

REPORT TO COUNCIL



Date: March 15, 2016

RIM No. 0940-50

To: City Manager

From: Community Planning Department (TY)

Application: DVP15-0126

Owner: Lorne P. Pearson

Address: 1981 Cross Road

Applicant: Aplin Martin Consultants Ltd

Subject: Development Variance Permit

Existing OCP Designation: S2RES - Single/Two Unit Residential

Existing Zone: RU2 - Medium Lot Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP15-0126 for Lot 2 Section 4 Township 23 ODYD Plan 10134 Except Plan H8323, located at 1981 Cross Road, Kelowna, BC;

AND THAT a variance to the following section of Zoning Bylaw No. 8000 be granted:

Section 13.2.5 (b): RU2 - Medium Lot Housing Subdivision Regulations

To vary the required minimum lot depth from 30.0 m permitted to 28.5 m (for future Lot 7) and 25.0 m (for future Lot 8) and 27.3 m (for future Lot 10) proposed, as shown on the attached Schedule A.

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

2.0 Purpose

To consider a Development Variance Permit application to vary the minimum lot depth for three lots in a proposed residential subdivision.

3.0 Community Planning

Staff support the requested variance to reduce the minimum lot depth on proposed Lot 7, Lot 8 and Lot 10 from a minimum of 30 m permitted to 28.5 m, 25.0 m and 27.3 m, respectively. The variance is a result of a required City standard cul-de-sac along proposed Road A, the cul-de-sac portion of the new road limits the lot depth achievable on the subject property. Staff do not anticipate any impacts of the lot depth variances outside the subject subdivision. Within the subdivision, Lots 7, 8 and 10 do not disrupt the RU2 zone streetscape as the lot width (frontage) meets the minimum required width. These three lots also meet or exceed the minimum required

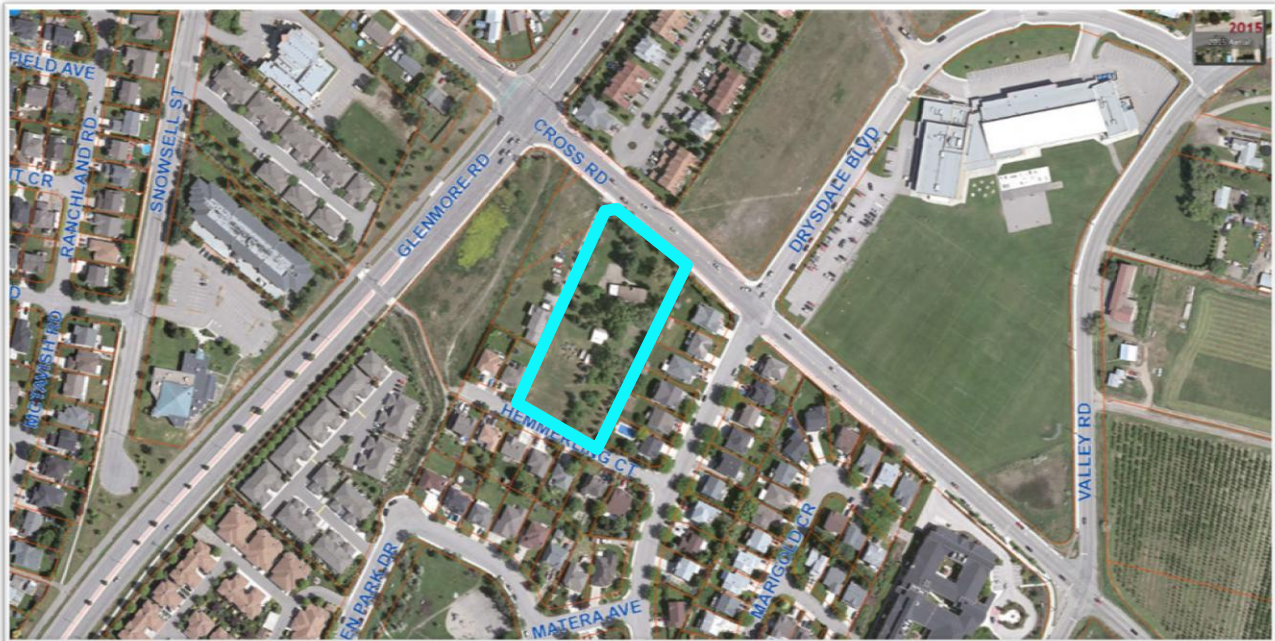
lot area for the RU2 zone. Overall, the proposed subdivision meets Kelowna's Official Community Plan goals of completing suburbs, increasing pedestrian connectivity within neighbourhoods and provides a safe vehicle connection for future development of adjacent parcels in the area.

3.1 Public Consultation

The applicant undertook neighbour consultation by individually contacting neighbouring properties within 50 m. This notification and consultation identified the rezoning and variances required for the 12 lot subdivision and received the following feedback:

- Concerns regarding safety of the proposed road alignment were brought up during the Public Hearing of the rezoning application to the RU2 zone. These concerns were addressed during the hearing, identifying the location of the new Class 2 road connecting to Hemmerling Court, the lesser classification of road instead of Cross Road is the safest approach to access this property.
- No concerns regarding the lot depth variances were identified during this notification and consultation process.

Subject Property Map: 1981 Cross Road



4.0 Proposal

4.1 Background

The applicant recently rezoned the subject property (A15-0030) from the A1 - Agriculture 1 zone to the RU2 - Medium Lot Housing zone to facilitate a 12 lot subdivision for single detached housing. A Preliminary Layout Review (PLR) was issued on December 21st, 2015. The applicant is currently working to complete all the outstanding PLR requirements; this Development Variance Permit is one such requirement.

4.2 Project Description

The attached Site Plan identifies the proposed subdivision of the property into twelve lots with road dedication identified in yellow, and park dedication identified in blue. The applicant is

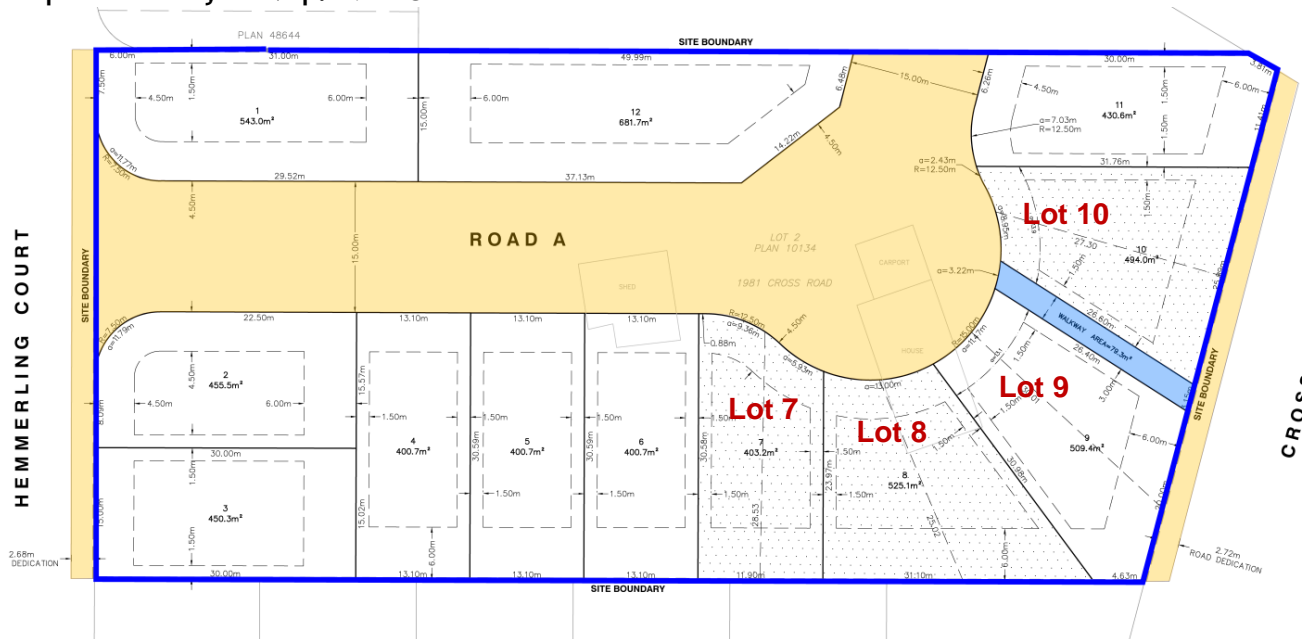
proposing to create 12 RU2 zone single family residential lots, accessed by a 15.0 m wide right of way City standard road. This road begins at Hemmerling Court and ends on the northwest end of the subject property. The road will serve as the future access to the adjacent property to the north to eliminate the need for the adjacent property to gain access from Cross Road. Three of the RU2 residential lots require a variance for lot depth as shown in the Zoning Analysis Table in this report.

Lots fronting Hemmerling Court are oriented in such a way that continues the established streetscape of the existing single family homes. Public pedestrian access is also incorporated in the subdivision design, a 3.0 m wide asphalt pathway will be dedicated and constructed between lots 9 and 10 (shown in blue). This public path will provide pedestrian and bicycle traffic access from Cross Road to the proposed lots as well as existing homes along Hemmerling Court. A 1.2 m high black vinyl chain link fence will be installed along both sides of this walkway by the applicant 15cm inside each private property line.

Variance

The proposed variance is to permit a reduction in lot depth for proposed Lots 7, 8 and 10 shown below. Subdivision requirements such as lot width and lot area are met. The requested variance seeks to permit lot depths of 28.5 m, 25.0 m and 27.3 m, respectively. Along Road A the variance requested will not create a noticeable variation from the other proposed RU2 lots. The variance does not affect the minimum lot size required as Lot 7 meets the minimum lot area, Lots 8 and 10 exceed the minimum lot area required in the RU2 zone.

Proposed Lot Layout Map: 1981 Cross Road



The proposed design including the variances to three of the twelve lots meets OCP goals such as:

- Respecting the established streetscape of the surrounding neighbourhood.
 - This OCP goal is specifically targeted for the Comprehensive Development Permit areas however it is respected on this subject property. The three single family lots that are adjacent to Hemmerling Court are designed to have front doors oriented along the existing road to follow the established streetscape.

- Maximize Pedestrian / Cycling Connectivity.
 - A 3.0 m wide public pedestrian walkway is being dedicated to enhance pedestrian linkage from school, park and other residential areas north of Cross Road. A new Class 2 road will be constructed complete with a sidewalk.

Housing

- The creation of a total of 12 traditional single detached dwelling on a medium size lot increases affordability of each single family dwelling as the size of the lot and dwelling is less than that of the typical RU1 - Large Lot Housing zone.
- The residential density is appropriate to the neighbourhood context. The orientation of each lot also respects adjacent residential lots, aligning side yards with side yards and rear yards with rear yards.

Zoning Analysis Table

Zoning Analysis Table RU2 ZONE REQUIREMENTS			
CRITERIA			
SUBDIVISION REGULATIONS			
Minimum Lot Area	400 m ²		
Minimum Lot Width	13.0 m 15.0 m (Corner Lot)		
Minimum Lot Depth	30.0 m		
Minimum Road Right of Way	15.0 m		
PROPOSED			
	Lot Area	Lot Width	Lot Depth
Existing Lot	8,094.0 m ²	60.1 m	120.6 m
Proposed Lot 1 (corner lot)	543.0 m ²	15.0 m	31.0 m
Proposed Lot 2 (corner lot)	455.5 m ²	15.6 m	30.0 m
Proposed Lot 3	450.3 m ²	15.0 m	30.0 m
Proposed Lot 4	400.7 m ²	13.1 m	30.6 m
Proposed Lot 5	400.7 m ²	13.1 m	30.6 m
Proposed Lot 6	400.7 m ²	13.1 m	30.6 m
Proposed Lot 7	403.2 m ²	16.2 m	28.5 m ❶
Proposed Lot 8	525.1 m ²	16.6 m	25.0 m ❷
Proposed Lot 9	509.4 m ²	13.1 m	30.0 m
Proposed Lot 10	494.0 m ²	13.9 m	27.3 m ❸
Proposed Lot 11	430.6 m ²	13.3 m	31.76 m
Proposed Lot 12 (corner lot)	681.7 m ²	15.0 m	37.1 m
Minimum Road Right of Way	15.0 m		
Variance Review			
❶ ❷ ❸ Indicates requested variance to Minimum Lot Depth for an RU2 Lot.			

Site Context

The subject property is located between Cross Road and Hemmerling Court in the Glenmore - Dilworth - Clifton Sector of Kelowna. The property is currently zoned RU2 - Medium Lot Residential, identified in Kelowna's OCP as S2RES - Single/Two Unit Residential, and is within the Permanent Growth Boundary. Neighbouring properties are zoned RU1 - Large Lot Housing and RM2 - Low Density Row Housing, and have future land uses of S2RES and MRL.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RM2 A1	Multiple Family Row Housing Vacant Land
East	RU1	Single Family Dwellings
South	RU1	Single Family Dwellings
West	RU1 A1	Single Family Dwellings Vacant Land

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Housing.¹ From a housing perspective the City of Kelowna projects the need for approximately 20,100 units by the year 2030 to accommodate the projected growth within the City. Those housing units encompass a range of housing options from low density traditional single detached neighbourhoods to secondary suites/carriage houses, attached homes, town housing as infill and apartments from traditional 4 storey walk-ups to high rise condominiums, including mixed use commercial - residential development in urban centres.

Complete Suburbs.² Support a mix of uses within Kelowna's suburbs (see Map 5.1 - Urban Core Area), in accordance with "Smart Growth" principles to ensure complete communities. Uses that should be present in all areas of the City (consistent with Map 4.1 - Future Land Use Map), at appropriate locations, include: commercial, institutional, and all types of residential uses (including affordable and special needs housing) at densities appropriate to their context. Building heights in excess of four storeys will not be supported within the suburban areas, unless provided for by zoning existing prior to adoption of OCP Bylaw 10500.

Maximize Pedestrian / Cycling Connectivity.³ Require that pedestrian and cyclist movement and infrastructure be addressed in the review and approval of all City and private sector developments, including provision of sidewalks and trails and recognition of frequently used connections and informal pedestrian routes. With new developments, require dedication of on-site walking and cycling paths where necessary to provide links to adjacent parks, schools, transit stops, recreation facilities, employment nodes, cul-de-sacs and large activity areas.

6.0 Technical Comments

6.1 Development Engineering Department

All Development Engineering requirements regarding the 12 lot subdivision and proposed Road A are to be addressed in the Preliminary Layout Review agreement.

¹ City of Kelowna Official Community Plan (Regional Context Chapter).

² City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

³ City of Kelowna Official Community Plan, Policy 5.10.1 (Development Process Chapter).

7.0 Application Chronology

Date of Application Received:	June 2 nd , 2015
Referral Comments Received:	July 16 th , 2015
Date Public Consultation Completed:	August 14 th , 2015 (Z15-0030 & DVP15-0126)
Date of Final Rezoning Adoption	February 15 th , 2016

Report prepared by:

Tracey Yuzik, Planner

Approved for Inclusion: ☐ Todd Cashin, Suburban and Rural Planning Manager

Attachments:

Subject Property Map
Schedule A: Site Plan
DRAFT Development Variance Permit DVP15-0126