

REPORT TO COUNCIL



Date: July 16, 2019

RIM No. 0940-50

To: Council

From: City Manager

Application: DVP19-0075

Owner: Alan Mitchell Adair & Adrienne
Christine Adair

Address: 731 Bay Avenue

Applicant: Zsolt Ketesdi, Harmony Homes

Subject: Development Variance Permit Application

Existing OCP Designation: IND-T – Industrial – Transitional

Existing Zone: RU6 – Two Dwelling Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP19-0075 for Lot 38 Section 30 Township 26 ODYD Plan 1304, located at 731 Bay Avenue, Kelowna, BC;

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

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

To vary the maximum combined site coverage of a carriage house and all accessory buildings or structures from 14% to 14.6%.

Section 9.5b.1 (g): Carriage House Regulations

To vary the maximum height of the carriage house from the lesser of 4.8 m or the height of the principal dwelling to 0.94 m higher than the midpoint of the principal dwelling.

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 combined site coverage of a carriage house and all accessory buildings or structures and the height of a carriage house relative to the height of the principal dwelling on the subject property.

3.0 Community Planning

Community Planning staff are supportive of the request for two variances to facilitate the development of a one and one half storey carriage house on the subject property. The site coverage variance from 14% permitted to 14.6% proposed is minor in nature and is expected to have a nominal impact. Regarding the

height variance, staff considered the neighbourhood context, existing site conditions, and overall height in making a recommendation of support. First, because of the location and neighbourhood context of the subject property, negative impacts resulting from a taller carriage house are less likely here than would be the case in many other locations across Kelowna. There are laneways on both the west and south sides of the subject property that act as buffers. The subject property is also adjacent to industrial properties to the south and southwest, further reducing privacy concerns related to the height of the carriage house. Additionally, because the principal dwelling on the subject property is an older single storey home, it would be difficult to construct a carriage house over a garage, which allows for parking to be accessed from the laneway, without the carriage house being higher than the principal dwelling. Finally, while the proposed carriage house is higher than the principal dwelling, it is under the 4.8 m height specified in the Zoning Bylaw as the maximum allowable carriage house height.

Council Policy No. 367 with respect to neighbourhood notification was undertaken by the applicant.

4.0 Proposal

4.1 Project Description

The proposal is for a one and one half storey carriage house in the rear portion of the subject property. As proposed, the carriage house would be constructed over a double garage, and one additional parking space would be provided on site for a total of three spaces. Lighted pathways are provided to the carriage house from Bay Avenue and from the parking space dedicated to the carriage house. Adequate private open space has also been provided.

The first variance requested is to increase the combined site coverage of the carriage house and all accessory buildings or structures on the subject property from 14% permitted to 14.6% proposed. The overall building footprint of the proposed carriage house is 84.1 m², which is under the maximum carriage house footprint of 90.0 m² permitted. The second variance requested is to allow the carriage house midpoint height to be 4.56 m, which is 0.94 m higher than the midpoint of the principal dwelling.

4.2 Site Context

The subject property is zoned RU6, which permits the construction of a carriage house. The Future Land Use of the subject property is Industrial – Transitional, which permits light industrial and residential uses. The block that the subject property is located on has remained entirely residential despite the Industrial – Transitional Future Land Use designation. Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 – Two Dwelling Housing	Single Dwelling Housing
East	RU6 – Two Dwelling Housing	Single Dwelling Housing
South	I4 – Central Industrial	Fleet Services
West	RU6 – Two Dwelling Housing	Single Dwelling Housing

Subject Property Map: 731 Bay Avenue



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	400.0 m ²	583.0 m ²
Lot Width	13.0 m	13.0 m
Lot Depth	30.0 m	45.1 m
Development Regulations – Carriage House Regulations		
Height	Lesser of 4.8 m or midpoint of principal dwelling	4.56 m ^①
Combined Site Coverage (Carriage House and all Accessory Buildings/Structures)	14%	14.6% ^②
Front Yard	9.0 m	33.53 m
Side Yard (west)	1.5 m	1.87 m
Side Yard (east)	1.5 m	2.69 m
Rear Yard	0.9 m	0.9 m
Other Regulations		
Minimum Parking Requirements	3 stalls	3 stalls
Minimum Private Open Space	30.0 m ² per dwelling	30.0 m ² per dwelling
^① Indicates a requested variance to carriage house height measured to the midpoint (midpoint of principal dwelling is 3.62 m). ^② Indicates a requested variance to combined site coverage for carriage house and all accessory buildings/structures.		

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.

Sensitive Infill.² Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height, and siting.

6.0 Application Chronology

Date of Application Received: March 3, 2019

Date Public Consultation Completed: May 17, 2019

Report prepared by: Arlene Janousek, Planner

Reviewed by: Laura Bentley, Urban Planning & Development Policy Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Attachment A: Draft Development Variance Permit No. DVP19-0075

Attachment B: Conceptual Building Drawings

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

² City of Kelowna Official Community Plan, Policy 5.22.7 (Development Process Chapter).