

# REPORT TO COUNCIL



**Date:** November 3, 2015

**RIM No.** 0940-00

**To:** City Manager

**From:** Community Planning Department (LK)

**Application:** DP15-0186  
DVP15-0187

**Owner:** Peter & Wendy O'Brien

**Address:** 2664 Bath Street

**Applicant:** Kirk Fassbender  
(Harmony Homes)

**Subject:** Development Permit and Development Variance Permit Applications

**Existing OCP Designation:** S2RES - Single / Two Dwelling Housing

**Existing Zone:** RU6 - Two Dwelling Housing

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## 1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP15-0186 for Lot 5 District Lot 14 ODYD Plan 3785, located at 2664 Bath Street, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "B";
2. The exterior design and finish of the building to be constructed on the land, be in general accordance with Schedule "C";

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP15-0187 for Lot 5 District Lot 14 ODYD Plan 3785, located at 2664 Bath Street, Kelowna, BC;

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

### Section 9.5b.1(d): Carriage House Regulations

To allow the height of a carriage house to be higher than the existing principal dwelling as measured to the mid-point and roof peak of the existing principal dwelling unit.

AND FURTHER THAT this Development Permit and Development Variance 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, and a variance, for a proposed Carriage House on the subject property.

### 3.0 Community Planning

Community Planning Staff supports the height variance to allow for the construction of a new Carriage House. The form and character of the Carriage House fits within the local context. Other than the height, the proposal will meet all other Zoning Regulations.

The parcel is located within the Permanent Growth Boundary. Policies within the Official Community Plan (OCP) support sensitive integration into existing neighbourhoods where services are already in place and densification can easily be accommodated.

### 4.0 Proposal

#### 4.1 Project Description

The existing 1½ storey single detached dwelling was constructed in 1957 with a single car attached garage which is accessed from the rear lane. The existing dwelling has a very low pitch roof which limits the allowable height of the proposed carriage house to a single storey. The required variance is to allow the mid-point and roof peak of the Carriage House to be higher than that of the existing principal dwelling.

As the dwelling was constructed in 1957, future redevelopment is likely to occur. The two parcels on the north side have already been redeveloped as two storey dwellings. Once this parcel is redeveloped, the new primary dwelling will be taller than the proposed Carriage House.

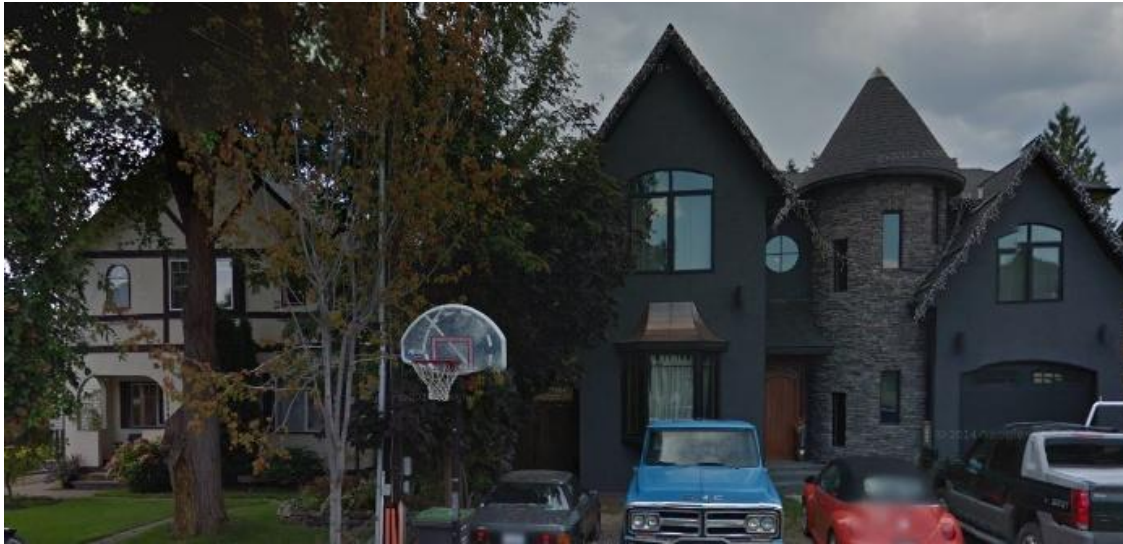
The size and location of the primary dwelling limits the footprint of the proposed Carriage House due to the location of the rear attached garage. The proposed Carriage House has a footprint of 64.66m<sup>2</sup> and includes a single car parking space on the lower level along with the kitchen and living room. The upper storey contains a bedroom and bathroom within a modest sized area. To maximize the upper floor useable space, a steeper roof pitch and dormers have been utilized. This makes the actual roof peak and mid-point of the Carriage House higher than that of the primary dwelling. For these reasons, Community Planning is supportive of the requested height variance.

The property is located within the Okanagan Lake Flood Plain area, therefore any new construction will require the slab and all mechanical equipment be located above the designated flood level of 343.66. This will be reviewed at time of Building Permit.

**Subject Property:** 2664 Bath Street - Front elevation of existing Primary Dwelling



**Adjacent Properties: 2654 & 2644 Bath Street - Front elevations**



**4.2 Site Context**

The subject property is located on the west side of Bath Street between Wardlaw Avenue and Osprey Avenue and is within the South Pandosy/ KLO Sector of Kelowna.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 - Two Dwelling Housing	Single Detached Dwelling
East	RU6 - Two Dwelling Housing	Single Detached Dwelling
South	RU6 - Two Dwelling Housing	Single Detached Dwelling
West	RU6 - Two Dwelling Housing	Single Detached Dwelling

**Subject Property Map: 2664 Bath Street**



### 4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Minimum Lot Area	400 m <sup>2</sup>	565 m <sup>2</sup>
Minimum Lot Width	13.0 m	15.6 m
Minimum Lot Depth	30 m	36.3 m
Development Regulations		
Maximum Site Coverage (buildings)	40%	36%
Maximum Site Coverage (buildings, driveways and parking)	50%	47%
Development Regulations (Carriage House)		
Maximum Height	4.8 m	4.77 m
Maximum Height To principal dwelling	(to peak) 4.88 m (to mid) 4.12 m	6.90 m ● 5.07 m
Minimum Side Yard (north)	2.0 m	6.25 m
Minimum Side Yard (south)	2.0 m	2.0 m
Minimum Rear Yard	1.5 m	1.5 m
Max. Carriage House Lot Coverage	14%	11.2%
Max. Accessory Building Footprint	90 m <sup>2</sup>	89.65 m <sup>2</sup>
Max. Carriage House Net Floor Area of Principal Building	75%	63.88%
Other Regulations		
Minimum Parking Requirements	3 stalls	3 stalls
Minimum Private Open Space	30 m <sup>2</sup> per dwelling	+30 m <sup>2</sup>
Min. Distance to Principal Building	3.0 m	3.68 m

● Indicates a requested variance to allow the Carriage House to be higher than the existing Primary dwelling

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Development Process

**Compact Urban Form.**<sup>1</sup> 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 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 the Generalized Future Land Use Map 4.1.

**Sensitive Infill.**<sup>2</sup> 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.

<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

**General Considerations.**<sup>3</sup> Design entrances to be directly accessed and visible from the street and/or lane.

## **6.0 Technical Comments**

### **6.1 Building & Permitting Department**

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

### **6.2 Development Engineering Department**

See attached Schedule 'A'

## **7.0 Application Chronology**

Date of Application Received: August 7, 2015

Date Public Consultation Completed: August 12, 2015

**Report prepared by:**

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Lydia Korolchuk, Planner

**Reviewed by:**

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Lindsey Ganczar, Planning Supervisor

**Approved for Inclusion:**

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Ryan Smith, Community Planning Department Manager

## **Attachments:**

Site Context Map

Schedule 'A' - Development Engineering Memorandum date September 3, 2015

Schedule 'B' - Site Plan

Schedule 'C' - Conceptual Elevations

Draft Development Permit DP15-0186 & Development Variance Permit DVP15-0187

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<sup>3</sup> City of Kelowna Official Community Plan, Guideline 14.21.1.4 (Urban Design DP Area Chapter).