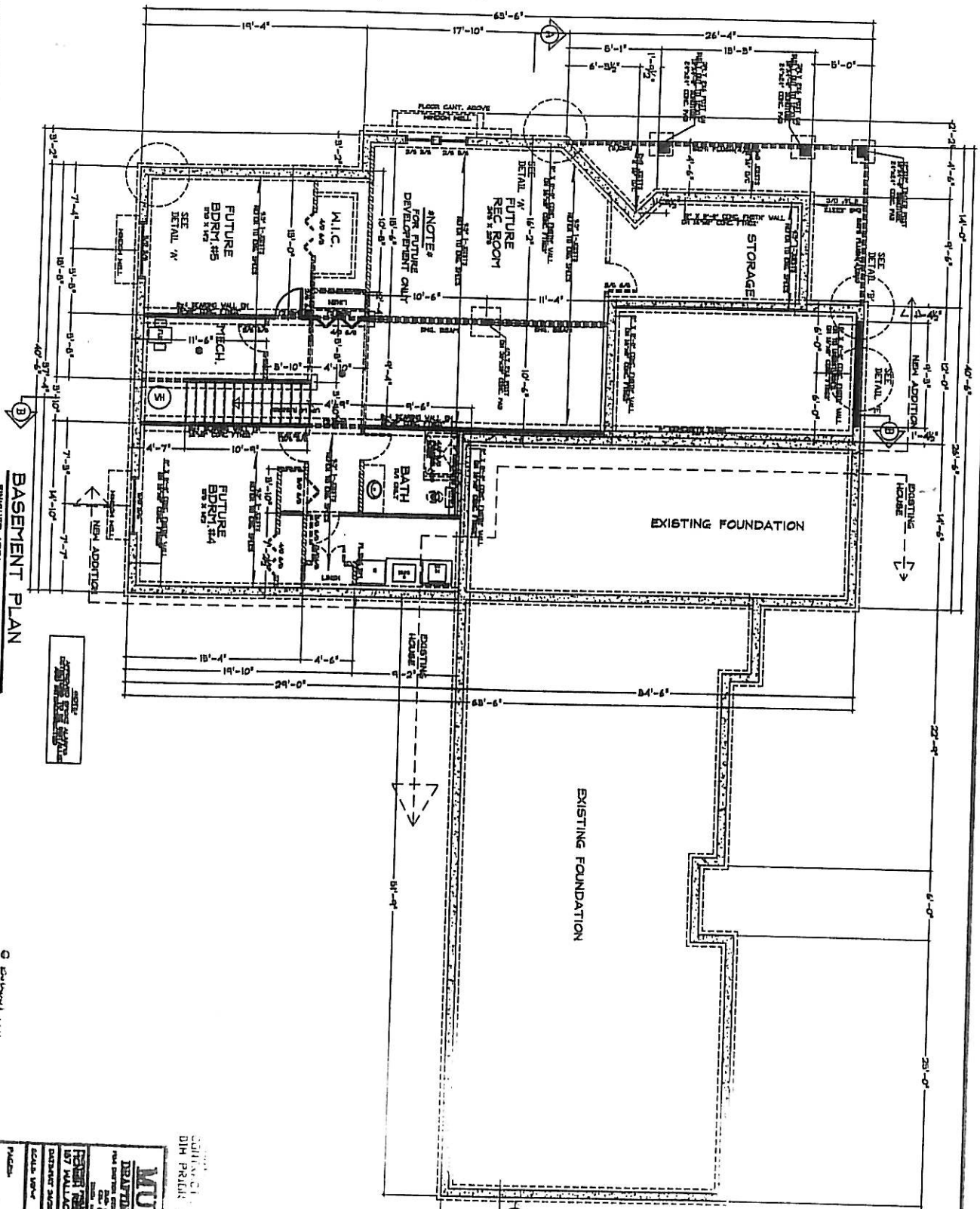
ATTACHMENTS

Location of subject property
Site Plan
Elevations and Floor Plans
Photographs



WALLACE ROAD





BASEMENT PLAN

FINISHED AREA, 123 SQ/FT
WHEN DEVELOPED

- **Balance**
- **STATE** **Definition**

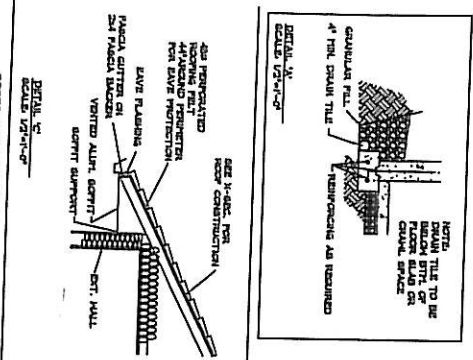
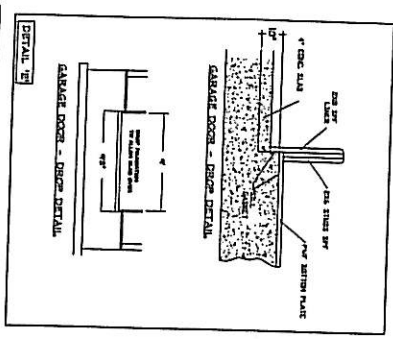
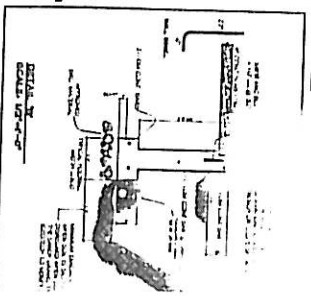
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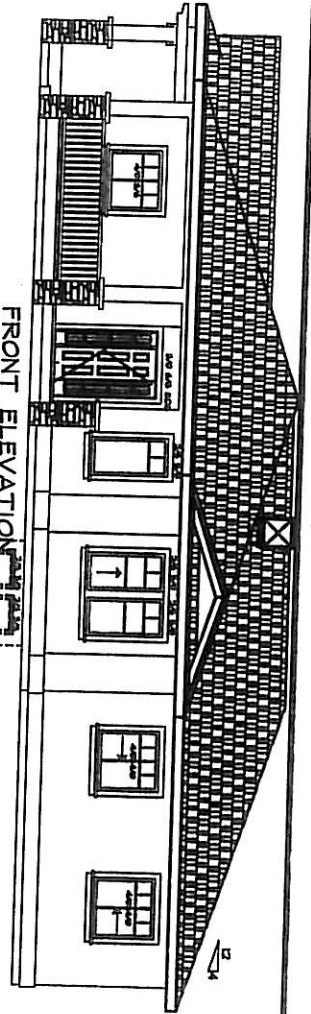
MULTIPLY

FRANK T. RICHARDS
167 WALLACE ROAD
BETHESDA, MARYLAND

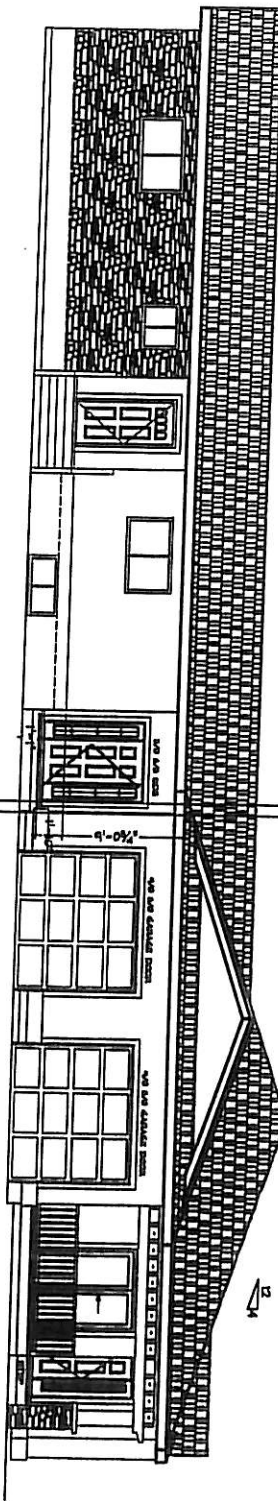
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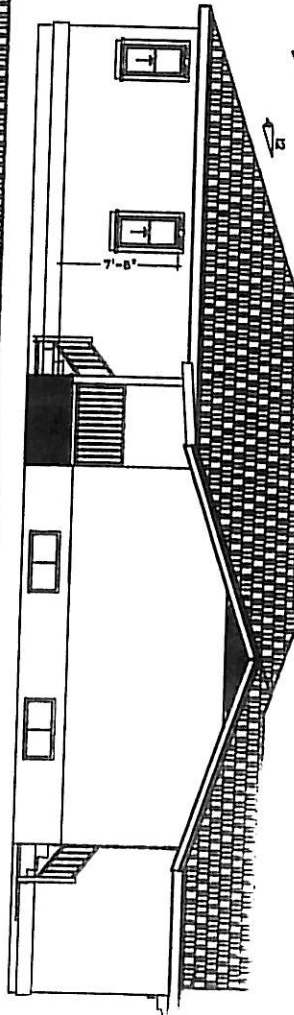
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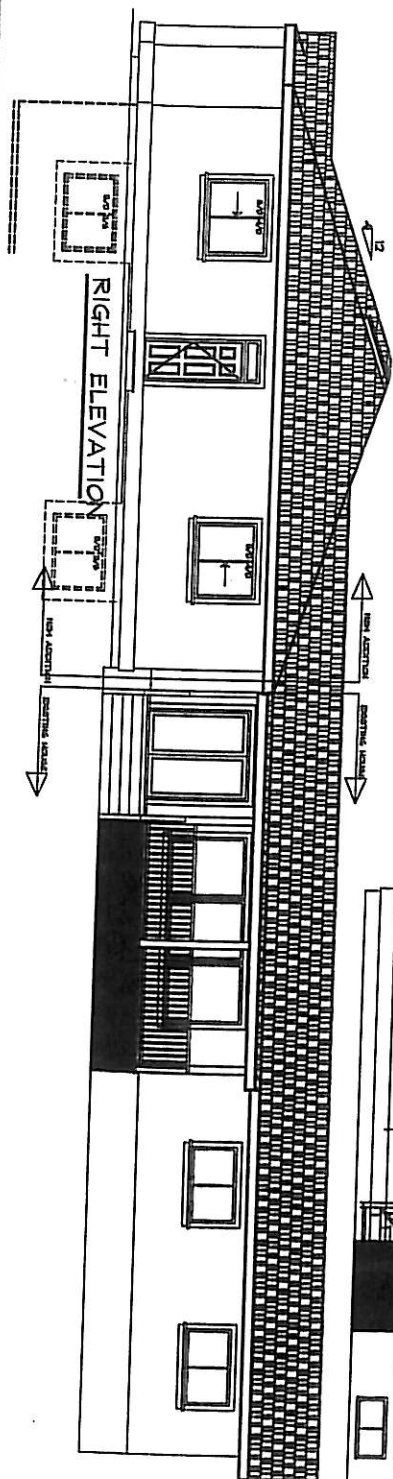
FRONT ELEVATION
ORTT RD.



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 ORDINANCES.
2. BEFORE CONSTRUCTION COMMENCES, IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND TO ASSURE THEMSELF OF NO DISCREPANCIES.
3. IT IS THE RESPONSIBILITY OF THE CONTRACTOR FOR THE CORRECT SITING OF THE BUILDING TO CONFORM WITH NECESSARY ATTACHED APPROVALS.
4. ALTHOUGH EVERY EFFORT HAS BEEN MADE TO PROVIDE COMPLETE AND ACCURATE INFORMATION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THE DRAWINGS. A DESIGN FIRM WILL NOT BE LIABLE FOR ANY ERRORS OR OMISSIONS.

NOTE

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

NOTE

PERIODIC INSPECTION SHALL BE ALLOWED BY THE INSPECTOR AT ANY TIME.

RENDERED BY CONTRACTOR
DATE PRIOR TO CONSTRUCTION

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

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