

REPORT TO COUNCIL



Date: August 23, 2016
RIM No. 0940-50
To: City Manager
From: Community Planning Department (LK)
Application: DP16-0113 & DVP16-0058 **Owner:** Justin & Rebecca Bullock
Address: 960 Mayfair Road **Applicant:** Justin Bullock
Subject: Development Permit and Development Variance Permit
Existing OCP Designation: S2RES - Single / Two Unit Residential
Existing Zone: RU6 - Two Dwelling Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP16-0113 for Lot 2 District Lot 143 ODYD Plan EPP62178, located at 960 Mayfair Road, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A",
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";

THAT Council authorizes the issuance of Development Variance Permit No. DVP16-0058 for Lot 2 District Lot 143 ODYD Plan EPP62178, located at 960 Mayfair Road, Kelowna, BC;

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

Section 13.6.6(h): RU6 - Two Dwelling Housing Development Regulations

To vary the required minimum rear yard from 7.5 m permitted to 2.3 m proposed.

AND THAT this Development Permit & Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

2.0 Purpose

To consider the form and character and to vary the rear yard setback to facilitate the construction of a new single dwelling house on the subject property.

3.0 Community Planning

Community Planning staff supports the required variance to the rear yard setback in order to facilitate the construction of a second single family dwelling on the subject parcel. The requested variance is to enable the orientation of the house to be rotated on the parcel. This

would allow the outdoor amenity area to be located to the south side of the dwelling rather than oriented to the rear of the parcel.

The subject parcel has a Future Land Use of S2RES - Single /Two Unit Residential and existing RU6 - Two Dwelling Housing zoning, therefore the application to add a second dwelling meets the guidelines of the Official Community Plan (OCP) and Zoning Bylaw No. 8000. The OCP supports the densification of neighbourhoods through appropriate infill development and utilization of existing infrastructure.

4.0 Proposal

4.1 Background

The subject parcel is located on Mayfair Road near the McCurdy Road intersection within the Rutland area. Rezoning application Z15-0038 was approved by Council on April 11, 2016. The application as to rezone the overall parcel from RU1 - Large Lot Housing zone to RU6 - Two Dwelling Housing zone. The rezoning of the parcel eliminated a long standing non-conformity of two dwellings existing on a single parcel. This larger parcel was then subdivided into two RU6 parcels through the approved Subdivision application No. S15-0002.

4.2 Project Description

The application is for the development of a second dwelling on the south parcel at 960 Mayfair Road. The parcels will retain the existing shared driveway access from Mayfair Road. This will help to reduce the amount of hard landscaping and overall site coverage of buildings and paved area on the parcel.

The mature trees at the rear of the property will be retained as they provide a buffer and screening from the adjacent industrial site. As the homeowners currently reside in the existing dwelling, they are aware of the potential for conflict that arises from intensifying the residential use adjacent to the existing industrial use.

The proposed two-storey second dwelling is located at the rear of the parcel. The dwelling provides two parking stalls within the attached garage. Except for one variance, the design meets all other Zoning Bylaw regulations.

The requested variance is to reduce the rear yard from 7.5 m required to 2.3 m provided. The house has been designed with a covered deck that is accessed from the kitchen/dining room and will allow the owners to oversee their children when playing in the side yard area. This large side yard area will be the primary outdoor amenity space for the dwelling and replace the 'backyard'. The proposed 2.3 m setback at the rear of the property is designed to meet the Zoning Bylaw side setback requirement for a two-storey dwelling. In reducing this setback, which is adjacent to the industrial zoned parcel, they have increased the south side setback from 2.3 m required up to 9.55 m, which exceeds the setback requirement of a rear yard. Additional trees and shrubs will be provided along the side property line along with having the existing fence to provide visual privacy for both the subject parcel and the adjacent south parcel. The adjacent homeowner at 940 Mayfair Road has provided a letter of support and acknowledges their awareness of the requested variance.

The exterior façade of the proposed dwelling will complement the existing house and is in character with the existing neighbourhood. The cladding will be horizontal cedar siding painted neutral taupe with brick detailing at the garage, and the window and door trim will be white to match the existing house (see attached colour schedule).

4.3 Site Context

The subject parcel is at the intersection of McCurdy Road and Mayfair Road and is located within the Rutland area of Kelowna.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I2 - General Industrial	Storage & Warehousing
East	RU1 - Large Lot Housing	Single Family Dwelling
South	RU1c - Large Lot Housing with Carriage House	Single Family Dwelling
West	A1 - Agriculture 1 (LUC 77-1045)	Storage & Warehousing

Subject Property Map: 960 Mayfair Road



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Minimum Lot Area	700 m ²	1164 m ²
Minimum Lot Width	18 m	23.3 m
Minimum Lot Depth	30 m	49.9 m
Development Regulations		
Maximum Site Coverage (buildings)	40%	29.6%
Maximum Site Coverage (buildings, driveways and parking)	50%	42.4%
Maximum Height	9.5 m or 2 ½ storeys	6.73 m & 2 storeys
Minimum Front Yard	4.5 m	8.71m (to existing dwelling)
Minimum Side Yard (south)	2.3 m	10.64 m

Minimum Side Yard (north)	2.3 m	2.83 m
Minimum Rear Yard	7.5 m	2.3 m ^❶
Other Regulations		
Minimum Parking Requirements	4 stalls	4 stalls
Minimum Private Open Space	30m ² /dwelling	+30m ² /dwelling
❶ Indicates a requested variance to the required rear setback.		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

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.

Sensitive Infill² Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighborhood with respect to building design, height and siting.

6.0 Technical Comments

6.1 Building & Permitting Department

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

6.2 Development Engineering Department

- Refer to Attachment A.

6.3 Fire Department

- Requirements of section 9.10.19 Smoke Alarms and Carbon Monoxide alarms of the BCBC 2012 are to be met.
- All units shall have a posted address on Mayfair Rd for emergency response.
- Maintain the access from Mayfair to the second house at the west side of the property

7.0 Application Chronology

Date of Application Received: March 1, 2016
Date Public Consultation Completed: May 9, 2016
Date of Rezoning Z15-0038 Adoption: April 11, 2016

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).

Report prepared by:

Lydia Korolchuk, Planner

Reviewed by:



Terry Barton, Urban Planning Manager

Reviewed by:



Ryan Smith, Community Planning Department Manager

Attachments:

Attachment A: Development Engineering Memorandum

Schedule A: Site Plan & Landscape Plan

Schedule B: Conceptual Elevations & Colour Board

Draft Development Permit & Development Variance Permit: DP16-0113 & DVP16-0058