

# REPORT TO COUNCIL



**Date:** June 12, 2018

**RIM No.** 0940-50

**To:** City Manager

**From:** Community Planning Department (LK)

**Application:** DVP18-0013      **Owner:** OK-Pacific Consulting Services Ltd., Inc. No. BC1097988

**Address:** 1385 McInnes Avenue      **Applicant:** Cannan Consulting Corp.

**Subject:** Development Variance Permit

Existing OCP Designation: S2RES – Single/Two Unit Residential

Existing Zone: RU6 – Two Dwelling Housing

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## 1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP18-0013 for Lot 7 District Lot 137 ODYD Plan 3317, located at 1385 McInnes Avenue, Kelowna, BC;

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

**Section 13.6.5(b): RU6 – Two Dwelling Housing Subdivision Regulations**

To vary the required minimum parcel width from 18.0 m permitted to 15.61 m proposed;

**Section 13.6.6(a): RU6 – Two Dwelling Housing Development Regulations**

To vary the maximum site coverage from 50% permitted to 58.24% proposed.

AND FURTHER THAT this Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

## 2.0 Purpose

To vary the minimum parcel width and the maximum site coverage to facilitate the development of two dwelling housing on the subject property.

## 3.0 Community Planning

Community Planning Staff supports the requested variances to facilitate the development of a semi-detached dwelling on the subject property. Subdivision regulations have a minimum width, depth and area for a parcel containing two dwellings. The subject parcel requires a variance to the minimum width, but meets the minimum required parcel area and the minimum lot depth of 30 m is far surpassed with a 46.51m depth.

The second variance is for the maximum site coverage of building, driveway and parking area of the site. The site coverage maximum ensures that parcels provide a sufficient amount of permeable surface on the site for rainwater management. While adding more hard surfacing, the applicant has somewhat mitigated the permeability issue with the use of paving stones for the driveway and parking area. The increased amount of hard surfacing is due to the parking being oriented to the middle of the site. This orientation ensures the parking is screened from the street and provides a more appealing streetscape that is not dominated by parking.

Council Policy No. 367 with respect to public consultation was undertaken by the applicant and all neighbours within 50 m radius of the subject property.

#### 4.0 Proposal

##### 4.1 Project Description

The subject property on McInnes Avenue proposes to construct a semi-detached dwelling with the unit configuration being one unit in front of the other, attached via a shared party wall. The applicant has brought forth a design that will see the parking located in garages that are oriented towards the interior of the site. This increases the street appeal of the project and lessens the impact of the otherwise car and parking dominated frontages. The shared driveway is located on the west side of the parcel which leads to a courtyard area with access to each units' double car garage. A turnaround stall has been included to ensure the vehicles enter McInnes Avenue in a forward motion rather than backing out onto the street.

Consequently, a site coverage variance has been requested from 50% maximum to 58.64% proposed. The total site coverage includes the building, driveway and parking area. While there is an increase to the amount of hard surface utilized, the applicant is proposing to use paver stones to create a more water permeable surface. The addition of drought tolerant trees and shrubs have been added to aid in the greening of the site.

The second requested variance is to reduce the required parcel width from 18.0 m minimum to 15.67 m proposed. Staff is supportive of this variance as the parcel depth and area meet and surpass the minimum zoning bylaw requirements. The application meets all other zoning bylaw requirements and provides an outdoor amenity space for each of the units. The parking requirements have been met through a design that screens the parking from being visible from the street.

##### 4.2 Site Context

The subject property is located in the Capril Landmark Urban Centre. The parcel is on the south side of McInnes Avenue and is bordered by existing RU6 - Two Dwelling Housing to the east and west, RM1 – Four Dwelling Housing to the north and RU1 – Large Lot Housing to the south.

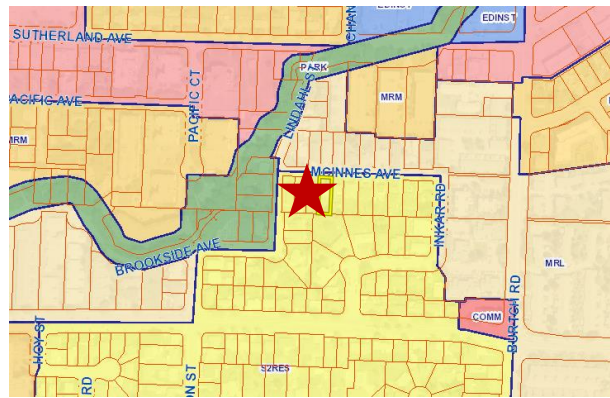
Specifically, adjacent land uses are as follows:

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

Context Map



Future Land Use



Subject Property Map: 1385 McInnes Avenue



#### 4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	700 m <sup>2</sup>	728.81 m <sup>2</sup>
Lot Width	18.0 m	15.67 m <span style="color: red;">❶</span>
Lot Depth	30.0 m	46.51 m
Development Regulations		
Site Coverage (building)	40%	39.89%
Site Coverage (building, driveway & parking)	50%	58.24% <span style="color: red;">❷</span>

Height	9.5 m or 2 ½ storeys	7.74 m & 2 storeys
Front Yard	4.5 m	4.67 m
Side Yard (east)	2.3 m	2.3 m
Side Yard (west)	3.0 m	3.14m
Rear Yard	7.5 m	7.63 m
Other Regulations		
Minimum Parking Requirements	4 stalls	4 stalls
Private Open Space	30 m <sup>2</sup>	+30 m <sup>2</sup>
<p>① Indicates a requested variance to the minimum parcel width from 18.0 m required to 15.61 m proposed.</p> <p>② Indicates a requested variance to the site coverage of building, driveway &amp; parking from 50% maximum to 58.24% proposed.</p>		

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Development Process

**Compact Urban Form.**<sup>1</sup> 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 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.

**Sensitive Infill.**<sup>2</sup> Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height and siting.

**Healthy Communities.**<sup>3</sup> Through current zoning regulations and development processes, foster healthy, inclusive communities and a diverse mix of housing forms, consistent with the appearance of the surrounding neighbourhood.

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

- 1) Demolition Permits required for any existing structures.
- 2) Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
- 3) A third party work order may be required with the Development Engineering Department for an upgraded water line and sewage connection. These requirements are to be resolved prior to issuance of the Building Permit.
- 4) Separate and independent heating systems are required for each unit. These heating units may be required to vent thru the roof depending on distances to windows and air inlets to the building. We recommend that the location of any air conditioners are to be established at this time due to setback limitations.

<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

<sup>3</sup> City of Kelowna Official Community Plan, Policy 5.22.7 (Development Process Chapter).

- 5) This property falls within a defined flood plain area and compliance is required to Mill Creek Bylaw No. 10248 or alternative approval from the subdivision approving officer as per section 5.3 of the bylaw is required prior to issuance of any building permits
- 6) HPO (Home Protection Office) approval or release is required at time of Building Permit application.
- 7) The drawings submitted for Building Permit application are to indicate the method of fire separation between the units.
- 8) Hard surface path required to the front entrances of the Duplex units.
- 9) Full Plan check for Building Code related issues will be done at time of Building Permit applications. Please indicate how the requirements of Radon mitigation and NAFS are being applied to this complex at time of permit application

6.2 Development Engineering Department

- Refer to attached Development Engineering Memorandum dated January 17, 2018.

**7.0 Application Chronology**

Date of Application Received: December 19, 2017

Date Public Consultation Completed: December 31, 2017

**Report Prepared by:** Lydia Korolchuk, Planner

**Reviewed by:** Terry Barton, Urban Planning Manager

**Approved for Inclusion:** Ryan Smith, Community Planning Department Manager

**Attachments:**

Attachment A: Development Engineering Memorandum dated January 17, 2018

Attachment B: Draft Development Variance Permit - DVP18-0013

Schedule A: Site Plan

Schedule B: Conceptual Elevations

Schedule C: Landscape Plan