



DEVELOPMENT SERVICES COUNCIL REPORT

To: Mayor and Council

Date: October 24, 2023

From: Paul Gipps, CAO

File No: DVP 23-08

Subject: **DVP 23-08, Development Variance Permit for 2516 Pinnacle Dr**

Report Prepared By: Cam Graham, Planner I

RECOMMENDATION to Consider and Resolve:

THAT Council deny the issuance of a Development Variance Permit (DVP 23-08) for 2516 Pinnacle Drive to vary S.3.18.2 of Zoning Bylaw No. 0265 to increase the maximum gross floor area of a secondary suite from 1076 ft² to 1432 ft²; and

THAT Council direct staff to close the file.

STRATEGIC AREA(S) OF FOCUS

Pursue Economic Growth and Prosperity – We will work with stakeholders throughout the region to advocate for and support efforts aimed at helping West Kelowna businesses prosper. With a focus on the future, we will advance opportunities to expand our economy, increase employment, and develop the community in ways that contribute towards prosperity for all.

BACKGROUND

The undeveloped subject property is located in the Shannon Lake neighbourhood. It is located within a new subdivision and zoned Compact Single Detached Residential Zone (RC3). It is surrounded by other compact residential lots. Some of the lots are still vacant while others have been developed. The applicant has already received a building permit for the construction of a 3-story, 6-bedroom home. The purpose of this variance is to expand the basement suite to include additional floor area.

PROPERTY DETAILS

Address	2516 Pinnacle Drive		
PID	031-879-829		
Folio	36414115.439		
Lot Size	897 m ²		
Owner	Old School Construction Ltd.	Agent	N/A
Current Zoning	Compact Single Detached Residential (RC3)	Proposed Zoning	N/A
Current OCP	Single Family Residential	Proposed OCP	N/A
Current Use	Single Family Residential	Proposed Use	N/A
Development Permit Areas	Wildfire & Terrestrial		

ADJACENT ZONING & LAND USES

N, E, S, W	Compact Single Detached Residential (RC3)
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NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

Proposal

The applicant is requesting to include the entire lower floor as a secondary suite, which requires a variance to S.3.18.2 of Zoning Bylaw No. 0265 varying the maximum gross floor area of the secondary suite from 1076 ft² to 1432 ft² (~56% of the overall dwelling).

The applicant has noted that the suite contains a large master bedroom, walk in closet, great room as well as two bathrooms and two additional bedrooms. The variance has been requested to allow for multi-generational living (Attachment 2).

Official Community Plan (OCP) No.0300

The proposed suite is generally consistent with Official Community Plan No. 0300 guidelines. Specifically, it supports the inclusion of secondary suites or other forms of infill development to increase housing supply and provide more attainable options in accordance with an Infill Strategy that is responsive to our unique neighbourhoods.

Zoning Bylaw No.0265

The subject property is zoned RC3. RC3 is a compact lot that has limitations based on parcel area. The RC3 zone does allow secondary suites if the parcel area exceeds 550m². The proposal meets Zoning Bylaw No. 0265 applicable regulations except for a secondary suite's maximum gross floor area of 1076 ft². Applicant is seeking to vary from 1076 ft² to 1432 ft², making it 56% of the principal dwelling. Generally, the maximum floor area requirement and 40% area ratio limitation are to ensure the suite is subordinate to the principal dwelling (Figure 1). This dwelling design is similar to a stacked duplex, which is not a permitted use in an RC3 zone.

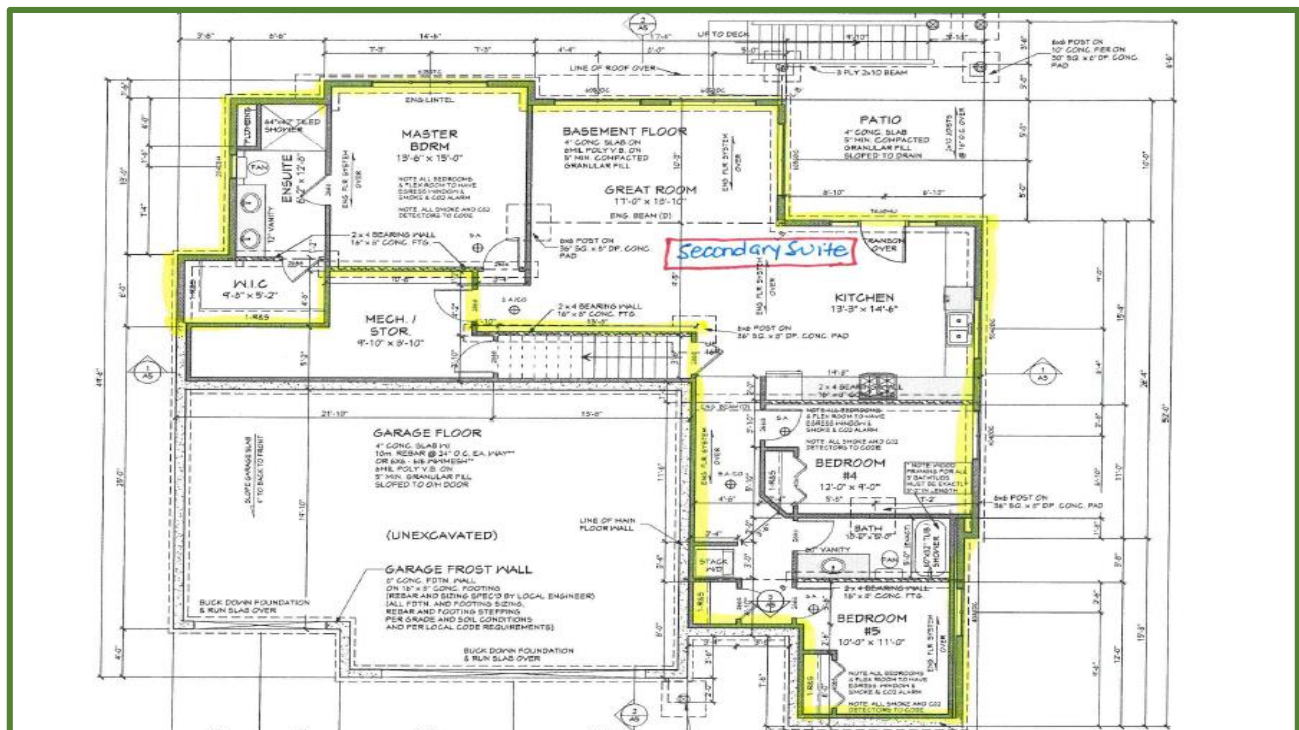


Figure 1: Oversized Suite Site Plan

Parking

The applicant's proposal meets the Zoning Bylaw requirements for off-street parking with 2 spaces (1 tandem). There are an additional 3 spaces available as the home includes a 3 car garage. As such, the applicant has demonstrated that the current driveway and garage can accommodate the required parking¹ for the primary dwelling and secondary suite (see Figure 2).

While the proposal does exceed the required parking space requirement in the Bylaw, the intensity of having two relatively similar dwelling units in a zone and area that is not zoned to allow for this intensity of use (e.g., duplex) may create practical parking challenges in a compact RC3 Zoned area.

Staff are currently reviewing the City's parking regulations and it would be more appropriate to evaluate changes to suite size and parking as part of the broader infill strategy that will include resident and Council input.

Public Notification

In accordance with the Local Government Act, notification letters were sent to all property owners and their tenants within 100 m of the subject property. A Notice of Application sign was also installed on the property in accordance with the Development Application Procedures Bylaw No. 0260.

CONCLUSION

Staff recommend that Council deny the as this is a new construction project which should be consistent with Zoning Bylaw regulations. The approved Building Permit includes a suite that complies with applicable regulations. Varying the maximum gross floor area of the secondary suite from 1076 ft² to 1432 ft² (56% of the primary dwelling) is not consistent with the intent of suites being subordinate to the principal dwelling (e.g., not being a stacked duplex) and would have the potential to create parking conflicts.

Following the endorsement of the Housing Strategy and initiation of the Infill Strategy, additional analysis will be undertaken to evaluate what infill options are most supported

¹ Zoning Bylaw No.0265 requires 2.0 parking spaces per two or more bedrooms.

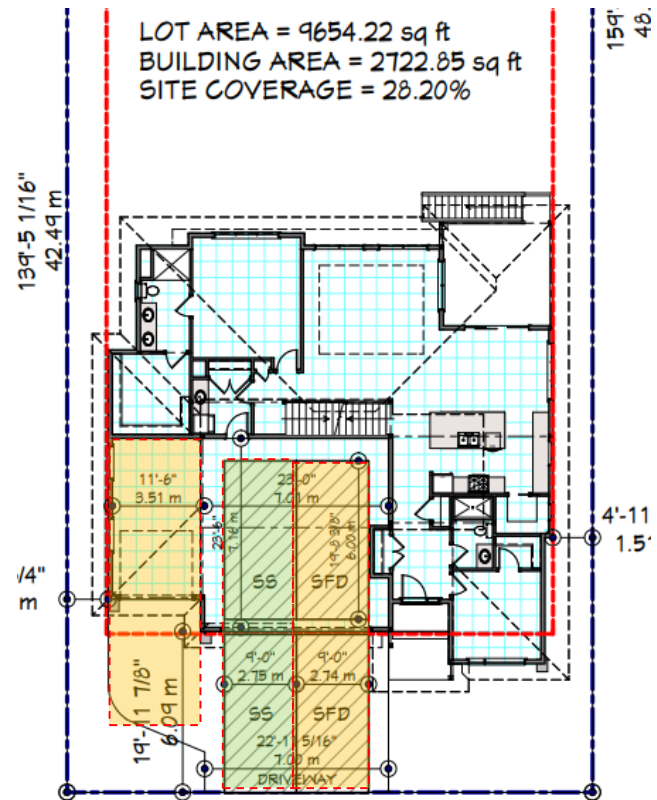


Figure 2. Suite Parking Area (green), and residence parking (orange)

at a community level with direction from Council and input from the public. Additional housing options and additional rental units are needed in West Kelowna, but the direction for how that will be achieved should be at a community wide decision-making level.

Should Council deny the requested variance, the file will be closed. As per the City's Development Applications Procedures Bylaw No. 0260, the applicant may re-apply for a similar proposal a minimum six months after initial consideration.

Alternate Motions to Consider and Resolve:

1. Postpone consideration of the Development Permit with Variances.

THAT Council postpone issuance of Development Permit (DVP 23-08) for 2516 Pinnacle Drive.

Should Council choose to postpone consideration of the application, further direction to staff is requested.

2. Approve the Development Variance Permit.

THAT Council approve the issuance of Development Variance Permit (DVP 23-08) for 2516 Pinnacle Dr to vary S.3.18.2 of Zoning Bylaw No. 0265 to increase the maximum gross floor area of a secondary suite from 1076 ft² to 1432 ft² in accordance with the attached permit (Attachment 1).

REVIEWED BY

Chris Oliver, Planning Manager

Brent Magnan, Director of Development Approvals

Corinne Boback, Legislative Services Manager / Corporate Officer

Trevor Seibel, Deputy CAO

APPROVED FOR THE AGENDA BY

Paul Gipps, CAO

Powerpoint: Yes No

Attachments:

1. DVP 23-08 (2516 Pinnacle Ridge)
2. Applicants Rationale