CITY OF KELOWNA

MEMORANDUM

Date: January 10, 2008

To: City Manager

From: Planning and Development Services Department

APPLICATION NO. DVP07-0272 **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 1.86 M PROPOSED

EXISTING ZONE: RR2 – RURAL RESIDENTIAL 2

REPORT PREPARED BY: PAUL MCVEY

1.0 RECOMMENDATION

THAT Council authorize the issuance of Development Variance Permit No. DVP07-0272 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 1.86m proposed,

2.0 SUMMARY

The applicant currently has a 1 ½ storey home on the subject property. The applicant had a Development Variance Permit granted to reduce the west side yard to 1.7m and the south front yard to 3.0m. to accommodate the construction of a building addition to the existing dwelling.

Since the time of the original application, the building plan has been modified. However, that modification placed one corner of the new garage portion closer to Lakeshore Road, that the previous variance permitted.

This new Development Variance Permit application seeks to vary the front yard setback to one corner of the proposed garage from 3.5m previously authorized to 1.86m proposed.

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

CRITERIA	PROPOSAL	RU1 ZONE REQUIREMENTS
Lot Area (m^2)	1,326 m^2 ❶	10,000m^2 if no community sewer 4,000 m^2 if sewer available
Lot Width (m)	32.9m ❶	36.0m
Lot Depth (m)	35m	30.0m
Setbacks		
Front Yard (Lakeshore Rd.)	1.86m❷	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 1.86 m proposed
❸ Vary west side yard from 3.0 m to 1.5 m proposed approved by DVP06-0161

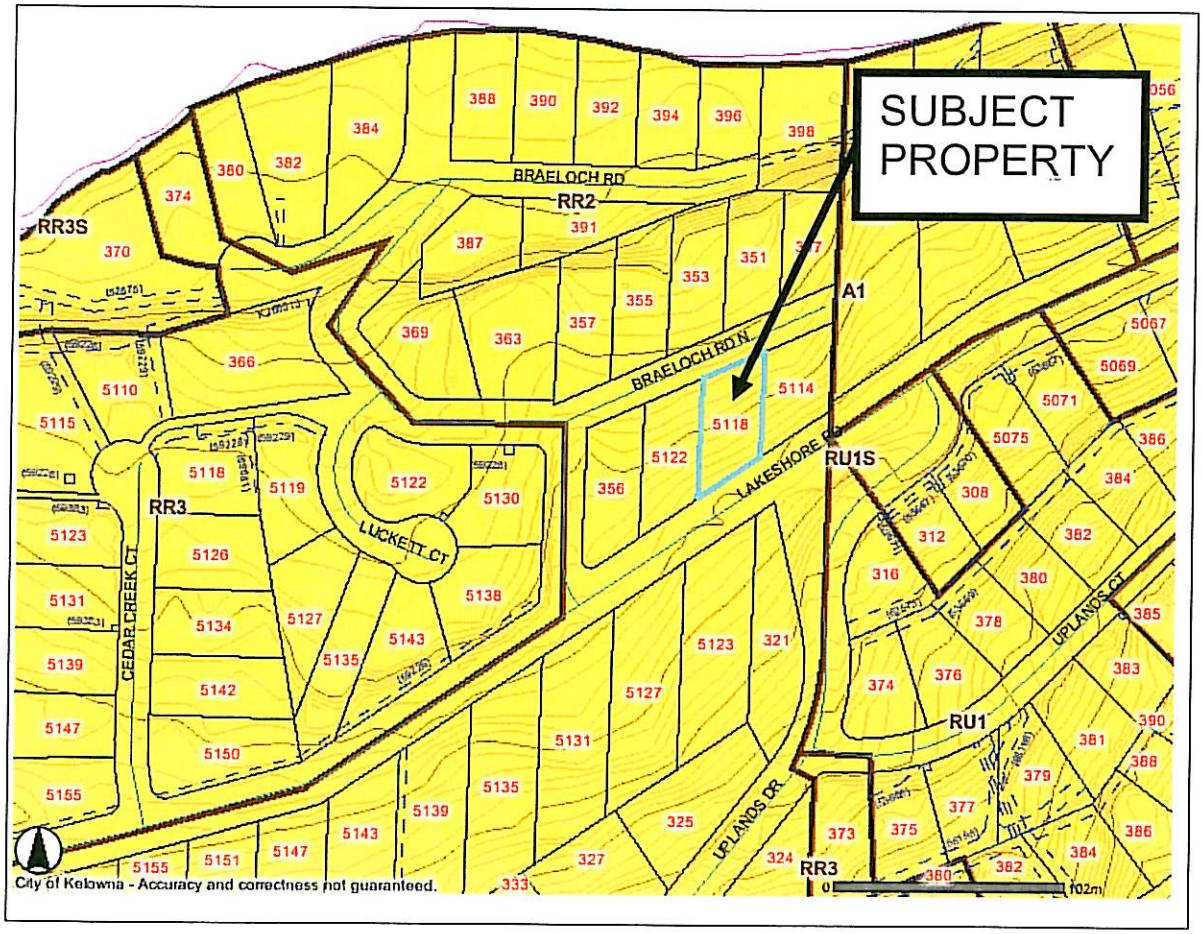
2.2 Site Context

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



3.0 TECHNICAL COMMENTS

The application has been circulated to various technical agencies and City departments and the following relevant comments which have been submitted are attached to this report.

4.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The previously approved variance did not create concern from the neighbourhood. As well, the applicant has received support for this new application from the affected neighbours.

There is a substantial grade difference between the elevation of the garage floor, and Lakeshore Road. As the road is higher than the building in this location, there will only be a portion of the roof visible from the road.

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

Shelley Gambacort
Current Planning Supervisor

PMc/pmc

Application received November 13, 2007

CITY OF KELOWNA

MEMORANDUM

Date:	December 13, 2007
File No.:	DVP07-0272
To:	Planning and Development Officer (PM)
From:	Development Engineering Manager (SM)
Subject:	5118 Lakeshore Road, Lot 15, Plan 9531, Sec 23, Twp 28, District ODYD

The application to vary the front yard setback from 6.0m to 1.9m does not compromise Works & Utilities servicing requirements.

Steve Muenz, P. Eng.
Development Engineering Manager

DC

File: DVP07-0272

Application

File: DVP07-0272 Type: DEVP VARIANCE PERMIT - NON APC

File Circulation

Seq	Out	In	By	Comment
	B.C. Assessment Authority (info only)			
	2007-11-13	2007-11-13		
	Fire Department			No comment
	2007-11-13	2007-12-11	MNEID	
	Inspections Department			No concerns
	2007-11-13	2007-11-19	RREADY	
	Parks Manager			No comment
	2007-11-13	2007-11-20	TBARTON	
	Works & Utilities			
	2007-11-13	2007-12-17		

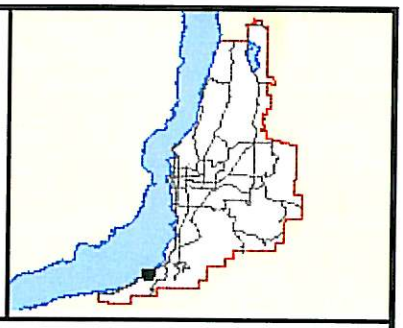
** End of Report **

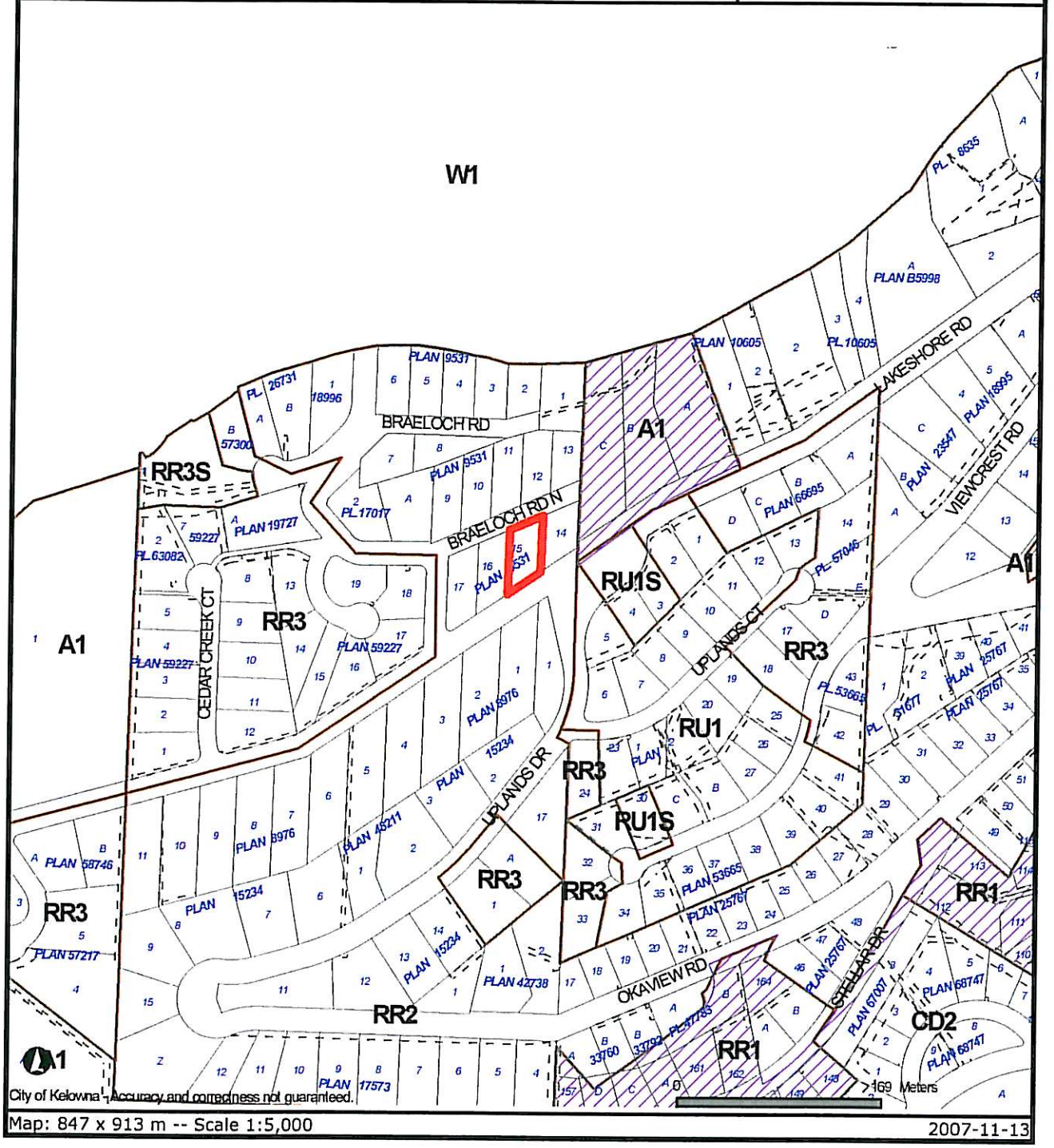
Application

DVP07-0272

5118 LAKESHORE ROAD

Subject Property





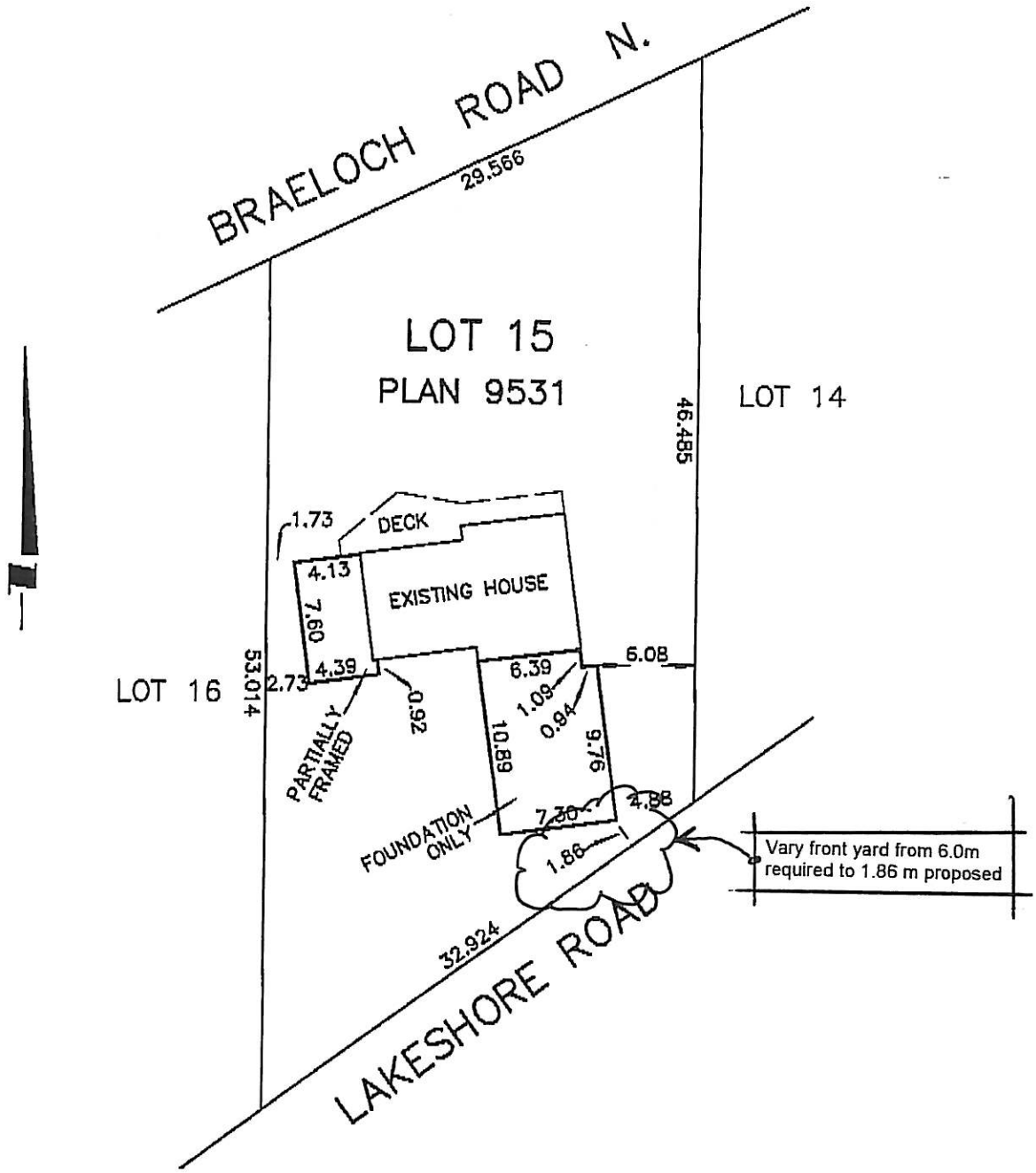
Map: 847 x 913 m -- Scale 1:5,000

2007-11-13

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.

B.C. LAND SURVEYORS CERTIFICATE OF LOCATION ON LOT 15, PLAN 9531, SECTION 23, TOWNSHIP 28, SDYD

5118 LAKESHORE ROAD



I HEREBY CERTIFY THAT THE ABOVE SKETCH SHOWS THE REGISTERED DIMENSIONS OF THE ABOVE DESCRIBED PROPERTY AND RELATIVE LOCATION OF THE BUILDINGS THEREON.

B.C.L.S., C.L.S.

THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED

THIS PLAN IS FOR THE USE OF THE BUILDING INSPECTOR AND/OR MORTGAGEE ONLY AND IS NOT TO BE USED FOR THE RE-ESTABLISHMENT OF PROPERTY BOUNDARIES.

CLIENT: ALLAN SCHULER	
DATE: DECEMBER 17th, 2007	T.E. Ferguson Land Surveying Ltd.
SCALE: 1:400 METRES	B.C. AND CANADA LAND SURVEYORS 216-1626 RICHTER STREET, KELOWNA, B.C.
FILE: 17122.1	TELEPHONE: (250) 763-3115
©T.E. FERGUSON LAND SURVEYING LTD.	FAX: (250) 763-0321

New Garage and Addition for Schuler Residence

GENERAL NOTES AND SAFETY

1. ARCHITECT/ENGINEER SHALL NOT BE RESPONSIBLE FOR THE MEANS, METHODS, TECHNIQUES, SEQUENCES OR PROCEDURES OF CONSTRUCTION SELECTED BY CONTRACTOR.

2. THE CONTRACTOR WILL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS OF THE JOB SITE INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK. THIS REQUIREMENT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS. WHEN ON SITE, THE ARCHITECT/ENGINEER IS RESPONSIBLE FOR HIS OWN SAFETY BUT HAS NO RESPONSIBLY FOR THE SAFETY OF OTHER PERSONNEL OR SAFETY CONDITIONS AT THE SITE.

3. CONTRACTOR AND HIS AGENT(S) SHALL VERIFY ALL INFORMATION AND DIMENSIONS CONTAINED WITHIN THESE CONSTRUCTION DOCUMENTS. CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS, INCLUDING BUILDINGS, SITE CONDITIONS, AND SOIL BEARING PRESSURE. ALL ERRORS, OMISSIONS, AND INCONSISTENCIES ARE TO BE REPORTED TO THE ARCHITECT/ENGINEER BEFORE PROCEEDING WITH THE WORK. FAILURE TO DO SO WILL RELEASE THE ARCHITECT/ENGINEER OF ALL RESPONSIBILITY. ANY CHANGES FROM THESE DOCUMENTS IS THE RESPONSIBILITY OF THE CONTRACTOR. THESE DRAWINGS ARE NOT TO BE SCALED. IF INSUFFICIENT INFORMATION EXISTS, CONTACT THE ARCHITECT/ENGINEER FOR CLARIFICATION BEFORE PROCEEDING WITH THE WORK.

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DESIGN

1. THE STRUCTURE IS DESIGNED FOR ALL APPLICABLE DEAD AND LIVE LOADS (SEE STRUCTURAL DRWGS) AND THE FOLLOWING SNOW AND WIND LOADS

SNOW LOADS
BASED ON 60PSF, GROUND SNOW LOAD
SNOW EXPOSURE FACTOR Ce=1.0
THERMAL FACTOR Ct=1.1
IMPORTANCE FACTOR I=1.0 & DRIFTING CONDITIONS
WIND LOADS
BASED ON 3 SECOND GUST WIND SPEED=90MPH
EXPOSURE B
IMPORTANCE FACTOR I=1.0

WATER TABLE NOTE

CONTRACTOR IS RESPONSIBLE FOR LOCATING AND VERIFYING LOCATION OF SITE WATER TABLE. IF THE WATER TABLE IS NOT SUITABLE FOR THE BASEMENT AND FOUNDATION PLANS AS DRAWN, THE CONTRACTOR MUST NOTIFY THE ARCHITECT AND THE OWNER IMMEDIATELY.

DEMOLITION NOTE

1. DEMOLITION AND REMOVAL OF ALL EXISTING VEGETATION WILL BE THE RESPONSIBILITY OF THE CONTRACTOR (VERIFY WITH OWNER/ARCHITECT).

2. CONTRACTOR WILL BE RESPONSIBLE FOR REPAIRING ANY DAMAGE DONE TO EXISTING STRUCTURES. REPAIRING/PATCHING SHALL MATCH EXISTING.

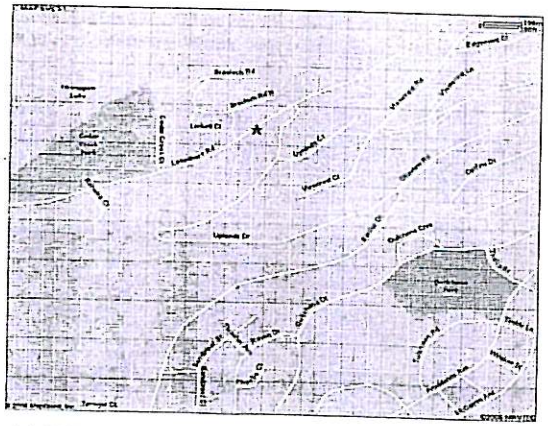
GENERAL SITEWORK NOTES

1. SUBCONTRACTORS MUST VISIT THE SITE TO EXAMINE & VERIFY CONDITIONS UNDER WHICH THEIR WORK WILL 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. TREES, STUMPS, ROOTS, CONSTRUCTION DEBRIS, TRASH & BRUSH TO BE DISPOSED OFF SITE. DO NOT STORE OR PERMIT DEBRIS TO ACCUMULATE ON SITE.
6. STOCKPILE AND REUSE ALL TOPSOIL SUITABLE FOR FINISH GRADING. MAINTAIN STOCKPILE IN A MANNER WHICH WILL NOT OBSTRUCT NATURAL FLOW OF DRAINAGE.
7. VERIFY GRADE AND FINISH FLOOR ELEVATIONS WITH ARCHITECT.
8. FINISH GRADING – 6" MIN. TOPSOIL (BLACKDIRT) HAND RAKED, READY FOR LANDSCAPING
9. LANDSCAPE DESIGN, SPECIFICATION, AND INSTALLATION TO BE THE RESPONSIBILITY OF THE OWNER.

SITE DESCRIPTION:

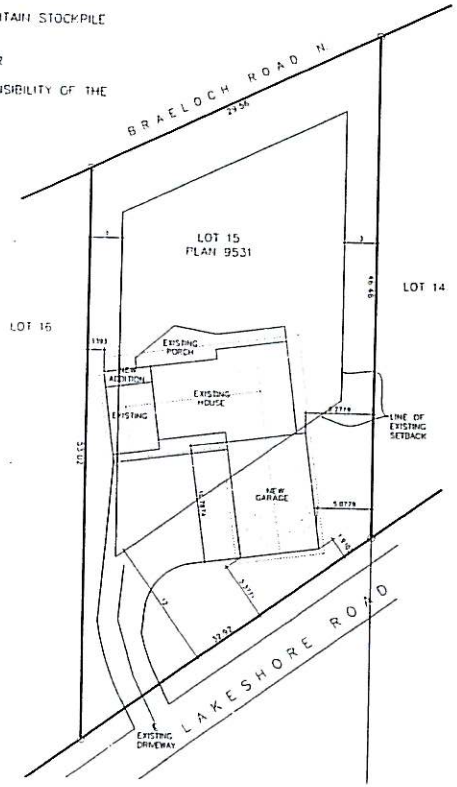
Lot 15, Plan 9531, Section 23, Township 28, S.D.Y.D
SUBJECT TO easements and restrictions of record

INDEX OF DRAWINGS



VICINITY MAP

SCALE: N.T.S.



SITE PLAN

SCALE: 1:200 meters

COVER SHEET AND SITE PLAN

NEW GARAGE AND REMODEL
SCHULER RESIDENCE
3118 LAKESHORE ROAD
KELOWNA, B.C.

presentation ☒ to public and council
construction ☐
Final record ☐

revisions
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date 10-25-07

sheet no. A1.0

file number 0106

GENERAL NOTES

1. CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND CONDITIONS AT THE SITE PRIOR TO SUBMITTING A BID OR PROCEEDING WITH ANY PORTION OF WORK.

2. WHENEVER QUESTIONS ARISE OR CONDITIONS ARE ENCOUNTERED WHICH ARE NOT COVERED OR ARE IN CONFLICT WITH THE CONTRACT DOCUMENTS, CONSULT W/ THE ARCHITECT OR OF TO TAKING ANY FURTHER ACTION.

3. ALL DIMENSIONS ARE FACE OF STUD TO FACE OF STUD OR FACE OF MASONRY TO FACE OF MASONRY UNLESS NOTED OTHERWISE.

GENERAL CONSTRUCTION AND SAFETY

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5. VERIFY LOCATIONS AND ACCESS OF ALL UTILITIES ON SITE WITH ARCHITECT AND OWNER.

6. CLEAR ALL TREES AND OTHER VEGETATION WITHIN BUILDING AREA. GRUB OUT ALL STUMPS 12" AND LARGER TO 12" BELOW EXISTING GRADE OR SUB-GRADE OF NEW GRADED SURFACE.

7. BARRICADE ALL TREES TO REMAIN WITHIN THE IMMEDIATE AREA.

8. STOCKPILE AND REUSE ALL TOPSOIL SUITABLE FOR FINISH GRADING. MAINTAIN STOCKPILE IN A MANNER WHICH WILL NOT OBSTRUCT NATURAL FLOW OF DRAINAGE.

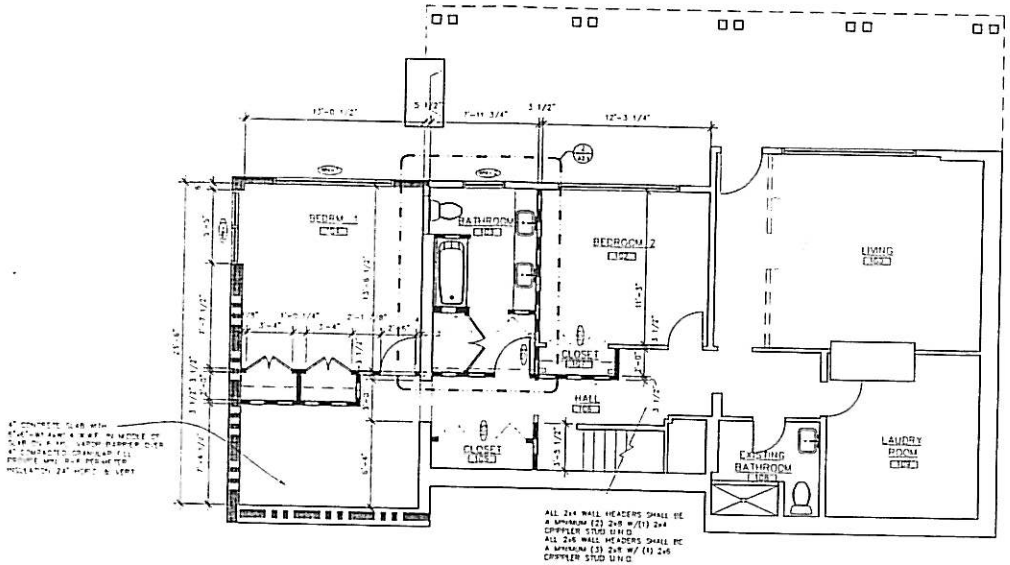
9. FINISH GRADING 4" MIN. TOPSOIL (BLACK DIRT) HAND RAKED.

WALL TYPES

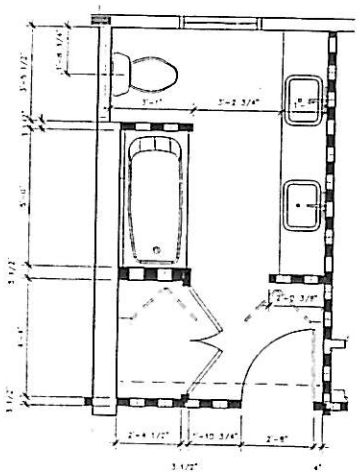
WALL TO BE DEMOLISHED

NEW 2X4 WOOD FRAME WALL 1 LAYER OF 5/8" GYP. BD. EA. SIDE

NEW POURED CONCRETE FOUNDATION WALL



1 / A2.1 FIRST FLOOR PLAN
SCALE 1/4" = 1'-0"



2 / A2.1 ENLARGED FLOOR PLAN
SCALE 1/2" = 1'-0"

FIRST FLOOR PLAN

NEW GARAGE AND REMODEL
SCHULER RESIDENCE
5118 LAKESHORE ROAD
KELOWNA, BC

presentation to public and council ☒
construction ☒
final record ☐

revisions
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date 10-25-07

sheet no. A2.1

file number 0106

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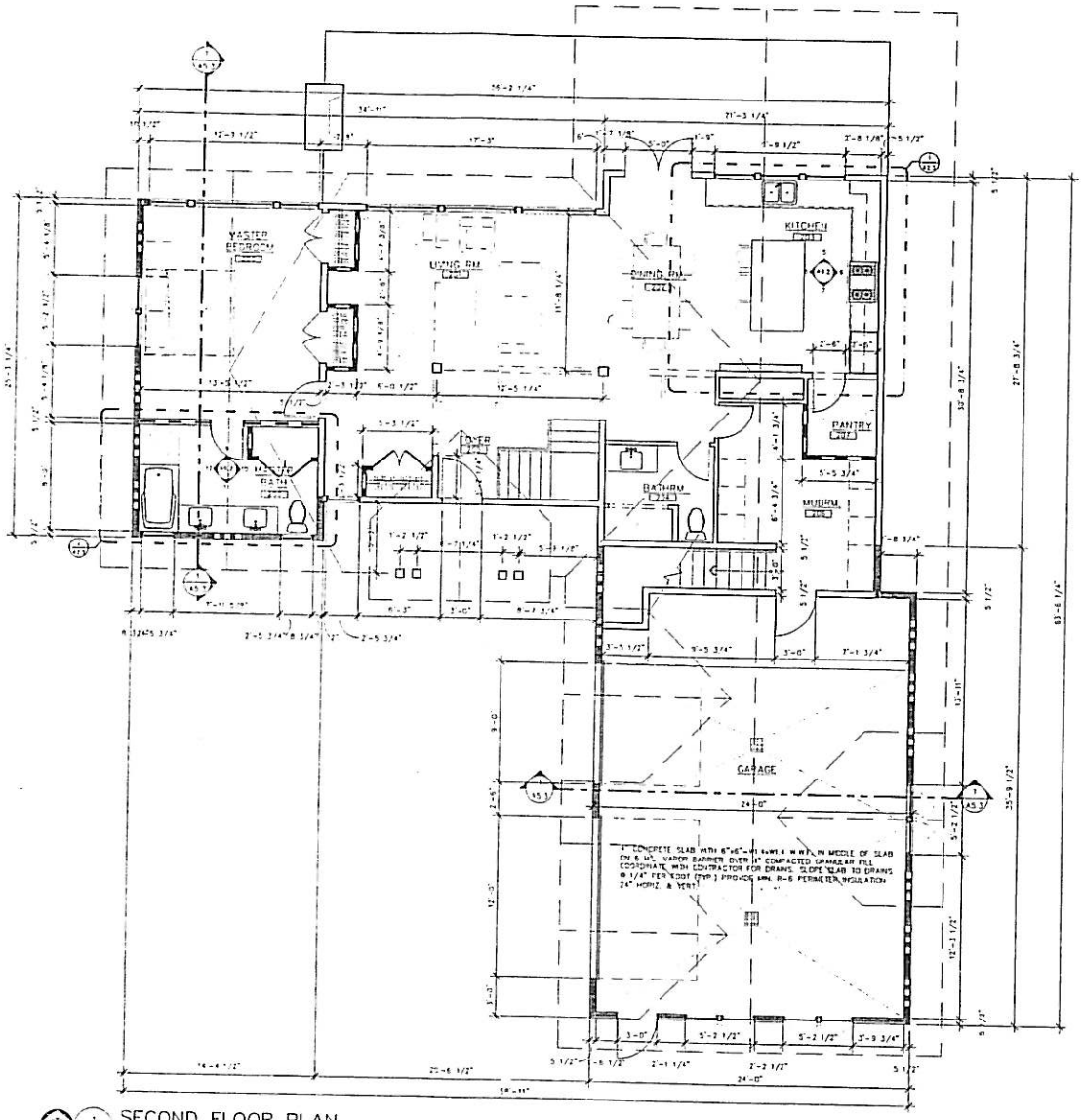
9. FINISH GRADING: 6" MIN. TOPSOIL (TRUCK CHEAT) MAXIMUM GRADE.

WALL TYPES

- WALL TO BE DEMOLISHED
- NEW 2X6 WOOD FRAME WALL 1 LAYER OF 5/8" GYP. BD. EA. SIDE
- NEW 2X4 WOOD FRAME WALL



SECOND FLOOR PLAN
SCALE: 1/4"=1'-0"

SECOND FLOOR PLAN

NEW GARAGE AND REMODEL
SCHULER RESIDENCE
3119 LAKESHORE ROAD
KELOWNA, BC

presentation to public and council ☒
construction ☐
final record ☐

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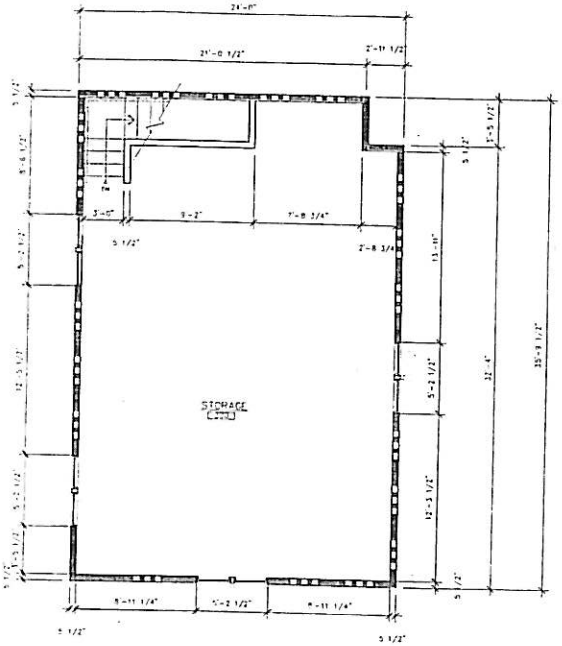
WALL TYPES

WALL TO BE DEMOLISHED

NEW 2x6 WOOD FRAME WALL 1 LAYER 1/2" GYP. BD. EA. SIDE

NEW 2x6 WOOD FRAME WALL



A2.3 THIRD FLOOR PLAN
SCALE 1/4"= 1'-0"

THIRD FLOOR PLAN

NEW GARAGE AND REMODEL
SCHULER RESIDENCE
3119 LAKESHORE ROAD
KELOWNA, BC

presentation ☒ to public and council
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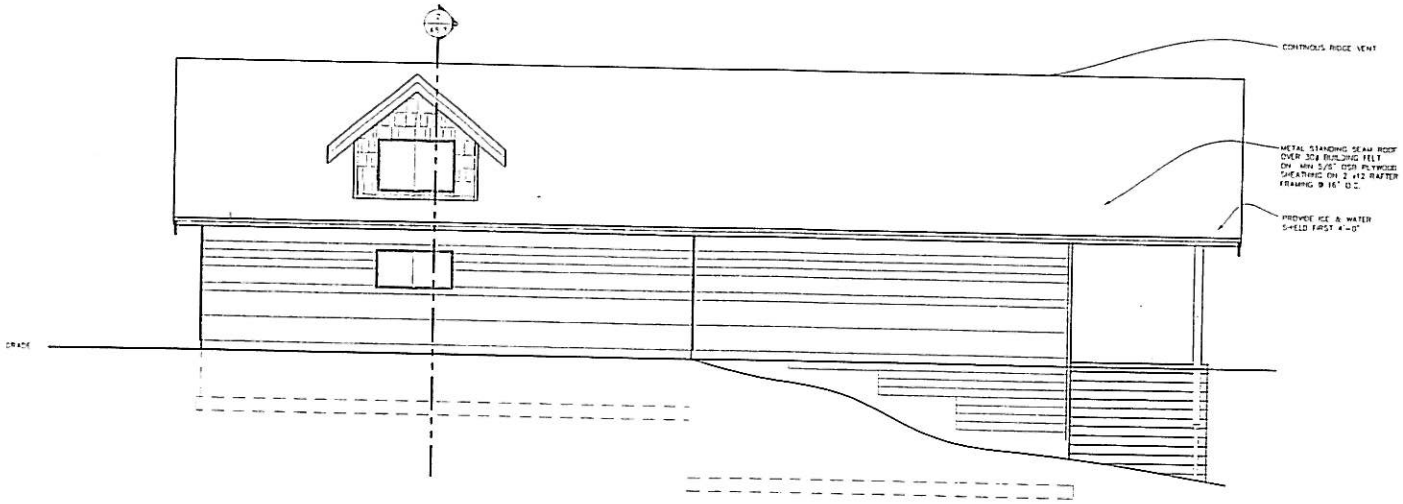
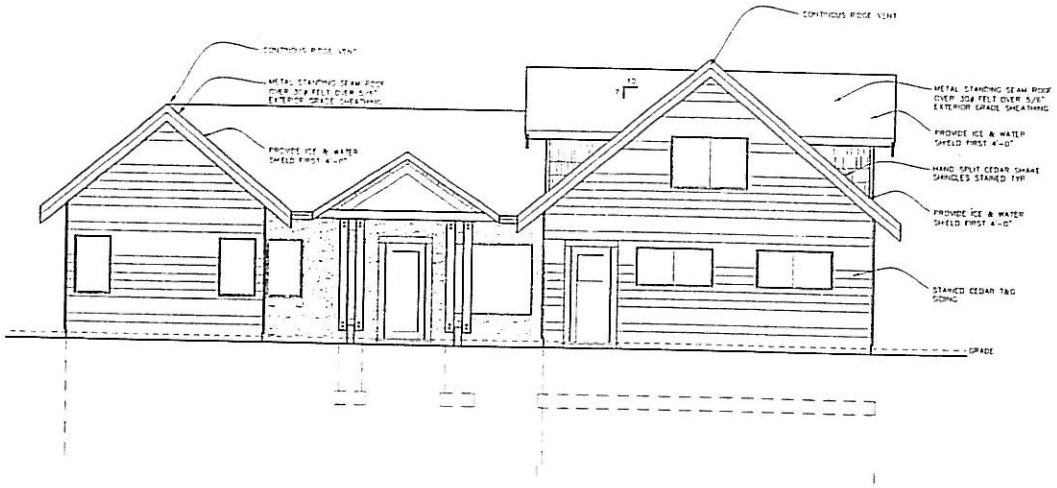


7 / A5.1 EAST EXTERIOR ELEVATION
SCALE: 1/4"= 1'-0"



1 / A5.1 SOUTH EXTERIOR ELEVATION
SCALE: 1/4"= 1'-0"

BUILDING ELEVATIONS

NEW GARAGE AND REMODEL
SCHULER RESIDENCE
5110 LAKESHORE ROAD
KELOWNA, B.C.

presentation ☒
to public and council
construction ☒
final record ☐

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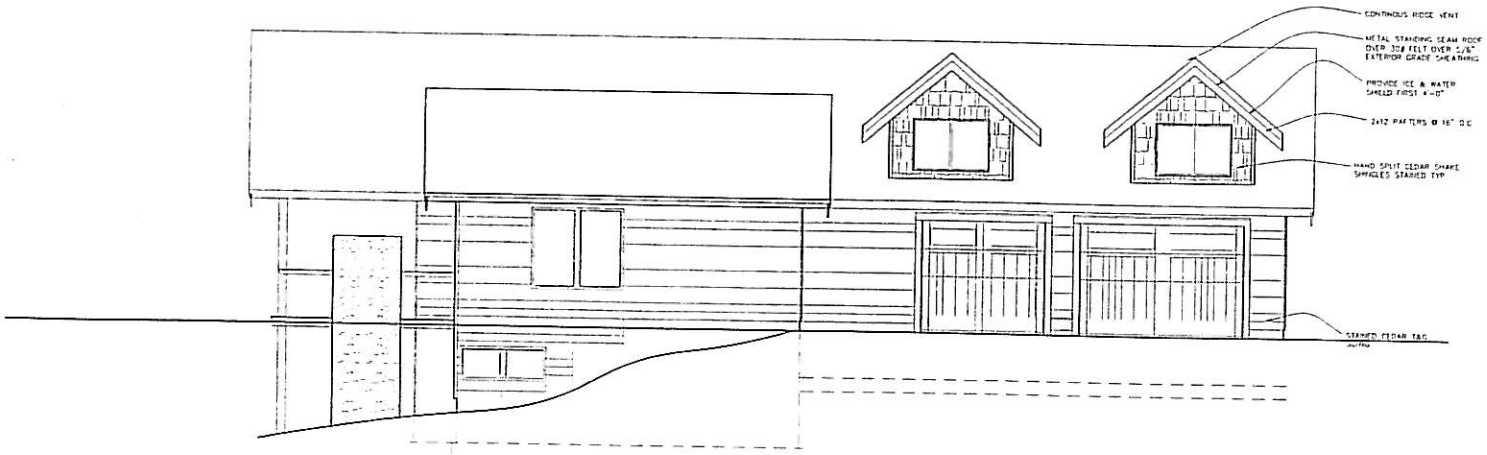
4.

date
10-25-07

sheet no.
A5.1

file number
0106

7 / A5.2 NORTH EXTERIOR ELEVATION
SCALE 1/4"= 1'-0"



1 / A5.2 WEST EXTERIOR ELEVATION
SCALE 1/4"= 1'-0"

BUILDING ELEVATIONS

NEW GARAGE AND REMODEL
SCHULER RESIDENCE
5110 LAKESHORE ROAD
KELOWNA, B.C.

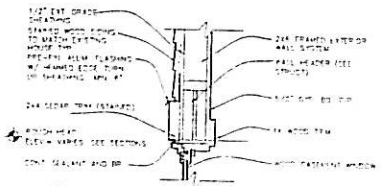
presentation to public and council ☑
construction ☑
final record ☐

revisions
A
B
C
D

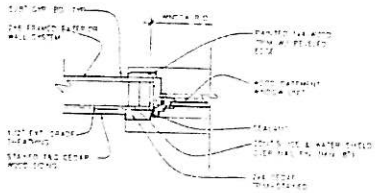
date
10-25-07

sheet no.
A5.2

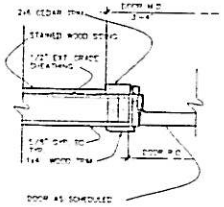
file number
0106



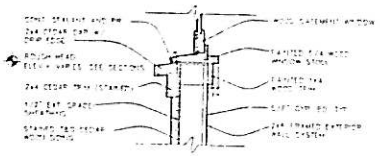
TYP. WINDOW HEAD



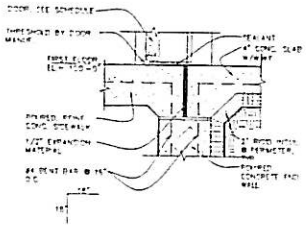
TYP. WINDOW JAMB



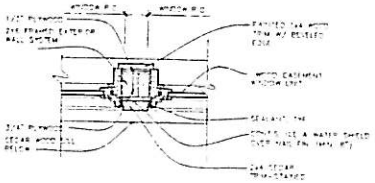
TYPICAL DOOR JAMB



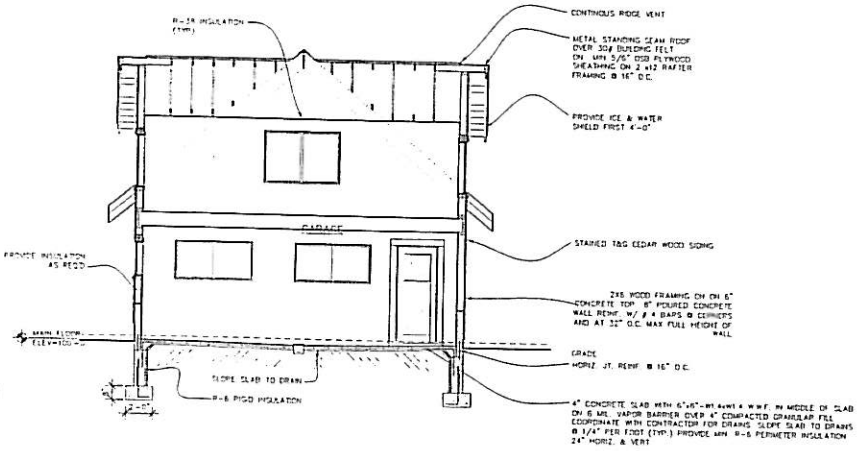
TYP. WINDOW SILL



TYPICAL THRESHOLD



TYP. WINDOW MULLION



BUILDING SECTION

BUILDING SECTION AND DETAILS

NEW GARAGE
SCHULER RESIDENCE
5169 LAKESHORE ROAD
KELOWNA, B.C.

preliminary ☐
construction ☒
final record ☐

revisions
A
B
C
D

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A5.3

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0106