

REPORT TO COUNCIL



Date: January 12, 2021

To: Council

From: City Manager

Department: Development Planning – Suburban

Application: DVP20-0172

Owner: John Smit, Cynthia Smit & Isaac Smit

Address: 154 Applebrooke Crescent

Applicant: McElhanney Ltd.

Subject: Development Variance Permit

Existing OCP Designation: S2RES- Single/Two Unit Residential

Existing Zone: RU2-Medium Lot Housing

1.0 Recommendation

That Council authorizes the issuance of Development Variance Permit No. DVP20-0172 for Lot 46, Section 5, Township 23, ODYD, Plan KAP47769, located at 154 Applebrooke Crescent, Kelowna, BC;

AND THAT variances to the following sections of Zoning bylaw No. 8000 be granted, as shown on Schedule "A":

Section 13.2.5(a): RU2- Medium Lot Housing Subdivision Regulations

To vary the required minimum lot width from 13.0m permitted to 11.52m proposed for the proposed Lot A.

Section 13.2.6(a): RU2- Medium Lot Housing Development Regulations

To vary the required maximum site coverage from 50% permitted to 57% proposed for the remainder Lot 46.

Section 13.2.6(e): RU2- Medium Lot Housing Development Regulations

To vary the required minimum rear yard setback from 7.5m permitted to 4.34m proposed for the remainder Lot 46 on the existing dwelling.

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 lot width, maximum site coverage and minimum rear yard setback on the subject property to facilitate a two lot subdivision.

3.0 Development Planning

Staff support the requested variances to lot width from 13.0m to 11.52m for the proposed Lot A, site coverage from 50% to 57% and the rear yard setback from 7.5m to 4.43m for the proposed remainder Lot 46. The variances are being requested due to the irregular shape of the lot and topographic constraints for access to Applecrest Court which has created an extended driveway length and increased site coverage. Staff do not anticipate any impacts of the variances outside the subject subdivision.

The proposed remainder Lot 46 meets the minimum lot width, depth and substantially exceeds the minimum lot area required. The proposed Lot A meets the minimum lot depth and exceeds the minimum lot area required for the RU2 zone.

Overall, the proposed subdivision meets Kelowna's Official Community Plan goals of containing urban growth and sensitive infill housing development. If the requested variances are approved, a Preliminary Layout Review (PLR) will be created to address the conditions and requirements of the proposed two lot subdivision.

4.0 Proposal

4.1 Project Description

The attached Site Plan identifies the proposed subdivision of the subject property into two lots. The applicant is proposing to create two RU2 zoned single dwelling residential lots, accessed off Applebrooke Crescent.

No specific development plans have been submitted for the proposed Lot A, however the lot would meet the minimum lot area and depth requirements of the RU2 zone if the variance to reduce the minimum lot width is approved. The proposed Lot A can be developed with a single residential dwelling that meets the RU2 zone regulations.

The remainder Lot 46 has an existing dwelling to be maintained and would meet the minimum lot area, lot width and depth requirements of the RU2 zone, if the variances to reduce the rear yard setback and increase the site coverage is approved.

In fulfillment of Council Policy No. 367 respecting public consultation, the applicant undertook neighbor consultation by individually contacting the neighbors within a 50 metre radius. Staff has received objections or correspondence from the neighbors with the main concerns being street parking and increase in traffic.

4.2 Site Context

The subject property is located in the Glenmore – Clifton – Dilworth City Sector on Applebrooke Crescent with frontage on Applecrest Court. The property is within the permanent growth boundary and currently has a single detached house and attached garage. The neighborhood predominantly consists of single-family dwelling housing. Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU2 – Medium Lot Housing	Single Dwelling Residential
East	RU2 – Medium Lot Housing	Single Dwelling Residential
South	RU2 – Medium Lot Housing	Single Dwelling Residential
West	RU2 – Medium Lot Housing	Single Dwelling Residential

Subject Property Map: 154 Applebrooke Crescent



4.3 Zoning Analysis Table

Zoning Analysis Table			
CRITERIA	RU ₂ ZONE REQUIREMENTS	PROP. LOT A	PROP. LOT _{4,6}
Subdivision Regulations			
Min. Lot Area	400 m ²	539.2m ²	1746.6m ²
Min. Lot Width	13.0 m	11.52m ^①	15.0m
Min. Lot Depth	30.0 m	30.16m	53.0m
Development Regulations			
Max. Site Coverage (buildings, parking, driveways)	50%	TBD	57% ^②
Min. Front Yard	4.5m or 6m from garage/carport	TBD	13.62m
Min. Side Yard (south)	1.8m	TBD	2.68m
Min. Side Yard (north)	1.8m	TBD	4.9m
Min. Rear Yard	7.5m	TBD	4.34m ^③
① Indicates a requested variance to required Lot Width			
② Indicates a requested variance to required Max. Site coverage			
③ Indicates a requested variance to required Min. Rear Yard			

5.0 **Current Development Policies**5.1 Kelowna Official Community Plan (OCP)Chapter 5: Development Process*Objective 5.3 Focus development to designated growth areas*

*Policy .2 Compact Urban Form.*¹ 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 within 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.

Objective 5.22 Ensure context sensitive housing development

*Policy .6 Sensitive Infill.*² 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**6.1 Development Engineering Department

This application does not compromise any City of Kelowna municipal infrastructure. All Development Engineering requirements regarding the two-lot subdivision are to be addressed in the Preliminary Layout Review Agreement.

¹ City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

² City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

7.0 Application Chronology

Date of Application Received: September 9, 2020
Date Public Consultation Completed: October 19, 2020

Report prepared by: Sergio Sartori, Development Technician

Reviewed by: Dean Strachan, Community Planning & Development Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments

Schedule A: Proposed Site Plan

Attachment A: Draft Development Variance Permit DVP20-0172