

# REPORT TO COUNCIL



**Date:** January 12, 2021  
**To:** Council  
**From:** City Manager  
**Department:** Development Planning  
**Application:** DVP20-0143  
**Address:** 916 Tataryn Road  
**Subject:** Development Variance Permit  
**Owner:** Tomasius Floire Phoebus  
**Applicant:** Tomasius Floire Phoebus  
**Existing OCP Designation:** S2RES – Single / Two Unit Residential  
**Existing Zone:** RU1c – Large Lot Housing with Carriage House

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## 1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 12105 be considered by Council;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP20-0143 for Lot 6 District Lot 137 Osoyoos Division Yale District Plan 17047, located at 916 Tataryn Road, Kelowna, BC;

AND THAT a variance to the following section of Zoning Bylaw No. 8000 be granted in accordance with Schedule A:

**Section 9.5b.1(h): Carriage House Regulations - Development Regulations in Residential, Health District and Comprehensive Development Zones**

To vary the required minimum front yard from 9.0 m required to 5.92 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 front yard setback for a carriage house on the subject property.

## 3.0 Development Planning

Development Planning Staff support the application for a Development Variance Permit. To convert the existing single storey dwelling into a carriage house, a variance to the minimum front yard is required.

Although the dwelling is currently existing, the setback regulations in the City's Zoning Bylaw are different for carriage houses and principal dwellings. The front of the existing dwelling is set back 7.34 m, however there is a covered front porch that is in excess of the Zoning Bylaw exemption for projections, so the variance being requested is from 9.0 m required to 5.92 m proposed. A photograph, showing this covered porch area, is shown in Image 1 under Project Description below. This front yard setback distance is consistent with the neighbouring properties on Tataryn Road, so Development Planning believes by supporting this variance the desired streetscape rhythm would be maintained.

The concept of the carriage house is aligned with the Official Community Plan Policies of Compact Urban Form – increasing density where infrastructure already exists, and of Carriage Houses & Accessory Apartments. Further, converting an existing dwelling to a carriage house prevents a useable building from being demolished.

#### **4.0 Proposal**

##### **4.1 Background**

There is an existing single family dwelling on the subject property that is proposed to be converted to a carriage house. For this to occur, the applicant has rezoned the subject property to the RU1c – Large Lot Housing with Carriage House zone and is now asking for Council consideration for a Development Variance Permit to the minimum required front yard for a carriage house.

##### **4.2 Project Description**

The applicant currently has an open building permit application for the existing dwelling, and it has undergone substantial renovations in 2020, including to the roof and exterior materials. A 3.0 m wide drive aisle on the east side of the property will provide access to the proposed new dwelling, as well as provide access to the required on-site parking stalls. This is shown on the Landscape Plan in Attachment A.

**Image 1:** Existing Single Family Dwelling at 916 Tataryn Road



4.3 Site Context

The subject property is located mid-block on the north side of Tataryn Road, between Davie Road and Stirling Road. The surrounding area is characterized by single and two dwelling housing and the rear property line is adjacent to Hollydell Park. It is within the City’s Permanent Growth Boundary and the walk score is 30, indicating that most errands require a car.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P3 – Parks and Open Spaces	Public Parks
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: 916 Tataryn Road**



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU1c ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Min. Front Yard	9.0 m	5.92 m <span style="color: red;">❶</span>
❶ Indicates a requested variance to the minimum front yard		

## 5.0 Technical Comments

### 5.1 Development Engineering Department

This Development Variance Permit does not compromise any municipal infrastructure.

## 6.0 Application Chronology

Date of Application Received:	July 8, 2020
Date Public Consultation Completed:	July 25, 2020
Date of Rezoning Bylaw Initial Consideration:	September 28, 2020
Date of Rezoning Bylaw Public Hearing:	October 27, 2020

<b>Report prepared by:</b>	Kimberly Brunet, Planner II
<b>Reviewed by:</b>	Jocelyn Black, Urban Planning Manager
<b>Approved for Inclusion:</b>	Terry Barton, Development Planning Department Manager

### Attachments:

Attachment A: Landscape Plan

Attachment B: Draft Development Permit No. DVP20-0143

Schedule A: Site Plan