

REPORT TO COUNCIL



Date: March 12, 2019

RIM No. 0940-50

To: City Manager

From: Community Planning Department (AJ)

Application: DVP18-0171 **Owner:** Calvin Keith Meldrum & Barbara Leanne Laupitz

Address: 4627 Darin Place **Applicant:** Barbara Laupitz

Subject: Development Variance Permit Application

Existing OCP Designation: S2RES – Single Family Residential

Existing Zone: RU1 Large Lot Residential

Proposed Zone: RU1C Large Lot Residential with Carriage House

1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 11702 be considered by Council;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP18-0171 for Lot 12 District Lot 357 ODYD Plan KAP 57058, located at 4627 Darin Place, Kelowna, BC;

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

Section 9.5b.1 (i): Carriage House Development Regulations

To vary the required minimum side yard from 1.5m 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 vary the minimum south side yard requirements to facilitate the conversion of an accessory building to a carriage house on the subject property.

3.0 Community Planning

Community Planning Supports the variance required to facilitate the conversion of an existing accessory building to a carriage house on the subject property. The application meets the Official Community Plan (OCP) Future Land Use Designation of S2RES – Single/Two Unit Residential.

4.0 Proposal

4.1 Background

The single family dwelling and detached accessory structure on the property were permitted and constructed in 1996. The accessory structure is 1.5 storeys in height, and the upper storey has remained unfinished since 1996. The owners wish to convert the upper storey into a carriage house.

4.2 Project Description

The accessory structure meets Zoning Bylaw requirements for height, net floor area, and overall footprint. The accessory structure (detached garage) does not meet the Zoning Bylaw requirement for minimum side yard on the south side. Currently the Zoning Bylaw requires a 1.5m side yard for both accessory structures and carriage houses. However, in 1996, when the accessory structure was constructed, the minimum side yard requirement for accessory structures was 1.2m. As a result, the existing accessory structure proposed to be converted into a carriage house is 1.2m from the south side property line, requiring a Development Variance Permit to vary the minimum south side yard from 1.5m to 1.2m.

4.3 Site Context

Adjacent land uses are as follows:

| Orientation | Zoning | Land Use |
|-------------|-----------------|------------------------|
| North | RU ₁ | Single Family Dwelling |
| East | RU ₁ | Single Family Dwelling |
| South | RU ₁ | Single Family Dwelling |
| West | RU ₁ | Single Family Dwelling |

Subject Property Map: 4627 Darin Place



4.4 Zoning Analysis Table

| Zoning Analysis Table | | |
|--------------------------------------|-------------------------------------|----------|
| CRITERIA | RU ₁ C ZONE REQUIREMENTS | PROPOSAL |
| Existing Lot/Subdivision Regulations | | |

| | | |
|--|---------------------------------------|------------------------|
| Min Lot Area | 550m ² | 826m ² |
| Min Lot Width | 17.0m | 20.3m |
| Min Lot Depth | 30.0m | 35.4m |
| Specific Use Regulations | | |
| Max Height of Carriage House | 4.8m | 4.3m |
| Min Front Yard of Carriage House | 9.0m | Greater Than 6.5m |
| Min Side Yard (south) | 1.5m | 1.2m ^① |
| Min Side Yard (flanking street) | 6.0m | 6.5m |
| Min Rear Yard (east) | 1.5m | 2.5m |
| Min distance to Principal Dwelling | 3.0m | Greater Than 6.0m |
| Max Site Coverage of Carriage House and Accessory Buildings | Lesser of 14% or 90m ² | 6% or 45m ² |
| Max Net Floor Area of Carriage House | 90m ² | 25.4m ² |
| Max Area of Carriage House to Carriage House Footprint Area | 75% | 56% |
| Other Regulations | | |
| Minimum Parking Requirements | 2 for principal, 1 for carriage house | 4 stalls total |
| Private Open Space for Carriage House | 30m ² | 30m ² |
| ① Indicates a requested variance to the required minimum side yard from 1.5m permitted to 1.2m proposed. | | |

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Land Use

Single/Two Unit Residential (S2RES).¹ Single detached homes for occupancy by one family, single detached homes with a secondary suite or carriage house, semi-detached buildings used for two dwelling units, modular homes, bareland strata, and those complementary uses (i.e. minor care centres, minor public services/utilities, convenience facility and neighbourhood parks), which are integral components of urban neighbourhoods. Suitability of non-residential developments within the neighbourhood environment will be determined on a site-specific basis. Non residential developments causing increases in traffic, parking demands or noise in excess of what would typically be experienced in a low density neighbourhood would not be considered suitable.

Growth Projections

Secondary Suites/Carriage Houses.² 1000 projected in new housing distribution.

6.0 Technical Comments

6.1 Building & Permitting Department

Changes may be required to roof venting and exterior cladding to allow for the change of use.

6.2 Development Engineering Department

¹ City of Kelowna Official Community Plan, Definitions (Future Land Use Chapter).

² City of Kelowna Official Community Plan, Table 3.5 (Growth Projections Chapter).

Application does not compromise municipal services.

7.0 Application Chronology

Date of Application Received: August 14, 2018

Date Public Consultation Completed: October 6, 2018

Report prepared by: Arlene Janousek, Planner

Reviewed by: Dean Strachan, Suburban and Rural Planning Manager

Reviewed by

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment A: Development Engineering Memo

Schedule A: Site Plan

Schedule B: Elevations

Draft Development Variance Permit