

REPORT TO COUNCIL



Date: July 12, 2022

To: Council

From: City Manager

Department: Development Planning

Application: DVP22-0037 **Owner:** Donya Epp

Address: 766 Nathan Road **Applicant:** Donya Epp

Subject: Development Variance Permit

Existing OCP Designation: S-RES – Suburban - Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU1c - Large Lot Housing with Carriage House

1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 12337 be considered by Council;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP22-0037 for Lot A District Lot 358 Osoyoos Division Yale District Plan 18535, located at 766 Nathan Road, Kelowna, BC;

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

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

To vary the required maximum net floor area of a carriage house from 100 m² to 180 m².

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 issue a Development Variance Permit to vary the required maximum net floor area of a carriage house from 100 m² to 180 m².

3.0 Development Planning

Staff recommend support for the Development Variance Permit for the conversion of an existing accessory building into a carriage house. The accessory building received a Building Permit in 2012, and the structure

met all of the development regulations at the time of permit. The carriage house and accessory building development regulations were combined in 2017, which made this building legal non-conforming. The variance will allow for the conversion of the structure into a carriage house and will add additional units in a suburban neighbourhood. The subject property has a S-RES – Suburban Residential future land use designation, has a sanitary sewer connection, and is within the city’s permanent growth boundary. As such, the proposed zone is consistent with the Official Community Plan’s (OCP) objectives.

4.0 Proposal

4.1 Background

The rezoning application received first, second and third reading on April 4, 2022.

4.2 Project Description

The proposal to rezone the property from RU1 – Large Lot Housing to the RU1c – Large Lot Housing Zone with Carriage House received first, second and third reading on April 4, 2022. The property is located on Nathan Road and has a future land use designation of S-RES – Suburban Residential. The proposed Development Variance Permit would allow for the adoption of the RU1c – Large Lot Housing Zone with Carriage House.

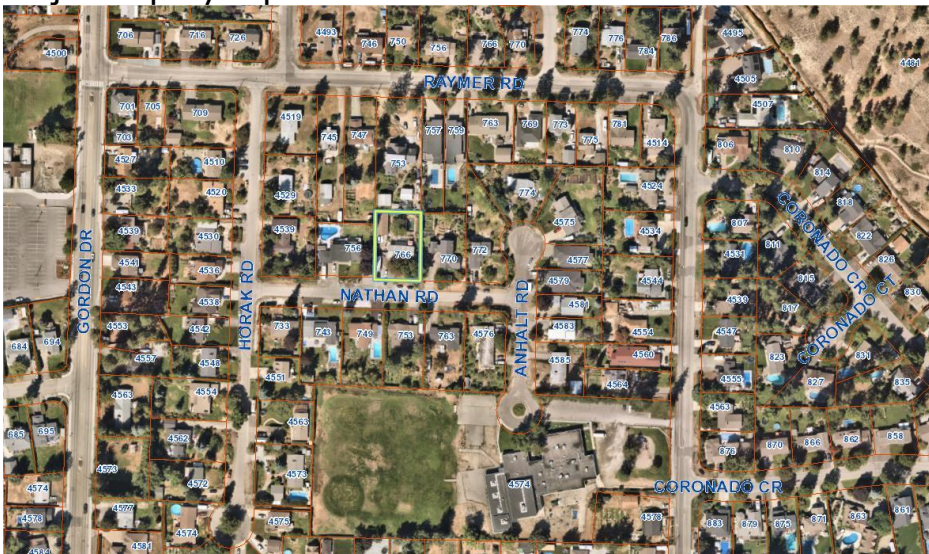
4.3 Site Context

The subject property is located on Nathan Road near the intersection with Horak Road. The parcel has a Future Land Use Designation of S-RES – Suburban Residential and is within the City’s Permanent Growth Boundary. The surrounding area consists primarily of Single Dwelling Housing.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single Dwelling Housing
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:



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU _{1c} ZONE REQUIREMENTS	PROPOSAL
Carriage House Regulations		
Max. Site Coverage (buildings)	40%	18.4%
Net Floor Area	100 m ²	180 m ² ●
Max. Height	4.8 m	3.8 m
Min. Front Yard	9.0 m	30.07 m
Min. Side Yard (east)	1.5 m	>1.5 m
Min. Side Yard (west)	1.5 m	1.5 m
Min. Rear Yard	1.5 m	1.93 m
● Indicates a requested variance to Net Floor Area		

5.0 **Current Development Policies**

5.1 Kelowna Official Community Plan (OCP)

Objective 7.2. Design Suburban Neighbourhoods to be low impact, context sensitive and adaptable.	
Policy 7.2.1. Ground-Oriented Housing.	Consider a range of low density ground-oriented housing development to improve housing diversity and affordability and to reduce the overall urban footprint of Suburban Neighbourhoods. Focus more intensive ground-oriented housing where it is in close proximity to small scale commercial services, amenities like schools and parks, existing transit service and/or active transportation facilities. <i>Proposed Carriage house would provide an additional ground oriented dwelling unit which contributes to diverse and affordable housing within suburban communities.</i>

6.0

Objective 7.6. Support a variety of low-density housing.	
Policy 7.6.1. Family-friendly multi-unit housing.	Encourage multi-unit developments near schools to include a variety of unit sizes, including three or more bedrooms <i>Proposed Carriage house would provide an additional dwelling unit on a site near multiple schools</i>

7.0 **Application Chronology**

Date of Application Received: September 14, 2021

Date Public Consultation Completed: November 9, 2021

Report prepared by: Graham Allison, Planner I

Reviewed by: Dean Strachan, Community Planning & Development 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

Schedule A: Site Plan

Attachment B: Development Engineering Memo

Attachment C: Application Rationale