

REPORT TO COUNCIL



Date: June 4th 2019

RIM No. 0940-00

To: City Manager

From: Community Planning Department (AC)

Application: DVP18-0154

Owner: Nicholas and Cheryl
Kirschner

Address: 2005 Lindahl Street

Applicant: Urban Options Planning and
Permits

Subject: Development Variance Permit

Existing OCP Designation: S2RES – Single / Two Unit Residential

Existing Zone: RU6 – Two Dwelling Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP18-0154 for Lot 4, Section 19, Township 26, ODYD, Plan 19208, located at 2005 Lindahl Street, Kelowna, BC;

AND THAT variances to the following section of Zoning Bylaw No. 8000 be granted as identified within Schedule 'A':

Section 13.6.6 (h): [RU6 – Two Dwelling Housing Development Regulations]

To vary the required minimum rear yard setback from 7.5 m permitted to 3.0 m proposed.

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Variance Permit application in order for the permit to be issued;

AND 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 consider a rear yard setback variance from 7.5 metres to 3.0 metres for the second dwelling on the subject property.

3.0 Community Planning

Council approved a rezoning to the subject property to the RU6 zone on August 28th 2018 which permits one additional single family dwelling on the subject property. The applicant wishes to retain the existing single family dwelling and construct a new single family dwelling at the rear of the property.

The subject parcel is an irregular shaped lot 1,416 m² in size, the width measures 30.0 m, depth 35.0 m. The second dwelling's access is proposed to be constructed with vehicle access from the existing driveway. Due to the irregular shape of the parcel, the proposed site plan for a second single family dwelling does show the need for a rear yard variance (from 7.5 metres required to 3.0 metres proposed).

The neighbour to the east (1402 – 1404 Inkar Rd) applied for and was approved for the same setback variance for a second dwelling in 2010. Staff are recommending support for this variance to be consistent with previous recommendations in this area.

4.0 Proposal

4.1 Project Description

A single family dwelling was constructed in the 1960's on the subject property. Due to the addition of a second dwelling, the owner may apply to stratify each dwelling. In order to stratify, the existing dwelling would need to substantially be brought up to current BC Building Code standards. The existing dwelling was constructed in the 1960's meaning substantial upgrades may be required. As such, if the owner wishes to stratify the two dwellings, the upgrades to the existing dwelling fronting Lindahl Street would improve the streetscape in the neighbourhood.

4.2 Site Context

The subject parcel is located on Lindahl Road, which is accessed off of Wilkinson Street in the Capri Landmark Urban Centre. Official Community Plan designations of S2RES and PARK exists in the immediate neighbourhood. The subject parcel is located walking distance to two different bus routes, one located on Sutherland Avenue (400 m), the second on Springfield Avenue (200 m).

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU2	Single Family Dwelling
East	RU6	Two Dwelling Housing
South	RU2	Single Family Dwelling
West	RU1	Single Family Dwelling

Neighbourhood Map: 2005 Lindahl Street



Subject Property Map: 2005 Lindahl Street



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU6 ZONE REQUIREMENTS	EXISTING CONDITIONS
Existing Lot/Subdivision Regulations for Two Dwelling Housing		
Lot Area	800 m ²	1,416 m ²
Lot Width	18.0 m	30.0 m
Lot Depth	30.0 m	35.0 m
Development Regulations		
Max Site Coverage	40%	21.7%
Max Site Coverage incl. driveways & parking areas	50%	32.0%
Max Height	9.5 m / 2.5 storey	2 storey
Min Front Yard	4.5 m and 6.0 to garage	24.3 m
Min Side Yard (south)	2.0 m / 2.3 m	3.45 m
Min Side Yard (north)	2.0 m / 2.3 m (one side yard must be 3.0 m)	27.68 m
Min Rear Yard	7.5 m	3.0 m ^❶
Other Regulations		
Min Parking Requirements	2 per dwelling (4)	Adequate Space for 4
Min Private Open Space	30 m ² per dwelling (60 m ²)	Adequate space for 30 m ²
Min distance between Two Single Detached Dwellings	4.5 m	7.24 m
^❶ Variance to reduce the rear yard setback		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Future Land Use Single / Two Unit Residential (S2RES) : Single detached homes for occupancy by one family, single detached homes with a secondary suite or carriage house, semi-detached buildings used for two dwelling units. The RU6 zone is the highest density form of residential permitted within the S2RES designation.

Compact Urban Form₂ 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.

The subject parcel is located near BC Transit bus stops, and commercial businesses as noted in this report.

6.0 Technical Comments

None

7.0 Application Chronology

Date of Application Received: April 24th, 2018
Date Public Consultation Completed: May 22nd, 2018
Date First Reading: August 13th, 2018
Date Public Hearing: August 28th, 2018

Report prepared by: Adam Cseke, Planner Specialist
Reviewed by: Terry Barton, Urban Planning Manager
Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Draft Development Variance Permit DVP18-0154