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## CITY OF KELOWNA

### MEMORANDUM

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**Date:** January 30, 2007

**To:** City Manager

**From:** Planning and Development Services Department

**Subject:**

**APPLICATION NO.** DVP06-0161

**OWNER:** ALAN SCHULER

**AT:** 5118 LAKESHORE ROAD

**APPLICANT:** ALAN AND TRACY SCHULER

**PURPOSE:** TO VARY THE FRONT YARD SETBACK (LAKESHORE RD)  
FROM 6.0 M REQUIRED TO 3.5 M PROPOSED AND TO VARY  
THE WEST SIDE YARD SETBACK FROM 3.0 M REQUIRED TO  
1.5 M PROPOSED

**EXISTING ZONE:** RR2 – RURAL RESIDENTIAL 2

**REPORT PREPARED BY:** PAUL MCVEY

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#### 1.0 RECOMMENDATION

THAT Council authorize the issuance of Development Variance Permit No. DVP06-0161 for Lot 15, Sec. 23, Twp. 28, O.D.Y.D., Plan 9531 located at 5118 Lakeshore Road; Kelowna, B.C.

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

#### **Section 12.2.6: RR2 – Rural Residential 2:**

- 1) 12.2.6(c): Vary the south front yard setback from 6.0m required to 3.5m proposed,
- 2) 12.2.6(d): Vary the west side yard setback from 3.0m required to 1.5m proposed,

#### 2.0 SUMMARY

The applicant currently has a 1 ½ storey home on the subject property. The applicant is proposing to enclose an existing carport located on the west side of the dwelling, and is also proposing to construct a new attached garage to the south side of the dwelling, located at the east end of the building.

The existing dwelling is located 1.7 m from the west side of the property, where the RR2 zone requires a side yard setback of 3.0m. The existing siting is considered to be a legal non-conforming, as the dwelling was constructed in the late 1960's, prior to this neighbourhood being amalgamated into the City of Kelowna in 1973.

The applicant is seeking a variance to the west side yard setback to authorize the extension of the former carport area in order that the building can be squared off. The existing carport is set back approximately 1.5 m from the rear (north side) of the dwelling. This extension results in the north west corner of the proposed dwelling addition being located 1.5 m from the west property line, where the bylaw required a 3.0 m setback.

The original submission proposed a separate garage located near the south east corner of the dwelling. The applicant has redesigned the proposal to attach the proposed garage in order to address concerns raised by the Building Department. This proposed location of the garage setback would be 3.5 m from Lakeshore Road. This location results in the applicant seeking a variance to the front yard setback from Lakeshore Road from the 6.0 m required to the 3.5 m proposed.

The application meets the development regulations of the RR2 – RURAL RESIDENTIAL zone as follows:

CRITERIA	PROPOSAL	RU1 ZONE REQUIREMENTS
Lot Area (m <sup>2</sup> )	1,326 m <sup>2</sup> ❶	10,000m <sup>2</sup> if no community sewer 4,000 m <sup>2</sup> if sewer available
Lot Width (m)	32.9m ❶	36.0m
Lot Depth (m)	35m	30.0m
<b>Setbacks</b>		
Front Yard (Lakeshore Rd.)	3.5m❷	6.0 m
Side Yard (W)	1.53m❸	3.0m
Side Yard (E)	5.0 m	3.0m
Front Yard (Braeloch Rd.)	19.5m	9.0m
Building Height	2 storey	2.5 storeys (9.5m)

#### NOTES:

- ❶ Lot created prior to Zoning Bylaw 8000 minimum lot requirements.
- ❷ Vary Front yard (Lakeshore Rd.) from 6.0 m required to 3.5 m proposed
- ❸ Vary west side yard from 3.0 m to 1.5 m proposed

#### 2.2 Site Context

The subject property is located on the north side of Lakeshore Road, near Uplands Drive. The subject property is a double fronting lot, with Lakeshore Road located adjacent to the south property line, and Braeloch road adjacent to the north property line. The property is sloped down from the south side towards the north side. The subdivision that created the subject property was registered in the mid 1960's, prior to the neighbourhood being amalgamated into the City of Kelowna in 1973.

Adjacent zones and uses are:

- North - RR2 – Rural Residential 2 / SFD – Braeloch Rd. N
- East - RR2 – Rural Residential 2 / SFD
- South - RR2 – Rural Residential 2 / SFD – Lakeshore Rd.
- West - RR2 – Rural Residential 2 / SFD



### Site Location Map

2. Access and parking.

Provide an onsite turn-a-round to allow forward vehicular exit from driveway access.

3.3 Fire Department

Fire Dept access, fireflows and hydrants as per BC Building Code and City of Kelowna Subdivision Bylaw.

4.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The subject property is designated as single / two unit residential future land use in the Official Community Plan. The proposed construction of an addition to the existing single unit dwelling is consistent with the uses currently existing surrounding the site. The applicant has worked with City Planning staff to review and refine the proposed site development, and have provided a reasonable plan for the proposed addition. This application has not been circulated to the Advisory Planning Commission, as the applicant has discussed his proposed building program with the adjacent residents, and has received their support in writing.

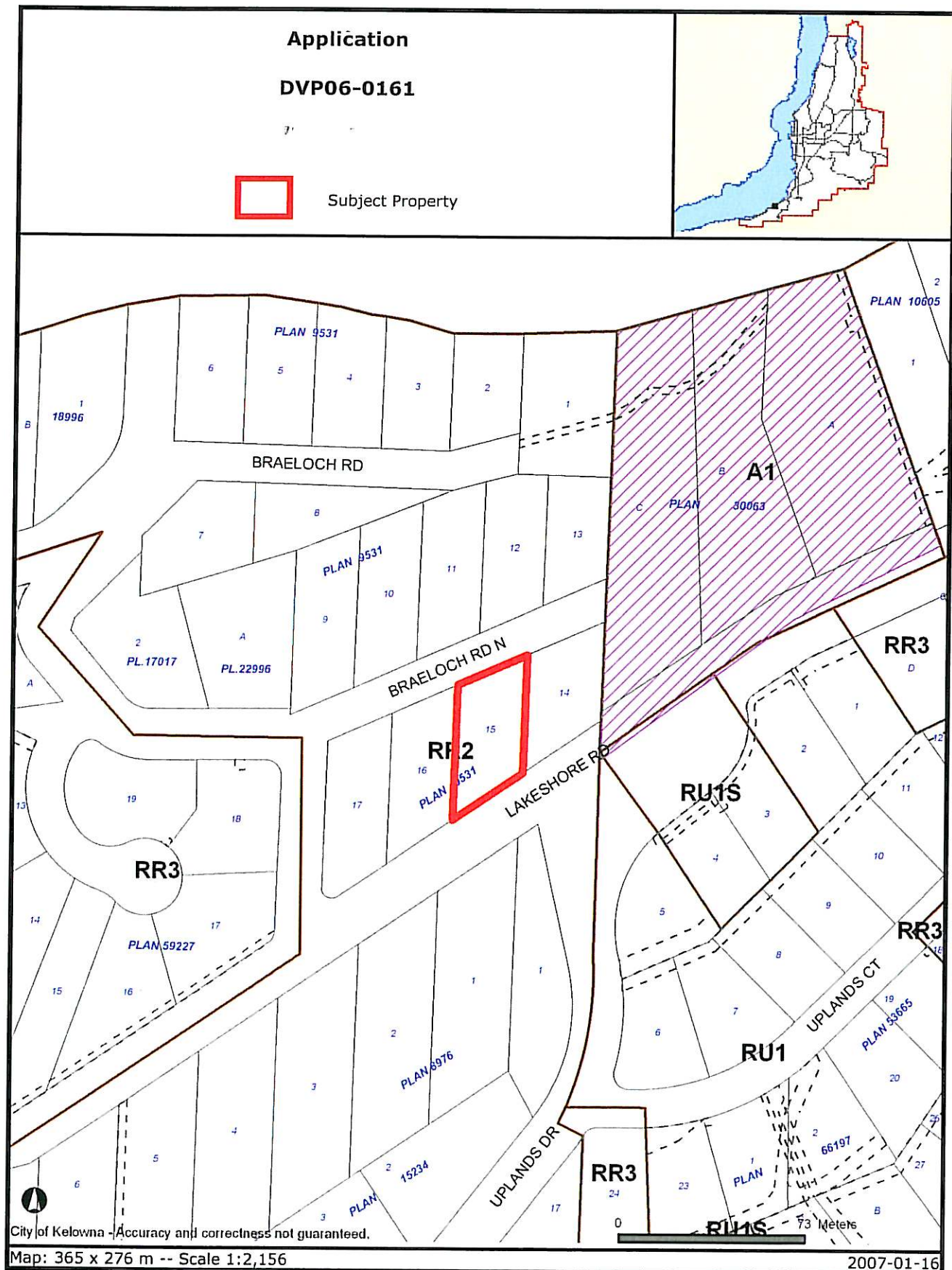
In conclusion, the Planning and Development Department supports this application for variances to the front yard setback from Lakeshore road and the side yard setback from the west property line, and recommends for positive consideration of this application by Council.

*for*   
Shelley Gambacorti  
Acting Manager of Development Services

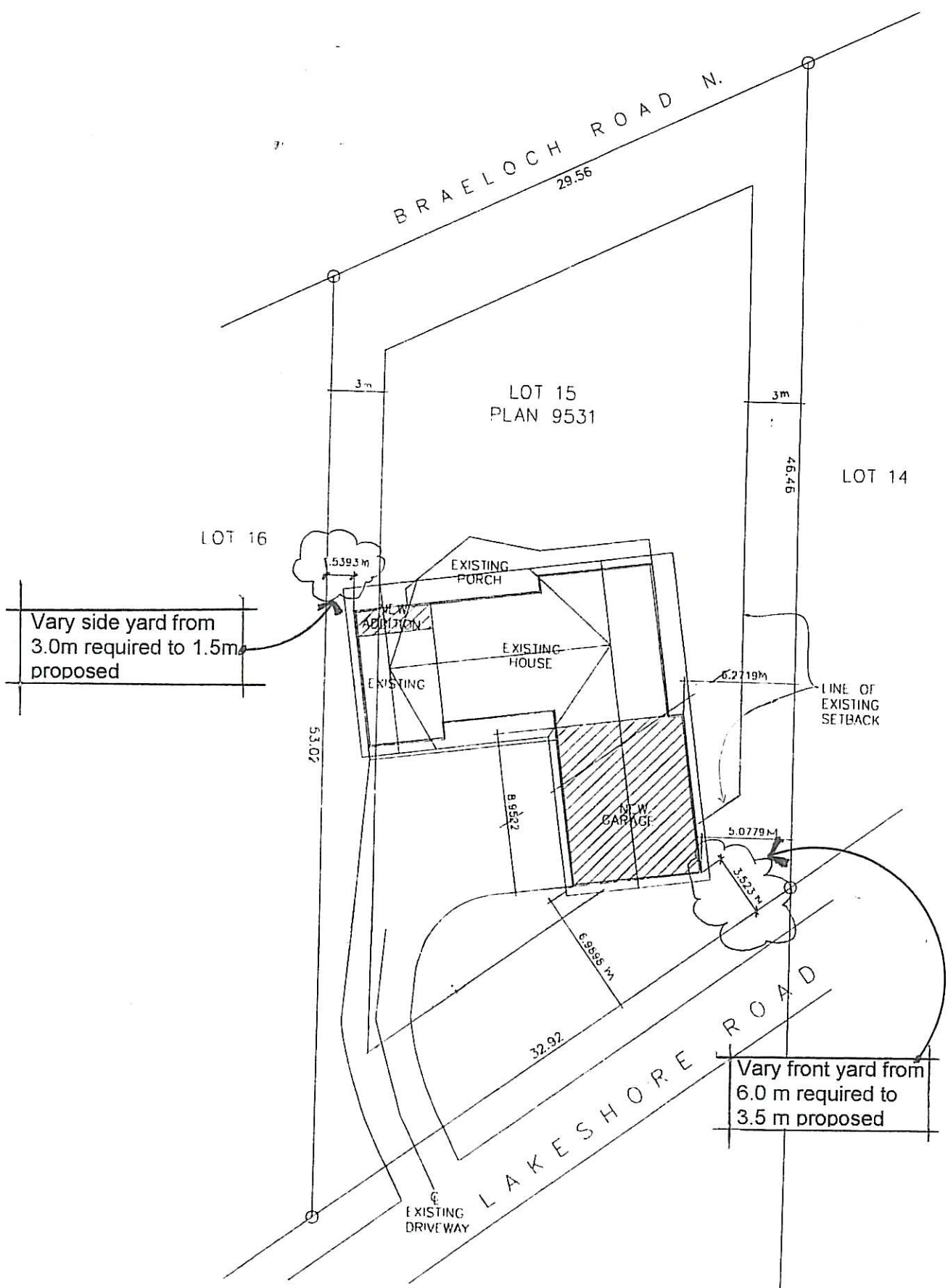
  
Mary Pynenburg, MRAIC MCIP  
Director of Planning & Development Services

MP/SG/PMc



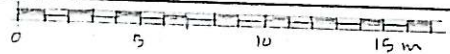


Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
The City of Kelowna does not guarantee its accuracy. All information should be verified.



# SITE PLAN

SCALE: 1:200





COVER SHEET  
AND SITE PLAN

## GENERAL SITEWORK NOTES

1. SUBCONTRACTORS MUST VISIT THE SITE TO EXAMINE & VERIFY CONDITIONS UNDER WHICH THEIR WORK MAY BE CONDUCTED
2. VERIFY Siting OF ADDITION WITH ARCHITECT
3. VERIFY LOCATIONS AND ACCESS OF ALL UTILITIES ON SITE
4. BARRICADE ALL TREES TO REMAIN WITHIN IMMEDIATE BUILDING AREA
5. REMOVE ALL EXISTING CONSTRUCTION DEBRIS, TRASH & BRUSH TO BE DISPOSED OFF SITE
6. FILL AND STOCKPILE ALL EXCESS EARTH TO MAINTAIN ON SITE
7. STOCKPILE AND REUSE ALL TOPSOIL TO MAINTULATE ON SITE
8. MAINTAIN STOCKPILE IN A MANNER WHICH WILL NOT OBSTRUCT NATURAL FLOW OF GRAVITAGE
9. FINISH GRADING AND FINISH FLOOR ELEVATIONS WITH ARCHITECT
10. FINISH GRADING - 5" MIN TOPSOIL (BLACKHORT) HAND BAKED, READY FOR LANDSCAPING
11. LANDSCAPING DESIGN, SPECIFICATION, AND INSTALLATION TO BE THE RESPONSIBILITY OF THE OWNER

## SITE DESCRIPTION:

Lot 15, Plan 9531, Section 23, Township 28, S.D.Y.D  
SUBJECT TO easements and restrictions of record

## INDEX OF DRAWINGS

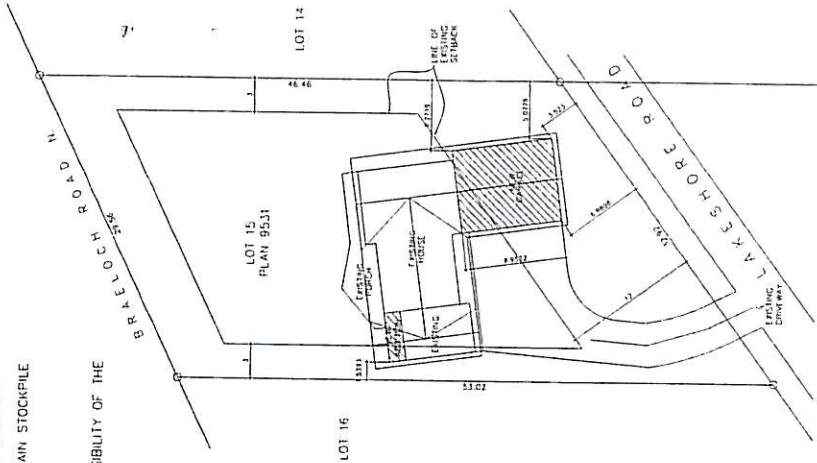
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A10 COVER SHEET AND SITE PLAN  
A21 FLOOR PLANS/ELEVATIONS  
A51 BUILDING SECTION/DETAILS  
LOT 16

# ION-EXCHANGE WATER TREATMENT

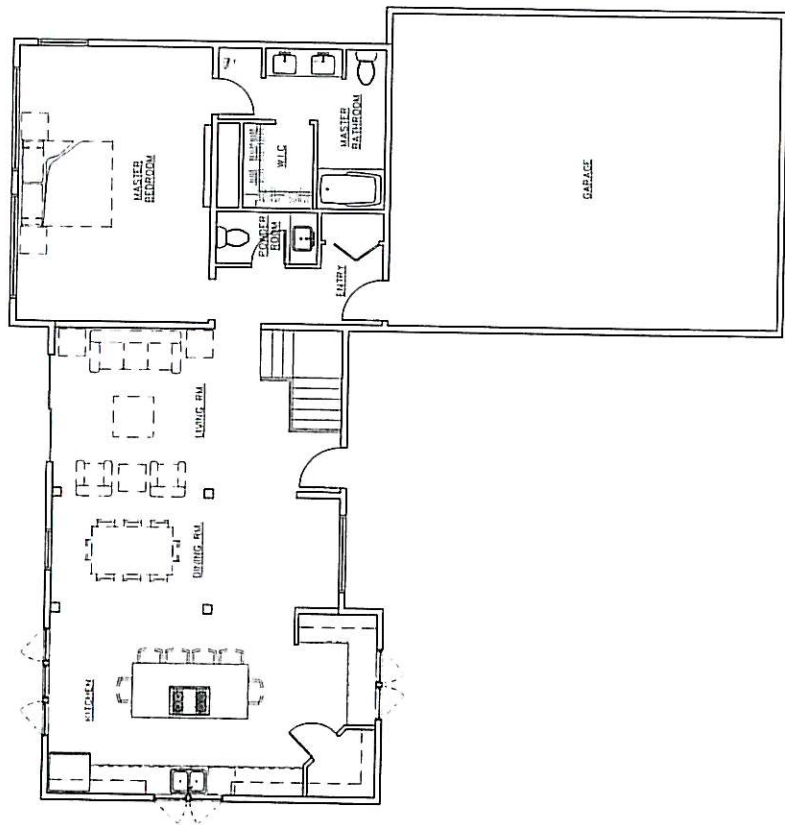
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# ELON NOTICING

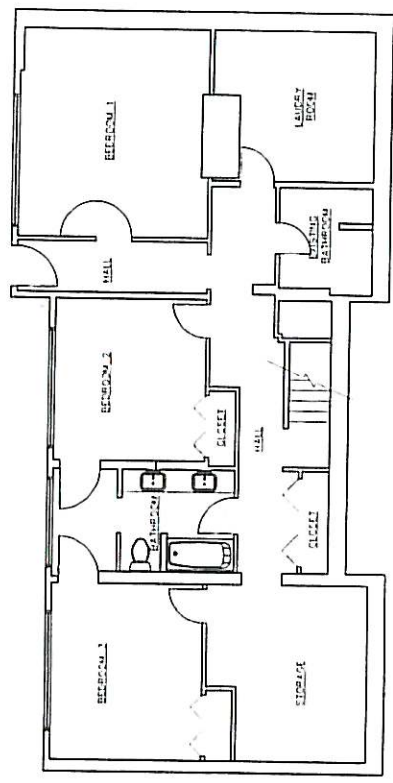
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THE PLAN



1 FIRST FLOOR PLAN  
1/8" = 1'-0"



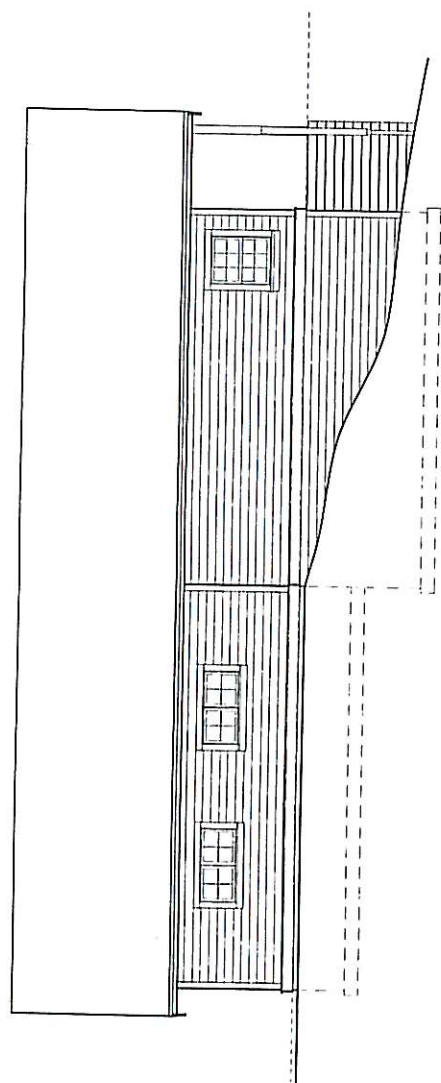
2 LOWER LEVEL FLOOR PLAN  
1/8" = 1'-0"

FIRST AND SECOND  
FLOOR PLAN, EXTERIOR  
ELEVATIONS

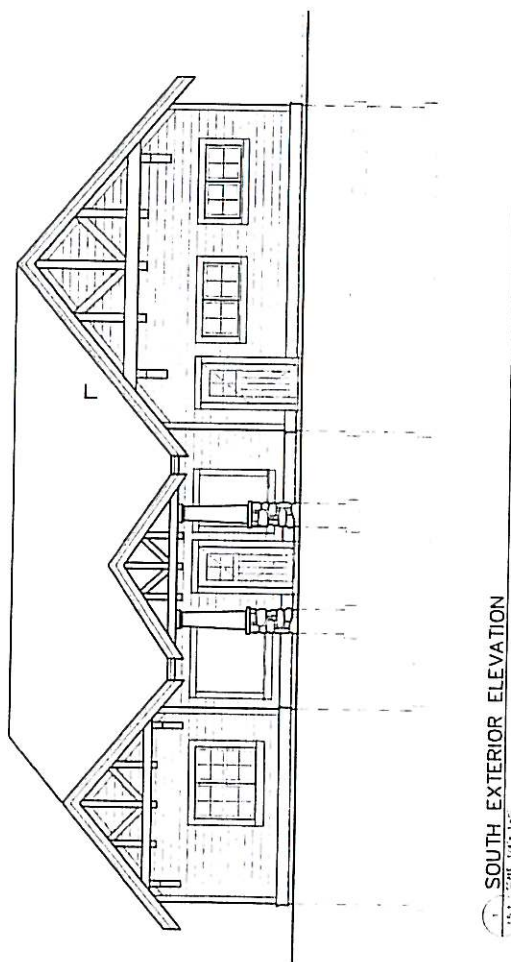
NEW GARAGE AND REMODEL  
SCHULER RESIDENCE  
518 LAKESHORE ROAD  
KELDYVA, SC

DATE: 01-08-07  
DRAWN BY: [Signature]  
CHECKED BY: [Signature]  
PROJECT NO.: [Number]  
SHEET NO.: A2.1  
TOTAL SHEETS: 0006

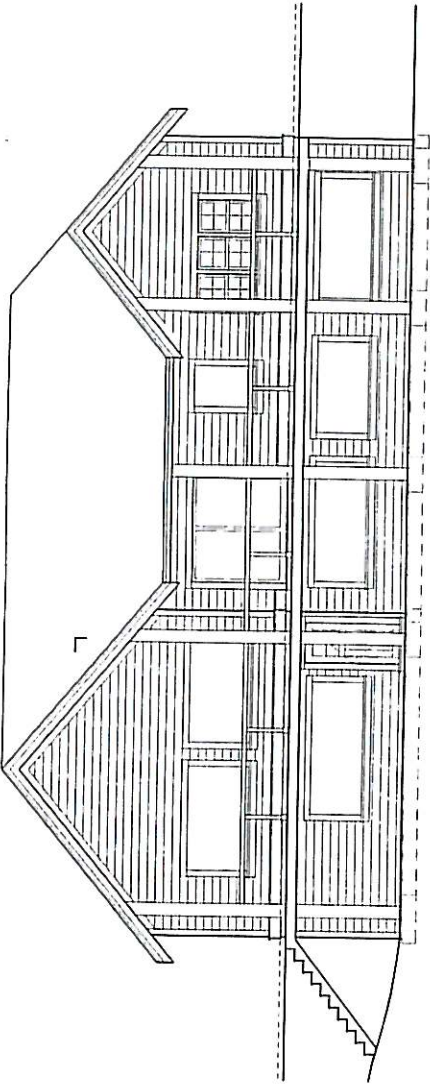




2 EAST EXTERIOR ELEVATION  
A5.1 SCALE 1/8" = 1'-0"

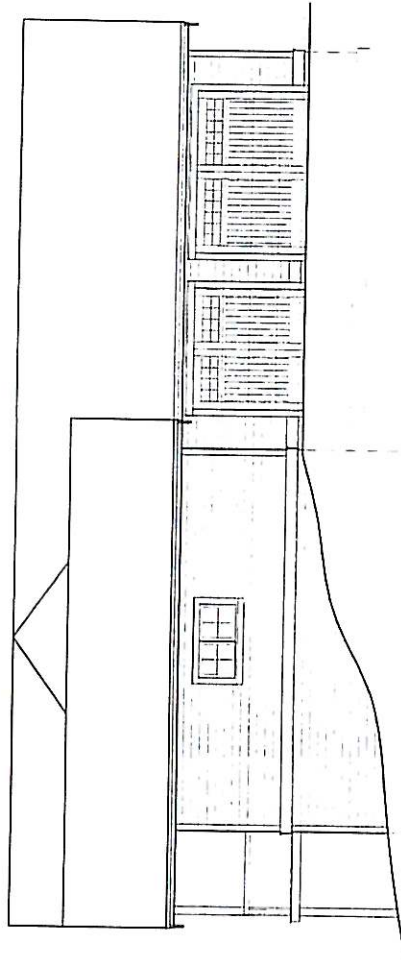


1 SOUTH EXTERIOR ELEVATION



1 NORTH EXTERIOR ELEVATION

1/8" = 1'-0"



2 WEST EXTERIOR ELEVATION

1/8" = 1'-0"

BUILDING SECTIONS  
AND DETAILS

NEW GARAGE AND REMODEL  
SCHULER RESIDENCE  
518 LAKESHORE ROAD  
KELDYNA, B.C.

PROJECT NO.  
01-06-07

DATE  
01-06-07

SCALE  
1/8" = 1'-0"

0106