

REPORT TO COUNCIL



Date: April 26, 2016

RIM No. 0940-00

To: City Manager

From: Community Planning Department (LK)

Application: DP15-0251 & DVP15-0252 **Owner:** Lance Johnson & Tracey Skulmoski

Address: 160 Gibbs Road W **Applicant:** Novation Design Studio

Subject: Development Permit and Development Variance Permit Application

Existing OCP Designation: S2RES - Single / Two Unit Residential

Existing Zone: RU1 - Large Lot Housing

Proposed Zone: RU1c - Large Lot Housing with Carriage House

1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 11183 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP15-0251 for Lot 4 Section 26 Township 26 ODYD Plan 12452, Located at 160 Gibbs Road W, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A,"
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP15-0252 for Lot 4 Section 26 Township 26 ODYD Plan 12452, Located at 160 Gibbs Road W, Kelowna, BC;

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

Section 9.5b.15: Carriage House Regulations

To vary the required minimum rear yard setback from 2.0 m permitted to 1.5 m proposed.

AND FURTHER THAT this Development Permit & Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

2.0 Purpose

To consider the form and character and one variance to allow for the conversion of an Accessory Building to a Carriage House on the subject property.

3.0 Community Planning

Community Planning staff supports the rear yard setback variance to allow the conversion of an existing accessory building to a carriage house. The form and character of the one storey carriage house fits within the local context and the building meets all other zoning regulations. Any increased life safety requirements will be addressed with the Building Permit application.

The parcel is located within the Permanent Growth Boundary on the west side of Gibbs Road. The proposal is consistent with policies within the Official Community Plan (OCP) that support sensitive integration into existing neighbourhoods where services are already in place and densification can easily be accommodated.

The requirements of the Rezoning Application have been completed. This includes MOTI approval which was received on February 11, 2016.

Council Policy No. 367 with respect to public consultation was undertaken by the applicant. All adjacent neighbours within a 50 m radius were provided with a circulation package in regards to the development in June and July of 2015.

4.0 Proposal

4.1 Project Description

The accessory building was constructed in 2013 as a workshop. At the time of construction, the building met the Zoning Bylaw regulations required to construct an accessory building. In converting the accessory building to a carriage house, one variance is triggered. The proposed required rear yard setback of 2.0 m will require a variance to be reduced to 1.5 m proposed. The rear elevation of the building has two existing windows which are located below the existing 2.0 m fence height. Privacy to the subject parcel and the adjacent rear parcel is increased through the provision of hedges along with the fence. All other carriage house zoning regulations have been met.



The existing oversize workshop door will be removed and replaced with windows. The building will be finished with stucco to match the existing primary dwelling. Private open space for the carriage house is located beside it, to the north.

The parcel provides the three parking stalls required by the Zoning Bylaw, one is within the carport attached to the existing dwelling with

the second stall in tandem and the third stall is located in front of the carriage house.

The applicant has licenses for two home based business - minor. Both are limited to home offices and as per the Zoning Bylaw parking requirements there are no parking spaces required for either business.

4.2 Site Context

The subject property is located on the west side of Gibbs Road W in the Rutland area of Kelowna. Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Single Family Dwelling
East	RU1 - Large Lot Housing	Single Family Dwelling
South	RU1 - Large Lot Housing RM3 - Low Density Multiple Housing	Single Family Dwelling Multi-Family Row housing
West	RU6 - Two Dwelling Housing	Semi-Detached Dwelling

Subject Property Map: 160 Gibbs Road W



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU1c ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	550 m ²	856 m ²
Min. Lot Width	16.5 m	22 m
Min. Lot Depth	30 m	38.79 m
Development Regulations		
Site Coverage	40%	21.8%
Site Coverage: accessory buildings or structures and carriage house (one storey)	20%	10%
Floor area of carriage house (footprint)	100 m ²	85.8 m ²
Max. area of carriage house (total building area)	130 m ²	85.8 m ²

Max. net floor area of carriage house to total net floor area of principal building	75%	40%
Height (mid point of roof)	4.8 m	4.2 m
Setback from Principal Dwelling	3.0 m	12.4 m
Carriage House Regulations		
Max. Height	4.8 m	4.2 m
Min. Side Yard (north)	2.0 m	9.1 m
Min. Side Yard (south)	2.0 m	2.9 m
Min. Rear Yard (without a lane)	2.0 m	1.5 m ^❶
Height (carriage house shall not be higher than existing primary dwelling unit)	1 1/2 storey ex. House	1 storey Carriage house
Other Regulations		
Min. Parking Requirements	3 stalls	+3 stalls provided
Min. Private Open Space	30 m ²	+30 m ²
^❶ Indicates a requested variance to the rear setback to a carriage house without rear lane access.		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

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.

6.0 Technical Comments

6.1 Building & Permitting Department

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
- Operable bedroom windows required as per the 2012 edition of the British Columbia Building Code (BCBC 12).
- Full Plan check for Building Code related issues will be done at time of Building Permit applications. Please indicate how the requirements of Radon mitigation are being applied to this structure at time of permit application

6.2 Development Engineering Department

- See Attachment 'A'.

¹ City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

6.3 Fire Department

- Requirements of section 9.10.19 Smoke Alarms and Carbon Monoxide alarms of the BCBC 2012 are to be met.
- All units shall have a posted address on Gibbs Rd W. for emergency response
- Should a gate or fence be installed between main house and carriage house the gate is to open without special knowledge (locking device) and have a clear width of 1100mm.

7.0 Application Chronology

Date of Application Received:	October 15, 2015
Date Public Consultation Completed:	November 15, 2015
Date of Rezoning 2 nd & 3 rd Reading:	February 2, 2016

Report prepared by:

Lydia Korolchuk, Planner

Reviewed by:



Terry Barton, Urban Planning Manager

Approved for Inclusion:



Ryan Smith, Community Planning Department Manager

Attachments:

Site Context Map
Schedule A - Site Plan/ Landscape Plan
Schedule B - Elevations
Development Engineering Memorandum
Rutland Water District Letter