

REPORT TO COUNCIL



Date: May 3, 2016

RIM No. 0940-50

To: City Manager

From: Community Planning Department (LK)

Application: DVP16-0038 **Owner:** J.M. Wood Investments LTD., Inc. No. A86626

Address: 733 Forestridge Lane **Applicant:** Baldwin Construction Ltd.

Subject: Development Variance permit

Existing OCP Designation: S2RES - Single / Two Unit Residential

Existing Zone: RU1 - Large Lot Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance permit No. DVP16-0038 for Strata Lot 51 Section 30 Township 26 ODYD Strata Plan KAS3162, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V; located at 733 Forestridge Lane;

AND THAT variances to the following section of the Zoning Bylaw No 8000 be granted:

Section 13.1.6(a): RU1 - Large Lot Housing Development Regulations

To vary the area of an accessory building from 90 m² maximum to 176.4 m² proposed;

Section 13.1.6(b) iii.: RU1 - Large Lot Housing Development Regulations

To vary the height of an accessory building from 4.5 m maximum to 8.33 m proposed

2.0 Purpose

To consider variance requests to increase the maximum area and the maximum height of an accessory building.

3.0 Community Planning

Community Planning staff supports the requested variances to the maximum area and height of an accessory building to facilitate the construction of a second storey addition to an existing accessory building.

Planning staff do not feel that this proposal will negatively impact neighbouring properties and due to the character of the Highpointe neighbourhood and its large homes, the proposed addition would fit within the context.

The application includes drawings which provides a visual assessment which further emphasizes that there will be no loss of view corridors or significant visual impact to the greater area. The proposal is consistent with the City's Hillside Development Guidelines and its visual objectives.

4.0 Proposal

4.1 Project Description

The applicant is proposing to build a second storey on the existing accessory building on the subject parcel which is located within the Highpointe strata development. The accessory building was constructed in 2013 with approvals granted through development permit DP13-0134 and building permit 46545 for use as a pool house. The parcel has a large downhill slope from the front property line down to the side and rear of the parcel with the allowable buildable area established through a no-build covenant registered on title.

The sloping hillside was taken into account with the original design of the existing building which has a main floor and a below grade pool storage area. The pool house is located to the side of the main dwelling and due to the site topography it is situated well below the main floor of the primary dwelling.

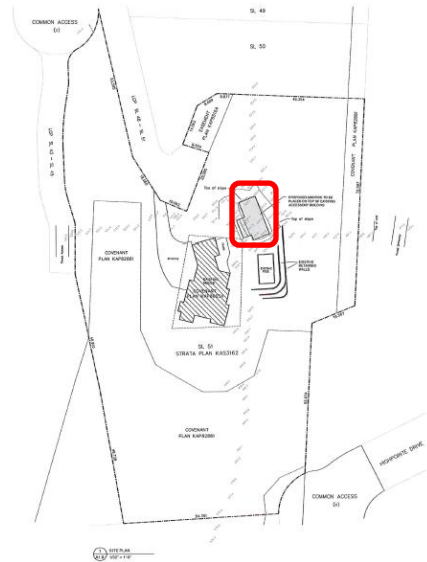


Figure 1 – Site plan, proposed building area denoted in red.



Figure 2 - Site photo with outline of proposed addition indicated.

The first requested variance is to allow the area of the accessory building to increase from 90 m² maximum to 176.40 m² proposed. The second storey space is intended to be used as a home office for the home owner. While the second floor addition is doubling the building area, the overall footprint of the building does not increase. The building has been located and designed in such a way to minimize the buildings mass and visual impact to others.

The second requested variance is to increase the height of the accessory building from 4.5 m maximum to 8.33 m proposed. The existing pool house has been constructed to naturally work with the existing sloped topography. Whether viewed from above or below, it is unobtrusive and does not hinder the natural views.

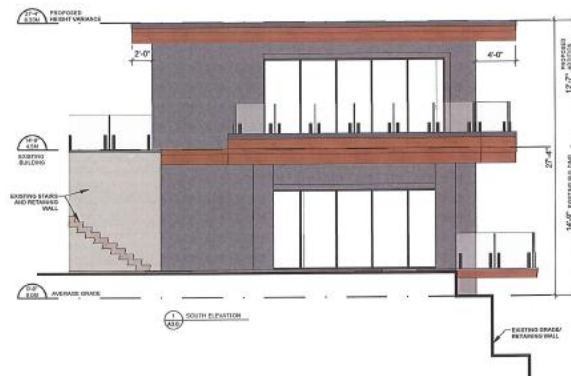


Figure 3 - South elevation of proposed addition.

The proposed variances are highly site specific. On a typical, flat parcel these variances would not be acceptable. In this scenario, the building has been designed to incorporate the hillside area. The visual impact of the building has been minimized through the use of natural materials and muted colours which match the existing landscape. The building has been designed such that the hillside landscape rather than the sky is the backdrop.

Council Policy No. 367 with respect to public consultation was undertaken by the applicant. All adjacent parcels within a 50 m radius of the subject parcel were contacted by the applicant with information packages provided. Both the strata board and the developer approver have submitted letters of support to allow the application to proceed to Council for the requested variances.

4.2 Site Context

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P3 - Park RU1 - Large Lot Housing	Park Vacant lots
East	RU1 - Large Lot Housing	Single Dwelling Housing
South	RU1 - Large Lot Housing	Single Dwelling Housing
West	RU1 - Large Lot Housing	Single Dwelling Housing

Subject Property Map: 733 Forestridge Lane



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU1 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Minimum Lot Area	550 m ²	12,326 m ²
Minimum Lot Width	16.5 m	+54 m
Minimum Lot Depth	30 m	+124 m
Development Regulations		
Maximum Site Coverage (buildings)	40%	3.5%
Maximum Site Coverage (buildings, driveways and parking)	50%	5%
Maximum Height of accessory building	4.5 m	8.33 m [●]
Maximum Area of accessory building	90 m ²	176.40 m ² [●]
Maximum Lot Coverage of Accessory Buildings	14%	Less than 1% (.008%)
Minimum Front Yard	12.0 m	+15 m
Minimum Side Yard	2.3 m	+30 m
[●] Indicates a requested variance to the maximum height of an accessory building (+3.83m). [●] Indicates a requested variance to the maximum area of an accessory building (+86.40m ²).		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5 - 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.

5.2 Hillside Development Guidelines

Principles for Hillside Development.²

Housing Diversity and Design Guidelines

- Orient buildings to run parallel to the natural slope.
- Building ground floor elevations and heights should be sensitive to up-slope views.

Visual Objectives

The impact of developments on views should be mitigated to ensure:

- Structures and building faces do not dominate the landscape.

6.0 Technical Comments

6.1 Building & Permitting Department

- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

6.2 Development Engineering Department

- See Attachment A.

¹ City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).

² City of Kelowna Hillside Development Guidelines.

7.0 Application Chronology

Date of Application Received: February 10, 2016
Date Public Consultation Completed: February 3, 2016

Report prepared by:

Lydia Korolchuk, Planner

Reviewed by:



Terry Barton, Urban Planning Manager

Approved for Inclusion:



Ryan Smith, Community Planning Department Manager

Attachments:

Schedule A: Site Plan

Schedule B: Conceptual Elevations

Attachment A: Development Engineering Memorandum

Attachment B: Neighbourhood Consultation Visuals Drawing Package

Draft Development Variance Permit DVP16-0038