

# REPORT TO COUNCIL



**Date:** January 10, 2016  
**RIM No.** 0940-00 & 0940-50  
**To:** City Manager  
**From:** Community Planning Department (EW)  
**Application:** DVP16-0254 DP16-0253      **Owner:** Stacy Isabelle Rintoul  
**Address:** 507 Oxford Ave      **Applicant:** Ernest Joseph Fahrion  
**Subject:** Development & Development Variance Permit  
**Existing OCP Designation:** S2RES - Single/Two Unit Residential  
**Existing Zone:** RU6 - Two Dwelling Housing

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## 1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP16-0253 for Lot 11 Block 11 District Lot 9 Osoyoos Division Yale District Plan 3915, located at 507 Oxford Ave, 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 Council authorizes the issuance of Development Variance Permit No. DVP16-0254 for Lot 11 Block 11 District Lot 9 Osoyoos Division Yale District Plan 3915, located at 507 Oxford Ave, Kelowna, BC;

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

### **Section 9.5b.14: Carriage House Regulations**

To vary the minimum side yard setback for a carriage house from a flanking street from the required 4.5 m to the proposed 3.0 m.

### **Section 13.6.6(b): RU6 Zone Development Regulations**

To vary the maximum combined lot coverage of all accessory building or structures and carriage houses from the required 14% to the proposed 18%.

### **Section 13.6.6(b): RU6 Zone Development Regulations**

To vary the maximum combined area of all accessory buildings/structures and carriage houses (e.g. footprint size) from the required 90 m<sup>2</sup> to 92.9 m<sup>2</sup>;

### **Section 13.6.6(e): RU6 Zone Development Regulations**

To vary the maximum height for a carriage house from the required 4.8 m to the proposed 4.9 m.

AND FURTHER THAT this Development 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 variances to the side yard setback from a flanking street, lot coverage, footprint size, and height for a proposed carriage house.

## **3.0 Community Planning**

Community Planning staff support the form and character development permit of the proposed carriage house and the variances to site coverage, building footprint size, side yard setback, and height. The form and character of the carriage house fits within the local context of the neighbourhood and is consistent with the Intensive Residential and Character Neighbourhood Design Guidelines in the Official Community Plan (OCP). The carriage house use is consistent with the OCP Future Land Use designation of Single/Two Family Residential and is consistent with the policies for Compact Urban Form and Sensitive Infill. The proposed carriage house maintains the high design standard of the existing Craftsman style single detached house on the property with tapered columns and gabled rooves. The roofing material, HardiePlank siding, trim, and colours match the existing house. The design is also sensitive to immediate neighbours by minimizing windows on the east elevation. The attractive design and orientation of the carriage house should positively contribute to the streetscape along Ellis Street.



*Figure 1. Existing single detached, Craftsman-style house at 507 Oxford Ave*

### Site Coverage & Footprint Size Variance

The variance to increase the site coverage from 14% to 18% is to accommodate the covered carport/deck entrance off of Ellis St;<sup>1</sup> the site coverage of the carriage house foundation footprint is 14%. The gabled roof supported by tapered columns and the deck entrance to the carriage house are visually pleasing features fronting Ellis Street and help to mitigate what would otherwise be a more standard surface parking stall on-site.

The variance to increase the building footprint from 90 m<sup>2</sup> to 92.9 m<sup>2</sup> is to accommodate the three-car garage. The lane is highly visible from Ellis Street and there are regularly street parking issues in the area. The proposal to provide 3 parking spaces in the garage and an additional carport space addresses street parking issues while containing vehicles within the carriage house structure.



*Figure 2. Rendering of Proposed Carriage House with Existing Main Dwelling along Ellis St.*

### Height Variance

The applicant revised the original design to reduce the height of the carriage house 0.18 m from 5.08 m to the currently proposed 4.9 m. The carriage house still appears secondary to the existing single detached house and does not exceed the height of the principal building from the peak of roof or from the midpoint of the roof. The size of the height variance is minor and should not conflict or impede other buildings in the neighborhood.

### Side Yard Setback Variance

The applicant is requesting a reduction to the side yard setback on Ellis Street from 4.5 m to 3.0 m. The setback is to accommodate the columns for the gable roof and the deck entrance of the carriage house. These architectural features create a more pleasing streetscape along Ellis St and frame the entrance to the carriage house. The setback to the carriage house foundation wall is at a minimum 6.5 m from Ellis St well beyond the Zoning Bylaw minimum. The setback variance should not affect immediately neighbouring properties.

<sup>1</sup> As per interpretation of 'site coverage' in Zoning Bylaw No. 8000, site coverage includes carports and decks.

## 4.0 Proposal

### 4.1 Project Description

The applicant is requesting four variances to the site coverage, building footprint size, height, and side yard setback to facilitate the construction of a 1 ½ storey carriage house.<sup>2</sup> The applicant's design rationale is attached (Attachment "A") for review. The letter includes providing off-street parking, private property (vehicle) security, aesthetics and design, and provision of private open space as rationale for the variances. The use of a carriage house is permitted with the existing RU6 - Two Dwelling Housing Zone.

### 4.2 Site Context

The subject property is located at the corner of Ellis St and Oxford Ave in the City Centre Urban Area and the Central City Sector. It is located with a residential neighbourhood with Tolko Industries sawmill located west of the property and Sutherland Bay Park to the northwest.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 - Two Dwelling Housing	Residential
East	RU6 - Two Dwelling Housing	Residential
South	RU6 - Two Dwelling Housing	Residential
West	I4 - Central Industrial	Sawmill (Tolko Industries Ltd.)

Subject Property Map: 507 Oxford Ave



<sup>2</sup> See Zoning Analysis table on Page 5 for requested variances.



#### 4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	440 m <sup>2</sup> (corner lot)	647 m <sup>2</sup>
Lot Width	15.0 m	15.95 m/ 23.15 m
Lot Depth	30.0 m	36.6 m/ 38.17 m
Development Regulations		
Max. Site Coverage (buildings)	40%	40%
Max. Site Coverage (buildings, driveways, and parking)	50%	44%
Development Regulations (Carriage House)		
Max. Accessory Site Coverage	14%	18% ❶
Max. Accessory Building Footprint	90 m <sup>2</sup>	92.9 m <sup>2</sup> ❷
Max. Net Floor Area	90 m <sup>2</sup>	63.3 m <sup>2</sup>
Max. Net Floor Area to Principal Building	75%	62.5%
Max. Upper Storey Floor Area to Building Footprint	75%	68.5%
Max. Height (to mid-point)	4.8 m	4.9 m ❸
Max. Height (to peak)	7.11 m	6.99 m
Side Yard (east)	2.0 m	2.0 m
Side Yard - Flanking (west)	4.5 m	3.0 m ❹
Rear Yard	1.5 m (to garage/ carport)	1.5 m
Min. Distance to Principal Building	3.0 m	7.0 m
Other Regulations		
Min. Parking Requirements	3 stalls	4 stalls
Private Open Space	30 m <sup>2</sup> per dwelling	>30 m <sup>2</sup> per dwelling
❶ Indicates a requested variance to increase the site coverage of the carriage house from 14% to 18%. ❷ Indicates a requested variance to increase the footprint of the carriage house from 90 m <sup>2</sup> to 92.9 m <sup>2</sup> . ❸ Indicates a requested variance to increase the maximum height of the carriage house from 4.8 to 4.9 m. ❹ Indicates a requested variance to decrease the flanking side yard setback from 4.5 m to 3.0 m.		

#### 5.0 Development Permit Guidelines

##### *Intensive Residential - Carriage House / Two Dwelling Housing*

Consideration has been given to the following guidelines as identified in Section 14.C. of the City of Kelowna Official Community Plan relating to Intensive Residential - Carriage House / Two Dwelling Housing Development Permit Areas:

INTENSIVE RESIDENTIAL - CARRIAGE HOUSE / TWO DWELLING HOUSING	YES	NO	N/A
<b>General Considerations</b>			
Does the dwelling complement the character of the neighbourhood and the principal dwelling?	✓		
Is private outdoor space maximized for each dwelling unit?	✓		
Does lighting placement ensure safety and reduce light pollution?	✓		

<b>INTENSIVE RESIDENTIAL - CARRIAGE HOUSE / TWO DWELLING HOUSING</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
Are parking spaces and garages located in the rear yard?	✓		
Are impermeable surfaces minimized?	✓		
Do all street facing elevations have a high quality of design?	✓		
Are entrances a dominant feature visible from the street or lane?	✓		
Does the design consider the scale and placement of windows on building faces, projections and dormers?	✓		
Is utility and mechanical equipment screened from view?	✓		
Do windows and outdoor areas respect the privacy of adjacent properties?	✓		
Does the building location minimize shadowing on the private open space of adjacent properties?	✓		
Does fencing or landscaping screen views of private open space on adjacent properties?	✓		
Is fencing material in keeping with that of abutting properties?	✓		
Are existing healthy mature trees and vegetation being retained?	✓		
Does the front yard landscaping use drought tolerant native plants?			✓
<b>Two Dwelling Housing and Carriage Houses</b>			
Does the design create a "lanescape" with a main entrance, massing towards the lane and landscaping?	✓		
Do all street facing elevations have an equal level and quality of design?	✓		
Does the exterior design and finish complement the principal dwelling?	✓		
Do the roofline, windows and façades incorporate variation to establish individual character?	✓		
Does the massing next to private open space of adjacent properties reduce the sense of scale?	✓		

#### **Intensive Residential - Character Neighbourhood**

Consideration has been given to the following guidelines as identified in Section 14.D. of the City of Kelowna Official Community Plan relating to Intensive Residential - Character Neighbourhood Development Permit Areas:

<b>INTENSIVE RESIDENTIAL - CHARACTER NEIGHBOURHOOD</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
<b>Site and Context Considerations</b>			
Is all parking screened from public view or contained in a structure?	✓		
Does articulation on the front façade create depth and architectural interest?	✓		

<b>INTENSIVE RESIDENTIAL - CHARACTER NEIGHBOURHOOD</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
Are garages recessed behind the front elevation?			✓
Do garages face away from the street?	✓		
Does the project complement the established character of the neighbourhood?	✓		
Does the design limit height difference to adjacent properties?	✓		
Are established front yard setbacks maintained?			✓
Is the front yard landscaped with a variety of trees, shrubs, flower beds or other landscape materials?			✓
Do the driveways and parking areas use permeable paving materials?			✓
<b>Form and Character</b>			
Is the established streetscape massing maintained?	✓		
Are accessory buildings smaller than the principal building?	✓		
If converting to multiple unit housing, is the exterior appearance of a single family structure maintained?			✓
Are details from the front elevations carried to the midpoint of the side elevation or the nearest articulated element?	✓		
Are exterior colours in keeping with the traditional colours for the building's architectural style?	✓		
Are high quality, low maintenance roofing and building materials being used?	✓		
Are the roofing and building materials similar to traditional materials?	✓		
Are a mixture of building materials used to enhance visual appeal and building design?	✓		
Do entrances match the pattern of the established architectural style?	✓		

## 6.0 Current Development Policies

### 6.1 Kelowna Official Community Plan (OCP)

#### Development Process

**Compact Urban Form.**<sup>3</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.

<sup>3</sup> City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).

**Sensitive Infill.**<sup>4</sup> Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighborhood with respect to building design, height and siting.

## 7.0 Technical Comments

### 7.1 Building & Permitting Department

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
- Operable bedroom windows required as per the 2012 edition of the British Columbia Building Code (BCBC 12).
- Provide the City of Kelowna Bulletin #88-02 (Secondary Suites Requirements in a single family dwelling) for minimum requirements. The drawings submitted for Building Permit application is to indicate the method of fire separation between the suite and the garage
- Range hood above the stove and the washroom to vent separately to the exterior of the building. The size of the penetration for this duct thru a fire separation is restricted by BCBC 12, so provide size of ducts and fire separation details at time of Building Permit Applications.
- A fire rated exit stairwell is required from the suite to the exterior c/w fire rated doors that open into the stairwell and a fire rating on the bottom of the stairs. Please provide these details on the building permit drawing sets.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

### 7.2 Development Engineering Department

- Please see attached memorandum dated November 10, 2016 (Attachment "B").

### 7.3 Fire Department

- Requirements of section 9.10.19 Smoke Alarms and Carbon Monoxide alarms of the BCBC 2012 are to be met.
- If a fence is ever constructed between the dwellings, a gate with a clear width of 1100mm is required.
- All units shall have a posted address on Oxford Ave. for emergency response - laneways are not reliable for emergency access. The corner lot makes response much easier.

### 7.4 FortisBC - Gas

- Please be advised FortisBC Gas has reviewed the above mentioned referral and the gas service line will be impacted and will need to be altered or abandoned/renewed to accommodate development proposal

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<sup>4</sup> City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).



## **8.0 Application Chronology**

Date of Application Received: Oct 17, 2016  
Date Public Consultation Completed: Oct 20, 2016  
Date Amended Plans Received: Nov 21, 2016

**Report prepared by:** Emily Williamson, Planner  
**Reviewed by:** Terry Barton, Urban Planning Manager  
**Approved for Inclusion:** Ryan Smith, Community Planning Department Manager

### **Attachments:**

Attachment "A" - Applicant's Rationale Statement  
Attachment "B" - Development Engineering Memorandum dated November 10, 2016  
Draft DVP16-0254  
Schedule "A" - Site Plan, Floor Plans, & Elevations  
Schedule "B" - Colour Board