

# REPORT TO COUNCIL



**Date:** April 7, 2020  
**To:** Council  
**From:** City Manager  
**Department:** Development Planning Department  
**Application:** DVP20-0054  
**Owner:** Peter & Elisabeth Burnett  
**Address:** 1310 Graham Road  
**Applicant:** Tammy Pollack  
**Subject:** Development Variance Permit  
**Existing OCP Designation:** S2RES – Single/Two Unit Residential  
**Existing Zone:** RU1 – Large Lot Housing

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## 1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP20-0054 for Lot 33 Section 22 Township 26 ODYD Plan 19162, located at 1310 Graham Road, Kelowna, BC;

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

### Table 8.3 Required Off-Street Parking Requirements

To vary the required minimum number of parking stall spaces as follows:

8.3.1 Single Detached Housing from 2.0 spaces per dwelling unit required to 1.0 spaces proposed; and

8.3.6 Child Care Centre, Minor from 2.0 spaces required to 1.0 spaces 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 number of parking spaces from 7 spaces required to 4 spaces proposed for the residential and day care uses proposed for the subject property

## 3.0 Development Planning

Staff support the requested variances to reduce the number of required parking spaces. The variance is being requested in order to accommodate a new day care (Child Care Centre, Minor) on the subject property. Staff

feel the applicant has provided adequate measures to address potential neighbourhood impacts and understand that additional childcare spaces are a great need in the community.

Overall, the proposal meets Kelowna's Official Community Plan goals of fostering sustainable prosperity and providing a mix of uses in the suburbs to serve the community. If the requested variance is approved, the applicants can apply directly for a business license for the new daycare.

#### **4.0 Proposal**

##### **4.1 Background**

The subject property currently has a single detached dwelling, a secondary suite, and a day care operating out of the principal dwelling. There have been no bylaw complaints in relation to the day care's operations on the subject property.

##### **4.2 Project Description**

The applicant proposes to rent out the secondary suite to another tenant who intends to open a second day care on the subject property, operating out of the suite. The applicants feel the reduction in required parking is appropriate in this case as each day care would be staffed by residents of the property, eliminating the need to provide separate onsite parking for both the residential use and the day care uses. The applicants propose that there is an overlap in the required spaces. The subject property can accommodate up to four vehicle parking spaces in the current carport and driveway area, with additional room for drop off and pick up within the road right of way shoulder.

The applicant has indicated that each day care client is assigned a drop-off/pick-up time, in order to stagger the vehicle traffic to and from the site. Each day care would be licensed to provide care for a maximum of eight (8) children each. However, the applicant has advised they plan to have a maximum of seven (7) children per day care which also limits the number of vehicles that could potentially be travelling to or from the property.

#### **Proposed Parking Layout:**



#### 4.3 Site Context

The subject property is in the Rutland City Sector and is located mid-block on Graham Road. The property is within the permanent growth boundary and currently has a single detached house and secondary suite. The property has a walk score of 34 - Car Dependent, meaning most errands require a car and there are two elementary schools (Quigley Elementary and Spring Valley Elementary) within an approximately 750m radius from the property

The neighbourhood consists predominantly of traditional single dwelling housing with some nearby two dwelling housing. Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single Dwelling Residential
East	RU1 – Large Lot Housing	Single Dwelling Residential
South	RU1 – Large Lot Housing RU6 – Two Dwelling Housing	Single Dwelling Residential Duplex Residential
West	RU1 – Large Lot Housing	Single Dwelling Residential

#### Subject Property Map: 1310 Graham Road



#### 4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	ZONING REQUIREMENTS	PROPOSAL
Parking Regulations		
Min. Parking Requirement – Single Detached Housing	2 spaces	1 space <sup>①</sup>
Min. Parking Requirement – Secondary Suite	1 space	1 space
Min. Parking Requirement – Child Care Centre, Minor	4 spaces (2 per child care centre)	2 spaces <sup>②</sup>
<sup>①</sup> Indicates a requested variance to Table 8.3.1 of Zoning Bylaw No.8000 <sup>②</sup> Indicates a requested variance to Table 8.3.6 of Zoning Bylaw No.8000		

## **5.0 Current Development Policies**

### **5.1 Kelowna Official Community Plan (OCP)**

#### **Chapter 1: Introduction**

##### ***Goals for a Sustainable Future:***

*5. Foster Sustainable Prosperity.* Foster a healthy, dynamic and sustainable economy by retaining and attracting youth and talent, supporting business, encouraging appropriate new investment, providing for environmentally sound growth and improving the quality of life for Kelowna residents.

#### **Chapter 5: Development Process**

##### ***Objective 5.2 Develop sustainably***

*Policy .3 Complete Suburbs.* Support a mix of uses within Kelowna's suburbs (see Map 5.1 - Urban Core Area), in accordance with "Smart Growth" principles to ensure complete communities. Uses that should be present in all areas of the City (consistent with Map 4.1 - Future Land Use Map), at appropriate locations, include: commercial, institutional, and all types of residential uses (including affordable and special needs housing) at densities appropriate to their context. Building heights in excess of four storeys will not be supported within the suburban areas, unless provided for by zoning existing prior to adoption of OCP Bylaw 10500.

#### **Chapter 10: Social Sustainability**

*Objective 10.1 Promote social well-being and quality of life by providing facilities and services for all community members.*

*Policy .1 Distribution of Community Resources.* Appropriately distribute and locate community resources (such as libraries, parks, meeting places, community policing, recreation services etc.) so that all neighbourhoods have convenient access.

## **6.0 Application Chronology**

Date of Application Received: February 5, 2020

Date Public Consultation Completed: March 10, 2020

**Report prepared by:** Hailey Rilkoff, Planner I

**Reviewed by:** James Moore, Urban Planning & Development Policy Manager

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

#### **Attachments:**

Attachment A: Draft Development Variance Permit DVP20-0054

Attachment B: Applicant's Rationale