

REPORT TO COUNCIL



Date: September 10, 2019

To: Council

From: City Manager

Department: Development Planning - Urban

Application: DVP18-0253

Owner: Emily and Wendy Galic

Address: 922 Lawson Ave

Applicant: Harmony Homes

Subject: Development Variance Permit

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP18-0253 for Lot 3, District Lot 138 Osoyoos Division Yale District Plan 3388, located at 922 Lawson Ave, Kelowna, BC;

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

Section 13.17: RU7- Infill Housing- Development Regulations

To vary the required minimum side yard setback from 2.0m permitted to 1.2m 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 side yard setback from 2.0m permitted to 1.2m proposed.

3.0 Development Planning

The applicant is seeking a variance to reduce the east side yard setback from 2.0 permitted to 1.2m proposed. The property does not have laneway access; therefore, the applicant is proposing access to the proposed fourplex off the existing front facing driveway. A 7.0m drive aisle allows for access to the proposed development. The proposed side yard setback variance is located on the east property line and is response to the unique site condition of access off the existing front driveway.

4.0 Proposal

4.1 Project Description

The applicant is proposing to increase the density on the subject property with a fourplex. Due to the site not having laneway access, parking is located off an existing drive aisle that will be upgraded to a width of 7.0m. Overall, the proposal meets the intent of Zoning Bylaw No. 8000 and the regulations for sensitive infill development.

4.2 Site Context

The subject property is zoned RU7- Infill Housing and is located on Lawson Ave, east of Ethel St. The Official Community Plan designates the area as SIH- Sensitive Infill Housing.

Specifically, adjacent land uses are as follows:

| Orientation | Zoning | Land Use |
|-------------|---------------------------------------|-------------------------|
| North | RU7- Infill Housing zone | Single Dwelling Housing |
| East | RU7- Infill Housing zone | Single Dwelling Housing |
| South | P2- Education and Minor Institutional | Supportive Housing |
| West | RU7- Infill Housing zone | Single Dwelling Housing |

Subject Property Map:



4.3 Zoning Analysis Table

| Zoning Analysis Table | | |
|--------------------------------------|---------------------|---------------------|
| CRITERIA | ZONE REQUIREMENTS | PROPOSAL |
| Existing Lot/Subdivision Regulations | | |
| Min. Lot Area | 277.5m ² | 624.3m ² |
| Min. Lot Width | 7.5m | 19.5m |
| Min. Lot Depth | 30.0m | 32.0m |
| Development Regulations | | |
| Max. Floor Area Ratio | 0.8 | 0.799 |
| Max. Site Coverage (buildings) | 55% | 45.09% |

| | | |
|---|----------------|----------------|
| Max. Site Coverage (buildings, parking, driveways) | n/a | n/a |
| Max. Height | 8.0m | 7.01m |
| Min. Front Yard | 4.0m | 4.08m |
| Min. Side Yard (east) ❶ | 2.0m | 1.20m |
| Min. Side Yard (west) | 2.0m | 3.97m |
| Min. Rear Yard | 0.9m | 4.30m |
| Other Regulations | | |
| Min. Parking Requirements | 4 stalls | 4 stalls |
| Min. Bicycle Parking | n/a | n/a |
| Min. Private Open Space | m ² | m ² |
| ❶ Indicates a requested variance to the east side yard setback. | | |

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5: Development Process

Objective 5.3 Compact Urban Form

Policy .2 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 with 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.

Chapter 5: Development Process

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

Not applicable.

7.0 Application Chronology

Date of Application Received: December 4, 2018

Date Public Consultation Completed: January 16, 2019

Report prepared by: Jocelyn Black, Planner Specialist

Reviewed by: Dean Strachan, Manager of Suburban and Rural Planning

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Attachment A: Draft Development Permit DVP18-0253

Attachment B: Site Plan