

REPORT TO COUNCIL



Date: March 21, 2017

RIM No. 0940-50

To: City Manager

From: Community Planning Department (LK)

Application: DVP14-0149

Owner: Garth Coxford & Gillian Krol

Address: 629 Greene Rd

Applicant: Garth Coxford & Gillian Krol

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. DVP14-0149 for Lot 6 District Lot 358 ODYD Plan 9564, located at 629 Greene Road, Kelowna, BC;

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

Section 13.1.6 (c): Large Lot Housing Development Regulations

To vary the required minimum side setback from 2.3 m permitted to 1.8 m proposed.

AND THAT Council's consideration of this Development Variance Permit be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated September 8, 2014;

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

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 required minimum side setback from 2.3 m required to 1.8 m proposed to facilitate a two-lot subdivision of the subject property.

3.0 Community Planning

Community Planning Staff are supportive of the variance to facilitate the proposed subdivision. The application meets the Official Community Plan (OCP) Future Land Use Designation of S2RES – Single/ Two

Unit Residential. The proposal also meets many of the OCP’s Urban Infill objectives and it meets all but one of the Zoning Bylaw Regulations for RU1 – Large Lot Housing.

The property is within the Permanent Growth Boundary in the North Mission/Crawford area. The increase in density at this location is supported by local amenities such as parks, schools and transit.

Council Policy No. 367 with respect to public consultation was undertaken by the applicant and all neighbours within a 50m radius of the subject parcel.

4.0 Proposal

4.1 Project Description

The applicant could rezone the property to RU2 as the proposed 1.8m side yard setback would meet the Zoning Regulations. However, the applicant would prefer to retain the RU1 zoning in order to remain consistent with the existing neighborhood pattern.

The building on proposed lot 1 was designed to retain the existing in ground pool requiring the house to be located slightly more to the west (refer to *Figure 1*).

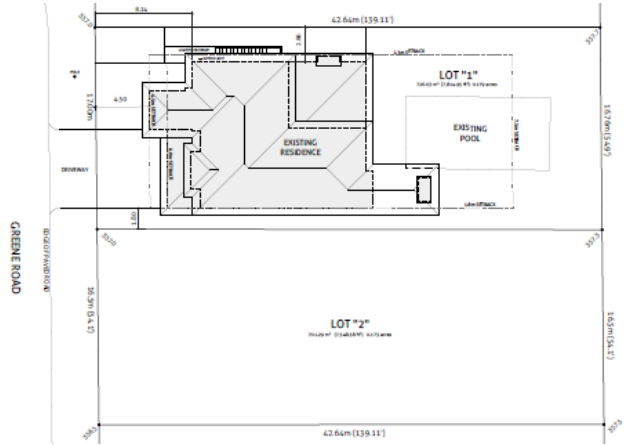


Figure 1 – Proposed subdivision indicating the existing house and pool located on Lot 1 & the proposed Lot 2.

The applicant discussed the issue with Staff prior to construction on proposed lot 1 and was transparent about the subdivision objective and the fact that the required setback could not be met with the proposed design. The variance from 2.3 m to 1.8 m side setback will be addressed through increased building code requirements for the dwelling. This allows the retention of the desired large lot housing zoning for both parcels and retains consistency with the existing neighbourhood. Frontage upgrades (urbanization) and development cost charges will be acquired at the subdivision stage. The reduced setback should not impact the adjacent property (Lot 2).

In accordance with Council Policy 367 – Public Notification & Consultation for Development Applications, the applicant has provided notification of the proposed Development Variance Permit application to neighbouring properties within 50 m of the subject site.

4.2 Site Context

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single Dwelling Housing
East	RU1 – Large Lot Housing	Single Dwelling Housing
South	RU6 – Two Dwelling Housing	Two Dwelling Housing
West	RU1 – Large Lot Housing	Single Dwelling Housing

5.0 Subject Property Map: 629 Greene Road



5.1 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU ₁ ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	550 m ²	Lot 1 – 726.03 m ² Lot 2 – 701.29 m ²
Lot Width	16.5 m	Lot 1 – 17 m Lot 2 – 16.5 m
Lot Depth	30 m	Lot 1 & 2 - 42.64 m
Development Regulations		
Front Yard	4.5 m	4.5 m
Side Yard (east)	2.3 m	2.86 m
Side Yard (west)	2.3 m	1.8 m ❶
Rear Yard	7.5 m	+14.0 m
❶ Indicates a requested variance to vary the minimum side setback from 2.3 m required to 1.8 m proposed.		

6.0 Current Development Policies

6.1 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.¹ 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.

Sensitive Infill.² 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.

7.0 Technical Comments

7.1 Development Engineering Department

- Refer to Attachment "A".

8.0 Application Chronology

Date of Application Received: July 19, 2014
Date Public Consultation Completed: January 28, 2016

Report Prepared by: Lydia Korolchuk, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Schedule A: Site Plan

Attachment A: Development Engineering Memorandum

¹ City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

² City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).