

REPORT TO COUNCIL



Date: November 15, 2022

To: Council

From: City Manager

Department: Development Planning Department

Application: DP22-0148/ DVP22-0149 **Owner:** 1317535 B.C LTD., INC. NO. BC1317535

Address: 921 Borden Avenue **Applicant:** Clark Webb, NIDO Design

Subject: Development Permit and Development Variance Permit

Existing OCP Designation: C-NHD – Core Area Neighbourhood

Existing Zone: MF1 – Infill Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP22-0148 and Development Variance Permit No. DVP22-0149 for Lot 1 District Lot 138 ODYD PLAN 3242 located at 921 Borden Avenue, Kelowna, BC;

AND THAT variances to the following sections of Zoning Bylaw No. 12375 be granted:

Section 8.1.5: General Provisions and Development Standards

To vary the required physical barrier screen for parallel parking on the flanking lane.

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 issue a Development Permit and Development Variance Permit to vary the required physical barrier screen for parallel parking on the flanking lane to facilitate a four-unit housing development.

3.0 Development Planning

Development Planning staff support the Development Permit (DP) and Development Variance Permit (DVP) for the physical barrier screen. The proposal meets all Development Permit guidelines in terms of form and character but requires a variance to meet the on site parking regulations. The subject property has a unique orientation, as the laneway is located along the east property line and not in the rear property line, like most infill properties. The proposed arrangement is a solution that allows for a more generous site layout with

larger green spaces at-grade for residents. This site orientation has led to the applicant request for a variance to accommodate four parallel parking stalls on the flanking lane. The parking regulations for MF1– Infill Housing developments were not designed to accommodate parking on a flanking lane; therefore, with this orientation, a physical barrier is not possible. The applicant has put design emphasis on the laneway through landscaping and architectural variation of the buildings. Additionally, the parking stall sizes have been increased an additional 0.5 metres in width to accommodate the parallel parking on site. Staff do not anticipate any negative impacts to the neighbouring properties or visual impacts with the variance.

4.0 Proposal

4.1 Background

A previous Development Permit and Development Variance Permit applications (DP22-0020/DVP20-0021) with a similar proposal for the subject property were approved by Council on June 2, 2020. The development did not proceed and the permits expired on June 2, 2022. New Development Permit and variance applications are required to accommodate the project as there has been a change of property ownership. The existing building demolition will need to be completed subsequent to building permit issuance, should Council support the applications.

4.2 Project Description

The associated Development Permit proposal is for four single-family homes, with two homes on Borden Ave and two at the rear of the property. The subject property has an existing laneway along the east side property line and does not have a rear lane for access. The parking orientation has led the applicant to request a variance for the required parking physical screen, as it is not possible to accommodate both a screen and parking on the lane. This variance is required for the proposal to meet the Parking Requirements in the Zoning Bylaw.

4.3 Site Context

The subject property is zoned MF1 – Infill Housing and has a Future Land Use Designation of C-NHD – Core Area Neighbourhood. The property is located on Borden Ave and is in the Central City OCP Sector. The surrounding area is primarily residential housing with zones such as MF2 – Townhouse Housing, MF1 – Infill Housing, and RU4 – Duplex Housing.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU4 – Duplex Housing	Semi-Detached Dwelling
East	MF1 – Infill Housing	Four-plex
South	MF1 – Infill Housing	Proposed Multi-Family Dwelling
West	MF2 – Townhouse Housing	Multi-Family Dwelling

Subject Property Map: 921 Borden Avenue



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	MF ₁ ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	277.5 m ²	834.9 m ²
Min. Lot Width	7.5 m	20.1 m
Min. Lot Depth	30.0 m	41.5 m
Development Regulations		
Max. Floor Area Ratio	0.8	0.62
Max. Site Coverage (buildings)	55 %	28.5 %
Max. Site Coverage (buildings, structures, impermeable surfaces)	75 %	45.7 %
Max. Height	8.0 m or 2 storeys	7.3 m or 2 storeys
Min. Front Yard	4.0 m	4.0 m
Min. Side Yard (east)	2.1 m	3.1 m
Min. Side Yard (west)	2.1 m	2.1 m
Min. Rear Yard	3.0 m	3.0 m
Min. Separation between Detached Principal Buildings	2.0 m	2.31 m
Other Regulations		
Physical Barrier Screen	Required physical barrier screen for the parallel parking on the flanking lane	None provided❶
❶ Indicates a requested variance to Section 8.1.5: General Provisions and Development Standards		

5.0 **Current Development Policies**5.1 Kelowna 2040 Official Community Plan (OCP)

Objective 5.3. Design residential infill to be sensitive to neighbourhood context.	
Policy 5.3.1	<p>Ground Oriented Infill. Encourage gentle densification in the form of ground-oriented residential uses such as houseplexes, townhouses and narrow lot housing to approximately 2 storeys, maintaining residential uses and setbacks that reflect the existing development pattern. Consider opportunities for greater height and massing at block ends and along Active Transportation Corridors as outlined in Figure 5.3.</p> <p><i>This proposal helps improve housing diversity in a predominantly single family neighbourhood. This location is walkable to transit stops and local parks.</i></p>
Policy 5.3.6	<p>Small Lot Development. To encourage residential infill development in Core Area Neighbourhoods and transition areas that reflect the existing neighbourhood context, discourage large lot consolidations except where properties front or directly abut a Transit Supportive Corridor, Active Transportation Corridor, or an Arterial Road.</p> <p><i>This proposal consists of 4 separate dwelling units, each with 3 bedrooms. The lot neighbours an existing four-plex development and a multi-family dwelling.</i></p>

6.o Application Chronology

Date of Application Received: June 24th, 2022

Date Public Consultation Completed: August 2nd, 2022

Report prepared by: Sara Skabowski, Planner 1

Reviewed by: Lydia Korolchuk, 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 Permit DP22-0148 and Development Variance Permit DVP22-0149

Schedule A: Site Plan

Schedule B: Development Drawings

Schedule C: Landscape Plan

Attachment B: Applicant Rationale