

REPORT TO COUNCIL



Date: April 24, 2017

RIM No. 1250-04

To: City Manager

From: Community Planning Department (RR)

Application: TA15-0008

Applicant: City of Kelowna

Subject: Zoning Bylaw Text Amendment

1.0 Recommendation

THAT Zoning Bylaw Text Amendment Application No. TA15-0008 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in the Report from the Community Planning Department dated April 24, 2017 be considered by Council;

AND THAT the Zoning Bylaw Text Amending Bylaw be forwarded to a Public Hearing for further consideration.

2.0 Purpose

To consider a Text Amendment to harmonize carriage house and accessory building regulations to reduce the need for future variance requests and improve bylaw administration.

3.0 Community Planning

The proposed amendments were requested by Council to harmonize regulations between Carriage Houses and Accessory Buildings. Under the current bylaw, carriage houses have different setbacks and heights than accessory building. Therefore, a homeowner building a garage with an eye to eventually converting it to a carriage house would require variances to the height and setbacks.

Because the difference between the maximum height of an accessory building (4.5 m) and a carriage house (4.8 m) is so small, only 30 cm, staff are recommending that accessory building heights be increased to match carriage house heights.

Additionally, staff have prepared amendments to consolidate all carriage house regulations and accessory building regulations into a single section of the bylaw. At this time, regulations are repeated throughout the bylaw, meaning that even small amendments require extensive staff review.

4.0 Proposal

4.1 Background

The proposed amendments were prepared at the request of Council, in response to several development variance permits where applicants built accessory buildings with the intent of later converting them to

carriage houses. In developing the bylaw amendments, staff determined that there was an opportunity to further consolidate and re-organize the structure of the zoning bylaw regulations regarding carriage houses.

4.2 Project Description

The most significant changes to the bylaw are changes to accessory building regulations to match carriage house regulations, and simplify all setbacks.

Regulation	Accessory Building	Carriage House	Harmonised Bylaw
Maximum Height	4.5 m	4.8 m	4.8 m
Rear Yard Setbacks	1.5 m	0.9 m, 1.5 m or 2.0 m	1.5 m

All of the proposed changes are fairly minor, ranging from 30 cm in height to 60 cm in distance. Staff expect that this will reduce the number of minor variances coming before council, without leading to an optically different pattern of development in Kelowna.

The bylaw does not increase the maximum size or coverage of either accessory buildings or carriage houses. It does not grant any development rights to properties that do not currently have development rights, or change any land uses.

Report prepared by:

Ryan Roycroft, Planner

Reviewed by:

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Ryan Smith, Community Planning Department Manager

Approved for Inclusion:

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Doug Gilchrist, Divisional Director, Community Planning & Real Estate

Attachments:

Proposed Section 6.5 Accessory Building Regulations
Proposed Section 9.5b Carriage House Regulations