

Development Variance Permit

DVP20-0054



This permit relates to land in the City of Kelowna municipally known as

1310 Graham Road

and legally known as

Lot 33 Section 22 Township 26 ODYD Plan 19162

and permits the land to be used for the following development:

Single Detached Housing

Secondary Suite

Child Care Centre, Minor

With a variance to the following sections of Zoning Bylaw No. 8000 in general accordance with Schedule "A":

Table 8.3 Required Off-Street Parking Requirements

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

- a) 8.3.1 Single Detached Housing from 2.0 spaces per dwelling unit required to 1.0 spaces proposed; and
- b) 8.3.6 Child Care Centre, Minor from 2.0 spaces required to 1.0 spaces proposed.

The present owner and any subsequent owner of the above described land must comply with any attached terms and conditions.

Date of Council Decision April 7, 2020

Decision By: COUNCIL OR COMMUNITY PLANNING DEPARTMENT MANAGER

Existing Zone: RU1 – Large Lot Housing Zone

Future Land Use Designation: S2RES – Single/Two Unit Residential

This is NOT a Building Permit.

In addition to your Development Permit, a Building Permit may be required prior to any work commencing. For further information, contact the City of Kelowna, Development Services Branch.

NOTICE

This permit does not relieve the owner or the owner's authorized agent from full compliance with the requirements of any federal, provincial or other municipal legislation, or the terms and conditions of any easement, covenant, building scheme or agreement affecting the building or land.

Owner: Peter and Elisabeth Burnett

Applicant: Tammy Pollock

Terry Barton
Development Planning Department Manager
Planning & Development Services

Date

ATTACHMENT

A

This forms part of application

DVP20-0054

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1. SCOPE OF APPROVAL

This Development Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.

This Development Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this permit, noted in the Terms and Conditions below.

The issuance of a permit limits the permit holder to be in strict compliance with regulations of the Zoning Bylaw and all other Bylaws unless specific variances have been authorized by the Development Permit. No implied variances from bylaw provisions shall be granted by virtue of drawing notations that are inconsistent with bylaw provisions and that may not have been identified as required Variances by the applicant or Municipal staff.

2. CONDITIONS OF APPROVAL

- a) The siting of the off-street parking layout shall be in accordance with Schedule "A"; and
- b) The reduction in the required parking spaces only applies to the existing single detached dwelling, existing secondary suite and the proposed child care centres.

5. INDEMNIFICATION

Upon commencement of the works authorized by this Permit the Developer covenants and agrees to save harmless and effectually indemnify the Municipality against:

- a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.

All costs, expenses, claims that may be incurred by the Municipality where the construction, engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

**The PERMIT HOLDER is the CURRENT LAND OWNER.
Security shall ONLY be returned to the signatory of the
Landscape Agreement or their designates.**

ATTACHMENT A

This forms part of application

DVP20-0054

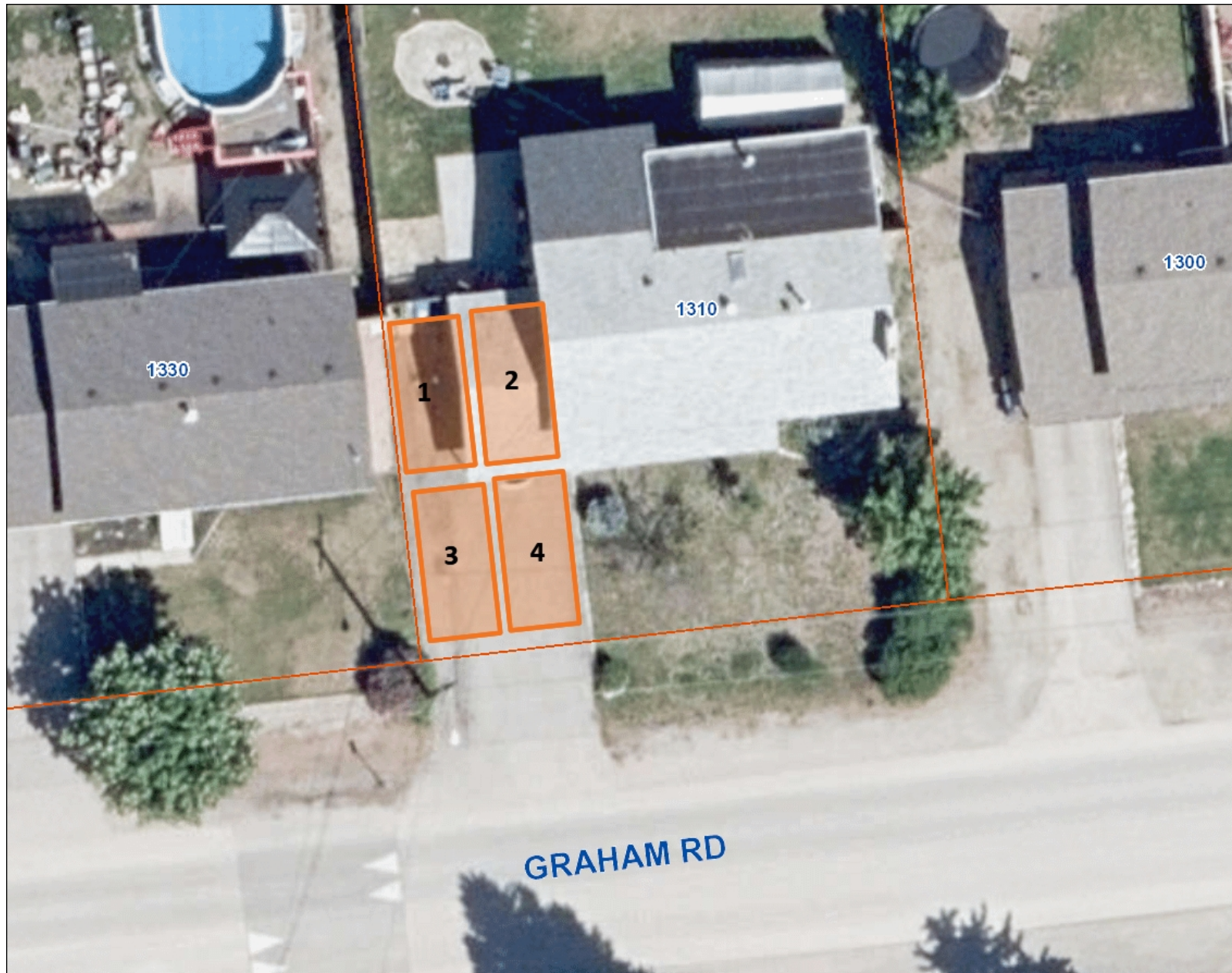
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1310 Graham Road - Parking Layout



Legend

- Map 5.3 Urban Centres
- Map 5.9 Linear Corridors Paths



Notes

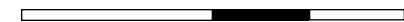
SCHEDULE A

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0 6 13Meters



March 4, 2020

This map is for general information only. The City of Kelowna does not guarantee its accuracy, currency or completeness. All information should be verified.

February 13th 2020

To whom it may concern;

As a resident within 50 meters of the proposed variance please read the following;

Currently I Tammy Pollack operate a licensed home daycare at 1-1310 Graham road. The house has a legal suite 2-1310 Graham road, and my husband has the opportunity to rent and open a second licensed home daycare. With 2 separate addresses we thought this would be a wonderful idea to provide more daycare spaces as well as potentially provide employment opportunities.

In order to accomplish this we would require 7 onsite parking spaces. We would need;

- 2 Spaces for the upstairs residents
- 1 space for the basement suit
- 2 spaces for Childcare minor business #1
- 2 spaces for Childcare minor business #2

We have an overlap of 3 parking spaces. All tenants would be employees. Therefore the 3 spaces required for the residences are also the same spaces being used by the employees. As they are one in the same.

We are asking for a variance to drop the requirement of 7 spaces to 4 and allow the current parking configuration. The Daycares will open and close at different hours, #1- 7:30am to 5pm #2- 8am to 5:30pm. This ontop of having parents contracted to specific drop off and pick up times will ensure that we do not have too many dropping off and picking up at one time. The current daycare has been running for almost a year and never has all the parking spaces been filled at once. It is also important to note we are located on a traffic calming road.

In summary we can provide 7 more daycare spaces and potentially more employment opportunities, with a variance for 4 parking spaces and still have ample driveway space for drop off/pick ups.

Sincerely;

Tammy Pollack

Tiny Treasures

tinkerbelle451@rogers.com

ATTACHMENT		B
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