

City of Kelowna
Regular Council Meeting
AGENDA



Tuesday, December 17, 2013
6:00 pm
Council Chamber
City Hall, 1435 Water Street

Pages

1. Call to Order
2. Prayer

A Prayer will be offered by Councillor Singh.
3. Confirmation of Minutes 1 - 13

Public Hearing - December 3, 2013
Regular Meeting - December 3, 2013
4. Bylaws Considered at Public Hearing
 - 4.1 Bylaw No. 10897 (OCP13-0012) - 2049 Byrns Road, Margarita Littley 14 - 14

Requires a majority of all Members of Council (5).
To give Bylaw No. 10897 second and third readings.
 - 4.2 Bylaw No. 10898 (Z13-0019) - 2049 Byrns Road, Margarita Littley 15 - 15

To give Bylaw No. 10898 second and third readings.
5. Notification of Meeting

The City Clerk will provide information as to how the following items on the Agenda were publicized.
6. Development Permit and Development Variance Permit Reports
 - 6.1 Development Variance Permit Application No. DVP13-0175 - 471 Knowles Rd, Derek & Tamara Moran 16 - 31

City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.
To consider a proposal to vary the maximum area of an accessory building

from 90 square metres permitted to 109 square metres proposed.

- 6.2 Development Variance Permit Application No. DVP13-0177 - 740 Pinehaven Ct,
Paul & Karin Watson 32 - 53

City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.

To consider a proposal to increase the maximum height of a single detached dwelling in the RU1 zone from 2 ½ storeys permitted to 3 storeys proposed.

- 6.3 Bylaw No.10771 (Z12-0051) - 1460 Graham Road, Heinz Strege 54 - 54

To adopt Bylaw No.10771 in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RU6b - Two Dwelling Housing with Boarding or Lodging House zone.

- 6.3.1 Development Variance Permit Application No. DVP12-0113 - 1460
Graham Road, Heinz Strege 55 - 71

**City Clerk to state for the record any correspondence received.
Mayor to invite anyone in the public gallery who deems themselves
affected by the required variance(s) to come forward.**

The applicant is seeking to vary the front and flanking side yard setbacks to facilitate a rezoning to the RU6b zone.

7. Reminders

8. Termination



City of Kelowna Public Hearing Minutes

Date: Tuesday, December 3, 2013
Location: Council Chamber
City Hall, 1435 Water Street

Council Members Present: Mayor Walter Gray and Councillors Colin Basran, Andre Blanleil*, Maxine DeHart, Gail Given, Robert Hobson, Mohini Singh, Luke Stack and Gerry Zimmermann

Staff Present: Acting City Manager, Rob Mayne; Deputy City Clerk, Karen Needham; Director, Subdivision, Agriculture & Environment, Shelley Gambacort; Planner II, James Moore; and Council Recording Secretary, Sandi Horning

(* denotes partial attendance)

1. Call to Order

Mayor Gray called the Hearing to order at 6:03 p.m.

Mayor Gray advised that the purpose of the Hearing is to consider certain bylaws which, if adopted, will amend "Kelowna 2030 - Official Community Plan Bylaw No. 10500" and Zoning Bylaw No. 8000", and all submissions received, either in writing or verbally, will be taken into consideration when the proposed bylaws are presented for reading at the Regular Council Meeting which follows this Public Hearing.

2. Notification of Meeting

The Deputy City Clerk advised that Notice of this Public Hearing was advertised by being posted on the Notice Board of City Hall on November 19, 2013 and by being placed in the Kelowna Capital News issues of November 22, 2013 and November 26, 2013, and by sending out or otherwise delivering 1,858 letters to the owners and occupiers of surrounding properties between November 19, 2013 and November 22, 2013. The correspondence and/or petitions received in response to advertising for the applications on tonight's agenda were arranged and circulated to Council in accordance with Council Policy No. 309.

3. Individual Bylaw Submissions

3.1. Bylaw No. 10895 (Z13-0020) - 3131 Lakeshore Road, Trustees of the Congregation of St. Paul's United Church

Staff:

- Displayed a PowerPoint Presentation summarizing the application before Council.

Acting City Manager:

- Responded to questions from Council regarding taxation of the subject property.
- Confirmed that only the portion of the property that contains the 'worship' centre will be exempt from taxes.

The Deputy City Clerk advised that the following correspondence and/or petitions had been received:

- Letter of Opposition:
 - Anita Carpenter, 66-950 Lanfranco Rd.
- Letters of Support:
 - Rich & Joyce Philpott, 3050 Southridge Dr.
 - Frederick Speckeen, 116-1156 Sunset Dr.
 - Norma Wade, 409-665 Cook Rd.
 - Linda Hutchinson, 4341 Gallagher's Fairway South
 - Susan Sullivan, 1480 Denver Rd.
 - Carol Byrnes, 312A - 3157 Casorso Rd.
 - Bob Sherman, 390 Quilchena Dr.
 - Beryl Baldeo, 38-950 Lanfranco Rd.
 - Joan Johnson, 580 Carriage Crt.
 - John Walmsley, 3557 Benvoulin Rd.
 - Jayne Brooks, 1104-737 Leon Ave.
 - Audrey Bodnar-Skoreyko, 3157 Casorso Rd.
 - Ernie & Alma Burnett, 405 Poplar Point Dr.
 - Judy McAulay, 2890 Gosnell Rd.
 - Ruth Galinis, 79-2200 Gordon Dr.
 - Richard Burroughs, President, KLO Central Neighbourhood Association

Councillor Blanleil joined the meeting at 6:11 p.m.

Mayor Gray invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Rob Couch, Chair, Development Committee, St. Paul's United Church, Applicant's Representative

- Displayed a PowerPoint presentation outlining the proposed development and rezoning.
- Responded to questions from Council.

Jim Meiklejohn, Meiklejohn Architects, Applicant's Representative

- Spoke to the design details of the project.

Gallery:

Richard Chung, Minister at St. Paul's United Church

- Provided a brief history of the project.
- In favour of the rezoning.

Guy King, 879 Manhattan Drive

- Believes that this is a good development being promoted for the wrong reason.
- Expressed a concern that once the project is completed, it will be a full-blown commercial operation rather than a place of worship.
- Expressed a concern that the citizens will be subsidizing a commercial enterprise as a portion of the site will be exempt from taxes.

Beryl Baldeo, Lanfranco Road

- Supportive of the development.
- Responded to questions from Council.

Sue Goodman, 4450 Swaisland Road

- Supportive of the development.
- Believes that the programs to be offered will be complimentary to the programs hosted by the Rotary Centre for the Arts.

Rebecca Pearce, 1898 Parkview Crescent

- Supportive of the development.
- Expressed a concern that the proposed programs being offered have a religious overtone, and she would be more comfortable if the religious aspects were not part of the program.

David Martin, 4442 Pinegrove Road

- Advised that he is the Chair of the Admissions Committee for the United Church of Canada.
- Provided a brief history of the United Church's congregation within the City of Kelowna.
- Supportive of the development.

There were no further comments.

3.2. Bylaw No. 10896 (TA13-0008) - Thrift Store Text Amendments to the City of Kelowna Zoning Bylaw No. 8000

Staff:

- Displayed a PowerPoint Presentation summarizing the application before Council.

The Deputy City Clerk advised that no correspondence and/or petitions had been received.

Mayor Gray invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council. No one came forward.

4. Termination

The Hearing was declared terminated at 6:53 p.m.

Mayor

/slh



Deputy City Clerk



City of Kelowna Regular Council Meeting Minutes

Date: Tuesday, December 3, 2013
Location: Council Chamber
City Hall, 1435 Water Street

Council Members Present: Mayor Walter Gray and Councillors Colin Basran*, Andre Blanleil, Maxine DeHart, Gail Given, Robert Hobson, Mohini Singh*, Luke Stack and Gerry Zimmermann

Staff Present: Acting City Manager, Rob Mayne; Deputy City Clerk, Karen Needham; Divisional Director, Community Planning & Real Estate, Doug Gilchrist*; Director, Subdivision, Agriculture & Environment, Shelley Gambacort; and Planner II, James Moore*; Building, Plumbing & Gas Inspector Supervisor, Terry Kowal*; Manager, Bylaw Services, Greg Wise*; and Council Recording Secretary, Sandi Horning

(* denotes partial attendance)

1. Call to Order

Mayor Gray called the meeting to order at 6:53 p.m.

2. Prayer

A Prayer was offered by Councillor Stack.

3. Confirmation of Minutes

Moved By Councillor Basran/Seconded By Councillor DeHart

R761/13/12/03 THAT the Minutes of the Public Hearing and Regular Meeting of November 19, 2013 be confirmed as circulated.

Carried

4. Bylaws Considered at Public Hearing

- 4.1. Bylaw No. 10895 (Z13-0020) - 3131 Lakeshore Road, Trustees of the Congregation of St. Paul's United Church**

Moved By Councillor Zimmermann/Seconded By Councillor DeHart

R762/13/12/03 THAT Bylaw No. 10895 be read a second and third time.

Carried

- 4.2. Bylaw No. 10896 (TA13-0008) - Thrift Store Text Amendments to City of Kelowna Zoning Bylaw No. 8000**

The meeting recessed at 7:03 p.m. The meeting reconvened at 7:08 p.m.

Moved By Councillor Given/Seconded By Councillor Stack

R763/13/12/03 THAT Bylaw No. 10896 be read a second and third time.

Carried

5. Notification of Meeting

The Deputy City Clerk advised that Notice of Council's consideration of these Development Variance Permit Applications was given by sending out or otherwise delivering 3,210 letters to the owners and occupiers of the surrounding properties between November 19, 2013 and November 22, 2013.

The correspondence and/or petitions received in response to advertising for the applications on tonight's Agenda were arranged and circulated to Council in accordance with Council Policy No. 309.

6. Development Permit and Development Variance Permit Reports

- 6.1. Development Variance Permit Application No. DVP13-0100 - 802 Lawson Avenue, Riaz & Nargis Virani**

Staff:

- Displayed a PowerPoint Presentation summarizing the application before Council and responded to questions from Council.

The Deputy City Clerk advised that no correspondence and/or petitions had been received.

Mayor Gray invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Riaz Virani, Applicant

- Advised that he submitted a letter of rationale to accompany the variance application.
- Advised that he purchased the home in 2006. When he purchased the home, the footing already existed on the site.
- Advised that in 2008, he proceeded with the construction of the garage, however due to personal issues he did not complete the garage.
- Advised that since 2011, he has been working to mitigate any issues as a result of him neglecting to follow through with the construction of the garage back in 2008.
- Confirmed that he has provided staff with the necessary drawings that have been requested.

- Advised that the neighbours immediately abutting the property have signed the Petition in support.
- Understands that he needs to bring the property into compliance.
- Acknowledged that the structure has been over-built for a carriage house designation and is willing to dedicate a room for storage if need be.
- Responded to questions from Council.

Gallery:

Mike Ward, 1795 Lawson Avenue

- Supportive of the variances.
- Mr. Virani takes very good care of his property and is a very good neighbour.
- He has never had any problems with him.

Don Forbes, 1786 Lawson Avenue

- Supportive of the variances.
- Not concerned that the structure was over-built as it is not aesthetically changing the area.
- Commented that Mr. Virani is an excellent neighbour.

There were no further comments.

Moved By Councillor Blanleil/Seconded By Councillor Zimmermann

R764/13/12/03 THAT Council authorizes the issuance of Development Variance Permit No. DVP13-0100, for Lot 1, District Lot 138, ODYD, Plan 1332 located on 802 Lawson Avenue, Kelowna, BC;

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

Specific Regulations:

Section 9.5b.1(c) Carriage House Regulations - location:

To allow the carriage house to be located in front of the principal dwelling (as per Schedule 'A');

Development Regulations:

Section 13.6.6 (d) & (e) Development Regulations - setbacks:

To vary the required rear yard from 6.0m to 1.52m proposed and to vary the east side yard setback from 2.3m required to 1.17m proposed (as per Schedule 'A')

AND THAT a building permit for the converted garage be applied for prior to issuance of the Development Variance Permit;

AND FURTHER THAT a building permit for the modification to the new carriage house be applied for prior to issuance of the Development Variance Permit.

Carried

6.2. Development Variance Permit Application No. DVP13-0156 - 348 Bernard Avenue, Hotel-1 Enterprises Ltd. (Royal Anne Hotel)

Staff:

- Displayed a PowerPoint Presentation summarizing the application before Council.

The Deputy City Clerk advised that no correspondence and/or petitions had been received.

Mayor Gray invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council. The Applicant was present, but did not have anything to add to staff's comments. No one came forward.

Moved By Councillor Blanleil/Seconded By Councillor Stack

R765/13/12/02 THAT Council authorizes the issuance of Development Variance Permit No. DVP13-0156 for amended Lot 4 (154911F), Block 17, District Lot 139, ODYD, Plan 462, located at 348 Bernard Avenue, Kelowna, BC;

AND THAT variances to the following sections of the Sign Bylaw No. 8235 be granted:

Section 5.8.1 (d) - Projecting Sign Regulations

To vary the maximum permitted space between the sign and supporting wall from 0.6 m permitted to 2.0 m proposed, as per Schedule 'A';

Section 6.1 - Size of a Projecting Sign in the C7 Zone

To vary the maximum permitted size of a projecting sign in the C7 Zone from 2.5 m² permitted to 4.8 m² proposed, as per Schedule 'A'.

Carried

6.3. Bylaw No. 10890 (Z13-0031) - 260 Lake Avenue, Marianne Hill

Moved By Councillor Basran/Seconded By Councillor Singh

R766/13/12/02 THAT Bylaw No. 10890 be adopted.

Carried

6.3.1. Heritage Alteration Permit Application No. HAP13-0010 - 260 Lake Avenue, Marianne Hill

Staff:

- Displayed a PowerPoint Presentation summarizing the application before Council.

The Deputy City Clerk advised that the following correspondence and/or petitions had been received:

- Letter of Opposition:
 - Shirley Clarke, 1935 McDougall St.

Mayor Gray invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Marianne Hill, Applicant

- Does not have anything to add to staff's report.
- Responded to questions from Council.

Gallery:

James Avery, 1850 Abbott Street, President of FRACHAS

- Supports the application.
- Expressed a concern with the RU3 zoning for the adjoining property located at 250 Lake Avenue.

Staff:

- Confirmed that the property located at 250 Lake Avenue is currently zoned RU3.
- Responded to questions from Council with respect to the roof design for the carriage house.

There were no further comments.

Moved By Councillor Hobson/Seconded By Councillor Given

R767/13/12/02 THAT final adoption of Zone Amending Bylaw No. 10890 be considered by Council;

AND THAT Council authorizes the issuance of Heritage Alteration Permit No. HAP13-0010, for Lot 2, District Lot 14, ODYD, Plan EPP30347, located on 260 Lake Avenue, Kelowna, BC, subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Scheduled "A";
2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
3. Landscaping to be provided on the land be in general accordance with Schedule "C";

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

Section 13.1.6(d): Development Regulations

To vary the minimum side yard setback from 2.0m permitted to 0.68m proposed (as per Schedule 'A').

Carried

6.4. Development Variance Permit Application No. DVP13-0171 - 745 Coronation Avenue, Jean & Yuliana Lavigne

Staff:

- Displayed a PowerPoint Presentation summarizing the application before Council and responded to questions from Council.

The Deputy City Clerk advised that no correspondence and/or petitions had been received.

Mayor Gray invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council. The Applicant was present, but did not have anything to add to staff's comments. No one came forward.

Moved By Councillor Stack/Seconded By Councillor Singh

R768/13/12/02 THAT Council authorizes the issuance of Development Variance Permit No. DVP13-0171 for Lot 42, District Lot 138, ODYD, Plan 1039, located at 745 Coronation Avenue, Kelowna, BC;

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

Section 13.6.6 - RU6 Zone Development Regulations

To vary the maximum height for accessory buildings from 4.5 m permitted to 4.62 m proposed, as per Schedule 'A';

Section 9.5b.1(d) - Carriage House Regulations

To vary the maximum permitted height for a carriage house from the lesser of 4.5 m or the height of the existing principal dwelling unit to 4.62 m proposed, as per Schedule 'A';

AND FURTHER THAT the Development Permit for the proposed carriage house include a 1.8 m high solid fence along the side property lines to address neighbour privacy.

Carried

6.5. Bylaw No. 10815 (Z13-0001) - 674 Old Meadows Road, Mission Group Old Meadows G.P. Ltd.

Moved By Councillor Hobson/Seconded By Councillor Singh

R769/13/12/02 THAT Bylaw No. 10815 be adopted.

Carried

6.5.1. Development Permit Application No. DP13-0039 & Development Variance Permit Application No. DVP13-0040 - 674 Old Meadows, Brighton-Mission Group Homes Ltd.

Staff:

- Displayed a PowerPoint Presentation summarizing the application before Council and responded to questions from Council.

The Deputy City Clerk advised that the following correspondence and/or petitions had been received:

- Letter of Opposition:
 - James Scramstad, 4305 Hobson Road
- Letter of Comment:
 - J. Greig, 604b Old Meadows Road
- Letters of Concern:
 - Michael and Murray Ferro, 655 Old Meadows Road
 - Linda Keil, 634 Armour Cres.
- Additional Information provided by the Applicant:
 - Letter to Linda Kiel
 - Construction Update

Mayor Gray invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Luke Turri, Brighton-Mission Group Homes Ltd., Applicant's Representative

- Displayed a PowerPoint Presentation summarizing the form & character of the development and the variances being proposed.
- Responded to questions from Council.

There were no further comments.

Moved By Councillor Blanleil/Seconded By Councillor Basran

R770/13/12/02 THAT final adoption of Zone Amending Bylaw No. 10815 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP13-0039 for the fractional south west ¼ of Section 6, Township 26, ODYD exclusive of District Lot 358, ODYD except: (1) Plans B1246, 1384, 4873, 4912, 5547, 10613, 19017 and H17715; (2) part described in D.D. 190710F, located at 662-698 Old Meadows Road, Kelowna, BC subject to the following:

1. The dimensions and siting of the buildings to be constructed on the land be in general accordance with Schedule 'A';
2. The exterior design and finish of the buildings to be constructed on the land be in general accordance with Schedule 'B';
3. Landscaping to be provided on the land be in general accordance with Schedule 'C';
4. The applicant be required to post with the City, a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscaper;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP13-0040 for the fractional south west ¼ of Section 6, Township 26, ODYD exclusive of District Lot 358, ODYD except: (1) Plans B1246, 1384, 4873, 4912, 5547, 10613, 19017 and H17715; (2) part described in D.D. 190710F, located at 662-698 Old Meadows Road, Kelowna, BC;

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

Section 13.10.6 (d) - RM4 Development Regulations

To vary the minimum required front yard from 6.0 m required to 1.8 m proposed, as per Schedule 'A';

Section 13.10.6 (e) - RM4 Development Regulations

To vary the minimum required side (east) yard from 4.5 m required to 1.6 m proposed, as per Schedule 'A';

Section 8.1.9 (c) - Off-Street Vehicle Parking - Location

To vary the minimum required setback for off-street parking from 1.5 m from any side property line and 3.0 m from any flanking street to 0.5 m proposed, as per Schedule 'A';

AND FURTHER THAT the applicant be required to complete the above-noted conditions within 180 days of Council's approval of the Development Permit and Development Variance Permit Applications, in order for the permits to be issued.

Carried

6.6. Development Variance Permit Application No. DVP13-0154 - 23-180 Sheerwater Ct, 0973789 BC Ltd.

Staff:

- Displayed a PowerPoint Presentation summarizing the application before Council and responded to questions from Council.

The Deputy City Clerk advised that the following correspondence and/or petitions had been received:

- Letter of Opposition:
 - Dr. Glenn Benoit, 165 Wizard Crt.

Mayor Gray invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Scott Ross, Timberhaven Homes Ltd., Applicant's Representative

- Doesn't believe that the proposed addition will block the neighbour's view.
- Advised that the property owner would like to have more living space. Given the site conditions, the footprint of the structure could not be expanded, so it was decided to expand the living space by adding another storey.

There were no further comments.

Moved By Councillor Blanleil/Seconded By Councillor Hobson

R771/13/12/02 THAT Council authorizes the issuance of Development Variance Permit No. DVP13-0154, for Strata Lot 23, Section 6, Township 23, ODYD, Strata Plan KAS3129, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V, located on 23 - 180 Sheerwater Court, Kelowna, BC;

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

Section 12.1.6(b): Development Regulations

To vary the maximum height from the lesser of 9.5m or 2 ½ storeys permitted to the lesser of 10.8m or 3 storeys proposed.

Carried

6.7. Development Variance Permit Application No. DVP13-0113 - 700 Hwy 33 S, Hillcrest Farm Market Inc.

Councillor Singh declared a conflict of interest as she is a close family friend of the Applicant and left the meeting at 8:19 p.m.

Councillor Basran declared a conflict of interest as he is an immediate relative of the Applicant and left the meeting at 8:19 p.m.

Staff:

- Displayed a PowerPoint Presentation summarizing the application before Council and responded to questions from Council.

The Deputy City Clerk advised that the following correspondence and/or petitions had been received:

- Letter of Concern:
 - J. Nakatsu (Tamaki Orchard), 818 Tamaki Drive
- Letters of Opposition:
 - Richard Gutkowski, 880 Ackerman Crt.
 - Elizabeth Heier, 1155 McKenzie Rd.

Mayor Gray invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Chanchal Bal, Applicant

- Displayed a drawing showing the affects to his property as a result of the Highway 33 widening by the Province.
- Believes that the highway widening severely impacted his ability to develop the site.
- Advised that he ships a lot of cherries from the site and requires semi-trucks to deliver those cherries.
- Advised that the loading dock has been in that location for a long time. The retaining walls were required in order to deal with the impacts of the highway widening.
- Advised that the Ministry of Transportation approved the location of the signage, however, he didn't realize that the Ministry did not have the authority to do so.
- Responded to questions from Council.
- Advised that the Ministry of Transportation assisted with the design of the loading dock.
- Confirmed that the neighbouring property, being the Tamaki Orchard, was being farmed when he began his development and that to his knowledge, the orchard will continue to be farmed.
- Believes that the highest part of the loading dock is on his property.

Staff:

- Responded to questions from Council.
- Clarified that the sign and loading dock are currently located on a road right-of-way.
- Confirmed that the City is responsible for the side roads in the area.
- Displayed an Ortho photo from 2009 which does not show a loading dock on the property.
- Displayed an Ortho photo from 2012 which does show the loading dock.

Gallery:

Dave Sollosy, 1185 McKenzie Road

- Expressed a concern that Mr. Bal uses the Right to Farm Act as the rationale to do what he wants on his property.
- Responded to questions from Council.
- Believes that the earlier work that Council requested be done on the site has yet to be completed.
- Believes that Mr. Bal and the City are currently before the Courts.

Staff:

- Clarified the Court action with respect to the previous bylaw infractions relating to the subject property.

Chanchal Bal, Applicant

- Stated that he is not deliberately doing things contrary to regulations.
- Mr. Sollosy is opposed to his farm worker housing and is leading the charge against his property.
- Clarified the reason for the Court proceedings.

Divisional Director, Community Planning & Real Estate:

- Responded to questions from Council regarding the potential for a Licence of Occupation should the variances be requested.

Staff:

- Responded to questions from Council regarding where the sign would have been located if Mr. Bal had applied to the City for the proper permits.
- Advised that Development Engineering staff have expressed road safety concerns with the location of the loading dock.

There were no further comments.

Moved By Councillor Given/Seconded By Councillor Stack

R772/13/12/02 THAT Council NOT authorize the issuance of Development Variance Permit No. DVP13-0113, for Lot A, Section 24, Township 26, ODYD, Plan EPP7145, located on 700 Hwy 33 E, Kelowna, BC.

Carried

7. Reminders - Nil.

8. Termination

The meeting was declared terminated at 9:09 p.m.

Mayor

/slh

Deputy City Clerk

CITY OF KELOWNA

BYLAW NO. 10897

Official Community Plan Amendment No. OCP13-0012

Margarita Littley

2049 Byrns Road

A bylaw to amend the "*Kelowna 2030* - Official Community Plan Bylaw No. 10500".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT Map 4.1 - **GENERALIZED FUTURE LAND USE** of "*Kelowna 2030* - Official Community Plan Bylaw No. 10500" be amended by changing the Generalized Future Land Use designation of Lot 2, District Lot 130, ODYD, Plan 17289 Except Plan 22166, located on 2049 Byrns Road, Kelowna, B.C., from the Resource Protection Area (REP) designation to the Single/Two Unit Residential (S2RES) designation;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 25th day of November, 2013.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 10898
Z13-0019 - Margarita Littley
2049 Byrns Road

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 2, District Lot 130, ODYD, Plan 17289 Except Plan 22166 located on 2049 Byrns Road, Kelowna, B.C., from the A1 - Agriculture 1 zone to the RU6 - Two Dwelling Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 25th day of November, 2013.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: November 18, 2013

RIM No. 1250-30

To: City Manager

From: Urban Planning, Community Planning & Real Estate (JM)

Application: DVP13-0175 **Owners:** Derek & Tamara Moran

Address: 471 Knowles Road **Applicant:** Derek Moran

Subject: 2013-12-17 Report DVP13-0175 471 Knowles Rd

Existing OCP Designation: S2RES - Single / Two Unit Residential

Existing Zone: RU1 - Large Lot Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP13-0175, for Lot 2, District Lot 167, ODYD, Plan 9257, located on 471 Knowles Road, Kelowna, BC;

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

Section 6.5.7: Accessory Buildings in Residential Zones

To vary the maximum area of an accessory building from 90 square metres permitted to 109 square metres proposed.

2.0 Purpose

To consider a proposal to vary the maximum area of an accessory building from 90 square metres permitted to 109 square metres proposed.

3.0 Urban Planning Department

Urban Planning staff are supportive of the proposed variance. Typically, variances are supported in two circumstances: first, if there is a hardship that exists, resulting in the inability of the land owner to develop to the potential of their zoning; and second, if the scale and impact of the variance requested are very minor.

While there is no apparent hardship in this case, the second criterion would apply. Specifically, the existing lot is very large, being approximately 2,450m² in area, so a request to increase the maximum area of an accessory building can easily be accommodated.

The applicant conducted Neighbour Consultation in accordance with Council Policy No. 367, and no opposition to the proposal was encountered.

4.0 Proposal

4.1 Project Description

The applicant is seeking permission to construct a three bay garage detached from the principal dwelling and located between the principal dwelling and the front lot line. The new garage is part of the overall redevelopment of the site, in which the previous dwelling was demolished and a new principal dwelling is being constructed.

The proposed garage is accessed from the side, and its form and character is in keeping with the modern aesthetic of the new principal dwelling.

4.2 Site Context

The subject property is located mid-block on the south side of Knowles Road, between Walker Road and Apsey Road. The lot is approximately 0.24ha in area and is surrounded almost exclusively by similar large lot single detached residential development.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Large lot single dwelling housing
East	RU1 - Large Lot Housing	Large lot single dwelling housing
South	RU1 - Large Lot Housing	Large lot single dwelling housing
West	RU1 - Large Lot Housing	Large lot single dwelling housing

Subject Property Map: 741 Knowles Road



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU1 ZONE REQUIREMENTS	PROPOSAL
Development Regulations (Accessory Building)		
Floor Area	90m ²	109m ² [●]
Height	4.5 m	3.1 m
Front Yard	9.0 m	9.0 m
Side Yard (east)	1.0 m	2.0 m
Side Yard (west)	1.0 m	20.0 m
Rear Yard	1.5 m	80.0 m
Other Regulations		
Minimum Parking Requirements	2 spaces	3 spaces
[●] Indicates a requested variance to the maximum area of an accessory building in a residential zone from 90m ² permitted to 109m ² proposed.		

5.0 Current Development Policies

The subject property is designated Single / Two Unit Residential in the Official Community Plan.

6.0 Technical Comments

6.1 Development Engineering Department

See attached Memorandum, dated November 7, 2013

7.0 Application Chronology

Date of Application Received: October 29, 2013

Report prepared by:

James Moore, Land Use Planner

Reviewed by:

☐

Ryan Smith, Urban Planning Manager

Approved for Inclusion

☐

D. Gilchrist, Div. Director, Community Planning & Real Estate

Attachments:

Subject Property Map

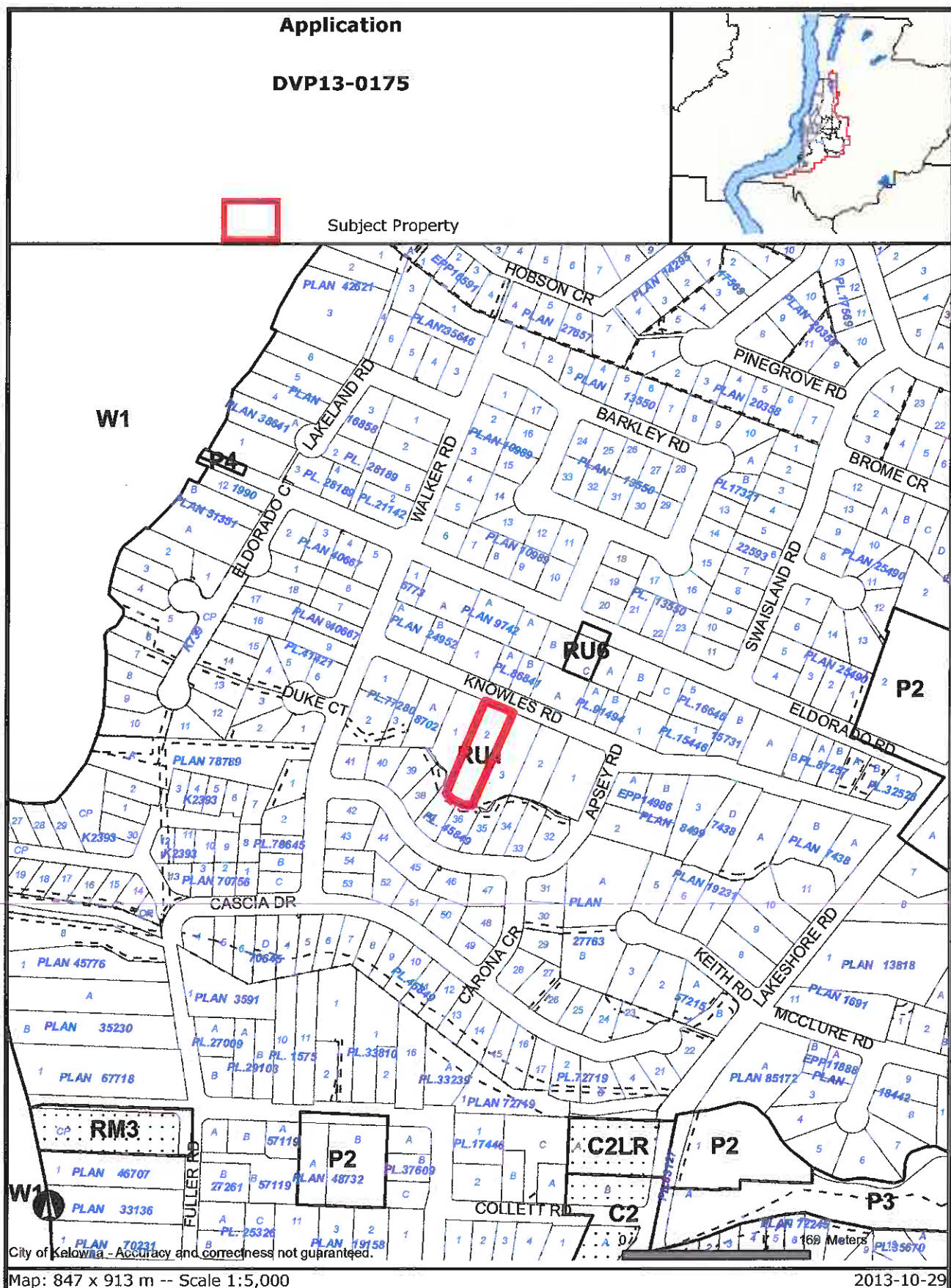
Site Plan

Conceptual Elevations

Conceptual Renderings

Development Engineering Memorandum, dated November 7, 2013

DRAFT Development Variance Permit No. DVP13-0175



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.

NOTES

NO.	DATE	DESCRIPTION
1	01/15/20	ISSUED FOR PERMIT
2	01/15/20	ISSUED FOR PERMIT
3	01/15/20	ISSUED FOR PERMIT
4	01/15/20	ISSUED FOR PERMIT
5	01/15/20	ISSUED FOR PERMIT
6	01/15/20	ISSUED FOR PERMIT
7	01/15/20	ISSUED FOR PERMIT
8	01/15/20	ISSUED FOR PERMIT
9	01/15/20	ISSUED FOR PERMIT
10	01/15/20	ISSUED FOR PERMIT
11	01/15/20	ISSUED FOR PERMIT
12	01/15/20	ISSUED FOR PERMIT
13	01/15/20	ISSUED FOR PERMIT
14	01/15/20	ISSUED FOR PERMIT
15	01/15/20	ISSUED FOR PERMIT
16	01/15/20	ISSUED FOR PERMIT
17	01/15/20	ISSUED FOR PERMIT
18	01/15/20	ISSUED FOR PERMIT
19	01/15/20	ISSUED FOR PERMIT
20	01/15/20	ISSUED FOR PERMIT

SEAL

CONSULTANT

CLIENT

D&T MORAN

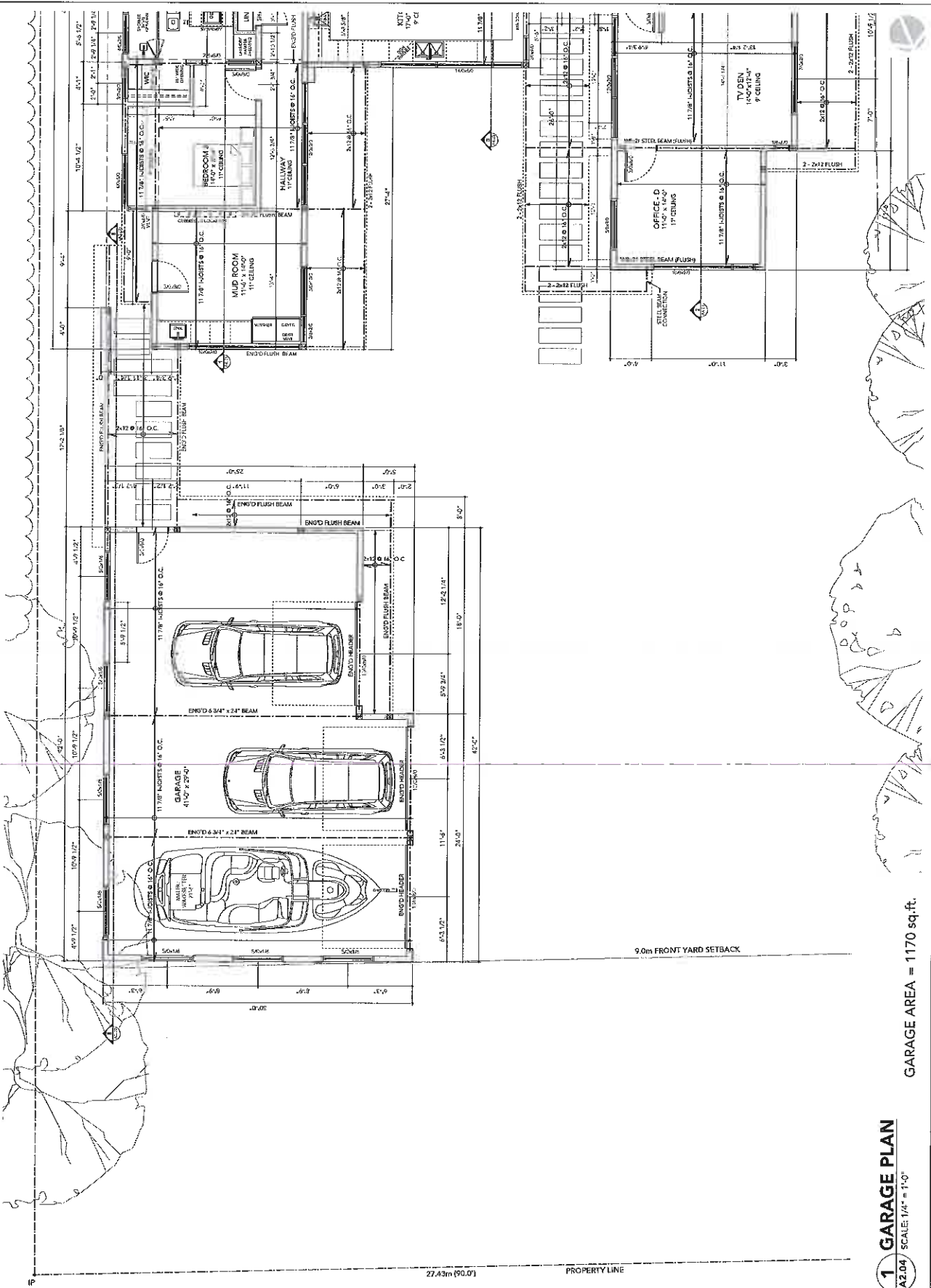
PROJECT

471 KNOWLES RD

SHEET

GARAGE PLAN

SHEET NO.	A2.04
DATE	01/15/20
SCALE	1/4" = 1'-0"



1 GARAGE PLAN
A2.04 SCALE: 1/4" = 1'-0"

GARAGE AREA = 1170 sq.ft.

NOTES

NO.	DESCRIPTION
1	ISSUED FOR PERMIT
2	ISSUED FOR DESIGN REVIEW
3	ISSUED FOR DESIGN REVIEW
4	ISSUED FOR DESIGN REVIEW
5	ISSUED FOR DESIGN REVIEW
6	ISSUED FOR DESIGN REVIEW
7	ISSUED FOR DESIGN REVIEW
8	ISSUED FOR DESIGN REVIEW
9	ISSUED FOR DESIGN REVIEW
10	ISSUED FOR DESIGN REVIEW
11	ISSUED FOR DESIGN REVIEW
12	ISSUED FOR DESIGN REVIEW
13	ISSUED FOR DESIGN REVIEW
14	ISSUED FOR DESIGN REVIEW
15	ISSUED FOR DESIGN REVIEW
16	ISSUED FOR DESIGN REVIEW
17	ISSUED FOR DESIGN REVIEW
18	ISSUED FOR DESIGN REVIEW
19	ISSUED FOR DESIGN REVIEW
20	ISSUED FOR DESIGN REVIEW
21	ISSUED FOR DESIGN REVIEW
22	ISSUED FOR DESIGN REVIEW
23	ISSUED FOR DESIGN REVIEW
24	ISSUED FOR DESIGN REVIEW
25	ISSUED FOR DESIGN REVIEW
26	ISSUED FOR DESIGN REVIEW
27	ISSUED FOR DESIGN REVIEW
28	ISSUED FOR DESIGN REVIEW
29	ISSUED FOR DESIGN REVIEW
30	ISSUED FOR DESIGN REVIEW
31	ISSUED FOR DESIGN REVIEW
32	ISSUED FOR DESIGN REVIEW
33	ISSUED FOR DESIGN REVIEW
34	ISSUED FOR DESIGN REVIEW
35	ISSUED FOR DESIGN REVIEW
36	ISSUED FOR DESIGN REVIEW
37	ISSUED FOR DESIGN REVIEW
38	ISSUED FOR DESIGN REVIEW
39	ISSUED FOR DESIGN REVIEW
40	ISSUED FOR DESIGN REVIEW
41	ISSUED FOR DESIGN REVIEW
42	ISSUED FOR DESIGN REVIEW
43	ISSUED FOR DESIGN REVIEW
44	ISSUED FOR DESIGN REVIEW
45	ISSUED FOR DESIGN REVIEW
46	ISSUED FOR DESIGN REVIEW
47	ISSUED FOR DESIGN REVIEW
48	ISSUED FOR DESIGN REVIEW
49	ISSUED FOR DESIGN REVIEW
50	ISSUED FOR DESIGN REVIEW
51	ISSUED FOR DESIGN REVIEW
52	ISSUED FOR DESIGN REVIEW
53	ISSUED FOR DESIGN REVIEW
54	ISSUED FOR DESIGN REVIEW
55	ISSUED FOR DESIGN REVIEW
56	ISSUED FOR DESIGN REVIEW
57	ISSUED FOR DESIGN REVIEW
58	ISSUED FOR DESIGN REVIEW
59	ISSUED FOR DESIGN REVIEW
60	ISSUED FOR DESIGN REVIEW
61	ISSUED FOR DESIGN REVIEW
62	ISSUED FOR DESIGN REVIEW
63	ISSUED FOR DESIGN REVIEW
64	ISSUED FOR DESIGN REVIEW
65	ISSUED FOR DESIGN REVIEW
66	ISSUED FOR DESIGN REVIEW
67	ISSUED FOR DESIGN REVIEW
68	ISSUED FOR DESIGN REVIEW
69	ISSUED FOR DESIGN REVIEW
70	ISSUED FOR DESIGN REVIEW
71	ISSUED FOR DESIGN REVIEW
72	ISSUED FOR DESIGN REVIEW
73	ISSUED FOR DESIGN REVIEW
74	ISSUED FOR DESIGN REVIEW
75	ISSUED FOR DESIGN REVIEW
76	ISSUED FOR DESIGN REVIEW
77	ISSUED FOR DESIGN REVIEW
78	ISSUED FOR DESIGN REVIEW
79	ISSUED FOR DESIGN REVIEW
80	ISSUED FOR DESIGN REVIEW
81	ISSUED FOR DESIGN REVIEW
82	ISSUED FOR DESIGN REVIEW
83	ISSUED FOR DESIGN REVIEW
84	ISSUED FOR DESIGN REVIEW
85	ISSUED FOR DESIGN REVIEW
86	ISSUED FOR DESIGN REVIEW
87	ISSUED FOR DESIGN REVIEW
88	ISSUED FOR DESIGN REVIEW
89	ISSUED FOR DESIGN REVIEW
90	ISSUED FOR DESIGN REVIEW
91	ISSUED FOR DESIGN REVIEW
92	ISSUED FOR DESIGN REVIEW
93	ISSUED FOR DESIGN REVIEW
94	ISSUED FOR DESIGN REVIEW
95	ISSUED FOR DESIGN REVIEW
96	ISSUED FOR DESIGN REVIEW
97	ISSUED FOR DESIGN REVIEW
98	ISSUED FOR DESIGN REVIEW
99	ISSUED FOR DESIGN REVIEW
100	ISSUED FOR DESIGN REVIEW

REVISIONS

CONSULTANT

CLIENT

D&T MORAN

PROJECT

471 KNOWLES RD

SHEET

GARAGE FOUNDATION
& ROOF PLAN

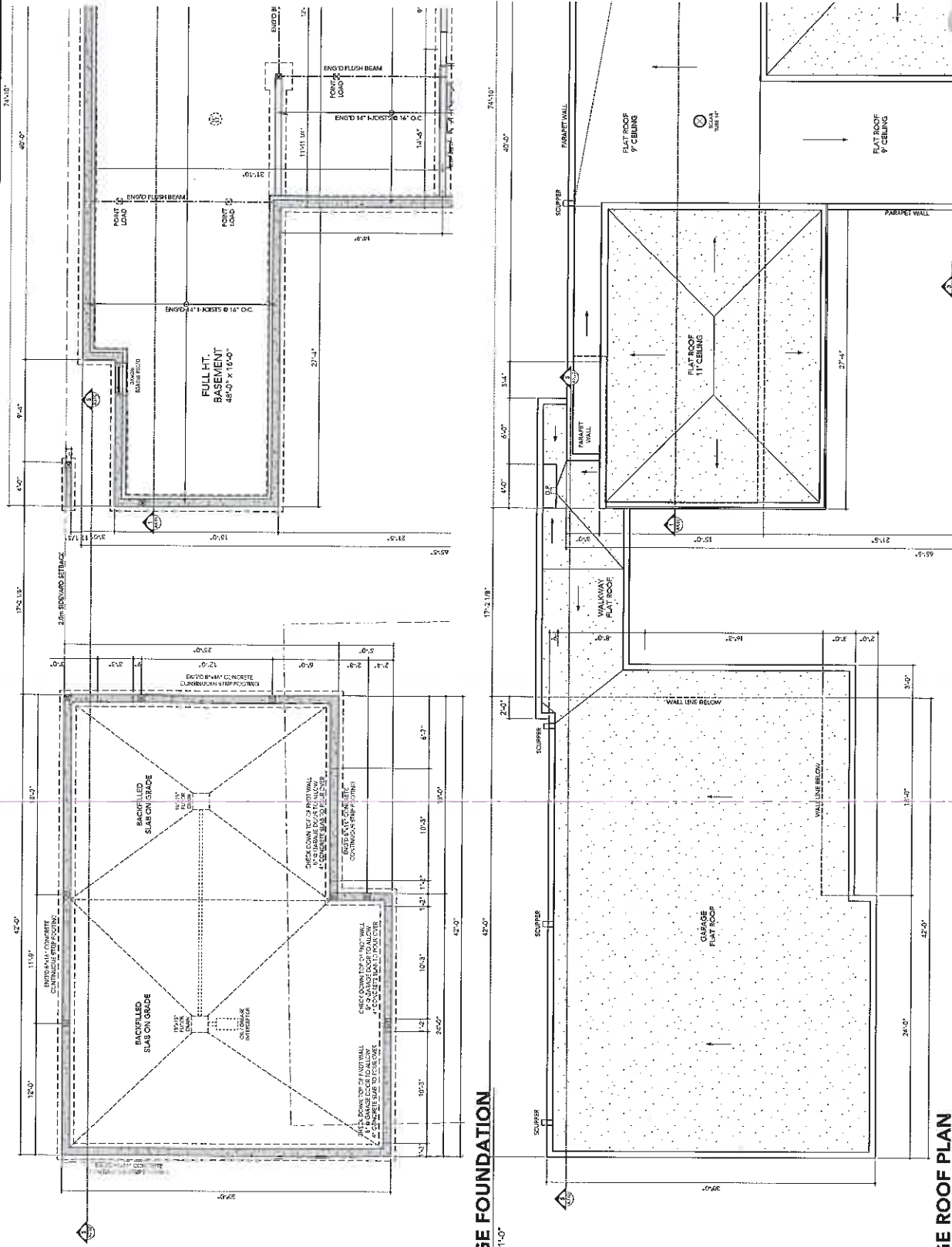
NO.	DATE	BY	CHKD.	APP'D.
1	10/1/20	DM	DM	DM
2	10/1/20	DM	DM	DM
3	10/1/20	DM	DM	DM
4	10/1/20	DM	DM	DM
5	10/1/20	DM	DM	DM
6	10/1/20	DM	DM	DM
7	10/1/20	DM	DM	DM
8	10/1/20	DM	DM	DM
9	10/1/20	DM	DM	DM
10	10/1/20	DM	DM	DM
11	10/1/20	DM	DM	DM
12	10/1/20	DM	DM	DM
13	10/1/20	DM	DM	DM
14	10/1/20	DM	DM	DM
15	10/1/20	DM	DM	DM
16	10/1/20	DM	DM	DM
17	10/1/20	DM	DM	DM
18	10/1/20	DM	DM	DM
19	10/1/20	DM	DM	DM
20	10/1/20	DM	DM	DM
21	10/1/20	DM	DM	DM
22	10/1/20	DM	DM	DM
23	10/1/20	DM	DM	DM
24	10/1/20	DM	DM	DM
25	10/1/20	DM	DM	DM
26	10/1/20	DM	DM	DM
27	10/1/20	DM	DM	DM
28	10/1/20	DM	DM	DM
29	10/1/20	DM	DM	DM
30	10/1/20	DM	DM	DM
31	10/1/20	DM	DM	DM
32	10/1/20	DM	DM	DM
33	10/1/20	DM	DM	DM
34	10/1/20	DM	DM	DM
35	10/1/20	DM	DM	DM
36	10/1/20	DM	DM	DM
37	10/1/20	DM	DM	DM
38	10/1/20	DM	DM	DM
39	10/1/20	DM	DM	DM
40	10/1/20	DM	DM	DM
41	10/1/20	DM	DM	DM
42	10/1/20	DM	DM	DM
43	10/1/20	DM	DM	DM
44	10/1/20	DM	DM	DM
45	10/1/20	DM	DM	DM
46	10/1/20	DM	DM	DM
47	10/1/20	DM	DM	DM
48	10/1/20	DM	DM	DM
49	10/1/20	DM	DM	DM
50	10/1/20	DM	DM	DM
51	10/1/20	DM	DM	DM
52	10/1/20	DM	DM	DM
53	10/1/20	DM	DM	DM
54	10/1/20	DM	DM	DM
55	10/1/20	DM	DM	DM
56	10/1/20	DM	DM	DM
57	10/1/20	DM	DM	DM
58	10/1/20	DM	DM	DM
59	10/1/20	DM	DM	DM
60	10/1/20	DM	DM	DM
61	10/1/20	DM	DM	DM
62	10/1/20	DM	DM	DM
63	10/1/20	DM	DM	DM
64	10/1/20	DM	DM	DM
65	10/1/20	DM	DM	DM
66	10/1/20	DM	DM	DM
67	10/1/20	DM	DM	DM
68	10/1/20	DM	DM	DM
69	10/1/20	DM	DM	DM
70	10/1/20	DM	DM	DM
71	10/1/20	DM	DM	DM
72	10/1/20	DM	DM	DM
73	10/1/20	DM	DM	DM
74	10/1/20	DM	DM	DM
75	10/1/20	DM	DM	DM
76	10/1/20	DM	DM	DM
77	10/1/20	DM	DM	DM
78	10/1/20	DM	DM	DM
79	10/1/20	DM	DM	DM
80	10/1/20	DM	DM	DM
81	10/1/20	DM	DM	DM
82	10/1/20	DM	DM	DM
83	10/1/20	DM	DM	DM
84	10/1/20	DM	DM	DM
85	10/1/20	DM	DM	DM
86	10/1/20	DM	DM	DM
87	10/1/20	DM	DM	DM
88	10/1/20	DM	DM	DM
89	10/1/20	DM	DM	DM
90	10/1/20	DM	DM	DM
91	10/1/20	DM	DM	DM
92	10/1/20	DM	DM	DM
93	10/1/20	DM	DM	DM
94	10/1/20	DM	DM	DM
95	10/1/20	DM	DM	DM
96	10/1/20	DM	DM	DM
97	10/1/20	DM	DM	DM
98	10/1/20	DM	DM	DM
99	10/1/20	DM	DM	DM
100	10/1/20	DM	DM	DM

2 GARAGE ROOF PLAN

A2.05 SCALE: 1/4" = 1'-0"

1 GARAGE FOUNDATION

A2.05 SCALE: 1/4" = 1'-0"



ISSUED / REVISIONS		No	DATE	DESCRIPTION
12	12/07/13	1		GARAGE WINDOWS REVISED
11	11/07/13	1		GARAGE PERMIT DRAWINGS
10	10/07/13	1		REVISED FOR CONSTRUCTION
9	09/07/13	1		ISSUED FOR CONSTRUCTION
8	08/07/13	1		ISSUED FOR PERMIT
7	07/07/13	1		ISSUED FOR STRUCTURAL
6	06/07/13	1		ISSUED FOR DESIGN REVIEW
5	05/07/13	1		ISSUED FOR DESIGN REVIEW
4	04/07/13	1		ISSUED FOR DESIGN REVIEW
3	03/07/13	1		ISSUED FOR DESIGN REVIEW
2	02/07/13	1		ISSUED FOR DESIGN REVIEW
1	01/07/13	1		ISSUED FOR DESIGN REVIEW

CONSULTANT

D&T MORAN

PROJECT

471 KNOWLES RD

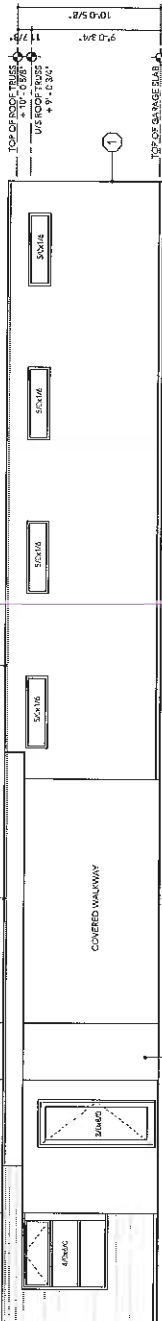
SHEET

GARAGE

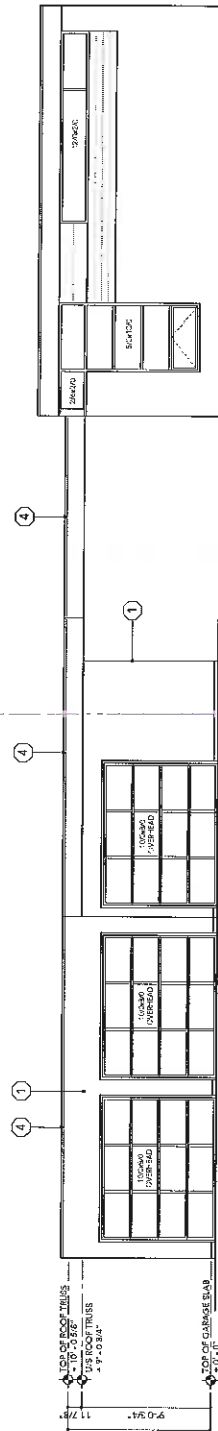
SHEET NO.	A3.02
DESIGN BY	GS
DRAWN BY	GS
CHECKED BY	GS
PROJECT NO.	-
SCALE	1/4" = 1'-0"

EXTERIOR FINISH SCHEDULE

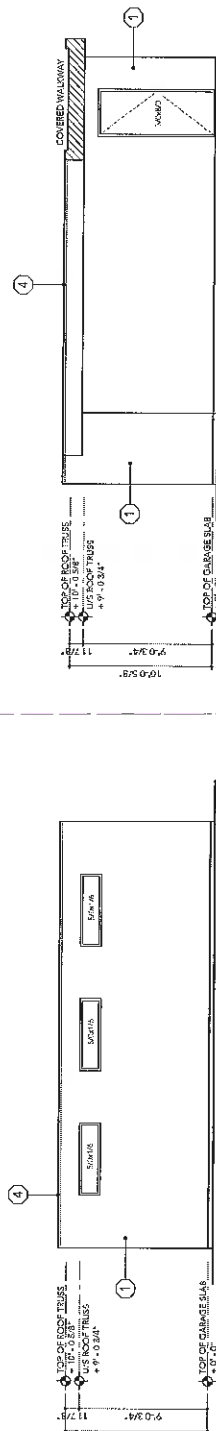
- 1 ACRYLIC STUCCO (EIFS)
- 2 T&G CEDAR SIDING, STAINED
- 3 EXPOSED CONCRETE
- 4 PRE-FINISHED METAL CAP FLASHING
- 5 PRE-FINISHED METAL FASCIA



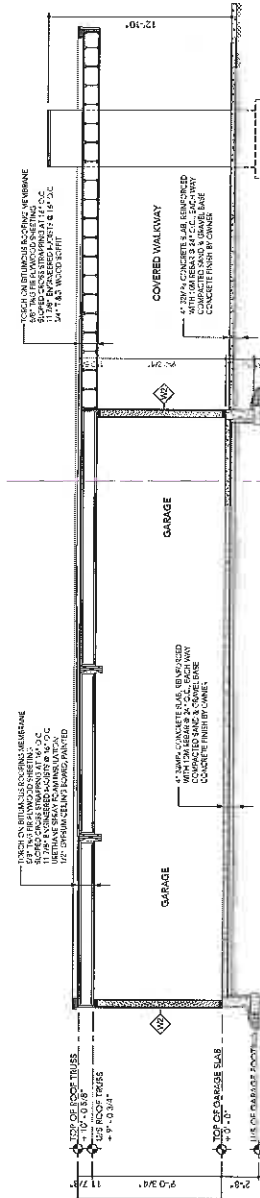
1 WEST ELEVATION - GARAGE



2 EAST ELEVATION - GARAGE



3 NORTH ELEVATION - GARAGE



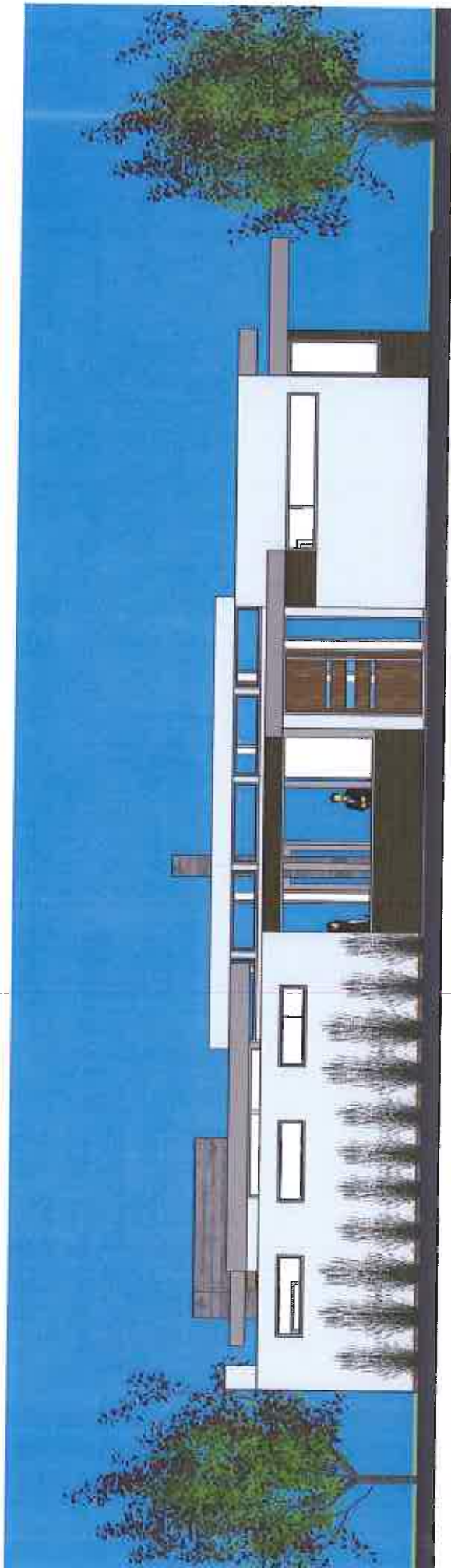
5 GARAGE - WALKWAY SECTION

CONSTRUCTION ASSEMBLIES

- [illegible]











CITY OF KELOWNA
MEMORANDUM

Date: November 7, 2013
File No.: DVP13-0175

To: Planning & Development Services Department (JM)

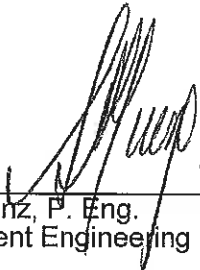
From: Development Engineering Manager

Subject: 471 Knowles Road, Lot 2 Plan KAP9257

Garage

Development Engineering comments and requirements regarding this development permit application are as follows:

This development variance permit application to vary the size of an accessory building from 90 to 109 square metres does not compromise any municipal services.



Steve Muenz, P. Eng.
Development Engineering Manager

SS

CITY OF KELOWNA

APPROVED ISSUANCE OF A:

☐ Development Variance Permit No.: DVP13-0175

EXISTING ZONING DESIGNATION: RU1 – Large Lot Housing

DEVELOPMENT VARIANCE PERMIT: To vary the maximum area of an accessory building in a residential zone from 90m² permitted to 109m² proposed.

ISSUED TO: Derek Moran

LOCATION OF SUBJECT SITE: 471 Knowles Road

	LOT	SECTION	D.L.	TOWNSHIP	DISTRICT	PLAN
LEGAL DESCRIPTION:	2	-	167	-	ODYD	Plan 9257

SCOPE OF APPROVAL

- ☐ This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.
- ☐ This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below.
- ☐ Applicants for a Development Permit and/or Development Variance Permit should be aware that the issuance of a Permit limits the applicant to be in strict compliance with regulations of the Zoning Bylaw or Subdivision Control Bylaw unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations which are inconsistent with bylaw provisions and which may not have been identified as required Variances by the applicant or City staff.

1. TERMS AND CONDITIONS:

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

Section 6.5.7: Accessory Buildings in Residential Zones

To vary the maximum area of an accessory building from 90m² permitted to 109m² proposed (as per Schedule "A").

2. DEVELOPMENT:

The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part hereof.

If the Permittee does not commence the development Permitted by this Permit within one year of the date of this Permit, this Permit shall lapse.

This Permit is not transferrable unless specifically Permitted by the Municipality. The authorization to transfer the Permit shall, if deemed acceptable, be granted by Council resolution.

THIS Permit IS NOT A BUILDING Permit.

3 PERFORMANCE SECURITY: Not applicable.

4. APPLICANT'S AGREEMENT:

I hereby declare that all the above statements and the information contained in the material submitted in support of this Permit are to the best of my belief, true and correct in all respects. Upon issuance of the Permit for me by the Municipality, then in such case, I covenant and agree to save harmless and effectually indemnify the Municipality against:

- (a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality granting to me the said Permit.
- (b) All costs, expenses, claims that may be incurred by the Municipality if the construction by me of engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

I further covenant and agree that should I be granted a Development Permit or Development Variance Permit, the Municipality may withhold the granting of any occupancy Permit for the occupancy and/or use of any building or part thereof constructed upon the hereinbefore referred to land until all of the engineering works or other works called for by the Permit have been completed to the satisfaction of the Municipal Engineer and Director of Planning & Development Services.

Should there be any change in ownership or legal description of the property, I undertake to notify the Land Use Management Department immediately to avoid any unnecessary delay in processing the application.

I HEREBY UNDERSTAND AND AGREE TO ALL THE TERMS AND CONDITIONS SPECIFIED IN THIS PERMIT.

Signature of Owner/Authorized Agent

Date

Print Name in Bold Letters

Telephone No.

6. APPROVALS:

DEVELOPMENT VARIANCE PERMIT AUTHORIZED BY THE COUNCIL ON THE ____ DAY OF _____, 2013.

ISSUED BY THE GENERAL MANAGER OF COMMUNITY PLANNING AND REAL ESTATE OF THE CITY OF KELOWNA THE ____ DAY OF _____, 2013.

Doug Gilchrist,
Divisional Director, Community Planning & Real Estate

NOTES

ISSUED / REVISIONS	
2	12/1/77 GARAGE W/NOOKS W/INVEST
1	11/24/77 GARAGE PERMIT DRAWINGS
1	10/24/77 REVISED FOR CONSTRUCTION
0	10/21/77 ISSUED FOR CONSTRUCTION
9	10/11/77 REVISED FOR PERMIT
7	10/10/77 ISSUED FOR STRUCTURAL
8	10/10/77 ISSUED FOR DESIGN REVIEW
5	10/10/77 ISSUED FOR DESIGN REVIEW
4	10/10/77 ISSUED FOR DESIGN REVIEW
3	10/10/77 ISSUED FOR DESIGN REVIEW
2	10/10/77 ISSUED FOR DESIGN REVIEW
1	10/10/77 ISSUED FOR DESIGN REVIEW
No	DATE DESCRIPTION

22

CONSULTANT

Client

D&T MORAN

471 KNOWLES RD

135MS

**GARAGE
PLAN**

SCALE	1" = 1'-0"
PROJECT NO.	
DESIGNED BY	GS
DRAWN BY	GS
CHECKED BY	GS
SHEET NO.	A2.04

GARAGE AREA = 1170 sq.ft.

1 GARAGE PLAN

SCALE: 1/4" = 1'-0"

REPORT TO COUNCIL



Date: November 25, 2013

RIM No. 0940-50

To: City Manager

From: Urban Planning, Community Planning & Real Estate (JM)

Application: DVP13-0177

Owners: Paul & Karin Watson

Address: 740 Pinehaven Court

Applicant: Paul Watson

Subject: 2013-12-17 Report DVP13-0177 740 Pinehaven Ct

Existing OCP Designation: S2RES - Single / Two Unit Residential

Existing Zone: RU1 - Large Lot Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP13-0177, for Strata Lot 62, Section 30, Township 26, ODYD, Strata Plan KAS3162, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V, located on 740 Pinehaven Court, Kelowna, BC;

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

Section 13.1.6(b): Development Regulations (Height)

To vary the maximum height from the lesser of 9.5m or 2 ½ storeys permitted to the lesser of 9.5m or 3 storeys proposed.

2.0 Purpose

To consider a proposal to increase the maximum height of a single detached dwelling in the RU1 zone from 2 ½ storeys permitted to 3 storeys proposed.

3.0 Urban Planning Department

Urban Planning Staff are supportive of the proposed variance application to increase the maximum height by ½ of a storey. Staff support for variances is typically limited to those situations where there is a clear hardship, or where the impact and scale of a proposal are very minor. This application satisfies both those criteria.

In terms of hardship, the site is subject to significant slope change, and the building is staggered in order to respect the natural terrain. In doing so, an elevator shaft is needed to access all areas of the home. This elevator shaft is the driver behind the height variance.

In addition, the variance requested is only ½ a storey, and the proposal meets the overall height restriction of 9.5m. Staff do not anticipate any negative impacts to adjoining properties resulting from this proposal.

4.0 Proposal

4.1 Background

The applicant has conducted Neighbour Consultation in accordance with Council Policy No. 367. Typically, staff look for applicants to try to meet their neighbours face to face to discuss a proposal. In this case, however, a mailed information package was most appropriate, as most of the surrounding lots are undeveloped. None of those contacted has replied to date.

4.2 Project Description

The applicant is proposing to construct a new home on the subject property. While the majority of the proposed dwelling meets all applicable zoning regulations, the applicant is developing a 3 storey entry area, which exceeds the maximum height 2 ½ storey height permitted. According to the applicant, the 3 storey entry area is needed in order to accommodate an elevator shaft to ensure that the entirety of the home is wheelchair accessible.

The design of the home follows the natural topography of the lot, with a high degree of building articulation and detailing. A variety of finishing materials and robust landscaping complete the proposal.

4.3 Site Context

The subject property is on the west side of Pinehaven Court, which is located within the Highpointe subdivision. The lot is approximately 1,830m² in area and is presently undeveloped. The site is subject to significant elevation changes, decreasing in elevation by 22m from west to east.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Large lot single detached housing (undeveloped)
East	RU1 - Large Lot Housing	Large lot single detached housing
South	RU1 - Large Lot Housing	Large lot single detached housing (undeveloped)
West	RU1 - Large Lot Housing	Large lot single detached housing

Subject Property Map: 740 Pinehaven Court



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU1 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	550 m ²	1,828 m ²
Lot Width	16.5 m	35.66 m
Lot Depth	30.0 m	51.69 m
Development Regulations		
Site Coverage (buildings)	40%	16.5%
Site Coverage (buildings, driveways & parking areas)	50%	32.8%
Height	Lesser of 9.5m / 2 ½ storeys	Lesser of 9.45m / 3 storeys ^①
Front Yard	6.0 m	10.44m
Side Yard (south)	2.3 m	5.0m
Side Yard (north)	2.3 m	4.35m
Rear Yard	7.5 m	exceeds
Other Regulations		
Minimum Parking Requirements	2 stalls	exceeds
① Indicates a requested variance to the maximum height of a principal dwelling in the RU1 zone from the 2 ½ storeys permitted to 3 storeys proposed.		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

The subject property is designated S2RES - Single / Two Unit Residential in the Official Community Plan.

6.0 Technical Comments

6.1 Building & Permitting Department

- 1) Operable bedroom windows required as per the 2012 edition of the British Columbia Building Code (BCBC 12).
- 2) Architectural, Structural and Mechanical consultants may be required a time of permit application to address the commercial style windows and relative Building Code requirements
- 3) Full Plan check for Building Code related issues will be done at time of Building Permit applications

6.2 Development Engineering Department

See attached Memorandum, dated November 4, 2013.

6.3 Shaw Cable

No concerns.

6.4 Telus Communications

No concerns.

7.0 Application Chronology

Date of Application Received: October 30, 2013

Public Notification: November 14, 2013

Report prepared by:

James Moore, Land Use Planner

Reviewed by:

☐

Ryan Smith, Urban Planning Manager

Approved for Inclusion:

☐

D. Gilchrist, Div. Director, Community Planning & Real Estate

Attachments:

Subject Property Map

Site Plan

Floor Plans

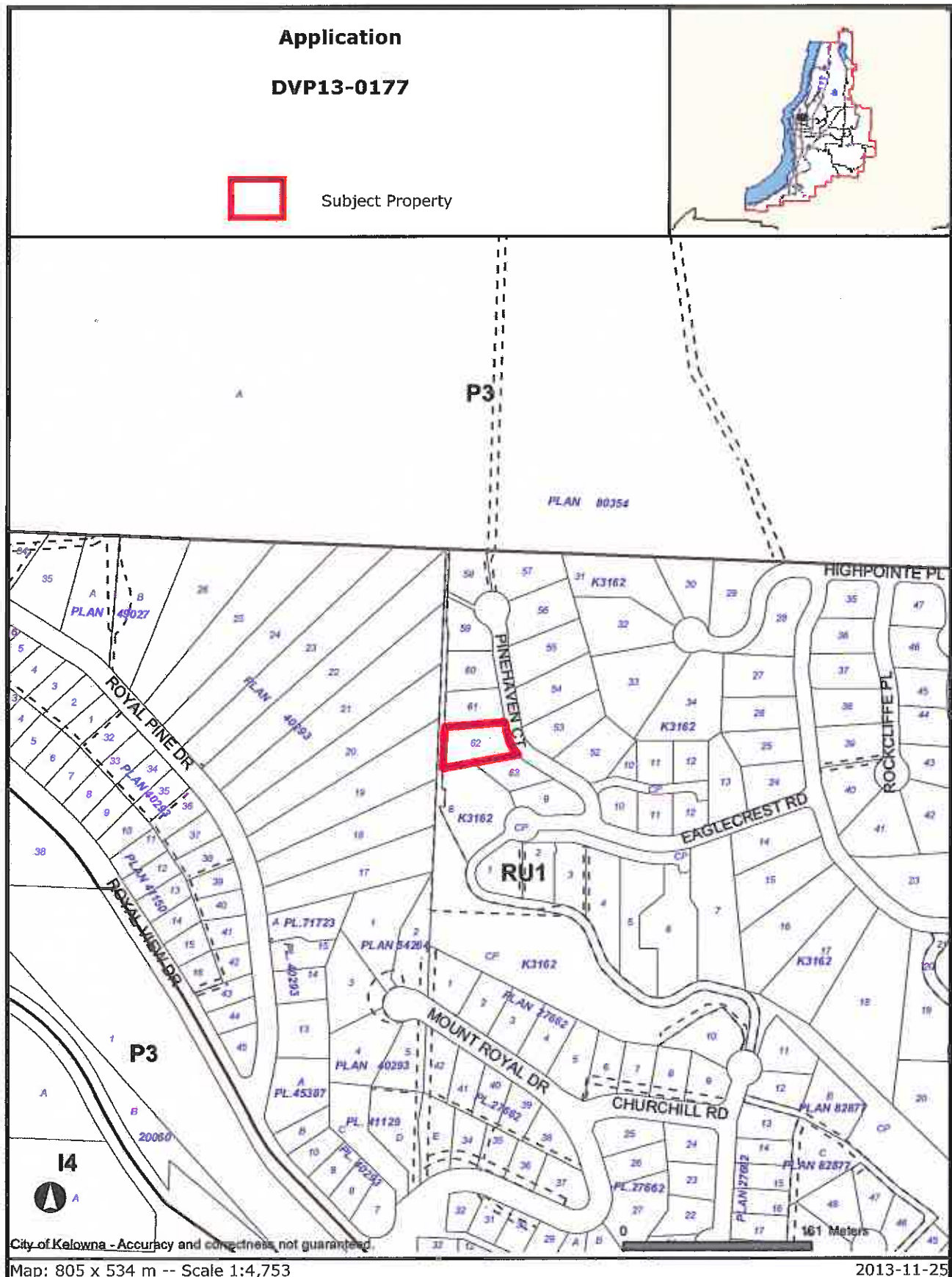
Conceptual Elevations

Conceptual Renderings

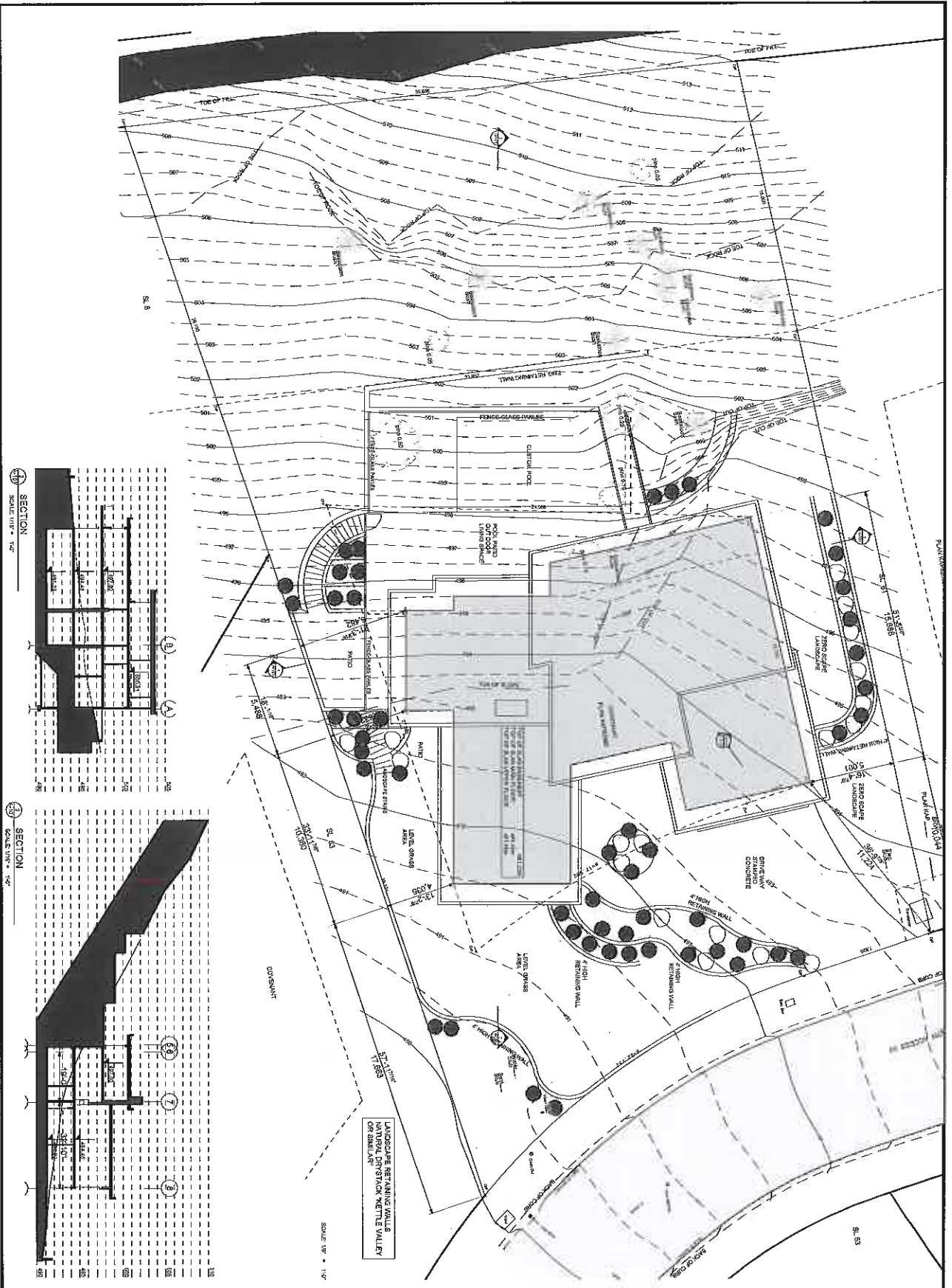
Landscape Plan

Development Engineering Memorandum, dated November 4, 2013

DRAFT - Development Variance Permit No. DVP13-0177



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.



FW

FRANK WATSON
2000 W. 10TH AVE.
SHELDON, B.C. V1V 4P9
(250) 575-7745
frank@frankw.com
www.frankw.com

CONSULTANTS

THE WATSON RESIDENCE

LOT

#Client Company

MARK	DATE	DESCRIPTION
1	11	
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		
30		
31		
32		
33		
34		
35		
36		
37		
38		
39		
40		
41		
42		
43		
44		
45		
46		
47		
48		
49		
50		
51		
52		
53		
54		
55		
56		
57		
58		
59		
60		
61		
62		
63		
64		
65		
66		
67		
68		
69		
70		
71		
72		
73		
74		
75		
76		
77		
78		
79		
80		
81		
82		
83		
84		
85		
86		
87		
88		
89		
90		
91		
92		
93		
94		
95		
96		
97		
98		
99		
100		

DATE: AUG 15, 2012
MODEL FILE:
DRAWN BY:
CHECKED BY:
COPYRIGHT:

SHEET TITLE

SITE / LANDSCAPE PLAN

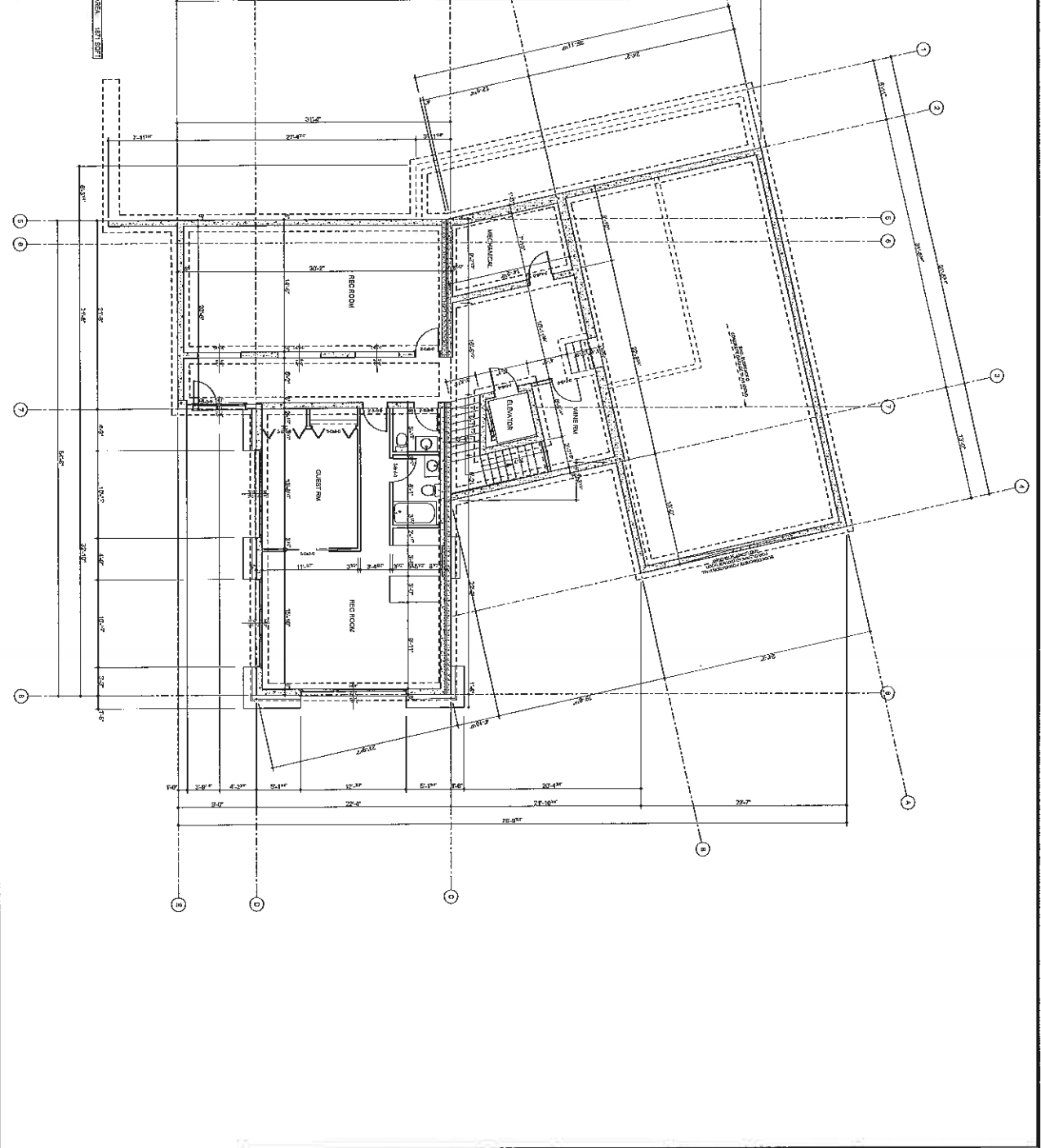
A-101

SHEET 2

OF 18

BASEMENT-FRAMING

SCALE 3/8" = 1'-0"



THE WATSON RESIDENCE
HIGHPOINTE
LOT

#Client Company

DATE	NOOR FILE	DATE	DESCRIPTION
1/1			

DATE: AUG. 13, 2012
DRAWN BY: [blank]
CHECKED BY: [blank]
OFF/INCH: [blank]

SHEET TITLE
BASEMENT-FRAMING

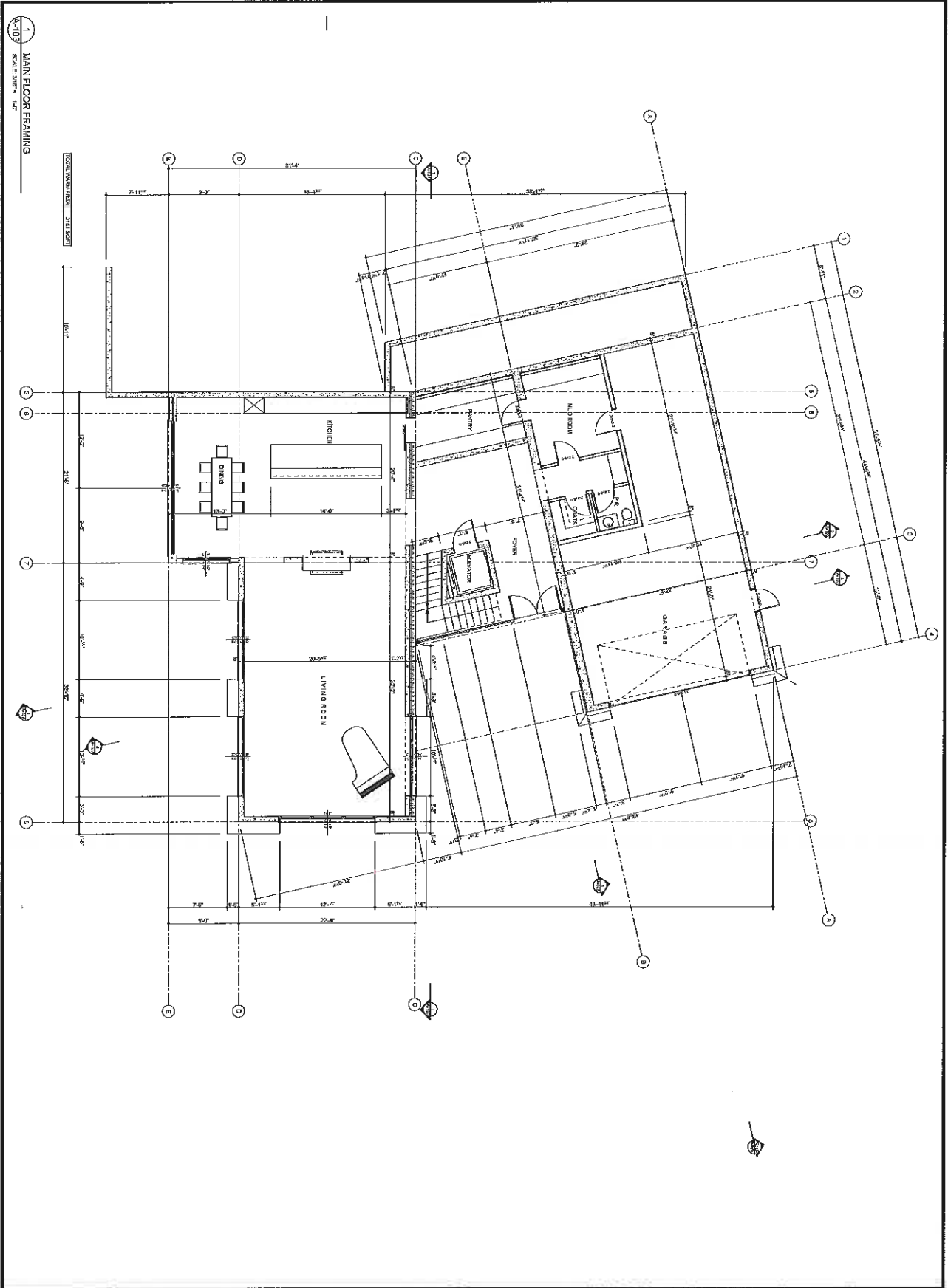
Fw
Framing

TEL: 410-2000-6414 (ext. 6414)
#10-2000 FALL ROAD
MELDOWA, N.C. 27528
(252) 512-7845
www.framinginc.com

Consultants

A-102
SHEET 3 OF 13

39



A-103
MAIN FLOOR FRAMING
 SCALE: 3/16" = 1'-0"

CLIENT COMPANY

#Client Company

THE WATSON RESIDENCE
 HIGH-POINTE
 LOT

DATE: AUG. 19, 2012
MODEL FILE:
DRAWN BY:
CHECKED BY:
COPYRIGHT:

DATE: AUG. 19, 2012
MODEL FILE:
DRAWN BY:
CHECKED BY:
COPYRIGHT:

DATE: AUG. 19, 2012
MODEL FILE:
DRAWN BY:
CHECKED BY:
COPYRIGHT:

DATE: AUG. 19, 2012
MODEL FILE:
DRAWN BY:
CHECKED BY:
COPYRIGHT:

DATE: AUG. 19, 2012
MODEL FILE:
DRAWN BY:
CHECKED BY:
COPYRIGHT:

THE WATSON RESIDENCE
 HIGH-POINTE
 LOT

DATE: AUG. 19, 2012
MODEL FILE:
DRAWN BY:
CHECKED BY:
COPYRIGHT:

DATE: AUG. 19, 2012
MODEL FILE:
DRAWN BY:
CHECKED BY:
COPYRIGHT:

DATE: AUG. 19, 2012
MODEL FILE:
DRAWN BY:
CHECKED BY:
COPYRIGHT:

DATE: AUG. 19, 2012
MODEL FILE:
DRAWN BY:
CHECKED BY:
COPYRIGHT:

DATE: AUG. 19, 2012
MODEL FILE:
DRAWN BY:
CHECKED BY:
COPYRIGHT:

THE WATSON RESIDENCE
 HIGH-POINTE
 LOT

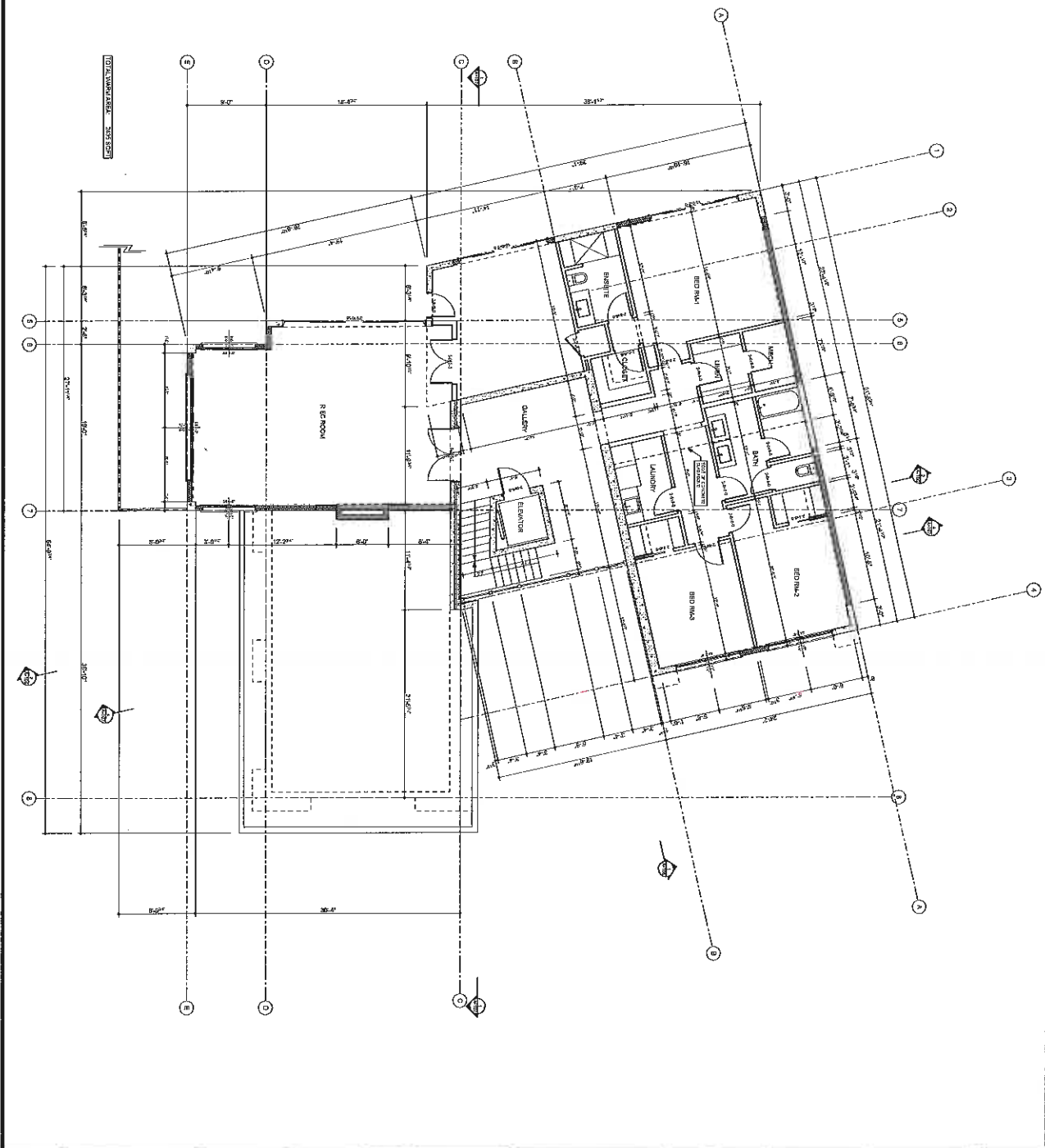
DATE: AUG. 19, 2012
MODEL FILE:
DRAWN BY:
CHECKED BY:
COPYRIGHT:


DATE: AUG. 19, 2012
MODEL FILE:
DRAWN BY:
CHECKED BY:
COPYRIGHT:

DATE: AUG. 19, 2012
MODEL FILE:
DRAWN BY:
CHECKED BY:
COPYRIGHT:

DATE: AUG. 19, 2012
MODEL FILE:
DRAWN BY:
CHECKED BY:
COPYRIGHT:

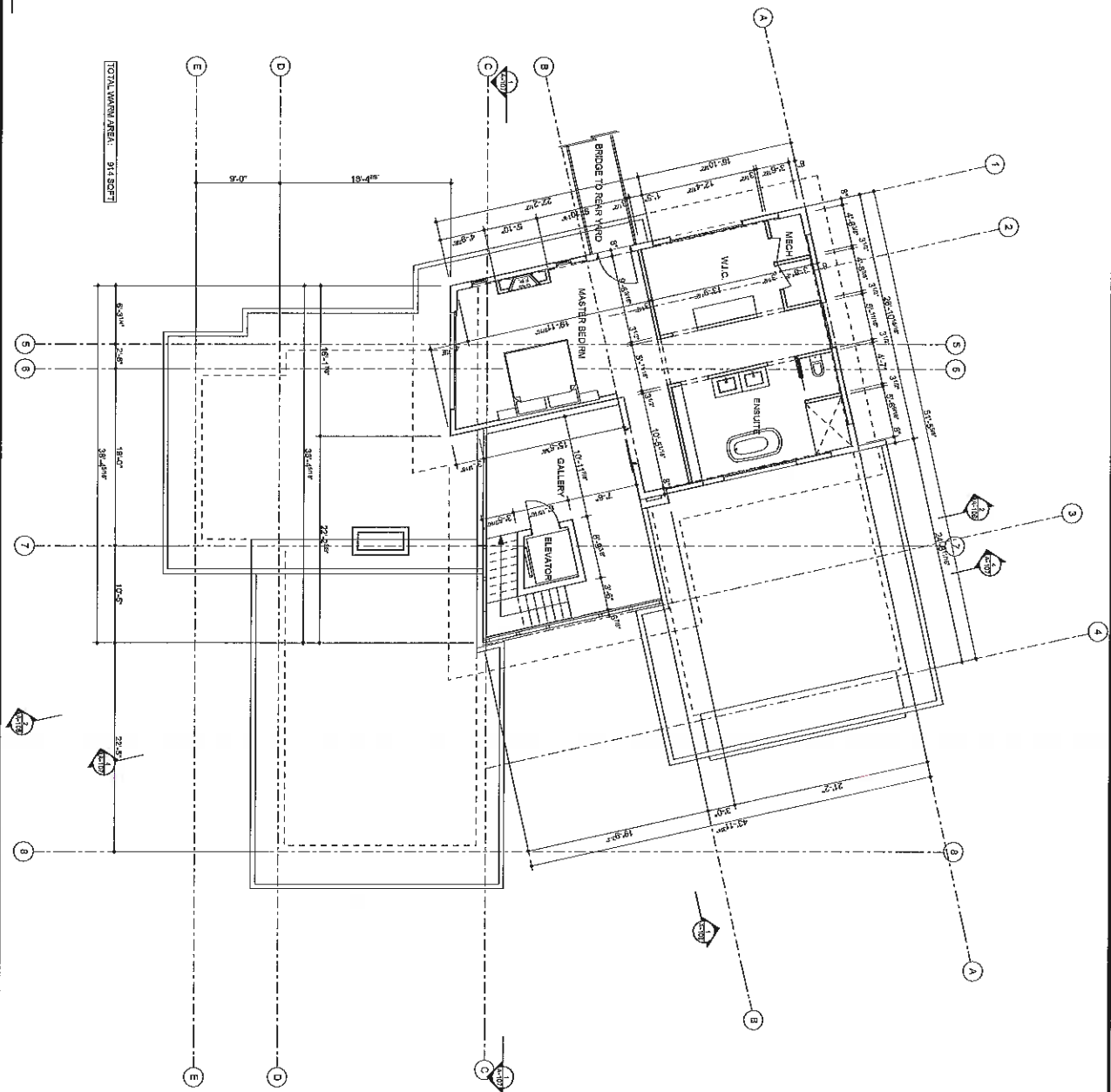
UPPER FLOOR
SHEET 5 OF 19



 <p> FELIX WESTERMARK, Springfield 1000 W. Main Street Nelsonville, OH 45748 (614) 872-7468 fwesterm@fwinc.com www.fwesterm.com </p>	CONSULTANTS	
	#Client Company THE WATSON RESIDENCE HIGHPOINTE LOT	
	DATE: AUG. 13, 2012 MODEL FILE: DRAWN BY: CHECK BY: COPYRIGHT:	
	MARK: // DESCRIPTION: 	
	SHEET TITLE: UPPER FLOOR PLAN	

A-104

SHEET 5 OF 19



FELIX WESTERKAMP, dipl.(ing)m
#210-2000 SPALL ROAD
KELOWNA, B.C. V1Y-9P8
(250) 878-7848

CONSULTANTS

#Client Company

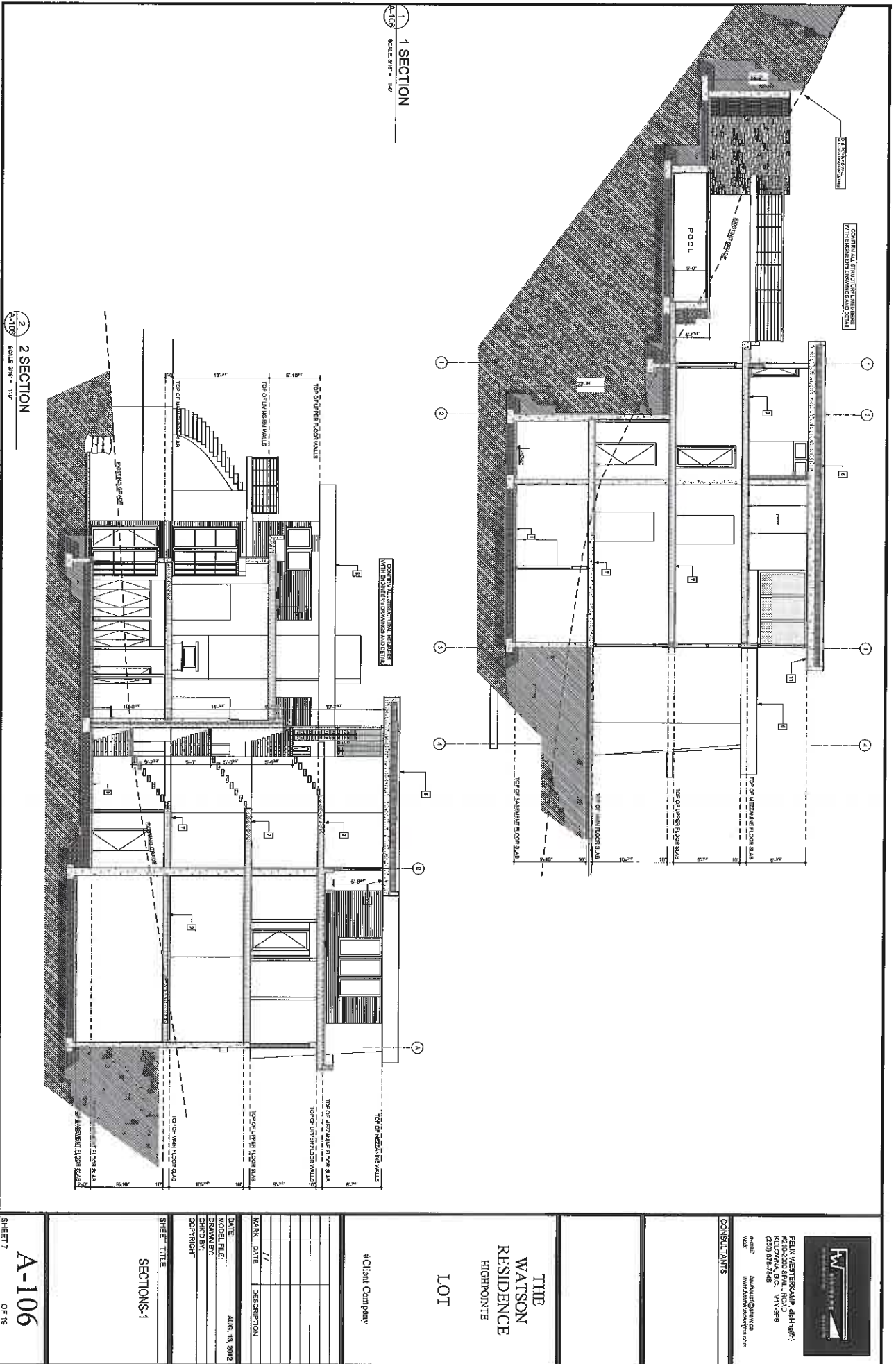
THE
WATSON
RESIDENCE
HIGHTON
LOT

DATE	MARK	DATE	DESCRIPTION
MODEL FILE:			
DRAWN BY:			
CHECK BY:			
COPYRIGHT			

SHEET TITLE

MASTER SUITE LEVEL

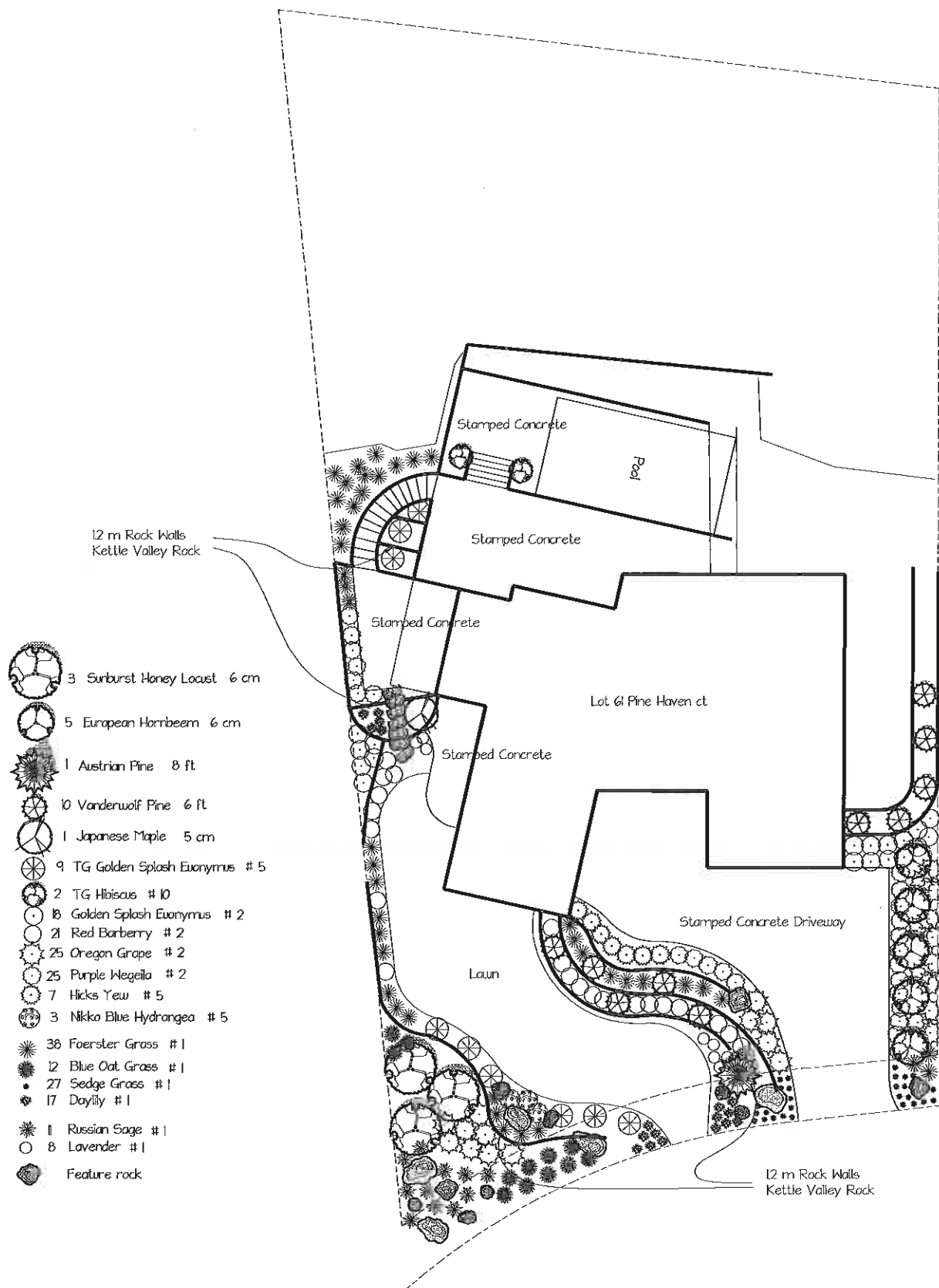
A-105











CITY OF KELOWNA
MEMORANDUM

Date: November 4, 2013
File No.: DVP13-0177


To: Land Use Management Department (JM)

From: Development Engineering Manager (Revised Comments)

Subject: 740 Pinehaven Court Lot 22 Plan K3162 Building Height

Development Engineering Services have the following comments associated with this application for a development variance permit to vary section 13.1.6b of zoning bylaw.

This subject parcel is currently within a Strata Development. A Development Variance Permit Application to allow for the construction of a new single family dwelling on the property which is 3 storeys in height (2.5 storeys (permitted), does not compromise the municipal servicing requirements.



Steve Muenz, P.Eng.
Development Engineering Manager

JF

CITY OF KELOWNA

APPROVED ISSUANCE OF A:

☐ Development Variance Permit No.: DVP13-0177

EXISTING ZONING DESIGNATION: RU1 – Large Lot Housing

DEVELOPMENT VARIANCE PERMIT: To vary the maximum height from the lesser of 9.5m or 2 ½ storeys permitted to the lesser of 9.5m or 3 storeys proposed.

ISSUED TO: Paul Watson

LOCATION OF SUBJECT SITE: 740 Pinehaven Court

	STRATA LOT	SECTION	D.L.	TOWNSHIP	DISTRICT	PLAN
LEGAL DESCRIPTION:	62	30	-	26	ODYD	KAS3162, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V

SCOPE OF APPROVAL

- ☐ This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.
- ☐ This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below.
- ☐ Applicants for a Development Permit and/or Development Variance Permit should be aware that the issuance of a Permit limits the applicant to be in strict compliance with regulations of the Zoning Bylaw or Subdivision Control Bylaw unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations which are inconsistent with bylaw provisions and which may not have been identified as required Variances by the applicant or City staff.

1. TERMS AND CONDITIONS:

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

Section 13.1.6(b): Development Regulations

To vary the maximum height from the lesser of 9.5m or 2 ½ storeys permitted to the lesser of 9.5m or 3 storeys proposed (as per Schedule "A").

2. DEVELOPMENT:

The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part hereof.

If the Permittee does not commence the development Permitted by this Permit within one year of the date of this Permit, this Permit shall lapse.

This Permit is not transferrable unless specifically Permitted by the Municipality. The authorization to transfer the Permit shall, if deemed acceptable, be granted by Council resolution.

THIS Permit IS NOT A BUILDING Permit.

3 PERFORMANCE SECURITY: Not applicable.

4. APPLICANT'S AGREEMENT:

I hereby declare that all the above statements and the information contained in the material submitted in support of this Permit are to the best of my belief, true and correct in all respects. Upon issuance of the Permit for me by the Municipality, then in such case, I covenant and agree to save harmless and effectually indemnify the Municipality against:

- (a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality granting to me the said Permit.
- (b) All costs, expenses, claims that may be incurred by the Municipality if the construction by me of engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

I further covenant and agree that should I be granted a Development Permit or Development Variance Permit, the Municipality may withhold the granting of any occupancy Permit for the occupancy and/or use of any building or part thereof constructed upon the hereinbefore referred to land until all of the engineering works or other works called for by the Permit have been completed to the satisfaction of the Municipal Engineer and Director of Planning & Development Services.

Should there be any change in ownership or legal description of the property, I undertake to notify the Land Use Management Department immediately to avoid any unnecessary delay in processing the application.

I HEREBY UNDERSTAND AND AGREE TO ALL THE TERMS AND CONDITIONS SPECIFIED IN THIS PERMIT.

Signature of Owner/Authorized Agent

Date

Print Name in Bold Letters

Telephone No.

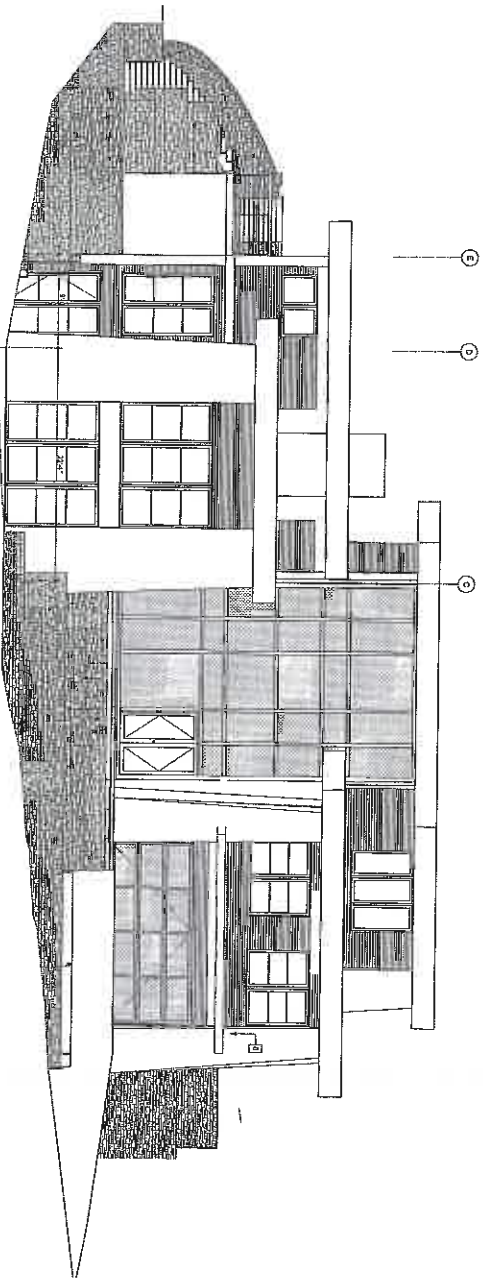
6. APPROVALS:

DEVELOPMENT VARIANCE PERMIT AUTHORIZED BY THE COUNCIL ON THE ____ DAY OF _____, 2013.

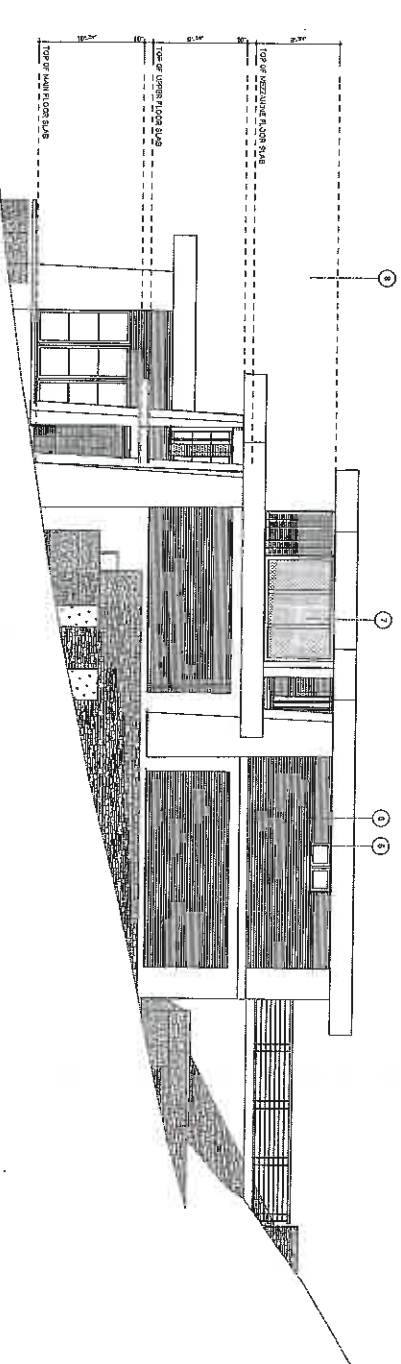
ISSUED BY THE GENERAL MANAGER OF COMMUNITY PLANNING AND REAL ESTATE OF THE CITY OF KELOWNA THE ____ DAY OF _____, 2013.

Doug Gilchrist,
Divisional Director, Community Planning & Real Estate

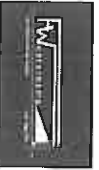
SCHEDULE A
 This forms part of development
 Permit # **DP13-0177**



2 FRONT ELEVATION
 SCALE: 1/8" = 1'-0"



1 RIGHT ELEVATION
 SCALE: 1/8" = 1'-0"



FLY WESTERN AIR (Springfield)
 1000 W. Main Street
 Kalamazoo, MI 49001
 (269) 875-7448
 email: fwyair@flywa.com
 web: www.flywesternair.com

CONSULTANTS

THE WATSON RESIDENCE
 HIGHPOINT
 LOT

#Client Company

MARK	DATE	DESCRIPTION
11		
DATE	AUG. 18, 2012	
MODEL FILE		
DRAWN BY		
CHECKED BY		
CONTRACT		

SHEET TITLE
 ELEVATIONS - 2

A-109

SHEET 10 OF 19

CITY OF KELOWNA
BYLAW NO. 10771
Z12-0051 - Heinz Strege
1460 Graham Road

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 8, Section 22, Township 26, ODYD, Plan 11186, Except Plans H12895 and KAP70891 located on Graham Road, Kelowna, B.C., from the RU1 - Large Lot Housing zone to the RU6b - Two Dwelling Housing with Boarding or Lodging House zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 15th of October, 2012.

Considered at a Public Hearing on the 13th day of November, 2012.

Read a second and third time by the Municipal Council this 13th day of November, 2012.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: November 26, 2013
RIM No. 0940-50
To: City Manager
From: Urban Planning Department
Application: DVP12-0113 **Owner:** Heinz Strege
Address: 1460 Graham Road **Applicant:** Heinz Strege
Subject: 2013-12-17 Report - DVP12-0113 - 1460 Graham Road

1.0 Recommendation

THAT final adoption of Zone Amending Bylaw No. 10771 be considered by Council;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP12-0113, for Lot 8 Section 22, Township 26, ODYD Plan 11186, except Plans H12895 and KAP70891 located on 1460 Graham Road, Kelowna, BC;

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted in accordance with Schedule "A" attached to this report:

Section 13.1.6 (c): Development Regulations

To vary the front yard setback from 4.5m permitted to 2.62m for the project of a covered patio.

Section 13.1.6 (d): Development Regulations

To vary the flanking side yard setback from 4.5m permitted to 1.09 for covered patio "A";

To vary the flanking side yard setback from 4.5m permitted to 1.01m for covered patio "B";

To vary the flanking side yard setback from 4.5m permitted to 3.15m for covered balcony "A";

To vary the flanking side yard setback from 4.5m permitted to 3.02m for covered balcony "B";

AND FURTHER THAT the applicant be required to complete the above-noted conditions within 180 days of Council's approval of the Development Permit Development Variance Permit Applications, in order for the permits to be issued.

2.0 Purpose

The applicant is seeking to vary the front and flanking side yard setbacks to facilitate a rezoning to the RU6b zone.

3.0 Land Use Management

The subject property meets the regulations of the Zoning Bylaw for a “boarding and lodging house” with the exception of the front yard setback to two patio areas and the eastern flanking side yard setback to projecting patio areas and balcony structures. The proposal is to utilize the southern portion of the building for a single dwelling housing use and provide 8 boarding units in the northerly portion. The RU6b zoning is a compatible land use with the surrounding area given that there are many RU6 zoned properties in the immediate area. Amenities such as transit and the Mission Creek Greenway are within close proximity and support the boarding house use which is intended to house low-income seniors that require close proximity to urban services.

The site has been under Bylaw Services investigation since 2005 for various infractions including land use and construction without permits. Notably, the 13 rooms in the building are currently rented. Although City policies support the legalization of the boarding and lodging house use and the subsequent addition to the affordable rental stock, Staff does not endorse construction of a proposed use prior to seeking required approvals.

Should the proposed variances and rezoning be endorsed, it will create an opportunity to bring the structure up to code conformity to ensure life and safety requirements for the residents. The boarding house use would add to the diversity of housing types within the City and fulfill various housing objectives as recently identified in the Housing Strategy.

4.0 Proposal

4.1 Background

Two houses attached by a breezeway are located on the site. The second house placement and the construction of the mid-section joining the buildings was completed with the appropriate permits in place. A Building Permit was issued in 2007, however it has not received final occupancy and the dwelling has been used for individual room rentals. With this application, the owner is seeking to legalize the use of a seniors’ boarding house and secure final occupancy.

4.2 Project Description

The applicant proposes to utilize the northern portion of the building (containing a kitchen) as a single family dwelling which would satisfy the principal use. The space between the original two dwellings will function as a lobby and dining area for the boarders. The south portion of the building contains 8 bedrooms, each to have their own bathroom and private open space accessible by sliding glass doors. A common amenity room is provided between the rooms.

An accessory building is located on the north east corner of the site and is planned to be expanded to include lockers. Given that this building has a two piece bathroom, it has been noted that this area has potential for conversion to a carriage home which would not be permitted under the proposed zone.

Upgrades to the landscaping are proposed to include the addition of a green space on the north-west side of the site. The attached landscape plan provides details about how the outdoor space

will be programmed, however this will be addressed through a voluntary Development Permit to be executed after the approval of the rezoning and variance applications.

4.3 Site Context

The subject property is located on the west side of Graham Road at the corner of Springfield Road. The area is within the Permanent Growth Boundary within walking distance to Mission Creek Regional Park. The surrounding properties are zoned as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Single Family Dwelling
East	RU1 - Large Lot Housing	Single Family Dwelling
South	RU6 - Two Dwelling Housing	Single Family Dwelling
West	RU1 - Large Lot Housing RU6 - Two Dwelling Housing	Single Family Dwelling

Subject Property Map: 1460 Graham Road



- 4.4 The proposed application meets the requirements of RU6b - Two Dwelling Housing with Boarding or Lodging zone as follows:

Zoning Analysis Table		
CRITERIA	RU6b ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	800 m ² for corner lot	1312 m ²
Lot Width	20 m	26 m
Lot Depth	30 m	46-51m
Development Regulations		
Site Coverage - Buildings	40%	367m ² / 28%
Site Coverage - Buildings & Parking	50%	641m ² / 49 % (656m ² permitted)
Number of bedrooms	13	5 bedrooms for single family dwelling portion 8 bedrooms for Boarders

Height	2 ½ storeys / 9.5 m	4.57 m
Front Yard	4.5 m or 6.0 m for a garage	7.28 m to building ❶ 2.6m to a covered patio
Side Yard (east)	4.5 m to flanking street	❷ 3.56 m to existing south dwelling area ❸ 1.09m for covered patio "A" ❹ 1.01m for covered patio "B" ❺ 3.15m for covered balcony "A" ❻ 3.02m for covered balcony "B"
Side Yard (west)	2.0 m (1 - 1 ½ storey)	4.09 m
Rear Yard	7.5m	20.2 m
Other Regulations		
Minimum Parking Requirements	Total provided: 8 spaces	1 per 2 sleeping unit plus spaces required for the corresponding principal dwelling unit = 6 spaces
Private Open Space	Principal dwelling = 30m ² Plus 7.5m ² per bedroom(8) Total required: 90m ²	Principal dwelling = 37m ² in the form of patios and balconies (varying from 8.4m ² - 9.7m ²) for each boarding bedroom Total provided: 110.2m ²
Expanded Accessory Building		
Side Yard (east)	1.0 m	1.75m
Rear Yard	1.5m	1.5 m
❶ Vary the front yard setback from 4.5m permitted to 2.62m proposed for the project of a covered patio. ❷ Vary the flanking side yard setback from 4.5m permitted to 3.56m to existing south dwelling area. ❸ Vary the flanking side yard setback from 4.5m permitted to 1.09 for covered patio "A"; ❹ Vary the flanking side yard setback from 4.5m permitted to 1.01m for covered patio "B"; ❺ Vary the flanking side yard setback from 4.5m permitted to 3.15m for covered balcony "A"; ❻ Vary the flanking side yard setback from 4.5m permitted to 3.02m for covered balcony "B";		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Policy 5.2.3 Complete Suburbs.¹

Support a mix of uses within Kelowna's suburbs (see Map 5.1 - Urban Core Area), in accordance with "Smart Growth" principles to ensure complete communities. Uses that should be present in all areas of the City (consistent with Map 4.1 - Future Land Use Map), at appropriate locations, include: commercial, institutional, and all types of residential uses (including affordable and special needs housing) at densities appropriate to their context.

Policy 5.3.2 Compact Urban Form.²

Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately

¹ Official community plan Objective 5.2 Community Sustainability

² Official community plan Objective 5.3 Focus development to designated growth areas.

75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1

Policy 10.3.1 Housing Availability. ³

Support the provision of housing for all members of the community, including those in core housing need or requiring special needs housing (transitional, age in place, emergency or shelter).

Policy 10.3.2 Address Housing Needs of All Residents. ⁴

Address housing needs of all residents by working towards an adequate supply of a variety of housing.

6.0 Technical Comments

6.1 Building & Permitting Department

- a) Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s) for new construction.
- b) Full Plan check for all other Building Code related issues will be done at time of Building Permit applications

6.2 Development Engineering Department

See attached.

6.3 Bylaw Services

While there have been seven (7) Bylaw Enforcement service requests generated for this address between July 2005 and April 2011, all outstanding bylaw fines are paid. The applicant has shown a positive change in attitude and has been working cooperatively with Bylaw Enforcement staff over the past year.

6.4 Fire Department

The home to the north should have an approved fire alarm system installed and a fire safety plan as per section 2.8 of the BC Fire code.

6.5 Fortis BC

FortisBC (electric) reviewed the attached referral with the information received and as it is not known yet how these properties are to set up with electrical service, however, it is the responsibility of the Developer to initiate all necessary arrangements for electrical service with this proposal.

³ Official community plan Objective 10.3 Support the creation of affordable and safe rental, non-market and/or special needs housing

⁴ Official community plan Goals for a Sustainable Future

7.0 Application Chronology

Date of Application Received:	June 13, 2012
Application refinement:	October 3, 2012
Date of 3 rd Reading for Rezoning:	November 13, 2012
Date Servicing Requirements Completed:	July 23, 2013
Date Housing Agreement Registered:	November 1, 2013

Report prepared by:

Ryan Smith - Manager, Urban Planning

Reviewed by:



Ryan Smith, Urban Planning Manager

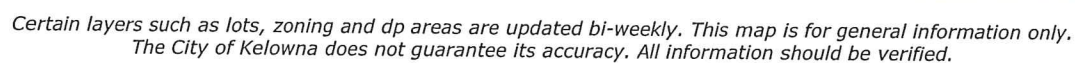
Approved for Inclusion



Doug Gilchrist, Divisional Director, Community Planning & Real Estate

Attachments:

Site Plan showing requested variances (Schedule "AA")
Site / Landscape Plan
Conceptual Elevations
Floor Plans
Context/Site Photos
Technical Comments

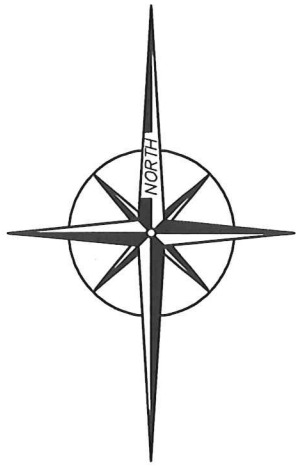


**SKETCH PLAN OF PART OF
LOT 8, PLAN 11186 except Plans H-12895 AND KAP70891
SEC 22, TP 26, ODYD.**

REVISED PLANS

MAY 17 2013

**CITY OF KELOWNA
Land Use Management**



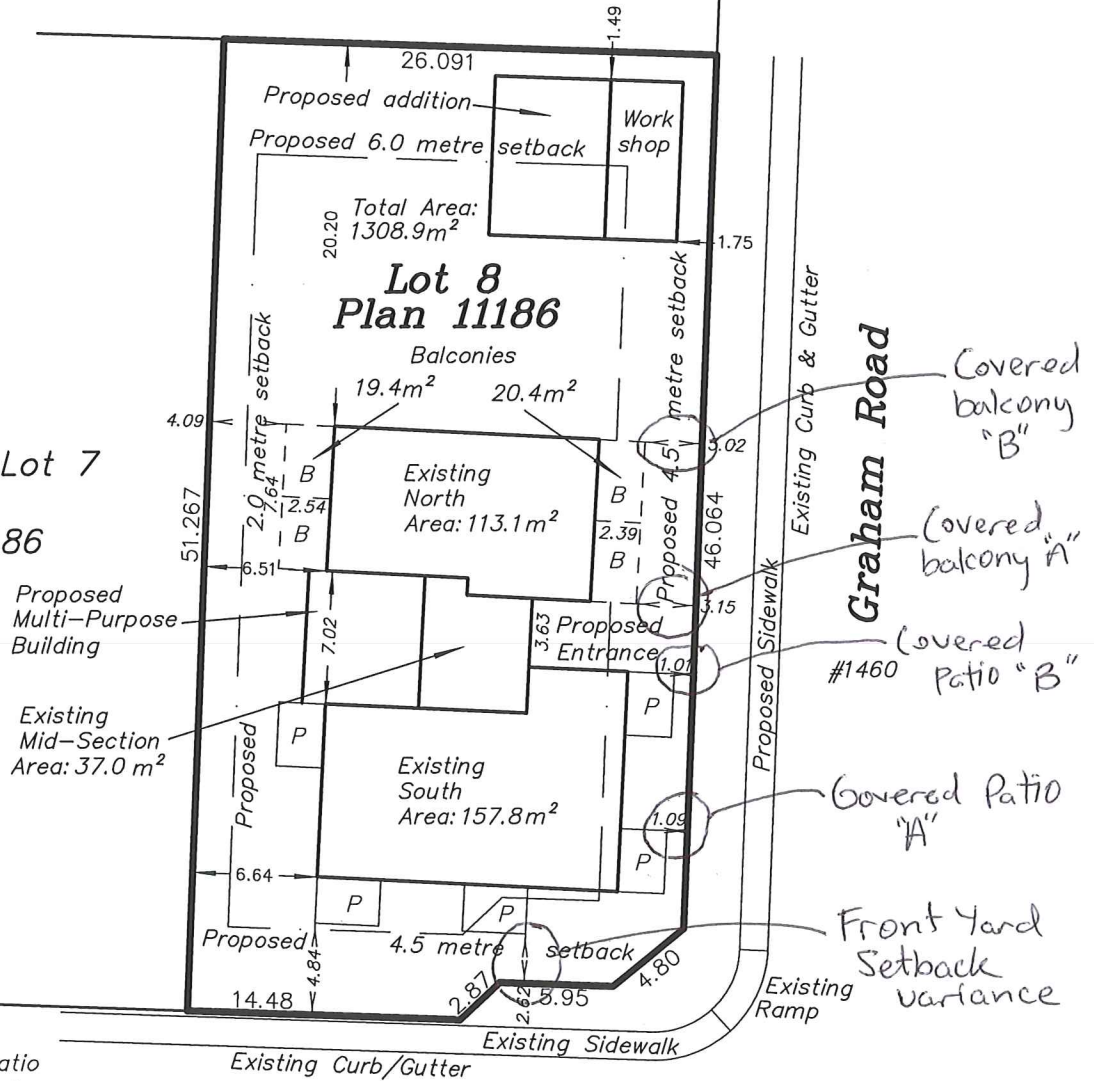
Lot 4

Plan 26149

Remainder Lot 7

Plan 11186

SCHEDULE A
This forms part of development
Permit # **DVP12-0413**



Notes:

- P - denotes covered patio
- B - denotes covered balcony
- Existing - RU 1.
- Proposed RU 6 "b" - Single Detached Housing.

Heinz Strege

Scale: 1:400 All distances are in metres.

VAN GURP & COMPANY
land surveyors

2013 201-1470 St. Paul Street
Kelowna, B.C. Tel. 250-763-5711

Copyright



Lot dimensions are from registered records.
This plan prepared for Municipal and/or mortgage
purposes only and it is not to be used for the
establishment of property boundaries.

May 16th, 2013.

File: 15539_skt_03

SPRINGFIELD ROAD

REVISED PLANS

OCT 04 2012

CITY OF KELOWNA
Land Use Management

FRONT ENTS

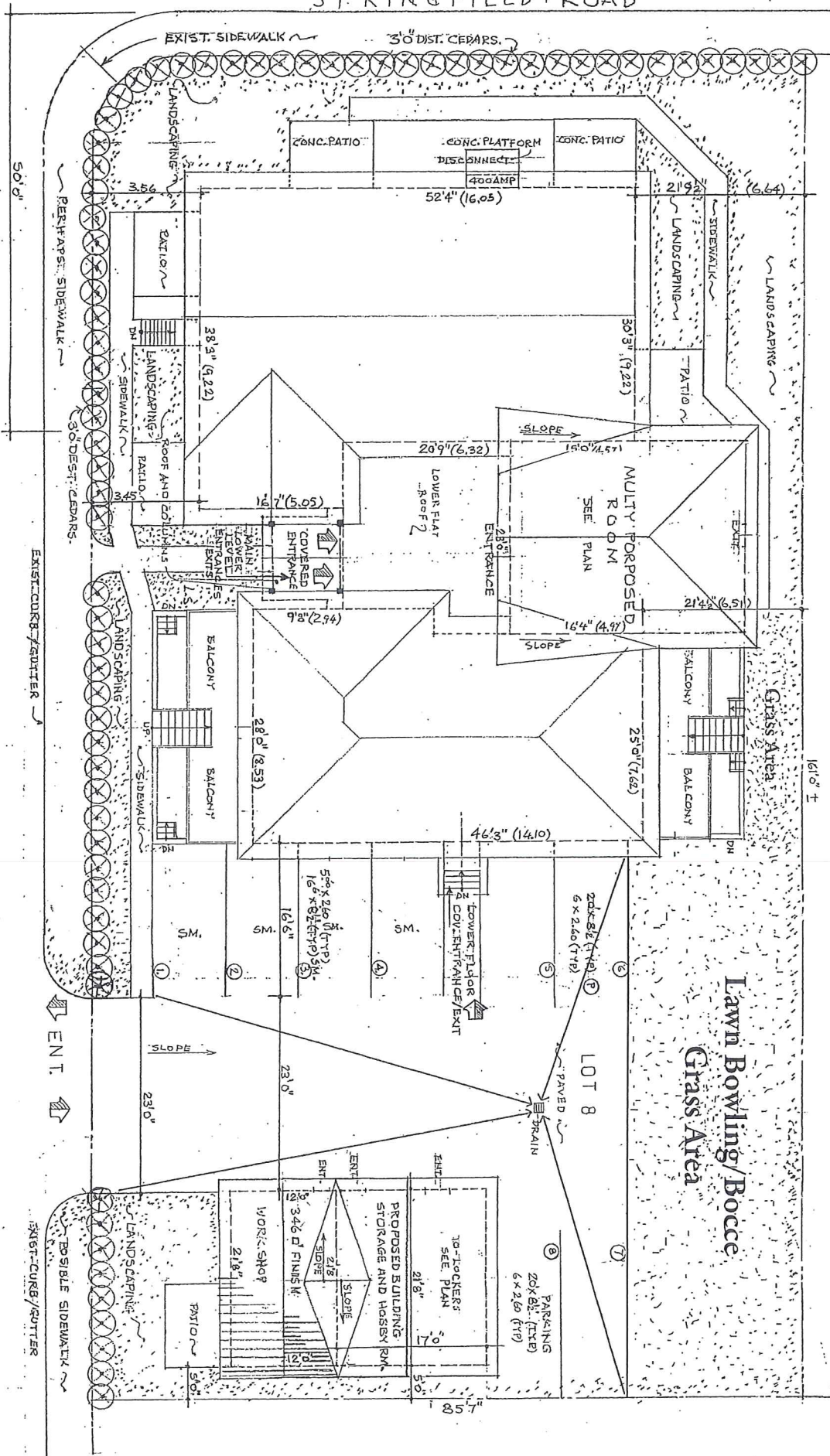
GRAHAM ROAD

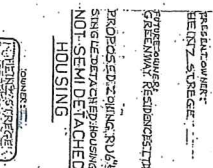
SITE PLAN

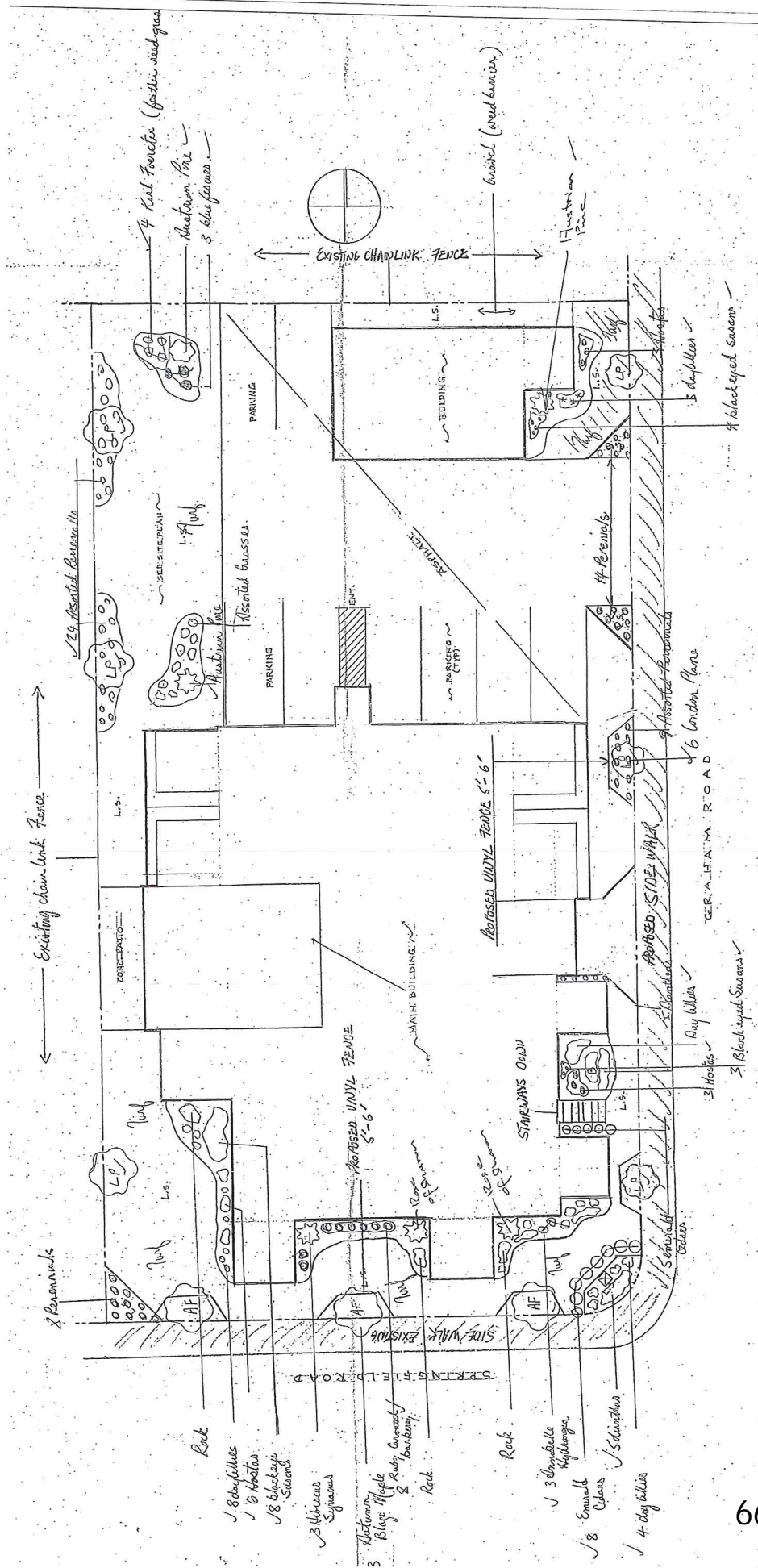
SCALE: 1/8" = 1'0"

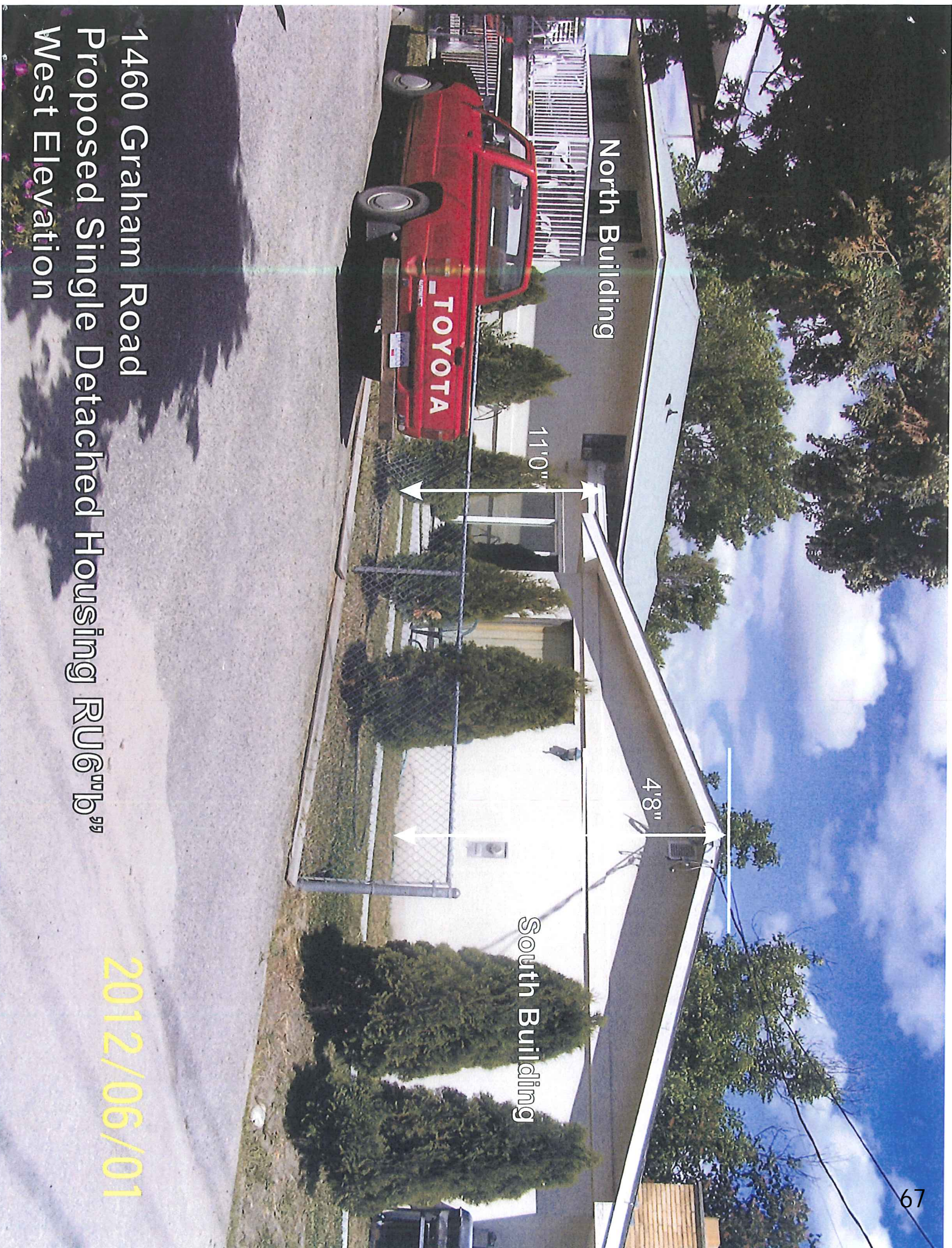
LEGAL:
LOT 8 PLAN III B6

PROPOSED TO NING... R.U. 6" B"
MEETS ALL OUTSIDE BUILDING SETBACKS FROM EXISTING









1460 Graham Road
Proposed Single Detached Housing RU6"b"
West Elevation

2012/06/01

East Elevation
North Building

East Elevation
North Building

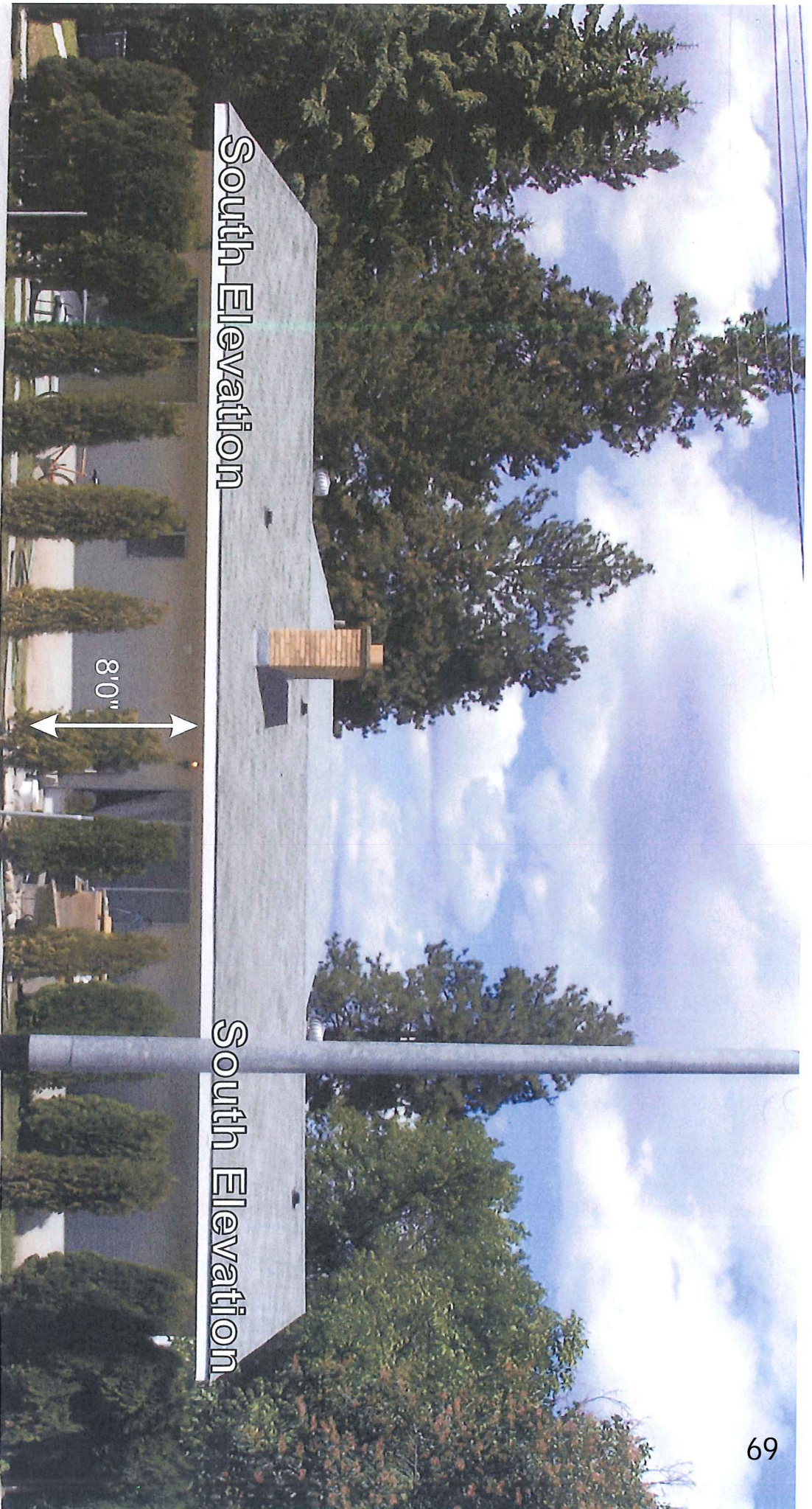
4'0"

8'6"

4'6"

1460 Graham Road
Proposed Single Detached Housing RU6 "b"
North Elevation

2012/06/01



South Elevation

South Elevation

1460 Graham Road
Proposed Single Detached Housing RU6"b"
South Elevation

2012/06/01

WELCOME TO...

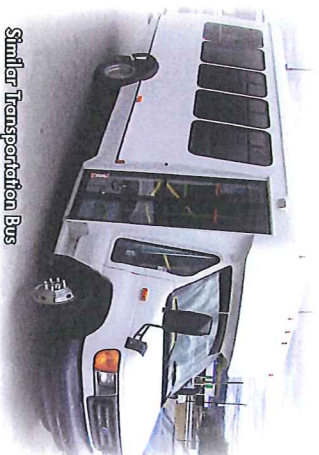
Greenway Residences

SUPPORTED HOUSING FOR SENIORS

SHOPPING • BUS STOPS • DENTAL • MEDICAL SERVICES



Mission Creek



Similar Transportation Bus



Bridge spanning Mission Creek



SAFE • SECURE • RELAXING • GOOD LIVING
1460 Graham Road, Kelowna, BC V1X 1K2 Canada

EXISTING RESIDENCE - PROPOSED
TWO ADJOINED SUPPORTED HOUSING FOR SENIORS

Ages 55~90

Small pets welcome

On Site Manager!
Includes Meals!

CONTACT US AT:

No mortgages,
taxes or utilities!

250-868-1756 heinzstregge@gmail.com

www.carehomekelowna.com

