

# REPORT TO COUNCIL



**Date:** December 4, 2018

**RIM No.** 0940-00

**To:** City Manager

**From:** Community Planning Department (KB)

**Application:** DVP18-0146      **Owner:** Trevor James Taylor  
Lori-Lynn Taylor

**Address:** 771 Barnaby Road      **Applicant:** Westerkamp Design Inc.

**Subject:** Development Variance Permit Application

Existing OCP Designation: S2RES – Single / Two Unit Residential

Existing Zone: RU1c – Large Lot Housing with Carriage House

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## 1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 11660 be considered by Council;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP18-0146 for Lot 2 District Lot 357 Similkameen Division Yale District Plan EPP73196, located at 771 Barnaby Road, Kelowna, BC;

AND THAT variances to the following section of Zoning Bylaw No. 8000 be granted in general accordance with Schedule "A":

**Section 9.5b.1(h): Carriage House Regulations: Development Regulations in Residential, Health District and Comprehensive Development Zones**

To vary the required minimum front yard from 9.0 m permitted to 4.5 m 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 vary the required minimum front yard of a carriage house from 9.0 m permitted to 4.5 m proposed.

## 3.0 Community Planning

Community Planning Staff support the application to reduce the required minimum front yard setback to allow for the development of a carriage house. The proposed carriage house is sited the same distance that

a single family dwelling would be required to be sited, under the RU1 zone (4.5 m without garage entry). To help maintain privacy between the yards of the directly adjacent neighbor, the applicant has proposed fencing and a double row of deciduous and coniferous trees, as shown in Attachment "B". A single storey carriage house is also proposed, as shown in Image 1 below.

**Image 1 – 3D Illustration showing proposed carriage house and landscaping between adjacent property**



The applicant has confirmed the completion of neighbourhood notification in accordance with Council Policy No. 367, by doing one combined notification for the rezoning and development variance permit applications. Staff received confirmation of completion on July 16, 2018.

#### **4.0 Proposal**

##### **4.1 Background**

There was an existing single family dwelling on the subject property. A demolition permit was issued on May 1, 2018 and it passed final inspection on May 28, 2018. A building permit for a new single family dwelling was issued on August 1, 2018 and construction has started.

There is a covenant registered on title, to protect the steep slopes at the rear of the property. This covenant was registered during subdivision process on the property in 2016-2017. A Hazardous Condition Development Permit, for steep slopes on the property, was issued at the time of subdivision.

##### **4.2 Project Description**

The applicant is proposing to construct a carriage house within the required front yard setback (9.0 m permitted, 4.5 m proposed). A single storey carriage house has been proposed, as well as fencing and landscaping between the adjacent neighbour. Any retaining walls will need to meet the Zoning Bylaw.

##### **4.3 Site Context**

The 2,189 m<sup>2</sup> subject property is located on the south side of Barnaby Road, in the City's Southwest Mission Sector. It is within the Permanent Growth Boundary and has a walk score of 3, which means almost all errands require a car.



Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 – Two Dwelling Housing RR3 – Rural Residential 3	Residential
East	RU1 – Large Lot Housing	Residential
South	RU1 – Large Lot Housing	Residential
West	RU6 – Two Dwelling Housing RU2 – Medium Lot Housing	Residential

**Subject Property Map: 771 Barnaby Road**



#### 4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU1C ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Maximum Site Coverage (Single Storey Bonus)	20 % / 100 m <sup>2</sup>	4.56 % / 99.96 m <sup>2</sup>
Height	4.8 m	4.15 m
Front Yard (north)	9.0 m	4.5 m <span style="color: red;">●</span>
Side Yard (east)	1.5 m	7.5 m
Side Yard (west)	1.5 m	2.6 m
Rear Yard (south)	1.5 m	> 1.5 m
Minimum Distance to a Principal Dwelling	3.0 m	18.3 m
Other Regulations		
Minimum Parking Requirements	3 stalls	3 stalls
Private Open Space	30 m <sup>2</sup>	> 30 m <sup>2</sup>
● Indicates a requested variance to the required front yard setback		

#### 5.0 Technical Comments

##### 5.1 Development Engineering Department

The application does not compromise any municipal infrastructure.

#### 6.0 Application Chronology

Date of Application Received:	May 15, 2018
Date Public Consultation Completed:	July 16, 2018
Date of Rezoning Initial Consideration:	August 13, 2018
Date of Rezoning Public Hearing:	August 28, 2018

<b>Report Prepared by:</b>	Kimberly Brunet, Planner
<b>Reviewed by:</b>	Dean Strachan, Suburban and Rural Planning Manager
<b>Approved for Inclusion:</b>	Ryan Smith, Community Planning Department Manager

#### Attachments:

Draft Development Variance Permit No. DVP18-0146  
 Schedule "A" - Site Plan  
 Attachment "A" – Design Rationale, Floor Plan, Elevations and Photos  
 Attachment "B" – Landscape Plan