

REPORT TO COUNCIL



Date: November 30, 2021

To: Council

From: City Manager

Department: Development Planning

Application: DP21-0159 DVP21-0204

Owner: Prime Clifton Homes Inc., Inc.
No. A0116073

Address: 1402 Cara Glen Court

Applicant: Kerkoff Development

Subject: Development Variance Permit and Development Permit

Existing OCP Designation: MRM – Multiple Unit Residential (Medium Density)

Existing Zone: RM4 – Transitional Low Density Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP21-0159 for Lot 1, Section 31, Township 26, ODYD, Plan EPP100150, located at 1402 Cara Glen Court, 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";
3. Landscaping to be provided on the land be in accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit Application in order for the permits to be issued;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP21-0204 for Lot 1, Section 31, Township 26, ODYD, Plan EPP100150, located at 1402 Cara Glen Court, Kelowna, BC;

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

Section 13.10.6(d): RM4 – Transitional Low Density Housing Development Regulations

To vary the required front yard setback from 6.0m permitted to 4.2m proposed,

Section 13.10.7(b) : RM4 – Transitional Low Density Housing Other Regulations

To vary the maximum continuous building frontage from 40.0m permitted to 58.3m proposed

AND FURTHER THAT this Development Permit and 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 of a 44 unit multi-family development and to consider varying the front yard set-back and maximum allowable building frontage on the subject property.

3.0 Development Planning

Staff recommend support for the proposed development permit and development variance permit applications. The proposed development is substantially compliant the City's development permit guidelines and the regulations of the Zoning Bylaw including parking and building height. Two variances are required to achieve the proposed design. Specifically, a variance to the front yard-setback is required to allow for an un-enclosed balcony patio space to encroach into the set-back which if approved would allow for a more functional outdoor space. A second variance is requested to vary the maximum building width. The proposed size of the building will fit well into the context of the neighbourhood.

4.0 Proposal

4.1 Background

The subject site is located on a vacant parcel recently subdivided near the intersection of Clifton Road and Cara Glen Court. In the Official Community Plan the property is located within the permanent growth boundary where urban uses such as multi-family developments are supported and designated MRM – Multiple Unit Residential (Medium Density). The lot is zoned RM4 – Transition Low Density Housing which allows for a mix of townhouses or apartment buildings up to a maximum of 3 storeys.

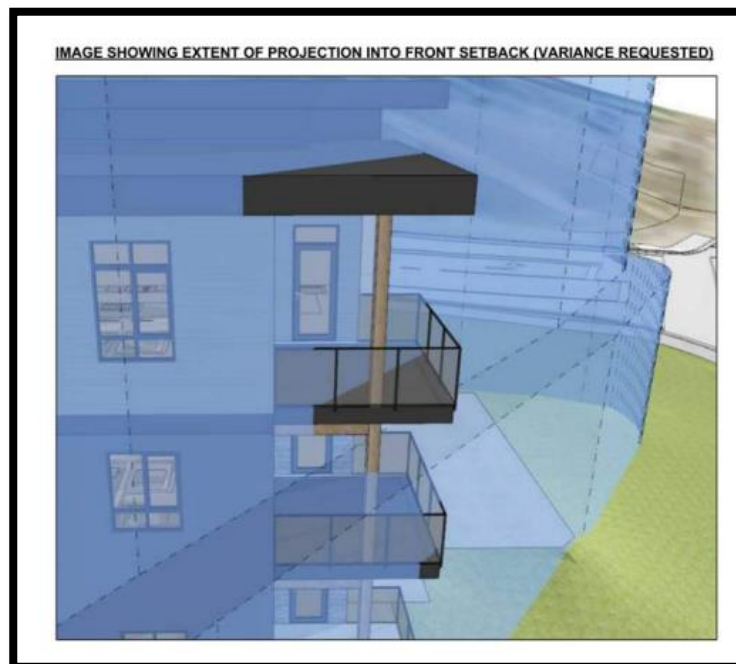
4.2 Project Description

The proposed development consists of 16 town-homes and a 28-unit apartment building. The total amount of housing proposed is 44 units and most of the housing units have two or three bedrooms. The development style is characterized as having a modern aesthetic. The town-homes are 3 stories in height with a double car garage. The town-homes each have roof top decks which will provide private open space. The proposed apartment building fronts Clifton Road and provides balconies, windows, and ground-oriented units facing the street. Parking for the apartment building is provided in an underground parkade. The landscape plan provides private landscaped areas for small gatherings and interactions including a playground area.



The proposed development is substantially compliant the OCP Urban Design Development Permit guidelines. Two variances are required to achieve the proposed design.

1. A variance to the front yard-setback is required to allow for an un-enclosed balcony patio space to encroach into the set-back. The building footprint is compliant with the required set-back but the proposed deck space projects into the front set-back further than permitted. The proposed variance is relatively minor, no negative impacts are expected if this projection is allowed. The extent of the encroachment is pictured below.



2. A variance to the maximum building width is requested. The apartment building is proposed to be 58.3m in length, while the RM₄ zone requires a maximum building frontage of 40.m. The RM₄ zone is meant to be a transitional zone between low and higher densities. The proposed building is across the street from a vacant parcel which is designated MRL – Multiple Unit Residential (Low Density) in the OCP. The building fronts Clifton Road and is buffered by townhouses that are part of the proposed development on the north and west sides of the building. Staff anticipate this building will fit well into the context of the neighbourhood and confirm that the building has been designed to have an appropriate size and scale.

4.3 Site Context

The subject site is in an area characterized by existing single detached housing and multi-family developments currently under development. Specifically, the lands to the North of the site have a future land use designation of S₂Res – Single/Two Unit Residential and contain single detached houses. The properties to the South and West of the site are designated MRM – Multiple Unit Residential (Medium Density) zoned RM₄ and are under development. To the East of the site there is large vacant parcel that is designated MRL – Multiple Unit Residential (Low Density) and zoned A₁ – Agriculture 1.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	A ₁ - Agriculture	S ₂ Res – Single/Two Unit Residential
East	A ₁ - Agriculture	MRL – Multiple Unit Residential (Low Density)
South	RM ₄ – Transitional Low Density Housing	MRM – Multiple Unit Residential (Medium Density)
West	RM ₄ – Transitional Low Density Housing	MRM – Multiple Unit Residential (Medium Density)

Subject Property Map:



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM ₄ ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	900m ²	6,820m ²
Min. Lot Width	30m	90m
Min. Lot Depth	30m	102m
Development Regulations		
Max. Floor Area Ratio	0.65	0.62
Max. Site Coverage (buildings)	50%	30%
Max. Site Coverage (buildings, parking, driveways)	60%	52%
Max. Height	13.0m/3 storeys	13.0m
Min. Front Yard	4.5m-6.0m	4.2m^①
Min. Side Yard (south)	2.3-4.5m	4.5m
Min. Side Yard (north)	2.3-4.5m	4.5m
Min. Rear Yard	7.5-9.0m	10.0m
Other Regulations		
Private Open Space	7.5 m ² per bachelor dwelling, 15.0 m ² per 1 bedroom dwelling, and 25.0m ² per dwelling with more than 1 bedroom.9 (Total = 2,756sqft or 256sqm)	4,064sqft (378sqm)
Building Width	40.0 m for a 3-storey building, 65.0 m for a 2-storey building	(192ft 2in) 58.3m for a 3 storey building^②
Bike Parking	1 short-term space per 5 townhouse units, 0.75 long-term per 2br or less (21 spaces) plus 6 short-term per entrance	1 short-term space townhouse unit, 0.75 long-term per 2br or less (21 spaces) plus 6 short-term per entrance
Visitor Parking	0.14/unit (4 spaces for apt, 2 spaces for townhouse = 6 total	6 spaces
Accessible Parking	4 spaces (1 of which must be van accessible)	4 spaces (1 of which is van accessible)
Total Parking	79 spaces	80 spaces
^① Indicates a requested variance to Zoning Bylaw Section 13.10.6 (d) ^② Indicates a requested variance to Zoning Bylaw Section 13.10.7 (b)		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5: Development Process

Objective 5.2 Develop Sustainably

Policy 5.2.3 Complete Suburbs. Support a mix of uses within Kelowna's suburbs, in accordance with "Smart Growth" principles to ensure complete communities. Uses that should be present in all areas of the City, at appropriate locations, include: commercial, institutional, and all types of residential uses (including affordable and special needs housing) at densities appropriate to their context. Building heights in excess of four storeys will not be supported within the suburban areas, unless provided for by zoning existing prior to adoption of OCP Bylaw 10500.

6.0 Technical Comments

6.1 Development Engineering Department

- Development Engineering requirements have been addressed as part of subdivision application (S17-0053)

7.0 Application Chronology

Date of Application Received: September 2nd 2021

Date Public Consultation Completed: October 1st 2021

Report prepared by: Alex Kondor, Planner Specialist

Reviewed by: Dean Strachan, Community Planning & Development Manager

Reviewed by: Terry Barton, Development Planning Department Manager

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

Attachments:

Attachment A: Draft Development Permit/Development Variance Permit: DP21-0159/DVP21-0204

Schedule A: Site Plan

Schedule B: Building Elevations

Schedule C: Landscape Plan

Attachment B: Development Permit Checklist