

---

**CITY OF KELOWNA**  
**MEMORANDUM**

---

**Date:** May 8, 2009  
**To:** City Manager  
**From:** Community Sustainability Division

**APPLICATION NO.** DVP09-0021      **APPLICANT:** IHS Design (Chris Vickery)  
**AT:** 2795 Longhill Road      **OWNERS:** Timothy Marshall

**PURPOSE:** TO OBTAIN A DEVELOPMENT VARIANCE PERMIT TO VARY THE MAXIMUM HEIGHT OF AN ACCESSORY BUILDING FROM 4.5M ALLOWED TO 6.518M PROPOSED TO FACILITATE THE CONSTRUCTION OF OF TWO BARNs

**EXISTING ZONE:** RR2 – Rural Residential 2  
A1 – Agriculture 1

**Report Prepared By:** Luke Turri

---

### **1.0 RECOMMENDATION**

THAT Council authorize the issuance of Development Variance Permit No. DVP09-0021 for Lot 1, Section 34, Township 26, ODYD, Plan 42588, located at 2975 Longhill Road, Kelowna, BC;

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

Section 12.2.6 (b) – Maximum Height – To vary the maximum height allowed for accessory buildings from 4.5m to 6.518m to facilitate the construction of two barns.

AND FURTHER THAT issuance of the Development Variance Permit be subject to the owner of the property entering into an agreement with the City of Kelowna that future property acquisition costs for the Central Okanagan Multi-Modal Corridor not be impacted as a result of the construction of the proposed pole barn in the northeast corner of the property.

### **2.0 SUMMARY**

The applicant is proposing to build two barns that would require a Development Variance Permit to relax the maximum allowable height for accessory buildings setback from 4.5m to 6.518m.

### **3.0 BACKGROUND**

#### **3.1 The Proposal**

The property is split zoned, with the western portion along Longhill Road zoned A1-Agriculture 1, and the remainder of the parcel zoned RR 2- Rural Residential 2. Two barns are proposed to be on the RR 2 portion. A 1440 ft<sup>2</sup> hay barn is proposed near the

centre of the property with a height of 6.0 meters, while a 1440 ft<sup>2</sup> pole barn is proposed at the northeast corner of the property with a height of 6.5 meters. As the maximum height for accessory buildings in the RR 2 – Rural Residential 2 zone is 4.5 meters, a Development Variance Permit is required to allow the construction of both barns.

The proposed pole barn to the northeast is located within the future right-of-way for the Central Okanagan Multi-Modal Corridor (COMMC). Phase 3 of the COMMC would extend from the McCurdy road flyover to UBC Okanagan, through a portion of the subject property.

The proposed application conforms to the regulations of Zoning Bylaw No. 8000, with the exception of the variance noted, as follows:

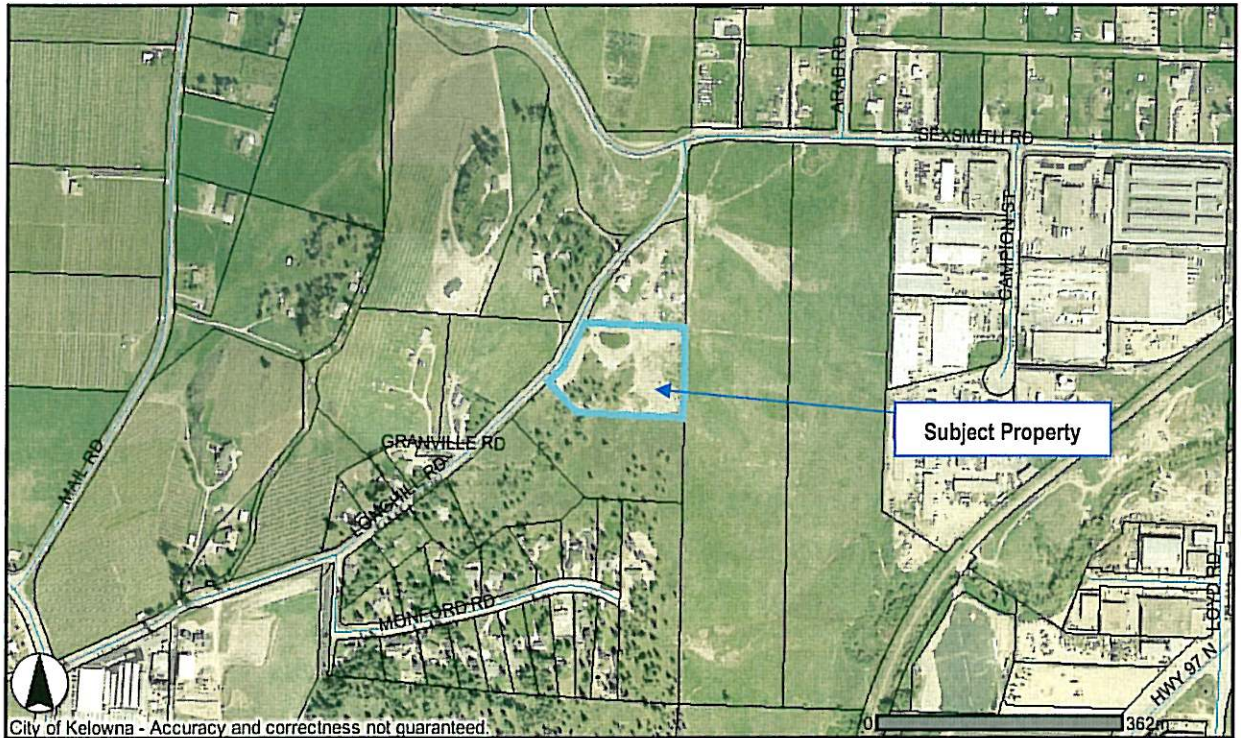
<b>CRITERIA</b>	<b>PROPOSAL</b>	<b>RR2 ZONE REQUIREMENT</b>
<b>Subdivision Regulations</b>		
Lot Area	1656 m <sup>2</sup>	1.0 ha
Lot Width	101 m	36.0 m
Lot Depth	148 m	30.0 m
<b>Development Regulations</b>		
<i>Height (Accessory Buildings)</i>	6.518 m*	4.5 m
Front Yard	88.0 m	6.0 m
Side Yard (north)	3.0 m	3.0 m
Side Yard (south)	50.8 m	3.0 m
Rear Yard (Accessory Buildings)	3.0 m	3.0 m

\*Variance Required

3.2 Site Context

Site Location Map

Subject property: 2795 Longhill Road



The subject property is located on Longhill Road near Sexsmith Road within an agricultural area and north of a rural subdivision.

Specifically, adjacent land uses are as follows:

North	A1 – Agriculture 1
East	A1 – Agriculture 1
South	RR2 – Rural Residential 2
West	A1 – Agriculture 1

**4.0 TECHNICAL COMMENTS**

4.1 Building & Permitting

Structural engineering and schedules required for construction of pole barn.

4.2 Development Engineering Branch

The application to vary the height of an accessory building from 4.5 to 6.518 is not supported by Development Engineering Branch due to the fact that the proposed Barn in the North East corner is within the future alignment of the Central Okanagan Multi-Modal Corridor (COMMC).

4.3 Fire Department

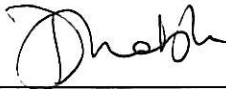
Access to meet BCBC 3.2.5.6 Access Route Design.

**5.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS**

While the proposed building heights would not have significant impacts on neighbouring properties, a request to build over and above the regulations of the Zoning Bylaw may impact the cost of future acquisition of a portion of the property for the proposed COMMC. While Phase 3 of the COMMC is not included within the 20-Year Road Network Plan within the Official Community Plan at this time, the City's Transportation Division does have detailed drawings for this phase. Phase 3 is proposed to be included in the Official Community Plan, currently under review.

The applicant was made aware of the COMMC alignment through a Building Permit application made in 2008 for a separate pole barn, which was constructed to conform to Zoning Bylaw standards. The applicant chose not to provide an alternative location for this previously built barn, or for the proposed barn.

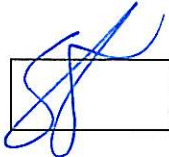
As suggested in the above recommendation, Land Use Management Department can be supportive of the application if the property owner agrees to not seek additional financial compensation concerning the construction of this new barn. In this manner, the future acquisition of the property would not be further encumbered. As the applicant is requesting a variance to the Zoning Bylaw, staff feel as though this is a reasonable request.



---

Danielle Noble  
Manager, Urban Land Use

Approved for inclusion

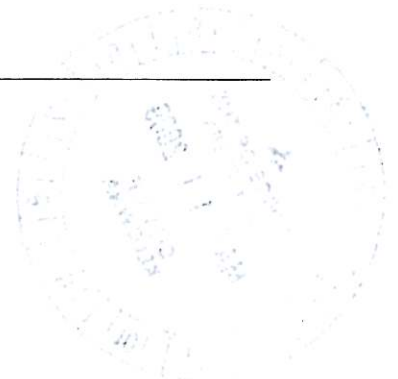


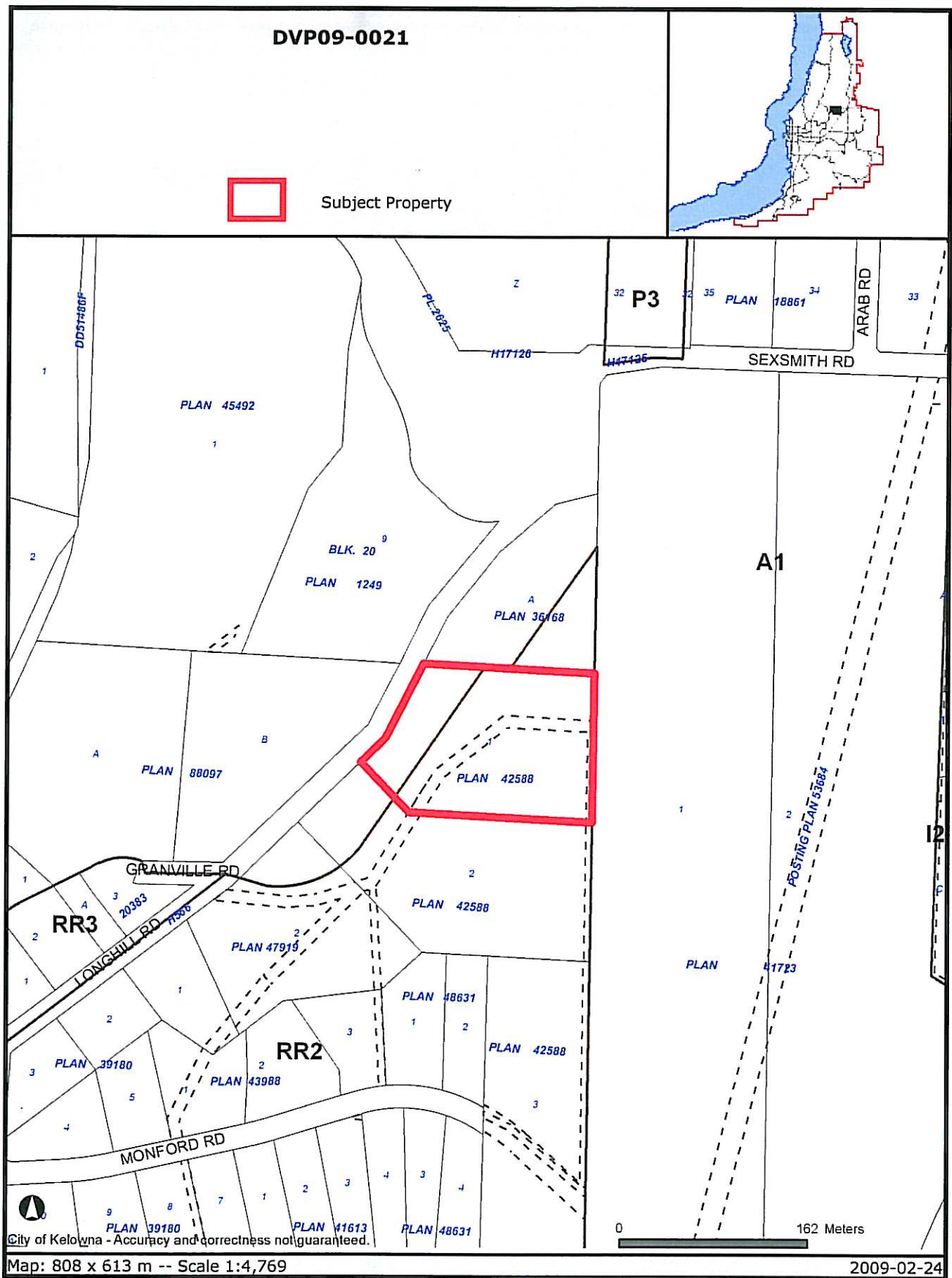
Shelley Gambacort  
Director, Land Use Management

---

**ATTACHMENTS**

Location of subject property  
Site Plan  
Elevations



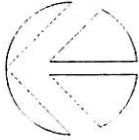


Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.



H&B DESIGN  
ARCHITECTURE INC.  
644 MELBOURNE AVE  
KELLOWNA, BC  
V1W 4V5

THIS DRAWING AND THE EXCLUSIVE PROPERTY OF H&B DESIGN ARCHITECTURE INC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED ON THIS DRAWING. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF H&B DESIGN ARCHITECTURE INC.



PROJECT NORTH

REVISION DATE DESCRIPTION

PROJECT

PRIVATE RESIDENCE  
2785 LONGHILL ROAD  
KELLOWNA, BC  
LOT 1 PLAN 42588

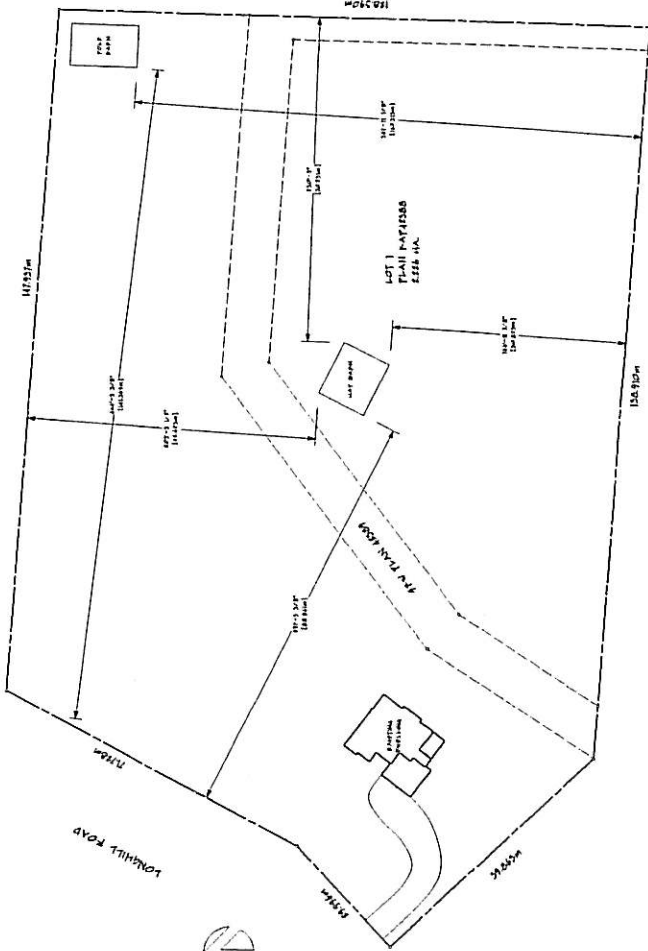
DRAWING TITLE

SITE PLAN

DATE  
FEBRUARY 12, 2009

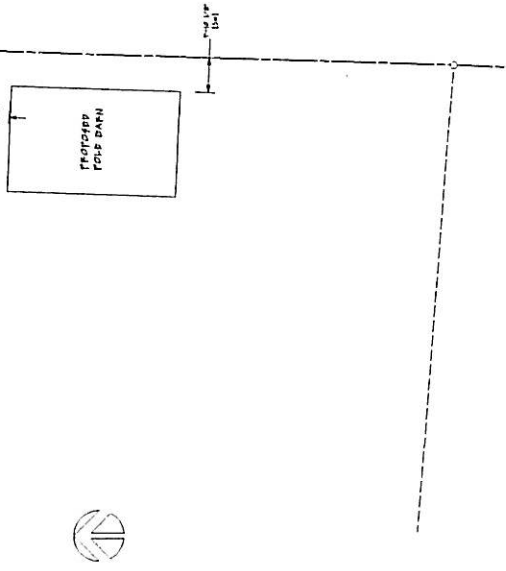
DRAWING NUMBER

1 of 4



1 SITE PLAN  
FEB 12 2009

ITEM	QUANTITY	UNIT PRICE	TOTAL
Site Area (m <sup>2</sup> )	2785.2	m <sup>2</sup>	4202.82
Area of Open Driveway (m <sup>2</sup> )	118.8	m <sup>2</sup>	182.88
Area of Pole Barn	118.8	m <sup>2</sup>	182.88
Area of Garage	118.8	m <sup>2</sup>	182.88
Area of Drive	2.28	m <sup>2</sup>	3.62
Area of Total	2926.8	m <sup>2</sup>	4555.06
Length of Drive (m)	14.8	m	14.8
Length of Pole Barn (m)	4.0	m	4.0
Length of Garage (m)	4.0	m	4.0
Length of Drive (m)	3.0	m	3.0
Length of Pole Barn (m)	14.8	m	14.8
Length of Garage (m)	4.0	m	4.0
Length of Drive (m)	3.0	m	3.0
Area of Pole Barn	118.8	m <sup>2</sup>	182.88
Area of Garage	118.8	m <sup>2</sup>	182.88
Area of Drive	2.28	m <sup>2</sup>	3.62
Area of Total	2926.8	m <sup>2</sup>	4555.06
Length of Drive (m)	14.8	m	14.8
Length of Pole Barn (m)	4.0	m	4.0
Length of Garage (m)	4.0	m	4.0
Length of Drive (m)	3.0	m	3.0
Length of Pole Barn (m)	14.8	m	14.8
Length of Garage (m)	4.0	m	4.0
Length of Drive (m)	3.0	m	3.0

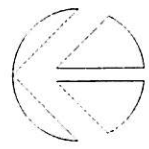


1 POLE BARN SITE PLAN DETAIL  
FEB 12 2009



THE DESIGN  
644 ARROWDALE LANE  
KELOWNA, BC  
V1W 4Y5

THESE DRAWINGS ARE THE SOLE AND EXCLUSIVE PROPERTY OF THE DESIGNER AND ARE NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION FROM THE DESIGNER.



PROJECT NORTH

REVISION	DATE	DESCRIPTION

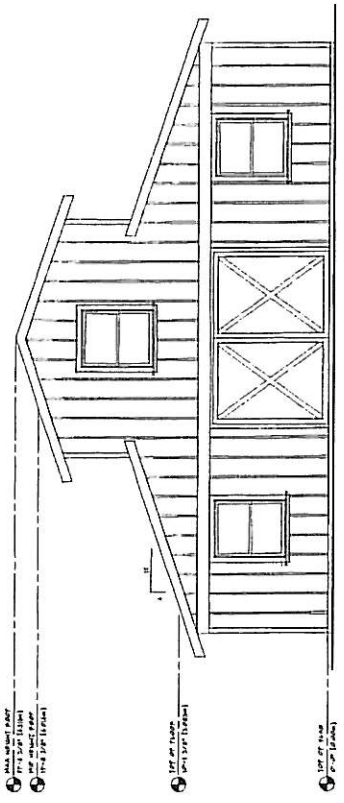
PROJECT  
PRIVATE RESIDENCE  
2795 LONGHILL ROAD  
KELOWNA, BC  
LOT 1 PLAN 42580

DRAWING TITLE  
HAY BARN ELEVATIONS

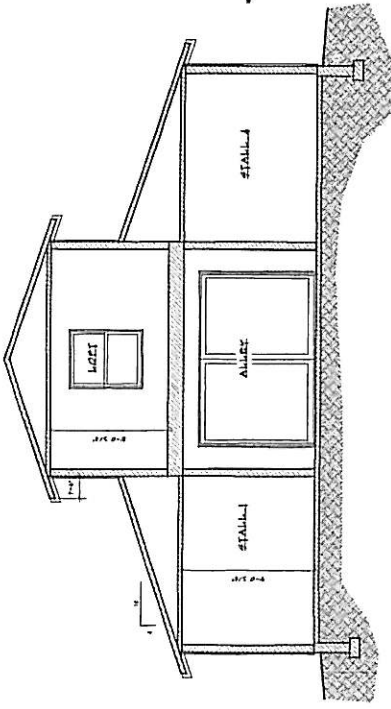
DATE  
FEBRUARY 12, 2000

DRAWING NUMBER

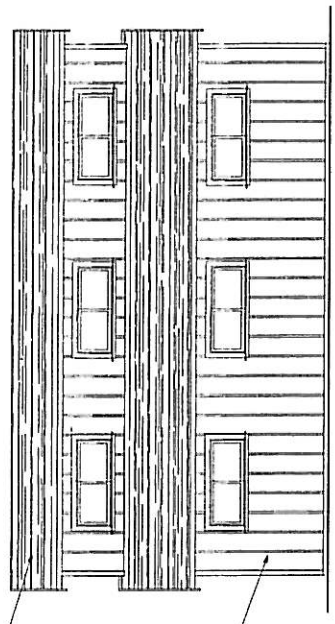
3 of 4



1 WEST ELEVATION  
Scale 1/4" = 1'-0"



3 SECTION A-A  
Scale 1/4" = 1'-0"



2 NORTH ELEVATION  
Scale 1/4" = 1'-0"

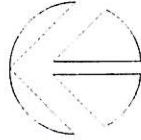
1. 1/2" OF SLATE  
2. 1/2" OF SLATE  
3. 1/2" OF SLATE

1. 1/2" OF SLATE  
2. 1/2" OF SLATE



HSE DESIGN  
844 ARROYO LANE  
NEWLYN, BC  
V1W 4T5

THIS DOCUMENT IS THE SOLE PROPERTY OF HSE DESIGN. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. ANY REUSE OR REPRODUCTION OF THIS DOCUMENT WITHOUT PERMISSION FROM THE SAME IS PROHIBITED.



PROJECT NORTH

REVISION	DATE	DESCRIPTION

PROJECT

PRIVATE RESIDENCE  
2795 LONGHILL ROAD  
KELOWNA, BC  
LOT 1 PLAN 42568

DRAWING TITLE

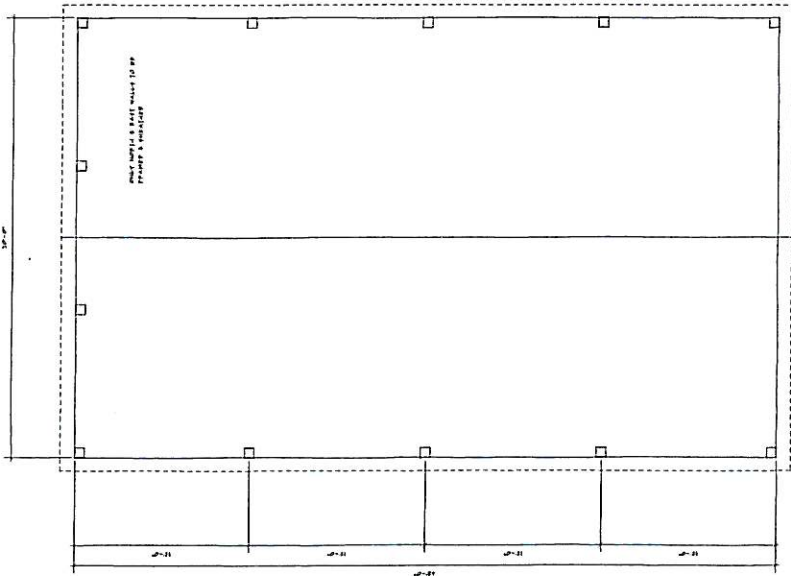
POLE BARN PLANS

DATE

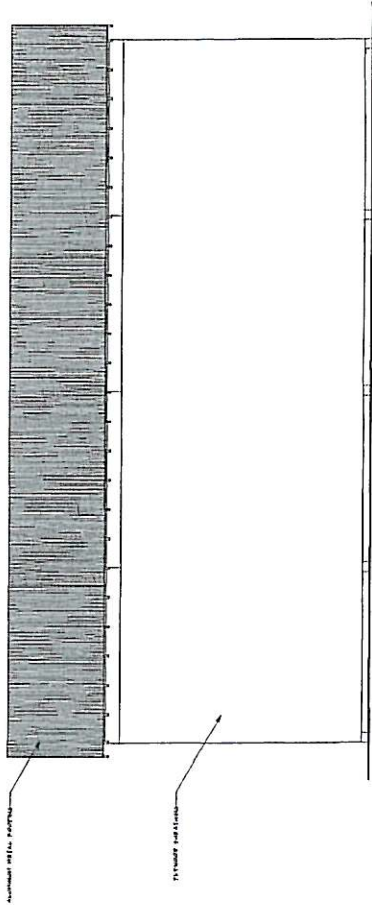
FEBRUARY 12, 2009

DRAWING NUMBER

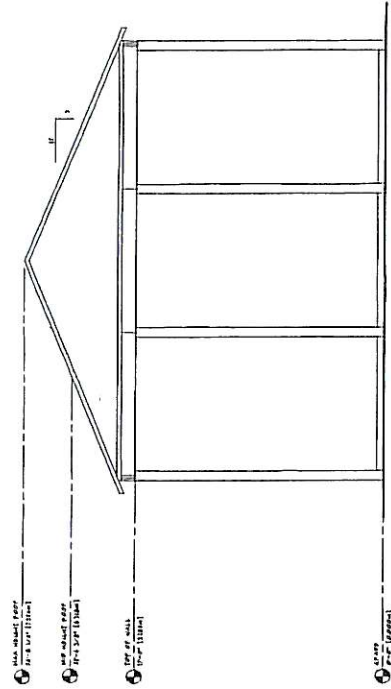
4 of 4



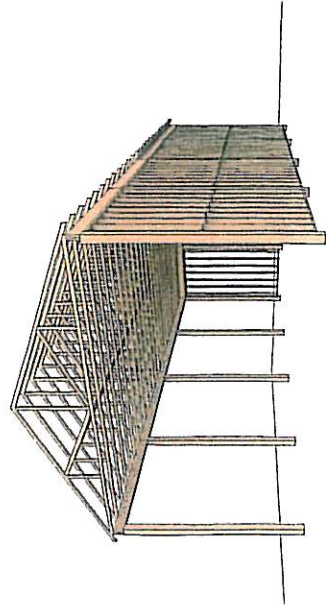
1 PLAN VIEW  
Scale 1/8" = 1'-0"



2 EAST ELEVATION  
Scale 1/8" = 1'-0"



3 SOUTH ELEVATION  
Scale 1/8" = 1'-0"



4 PERSPECTIVE VIEW  
Scale 1/8" = 1'-0"