

SUPPLEMENTAL REPORT TO COUNCIL



Date: Sept 12th, 2017

RIM No. 0940-50

To: City Manager

From: Community Planning Department (AC)

Application: DVP17-0128

Owner: Folio Building Group Inc.

Address: 781 Bay Avenue – Lot 28 & 29

Applicant: Shane Phillip Styles

Subject: Development Variance Permit

Existing OCP Designation: IND-T – Industrial - Transitional

Existing Zone: RU6 – Two Dwelling Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP17-0128 for Lot 28 & 29, Section 30, Township 26, ODYD, Plan 1304, located at 781 Bay Avenue, Kelowna, BC;

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

Section 13.6.6: RU6 – Two Dwelling Housing Development Regulations

To vary the required side yard setback (adjoining lot line) on each property from 2-2.3m permitted to 1.2m 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 consider a Development Variance Permit to vary the internal side yard setback on the subject properties.

3.0 Community Planning

The applicant is proposing a 2 storey single family dwelling with a carriage house on each of the two subject properties. Access is proposed to be off the rear lane. Currently, there is an older single family dwelling and detached garage that straddle the two legal lots (Lot 28 & 29) that will be removed to facilitate the development. The applicant had additional variances to the two carriage houses which Staff were not supportive. The applicant decided to withdraw those variance at the last Council meeting (Aug 29th 2017). Now that the two variances related to the carriage houses (height increase and upper floor increase) are

removed, Staff are supportive of the reducing the internal side yard setback. The internal side yard setback will only impact the two properties and will have negligible impact on the greater neighbourhood.

4.0 Proposal

4.1 Project Description

The applicant is requesting the following variance to allow for the construction of a single family dwelling and carriage house on each lot:

- 1) To vary the required side yard setback (adjoining lot line) on each property from 2-2.3m permitted to 1.2m proposed.

4.2 Site Context

The properties are located between Bay Avenue and a lane. The subject properties are 890 m² each, designated IND-T – Industrial – Transitional and are within the Permanent Growth Boundary.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 – Two Dwelling Housing	Residential
East	RU6 – Two Dwelling Housing	Residential
South	I4 – Central Industrial	Industrial Warehouses
West	RU6 – Two Dwelling Housing	Residential

Subject Property Map: 781 Bay Avenue



5.0 Current Development Policies

5.1 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 neighborhood with respect to building design, height and siting.

6.0 Technical Comments

6.1 Building & Permitting Department

- 1) Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
- 2) A third party work order may be required with the Development Engineering Department for an upgraded water line and sewage connection. These requirements are to be resolved prior to issuance of the Building Permit.
- 3) HPO (Home Protection Office) approval or release is required at time of Building Permit application.
- 4) The drawings submitted for Building Permit application are to indicate the method of fire separation between the garage and the suite.
- 5) Range hood above the stove and the washroom to vent separately to the exterior of the building. The size of the penetration for this duct thru a fire separation is restricted by BCBC 12, so provide size of ducts and fire separation details at time of Building Permit Applications.
- 6) Full Plan check for Building Code related issues will be done at time of Building Permit applications. Please indicate how the requirements of Radon mitigation and NAFS are being applied to this complex at time of permit application.

6.2 Development Engineering Department

See Attachment

6.3 Fire Department

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

² City of Kelowna Official Community Plan, Policy 5.26.6 (Development Process Chapter).

No concerns

6.4 FortisBC Inc - Electric

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Bay Avenue. The existing improvements are serviced from a pole located at the northeast corner of the existing Lot 28. Based on the plans submitted, it is recommended that FBC(E) be contacted as soon as possible to determine servicing and land rights requirements for the proposed design. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.

7.0 Application Chronology

Date of Application Received: May 19th, 2017

Date Public Consultation Completed: July 5th, 2017

Prepared by: Adam Cseke, Planner Specialist

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

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