

REPORT TO COUNCIL



Date: September 10, 2019

To: Council

From: City Manager

Department: Development Planning - Urban

Application: DVP19-0116 **Owner:** Patrick and Hendrika Hayden

Address: 249 Fitzpatrick Rd **Applicant:** Urban Options Planning & Permits

Subject: Development Variance Permit

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP19-0116 for Lot 1, Section 35, Township 26, Osoyoos Division Yale District Plan KAP55899, located at 249 Fitzpatrick Rd, Kelowna BC; AND that variances to the following section of the Zoning Bylaw No. 8000 be granted:

Section 9.5b.1(b) - Carriage Housing Regulations

To vary the maximum combined site coverage of a carriage house and all accessory buildings or structures from the lesser of 14% or 90 m² permitted to 10.4% or 102.32m² proposed;

Section 9.5b.1(f)- Carriage Housing Regulations

To vary the maximum upper storey floor area from 75% of the carriage house footprint area permitted to 100% 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 permitted maximum combined site coverage and maximum upper storey floor area of a two storey carriage house.

3.0 Development Planning

Development Planning is supportive of the proposed variances to Section 9.5b Carriage House regulations of Zoning Bylaw No. 8000. The applicant is proposing to convert an existing accessory structure into a carriage house. The proposed variances are considered acceptable due to the existing site conditions, which include an existing two storey structure that is consistent with the form and character of the principal residence. Mature vegetation on the property minimizes adjacent privacy concerns, additional required parking can be accommodated on the existing driveway and private open space is provided. If granted approval, the carriage house will provide for an increase in density that is sensitive to the neighbourhood

context and allows the homeowner to convert the accessory structure under conformance with Zoning Bylaw No. 8000.

4.0 Proposal

4.1 Project Description

The existing accessory structure was constructed in 2011 and is currently used by the homeowner as a studio.

4.2 Site Context

The subject property is located in Rutland on the south side of Fitzpatrick Road. The site is located at the edge of the Permanent Growth Boundary. The neighbourhood is predominantly single-family housing with agricultural land to the north.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	A1- Agriculture 1	Agriculture
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:



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		

Min. Lot Area	550m ²	982.11m ²
Min. Lot Width	16.5m	23.58m
Min. Lot Depth	30m	41.65m
Carriage House Development Regulations		
Max. Floor Area Ratio		
Max. Site Coverage (buildings)	40%	20.2%
Max. Site Coverage (buildings, parking, driveways)	50%	26.7%
Max. Height	4.8m	4.5m
Min. Front Yard	9.0m	23.69m
Min. Side Yard (west)	1.5m	2.0m
Min. Side Yard (east)	1.5m	14.6m
Min. Rear Yard (no lane)	1.5m	2.0m
Other Regulations		
Min. Parking Requirements	3 stalls	3 stalls
Min. Private Open Space	30m ² per unit	30m ² per unit

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5: Development Process

Objective 5.22 Ensure context sensitive housing development

Policy .6 *Sensitive Infill*. 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.

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

6.0 Technical Comments

The proposed Development Variance permit does not compromise any municipal services.

7.0 Application Chronology

Date of Application Received: May 7, 2019

Date Public Consultation Completed: June 7, 2019

Report prepared by: Jocelyn Black, Planner Specialist

Reviewed by: Dean Strachan, Community Planning and Development Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Attachment A: Draft Development Variance Permit DVP19-0116

Attachment B: Site Plan

