

December 10, 2018

REPORT TO THE CHIEF ADMINISTRATIVE OFFICER
FROM THE DEVELOPMENT, ENGINEERING, AND SUSTAINABILITY DEPARTMENT

ON

DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP00535
157 NICOLA STREET WEST
OWNER/APPLICANT: BROOKSIDE CONSTRUCTION LTD.

PURPOSE

To issue a Development Variance Permit to reduce the minimum rear yard setback in the RS-1 (Single Family Residential-1) zone from 6 m to 5.6 m to allow subdivision of the property.

SUMMARY

The subject property is located in the West End neighbourhood on Nicola Street West, and it backs on to Clarke Street. The property consists of two separate parcels with a combined lot area of 2,002 m², and it is zoned RS-1. The property contains an older single-family dwelling with an attached carport and a detached garage. The applicant wishes to remove the existing carport and garage and subdivide the property into three parcels—a 1,068 m² lot fronting Nicola Street West and two 467 m² lots fronting Clarke Street. Each lot will meet the minimum lot area of 464 m² and the lot width and street frontage of 15 m required for subdivision under the existing RS-1 zone. However, a small portion of the existing house would encroach into the proposed rear yard setback by 0.4 m. Therefore, the applicant has applied for a Development Variance Permit to reduce the minimum rear yard setback from 6 m to 5.6 m to allow the encroachment (see Attachment "A").

The property is designated Urban in KAMPLAN: City of Kamloops Official Community Plan. KAMPLAN supports development proposals within Urban-designated areas that are compatible with existing land uses and encourages housing types that are appropriate to the existing form and character of the neighbourhood. In this case, the surrounding neighbourhood has predominantly single-family residences, with a multi-family development and a non-conforming duplex located on the opposite side of Clarke Street. The creation of two new single-family lots is appropriate to the area given the adjacent land uses, while the variance to allow the existing residence to be retained helps maintain the area's character.


No technical concerns were raised with respect to the proposed variance application. Servicing issues will be addressed through the subdivision process. As the notification process provides an opportunity for the public to provide input on the application, the Development, Engineering, and Sustainability Department supports the application and advises Council to proceed as outlined in the recommendation.

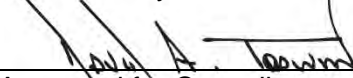
RECOMMENDATION:

That Council authorize distribution of Notice of Intent to consider Development Variance Permit No. DVP00535 (Attachment "A") for 157 Nicola Street West.

SITE CONDITIONS AND BACKGROUND

- Neighbourhood - West End
- KAMPLAN Designation - Urban
- Current Zoning/Use - RS-1 (Single Family Residential-1)/single-family dwelling
- Proposed Variance - Reduce minimum rear yard setback from 6 m to 5.6 m
- Surrounding Uses - Single-, two-, and multi-family
- Application Date - October 30, 2018
- Restrictive Covenant - n/a
- Project Evaluation Team (PET) - November 9, 2018
- Parcel Size - 989 m² and 1,013 m², for a total of 2,002 m²
- MOTI Referral - n/a


 M. Kwiatkowski, P.Eng.
 Development, Engineering, and
 Sustainability Director


 Approved for Council

Author: S. Bentley, MCIP, RPP, Planner

Reviewed by: E. Beach, MCIP, RPP, Planning and
 Development Supervisor

Reviewed by: R. J. Martin, MCIP, RPP, Planning and
 Development Manager/Approving Officer

SB/lm/ts

Attachment

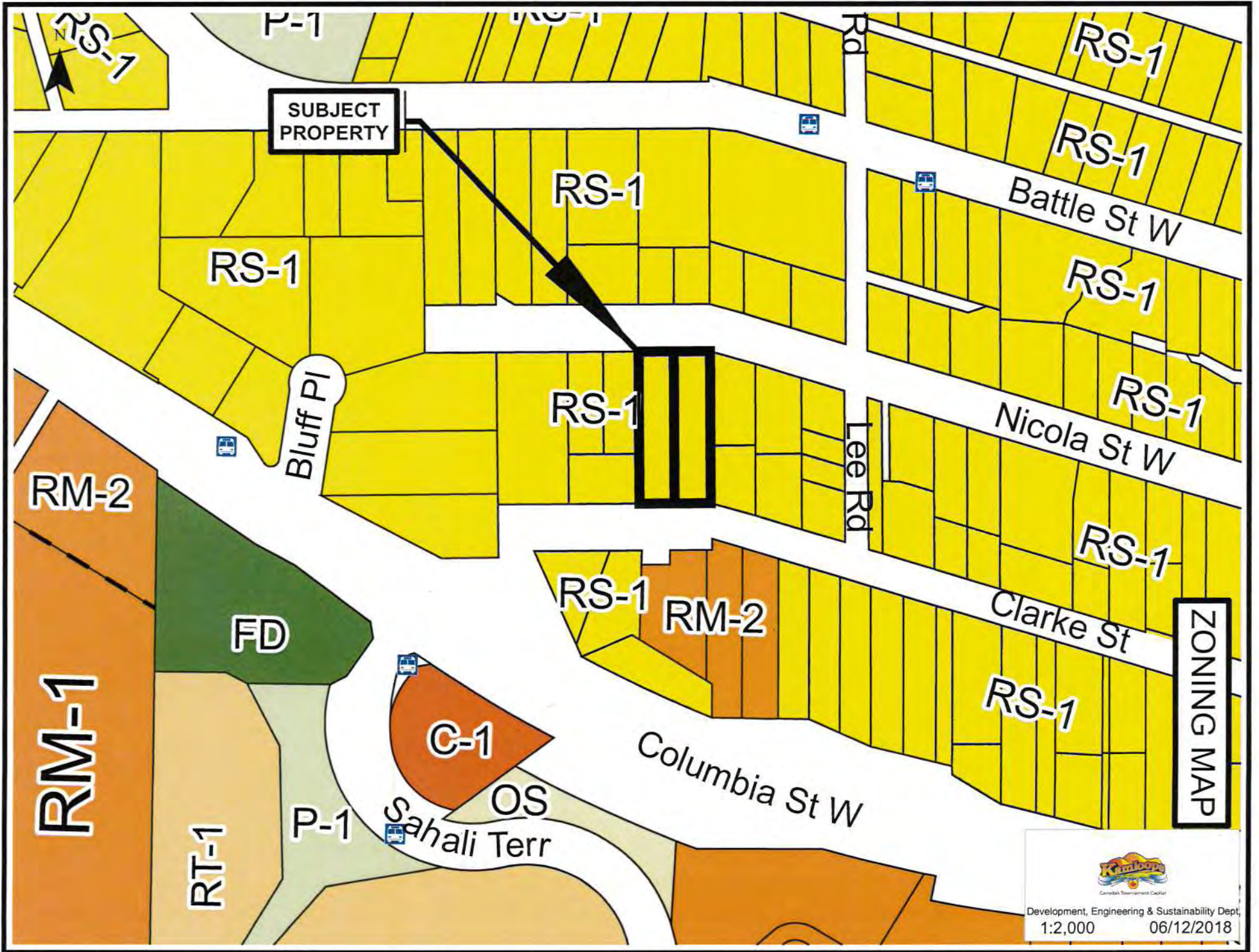


SUBJECT
PROPERTY

AERIAL MAP



Development, Engineering & Sustainability Dept.
1:2,000 06/12/2018





DEVELOPMENT VARIANCE PERMIT

PERMIT NUMBER: DVP00535

To: BROOKSIDE CONSTRUCTION LTD
(PERMITTEE OR ITS SUCCESSOR(S) IN TITLE)

Address: 164 NICOLA ST W
KAMLOOPS BC V2C 1J7

1. This Development Variance Permit is issued subject to compliance with all applicable City of Kamloops bylaws except as specifically varied by this Permit.
2. This Development Variance Permit applies to, and only to:

PLAN 1143 LOT 3-4 BLOCK 2 SECTION 6 TOWNSHIP 20 RANGE 17 MERIDIAN 6
(Legal Description)

157 NICOLA ST W
(Address)

and any and all buildings, structures, and other development thereon.

3. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit.
4. City of Kamloops Zoning Bylaw No. 5-1-2001 is hereby varied as follows:
 - Division Seventeen, RS-1 (Single Family Residential-1), Section, 1703 Regulations, to reduce the minimum rear yard setback for the principal building from 6 m to 5.6 m in accordance with Attachment "A-1".
5. If the Permittee or its successor(s) in title does not substantially commence any construction with respect to which this Permit was issued within two (2) years after the date it was issued, the Permit shall lapse.

- 6. Notice shall be filed in the Land Title Office that the land described herein is subject to this Permit.
- 7. The terms of this Permit or any amendment to it are binding on all persons who acquire an interest in the land affected by the Permit.
- 8. This Permit is not a Building Permit, Subdivision or Zoning Amendment.

DATE ISSUED BY COUNCIL: _____

CITY OF KAMLOOPS
AUTHORIZED SIGNATORY: _____ DATE: _____



Nicola St W

ATTACHMENT "A1"

(EXISTING LOT LINE TO BE REMOVED)

PROPOSED LOT C
(1068 m²)

(EXISTING CARPORT TO BE REMOVED)

VARIANCE TO REDUCE REAR YARD SETBACK FROM 6 M TO 5.6 M

PROPOSED LOT LINE

PROPOSED LOTA
(467 m²)

PROPOSED LOT B
(467 m²)

(EXISTING GARAGE TO BE REMOVED)

Clarke St



Development, Engineering & Sustainability Dept.
1:350 10/12/2018