

REPORT TO COUNCIL



Date: November 30, 2021

To: Council

From: City Manager

Department: Development Planning Department

Application: HAP20-0006 **Owner:** Jo-Ann Elizabeth & Lonny Allan Kubas

Address: 1842 Abbott Street **Applicant:** Urban Options Planning & Permits

Subject: Heritage Alteration Permit Application

Existing OCP Designation: S2RES – Single / Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

1.0 Recommendation

THAT Council authorizes the issuance of Heritage Alteration Permit No. HAP20-006 for Lot 2 District Lot 14 ODYD Plan EPP85648, located at 1842 Abbott Street, 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 variances to the following section of Zoning Bylaw No. 8000 be granted:

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

To vary the required minimum distance to a principal dwelling from 3.0m permitted to 2.0m proposed.

AND THAT Council's consideration of the Heritage Alteration Permit be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Development Planning Department dated November 30, 2021;

AND FURTHER THAT this Heritage Alteration 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 of a proposed carriage house and to vary the required minimum distance to a principal dwelling from 3.0 permitted to 2.0 proposed.

3.0 Development Planning

Development Planning Staff recommend support for this carriage house with an attached garage. It generally meets Heritage Conservation Area guidelines and is consistent in form and character to the existing dwelling, and the variance will contribute to screening the proposed carriage house from the street.

4.0 Proposal

4.1 Project Description

The proposal is to construct a carriage house with an attached garage the rear of the property. The carriage house will be one and a half storeys in height and will contain parking for the principal dwelling and the dwelling in the carriage house. The principal dwelling, known as the Capozzi House, was constructed in 1928 and added to the Heritage Register in 2001. A variance is being requested for the distance between buildings from 3.0m to 2.0m, so that the siting of the carriage house does not obstruct the view of the property from Abbott Street. The proposed garage will be accessed via the lane at the rear yard of the property and will replace the old garage that was formerly located on the north side of the property. This garage was demolished when the parcel was subdivided as secondary uses are not permitted on parcels with no primary use. The access from the new parcel to the north onto Abbott Street will be removed along with the construction of the new garage and carriage house. The original garage doors and lions head cast have been saved for the proposed building, and the colours, materials and massing will match that of the former garage and existing house.

4.2 Site Context

The site is zoned RU1 – Large Lot Housing and has a Future Land Use Designation of S2Res. The property is located on Abbott Street and is located in the Central City OCP sector. The surrounding area is primarily zoned RU1 – Large Lot Housing.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Vacant Lot
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		
Subdivision or Existing Lot Regulations		
Minimum Lot Width	16.5 m	22.24-22.247m
Minimum Lot Depth	30m	33.77-33.099m
Minimum Lot Area	550m ²	743.8m ²
Single Storey Carriage House Development Regulations		
Maximum Height	9.5 m / 2 ½ stories	M
Minimum Front Yard	4.5m (6.0m to garage)	7.50m
Minimum Side Yard (North)	2.0m for 1-1 ½ storey 2.3m for 2-2 ½ storey	2.0m
Minimum Side Yard (South)	2.0m for 1-1 ½ storey 2.3m for 2-2 ½ storey	7.23m
Minimum Rear Yard	7.5m	11.49m
Minimum Distance Between Dwellings	3.0 m	2.0m ❶
Carriage House Development Regulations		
Maximum Accessory Site Coverage	14%	9%
Maximum Accessory Building Footprint	90 m ²	67.4m ²
Maximum Net Floor Area	90 m ²	54.6m ²

Maximum Net Floor Area to Principal Building	75%	30.1%
Maximum Upper Storey Floor Area to Building Footprint	75%	%
Maximum Height (to mid-point)	4.8 m	4.8m
Maximum Height (to peak)	Peak of principal dwelling	Principal Dwelling Peak: 7.11m Carriage House Peak: 6.93m
Minimum Side Yard (North)	1.5m for 1 ½ storey	11.68m
Minimum Side Yard (South)	1.5m for 1 ½ storey	1.51m
Minimum Rear Yard	0.9m when abutting lane	0.9m – 1.26m
Minimum Distance to Principal Building	3.0 m	N: 2.01m / E: 2.61m
Other Regulations		
Minimum Parking Requirements	3 stalls	3 stalls
Minimum Private Open Space	30 m ² per dwelling	30m ²
● Indicates a requested variance to the distance between dwellings		

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 5.3 Focus development to designated growth areas

Policy .1 Permanent Growth Boundary. Establish a Permanent Growth Boundary as identified on Map 4.1 and Map 5.2. The City of Kelowna will support development of properties outside the PGB for more intensive use only to the extent permitted as per the OCP Future Land Use designations in place as of initial adoption of OCP Bylaw 10500, except for Agri-Business designated sites or as per Council's specific amendment of this policy. The PGB may be reviewed as part of the next major OCP update.

Chapter 14: Urban Design DP Guidelines

Infill Neighbourhood Design Guidelines

Guideline 1.6 Locate parking and garages within the rear yard with direct access from the lane

Guideline 4.4 Create a lanescape whereby the lane takes the feel of a street where the dwelling is located.

- *Upper level massing, primary outlook, front façade treatment directed towards the lane*

6.o Application Chronology

Date of Application Accepted: June 12, 2020

Date Public Consultation Completed: July 21, 2020

Report prepared by: Graham Allison, Planner 1

Reviewed by: Jocelyn Black, Urban Planning Manager

Reviewed by: Terry Barton, Development Planning Department Manager

Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Attachment A: Development Engineering Memorandum

Attachment B: Draft Heritage Alteration Permit No. HAP20-0006

Schedule A: Site Plan and Floor Plans

Schedule B: Elevations