

REPORT TO COUNCIL



Date: June 2, 2020

To: Council

From: City Manager

Department: Development Planning Department

Application: DVP20-0021

Owner: Davara Holdings Ltd., INC. NO. BC0797640

Address: 921 Borden Avenue

Applicant: David Sargent (Davara Holdings Ltd.)

Subject: Development Variance Permit

Existing OCP Designation: SIH – Sensitive Infill Housing (Low Density)

Existing Zone: RU7 – Infill Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP20-0021 for Lot 1 District Lot 138 ODYD Plan 3242, Kelowna, BC;

AND THAT variances to the following sections of Zoning Bylaw no. 8000 be granted:

Section 8.2.3: Off-Street Parking Regulations – Parking Setbacks

To vary the minimum side yard parking setback from 1.5m required to 0.0m proposed.

Section 8.1.5: General Provisions and Development Standards

To vary the required physical barrier screen for the parallel parking on the flanking lane.

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 parking setback from 1.5m required to 0.0m proposed and to vary the required physical barrier screen for the parallel parking on the flanking lane for a proposed four-unit development.

3.0 Development Planning

Development Planning staff support the Development Variance Permit for the side yard parking setback and physical barrier screen. The proposal meets all Development Permit guidelines in terms of form and character but requires variances to meet the required parking on site. The subject property has a unique orientation, because the laneway is located along the east property line and not in the rear, like most RU7 properties. This orientation has led to the applicant requesting a variance for the side yard parking setback to accommodate four parallel parking stalls on site. The proposed arrangement is a unique solution that allows for more generous site layout and larger green spaces at grade for residents. The laneway is wide enough to accommodate the parallel parking, and the variance will not compromise any municipal services. Staff do not anticipate any negative impacts to the neighbouring properties with the variance.

In addition, the applicant is seeking a variance for the required physical screen for parallel parking on a flanking lane. The parking regulations for RU7 developments were not designed for parking on a flanking lane, so with this parking proposal, a physical barrier is not possible. The applicant has proposed to show design emphasis on the laneway through landscaping and architectural variation on the buildings. Removing a physical barrier will have no neighbourhood or visual impacts.

4.0 Proposal

4.1 Project Description

The associated Development Permit proposal is for four single-family homes, each facing Borden Avenue. The subject property has an existing laneway along the side property line and does not have rear access. The unique property orientation and laneway location has led the applicant to request a parking setback variance in order to fulfil the parking requirements. The applicant is seeking a variance to 0.0m from the 1.5m required to the parking setback. The parking orientation has also led to a variance for the required parking physical screen, as it is not possible to have both a screen and parking on the lane. These variances are required for the proposal to meet the Parking Requirements in the Zoning Bylaw.

4.2 Site Context

The subject property is zoned RU7 and has a Future Land Use Designation of SIH – Sensitive Infill Housing (Low Density). The property is located on Borden Ave and is in the Central City OCP Sector. The surrounding area is primarily residential housing with zones such as RU7 – Infill Housing, RM1 – Four Dwelling Housing, RM4 – Transitional Low-Density Residential Housing and RU6 – Two Dwelling Housing.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 – Two Dwelling House	Semi-Detached Dwelling
East	RU7 – Infill Housing	Proposed Four-plex
South	RU7 – Infill Housing	Single-Family Dwelling
West	RM4 – Transitional Low-Density Housing	Multi-Family Dwelling

Subject Property Map: 921 Borden Ave



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU7 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	277.5m ²	834.9m ²
Min. Lot Width	7.5m	20.1m
Min. Lot Depth	30.0m	41.5m
Development Regulations		
Max. Floor Area Ratio	0.8	0.58
Max. Site Coverage (buildings)	n/a	27.3%
Max. Site Coverage (buildings, parking, driveways)	55%	36.9%
Max. Height	8.0m	7.0m
Min. Front Yard	4.0m	5.9m
Min. Side Yard (east)	2.0m	3.0m
Min. Side Yard (west)	2.0m	2.0m
Min. Rear Yard	0.9m	0.9m
Parking Regulations & Setbacks		
Min. Parking Requirements	4	4
Front (north)	3.0m	7.0m
Side (east)	1.5m	0.0m ^①
Side (west)	1.5m	17.4m
Rear (south)	1.5m	4.9m

● Indicates a requested variance to Section 8.2.3: Off-Street Parking Regulations

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 4: Future Land Use

Sensitive Infill Housing (Low Density) (SIH). A variety of housing types and tenures (fee simple, strata, rental), including, but not limited to, single detached homes, semi-detached homes, duplexes, triplexes, four-plexes, and combinations thereof, along with those complementary uses, that are integral components of complete, walkable neighbourhoods. The design of sensitive infill housing should respect the character of the neighbourhood, having limited massing, a positive relationship to the street, and high-quality green space. Densities and standards for housing within this designation should be consistent with the RU7 zone.

6.0 Application Chronology

Date of Application Received: January 14th, 2020

Date Public Consultation Completed: April 28th, 2020

Report prepared by: Tyler Caswell, 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 DVP20-0021

Schedule A: Conceptual Site Plan & Parking Plan