

REPORT TO COUNCIL



Date: August 13, 2019

RIM No. 0940-00

To: Council

From: City Manager

Application: DVP18-0139

Owner: Friso Stolk & Kirsten Belinda Bennett

Address: 1458 Richter Street

Applicant: Friso Stolk

Subject: Development Variance Permit

Existing OCP Designation: MRM – Multiple Unit Residential (Medium Density)

Existing Zone: RU6 – Two Dwelling Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP18-0139 for Lot 2 Block D District Lot 139 ODYD Plan 2345, located at 1458 Richter Street, Kelowna, BC;

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

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

To vary the required minimum rear yard from 0.9 m permitted to 0.0 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 rear yard on the subject property from 0.9 m permitted to 0.0 m proposed.

3.0 Development Planning

Development Planning Staff are supportive of the request to vary the rear yard setback from 0.9 m to 0.0 m to allow for the legalization of a carriage house on the subject property. The requested variance is considered acceptable due to the site context of the subject property: the rear property line abuts a lane and the proposed carriage house is oriented towards the back of a multi-family development, minimizing adjacent privacy concerns. Overall, if approved, the Development Variance Permit will bring the conversion of an existing detached accessory building into a carriage house into conformance with the City's Zoning Bylaw.

4.0 Proposal

4.1 Project Description

The applicants undertook renovations to an existing accessory building that was built in the 1930s with the intention of converting the accessory building into a carriage house. The subject property is zoned RU6 – Two Dwelling Housing, which permits carriage houses. However, the existing accessory building is too close to the rear laneway to conform with today's Zoning Bylaw prompting the variance being requested through this application. All other aspects of the carriage house are compliant with Zoning Bylaw No. 8000 including the adequate provision of private open space and parking.

4.2 Site Context

The subject property is located directly west of the intersection between Richter Street and Lawson Avenue in the City Centre Urban Centre. Additionally, the subject property is in a mixed use neighbourhood, with many amenities in proximity. Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 – Two Dwelling Housing	Single Dwelling Housing
East	P2 – Educational and Minor Institutional, RU6 – Two Dwelling Housing	Religious Assemblies, Single Dwelling Housing
South	RU6 – Two Dwelling Housing	Single Dwelling Housing
West	RM5 – Medium Density Multiple Housing	Multiple Dwelling Housing

Subject Property Map: 1458 Richter Street



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	400 m ²	526 m ²
Min. Lot Width	13 m	15.2 m
Min. Lot Depth	30 m	33.7 m

Carriage House Development Regulations		
Max. Site Coverage (buildings)	40%	28%
Max. Site Coverage (buildings, parking, driveways)	50%	43%
Max. Height	4.8 m	3.7 m
Min. Front Yard	9.0 m	26.2 m
Min. Side Yard (south)	1.5 m	1.6 m
Min. Side Yard (north)	1.5 m	8.3 m
Min. Rear Yard	0.9 m	0.0 m ^❶
Other Regulations		
Min. Parking Requirements	3 parking stalls	3 parking stalls
Min. Private Open Space	60 m ²	±215 m ²
❶ Indicates a requested variance to the minimum rear yard from 0.9 m permitted to 0.0 m proposed.		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 1: Introduction

Goals for a Sustainable Future:

Contain Urban Growth – reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres.

Chapter 5: Development Process

Objective 5.22 Ensure context sensitive housing development

Policy .12 Carriage Houses & Accessory Apartments. Support carriage houses and accessory apartments through appropriate zoning regulations.

Application Chronology

Date of Application Received: June 28, 2018

Date Public Consultation Completed: September 29, 2018

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 Permit DP18-0139