

REPORT TO COUNCIL



Date: November 5, 2019

To: Council

From: City Manager

Department: Development Planning

Application: DVP19-0174

Owner: Lisa M. Kryski

Address: 2743-2763 Curts Street

Applicant: Felix Westerkamp

Subject: Development Variance Permit

1.0 Recommendation

THAT Council NOT authorize the issuance of Development Variance Permit No. DVP19-0174 for Lot 1 District Lot 135 ODYD Plan 25798, located at 2743-2763 Curts Street, Kelowna, BC.

2.0 Purpose

To consider a Staff recommendation to NOT issue a Development Variance Permit to allow the property to have vehicular access from Curts Street in addition to the lane.

3.0 Development Planning

Development Planning does not support the proposed variance to have vehicle access from Curts Street. The Zoning Bylaw regulation limiting access to the lane is intended to redirect car traffic to a lane, where one is available, in order to improve the streetscape and increase safety for pedestrians and cyclists. Specifically, driveways and garages accessed from the street decrease visual appeal and decrease the number of 'eyes on the street' compared to front yard landscaping, windows, and doors. More locations where cars cross sidewalks and boulevards increase the potential for conflict between cars and pedestrians and cyclists. Also, driveway let downs that cut across sidewalks are known to cause an impediment to pedestrians, particularly in icy conditions and for people with mobility challenges.

For the subject property, the development already has access from the lane, and all 4 required parking stalls for the development are accessed from the lane.

While Curts St. was previously developed with car access from the street, as the area redevelops under the RU7 – Infill Housing zone driveways from the street will be eliminated, helping to improve the environment for pedestrians. As the properties redevelop the street pattern will begin to change.

Finally, properties in the area are within easy walking distance of numerous destinations and amenities, including Raymer Elementary School, Kelowna Secondary School, the Okanagan College campus, the Pandosy Commercial Corridor, and Osprey Park. As such, it is especially important that the environment be made as pedestrian-friendly as possible to facilitate walking to these nearby destinations.

4.0 Proposal

4.1 Background

A Development Permit was approved in 2018 to add 3 dwelling units to the existing home on the subject lot with access to the 4 required parking stalls from the rear lane. The existing car access from the side yard off Curts St. was required to be decommissioned. The former garage accessed from Curts St. was to be repurposed as a workshop. The applicant is now proposing to reactivate the car access from Curts St. and continue the use of the garage.

The property across Curts St. at 783 Kinnear Ave. was issued a Development Permit for a second dwelling in 2014 (DP14-0154). At the same time, a Development Variance Permit was applied for to allow car access from the side yard along Curts St. as opposed to the rear lane, as required by the Zoning Bylaw. The Development Variance Permit was supported by staff and approved by Council; however, in that case, site constraints prevented car access from the lane.

4.2 Project Description

The applicant proposes to allow car access to the lot along Curts St. The Zoning Bylaw for the RU7 – Infill Housing zone stipulates that “Where a site has access to a lane, vehicular access is only permitted from the lane” (13.17.8. b). In this case, vehicular access is already permitted from the lane, and the applicant seeks to add a vehicular access from a street frontage along a flanking street side yard.

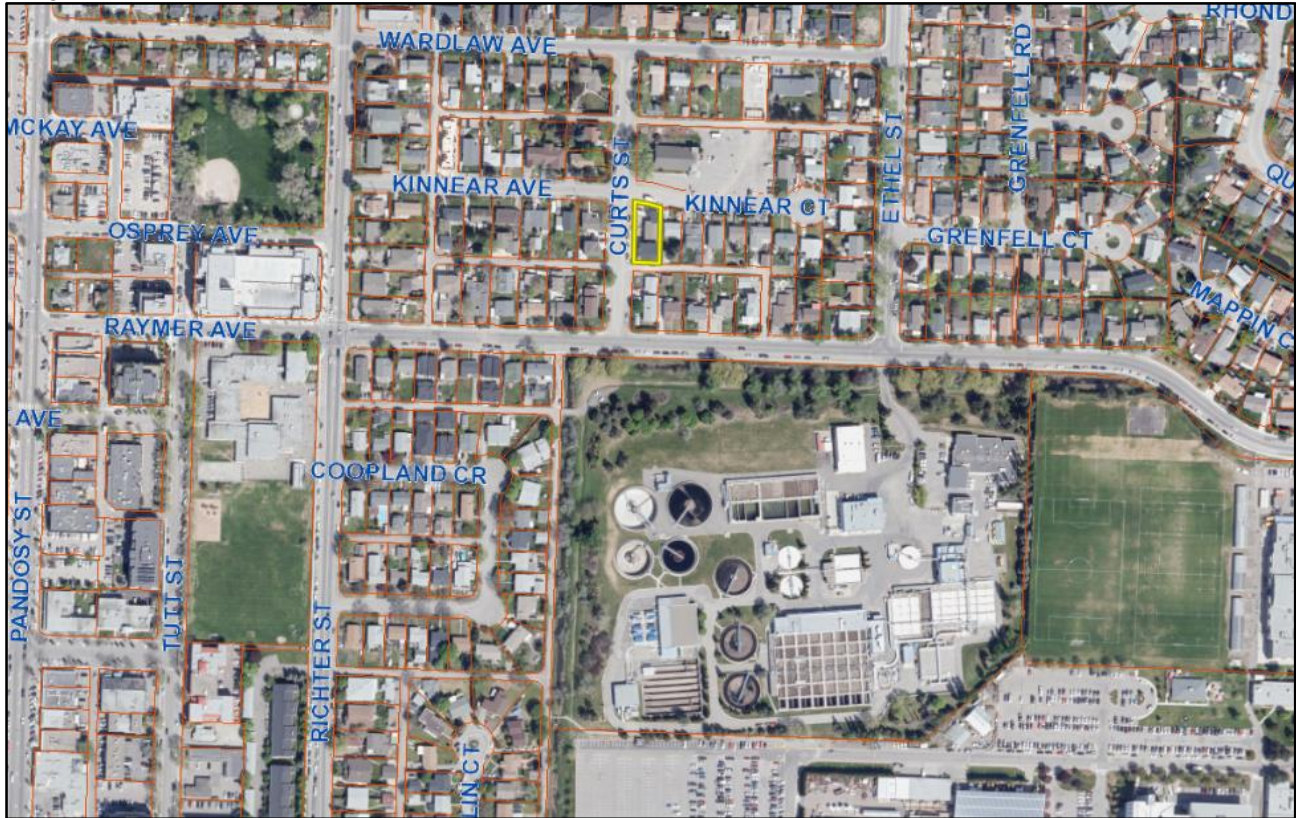
4.3 Site Context

The subject property is in the South Pandosy – KLO Sector and is just outside the boundary of the Pandosy Urban Centre. The property is within 500 m (a 5 min. walk) of Raymer Elementary School, Kelowna Secondary School, the Okanagan College campus, the Pandosy Commercial Corridor, and Osprey Park. The property has a Walkscore of 76 as most errands can be accomplished on foot. Other than a church to the north of the property, all surrounding properties contain single or two dwelling housing and were rezoned to RU7 – Infill Housing.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P2 – Education and Minor Institutional	Church
East	RU7 – Infill Housing	Single Dwelling Housing
South	RU7 – Infill Housing	Single Dwelling Housing
West	RU7 – Infill Housing	Two Dwelling Housing

Subject Property Map: 2743-2763 Curts St.



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 1: Introduction

Goals for a Sustainable Future:

Feature a Balanced Transportation Network – Increase the attractiveness, convenience and safety of all modes of transportation by implementing “complete streets” that are designed to serve a broader range of transportation modes, focusing on pedestrians, cyclists and transit service, and function in the context of surrounding land uses.

Chapter 7: Infrastructure

General Transportation Policies:

Objective 7.6 Place increased emphasis on sustainable modes of transportation (walking, cycling, transit) while maintaining automobile, commercial goods and emergency vehicle mobility.

Policy .1 Transportation Infrastructure Priority. Transportation infrastructure will be funded, designed, constructed and maintained to meet the needs of users and according to the following priority:

- i. Active Transportation (Walking and Cycling)
- ii. Transit
- iii. Movement of Goods & Services
- iv. High Occupancy Vehicles (HOVs)
- v. Single Occupant Vehicles (SOVs)

Priority will be assigned to active transportation and transit infrastructure that serves and connects Urban Centres, major employers, health care and educational facilities.

6.0 Application Chronology

Date of Application Received: September 6, 2019

Date Public Consultation Completed: October 2, 2019

7.0 Alternate Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP19-0174 for Lot 1 District Lot 135 ODYD Plan 25798, located at 2743-2763 Curts Street, Kelowna, BC;

AND THAT variances to the following section of Zoning Bylaw No. 8000 be granted as per Schedule "A":

Section 13.17.8(b): RU7 – Infill Housing Other Regulations

To vary vehicular access to allow vehicular access from a street frontage along a flanking street, where the property has access to a lane.

Report prepared by: Aaron Thibeault, Planner II

Reviewed by: Laura Bentley, Urban Planning & Development Policy Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Attachment A: Draft Development Variance Permit DVP19-0147

Attachment B: Applicant's Rationale