

REPORT TO COUNCIL



Date: August 28, 2018

RIM No. 0940-00

To: City Manager

From: Community Planning Department (AF)

Application: DVP18-0053 **Owner:** Kerry Begrand Fast
Nicole Begrand Fast

Address: 2424 Taylor Crescent **Applicant:** Urban Options Planning & Permits

Subject: Development Variance Permit

Existing OCP Designation: S2RES – Single / Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU1c – Large Lot Housing with Carriage House

1.0 Recommendation

THAT Council NOT authorize the issuance of Development Variance Permit No. DVP18-0053 for Lot 17, District Lot 14, ODYD, Plan 7336, located at 2424 Taylor Cr, Kelowna, BC.

AND THAT a variance to the following section of Zoning Bylaw No. 8000 NOT be granted:

Section 13.1.7(d): Urban Residential Zones

To allow dual vehicle access from both the rear lane and the front street.

2.0 Purpose

To consider a Staff recommendation to NOT issue a Development Variance Permit to vary required site access from the lane only.

3.0 Community Planning

Community Planning does not support the proposed variance to allow for a second driveway access to the subject property from Taylor Cr. The existing neighbourhood block in which the subject property is located, has access to a lane. Typically, where there is access to a lane, it has long been the City's practice to require site access from the lane only. Requiring access from the lane utilizes the purpose-built lane, reduces access points on the front street and frees up the front yard for form and character opportunities.

Also, there is some concern that allowing the applicant to vary the zoning bylaw in this case regarding site access could potentially set a precedent for properties that come forth for redevelopment in the near and distant future and so it is important to treat all applications with the same requirements.

The applicant has expressed unique circumstances which require the additional access and parking from the front street and the lane. The applicants rational for the requested variance has been attached to this report.

4.0 Proposal

4.1 Background

Currently, there is a single family dwelling and a few accessory structures located on the subject property. The existing single family dwelling and accessory structures are to be demolished and subsequently removed to facilitate the construction of a proposed new single family dwelling and carriage house.

4.2 Project Description

The applicant is planning to demolish the existing structures on the subject property and has proposed to redevelop the entire site. The redevelopment plans for the site include a second access from Taylor Cr as well as from the lane.

4.3 Variance

The applicant is seeking one variance to Zoning Bylaw No. 8000 to vary required site access from the lane to allow for dual access to the site from both the lane and the front street. The zoning bylaw states that all access should come from the lane when a development has access to a lane.

Section 13.1.7 (d): Where a development has access to a lane, vehicular access to the development is only permitted from the lane, except for developments in hillside areas where the topography would require the slope of such access to exceed 15%.

4.4 Site Context

The subject property is located in South Pandosy near the intersection of Pandosy Street and Francis Avenue and just northeast of Kinsmen Park. The surrounding neighbourhood consists largely of RU1 – Large Lot Housing zoned properties with a several RU1c – Large Lot Housing with Carriage House and RU6 – Two Dwelling Housing zoned properties.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Residential
East	RU1 – Large Lot Housing	Residential
South	RU1 – Large Lot Housing	Residential
West	RU1 – Large Lot Housing	Residential

Subject Property Map: 2424 Taylor Cr



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Sensitive Infill.¹ 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.

6.0 Technical Comments

6.1 Building & Permitting Department

- No comments applicable to Development Variance Permit.

6.2 Development Engineering Department

- See attached memorandum dated March 7, 2018

6.3 Fire Department

- No comments applicable to Development Variance Permit.

¹ City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

7.0 Application Chronology

Date of Application Received: February 13, 2018

Date Public Consultation Completed: April 7, 2018

8.0 Alternate Recommendation

THAT Council authorize the issuance of Development Variance Permit No. DVP18-0053 for Lot 17, District Lot 14, ODYD, Plan 7336, located at 2424 Taylor Cr, Kelowna, BC.

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

Section 13.1.7(d): Urban Residential Zones

To allow dual vehicle access from both the rear lane and the front street.

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

Report prepared by: Andrew Ferguson, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment A: Site and Floor Plan

Attachment B: Development Engineering Technical Comments

Attachment C: Applicants Rational for Requested Variance

Attachment D: Draft Development Variance Permit No. DVP18-0053