

REPORT TO COUNCIL



Date: November 16, 2021

To: Council

From: City Manager

Department: Development Planning

Application: DVP20-0068 **Owner:** Sami Olof Valkama & Sun Mi Kweon

Address: 1240 Guisachan Road **Applicant:** Sami Olof Valkama

Subject: Development Variance Permit

Existing OCP Designation: S2RES – Single / Two Unit Residential

Existing Zone: RU2 – Medium Lot Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP20-0068 for Lot A, District Lot 136, Section 19, Township 26, ODYD, Plan 31279, located at 1240 Guisachan 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(j): Specific Use Regulations, Carriage House Regulations – Development Regulations in Residential, Health District and Comprehensive Development Zones

To vary the rear yard setback from 1.5 m required to 0.82 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 minimum rear yard setback for a carriage house on the subject property.

3.0 Development Planning

Staff support the application for a Development Variance Permit to legalize the siting of an existing carriage house on the subject property by varying the rear yard setback requirement. The carriage house conforms to the Official Community Plan (OCP) Future Land Use Designation of S2RES – Single / Two Unit Residential and policies including compact urban form, sensitive infill and carriage houses.

The north elevation of the carriage house does not have any windows and a solid fence runs the length of the rear property line mitigating impacts on the adjacent property to which the reduced setback is requested. A qualified building professional has reviewed the existing building and has not identified any obstacles in upgrading the building to meet the requirements of the BC Building Code.

4.0 Proposal

4.1 Background

An accessory building on the subject property was converted into a carriage house without the required authorizations. To legalize the conversion of the accessory building into a carriage house, the applicant applied to rezone the property from the RU2 – Medium Lot Housing zone to the RU2C – Medium Lot Housing with Carriage House zone in February 2020. As the property is within the Core Area and has a sanitary sewer connection, with the adoption of Bylaw No. 12263 (TA21-0009), rezoning of the subject property for a carriage house is no longer required.

4.2 Project Description

The applicant proposes to reduce the required rear yard setback requirement to legalize an existing carriage house on the subject property. The single storey carriage house is located at the rear of the lot and has driveway access from Guisachan Road. Other than the proposed variance to the rear yard setback requirement, all other aspects of the carriage house are compliant with Zoning Bylaw No. 8000 including the adequate provision of private open space and parking.

4.3 Site Context

The subject property is in the Central City OCP Sector and is located on Guisachan Road, between the intersections of Stillingfleet Road and Wilkinson Street. The surrounding residential area is primarily zoned RU1 – Large Lot Housing, RU2 – Medium Lot Housing, RU5 – Bareland Strata Housing, and RU6 – Two Dwelling Housing and has a Future Land Use Designation of S2RES – Single / Two Unit Residential. The property is within 100 m of the Guisachan Village Centre and within 300 m of transit stops on Gordon Drive.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU2 – Medium Lot Housing	Single Family Housing
East	RU2 – Medium Lot Housing	Single Family Housing
South	RU5 – Bareland Strata Housing	Single Family Housing Strata Community
West	RU1 – Large Lot Housing RU2 – Medium Lot Housing	Single Family Housing

Subject Property Map: 1240 Guisachan Road



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU ₂ ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	400 m ²	1983 m ²
Min. Lot Width	13 m	18.73 m
Min. Lot Depth	30 m	86.55 m
Development Regulations		
Max. Site Coverage (carriage house)	14%	6.17%
Max. Height	4.8 m	4.19 m
Min. Front Yard	9 m	>9 m
Min. Side Yard (west)	1.5 m	1.8 m
Min. Side Yard (east)	1.5 m	17.63 m
Min. Rear Yard	1.5 m	0.82 m ❶

❶ Indicates a requested variance to the minimum rear yard setback.

5.0 **Current Development Policies**

5.1 Kelowna Official Community Plan (OCP)

Chapter 5: Development Process

Objective 5.3 Focus development to designated growth areas

Policy .2 Compact Urban Growth. 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 per ha 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 Generalized Future Land Use Map 4.1.

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.o Application Chronology

Date of Application Accepted: February 19, 2020

Date Public Consultation Completed: July 14, 2020

Report prepared by: Mark Tanner, Planner II

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: Draft Development Variance Permit DVP20-0068

Attachment B: Floor Plans & Elevations

Schedule A: Site Plan