

REPORT TO COUNCIL



Date: April 20, 2021

To: Council

From: City Manager

Department: Development Planning

Application: DVP21-0031

Owner: Kevin Bruce & Valerie Virginia Nichol

Address: 4303 Ladd Ct

Applicant: Urban Options Planning & Permits

Subject: Development Variance Permit Application

Existing OCP Designation: S2RES – Single/Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP21-0031 for Lot 19 Section 31 Township 29 ODYD Plan EPP94940, located at 4303 Ladd Court, Kelowna, B.C.;

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

Section 13.1.6(c): RU1 – Large Lot Housing, Development Regulations:

To vary the front yard setback from 6.0m required to 3.0m proposed.

Section 13.1.6(d): RU1 – Large Lot Housing, Development Regulations:

To vary the side yard setback from 2.3m required to 1.5m proposed.

Section 13.1.6(e): RU1 – Large Lot Housing, Development Regulations:

To vary the rear yard setback from 7.5m required to 6.0m 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 minimum front yard setback, minimum side yard setback and minimum rear yard setback to facilitate the construction of a single-family home.

3.0 Development Planning

Staff support the Development Variance Permit for the front yard, side yard and rear yard setbacks. This property is part of *The Orchard in the Mission* subdivision that was recently approved in 2019. The new subdivision borders the Agricultural Land Reserve (ALR) and active agriculture, so Staff required a 15m ALR landscape buffer to be registered on Title prior to completion of the subdivision. Sprays and machinery from normal farm practices can create conflicts with urban neighbours, so the landscape buffer benefits both the farming operation and the residents of the subdivision. The landscape buffer was registered on Title and an easement was created on the subject property, which encumbered the lot and limited the buildable area. Staff support the variances, as the subject property is a triangular shape and the construction of a single-family home is challenging without the requested variances.

4.0 Proposal

4.1 Project Description

The applicant is seeking a Development Variance Permit to build a single-family home on the subject property. The proposal is to build a 2 ½ storey dwelling with a footprint of 178m² (1,916ft²). The subject property is encumbered due to an ALR landscape buffer and is triangular in shape, which limits the buildable area. The variances to the rear yard, front yard and side yard will allow the owner to develop a single-family home on the unencumbered portion of the property.

4.2 Site Context

The subject property is zoned RU1 – Large Lot Housing and has a Future Land Use Designation of S2RES – Single/Two Unit Residential. The property is located on Ladd Ct, near the intersection with DeHart Road in the North Mission – Crawford OCP Sector. The surrounding area is primarily zoned RU1 – Large Lot Housing, A1 – Agriculture 1 and RR2 – Rural Residential 2.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single-Family Home
East	A1 – Agriculture 1	Active Agriculture
South	RU1 – Large Lot Housing	Single-Family Home
West	RU1 – Large Lot Housing	Single-Family Home

Subject Property Map: 4303 Ladd Ct**4.3 Zoning Analysis Table**

Zoning Analysis Table		
CRITERIA	RU ₁ ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	550m ²	807.14m ²
Min. Lot Width	16.5m	27.03m
Min. Lot Depth	30.0m	30.39m
Development Regulations		
Max. Site Coverage (buildings)	40%	22.1%
Max. Site Coverage (buildings, parking, driveways)	50%	24%
Max. Height	9.5m	7.0m
Min. Front Yard	6.0m (from garage)	3.0m ❶
Min. Side Yard (West)	2.3m (for 2 or 2 ½ storey)	1.5m ❷
Min. Rear Yard	7.5m	6.0m ❸
Other Regulations		
Min. Parking Requirements	2	2
❶ Indicates a requested variance to Section 13.1.6c: Development Regulations – Front Yard Setbacks ❷ Indicates a requested variance to Section 13.1.6d: Development Regulations – Side Yard Setbacks ❸ Indicates a requested variance to Section 13.1.6e: Development Regulations – Rear Yard Setbacks		

5.0 Application Chronology

Date of Application Received: February 13th, 2021
 Date Public Consultation Completed: March 5th, 2021

Report prepared by: Tyler Caswell, Planner I

Reviewed by: Dean Strachan, Community Planning & Development Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Attachment A: Draft Development Variance Permit DVP21-0031

Schedule A: Conceptual Site Plan