

REPORT TO COUNCIL



Date: November 1, 2016

RIM No. 0940-50

To: City Manager

From: Community Planning Department (LK)

Application: DVP16-0155 Owner: Daniel & Patricia Gagnon

Address: 701 Pinehaven Court Applicant: Scott Wetherill

Subject: Development Variance Permit

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. DVP16-0155 for Strata Lot 57 Section 30 Township 26 ODYD Strata Plan KAS3162 Together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V, located at 701 Pinehaven Court, Kelowna, BC;

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

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

To vary the required rear yard from 7.5 m minimum to 5.70 m proposed.

2.0 Purpose

To vary the minimum rear yard setback to facilitate the development of single family housing on the subject property.

3.0 Community Planning

Community Planning Staff supports the requested variance to the rear yard setback on the subject property to facilitate the construction of a new single family dwelling. The parcel is an irregular shaped lot that is triggering the request for a variance.

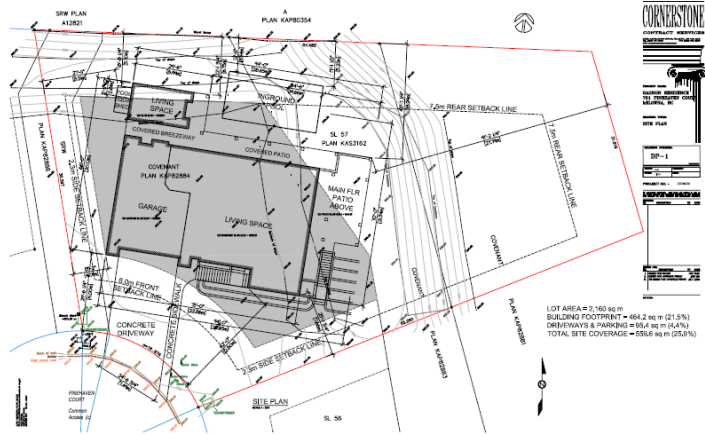
The subject parcel has a Future Land Use of S2RES - Single / Two Unit Residential, therefore the application meets the guidelines of the Official Community Plan (OCP). The OCP supports sensitive infill development to reflect the character of the neighbourhood with respect to building design, height and siting.

4.0 Proposal

4.1 Project Description

The applicant is proposing to build a new single detached dwelling on the subject parcel which is located at Pinehaven Court within the Highpointe strata development.

The parcel has a slight uphill slope from front to rear of the parcel. The parcel also slopes about 3.0 m from west to east along the parcel frontage and the south side property line. The house is a modern two-storey designed to work with the grade of the parcel. The odd shape of the parcel has brought about the rear setback variance request to allow the reduction from 7.5 m required to 5.70 m proposed.



Community Planning Staff supports the requested variance to reduce the rear setback as the parcel backs onto Knox Mountain Park and there should be no negative impact to the adjacent residential parcels. The development also provides a large side setback area which will help to mitigate the reduction request for the rear yard area. Much of the east side of the parcel has 'no disturb' and 'no build' covenants registered due to the topography of the parcel. The house design addresses these constraints and also complies with all other Zoning Bylaw development regulations.

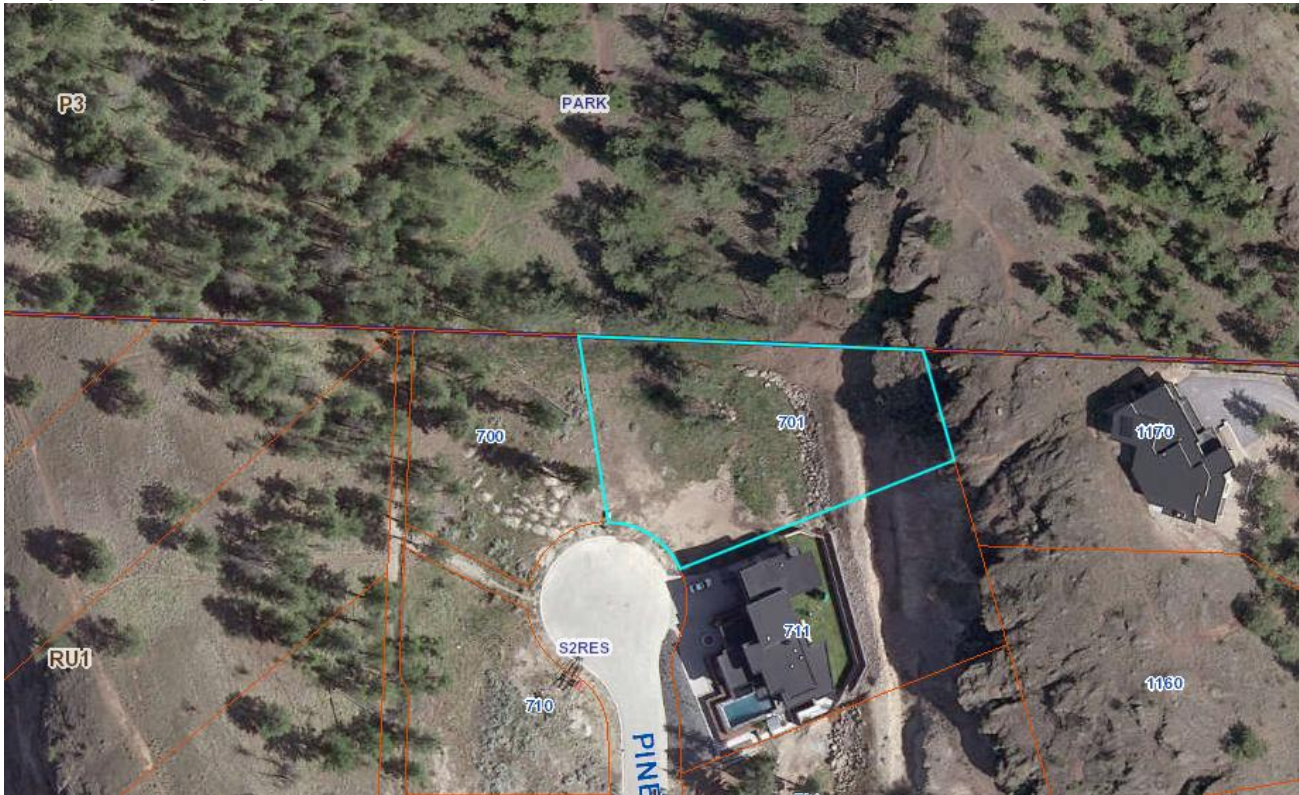
Council Policy No. 367 with respect to public consultation was undertaken by the applicant. All adjacent neighbours within a 50 m radius were contacted by the applicant with plans available for viewing. Both the Strata Board and the Strata Developer Approver have provided a letter in support of the requested variance.

4.2 Site Context

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P3 - Parks and Open Space	Knox Mountain Park
East	RU1 - Large Lot Housing	Single Family Dwelling
South	RU1 - Large Lot Housing	Single Family Dwelling
West	RU1 - Large Lot Housing	Single Family Dwelling

Subject Property Map: 701 Pinehaven Court



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU1 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	550 m ²	2160 m ²
Lot Width	16.5 m	16.87 m
Lot Depth	30 m	40.35 m
Site Coverage of Buildings	40%	21.5%
Site Coverage of Buildings (including driveway and parking)	50%	25.9%
Development Regulations		
Height	9.5 m or 2.5 storeys	8.67 m & 2 storeys
Front Yard	6.0 m	m
Side Yard (south)	2.3 m	7.66 m
Side Yard (west)	2.3 m	4.01 m
Rear Yard	7.5 m	5.70 m ●
Other Regulations		
Minimum Parking Requirements	2 stalls	+2 stalls
Private Open Space	30 m ²	+30 m ²
● Indicates a requested variance to the rear yard setback.		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5 - Development Process

Sensitive Infill.¹ 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.

Context Considerations.² Set buildings into the hillside and step up or down the slope to mimic the natural topography.

6.0 Technical Comments

6.1 Development Engineering Department

- Refer to Attachment A dated August 22, 2016.

7.0 Application Chronology

Date of Application Received: June 17, 2016
Date Public Consultation Completed: August 5, 2016

Report prepared by:

Lydia Korolchuk, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment A: Development Engineering Memorandum

Schedule A: Site Plan

Schedule B: Elevations

Schedule C: Landscape Plan

Context/Site Photos

Draft Development Variance Permit DVP16-0155

¹ City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

² City of Kelowna Official Community Plan, Policy 14.30.1.3 (Urban Design Development Permit Areas Chapter).