

REPORT TO COUNCIL



Date: February 2, 2021

To: Council

From: City Manager

Department: Development Planning

Application: DVP20-0067

Owner: Desiree Ann Brodhurst

Address: 675 Central Avenue

Applicant: Jalal General Contractor

Subject: Development Variance Permit Application

Existing OCP Designation: S2RES – Single / Two Unit Residential

Existing Zone: RU6 – Two Dwelling Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP20-0067 for Lot 8 District Lot 9 ODYD Plan 3730, located at 675 Central Avenue, Kelowna, BC;

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

Section 13.6.6(g): RU6 – Two Dwelling Housing Development Regulations

To vary the minimum side yard setback for a 1 or 1½ storey portion of a building from 2.0 m required to 1.61 m 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 east side yard setback for a 1 or 1½ storey portion of a building from 2.0 m required to 1.61 m proposed to allow a new single-family dwelling to be constructed on the existing home foundation.

3.0 Development Planning

Staff are recommending support for the proposed setback variance to the east side yard setback to allow a new single-family dwelling (SFD) to be constructed on the original home foundation built in 1959. The existing foundation at its shortest distance to the side property line is 1.61m, which is less than the minimum side yard setback required for a typical RU6 lot. The applicants are proposing to construct a new home on the existing building foundation, which they intend to expand to create a larger SFD that will bring the front

of the home closer to Central Avenue than the existing structure, however, the new portion of foundation to be added will comply with existing setback requirements for the RU6 zone.

The original Building Permit for the existing SFD from 1959 shows an approved east side yard setback of 1.8 m (6 feet), however, the foundation was poured roughly 0.2 m closer to the side property line than it was approved to be. Since the existing home and foundation were constructed in the late 50's, no further foundation work has been performed on the home since that time. The applicants had a foundation report prepared by a certified structural engineer, which states that the existing foundation can support the new home proposed to be constructed on it.

Additionally, neighbours within the area have generally shown support for the proposed variance and no bylaw complaints have been received for the property based on noise or other undesirable elements that would come from locating a home closer to a neighbouring property than the RU6 zone typically requires.

4.0 Proposal

4.1 Project Description

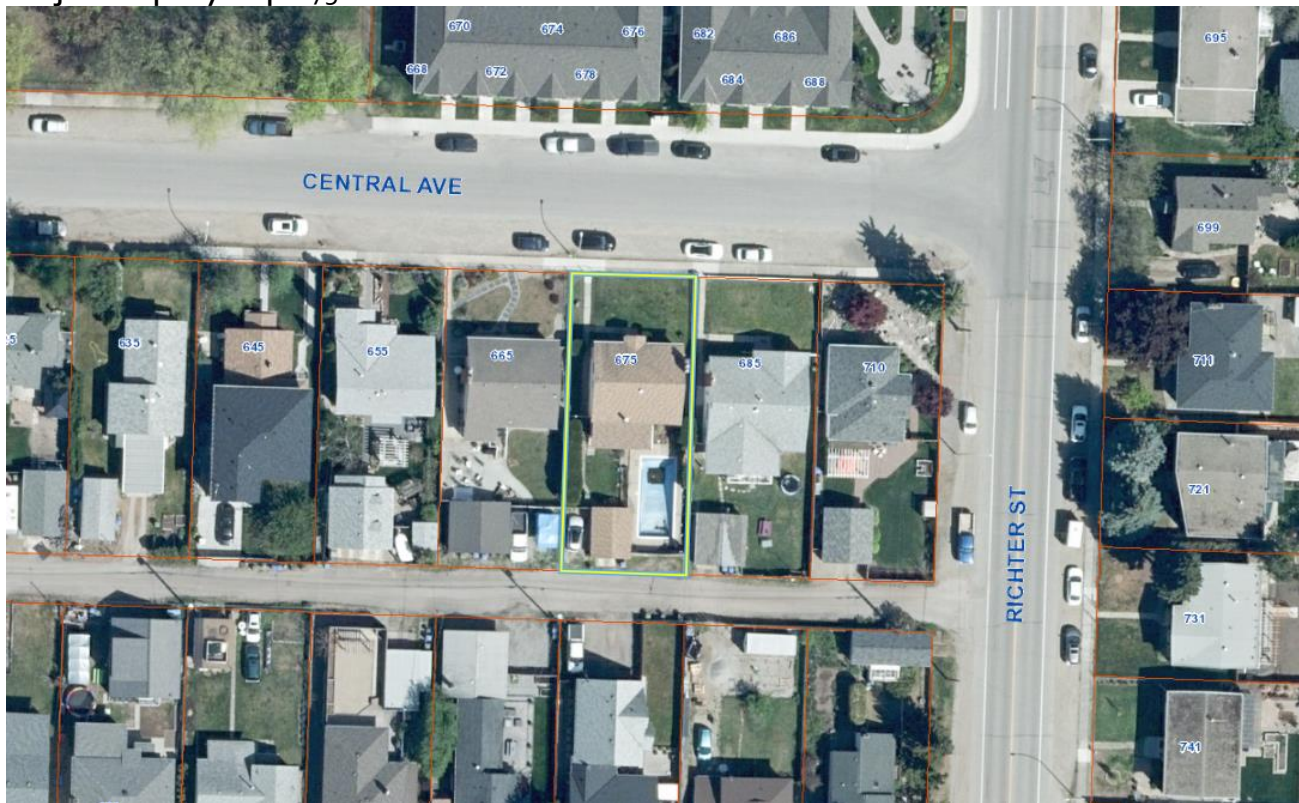
Should Council support the proposed side yard setback variance the applicants intend to construct a new 2 ½ storey modern styled single-family dwelling on the subject property. The new portion of foundation proposed to be added to create a larger building envelope than the existing foundation would be constructed within the required setbacks, which would not make the encroaching portion of the foundation larger than existing. Furthermore, the applicants are only seeking a variance for the basement and first storey of the proposed dwelling as they intent to construct the second floor 2.3m away from the neighbouring property line to the east, which complies with the minimum setback for a 2 storey and above portion of a home within the RU6 zone.

4.2 Site Context

The subject property is located north of the Downtown Urban Center and nearest to the intersection of Richter Street and Central Avenue. The site is situated just south of Knox Mountain to the north, Sutherland Bay Park to the west and Walrod Park to the southeast.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RM5 – Medium Density Multiple Housing	Residential
East	RU6 – Two Dwelling Housing	Residential
South	RU6 – Two Dwelling Housing	Residential
West	RU6 – Two Dwelling Housing	Residential

Subject Property Map: 675 Central Avenue**4.3 Zoning Analysis Table**

Zoning Analysis Table		
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Max. Site Coverage (buildings)	40%	23.3%
Max. Height	9.5m or 2 ½ storeys	8.64m / 2 ½ storeys
Min. Front Yard	4.5 m	5.49 m
Min. Side Yard (west)	2.0 / 2.3 m	2.36 m
Min. Side Yard (east)	2.0 / 2.3 m	● 1.61 m
Min. Rear Yard	7.5 m	18.9 m
● Indicates a requested variance to the minimum side yard setback of 2.0 m for a 1 or 1½ storey portion of a building and 2.3 m for a 2 storey portion of a building required to 1.61 m proposed.		

5.0 Current Development Policies**5.1 Kelowna Official Community Plan (OCP)****Chapter 5: Development Process****Objective 5.22 Ensure context sensitive housing development**

Policy .6 Sensitive Infill. 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.o Application Chronology

Date of Application Received: February 18, 2020

Date Public Consultation Completed: March 1, 2020

Report prepared by: Andrew Ferguson, Planner II

Reviewed by: Jocelyn Black, Urban Planning Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Attachment A: Draft Development Permit DVP20-0067

Schedule A: Site & Foundation Plans

Attachment B: Elevations, Sectional, Floor and Perspective Drawings

Attachment C: Foundation Review for Variance Permit Report