

# REPORT TO COUNCIL



**Date:** August 27, 2019

**RIM No.** 0940-50

**To:** Council

**From:** City Manager

**Application:** DVP17-0084      **Owner:** Joseph Crosara & Elizabeth Shelton

**Address:** 4264 Lakeshore Road      **Applicant:** Bill Morell

**Subject:** Development Variance Permit

Existing OCP Designation: S2RES – Single/Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU6 – Two Dwelling Housing

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## 1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 11444 be considered by Council;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP17-0084 for Lot 11 District Lot 167 ODYD Plan 4610, located at 4264 Lakeshore Road, Kelowna, BC;

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

**Section 13.6.5(a): RU6 – Two Dwelling Housing Development Regulations**  
To vary the required minimum lot width from 13.0 m permitted to 12.46 m 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 lot width of the parcel from 13.0 m required to 12.46 m proposed in order to facilitate a two-lot subdivision.

## 3.0 Community Planning

Development Planning Staff support the proposed variance to the width of the parcel to facilitate a two-lot subdivision. The reduced lot width is minor in nature resulting in an approximately 0.54 m reduction while facilitating a modest increase in housing density in the area. The increase in housing density is well supported by OCP Urban Infill Policies and the form, character and massing of the new housing should be

complementary to the neighbourhood. The site has a Walk Score of 20 – Car Dependent (Almost all errands require a car), a Transit Score of 33 – a few nearby public transportation options in the area and a Bike Score of 42 – Somewhat Bikeable.

**4.0 Proposal**

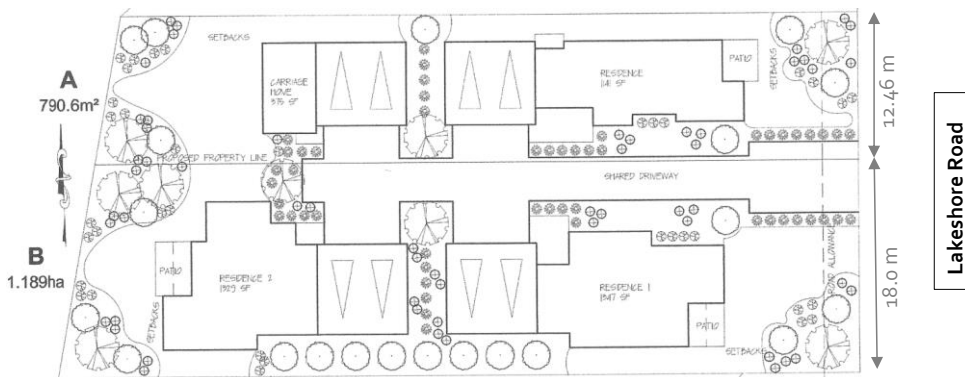
**4.1 Background**

The request for rezoning came before Council and received 3<sup>rd</sup> reading following the Public Hearing on Aug 17, 2017. The following year, the applicant asked for a one-year extension in order to meet the Development Engineering requirements. The current property owner has decided to sell the property to a developer who would like to see the project through to completion.

**4.2 Project Description**

The rezoning application is to amend the existing RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone and to then subdivide the property into two titled lots. The RU6 zone would allow the owner to develop the south parcel with two single family dwellings (which could be strata titled), and the north parcel with a single-family dwelling and a carriage house. This is due to the north parcel having a narrower parcel width. The RU6 – Two Dwelling Housing zone allows for the development of two dwellings on lots that have a minimum lot width of 18.0 m. The north lot proposes a 12.46 m lot width; therefore, the lot can only accommodate a single-family dwelling and a carriage house (or secondary suite).

**Proposed Subdivision Layout:**



**Proposed Variance**

The owner is proposing a lot width variance from 13.0 m required to 12.46 m. The parcel width variance is supportable as the two parcels will share a common driveway access from Lakeshore Road with the driveway mainly located on the larger south parcel. While the plans are only schematic, each shows an achievable building footprint that would meet the Zoning Bylaw Development Regulations. The parcel area of the smaller Lot A is almost double the minimum requirement of 400 m² at 790.60 m² and the minimum parcel depth of 30.0 m is far exceeded at over 62.0 m.

The two single family dwellings to be located on Lot B could be stratified, while the dwelling and carriage house on Lot A would retain a single title for the ownership of both buildings as strata titling is not allowed for carriage houses.

There is an existing road right-of-way along the western (rear) property line which is utilized for underground services. The City has no intention of developing a vehicular laneway through this area.

No development permit is required for the project. After the subdivision is completed, the development would proceed to building permit applications as Zoning Bylaw development regulation compliance would again be reviewed at that stage.

4.3 Site Context

Specifically, adjacent land uses are as follows:

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

Context Map:



Future Land Use Map:



Subject Property Map: 4264 Lakeshore Road



4.3 Subdivision Regulations Table

Zoning Analysis Table		
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL
Subdivision Regulations		
Minimum Lot Area	700 m <sup>2</sup>	Lot A - 790.7 m <sup>2</sup> Lot B - 1190.4 m <sup>2</sup>
Minimum Lot Width	13.0 m for single dwelling housing 18.0 m for two dwelling housing	Lot A - 12.46 m <span style="color: red;">●</span> Lot B - 18.0 m
Minimum Lot Depth	30 m	Lot A - 62.27 m Lot B - 64.48 m
● Indicates a requested variance to the minimum parcel width from 13.0 m required to 12.46 m proposed.		

4.4 Zoning Analysis Table

CRITERIA	RU6 – TWO DWELLING HOUSING ZONE REQUIREMENTS
Minimum Front Yard	4.5 m (6.0 m from a garage or carport)
Minimum Side Yard	2.0 m (for up to 1 ½ storey portion of building) 2.3 m (for 2 storey portion of building)
Minimum Rear Yard	7.5 m
Maximum Site Coverage	40 % buildings (50 % including driveways and parking areas)

5.0 **Current Development Policies**5.1 Kelowna Official Community Plan (OCP)Chapter 5: Development Process*Objective 5.3 Focus development to designated growth areas*

*Policy .1 Permanent Growth Boundary.* Establish a Permanent Growth Boundary as identified on Map 4.1 and Map 5.2. The City of Kelowna will support development of properties outside the PGB for more intensive use only to the extent permitted as per the OCP Future Land Use designations in place as of initial adoption of OCP Bylaw 10500, except for Agri-Business designated sites or as per Council's specific amendment of this policy. The PGB may be reviewed as part of the next major OCP update.

*Objective 5.22 Ensure context sensitive housing development*

*Policy .6 Sensitive Infill.* 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 Development Engineering Department

- All requirements will be addressed with Subdivision Application S17-0034.

**7.0 Application Chronology**

Date of Application Received: April 11, 2017

Date Public Consultation Completed: July 17, 2019

**Report prepared by:** Lydia Korolchuk, Planner II

**Reviewed by:** Dean Strachan, Subdivision and Rural Planning Manager

**Approved for Inclusion:** Terry Barton, Development Planning Department Manager

**Commented [CM1]:** Minor application (no Director signoff required)

**Attachments:**

Attachment A: Draft Development Variance Permit DVP17-0084

Attachment B: Existing Site Survey