#### CITY OF KELOWNA

# **MEMORANDUM**

DATE: January 29, 2008 TO: City Manager

FROM: Community Sustainability Division

APPLICATION NO. DVP08-0247 OWNER: Canadian Adult Communities

and Lorne Aston & Valerie

Aston

AT: #234 – 550 Yates Road APPLICANT: Lorne Aston

PURPOSE: To vary the rear yard setback for a bareland strata unit from 3.0 m

required to 2.5 m proposed for a glass patio enclosure.

**EXISTING ZONE:** RU5 – Bareland Strata Housing

REPORT PREPARED BY: Andrew Browne

## 1.0 RECOMMENDATION

THAT Council authorize the issuance of Development Variance Permit No. DVP08-0247 for Strata Lot 29, Section 32, Township 26, ODYD, Strata Plan KAS1635, located at #234 – 550 Yates Road, Kelowna BC;

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

Section 13.5.6(g) Minimum Rear Yard Setback – To vary the rear yard setback for a bareland strata unit from 3.0 m required to 2.5 m proposed for a glass patio enclosure.

## 2.0 SUMMARY

The applicant proposes to legalize an existing glass patio enclosure that encroaches into the required rear yard setback for a bareland strata unit by 0.5 m. The abutting property owners and the Strata Council have provided written confirmation that the have no objections to the proposed glass patio enclosure.

## 3.0 BACKGROUND

#### 3.1 Site Context

The subject property is located in Glenmore at #234 - 550 Yates Road. The immediate area is predominantly residential, with a small commercial node developing to the south. The land uses immediately adjacent to the bareland strata development are as follows:

North A1 – Agriculture 1, P3 – Parks and Open Space, P4 - Utilities, RM2 – Low Density Row Housing, RM5 – Medium Density Multiple Housing

South C2 – Neighbourhood Commercial, RM5 – Medium Density Multiple Housing

<u>East</u> A1 – Agriculture 1, P3 – Parks and Open Space, RM5 – Medium Density Multiple Housing

West P2 – Education and Minor Institutional, RM2 – Low Density Row Housing, RM3 – Low Density Multiple Housing

## 3.2 Aerial Photo



# 3.3 The Proposal

The applicant proposes to legalize an existing glass patio enclosure that encroaches into the required rear yard setback for a bareland strata unit by 0.5 m.

The table below shows this application's compliance with the requirements of the RU5 zone.

	Zoning Bylaw No. 8000	
CRITERIA	PROPOSAL	RU5 ZONE REQUIREMENTS
	Development Regulations	
Site Coverage (buildings)	Approx 49.7%	50%
Rear yard	2.5 m *	3.0 m

## 4.0 <u>TECHNICAL COMMENTS</u>

## 4.1 Fire Department

BCBC 2006 requirements to be met.

# 4.2 Building & Permitting

Proper site plan and construction drawing required to review proposal for building permit.

## 4.3 Development Engineering Branch

This application for a residential addition does not compromise Development Engineering requirements.

## 5.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS

Letters confirming support for the requested variance were submitted from affected neighbours and the Strata Corporation has granted permission for the changes.

The enclosure covers the existing concrete patio and no additional lot coverage is proposed.

Land Use Management has no concerns and recommends support for the application.

Danièlle Noble

Urban Land Use Manager

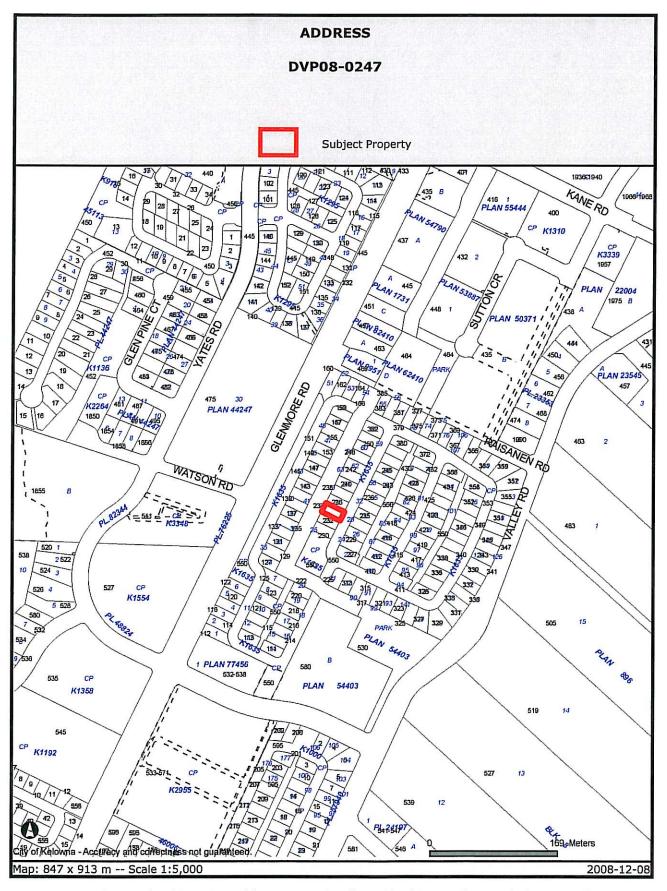
Approved for Issuance

**Shelley Gambacort** 

Director of Land Use Management

**ATTACHMENTS** 

Location map Aerial photo showing construction / site plan Construction drawings (3 pages) Map Output Page 1 of 1



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.





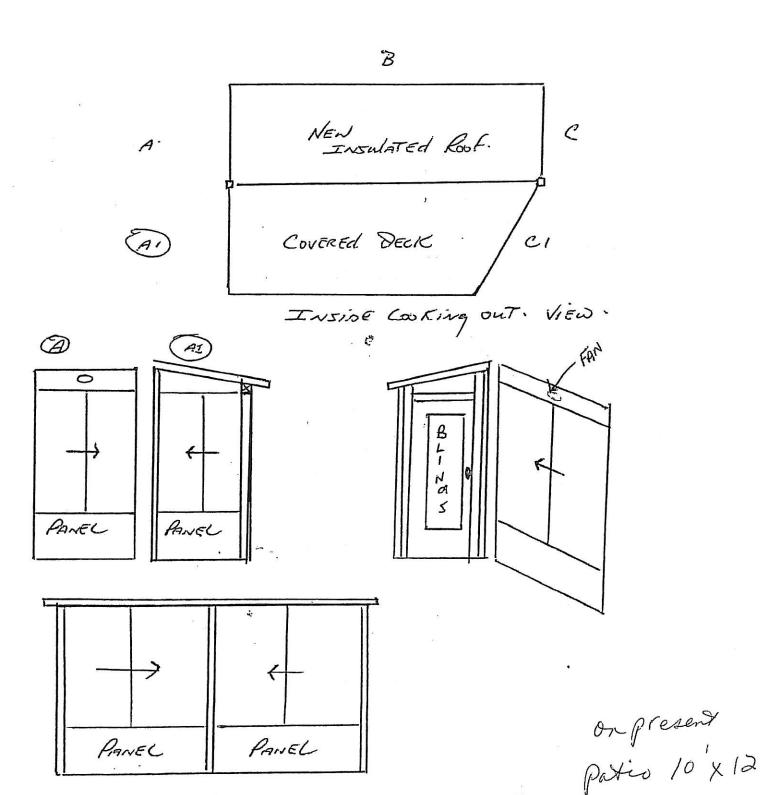
Name AsTon Les.	_ Sheet of
Phone 860-9873.	Date Que, 8/08
Address 234. Sandelwood.	Prepared by

#137 - 1889 SPRINGFIELD ROAD, KELOWNA, B.C. V1Y 5V5

TEL:763-1600

FAX:868-2847

www.allkindsofglass.com

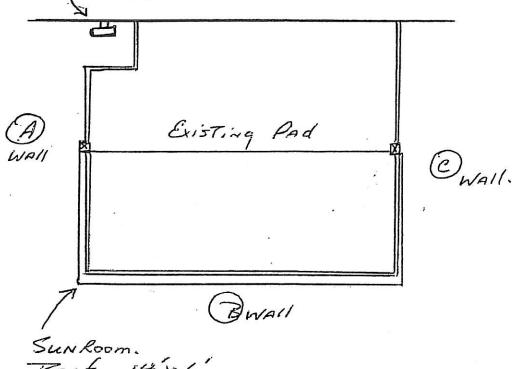


"We appreciate your Business"

GISS LTD. Serving the Okanagan Since 1983.	Name Astronomer Phone 860 : Address 234	LES. -9873. Sandelwood	Sheet of of	
#137 - 1889 SPRINGFIELD ROAD, KELOW	/NA, B.C. V1Y 5V5	TEL:763-1600	FAX:868-2847	

www.allkindsofglass.com GAS VENT

Top View of DECK.



Sunkoom. Roof. 14x6

