

REPORT TO COUNCIL



Date: September 21st, 2021

To: Council

From: City Manager

Department: Development Planning

Application: DVP21-0177 **Owner:** Damien Ignace Prud'homme & Stephanie Anne Edwards

Address: 1400 Braemar St **Applicant:** Damien Prud'homme

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. DVP21-0177 for Lot 13 Section 20 Township 26 ODYD Plan 14090, located at 1400 Braemar Street, Kelowna, BC;

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

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

To vary the rear yard setback of a dwelling from 7.5 m required to 2.3 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 issue a Development Variance Permit for the rear yard setback from 7.5 m permitted to 2.3 m proposed to facilitate the construction of a second single-family dwelling.

3.0 Development Planning

Staff support the proposed Development Variance Permit for the rear yard setback for an additional single-family dwelling. The RU6 zone requires all residences to have 7.5m rear yard setback because the majority of RU6 properties do not have a laneway. If the property does not have a laneway, the 7.5m setback protects the privacy of the neighbouring property. However, this small area in the Bankhead Community is zoned RU6 with laneway access. In comparison, both carriage houses and RU7 developments are permitted to have a 0.9m setback from any laneway because laneway-oriented units will give the laneway a street-feel and add

to the character of the neighbourhood. Staff believe the treatment of an additional residence on an RU6 property with a laneway may be similar to how we interpret the other zones that encourage smaller laneway setbacks.

4.0 Proposal

4.1 Project Description

The applicant is seeking a rear yard setback variance to allow for a second single-family home on the subject property. The second dwelling will be consisting of a double car garage, will be designed to be modern craftsman style and is proposed to be two bedrooms and two-storeys with a rooftop deck. The second dwelling and will be connected to all municipal services. The variance will allow the dwelling to go closer to the laneway to allow easy access into the garage and allow for more landscaping and less hardscaping. The rear yard of the property currently has a garage, which will be removed to facilitate the construction of the proposed dwelling.

4.2 Site Context

The subject property is zoned RU6 – Two Dwelling Housing and has a Future Land Use Designation of S2RES – Single/Two Unit Residential. The property is on Braemar Street and is in the Glenmore – Clifton – Dilworth OCP Sector. The surrounding area is almost entirely zoned RU6 – Two Dwelling Housing.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 – Two Dwelling Housing	Single-Family Dwelling
East	RU6 – Two Dwelling Housing	Single-Family Dwelling
South	RU6 – Two Dwelling Housing	Single-Family Dwellings
West	RU6 – Two Dwelling Housing	Single-Family Dwelling

Subject Property Map: 1400 Braemar Street



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	700m ²	747.2m ²
Min. Lot Width	18.0m	19.20m
Min. Lot Depth	30.0m	38.51m
Development Regulations		
Max. Site Coverage (buildings)	40%	30.9%
Max. Site Coverage (buildings, parking, driveways)	50%	37.8%
Max. Height	9.5m	9.5m
Min. Front Yard	4.5m	8.53m
Min. Side Yard (south)	2.3m	7.1m
Min. Side Yard (north)	2.3m	2.3m
Min. Rear Yard	7.5m	2.3m ●
Min. Distance Between Two Dwellings	4.5m	8.0m
Other Regulations		
Min. Parking Requirements	4	4
● Indicates a requested variance to Section 13.6.6h: Two Dwelling Housing – Development Regulations		

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*. 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*. 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 Accepted: July 9, 2021
Date Public Consultation Completed: Aug 11, 2021

Report prepared by: Tyler Caswell, Planner I

Reviewed by: Jocelyn Black, Urban Planning Manager

Reviewed by: Terry Barton, Development Planning Department Manager

Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Attachment A: Draft Development Variance Permit DVP21-0177

Attachment B: Applicant's Rationale

Attachment C: Elevation Drawings

Schedule A: Site Plan / Floor Plan