

Development Variance Permit DVP21-0216



This permit relates to land in the City of Kelowna municipally known as

5147 Lakeshore Road

and legally known as

for Lot 7 Section 23 Township 28 SDYD Plan 8976

and permits the land to be used for the following development:

Single Dwelling House (RR2– Rural Residential 2)

The present owner and any subsequent owner of the above described land must comply with any attached terms and conditions.

Date of Council Decision February 8, 2022

Decision By: COUNCIL

Existing Zone: RR2– Rural Residential 2

Future Land Use Designation: S-RES - Suburban - Residential

This is NOT a Building Permit.

In addition to your Development Permit, a Building Permit may be required prior to any work commencing. For further information, contact the City of Kelowna, Development Services Branch.

NOTICE

This permit does not relieve the owner or the owner's authorized agent from full compliance with the requirements of any federal, provincial or other municipal legislation, or the terms and conditions of any easement, covenant, building scheme or agreement affecting the building or land.

Owner: Mark J. Walker & Francine C. Walker

Applicant: Urban Options Planning Corp.

Terry Barton
Development Planning Department Manager
Planning & Development Services

Date

ATTACHMENT	A
This forms part of application	
# DVP21-0216	
Planner Initials	GA
City of Kelowna DEVELOPMENT PLANNING	

1. SCOPE OF APPROVAL

This Development 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 Development 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.

The issuance of a permit limits the permit holder to be in strict compliance with regulations of the Zoning Bylaw and all other Bylaws unless specific variances have been authorized by the Development Permit. No implied variances from bylaw provisions shall be granted by virtue of drawing notations that are inconsistent with bylaw provisions and that may not have been identified as required Variances by the applicant or Municipal staff.

2. CONDITIONS OF APPROVAL

That variances to the following section of the Zoning Bylaw No. 8000 be granted in accordance with Schedule "A":

Section 12.2.6(d): RR2 –Rural Residential 2, Development Regulations

To vary the required minimum side yard from 3.0 m permitted to 1.7 m proposed.

This Development Permit is valid for two (2) years from the date of approval, with no opportunity to extend.

3. INDEMNIFICATION

Upon commencement of the works authorized by this Permit the Developer covenants and agrees 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 said Permit.

All costs, expenses, claims that may be incurred by the Municipality where the construction, 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.

**The PERMIT HOLDER is the CURRENT LAND OWNER.
Security shall ONLY be returned to the signatory of the
Landscape Agreement or their designates.**

SITE PLAN DETAIL

SCHEDULE A

This forms part of application

DVP21-0216



City of

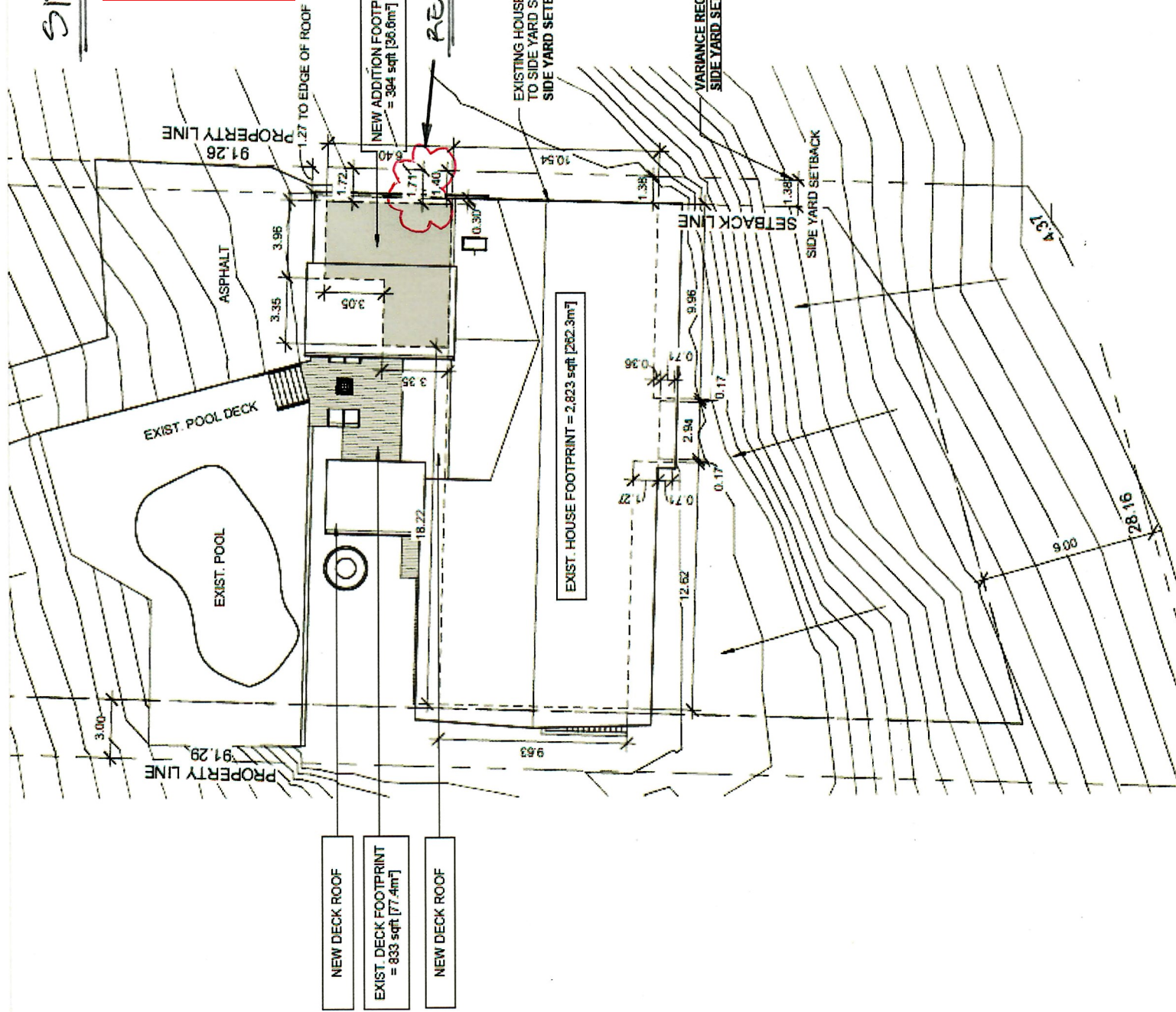
Kelowna

DEVELOPMENT PLANNING

Planner

Initials

GA



GENERAL ZONING AND SITE INFORMATION

- CMC ADDRESS: 5147 LAKESHORE RD.
- LEGAL PLAN 8978, LOT 7
- ZONE: RR2 - RURAL RESIDENTIAL 2
- AUTHORITY: CITY OF KELOWNA
- TOTAL LOT AREA: 28,922sqft [2,777.8m²]
- MAXIMUM SITE COVERAGE: 5,984sqft [556.6m²] (20%)

SITE CONSTRAINTS

- FRONT YARD SETBACK: 6.0m
- REAR YARD SETBACK: 9.0m & 3.0m (ACCESSORY BUILDINGS)
- SIDE YARD SETBACK: 3.0m & 4.5m FOR FLANKING STREET
- MAXIMUM HEIGHT OF MAIN HOUSE: 9.5m (2.5 STOREY)

SITE COVERAGE

- + EXISTING DECK FOOTPRINT: 818sqft [76.1m²]
- + EXISTING HOUSE FOOTPRINT: 2,823sqft [262.3m²]
- + PROPOSED ADDITION FOOTPRINT: 394sqft [36.6m²]
- = TOTAL PROPOSED SITE COVERAGE: 4,036sqft [375.0m²] (13.5%)

FLOOR AREAS

- + EXISTING MAIN FLOOR AREA: 2,823sqft [262.3m²]
- + MAIN FLOOR ADDITION AREA: 307sqft [28.5m²]
- = TOTAL PROPOSED MAIN FLOOR AREA: 3,130sqft [290.8m²]



September 1, 2021

City of Kelowna
Urban Planning Department
1435 Water Street
Kelowna, BC

Development Variance Permit Application to Allow for the Construction of a Studio Addition at 5147 Lakeshore Road

Dear Planning Staff;

The purpose of this application is to secure a Development Variance Permit to allow for a 36.6m² addition to the front of the dwelling, located at the east side of the house. This single storey addition is to provide space for a jewellery studio and a painting studio, as well as a reconfiguration of the front entry. The dwelling located on this property was constructed in 1964. The existing siting of certain portions of the dwelling have been non-conforming since that time.

At the time, the dwelling was constructed with an east side yard setback of 1.4m from the property line, where the current RR2 – Rural Residential 2 zone requires a 3.0m. The new addition is designed to be located 1.71m from the same side yard, which incorporates a 0.3m step in from the existing building wall. This step increases the setback from the property line in order to reduce the potential impact on the neighbour. This setback also allows for a roof overhang to be incorporated to the addition without impacting the reduced setback.

In conclusion, we believe this Development Variance Permit application will have minimal impact on the neighbouring properties, as the existing dwelling has been located on the property with a non-conforming side yard setback for many years. The proposed addition has been sited 0.3m further away from the property line to reduce potential impact as well.

Regards,

Birte Decloux, RPP MCIP
Urban Options Planning Corp.

ATTACHMENT	B
This forms part of application	
# DVP21-0216	
Planner Initials	GA
City of Kelowna DEVELOPMENT PLANNING	