

# Memo



**Date:** February 23, 2010  
**To:** City Manager  
**From:** Community Sustainability Division  
**File No:** DVP10-0012                      **Applicant:** Henry Thalheimer  
**At:** 1023 Borden Avenue                      **Owner(s):** Henry & Marilyn Thalheimer

**Purpose:** TO VARY THE REQUIRED EAST SIDE YARD SET BACK FOR A 1 STOREY PORTION OF A SINGLE FAMILY RESIDENCE FROM 2.0 M TO 1.08 M PROPOSED.

**Existing Zone:** RU6 - Two Dwelling Housing Zone

Report Prepared by: Birte Decloux

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## 1.0 RECOMMENDATION:

THAT Council authorize the issuance of Development Variance Permit No. DVP10-0012 for Strata Lot 1, District Lot 138, Osoyoos Division Yale District Strata Plan KAS1881 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form 1 located at Borden Avenue, Kelowna, B.C.

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

Section 13.6.6(d) minimum side yard

To vary the required east side yard set back from 2.0m required to 1.08m proposed per Schedule 'A'.

## 2.0 SUMMARY:

The applicant is seeking to vary the east side yard setback in order to enclose a stair case that leads to the basement of an existing dwelling.

## 3.0 BACKGROUND:

The existing single family dwelling has an exterior staircase which is exposed to the elements and depending on the weather, can fill with various types of debris. The applicant would like to enclose the staircase and provide an exterior door. In doing so, the applicant feels that the stairwell will be safer as it is the only exterior exit to the basement level of the dwelling.

### 3.1 Site Context

The subject property is located on the south side of Borden Avenue in the Central City sector of Kelowna. Adjacent zones and uses in all directions are:

West RU6 - Two Dwelling Housing  
 North RU6 - Two Dwelling Housing  
 South RU6 - Two Dwelling Housing  
 East RU6b - Two Dwelling Housing with Boarding or Lodging House

### 3.2 Site Location Map

Subject Property: 1023 Borden Avenue



## 4.0 TECHNICAL COMMENTS

The application has been submitted to various technical agencies and City departments, and the following relevant comments have been submitted:

### 4.1 Development Engineering Services

The proposed variance does not compromise any municipal services.

### 4.2 Building and Permitting

Building permit required.

### 4.3 Fire Department

No objections

5.0 LAND USE MANAGEMENT DEPARTMENT

The applicant has submitted letters of support from the adjacent neighbours, indicating that they do not object to the proposed variance. The proposed enclosure of the existing stairwell modestly expands the footprint of the building, however, it contributes to the overall safety for exiting the basement in all weather conditions. Currently, there are two existing east facing windows that will be covered by the enclosure. By eliminating these windows the proposed enclosure increases the privacy of the neighbour. It is anticipated that the change to the side yard set back from 2.0m required to 1.08m proposed will have little, if any impact, and this variance request is considered very minor in nature.



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Danielle Noble  
Manager, Urban Land Use

Approved for inclusion:

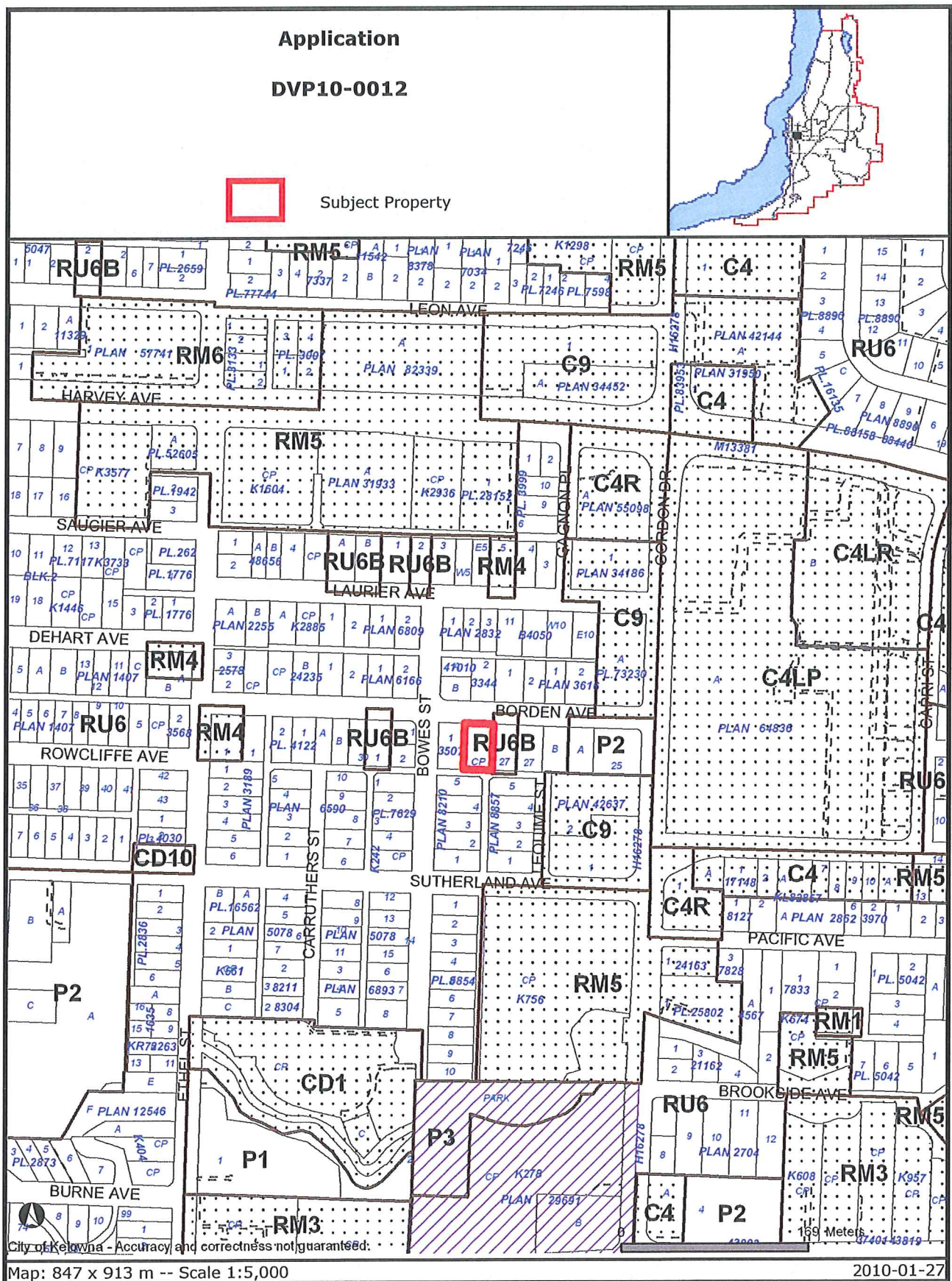


Shelley Gambacort  
Director, Land Use Management

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**Attachments:**  
Subject Property Map  
Site Plan  
Letter of rationale





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.

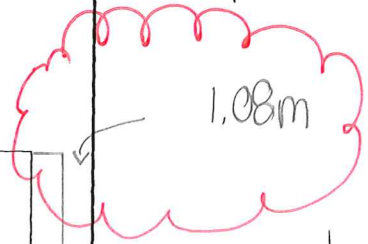
BORDEN AVENUE

Front

25.912



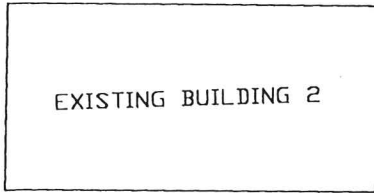
LOT 1  
PLAN KAS1881



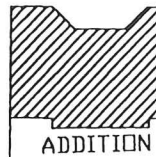
41.476

EXISTING  
BUILDING 1

41.416



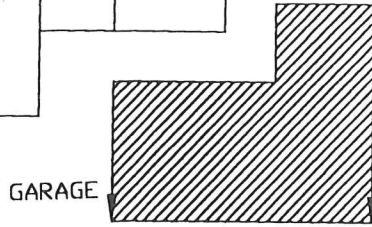
CP



2.050

2.037

2.046



2.049

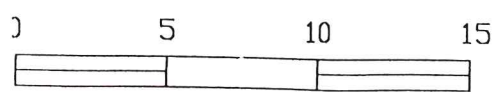
1.502

1.515

25.908

LANE

ATTACHMENT A



SCALE 1:250

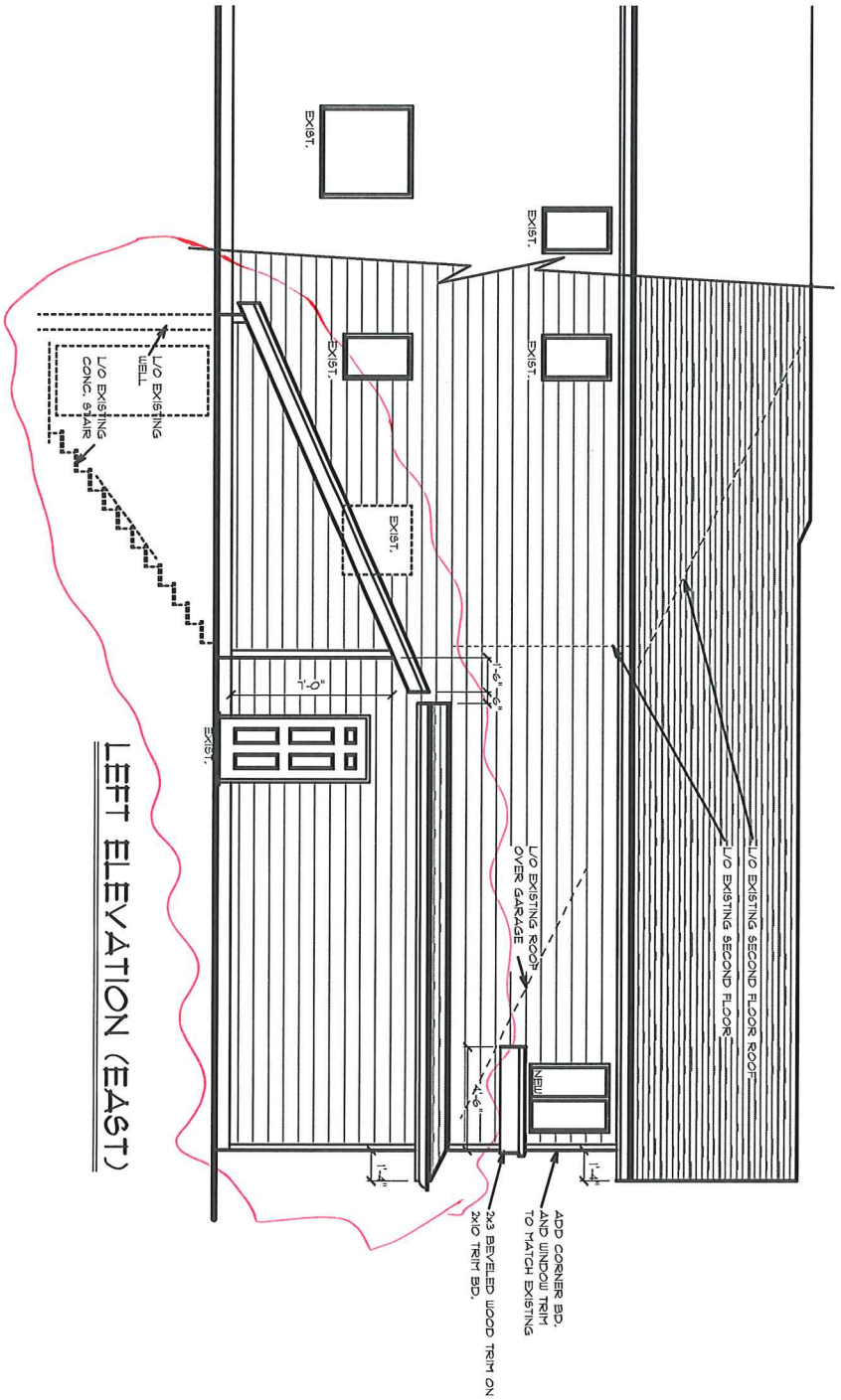
ALL DISTANCES IN METRES  
AND DECIMALS THEREOF

3.281

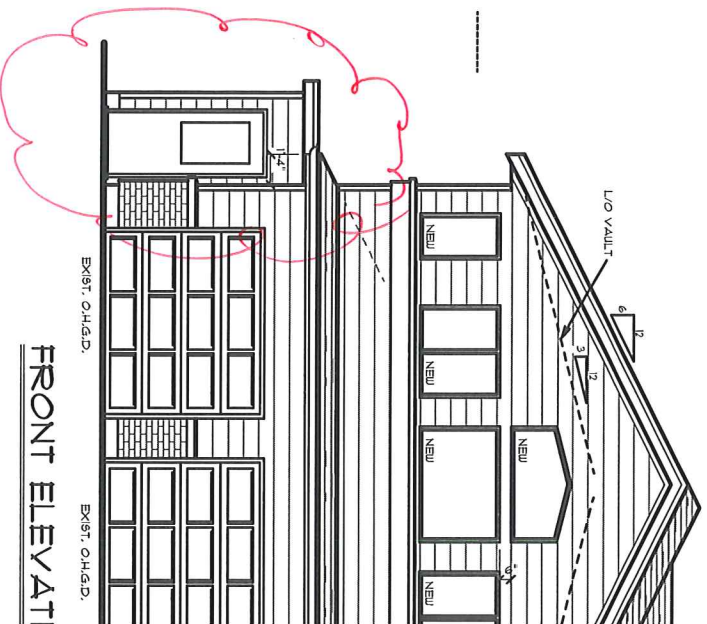
CIVIC ADDRESS  
#1023 BORDEN AVENUE  
KELOWNA, B.C.



# ADDITION FOR HENRY THALHEIMER



LEFT ELEVATION (EAST)



FRONT ELEVATI



Photo of existing stairwell





Photo of existing  
stair well





Photo of existing  
stairwell

